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SENATE

WEDNESDAY, FEBRUARY 8, 1967

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O Thou, Father of our spirits, who hearest prayer, breathe upon us now, we beseech Thee, the benediction of Thy holy calm. Soothe the anxieties of our baffled minds so that with the shield of Thy peace and the sword of Thy truth we may face whatever tests this day may bring, free and fearless.

Kindle on the altar of our hearts a flame of devotion to freedom's cause in all the world that, in its white heat, shall consume every grosser passion. Heal the divisions which shorten the arm of our national might as we stand at this crossroads of history. Override the errors of our faulty judgments.

In spite of all the evil that stalks the earth, we thank Thee for human kindness, for hope that shines undimmed, for faith that is dauntless, and for all the qualities of high personality that cannot be bought.

Let Thy beauty, O Lord, be upon us, that our spirits may be radiant as in Thy strength we face the perplexities of these troubled days.

So may Thy kingdom come and Thy will be done in all the earth.

In the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. LONG of Louisiana, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, February 7, 1967, was dispensed with.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Jones, one of his secretaries.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. LONG of Louisiana, and by unanimous consent, the following subcommittees were authorized to meet during the session of the Senate today:

The Subcommittee on Government Research of the Committee on Government Operations;

The Subcommittee on Air and Water Pollution of the Committee on Public Works.

LIMITATION ON STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. LONG of Louisiana, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Report on Federal Contributions Program, Equipment and Facilities—Obligations by States

A letter from the Acting Director of Civil Defense, Department of the Army, Washington, D.C., transmitting, pursuant to law, a report on the Federal contributions program, equipment and facilities—obligations by States, for the quarter ended December 31, 1966 (with an accompanying report); to the Committee on Armed Services.

Report of U.S. Travel Service

A letter from the Acting Secretary of Commerce, transmitting, pursuant to law, a report of the U.S. Travel Service, for the 6-month period ended June 30, 1966 (with an accompanying report); to the Committee on Commerce.

Promotion of U.S. Interests in Voluntary International Commercial Standards Activities

A letter from the Acting Secretary of Commerce, transmitting a draft of proposed legislation to promote and support representation of U.S. interests in voluntary international commercial standards activities, to establish a clearinghouse for commercial and procurement standards, and for other purposes (with an accompanying paper); to the Committee on Commerce.

Use by Policyholders of Cash Surrender Value of Certain Life Insurance

A letter from the Administrator of Veterans' Affairs, Veterans' Administration, Washington, D.C., transmitting a draft of proposed legislation to authorize the use by policyholders of the cash surrender value or the proceeds of a matured endowment policy of U.S. Government or national service life insurance to purchase annuities (with an accompanying paper); to the Committee on Finance.

Amendment of Peace Corps Act

A letter from the Director, Peace Corps, Washington, D.C., transmitting a draft of proposed legislation to amend further the Peace Corps Act (75 Stat. 612), as amended (with accompanying papers); to the Committee on Foreign Relations.

Report on Property Donated to Public Health and Education Institutions

A letter from the Acting Secretary of Health, Education, and Welfare, transmitting, pursuant to law, a report covering personal property donated to public health and educational institutions and civil defense organizations, and real property disposed of to public health and educational institutions, for the 6-month period ended December 31, 1966 (with an accompanying report); to the Committee on Government Operations.

Reports of Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on procurement of locomotives for Thailand under the military assistance program, Department of Defense, dated January 1967 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on payment of certain severance benefits to former Foreign Service officers, Department of State, dated January 1967 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on opportunities for reducing Federal contributions by maximizing investment of excess funds held by local housing authorities, Department of Housing and Urban Development, dated January 1967 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of planned Federal contribution toward the cost of the State-constructed Del Valle Dam and Reservoir, Alameda County, Calif., Corps of Engineers (Civil Functions), Department of the Army, dated January 1967 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on examination of financial statements, fiscal year 1966, Housing Assistance Administration, Department of Housing and Urban Development, dated January 1967 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on review of recovery procedures relating to excess funds accumulated under an insurance contract for the medical care of old-age assistance recipients in the State of Texas, Welfare Administration, Department of Health, Education, and Welfare, dated January 1967 (with an accompanying report); to the Committee on Government Operations.

Payment of Certain Travel Expenses

A letter from the Chairman, U.S. Civil Service Commission, Washington, D.C., transmitting a draft of proposed legislation to amend title 5, United States Code, to authorize payment of travel expenses of applicants invited by an agency to visit it in connection with possible employment (with accompanying papers); to the Committee on Government Operations.

ESTABLISHMENT OF A NATIONWIDE SYSTEM OF TRAILS

A letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation to establish a nationwide system of trails, and for other purposes (with accompanying papers); to the Committee on Interior and Insular Affairs.

GEOTHERMAL STEAM ACT OF 1967

A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to authorize the Secretary of the Interior to make disposition of geothermal steam and associated geothermal resources, and for other purposes (with accompanying papers); to the Committee on Interior and Insular Affairs.

SAFE STREETS AND CRIME CONTROL ACT OF 1967

A letter from the Acting Attorney General, transmitting a draft of proposed legislation to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes (with an accompanying paper); to the Committee on the Judiciary.

CREATION OF U.S. CORRECTIONS SERVICE

A letter from the Acting Attorney General, transmitting a draft of proposed legislation to assist in combatting crime by creating the U.S. Corrections Service, and for other purposes (with an accompanying paper); to the Committee on the Judiciary.

REPORT ON EMPLOYEE PERSONNEL PROPERTY CLAIMS

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., transmitting, pursuant to law, a report on employee personnel property claims, for the calendar year 1966 (with an accompanying report); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the **PRESIDENT** pro tempore:

A joint resolution of the Legislature of the State of Washington; to the Committee on Public Works:

"HOUSE JOINT MEMORIAL 8

"To the Honorable Lyndon B. Johnson, President of the United States, and to the Senate and House of Representatives of the United States of America, in Congress assembled, and to the Secretary of the Department of Transportation:

"We, your Memorialists, the Senate and the House of Representatives of the State of Washington, in legislative session assembled, respectfully represent and petition as follows:

"Whereas the Bureau of Public Roads of the Department of Transportation in late November, 1966, advised all states of a cut in their authority to obligate federal aid highway funds for fiscal 1967 as well as retroactive prohibition on obligating any funds not yet obligated from previous apportionments as of June 30, 1966; and

"Whereas the effect of such cuts on the State of Washington will be in reality a reduction of forty-one percent and not the reported seventeen and one-half percent, which is readily demonstrable as follows:

"Federal funds from prior years (unobligated)	$26, 000, 000
Original Federal allocation to June 30, 1967	97, 000, 000
Total funds available to Washington	123, 000, 000
Less:	
Withheld to protect liquidity	10, 000, 000
Percentage cutback	15, 000, 000
Unobligated funds frozen in cutback order	26, 000, 000
Total withholding, cutback, and freeze	51, 000, 000
Remaining Federal funds available	72, 000, 000

"Thus, of the one hundred twenty-three million dollars of federal aid highway funds available to the State of Washington for new highway construction, the state now has remaining seventy-two million dollars, or a cut of forty-one percent; and

"Whereas recent reports indicate that further cuts are threatened which would result in a cut of an additional ten million dollars of the funds available for the State of Washington; and

"Whereas the State of Washington has geared its highway planning and steadily increasing construction in reliance on the promises, announced policies, budgets, statutes, and urgings of the federal government, resulting in the employment of a heavy proportion of construction engineers and consulting engineers; and

"Whereas the private construction industry has increased its employment and capital investments to meet anticipated highway department programs; and

"Whereas the federal aid cut will create employment difficulties in both state government and private industry as well as losses in capital investments; and

"Whereas the federal aid cut will severely curtail this state's efforts to achieve an adequate state highway transportation system and to fulfill its obligations to complete its portion of the interstate highway system; now, therefore, be it

"*Resolved,* That the Senate and House of Representatives of the State of Washington do respectfully urge that the Congress of the United States do at the earliest possible time devise and approve legislation which will restore all federal aid highway funds to the levels in effect and contemplated in November, 1966, prior to the cut-back; be it further

"*Resolved,* That copies of this Memorial be transmitted by the Secretary of State to the President of the United States, to the Senators and Representatives in Congress from the State of Washington, to the Vice President, to the Chairmen of the Committees on Finance and on Commerce of the Senate, to the Speaker and the Chairmen of the Ways and Means and Public Works Committees of the House of Representatives, and to the Secretary of the Department of Transportation.

"Passed the House January 24, 1967.

"DON ELDRIDGE,
"Speaker of the House.

"Passed the Senate January 25, 1967.

"JOHN A. CHERBERG,
"President of the Senate.

"Attest:

"MALCOLM MCBEATH,
"Chief Clerk, House of Representatives."

A joint resolution of the Legislature of the State of Montana; to the Committee on Public Works:

"SENATE RESOLUTION 2

"A joint resolution of the Senate and House of Representatives of the State of Montana to the President of the United States, the Honorable Lyndon B. Johnson; to the Speaker of the House and the President of the Senate; to the Clerk of the House of Representatives and the Secretary of the Senate; to the Committee on Appropriations of the United States Senate; to the Committee on Appropriations of the House of Representatives; to the Committee on Public Works of the House of Representatives; to the Honorable Mike Mansfield and the Honorable Lee Metcalf, Senators from the State of Montana; to the Honorable Arnold H. Olsen and the Honorable James Battin, Representatives from the State of Montana; to the Honorable Charles L. Schultze, Director, Bureau of the Budget; to the Honorable Stephen Ailes, Secretary of the Army; to the Honorable Lt. General W. K. Wilson, Jr., Chief of Engineers, Army Corps of Engineers; requesting a review and redefinition of the present land acquisition policy in the Libby Dam area

"Whereas the Kootenai country of Montana was settled by pioneers who by their toil and sacrifice tamed a wild land and left a heritage of work and dignity to the present occupants of the land, and

"Whereas over a period of years the inhabitants of the land have formed deep and meaningful attachments to their land, their homes, and to the gravesites of their loved ones, and these attachments should not be torn and destroyed lightly or without good cause, and

"Whereas the people of Montana are fully cognizant of the benefits to be gained from water development projects like Libby Dam, and

"Whereas the original plan was to provide a three hundred foot wide access strip above the water level of Libby reservoir for recreation but now far more land is being condemned needlessly and at unwarranted expense to the taxpayer, and

"Whereas under the present appraisal system, prices being offered for this land are so low and unrealistic that the land owner has no possibility of being able to provide like accommodations for himself and his family without economic suffering; and that this appraisal policy sorely offends the spirit of the constitutional proscription against taking of private property for public use without just compensation, and

"Whereas the federal government already possesses more than eighty percent of the land area of Lincoln county and any additional taking of land for federal purposes would be detrimental to the prosperity and development of this area, and

"Whereas under the present lease policy of the United States Forest Service, no provision is made for giving present occupants of the land a priority to retain their home sites, and this practice is unduly restrictive and unfair to long-time residents of the area. Now, therefore, be it

"*Resolved by the Senate and House of Representatives of the State of Montana,* That the present land acquisition policy in the Libby Dam area be reviewed by appropriate personnel and that no land in addition to the three hundred foot access strip be taken for recreation. Be it further

"*Resolved,* That the appraisal policy now being carried out be reviewed and redirected in such a manner that no land owner will suffer economic hardship as a result of having his land taken for purposes affiliated with Libby Dam. Be it further

"*Resolved,* That the policy of the United States Forest Service be altered to provide present holders of land and home sites a preference in leasing land on a fair and equitable basis. Be it further

"*Resolved,* That the secretary of state is instructed to send copies of this resolution to all persons to whom it is addressed.

"Attest:

"JAMES J. PASMA,
"*Secretary of the Senate.*
"TED JAMES,
"*President of the Senate.*
"JAMES R. FELT,
"*Speaker of the House.*"

A joint resolution of the Legislature of the State of Wyoming; to the Committee on the Judiciary:

"ENROLLED JOINT RESOLUTION 1, SENATE, 39TH SESSION OF THE STATE LEGISLATURE OF THE STATE OF WYOMING

"Joint resolution ratifying a proposed amendment to the Constitution of the United States, relating to succession to the Presidency and Vice Presidency, and to cases where the President is unable to discharge the powers and duties of his office

"Whereas the Eighty-ninth Congress of the United States of America, at the first session begun and held at the City of Washington on Monday, the fourth day of January, one thousand nine hundred and sixty-five, by a constitutional two-thirds vote in both Houses adopted a Joint Resolution proposing an amendment to the Constitution of the United States, to wit:

" 'Joint resolution proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice Presidency and to cases where the President is unable to discharge the powers and duties of his office

" '*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled* (*two-thirds of each House concurring therein*), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

" ' "ARTICLE —

" ' "SECTION 1. In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.

" ' "SEC. 2. Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress.

" ' "SEC. ?. Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President.

" ' "SEC. 4. Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.

" ' "Thereafter, when the President transmits to the President pro tempore of the Senate and to the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President and a majority of either the principal officers of the executive department or of such other body as the Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is not in session, within twenty-one days after Congress is required to assemble, determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of his office, the Vice President shall continue to discharge the same as acting President; otherwise, the President shall resume the powers and duties of his office.' "

"Now, therefore, be it resolved, that the Legislature of the State of Wyoming hereby ratifies and adopts this proposed Amendment to the Constitution of the United States.

"Be it further resolved that the Secretary of the State of Wyoming notify the President of the United States, the President pro tempore of the Senate of the United States, the Speaker of the House of Representatives of the United States, the Administrator of General Services of the United States, and each Senator and Representative from Wyoming in the Congress of the United States of this action of the Legislature by forwarding to each of them a certified copy of this Resolution.

"WILLIAM F. SWANTON,
"*Speaker of the House.*
"RICHARD R. JONES,
"*President of the Senate.*"

A resolution adopted by the Democratic Club of Mesa County, Grand Junction, Colo., relating to the application of the Fair Labor Standards Act and its recent amendment; to the Committee on Armed Services.

A resolution adopted by the mayor and common council of the city of San Bernardino, Calif., favoring the enactment of legislation to provide for uniform, fair, and equitable treatment of persons and businesses displaced by Federal and federally assisted programs; to the Committee on Banking and Currency.

EDUCATION AND WELFARE—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 54)

The ACTING PRESIDENT pro tempore. The Chair lays before the Senate a message from the President of the United States on education and welfare. Without objection, the message will be printed in the RECORD without being read, and will be appropriately referred.

The message from the President is as follows:

To the Congress of the United States:

In 1905, this Nation hummed with industrial growth—and Jane Addams discovered a boy of 5 working for a living by night in a cotton mill.

Thirteen percent of the laborers then in the cotton trade were child laborers. All across the Nation, in glass factories, in mines, in canneries and on the streets, more than 2 million children under 16 worked—full time.

Slowly, what Theodore Roosevelt called "public sentiment, with its corrective power" stirred and raised a cry for action.

"The interests of this Nation," President Roosevelt declared to Congress in 1909, "are involved in the welfare of children no less than in our great national affairs."

By 1912, the Federal Children's Bureau was established. The long battle to end child labor moved toward victory. Congress had pledged its power to the care and protection of America's young people.

Upon that pledge, the Congress, the executive branch, and the States have built public policy—and public programs—ever since.

In the past 3 years, I have recommended and you in the Congress have enacted legislation that has done more for our young people than in any other period in history:

Headstart and other preschool programs are providing learning and health care to more than 2 million children.

The Elementary and Secondary Education Act is improving the education of more than 7 million poor children.

Our higher education programs support more than 1 million students in college—students who might otherwise not have been able to go.

The Neighborhood Youth Corps, the Job Corps, and an expanded manpower development and training program are bringing skills to almost 1 million young Americans who only a few years ago would have been condemned to the ranks of the unemployed.

The "medicaid" program is now extending better medical service to millions of poor children.

In fiscal 1960, the Federal Government invested about $3.5 billion in America's children and youth. In fiscal 1965 that investment rose to $7.3 billion. In fiscal 1968 it will increase to over $11.5 billion—more than three times the amount the Government was spending 8 years ago.

We are a young nation. Nearly half our people are 25 or under—and much of the courage and vitality that bless this land are the gift of young citizens.

The Peace Corps volunteer in Bolivia, the Teacher Corps volunteer in a Chicago slum, the young marine offering up his courage—and his life—in Vietnam: these are the Boy Scouts, the 4-H Club members, the high school athletes of only a few years ago. What they are able to offer the world as citizens depends on what their Nation offered them as youngsters.

Knowing this, we seek to strengthen American families. We also seek to strengthen our alliance with State and local governments. The future of many of our children depends on the work of local public health services, school boards, the local child welfare agencies, and local community action agencies.

Recent studies confirm what we have

long suspected. In education, in health, in all of human development, the early years are the critical years. Ignorance, ill health, personality disorder—these are disabilities often contracted in childhood: afflictions which linger to cripple the man and damage the next generation.

Our Nation must rid itself of this bitter inheritance. Our goal must be clear—to give every child the chance to fulfill his promise.

Much remains to be done to move toward this goal. Today, no less than in the early years of this century, America has an urgent job to do for its young.

Even during these years of unparalleled prosperity:

Five and one-half million children under 6, and 9 million more under 17, live in families too poor to feed and house them adequately.

This year 1 million babies, one in every four, will be born to mothers who receive little or no obstetric care.

More than 4 million children will suffer physical handicaps and another 2 million will fall victim to preventable accidents or disease.

One million young Americans, most of them from poor families, will drop out of school this year—many to join the unhappy legion of the unemployed.

One in every six young men under 18 will be taken to juvenile court for at least one offense this year.

Our Nation can help to cure these social ills if once again, as in the past, we pledge our continuing stewardship of our greatest wealth—our young people.

I recommend a 12-point program for the children and youth of America. With the help of the Congress, we can:

1. Preserve the hope and opportunity of Headstart by a "followthrough" program in the early grades.

2. Strengthen Headstart by extending its reach to younger children.

3. Begin a pilot lunch program to reach preschool children who now lack proper nourishment.

4. Create child and parent centers in areas of acute poverty to provide modern and comprehensive family and child development services.

5. *Help the States train specialists*—now in critically short supply—to deal with problems of children and youth.

6. Strengthen and modernize programs providing aid for children in poor families.

7. Increase social security payments for 3 million children, whose support has been cut off by the death, disability, or retirement of their parents.

8. Expand our programs for early diagnosis and treatment of children with handicaps.

9. *Carry forward our attack on mental* retardation, which afflicts more than 125,000 children each year.

10. Launch a new pilot program of dental care for children.

11. Help States and communities *across the Nation plan and operate* programs to prevent juvenile delinquents from becoming adult delinquents.

12. Enrich the summer months for needy boys and girls.

STRENGTHENING HEADSTART

Headstart—a preschool program for poor children—has passed its first trials with flying colors. Tested in practice the past 2 years, it has proven worthy of its promise.

Through this program, hope has entered the lives of hundreds of thousands of children and their parents who need it the most.

The child whose only horizons were the crowded rooms of a tenement discovered new worlds of curiosity, of companionship, of creative effort. Volunteer workers gave thousands of hours to help launch poor children on the path toward self-discovery, stimulating them to enjoy books for the first time, watching them sense the excitement of learning.

Today Headstart reaches into three out of every four counties where poverty is heavily concentrated and into every one of the 50 States.

It is bringing more than education to children. Over half the youngsters are receiving needed dental and medical treatment. Hearing defects, poor vision, anemia, and damaged hearts are being discovered and treated.

In short, for poor children and their parents, Headstart has replaced the conviction of failure with the hope of success.

The achievements of Headstart must not be allowed to fade. For we have learned another truth which should have been self-evident—that poverty's handicaps cannot be easily erased or ignored when the door of first grade opens to the Headstart child.

Headstart occupies only part of a child's day and ends all too soon. He often returns home to conditions which breed despair. If these forces are not to engulf the child and wipe out the benefits of Headstart, more is required. Followthrough is essential.

To fulfill the rights of America's children to equal educational opportunity the benefits of Headstart must be carried through to the early grades.

We must make special efforts to overcome the handicap of poverty by more individual attention, by creative courses, by more teachers trained in child development. This will not be easy. It will require careful planning and the full support of our communities, our schools and our teachers.

I am requesting appropriations to launch a followthrough program during the first school grades for children in areas of acute poverty.

The present achievements of *Headstart serve as a measure of the distance* we must still go:

Three out of four Headstart children participate only in a summer program. The summer months are far too brief to *close the gap separating the disadvantaged child from his more fortunate* classmate.

Only a small number of 3-year-olds are now being reached. The impact of Headstart will be far more beneficial if it is extended to the earlier years.

Headstart has dramatically exposed the nutritional needs of poverty's children. More than 1.5 million preschoolers are not getting the nourishing food vital to strong and healthy bodies.

To build on the experience already gained through Headstart:

I am requesting funds from the Congress and I am directing the Director of the Office of Economic Opportunity to:

First. Strengthen the full-year Headstart program.

Second. Enlarge the number of 3-year-olds who participate in Headstart.

Third. Explore, through pilot programs, the effectiveness of this program on even younger children.

I am recommending legislation to authorize a pilot program to provide school lunch benefits to needy preschoolers through Headstart and similar programs.

CHILD AND PARENT CENTERS

There is increasing evidence that a child's potential is shaped in infancy—and even during the prenatal period. Early in life, a child may acquire the scars that will damage his later years at great cost to himself and to society. No serious effort in child development can ignore this critical period.

In every community, we must attack the conditions that dim life's promise. Today, the Federal Government and the States support a wide range of services for needy children and their parents.

But we have fallen short. Many of these services are fragmented. Many do not provide imaginative and inventive programs to develop a child's full potential. Others fail to enlist the adults of the community in enriching the lives of children and thereby enriching their own lives as well.

The task is to marshal these services—to develop within our comprehensive neighborhood centers a single open door through which child and parent can enter to obtain the help they need.

I am instructing the Director of the Office of Economic Opportunity to begin a pilot program of child and parent centers through its community action program in areas of acute poverty.

I am also instructing the Secretaries of Health, Education, and Welfare and Housing and Urban Development to support these centers with resources from related programs.

These child and parent centers would provide a wide range of benefits—as wide as the needs of the children and parents they must serve:

Health and welfare services.

Nutritious meals for needy preschoolers.

Counseling for parents in prenatal and infant care and instruction in household management, accident prevention and nutrition.

Day care for children under 3 years old.

A training base for specialists in child development.

A typical center might serve a slum neighborhood or a large housing project. *Where possible, the centers would be af*filiated with universities to provide greater research and experimentation in the fields of child development and education.

TO WORK WITH CHILDREN

A wealthy and abundant America lags behind other modern nations in training qualified persons to work with children.

These workers are badly needed—not only for poor children but for all children. We need experts and new professionals in child care. We need more preschool teachers, social workers, librarians, and nurses.

New training efforts must be supported—for day care counselors, parent-advisers and health-visitors. We must train workers capable of helping children in neighborhood centers, in health clinics, in playgrounds and in child welfare agencies. Others must be prepared to support the teacher in the school and the mother in the home.

These jobs promise excellent opportunities for high school and grade school graduates, and for citizens who are retired. They can provide meaningful employment for persons who are themselves economically deprived. In helping needy young children achieve their potential, they can also help to develop themselves.

Two OEO programs, foster grandparents and home health aids, have already proved the value of such services.

To help provide the trained workers needed for America's children, I recommend legislation to increase to 75 percent the Federal matching funds for State child welfare personnel, including training programs.

I am also directing the Secretaries of Labor, and Health, Education, and Welfare, and the Director of the Office of Economic Opportunity, to emphasize through adult education, vocational rehabilitation and other programs, training for "new careers" in child care.

SOCIAL SECURITY INCREASES FOR CHILDREN

Two weeks ago, I proposed legislation to bring the greatest improvement in living standards for those covered under social security since that historic act was passed in 1935.

While this program extends primarily to the older Americans, it also covers a child if the family breadwinner, who is under social security, dies, retires, or becomes disabled.

Today, more than 3 million children receive social security payments. Their average benefit is only $52 a month.

To provide more adequate payments to these children, I recommend legislation to enlarge their benefits—with an average increase of at least 15 percent.

IMPROVING CHILD ASSISTANCE

Enacted during the 1930's the "Aid to Families with Dependent Children"—AFDC—program is a major source of help for the poor child. Under AFDC, Federal financial aid is provided to States to help needy families with children under 21.

There are serious shortcomings in this program:

Only 3.2 million children received benefits last year.

Twelve million children in families below the poverty line received no benefits.

Thirty-three States do not even meet their own minimum standards for subsistence.

Seven States offer a mother and three children $120 a month or less.

Only 21 States have taken advantage of a 1962 law, expiring this year, allowing children with unemployed parents to receive financial assistance. Only 12 States have community work and training programs for unemployed parents to give them the skills needed to protect their family and earn a decent living. A number of States discourage parents from working by arbitrarily reducing welfare payments when they earn their first dollar.

To remedy these deficiencies and give the poorest children of America a fair chance, I recommend legislation to—

Require each State to raise cash payments to the level the State itself sets as the minimum for subsistence, to bring these minimum standards up to date annually, and to maintain welfare standards at not less than two-thirds the level set for medical assistance.

Provide special Federal financial assistance to help poorer States meet these new requirements.

Make permanent the program for unemployed parents, which expires this year.

Require each State receiving assistance to cooperate in making community work and training available.

Require States to permit parents to earn $50 each month, with a maximum of $150 per family, without reduction in assistance payments.

Even well-established State welfare programs lack adequate services to protect children where there is physical abuse or neglect. There should be protection for the child, as well as help for the parent. Other State child welfare programs should expand day-care and homemaker services. New services must be tested, particularly for the mentally retarded, for the child requiring emergency shelter and for the child in the urban slum.

I recommend legislation to authorize a program of project grants to encourage States and local communities to develop new forms of child services.

CHILD HEALTH

Last year, nearly 400,000 needy mothers received care through maternal and child health nursing services. About 3 million children received public health nursing services, including almost 20 percent of all infants under 1 year of age.

But our public health record for children gives us little cause for complacency:

At least 10 other nations have lower infant mortality rates than the United States. Nearly 40,000 babies in America die each year who would be saved if our infant mortality rate were as low as Sweden's.

Nearly 1 million pregnant women receive little or no prenatal care.

More than 3.5 million poor children under 5 who need medical help do not receive it under public medical care programs.

Our whole society pays a toll for the unhealthy and crippled children who go without medical care: a toll of incalculable human suffering, unemployment, rising rates of disabling disease, and expenditures for special education and institutions for the handicapped.

We have made hopeful beginnings toward reducing that toll.

Under the "medicaid" program enacted in 1965, the 25 States now in partnership with the Federal Government will help pay hospital costs and doctors' bills for more than 3.5 million poor children this year. By next year, we expect 23 more States to join "medicaid."

I am requesting increased funds for the medicaid program, including $221 million for medical care for needy children—an increase of some $100 million over last year.

We must also move in another direction. Nearly 500,000 youngsters now receive treatment under the crippled children's program. But more than twice that number need help.

The problem is to discover, as early as possible, the ills that handicap our children. There must be a continuing followup and treatment so that handicaps do not go neglected.

We must enlarge our efforts to give proper eye care to a needy child. We must provide help to straighten a poor youngster's crippled limb before he becomes permanently disabled. We must stop tuberculosis in its first stages, before it causes serious harm.

I recommend legislation to expand the timely examination and treatment of an additional 500,000 poor children in fiscal 1968.

In 1965 I proposed and the Congress enacted a special program to provide comprehensive health care for the poor child. Today, through the work of the Children's Bureau and local public health agencies, thousands of preschool and school children in more than 20 communities across America are being examined and treated. The early success of this program justifies its further expansion.

I am requesting the full authorization of $40 million for the comprehensive health service program for preschool and school children.

There are only 12,000 trained pediatricians and 13,000 obstetricians in the United States today—far too few to provide adequate medical care for all our children and mothers.

Our health goals for children cannot be met unless we develop new patterns of health care. This will require the great energy and skill of the American medical profession. New types of health workers must be trained to help our doctors do more. We must use more effectively the health manpower we have. Above all, the health profession should be encouraged to invent and innovate to give every child the medical care he needs.

I recommend legislation to authorize 10 pilot centers this year to provide research and development in child health care, to train health workers, to test new methods and to provide care for 180,000 needy children and 10,000 mothers.

These new centers will be associated, wherever possible, with medical universities or neighborhood health centers. They will:

Train new types of health workers to assist the pediatrician and obstetrician.

Design and develop more efficient methods and techniques of health care delivery.

Provide needed maternal and child health care.

In addition, I am directing the Secretary of Health, Education, and Welfare to allocate increased funds to help train more pediatricians, obstetricians, and family doctors.

MENTAL RETARDATION

Each year more than 125,000 infants are born mentally retarded.

This dread disability strikes rich families and poor. The tragedy of mental retardation affects the child, the parents, and the entire community.

In 1958, the late Congressman from Rhode Island, John E. Fogarty, introduced legislation which launched our attack on mental retardation.

For the past 3 years we have intensified that attack on all fronts—in prevention, treatment, rehabilitation, employment, recreation services.

But today, America still lacks trained workers and community facilities to carry on the fight.

I recommend legislation to—

Provide, for the first time, Federal support to assist the staffing of community mental retardation centers.

Extend Federal support for the construction of university and community centers for the mentally retarded.

DENTAL NEEDS

Nearly two out of three disadvantaged children between the ages of 5 and 14 have never visited a dentist. They have five times more decayed teeth than their more fortunate classmates.

To begin meeting the dental needs of poor children, I recommend legislation to—

Authorize a pilot program of dental care for 100,000 children in areas of acute poverty.

Provide training for dental assistants to help bring care to schools and other community agencies.

Explore better methods of furnishing care.

THE JUVENILE DELINQUENCY PREVENTION ACT OF 1967

Youth can mean high spirits, great ambitions, wide intellectual interests, constructive group activities, and the exciting tests of physical and mental power.

But too often it means failure in school, dropouts, the emptiness of unplanned days, joblessness, flights from a broken home, and trouble with the police.

The rapid urbanization of our Nation and the sharply growing numbers of young people can mean new vigor and opportunity for our society—or new crime problems and more wasted lives.

This Nation has already committed itself to enrich the lives of our young people and to free the disadvantaged from the waste and boredom that would otherwise characterize their lives:

The Elementary and Secondary Education Act of 1965 and the Higher Education Act of 1965 are greatly expanding educational opportunities.

The Upward Bound program is preparing disadvantaged boys and girls for entry into college.

Work-study programs, grants, loans, and scholarships are helping to provide an education for young people unable to afford it.

The Manpower Training and Development Act, the Job Corps, and the Neighborhood Youth Corps are providing needed job skills.

Despite these achievements, much remains to be done to fulfill our commitment to young Americans. In later messages, I will propose additional measures that will assist young Americans—in education, in health, and in special employment programs.

But today, I propose to deal with the young American who is delinquent or potentially delinquent. Too many schools and agencies close their doors and minds to a young person with serious behavioral problems, and then pass him on to sterner but frequently less effective authorities. Most youth who commit delinquent acts ultimately grow into responsible adults. But if a youth behaves badly enough or is unlucky enough to enter the courts and correctional institutions, he is more likely to continue in criminal activity as an adult.

The past 5 years of experience under the Juvenile Delinquency Act and the report of the National Crime Commission have shown the need for new approaches for dealing with delinquent and potentially delinquent youth:

Special community-based diagnostic and treatment services for youth in trouble.

The strengthening of ties between the community and the correction and probation system.

The construction of modern correctional facilities employing the most advanced methods of rehabilitation.

We must pursue a course designed not merely to reduce the number of delinquents. We must increase the chances for such young people to lead productive lives.

For the delinquent and potentially delinquent youth, we must offer a new start. We must insure that the special resources and skills essential for their treatment and rehabilitation are available. Because many of these young men and women live in broken families, burdened with financial and psychological problems, a successful rehabilitation program must include family counseling, vocational guidance, education, and health services. It must strengthen the family and the schools. It must offer courts an alternative to placing young delinquents in penal institutions.

I recommend the Juvenile Delinquency Prevention Act of 1967.

This act would be administered by the Secretary of Health, Education, and Welfare. It would provide:

Ninety percent Federal matching grants to assist States and local communities to develop plans to improve their juvenile courts and correction systems.

Fifty percent Federal matching grants for the construction of short-term detention and treatment facilities for youthful offenders in or near their communities.

Flexible Federal matching grants to assist local communities to operate special diagnostic and treatment programs for juvenile delinquents and potential delinquents.

Federal support for research and experimental projects in juvenile delinquency.

The problems of troubled youth do not yield to easy solution. They must be pursued on a broad front. Thus, States and communities must be encouraged to develop comprehensive strategies for coping with these problems.

The facilities they build should be modern and innovative, like the "halfway" houses already proven successful in practice. These facilities should provide a wide range of community-based treatment and rehabilitation services for youthful offenders.

New methods of rehabilitation—establishing new ties between the correctional institution, the job market, and the supporting services a delinquent youth needs when he returns to the community—should be tested.

Local agencies, public and private, should be assisted in providing special diagnostic and treatment services for youth with serious behavioral problems. Other Federal programs for medical care, education, and manpower training should be supplemented to provide the intensive services needed to assist delinquent and potentially delinquent youth to become productive citizens. These efforts must first be concentrated in poor neighborhoods where the risk of delinquency is highest.

These steps must be taken now. But at the same time we must continue and expand our research effort. We must learn why so many young people get into trouble and how best to help them avoid it. To do this, we will look to universities and individuals, State and local agencies, and other institutions capable of adding to our knowledge and improving our methods and practices in this vital area.

SUMMER PROGRAMS FOR YOUNG AMERICANS

Last year, summer took on a new and brighter meaning for millions of needy young citizens:

Headstart served 570,000 preschoolers.

The Elementary and Secondary Education Act provided funds to bring remedial courses and day camps to 2½ million children.

Upward Bound enabled 25,000 high school students to live on college campuses and gain new learning experiences.

The youth opportunity campaign found more than a million jobs for 16- to 21-year-olds.

The Neighborhood Youth Corps offered summer work to 210,000 young people.

Community action and other OEO programs, such as Operation Champ, offered recreation to nearly 1 million children.

This summer we can do more.

We can enable additional schools and playgrounds to remain open when vacation comes.

We can, with the help of public-spirited local organizations, bring fresh air and cool streams to the slum child who has known only a sweltering tenement and who must sleep on a crowded fire escape to get relief from the heat.

We can enlist the volunteer help of many citizens who want to give needy children a happy summer.

To further these purposes, I will:

Establish a Cabinet-level Council headed by the Vice President to promote summer youth opportunities.

Direct this Council to make public facilities available to provide camping opportunities for additional needy children this summer.

Request the Council to call on public and private groups to sponsor and operate these camps and to enlist college students and others to work in them.

Request the Council to call a national "Share Your Summer" conference to encourage more fortunate families to open their vacation homes to disadvantaged children for part of the summer.

In addition, I recommend legislation to provide funds for the construction of summer camp facilities for at least 100,000 children in 1968. These camps would be built only where there is an agreement with a private institution or local government agency to operate and finance them.

I am directing every Federal agency to strengthen its programs which provide summer employment, education, recreation, and health services. These summer programs must become a permanent feature in the year-round effort to develop our children and teenagers for responsible citizenship.

I call upon every city and local community to help make summers happy and productive for the youth of America. It should not take an act of Congress to turn on a fire hydrant sprinkler, to keep a swimming pool open a little longer, or provide lights and supervision for a summer playground.

A NEW PRIORITY

No ventures hold more promise than these: curing a sick child, helping a poor child through Headstart, giving a slum child a summer of sunlight and pleasure, encouraging a teenager to seek higher learning.

I believe that the Congress recognizes the urgency—and the great potential—of programs which open new opportunity to our children and young people.

But beyond these beginnings, there is much to do.

We look toward the day when every child, no matter what his color or his family's means, gets the medical care he needs, starts school on an equal footing with his classmates, seeks as much education as he can absorb—in short, goes as far as his talents will take him.

We make this commitment to our youth not merely at the bidding of our conscience. It is practical wisdom. It is good economics. But, most important, as Franklin D. Roosevelt said 30 years ago, because "the destiny of American youth is the destiny of America."

We can shape that destiny if we act now and if we bring to this task the energy and the vision it demands.

LYNDON B. JOHNSON.
THE WHITE HOUSE, *February 8, 1967*.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the message received today from the President on education and welfare be jointly referred to the Committee on Labor and Public Welfare and the Committee on Finance.

The ACTING PRESIDENT pro tempore. Is there objection?

The Chair hears none, and it is so ordered.

Mr. RIBICOFF. Mr. President, the nation that turns its back on the needs of its children, turns its back on the future. The society that tends conscientiously and compassionately to these needs is investing wisely in its own destiny.

I congratulate President Johnson on the proposals he has made in his message on children and youth. They are thoughtful and inventive. They call national attention to the fact that we must devote more of our national resources to the health, education, and well-being of our young people. This year, for instance:

Five and one-half million young children under the age of 6 will live in families without enough money to provide them with decent food, clothing, housing, or medical care;

Millions of children under the age of 6 will spend the year in an institution or the home of a stranger, or will have to shift for themselves while their mothers are away at work; and millions more will become physically handicapped, and more than 2 million will suffer chronic damage to their health from preventable accidents and diseases.

We have taken some constructive first steps on behalf of such children. In the coming year I understand that one-half million children will be in summer Headstart programs which operate 12 months of the year But studies of the children who have participated in the Headstart programs show that the effects may not last unless this same high level of educational stimulation is continued. The President has proposed to make Headstart a year-round operation, and to provide special Federal assistance for followthrough programs in later years. These are sound second steps in the programs we have begun.

I have already introduced S. 590 to provide assistance to the States for the conduct of a National Child Health Census. When I introduced the bill I pointed out that one-third of the chronic conditions that handicap children could be corrected in early life if they were discovered. The President's child health program recognizes the need to reduce infant mortality and to discover and treat crippling and handicapping conditions. When these conditions go untreated they are a burden to the individual and to society.

I have also introduced S. 587 to provide a special program of day care services for preschool children. Day care programs prevent the separation of families; they keep children in their homes, with their parents, but still allow the parents to work.

Existing day care facilities fall far short of our needs—they are but a drop in the bucket. Today they can accommodate only about 310,000 children; it is estimated that there are more than 2½ million who need such care. I am glad to see the recognition in the President's message that we should do more in providing day care services.

Finally, Mr. President, I would like to comment on the President's proposals to enrich the summer months for poor children.

The proposals to help needy children attend summer camps, and to encourage families to invite disadvantaged children to their homes for a part of the summer are sound.

I am greatly encouraged by the tone and direction of President Johnson's message on children and youth. They deserve the careful consideration of the Congress.

Mr. McGOVERN. Mr. President, Congress has just received the President's message on children and youth—a magnificent statement of our country's commitment to its children. I was delighted to see that in this total and comprehensive plan for advancing the well-being of children, a longtime inequity in the child welfare program of the States will be corrected and new authority to stimulate innovation, experimentation, and flexibility of approach to the provision of services for children will be requested together with funds to implement it. It is the public child welfare program initiated over 30 years ago in the Social Security Act that expresses the Government's concern for the child who is deprived, rejected, abused, neglected, exploited, or in danger of becoming delinquent; the child whose home is inadequate and must be strengthened by strong community services.

The President's message highlights the needs of these children and points out ways they can be met. Increased Federal participation in the costs of salaries and training of child welfare personnel is long overdue. One-third of our counties have no child welfare worker—a situation that must be remedied. In our impoverished rural areas and large urban ghettos too few child welfare workers struggle to help save children from the ravages of neglect, abuse, and exploitation.

Many homes can be strengthened and children can remain with their families. For those children who have no families adoptive homes can be found. Those needing temporary care can be placed in foster homes or in group care facilities. But the identification of the problems and the provision of child protective services and child placement services require skilled personnel in sufficient numbers. I am happy to see that the President is proposing $3 in Federal funds for every additional $1 that a State provides for personnel costs. The emphasis in the message on the need for innovation and experimentation in providing the services children need and the proposal for additional Federal matching funds which make such flexibility possible is another giant step toward better services for children.

Mr. KENNEDY of Massachusetts. Mr. President, President Johnson's proposal in his message on America's children and youth to extend the mental retardation facilities legislation is welcome recognition that this important legislation has only begun to meet the Nation's needs for community facilities serving the mentally retarded.

More than 90 percent of all mentally retarded persons remain in their communities—yet only one-fourth are receiving the kinds of medical care appropriate to their needs. We have, now, neither adequate personnel nor adequate facilities for treating these mentally retarded persons. This bill would answer both major needs.

It would help to pay the costs of constructing community facilities connected with a university or college for the treatment of the mentally retarded.

It would provide assistance for the training of medical and other specialized personnel in the techniques of preventing and treating retardation.

It would provide Federal assistance in the staffing of community mental retardation centers. And it would insure that new services and facilities are coordinated with existing ones.

More than 1.5 million retarded patients now need community service care that is simply not available—and another 125,000 children are born each year who are or will be retarded. And over half of all hospital beds in this country are occupied, at the present time, by mental patients.

In his message, the President speaks of "the tragedy of mental retardation." But, with proper facilities, diagnosis, treatment and care, the tragedy need not be so severe as it is today. Extensions of the mental retardation legislation will go a long way toward insuring this proper care.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, without amendment:

S. Res. 44. Resolution to provide for a study of migratory labor (Rept. No. 51);

S. Res. 76. Resolution authorizing the printing as a Senate document of the "Tenth Annual Report on the Status of the Colorado River Storage Project and Participating Projects" (Rept. No. 55); and

S. Res. 80. Resolution to print a report by the Secretary of Health, Education, and Welfare on air pollution caused by motor vehicles as a Senate document (Rept. No. 54).

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, with an amendment:

S. Con. Res. 7. Concurrent resolution providing for the printing of 1,500 additional copies of volumes 1 and 2 of its joint committee print entitled "State and Local Public Facility Needs and Financing" (Rept. No. 53).

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, with additional amendments:

S. Res. 17. Resolution authorizing the Committee on Labor and Public Welfare to make a complete study of all matters pertaining to poverty (Rept. No. 50); and

S. Res. 74. Resolution to provide additional professional and clerical staff for the Committee on Labor and Public Welfare (Rept. No. 52).

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. RANDOLPH, from the Committee on Public Works:

Lowell K. Bridwell, of Ohio, to be Administrator of the Federal Highway Administration; and

Joe W. Fleming II, of Arkansas, to be Federal cochairman of the Appalachian Regional Commission.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred, as follows:

By Mr. MORTON:

S. 888. A bill for the relief of Andrew Dunbar Forsythe; to the Committee on the Judiciary.

By Mr. KUCHEL (for himself and Mr. McGee):

S. 889. A bill to designate the San Rafael Wilderness, Los Padres National Forest, in the State of California; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Kuchel when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk until February 15, 1967, for additional cosponsors.)

By Mr. PROUTY:

S. 890. A bill to exempt from all taxation certain property of the Washington Psychoanalytic Society and Institute in the District of Columbia; to the Committee on the District of Columbia.

By Mr. LONG of Louisiana (for himself and Mr. Ellender):

S. 891. A bill to modify the proposed work of improvement on the Red River below Fulton, Ark., and for other purposes; and

S. 892. A bill declaring a portion of Bayou Lafourche, La., a nonnavigable waterway of the United States; to the Committee on Public Works.

By Mr. MONDALE (for himself and Mr. Harris):

S. 893. A bill to amend title II of the Social Security Act to revise and improve the provisions thereof relating to the adjustment of overpayments and underpayments of benefits thereunder; to the Committee on Finance.

(See the remarks of Mr. Mondale when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk until February 15, 1967, for additional cosponsors.)

By Mr. JAVITS (for himself and Mr. Murphy):

S. 894. A bill to require clinical laboratories which are operated in whole or in part in interstate commerce to comply with minimum standards prescribed by the Surgeon General in the performance of laboratory procedures, and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Javits when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS:

S. 895. A bill making the birthday of Abraham Lincoln a legal holiday; to the Committee on the Judiciary.

(See the remarks of Mr. Javits when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS:

S. 896. A bill for the relief of Rachel Fisher;

S. 897. A bill for the relief of Hilda E. M. Hofstra;

S. 898. A bill for the relief of Maggiorina Magnante;

S. 899. A bill for the relief of Julio Juan Castellanos Lopez;

S. 900. A bill for the relief of Ernesto Sanchez Jerez;

S. 901. A bill for the relief of Branko Ivanov;

S. 902. A bill for the relief of Ernesto Enzo Russo;

S. 903. A bill for the relief of Ngan Hok Ng;

S. 904. A bill for the relief of Doreen Delmege Willis;

S. 905. A bill for the relief of John Theodore Nelson; and

S. 906. A bill for the relief of Luis Tapia Davila; to the Committee on the Judiciary.

By Mr. HARTKE:

S. 907. A bill making the anniversary of Lincoln's Birthday a legal holiday; to the Committee on the Judiciary.

(See the remarks of Mr. Hartke when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk until February 16, 1967, for additional cosponsors.)

By Mr. BARTLETT:

S. 908. A bill for the relief of William D. Pender;

S. 909. A bill for the relief of Paul L., Margaret, and Josephine Kirsteatter; and

S. 910. A bill for the relief of the estate of Patrick E. Eagan; to the Committee on the Judiciary.

(See the remarks of Mr. Bartlett when he introduced the last above-mentioned bill, which appear under a separate heading.)

By Mr. BENNETT:

S. 911. A bill to prohibit certain interstate land sales in violation of State law; to the Committee on the Judiciary.

(See the remarks of Mr. Bennett when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk until February 28, 1967, for additional cosponsors.)

By Mr. BIBLE (by request):

S. 912. A bill to authorize the Secretary of the Interior to make disposition of geothermal steam and associated geothermal resources, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Bible when he introduced the above bill, which appear under a separate heading.)

By Mr. MAGNUSON (by request):

S. 913. A bill to amend part III of the Interstate Commerce Act to provide for the recording of trust agreements and other evidences of equipment indebtedness of water carriers, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk until February 18, 1967, for additional cosponsors.)

By Mr. INOUYE:

S. 914. A bill to authorize the Secretary of the Interior to make a loan and grant to the State of Hawaii for the construction of the Kokee water project, Hawaii, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. McCLELLAN (by request):

S. 915. A bill to provide for the establishment of a Federal Judicial Center; and

S. 916. A bill to assist in combating crime by creating the U.S. Corrections Service, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. McClellan when he introduced the above bills, which appear under separate headings.)

(Note.—The above bills were ordered to be held at the desk until February 15, 1967, for additional cosponsors.)

By Mr. McCLELLAN (for himself, Mr. Ervin, Mr. Hart, Mr. Hruska, Mr. Scott, Mr. Byrd of West Virginia, Mr. Javits, and Mr. Harris):

S. 917. A bill to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. McClellan when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk until February 15, 1967, for additional cosponsors.)

By Mr. GORE:

S. 918. A bill to amend section 320 of title 23 of the United States Code, relating to highway bridges on Federal dams, in order to increase the amount authorized in such section; to the Committee on Public Works.

S. 919. A bill for the relief of Alan Bruce Lancaster and his wife, Marie Nunez Lancaster; and

S. 920. A bill for the relief of Wing Wong; to the Committee on the Judiciary.

S. 921. A bill to amend section 218 of the Social Security Act to extend for an additional year the period during which certain State and local employees may be brought under social security coverage pursuant to Federal-State agreement; to the Committee on Finance.

By Mr. GORE (for himself, Mr. Tower, and Mr. Yarborough):

S. 922. A bill for the relief of Euphemia King Hartley, James Hartley, and James Holmes Hartley; to the Committee on the Judiciary.

By Mr. BARTLETT:

S. 923. A bill to improve the safety of railroad transportation under the jurisdiction of the Department of Transportation; to the Committee on Commerce.

(See the remarks of Mr. Bartlett when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk until February 18, 1967, for additional cosponsors.)

By Mr. DIRKSEN (for himself and Mr. Long of Missouri):

S. 924. A bill to amend section 9 of the Administrative Procedure Act of the act of June 11, 1946 (60 Stat. 238), to clarify and protect the right of the public to fair and impartial agency practices, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. Dirksen when he introduced the above bill, which appear under a separate heading.)

By Mr. DOMINICK (for himself, Mr. Allott, and Mr. Hansen):

S. 925. A bill to direct the Secretary of the Treasury to establish a reserve of at least 165 million ounces of silver for national defense purposes; to the Committee on Banking and Currency.

(See the remarks of Mr. Dominick when he introduced the above bill, which appear under a separate heading.)

By Mr. HRUSKA:

S. 926. A bill to provide for the return of obscene mail matter; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Hruska when he introduced the above bill which appear under a separate heading.)

By Mr. MAGNUSON (for himself, Mr. Cotton, Mr. Bartlett, Mr. Brewster, Mr. Hart, Mr. Hartke, Mr. Moss, Mr. Griffin, Mr. Morton, Mr. Prouty, and Mr. Scott):

S. 927. A bill to amend the Interstate Commerce Act, as amended, in order to make unlawful, as unreasonable and adjust discrimination against and an undue burden upon interstate commerce, certain property tax assessments of common carrier property, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk until February 18, 1967, for additional cosponsors.)

By Mr. LONG of Missouri:

S. 928. A bill to protect the right of privacy by prohibiting wire interception and eavesdropping, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. Long of Missouri when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk until February 24, 1967, for additional cosponsors.)

By Mr. PELL (for himself and Mr. Pastore):

S. 929. A bill to amend the Tariff Schedules of the United States with respect to the tariff classification of braided rugs composed of tubular braids with a core; to the Committee on Finance.

(See the remarks of Mr. Pell when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk until February 17, 1967, for additional cosponsors.)

By Mr. CASE (for himself and Mr. Randolph):

S. 930. A bill relating to the construction, modification, alteration, repair, painting, or decoration of buildings leased for public purposes; to the Committee on Public Works.

By Mr. THURMOND:

S. 931. A bill to amend title 28, United States Code, to withdraw from courts of the U.S. jurisdiction with respect to State legislative apportionment proceedings;

S. 932. A bill to provide for a jury trial in all cases of criminal contempt in the U.S. courts;

S. 933. A bill to amend the provisions of the United States Code with respect to the jurisdiction of courts of appeals of the United States to review orders of administrative officers and agencies, and for other purposes; and

S. 934. A bill to amend title I of the Internal Security Act of 1950; to the Committee on the Judiciary.

S. 935. A bill to amend the Internal Revenue Code of 1954 to provide a 20-percent credit against the individual income tax for certain educational expenses incurred at an institution of higher education; to the Committee on Finance.

S. 936. A bill to equalize the treatment of Reserves and Regulars in the payment of per diem; and

S. 937. A bill to amend title 10, United States Code, to change the method of computing retired pay of certain enlisted members of the Army, Navy, Air Force, or Marine Corps; to the Committee on Armed Services.

S. 938. A bill to permit a taxpayer carrying on a trade or business in the conduct of which 10 or less persons are engaged to elect to take a standard deduction, in lieu of itemized deductions, for expenses attributable to such trade or business; to the Committee on Finance.

S. 939. A bill to provide increased punishment for a person convicted in the District of Columbia of a fourth or subsequent felony; to the Committee on the District of Columbia.

S. 940. A bill to amend the Fair Labor Standards Act of 1938 in order to exempt employees employed in the shelling of shellfish from the minimum wage provisions of such act; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Thurmond when he introduced the above bills, which appear under a separate heading.)

By Mr. THURMOND (for himself and Mr. Tower):

S. 941. A bill to amend the Veterans' Readjustment Assistance Act of 1966 in order to authorize the approval of courses in flight training under such act; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Thurmond when he introduced the above bill, which appear under a separate heading.)

By Mr. DIRKSEN (for himself and Mr. Mansfield):

S.J. Res. 31. Joint resolution proposing an amendment to the Constitution of the United States providing for representation in the Congress for the district constituting the seat of Government of the United States; to the Committee on the Judiciary.

By Mr. SCOTT:

S.J. Res. 32. Joint resolution to establish a Joint Committee on Urban Affairs; to the Committee on Banking and Currency.

(See the remarks of Mr. Scott when he introduced the above joint resolution, which appear under a separate heading.)

(Note.—The above joint resolution was ordered to be held at the desk until February 18, 1967, for additional cosponsors.)

By Mr. MAGNUSON (for himself, Mr. Cotton, and Mr. Brewster):

S.J. Res. 33. Joint resolution to establish a National Commission on Product Safety; to the Committee on Government Operations.

(See the remarks of Mr. Magnuson when he introduced the above joint resolution, which appear under a separate heading.)

By Mr. BREWSTER (for himself and Mr. Tydings):

S.J. Res. 34. Joint resolution to amend the Agricultural Adjustment Act of 1938, as amended, with respect to the lease and transfer of tobacco acreage allotments; to the Committee on Agriculture and Forestry.

By Mr. ANDERSON:

S.J. Res. 35. Joint resolution consenting to an extension and renewal of the Interstate Compact to Conserve Oil and Gas; to the Committee on Interior and Insular Affairs.

By Mr. THURMOND:

S.J. Res. 36. Joint resolution proposing an amendment to the Constitution of the United States relating to the process of amending the Constitution; to the Committee on the Judiciary.

S.J. Res. 37. Joint resolution expressing declaration of will of the American people and purpose of their Government to achieve complete victory over the forces of the world Communist movement; to the Committee on Foreign Relations.

S.J. Res. 38. Joint resolution proposing an amendment to the Constitution of the United States providing for the establishment of a Court of the Union; and

S.J. Res. 39. Joint resolution proposing an amendment to the Constitution of the United States relative to the balancing of the budget; to the Committee on the Judiciary.

(See the remarks of Mr. Thurmond when he introduced the above joint resolutions, which appear under a separate heading.)

RESOLUTION

AMENDMENT OF RULE XVI RELATING TO AMENDMENTS TO APPROPRIATION BILLS

Mr. THURMOND submitted a resolution (S. Res. 81) to amend rule XVI relative to amendments to appropriation bills, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when submitted by Mr. Thurmond, which appears under a separate heading.)

SAN RAFAEL WILDERNESS AREA

Mr. KUCHEL. Mr. President, I introduce for appropriate reference a bill to establish the San Rafael Wilderness in the Los Padres National Forest in California.

In 1964 the Wilderness Act was signed into law. The present occupant of the chair, the Senator from Montana [Mr. Metcalf], and I coauthored that legislation. This farsighted act provided that designated areas be incorporated into a great wilderness preservation system. This legislation preserved for all time more than 9 million acres of land in their original and unspoiled beauty. The legislation also called upon the President of the United States to recommend the inclusion of further wilderness areas after the investigation of their wilderness characteristics. If passed, the San Rafael Wilderness will be the first such area to be added to the wilderness system since the passage of the act in 1964.

The San Rafael Wilderness is an area of nearly 143,000 acres located between the cities of Santa Barbara and Santa Maria in southern California. The area is located within a 2-hour drive of 6 million people. With the ever-increasing population of southern California—in less than 25 years, 50 million people will be living in my State—it doubtless will be proximate to many million more in the future. The area is characterized by its rugged configuration and dense chaparral. More importantly, the area is free from the imprint of man. Indeed, when man comes, it is only as a visitor.

I, personally, have ventured into the area and have marvelled at the Indian pictographs inscribed on the rocks and in the caves in much of the locale. The colors in these graphics were derived from the natural barks and foliage by the indigenous Indians of the area. Rough trails invite the hardy to hike, ride, fish, and camp in this fine example of nature's works.

Because of its location in the San Rafael and Sierra Madre Mountain Ranges, its climatic conditions dictate its use during the winter and spring months when its high temperatures and dangerous fire hazard are absent. This is an important departure from most other wilderness areas which are snowbound in the winter and usable in the summer and fall months only.

I am happy to report that the San Rafael Wilderness proposal has met with enthusiastic support and recommendation from all concerned—the Secretary of the Interior, the Department of Agriculture, the Department of Commerce, the Department of Defense, the State of California, the County of Santa Barbara, and the wildlife and natural resource agencies within them.

The preservation of significant areas of land in our country in their natural state is mandatory. These areas provide present and future generations examples of the workings of nature unimpeded by human invasion. The areas are just as they would be if man had never come upon the earth. As the availability of such areas is reduced by the advance of man, the value of retaining them is amplified.

This measure would be of enormous benefit to ourselves, our children and, indeed, all those who come after us.

Mr. President, I ask unanimous consent that the bill lie on the desk until next Wednesday for additional cosponsors.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be held at the desk, as requested by the Senator from California.

The bill (S. 889) to designate the San Rafael Wilderness, Los Padres National Forest, in the State of California, introduced by Mr. KUCHEL (for himself and Mr. McGEE), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

Mr. McGEE. Mr. President, I ask unanimous consent that my name may be added as cosponsor of the bill which has just been introduced by the Senator from California [Mr. KUCHEL].

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. KUCHEL. I thank the Senator.

ADJUSTMENT OF OVERPAYMENTS AND UNDERPAYMENTS OF BENEFITS UNDER TITLE II OF SOCIAL SECURITY ACT

Mr. MONDALE. Mr. President, on August 8, 1966, with my distinguished colleague, the Senator from Oklahoma [Mr. HARRIS], I introduced proposed legislation to eliminate an unjustified legal barrier preventing payment of social security benefits owed to families of deceased beneficiaries. I noted when introducing that bill, S. 3682, that due to the urgent need for this technical change in the Social Security Act, over 64,000 cases of underpayments were pending for action. As of December 31, 1966, there were 83,286 such cases pending, and what was a pressing need for the adoption of this proposal last summer has now become a matter of urgency.

Mr. President, the fact is that as presently worded, this law is inequitably drawn and until it is changed thousands of survivors of social security beneficiaries will probably not be paid that which is clearly owed to them.

In 1965, the Social Security Administration requested legislative authorization to pay amounts due a beneficiary at the time he dies because the provision in the law was ambiguous and had been variously interpreted in the courts. During consideration of the Social Security Amendments of 1965, which included the medicare program, the Senate Finance Committee adopted an amendment similar to the one I proposed last August and to the bill I am introducing again today. This provision was passed by the Senate, but was significantly altered in the conference committee. The law as enacted has been extremely difficult to administer, as is evidenced by the large and growing number of unresolved cases.

Under present law, where the amount owed to a deceased beneficiary at the time of his death is equal to 1 month's social security benefit or less, it can be paid to the surviving spouse who was living with the deceased beneficiary at the time he died. If the amount owed is more than 1 month's benefit, the underpayment can be made only to a legal representative of the deceased person's estate.

My bill would provide specific statutory direction for the Secretary of Health, Education, and Welfare to pay such amounts to the survivors in a simple manner. If the amount due is less than $1,000, which almost all such amounts are, the payments would be made in the following order of priority: First. To the surviving spouse; second, to the surviving children, divided equally among them; third, to the legal representative of the estate if one is appointed within 3 months of the decedent's death; and fourth, to persons who are entitled under State law to inherit personal property from the deceased. If the payment is more than $1,000, it would then be made only to the legal representative.

Under the most ideal conditions, the requirement that the underpayment be paid to a legal representative is unjustifiably and unnecessarily costly and time-consuming. Moreover, the requirement frequently results in the blocking of payment entirely because the cost to survivors of claiming the underpayment through a legal representative exceeds the underpayment itself. Requiring a widow or child of a deceased beneficiary to pay the expense of a legal representative and to bear the burden of probate and other court costs is exceedingly difficult to justify since the average of these underpayment amounts is about $100. Approximately 35 percent of the underpayments involve amounts of $50 or less. There is no problem when the estate is one that would be probated anyway, but many social security beneficiaries have little or no assets and when they die the unpaid social security benefits constitute the entire estate.

The justification for the technical change I have proposed is further enhanced by the fact that the requirement that most amounts owed deceased social security beneficiaries must be paid to a legal representative is exceptional among benefit paying programs. Distribution of amounts due but not paid to deceased civil servants, members of the Armed Forces, and veterans are governed by statutes setting forth priorities of payment. The Railroad Retirement Board pays such amounts first to the surviving spouse living with the decedent, and then on the basis of equitable entitlement to persons paying the decedent's burial expenses. Only the Social Security Administration is required to give such high priority to the legal representatives.

A similar deficiency in the medicare law itself has resulted in a related problem involving the disbursement of medical insurance benefits in situations where the beneficiary dies before being reimbursed for covered services or before making an assignment of the benefits to his physician or treatment center for services rendered. I am gratified to find that very recently, the Social Security Administration has acted to alleviate this particular problem administratively.

We can, Mr. President, and I believe we must terminate the confusion which this legal inadequacy has created. In so doing we will be permitting the Social Security Administration to perform its task where problems of underpayments and overpayments are concerned with appropriate swiftness and in a manner clearly prescribed by statute. We will also be restoring public confidence in the payment system for we will be rectifying a situation which many Americans, myself included, find to be inequitable and without justification.

I invite my colleagues to join with me

in sponsoring this legislation which will ease the burden facing thousands of older Americans when one of their loved ones dies. Mr. President, I ask unanimous consent that the bill remain at the desk for 1 week to permit other Senators to add their names as cosponsors. I also ask unanimous consent that the full text of the bill be printed at the conclusion of my remarks.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD and held at the desk, as requested by the Senator from Minnesota.

The bill (S. 893) to amend title II of the Social Security Act to revise and improve the provisions thereof relating to the adjustment of overpayments and underpayments of benefits thereunder, introduced by Mr. MONDALE (for himself and Mr. HARRIS), was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 893

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 204(a) of the Social Security Act is amended to read as follows:

"(a) Whenever the Secretary finds that more or less than the correct amount of payment has been made to any person under this title, proper adjustment shall be made, under regulations prescribed by the Secretary, as follows:

"(1) with respect to payment to an individual of more than the correct amount, the Secretary shall decrease any payment under this title to which such overpaid individual is entitled, or, if such overpaid individual dies before adjustment is completed, the Secretary shall decrease any payment under this title payable to any other person on the basis of wages and self-employment income which were the basis of the payments to such overpaid individual;

"(2) with respect to payment to an individual of less than the correct amount, the Secretary shall make payment of the balance of the amount due such underpaid individual, or, if such person dies before payments are completed or before negotiating one or more checks representing correct payments, disposition of the amount due shall be made—

"(A) if the amount due exceeds $1,000, to the legal representative of the estate of such deceased individual, or

"(B) if the amount due does not exceed $1,000—

"(i) to the person, if any, determined by the Secretary to be the surviving spouse of such deceased individual;

"(ii) if there is no person who meets the requirements of clause (i), to the child or children, if any, of such deceased individual (and, in case there is more than one such child, in equal parts to each such child);

"(iii) if there is no person who meets the requirements of clause (i) or (ii), to the legal representative of the estate of such deceased individual; or

"(iv) if there is no person who meets the requirements of clause (i) or (ii) and, if at the end of the three-month period which begins on the date such deceased individual died, no legal representative of the estate of such deceased individual has been appointed, to the person or persons who would be entitled to share in the personal property of such deceased individual (if he had died intestate (under the laws of intestate succession of the State of residence of such deceased individual and in an amount or amounts determined pursuant to such law."

(b) Section 204 (d) of such Act is hereby repealed.

SEC. 2. The amendments made by the first section of this Act shall take effect on the first day of the second month following the month in which this Act is enacted.

CLINICAL LABORATORY LICENSING ACT OF 1967 TO PROVIDE FEDERAL STANDARDS FOR LAB OPERATING INTERSTATE

Mr. JAVITS. Mr. President, I introduce for myself and the Senator from California [Mr. MURPHY] the Clinical Laboratory Licensing Act of 1967. This legislation is designed to eliminate substandard and dangerous practices in clinical laboratories engaged in interstate commerce. The bill would provide the inspection and licensing of these laboratories which render essential services to the diagnosis and treatment of diseases, by requiring the Suregon General to establish minimum standards.

This measure is an updated version of a similar bill which I introduced with Senator MURPHY in July 1965. It is patterned after the New York State and New York City laws which are considered by most authorities to be model statutes in the field.

In addition to licensing, the bill would:

First. Provide for inspection and evaluation by the Surgeon General of the effectiveness of these laboratories, including submission of test samples for analysis;

Second. Establish standards and certification of laboratory directors in microbiology, chemistry, hematology, biophysics, cystology, and pathology; and

Third. Provide for the revocation, suspension or limitation of laboratory licenses for failure to meet standards, incompetence of employees, misrepresentation or similar causes. Hearings and judicial review procedures are provided.

Clinical laboratories operated by State or local governments or by physicians, osteopaths, dentists, or podiatrists for their own patients would not be affected by the bill. The measure is patterned after the New York State and New York City laws which are considered by most authorities to be model statutes in the field.

Today adequate medical care is impossible without adequate and efficient laboratories providing information for the diagnosis and treatment of disease and the assessment of the patient's medical condition. Repeated investigations and studies show that an important proportion of clinical laboratories are substandard and have uncovered instance after instance of incorrect diagnosis which have resulted in unnecessary hospitalization, unneeded operations, inappropriate treatment, injury, or even death.

The latest example, was the testimony given before the Senate Antitrust Subcommittee Monday by Dr. David J. Sencer, director of the National Communicable Disease Center.

Dr. Sencer told the Antitrust Subcommittee that about one quarter of the medical laboratory tests processed each year in this country are erroneous. This is a shocking indictment, expecially since it is a restatement of facts revealed to the public by myself and many others many times before. This requires immediate congressional action, and I urge my colleagues to schedule early hearings on the bill introduced today.

A widely publicized 1965 study revealed that 88 percent of 17 mail-order laboratories which were surveyed were wrong on one or more of the tests they undertook. More recently, last year a New York laboratory performing 150,000 tests annually had its license suspended under the stringent New York City law because of inaccurate and alleged dishonest reporting. Among other things it was accused of finding hormones in samples of distilled water colored yellow and disguised as urine.

This bill is needed. Only 10 States require laboratory licensing. In addition, it is generally conceded that the regulation of clinical laboratories under medicare is insufficient to cover adequately the mail order clinical labs.

Dr. Morris Schaeffer, the distinguished director of New York City's Bureau of Laboratories, has stated that clinical laboratory and blood bank practices in this country are "generally extremely poor and require considerable upgrading. One of the important problems is lack of regulation."

Last September, in Senate hearings on the health of the elderly, Dr. Ralph E. Theirs, director of Clinical Chemistry Laboratory at the Duke University Medical Center, stated:

> The American patient today gets, in the main, mediocre-to-poor quantitative laboratory services.

He reported that a committee of physicians had found that "many serious analytical errors are made."

Of course, most laboratories are competently run and do their work very well—many of these laboratories support my bill. However, erroneous diagnoses are so dangerous to health that any breakdown in standards is vital.

Other examples of inefficient practices by clinical laboratories, in addition to the case histories cited by Dr. Sencer, include:

First. An Illinois test alleging that four out of every 10 laboratories failed to determine the correct blood group and Rh type on a testing sample;

Second. A Pennsylvania test reportedly showing that nine out of every 10 laboratories were unable to test accurately for the presence of parasites in a stool specimen.

It is such practices and dangers which the bill we introduce today seeks to correct.

Mr. President, we had a good example of this dangerous situation in making the corrections we have had in the bill, in the field; and it has now been updated and revised. The difficulties which it seeks to deal with have been spread all over the press and if we fail to help ourselves, it will be our own fault.

I hope very much that we will get hearings on the bill. I shall press for it very hard in committee and hope, at long last, we will get some action upon this matter.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 894) to require clinical laboratories which are operated in whole or in part in interstate commerce to comply with minimum standards prescribed by the Surgeon General in the performance of laboratory procedures, and for other purposes, introduced by Mr. Javits (for himself and Mr. Murphy), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

Mr. MURPHY. Mr. President, once again I am pleased to cosponsor with the Senator from New York [Mr. Javits], legislation requiring clinical laboratories transacting business in interstate commerce to comply with minimum standards in the performance of labortary procedures.

As Senators may recall, Senator Javits and I introduced a similar measure on June 23, 1965. I pointed out at that time that most Americans have the utmost faith and confidence in their doctor and the team of health professionals that help and assist him, but that the clinical laboratories may be a weak link in an otherwise strong medical team. And we know full well that the medical team can only be as strong as its weakest link.

No action was taken by the 89th Congress on the Javits-Murphy bill, S. 2184, but I can assure Senators that the problem is still with us. Laboratory licensing is required in only 10 States, and only nine States have regulations setting requirements for the laboratory director. Dr. Howard L. Bodily, chief, division of laboratories of the California State Department of Public Health, recently pointed out that the regulations established for laboratories participating in the medicare program are not adequate. Congress must face up to this problem in this session of Congress and thereby insure all Americans of the quality of medical care to which they are accustomed and entitled.

Dr. Bodily this week testified before the Senate Judiciary Subcommittee on Antitrust and Monopoly, and he confirmed the need for regulations of these clinical laboratories. He stated:

> There is a lack of standards for adequate direction and supervision of clinical laboratories. There is one area, however, where federal legislation may be needed to adequately control the activities of certain laboratories. These are the ones which operate an interstate business. The lack of regulation has permitted some of these, as well as some laboratories operating only intrastate, to engage in overtly dishonest or unethical practices.

Also, Mr. President, Dr. David J. Sencer of the Public Health Service of the Department of Health, Education, and Welfare, stated at the same hearings:

> Serious deficiencies have been demonstrated to exist in the Nation's clinical laboratories. Studies by the National Communicable Disease Center and others indicate that unsatisfactory performance is demonstrated by 10 to 40 percent of laboratories in bacteriological testing; by 30 to 50 percent in various simple clinical chemistry tests; by 12 to 18 percent in blood grouping and typing; by 20 to 30 percent in hemoglobin measurements; by 40 to 80 percent in differential characterization of blood cells; and by 20 to 30 percent in measurement of serum electrolytes. There also exists considerable variation in results from laboratory to laboratory. This information indicates that erroneous results are obtained in more than 25 percent of all tests analyzed by these studies.

Mr. President, this study indicating that erroneous results were obtained in one-fourth of the tests analyzed is shocking and should be remedied by prompt congressional action.

Although California has adequate laws on this subject, and in fact has been the pioneer in the regulation of clinical laboratories, the citizens of California are not completely protected because under present law there is no way that they can be protected from substandard out-of-State laboratories.

Mr. President, I feel very strongly about this matter, for when we are dealing with the health and life of human beings careless work and inadequate standards cannot be tolerated, for the stakes are far too high when human life is involved and when mistakes are frequently fatal.

As a member of the Senate Labor and Public Welfare Committee, I intend to do everything in my power to bring about early hearings on this subject.

Mr. President, I ask unanimous consent that my Senate floor statement of June 23, 1965, and the statements of Dr. Bodily and Dr. Sencer be printed in full at this point in the Record.

There being no objection, the items were ordered to be printed in the Record, as follows:

[From the Congressional Record,
July 23, 1965]

Regulation of Clinical Laboratories

Mr. Murphy. Mr. President, most Americans when they submit to a medical test have complete confidence in the doctor and in the team of health professionals that help and assist him. And well they might, for Americans enjoy a quality of medical care unparalleled anywhere on the globe. Therefore, I know all Americans are shocked to hear and read of the deplorable condition of some of our medical laboratories across the country. The laboratories may examine blood, tissues, and make other tests to determine evidence of disease. The results of these tests are then forwarded to the physician who prescribes the patient's treatment.

The following examples illustrate that there may very well be a weak link in an otherwise strong medical team.

In New York, 50 private laboratories were given bacterial samples to identify and 26 of these laboratories failed.

McCall's magazine reported that in a paternal suit, a young man was ordered to provide financial support for a child, although he was not the father. The court's decision resulted from erroneous blood tests performed in a laboratory that lacked the technical skill to do them accurately.

A New York survey taken in 1959 disclosed that only 1 in 4 private laboratories perform an Rh factor study accurately. A year later over half the laboratories failed to give correct answers to blood sugar and other tests.

In 1962, 300 laboratories in the State of Illinois were asked to determine the blood group and the Rh type on a group of people. Over one-third failed to perform the test accurately.

Several years ago in my own State various types of urine samples were sent to out-of-State laboratories, some of which had a few drops of blood deliberately added. The results were grossly in error. When the results were received, the report was "no blood."

Dr. W. Max Chapman, chief of the laboratory field services of the California Department of Public Health, recalls a case when an owner of a laboratory purchased from a salvage dealer a supply of supposedly new slides. One carton contained 500 slides, each smeared with cells for a Pap examination and bearing the name of the doctor and the patient. When it was discovered that none of these slides had been examined, the California Health Department investigated. The doctors replying to the investigation all indicated that they had sent the samples to a New York laboratory. Who can say what happened to these patients? As Dr. Chapman stated:

"We just don't know. But when reports on 500 slides are faked, the consequences in some cases may be lethal."

Mr. President, I am naturally very proud of the fact that the State of California is a pioneer in the regulation of these clinical laboratories. The first law in my State was passed in 1937 following 15 years of voluntary certification of clinical personnel and laboratories. The law as it exists today became effective in 1952. Enactment of the California law resulted from the efforts and cooperation of many groups, including the California Medical Laboratory Technologists, the California Society of Pathologists, California Medical Association, the California Association of Clinical Laboratories, California Osteopathic Association, the hospital association and the State department of public health. It is my understanding that opposition to this legislation was very limited.

Despite this pioneering effort, California citizens are not completely protected because there is no present way that they can be protected from substandard out-of-State laboratories. As Dr. Chapman has stated:

"We have been faced with a problem relative to out-of-State clinical laboratories for about 5 years. Some of the these mail-order laboratories tried to establish themselves in California, but because of a law which forbids unearned rebates, refunds and discounts, unearned considerations and that sort of thing, they were not able to set up in California. Our attorney general backed us up because they did not choose to operate except on a flat rate basis (so much a month for all the tests you want). However, one of these laboratories set up in another State and started work."

Mr. President, legislation which I am introducing today with Senator Javits would regulate clinical laboratories and personnel that are engaged in interstate commerce. This legislation will enable States to protect themselves from falling prey to some of the out-of-State mail-order laboratories.

I wish to make it clear, Mr. President, that the honest laboratories have nothing to fear. This legislation aims only to protect the health and welfare of the general public and not to interfere in any way with the legitimate laboratory. It should be noted that provision is made for judicial review of any determination of the Surgeon General. In addition, the legislation allows the Surgeon General to permit States which are properly regulating these laboratories to continue to do so.

Mr. President, I cannot emphasize too strongly the depth of my feelings on this matter. This is a field wherein careless work and inadequately trained personnel cannot be tolerated. The stakes are far too high when a human life is invloved and where mistakes are frequently fatal.

I am certain my colleagues are aware that there is a precedent for Federal action in this field. The National Institutes of Health, Public Health Service, for many years has licensed blood banks—a procedure which incidentally has worked very well. Any blood bank shipping blood across State lines has to be federally licensed. Once a license is granted, the blood bank is thoroughly inspected, its techniques and personnel are checked out and it is reinspected from time to time.

Mr. President, I think recent magazine articles and the series that Walter Cronkite is doing on CBS News will focus the attention of the American people to this serious problem. I am hopeful that it will spur all the States to make certain that their laboratories continue to reflect what has always been the watchword of the medical profession—quality service for all Americans.

[From the Congressional Record, July 15, 1965]

Mr. Murphy. Mr. President, on June 23, Senator Javits and I introduced S. 2184, to require clinical laboratories transacting business in interstate commerce to comply with minimum standards in the performance of laboratory procedures. Since the introduction of this bill, I have been most encouraged by the reaction and support which this bill has received. In view of this great interest, I am hopeful that the distinguished chairman of the Senate Labor and Public Welfare Subcommittee on Health, Senator Hill, will find it possible to schedule hearings on this legislation this session.

As I stated when the legislation was introduced, the honest laboratories in this country have nothing to fear, for S. 2184 is only aimed at the unscrupulous laboratory and will not in any way interfere with the legitimate laboratory.

I wish to make it crystal clear, Mr. President, that there are many laboratories which do receive specimens through the mail and perform tests in a manner which properly enjoys the full confidence of the public. In my own State, the people may be fully assured of the quality of work performed by any California laboratory for all laboratories are subjected to the most rigid requirements. Having pioneered in 1937 the regulations in the clinical laboratory field, the State of California has frequently updated its standards, and today the California laboratories enjoy a reputation that makes them a showplace for the Nation.

Despite the stringent qualifications in my State, citizens of California are not completely protected; for some out-of-State substandard laboratories continue to do business. These substandard out-of-State laboratories will be the ones which will oppose this legislation and are the ones that were exposed by Walter Cronkite in his brilliant television series, entitled, "Mail Order Laboratories." I ask unanimous consent that at this point in my remarks, Mr. President, a letter from Mr. S. Louis Gaines, chairman of the board of Biochemical Procedures, Inc., to Mr. Frank Stanton, president of the Columbia Broadcasting System, be inserted in the Record.

As Mr. Gaines points out, it is important in discussing this problem that we clearly distinguish between the legitimate laboratory which operates with uncompromising accuracy in the finest tradition of American medicine and the illegitimate laboratory. We must not allow the general public to confuse the two.

Many of the outstanding laboratories of the State have communicated with me and have pledged their complete support for this legislation. Indicative of this support is a paragraph from a letter I received from Mr. Gaines. He states:

"Biochemical Procedures, Inc., is ready to serve you in advising and assisting you in any possible way to implement the passage of national legislation raising the standards of clinical laboratories throughout the United States. Our staff of experts is at your disposal at any time, here or in Washington."

Mr. President, when I addressed the Senate on the introduction of S. 2184, I inadvertently failed to include the name of the California Association of Clinical Laboratories. This is regretful for this group made substantial contributions to the formulation and passage of the original California legislation. Their interest and support continued during the further development of the legislation. Their interest and support continue today.

I ask unanimous consent at this point in my remarks that a press release of the California Association of Clinical Laboratories pledging its wholehearted support of S. 2184 be inserted in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

"Biochemical Procedures,
"North Hollywood, Calif., June 24, 1965.

"Mr. Frank Stanton,
President, Columbia Broadcasting System, New York, N.Y.

"Dear Mr. Stanton: We are in accord with your documentary approach to an exposé of unprofessionally operated 'mail order laboratories,' aired over television and radio Tuesday and Wednesday, June 22 and 23, and appreciate the factual manner in which they have been portrayed. However, we believe that you must assume a responsibility for clarifying more substantially and positively the difference between the above and the reference laboratory facilities medically operated.

"The U.S. mails are used for basic communication between laboratories and for the rapid transfer of medical specimens. Mail services have been, and will continue to be utilized as an essential communication link by Federal, State, local, and privately operated laboratories. In such a context it is important to make any unsophisticated audience aware of the basic difference between a necessary form of communication and the unfortunate connotation now made implicit in the term 'mail order laboratories.'

"Biochemical Procedures is a specialized reference laboratory operating under the stringent public health laws of the State of California, whose standards for laboratory and laboratory personnel licensing are used as a model for other States. This laboratory supports laboratory research and service activities of several medical schools, hundreds of pathologists directly and several thousand pathologists indirectly via their directorship of hospitals supported by our laboratory facilities. As a pathologist directed laboratory, we perform our laboratory services in a professionally responsible manner, following the traditional function of American pathology.

"Our letterhead was one of those displayed during your program as representative of California laboratories who refused to perform certain analyses upon specimens sent through the mails because of their instability.

"Our letterhead was flashed quickly across the screen, enough to be clearly identifiable, immediately followed by the unprofessional practices being portrayed. We have already been besieged by phone calls regarding our laboratories. Unfortunately, there now exists a confusion that we were one of the unethical laboratories.

"Our reputation, hard won over many years is now subtle but widely and repetitively linked with a philosophy and practice we deplore. We strongly request your demarcation of those research and testing laboratories, like Biochemical Procedures, Inc., which demonstrably acted in a responsible manner from those whose activities are a symptom of faulty philosophy and practice.

"As chairman of the board of Biochemical Procedures, I am certain that you will want to set the record straight in a prompt reply to us.

"Sincerely yours,
"S. Louis Gaines,
"Chairman of the Board.

"California Association
of Clinical Laboratories,
"Fremont, Calif., June 24, 1965.

"The California Association of Clincial Laboratories today pledged its wholehearted support of a proposed legislation which would exercise strict control over mail-order laboratories engaged in interstate activities.

"The California Association of Clinical Laboratories is the statewide organization of licensed bioanalysts and licensed bioanalyst laboratory directors founded in 1937.

"Don Amsbaugh, president of the association, has just issued the following statement:

" 'California bioanalysts are among the Nation's best qualified and best trained in the highly specialized field of clinical laboratory direction. This is because California has the oldest and strictest laws of the Nation's 10 States which currently have legislation and licensure governing medical laboratories.

" 'California demands rigid educational and training standards, both for directors of medical laboratories and for the technologists who work under them. These same rigid standards apply also to California laboratories which receive mailed-in specimens. Unfortunately, some mail order and other medical laboratories in States which do not have legislation have been shown to be substandard both in the qualifications of their directors and in their operating practices. It is this type of laboratory which has been the subject of investigations carried out by national news media.

" 'For the past 6 years the California Association of Clinical Laboratories has been attempting to obtain legislation preventing unlicensed out-of-State laboratories from performing tests on specimens mailed from California and, conversely, preventing the mailing of specimens from California to these unlicensed out-of-State laboratories.

" 'The California Association of Clinical Laboratories is convinced, therefore, that it is in the best interests of the American public that legislation controlling all medical laboratories be instituted on a nationwide scale.' "

STATEMENT BY DAVID J. SPENCER, M.D., DIRECTOR, NATIONAL COMMUNICABLE DISEASE CENTER, ATLANTA, GA., BEFORE THE SENATE COMMITTEE ON THE JUDICIARY, SUBCOMMITTEE ON ANTITRUST AND MONOPOLY, FEBRUARY 6, 1967

Mr. Chairman and Members of the Committee:

PROBLEMS IN MEDICAL LABORATORIES IN THE UNITED STATES

Modern medical practice places greater reliance on clinical laboratory results than ever before. Accurate laboratory results, therefore, have a direct bearing on patient care, and are the difference between a healthy, productive life and extended convalescence or death.

There are between 13,000 and 14,000 medical laboratories in the Nation. Of these, about 7,000 are hospital laboratories. State and local public health laboratories number about 400; the remainder are independently operated. There are an estimated one-half billion examinations performed annually. The State and local public health laboratories do no more than 10 percent of these. No information is available concerning the quantity or quality of laboratory examinations which are performed in physicians' offices and in their clinics; however, these examinations must constitute a significant percentage of the national laboratory workload.

Serious deficiencies have been demonstrated to exist in the Nation's clinical laboratories. Studies by the National Communicable Disease Center and others indicate that unsatisfactory performance is demonstrated by 10–40% of laboratories in bacteriological testing; by 30–50% in various simple clinical chemistry tests; by 12–18% in blood grouping and typing; by 20–30% in hemoglobin measurements; by 40–80% in differential characterization of blood cells; and by 20–30% in measurement of serum electrolytes. There also exists considerable variation in results from laboratory to laboratory. *This information indicates that erroneous results are obtained in more than 25% of all tests analyzed by these studies.* The results cited above were derived from performance evaluation programs and may *represent the best which laboratories can do.*

MAJOR PROBLEMS WHICH CONTRIBUTE TO SUBSTANDARD LABORATORY PERFORMANCE

Lack of information. We can only estimate the number of the Nation's clinical laboratories. We do not know how much training and experience persons performing work in these laboratories have had, and we need to know much more about the nature and proficiency of the work performed. A major cause of this lack of knowledge has been the absence of State legislation requiring registration and/or licensure of clinical laboratories. Laboratories can operate in most communities without control of performance or even a business license.

Shortage of Educated, Trained, and Experienced Personnel. There is a Nation-wide shortage of educated, trained, and experienced laboratory personnel at all levels. According to a survey made by the NCDC in 1965, 32 percent of the 2,600 professional and technical personnel employed in State laboratories had less than four years' experience; 9 percent had less than one year experience; and 8 percent of those holding professional level positions in the laboratories did not have a college degree. Much less is known about personnel in independent and hospital laboratories. Hospital laboratories employ 52,900 medical technologists and require many more to meet current urgent needs. The demand for medical technologists is increasing faster than they are being trained.

Universities and colleges have few clinical chemistry training programs, and there has been little show of interest in encouraging young men and women to enter the field of medical laboratory sciences. The number of clinical laboratories which employ technologists has expanded tremendously; however, there has not been concomitant expansion of effort to recruit and train personnel. Only about 40 percent of available training positions in American Medical Association-approved schools of medical technology presently are filled.

Recruitment of young people into the laboratory field has not received sufficient emphasis, although notable efforts have been made, particularly by the National Committee for Careers in Medical Technology and the American Society of Clinical Pathologists. High school and college counselors are poorly apprised of career opportunities in the clinical laboratory field. In addition, salaries currently paid to medical technologists, bacteriologists, and clinical chemists are too low to attract young people to the field.

The same shortage of adequately trained and experienced personnel prevails at the supervisory level. Studies have reported that there is a strong positive correlation between the education of the supervisor and the quality of laboratory performance.

As a result of these various deficiencies, much technical work is done by personnel with qualifications below those required for accurate performance of laboratory tests. However, a significant step forward has recently been taken through enactment of legislation to assist in the training of such personnel. The Allied Health Professions Training Act of 1966 is designed to strengthen training opportunities for individuals interested in careers such as medical technology.

Obsolescence of Personnel. The knowledge gained by research leads by years the widespread, effective exploitation of technological advances in equipment, reagents, procedures, and automation. Laboratorians frequently continue to use obsolete techniques which they learned years before rather than adopt more up-to-date procedures.

Need To Educate Clinicians in Critical Evaluation and Proper Use of Laboratories. Many physicians tend to accept the results of laboratory tests at face value and they are often not in a position to evaluate laboratories *critically and select those which* can best perform the tests they request.

Poorly Controlled Technical Methods. Adequate controls must be included in each step of laboratory procedures; otherwise, the results will be unreliable. Proper internal and external quality controls have not been instituted by many clinical laboratories to check and monitor procedures, equipment, reagents, standards, and proficiency. Continuing work must be done to furnish guidelines for satisfactory laboratory quality control programs.

Lack of Standardized Procedures. Many procedures and modifications of procedures are available for use in clinical laboratories; unfortunately, many are unreliable. For example, the published literature reports that there are at least 29 methods for the determination of cholesterol, most of which give inaccurate results.

Lack of Standardized Reagents. The quality of reagents used in examination of specimens directly influences the accuracy of test results. The National Communicable Disease Center (NCDC) tested 1,023 final packaged and 50 pre-packaged microbiological reagents produced by 21 commercial producers from 1957 through 1965. Eighteen percent of the final packaged products and 24 percent of the pre-packaged products were unacceptable by NCDC standards. Additional quality standards are needed for reagents in other fields.

Absence of Established Standards of Performance. While standards for laboratory proficiency testing already exist in many cases, and could be applied, there still remain a number of areas where the many technical aspects necessary for standards development have not yet been fully investigated.

Insufficient Performance Evaluation. Many groups are conducting performance evaluation programs, most of which are voluntary, and participation is far from universal. Such performance evaluation as does exist relates in the main to specific tests or to laboratories with superior standards that are most concerned with improving the quality of their performance. State public health laboratory directors have reported to NCDC that nonparticipation in such voluntary evaluation is significantly correlated with substandard laboratory performance.

Lack of Regulation of Laboratories. Only three States, New York City, and Puerto Rico require some form of licensure or permit for independent clinical laboratories. In most States, anyone, without regard to training or experience, can operate or direct a clinical laboratory. Furthermore, these individuals can transact business in interstate commerce. It has long been recognized that unregulated "mail order" laboratories offer a threat to the health of both the individual and the public. States such as California and New York, which have enacted regulatory legislation, are not protected from laboratories in other States which offer mail-order services.

Failure To Recognize Limitations. Small laboratories often attempt to perform tests beyond their capabilities. Each clinical laboratory can no longer offer all tests which may be requested by physicians. Although the College of American Pathologists has a listing of laboratories for all types of procedures in all sections of the country, and the American Association of Blood Banks has established 4 central and regional laboratories, there is no organized system by which primary laboratories may refer specimens for comparison to expert laboratories with recognized and established competence in a specialty field.

Inadequate Facilities. Many independent and hospital laboratories are overcrowded, ill-equipped, and poorly maintained. Inadequate air handling systems endanger employees and contaminate work areas and *other parts of the building. Lack of suitably* controlled lighting, temperature, and humidity contributes to laboratory error.

Overt Dishonesty. Overtly dishonest operation of laboratories has been reported. A major contributing factor is the lack of regulation of clinical laboratory operation.

Lack of Funds for Improvement. There is a demonstrated need for additional funds at all levels of government for programs directed at improving the quality of laboratory performance.

EXAMPLES OF MISDIAGNOSIS, PROLONGED ILLNESS AND DEATH RESULTING FROM LABORATORY ERROR

Summarized below are actual examples in which clinical laboratory errors resulted in misdiagnosis, mistreatment, prolonged illness or death.

The death of twin boys born to an Rh negative woman twice typed as positive by the clinical laboratory is an example of fatalities related to error in blood typing. The twins were born with erythroblastosis fetalis and died. Both deaths could have been prevented had the laboratory result been correct. The parents were awarded settlement in Torts Claim Court.

In a recent study of 328 neonatal deaths from hemolytic disease, it was found that death could have been definitely prevented in 23.3% of the cases, and probably prevented in an additional 36.9% of the cases by correction of either patient factors, hospital factors, physician factors, or laboratory factors. One or more avoidable laboratory factors were identified in 34.5% of the deaths These factors included personnel which were inadequately trained or not available when needed, inadequate facilities resulting in a poorly done or omitted procedure, faulty methodology or technique and deficiencies in reporting laboratory tests.

Blood coagulation tests are extremely difficult to control, and when erroneous results occur the treatment of the patient may be inappropriate. A falsely short prothrombin time was reported for a 26-year-old newspaper reporter under anticoagulant treatment for phlebitis. The error caused the physician to continue this treatment, which slows the blood clotting time. A fatal gastrointestinal hemorrhage ensued. The potential magnitude of this problem is evident from the fact that approximately 700,000 persons are presently under anticoagulant treatment for prevention of coronary thrombosis or for other thrombosis or for other thromboembolic disease.

Specimens from 33 suspected cases of malaria were recently submitted to the NCDC for confirmation. These specimens had been diagnosed as positive and the patients treated for malaria. The NCDC found that all of the specimens were negative for malaria. Specimens of bone marrow had been removed 8 times from one of the above cases and blood had been drawn 12 times for smears and a serologic test. This patient underwent these many unnecessary diagnostic procedures and was treated for malaria in spite of not having the disease. Another patient had bone marrow specimens removed twice, and blood drawn for smears and a serologic test for malaria. Again, the results although reported as positive, could not be confirmed at the NCDC. One of these false positive cases was published in a medical journal as a report of resistance to drugs. This publication has caused much confusion.

A young mother of two children was diagnosed on the basis of laboratory tests as having pulmonary tuberculosis and confined to a sanatorium. Subsequent studies in the sanatorium proved that she did not have tuberculosis, and the woman was released 3 weeks later to return to her family.

The examples cited above show the need for high quality laboratory performance.

The overwhelming magnitude of the problem which results from substandard work in the laboratory cannot even be suggested by a recitation of these few case histories.

Statement of Howard L. Bodily, Ph. D., Before the U.S. Senate Committee on the Judiciary, Subcommittee on Antitrust and Monopoly

My name is Howard L. Bodily. I am Chief, Division of Laboratories, of the California State Department of Public Health.

For the past 21 years I have had direct responsibility for the administration of laws regulating California clinical laboratories and establishing standards for the personnel working therein. The California laws were established in 1937 and have been revised periodically since that time. These laws have permitted California to resolve most of the problems which now confront nearly all other States. I would like to state the major problems some of which are similar to those in S. 260 relating to the sale of drugs.

There is a lack of standards for adequate direction and supervision of clinical laboratories. For many years California was the only State which set legal requirements for the director of a clinical laboratory. Today only 8 other States and Puerto Rico have regulations of any kind which set legal requirements for the director. Even in these States many types of laboratories, such as hospital laboratories, are exempt. In all other States anyone regardless of his training can legally establish and operate a clinical laboratory.

Also, there are many laboratories whose director is out of the laboratory so much of the time that all of the direction is in effect left to the technician who is frequently very poorly trained. As a consequence, most of the States are poorly prepared to accept the responsibilities imposed on them by the Medicare requirements. The regulations are established for laboratories participating in the Medicare program set requirements for the director and supervisors in a laboratory, but this applies only to a segment of the laboratories. As a matter of fact, the Medicare program has established one set of regulations for independent laboratories and, through the Joint Commission of Hospital Accreditation of the American Medical Association, another set of standards for hospital laboratories in physicians' offices, including group practices. Furthermore, those laboratories not participating in the Medicare program are not subject to any standards except in a handful of States. Thus, there is a wide variation in the quality of the direction and supervision of laboratories throughout the Nation. This situation is largely due to the failure of States to enact appropriate laws.

There is also a lack of adequately trained personnel engaged in the work of the laboratory. Aside from California, only six States have any legal standards for laboratory technologists. The situation is well described in an article by Dr. Henry Bauer appearing in the February issue of *Hospital Practice* entitled "The National Laboratory Crisis." In most States it is believed that there is an acute shortage of trained personnel although the actual situation in any State is not well known. In contrast, in California, where standards have been set for many years, there is a good supply of well-trained technologists. A recent survey of 6,000 positions revealed an 8 percent vacancy rate which is the lowest it has been for more than 15 years. Approximately 1,000 college graduates take the California examinations for licensure each year.

The American Society of Clinical Pathologists is the only national organization which for many years has maintained an active program of training for technologists and upgrading of their requirements. This program has not met the needs and, being a voluntary program, has not prevented the employment of inadequately trained personnel.

The standards for training, as well as the facilities for good training, have been sadly neglected. Aside from the training program of the American Society of Clinical Pathologists, there has been no Nation-wide effort to promote good training in clinical laboratory technology. Commercial schools of varying but generally substandard quality have flourished in several States. Some of these have been nothing but diploma mills and others have falsely led students to believe that their short-term, high-priced training program would prepare the student to work in the clinical laboratory. Two such schools operated in California until 1951 when laws were enacted requiring them to upgrade their programs so that their students could qualify for the examination for licensure or discontinue their schools. The latter was the result. Now the training is done only in approved hospital laboratory schools and laboratories approved to take a limited number of trainees. However, substandard schools still exist in some States.

Colleges and universities have become less interested in providing the basic education for employment in the clinical laboratory and have directed their efforts to preparing students for graduate study in the basic and theoretical areas of science. While attention should be given to these areas, the applied areas have been sadly neglected. As a result only a very few colleges and universities offer courses which prepare a person to work in a clinical laboratory. Very few universities offer training in clinical chemistry or microbiology. As a result, there is a dearth of persons sufficiently well-trained in these areas to establish good practices and effective quality controls in these specialties of the clinical laboratory.

It is hoped that the Allied Health Professions Training Act passed by the 89th Congress will receive sufficient financial support to encourage the educational institutions of the Nation to give greater attention to the preparation of students for work in clinical laboratories.

There is a lack of appropriate continuing education programs to update the knowledge of those working in the laboratory to keep pace with the rapid changes in clinical laboratory technology. A few of the professional organizations and some State Health Department Laboratories occasionally provide training in limited areas of laboratory activity. A few universities provide similar short-term courses occasionally. All of these efforts amount to only a token of what should be done. The result is that many laboratories are working with outdated methods and equipment, and without adequate control of the quality of work performed.

Reference in many articles has pointed to the poor performance in medical laboratories. Studies conducted by Dr. Schaeffer in New York City, by Dr. Bauer in Minnesota, as well as others, indicate that a large number of clinical laboratories can not produce accurate results. Much of this is referable to the lack of training of the technologist. As a result of studies conducted in Minnesota, Dr. Bauer states that "Not surprisingly, this study documented the fact that laboratory performance drops as the educational level of laboratory personnel falls. The smaller hospitals (more often than not staffed with non-college trained personnel working without pathologist supervision) not only performed at the lowest levels of accuracy but gave the least amount of cooperation to the study." A similar correlation between training and accuracy of performance was reported by Snavely in the Connecticut Medical Journal in 1949, 1951 and 1952. Dr. Schaeffer's studies in New York also confirms this observation.

In the absence of regulation many laboratories fail for one reason or another to apply known methods of internal quality control of laboratory tests. Until the advent of Medicare, only a few States made any effort to test the performance in the clinical laboratories. Performance evaluation has, however, been conducted by the professional organizations, principally the College of American Pathologists, the American Society of Clinical Pathologists and the American Association of Bioanalysts. These programs, however, have reached only a fraction of the laboratories. The Medicare regulations will require the States to conduct or approve professional programs for performance evaluation of independent laboratories, but this is limited only to those laboratories whose Director does not have an M.D. or other doctoral degree. The application of quality control procedures and performance testing should apply to all laboratories as a means of maintenance of good quality of performance and to provide information as to what subjects should be emphasized in training.

Many of these problems have been a concern to the National Communicable Disease Center as well as the State laboratory directors. I hope that support can be given to the National Communicable Disease Center to assist the State in the improvement of laboratory services.

There is one area, however, where Federal legislation may be needed to adequately control the activities of certain laboratories. These are the ones which operate an interstate business. The lack of regulation has permitted some of these, as well as some laboratories operating only intrastate, to engage in overtly dishonest or unethical practices.

Perhaps one of the most outstanding examples of such practices occurred in 1961. Early in that year we were informed that a director of a California laboratory had purchased a shipment of laboratory specimen containers from a salvage dealer in Los Angeles. Upon inspection of these containers, the laboratory director discovered that they contained unexamined specimen-covered slides which had been prepared for examination by the Papanicolaou Technic. It was obvious that the slides had never been examined, and the director gave the slides and the accompanying request slips to our Department. The slides were from 250 patients involving 70 or more physicians who had sent them to a laboratory for examination. We selected 25 physicians and wrote to them to inquire if they had ever received a report of these specimens. Eighteen physicians replied that they had received such reports. A second letter was sent to the 25 physicians and the original letter to the remaining 45 physicians. Some physicians (from seven States) sent the actual reports which had been sent by the laboratory. In which instance the identification data agreed exactly with the date on the packets containing the unexamined slides in our possession. It was obvious that reports had been sent to the physicians even though the slides had never been examined.

Laboratory violations have occurred in California laboratories, but court or disciplinary action has required such laboratories to close or comply with the laws. Just recently a California laboratory engaged in a form of advertising in other States which we believed was illegal and a misrepresentation of facts. Disciplinary action against this laboratory brought about compliance.

In several instances it has come to our attention that individuals whose licenses have been revoked or who was denied licenses because of illegal practices have gone to other States and engaged in laboratory work.

Another related and unresolved problem is that of discounts, rebates, fee-splitting, etc., which occurs in both intra- and interstate laboratory situations. These problems relate directly to the purpose of S. 260. Many arrangements have been made between the physician and the laboratory, including:

1. A flat rate contract with the physician for laboratory services permitting the physician to charge the patient at the going rate.

2. "Discounts" for the collection of specimens by the physician or for billing the patient.

3. Discounts to physician owners of the building where a laboratory leases space, permitting the physician to charge the full fee.

The anti-rebate laws in California prohibit such arrangements with result in unearned rebates, discounts or fee-splitting. Disciplinary action for violations of this law has been taken against some laboratories, and others have complied with illegal financial arrangements were called to their attention. However, we have no control over the laboratory which operates in another State where no regulation exists but solicits work from California physicians. Cheaper laboratory fees are frequently offered as an inducement for a physician to use a laboratory thousands of miles from his instead of the laboratories in his own community. Furthermore, we believe it is grossly unfair to the people of California to require high standards in California laboratories in order to assure competent laboratory work, only to have laboratory work performed in other States by laboratories which do not meet California standards. It is impossible for any other State to control this situation.

Your interest in the subjects included in S. 260 is to be encouraged and possibly extended to laboratory activities. There is, however, a substantial difference between the dispensing of drugs and the procurement of laboratory services. Since laboratory work is an aid to the physician in diagnosis and treatment of illness in patients, there should be no restrictions against the physician using any laboratory he wishes. On the other hand, requirements should be established which will demand that laboratories produce accurate results.

I appreciate the opportunity to appear before your Committee. If I can be of further assistance, I will be pleased to do so.

LINCOLN'S BIRTHDAY—LEGAL HOLIDAY

Mr. JAVITS. Mr. President, speeches on the virtues and accomplishments of Abraham Lincoln are not necessary to recall to my colleagues the man whose birthday we will commemorate this week. As President during a time of great crisis for the Nation, as humanitarian and Great Emancipator, and—of particular importance to those of us on this side of the aisle—as founder of the Republican Party, Lincoln holds a revered place in the hearts of all Americans.

Many States have honored Lincoln by celebrating his birthday as a holiday. The Federal Government has not yet taken this step, but now, more than 100 years after his death, it is hoped that the Union which he died to preserve will honor his memory in an appropriate manner.

I send to the desk for appropriate reference, a bill to make February 12, Lincoln's birthday, a national holiday.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 895) making the birthday of Abraham Lincoln a legal holiday, introduced by Mr. JAVITS, was received, read twice by its title, and referred to the Committee on the Judiciary.

LINCOLN'S BIRTHDAY—NATIONAL HOLIDAY

Mr. HARTKE. Mr. President, next Sunday, February 12, we celebrate again the birthday of one of our most celebrated Presidents — Abraham Lincoln. Remarkably, however, we have yet to officially designate that date as a national holiday. Therefore, Mr. President, I am sending to the desk a bill to make such a designation.

There is no need to recite reasons for this special observance. It is but one more appropriate recognition of the man. Facing the Capitol Building from the other end of the historic Washington Mall, we have erected a permanent monument—a symbol of his character and a commemoration of his contribution to the Nation's endurance. In recent years, as we passed the centenary mark of the most significant events of his Presidency, we have taken special note of his achievements. On the steps of the Capitol in 1961, and again in 1965, we reenacted his inaugurations of a hundred years before.

Mr. President, it is fitting that we take this further step in recognition of President Lincoln. So that my colleagues may join in cosponsoring this measure, I would ask that this bill remain at the desk until the close of business on February 16.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will lie at the desk, as requested by the Senator from Indiana.

The bill (S. 907) making the anniversary of Lincoln's birthday a legal holiday, introduced by Mr. HARTKE, was received, read twice by its title, and referred to the Committee on the Judiciary.

ESTATE OF PATRICK E. EAGAN

Mr. BARTLETT. Mr. President, I introduce, for appropriate reference, a bill which would provide relief for the estate of Patrick E. Eagan.

Mr. Eagan was an employee of the Post Office Department beginning on October 19, 1956. From that time until April 27, 1962, Mr. Eagan received overpayments from that Department in the amount of $4,271.36.

The overpayments from the Post Office Department were the result of an administrative error by an employee of the Department who failed to deduct from Mr. Eagan's salary the amount of a civil service retirement annuity Mr. Eagan was receiving.

This was not a case where Mr. Eagan had failed to report the annuity in his application for employment. He did report the annuity. Unfortunately, it was not noticed by clerical assistants in the Department until April 27, 1962. The record should be clear that Mr. Eagan accepted the overpayment in good faith, having had no knowledge of the Department's failure to note that he was receiving an annuity and believing he was being paid only that amount to which he was entitled. On September 10, 1962, 4 months after the error was discovered, Mr. Eagan was separated from the Federal service. On October 3, 1962, the Post Office Department submitted a Government claim to the Civil Service Commission and from October 19, 1962, until August 8, 1964, the Civil Service Commission withheld Mr. Eagan's annuity payments totaling for that entire period $1,639.60.

In the 88th Congress, more specifically, on January 22, 1963, I introduced a bill for the relief of Patrick E. Eagan, S. 416. That bill was reported favorably with an amendment by the Senate Judiciary Committee on September 14, 1964, Senate Report No. 1543, and passed the Senate on September 24, 1964. S. 3144 received favorable consideration by the Senate in the 89th Congress but again it was too late for House action.

Unknown to me and to the Senate, Mr. Eagan had died on August 8, 1964, of cancer for which he had been hospitalized for some time. Mr. Eagan was survived by his widow who now resides at Yakima, Wash. Technically, there is a balance of $1,229.11 owing the Government. This amount may legally be charged against Mr. Eagan's estate. It is my belief this legal technicality should be removed by a private bill. It is my intention by introducing this bill today to remove not only that technicality but to repay to the estate that which already has been withheld.

Removing further liability for the amount still outstanding is obviously fair and just and should be done. Repaying to the estate the amount withheld by the Government during Mr. Eagan's life is justified in my view for several reasons. First of all, the overpayment was made as a result of an administrative error. Second, Mr. Eagan received the overpayments without knowledge of the error and in good faith. Third, the withholding of Mr. Eagan's retirement annuity after he had been separated from the Post Office Department to repay the debt technically owed the Government was an extreme hardship on Mr. Eagan and his wife, especially after he had been hospitalized for cancer. Further, the annuity was withheld after January 1963 until Mr. Eagan's death in August of 1964 contrary to a promise made to me by the Post Office Department in January 1963 that further annuity checks would not be withheld pending consideration of my bill S. 416. Necessary steps were not taken within the Post Office Department to carry out the promise made to me in writing. I was completely unaware that the annuity checks were continuing to be withheld until after Mr. Eagan's death in August 1964.

In summary, Mr. Eagan and his wife were placed under extreme economic hardship as a result of not one but two administrative errors on the part of the Post Office Department. I have been unable to discover that Mr. Eagan was in any way at fault in this matter. I feel the U.S. Government should correct this injustice to two of its citizens.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 910) for the relief of the estate of Patrick E. Eagan, introduced by Mr. BARTLETT, was received, read twice by its title, and referred to the Committee on the Judiciary.

INTERSTATE LAND SALES

Mr. BENNETT. Mr. President, I introduce for appropriate reference a bill for the purpose of assisting State authorities in their responsibility to bring an end to the fraudulent sale of land to individuals residing within their boundaries by out-of-State sales organizations.

Fortunately, all but a very few developers of land tracts for sale as building sites or investment opportunities are completely legitimate and build their business on the basis of satisfied purchasers. However, it is evident that there continue to be individuals who attempt to make a fast buck by improperly representing that which they are selling. It is encouraging to realize that there are far fewer fraudulent land sales schemes in operation today than there were just a few years ago. I feel that this improvement is a result of the efforts of a number of States to improve their statutes dealing with such problems and also the postal statutes against the use of the mails to distribute fraudulent literature. Despite the improvement that has been made, there are still some fraudulent land sale schemes, and it is the responsibility of the Congress to get involved in the solution of the problem.

Realizing that we have a responsibility, the question which naturally follows is what is the best method of approaching a solution.

I am firmly convinced that the solution must leave legitimate land developers free from unnecessary shackles, so that they are not prohibited either by law or through the difficulty of complying with the law from developing new areas. On the other hand, a means must be provided through which responsible authorities may deal with those who prey upon the unsophisticated who are a ready mark for those who promote get-rich-quick schemes, neglecting to inform prospective purchasers of important facts or misrepresenting the product which they are attempting to sell.

Last session, a bill was introduced which would make the Securities and Exchange Commission responsible and give the agency authority to set up standards of disclosure and registration which would have to be met by land developers using any form of interstate commerce or the mails in the promotion of their developments.

During the hearings which were held in the Securities Subcommittee of our Senate Banking and Currency Committee, many witnesses opposed the proposed legislation. One might discount some of the testimony perhaps as being biased, but most of it, in my judgment, was based on sound reasoning. Among the over two dozen opposition witnesses that appeared, presented statements, or made comments are the Department of Justice, the Department of Commerce, and the Postmaster General.

These Departments did not condone the fraudulent sale of land, nor did any of the opposition witnesses. In fact, some of the opposition witnesses have been working on the problem for years.

Land sales and their regulation has always been a State responsibility, and there are many with unimpeachable motives who feel that it should remain a State responsibility.

Too often, little or no recognition is given for all of the progress that is being made on the local and State level. Too often an immediate national solution is sought for something that needs a great deal of study and a full understanding of the problem and the operations of reputable segments within the industry.

Some States have taken great strides in protecting their citizens from unscrupulous out-of-State land solicitation through the enactment of effective statutes regulating such sales. Among the standards included in such State statutes are the following:

First. Demonstration that the promoter is able to deliver a clear title.

Second. Demonstration that the promoter is adequately financed to complete improvements that are scheduled.

Third. Demonstration that the parcels of land can be used for the purpose for which they are offered.

Fourth. Demonstration that when land is being sold under an installment contract, the payments received be escrowed or that some means be set up to guarantee that the buyer will receive an unencumbered title when he has completed his payment schedule.

These are requirements that protect the purchaser which every land developer should be willing to meet. Those who cannot meet such requirements would be unable to sell land in the State.

Perhaps more important than the present law of any one State is the work that has been done by the National Conference of Commissioners on Uniform State Laws. This is a highly respected group of individuals appointed by the Governors of the various States. It drafted the Uniform Commercial Code which now has been enacted by all but three States.

On August 4 of last year, the National Conference of Commissioners approved a Uniform Land Sales Practices Act. The act is a comprehensive one recommended to State legislatures for State enactment. I ask unanimous consent that the text of the act approved by the National Conference of Commissioners on Uniform State Laws be included in the RECORD at this point.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

UNIFORM LAND SALES PRACTICES ACT APPROVED BY THE NATIONAL CONFERENCE OF COMMISSIONERS ON UNIFORM STATE LAWS, AUGUST 4TH, 1966

SECTION 1. [*Definitions*] When used in this Act, unless the context otherwise requires:

(1) "disposition" includes sale, lease, assignment, award by lottery, or any other transaction concerning a subdivision, if undertaken for gain or profit;

(2) "offer" includes every inducement, solicitation or attempt to encourage a person to acquire an interest in land, if undertaken for gain or profit;

(3) "person" means an individual, corporation, government, or governmental subdivision or agency, business trust, estate, trust, partnership, unincorporated association, two or more of any of the foregoing having a joint or common interest, or any other legal or commercial entity;

(4) "purchaser" means a person who acquires or attempts to acquire or succeeds to an interest in land;

(5) "subdivider" means any owner of subdivided land who offers it for disposition or the principal agent of an inactive owner;

(6) "subdivision" and "subdivided lands" mean any land which is divided or is proposed to be divided for the purpose of disposition in to [25] or more lots, parcels, units or interests and also includes any land whether contiguous or not if [25] or more lots, parcels, units, or interests are offered as a part of a common promotional plan of advertising and sale.

SEC. 2. [*Administrative Agency.*] This Act shall be administered by [insert appropriate administrative agency and any related provisions on selection and remuneration of personnel, budget, annual reports, fees and other administrative provisions which are appropriate to the particular state] which hereinafter is called the agency.

SEC. 3. [*Exemptions.*]

(a) Unless the method of disposition is adopted for the purpose of evasion of this Act, the provisions of this Act do not apply to offers or dispositions of an interest in land:

(1) by a purchaser of subdivided lands for his own account in a single or isolated transaction;

(2) if fewer than [25] separate lots, parcels, units or interests in subdivided lands are offered by a person in a period of [12] months;

(3) on which there is a residential, commercial, or industrial building, or as to which there is a legal obligation on the part of the seller to construct such a building within [2] years from date of disposition;

(4) to persons who are engaged in the business of construction of buildings for resale, or to persons who acquire an interest in subdivided lands for the purpose of engaging, and do engage in the business of construction of building for resale;

(5) pursuant to court order;

(6) by any government or government agency;

(7) as cemetery lots or interests.

(b) Unless the method of disposition is adopted for the purpose of evasion of this Act, the provisions of this Act do not apply to:

(1) offers or dispositions of evidences of indebtedness secured by a mortgage or deed of trust of real estate;

(2) offers or dispositions of securities or units of interest issued by a real estate investment trust regulated under any state or federal statute;

(3) a subdivision as to which the plan of disposition is to dispose to 10 or fewer persons;

(4) a subdivision as to which the agency has granted an exemption as provided in Section 10;

(5) offers or dispositions of securities currently registered with the [Commissioner of Securities] of this State; and

(6) offers or dispositions of any interest in oil, gas or other minerals or any royalty interest therein if the offers or dispositions of such interests are regulated as securities by the United States or by the [Commissioner of Securities] of this State.

SEC. 4. [*Prohibitions on Dispositions of Interests in Subdivisions.*] Unless the subdivided lands or the transaction is exempt by Section 3:

(1) no person may offer or dispose of any interest in subdivided lands located in this State, nor offer or dispose in this State of any interest in subdivided lands located without this State prior to the time the subdivided lands are registered in accordance with this Act;

(2) no person may dispose of any interest in subdivided lands unless a current public offering statement is delivered to the purchaser and the purchaser is afforded a rea-

sonable opportunity to examine the public offering statement prior to the disposition.

SEC. 5. [*Application for Registration*]

(a) The application for registration of subdivided lands shall be filed as prescribed by the agency's rules and shall contain the following documents and information:

(1) an irrevocable appointment of the agency to receive service of any lawful process in any non-criminal proceeding arising under this Act against the applicant or his personal representative;

(2) a legal description of the subdivided lands offered for registration, together with a map showing the division proposed or made, and the dimensions of the lots, parcels, units or interests and the relation of the subdivided lands to existing streets, roads, and other off-site improvements;

(3) the states or jurisdictions in which an application for registration or similar document has been filed. and any adverse order, judgment, or decree entered in connection with the subdivided lands by the regulatory authorities in each jurisdiction or by any court;

(4) the applicant's name, address, and the form, date, and jurisdiction of organization; and the address of each of its offices in this State;

(5) the name, address, and principal occupation for the past five years of every director and officer of the applicant or person occupying a similar status or performing similar functions; the extent and nature of his interest in the applicant or the subdivided lands as of a specified date within 30 days of the filing of the application;

(6) a statement, in a form acceptable to the agency, of the condition of the title to the subdivided lands including encumbrances as of a specified date within 30 days of the date of application by a title opinion of a licensed attorney, not a salaried employee, officer, or director of the applicant or owner, or by other evidence of title acceptable to the agency;

(7) copies of the instruments which will be delivered to a purchaser to evidence his interest in the subdivided lands and of the contracts and other agreements which a purchaser will be required to agree to or sign;

(8) copies of the instruments by which the interest in the subdivided lands was acquired and a statement of any lien or encumbrance upon the title and copies of the instruments creating the lien or encumbrance, if any, with data as to recording;

(9) if there is a lien or encumbrance affecting more than one lot, parcel, unit or interest a statement of the consequences for a purchaser of failure to discharge the lien or encumbrance and the steps, if any, taken to protect the purchaser in case of this eventuality;

(10) copies of instruments creating easements, restrictions, or other encumbrances, affecting the subdivided lands;

(11) a statement of the zoning and other governmental regulations affecting the use of the subdivided lands and also of any existing tax and existing or proposed special taxes or assessments which affect the subdivided lands;

(12) a statement of the existing provisions for access, sewage disposal, water, and other public utilities in the subdivision; a statement of the improvements to be installed, the schedule for their completion, and a statement as to the provisions for improvement maintenance;

(13) a narrative description of the promotional plan for the disposition of the subdivided lands together with copies of all advertising material which has been prepared for public distribution by any means of communication;

(14) the proposed public offering statement;

(15) any other information, including any current financial statement, which the agency by its rules requires for the protection of purchasers.

(b) If the subdivider registers additional subdivided lands to be offered for disposition, he may consolidate the subsequent registration with any earlier registration offering subdivided lands for disposition under the same promotional plan.

(c) The subdivider shall immediately report any material changes in the information contained in an application for registration.

SEC. 6. [*Public Offering Statement.*]

(a) A public offering statement shall disclose fully and accurately the physical characteristics of the subdivided lands offered and shall make known to prospective purchasers all unusual and material circumstances or features affecting the subdivided lands. The proposed public offering statement submitted to the agency shall be in a form prescribed by its rules and shall include the following:

(1) the name and principal address of the subdivider;

(2) a general description of the subdivided lands stating the total number of lots, parcels, units, or interests in the offering;

(3) the significant terms of any encumbrances, easements, liens, and restrictions, including zoning and other regulations affecting the subdivided lands and each unit or lot, and a statement of all existing taxes and existing or proposed special taxes or assessments which affect the subdivided lands;

(4) a statement of the use for which the property is offered;

(5) information concering improvements, including streets, water supply, levees, drainage control systems, irrigation systems, sewage disposal facilities and customary utilities, and the estimated cost, date of completion and responsibility for construction and maintenance of existing and proposed improvements which are referred to in connection with the offering or disposition of any interest in subdivided lands;

(6) additional information required by the agency to assure full and fair disclosure to prospective purchasers.

(b) The public offering statement shall not be used for any promotional purposes before registration of the subdivided lands and afterwards only if it is used in its entirety. No person may advertise or represent that the agency approves or recommends the subdivided lands or disposition thereof. No portion of the public offering statement may be underscored, italicized, or printed in larger or heavier or different color type than the remainder of the statement unless the agency requires it.

(c) The agency may require the subdivider to alter or amend the proposed public offering statement in order to assure full and fair disclosure to prospective purchasers, and no change in the substance of the promotional plan or plan of disposition or development of the subdivision may be made after registration without notifying the agency and without making appropriate amendment of the public offering statement. A public offering statement is not current unless all amendments are incorporated.

SEC. 7. [*Inquiry and Examination.*]

Upon receipt of an application for registration in proper form, the agency shall forthwith initiate an examination to determine that:

(1) the subdivider can convey or cause to be conveyed the interest in subdivided lands offered for disposition if the purchaser complies with the terms of the offer, and when appropriate, that release clauses, conveyances in trust or other safeguards have been provided;

(2) there is reasonable assurance that all proposed improvements will be completed as represented;

(3) the advertising material and the general promotional plan are not false or misleading and comply with the standards prescribed by the agency in its rules and afford full and fair disclosure;

(4) the subdivider has not, or if a corporation, its officers, directors, and principals have not, been convicted of a crime involving land dispositions or any aspect of the land sales business in this State, United States, or any other state or foreign country within the past [10] years and has not been subject to any injunction or administrative order within the past [10] years restraining a false or misleading promotional plan involving land dispositions;

(5) the public offering statement requirements of this Act have been satisfied.

SEC. 8. [*Notice of Filing and Registration.*]

(a) Upon receipt of the application for registration in proper form, the agency shall issue a notice of filing to the applicant. Within [90] days from the date of the notice of filing, the agency shall enter an order registering the subdivided lands or rejecting the registration. If no order of rejection is entered within [90] days from the date of notice of filing, the land shall be deemed registered unless the applicant has consented in writing to a delay.

(b) If the agency affirmatively determines, upon inquiry and examination, that the requirements of Section 7 have been met, it shall enter an order registering the subdivided lands and shall designate the form of the public offering statement.

(c) If the agency determines upon inquiry and examination that any of the requirements of Section 7 has not been met, the agency shall notify the applicant that the application for registration must be corrected in the particulars specified within [10] days. If the requirements are not met within the time allowed the agency shall enter an order rejecting the registration which shall include the findings of fact upon which the order is based. The order rejecting the registration shall not become effective for [20] days during which time the applicant may petition for reconsideration and shall be entitled to a hearing.

SEC. 9. [*Annual Report.*]

(a) Within [30] days after each annual anniversary date of an order registering subdivided lands, the subdivider shall file a report in the form prescribed by the rules of the agency. The report shall reflect any material changes in information contained in the original application for registration.

(b) The agency at its option may permit the filing of annual reports within [30] days after the anniversary date of the consolidated registration in lieu of the anniversary date of the original registration.

SEC. 10. [*General Powers and Duties.*]

(a) The agency shall prescribe reasonable rules which shall be adopted, amended, or repealed [in compliance with the administrative procedure act] [after a public hearing with notice thereof published once in a newspaper or newspapers with statewide circulation not less than 5 days nor more than 15 days prior to the hearing and mailed to all subdividers not less than 5 days nor more than 15 days prior to the public hearing]. The rules shall include but not be limited to provisions for advertising standards to assure full and fair disclosure; provisions for escrow or trust agreements or other means reasonably to assure that all improvements referred to in the application for registration and advertising will be completed and that purchasers will receive the interest in land contracted for; provisions for operating procedures; and other rules as are necessary and proper to accomplish the purpose of this Act.

(b) The agency by rule or by an order, after reasonable notice and hearing, may require the filing of advertising material relating to subdivided lands prior to its distribution.

(c) If it appears that a person has engaged or is about to engage in an act or practice constituting a violation of a provision of this Act, or a rule or order hereunder, the agency, with or without prior administrative proceedings may bring an action in the [insert the name of the appropriate court] to enjoin the acts or practices and to enforce compliance with this Act or any rule or order hereunder. Upon proper showing, injunctive relief or temporary restraining orders shall be granted, and a receiver or conservator may be appointed. The agency is not required to post a bond in any court proceedings.

(d) The agency may intervene in a suit involving subdivided lands. In any suit by or against a subdivider involving subdivided lands, the subdivider promptly shall furnish the agency notice of the suit and copies of all pleadings.

(e) The agency may:

(1) accept registrations filed in other states or with the federal government;

(2) contract with similar agencies in this State or other jurisdictions to perform investigative functions;

(3) accept grants in aid from any source.

(f) The agency shall cooperate with similar agencies in other jurisdictions to establish uniform filing procedures and forms, uniform public offering statements, advertising standards, rules and common administrative practices.

(g) The agency may exempt a subdivision of [——] or fewer lots, parcels, units or interest from the provisions of this Act if it determines that the plan of promotion and disposition is primarily directed to persons in the local community in which the subdivision is situated.

SEC. 11. [*Investigations and Proceedings.*]

(a) The agency may:

(1) make necessary public or private investigations within or outside of this State to determine whether any person has violated or is about to violate this Act or any rule or order hereunder, or to aid in the enforcement of this Act or in the prescribing of rules and forms hereunder;

(2) require or permit any person to file a statement in writing, under oath or otherwise as the agency determines, as to all the facts and circumstances concerning the matter to be investigated.

(b) For the purpose of any investigation or proceeding under this Act, the agency or any officer designated by rule may administer oaths or affirmations, and upon its own motion or upon request of any party shall subpoena witnesses, compel their attendance, take evidence, and require the production of any matter which is relevant to the investigation, including the existence, description, nature, custody, condition, and location of any books, documents, or other tangible things and the identity and location of persons having knowledge of relevant facts or any other matter reasonably calculated to lead to the discovery of material evidence.

(c) Upon failure to obey a subpoena or to answer questions propounded by the investigating officer and upon reasonable notice to all persons affected thereby, the agency may apply to [insert name of appropriate court] for an order compelling compliance.

[(d) Except as otherwise provided in this Act, all proceedings under this Act shall be in accordance with the Administrative Procedure Act.]

SEC. 12. [*Cease and Desist Orders.*]

(a) If the agency determines after notice and hearing that a person has:

(1) violated any provision of this Act;

(2) directly or through an agent or employee knowingly engaged in any false, deceptive, or misleading advertising, promotional, or sales methods to offer or dispose of an interest in subdivided lands;

(3) made any substantial change in the plan of disposition and development of the subdivided lands subsequent to the order of registration without obtaining prior written approval from the agency;

(4) disposed of any subdivided lands which have not been registered with the agency;

(5) violated any lawful order or rule of the agency; it may issue an order requiring the person to cease and desist from the unlawful practice and to take such affirmative action as in the judgment of the agency will carry out the purposes of this Act.

(b) If the agency makes a finding of fact in writing that the public interest will be irreparably harmed by delay in issuing an order, it may issue a temporary cease and desist order. Prior to issuing the temporary cease and desist order, the agency whenever possible by telephone or otherwise shall give notice of the proposal to issue a temporary cease and desist order to the person. Every temporary cease and desist order shall include in its terms a provision that upon request a hearing will be held [promptly] [within —— days] to determine whether or not it becomes permanent.

SEC. 13. [*Revocation.*]

(a) A registration may be revoked after notice and hearing upon a written finding of fact that the subdivider has:

(1) failed to comply with the terms of a cease and desist order;

(2) been convicted in any court subsequent to the filing of the application for registration for a crime involving fraud, deception, false pretenses, misrepresentation, false advertising, or dishonest dealing in real estate transactions;

(3) disposed of, concealed, or diverted any funds or assets of any person so as to defeat the rights of subdivision purchasers;

(4) failed faithfully to perform any stipulation or agreement made with the agency as an inducement to grant any registration, to reinstate any registration, or to approve any promotional plan or public offering statement;

(5) made intentional misrepresentations or concealed material facts in an application for registration.

Findings of fact, if set forth in statutory language, shall be accompanied by a concise and explicit statement of the underlying facts supporting the findings.

(b) If the agency finds after notice and hearing that the subdivider has been guilty of a violation for which revocation could be ordered, it may issue a cease and desist order instead.

SEC. 14. [*Judicial Review.*]

[(a) A person who exhausted all administrative remedies available within the agency and who is aggrieved by an order pertaining to registration, a cease and desist order, an order of revocation, or any other final decision of the agency is entitled to judicial review under this Act. This Section does not limit utilization of or the scope of judicial review available under other means of review, redress, relief, or trial *de novo* provided by law. A preliminary, procedural, or intermediate agency action or ruling is immediately reviewable if review of the final agency decision would not provide an adequate remedy.

(b) Proceedings for review are instituted by filing a petition in the [insert the name of appropriate court] within [30] days after [mailing notice of] the final decision of the agency or, if a rehearing is requested, within [30] days after the decision thereon. Copies of the petition shall be served upon the agency and all parties of record.

(c) The filing of the petition does not itself stay enforcement of the agency decision. The agency may grant, or the reviewing court may order, a stay upon appropriate terms.

(d) Within [30] days after the service of the petition, or within further time allowed by the court, the agency shall transmit to the reviewing court the original or a certified copy of the entire record of the proceeding under review. By stipulation of all parties to the review proceedings, the record may be shortened. A party unreasonably refusing to stipulate to limit the record may be taxed by the court for the additional costs. The court may require or permit subsequent corrections or additions to the record.

(e) If, before the date set for hearing, application is made to the court for leave to present additional evidence, and it is shown to the satisfaction of the court that the additional evidence is material and that there were good reasons for failure to present it in the proceeding before the agency, the court may order that the additional evidence be taken before the agency upon conditions determined by the court. The agency may modify its findings and decision by reason of the additional evidence and shall file that evidence and any modifications, new findings, or decisions with the reviewing court.

(f) The review shall be conducted by the court without a jury and shall be confined to the record. In cases of alleged irregularities in procedure before the agency, not shown in the record, proof thereon may be taken in the court. The court, upon request, shall hear oral argument and receive written briefs.

(g) The court shall not substitute its judgment for that of the agency as to the weight of the evidence on questions of fact. The court may affirm the decision of the agency or remand the case for further proceedings. The court may reverse or modify the decision if substantial rights of the appellant have been prejudiced because the administrative findings, inferences, conclusions, or decisions are:

(1) in violation of constitutional or statutory provisions;

(2) in excess of the statutory authority of the agency;

(3) made upon unlawful procedure;

(4) affected by other error of law;

(5) clearly erroneous in view of the reliable, probative, and substantial evidence on the whole record; or

(6) arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.

[Proceedings for judicial review shall be in accordance with the administrative procedures act].

SEC. 15. [*Penalties*]. Any person who willfully violates any provision of this Act or of a rule adopted under it or any person who willfully, in an application for registration makes any untrue statement of a material fact or omits to state a material fact is guilty of a [misdemeanor] [felony] and may be fined not less than [$1,000] [$5,000] or double the amount of gain from the transaction, whichever is the larger but not more than [$50,000]; or he may be imprisoned for not more than [6 months] [2 years]; or both.

SEC. 16. [*Civil Remedy.*]

(a) Any person who disposes of subdivided lands in violation of Section 4, or who in disposing of subdivided lands makes an untrue statement of a material fact, or who in disposing of subdivided lands omits a material fact required to be stated in a registration statement or public offering statement or necessary to make the statements made not misleading, is liable as provided in this section to the purchaser unless in the case of an untruth or omission it is proved that the purchaser knew of the untruth or omission or that the person offering or disposing of subdivided lands did not know and in the exercise of reasonable care could not have known of the untruth or omission, or that the purchaser did not rely on the untruth in omission.

(b) In addition to any other remedies, the purchaser, under the preceding subsection, may recover the consideration paid for the lot, parcel, unit or interest in subdivided lands together with interest at the rate of 6% per year from the date of payment, property taxes paid, costs, and reasonable attorneys fees less the amount of any income received from the subdivided lands upon tender of appropriate instruments of reconveyance. If the purchaser no longer owns the lot, parcel, unit or interest in subdivided lands, he may recover the amount that would be recoverable upon a tender of a reconveyance less the value of the land when disposed of and less interest at the rate of 6% per year on that amount from the date of disposition.

(c) Every person who directly or indirectly controls a subdivider liable under Subsection (a), every general partner, officer, or director of a subdivider, every person occupying a similar status or performing a similar function, every employee of the subdivider who materially aids in the disposition, and every agent who materially aids in the disposition is also liable jointly and severally with and to the same extent as the subdivider, unless the person otherwise liable sustains the burden of proof that he did not know and in the exercise of reasonable care could not have known of the existence of the facts by reason of which the liability is alleged to exist.

There is a right to contribution as in cases of contract among persons so liable.

(d) Every person whose occupation gives authority to a statement which with his consent has been used in an application for registration or public offering statement, if he is not otherwise associated with the subdivision and development plan in a material way, is liable only for false statements and omissions in his statement and only if he fails to prove that he did not know and in the exercise of the reasonable care of a man in his occupation could not have known of the existence of the facts by reason of which the liability is alleged to exist.

(e) A tender of reconveyance may be made at any time before the entry of judgment.

(f) A person may not recover under this section in actions commenced more than 4 years after his first payment of money to the subdivider in the contested transaction.

(g) Any stipulation or provision supporting to bind any person acquiring subdivided lands to waive compliance with this Act or any rule or order under it is void.

Sec. 17 [*Jurisdictional.*] Dispositions of subdivided lands are subject to this Act, and the [insert name of appropriate courts] of this State have jurisdiction in claims or causes of action arising under this Act, if:

(1) the subdivided lands offered for disposition are located in this State; or

(2) the subdivider's principal office is located in this State; or

(3) any offer or disposition of subdivided lands is made in this State, whether or not the offeror or offeree is then present in this State, if the offer originates within this State or is directed by the offeror to a person or place in this State and received by the person or at the place to which it is directed.

Sec. 18. [*Interstate Rendition*]. In the proceedings for extradition of a person charged with a crime under this Act, it need not be shown that the person whose surrender is demanded has fled from justice or at the time of the commission of the crime was in the demanding or other state.

Sec. 19. [*Service of Process.*]

(a) In addition to the methods of service provided for in the [Rules of Civil Practice] service may be made by delivering a copy of the process to the office of the agency, but it is not effective unless the plaintiff (which may be the agency in a proceeding instituted by it):

(1) forthwith sends a copy of the process and of the pleading by [certified] [registered] mail to the defendant or respondent at his last known address, and

(2) the plaintiff's affidavit of compliance with this Section is filed in the case on or before the return day of the process, if any or within such further time as the court allows.

(b) If any person, including any nonresident of this State, engages in conduct prohibited by this Act or any rule or order hereunder, and has not filed a consent to service of process and personal jurisdiction over him cannot otherwise be obtained in this State, that conduct authorizes the agency to receive service of process in any non-criminal proceeding against him or his successor which grows out of that conduct and which is brought under this Act or any rule or order hereunder, with the same force and validity as if served on him personally. Notice shall be given as provided in subsection (a).

Sec. 20. [*Uniformity of Interpretation*]. This Act shall be so construed as to effectuate its general purpose to make uniform the law of those states which enact it.

Sec. 21. [*Short Title*]. This Act may be cited as the Uniform Land Sales Practices Act.

Sec. 22. [*Severability*]. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the invalidity does not affect other provisions or applications of the Act which can be given effect without the invalid provisions or application, and to this end the provisions of this Act are severable.

Sec. 23. [*Repeal*]. The following Acts and parts of Acts are repealed:

(1)
(2)
(3)

Sec. 24. [*Effective Date*]. This Act shall take effect [not less than 90 days after enactment].

Mr. BENNETT. Mr. President, in my judgment, this provides a means to attack the problems which exist in interstate land sales. This gives the States a pattern after which to enact reasonable yet effective legislation.

Just 1 month after the uniform act had been approved, a meeting attended by industry representatives and officials of the regulatory agencies of various States was held here in Washington. It was agreed that States would move rapidly to enact legislation patterned after the proposed Uniform Land Sales Practices Act.

It was pointed out in our hearings of last session, however, that even States with good laws are unable to take the action that they would desire against an out-of-State promoter who uses the mails or telephone or other means of communication but does not actually have an operation in the State. Of course, an injunction can be received from a State court, but if the promoter chooses to ignore the injunction, a State cannot enforce it. A State authority finds it equally difficult to obtain an injunction in another State where the developer has his promotional headquarters or where the land being developed is located. State law is unable to solve this jurisdictional problem, so it is necessary that it be supplemented by Federal statute.

I am therefore introducing a bill that would make it a violation of Federal law to use any means of transportation or communication in interstate commerce, or the mails, to sell, or offer to sell lots or land parcels in violation of State laws in effect in the State of residence of the prospective purchaser. This proposal has received widespread support from State authorities and responsible land developers.

It is simple and would bridge the gap between what the States are able to do and what needs to be done. It would not result in overlapping jurisdiction or unnecessary burden or expense on land developers. I am sure that it would provide incentive for the enactment of better State laws, and the Federal Government would do only that which the States are not willing or able to do for themselves. We hear about creative federalism and its virtues on every hand. Part of creative federalism is that the Federal Government act in those instances where States cannot act for themselves.

This proposal is not without precedent. The Webb-Kenyon Act, prohibiting the transportation of liquor into a State in violation of the State law, the Connally Hot Oil Act, forbidding transportation of oil across State borders in violation of State law, and the action of Congress in 1961 making it a Federal offense to carry out certain racketeering enterprises which were prohibited by State law are all similar to this proposal. It seems to me that this type of legislation is in the real spirit of Federal-State coordination and cooperation.

I therefore introduce this bill to make it a violation of Federal law to use any means of interstate communication or transportation or the mails to offer for sale parcels of land in violation of State laws in effect in the State of residence of the prospective purchaser. I ask unanimous consent that the bill be printed at this point in the Record and that it lie on the table for cosponsors until February 28.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record and held at the desk, as requested by the Senator from Utah.

The bill (S. 911) to prohibit certain interstate land sales in violation of State law, introduced by Mr. Bennett, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

S. 911

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That part I of title 18, United States Code, is amended by adding at the end thereof the following:

"Chapter 119.—Interstate Land Sales

"Sec.
"2451. Definitions.
"2452. Sales in violation of State law.

"Section 2451. Definitions

"As used in this chapter—

"(1) The term 'subdivision' means any land which is divided or proposed to be divided into twenty-five or more lots, parcels, units, or interests, whether contiguous or not, for the purpose of sale.

"(2) The term 'State' means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, and any possession of the United States.

"Section 2452. Sales in violation of State law

"Whoever, in pursuance of a promotional plan to sell lots, parcels, or interests in a subdivision to persons residing outside the State in which such subdivision is located, uses any means of transportation or communication in interstate commerce, or the mails, to sell, or offer to sell, any such lot, parcel, or interest to any such person with knowledge, or reasonable grounds for believing, that such sale or offer is made in violation of laws in effect in the State of residence of such person specifically regulating the sale of lots, parcels, or interests in subdivisions, shall be fined not more than $1,000 or imprisoned not more than one year, or both."

Sec. 2. The analysis of part I of title 18, United States Code, is amended by adding at the end thereof the following:

"119. Interstate land sales............2451".

DISPOSITION OF GEOTHERMAL STEAM AND ASSOCIATED GEOTHERMAL RESOURCES OF THE PUBLIC LANDS—NOTICE OF HEARINGS

Mr. BIBLE. Mr. President, I introduce, by request, a bill to authorize the Secretary of the Interior to make disposition of the geothermal steam and associated geothermal resources of the public lands of the United States.

This measure was drafted by the Department of the Interior and transmitted by executive communication to the Congress. I ask unanimous consent, Mr. President, that the text of the Interior Department's communication be printed in the Record at the end of my remarks.

It is my expectation that the Subcommittee on Minerals, Materials and Fuels of the Senate Interior Committee will consider the administration draft of this proposed legislation at the time of the hearing on S. 23, the geothermal leasing measure I sponsored for myself and 10 distinguished Senators of both parties. Hearings on this bill have been scheduled for March 21 and 22.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the Record.

The bill (S. 912) to authorize the Secretary of the Interior to make disposition of geothermal steam and associated geothermal resources, and for other purposes; introduced by Mr. Bible, by request, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The letter presented by Mr. Bible is as follows:

U.S. Department of the Interior,
Office of the Secretary,
Washington, D.C., February 2, 1967.

Hon. Hubert H. Humphrey,
President of the Senate,
Washington, D.C.

Dear Mr. President: Enclosed is a draft of a proposed bill "To authorize the Secretary of the Interior to make disposition of geothermal steam and associated geothermal resources, and for other purposes".

We recommend that this bill be referred to the appropriate committee for consideration, and we recommend that it be enacted.

Legislation to authorize the Secretary of the Interior to issue geothermal steam leases covering lands administered by him and lands within the national forests was considered by both the 88th and 89th Congresses. No final action was taken by the 88th Congress, but a bill (S. 1674) for this purpose was adopted by the 89th Congress and on November 15, 1966, President Johnson withheld his approval.

In withholding his approval, the President said that geothermal steam legislation would be proposed in the 90th Congress "to transform the potential of this national treasure into a reality". In his recent message on "Protecting Our National Heritage", the President reiterated this statement and directed that draft legislation be transmitted to the Congress. The enclosed bill will carry out the President's objective.

S. 1674 provides the framework for the enclosed proposal. Many of the provisions of the enclosed bill are identical both in substance and form with those in S. 1674. We are enclosing a complete explanation of all of the changes.

The principal provisions of the bill are:

1. An authorization for the Secretary of the Interior to issue geothermal leases competitively covering lands administered by him and by the Secretary of Agriculture through the Forest Service, except for lands within the National Park and National Wildlife Refuge Systems, lands administered for fish hatchery purposes, national recreation areas, and Indian-owned trust or restricted lands;

2. An authorization of a minimum rate of royalty for steam or the byproducts therefrom produced under a geothermal lease and sold or utilized or reasonably susceptible of sale or utilization;

3. An authority to reinstate geothermal leases terminated because of a nominal deficiency in the rental payment, or because of a failure to pay the rental timely or to pay the full amount and such failure was justifiable or not due to a lack of reasonable diligence;

4. An authorization to issue a geothermal lease for a primary term of 10 years with the right to continue thereafter so long as geothermal steam is produced or utilized in paying quantities but not to exceed an additional 50 years from the date production is begun, as determined by the Secretary;

5. A provision giving the geothermal lessee a right to extend his lease, upon application therefor, when the Secretary determines (a) that the steam is incapable of further commercial production or utilization, and (b) that the byproducts—either leasables or locatables, or both—are capable of further production or utilization, for so long as one or more of the byproducts are produced or utilized in paying quantities;

6. A requirement that the byproducts and the lands covered by the geothermal leases shall not be subject to appropriation under the United States mining laws during the lease term or extension thereof or after termination or relinquishment thereof, unless and until such lands are opened by the Secretary;

7. A requirement that each geothermal lease shall cover not more than 2,560 acres;

8. A requirement that no lessee shall acquire any direct or indirect interest in geothermal leases issued under this bill totaling more than 10,240 acres per State;

9. A requirement that each lease contain a renegotiation clause;

10. An authority to issue regulations to prevent waste, to conserve the resources within the lease area, to protect the surface, and to prevent pollution, among other things;

11. An authority for the Attorney General to institute legal proceedings to quiet title to geothermal resources underlying lands conveyed with a mineral reservation;

12. An authority to issue geothermal leases for the geothermal resources underlying the surface of lands conveyed by the United States with a reservation for the geothermal steam to the United States;

13. A requirement that where lands are patented, granted, or otherwise conveyed under other provisions of law subject to a reservation of any mineral such reservation shall also include geothermal steam and associated geothermal resources; and

14. A requirement that the ownership of oil, hydrocarbon gas, and helium found under a geothermal lease shall be retained by the United States.

This proposal was prepared in consultation with the Acting Attorney General and he recommends that it be enacted.

The Bureau of the Budget has advised that the enclosed legislative proposal is in accord with the President's program.

Sincerely yours,
Harry R. Anderson,
Assistant Secretary of the Interior.

AMENDMENT TO THE INTERSTATE COMMERCE ACT TO PERMIT WATER CARRIER EQUIPMENT TRUST CERTIFICATES

Mr. MAGNUSON. Mr. President, I introduce by request, for appropriate reference, a bill to amend part III of the Interstate Commerce Act to provide for the recording of trust agreements and other evidences of equipment indebtedness of water carriers, and for other purposes.

Under this proposed legislation water carriers advise that they would be able to provide shippers, consumers, and communities with more modern and efficient equipment through equipment trust financing.

Our Nation's railroads and our Nation's airlines have available to them a similar type of financing enabling them to obtain funds for capital improvements through the medium of equipment trust certificates. Because a considerable portion of a water carrier's total assets is invested in floating equipment, equipment trust certificates financing would also aid large and small water carriers to obtain capital funds.

The proposed legislation is strictly permissive and can only be utilized where both the water carrier and the financial institution mutually desire to take advantage of this type of financing.

Section 1 of this bill would amend part III of the Interstate Commerce Act to provide for the recording of security instruments with the Interstate Commerce Commission in much the same manner as equipment trust certificates of the railroads are presently recorded with the ICC, and security agreements of the airlines are recorded with the Federal Aviation Agency. Section 2 of this bill would amend section 116 of the Bankruptcy Act to provide that the titleholder under a title retention security agreement could repossess or take physical possession of the equipment even though the debtor is in a chapter 10 reorganization.

This bill is similar to S. 3732—89th Congress—which I introduced, by request, on August 16, 1966. The only difference is the addition of two clauses in section 1 to make clear that this proposed legislation is not to be construed to alter or amend, in any way, the Ship Mortgage Act, 1920, as amended.

I ask unanimous consent to have printed in the Record following my remarks a letter dated February 1, 1967, from Mr. J. W. Hershey, chairman of the executive committee, the Common Carrier Conference of Domestic Water Carriers, in support of this bill.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 913) to amend part III of the Interstate Commerce Act to provide for the recording of trust agreements and other evidences of equipment indebtedness of water carriers, and for other purposes, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter, presented by Mr. MAGNUSON, is as follows:

THE COMMON CARRIER CONFERENCE
OF DOMESTIC WATER CARRIERS,
Washington, D.C., February 1, 1967.

Hon. WARREN G. MAGNUSON,
Chairman, Senate Committee on Commerce,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MAGNUSON: I am enclosing for your consideration a draft of a bill regarding the recordation of equipment trust agreements and the exemption of certain title retention security agreements from the provisions of the Bankruptcy Act by the amendment of Section 323 of Part III of the Interstate Commerce Act and Section 116, Chapter 10 of the Bankruptcy Act (11 U.S.C. 516).

The water carrier industry has in the past, and will most certainly in the future, be faced with problems of equipment obsolescence and the resulting need for capital improvements as the industry continues to modernize its fleet for service to the public. Of course, this problem is not peculiar to water carriers, and I am sure that the nation's railroads and airlines have been involved in similar modernization programs.

Obviously, a substantial portion of the funds for these capital improvements must be obtained from financial institutions rather than from working capital. Because a great deal of a water carrier's total assets is represented by floating equipment, the logical and only available security for financing is the towboats and barges being purchased by the carrier. This, I understand, is also generally true of the airlines, and I also understand that most of the railroad equipment modernization is via the medium of equipment trust certificates.

Both the railroads and the airlines presently have available to them a type of financing which is somewhat exempt from the provisions of the Bankruptcy Act in that a lender's title in financed equipment, and his concurrent right to repossess that equipment, may not be restricted, limited or hindered by the trustee in a reorganization of a railroad or of an airline. The existence of this legislation has enabled both the rail and air carriers to obtain financing from sources which may not have been otherwise available at relatively favorable interest rates.

In 1957 Congress amended Section 116 of the Bankruptcy Act thereby providing this type of exemption for the financing of aircraft, aircraft engines and related equipment, and our proposed legislation follows the same general format as that enacted in 1957 in H.R. 7671 and S. 2205.

Enactment of the proposed legislation would greatly assist the inland and coastwise water carrier industry in the modernization of its floating equipment and would place such water carriers on a par with both railroads and airlines in attracting capital for fleet improvements. The amendment would prove of benefit to both large and small water carriers particularly in view of the increasing costs of both barges and towboats. It should also be noted that the proposed legislation cannot possibly harm either a water carrier or a financial institution as it is strictly permissive and can only be utilized where both the water carrier and the financial institution mutually desire to take advantage of this particular type of financing.

In the event the Congress sees fit to enact the proposed amendment to the Bankruptcy Act, it would appear that creditors could be best protected from unknown liens on equipment by amending Part III of the Interstate Commerce Act so as to provide for the recordation of instruments evidencing equipment indebtedness at one central and easily accessible location. Railroad equipment trust certificates must be recorded with the Interstate Commerce Commission under Section 20(c) of the Interstate Commerce Act, and because water carriers are likewise subject to regulation by that Commission, it seems logical to designate that Commission as the place for recordation in the same manner as was done for railroads. It is my understanding that equipment indebtedness instruments on aircraft are recorded with the Federal Aviation Agency in much the same manner as we propose to record vessel indebtedness instruments with the Commission. This procedure would not burden the Commission nor require an expansion of the Commission's existing staff or facilities as the small amount of work could be easily handled by those persons presently responsible for the recording of instruments under Section 20(c) of the Act.

I would be most happy for the opportunity to fully discuss the proposed legislation with either you, a member of your committee, or your staff any time at your convenience.

Sincerely,

J. W. HERSHEY.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that a bill which I introduced today to amend the Interstate Commerce Act lie on the table for 10 days for additional cosponsors.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

FEDERAL JUDICIAL CENTER

Mr. McCLELLAN. Mr. President, I am also today introducing by request a third measure to which the President referred in his crime message of February 6.

This bill would establish a Federal Judicial Center in the Administrative Office of the U.S. courts.

In 1922, at the instigation of Chief Justice Taft and other Federal judges, Congress created the Conference of Senior Circuit Judges which in the course of time has evolved into the Judicial Conference of the United States. The purpose of both the Conference of Senior Circuit Judges and the Judicial Conference has been to promote efficiency in the courts.

Since then, the Congress has substantially increased the number of judgeships in the U.S. district courts.

Despite these two major developments over the years, we continue to have congestion and delay in our courts.

The proposed Judicial Center is intended to enable the courts to embark on a program of self-analysis, of research and planning, such as is being undertaken by all forward-moving institutions, both public and private.

One of the major functions to be performed by the Federal Judicial Center will be the stimulation, development, and conducting of programs of continuing education and training for personnel in the judicial branch of Government. Although our courts are efficient and effective, it is hoped the enactment of this bill will make them even more so.

I ask that the text of the legislation be printed following this statement, and that this measure be retained at the desk for 1 week so that Senators who desire to do so may become cosponsors.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, and held at the desk, as requested by the Senator from Arkansas.

The bill (S. 915) to provide for the establishment of a Federal Judicial Center, introduced by Mr. McCLELLAN, by request, was received, read twice by its title referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 915

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 28 United States Code is amended by inserting immediately following section 610, a new chapter 42 to be composed of sections 620 through 627 as follows:

"Chapter 42.—Federal Judicial Center

"Sec.
"620-------- Federal Judicial Center
"621-------- Board
"622-------- Board Meetings and Reports
"623-------- Powers of the Board
"624-------- Administrator and Staff
"625-------- Compensation of the Administrator
"626-------- Retirement of the Administrator
"627-------- Appropriations and Accounting

"Sec. 620. Federal Judicial Center.

"There is established in the Administrative Office of the United States Courts a Federal Judicial Center for the following purposes:

"(1) To stimulate, coordinate and conduct research and tests in all aspects of federal judicial administration.

"(2) To stimulate, develop and conduct programs of continuing education and training for personnel in the judicial branch of Government, including but not limited to, judges, referees, court clerks, probation officers and United States commissioners.

"(3) To provide staff, research and planning assistance to the Judicial Conference of the United States and its committees.

"Sec. 621. Board.

"The activities of the Center shall be supervised by a Board to be composed of the Chief Justice of the United States, two judges of the United States Courts of Appeals, three judges of the United States District Courts, and the Director of the Administrative Office of the United States Courts.

"Each of the judges of the United States Courts of Appeals and the United States District Courts shall be elected as members of the Board by a vote of the members of the Judicial Conference of the United States.

"The judges of the Courts of Appeals first named to the Board shall continue in office for terms of two and four years respectively from the date of the enactment of this chapter, the term of each to be designated by the Chief Justice following election by the Judicial Conference.

"The judges of the United States District Courts first named to the Board shall continue in office for terms of two, three and four years, respectively, from the date of the enactment of this chapter, the term of each to be designated by the Chief Justice following election by the Judicial Conference.

"The successors of the first judge-members of the Board shall be elected for a term of four years from the date of the expiration of the term for which his predecessor was elected, except that any judge elected to fill a vacancy occurring prior to the expiration of the term for which his predecessor was elected shall be elected only for the unexpired term of such predecessor. No judge-member shall be eligible to reelection as a member of the Board.

"The Chief Justice of the United States shall be the Chairman of the Board.

"Sec. 662. Board Meetings and Reports.

"The Board shall meet quarterly to develop programs of research, training, continuing education and administration in all areas of Federal judicial administraiton. It shall make recommendations to the Judicial Conference of the United States and to other appropriate officials to improve Federal judicial administration and to assure the coordination and integration of policies respecting the administration of the training and treatment of the supporting personnel of the Federal courts. It shall also consider measures to promote improvements in Federal judicial administration and suggest appropriate studies in this connection to be undertaken by agencies, both public and private. Special meetings of the Board may be held from time to time upon the call of the Chairman or upon the request of any three members, and members of the Board shall serve without additional compensation.

"The Board shall submit to the annual meeting of the Judicial Conference of the United States, at least two weeks prior thereto, a report of the activities of the Center and the Administrator's recommendations, which report, data and recommendations shall be public documents.

"The Board shall also submit to Congress copies of the report and recommendations submitted to the Judicial Conference of the United States.

"Sec. 623. Powers of the Board.

"For the purpose of carrying out any function authorized by section 620 of this title, the Board may accept donated funds and services, both public and private, and the use of such funds to pay the salaries of the officers or employees of the Center shall not be subject to the provisions of section 209 of title 18, United States Code.

"The Board is authorized to request from any department, agency, or independent instrumentality of the Government any information it deems necessary to carry out its functions under this Act; and each such department, agency and instrumentality is authorized to cooperate with the Board and, to the extent permitted by law, to furnish such information to the Board, upon request made by the Chairman. The Board shall utilize insofar as possible the services or facilities of any agency of the Federal Government, and, without regard to section 10 of the Act of March 2, 1861, as amended (41 U.S.C. 5), of any appropriate State or other public agency. The Board may, without regard to section 10 of the Act of March 2, 1861, as amended (41 U.S.C. 5), utilize the services or facilities of any private agency, organization, group, or individual, in accordance with agreements between the head of such agency, organization, or group, or such individual, and the Board. Payment, if any, for such services or facilities shall be made in such amounts as may be provided in such agreement.

"Sec. 624. Administrator and Staff.

"(a) The Board may appoint and fix the duties of an Administrator of the Center who shall serve at the pleasure of the Board.

"(b) The Administrator shall supervise the activities of persons employed in the Center and shall perform such other duties as are assigned to him by the Board.

"(c) The Administrator, subject to the civil service laws, may appoint necessary employees of the Center. The Administrator may also procure personal services as authorized by section 15 of the Act of August 2, 1946, as amended (5 U.S.C. 55a), at rates not to exceed $75 per diem for individuals. The Administrator is authorized to incur travel and other miscellaneous expenses incident to the operation of the Center.

"(d) The Administrator, with the approval of the Board, may be authorized to contract with governmental or private agencies for research projects.

"Sec. 625. Compensation of the Administrator.

"(a) An Administrator who is a United States judge or justice, in active or retired status, shall serve without additional compensation.

"(b) The compensation of an Administrator to whom the provisions of subdivision (a) of this section do not apply, shall be the same as that of a judge of a United States District Court, and his appointment and salary shall not be subject to the civil service laws or Classification Act of 1949, as amended.

"Sec. 626. Retirement of the Administrator.

"(a) An Administrator may elect to waive his right to any benefits under the Civil Service Retirement Act and receive an annuity as provided by this section. Such election shall be made by filing a written notice with the Administrative Office of the United States Courts within six months after the date on which the Administrator takes office.

"(b) An Administrator who attains the age of 70 years shall be retired from his office.

"(c) An Administrator who retires, after having served at least 15 years and after having attained the age of 65 years, shall receive an annuity for life equal to 80 per centum of the salary of the office.

"(d) An Administrator who has served at least 10 years, but who is not eligible to receive an annuity under subsection (c), may elect to retire and receive an annuity for life equal to that proportion of 80 per centum of the salary of the office which the number of years of his service bears to fifteen, reduced by one-quarter of 1 per centum for each full month, if any, he is under the age of 65 at the time of separation from service.

"(e) An Administrator who becomes permanently disabled from performing the duties of his office shall be retired and shall receive an annuity for life equal to 80 per centum of the salary of the office if he has served at least 15 years, or equal to that proportion of 80 per centum of such salary which the aggregate number of years of his service bears to fifteen if he has served less than 15 years, but in no event less than 50 per centum of such salary.

"(f) For the purpose of this section, service means service, whether or not continuous, as Administrator, and any service not to exceed five years as a Judge of the United States, a Senator or Representative in Congress, a civilian official appointed by the President by and with the advice and consent of the Senate.

"(g) The annuities provided by this section shall be paid by the Administrative Office of the United States Courts.

"Sec. 627. Appropriations and Accounting.

"There is hereby authorized to be appropriated to carry out the provisions of this Act such sums as may be necessary to supplement funds and services accepted by the Board. The Administrative Office of the United States Courts shall provide accounting, disbursing, auditing and other fiscal services for the Center."

SEC. 2. The table of contents to "Part III.—Court Officers and Employees" of title 28, United States Code, is amended by inserting after

"41. Administrative Office of United States Courts.................. 601"

a new chapter reference as follows:

"42. Federal Judicial Center.......... 620"

The letter accompanying Senate bill 915 is as follows:

OFFICE OF THE ATTORNEY GENERAL,
Washington, D.C., February 8, 1967.

The VICE PRESIDENT,
U.S. Senate,
Washington, D.C.

DEAR MR. VICE PRESIDENT: Enclosed for your consideration and appropriate reference is a legislative proposal "To assist in combating crime by creating the United States Corrections Service, and for other purposes".

A primary goal of law enforcement is the rehabilitation of offenders and their return to useful citizenship. Too often we fail to attain this goal. One study of the Federal corrections process reflects that 35 percent of those who have been convicted of a Federal offense later commit a serious crime, while another study finds that this rate of repeat is as high as 48 percent.

One of the deficiencies in our corrections process results from its fragmentation—probation and parole supervision being conducted as a part of the court system and prisons and other institutional services being the responsibility of the Executive Branch.

As you know, the 89th Congress enacted legislation which provides three important techniques for use in achieving prisoner rehabilitation (P.L. 89–176). This legislation authorizes the Attorney General to place prisoners in residential community treatment centers, to permit them to take emergency or rehabilitative leave, and to permit them to work at paid employment or participate in community training programs. As a result, new techniques involving prerelease and work release programs are being perfected in the hope we will more often return useful, rehabilitated citizens to their communities.

The instant proposal would constitute a further step in the improvement of our corrections process. It would establish a United States Corrections Service which would combine under a single direction the supervision of convicted persons, irrespective of whether they are confined in an institution, totally in the free community on probation or parole, or somewhere between complete confinement and complete freedom—for example, in a halfway house. This consolidation of responsibility for the supervision and rehabilitation of Federal offenders certainly has the potential of being more effective.

The proposal would also make several changes in the membership and responsibility of the Advisory Corrections Council. The Council would be composed of four United States judges, and, ex officio, the Chairman of the Board of Parole, the Chairman of the Youth Division of the Board of Parole, the Director of the Youth Division of the Board of Parole, the Director of the United States Corrections Service, and a physician designated by the Secretary of Health, Education, and Welfare. This Council would continue to consider problems of treatment and correction and would also consider problems of coordination and integration of policy among the branches of the Government having statutory responsibilities in this area. It would make recommendations to the Attorney General and to the Judicial Conference of the United States relating to these responsibilities and to the improvement of the administration of criminal justice. In addition, the Council would be authorized to employ an Executive Director and other necessary personnel to carry out its expanded functions.

Last Congress, the Department of Justice submitted a proposal similar to this one, but broader. It would have transferred the United States Probation Service from the courts to the Department of Justice, lodging with this Department all of the functions of the Service, including responsibility for the preparation of presentence reports. Unlike the earlier proposal, however, the current measure continues the Probation Service as a part of the court system with the responsibility for preparing presentence reports for the use of district judges.

The continued increase in crime warrants the prompt, close attention of the Congress to this proposal. I urge its early introduction and consideration.

The Bureau of the Budget has advised that there is no objection to the submission of this legislation from the standpoint of the Administration's program.

Sincerely,

RAMSEY CLARK,
Acting Attorney General.

SAFE STREETS AND CRIME CONTROL ACT OF 1967—U.S. CORRECTIONS SERVICE

Mr. McCLELLAN. Mr. President, in his historic message on crime delivered to the Congress on February 6, the President charted a course of action which may be expected substantially to reduce crime throughout the United States. I am today, by request, introducing two of the measures proposed by the President.

The keystone proposal would be known as the Safe Streets and Crime Control Act of 1967. On this bill I am joined by Senators ERVIN, HART, HRUSKA, SCOTT, BYRD of West Virginia, JAVITS, and HARRIS as cosponsors.

The legislation, outlined by the President in his message and described more fully in the letter of Acting Attorney General Ramsey Clark with which it was transmitted, provides for a 5-year program of planning and program grants to States and local governments. The President has expressed his intention to request $350 million over the course of the next 2 years to implement the program.

Recognizing the basic responsibilities of State and local governments to deal with crime and recognizing the Federal responsibility to augment State and local efforts, the measure is based on the principle that the States and local governments must plan and execute programs to improve their police, courts, and correctional systems.

A sliding scale of grants is established. For planning, the Federal Government will provide up to 90 percent of the cost to communities which qualify for assistance; up to 60 percent of the cost of executing action programs will be borne by the Federal Government; up to 50 percent of the cost of certain new construction will be assumed by the Federal Government; finally, up to 100 percent of the cost of certain research will be assumed by the Federal Government.

As an indication of the importance of the program in the eyes of the President, I call your attention to that provision of the measure which provides for the Attorney General to be assisted in its administration by a Director appointed by the President with the advice and consent of the Senate.

The second measure which I introduce today by request is a proposal to create a U.S. Corrections Service. Both the President and the Acting Attorney General, the former in his crime message and the latter in the letter submitting the legislation, pointed out the inefficiency of our existing fragmented system of corrections.

I am persuaded that our corrections process may well be a more effective one if we provide, as called for in the legislation, for the supervision of lawbreakers by one agency, irrespective of whether these lawbreakers are behind bars or conditionally released on probation or parole.

The proposal also makes changes in the membership and responsibility of the Advisory Corrections Council so as to make the Council a more effective instrument for considering problems of treatment and correction and problems of coordination and integration of policy among the agencies of government having responsibilities with respect to the administration of criminal justice.

Particular attention should be paid to a major difference between this proposal and a similar proposal submitted for the consideration of the 89th Congress. Unlike its predecessor, this measure leaves the U.S. Probation Service in the court system, providing that the Service shall continue to discharge the responsibility of preparing presentence reports for the use of district judges.

In my judgment, these measures, and a number of other measures that have been proposed demand the immediate consideration of Congress. I request that these two bills remain at the desk for 1 week to give other Senators an opportunity to become cosponsors, if they so desire.

Mr. President, I ask unanimous consent that the text of the measures and the executive communications transmitting them be printed in the CONGRESSIONAL RECORD following my remarks.

The ACTING PRESIDENT pro tempore. The bills will be received and appropriately referred; and, without objection, the bills will be printed in the RECORD, and held at the desk, as requested by the Senator from Arkansas.

The bills, introduced by Mr. McCLELLAN, by request, were received, read twice by their titles, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

By Mr. McCLELLAN (for himself, Mr. ERVIN, Mr. HART, Mr. SCOTT, Mr. BYRD of West Virginia, Mr. JAVITS, and Mr. HARRIS) (by request):

S. 917. A bill to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Safe Streets and Crime Control Act of 1967".

FINDINGS AND DECLARATION OF PURPOSE

SEC. 2. The Congress hereby declares it to be the policy of the United States to promote the general welfare by improving law enforcement and the administration of criminal justice. Crime is essentially a local problem that must be dealt with by State and local governments. But sustained and substantial national assistance is necessary to aid these governments in coping with the lawlessness that has become a serious problem of national significance.

It is the purpose of this Act to increase the personal safety of the people of the Nation by reducing the incidence of crime; to stimulate the allocation of new resources and the development of technological advances and other innovations for preventing crime; to increase the efficiency and fairness of law enforcement and criminal justice through improved manpower, training, organization and equipment; and to encourage coordination in planning, operations and research by law enforcement and criminal justice agencies throughout the Nation.

TITLE I—PLANNING GRANTS

SEC. 101. It is the purpose of this title to encourage States and units of general local government to prepare and adopt comprehensive plans based on their evaluation of State and local problems of law enforcement and criminal justice.

SEC. 102. The Attorney General is authorized to make grants to States, units of general local government, or combinations of such States or units, for preparing, developing or revising the plans described in section 204: *Provided, however,* That no unit of general local government or combination of such units shall be eligible for a grant under this title unless it has a population of not less than 50,000 persons.

SEC. 103. A Federal grant authorized under section 102 shall not exceed 90 per centum of the total cost of the preparation, development or revision of a plan.

TITLE II—GRANTS FOR LAW ENFORCEMENT AND CRIMINAL JUSTICE PURPOSES

SEC. 201. It is the purpose of this title to authorize grants to States and units of general local government for new approaches and improvements in law enforcement and criminal justice. The purposes for which grants may be made may include but shall not be limited to:

(a) Public protection, including the development, demonstration and evaluation of methods, devices, equipment and design to increase safety from crime in streets, homes and other public and private places.

(b) Equipment, including the development and acquisition of equipment designed to increase the effectiveness and improve the deployment of law enforcement and criminal justice personnel.

(c) Manpower, including the recruitment, education and training of all types of law enforcement and criminal justice personnel.

(d) Management and organization, including the organization, administration and coordination of law enforcement and criminal justice agencies and functions.

(e) Operations and facilities for increasing the capability and fairness of law enforcement and criminal justice, including the processing, disposition and rehabilitation of offenders.

(f) Community relations, including pubic understanding of and cooperation with law enforcement and criminal justice agencies.

(g) Public education relating to crime prevention, including education programs in schools and community agencies.

SEC. 202. (a) Beginning January 1, 1968, the Attorney General is authorized to make grants to States, units of general local government, or combinations of such States or units for the purposes described in section 201. The amount of any such grant shall not exceed 60 per centum of the improvement expenditure of the applicant: *Provided, however,* That

(1) No grant under this section shall be used for the construction of any building or other physical facility; and

(2) Not more than one-third of any grant under this section shall be expended for the compensation of personnel, except that this limitation shall not apply to the compensation of personnel for time engaged in conducting or undergoing training programs and specialized personnel performing innovative functions.

(b) Improvement expenditure is the amount by which the proposed operating budget, or the amount by which the proposed operating budget per capita, whichever is greater, of the applicant for law enforcement and criminal justice purposes for the fiscal year for which the grant is sought exceeds the applicant's qualifying expenditure.

(c) Qualifying expenditure is—

(1) 105 per centum of the base expenditure if the application is for funds to be used in the applicant's fiscal year ending in the calendar year 1968;

(2) 110 per centum of the base expenditure if the application is for funds to be used in the applicant's fiscal year ending in the calendar year 1969;

(3) 115 per centum of the base expenditure if the application is for funds to be used in the applicant's fiscal year ending in the calendar year 1970;

(4) 120 per centum of the base expenditure if the application is for funds to be used in the applicant's fiscal year ending in the calendar year 1971;

(5) 125 per centum of the base expenditure if the application is for funds to be used in the applicant's fiscal year ending in the calendar year 1972;

(6) 130 per centum of the base expenditure if the application is for funds to be used in the applicant's fiscal year ending in the calendar year 1973.

(d) Base expenditure is the applicant's operating expenditures or operating expenditures per capita, as the case may be, for law enforcement and criminal justice purposes for the fiscal year completed next preceding January 1, 1968: *Provided, however*, that if the applicant's base expenditure includes substantial and extraordinary amounts and the Attorney General is of the opinion that the requirements of this section constitute an unreasonable restriction on the applicant's eligibility for a grant under this section, the Attorney General may reduce such requirements to the extent he deems appropriate.

Sec. 203. (a) The Attorney General is authorized to make grants to States, units of general local government, or combinations of such States or units for the construction of buildings or other physical facilities which fulfill a significant, innovative function. The amount of any such grant shall not exceed 50 per centum of the cost of such construction.

(b) An applicant shall be eligible for a grant under this section only if such applicant would also be eligible for a grant under section 202.

Sec. 204. (a) The Attorney General is authorized to make grants to an applicant under this title only if such applicant has on file with the Attorney General a current law enforcement and criminal justice plan which conforms with the purpose and requirements of this Act. Each such plan shall—

(1) Unless it is not practicable to do so: (A) encompass a State, unit of general local government, or combination of such States or units; and (B) be applicable to a population of not less than 50,000 persons;

(2) Incorporate innovations and advanced techniques and contain a comprehensive outline of priorities for the improvement and coordination of all aspects of law enforcement and criminal justice dealt with in the plan, including descriptions of: (A) general needs and problems; (B) existing systems; (C) available resources; (D) purposes for which Federal funds are sought (with specific reference to their sequence, timing and costs); (E) systems and administrative machinery for implementing the plan; (F) the direction, scope and types of improvements to be made in the future; and (G) to the extent appropriate, the relationship of the plan to other relevant State or local law enforcement and criminal justice plans and systems.

(b) In implementing this section, the Attorney General shall—

(1) Encourage State and local initiative in developing comprehensive law enforcement and criminal justice plans;

(2) Encourage plans which encompass the entire metropolitan area, if any, of which the applicant is a part;

(3) Encourage plans which deal with the problems and provide for the improvement of all law enforcement and criminal justice agencies in the area encompassed by the plans;

(4) Encourage plans which provide for research and development;

(5) Encourage plans which provide for an appropriate balance between fund allocations for the several parts of the law enforcement and criminal justice systems covered by the plans;

(6) Encourage plans which demonstrate the willingness of the applicant to assume the costs of improvements funded under this title after a reasonable period of Federal assistance; and

(7) Encourage plans which explore the costs and benefits of alternative courses of action and promote efficiency and economy in management and operations.

TITLE III—RESEARCH, DEMONSTRATION AND SPECIAL PROJECT GRANTS

Sec. 301. It is the purpose of this title to encourage research and development for the purpose of improving law enforcement and criminal justice and developing new methods for the prevention and reduction of crime .

Sec. 302. The Attorney General is authorized to make grants to, or enter into contracts with, institutions of higher education and other public agencies or private organizations to conduct research, demonstrations or special projects which he determines will be of regional or national importance or will make a significant contribution to the improvement of law enforcement and criminal justice.

Sec. 303. The Attorney General is authorized to make grants to institutions of higher education and other public agencies or private nonprofit organizations to establish national or regional institutes for research and education pertaining to the purpose of this Act.

Sec. 304. A Federal grant authorized under section 302 or 303 may be up to 100 per centum of the total cost of each project or institute for which such grant is made. The Attorney General shall require, whenever feasible, as a condition of approval of a grant under this title, that the recipient contribute money, facilities, or services to carry out the purpose for which the grant is sought.

Sec. 305. The Law Enforcement Assistance Act of 1965 (79 Stat. 825) is repealed and superseded by this title: *Provided, however*, That

(a) The Attorney General may award new grants, enter into new contracts or obligate funds for the continuation of projects in accordance with the provisions of the Law Enforcement Assistance Act, based upon applications received under that Act prior to the effective date of this Act;

(b) The Attorney General is authorized to obligate funds for the continuation of projects approved under the Law Enforcement Assistance Act prior to the effective date of this Act, to the extent that such approval provided for continuation; and

(c) Any awarding of grants, entering into contracts or obligation of funds under subsection (a) or (b) of this section and all activities necessary or appropriate for the review, inspection, audit, final disposition and dissemination of project accomplishments with respect to projects which are approved in accordance with the provisions of the Law Enforcement Assistance Act and which continue in operation beyond the effective date of this Act may be carried on with funds appropriated under this Act.

TITLE IV—ADMINISTRATION

Sec. 401. (a) There shall be in the Department of Justice a Director of Law Enforcement and Criminal Justice Assistance who shall be appointed by the President, by and with the advice and consent of the Senate, whose function shall be to assist the Attorney General in the performance of his duties under this Act.

(b) Section 5315 of Title 5 of the United States Code is amended by the addition of the following at the end thereof:

"(78) Director of Law Enforcement and Criminal Justice Assistance."

Sec. 402. The Attorney General is authorized to appoint such technical or other advisory committees to advise him in connection with the administraton of this Act as he deems necessary. Members of such committees not otherwise in the employ of the United States, while attending meetings of the committees, shall be entitled to receive compensation at a rate to be fixed by the Attorney General, but not exceeding $100 per diem, and while away from home or regular place of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 5703) for persons in the Government service employed intermittently.

Sec. 403. To insure that all Federal assistance to State and local programs for law enforcement and criminal justice is carried out in a coordinated manner, the Attorney General is authorized to request any Federal department or agency to supply such statistics, data, program reports and other materials as he deems necessary to carry out his functions under this Act. Each such department or agency is authorized to cooperate with the Attorney General and, to the extent permitted by law, to furnish such materials to the Attorney General. Any Federal department or agency engaged in administering programs related to law enforcement and criminal justice shall, to the maximum extent practicable, consult with and seek advice from the Attorney General to insure fully coordinated efforts.

Sec. 404. The Attorney General may arrange with and reimburse the heads of other Federal departments and agencies for the performance of any of his functions under this Act, and, as necessary or appropriate, delegate any of his powers under this Act with respect to any part thereof, and authorize the redelegation of such powers.

Sec. 405. The Attorney General is authorized—

(a) to conduct research and evaluation studies wtih respect to matters related to this Act; and

(b) to collect, evaluate, publish, and disseminate statististics and other information on the condition and progress of law enforcement and criminal justice in the several States.

Sec. 406. Payments under this Act may be made in installments, and in advance or by way of reimbursement, as may be determined by the Attorney General.

Sec. 407. Whenever the Attorney General, after reasonable notice and opportunity for hearing to a grantee under this Act, finds that, with respect to any payments made under this Act, there is a substantial failure to comply with—

(a) the provisions of this Act;

(b) regulations promulgated by the Attorney General under this Act; or

(c) the law enforcement and criminal justice plan submitted in accordance with the provisions of this Act; the Attorney General shall notify such grantee that further payments shall not be made (or in his discretion that further payments shall not be made for activities in which there is such failure), until there is no longer such failure.

Sec. 408. Nothing contained in this Act shall be construed to authorize any department, agency, officer or employee of the

United States to exercise any direction, supervision or control over any police force or other agency of any State or local law enforcement and criminal justice system.

Sec. 409. Unless otherwise specified in this Act, the Attorney General shall carry out the programs provided for in this Act during the fiscal year ending June 30, 1968, and the four succeeding fiscal years.

Sec. 410. Not more than 15 per centum of the sums appropriated or allocated for any fiscal year to carry out the purpose of this Act shall be used within any one State.

Sec. 411. The Attorney General, after appropriate consultation with representatives of State and local governments, is authorized to prescribe such regulations as may be necessary to implement the purpose of this Act, including regulations which—

(a) Provide that a grantee will from time to time, but not less often than annually, submit a report evaluating accomplishments and cost-effectiveness of activities funded under this Act;

(b) Provide for fiscal control, sound accounting procedures and periodic reports to the Attorney General regarding the application of funds paid under this Act; and

(c) Establish criteria to achieve an equitable distribution among the States of assistance under this Act.

Sec. 412. On or before August 31, 1968, and each year thereafter, the Attorney General shall report to the President and to the Congress on activities pursuant to the provisions of this Act during the preceding fiscal year.

Sec. 413. For the purpose of carrying out this Act, there is hereby authorized to be appropriated the sum of $50,000,000 for the fiscal year ending June 30, 1968; and for each succeeding fiscal year such sums as the Congress may hereafter appropriate. Funds appropriated for the purpose of carrying out this Act shall remain available until expended.

TITLE V—DEFINITIONS

Sec. 501. As used in this Act—

(a) "Law enforcement and criminal justice" means all activities pertaining to crime prevention or the enforcement and administration of the criminal law, including but not limited to, activities involving police, prosecution or defense of criminal cases, courts, probation, corrections and parole.

(b) "State" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the Canal Zone, American Samoa and the Trust Territory of the Pacific Islands.

(c) "Unit of general local government" means any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State.

(d) "Combination" as applied to States or units of general local government means any grouping or joining together of such States or units including a grouping or joining together for purposes only of preparing, developing and implementing a law enforcement and criminal justice plan.

(e) "Metropolitan area" means a standard metropolitan statistical area as established by the Bureau of the Budget, subject however to such modifications and extensions as the Attorney General may determine to be appropriate.

(f) "Public agency" means any State, unit of general local government, combination of such States or units, or any agency or instrumentality of any of the foregoing.

(g) "Construction" means the erection, acquisition, expansion or repair (but not including minor remodeling or minor repairs) of new or existing buildings or other physical facilities, and the acquisition or installation of initial equipment therefor.

(h) "Innovative function" means a function which will serve a new or improved purpose within the particular law enforcement and criminal justice system into which it is introduced.

The letter accompanying Senate bill 917 is as follows:

Office of the Attorney General,
Washington, D.C., February 8, 1967.

The Vice President,
U.S. Senate,
Washington, D.C.

Dear Mr. Vice President: The President, in his State of the Union Address and in his recent Message on Crime in America, stressed the fact that we must combat crime with every means at our command. He stated that crime must be rooted out in local communities by local authorities, and that the National Government can, and expects to, help. He indicated that, among other things he would recommend the enactment of the "Safe Streets and Crime Control Act of 1967" to provide this assistance. Accordingly, there is enclosed for your consideration and appropriate reference a legislative proposal "To assist state and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes."

As the President stated in his Crime Message, the National Crime Commission's report "gives us an extraordinary insight into the nature of crime and criminal justice" in the United States. Lawlessness in this country has become a serious problem of national concern. Farsighted programs are already underway to assist State and local governments in eradicating the conditions which breed crime—bad housing, inferior education and unemployment. Equally bold and imaginative action must be taken by our government to assist law enforcement and criminal justice systems at the State and local levels.

This legislative proposal contains broad and comprehensive authority for the efficient and effective channeling of substantial resources to State and local government for the improvement of all law enforcement and criminal justice throughout the Nation. As the President stated in describing this proposal, "It will enable us to assist those States and cities that try to make their streets and their homes safer, and their police forces better, and their corrections systems more effective and their courts more efficient."

Title I of the proposal encourages state and local governments to prepare and adopt comprehensive plans for meeting their particular crime problems. Each plan will include a detailed outline of priorities for the improvement and coordination of law enforcement and criminal justice in the geographic area encompassed by the plan and a description of the proposed means of accomplishing needed changes. Planners are required to incorporate innovations and advanced techniques and encouraged to provide for research and promote efficiency and economy in operations. The proposal would authorize the Attorney General to approve grants not to exceed 90 per cent of the total cost of the preparation, development or revision of such plans.

Title II of the proposal authorizes the Attorney General to make grants to State and local governments which have formulated a plan such as has been described. These grants may be used for the entire range of new approaches and improvements in law enforcement and criminal justice, including improvements in police equipment; the recruitment, education and training of personnel; the application of modern management techniques to police and criminal justice operations; and the development and use of new approaches in the enforcement, prosecutorial, judicial and correctional stages of the criminal process.

Grants under title II are on a matching basis. The Federal share may be up to 60%. It is keyed to a requirement that the applicant exceed a 5 per cent annual increase in law enforcement and criminal justice expenditures in order to qualify for a Federal grant. This requirement is designed not only to provide Federal financial assistance but also to stimulate increased State and local spending for law enforcement and criminal justice purposes. In the case of construction, the Federal share is limited to 50 per cent and may only be used for such a purpose where the new facility will serve a significant, innovative function. Up to one third of a grant may be applied to salaries.

Title III of the proposal will carry on the functions of the Law Enforcement Assistance Act of 1965 by authorizing grants of up to 100 per cent for research, demonstration or special projects which the Attorney General determines will have regional or national importance or will make a significant contribution to the improvement of law enforcement and criminal justice. This title also provides for the making of grants to establish national or regional institutes for pertinent educational and research activities.

In summary, the proposed legislation is a substantial and far-reaching anti-crime program which works with and through State and local government agencies to bring technology and improved capability into the battle against crime. It provides incentives for State and local authorities to work out effective plans for combatting crime in their areas and authorizes Federal financial assistance in implementing these plans. Its objective is a safer, more crime-free, Nation.

The Bureau of the Budget has advised that enactment of this legislation is in accord with the Program of the President.

Sincerely,

Ramsey Clark,
Acting Attorney General.

By Mr. McCLELLAN (by request):

S. 916. A bill to assist in combating crime by creating the U.S. Corrections Service, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby created within the Department of Justice a United States Corrections Service through which the Attorney General may discharge the responsibilities imposed upon him by section 4012 of title 18, United States Code. The United States Corrections Service shall be administered by a Director, who shall receive compensation at the rate provided in level IV of the Federal Executive Salary Schedule. This position shall be in addition to those provided in section 303(d) of the Federal Executive Salary Act of 1964 (78 Stat. 417).

Sec. 2. (a) Section 3653 of title 18, United States Code, is amended by striking out the words "probation officer" whenever they appear, including in the catchline, and inserting in lieu thereof the words "community correctional officer".

(b) The analysis of chapter 231 of title 18, United States Code, immediately preceding section 3651 thereof, is amended by striking out the item "3653. Report of probation officer and arrest of probationer." and inserting in lieu thereof "3653. Report of community correctional officer and arrest of probationer."

Sec. 3. Section 3655 of title 18, United States Code, is amended to read as follows:

"§ 3655. Duties of Probation Officers.

"The probation officer shall provide the court with such information as may be relevant to the court's decision on the imposition of sentence.

"He shall keep records of his work and shall make such reports to the Director of the Administrative Office of the United States Courts as the Director may at any time require; and shall perform such other duties as the court may direct.

"Each probation officer shall perform such duties with respect to persons on parole or on probation as the Attorney General shall request."

Sec. 4. (a) The first paragraph of section 4001 of title 18, United States Code, is amended by inserting immediately after the word "institutions" the words "and services".

(b) The second paragraph of such section is amended by striking out the words "classify the inmates" and inserting in lieu thereof "programs and classify the inmates and participants".

Sec. 5. (a) Chapter 301 of title 18, United States Code, is amended by adding at the end thereof a section 4012, as follows:

"§ 4012. Responsibilities of Attorney General.

"The Attorney General, through community correctional officers and other officers and employees as he may designate, shall—

"(1) have charge of the management and regulation of all Federal penal and correctional institutions;

"(2) shall provide suitable quarters and provide for the safekeeping, care, and subsistence of all persons charged with or convicted of offenses against the United States, or held as witnesses or otherwise;

"(3) provide for the protection, instruction, and discipline of all persons charged with or convicted of offenses against the United States;

"(4) use all suitable methods, not inconsistent with conditions imposed by the sentencing court or the Board of Parole, to supervise and aid probationers and parolees and to bring about improvements in their conduct and condition;

"(5) establish a program of continuous research and experimentation which shall, to the maximum extent consistent with orderly administration, be incorporated into and guide the daily operation of the corrections system;

"(6) furnish each probationer under his supervision a written statement of the conditions of probation and instruct him regarding the same;

"(7) keep informed concerning the conduct and condition of each probationer under his supervision and report thereon to the court placing such person on probation; and

"(2) perform such other duties as he deems desirable with respect to probationers, prisoners, parolees, or other persons charged with or convicted of crimes against the United States."

This section shall not apply to military or naval penal correctional institutions or the persons confined therein.

(b) The analysis of chapter 301 of title 18, United States Code, immediately preceding section 4001 thereof, is amended by adding:

"4012. Responsibilities of Attorney General."

Sec. 6. (a) Subsection (b) of section 4208 of title 18, United States Code, is amended by striking out the words "Director of the Bureau of Prisons" and inserting in lieu thereof of the words "Attorney General".

(b) The first paragraph of subsection (c) of such section is amended (1) by striking out the words "Director, under such regulations as the Attorney General may prescribe," and inserting in lieu thereof the words "Attorney General" and (2) by striking out the word "make" in the last sentence and inserting in lieu thereof the word "require".

Sec. 7. (a) Section 4042 of title 18, United States Code, is repealed.

(b) The analysis of chapter 303 of title 18, United States Code, immediately preceding section 4041 thereof, is amended by striking out the item:

"4042. Duties of Bureau of Prisons."

Sec. 8. Section 5002 of title 18, United States Code, is amended to read as follows:

"§ 5002. Advisory Corrections Council.

"(a) There is hereby created an Advisory Corrections Council composed of four United States judges designated by the Chief Justice of the United States, and, ex officio, the Chairman of the Board of Parole, the Chairman of the Youth Division of the Board of Parole, the Director of the United States Corrections Service, and a physician designated by the Secretary of Health, Education, and Welfare. The judges first appointed to the Council shall continue in office for terms of one, two, three, and four years, respectively, from the date of the amendment of this section, the term of each to be designated by the Chief Justice at the time of his appointment. Their successors shall each be appointed for a term of four years from the date of the expiration of the term for which his predecessor was appointed, except that any judge appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the unexpired term of such predecessor. The chairman shall be designated annually by the Chief Justice.

"(b) The Council shall meet annually and at special sessions which may be held from time to time upon the call of the chairman.

"(c) The Council shall consider problems of treatment and correction of persons convicted of offenses against the United States and shall make recommendations to the Attorney General, the Judicial Conference of the United States, and other appropriate officials to improve the administration of criminal justice and assure the coordination and integration of policies respecting the disposition, treatment, and correction of all persons convicted of crime. It shall also consider measures to promote the prevention of crime and delinquency and suggest appropriate studies in this connection to be undertaken by agencies both public and private.

"(d) The Council shall give attention to orders addressed to probation officers or community correctional officers by the United States judges, the Board of Parole, and the United States Corrections Service. It shall seek to resolve inconsistencies and clarify ambiguities and may make recommendations to that end to the Attorney General, the Judicial Conference, and the Board of Parole.

"(e) The Council shall keep under continuous review the standards and practices of the presentence investigations and reports and may make recommendations to the Attorney General and the Judicial Conference to increase their utility at every stage of the correctional process.

"(f) The Council shall review and evaluate research by the United States Corrections Service and may make recommendations concerning the adequacy of such research to the Attorney General and to the Judicial Conference.

"(g) The Council is authorized to request from any department, agency, or independent instrumentality of the Government any information or records it deems necessary to carry out its functions, and each such department, agency, and instrumentality is authorized to cooperate with the Council and, to the extent permitted by law, to furnish such information and records to the Council, upon request made by the chairman or by any member when acting as chairman.

"(h) (1) The Council shall appoint an Executive Director and such other personnel as may be necessary to carry out its functions. The Executive Director shall supervise the activities of persons employed by the Council and shall perform such other duties as the Council may direct.

"(2) The Council may also procure services to the same extent as is authorized for the departments by section 15 of the Act of August 2, 1946, as amended (5 U.S.C. 55a), at rates not to exceed $100 per day.

"(i) The members of the Council shall serve without compensation but necessary travel and subsistence expenses as authorized by law shall be paid from available appropriations of the Department of Justice."

Sec. 9. Subsection (a) of section 5003 of title 18, United States Code, is amended by striking out ", when the Director shall certify that proper and adequate treatment facilities and personnel are available,".

Sec. 10. Section 5006 of title 18, United States Code, is amended by striking out subsections (c) and (d) and redesignating the remaining subsections as (c) through (f), respectively.

Sec. 11. Sections 5007, 5011, 5013, 5014, 5015, and 5025, and subsections (a) and (e) of section 5017 of title 18, United States Code, are amended by striking out the word "Director" and inserting in lieu thereof the words "Attorney General".

Sec. 12. Section 5008 of title 18, United States Code, is amended by striking out the second sentence thereof.

Sec. 13. Section 5012 of title 18, United States Code, is amended by striking out the word "Director" and inserting in lieu thereof the word "he".

Sec. 14. Section 5016 of title 18, United States Code, is amended to read as follows: "The Attorney General shall cause periodic examinations and reexaminations to be made of all committed youth offenders and shall report to the Division as to each such offender and as to any other youth offender under the supervision of the Attorney General, as the Division may direct.

Sec. 15. Section 5019 of title 18, United States Code, is amended to read as follows:

"§ 5019. Supervision of released youth offenders.

"Committed youth offenders permitted to remain at liberty under supervision or conditionally released shall be under the supervision of the Attorney General and such voluntary supervisory agents as he may appoint. The Attorney General is authorized to encourage the formation of voluntary organizations composed of members who will serve without compensation as voluntary supervisory agents and sponsors. The powers and duties of voluntary supervisory agents and sponsors shall be limited and defined by regulations adopted by the Attorney General."

Sec. 16. Section 5020 of title 18, United States Code, is amended by striking out the words "a United States probation officer, an appointed supervisory agent, a United States marshal, or any officer of a Federal penal or correctional institution" and inserting in lieu thereof the words "an officer of the United States Corrections Service, any other supervisory agent appointed by the Attorney General, or a United States marshal".

Sec. 17. The analysis of chapter 402 of title 18, United States Code, immediately preceding section 5005 thereof, is amended by striking out the item:

"5015. Powers of Director as to placement of youth offenders."

and inserting in lieu thereof:

"5015. Powers of Attorney General as to placement of youth offenders.".

Sec. 18. The fourth paragraph of section 5034 of title 18, United States Code, is amended:

(1) by striking out of the second sentence the words "Director of the Bureau of Prisons, under such regulations as the Attorney General may prescribe," and inserting in lieu thereof the words "Attorney General"; and

(2) by striking out the word "Director" wherever it appears and inserting in lieu thereof the words "Attorney General".

Sec. 19. Section 5036 of title 18, United States Code, is amended by striking out the words "Director of the Bureau of Prisons" and inserting in lieu thereof the words "Attorney General".

Sec. 20. There are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary to carry out the purposes of this Act.

Sec. 21. Until such time and to such an

extent as the Attorney General shall certify to the Director of the Administrative Office of the United States Courts that probation officers are no longer needed in a particular district to supervise parolees and probationers, probation officers shall continue to perform all supervision functions being performed by them under existing law, and to execute apprehension warrants issued under section 5020 of title 18, United States Code.

SEC. 22. This Act shall be effective on July 1, 1967.

The letter accompanying Senate bill 916 is as follows:

OFFICE OF THE ATTORNEY GENERAL,
Washington, D.C., February 8, 1967.

The VICE PRESIDENT,
U.S. Senate,
Washington, D.C.

DEAR MR. VICE PRESIDENT: Enclosed for your consideration and appropriate reference is a legislative proposal "To assist in combatting crime by creating the United States Corrections Service, and for other purposes".

A primary goal of law enforcement is the rehabilitation of offenders and their return to useful citizenship. Too often we fail to attain this goal. One study of the Federal corrections process reflects that 35 percent of those who have been convicted of a Federal offense later commit a serious crime, while another study finds that this rate of repeat is as high as 48 percent.

One of the deficiencies in our corrections process results from its fragmentation—probation and parole supervision being conducted as a part of the court system and prisons and other institutional services being the responsibility of the Executive branch.

As you know, the 89th Congress enacted legislation which provides three important techniques for use in achieving prisoner rehabilitation (P.L. 89–176). This legislation authorizes the Attorney General to place prisoners in residential community treatment centers, to permit them to take emergency or rehabilitative leave, and to permit them to work at paid employment or participate in community training programs. As a result, new techniques involving prerelease and work release programs are being perfected in the hope we will more often return useful, rehabilitated citizens to their communities.

The instant proposal would constitute a further step in the improvement of our corrections process. It would establish a United States Corrections Service which would combine under a single direction the supervision of convicted persons, irrespective of whether they are confined in an institution, totally in the free community on probation or parole, or somewhere between complete confinement and complete freedom—for example, in a halfway house. This consolidation of responsibility for the supervision and rehabilitation of Federal offenders certainly has the potential of being more effective.

The proposal would also make several changes in the membership and responsibility of the Advisory Corrections Council. The Council would be composed of four United States judges, and, ex officio, the Chairman of the Board of Parole, the Chairman of the Youth Division of the Board of Parole, the Director of the United States Corrections Service, and a physician designated by the Secretary of Health, Education, and Welfare. This Council would continue to consider problems of treatment and correction and would also consider problems of coordination and integration of policy among the branches of the Government having statutory responsibilities in this area. It would make recommendations to the Attorney General and to the Judicial Conference of the United States relating to these responsibilities and to the improvement of the administration of criminal justice. In addition, the Council would be authorized to employ an Executive Director and other necessary personnel to carry out its expanded functions.

Last Congress, the Department of Justice submitted a proposal similar to this one, but broader. It would have transferred the United States Probation Service from the courts to the Department of Justice, lodging with this Department all of the functions of the Service, including responsibility for the preparation of presentence reports. Unlike the earlier proposal, however, the current measure continues the Probation Service as a part of the court system with the responsibility for preparing presentence reports for the use of district judges.

The continued increase in crime warrants the prompt, close attention of the Congress to this proposal. I urge its early introduction and consideration.

The Bureau of the Budget has advised that there is no objection to the submission of this legislation from the standpoint of the Administration's program.

Sincerely,

RAMSEY CLARK,
Acting Attorney General.

Mr. ERVIN. Mr. President, on February 6, 1967, the President sent to Congress his message on crime in America. In his message the President made it plain that this Nation has to do something immediately to halt the spread of crime in our country.

Today, the distinguished Senator from Arkansas [Mr. MCCLELLAN] introduced one of the President's recommended measures to fight crime—the Safe Streets and Crime Control Act of 1967. This measure would provide Federal assistance to State and local governments to improve law enforcement techniques and the training of law enforcement officials.

Because the problem of increasing crime is one of the gravest issues facing our Nation, and this problem is intimately related to the effectiveness of law enforcement, I am joining Senator MCCLELLAN in introducing this measure. One of the most important steps that have been taken thus far in upgrading law enforcement activities was the Law Enforcement Assistance Act of 1965. The Crime Control Act of 1967 will be a great step forward in extending the Law Enforcement Assistance Act and it is urgently needed in our Nation's war on crime.

Included in the bill would be Federal grants to States, cities, and regional and metropolitan bodies to assist them in developing plans to improve their police, courts, and correctional systems. Also, additional Federal grants would be available to approved programs already in action. Additionally, grants for the construction of new types of physical facilities such as police academy centers and crime laboratories will be available. A new Office of Law Enforcement and Criminal Justice Assistance would be established in the Department of Justice.

By the end of 1969 appropriations under this bill should amount to $350 million. After that expenditures will depend upon the response from the State and local governments. I am confident that the local enforcement officials around our Nation are eager to work with the grants and assistance which will be provided by this act to increase their effectiveness in combating the alarming increase in the crime rate.

The amount of funds we seek is indeed modest to meet the grave problem we face. In fact, I will say it is the biggest bargain in the administration's budget.

This bill recognizes that the principal enforcement responsibility rests with the State and local governments. It also recognizes, however, that there are methods, facilities, and funds which the Federal Government can provide which will enable the States and local governments to better exercise their responsibility to the American people. For instance, under this act there could be coordinated programs designating better training methods for criminal justice programs, and new and innovative techniques to fight crime can be developed. We must provide our law enforcement officials with the most modern training, detection devices and rehabilitation programs.

This Nation is in trouble and our rising crime rate proves it. It is clear that we do not know all of the answers and we must begin immediately to find them out. In my opinion, the bill is a most important part of the administration's program and I urgently ask that the Senate give its earliest consideration to this bill.

PROHIBITION OF OBSTRUCTION OF CRIME INVESTIGATIONS TO PERMIT COMPELLING OF TESTIMONY

Mr. MCCLELLAN. Mr. President, in the President's message on crime, he made reference to two other proposals for needed legislation. I have a letter from the Acting Attorney General today. These measures would deal with chapter 73, title 18, United States Code, to prohibit the obstruction of crime investigations of the United States, permit the compelling of testimony with respect to certain crimes, and granting immunity in connection therewith.

I have previously introduced bills at this session of Congress, S. 676 and S. 677 respectively, dealing with these problems.

At the conclusion of a letter written to me on this date by the Acting Attorney General, I read as follows:

> S. 676 and S. 677 will effectuate these recommendations of the President and the Department heartily endorses their enactment. The Bureau of the Budget has advised enactment of this legislation would be in accord with the Program of the President.

Mr. President, I ask unanimous consent to have this letter printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

OFFICE OF THE ATTORNEY GENERAL,
Washington, D.C., February 8, 1967.

Hon. JOHN L. MCCLELLAN,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MCCLELLAN: You recently introduced in the Congress for yourself and Senator Hruska, two bills which if enacted would greatly assist in prosecuting and convicting the leaders of organized crime in this nation: S. 676, "To amend Chapter 73, Title 18, United States Code, to prohibit the obstruction of criminal investigations of the United States" and S. 677, "To permit the compelling of testimony with respect to certain crimes, and the granting of immunity in connection therewith."

The first, S. 676, would make it an offense willfully to endeavor by means of bribery, misrepresentation, intimidation, force, or threats of force to obstruct, delay or prevent the communication of information to a criminal investigator concerning a violation of a federal criminal statute. It would also proscribe injuring a person or his property because he or another had given information to a criminal investigator. A violation of either proscription would be punishable by a fine of not more than $5,000 or imprisonment for not more than five years, or both. A "criminal investigator" is defined as an individual duly authorized by a department, agency or armed force of the United States to conduct or engage in investigations or prosecutions for violations of federal criminal statutes.

Experience has evidenced that potential witnesses or their families are often intimidated, threatened or even gravely injured during the investigative preliminaries to a criminal prosecution. Existing law pertaining to the obstruction of justice prohibits influencing or impeding witnesses or jurors in judicial proceedings, witnesses in proceedings pending before departments or agencies, and witnesses in inquiries or investigations before either House of Congress or by a committee of either House. But there is no protection under present law for potential witnesses prior to the institution of court proceedings.

The second, S. 677, would amend certain federal criminal laws so as to provide a statutory method for compelling witnesses to testify or produce documentary evidence of criminal violations, notwithstanding their objections that such testimony or evidence might be self-incriminating, by granting them immunity from prosecution as to matters they are compelled to reveal. Section 1 would add an immunity provision to section 1952 of title 18, United States Code, which prohibits interstate and foreign travel in aid of racketeering enterprises. Sections 2, 3, and 4 would similarly amend section 1503 of the title, pertaining to the obstruction of justice by intimidation of witnesses or jurors, chapter 9 pertaining to bankruptcy frauds, and chapter 11 pertaining to bribery, graft and conflict of interest offenses, respectively.

The principal targets in virtually every attack on organized crime are the top leaders of the crime syndicates. However, owing to the layer-upon-layer hierarchial organization of the syndicates, the leading racketeers of the underworld are often able to direct vast criminal empires without openly engaging in anything illegal themselves, and without ever running directly afoul of the law. In recent years, our experience in prosecuting organized crime has indicated that virtually the only means of obtaining incriminating evidence against the underworld leaders is through the testimony of minor participants who have valuable knowledge of the syndicate's operations. The enactment of the proposed immunity legislation would enable government prosecutors to compel the testimony of underlings who prove to be reluctant witnesses without depriving them of the privilege against self-incrimination conferred by the Fifth Amendment.

President Johnson in his message on "Crime in America", delivered on February 6, 1967, recommended that Congress enact legislation to make it a federal crime to coerce or threaten a person willing to give information to federal investigators, thus extending protection to potential witnesses at the beginning of an organized crime investigation before a grand jury has convened, and to extend federal immunity provisions to crimes associated with racketeering in order to assist the gathering of competent evidence for criminal prosecutions. S. 676 and S. 677 would effectuate these recommendations of the President and the Department heartily endorses their enactment.

The Bureau of the Budget has advised that enactment of this legislation would be in accord with the Program of the President.

Sincerely,

RAMSEY CLARK,
Acting Attorney General.

RAILROAD SAFETY

Mr. BARTLETT. Mr. President, I introduce, for reference to the appropriate committee, a bill to promote the safety of railroad employees and travelers upon railroads by limiting the hours of service of railroad employees.

At a time when the Nation, through Congress has expressed an interest in developing faster rail service, I feel it is most important that Congress take a good look at present laws affecting the safe operation of railroads.

Quite obviously, as the speed of trains increases, so does the opportunity for accidents. While development of new and better equipment will help reduce the potential for accidents, in the final analysis the safety of our railroads will depend on the skill and alertness of the men who operate the system.

It is agreed by many persons knowledgeable in the field, that there has been a recent increase in the number of train accidents. While these same experts differ on the causes for the increase, I think it would be most foolish to reject out of hand the possibility that at least some of the accidents might have been caused because the reactions and alertness of railroad employees had been dulled after too many hours on the job without a break.

The present law limits the service of railroad employees to no longer than 16 consecutive hours and establishes regulations which require rest periods between duty hours.

The bill I introduce today limits the number of consecutive hours a railroad employee may be on duty to 12 hours. It also provides regulations which require certain off-duty hours between periods of service.

The aim of the legislation is to improve the safety record of railroads. I do not think any person could argue with that aim.

Mr. President, I ask unanimous consent that the bill lie at the desk for 10 days so that other Senators may cosponsor it, if they so desire.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be held at the desk, as requested by the Senator from Alaska.

The bill (S. 923) to improve the safety of railroad transportation under the jurisdiction of the Department of Transportation, introduced by Mr. BARTLETT, was received, read twice by its title, and referred to the Committee on Commerce.

ISSUANCE OF PRESS RELEASES BY GOVERNMENT AGENCIES

Mr. DIRKSEN. Mr. President, the Subcommittee on Administrative Practice and Procedure, under the chairmanship of my good friend, the distinguished Senator from Missouri [Mr. LONG], has been conducting a study over a long period of time with respect to the issuance of press releases by certain Government agencies at the time complaints are filed against individuals and businesses.

Substantial evidence has been received by the subcommittee that injury done to those concerned is irreparable even though they are eventually cleared. The bill would amend section 9 of the Administrative Practice and Procedure Act to give an equal opportunity to persons affected by agency news releases to publicize their statements in the same document.

On behalf of Senator LONG and myself I introduce this measure which I now ask unanimous consent be printed at this point in the RECORD.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 924) to amend section 9 of the Administrative Procedure Act of the Act of June 11, 1946 (60 Stat. 238), to clarify and protect the right of the public to fair and impartial agency practices, and for other purposes, introduced by Mr. DIRKSEN (for himself and Mr. LONG of Missouri), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 924

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 9 of the Act of June 11, 1946 (60 Stat. 238), is amended by adding a new subparagraph (c):

"(c) PUBLICITY.—If a reviewing court finds that publicity which was issued by the agency or any officer, employee, or member thereof, did discredit or disparage a person under investigation or a party to an agency proceeding, that court may hold this to be prejudicial error and may set aside any action taken by the agency against such person or party or enter such other order as it deems appropriate. It shall not be deemed prejudicial error, however, if such person or party has been given an equal opportunity to publicize his comments at the same time and in the same document in which the agency publicity was issued.

Mr. LONG of Missouri. Mr. President, there has been much discussion in recent months over the so-called "free press-fair trial" issue. There are those who tell us that first amendment guarantees of free press are on a collision course with sixth amendment guarantees of fair trial. The American Bar Association's Advisory Committee on Fair Trial and Free Press, under the able chairmanship of Judge Paul C. Reardon of Boston, Mass., is currently studying this problem with a view toward making certain recommendations to their upcoming convention this summer. Recently, the American Newspaper Publishers Association issued their fine study on this subject.

Last year, the President signed into law the Freedom of Information bill, which will become effective on July 4 of this year. It is our understanding that the Department of Justice, under the able guidance of Assistant Attorney General Frank Wozencraft is attempting to work out implementation of the law, and to issue an Attorney General's manual on the implementation of the Freedom of Information Act.

Thus our concern for the availability of Government information is not merely a passing one. We shall continue to exercise our legislative function in making Government information available to the public.

But the information which Government agencies release must not be issued merely to satisfy the whims and fancies of the Government agency; it must be released to enable our citizens to make proper decisions and to understand what their Government is doing. Accordingly, the information which Government agencies release must be fair, it must be accurate, and it must not be designed merely to discredit or disparage any person.

My Senate Subcommittee on Administrative Practice and Procedure has, on too many occasions, received complaints where agencies of our Government have issued damning press releases while an individual was under investigation by that agency. In our opinion, the agency press release was issued primarily for the purpose of trying the case in the newspaper. As a result, innocent individuals and businesses are often damaged; and the guilty are prematurely injured.

Perhaps the most flagrant illustrations of this practice can be found in such agencies as the Federal Trade Commission, the Food and Drug Administration, and the Securities and Exchange Commission. We have found, for example, that when the Federal Trade Commission issues a complaint, it simultaneously issues a press release informing the general public about the complaint. Surely the American public has a need and a right to know about this matter, but the press release too often leaves the impression that the subject of the complaint has already been found guilty.

Mr. President, I am pleased to join today with the distinguished senior Senator from Illinois [Mr. Dirksen] in introducing a bill to amend section 9 of the Administrative Procedure Act by adding a provision that:

> If a reviewing court finds that publicity which was issued by the agency or any officer, employee, or member thereof, did discredit or disparage a person under investigation or a party to an agency proceeding, that court may hold this to be prejudicial error and may set aside any action taken by the agency against such person or party or enter such other order as it deems appropriate. It shall not be deemed prejudicial error, however, if such person or party has been given an equal opportunity to publicize his comments at the same time and in the same document in which the agency publicity was issued.

Basically, this bill is the same as section 9(b) of S. 1336 which passed the Senate last year. All that is added in the bill which we today introduce is qualifying language explaining what prejudicial error means. The Subcommittee on Administrative Practice and Procedure intends to hold early hearings on this bill. There may be some changes and corrections; we do not believe the bill is necessarily perfect. When dealing with this area of freedom of information, there are, of course, many problems involved. It must be clearly understood that this bill does not restrict and should not be used to restrict information in any way. When an agency issues a complaint, that complaint is a public record. Our bill is aimed at preventing the disparaging press release which an agency often issues pursuant to the complaint for the sole purpose of degrading the subject of the complaint. Let no Federal agency think this bill would in any way give them the right to violate the freedom of information law. Let no agency think that it can withhold information the public has a right to know. What our bill demands of each agency is honesty and fairness in dealing with extremely vital and sensitive matters of public interest. It is our belief that if the principles of this bill are enacted, we would not only insure freedom of information but equality and fairness of information.

RETURN OF UNSOLICITED OBSCENE MAIL MATTER

Mr. HRUSKA. Mr. President, I introduce a bill to provide for the return of unsolicited obscene mail matter, and request that it be appropriately referred.

My colleague from Nebraska, Congressman Glenn Cunningham, has for many years led the fight to protect our society from obscene and pornographic material which has been circulating through the mails in ever-increasing quantities, and I wish to commend him for his persistent efforts.

While a number of laws directed to this problem have been enacted, and many more proposed, the evidence, indicates that we are losing the battle. Each Member of Congress can attest to this since it is documented by the increasing number of complaints from outraged constituents. With this in mind, Congressman Cunningham introduced in the 88th and 89th Congresses, a bill which would have enabled the recipient to put a stop to unsolicited mailings of pornographic material. Both bills passed the House by a substantial vote. Unfortunately time did not allow consideration by the Senate. Congressman Cunningham has again introduced in the House, H.R. 426 which is substantially similar to the previous two measures. The bill I am introducing today is a companion measure to the House bill and I introduce it in order to expedite Senate passage.

Basically, the bill provides an individual approach. We are all aware of the personal judgments of what is or what is not obscene, and the problem of applying one standard for all persons. We have all heard the charge of censorship and the arguments that stem from it. This bill will avoid this since it meets the problem of obscenity in a direct and responsible manner. It would allow the recipient of obscene mail to return it to the Postmaster General and request that he notify the sender to stop sending such mail to him or his children. The Postmaster General then notifies the sender to stop sending such mail. If after 30 days from the date of such notice, the Postmaster General believes that the sender is sending such mail to the recipient in violation of such notice, a complaint is mailed to the sender and he is given an opportunity for hearing. If the Postmaster General then finds that the sender is violating the notice, he may request the Attorney General to apply for a court order to enforce compliance. If the sender continues to send such mail, he may then be punished for contempt of court.

According to testimony before the Senate subcommittee to investigate juvenile delinquency by Mr. Alvin J. T. Zunbrun, executive director of the Maryland Crime Investigating Commission, "a child may ultimately be the recipient of hundreds of pieces of such mail by showing an interest in one advertisement." This advertisement may be completely innocent and not related to obscenity at all.

In a report by the same commission entitled "Youth, Obscene Materials and the United States Mails," released December 19, 1966, the following suggestion was made relating to the citizens responsibility in this area:

> Parents can exercise reasonable and discreet supervision over the mail received by their children. Children should be told that should they receive indecent materials unsolicited, such materials should be turned over to the parents without any shame or fear of punishment. Such materials should then be turned over to the local Postmaster.

The bill I am introducing today will give parents an effective manner in which to prevent this trash from entering their homes.

On many pieces of legislation the Congress must look to the balancing of competing rights. Here the question is balancing the right of privacy of the addressee with the right of the distributor of freedom of speech or the right to distribute the mail matter to the particular addressee. This bill does achieve an effective and equitable balance.

It is time that parents and other individuals have the protection from the unwanted filth sent through the mails. It is expected that hearings on the measure will be held soon and it is my hope that there will be favorable action, first in the committee and then by the Senate itself.

Mr. President, I ask unanimous consent that the text of the bill be printed at this point in the Congressional Record.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 926) to provide for the return of obscene mail matter, introduced by Mr. Hruska, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service, and ordered to be printed in the Record, as follows:

S. 926

A bill to provide for the return of obscene mail matter

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 51 of title 39, United States Code, is amended by adding at the end of such chapter the following new section:

"§ 4009. Return of obscene mail matter

"(a) Any person may return to the Postmaster General mail matter which, in the opinion of such person, is obscene, lewd, lascivious, indecent, filthy, or vile and which is addressed to and received by him or any child of his. On making such return such person may request the Postmaster General to notify the sender not to send additional such mail to him or any child of his, except mail which he has solicited. The request shall be signed by the person making it, and shall contain a statement that in his opinion the mail is obscene, lewd, lascivious, indecent, filthy, or vile; also the name and date of birth of each child to whom the request pertains; and the person's residence or business address or both to which further such mail should not be sent. The Postmaster General shall promptly notify the sender of such request and the information contained therein by registered or certified mail, and direct that, effective on or after the thirtieth day after the date of the notice, the sender, or anyone acting on behalf of the sender with knowledge of such notice, shall not send mail in violation of its terms. The Postmaster General's notice shall apply to a sender under any name or designation.

"(b) Whenever the Postmaster General believes that the sender or anyone acting on behalf of the sender has violated or is violating the notice given under subsection (a) of this section, he shall serve upon the sender by registered or certified mail a complaint stating the reasons for his belief and request that any response thereto be filed in writing with the Postmaster General within fifteen days after the date of such service. If the Postmaster General, after appropriate hearing if requested by the sender, and without a hearing if such a hearing is not requested, thereafter determines that the notice given under subsection (a) has been or is being violated, he is authorized to request the Attorney General to make application, and the Attorney General is authorized to make application, to a district court of the United States for an order directing compliance with such notice.

"(c) Any district court of the United States within the jurisdiction of which any mail matter shall have been sent or received in violation of the notice provided for by subsection (a) of this section shall have jurisdiction, upon application by the Attorney General, to issue an order commanding compliance with such notice. Failure to observe such order may be punished by the court as contempt thereof.

"(d) For the purposes of this section—

"(1) Mail addressed to a specific address without designation of a specific addressee shall be considered as addressed to the head of the household at that address.

"(2) The term 'child' means an unmarried child who has not attained his nineteenth birthday including (A) a stepchild, (B) an adopted child, and (C) a child who is the ward of, or in the custody of, the person concerned, or who is living with such person in a regular parent-child relationship.

"(e) Receipt of mail matter thirty days or more after the effective date of a notice or of a court order provided for by this section shall create a rebuttable presumption that such mail was sent after such effective date.

"(f) The provisions of subchapter 2 of chapter 5, and chapter 7 of title 5 of the United States Code shall not apply to any action or proceeding under this section."

SEC. 2. The analysis of chapter 51 of title 39, United States Code, is amended by adding

"4009. Return of obscene mail matter."

immediately below

"4008. Communist political propaganda."

DISCRIMINATORY TAXATION OF COMMON CARRIERS

Mr. MAGNUSON. Mr. President, I introduce, for myself and for Senators COTTON, BARTLETT, BREWSTER, HART, HARTKE, MOSS, GRIFFIN, MORTON, PROUTY, and SCOTT, for appropriate reference, a bill to amend the Interstate Commerce Act to make unlawful, as unreasonable and unjust discrimination against and an undue burden upon interstate commerce, discriminatory taxation of common carrier transportation property.

This bill has both a substantive and a procedural aspect. First, it would amend the Interstate Commerce Act to declare unlawful, as an unreasonable and unjust discrimination against and an undue burden upon interstate commerce, the assessment, or collection of any tax on that portion of the assessment of transportation property of a common carrier which bears a higher ratio to its true market value than the assessed value of all other property in the taxing district subject to the same tax levy; or the collection of any ad valorem property tax on such transportation property at a tax rate higher than tax rates applicable to any other property in the taxing district. Second, it would provide a remedy in the Federal courts for such carriers against the collection of any tax based on such unlawful assessment.

This bill varies from S. 2988, which was introduced on February 28, 1966, in three respects. Subparagraph (1)(a) of the bill is clarified by the addition of a parenthetical clause: "but only to the extent of any portion based on excessive values as hereinafter described." The purpose of this change is to make clear *that only the collection of any tax on the* discriminatory portion of an assessment is unlawful. Subparagraph (1)(a) is also clarified by adding the word "transportation" before the word "property," and certain other related word changes, to emphasize that the bill only applies to *discriminatory taxation of transportation* property of common carriers.

The third change adds a new subparagraph (1)(c) to the bill to extend coverage to discriminatory tax rates as well as discriminatory tax assessment practices.

This bill would in no way alter the freedom of a State to tax its taxpayers so long as common carriers are accorded equal tax treatment with other taxpayers. Further, the burden of proving inequality of tax treatment would be placed on the carrier seeking relief. In the majority of States which grant equality of treatment to all taxpayers, passage of this bill would have no effect on State property tax assessments. Even in those few States which could be affected, only after a carrier had proved in court that it is unlawfully being discriminated against in transportation property tax assessments would a change be required under the provisions of this bill.

I know the reluctance of many Members to support Federal action in this field because of the belief that the States should be given every opportunity to correct their outdated procedures which result in discriminatory taxation of common carriers. Year after year goes by, however, and discriminatory taxes on railroad property alone amount to over $75 million per year. It would appear that unless Federal action is taken these discriminatory tax practices will burden our transportation system for years to come.

Ultimately, the shipper and the consumer pays the bill for discriminatory taxation. Not only are such taxes reflected in the cost of transportation to the consumer, but also the citizens of States which do not discriminate are forced to share the cost of these burdensome tolls.

Since this problem was forcefully called to the attention of the Committee on Commerce by the special study group on transportation policy in its 1961 report, it is estimated that over one-half billion dollars in discriminatory taxes have been assessed against the railroad industry alone. The amendment to the Interstate Commerce Act, which I am today introducing, will remove this discriminatory tax barrier affecting our national transportation system without altering the freedom of our State to equally assess and collect taxes on transporation property.

I ask unanimous consent that this bill lie on the table for 10 days so that other Senators who wish to do so may join in cosponsoring this bill, and that the text of the bill be printed in the RECORD.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD and held at the desk, as requested by the Senator from Washington.

The bill (S. 927) to amend the Interstate Commerce Act, as amended, in order to make unlawful, as unreasonable and unjust discrimination against and an undue burden upon interstate commerce, certain property tax assessments of common carrier property, and for other purposes, introduced by Mr. MAGNUSON (for himself and other Senators), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 927

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Interstate Commerce Act, as amended, is amended by inserting after section 25 thereof a new section 25a as follows:

"SEC. 25a. (1) The following action by any State, or subdivision or agency thereof, whether such action be taken pursuant to a constitutional provision, statute, or administrative order or practice, or otherwise, is hereby declared to constitute an unreasonable and unjust discrimination against and an undue burden upon interstate commerce and is hereby forbidden and declared to be unlawful: (a) the assessment (but only to the extent of any portion based on excessive values as hereinafter described), for purposes of a property tax levied by any taxing district, of transportation property owned or used by any common carrier subject to this Act engaged in transportation of persons or property in interstate commerce at a value which bears a higher ratio to the true market value of such transportation property than the assessed value of all other property in the taxing district subject to a property tax levy bears to the true market value of all such other property; (b) the collection of any tax on the portion of said assessment so declared to be unlawful; or (c) the collection of any ad valorem property tax on such transportation property at a tax rate higher than tax rates applicable to any other property in the taxing district.

"(2) Notwithstanding the provisions of section 1341, title 28, United States Code, or of the constitution or laws of any State, the district courts of the United States shall have jurisdiction, upon complaint and after hearing, to issue such writs of injunction or other proper process, mandatory or otherwise, as may be necessary to restrain any State, or subdivision or agency thereof, or any person from doing anything or performing any act declared by paragraph (1) hereof to be unlawful: *Provided, however,* That such jurisdiction shall not be exclusive of that which any Federal or State court may otherwise have."

RIGHT OF PRIVACY ACT OF 1967

Mr. LONG of Missouri. Mr. President, it is with real pleasure and satisfaction that I today introduce, for appropriate reference, the proposed Right of Privacy Act of 1967, recommended by the President.

During the past three decades, several administrations have sought legislation to reduce the protection of privacy afforded by current law. But, today, President Lyndon B. Johnson sends to the Congress a bill to strengthen and expand the statutory protection of the right of privacy.

In 1934, the Congress enacted the Federal Communications Act, Section 605 of the act prohibited the interception and divulgence of telephone calls. In 1937, the Supreme Court held that section 605 applied to law-enforcement officers as well as private citizens. After several unsuccessful probes to find a weakness in the statute, the Justice Department in 1941 came up with a unique and strained interpretation of section 605. It was held by the Attorney General that a violation of section 605 required both interception and divulgence outside the Government. Thus, Government agents could wiretap so long as the Government did not divulge wiretap information in the courts.

This ruling as a practical matter cut the heart out of section 605. It opened the door to Federal law-enforcement wiretapping. With Federal officers tapping, the Department has not felt it could prosecute State and local officers even when they have publicly violated section 605 by divulging wiretap evidence in court. This same attitude has affected the prosecution of private wiretappers so that only a handful has been brought to court during the three decades since 1934.

This wiretap policy has also had its effect on bugging and other forms of electronic snooping where there is no Federal statutory law.

The results of this legal situation and departmental policies have been documented by the Administrative Practice and Procedure Subcommittee over the past 2 years. To put it mildly, electronic anarchy has existed and the victim has been the American people. It was my intention to draft and introduce a bill of my own to prohibit wiretapping and electronic eavesdropping. But when the President in his state of the Union message called for legislation to cure this dreadful situation, I was pleased to await his bill before introducing a measure. The President and Acting Attorney General Ramsey Clark deserve the deepest gratitude of the American people for their quick action in submitting this much needed legislation to Congress. They also are to be commended for the actions already taken by the Justice Department to review and take corrective steps in Federal prosecutions where electronic snooping was used.

The goal we hope to achieve, the protection of privacy, is simple to express, but, for several reasons, legislation in this area must be quite technical and complex. While I introduce the Administration bill, I do not intend to indicate that I am committed to each of its provisions just as they are written. Comprehensive hearings will be held, and the views of many experts will be heard. It is my hope that in the very near future, there can be brought before the Senate the soundest bill possible to regain and maintain that right referred to by Justice Brandeis as the right most valued by civilized men, the right of privacy.

Mr. President, I ask unanimous consent that the text of the bill and the letter of transmittal, be printed at this point in the RECORD; and I also ask unanimous consent that the bill lie on the table for cosponsors until the close of business on February 24.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill and letter will be printed in the RECORD, and the bill will be held at the desk, as requested by the Senator from Missouri.

The bill (S. 928) to protect the right of privacy by prohibiting wire interception and eavesdropping, and for other purposes, introduced by Mr. LONG of Missouri, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 928

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Right of Privacy Act of 1967."

SEC. 2. The Congress hereby finds and declares that—

(a) Wire communications are normally conducted through the use of facilities which form part of an interstate network. The same facilities are used for both interstate and intrastate communications. In order effectively to protect the integrity of interstate wire communications and the privacy of parties to such communications it is necessary for the Congress to prohibit the interception of any wire communication using such facilities.

(b) Electronic, mechanical, and other eavesdropping devices are being used to overhear private conversations.

The manufacture, distribution and use of these devices are facilitated by interstate commerce. To secure the privacy of conversations, it is necessary for the Congress to exercise its power under the Constitution to prohibit such manufacture, distribution and use.

SEC. 3. Title 18, United States Code is amended by inserting immediately following section 2424 a new chapter, to be composed of sections 2510 through 2515 as follows:

"CHAPTER 120.—WIRE INTERCEPTION AND EAVESDROPPING

"Sec.

"2510. Wire Interception.

"2511. Eavesdropping.

"2512. Manufacture and Distribution of Wire Interception and Eavesdropping Devices.

"2513. Confiscation of Wire Interception and Eavesdropping Devices.

"2514. National Security.

"2515. Definitions.

"SEC. 2510. WIRE INTERCEPTION.

"(a) Any person who, whether acting under color of law or otherwise,

"(1) willfully intercepts or attempts to intercept any wire communication without the consent of at least one sender or receiver of such communication; or

"(2) willfully discloses or attempts to disclose, or uses or attempts to use, any information, knowing or having reason to know that such information was obtained in violation of paragraph (1) of this subsection—

"Shall be fined not more than $10,000 or imprisoned not more than five years, or both.

"(b) It shall not be unlawful under this section (1) for an operator of a switchboard, or an officer, employee or agent of any communications common carrier whose facilities are used in the transmission of wire communications, to intercept, disclose or use that communication in the normal course of his employment while engaged in any activity which is a necessary incident of the rendition of service; or (2) for an officer, employee, or agent of the Federal Communications Commission, in the normal course of his employment and in discharge of the monitoring responsibilities exercised by the Commission in the enforcement of the Federal Communications Act, to intercept a wire communication while it is being transmitted by radio, or to disclose or use the information thereby obtained.

"SEC. 2511. EAVESDROPPING.

"(a) Any person who, whether acting under color of law or otherwise, willfully uses or attempts to use any electronic, mechanical or other device for the purpose of eavesdropping without the consent of at least one party to the conversation when

"(1) Such device is affixed to any wire, cable, or other connection used in wire communication; or

"(2) Such device transmits communications by radio; or

"(3) Such person knows, or has reason to know, that such device or any component thereof has been sent through the mail or transported in interstate or foreign commerce; or

"(4) Such use or attempted use (A) takes place on the premises of any business or other commercial establishment the operations of which affect interstate or foreign commerce; or (B) obtains or is for the purpose of obtaining information relating to the operations of any business or other commercial establishment the operations of which affect interstate or foreign commerce; or

"(5) Such person acts in the District of Columbia, the Commonwealth of Puerto Rico, or any territory or possession of the United States; or

"(b) Any person who, whether acting under color of law or otherwise, willfully discloses or attempts to disclose, or uses or attempts to use, any information, knowing or having reason to know that such information was obtained in violation of subsection (a) of this section—

"Shall be fined not more than $10,000 or imprisoned not more than five years, or both.

"SEC. 2512. MANUFACTURE AND DISTRIBUTION OF WIRE INTERCEPTION AND EAVESDROPPING DEVICES.

"Any person who

"(a) Except as a common carrier in the usual course of its business, sends through the mail or sends or carries in interstate or foreign commerce any electronic, mechanical or other device, knowing or having reason to know that the design of such device renders it primarily useful for the purpose of wire interception or eavesdropping; or

"(b) Manufactures or assembles any electronic, mechanical, or other device, the design of which renders it primarily useful for the purpose of wire interception or eavesdropping, knowing or having reason to know that such device or any component thereof has been or will be sent through the mail or transported in interstate or foreign commerce; or

"(c) Places in any newspaper, magazine, handbill or other publication any advertisement of

"(1) Any electronic, mechanical or other device, the design of which renders it primarily useful for the purpose of wire interception or eavesdropping; or

"(2) Any other electronic, mechanical or other device, where such advertisement promotes the use of such device for the purpose of wire interception or eavesdropping,

knowing or having reason to know that such advertisement will be sent through the mail or transported in interstate or foreign commerce—

"Shall be fined not more than $25,000 or imprisoned not more than one year, or both.

"SEC. 2513. CONFISCATION OF WIRE INTERCEPTION AND EAVESDROPPING DEVICES.

"Any electronic, mechanical or other device used, sent, carried, manufactured or assembled in violation of section 2510, 2511 or 2512 shall be seized and forfeited to the United States. All provisions of law relating to the seizure, summary and judicial forfeiture, and condemnation of vessels, vehicles, merchandise, and baggage for violation of the customs law; the disposition of such vessels, vehicles, merchandise, and baggage or the proceeds from the sale thereof; the remission or mitigation of such forfeitures; and the compromise of claims and the award of compensation to informers in respect of such forfeitures shall apply to seizures and forfeitures incurred, or alleged to have been incurred, under the provisions of this section, insofar as applicable and not inconsistent with the provisions hereof; except that such duties as are imposed upon the collector of customs or any other person with respect to the seizure and forfeiture of vessels, vehicles, merchandise, and baggage under the customs laws shall be performed with respect to seizures and forfeitures of electronic, mechanical or other devices under this section by such officers, agents, or other persons as may be authorized or designated for that purpose by the Attorney General.

"SEC. 2514. NATIONAL SECURITY.

"Nothing contained in this chapter or in section 605 of the Communications Act of 1934 (48 Stat. 1103; 47 U.S.C. 605) shall limit the constitutional power of the President to take such measures as he deems necessary to protect the Nation against actual or potential attack or other hostile acts of a foreign power or any other serious threat to the security of the United States, or to protect national security information against foreign intelligence activities. No information obtained directly or indirectly, in the exercise of such power, by wire interception or eavesdropping otherwise prohibited by this chapter shall be received in evidence in any judicial or administrative proceeding. Neither shall such information be otherwise used or divulged except as necessary to implement such power.

"SEC. 2515. DEFINITIONS.

"In this chapter—

"(a) The term 'wire communication' means any communication made in whole or part by aid of wire, cable, or other connection furnished or operated by any person engaged as a common carrier in providing or operating such facilities for the transmission of interstate or foreign communications.

"(b) The term 'intercept' means the act of acquiring all or any part of any wire communication from the facility transmitting the communication through use of any electronic, mechanical, or other device.

"(c) The term 'eavesdropping' means surreptitiously listening to, monitoring, transmitting, amplifying, or recording a private conversation.

"(d) The term 'electronic, mechanical, or other device' does not include—

"(1) an extension telephone instrument furnished to the subscriber or user by a communications common carrier in the ordinary course of its business; or

"(2) a hearing aid or similar device used by a person with impaired hearing, for the purpose of overcoming the impairment and permitting the hearing of sounds ordinarily audible to the human ear."

SEC. 4. The table of contents to "Part I.—Crimes" of title 18, United States Code, is amended by inserting after—

"117. White slave traffic .... 2421"

a new chapter reference as follows:

"120. Wire interception and eavesdropping .... 2510".

SEC. 5. Section 605 of the Communications Act of 1934 (48 Stat. 1103; 47 U.S.C. 605) is hereby amended to read as follows:

"No person receiving or assisting in receiving, or transmitting, or assisting in transmitting, any interstate or foreign communication by wire or radio shall divulge or publish the existence, contents, substance, purport, effect, or meaning thereof, except through authorized channels of transmission or reception, to any person other than the addressee, his agent, or attorney, or to a person employed or authorized to forward such communication to its destination, or to proper accounting or distributing officers of the various communicating centers over which the communication may be passed, or to the master of a ship under whom he is serving, or in response to a subpoena issued by a court of competent jurisdiction, or on demand of other lawful authority; and no person not being authorized by the sender shall intercept any radio communication and divulge or publish the existence, contents, substance, purport, effect, or meaning of such intercepted communication to any person; and no person not being entitled thereto shall receive or assist in receiving any interstate or foreign communication by wire or radio and use the same or any information therein contained for his own benefit or for the benefit of another not entitled thereto; and no person having received any intercepted radio communication or having become acquainted with the contents, substance, purport, effect, or meaning of the same or any part thereof, knowing that such information was so obtained, shall divulge or publish the existence, contents, substance, purport, effect, or meaning of the same or any part thereof, or use the same or any information therein contained for his own benefit or for the benefit of another not entitled thereto: *Provided, however,* That this section shall not apply to receiving, divulging, publishing, or utilizing the contents of any radio communication broadcast for the use of the general public, or transmitted by amateurs or others, or relating to ships in distress."

SEC. 6. If any provision of this Act or the application thereof to any person or circumstance is held invalid, the remainder of the Act and the application of such provision to other persons not similarly situated or to other circumstances shall not be affected thereby.

The letter, presented by Mr. LONG of Missouri, is as follows:

OFFICE OF THE ATTORNEY GENERAL,
Washington, D.C., February 8, 1967.

The VICE PRESIDENT,
U.S. Senate,
Washington, D.C.

DEAR MR. VICE PRESIDENT: The President, both in his State of the Union address and in his recent Crime Message, stressed the fact that we must protect the right of privacy by outlawing all wiretapping—public and private—except when the security of the Nation itself is at stake. He further declared that we should exercise the full reach of our constitutional powers to outlaw electronic eavesdropping on private conversations. He stated in the Crime Message that he would recommend the enactment of the "Right of Privacy Act of 1967" to accomplish these purposes. Accordingly, there is enclosed for your consideration and appropriate reference a legislative proposal "to protect the right of privacy by prohibiting wire interception and eavesdropping, and for other purposes."

Section 2 of the proposed legislation contains brief legislative findings and lays the constitutional predicate for the subsequent provisions.

The heart of the bill is Section 3. It establishes a new chapter, composed of Sections 2510–2515 in Title 18 of the United States Code. Section 2510(a) is a blanket provision prohibiting wire interception without the consent of one of the parties to the communication. The disclosure or use of any information so obtained is also barred. The sole exception in Section 2510 from this far-reaching prohibition is the minor exclusion in Section 2510(b) for routine activities by employees of a communication common carrier or the Federal Communications Commission. The maximum criminal penalty for violation of Section 2510 is a $10,000 fine or five years imprisonment, or both.

Section 2511 deals with eavesdropping. It contains a series of provisions which, taken together, constitute a comprehensive ban on the use of electronic, mechanical or other devices to eavesdrop on a private conversation without the consent of a party to the conversation. It also bars the disclosure or use of any information so obtained. As is the case with Section 2510, the maximum criminal penalty for violation of Section 2511 is a $10,000 fine or five years imprisonment, or both.

In order to cut off the source of supply of the devices used by wiretappers and eavesdroppers, Section 2512 contains sweeping prohibitions banning the manufacture, shipment, or advertisement of devices useful for the purpose of wire interception or eavesdropping. Violations of this Section carry a maximum criminal penalty of a $25,000 fine or one year imprisonment, or both.

Section 2513 is a confiscation provision. It authorizes the seizure and forfeiture of any device used, shipped or manufactured in violation of Sections 2510, 2511 or 2512.

Section 2514 excludes the application of this legislation to the activities of the President in circumstances where the security of the Nation is at stake. Even in this narrow area, however, the proposal prohibits the use of any information obtained by wiretapping or eavesdropping as evidence in judicial or administrative proceedings. Other use or disclosure of such information is prohibited except as necessary in the interest of national security.

Finally, Section 5 of the proposal introduces minor amendments to Section 605 of the Communications Act of 1934 (48 Stat. 1103; 47 U.S.C. 605), in order to render that Act consistent with the prohibition on wire interception and disclosure contained in Section 2510 of the proposal.

In summary, the proposed legislation will provide broad protection for the right of privacy of our citizens in their communications with one another.

The Bureau of the Budget has advised that enactment of this legislation is in accord with the Program of the President.

Sincerely,

RAMSEY CLARK,
Acting Attorney General.

IMPORTATION OF BRAIDED RUGS

Mr. PELL. Mr. President, on behalf of myself and the distinguished senior Senator from Rhode Island [Mr. PASTORE] I introduce, for appropriate reference, a bill designed to correct a serious inequity in our tariff laws, as presently interpreted, with regard to the importation of braided rugs.

This is a problem of special concern to me because our domestic braided rug industry is highly concentrated in my home State of Rhode Island. The Braided Rug Manufacturers Association of the United States, which has its headquarters in Rhode Island, lists eight of its 16 member companies from our State. The rest are located in California, Georgia, Tennessee, Massachusetts, Illinois, and Pennsylvania. Approximately 500 Rhode Islanders depend on this industry for their livelihood.

This small but concentrated industry argues persuasively that its market opportunities have been sharply curtailed in recent years by massive influxes of imports allowed into this country because of adverse interpretations of our customs laws.

Industry figures show that braided rug imports have increased to 116 million square feet as opposed to 58 million square feet in 1960. Domestic production has remained amost level at less than 43 million square feet for the last 6 years.

I ask unanimous consent that I may insert in the RECORD at this point a letter from Mr. A. Taraborelli of Johnston, R.I., president of the Braided Rug Manufacturers Association of the United States, together with accompanying charts, which explain the current state of the industry.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

BRAIDED RUG MANUFACTURERS ASSOCIATION OF THE UNITED STATES,
Johnston, R.I., January 16, 1967.

Senator CLAIBORNE PELL,
Senate Office Building
Washington, D.C.

DEAR SENATOR: I would appreciate hearing from you regarding any plans you may have relative to the introduction of a bill similar to that you introduced last session on tubular braided rug tariffs.

For your information, imports of braided rugs increased thirty percent in the first nine months of 1966 compared to the similar period in the previous year.

At the present time, while imports are continuing in steadily increasing volume, each of the sixteen member manufacturers of this Association is running on severely curtailed production schedules.

Imports presently command over 75 percent of the domestic market.

Enclosed is a comparison of imports and domestic production for the years 1960 through 1965 which clearly illustrates the plight of the domestic industry as well as the mounting threat to its future existence.

Thanking you for your continuing efforts on behalf of our industry, I am

Sincerely yours,

BRAIDED RUG MANUFACTURERS ASSOCIATION,
A. TARABORELLI.

Comparison of imports to domestic production of braided rugs

[In million square feet]

	Imports	Domestic
1960	58.0	[1] 39.2
1961	53.8	[1] 41.6
1962	82.5	[1] 39.1
1963	84.1	38.5
1964	114.7	42.7
1965	116.6	42.6

[1] Industry figures.

Source: Imports, U.S. Imports of Merchandise for Consumption FT-110; domestic, U.S. Department of Commerce.

Imports of braided rugs by type

Year	Quantity (million square feet)		Value (in millions)	
	Flat	Tubular	Flat	Tubular
1960	2.06	56.5	$0.36	$6.2
1961	2.70	51.0	.57	6.9
1962	5.20	79.0	1.09	12.2
1963	.98	82.8	.26	13.1
1964	4.50	109.8	.91	19.3
1965	2.90	112.6	.80	18.2

Source: U.S. Imports of Merchandise for Consumption, FT-110.

Mr. PELL. Mr. President, the industry maintains that 95 percent of all of these imports are being incorrectly classified for tariff purposes and thus are permitted to enter at a much lower rate of duty than is really intended.

The root of the problem was a 1944 Customs Court decision in a dispute over the classification of novelty braid used for trimming shoes and ladies' handbags. The question at issue was whether a tubular braided sheath around a filler core was truly a braid. The court ruled in effect that it was not, thus placing such tubular braided constructions in a lower tariff classification.

Although this ruling related in particular to braid used in trimming shoes and handbags, it has been seized upon by foreign manufacturers of braided rugs made of tubular type braids and it is through this tariff loophole that these rugs are being imported as tubular mats at a much lower rate of duty—about 16 percent, as opposed to the prescribed 42.5-percent rate which would apply if they were brought in under the proper classification.

Once the tubular mats enter the American market they cease to have any distinguishing differences from braided rugs. They are, in fact, sold as braided rugs and thus are directly competitive with the products made in my State, despite the fact that they enter this country at a duty rate which is less than half the rate intended for these products.

The bill which we are introducing today would simply provide that any and all braided material—whether or not it surrounds a core or filler—is in fact a true braid as far as customs law is concerned and therefore uniformly dutiable at the rate of 42.5 percent.

This reform would provide fair and long overdue relief to our industry. Without it, our plants must labor under the disadvantage of unclear law and precedent which is being interpreted to our disadvantage.

Mr. President, this is not the first time this bill has come before the Senate. My colleague and I introduced it in the first session of the 89th Congress, first as a separate bill and later as an amendment to the Tariff Schedule correction act. Our amendment was withdrawn when the distinguished floor manager of that bill assured us he would give consideration to our proposal in the Finance Committee.

Last session, the staff of the committee had begun to make arrangements for a hearing on our bill when it became apparent that the committee would be preoccupied with the major revenue bills relating to the Vietnam conflict. We readily deferred, under these circumstances, and were given assurances that the committee would make an effort to take the matter under consideration in the 90th Congress if the measure were again introduced. It is my sincere hope that our efforts this time will bear fruit.

I ask unanimous consent that the bill be held at the desk for cosponsorship until February 17.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be held at the desk, as requested by the Senator from Rhode Island.

The bill (S. 929) to amend the Tariff Schedules of the United States with respect to the tariff classification of braided rugs composed of tubular braids with a core, introduced by Mr. PELL (for himself and Mr. PASTORE), was received, read twice by its title, and referred to the Committee on Finance.

JOINT COMMITTEE ON URBAN AFFAIRS

Mr. SCOTT. Mr. President, I introduce, for appropriate reference, a joint resolution to establish a Joint Committee on Urban Affairs. I ask unanimous consent that the text of my resolution be printed at the end of my remarks and that the resolution remain at the desk for 10 days.

My resolution provides for this committee to be composed of 14 members, seven from the Senate and seven from the House of Representatives. The committee would be empowered to study the problems of our urban areas and the Federal-aid programs designed to assist in their solution. While the committee would have no legislative authority, it would be directed to file an annual report containing its findings and recommendations with regard to urban problems, including the administration and effectiveness of existing Federal aid programs, and suggesting any new legislation needed to assist in the solution of these problems.

The problems of our cities and metropolitan areas are rightfully receiving considerable public attention these days. Unfortunately, however, Congress does not have any committee which is appropriately situated to take an overall and continuing look at these problems.

The Joint Committee on Urban Affairs, which I propose, would have the same advisory and educational function as presently formed in the field of national economic policy by the Joint Economic Committee.

In closing, Mr. President, it may be of interest that the proposal to establish a Joint Committee on Urban Affairs is recommended in the 1966 statement of national municipal policy of the National League of Cities, an association of approximately 14,000 cities and towns throughout the United States.

The ACTING PRESIDENT pro tempore. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution will be printed in the RECORD, and lie at the desk as requested.

The joint resolution (S.J. Res. 32) to establish a Joint Committee on Urban Affairs, introduced by Mr. SCOTT, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

S.J. RES. 32

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established a Joint Committee on Urban Affairs (hereinafter referred to as the "joint committee") to be composed of seven Members of the Senate, to be appointed by the President of the Senate, and seven Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives. The party representation on the joint committee shall as nearly as may be feasible reflect the relative membership of the majority and minority parties in the Senate and House of Representatives.

SEC. 2. It shall be the function of the joint committee—

(1) to make a continuing study of matters relating to urban affairs and of Federal-aid programs designed to assist in the solution of urban problems; and

(2) as a guide to the several committees of the Congress dealing with legislation providing Federal assistance with respect to urban problems, (A) to file an annual report with the Senate and the House of Representatives containing its findings and recommendations with respect to urban problems, including the administration and effectiveness of existing Federal-aid programs, and the need, if any, for new legislation designed to assist in the solution of such problems; and (B) from time to time, to make to the Senate and House of Representatives such other reports and recommendations with respect to urban affairs as it deems advisable.

SEC. 3. A vacancy in the membership of the joint committee shall not affect the powers of the remaining members to execute the functions of the joint committee, and shall be filled in the same manner as the original appointment was made. The joint committee shall select a chairman and a vice chairman from among its members.

SEC. 4. In carrying out its duties, the joint committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such places and times, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures as it deems advisable. The joint committee may make such rules respecting its organization and procedures as it deems necessary. Subpenas may be issued over the signature of the chairman of the joint committee or by any member designated by him or by the joint committee, and may be served by such person or persons as may be designated by such chairman or member. The chairman of the joint committee or any member thereof may administer oaths to witnesses. Members of the joint committee, and its employees and consultants, while traveling on official business for the joint committee, may receive either the per diem allowance authorized to be paid to Members of Congress or its employees, or their actual and necessary expenses provided an itemized statement of such expenses is attached to the voucher.

SEC. 5. The joint committee is empowered to appoint and fix the compensation of such experts, consultants, technicians, and staff employees as it deems necessary and advisable. The joint committee is authorized to utilize the services, information, facilities and personnel of the departments and establishments of the Government.

SEC. 6. The expenses of the joint committee shall be paid from the contingent fund of the Senate from funds appropriated for the joint committee, upon vouchers signed by the chairman of the joint committee or by any member of the joint committee duly authorized by the chairman.

ESTABLISHMENT OF A NATIONAL COMMISSION ON PRODUCT SAFETY

Mr. MAGNUSON. Mr. President, I introduce on behalf of myself, the distinguished senior Senator from New Hampshire [Mr. COTTON], and the senior Senator from Maryland [Mr. BREWSTER], a joint resolution to establish a National Commission on Product Safety.

All too often in our history, national safety legislation has been enacted as a direct consequence of some large-scale disaster, a crusading campaign by an aroused segment of the public directed toward a specific hazard, a book which has opened the eyes of the Nation to a serious problem, or the persevering efforts of a public servant following his or her duty to the exclusion of all other considerations.

Fortunately, Congress has responded appropriately to these special situations and, when the need justified action, Congress has not hesitated to take whatever action the public interest required. But is this the best way to handle the general problem? Is this the best way to attack conditions which cost thousands of lives and millions of injuries every year through accidents occurring in and around the home? Must we wait for more blazing headlines? Must we witness new scenes of tragedy and suffering on the television screens? Must we be prodded into action under the headline of some public outrage at some new threat to life and limb?

In my view, there has never been a clearer example of an area of public interest, where foresight must replace hindsight, than we have before us in the field of product safety.

On the one hand, consumers and users must be physically protected from some of the products of modern technology. At the same time, manufacturers need assurance that they will not be subjected to a hodge-podge of varying or conflicting safety regulations, at different levels of Government, and in different parts of the country. This is entirely possible should some household hazard emerge in the future as a matter of great public concern.

Some people honestly believe that Congress has dealt adequately with the problem of product safety. Certainly, the 89th Congress made an outstanding record in this field. But, as before, the legislation was directed toward specific products and specific problems.

Consumers Union has prepared a report for the Commerce Committee analyzing its product testing over the past 10 years. During that period, they found electrical hazards—caused by excessive current leakage—in television sets, table radios, portable phonographs, clock radios, home intercoms, stereo amplifiers, automobile battery chargers, toasters, clothes dryers, waffle irons, blenders, coffee makers, electric frying pans, griddles, vaporizers, fans, heating pads, travel irons, heaters, electric toothbrushes, kitchen ranges, toys, electric drills, and other devices.

Their tests revealed mechanical hazards in electric fans, rotary lawnmowers, food waste disposers, toy cars, and garden sprayers. Fire hazards were found in portable heaters, travel irons, blankets, and carpets. Hazards were discovered in auto seat belts, children's sleds, electric toys, chemistry sets, stuffed toys, and toy guns.

In all, 376 products were adjudged so hazardous as to be unacceptable in the home.

The problem obviously exists across a broad spectrum of manufactured products. But how widespread is the danger? According to estimates of the U.S. Public Health Service, 125,000 injuries a year are caused by faulty heating devices, 100,000 injuries a year from stoves, 100,000 injuries from power mowers, 40,000 injuries from glass doors. The list could go on.

But let us pierce the curtain of statistics and examine the problem in human terms. A man from Stafford, Va., tells of his child being burned by the hot chassis of a table radio. A housewife from Pittsburgh writes that her foot brushed the underside of a new laundry tub, which, unknown to her, was razor sharp. The result was a deep cut, and a scar which may remain for life. A mother in Minnesota, setting up a folding baby walker, unknowingly catches her child's hand in the joint of the walker. There was extensive injury to the bone, nerves, and muscles of the baby's hand. These are, at random, just a few examples.

As Senators are aware, Hazardous Substance Act amendments were passed in the last session, but the proposal that is being introduced at this time was not established then. We joined in the joint resolution with the definite understanding that we would proceed to this phase of the matter in this session.

What, then, is the nature of our proposal?

First, the proposed Commission on Product Safety is not antibusiness. It is designed to help private enterprise properly fulfill its vital function of providing goods and services to meet the needs of the American people. This joint resolution is not an action fathered by panic. It is a step aimed at the acquisition of knowledge and information. We are not making this proposal out of a transient sense of urgency gripping the Nation. We are making the proposal in the hope and expectation that a calm and reasoned study of the problem of product safety will result in an intelligent base from which we can chart whatever course of action is required.

Against the background I have briefly sketched, the senior Senator from New Hampshire, the Senator from Maryland, and I propose the creation of the National Commission on Product Safety. The Commission is to be composed of seven members appointed by the President from among persons specially qualified to serve by virtue of their education, training, or experience, with a chairman and a cochairman designated by the President.

The Commission is directed to—

Conduct a comprehensive study and investigation of the scope and adequacy of measures now employed to protect consumers against injuries which may be caused by hazardous household products. Such study and investigation shall include consideration of the following:

First. The identity of household products which are determined to present an unreasonable hazard to the health and safety of the consuming public.

Second. The extent to which self-regulation by industry affords such protection.

Industry has practiced much self-regulation. Most industry is doing the best job it knows how to do in this field, with all the confusion that exists.

Third. The protection against such hazardous products afforded at common law in the States, including the relationship of product warranty to such protection; and

Fourth. A review—I stress "review"—of Federal, State, and local laws relating to the protection of consumers against hazardous products, including the scope of coverage, the effectiveness of sanctions, the adequacy of investigatory powers, the uniformity of application and the quality of enforcement.

Finally, the Commission is directed to make interim reports and a final report, not later than January 1, 1969, at which time it shall deliver to Congress and the President its findings and conclusions, including recommendations for such legislation and other remedial action as it deems appropriate.

To carry out these duties, the Commission is given the usual powers to hold hearings and to obtain relevant information, to employ a qualified staff, to utilize the resources of other Federal agencies, and to contract with both private and public agencies for specific research projects. The Commission is to be limited to a total authorization of $2 million.

To make the Commission's workload manageable, and to avoid the expenditure of time and effort on products which have been thoroughly subjected to recent congressional scrutiny, the Commission's studies will not include motor vehicles, food, drugs, cosmetics, cigarettes, or pesticides. Legislation has already been enacted or studies have been made with respect to these items, and we have received much cooperation from the manufacturers of these products.

This proposal is based upon the following premises: First, that the consumer has a right to the reasonable safety of the products which he purchases for his use; second, that manufacturers are entitled to reasonable uniformity and certitude in the laws with which they must comply; and, third, that both of these rights are essential to that orderly flow of interstate commerce which Congress is obliged to preserve.

Senator COTTON, Senator BREWSTER, and I, of course, are highly gratified that the President, in the state of the Union message, endorsed legislation to protect our homes from hazardous household products. We are hopeful that, with the administration's support, this necessary and timely proposal to create a National Commission on Product Safety will receive not only the approval of the Senate which it achieved last year, but prompt and enthusiastic enactment by Congress.

We are also pleased that Congressman Moss, of California, is today introducing a companion measure in the House.

I ask unanimous consent that the text of the joint resolution be printed at the close of my remarks, together with the report from the Consumers Union.

The ACTING PRESIDENT pro tempore. The joint resolution will be received and appropriately referred and, without objection, the joint resolution and the report will be printed in the RECORD.

The joint resolution (S.J. Res. 33) to establish a National Commission on Product Safety, introduced by Mr. MAGNUSON (for himself and other Senators), was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the RECORD, as follows:

S.J. RES. 33

Whereas the American consumer has a right to be protected against unreasonable risk of bodily harm from products purchased on the open market for the use of himself and his family;

Whereas manufacturers whose products are marketed substantially in interstate commerce are entitled to a reasonable degree of uniformity in the application of safety regulations to such products;

Whereas Federal, State and local laws relating to consumer protection against such hazardous products are widely divergent and fail to provide adequately for consumer protection; and

Whereas it is desirable to establish a commission to review the scope, adequacy and uniformity of existing legislation and self regulation and to make recommendations for appropriate remedial action by the President, the Congress, the States, and private industry: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is hereby established a National Commission on Product Safety (hereinafter referred to as the "Commission").

(b) The Commission shall be composed of seven members appointed by the President from among persons who are specially qualified to serve on such Commission by virtue of their education, training, or experience.

(c) Any vacancy in the Commission shall not affect its powers.

(d) The President shall designate one of the members to serve as chairman and one to serve as vice chairman of the Commission.

(e) Four members of the Commission shall constitute a quorum.

DUTIES OF THE COMMISSION

SEC. 2. (a) The Commission shall conduct a comprehensive study and investigation of the scope and adequacy of measures now employed to protect consumers against unreasonable risk of injuries which may be caused by hazardous household products. Such study and investigation shall include consideration of the following:

(1) the identity of household products, except such products excluded in section 6, which are determined to present an unreasonable hazard to the health and safety of the consuming public;

(2) the extent to which self regulation by industry affords such protection;

(3) the protection against such hazardous products afforded at common law in the States, including the relationship of product warranty to such protection; and

(4) a review of Federal, State and local laws relating to the protection of consumers against such hazardous products, including the scope of coverage, the effectiveness of sanctions, the adequacy of investigatory powers, the uniformity of application and the quality of enforcement.

(b) The Commission may transmit to the President and to the Congress such interim reports as it deems advisable and shall transmit its final report to the President and to the Congress not later than January 1, 1969. Such final report shall contain a detailed statement of the findings and conclusions of the Commission together with its recommendations for such legislation as it deems appropriate.

POWERS OF THE COMMISSION

SEC. 3. (a) The Commission, or any two members thereof as authorized by the Commission, may conduct hearings anywhere in the United States or otherwise secure data and expressions of opinions pertinent to the study. In connection therewith the Commission is authorized by majority vote—

(1) to require, by special or general orders, corporations, business firms, and individuals to submit in writing such reports and answers to questions as the Commission may prescribe; such submission shall be made within such reasonable period and under oath or otherwise as the Commission may determine;

(2) to administer oaths;

(3) to require by subpena the attendance and testimony of witnesses and the production of all documentary evidence relating to the execution of its duties;

(4) in the case of disobedience to a subpena or order issued under paragraph (a) of this section, to invoke the aid of any district court of the United States in requiring compliance with such subpena or order;

(5) in any proceeding or investigation to order testimony to be taken by deposition before any person who is designated by the Commission and has the power to administer oaths, and in such instances to compel testimony and the production of evidence in the same manner as authorized under paragraphs (3) and (4) of this subsection; and

(6) to pay witnesses the same fees and mileage as are paid in like circumstances in the courts of the United States.

(b) Any district court of the United States within the jurisdiction of which an inquiry is carried on may, in case of refusal to obey a subpena or order of the Commission issued under subsection (a) of this section, issue an order requiring compliance therewith; and any failure to obey the order of the court may be punished by the court as a contempt thereof.

(c) The Commission is authorized to require directly from the head of any Federal agency available information deemed useful in the discharge of its duties. Each Federal agency is authorized and directed to cooperate with the Commission and to furnish all information requested by the Commission to the extent permitted by law.

(d) The Commission is authorized to enter into contracts with Federal or State agencies, private firms, institutions, and individuals for the conduct of research or surveys, the preparation of reports, and other activities necessary to the discharge of its duties.

(e) When the Commission finds that publication of any information obtained by it is in the public interest and would not give an unfair competitive advantage to any person, it is authorized to publish such information in the form and manner deemed best adapted for public use, except that data and information which would separately disclose the business transactions of any person, trade secrets, or names of customers shall be held confidential and shall not be disclosed by the Commission or its staff: *Provided, however,* That the Commission shall permit business firms or individuals reasonable access to documents furnished by them for the purpose of obtaining or copying such documents as need may arise.

(f) The Commission is authorized to delegate any of its functions to individual members of the Commission or to designate individuals on its staff and to make such rules and regulations as are necessary for the conduct of its business, except as herein otherwise provided.

COMPENSATION OF MEMBERS OF THE COMMISSION

SEC. 4. Each member of the Commission may receive compensation at the rate of $100 for each day such member is engaged upon work of the Commission, and shall be reimbursed for travel expenses, including per diem in lieu of subsistence as authorized by law (5 U.S.C. 5703) for persons in the Government service employed intermittently.

ADMINISTRATION

SEC. 5. (a) The Commission is authorized, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, to appoint and fix the compensation of an executive director; and the executive director, with the approval of the Commission, may employ and fix the compensation of such additional personnel as may be necessary to carry out the functions of the Commission, but no individual so appointed shall receive compensation in excess of the rate authorized for GS–18 by section 5332 of such title.

(b) The executive director, with the approval of the Commission, is authorized to obtain services in accordance with the provisions of section 3109 of title 5, United States Code, but at rates for individuals not to exceed $100 per diem.

(c) The head of any Federal agency is authorized to detail, on a reimbursable basis, any of its personnel to assist in carrying out the duties of the Commission under this Act.

(d) Financial and administrative services (including those related to budgeting and accounting, financial reporting, personnel, and procurement) shall be provided the Commission by the General Services Administration, for which payment shall be made in advance, or by reimbursement, from funds of the Commission in such amount as may be agreed upon by the Chairman of the Commission and the Administrator of General Services. Regulations of the General Services Administration for the collection of indebtedness of personnel resulting from erroneous payments shall apply to the collection of erroneous payments made to or on behalf of a Commission employee, and regulations of said Administrator for the administrative control of funds shall apply to appropriations of the Commission, but the Commission shall not be required to prescribe such regulations.

(e) Ninety days after submission of its final report, as provided in section 2(b), the Commission shall cease to exist.

DEFINITION

SEC. 6. The term "household products" means products customarily produced or distributed for sale through retail sales agencies or instrumentalities for use by a consumer or any member of his family. Such term does not include products regulated under the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. 1381 et seq.), the Flammable Fabrics Act (15 U.S.C. 1191 et seq.), the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.), the Federal Hazardous Substances Labeling Act (15 U.S.C. 1261 et seq.), the Federal Cigarette Labeling and Advertising Act (15 U.S.C. 1331 et seq.), and the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 135 et seq.).

AUTHORIZATION

SEC. 7. There are authorized to be appropriated such sums, not to exceed $2,000,000, as may be necessary to carry out the provisions of this Act.

The report presented by Mr. MAGNUSON, is as follows:

REPORT TO SENATOR WARREN G. MAGNUSON FROM CONSUMERS UNION ON PRODUCTS TESTED AND RATED SO HAZARDOUS AS TO BE UNACCEPTABLE, FOR THE 10-YEAR PERIOD 1956–66

Products rated not acceptable

SUMMARY

Year	Electrical hazards		Mechanical	Fire	Other	Total
	Electronic	Appliance				
1956	3	3	3		26	35
1957	12	8	8			28
1958	9	21	3			33
1959	3	17	31			51
1960		8		5	34	47
1961	8	4	4	8	10	34
1962	16	7	4			27
1963	1	21	15		3	40
1964		4			2	6
1965		14	25	7	8	54
1966	4	6	10		1	21
Total	56	113	103	20	84	376

ELECTRICAL HAZARD

Product	Hazard	Issue
ELECTRONICS PRODUCTS		
TV sets (2)	Excessive leakage current	February 1956.
AM-FM table radios (2)	do	November 1956.
Portable phonographs (7)	do	August 1957.
Home intercoms (1)	do	September 1957.
Hobby kits (4)	do	November 1957.
AM clock radio (1)	do	June 1958.
AM table radios (4)	do	Do.
AM portable radios (4) (when used on house current).	do	July 1958.
TV set (1)	do	January 1959.
Radio kits (2)	do	February 1959.
Table radios, AM-FM (3)	do	May 1961.
Table radios, AM (5)	do	August 1961.
TV set (1)	do	January 1962.
Do	do	March 1962.
Home intercoms (5)	do	Do.
Portable phonographs (2)	do	June 1962.
Stereo amplifiers (2)	do	September 1962.
TV set (1)	do	October 1962.
Do	do	November 1962.
Electronic science kits (3)	do	Do.
TV set (1)	do	April 1963.
Table radio, AM (1)	do	July 1966.
Table radio, AM-FM (1)	do	October 1966.
Automobile battery chargers (2).	do	November 1966.
APPLIANCES, TOYS, AND TOOLS		
Toasters (3)	Excessive leakage current	May 1956.
Clothes dryer (1)	Inadequate strain relief	July 1957.
Waffle irons (2)	Long terminal pins	September 1957.
Waffle iron (1)	Worn insulation	Do.
Blenders (4)	Liquid entered base	November 1957.
Coffeemakers (3)	Excessive leakage current	January 1958.
Coffeemaker (1)	Liquid entering base	Do.
Frying pans (2)	Long terminal pins	May 1958.
Frying pan (1)	Excessive leakage current	Do.
Toasters (7)	do	December 1953.
Frying pans (2)	Long terminal pins	Do.
Frying pan (1)	Excessive leakage current	Do.
Griddle (1)	Long terminal pins	Do.
Griddles (2)	Excessive leakage current	Do.
Saucepan (1)	Long terminal pins	Do.
Vaporizer (1)	Long terminal pins	January 1959.
Do	Excessive leakage current	Do.
Tabletop oven (1)	Long terminal pins	April 1959.
Do	Excessive leakage current	Do.
Sanders (2)	do	May 1959.
Fan (1)	do	June 1959.
Food mixers (4)	do	November 1959.
Coffeemaker (1)	Long terminal pins	December 1959.
Coffeemakers (5)	Excessive leakage current	Do.
Heating pads (22)	Inadequate strain relief and excessive leakage current.	January 1960.

REPORT TO SENATOR WARREN G. MAGNUSON FROM CONSUMERS UNION ON PRODUCTS TESTED AND RATED SO HAZARDOUS AS TO BE UNACCEPTABLE, FOR THE 10-YEAR PERIOD 1956–66—Continued

Products rated not acceptable—Continued

ELECTRICAL HAZARD—Continued

Product	Hazard	Issue	Product	Hazard	Issue
APPLIANCES, TOYS, AND TOOLS—con.			APPLIANCES, TOYS, AND TOOLS—con.		
TV set (1)	Excessive leakage current	March 1960.	Broilers (5)	Long terminal pins	Do.
Travel iron (1)	do	June 1960.	Garage door opener (1)	Pinched wire	August 1963.
Portable heaters (4)	do	October 1960.	Hair dryer (1)	Excessive leakage current	November 1963.
Portable heater (1)	Inadequate strain relief	Do.	High-oven range (1)	Exposed terminal	March 1964.
Blender (1)	Liquid entered base	November 1960.	Frying pans (2)	Excessive leakage current	June 1964.
Outdoor grills	No grounding provisions	June 1961.	Electric toy (1)	do	November 1964.
Dehumidifier (1)	Exposed terminal	July 1961.	Humidifier (1)	Inadequate strain relief	January 1965.
Clothes dryers (2)	do	August 1961.	Do	Exposed terminal	Do.
Dish drier (1)	Excessive leakage current	September 1961.	Broiler (1)	Exposed element	April 1965.
Steam cooker (1)	Liquid entered base	May 1962.	Kitchen ranges (2)	Exposed terminal	September 1965.
Electric toothbrush (1)	Excessive leakage current	Do.	Kitchen ranges (4)	do	October 1965.
Toasters (4)	Inadequate strain relief	June 1962.	Portable heaters (3)	Excessive leakage current	Do.
Electric toothbrush (1)	Excessive leakage current	August 1962.	Portable heater (1)	Exposed terminal	Do.
Vaporizers (5)	do	January 1963.	Blenders (1)	Excessive leakage current	November 1965.
Immersible water heater (1)	do	February 1963.	Drills (3)	Pinched wire	July 1966.
Faucet water heaters (2)	do	June 1963.	Heating pads (3)	Excessive leakage current	October 1966.
Broilers (6)	do	July 1963.			
MECHANICAL HAZARD					
Electric fans (3)	Inadequately guarded blades	July 1956.	Lawn mower (1)	High discharge	July 1963.
Lawn mowers, rotary (5)	High discharge	June 1957.	Lawn mowers (5)	Exposed blade	Do.
Lawn mowers, rotary (3)	Rearward discharge	Do.	Lawn mowers (9)	Rearward discharge	Do.
Food waste disposers (2)	Chunks thrown out	August 1959.	Lawn mowers (4)	High discharge	June 1965.
Plastic bag toy (1)		Do.	Lawn mowers (10)	Rearward discharge	Do.
Lawn mowers (19)	Exposed blade	July 1960.	Lawn mowers (5)	Exposed blade	Do.
Lawn mowers (6)	Rearward discharge	Do.	Do	Poor handle	Do.
Lawn mowers (4)	High discharge	Do.	Blender (1)	Inadvertent start	November 1965.
Lawn mowers (2)	Loose blade	Do.	Food waste disposers (3)	Chunks thrown out	March 1966.
Drill attachments (4)	No guard under blade	February 1961.	Lawn mowers (1)	Exposed blade	June 1966.
Toy cars	Rigid axles	March 1961.	Do	Unshielded belt	Do.
Wringer washing machines		May 1962.	Do	User in path of discharge	Do.
Electric fan (1)	Inadequately guarded blades	July 1962.	Garden sprayers (2)	Top may blow off	July 1966.
Toothbrush (1)	Lip and gum irritation	August 1962.	Seat belt retractors (2)	Frayed seat belts	October 1966.
Radial arm saws (2)	Could be started inadvertently	November 1962.			
FIRE HAZARD					
Travel irons (3)	No thermostat	June 1960.	Masonry waterproofer	Flammable	January 1964.
Portable heaters (2)	Failed drape test	October 1960.	Baby blankets		May 1964.
Carpets		Do.	Regular blankets		October 1964.
Paint removers (8)	Flammable	October 1961.	Portable heaters (7)	Failed drape test	October 1965.
OTHER HAZARDS					
Auto seat belts		May 1956.	Slip preventive (1)	Corrosive chemical	September 1965.
Auto seat belts (34)		February 1960.	Portable heaters (1)	Hot surfaces	October 1965.
Auto seat belts (10)		October 1961.	Shotguns (1)	Unsafe "safety"	Do.
Oven cleaners (2)	Pressurized and alkaline	August 1963.	Chemistry sets (4)	Inadequate caution labels	November 1965.
Children's sleds (1)	Sharp points	November 1963.	Stuffed toys	Sharp "eyes"	February 1966.
Electric toys (2)	Hot surfaces	November 1964.	Toy gun (1)	Deafening	June 1966.
Oven cleaners (1)	Pressurized and alkaline	February 1965.	Beads	Poisonous	Do.
Bubble bath	Irritation	August 1965.			

PROPOSED LEGISLATION INTRODUCED BY SENATOR THURMOND

Mr. THURMOND. Mr. President, I send to the desk four Senate joint resolutions, one Senate resolution, and 11 bills and ask that they be appropriately referred.

These proposals, along with others which I am cosponsoring with other Members of the Senate, deserve the favorable consideration of the Congress. They represent an effort to strengthen our federal system and would form the base from which this vital task could go forward. Also included are proposals to correct inequities in existing laws which, while not so important to the Nation as a whole, are very important to the individuals involved.

One of the major purposes of the 90th Congress must be not only to encourage the State and local governments in the performance of their duties and responsibilities, but to allow them the opportunity to do so. This will require that the Central Government devote its full attention to the solution of those problems, and only those problems, which are susceptible to solution by legislative enactment of the Congress. To this end, I favor the enactment of a tax-sharing program, although I am not today introducing such a measure. I have given this matter considerable thought and study over the past few years. It is obvious that the States and local municipalities require additional sources of revenue if they are to provide the service to their people which they should. I have concluded after much study that the most feasible solution to this problem is a tax-sharing plan. From a practical standpoint, it is also the most likely to be enacted. There will be many such proposals introduced in both Houses of Congress, and I intend to study each one of them very carefully and formulate what I consider to be the best possible plan of this nature.

Two of the Senate joint resolutions I am introducing today propose amendments to the Constitution of the United States designed to preserve and enhance the authority and responsibility of the several States.

One calls for the formation of a Court of the Union to be composed of the chief justices of the highest courts of the several States. This Court would be empowered to pass upon any decision of the Supreme Court which relates to the rights reserved to the States or to the people by the Constitution and would be the final judgment in such matters. Another of the Senate joint resolutions would provide a new method for amending the Constitution so that the States may initiate proposed constitutional amendments without being required to rely upon Congress to take any action. The next constitutional amendment which I propose would require a balanced budget, except in case of war or other grave national emergency. In the latter case the Congress may suspend the requirement for that fiscal year upon the recommendation of the President.

I am also cosponsoring the proposed constitutional amendment to allow voluntary prayers in our public schools, principally sponsored by the senior Senator from Illinois [Mr. DIRKSEN]. I consider this to be one of the most important proposals to come before the 90th Congress, and I pledge my full energies to the task of having it approved by the Congress and submitted to the States for ratification.

Another Senate joint resolution expresses the indomitable will of the American people and purpose of their Government to achieve total victory over the forces of the world Communist movement. This entails maintaining a substantial military superiority over the forces of communism in order to deter armed aggression, while at the same time demonstrating the resolve to successfully combat their advances by other methods, such as psychological and economic warfare.

The Senate resolution which I am submitting proposes an amendment to rule XVI of the Standing Rules of the Senate and would require the approval of the Appropriations Committee for any proposal authorizing back-door spending. Any bill, amendment to a bill, or joint resolution which authorizes either expenditures from debt receipts or the creation of obligations by contract in advance of appropriations would have to be referred to the Appropriations Committee for approval.

In addition to these proposals, the bills I am introducing are as follows:

First. To withdraw from the Federal courts jurisdiction to hear and decide cases concerning the apportionment of State legislatures.

Second. To provide for a jury trial in all criminal contempt cases in the Federal courts, at the option of the accused.

Third. To change the appellate jurisdiction of Federal circuit courts in appeals from executive agency orders and to empower the district courts of the United States to hear and decide unfair labor practice cases.

Fourth. To clarify and safeguard the right of any officer or employee of a Federal agency or department to testify before a duly constituted and empowered congressional committee or subcommittee without being subjected to reprisals.

Fifth. To provide for a 20-percent credit against individual income tax for certain educational expenses incurred at an institution of higher education.

Sixth. To equalize the treatment of Reserves and Regulars of the armed services in the payment of per diem.

Seventh. To change the method of computing retired pay of certain enlisted members of the Army, Navy, Air Force, and Marine Corps.

Eighth. To permit a taxpayer carrying on a trade or business in the conduct of which 10 or less persons are engaged to elect to take a standard deduction, in lieu of itemized deductions for expenses attributable to such trade or business.

Ninth. To provide a "habitual criminal" act for the District of Columbia similar to that which has been adopted by many of the States.

Tenth. To amend the Fair Labor Standards Act to exempt employees in the shelling of shellfish from the minimum wage provisions of that act.

Eleventh. On behalf of myself and Mr. Tower of Texas a bill to amend the Veterans Readjustment Assistance Act of 1966 to authorize the approval of courses in flight training for assistance under that act.

The ACTING PRESIDENT pro tempore. The joint resolutions, bills, and resolution will be received and appropriately referred.

The joint resolutions and bills were received, read twice by their titles, and referred, as follows:

By Mr. THURMOND:

S.J. Res. 36. Joint resolution proposing an amendment to the Constitution of the United States relating to the process of amending the Constitution; to the Committee on the Judiciary.

S.J. Res. 37. Joint resolution expressing declaration of will of the American people and purpose of their Government to achieve complete victory over the forces of the world Communist movement; to the Committee on Foreign Relations.

S.J. Res. 38. Joint resolution proposing an amendment to the Constitution of the United States providing for the establishment of a Court of the Union; and

S.J. Res. 39. Joint resolution proposing an amendment to the Constitution of the United States relative to the balancing of the budget; to the Committee on the Judiciary.

S. 931. A bill to amend title 28, United States Code, to withdraw from courts of the United States jurisdiction with respect to State legislative apportionment proceedings;

S. 932. A bill to provide for a jury trial in all cases of criminal contempt in the United States courts;

S. 933. A bill to amend the provisions of the United States Code with respect to the jurisdiction of courts of appeals of the United States to review orders of administrative officers and agencies, and for other purposes; and

S. 934. A bill to amend title I of the Internal Security Act of 1950; to the Committee on the Judiciary.

S. 935. A bill to amend the Internal Revenue Code of 1954 to provide a 20-percent credit against the individual income tax for certain educational expenses incurred at an institution of higher education; to the Committee on Finance.

S. 936. A bill to equalize the treatment of Reserves and Regulars in the payment of per diem; and

S. 937. A bill to amend title 10, United States Code, to change the method of computing retired pay of certain enlisted members of the Army, Navy, Air Force, or Marine Corps; to the Committee on Armed Services.

S. 938. A bill to permit a taxpayer carrying on a trade or business in the conduct of which 10 or less persons are engaged to elect to take a standard deduction, in lieu of itemized deductions, for expenses attributable to such trade or business; to the Committee on Finance.

S. 939. A bill to provide increased punishment for a person convicted in the District of Columbia of a fourth or subsequent felony; to the Committee on the District of Columbia.

S. 940. A bill to amend the Fair Labor Standards Act of 1938 in order to exempt employees employed in the shelling of shellfish from the minimum wage provisions of such Act; to the Committee on Labor and Public Welfare.

By Mr. THURMOND (for himself and Mr. Tower):

S. 941. A bill to amend the Veterans' Readjustment Assistance Act of 1966 in order to authorize the approval of courses in flight training under such act; to the Committee on Labor and Public Welfare.

The resolution (S. Res. 81), to amend rule XVI relative to amendments to appropriations bills, submitted by Mr. Thurmond, was referred to the Committee on Rules and Administration, as follows:

S. Res. 81

Resolved, That rule XVI of the Standing Rules of the Senate is amended (1) by striking out the heading thereto and inserting in lieu thereof "AMENDMENTS TO APPROPRIATION BILLS AND AMENDMENTS CREATING A CHARGE ON THE TREASURY", and (2) by adding at the end thereof a new paragraph as follows:

"8. No amendment to a bill or joint resolution shall be received or considered if it authorizes (A) expenditure from debt receipts, or the creation of obligations by contract in advance of appropriations, and (B) is not moved by direction of a standing committee of the Senate."

Sec. 2. Subsection (b) of rule XXV of the Standing Rules of the Senate is amended to read as follows:

"(b) Committee on Appropriations, to consist of twenty-seven Senators, to which committee shall be referred—

"(1) All proposed legislation, messages, petitions, memorials, and other matters relating to the appropriation of the revenue for the support of the Government; and

"(2) All proposed legislation (other than legislation within the purview of paragraph (1) above, or relating to claims against the United States) authorizing expenditures from debt receipts, or the creation of obligations by contract in advance of appropriations; except that any proposed legislation carrying such authority which relates to a substantive matter within the jurisdiction of any other standing committee of the Senate shall be referred first to such committee."

LEGISLATIVE REORGANIZATION ACT OF 1967—AMENDMENT

AMENDMENT NO. 86

Pursuant to the unanimous-consent agreement entered into on February 7, 1967, Mr. Byrd of West Virginia, on behalf of Mr. Morse, submitted an amendment (No. 86), intended to be proposed by Mr. Morse, to the bill (S. 355) to improve the operation of the legislative branch of the Federal Government, and for other purposes, which was ordered to lie on the table and to be printed.

ADDITIONAL COSPONSORS OF BILLS

Mr. MONRONEY. Mr. President, I ask unanimous consent that the name of the junior Senator from Idaho [Mr. Jordan] be added as a cosponsor of the bill (S. 18) to establish a Small Tax Division within the Tax Court of the United States, at its next printing.

The ACTING PRESIDENT pro tempore. Without objection it is so ordered.

Mr. MONRONEY. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Washington [Mr. Magnuson] be added as a cosponsor of the bill (S. 652) for the relief of certain employees of the Puget Sound Naval Shipyard.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF RESOLUTION

Mr. DIRKSEN. Mr. President, at the next printing of the resolution (S. Res. 8) to create a Standing Committee on Veterans' Affairs—For the Veterans' Administration, I ask unanimous consent that names of the Senator from Tennessee [Mr. Baker] and the Senator from Iowa [Mr. Miller] be added as cosponsors.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

BROADCASTING SKILLS BANK

Mr. JAVITS. Mr. President, the major broadcasting organizations, with group W—the Westinghouse Broadcasting Co.—as the catalyst, have developed what is turning out to be a very productive plan for the recruitment, training, and employment of minority group members. The plan, called the broadcast skills bank, is currently being implemented with the cooperation of the National Urban League.

Besides resulting in important advances in minority group employment, the plan serves another valuable purpose in that the more minority group members are seen on TV as people rather than as stereotypes, the quicker the problems confronting the entire Nation having to do with segregated housing, education, and employment will be overcome.

Mr. President, I ask unanimous consent that the text of a booklet describing this remarkable broadcast skills bank plan, together with various newspaper accounts of the program, be printed at this point in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

Broadcast Skills Bank Plan

(The following plan for the Broadcast Skills Bank is the result of conferences involving the National Skills Bank of the Urban League, the three major networks—ABC, CBS, NBC—and the Westinghouse Broadcasting Company.)

THE BACKGROUND

The broadcaster's responsibility to his community, indeed to himself, in these days of rapid change dictates an aggressively affirmative role in the national effort to solve one of the gravest problems facing the country today—the employment of minority group manpower. Where the attempt has been made by the broadcaster to recruit such personnel the results have been inadequate—at least quantitatively.

It has been proposed that the National Urban League's basic Skills Bank concept and broad recruiting experience be utilized in this connection. Also that this effort to recruit, train and employ minority group manpower be mounted on a national basis to include the broad panorama of stations, groups and networks in both the media of radio and television, and the crafts and guilds allied with them.

The vehicle that will serve as a "clearing house" through which this will be accomplished is the Broadcast Skills Bank, established at the national conference of the Urban League of Louisville, Ky., in August, 1964. The Broadcast Skills Bank is structured to include a cross-sectional group of broadcasting management and labor leadership, functioning on a voluntary basis with officials of the Urban League's National Skills Bank. It proposes four areas of concentration and development: (1) Inventory and Employment, (2) Part-time Employment, (3) Additional Training and (4) Scholarships.

(1) Inventory and Employment—The Broadcast Skills Bank will establish an inventory of qualified minority group manpower interested in working in the industry. In addition each participating employer would advise the Bank at the League's headquarters in New York City of all applicants with qualifications for immediate employment in the industry whom that employer cannot use. All participating employers will be permitted to draw from this list. Individuals who can become eligible for employment with additional training will also be listed for the employer. Listed too will be those who apply through any of the 72 local offices of the League located across the U.S. The information on hand would include an interviewer's personal appraisal of the applicant as well as an analysis of any test program which might be administered.

Each of the participating employers would list with the Broadcast Skills Bank openings which would come up within the company for full-time and immediate employment and provide an opportunity for referrals to be given full and complete consideration. The movement of the same minority group personnel between participating employers would be discouraged with the emphasis being placed rather on the entry of additional such manpower into the industry.

(2) Part-Time Employment—Participating employers would be encouraged to provide part-time employment for minority group members who have graduated from high school and who are taking additional educational programs. This would involve part-time work after school and/or on weekends and/or summer employment. Candidates would come from educational institutions such as junior colleges, technical schools, business schools or college level institutions.

Participating employers would in effect "sponsor" such individuals—ideally individuals from their own communities—by providing this additional income to such young men and women who might otherwise not be able to complete their educations. Even more ideally would be the prospect and opportunity of a specific job for the individual at that "home" station at the conclusion of his formal education. The purpose would be threefold: a) the development of an attitude among the minority group community that employment opportunities in the broadcasting industry truly exist; b) afford an exposure of these young men and women to the disciplines and requirements of the work situation; c) spur the development of this latent source of manpower which, once released and properly motivated, could yield an additional source of productive manpower for the broadcaster.

(3) Additional Training—The participating employers, depending on their needs, would establish a formalized on-the-job and/or a rotating-basis training program for minority group members during the course of the year. This program would vary substantially from employer to employer but essentially it would be formal in nature and be supervised by a member of management. Trainees would be recruited from the Broadcast Skills Bank inventory.

(4) Scholarships—Many of the participating employers may already be providing scholarship assistance through formalized programs of one sort or another. This scholarship aspect could be extended and emphasized with the establishment of scholarships at Negro universities, or at major universities, for minority group members or through the expansion of existing programs to provide for participation of minority group members.

It is contemplated the concept of this plan will enlist the diverse, widespread and nationally located facilities of broadcasters along with their ability to effectively assimilate a number of these under-utilized but potentially productive minority group members.

THE INDUSTRY

According to the United States Bureau of Labor statistics, in early 1965, there were 109,300 people employed in commercial broadcasting. Over 55% were employed in radio. The thousands of free-lance performers, writers, actors, singers, comedians, dancers, announcers, are not included in these figures.

These staff employees worked at 690 television stations and at 5,340 radio stations in a variety of jobs in all parts of the country.

The average AM (Amplitude Modulation—heard on most radio sets) radio station had less than 15 employees. The average FM (Frequency Modulation, cannot broadcast as far) station had about 5 employees. The average TV station had about 55 employees. Television stations in the large population centers employed more than 200 people.

The three networks, ABC, CBS and NBC, which provide programs to affiliated commercial stations throughout the nation, employed as of December 31, 1964, nearly 11,000 persons. About one out of four broadcasting jobs is in New York and California, with New York City and Los Angeles the two major centers of orgination of network programs.

Employees at network headquarters or at local stations work in four major areas—programming, sales, engineering and administration. *The Occupational Outlook Handbook* published by the United States Department of Labor, stated in its 1963–1964 edition of *Radio and Television Broadcasting Occupations* that "More than 40% of all full-time staff employees are in programming work. Personnel in the engineering department make up over 20% of staff employment. Workers in the sales, publication and promotion departments account for 15% and the remaining workers—about 25%—are engaged in business management. These percentages vary widely among individual stations depending on station size and type of programming".

INDUSTRY JOBS

Very few fields of activity are as specialized as broadcasting. Thus, the shift by an individual from some other industry to radio or television without prior experience in broadcasting is not an easy step. Entry level jobs such as clerks, production assistants, and secretaries are, in many instances, the most practical way to enter the broadcasting operation. Initiative, imagination, creativity are then called upon to propel a person forward. In highly specialized areas, such as producing, selling and technical operations, there is seldom any substitute for extensive experience and training.

PROGRAMMING

The function of the programming department is to plan prepare and produce radio and television programs. It encompasses such diverse activity as production, production services, scenic services, studio services, script department, announcing, continuity acceptance, news, special events, public affairs and music.

"News" which has the responsibility for daily coverage of news events, employs such personnel as news commentator, news editor, news writer, reporter, "stringer," desk assistant, news director, news producer.

SALES

The successful operation of a commercial broadcast station or network depends primarily on the Sales Department which is responsible for selling all commercial time. Constituting major areas of "sales" are: sales service, sales development, research, advertising and promotion.

"Sales" employees range from account executives (time salesmen) to rating analysts.

The account executive contacts advertising agencies and clients directly selling them time availabilities and programs. He services the account as the station's representative to advertising agency and advertiser. He familiarizes himself with his clients' sales trends as well as audience rating and keeps the client informed of all station promotional activities and changes in format.

ENGINEERING

The Engineering function, basic to the technical operation of a TV station or a network, encompasses such divisions as: facilities, operations, maintenance, recording service, film service, traffic and communications.

Jobs range from staff engineer to film handlers. In the operations division, for example, which provides manpower for transmission of sound and pictures from studio and remote (outside studio) locations to home receivers; positions include technical director, video technician, audio-technician, radio recording technician, video recording technician.

ADMINISTRATIVE

The administrative or business management departments at a station are similar to those found in most large business organizations. With a station manager in overall control they include: legal, labor relations, accounting, personnel, purchasing, public relations.

Also, as in other business organizations, clerks, secretaries, and stenographers constitute a sizable portion of a station's staff.

SOME SPECIAL TRAITS FOR BROADCASTING JOBS

Broadcasters are, of course, interested in hiring good employees. The usual characteristics, such as diligence, honesty and loyalty are just as important in broadcasting as in any business.

But, there are some special traits which are desirable in all station employees because they work in a business which is creative, fast-moving, much in the public eye. Whether they are stenographers or salesmen, maintenance technicians or managers, the following traits are found in the best broadcasting employees:

Enthusiasm—a valuable asset in a fast-moving, dynamic business.

Sense of Public Relations—no industry operates in a goldfish bowl more than broadcasting. Every employee must be conscious of the effect of his activities, both during and outside working hours.

Creativity—the essence of programming is creative effort and everybody in broadcasting can make a contribution to this important phase of the business. But creative people must learn to create cooperatively and must accept the fact that their ideas will be changed and melded with the ideas of others.

Balanced Temperament—broadcasting is show business with a stop watch. It is geared to quick decisions and quick action. Employees need the ability to perform work quickly under pressure. There are some jobs for the contemplative man, but not many.

Reliability—the broadcaster sells time. Once gone, it is gone forever. It cannot be warehoused and sold next year. Meeting deadlines and getting a show, or announcement on the air properly is vitally important. The entire effort of a television station often depends on the people who are on duty when something unexpected happens.

Initiative—this trait is desirable in controlled amounts. An inventive and improvising individual can be a great help in a broadcasting station, but if he plunges ahead oblivious to other departments and other people, he is often a headache.

Business Sensitivity—broadcasting is supported by the sale of commercial time to advertisers and the job of advertising is to sell goods and services, a fact that the alert employee keeps constantly in mind.

SCHOLARSHIPS

Many broadcasting trade organizations, electronic companies networks and individual stations, offer fellowships and scholarships of one form or another. Most of them are established for people already in the industry as incentive to further their training in broadcasting or allied areas. Following is a partial listing:

The National Association of Broadcasters (NAB) offers two Harold E. Fellows Memorial Scholarships annually in the amount of $1100 each. They are limited to employees of NAB member stations, or networks, or children of such employees.

The Academy of Television Arts and Sciences Foundation presents the Ernie Kovacs Comedy Fellowship to one or more graduates or graduating students to serve as apprentice to all phases of a comedy television series—writing, producing, directing and even when indicated, performing.

The American Broadcasting Company (ABC) presents seven $5000 Fellowships in Television Playwriting. The program was launched in the fall of 1965 at the Yale University School of Drama and is formally called "Yale University—American Broadcasting Company Writing Talent Development Program."

Eight, $8000 Columbia Broadcasting System (CBS) Foundation News Fellowships are presented annually for academic studies. Applicant must be engaged in news and public affairs work connected with CBS or as a regular staff member of a non-commercial education radio or television station or as a college or university teacher.

The Westinghouse Electric Corporation, parent company of the Westinghouse Broadcasting Company, awards one, $2500 Charles Legeyt Fortesque Scholarship annually to a student of electrical engineering who has received a degree from a recognized college or university for postgraduate work.

The Radio Corporation of America, (RCA) parent company of the National Broadcasting Company offers several, $2500–$4000 (plus tuition and $50 for books) David Sarnoff Fellowships annually for academic studies. Only RCA employees, including NBC, are eligible.

Scholarships awarded in California, illustrate the range of local station participation in providing incentive to enterprising young men and women.

Two, $500 each, offered by station KMPC in Los Angeles.

One, $500, Art Linkletter Scholarship presented annually for staff position on San Diego State College station.

Two, $200, National Broadcasting Company—KNBR Scholarships, Stanford University.

One, $150, Radio-TV Alumni Scholarship, presented annually for academic studies, San Francisco State College.

Two, $200, Westinghouse Broadcasting Company Scholarships, presented annually for academic studies in the Stanford-Radio-TV Film Institute, Stanford, California.

NATIONAL URBAN LEAGUE

The Urban League is a professional community service agency, founded in 1910, to give guidance to Negroes and other similarly disadvantaged groups so that they may share equally the responsibilities and rewards of citizenship. It is non-profit, non-partisan, and interracial in leadership and staff.

The Urban League is nationwide in reach with affiliates in 72 cities and 30 states and the District of Columbia. It has its national headquarters in New York; regional offices in Akron, Atlanta, New York, St. Louis and Los Angeles; and a national bureau in Washington.

The Urban League consults with the management of major national corporations, with leaders of international unions, and with key government officials to help them reach sound hiring, training and promotion practices and solve problems of unemployment. It is equally active in its pursuit of programs to secure better education, better housing and better health and welfare conditions for the disadvantaged.

A trained professional staff conducts the day-to-day activities of the Urban League. The national headquarters staff is supported by a National Board of Trustees elected annually by a national Delegate Assembly. There are more than 600 paid employees in the Urban League movement, and their operations are reinforced by over 6,000 volunteers who bring expert knowledge and experience to racial matters.

The Urban League sponsors a National Conference each year which brings together the representatives of its 72 affiliates, board and staff, and other experts to review and discuss racial issues; to plan the next year's program; and to set new achievement goals. This conference is the nation's largest forum on the economic and social welfare of the Negro population.

An Equal Opportunity Day is observed annually throughout the country under Urban League sponsorship, to remind Americans from all walks of life that the greatness of our country rests upon the principle of equal opportunity for all.

BROADCAST SKILLS BANK

The Broadcast Skills Bank operates as a branch of the Urban League's National Skills Bank, a national clearing house with local branches in the 72 cities where the League has offices. The National Skills Bank brings together skilled or technically trained minority group job seekers and prospective employers. It is guided by the increasingly obvious fact that industry is becoming more skill-conscious and less color-conscious in its search for manpower.

The National Urban League expresses its gratitude and indebtedness to the American Broadcasting Company, the Columbia Broadcasting System, the National Broadcasting Company and the Westinghouse Broadcasting Company—the latter serving as the catalyst—for their cooperation in conceiving and developing the Broadcast Skills Bank Program.

Indeed, this cooperation represents a significant contribution to the nation, at a time when business, industry, labor and government are urgently searching for guidelines to better utilize manpower and increase job opportunities.

Some of the jobs in broadcasting, being performed by individuals who happen to be members of minority groups, are described here. And we explore the possibilities of widening the range of such opportunities to benefit both employers and potential employees.

Broadcasting is important because it is the most potent means of mass communication known to mankind: it entertains, it informs, it broadens the human mind. As the industry continues to grow, increasing its scope nationally and internationally, the need for talented men and women will grow apace. Opportunities—both before and behind the cameras and microphones—will continue to beckon those with the creative talent, the desire, and the training to make the best use of such skills.

We believe that the Broadcast Skills Bank will provide new areas of opportunity in a dynamic industry for many young men and women. And we sincerely hope that this booklet will motivate them to seek fulfillment of their dreams of interesting and profitable careers.

WHITNEY M. YOUNG, Jr.,
Executive Director,
National Urban League.

NEW YORK, N.Y.

[From the New York Times, June 24, 1966]

JOBS IN TV AWAIT RACIAL MINORITIES—NEGROES AND PUERTO RICANS SOUGHT BY NETWORKS

(By George Gent)

American broadcasters are looking for Negro and Puerto Rican job applicants, but they are having trouble convincing members of those groups of their sincerity.

The problem was noted in an interview Tuesday by Donald H. McGannon, President of the Westinghouse Broadcasting Company, one of the principal movers in an industry-wide effort to recruit members of minority groups for jobs in radio and television.

The drive began last fall when four networks—Westinghouse, the American Broadcasting Company, the Columbia Broadcasting System and the National Broadcasting Company—adopted a four-point program to recruit, train and employ Negroes and Puerto Ricans on a nationwide basis.

Subsequently, the managers of 250 stations, including those in the 50 major-market areas, were invited to cooperate. The response, according to Mr. McGannon, the network committee's chairman, has been strongly in favor of the program.

POOL OF RECRUITS SMALL

The networks and local stations soon discovered that, while many had their own programs for recruiting minority-group applicants, a major problem for all was creating a large enough pool from which to select suitable candidates. To broaden their canvass they agreed to cooperate with the National Urban League in the formation of a Broadcast Skills Bank.

The Broadcast Skills Bank embraces broadcasting management personnel and labor leadership, functioning on a voluntary basis with officials of the Urban League. Agreements with technical and artists' unions are being negotiated.

The skills bank established an inventory of qualified minority-group manpower interested in broadcasting, from which all participating employers will be permitted to draw. The employers notify the bank at the league's headquarters here when anyone applies directly to a station and cannot be immediately employed. The bank also includes individuals who can become eligible for employment with additional training.

TRAINING PART OF PROGRAM

The program calls for employers to provide part-time employment for minority-group members who are high school graduates and are interested in continuing their educations. Wherever possible, employers are to set up formal on-the-job or rotating basic-training programs for minority group members.

Mr. McGannon said members of minority groups interested in broadcasting as a career could apply for enrollment in the Broadcast Skills Bank at any one of the Urban League's 70 local offices throughout the country.

"The program is beginning to build up a head of steam, but not enough Negroes are applying," Mr. McGannon said.

He acknowledged that many Negroes were probably skeptical of such programs because of past disappointments. Mr. McGannon insisted that the broadcasters were sincere in the current campaign.

"We've been missing a vast untapped pool of creative talent by ignoring those groups," he declared.

NEGRO EMPLOYMENT RISES

Westinghouse, he pointed out, with 1,500 employes in 5 TV and 6 radio stations, including WINS here, has doubled the number of Negroes it employs in positions above the laborer's level in the last 18 months. It now has 76 Negroes in such jobs as foreign correspondent, on-the-air newscasters, political commentators, TV drama critic, film editor, traffic manager and sales executive. The Urban League office here could not be reached for an immediate comment on the number of Negroes employed through the skills bank.

"We're not do-gooders in this program," Mr. McGannon said. "This industry eats up talent, and we can't afford to ignore any new source of potential talent. Anyone who is hired under this program, either as a trainee or as a full-time employe, has to cut the cake the same as anyone else if he expects to keep his job or to win promotion. But he has to know that the job is really there, that he is wanted."

[From TV Guide, July 30, 1966]

WILL NEGROES PLEASE APPLY?

Writes an Ohio broadcaster: "We have made a considerable effort to solve the problem? I need not tell you of the difficulties we have encountered."

Writes a Washington, D.C., broadcaster: "We have made very sincere efforts to solve this very perplexing problem."

Writes a St. Louis broadcaster: "We are in complete agreement with your efforts to solve the problem."

These broadcasters' comments are typical of hundreds that have been received by a year-old organization called the Broadcast Skills Bank, which is dedicated to integrating Negroes into broadcasting.

One might suppose that "the problem" is that of finding jobs for Negroes. But this is not so. It is finding Negroes for the jobs. The broadcasting industry, in fact, is very much in the position of the nonplused host who has prepared a lavish banquet for guests who refuse to show up for the party.

It's not that there are no Negroes employed in radio and TV today. There are—both on and off screen. In addition to on-screen performers seen regularly by the viewers, there are Negro sound technicians, cameramen, directors, producers, news reporters, stage managers, continuity-acceptance workers, scenic designers, traffic managers, publicists, time salesmen, staff engineers, film handlers, video- and audio-recording, technicians, projectionists, etc. But, comparatively speaking, the Negroes in broadcasting are so few that one could probably compile a nation-wide list of them without too much difficulty.

The Broadcast Skills Bank was founded to counteract this rarity. A branch of the National Urban League, the "Bank" was established by the League in cooperation with CBS, NBC, ABC and the Westinghouse Broadcasting Company. It provides for an inventory of qualified Negroes, interested in entering the broadcasting industry; it assists in obtaining part-time employment for high school graduates who are continuing with their studies; and it encourages training programs and scholarships for university students. In essence, it functions as a "clearinghouse" for Negro manpower and is organized to channel this manpower into networks, broadcasting chains, individual stations and allied crafts and guilds.

As Donald H. McGannon, president of Westinghouse Broadcasting, and chairman of the Broadcasters' Committee of the "Bank," explains its genesis: "The broadcaster's responsibility to his community and to himself in these days of rapid change dictates an affirmatively aggressive role in the national effort to employ minority manpower."

And broadcasters have been "affirmatively aggressive." According to George Norford, now of Washington, who was, when at NBC, the first Negro to achieve executive status at a network: "The broadcaster has taken the initiative. This is one of the first programs of its kind to be developed by any industry. It is supported by the major elements of the industry."

Mr. McGannon similarly reports, "We're getting excellent cooperation from the broadcasters. I'm very impressed and pleased with it. Every day I get a dozen letters from all over the country, very enthusiastic, promising cooperation. At this point, we have a nation-wide framework organized.

"A lot of recruiting and training programs already exist within the industry. The networks in particular are doing very aggressive work in this field. But the bulk of the stations are small local operations employing under a hundred people. These stations have been limited in whom they can hire. Often there are no training programs available locally. The usual problem is that the time you stumble across a qualified Negro is not the time you have a vacancy. Then there's a vacancy—but there's no qualified Negro. That's why people are enthusiastic about an industry-wide approach. It permits job placement within the industry as a whole."

But if broadcasters, big, medium and little, are responding to this leadership, the Negroes are not. According to Mr. Norford, who devotes his principal energies to the furthering of this project, "People are not registering or applying. There is a real problem here. It's not only that the qualified Negroes aren't applying—they're not applying for the training programs either." It is an ironic fact that while Negro leaders have been denouncing the broadcasting industry for maintaining the color bar, jobs for Negroes within this industry have gone begging, from Coast-to-Coast. About 15 people a month have applied to the Skills Bank, over the last year, for information or guidance. Mr. Norford has no record of actual job placements.

The problem of the absent beneficiary is by no means peculiar to the broadcasting industry. "Other industries are having the exact problem we're having in looking for qualified people," reports Mr. McGannon.

Why is this? Different explanations are offered. "I believe," says Mr. McGannon, "that it's a kind of cynicism. The Negroes have faced a long period of disappointment. I think many of them believe this is window dressing, showcasing. I think that the Negro community may well be expected to have a critical attitude. The solution of the problem will be in the doing. Where there's a sincerity of purpose, they will discover it. But I think it's going to take time to crack."

Mr. Norford calls it a "psychological block." "There's timidity and hesitation on the part of the Negroes. They've not been particularly welcome. They've not been encouraged to apply for jobs no matter how qualified. They're skeptical about the honesty and sincerity of these programs. Also, they've been trained to work and to seek their careers within the Negro world. But this is the big white world: They don't want to step into it."

The most fundamental reason given, however, is that most Negroes—even, in many cases, graduates of Negro colleges—are still unqualified for work in a complex industry. The situation seems largely unchanged since a Negro journalist, Louis Lomax, charged in 1963 that lack of training, not discrimination, was depriving Negro youths of job opportunities.

In a controversial article in a national magazine, entitled "Young Negroes Aren't Ready," Lomax wrote: "Young Negroes are not qualified for the new jobs in industry and government now open to them. . . . Apartness and inequality involve more than the broad denial of opportunities and freedoms. They prescribe the inferior standards exacted of us by white people, and they serve as excuses as we Negroes fail to demand higher standards of ourselves. Thus our students, on the whole, are unready for competition in the general American market place."

A former official of the Urban League, Otis Finley Jr., has also commented: "Our job now is to help our students leapfrog over generations of neglect and frustration into the age of astronauts, automation, cybernetics and mass-communication."

As the broadcasters are now discovering this cultural "leapfrogging" has not yet been accomplished: "Essentially," says McGannon, "a very limited number of people are ready. The great bulk of Negroes are insufficiently educated. But there's a tremendous social movement in progress. It's going to help these people with training and education. We're taking the long-range view of things. The Broadcast Skills Bank is addressing itself to what is going to be happening in the next 20 years."

This is a somewhat anticlimactic outlook for an "aggressively affirmative" project. But the anticlimax applies primarily to mass employment. It does not apply to the constant, if numerically small, flow of talented and able Negroes who are moving into the broadcasting industry on their own steam. As one of these, George Broderick, a composer who is writing music for commercials, comments: "The Negroes you now see in the industry are actually pioneers. They're the trail blazers who are not afraid to compete in the white world. They're opening up the paths that the others will eventually follow."

[From Race Relations and Industry, vol. 1, No. 3, August 1966]

The Broadcast Industry—Its Determined Effort

Many individual companies have launched affirmative programs to fulfill commitments in the field of equal employment opportunity. One of the most effective examples of the way in which members of an industry can cooperate together, promises to be the program being undertaken by the broadcasting industry, in a sincere effort to recruit minority group manpower. A secondary benefit of this program is the favorable climate, in the field of race relations, that should result for the broadcast industry.

A joint project of the American Broadcasting Company, Columbia Broadcasting System, National Broadcasting Company, and Group W (Westinghouse Broadcasting Company), is the four-point area of concentration and development under a Broadcast Skills Bank. The four points are 1) Inventory and Employment; 2) Part-time Employment; 3) Additional Training; and 4) Scholarships.

With the networks as prime movers, and with cooperation from radio and TV stations throughout the United States, the broadcasting industry has begun actively informing minority group youth that a career awaits them in one of the four major areas of broadcasting—programming, sales, engineering, and administration.

NOT A NEW EFFORT

It is not surprising that the broadcast industry should initiate a minority recruiting project. In its own way, each of the networks has moved toward establishing and implementing firm policies on equal employment opportunity. NBC, for example, has benefited from Negro public relations counsel (provided to its parent company, the Radio Corporation of America, for many years) which has molded favorable public opinion among Negro opinion-makers.

SEEING HAS BEEN BELIEVING

With their high visibility, Negroes have been evident on the nation's TV screens in some major cities, in increasing numbers. This fact alone has contributed greatly to an improved employment posture for the industry, and helped to get across the idea that opportunities do exist for minority group members. When a Negro viewer sees Negroes in sensitive news positions, an automatic, built-in reaction, is produced. It is, of course, a favorable one. Delivering news today are NBC's Bob Teague in New York, and Bill Matney in Chicago (Rafer Johnson is scheduled to begin sportscasting on the West Coast); CBS' Joan Murray in New York; ABC's Mal Goode at the United Nations; Group W's Trudy Haynes at KYW in Philadelphia; and WTOP's Harold Walker in Washington, D.C. Group W's Terry Carter is a critic at WBZ–TV, Boston.

STILL NEED TO CONVINCE

While opportunities are opening up, as Donald H. McGannon, President and Chairman of the Board of Westinghouse Broadcasting Company, said in a recent interview, the industry is having trouble convincing minority group youth that they can obtain jobs in the industry—and some 109,300 total jobs were filled in commercial broadcasting early last year.

McGannon, Chairman of the Broadcast Skills Bank advisory committee, knows that part of its responsibility is to seek out talent, where it exists, for jobs in the industry; and his Group W is showing what can be done. With Westinghouse executive George Norford devoting most of his time at Group W to the problem, the company has doubled the number of Negroes that were employed 18 months ago, in positions above a laborer.

INSIDE INDUSTRY

The American Oil Company, Chicago, is cooperating with the Chicago Urban League in conducting an on-the-job training program for keypunch operators in the company's general office. The 12-week course is being given in American Oil's new electronic data processing department under T. A. Hoedl, manager of computer operations and communications division. The activity is part of the Urban League's overall program to provide skills for inexperienced individuals. *IBM,* National Cash Register Company, and Xerox are also participating in the O–J–T Project of the League.

Philco Corporation has announced the appointment of Dr. F. Ray Finley as manager of bio-medical engineering in Philco's Communications and Electronics Division, according to Dr. W. F. Cartwright, director of advanced technical plans and programs for the division. Dr. Finley joined Philco as staff physiologist with the bio-medical activity in June 1964.

The Chase Manhattan Bank is reporting success with its Business Experience Training (BET) program. Some 70 youths have been through the program. Its objective is to provide high school seniors from disadvantaged areas with business experience that will help them qualify for employment. Most of the BET students are Negroes and Puerto Ricans. BET youngsters, all boys, are selected by Chase Manhattan's Tom O'Reilly and trained by training director, Michael Shipper.

Western Airlines has employed its first Negro flight officer, Frederick M. A. Pitcher, following his completion of the airline's training program. Pitcher, now a second officer on a 720B fanjet, flew with a U.S. Navy anti-submarine squadron for four years. A former *Burroughs Corporation* employee, he established overseas computer training schools for a company division.

Wadsworth Manufacturing Company, Wadsworth, Ohio, has named Don A. Taylor to the newly created post of vice president in charge of product design. Taylor was formerly an engineering draftsman of the Bearfoot Sole Co., Inc., where he designed mold equipment, sole, heel and automotive products.

The Welch Scientific Company, Skokie, Illinois, has reported on a joint study of its teaching machines' use by remedial and dropout-prone students, conducted with the Paterson (N.J.) school system. The study involved 397 volunteer ninth grade students under special classroom conditions over a two-month period. This study of the use of Welch's AutoTutor Mark II, a 46-lb. electromechanical "branching" device which offers up to four levels of learning and permits the student to learn at his own pace, proved that the teaching machines can dramatically increase motivation. "The Paterson Plan" is being watched closely by school administrators in many sections of the U.S. Paterson school system has already purchased 30 of the teaching machines for one of its schools.

Houghton Mifflin Company, Follett Publishing, McGraw Hill Book Company, and *Scott Foresmen and Company* with primary and elementary school readers, and 170 other textbook publishers (history, non-fiction, fiction, and other) have adopted new guidelines—which include the Negro in texts, and references in supplementary material. Expected to help both Negro and white children, respectively, in growing up with a sense of pride, and knowledge of Negro history, in books read in schools. Boston, Philadelphia, Pittsburgh, Chicago, and Detroit among school systems now using new-type texts. Teachers in many systems would like to use to give Negro students needed knowledge and respect for heritage—could aid in motivation.

VIETNAM NEWS CORRESPONDENT

As an example of how it seeks qualified talent, Group W sought out Edmund Dorsey, a Chicago newsman (WIND), and named him Saigon correspondent for the Company. Dorsey speaks Russian, Chinese (several dialects), and holds a Master's Degree from Keio University, Tokyo. Group W also has Carl Rowan, former director of the U.S. Information Agency and Ambassador to Finland, as an on-the-air commentator for radio and TV. In all, Group W now employs Negroes in some 80 positions, including a film editor, traffic manager, sales executive, and on-the-air newscasters.

BANK FOR THE FUTURE

To extend the sweep to recruit minority manpower, in cooperation with the National Urban League, the broadcasting industry has established the Broadcast Skills Bank. Broadcast management personnel and labor leadership, functioning on a voluntary basis with the League, will have an inventory of qualified minority group manpower interested in broadcasting, from which all participating broadcasters will be permitted to draw.

BOOKLET PRINTED

The Broadcast Skills Bank has an important community interest feature going for it—a 36-page booklet that makes it crystal clear to minority group youth the opportunities available in the industry.

The booklet shows Negroes now employed in a wide range of jobs. The picturing of Negroes at work in the broadcast industry gives additional visual impact. Too few booklets encouraging either sole company or industry-wide employment are of sufficient Negro-interest to do an effective job. Notable exceptions are General Electric Company's "At Work in Industry Today," and "You Can Be A Winner," produced by Los Angeles Plans for Progress companies. The Broadcast Skills Bank booklet, "Career Opportunities in Broadcasting," should go a long way toward convincing youth.

WHERE TO GET HELP

The booklet points up some of the traits needed for jobs in broadcasting. It tells to those interested in employment, the additional training that can be acquired, and further explains that scholarship assistance is available.

Race Relations and Industry recommends that a copy of the booklet be obtained as an example of how minority youth can visually be shown that "things are changing." Too often, statistics and an overall view do not allow youth an opportunity to fully understand what is happening, or an interpretation given to him at his level of understanding. For a copy of "Career Opportunities in Broadcasting," write: Broadcast Skills Bank, National Urban League, 55 East 52nd Street, New York 10022.

SCHOOL, COLLEGE EFFORT

The booklet will be distributed to minority group youth through vocational guidance counselors, at Negro and other predominantly racial schools, secondary schools, and college campuses. It will be available and distributed through the 70 offices of the National Urban League. Further, copies of the booklet will be distributed to some 250 stations invited to participate in the industry-wide program.

THE RESULTS SHOULD COME

As former NBC executive and consultant on broadcasting to the New York State Commission for Human Rights, Group W's George Norford, said, when introducing the Broadcast Skills Bank to Pittsburgh radio and TV executives recently, "The Skills Bank represents an affirmative action in the field of equal opportunity." It is a program that has industry-wide support, backed by top management, which holds promise for minority group youth, and which has interpreted this promise to them. Positive results should be forthcoming for this segment of American business and industry.

The American Plywood Association recently agreed to sponsor training projects in Mississippi, Alabama, Louisiana, and North Carolina, under the Manpower Development and Training Act. In Mississippi alone, some 400 unemployed workers will be trained as plywood mill operators, and 100 in each of the other states. Some 800 unemployed workers are to be trained for eight projected plants. Members of the Plywood Association participating in the Mississippi project include: *A. Dewesse Lumber Company, Southern Plywood Company,* and *St. Regis Paper Company.*

Celutone Plastics, New York, has named Earl T. Johnson as district manager of the company's newly established mid-western division, located in Chicago.

INSIDE GOVERNMENT

The Equal Employment Opportunity Commission has named Mrs. Marie Poston, a career government employee, as deputy director of the EEOC's regional office in Chicago. Mrs. Poston was considered one of the top members of the National Labor Relations Board's investigative staff, and established a pattern for quality investigative techniques for the EEOC. States covered by the Chicago EEOC office include: Illinois, North Dakota, South Dakota, Minnesota, and Wisconsin.

The National Job Corps Program announced that Mrs. Mary M. Chambers will become a consultant to the Office of Plans and Programs in the Corps, to explore and develop new types of training projects. Mrs. Chambers resigned as center director of the Job Corps Center for Women in Cleveland, sponsored by the Alpha Kappa Alpha Sorority, and was the only Negro heading such a post in Cleveland.

COMMUNITY COMMENTARY

The National Urban League has announced the appointment of M. T. Puryear to the newly created post of deputy executive director, according to Whitney M. Young, Jr., executive director. Puryear is now second in command of the interracial agency, assuming full responsibility and authority for the agency's nationwide operation. Puryear established the League's Skills Bank.

The National Urban League's successful Skills Bank program was designed to discover and secure employment for skilled Negro workers who were unemployed or underemployed. Now, the program in operation nationally has screened more than 340,000 applicants and placed over 5,000 in jobs commensurate with their talents and potential as skilled workers. Five hundred were hired in jobs never before held by Negroes.

The NAACP's Labor Director, Herbert Hill, told the organization's 57th annual convention that, unless a higher priority is given Negroes in the film industry; and, if necessary, "ring the nation's movie houses with picket lines." There has been an increased usage in Negro talent by motion picture companies and TV production companies, but unions have presented major problems. Too few starring roles is one criticism voiced by Negro groups; another, by actors themselves, points out that, unless a producer gets a "Poitier or Belafonte," no starring roles are given. Pickets and adverse publicity were employed for "The Longest Day," (20th-Century-Fox) because Negroes were not pictured as participating in D-Day.

[From WJKB-TV, Detroit, Mich., Aug. 29, 1966]

Detroit Broadcast Skills Bank To Become Reality

A unique experiment in human relations—a Detroit Broadcast Skills Bank—will take a giant step toward reality as the result of a meeting to be held at noon, Wednesday, August 31 at the offices of the Detroit Urban League.

A group of radio and television executives, representing all stations in the metropolitan area, will have the methods and goals of the "bank" explained to them by George E. Norford, General Executive of the Westinghouse Broadcasting Company; Lawrence M. Carino, Vice President and General Manager of WJBK-TV, who is serving as Chairman of the plan in Detroit; and Francis A. Kornegay, Executive Director of the Detroit Urban League.

Simply, the Broadcast Skills Bank is an extension of the broadcaster's responsibility to the community which he serves and whose thoughts and attitudes he so strongly influences. Specifically, it is a voluntary effort on the part of broadcasters to solve, in part, one of the gravest problems facing our nation today—the employment of minority group manpower.

In practice, the plan will have four integral and important phases:

1. The first step will be an effort to seek out and effectively catalogue the available minority group personnel who could possibly make a contribution to the Detroit broadcasting industry. This step will be effected through the offices of the Urban League and a volunteer force who will seek out, interview, screen and catalogue potential applicants.

2. As part-time vacancies occasioned by vacations occur, the plan foresees the Broadcast Skills Bank being drawn upon to give the broadcaster a chance to get to know the minority group personnel available to him and, equally important, to give the individual an opportunity to gain experience and to "get a foot in the door," something that is so vitally necessary for anyone desiring to enter broadcasting.

3. Under this phase, individuals who have gained experience through step 2 would be considered for full-time vacancies, for which they are qualified, with Detroit-area broadcasting stations. Appreciating the difficulty of arranging the coincidence of job vacancy with the availability of a qualified minority group member, the plan urges its participants to indulge in that degree of additional personnel hiring needed to make the program a success.

4. The final phase is much more long range in concept and forsees the day when scholarships, foundation grants, industry fellowships and the like will enable youthful members of minority groups, who otherwise have both promise and ambition, to overcome their deprived beginnings and obtain the specialized education and training so vital to achieving a position of leadership in the broadcasting industry.

The Detroit Broadcast Skills Bank will be an extension of the national program, which was established under the combined auspices of the three major networks—the American Broadcasting Company, the Columbia Broadcasting System and the National Broadcasting Company, plus the Westinghouse Broadcasting Company—in August 1964.

[From Variety, Sept. 14, 1964]

Detroit Hops Onto Broadcast Skills Bank; Carino Heads Plan

DETROIT, Sept. 13.—A Detroit Broadcast Skills Bank, an extension of the national program established by the three major networks and Westinghouse Broadcasting Co., has been organized.

Organizational meeting was held at Detroit Urban League with George E. Norford, general executive of Westinghouse; Lawrence M. Carino, v.p. and general manager of WJBK-TV, and Francis A. Kornegay, exec director of League, describing the plan to local AM-TV and advertising leaders. Carino is chairman of the plan in Detroit.

The plan is in four parts:

1—Seek out and list the available minority group personnel who could make a contribution to the Detroit broadcasting industry.

2—As parttime vacancies occasioned by vacations occur, the plan forsees the bank being drawn upon to give the broadcaster a chance to get to know the minority group personnel available to him and, equally important, to give the individual an opportunity to gain experience and "to get a foot in the door."

3—Individuals who have gained experience would be considered for fulltime jobs, for which they are qualified. Appreciating the difficulty of arranging the coincidence of job vacancy with the availability of a qualified minority group member, the plan urges its participants "to indulge in that degree of additional personnel hiring needed to make the program a success."

4—The final phase is much more long-range in concept. It forsees the day when scholarships, foundation grants, industry fellowships, etc., will enable youthful members of minority groups to overcome their deprived beginnings and obtain the specified education and training required to achieve a position in the broadcasting industry.

[From Variety, Sept. 28, 1966]

Group W's McGannon in Los Angeles To Beat Drums on a Broadcast Skills Bank

HOLLYWOOD, Sept. 27.—A score of local TV and radio execs attended a luncheon here last week designed to encourage employment opportunities for Negroes and other minority groups in all phases of broadcasting by utilizing a "Broadcast Skills Bank" set up specifically to provide personnel already trained or capable of being trained.

Successful "banks" already have been established in New York, Detroit and Pittsburgh, according to Donald H. McGannon, prexy and chairman of the board of Westinghouse Broadcast Co. McGannon also is chairman of a national committee that is organizing such banks throughout the country.

McGannon urged local station managers to take an active hand in setting up a program that would use members of minorities as vacation relief, or even to create additional positions so they can be trained. He emphasized that Group W stations have instituted such practices and that those employes soon are "pulling their own weight." Another, but longrange step, would be to set up scholarships that would enable potentially able people from poverty-stricken homes to gain the formal training necessary to qualify them for positions in broadcasting, he said.

McGannon said that the success of such a program here will depend on whether station toppers take active hand in supporting it and not leave it to the personnel department. He added that although past experience has shown that Negroes are, like whites, "more interested in on-air jobs," they should be informed of the wide range of opportunities available in broadcasting, both in blue and white collar areas.

A Greater Los Angeles Broadcast Skills Bank, under the supervision of the National Urban League, already is in existence and has on its rolls several dozen people of various degrees of training who are looking for jobs in the broadcasting industry. While admitting the need for even more people to be added to the rolls for selection, a spokesman said that local stations can help make the idea work only if they make use of the "bank."

George Norford, Westinghouse exec assigned to the project, said his company considers it "a hard-nosed business proposition to take advantage of an untapped reservoir of potentially skilled labor."

A similar national program already is in operation under the combined auspices of the three national networks, Westinghouse and, recently, Metropolitan Broadcasting Television. The pitch for Los Angeles local cooperation is part of an appeal that will be carried to most major cities.

McGannon stressed that the "bank" idea may not be ideal, but that few alternatives have been proposed. He said that no fund-raising is contemplated, as most stations should individually be able to afford the cost of training potential staff members.

THE WAGE-PRICE GUIDEPOSTS

Mr. JAVITS. Mr. President, the Joint Economic Committee has been holding hearings for several days now on the President's Economic Report, and we have had the opportunity to examine a number of witnesses concerning the wage-price guideposts of the President's Council of Economic Advisers.

The press has made much of the fact the President never mentioned the guideposts in his Economic Report this year, in contrast to last year's report, which specifically endorsed the guideposts. The result has been that many observers—in the press and elsewhere—have concluded that the guideposts are dead.

Yet the Council of Economic Advisers' 1967 Report devotes a full 15 pages to the guideposts and makes it very clear that, as far as the CEA is concerned, these guideposts are very much alive. And Secretary of Labor Wirtz yesterday informed the committee that, as far as he was concerned, the "productivity principle"—which is, in essence, the guideposts—is an essential ingredient in anti-inflationary policy.

It is for that reason that I think it is important to keep an eye on these guideposts—and particularly on the way the administration has employed these guideposts "extralegally."

In this connection, Mr. President, I ask unanimous consent that there be printed in the RECORD two documents. First, a copy of a recent letter I have written to the Director of the Federal Mediation and Conciliation Service concerning the use of the guideposts in collective bargaining mediation, and second, a study appearing in the Harvard Law Review of January 1967 entitled "Wage-Price Guidelines: Informal Government Regulation of Labor and Industry," which details the extralegal steps taken by the administration to enforce these guideposts.

There being no objection, the letter and study were ordered to be printed in the RECORD, as follows:

JANUARY 9, 1967.

Mr. WILLIAM E. SIMKIN,
Director, Federal Mediation and Conciliation Service, Washington, D.C.

DEAR MR. SIMKIN: It is my earnest hope that you and the officials of the Federal Mediation and Conciliation Service will give the most considered attention to avoiding the improper use of the wage-price guidelines at the bargaining table.

I make this request because *I have been convinced by events of the past year that the Administration's insistence on using the guidelines as a rule of collective bargaining rather than as a yardstick to guide the operation of our monetary and fiscal policies has, in many instances, led to the undermining of the collective bargaining process, has not succeeded in restraining inflation and has seriously impeded the functions of mediation agencies.*

An unusually large number of labor-management agreements must be renegotiated this year. Since most experts believe that these agreements will be extremely difficult to negotiate, I feel that next week's meeting of all Federal Mediation officers in Washington would be the appropriate time and place to clear away the confusion over just what these guidelines are and how they should be used.

For this reason, I would urge you and the officials of the Federal Mediation and Conciliation Service to consider the following during your meeting in Washington:

In my judgment, the wage-price guidelines can never reasonably be expected to *do* anything, except indicate when we are in trouble. They are a yardstick—a way of measuring the impact of our fiscal and monetary policies. But they are *not*, nor should they be, a substitute for such policies. Indeed, to the extent that the President has sought to coerce labor to moderate its collective bargaining demands on the basis of these guidelines, or to restrain management from granting such demands when management can afford them and would otherwise have granted them, the guidelines have been abused. As a consequence we have witnessed not only a deterioration of the Government's prestige but also an unfortunate clouding of the real problems—a weakness in our fiscal and economic policies—and an undermining of free collective bargaining.

When wages begin to rise faster than the average national increase in productivity—3.2% as specified in the guidelines—and the price level rises, then the guidelines tell us something. *They tell us, not that it is time to start applying extra-legal White House pressures to force labor and management to adhere to a policy which does not fit the economic climate, but rather that it is time to do something to change that climate.* If profits are high, labor will naturally ask for a larger share. If labor costs go up faster than productivity, management will seek to cover those costs with higher prices. And if the Administration insists on trying to force the parties not to do what they would otherwise naturally do, then (1) the Administration is going to end up being "kicked in the teeth" (to use Secretary Wirtz' phrase) as it was in the airlines strike, (2) the guidelines will be characterized as a "failure" because they "failed" to restrain the parties (which they were never really designed to do in a high inflationary pressure situation), (3) the ordinary processes of collective bargaining will be stymied because of the outside pressure (as was certainly the case in the airlines strike), and (4) the real need will be clouded and camouflaged—the need to meet continued inflation and to finance rising Vietnam costs and essential domestic programs with effective action—a cut in non-essential civilian spending or a temporary tax increase.

I do not mean to suggest for a moment that there is anything improper or even unwise about having a "third seat at the bargaining table." The government has very important roles to play. First, it can supply skilled and knowledgeable mediators. But the proper and only successful role of a mediator is to facilitate compromise—to help the parties seek successfully their own self-interest, and to keep the parties from taking positions in the heat of controversy which, if evaluated calmly and carefully, would turn out to be irrational from the parties' own points of view. And second, the government quite properly has an interest in insuring that services essential to the public interest are not interrupted.

But when the government also tries to sit at the bargaining table and enforce the guidelines, then, if there are strong economic pressures at odds with those guidelines, the occupant of the "third seat at the bargaining table" will be a hindrance, not a help, and will fail to accomplish any of the government's objectives.

The airlines strike is a good case in point. There, the government was trying to accomplish three things. First, it was trying to mediate the dispute—to help the parties reach a compromise which they could both accept. Second, the government was trying to avoid an interruption in essential transportation services. And third, the government was trying to avoid an inflationary wage settlement in "violation" of the guidelines. But because of the third objective, the government failed in all three. How could the mediators foster a "compromise" which was within the guidelines, when the airlines' pre-strike offer already exceeded the guidelines and was rejected by the Union? Conversely, how could the government protect the guidelines without forfeiting the impartiality of its mediators, when the only settlement which would even come close to the guidelines would involve complete capitulation by the Union? And finally, how could the government preserve essential transportation services at the same time that it was trying to restrain the parties from compromising at all? The result: complete failure all around. Indeed, if the parties had been left to their own devices, I suspect they could have reached a settlement within a week, which would not have been any more inflationary than the one they finally signed after an extended strike, extensive damage to the public interest, and much unsuccessful pressure by the government.

I am not suggesting that we now give up the guidelines. But it is clear that the guidelines as presently formulated are no longer either a description of what is happening nor a guide which labor and management can be persuaded to follow. Indeed, *the Administration's readiness to abandon the 3.2% standard in the face of widespread labor demands is merely evidence of the impotence of the guidelines in a rising-price economy.*

After all, the gross average weekly earnings of the factory worker in November 1966 was at an all-time high: $113.99, up from $109.71 a year earlier. That is an increase of over 3.9% in *gross* wages. But during the very same 12-month period, according to the Bureau of Labor Statistics, the *real* wages (in terms of purchasing power) of the average factory worker *declined more than 1.3%. How can we really expect labor to "slow down" when they have to run so hard just to keep from going backward?*

It is my hope that the Joint Economic Committee of the Congress, at the earliest opportunity, will look into the future usefulness of the guidelines in a free market economy, as it considers revisions and alternatives to present fiscal and monetary policies to enable the Government to move more effectively and promptly to cope with economic trends without sacrificing the basic institutions of our society.

I am committed to two objectives: fighting inflation and preserving freedom of collective bargaining. I believe a sound fiscal policy can help accomplish both. But I am equally convinced that reliance on the guidelines, to the exclusion of sound fiscal policy and as a substitute for free collective bargaining, will accomplish neither.

With best wishes,
Sincerely,

JACOB K. JAVITS.

[From the Harvard Law Review, January 1967]

WAGE-PRICE GUIDELINES: INFORMAL GOVERNMENT REGULATION OF LABOR AND INDUSTRY

Giant corporations and powerful unions have become familiar institutions in America. While the "invisible hand" of inexorable market forces may still largely determine prices and wages in most industries, many economists argue that at least in some industries the discretionary decisions of companies and unions have a major impact on wage and price levels.[1] In an effort to prevent the inflation which is said to result from these discretionary decision without establishing direct government controls over private industry, a program of wage-price guidelines was promulgated by the President and the Council of Economic Advisers. Although the program is voluntary in name, certain sanctions have apparently been used to obtain compliance with it. In this Note the economic justification for the guideline program is not assessed, but its background and operation, certain difficulties in its administration, and its statutory or constitutional bases are examined.

I. BACKGROUND AND OPERATION

Inflation is a perennial problem. Economic theorists have proposed varying diagnoses of its causes and prescriptions for its cure.[2] Most anti-inflationary measures involve the use of the monetary policies operated through the Federal Reserve Board and the Treasury or the fiscal policies implicit in congressional and presidential decisions as to federal taxes and spending. However, in times of great national emergency, when vast government expenditures and the limited availability of goods for domestic consumption drive demand far above supply, direct controls over prices and wages have been employed. During World War II, for example, agencies were established by statute to implement such controls.[3] Though this technique was effective in preventing inflation, it involved pervasive government control of the entire private sector of the economy. Price and wage control was a burden which the country bore in furtherance of the war effort. The controls were removed soon after the war ended, though it was feared that the pent-up demand for goods caused by the accumulation of liquid assets and the exhaustion of consumer durables would result in a considerable degree of inflation.[4] In fact, between 1945 and 1948 the consumer price index rose 35.2 percent and the wholesale price index rose 54.4 percent.[5] Nevertheless, this was preferred to continuing government supervision, which was thought politically and socially undesirable, and less effective in the long run than the free play of market forces in properly allocating the resources of the economy.

Though a new burst of inflation was set off by mobilization for the Korean conflict,[6] inflation has since been somewhat sporadic and relatively mild.[7] While "creeping" inflation of the kind recently experienced may not be intolerable, it is nonetheless undesirable for two principal reasons.[8] First, it results in an arbitrary redistribution of income and wealth to the disadvantage of those with fixed incomes or fixed-income assets. For example, those receiving pension fund benefits find the value of the monthly check gradually diminishing in terms of purchasing power. Second, as American goods become more expensive they become less attractive to foreign purchasers and foreign goods become more attractive to American buyers. As a result, the volume of exports decreases while that of imports increases, and the balance of payments becomes less favorable.

Economists have argued that the creeping post-Korean inflation has not been caused primarily by excess demand (though that cause may be gaining importance of late[9]) but by a "cost-push" inflationary spiral resulting from the interplay of union and management decisions in industries characterized by concentration of private economic power.[10] Unions demand higher wages, and managements acquiesce since the raise can be passed on to consumers in the form of higher prices. Though not all industries are characterized by concentrated economic power, those which are tend to be basic industries, and increased prices there mean increased costs to the many industries using the product. Thus, the inflation spreads. If, it was argued, inflation is caused by these private decisions, then it cannot be controlled effectively by the use of overall fiscal and monetary policies. While it could be attacked directly by coercing the decision makers, government control of industry is antipathetic to the American free enterprise tradition. So, the voluntary program emerged. Though business leaders continue to question the economic premises upon which the program rests,[11] this Note is concerned not with the valdity of those premises but with the operational difficulties and legal bases for the program as it has been applied.

The *Annual Report of the Council of Economic Advisers* for 1962, presented to Congress together with the *Economic Report of the President*, announced that in order to achieve overall price stability private price and wage decisions should be based the rate of productivity increase in the economy as a whole.[12] The general guide for wages was that "the rate of increase in wage rates (including fringe benefits) in each industry be equal to the trend rate of over-all productivity increase."[13] The guidelines called for "price reduction if the industry's rate of productivity increase exceeds the over-all rate . . . an appropriate increase in price if the opposite relationship prevails, and . . . stable prices if the two rates of productivity increase are equal."[14] To allow for special conditions in some industries, several possible exceptions were noted. Wage rates could be responsive to an excess or scarcity of labor in a particular industry, and could be brought into line with prevailing wages in like industries. Prices could respond to a need for capital or a current overcapitalization, and to changes in nonlabor costs. It was suggested that prices should fall where they were based upon excessive market power and resulted in unusually high profits. By doing the technical job of deciding what prices and wages should be in order to prevent inflation, the Council tried to provide standards by which the public could evaluate actual price and wage decisions. The Council outlined what labor and management should do, and relied on their public spirit and the pressure of public opinion to secure compliance. The President's remarks confirmed this interpretation of the guidelines as did the approving report of the Joint Economic Committee after its hearings on the Economic Report.[15]

The effectiveness of the newly instituted guidelines was soon put to public test by events in the steel industry, a traditional economic bellwether and the industry most often charged with major responsibility for the inflation of the 1950's.[16] Wage negotiations were in progress, and the Administration brought its influence to bear in favor of a noninflationary settlement. Council of Economic Advisers Chairman Heller asserted that such a settlement was important to economic stability,[17] and President Kennedy urged progress in negotiation.[18] The agreement, when it came, incorporated no significant wage changes, and was hailed by the President as noninflationary.[19] Just ten days after the settlement, U.S. Steel announced an average price increase in terms of increased labor costs since 1958 when the dollars per ton, justifying the increase in terms of labor costs since 1958 when the last price change had been made.[20] The President acted immediately to bring the pressure of public opinion to bear, excoriating the executives for "irresponsible defiance of the public interest" and "ruthless disregard of their public responsibility."[21] Privately, he was said to remark: "My father always told me that all business men were sons-of-bitches but I never believed it till now!"[22]

The mobilization of public opinion was not, however, the only means relied upon to obtain compliance with the guidelines. President Kennedy conferred with Secretary McNamara, who awarded large defense contracts to the firms which had not raised prices.[23] Congressman Celler, Chairman of the House antitrust subcommittee, scheduled hearings, and the Federal Trade Commission began studying possible violation of a 1951 consent decree barring collusive price fixing.[24] The Internal Revenue Service was said to have begun reconsidering the tax status of executive compensation.[25] When five other major companies followed U.S. Steel by raising their prices, Attorney General Kennedy announced a grand jury investigation of possible Sherman Act violations.[26] In this atmosphere Inland and Kaiser refused to raise their prices, and the other firms soon rescinded their increases.[27] The pressure exerted by the Administration was thought to be a major cause of the rescission,[28] and Republican leaders attacked the President for his intervention.[29] The guidelines, however, had survived a public test of effectiveness in limiting both wage and price increases, though they seemed to be less voluntary than their designers had asserted.

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[1] *See generally, e.g.,* H. Briefs, Pricing Power and "Administrative" Inflation (1962); G. Means, Pricing Power and the Public Interest (1962).

[2] *See, e.g.,* authorities cited note I *supra;* J. Schumpeter, History of Economic Analysis (1954); W. Thorp & R. Quandt, The New Inflation (1959).

[3] Ross, *Guideline Policy—Where We Are and How We Got There,* in Guidelines, Informal Controls, and the Market Place 114–17 (G. Schultz & R. Aliber eds. 1966) [hereinafter cited as Guidelines]. *See generally* A. Director, Defense, Controls, and Inflation 147–253 (1952).

[4] H. Moulton, Can Inflation Be Controlled? 138–42 (1958). *But cf. id.* at 144–46.

[5] 1962 Ann. of the Council of Economic Advisers 169 [hereinafter cited as Council Report].

[6] H. Moulton, *supra* note 4, at 147–51.

[7] *See* Ross, *supra* note 3, at 134–35.

[8] *See generally* S. Harris, The Incidence of Inflation: Or Who Gets Hurt? (Joint Econ. Comm. Study Paper No. 7, 1959).

[9] *See, e.g.,* Address by Gardner Ackley, Chairman of Council of Economic Advisers, to the National Industrial Conference Board, Oct. 6, 1966.

[10] *E.g.,* Ackley, *The Contribution of Guidelines,* in Guidelines 68–72.

[11] *E.g.,* Lecture by Roger Blough at New York University School of Commerce, Nov. 14, 1966.

[12] 1962 Council Report 186. The idea that prices and wages should reflect productivity had been suggested by the Council under both Presidents Truman and Eisenhower. Ross, *supra* note 3, at 119.

[13] 1962 Council Report 189.

[14] *Id.*

[15] 1962 Economic Rep. of the President 16–17; Ann. Rep. of the Joint Econ. Comm. on January 1962 Economic Rep. of the Pres., 87th Cong., 2d Sess. 64 (Comm. Print 1962).

[16] *E.g.,* O. Eckstein & G. Fromm, Steel and the Postwar Inflation (Joint Econ. Comm. Study Paper No. 2, 1959).

[17] N.Y. Times, March 18, 1962, at 84, col. 2.

[18] *Id.,* March 8, 1962, at 1, col. 4.

[19] *Id., April 1, 1962, at 1, col. 1.*

[20] *Id.,* April 11, 1962, at 28, col. 2. For a dramatic account of the entire ensuing episode of price increase and rescission see G. McConnell, Steel and the Presidency (1963).

[21] N.Y. Times, April 12, 1962, at 20, col. 1.

[22] *Id.,* April 23, 1962, at 25, col. 1.

[23] *Id., April 18, 1962, at 22, col. 6.*

[24] *Id.,* April 12, 1962, at 1, col. 2.

[25] *Id.,* April 20, 1962, at 12, col. 5.

[26] *Id.,* April 13, 1962, at 1, col. 8.

[27] Id., April 14, 1962, at 1, col. 8.

[28] E. Flash, Economic Advice and Presidential Leadership 228 (1965); N.Y. Times, April 14, 1962, at 1, col. 8. *But cf.* G. McConnell, *supra* note 20, at 115. McConnell asserts that the power of the market place rather than that of the President prevailed.

In 1963, the steel wage settlement was again noninflationary and the aggregate 1 percent price increase was also within the terms of the guidelines.[30] Chairman Heller said that they were acceptable,[31] and the President, having warned that there would be administration action in case of a general increase,[32] said that the actual price changes showed that the industry had acted with some restraints.[33]

The low 1962 and 1963 steel wage settlements, while noninflationary, were probably due less to respect for the guidelines or fear of administration action than to the high rate of unemployment during the period and the consequently weak bargaining position of the union.[34] By 1964 the employment rate had improved and unions were becoming more aggressive. The 1964 *Economic Report* included a more definite standard: wage increases were generally not to exceed 3.2 percent, the trend rate of productivity increase in the economy as determined by the Council of Economic Advisers, and it was emphasized that the exceptions were intended to apply in "relatively few cases."[35] It was mentioned in passing, perhaps to indicate the ability of the Government to exert pressure for compliance with the price guidelines, that the Government was the country's largest single purchaser.

In this context of improved union bargaining position and a firmer government stance toward implementation of more definite guidelines, wage negotiations were begun in the automobile industry. The United Automobile Workers demanded the largest wage increase in ten years, 4.9 percent, a figure clearly above the guidelines.[36] President Johnson warned that no settlement should be reached which would revive the wage-price spiral and Chairman Heller affirmed that the demands exceeded the guidelines, but Walter Reuther, President of the UAW, announced that there would be no change in his position.[37] In July, the President urged a responsible settlement, hinting that the alternative would be government intervention.[38] However, in a Labor Day speech in Detroit, he did not advert to the wage negotiations.[39] Shortly thereafter Chrysler Corporation made a settlement involving a 4.5 percent increase, soon followed by the other firms.[40] The President called the settlement generous, and hoped it would not set the pattern for contracts in other industries.[41] Conceding that the guidelines had been violated, he pointed out that the industry had also violated them by failing to cut prices despite an above average productivity gain. Thus, while the strong action against the steel companies had been justified by the steel union's noninflationary wage settlement, strong action against the automobile union was less justifiable in view of the automobile manufacturers' inflationary failure to reduce prices.

Against this background of administration acquiescence in 1964, the steel union began to press for higher wages, citing price increases by the steel companies.[42] Chairman Ackley of the Council found that the price changes were noninflationary [43] and the President praised industry cooperation with the Council, urging that there be no strike and that wage settlements be noninflationary.[44] A 3.2 percent increase was agreed upon, just on the guideline figure.[45] The large automobile union's wage increase in 1964 thus began to appear an exception, excused by the failure of the firms to cut prices and perhaps tolerated because of administration reluctance to alienate union members immediately before the election.

Other events in 1965 seemed to confirm the strength of the guidelines. Shortly after the steel settlement, certain leading aluminum companies instituted a price increase.[46] It was reported that President Johnson, "sputtering mad," called a meeting to discuss dumping government stockpiles on the market to increase the supply of aluminum and make the price increase infeasible.[47] Conferences were immediately held to discuss stockpile disposal, but it was denied that they were linked to the price increases.[48] When Alcoa Aluminum Company joined the other major firms in raising its prices,[49] the Government announced plans to release 200,000 tons from its stockpile, though connection with the price increases was again denied. Simultaneously, Chairman Ackley denounced the price increases as inflationary.[50] Two days later, the Government increased its threatened release to 300,000 tons and discussed selling 100,000 tons immediately.[51] The next day, Defense Secretary McNamara, who had led the stockpile conferences, announced rescission of the price increase and said that the Government would resume stockpile talks and perhaps release less than 200,000 tons over an extended period.[52] President Johnson praised the industry's public spirit in rescinding the price increases.[53]

At almost the same time, the Government was engaged in discussion with the copper companies of an 8 percent increase in copper prices. Secret conferences with industry leaders were reported,[54] and Secretary McNamara announced that 200,000 tons of copper from the "permanent stockpile" would be sold to fill requirements of companies engaged in defense production.[55] Even though an immediate effect was not expected, on release of the stockpile the copper companies lowered their prices.[56]

If it was not easy to control price increases in industry, the President soon found that it was also difficult to control the wages of government employees. President Johnson asked a 3 percent raise for civil servants, but Congress voted an even higher increase. The President called the bill "disastrous" to the guidelines,[57] and the figure was reduced to 3.6 percent, which the President was willing to accept.[58] This encounter suggests that the guidelines found their support in the executive branch, rather than in Congress.

The year 1966 began propitiously for the guidelines, with a noninflationary compromise reduction of a January 1 steel price increase after the President had apparently threatened use of defense contracts to discriminate against companies which raised prices.[59] However, the refusal of steel executives to announce price increases to the Council in advance, or to come to Washington to discuss the increases,[60] indicated that industry leaders were still unwilling to consider government interest in their pricing policies as legitimate. In some quarters the compromise was viewed as reflecting decreased administration insistence on maintenance of the guidelines.[61]

The International Association of Machinists began its 1966 airline wage negotiations by asserting that there would be no settlement within the 3.2 percent guideline.[62] A board formed by the President to avert a strike by negotiation immediately announced that it did not regard itself as bound by the guidelines,[63] and at length it recommended a 3.5 percent settlement.[64] When the union rejected the proposal and a strike later ensued,[65] the President was silent and his press secretary said that executive machinery was exhausted.[66] Former Chairman Heller announced his fear of a renewed wage-price spiral,[67] and legislation to permit forced termination of the strike was introduced in Congress. Passage was delayed by disagreement between the President and Congress, neither of which wished to bear the political onus of forcing striking workers back to work.[68] After White House conferences, the President announced a "noninflationary" settlement of over 3.5 percent.[69] The guidelines, it was felt, had been overturned. The union membership, however, voted to reject the agreement their leaders had made and the strike continued.[70] Two days later, the steel corporations began a broad price advance.[71] The President immediately attacked the price increase as irresponsible and inflationary, but the Administration's protests were weak, and Chairman Ackley admitted that the events of the airline wage settlement and the steel price increase constituted defeats for the guidelines.[72]

Experience with the guidelines has shown that, while no formal legal enforcement has been attempted, neither is their enforcement left entirely to public opinion or moral persuasion. Rather, the President has in some cases brought government force to bear in order to obtain compliance. Procurement policy, stockpile disposal, and by some accounts antitrust and tax enforcement policies have been used with varying degrees of success.

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[29] N.Y. Times, April 20, 1962, at 1, col. 1.

[30] Ross, *supra* note 3, at 123.

[31] N.Y. Times, May 11, 1963, at 28, col. 2.

[32] *Id.*, April 12, 1963, at 9, col. 4.

[33] *Id.*, April 20, 1963, at 10, col. 8.

[34] *Cf. Ross, supra* note 3, at 123.

[35] 1964 COUNCIL REPORT 119.

[36] N.Y. Times, March 19, 1964, at 44, col. 8.

[37] *Id.*, March 24, 1964, at 1, col. 1; *id.* at 19, col. 1

[38] Id., July 11, 1964, at 6, col. 3.

[39] *Id.*, Sept. 8, 1964, at 34, col. 4.

[40] *Id.*, Sept. 10, 1964, at 1, col. 8; *id.*, Sept. 19, 1964, at 1, col. 4 (Ford); *id., Oct. 6, at 1,* col. 5 (GM).

[41] *Id.*, Oct. 6, 1964, at 21, col. 5.

[42] *Id.*, Dec. 29, 1964, at 13, col. 1.

[43] *Id.*, Feb. 3, 1965, at 44, col. 3.

[44] *Id.*, Feb. 5, 1965, at 28, col. 1; *id.*, Sept. 5, 1965, at 46, col. 1.

[45] Id., Sept. 10, 1965, at 1, col. 1. Conrad Cooper, a U.S. Steel executive, later claimed that the increase was 3.5%. *Id.*, Oct. 16, 1965, at 9, col. 2.

[46] *Id.*, Oct. 30, 1965, at 45, col. 1.

[47] *Id.*, Nov. 1, 1965, at 1, col. 1.

[48] *Id.*, Nov. 2, 1965, at 1, col. 6.

[49] *Id.*, Nov. 6, 1965, at 1, col. 8.

[50] *Id.*, Nov. 7, 1965, § 1, at 1, col. 8.

[51] *Id.*, Nov. 10, 1965, at 9, col. 8.

[52] *Id., Nov. 11, 1965, at 1, col. 1.*

[53] *Id.*

[54] *Id.*, Nov. 17, 1965, at 65, col. 1.

[55] *Id.*, Nov. 18, 1965, at 1, col. 1.

[56] *Id.*, Nov. 21, 1965, § 3, at 1, col. 8. It has, in fact been suggested that the industry deliberately sought the confrontation in order to still demands from abroad for price increases.

[57] *Id.*, Aug. 26, 1965, at 14, col. 6.

[58] *Id.*, Oct. 31, 1965, § 1, at 40, col. 5.

[59] *Id.*, Jan. 6, 1966, at 1, col. 1.

[60] *Id.* at 31, col. 2.

[61] Id., Jan. 9, 1966, § 3, at 1, col. 1.

[62] *Id.*, April 16, 1966, at 66, col. 1.

[63] *Id.*, May 7, 1966, at 13, col. 4.

[64] *Id.*, June 9, 1966, at 23, col. 1.

[65] *Id.*, July 9, 1966, at 1, col. 8.

[66] *Id.*, July 16, 1966, at 1, col. 6; *id.* at 50, col. 2.

[67] Id., July 19, 1966, at 24, col. 2.

[68] *E.g., id.*, July 26, 1966, at 1, col. 6.

[69] *Id.*, July 30, 1966, at 1, col. 8.

[70] *Id.*, Aug. 1, 1966, at 1, col. 8.

[71] *Id.*, Aug. 3, 1966, at 1, col. 8.

[72] *Id.*, Aug. 7, 1966, at 24, col. 1.

One possible justification for the high airline wage settlement lies in the fact that by 1966 the economy was generally experiencing some degree of inflation. In these circumstances, unless industries subject to the guidelines are to experience a *relative decline* in income, the guideline figure must be adjusted upward. The Council has made no explicit adjustment of the guideline figure—perhaps because to do so would be to justify and even promote general inflation; but the failure to do so may be contributing to the program's *difficulties in present* economic conditions.

II. ADMINISTRATIVE DIFFICULTIES

Objections to the principles underlying the guidelines seem to have contributed to the failure of business and labor leaders to observe them voluntarily in important instances. As the program has ceased to be entirely voluntary, moreover, it has suffered from the inadequacies and inequalities of the available sanctions. A comparison with voluntary balance of payments programs suggests that these difficulties need not plague all informal government economic programs.

A. Basic objections

1. *To the principles.*—A government policy on wages and prices inevitably affects the distribution of income between wages and profits. Though the guideline program is not aimed at redistributing wealth, or even at maintaining the present distribution, it necessarily affects that distribution. The Council's reports have persistently contended that unions and management may agree to any division of income, so long as the result is noninflationary.[73] But a wage settlement above the guideline figure, explicitly accepted by management as to be paid out of profits and not to be recouped through higher prices, is difficult to imagine. Moreover, if management and labor in one industry agree to a higher wage increase than that contemplated by the guidelines, those higher wages will inevitably be reflected in increased union demands in other industries. Thus, any wage settlement above the guidelines is likely to be inflationary. The guidelines seem to enshrine the status quo and, by tying wages to productivity, operate against any union demand for higher wages for a given level of productivity. Workers, under the guidelines, can get more only as total national wealth increases; they may not increase their share of existing wealth. The guidelines thereby encroach indirectly on an important area previously left to private negotiation and, so far as they are effective, operate to stifle union demands.

Another reason for union rejection of the guidelines may be found in the special interests of union leaders. In the past, wage increases beyond productivity have apparently been offset by price increases, with the result that labor's share of the national income has remained stable.[74] The status of labor leaders may, however, be determined more by increases in apparent money wages than by real wage increases discounted for inflation. In addition, in an economy subject to inflation the exceptional case where real wage decreases are necessary due to falling industry profits or decreased industry demand for labor can be met simply by holding wages constant as the value of the dollar declines. While the same real change could be made in a noninflationary economy by decreasing wages, the direct wage decrease would probably be considerably less palatable to union members than the less visible erosion of their wages by inflation. The union leaders may thus have a vested interest in an inflationary situation in which wages need not be overtly decreased.

Since company income statements are never discounted for inflation, managers may have a similar interest in inflation, because it means high levels of apparent profits.[75] A more significant factor in limiting management acceptance of the guidelines, however, has probably been resistance on general ideological and social or political grounds to the concept of any government policy for control of wages and—especially—profits, reinforced by skepticism toward the economic theory on which the guidelines are based.

2. *To the application.*—Both unions and management may challenge the basic productivity figure which is central to the application of the guidelines.[76] The chief problems in determining productivity change are isolation of the long-term trend from the effects of short-swing business cycles and projection of the long-term trend into the future. In the 1962 and 1963 *Reports* the complexity of the problem was recognized and a range of figures for different time periods and different sectors of the economy was set forth. In 1964, however, a single figure was set as the guideline: 3.2 percent.[77] It was based on the average annual percentage change in output per man-hour during the latest five-year period. The single figure has the advantages of simplicity and an apparently sound economic basis though, as the 1962 *Report* implies, the statistics upon which it is based may be inadequate.[78] By 1966, however, the method of calculation would have yielded a 3.6 percent guidepost.[79] Since "nobody with any sense believes that the steady-state rate of increase of output per man-hour in the private economy is now 3.6 percent annually,"[80] the Council chose to stay with the 3.2 percent figure, though the initial justification for it could no longer be cited. In view of its history, the figure appears to be arbitrary and is probably, at best, only a rough approximation. Criticism of it has been widespread,[81] and neither labor nor management is likely to defer voluntarily to a suspect figure.

The application of the guidelines to particular price and wage situations may be open to even more serious challenge. Where a product is changing rapidly, firms can claim that price increases represent improvements in the product. To dispute this claim, the Government would have to undertake a detailed study of productivity although statistics are not often available and reliable. It is notable that the Government has taken action primarily against undifferentiated, stable products, such as steel, copper, and aluminum. The application of the exceptions to the guideposts also involves many fine questions of fact, which the Council may not have sufficient staff to analyze.[82] As a result, the guidelines may be applied only to those cases in which the inapplicability of the exceptions is clear; but this may lead parties to believe that application is discriminatory, consequently increasing reluctance to comply voluntarily.

B. Inadequacy of sanctions

Since the guidelines were designed to be voluntary, no systematic scheme of sanctions for enforcement was devised. The sanctions that have been used or threatened have emerged haphazardly out of ad hoc improvisation. The inadequacies of the resulting enforcement pattern produce inequality among various industries and between management and labor. Thus, even a proponent of the guidelines acknowledged:[83] "In practice, one must admit, the guideposts will operate unevenly; relative prices and resource allocations may thus be affected. One can hope that these effects are second-order."

1. *Wages.*—While price roll-backs have sometimes been achieved as the result of government pressure, there are no effective sanctions which have been used to obtain compliance in the case of wage disputes.[84] This is evident in the automobile and airline settlements, where the unions began by announcing that the guidelines were to be ignored. No stockpiles, government contracts, or antitrust or tax suits are available for use in persuading unions, and the bare power of preachment—the only "sanction" the program admits—has proved inadequate. Even in the airline strike, where union leaders seemed convinced, the members were not persuaded and the strike went on. The President, for political reasons, may be reluctant to lecture the workers on their duties to the public interest, as indicated by his silence on the matter in his Detroit Labor Day speech during wage negotiations and the general tendency to use harsher language about uncooperative managements than about intransigent unions.[85] As a result, it is widely thought that the guidelines have had little if any effect upon wage bargaining.[86] The result of enforcing the guideposts against a company's price increase after its union had exceeded the guidepost would be a government-enforced redistribution of income in favor of the union. In fact, however, a failure of the guideposts on the wage side seems to lead to their breakdown on the price side, perhaps even spreading to other industries, as exemplified by the steel price increase after the airline wage settlement.

2. *Prices.*—Sanctions are not equally available to combat each price increase. The Government holds stockpiles of few goods, and contracts are not always available to grant to firms at a time when they are debating whether to follow a price increase. Further, if all members of an industry raise prices, an event which seemed narrowly averted in the steel episode of 1962, the contracting power would be of no avail since there would be no basis for discrimination unless goods were to be bought abroad, harming the balance of payments, or unless substitution of some other product were feasible. Nor is antitrust or tax harassment, if that is used, equally feasible in each instance, since there may be no colorable cause of action. Finally, there is the likelihood that sanctions will be more readily applied when the application of the guidelines themselves is relatively simple.

In addition, the guidelines require prices to move downward whenever an industry's productivity increase rate exceeds the national average. But sanctions have never been used to force prices downward, and these changes do not occur voluntarily.[87] Since the guidelines allow price increases to the extent that productivity increases fall below the national rate, the absence of the corresponding price decreases when productivity is high means that there will be inflation. Moreover, firms whose productivity increase is equal to the national rate end up with the same zero price change as firms whose productivity increase is above the national rate, so that the guidelines work unfairly to the advantage of the second group.

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[73] *E.g.,* 1962 Council Report 188; 1966 Council Report 91.

[74] *See* Table F-9, National Income by Distributive Shares, 1958 Council Report 126; 1966 Council Report 90.

[75] Profits, in an inflationary period, appear to grow in absolute terms and also as a percentage of assets, carried at deflated values, but not as a percentage of sales.

[76] *See e.g.*, Lecture by Roger Blough at New York University School of Commerce, Nov. 14, 1966; *cf.* Bliss, *Flaw in the Wage-Price Guideposts,* Harv. Bus. Rev., May–June 1966, at 73; Friedman, *What Price Guideposts?,* in Guidelines 17.

[77] *Compare* 1962 Council Report 185–90 *with* 1964 Council Report 112–20.

[78] 1962 Council Report 185–86 (*semble*).

[79] 1966 Council Report 92.

[80] Solow, *The Case Against the Case Against the Guideposts,* in Guidelines 41, 53.

[81] *E.g.,* Bliss, *supra* note 76.

[82] Only two or three staff members work regularly on these problems. Testimony of Chairman Ackley, *Hearings on H.R. 11916 Before a Subcommittee of the Senate Committee on Government Operations,* 89th Cong., 2d Sess. 111 (1966) [hereinafter cited as *Hearings*].

[83] Solow, *supra* note 80, at 51.

[84] *Cf.* Dunlop, *Guideposts, Wages, and Collective Bargaining,* in Guidelines 81, 84.

[85] *E.g., compare* N.Y. Times, Nov. 1, 1965, at 1, col. 1 (President Johnson "sputtering mad" at aluminum price increase) *with id.,* July 31, 1966, § 4, at 1 col. 1 (review of presidential inaction during airline strike).

[86] *E.g.,* Dunlop, *supra* note 84.

Just as failure to control wage increases operates to weaken the price guidelines, failure as to prices may lead to violation of the wage guideline. After the automobile wage negotiations the President, justifying the high wage settlement, pointed out that though the companies had made above average productivity gains they had not lowered prices as the guideposts required.[88] Moreover, when that union was allowed a wage increase of more than 3.2 percent workers in other industries were encouraged in their demands for higher increases, violating the guidelines.

C. Balance of payments programs

On February 10, 1965, President Johnson announced new methods of reducing the balance of payments deficit in a speech to Congress.[89] Among these was a program administered by the Federal Reserve Board to "enroll the banking community in a major effort to limit their lending abroad," and another voluntary program administered by the Secretary of Commerce "to enlist the leaders of American business in a national campaign to limit their direct investments abroad, their deposits in foreign banks, and their holdings of foreign financial assets . . . ." Both the items to be affected by these programs were substantial factors in the balance of payments deficit.

The bank guidelines called for a limitation on lending based on each bank's previous foreign lending and, with some exceptions, they were to apply to all banks.[90] Monthly reports of foreign lending were requested and, when a bank exceeded its target, a meeting would be arranged to discuss methods of improvement; compliance usually followed.[91] The program administered by the Secretary of Commerce called for each of 600 businesses to set up its own balance of payments program, aiming at a 15 to 20 percent improvement, with quarterly reports to be submitted.[92] Participation under both programs has been good, and an initial improvement in the balance of payments took place in these items.[93]

The improvement might have taken place even without the programs, since the decreased demand for foreign loans stemming from the interest equalization tax, and the increased domestic interest rates and decreased availability of money in this country have made domestic loans relatively more attractive.[94] Also, much of the Commerce program's improvement has come from repatriation of short-term funds held abroad, a device which can be used only once. Thus, compliance with the programs was relatively easy for the banks and firms, and it is too early to determine the programs' long-term effectiveness.

Nevertheless, certain other factors may be suggested to explain the apparent initial effectiveness of these programs. First, there was relatively little objection to the principle of government control over foreign investment and business operations, in contrast to pronounced objections to government control of wages and prices. This may be due to the fact that foreign operations are of only peripheral importance to most banks and firms, and no question of the relative distribution of income was involved except that the expansion of new banks into foreign markets was prevented—a principal focus of criticism of the program.[95] Second, it was possible to administer the programs with more apparent fairness, partly because the balance of payments programs were less complicated; there were no problems such as the determinations of productivity or assessment of exceptional circumstances. In addition, the banks were few in number and already had close working relationships with the institution applying the guidelines. Though this was not true of the Commerce program, the affected firms were allowed to set up their own guidelines, and the program was more loosely run. In both programs the possible sanctions involved applied equally to all. Only two threats seem to have been used or implied: loss of the necessary good will of the Federal Reserve Board, and the possibility of legislation that would impose direct controls.[96] The latter threat seems particularly credible here, where foreign affairs are involved. Finally, even-handed administration was facilitated by the fact that in both situations the Government was dealing with only one interest group—the banks or the firms—though of course there were rivalries within the group. In the wage-price situation, on the other hand, the Government was trying to influence two groups; in addition to rivalries within each group, there were strong antagonisms between the groups, making general cooperation much more difficult to obtain.

Examination of the balance of payments programs suggests that a voluntary program accepted in principle, aimed at matters of peripheral importance to the volunteers, administered by an existing agency with close ties to the volunteers, and applied simply and without discrimination is likely to succeed. The wage-price guidelines may attempt too much with too remote an agency, too unwilling volunteers, and too uneven tools.

III. SOURCES OF AUTHORITY FOR THE PROGRAM

Sources of authority must be found first for promulgation of the guidelines and second for utilization of sanctions to obtain compliance with them. Third, assuming this authority, the scheme's conformance with the principles of due process must be considered. Finally, if there is no authority for the program or if the requirements of due process are not met, the question arises whether correction lies entirely in the hands of the administrators or whether affected persons may obtain legal remedies.

A. Authority for promulgation

The legal basis for the guidelines themselves appears to lie in the provision of the Employment Act of 1946 which established the Council of Economic Advisers. The Act asserts that it is the policy of the Government:[97]

"[T]o use all practicable means . . . with the assistance and cooperation of industry, agriculture, [and] labor . . . to coordinate and utilize all its plans, functions, and resources . . . to promote maximum employment, production, and purchasing power."

The following duties of the Council are relevant:[98]

"(1) to assist and advise the President in the preparation of the Economic Report . . . (4) to develop and recommend to the President national economic policies to foster and promote free competitive enterprise, to avoid economic fluctuations or to diminish the effects thereof, and to maintain employment, production, and purchasing power."

A major reason for the Council's formation was legislative fear of a postwar depression and recognition that the Government must use the facilities at its command to avoid such a result.[99] The views of those who dreaded government domination of the private sector were reflected by the inclusion of free enterprise as a goal of the Council.[100] The intent of the Act is thus to be found in a coalition of two often competing goals. There was general agreement, however, that it was to be the function of the Council to advise the President in the use of his existing discretion, so that the impact of his decisions would have a planned and beneficial, rather than random, effect on the economy.[101] This need for coordination of the many government policies affecting the economy was not new, and had been recognized at least since the 1931 proposal to establish a National Economic Council.[102] The rise and fall of the National Resources Planning Board and the transfer of the Bureau of the Budget from the Treasury to the Executive Office of the President were attempts to fulfill this planning function.[103] In the past, however, Presidents had relied on an informally organized group of economic advisers.[104] By institutionalizing this process, Congress may have hoped to place the function partly within its control by congressional determination of duties and salaries. At the same time, however, the Council was a recognition of Presidential leadership in formulating national economic policy.

In practice, the Council's function has been to analyze problems and recommend methods by which others may solve them.[105] It has an excellent vantage point for analysis—directly under the President—but no means save persuasion to implement its plans. Members of the Council have advised the President as to use of his discretion, recommended that he propose legislation, and testified before Congress.[106] The Council has emerged as a sort of personal staff for the President rather than an independent planning institution.[107] Its role, however, has given substance to the notion that there should be overall planning of the effect of government actions upon the economy and that it is the function of the President to do that planning. Of course, the President may act only where power has been delegated by Congress or can be derived from the Constitution. Also, the *Economic Report,* submitted to Congress, is subject to its criticisms and enabling or preventive legislation. But the President is the leader in that he seeks implementing legislation for his economic policies from Congress, rather than following congressional guidance as to what policy to pursue.

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[87] Testimony of Secretary of Labor Wirtz, *Hearings* 99.

[88] N.Y. Times, Sept. 13, 1964, at 51, col. 1. Imposition of the wage guideline in this situation would mean a government-enforced redistribution of income in favor of profits.

[89] Address to Congress by President Johnson, Feb. 10, 1965, in N.Y. Times, Feb. 11, 1965, at 56, col. 1.

[90] *Guidelines for Banks and Nonbank Financial Institutions,* 51 FED. RESERVE BULL. 371 (1965).

[91] Interview with Messrs. Robert Boit and George Ricker of the First National Bank of Boston, August, 1966. (Their bank did not exceed the guidelines.)

[92] Letter from Secretary of Commerce Connor to 600 corporate executives, March 12, 1965.

[93] DEPARTMENT OF COMMERCE, 46 SURVEY OF CURRENT BUSINESS 16 (Jan. 1966); Letter from Secretary of Commerce Connor to 900 corporate executives, May 6, 1966. *But see* Johnson, *Balance-of-Payments Controls and Guidelines for Trade and Investment,* in GUIDELINES 165, 175–78; Meltzer, *The Regulation of Bank Credits Abroad: Another Failure for the Government's Balance-of-Payments Programs?,* in GUIDELINES 183. Both writers foresee a choice between failure of the programs and introduction of a greater element of compulsion.

[94] *Cf.* Meltzer, *supra* note 93, at 187–89.

[95] More liberal ceilings for banks with small totals of outstanding loans were established. 51 FED. RESERVE BULL. 1965 (1965).

[96] This possibility was discussed by Reserve Board Chairman Martin before the Subcommittee on International Finance of the Senate Banking and Currency Committee on March 10, 1965, 51 FED. RESERVE BULL. 402 (1965).

[97] 15 U.S.C. § 1021 (1964).

[98] 15 U.S.C. § 1023(c) (1964).

[99] E. FLASH, ECONOMIC ADVICE AND PRESIDENTIAL LEADERSHIP 8–9 (1965).

[100] *Id.*, at 10–11.

[101] *Id.* at 13.

[102] *Id.*

[103] *Id.*

[104] *See* Seligman, *Presidential Leadership: The Inner Circle and Institutionalization,* 18 J. OF POLITICS 410 (1956).

[105] E. FLASH, *supra* note 99, at 325.

Considering the wage-price guidelines in this context, it is clear that the Council had congressional authority to promulgate them: that is, to analyze the change of productivity in the economy and determine what wage and price behavior would result in termination of the inflationary spiral. Further, the Council seems to have authority under the Act to recommend to the President that he coordinate his economic policies to conform to the guidelines and to urge business leaders to comply with them. But the Act provides no explicit authority to enforce the guidelines through any sanctions against deviating private parties.

B. Authority for sanctions

Aside from public and private exhortation by the President, the use or threat of two sanctions is generally thought to have been brought to bear on firms. These are sale of government stockpiles to increase supply and drive prices down, and use of discretion in government contracting policy to deprive firms which raise prices of government business. The Administration now appears to admit the use of these devices, though it refuses to characterize them as sanctions.[108] The use of two other persuasive tools has been alleged and denied: [109] antitrust prosecution and Internal Revenue Service investigation of price-raising firms. Whether or not these methods have been used, the fear that they might be used seems to exist.

I. Stockpiles.—Disposition of government stockpiles has proved the most effective of these methods. By releasing large quantities of a product into a market, the Government can make it difficult for producers to dispose of their output and thus force them to lower prices. By spreading the release of the product over a period of years, on the other hand, the impact on producers can be made much more tolerable to them. The impact of stockpile disposition on producers is not direct, as in a government tax or antitrust investigation or the grant or denial of a contract, but acts through market forces by increasing supply of the product relative to demand. Nevertheless, the effect on the companies is just as real in a practical sense, and the threat may be effective in convincing firms to forgo or rescind a price increase.

Three Congressmen have criticized the use of the stockpiles in this way as contrary to the intent of Congress in delegating the authority to acquire and dispose of the stockpiles.[110] The copper and aluminum in question was acquired under the Defense Production Act of 1950, which asserts in part: "To assist in carrying out the objectives of this Act the President may . . . purchase metals, minerals, and other materials, for Government use or resale . . . *Provided, however* . . . metals shall not be sold at less than . . . the current domestic market price . . . ." [111] Several indicators of congressional intent are present here. First, acquisition of stockpiles was intended only to further the purposes of the Act: that is, facilitation of defense production for the Korean crisis. Second, the provision forbidding sale under market price may be taken as an effort to prevent indirect government subsidy of purchasers. Finally, since the Act included sections establishing direct wage and price controls,[112] the provision here may have been intended to indicate that those controls, and not stockpile sales, should be the means of influencing price. However, the Government could exert pressure by sale of large quantities at current prices and so any intent to protect producers could be overcome without violating the terms of the statute. In any case, there is no affirmative indication that Congress intended the stockpile to be used for price control, and there is an explicit statement of another congressional purpose.

In 1953, the President was authorized to transfer the materials so acquired to the national stockpile,[113] governed by an act of 1939. The purposes of that act were set out as follows:[114]

> "The natural resources of the United States in certain strategic and critical materials being deficient . . . it is the policy of the Congress . . . to provide for the acquisition and retention of stocks of these materials . . . and thereby decrease and prevent wherever possible a dangerous and costly dependence of the United States upon foreign nations . . . ."

The stockpiles could be disposed of after a procedure requiring congressional approval, or "on order of the President at any time when in his judgment such release is required for purposes of the common defense . . . ." [115] It thus seems that both in allowing acquisition of the metals and in providing for their transfer to the national stockpile, Congress intended that they be used only in connection with national defense, and not for price control. It is arguable that maintenance of low prices for aluminum and copper facilities defense production by making such production less costly, but Congress seems concerned with the availability of supplies and not their costs, and in any case the Government did not rest its action upon this explanation but denied any connection between price increases and stockpile release. It is possible that the stockpile release was in fact intended not to force price reductions but rather to relieve the shortage of which the price increases were symptomatic. However, in view of the decision to slow the stockpile release when prices were lowered, this seems most unlikely. Furthermore, higher prices would elicit greater production and result in increased availability of the metal, and so the Government's action would tend to defeat one of the objectives of the Act, encouragement of the development of resources. The Attorney General found on an earlier occasion that in view of the legislative history of the stockpile statute the President was authorized to release stockpile materials only for purposes connected with the common defense, and therefore a release solely on economic grounds of stockpile diamonds in exchange for industrial diamonds was not permitted by statute.[116] This official recognition of the limited purpose of the stockpile statute suggests that the Government's reluctance to admit to a connection between stockpile and price policy stems from its consciousness that use of stockpile sales as a sanction is not within the congressional purpose.

2. Contracts.—The Government may act like any other buyer in the market and simply award contracts to firms which have not raised prices. Certainly, where supplies are obtained at the lowest possible cost there can be no complaint. Even when the Government begins placing large orders with firms which have not yet followed a price increase, altering the timing of its purchases to do so, there appears to be no abuse of discretion: it is desirable to make the purchases before all firms raise their rates, and if this has the anti-inflationary effect of causing the leaders to rescind their price increases, so much the better. Similarly, a price change may justify attempts to find substitutes for the product.

It is possible, however, that stronger use could be made of the contracting power. A firm submitting the lowest bid to the Government could be denied a contract if it had raised prices to private purchasers; an entire industry could be discriminated against in this way in favor of some substitute product. Or, where all members of an industry but one or two holdouts have raised prices, the holdouts could be approached privately and told that they are in a pivotal position, with the power to force other companies to rescind their increases by refusing to follow the price changes. It could then be suggested that if they do not follow the increase they will be favored in government contracts, but if they do they will not be considered for such contracts though their prices to private buyers are the same as those of other companies and their bids to the Government are low. The same pressures could be applied to one or two firms which have already raised prices in order to force them to rescind the increases. On a more formal level, the President could, by executive order, insert a clause in government contracts requiring compliance with the guidelines, and specifying loss of the contract or disablement from bidding for future government contracts as a penalty. The possibility of such actions may be suggested by the publicity with which the Government has surrounded its contract decisions in certain guideline disputes. That the Government will act like any rational purchaser, one would expect, would be taken for granted. Public emphasis on government contracting may constitute a veiled threat that procurement policy will be used in extraordinary ways.

Such actions are conceivable in light of past use of the contracting power to attain broad policy objectives. Since 1809 a statute has provided that congressional appropriations be used only for the purpose for which they were made,[117] and the Comptroller General has continued to give effect to the statute through recent years.[118] However, Theodore Roosevelt used the contracting power to implement his policy against convict labor; [119] Herbert Hoover used it to assure payment of prevailing wages in government projects; [120] and Franklin Roosevelt used it against the practice of paying contingent fees for obtaining extra-contractual relief.[121] The most recent and pervasive use has been in implementing nondiscrimination policy in private employment. Since 1941 a clause requiring equal employment hiring practices has been required by executive order in government contracts,[122] and in 1961 this clause was fortified by provisions allowing cancellation of the contract or debarment from receiving future government contracts if a firm failed to comply.[123] The 1941 executive order vaguely claimed constitutional and statutory authority, citing the defense production effort. But now the national emergency is past, and even were it not, the rationalization for the clause in terms of full utilization of all national manpower seems weak.[124] The clause, however, remains, unsanctioned by any explicit congressional authorization, yet approved by the Comptroller General.[125] Congress, of course, has the power to insert clauses in government contracts, though this power may not be used for unconstitutional ends.[126] But the President, it seems, customarily exercises the power as well, even in the absence of congressional delegation of authority. Thus, the use of the contracting power to enforce the wage-price guidlines would not be unprecedented, though not based on specific authority.

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[106] *Id. at* 313–19.

[107] *Id.* at 308–25.

[108] Ackley, *The Contribution of Guidelines,* in GUIDELINES 73–75.

[109] N.Y. Times, April 20, 1962, at 1, col. 1 (protest of Republican leaders); Ackley, *supra* note 108, at 74.

[110] Letter from Reps. Curtis, Widnall, and Ellsworth to Rep. Wright Patman, Chairman, Joint Economic Committee, Dec. 1, 1965. Their criticism goes in general to the constitutionality of the guideline program. Letter to *Harvard Law Review,* Oct. 13, 1966.

[111] 50 U.S.C. App. § 2093(a) (1964).

[112] *E.g.,* ch. 932, tit. IV, § 402, 64 Stat. 803 (1950).

[113] 50 U.S.C. App. § 2093(f) (1964).

[114] 50 U.S.C. § 98 (1964).

[115] 50 U.S.C. § 98(d) (1964).

[116] Letter to Arthur S. Fleming, April 27, 1954, 41 OPS. ATT'Y GEN. 174 (1963).

[117] 31 U.S.C. § 628 (1964).

[118] *E.g.,* Letter to the Secretary of Defense, July 2, 1962, 42 DECS. COMP. GEN. 1 (1964).

[119] Exec. Order No. 325A, May 18, 1905.

[120] Exec. Order No. 5778, Jan. 19, 1932.

3. Antitrust and tax statutes.—Use of the power to enforce the Tax Code and antitrust statutes in order to obtain compliance with the guidelines presents a somewhat different set of questions. If a price increase involves illegal collusion in fixing prices, an antitrust suit is entirely in order. Likewise, if companies are not paying all their taxes, it is entirely proper to prosecute them for it, whether or not they comply with the guidelines. But the antitrust and income tax laws which the executive is charged with enforcing are most complex, and careful scrutiny of the affairs of any large corporation will probably reveal some colorable cause of action. Companies which do not comply with the guidelines may be subjected to more careful scrutiny, and may be more readily prosecuted on tenuous grounds than other firms. While there will be no final sanction in a case unless the defendent is guilty of some unlawful conduct, the accused will be subjected to the expenses and inconvenience of defense even if eventually found innocent, or though guilty it may be the only one of the violating firms to be prosecuted. Thus, the law could be used for harassment, or to put a firm at a competitive disadvantage by forcing it to adhere to the law while others continue to violate it. As in the case of stockpile and contract powers, the statutory provisions would be used to reach ends not contemplated by Congress.

4. Implicit Delegation.—Even if no specific delegation of congressional authority can be found for utilization of sanctions to obtain compliance with the guideline program, the following argument could be made. When Congress set up the Council of Economic Advisers, it declared its intent that the impact of all of the Government's activity affecting the economy should be planned to have the most beneficial results. To that end, Congress delegated to the Council the authority to draw up such plans and submit them to the President for his approval. However, this authority would be bootless if the plan could not be implemented. Congress could not have so intended. Thus, it is the duty of the President and every administrative agency to consider the objectives of the plan in exercising their discretion. Compliance with the guidelines then becomes a proper consideration in stockpile and procurement policy, and in tax and antitrust enforcement.

There are several difficulties with this reasoning. First, it is doubtful that Congress intended to make the Council, subject to the President's consent, the head planning agency for all government action affecting the economy. Rather, as the performance of the agency seems to show, it was intended as a high-placed lookout, a supplier of information and advice, but on a level coordinate with or even inferior to other agencies as to the decision whether its plans should actually be implemented.[127] Second, even if such broad planning powers were intended, they were probably meant to extend only to actions of the Government in the first instance, such as the balance of the budget, not government actions which are reactions to private decisions and are designed to influence them directly. The language of the act is too mild to support a contention that the Council is meant to be head planner not only for the Government but for the private sector to the extent that the great economic power of the Government can enforce compliance. Such vast authority should not be indirectly inferred. Third, if Congress did intend to establish a powerful new planning agency, one would expect to find more detailed instructions as to its power, standards, and procedures. Indeed, such detail may be constitutionally required; the *Schechter Poultry* case[128] struck down a roving commission to the executive (the NRA) hardly more wide-open than the one resulting from this implicit delegation argument.

5. Inherent presidential power.—If Congress has neither directly nor indirectly delegated authority to use the sanctions, that authority might still be derived by the President directly from the Constitution. The executive powers vested in the President under Article II are not clearly defined, and their scope has been a question of considerable controversy.[129] Judicial decisions on matters of price and wage control provide little basis for the construction of a presidential regulatory power. The limits of this governmental power were blocked out in a series of cases dealing with state legislative schemes, based on the police power and limited by the fourteenth amendment.[130] The state power has been largely superseded by the federal power to regulate wages and prices,[131] based on the commerce clause and the war power, and limited by fifth amendment due process. In all of these cases, however, there is no indication that this is anything but a legislative function. Of course, there may be a concurrent executive power which has been dormant. The existence of such a power was suggested after World War II, in the face of serious inflation, but it was denominated an "emergency power" which could be exercised to save the country from disaster but could not be used after Congress had an opportunity to legislate.[132]

Courts, however, have historically been deferential to the President's own interpretation of the scope of his powers.[133] The most notable recent exception is *Youngstown Sheet & Tube Co. v. Sawyer*[134] in which it was held, during the Korean conflict, that the President was without authority to seize and operate steel mills threatened by a strike. But even as to the actions of administrative bodies in which the President has taken a part, the courts have often shown great deference in exercising judicial review.[135] Presidents themselves have therefore been the chief architects of the theories of their own powers. The stewardship theory, developed by Theodore Roosevelt[136] and attacked by Taft,[137] holds that the President's role is vague and undefined and that hence the President is at liberty to act whenever the public interest requires. This stewardship or emergency or residual power theory has gained increasing currency.[138]

Even under the most expansive view of the Presidency, however, assertions of inherent presidential power should be subject to certain limiting criteria. First, an assertion of presidential power seems more acceptable if the executive branch is better equipped than the legislative to deal with the problem. This may be caused by the relative flexibility of the executive in regulating a new and unfamiliar area. If the justification for a program is the need for experimentation, however, after a few years the program should either receive a congressional blessing or be abandoned; the guideline program is probably past the experimental stage. Another reason for executive rather than legislative action as to guidelines may lie in the Administration's belief that congressional action was not politically feasible. As a justification for executive action without delegated authority, however, this is less appealing; and it may be undermined by the fact that the Administration has discouraged proposed legislation.[139]

Second, presidential power absent congressional delegation may be more acceptable when it operates indirectly against great social organizations rather than against more defenseless individuals. The sanctions connected with the guidelines have all been directed against giant corporations of enormous power, which might reach even into the Congress and so contribute to the difficulty of obtaining congressional action. The use of stockpiles and contracts is also a more or less indirect form of pressure: the former operates through the market, while the latter involves only the denial of what may be regarded as privileges, though some firms may need these "privileges" to exist. Antitrust and tax enforcement, on the other hand, involve direct sanctions, perhaps even prison. The assertion of presidential power to utilize these laws for unauthorized ends may therefore be particularly undesirable. Judge Friendly, among others, has argued that in these areas the President should be limited to very broad statements of policy, leaving the enforcement agencies to exercise the power delegated by Congress in accord with the purposes of the delegation.[140]

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[121] Exec. Order, 6 Fed. Reg. 6787 (1941).

[122] 6 Fed. Reg. 3109 (1941).

[123] 26 Fed. Reg. 1977 (1961). *See generally* Speck, *Enforcement of Nondiscrimination Requirements for Government Contract Work*, 63, COLUM. L. REV. 243 (1963).

[124] A better rationalization can be made out for the use of the contracting power to enforce the guidelines on the theory that overall price stability serves the end of government procurement at low cost.

[125] Letter to Architect of the Capitol, April 21, 1961, 40 DECS. COMP. GEN. 592 (1961).

[126] *See* Speck, *supra* note 123, at 244–247.

[127] E. FLASH, *supra* note 99, at 319–25.

[128] A.L.A. Schechter Poultry Corp. v. United States, 295 U.S. 495 (1935).

[129] *See* E. CORWIN, THE PRESIDENT, OFFICE AND POWERS 1787–1957, at 3–5 (4th ed. 1957).

[130] *Compare* Munn. v. Illinois, 94 U.S. 113 (1877), *with* Nebbia v. New York, 291 U.S. 502 (1934).

[131] Kurland, *Guidelines and the Constitution*, in GUIDELINES 209, 217–18.

[132] Glasser, *Constitutional Power of the President To Control Inflation Without Statutory Authority*, 1 RUTGERS L. REV. 179 (1947).

[133] *See, e.g.*, Mississippi v. Johnson, 71 U.S. (4 Wall.) 475 (1867).

[134] 343 U.S. 579 (1952).

[135] *See generally* Hochman, *Judicial Review of Administrative Processes in Which the President Participates*, 74 HARV. L. REV. 684 (1961).

[136] *See* T. ROOSEVELT, AUTOBIOGRAPHY 362–65 (1927).

[137] W. H. TAFT, OUR CHIEF MAGISTRATE AND HIS POWERS 139–40 (1916).

[138] *See generally* J. M. BURNS, PRESIDENTIAL GOVERNMENT (1965).

[139] *See* p. 647 *infra*.

[140] Friendly, *The Federal Administrative Agencies: The Need for Better Definition of Standards*, 75 HARV. L. REV. 1263, 1298–1308 (1962).

Third, an assertion of presidential power seems more acceptable when the need for action is very clear and great. For example, the foreign affairs power has been broadly construed.[141] In this regard assertion of power to enforce the guidelines may be questionable. Some argued that there was no need for action at all; but even those who favored action could hardly have described the need as overwhelming.

Finally, the assertion of power to use congressionally delegated authority for ends other than those intended by Congress, which is what enforcement of the guidelines involves, may be particularly objectionable. When a President asserts power to seize the steel mills, for example, he does so openly; the public and Congress are faced squarely with a situation to which they may react. But a President may divert existing delegations to unauthorized courses while appearing to continue to act under congressional authorization; the public may have difficulty understanding exactly what is happening.

C. Due process

As discussed above, all of the determinations necessary to the application of the guidelines are made by the Council alone. There is no provision for a hearing at any stage of the Council's activity.

The constitutional right to such a hearing depends on two factors. First, it extends only to "adjudicative" and not to "legislative" facts.[142] The distinction turns on whether the process is one of application or formulation of a rule. On this basis, the determination of the national productivity rate might be a matter of legislative fact while the determination of the productivity rate of a particular industry or the decision whether an exception applied would—as individualized factfinding[143]—be a matter of "adjudicative fact." Second, the right to a hearing depends upon the parties' having a "sufficient interest" in the Government's action,[144] a test even less clear than that of "adjudicative fact." As to use of stockpiles it might be held that the firms have no "right" to a market free from the impact of government sales, or that the interest is too widespread to call for a hearing.[145] Government contracting has traditionally been deemed a matter of "privilege" rather than of "right," but even privileges may call forth constitutional protection in some cases.[146] Courts have sometimes acknowledged a legal right to be free from damage to reputation, at least when the damage is in conjunction with denial of a privilege.[147] This may be particularly relevant in the guideline situation where the force of public opinion is deliberately called into play.

Due process may also require that an affected firm have the opportunity to demand judicial review of the Government's action, though this is clearly required only when the Government levies upon the property or person of the affected party.[148] It is extremely difficult, however, to bring doctrines of due process to bear upon a program as informal and nominally voluntary as this. There is no formal administrative action, such as a finding that the guidelines have been violated and an order of a sanction, which the court can review.

D. Remedies

In light of the questionable legal basis for the program's sanctions, and their arguable failure to meet the requirements of due process, the question arises why the program has not been challenged in court. The answer may be found in the threshold question of standing to sue. The traditional prerequisites of standing are that there be an invasion of a legal right and direct and personal injury, in contrast with a wrong born "in common with people generally." Thus, a taxpayer whose funds purchased the stockpile or will pay the contractor has no standing to sue.[149] Were a declaratory judgment or injunctive action brought by an affected party to challenge the President's authority to dispose of stockpiles as he sees fit, standing to sue could be denied on the ground that the disappointed firm has no legal right to be unaffected by the Government's disposal of its property. Or, standing to sue might be denied on the ground that plaintiff suffers from the Government's disposition of stockpiles in common with similar firms. Nor might the low bidder denied a government contract have standing, since no legal right has been invaded: it has been held that receipt of a government contract is not a right but a privilege, and so there is no cause of action for its denial.[150]

The landmark case denying standing to sue where plaintiff is only one of an affected group is *Perkins v. Lukens Steel Co.*,[151] arising under the Walsh-Healey Public Contracts Act.[152] That Act provided for debarment (blacklisting) of government contractors who failed to pay the minimum wage as set by the Secretary of Labor. Plaintiffs challenged the minimum wage, but were found to have no standing to sue. Though if construed in its narrowest sense the decision denied recovery only because plaintiffs sued for the whole industry and not merely for themselves, a fair reading of the decision reveals a great reluctance to allow private parties to challenge administrative rules where judicial review is not provided by statute. Congress deliberately overruled the decision as to the Act under which it arose,[153] but the doctrine has remained strong in other situations[154] and has been held not affected by the Administrative Procedure Act.[155] Some cases, however, have cast doubt on the decision,[156] and it has been widely criticized.[157] In *Copper Plumbing & Heating Co. v. Campbell*,[158] the court, reading *Perkins* narrowly, allowed suit where plaintiff was debarred for willful violations of the Eight Hour Law[159] requiring payment of overtime in government contracts. The court distinguished *Perkins* on the ground that there the determination would apply to the whole industry, while here the effect of the debarment would be on plaintiff alone. While plaintiff had no right to receive government contracts, it did have a right not to be unreasonably denied opportunity to seek the contracts in competitive bidding. If this, rather than the broader view of *Perkins*, were to be applied to the guideline situation, a disappointed low bidder for a government contract apparently would have standing to sue. However, there would still be no standing in companies affected by release of government stockpiles.

The question of relief is somewhat different when antitrust or tax prosecutions are used selectively to enforce guideline policy. The essence of the firm's complaint is that it is being singled out for prosecution because of noncompliance with the guidelines, while those whose conduct is the same have been left undisturbed. The issue would be raised in defense, presumably as part of a plea alleging there is no violation or, if there be a violation, then prosecution is discriminatory and constitutes an abuse of administrative discretion or a denial of due process.

In *Moog Industries, Inc. v. FTC* the Supreme Court sustained FTC orders which, respondents claimed, would force them out of business by putting violating competitors at a great competitive advantage vis-á-vis the law abiding respondents. Relying on the "expert understanding of the Commission," the Court left enforcement policy to the agency, which can prosecute violators in any order or combination absent "patent abuse of discretion."[160] This position could be defended on the ground that complete enforcement would often mean no enforcement at all. In *Universal-Rundle Corp., v. FTC*,[161] however, the Seventh Circuit over-ruled an FTC denial of a petition for stay of further proceedings against petitioner to give the FTC time to investigate and take action against petitioner's competitors, whose conduct was similar. *Universal-Rundle* suggests a broadened definition of "abuse of discretion" possibly sufficient to encompass tax or antitrust prosecution of a company because it led a price increase.[162] The defense would be stronger than that in *Moog* or *Universal-Rundle* since in those cases the enforcement was simply arbitrary, apparently due to lack of funds for wider prosecutions, while in a price guideline situation it would be systematically discriminatory, on a basis not sanctioned in the antitrust or tax law. The importance of this distinction is emphasized in the criminal cases. There, discriminatory enforcement may result in acquittals even where it is established that the acts charged have been committed and constitute a violation of statute. Though there is broad discretion in determining enforcement policy, the proper policy seems to be that any systematic classification must be related to the purposes of the criminal law.[163] A company which believes it has been attacked by antitrust or tax action because it has raised prices should be able to obtain an explanation of the grounds of the enforcement policy.[164] If the court is convinced that the policy is unrelated to tax or antitrust aims, the proceeding should be halted.

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[141] *E.g.*, United States v. Curtiss-Wright Export Corp., 299 U.S. 304 (1936).

[142] *Compare* Londoner v. City & County of Denver, 210 U.S. 373 (1908) (hearing required), *with* Bi-Metallic Inv. Co. v. State Bd. of Equalization, 239 U.S. 441 (1915).

[143] *Cf.* Gonzales v. United States, 348 U.S. 407, 413 (1955).

[144] *Cf.* Bi-Metallic Inv. Co. v. State Bd. of Equalization, 239 U.S. 441 (1915).

[145] *Cf.* Perkins v. Lukens Steel Co., 310 U.S. 113 (1940), discussed p. 645, *infra.*

[146] Slochower v. Board of Higher Educ., 350 U.S. 551 (1956) (no discrimination in public employment).

[147] Wieman v. Updegraff, 344 U.S. 183 (1952) (state loyalty test for state employees unconstitutional).

[148] L. Jaffe, Judicial Control of Administrative Action 381-89 (1965). *But cf. id.* at 413.

[149] *See* Alabama Power Co. v. Ickes, 302 U.S. 464, 478 (1938). *But cf.* Doremus v. Board of Educ., 342 U.S. 429, 433–34 (1952) (dictum that municipal taxpayer may have standing).

[150] *E.g.*, Wooldridge Mfg. Co. v. United States, 235 F.2d 513 (D.C. Cir.) *cert. denied*, 351 U.S. 989 (1956) (no standing to prove negligent lack of standards to judge bids); Fulton Iron Co. v. Larson, 171 F.2d 994 (D.C. Cir. 1948), *cert. denied*, 336 U.S. 903 (1949) (no standing to prove fraudulent rejection of bid).

[151] 310 U.S. 113 (1940). *See generally* Comment, *The Blacklisted Contractor and the Question of Standing To Sue*, 56 Nw. U.L. Rev. 811 (1962).

[152] 41 U.S.C. §§ 35–45 (1964).

[153] 41 U.S.C. § 43a(c) (1964); Congressional Record, vol. 98, pt. 5, pp. 6529–6531.

[154] *E.g.*, Friend v. Lee, 221 F.2d 96 (D.C. Cir. 1955) (no standing to prove lack of advertising for bids).

[155] *E.g.*, Gart v. Cole, 263 F.2d 244, 250 (2d Cir.), *cert. denied*, 359 U.S. 978 (1959); *see* Comment, *supra* note 151, at 818–19.

[156] *E.g.*, Gonzalez v. Freeman, 334 F.2d 570 (D.C. Cir. 1964).

[157] *E.g.*, L. Jaffe, *supra* note 148, at 370–71 (1965).

[158] 290 F.2d 368 (D.C. Cir. 1961).

[159] 40 U.S.C. §§ 327–32 (1964).

[160] 355 U.S. 411, 413, 414 (1958).

[161] F. 2d 831 (7th Cir. 1965), *cert. granted*, 35 U.S.L.W. 3124 (U.S. April 15, 1966) (No. 1222).

[162] However, a narrow reading of *Universal-Rundle* would limit the holding to situations where the small number of competitors makes the discriminatory prosecution especially harmful.

[163] *See* Comment, *The Right to Nondiscriminatory Enforcement of State Penal Laws*, 61 Colum. L. Rev. 1103 (1961).

IV. CONCLUSIONS AND ALTERNATIVES

The guidelines represent an attempt to establish new relationships among business, labor, and Government. Based on the theory that discretionary private decisions have led to undesirable inflationary results, and assuming that executives and labor leaders have a duty to the public interest as well as to their more immediate economic constituents, the program originally sought to prescribe correct decisions in the hope that they would be made voluntarily or under the pressure of public opinion. In some cases, however, when the guidelines have not been observed, sanctions have been threatened or imposed. Thus, a system of informal legislation, enforced by executive action in important cases, has arisen within the executive branch. The obstacles confronting a private party wishing to challenge this system are formidable, especially since the power of the President is directly involved.

The program may be changed at the instigation of Congress. Congressman Reuss introduced a bill providing for congressional enactment of guidelines and congressional hearings on alleged violations.[165] Congressman Celler introduced a bill providing for notification of price increases to the Government sixty days before they become effective. This requirement would apply to strategic and presidentially selected industries in which the four largest companies accounted for 75 percent of all sales.[166] Establishment of an agency with sufficient staff [167] to analyze and negotiate separately with each industry (only two men do guidepost work on the Council staff, and they have other duties as well) has also been suggested.[168]

Representative Reuss has stated the common objective of all of these schemes: "[W]e wanted to institutionalize a bit the application of these wage-price guideposts." [169] Institutionalization would presumably make the guideposts more effective, more firmly founded in statutory authority, and more evenhanded in application. The Council, however, does not want the program made stronger, and business leaders do not want it made more formal.[170] The reason appears to be that both sides fear the imposition of direct controls in certain industries which would turn them into species of regulated utilities. The Council believes that even in oligopolistic industries competition is a sufficiently viable force to be preferable to bureaucratic control.[171] It is not difficult, however, to imagine utility type regulation growing out of the proposal for advance notice of price increases. If firms give notice of price increases and confer with the Council which disapproves and then the firms go ahead and raise prices, they will seem to be in open defiance of the Government, and stronger proposals will seem acceptable to Congress. A process of escalation of compulsion could ensue which would lead to direct controls over prices and then wages.

If the present guideline program is not to be strengthened or otherwise authorized by Congress, however, the guidelines should probably be made what they originally purported to be—purely voluntary, with no threat of sanctions even in important cases. The President could still indicate disapproval of violations, but attempts to enforce the guidelines through sanctions should be abandoned. The sanctions available are, in any case, inadequate and unequal. Their abandonment would eliminate any abuse of delegated powers or violation of due process.

DEATH OF FORMER SECRETARY OF THE TREASURY HENRY MORGENTHAU, JR.

Mr. JAVITS. Mr. President, I call to the Senate's attention the death of Henry Morgenthau, Jr., who was Secretary of the Treasury of our Nation from the days of the depression through World War II. He died on Monday, February 6, in Poughkeepsie, N.Y. Mr. Morgenthau was one of the most distinguished citizens of my State of New York, and served as Secretary of the Treasury under both President Roosevelt and President Truman. Only Albert Gallatin held the post longer than Mr. Morgenthau.

Mr. Morgenthau was a neighbor of Mr. Roosevelt at Hyde Park. He had a distinguished career.

One of his survivors is Mr. Robert Morgenthau, who is now U.S. attorney for the southern district of New York.

I ask unanimous consent that an article from the Washington Post of February 7, as well as an editorial from the Washington Post of today, February 8, on the death of Mr. Morgenthau, be printed at this point in the Record.

There being no objection, the article and editorial were ordered to be printed in the Record, as follows:

[From the Washington Post, Feb. 7, 1967]

Henry Morgenthau, Ex-Treasury Head, Dies

Henry Morgenthau Jr., who as Secretary of the Treasury shaped the Nation's financial policy from the Depression to the closing days of World War II, died last night in Vassar Brothers Hospital in Poughkeepsie, N.Y.

Mr. Morgenthau, 78, served as Secretary of the Treasury under Presidents Roosevelt and Truman. Only Albert Gallatin held the post longer than Mr. Morgenthau's 11 years, from 1934 to 1945.

Mr. Morgenthau shouldered the job of fighting the Depression and financing the costliest war in history after earlier rejecting the business world of his father for farming which he preferred.

NEIGHBOR OF ROOSEVELT

While Mr. Morgenthau was working his farm at Fishkill, N.Y., he became close friends with a neighbor who lived 20 miles away—Franklin D. Roosevelt.

Mr. Morgenthau became Roosevelt's campaign business manager in 1928 when Roosevelt was running for governor of New York.

Upon Roosevelt's election, Mr. Morgenthau became chairman of the new governor's Agricultural Advisory Committee.

In March, 1933, after Roosevelt had won election as President, he called on "my favorite farmer" to go to Washington to run the Federal Farm Bureau.

At the time, the Bureau was in chaos, coping with foreclosures of Depression-ridden farms throughout the country.

Mr. Morgenthau accepted and merged scattered farm agencies into the Farm Credit Administration, of which he became the first chairman.

In the post he supervised the handling of a $2-billion Farm Mortgage Relief Fund in addition to $2 billion in outstanding loans to farmers.

When, in 1933, the health of the then Secretary of the Treasury, William E. Woodin, began to fail, Roosevelt began looking for a successor to his first Treasury secretary. He didn't have to look long. In November, 1963, he moved Mr. Morgenthau to the Treasury Department to become Under Secretary. On Jan. 1, 1934, he was sworn in as Secretary.

Mr. Morgenthau was only 43 years old at the time. He brought youth and vitality to the job and had a tremendous capacity for hard work.

He exhibited a determined ability to carry out the fiscal policies of Roosevelt, "the chief." His first move as Secretary was to reorganize the Department. He then supervised the carrying out of such far-reaching financial innovations as reduction of the gold content of the dollar and the silver purchase program.

RESIGNED IN 1945

Less than two months after Roosevelt's death in 1945, Mr. Morgenthau resigned. President Truman praised his work, but did not disclose the story behind the resignation until a decade later in his memoirs.

Truman said he accepted the Secretary's resignation on the spot after refusing to take him to the Potsdam conference of U.S., British, French and Russian leaders soon after Germany's surrender.

Truman related that Mr. Morgenthau asked to go along, but the President told him he was "badly needed in the United States—much more so than in Potsdam," adding:

"He replied that it was necessary for him to go and that if he could not, he would have to quit. 'All right,' I replied, 'if that is the way you feel, I'll accept your resignation right now.' And I did. That was the end of the conversation and the end of the Morgenthau Plan."

Toward the end of World War II Mr. Morgenthau had outlined a controversial proposal for a hard peace for Germany. Among other things, the "Morgenthau Plan" called for a de-industrialization of the prostrate country and its development as an agricultural community. His ideas were published in a book, "Germany Is Our Problem."

Born in New York City May 11, 1891, Mr. Morgenthau received his early education in the city's public schools. His father was a philanthropist who became prominent in public life as President Woodrow Wilson's Ambassador to Turkey.

Mr. Morgenthau and Elinor Fatman were married in 1916 and became the parents of three children—Henry, Robert and Joan. Mrs. Morgenthau died in 1949, and in 1951 he married Mrs. Marcelle Puthon Hirsch.

Of the children, Robert is now U.S. Attorney for the Southern District of New York, headquartered in Manhattan; Henry III lives in Cambridge, Mass., and Joan is Mrs. Fred Hirschorn Jr. of Old Greenwich, Conn.

[From the Washington Post, Feb. 8, 1967]

Henry Morgenthau, Jr.

The death of Henry Morgenthau Jr., who served as Secretary of the Treasury from 1934 until 1945, severs another link with a turbulent period of American history, the economic crisis of the 1930s, the struggle for recovery under the Roosevelt administrations and the outbreak of the second World War.

No other man except Albert Gallatin headed the Treasury for so long, and surely none was more faithful or more honest in discharging his responsibilities. The Treasury was a very model of rectitude throughout his administration of it. But assiduity is not a shield against error, and in the exercise of judgment Mr. Morgenthau shared in the frailties of the Roosevelt Administration. He embraced the wrong-headed theory of his teacher, George F. Warren, the Cornell agricultural economist who believed that domestic prices could be raised—"reflated"—by reducing the gold content of the dollar. The devaluation of the dollar happened to be an appropriate policy, but not for the reason advanced by the Roosevelt Administration.

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[164] *Cf.* FTC v. Mary Carter Paint Co., 382 U.S. 46, 53 (1965) (Harlan, J., dissenting); Melody Music, Inc. v. FCC, 345 F. 2d 730 (D.C. Cir. 1965).

[165] H.R. 11916, 89th Cong., 2d Sess (1966).

[166] H.R. 11870, 89th Cong., 2d Sess. (1966).

[167] *See* note 82 *supra.*

[168] *See* Dunlop, *Guideposts, Wages and Collective Bargaining,* in Guidelines 81, 92–96.

[169] *Hearings* 102.

[170] *See, e.g.,* Prepared Remarks of Chairman Ackley, *Hearings* 57, 67–68; interviews with interested executives, November, 1966.

[171] *See* Prepared Remarks of Chairman Ackley, *Hearings* 57, 60.

Mr. Morgenthau's other ventures in high policy making were less fortunate. His call for a return to fiscal conservatism and a balanced budget came on the very eve of the deep recession of 1937–38 and had quickly to be reversed. His plan for the de-industrialization of Germany, while motivated by a sincere desire to preserve the peace, was misguided and served to delay the economic recovery of Europe.

But these mistakes hardly depreciate Mr. Morgenthau's stature or the great service that he rendered his country. He personified both the strengths and weaknesses of sincere public servants in an era marked by a surfeit of confusion.

PRESIDENT'S CRIME MESSAGE—NARCOTICS—WIRETAPPING

Mr. JAVITS. Mr. President, 2 days ago, the President sent to the Congress an extensive message on crime in the United States.

While we in New York were pleased that he devoted part of that message to the subject of narcotics addiction, it is most disappointing that no mention was made of funding the Narcotics Addict Rehabilitation Act of 1966. The President's proposals deal primarily with training new narcotics agents, with public information efforts on college campuses—a superfluous effort, in my judgment—and coordination between Federal departments.

Last year, however, Congress outlined a new direction in the fight against addiction. We sought to emphasize the need for rehabilitation programs for addicts which are related to the environment which creates them. Federal hospitals serve a purpose, but they do not provide a complete answer. The Federal treatment facility nearest New York City, for example, is more than 700 miles away in Lexington, Ky. Professionals believe we need a number of smaller treatment units and aftercare facilities in the addicts own communities. That is why we authorized the expenditure of $15 million annually for grants to States, cities, and nonprofit organizations directly treating the addict. This is a small amount compared to what New York State is going to spend.

It is estimated that in New York, as a minimum, 30 percent of the crimes are attributable to narcotic drugs. I cannot believe that the President was unaware of that fact. I protest the amount requested very strongly, and assure the Senate that I shall do everything I can to increase the appropriation to the amount we authorized, an amount which is so puny in comparison with amounts we spend in other fields. When the Senate moved, in an enlightened way, in this field, it put the Federal Government into the effort in a very modest way as far as money is concerned.

Yet the President's budget cuts that program to the bone by requesting only $4 million for the grants program this year. It would not implement the law in respect to probably the biggest single cause of crime in the big cities of the United States. That figure makes a mockery of the administration's professed commitment to solving this problem, but I sincerely hope that the President's concern, as expressed in the crime message, foreshadows a change of heart with regard to this important appropriation.

I was pleased to note the President's renewed concern—as first expressed in the state of the Union message—over Government invasion of privacy, wiretapping, and eavesdropping. These matters have recently been studied by the Administrative Practice Subcommittee of the Judiciary, upon which I served until recently. While the message calls for a blanket prohibition of such activities, it then states that there will be exceptions to the rule under certain conditions. Unfortunately, neither the exceptions nor the conditions—which are crucial—are spelled out. I will therefore await the President's bill with great interest.

OUTER SPACE TREATY

Mr. MAGNUSON. Mr. President, the administration, Congress, and America are engaged in a very important matter which has been under consideration in this country and in many other nations of the world for some time. I refer to the Outer Space Treaty.

The establishment of the rule of law has been one of the cherished goals of American foreign policy. Only under the rule of law can we hope to establish a just and peaceful world.

And so I note with the greatest pleasure the conclusion of an Outer Space Treaty. For the development of modern technology has made it imperative that we restrict the areas of potential conflict. The danger to this world of nuclear conflict is so great that a beginning must be made to restrict the deployment of nuclear weapons.

The Outer Space Treaty takes such a view. It establishes the basic principles which will govern the activities of men and nations as they advance in the magnificent adventure of exploring the stars. It establishes a basic system of law which will serve us for generations to come. It establishes a standard of international cooperation which we would do well to apply here on earth as well as in outer space.

TRIBUTE TO MR. SIDNEY A. ZAGRI

Mr. SCOTT. Mr. President, I just noticed in the press an account of the unfortunate death of Mr. Sidney A. Zagri in the Montgomery, Ala., hotel fire.

As many of us know, Mr. Zagri was a very popular and respected and well-liked legislative representative of the Teamsters Union in Washington.

Whether one happened on any particular measure to agree or not to agree with the point of view which Mr. Zagri espoused, he was always one whose word was good, whose judgment was accurate, whose instincts were fair, and one whom all of us who knew him had learned to respect and to hold with affection as a gentleman in the Washington scene. He had always retained his aplomb and his courtesy and his quality of fine character.

I know that those who knew Mr. Zagri will feel, as I do, a great sadness that he has been lost, as well as a sadness that so many other people have lost their lives in this unfortunate tragedy.

I thank the Senator from Oklahoma.

IVAN A. GIVEN, EDITOR OF COAL AGE, RETIRES

Mr. BYRD of West Virginia. Mr. President, on March 1, 1967, Mr. Ivan A. Given will retire as chief editor of Coal Age, an internationaly renowned periodical in the field of technical, industrial, and financial aspects of the coal industry.

Mr. Given is a native of Sutton, W. Va., and a product of coal-mining training. It was during his high school years that he became interested in becoming a mining engineer. He entered the School of Mines of West Virginia University in 1920 and was graduated later with a degree of bachelor of science. His honors included membership in Tau Beta Pi, honorary engineering fraternity, and Sigma Gamma Epsilon, honorary geology fraternity. Working interludes in his undergraduate days included summer and full-year hitches at Island Creek Mine No. 15, one of four constituting the company's Mud Fork division in Logan County, W. Va. Starting as a laborer, he became a tracklayer's helper, tracklayer, section foreman, and substitute assistant mine foreman.

Following graduation from the school of mines in 1920, he was asked to stay on to prepare, in collaboration with the late Harry G. Kennedy and Charles E. Lawall, then head of the school of mines and later president of the university, a survey of production methods in West Virginia. This survey was later published by the West Virginia Experimental Station under the title "Mining Methods in West Virginia." For this and other work he received his master's degree in engineering in mines in 1928.

With interest in serving the industry through the medium of the printed page whetted by this experience, he was quite ready to say "yes" to a McGraw-Hill representative who was recruiting graduates for a 10-week editorial training course. He started his McGraw-Hill career on June 25, 1928.

Mr. Given formally joined the Coal Age staff upon graduation from the training course and soon began to specialize in mechanical mining and stripping, although covering all other production, preparation, and safety subjects, as well. One byproduct of this specialization was his authorship of "Mechanical Loading of Coal Underground," published by McGraw-Hill in 1943.

On March 2, 1944, Mr. Given was appointed editor of Coal Age, a position he has held for 23 years—the longest tenure of any staff member. When he joined the magazine, the industry had just emerged from the depression of the early 1920's and was on the threshold of an even greater one—that of the 1930's. It was beginning to encounter the growing competition from other fuels and energies responsible for the continuing decline in anthracite and, in the case of bituminous, the loss of its railroad market and most of the household market, at the same time stimulating the improvement in mining and marketing methods underlying the bituminous comeback and assuring it of continued growth in the future.

Though his concern for many years has been all States and all coal companies, he naturally has a little keener interest in his home State and in the company operating the mine in which he got his initial experience. West Virginia, now the leading producer in the United States, in fact not only outranks the other 49 States, but also all but 6 of the more than 60 coal-producing countries of the world, the exceptions being Soviet Russia, Red China, East Germany, West Germany, Great Britain, and Poland.

In view of his knowledge of the industry, McGraw-Hill gave him added duties in 1962 by placing him in charge of Coal Age's coal marketing affiliate, Keystone Coal Buyers Manual. He became its chief editor in 1963.

Mr. Given will be succeeded as editor of Coal Age by Alfred E. Flowers.

THE NEED FOR A CHINA POLICY

Mr. McGEE. Mr. President, Mr. Joseph Kraft has outlined, in his column published today in the Washington Post, a very real need for the United States. We need, he points out, a China policy, for we do not even have an idea of what kind of China would be most welcome.

As it happens, Mr. Kraft makes clear, there are good historical reasons for this lack of explicit policy—reasons connected with the collapse of the open door policy we formerly followed. Since that event, we have not undertaken the long, hard task of formulating a new policy. It is something we must do before we can act in a wise, reasoned manner in our affairs involving China. I ask unanimous consent that Mr. Kraft's article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

U.S. Needs a China Policy

(By Joseph Kraft)

In trying to assess the upheaval in mainland China it is useful to make a distinction between two areas of American confusion.

There is, first, the struggle from day to day and place to place between the Maoists and dissidents. Here confusion is inevitable.

There is, next, the American interest in China, what this country would like to happen there. Here confusion is inexcusable.

But my strong impression is that the Administration does not have the dimmest idea of what kind of China it wants. It does not know whether it wants a weak China or a strong China; a divided China or a united China; a China in trouble or a China making progress; a China ruled by the Maoist revolutionary vision or a China ruled by the more methodical dissidents.

The United States, in other words, has no policy towards the dominant entity of the trans-pacific world. This country, to paraphrase the words put by Milton into the mouth of Samson, is eyeless in Asia.

As it happens there are good historical reasons for the absence of an explicit American policy toward China at this time. They are connected with the collapse of the Open Door Policy followed by this country during the first half of the Century.

That policy stressed the "territorial integrity" of China. It meant that all outsiders, whether European or Americans or Russians or Japanese were supposed to leave China alone.

But while faithfully enunciating that hands-off principle year after year, the United States was not willing to apply enough military force to make the principle stick. Thus even while proclaiming China's territorial integrity, this country accepted European concessions in China, then a Japanese conquest, and then a Communist take-over apt to give Russia a favored position.

The Korean War demonstrated the bankruptcy of that policy by pulling this country into what it had always managed to avoid—a major land war in Asia. And ever since Korea the United States, learning the lesson with a vengeance, has been building up positions of strength in Asia.

In line with that emphasis, the United States made military alliances with Japan, South Korea, Taiwan and the nations of Southeast Asia. American forces were stationed in Korea and Japan. The Seventh Fleet was put on nearly permanent patrol of the Straits of Formosa and, over time, a huge wartime commitment was made in South Vietnam.

I think it is possible to argue that the emphasis on force became so great that this country in some cases, just to prove its determination, over-reacted militarily and took on some unnecessary commitments. A case in point is the crossing of the 38th Parallel which eventually produced the Chinese intervention in Korea. Another was the commitment to defend, with nuclear weapons if necessary, the islands of Quemoy and Matsu.

Whatever the case with these individual episodes however, it seems to me inescapably clear that the military logic overshadowed all other American thought about Asia. Whereas the ends exceeded the means of American policy during the Open Door period, the means subsequently came to obliterate the ends. In that atmosphere, no one needed to develop a China policy. It was enough to be against the Asian Communists.

But the United States cannot continue to charge blindly around the Asian world. For the trouble in China has put into a condition of instability some of the most far-reaching issues in the world.

It may be that there is now a chance for a "Titoist" regime in China. Relations between Peking and Moscow are up for grabs. So is the future of the regime of Chiang Kai-shek on Taiwan.

What this country and its friends and allies now do casts a long shadow over all these questions. But for Washington to do the right things, it needs first to go through the long hard process of developing a China policy, of thinking out what kind of China the United States wants to have.

CRIME

Mr. METCALF. Mr. President, I am impressed by the forthright manner in which the President proposes to attack the problem of the rising crime rate in this country as set forth in his message on crime.

We are all familiar with the inability of law enforcement agencies in many parts of the country to cope with increased crime. Much of this is due to the lack of resources, facilities, techniques, and training.

I am particularly pleased by the inclusion in the President's crime program of the provision for Federal grants to State and local governments designed to strengthen law enforcement and promote the elimination of injustice. I am hopeful that this assistance will enable local law enforcement agencies to combat crime effectively.

I am happy to pledge my support of the strong proposals recommended by the President and I urge other Senators to do the same.

THE TET CEASE-FIRE IN VIETNAM

Mr. McGEE. Mr. President, with the Tet cease-fire underway in Vietnam, rumors of peace and demands for a longer, even permanent, cessation of bombing in North Vietnam are gaining wider and wider circulation. We shall have to be wary, however, lest we fall into a trap produced by wishful thinking or by the politics of deescalation.

An editorial entitled "Rumors of Peace," published in the Washington Post this morning, and an article entitled "Politics of Deescalation," written by Joseph Alsop and also published in today's Post, explain the situation as it now exists. I ask unanimous consent that they be printed in the Record.

There being no objection, the editorial and article were ordered to be printed in the Record, as follows:

[From the Washington Post, Feb. 8, 1967]

Rumors of Peace

Rumors of peace, to adapt an old cliche to a new use, sometimes constitute a prosecution of war by other means. There is reason to believe that some of the recent peace rumors have been less serious as omens of peace than significant as a part of a worldwide propaganda effort to coerce the United States into suspending the bombing of North Vietnam, unconditionally.

If some of the peace rumors have been calculated, others no doubt have been due to plain misunderstanding and others to mere wishful thinking. To all of them the Government has had the unpleasant duty of responding negatively. There is not much alternative to a negative response when a non-existent "sign" is involved. Hearsay assertions that there "could be" discussion if bombing were stopped lack either of the two credentials to which a serious response might be made. They involve neither credible sources nor believable tenders.

There is every present indication that when the Tet recess is over the war will resume. There is no doubt that there will continue to be peace rumors but the Nation must be prepared for continued war. The North Vietnamese purpose—the conquest of South Vietnam and Laos—was not lightly undertaken and it is not likely to be lightly abandoned. If it ever is really abandoned, there will be no difficulty in getting out the right signals and having them heard. There will be no problem of getting the bombing stopped, whenever North Vietnam abandons its purpose. It will take no great ingenuity to get the war stopped when the aggressive purposes are relinquished; no amount of ingenuity is likely to stop it while the aggressive purpose remains.

Short of a formal relinquishment of that purpose, truces, cease-fires and tacit deescalation are possible. The United States ought to be alert to the opportunity to start any such de-fusing. If the level of operations mutually diminishes, it suits the purpose of this country and its allies. This might not be peace but it would be nearer to peace than what we have and therefore that much more acceptable.

After the false hopes raised by repeated rumor, it is discouraging to have to take up again the burden of this long struggle. There is no acceptable alternative. The formal aggression from the North must be held in check. No military advantage must be relinquished without balancing concession. The pacification of the South must be pursued more energetically. The establishment of a civil government devised by the constitutional convention must be encouraged and hastened. This is the long way to peace. But there may be no short cuts.

[From the Washington Post, Feb. 8, 1967]

Politics of De-Escalation

(By Joseph Alsop)

The great question of the moment is whether the North Vietnamese leaders want equal negotiations, or are merely seeking a badly needed respite in the war. It has become a burning question because of the transmission of a new talks-feeler, by an official of the French Foreign Office, to Senator Robert F. Kennedy and a member of the staff of the U.S. Embassy in Paris.

No one can forecast with any certainty what the Hanoi leaders are really aiming for. But their aims should certainly be analyzed with the most cautious skepticism, for a single, quite simple reason.

If a negotiated settlement of the war is the aim, it would be vastly easier to arrive at such a settlement quietly and secretly, without any public parade to a new Panmunjom, and without noisy propaganda about "stopping the bombing to get talks." This could have been done by now, in fact.

Despite the Administration's routine denials, there have been exchanges through third parties for some time now. Here in Washington, the ideal medium for such exchanges already exists, because of the special relation with the Soviet Embassy enjoyed by Averell Harriman, in consequence of the deep respect that is felt for Harriman in Moscow.

All sorts of murmurs are already being heard, that the behind-the-screen exchanges of recent weeks have been mishandled, by the State Department or the White House or someone else. But the fact remains that if Hanoi is ready to consider terms that President Johnson can also consider, an easy channel of communication is always open.

When and if the potential fruitfulness of formal talks has already been tested, will be the time for public action, including bombing halts, open exchanges of negotiators, and so on and on. Maybe that time will come. But the other clear possibility, that Hanoi merely wants a respite in the war, must certainly be given very great weight.

It must be given very great weight, because the whole thrust of Hanoi's public and private actions in recent months has been to "stop the bombing to get talks." It has been to make the President pay for mere talks, in other words, by giving Hanoi a most important respite in the war.

The true importance of such a respite has now been underlined, by the belated publication of new figures on North Vietnamese troop-infiltration into the South. Almost certainly because of the bombing—there is no other imaginable reason—the flow of North Vietnamese troops into South Vietnam has been reduced by 75 percent in the last six months.

If the figures showing this result are reliable, they mean that the enemy cannot conceivably continue the war of big units in the South for many months longer. Enemy loss rates and enemy replacement rates simply will not permit it. As to manpower, at the front, in truth, Hanoi's war-planners are now in the position of a family spending at least three times its monthly income. Early bankruptcy obviously stares such a family in the face.

Let the bombing be halted, however, as a "peace gesture." Let the President and Secretary of State Dean Rusk cease to insist on the needed quid pro quo, which is an end to the troop-infiltration of the South. Let this be done now, moreover, when the weather is ideal on the North-South roads and trails. Any fool can foresee the probable result.

The Hanoi war-planners will at once expand by tenfold the troop-infiltration rate. Their big units in the South, now growing more under-strength each day, will soon be fished out again with men and supplies. And within a few months, instead of Gen. Westmoreland winning the big unit war, as now appears likely, Gen. Westmoreland will find himself with a brand new war on his hands and a much tougher war, too.

This produces the problem describable as the politics of de-escalation. For the short run, all sorts of liberal persons and groups will subject the President to severe heat, to "stop the bombing to get talks." The heat will be hard to resist.

But for the long run, President Johnson has to consider the storm of public rage that will surely result, if he "stops the bombing to get talks," and instead gets a brand new, much tougher war for our men to fight. That storm will engulf, not merely the President and his advisers, but also Sen. Robert Kennedy and anyone else who can be held partly responsible. It could even give the lunatic-right a real chance of future success in a national election.

All this is enough to make one wonder whether American liberals ever look ahead, even when their own interests are most directly at stake.

RATIFY THE CONSULAR CONVENTION

Mr. SCOTT. Mr. President, an excellent editorial published in the Pittsburgh Post-Gazette of February 4 summarizes the reasons why the Senate should give its consent to the ratification of the U.S.-U.S.S.R. Consular Convention. I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

Ratify the Treaty

Contrary to what some of its members appear to believe, the U.S. Senate does not represent a nation of hicks which panics automatically at the mention of a communist Our national thinking has acquired, or should have acquired, a broader sophistication on international issues since the rather hysterical era just after World War II.

The President reflected the change in the national point of view when he called this week for prompt Senate ratification of a consular treaty with the Soviet Union. This treaty has been bottled up since June, 1964, when the U.S. and the Soviet concluded a Consular Convention under which the two countries could work out agreements for the opening of consulates in each other's territory instead of being limited to an embassy, as they are now.

Senate confirmation of the treaty has been held up by the lobbying of nervous nellies who think that a Soviet consulate or two in this country would open it up to a vast communist spy ring before which the U.S. government would stand * * * naked and helpless.

Such nonsense! We doubt that the addition of a handful of Soviet representatives in this country (there are already 452) would add much to our dangers. We are, after all, an open society and we question whether Soviet spies are going to learn much more than they can already find out by reading the nation's periodicals. In any case, the addition of a few more consular officials would not be beyond the security capabilities of J. Edgar Hoover's FBI and he has said as much although he is believed to be a stumbling block to Senate approval of the treaty.

The major benefit of the consular treaty to this country would be the additional assistance and protection U.S. consulates would afford the rising number of American visitors (18,000 last year) to the Soviet Union.

Beyond that, we should recognize that there are evolutions in all systems, including communism, and that we can learn to live in amity with them if bridges are built. We have long since been building commercial and cultural bridges to the Soviet Union and other East European countries (one of Communist Yugoslavia's consulates is in Pittsburgh) and we think this is most desirable.

The consular treaty would be another important step toward ending the Cold War with Eastern Europe and we urge the Senate to take it.

JOAN PEARSALL WRITES IN TEXAS PARKS AND WILDLIFE ABOUT OUR VANISHING WILDLIFE

Mr. YARBOROUGH. Mr. President, to a growing extent, mankind is conquering his environment and extending his dominion not only over the earth, but far out in space. The modern world of technological triumph, however, has seen mankind faced with the problems of population explosion and less than aware many times of the dwindling population of other species of life.

The bountiful supplies of game that provided the first colonists in America with food have been slaughtered and pushed into near extinction by the changes brought about by mankind. We have become the greatest predators of all in our destruction of both wilderness and wildlife. The time is short, if we are to save for future generations many of the rare species now on the brink of oblivion. My pending Big Thicket National Park bill will offer a limited sanctuary in Texas for some of the threatened species whose plight is so well described by Miss Pearsall.

Mr. President, in view of this crisis, I ask unanimous consent to have printed at this point in the RECORD a fine article written by Joan Pearsall on our vanishing species of wildlife. It is entitled "The 11th Hour" and was published in the January and February 1967, editions of the magazine Texas Parks and Wildlife.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

The 11th Hour—Part 1

(By Joan Pearsall)

Population explosions capture headlines these days and cause much anxious thinking. Alongside the burgeoning sea of humanity, and in most cases because of it, critical declines of other populations give contrasting cause for alarm. While being preoccupied with his own increasing problems, there are vital reasons why man should turn his concern also to the dwindling species of the world.

Throughout the earth's history, life forms have been changing, constantly adapting to climate and surroundings. Over the course of millions of years, some species have flourished and died, while others have evolved and survived. Nature, left to herself, achieved a harmonious balance of land, plants, and wildlife, all linked together in mutual dependency. Each species has its special distinguishing features and its own place in the natural community. When anything happens to upset its environment, a species that cannot adapt to the new conditions, or find another suitable habitat, faces extinction.

Ancient species that succumbed, such as the dinosaurs, saber-toothed tigers, and mastodons, did so because of sweeping changes in climate, advance of glaciers, competition with other species, and overspecialization. Nature was relatively quick to discard some, while others have taken millions of years gradually to withdraw from existence.

Since man arrived on the scene—only recently, compared to the eons of geologic time—he has put in motion changes of drastic, often catastrophic, proportion. Lordly, in his "dominion over the beasts," he has exploited the natural world with little regard for the delicate balance of nature, and the importance of every living thing. Armed with his technology, and greedy beyond his immediate survival needs, man is the fiercest predator of all.

First settlers in America found a land of teeming abundance. Animals that had never encountered civilized man were unbelievably tame. Great swarms of passenger pigeons filled the skies, as the buffalo did the plans. Fish were plentiful in the sparkling, clear streams, and miles upon miles of dense forests sheltered innumerable forms of wildlife. The red men who had lived on the continent for centuries had managed to do so without upsetting the natural order. The newcomers fought to subdue the wild men and the wilderness: much of the fauna also fell by the wayside. Sometimes the loss of wildlife was incidental, sometimes deliberate.

The great auk is an example of an American bird that was slaughteered recklessly in the very early days; when it became scarce, it was all the more avidly hunted to extinction because of its value as a rarity. The most recent sweeping destruction was that of the buffalo. Hunters made big profits from the animals, whose death knell was sounded when their extermination was seen to be a strategy for conquering the Indians who depended on them.

Seemingly endless supplies of game that greeted the first colonists diminished rapidly, from land cultivation and over-hunting, to the point that by the late 17th century some efforts at game laws and closed seasons were started, especially on deer. Bounties were placed unscientifically on predators that interfered with man's interests. In most cases, this system only put the wildlife structure further out of kilter, killing off some species and leaving others without natural controls.

Another disruptive factor was the introduction of animals not native to the land, such as pet cats and dogs, sparrows, starlings, pigeons, carp, and vermin such as rats and mice that slipped in from the ships of the Old World. Without the natural enemies that held them in check where they came from, many of these immigrants multiplied rapidly, to the detriment of native species.

One of the greatest changes in habitat was brought about by the felling of the vast forests. As well as their myriad uses for the wood products, the settlers needed to clear land for farming: also, they feared the savage woodland with its unknown inhabitants. As the axes did their work, many wildlife species were displaced.

The human tide has swept across the continent, until in modern times wilderness is at a premium, and much wildlife is in serious danger. The price of tremendous technological advances is being seen in the increasing pollution of air and water. The grave problem of insecticide poisoning is even yet not fully realized. It is becoming more and more apparent that a "Pandora's box" has been opened by unregulated use of chemical pesticides, with far-reaching effects to all living creatures and a growing trail of dead ones, other than the originally planned victims.

Even the ocean is not immune. Coastal waters, the spawning grounds for many varieties of marine life, often are spoiled by silt, oil, and chemicals. Shellfish particularly are susceptible to pollution. Also, great inroads have been made on a number of deep-sea fish and mammals by international fisheries.

There is another side to the ledger. Some animals have actually benefited from the advance of civilization. Deer are a prime example in this country, partly because of the early measures taken to protect them, and largely because, as virgin pine forests were cut, in many areas a more favorable habitat for deer developed. Others that have prospered include the gray squirrel, skunk, raccoon, red fox, and cottontail rabbit. A few desirable exotic species that have been introduced have succeeded in suitable areas, largely because they have filled a void where all similar and competing species had been killed off. The ring-necked pheasant is a good example of such a new resident.

There have been a few men of vision and feeling, even in the darkest ages of man's disregard for his fellow living creatures. Some attempts at good stewardship have been made along the way, and knowledge has gradually accumulated. During the past century, and especially in recent decades, awareness has been growing that man is not superior to or detached from the forces of nature. His part in this vastly complex world may be a dominant one but it is just a part, all the same. He has deep needs and relationships in connection with the earth and all its inhabitants.

Does it really matter if the whooping crane or the alligator fade from existence? On the surface, to most people who wouldn't see them anyway, it doesn't. These particular species might be termed anachronisms, for they have been on their way out for thousands of years. Yet, under natural conditions, they would still have thousands of years more. There is wisdom in Nature's manner of selection and discarding.

At the present time, as a result of man's blind intervention, species are dying out at a faster rate than they are being replenished. Many that we consider to be insignificant do not apparently affect us, yet who are we to estimate the contribution that is made by even the humblest form of life? Aside from any material gains, man's yearning for the aesthetic value of wildlife is not to be underestimated. It is theoretically possible that man could live on a concrete-paved earth, his food and gadgets produced by scientific processes. But it would be a lifeless sort of existence—and lonely. Just think of never again hearing birdsong, seeing the silver streak of a fish through the water, or the wild gleam of eyeshine in the dark. The sense of loss would eventually reach even the most hardened city dweller.

We are far from such a deprived state, yet we are at a conservation crossroads. Steps that are taken now will have an indelible effect on the world of the future. Because of the rising interest in conservation, a number of valuable bills are being passed in this country, and knowledge is being spread to the far corners of the earth. The new Endangered Wildlife Bill calls for a national program for acquiring and protecting critical habitat areas.

The U. S. Bureau of Sport Fisheries and Wildlife has defined the terms "endangered," "rare," "peripheral," and "questionable." An endangered species is considered to be one "whose prospects of survival and reproduction are in immediate jeopardy." Causes may be disease, predation, competition, or change in habitat. Without help, these species face extinction. In this country, 16 mammals, 34 birds, 25 fishes, 1 reptile, and 2 amphibians are in this classification.

A rare species is "one whose numbers are few throughout its range." While conditions are stable, such species may survive in limited numbers, but any adverse changes may quickly make it endangered. In this classification are 12 mammals, 16 birds, 14 fishes, 1 reptile, and 1 amphibian.

A peripheral species is one "whose occurrence in the United States is at the edge of its natural range." Numbers may be adequate outside this country, but special attention is needed to keep them among our fauna. In this classification have been included 9 mammals, 68 birds, 4 fishes, and 2 reptiles.

Many species of animals have been placed in a "status questionable" category. Information is being sought on them to determine whether or not they are in danger. Eighteen mammals, 45 birds, and 49 fishes are so classified.

So far as Texas is concerned, the species that are included in the endangered category are: black-footed ferret, Attwater's greater prairie chicken, whooping crane, Comanche Springs pupfish, Clear Creek gambusia, American alligator, Texas blind salamander, golden eagle, praire dog, river otter, kit fox, black bear, and the red wolf.

Those in the rare category include: lesser prairie chicken, southern bald eagle, American peregrine falcoln, black-capped vireo, golden-cheeked warbler, Big Bend gambusia, mountain lion, grey wolf, swift fox, and the Mississippi kite.

Peripheral species in Texas include: jaguar, margay cat, rose-throated becard, grey hawk, rose-bellied lizard, Ruthven's whipsnake, and Mexican hook-nosed snake.

Further study of the reasons for the scarcity of these species will indicate what courses of action to avoid in the future, and what remedies may be effective. There has been encouraging success in some areas. Pronghorns, white-winged doves, and bison are some that have been brought back from the brink. Awakening concern for such efforts is one hopeful sign of true progress in the evolution of man himself.

THE 11TH HOUR—PART 2

(By Joan Pearsall)

Concern for the plight of the vanishing wildlife species of the world has been growing in recent years. All living creatures are linked in a vast ecological web. Repercussions may be felt then throughout the whole natural structure from the loss of even the most obscure and distant life form. However, since it is understandable that the fate of one's neighbors is of deeper interest, it is worthwhile to turn closer attention here to some of the species that are in danger in Texas.

Most well-known in this category are those part-time residents of Texas, the whooping cranes, *Grus americana*. Breeding place of these birds is Wood Buffalo National Park, in the Great Slave Lake area of northern Saskatchewan, Canada, and their winter residence is the Aransas National Wildlife Refuge on the Texas Coast. These large, statuesque birds stand five feet tall, and have a seven foot wing spread. They are all white, except for black wing tips and head markings, and bright red bare skin on the top of their heads. First year birds have a rusty tinge, especially on the head and neck.

This is an ancient species, dating back to the prehistoric Great Pleistocene era, and has been declining slowly over thousands of years, but destructive forces of the white man critically accelerated this decline. They were shot for food and sport, pursued by amateur collectors, and evicted by agricultural development and drainage of much of their breeding terrain.

The maximum reproduction rate of these birds in the wild is two young per pair per year, but one or none is more usual. The early limits of its range are not definitely known, but it is believed that they nested from Illinois north and west across the prairie states and provinces to the northwest territories, and wintered from Mexico and the Gulf Coast north along the eastern seaboard to New Jersey. The bird retreated west of the Mississippi during the 19th century, and was rare everywhere by 1880. Less than a dozen pairs remained in all North America by 1926.

For many years, the birds' final breeding grounds were a mystery. In 1945 the Cooperative Whooping Crane Project was set up by the U.S. Fish and Wildlife Service and the National Audubon Society, and the whooper's struggle for survival was given national news coverage. This resulted in such a wave of protective sentiment that in ensuing years shooting of cranes on their great migrations has become negligible. An oil company restricted drilling operations near the wintering grounds, and public outcry caused the Air Force to cancel bombing practices on Matagorda Island, which might have been fatal to the cranes. The exact migration route was painstakingly marked out, from the Gulf Coast to Saskatchewan. However, it was not until 1954 that a pilot for the Canadian Wildlife Service solved the secret of the summer grounds. It is now presumed that all remaining whooping cranes nest in the same wilderness, just south of Great Slave Lake. This area is, fortunately, in a Canadian national park; the Aransas wintering area also is a legal sanctuary, established in 1937.

The crane's small, fluctuating numbers now stand at 43 in the wild, and 8 in captivity in various zoos. They are strictly protected at all times by U.S. and Canadian governments and wildlife agencies. A 90-acre fenced area has been planted to grain, to help keep the birds from wandering from the Aransas area, and research is continuing on the rearing of cranes in captivity, with a view to returning them to the wild. Additional winter refuge areas and migration stopover areas are planned.

Some voices have been heard protesting the amount of time and money spent on a bird that will no doubt eventually die out anyway, and it has been pointed out also that other less spectacular and glamorous animals that are in even more dire straits deserve but do not get the same publicity. Yet, every year that these majestic birds continue to soar across the skies of North America, they bring a particular pleasure and enrichment to a whole continent. And, because they fill the spotlight so well, they have drawn attention to the needs of wildlife in general, and attracted much benefit and loyalty to the whole cause of conservation.

Another endangered bird, this one a year-round Texan, is the Attwater's greater prairie chicken, *Tympanuchus cupido attwateri*. This hen-like bird is brown barred with black above, buff barred with black below. It is a first cousin of the extinct heath hen of the Northeast. Its range now is confined to a few small areas of coastal prairie in Texas, whereas formerly it inhabited the entire Gulf coastal prairie of southwestern Louisiana and Texas south to the Nueces River. Their numbers in 1963 were estimated to be approximately 1,300.

Prairie chickens have been protected by law for many years, but one of the factors for their decline was devastating hunting pressure. This bird is nonmigratory and always found in open grassy areas. It could not retreat or hide in denser growth, since its famous courtship ritual—spectacular booming, strutting and aerial displays, a wonder to watch—requires open space. The other major reason for its decline is that its tall grass prairie habitat has been reduced below minimum requirements. This type of land is very valuable for grazing and the culture of grain sorghums, rice and cotton.

Since this species is exceedingly difficult to breed in captivity, its doom is certain unless more available wild habitat is provided. This bird has also received a fair amount of publicity, and has its especially loyal supporters. One retired gentleman in Dickinson spends most of his time studying them and has a kind of private refuge for them on his property. Intensive scientific studies have been made by biologists in cooperation with the Texas Parks and Wildlife Department. Conservation groups such as the Nature Conservancy and World Wildlife Fund are trying to raise $365,000 to buy enough prairie acreage for a prairie chicken sanctuary.

Egg fertility of these birds is high, but so is nesting mortality. As many as 70 percent of the young become victims of larger predators, and heavy rains are another hazard. As well as the proposed acquiring of extra habitat, rigid protection has been recommended, development of suitable cover, and planting of food croops.

Another dwindling creature of the prairie is the prairie dog, *Cynomys ludovicianus*, which is not a dog at all, but a perky ground squirrel with somewhat of a resemblance to a fat puppy. It is a pinkish cinnamon color, mixed with buff, its tail tipped with black. It has large eyes and short rounded ears. In the 1890's it was estimated that more than 800 million of the animals inhabited an area of 90,000 square miles in western Texas. They now occupy the western half of Texas from the Panhandle south to San Antonio, and west to El Paso, but are rare throughout most of their range.

They prefer short grass prairies, which allow for good visibility, for their colonies or "towns," that could vary in size from a few to several thousand individuals, except that the large concentrations are now a thing of the past. Their homes consist of deep burrows with funnel-shaped entrances that descend sharply before leveling off. The main entrances have crater-like mounds around them, for protection from floods and to serve as lookout points. They partially hibernate in the northern part of Texas, storing up reserves of fat in summer to tide them over the winters.

Their food is chiefly low growing weeds and grasses, which they eat voraciously; 32 can eat as much in a day as can one cow. Since this was a heavy drain on range vegetation, livestock and farming interests joined forces with government rodent control specialists in poisoning millions of the animals, using mainly strychnine-treated grain. This campaign, together with their being a target for hunters, reduced their population to a few small, scattered colonies by 1940. By 1960, it was almost eliminated completely.

Now, not only have they become something of a novelty, but it is strongly suspected that removal of the prairie dogs has resulted in an undesirable spread of brush, with far more detrimental effects on the livestock industry than damage done by prairie dogs. Moderate populations are now seen to be beneficial, and ranchers are working to keep the surviving remnants.

Closely associated with the fate of the prairie dog is the elegant and very secretive black-masked, black-footed ferret, *Mustela nigripes*. In fact, its decline can be directly attributed to the destruction of the former. The large weasel lived alongside its natural prey, in the same den sites, and because of this dependence has become one of the rarest mammals in North America. Highway kills and shooting have also taken their toll.

The animal is now protected by law in some states, and studies of its life history and ecology are underway. Attempts to bring some into captivity for breeding purposes, and the establishment of sanctuaries, have been suggested as the only possibilities for survival. Its present status is extremely precarious.

Yet another victim of intensive poisoning, directed toward coyotes, is the swift or kit fox, *Vulpes velox*, which has been almost completely eliminated. These smallest of American foxes, weighing between three and six pounds, are short grass plains dwellers. They prey extensively on the kangaroo rat, a seed-eating rodent. Reduction of the kit fox has paved the way for an increase in kangaroo rats, with detrimental results to range vegetation.

One of the most playful of mammals, the river otter, *Lutra canadensis*, exists in declining numbers in eastern and southeastern Texas. Due to their habit of wandering over several miles of a waterway, these animals never are abundant in any locality, and are seldom seen; even so, they have been strongly affected by hunters and hurricanes, but now are protected by law.

American alligators, *Alligator mississippiensis*, are found in East Texas streams and swamps, and on the coast from Louisiana to Corpus Christi. This huge reptile, with the rough back and rounded snout, unlike the crocodile, is not dangerous to man, but is beneficial in controlling undesirable fish. The deep water holes that they dig during droughts are of great assistance to other animals. They breed well in captivity, and alligator farms in other states have been successful.

In the wild they are dwindling critically, especially in Texas. They have been seriously affected by the usual destruction of habitat, and by hunting pressure; there always has been a high commercial demand for alligator skins.

These animals now are protected by some laws in every state except North Carolina, and careful studies on them are proposed.

Other animals also are on the endangered list in Texas, with similar stories to those mentioned here. More are almost at the critical stage, or will be in the near future.

The remainder of this century will be in many ways a time of great decisions, and certainly not the least important will be those affecting the future of wildlife on this earth. Man's reach for the stars will bring him hollow victories indeed if his own planet should become barren and lifeless of all creatures beside himself. The disappearance of every single species brings such a prospect one irrevocable step nearer, since the present rate of extinction is many times more rapid than Nature can possibly remedy.

Recent legislation in this country should do much toward averting the crisis. Public Law 89-669 seeks to protect native threatened fish and wildlife, including migratory birds, and to preserve habitats to the greatest possible extent. The Bureau of Sport Fisheries and Wildlife will cooperate with various states and regions, aiding in research and existing projects. More dissemination of information to the public also is planned.

There is much that even individuals can do. Conservation officers and agencies are glad to supply information and advice, and always appreciate support. Contributions to such organizations as the World Wildlife Fund, which is dynamically battling for the survival of wildlife; Audubon Society; National Wildlife Federation, and others, are investments likely to produce more valuable dividends than perhaps we realize.

In caring particularly about those animals that are endangered within our own borders we may help brighten the overall picture, as well as enriching the fair part of the world that is Texas.

AIR POLLUTION IN HAWAII

Mr. INOUYE. Mr. President, although it may be a surprise to some, we in Hawaii are concerned with air pollution just as are the citizens of New York or California. Smog, smoke, and burning debris are still too common sights in many parts of Hawaii. We are fortunate that the trade winds carry off much of the aerial filth, but these winds are limited in their capacity to cleanse, and each year the sources of air pollution multiply.

The State of Hawaii ranks third in the Nation in expenditures per individual for air pollution control. In fiscal 1966, our State department of health has received close to $50,000 to improve its air-pollution-control program, an annual expenditure of 11.7 cents per person.

We have made a start. But I think it is plain that we have a long way to go. The Air Quality Act of 1967, which has been proposed by President Johnson, marks a significant advance. I, for one, fully endorse the President's proposal. Under this legislation, which I am cosponsoring in the Senate, the Secretary of Health, Education, and Welfare will, for the first time, be able to establish a regional air quality commission in those areas where interstate air pollution problems exist. I know of no area in the Nation in which adjoining States have effectively used authorizations in the existing Clean Air Act to attack the problem together.

The proposed legislation would also authorize the Secretary to establish minimum emission control levels for those offending industries which engage in interstate commerce. While Hawaii's industry has made efforts to control air pollution, I think it is unrealistic for us to assume that nationwide industry will show similar cooperation. Though the economic effects of air pollution are many times more costly than the efforts needed to adequately control the problem, the user of air has no real economic incentive to avoid air pollution. Rather, he is motivated to avoid the cost of controlling pollution. We cannot expect an industry in one State to support regulation, when there is no assurance that a competing industry in another State will not be subject to similar regulation. For this reason, we need national standards.

Hawaii would not profit directly from the interstate provision of this legislation, but it would benefit from the grants to be made to State agencies. Some of these may be used to inspect the antipollution devices required on 1968 model automobiles. Others are for research into methods for reducing air pollutants in fuels.

In the early morning, Hawaii's air is often polluted by smog from industrial smoke and from exhaust fumes. Our State health authorities seek to bring these sources of air pollution under control, but they need the assistance provided by the proposed legislation.

I am happy to support this proposal. It holds much promise both for our State and for the Nation.

UNIFIED CORRECTIONS SYSTEM

Mr. HARTKE. Mr. President, in his crime message to the Congress, the President proposes to unify the correctional process for the offender. The effort to correct the offender should be one continuous program from confinement to release into the community under supervision. This normal progress should be uninterrupted by a host of officials charged with the responsibility for supervising each step. The present system is too fragmented to most efficiently accomplish this goal.

The new Federal work release law was enacted in recognition of the fact that the role of the correctional administrator does not end at the institution's gate. Its demonstrated success indicates the need for meshing institutional and community programs. The last Congress enacted a new Narcotic Addict Rehabilitation Act. This act also recognized the appropriateness of integrating institutional and community programs when it provided for an aftercare program under the supervision of the agency responsible for institutional care. The need for this type of service and supervision is just as great for the offender.

I hope that my fellow Senators will give prompt consideration to this problem.

THE PROPOSED TAX INCREASE

Mr. HARTKE. Mr. President, recently, W. P. Gullander, president of the National Association of Manufacturers, issued an in-depth statement about the proposed tax increase requested by President Johnson. While I do not agree with all the conclusions and alternatives outlined by Mr. Gullander, I do believe his views are deserving of consideration by Senators and others concerned with the economic condition of our country.

In any event, I am certain these views, thoughtfully and carefully presented, deserve to be brought to the attention of all of us. Therefore, I ask unanimous consent that Mr. Gullander's statement be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement of W. P. Gullander, President, National Association of Manufaturers

We firmly believe that, at this stage of history, the needs and desires of the American people will be better served by a curtailment of government expenditures than by the proposed 6 percent surtax.

We do not mean to second-guess the President's conclusion to the effect that the economic situation in fiscal 1968 will call for a reduction in the deficit on the national income accounts basis. But this over-all result can be better achieved by a reduction in the proposed spending, without the tax increase.

The question of which method should be followed can be properly decided only on the basis of the preferences of the American people. Do they want to pay more taxes in order to buy an expansion of government?

The evidence we have seen indicates that the American people are overwhelmingly in favor of reduced government spending. In response to a public opinion poll, conducted by Opinion Research Corporation, the public indicated that they favored expenditure reduction over a tax increase by a margin of 13 to 1.

The President's budget for 1968 involves decisions for increasing support of both military and non-defense programs, on which he has asked for strict examination and evaluation by the Congress. We urge that the Congress accept this as a literal challenge and act upon it promptly. The dual purpose of such searching action should be to reduce the spending authority now sought by amounts sufficient to void any justification for additional taxes.

From an economic viewpoint, the impact of a further tax claim on the country's resources in a period of already slowing growth should be avoided. The mild economic stimulation sought by the President through a budget deficit could also be achieved by a lower spending level without a tax increase.

We also believe there are a number of warning signals indicating that the economy may require an application of fiscal policy designed to have precisely the opposite effect of the proposed tax increase. The recent report of the Council of Economic Advisers seems to anticipate that inflationary pressures in 1967 will come primarily from rising costs facing the Nation's producers. If this is the case, then manufacturing industry must be in a position to employ to the fullest all of the available modern cost-cutting machinery and equipment and the trend of declining orders for capital equipment must be reversed. We, therefore, urge the Congress to give immediate consideration to early restoration of the 7 percent investment credit and accelerated depreciation methods, now scheduled to come back into effect at the end of this year.

From a fiscal viewpoint, Congress should defer consideration of the proposed tax increase until it has first acted upon—and appreciably cut—funds in the 1968 Budget. The accumulated increases of non-defense spending in recent years are so great as to require critically sober appraisal of both current and proposed levels.

If the President's proposals for fiscal 1968 are carried out, the increase in cash spending over the five-year period beginning in 1963 will have been 52%. It is significant that the projected increase in defense spending over this period is 44%, as compared with an increase of 58% for non-defense spending.

ACCOMPLISHMENTS OF PEACE CORPS

Mr. McGEE. Mr. President, the firm, effective hand with which Jack Vaughn runs the Peace Corps today is well described for us in an interview published yesterday in the Washington Daily News. The story by Scripps-Howard Writer William Steif points up the accomplishments of Mr. Vaughn and his corps of volunteers in the past year. The Peace Corps has expanded, but its expenditures have been cut. In truth, Jack Vaughn has been paring fat from the Corps without diminishing its work.

I ask unanimous consent that Bill Steif's article on Jack Vaughn and the Peace Corps be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Peace Corps Fat Pared Off

(By William Steif)

It has taken Jack Vaughn just a year to pare the fat off the peace corps.

The ex-Marine who succeeded Sargent Shriver as director talked about the program in his office, between puffs on a pipe.

"We've sloughed off a lot of Mickey Mouse stuff," he said. "The Corps is tight as a drum." The figures bear him out:

A year ago, 11,000 volunteers were overseas compared to 13,000 today.

The Corps is in 52 nations compared to 46 a year ago.

Four-hundred volunteers have been sent

to Micronesia, a project not even dreamed of a year ago.

And spending has been cut from $114 million in fiscal 1966 to $110 million this year.

WHY HE IS POPULAR

It is this fiscal feat that makes the red-haired Vaughn so popular at the White House.

Gossips have had him moving on and up for weeks. He thinks this is "highly unlikely, because it's not right to have a job a year and then move out."

Mr. Vaughn, 46, is careful, as befits a State Department-trained man. Where Mr. Shriver was characteristic, Mr. Vaughn is reflective. There is nothing of the hip-shooter about him. This is his second tour of duty with the Corps. He was the Corps' associate director for Latin America before leaving in 1963 to become U.S. Ambassador to Panama and later Assistant Secretary of State for Latin American affairs.

TOUGHNESS SHOWED

An ex-boxer, Mr. Vaughn displayed his toughness in last year's "great hostel crisis."

The Corps, Mr. Vaughn found, ran a chain of 76 hostels for volunteers around the world. "They were safe, clean, comfortable and didn't cost more than $500,000 a year," he recalls.

"But they were not helping us do our job. In fact, they were barriers between the volunteers and the local people. I decided to leave running a hotel chain to Hilton. I abolished them all and"—a puff on his pipe—"I became the most unpopular Peace Corps director of 1966."

He became so unpopular, in fact, that 700 volunteers in Nigeria teetered on the edge of open revolt. "They wanted to be heard," he says. "So I went, listened, talked." "And put down the rebels."

SKILLS NEEDED

Even more than Mr. Shriver, Mr. Vaughn has followed the line that the Corps is not an instrument of U.S. policy, that it is a body of intelligent young technocrats whose skills are desperately needed in the nations employing them.

This has led to recurrent talk of sending volunteers behind the Iron Curtain. Several Soviet embassy officials recently addressed a meeting of Peace Corps employes, who inquired about the possibility of "trading" volunteers with Russian youth groups.

"We are ready to listen to any reasonable proposal," says Mr. Vaughn, "but we've heard nothing so far. Obviously they need us."

The Corps has had difficulties with leftist politicians in Turkey, Somalia and Guinea in recent months. Guinea President Sekou Toure threw out the entire volunteer contingent, the first time that has occurred. But Mr. Vaughn smiles.

"We're waiting for Guinea to invite us back," he says.

A 20,000 PEAK

He expects a gradual buildup of volunteers to a peak of 20,000 in 1971. A consolidation with VISTA (the Domestic Peace Corps) is "a real possibility" at some future date. As for new countries that may call for Peace Corpsmen, he predicts:

"Gambia and Upper Volta, probably three or four others in Africa. Expansion in Korea. Perhaps we'll go back to Ceylon, which we left in 1964.

"We'll go anywhere we're wanted. But not as colonials."

NEED FOR REVISION OF U.S. TRADE POLICIES

Mr. HARTKE. Mr. President, at the 1967 Public Affairs Conference, L. B. Worthington, chairman of the American Iron & Steel Institute, outlined the competitive position of American steel in the world market and cogently argued for a revision of our trade policies.

Several Senators had the opportunity of hearing these remarks. I commend the speech to those who did not, and therefore, under unanimous consent I place it in the RECORD at this point:

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

NEED FOR REVISION OF U.S. TRADE POLICIES

(By L. B. Worthington, chairman, American Iron & Steel Institute, at the congressional breakfast, 1967 Public Affairs Conference, New Senate Office Building, Washington, D.C.)

In the short month since the 90th Congress convened, you members of this most important body have already receiving enough legislative challenges to overburden the hardiest among you.

You've learned of the state of the union, the state of the budget and the state of the economy.

I wish that I could, this morning, report in equal detail upon the state of the steel industry and discuss some of the pending legislative proposals that are importance both to you and to us.

Particularly, I wish that we could explore together this pressing question of air and water quality which concerns all of us so deeply; and that I could review the nearly thirty years of research that has been carried out by American Iron and Steel Institute in this field. . . . that I could tell you about the more than half-billion dollars that the steel companies have spent in the past 15 years on the installation of pollution abatement facilities, and about the additional 150 millions or so that they are now in the process of spending for this purpose. I wish I could discuss the role that the 7 percent tax credit has played in helping to finance these heavy capital outlays which add nothing to our production; and that I could explain the advantages which might be gained by substantially enlarging this credit as it applies to pollution control facilities.

But in view of the heavy demands upon your time, and in keeping with my promise to make this short, I must confine myself this morning to a single topic; and because of its importance, that topic has got to be the steady and relentless increase in the imports of foreign steel, and the effect of these imports upon the companies, their employees and the people of this nation.

By way of background, let us look for a moment at what has been happening to the world steel picture over a span of just fifteen years:

In 1950 there were 32 steel producing nations in the world; but in 1965 there were more than double that number. That means that more than 30 countries which had formerly depended entirely upon imported steel, now have steel-making resources of their own; and that the nations which formerly supplied those countries have had to scramble for new markets for their exports.

At the same time, world production of raw steel has increased from 207 million tons to 501 million tons. Moreover, it appears that at least 75 million additional tons could have been produced had there been a market of this steel.

The world exports of steel have more than doubled in the past decade. In 1955, 23 million tons went into the export market; but in 1965, 51 million tons were exported. And no longer does this steel flow principally from the industrialized nations to the less-developed countries. Twenty percent of it comes into the United States, so that this nation—which is the world's largest producer of steel—has become paradoxically the world's largest importer of steel.

Furthermore, major facility additions are projected for both Western Europe and Japan, even though the evidence is that neither in their own home markets nor in the less-developed countries will demand for steel increase sufficiently to absorb this additional production. Thus it is clear that more and more of this foreign steel will be knocking at the door of our American domestic markets.

Today then, the American steel industry is confronted by the cold hard fact that the shifting patterns of world trade over the past nine years, are now costing us more than 13 million tons of finished steel products annually.

Our exports have plummeted from 5½ million tons in 1957 to less than 2 million tons last year while imports during this period have rocketed from a little more than 1 million tons to an all-time record of 11 million tons in 1966. And these imports now account for about 11 percent of our total domestic steel market.

In the Southwest, and out on the Pacific Coast, imports have taken more than 20 percent of the market; and for certain products—such as wire rods, barbed wire, nails and staples—foreign imports represent from a third to a half of the sales in this country.

No one, I think, should try to minimize the impact of 11 million tons of imported steel on the American market. It represents more than 70,000 steelworker jobs alone, and many thousands of additional jobs in supporting industries—all at a time when this nation is striving to achieve maximum employment.

It represents a negative trade balance of nearly a billion dollars at a time when our nation is striving mightily to reverse or contain our balance of payments deficit.

It represents the output of a company larger than Armco and Jones & Laughlin combined, and all the federal, state and local taxes which that company—its employees, its suppliers, and their employees, in turn—would be contributing to the welfare of our nation.

And, finally, it represents a threat to the growth and strength of our own steel industry at a time when America is called upon to defend world peace and the integrity of smaller nations in many parts of the globe. In this situation, gentlemen, I am sure you believe as I do that American security requires a steel industry strong enough to meet whatever demands may be made upon it; and that this nation can never afford to look to other countries for the vital steel supplies that are a major ingredient of its military power, and of its peace-time economic strength.

Now I don't have to tell you, I'm sure, that the American steel companies have not been taking all this lying down. We've been doing everything in the book to make this industry as efficient and as competitive as it is possible for any industry to be.

To enhance our position of technological leadership, and to develop new steel products that could not be obtained anywhere else in the world, we are now spending considerably in excess of 100 million dollars a year on research. And you may be interested to know that in the case of my own company about 15 percent of its shipments last year were of products that we have been selling for less than five years.

But transplanting technological advances from the laboratories to the mills themselves is a costly business; and during the past ten years the American steel companies have spent more than 13 billion dollars on new, more efficient production facilities—designed not only to reduce costs, but to establish new high standards of quality for our competition to shoot at.

Last year, these capital expenditures exceeded 2 billion dollars; and we expect that they may be as great or greater in the current year. Yet even these enormous outlays are inadequate now to take full advantage of existing technology, and they show little promise of growing at anything like the pace of the increase in our knowledge of steel products and production methods.

Retarding this growth, of course, is the recent suspension of the 7 percent investment credit and of the provisions for accelerated depreciation; and needless to say, the proposed surtax on corporate and personal incomes will, if enacted, impair further our ability to generate the funds needed to finance these capital expenditures. Not only will it intensify the profit squeeze which the industry has suffered in the past decade, but by biting more heavily into the take-home pay of the steelworkers at a time when they are already disturbed by the rising cost of living, it might well build up increasing pressure behind the wage demands that will be made upon us next year.

So our competitive position will be directly affected by the actions of Congress in these important fields of taxation. But meanwhile, we are pressing forward with this program of capital spending as rapidly as we can; because this race for technological advancement is one race that we cannot afford to lose, and neither, I think, can America.

Yet in spite of all we have done and are doing, foreign imports continued to increase last year, even though there was no labor negotiation to be faced, no threat of a work stoppage, and no reason for steel users to protect their supply by turning to offshore sources since domestic producers could fully meet the demand.

Now what are the root causes of this problem?

Well, whether we are talking about steel or any other industry, American production costs are inescapably related to the American standard of living; and are based upon the world's highest wage structure. Even the minimum hourly wage in this country—as fixed by our federal wage-hour laws—is substantially higher than the average wage in most foreign countries. And when you remember that, in the economy as a whole, employment costs represent more than 75 percent of all production costs, you realize why—in industries like steel—foreign-made products can often undersell ours in world markets.

I wish that some of our Congressional guests, this morning, could have been with me on my trip to Japan last month, and could have seen as I did the spectacular advances which the steel industry in that country has made since the end of World War II. Starting almost from scratch, it has become the third largest steel producer in the world, and last year it exported about 11 million tons of which nearly 5 million tons were sold in the United States.

Moreover, the Japanese have vast plans for expansion in the very near future, with the likelihood that most of this new tonnage would go into exports. So a few points of comparison between the two industries might be worthy of attention.

There is little to choose between the two as to technology, productivity, labor supply, skills and climate. The United States may have some advantage in the availability of raw materials although this is shrinking as new high-grade ore and coal sources open up around the world and as highly-efficient ocean bulk carriers go into service. The United States has the most modern and diversified transportation system in the world—a real advantage—but the location of all major Japanese plants on the Coast is a partially balancing factor. Therefore—as to these factors—our steel industry would seem to have some edge on Japan's. The only identifiable major difference among the economic factors affecting the two industries is in employment costs.

Employment costs in the Japanese steel mills are less than one-third as much as they are in the United States. And when I speak of employment costs, I am not talking about wage rates alone. I am including the whole range of benefits which the Japanese steelworkers receive.

The net result is that the Japanese mills have an advantage of from $30 to $35 a ton in employment costs alone. And beyond that their capital costs in the construction of new facilities are only about half as much as ours.

Faced by that kind of cost disadvantage, American producers have little chance of competing on a basis of price and must rely on quality, service and innovation as the primary areas of competition.

But these cost advantages which foreign producers enjoy in varying degrees in Europe and the Far East are not the only explanation of the flood of steel imports which washes up on our American shores. A basic cause lies in the excess steelmaking capacity which exists abroad and continues to increase; so that steelmakers in these countries are compelled to maintain their exports at the highest practical level. If this means that they must ship their excess tons across the seas at whatever price is necessary to get the business, then they do so—and eventually their governments or their home-market customers must subsidize these exports in one way or another.

Foreign governments use their steel industries as instruments of national policy resulting in protection of those industries. The measures they have adopted take many forms but they are designed to protect domestic markets and stimulate exports. These include tax rebates, subsidies, special shipping rates, and special depreciation allowances.

And America is a prime target for these exports because the steel market in the United States is not only the largest and most diversified in the world—it is also the most open and easily accessible in the world. Here a low tariff, averaging less than 6 percent of the value of the product, is the only barrier this country places in front of steel imports.

But in other countries it is different. When American steel goes abroad, for example, it must absorb tariffs that can be more than double the American duty and then be required to hurdle a battery of non-tariff barriers which may include border taxes, surcharges, import licenses, penalties, fees and so-called equalization taxes that—in various countries—are levied on imports and rebated on exports. So the United States market is thus being used by foreign mills as a kind of "bargain basement" in which to dispose of their surplus production.

Gentlemen, there is a point—and I believe that point has been reached—where there is a limit to what we can do and still maintain the financial soundness that steel or any other industry cannot and must not jeopardize. There is a point—and I believe that point has arrived—when the import-export problem of the steel industry must be recognized in the offices of government and appropriate steps taken to solve those portions of the problem which only government can solve.

You all know what has been happening in Geneva. After years of debate, the GATT negotiations are at a virtual standstill and we in the steel industry feel certain that nothing can result which will prevent the steady deterioration of our international trade in steel.

The Trade Expansion Act expires in June and we feel it would be a tragic mistake if the Congress were merely to pass a perfunctory extension of that Act. And I gather that we are not alone in that opinion.

The Chairman of the Finance Committee, Senator Russell Long, was quoted the other day as saying: "Our trade policies need a thorough new look; and some hard-headed American businessmen are needed to devote a great deal of independent thought and study to the over-all program."

And at the annual meeting of the Trade Relations Council, Senator Everett Dirksen, the Minority Leader, expressed his "deep conviction that it is time that the Congress restore some semblance of fairness and balance to our foreign trade policy and procedures.

"We must be as zealous," he said, "in our concern for the welfare of American workers and their employers as we are for those living in distant lands . . . we as a people—and especially your Representatives in the Congress—must be farsighted enough to strengthen the American system by our wise adoption of laws calculated to foster America's strength and economic growth, rather than submissively to accept policies whose chief contribution is strengthening other nations at our expense."

Statements like these—coming as they do from both sides of the aisle—are encouraging indeed and certainly we are grateful for the efforts of many of you Members of Congress in seeking a solution to this problem. Two examples come to mind—the study of the steel import situation which is presently being conducted by the staff of the Finance Committee as the result of a resolution introduced during the last session by Senator Vance Hartke; and the hearings concerning the impact of imports on labor which were held by Congressman John Dent and his General Labor Subcommittee this past summer.

Studies and hearings of this kind are important in the determination of long-range trade policy. However, the welfare of this industry, the maintenance of the high standard of living of the American steelworkers, and—I believe it is fair to say—the security of this nation require that the Congress take steps at this Session to enact a temporary levy on imports of foreign made steel and pig iron, so as to narrow the price differential and create a climate of more equitable competition between domestic and foreign producers who seek a share of the United States market.

What the exact terms of such a law would be, and how it should be drafted, are matters, of course, which rest with you, and we will be communicating with you individually to gain the benefit of your counsel as well—we hope—as your support.

But meanwhile if you are looking for any of those "hard-headed businessmen" that Senator Long was talking about, I must say that seated in this room today are some of the hardest-headed men that you could find anywhere. I know, because I have been competing against them and their companies for more than forty years. And every one of us wants to be helpful to you in finding a fair and workable solution to this vital problem.

I hope that, together, we can.

OUTER SPACE TREATY

Mr. McGOVERN. Mr. President, while I support the substantive provisions of the Outer Space Treaty, I should like to take a moment to call attention to the value of agreement itself, quite apart from its substance.

Although this document draws on two or three United Nations resolutions and on the Antarctic Treaty, the real sparkplug for it was President Johnson's proposal of May 7, 1966. This was at the height of our disagreement with the Communist states over at least one major problem—the Vietnam conflict. Some feared that no major progress in our relations could be made until that quarrel was settled. Actually, there is no such thing as a static international relationship. Either we allow our relations with the Soviet Union to deteriorate, with the frightful specter of nuclear war at the end of the process, or we take every opportunity to improve those relations. I see no real choice between such options.

The Outer Space Treaty is a long and complex document. Many treaties of less complexity have taken years to work out. Reconciliation of national interests is an arduous process. But President Johnson proposed this treaty on May 7; the 28 members of the U.N. Outer Space Committee negotiated intensively; agreement was reached by December 8 of the same year.

I think this a remarkable achievement, and I hope the Senate will shortly put its own stamp of approval on it.

REVIEW OF 1966 EDITION OF YEARBOOK OF AGRICULTURE

Mr. MONDALE. Mr. President, the amazing success story of American agriculture is well known to all Members of the Senate. It is an inspiring story, and it is revealing, too. It is revealing because it graphically depicts the unprecedented success which can result when dedicated men and women in diverse vocations bend their efforts toward a common objective.

Few documents demonstrate the complex mixture of individual, governmental, and scientific efforts which has brought this Nation agricultural abundance as well as the annual Yearbook of Agriculture published by the U.S. Department of Agriculture. A recent review of the 1966 edition of that publication in the January 1967 edition of BioScience by a distinguished science specialist in the Library of Congress, Dr. Francis Joseph Weiss, does a remarkable job of concisely illuminating the diversity of effort which has crowned our agricultural system with abundance.

Mr. President, I ask unanimous consent that the entire review be printed at this point in the Record.

There being no objection, the review was ordered to be printed in the Record, as follows:

("Protection of Our Food: The Yearbook of Agriculture 1966," by the United States Department of Agriculture, edited by Jack Hayes.)

Anabolic and catabolic activities of living organisms and ecosystems are essential functions of life. They had reached an equilibrium before man profoundly disturbed the balance of Nature, when, in the Neolithic Revolution, he began to scrape the earth surface by learning to cultivate plants and to breed animals. In cultivating plants, man not only cultivated the weeds that compete with them for water, nutrients, light and air but also a host of insects, rodents, bacteria, fungi, and viruses; in breeding animals, he also unwittingly bred numerous parasites and contagious diseases affecting his herds and bringing him hunger, disease, and death. The necessity to raise single crops in monoculture and assemble special breeds of animals on relatively small areas gave these destructive forces opportunities to specialize and to proliferate into enormous populations. Since the time of the Neolithicum, man has fought, with only partial success, the unending battle against increasing numbers of more and more destructive enemies in producing and protecting his food and insuring his existence on this planet. It is only since the seventeenth century, however, that the slowly dawning recognition of the biological factors underlying this life-and-death struggle has enabled man to introduce more rational and effective methods of food protection. The remarkable progress made in all branches of biological science in this century has put pest control and food protection on a sound scientific basis and enabled the subsistence of billions of human beings, where formerly only millions could find a bare livelihood.

Particularly the American farmer and stock breeder, in close cooperation with biologists of all specializations, have played a leading role in this unceasing battle. As the Honorable Orville L. Freeman, Secretary of Agriculture, notes in his foreword to the 1966 Yearbook of Agriculture, the American food abundance, which is one of the miracles of our age, "didn't just happen," but it is the result of the immense efforts of our scientists, administrators, farmers and farm workers. As Secretary Freeman points out, they had to fight 10,000 kinds of insects, combat 1,500 plant and 250 animal diseases, eradicate numerous weeds, and eliminate all forms of waste, spoilage, decay, and deterioration.

Men and women in 500 different occupations are united in the endeavor to protect our food, and among them biologists occupy a prominent place: geneticists, entomologists, bacteriologists, mycologists, plant and animal physiologists and pathologists, biochemists, parasitologists, agronomists, horticulturists, microbiologists, and food technologists have been working hand-in-hand in generating the knowledge and devising the methods for this remarkable success of American agriculture which has become the model and the incentive for the agriculture of other countries.

There is space here to recount only portions of special interest to biologists. Instead of chemical control of insect pests, which often leaves undesirable residues, biological control agents such as parasites, predators, diseases, protozoa, and nematodes have been successfully applied. The release into a wild insect population of male insects sterilized by gamma rays, devised by Edward F. Knipling of the Agriculture Department, has brought about the eradication of the screw worm (*Cochliomyia hominivorax*) in the Southeastern United States, where it caused livestock losses of many millions of dollars. This method is now being tested on the codling moth, the European corn borer, and several tropical fruit flies; gamma radiation is also used for the destruction of stored grain insects. In 1964 it was found that exposing the adult Indian-meal moth (*Plodia interpunctella*) to certain sound waves during the egg-laying period reduced reproduction by 75%; following this treatment, the surviving generation was much weaker and died sooner than usual. The discovery of natural and artificial sex attractants which lure insects into a trap where they can be easily destroyed by a volatile chemical is also remarkable.

Man's age-old practice of using pest-resistant plants and animals has found a scientific foundation and rational application through recent developments in the field of genetics. In comparing the resistance of 25 flax varieties, each with a specific gene affecting the plant structure, to different strains of the rust fungus, it was found that for each rust gene enabling the fungus to infect there is a corresponding gene in the host plant determining whether it will be susceptible or resistant. By exploring the genetic code in the DNA molecule of plants, we may eventually learn which gene is carrying the specific trait responsible for disease susceptibility. But even without this knowledge we have achieved remarkable successes in altering the genetic structure of plants by gamma radiation to artificially obtain mutants of higher disease resistance, better yield, or improved quality. Thus, as John R. Deatherage points out in his summary and outlook, "New Horizons in Research," we are standing at the threshold of new discoveries, especially in the biological sciences, which will give powerful weapons for providing a more abundant life for the rapidly increasing world population.

For many years the Agricultural Yearbooks have reflected advances in science and technology as they have affected agricultural production. What makes this Yearbook so outstanding is its concentration on the greatest losses in agricultural production and its all-pervading optimism about man's ability to overcome the obstacles to an increased food production by the extermination of pests and food-borne diseases. The book will provide the more sophisticated biologist with much valuable information about other fields. Despite the condensed nature of its presentations, excellent editing by Jack Hayes makes the book pleasant and fascinating reading. Above all, in times of skyrocketing book prices, to obtain so much scientific material for $2.50 is really a bargain!

Francis Joseph Weiss,
Library of Congress.

UNIFIED CORRECTIONS SYSTEM

Mr. PELL. Mr. President, I believe that we should all be greatly encouraged by the steps proposed in the President's message on crime. He is recommending innovative and much needed ways to meet the growing challenge of our increasing crime rate.

In particular, the proposal to combine parole and probation supervision with prison functions should give us a tremendous opportunity to strengthen the rehabilitation process. I believe that this process is one of the keys to combating crime. When we have eliminated the causes of crime and brought our corrections process to its maximum effectiveness, a major part of all criminal activity will have been eliminated.

I believe that a unified corrections system may be one of the most important steps toward the attainment of this goal. I will be pleased to support it, and I call on all Senators to join with me.

CHANGE SELECTIVE SERVICE

Mr. YOUNG of Ohio. Mr. President, the Selective Service System has proven most unsatisfactory. Local draft boards have too much discretion in administering the draft. Too often the board in one city will grant deferments, while the board of a neighboring city will refuse deferments under the same circumstances. Too frequently favoritism has been shown to professional athletes. Above all else, youngsters with wealthier parents able to send them to universities secure exemptions not granted to those from poor families who cannot afford a college education. It is the responsibility of Congress to enact a new Selective Service System which will correct the inequities of the present system.

Senator Edward Kennedy, of Massachusetts, has been advocating a national lottery, such as we had in World War I. Under such a system, numbers would be drawn by a blindfolded official, and a number of young men 18, 19, and 20 years of age would likely be inducted in numerical order when their numbers were drawn. Others would know they would not be called. I believe this system would be an improvement over the present system, which permitted a New York draft board to exempt from service Actor George Hamilton back in 1961. Rightwing extremists frequently cite this, disregarding the fact that Linda Bird Johnson was about 16 years of age at the time.

The lives of many of our youngsters have been disrupted under the present system. Few employers will hire young men until their military obligation has been completed, and it is impossible to know when, or if, a young man will be drafted. Not knowing whether or not they would be drafted, some hurriedly married. Still others have senselessly prolonged their education in order to avoid being drafted.

One great wrong of the present system is that drafting starts with those who are 26 and goes downward. The best selective service policy is to commence inducting youngsters in the 18- to 21-age group first. Doubtless only a fraction of the total number would be needed. It would be far better for a young man to be inducted at 18 to complete his military service at 20. Then he could go ahead in civil life or complete his education free of doubt, his military obligation having been completed.

Also, why not follow the example of the West Germans and amend the selective service law to require military service for only 18 months?

OUTER SPACE TREATY

Mr. **INOUYE**. Mr. President, the United States should be proud of successfully negotiating the Outer Space Treaty which was signed at the White House on January 27. On its own merits the treaty is a good one. It provides protection for our astronauts, diminishes the likelihood of conflicts as a result of space activities, and promotes international cooperation in science.

But the treaty stands for something more. It stands for our determination to rise above the struggle in Vietnam in our search for world peace.

Earlier, some said it was not worth trying to negotiate any agreement with the Soviets until the fighting in Vietnam has been brought to an end. This is nonsense. The quest for peace concerns us all—and concerns us all the time. We cannot wait for "opportune moment"—and I am certain that our brave fighting men in Vietnam would not expect us to do so.

I understand that the Joint Chiefs of Staff and the Department of Defense support the Outer Space Treaty. This effort to proceed with the work of peace is in the finest American tradition.

Indeed, last year the Senate called upon the executive to get on with the urgent business of a nonproliferation agreement. I hope that agreement will be reached without further delay.

OPPORTUNITY FOR PACKAGING AND LABELING REFORMS

Mr. **MAGNUSON**. Mr. President, the manufacturers and distributors of consumer goods face a unique challenge and opportunity to work with the Department of Commerce in rooting out the misleading and confusing packaging practices which led to the passage of the Fair Packaging and Labeling Act of 1966.

To date, I have been very much encouraged by the apparent readiness of industry to sit down with Government representatives and attempt to work out meaningful solutions to the problems paraded before our committee last year.

Responsible businessmen are beginning to realize that if they cannot agree to accept voluntary restraints on their packaging practices, Congress will have no choice but to adopt more stringent measures in the future.

The meeting of manufacturers, distributors, and business associations called by Acting Secretary of Commerce Trowbridge for February 28 should provide an excellent foundation for the development of plans and procedures to make the Fair Packaging and Labeling Act of 1966 really work.

I ask unanimous consent to have printed in the RECORD the text of today's release from the Department of Commerce announcing the February 28 meeting.

There being no objection, the release was ordered to be printed in the RECORD, as follows:

FIRST MEETING ON FAIR PACKAGING CALLED BY DEPARTMENT OF COMMERCE

Manufacturers, distributors, and business associations which have interests in the Fair Packaging and Labeling Act of 1966 have been invited by Acting Secretary of Commerce Alexander B. Trowbridge to attend a meeting in Washington on February 28 to discuss steps to carry out the Act's provisions.

The meeting, which will be open to anyone concerned with consumer packaging, will be held in the auditorium of the Museum of History and Technology, 14th Street and Constitution Avenue NW., at 9:30 a.m.

In announcing the meeting, Secretary Trowbridge said: "Businessmen are eager for more information about this Act. I am certain that business and Government cooperatively can meet the spirit of the legislation by planning together before the effective date of July 1. The best interests of all, including the consumer, will be protected by early planning."

Under the Act, the Secretary of Commerce may determine that there is undue proliferation of the weights, measures, or quantities in which a consumer commodity is being distributed. If he determines, in addition, that this proliferation impairs the ability of consumers to make value comparisons, he must request industry to participate in developing a voluntary product standard. One year later, if a standard has not been published, or if it is published but is not being observed, the Secretary of Commerce is required to report promptly to the Congress, with his legislative recommendations to deal with the situation.

Most of the 25,000 to 30,000 product standards in effect today have been developed through private associations such as the United States of America Standards Institute. About 500 have been developed in cooperation with the National Bureau of Standards under the Department's voluntary standards procedures.

AN END TO HUNGER

Mr. **INOUYE**. Mr. President, the President's food for India message was more than another chapter in the very old story of this Nation's wonderful generosity to less fortunate peoples.

He has presented a food-assistance program not just for this year, but for decades to come.

This call for a worldwide war on hunger has broken "exciting new ground," says the New York Times in an editorial this morning.

The paper says:

> It is a program that should restoke the fires of idealism and altruism while satisfying demands for practicality.

The President asks—and rightly so—that we meet India's immediate problem, the present threat of famine. But he understands that the United States cannot go on year after year doing this largely alone.

The President's answer—a continuing program of food and food-related aid from a consortium of well-off countries—is well received in the Times, as I am sure it will be well received everywhere.

I ask unanimous consent that the editorial be printed in the RECORD. It records a truly stirring call to battle against man's oldest enemy—hunger.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FOOD FOR THE HUNGRY

President Johnson has broken exciting new ground with his proposals to Congress for American participation in a world-wide "war on hunger." His program is both short-run, dealing specifically and immediately with the famine threat in India, and long-term geared to help willing nations help themselves along the road to self-sufficiency in food.

It is a program that should restoke the fires of idealism and altruism while satisfying demands for practicality. The President states harsh truths about imperative self-help requirements for food recipients: birth control and family planning; higher priority for agriculture as against industry in development programs of needy countries; vastly expanded use of fertilizer and seeds, along with soil-building and conservation policies.

But he emphasizes equally the enduring willingness of the United States, if other advanced nations cooperate, to provide food on generous terms while recipient countries are developing the capacities to feed their hungry.

Mr. Johnson sensibly proposes to approach India's problem through the eleven-member consortium already functioning under World Bank leadership to provide economic aid to that country. Food becomes a part of the multilateral assistance program provided through the consortium.

The President makes clear that food and food-related aid administered in this way should be additional to the economic assistance already in consortium programs, and not—as has been feared—a substitute for it. Use of the consortium under the World Bank umbrella should facilitate integration of over-all aid to India and defuse suspicions that the United States will use its aid in an effort to influence Indian policies at home and abroad.

To help stave off famine in India, Mr. Johnson will immediately allocate 2 million tons of food grains, or 300,000 tons more than a Congressional task force recommended to him in December. Department of Agriculture experts insist that this allocation will keep food—from all sources—in India's pipeline and that despite predictions to the contrary there will be no interruption in the "bridge of ships" carrying emergency food to Indian ports. We hope the Department is right. In addition to the emergency allocation, Mr. Johnson asks Congressional approval for a commitment of up to 3 million tons of food grains, "provided it is appropriately matched by other countries."

The Administration clearly intends India to be a pilot project for multilateral food aid to all hungry countries. In that connection, the President cites eight specific Indian self-help accomplishments of the last year, ranging from incentive prices for farmers to fairer food distribution to family planning. Perhaps this tribute to India's efforts will help erase bitterness aroused by the still unexplained freeze on food shipments in November, an act highly embarrassing to a hard-pressed Indian Government preparing for the crucial elections that begin this month.

There are less offensive—and more effective—ways to jog India along the self-help road, and the President has found them in his message to Congress. He has put the emphasis where it belongs—on the imperatives of self-help by the needy and generous load-sharing by the other advanced countries. And he has done so in an over-all context of interdependence and a stirring call to battle against "mans' oldest enemy."

SENATE HAS RARE OPPORTUNITY TO GIVE U.N. BADLY NEEDED TRANSFUSION OF POWER AND PRESTIGE

Mr. PROXMIRE. Mr. President, on January 30, 1967, the distinguished chairman of the Foreign Relations Committee [Mr. Fulbright] recalled very accurately that in the years immediately following World War II:

> The United States had looked to the United Nations for our ethical and pragmatic bases.

In that same statement the chairman of the Foreign Relations Committee forcefully expressed the belief that "the prestige and authority of the United Nations has dwindled" during the intervening two decades.

I agree wholeheartedly with the Senator from Arkansas that the prestige and authority of the United Nations have dwindled. I deem this diminution both unfortunate and unwise.

But what Member of this body can deny that the Senate has failed the United Nations? We cannot escape responsibility for the progressive enervation of the United Nations' influence.

The Senate, under our Constitution, has the sole authority for the ratification of treaties and conventions. The United Nations General Assembly in December of 1948 unanimously adopted the Convention on Genocide. This was the first "magnum opus" of the United Nations, a cooperative and conscientious attempt to establish minimal universal standards of human dignity.

When the Genocide Convention came to the Senate in 1949 for our advice and consent, only five nations had already ratified it. Since that date, 64 nations have chosen to ratify this convention. But nowhere on that list of 69 nations will be found the name of the United States.

We have an equally appalling record on the human rights conventions on forced labor, political rights of women, and slavery. Seventy-five nations have ratified the convention on forced labor, 50 nations have ratified the convention on political rights of women; and 67 nations have ratified the convention on slavery. But because the Senate has refused to provide either its advice or its consent, the United States to this day stands conspicuous by its absence.

Mr. President, I wish to point out that the only charter members of the United Nations which have failed to ratify a single human rights convention are Spain, South Africa, and the United States.

We have ignored, insulted, and undermined the United Nations. All our pompous phrases and empty platitudes about the United Nations are just that when we fail to find the time in 18 years even to consider briefly the United Nations' first great convention.

The stigma of our collective abdication is upon the Senate. If we really are sincere about our support of the United Nations, if we are truly committed to that world organization, let us prove it; let us ratify the conventions on genocide, forced labor, political rights of women, and slavery. In so doing, we will give the United Nations a badly needed transfusion of American endorsement.

THE PURSUIT OF PEACE

Mr. INOUYE. Mr. President, President Johnson's press conference on February 2, in which he restated this country's position on Vietnam, has won a great deal of favorable comment.

I wish to cite two examples, one in the Philadelphia Inquirer, and one in the New York Daily News, I ask unanimous consent that both be printed in the Record.

The Inquirer noted the President's "vigorous and emphatic" appeals for some measure of response from Hanoi to our efforts to end the war. Yet, the editorialist said, he avoided unwarranted expressions of optimism in warning the American people that there is no quick and easy solution to the conflict.

The Daily News detailed the Communist world's impossible conditions for ending the fighting, including pulling our troops out and leaving southeast Asia to its fate.

Obviously, the News said, we cannot agree to these preconditions—as the President affirmed at the news conference.

The paper concluded:

> We're delighted that he did, and hope his dove detractors will pipe down for a while—though that may be too much to expect.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Philadelphia Inquirer, Feb. 3, 1967]

In Relentless Pursuit of Peace

President Johnson, at his news conference Thursday, issued vigorous and emphatic appeals for some measure of positive response from Hanoi to U.S. efforts to end the war in Vietnam. It is difficult to conceive how an offer to negotiate peace could be more wide open, or more earnestly presented.

But it takes two to negotiate.

The President, in response to questions, affirmed repeatedly that there has not yet been any indication from the Communists in Vietnam that they want to end the war, or even that they are willing to start discussing any possible terms for a negotiated settlement.

Thus, in forthright statements devoid of unwarranted expressions of optimism, Mr. Johnson has warned the American people, and the world at large, not to be deluded into believing that the conflict in Vietnam is on the brink of quick and easy solution. At the same time he has served notice, in unmistakable language, that the United States continues to pursue all avenues of peace, to keep all channels of communication open, and to welcome all assistance from any quarter that gives a measure of genuine hope that the war can be ended.

The President said, moreover, that he was prepared to halt the bombing of North Vietnam if Hanoi would offer to take "just almost any step" in reciprocity toward peace.

When will Hanoi take that step?

Ho Chin Minh could obtain a cease-fire tomorrow, if he really wanted to, merely by sending the word.

Tragically, there is no word from Hanoi. Until there is, it would be a refreshing change if the peace pickets who march and clamor for an end to the war would direct their protests to Ho Chi Minh.

[From the New York Daily News, Feb. 3, 1967]

Peace Talk Busts Out All Over

The most significant contribution to the current outburst of talk about peace in Vietnam, we'd say, was made Wednesday in London by Soviet Ambassador to Britain Mikhail Smirnovski.

Smirnovski's half boss, Soviet Premier Alexei Kosygin (the other half is named Leonid Brezhnev), is to visit London next week. Smirnovski's statement was meant to set the stage for Kosygin's talks with British Prime Minister Harold Wilson.

What Smirny's chatter boiled down to was that yes, the Kremlin wants peace in Vietnam and is working for it; but that the basis for peace discussions must be the Viet Cong's (South Vietnam Communists') five peace pre-conditions and Red North Vietnam's four ditto.

These nine points add up to: U.S.A., pull all your fighting men all the way home and leave all Southeast Asia, then the Philippines, then Australia and New Zealand, open to Red conquest.

Obviously, the Kremlin is no more persuaded as yet that the Reds can't win this war than is Ho Chi Minh in North Vietnam or Mao Tse-tung in Red China. All these thugs are as willing as ever to fight to the last North Vietnamese and Viet Cong, and to supply war material.

Obviously, too, we can't end the war on those terms unless we are willing to give world Communism one of its biggest victories ever.

President Johnson said as much in effect at his news conference yesterday. We're delighted that he did, and hope his dove detractors will pipe down for a while—though that may be too much to expect.

BUILDING BRIDGES TO THE EXECUTIONER

Mr. MUNDT. Mr. President, a Catholic priest who is a friend of mine wrote me the other day enclosing a most effective and thought-provoking article entitled "Building Bridges to the Executioner." I think it should be read and considered carefully by all Senators before deciding how best we can protect the lives of our fighting men in Vietnam and help to shorten rather than prolong the war by our vote on the proposal to ratify a new consular treaty with Communist Russia.

I think that Father Lyons, in the article alluded to, renders a great public service in recalling to those who may have forgotten the ugly and unhappy fact that it is "over the bridges" we are being asked to build that traffic is now flowing which aids the U.S.S.R. in its cruel and anti-American program of supplying to our enemy in North Vietnam the weapons it so badly needs in order to prolong the war and to pyramid even higher our already heavy casualties in this most unusual war, with all its curious contradictions reflected in how it is being conducted by the administration in charge of this bloody business.

In my opinion, we ill serve Americans in uniform and those about to be drafted when we willingly reward rather than effectively reprimand the Russian Government for increasing our problem and expanding our death lists in Vietnam.

Mr. President, I was especially struck by Father Lyons' startling observation when he wrote in Our Sunday Visitor:

> There is a strange relationship being built up by the United States toward Russia. Until a year ago, Soviet Russia was visibly worried that her military aid to North Vietnam would be resented by the United States. But she soon came to realize that the Administration had no objection to her furnishing guns and missiles to Hanoi. So Russia began complaining about our helping the South.

It is indeed a sorry day in American history, Mr. President, when our President and our State Department concentrate their efforts on such matters as setting up new consular regulations with Russia and in an effort to expand even further our already unconscionable traffic in blood with Communist countries by proposing to expand East-West trade rather than concentrating on what is required to cause Russia to reduce or stop her steadily growing shipments of oil, weapons, and ammunitions to the North Vietnam Communists who use them to kill America's finest fighting men.

It is indeed shocking, if true, as Father Lyons puts it, that our attitudes and approaches to Russia have been such as to make her feel we have no realistic and effective objection to her efforts to prolong and expand the war in Vietnam. I dislike to accept that statement as accurate, but it must be said that I have at hand no hard evidence to contradict it. In fact, the available tangible evidence gives credence rather than refutation to that blunt and caustic assessment of our American approaches to the Communists of Eastern Europe.

What is that evidence? Long after we became deeply involved in this distant and destructive war, this administration took its first step toward encouraging additional exports to Russia. That was the great argument, it will be recalled, about shipping wheat and other raw materials and fabricated machinery to Russia and—note well the step—whether the American tax-supported Export-Import Bank might be justified in underwriting the credit of Russia in making such purchases. The Senate in a strong rollcall vote expressed its disapproval of that step 1 in this curious direction, but administration pressures finally won the day, and those protesting it lost that fight.

Mr. President, in this consular convention controversy, the Johnson administration goes another step further, and we may well lose this fight, as well, since in Congress the public pressures by the big men in Government frequently override the private pleas of the people back home whose sons are drafted and whose taxes are increased by war. However, Mr. President, I am convinced that in the end we shall win the effort to establish the principle that feeding the same enemy we fight and supplying the sinews of war to those who help our enemy resist our efforts to negotiate a peace will not prevail. Many Americans are rather serious students of history and they know—even though this administration and those supporting these bridges to a destination dubbed disaster may forget—that never before in American history, Mr. President—never, never before—has this country acted to supply and strengthen the economy and the industrial output of those supplying the weapons to kill and maim our fighting men in time of actual war as we are so callously doing today.

But I have diverted from my recital of the evidence, which, I deeply regret, grows more and more compelling in support of the startling statements made in the Sunday Visitor, which my correspondent tells me is the Catholic newspaper in the United States having the largest circulation—more than a million. If that be true, Mr. President, I hope that these comments in the RECORD will be printed in the Sunday Visitor to give its readers additional background for the thesis so ably presented by Father Lyons.

I have mentioned step 1 in the sordid and counterproductive business of helping those who are hurting us. Let me now submit step 2 in this almost unbelievable trail of evidence.

On October 12, 1966, the Johnson administration, by executive action, and over the protest of many Members of Congress, increased the heretofore restricted sale of American supplies to 400 items, including many in the industrial field which could by no stretch of the English language be considered "nonstrategic goods," unless scrap iron, rubber, sulfuric acid, machine tools, electrical equipment, and a long list of like items in the list of 400 new trade-free exports to Russia could be considered unimportant to an economy which is building Migs, missiles, antiaircraft weapons, and the other sophisticated weapons of death now being supplied by the Russians to their Communist comrades in North Vietnam in steadily expanding quantities. In fact, there is an altogether sickening relationship and connection between our increasing casualty lists in Vietnam and Russia's stepped up shipments of the weapons which create those casualties.

Within 2 weeks of this step 2 approach to "building bridges," Mr. President, the Communists of the Warsaw Pact countries announced that they were sending another billion dollars of military and economic assistance to Vietnam. Obviously, if this administration does not recognize shipments which are far better classed as "suicidal exports" rather than "nonstrategic goods," it is clear that the Kremlin does.

Step 3, with its strong pressures for ratification of the Consular Convention with Russia, which at best would bring additional Communists to our shores to make deals and to develop purchases for still more American economic assistance for their faltering economy, is just the seductive prelude to step 4 which has already been announced.

Step 4, the final, fatal stride toward national suicide, is President Johnson's plan and plea to expand even further the wartime East-West trade which already has done so much to enable the Russians to ship almost 200 of their most modern jet fighting planes—the Migs—to Hanoi and to equip the Communists of North Vietnam with more than 2,000 highly destructive antiaircraft guns to shoot our brave flyers out of the air in a firey death or to condemn them to a Communist prison camp in North Vietnam.

Mr. President, that is the story which the evidence clearly portrays.

I ask unanimous consent to have printed in the body of the RECORD the conclusions which are drawn, as contained in the article in the Sunday Visitor, from these unprecedented and blood-stained steps which clearly do nothing to encourage peace but which realistically, if continued, can do a great deal indeed to prolong the war.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From Our Sunday Visitor, Dec. 11, 1966]

BUILDING BRIDGES TO THE EXECUTIONER

(By Rev. Daniel Lyons, S.J.)

Twenty thousand readers of OUR SUNDAY VISITOR from all 50 states and seven provinces of Canada contributed to have their names added to the telegram against the admission of Red China to the United Nations. The White House promised to forward it immediately to the President, who was recuperating at his ranch. The telegram was over 200 feet long, one of the longest ever sent by Western Union. It received widespread national publicity, and I hope set people to thinking. The United Nations was debating Red China's admission at the time, and along with several other priests I helped man the picket lines outside the UN, protesting Red China's admission. [Editor's note: Father Lyons was interviewed on network TV while on the picket line.]

Ambassador Goldberg's statement that the United States was opposed to putting Free China out of the UN was interpreted as favoring a two-China policy. It was taken by some as appeasement on our part, although this is hardly the time for it.

UNITED STATES AND RUSSIA

Spain, West Germany, South Korea, and South Vietnam should be invited to join the UN, but surely not Communist China. Around New York there is a growing realization that the United Nations is less and less effective. The "one nation, one vote" idea is forcing the larger nations to solve their problems outside the UN. The hope of the free world is still the United States, just as the USSR is still the hope of the Communists.

There is a strange relationship being built up by the United States toward Russia. Until a year ago, Soviet Russia was visibly worried that her military aid to North Vietnam would be resented by the United States. But she soon came to realize that the Administration had no objection to her furnishing guns and missiles to Hanoi. So Russia began complaining about our helping the South.

PRESIDENT CONVINCED

The more Russia complains the more U.S. officials do everything they can to help the Russian economy. Walt Rostow, the greatest bridge builder of them all, was made chief White House advisor on Soviet relations. Zbigniew Brzezinski, who also strongly favors building up Russia, recently became a top Presidential advisor, at Rostow's insistence. Brzezinski not only wants us to do everything we can to help Russia, he wants us to persuade the rest of the free world to do the same.

Rostow and Brzezinski have convinced the President that he should go all out to build up Russia. The President recently arranged for the Export-Import Bank to use Federal financing for increasing trade with the Russian bloc, saying that it is "in the national interest."

Why it is in America's interest to finance the very country that is supplying guns, Migs and missiles to North Vietnam is difficult to understand. Yet the Administration has already arranged for shipping such strategic items to Russia and her satellites as a ball-bearing factory, radiation instruments, railway equipment, combustion engines, rocket engines, generators, chemical factories, a huge hydrogen plant, synthetic rubber, copper mills, steel mills, turbines, electronic computers, nuclear radiation and detection instruments, and navigational equipment for Russian planes.

EXAMPLE OF MISTAKES

The President recently listed more U.S. measures for building up the USSR. In doing so, he used Brzezinski's phrase, "peaceful engagement."

The cold facts, however, are that the interests of Soviet Russia and the United States have very little in common. Those who think otherwise are indulging either in emotionalism or wishful thinking. America has been talking a lot lately about a *detente* with the Soviet Union, but there has never been any justification for it.

A striking example of our sad mistakes in this regard was the wire recently sent by President Johnson congratulating the Soviet Union on the 49th anniversary of the Communist Revolution. He sent the wire "on behalf of the people of the United States," despite the fact that most Americans resent the Communist takeover in Russia. That takeover meant the suppression of religion and human rights, the murder of millions of people, the occupation of all of Central Europe. Without the Communist revolt in Russia there would have been no Red China, no Korean War, no Cuban takeover, no war in Vietnam today.

BRIDGES FOR FRIENDS

Bridges should be built to our friends, not to our enemies. But we build bridges to our enemies and antagonize our friends.

Mr. MUNDT. Mr. President, with an average of less than 20 Americans a year, of the some 18,000 who annually go to Russia for profit or pleasure, actually running afoul of Russian law and being picked up by their police—one wonders whether there might not have been that many or more picked up for some violation or other had they traveled at home—the most optimistic estimates of the State Department of those who might benefit from the proposed consular treaty run mighty small compared with the 500,000 young Americans in uniform now serving in Vietnam, who are poorly served and perhaps grievously disserved by a treaty which ignores entirely the fact that thousands of American casualties in this war should bear the legend: "Made in Moscow."

By ignoring that ugly fact, by glossing it over, by rushing in to ratify a treaty that the Russians themselves have not yet ratified, does any Senator seriously believe that such action is likely to discourage or dissuade the Russian Communists from continuing to escalate their shipments of weapons, ammunition, petroleum, and other supplies to Hanoi's desperately needy war machine? Or is it, more likely, to convince the Russians we have no serious concern over the fact they are one of the main sources of war supplies that enables Ho Chi Minh to defy our efforts toward peace and to prolong the war?

Mr. President, this consular treaty is the wrong treaty, at the wrong time, with the wrong country, and it deals with the wrong issue. Our first business as Members of Congress and it should be that of the executive branch, as well—is to help bring this war to an end without suffering a defeat or sacrificing the future of both peace and freedom. It is my studied conviction that we retard progress toward that goal and invite a longer and more costly conflict when we embrace those who would eliminate us and who equip our enemy to strengthen its power to kill and its will to fight by ratifying the proposed Russian consular treaty with the major arsenal for Hanoi and announce a desire to follow that with as expanded East-West trade, which can only make a bad situation worse.

THE CLERGY'S DEMONSTRATION AGAINST ESCALATION OF THE VIETNAM WAR

Mr. MUSKIE. Mr. President, about 35 Maine ministers and laymen came to Washington last week to express their anxiety over the war in Vietnam. They were participating in the mobilization sponsored by the National Emergency Committee of Clergy and Laymen Concerned About Vietnam.

I met briefly with the delegation from Maine. I was impressed by their sincerity, their convictions, and their decision to take a public stand on the great issue of our times.

Clearly, the national debate over Vietnam is as spirited among members of the clergy as it is among other groups of Americans.

A report on the division of opinion on Vietnam within Maine's clergy appeared in the Portland, Maine, Sunday Telegram of January 29, in the same article announcing that some members of Maine's clergy were coming to Washington to voice opposition to escalation of the war.

In a speech at St. Fidelis College on February 3, I discussed the implications of the debate over Vietnam. I said, in part, that the debate among Americans of all callings is in keeping with our tradition as an open, democratic society; at the same time, that debate poses some problems in terms of the military and diplomatic maneuvers we must pursue in our quest for a peaceful settlement in Vietnam which will achieve our objectives.

I said:

This is the price we pay, and which we pay willingly for the right to challenge and discuss national policy.

And so, let us debate, let us discuss, let us consider. But, in the process, let us avoid misunderstanding each other.

In the interest of helping to reduce misunderstanding and distrust among Americans resulting from the public dialog on Vietnam, I ask unanimous consent that my St. Fidelis College speech, the Portland Sunday Telegram article about the Maine clergy, and the position paper prepared by the Executive Committee of Clergy and Laymen Concerned About Vietnam, for distribution at the Washington mobilization, be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

THE RESPONSIBILITY OF CHOICE

(Remarks by Senator EDMUND S. MUSKIE at St. Fidelis College Cultural Series, Herman, Pa., Feb. 3, 1967)

The American people are today engaged in a major and extended debate on our proper role in world affairs. Conscious of our power, we question our use of it. Aware of world opinion, we wonder how much attention we should pay to it.

As in other crisis periods in our foreign relations, there are those who—directly or indirectly—suggest we ought to take up the advice of George Washington, who warned against "entangling foreign alliances."

There is one major difference between the questions raised in the past and those raised in connection with the Vietnamese conflict. Those who warned against entangling alliances in the period of World War I and the time of World War II felt they could shut out the rest of the world and concentrate on a Fortress America. Today, curiously enough many of those who oppose our involvement in southeast Asia are the same people who supported our involvement in Europe in World War II and during the Marshall plan, those who support our participation in the United Nations, and those who believe in peace through common action.

The argument against a literal application of Washington's warnings is simple. George Washington spoke to his Nation against the background of domestic division, political weakness and a large but sparsely populated land, all in a world dominated by powers who had large land armies and substantial navies. Since the United States had to rely on Europe for capital and most of its population growth, Washington was pleading for some breathing space while the country built up its internal structure and its political and economic strength.

Given the nature of transportation and warfare in his day, his advice could be heeded, although even then, it was impossible for the United States to stay entirely aloof from the backwash of the French Revolution and the imperial contests which surrounded Napoleons adventures.

Today our choices are not so easy. Like it or not, America is a major power. Its economy overshadows that of practically every other nation in the world. Its Armed Forces, counting our strategic weapons, are probably greater than any other single power in the world. Our economic and political involvement, dating back to World War II and beyond, in all parts of the globe, cannot be turned off like an electric light switch. Indeed, action or inaction on our part will influence the course of human events.

Notwithstanding that fact, I think most Americans would prefer to withdraw from the world's troubles and difficulties if they saw clearly a way of doing so. I cannot agree with those who suggest that we, as a Nation, have a policeman's complex in the world.

But we are a part of the world. The question we must face is this: If we must be a part of the world, if we are a force which, whether we like it or not, will be felt in the world, and if we have an influence that cannot be isolated from the world, then how should we exert that force and that influence?

Secretary Rusk has put it this way:

"Those who are officially responsible for the conduct of our public affairs must make decisions—and must make decisions among existing alternatives. None of us in the executive or the legislative branch has fulfilled our responsibilities merely by formulating an opinion—we are required to decide what this Nation shall do and shall not do and are required to accept the consequences of our determinations."

I put it this way last fall in Ottawa in a speech at the Parliamentary Conference of the British Commonwealth Nations, following some rather sharp criticism of our foreign policy:

"What would be the implications if tomorrow the President of the United States were to say to the rest of the world 'We withdraw (from Vietnam)'? If, instead of posing this as a hypothetical possibility you did not expect to come true, you had to face it as a reality, what would you say?"

"We have no choice (but to contemplate such a question) because we must make the decision on whether to withdraw or to stay. If we make the decision to withdraw we have to contemplate the implications, not as someone counselling another country but as someone responsible for the results."

In making our decisions, we must, of course, give consideration to world opinion. But in doing so , we cannot afford to abandon our own views of the world—or our own national—interest.

There are many areas in which we must choose among unhappy alternatives, none of which are without risk to our national interest. The most critical, of course, is that of Vietnam.

There is no one in the United States Senate, to my knowledge, who advocates the unilateral, unconditional withdrawal of the United States forces from South Vietnam today.

The second choice in Vietnam could be unlimited, unrestrained escalation. I know of no support for this approach in the United States Senate. There are those outside the Congress who have recommended this course, but their numbers seem to be diminishing.

The third choice in Vietnam would be a sharply increased military effort, short of unlimited escalation, concentrating especially on an enlargement of our air attacks on North Vietnam. This course has been supported by a number of Senators. They do not advocate indiscriminate bombing of civilians. But they have argued that there are targets related to the enemy's war potential which we should strike to increase the economic price Hanoi must pay for continuing the war. In recent weeks this point of view has been muffled by the increasing pressure for reduction or cessation of bombing.

A constant consideration involved in such expansion of the bombing at this time, other than its current potential impact on peace negotiations, is the potential enlargement of the war to include China, despite the evidence of internal division in that country.

Our fourth choice would be to make do with what we have in Vietnam, withdraw to secure positions, discontinue bombing of the North, and hold until Hanoi agrees to negotiate. This seems to be the course supported by some witnesses before the Foreign Relations Committee of the Senate and by some Senators.

The opposition to this course is that it would eliminate options which now leave the enemy in doubt. It would deprive our troops of their unique attributes of mobility and firepower. It is also argued that this would permit the enemy to concentrate on more limited objectives and targets. It would mean abandonment of much of the countryside with an undermining of the morale of the South Vietnamese and a reduction of pressure on Hanoi to seek the conference table.

The fifth choice is the application of unremitting pressure in a carefully measured response to the aggression of the enemy. This is as I understand the policy of the administration. This course has been carefully defined by Secretary Rusk, General Taylor and others before the Foreign Relations Committee.

Let me read you General Taylor's summary of it a year ago:

"In summary, then, our four-point strategy consists of a complex but coherent package of measures designed to improve the effectiveness of our forces on the ground in South Vietnam, to exploit our air superiority by attacking military targets in North Vietnam, to stabilize the political, social, and economic systems in South Vietnam, and to seek an honorable negotiated settlement of the conflict. It is limited as to objective, as to geographical scope, as to weapons and forces employed, and as to targets attacked. All parts of it are inter-related; all parts are indispensable; we must be successful on all fronts. The key, I believe, is inexorable pressure at all points, directed at the will, the ability, and the means of the Communist aggressors."

This is the course which I believe can hold the greatest support in the Senate. It is the course which I think makes sense.

The opposition to it appears to make two points: (1) that this course inevitably means expansion of our effort in numbers of troops, targets and in treasure; and (2) that, at some point, it will trigger direct Chinese intervention and unlimited escalation of the war.

The supporters of this course argue that it is the only realistic alternative to withdrawal; that only in this way can Hanoi be made to feel the pressure which will force it to the conference table; that there is a ceiling on Hanoi's ability to respond effectively without direct Chinese intervention; and that, although we should not overlook the risk of direct Chinese involvement, that risk can be avoided so long as the Chinese do not consider that our effort is a direct threat to their security interests.

These, then, appear to be the choices. As we debate them, I trust that one of the beneficial results of our debate will be a clearer understanding of the implications of each.

One point, especially, I hope we will clearly understand that whenever the Soviet Union or Red China choose to force a confrontation upon us to challenge our will, we can never be sure in advance how far they mean to go. And we cannot afford to retreat simply because that point is in doubt.

I have spoken of the uncertainties and unknowns related to the intentions of Hanoi and Peking; and of the risks involved in a miscalculation of those intentions. This, of course, is a challenge to our wisdom and our policy.

Of at least equal importance is the credibility of our own policy and national will.

We are involved in a searching review of both.

This is in keeping with our traditions as an open, democratic society. Let us not forget, however, that the enemy is closely watching this exercise in national policy-making. Undoubtedly, he is encouraged by every evidence of continuing and irreconcilable division among us which confirms his belief that we will tire and quit. Undoubtedly, he is encouraged by every concession to his ultimate objective which may emerge from our debate. Each of these sources of encouragement undoubtedly delays the day when he might otherwise be prompted to move toward the conference table.

This is a price we must pay, and which we pay willingly for the right to challenge and discuss national policy.

And so, let us debate, let us discuss, let us consider. But, in the process, let us avoid misunderstanding each other.

In this connection it may be useful to make some points which, it seems to me, are too often overlooked.

1. Our policy in Vietnam is the product, not only of the administration and its advisers, but of its critics. Let me illustrate.

The critics asked for a cease-fire. It was provided.

They asked for a lengthy bombing pause. It was provided.

They asked that the controversy be put before the United Nations. This was done.

They called for our reaffirmation of the Geneva accords and our request for the reconvening of the Geneva convention nations to act as intermediaries. This was done.

They called for a vigorous peace offensive. This has been our consistent policy.

They asked that we abide by free elections in Vietnam. We have agreed to do that.

They have asked that the war be limited to military targets and rigorous efforts have been exerted to do just that.

This is but a partial list of the steps we have taken to indicate our flexibility and our desire for a negotiated settlement rather than a military "victory."

To the suggestions that we cease bombing in the north, we have indicated our willingness to do so "the moment we are assured, privately or otherwise, that this step will be answered promptly by a corresponding and appropriate de-escalation on the other side."

To the suggestion that North Vietnam may fear that we intend to establish a permanent military presence in Vietnam, we have offered "to agree to a time schedule for supervised phased withdrawal from South Vietnam of all external forces."

To the suggestion that the Viet Cong take part in the negotiations, we have said that "this question would not be an insurmountable problem."

2. There has been no remotely comparable response from Hanoi to any of these initiatives. And yet, there has been criticism that we have ignored "indications of a desire to negotiate."

Let us look at the most recent alleged indication of such a desire to which Hanoi has been busily calling attention. It takes the form of language used by North Vietnamese Foreign Minister Nguyen Duy Trinh in an interview on January 28 with Australian Journalist Wilfred Burchett, as follows:

"If it (the United States) really wants talks, it must first halt *unconditionally* the bombing raids and all other acts of war against the DRV (North Vietnam). It is only after the unconditional cessation of bombing and all other acts of war against the DRV that there could be talks between the DRV and the United States."

Frankly, I see nothing in this language to suggest a real desire for *bilateral* talks. It reads like the same old insistence upon unilateral concessions by the U.S. without a quid pro quo. However, the fact that Hanoi appears to want us to regard it as a "signal" warrants a thorough exploration of the possibility, and there are ample contacts through which we can and, I am sure, are doing just that.

While we wrestle with the problem of Vietnam, we must try to avoid becoming so involved in the debate over the conflict that we ignore or distort the opportunities for more peaceful forms of competition with the Communist countries. Nowhere is this danger more apparent than in the debate over the consular treaty.

In the past few weeks, what should have

been a relatively innocuous policy decision—initiated, incidentally, by President Eisenhower—has become a major issue in the Senate.

In simple terms the treaty would authorize both the United States and the Soviet Union to open consulates in the major cities of both nations. But more importantly—and this is the fact that many people have overlooked—the consular treaty would allow the United States to give prompt aid and protection to any American citizens who may be arrested or detained in Russia. We have seen the unpleasant—and sometimes tragic results of what can happen as long as we have no consular convention with the Soviet Union. The Mott case is the most widely known example of this.

In testimony before the Foreign Relations Committee, Secretary of State Rusk recently put it this way:

"Even if no consulates were ever to be opened by the two countries, this convention would give American citizens more rights than any Soviet citizen possesses—rights which any Soviet citizen already has in our open society *without* such a treaty."

The importance of American officials' being able to have ready access to assist Americans in Russia who find themselves in trouble is growing every year. From 1962 to 1966 the number of American visitors to Russia increased from approximately 10,000 to 18,000 while the number of Russian tourists in the United States—approximately 1,000 a year—remained relatively stable. From these figures it is obvious that the United States has far more to gain by approving the consular treaty than does the Soviet Union.

To those who fear that the establishment of Soviet consulates would lead to increased Soviet espionage in this country, I would say that we already face these risks and that we have numerous safeguards to insure against them. Espionage is one of the risks of an open, free society, and we must be willing to accept it.

In my judgment, the advantages of the proposed consular treaty far outweigh any possible risks involved.

It is another step in our search for a detente in the cold war with the Soviet Union. It is one justifiable means of neutralizing the strains in Russo-American relations caused by the hot war in Vietnam. It is a small—but important—step in our search for a lasting peace.

And when I think of these small, but sometimes difficult, steps, I remember President Kennedy speaking at a convocation at the University of Maine in October 1963:

"While the road to . . . peace is long and hard, and full of traps and pitfalls, that is no reason not to take each step we can safely take."

Another of those steps would be enactment of the proposed East-West Trade Bill of 1967.

This bill, which the President proposed in his recent state of the Union message, would not mean the opening of unrestricted trade with the Communist nations of Eastern Europe. It would not involve the sale of strategic American goods to these countries. What it would do is allow the President to explore the possibilities of expanding our presently very limited trade with countires behind the Iron Curtain.

Its importance far outweighs its actual dimensions.

Its value would be threefold:

First. Like the consular treaty, the East-West trade bill offers the prospects of further detente with the Communist world. This is a circumstance which I am sure the Governments and peoples of Poland, Hungary, Czechoslovakia, and other Eastern European nations would welcome. As a sidelight, it might even expand our chances for information on and a dialog with Communist China and North Vietnam through the good offices of one of the East European governments.

Second. It would reemphasize the historic ties of friendship between the people of Eastern Europe and the people of the United States. Anyone who has visited these nations—as I have—and anyone who has roots in these nations—as I have—knows that the United States has always been a symbol of freedom and hope to these people. We possess an overwhelming reservoir of good will and affection among these people. They still continue to look to us—not Russia or China—for leadership. A new trade agreement would provide tangible proof of our continued good will toward them.

And finally, passage of an East-West trade pact, however limited it may be, cannot fail to be in our own national interest. It would, I think, help remove some of the agony which many of our allies, as well as the nations of Eastern Europe, have felt about American policy since Vietnam.

These are some of the choices confronting the President, his advisers and the Congress of the United States. I know each of you has more than a passing interest in them because they can have a profound influence on your own future.

The United States of 1967 is far different from the United States which George Washington exhorted to stay clear of entangling alliances. The United States of 1967 is involved in every part of the world.

It has more responsibility to the world and must make more agonizing choices than ever before.

The Vietnam problem, from its beginning, almost twenty years ago, is a classic illustration of the fact that, so often, foreign policy-making is a matter of choosing among alternatives.

The choices are, all too often, all unhappy ones.

They do not always include a choice which enables us to implement our principles, such as "freedom," "self-determination," and "democratic government."

They, almost always, all include risks to our own national interests.

They almost never carry assurances or guarantees that they will serve the purpose we have in mind.

They almost always stimulate disagreement among ourselves and our friends.

They almost never include an alternative to administration policy as to which all the critics of that policy will agree.

And, whatever our choice, we can count on the criticism of our enemies.

And yet, as Americans, as citizens of the world's greatest power, we must exercise the responsibility of choice. Let us, as citizens, always try to evaluate the choices of our decision-makers as though we were the decision-makers, conscious of the implications, sensitive to the unknowns, aware of the risks, and prepared to accept the consequences of our errors. Unless we as citizens exercise this kind of oversight; this kind of restraint and understanding, we cannot expect our country to be as wise as she must be to meet the challenges ahead.

For, in the words of Pericles of Ancient Greece—

"Here each individual is interested not only in his own affairs but in the affairs of the State as well . . . We do not say that a man who takes no interest in politics is a man who minds his own business; we say that he has no business here at all . . . And this is another point where we differ from other people. We are capable at the same time of taking risks and of estimating them beforehand. Others are brave out of ignorance; and when they stop to think, they begin to fear. But the man who can most truly be accounted brave is he who best knows the meaning of what is sweet in life and of what is terrible, and then goes out undeterred to meet what is to come."

[From the Portland Sunday Telegram, Jan. 29, 1967]

OPPOSITION SOUNDED—MAINE CLERGY TO JOIN VIET PROTEST

(By Joseph E. Coyne)

More than a score of Maine clergymen will join in a "national mobilization" of ministers, priests, rabbis and laymen Tuesday and Wednesday in Washington in opposition to escalation of the Vietnam war.

But for every Maine minister going, there are others just as strongly opposed to a peace movement by religious leaders.

According to one cleric the ministerial spectrum runs from hawks to doves "with many shades of opinion in between."

The National Emergency Committee of Clergy and Laymen Concerned About Vietnam is sponsoring the Washington gathering.

Heading the Maine delegation are Luther L. Allen, executive secretary of the Maine Council of Churches (MCC), and the Rev. Frederic Hudson, chaplain of Colby College.

Catholic priests and rabbis in the state know about the demonstration but none has announced his intention of going, although there are some doves among both of these groups.

Although Allen's invitation to MCC members brought some acceptances, it also brought some criticism from some pastors. The Rev. Winston Clark, minister of South Portland's First Congregational Church, attacked the move in a letter to Allen and in a sermon to his parishoners.

"There are some things more important, more vital than peace," he said. "One is the dignity of man, and another is the God-given right of human freedom . . . . ."

The MCC's letter to clergy and laymen announced that the theme of the Washington sessions will be: "Vietnam: The Clergymen's Dilemma."

The clerical delegation will call on federal officials to express its "deep concern regarding the escalating pattern of the Vietnamese war."

The national body commented further that they would "stand together as religious leaders of all faiths in a vigil for peace as a symbol of protest and penance for our government's involvement in the present crisis, as well as every person's negligence in not speaking out earlier or forcefully enough."

Allen said in his letter that the protesting group wants to make known its "grave concern about the bombing of civilians and the escalation which could lead to World War III."

He said many of the Maine ministers associated with the MCC are concerned about casualties in the Vietnam war, both military and noncombatant.

Among those agreeing with him is The Rev. Joseph I. Craig, minister of the All Souls Unitarian-Universalist Church, Augusta, who said he'd like to go but can't rearrange plans. He said:

"I think it's important that we make an early effort for a negotiated peace that will resolve this war. I'm for any kind of a negotiated peace we can manage to obtain. A poor peace is better than a good war."

The Rev. Canon Wilbur E. Hogg, rector of the Church of St. Mary the Virgin, Falmouth Foreside, is among the clergy who will attend some of the Washington sessions.

"I hope there are enough clergy there to make themselves heard," the Episcopal churchman said.

He said he is going as an individual and said his views do not necessarily represent the views of other Episcopal priests.

Canon Hogg said he's not determined on a particular course for the government to follow in the Vietnam situation but feels we should make efforts to negotiate and should do something "short of withdrawal."

The Rev. H. Travers Smith, Portland district superintendent of the Methodist

Church, said he can't make the trip but is in sympathy with the movement.

He said there is a persistent surge of opinion among ministers that the Vietnam war is morally wrong. "And the escalation of the war hasn't answered any of the questions."

But there is vigorous dissent to this type of thinking.

Many clergymen feel that such peace movements will only encourage the North Vietnamese to feel there is disunity in the U.S. and ultimately public opinion will force a unilateral American withdrawal.

This could only prolong the war, they feel.

Furthermore, they point out, the clergy's invitation appears to place emphasis on the U.S. bombing of North Vietnam without pointing out that the Viet Cong is engaged in a massive terror campaign in which hundreds of thousands of South Vietnamese have died.

The Rev. Anthony B. Sampson, of the South Portland Church of the Nazarene minister, said the sessions in Washington tend to "undermine the national unity." I hope and pray for a quick end to the war but I do not feel that we should engage in any action which would reflect on our government."

He said as long as the war continues the average American should "show all the grit it takes to achieve victory."

The Rev. Mr. Clark of the South Portland Congregational Church, doesn't view the Vietnam war as a "clergymen's dilemma," the theme of the national sponsoring group.

He said in a letter to Allen that he didn't want to be part of "religious leaders of all faiths standing together in a vigil for peace as a symbol of protest while others are doing, working, fighting and dying for things that are worthwhile."

"If the day has come when clergymen feel the need to protest and do penance for our government's involvement in a crisis not wrought by our own doing but by the forces of evil in the world that devour and rape, then I for one clearly stand with the government and not with the clergy!" he wrote.

He said "every compassionate person" is concerned about the bombing of civilians. But if the national group infers that civilians are being bombed deliberately or carelessly in the North by United States forces, "then that is something else," he added.

The Rev. Mr. Clark said the sponsoring body for the Washington gathering ignores the fact that "tens of thousands of South Vietnamese civilians are killed by the Viet Cong."

Among Maine ministers who plan to go to Washington are the Revs. Lewis Beckford, Bangor; Bradford Payne, Southwest Harbor; John P. Herrick, Newport; Robert B. Saunders, Pittsfield; Bruce Roberts, South Portland; Fred Holmberg, Kennebunk; James Young, Bangor; Allan Broyles, Orono.

Other clergy and laymen who are going to Washington: Maurice Cobb, Brunswick; Bradford Greeley, Portland; Homer Page, Waterville, and Martin Gibbs, Windham. Laymen Craig Lindell and Charles Learned, both of Lewiston, also are going.

The ministers making the Washington trip will leave Portland by chartered bus about 7 p.m. Monday and will arrive in the capital the next day.

Vietnam: The Clergyman's Dilemma

(A position paper prepared by the Executive Committee of Clergy and Laymen Concerned About Vietnam, for distribution at the Washington Mobilization, January 31-February 1, 1967)

I. THE NEED TO SPEAK

A time comes when silence is betrayal. That time has come for us in relation to Vietnam. As members of American churches and synagogues, we voice not only our own convictions, but seek also to articulate the unexpressed fears and longings of millions of Americans.

The Old Testament forbids us to prophecy "smooth things," and in the face of any evil, the mandate of Albert Camus is laid upon all men, whether religious or not, that they "should speak out, loud and clear, and that they should voice their condemnation in such a way that never a doubt, never the slightest doubt, could rise in the heart of the simplest man. That they should get away from abstraction and confront the blood-stained face history has taken on today."

Our share of responsibility for that blood-stained face haunts us today and prompts our outcry. We confess that we should have spoken sooner and with clearer voice, but we do speak now, hoping it is not too late, adding our voice to the voice of Pope Paul, the World Council of Churches, the Synagog Council of America, the National Council of Churches, the National Conference of Catholic Bishops, and other religious bodies, in urging a reappraisal of our policy in Vietnam.

Our allegiance to our nation is held under a higher allegiance to the God who is sovereign over all the nations. When there is a conflict between those allegiances, the priorities are clear: "You shall have no other gods before me." "We must obey God rather than men." Each day we find allegiance to our nation's policy more difficult to reconcile with allegiance to our God.

Both the exercise of faith and the expression of the democratic privilege oblige us to make our voices heard. For while we speak as members of religious communities, we also speak as American citizens. Responsible expression of disagreement and dissent is the lifeblood of democracy, and we speak out of a loyalty that refuses to condone in silence a national policy that is leading our world toward disaster.

We speak in full awareness that no easy answers are available. But we believe that issues must be pressed and questions forced, if new answers are to be forthcoming. For the old answers no longer satisfy us.

II. THE ONGOING ANGUISH

No one planned the type of war in which we are involved. It has slowly escalated from one small move to the next small move, each presumed to be the last that would be necessary, so that now we find our nation able to offer only military answers to political and human questions. We sympathize with the dilemmas that face our President and Congressmen in dealing with a situation all decent men abhor. But a recognition of past mistakes does not entitle us to repeat and compound those mistakes by continuing them on an ever-widening scale.

We are unable to support our nation's policy of military escalation, and we find those to whom we minister caught as we are in confusion and anguish because of it.

1. This anguish is based first of all on *the immorality of the warfare in Vietnam*. We add our voice to those who protest a war in which civilian casualties are greater than military; in which whole populations are deported against their will; in which the widespread use of napalm and other explosives is killing and maiming women, children, and the aged; in which the combatants are systematically destroying the crops and production capacity of a country they profess to liberate; in which the torturing of prisoners by both sides has been a commonplace.

All who believe that man is made in God's image must be horrified by such crimes committed against God and man. There is guilt on all sides in such a war as this, but the guilt is ours far more than we have courage to admit. We can only tremble at the thought that God is just.

2. Even those of us who recognize that sometimes evil must be done lest greater evil prevail, feel a sense of anguish in *the inconsistency between our stated aims and the consequences they produce.*

Our ongoing escalation, far from bringing the war closer to an end, serves rather to increase its duration and intensity.

Our bombing of the north, far from bringing our enemies to their knees, serves rather to strengthen their will to resist us.

Our military presence in Vietnam, far from stemming the tide of communism, serves rather to unite more firmly those communist societies which might otherwise develop separate destinies.

Our widening military involvement, far from demonstrating to the world our firmness and resolve, serves rather to make the world suspicious of us and fearful of our use of power.

Our unilateral action in Vietnam, far from strengthening our influence among other nations, serves rather to jeopardize new alliances we might be creating.

At home, we find the war threatening the very goals we claim to be defending in Vietnam. Programs to help members of minority groups realize their own human dignity are jeopardized if not destroyed. A spurious type of patriotism is challenging the right of dissent and the open debate of public issues. Financial and psychological preoccupation with the war is destroying creative plans to alleviate poverty, overcome disease, extend education, replace city slums and exalt human dignity. We grieve over lost opportunities that may never be reclaimed.

Many of us are called upon to counsel young men of draft age who in conscience question our presence in Vietnam. The moral dilemma they face is part and parcel of our own. Their anguish is frequently motivated by a high patriotism that forces them to challenge, often at great personal cost, policies they believe will stain their nation's honor. How can we counsel them to participate in such a war as this? When they decide that they cannot condone the war by their personal involvement, we must support them in that decision.

3. Our anguish is deepened by *the discrepancy between what we are told by our government and what we discover is actually taking place.*

We are told that the other side gives no indication of desire to negotiate, and we then discover that such indications have been given, but that we have responded either with rebuff or military escalation.

We are told that our nation is prepared to negotiate with all concerned, and we then discover that certain of the combatants will not be welcome at the conference table.

We are told that certain cities have not been bombed, and we then discover that they have been.

We are told that civilian targets have been avoided, and we then discover that they have not been.

Such actions not only play into the hands of those who distrust us, since they can consistently discount our word, but the continuous discovery of discrepancies between our nation's word and deed has already shaken the confidence of our own people in the word of their government. We fear both the immediate and long-range consequences for our nation of this increasing deterioration of trust.

This, then, is our ongoing anguish: a crisis of conscience concerning what we *do* know, and a crisis of confusion concerning what we do *not* know.

III. THE NEED FOR CLARIFICATION

The public debate is forcing us to choose between wrong alternatives in Vietnam. Consequently, agreeing with the American Roman Catholic Bishops that it is "our duty to magnify the moral voice of our nation," we ask for clarification of the real alternatives.

The choices usually presented to the American people are three: (1) we could escalate rapidly and "win the war" in the foreseeable future; or (2) we could withdraw our troops and accept defeat; but (3) since to most Americans these alternatives are unsatisfactory, we must continue our present course, i.e. gradually escalate the war until the other side capitulates to our increasing pressure.

We believe the realistic alternatives are closer to the following: (1) we can continue to fight a hard, bloody, increasingly bitter and frustrating war for many years, a war we can conceivably "win," but at the price of destroying the land and people we presume to liberate, of sacrificing more and more of our own young men to death, of widening the probability that other nations will enter the conflict, of engendering increasing hostility against ourselves throughout the rest of the world, and of emerging at the end with no "victory" worth what it has cost;

or (2) we can commit ourselves unequivocally to seek now rather than later for a negotiated peace, realizing that history does not present us with easy choices and that the road to such a peace would be long and torturous. Just as there has been frustration and heartache in our gradual escalation, so too there would be frustration and heartache in the development of new initiatives leading to a negotiated peace. Just as the risks of extending the war are great, so too the risks of seeking new initiatives for negotiated peace are great.

But confronted by such a choice, we believe the American people will choose the path of initiatives for negotiation, and that the risks involved in such a choice are well worth taking.

And so we put these questions to our government:

1. Will you help our nation confront the choice between the expansion of a war no one can "win" without destruction so terrible as to negate its stated aim, and the immediate pursuit of a negotiated peace no one can "win" in the conventional sense?

2. Will you make clear to all that we are not trying to win through negotiation what we have been unable to win through military might, and that we seek a peace without victory—a peace that can come only on terms agreeable to all at the conference table?

3. Will you make more credible use than has yet been made of international agencies that could help us find ways to initiate negotiation?

IV. THE PRECONDITIONS OF NEGOTIATION

The possibility of negotiation will depend in large part on how such questions are answered. Many in our nation already feel that all efforts toward a negotiated peace have been made by us, and that any further initiatives must come from the other side. But certain preconditions that seem indispensable to negotiations are not yet present in our policy, and without them other nations can hardly be expected to take seriously our intent:

1. The first precondition is implied in our questions and involves an assurance from our government that we are genuinely ready to negotiate, and that we are not merely trying to win diplomatically what we have not won militarily. There will be no reason for response from the other side unless we indicate a willingness to seek peace without prior assurance that all details of the peace will follow our desires.

2. There must be some action by our government to lend credibility to our willingness to negotiate. It is increasingly clear that one indispensible prerequisite is our willingness unconditionally to cease the bombing of North Vietnam.

We are at an impasse. We have said we will not cease the bombing until there is a sign from the other side of willingness to negotiate, and yet when such signs have come we have ignored them. They have said they will give no further sign of willingness to negotiate until we cease the bombing, and yet when we have briefly ceased the bombing, no sign has come.

There is no way beyond this impasse until someone takes a fresh initiative. We, as the stronger nation, have both the obligation and the opportunity to take that initiative.

The initiative must be unconditional. Having ceased the bombing, we must be prepared to wait until the other side responds. We have no reason to expect that a response will come soon, for it will take time to gain credibility for our intent. In the interval, while diplomatic channels are explored, we will call upon religious leaders in other countries to intercede and urge that positive response be made.

3. If we truly do not intend to dictate the terms of peace in advance, then we cannot exclude from the conference table any who are involved in the present struggle. Our nation must accept the National Liberation Front as a partner in the peace talks in its own right. The previous assurances of our leaders have failed to state this clearly.

4. Other conditions are desirable, such as a de-escalation of the ground war to a degree commensurate with the protection necessary for those already there. But since the destiny of all nations is involved in a negotiated peace, we must not seek it unilaterally, but must ask the full cooperation of all agencies designed to deal with international tensions. These must include an increasing role for the United Nations, and a recognition of the potential role of the International Control Commission in reducing ground hostility by providing an international presence under cover of which foreign troops might ultimately be withdrawn from Vietnam.

Although we address these appeals particularly to our own nation, we are fully aware that negotiations involve more than one participant, and we lay the seriousness of our concern upon all men everywhere to offer further help in transforming possibilities into realities.

V. RECOMMENDATIONS FOR FURTHER ACTION

There are further steps that Americans can take to indicate our desire to play a creative rather than destructive role in the future of Vietnam.

1. Our Congressmen will shortly begin debate on an appropriations bill. Their response to that bill will say much about our true intentions in Vietnam. We urge that additional time be allocated for a careful estimate of the costs of the war by a number of congressional committees, such as the Joint Economic Committee, the Ways and Means Committee, the Education and Labor Committee, the Judiciary Committee and the Foreign Affairs Committee, in addition to the Appropriations Committee and the Armed Services Committee, to determine what costs are necessary (1) to maintain the current level of military operations, (2) to finance new stages of build-up and escalation, and (3) to provide the type of military and civilian security that would be needed during a period of prolonged negotiation. In this way, members of the Congress can choose the type and degree of military operation they wish to support.

2. We ask the Congress to re-examine the international agreements to which the United States is pledged. To an unprecedented degree, today's world order and human life itself depend upon the exercise of constraint in the conduct of foreign affairs. The origin and conduct of the war in Vietnam must be examined in this light. Particular attention must be focussed on the destruction of civilian life and property, the use of gas and other chemicals, and the treatment of prisoners of war. Our country must pledge itself anew to conform policy and practice in Vietnam to international law, as embodied in the several agreements of Geneva and the Hague, the Nuremberg judgments, the charter of the United Nations, and other such documents. The abandonment of constraint leads our country and the world down the path of brutalization and destruction.

3. Our religious bodies must assume a particular responsibility for prisoners of war in both the north and south. We call upon international religious agencies to take the initiative in developing effective programs for speedy repatriation and human treatment of prisoners, with special attention to nutritional and medical needs. Under no circumstances can our nation condone brutal treatment of prisoners on the ground that the other side does so.

4. We must immediately support efforts to insure that victims of bombing and terrorism, particularly those who have been burned by napalm, are given proper hospitalization wherever adequate facilities are available, including the United States. We welcome the formation of the Committee of Responsibility that is working to this end, and urge governmental support for its efforts.

We urge all religious organizations to follow the example of the World Council of Churches in arranging special offerings for the relief of all victims of warfare in Vietnam, whether in the north or south, to be administered through the International Red Cross or similar agencies.

5. At such time as negotiations have begun, further creative opportunities should be opened up for both the public and the private sectors of our nation. There will be need for the development of a genuinely representative government in the south. Members of our Congress and our legal profession can offer their services, under the auspices of Asian members of such bodies as the International Parliamentary Union, for whatever counsel the Vietnamese desire in the development of a constitutional assembly.

Those with special skills in such fields as education, land reform, housing, nutrition, medicine and job training can be prepared to help in Vietnam during the long and involved period of negotiations. The resources of various Catholic, Protestant and Jewish relief agencies can be coordinated for these and other ventures, and we urge foundations to support extended opportunities for service in these areas.

We are eager that many of our citizens pledge themselves to acts of mercy and rebuilding and reconciliation. These are a particular American responsibility because of the deep measure of American involvement in acts of injury and destruction. But such acts will have enduring meaning only when our nation has pledged itself to seek negotiated peace in more courageous terms than have yet been undertaken. Otherwise we will appear to be using small gestures of creativity to excuse massive acts of ongoing destruction.

Other projects should be initiated even as negotiations proceed, and we urge that further suggestions be sent to Clergy and Laymen Concerned About Vietnam, 475 Riverside Drive, New York, New York 10027, for appropriate implementation.

In all such ventures, however, there is a danger to which Americans must be particularly sensitive. We must not seek to export the American way of life, or impose an alien culture on the Vietnamese. By insisting that our help be channeled through international agencies, we can clarify our desire to serve only as others choose to use us, and not as we dictate. We must convey by word and even more by deed, our desire to let the Vietnamese be the arbiters of their own destiny, and insist only on such international controls as will temporarily be needed to insure that injustices are prevented or properly rectified.

VI. OUR ONGOING RESPONSIBILITY

We know that millions of Americans share the anguish we express, and endorse the alternatives we propose. If they have been silent heretofor, we plead with them to speak up now, and pledge them our support. If they have spoken earlier and felt no resonance of public response, we plead with them to speak again, so that together we can create the new groundswell of public outcry that will force a reappraisal and a new direction.

We reaffirm our own responsibility to urge that new direction. We pledge to lay this burning concern upon the consciences of our religious bodies, through our local congregations, our denominational agencies, our councils of churches, and our involvement in civic groups, so that increasing pressure can be brought to bear, through the pulpit, the public forum, the mass media, and the ballot box, upon those in public life who make our policy decisions.

As we face a difficult and dangerous period in the history of man, we remember that our task is not to assign blame for the past, but to accept responsibility for the future; not to cast the stone of condemnation, but to offer the helping hand of reconciliation; not to proceed self-righteously and vindictively, but to walk humbly and repentently.

We who are so deeply involved in the immensity of the present war must have the courage to initiate the steps that will lead to peace. If we do not take those steps, we firmly believe that God will judge us harshly, and will hold us accountable for the horror we continue to unleash. But if we do turn about, if we seek to undo whatever measure we can of the wrong that has been done, then we also firmly believe that as we walk that long and hard and often discouraging road, God himself will be with us, to guide and chasten and sustain us, and that he will deign to use even us in restoring some portion of the divine creation, we have so grievously misused.

DEDICATION OF W. KERR SCOTT INDUSTRIAL ARTS BUILDING, APPALACHIAN STATE TEACHERS COLLEGE, BOONE, N.C.

Mr. JORDAN of North Carolina. Mr. President, W. Kerr Scott was a strong and vital leader of North Carolina for many years, as commissioner of agriculture, as Governor, and as U.S. Senator until his death in 1958.

Recently the Industrial Arts Building at Appalachian State Teachers College in Boone was dedicated in his memory. Mr. Harry B. Caldwell, a long-time friend of Senator Scott, who is now chairman of the executive committee of the National Grange, delivered a fine tribute to the Senator, and I want to share this speech with my colleagues who knew him when he was a Member of the Senate.

Mr. President, I ask unanimous consent to have printed in the RECORD Mr. Caldwell's speech given at the dedication of the W. Kerr Scott Industrial Arts Building at Appalachian State Teachers College.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

Dr. Plemmons, Members of the Scott Family and Friends: I am grateful to the Scott family and Dr. Plemmons for inviting me to participate in this special event.

The custom of dedicating public buildings is as old as the art of architecture. We, therefore, follow long established precedents in dedicating the Industrial Arts Building on this campus in memory of William Kerr Scott. It is fitting that this building should bear the name of this great man, since he was interested in young people and believed so sincerely that vocational education must be an integral part of the educational system.

It was my privilege to be associated with Kerr Scott in the Grange and to work with him on many occasions during most of his public career. I shall be forever grateful for his friendship and the high standards that he maintained in all his activities. As a long-time friend, I want to thank the Board of Trustees for recognizing, in this manner, his service to the state. I hope that those who enter its portals will be reminded that life's goals can be attained if we have worthy motives and are willing to work.

I also want to congratulate President Plemmons and the Trustees for their foresight in establishing the School of Industrial Arts here at Appalachian.

William Kerr Scott was born and reared on a farm in Alamance County. He attended the public schools in his community and received a Bachelor of Science Degree in Agriculture from N. C. State College in 1917. He volunteered and served as a private in the field artillery during the first World War. At the close of the war he returned to the farm in the Hawfields Community, married Mary Elizabeth White whom he always affectionately called "Miss Mary." Together they built the house that was to be their home and reared three fine children, one of whom is currently serving as the lieutenant governor of the state.

Kerr Scott maintained his home on the farm, his membership in the Hawfield Presbyterian Church and became known as the "Squire of Haw River." Even though his interest in public affairs kept him on the move during most of his life, he never lost contact with or his love for the rural community.

History reminds us that every advance in the world's progress has been achieved through the efforts of dedicated leaders. Kerr Scott was such a leader. People, inspired by his dynamic personality, supported causes which he championed, and those programs moved forward to completion. I can hear him now as he called for rural electrification, while serving as master of the State Grange, and arguing that "rural people had a moral right to this service." He was labelled as a radical by those who opposed his views, but the people gave him their support and the Rural Electrification Program became a reality.

He was a man of vision. He saw the need for good roads, good schools, strong churches, better economic opportunities, water conservation and industrial development long before there was any public demand for expanded programs in these areas. Many progressive programs questioned in his time are now recognized as essential to the welfare of the state and were initiated as a result of his vision and leadership.

Henry Drommond, the author said, "Love is the greatest thing in the world." Kerr Scott loved people, and people loved him. He was not impressed by titles or material possessions but respected people for their honesty, industry, zeal and devotion to duty. His home was a favorite gathering place for neighbors and friends. He maintained "an open door policy" to such an extent that "Miss Mary" was always prepared for guests that he so frequently invited in for a good meal. Those of us privileged to share in some of these rich experiences can never forget the warmth of his personality, the sincerity of his friendship or the spirit of love that existed in that home.

Governor Aycock said that "a good leader must be out in front, but never out of sight." Kerr Scott stayed out in front. He did not wait for things just to happen but stepped forward and said, "come on, let's go forward." Through all of his varied activities, he maintained a close relationship with the people whom he delighted to serve and they responded by electing him master of the N.C. State Grange, commissioner of agriculture, governor and finally to the United States Senate. In all of these capacities, he met the challenges so that the record of his accomplishments will stand as a memento of his labors for all time to come.

Kerr Scott was a fighter and a man of courage. When he believed in any cause, it had his full support. The program for better schools and roads initiated while he was governor would never have been accomplished without his aggressive leadership. To him, difficulties and obstacles were but opportunities to test one's faith and ability Dr. I. O. Schaub, former director of the North Carolina Agricultural Extension Service, said many times that Kerr Scott would undertake the "impossible" just to prove that the job could be done.

He was persistent and "plowed to the end of the row". Great things are never accomplished by those who are easily discouraged. Too many of us, like Demas, make a good beginning and then fail to follow through, only to lose some of life's richest blessings. The writer of Hebrews in the 12th Chapter called upon the people of God "to run the race with patience"—which is another way of saying, stick to it until you have crossed the finish line.

Kerr Scott was a man of faith. He had faith in God, faith in his country, faith in his fellow man and faith in himself. He believed that "unless the Lord build the house, they labor in vain that build it." He was faithful in his church attendance and participated regularly in the Congressional Prayer breakfasts while serving in the United States Senate. He exemplified the teachings of the church in his personal life and called upon rural people to become more active in the programs of their local churches. In our affluent society we are tempted to rely on material wealth, scientific achievements, education, military power and other means in meeting the challenges of a troubled world. Kerr Scott recognized that God is sovereign and that we are dependent upon Him for everything.

Kerr Scott was one of North Carolina's greatest and most useful citizens. As we honor him today, we are reminded again that:

"Lives of great men
All remind us,
We can make our lives sublime
And departing leave behind us
Footprints on the sands of time."

William Kerr Scott, farmer, patriot, public servant, Christian gentleman, served well and we are the beneficiaries of his labors. It is my hope that those who use these facilities being dedicated in his memory will be inspired to do their best, to make "This nook of God's creation a little brighter and happier place in which to live."

In closing let me remind you that a good leader:

"Looks upward to God,
Looks outward to man,
Looks backward to achievement, and
Looks forward to opportunity."

SAFER STREETS NEEDED

Mr. SYMINGTON. Mr. President, the rising tide of major crimes committed across the Nation is now a matter that concerns every citizen.

The Federal Bureau of Investigation has reported that during the first 9 months of 1966 the rate of serious crime climbed 10 percent throughout the Nation over the corresponding period in 1965.

This growing trend toward lawlessness has become a national problem. It must be reversed.

All those who agree must welcome the President's message on crime in America, along with his constructive proposals to make a frontal assault on this problem.

A majority of the crimes now committed in this country—assault, rape, muggings, and murder—are offenses under the laws of the States and the cities. Now the program President Johnson has presented to curb this disgraceful development is designed to utilize all the resources of the Federal Government, on a nationwide scale, to that extent the Constitution will allow.

The Safe Streets and Crime Control Act would extend Federal cooperation to local law enforcement efforts. Proposed is a grant-in-aid program, to be undertaken jointly by the Federal Government and the States and local communities, in order to foster the coordinated development of comprehensive law enforcement plans.

It is a plan which would embrace public safety programs to provide greater security from crime in the streets, homes, and other public and private places; also manpower programs for improved recruitment and training of law enforcement personnel; also progress to improve the methods and equipment used for crime detection; and finally, it would improve the administration and coordination of law enforcement and criminal justice agencies.

These proposals deserve the fullest consideration by the Members of the Congress.

GREATER PROTECTION FOR THE CONSUMER

Mr. BREWSTER. Mr. President, I wish to associate myself wholeheartedly with the efforts of the Senator from Washington [Mr. MAGNUSON]. To achieve consumer protection as chairman of the Committee on Commerce, he has done a great deal to achieve greater protection of the consumer. In my judgment, the Hazardous-Products Bill which he is sponsoring will make a great contribution to that protection.

Let me begin with a brief review of the problem. Each year many thousands of consumers are injured by ordinary household products. Many of these accidents are undoubtedly due to carelessness or downright stupidity. But many more may well be caused by faulty design. Some examples:

One hundred and twenty-five thousand injuries are caused each year by heating devices. Feet are burned on floor furnace grates; men, women, and children are seriously injured in explosions; and thousands of others are badly burned by flame heaters. We need to have experts take a careful look at these devices, to see what can be done to improve the safety of their design.

Thirty thousand persons a year are burned by electric wall sockets and extension cords. Young children are the major victims of these accidents. Babies chew on extension cords, put bobby pins in sockets, and so forth. I cannot believe that some of these accidents are not preventable. We certainly should find out.

I could go on and on. Are power mowers made sufficiently safe? You might get some argument from the 100,000 persons a year who are injured by them, including many children who are standing nearby.

How about incinerators? Fifty thousand accidents a year, including numerous deaths. Glass doors ought to be made reasonably resistant to ordinary stress and strain—but 40,000 of them shattered last year, causing painful and often serious injuries.

Among the most tragic victims are the children under five who lose arms or legs in washing machine wringers. There are 100,000 accidents of this kind annually, according to the Public Health Service, and most of them involve the little children whom I mentioned.

The figures go on and on. They are shocking. They tell us that far too many Americans are careless in handling household items. But they also suggest that far too many products are unsafe. As the chairman of the Federal Trade Commission said last year:

> The obvious result of the patchwork nature of existing safety legislation is that the public is amply protected in some areas but wholly unprotected in others. Moreover, the existence of a large number of safety statutes, of which the public is only dimly aware, may lead many persons to believe that Federal safety legislation is more inclusive than it actually is. Many people may rely on "the Government" for adequate protection when, in fact, existing legislation provides no such protection.

These persons who rely on the Government will not find out how unprotected they are until they are burned, or maimed, or otherwise injured.

We must be realistic about this problem. As I said before, many of these injuries are due to carelessness, not faulty design. Many of the hazards that could be prevented by safe design are far too complex in nature for the Congress to establish any guidelines. After all, we can hardly draw up safeguards for every home appliance and power tool in existence.

The primary need, therefore, is for a comprehensive study by safety experts to see what can and should be done, realistically, to prevent the occurrence of so many horrible accidents. And this is precisely the effect of the legislation which I am supporting.

The bill would establish a Hazardous Products Commission, to study the scope and adequacy of present safety measures. These experts will determine which products are the most dangerous; the kind of self-regulation which industry provides; and the Federal, State, and local laws relating to consumer protection. The Commission will recommend legislation to remedy the problem.

There is another proposal which will come before the consumer subcommittee this session which relates to consumer protection. This is a much-needed revision of the Flammable Fabrics Act. I will support Senator MAGNUSON's bill to provide this additional protection for all Americans.

The Flammable Fabrics Act was passed in the wake of several serious burnings of girls wearing sweaters. At the present time, it applies only to wearing apparel. In my judgment, this is not nearly broad enough to combat the danger of burns.

The Public Health Service reports that many thousands of individuals are burned each year in bedding and home-furnishings fires. In fact, one item which I would most certainly expect to be covered in the Flammable Fabric Act—almost "clothing"—is the baby blanket. This is not presently covered.

Moreover, the present law does not apply to fabrics which may be used by the millions of women who make their own clothing. The secretaries in my office tell me that they sometimes make clothing out of material intended for draperies. Yet such material may be highly incendiary—the Flammable Fabrics Act does not provide any protection.

I will, therefore, support legislation to include all personal and household fabrics within the present law. It will give the Department of Commerce authority to strengthen standards of flammability. And it will establish a program to determine which fabrics are highly flammable and constitute a safety hazard.

In my judgment, it is not appropriate for the Government to go further. But I would strongly recommend that the industries involved go beyond the minimum safety standards which have been developed.

There are many means of providing flame-retardant fabrics. Wool is comparatively flame resistant in its natural state. Cotton and rayon are highly flammable but can be chemically treated to be made safer. Nylon and many of the newer fibers are very flame-resistant.

I urge the industries which produce clothing and household items to make the most modern advances available to the consuming public. The Government will not force this—but I believe that the consumers will demand it. Perhaps the cost will be somewhat higher; perhaps the texture will be slightly stiffer; but at least the housewife should be allowed to decide whether or not she wants to pay for safety.

The legislation which I have outlined will certainly not prevent all the accidents which occur annually. It will, I firmly believe, represent a big step toward preventing part of it.

There is nothing we can do to prevent many of these injuries. But we are derelict in our duty if we do not take at least the minimum steps to prevent those accidents which are preventable. A delay of another year will mean hundreds of thousands of additional injuries. We must act now.

Last year we passed an auto safety bill. We passed a tire safety act. We passed a highway safety law. We also enacted a child protection act.

This year we must continue the trend toward safety. In 1967, as in 1966, let us put safety first in legislation.

DISMISSAL OF CLARK KERR FROM PRESIDENCY OF UNIVERSITY OF CALIFORNIA

Mr. MURPHY. Mr. President, there has been entirely too much confusion abroad concerning the situation at the University of California surrounding the dismissal of President Clark Kerr.

It was therefore gratifying to see two columns in Washington newspapers which introduced the light of day into this affair. I ask unanimous consent that a column by John Chamberlain, published in the February 3 Washington Post, and a column by James J. Kilpatrick, published in the February 2 Washington Star, be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Feb. 3, 1967]

WAS REAGAN HIT BELOW THE BELT?

(By John Chamberlain)

Ronald Reagan was elected Governor of California because (a) he promised to do something about taxes and (b) he talked about cleaning up the troubles at the University of California in Berkeley. But when he started to deliver the goods which a majority of the voters had asked for, the roof fell in.

Or maybe it just seems that the roof has collapsed. Maybe we are being taken in by an illusion cultivated by the "liberals" who lost the election. At any rate, people who are close to Reagan in Sacramento do not seem too perturbed about the outcry over what the liberals have called "the unconscionable ouster" of Clark Kerr from his presidency of the University of California.

They think that when the truth is known, Kerr will seem the wily political maneuverer and Reagan will emerge as a straightforward fellow who did what he had to do under unfortunate circumstances to stay honest about his campaign promises.

The people who are for Reagan in the Berkeley imbroglio point out that it was no "cabal of rightists" on the University of California Board of Regents that did Clark Kerr in. Critical votes against Kerr were cast by some board members who owe their appointments to former Gov. Pat Brown. And, while it may be technically correct that Kerr did not ask for a vote of confidence, he at least hinted to his friends that it might be a good time to bring the matter up before Reagan was entrenched as Governor. Board member Allen Grant quoted Kerr as saying, "I will not resign but I want the regents to discuss the matter of Clark Kerr." How would one discuss this matter without raising a question of confidence?

It may be admitted that all university presidents who are dependent on a state for their money must "play politics." But they are expected to limit themselves to persuasion. The Reagan people object to Kerr's maneuvers to frighten the new Governor out of doing something about the $400 million budget deficit inherited from Pat Brown.

Before there was any discussion in the California Legislature of a proposed ten per cent cut in all departmental and agency budgets, Kerr and Chancellor Glenn Dunke of the State College System ordered a freeze on new university and college admissions.

This was interpreted in the Reagan camp as a "force majeure" designed to make it plain that California public education was a sacred cow.

As a matter of common sense, Kerr could have compensated for any ten per cent budgetary cut by going along with the Governor's suggestion that at least a small tuition fee might be collected from students whose families could afford it.

Some tuition is charged in most states. Even with a budget cut, California education is in a favored position, for what other State agency can compensate for cuts by selling its services?

What further riles the Reaganites is that they think the Kerr administration at the University has acted all along in a rather low partisan way. They point out that during the autumn political campaign the new University of California Vice President for University Relations, Tom Sorensen, had sent seven student leaders about the State to broadcast material that amounted to supporting Pat Brown's contention that all was well at Berkeley.

It so happened that all seven of Sorensen's missionaries were Democrats. Sorensen, of course, is a brother of Ted Sorensen, John F. Kennedy's adulatory biographer.

The Reaganites also think it hitting below the belt to spread rumors that a "brain drain" must result from the firing of Kerr and the attempt to economize on the educational budget by using tuition fees to supplement State appropriations.

As a matter of record, the disturbances at Berkeley caused some departures while Kerr remained on the job. Among these were Professor Lewis S. Feuer, the historian of the Berkeley rebellion, and Professor Seymour Lipset, an able political sociologist. Feuer quit with a parting shot that the Leftist tyranny on the campus choked off any real free speech. So the "brain drain" preceded Kerr's going, and can be attributed to the New Leftists' antics, not to Ronald Reagan.

[From the Washington Star, Feb. 2, 1967]

IS KERR'S DEPARTURE A DISASTER?

(By James J. Kilpatrick)

The late Douglas Southall Freeman is best remembered as a famed historian and editor, but he was also for many years an active member of the board of visitors of the University of Richmond. It was in this capacity that he once drafted Freeman's Rules of Parliamentary Procedure for the Governing Boards of Institutions of Higher Learning.

These were quite brief, and went something to this effect:

"The annual meeting having been called to order, the chair shall immediately entertain a motion to fire the president of the university, which motion, being privileged and not subject to debate, shall be put at once to a vote. If the motion carry, the next motion shall be a motion to appoint a committee on succession. If the motion fail, the next motion shall be a motion to adjourn.

The Freeman Rules were drafted with a twinkle of course, but they contained a hard glint of truth. In any effective academic chain of command, a president must be responsible for the university he heads; but the regents must be responsible for the president they choose. Responsibility becomes meaningless unless authority goes with it, and authority has no meaning without the power to exert it.

These truisms apply with special aptness to the recent dismissal of Dr. Clark Kerr as president of the University of California. He had been given full responsibility for running one of the world's great systems of higher learning. In the ten days since his ouster, the liberal press has fairly burbled with praise of his achievements—the Nobel laureates attracted to Berkeley, the endowments added, the buildings erected, the research completed—and doubtless a meritorious case can be made in these fields.

Yet the regents clearly had the responsibility to examine Kerr's total record. As the Freeman Rules suggest, this was very nearly the whole of their responsibility. And it may be that the regents perceived far more clearly than Kerr's admirers have perceived, that his record of achievement could not overcome his record of failure.

The charge against Kerr is not merely that he exhibited weak and ineffective discipline—that he let a part of his kindergarten run the school. The charge is much deeper than his feeble tolerance of a Mario Savio, a Bettina Aptheker. It boils down to a failure on the part of Kerr to comprehend the very essence of a free university, which is that freedom depends upon order.

This is not to say that freedom depends upon regimentation, which is a very different thing. It is merely to say that the pursuit of truth becomes a travesty, when truth must be pursued through an artificial maze of booby traps, pitfalls and kid games. It is not for nothing that we speak of academic "disciplines." But at Berkeley, the very word "discipline" had become a mockery. In his devastating essay on the university's decline, published in Atlantic last fall, Professor Lewis Feuer made precisely this point—that Berkeley had yielded to a perversion of freedom so gross that true freedom was hard put to survive.

In the aftermath of Kerr's dismissal, the trumpeters of instant liberalism sounded a predictable dirge. They blamed it all on Gov. Ronald Reagan (though the motion to dismiss originated with an appointee of former Gov. Edmond G. (Pat) Brown). They charged it to a right-wing political conspiracy (though the majority against Kerr cut across lines of both party and philosophy). A covey of California congressmen—Cohelan, Waldie, Edwards, Burton, Tunney—rushed to the floor to denounce the regents' action as unwarranted, unbelievable, unthinking, ill-considered and disastrous. The New York Times could see only the "twilight of a great university."

This is nonsense. As the whole story emerges and takes on perspective, it becomes apparent that Kerr himself forced a showdown, and that his own glaring faults as an administrator cannot be obscured in an adulatory fog. And far from being a disaster, his dismissal may well prove to be the university's salvation. In exercising their undoubted authority to fire the president, the regents provided a sudden and dramatic reminder of the order that is indispensable to freedom.

Berkeley will survive as a great institution of learning. It is bigger than Kerr, greater than its sometimes dictatorial faculty, more enduring than the forces of bombast and politics that have lately swirled about it. But it cannot regain its prestigious reputation without a new dedication, from top to bottom, to discipline, responsibility, and authority. The regents—or at least a solid majority of them—recognize this. A new president will have to recognize it, too.

S. 260, A BILL TO NIBBLE FREEDOM

Mr. ERVIN. Mr. President, at the present moment an American citizen has liberty to acquire eyeglasses or contact lenses from either an ophthalmologist, who is a medical doctor skilled in the science which deals with the anatomy, functions, and diseases of the eye, or an optometrist, who is one skilled in the practice or art of testing the eyes by means of suitable instruments or appliances for defects of vision in order to fit them for glasses, or an optician, who makes glasses for remedying defects of vision in accordance with the prescription of ophthalmologists. There is no sound reason for curtailing this right of the citizen in any respect whatsoever.

Yet S. 260 is designed to curtail this right of the citizen by forbidding an ophthalmologist from supplying him with either eyeglasses or contact lenses. And it does this notwithstanding the fact that the ophthalmologist has spent 12 years of his life in college and internship to fit himself to practice his profession and serve his patients.

And strange to say, S. 260 undertakes to do this as an antitrust measure. The provisions of S. 260 are totally repugnant to existing antitrust laws. These laws are designed to prevent monopolies and thus promote freedom of competition. S. 260 undertakes to produce exactly the opposite effect. It undertakes to promote a monopoly and stifle competition by excluding ophthalmologists from an activity in which they possess complete competence.

I am opposed to the enactment of S. 260 because I believe that all Americans who suffer defects of vision should have the freedom to procure the eyeglasses or contact lenses necessary to correct such defects from either ophthalmologists, or optometrists, or opticians.

On February 6, 1967, Lennox P. McLendon, an exceedingly able attorney of Greensboro, N.C., and Dr. Edward E. Moore and Dr. Edward K. Isbey, Jr., practicing ophthalmologists, of Asheville, N.C., made statements before the Senate Subcommittee on Antitrust and Monopoly in which they pointed out the unwisdom of S. 260. Since all Members of the Senate may be called upon to pass judgment on this measure, and these statements contain cogent and convincing analyses of S. 260, I ask unanimous consent that they be printed at this point in the body of the RECORD.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

OPPOSITION TO S. 260

(By Lennox P. McLendon, Counsel for the Eye, Ear, Nose and Throat Society of North Carolina, before the Senate Antitrust and Monopoly Subcommittee, Feb. 7, 1967)

On behalf of the Eye, Ear, Nose and Throat Society of North Carolina, this statement is submitted in opposition to S. 260, introduced in the Senate of the United States on January 12, 1967, by Senator Hart.

The proposed legislation has also been identified as the "Medical Restraint of Trade Act," and it is entitled "A Bill to strengthen the antitrust laws by prohibiting the sale by licensed practitioners of drugs, or devices, prescribed by such practitioners. . . ." A practitioner is defined in the Bill as a person licensed by any state, by the District of Columbia, or by any territory of the United States "to administer drugs, or devices in the practice of medicine in the diagnosis, cure, mitigation, treatment, or prevention of disease in man or to affect the structure or any function of the body of man" (Section 3(a)). On its face, S. 260 is an effort to restrict the authority now exercised by the states in the licensing and regulation of medical practitioners only. Section 4 of the Bill makes the sale, directly or indirectly, of drugs and devices by medical practitioners licensed by the several states unlawful, but recognizes that a broad and comprehensive application of the prohibitions is impractical, if not impossible, by the inclusion of broad and ill-defined exceptions. The enforcement provisions follow closely those contained in our existing antitrust statutes, namely injunctive relief in the U.S. District Courts in suits under the direction of the Attorney General and the right to recover treble damages by "any person, firm or corporation who shall be injured in his business or property by reason of anything forbidden in this Act." Obviously the most probable plaintiffs in damage suits will be optical companies and individual opticians who will be put in position to harass physicians who do not comply with their demands, however unreasonable, such as demand for copies of prescriptions for any or all eye devices.

To the more than 200 medical practitioners who comprise the E.E.N. & T. Society of North Carolina, S. 260 is highly objectionable for several reasons.

The philosophy inherent in this proposed legislation is utterly foreign and alien to a practice which has existed almost from the time this Republic was founded. This traditional practice is the reservation, either to the states or to the various professions themselves, of the responsibility for regulating and controlling the conduct of the group of individuals S. 260 defines as practitioners. Without the most compelling reasons, the Congress of the United States should not countenance a reversal of and departure from the traditional American practice of local control and regulation, particularly when this practice has, on the whole, worked so well for so long.

S. 260 proposes to regulate conduct which involves *local people* in *localized situations*. Before it attempts to deal by the broad sweep of federal legislation with a matter which is essentially local in character, the Congress should carefully weigh and consider whether it will not create more problems than it solves.

For the purpose of demonstrating that S. 260 intrudes in an area which has traditionally been reserved for local control, the Committee's attention is directed to the North Carolina statutory enactments dealing with this general subject. The North Carolina pattern of local regulation is reasonably similar to that which exists in other jurisdictions, and it shows that North Carolina has acted responsibly in exercising the powers of local control which have heretofore been left to its discretion. That the states have not followed an exactly uniform pattern illustrates and emphasizes that the conditions and, more importantly, patient needs vary from state to state. It must be acknowledged that whatever the action of the state has been, it is what the people of each state want.

Chapter 90, North Carolina General Statutes, entitled "Medicine and Allied Occupations," is a compilation of legislation on the regulation of the practice of medicine and 18 allied or related subjects, including optometry, dispensing opticians, dentistry, pharmacy, registered and practical nurses, osteopathy, chiropractic, chiropodists, physician therapy and even veterinarians and midwives.

Article I deals with medicine, one of the oldest, if not the oldest, of all professions. This legislation is more than 100 years old, being first enacted in 1858; whereas, the regulation of optometry first began in 1909, dentistry in 1935, and dispensing opticians in 1951.

The North Carolina Statutes recognize The Medical Society of the State of North Carolina as a state agency which is given the power to appoint a Board of Medical Examiners "in order to properly regulate the practice of medicine and surgery" in North Carolina. Detailed provision is made for the examination and licensing of prospective physicians, and continuing control and supervision are exercised by virtue of power of the Board of Medical Examiners to revoke and rescind, subject to judicial review, any license granted by it. Among the reasons for which the Board of Medical Examiners may revoke and rescind a license granted by it is "any unprofessional or dishonorable conduct unworthy of, and affecting, the practice of [the medical] profession." Practicing medicine is defined, and the practice without a license is made a criminal offense, punishable by fine or imprisonment in the discretion of the Court. The definition of the practice of medicine expressly excludes the practice of dentistry and the practice of optometry.

It may also be of interest to this Subcommittee that, due primarily to the fact that North Carolina has been and still is essentially a rural state, the Legislature has authorized the State Board of Pharmacy to grant to a licensed practicing physician a permit to conduct a drugstore or pharmacy in a village of not more than 800 persons. With the aid of a grant of $50,000.00 from a charitable foundation, the Board of Pharmacy is vigorously assisting hospitals and nursing homes in operating their own pharmacies.

Since it is a group recognized by statute as a state agency, the Medical Society of the State of North Carolina exercises great influence upon the approximately 5,000 physicians who are engaged in the practice of medicine in North Carolina. Of particular relevance both to the concept of local regulation and control of the medical profession and to the provisions of S. 260 is a resolution proposed by the Committee on Eye Care and unanimously adopted by the House of Delegates of The Medical Society of North Carolina on May 1, 1966. A copy of this resolution, which adopts and reaffirms certain existing guidelines of the American Medical Association, is attached to this statement.

Of all the various learned professions, none has been more comprehensively regulated, both by state and by self-imposed restrictions than has the medical profession. For centuries, the medical profession has insisted that its members measure their conduct by standards which it set down and which universally have been higher and more demanding than those enacted by any legislative group. Largely in response to the pattern of state and internal regulation of the medical profession, with all of its various branches, it has, *until now*, been the policy of Congress not to involve itself by federal legislation in medical procedures and policies. It is the firm belief of the E.E.N. & T. Society of North Carolina that the course of action heretofore followed by Congress has been a judicious one and that the prohibitions contained in S. 260 are not only unwarranted, but would establish an unwise departure from a policy which has accommodated well the needs and interests of both the doctor and the patient.

That the North Carolina Legislature has been responsive to developments in the practice of medicine is shown by the enactment in 1951 of a statute making it unlawful for any person, firm or corporation—not physicians only—to offer or give any gift, premium or discount or in any manner participate in the division, rebate or refund of fees or to engage in advertising urging the public to seek services of any specific professional person or group of persons engaged in the field of refraction and visual care. This legislation followed the entry of consent decrees in the Chicago rebate cases against optical companies.

Moreover, the prohibitions contained in S. 260, if enacted, would not necessarily be of ultimate benefit to the patient, who is certainly one with the largest stake in this proposed legislation. This is particularly true insofar as the prescription of eyeglasses by ophthalmologists is concerned. As the Bill now reads, the patient will be deprived of the right to engage and rely upon the care and control exercised by the dispensing ophthalmologist, who after all is the person the patient initially selected to treat *in its entirety* any visual problem he might have. If an ophthalmologist is to be prohibited from dispensing optical devices, how then can he reasonably be expected, as his patient may very well expect and desire of him, to exercise any control over the actions of others who supposedly have carried out his instructions with regard to the treatment of the patient's problems?

In addition to the arguments heretofore advanced in opposition to S. 260, this proposed legislation, in our opinion, is constitutionally defective on at least three grounds:

1. The Bill represents an effort to regulate

conduct which is essentially local in character and which therefore is beyond the reach of the Commerce Clause of the United States Constitution;

2. The Bill discriminates unreasonably against members of the medical profession, in violation of the Fifth Amendment of the United States Constitution; and

3. The standards by which it is to be determined whether the dispensing of drugs and devices by practitioners is prohibited or permitted in certain situations are too vague and uncertain to meet the requirements of the Fifth Amendment to the United States Constitution.

It is settled constitutional doctrine that the authority conferred upon it by the Commerce Clause does not give to Congress the power to regulate all activities. Activities which are essentially local in nature and effect are not subject to regulation by Congress. *Gibbons* v. *Ogden*, 9 U.S. 1, 175, 6 L. ed. 23, 70 (1824). The diagnosis and treatment of medical problems falls within the category of "activities essentially local in their nature and effect," since they normally involve the relationship between a doctor and a patient within a single state. Such was the holding in *United States* v. *Oregon State Medical Society*, 343 U.S. 326, 96 L. ed. 978 (1951), where the Supreme Court affirmed a district court finding that:

"The sale of medical services . . . as conducted within the State of Oregon, is not trade or commerce within the meaning of Section 1 of the Sherman Anti-Trust law, nor is it commerce within the meaning of the constitutional grant or power of Congress 'to regulate commerce . . . among the several states.'" (95 F. Supp. at 118)

The *Oregon State Medical Society* case was an action charging that the medical society was guilty of violating antitrust legislation by selling prepaid medical services.

The *Oregon State Medical Society* case is not inconsistent with the Supreme Court's decision in *American Medical Association* v. *United States*, 317 U.S. 519, 87 L. ed. 434 (1943). In that case, the Court found that an involvement in interstate commerce was not necessary to confer jurisdiction because the complaint alleged a conspiracy to restrain trade and commerce in the District of Columbia, in violation of Section 3 of the Sherman Act. However, the Court declined to adopt the holding by the United States Court of Appeals for the District of Columbia that all occupations and services come within the term "trade or commerce," 110 F. 2d 703, 710 (D.C. Cir., 1940), choosing instead to analyze and decide each case upon its particular facts.

The Supreme Court stated this warning to Congress in *NLRB* v. *Jones & Laughlin Steel Corp.*, 301 U.S. 1, 30, 81 L. ed. 893, 907 (1936) in this language:

"The authority of the Federal government may not be pushed to such an extreme as to destroy the distinction, which the commerce clause itself establishes, between commerce 'among the several States' and the internal concerns of a State. That distinction between what is national and what is local in the activities of commerce is vital to the maintenance of our Federal system."

The holdings in the cases noted above were applied in *Spears Free Clinic and Hospital* v. *Cleere*, 197 F. 2d 125 (10 Cir., 1952). In that action, a chiropractic institution commenced legal proceedings against the Denver Medical Society, the Colorado State Board of Health, and certain other individuals. In rejecting the contentions advanced by the plaintiff, the Court said:

"The practice of the healing arts in Colorado, including chiropractic, is wholly local in character . . . The mere fact that a virtuous and incidental effect of such conspiracy and acts may be to reduce the number of persons who will come from other states and countries to the Spears Hospital for chiropractic treatments does not create such a relationship between interstate and foreign commerce and such local activities as to make them a part of such commerce." 197 F. 2d at 126.

The Court also said:

"A curtailment of the manufacture of articles to be shipped in interstate commerce or the lessening of the number of persons who travel in interstate commerce, resulting from a conspiracy to restrain or monopolize a wholly local activity, is ordinarily an incidental, indirect and remote obstruction to such commerce." 197 F. 2d at 127.

See also the attached unpublished opinion in *Jackson* v. *American Medical Society* (S.D. Cal., 1966), and cases cited therein.

Even if it be held by some strained construction of the Commerce Clause that Congress can constitutionally regulate the conduct with which S. 260 attempts to deal, this Bill is still subject to constitutional objection on the ground that it discriminates unreasonably against members of the medical profession. For example, the Bill would prohibit an ophthalmologist from dispensing eyeglasses, but it would allow an optometrist, who performs many of the same services performed by an ophthalmologist, to dispense optical devices. The Bill would prohibit a medical doctor from dispensing drugs which, in the exercise of his professional judgment, he thinks the patient needs, but it would permit a dentist to sell a set of dentures to a patient who needed them. Thus, the Bill provides uneven treatment for groups of people in similar situations. It picks out one class of persons, namely persons licensed to practice medicine, and prohibits them from engaging in certain conduct which is perfectly permissible for everyone else. Where courts have been faced with situations in which by statute different treatment has been provided for people and groups in similar situations, they have been quick to declare such legislation violative of the constitutional guarantees contained in the Fifth and the Fourteenth Amendments to the United States Constitution. The philosophy of the courts has been that if a legislature, in its discretion, is going to deal with a particular problem, it must do so in an even-handed manner, treating alike all those whose relationship to the problem is similar. In dealing with the problem which it faces, it is necessary that Congress classify people and groups in certain ways, but the Constitution requires there be some reasonable or rational basis for the classification which Congress employs. See, e.g., *Carolene Products Co.* v. *United States*, 322 U.S. 18, 31–32, 89 L. ed. 15, 24 (1944). The Supreme Court has decided many more cases involving the rationality and reasonableness of classifications made by state legislatures than it has classifications employed by Congress, but the prevailing constitutional doctrine is now and has been for some years that the basic standard against which these classifications are to be measured is the same, no matter by whom the particular piece of legislation being challenged was enacted. 17 Am. Jur. 2d, Constitutional Law § 490, citing *NLRB* v. *Jones & Laughlin Steel Corp.*, 301 U.S. 1, 81 L. ed. 893 (1936), and *District of Columbia* v. *Brooke*, 214 U.S. 138, 150, 53 L. ed. 941, 945 (1909).

It defies logic and common sense to say that it is reasonable to treat optometrists and ophthalmologists differently, particularly when the prohibitions contained in S. 260 would preclude a patient from getting comprehensive and complete treatment for any visual problem which he might have by the individual who has had the greatest amount of specialized training and who thus would normally be considered better able to treat the patient's problems. In the place of considerations of medical desirability and the convenience which a patient frequently not only desires but demands, S. 260 would create an arbitrary rule of conduct—a rule of conduct which, in the long run, might not only be inconvenient but detrimental to the best medical interests of the patient.

Moreover, the provisions of S. 260 do not give effect to the stated purpose of the Bill, which is to prohibit the creation of a monopoly and the substantial lessening of competition. Instead, S. 260 actually fosters the lessening of competition, for it would remove one potential source from which a patient now can purchase drugs and medical devices. In the case of a patient who needs glasses, he now can get these glasses from one of three sources: (a) from the office of the dispensing ophthalmologist who examined his eyes and prescribed glasses; (b) from the office of the optometrist to whom he went and who prescribed glasses for him; and (c) from the office of an optician who grinds the lenses in accordance with a prescription brought to him by the patient from the examining ophthalmologist or optometrist. If S. 260 is enacted, the patient as a general rule will only be able to procure glasses prescribed for him either from the office of the optometrist (who is not a physician) who examined him or from the office of an optician (who is not a physician) who will grind the lenses based upon a prescription brought in by the patient. If it is accepted as a fact that the optometrist always has had and probably will continue to have a substantial percentage of the eyeglass market, S. 260 is clearly seen as a vehicle for transferring to the opticians that share of the eyeglass market which in the past has been served by ophthalmologists. Thus, instead of eliminating a burden on interstate commerce and preventing the creation of a monopoly, S. 260 will in effect actually create a form of monopoly, with the opticians being the beneficiaries.

S. 260 is also constitutionally defective because the standards of conduct which it embodies are so vague and uncertain that a person cannot reasonably tell in a particular situation whether or not he is violating the act. If a person is to be restricted from doing certain things and punished if he does these things, due process demands and requires that the legislature define the prohibited conduct by standards which are clear and understandable to everyone in all situations. It is the essence of the fundamental fairness that a person should have some clear standard against which he can measure the actions which he proposes to take in order to predict with reasonable certainty the consequences which will flow from his conduct. Courts have long held that criminal sanctions cannot be imposed upon an individual for violating a legislative enactment which did not clearly specify that what the individual did was prohibited conduct. If the Constitution will not permit the imposition of criminal penalties because the conduct prohibited is defined in such vague and uncertain terms that an individual cannot tell before he acts whether his conduct is prohibited or permitted, then the same Constitution ought not to sanction the placing in jeopardy of the property rather than the person of an individual where certain conduct is prohibited but the standards by which one ascertains this prohibited conduct are so uncertain that one cannot tell for sure in advance whether his actions would be prohibited or permitted.

The standards of S. 260 which are so vague and uncertain that they give rise to a constitutional problem are contained in the exceptions noted in Section 4 of the Bill. The Bill starts out with a general prohibition against a practitioner selling drugs or devices or owning an interest in a community pharmacy or optical dispensary. Realizing that such a doctrinaire rule would not always be appropriate, S. 260 proposes that the prohibition against the sale of drugs and devices shall not apply in certain situations. Exception (4) provides that practitioners may dispense drugs and medical devices where "there is no community pharmacy or optical dispensary reasonably available as a source of such drugs or devices in the trading area of the practitioner's place of practice or the patient's place of actual residence, taking into account the needs and reasonable convenience of the patient." The language utilized in defining Exception (4) is so expansive and vague that it would be impossible for a conscientious practitioner to decide with any certainty in a given situation whether his conduct is covered or excluded, whether the dispensing of drugs or devices is prohibited or excluded under the provisions of S. 260.

How far away does a community pharmacy or optical dispensary have to be before it is no longer reasonably available to the patient as a source of drugs or devices?

How is the trading area of the practitioner's place of practice or the patient's place of residence to be determined?

What does the phrase "the needs and reasonable convenience of the patient" mean in practical terms?

By what standard would the decision of a doctor claiming the benefit of this exception be reviewed in any litigation which might result from his dispensing drugs and devices?

The host of questions which can be raised about the language in Section 4 clearly suggests that no one could be certain whether the actions taken by a practitioner were prohibited until after review by some judicial authority. Not only is this constitutionally improper, but it is legislatively unwise, for it subjects a practitioner to the hazard, in trying to administer to the needs of his patient, of being second guessed by some judge at some time long after actual drugs or devices were dispensed. Moreover, the penalty for guessing wrong is substantial.

There is no justification for the attempt made by S. 260 to depart from the traditional and time-tested practice of self-regulation by professional groups. In our democratic society, it has been a proud tradition of our Government, both Federal and State, first, to encourage education and proficiency in all of our recognized and expanding professions, and secondly, to rely upon the professions themselves, acting under authority of local law, for self-regulation and discipline. Inherent in this traditional philosophy is the concept that the learned professions are and ought to be monopolies in the sense that no person can gain admission except by first complying with the educational requirements of the profession and demonstrating his professional ability by passing adequate examinations and tests. Under this traditional philosophy of our democratic society, we have witnessed the development of our many professions, through research and education, to levels of attainment which today are the highest and most efficient in the history of the world.

It is certainly not a convincing argument that this American system of self-regulation should be abandoned, either in whole or in part or even in little segments, because instances of error, either intentional or unintentional, can be found in the administration of the rules of self-discipline. Self-discipline of people in the medical profession, in the legal profession, in the engineering profession, or in any other profession, for that matter, is subject to exactly the same weakness to which all Government regulation is subject in a democratic society—the possibility that human beings will err, either in their conduct or in their judgment or perhaps in both. Even our courts, particularly the United States Supreme Court in recent years, have not escaped the charge that they have erred in the performance of their duties and responsibilities.

Even conceding the possibility of human mistake, however, this Subcommittee has heard testimony within the last several days which demonstrates beyond question that at least insofar as the medical profession in North Carolina is concerned, local self-discipline and regulation are a fact and not a mere theory. Despite the problem about which he testified, Mr. Hamlet, the optician from Wilson, North Carolina, who appeared before this Subcommittee on January 31, made it quite clear that once his grievances were brought to the attention of the local official of the North Carolina Medical Society, they were promptly and thoroughly investigated and action was taken to resolve the difficulties.

When all has been said pro and con about S. 260, one indisputable fact remains—it attempts to establish by the imposition of governmental sanctions a code of ethical conduct for a limited class of medical practitioners practicing in limited areas and under limited circumstances while, at the same time, it imposes no such regulation upon other professional groups admittedly engaged in the same professional behavior which S. 260 condemns. One other conclusion is equally inescapable, namely, that the Bill deprives the best-educated and the best trained professionals of the right to make a judgment about what is best for their patients while conferring this right of judgment upon individuals who are not so well educated and trained.

For all of the reasons heretofore enumerated, we earnestly urge that S. 260 not be reported favorably by this Subcommittee.

Resolution Proposed by the Committee on Eye Care and Unanimously Adopted by the House of Delegates of the Medical Society of the State of North Carolina, May 1, 1966

The North Carolina Medical Society maintains that the physician has every right to dispense eyeglasses and contact lenses to those patients who desire to be fitted by him.

We reaffirm the existing guidelines of the American Medical Association viz:

"One of the most important principles of the American Medical Association has been free choice of physician . . . This principle should apply to choice of optician . . ."

"A patient is entitled to a copy of his or her prescription for glasses, drugs or appliances and he has the privilege of having the prescription filled wherever he wishes."

We reaffirm our belief that:

Patients benefit immeasurably from the responsible physician's control over the quality and accuracy of dispensing as well as intelligent fitting services;

The prescribing physician has the sole responsibility for the patient's vision and comfort.

We propose the following specific guidelines for ethical dispensing of glasses and other visual aids by the physician:

1. The patient shall be given a copy of his or her prescription for glasses. This shall be given freely, willingly, and without embarrassment to the patient.
2. The patient has the privilege of having the prescription filled wherever he wishes.
3. The prescription blank shall not have the name of any optician company printed upon it.
4. In dispensing glasses the physician must insure that the cost to the patient is fair and reasonable. The cost of the examination shall be listed separate from that for the glasses.
5. The quality of fitting and dispensing must be good.
6. Optical services shall be provided only to the patients of the doctor, except in the case of a true emergency where the service is not otherwise available.
7. There shall be no listing of dispensing by medical doctors in the yellow pages of the telephone directory.

The above represents an affirmation of existing practices by eye physicians of North Carolina.

James Jackson, Plaintiff, *vs.* American Medical Association, American Psychiatric Association, American Psychoanalytic Association, North American Aviation, Inc., Henry J. Kaiser Foundation aka Southern California Permanente Medical Group and Smith, Kline & French Laboratories, Defendants

(U.S. District Court Southern District of California, Central Division, Civil Action No. 65–1463–IH, Memorandum Opinion and Order Dismissing Complaint)

The Court herein order dismissal of the Complaint on the ground that no cause of action is stated under the Anti-Trust Laws. I will first emphasize the Complaint and then discuss the alternative grounds upon which the dismissal rests.

I. THE COMPLAINT

Plaintiff, appearing in *pro per*, sues the American Medical Association, the American Psychiatric Association, the American Psychoanalytic Association, North American Aviation, Inc., Henry J. Kaiser Foundation, and Smith, Kline & French Laboratories. The three professional associations are obviously the primary defendants. Plaintiff invokes Sections 1 and 2 of the Sherman Act and seeks damages of $4,500,000.00.

In the Complaint[1] Plaintiff characterizes himself as a "highly trained and skilled social scientist, particularly in the field of psychology, anthropology, history, political science, law, public health and psychiatric medicine . . ." (Para. II). He alleges, in addition, that he has "acquired expert skills" in business personnel management, hospital and mental hygiene clinic administration and other administrative aspects of public health. He goes on to say that he is "the country's foremost authority on the theory and technique of family group therapy" having spent many years in research, writing and lecturing on such subjects. He alleges that he has gained "considerable fame for his ability to completely and rapidly remove the most severe manifest symptoms of schizophrenia in children and adults." (Para. IV). He also characterizes himself as a member of a "research team" which in 1961–1962 launched a nation-wide community mental health program to do research and teaching "which would reveal the real cause of, prevention and cure of mental illness and social evils." (Para. XXIII).

The gravamen of the Complaint is found in paragraphs XII, XV, XVI, XX and XXI. Therein it is alleged that the three associations are carrying out a scheme to "fix and raise the prices to the customer . . . of community mental health and *to monopolize the field of (mental) rehabilitation.*" (Underscoring Supplied) (Para. XV). He complains that all mental rehabilitation work is done by members of the associations or under their supervision (Para. XII). In furtherance of said scheme, Plaintiff charges the Defendant associations "to keep the real cause of mental illness and the various social evils and the proper methods of their prevention and cure a trade secret . . ." and are selling to government agencies and the general public "falsified findings and techniques" and "harmful rehabilitation methods" such as tranquilization, electric shock, lobotomy and psychoanalysis. Psychoanalysis is characterized as a form of "brain washing with an alien philosophy of amorality." (Para. XVI).

As a result of this alleged conspiracy, Plaintiff says that federal and local governments and foundations pay hundreds of millions of dollars for community mental health centers practicing false methods of rehabilitation which are "worthless and harmful." (Para. XX).

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[1] All references are to First Amended Complaint filed December 2, 1965.

Plaintiff goes on to allege that the aforesaid research team of which he was a member was about to make a public exposure of all of the "fraudulent and monopolistic" practices of Defendants and to launch a nation-wide community mental health program of its own, when Defendants devised and entered a scheme to discredit Plaintiff and destroy his business (Para. XXIII, XXIV and XXV). Pursuant to this scheme Plaintiff says that the Defendants, by joint agreements, published statements that Plaintiff is schizophrenic, and of bad character, which statements were false, seeking by these statements to have Plaintiff's "patrons" and the members of the associations cease their relationship with him.

Defendant Kaiser is charged with joining the conspiracy "in order to fix and maintain the prices of (its) health insurances and rehabilitation businesses" and with selling "the same fraudulent research and teaching" as the defendant professional associations. Defendant Smith, Kline is alleged to be the manufacturer of two drugs which are sold at "a large price markup" and is charged with joining the conspiracy and financing it in order to promote the sale of said drugs "knowing at all times that they were practically worthless" (Para. XVII). Defendant North American's connection with the alleged conspiracy is less clear. It is charged with employing "more engineers than it needs" in its aircraft and missile business and "hide (ing) this fraudulent activity by . . . utilizing in their rehabilitation services the hereinabove described worthless methods" (Para. XIX).

Although the wording of the Complaint is verbose, imprecise, rambling and often contradictory, it is evident that Plaintiff's essential complaint is that he knows and practices "true" methods of mental health and rehabilitation and Defendants foster the practice of different methods which are false and harmful, and have conspired to monopolize to themselves the treatment and rehabilitation of mental patients.

Each Defendant has filed a Motion to Dismiss which I grant on two alternative grounds:

1. The activity of Plaintiff is not "trade or commerce" under the Anti-Trust Laws.

2. The Court has no jurisdiction over the subject matter because the acts alleged to have been committed by Defendants are not shown to have an effect on interstate trade or commerce.

II. PLAINTIFF'S ACTIVITIES

In an anti-trust case a plaintiff must show that his business or activity which has been interfered with, impaired or damaged, constitutes "trade or commerce." See *United States vs. Shubert,* 348 U.S. 222, 225–26 (1955).

It is established that the furnishing of some types of services falls within the statutory language. See *United States vs. National Association of Real Estate Boards,* 339 U.S. 485, 489–491 (1950). But the instant case raises the question of whether all types of occupations and services are included, particularly since the services involved here are of a professional, non-commercial nature involving the treatment of patients afflicted with mental illness.

It has been said by way of dictum, that all occupations and services are included within "trade or commerce". *United States vs. American Medical Ass'n.,* 110 F. 2d 703, 710 (D.C. Cir. 1940). But the Supreme Court declined to adopt such a broad construction, affirming on other grounds (*American Medical Association vs. United States,* 317 U.S. 519 (1943), and the Court has left undisturbed older holdings and statements that some types of occupations or activity are exempt, choosing to approach the problem on a case-by-case basis. *Toolson vs. New York Yankees,* 101 F. Supp. 93 (S.D. Cal. 1951), affirmed 200 F. 2d 198 (9th Cir. 1952), affirmed *per curiam* 346 U.S. 356 (1953); *Federal Club vs. National League,* 259 U.S. 200, 209 (1922); *The Nymph,* 18 Fed. Cas. 506, No. 10,388. See also *Gardella vs. Chandler,* 172 F. 2d 402 (2nd Cir. 1949).

Of particular relevance to the instant case is the dictum in *United States vs. Oregon State Medical Society,* 343 U.S. 326, 336 (1952) as follows:

"We might observe in passing, however, that there are ethical considerations where the historic direct relationship between patient and physician is involved which are quite different than the usual considerations prevailing in ordinary commercial matters."[2]

If there are some professional activities and services which are not included, Plaintiff's activities would, it seems to me, fall within the non-included group. I hold that Plaintiff's activities, i.e. research, writing, lecturing and teaching are not "trade or commerce". Nor are the treatment and rehabilitation of persons afflicted with mental disease, or fostering programs of community mental health.[3]

III. ACTS CHARGED AGAINST DEFENDANTS

To establish jurisdiction under the Anti-Trust Laws, a plaintiff must also show that the conduct of which he complains had an effect on interstate commerce. It is not enough that the defendant be engaged in interstate commerce. It is not enough that the defendants have conspired to prevent plaintiff from performing an activity or conducting a business, (even if such activity or business consists of "trade or commerce") unless the defendants' actions are shown to have had an effect on interstate commerce. In other words, a conspiracy to prevent plaintiff from performing a local activity is not redressable. As stated by the Court of Appeals for the Ninth Circuit:

"The test of jurisdiction is not that the acts complained of affect a business engaged in interstate commerce, but that the conduct complained of affects the interstate commerce of such business." *Page vs. Work,* 290 F. 2d 323, 330 (9th Cir. 1961), *cert. denied* 368 U.S. 875 (1961).

It is evident to me that the acts of Defendants, which are complained of here, do not affect interstate commerce. As I read the Complaint, the acts complained of are the following:

1. Keeping the real cause of mental illness a secret.

2. Using and promulgating falsified findings and techniques in the rehabilitation of mental patients.

3. Publishing false statements about the Plaintiff seeking to discredit him and prevent patrons and members of the association from associating with him.

It seems to me that rehabilitation services and treatment of mental disease are essentially local activities, involving the relationship between practitioner and patient within a single state. Any crossing of state lines by the practitioner or patient would be merely incidental to the primarily intrastate activity.[4] The alleged use and propagation of false methods for treatment and rehabilitation thus could not effect interstate commerce. Nor could the publication of false statements about the Plaintiff made for the purpose of having his patients and others cease their association with him.

In many respects this Complaint is like that in *Hohensee vs. Goon Squad,* 171 F. Supp. 562 (M. D. Pa. 1959). There, an anti-trust complaint was filed by a plaintiff alleging that he was in the business of lecturing, public relations, publishing, writing and selling of food products. The Court dismissed the complaint on the ground (among others) that it ". . . sets forth no interstate involvement . . ." 171 F. Supp. at 567. In *Hohensee, supra,* the Court aptly quoted from *Shotkin vs. General Electric Co.,* 171 F. 2d 236, 239 (10th Cir. 1948) wherein it was said ". . . the pleading bore clear internal indications of a personal grievance on the part of plaintiff based solely and exclusively upon the declination of the defendant . . . further to transact business with him as an outlet for its manufactured merchandise . . .".

The argument which Plaintiff Jackson made in resisting Kaiser's Motion to Dismiss is most revealing. A transcript thereof has been filed. Plaintiff there stated:

"Now, I think the gist of the thing is that the Defendants are claiming that rehabilitation falls within the practice of medicine, and I claim that it does not . . . This is the practice of teaching and consulting and in doing rehabilitation work." (Transcript p. 3)

"These Defendants . . . have conspired . . . to monopolize the field of community mental health; . . ." (Transcript p. 8)

"Well, the main thing is that this is not the practice of medicine. Anybody can do it. It is not even a profession really. People can be taken off the street, almost anybody off the street, and trained in a short time and put to work. You don't have to have a medical license to do it." (Transcript pp. 8–9)

Plaintiff has obviously brought this action to try the issue of whether the diagnosis and treatment of mental illness is legally confined to licensed physicians and the companion issue of whether his methods are not the only true and beneficial methods of mental treatment and rehabilitation. Those issues, as I read the law, do not fall within the ambit of the Anti-Trust Laws.

The Motion to Dismiss of each Defendant will be granted, and it is ordered that the Complaint be dismissed against each Defendant. This dismissal shall not operate as an adjudication on the merits. Each party shall bear its own costs.

Dated: February 2, 1966.

IRVING HILL,
Judge, U.S. District Court.

STATEMENT OF DRS. ISBEY AND MOORE TO THE SUBCOMMITTEE ON ANTITRUST AND MONOPOLY OF THE SUBCOMMITTEE ON THE JUDICIARY OF THE U.S. SENATE ON BEHALF OF THE NORTH CAROLINA EYE, EAR, NOSE AND THROAT SOCIETY, FEBRUARY 7, 1967

Members of the subcommittee: My name is Dr. Edward K. Isbey, Jr., practicing ophthalmologist from Asheville, North Carolina, and I appear here together with Dr.

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[2] See also dissenting opinion of Mr. Justice Jackson in *United States vs. National Association of Real Estate Boards,* 339 U.S. 485, 496 (1950). Cf. *Spears Free Clinic and Hospital vs. Cleere,* 197 F. 2d 129 (10th Cir. 1952); *Riggall vs. Washington County Medical Society,* 249 F. 2d 266 (8th Cir. 1957), *cert denied,* 355 U.S. 954 (1958).

[3] I am aware that Plaintiff emphasizes his talents in the "administration" of mental treatment facilities and programs and is hopeful of obtaining large contracts of this kind. Such emphasis is a palpable attempt to make Plaintiff's activities appear more of a business, and less of a professional, nature. In my view such "administration" and contracts are a part of the treatment of mental illness, and outside the scope of the Anti-Trust Laws. "Administration" of mental treatment programs is as much professional, non-commercial and of a public service nature, as is the direct treatment itself.

[4] *Robinson vs. Lull,* 145 F. Supp. 134, 137–38 (D. Ill. 1956); *Riggall vs. Washington County Medical Society,* 249 F. 2d 266 (8th Cir. 1957), *cert, denied* 355 U.S. 954 (1958); *Elizabeth Hospital, Inc. vs. Richardson,* 269 F. 2d 167 (8th Cir. 1959), *cert. denied* 361 U.S. 844 (1959); *Spears Free Clinic and Hospital vs. Cleere,* 197 F. 2d 125 (10th Cir. 1952); *United States vs. Oregon Medical Society,* 343 U.S. 326, 339 (1952).

Edward E. Moore, past president of the North Carolina Eye, Ear, Nose, and Throat Society. We appear as representatives of the North Carolina Eye, Ear, Nose, and Throat Society to express our concern with the effect S. 260 would have upon the ability of our members to provide the *best* medical eye care to our patients.

Hearings held in prior years before this subcommittee has suggested the existence of abuses in the dispensing of eyeglasses and other devices by physicians. Among the abuses cited were failure of physician to give prescription to patient, excessive cost of glasses supplied and poor fitting of the glasses furnished. It was stated that as a result of physician dispensing the consuming public suffers and competition declines. It was further stated that the American Medical Association was unable thru its component county societies to correct these conditions. The bill which is presently under consideration has been offered as a solution to these alleged ills.

We maintain that in North Carolina instances of abuse are few, that the vast majority of dispensing physicians carry out their dispensing in an ethical manner and that no amount of legislation will ever legitimize the illegitimate or cure the frailties of human nature. We maintain that the physician has every right to dispense eyeglasses to those patients who wish such service, and that the patient has every right to obtain his eyeglasses from his physician if he so desires. We maintain that competition is increased by physician dispensing and that the patient benefits. We maintain that such grievances as exist can and should be corrected within the framework of organized medicine. We maintain that this legislation, while it may be good for the optician, is not good for the patient and that the harm which would result from its passage would far outweigh any resulting benefit.

An ophthalmologist or oculist is a physician—a doctor of medicine—who specializes in the care of the eye and all its related structures. He has first completed the full course of general medical studies (which include the eye), received an M.D. (doctor of medicine) degree, and served an internship in general medicine and surgery in an approved hospital. He has then taken additional specialized training in ophthalmology—the branch of medical science dealing with the structure, functions, and diseases of the eye and of the visual system. The ophthalmologist has spent *a minimum of 12 years* after graduation from high school before he is eligible to be certified as a qualified eye physician and surgeon by the American Board of Ophthalmology. The ophthalmologist is the only person legally and professionally qualified to diagnose and treat all eye disorders, whether blurred vision, injuries, cross eyes, burns, or foreign bodies, glaucoma, cataract, retinal detachment, or any other eye ailment.

The ophthalmologist (M.D.) diagnoses and treats all visual problems and eye disorders. He prescribes whatever eye treatment is necessary, including the fitting of eyeglasses, contact lenses, optical aids for the partially sighted, and eye exercises (vision training, orthoptics). The ophthalmologist uses eyeglasses, eye drops, eye ointments, and other medications, if necessary, both in diagnosis and in treatment of the eye. He diagnoses the need for eye surgery and performs eye surgery when it is required.

The professional reputation of an ophthalmologist rests upon the patient's final vision with or without glasses. He cannot and should not delegate his final responsibility for the ultimate vision of his patient. Whether the actual glasses are supplied in the office of the physician or by an independent optician, the patient looks to his doctor for the results attained. This responsibility rests heavily upon the physician and is particularly critical in the case of postoperative cataract patients or other patients with unusual visual problems.

The optical fitting technician employed by the physician is an ophthalmic assistant. Such ophthalmic assistants may also have other assigned duties to assist the physician in one or more of the many areas of clinical ophthalmology in which the physician is supported by auxiliary medical personnel. Among these are the general ophthalmic assistant, the orthoptic technician, the nurse, and the perimetrist—the one who examines the field of vision of the patient. Like these, the optical fitter serves the physician, assisting him to render medical care to the patient.

An optician is a technician employed in a retail optical establishment, who on the order of a physician measures the face for, supplies, and fits glasses. He may or may not engage in any one or more steps of the fabrication of those glasses. He may be self-employed or employed by an individual or a corporation.

The relation of the physician to the dispensing optician fitter not in his employ is unlike the relation between physician and pharmacist. There are important differences. Although the physician cannot verify the work of the pharmacist in compounding and supplying medications, he can verify the accuracy of the work of the optician and determine whether or not his prescription order has been carried out. Thus he has responsibility for supervising the activities of the independent optician not in his employ. In turn the optician is responsible directly to the physician for the technical performance of his work as well as to the physician's patient, the optician's customer, for the business performance. The physician is the final judge of the optician's work and accepts or rejects the optician's work. It is the responsibility of the optician to supply those glasses and only those glasses which the physician has prescribed. In delegating the supply, measuring and fitting to the optician, the physician has assumed a responsibility for service outside his office and has not relieved himself of responsibility in the matter of the fitting and supply of eyeglasses. The courts have, on occasion, held that the mere facts of State licensure and self-employment of ancillary personnel does not relieve the physician of responsibility to select ancillary personnel competent to carry out his instructions.

Opticians may strive for high standards of service; the physician maintains the standards; licensure has little or no bearing.

We are fully aware of the possibilities of abuse in the dispensing of glasses by a physician and were greatly disturbed by testimony at previous hearings that some dispensing physicians were refusing to furnish freely and willingly to their patients the prescriptions for their glasses. The desire for specific guidelines for dispensing physicians was recognized by both the North Carolina Medical Society and the North Carolina Eye, Ear, Nose, and Throat Society. This recognition culminated in the adoption of the following resolution by the House of Delegates of the North Carolina Medical Society in May of 1966:

"(The North Carolina Medical Society) maintains that the physician has every right to dispense eye glasses and contact lenses to those patients who desire to be fitted by him.

"We reaffirm the existing guidelines of the American Medical Association viz:

"'One of the most important principles of the American Medical Association has been free choice of physician . . . This principle should apply to choice of optician . . .'

"A patient is entitled to a copy of his or her prescription for glasses, drugs or appliances and he has the privilege of having the prescription filled wherever he wishes.

"We reaffirm our belief that:

"Patients benefit immeasurably from the responsible physician's control over the quality and accuracy of dispensing as well as intelligent fitting services;

"The prescribing physician has the sole responsibility for the patient's vision and comfort.

"We propose the following specific guidelines for ethical dispensing of glasses and other visual aids by the physician:

"1. The patient shall be given a copy of his or her prescription for glasses. This shall be given freely, willingly, and without embarrassment to the patient.

"2. The patient has the privilege of having the prescription filled wherever he wishes.

"3. The prescription blank shall not have the name of any optician or optical company printed upon it.

"4. In dispensing glasses the physician must insure that the cost to the patient is fair and reasonable. The cost of the examination shall be listed separate from that for the glasses.

"5. The quality of fitting and dispensing must be good.

"6. Optical services shall be provided only to the patients of the doctor, except in the case of a true emergency where the service is not otherwise available.

"7. There shall be no listing of dispensing by medical doctors in the yellow pages of the telephone directory.

"The above represents an affirmation of existing practices by eye physicians of North Carolina."

We sincerely believe that strict adherence to the basic tenet of American medicine that a patient shall have free choice of physician, which principle should apply to choice of optician, will answer the complaints on doctor dispensing brought before this Committee. The solution to the alleged ills is for a physician to freely and willingly furnish to his patient a copy of the prescription for glasses, drugs or appliances to the end that the patient may exercise his own choice as to where such prescription shall be filled. This is an ethical principle of American medicine which is being observed and enforced in North Carolina through our own medical organizations.

North Carolina, as many other states, has a large rural population with few major metropolitan areas. Less than 25% of the State's total population of 5 million persons live within the incorporated limits of communities having 5,000 or more inhabitants. There are some 60 communities in the State with 5,000 or more people but only four of North Carolina's cities have populations in excess of 100,000. Many of our cities and towns do not have opticians, and it is only through the dispensing of glasses by ophthalmologists that many of these communities have been served.

The proposed bill prohibits the sale of glasses by persons licensed in the practice of medicine except where there is no independent community optician's service reasonably available in the trading area of the practitioner's place of practice, or where there is no opticians service in the trading area of the patient's place of actual residence. Should this bill become law, it will be impossible for the doctor to determine whether or not he is following the intent of the law. Every patient's case will have to be judged individually and the advice of our brethren in the legal profession may become a daily necessity.

In some communities in North Carolina father and son combinations have practiced ophthalmology and dispensed glasses over a span of 30–40 years, thereby providing a needed service to their communities. In such instances there is usually no opticians service in the community. Let us assume that this bill becomes law and an optician then opens an office in such a community. Does this mean that the father and son who have provided this service for 40 years must suddenly cease and desist from providing glasses? Is the legality of the dispensing of glasses by an ophthalmologist to be determined by the decision of someone designating himself as an optician to open up shop in the community in which that doctor practices and is the doctor then stripped of his obligation to determine whether or not the nearby optician is competent to treat his patients? Manifestly, this is unfair to the physician and highly prejudicial to the best interest of the patients and the community being served.

The physician has the ultimate responsibility for the final vision attained by his patient and this extends through the filling of the eyeglass prescription written by the physician. It has been pointed out that there are licensing laws for opticians in only 17 states, North Carolina being one of these. In the remaining 33 states anyone who sets himself up to be an optician can do so. What then is the obligation of the physician to his patient if any or all of the independent opticians whose service is available to a community are incompetent? Is the doctor obligated to send his patient to seek such service or is it his duty to recommend to his patient those opticians he feels are qualified and competent? What exposure does a doctor have if he does, in fact, recommend a limited number of the local opticians? These are not hypothetical questions but ones which cause us grave concern in the rendering of proper eye care to our patients. A previous witness (a non-dispensing ophthalmologist) has detailed to this committee the legal action to which he was subjected when he recommended to his patients only 3 of the 4 dispensing opticians in the area.

In previous testimony before this subcommittee it has been implied that eyeglasses obtained from the ophthalmologist are usually more expensive than when obtained from a dispensing optician. This implication has been widely publicized in such national publications as Consumers Union and Readers' Digest without any suggestion that the facts might be otherwise.

Under the system of free enterprise which is basic to this country, prices of eyeglasses, just as any other commodity, are bound to vary. Some opticians will have prices lower than those of certain ophthalmologists, and likewise there will be many ophthalmologists whose prices are lower than those of most opticians. The dispensing ophthalmologist by providing an additional source of supply helps to keep prices in a community at a reasonable level. To demonstrate the truth of this premise and to refute the implications previously raised, members of our society have collected pricing information on eyeglasses which is appended to this statement.

Comparative prices have been obtained from all 5 dispensing opticians and all 16 dispensing ophthalmologists in Charlotte, North Carolina. Prices are listed for a pair of bifocal glasses with standard Bausch and Lomb B–31 frame. For this set of glasses the ophthalmologists' prices varied from a low $30 to a high of $36, with the average price being $32.63. The opticians' prices varied from a low of $33 to a high of $36, with average price being $34.50. Prices are also listed for a pair of single vision glasses with the same frame. The ophthalmologists' prices varied from a low of $24.00 to a high of $26.00 with an average of $25.00. Thus the overall average of prices charged by the ophthalmologists was 6 to 7% lower than that charged by the opticians; while in the case of single vision glasses the average of prices charged by ophthalmologists was lower than the price charged by the least expensive of the opticians.

In Danville, Virginia, pricing was carried out using Bausch & Lomb B–51 frame and bifocal lenses. This pair of glasses from 2 dispensing ophthalmologists costs the patient $32.00. The same glasses from four dispensing opticians in Danville cost from $34.00 to $37.00 with an average cost of $36.25. (We have receipts from each of these optical companies to support these figures.) The patient who obtains his glasses from the dispensing ophthalmologist in Danville realizes a saving of up to 15%.

We have pricing information from Miami, Florida, using bifocal lenses only (frame not included). Prices from optical companies show a range from $22.00 to $29.00 with an average of $24.37. The same pair of lenses from a dispensing ophthalmologist in Miami costs $22.00.

Pricing information was collected from the Los Angeles, California, area on Craftsman Artcraft frame and bifocal lenses, 22mm. flat-top. Prices from 3 optical companies ranged from $50.00 to $57.00 with an average of $52.33. Prices from 3 dispensing ophthalmologists ranged from $44.00 to $55.00 with an average of $50.66.

Comparative prices of bifocal lenses and frames in Spokane, Washington; Colorado Springs, Colorado; Asheville, North Carolina; and Myrtle Beach, South Carolina, as compared with Conway, South Carolina, varied little, with average cost of such glasses from the ophthalmologist being slightly less than from the optician.

We do not contend that the price of glasses is always less when obtained from the dispensing ophthalmologist. However, the figures which we have collected together with discussions with dispensing ophthalmologists in various sections of the country indicate that as a rule glasses obtained from the ophthalmologist cost no more and are likely to cost less. We feel that an erroneous impression has been given to the public with regard to the pricing of eyeglasses by the ophthalmologist.

In previous hearings on the dispensing of eyeglasses very little has been said about optometry. Optometrists provide approximately 50% of the glasses prescribed in this country and optometrists almost universally do their own dispensing. The proposed legislation clearly discriminates against ophthalmologists when it excludes from its application the optometrists who are providing the very same service with far less training. Optometry has not been asked to present its view on the proposed bill even though a recent article in a leading optometric journal (The Optical Journal and Review of Optometry, April 15, 1966) clearly defines the problem:

"The academic standards of optometry have escalated impressively in recent years. As a result, many optometrists now charge as much for an examination as do ophthalmologists. The rationalization is that the quality of our services is equal to, and sometimes superior to, the quality of the services of medical refractionists. Therefore, optometrists can, and do, render an honest opinion on the need for glasses. However, there is still the serious obstacle of the commercial profit from cosmetic frames. So, arguments in support of the Hart Bill and against profit on materials by ophthalmologists may apply equally to optometrists who do not observe a rigid fee system.

"When hearings on the Hart Bill begin, it is almost certain that opponents of optometry will seek an amendment to include all refractionists as 'licensed personnel'. Failure to do this might give the impression of professional discrimination against ophthalmologists. Such an amendment might present a very difficult problem for optometry since the unified service is historically interwoven into our professional fabric."

The optometrist provides a one-stop service to his customers; conducting an examination of the eyes and supplying any glasses required. This is contrasted with the multistop service which patients of an ophthalmologist would receive under S. 260. Many patients have long been accustomed to getting their glasses from the prescriber, who may not have been a physician. The general trend in America today is to seek an upgraded health service and more people are turning to the ophthalmologist (the only medically trained person in the eye care field.) They frequently do not welcome the idea of being advised to go elsewhere to secure their glasses after the physician has prescribed them. Some patients have even complained of "passing the buck" from the optician to the ophthalmologist, back and forth.

In the case of patients in small communities, of which there are many in North Carolina, to prohibit the supplying of glasses by the physician would be to ask the patient to choose between abandoning medical eye care in favor of local sources of glasses without prior examination by a physician on the one hand, and travelling long distances—often 50 miles and more—to a commercial source of supply of eyeglasses to have his prescription filled on the other. The vast majority of patients in whom the diagnosis of eye disease is made by the ophthalmologist come to the ophthalmologist thinking they need only glasses to relieve their symptoms, and they frequently come to him because they recognize his office as a source of medical care with which the provision of glasses is associated. Without such an association, many of these patients would choose the more convenient one-stop service of an optometrist. This could only result in an increased interval between the onset of disease and the time that the patient arrives in the office of the ophthalmologist with a corresponding increase in preventable blindness.

The provisions of this law would prohibit the sale of contact lenses by an ophthalmologist. Dr. Joseph M. Dixon has previously presented to this subcommittee a very comprehensive statement on the dispensing of contact lenses and the serious problem this bill would create in that area. The North Carolina courts have held that an optician can only provide contact lenses on the written prescription of the ophthalmologist and under the supervision of the ophthalmologist. A patient cannot come into an optician's place of business and request contact lenses, the decision as to whether or not he should get them is a decision to be made by the ophthalmologist. The fact that a contact lens is a foreign body in contact with delicate eye tissues and can easily cause serious complications that require emergency medical diagnosis and treatment, lead many ophthalmologists to question whether the optician should be allowed to furnish contact lenses under any circumstances. Senator Hart's own State of Michigan does not consider the optician qualified to fit contact lenses and, by law, prohibits him from doing so.

We believe that every physician is legally, morally, and ethically obligated to render his services toward the best medical interest of his patient. The physician has the obligation to exercise his right to supply any drug, therapeutic modality, or other items, or to supply and fit any product or prosthesis; or recommend or designate what person or persons shall carry out his orders in this connection toward the best medical interests of his patient, and he should discharge this obligation without restriction imposed by any other interest. The physician is ultimately legally and morally responsible for glasses he prescribes, regardless of who supplies them. Implementation of the physician's instructions toward his patient's best medical interest should not be impaired by any other considerations or the economic interest of any third party. S. 260 would seriously jeopardize the ophthalmologist's ability to follow these fundamental principles which apply to his practice of medicine and we oppose its enactment.

In summary, it is the position of the North Carolina Eye, Ear, Nose and Throat Society that:

The ophthalmologist has every right to dispense eyeglasses to those patients who desire to be fitted by him, and the patient has every right to obtain his glasses from the ophthalmologist if he so desires.

The patient should be given freely and willingly a prescription for his or her glasses.

Complaints from opticians should be handled by a grievance committee within the framework of organized medicine. This method has been used with success in North Carolina.

The bill discriminates against medical practitioners by its exclusion of optometrists from its coverage and will encourage patients to see optometrists rather than ophthalmologists due to the convenience of one-stop service. Eye diseases will therefore in many instances go undetected.

Accurate interpretation of the bill by an ophthalmologist is impossible and in many instances he will be unable to determine whether or not he is abiding by the law.

The prices of glasses obtained from the ophthalmologist are generally equal to or lower than those obtained from the optician and the passage of the bill would severely restrict competition and could result in an increase in the cost of glasses.

Mr. Chairman, we thank you for affording us this opportunity to present the views of our Society.

APPENDIX TO STATEMENT OF DRS. ISBEY AND MOORE

Pricing information as collected by representatives of North Carolina Eye, Ear, Nose & Throat Society

	Single vision glasses and frame, B-31 frame, OU + 1.50 sph.	Bifocal glasses and frame, B-31 frame, OU + .50 sph. with add + 1.50, 22 mm. straight top
Charlotte, N.C.:		
Optician:		
A	$26.00	$36.00
B	25.00	36.00
C	25.00	34.50
D	25.00	33.00
E	24.00	33.00
Average	25.00	34.50
Ophthalmologist:		
1	21.50	31.00
2	21.50	31.00
3	22.00	30.00
4	22.00	30.00
5	22.00	30.00
6	22.00	30.00
7	22.00	30.00
8	22.00	32.00
9	22.00	32.00
10	24.00	34.00
11	24.50	36.00
12	25.00	35.00
13	25.00	35.00
14	25.00	35.00
15	25.00	35.00
16	26.00	36.00
Average	23.22	32.63
Spokane, Wash.:		
Optician:		
A		36.00
B		36.00
C		36.00
Ophthalmo ogist:		
1 (5 ophthalmologists)		35.00

	Bifocal glasses and frame, B-31 frame,[1] 22 mm. flat top bifocal, OU+.50 sph. with +1.50 add
Colorado Springs, Colo.:	
Optician:	
A	$37.00
B	40.00
C	35.00
Average	37.33
Ophthalmologist:	
1	36.00
2	36.00
3	37.00
4	40.00
Average	37.25

[1] Franklin Optical and Douglas Optical do not carry this frame.

	Bifocal glasses and frame, frame, OU+ .50 sph., add +1.50, 22mm. straight top
Myrtle Beach, S.C.:	
Optician A	$34
Conway, S.C.:	
Ophthalmologist: 1 (nearest dispensing ophthalmologist)	34

	Bifocal glasses and frame, B-51 frame, flat top 22, 17 mm. seg. OU+.50 with add +1.50
Danville, Va.:	
Optician:	
A	$34.00
B	37.00
C	37.00
D	37.00
Average	36.25
Ophthalmologist:	
1	32.00

	Pair bifocal, 22 mm. flat top
Asheville, N.C.:	
Optician: A	$20

	Bifocal glasses and frame, B-51 frame, flat top 22, 17 mm. seg. OU+.50 with add +1.50
Asheville, N.C.:	
Ophthalmologist:	
1	$20
2	20

	Pair bifocal lenses, 22 mm. flat-top lenses only (no frame)
Miami, Fla.:	
Optician:	
A	$24.00
B	24.00
C	22.00
D	24.00
E	29.00
F	26.00
G	24.00
H	22.00
Average	24.37
Ophthalmologist:	
1	22.00

	Craftsman Artcraft frame, pair bifocal lenses 22 mm. flat top
Los Angeles, Calif. (general area):	
Optician:	
A	$57 (bifocals $27, frame $30).
B	$50 (bifocals $28, frame $22).
Ophthalmologist:	
1	$55 (bifocals $30, frame $25).
2	$53 (bifocals $28, frame $25).
3	$44 (bifocals $22, frame $22).
Average	$50.66.

NOTES

1. The lenses used for pricing had superficial scratches. The opticians stated that these could not be removed. The ophthalmologists stated that these could be removed at cost of $6 to patient.

2. All names have been deleted to avoid any possible embarrassment to the persons or companies involved. The names can be made available if desired.

PROBLEMS OF WATER AND AIR POLLUTION

Mr. BREWSTER. Mr. President, it has become almost trite to speak of the problems of water and air pollution. Everywhere I look, I see magazine articles, conferences of experts, and letters from constituents, all warning that we must take action now. Here in the Congress we do have an opportunity to act.

I am cosponsoring two bills which would, I believe, make a substantial contribution to this problem. One is the proposal of the distinguished junior Senator from Connecticut [Mr. RIBICOFF] to allow accelerated 3-year depreciation of air pollution treatment equipment.

The other is the measure introduced by the Senator from Kansas [Mr. CARLSON] providing a 20-percent investment tax credit for facilities used to abate air and water pollution.

During the past few years, Members of Congress have enacted many far-reaching programs. They have looked ahead as never before. But the effect of many of these programs will be vitiated unless we protect and purify our environment.

One of the most striking reminders of this pervasive problem was offered recently by an official of the Public Health Service. This gentleman stated that, if the air in our big cities were packaged and sold, it would be banned from interstate commerce by the pure food and drug laws because of its contamination.

This is obviously a problem that must be met head-on. It is a problem that lends itself to joint efforts of Government and business. We need the cooperation of industry in this endeavor. These two bills will help to encourage that cooperation.

DEATHS OF HON. CHRISTIAN A. HERTER AND MR. AND MRS. STEPHEN R. CURRIER

Mr. MUSKIE. Mr. President, our Nation lost three outstanding citizens in January; Statesman Christian A. Herter and philanthropists Stephen and Audrey Currier. The first passed away after a distinguished career spanning 50 years. Mr. and Mrs. Currier were taken from us prematurely, leaving a brilliant record which promised even greater rewards for our society.

All three were motivated by a commitment to public service, and they provided effective leadership in times of national stress and introspection. Their energies and wisdom helped guide our Nation to new understandings and new policies in international redevelopment and in human equality and urban life.

As a Representative from Massachusetts, Christian Herter rallied support from skeptical colleagues for the Marshall plan, the boldest and most successful program of international redevelopment in the history of the world.

For this alone, the people of our Nation and the nations of Western Europe will for generations revere his name. But he will be remembered for many other deeds, as a diplomat at the age of 21, a prisoner-of-war negotiator in 1918, as a member of the American commission to negotiate the peace at Versailles, an assistant to Herbert Hoover, both with the American Relief Administration and later in the Commerce Department, as a writer-editor and Harvard lecturer, as a member of the Massachusetts House of Representatives and its speaker, as a five-term U.S. Congressman, as a two-term Governor of Massachusetts, as Under Secretary and later Secretary of State; and, at the time of his death, chief U.S. trade negotiator.

There was hardly an important development in the history of the last 50 years with which Mr. Herter was not personally involved. There are few parallels to the distinction of his career in American history.

Mr. Herter was a warm, genuine human being beloved by his friends, colleagues, and associates.

His wisdom, integrity, and personal courage in the face of physical pain were admired and respected by all.

The Curriers were philanthropists to human needs. Innovation, foresight, courage, and anonymity characterized their work. They were in the vanguard of public concern, seeking out the social weaknesses which others ignored, and working to ease the problems.

A missing plane between Puerto Rico and the Virgin Islands ended the story of a remarkable couple who made a pact 12 years ago to apply their resources to improving the quality of life for all Americans.

The Curriers were not armchair philanthropists. Mr. Currier went into Harlem to learn firsthand about slum life. He often went to work at 6 a.m. and worked until late at night.

In 1958, they founded the Taconic Foundation to meet head on the sensitive problems of civil rights. This was at a time when few other foundations were willing or perceptive enough to get involved in the issue. The Taconic Foundation also channeled funds to child welfare and mental health projects.

One result of the Taconic Foundation's work was the voter education project, 4 years before the Voting Rights Act of 1965. The Curriers recognized that Negro voter registration is a root problem in the South.

The Curriers did more than seek out and support deserving causes. They involved themselves personally in the causes. In 1963, for instance, when dogs were loosed on Birmingham Negroes Mr. Currier went out and solicited $1.5 million from the wealthy to help support seven civil rights organizations.

Overall, his work for human equality steadied the major civil rights groups at a time of despair and growing distress.

More recently, the Curriers turned their energies to the problems of big cities. A year ago, he formed Urban America, Inc., to study urban problems with the hope of improving housing, planning and other weaknesses. More recently, he had worked with Mrs. Johnson in her campaign to beautify Washington and the Nation.

Mr. C. McKim Norton, vice president of Urban America, Inc., and member of Washington's National Capital Planning Commission, said of Mr. Currier:

> His contribution was to pour new life into renewal, planning and housing objectives and set them on their way again. What he did not not wasted.

Humanity can be proud to have counted Mr. Herter and Mr. and Mrs. Currier among its members. Our world is a better place because they passed through it and dedicated their lives to improving it.

THE NORTHERN NEW MEXICO RESOURCE CONSERVATION AND DEVELOPMENT PROGRAM

Mr. ANDERSON. Mr. President, long before the first white man came to New Mexico most of the Pueblo Indian tribes lived in relative peace and prosperity. The Pueblos of New Mexico were among the most advanced tribes on the continent in their agriculture, architecture and handicrafts.

In 1598 Don Juan Onate and his men came into the territory and established the first white settlement just a few miles north of what is now Espanola. It was the first Spanish capitol of New Mexico called San Gabriel. The capitol was moved to Santa Fe in 1610, 10 years before the pilgrims landed at Plymouth Rock.

These Spanish settlers managed to live off the land from livestock and crops and some small mining activities. About 1680 the once peaceful Pueblo Indians revolted against the Spanish and finally drove them back into Mexico. But in 1693 the land was reconquered by Don Diego de Vargas and his army. The United States did not wrest what is now New Mexico from Mexico until 1846.

The white man and his Pueblo neighbors have lived in the area in relative harmony ever since, although life has not always been easy and there have been many problems. Despite its rich history and natural resources, the area for years has been economically depressed. Only during the last 4 years have the people rediscovered the vast potential of their land and resources.

In the early 1960's the people of northern New Mexico, with promise of assistance from the State and Federal agencies and from local civic organizations, set forth in a unique effort to develop their resources and improve the economy of the entire north-central part of the State commonly referred to as the northern Rio Grande area. This area embraces approximately 3 million acres of land belonging to the Federal Government, the State of New Mexico, Indian Pueblos, and private individuals.

Problems involving unemployment, low income, deficient capital funds, lack of capital investment, small units of operations, lack of processing and marketing facilities and soil erosion have robbed the land of much of its natural richness. These problems arose because of cultural and language barriers, primitive and outdated methods of farming and handling water used for irrigation, drought, floods and overgrazing of range land. Ownership problems also developed because of overlapping of some of the old land grants. The traditional method of dividing the land equally among heirs has cut the size of many units and clouded land titles.

The proposal for the northern New Mexico resource conservation and development project was developed by the people of northern New Mexico with the assistance of such agencies as the Soil Conservation Service, the Forest Service, the New Mexico State Engineer and many other local agencies and civic organizations. The project is one of 10 such pilot projects approved by the Secretary of Agriculture in February 1964. It clearly demonstrates the type of development that can be accomplished by the people of an area if they are encouraged and provided the necessary technical assistance to develop their human and natural resources.

Mr. President, we are proud of the people in the northern Rio Grande area who with little monetary assistance are moving ahead in a long range program to lift themselves out of an economic dilemma. I am sure that within the next 10 years we are going to see an entirely different situation in this historic and scenic wonderland.

Mr. President, I wish to commend the governmental agencies and organizations which have extended a guiding hand. But we must clearly acknowledge that without the initiative and energy shown by the people of the area and local civic organizations this project could not have attained the success it has. In my mind this is an affirmation that communities can and do help themselves. Here is a list of some of the groups involved in this unique effort:

State of New Mexico; Abiquiu-Vallecitos Soil and Water Conservation District; Espanola Valley SWCD; Pojoaque-Santa Cruz SWCD; Santa Fe-Sandoval SWCD; Taos SWCD; Espanola City Council; Santa Fe City Council; Taos Town Council; Los Alamos County Commission; Rio Arriba County Commission; Santa Fe County Commission; Taos County Commission; Museum of New Mexico; New Mexico State Engineer; New Mexico State Highway Department; New Mexico Department of Game and Fish; New Mexico State Parks and Recreation Commission; New Mexico State Planning Office; New Mexico State Soil Conservation Commission; Regional Development Association; Rio Arriba County Development Corp.; Santa Fe County—RAD—Development Association; Taos County—RAD—Development Association; Northern Indian Pueblos.

Mr. President, a recent article appearing in the Soil Conservationist, published by the Soil Conservation Service, describes this project in more detail and what is being accomplished by it. I ask unanimous consent that the article entitled "Resource Plan Starts Economic Improvement" be published in full in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

NORTHERN RIO GRANDE R.C. & D. PROJECT

(By Vincent W. Shally, assistant state conservationist, SCS, Albuquerque, N. Mex.)

RESOURCE PLAN STARTS ECONOMIC IMPROVEMENT

How a resource conservation and development plan can galvanize local people and government agencies into action for the mutual goal of economic betterment is being demonstrated in the Northern Rio Grande Resource Conservation and Development Project (RC&D) in north-central New Mexico.

In just 2 years the 25 sponsors have set in motion project measures that created 35,000 man-days of employment and brought $398,000 of additional income to the 4-county area in 1965.

The project sponsors have received 162 proposals for such measures as marketing and processing facilities, income-producing recreation enterprises, flood-control and watershed-protection projects, community irrigation improvements, municipal recreation developments, access roads, expansion of native arts and crafts industries, beautification of highways, and many others.

These proposals are submitted by the local people who propose to carry out their own projects with their own funds and facilities and with the technical, financial, and long-term credit assistance from all available sources.

The sponsors who prepared the overall plans and coordinate the activities include the State of New Mexico, the counties of Taos, Rio Arriba, Santa Fe, and Los Alamos, the municipalities of Santa Fe, Espanola, and Taos, four RAD associations, seven State agencies and commissions, the Northern Indian Pueblos Association, and five soil and water conservation districts.

Assisting the sponsors in the development and implementation of their work plan are a large number of local, State, and Federal agencies.

The basic project work plan was prepared in 1964, and the Secretary of Agriculture in October authorized Federal assistance in putting it into operation.

The status of the 162 project measures approved by the steering committee to date is as follows:

Sixty-seven groups have been assisted in developing their plans and have either completed construction or have construction underway.

Seventy groups are being assisted in the preparation of their plans.

Twenty of the groups are pending the programing of assistance for planning their proposed activities. Some preliminary planning has been done on a number of these.

Five are of long-range nature. Some require new legislative authority or changes in the present laws and regulations. The agencies and organizations involved have been contacted for their guidance and assistance in implementing these projects.

An estimate of costs and returns of the measures completed or nearing completion indicates that they have cost about $1,675,000. The local participating groups have expended more than $1,300,000; cost-sharing and loan funds make up the balance. The estimates indicate that these completed projects will mean more than 400 additional man-years of employment in the area.

Among the project measures scheduled for completion in the immediate future is the Duke City Lumber Production Mill at Espanola, which initially will provide employment for a minimum of 35 men at the mill plus an additional 100 or more for logging operations. The mill is tentatively scheduled to begin operations the early part of 1967. A substantial weekly income and full use of the timber resources will result in the project area.

Another project measure now underway is the Rancho de Chimayo recreation facility involving the conversion of a small farm to an income-producing recreation facility. When fully developed, this enterprise will create an average of 30 or more man-years of employment and bring an estimated $100,000 additional income annually to the village of Chimayo.

The Sebastian-Martin-Black Mesa Watershed Project is being planned under Public Law 566. By reducing flood damage to crops and irrigation systems, it will enable farmers to invest in the production of higher-income specialty crops, such as chile, cucumbers, and orchard fruits.

With financial assistance from RC&D funds, the town of Taos will be protected by a flood-control dam to be constructed above the town. When completed it is expected to eliminate one of the most obvious deterrents to the economic growth of Taos.

An ambitious plan to publicize the recreation facilities and potentials of northern New Mexico has been undertaken by the project sponsors. Included will be brochures, pamphlets, and information guides. Information for use in travel sections and vacation editions of newspapers are planned.

Basic to the success of the project have been the cooperative efforts and contributions of local, State, and Federal agencies and organizations. Here are some examples of how agencies are helping:

Museum of New Mexico has assisted with inventory and selection of sites for development as historic sites.

State Engineer Office has encumbered or paid cost-share grants totaling nearly $42,000 to 22 community irrigation ditch groups in the project area. These funds were made available by the New Mexico Legislature for community ditch improvements.

State Department of Forestry has assigned a marketing and utilization specialist to assist with forestry project measures and leadership on forestry problems in the project area. The department is using matching RC&D funds.

New Mexico Department of Game and Fish has planted nearly 1¼-million fish in streams within the project area. This is one-fifth of the statewide trout plantings.

New Mexico Highway Department has completed construction on 55 miles of highway at a cost of more than $8 million. This includes the spectacular Rio Grande Gorge Bridge near Taos which opens hitherto inaccessible recreation areas to tourists.

State Parks and Recreation Department has continued development of State parks in the project area, including the purchase of an additional 537 acres from the Bureau of Land Management for development of public recreational sites in the Rio Grande Gorge State Park.

State Soil Conservation Committee has provided overall leadership in soil and water and other resource conservation and development work. The chairman is also a member of the project sponsors' steering committee.

State Department of Development is providing assistance on individual projects involving industrial developments.

State Division of Economic Opportunity has coordinated the programs under the Economic Opportunity Act, including Neighborhood Youth Corps, Community Action programs, Headstart, Adult Basic Education, and Work Experience programs.

Soil Conservation Service is assigned administrative responsibility and leadership by the Secretary of Agriculture in assisting the sponsors plan and carry out the project action plan. It has provided the technical assistance to groups and individuals in the detailed planning and implementation of many of the project measures.

Extension Service has carried on intensive education programs among leaders and farmers in soil and water conservation and marketing and processing of agricultural products.

Economic Research Service has assisted in evaluating the economic feasibility of project measures and their impact on the project area.

Farmers Home Administration processed 307 loans totaling $987,430 during 1965. This is a 150 percent increase from the number of loans on record January 1.

Agricultural Stabilization and Conservation Service has contributed to the conservation and development of water resources, one of the chief aims of the project, through its ACP special projects. In the RC&D area 28 project measures with an estimated cost of more than $364,000 are underway.

Forest Service has carried out extensive developments on range, recreation, wildlife, and road and trail development as part of its regular activities. It has provided assistance on timber utilization project measures, such as the "Duke City" project scheduled for operation in 1967. With RC&D funds, this agency and the University of New Mexico are conducting a study of the feasibility of pulpwood production in the project.

Bureau of Indian Affairs has reported impressive accomplishments by Indian pueblos on RC&D project measures. These include roads to recreation areas, range and irrigation improvements, historical site development, and watershed-protection projects.

Bureau of Land Management reports considerable range-improvement work since the project was authorized for operation. A great deal of this was done in cooperation with local soil and water conservation districts.

Soil and water conservation districts have provided leadership and coordination of activities in planning and promoting the project. Five districts are among the formal sponsors of the project: Taos, Espanola Valley, Abiquiu-Vallecitos, Pojoaque-Santa Cruz, and Santa Fe-Sandoval.

The leadership and cooperation developed through the RC&D approach is noted by the local people and visitors alike. This development of leadership and cooperation is in itself one of the most outstanding accomplishments of the Northern Rio Grande RC&D Project.

RETIREMENT OF VICE ADM. H. ARNOLD KARO AS DEPUTY ADMINISTRATOR OF THE ENVIRONMENTAL SCIENCE SERVICES ADMINISTRATION

Mr. JACKSON. Mr. President, with the retirement of Vice Adm. H. Arnold Karo, Deputy Administrator of the Environmental Science Services Administration and former Director of the U.S. Coast and Geodetic Survey for 10 years, the Government has lost the services of one of its most able and dedicated administrators. Admiral Karo is widely known, both nationally and internationally, for his ability and expertise in the fields of cartography, surveying and mapping, oceanography, and the earth sciences.

What is not generally known is his ability and leadership in the fields of good management and forward-looking, definitive long-range planning. These are fields not associated, until recently, with governmental administration. Yet it is in these fields that Admiral Karo's abilities become apparent when we review what he has been able to accomplish over the past decade on a relatively modest and tight budget.

We have only to consult the record, which truly speaks for itself. When Admiral Karo took over the direction of the U.S. Coast and Geodetic Survey, it was probably at the lowest point in its long history. Its budget had been slashed by false economy moves for several years. Yet the bureau was faced with a pyramiding demand for its unique services and products. These products and services were available, for the most part, only from the Coast and Geodetic Survey and were vital to support our expanding economy and to support our technological and scientific base.

It was through the introduction by Admiral Karo of advanced techniques of management and planning that the bureau was able to meet its responsibilities to the public and to support our expanding economy. A small, dynamic audit group and a program planning, reporting, and budgeting procedure was inaugurated and placed into operation long before it became the vogue and received general acceptance throughout Government.

Innovations, shortcuts, new procedures, and various economies were instituted by the Survey in order to meet rising costs and increasing demands for its services and products in the face of tighter labor conditions and stringent budgets. The Coast and Geodetic Survey was always noted for getting "10 cents worth for every nickel spent." Yet Admiral Karo was able to get 15 cents worth through more effective planning and administration.

Always a strong leader, Admiral Karo immersed himself in the operations of the bureau, examining its problems, its objectives, the long- and short-range service requirements, alternative courses of action, benefits to be derived as against costs of any particular course of action, personally made the choices, and then led the bureau in an aggressive attack on its problems. He ran a "taut," highly efficient organization with high esprit de corps.

He believed that the only way to intelligently and effectively solve a problem was to thoroughly understand it; that a problem clearly stated was a problem half solved. And so he immersed himself in the many problems confronting the bureau: problems in oceanography, seismology, geodesy, cartography, surveying and mapping; problems in obsolete and deteriorated capital equipment from ships to printing presses, from deteriorating geophysical observatories to employee morale. You name the problem, he had it. To understand the many problems facing the bureau and arrive at solutions within existing administrative and budgetary restraints and within an acceptable time frame, he maintained a pace that few men could face—18- to 20-hour days, 7-day weeks, with many hours and days of travel, visiting the far-flung operations of the bureau. A dedication only possible from one who believes that public service is a trust, an honorable career, worthy of one's total best efforts.

With all this, Admiral Karo was also able to lend his support and expertise in furthering our Government's policy of giving a helping hand and spreading our technological and scientific know-how to those many peoples and nations in need. He was a member of and headed many official delegations to technical and scientific conferences and meetings, both at home and abroad. In spite of his heavy schedule, he could be depended upon to manage somehow to work in conferences and meetings with visiting foreign nationals, to exchange ideas, and to lend a helping hand. In fact, he has stated many times that this person-to-person exchange was what made it possible to endure some of the other frustrations.

The Government, the people of our Nation, and of the world, have seemingly lost the services of one of our most able and dedicated administrators. I say "seemingly" because I have been informed that Admiral Karo will be the Expedition Director on the forthcoming scientific expedition of the Nation's newest, largest and most highly automated research ship, the U.S.C. & G.S.S. *Oceanographer* and the personal emissary of the Administrator of the Environmental Science Services Administration. This is the expedition in which President Johnson, in his commissioning address, invited the participation of the scientists of the many nations along the route of the *Oceanographer*. Admiral Karo's unique abilities and international reputation will insure the success of this expedition.

OHIO GETS POLAR BEARS

Mr. BARTLETT. Mr. President, last week I had the fortunate opportunity of meeting and visiting with Mr. Jesse Mason, of Lexington, Ohio. Mr. Mason is a remarkable man, and I feel compelled to tell Senators today why this is so.

Jesse Mason's friends, neighbors, and customers know him as the proprietor of Mason's Refrigeration Service. Until recently, Jesse Mason was noted for his skill in repairing and installing refrigeration equipment. The trademark or advertising symbol of Mason's Refrigeration Service is a polar bear. As a part of a promotional effort, Mr. Mason purchased three polar bears from Canada and thus began the first effort, to my knowledge, to control the environment of this great arctic creature while holding him in captivity.

For his three bears, Mr. Mason constructed a specially designed building complete with pool, dens, and refrigeration capacity to cool the interior to any desired temperature.

Mr. President, the interest in this worthwhile experiment is heartening, because little is known about the habits of the polar bear. Most particularly, little is known about the bear's mating and reproduction habits. Seldom do polar bears reproduce in captivity. Mr. Mason's laboratory may well show us that the reason for this is too warm a climate in zoos around the country where the bears are kept in the open, as at the Smithsonian Park in Washington, D.C.

Responding to this opportunity to learn about the polar bear in an environment as cold as that where he is found naturally, the U.S. Fish and Wildlife Service is as anxious to cooperate with Mr. Mason as he is to have them do so. While in Washington, Commissioner Clarence Pautzke conferred with Mr. Mason and advised him that the Service was interested and more than willing to work with him.

Mr. President, earlier I mentioned that Mr. Mason embarked upon this project to promote his business. Since acquiring the bears, however, his outlook has changed dramatically. He was surprised and dismayed to learn that science knew so little about the polar bear. He was also concerned that no one knows how large is the polar bear population or whether we need be concerned over the possible extinction of this great creature. Jesse Mason wanted to help; he wanted to contribute if he could to the bank of knowledge about the bear and to prove his theory that polar bears can reproduce in captivity under the proper conditions.

Outside the Government there is no end of interest in Mr. Mason's project. He has received publicity about the bears in almost all the major newspapers of Ohio. Further, the visitors to Mason's "bear house" will not stop. They average 1,500 a week, and Jesse Mason, being the man he is, charges not a dime for admission. Thus far, he has financed this polar bear research on his own and has allowed all comers to observe the bears, including thousands of schoolchildren all over Ohio. Nevertheless, I am happy to learn that the Federal Government, through the Fish and Wildlife Service, plans to encourage and assist Mr. Mason in every way possible. This is certainly a worthwhile activity on the part of the Government.

NATIONAL BELLAMY AWARD FOR 1966

Mr. ERVIN. Mr. President, in 1956 the Pantego High School in Pantego, N.C., was chosen as the recipient of the 15th National Bellamy Award.

Mr. Wallace Respess, Jr., a senior at Pantego High School, was chosen to represent his classmates at the 1966 award ceremonies in Englewood, Colo.

I ask unanimous consent that the report he presented to his school be printed in the body of the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

REPORT ON NATIONAL BELLAMY AWARD

(By Wallace Respess, Jr., senior at Pantego High School, Pantego, N.C.)

The 25th Bellamy Flag Award gave me the most inspirational moment of my life. I realized that this flag of the United States of America was the symbol of my country. Then the presentation speech was made and the flag presented to Cherry Creek High School. I suddenly became aware of the responsibility that being a citizen of this great country entails.

The Bellamy Flag Award was on a larger scale than I ever expected in every aspect. The week was both educational and inspirational. Frankly, the substance of this Bellamy Award was not at all what I expected. I was aware students from different parts of our country would meet, exchange ideas, and talk of home. But what I did not know was that I would take home a memory of each of these students, a memory that was outstanding of their characteristics and one that would be a part of me. I knew that Cherry Creek High would be a good school. Of course, it would have to be a good school to be the "standard bearer of all public secondary schools in Colorado." But I did not realize that the very greatness of the school, and the sacredness of the presentation of the flag would live in my memory forever. I met inspiring, devoted, goal-striving students, who want an active and useful part in our world. All of this experience was to me both educational and inspirational.

When I stand back and try to find the real purpose of the Bellamy Flag Award, I come up with three basic reasons. I do not say these reasons are the true foundation, but they are what I feel the Bellamy Flag Award is. Firstly, the award honors the author of the "Pledge of Allegiance," Francis Bellamy. Secondly, it gives the students of the honored school of the year, the representatives, and everyone else that comes in contact with this award an insight into the real meaning of the "Pledge of Allegiance." Thirdly, this award stimulated the hearts of every patriotic American who loves his flag and what it symbolizes and honors the pledge to it.

If a person can say that he acquired more knowledge in one day than in any other day, I would say that I learned more or rather was inspired to learn more on this day, October 13, 1966. This was the day of the seminars. Here, I came in contact with successful men in many fields. Of course, they spoke to us of the subject before the assembly, but to me they said that we are living in a country of ever increasing competition, one that requires us, the youth of America, to take giant steps in the right direction to keep up the pace we have set for ourselves.

To acquire this goal, we must harvest the crop of opportunity that yields so freely around us. We must be educated. We must function. We must be the leaders of the future. Someone once wrote that for every responsibility there is a privilege, and for every privilege there is at least one responsibility. I feel now that it is my responsibility to pass on to others what I have gained from this privilege—the most memorable week of my life.

THE ENVIRONMENTAL SCIENCE SERVICES ADMINISTRATION

Mr. MAGNUSON. Mr. President, in July 1965, President Johnson's reorganization plan creating the Environmental Science Services Administration became effective, and an agency with the important mission of understanding, describing and predicting the state of our environment came into being.

Recently President Johnson received a report on the state of the new organization from the Department of Commerce. ESSA's accomplishments over the first months of its existence—a record which many an older agency might be proud to claim—so pleased the President that he warmly commended ESSA, its management and its employees for the efficiency and success with which the new organization had been created and placed in effective operation. The President cited "specific economies improved management of programs, and better services to the public" resulting from the establishment of ESSA.

I should like to add my own compliments to the men and women of the Environmental Science Services Administration for an effort and an achievement which is impressive.

ESSA was created from the Weather Bureau, the Coast and Geodetic Survey, and the National Bureau of Standards' Central Radio Propagation Laboratory. Within its ranks have now been established the Environmental Data Service, the National Satellite Center, and four institutes for environmental research.

Allow me to cite briefly some of the advances which have come from the creation of ESSA—advances which stem in no small degree from the crosshatching of multidisciplinary skills and techniques which it brings to bear on our most serious environmental problems.

ESSA is an organization in which science and service are wedded to enhance public safety and convenience, and to make possible economic benefits for our Nation and the world.

A prime example is ESSA's new National Natural Disaster Warning System, which is now in the process of implementation. It is a program to provide greatly improved warnings of all nature's hazards, with quicker, better detection, better and faster communication of warnings, and increased community preparedness.

Tornadoes, hurricanes, blizzards, floods, seismic sea waves, storm surges and other natural disasters kill between 500 and 600 Americans annually, and economic losses run well into the billions. NADWARN, at the outset, will fill glaring gaps in our networks for detecting potential dangers and communicating warnings. ESSA looks to 24-hour weather service for every one of the nearly 3,000 U.S. communities which have daily newspapers, radio, or television stations.

Supporting the intensified program of detection and warning is research. The weather bureau, for instance, will soon begin to predict the state of the sea's surface as a step toward comprehensive environmental service for marine operators. It is, in addition to its weather duties, providing storm-surge forecasts which are prepared at ESSA's National Meteorological Center. These activities are excellent examples of the new integration of cross-disciplinary skills for improved service to the public.

Within ESSA now, a meteorologist's dream of many years, is becoming a reality, with ESSA weather satellites scanning the world's cloud cover. It is development which not only has demonstrated the capacity for warning of our own weather changes, but has helped many other nations, some with only fragmentary weather service, as storms approach their boundaries. It is bringing within our reach a world weather program, a long-range global effort planned by the United Nations' World Meteorological Organization.

This program is 1 year old this month. More than 130,000 useful pictures have been produced. The National Environmental Satellite Center has prepared more than 10,000 analyses and has sent more than 700 warnings to areas in the paths of potentially dangerous storms. As reported to the White House, active planning is underway in cooperation with the Institutes for Environmental Research for the use of improved satellite sensors. ESSA already is able to gather data on snow cover which is valuable in water supply forecasting for semiarid regions, sea and lake ice reconnaissance, and identification of flood areas.

Another vital area of public safety in which ESSA has become increasingly active is earthquake information. Last year the Coast and Geodetic Survey received reports of 674 persons killed and thousands made homeless by more than 6,000 earthquakes around the world. ESSA is active, through the Survey and its Institutes, in many phases of the earthquake problem, but probably its most significant step has been establishment of its National Earthquake Information Center—which uses the communications facilities of the Weather Bureau and the global seismograph facilities of the Survey. Additionally, the NEIC is headquarters for ESSA's earthquake emergency plan, under which immediate and longer range technical aid is given after disastrous earthquakes and tsunamis—seismic sea waves. ESSA also issues public bulletins announcing tsunami watches and warnings to alert the public when a serious situation develops.

A major effort of the Environmental Science Services Administration is being devoted to the field of oceanography—so that the Nation may come more quickly to exploration and development of our last frontier, with its vast stores of food, mineral, and other untapped wealth. The ships in ESSA's fleet are platforms from which oceanographers probe the deep ocean and its floor, geophysicists explore the world of gravity and geomagnetism, and biologists investigate the sea's food chain. They are also platforms for the meteorologist and the physicist.

A vital marine undertaking soon to be mounted by ESSA is the forthcoming global scientific expedition of the U.S.C. & G.S.S. *Oceanographer*, which will leave Jacksonville March 31 to launch a variety of studies in the Atlantic, Pacific, the Mediterranean, the Arabian Sea, and the Andaman and Tasman Seas. It is a truly international effort, with scientists of many nations participating on the invitation of the President.

This is the most dramatic of ESSA's current oceanographic activities, but it is only one. There are many others, including valuable work on the Continental Shelf, and many mapping and charting projects designed to make navigation safer for our mariners.

ESSA's ships are Coast and Geodetic Survey vessels. They are staffed by members of the ESSA Commissioned Corps, a growing body of superbly skilled men. But ESSA commissioned corps officers are more than scientist-sailors; they are at work in many of the organization's areas. They are active in meteorology, in ESSA's Institutes for Environmental Research, in a score of endeavors which relate only indirectly to the sea, and much of the rest of it in a wide variety of scientific efforts. They will be among the most intensively trained men in all of the Federal service.

For that matter, some of the world's most eminent scientists are hard at work in ESSA, and nowhere is this better exemplified than in the Institutes for Environmental Research, with headquarters at Boulder, Colo.

In these Institutes are 1,300 highly dedicated persons with a mission of almost staggering proportions. They are divided into the Institutes for Atmospheric Sciences, Oceanography, Earth Sciences, and Telecommunication Sciences and Aeronomy.

These Institutes seek to supply us with the information needed to descend safely into the oceans or fly high in space; to mitigate the hazards of natural disaster, to protect us from earthquakes, to keep us in communication with our spacemen—to mention only the broadest outline of their activities. By no means the least of their efforts is the study of pollution, a subject of ever-increasing concern to every man, woman, and child in our Nation.

The IER's Space Disturbance Laboratory is, to me, a striking example of the practical benefits of scientific activity. The IER issues bulletins which warn of solar flares to help determine the amount of potentially hazardous proton activity in space.

In yet another area of ESSA's multifaceted operations, its Environmental Data Service, information which has been proliferating at an incredible rate—data of real concern and immediate utility to our people—is being collected.

From what once was many scattered centers, ESSA now has one service which permits the application of up-to-date technology to the processing, storage, recall, and summarization of all forms of environmental data. The EDS has three major centers: the National Weather Records Center and the National Geophysical Data Center in Boulder, Colo. Through this unique service, ESSA aids not only its own components but other government organizations, the scientific community, the military and virtually every area of the national economy with accurate, useful records. It is the kind of service which not only provides invaluable help to the Nation, but which, through integration of service, typifies the consolidative progress which is enabling ESSA to save our taxpayers approximately $200,000 annually—with the prospect of larger savings in the years to come.

Many of my colleagues may not be entirely familiar with what this remarkable new agency has accomplished in a period during which it was undergoing the throes of organization. This is by no means a complete summarization of ESSA's activities. I have, for example, not mentioned its specialized weather forecasts and its geodetic survey work, both of which are essential to the Nation's daily life.

I salute ESSA. Much remains to be done, but I consider this agency to have set a good example for all to consider. I look forward to continued progress on many fronts as ESSA continues to serve our people.

I ask unanimous consent that the exchange of correspondence between President Johnson and Secretary John Connor be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

[Release from the office of the White House Press Secretary, Feb. 1, 1967]

EXCHANGE OF LETTERS BETWEEN THE PRESIDENT AND THE SECRETARY OF COMMERCE AND AN ATTACHED REPORT CONCERNING THE PROGRESS OF THE ENVIRONMENTAL SCIENCE SERVICES ADMINSTRATION

DEAR MR. SECRETARY: I have reviewed your report on the fine progress that has been made in implementing Reorganization Plan No. 2 of 1965, which created the Environmental Science Services Administration in the Department of Commerce.

In forwarding that Reorganization Plan to the Congress, I stated that the reorganization would permit us to provide better environmental information to vital segments of the nation's economy and enhance our capability to identify and solve problems associated with the physical environment. ESSA's accomplishments are bearing out these predictions.

Your report indicates that the reorganization has resulted in specific economies, improved management of programs, and better services to the public. This combination of achievements is basic to this Administration's concepts of how the public's business can and must be conducted. You stated in your letter that there is further progress to be made in the future. I am confident that this progress will be made.

I want to commend you, ESSA management, and all ESSA employees for the efficiency and sensitivity which have contributed to carrying out this reorganization. These accomplishments will benefit substantially the public and other agencies of the Government.

Sincerely,

LYNDON B. JOHNSON.

JANUARY 27, 1967.

DEAR MR. PRESIDENT: The enclosed report describes progress that has been made in implementing Reorganization Plan No. 2 of 1965. The plan created the Environmental Science Services Administration (ESSA) in the Department of Commerce.

This plan consolidated the Weather Bureau and the Coast and Geodetic Survey to form the new agency. After the Reorganization Plan became effective, we transferred to ESSA the Central Radio Propagation Laboratory (formerly of the National Bureau of Standards) and established within ESSA an environmental data service, a National Environmental Satellite Center, and four Institutes for Environmental Research.

The job of integrating our operations in ESSA is continuing. I believe we have made substantial progress to date, and will continue to make progress in the future.

Respectfully yours,

JOHN T. CONNOR,
Secretary of Commerce.

REPORT ON ESSA'S PROGRESS UNDER REORGANIZATION PLAN NO. 2 OF 1965

PROGRAM IMPROVEMENTS

Integration of program operations in ESSA is making it possible to provide the public and other Government agencies better and more complete environmental services and information through programs and projects that draw upon all elements of ESSA. Some examples are:

1. ESSA has developed and will begin installation of a Natural Disaster Warning System designed to provide for the rapid dissemination of warnings for such natural hazards as tornadoes, hurricanes, blizzards, floods, seismic sea waves, and storm surges.
2. There has been established in ESSA the National Earthquake Information Center to make available quickly more precise information on location, time, size, and effects of earthquakes. The communications facilities of the Weather Bureau and the global seismograph facilities of the Coast and Geodetic Survey are being utilized for this service.
3. For aviation, we are able to provide an integrated and systematic approach to some of the problems involved in development of the SST, such as hazardous radiation and the need for more critical weather information.
4. Institutes for Environmental Research have been established to bring together research groups of the Weather Bureau (meteorology), the Coast and Geodetic Survey (oceanography and solid earth science), and the Central Radio Propagation Laboratory of the National Bureau of Standards (aeronomy and telecommunications). One of the purposes of placing the groups together under one organizational component was to enhance research activity by encouraging cross-disciplinary studies of the environment.
5. In cooperation with the Institutes for Environmental Research, active planning and development is under way in the National Environmental Satellite Center to utilize improved Satellite Sensors. By interpretation of pictures transmitted from satellites we are able to gather data on snow cover which is useful in water supply forecasting for semi-arid regions, sea and lake ice reconnaissance, and identification of flood areas.
6. The collection and dissemination of data has been integrated in the Environmental Data Service of ESSA. This encompasses climatological, geodetic, seismological, aeronomy, and space data. Bringing together the many "data centers" previously scattered in several organizations into a single data service permits the application of modern technology, including computers, to the processing, storage, recall and summarization of all forms of environmental data. It also makes the data more readily available as it contributes to "one-stop" service to the many interests having a need for environmental data of many types.

ADMINISTRATIVE IMPROVEMENTS AND ECONOMIES

This reorganization has permitted numerous economies through consolidation of like functions and sharing of facilities. For example, approximately $200,000 annually is now being saved through an integration of administrative services, and larger savings will accrue in future years. Whereas the agencies which were joined to form ESSA each had its own personnel, budget, audit and other administrative services, there is now one central organization which performs administrative services for all of ESSA. In addition, there has been a consolidation of public information, legal, and program planning staffs. Similar progress toward integration of administrative services is being made in ESSA field organizations.

New management services have been developed. A new Management Information System has been designed and installed to serve the entire agency, together with comprehensive PPB systems. Further improvements have been the centralization and automation of the Payroll and Accounting Systems saving annually $170,000. A consolidated position control system has been installed.

The Reorganization is resulting in greater sharing and utilization of equipment and facilities. A single Division coordinates all ESSA computer activities and operates a large central computer facility. Another example of better facility utilization is the central ESSA warehouse established at Kansas City. This has eliminated the need for warehousing previously existing in several regional activities and has substantially reduced inventories resulting in annual savings of $160,000 and permitted one-time savings through use of lower inventory levels. Ship utilization also has been improved by equipping the Coast and Geodetic Survey vessels to serve all ESSA programs requiring ocean platforms. The ship "Oceanographer" was utilized by several elements of ESSA for the observation of the recent eclipse of the sun in the southern hemisphere. In February, 1967, the ship "Surveyor" will participate in a geophysical expedition to the Line Islands in the Pacific to obtain weather, oceanographic, and other environmental measurements.

OUTER SPACE TREATY

Mr. ANDERSON. Mr. President, I am pleased to see that the Outer Space Treaty signed on January 27 guarantees that the moon and other planets will be open to exploration by all nations—not just the ones which get there first.

Article I of the treaty expressly provides:

> There shall be free access to all areas of celestial bodies.

And article III prohibits any claim of sovereignty to the moon or other planets.

I hope that the treaty will thus forever put aside the possibility of quarrels between nations over extraterrestrial claims to territorial sovereignty. Such claims would not contribute to anyone's security. Indeed, they could, in fact, endanger peace here on earth by raising senseless questions of apparent prestige and empty invocations of national honor. Territorial claims in the past—even when made to uninhabited or uninhabitable areas of the earth or seas—have often led to a show of force.

The Outer Space Treaty builds on the concept of openness through its call for freedom of scientific investigation in outer space and on celestial bodies. It also calls upon parties to facilitate and encourage international cooperation.

Since the beginning of the space age, the United States has been doing its best to encourage cooperation among nations. I think we can all take pride in NASA's international program—activities in space research which are mutually beneficial to the United States and the other participating countries.

I believe that the treaty will encourage a still more open and enlightened attitude throughout the world.

MEMORIAL TO SIDNEY ZAGRI

Mr. FONG. Mr. President, it was with deep grief and shock that I learned this morning of the death of Sidney Zagri, who was killed along with some 26 other persons in the tragic fire that swept through Dale's Restaurant in Montgomery, Ala.

Sidney Zagri was widely known and respected on Capitol Hill. He was a vigorous and articulate advocate of the International Brotherood of Teamsters which he served as its legislative counsel.

Everyone also knew Sid as a warm and compassionate human being, a foremost champion in the fight to secure to all Americans all the civil rights and civil liberties guaranteed under the Constitution of the United States.

He was zealously dedicated to his beliefs and to his cause.

A native of California, Sid graduated from the University of California at Los Angeles in 1935, and from there, he went to the Harvard Law School for 2 years. The depression of the thirties caused him to resign from Harvard because of financial difficulties, and after a 2-year delay he completed work on his law degree at the University of Wisconsin.

After that he became assistant to the chief trial examiner for the National Labor Relations Board. Later he became Impartial Chairman in the Labor Dispute Section of the National War Labor Board.

In 1945 Sid left Government work to go into private law practice. He returned to California in 1949 and again became active in civic affairs, becoming chairman of the California Citizens Committee for Mental Health, and a member of Gov. Earl Warren's Commission on Mental Health.

He returned to the field of labor in 1955, when he was appointed director of Teamster Local 688's well-known community action program in St. Louis, Mo.

From St. Louis he came to Washington, D.C., in 1959, to serve as the International Teamster's legislative counsel. He subsequently also became director of Drive, the national Teamster political education group.

It was in these latter two capacities that he became known as an aggressive spokesman for his union and for his advocacy of human rights. He was a frequent witness before many congressional committees and became a familiar figure in the halls of Congress.

At the time of the Montgomery tragedy—called the Nation's second worst restaurant fire on record—Sidney Zagri was 53 years old.

He leaves a devoted wife, Katherine, and a 7-year-old son, Sidney Zagri, Jr.

The Teamsters Union, the Capitol, and the Nation have lost a dedicated citizen. I have lost a friend.

My wife Ellyn joins me in offering our sincerest condolences to his wife, his son, and his entire family.

PRESIDENT JOHNSON'S MESSAGE ON AMERICA'S CHILDREN AND YOUTH

Mr. DODD. Mr. President, on Monday of this week, I commended the President for his crime message to the Congress. Today, I rise to support his message on America's children and youth.

As chairman of the Subcommittee on Juvenile Delinquency, I want to reinforce the President's effort to help our young people because the story of our growing youth crime is the story of children who have been neglected and abused, of children who have been deprived and misguided, and of children who have been lost in correctional institutions and in the slum tenements and alleys of our large cities before they could be given a chance to live, and learn, and contribute to the progress and advancement in every field that has characterized our Nation over the years.

Juvenile delinquency is the inescapable product of breakdown and defect in the most vital areas of society, in the home, in the educational establishment and in the economic and occupational sphere.

The President's message includes 13 legislative proposals to help repair the defects in these important institutions.

He asks for full utilization of the skill and talent at our command.

He asks also for dedication and cooperation among both the private and public sectors of the society to develop the potential of our youth, which is the only resource we have to guarantee the strength and survival of this Nation.

Among his other recommendations, the President has specifically asked for the enactment of the Juvenile Delinquency Prevention Act of 1967 to improve the courts and correctional institutions in our States and local areas. I strongly support this measure. The first bill I introduced when I became chairman of the Juvenile Delinquency Subcommittee, The Delinquent Childrens Act of 1961, became the forerunner of this new proposal.

Based on its past research, the subcommittee will look into this and other recommendations by the President and I hope that they will be considered by every Member of this body.

Together with his crime message, President Johnson's message on youth marks the determination of this administration to achieve a final victory over human misery and deprivation in the United States.

These are goals for which men strive the world over.

These are goals which are not easy to reach.

But these are goals which this Nation can achieve before many others. And, if we can, I think we must be the first in this field as we have been first in many other areas of human endeavor and accomplishment.

I congratulate the President and the administration for this effort.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Is there any further morning business? If there is no further morning business, morning business is closed.

LEGISLATIVE REORGANIZATION ACT OF 1967

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the unfinished business.

The ACTING PRESIDENT pro tempore. The clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (S. 355) to improve the operation of the legislative branch of the Federal Government, and for other purposes.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Louisiana?

There being no objection, the Senate resumed the consideration of the bill.

Mr. LONG of Louisiana. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. McGEE. Mr. President, in our concern about the reorganization of Congress, our focus is almost completely on updating Congress. I did not want us to lose sight in that process, Mr. President, of the equal importance of updating Members of Congress. It is one thing to bring the machinery up to date; it is quite another thing to try to keep the men and women who run those machines up to date. Mr. President, we have to make them work.

I was one of the approximately 199 persons who testified before the very able special committee that prepared the pending legislation. The proposal I have to make is aimed at enriching the philosophies, the background, the perspective, or whatever it may be called, of Senators.

Mr. President, I make my suggestion in the form of a proposal for a Senate sabbatical. The proposal is borrowed from the academic world as well as the world of business and industry, where more and more it is recognized that day-to-day pressures of business or teaching leave precious little time for anyone in a responsible position to broaden his own horizons. There just are not that many hours in the day. If I may borrow from a currently popular phrase, the preoccupation with "gaps"—generation gaps, credibility gaps—may I say what is threatening to overtake us in the Senate may be the perspective gap.

As each new Senator arrives in this body as a freshman he brings to the Senate a fresh reservoir of new ideas, a reservoir of his own experiences, and the cross-currents and forces with which he has something to do. Our body is enriched by the arrival of every new Senator.

However, I have the feeling that in the course of his responsibilities and duties in the Senate over a period of time the reservoir that was once full becomes rather sorely depleted. I have the feeling that in the requirements made upon a Senator, by the very nature of the office, lead to that inevitable state. For, not only must he tend to the many problems of his constituents, or try to attend a succession of committee assignments, some simultaneously, but he must also try to deal with bureaus downtown, and cope with various lobbying groups who have a case that needs to be heard in their regard. Thus, the Senator finds himself in a condition which requires, all too often, that he "shoot from the hip." Frequently he is asked to render a judgment on a broader issue, and again, too often, he must shoot from the hip with the hope that he comes close to the target.

Mr. President, my point is that this is not the way to run the store. It certainly is not the way we should be running one of the most powerful, influential, and significant bodies that can play a role in the future shaping of things to come.

For this reason, I think that we should have given more attention in the bill—and therefore should discuss now—the entire concept of a Senate sabbatical.

The point of such a proposal would be to permit each Senator, let us say, during the first year of his second term, or the second year, if for any reason that seemed more desirable, to literally take a leave of absence. He would be barred from only two things. He would be barred from returning to his home State in that period, and he would be barred from entering the District of Columbia in that period.

I hope that he might visit the campuses of some of the centers of learning, both in this country and elsewhere around the world, where he could expose himself to new ideas. I would hope that he could climb a mountain, sit on the top, and pontificate with no deadline staring him in the face. I would hope that he could find an island where he could read himself full, and then think himself empty, and go through this process again and again, because the Members of this body, in these times, are more and more compelled to busy themselves with smaller and smaller details in the legislative process.

In obsession with detail, we too often lose sight of the big picture. We tend, as we ponder how we are going to vote on Tuesday, or on Thursday, to forget about the real shape of the world around us, and the implications of the forces at play in that world.

I am mindful, of course, that organizing a system such as sabbaticals for the Senate would pose many mechanical problems. But, I remind everyone that the mechanics—the machinery of the Senate—was created by Senators, and I am confident that Senators can tailor that machinery to meet the needs of these changing times.

Mr. President, to illustrate the approach that might be considered, perhaps a Senator from a given State could be protected with a selected proxy which would protect his State on the well-known issues in which they are interested, and on other great issues. Such a device might cover the gap that his physical absence might otherwise leave. It could apply only in the case of the predetermined sabbaticals.

Second, the total number of sabbaticals could be limited to any one time and then rotated so that there would not be a conspicuous gap in terms of absent Senators due to a large new class which might be elected in any given year.

But these are mere details. I find in conversation with Senators that most of them are prone to worry more about why such a plan will not work than to face what is an even higher priority—why it or something like it must be made to work if this body is to rise to higher levels in decisionmaking, in the setting up of guidelines, and in the general national direction in which it is compelled to be involved during these times.

I cannot help being persuaded, from the many days we spend in debate, how much of the debate is concerned with details, how much of it ignores the central questions: Where are we going? Where should we be going? What is our goal? What is the target we seek to hit?

Those questions are rarely asked in debate because we do not have the time to weigh them carefully. Thus, the accumulation of housekeeping chores, which takes almost the total time of many Senators, requires that we find some way to preserve a little time and an opportunity to read and reflect. In short, time to think about the big questions of the day.

There are many gimmicks that we sometimes say we are resorting to, in order to bail us out of the "bind," gimmicks such as speedreading, or a different staff arrangement, to feed in more of the details that continually threaten to sink us all because of their number, if nothing else.

But what is ignored is that no one—and I mean no one—can supply our own thinking or substitute for it. No one can enrich our philosophy for us. No one can run our own interference in the realm of trying to weigh the direction in which we think our kind of world should be going.

The only way we will ever get time to do that with adequate indulgence is to acquire something like the senatorial sabbatical in order to make that possible.

I suppose there might be those who would abuse such a privilege, but not many. Whatever abuses might arise are already in existence. I think I know enough about the Members of this body to know that the overwhelming majority would welcome the opportunity for the personal enrichment from reading and reflection that a sabbatical would make possible.

On a practical basis, the Nation as a whole would stand to gain. It would gain immeasurably more than at present, because it would gain a deeper sense of the dimensions of all the issues that trouble each of us in turn.

This, Mr. President, is a simple proposal. I believe that if we could have a secret vote in the Senate, my suggestion would pass overwhelmingly—at least, so my colleagues with whom I have visited about this subject tell me. But they seem to be afraid that the voters would misconstrue the plan, and they are candid about saying so. They say that the people are not ready for this yet; that it would be viewed as some kind of freeloading or a boondoggle.

However, we have already faced this question at the industrial and business level, where groups are planning ahead and are insisting that their top executives get away from the shock of the daily grind and give themselves time to think and reflect.

It has been happening in the academic world for a long time. Most colleges and universities in this country require a faculty member to take every seventh year off and "recharge his batteries."

It must at once be obvious that if ever there was a group in the world for whom it is imperative that this kind of precaution be taken, this kind of investment to be indulged in, this kind of personal broadening to become a part of its obligations, it should be the group who serve as U.S. Senators. Then will we come closer to reaching, over the long pull, the kinds of right and wise decisions for which we hope.

Therefore, I suggest to the Senate once again that we close what is a rapidly mounting perspective gap. It is important we not lose sight, within the perspective of the moment, of the scope of the issues which surround us today.

Mr. LONG of Louisiana. Mr. President, I send to the desk an amendment, and ask that it be read.

The ACTING PRESIDENT pro tempore. The amendment will be stated.

The LEGISLATIVE CLERK. The Senator from Louisiana [Mr. LONG] proposes an amendment as follows:

On page 4, in the table of contents, immediately after the item relating to section 471 of the bill, insert the following:

"PART 7—ELECTRICAL VOTING SYSTEM IN SENATE CHAMBER

"Sec. 481. Electrical voting system in Senate Chamber.

On page 118, between lines 7 and 8, insert the following new part:

"PART 7—ELECTRICAL VOTING SYSTEM IN SENATE CHAMBER

"ELECTRICAL VOTING SYSTEM IN SENATE CHAMBER

"SEC. 481. (a) The Architect of the Capitol, acting under the direction of the Committee on Rules and Administration of the Senate, is authorized and directed to take such action as may be required to provide for the procurement, installation, and operation in the Senate Chamber of electrical equipment for use in casting, recording, and counting votes and ascertaining the presence of quorums.

"(b) The expenses incurred in the procurement, installation, and operation of such equipment shall be paid from the contingent fund of the Senate on vouchers signed by the Chairman of the Committee on Rules and Administration of the Senate."

On page 125, line 5, strike out the words "Parts 1, 2, and 3", and insert in lieu thereof the words "Parts 1, 2, 3, and 7".

Mr. LONG of Louisiana. Mr. President, I yield myself 10 minutes.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana is recognized for 10 minutes.

Mr. LONG of Louisiana. Mr. President, it has seemed to me that one result we could hope for, from the work of this Special Committee on Reorganization, would be the installation of electrical voting in the Senate Chamber. Practically all modern legislative bodies have it. But here, when we try to legislate, to call the roll, each name individually, as we do, it is very time consuming, particularly when there are a number of rollcall votes immediately following one another; and it often ties up the Senate for lengthy periods of time.

The Christian Science Monitor of Saturday, November 28, 1964, contains an article about instant voting for legislators, and how electricity does the job. It might be well to read a few excerpts from that article.

Mr. President, the article, entitled "How Electricity Does the Job," written by a staff writer of the Christian Science Monitor, and published in the Christian Science Monitor of November 28, 1964, reads:

HOW ELECTRICITY DOES THE JOB

Most electric roll-call systems follow one general design.

An individual voting switch is attached to the desk of each legislator, a switch like an electric light toggle switch.

During a roll call he votes "yes" by pushing the knob to the left, or "no" by pressing it to the right.

The vote is instantaneously shown on one or more large display boards, located at the front of the chamber, on which are listed the names of all members. Before and after each name are green and red bulbs. These light according to the vote—green for "yea" and red for "nay."

The display board has a place for the number of the bill being voted on as well as the total number of affirmative and negative votes at any given moment.

Legislators can change their votes as often as they desire while a roll call is open. This is done simply by moving the switch from one position to another.

When the presiding officer opens the roll-call system a gong or a buzzer warns legislators who may be elsewhere in the building of the impending vote.

If desired, each legislator's switch can be equipped with a lock for which only he has the key.

Few states use locks, however, because of the problem of lawmakers losing their keys or leaving them at home and not being able to vote.

To make sure that no unauthorized person uses a particular legislator's switch, in his absence from the chamber, strict rules with stiff penalties are imposed by most legislative bodies having the electric roll-call system.

When the presiding officer announces the closing of a roll call he instructs the clerk to throw the master switch. After this is done the vote is "locked" and no further changes can be made.

Each member's vote and the totals are recorded on a card. Three or more copies are then printed automatically.

Mr. President, an article entitled "Instant Voting For Legislators," written by George B. Merry, and published in the Christian Science Monitor, of November 28, 1964, reads in part:

"It used to take us the better part of an hour to complete a vote. Now, with the electric roll-call system, it is done in only a few seconds." This was J. Tyler Patterson, Speaker of the 294-member Connecticut House of Representatives, speaking.

Thirty-one states now have electric roll-call installations in at least one chamber of their Legislature. And six of them—Indiana, Louisiana, Minnesota, North Dakota, Tennessee, and Virginia—have it in both upper and lower legislative branches.

The United Nations, too, has been won over by this speedier method of recording votes. Delegates at the forthcoming session of the General Assembly will use a recently completed electric roll-call installation.

Lawmakers in at least three other states are expected to consider the future use of this equipment during their 1965 legislative sessions.

Mr. President, the article incidentally relates that Thomas A. Edison is credited with inventing the first electric rollcall voting machine.

The principal objection that Senators make to the electric rollcall vote is that on occasion a vote commences when the Senators are not all present in the Chamber. Senators wish to have sufficient time within which to come to the Chamber in order to record their vote.

That objection can be met in several ways. One way in which it can be met is that the electric voting machine can be used only in ways that are agreeable to the Senate. It can be decided that the machine is to be left open for, let us say, 5 minutes, so that any Senator who was not present can have time to get to the Chamber and be recorded.

The Senate might want, on starting to use an electric voting machine, to provide that only after there has been one rollcall vote can the electric voting machine be used, so that everybody present knows that on each of the subsequent votes the electric voting machine is to be used.

Mr. President, there is no doubt in my mind that if the Senate sees fit to acquire a voting machine, Senators will find ways to use it very efficiently and effectively.

It has been the impression of this Senator that any legislative body which has acquired a voting machine has never been able to understand why on earth it did not have one before, after it found out how much the machine expedited the procedures by enabling the legislative body to vote instantly.

The electric voting machine eliminates the cumbersome process of calling each name and recapitulating each name before the vote is announced.

I know that this matter was considered in the committee. I had great hopes that the committee would recommend the amendment. I hope that the Senate will consider the amendment favorably.

Mr. President, I ask unanimous consent that the two articles I have read from be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Christian Science Monitor,
Nov. 28, 1964]

INSTANT VOTING FOR LEGISLATORS

(By George B. Merry)

"It used to take us the better part of an hour to complete a vote. Now, with the electric roll-call system, it is done in only a few seconds." This was J. Tyler Patterson, Speaker of the 294-member Connecticut House of Representatives, speaking.

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SAVINGS INCALCULABLE

Each legislator's desk is equipped with a toggle switch by which he or she votes. Flipping it to the left registers the member's approval, and to the right records disapproval of the particular matter on which the roll call is being taken.

It is impossible to estimate how many hundreds, if not thousands, of hours of monotonous vocal "ayes" and "nays" have been saved over the years by those bodies which have adopted this short cut.

Despite its obvious advantages of accuracy and efficiency legislative bodies have been slow to turn to this method of instant voting.

Once having adopted the electric roll-call system no state has ever abandoned it.

The first electric roll-call installation was in the Wisconsin Assembly in 1917.

But the idea is actually much older.

Thomas A. Edison is credited with this invention. But he was never able to capitalize on it.

LAST THING WE WANT

In June, 1869, when still a young telegrapher in Boston, he was granted a patent on a vote recorder system by which members of a parliamentary body could register their "ayes" and "nays" through electric impulses.

He had hoped to sell Congress the idea of installing it.

A congressional committee chairman to whom he proudly displayed his invention admitted that it worked well, but added, "It's the last thing we want here. Filibustering and delay in counting the votes are often the only means we have for defeating bad legislation."

Two later attempts—in 1902 and 1916—by Frank L. Dyer, one of Edison's associates, failed to sway congressional committees.

More recent attempts, by the present manufacturer and others, to win support in Congress for an electric roll-call system also have evoked little enthusiasm.

Had it not been for a warm legislative day in 1911, when the clerk of the 100-member Wisconsin Assembly had to call the roll no less than 70 times, the electric voting system might still be an inventor's dream.

"Why couldn't some sort of a device be perfected to save all that trouble?" the clerk asked a group of assemblymen the next day.

This was overheard by Bornett L. Bobroff, a Milwaukee engineer who had been experimenting with various signaling devices for several years. He was determined to solve the problem and after 850 lengthy roll calls in the 1913 session he was given the go-ahead.

Four years later when the new state Capitol building was ready so was the vote recording device in the Assembly chamber.

IOWA FOLLOWS IN 1921

In 1921 Iowa became the second state with electric voting, when a system was installed in its House of Representatives. The following year both Louisiana and Texas added this equipment to their lower legislative House. And in 1924 the Virginia House of Delegates followed suit.

Eight installations took place in the 1930's, 10 during the 1940's; 12 in the 1950's; and two so far in the 1960's.

Over the years some of the early states with electric roll-call voting equipment have modernized their system.

States now considering installation include Hawaii, New Mexico, and South Dakota.

Legislative bodies with the electric voting system range in size from the 33-member Tennessee Senate to the 294-member Connecticut House of Representatives. Except for the six state senates and the unicameral Legislature in Nebraska, most of the legislative chambers equipped with this fast-voting system have more than 100 members.

Production of electric roll-call systems now in use by all but one Legislature—Kansas—is by the International Roll Call Corporation, of Richmond, Va., or its predecessor firm, the American Signal Company.

NOT THE ONLY FIRM

One other company, the North American Signal Company, of Washington, D.C. (not International's predecessor), is also prepared to manufacture electric vote-recording equipment.

But this firm's system has not been installed in any legislature. It was used, however, in 1956, at a national League of Women Voters convention in Chicago.

Costs of roll-call equipment and maintenance vary from state to state, depending on the size of the legislative body and the time of installation.

Massachusetts is paying $60,000 for the installation and first year rental of its roll-call system now being added to its 240-member House of Representatives.

After 1965 the Bay State will pay the International Roll Call Corporation $12,500 annually for rental, maintenance, and future improvements in the system.

DONE AT A LOSS

The United Nations, on the other hand, will pay the roll-call company $10,000 a year for the rental of its equipment in the now 112-member General Assembly chamber.

Except for certain connections the actual installation and the wiring was not done by the manufacturer. Instead the work was done directly by a contractor for the UN at a cost in excess of $40,000.

"We did this job at a loss," says Marshall F. Thompson, president of the roll-call firm. Use of this speedier voting system at the General Assembly, he feels, will focus attention on his company's product.

Mr. Thompson was a pioneer in the perfecting of the electric roll-call system. He received his first patent in 1917, the same year as Mr. Bobroff.

In addition to other legislative bodies Mr. Thompson is hopeful that electric roll-call installation will be contracted for by large corporations for use at stockholder meetings and by organizations holding national or international conventions.

Kentucky paid $20,000 for the installation of the system in its 100-member House of Representatives in 1959. In addition it pays $5,000 a year for rental and maintenance.

In Pennsylvania, where roll-call equipment was added to its 210-seat House of Representatives in 1960, $60,000 was paid initially for the system and its first year of operation. After that its contract calls for $10,000 per annum.

RENTAL NOW PREFERRED

States used to have the option of renting or purchasing the roll-call mechanism outright. Since Montana bought a vote-recording system for its House of Representatives, in 1956, the company has offered only rental and maintenance agreements.

A survey conducted by the Massachusetts Legislative Research Council disclosed that electric roll-call installations had saved the Illinois House an estimated 86 hours per session, and the Michigan House some 50 hours per session.

Voice roll calls in the Bay State House take an average of 20 to 30 minutes. Some 165 roll-call votes in the 1964 session took better than 75 hours. And the 264 House roll calls, in 1963, used up an estimated 120 hours.

The new rapid voting system now being installed in the Massachusetts House chamber, under the watchful eye of John J. Cavanaugh, the sergeant at arms, will permit the taking of a vote in less than 40 seconds.

It is doubtful, however, as to how much legislative time will be saved. The rules under which the new instant voting system will be operated have not yet been drawn up.

It is expected that Bay State legislators will be allowed 10 to 15 minutes to show up for a vote.

TIME SAVING IN DOUBT

Even this latitude might be considered insufficient for lawmakers out of the State House when a roll call is announced. They are used to having 25 minutes to half an hour to get back. If this amount of time is allowed in the new rules the new system would save no time whatsoever.

In most states there is a delay of only a minute or two before the electric vote tally begins. It is not kept open for stragglers.

To assure maximum participation in all votes some legislators have proposed that a certain day in the week be set aside for roll calls. Or if this is not practical some favor a certain time each day for all such votes.

These suggestions, however, meet serious objections from those who maintain that a vote should be taken directly after the debate on each particular issue, so that the members can vote with full knowledge of the subject.

MORE ROLL CALLS ASKED

In Connecticut House Speaker Patterson reports that since the electric voting system was installed there has been a marked increase in requests for roll calls. This, he says, has tended to use up some of the time saved by the more rapid voting method.

Advocates of the electric roll-call system emphasize:

The amount of time it can save in the conduct of legislative business.

Machine voting assures a strictly accurate count free from human errors.

It informs the public immediately and positively how any particular legislator cast his vote on a particular issue.

It aids the presiding officer in maintaining order, since all members must be in their seats to vote.

Opponents to the system maintain:

The savings of time are not great enough to justify the expense of the installation and maintenance of the system.

Many legislators are attending important conferences or committee meetings and might not be able to get to the chamber in time to cast their vote.

There is always a danger that some person other than the legislator to whom it belongs will use his vote during his absence.

How Electricity Does the Job

(By a staff writer of the Christian Science Monitor)

Most electric roll-call systems follow one general design.

An individual voting switch is attached to the desk of each legislator, a switch like an electric light toggle switch.

During a roll call he votes "yes" by pushing the knob to the left, or "no" by pressing it to the right.

The vote is instantaneously shown on one or more large display boards, located at the front of the chamber, on which are listed the names of all members. Before and after each name are green and red bulbs. These light according to the vote—green for "yea" and red for "nay."

The display board has a place for the number of the bill being voted on as well as the total number of affirmative and negative votes at any given moment.

Legislators can change their votes as often as they desire while a roll call is open. This is done simply by moving the switch from one position to another.

When the presiding officer opens the roll-call system a gong or a buzzer warns legislators who may be elsewhere in the building of the impending vote.

If desired, each legislator's switch can be equipped with a lock for which only he has the key.

Few states use locks, however, because of the problem of lawmakers losing their keys or leaving them at home and not being able to vote.

To make sure that no unauthorized person uses a particular legislator's switch, in his absence from the chamber, strict rules with stiff penalties are imposed by most legislative bodies having the electric roll-call system.

When the presiding officer announces the closing of a roll-call he instructs the clerk to throw the master switch. After this is done the vote is "locked" and no further changes can be made.

Each member's vote and the totals are recorded on a card. Three or more copies are then printed automatically.

Mr. MONRONEY. Mr. President, I yield myself such time as I may require.

I thank the assistant majority leader for his interest in many ways in the legislation. This is one of the very interesting suggestions that has always been made, and properly so, in the consideration of the modernization of the legislative process.

It is true that the committee heard suggestions. Primarily the suggestions were for an electric voting machine as it would pertain to the House of Representatives.

Many of us who have served in the House of Representatives, as has the distinguished present occupant of the chair [Mr. Metcalf], have realized and recognized the time consumed in that body by the call of the roll of the 435 Members of the House.

It does require well over three-fourths of an hour, and up to an hour, to complete the rollcall and the recapitulation of those who voted so as to check the accuracy of the vote.

There was little testimony favoring the use of an electric voting machine for the Senate. I personally feel that while I would be inclined to support the use of an electric voting machine for the House of Representatives—because of the 4:5 time ratio of the membership, the delay in the quorum calling and voting procedure, and all of the other things in the House—I do not think that it would be justifiable for the Senate.

As the Senator has said, the problem involves the waste of time in the assembling of Senators on the floor for the vote. We would still go through that long and tedious process of waiting for an actual quorum.

We would, in fact, have to wait for a substantially longer time than that to make the electric rollcall vote registration very practical. It would thus seem that our problem is different when we actually get to the rollcall on a quorum call or on a vote. This procedure takes a relatively small amount of time in the Senate when compared to the time consumed in the House of Representatives.

I note that my distinguished colleague, the junior Senator from Pennsylvania [Mr. Scott], who has served so long and ably in the House and in the Senate as well, is present in the Chamber. I am happy to yield to him.

Mr. SCOTT. Mr. President, I thank the distinguished chairman of the committee. I say simply that I am in general agreement with what the Senator has said here.

I would think, as a Member of the House of Representatives for 16 years, that the use of an electric voting machine would considerably expedite proceedings in the House if some advance notice of the time when the buttons would be pushed for voting were given.

The procedure would have to be surrounded with safeguards, because there is a current controversy going on now, I believe, in the Pennsylvania State Legislature. The controversy involves a question of some people getting their buttons pushed when they might not have been present. I am sure that this would not be the case in either the Federal or State legislature.

There are adequate safeguards to protect against such practices.

I frankly have not given the matter of the use of a voting machine in the Senate a great deal of thought at all.

The main problem is to get the Senators present on the floor, and voting by machine would not greatly expedite our procedures here.

Mr. MONRONEY. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MONRONEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. Byrd of West Virginia in the chair). Without objection, it is so ordered.

Mr. MONRONEY. Mr. President, I ask unanimous consent that we may have a quorum call and that the time not be charged to either side.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oklahoma? The Chair hears none, and it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MONRONEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MONRONEY. Mr. President, how much time is remaining on both sides?

The PRESIDING OFFICER. The Senator from Louisiana [Mr. Long] has 25 minutes remaining, and the Senator from Oklahoma [Mr. Monroney] has 17 minutes remaining.

Mr. MONRONEY. Mr. President, I yield such time as he may require to the distinguished junior Senator from Montana [Mr. Metcalf], who is a member of the Joint Committee on Reorganization and a former Member of the House of Representatives.

Mr. METCALF. Mr. President, I have grave misgivings about the pending proposal. I hesitate to oppose the distinguished chairman of the Committee on Finance, on which I serve, but in this matter I feel that I must address the Senate and state why I have misgivings.

Mr. President, in the first place, the Senate, as a legislative body, is not analogous to the other legislative bodies that the Senator from Louisiana mentioned. We do not operate under the rule of the Committee of the Whole House under which almost all other legislative bodies operate. For instance, the House of Representatives goes into a Committee of the Whole House. They have the rollcalls when they come out of committee. They cannot have a rollcall under the 5-minute rule in the other body. Therefore, a fixed time could be set for the use of the electronic voting machine, and at that fixed time the Members could gather in the Chamber and time would be saved.

However, in this body an amendment can be presented, a rollcall vote can be requested, and we can have the rollcall vote at any time because we are in legislative session at all times.

Another matter that is not analogous to other legislative bodies is that most State legislatures not only meet for a very brief period, perhaps 60 days every other year, or 30 days every other year, but also operate under a constitutional provision requiring a rollcall on the third reading of every bill.

I was honored to serve in the Montana State Legislature, and I have sat in the chamber while the clerk read bill after bill. If we took a rollcall vote it would be 86 to 0, 76 to 0, or 89 to 2. An electronic voting machine saves a great deal of time in those instances when a person is sitting in the chamber and there is repetition of one rollcall vote after another.

Mr. President, we do not have such a provision here. We can pass a bill on the Consent Calendar, including third reading, in 5 seconds. On many days when the calendar is called the clerk reads the title, and the Presiding Officer asks if there is objection. If there appears to be no objection, the bill is passed, and it is passed much more rapidly than State legislatures could pass it with electronic voting machines.

This is a unique body. It is different from all of the State legislatures that have been benefited from electronic devices.

The disadvantages, of course, are not only that it takes a long time to have Senators gather in the Chamber for a vote, and it would be very difficult to keep the vote open, but also that the action of the Senate would have to be suspended for 5 minutes, 10 minutes, or 20 minutes.

Many of us, in deference to other Senators, have kept a rollcall going to try to get them to the Chamber in order to keep their voting records intact. Electronic voting would make that very difficult. I am sure that all of us desire to cooperate with the leadership. The Senator from Louisiana, when he works to obtain the passage of a bill that is important and in the national interest, tries to get the necessary votes to obtain passage. Electronic voting machines would make that difficult.

Mr. President, I served in the House of Representatives, and I know that many times we have saved a good deal of time. When we came from the Committee of the Whole there would be a motion to recommit, and there would be separate votes on amendments. We all would gather in the Chamber and have one vote after another.

However, that does not happen in this body because we are in legislative session all of the time. It would seem to me that the device of electronic voting would be difficult to adapt to the Senate and would actually be more time consuming and more wasteful than to have the regular procedure that has become so fixed in the Senate. Not only do we have voting, with the clerk giving a recapitulation, but also, many times, we have to ask that the clerk state how we are recorded.

I was the Presiding Officer when this amendment was presented. I asked the clerk how long it would take him to call the role if time were really of the essence. I was informed that the roll in the Senate can be called in about 6 minutes, including the recapitulation. I would guess that if we called the roll in 6 minutes on the next rollcall, a quorum would not be present. The role would have to be called again to permit each Senator who was not present when the first rollcall was concluded to ask for recognition to vote.

It would seem to me that even if these devices work so admirably in State legislatures, and they do in the State Legislature of Montana, they are operated under different rules than we have in the Senate. This is not a body where electronic voting would save time and do the job that it does elsewhere.

I thank the Senator.

Mr. LONG of Louisiana. Mr. President, I yield myself 5 minutes.

One reason why we have such poor attendance on the floor of the Senate now and most of the time is that Senators can be located anywhere in the vicinity in time to be recorded on a rollcall. Senators can be in a restaurant downtown or they can be in the Senate steam bath and still have plenty of time to come to the Chamber, answer a rollcall, and vote, in the event that a vote takes place. That is one reason it is so difficult to get Senators to stay and hear debate and fully understand the arguments on both sides.

When it is known that a vote will occur at a certain time and the Senator has to be there to cast his vote, the Senator will be there. I would dare say that every State legislature in the United States, in both the house and the senate, in terms of legislators present makes the Senate and even the House of Representatives look very bad by comparison.

The reason is that when they vote, they do not have all day. They do not have 20 minutes, as is usually the case in the Senate. Having announced that a vote will take place at a certain time, legislators remain on the floor of their State legislatures and the vote takes place in a moment or so.

I do not seek to upset the staid, old traditions of the Senate which give Senators plenty of time to come into the Chamber and vote. But when the Senate is ready to vote and a rollcall is insisted upon, it would seem to me that if we can have the voting over within 30 seconds—1 minute at the outside—rather than having to spend anywhere from 6 minutes to half an hour to conduct a rollcall, we would be that much better off.

It takes a long time to conduct a rollcall, as all Senators know. A Senator will come in and vote and then he will leave, go over to his office, or take care of necessary Senate business elsewhere. Eventually, the bells ring for the next vote, and he will return to the Chamber without having heard debate or known what is being voted on, and he will have to cast his vote again.

When the Senate is willing to give unanimous consent to limit time, and to vote, it would be well for Senators to be present and to hear what is being said by those debating a particular issue. They would then be in a position to vote, knowing what the argument was, and what the case for or against the issue was, rather than the current procedure where Senators so often speak to empty chairs and then, after debate has been concluded, there is a long pause for a quorum call, followed by someone asking for a yea-and-nay vote, and a long drawn out rollcall vote, during which Senators finally get to the Chamber.

There is no doubt in my mind that if the Senate had electronic voting, Senators would learn how to use the equipment effectively and efficiently and would make very good use of it to expedite the passage of legislation.

I, for one, would not try to force the Senate to do anything when it is not in the mood to legislate. To me, that would be a foolish thing to do. But when the Senate is ready to vote, such an electronic device could be extremely helpful in speeding the business of the Senate.

As I have said, I would have thought an electronic voting device would have been one of the first suggestions we could have expected from a group seeking to streamline, ease, and speed the business of the Senate.

Mr. MONRONEY. Mr. President, I suggest the absence of a quorum, and ask that the time for the quorum call not be charged to either side.

The PRESIDING OFFICER. Without objection, it is so ordered; and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll, and the following Senators answered to their names:

[No. 23 Leg.]

Allott
Baker
Bennett
Boggs
Brooke
Burdick
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Dirksen
Dominick
Ellender
Fong
Griffin
Hatfield
Hill
Holland
Jordan, N.C.
Kuchel
Lausche
Long, La.
McClellan
Metcalf
Miller
Monroney
Morton
Pearson
Randolph
Ribicoff
Scott
Stennis
Talmadge
Yarborough
Young, N. Dak.

Mr. LONG of Louisiana. I announce that the Senator from Indiana [Mr. BAYH], the Senator from Idaho [Mr. CHURCH], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Alaska [Mr. GRUENING], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Montana [Mr. MANSFIELD], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from New Mexico [Mr. MONTOYA], the Senator from Oregon [Mr. MORSE], the Senator from Utah [Mr. MOSS], and the Senator from Alabama [Mr. SPARKMAN] are absent on official business.

I also announce that the Senator from Mississippi [Mr. EASTLAND], the Senator from Wisconsin [Mr. NELSON], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

Mr. KUCHEL. I announce that the Senator from Vermont [Mr. AIKEN], the Senator from Arizona [Mr. FANNIN], and the Senator from Idaho [Mr. JORDAN] are absent on official business of the Interparliamentary Union.

The Senator from New Hampshire [Mr. COTTON] and the Senator from Illinois [Mr. PERCY] are necessarily absent.

The Senator from Texas [Mr. TOWER] is absent on official business.

The PRESIDING OFFICER. A quorum is not present.

Mr. LONG of Louisiana. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Louisiana.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay the following Senators entered the Chamber and answered to their names:

Anderson
Bartlett
Bible
Brewster
Carlson
Clark
Cooper
Curtis
Dodd
Ervin
Gore
Hansen
Harris
Hart
Hartke
Hayden
Hickenlooper
Hruska
Jackson
Javits
Kennedy, Mass.
Kennedy, N.Y.
Magnuson
McCarthy
McGee
McGovern
Mondale
Mundt
Murphy
Muskie
Pastore
Pell
Prouty
Proxmire
Russell
Smith
Spong
Symington
Thurmond
Tydings
Williams, N.J.
Williams, Del.
Young, Ohio

The PRESIDING OFFICER. A quorum is present.

Mr. MONRONEY. Mr. President, would the Senator from Louisiana state the purpose of his amendment?

Mr. LONG of Louisiana. Mr. President, the purpose of the amendment is to authorize the installation of a voting machine to be used in the Senate.

Mr. MONRONEY. Mr. President, the committee feels that this would be an unnecessary adjunct, because only 5 minutes is required to call the roll. The time is consumed in getting Senators to the floor, as was proved just a moment ago.

We oppose the amendment and ask for a voice vote.

Mr. LONG of Louisiana. Mr. President, I yield back the remainder of my time.

Mr. MONRONEY. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having expired, the question is on agreeing to the amendment of the Senator from Louisiana.

The amendment was rejected.

Mr. MONRONEY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MONRONEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 65

Mr. CANNON. Mr. President, I call up my amendment No. 65 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to state the amendment.

Mr. CANNON. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Is there objection? There being no objection, it is so ordered, and the amendment will be printed in the RECORD.

The amendment, ordered to be printed in the RECORD, is as follows:

On page 22, line 21, strike out the word "and".

On page 23, line 13, strike out the closing quotation marks immediately following the period.

On page 23, between lines 13 and 14, insert the following:

"9. National cemeteries."; and

(6) by striking out in subparagraph (k) (relating to the Committee on Interior and Insular Affairs) the following item—

"5. Military parks and battlefields, and National cemeteries."

and inserting in lieu thereof—

"5. Military parks and battlefields."

Mr. CANNON. Mr. President, in the pending bill is a provision for establishing a standing committee on Veterans' Affairs to consider veterans' matters. Of the diverse committees now handling veterans' matters, the Committee on Interior and Insular Affairs at the present time has jurisdiction over national cemeteries. It is my feeling that if the Committee on Veterans' Affairs is established, it would be the logical committee to exercise jurisdiction over national cemeteries.

All that my amendment would do is to transfer jurisdiction over national cemeteries from the Committee on Interior and Insular Affairs to the Committee on Veterans' Affairs proposed herein. I have discussed the matter with the distinguished chairman of the Committee on Interior and Insular Affairs. He has no objection to the amendment.

I ask the manager of the bill if he is willing to accept the amendment.

Mr. MONRONEY. Mr. President, I have examined the amendment offered by the distinguished Senator from Nevada, and I have discussed it with some of the other committee members.

It seems to me that this jurisdictional change in the bill is good. Since we are at least going to consider having a Committee on Veterans' Affairs in the Senate, we might give the new committee jurisdiction of the cemeteries for our deceased veterans.

I urge that the committee agree to the amendment.

Mr. CANNON. Mr. President, I yield back the remainder of my time.

Mr. MONRONEY. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having expired, the question is on agreeing to the amendment of the Senator from Nevada.

The amendment was agreed to.

Mr. MONRONEY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MONRONEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 22

Mr. CLARK. Mr. President, I call up my amendment No. 22 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 2, in the table of contents, immediately after the item relating to section 122 of the bill, insert the following new item:

"Sec. 123. Standing Rules of the Senate."

On page 30, between lines 10 and 11, insert the following new section:

"Standing Rules of the Senate

"SEC. 123. The Standing Rules of the Senate are amended by inserting at the end thereof the following new rule:

" 'RULE XLI

" 'Disclosure of financial interests

" '1. Each individual who at any time during any calendar year serves as a Member of the Senate, or as an officer or employee of the Senate compensated at a gross rate in excess of $10,000 per annum, shall file with the Secretary of the Senate for that calendar year a written report containing the following information:

" '(a) The fair market value of each asset having a fair market value of $5,000 or more held by him or by his spouse or by him and his spouse jointly, exclusive of any dwelling occupied as a residence by him or by members of his immediate family, at the end of that calendar year;

" '(b) The amount of each liability in excess of $5,000 owed by him or by his spouse, or by him and his spouse jointly at the end of that calendar year;

" '(c) The total amount of all capital gains realized, and the source and amount of each capital gain realized in any amount exceeding $5,000, during that calendar year by him or by his spouse, by him and his spouse jointly, or by any person acting on behalf or pursuant to the direction of him or his spouse, or him and his spouse jointly, as a result of any transaction or series of related transactions in securities or commodities, or any purchase or sale of real property or any interest therein other than a dwelling occupied as a residence by him or by members of his immediate family;

" '(d) The source and amount of each item of income, each item of reimbursement for any expenditure, and each gift or aggregate or gifts from one source (other than gifts received from any relative or his spouse) received by or accruing to him, his spouse, or from him and his spouse jointly from any source other than the United States during that calendar year, which exceeds $100 in amount or value; including any fee or other honorarium received by him for or in connection with the preparation or delivery of any speech or address, attendance at any convention or other assembly of individuals, or the preparation of any article or other composition for publication, and the monetary value of subsistence, entertainment, travel, or other facilities received by him in kind;

" '(e) The name and address of any professional firm which engages in practice before any department, agency or instrumentality of the United States in which he has a financial interest; and the name, address, and a brief description of the principal business of any client of such firm for whom any services involving representation before any department, agency or instrumentality of the United States which were performed during that calendar year, together with a brief description of the services performed, and the total fees received or receivable by the firm as compensation for such services;

" '(f) The name, address, and nature of the principal business or activity of each business or financial entity or enterprise with which he was associated at any time during that calendar year as an officer, director, or partner, or in any other managerial capacity.

" '2. Each asset consisting of an interest in a business or financial entity or enterprise which is subject to disclosure under paragraph 1 shall be identified in each report made pursuant to that paragraph by a statement of the name of such entity or enterprise, the location of its principal office, and the nature of the business or activity in which it is principally engaged or with which it is principally concerned, except that an asset which is a security traded on any securities exchange subject to supervision by the Securities and Exchange Commission of the United States may be identified by a full and complete description of the security and the name of the issuer thereof. Each liability which is subject to disclosure under paragraph 1 shall be identified in each report made pursuant to that paragraph by a statement of the name and the address of the creditor to whom the obligation of such liability is owed.

" '3. Except as otherwise hereinafter provided, each indivdual who is required by paragraph 1 to file a report for any calendar year shall file such report with the Secretary of the Senate not later than January 31 of the next following calendar year. No such report shall be required to be made for any calendar year beginning before January 1, 1964.' "

Mr. CLARK. Mr. President, at that point, I modify my amendment by changing 1964 to 1967.

The PRESIDING OFFICER. The amendment will be modified accordingly.

The legislative clerk read as follows:

The requirements of this rule shall apply only with respect to individuals who are Members of the Senate or officers or employees of the Senate on or after the date of adoption of this rule. Any individual who ceases to serve as a Member of the Senate or as an officer or employee of the Senate, before the close of any calendar year shall file such report on the last day of such service, or on such date not more than three months thereafter as the Secretary of the Senate may prescribe, and the report so made shall be made for that portion of that calendar year during which such individual so served. Whenever there is on file with the Secretary of the Senate a report made by any individual in compliance with paragraph 1 for any calendar year, the Secretary may accept from that individual for any succeeding calendar year, in lieu of the report required by paragraph 1, a certificate containing an accurate recitation of the changes in such report which are required for compliance with the provisions of paragraph 1 for that succeeding calendar year, or a statement to the effect that no change in such report is required for compliance with the provisions of paragraph 1 for that succeeding calendar year.

" '4. Reports and certificates filed under this rule shall be made upon forms which shall be prepared and provided by the Secretary of the Senate, and shall be made in such manner and detail as he shall prescribe. The Secretary may provide for the grouping within such reports and certificates of items which are required by paragraph 1 to be disclosed whenever he determines that separate itemization thereof is not feasible or is not required for accurate disclosure with respect to such items. Reports and certificates filed under this rule shall be retained by the Secretary as public records for not less than six years after the close of the calendar year for which they are made, and while so retained shall be available for inspection by members of the public under such reasonable regulations as the Secretary shall prescribe.

" '5. As used in this rule—

" '(a) The term "asset" includes any beneficial interest held or possessed directly or indirectly in any business or financial entity or enterprise, or in any security or evidence of indebtedness, but does not include any interest in any organization described in section 501(c)(3) of the Internal Revenue Code of 1954 which is exempt from taxation under section 501(a) of such Code;

" '(b) The term "liability" includes any liability of any trust in which a beneficial interest is held or possessed directly or indirectly;

" '(c) The term "income" means gross income as defined by section 61 of the Internal Revenue Code of 1954.

" '(d) The term "security" means any security as defined by section 2 of the Securities Act of 1933, as amended (15 U.S.C. 77b).

" '(e) The term "commodity" means any commodity as defined by section 2 of the Commodity Exchange Act, as amended (7 U.S.C. 2).

" '(f) The term "dealing in securities or commodities" means any acquisition, transfer, disposition, or other transaction involving any security or commodity.

" '(g) The term "officer or employee of the Senate" means (1) an elected officer of the Senate who is not a Member of the Senate, (2) an employee of the Senate or any committee or subcommittee of the Senate, (3) the Legislative Counsel of the Senate and employees of his office, (4) an Official Reporter of Debates of the Senate and any person employed by the Official Reporters of Debates of the Senate in connection with the performance of their official duties, (5) a member of the Capitol Police force whose compensation is disbursed by the Secretary of the Senate, (6) an employee of the Vice President if such employee's compensation is disbursed by the Secretary of the Senate, (7) an employee of a Member of the Senate if such employee's compensation is disbursed by the Secretary of the Senate, and (8) an employee of a joint committee of the Congress whose compensation is disbursed by the Secretary of the Senate.' "

Mr. CLARK. Mr. President, I yield myself such time as I may require.

The **PRESIDING OFFICER.** The Senator from Pennsylvania is recognized.

Mr. **CLARK.** Mr. President, it has long been my view that Senators should be required to make a complete disclosure of their finances.

I have done so voluntarily for the past 5 years. Many of my colleagues have, likewise, made a public financial disclosure in the CONGRESSIONAL RECORD.

The pending amendment arose as a result of the Bobby Baker case. This is my second "Bobby Baker" amendment. The first, which would have put restrictions on moonlighting by employees and nonelected officers of the Senate, was defeated, after rather full debate within a limited time, by a vote of 49 to 28, presumably because the much-admired chairman of the Select Committee on Standards and Conduct, the Senator from Mississippi [Mr. STENNIS], indicated that, in due course—but he did not indicate when—the committee, having disposed of matters of a higher priority, would eventually get around to considering the problem of moonlighting by employees and officers of the Senate which was first raised in a dramatic way in connection with the disclosures of the Bobby Baker case, in which my friend the Senator from Delaware [Mr. WILLIAMS], whom I see on the floor, took a prominent part.

The resolution authorizing the Bobby Baker investigation was brought before the Senate and passed on October 10, 1963. It is now well over 3 years since the disclosures that covered the activities of Bobby Baker were called to the attention of the Senate; and absolutely nothing has been done by the Senate since that time to set its house in order except the appointment, on the motion of the Senator from Kentucky [Mr. COOPER], whom I also see on the floor, of a Select Committee on Standards and Conduct.

I would like to ask the Senator from Kentucky to agree or disagree with me when I say that he made a motion to create such a committee only because he felt that adequate remedial action by the Members of the Senate with respect to the evils disclosed by the Bobby Baker investigation had then no chance of passage in the then climate of the Senate, and the only feasible alternative was to create a Select Committee on Standards and Conduct, composed of senior Senators from both parties, of impeccable reputation, who would promptly deal with the problems highlighted by the Bobby Baker disclosures.

I would not quarrel with what the Senator from Kentucky did, because I do not think, as a pragmatic matter, he had any alternative. But that was almost, if not quite, 3 years ago. It took a year—or, if not a whole year, practically a year—for the majority and minority leadership of the Senate to find Senators who were willing to serve on that Select Committee on Standards and Conduct.

Once the committee was appointed, I have no idea as to what the nature of their deliberations was, but it was not too long before it became involved—rightly involved—in an investigation of certain charges made against one of our colleagues.

When my first "Bobby Baker amendment" was defeated by a vote of 49 to 28, the able Senator from Mississippi [Mr. STENNIS], whom I see on the floor, told the Senate he thought it was quite important that ethical matters raised by the Bobby Baker disclosures should become the subject of some Senate action, which, in turn, would result in recommendations of the special committee which he chaired. But in response to inquiries from me, he found himself quite unable to give us any date, or even any approximate date, when the special committee would be prepared to consider the type of ethics proposals which should be recommended for adoption by the Senate, let alone any estimate of any date when such a report would come before the Senate.

It is now the 8th of February 1967. One-third of the Senate will be up for election or reelection in the primaries which will begin hardly a year from today, and the general election which will take place in November 1968; and I for one am not prepared to sweep this matter under the rug until the 1968 election.

The Senator from Mississippi [Mr. STENNIS] will, no doubt, because he is an honorable man, request the right to answer in due course to state whether there is any possibility that the committee will be able to recommend any remedial rules or regulations dealing with the Bobby Baker problem before the election of 1968.

May I say that the public's faith in Congress is going steadily down, down, down. One reason is that the Senate of the United States has been unwilling to face up to the ethical problems brought to light in the Bobby Baker investigation.

On the 9th of January of this year Louis Harris, a well-known polling expert, published a report in the Washington Post, under the headline "Public's Faith in Congress Tumbles 17 Percent in a Year."

Without reading the entire poll, I will read two excerpts:

> As Congress convenes, public confidence in it has tumbled 17 percentage points from its high of a year ago.

I interpolate to say that that high of a year ago was due to the extraordinary legislative accomplishments of the 89th Congress.

I continue the quote:

> Today the people give Congress a favorable rating of only 54 to 46 percent as compared with 71 to 29 percent a year ago.

Quoting again:

> The honeymoon of Congress and the public after the inception of the Great Society is clearly over.

I suggest one reason for this is that we have been unable and unwilling to face up to the ethical problems which the Bobby Baker scandal put at our doorstep, and we propose to sweep the Bobby Baker scandal under the rug once more; and I for one am not willing to do that. I believe the Senate should be given an opportunity, by a rollcall vote, to declare whether it wants to duck its responsibilities once more—and I regret using that strong term, but under the circumstances I think it is justified—or whether it is ready to face up to them.

Mr. **MILLER.** Mr. President, will the Senator yield?

Mr. **CLARK.** Not at this moment; no.

Regrettably, the disclosure proposal which I made to the Rules and Administration Committee several years ago was shunted aside, and the Senate adopted the resolution which created the Select Committee on Standards and Conduct. I supported that resolution, and I believe that the Senate acted wisely in setting up the select committee. But by its very nature, the select committee can do its work only after allegations of wrongdoing have been made; it can slam the barn door after the horse has bolted, but it is not so good at keeping the horse in.

Disclosure, on the other hand—compulsory and comprehensive—can effectively deter financial misconduct by requiring Senators and key Senate employees to lay all their cards face up on the table. For the many rewards and satisfactions of public service in the Senate, this seems a small price to pay—particularly when public confidence is at stake.

I am not alone in the point of view I have expressed. The Senate Committee on Rules and Administration reported, under date of July 8, 1964, as follows:

> The committee recommends that the following actions be taken:
>
> 1. The adoption of new rules requiring some form of public disclosure of outside financial interest by the Members, the officers, and the employees of the Senate.

Then, in discussing that recommendation, the committee continued:

> The most significant thread that ran throughout the pattern of activities discovered by the committee was the almost total concealment under which Robert G. Baker carried on his many and varied outside business activities.
>
> The Senate, and indeed the public, would have been quickly aware of the web Baker was spinning had there been a requirement that he keep in the open, for everyone to see, his outside interests.
>
> Almost without exception, Baker concealed all of his outside business ventures and interests, not only from his superiors and many of his friends, but ofttimes even from those with whom he was associated in business. The question can be asked: "If he had nothing to hide, why did he do it?" The answer is obvious.
>
> The committee—

This is the Commitee on Rules and Administration—

> feels that it is important for the Senate to adopt new rules which will prevent activity of this sort in the future.

Now, Mr. President, turning to the provisions of the pending amendment, it would require every Senator and every Senate officer or employee compensated at a gross rate in excess of $10,000 per annum to file a financial report each year. The report, which would be maintained as a public record by the Secretary of the Senate for a period of 6 years, would contain the following kinds of information:

First. Assets: The market value of any asset having a fair market value of $5,000 or more.

Second. Liabilities: The amount of

each liability in excess of $5,000, and the name and address of the creditor.

Third. Capital gains: The source and amount in excess of $5,000.

Fourth. Income: The source and amount of every item of income for the calendar year, in excess of $100, including gifts other than gifts from a relative.

Fifth. Assets belonging to a trust: Assets, liabilities, capital gains, and income of a spouse, and capital gains earned through a strawman, are all covered. Family owned and tax-exempted charitable entities are exempt.

Sixth. Associations with a professional firm which practices before the Federal Government agencies.

Seventh. Service as director, officer, or employee in a business enterprise.

Mr. President, there are at present no such requirements with respect to Members of the Senate. It will be argued, I have no doubt, in the course of this debate, that this type of disclosure is too complex and detailed, is too comprehensive, violates the rights of individual Senators, that it makes Senators "second-class citizens," and that it is impossible for anybody but a certified public accountant to comply with the requirements of the rule.

Mr. President, in accordance with the proposed rule, I offered, both in 1965 and in 1966, a disclosure of my own financial interests. I now ask unanimous consent that such a disclosure for the year 1966 be printed in full in the RECORD at this point in my remarks.

There being no objection, the disclosure was ordered to be printed in the RECORD, as follows:

DISCLOSURE OF FINANCIAL INTERESTS OF SENATOR JOSEPH S. CLARK, DEMOCRAT, OF PENNSYLVANIA

(a) The fair market value of each asset owned by me or my spouse, jointly or severally, as at December 31, 1965, was:

43 shares Allied Chemical & Dye Corp	$2,112.37
534 shares American Tel. & Tel	32,440.50
170 shares General Electric	20,060.00
296 shares General Motors	30,636.00
191 shares International Paper	5,878.75
138 shares Jewel Tea	5,227.00
82 shares National Dairy Products	6,970.00
200 shares Philadelphia Electric	7,375.00
600 shares Smith, Kline & French	48,725.00
600 shares Sterling Drug	24,600.00
300 shares Texas Gulf Sulphur	27,337.00
76 shares International Business Machines	37,924.00
100 shares American Bakeries Co. 5% Cv. Pfd	10,800.00
300 shares Standard Oil of Calif. 3.30 Conv. Pfd	34,800.00
300 shares Chrysler Corp	15,900.00
314 shares Armstrong Cork	18,840.00
433 shares Vulcan Material Co	9,093.00
119 shares Rohm & Haas	18,683.00
400 shares Parke Davis & Co	13,200.00
500 shares Allis Chalmers	16,500.00
500 shares Massey-Ferguson Ltd	16,000.00
490 shares First Pennsylvania Banking & Tr. Co	15,347.00
200 shares Pepsico Inc	16,200.00
150 shares Insurance Co. of North America	12,750.00
400 shares Pabst Brewing	16,400.00
330 shares American Optical	16,500.00
500 shares Western Publishing	10,500.00
800 shares Avery Island Inc. Cap. Stock	40,000.00
10,000 James Talcott CV. Cap. Notes 5% due 12/1/79	10,200.00
20,000 Allegheny Co. Pa. 3⅝% due 7/1/69	20,359.00
10,000 Lebanon, Pa. 3.30% due 6/1/73	9,999.00
10,000 Penna Hwy. & Bridge Auth. 3½% due 2/15/77	10,045.00
25,000 Phila., Pa. 3½% due 1/1/82	24,400.00
15,000 Cumberland Co. Pa., 3¼% due 11/1/86	14,129.00
25,000 Penna. St. Pub. Sch. 3½% due 11/1/86	23,030.00
10,000 Philadelphia, Pa. 3¼% due 7/1/87	9,128.00
25,000 Penna. Turnpike Rev. Bond 3.10% due 6/1/93	23,455.00
15,000 New Kensington Pa. S.D. Auth. 3.05% due 4/1/95	12,329.00
5,000 City of Bethlehem, Pa., Counties of Northampton & Lehigh School Dist. 2.70% Imp. Bond of 1957, due 4/1/72	5,000.00
Penn Mutual Life Insurance Co.—paid-up policy	15,000.00
Provident Mutual Life Insurance Co.—2 paid-up policies	55,951.69
Share of mineral rights under royalty lease with Humble Oil & Refining Co., at Avery Island, La	[1] 292,886.20
Savings Accounts	12,929.52
Cash in checking accounts	65,387.70

[1] Because of depletion of the field, market value is computed at 3½ times annual income.

(b) Neither my wife nor I owe liabilities, jointly or severally, in excess of $5,000.

(c) My wife and I realized total net capital gains of $5,821.34 in 1965.

(d) The source and amount of items of income received or accrued to me or my wife, jointly or severally, from sources other than the United States, which exceed $100 in amount or value were:

Allis Chalmers	$218.75
American Bakeries	375.00
American Telephone & Telegraph	1,173.00
Armstrong Cork	526.35
Avery Island Inc	5,600.00
Chrysler Corp	150.00
1st Penna. Banking & Trust Co	646.80
Franklin Life Ins. Co	21.38
Insurance Co. of North America	300.00
International Business Machines Corp	456.00
Pabst Brewing Co	100.00
Parke Davis Co	300.00
Penn Mutual Life Ins. Co	125.40
Pepsico	310.00
Rohm & Haas	179.20
Vulcan Materials	346.40
Western Publishing	270.00
General Electric	391.00
Sterling Drug	457.50
Standard Oil of Calif	990.00
National Dairy Products	213.20
General Motors	1,554.00
International Paper	238.75
Texas Gulf Sulphur	120.00
Smith, Kline & French	1,110.00
Phila. Electric	288.00
Jewel Tea	234.60
Bayhil & Co., 1 Chase Manhattan Plaza, N.Y	865.09
Thelma Spencer Trust—Residual income	111.60
Humble Oil & Refining Co.—Oil and gas royalties, lease and rent	[2] 83,681.77
Allegheny County Bonds	568.75
City of Lebanon Bonds	330.00
City of Philadelphia 3% Bonds	150.00
City of Philadelphia 3¼% Bonds	325.00
City of Philadelphia 3½% Bonds	875.00
City of Bethlehem Bonds	135.00
Cumberland Co. Bonds	487.50
Dayton Rubber Bonds	825.00
New Kensington Bonds	457.50
Penna. Public School Bonds	812.50
Penna. Turnpike Bonds	775.00
State Highway & Bridge Bonds	350.00
James Talcott 5% Cap. Note	500.00

[2] Income from this source will gradually decline as the field was brought in in 1945 and is being depleted.

I was reimbursed for various expenditures incurred in connection with trips made by me during the year to various meetings at institutions and elsewhere where I had been invited to speak. My spouse received no such reimbursement.

The only reimbursement I received which exceeded $100 was for expenses to Chicago for a speech for the Association of American Law Schools in the amount of $115.23.

Net fees or other honoraria received by me during the year were as follows:

Smith College, Northampton, Mass., Alice Holden Lectures—Honorarium	$250.00
Mt. Holyoke College, S. Hadley, Mass., Lecture—Honorarium	200.00
Wheaton College, Norton, Mass., Otis Lectures—Honorarium	750.00
George Washington U., Washington, D.C.—Honorarium	150.00
Brookings Institution, Washington, D.C.—Honorarium	150.00
University of Pennsylvania Connaissance, Philadelphia, Pa.—Honorarium	200.00
University of Pennsylvania, Philadelphia, Pa.—Honorarium—Lecture	$100.00
Colorado State U., Fort Collins, Colo. — Honorarium — Commencement Address	400.00
Ramparts Magazine, 1182 Chestnut St., Menlo Park, Calif.—Book review	50.00
Hill & Wang, Inc., 141 5th Ave., N.Y.—Net royalties on book "The Establishment"	189.15
Donald MacCampbell, Inc., 12 E. 41st St., N.Y. Net advance on royalties on "Ethics in Government"	1,800.00

(e) I am not connected with any professional firm engaged in practicing before any instrumentality of the United States.

(f) I am neither an officer, director or partner of any business or financial entity other than Avery Island, Inc., a family corporation, whose principal place of business is at Avery Island, Louisiana, which is engaged in collecting rents and royalties, paying the expenses of upkeep of its property and distributing the balance in dividends to its shareholders, of whom I am one.

(g) Neither my wife nor I received gifts valued at more than $100 from any individual or corporation.

Mr. CLARK. Within 30 days of the filing of my income tax on April 15, 1967, I shall file another comprehensive financial disclosure along the same lines. May I say also that many other U.S. Senators have done substantially the same thing, as a matter of conscience. But I think I am correct in saying that the rather large majority of my fellow Senators have not seen fit to do so.

This disclosure, so far as my own political career in Pennsylvania is concerned, has not been a liability. It has been an asset. Nobody has taken me to task for the fact that, as it so happens, I have substantial income and substantial resources outside of my Senate salary. I would say to my colleagues, particularly those who are up for reelection in 1968, "Gentlemen, this will not hurt you, it will help you. Candor is a political asset, not a political liability."

Mr. President, I reserve the remainder of my time.

Mr. MONRONEY. Mr. President, I yield myself such time as I may require.

The Committee on the Organization of Congress, in holding our hearings, received evidence from the distinguished Senator from Pennsylvania with reference to the matter of standards and conduct. I do not recall his recommending that we include the amendments offered here today as a part of our report on the organization of Congress. I do know that it was the sincere and nonpartisan feeling of both the Senate and the House members of the bipartisan committee that this was a matter that was properly, on the Senate side, before a committee that had been established by the Senate itself to provide the very thing that the present amendment deals with—the establishment of the Committee on Standards and Conduct to consider all such legislation as would deal with the conduct of Members of this body.

The members of the committee from the House were so impressed with the fact that the Senate had acted, with the caliber of the distinguished chairman and ranking member and other members of the committee, and with the work that they were doing, that they, in their report, recommended that a similar committee to that which the Senate had established be established by the House of Representatives.

This, I think, was our proper role in this bill—to support the Select Committee on Standards and Conduct, and give them a chance, which certainly they should have, to conduct hearings and, with all reasonable speed, to report to the Senate legislation that would be controlling in this field of the conduct and standards of our Members.

I doubt that any Senator felt, when we were voting on Senator COOPER's amendment to establish such a committee, and when it carried, that we would be asked to discard that committee and ignore the work done by its staff, and take away from the Committee on Standards and Conduct responsibility for legislation that primarily would be controlling for the Members of this great body. Certainly, I feel that the Stennis committee can and will recommend well-considered, sincere, and completely honest legislation in this field, giving it all of the publicity and all of the discussion privileges that it is possible to give it, as well as hearing a suitable amount of testimony, so that the result of the committee's activities and study will be related to preserving the reputation and the character of the Senate itself.

I have no fear that the distinguished chairman, the Senator from Mississippi [Mr. STENNIS], will fail in any degree in the assignment that has been given to him, or that the other members of his committee will fail in any degree. They have shown great interest and a great desire to move forward in this field, and I think it would be most unwise, as we consider a bill on the organization of Congress to take up on the floor, in a debate of some 60 minutes, a matter of such great importance to preparing and passing of laws that will help to identify for the public the activities of all Senators.

A disclosure means absolutely nothing to me, as I would be most happy to open any books that the Senate would determine to be necessary. But I do not feel that a floor amendment, offered here without hearings, to a bill reported by a committee that was not created for this purpose, should short circuit the well-established committee that the Senate voted to create, that the Vice President appointed, and that is now staffed and working on matters concerning the standards and conduct of Members of the Senate. Certainly I feel that this is a poor time indeed for such action after a short discussion on the floor, and without considering all of the pros and cons to find out what might be missing in the amendment of the distinguished Senator from Pennsylvania, that might be required to make such reporting of income and matters of that kind fully reliable, fully comprehensive, and subject to such penalties as might be required to make it effective.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. CLARK. Mr. President, the Senator made, I am sure quite inadvertently, a comment a moment ago that his resolution had not been the subject of hearings. I advise him that the transcript of the hearings on this problem in the Bobby Baker case is so thick and so high that the Senator from Pennsylvania is quite incapable of measuring it. It was discussed at length in the executive sessions of the Committee on Rules and Administration.

The resolution had as full and comprehensive a hearing as it is possible to give a measure that is brought before the Senate.

Mr. MONRONEY. Mr. President, it was not brought before our committee. We had the recommendation of the Senator, but we heard no witnesses. The matter was outside the jurisdiction of our committee.

Mr. CLARK. The Senator will agree that this particular resolution was discussed in testimony before his committee and that the Senator and various other members of the joint committee asked a number of questions.

Mr. MONRONEY. Mr. President, does the Senator feel that a better law or statute would be enacted by voting, after an hour's debate on the floor, on a matter of this importance, before carefully considering testimony given to a committee created by the Senate to take up matters of this very nature, a committee headed by such distinguished men as the Senator from Mississippi [Mr. STENNIS], and his cochairman, the Senator from Utah [Mr. BENNETT]?

Mr. CLARK. The Senator will perhaps excuse my presumption, for which I apologize. I do not think that any further study of the problem of disclosure would yield one additional ray of light on a moral issue which I believe the Senate faces now, with respect to which in my opinion—and I have no doubt that the majority of the Senate will agree with me—all the testimony has been taken and all the discussion has been heard which would contribute in any way to a determination by the Senate as to whether they want to do something.

Mr. MONRONEY. Does the Senator think this matter will be swept under the rug by the Select Committee on Standards and Ethics?

Mr. CLARK. Of course, I am not going to say that in the presence of my good colleagues in the Senate.

Mr. MONRONEY. I think that that is what is inferred. I think that this is being used as a blackjack to try to force the Senate, on 1 hour's debate, to pass something which has not been passed upon by the committee which was created by the Senate to take up matters of this very kind.

Mr. CLARK. The Senator is, of course, entitled to his opinion.

Mr. MONRONEY. Mr. President, I yield such time as he may require to the Senator from Mississippi.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. STENNIS. May we have order, Mr. President? I do not like to speak to the backs of these men that I know do not have to stand in front of me.

This is one of the most far-reaching provisions that the Senate could possibly pass on. I serve notice that I will have to ask for additional time in the course of this debate.

It would be tragic for 100 Senators to pass on this matter by coming in and voting after a rollcall had started, without hearing the facts. I am not talking about argument, but I am talking about facts.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. CLARK. I thoroughly agree with the Senator from Mississippi that this debate should be heard by all the Members of the Senate. I, for one, would be very happy to agree with the Senator.

I would suggest to the Senator that perhaps we should get a live quorum.

Mr. STENNIS. Frankly, I do not think it would get a better attendance on the floor. However, I do say, in the finest kind of spirit, that each Senator should realize that this is a matter on which he should fully inform himself as to the facts of the case before he votes.

Mr President, much has been said, in effect, about the failure of the so-called Ethics Committee to function on the matter of rules and regulations.

I have here the dates and the facts concerning what the committee has tried to do.

I am sorry to have to go into such detail. On July 9, 1965, the President of the Senate appointed the members of this committee.

I was the senior member of the group, and it was suggested to me at once that I act as chairman. However, the resolution stated that the committee should select the chairman.

I insisted that all members be present.

It is a crying shame when a Member of this body has to try to speak here when he cannot hear himself talk because of the unnecessary talk of men, not Members of this body, constantly talking within a few feet of him.

The PRESIDING OFFICER. The Chair agrees completely with the statement made by the Senator from Mississippi.

It is wrong to tolerate aids of Senators indulging in talk which is frequently louder than that of the Senator who is speaking.

The Chair will order out of the Senate any member of the staff who disturbs a Senator.

Mr. STENNIS. I thank the Chair.

Mr. President, I observe that these gentlemen are here—and they are gentlemen, and I cast no aspersions on them—under the privilege of the floor, not as a right. Certainly, privilege implies order and decorum and manner.

Mr. President, we held our first formal meeting on July 27, 1965. However, due to the absence of one member, no formal organization was had.

I requested time to get a staff. For about 60 days, during which time I performed some of the most intensive work that I have ever done, I personally interviewed and reinterviewed a great number of very outstanding and capable men. I called, wrote, telegraphed, and interviewed others who knew these men. The Senator from Utah [Mr. BENNETT] helped me in this effort.

I finally made a firm recommendation to the Senator from Utah. We then called a meeting on October 21 to formally organize and elect the staff.

The months of August, September, and October were, of course, very heavy months for consideration of legislation in the Senate.

The committee did organize on October 24. I was elected chairman. The Senator from Utah [Mr. BENNETT] was elected vice chairman on my motion.

We employed Mr. Ben Fern as chief counsel and staff director.

Mr. Fern has done an outstanding job. I had never known him before. He is not from my State. I do not know what party, if any, he belongs to. Mr. Fern is a retired naval captain and a lawyer.

The resolution creating the committee provides that the minority party shall have representation on the staff. The staff has been selected by all of us. There is no minority on our committee.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. STENNIS. Mr. President, my time is very limited, but I yield quite briefly to the Senator from Florida.

Mr. HOLLAND. Mr. President, I hope the Senator will place in the RECORD the names of the other members of this very distinguished committee.

Mr. STENNIS. Mr. President, the other members of the committee are the Senator from Utah [Mr. BENNETT], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Kansas [Mr. PEARSON], and the Senator from Kentucky [Mr. COOPER], the author of the original resolution.

In November or late October of that year, when we adjourned, I told Mr. Fern, "You go to work right now, working on these rules and regulations," referred to in section 3, or whatever section it is, on the question of a code of ethics for the Members of the Senate, the question of disclosure, and the question of the conduct of the employees of the Senate and the Senators.

Mr. Fern worked diligently for the remainder of that year, afterhe established offices. The Senate met on January 10, 1966. At about that time Mr. Fern reported to me the development of the financial disclosure principle, which had resulted from a special study of the subject that he had made with the help of others. Senator BENNETT and I went over that study.

On January 17, 1966, Mr. Fern reported a proposal for a code of ethics of the Senate. I had been doing quite a bit of head scratching and note making, in an attempt to write something myself. I know that other members of the committee had done the same. They can speak for themselves.

On January 24, 1966, Mr. Fern reported to us with respect to restrictions on outside economic activity. That refers to moonlighting by staff members, as the word is used in this discussion.

We had then a formal meeting of the committee, and took these matters up on February 2, 1966. There was a discussion and a reading and an exchange of ideas. About what? About outside employment, about a code of ethics for the Senators, and about the principle of disclosure.

About the first of February, the first notices appeared in the newspapers about the so-called Dodd case. Mr. President, I do not know of any matter that has attracted as much attention in the newspapers and has been talked about as much by the members on the committee as has the Dodd case. We have not said anything about the matter—not wishing to prejudice the case one way or another—except what we have said through more or less formal press releases, by way of announcements as to procedure. Anyway, on February 2 we reviewed all these staff studies, and at that time we first discussed only a part of the Dodd matter that had broken. But by the 3d of March, the Dodd case was squarely in our lap, and we were already proceeding with a large number of reports and matters that were coming in to us—in tremendous volume.

At one time I knew how many papers were supposed to have been taken from Senator DODD's office, how many sheets of paper were involved. It amounted to several thousand. The staff had to go through all those papers, and some of the members looked at many of the papers. I shall not dwell on that aspect.

Everyone is aware that we held hearings on the so-called Klein part of the matter. Then we immediately went into the financial part of the case. I would not sign a subpena duces tecum for the production of any of those financial records until a written justification was before me, explaining why and where, and a summary of the facts as to why that subpena was needed. Under that rigid standard, I have already signed 117 subpenas duces tecum, which have led all the way from the Pacific coast to New England.

I mention these facts in order to give the Senate an idea of the far-reaching ramifications and particularly the effect of following these financial matters in the case.

While we were in the midst of all these matters, it was unthinkable to me—I am speaking for myself only—that we attempt to form rules and regulations for the ethical conduct of Senators. I think it would have been degrading if our committee had not found a better way than that, than to come dragging into the Senate, in the midst of the Dodd case, and say, "Now we propose to the Senate that you adopt, right in the middle of this investigation, this code of ethics or rules and regulations for the conduct of the Senate."

Others may disagree with me, but I will have no part in investigating a man—it makes no difference whether he is a Senator or a sweeper in the Senate Office Building—I will have no part, as a Member of the Senate, in stopping in the middle of a hearing or a case, or whatever it is called, simply because there is a little public pressure from some source, and drag in here a code of conduct. It is unthinkable. That was the sentiment of all the members of the committee, and that is a very significant and material fact here.

In addition, there has not been sufficient time for us to put any proposals together on this subject and at the same time carry on this other duty.

But there is still another reason: At the same time, we were conducting hearings which involved several former members of Senator DODD's staff who, the proof showed, took several thousand documents from his office, without his authority and without his knowledge, and disposed of them somewhere in this city, at the disposal of newspapermen. That aspect alone raises a grave, serious, far-reaching subject, not only to the Senators, but also to the public. So, that was another reason.

Could we come to the Senate, before we finished that part of the case, and propose rules of ethics or rules of conduct? I think not. I will have no part in conduct of that kind.

Also, how can we bring in a set of rules, as reflected by the amendment of the Senator from Pennsylvania the other day, before we bring in some rules that pertain to the Senators themselves? Or, should we bring in some rules pertaining to the Senators and omit any pertaining to the staff? It does not make sense.

The Senator from Pennsylvania has said that there is no assurance about what we will do or what we expect to do. I must say to the Senator from Pennsylvania that he said to me, on the floor—this is part of the case, as I understood him—that he already knew nothing would be done. I do not know whether he was referring to the committee or to the Senate, but he gave me that assurance the other day. And we were not in anger at all.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. CLARK. I am sure that, quite inadvertently, the Senator misunderstood our colloquy.

My position is that I do not believe, for the reasons the Senator from Mississippi so eloquently stated, that we can look forward to any action from the Senator's committee in the immediate or foreseeable future.

Mr. STENNIS. I do not know what the Senator means by "immediate" or "foreseeable"; but I can foresee the day when we will be through with the testimony about Senator DODD, when we have considered what if anything to recommend about Senators, or what to recommend about the staff members.

Also, when we have finished our labors in this matter, the result may not be what the Senate wants; but we will have finished our labors on the matters I have talked about, and we will present them on the floor of the Senate.

But I say to the Senator—he already knows this, I think—that this matter must be worked on and put to microscopic treatment. Much of it is as delicate as a Swiss watch. If we present anything, we will not ask for limitation of time, with 30 minutes on each side.

Mr. President, I have taken up a good deal of time, and I wish to leave some time for other Senators.

I say again: I warn Senators not to pass on this matter until they know the facts. To that end I am going to ask for additional time.

Mr. DIRKSEN. Mr. President, will the Senator yield? And we will get extra time if we need it.

Mr. STENNIS. I yield.

Mr. DIRKSEN. When the Cooper resolution was adopted the vote was 69 to 19, and every Member who was present and voting that day on this side of the aisle voted for the Cooper resolution. In that resolution there is one paragraph which I think states the case because this subparagraph provides:

> It shall be the duty of the Select Committee to—
>
> (3) Recommend to the Senate, by report or resolution, such additional rules or regulations as the Select Committee shall determine to be necessary or desirable to insure proper standards of conduct by Members of the Senate, and by officers or employees of the Senate, . . .

Mr. STENNIS. That is the situation to which I have been alluding, and on which we started to work.

Mr. DIRKSEN. Exactly. For the Senate to take action and foreclose the subcommittee would be an affront to the committee after a vote of 61 to 19 whereby the committee is mandated to do this job. I think it is a strange circumstance that these things have to be entertained at this time.

Mr. STENNIS. I respectfully say I think that only a member of this body who is acting foolishly would go on this committee, unless it was with an idea of trying to render some service on that subject rather than investigating colleagues.

Mr. MONRONEY. Mr. President, if it is on order, I ask unanimous consent for 20 additional minutes. Do I understand correctly that we have 3 minutes remaining on our side?

The PRESIDING OFFICER. The Senator is correct. Is there objection? The Chair hears none, and it is so ordered.

Mr. MONRONEY. Mr. President, I now yield such time as the Senator from Utah [Mr. BENNETT] may require. The Senator from Utah is the vice chairman of the Select Committee on Standards and Conduct.

Mr. BENNETT. Mr. President, the chairman of the committee has made an eloquent and, I think, convincing presentation of the activities of the committee and its basic attitude toward its assignment. I should like to point out further the problems which are involved in the present legislative situation. They refer to all three of the amendments of the Senator from Pennsylvania. They are all complex and contain unforeseen dangers. These amendments deal with delicate matters of private rights and are fraught with unforeseeable consequences.

Therefore, before the Senate makes any hasty or binding disposition of them, the proposals should be considered at length and in detail by a committee which was assigned to consider them. Studies probably should be made with the help of outside experts.

A vote on the merits now would jeopardize future consideration of these measures. It is legislatively premature to vote on these problems today. If these amendments are accepted, they will spell the doom of more worthy measures of a similar nature for the rest of this Congress and perhaps for years to come.

Many Senators support or oppose the principle of financial disclosure, or the principle of limiting outside business activity; but their views on these amendments will undoubtedly be determined to some degree by the particular language of the amendments which seem to be rather limited.

There are many different ways to write a financial disclosure bill, but the floor of the Senate is not the place to write it, especially in little more than an hour.

The subject of proper conduct is a difficult and interrelated one. Undue influence by a Senator on an official of the executive branch of our Government, for instance, may or in fact may not be related to his outside activities. What is needed in this field is a unified, total approach, not a specialized attack on one or two classes of improprieties.

These amendments treat only certain aspects of the whole problem of ethical conduct, leaving us in the committee with many other aspects to consider.

We feel that when we finally get to the point of attempting to write a set of standards, they should deal with actual and not conjectural abuse.

The Committee on Standards was set up to investigate and dispose of complaints of improper conduct. The committee is doing that right now with respect to complaints made against one of our colleagues, the Senator from Connecticut [Mr. DODD]. If anyone has any further complaints, I am sure that they will be referred to the committee.

Instead, these amendments would penalize all Members of the Senate and officers and employees of the Senate for abuses about which no one has complained—abuses that may be mere figments of someone's imagination.

Because that is true, these amendments tend to be punitive rather than preventive in nature.

Obviously, determined violators will find ways around the rather rigidly drawn and limited requirements in these amendments.

They will serve to punish several thousand employees, and all Senators, rather than one or two who may have done wrong.

Much has been said about the Bobby Baker case. Baker has been found guilty under our judicial system, and for what he has done wrong he now faces punishment.

Mr. President, these amendments are discriminatory. A Senator who is subject to nomination and election would be limited by them, but an employee would not, and neither would the Senator's opponent in any election be limited by them, since he is not already a Member of the Senate.

Although if Senators' affairs as Senators are subject to regulation by the Senate—and our committee is working to try to figure out the extent to which they should be regulated, and the manner thereof—these amendments come perilously close to infringing upon the private affairs of the Senator.

Not only is the constitutional question raised, but many good men may avoid political service in the Senate rather than being required to bare their holdings and financial relationships of an entire family of which they are a part.

Now, Mr. President, I should like to look at this problem from another point of view; namely, the point of view of how really significant, how important, and how meaningful this kind of disclosure could be.

The only rationale for a disclosure law, it seems to me, must be based upon the assumption that a Senator's personal, financial situation provides an overriding motivation for him to cast votes against the public interest, or for personal gain.

This apparently assumes that if his assets and income were to be made public, he would not dare to do it and then we would solve the problem of conflict of interest for Senators.

To me, both the assumption and the rationale built upon it are completely unrealistic and indefensible.

In the sense in which the phrase "conflict of interest" is generally used, it has only the remotest possible application to a legislator.

It can be used to describe a situation in which a lawyer would find himself, if he tried to collect a fee for service to clients on both sides of a dispute, or if a lawyer who is an employee of the Federal Government undertakes a case of a private client against the Government.

It is also involved when a member of the executive department, with power to make policy or to award contracts, uses that power in such a way as to create privileges or income for himself—directly or indirectly.

Mr. President, these examples depict situations in which the conflict can exist, but only at a specific time with relation to a specific set of circumstances, and that conflict can be avoided by a decision of the man involved.

But, this is not true of a legislator, whether Senator, Representative, or one who serves in a State legislature. He not only cannot create conflict of interest but he also cannot avoid it. He is actually the creature of the interplay of many conflicting interests which exist in spite of him and which he can influence but not control.

Mr. President, I should like to list a few.

The legislator comes to office as the result of a struggle for power between groups of voters whose interests are in conflict, and he is elected because he is the choice of the larger number, and each voter who made his choice in that election had to resolve his own inner conflict in making the decision as to which candidate should receive that office.

Second, his office as a legislator does not give him any final power of personal decision such as an administrator has. He merely becomes a member of a group—100 in the Senate and 435 in the House—and this group will arrive at its decision on the basis of what John C. Calhoun called "the concurrent majority"—in other words, the majority changes with every vote.

This result, with its inevitable compromises, is produced by the clash of obviously conflicting interests; and to say that a legislator must avoid conflict of interests in that situation is to ask the impossible.

Third, a legislator's own vote, in committee or on the floor, is usually arrived at through the same process of conflict, because all the people he represents are never in agreement. In fact, the list of potential types and sources of conflict in which he may find himself involved is long and fraught with inevitability. Moreover, while we can list areas of potential conflict, we must acknowledge that there is no way in which we can ascertain the priority or importance of these various sources which can exist in the mind of any single Senator.

For the record I should like to list these areas of conflict. It is not a complete list.

First, there are interests represented by political entities. There is the national interest. There is the interest of the Senator's State. There is the interest of his political party. There is the interest of the "administration"—which controls the executive department. Then there is the interest of the Senate or the House, as the case may be, as an institution. And to assume or to assert that all of these interests always line up in a parallel is, of course, ridiculous.

So a Senator must make choices between these conflicts.

Then there are the interests that are represented by privately organized groups that from time to time and in various ways seek to influence Government policies for their private benefits. There are national organizations of citizens with a common purpose, such as labor unions, veterans' organizations, business associations, and so forth. There are similar groups operating within the Senator's State whose programs may not be exactly the same as their national counterparts.

Then there are individual interests. There is the interest of an individual constituent. There is the interest of a group constituent formed as a corporation or organization. Then there is the interest of fellow legislators.

Then there are interests of each Senator that might be described as personal—his personal philosophy of life and government; his personal goals, political and in private life; the well-being of people and institutions in which he has a personal interest, such as his family, his friends, his church, the schools with which he or his family have been involved; other groups or organizations in which in private life he is a loyal and active member; his hobbies; and at the bottom of the list, his personal financial affairs.

No Senator is ever the sole representative of his constituents. There is at least one other Senator and from 1 to 41 Members of the House who share that responsibility of representation with him. Each of these has his own set of interests, and the interests of all members of any congressional delegation are, by the very nature of things, never in unity at all points. So here is another inevitable source of conflict.

Why go to all the trouble to set forth such a list when the existence of dissimilarity and the resulting conflict should be obvious? What may seem at first like a futile exercise has one important purpose: namely, to demonstrate that the phrase "conflict of interest," ordinarily used to describe what is a clear "right and wrong" choice for a lawyer or an administrator working toward a single personal decision on a single set of facts, cannot have the same meaning for a legislator, and that, therefore, the rules which are proper in the first set of circumstances can have no meaning for the legislator. By his personal decision in a single set of circumstances, whose factors are easily determinable, the lawyer or administrator, by applying a simple rule, can avoid "conflict of interest." But every vote a Senator casts, no matter how he arrives at his decision, conflicts with the interests of one or more of the persons or groups he was chosen to represent.

And the interest of each of those involved in any given decision can be said to exert an "influence" upon it, directly or indirectly, unless a Senator simply votes blindly or has been committed in advance to ignore current situations.

Every important vote requires the resolution of conflicts in several areas, and among several groups, so who can say what interests were included in the combination that persuaded him to vote as he did? True, each interest that benefited from his vote can think he did it for them, and each of those on the losing side can assume that their interest alone was rejected, but none can say for sure, and if a personal financial interest were included in the combination, who can say it was the decisive one? I am always amused when a Senator is publicly given credit for great virtue for voting against what seems to be his own financial interest and attacked when his vote seems to promise him some financial gain, however remote.

My purpose up to this point is to lay out the problem and get rid of the easy assumption that the charge "conflict of interest" can be applied to a legislator with the same meaning that it may have when leveled at a lawyer or administrator.

This is one of the reasons why I believe the Senate should be patient with the committee and give us time to resolve this very complex and difficult problem which directly affects the personal lives of every Member of this body.

I yield back the remainder of such time as may be available to me.

Mr. MONRONEY. Mr. President, does the Senator from Pennsylvania wish to use some time?

Mr. CLARK. Mr. President, I have a few matters to raise.

First, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. CLARK. Mr. President, how much time remains to both sides?

The PRESIDING OFFICER. The Senator from Pennsylvania has 12 minutes remaining; the Senator from Oklahoma has 7 minutes remaining.

Mr. CLARK. I yield myself 2 minutes.

I have listened with great interest to the comments made by the Senator from Mississippi [Mr. STENNIS] and the Senator from Utah [Mr. BENNETT]. I have deep sympathy with the problem which confronts them in connection with the onerous duties which they have undertaken, but despite everything they have said, the basic fact remains that the Bobby Baker case broke on October 10, 1963. Today is February 8, 1967, and the Senate of the United States has not taken one single step, other than the appointment of the Committee on Standards and Conduct to deal with the serious moral and ethical problems brought to light by the disclosures made in the course of the study by the Committee on Rules and Administration, on which I have the honor to serve, of the Bobby Baker matter.

I suggest, with all due deference to the able and honorable and senior members of the Committee on Standards and Conduct, that it is time for the Senate to act, and that we should not wait any longer, in performing a duty which, in my opinion, we should have faced up to several years ago.

Mr. President, if the Senator from Oklahoma is prepared to yield back the remainder of his time, I am prepared to yield back the remainder of mine.

Mr. MONRONEY. Mr. President, we have some additional requests for time, for which we would like to use some of the time remaining.

Mr. CLARK. Then, Mr. President, I reserve the remainder of my time.

Mr. MONRONEY. I yield such time as he may require to the chairman of the Committee on Standards and Conduct.

Mr. STENNIS. Mr. President, I thank the Senator from Oklahoma. I shall use very little time.

I stated flatly the other day, Mr. President, when the first of these amendments was before the Senate, that it would be the purpose of the committee, just as soon as we could, to continue our effort and study and get to the Senate a report on a resolution covering the subject matter.

To be certain that that is clearly understood, I state now—and I have it written out here—that we expect to make a report on this subject matter as soon as we can; and we can, I am sure, at this session. I believe we can do that in time to get the recommendations considered at this session. I make no assurance of any kind as to what may be in those recommendations, because the committee will have to speak on that, and then each member can state his individual views.

I do point out, though, what I have already said, as I see it, about trying to write rules before we arrive at some kind of conclusion with reference to Senator DODD's matter.

So it all has to be taken in the light of when we can finish that hearing and make some report. I would not put any time limit on that at all. We will, of course, try to do the right thing.

But I think we will be able to do that, and we will try to follow through on it, and also on these matters about the rules. This is not work that one really would want to continue beyond that time which is necessary. That has been our original plan, and it is our plan now. If the Senate wishes to impose any kind of time limitation with reference to either one of these matters, I submit it will be a grave mistake, and I do not think any limitation will be made; but if it should be, I must state that I could not operate under a halter like that. I simply could not do it.

I thank the Senator from Oklahoma.

Mr. MONRONEY. Mr. President, may I inquire how much time I have remaining?

The PRESIDING OFFICER. The Senator from Oklahoma has 4 minutes remaining.

Mr. MONRONEY. I yield the 4 minutes to the distinguished Senator from Minnesota [Mr. MCCARTHY].

Mr. SCOTT. Mr. President, will the Senator from Oklahoma yield 1 of those minutes to me?

Mr. MONRONEY. May I yield 3 minutes to the Senator from Minnesota, and 1 minute to the Senator from Pennsylvania?

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCARTHY. Mr. President, I speak somewhat indirectly on the matter of this amendment. I am opposed to the amendment. I think that of all the members of the Ethics Committee, I perhaps have the best case to be against it.

I am sure most Senators read Mr. Pearson's column this morning, in which it was pointed out that I was the one member of the committee who voted against having public hearings with reference to the particular case before that committee. The representation was not quite accurate. I did not say I was against public hearings in any case, but I was opposed to having the committee decide to have public hearings before they knew what they were going to have public hearings about. I thought that was a fair representation.

I have been around Congress since 1948, and I, with many other Members, protested against the proceedings of the so-called Joseph McCarthy hearings of the Senate, back in the years between 1950 and 1956.

I think it is important that we lay down standards for procedures in the case of any committee which is investigating any person; and I thought my position was quite defensible. I must say I expected to receive a call from either Mr. Pearson or one of his men within a day or two after the vote was taken in the committee; and I was not disappointed. The day after, I believe it was, I received the call from Mr. Anderson.

I expected he would ask me how I had voted, or else he would say, "I have talked to the other five members of the committee, and they all voted for it; how did you vote?"

That was not the case. He simply said, "I have been told how you voted." There were only seven present at the meeting at which I voted—five members of the committee and two staff men. Maybe one of those members of the committee or one of the staff men said, "We will save Jack Anderson some time and trouble, and tell him right now, and he will not have to call all of the members of the committee."

Perhaps that is a defensible position. But be that as it may, it would seem to me that before the committee decides to hold public hearings, it ought to know what the hearings will be about, and should be opposed to the proposition of indiscriminate public hearings in principle, remembering that it can be used against all Members of the Senate. I voted against public hearings until I knew what they were going to hold them on. Public hearings now, furthermore, would open up everything to the public, before any rules have been laid down.

Therefore, consistent with the position I took before the committee, I hope the Senate will reject the pending amendment, and that the Committee on Standards and Conduct will be afforded sufficient time to set up some standards.

Mr. SCOTT. Mr. President, I indicated my views on this subject in a memorandum which I prepared on May 4, 1966. I ask unanimous consent to have it printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. SCOTT. I cannot support the pending amendment, for several reasons. First, the disclosure of an individual Senator's "poverty," should that be the case, would certainly often subject a Senator, it seems to me, to greater pressures than would otherwise be the case.

The requirement that Senators' staffs shall make disclosures, it seems to me, is probably not the best way to handle that matter. As I point out in my memorandum, just cited, I would prefer that each Senator be responsible for his staff, and that he be held strictly accountable for them, instead of having this broad-reaching provision, until and unless the Senator and his committee have failed to report.

Finally, the listing of creditors, it seems to me, would simply bring down on the head of any person so listing the threat of bankruptcy proceedings, if he were unfortunately in that position. As far as I know, I have no major creditors.

This amendment is not the best possible way to accomplish a desirable end.

The Senate Committee on Ethics can, and should, come up with effective recommendations.

EXHIBIT 1

MEMORANDUM

A resolution governing disclosure is appropriate because Senators are obligated by the oath of their office to police themselves and the institution of which they are members.

The purpose of this memorandum is to recommend certain points for inclusion in a disclosure resolution. They are as follows:

(1) Senators should file an annual statement of their assets and income.

(2) A similar statement should be filed on behalf of Senators' wives.

Third. Professional and confidential relationships must be respected. It is recommended that the resolution specifically recognize that there is no obligation to disclose business or professional relationships such as lists of clients, trusteeships, executorships, clients of real estate or brokerage firms, and patients of doctors, or to disclose communications of a confidential or constitutional or statute-protected relationship.

Fourth. A requirement for a statement by the Senator that he has, in none of his relationships, a conflict of interest with his duties as Senator should suffice.

Fifth. As to disclosure by Senate staff members, the resolution should fix personal responsibility upon the Senator, or committee chairman or ranking minority member of a committee as the case may be, to ascertain by interview, affidavit, questionnaire, or any other means he deems appropriate that no member of his staff has any conflict of interest whether by virtue of outside employment or otherwise. It is not recommended that outside employment be prohibited as this would deprive Senators of valuable part-time assistance such as research, campaign, or emergency personnel requirements.

Sixth. Since the resolution would require full financial disclosure—see first and second above—such disclosure would include honoraria and should, of course, be framed to include the whole problem of testimonial receptions and dinners.

Seventh. Disclosure by Senate employees—not employees of Senators but of the Senate—should be the same as disclosure by Senators, and should be made to the Senate majority and minority leaders jointly. Whether required to be published is a matter for the drafters of the resolution to consider.

The PRESIDING OFFICER. Who yields time?

Mr. CLARK. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from Pennsylvania has 10 minutes remaining.

Mr. CLARK. Mr. President, unless some other Senators request time, if the Senator from Oklahoma is prepared to yield back the remainder of his time, I am prepared to yield back the remainder of mine.

Mr. MONRONEY. As a matter of fact, Mr. President, I have no time to yield.

Mr. CLARK. Does the Senator from Connecticut desire to speak?

Mr. DODD. Yes, I would like to have 2 or 3 minutes.

Mr. CLARK. Mr. President, I am happy to yield to the Senator from Connecticut.

Mr. DODD. Mr. President, my name has been mentioned here this afternoon, as it was mentioned the other day. I am not complaining about that. I would simply like to make a short statement.

When this, I believe, unparalleled savage attack on me began, I did go to the chairman of the committee, and I asked him to make his own inquiry into the facts. I thought that was the right thing to do. I still think so.

That inquiry has taken place. I think it is factual to say that I have never held up the committee in any respect, nor asked for any delay of any kind; nor do I intend to do so. As far as I am concerned, the sooner this matter can be thoroughly aired and settled, the better for me, of course.

I am particularly pleased that the chairman of the committee, the distinguished Senator from Mississippi [Mr. STENNIS], has made reference to the theft of my property, because I do believe this is a matter of grave concern for everyone in the Senate, everyone in Congress, and everyone in the country. I do not pretend to be a great lawyer, but I think I can read the code; and if there was ever a clear case of burglary and a conspiracy to commit burglary, this is it. I do hope that something will be done about that, certainly; not that I am fearful as an individual, but every Member of the Senate must be concerned about dismissed employees breaking and entering a former employer's office and stealing thousands of papers.

I hope that the Senator from Mississippi and the members of the committee understand my concern about this matter.

Certainly, I feel that they have tried to be fair to me.

I am sorry if the committee was delayed in its other work but I did not know of anything else that I could do. The delay was unfortunate for the committee, and it was also unfortunate for the Senate.

But the attack on me still goes on. I am an old hand at being attacked, and I do not bruise easily. However, it has been unprecedented in its savagery and viciousness and falsity.

I know that is not the Senate's business, but I may have made one other mistake. I decided, having gone to the chairman and to the members of this committee, that it would be improper for me to make any statements about the issue, and I have abided by my own rule. This has been costly for me. Maybe it was an error. If so, I can correct it.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. CLARK. Mr. President, I yield 2 additional minutes to the Senator.

The PRESIDING OFFICER. The Senator from Connecticut is recognized for an additional 2 minutes.

Mr. DODD. But I think that many people and many friends have wondered why I have not said anything. They say, "Why, you are in the greatest forum in the world, and you have not been known to remain quiet in the past in the face of attack. Why haven't you said something?"

I have answered: "I am silent because I feel it would be improper for me to do otherwise." Consequently, I have not made any public answer to these lying attacks. At the proper time, I will do so, and in voluminous detail.

I thank the Senator from Pennsylvania for his courtesy.

Mr. CLARK. Mr. President, I am prepared to yield back the remainder of my time. The yeas and nays have been ordered.

Mr. MONRONEY. Mr. President, I have no time remaining.

AMENDMENT NO. 83

Mr. WILLIAMS of Delaware. Mr. President, I send to the desk an amendment in the nature of a substitute and ask that it be stated.

The PRESIDING OFFICER. The amendment in the nature of a substitute will be stated.

The assistant legislative clerk read as follows:

At the appropriate place insert the following:

"SEC. —. REPORTING OF PERSONAL ASSETS.—

"(a) That each individual who is a Member of the Senate and each officer or employee of the Senate compensated at a gross rate in excess of $10,000 per annum on April 15 of any year shall file with the Comptroller General on or before such date—

"(i) a report listing each asset (exclusive of items of tangible personal property having a fair market value of not more than $5,000) held by him or his spouse, or by him and his spouse jointly, as of January 1 of such year; and

" '(ii) a copy of any income tax return filed by him with respect to the taxes imposed by subtitle A of the Internal Revenue Code for the most recent taxable year ending prior to such date.'

"(b) Both the Comptroller General and the select committee of the U.S. Senate are authorized to examine the reports and copies of income tax returns required to be filed with them under this section, and in any case in which such examination discloses evidence of any impropriety relating to the discharge of the official functions or duties of the Member, officer, or employee filing the report or copy of return or of a violation by such Member, officer, or employee of any law of the United States, the select committee or the Comptroller General shall make such further investigation with respect to such impropriety or violation as it or he deem necessary to establish the facts with respect thereto.

"(c) If after such further investigation either the Comptroller General or the select committee is of the opinion that such impropriety or violation has occurred, it or he shall make a report thereon to the Senate and, if in its opinion or his opinion such violation of law has occurred, to the Attorney General.

"(d) As used in this section the term 'officer or employee of the Senate' means—

"(1) Members of the Senate,

"(2) an elected officer of the Senate who is not a Member of the Senate;

"(3) an employee of the Senate, or of any committee or subcommittee of the Senate;

"(4) the legislative counsel of the Senate or any employee of that office;

"(5) an Official Reporter of Debates of the Senate and any person employed by the Official Reporters of Debates of the Senate in connection with the performance of their official duties;

"(6) a member of the Capitol Police force whose compensation is disbursed by the Secretary of the Senate;

"(7) an employee of the Vice President if such employee's compensation is disbursed by the Secretary of the Senate;

"(8) an employee of a joint committee of the Congress whose compensation is disbursed by the Secretary of the Senate; and

"(9) an employee of any Member of the Senate."

The PRESIDING OFFICER. Does the Senator offer the amendment in the nature of a substitute?

Mr. WILLIAMS of Delaware. Yes.

Mr. President, I yield myself 15 minutes.

The PRESIDING OFFICER. The Senator from Delaware is recognized for 15 minutes.

Mr. WILLIAMS of Delaware. Mr. President, I recognize completely the validity of the arguments advanced by the Senator from Mississippi and the Senator from Utah. I have tremendous respect for both of them in their capacities as chairman and vice chairman of the Select Committee on Standards and Conduct.

I have no question whatever that this committee is going to do a good job. I know that they have an unpleasant task ahead of them. They have my sympathy in that task and my pledge of support.

I have hesitated to offer the amendment at this time, but we are confronted with this question if we are dealing with a revision of the Senate rules. Since the question is before us at the present time I thought I should offer the amendment in the nature of a substitute. If we are going to deal with the question we should deal with it in a firm and effective manner, putting some teeth in the proposal.

Without enforcement provisions the Clark amendment merely represents a statement of principle.

The proposal which I have offered as an amendment in the nature of a substitute would require Members of the Senate and its employees receiving above the $10,000 level to file with the Comptroller General of the United States a copy of their financial statement, as would be required under the so-called Clark amendment. However, my amendment would also require the filing of a copy of their tax returns with the Comptroller General.

Mr. LAUSCHE. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. WILLIAMS of Delaware. In section (b) of my amendment, both the Comptroller General and the Select Committee of the Senate are authorized to examine these financial reports, including the copies of the income tax returns.

If they find anything wrong with them they are empowered under the amendment to conduct whatever investigation they think is necessary, to report it to the Department of Justice for prosecution, or to use the information contained on the financial statement and tax returns and make a report to the Senate for whatever action it thinks is necessary. They would have the complete authority.

On the other hand, if we are going to require the filing of nothing but a financial statement all we would be doing would be agreeing to an amendment that would get a front-page story as to how much or how little a Member of the Senate owns. There would be no teeth in the requirement, however.

I have had a lot of experience in investigating wrongdoing on the part of public officials. I have found that if we are able to take a combination of their net worth statement and their tax returns we can get at the heart of the problem and pretty well tell what kind of activities they have been up to. If, however, we take a financial statement alone we have a document that means nothing. It has been my experience that those who have done wrong—and I cite particularly the Bobby Baker case—have their assets concealed in the names of third parties.

Certainly it would be the filing of a false financial statement, but there is no penalty provided in the Clark amendment for filing a false financial statement. There is, however, a penalty for filing a false income tax return. There is a tremendous difference in the requirements of the two amendments.

I respect the views of the Senator from Pennsylvania, and I do not question his intentions.

The Senator from Pennsylvania pointed out very correctly that in the last few months there has been a decline in the respect of the American people for the U.S. Senate. I regret that I must agree with him. I point out, however, that this decline in the Senate's prestige has not been because we have not been filing financial statements; the respect of the American people for the U.S. Senate has declined largely because the Committee on Rules and Administration failed to do its job and to meet its responsibility when it was charged with the duty of conducting an investigation of the Bobby Baker case.

The attempt of the majority members of the Senate Rules Committee to brush that scandal under the rug was a disgrace to the Senate.

Mr. LAUSCHE. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. WILLIAMS of Delaware. As the Senator has pointed out, I did have something to do with the Baker investigation, but I regret to say that the conviction of Mr. Baker and the pursuance of that investigation were in spite of and not as a result of the cooperation that we received from the Senate Rules Committee, that was investigating the matter. I regret very much that it is necessary to say that. If that committee had discharged its responsibilities, as I am confident the Ethics Committee will discharge its responsibilities, we would not be in this position today, nor would the prestige of the Senate be at the low level that it is.

We need enforcement of existing laws and rules, not a lot of new ones. We may need some new rules, but we could adopt new rules a foot deep in the Senate Chamber, but unless they are enforced they are not worth the paper on which they are written.

What good is a committee report such as we got when the first phase of the investigation of the Baker case was over, which merely slapped the culprit on the wrist and said, "Let's adopt some new rules so it won't happen again"?

I said then that there were violations of the law. I pleaded with the Rules Committee to finish that investigation, present it to the Department of Justice, and see what would happen; and after that, if we needed new rules or more laws, we could enact them. I am glad that we were able to pursue that investigation despite the roadblocks that were thrown down by those whose primary interest was to whitewash the Baker case.

The conviction of Mr. Baker will be more of a deterrent to wrongdoing on the part of Members of the Senate and the employees than would the adoption of a thousand new rules.

The activities of the Ethics Committee and the position it is taking in pursuing diligently—I emphasize the word "diligently"—the investigation of one of our Members today are demonstrating to the American people that we do not consider a Member of the Senate above being called to account if there is something wrong with what he has done. It gives that Member an opportunity, as the Senator from Mississippi has very carefully insisted upon, to explain his side of the question, and he should have that opportunity. The committee is right when it pursues this investigation to its end and permits the public to see what has been done. Then, if we find we need new laws we can enact them, and if existing laws have been violated let us see that those laws are enforced.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. CURTIS. Mr. President, as I understand the amendment of the Senator from Pennsylvania, it would call for a public disclosure of certain facts set forth in his amendment. I should like to ask the distinguished Senator from Delaware this question: Does the substitute amendment of the Senator from Delaware call for a public disclosure of assets and liabilities and other facts of the parties covered?

Mr. WILLIAMS of Delaware. No, it does not. My amendment would require an annual filing by each Senator of a list of his assets and liabilities and a copy of his tax returns. These documents would be filed with the Comptroller General and would be available for examination by both the Comptroller General and the Ethics Committee. They would be empowered to examine them, and if either of them—I emphasize the word "either"—found something wrong, one without the consent of the other could refer that case to the Department of Justice; or they could make public anything that is contained in the files. This would apply only if they thought that something were wrong. I think they should do so if something is wrong, but my amendment would not make possible the wholesale disclosure that is provided for in the proposed Clark amendment. In fact, we could not require the release or public disclosure of tax returns without a constitutional amendment.

Mr. CURTIS. On that point, I should like to ask one more question.

Mr. WILLIAMS of Delaware. But there would be public disclosure in every instance where a public official has violated his public trust.

Mr. CURTIS. The amendment offered by the Senator from Pennsylvania specifically states that it is a matter of public record. Does the substitute amendment offered by the Senator from Delaware authorize the Comptroller General to make it a public record or direct him to do so?

Mr. WILLIAMS of Delaware. It does not direct him to do so. It authorizes him to do so if he thinks laws have been violated or if there is an indication of impropriety. If there is a violation of law either he or the Ethics Committee submits the matter to the Department of Justice. But this would apply only in instances where they see something wrong. This procedure is followed now in connection with any investigating committee of Congress.

As a layman, but having been in business it is my understanding that a customer can file a false financial statement for the purpose of obtaining credit. If after obtaining that credit based on that financial statement he does not make payment of his bills he can be prosecuted for fraud for obtaining credit under fraudulent circumstances. But if he pays his bills and they later find out that there is a fraudulent financial statement, nothing is ever done about it because no loss has been sustained. Many Senators are lawyers, and they can correct me if I am wrong; but that has been my understanding in the operation of a business.

My amendment would put some severe penalties for filing fraudulent reports.

The amendment of the Senator from Pennsylvania calls for public disclosure, but it carries no penalties if a false financial statement has been filed. I believe that the time has come when the Senate should deal with this problem, and by accompanying the financial statement with the tax returns a clear picture can be obtained. This contention is supported by any case I have dealt with over the past 20 years, whether it was in connection with the exposing of scandals involving the Department of Agriculture the Treasury Department or the most recent case of Mr. Baker. Give me a combination of the man's income tax returns and his financial statements over a period of years and one can come up with an answer as to what he has been doing. Certainly a Member can file a false financial statement and a false tax return, but the average individual is more fearful of filing a false tax return than anything else, because that is usually the way he gets in trouble.

Technically Al Capone went to the penitentiary for income tax evasion; but he really went to the penitentiary because of his racketeering, and the income tax indictment was the mechanics by which the conviction was obtained in the courts. A man may gamble on filing a false financial statement, but he will hesitate before filing a false tax return.

These reports would be of great assistance to the Select Committee not only in this particular case but in any future case that may arise.

When the Ethics Committee receives an allegation it can, without any publicity, immediately get the tax returns and financial statement, examine them, find out to what extent they disclose questionable activities, call the man in, and if necessary start an investigation. As it is now, if the Ethics Committee wishes a tax return of a Senator it has to request it from the President of the United States, and it can get it if the President agrees. Perhaps the President would agree but the mere fact that the committee requested the tax return of John Doe would, to a certain extent, be an indictment if it were found out and publicized. It would be a semicharge against the man. If my amendment is adopted it could be done with no injury to the individual. They can examine the papers quietly for the records are readily available at all times. This same proposal was offered a year and a half ago when we established the Ethics Committee. I was glad to be a cosponsor, with the Senator from Kentucky, of the legislation that established the Senate Ethics Committee, but I said then that if the Senate would adopt this rule to require Members of the Senate to make their financial statements as well as tax returns available, the committee would have some tools with which to examine the conduct not only of Senators but also of Senate employees.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. LAUSCHE. I would like to ask a few questions in order to highlight the objective of the Senator from Delaware in connection with this proposal.

Do I understand correctly that the bill provides that every employee of the Senate and Senators having an income in excess of $10,000 shall file two reports, one with the Comptroller General and one with the Select Committee of the Senate?

Mr. WILLIAMS of Delaware. No, that was a drafting error. The amendment now reads: "shall file with the Comptroller General on or before such date."

And on line 8, page 2, it reads:

> Both the Comptroller General and the select committee of the United States Senate are authorized to examine the reports and copies of income tax returns.

Only one report would be required.

The language was corrected because it would have required two reports, and it was not intended to require two reports. It was intended to have these reports filed in one place where they would be available to the Comptroller General and the Committee on Standards and Conduct.

Mr. LAUSCHE. In the report filed with the Comptroller General there would have to be listed every asset having a value in excess of $5,000; is that correct?

Mr. WILLIAMS of Delaware. The Senator is correct.

The PRESIDING OFFICER. The 15 minutes of the Senator have expired.

Mr. WILLIAMS of Delaware. Mr. President, I yield myself 5 additional minutes.

Mr. LAUSCHE. After that report is filed there also would have to be filed concomitant with it an income tax return deposited with the Comptroller General.

Mr. WILLIAMS of Delaware. The Senator is correct.

Mr. LAUSCHE. Now, after both of those papers are filed the Comptroller General and the Select Committee of the Senate would have the opportunity of examining those papers to determine whether any impropriety or any wrong had been committed by the Senator.

Mr. WILLIAMS of Delaware. The Senator is correct. They could be examined at any time they had a suspicion that something may be wrong.

Mr. LAUSCHE. If the Comptroller General and the select committee, upon examining those papers, found a wrong they would be directed to report the wrong to the Attorney General and to acquaint the Senate with it.

Mr. WILLIAMS of Delaware. The Senator is correct.

Mr. LAUSCHE. After that is done, if there were a wrong, the Attorney General could pursue action in accord with his judgment based upon the facts.

Mr. WILLIAMS of Delaware. The Senator is correct.

Mr. LAUSCHE. And the Senate could follow a similar procedure.

Mr. WILLIAMS of Delaware. The Senator is correct. Later if the Department of Justice determined that existing laws would not take care of the particular impropriety which was called to its attention it could recommend new laws, or it could report it to the Senate, making public any information which might be in the Department's files, which may have been taken either from the financial statement or the tax return of the Senator. The Department could use all of this information that is available to it to report instances of impropriety and wrongdoing.

There were some persons who said, "I do not want my income tax returns made public." All that public officials would have to do would be to conduct themselves properly, and their income tax returns would never be made public. Publication would only occur if there were something wrong. In that case the information should be public.

Mr. LAUSCHE. I wish to explore how the proposal of the Senator from Delaware differs from the proposal of the Senator from Pennsylvania [Mr. CLARK]. The proposal of the Senator from Pennsylvania contemplates a public revelation of a person's assets and income. The proposal of the Senator from Delaware contemplates a nonpublic revelation, but a revelation to the Comptroller General and the Select Committee is finally made public through a finding of misconduct.

Mr. WILLIAMS of Delaware. The Senator is correct, with this difference. In the filing of the report under my proposal persons would not be listing a part of their income—there would be available their complete income tax returns which are all itemized. Those returns would be signed so there would be the criminal penalties that accompany the filing of false income tax returns. Those penalties would be automatically applicable to false returns.

Mr. LAUSCHE. That was going to be my second question.

Mr. WILLIAMS of Delaware. That feature would be the teeth that we put into this proposal, because if we are going to do this job let us put some teeth in it so that it will be done right.

Otherwise our action would be but an idle gesture.

Mr. LAUSCHE. My next question to the Senator is: Does the proposal of the Senator from Pennsylvania carry any penalties based upon a misstatement of assets? Does the proposal of the Senator from Delaware carry penalties?

Mr. WILLIAMS of Delaware. My proposal does carry penalties—all of the penalties that accompany the filing of false income tax returns.

To my knowledge the proposal of the Senator from Pennsylvania does not carry any penalties. I would not say that there would not be some force and effect to the proposal of the Senator from Pennsylvania, but it would be only to the extent that the Senate wanted to discipline a Member after it found he had filed a false report.

The PRESIDING OFFICER. The Senator's 5 minutes have expired.

Mr. WILLIAMS of Delaware. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 10 minutes remaining.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. LAUSCHE. Mr. President, will the Senator yield so that I may ask one more question?

Mr. WILLIAMS of Delaware. I yield to the Senator from Ohio and will then yield to the Senator from Nebraska.

Mr. LAUSCHE. The proposal of the Senator from Delaware contemplates putting teeth into the bill, and it contemplates subjecting the offender to criminal prosecution, and, therefore, intends by coercion to procure compliance with the rules of decency and propriety.

On the other hand, the proposal of the Senator from Pennsylvania seems to me to be related to politics and not to the enforcement of moral decency.

I would like to ask the Senator from Delaware his interpretation of the comment that I have just made.

Mr. WILLIAMS of Delaware. I agree fully. If we are going to adopt a new rule let us put teeth in it and give to the Ethics Committee the tools with which it can rightly do the job. The financial statements and the tax returns that we are making available to it are items that are needed in the investigation of the activities of any Member of the Senate. These are documents that the committee is going to have to have before it can pursue an investigation of any Senator or employee. It is going to have to have those documents. Therefore, why not make them available in advance so that the committee can get them at any time? Why is anyone afraid to make them available to members of the committee? Knowing that either the Comptroller General or the committee can look at them would in itself be a deterrent to any public official who otherwise may be tempted to do something wrong. He will know that this committee and the Comptroller

General could always be casting a cautious eye over his activities.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LAUSCHE. Mr. President, will the Senator yield 1 additional minute to me?

Mr. WILLIAMS of Delaware. I yield 1 minute.

Mr. LAUSCHE. The purpose of the public official who wants to cheat will not be deterred by the proposal of the Senator from Pennsylvania. The greater the inclination to cheat, the more probable it is that he will cheat upon the filing of this public statement.

On the other hand, those Senators who do not cheat, will file honest reports.

Mr. President, I suggest that the proposal of the Senator from Delaware is sound: We should put teeth into the bill if we shall pass it. If we are not going to have teeth in the bill, do not pass it.

Mr. WILLIAMS of Delaware. I yield 5 minutes to the Senator from Nebraska [Mr. CURTIS].

Mr. CURTIS. I thank the distinguished Senator from Delaware.

Mr. President, I have the highest regard for the Committee on Standards and Conduct. I not only voted for the creation of the committee; I spoke in behalf of the Cooper amendment that brought it into being.

I believe the adoption of the amendment offered by the Senator from Pennsylvania would be a grave mistake. I do not believe it is in the public interest. I believe that it is well intentioned. I am sure of that. But I do not believe that the requirement for 100 Senators to file a public record of debts, property owned, and the various things set forth in the amendment would add one iota toward the improvement of the conduct of anybody.

I do not believe that it would be a deterrent to that small percentage of employees, or Senators, or anyone else who is tempted to do wrong. I think it is filled with opportunities for great abuse and would not serve any useful purpose.

On the other hand, something can be said for not legislating at this time. But as to the Clark amendments, I have a feeling that some day legislation on this subject will be enacted. Therefore, I shall support the Williams substitute because it does not carry the abuses that I foresee. It is my opinion—and I do not question the good intentions of the author—that the Clark proposal invites a great many abuses and will not be a deterrent to wrongdoing.

On the other hand, the Williams proposal will require the depositing of a financial statement and tax return with the Comptroller General. It is not the intention that it be published. One man, and one man alone, will be the custodian—not a committee, or a whole committee staff. But the papers will be there, should they be needed. The very knowledge that they might be needed will be a deterrent, I believe.

This, too, can be said in reference to the difficult task that whoever serves on the Committee on Standards and Conduct will have to perform in the years that lie ahead.

I do not believe that the Williams proposal jumps to a conclusion and writes ethical rules for the committee. I think the only thing involved here is that the Williams proposal gives the committee access to some information that they must have, if we expect them to perform the task which the Senate has assigned to them, by making it available in advance and applying it to everyone. It will be there. It will make the committee's task much easier. It will permit a quiet investigation so that complaints without substance can be looked into and discarded. The committee will not have to approach an employee and say, "We want to see these papers," because the requirements are laid down as a condition for all that they would be in a depository where they can be used.

As I say, I would be perfectly willing to wait until the committee has completed its work. I do not think this proposal will interfere with it. I do not think that it writes ethics at all. It merely provides a proper channel for the committee to secure information, if it so chooses.

I do think—and I repeat—the Clark proposal is unsound, is not in the public interest, and will be abused. I also think it would be more difficult to get individuals of high standing to agree to serve, either as elected officials or as employees of this body, if the Clark proposal should prevail, because I do not think it will deter wrongdoing.

Mr. MONRONEY. Mr. President, I yield 5 minutes to the distinguished Senator from Pennsylvania [Mr. CLARK].

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for 5 minutes.

Mr. CLARK. Mr. President, in my opinion, there are seven things wrong with the Williams amendment.

In the first place, it does not cover liabilities of a Senator, but only assets; and one of the areas in which a conflict of interest is most likely to arise is in regard to debts owed by a Senator to individuals who thereby obtain a hold on him.

In the second place, the Williams amendment does not require the disclosure of relationships between a Senator and professional firms, whether law firms, public relations firms, or other kinds of lobbying firms, and the like.

In the third place, the Williams amendment does not require a Senator to disclose names of the corporations in which he is serving as an officer or a director, or in which he is engaged as a member of a partnership or joint venture.

In the fourth place, the Williams amendment does not require disclosure of gifts. Gifts, of course, are well known to be potentially corrupting, and an attractive means for attempting to influence a Senator.

In the fifth place, while the Williams amendment does not require public disclosure at the beginning, it does require that the assets list and the income tax return shall be revealed to both the Comptroller General and members of the Select Committee on Standards and Conduct.

Senators will recall that the Senator from Minnesota took the floor a few moments ago to relate the fact that his vote in the Select Committee on Standards and Conduct was known to Jack Anderson and Drew Pearson within 24 hours after he cast it.

Therefore, is it not likely that the income tax return of every Senator would, in due course, also be known to Jack Anderson and Drew Pearson and perhaps a number of others?

I am not accusing any Senator of improper disclosure. I am just saying that it is a basic fact that if we make these disclosures to the Comptroller General, he will have a score of employees who will see it. If we make disclosures to the select committee, there will be a number of employees who will see it. Therefore, in my opinion, the attempt to cover up the income tax return and the list of assets is sure to fail. The whole thing will eventually be made available to the public.

In the sixth place, the Williams amendment requires disclosure of charitable contributions which are present on an income tax return. To my way of thinking, what a Senator gives to charity is no one's business but his own and that of the charity.

But, most important of all, in the seventh place, philosophically, the Williams amendment, in my opinion, has no proper bearing on the problem which confronts us.

The concept of the amendment which I have offered, and of the thinking of the Committee on Rules and Administration when it offered a far less onerous amendment, was that if Members of the Senate were to disclose their income, assets, liabilities, the gifts they had received, and other pertinent data dealing with their financial condition, we could then rely on the general public to determine whether they wanted to elect that Senator or not; that the general public—through the medium of television, the press, and radio—could call a Senator to account if, in their opinion, his financial situation, as disclosed, had resulted in a vote, an attitude of mind, a position on the floor of the Senate, or a position in committee, inconsistent with his duty to his constituents.

The PRESIDING OFFICER. The 5 minutes of the Senator have expired.

Mr. CLARK. I ask unanimous consent for 2 additional minutes.

Mr. MONRONEY. I am running short of time. I yield to the Senator 1 minute.

Mr. CLARK. When we substitute for the philosophical concept of disclosure the Williams concept of penalties, then we are going too far. We have criminal statutes in effect. Members of Congress have been put in jail by a prosecutor, who is now a Member of the Senate, for violating criminal statutes. We do not need sanctions other than disclosure, which, in due course would facilitate whatever action would be required to be taken in good conscience by the Select Committee on Standards and Conduct.

Therefore I think the Williams amendment should be defeated.

Mr. WILLIAMS of Delaware. Mr.

President, do I have 2 minutes remaining?

The PRESIDING OFFICER. Yes.

Mr. WILLIAMS of Delaware. I yield myself 1 minute.

First, in answer to the Senator from Pennsylvania, I recognize the Senator from Pennsylvania as an outstanding Philadelphia lawyer in the Senate; nobody but a Philadelphia lawyer would expect one to file a financial statement listing only assets, a financial statement lists not only assets but also liabilities.

Second, the Senator said that one would not know whether the Member making that return had received income from a law firm. I can examine any tax return and can tell whether a person has income from a law firm or from anywhere else.

Third, the Senator spoke about gifts and said my amendment does not require the listing of gifts to Members of Congress. I take the position that there is no provision in the law which gives Members of Congress a right to accept cash gifts. That is a violation of the law now. I flatly refuse to accept the position that a public official or a Member of Congress can accept gifts legally under any circumstances. He will find himself in the penitentiary if he does.

Mr. MONRONEY. Mr. President, I yield 5 minutes to the distinguished vice chairman of the Select Committee on Standards and Conduct, the Senator from Utah [Mr. BENNETT].

Mr. BENNETT. Mr. President, it is with a wry smile that I ask the Senator from Delaware if I must return to my wife a gift which she gave me because I am a Senator.

I have listened with a great deal of interest to the proposal of the Senator from Delaware. I think it ties down very tightly the question of financial activities of a Member of the Senate—much more tightly than that proposed by the Senator from Pennsylvania.

The Senator from Delaware points out that after these statements have been made to the Comptroller General, if he discovers that something is wrong, he can take action, or the Select Committee can take action. He divides the prospective wrongdoing into two classes: crimes, which are already provided for on the statute books and which can be identified, and improprieties.

My point is that the select committee was appointed to discover or to try to identify and classify the question of improprieties—actions less than crimes, but which offend the rules or dignity of the Senate. We still have that problem before us.

I think the amendment of the Senator from Pennsylvania would greatly limit our opportunity to examine into and arrive at final suggestions in that field.

I think, too, the proposal of the Senator from Delaware would leave somebody with many problems. The Senator from Pennsylvania has raised several. Somebody would have to work out the details that would be required in the disclosure statement if one were to accompany the tax return, because if there is in the disclosure statement another copy of the figures on one's tax returns, then there is nothing disclosed. To what extent shall we require more detailed disclosure than what may exist on a tax return? Somebody has to work that out.

I agree with the Senator from Nebraska that the net effect of the adoption of the Williams amendment would be to give the committee a new tool which would save a great deal of time when the investigation of any charge that might be made against a Member was made, because I have not assumed that it was the committee's function, if such reports were to be filed, to immediately sit down, go over each report, and try to find out as much trouble as it could about every Member of the Senate—in other words, to use is as a fishing expedition.

The amendment of the Senator from Delaware was very illuminating and informative to me, and the ideas it contains can be included in the study of the select committee. It still must go into this whole problem. It can operate as effectively at this point without the powers the amendment would give us as the committee could with those powers.

We keep coming back to the fact that the Senate gave six unwilling Members a job to do. Now that they are embarked on that responsibility, I think all of us want to carry it out. I think we want to be free of restrictions and controls and limitations which would make it difficult for us to do the job, which would foreclose our work in certain areas, because those areas would have been covered by specific legislation, even though we might discover that the legislation was ineffective or obstructive or destructive of our responsibility.

So I hope the Senate will express its faith in that committee by rejecting both of these amendments.

We should have an opportunity to study this question carefully, and I hope the Senate will give us that opportunity without tying our hands.

Mr. MONRONEY. Mr. President, I yield 5 minutes to the distinguished chairman of the select committee, the Senator from Mississippi [Mr. STENNIS].

Mr. STENNIS. Mr. President, in a broad and general proposition, I have the same position, the same points that I have already made here with reference to the amendment as proposed by our friend from Pennsylvania. I think this is a classic illustration, putting these amendments side by side, to prove conclusively the broadness of the subject, the difficulties of the problem, the differences that exist in the membership. They prove that it is absolutely necessary to get a rule or some kind of regulation, or whatever it might be called, which covers the subject matter, and that the members of the committee itself feel is a solid one and meets the problem.

I say, for the benefit of any Senators who may not have been here when I spoke previously, that it is unthinkable to me that this tedious and difficult subject, going into the very vitals of important matters, should be handled like an amendment from the floor, almost as if one picked up a paper, wrote out a few sentences, and said, "This should be the law."

We are talking about legislation. It is not a rule or regulation, or anything like that. If adopted, it would be the law.

This is not a field in which we want to work on. There is nothing attractive about it. But the Senate has taken a positive, definite position, and has created this group and empowered it with certain duties. I think it is the only committee which has no ceiling on the amount of money which it can spend, although I do not think we are spending much, to study this question, to do the very best job it can, to obtain the best evidence it can, to obtain the best counsel and advice from its members.

That is what we hope to do. To come in here and sweep all that aside and junk it and say, "We did not mean it after we did it; we are going to do it this way, regardless," is unthinkable to me.

I submit to the Senate that we have already taken it to heart. The only logical thing to do is stay with it and live with it for a while, and try to solve it that way.

I return whatever time I have remaining.

Mr. MONRONEY. I yield 5 minutes to the distinguished senior Senator from Florida.

Mr. HOLLAND. I thank the Senator from Oklahoma.

Mr. President, the fact that two Senators of equally good intentions in this matter have offered two diametrically opposed amendments is the best argument for us to permit this able committee to function, and to decide what is the best method to approach this difficult problem.

The Senator from Pennsylvania was in the minority on the Rules Committee, and he has said to us here that the rule that was reported from that committee and was rejected by the Senate was, as he put it, far less onerous than the one he suggests here now.

Mr. CLARK. If the Senator will yield——

Mr. HOLLAND. I cannot yield. I have only 5 minutes. I am complimenting the distinguished Senator.

The Senator from Delaware was the principal one who ferreted out the misdoings of Bobby Baker. Everyone knows both Senators are approaching this matter with the effort to get the job done, and yet they have come in here with two very different approaches.

I ask the Senate to remember that we appointed this committee, which has been drafted to do the job on a nonpartisan basis—three very able and distinguished Senators from each side have been assigned to that committee—should be given the chance to do the job assigned it.

Mr. President, if that distinguished committee had not done what the chairman has reported that it did when all of the publicity was given to the charges against one of our fellow Senators, laying aside the work they had already started on, to report general rules, and proceeding to investigate into the charges against that particular colleague—and incidentally, at his request likewise—they would not have merited the high respect which I am sure every Senator feels for them.

Because when the good name of a Senator is attacked, the good name of the Senate is attacked; and the Senators who are on that committee naturally went into that business, and of course they have gone into it meticulously, as has been shown by the remarks of the distinguished Senators from Mississippi and from Utah, both of whom I respect most highly.

Mr. President, here we are asked to bring in a verdict that one man's draft of eight pages—that of the Senator from Pennsylvania—is what the Senate thinks should be done, and not a report from the committee. The Senator himself says it is more onerous than what his committee, the Committee on Rules, was willing to report on an earlier occasion.

We have a draft from the Senator from Delaware three pages long. Incidentally, it contains two very great uncompleted matters. He does not even allow for a hearing for the man whose good faith is accused—I called his attention to that just a short time ago—and there are other areas of drafting and discrepancies in it, which do not at all go to the good faith of the distinguished Senator from Delaware, who is trying to get a job done.

But what is the committee for? It is to hear the various suggestions that are made, winnow them out, and come up with a report which gives the considered, deliberate sentiment of the six good men on that committee, as to what is the preferred way to deal with this difficult subject.

Mr. President, if I had to choose between these two, I would greatly prefer the draft of the Senator from Delaware. But I do not. And I think it would be unwise for the Senate to approve either of these approaches. I think that to approve either of them would indicate our willingness to turn down this committee, which has put first things first and has told us, through the words of its chairman today, that it expects to bring in something during this session, even as I understand him, to be acted upon by the Senate this session.

Mr. President, I believe the committee is proceeding with diligence. I know it is proceeding with character, and with respect for the law and for the rights of individuals as well. I think we would make a very great mistake, in this most delicate matter, which runs to the character and reputation of the Senate as a body, and of every Senator and every employee of the Senate, to write legislation on this delicate subject on the floor.

The proponents of these two diverse amendments have proved our case. They have shown how people with good intentions can approach the curing of this ill by such different directions and in such different manners. This matter should go to the committee, and should have the benefit of its long and exhaustive study.

Mr. MONRONEY. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 10 minutes remaining.

Mr. MONRONEY. I yield myself 3 minutes.

Mr. President, I think this debate between some 10 or 12 Senators, rather equally divided, illustrates the complete and total impossibility of writing any kind of fair and well-considered legislation on the floor of the Senate, particularly on matters which are subject to so many different interpretations, and which affect very importantly the Members and employees of the Senate itself.

I again point out that neither of these amendments, no matter how skillful the drafting is, or how valid the ideas behind them, appeared for 1 minute's discussion or consideration by the committee which has charge of the bill to which they would be attached. I do not think that is a very good way to legislate. Usually floor amendments at least come in as a result of something that has been discussed in testimony by witnesses before the committee having jurisdiction, and the testimony has been considered and the amendment accepted or rejected.

Here we are asked, after a little more than 30 minutes on a side, or a total of around an hour, to decide something that, if there is an error made on something contained in the amendment, will nevertheless become the law, and I think it would likely remain the law for quite a while. I point out that since these proposed amendments deal with matters affecting the Senate exclusively, they will not even have the opportunity of being corrected, revised, or adjusted in conference with the other body, because the House will not pass upon the matter.

So this evening, with a wide difference of opinion shown, as I say, between at least 10 distinguished Senators, on how we should do this—and I expect if it remained on the floor another day, we would find 20 or 30 Senators disagreeing—and I expect, if the matter remained pending over the holidays that are coming up, we would probably have about as many amendments to this matter, dealing with the personal income reporting and liability reporting, as we have had to this bill on how to organize the functions of the Senate—I intend, if no one else is asking for time, to move first to table the amendment of the distinguished Senator from Delaware [Mr. WILLIAMS], and, if that motion is successful, to move to table the amendment of the senior Senator from Pennsylvania [Mr. CLARK], on the basis that this matter is properly in the hands of the committee designated and created by the Senate to do the very thing that these amendments seek to do, and that is to take up and consider legislation for standards and conduct of the Members of the Senate, and not to hand us a quick-mix job, that has been brought up here on the floor in less than an hour's time for discussion, and then ask this committee to enforce the thing.

We thought we would have something to do, at least, with considering, in the committee on standards and ethics, legislation to provide what the reports and other steps might be, to provide for ethical standards of our Members. If these amendments were agreed to, we would only be the committee to look at your income tax, and I hardly believe that is something the members of our committee would like or care or wish to do.

By reason of the fact that there is already an existing committee at work at the present time, capable of taking care of reporting adequate legislation, after hearing a reasonable number of witnesses and hearing testimony from Members of the Senate, to the Senate for action as a bill, I submit that it does not belong on the Legislative Reorganization Act, in connection with which no testimony was taken regarding the merits of the bill or any proposal thereon.

It was mentioned in testimony, but never detailed. Our files do not disclose anything on it.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MONRONEY. Mr. President, I yield myself 1 additional minute.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized for 1 additional minute.

Mr. MONRONEY. Mr. President, I move to table the amendment of the Senator from Delaware in the nature of a substitute for the Clark amendment, and if we table that amendment, I will move that we table the amendment of the distinguished senior Senator from Pennsylvania. We can then get on with the business and leave the consideration of the legislation to the committee designated by the Senate to consider it.

Mr. President, I yield back the remainder of my time.

Mr. WILLIAMS of Delaware. Mr. President, I ask for the yeas and nays.

Mr. MONRONEY. Mr. President, I move to table the amendment of the Senator from Delaware in the nature of a substitute.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Oklahoma let us vote on the merits of the amendment? We could do it just as quickly.

Mr. MONRONEY. I make the motion to table the amendment because it does not belong in the bill. It is not germane to the bill, and we do have a motion to table.

Mr. WILLIAMS of Delaware. I think it is germane to the bill. This is not a last-minute matter. It was before the Senate about a year and a half ago. It has been before the Senate for quite awhile.

Mr. MONRONEY. Not in the form in which we would be enacting it into law.

I have withheld the motion to table until all time has been used. I have not cut off a single Senator seeking recognition.

I intend to move to table the amendment of the Senator from Pennsylvania as well.

Mr. WILLIAMS of Delaware. I appreciate that, but I want to make the record clear that this is identical to the amendment I proposed to the Senate a year and a half ago. It is not something that has been worked up in the last half hour.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second, and the yeas and nays are ordered.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Oklahoma to table the amendment of the Senator from Delaware in the nature of a substitute for the amendment of the Senator from Pennsylvania. On this question, debate is not in order, and the clerk will call the roll.

Mr. HOLLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HOLLAND. Mr. President, are we asked to vote now on the motion to table the substitute amendment offered by the Senator from Delaware?

The PRESIDING OFFICER. The Senator is correct.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Indiana [Mr. BAYH], the Senator from Maryland [Mr. BREWSTER], the Senator from Idaho [Mr. CHURCH], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Alaska [Mr. GRUENING], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Montana [Mr. MANSFIELD], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from New Mexico [Mr. MONTOYA], the Senator from Oregon [Mr. MORSE], the Senator from Utah [Mr. MOSS], the Senator from Georgia [Mr. RUSSELL], and the Senator from Alabama [Mr. SPARKMAN] are absent on official business.

I also announce that the Senator from Mississippi [Mr. EASTLAND], the Senator from Indiana [Mr. HARTKE], the Senator from Wisconsin [Mr. NELSON], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

On this vote, the Senator from Maryland [Mr. BREWSTER] is paired with the Senator from South Carolina [Mr. HOLLINGS].

If present and voting, the Senator from Maryland would vote "yea" and the Senator from South Carolina would vote "nay."

On this vote, the Senator from Florida [Mr. SMATHERS] is paired with the Senator from Oregon [Mr. MORSE].

If present and voting, the Senator from Florida would vote "yea" and the Senator from Oregon would vote "nay."

Mr. KUCHEL. I announce that the Senator from Vermont [Mr. AIKEN], the Senator from Arizona [Mr. FANNIN], and the Senator from Idaho [Mr. JORDAN] are absent on official business of the Interparliamentary Union.

The Senator from New Hampshire [Mr. COTTON], the Senator from Kentucky [Mr. MORTON], and the Senator from Illinois [Mr. PERCY] are necessarily absent.

The Senator from Texas [Mr. TOWER] is absent on official business.

The Senator from New York [Mr. JAVITS] is detained on official business.

If present and voting, the Senator from Arizona [Mr. FANNIN] and the Senator from Texas [Mr. TOWER] would each vote "yea."

On this vote, the Senator from Kentucky [Mr. MORTON] is paired with the Senator from Illinois [Mr. PERCY]. If present and voting, the Senator from Kentucky would vote "yea" and the Senator from Illinois would vote "nay."

The result was announced—yeas 57, nays 18, as follows:

[No. 24 Leg.]

YEAS—57

Allott
Anderson
Baker
Bartlett
Bennett
Bible
Brooke
Byrd, W. Va.
Cannon
Case
Clark
Cooper
Dirksen
Ellender
Ervin
Fong
Gore
Hansen
Harris
Hart
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hruska
Inouye
Jackson
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
Long, La.
Magnuson
McCarthy
McClellan
McGee
McGovern
Metcalf
Mondale
Monroney
Mundt
Muskie
Pastore
Pearson
Proxmire
Randolph
Scott
Smith
Stennis
Symington
Talmadge
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—18

Boggs
Burdick
Byrd, Va.
Carlson
Curtis
Dodd
Dominick
Griffin
Lausche
Miller
Murphy
Pell
Prouty
Ribicoff
Spong
Thurmond
Tydings
Williams, Del.

NOT VOTING—25

Aiken
Bayh
Brewster
Church
Cotton
Eastland
Fannin
Fulbright
Gruening
Hartke
Hollings
Javits
Jordan, Idaho
Mansfield
McIntyre
Montoya
Morse
Morton
Moss
Nelson
Percy
Russell
Smathers
Sparkman
Tower

So Mr. MONRONEY's motion to table the amendment in the nature of a substitute of Mr. WILLIAMS of Delaware for Mr. CLARK's amendment was agreed to.

Mr. MONRONEY. Mr. President, I now move to lay the amendment of the distinguished Senator from Pennsylvania on the table, and I ask for the yeas and nays.

Mr. STENNIS. Mr. President, may we have order, so that the Senator from Oklahoma may be heard?

The yeas and nays were ordered.

The PRESIDING OFFICER (Mr. CANNON in the chair). The question is on agreeing to the motion of the Senator from Oklahoma to table the amendment of the Senator from Pennsylvania. The yeas and nays have been ordered.

Mr. DIRKSEN. Mr. President, the call of the roll has not yet started. I have some unanimous-consent requests.

I ask unanimous consent that the next printing of Senate Resolution 8——

The PRESIDING OFFICER. The motion to table has been made.

Mr. DIRKSEN. But the call of the roll has not been started.

The PRESIDING OFFICER. A motion to table is not debatable. The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Indiana [Mr. BAYH], the Senator from Maryland [Mr. BREWSTER], the Senator from Idaho [Mr. CHURCH], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Alaska [Mr. GRUENING], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Montana [Mr. MANSFIELD], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from New Mexico [Mr. MONTOYA], the Senator from Oregon [Mr. MORSE], the Senator from Utah [Mr. MOSS], the Senator from Georgia [Mr. RUSSELL], and the Senator from Alabama [Mr. SPARKMAN] are absent on official business.

I also announce that the Senator from Mississippi [Mr. EASTLAND], the Senator from Indiana [Mr. HARTKE], the Senator from Wisconsin [Mr. NELSON], and the Senator from Florida [Mr. SMATHERS] are necessarily absent.

On this vote, the Senator from Oregon [Mr. MORSE] is paired with the Senator from Florida [Mr. SMATHERS].

If present and voting, the Senator from Oregon would vote "nay" and the Senator from Florida would vote "yea."

I further announce that, if present and voting, the Senator from Maryland [Mr. BREWSTER], the Senator from South Carolina [Mr. HOLLINGS], and the Senator from Wisconsin [Mr. NELSON] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Vermont [Mr. AIKEN], the Senator from Arizona [Mr. FANNIN], and the Senator from Idaho [Mr. JORDAN] are absent on official business of the Interparliamentary Union.

The Senator from New Hampshire [Mr. COTTON], the Senator from Kentucky [Mr. MORTON], and the Senator from Illinois [Mr. PERCY] are necessarily absent.

The Senator from Texas [Mr. TOWER] is absent on official business.

The Senator from New York [Mr. JAVITS] is detained on official business.

If present and voting, the Senator from Arizona [Mr. FANNIN] would vote "yea."

On this vote, the Senator from Texas [Mr. TOWER] is paired with the Senator from Kentucky [Mr. MORTON]. If present and voting, the Senator from Texas would vote "yea" and the Senator from Kentucky would vote "nay."

The result was announced—yeas 45, nays 30, as follows:

[No. 25 Leg.]

YEAS—45

Allott
Anderson
Baker
Bartlett
Bennett
Bible
Boggs
Brooke
Byrd, Va.
Byrd, W. Va.
Cannon
Carlson
Curtis
Dirksen
Dominick
Ellender
Ervin
Hansen
Harris
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hruska
Inouye
Jordan, N.C.
Long, Mo.
Long, La.
McCarthy
McClellan
Metcalf
Miller
Monroney
Mundt
Murphy
Muskie
Pearson
Pell
Prouty
Randolph
Smith
Stennis
Talmadge
Young, N. Dak.

NAYS—30

Burdick
Case
Clark
Cooper
Dodd
Fong
Gore
Griffin
Hart
Jackson
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Magnuson
McGee
McGovern
Mondale
Pastore
Proxmire
Ribicoff
Scott
Spong
Symington
Thurmond
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, Ohio

NOT VOTING—25

Aiken
Bayh
Brewster
Church
Cotton
Eastland
Fannin
Fulbright
Gruening
Hartke
Hollings
Javits
Jordan, Idaho
Mansfield
McIntyre
Montoya
Morse
Morton
Moss
Nelson
Percy
Russell
Smathers
Sparkman
Tower

So Mr. MONRONEY's motion to table Mr. CLARK's amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

THE SENATE JOURNAL

Mr. DIRKSEN. Mr. President, I have caused to be prepared a statement with regard to the Senate Journal which I think will be of interest to all Senators.

The Journal is the official proceedings of the U.S. Senate; it was provided for by our Founding Fathers in the Constitution of the United States, article I, section 5, subsection 3 of which states:

> Each House shall keep a Journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy; and the yeas and nays of the Members of either House on any question shall, at the desire of one fifth of those present, be entered on the Journal.

Rule III, paragraph 1 of the Standing Rules of the Senate, adopted April 16, 1789, states:

> The Presiding Officer having taken the chair, and a quorum being present, the Journal of the preceding day shall be read, and any mistake made in the entries corrected. The reading of the Journal shall not be suspended unless by unanimous consent; and when any motion shall be made to amend or correct the same, it shall be deemed a privileged question, and proceeded with until disposed of.; and

Rule IV, adopted May 19, 1789, amended March 12, 1792, and further amended February 14, 1928, states further:

> 1. The proceedings of the Senate shall be briefly and accurately stated on the Journal. Messages of the President in full; titles of bills and joint resolutions, and such parts as shall be affected by proposed amendments; every vote, and a brief statement of the contents of each petition, memorial, or paper presented to the Senate, shall be entered.
>
> 2. The legislative, the executive, the confidential legislative proceedings, and the proceedings when sitting as a Court of Impeachment, shall each be recorded in a separate book.

The Journal also includes conference reports in full, messages from the House of Representatives, reports of committees, and so forth.

The Journal Clerk takes notes of the daily proceedings, and enters the same in long hand in the large red "minute book" which is at the rostrum, and the information entered therein is available to every Senator.

Sitting to the right of the Presiding Officer and facing the Senators, motions made are readily heard by him. All communications, reports of committees, bills introduced, and so forth, pass through his hands and are recorded, prior to being forwarded to other clerks. The "minute book" is a continuity of legislative action.

Notes are sent to the Assistant Journal Clerk, who types the proceedings in manuscript form. The manuscript is then checked against the entries in the "minute book."

If, at the conclusion of a day's session, there should be a question raised as to the recording of a certain vote, or the action on a given measure, the Journal may be read for verification at the next day's session, and amendments considered thereto.

The manuscript, upon approval, becomes the official proceedings of the Senate, and is sent to the Government Printing Office, where 15 copies of the—daily—proceedings are prepared. Upon their return, the printed proceedings are checked against the manuscript, and distributed to the Journal staff and other interested parties—the Secretary of the Senate, Parliamentarians, Enrolling Clerk, the Committee on Rules and Administration, the Committee on Appropriations, and so forth.

The manuscript is retained in the possession of the Journal Clerk until the end of the congressional session, and is then sent, together with the "minute book" and rollcall votes, to the National Archives for posterity.

The printed bound Journal is available for each Senator not later than January of each year, and distribution is also made to depository libraries nationwide.

Because of the additional time available in the preparation of the Journal, there is less probability of error, although the Journal Clerk—Mr. Somers—stated that on one occasion during the 1966 session, it was necessary to return several pages of the printed proceedings to the Government Printing Office on 3 successive days to correct errors in their printing of same.

The Journal Clerk and his assistant are often found working late, verifying amendments to various bills, checking rollcalls, and so forth. It requires considerable scrutiny, proofreading, and knowledge of parliamentary procedure to prepare an accurate, authoritative interpretation of the legislative proceedings of the U.S. Senate.

Recent proposals to incorporate the Journal with the CONGRESSIONAL RECORD would impair the efficiency and accuracy of the Journal, due to the deadline required in the printing of the daily RECORD. It would necessitate additional staff plus increased costs for duplication in printing much of the same material. The cost per page of the printed RECORD is $110, compared to less than $50 for a page of the Journal.

ESTABLISHMENT OF SILVER RESERVE FOR NATIONAL DEFENSE PURPOSES

Mr. DOMINICK. Mr. President, I send to the desk, on behalf of myself and my colleague [Mr. ALLOTT], for appropriate reference, a bill which would direct the Secretary of the Treasury to establish a reserve of 165 million ounces of silver for national defense purposes. The figure of 165 million ounces of silver corresponds with the stockpile objective as established by the Office of Emergency Planning. I introduced similar legislation in the last Congress calling for a specific set aside of silver for defense purposes as I feared we would soon be in a position where we would not have enough silver in our free Treasury reserves to meet our stockpile objectives.

Mr. President, I regret to report that my fears have been confirmed. We no longer have enough silver in our unobligated silver reserves to meet the defense objectives as established by the Office of Emergency Planning. During the latter part of 1966, our free reserves of silver dropped below the 165 million ounces established as our stockpile objective, and the drain on our reserves is presently continuing at a dramatic rate. I am informed by the Treasury that, as of January 27, the total supply of silver held in reserves amounted to 570,103,038.2 fine troy ounces of which roughly 434,950,010.4 ounces is monetized by law to secure silver certificates leaving only 135,153,027.8 ounces as unobligated or free silver which can legally be used for defense or industrial purposes. Assuming that all free silver now held by the Treasury were "set-aside" for defense stockpile purposes, the following chart clearly shows that we would currently be nearly 30 million ounces short of having enough free silver to meet our stockpile objective:

	Ounces
Stockpile objective	165,000,000
Balance of free silver as of January 27	135,153,027
Deficit	29,846,973

The following chart gives a good indication of the dramatic reduction in our silver reserves during representative months in the past year:

[In fine troy ounces]

	Total silver held in reserves [1]	Silver monetized to secure silver certificates	Balance of (free) silver
December 1965	801,319,743	529,474,026	271,845,717
June 1966	687,118,769	463,355,565	223,763,204
October 1966	615,666,831	442,480,991	173,185,840
November 1966	601,477,455	439,769,779	161,707,676
December 1966	592,918,102	437,657,325	154,960,777
Jan. 27, 1967	570,103,038	434,950,010	135,153,027

[1] Does not include 2-plus million silver dollars.

We have passed the brink of concern—we are now face to face with another silver crisis. We are in this present dilemma largely because we have failed to develop a workable silver policy. In fact, we are suffering from what I call a "nonsilver" silver policy which has produced no policy and not enough silver. We have stumbled from silver crisis to silver crisis reacting to the situation with remedial legislation rather than with permanent solutions.

Since the early 1960's it has been apparent that we were facing a major shift in our silver situation. Since that time, our consumption of silver has continuously exceeded predictions and the depletion of U.S. Treasury reserves has surpassed the Government's efforts to stem the decline. The first crisis during this period can be traced back to as early as 1961. Reacting to the rapid depletion in silver reserves, the Treasury in November 1961, suspended silver sales to U.S. industrial users as $0.91 an ounce. Like today, the Treasury had been making these sales from its free reserves—reserves not required for backing for silver certificates. Unfortunately, three things occurred which sharpened the crisis: the demand for silver coinage increased faster than predicted, industrial use greatly expanded, and coinage demands from foreign countries increased. As a "reaction" to the crisis, Public Law 88-36 was enacted in June 1963, to alleviate the problem of our decreasing reserves. Public Law 88-36 repealed the Silver Purchase Act and provided for the redemption and eventual retirement of all silver certificates. Many of us, particularly those of us from the Western States, opposed this move for we saw it as a convenient method for the Treasury to depress and control the market price of silver. Our worst predictions have come true and silver continues to flow out of the Treasury to industrial users under the guise of redeeming silver certificates. The act did, however, temporarily relieve the silver crisis as the redemption and retirement of silver certificates released or freed silver previously needed for the backing of the certificates.

The 1963 act also confirmed the redeemability of silver certificates for bullion at $1.2929 an ounce which made the Treasury Department a residual supplier for industrial demands in excess of silver available through commercial outlets.

By the fall of 1963 the price of silver had risen from $0.9162 to a market level of $1.2930, slightly higher than the monetary value of $1.2939. Based on the monetary value, the three-fourths of an ounce of silver contained in a silver dollar has a market value of $1, and it was apparent that, if the price moved higher, the silver content of the coin would be worth more than its value as a coin.

Nothing was done in the 1963 act about silver subsidiary coins. Supplies were already short and during 1963 and 1964 coin usage expanded even more than predicted. The minting of coins was stepped up dramatically and by 1965 the situation had improved to some extent. Obviously, the amount of silver required to make the additional coinage also rose sharply in proportion to the speedup in minting. It became obvious that, if the coins were to continue to have a silver content of 90 percent, our silver policy would have to be either revamped to increase production of silver or our silver reserves would soon be exhausted. Another crisis loomed.

To cope with the new crisis, the Treasury made several recommendations for what, again, I feel was an ill-advised and remedial solution to the problem. The recommendations basically called for a reduction in the silver content of the silver dollar from 90 percent to 40 percent and suspension of the production of silver dollars for 5 years from July 23, 1965, plus the removal of all silver from our dimes and quarters and the establishment of a Joint Commission on the Coinage. Against the protests of many of us in Congress, the Treasury recommendations were basicaly adopted and they became the Coinage Act of 1965. Hence, another silver crisis was temporarily averted. In fact, though, the net result was that our coins were debased and the groundwork was laid for our present dilemma.

Now, a year and a half after enactment of legislation to cut the use of silver in coinage, the Treasury is still predictably faced with a drain on its reserves. The fact that we used only 53,852,000 ounces of silver for coinage in 1966 as opposed to 320,658,000 ounces in 1965 and 203,170,000 in 1964 has done little to stem the flow of silver from our Treasury reserves.

Commercial and industrial users of silver have continued to use Treasury silver as their own private silver mine, without regard to our need for silver for defense, coinage, and redemption of silver certificates. Unfortunately, our present system holds down silver prices and hence production of silver has not materially increased. Silver is increasingly needed in greater quantity for a wide variety of products including metal bonding, batteries, electronic components, and photography, not to mention specific military requirements.

Preliminary figures indicate that the world consumption of silver for industrial purposes reached an all time high in 1966 of 356.5 million ounces up from 346.6 million ounces in 1965 and 304.2 million ounces in 1964.

Preliminary figures also indicate that 150 million ounces of silver was consumed in the United States during 1966 for use in the arts and industries, up from 137 million ounces in 1965 and 120 million ounces in 1964.

Total consumption of silver for all purposes has continued to rise until this past year when the effects of the debasing of our coins by virtue of the Coinage Act of 1965 was first felt. Because of the inordinate demand for coinage in the years just prior to the 1965 act, use of silver in coinage in the United States rose from 77.4 million ounces in 1962 to 111.5 million ounces in 1963, 203.2 million ounces in 1964, to a high of 320.6 million ounces in 1965. Preliminary figures indicate that our silver consumption for coins dropped to 53.8 million in 1966. As a consequence, our total consumptive use of silver dropped in 1966 and our reduction in use was also reflected by a reduction in the world consumption of silver. Despite the sharp decrease in consumption of silver for coinage, the United States still used 203,852,000 ounces of silver for the arts, industries, and silver processed into U.S. silver coins. Preliminary figures indicate that the total world consumption of silver during 1966 amounted to 463.9 million ounces. I ask unanimous consent that the chart marked exhibit 1 showing the world use of silver since 1965 be included in the RECORD following my remarks and the chart marked exhibit 2 showing the U.S. consumption of silver for that same period be inserted in the RECORD following my remarks.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

(See exhibits 1 and 2.)

Mr. **DOMINICK**. Despite the reduction in the use of silver for coinage, both the United States and world output of silver is still far below consumption creating what has been frequently referred to as the silver gap. World production of silver in 1965 was approximately 250 million ounces while the United States produced only 39 million ounces. Definitive world production figures for 1966 are not yet available, but the preliminary U.S. figures indicate that our domestic production rose only slightly to 42.5 million ounces in 1966.

Mr. President, I ask unanimous consent to have printed in the RECORD following my remarks a chart showing U.S. production.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

(See exhibit 3.)

Mr. **DOMINICK**. Mr. President, consumption of silver for the arts and industries in the United States has grown in the past 6 years from 102 million ounces in 1960 to 150 million ounces in 1966 while at the same time our domestic production has remained at between 35 and 42.5 million ounces as shown on exhibit 3. The problem is further compounded by the fact that exports of silver during 1966 exceeded imports. Our exports of silver through November 1966, totaled 109.4 million ounces while we imported only 72.9 million ounces for a net loss of 36.4 million ounces. While December's figures are expected to partially correct this situation, it is clear that our exports during 1966 will exceed imports by a significant amount. Thus, while our total domestic consumption of silver for the arts and industries continues to climb out of the taxpayers treasury silver mine and with silver processed into coinage totaling 203,852,000 ounces, our domestic production was only 42.5 million ounces or a ratio of almost 5 to 1 of consumption over production. Even without taking exports and coinage into consideration, our domestic consumption of silver exceeded production by over 100 million ounces in 1966. Chart follows:

[Estimated figures]

Consumption for arts and industries in United States in 1966	150,000,000
Production in United States in 1966	42,500,000
Total	−107,500,000

Since the Treasury has been maintaining the price of silver at $1.2929 to prevent the melting of our silver coinage, consumers of silver look to the Treasury to fill the gap between production and consumption. As long as the price is maintained at $1.29, it is certain that there will be no upsurge in the domestic production of silver and industry will continue to buy silver from the Treasury at the bargain rate price of $1.29. As long as this circumstance exists, our silver reserves will continue to drop at the present dramatic rate.

How long can our present Treasury silver reserves be expected to last? The answer to this question finds our silver "experts" in sharp disagreement. The rapid outflow of silver has apparently caught the Treasury by surprise because in hearings held before the Senate Committee on Banking and Currency in 1964, the Treasury predicted that its then present reserves would last until 1972. It is apparent that this estimate was totally inaccurate and, in fact, if our present "nonsilver" silver policy is to be continued, we will be out of silver far ahead of the 1972 prediction made by the Treasury.

I have already indicated that our month's end reserves excluding silver dollars, had dwindled to 570,103,038 ounces and excluding silver monetized by law to back silver certificates, we had only 135,153,027 free ounces of silver which can legally be used for sale to fill the silver gap or for defense purposes, should the need arise.

As I previously indicated, our requirements for the arts, industries, and coinage consumed 203,852,000 ounces during 1966. While it has been predicted by the

Treasury that our requirements for silver for coinage will be reduced by approximately 30 million ounces in 1967, our requirements for the arts and industries will undoubtedly increase substantially above the 150 million ounces consumed in 1966. This, then, will predictably find our total U.S. silver consumption for 1967 once again, in the neighborhood of 200 million ounces. The exchange of silver certificates and their subsequent retirement has tapered off considerably and therefore, our total reserves will continue to diminish while our free reserves will unquestionably decrease at the present dramatic rate, leaving us with little or no free silver by the end of 1967.

This, then, points up the need to set aside a specific reserve now for stockpile purposes if we are to have any silver available for defense purposes by the end of this year.

The Office of Emergency Planning is concerned about the existing silver situation and the Honorable Farris Bryant, Director of the Office of Emergency Planning, wrote to Secretary Fowler expressing his concern on October 13, 1966. Noting the small balance of silver the remaining in the Treasury's reserves, Director Bryant stated:

> In view of the small balance of silver remaining in the Treasury, I should like to receive some assurance from you that the 165 million ounces of silver needed for the national stockpile will be reserved for that purpose.

I ask unanimous consent that the full text of the letter from the Director of the Office of Emergency Planning to the Secretary of the Treasury be included at this point in the RECORD and that the reply to the letter from Secretary Fowler also be included at this point in the RECORD.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

(See exhibits 4 and 5.)

Mr. **DOMINICK**. Mr. President, it is interesting to note that Secretary Fowler again repeats in his October letter the promise of June 1965 to retain enough silver in reserve to meet our stockpile objectives "unless its use were to become necessary for critical national needs during the transition period to the new coinage materials, including without limitation, the exchange for silver certificates or outright sale of the silver where necessary to maintain the price of silver at $1.29 plus per ounce."

Secretary Fowler in his letter also optimistically noted that "Although decreasing monthly, we still continue to get back silver certificates from the public which frees silver to offset withdrawals." Indications are that the flow-back of certificates will continue to decline and less and less silver will be freed to offset withdrawals.

Even more interesting, however, is Secretary Fowler's continued reluctance to actually "set-aside" the silver necessary for our national stockpile objective. Instead, the Secretary suggests that more remedial legislation may be necessary to free more silver in order to maintain the price of silver at $1.29 and thus presumably prevent the melting of silver coins during the "critical" transition period. What the Secretary proposes in his letter is the removal of silver backing from all or part of our silver certificates to free more silver so that the Treasury may continue to sell silver at $1.29 and thus continue to protect our silver coinage. This would then free for sale to consumers the silver now held to monetize our silver certificates. Aside from the monetary folly of removing silver backing from the certificates and the breach of contract implicit therein, figures furnished me by the Treasury Department as well as estimates for future industrial use would indicate that this would still only temporarily relieve the present silver crisis. Assuming all monetized silver were released, and our total reserves were available, this would still only leave us with 570,103,038.2 ounces. As stated earlier, preliminary figures indicate that the arts and industries last year consumed 150 million ounces. It appears very likely that this figure will again increase substantially. You will remember that the amounts used for the arts and industries increased from 120 million ounces in 1964 to 137 million ounces in 1965 to a new high of 150 million ounces in 1966. It is safe to predict that the figure consumed by the arts and industries may well exceed 165 million ounces for 1967 and this, when added to the Treasury estimate of 30 million ounces to be used for coinage in 1965, we can readily see that the consumption in 1967 will again be in the neighborhood of 200 million ounces. This means, then, that we may well now have only a 2½-year supply of silver in our total reserves—most of which must now be legally held to back outstanding silver certificates. Without specific new legislation, only the free silver may be sold for commercial use and this figure now stands at month end at only 135,153,027.8 ounces.

Mr. President, I think it is time to examine our "nonsilver" silver policy and determine if it is in the best interests of the country to maintain the price of silver at $1.29. As long as this price is maintained, it is certain that there will be no significant increase in the domestic production of silver and industry will continue to buy silver from their private Treasury mine at this bargain price.

Certainly, if the primary policy consideration for maintaining the price of silver is to prevent the melting of silver coinage during the transition period, it is unequivocally time to assess our silver policy in light of our present coin supply. Though I have never been able to accurately substantiate the date, I have frequently been told by various sources that the transition period from silver coinage to new coinage would take 3 years and should be completed by June 1968. If, however, I read the current signs correctly, we may have already passed through the transition period and reached the point where it is unnecessary, even under the administration's philosophy of silver, to further maintain the price of silver at $1.29.

It is not too fruitful to speak in absolute terms when talking about coinage as, apparently, there have been no definitive techniques developed for forecasting coin requirements.

The findings and conclusions contained in House Report No. 1468 entitled "The Coin Situation" published in May 1966, states that, "the Treasury presently has no better means for measuring coin production and distribution needs than it had at the inception of the coin shortage." While noting that the Treasury is working on the problem and hopes to develop a means of predicting coin needs, the report further states that "although this committee in its earlier reports has urged the monetary agencies to take steps to devise more exact means for determining coin needs, no techniques for such forecasting of coin requirements have been developed to this point."

However, even as early as May of last year this same report gave indications that the transition period to new coinage was well within sight. Quoting variously from the conclusions, "There is presently no overall shortage of pennies, nickels, dimes, or quarters, the coins most essential to commerce." "Except for half dollars, coin production now may be more than meeting demand." "High coin inventories at Federal Reserve banks are creating storage problems; the banks are no longer rebagging coins, accepting wrapped coins, or paying transportation charges to induce shipment of coin to them as they did when faced with coin shortages." "While the Treasury has indicated that it expects the transition period to last a year or so, the fact is that the Treasury does not now have any means of determining how long the transition will take." "The Philadelphia and Denver Mints and the minting facilities of the San Francisco Assay Office still operate on a crash basis of 24 hours a day, 7 days a week. No decision has yet been made by Treasury on when such crash method of operation will be terminated, but it has indications that it plans to continue with the program until the transition period of introducing the new clad coin has been completed and until a 1-year inventory of coin of all denominations is available."

In this regard, I have been informed by the U.S. Mint that they have eliminated their crash program and reverted from a 7-day week to a 5-day week last November. I have been informed that the suppliers of the strips necessary in minting the new coinage were able to produce at a higher rate than previously expected and this has greatly helped to eliminate the problem and speed the transition period. In short, it would appear that signs point to the fact that the coinage shortage may well be over and that the transition has been achieved. If this is true, I think it is most imprudent to maintain the price of silver at the unrealistic price of $1.29. We need to examine our nonsilver silver policy with the goal in mind of stimulating production—even if it means doing so by the time-honored device of letting the silver seek its own price in the open marketplace.

Therefore, Mr. President, I am proposing two things. First, that we concern ourselves immediately with our dwindling silver reserves in light of our national stockpile objective, and second, that we examine our entire silver policy with a view in mind of developing a definitive policy as opposed to reacting to the present silver crisis on a piecemeal basis.

EXHIBIT 1

World silver consumption, 1949–66

[In millions of fine ounces] [1]

Calendar year	Used in arts and industries	Used in coinage	Total
1949	132.5	83.8	216.3
1950	157.4	44.1	201.5
1951	165.0	90.5	255.5
1952	142.1	114.3	256.4
1953	168.3	90.8	259.1
1954	160.8	83.4	244.2
1955	192.8	52.6	245.4
1956	210.2	56.5	266.7
1957	212.6	84.2	296.8
1958	190.5	79.5	270.0
1959	212.9	86.4	299.3
1960	224.6	103.9	328.5
1961	239.5	137.1	376.6
1962	258.2	127.6	385.8
1963	260.7	166.4	427.1
1964	304.2	267.1	571.3
1965	346.6	375.6	722.2
1966	356.5	107.4	463.9

[1] Preliminary figure, free world.

EXHIBIT 2

U.S. silver consumption in industries and the arts, and silver processed into U.S. silver coins, calendar years 1950–66

[In thousands of fine ounces]

Calendar year	Silver consumed in industries and arts	Silver processed into U.S. silver coins [1]	Total (silver consumed in industries and arts and in U.S. coinage)
1950	110,000	24,599	134,599
1951	105,000	44,440	149,440
1952	96,500	57,338	153,838
1953	106,000	42,756	148,756
1954	86,000	53,204	139,204
1955	101,400	8,249	109,649
1956	100,000	31,373	131,373
1957	95,400	52,131	147,531
1958	85,500	38,133	123,633
1959	101,000	41,437	142,437
1960	102,000	46,046	148,046
1961	105,500	55,930	161,430
1962	110,400	77,399	187,799
1963	110,000	111,504	221,504
1964	120,500	203,170	323,670
1965	137,000	320,658	457,658
1966 [2]	150,000	53,852	203,852

[1] Silver content at standard weight.

[2] Preliminary.

Source: Bureau of the Mint.

EXHIBIT 3

Annual U.S. refinery production of silver, 1950–66

[In millions of fine ounces]

Calendar year	U.S. production (excluding Philippines)	Idaho	Utah	Arizona	Montana	Colorado	All other States
1950	42.3	16.0	6.8	5.1	7.2	3.3	3.9
1951	39.9	16.0	6.3	5.0	6.4	3.0	3.2
1952	39.8	14.5	7.5	4.6	6.5	3.0	3.7
1953	37.7	14.5	7.0	4.4	6.6	2.4	2.8
1954	35.6	15.0	6.1	4.3	5.5	2.6	2.1
1955	36.5	14.0	6.3	4.6	5.8	2.5	3.3
1956	38.7	13.5	6.3	5.1	7.4	2.3	4.1
1957	38.7	15.0	6.6	5.3	5.9	2.8	3.1
1958	36.8	16.1	6.0	5.0	4.5	2.3	2.9
1959	23.0	9.0	4.2	3.6	3.1	.9	2.2
1960	36.8	17.8	5.1	5.3	4.0	2.1	2.5
1961	34.9	17.5	4.7	5.1	3.6	2.0	2.0
1962	36.3	17.0	4.7	5.3	4.5	2.2	2.6
1963	35.0	16.5	4.5	5.5	4.0	2.5	2.0
1964	37.0	16.6	4.6	6.0	5.5	2.7	1.6
1965	39.0	18.1	5.2	6.1	5.1	2.0	2.5
1966 [1]	42.5	19.4	7.5	6.2	4.9	2.1	2.4

[1] Preliminary.

EXHIBIT 4

Hon. HENRY H. FOWLER,
Secretary of the Treasury,
Washington, D.C.

DEAR MR. SECRETARY: On June 14, 1965, you wrote Governor Buford Ellington, then Director of the Office of Emergency Planning, that in accordance with staff discussions held by the Office of Emergency Planning and the Treasury Department, the Treasury Department was prepared, with certain reservations, to reserve 165 million fine troy ounces of silver to meet the silver stockpile objective that had been established by the Office of Emergency Planning.

From the Daily Statements of the United States Treasury I note that as of September 30, 1966, the Treasury held 631,141,120 fine troy ounces of silver, of which only 181,687,234 ounces, including 2,304,508 ounces in silver dollars, were not monetized to secure silver certificates.

In view of the small balance of silver remaining in the Treasury, I should like to receive some assurance from you that the 165 million ounces of silver needed for the National Stockpile will be reserved for that purpose.

Sincerely,

FARRIS BRYANT,
Director.

EXHIBIT 5

THE SECRETARY OF THE TREASURY,
Washington, D.C., October 28, 1966.

Hon. FARRIS BRYANT,
Director, Office of Emergency Planning,
Executive Office Building Annex,
Washington, D.C.

DEAR GOVERNOR BRYANT: This is in reference to your letter of October 13, 1966, concerning the agreement to reserve 165 million fine troy ounces of silver to meet the silver stockpile objective that was established by the Office of Emergency Planning.

The Department still stands ready to hold this amount of silver aside for that purpose under the conditions set forth in my letter of June 14, 1965, namely, unless its use were to become necessary for critical national needs during the transition period to the new coinage materials, including without limitation, the exchange for silver certificates or outright sale of the silver where necessary to maintain the price of silver at $1.29+ per ounce. If such critical use were to become necessary it would only be made after consultation with the Office of Emergency Planning.

The tight coinage situation which prevailed at the time of my letter of June 14, 1965, has eased and there has been a flow back of subsidiary coins to the Federal Reserve Banks. Production of the new coins has been substantial and is continuing at a heavy rate, thus permitting us to build an inventory of coins of the new materials, with the exception of the half dollar, which we do not consider to be critical as a medium of exchange to transact business.

The stock of silver to which you refer was 622+ million ounces on October 19, 1966, of which 444+ million was held as backing for silver certificates outside of the Treasury and 177+ million ounces was free silver controlled by the Treasury. Although decreasing monthly, we still continue to get back silver certificates from the public which frees silver to offset withdrawals.

We are of the opinion that a great many of the silver certificates which are shown on the "Daily Statement of the United States Treasury" to be in the hands of the public will never be presented for redemption. Inasmuch as the majority of these certificates were of the $1 denomination, we believe that many of them are being held by collectors and speculators and others. Also, we can count on a large number having been lost or destroyed. At a time we believe to be appropriate, legislation will be requested to permit the Treasury to write off an amount of silver certificates to offset the ones that we believe will not be presented for redemption. This will free silver for other uses, including silver for the stockpile. This legislation will be similar to the Old Series Currency Adjustment Act of 1961, (P.L. 87–66), which gives the Secretary of the Treasury the authority to write off currency which, in his judgment, has been destroyed or irretrievably lost and so will never be presented for redemption.

Sincerely yours,

HENRY H. FOWLER.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred.

The bill (S. 925) to direct the Secretary of the Treasury to establish a reserve of at least 165 million ounces of silver for national defense purposes, introduced by Mr. ALLOTT (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Banking and Currency.

LEGISLATIVE REORGANIZATION ACT OF 1967

The Senate resumed the consideration of the bill (S. 355) to improve the operation of the legislative branch of the Federal Government, and for other purposes.

Mr. **DIRKSEN**. Mr. President, I would like to ask the Senator from Oklahoma [Mr. MONRONEY] as to the program for the remainder of the day and the week.

Mr. **MONRONEY**. I am not informed what the program is for Thursday, except for the request I am going to make that the morning hour be abandoned tomorrow so that we can proceed with one more Clark amendment and hope to complete action thereon by 1 o'clock or 1:30. We plan to continue the session this afternoon with debate on that proposal and use as much time as we can. We will reserve 10 minutes on each side for debate tomorrow.

Mr. **DIRKSEN**. I wish to call the attention of the Senator from Oklahoma [Mr. MONRONEY] to the fact that we have 23 absent Senators now. There are others who are leaving tonight, and there will be still others leaving tomorrow morning.

It would occur to me that we might as well vote on the other amendment, No. 23, which the Senator from Pennsylvania has. It occurs to me it would not have to be discussed long. This whole subject matter has been discussed all day. I believe that 10 minutes on each side would be ample time before a vote.

Mr. CLARK. Mr. President, I regret very much to have to oppose the distinguished Senator from Illinois, but I do wish to say that I am making a record in connection with these amendments which may have a bearing in years ahead.

I am willing either to lay down the amendment, discuss it this evening, and vote on it tomorrow after 10 minutes allocated to each side, or put it over and vote tomorrow, or put the entire matter over until after the recess.

One thing I am adamant about is that I want a half hour to develop my case, and then I want a rollcall vote. I could not care less when I get it.

Mr. SYMINGTON. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield.

Mr. SYMINGTON. I am impressed with the basic thinking behind what the minority leader has just stated. Regardless of the way my good friend the distinguished Senator from Pennsylvania feels about this particular amendment, here we have a bill and are going to take a holiday from February 9th to the 15th. It seems to me that the Senate has something else to do this year besides this particular bill.

Therefore, I would hope that the leadership would decide, so long as there are not going to be any votes between the 9th and the 15th, by agreement, to work as hard as we can and get this bill passed one way or the other.

Mr. DIRKSEN. For my part, we might just as well let it go over until we return from the Lincoln Day recess. One day more or less will not make any difference.

Mr. CLARK. That is agreeable to me. I am in the hands of the distinguished Senator in charge of the bill.

Mr. DIRKSEN. I am not the Senator in charge of the bill.

Mr. CLARK. If the Senator from Illinois will excuse a reference to his favorite poet:

> Thou canst not say I did it:
> Never shake thy gory locks at me.

Mr. DIRKSEN. I was about to reply in kind, but I had better not. [Laughter.]

Mr. MONRONEY. Mr. President, I renew my request that we dispense with the morning hour tomorrow and try to get at least the final Clark amendment dealing with this subject before the Senate passed by perhaps 1 o'clock, and have no further rollcall votes on the bill for the remainder of the week.

The PRESIDING OFFICER. Does the Senator desire to recess and thereby dispense with morning business?

Mr. YOUNG of Ohio. Mr. President, I object.

The PRESIDING OFFICER. The Chair will state that the Senator should make a motion to recess rather than to adjourn, so that the morning business would be automatically dispensed with.

Mr. YOUNG of Ohio. Mr. President, I ask for a yea and nay vote on it.

Mr. CLARK. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Pennsylvania will state it.

Mr. CLARK. The motion to recess has not been made so we cannot have a rollcall until it is made.

Mr. DIRKSEN. Mr. President, a motion to recess is not debatable. If we are going to make a motion, the Chair has to put the question.

The PRESIDING OFFICER. No motion to recess has been made at the present time. The Senator from Colorado [Mr. DOMINICK] has the floor and yielded only for the purpose of this inquiry.

Mr. DIRKSEN. I apologize to the Senator from Colorado.

The PRESIDING OFFICER. As soon as colloquy is concluded, the Chair will recognize the Senator from Colorado.

Mr. LONG of Louisiana. Mr. President, it has been suggested that we should come in at 11 o'clock tomorrow morning, hoping that we might adjourn earlier in doing so. I am therefore going to suggest that to the distinguished Senator in charge of the bill, the Senator from Oklahoma [Mr. MONRONEY], and also to the minority leader; and then I would propose that we continue as we were doing, to discuss the Clark amendment. Then, when we come in tomorrow, we would ask for a division of time and then have the amendment voted on.

Mr. HOLLAND. Mr. President, a parliamentary inquiry?

The PRESIDING OFFICER. The Senator from Florida will state it.

Mr. HOLLAND. Does that part of the former discussion still apply, that discussion on the Clark amendment would largely take place tonight and tomorrow we will have only 10 minutes on a side?

The PRESIDING OFFICER. The Senator is correct.

Mr. YOUNG of Ohio. Mr. President, reserving the right to object, if we meet at 11 o'clock tomorrow morning, I desire to make a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Ohio will state it.

Mr. YOUNG of Ohio. Is it a part of the request that the morning hour be dispensed with? I desire to speak tomorrow for 10 minutes on a more important matter than we are discussing now. I want to serve notice that I am going to object, unless I——

RECOGNITION OF SENATOR YOUNG OF OHIO TOMORROW

Mr. DIRKSEN. We can ask unanimous consent that the Senator from Ohio can talk for 10 minutes after the vote on the Clark amendment, No. 23.

Mr. President, I make the request now. I ask unanimous consent that the very distinguished Senator from Ohio [Mr. YOUNG] be permitted to speak for 10 minutes on anything he wants to discuss, after the vote on the Clark amendment, No. 23.

Mr. YOUNG of Ohio. This is entirely agreeable to me.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MILLER. Mr. President, I should like to ask the assistant majority leader, the Senator from Louisiana [Mr. LONG], if we are going to have a rollcall vote tomorrow?

Mr. MONRONEY. If I may answer for the Senator from Louisiana, that is our intention. The author of the amendment will ask for a rollcall vote.

Mr. MAGNUSON. Mr. President, I cannot possibly be here tomorrow. I must leave on an airplane when it leaves, which is at 11 o'clock. I am going to Seattle. However, I wish to announce that if I could be in the Chamber tomorrow, I would vote in favor of the Clark amendment.

Let me add that I am going to Seattle on some very important business, too. I appreciate that the address of the Senator from Ohio [Mr. YOUNG] will be very important, and I am sorry that I will not be here to hear it, but my trip also is important.

ORDER FOR RECESS UNTIL 11 O'CLOCK A.M. TOMORROW

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that when the Senate has completed its business today, it stand in recess until 11 o'clock a.m. tomorrow; and, that on tomorrow, time on the Clark amendment be divided 10 minutes for the author of the amendment and 10 minutes to the Senator in charge of the bill, the Senator from Oklahoma [Mr. MONRONEY], at the conclusion of which, there will be a quorum call and then I would like to ask for the yeas and nays.

Mr. CLARK. Let me say to the Senator from Louisiana that I have not called up my amendment yet. If the Senator will allow me to call it up——

The PRESIDING OFFICER. There is no amendment pending. Until it is, the agreement would be out of order.

Is there objection to the unanimous-consent request? The Chair hears none, and——

Mr. CLARK. Mr. President, reserving the right to object, I did not hear the unanimous-consent request and I would like to have it restated.

Mr. LONG of Louisiana. Mr. President, the request was that when the Senate concludes its business tonight, it stand in recess until 11 o'clock tomorrow; and then, on tomorrow, time on the amendment of the Senator from Pennsylvania [Mr. CLARK] be limited to 10 minutes on each side, 10 minutes to the author of the amendment, and 10 minutes to the Senator in charge of the bill; also, that there be a quorum call at the conclusion of the limitation of time.

Mr. CLARK. Mr. President, reserving the right to object—and I probably shall not object—does the Senator from Louisiana contemplate that I may call up my amendment tonight and ask for the yeas and nays; then make my argument in chief and reserve 10 minutes for tomorrow? Will that be in accordance with the unanimous consent request of the Senator from Louisiana?

Mr. LONG of Louisiana. The Senator is correct.

Mr. CLARK. On that basis, Mr. President, I do not object.

AMENDMENT NO. 23

Mr. CLARK. Mr. President, I call up my amendment No. 23 and ask unanimous consent that it may not now be read, and that the amendment be printed in the Record.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered; and the amendment will be printed in the Record.

The Assistant Legislative Clerk. The Senator from Pennsylvania proposes an amendment identified as Senate amendment No. 23.

On page 2, in the table of contents, immediately after the item relating to section 122 of the bill, insert the following new item:

"Sec. 123. Standing Rules of the Senate."

On page 30, between lines 10 and 11, insert the following new section:

"STANDING RULES OF THE SENATE

"Sec. 123. The Standing Rules of the Senate are amended by adding at the end thereof the following new rule:

" 'Rule XLI

" 'PROHIBITED ACTIVITIES

" '1. No Member of the Senate or any officer or employee of the Senate may engage or participate in any business or financial venture, enterprise, combination or transaction with any person, firm, or corporation which is—

" '(a) engaged in any lobbying activity;

" '(b) engaged for compensation in the practice of rendering advisory or public relations services relating to the securing of contracts with the United States or any department, agency, or instrumentality thereof; or

" '(c) engaged in, or seeking to become engaged in, the performance of any construction, manufacturing, research, development, or service contract with the United States or any department, agency, or instrumentality thereof.

" '2. No Member of the Senate or any officer or employee of the Senate may accept—

" '(a) at any time from any individual, entity, or enterprise which is engaged in lobbying activity any gift of money, property, entertainment, travel, or any other valuable consideration in an amount or having a value in excess of $100; or

" '(b) within any calendar year from any such individual, entity, or enterprise such gifts in an aggregate amount or having an aggregate value in excess of $100.

" '3. No officer or employee of the Senate may be vested with or exercise any authority or responsibility for, or participate in any way in any consideration of or determination with respect to, the allocation among Members of the Senate of any funds available for use to defray expenses incurred or to be incurred by any individual for or in connection with any campaign for the nomination or election of any individual to be a Member of the Senate.

" '4. As used in this rule—

" '(a) The term "officer or employee of the Senate" means (1) an elected officer of the Senate who is not a Member of the Senate, (2) an employee of the Senate or any committee or subcommittee of the Senate, (3) the Legislative Counsel of the Senate and employees of his office, (4) an official Reporter of Debates of the Senate and any person employed by the Official Reporters of Debates of the Senate in connection with the performance of their duties, (5) a member of the Capitol Police force whose compensation is disbursed by the Secretary of the Senate, (6) an employee of the Vice President if such employee's compensation is disbursed by the Secretary of the Senate, (7) an employee of a Member of the Senate if such employee's compensation is disbursed by the Secretary of the Senate, and (8) an employee of a joint committee of the Congress whose compensation is disbursed by the Secretary of the Senate.

" '(b) The term "lobbying activity" means any activity undertaken by any person other than a Member of the Congress to influence directly or indirectly the introduction, passage, defeat, amendment, or modification of any legislative measure in either House of the Congress.' "

Mr. CLARK. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Louisiana?

Mr. STENNIS. Mr. President, reserving the right to object, I feel it a sense of duty to stay here until this matter is disposed of; but, as yet, there is no unanimous-consent request that we take this matter up when we convene tomorrow at 11 o'clock. There was an understanding that we do it today, after the morning hour, but we did not get to do it until well after 2:30 o'clock.

Will the Chair clarify the situation?

The PRESIDING OFFICER. The unanimous-consent request that is now pending is that the amendment of the Senator from Pennsylvania would be called up tonight. It would be debated tonight. It would be the pending business when the Senate comes in at 11 o'clock in the morning. There would be 10 minutes to a side, after which there would be a quorum call, and immediately thereafter a rollcall vote.

Mr. STENNIS. And that we would proceed——

The PRESIDING OFFICER. And when we concluded tonight, we will recess until 11 o'clock tomorrow morning, which would make the amendment of the Senator from Pennsylvania the pending business.

Mr. STENNIS. Mr. President, one further parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Mississippi will state it.

Mr. STENNIS. When are we going to get to this debate tonight? Are we going to have to wait until everyone else is through?

The PRESIDING OFFICER. The Chair cannot state that.

Mr. LONG of Louisiana. I should like to make it clear that the unanimous consent request I am making does not foreclose the right of a Senator to move to table the amendment after debate has occurred.

Mr. WILLIAMS of Delaware. Mr. President, reserving the right to object, I want to expedite the business of the Senate; but we came in here today thinking that we were going to discuss that amendment, but we had to wait around until 2:30 o'clock, I believe it was, waiting for the author of the bill to come into the Chamber. Now that we have this amendment, I see no reason to have to wait for a 10-minute limitation tomorrow, and I object.

If the Senator wants to finish it tonight, I will be glad to stay here and finish it.

The PRESIDING OFFICER. Objection is heard. Under the agreement that has already been made, there is 1 hour's limitation on the amendment. The amendment is the pending business.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it stand in recess until 11 o'clock tomorrow morning.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. CLARK. Mr. President, I yield myself as much time as I may require, but I would like, if I may, to have the attention of the Senator from Oklahoma [Mr. Monroney] and the Senator from Mississippi [Mr. Stennis], if he is still in the Chamber, and the Senator from Louisiana [Mr. Long]. I should like to inquire as to what their joint desire is about coming to a vote tonight.

Mr. MONRONEY. Several Senators left on the assurance that they would not miss a vote and that on tomorrow the debate on the amendment would be limited to 10 minutes to a side.

Mr. CLARK. Mr. President, since the amendment will be printed in the Record which we will receive tomorrow, I shall not ask that it be read again.

Mr. President, I desire to modify my amendment in order to clarify the definition of the word "gift." I modify it on page 4 after line 8, by inserting the following subsection (c):

The term "gift" does not include an honorarium or other compensation for services rendered or a campaign contribution.

The PRESIDING OFFICER. Will the Senator send his modification to the desk?

Mr. CLARK. Yes.

I ask unanimous consent that the amendment as modified be printed in the Record at this point.

There being no objection, the amendment, as modified, was ordered to be printed in the Record, as follows:

On page 2, in the table of contents, immediately after the item relating to section 122 of the bill, insert the following new item:

"Sec. 123. Standing Rules of the Senate."

On page 30, between lines 10 and 11, insert the following new section:

"Standing Rules of the Senate

"Sec. 123. The Standing Rules of the Senate are amended by adding at the end thereof the following new rule:

" 'RULE XLI

" 'Prohibited activities

" '1. No Member of the Senate or any officer or employee of the Senate may engage or participate in any business or financial venture, enterprise, combination or transaction with any person, firm, or corporation which is—

" '(a) engaged in any lobbying activity;

" '(b) engaged for compensation in the practice of rendering advisory or public relations services relating to the securing of contracts with the United States or any department, agency, or instrumentality thereof; or

" '(c) engaged in, or seeking to become engaged in, the performance of any construction, manufacturing, research, development, or service contract with the United States or any department, agency, or instrumentality thereof.

" '(2) No Member of the Senate or any officer or employee of the Senate may accept—

" '(a) at any time from any individual, entity, or enterprise which is engaged in lobbying activity any gift of money, property, entertainment, travel, or any other valuable consideration in an amount or having a value in excess of $100; or

" '(b) within any calendar year from any such individual, entity, or enterprise such gifts in an aggregate amount or having an aggregate value in excess of $100.

"'3. No officer or employee of the Senate may be vested with or exercise any authority or responsibility for, or participate in any way in any consideration of or determination with respect to, the allocation among Members of the Senate of any funds available for use to defray expenses incurred or to be incurred by any individual for or in connection with any campaign for the nomination or election of any individual to be a Member of the Senate.

"'4. As used in this rule—

"'(a) The term "officer or employee of the Senate" means (1) an elected officer of the Senate who is not a Member of the Senate, (2) an employee of the Senate or any committee or subcommittee of the Senate, (3) the Legislative Counsel of the Senate and employees of his office, (4) an official Reporter of Debates of the Senate and any person employed by the Official Reporters of Debates of the Senate in connection with the performance of their duties, (5) a member of the Capitol Police force whose compensation is disbursed by the Secretary of the Senate, (6) an employee of the Vice President if such employee's compensation is disbursed by the the Secretary of the Senate, (7) an employee of a Member of the Senate if such employee's compensation is disbursed by the Secretary of the Senate, and (8) an employee of a joint committee of the Congress whose compensation is disbursed by the Secretary of the Senate.

"'(b) The term "lobbying activity" means any activity undertaken by any person other than a Member of the Congress to influence directly or indirectly the introduction, passage, defeat, amendment, or modification of any legislative measure in either House of the Congress.'"

"'(c) The term "gift" does not include an honorarium or other compensation for services rendered or a campaign contribution.'"

Mr. CLARK. Mr. President, the proposed rule would prohibit Senators or Senate officers or employees from engaging in joint ventures with lobbyists and from accepting gifts worth more than $100 from lobbyists.

To paraphrase the text of the amendment, no Member of the Senate or any officer or employee of the Senate may engage or participate in any business or financial venture, enterprise, combination, or transaction with any person, firm, or corporation, which is engaged in any lobbying activity; or engaged for compensation in the practice of rendering advisory or public relations services relating to the securing of contracts with the United States or any department, agency, or instrumentality thereof; or engaged in, seeking to become engaged in, the performance of any construction, manufacturing, research, development, or service contract with the United States or any department, agency, or instrumentality thereof.

The amendment further provides that no Member of the Senate or any officer or employee of the Senate shall receive a gift from any individual or enterprise engaged in lobbying in an amount having a value of more than $100.

Mr. LAUSCHE. Mr. President, will the Senator yield at that point?

Mr. CLARK. I yield.

Mr. LAUSCHE. Why would the Senator put a limitation of $100 on the amount of a gift? If it is wrong, why should a gift less than $100 be right and a gift of $100 or more from a lobbyist be wrong?

Mr. CLARK. In answer to the question, let me say that I have a personal rule of my own, which I copied from the former Senator from Illinois [Mr. Douglas] that I would not receive, and I have not received, during my tenure in office, a gift which was worth more than $5.

When inflation came along—and it did—I upped the ante to $10. I thought perhaps the sensibilities of some of my colleagues would be better served if I made the amount $100. I think—and I say this seriously—that it takes more than $100 to bribe a Senator.

If the Senator from Ohio wants to move to modify my amendment from the $100 figure to what he thinks more proper, I will seriously consider modifying my amendment, but I would hope he would not place the amount so low that it would cost more to send the gift back by parcel post than to keep it.

Mr. LAUSCHE. During my whole career I have absolutely rejected, in my campaign efforts, any contribution from persons who had special interests in getting contracts from the Government. In my opinion, the Senator's proposal would be far more acceptable to me if he would provide that contributions from lobbyists are wrong and should not be accepted.

Mr. CLARK. May I say to my friend from Ohio that I am not talking about campaign contributions; I am talking about gifts.

Mr. LAUSCHE. That is still worse.

Mr. CLARK. If my friend can get several of his colleagues to join with him——

Mr. LAUSCHE. Would the Senator modify his amendment?

Mr. CLARK. If the Senator from Ohio tomorrow will find as few as two or three Members who would agree with him in such a proposal—perhaps the Senator from Delaware will—I would seriously consider modifying my amendment, but I do not want to do it merely at the suggestion of one Senator.

Mr. LAUSCHE. I recognize the legitimate interest and purpose of the Senator from Pennsylvania to achieve an objective that would eliminate the deleterious impact of lobbyists making contributions. I recognize that, in order to get his amendment through, he has mollified some persons in one respect by fixing the amount at $100.

Mr. CLARK. I thank my friend for his generous comments.

Mr. President, the other provision of the proposed rule, which I have not referred to, is quite important. It provides that no officer or employee of the Senate may be vested with or exercise any authority or responsibility for, or participate in any way in any consideration of or determination with respect to, the allocation among Members of the Senate of any funds available for use to defray expenses incurred or to be incurred by any individual for or in connection with any campaign for the nomination or election of any individual to be a Member of the Senate.

As we all know, in the Bobby Baker case, Bobby Baker collected goodness knows how many thousands of dollars in campaign contributions.

This was brought out very clearly in his criminal trial. I would fear that in years past, other Senate employees or officers have also collected, by reason of their connection with Members of the Senate or with committees of the Senate, substantial campaign contributions.

I do not say that that is necessarily wrong. But I do say that any employee or officer of the Senate who, having collected such contributions, then proceeds to participate in determining how they shall be distributed among various Senators, is putting himself in an invidious position. The members of the Senatorial Campaign Committee are the people who decide how contributions should be distributed among Senators running for renomination and reelection. In my judgment, to vest any part of that authority in a Senate employee or officer is in itself infinitely corrupting, as it turned out to be in the case of Bobby Baker.

So, Mr. President, those are, generally speaking, the provisions of this pending amendment; and subject to wishing to speak further this evening after the Senator from Oklahoma has made his rebuttal, I reserve the remainder of my time, with the understanding that I shall not use more than 10 minutes tomorrow, under the unanimous-consent agreement.

Mr. MONRONEY. Mr. President, I yield myself such time as I may require.

The Committee on Organization again lodges the same complaint that we have made against the previous amendments proposed by the distinguished senior Senator from Pennsylvania; namely, that this is not the place to properly consider these very important and technical amendments providing for the ethical standards of Members of the U.S. Senate.

The Senate, in open session, adopted the resolution of the distinguished senior Senator from Kentucky [Mr. COOPER] to appoint the Committee on Standards and Conduct, and they have been at work, trying to do their best, trying to carry the load that was charged to them. To short circuit that committee by premature passage of the legislation would leave nothing of moment for the committee to do; and consequently, would void the important action taken by the Senate in setting up the select committee, which was at that time—only a short time ago—our answer to handling this question.

The distinguished junior Senator from Mississippi [Mr. STENNIS] has been actively engaged in making efforts to carry out the mandate of the Senate; and I feel that he is entitled, with his committee, to bring in a bill that has been properly heard, after testimony from Senators, and after arriving at some unanimity of feeling among the Senators, as to the best methods of writing and enforcing a code of the standards and conduct.

I yield such time as he may desire to the distinguished junior Senator from Mississippi, the chairman of the committee.

Mr. STENNIS. Mr. President, under the special arrangement here, I think that I should repeat, for the RECORD, at least some of the mere facts with reference to the development of the work by the so-called Ethics Committee. I do this because such terms have been used here as "sweeping things under the rug," "ducking our responsibilities," and activities of that kind.

For the benefit of those who may read the RECORD, this committee was appointed on July 9, 1965. It held its first formal meeting—although there had been several others—on July 27. All members of the committee were present then except one member.

I was authorized then to select a staff, with the view that they were going to elect me chairman of the committee, which I did, after some very long and rather laborious effort, assisted by the Senator from Utah [Mr. BENNETT], interviewed quite a few men who were acceptable, and finally selected a chief of staff.

By that time the session was about over. In late October, we left here, and I instructed this newly employed chief counsel and staff director to immediately start work on the every subject—matter of the amendment that is proposed now—that is, paragraph 3 of section 2 of the resolution under which we were appointed.

Mr. President, I ask unanimous consent that that portion of the resolution be printed in the RECORD at this point.

There being no objection, the excerpt from the resolution was ordered to be printed in the RECORD, as follows:

SEC. 2. (a) It shall be the duty of the select committee to—

(1) receive complaints and investigate allegations of improper conduct which may reflect upon the Senate, violations of law, and violations of rules and regulations of the Senate, relating to the conduct of individuals in the performance of their duties as Members of the Senate, or as officers or employees of the Senate, and to make appropriate findings of fact and conclusions with respect thereto;

(2) recommend to the Senate by report or resolution by a majority vote of the full committee disciplinary action to be taken with respect to such violations which the select committee shall determine, after according to the individuals concerned due notice and opportunity for hearing, to have occurred;

(3) recommend to the Senate, by report or resolution, such additional rules or regulations as the select committee shall determine to be necessary or desirable to insure proper standards of conduct by Members of the Senate, and by officers or employees of the Senate, in the performance of their duties and the discharge of their responsibilities;

Mr. STENNIS. When we returned here, then, in January 1966, we had a meeting as early as January 5, at which time some of this work that the staff had done on this very subject matter was presented to us.

We met again on January 17, at which time a personal code for Senators and employees was presented to us, and that is part of the subject matter of the pending amendment.

I think this amendment has some meritorious parts in it. I think the Senator from Pennsylvania has worked on it hard, and is honest and sincere about it. I am not trying to reject all the amendment, although I vigorously oppose its adoption here now.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. STENNIS. I yield to the Senator from Pennsylvania.

Mr. CLARK. I take it, then, it is the Senator's view that in due course, his committee ought to concern itself with the problems of relations with lobbyists and the acceptance of gifts by both Senators and Senate staffs, is that correct?

Mr. STENNIS. Certainly we intend to consider the major part. I do not wish to commit myself here now to anything, because it could be changed later. We are working on the idea, though, of Senators and their staffs and their outside activities and——

Mr. CLARK. With respect to lobbyists and campaign contributors?

Mr. STENNIS. I would not wish to commit myself to any particular item. I think that one thing should be kept in mind here: This is just for the Senate. Personally, I think that the Senate ought to have some rules of its own with reference to campaign matters. But others may think that there ought to be a law applying to both the House and the Senate. There is very respectable thought in that direction.

So I cannot commit the committee in any way; I speak only for myself. But I certainly am pledged to work on the idea of relations with lobbyists, both for staff members and Senators also, as far as that is concerned.

I do not promise, though, any particular result.

Mr. CLARK. There is one further question, and then I shall permit the Senator to continue.

Earlier today, as I understood him, the Senator told the Senate that he anticipated that his committee would be able to bring in recommendations on the Bobby Baker amendment then under consideration, which had to do with financial disclosure, before the end of this session, and in time for the Senate to consider the question during this session.

Would that same statement apply with respect to this proposed amendment?

Mr. STENNIS. Well, I was speaking then with reference to all three of the Senator's main amendments, and I will incorporate in the RECORD by reference now what I said then, for those who may read this particular debate of this time and date.

Reverting, now, to the continuity of the effort the beginning of which I have already related, having brought us down to the 17th of January, 1966: On February 2, we had another meeting, where we reviewed the committee staff work and studies on these various subjects, and offered, as we had before, some suggestions of our own—even some that the Members had written out.

But soon thereafter—less than a month—there had been great press coverage with reference to the so-called Dodd case, and we went into that. It proved to be very voluminous indeed, with many ramifications, literally dozens, and almost hundreds of subjects that had to be run down.

We went right on into hearings on the Klein phase of that matter, and then into the financial part of it, which led in many different directions, and, as I have said this afternoon, required more than 117 subpenas duces tecum to get certain financial records; and we are still engaged in that matter, and have announced that we would have hearings within a short time.

Now, repeating what I said this afternoon, the idea, to me at least, after we were into the major facts concerning Senator DODD's matter, and the charges involved there, to stop that investigation and go back to writing rules and regulations for the conduct of a Senator, to me was unthinkable, for the same men who were hearing the testimony with reference to one of the Members.

We have been making rules as we went along. We are already setting enough precedents in procedure.

It is a case of first impressions. It is unthinkable that the same committee charged with the duty of trying to weigh the evidence in this matter would also try to establish rules and regulations for the Senate to adopt. It just ought not to be done.

When we do adopt rules and regulations, we will have to live with them. They will be binding on the public, binding on us, and binding on the employees.

This case contains a great volume of testimony concerning the activities of staff members. More than 4,000 sheets of paper were taken from Senator DODD's office.

The staff had to go through all those papers, and we saw many of them ourselves.

We could not write rules and regulations in that atmosphere, even though that was our primary purpose. As far as I am concerned, I am not going to do it until we can get the essential facts and reach some kind of conclusions concerning the Dodd case.

I cannot say when that will be. I am old fashioned enough to believe that a man ought to be given his day in court and a reasonable time to defend himself. I know the problems involved in that, but we are down to the taking of testimony.

We already have a great volume of testimony. We have other duties. I do not know how fast we will move, but I hope that the investigation will move along quickly enough so that we will be able with the help of the hearings to write and formulate rules and present a report with some kind of recommendations as to rules and regulations for Senators and staff members on the very subject matter of this amendment at this session of Congress.

I strongly hope that this will be done in time to get those recommendations considered here. However, those of us who have been here as long as the Senator from Pennsylvania and many others know that we cannot put a timetable on these matters. We do not know what else will be up for consideration.

I hope that we can do that, and I believe that we can.

The only condition I put on it concerns the time that may be required by the Dodd case itself.

I appeal to the Senate again. There is nothing personal about this, of course, but I appeal to the Senate not to stop now in the middle of this matter. We would be trying to hear the Dodd case, and trying to pass rules and regulations that would affect these matters. It is not the judicious way in which to do it. I do not think it is the logical way to do it.

If we were to do this, it would beset us and cause us tremendous trouble in the future.

If we are not moving fast enough in the matter, we can be replaced by others who would perhaps do a better job and do it more quickly. However, do not just say, "We will pass an amendment here after 30 minutes debate."

I do not believe the Senate will do so. I thank the chairman.

Mr. MONRONEY. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER (Mr. Long of Louisiana in the chair). The Senator from Oklahoma has 17 minutes remaining and the Senator from Pennsylvania has 19 minutes remaining.

Mr. CLARK. Mr. President, I yield myself such time as I may require.

The Record should show again, as it did in connection with the first two Bobby Baker amendments, that these proposals have not sprung full blown on the floor of the Senate subject to only 30 minutes of debate.

I was a member of the Committee on Rules and Administration which held hearings on the Bobby Baker case which extended over more than a year.

We then had executive sessions which went on for weeks and weeks, during the course of which this amendment and the other two amendments which I have proposed in the last several days were exhaustively discussed by the committee.

The Committee on Rules and Administration brought out to the calendar its recommendations with respect to all of these matters after careful and comprehensive consideration.

In my opinion, those recommendations were quite inadequate. I filed separate views of my own and proposed my own resolutions. They were discussed in the Committee on Rules and Administration and voted on. In each instance I was voted down.

When the measures came to the floor, I attempted to substitute my resolutions for those of the Committee on Rules and Administration, but the Senate in its wisdom cut short the debate and turned to the amendment of the Senator from Kentucky [Mr. Cooper] and in my opinion, for the time being at least, swept the whole matter under the rug by creating the Select Committee on Standards and Conduct which the able Senator from Mississippi chairs.

The Senator from Mississippi has described in some detail to the Senate what has happened since that time.

I can only say that these amendments were carefully considered by the Committee on Rules and Administration. They were brought out to the floor. They were shunted aside in order to take up and pass the resolution of the Senator from Kentucky which resulted in the creation of the Select Committee on Standards and Conduct.

The Bobby Baker case broke on October 10, 1963. Today is February 8, 1967, and the Senate has still done absolutely nothing as a body to remedy the extraordinarily unfortunate conditions with respect to our conduct and that of our officers and employees which were disclosed in that case.

I say again that it is time that we act. I am delighted that the Senator from Mississippi has given us his assurance that a report will be coming back to the Senate before the end of this session and an opportunity will be afforded to us to act on the matter before we adjourn.

In my opinion we ought to act now. We do not need any further consideration of these matters. They have been carefully considered by the duly constituted committee of the Senate.

Mr. MONRONEY. Mr. President, the distinguished senior Senator from Delaware wishes time to be used tonight, and I have 17 minutes remaining. I am happy to yield him 7 minutes of that time.

Mr. WILLIAMS of Delaware. I would be glad to use part of it tonight.

Mr. MONRONEY. Five minutes tonight, and 2 minutes tomorrow? Would that be satisfactory?

Mr. WILLIAMS of Delaware. That would be satisfactory.

Mr. MONRONEY. The 10 minutes that I have reserved for tomorrow I should like to yield to members of our Committee on Standards and Conduct.

Mr. WILLIAMS of Delaware. I appreciate that. I would prefer to carry 5 minutes of the 7 minutes over until tomorrow.

Mr. MONRONEY. We are only allowed, as I understand the agreement, 10 minutes to a side tomorrow.

Mr. WILLIAMS of Delaware. There is no agreement.

Mr. MONRONEY. I cannot yield 5 minutes of the 10 minutes to the Senator.

Mr. WILLIAMS of Delaware. There is no unanimous-consent agreement as to tomorrow except the 1 hour to each amendment.

Mr. MONRONEY. Ten minutes to a side tomorrow.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. CLARK. I am prepared, in cooperation with the Senator from Oklahoma, to yield back all except 10 minutes, and we are operating under a unanimous-consent agreement. So that answers that.

Mr. WILLIAMS of Delaware. I will not press the request.

Mr. MONRONEY. I wish the Senator from Delaware could use, say, 5 minutes of the 7, and then I will give him 2 of my 10 remaining minutes, because it is a closed question.

Mr. WILLIAMS of Delaware. I will cooperate.

I ask unanimous consent that I may have 2 minutes of the time carried over until tomorrow if I cannot get any more; but I ask I be allowed to proceed tonight, and if I go a few minutes beyond the 5 minutes that it not be charged to either side.

Mr. MONRONEY. I ask unanimous consent to proceed tonight.

Mr. WILLIAMS of Delaware. Earlier today I offered an amendment in substitution to an amendment of the Senator from Pennsylvania because I thought it was important to put some teeth into his proposal if we were to act. My amendment was rejected, and after that I supported the amendment offered by the Senator from Pennsylvania because I thought that while his amendment was a Milquetoast approach to the problem it was a step in the right direction. With respect to this particular amendment, while I am not quarreling with the objective of the Senator from Pennsylvania, I think it would be particularly disastrous if it were passed while the Ethics Committee is in the midst of an investigation of a Member of the Senate.

In my opinion its adoption would in effect be saying that the Senate does not consider it has any laws to deal with the allegations now pending against this Member.

I wish to raise a serious question as to the advisability of considering this amendment at this time; and I want to make this point, and I wish the Senator from Pennsylvania [Mr. Clark], as a lawyer, would follow this.

I refer to page 2, section 2 of his amendment:

> "'2. No Member of the Senate or any officer or employee of the Senate may accept—
>
> "'(a) at any time from any individual, entity, or enterprise which is engaged in lobbying activity any gift of money, property, entertainment, travel, or any other valuable consideration in an amount or having a value in excess of $100;'"

Then, on page 4, paragraph (b), the term "lobbying activity" is defined:

> "'(b) The term "lobbying activity" means any activity undertaken by any person other than a Member of the Congress to influence directly or indirectly the introduction, passage, defeat, amendment, or modification of any legislative measure in either House of the Congress.'"

By what line of reasoning can anyone even suggest that a Member of Congress has the right to accept up to $100 from a lobbyist who is trying to influence our decisions on a legislative measure?

Such a suggestion is outrageous.

Perhaps the Senator's objective is worthy, but the questioh that comes to my mind is this: When we pass this as a new law are we not in effect saying that it is our opinion that we have no laws today against a Member of Congress accepting gifts from any outside person who is attempting to influence, defeat, or enact certain legislation?

I have always taken the position that it now is a violation of the law for any Member of Congress, under any circumstances, to accept a gift—$1 or $100 or $1,000—from anyone who is presenting that gift—and I quote from the Senator's own amendment—"to influence directly or indirectly the introduction, passage, defeat, amendment, or modification of any legislative measure in either House of the Congress."

If we pass this bill we would be saying, in effect, that the Senate feels that it has no laws in this respect—I refuse to accept that premise. This bill is putting in a limit: that one could accept only $100. In my opinion this is not a Bobby Baker amendment. This is—let us face it—the Dodd amendment, and we might just as well abolish the pending investigation of the Ethics Committee if it is accepted.

That case involves the question of interpretation as to what constitutes a gift.

As I understand this amendment, $100 tickets to a dinner honoring a Member of the Senate could be called gifts and, according to the amendment being offered by the Senator from Pennsylvania, it would be all right.

Perhaps the Senator from Pennsylvania is not intending this result, but I am afraid that by indirection this is what he will accomplish. If I am in error then why offer the amendment.

I raise this question: Would we not be better advised to postpone any action, any vote on this question, until this committee has completed its investigation, has learned what the defense will be, has determined what the charges will be, and has submitted the matter to the Department of Justice?

If I am correct we have adequate laws now to handle such a case. If these laws are violated the people should be prosecuted. Later after the pending case has been disposed of, if we find that we need more laws or more rules, I will join the Senator from Pennsylvania or anyone else in passing whatever is needed.

But by our actions at this time I do not wish to tell the Department of Justice and the courts that it is the opinion of this Congress that we have no laws against a Member of Congress accepting cash or gratuities from lobbyists in any amount so long as they are called gifts.

Certainly there are laws against paying cash to a Member of Congress in an attempt to influence his decision.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. CLARK. The Senator is kind enough to refer to me as a lawyer. I have not practiced law for quite a while.

I point out to my good friend, the Senator from Delaware, on the basis of my legal training, that if his premise were correct, his conclusion would follow. But his premise is wrong.

In the books are stringent criminal statutes dealing with many of the matters which are also dealt with by this proposed rule. Those criminal statutes have resulted, within recent years, in the conviction and sending to jail of at least two Members of Congress. But the concept of the criminal law, I beg the Senator to believe—I know that he is not a lawyer, but he has as good a brain as any other Member of the Senate—the concept of the criminal law is that you have to prove intent. Unless you can prove intent to defraud, intent to bribe, a person cannot be convicted of a criminal offense in this area of the criminal law.

But this proposal is a Senate rule dealing administratively with the conduct of Members of the Senate and their employees. In a sense, it is a partial code of ethics and it is not intended to be substituted for the criminal laws in any way whatever.

So I say to the Senator from Delaware that we are not telling the Department of Justice that we are substituting a law for theirs. Far from it. We would expect that any misconduct——

The PRESIDING OFFICER. Five minutes have expired.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that we may be able to proceed tonight, without the time being charged against the remaining time of either side.

Mr. CLARK. Reserving the right to object, I would amend that to ask unanimous consent that I may have 2 minutes, and no more, to complete my answer to the Senator from Delaware.

Mr. WILLIAMS of Delaware. I would yield whatever time the Senator desires because in this colloquy I wish to point out why I am concerned about this matter. I do not want to put the Senate in the position of saying that we do not have any laws with respect to this proposal or that it is all right for a Member of the Senate to accept gifts up to $100. What I want to know is that if it is recognized that we have laws now, why we should enact this proposal.

I ask unanimous consent that we proceed without regard to the limitation of time and permit the remainder of the time to go over to tomorrow.

Mr. CLARK. Reserving the right to object, and I shall object, I have no objection other than that I am going to go home, having made my point, and I am not asking for any further consideration.

Mr. WILLIAMS of Delaware. Then I will offer an amendment tomorrow and take my half hour. I intend to have time to express my opinion on this proposal. I had planned to clear this question up tonight, but there is not going to be rammed through in 10 minutes a measure that may let off the hook a man who is now under investigation by a Senate committee. We should not close the debate in any such rush. If such steamroller tactics are attempted I will be on the floor tomorrow. I intend to have ample time to state my position.

Mr. CLARK. If the Senator from Delaware and the Senator from Oklahoma want to stay here and engage in colloquy, I have no objection.

The PRESIDING OFFICER. The Senator from Pennsylvania simply said that he does not object. He just wishes it understood that he feels compelled to leave the Chamber. The Chair will assume that there is no objection to the request of the Senator from Delaware.

Mr. CLARK. I do not object.

The PRESIDING OFFICER. Objection is withdrawn. The Senator may proceed.

Mr. WILLIAMS of Delaware. I may take more time tomorrow, anyway, Mr. President.

I think that this point must be clear before we vote. I had an experience in this respect several years ago, and I want to put it in the RECORD. That is why I desired time tomorrow to explain my reasons for questioning the effect of this Clark amendment.

Mr. President, I shall proceed.

In 1952 it was called to my attention that $410,110.45 had been contributed to the Democratic State committee by three individuals under the guise of loans. I refer to a report which I made in the Senate on April 29, 1952, which appears in the CONGRESSIONAL RECORD of that date.

I shall summarize this matter briefly because it was the basis for my concern. In that particular speech I disclosed that one individual by the name of Richard J. Reynolds had contributed $310,110.45 under the guise of a loan to the Democratic State committee. Mr. Marshall Field contributed $50,000 and a David Schulte contributed another $50,000, with both of these also being called loans.

After the election was over they applied to the Treasury Department for a ruling that these be marked off as bad debts on the basis that there was no money in the Democratic campaign treasury. They wanted to write the amounts off as bad debts. A favorable ruling was approved by the Treasury Department within 24 hours from the time that the application was postmarked in North Carolina, which was an alltime speed record for action in the Department. They granted that ruling and agreed that those moneys would be deemed to be a loan and marked off as a bad business debt.

Writing the amount off as a bad business debt had this effect: It bypassed the Corrupt Practices Act which places a $5,000 limitation on contributions and gave them a special tax advantage.

Mr. President, when this matter was called to my attention, I denounced the ruling. Somebody made a suggestion and I accepted it—I do not recall who, but I accept the responsibility—it was suggested, "Here is a loophole in the law. Put in a bill to repeal that ruling and put stringent penalties on such political contributions in excess of $5,000."

With the best of intentions I submitted that amendment to the Committee on Finance. It was accepted, passed, and the President signed it, and I thought that I had accomplished something by making that practice a violation of the law with criminal penalties.

I discovered 75 or 80 days later, in talking to a member of the Department of Justice, that I had let these individuals off the hook. Apparently the law as it was before was adequate, but after my amendment was passed the Department of Justice made a decision not to prosecute. They said that their decision was based on the premise that the Senate and the House of Representatives, by having agreed to my amendment, had gone on record considering the old law inadequate. Since Congress had by its actions indicated that it did not think we had laws against such large contributions before, the Department of Justice concluded that it would be out of order to prosecute those individuals. Mr. President, I discovered that I unintentionally had let them off the hook. I do not intend that this happens again.

We had another instance of a similar attempt concerning the investigation which the Ethics Committee is now conducting. The Treasury Department on April 20, 1966, made a press release that was interpreted nationally as an announcement of a new ruling. Those press releases, which I shall later insert in the RECORD, indicated that political contributions accepted by Members of Congress when diverted to their own use, would not necessarily be taxable but that if the donor intended it as a gift it would be recognized as such.

However, when that press release was made I talked with the staff of our committee, and I was told that the existing laws were clear on this point. They could not come up with a single suggestion as to how we could amend the existing law to make it clearer and stronger than it is now.

The law today is very clear that to the extent any public official diverts even $1 of campaign contributions toward his own use it is taxable and under no circumstances can be classified as a gift. That is the law today.

Mr. President, after I made that statement in the RECORD, on April 27, 1966, it is interesting to note that the Treasury Department then agreed that we do have a law stating that such divested funds are fully taxable as income.

Mr. President, I ask unanimous consent that my remarks of April 27, 1966, be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Mr. President, the Senate Ethics Committee is currently in the process of examining certain questions which have arisen as to the manner in which campaign funds have been handled by a Member of the Senate.

I have every confidence in the integrity and the ability of this committee to do its job and render an objective report to the Senate. This must be done because until these questions are answered they represent a reflection on every Member of the Senate.

I would like, however, to clear up some confusion which has arisen in the past few days concerning the tax status of political funds when all or any part thereof are diverted to the personal use of the public official.

This confusion has arisen primarily as the result of a statement released by the associates of the Member affected wherein they admitted the diversion of $100,000 of these campaign funds to the personal use of the Senator but claimed that instead of being classified as diverted campaign funds they really should be treated as nontaxable gifts. They gave the impression that this argument was based on an opinion they had obtained from the Treasury Department.

To confuse this picture further, officials of the Bureau of Internal Revenue have in the past couple of weeks been quietly approaching some Members of the Senate suggesting that perhaps the present law may be fuzzy on this point and that some clarifying legislation may be necessary.

In fact, a press release prepared by the Treasury Department for release under date of April 20, 1966, only added to this confusion.

I ask unanimous consent that this Treasury Department press release of April 20 be printed at this point:

"INTERNAL REVENUE SERVICE PUBLIC INFORMATION FACT SHEET, APRIL 20, 1966

"The Internal Revenue Service has received inquiries on the tax status of funds received by Senator Thomas J. Dodd from fund-raising affairs.

"IRS is prohibited by law from discussing the tax affairs of any particular individual.

"If a fund-raising activity—such as a testimonial dinner—is held to honor an individual and to provide a gift out of respect, in appreciation of public service, or similar non-political motives, and the donors intend the money as such a gift the funds are not taxable to the recipient.

"The factual circumstances in any given transaction will affect its tax status.

"The Supreme Court in Commissioner v. Duberstein (363 U.S. 278) has indicated that 'what controls is the intention with which payment, however voluntary, has been made.' If the transfer proceeds from a 'detached and disinterested generosity,' 'out of affection, respect, admiration, charity or like impulses,' it is a gift according to law.

"One of the few court cases on the point of testimonial dinners was that of union leader, Max Kralstein, decided by the U.S. Tax Court in September 1962 (38 TC 810). The Court said, in effect, because of diversity of interests of persons attending the fund-raising affair, it was necessary to allocate the funds received according to the intent of the givers; some of the proceeds being gifts and some not.

"When property or services—such as household furnishings, use of an automobile and similar items are made available to an individual—whether their value constitutes taxable income to the recipient is a question that also turns on the intent of the giver.

"It has long been a position of the Revenue Service that political contributions are not taxable income to the recipient when they are held or used for present or future expenses of political campaigns. However, when a political candidate or office holder diverts campaign contributions to his personal use, these funds constitute taxable income to him. This position is set forth in Revenue Ruling 54–80, C.B. 1954–1, p. 11."

In my opinion, however, these tactics are part of a deliberate plan to create confusion as to the effectiveness of existing law in the hope that they can get Congress to accept the premise that a loophole does exist and then proceed to rewrite legislation dealing with campaign contributions.

Do not overlook this important point. Once Congress rewrites the law all past transactions are in effect legalized since our enactment of new legislation would be interpreted as the opinion of Congress that a loophole does exist in the present law and that present law does not impose a tax on these diverted funds. This would be a neat trick to excuse past violations if they could get Congress and the public to accept it.

I flatly refuse to be a part of any such backstage plan. There is no doubt in my mind but that the present law is perfectly clear and that all we need is the will to enforce it.

I shall incorporate in the RECORD today excerpts from the law along with different Treasury Department rulings confirming this point.

I shall also incorporate in the RECORD correspondence to show that the money solicited for the fund-raising dinners in question were actually collected as campaign contributions. The Treasury Department is well aware of this point.

Any effort to claim that campaign funds diverted to the personal use of a public official are not taxable is a farce—in fact as far as I am concerned even if the Member does pay tax on these diverted funds it is still improper.

To settle the point as to the existing law regarding the tax status of these political funds when diverted to the personal use of the public official or candidate I ask unanimous consent that there be printed at this point excerpts from the Federal Corrupt Practices Act as appearing in Title 2 of the U.S. Code, paragraphs 241 through and including paragraph 248.

"CHAPTER 8.—FEDERAL CORRUPT PRACTICES

"SECTION 241. DEFINITIONS

"When used in this chapter and section 208 of title 18[1]—

"(a) The term 'election' includes a general or special election, but does not include a primary election or convention of a political party;

"(b) The term 'candidate' means an individual whose name is presented at an election for election as Senator or Representative in, or Delegate or Resident Commissioner to, the Congress of the United States, whether or not such individual is elected;

"(c) The term 'political committee' includes any committee, association, or organization which accepts contributions or makes expenditures for the purpose of influencing or attempting to influence the election of candidates or presidential and vice presidential electors (1) in two or more States, or (2) whether or not in more than one State if such committee, association, or organization (other than a duly organized State or local committee of a political party) is a branch or subsidiary of a national committee, association or organization;

"(d) The term 'contribution' includes a gift, subscription, loan, advance, or deposit, of money, or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable to make a contribution;

"(e) The term 'expenditure' includes a payment, distribution, loan, advance, deposit, or gift, of money, or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure;

"(f) The term 'person' includes an individual, partnership, committee, association, corporation, and any other organization or group of persons;

"(g) The term 'Clerk' means the Clerk of the House of Representatives of the United States;

"(h) The term 'Secretary' means the Secretary of the Senate of the United States;

"(i) The term 'State' includes Territory and possession of the United States. (Feb. 28, 1925, ch. 368, title III, sec. 302, 43 Stat. 1070.)

"SECTION 242. CHAIRMAN AND TREASURER OF POLITICAL COMMITTEE; DUTIES AS TO CONTRIBUTIONS; ACCOUNTS AND RECEIPTS

"(a) Every political committee shall have a chairman and a treasurer. No contribution shall be accepted, and no expenditure made, by or on behalf of a political committee for the purpose of influencing an election until such chairman and treasurer have been chosen.

"(b) It shall be the duty of the treasurer of a political committee to keep a detailed and exact account of—

"(1) All contributions made to or for such committee;

"(2) The name and address of every person making any such contribution, and the date thereof;

"(3) All expenditures made by or on behalf of such committee; and

"(4) The name and address of every person to whom any such expenditure is made, and the date thereof.

"(c) It shall be the duty of the treasurer to obtain and keep a receipted bill, stating the particulars, for every expenditure by or on behalf of a political committee exceeding $10 in amount. The treasurer shall preserve all receipted bill and accounts required to be kept by this section for a period of at least 2 years from the date of the filing of the statement containing such items. (Feb. 28, 1925, ch. 368, title III, sec. 303, 43 Stat. 1071.)

"SECTION 243. ACCOUNTS OF CONTRIBUTIONS RECEIVED

"Every person who receives a contribution for a political committee shall, on demand of the treasurer, and in any event within 5 days after the receipt of such contribution, render to the treasurer a detailed account thereof, including the name and address of the person making such contribution, and the date on which received. (Feb. 28, 1925, ch. 368, title III, sec. 304, 43 Stat. 1071.)

"SECTION 244. STATEMENTS BY TREASURER FILED WITH CLERK OF HOUSE OF REPRESENTATIVES

"(a) The treasurer of a political committee shall file with the Clerk between the 1st and

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[1] Sec. 208 of title 18, repealed by act June 25, 1948, ch. 645, 62 Stat. 862. Present provisions of said sec. 208 are covered by sec. 602 of title 18.

10th days of March, June, and September, in each year, and also between the 10th and 15th days, and on the 5th day, next preceding the date on which a general election is to be held, at which candidates are to be elected in two or more States, and also on the 1st day of January, a statement containing, complete as of the day next preceding the date of filing—

"(1) The name and address of each person who has made a contribution to or for such committee in one or more items of the aggregate amount or value, within the calendar year, of $100 or more, together with the amount and date of the contribution;

"(2) The total sum of the contributions made to or for such committee during the calendar year and not stated under paragraph (1);

"(3) The total sum of all contributions made to or for such committee during the calendar year;

"(4) The name and address of each person to whom an expediture in one or more items of the aggregate amount or value, within the calendar year, of $10 or more has been made by or on behalf of such committee, and the amount, date, and purpose of such expenditure;

"(5) The total sum of all expenditures made by or on behalf of such committee during the calendar year and not stated under paragraph (4);

"(6) The total sum of expenditures made by or on behalf of such committee during the calendar year.

"(b) The statements required to be filed by subdivision (a) of this section shall be cumulative during the calendar year to which they relate, but where there has been no change in an item reported in a previous statement only the amount need be carried forward.

"(c) The statement filed on the 1st day of January shall cover the preceding calendar year. (Feb. 28, 1925, ch. 368, title III, sec. 305, 43 Stat. 1071.)

"SECTION 245. STATEMENT BY OTHERS THAN POLITICAL COMMITTEE FILED WITH CLERK OF HOUSE OF REPRESENTATIVES

"Every person (other than a political committee) who makes an expenditure in one or more items, other than by contribution to a political committee, aggregating $50 or more within a calendar year for the purpose of influencing in two or more States the election of candidates, shall file with the Clerk an itemized detailed statement of such expenditure in the same manner as required of the treasurer of a political committee by section 244 of this title. (Feb. 28, 1925, ch. 368, title III, sec. 306, 43 Stat. 1072.)

"SECTION 246. STATEMENTS BY CANDIDATES FOR SENATOR, REPRESENTATIVE, DELEGATE, OR RESIDENT COMMISSIONER FILED WITH SECRETARY OF SENATE AND CLERK OF HOUSE OF REPRESENTATIVES

"(a) Every candidate for Senator shall file with the Secretary and every candidate for Representative, Delegate, or Resident Commissioner shall file with the Clerk not less than ten nor more than fifteen days before, and also within thirty days after, the date on which an election is to be held, a statement containing, complete as of the day next preceding the date of filing—

"(1) A correct and itemized account of each contribution received by him or by any person for him with his knowledge or consent, from any source, in aid or support of his candidacy for election, or for the purpose of influencing the result of the election, together with the name of the person who has made such contribution;

"(2) A correct and itemized account of each expenditure made by him or by any person for him with his knowledge or consent, in aid or support of his candidacy for election, or for the purpose of influencing the result of the election, together with the name of the person to whom such expenditure was made; except that only the total sum of expenditures for items specified in subdivision (c) of section 248 of this title need be stated;

"(3) A statement of every promise or pledge made by him or by any person for him with his consent, prior to the closing of the polls on the day of the election, relative to the appointment or recommendation for appointment of any person to any public or private position or employment for the purpose of procuring support in his candidacy, and the name, address, and occupation of every person to whom any such promise or pledge has been made, together with the description of any such position. If no such promise or pledge has been made, that fact shall be specifically stated.

"(b) The statements required to be filed by subdivision (a) of this section shall be cumulative, but where there has been no change in an item reported in a previous statement only the amount need be carried forward.

"(c) Every candidate shall inclose with his first statement a report, based upon the records of the proper State official, stating the total number of votes cast for all candidates for the office which the candidate seeks, at the general election next preceding the election at which he is a candidate. (Feb. 28, 1925, ch. 368, title III, sec. 307, 43 Stat. 1072.)

"SECTION 247, STATEMENTS; VERIFICATION; FILING; PRESERVATION; INSPECTION

"A statement required by this chapter to be filed by a candidate or treasurer of a political committee or other person with the Clerk or Secretary, as the case may be—

"(a) Shall be verified by the oath or affirmation of the person filing such statement, taken before an officer authorized to administer oaths;

"(b) Shall be deemed properly filed when deposited in an established post office within the prescribed time, duly stamped, registered, and directed to the Clerk or Secretary at Washington, D.C., but in the event it is not received, a duplicate of such statement shall be promptly filed upon notice by the Clerk or Secretary of its nonreceipt;

"(c) Shall be preserved by the Clerk or Secretary for a period of 2 years from the date of filing, shall constitute a part of the public records of his office, and shall be open to public inspection. (Feb. 28, 1925, ch. 368, title III, sec. 308, 43 Stat. 1072.)

"SECTION 248. LIMITATION UPON AMOUNT OF EXPENDITURES BY CANDIDATE

"(a) A candidate, in his campaign for election, shall not make expenditures in excess of the amount which he may lawfully make under the laws of the State in which he is a candidate, nor in excess of the amount which he may lawfully make under the provisions of this chapter and section 208 of title 18.[1]

"(b) Unless the laws of his State prescribe a less amount as the maximum limit of campaign expenditures, a candidate may make expenditures up to—

"(1) The sum of $10,000 if a candidate for Senator, or the sum of $2,500 if a candidate for Representative, Delegate, or Resident Commissioner; or

"(2) An amount equal to the amount obtained by multiplying 3 cents by the total number of votes cast at the last general election for all candidates for the office which the candidate seeks, but in no event exceeding $25,000 if a candidate for Senator or $5,000 if a candidate for Representative, Delegate, or Resident Commissioner.

"(c) Money expended by a candidate to meet and discharge any assessment, fee, or charge made or levied upon candidates by the laws of the State in which he resides, or expended for his necessary personal, traveling, or subsistence expenses, or for stationery, postage, writing, or printing (other than for use on billboards or in newspapers), for distributing letters, circulars, or posters, or for telegraph or telephone service, shall not be included in determining whether his expenditures have exceeded the sum fixed by paragraph (1) or (2) of subdivision (b) of this section as the limit of campaign expenses of a candidate. (Feb. 28, 1925, ch. 368, title III, sec. 309, 43 Stat. 1073.)"

Next I ask unanimous consent to have printed in the Record Revenue Ruling 54–80, dated 1954, regulation 118, interpreting this law:

"Internal Revenue Bulletin, Cumulative Bulletin 1954–1, January–June 1954

"PART I.—CURRENT RULINGS, DECISIONS, ETC., INTERNAL REVENUES CODE

"Chapter 1.—Income tax

"PART II.—COMPUTATION OF NET INCOME

"Section 22(a).—Gross income: General definition

"Regulations 118, Section 39.22(a)–1: What Rev. Rul. 54–80 included in gross income.

"The portion of a political contribution received by a political organization or a candidate for political office which is diverted from political campaign purposes to the personal use of the candidate or other individual constitutes taxable income to such candidate or other individual.

"I.T. 3276, C. B. 1939–1 (Part 1), 108, modified.

"Advice is requested whether that part of the political contributions received by a political organization or an individual seeking political office which is diverted to the personal use of the candidate or other individual constitutes taxable income to such candidate or other individual.

"Contributions to political organizations are customarily made with the intent and understanding that they be used for the expenses of a political campaign or for some similar purpose. Such contributions are not deductible for Federal income tax purposes by the donor. See I. T. 3276, C. B. 1939–1 (Part 1), 108.

"Where a political gift is received by an individual or a political organization and it is held or used for the purposes intended, i.e., for present or future expenses of a political campaign or for some similar purpose, it is not taxable income to the recipient. See I.T. 3276, supra. However, any amount diverted from the channel of campaign activities and used by a candidate or other individual for personal use constitutes taxable income to such candidate or other individual for the year in which the funds are so diverted. For example, a candidate seeking political office receives contributions totaling $1,000 from individuals and organizations for use in his campaign for election to such office. During the campaign the candidate expends $600 of the contributed funds for campaign purposes. He uses the balance of the campaign funds to reduce the mortgage on his personal residence. In such a case the candidate will be required to include in his taxable income the $400 which represents the portion of the fund which he diverted to his personal use. Such amount will be includible in taxable income in the year in which so diverted.

"I.T. 3276, supra, is modified to the extent that it is inconsistent with the views expressed herein."

I now ask unanimous consent to have printed in the Record another Treasury Department ruling, dated November 13, 1961, signed by Commissioner Mortimer Caplin and addressed to Senator Everett Dirksen:

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[1] Sec. 208 of title 18 repealed by act June 25, 1948, ch. 645, 62 Stat. 862. Present provision of said sec. 208 are covered by sec. 602 of title 18.

"November 13, 1961.

"Hon. Everett McKinley Dirksen,
U.S. Senate.

"Dear Senator Dirksen: This letter relates to the treatment, for Federal income tax purposes, of campaign contributions received by an individual or a political organization, and is written to confirm our telephone conversation of November 2, 1961.

"The basic rule applicable to this area of the law, as set forth in *I.T. 3276,* Cumulative Bulletin 1939–1 (Part 1), 108, and *Revenue Ruling 54–80,* Cumulative Bulletin 1954–1, 11, is that a campaign or political contribution received by an individual or political organization is not includible in the income of the recipient, to the extent it is used for present or future expenses of a political or similar purpose; however, the portion of the contribution which is diverted to the personal use of the candidate or other individual is includible in his gross income in the year the funds are so diverted.

"The aforementioned rulings were cited with approval in the leading case dealing with campaign contributions, *O'Dwyer* v. *Commissioner* (C.A. 4th 1959), 266 F. 2d 575, where the Court held that Revenue Ruling 54–80 was declaratory of judicial interpretation of existing law, and thus concluded that political contributions were to be treated as income where the taxpayer failed to prove that they were not diverted to the taxpayer's personal use. (See also *Manson L. Reichert* (1953), 19 T.C. 1027, affirmed on other grounds (C.C.A. 7th 1954), 214 F. 2d 19, and *Orland J. Ridenour,* T.C. Memo 1957–126, which are in accord with the rulings).

"In sum, campaign or political contributions are considered gifts conditioned upon their being used for the purpose for which given.

"With kind regards,

"Sincerely,

"Mortimer Caplin,
"Commissioner."

There has been no change in the law since 1954 and 1961 and these rulings are still in effect.

Next, to establish that the contributions and tickets purchased to these Connecticut dinners were normal political campaign contributions I ask unanimous consent that a letter sent out by the treasurer of the dinner committee in solicitation of these funds be printed at this point in the Record.

"October 16,1963.

"Dear ——— ———: In 1964, our friend, Senator Thomas J. Dodd will campaign for reelection to the United States Senate. It does not seem necessary for me to stress the heavy financial burden that this campaign will involve. For this reason, it is necessary for those of us who respect and admire Senator Dodd to lend whatever aid we can to assist him in presenting a vigorous campaign. To this end, we have scheduled October 26th as a fund raising date throughout the State, and we are fortunate enough to be able to announce that Vice-President Lyndon B. Johnson will be here in Connecticut throughout the entire day to take part in the various activities planned for that day.

"Here in Fairfield County, we have scheduled a cocktail party at the home of Mr. and Mrs. Archie Perry, 750 Verna Hill Road, Fairfield between the hours of 3:00 P.M. and 5:00 P.M. The Vice-President and Senator Dodd will be at Mr. and Mrs. Perry's home and an invitation to that party will be sent to you at your request. Inasmuch as Mr. and Mrs. Perry have been gracious enough to give us their home for this occasion and have underwritten the expenses in connection with the party, it is our hope that the various guests will see fit to make contributions of $100 or more. I hope you can find it within your means and power to help us assist the Senator by being present.

"The cocktail party is followed by a dinner at the Stratfield Motor Inn. The dinner is scheduled to commence at 7:30 P.M. and one or more tickets will be sent at your request. We fully expect this dinner to be a gala affair and I would very much like to see you there with whatever guests you may elect to bring with you. The subscription for this dinner is $25.00 or more per person. Needless to say, I am very anxious for these affairs to be outstanding successes and I would consider it a great personal favor if you decide that you can take part.

"I hope to talk with you personally about this matter within the next few days, but in the event that I am not able to make all the necessary phone calls, I hope you will not resent it if one of my secretaries calls you concerning it.

"In the event you can reach your decision without a phone call, please feel free to send me your check for one or both affairs made payable to me as Treasurer, Dodd Dinner.

"Cordially,

"Paul."

Mr. WILLIAMS of Delaware. Mr. President, had we passed a law dealing with this subject, as it was being proposed at that time, we would have again let all prior transgressors off the hook. I do not say that those who were proposing a new law on that subject were trying to do this, but when this was called to their attention I was told clearly that that would have been the effect.

But again I ask the question—if the proponents of the Clark amendment do not intend to let our colleague off the hook then why are they pressing the amendment?

The Senator from Pennsylvania [Mr. Clark] admits that we have a law now against gifts or payments to Members of Congress for the purpose of influencing their votes—then why this amendment?

Mr. President, if we pass this proposal it will have the effect of excusing all past transgressions. I agree fully with the proposal that Members of Congress cannot properly accept such gifts. I would go further. We do not have the right to accept a gift of $100 or even $1 from a lobbyist who comes in to influence our decision on legislation. We do not have the right to accept a gift of $1 from anyone who comes in to influence our decisions. When a Senator accepts money from anybody trying to influence his vote in Congress he is violating a criminal statute. The acceptance of any money under any circumstances from anybody who is trying to influence our vote is a violation of the criminal statutes.

It falls into the same category as when a person goes out on election day and tries to influence a man on the street to vote Republican or Democratic, for John Doe or Joe Smith. Any persuasion or argument may be used. That would be legal. Any argument may be used to get him into the voting booth, but if in trying to persuade a voter, even if $1 is paid to that man going into the booth, it is a violation of the criminal statute for both the man giving the money and for the man accepting it.

Mr. President, the same thing is true of public officials. We do not need this bill saying that it is a violation of the law to accept a gift in excess of $100. It is a violation of the law today to accept a gift of any amount from anybody who approaches a public official and who tries to influence his vote and decision.

Mr. President, Senators have no right to accept such gifts, and if we pass this proposal the Ethics Committee might as well fold up and say, "All is forgiven; from here on we are going to be angels"; and then put a halo over our heads and tell our constituents to please forget the past.

Mr. President, that is what will happen if this pending amendment is approved. Consideration should be postponed until after the Ethics Committee has acted.

I refer to the pending Clark proposal not as the Baker amendment but as the Dodd amendment.

The Senate of the United States lost much of its prestige as the result of the coverup tactics of the Senate Rules Committee, which had been charged with the investigation of the Baker case. Let the Senate not make the mistake now of adopting this pending Clark amendment, which would have the effect of whitewashing the current investigation of one of our colleagues before the Senate Ethics Committee even gets a chance to do its job.

THE KENNEDY LIBRARY

Mr. CLARK. Mr. President, on two occasions in recent days I have inserted in the pages of the Congressional Record some of the basic documents of the controversy between Mr. Henry Fairlie, a British reporter, and Harvard University, with respect to the Kennedy Library and the Kennedy Institute of Politics, and the procedures established by the university for administering that very great and generous gift made by the Kennedy family.

Mr. President, in order that the Record may be complete, I ask unanimous consent that an article entitled "Too Much Aura: Calm Look at Cambridge Memorial," written by William S. White and published recently in the Washington Post, may be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Too Much Aura: Calm Look at Cambridge Memorial

(By William S. White)

Cambridge, Mass.—The irresistible conclusion of an on-the-spot inquirer into the complex memorial being raised here to the late President John F. Kennedy is that it is all too much—too much aura of the Kennedy family and too much inevitable association with an active presidential aspirant, Sen. Robert F. Kennedy.

This columnist has an equally strong conviction that those primarily charged with directing this enterprise, Don Price and Richard Neustadt, are disinterested scholars who will do their able best to maintain an approach in the best academic traditions. It is not motives, however, that are in issue here; it is simply the human probabilities.

These probabilities, even granting all good intentions from everybody concerned, including Sen. Robert Kennedy, are that this whole affair will one day be seen as an unwise if quite understandable quick reaction of grief to the national tragedy of the assassination and that no one could look at it with more wry skepticism than would have John F. Kennedy himself.

The bare bones are these: Through contributions from the Kennedys, through a $2-million grant from the Ford Foundation, through proceeds from the highly controversial current book on the assassination and through public contributions three things are being financed here in multi-million-dollar scope.

The first is the John Fitzgerald Kennedy Library, Inc., the top legal structure. The second is the Harvard School of Government now renamed the John Fitzgerald Kennedy School of Government. The third—and the crux of it all—is an Institute of Politics to operate within the Kennedy School of Government.

The Institute, however, is not to be scholastic as this term is ordinarily understood. It is intended, instead, to be both a training field and a launching pad for "inners and outers"; that is, sophisticated men ready to move into politics and government at levels far above the merely bureaucratic.

To put it another way, the Institute's purpose is to give academic shelter to, and to make academic use of, the talents of men having one foot in politics and one foot in the academic or political writing professions. The aim is to make available to any administration a cadre of savvy political skills—and this itself is an unexampled enterprise in American universities.

Looking at the thing practically, one would get you five, as they say in betting circles, that no rush of able Fellows from the Institute would besiege Washington eager to help some non-Kennedy administration, say a conservative Republican administration.

The Institute has an outside Advisory Committee made up of some of the most distinguished personages in the country. No one supposes for a moment that this group collectively would ever seek to load the dice either academically or politically. But the fact is that the Advisory Committee must by contractual stipulation always include a member of the Kennedy family—currently Mrs. John F. Kennedy. And it asks more of credulity than credulity will bear to suppose that any Kennedy member of the committee will have no special interest in one presidential candidacy—and no special influence here.

Sen. Robert Kennedy's influence is an unarguable present reality. He is a member of the directorate of the parent library corporation; and it was he who presided over the informal discussions that put this entire enterprise in motion.

To be sure, there are other memorials to other Presidents—the Roosevelt Library in New York, the Hoover Library in Palo Alto, Calif., the Truman Library in Missouri and the Lyndon Johnson Library still evolving in Texas.

But this complex at Harvard is incomparably more than a library. And, too, nobody in the Hoover, Truman, or Johnson families is now or ever was running for President. True enough, the Roosevelt sons have long had political ambitions—but the Roosevelt Library never had an Institute of Politics and was never in any way an equivalent of what is being raised up here at Harvard.

Mr. CLARK. Mr. President, I express my complete dissent from the general position taken by Mr. White who, I fear, does not really understand very well the problem which he went to Cambridge to investigate.

Mr. President, I also ask unanimous consent to have printed at this point in the RECORD an article entitled "The Name Is Still Harvard University," written by Laurence Stern, and published in the Washington Post on Sunday, February 5, 1967. Mr. Stern is a well-known staff writer of the Washington Post.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE NAME IS STILL HARVARD UNIVERSITY—SOME FIRE IN SMOKE ABOUT KENNEDY DESIGNS, BUT SCHOOL HAS 331-YEAR TRADITION OF INDEPENDENCE

(By Laurence Stern)

CAMBRIDGE, MASS.—Twenty seven days after the assassination of John F. Kennedy, his two brothers gathered with a group of his Washington and Harvard friends in a private dining room of New York's 21 Club.

The purpose of the meeting was announced by then Attorney General Robert F. Kennedy: to make plans for a "living memorial" to the late President.

It was a glittering, all-Harvard assemblage. From the White House came McGeorge Bundy, Arthur Schlesinger Jr. and Richard Goodwin. From the Harvard faculty were School of Administration dean Don K. Price and political scientist Samuel H. Beer. In the party too was Richard E. Neustadt, a Harvard alumnus, White House consultant, author of "Presidential Power" and a professor of government at Columbia University.

This session was followed by others in the Georgetown home of Jacqueline Kennedy and in Harvard conference rooms. It was from these free-ranging meetings and from an ensuing deluge of memos and letters that the concept of the Kennedy Institute for Politics emerged.

MEMORIAL CAPSTONE

The institute, everyone agreed, would be the capstone of the Harvard memorial to President Kennedy.

"It was a legitimate and necessary extension of what President Kennedy had in mind when he spoke of having a place at his library where, after his retirement, he might lecture and conduct seminars," Schlesinger said.

The early stages of planning were "little more than a babble of voices on the banks of the Charles," recalled Neustadt, on whose career the first meeting—Dec. 19, 1963—would have fateful impact. "There was no certainty it would go anywhere."

The drift of things was mirrored in a Jan. 6, 1964, memorandum to Schlesinger from an eminent White House colleague:

"Our problem is the Center and here we have widely divergent views," the memo crisply asserted. "Sorensen is not interested in it; Neustadt thinks it amounts to starting a new college and the rest of us fall in between . . . If we find it hard to draw a clear charter, it seems to me that it would be harder still to frame one that carries conviction at this stage to the world at large."

But the babble finally gave way to consensus. A program was defined. Harvard recently agreed to adopt the Institute as part of a new $30 million academic and memorial complex in Cambridge. The Kennedy family would endow the university through the Kennedy Library Corp. with $10 million.

The plan was ratified by the Massachusetts courts and the state legislature as the result of the combined energies of Harvard, the Brahmin law firm of Ropes & Gray and the potency of the Kennedy name.

THE KENNEDY GOAL

In its loftiest terms, the Institute would strive for President Kennedy's goal, as Schlesinger once voiced it, of "bringing together the world of ideas and the world of affairs; the world of scholarship and the world of decision."

In physical and financial terms, it seemed to be a marvel of Yankee compromise between the venerable university and the young Kennedy dynasty. Politically, however, it nurtured talk of a Kennedy government in exile—a storehouse of professional brainpower that might some day be tapped for another Kennedy assault on the White House.

True or not, the suspicions were fanned by British free-lance journalist Henry Fairlie's article published in the London Telegraph and The Washington Post and distributed by the Los Angeles Times-Washington Post News Service on Jan. 15. Harvard, which faced British muskets with equanimity nearly two centuries ago, lost its cool under Fairlies' attack.

Fairlie charged that Sen. Robert F. Kennedy (D-N.Y.) was using the Institute as a "recruiting college" for his presidential aims. The article suggested also that the university (with endowments of $1 billion) had compromised the chastity of its School of Public Administration in exchange for the $10 million Kennedy Library Corp. endowment, one that would produce an ultimate income of $500,000 annually.

There was a prompt rejoinder from Dean Price, who branded the Fairlie article "irresponsible and inaccurate." From faculty members themselves, during five days in Cambridge, I heard a steady refrain of protest against the Fairlie article: silly . . . naive . . . uninformed . . . ridiculous.

A STRONGER CASE

On the basis of available evidence, an even stronger case than Fairlie's might be drawn on the purported Kennedy invasion of Harvard.

For instance: The endowment agreement between the Kennedy Library Corp. and the university gave the President's widow the right to veto Harvard's first three choices for any successor to Neustadt as Institute of Politics director. This extraordinary grant of authority to a member of a donor family is not recorded in the public file on the endowment agreement.

For instance: The agreement decrees to Harvard that "you will appoint as the first director of the Institute Prof. Richard E. Neustadt." As a Kennedy nominee, it might be asked would Neustadt's primary loyalties be to the family or to the university which pays his salary?

For instance: McGeorge Bundy, a Kennedy family friend and adviser as well as former dean of Harvard College, played a wide-ranging "inside" role in the formation of the Institute. Before leaving his White House job as national security adviser to become president of the Ford Foundation, he drafted the document — "An Outline Plan for the Institute of Politics in the John F. Kennedy School"—that was the basis for the university's request for a $2 million Ford Foundation grant. A copy of the Bundy document bears a hand-written notation: "By Bundy for RFK discussion with Nate Pusey." Nathan M. Pusey is president of Harvard.

Other terms of the agreement, already made public, called for the appointment of a member of the Kennedy family to a "small advisory committee" that Harvard would establish and required that the name of the School for Public Administration be changed to the John F. Kennedy School of Government.

In 1936, Harvard refused a request by the School's first major benefactor, New York glove maker Lucius Littauer, that it be named after him. In popular usage, however, it did become the "Littauer School" and the glove maker's name was engraved over the building's Greek columns.

RECRUITING COLLEGE

Fairlie's indictment of the Kennedys and Harvard hinged on one central point: Do the Kennedys exercise meaningful control over the Institute's policies and appointments? Can it, in fact, be used as a "recruiting college" for family political aspirations?

The language of the letter-agreement is explicit on this point. "Full responsibility," it says, "for the conduct of both the School and the Institute, and appointments to the staff of both, will rest with Harvard, its governing boards and officers." The one exception was the limited veto for Mrs. Kennedy.

Furthermore, most candidates for the

School of Government faculty carry senior professional status in a regular Harvard faculty department, most commonly the economics or government departments. The faculty committees of these departments are notoriously hard-nosed in judging the scholarship credentials of prospective members. Neustadt, for example, had to qualify in the government department for a professorship even though his chief mission is to create a program for the Institute.

Even if the Kennedy family were rash enough to nominate a candidate for the School of Government faculty, he would have to pass the gauntlet of a Harvard faculty committee. Here the Kennedy credentials would be of little avail. One prospective member of the Institute has already been denied senior professorial status by Harvard's economic faculty.

So it is that Harvard responds with bafflement or frosty derision to the notion that its faculty could be stacked with RFK political operatives.

"Anyone who thinks this institution can be moved by the Kennedy family stands convicted of the most incredible stupidity," said a senior professor of government who has no connection with the Institute.

Nor is Mrs. Kennedy's membership on the advisory board, or her limited veto power, a subject of faculty alarm. "Back when all this was taking shape," recalled one person familiar with the background, "I remember Bobby remarking to McGeorge Bundy, 'My God, suppose they decide to appoint Gore Vidal as director!' (Vidal is a New York author who is on exceptionally unfriendly terms with the Kennedy family.) But that atmosphere of suspicion no longer exists."

Commented Dean Price: "It would have been indecent for Harvard to have excluded the Kennedy family from membership on the advisory committee."

A LOT OF CLOUT

Even by Harvard standards, the Institute's advisory committee, headed by Ambassador at Large Averell Harriman, represents an impressive array of financial and social clout. Under its charter, however, the committee doesn't have authority over the lowliest staff appointment.

The Institute's fellowship program might be a lively point of controversy since it is there that a Kennedy patronage spigot might be turned on. But Neustadt, who no one accuses of insensitivity to political nuances, has striven to avoid any suggestion of partisanship.

One member of the current crop of Kennedy Institute Fellows, former State Department Far East hand Jonathan Moore, is widely reported to have been offered the job of foreign policy adviser to Michigan Gov. George Romney. Moore is a Republican. Another Fellow, John G. Stewart, will return to his job as special assistant to Vice President Hubert H. Humphrey. "Bobby Kennedy sure as hell isn't going to get much mileage out of me," Stewart is quick to say.

The one-year fellowships are the major element in the Institute's program. They are aimed at what Adam Yarmolinsky, head of the recruitment committee, labeled the "in-and-outer"—a careerist who commutes from public service to private or university life.

"Averell Harriman is an outstanding example of the 'in-and-outer' " observed one Institute member. "But he didn't have to worry about keeping his base in the private sector, thanks to a private fortune."

An average profile for this year's first batch of ten Fellows would be a man in his middle to late 30s who has spent the past five or six years in an influential executive or congressional job. Most are Democrats who have strong and nostalgic memories of the early Kennedy Administration days.

"Public service was challenging, exciting and interesting," said David Filvaroff, former special assistant to Attorney General Nicholas Katzenbach on civil rights matters. "To some of us the prospect of returning to government is not unattractive. This isn't tied to any particular administration."

In no sense, explained another Fellow who held a high executive position in Washington, "did I leave the Johnson Administration in anger. But there is a group here who shared the Kennedy experience with a sense of deep, emotional involvement. And I see nothing sinister about that. It might be fun to sit up here and talk about Bobby Kennedy. But we don't."

There is, one senses, a powerful institutional loyalty to the memory of President Kennedy. His photograph was a common adornment in offices I visited, although I did not see one picture of President Johnson. This sentiment goes far beyond the Kennedy Institute or School of Government.

"There are a large number of my colleagues who have become disaffected with this Administration," said an influential member of the economics department who commutes frequently to Washington. "Much of this comes from the war in Vietnam or from Johnson's personality. Yet in Washington I get the impression that the President is a careful, deliberative man who is highly skilled in his job."

The widespread adoration of the Kennedy memory at Harvard goes all the way to the top. President Pusey admired the late President in the warmest personal terms.

"I have heard him say time and time again," said a colleague of Pusey, "that without President Kennedy's vision of a union between the world of practical politics and the world of intellect, our civilization is sure to go down the drain."

This was undoubtedly an important factor in the university's decision to adopt the Institute in perpetuity as part of Harvard.

But there were also practical considerations. Pusey had long been concerned about the poor endowment position of the old "Littauer School." Dean Price acknowledges that "for a long time we were at the bottom of the heap."

After Pusey became president of Harvard in 1953, he performed prodigies of fund-raising; $6 million for the Divinity School, $82 million for the College, $58 million for the Medical School. By 1965 the university's over-all endowment had reached $1 billion.

"All the while, Don Price was waiting patiently in line," a government department faculty member noted. "And then—then, along came Bobby Kennedy."

AMBITIOUS VISIONS ACHIEVED

After more than two years of planning and negotiation, the Kennedys and Harvard agreed on a grand architectural scheme to be designed by architect I. M. Pei that would achieve the most ambitious visions of both. It became known as the "Big Plan." Pusey so referred to it in a "Dear Bob" letter to Kennedy last June in which he outlined its physical and financial dimensions.

Crucial to the plan was acquisition of the 12-acre site along the Charles River, occupied by a grimy streetcar barn owned by the Massachusetts Bay Transit Commission. Harvard had coveted the site for nearly half a century. President Kennedy himself despaired of ever wresting the yards away from the Commonwealth of Massachusetts.

But in 1965 the Massachusetts legislature, under the watchful eye of Sen. Edward M. Kennedy (D-Mass.), passed a special act permitting Harvard to acquire the yards for the Kennedy memorial.

Harvard, under the Big Plan, will invest $17 million in the land and new buildings: a Center for International Studies as well as the new School of Government. The Kennedy Library Corp. will spend $12 million for the Archive and Museum as well as for the cost of the Institute. Massachusetts will pour out $5 million for the land on which the Kennedy Archive will stand.

Half of Harvard's costs for the new memorial center—about $8.5 million—will be raised in a fund campaign led by Harvard graduate C. Douglas Dillon, former Secretary of the Treasury, and a grant of $2.5 million from the Ford Foundation. Pusey has already invited the Kennedy Library Corp. to "cooperate" with the university in raising the rest of Harvard's ante.

A WELCOME "ROBBERY"

Last June, the Kennedy Library Corp. told Pusey it had raised $13 million in gifts and pledges for the Kennedy memorial. But the total bill to the Kennedys for the endowment and construction costs will be more than $22 million. Still, the family gave Harvard its "personal pledge," in an attorney's letter last June, to meet the endowment goal, even if it had to dig into the private Kennedy coffers.

"If this is a question of being robbed," said Dean Price, "I wish Harvard could get robbed like this every week."

Finally, if Harvard is the capital of the Kennedy government in exile, it was not the Institute of Politics that made it so.

John F. Kennedy tapped deeply into the university's resources of brainpower as soon as he came to Washington.

"When I would drop into the White House during the early Kennedy years, it was like dropping in on a Harvard faculty conference," reminisced one Harvard economist. "There would be Bundy, Kaysen, Schlesinger and many others from Cambridge. Even now Bobby Kennedy could pick brains all over the university without even touching the Institute."

Kennedy friends in Washington refer waggishly to the Institute as Elba, a Napoleonic allusion to show the special relationship between the Kennedys and Harvard.

This link, along with the ingredients of a respected university and an ambitious political family, was probably a sure formula for controversy.

But Harvard had, after all, sent five Presidents to Washington before JFK. It has also survived the blandishments of generations of affluent alumni. It has been entwined with public affairs for most of its 331 years. Whatever may be the fate of the Kennedys, Harvard will never go into exile.

Mr. CLARK. Mr. President, I think Mr. Stern's article relates in very fair terms the facts surrounding the controversy which took place as a result of Mr. Fairlie's quite unfair article.

RESOLUTION OF U.S. MEMBERS OF INTERNATIONAL EXECUTIVE BOARD, UAW, ON CONSULAR TREATY

Mr. CLARK. Mr. President, I ask unanimous consent that a resolution adopted unanimously by the U.S. members of the international executive board of the United Automobile Workers on the proposed consular treaty between the the United States and the Soviet Union, adopted on February 2, 1967, may be printed at this point in the Record.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Resolution Adopted Unanimously by U.S. Members of International Executive Board, UAW, on the Proposed Consular Treaty Between the United States and the Soviet Union, February 2, 1967

In his State of the Union Message delivered on January 10, 1967, President Johnson declared: Our objective is not to continue the cold war, but to end it." The President outlined a number of steps already undertaken to avoid "both the acts and the rhetoric of the cold war" in our relations with the Soviet Union and to move toward a relaxation of world tensions and greater mutual understanding in the interests of world peace. Among these steps were the United Nations agreement on the peaceful uses of outer space and provisions for closer cultural and commercial ties with the Soviet Union and other eastern European countries.

A further step toward these desirable goals, specifically requested by the President, is Senate ratification of the consular convention signed by the United States and the Soviet Union on June 12, 1964. We call upon members of the Senate to approve this agreement promptly, resisting misguided attempts either to reject it outright or to condemn it by holding out for modifications which would in effect mean re-negotiation.

The United States would obtain immediate advantages through ratification of this consular treaty, for it contains provisions which would tend to minimize the uncertainty and arbitrariness which, on occasion, have marked Russian treatment of Americans arrested and detained in the Soviet Union. Under the convention now before the Senate, American officials would be assured of prompt notification and prompt access to the Americans detained in such cases. Secretary of State Rusk has pointed out that by placing such problems of detention in routine channels and taking them out of the charged atmosphere of high-level, face-saving diplomacy, the treaty would facilitate their prompt settlement. Considering the personal anxiety and tragedy and public tensions generated in recent years by such detentions, these provisions alone would justify approval of the agreement.

Yet there are additional and perhaps larger advantages. Throughout the course of our troubled relationship with the Soviet Union, we have properly extolled the strengths of our open society and deplored the closed and suspicious nature of the Soviet regime. We have condemned the Iron Curtain lowered across Europe and the "wall of shame" thrown up by the Communists through the heart of Berlin. There can, in fact, be little doubt that by the very natures of our two societies, we have been more open to the Soviets than they have been to us; they have been able, therefore, to learn more about us than we have been able to learn about them. The consular treaty could go far toward redressing this imbalance, by giving us new opportunities to obtain greater understanding of Soviet life and society.

The treaty, as the State Department has pointed out, contains built-in assurances against abuse. Soviet consular employees would be screened by the U.S. before taking up their duties. They could be sent home at our discretion. They would be subject to travel restrictions determined by the United States, and if there were any abuse, the treaty itself could be terminated on six months notice.

Even if no consular office at all were opened, other provisions of the treaty would still offer greater protection to American nationals studying, travelling or doing business in the Soviet Union.

In this, as in every instance when our relationship with the Soviet Union is under consideration, we face fundamental alternatives: we could build walls or bridges. We can seek a prolongation of tension and conflict, or we can follow paths leading to honorable accommodation to our mutual advantage. And in this as in other instances, the risks of building bridges are negligible and the possible benefits are great. Secretary Rusk has emphasized that the danger of espionage in this instance would be "both small and controllable." And he has said that it would be "very much in the national interest" for the Senate to approve the treaty.

Considering its immediate and longer-term advantages, therefore, there is every reason why the American people should ask their Senators to approve this treaty and to reject the scare tactics of those who continue to live in the past and who would condemn younger generations of Americans and Russians to live in perpetual hostility, when common sense impels us to build the foundations of a more peaceful future. We call upon the U.S. Senate, in the national interest and in support of President Johnson's peaceful initiative, to approve the consular convention with the Soviet Union.

Mr. CLARK. Mr. President, I should like to congratulate the members of that executive board for their statesmanlike and logical presentation in support of the consular treaty.

Mr. President, reserving 10 minutes of my time for the discussion tomorrow morning, I yield the floor.

RECESS UNTIL 11 A.M. TOMORROW

Mr. MONRONEY. Mr. President, under previous order, I move that the Senate stand in recess until 11 a.m. tomorrow.

The motion was agreed to; and (at 6 o'clock and 18 minutes p.m.) the Senate took a recess until tomorrow, Thursday, February 9, 1967, at 11 o'clock a.m.

HOUSE OF REPRESENTATIVES

WEDNESDAY, FEBRUARY 8, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

The Lord is just in all His ways, and kind in all His doings—Psalm 145: 17.

O God, our Father, unto whom all hearts are open, all desires known and from whom no secrets are hid, cleanse our hearts as we this moment wait upon Thee in prayer. And as we prepare ourselves for the period of Lent, give us grace to recognize the awakening of Thy spirit within us and to listen to all Thou hast to say to us. Let us not yield to the temptations of the world, but strong in Thee may we face our experiences with courage and faith.

In all sincerity do we pray for each other and for all those with whom we associate this day. In our minds may we think of our friends with love, our enemies with forgiveness, and our fellow man with abounding good will. Unto Thee do we commend ourselves and our Nation, together may we walk in the way of Thy commandments, speak Thy word of love, and obey Thy will to serve our fellow man. In the Master's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 16. An act to provide additional readjustment assistance to veterans who served in the Armed Forces during the Vietnam era, and for other purposes.

THE SELECT COMMITTEE

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent that the select committee, pursuant to House Resolution, 1, 90th Congress, be permitted to sit while the House is in session.

The **SPEAKER.** Without objection, it is so ordered.

There was no objection.

SUBCOMMITTEE ON ETHICS AND CONTRACTS, COMMITTEE ON HOUSE ADMINISTRATION

Mr. HAYS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HAYS. Mr. Speaker, the Committee on House Administration met for an organizational meeting this morning with, to the best of my knowledge, only one member absent and voted unanimously to establish a regular Subcommittee on Ethics and Contracts. At the proper time a resolution will be introduced to provide funds for this committee, both the full committee and the subcommittee.

Mr. Speaker, I might say to you that as a result of the investigation held by a special subcommittee of the Committee on House Administration during December that the legality and jurisdiction of this committee was researched. There is no question but that the rules of the House and the laws of the United States not only empower it, but it is the business and the duty of the Committee on House Administration to look into matters of this kind. The committee proposes to do the duty that is laid out for it to do.

THE SELECT COMMITTEE

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I offer a resolution (H. Res. 177) to provide funds for the select committee pursuant to House Resolution 1, 90th Congress, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 177

Resolved, That, effective January 10, 1967, the expenses of conducting the studies and investigations authorized by H. Res. 1 of the Ninetieth Congress, incurred by the select committee pursuant to H. Res. 1, Ninetieth

Congress, acting a a whole or by subcommittee, not to exceed $25,000, including expenditures for the employment of experts, special counsel, clerical, stenographic, and other assistants, and all expenses necessary for travel and subsistence incurred by members and employees while engaged in the activities of the select committee or any subcommittee thereof shall be paid out of the contingent fund of the House on vouchers authorized by such select committee signed by the chairman of such select committee and approved by the Committee on House Administration.

SEC. 2. No part of the funds authorized by this resolution shall be available for expenditure in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House, and the chairman of the select committee, pursuant to H. Res. 1, Ninetieth Congress, shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman from Maryland yield?

Mr. FRIEDEL. I yield to the gentleman from Michigan.

Mr. GERALD R. FORD. Mr. Speaker, would the distinguished gentleman from Maryland explain to the Members of the House the purpose of this request?

Mr. FRIEDEL. Mr. Speaker, this resolution, if adopted, would authorize the appropriation of $25,000 for the select committee which has previously been designated to investigate our colleague, Representative ADAM CLAYTON POWELL, of New York.

Mr. Speaker, the members of this select committee are to report its findings back to the House of Representatives within the period of 5 weeks.

Mr. Speaker, this select committee has submitted a budget of $25,000 to the Committee on House Administration and, because time is of the essence, we acted on this resolution this morning.

Mr. GERALD R. FORD. Mr. Speaker, will the distinguished gentleman from Maryland yield further?

Mr. FRIEDEL. Yes, I yield further to the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Speaker, it is my understanding that the action of the committee upon this request was unanimous with reference to the request for funds on the part of the select committee designated to conduct this investigation. Also, it is my understanding that the request was approved by the full Committee on House Administration as well.

Mr. FRIEDEL. The action was by the unanimous vote of the committee; that is correct.

Mr. GERALD R. FORD. Mr. Speaker, I withdraw my reservation of objection.

Mr. GROSS. Mr. Speaker, will the distinguished gentleman from Maryland yield?

Mr. FRIEDEL. Yes, I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, can the gentleman from Maryland give us any indication as to whether the gentleman's committee, in approving this resolution, obtained information as to when this special committee will be ready to report to the entire House of Representatives? Will it be within the period of 5 weeks which was originally allocated, meaning from the time of its enactment on January 10, 1967?

Mr. FRIEDEL. Mr. Speaker, I have a letter here from the gentleman from New York [Mr. CELLER], the dean from the standpoint of service in this House of Representatives, who is the chairman of this select subcommittee, the creation of which was pursuant to House Resolution 1 of the 90th Congress. Chairman CELLER reminds us:

> The select committee was given the period of 5 weeks in which to make recommendations on the taking of the oath of office by Congressman-elect POWELL and his final right to a seat.

Therefore, Mr. Speaker, time is of the essence. The gentleman from New York [Mr. CELLER] further states:

> I shall greatly appreciate your expediting consideration and action on House Resolution 177.

Mr. Speaker, the chairman does not state exactly when the select committee will make its report but he hopes to expedite this matter and to report thereon to the full House within the allocated period of 5 weeks.

Mr. GROSS. Mr. Speaker, will the gentleman from Maryland yield further?

Mr. FRIEDEL. Yes, I yield further to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I hope the gentleman from Maryland agrees that the special select committee should be ready to report within the mandated time of 5 weeks.

Mr. FRIEDEL. I share the hopes of the gentleman from Iowa.

Mr. GROSS. I thank the gentleman from Maryland.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

TRIBUTE TO THE LATE HONORABLE GRAHAM A. BARDEN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NORTH CAROLINA

Mr. PERKINS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. PERKINS. Mr. Speaker, when the Committee on Education and Labor assembled Thursday for its first meeting of the new Congress, I was the only Member who had had the honor of serving on that body during the decade that our late colleague, Graham A. Barden, was chairman.

There have been many expressions of affection and admiration delivered on this floor during the few days since the death of Mr. Barden. All of them emphasized Mr. Barden's fierce integrity, his firm convictions, his unwillingness to yield on legislation which he conceived to be detrimental to the welfare of his country.

There were many of us who had a different concept of the functions of Government than Mr. Barden had. Much of the legislation we supported and enacted did not meet with his approval. But despite any opposition he may have had to our programs, in the face of his strong convictions that what we were doing was wrong or unwise, he dealt with us always with complete courtesy, with honest opposition, and with gentlemanly consideration.

Graham Barden was a man we missed during the 6 years since he dropped out of the House voluntarily. We will miss him more now that his departure is so final.

LEGISLATION EXPRESSING SENSE OF CONGRESS THAT UNITED NATIONS SHOULD REVAMP AND IMPROVE ITS PEACEKEEPING FORCES

Mr. MOORHEAD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MOORHEAD. Mr. Speaker, today my colleague, the gentleman from Pennsylvania [Mr. SCHWEIKER] and I, on behalf of 48 of our colleagues, have introduced a concurrent resolution expressing the sense of the Congress to the effect that the Congress of the United States supports the peacemaking and peacekeeping efforts of the United Nations.

Mr. Speaker, the gentleman from Pennsylvania [Mr. SCHWEIKER] and I would welcome further cosponsors of this legislation.

Mr. Speaker, in the last Congress there was a total of 79 Members who supported a similar resolution.

The resolution this year has been redrafted after a consultation with our Ambassador to the United Nations, Mr. Goldberg.

We are hopeful we can obtain support not only from the Congress but also from the executive branch for this important means of maintaining world peace.

OFFICIAL OBJECTORS FOR CONSENT CALENDAR AND PRIVATE CALENDAR

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, I take this time to advise the House that during the 90th Congress official objectors for the Consent Calendar on the Democratic side will be the gentleman from Colorado [Mr. ASPINALL], chairman, the gentleman from Massachusetts [Mr. BOLAND], and the gentleman from California [Mr. McFALL].

For the Private Calendar, the objectors will be the gentleman from Massachusetts [Mr. BOLAND], chairman, the gentleman from Georgia [Mr. DAVIS], and the gentleman from Oklahoma [Mr. EDMONDSON].

THE LATE CONGRESSMAN JOHN E. FOGARTY

Mr. ROONEY of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROONEY of New York. Mr. Speaker, John R. Cauley, the very capable Washington bureau chief of the Kansas City Star, has written an article in the January 21 edition of that paper on the recent untimely death of Congressman John E. Fogarty. Mr. Cauley's article well describes the "truly monumental achievements of a self-effacing Member of Congress whose life on Capitol Hill was devoted to helping the aged and the poor."

Under the permission heretofore granted me by unanimous consent, I include the text of Mr. Cauley's article:

HIS LIFE DEDICATED TO THE ILL AND THE POOR

(By John R. Cauley)

WASHINGTON.—It has taken the harsh reality of death to bring to the attention of the country the truly monumental achivements of a self-effacing member of Congress whose life on Capitol Hill was devoted to helping the ill, the aged and the poor.

The name of Rep. John Fogarty was known well in his home state of Rhode Island and among his colleagues in Congress, but hardly anywhere else. Yet millions of Americans have been the beneficiaries of the dedicated service and compassion of Representative Fogarty, who for the last 16 years has been chairman of the House appropriations subcommittee on labor, health, education and welfare.

When Fogarty first came to Congress in 1941, the investment of the government in medical research was about 3 million dollars a year. His efforts as a committee chairman were a major factor in raising this investment to a figure exceeding a billion dollars. The budget of the Public Health service alone is 2.5 billion dollars a year, 40 times more than it was 20 years ago.

One of Fogarty's favorite causes was more federal funds for research into heart diseases. Ironically just before he was to start his thirteenth term in the House recently, Fogarty died of a massive heart attack at the age of 53.

The record of Representative Fogarty has been most eloquently stated by Dr. Howard Rusk, physician and medical writer for the New York Times. He wrote:

"If hospitals, research laboratories and institutes for the aged, infirm and retarded had flagpoles, every flag would have flown at half staff last week to mourn the loss of John E. Fogarty."

On the House floor last week Democrats and Republicans alike rose to pay tribute to the memory of Fogarty in one of the greatest outpourings of eulogies ever heard there.

The subcommittee headed by Fogarty held hearings at which witnesses were questioned on their requests for appropriations for public health activities. Unlike some chairmen who relish berating witnesses for asking too much money, Fogarty often berated them for asking too little to carry on medical research and the war on poverty.

Two years ago Fogarty castigated Dr. Luther L. Terry, then surgeon general of the Public Health service, for coming to Capitol Hill with "one of the worst budgets I have ever seen." Dr. Terry conceded that the budget was conservative.

"I do not think it ought to be conservative," Fogarty said. "I do not think we ought to be a third or fourth rate country as far as health is concerned."

Medicare, more nursing home beds; federal aid for the training of physicians and other health workers; the massive injection of funds—1.5 billion dollars for this fiscal year alone—into the National Institutes of Health; workshops and classrooms for the mentally retarded, and many other great advances in health and rehabilitation stand as monuments to John Fogarty.

Fogarty was sharp with those who argued that not enough progress was being made for all the funds spent in medical research.

"I do not know how much we have expended on cancer research," Fogarty once said in reply to critics on the House floor. "I do not care. I do not know whether it is 100 million or 3 billion dollars. But if any part of that was a help in finding this new technique in diagnosing cancer in a state early enough to cure 100 per cent of cancer in the cervix in women, every dime that we have expended has been well expended."

Fogarty once asked a young man whom he had met why he needed canes to aid him in walking.

"He told me he had multiple sclerosis," Fogarty recalled later. "I had never heard of it, so I called up the surgeon general. He told me that almost nothing was known about the disease and that we were doing little to study it. So I got $500,000 as a starter to go to work on."

The formal education of Fogarty ended with high school. Following the lead of his father and older brother, he became a bricklayer.

At 27 he was elected to Congress. Late in his second term he enlisted, incognito, in the Navy Seabees because, as a member on the committee on naval affairs he wanted to observe the problems of enlisted men first hand.

As an enlisted man, he worked on Guam. Returning to Washington in 1945, he announced his intention to make himself "the enlisted men's leg-man."

Several years ago Fogarty had an opportunity to run for the Senate in Rhode Island, and no doubt he would have been elected easily. He turned it down because he wanted to stay in the House to continue his fight for health.

THE HONORABLE WILLIAM PRESTON LANE, JR.

Mr. MATHIAS of Maryland. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. MATHIAS of Maryland. Mr. Speaker, I am sure that we in Maryland are joined by many people throughout the United States today in mourning the death of one of our great Governors, William Preston Lane, Jr., who lived in Hagerstown in the Sixth Congressional District of Maryland.

Although he was elected Governor as a member of the Democratic Party he served all of the people of Maryland without either favor or discrimination. He was rightly respected as one of the distinguished Governors of the State of Maryland and his death will grieve Republicans as well as his fellow Democrats and will be felt as a loss by all Marylanders. He had the restraint that characterizes a wise and tolerant statesman, yet he was also a vigorous and a courageous leader; he was a loyal partisan, but always an honorable adversary.

William Preston Lane's active administration as Governor has, to some extent, obscured his earlier services as attorney general of Maryland when he made it clear to all the Nation that as long as he was at the head of the State law department justice would be dispensed with an even hand to all the citizens of Maryland and that the equal protection of the laws would be extended to every citizen without prejudice of any sort.

To those of us who have known him as a lifelong personal friend he was warm and genial, an entertaining companion with an engaging sense of humor and an attitude of modesty about his own achievements. He was a devoted husband, an affectionate father and a proud grandfather.

His death will be keenly felt throughout the entire State of Maryland, and I regret that I must report it to this House.

Mr. FRIEDEL. Mr. Speaker, will the gentleman yield?

Mr. MATHIAS of Maryland. I yield to the gentleman.

Mr. FRIEDEL. Mr. Speaker, I too wish to express my sorrow on the death of a former great Governor of our State of Maryland.

Mr. Speaker, yesterday, Maryland lost a true friend—a man of great wisdom and political courage, W. Preston Lane, Jr., a former Governor of Maryland. At the age of 74, still active in government and business, Governor Lane died of a heart attack.

Both houses of the Maryland General Assembly adjourned immediately upon hearing of his death to pay tribute to this great Marylander. Today, I would like to pause in our deliberations to express my respect and admiration for one of the best Governors our State has ever had.

Governor Lane served his country in the Army in World War I, he was a successful lawyer, and served as attorney general of Maryland. He also excelled as a businessman and banker.

In the fall of 1946, this quiet, self-effacing, dedicated man made a successful bid for the Governorship. During his 4-year term, some of his many accomplishments included the building of the Bay Bridge—a dream which had haunted Marylanders since 1907; he successfully obtained $100 million for new highways; he brought the State school system from one of the worst in the country to among the best; and instituted a controversial sales tax establishing for Maryland a firm financial base. The people of Maryland were not yet ready to concede his courage and leadership and he lost the governorship because he had the foresight to do the right thing in the face of overwhelming opposition.

At an age when most men are forced into retirement, Governor Lane was serving actively as honorary chairman and a working member of the Constitutional Convention Commission, charged with bringing the 100-year-old Maryland constitution into the 20th century. Last fall, as a member of the board of Fairchild Hiller Corp., whose aircraft missiles division is in Hagerstown, he worked to complete a merger of that firm with Republic Aviation. He was not one to rest on his laurels and past accomplishments. To the end, he was seeking ways to achieve for Maryland the eminence he felt she deserved.

His loss will be felt by all Marylanders who favor progress and appreciate dedicated public service. I join with my colleagues in extending heartfelt sympathy to his widow and two lovely daughters.

Mr. TUCK. Mr. Speaker, I join with my colleagues in paying tribute to the memory of former Gov. W. Preston Lane of Maryland. I have known Governor Lane for many years. He was a graduate of the University of Virginia and had many friends in our Commonwealth who will moan his passing.

Preston Lane served as Governor of Maryland from January 1947 to January 1951, during most of which time I had the privilege of serving in a similar capacity in Virginia. The proximity of our States, as well as the mutual interests and problems which bound us together, naturally resulted in our having many contacts, all of which were pleasant and agreeable. Moreover, we formed a very close personal friendship which continued to exist throughout the remainder of his life.

We were honored in the executive mansion in Richmond with visits from him and his family on several occasions. He was one of the most delightful gentlemen it has ever been my privilege to know. He was blessed with a very charming and attractive family. One of his beautiful daughters was made queen of the Apple Blossom Festival at Winchester in 1948, at which time I had the honor of being designated to crown her as queen.

Our departed friend possessed sterling qualities of character. He had the background and the outlook of a statesman who desired to contribute something of value to the State and Nation which he served. He was courageous and stood up fearlessly and forthrightly for high principles of government and did much to enhance the already high standing of the great State of Maryland.

Let me add also that he served as chairman of the southern Governors conference and enjoyed in the highest degree the confidence and the esteem of his fellow Governors, as well as those associated with the Governors conferences.

A fine citizen and a great man has passed from this life to the great world beyond. I pay this brief tribute of respect to him and say that I shall ever cherish the memory of our association. I take this means of extending to his widow and daughters and other members of his family my deep and heartfelt sympathy.

Mr. MACHEN. Mr. Speaker, William Preston Lane, Jr., was a man of great foresight and political courage. His term as one of the greatest Governors ever to lead the Free State of Maryland was characterized by its preparation for things to come. Governor Lane mapped the prosperous and progressive road our State was to travel during and long after his term was over.

This great man has now passed on, and we all deeply mourn his death. His greatness, vision, and courage are aptly described in an editorial which appeared February 8, 1967, in the Baltimore Sun newspaper, and I insert the editorial at this point in the Record:

W. Preston Lane, Jr.

In the list of Marylanders of statesman's stature, Preston Lane will have an honored place. He was a man of vision, intelligence and character. Above all, he was a man of courage. A citation for gallantry as an officer of the 115th Infantry in the Meuse-Argonne fighting of World War I testified to his physical courage; and his political courage was no less. Once the two were demonstrated together. In the early Thirties, when the State was disgraced by two lynchings on the Eastern Shore, Lane was attorney general. Warned that if he crossed the Bay to direct the search for the lynchers he faced violence, and beyond that an end to any political aspirations, he crossed the Bay. Stonings of his car did not deter him. "I detest and abhor intolerance and bigotry," he said, and so he did, all his life.

The passions of that time had subsided by 1946, when he was elected governor, but Lane had not changed. Politically, the fiscal reform he proposed in 1947, including as it did the sales tax, was said to be an invitation to personal disaster. He pressed for the program, and got it, and the condition of the State's financial affairs today serves as a reminder that the program carried us for almost two decades. There were other accomplishments: the realization of the 40-year-old dream of a bridge across the Bay, notable progress in road-building, a vast improvement in the quality of education in Maryland. But at the end of four years the prophets of political gloom were proven right, and the voters whose affairs had been so benefited by their own sales-tax pennies repudiated Lane in his attempt to win reelection. In disappointment, and in honor and dignity, he left the stage of public office.

The other aspects of his career, in the law, in business, in newspaper publishing, require no recitation. In all these fields, as in politics, he was an ornament to the State of which he and his forebears were citizens. As Maryland honors him today in death, those who knew Preston Lane grieve also at the passing of a friend of unforgettable warmth, wit and charm.

Mr. FALLON. Mr. Speaker, the Free State of Maryland has had a roster of Governors whose renown is not only national but international. With certainty it can be predicted that the name and fame of William Preston Lane, Jr., will be inscribed among the most eminent of our Maryland leaders.

We in Maryland mourn the loss of Pres Lane. In every aspect of his brilliant career he showed great leadership and the courage to back up his convictions. He was an astute and effective politician. He achieved much as Governor.

It was a privilege to know and watch Governor Lane in a distinguished career. To the heroic qualities he brought into the public service could be added a citation for vision. He effected reorganizations, reforms, and improvements all over our State which are often taken for granted today and regarded as elemental necessities. His fame will endure not only in Maryland but among the pantheon of great American statesmen and leaders.

The grieving members of his family have much indeed to be proud of—not only of Governor Lane's record as an outstanding Governor—but of his long career motivated at all times by his genuine love for his native Maryland and an earnest regard for the welfare of the people. To his wife and daughters, Mrs. Fallon and I extend our deepest sympathies.

Under unanimous consent, I include in the Record the editorial which appeared in the Baltimore Evening Sun February 8:

William Preston Lane

When William Preston Lane, Jr., was awarded the Silver Star for gallantry in the Meuse-Argonne battle of World War I, more than a decade before he become Maryland's attorney general and nearly 30 years before he was elected governor, the citation commended his "courage, coolness and marked devotion to duty." Those were exactly the qualities which in a high degree distinguished the career of Mr. Lane the public servant and chief executive of the State as they had the action of Captain Lane the soldier.

In his political life Mr. Lane was a link between the Maryland of Gov. Albert C. Ritchie and the altogether different problems of the post-World War II period. It was under Ritchie that he served from 1930–1934 as the State's highest legal officer. And it was Mr. Lane as governor who wrestled with the large and urgent needs that had accumulated during the years when the energies and wealth of the states and localities, like those of the nation, had been chiefly absorbed by the great conflict. Though different in size some of the needs were remarkably like those that preoccupy us now. There were, for example, the questions of devising means of State aid for local governments, and of providing State assistance for the school system with particular reference to teachers' salaries, to the raising of standards and to the renewal of plant and facilities. In addition it was clear that the State's hospitals, especially in the case of the mental and tubercular institutions, required extensive improvement and it was equally plain that a new beginning had to be made on Maryland's road system, on its renovation and modernization, on better maintenance and new construction.

Governor Lane confronted these tasks with characteristic courage, with realism and with determination. He recognized that the necessary work could not be done without new revenue and that Maryland, heading into an era of rising costs, had to find more money if it was to progress. Realizing this, he struggled for and got the sales tax. He knew full well that politically it was a dangerously unpopular expedient, but since he also knew it was a sound program he never hesitated. He fought the fight for it and by winning the fight set the State on a fiscal course which kept it steady up to the present time.

With the same sure vision and tenacity of purpose he initiated reforms in education, undertook what seemed in their day to be notably ambitious roadbuilding plans, and drove to completion the long-discussed scheme for the construction of a great bay bridge. Indeed, it was Mr. Lane who with the same coolness of judgment he had shown on the battlefield, shaped Maryland's future in much of the pattern we know today.

A great deal that citizens now take for granted, a great part of the foundation on which we now build, was his work. Although he failed of reelection in 1950, chiefly because the effects of his long-range vision were obscured by small-minded exploitation of the sales tax issue, his achievements remained to testify to his stature as a statesman.

Maryland will remember William Preston Lane as one of its ablest leaders and honor him for the foresight, political valor and "marked devotion to duty" by which its people richly benefited.

GENERAL LEAVE TO EXTEND REMARKS

Mr. MATHIAS of Maryland. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks with reference to William Preston Lane, former Governor of the State of Maryland.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

SOCIAL SECURITY PROGRAM

Mr. DEVINE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. DEVINE. Mr. Speaker, unfortunately the social security program has become a political football, being kicked around by every one from the Chief Executive on down. Prior to the election and just before Congress adjourned last year, the President, with great fanfare, offered our retired people the suggestion of a 10-percent increase in benefits.

Less than 3 months later in his state of the Union message, he doubled the benefits on an average of 20 percent and included increases as high as 59 percent, again in an obvious effort to appeal to our retired older people.

He fails to mention, however, that one of the key reasons our people on a fixed income find themselves in a financial trap is the direct result of the L.B.J. inflation stimulated by his constant pressure for unlimited Government programs and spending.

Many of our older people receiving social security benefits are fully capable of earning additional funds, and it seems to me that it is unrealistic to limit them below the President's own determination of a poverty level of $3,000. Accordingly, I am today again introducing legislation that would permit social security beneficiaries to earn up to $3,000 per annum outside income without losing their benefits. The present limitation of $1,500 deprives these useful citizens of their initiative to better their own circumstances. More and more Americans can be financially productive beyond the age of 65; however, they hesitate to do so for fear of penalty of reduced benefits. The limit is also a hardship on those who must work to meet the expense of illness, increased cost of living, and so forth.

LEGISLATIVE PROGRAM

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman, the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I have asked my distinguished colleague, the gentleman from Michigan, to take this minute for the purpose of advising the House that as previously announced, if the debt limit bill passes and is finished today, there will be no legislative business tomorrow. However, there will be a message from the White House on the foreign aid bill. I make this statement because I think the Members should be advised.

Mr. GERALD R. FORD. In other words, we will meet tomorrow.

Mr. ALBERT. We will meet in any event. We will have pro forma meetings during the so-called Lincoln Day recess, but there will be no legislative business and so far as I know this is the only message we will have from the White House; that is, the message on the foreign aid bill.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman.

Mr. GROSS. I wonder if I could inquire of the distinguished majority leader as to the situation if the debt ceiling bill fails to pass the House today?

Mr. ALBERT. Of course, we would hate very much for the Committee on Ways and Means to have to go to work immediately to bring in another bill by Saturday, I will say to the gentleman.

CALL OF THE HOUSE

Mr. CEDERBERG. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evident, a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 10]

Andrews, N. Dak.
Bates
Bolling
Bow
Brown, Calif.
Celler
Conyers
Corman
Feighan
Fino
Flood
Gurney
Heckler, Mass.
Helstoski
Irwin
Jacobs
Karth
Kelly
Kupferman
Laird
Leggett
MacGregor
Mailliard
Martin
Moore
O'Konski
O'Neal, Ga.
Passman
Patman
Pepper
Scheuer
Smith, Calif.
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Watts
Willis

The SPEAKER. On this rollcall, 390 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

AMERICA'S CHILDREN AND YOUTH—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 54)

The SPEAKER laid before the House the following message from the President of the United States; which was read and referred to the Committee of the Whole House on the State of the Union and ordered to be printed:

To the Congress of the United States:

In 1905, this Nation hummed with industrial growth—and Jane Addams discovered a boy of five working for a living by night in a cotton mill.

Thirteen percent of the laborers then in the cotton trade were child laborers. All across the Nation, in glass factories, in mines, in canneries, and on the streets, more than 2 million children under 16 worked—full time.

Slowly, what Theodore Roosevelt called "public sentiment, with its corrective power" stirred and raised a cry for action.

"The interests of this Nation," President Roosevelt declared to Congress in 1909, "are involved in the welfare of children no less than in our great national affairs."

By 1912, the Federal Children's Bureau was established. The long battle to end child labor moved toward victory. Congress had pledged its power to the care and protection of America's young people.

Upon that pledge, the Congress, the executive branch, and the States have built public policy—and public programs—ever since.

In the past 3 years, I have recommended and you in the Congress have enacted legislation that has done more for our young people than in any other period in history:

Headstart and other preschool programs are providing learning and health care to more than 2 million children.

The Elementary and Secondary Education Act is improving the education of more than 7 million poor children.

Our higher education programs support more than 1 million students in college—students who might otherwise not have been able to go.

The Neighborhood Youth Corps, the Job Corps, and an expanded manpower development and training program are bringing skills to almost 1 million young Americans who only a few years ago would have been condemned to the ranks of the unemployed.

The medicaid program is now extending better medical service to millions of poor children.

In fiscal 1960, the Federal Government invested about $3.5 billion in America's children and youth. In fiscal 1965 that investment rose to $7.3 billion. In fiscal 1968 it will increase to over $11.5 billion—more than three times the amount the Government was spending 8 years ago.

We are a young Nation. Nearly half our people are 25 or under—and much of the courage and vitality that bless this land are the gift of young citizens.

The Peace Corps volunteer in Bolivia,

the Teacher Corps volunteer in a Chicago slum, the young marine offering up his courage—and his life—in Vietnam: these are the Boy Scouts, the 4-H Club members, the high school athletes of only a few years ago. What they are able to offer the world as citizens depends on what their Nation offered them as youngsters.

Knowing this, we seek to strengthen American families. We also seek to strengthen our alliance with State and local governments. The future of many of our children depends on the work of local public health services, school boards, the local child welfare agencies, and local community action agencies.

Recent studies confirm what we have long suspected. In education, in health, in all of human development, the early years are the critical years. Ignorance, ill health, personality disorder—these are disabilities often contracted in childhood: afflictions which linger to cripple the man and damage the next generation.

Our Nation must rid itself of this bitter inheritance. Our goal must be clear—to give every child the chance to fulfill his promise.

Much remains to be done to move toward this goal. Today, no less than in the early years of this century, America has an urgent job to do for its young.

Even during these years of unparalleled prosperity 5.5 million children under 6, and 9 million more under 17, live in families too poor to feed and house them adequately.

This year 1 million babies, one in every four, will be born to mothers who receive little or no obstetric care.

More than 4 million children will suffer physical handicaps and another 2 million will fall victim to preventable accidents or disease.

One million young Americans, most of them from poor families, will drop out of school this year—many to join the unhappy legion of the unemployed.

One in every six young men under 18 will be taken to juvenile court for at least one offense this year.

Our Nation can help to cure these social ills if once again, as in the past, we pledge our continuing stewardship of our greatest wealth—our young people.

I recommend a 12-point program for the children and youth of America. With the help of the Congress, we can:

1. Preserve the hope and opportunity of Headstart by a follow-through program in the early grades.

2. Strengthen Headstart by extending its reach to younger children.

3. Begin a pilot lunch program to reach preschool children who now lack proper nourishment.

4. Create child and parent centers in areas of acute poverty to provide modern and comprehensive family and child development services.

5. Help the States train specialists—now in critically short supply—to deal with problems of children and youth.

6. Strengthen and modernize programs providing aid for children in poor families.

7. Increase social security payments for 3 million children, whose support has been cut off by the death, disability, or retirement of their parents.

8. Expand our programs for early diagnosis and treatment of children with handicaps.

9. Carry forward our attack on mental retardation, which afflicts more than 125,000 children each year.

10. Launch a new pilot program of dental care for children.

11. Help States and communities across the Nation plan and operate programs to prevent juvenile delinquents from becoming adult delinquents.

12. Enrich the summer months for needy boys and girls.

STRENGTHENING HEADSTART

Headstart—a preschool program for poor children—has passed its first trials with flying colors. Tested in practice the past 2 years, it has proven worthy of its promise.

Through this program, hope has entered the lives of hundreds of thousands of children and their parents who need it the most.

The child whose only horizons were the crowded rooms of a tenement discovered new worlds of curiosity, of companionship, of creative effort. Volunteer workers gave thousands of hours to help launch poor children on the path toward self-discovery, stimulating them to enjoy books for the first time, watching them sense the excitement of learning.

Today Headstart reaches into three out of every four counties where poverty is heavily concentrated and into every one of the 50 States.

It is bringing more than education to children. Over half the youngsters are receiving needed dental and medical treatment. Hearing defects, poor vision, anemia, and damaged hearts are being discovered and treated.

In short, for poor children and their parents, Headstart has replaced the conviction of failure with the hope of success.

The achievements of Headstart must not be allowed to fade. For we have learned another truth which should have been self-evident—that poverty's handicaps cannot be easily erased or ignored when the door of first grade opens to the Headstart child.

Headstart occupies only part of a child's day and ends all too soon. He often returns home to conditions which breed despair. If these forces are not to engulf the child and wipe out the benefits of Headstart, more is required. Followthrough is essential.

To fulfill the rights of America's children to equal educational opportunity the benefits of Headstart must be carried through to the early grades.

We must make special efforts to overcome the handicap of poverty by more individual attention, by creative courses, by more teachers trained in child development. This will not be easy. It will require careful planning and the full support of our communities, our schools, and our teachers.

I am requesting appropriations to launch a "followthrough" program during the first school grades for children in areas of acute poverty.

The present achievements of Headstart serve as a measure of the distance we must still go:

Three out of four Headstart children participate only in a summer program. The summer months are far too brief to close the gap separating the disadvantaged child from his more fortunate classmate.

Only a small number of 3-year-olds are now being reached. The impact of Headstart will be far more beneficial if it is extended to the earlier years.

Headstart has dramatically exposed the nutritional needs of poverty's children. More than 1.5 million preschoolers are not getting the nourishing food vital to strong and healthy bodies.

To build on the experience already gained through Headstart:

I am requesting funds from the Congress and I am directing the Director of the Office of Economic Opportunity to:

1. Strengthen the full year Headstart program.

2. Enlarge the number of 3-year-olds who participate in Headstart.

3. Explore, through pilot programs, the effectiveness of this program on even younger children.

I am recommending legislation to authorize a pilot program to provide school lunch benefits to needy preschoolers through Headstart and similar programs.

CHILD AND PARENT CENTERS

There is increasing evidence that a child's potential is shaped in infancy—and even during the prenatal period. Early in life, a child may acquire the scars that will damage his later years at great cost to himself and to society. No serious effort in child development can ignore this critical period.

In every community, we must attack the conditions that dim life's promrise. Today, the Federal Government and the States support a wide range of services for needy children and their parents.

But we have fallen short. Many of these services are fragmented. Many do not provide imaginative and inventive programs to develop a child's full potential. Others fail to enlist the adults of the community in enriching the lives of children and thereby enriching their own lives as well.

The task is to marshal these services—to develop within our comprehensive neighborhood centers a single open door through which child and parent can enter to obtain the help they need.

I am instructing the Director of the Office of Economic Opportunity to begin a pilot program of child and parent centers through its community action program in areas of acute poverty.

I am also instructing the Secretaries of Health, Education, and Welfare and Housing and Urban Development to support these centers with resources from related programs.

These child and parent centers would provide a wide range of benefits—as wide as the needs of the children and parents they must serve:

Health and welfare services.

Nutritious meals for needy preschoolers.

Counseling for parents in prenatal

and infant care and instruction in household management, accident prevention, and nutrition.

Day care for children under 3 years old.

A training base for specialists in child development. A typical center might serve a slum neighborhood or a large housing project. Where possible, the centers would be affiliated with universities to provide greater research and experimentation in the fields of child development and education.

TO WORK WITH CHILDREN

A wealthy and abundant America lags behind other modern nations in training qualified persons to work with children.

These workers are badly needed—not only for poor children but for all children. We need experts and new professionals in child care. We need more preschool teachers, social workers, librarians, and nurses.

New training efforts must be supported—for day care counselors, parent advisers, and health visitors. We must train workers capable of helping children in neighborhood centers, in health clinics, in playgrounds, and in child welfare agencies. Others must be prepared to support the teacher in the school and the mother in the home.

These jobs promise excellent opportunities for high school and grade school graduates, and for citizens who are retired. They can provide meaningful employment for persons who are themselves economically deprived. In helping needy young children achieve their potential, they can also help to develop themselves.

Two OEO programs, foster grandparents, and home health aids, have already proved the value of such services.

To help provide the trained workers needed for America's children, I recommend legislation to increase to 75 percent the Federal matching funds for State child welfare personnel, including training programs.

I am also directing the Secretaries of Labor, and Health, Education, and Welfare, and the Director of the Office of Economic Opportunity to emphasize, through adult education, vocational rehabilitation, and other programs, training for "new careers" in child care.

SOCIAL SECURITY INCREASES FOR CHILDREN

Two weeks ago, I proposed legislation to bring the greatest improvement in living standards for those covered under social security since that historic act was passed in 1935.

While this program extends primarily to the older Americans, it also covers a child if the family breadwinner, who is under social security, dies, retires, or becomes disabled.

Today, more than 3 million children receive social security payments. Their average benefit is only $52 a month.

To provide more adequate payments to these children, I recommend legislation to enlarge their benefits—with an average increase of at least 15 percent.

IMPROVING CHILD ASSISTANCE

Enacted during the 1930's, the "aid to families with dependent children"—AFDC—program is a major source of help for the poor child. Under AFDC, Federal financial aid is provided to States to help needy families with children under 21.

There are serious shortcomings in this program:

Only 3.2 million children received benefits last year.

Twelve million children in families below the poverty line received no benefits.

Thirty-three States do not even meet their own minimum standards for subsistence.

Seven States offer a mother and three children $120 a month or less.

Only 21 States have taken advantage of a 1962 law, expiring this year, allowing children with unemployed parents to receive financial assistance. Only 12 States have community work and training programs for unemployed parents to give them the skills needed to protect their family and earn a decent living. A number of States discourage parents from working by arbitrarily reducing welfare payments when they earn their first dollar.

To remedy these deficiencies and give the poorest children of America a fair chance, I recommend legislation to:

Require each State to raise cash payments to the level the State itself sets as the minimum for subsistence, to bring these minimum standards up to date annually, and to maintain welfare standards at not less than two-thirds the level set for medical assistance.

Provide special Federal financial assistance to help poorer States meet these new requirements.

Make permanent the program for unemployed parents, which expires this year.

Require each State receiving assistance to cooperate in making community work and training available.

Require States to permit parents to earn $50 each month, with a maximum of $150 per family, without reduction in assistance payments.

Even well-established State welfare programs lack adequate services to protect children where there is physical abuse or neglect. There should be protection for the child, as well as help for the parent. Other State child welfare programs should expand day-care and homemaker services. New services must be tested, particularly for the mentally retarded, for the child requiring emergency shelter, and for the child in the urban slum.

I recommend legislation to authorize a program of project grants to encourage States and local communities to develop new forms of child services.

CHILD HEALTH

Last year, nearly 400,000 needy mothers received care through maternal and child health nursing services. About 3 million children received public health nursing services, including almost 20 percent of all infants under 1 year of age.

But our public health record for children gives us little cause for complacency:

At least 10 other nations have lower infant mortality rates than the United States. Nearly 40,000 babies in America die each year who would be saved if our infant mortality rate were as low as Sweden's.

Nearly 1 million pregnant women receive little or no prenatal care.

More than 3.5 million poor children under 5 who need medical help do not receive it under public medical care programs.

Our whole society pays a toll for the unhealthy and crippled children who go without medical care: a toll of incalculable human suffering, unemployment, rising rates of disabling disease, and expenditures for special education and institutions for the handicapped.

We have made hopeful beginnings toward reducing that toll.

Under the medicaid program enacted in 1965, the 25 States now in partnership with the Federal Government will help pay hospital costs and doctors' bills for more than 3.5 million poor children this year. By next year, we expect 23 more States to join medicaid.

I am requesting increased funds for the medicaid program, including $221 million for medical care for needy children—an increase of some $100 million over last year.

We must also move in another direction. Nearly 500,000 youngsters now receive treatment under the crippled children's program. But more than twice that number need help.

The problem is to discover, as early as possible, the ills that handicap our children. There must be a continuing followup and treatment so that handicaps do not go neglected.

We must enlarge our efforts to give proper eye care to a needy child. We must provide help to straighten a poor youngster's crippled limb before he becomes permanently disabled. We must stop tuberculosis in its first stages, before it causes serious harm.

I recommend legislation to expand the timely examination and treatment of an additional 500,000 poor children in fiscal 1968.

In 1965, I proposed, and the Congress enacted, a special program to provide comprehensive health care for the poor child. Today, through the work of the Children's Bureau and local public health agencies, thousands of preschool and school children in more than 20 communities across America are being examined and treated. The early success of this program justifies its further expansion.

I am requesting the full authorization of $40 million for the comprehensive health service program for preschool and schoolchildren.

There are only 12,000 trained pediatricians and 13,000 obstetricians in the United States today—far too few to provide adequate medical care for all our children and mothers.

Our health goals for children cannot be met unless we develop new patterns of health care. This will require the great energy and skill of the American medical profession. New types of health workers must be trained to help our doctors do more. We must use more effectively the health manpower we have. Above all, the health profession should be encouraged to invent and innovate to give every child the medical care he needs.

I recommend legislation to authorize 10 pilot centers this year to provide research and development in child health care, to train health workers, to test new methods, and to provide care for 180,000 needy children and 10,000 mothers.

These new centers will be associated, wherever possible, with medical universities or neighborhood health centers. They will:

Train new types of health workers to assist the pediatrician and obstetrician.

Design and develop more efficient methods and techniques of health care delivery.

Provide needed maternal and child health care.

In addition, I am directing the Secretary of Health, Education, and Welfare to allocate increased funds to help train more pediatricians, obstetricians, and family doctors.

MENTAL RETARDATION

Each year, more than 125,000 infants are born mentally retarded.

This dread disability strikes rich families and poor. The tragedy of mental retardation affects the child, the parents, and the entire community.

In 1958, the late Congressman from Rhode Island, John E. Fogarty, introduced legislation which launched our attack on mental retardation.

For the past 3 years we have intensified that attack on all fronts—in prevention, treatment, rehabilitation, employment, recreation services.

But today, America still lacks trained workers and community facilities to carry on the fight.

I recommend legislation to—

Provide, for the first time, Federal support to assist the staffing of community mental retardation centers.

Extend Federal support for the construction of university and community centers for the mentally retarded.

DENTAL NEEDS

Nearly two out of three disadvantaged children between the ages of 5 and 14 have never visited a dentist. They have five times more decayed teeth than their more fortunate classmates.

To begin meeting the dental needs of poor children, I recommend legislation to:

Authorize a pilot program of dental care for 100,000 children in areas of acute poverty.

Provide training for dental assistants to help bring care to schools and other community agencies.

Explore better methods of furnishing care.

THE JUVENILE DELINQUENCY PREVENTION ACT OF 1967

Youth can mean high spirits, great ambitions, wide intellectual interests, constructive group activities, and the exciting tests of physical and mental power.

But too often it means failure in school, dropouts, the emptiness of unplanned days, joblessness, flights from a broken home, and trouble with the police.

The rapid urbanization of our Nation and the sharply growing numbers of young people can mean new vigor and opportunity for our society—or new crime problems and more wasted lives.

This Nation has already committed itself to enrich the lives of our young people and to free the disadvantaged from the waste and boredom that would otherwise characterize their lives:

The Elementary and Secondary Education Act of 1965 and the Higher Education Act of 1965 are greatly expanding educational opportunities.

The Upward Bound program is preparing disadvantaged boys and girls for entry into college.

Work-study programs, grants, loans, and scholarships are helping to provide an education for young people unable to afford it.

The Manpower Training and Development Act, the Job Corps, and the Neighborhood Youth Corps are providing needed job skills.

Despite these achievements, much remains to be done to fulfill our commitment to young Americans. In later messages, I will propose additional measures that will assist young Americans—in education, in health, and in special employment programs.

But today, I propose to deal with the young American who is delinquent or potentially delinquent. Too many schools and agencies close their doors and minds to a young person with serious behavioral problems, and then pass him on to sterner but frequently less effective authorities. Most youth who commit delinquent acts ultimately grow into responsible adults. But if a youth behaves badly enough or is unlucky enough to enter the courts and correctional institutions, he is more likely to continue in criminal activity as an adult.

The past 5 years of experience under the Juvenile Delinquency Act and the report of the National Crime Commission have shown the need for new approaches for dealing with delinquent and potentially delinquent youth:

Special community-based diagnostic and treatment services for youth in trouble.

The strengthening of ties between the community and the correction and probation system.

The construction of modern correctional facilities employing the most advanced methods of rehabilitation.

We must pursue a course designed not merely to reduce the number of delinquents. We must increase the chances for such young people to lead productive lives.

For the delinquent and potentially delinquent youth, we must offer a new start. We must insure that the special resources and skills essential for their treatment and rehabilitation are available. Because many of these young men and women live in broken families, burdened with financial and psychological problems, a successful rehabilitation program must include family counseling, vocational guidance, education and health services. It must strengthen the family and the schools. It must offer courts an alternative to placing young delinquents in penal institutions.

I recommend the Juvenile Delinquency Prevention Act of 1967.

This act would be administered by the Secretary of Health, Education, and Welfare. It would provide:

Ninety percent Federal matching grants to assist States and local communities to develop plans to improve their juvenile courts and correction systems.

Fifty percent Federal matching grants for the construction of short-term detention and treatment facilities for youthful offenders in or near their communities.

Flexible Federal matching grants to assist local communities to operate special diagnostic and treatment programs for juvenile delinquents and potential delinquents.

Federal support for research and experimental projects in juvenile delinquency.

The problems of troubled youth do not yield to easy solution. They must be pursued on a broad front. Thus, States and communities must be encouraged to develop comprehensive strategies for coping with these problems.

The facilities they build should be modern and innovative, like the "halfway" houses already proven successful in practice. These facilities should provide a wide range of community-based treatment and rehabilitation services for youthful offenders.

New methods of rehabilitation—establishing new ties between the correctional institution, the job market, and the supporting services a delinquent youth needs when he returns to the community—should be tested.

Local agencies, public and private, should be assisted in providing special diagnostic and treatment services for youth with serious behavioral problems. Other Federal programs for medical care, education, and manpower training should be supplemented to provide the intensive services needed to assist delinquent and potentially delinquent youth to become productive citizens. These efforts must first be concentrated in poor neighborhoods where the risk of delinquency is highest.

These steps must be taken now. But at the same time we must continue and expand our research effort. We must learn why so many young people get into trouble and how best to help them avoid it. To do this, we will look to universities and individuals, State and local agencies, and other institutions capable of adding to our knowledge and improving our methods and practices in this vital area.

SUMMER PROGRAMS FOR YOUNG AMERICANS

Last year, summer took on a new and brighter meaning for millions of needy young citizens:

Headstart served 570,000 preschoolers.

The Elementary and Secondary Education Act provided funds to bring remedial courses and day camps to two and a half million children.

Upward Bound enabled 25,000 high school students to live on college campuses and gain new learning experiences.

The youth opportunity campaign found more than a million jobs for 16- to 21-year-olds.

The Neighborhood Youth Corps offered summer work to 210,000 young people.

Community action and other OEO programs, such as Operation Champ, offered recreation to nearly 1 million children.

This summer we can do more.

We can enable additional schools and playgrounds to remain open when vacation comes.

We can, with the help of public-spirited local organizations, bring fresh air and cool streams to the slum child who has known only a sweltering tenement and who must sleep on a crowded fire escape to get relief from the heat.

We can enlist the volunteer help of many citizens who want to give needy children a happy summer.

To further these purposes, I will:

Establish a Cabinet-level Council headed by the Vice President to promote summer youth opportunities.

Direct this Council to make public facilities available to provide camping opportunities for additional needy children this summer.

Request the Council to call on public and private groups to sponsor and operate these camps and to enlist college students and others to work in them.

Request the Council to call a national "share your summer" conference to encourage more fortunate families to open their vacation homes to disadvantaged children for part of the summer.

In addition, I recommend legislation to provide funds for the construction of summer camp facilities for at least 100,000 children in 1968. These camps would be built only where there is an agreement with a private institution or local government agency to operate and finance them.

I am directing every Federal agency to strengthen its programs which provide summer employment, education, recreation, and health services. These summer programs must become a permanent feature in the year-round effort to develop our children and teenagers for responsible citizenship.

I call upon every city and local community to help make summers happy and productive for the youth of America. It should not take an act of Congress to turn on a fire hydrant sprinkler, to keep a swimming pool open a little longer, or provide lights and supervision for a summer playground.

A NEW PRIORITY

No ventures hold more promise than these: curing a sick child, helping a poor child through Headstart, giving a slum child a summer of sunlight and pleasure, encouraging a teenager to seek higher learning.

I believe that the Congress recognizes the urgency—and the great potential—of programs which open new opportunity to our children and young people.

But beyond these beginnings, there is much to do.

We look toward the day when every child, no matter what his color or his family's means, gets the medical care he needs, starts school on an equal footing with his classmates, seeks as much education as he can absorb—in short, goes as far as his talents will take him.

We make this commitment to our youth not merely at the bidding of our conscience. It is practical wisdom. It is good economics. But, most important, as Franklin D. Roosevelt said 30 years ago, because "the destiny of American youth is the destiny of America."

We can shape that destiny if we act now and if we bring to this task the energy and the vision it demands.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *February 8, 1967.*

CHILDREN AND YOUTH

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, the President's message on children and youth is a program directed to the most obvious and unarguable claims upon our good sense and our conscience.

If we do well by our children, they will do well by us. We have learned that in this country. We have learned that one of our greatest sources of wealth is our youth. We have learned that what this country is and what it will be is in direct relation to the care and interest we devote to our young.

That much we know—and yet we apparently have not taken it seriously enough. For what has been deemed a right of life for most of our children, has not been fully extended to all of our children. Four out of five of our children live in a world of toys and books, parks and libraries and playgrounds. But one out of five of our children lives in a world of inadequate welfare, and neglect, and filth. One out of five lives in slums, or in poor health, or attends inadequate schools—a harsh existence that mocks the American dream.

These children are disadvantaged through no fault of their own. They did not invite deprivation. They did not choose their parents or their birthplace. They deserve all the help a compassionate society can give them—and all the opportunity an enlightened society can extend.

So let us carefully consider the proposals that President Johnson has today put before us.

Let us extend the successful Headstart program to older children and to younger children; let us create a summer camp program that will get children out of the city and close to nature; let us devise welfare programs that will keep families together instead of breaking them up, and let us consider the ways in which we might provide nourishing food and adequate medical care so that these children may grow healthy.

Let us stand and be counted. Let it be known that this Congress has the compassion and understanding to help American children and youth.

Mr. BOGGS. Mr. Speaker, juvenile delinquency is a serious problem which should be high on the agenda of this country and this Congress. It is wasteful and destructive.

Therefore, I want to congratulate the President on the proposals he has made in his message on children and youth. As part of this message, the President has recommended a Young American Act, to help us meet the problems of youth crime and juvenile delinquency and to improve our services to all youth. This is timely. It is particularly disturbing when young people get into trouble, because failure at an early age often means that failure will be the pattern for an entire life. Yet our efforts on behalf of youth have been scattered and piecemeal, too weak to prevent such failures. We have been too late with too little.

Quite soon, over half our population will be under 25. We cannot tolerate persistently high dropout and delinquency rates. Last August the Senate Labor and Public Welfare Committee reported in its "Profile of Youth" that:

> In 1965 the average unemployment rate for youths aged 16 to 24 decreased again from the peak reached in 1963. But *the unemployment rate for youths aged 16 to 21 was over 12.5 percent—2½ times that for all workers. The 1.1 million who were unemployed represented a third of all jobless workers in the country. Most of these were out-of-school youths.* 16- and 17-year-olds had the highest unemployment rate, apparently due to the preponderance of dropouts among them and their lack of training and work experience.

If we are to overcome youth crime and delinquency we must devote more of our effort and attention to young people—in correctional programs; in schools; in training programs; and in counseling sessions.

Through the Young Americans Act which the President is proposing, communities can strengthen and pull together programs focused on youth, in order to offer more constructive outlets for the energies of young people.

I urge my colleagues to join with me in securing early action on the Young Americans Act.

Mr. PERKINS. Mr. Speaker, the American people are deeply concerned about the level of crime and delinquency in our society. They want strong and effective measures to reduce the incidence of violence and lawbreaking, and to prevent its occurrence in the future.

In his message on children and youth, President Johnson devotes considerable attention to the problems of delinquency and crime among our youth.

If our society is to be great and productive, we must devote careful attention to the young people who will bear its responsibilities in the future. If our youth fail while they are young, their future prospects, and our expectations, cannot be high.

The President's proposals embody a familiar approach—the prevention of social disease, of crime and delinquency, is far better, far cheaper, than curing it after the fact. Preventative measures can only be taken in communities, at the local level. Through the assistance which would be available under the Young Americans Act, communities can bring their activities for youth into sharp focus; they can make sure that someone will be responsible for youth by creating a single agency to plan and coordinate programs for young people.

The President's proposal on young Americans seems to me very soundly conceived. I look forward to studying it and giving it careful consideration in the course of this Congress.

Mr. PATMAN. Mr. Speaker, President Johnson has sent us today his proposals to combat crime and juvenile delinquency. This demonstrates, as forcefully as anything can, the Federal Government's clear determination to help

States and communities fight a most serious domestic problem.

The Young Americans Act, as the President has described it, is an attempt to deal with youthful offenses and delinquency in a broader, more creative, and more effective way than we have in the past.

Our society, as a rule, has paid inadequate attention to the problems of youth—until trouble occurs and community peace and order is disrupted. The President's proposal recognizes this inadequacy and will work to encourage communities to take a firm interest in youth before their behavior becomes a matter for public outcry. It also contains measures to assure that youths already in trouble get another chance by getting the kind of attention they need to build useful lives.

I think this proposal has merit and I look forward to participating in the consideration of all these proposals to help young Americans.

Mr. FALLON. Mr. Speaker, the President's message on children and youth when implemented by legislation, will give substance to our national concern for all children in this country.

Among the many important proposals of the President are several which will extend and improve services to crippled, handicapped, and retarded children. I would like to speak briefly in support of these programs.

Through the crippled children's services grants-in-aid program administered by the Children's Bureau, 420,000 children received physicians' or clinic services in 1964. In the past 15 years, the number of children being served under this program has almost doubled.

While this program was originally conceived as serving children with orthopedic defects, especially in rural areas, services have been extended to cover more areas of the States and to include children with many other crippling conditions—such as cystic fibrosis, congenital heart malformations, epilepsy, cerebral palsy, and mental retardation.

Yet, when we look at the recent figures on the number of handicapped children we all will agree that much more must be done. Three hundred and sixty thousand children under 21 had epilepsy; 370,000 had cerebral palsy; 2,180,000 under 21 were mentally retarded, and 1,925,000 had orthopedic handicaps.

It is clear that we must not only expand services but try new approaches and new methods of service. The Federal Government must lead the way in these experiments and demonstration of new ways to detect and to treat children's handicaps.

Another vitally important role of the Federal Government is to increase the supply of skilled personnel needed by these services. The 1965 Social Security Amendments established such a program to train more professional personnel to work with crippled children, particularly mentally retarded children. The supply for skilled workers has increased slowly, but the demand has mushroomed.

I would hope that this session of the 90th Congress would respond to the President's message.

We should increase the amount of Federal money available for crippled childern's services, enabling States to extend these services to more handicapped children.

We must seek out and provide support for innovative and experimental programs which will offer new methods in providing help to the handicapped, to prevent crippling conditions and to advance children's abilities to cope with day-to-day living.

Lastly, we must extend our training grants programs in this area to meet the current shortage of skilled manpower—a shortage that has now assumed crisis proportions.

Mr. ROBERTS. Mr. Speaker, many children spend their lives needlessly crippled—in mind and in body.

In the President's message on children and youth, he has proposed greater efforts to discover damaging conditions in children at an early state—to make sure that the children receive appropriate, skilled treatment when it is needed, and before it is too late.

Since 1950, the number of crippled children served by federally aided programs has more than doubled. But the child population has increased by more than half in that time, so our efforts must continue to increase, too.

The new proposal by the President will allow us to reach more children who need help. The proposal would permit organized and intensified casefinding procedures in well-baby clinics, day care centers, nursery schools, and Headstart centers. It would permit periodic health screening of children in schools, so that a child who may be seeing his whole world as a blur, will receive the eyeglasses he needs.

Early casefinding and treatment should give us new opportunities to correct defects at a time when they have done least damage to the healthy growth and development of children. Mr. Speaker, I urge my colleagues to give this proposal their fullest support.

Mr. KLUCZYNSKI. Mr. Speaker, the President's message on children and youth adds a new dimension to our national effort to give all children a fair chance to grow into healthy adulthood.

We all know that there are manpower shortages in every major area where we need to serve the interests of all our people.

This is particularly true in the medical specialties of obstetrics and pediatrics. The President has recognized that new steps must be taken if we are to provide the kind of comprehensive child health care that is essential.

We must find ways to use skilled personnel more effectively and to train them more rapidly. We can do this through the establishment of the pilot projects which are proposed, to test the feasibility, cost and effectiveness of using professional personnel with varying levels of training. In these projects we can also use medical assistants and health aides.

New methods of training such personnel should be given careful study.

This seems to me a sound approach to a very complex problem. We must explore to the fullest the variety of training methods which can put into the field all the people we need to provide health care to our children, without lowering the quality of care they receive.

Mr. GILBERT. Mr. Speaker, a look at trends in the supply of pediatricians and general practitioners reveals that good health care for all our children can be provided only if the availability of help for these physicians can be radically improved. Comprehensive health care for just the one-fifth of our children in low-income families—or the one-fifth of our children in high-income families—would today require more physicians than the total number of pediatricians in practice today.

The few studies in this country on use of physician assistants, and the examples of excellent health care in Europe, suggest that improved health care could be provided by physicians who had a number of skilled helpers at their command: nutritionists, psychologists, clinic nurses and visiting nurses, and well-trained physician assistants.

In this country we have committed ourselves to the proposition that all our people ought to have good health care. Under title XIX of the Social Security Act, we are providing funds to finance adequate health care for those in povery and for those who cannot afford medical care.

When all are able to pay for good medical care, through their own resources, insurance, medicare, or medicaid, the demand for physicians services can be expected to greatly outrun the supply.

I believe that now is the time to experiment with the use of physician assistants and other health personnel in ways that will enable the physician to bring good care to a large number of patients. In particular, we should experiment with use of obstetric and pediatric assistants in bringing health care to large numbers of mothers and children in areas that suffer from lack of adequate maternal and child health services.

I therefore urge the fullest possible support for the pilot centers proposed in President Johnson's children and youth message. They will go far toward finding solutions to a growing and long-neglected problem.

Mr. HOWARD. Mr. Speaker, "innovation" has always been the watchword of the health sciences in this Nation—and the Federal Government has always played a significant role in providing the innovations necessary to meet the new challenges that have come about.

Today it is the time for innovation again, for we must face the fact that this Nation is short of professional personnel in the health field: doctors, dentists, and nurses. The President's message today points up this shortage and points the way, too, to the innovations that may help correct it.

The President has suggested that we consider programs that will encourage the training of health personnel who can relieve our physicians, dentists, and nurses of those duties that could be assumed by trained nonprofessionals. Physician assistants, child care specialists, and orthopedic assistants are a few of the new types of health personnel that have been under study in a number of pilot programs already underway in America. Such personnel, well-educated and carefully supervised, would not compromise, but increase the quality and scope of, our health services.

This entire problem requires a fresh approach. New levels of health personnel will have to be defined. Educational programs will have to be developed. We cannot afford to miss any opportunity to develop health personnel who will be capable of delivering quality medical services to our citizens, and I believe that the President's suggestion regarding subprofessional helpers is one that deserves unqualified support.

Mr. MOORHEAD. Mr. Speaker, the President's message on children and youth encompasses a bold and imaginative attack on some of the major problems affecting the Nation's children. I wish to address myself particularly to the proposals in the message to improve the health of mothers and children.

The message bears out the tragic toll of lives needlessly lost in our low-income families because of the high infant mortality rate especially in the city slums. While we have an excellent record of progress in reducing maternal and infant deaths in the United States, sharp differences exist between the low and middle income groups. The problem of excess infant mortality rates is particularly acute in the large city slums. Numerous factors contribute to the higher rates among low-income groups including inadequate maternity care, poor nutrition and complications of pregnancy. Progress in reducing infant deaths depends upon major changes in health services for mothers and infants especially in areas where the risks to their health are greatest.

The 1963 amendment to title V of the Social Security Act authorized a 5-year program of special projects for maternity and infant care for women in high-risk groups who would be most unlikely to receive prenatal care for economic reasons. By December 1966, there were 53 such projects in deprived areas in 46 cities and 83 counties in 31 States and the District of Columbia and Puerto Rico. Almost 200,000 women received prenatal, delivery, and postnatal care in these special programs. Infant care, up to 1 year of age, was also provided in these projects.

Reports coming in from a number of these project in major urban areas are showing positive results—marked declines in slum area, minority, and low-income infant mortality rates. Other projects report a decline in the heretofore high birth rate in low-income neighborhoods, mainly due to the family planning component in most of these programs.

If we, as a nation, are to take a leadership role at the top of the list of nations with low infant mortality rates, then I would hope that one response to the President's message at this first session of the 90th Congress, would be to extend and improve this program of maternity and infant care. These services should be available wherever there is need, in the economically and culturally deprived areas of our cities and our rural counties. Through such an increased program, we may hope that many thousands of infants will be given an opportunity to be born and to live to become healthy, productive adults.

Mr. GILBERT. Mr. Speaker, the President's message on children and youth gives us new hope that we can mount a positive and successful attack against infant mortality.

In setting forth the reduction of infant mortality as one of the goals of special projects for maternity and infant care, he is proposing something which the experience of the past few years has indicated can become a reality.

Special projects are already in being for poor mothers who would not otherwise receive adequate prenatal care. Since the first appropriation was authorized in 1964, it has become apparent that these projects, giving high quality care to pregnant women, can and do raise the chances their children have to live.

There are now 53 of these projects in operation. They have increased the number of maternity clinics, made available diagnostic services and consultation, provided for medical and intensive nursing care for premature and other high-risk infants, and have brought care into the neighborhoods where the people live.

In Chicago, for example, among 14,380 infants born in an area where the program was operating in 1965, the infant mortality rate was 34.5 per thousand; while among 9,044 births in a similar area without the program, the infant mortality rate was 57.4 per thousand.

I believe that these projects only show us the way. They are only the beginning. With the President's new proposal, with new approaches to the use of personnel and better ways to train them, surely we can do a better job, make further reductions in infant mortality, and improve the health of more mothers and babies.

I urge all the Members of this body to support the President's most welcome proposal.

Mr. GIBBONS. Mr. Speaker, the President, in his message on children and youth, has presented a comprehensive program of action to deal with one of our most urgent national problems—the problems affecting young Americans. We know, of course, that these problems also have tremendous effect on virtually every element in our society.

In his message, the President emphasized the importance of early and intensive preventive measures instead of costly patchup efforts after conditions have gotten out of hand. He advocated programs to provide new starts or good starts as well as follow through. By starting early, we can eliminate the handicaps that prevent the development of the full potential of our people.

I have been deeply interested in early prevention programs and I think the President's proposals are sound. We know from experience in the Job Corps and Neighborhood Youth Corps and from testimony from rehabilitation experts that it is extremely costly to correct mistakes that could have been prevented earlier. We also know that the chances of success are greatly diminished after personal disasters take place and people end up in jails or other corrective institutions.

I think it is essential that we develop a sound plan to implement the President's recommendations, none of which will require vast sums of money. We must insure that we allow sufficient leadtime to plan and fully implement successful programs. We must train and deploy our forces carefully to insure that our new starts do not become false starts.

I believe that all of us in Congress and throughout the Nation want to build a "better society." The President's message should be the beginning of a bipartisan effort toward fulfilling that goal.

I urge all Americans to join in this effort.

GENERAL LEAVE TO EXTEND

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks relative to the President's message on child health.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CHILDREN AND YOUTH

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BOGGS. Mr. Speaker, we have consistently said that we would like to get those persons who are capable of self-support into jobs and away from dependency on public assistance.

The amount of public assistance that individuals and families receive is small—in many instances considerably smaller than what the States themselves have set as minimum amounts. Yet for most public assistance recipients, a dollar of earnings means a dollar less in assistance payments. This is the equivalent of 100-percent income tax, and, of course, discourages incentive.

Congress has made it possible for States to let certain groups retain some earning. This is true for the aged, the blind, the disabled, and for children under 18. Yet, no comparable provision has been made for the individuals who are most likely to be able to work—the parents of dependent children.

I applaud the President's proposal that a modest exemption—$50 a month—be applied to the earnings of an AFDC parent. Small as the amount is, the increase of $50 a month in living standards should represent an incentive to many of these persons to find jobs and to move into the labor force. This is an urgent reform that is badly needed and should become law promptly.

PUBLIC DEBT LIMIT

Mr. DELANEY. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution (H. Res. 226) providing for the consideration of the bill (H.R. 4573) to provide for the period ending on June 30, 1967, a temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 226

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4573) to provide, for the period ending on June 30, 1967, a temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act. After general debate, which shall be confined to the bill and shall continue not to exceed four hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be considered as having been read for amendment. No amendment shall be in order to said bill except amendments offered by direction of the Committee on Ways and Means, and said amendments shall be in order, any rule of the House to the contrary notwithstanding. Amendments offered by direction of the Committee on Ways and Means may be offered to the bill at the conclusion of the general debate, but said amendments shall not be subject to amendment. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from New York [Mr. DELANEY] is recognized for 1 hour.

Mr. DELANEY. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ANDERSON] and, pending that, I now yield myself such time as I may consume.

Mr. Speaker, House Resolution 226 provides a closed rule with 4 hours of general debate for consideration of H.R. 4573 to provide, for the period ending on June 30, 1967, a temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act.

This temporary limitation will become effective on the date of the enactment of the bill—$336 billion is $6 billion higher than the present temporary limitation, but is $1 billion less than the amount of increase requested by the administration. It should allow adequate flexibility for the efficient management of the debt.

The need for this increase is caused by the fact that the estimated expenditures for fiscal 1967 has increased from $112.8 to $126.7 billion. Receipts are expected to increase from an estimated $111 to $117 billion. Accordingly, the deficit will increase from $1.8 to $9.7 billion, an increase of $7.9 billion.

The major portion of the expenditure increase is in support of Vietnam operations. The supplemental appropriation for the fiscal year 1967 in part is needed to provide funds for items to be purchased now for use in possible Vietnam operations beyond June 30, 1967. Purchases of equipment must be made before that date to insure its availability during and after the fiscal year 1968.

The outstanding amount of the public debt subject to limitation has been very close to the existing ceiling since November 1966. The Treasury has at times been forced to operate with very low cash balances.

Our failure to act promptly could have serious consequences. If the existing $330 billion limitation is still applicable during the first half of March, the Secretary of the Treasury has stated that the Government will have enough to pay only half its anticipated bills. Any delay in payment of expenses in support of our forces in Vietnam would be unthinkable. Therefore, payments would have to be deferred for such purposes as the payment of tax refunds, the salaries of Federal employees, public assistance benefits, and the bills of Government contractors for goods delivered, services rendered, payment of veterans' benefits, and military retirement pay. While payments would be delayed, not canceled, such action would cause personal hardship and would impair our country's position in the world financial community.

Mr. Speaker, I urge the adoption of House Resolution 226 in order that H.R. 4573 may be considered.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. DELANEY. I yield to the gentleman.

Mr. HALL. I appreciate the gentleman yielding so that I may ask my usual question. As the gentleman has just stated so well, this is a closed rule as one can tell by reading it.

Was this closed at the request of the chairman of the Committee on Ways and Means or was this done in the wisdom of the Committee on Rules?

Mr. DELANEY. It was requested by the chairman of the Committee on Ways and Means and after consideration it was adopted by the Committee on Rules.

Mr. HALL. Mr. Speaker, if the gentleman will yield further, could he enlighten the House as to why in this specific instance the rule that is presented is a closed rule and no amendments are to be submitted? The usual reason given by the Ways and Means Committee is that an open rule would open up the entire Tax Code to amendment. But this is, of course, an altogether different proposition involving amendment of the Second Liberty Loan Act, and affecting debt ceilings only. What is the justification for taking away the rights of individual elected Members to improve on the proposed legislation by amendments, and to work their will on the bill?

Mr. DELANEY. As the gentleman has stated, the bill is for a specific purpose. It provides for a limitation in time. It would increase the debt ceiling up to June 30 of this year by $6 billion, because such action is necessary in order to pay the debts that will become due.

Of course, you will have the right to offer a motion to recommit which would provide exactly what you are asking for. That could be covered in the motion to recommit.

Mr. HALL. If the rule is granted, it would not allow an amendment from the floor, except by the majority direction of the committee, and the motion to recommit with or without instructions.

Mr. DELANEY. That is correct.

Mr. HALL. Because it is so stipulated in the rule which would make H.R. 4573 in order.

Mr. DELANEY. That is correct.

Mr. HALL. Mr. Speaker, if the gentleman would yield further, could the gentleman advise us whether or not it is going to continue to be the general practice of the Committee on Rules to waive points of order and issue closed rules? Repeated protestations were made in the 89th Congress that members of the Rules Committee did not like this technique except in specified instances, such as the availability of the tax code for amendment; but, nevertheless, a great number of closed rules came out, and we made a point as to each one as it came to the floor. Could the gentleman advise the Members of the House as to whether the attitude of the Committee on Rules and the leadership in the waiving of the privilege of individual Members is to be carried on in the 90th Congress or not?

Mr. DELANEY. I cannot speak for the Committee on Rules. That would be up to the entire committee.

Individually, and generally speaking, bills coming from the Ways and Means Committee request a closed rule because they are for specific purposes. But each bill is to be taken up individually and considered.

Mr. HALL. At least the gentleman has assured the House that the bills will be considered individually and in seriatim.

Mr. DELANEY. They always are.

Mr. HALL. I appreciate the gentleman's yielding.

Mr. DELANEY. I thank the gentleman from Missouri.

Mr. Speaker, I now yield to the gentleman from Illinois [Mr. ANDERSON].

Mr. ANDERSON of Illinois. Mr. Speaker, I yield myself 7 minutes.

Mr. Speaker, in the relatively short time that I have been in the Congress, this will, I think, mark the 12th time that we have been called upon to raise or to increase the so-called temporary ceiling on the national debt. I think it stands at something like $40 billion higher than it was in 1960.

Yesterday, one of the witnesses before the Rules Committee referred to this as almost a political exercise. If you employ that analogy for a moment, you can see, I believe, that in a sense it is an exercise in which we have periodically flexed our fiscal muscles and then we have asked ourselves, "Can we continue to carry the tremendous burden of the national debt?"

Then somehow we always decide that we must increase the ceiling, and we do; and we stagger down the road for another 6 months, or sometimes a year until the question recurs.

Well, exercising in a physical sense is supposed to be good for you, though it is sometimes painful. But I wonder if this exercise as it has been conducted in the past is necessarily a good one. Does it accomplish anything? What is a debt ceiling supposed to accomplish? Should we abolish it? Does it ever encourage any fiscal restraint even to a small degree?

These are some of the questions that haunt us in this debate.

The point has been made by some that the debt ceiling is a useful tool in that at least it serves periodically to publicize the huge size of the national debt. The public gets to know a little bit about it. This is, of course, a useful function.

But it has also been pointed out that there may be some rather undesirable consequences that flow from conducting this exercise in the way we have in the past, which are simply these: That in order to avoid asking for continual shifts upward in the debt limit, various Federal agencies in the executive branch of the Government and various officials are trying continually to finance the various Federal programs outside of the debt ceiling. Various schemes for so-called back-door financing are created, and these can only make for fiscal irresponsibility.

What disturbs me about this request is that it comes to us at a time when the Secretary of the Treasury says—and I read his testimony in the hearings—that repudiation of our obligations hangs like the Sword of Damocles over our heads, that we either grant this increase or the Government must repudiate some of its obligations. That statement is on page 2 of the hearings, where he compares his position to that of the manager of a business, who has to come to the board of directors and say, "Let me go across the street to the bank and borrow money."

Let us take a look at that proposition. It certainly does sound reasonable, does it not?

I believe, if Congress is going to exercise restraint in the appropriation process, we need to know during the course of the year how much the executive branch and its agencies are really spending. We are always told: Do not try to vote for economy by limiting the debt ceiling, but vote for economy when we have the appropriation bills before us. If Congress is to exercise that kind of fiscal responsibility, it has to know during the fiscal year how much the Executive is spending. The short and simple fact is that we did not know that last year.

The gentleman from Missouri [Mr. CURTIS] and the gentleman from Arkansas [Mr. MILLS]—and I believe I quote them—said when they appeared before the committee yesterday, "We did not know how much over the estimates the Government was spending as late as October and November of 1966. We asked, "Why did Congress not know or find out?" They said, "We could not get the information. We simply did not know."

That is in the record of the hearings.

I feel some resentment about this, which is not a partisan resentment. I believe this resentment should be felt by everybody; this Congress is held up by the President of the United States in press conferences time and time again as the fiscally irresponsible miscreant which is responsible for bringing the country to this situation where we find ourselves today, for not having restraint and prudence during the appropriation process, and that it is we who allegedly are holding up the expenditures, when the Executive has not been candid and open during all of 1966 as to what our obligations really are.

Let me say, in closing, that I oppose this rule today. I am going to vote against the previous question, when that motion is made, because I believe the rule ought to be opened up for a limited purpose, to permit at least two amendments.

First, that we may make an honest thing out of the debt ceiling by including participation certificates. I know Members of the committee will have much more to say in detail about that, but if this debt ceiling is going to be any kind of effective tool at all in helping us to exercise fiscal responsibility and restraint, then it has to be an honest tool and one that will in truth and in fact reflect what the responsibilities and obligations of the Federal Government are.

Second, I believe this rule ought to be opened up to permit the Government to do what it has not been able to do. Again the gentleman from Missouri [Mr. CURTIS] has told us that since the summer of 1965, long-term bonds have not been marketable. The Government cannot go into long-term borrowing even though that will save millions of dollars for the American taxpayers in the form of lower interest payments. Why can the Government not do that? It is because of the fact that today something like 50 percent of the national debt is in short-term securities of less than 1 year, where there is no interest ceiling at all. As a result, we are paying this surcharge in the form of interest on the national debt.

I suggest that those who are for economy, those who are for making a meaningful thing out of the national debt ceiling, would do well, when the question comes, to vote down the previous question, to permit the Members on the minority side from the Committee on Ways and Means to offer amendments along the lines I have just related in order that we can do something about really imposing an effective ceiling on the national debt of this country.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. ANDERSON of Illinois. Mr. Speaker, I yield 9 minutes to the distinguished minority leader [Mr. GERALD R. FORD].

Mr. GERALD R. FORD. Mr. Speaker, I have taken this time not to discuss the merits of the legislation which will be before us, and not for the purpose of discussing the Republican proposals which were submitted in the Committee on Ways and Means—which, if they had been adopted, could have resulted in truth in budgeting, in truth in accounting, and would have brought about a savings of taxpayers' money.

I am taking the floor at this time to discuss the rule and what we feel is the proper procedure to follow at the present time.

The rule as recommended by the Committee on Rules in House Resolution 226 provides for 4 hours of general debate, to be equally divided between the majority and the minority. It then provides that there shall be no amendments offered, other than a single motion to recommit. This has been in almost every instance, to my knowledge, the tradition on legislation coming from the Ways and Means Committee as it involves taxes, as it involves social security legislation, and as it involves the consideration of the debt limit.

We on our side will fight the previous question simply for the purpose of giving us an opportunity to offer our amendment which was offered in the Committee on Ways and Means as an amendment rather than as a motion to recommit.

We do this for this purpose and this purpose only: in the past 2 years on our side we have traditionally used the motion to recommit to lay before the House and before the American people the Republican position on a number of legislative matters. We did not use the technique of the motion to recommit as simply a straight motion to send a bill back to the committee. In the alternative, we used the technique of offering our motion to recommit with instructions, incorporating in many instances what we on our side felt were constructive alternatives to the proposals which had come from committees dominated by Members on the Democratic side. We demanded rollcalls on these alternatives that we presented. They were motions to recommit with instructions. They were not for the purpose of defeating the bill. They were for the purpose of sending the bill back to the committee so that the committee could forthwith report back the legislation incorporating our constructive alternatives—better solutions, we felt, than solutions offered by the administration or by the majority members of a committee.

We felt this was not only the prerogative but also the responsibility of the minority party in the House of Representatives.

Unfortunately, during the last campaign the President and other leaders in the Democratic Party accused us on our side of the aisle of using this parliamentary technique, which is long established in the House of Representatives, for the purpose of killing legislation. Propaganda came out all over the country in the last campaign making this unfair accusation and charge. It was ill founded; it was without substance; but it was used during the campaign.

I give that history only for the purpose of setting forth today the reason why we are seeking to defeat the previous question, in order for us to offer the amendments on the floor as amendments from our side—amendments which were offered and defeated in the House Committee on Ways and Means.

We feel that by opening the rule in this very limited way these amendments can be offered as amendments rather than as a motion to recommit. This should dispel once and for all the thought that these amendments have the intention of defeating the legislation.

I hope and trust that Members on both sides of the aisle will help us to defeat the previous question so that an open rule in a limited way can be approved. It is my understanding that the Republican members of the Committee on Ways and Means did make this request before the Committee on Rules. It was defeated in the Committee on Rules.

We feel here today that in order to dispel any such charge, unfair as it is, that this rule should be open for this limited purpose. The only way we can do it, therefore, and the only way we can accomplish this is to defeat the previous question. If that is done, these amendments will be offered as amendments. I hasten to add that if this is not done and if the previous question is approved, then we have no alternative except to follow the procedure which has been traditional in this House, namely, for the minority to get its views considered by a traditional motion to recommit. We would prefer it the other way but if we are precluded by a closed rule from following that procedure, we will certainly follow and do what it is the right of the minority to do than a motion to recommit, namely, to express its viewpoint on legislation and get a rollcall on these amendments which came from the Republicans on the Committee on Ways and Means.

Mr. Speaker, I simply close by summarizing again what I said earlier. These are constructive amendments; they are responsible; they will result in improved budgeting and accounting procedures in the Federal Government; they will result in honesty in budgeting and in truthfulness in accounting. However, most of all they will result in the Federal Government saving taxpayers' dollars in the sale of our Government securities.

Mr. JONES of Missouri. Mr. Speaker, will the gentleman yield for a question?

Mr. GERALD R. FORD. I will be glad to yield to the gentleman from Missouri.

Mr. JONES of Missouri. These amendments that you propose to offer on the minority side—do they have anything to do with the permanent debt ceiling?

Mr. GERALD R. FORD. These amendments that we will offer affect the Second Liberty Loan Act in the two particulars that will be discussed in considerable detail during the debate, one involving the interest rate ceiling and the other involving what is includable under the debt limitation.

Mr. JONES of Missouri. What I am trying to get at is this: For several years I have been calling attention to the fact of the unrealistic figures existing in the permanent debt ceiling and have indicated I am willing to go up to any reasonable figure to make it permanent, but I am not going to vote for any debt limit which keeps the permanent debt ceiling at the unrealistic ceiling of $285 billion. Over the years I have heard no responsible person defend this unrealistic ceiling; indications have been made each year for many years that this permanent ceiling would be increased, but no one ever does anything about it.

Mr. GERALD R. FORD. There is a great deal of merit in the observation of the gentleman from Missouri. I think it is unfortunate that we go through this process once or twice every year. It would be constructive if this matter that the gentleman raises was considered and acted upon. But this legislation before us today is for an emergency purpose. It is only designed to get the Government over the hump until June 30, 1967.

Mr. DELANEY. Mr. Speaker, I yield 5 minutes to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, it comes as a distinct surprise to me that the distinguished minority leader would seek to inject into this type of legislation a procedure which to my knowledge has never been followed in the history of this House when this type of bill was under consideration. Whatever you may think of this legislation on the merits, let it not be forgotten that when you vote down the previous question you take away the leadership on these two amendments to this bill from the Democrats and turn it over to the Republicans.

Mr. Speaker, I trust that the previous question will be agreed to and the rule adopted. If the previous question is voted down I trust that these political Republican amendments will be voted down.

Mr. Speaker, in the first place, neither of these amendments has been considered by the legislative committee which has jurisdiction over them.

Mr. CURTIS. Mr. Speaker, will the gentleman from Oklahoma yield? The gentleman would make an inquiry.

Mr. ALBERT. I will yield to the gentleman in 1 minute. Neither of these amendments has been considered by separate legislation. They belong in separate bills.

Mr. CURTIS. Oh, no.

Mr. ALBERT. I am not making a false statement.

Mr. CURTIS. These amendments were before the Committee on Ways and Means.

Mr. ALBERT. They were before the Committee on Ways and Means. But I think the gentleman misunderstands what I intended to say and that is that these amendments were not considered by any committee or referred by the Speaker as separate bills.

Mr. CURTIS. And they were reported and they were germane.

Mr. ALBERT. They were germane in the form in which they came out, but these are not amendments which have been sent in bill form to a committee by the Speaker, in the logical, orderly way. These bills did not originate in the Committee on Ways and Means or in the Committee on Banking and Currency or any other committee under whose jurisdiction these bills would fall except as amendments to the bill before us.

Mr. Speaker, these amendments in my opinion originated in the Republican conference. And, Mr. Speaker, the gentleman from Michigan [Mr. Gerald R. Ford], surprises me when he injects himself at this stage in what I believe to be an effort to take over the leadership of the House on this bill.

Mr. BYRNES of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. And, Mr. Speaker, the gentleman from Michigan [Mr. Gerald R. Ford] surprised me—if he was quoted correctly this morning in the Washington Post when he said: "If the bill is defeated, another including GOP amendments could be drafted quickly without any danger of a fiscal crisis.

Well, Mr. Speaker, when are we going to pass these bills? When should we pass them? During the Republican recess?

I yield to the distinguished gentleman, because as I understand it the gentleman was quoted to the effect that we do not need to pass these bills now.

Mr. Speaker, these bills are bills which must be passed now; not next week, not next year.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield further?

Mr. ALBERT. I yield further to the gentleman from Michigan.

Mr. GERALD R. FORD. They are with us and it is incumbent upon us to pass some legislation today, and we shall cooperate in achieving that objective.

Mr. Speaker, the gentleman from Oklahoma, in an earlier colloquy this afternoon with me, or with the gentleman from Iowa, said that if the legislation were defeated this afternoon the Committee on Ways and Means would be reconvened in the next 24 or 48 hours, and would consider alternative legislation from that which we now have pending before us.

Mr. ALBERT. Unless the bill were defeated. If the bill were defeated, they would have to go ahead immediately. This bill has got to go to another body, and then, perhaps, go to conference before it goes to the President.

Mr. Speaker, if the gentleman will yield further, this is the context in which I said that this legislation did not have to be approved on the floor of the House of Representatives today, because I do not blame the gentleman for wanting to get credit for winning on this bill. But in my opinion these kinds of tactics on this kind of legislation will lead to defeat for his party. The Republican Party will be like the Liberal Party of England when it could ride to the House of Commons in a taxicab. This is not sound procedure, I will say to my good friend, the gentleman from Michigan [Mr. Gerald R. Ford].

Mr. GERALD R. FORD. Mr. Speaker, will the distinguished majority leader yield further?

Mr. ALBERT. Does not the gentleman from Michigan know that we are at war and that we need to proceed? And, does not the gentleman remember that when the gentleman from Indiana [Mr. Halleck] occupied the distinguished position of minority leader which the gentleman from Michigan now occupies, just a few years ago, in 1953, when President Eisenhower was in office he said:

> If it were not for the effects of the Korean war and the cold war which now confront us, we would not be facing the situation in which we find ourselves today? It would remain in the form of any magic formula that keeps expenditures down.

I say to the gentlemen these propositions should be considered separately.

The President has said in a recent message that he would appoint a blue ribbon commission to consider the overall budgetary presentations.

Mr. Speaker, I am not saying that I know everything that went on in the Committee on Ways and Means but, the

President has said that he would appoint a commission to consider the overall budget and I think these matters should be considered in separate bills.

Mr. GERALD R. FORD. But why should they not go before the appropriate committee and be considered by the appropriate committee?

Mr. ALBERT. I have no objection to that. That is what I have been trying to say, but in my opinion the Republican Policy Committee is not the appropriate committee. If they had not come from that committee I doubt that the distinguished Republican leader would be participating in this debate at this point. At any rate these propositions are not, as I see it, coming from any committee to which they have been referred by the Speaker.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I am happy to yield to the distinguished Speaker.

Mr. McCORMACK. I thank the gentleman for yielding.

I might call attention to the fact that during the 8 years of the former Eisenhower administration it was always a common rule that we did this.

Mr. ALBERT. The gentleman is correct, absolutely. This is unprecedented.

Mr. McCORMACK. We Democrats assumed our responsibility. We supported it overwhelmingly, all extensions or increases in the debt ceiling by 2½, 3, sometimes 4 to 1 in the last three votes.

While in the Democratic administrations, in two of them, one Republican voted for it and in another one two Republicans. But when President Eisenhower was in office the Democrats supported it overwhelmingly.

This strange change on the part of our Republican friends is certainly one that is susceptible to the charge of opportunism.

Mr. ALBERT. I thank the Speaker for what he said.

May I say also I have great admiration for the gentleman who is the ranking Republican on this committee, the same as I do for the minority leader. But I do not think the leadership on this bill should be taken from the gentleman from Arkansas or the gentleman from New York.

That is exactly what this type of procedure will do. You can offer these amendments regardless of whether the majority of the committee wants them or not. I think this is bad procedure.

The minority have the right to offer a motion to recommit, which on this kind of legislation is, as far as I know, practically unprecedented. I hope they do not do it.

Mr. Speaker, I hope, above all, that the previous question is ordered.

Mr. WAGGONNER. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I am happy to yield to the gentleman.

Mr. WAGGONNER. Mr. Speaker, I thank the gentleman for yielding.

Is it not true under the rules of the House that if the previous question is voted down, the minority having voiced and led the opposition in defeating the previous question, would then have the privilege of controlling all time which would be a maximum of 1 hour and in so doing they could determine where time was or was not to be yielded for purposes of debate only and no other amendments by anybody could be offered? As a result they could offer amendments and I could not.

Mr. ALBERT. The gentleman is correct. It is well known this turns consideration of the leadership of this bill under these amendments to this bill over to the minority as far as time and everything else is concerned.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield for the purpose of answering a question?

Mr. ALBERT. I will yield to the gentleman if he can ask the question quickly because of the time limitation.

Mr. GERALD R. FORD. The question is this:

If the Republican motion to recommit includes the amendments which were offered in the Committee on Ways and Means, which are amendments that would be with instructions to report back, if those amendments are offered in the motion to recommit, would the gentleman agree that it was not an effort to kill the legislation?

Mr. ALBERT. I have never said that. It would certainly weaken the legislation.

The gentleman from Michigan is quoted as having said what we can do quickly if the bill is defeated. We have another body to consider. We have an administration to consider.

The gentleman from Michigan reminds me, knowing all of this—which I do not know—of Stephen Leacock's little ditty about the flea:

> And there is the happy, bounding flea.
> You cannot tell the she from he.
> The sexes look alike, you see.
> But he can tell and so can she.

Mr. MILLS. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from Arkansas, the distinguished chairman of the Committee on Ways and Means.

Mr. MILLS. Mr. Speaker, in response to the question of the gentleman from Michigan, the distinguished minority leader, let me say that although I do not support the two amendments which were suggested by the gentleman from Michigan and by the gentleman from Wisconsin, I would certainly emphatically say that if the bill were amended in the form of a motion to recommit as has been suggested, it would not kill the legislation. As much as I would not want them adopted, I would have to say that.

Mr. GERALD R. FORD. I appreciate the comments made by the distinguished gentleman, the chairman of the Committee on Ways and Means.

This is important because in the past where we have made motions to recommit with instructions, they were not made for the purpose of killing the legislation.

Mr. ALBERT. Mr. Speaker, I ask that the previous question be voted up and that the rule, of course, be adopted.

Mr. DELANEY. Mr. Speaker, I yield 5 minutes to the gentleman from Louisiana [Mr. BOGGS].

Mr. BOGGS. Mr. Speaker, as I understand the position taken by the distinguished minority leader, it is his position that he proposes to vote down the previous question on the rule, thereby taking over the control of the rule and for all practical purposes taking over control of the consideration of this legislation.

Mr. Speaker, the distinguished majority leader touched on this when he said, a moment ago, that the real purpose here is to take control of this legislation away from the distinguished gentleman from Arkansas [Mr. MILLS].

I submit, Mr. Speaker, that we have no finer committee chairman and no fairer committee chairman and no more considerate committee chairman than the gentleman from Arkansas [Mr. MILLS].

The matters that may or may not be included in the motion to recommit, if one comes, were discussed in great detail in the Committee on Ways and Means and I shall touch on them in just a moment.

The second point of the minority proposal is to vote down the request for a closed rule.

I have been on the Committee on Ways and Means, I think, since 1949 or thereabouts.

I do not remember in either a Democratic or a Republican administration any bill having to do with debt management, taxation generally, social security generally, tariff matters or trade agreements—as I said, I do not remember any such bill ever being considered on the floor of the House except under a closed rule.

This procedure has been established in Democratic Congresses and in Republican Congresses. It has been established under Democratic Presidents and under Republican Presidents.

I think that for any of us on our side of the aisle to vote for the minority leader's motion would be a repudiation of the leadership, not only of the Committee on Rules which granted this rule—but equally important, of the leadership of the Speaker, the majority leader, and of the distinguished chairman of the Committee on Ways and Means who went before the Committee on Rules and asked for this rule now being considered.

I think what is involved here is not too hard for anybody to see. As a matter of fact, I put into the RECORD on Monday the votes on this issue that have occurred since 1953, the first year of President Eisenhower's administration.

They have been in the RECORD for 2 days. They have not been contradicted.

I think it might be well to repeat a few of those figures.

In 1953, a Republican Congress, there were 169 Republicans for extending the temporary debt ceiling and 33 against.

In the same year, 69 Democrats voted "aye"; 125, "nay."

But in 1955 the Democratic vote was 134 for and 43 against. That was a Democratic Congress.

In 1958 there were 142 Republicans for, 42 against; 186 Democrats for, 29 against.

In 1959 there were 168 Democrats for, 69 against, and so on, until the latter years of 1965 and 1966.

In 1964 there were no Republicans for and 154 against; 203 Democrats for, 28 against.

In 1965 there were six Republicans for and 122 against; 223 Democrats for to 43 against.

In 1966, last year, there was one Republican for, 121 against.

Mr. Speaker and Members of the House, I submit that during the 8 years of the Republican Eisenhower administration, when the identical issue was before this body, and during the 6 years of that 8 years when the Democrats controlled this body, we reacted in what I think was a responsible and not a partisan fashion.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield to the distinguished minority leader.

Mr. GERALD R. FORD. If I heard correctly, the first vote that the gentleman from Louisiana read indicated that in 1953 more than a majority of Democrats voted against and a minority voted for the debt limit.

Mr. BOGGS. Yes, that is correct.

Mr. GERALD R. FORD. Will you repeat those figures?

Mr. BOGGS. I will be glad to repeat them. Sixty-nine Democrats voted "aye"; 123 voted "nay."

I would say to the gentleman that at no time have we had anything approaching a similar situation in the last 3 or 4 years on the gentleman's side of the aisle. I did not necessarily say we should have voted that way in 1953, but at least we recognized the fact from then on out, so there was never from that point on a number comparable to that, regardless of who sat in the White House.

I want to mention one other thing. As I understand, a motion to recommit, if it comes, will deal with changing the rules on participating certificates and possibly the limitation on interest rates on long-term Government securities. As the distinguished majority leader has said, these are issues that should be considered in a separate forum at a separate time when they can be adequately discussed and debated, and this is not the time to do it.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. The significant point about the record of the other side is that consistently, by overwhelming majorities, the Republicans voted for debt limit increases when a Republican President was in the White House, but they have consistently since that time voted against when a Democratic President was in the White House.

Mr. BOGGS. That is the record. I read it. In fact, my good friend from Wisconsin, for whom I have profound respect, made the point so much better than I could just a few years ago, in 1958, when he pointed out that the impact of voting down such a motion would be very drastic indeed. You cannot find any stronger language than the language used by the distinguished ranking minority member of the Ways and Means Committee, the gentleman from Wisconsin [Mr. Byrnes] and I prefer, in my limited time, to have those remarks printed in the Record.

Mr. BYRNES of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield to the gentleman from Wisconsin.

Mr. BYRNES of Wisconsin. Mr. Speaker, I say to the gentleman I appreciate his quoting my remarks. I want him to know at this time I have not changed my mind one iota. I believe we do have to grant whatever borrowing authority is needed by our Government to enable it to pay its bills on time. That does not mean we cannot amend other provisions of the second Liberty Loan Act.

All we are proposing here is an amendment not whether we should have the borrowing authority. We are making a mistake and confusing the issue. We will agree—and I will agree—to have an increase in the borrowing authority. It is absolutely essential that we make some corrections in the present act.

Mr. BOGGS. I thank the gentleman. I would say to the gentleman he is arguing the point as to what the interest rate should be on long-term Government securities. There is great disagreement on that point at this time. I believe with interest rates hitting a lower level, I would suggest to him that many people on both sides of the aisle will find some reluctance to vote for something that might increase those interest rates.

Mr. ANDERSON of Illinois. Mr. Speaker, I yield 8 minutes to the gentleman from Ohio [Mr. Latta].

Mr. Speaker, will the gentleman from Ohio yield?

Mr. LATTA. I am pleased to yield to the gentleman.

Mr. ANDERSON of Illinois. Mr. Speaker, the charge has been made that this is an unprecedented action. I would remind the House that as recently as last October the previous question was defeated on the important resolution involving the creation of a Committee on Ethics. We took it away from the Committee on Rules and gave it to the gentleman from Ohio [Mr. Hays]. That is a very recent precedent for this.

I would take a moment to say we have lost sight of one thing. The charge is made that the minority is going to take over the leadership of this House, to the complete exclusion of the distinguished chairman of the Ways and Means Committee [Mr. Mills]. That is simply not so, because if the previous question is voted down, it is true the minority will then offer its amendments. We would then, however, return to this resolution, which provides 4 hours of debate, with 2 hours under the control of the distinguished chairman [Mr. Mills]. If we will read the language on that rule, on page 2, we will find that it sets forth that amendments can be offered at that time. No amendment shall be offered to said bill "except amendments offered by direction of the Committee on Ways and Means." The chairman of the Ways and Means Committee is not going to be excluded from consideration of this measure or from offering amendments if we adopt the procedure suggested by the minority.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. LATTA. I will be pleased to yield if I may have some more time from your side.

Mr. ANDERSON of Illinois. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. ALBERT. Mr. Speaker, the bill which the gentleman has cited has nothing to do with this legislation. If the previous question is voted down, the control of time on the amendments, which will be offered I suppose by the gentleman from Wisconsin, will be under the gentleman from Wisconsin, and the gentleman from Arkansas [Mr. Mills] will have nothing to do with it.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. LATTA. I am pleased to yield to the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Speaker, my understanding is that if the previous question is voted down, then we would offer an amendment to the rule, which would simply be a vote on whether or not to approve that amendment to the rule. That is all there is to it. After that, we go back to the language of the basic resolution and we would have then 4 hours of general debate.

Mr. ALBERT. We would have 1 hour of debate on the amendments under control of the Republicans.

Mr. GERALD R. FORD. We have no intention whatever of cutting off debate.

Mr. ALBERT. I am quoting what I believe is the rule of the House.

Mr. GERALD R. FORD. Our intention relates to what the rule would be, which would be simply to offer that amendment to the rule to permit us to offer an amendment to H.R. 4573 incorporating what the gentleman from Wisconsin offered in the committee. We would not disturb the allocation of time nor the right of the gentleman, the chairman of the committee, to control the offering of any other amendment. That is our sole purpose. I believe it is a bona fide and legitimate purpose.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. LATTA. I am pleased to yield to the gentleman.

Mr. ALBERT. Mr. Speaker, that is the principal difference. We should not set a precedent that would be bad for the House.

Mr. GERALD R. FORD. May I add one comment, and I believe this ought to conclude this part of the discussion. The action in defeating the previous question simply takes the control away from the gentleman from New York [Mr. Delaney] a member of the Committee on Rules. It will not have any effect whatsoever on the control over the time or consideration of the legislation by the gentleman from Arkansas. I believe this is important. It has been done in the past, as the gentleman from Illinois indicated. I consider it sound and proper at this time.

Mr. LATTA. I thank the gentleman.

Let me say to my colleagues, we could have saved at least 45 minutes of time had the Rules Committee seen fit to adopt the resolution presented on the minority side by the gentleman from Illinois, which have given us a rule which would have permitted the offering of these two amendments during general debate.

Following the election last year the President made a statement that he was going to cut back on the interstate highway program some 20 percent. I was very much interested in how he was going to cut back and what he was going to do with the money being paid into the Highway Trust Fund by the highway users during the time he was refusing to spend the money for highway purposes.

At that time I requested information from the Federal Highway Administrator. I have that information in the form of a letter from Mr. Rex Whitton, Federal Highway Administrator, December 2, 1966, which I should like to read:

> DEAR MR. LATTA: The following information is furnished in response to a telephone request from your office.
>
> The Federal excise taxes paid by highway users and dedicated to the Highway Trust Fund under the present law will continue to accrue and be credited to the Trust Fund during the period of the reduced highway program directed by the President. Any of the funds not needed for current payments will remain available to the credit of the Trust Fund for expenditure at a later date.
>
> Revenues available in the Trust Fund and not required for making current payments are borrowed by Treasury, and interest on such borrowed funds is paid to the Trust Fund. The borrowed funds are used by Treasury for any public purpose.
>
> There will be no loss to the Highway Trust Fund by reason of the current reduction in the level of the Federal-aid highway program, or from any related action or circumstance.
>
> Please advise if I can be of further assistance to you.
>
> Sincerely yours,
>
> REX W. WHITTON,
> *Federal Highway Administrator.*

Let me say when this matter was before the Rules Committee on yesterday, I asked the very able chairman of the Ways and Means Committee whether this borrowing which is going on, and which apparently has been going on, is inside or outside the debt ceiling. I did not get a full and complete answer to my question so I would like to ask him now to respond to that question in greater detail.

Mr. MILLS. Mr. Speaker, will the gentleman yield?

Mr. LATTA. I am pleased to yield to the gentleman.

Mr. MILLS. If there are any surplus funds in the highway trust fund, those funds have always been invested in direct obligations of the U.S. Government, special issues, or put in short-term Treasury paper. The normal investments in the fund are special Treasury issues, which come under the debt ceiling. This has been the method of investment used exclusively since the beginning. There are no PC's in the highway trust fund at the present time nor have there been in the past. Thus in practice the investments must be on a short-term basis, because these moneys are generally spent within the fiscal year or the calendar year of their collection, and thus liquidity is necessary. As I stated, the special issues and short-term Treasury paper come under the debt limit like any other Treasury issue.

Mr. LATTA. Coming back to the question, let me ask whether or not the borrowing going on in this instance, dealing with the highway trust fund, is inside or outside the debt ceiling?

Mr. MILLS. The obligations that have been purchased by the highway trust fund are in the debt limitation. Those special issues are direct obligations of the Federal Government, so those obligations are in the debt ceiling.

The trust fund itself, of course, is not within the debt ceiling. The funds in which the trust fund has invested its surplus are under the ceiling. As the gentleman knows, that is a separate fund.

Any time the general fund gets those moneys and gives to the trust fund special Treasury issues, then those Federal obligations are reflected in the debt ceiling.

There is specific authorization in the Highway Trust Fund Act, as I recall, for investment of those moneys in the specific obligations.

Mr. LATTA. I thank the gentleman.

Mr. ANDERSON of Illinois. Mr. Speaker, I yield the balance of the time to the gentleman from Missouri [Mr. CURTIS].

The SPEAKER. The gentleman from Missouri is recognized for 6 minutes.

Mr. ANDERSON of Illinois. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Illinois.

Mr. ANDERSON of Illinois. Mr. Speaker, I should like to repeat what was said at the outset of this debate for the benefit of those Members who have come to the floor in the last few minutes. At the conclusion of this debate on the resolution or the rule, we will ask for a rollcall vote when the previous question is ordered or when that motion is made. Those who agree with me that for the House to work its will and to be able to offer these amendments that have been discussed during this debate that we should have an opportunity to do this, I hope will join with us in this action in voting against the previous question.

Mr. CURTIS. Mr. Speaker, I intend to address myself solely to this question before us, which is the rule we adopt. Indeed, the question before us is not unique either on this point of voting down the previous question or, I might say, of granting a limited closed rule where the minority is permitted to offer certain amendments. Indeed, the rule presented to us by the Committee on Rules does give the chairman of the Committee on Ways and Means or the committee itself the opportunity to offer amendments, but no one else has that opportunity. This question the Republicans seek to determine is actually a matter whereby the majority of the House, not of a particular party, can work its will.

One other thing I would like to clarify is this: This in no sense would take any prerogatives away from the chairman of the Committee on Ways and Means, who is not involved in this immediate debate, because this is under the Committee on Rules. The only one that might be taken off his feet would be the chairman of the Committee on Rules [Mr. COLMER]. But it is certainly not that at all. This is simply a question as to whether or not the House wants to consider the debate of this debt ceiling under a limited closed rule which would permit the minority to present the amendments that they have offered in the Committee on Ways and Means during debate.

I might say from the very beginning of the hearings and the cross-examination of the Secretary of the Treasury and the Director of the Bureau of the Budget we developed these two particular issues underlying these amendments which were the subject of discussion throughout the deliberation of the Ways and Means Committee. I would say to the chairman of the Committee on Ways and Means, also, was not that the case from the very beginning?

Mr. MILLS. Mr. Speaker, will the gentleman yield?

Mr. CURTIS. Yes. I yield to the gentleman.

Mr. MILLS. Yes. The gentleman properly states the fact that these were issues during the course of the hearings and in the executive sessions of the committee.

Mr. CURTIS. I may also say they are quite germane to this bill. During debate on this matter the House will have an opportunity to hear the reasons pro and con as to why these amendments might be considered in order.

I have been urging for years as an individual Member—and the gentleman from Arkansas knows this—and I might say against a majority of my own party—that we ought not to come out with closed rules on much of this material that the Committee on Ways and Means considers. This is not a tax bill. This is the Second Liberty Loan Act, and it covers a much more limited area. I think this could well have been debated and should be debated under a completely open rule. I emphasize this because I hope the time will come when the House will recognize what happens when we consider these measures from the Committee on Ways and Means under these closed rules. What happens is it goes over to the other body where there is no discipline at all in regard to germaneness and comes back with amendments marked out that no one over here, Ways and Means Committee members included, have had an opportunity to review or study. Really, it badly weakens the House as a legislative body.

So, Mr. Speaker, I would plead with my friends on the Democrat side that this is not any attempt to take away the leadership from the majority party.

Mr. Speaker, it is a simple issue to determine whether or not the Members of the House will permit the minority to offer these amendments in an orderly fashion; and, whether we are going to have to offer them solely within the limits of a motion to recommit, with instructions.

Mr. Speaker, I am glad the distinguished minority leader, the gentleman from Michigan [Mr. GERALD R. FORD], has pointed out the fact concerning motions to recommit with instructions.

The gentleman from Louisiana [Mr. BOGGS], the majority whip, is one who has been castigating the Republicans on the floor of the House and elsewhere for voting for motions to recommit, with instructions, stating erroneously, that these motions to recommit with instructions were designed for the purpose of scuttling or defeating various bills and legislation.

Mr. Speaker, this is not true. We who serve as Members of the House of Representatives know that this is not true about the recommittal procedure. However, unfortunately, the people throughout the country are not so aware of these House procedures. Mr. Speaker, with the assistance of the news media, this popular misunderstanding could be corrected. However, here we are, and without liberalizing the closed rule presented to us these amendments will have to be offered encompassed within the motion to recommit.

The issue pending before us today is: First, are we going to have more honesty in our Federal accounting?

Mr. Speaker, that represents one amendment.

Second, are we going to relieve the pressures the Federal Government is creating in the money market, the market to which both the consumer and the businessman has to go in order to finance their endeavors so that, interest rates can go down and the Federal Government along with everyone else pay less in interest for their borrowings.

Mr. Speaker, we have forced the Federal Government into short-term and high interest securities. And, let me say to my good Democrat friends, that the Secretary of the Treasury has stated that it would be very beneficial and helpful to him to be able to market long-term securities at a lower interest rate. The administration itself wants this flexibility. The Congress certainly should check into the question of how we should grant this authority to the executive to increase the debt ceiling and not just content ourself with the question of whether the Republican amendments relate to the question of "how."

The SPEAKER. The time of the gentleman from Missouri has again expired.

Mr. QUILLEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. QUILLEN. Mr. Speaker, I favored reporting this resolution out of committee with a modified closed rule that would have permitted the consideration of two amendments offered by the minority members of the distinguished Ways and Means Committee, and I wholeheartedly support the separate views stated by these members of the committee, as follows:

IV. SEPARATE VIEWS OF THE REPUBLICANS ON H.R. 4573

The undersigned members of the Committee on Ways and Means join in protesting the actions of the administration which necessitate considering this legislation. The administration's unwillingness to exercise restraint in its expenditures, and its failure to advise the Congress and the American people of its spending intentions, have created our debt problem.

The exigencies of the war in Vietnam made it imperative that the administration exercise fiscal restraint. Instead, in order to get the Congress to provide the "butter," the administration deliberately understated the cost of the "guns." The administration came to the Congress with a proposed budget for fiscal 1967 which understated expenditures by at least $15 billion. The administration now admits this.

This bill (H.R. 4573) is the price tag which the American people are being called upon to pay for the failure of the administration to disclose to the Congress and to the American people a year ago the cost which would be incurred in fighting a major war in Vietnam. After refusing for the past 12 months to disclose to the Congress—and to the American people—the true state of the Government's finances, so that the Congress might take appropriate steps to alleviate the problem, the administration now comes pleading an emergency. With threats of dire consequences if the Congress should fail to act promptly, we are called upon to provide forthwith an additional $6 billion of borrowing authority.

The bill (H.R. 4573) provides for an increase of $6 billion in the public debt limit in addition to the increase of $2 billion provided on June 24, 1966. The increase relates solely to the fiscal year 1967 and will expire on June 30, 1967, when in the absence of further congressional action the public debt limit will revert to the permanent ceiling of $285 billion. If the administration continues its spending policies, another increase will be needed to cover expenditures proposed for the fiscal year 1968.

ADMINISTRATION MISLED CONGRESS AND THE PEOPLE

Let us look at the record. Just why is this bill being brought before the House? Why is there such great urgency? The administration would have us believe that it could not foresee the extent to which expenditures would exceed its forecasts until January 1967, when by law the administration had to come to the Congress with a new budget. This is not the fact.

For fiscal 1967, the administration originally proposed in the President's budget message of January 1966, to spend a total of $112.8 billion. Revenues were forecast at $111 billion leaving a deficit of $1.8 billion.

At the time of the increase in the debt limit in the 89th Conrgess—in May of 1966—the administration was still projecting an expenditure budget of $112.8 billion for fiscal 1967. At that time the administration submitted to the committee the breakdown of such expenditures by month which appears as table 5 in the report on the public debt limit on June 8, 1966 (89th Cong., 2d sess., H. Rept. 1607, p. 7). When we compare the results to date with those forecast, it is absurd to claim as the administration now does, that the estimates of May 1966 were the best available at that time.

Budget receipts and expenditures as estimated by the Treasury in May 1966 and actual for fiscal year 1967

[In billions of dollars]

Fiscal year 1967	Net receipts		Expenditures		Deficit or surplus		Cumulative deficit at end of month	
	Estimated	Actual	Estimated	Actual	Estimated	Actual	Estimated	Actual
July	5.2	5.7	9.0	10.3	−3.8	−4.6	−3.8	−4.6
August	7.3	7.2	10.0	11.0	−2.7	−3.8	−6.5	−8.4
September	11.9	12.5	10.3	11.9	+1.6	+.6	−4.9	−7.8
October	5.3	5.8	9.5	11.0	−4.2	−5.2	−9.1	−13.0
November	7.5	7.4	9.3	10.4	−1.8	−3.0	−10.9	−16.9
December	10.5	10.6	9.1	9.5	+1.4	+1.1	−9.5	−14.9
January	8.1		10.0		−1.9		−11.4	
February	7.3		9.1		−1.8		−13.2	
March	10.2		9.1		+1.1		−12.1	
April	12.9		9.0		+3.9		−8.2	
May	7.5		8.9		−1.4		−9.6	
June	17.3		9.5		+7.8		−1.8	
Total	111.0		112.8		−1.8			

Source: H. Rept. 1607, 89th Cong., 2d sess., table 5, p. 7. Monthly Statement of the Receipts and Expenditures of the U.S. Government, July 1, 1966, through Dec. 31, 1966.

The Government must know what it will spend at least 2 months in advance. In May 1966—only 2 months before—the administration had forecast expenditures for the month of July would be $9 billion. Actual expenditures turned out to be $10.3 billion. By the end of the first month of fiscal 1967—the month of July 1966—the administration must have known something was wrong with its estimates.

The administration forecast that expenditures for August would be $10 billion. Actual expenditures turned out to be $11 billion. The administration forecast that expenditures for September would be $10.3 billion. Actual expenditures turned out to be $11.9 billion. Thus, by September 1966, expenditures had exceeded estimates made as recently as May 1966, by almost $4 billion. By the end of November—after only 5 months of fiscal 1967—the administration had rolled up a deficit of $16 billion. Yet, the administration would have us believe that there was no cause for alarm—no urgency—at that time.

In September 1966, in the course of the hearings on the suspension of the 7-percent investment credit, although actual expenditures were already running at a rate of $1 billion to $1.5 billion per month in excess of prior estimates, the administration steadfastly refused to change its estimates. To make matters worse, the administration was giving the Congress and the American people assurances that expenditures would be cut back by at least $3 billion. At a press conference held at Johnson City, Tex., September 8, 1966, the President was still adhering to his original budget estimates. The President said: [1]

"First, we are reviewing very carefully at the present time the appropriation bills that have reached us. There are some three or four of them that are being examined. There are some eight appropriation bills that have not yet cleared through the Congress. We do not know what they will contain.

"We are asking the executive branch to carefully review their appropriations that have been received and make recommendations as to the low priority items that can be eliminated. We have given a target goal, as you will observe in the message.

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[1] The President's news conference of Sept. 8, 1966, Weekly Compilation of Presidential Documents, p. 1242.

"When and as we receive the other eight appropriations bills, we will go through the same procedure.

"We are hoping that in light of this message, and the prudent attention and consideration that the Congress will be giving the remaining eight bills, that they will be somewhere in reasonable proximity to the budget and the request that I made earlier; namely, a budget of $112 billion 800 million. [Italic added.]

"But until they reach me, I have no way of knowing how much the cost of government is likely to be next year. When they do reach me, we will review them and see how much we can eliminate and see where that leaves us."

Not only did the administration fail to exercise fiscal restraint, but it kept from the Congress the information on which the Congress might have exercised such restraint. The conclusion is inescapable that it has been the gross mismanagement of the fiscal affairs of the Nation by the administration, if not actual bad faith in its dealings with the public and the Congress, which necessitates a further increase in the public debt at this time.

PARTICIPATION CERTIFICATES COVER UP EXPENDITURES

In addition to its failure to keep Congress and the people informed, the administration resorted to fiscal "gimmickry" in order to cover up the true amount of its spending. In the 89th Congress, the Democrat-controlled Congress enacted, over united Republican opposition, in great haste, the Participation Sales Act (Public Law 89–429). This act authorized the Federal National Mortgage Association to sell "participation certificates" in certain Government financial assets, payment of principal and interest to be guaranteed by the agency. For budget accounting purposes, however, the proceeds from the sale of these certificates are not included in receipts, but are applied directly in reduction of other expenditures.

Every time that the Government goes further into debt through the sale of participation certificates, expenditures are reduced "on paper" by a corresponding amount. Because of this, administrative budget expenditures reported for January 1967, will be understated by $1.1 billion on account of the credit from $1.1 billion in participation certificates sold on January 19, 1967. Actual expenditures for the balance of the fiscal year 1967 will be understated by an additional $2.9 billion on account of credits from sales of additional participation certificates.

In the case of participation certificate sales, the administration is merely issuing a new kind of note to pay its bills, and through "fancy bookkeeping" crediting the proceeds directly against its expenditures. Through this procedure, expenditures appear to be less than the amount actually spent, and the administrative budget is understated. The debt ceiling becomes a "sham."

FIRST PARTICIPATION CERTIFICATES DISRUPT FINANCIAL MARKETS

In June 1966 the first issue of $530 million of participation certificates were offered at interest rates ranging up to 5.75 percent. This represented a premium of at least 50 basis points over the rates at which U.S. Treasury obligations of comparable maturity were then selling on the market. In justifying this premium, the administration took the position that these certificates were not obligations of the United States, and that as a result the interest thereon was subject to both Federal and State income taxes.[2] Consistent with this position, the prospectus offering these participation certificates contained the following statement:

"Timely payment of principal of and interest on the participation certificates is guaranteed by the Federal National Mortgage Association, a corporate instrumentality of the United States. (See letter of the Secretary of the Treasury appearing later in this prospectus regarding availability of funds for such guarantee.) The participation certificates are not obligations of and are not guaranteed by the United States. Interest on the participation certificates is not exempt from Federal income taxes."

This additional pressure on the financial market pushed interest rates to the highest level in 40 years. This in turn forced the administration to declare a temporary moratorium on the issuance of any additional certificates. Commenting on this, the Morgan Guaranty Trust Co. of New York, in its letter of October 1966, said:

"Frustrated though a number of cities were last spring, they now have had the satisfaction of seeing the administration declare a temporary moratorium on Federal agency flotations of the kind authorized by the Participation Sales Act of 1966. The calloff, announced by President Johnson on September 8, was a direct response to the mounting evidence that the PC technique was contributing in a major way to price weakness for debt issues generally. Sales of such certificates had totaled $1.7 billion during the first half of 1966 and were scheduled at $4.2 billion for the fiscal year which began July 1. Such a volume of actual and prospective flotations by Federal agencies, involving a type of debt instrument relatively new to many investors, was bound to be a major depressant in capital markets—especially so in the context of exceptionally heavy borrowing by others."

Our opposition to the Participation Sales Act was vindicated. The first issue of participation certificates not only resulted in an excessive interest cost to the Government on that particular borrowing, but pushed up all interest rates so that the Federal agencies were soon paying rates well in excess of 6 percent and all debt issues were adversely affected. The President had to call a halt.

PARTICIPATION CERTIFICATES BECOME DIRECT OBLIGATIONS OF THE UNITED STATES

In retrospect, it is clear that in the fall of 1966, the administration faced a fiscal crisis. Expenditures were running at a rate of $1 billion to $1.5 billion per month in excess of the estimates on which the debt ceiling had been predicated. The administration's borrowing through the regular channels was reaching the maximum permissible under the debt limit. The initial issue of participation certificates had precipitated escalation of interest rates to the highest level in 40 years. The administration had been severely criticized. Something new had to be added. At this point, the administration decided to "clothe" the participation certificates with the full faith and credit of the United States in order to make the certificates more readily salable.

The Secretary of the Treasury thereupon obtained an opinion from the Attorney General dated September 30, 1966, which concluded that "FNMA's guarantee of a participation certificate brings into being a general obligation of the United States backed by its full faith and credit."

With the Attorney General's opinion as a basis, arrangements were made to sell a second issue of $1.1 billion of participation certificates to be offered in January 1967, backed by the full faith and credit of the United States. In contrast to the statement in the prospectus cautioning the purchaser of the first issue of participation certificates in June 1966 that such certificates "are not obligations and are not guaranteed by the United States," the prospectus offering the second issue of participation certificates flatly stated that the holders thereof held valid general obligations of the United States "backed by its full faith and credit." The prospectus contained the following:

"The Attorney General of the United States stated in an opinion dated September 30, 1966, that 'FNMA's guarantee of a participation certificate brings into being a general obligation of the United States backed by its full faith and credit' and that 'the holders of participations guaranteed by FNMA hold valid general obligations of the United States and are in a position to reach beyond the assets of FNMA to the United States for payment, if necessary.' "

What was originally characterized by the administration as a sale of financial assets—the substitution of private credit for public credit—became nothing less than an obligation guaranteed as to principal and interest by the United States. It was the obligation of the United States, not the so-called beneficial interest in a pool of assets that was being sold. The buyer could not care less what was in the pool, since the certificate was a general obligation of the United States backed by its full faith and credit.

This also afforded the Secretary of the Treasury an opportunity to offer the participation certificates as obligations backed by the full faith and credit of the United States eligible for investment of social security trust funds and other governmental trusts, the proceeds of which could only be invested in obligations of the United States. The social security trust funds became a "built in" market for the certificates.

SOCIAL SECURITY TRUST FUNDS BECOME "BUILT-IN" MARKET FOR PARTICIPATION SALES

For more than 30 years, both Democrat and Republican administrations had limited the investment of social security trust funds to U.S. Treasury obligations. It was clearly the intention of this committee—and of the Congress—that the investment of these funds should not be invested in any other type of obligation.

The investment authority of the trustees of the social security trust funds is subject to the following limitation:[3]

"It shall be the duty of the Managing Trustee to invest such portion of the trust funds as is not, in his judgment, required to meet current withdrawals. Such investments may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. For such purpose such obligations may be acquired (1) on original issue at the issue price, or (2) by purchase of outstanding obligations at the market price. The purposes for which obligations of the United States may be issued under the Second Liberty Bond Act, as amended, are hereby extended to authorize the issuance at par of public-debt obligations for purchase by the trust funds."

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[2] Hon. Joseph W. Barr, Under Secretary of the Treasury, appearing before the Rules Committee in support of the Participation Sales Act of 1966, said:

"This legislation says to FNMA, to FHA, to the Veterans' Administration, to the Farm Home Administration, to Small Business Administration, to Export-Import Bank—I don't think I have forgotten anyone—the direct loans you make you can bundle up, transfer them to FNMA, who will act as a trustee. FNMA then can sell participation in these loans in the private sector.

"That is in essence what this bill is going to do. Some of the objections to it are simple and understandable. These participations will carry a higher rate than Treasury bonds. That is true. The reason, one of the big reasons, they will carry a higher rate than Treasury bonds is that Treasury bonds are not taxable by the States. These obligations are taxable by every State. So, consequently, there will be a heavier tax burden to the person buying this participation than the person buying the Treasury security.

"Over the past 2 years our average experience—I won't predict what will happen in the future—but our experience in the past 2 years has been that normally these participations will carry a yield about a quarter of a percent to three-eighths of a percent higher than the Treasury obligations." (89th Cong., second sess., hearing before the Committee on Rules of the House of Representatives on H.R. 14544 and S. 2499, May 4, 1966, p. 68).

[3] Sec. 201(d) and sec. 1817(c) of the Social Security Act, as amended.

The trustees of the social security trust funds are thus limited by law to the investment of those funds in obligations of the United States or obligations guaranteed as to principal and interest by the United States, which is the same language used in the limitation of the public debt under section 21 of the Second Liberty Bond Act.

Of the last issue of $1.1 billion participation certificates offered for sale on January 5, 1967, the Secretary of the Treasury purchased a total of $500 million for the social security and other trust funds. Unless these obligations are deemed to be full faith and credit obligations of the United States—or guaranteed as to principal and interest—the Secretary of the Treasury clearly has acted beyond the scope of his authority as managing trustee of the social security trust funds. Having created a "built-in" market in the social security trust funds for the participation certificates by denoting them as obligations of the United States, the administration should not be permitted to exclude such certificates from the debt subject to limitation.

WHAT PRICE DECEPTION

These fiscal manipulations by the administration serve no useful purpose other than to conceal from the American people the magnitude of the public debt and the true budget of expenditures. What price deception! What is the price the American people will be forced to pay for this deception?

The administration readily acknowledged that the participation certificates would entail interest costs of 0.25 to 0.30 of 1 percent higher than Treasury bonds.[4] The first issue of $530 million of participation certificates sold in June 1966 carried interest rates ranging up to 5.75 percent. This represents a premium of at least 0.50 of 1 percent over the rates at which Treasury bonds of comparable maturity were then selling on the market.

The administration apparently is willing to disrupt the capital markets and to saddle the taxpayers with an additional interest bill of between $25 and $50 million for each year that the $10 billion of participation certificates—which the administration plans to issue—are outstanding.

Interest costs represent the largest expenditure in the administrative budget except for national defense. For the fiscal year 1967, the administration now estimates that direct interest on the public debt—which excludes interest paid by the Federal agencies—will amount to $13.5 billion, and will increase to $14.2 billion in fiscal 1968. Why increase this cost unnecessarily—even though "hidden" as an agency expenditure—by borrowing at a higher rate of interest than would be required for Treasury bonds?

PARTICIPATION CERTIFICATES SHOULD BE REDEFINED

What are the participation certificates—sales of financial assets or general obligations of the United States? The administration's answer varies to suit the occasion.

When the enabling legislation was under consideration on May 4, 1966, the administration's position was stated to the Committee on Rules by the Honorable Joseph W. Barr, Under Secretary of the Treasury, as follows:[5]

"Now, as to the question of whether or not these are guaranteed; Treasury obligations carry the full faith and credit of the United States; it is the only obligation this country issues that carries full faith and credit. There is a long congressional history that only Treasury notes for all purposes of Government, for all people, will carry the full faith and credit of this Government as an entity.

"On the other side are the specialized lending programs. They do not carry the full faith and credit of the United States, so how are they guaranteed? They are guaranteed in two manners. Under this legislation they will be guaranteed by an appropriation act of the Congress of the United States. In the final analysis, nobody but you gentlemen can obligate the United States. Treasury can't. The President can't. This country can only be obligated by an appropriation act of the Congress of the United States. And that is precisely what you are doing with these special participation certificates.

"There is a legal distinction, of course, and the legal distinction accomplishes one purpose and that is to make these obligations taxable by the States."

On September 30, 1966, only 5 months later, at the request of the Secretary of the Treasury the Attorney General ruled that the participation certificates carried the full faith and credit of the United States. The administration seized upon this ruling to offer the second issue of participation certificates to the public as "a general obligation of the United States backed by its full faith and credit."

How can we have an obligation backed by the full faith and credit of the United States without taking the obligation into account in determining the public debt subject to limitation under section 21 of Second Liberty Bond Act?

Section 21 of the Second Liberty Bond Act—the limitation on the public debt which this bill seeks to amend—specifically provides that there shall be included within that limitation "the face amount of obligations guaranteed as to principal and interest by the United States (except such guaranteed obligations as may be held by the Secretary of the Treasury)." For this purpose the administration apparently contends that the participation certificates are not full faith and credit obligations of the United States.

The managing trustee of the social security trust fund is specifically limited in the investment of those funds to obligations guaranteed as to principal and interest by the United States. The Social Security Act and the Second Liberty Bond Act use the same language and obviously refer to the same type of obligation both for investment purposes and for purposes of the debt limitation. The administration has sold $500 million of these participation certificates to the social security trust funds and other public trust funds.

While the opinion of the Attorney General of September 30, 1966, may have made legal investment of the social security trust funds in the participation certificates, how could it do so without at the same time bringing those obligations under the limitation within the public debt limit provided for in section 21 of the Second Liberty Bond Act?

We thus have an anomalous situation. The participation certificates have been ruled by the Attorney General to be an obligation of the United States, backed by its full faith and credit, and a qualified investment for the social security trust funds which are restricted to obligations of or guaranteed as to principal and interest by the United States. On the other hand, for purposes of the limitation on the public debt, which includes all obligations of or guaranteed as to principal and interest by the United States, the administration claims that the participation certificates are not obligations of the United States. The participation certificates are full faith and credit obligations for one purpose—when it suits the administration—but not for the purpose of determining the public debt outstanding.

This confusion has carried over into the money market. The $1.1 billion issue of participation certificates sold in January 1967 were described by the financial press as "taxables" as distinguished from U.S. obligations, the interest on which is not subject to State income tax.[6] Presumably, the price reflected that differential. Yet, in the light of the opinion given by the Attorney General on September 30, 1966, the State of New York has concluded that it cannot tax the interest from those participation certificates.[7]

We believe that this confusion should be cleared up. The participation certificates should be redefined by statute—not by the Attorney General—and should be made subject to the debt limit.

We urge the House to support an amendment which will be offered providing that "beneficial interests and participations issued under section 302(c) of the Federal National Mortgage Association Act (12 U.S.C. 1717 (c))" shall be included in the public debt set forth in section 21 of the Second Liberty Bond Act. At the same time, the temporary limitation would be increased to $339 billion in order to accommodate the participation certificates to be issued during the balance of fiscal year 1967.

INTEREST CEILING SHOULD BE RELAXED

Under the Second Liberty Bond Act, bonds of the United States having a maturity of more than 5 years cannot be issued at a rate of interest in excess of more than 4.25 percent per annum. Every Secretary of the Treasury—whether in a Democrat or a Republican administration—in recent years has acknowledged that this inflexible limitation makes more difficult management of the public debt. It is unrealistic and should be relaxed.

After an exhaustive review of the administration's position, Morgan Guaranty Trust Co., a managing underwriter of both issues of participation certificates, in its letter of October 1966 concluded that there was only one possible justification for the issuance of these obligations; namely, to avoid the 4¼-percent interest limitation on regular Treasury issues of more than 5 years.

At present, there is outstanding a public debt of approximately $330 billion. The average maturity of this debt is less than 4¼ years. More than $100 billion of this debt must be refinanced each year. The Federal debt makes up 25 percent of total net public and private debt in our economy. Treasury financing exceeds the total of all other debt issued each year. Its impact affects not only the administrative budget, but the corporate bond market, the market for State and local government securities, and the mortgage market.

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[4] Ibid., hearings, p. 68.

[5] Ibid., hearings, pp. 68–69.

[6] The Wall Street Journal, Jan. 6, 1967, at p. 19, described the issue, as follows:

"The Fannie Mae offering, described as the largest underwritten public sale of corporate-type taxable debt securities in the history of American finance, included $150 million of 5-year certificates, $150 million of 10-year certificates, and $300 million of 15-year certificates.

"All the certificates carried a 5.20-percent coupon and all were priced by the underwriters for sale to investors at 100. The 1972 maturities were quoted by some dealers late yesterday at 100⅛ bid, 100⅜ asked. Certificates maturing in 1977 and 1982 were being quoted at 100¼ bid, 100½ asked.

"Fannie Mae placed another $500 million of certificates with Treasury investment accounts, bringing the total to $1.1 billion."

[7] Opinion of counsel, Department of Taxation and Finance, State of New York, Jan. 11, 1967.

The 4.25-percent limitation on the interest at which "long-term" Treasury obligations can be issued does not effectively reduce the interest rate which the Government must pay for its borrowing. That rate is fixed by the forces of supply and demand. If the Government needs the money, it must pay whatever rate the market demands. When that rate exceeds 4.25 percent, the Treasury must either issue "short-term" obligations which are not subject to the 4.25-percent limitation, or must borrow through the Federal agencies at a higher rate.

The recent issue of $1.1 billion of participation certificates, at a rate of 5.20 percent, with maturities up to 15 years, are an example of the futility of attempting to fix interest rates by statute. These obligations were backed by the full faith and credit of the United States, just as any Treasury bond. However, Treasury bonds of the same maturities could have been issued at a lower rate than the participation certificates, if the Treasury had been permitted to exceed the 4.25 percent limitation.

Notwithstanding the 4.25-percent limitation, the actual interest paid by the Treasury on its borrowings has shown a steady increase during the period of deficit financing of the last two Democrat administrations. As of December 1960, the average interest paid on the then outstanding Treasury obligations amounted to 4 percent of the face amount. By December 1965, this average had increased to 4⅜ percent. By December 1966, the Treasury was paying an average interest rate of 5 percent on the debt outstanding.

A stabilizing debt management policy would call for Treasury borrowings at long term during an economic boom thus lengthening the debt structure, and short-term borrowing during a recession. The interest rates at which long-term Treasury obligations can be issued will usually exceed 4.25 percent in such times. The 4.25-percent interest limitation inhibits sound management of the debt. Because of this limitation the Treasury is compelled to rely on short-term financing for its direct borrowing.

In order to provide greater flexibility for public debt management, we are offering an amendment authorizing the Secretary of the Treasury to issue up to $6 billion face amount of long-term obligations at rates in excess of the 4.25-percent limitation. The Secretary will not be required to issue such obligations, but, if conditions warrant, may do so. It is hoped that the House will support this amendment.

REPUBLICAN PROPOSALS CONSTRUCTIVE

There is unquestionably an "urgency" in the need for legislation increasing the public debt. However, the record is clear. It was the administration's intransigence—and failure to disclose the facts—which prevented constructive action by the Congress.

Last May and again last September, we urged the administration to exercise greater control over expenditures. The administration chose instead to submit a "phony" budget to conceal the facts.

The administration should have come to the Congress last fall and laid on the table the problems it was facing in financing the public debt. The adminisration chose instead to resort to subterfuge in order to cover up its mistakes. The administration's mismanagement of the fiscal affairs of the Nation has brought about the "emergency."

The American people have been burdened with an excessive interest cost for financing debt through the device of the participation certificates. The money markets have been thrown into a state of confusion as have the State taxing authorities—by this unique obligation which for some purposes is deemed to be an obligation of the United States, but for other purposes it is not.

In order to clear up this confusion, we propose that the Second Liberty Bond Act be amended in two respects: First, that the participation certificates which are sold as full faith and credit obligations of the United States, be specifically included as a part of the public debt subject to limitation, and the temporary debt ceiling increased to accommodate this amount; and, secondly, that the Secretary be given the discretion to issue up to $6 billion of long-term Treasury obligations at rates of interest in excess of 4.25 percent per annum.

The proposal would give the Secretary of the Treasury greater—not less—flexibility in the management of the public debt. The participation certificates, which the Attorney General ruled are, and the Secretary of the Treasury sold as, full faith and credit obligations of the United States, would be specifically included under the debt limit with a corresponding increase in the temporary debt ceiling to accommodate these obligations.

In addition, so that the Secretary of the Treasury would have no need to resort to the participation certificate device, and thereby saddle the taxpayer with the payment of excessive interest, the Secretary would have the authority to issue up to $6 billion of long-term Treasury obligations bearing interest of a rate in excess of 4.25 percent.

Our proposal would permit proper management of the public debt at the lowest interest cost. Honesty with the American people demands as much from the administration.

There is a real credibility gap facing the administration. Sound fiscal policy, realistic budgeting for the future, recognition of the true amount of public debt outstanding, and the abandonment of subterfuge and "gimmickry" in Government financing might go a long way toward narrowing that gap.

JOHN W. BYRNES.
THOMAS B. CURTIS.
JAMES B. UTT.
JACKSON E. BETTS.
HERMAN T. SCHNEEBELI.
HAROLD R. COLLIER.
JOEL T. BROYHILL.
JAMES F. BATTIN.
BARBER B. CONABLE, Jr.
GEORGE BUSH.

I think this chore which is thrust upon us several times a year is unnecessary and gives credence to the reckless irresponsibility attributed to those in the administration who handle our financial matters. Rather than present an accurate financial picture in the budget, the administration continually twists the facts into wild distortions.

And every time, they pin us to the wall by listing the terrible things that will happen if we do not raise the ceiling; but, of course, this should not upset us too much because the raise is only temporary.

Well, I think the American people are fed up with this type of accounting techniques. They want to know exactly what the financial position of the country is, and they deserve to be told clearly without this fancy shuffling and frantic rehashing which takes place at least twice a year.

I think we need to get this mess cleared up once and for all, and this is the best possible time—while we are not pressed by dozens of bills that require immediate action. We can do the job effectively and efficiently now; thus, I hope my colleagues will agree to the farsighted approach as suggested by the minority of the Ways and Means Committee, rather than simply approving the request for a temporary increase in the debt ceiling to $336 billion.

Mr. DELANEY. Mr. Speaker, I move the previous question.

The SPEAKER. The question is on the motion of the gentleman from New York [Mr. DELANEY].

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 223, nays 183, not voting 26, as follows:

[Roll No. 11]

YEAS—223

Abbitt
Adams
Addabbo
Albert
Andrews, Ala.
Annunzio
Ashley
Ashmore
Aspinall
Baring
Barrett
Bennett
Bevill
Bingham
Blanton
Blatnik
Boggs
Boland
Brademas
Brasco
Brinkley
Brooks
Burke, Mass.
Burleson
Burton, Calif.
Byrne, Pa.
Cabell
Carey
Clark
Cohelan
Corman
Culver
Daddario
Daniels
Davis, Ga.
Dawson
de la Garza
Delaney
Dent
Diggs
Dingell
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Eckhardt
Edmondson
Edwards, Calif.
Edwards, La.
Eilberg
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Fisher
Flynt
Ford,
  William D.
Fountain
Fraser
Friedel
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gonzalez
Green, Oreg.
Green, Pa.
Griffiths
Hagan
Haley
Hamilton
Hanley
Hanna
Hansen, Wash.
Hardy
Hathaway
Hawkins
Hays
Hébert
Hechler, W. Va.
Henderson
Herlong
Hicks
Holifield
Holland
Howard
Hull
Hungate
Ichord
Jacobs
Jarman
Joelson
Johnson, Calif.
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kastenmeier
Kazen
Kee
Kelly
King, Calif.
Kirwan
Kluczynski
Kornegay
Kyros
Landrum
Leggett
Long, La.
Long, Md.
McCarthy
McFall
McMillan
Macdonald,
  Mass.
Machen
Madden
Mahon
Marsh
Matsunaga
Meeds
Miller, Calif.
Mills
Minish
Mink
Monagan
Montgomery
Moorhead
Morgan
Morris, N. Mex.
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nichols
Nix
O'Hara, Ill.
O'Hara, Mich.
Olsen
O'Neill, Mass.
Patman
Patten
Pepper
Perkins
Philbin
Pickle
Pike
Poage
Pool
Price, Ill.
Pryor
Pucinski
Purcell
Randall
Rees
Resnick
Reuss
Rhodes, Pa.
Rivers
Roberts
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Roybal
Ryan
Satterfield
St Germain
St. Onge
Scheuer
Selden
Shipley
Sikes
Sisk
Slack
Smith, Iowa
Staggers
Steed
Stephens
Stratton
Stubblefield
Stuckey
Sullivan
Taylor
Teague, Tex.
Tenzer
Thompson, N.J.
Tuck
Tunney
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Waggonner
Waldie
Walker
White
Whitener
Whitten
Willis
Wolff
Wright
Yates
Young
Zablocki

NAYS—183

Abernethy
Adair
Anderson, Ill.
Arends
Ashbrook
Ayres
Bates
Battin
Belcher
Bell
Berry
Betts
Biester
Blackburn
Bolton

Bray
Brock
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burton, Utah
Bush
Button
Byrnes, Wis.
Cahill
Carter
Cederberg
Chamberlain
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Colmer
Conable
Conte
Corbett
Cowger
Cramer
Cunningham
Curtis
Davis, Wis.
Dellenback
Denney
Derwinski
Devine
Dickinson
Dole
Duncan
Dwyer
Edwards, Ala.
Erlenborn
Esch
Eshleman
Findley
Fino
Ford, Gerald R.
Frelinghuysen
Fulton, Pa.
Goodell
Goodling
Gross
Grover
Gubser
Gude
Gurney
Hall
Halleck
Halpern
Hammerschmidt
Hansen, Idaho
Harrison
Harsha
Harvey
Horton
Hosmer
Hunt
Hutchinson
Johnson, Pa.
Jonas
Keith
King, N.Y.
Kleppe
Kuykendall
Kyl
Langen
Latta
Lennon
Lipscomb
Lloyd
Lukens
McClory
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
MacGregor
Mathias, Calif.
Mathias, Md.
May
Mayne
Meskill
Michel
Miller, Ohio
Minshall
Mize
Moore
Morse, Mass.
Morton
Mosher
Myers
Nelsen
Ottinger
Pelly
Pettis
Pirnie
Poff
Pollock
Price, Tex.
Quie
Quillen
Railsback
Rarick
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Rhodes, Ariz.
Riegle
Robison
Roth
Roudebush
Rumsfeld
Ruppe
Sandman
Saylor
Schadeberg
Scherle
Schneebeli
Schweiker
Schwengel
Scott
Shriver
Skubitz
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Stanton
Steiger, Ariz.
Steiger, Wis.
Taft
Talcott
Teague, Calif.
Thompson, Ga.
Thomson, Wis.
Utt
Vander Jagt
Wampler
Watkins
Watson
Whalen
Whalley
Widnall
Wiggins
Williams, Miss.
Williams, Pa.
Winn
Wyatt
Wydler
Wylie
Wyman
Younger
Zion
Zwach

NOT VOTING—26

Anderson, Tenn.
Andrews, N. Dak.
Bolling
Bow
Casey
Celler
Conyers
Flood
Foley
Gardner
Gray
Heckler, Mass.
Helstoski
Irwin
Jones, N.C.
Kupferman
Laird
Mailliard
Martin
O'Konski
O'Neal, Ga.
Passman
Smith, Calif.
Watts
Wilson, Bob
Wilson, Charles H.

So the previous question was ordered.

The Clerk announced the following pairs:

On this vote:

Mr. Celler for, with Mr. Andrews of North Dakota against.

Mr. Charles H. Wilson for, with Mr. Laird against.

Mr. Gray for, with Mr. Martin against.

Mr. Irwin for, with Mr. Smith of California against.

Mr. Helstoski for, with Mr. Bob Wilson against.

Mr. Conyers for, with Mr. O'Konski against.

Mr. Foley for, with Mrs. Heckler of Massachusetts against.

Mr. Anderson of Tennessee for, with Mr. Bow against.

Mr. Jones of North Carolina for, with Mr. Gardner against.

Until further notice:

Mr. O'Neal of Georgia with Mr. Mailliard.

Mr. Passman with Mr. Kupferman.

Mr. Casey with Mr. Watts.

The result of the vote was announced as above recorded.

The **SPEAKER**. The question is on the resolution.

The resolution was agreed to.

PUBLIC DEBT LIMIT

Mr. **MILLS**. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4573) to provide, for the period ending on June 30, 1967, a temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 4573, with Mr. STAGGERS in the chair.

IN THE COMMITTEE OF THE WHOLE

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The **CHAIRMAN**. Under the rule, the gentleman from Arkansas [Mr. MILLS], will be recognized for 2 hours and the gentleman from Wisconsin [Mr. BYRNES] will be recognized for 2 hours.

Mr. **MILLS**. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, I am sure that other members of the Committee on Ways and Means join me in an expression of regret that this is the first legislative function that we have to perform in the new 90th Congress. We regret that of the many, many pieces of legislation that we will have to consider in the Committee on Ways and Means—and presently have for consideration before the Committee—the first of these is on the subject of the ceiling on the public debt.

Mr. Chairman, it is not something that any of us relish. Members of the committee, I am sure, again join me in the feeling that we would much prefer a situation wherein it were not necessary for us to be here today with this legislative proposal, and with this request.

However, Mr. Chairman, permit me briefly to refer to the events of the past several months, before going further with this discussion.

THE PRESENT LIMITATION IS INADEQUATE

For over 2 months now—since late November 1966—the Government has been forced to operate very close to the present $330 billion debt ceiling. On November 30, the level of the debt reached $329.6 billion, just $400 million less than the ceiling. At the same time, the Treasury's operating cash balance was only $3.3 billion, $700 million less than the amount that has always been considered the minimum necessary for flexible cash management.

By December 15, the situation had become even tighter. The amount of debt outstanding was only $149 million below the limitation, and the Treasury's operating cash balance was down to $916 million. The Treasury, in other words, had virtually no margin for flexible debt management or for contingencies.

While the situation improved a bit in late December, the improvement was temporary. By January 15, the level of the debt was back to $329.8 billion and the cash balance had declined to $2.6 billion.

The situation will become intolerable in March unless the limitation is raised. The level of the debt will be close to the ceiling and the cash balance will be low at the beginning of the month. The first 2 weeks of March have always been a period when the flow of cash into the Treasury is low relative to the obligations that must be met. Tax refunds are heavy and regular monthly expenses continue, yet corporate tax payments are not generally received until after the 15th of the month. If the Treasury goes into this period without either the ability to borrow additional funds or without a substantial cash balance, it will be unable to meet all the obligations which will fall due during the period.

THE NEED FOR THIS BILL WAS ANTICIPATED

Congress considered the debt ceiling last May and acted to set the present limit in June. We acted at that time on the best information the administration could provide about the level of expenditures and receipts expected in this fiscal year. The administration asked for a $4 billion increase above the then existing debt ceiling of $328 billion. The Congress, after considering the matter carefully, concluded that a $2 billion increase—only half the amount requested—was adequate if the budget projections were accurate.

We knew and the administration knew that the budget forecasts were surrounded by an unusual degree of uncertainty. We knew the conflict in Vietnam might require much more than was then budgeted; but no one had any way to estimate precisely how much more. Therefore, we were careful to make it clear that the debt ceiling could be increased if necessary.

When I addressed the House on the matter of the debt ceiling last June, I said:

> If we are not going to spend more money than is projected in the President's budget, delivered to us in January of this year for the fiscal year 1967, the Secretary of the Treasury can handle all of his responsibilities under this ceiling.
>
> Now, if we are going to add a whole lot to it, or if the costs in the Vietnamese situation are to be greater by an appreciable amount than set forth in the budget and predicted for this fiscal year, then this amount of $330 billion may not be enough.
>
> However, I believe that all of us recognize that under such circumstances $332 billion would likewise not be enough.

The committee report also made it clear that if the need arose, Congress would promptly reconsider the $330 billion limitation.

On page 11 of our report last year, for example, we said:

> If expenditures as well as receipts exceed January budget estimates, the limitation will remain appropriate if the increase in actual budget expenditures over January estimated levels does not exceed the increase in actual receipts over January budget estimates. Should a sharp increase in expenditures for Viet Nam or for some other contingency require a revaluation of the $330 billion limitation, Congress can take whatever action is necessary.

CURRENT BUDGET ESTIMATES

We are now faced with precisely the situation referred to in my statement to the House and in the committee report. Although receipts for the current fiscal year are going to be greater—substantially greater—than forecast when we debated the debt limitation last year, expenditures will have to be increased by even more. As you know, administrative budget receipts of $117 billion are now estimated for the fiscal year 1967. This is $6 billion more than the $111 billion forecast in the President's budget for the fiscal year 1967 released in January 1966. While this increase would by itself tend to reduce the budget deficit and ease the problem of operating within the debt limitation, it has been more than offset by the necessary increase in expenditures.

In January 1966, the administration's best estimate of administrative budget expenditures for this fiscal year was $112.8 billion. In May and June, this was still the best estimate that could be provided in view of the uncertainties clouding the outlook. Expenditures are now estimated at $126.7 billion. This is an increase over the earlier estimate of $13.9 billion. When the larger revenues now expected are offset against this expenditure increase, a deficit is indicated that is $7.9 billion greater than that estimated when we last considered the debt ceiling. The increase in the expected deficit. which is larger than the $6 billion increase in the debt limitation proposed in this bill, is the reason why we must approve an increase in the debt limitation at this time.

INCREASED EXPENDITURES

The $13.9 billion increase in expenditures can be broken down into three groupings.

The largest increase involves $9.6 billion in defense expenditures of which $9.1 billion consists of additional support for Vietnam operations and $566 million primarily reflecting the military and civilian pay increase which became effective at the start of this fiscal year.

The large rise in Vietnam costs, for which a supplemental appropriation is being requested, is the consequence both of a faster buildup of our forces in Vietnam than assumed last year and to the fact that the administration based its planning for the initial phases of the Vietnam escalation on 1 year's operations at a higher level, that is, on the assumption hostilities would cease by June 30, 1967. Apparently this assumption was used because the real expansion in our operations in Vietnam had begun just a short time before, and it was not clear how long the hostilities would continue or at what level we would find it necessary to carry on the increased operations. The President pointed out that this was a provisional decision and that it would have to be revised if Vietnam hostilities continued and our forces in Vietnam were expanded.

The supplemental defense expenditure is the present estimate of the probable cost if it is necessary to continue Vietnam operations through fiscal year 1968 and beyond. The request for funds for much of the military equipment that might be used in fiscal year 1968 had to be made now because we must provide a leadtime of several months between when the material is ordered and when it can be delivered to our Armed Forces in Vietnam.

The tight-money situation which developed last summer also increased the costs of carrying out Federal credit programs and the interest costs on the public debt.

High interest rates raised the interest payments on the public debt by $650 million. Sales of financial assets to private lenders will be lower than the January 1966 budget estimate by $800 million, directly reflecting the reduced availability of funds. An additional $1.5 billion in expenditures are necessary for several continuing Federal credit programs because the private money lenders who ordinarily provide credit to these programs were not able to generate sufficient funds for those purposes. Among the loan programs affected were those conducted by the Commodity Credit Corporation, Federal National Mortgage Association, the Export-Import Bank, and the Federal Home Loan Bank Board.

A variety of other changes in expenditures affecting the remaining budget programs contributed a net increase of somewhat more than $1 billion. The underlying changes involved increases and decreases in several programs which reflected changing workloads—such as the dramatic increase in the volume of mail, higher Federal matching payments under Federal-State grant programs—like the medical assistance grant program, and deliveries by contractors earlier than expected of equipment ordered by the National Aeronautics and Space Administration. There were other expenditure changes which essentially offset each other and which are a combination of congressional changes in the President's 1967 budget requests and the President's decisions to defer new programs.

DIFFICULTY IN DETERMINING ACCURATE ESTIMATES

In connection with the legislation suspending the investment tax credit, members of the Committee on Ways and Means endeavored to ascertain whether or not there might be an increase in the expenditure figure, particularly with respect to Vietnam. We were told that no specific estimates could then be given us.

There were those who freely predicted that there would be a supplemental submitted to this Congress of anywhere between $5 and $15 billion. But, Mr. Chairman, we cannot fix a ceiling on the debt, we cannot legislate tax revenue measures on the basis of predictions of such wide variation. We have to have more specifics than we were given.

Thus it was impossible for us in the last Congress, before the close of that Congress, to address ourselves to the need for an increase in the public debt which has now developed.

NEED FOR ACTION NOW

Mr. Chairman, on this occasion the Secretary of the Treasury asked for an increase in the debt ceiling of $7 billion. The committee has reported to you legislation which increases the temporary ceiling by an additional $6 billion.

Mr. Chairman, let us see how this works in relation to the supplemental that we know will be before the Congress shortly.

In the period from the first of March through about the 15th of April, if the Secretary of the Treasury is to pay the bills that will be due, all of them, he will have to either have additional cash through taxes—and it is out of the question to act on new taxes that quickly—or he will have to have authority to issue additional bonds, debentures, or notes on the Federal Treasury. There is no way around it. He will have utilized by that time the $330 billion that he is now authorized to issue, and he will not have enough borrowing authority and cash on hand to pay for 100 percent of the obligations that will be placed before him.

FAILURE TO ACT WILL DEFER PAYMENTS OF OBLIGATIONS

Mr. Chairman, these are not new debts; these are not new obligations we are talking about; these are obligations already incurred. On the first day of March, the Secretary of the Treasury will not be able to meet all of the requests made to him for payment under the present limit.

Mr. Chairman, let us not panic, let us not think this is the end of the story—it is not.

Within this $330 billion ceiling now in existence the Secretary of the Treasury between now and the end of this fiscal year will be able to sometime or other during that period pay every bill that will be presented to him. This is true because at the end of the fiscal year, June 30, 1967, there will be—if he has about $4 billion of cash on hand—about $323.5 billion of debt outstanding. That is well within the $330 billion ceiling.

So what is all this talk about increasing the debt ceiling by $6 billion? What is all this talk about? If this increase in the ceiling should be defeated, what will we do? Those of us who favor the increase are merely saying that we do not want a situation to exist—for the first time in the history of the Government of the United States—wherein the Secretary of the Treasury cannot pay his bills as they come due. We would much prefer not to put him in a bind and not to put the country itself in a most unfavorable light in the eyes of the American people as well as in the eyes of the central banks of the foreign countries.

It does not mean that there will be 1 cent less spent than will otherwise be spent. It is just a question of time when it will be spent.

Now how, Mr. Chairman, can we as practical men and women in the House of Representatives justify any argument or any conclusion that results in a delay in the payment of bills that are going to otherwise be paid. Actually, I do not see that this question of $6 billion is a whole lot to argue about. There is not anybody in this body, in my opinion, who does not want the Government to pay its contractual obligations.

THE FISCAL YEAR 1968

Your committee's bill deals only with the remaining portion of fiscal year 1967. We are not asking at this time for a temporary limitation covering the fiscal year 1968, even though the debt ceiling will fall to the permanent level of $285 billion on July 1 of this year unless such action is taken. There are too many factors as yet undetermined with regard to fiscal 1968. Congress probably could not set an effective limitation for the coming fiscal year at this time. We will be back to consider this problem later this spring.

As you know, the President has asked the Congress to approve additional taxes in the form of a 6-percent surcharge to be added to individual and corporate income taxes effective July 1. Your committee has not considered this proposal and, of course, has reached no decision concerning it. The proposal will be considered, according to the present plan, later this spring when we will have some idea of the extent to which Congress has trimmed, or increased, the President's requests for appropriations. Also at that time we will have a better idea of existing economic conditions and of the likely future course of the economy. In a few months, we may be able to determine whether the economy is now in a temporary lull between periods of inflationary expansion or whether present conditions signal a lasting diminution in inflationary pressures.

I want to emphasize that before we can set a meaningful debt limitation for the fiscal year 1968 we need to have a better idea of the extent, if any, to which Congress will cut the administration's requests for new obligational authority. Personally, I hope that sizable reductions can be made in these requests for further spending. The job will not be an easy one, however. I know how difficult it has been for Congress to make substantial reductions in administration requests in the past. Indeed, it has been difficult to avoid increases in those requests.

A VOTE FOR THIS BILL IS NOT A VOTE FOR MORE SPENDING

It is important to recognize that increasing the debt limitation as provided by this bill is not a vote for more spending. The increased limitation is only for the 4 or 5 month period until the end of the fiscal year. The expenditure patterns for this period have already been determined, largely on the basis of authorizations and appropriations previously voted by Congress. In all candor and honesty, a vote for this bill is a vote simply to pay the bills for obligations previously authorized and for which payments is now due. You and I know that voting against the necessary debt limitation under such circumstances is not a fiscally responsible act. I further believe that the electorate knows this too.

IF THE LIMITATION IS NOT RAISED

Frankly, I do not know what would happen if we refuse to raise the debt limitation as proposed by this bill. That is, I know that the Government would be unable to make certain payments for a period of time, but I do not know what effect this would have on the people of the country and on the reputation of the Federal Government. I can only say that if the Congress rejects this bill, I will certainly be thankful that I do not have the job of the Secretary of the Treasury. He would be faced with the task of choosing from among the bills or payments due those which would be paid and those which would be deferred. Very often the decision could not be based on any rational set of priorities, but only on the size of the resources at hand relative to the bills outstanding.

When the Secretary of the Treasury appeared before your committee, he pointed out some of the areas which might be affected if the debt limit is not increased. He pointed out, for example, that it might be necessary to delay income tax refunds, the payment of Federal salaries, the payment of public assistance benefits, and the payment of bills rendered by contractors who have delivered goods or provided services to the Government. It might even be necessary to delay payments under such important programs as the veterans' benefit program and the military and civilian retirement programs. While these payments would be delayed rather than canceled, the delays in many cases would cause personal hardship and would certainly impair this Government's position in the eyes of its citizens and in the eyes of the world.

NEED FOR THE $6 BILLION INCREASE IN THE CEILING

I do not think there is any question about the need for the additional $6 billion under the limitation. I am pleased that my Republican colleagues on the committee recognize that we have adopted a level here that does represent a restraining influence in the overall and yet gives to the Secretary of the Treasury the degree of flexibility which is required in the management of the public debt.

Now what is at issue is not the $6 billion. It is my understanding that the motion to recommit—and if I am wrong I will yield on this—that the motion to recommit is generally the provision that my friend, the gentleman from Wisconsin, suggested in the Committee on Ways and Means.

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield to the gentleman.

Mr. BYRNES of Wisconsin. Has not the gentleman been furnished with a copy of it? If not, I apologize.

Mr. MILLS. I was furnished with a copy but I do not have it here with me.

Mr. BYRNES of Wisconsin. I do not want the impression to be left either by the gentleman or by anything that I said that we are trying to keep in the dark at all anything about the exact language of it.

Mr. MILLS. Well, I did not intend to leave any such impression. I just did not have it up here with me.

Now I have it—and I would want the gentleman's concurrence if I am right—this is generally the same, as I read it as what the gentleman from Wisconsin suggested in the way of a bill that we should report from the Committee on Ways and Means.

Mr. BYRNES of Wisconsin. Let me be frank and say that there is one change—well, I should say there are two changes—one a change in the amount of the ceiling that is established, by reason of the change that the gentleman proposed; namely, a billion dollars less borrowing authority than the Treasury asked for.

Mr. MILLS. Yes, I see that.

Mr. BYRNES of Wisconsin. That revision was made.

And, No. 2, in an effort to try to placate the administration in its attitude toward the accounting with respect to participation certificates, in the committee I agreed and we did propose a caveat with respect to how the participation certificates should be treated with respect to other accounting and we had special language that this action would not be a directive to the bureau of the budget as to how they presented the budget.

Since, however, the administration and since, however, the majority of the committee were not to be placated, I removed that because it served no useful purpose. Other than that, it is identical.

Mr. MILLS. In other words, the gentleman's motion to recommit would provide for a temporary increase in the debt ceiling for the remainder of this fiscal year of $339 billion, whereas the bill before us provides for $336 billion, so as to make it possible for the administration within a debt ceiling to issue from now on $3 billion of additional FNMA, participation certificates. Have I stated it correctly?

Mr. BYRNES of Wisconsin. Yes. I think it would be well, so that we do not get into meaningless debate as to where the "39" comes from or what is involved, you and I might as well have a full understanding of it now as to just what is involved here.

The administration proposes to borrow $6 billion. They have proposed $7 billion; the committee changed it to $6 billion—$6 billion of general obligations between now and June 30.

They have also advised us that they propose to borrow through the participation certificate device $2 billion. They have already borrowed this month, in January, $1 billion in participation certificates. These are brought under the debt ceiling in order to give them the same amount of borrowing authority—no more or no less than the committee bill does. The figure you end up with is $339 billion.

Mr. MILLS. What I was getting to—and I appreciate my friend's explanation—was this: As I read the motion to recommit, it recognizes the contention made by the majority members of the Committee on Ways and Means that the debt ceiling itself should be raised for purposes of the issuance of bonds by $6 billion, because the gentleman has taken that figure and added to it the $3 billion to make room for that many PC's to be issued. Am I correct?

Mr. BYRNES of Wisconsin. The gentleman is correct.

Mr. MILLS. Then we lay to rest, I assume, the question of whether or not a bill of some type should pass the Congress of the United States in order to accommodate the situation that will arise at the end of the month of February.

I assume, then, there is unanimity of thinking, at least within the Committee on Ways and Means, after hearing the testimony in public and in executive session, that this action has got to be taken.

THE RECOMMITTAL MOTION

Now, let us look to the recommittal motion. As I understand it the minority's motion to recommit this bill will deal with two different subjects. The first is an amendment to include under the debt limitation the amount of the participation certificates issued by the Federal National Mortgage Association since the beginning of this fiscal year. The second amendment would breach the 4¼-percent ceiling Congress has placed on the interest rate at which Federal securities can be issued.

I will discuss these amendments in turn.

INCLUSION OF PARTICIPATION CERTIFICATES UNDER THE DEBT LIMIT

Under the minority's first amendment, both the permanent and temporary debt ceilings would be expanded to include participation certificates issued by FNMA since June 30, 1966. In January, $1.1 billion of these certificates were issued. The Director of the Bureau of the Budget has indicated that the administration intends to issue an additional $1.78 billion of these certificates before the end of the fiscal year. To accommodate the proposal, it would be necessary to push the debt limit even higher. The limitation requested by the committee would have to be increased by at least $3 billion, or to $339 billion.

The minority contends that it is appropriate to include the participation certificates under the debt limitation because of a recent ruling by the Attorney General and because the trust funds have recently purchased the certificates. The ruling was issued in connection with the release of the prospectus for the January participation sales. The minority has observed that the language of the Second Liberty Bond Act refers to obligations guaranteed as to principal and interest by the U.S. Government. They have also observed that the Attorney General's ruling describes the participation certificates in the same way.

The Attorney General's ruling, however, applies only to the prospectus issued for the information of investors. It does not control the designation of the statutory debt. Congress designates the guaranteed debt coming under the limit by providing specifically by statute that certain obligations be guaranteed as to principal and interest by the United States. That is why obligations of the District of Columbia Armory Board and debentures of the Federal Housing Administration are under the debt limit. Congress explicitly stated that these obligations were to be guaranteed by the United States and therefore they come under the debt limit. Congress did not put the FNMA participation certificates under the debt limit because they are not guaranteed by statute. And I say that if Congress did not place these obligations under the limitation, then the Attorney General cannot by ruling put them there.

The minority also thinks it is significant that the trust funds purchased $500 million of the January participation certificates. These funds, according to the language in the social security law, can only invest in obligations guaranteed as to principal and interest by the U.S. Government. The minority apparently believes that the trust funds invested in the certificates on the basis of the Attorney General's ruling.

Again, however, what the trust funds invest in is controlled not by an executive department ruling but by the statutes passed by Congress. Over a period of years, the trust funds have invested in various obligations which were not obligations of the U.S. Government and which no statute states are obligations guaranteed by the U.S. Government. For example, the trust funds have purchased farm loan bonds issued by the Federal land banks, obligations of the Federal home loan banks, debentures of the Federal intermediate credit banks, and debentures of the banks for cooperatives.

Why did the trust funds invest in these securities? Because the statutes which authorize the issuance of the securities also authorize the trust funds to purchase them. And why have not the trust funds purchased participations issued by the Export-Import Bank, which the Attorney General's ruling says are guaranteed by the United States? Because the statute authorizing the issuance of these participations does not say that the trust fund can invest in them. Therefore, the legal effect of this statutory permission to invest in the trust funds was an implied amendment to the social security laws, permitting this trust fund to invest in the FNMA participation certificates as well as in the other obligations where there was a statutory provision to that effect.

Up to this point, I have been discussing only the issue as to whether the FNMA participation certificates from a legal point of view should be included in the debt subject to limitation. I believe this issue is quite clear: Given existing law, these participation certificates from a legal point of view do not belong in the debt subject to limitation.

Now, let us look at the substantive issue as to whether it would be appropriate to change existing law to include these participation certificates in the public debt limit. Certainly they have much in common with the District of Columbia Armory bonds and the FHA debentures which are classified as debt-guaranteed as to principal and interest by the United States by statute and are, therefore, included in the debt subject to the limitation. In my estimation, this is the best argument that the minority have in their motion.

However, I do not believe in piecemeal legislation, and I have great difficulty in seeing why a guarantee of the type involved in these participation certificates should be included in the debt subject to limitation and other forms of guaranteed obligations not so included. The special analyses accompanying the budget make it clear that all loans guaranteed by the Federal Government are expected to amount to some $106 billion in the fiscal year 1967, and to $115 billion in the fiscal year 1968. I cannot in all logic see why participation certificates should be picked out for inclusion while these other forms of guarantees should not be so included. This is not a move which can be justified upon analysis of the issue.

As a matter of fact, the actual obligations of the Federal Government would be very substantially exaggerated if the debt limitation were increased by this $106 or $115 billion and this amount were added to the $336 billion we are now asking for. The reason why this would represent a gross exaggeration is the fact that the Federal Government's obligation in reality is only the difference between the total value of the loans and the portion which ultimately is defaulted upon by private borrowers to private lenders. The Treasury's general tax revenues will be tapped only for this difference since the Federal Government's liability in this case is only a contingent liability. As a matter of fact, contingent liabilities are not shown by corporations as liabilities on their balance sheets although good accounting practice usually requires some notation as to the existence of a contingent liability.

An alternative suggestion which I would like to see explored is to provide a separate limitation upon guaranteed loans since the Government's liability in this case is much more limited than in the case of direct obligations. An estimate of its actual liability in this case, as a matter of fact, can only be based upon past experience as to defaults by private borrowers. Past experience indicates that the Government's liability in this case in practice has been quite limited—only a very small fractional percent of the guaranteed amount. Therefore, it does not seem logical to me to mix these guaranteed amounts in with direct debt obligations.

I recognize that to a limited degree we already have guaranteed obligations under the statutory debt limit—about $500 million worth. It would seem more desirable to re-examine their status as a part of the present debt limitation and see whether they, like the other guaranteed debt amounts, should not logically be separated from the regular debt limitation and included, instead, under a guaranteed debt limitation.

The appropriateness of a separate limitation on guaranteed amounts is a matter which, to the best of my knowledge, has not been explored sufficiently to resolve the issue at the present time. I would like to see an analysis of these guarantees together with an estimate of the probable estimated liability involved before I can in my own mind resolve the appropriateness of a separate limitation. I would hope that the Bureau of the Budget would proceed with such an analysis. I hope the executive department will also examine the implications of the treatment of these participation certificates and other guarantees for budgetary purposes as well as for statutory debt purposes. I understand the President will have a Commission to review budgetary concepts and I hope that this is a matter the Commission will consider before we resolve the question of changing the statutory debt limitation.

What does this do? If we are not careful, if the participation certificates are not used—and they may not be used if the economic conditions which now appear to require the sale of these participation certificates should change—there is nothing to prevent the Secretary of the Treasury from utilizing this additional authority to issue $3 billion of direct Government obligations. My friend from Wisconsin will agree with me on that.

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield to me briefly?

The CHAIRMAN. The time of the gentleman has expired.

Mr. MILLS. Mr. Chairman, I yield myself 5 additional minutes and I yield to my friend from Wisconsin.

Mr. BYRNES of Wisconsin. He is not going to be able to borrow any additional. He will be able to borrow what he had intended to borrow, but instead of issuing participation certificates at the highest interest rates that any obligation carries, he can issue general obligations of the United States.

Mr. MILLS. My friend gets into another subject matter. I am talking about the possible effect of this $3 billion increase, which he puts in here with the specific thought in his mind that it would be utilized to take care of and accommodate within the debt ceiling these PC's; but if the PC's are not sold—that is my point—then the Secretary of the Treasury has authority for $3 billion more money under debt limit under the motion to recommit than he does under the committee bill.

Mr. BYRNES of Wisconsin. Oh, no.

Mr. MILLS. Then he could use it in the issuance of direct obligations of the Federal Government.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. MILLS. Yes, I will yield to the gentleman from Missouri; but I am correct.

Mr. CURTIS. No; I am afraid the gentleman is not correct.

Mr. MILLS. I am as correct as I can be.

Mr. CURTIS. Here is why the gentleman is not correct.

Mr. MILLS. It is because the motion did not put this $3 billion in a separate category. He put it in the same total as the regular debt.

Mr. CURTIS. No; just a minute. We are giving him $336 billion.

Mr. MILLS. But you are providing $3 billion more than that.

Mr. CURTIS. On the assumption he is going to be able to get money from selling these $3 billion additional, he would like to finance it as expenditure.

Mr. MILLS. I am not talking about what we are doing.

Mr. CURTIS. This contemplates the Treasury selling participation certificates to get the dollars.

Mr. MILLS. I am not talking about what we are doing, because it is clear under our bill that if these participation certificates are issued they would not be now included under the public debt. That is clear.

I am pointing out to my friend from Missouri—who I think has done this great service in the Ways and Means Committee of stimulating me and others to want to keep a tight rein on what the Secretary of the Treasury can do—I am merely pointing out to my friend that if he does not want to use this additional $3 billion for participation certificates, he could use it for issuance of any direct debt obligations. There are no strings attached.

Mr. CURTIS. He could use cheaper borrowing.

Mr. MILLS. If the gentleman wants to eliminate this degree of control that we have exercised or even run the possibility—which I do not think he does want——

Mr. CURTIS. No.

Mr. MILLS. What I am getting to is this, and then I will yield to my friend. This is not the way for us to reach conclusions as to what we ought to do with respect to participation certificates.

I said in the Rules Committee—the gentleman from Missouri was there and heard me say it, I believe, though I may have said it just before he came in—to the chairman of the Rules Committee and to the other members of the Rules Committee, that I am concerned about finding some solution to this entire problem of the issuance of these contingent liabilities without any relationship of this action to the debt limit.

I want to be able to reach a judgment, however, as to how to handle them in the proper way, and to reach a conclusion which I believe is sound.

I cannot tell my friend from Missouri that he and my friend from Wisconsin have come up with the proper pattern.

What concerns me is this: Why? What is the reason for picking out participation certificates and letting the rest of the $106 billion in contingent liabilities in fiscal 1967 go?

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman return to the other problem for a moment?

Mr. MILLS. I know my friends have a reason for doing it. I know that, but I cannot see that they have a good, valid, logical reason for it. I do not believe they have.

I hope my friends will join me in this suggestion I have made that we go on and pass this lower debt ceiling increase, the $336 billion, and in that way we can take care of the Secretary's immediate problems arising in March and April.

Then, in connection with the necessary action involving the fiscal year 1968, let us sit down together, as we have always done within the committee, and let us reach sound conclusions as to what we should do with respect to the participation certificates, at least.

Mr. BYRNES of Wisconsin. Let me ask the gentleman one question.

Mr. MILLS. Very well.

Mr. BYRNES of Wisconsin. If the Secretary of the Treasury or the Government does not sell $2 billion of participation certificates, as they anticipate selling, can they get by between now and June with a debt ceiling of $336 billion? If they can, this would give them $2 billion today more than they should have. I am merely following the gentleman's advice.

Mr. MILLS. That depends on conditions which develop. We cannot be sure all of the participation certificates will be needed.

Mr. BYRNES of Wisconsin. Please answer that question. Can they get by on $336 billion if they do not sell any participation certificates?

Mr. MILLS. My friend has always allowed me to answer his questions in my own way.

The CHAIRMAN. The time of the gentleman from Arkansas has again expired.

Mr. MILLS. Mr. Chairman, I yield myself 2 additional minutes.

Certainly, if it turns out that they do not need to issue all of the participation certificates now planned, then they could issue more notes, debentures, or other direct obligations of the Treasury under your motion.

Mr. BYRNES of Wisconsin. The gentleman did not answer my question.

Mr. MILLS. I believe I have demonstrated that your motion gives more leeway to the administration than the $336 billion ceiling we are proposing because under your proposal if the additional $3 billion is not needed for PC's it could be used for direct debt. Under the bill as reported by the committee it could not.

Now let me return to my comments on the second part of the recommittal motion.

AN EXCEPTION TO THE 4¼ PERCENT INTEREST-RATE LIMIT

The second amendment in the minority's recommittal motion would permit the Treasury to issue long-term securities paying a higher rate of interest than the 4¼ percent which is now the limit. While the exception would not apply to all Federal obligations, it would apply to a significant amount of them—perhaps $5 or $10 billion.

I know there will be much debate in this House over whether the 4¼-percent limit is an effective control. I will let my colleagues debate that question. I just want to point out three things about this amendment.

First, this amendment would be passed at a time when the administration is earnestly seeking to bring interest rates down. I am sure we all agree this is necessary. Interest rates last year rose to the highest level in 40 years.

What will be the psychological reaction in the banking community and in the general public if at this crucial time we approve an amendment which will permit the Government to pay higher interest rates? The whole effort to bring interest rates down might be set back. The move might be viewed as an attempt to raise interest rates. In short, this in any event is the wrong time for such an amendment.

Second, this amendment could result in the Government paying higher interest rates on the average than it pays now. The minority apparently expects that the administration would either issue general obligations at higher interest rates or issue participation certificates. But I point out that there is nothing in this proposal which would prevent the Federal Government from issuing both participation certificates and general obligations at the higher interest rates. If this situation developed, the average interest rate on Government obligations would be increased and the already large burden of the interest on the public debt would be increased.

Third, I believe this is not the time for the Treasury to take steps to lengthen the average maturity of the outstanding debt. I know members of the minority feel the present debt structure is too heavily concentrated in short-term issues. Frankly, I think that in a time of temporarily high interest rates, it is entirely appropriate for the Treasury to refrain from issuing the usual amount of long-term obligations. Such a policy would commit the Treasury to paying unusually high interest rates for many years to come, long after the general level of interest rates had subsided to a more reasonable level. By confining refinancing to short-term issues as much as possible in periods of high interest rates, the Treasury, it seems to me, makes sure that over the long run it pays as little interest as possible. I don't think that we have to make sure the Federal Government will be competitive in the market for long-term loans by passing this motion. With interest rates possibly headed down, I think it would be better to make the Federal Government wait a bit before issuing a larger volume of long-term obligations.

CONCLUSION

In conclusion, Mr. Chairman, the minority's recommittal motion should be rejected. The argument that the FNMA participation certificates should be included under the statutory debt limitation because of a recent ruling by the Attorney General is irrelevant. Furthermore, it would confuse the public as to the true size of the debt. While there is a problem as to the treatment of guaranteed amounts, this issue requires further analysis. Finally, it seems to me that this is the wrong time to relax the 4¼-percent interest rate ceiling on any amount of direct Government obligations.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I am glad to yield to the gentleman.

Mr. GERALD R. FORD. Earlier in the presentation the gentleman indicated approximately $106 billion of what he labeled as contingent obligations.

Mr. MILLS. That is right, according to the budget.

Mr. GERALD R. FORD. Those are obligations which, because of form and substance, were not included in the debt limitation.

Mr. MILLS. Most of them are not included primarily because they are only contingent liabilities, the great bulk of which will be paid for by private parties and not out of tax dollars.

Mr. GERALD R. FORD. Let me ask the gentleman a question. He is talking about $3 billion in participation certificates. A year ago, when this legislation was enacted, over our strong objection, it was alleged that these were not full faith and credit obligations of the Federal Government.

Mr. MILLS. That is right. The statute makes no reference to their being obligations of the United States.

Mr. GERALD R. FORD. And therefore could not be sold to the trust funds. They were not like the full faith and credit obligations. I understand subsequently that the Attorney General has issued a ruling which now, as far as the Treasury is concerned, has given them the same standing as full faith and credit obligations.

As a result, they can sell them to the trust fund. Now let me ask you this question.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. MILLS. Mr. Chairman, I yield myself 2 additional minutes.

Mr. GERALD R. FORD. Out of the $106 billion in contingencies, $3 billion participation certificates now have a different standing. How much of the other $103 billion have the same standing?

Mr. MILLS. Certainly the participation certificates of the Export-Import Bank do. Many others may also, but I have not studied them all. That is one problem in trying to handle this here. We just have not studied the subject.

Mr. GERALD R. FORD. Can they be sold to the trust fund?

Mr. MILLS. No, the participation certificates of the Export-Import Bank cannot, because within the statute authorizing their issuance there is no reference to the fact that they may be held by trust funds. I went into all of this in committee because I had just as many questions about it as my friend from Wisconsin did. There is specific authority within the legislation dealing with the FNMA obligations for them to be held by trust funds. This is true of all of them invested in the trust funds. There is no such legislative permission within the act establishing the Export-Import Bank, but the Attorney General has held—if you want to do these things by what men say and not what the law says—the Attorney General has said that they, too, are guaranteed as to principal and interest by the U.S. Government, but this does not mean the trust funds can hold them. So I say let us take our time and not be stampeded here.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. MILLS. I yield myself 1 additional minute.

Just because somebody has come up here with something that he thinks treats these participation certificates in the right way does not mean it is a good overall solution. Let us look at the whole problem and then, if a change is needed, we will provide it after proper study. Frankly, I think there is a need for some degree of control and limitation with respect to the contingent liabilities just as there is at present control and limitation with respect to the direct obligations of this Government.

Mr. GERALD R. FORD. All we are trying to do, if I might interrupt my friend for just a moment, is to put participation certificates which are now ruled on by the Attorney General to put the full faith and credit obligations under the same limitations as all others. It seems to me that we ought to take one step at a time, because this is the only way to make the kind of progress that is necessary.

Mr. MILLS. Why do you not include the Export-Import Bank, then, because the Attorney General has issued the same kind of a ruling with respect to its participations? Why do we not do that for them?

Mr. GERALD R. FORD. I do not understand that. There is some question as to whether the ruling is equally applicable.

Mr. MILLS. Oh, no. The rulings were for one purpose and one purpose only.

The CHAIRMAN. The time of the gentleman from Arkansas has again expired.

Mr. MILLS. I yield myself 1 additional minute.

The Attorney General's rulings were not issued to make it possible to put participation certificates in the trust funds. Participation certificates were being put in the social security trust fund in August 1966 before this opinion came down on September 30, 1966. Also, some participations of the Federal Land Bank were purchased by the Veterans Administration Government Life Insurance fund as far back as 1964. There was not any Attorney General's ruling on this until September 30, 1966.

I think I know why the rulings came down. The Attorney General was asked this question, because the administration wanted a greater salability for the participation certificates. I believe my friend will have to agree that that is the primary question, because they had already put them into the social security fund, and therefore, they did not need them for that purpose. They needed a better standing for the paper itself.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman yield?

Mr. MILLS. Of course, I yield to the gentleman from Michigan.

Mr. GERALD R. FORD. The basic decision to pass the legislation was wrong, and the administration, in my judgment, deceived the Congress when it did not tell us that these borrowings would be of such a nature that they could sell them to the trust fund.

Mr. MILLS. I did not know myself initially, why the Attorney General's opinions were issued, and I was surprised when I found out. We still have to get straightened out the treatment of contingent liabilities as they relate to the debt.

Mr. GERALD R. FORD. Mr. Chairman, if the gentleman will yield further, that is what I want to get straightened out here.

Mr. MILLS. I, too, want to get it straightened out. But I know that my friend, the distinguished gentleman from Michigan [Mr. GERALD R. FORD], knows when we receive a proposal in the Committee on Ways and Means that we investigate the alternatives pertinent to the legislation under consideration. All of them receive consideration. That is all I am asking the gentleman from Michigan to do in this case.

Mr. BATTIN. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I am happy to yield to my good friend, the gentleman from Montana.

Mr. BATTIN. The only thing I feel is of great concern is with reference to the participation certificates and that is that we all agree, I believe, that the social security trust fund could not buy VA mortgages and FHA mortgages, but we came to this point where we knew you could continue to buy them.

Does that situation fit into this?

Mr. MILLS. No, I believe what the gentleman points out is what has been mistakenly considered to be true in the past. Under the social security laws as such, over which the Committee on Ways and Means has jurisdiction—the trustee cannot put those funds into anything except direct U.S. obligations and obligations guaranteed by the United States both as to principal and interest. However, through other actions, for instance in the authorization of the FNMA participations, it was provided later that these could be used as investments for the trust funds.

I had the Secretary of the Treasury come to the committee and make a presentation of these programs, and during the course of these hearings by the committee we found that some of these actions providing for investments by the trust funds in these contingent liabilities came from actions of other committees of the House of Representatives after we wrote the provision relating to investment of the trust fund.

Mr. BATTIN. Mr. Chairman, if the gentleman will yield further, how does the gentleman from Arkansas, the chairman of the Committee on Ways and Means, and we as a Committee of this House of Representatives, sitting as the Committee of the Whole House on the State of the Union, how do we find in passing legislation which has not only not gone to the Committee on Ways and Means and not been considered by the committee, find ourselves legislating in this fashion?

Mr. MILLS. I believe the gentleman's questions can much better be answered after we study the problem of how to treat contingent liabilities—we do not solve this on the basis of a motion to recommit which deals with only a piece of this problem and that probably not correctly.

Mr. CURTIS. Because, he would not let us do it otherwise.

Mr. MILLS. No; because we did not have time for a real investigation of the whole problem.

The **CHAIRMAN.** The time of the gentleman from Arkansas has again expired.

Mr. MILLS. Mr. Chairman, I yield myself 2 additional minutes.

We should today be dealing only with the size of the debt ceiling needed for what we in the past have considered the statutory debt. On this question of the contingencies we need more time for consideration. That is what I am attempting to say to my good friend. I am asking him to look at it and see if we cannot consider this problem over some period of time. We should not act too hastily with reference to a matter that is very complicated. I think we should give the Committee on Ways and Means an opportunity to further study the problem and to allow the people to tell us whether or not our judgment on these contingencies is good or bad.

And I would suggest, Mr. Chairman, in view of the extreme urgency and the importance of raising the temporary limit that we dispose of the limit today, if at all possible, in order that it may be expeditiously considered by the Senate. And let us not be misled here by the second part of this motion to recommit. Let us not do that, my friends. Let us not say it is all right for $6 billion of long-term securities to be issued without regard to interest or limitation. I thought we had gotten to the point in our thinking, and especially in the 90th Congress, that we were not going to give unlimited and unqualified authority downtown in view of the fact that some of our problems have been that we were doing that too much. But if the Secretary issues $6 billion of securities at 6, 7, or 8 percent interest, I do not think we would be very pleased. Of course, not all of us expect him to do that, even under the authority the recommittal motion provides, but that is the kind of thing that I would hope the 90th Congress would not do.

Mr. Chairman, I would urge that the motion to recommit be defeated, and the legislation itself be passed.

The **CHAIRMAN.** The chair recognizes the gentleman from Wisconsin.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, I think there has been an advantage in the colloquy that developed in connection with the statement of the chairman. This may obviate a lot of extraneous discussions during this debate, so that we can concentrate on the main issue.

There can be no question in my judgment—and I think in the judgment of anyone who looks at the situation which this Government faces in the next four and a half months—that the Treasury must borrow more money than the present $330 billion ceiling would permit them to borrow.

When the bills that are coming due are compared with the cash that is coming in, it is clear that there will not provide sufficient funds to meet those bills.

If we take at its face value the projections that the Secretary of the Treasury has furnished us, the Treasury will be short by some $8 billion to meet the expenditures between now and June 30th. That can only be financed by additional borrowing.

The Treasury tells us that they propose to borrow $6 billion through the traditional borrowing method—issuing of Treasury certificates—which are general obligations of the United States.

Through the normal front-door approach the Treasury intends to go to the bank—to the money market and borrow $6 billion. Then the Treasury plans to go through the "backdoor" of the bank, outside of the debt ceiling that is established by law, and without regard to interest limitation that can be paid on long-term obligations and borrow $2 billion more for a total of $8 billion.

No matter how you add it up, the Secretary of the Treasury came to us and said that he had to have $9 billion. But we recalculated and said—"No, $8 billion will probably take you through all right." So no matter how you place it, there is going to be a borrowing of $8 billion.

The present debt ceiling is $330 billion. The bill by the committee provides an additional borrowing authority of $6 billion, bringing the debt ceiling to $336 billion. But the committee does not do anything about the authority the Treasury might have to borrow through the so-called participation certificates. There is no ceiling on that borrowing. We have a law authorizing the participation certificate sales—and that has some limitation in that Congress controls the amount through the appropriation process. But it is not under what we look to as the debt ceiling and how much general obligations we can have outstanding.

Now let me get back to this $8 billion of borrowing. Why are we in this fiscal mess? That is certainly germane to this discussion. At least at this stage I am going to forgo a discussion of how we got here, because the question now is—what is the best thing to do about it—no matter how we got here. I think there is plenty of reason for indicting the administration for bringing us here. But the big question is how do we cope with the national debt? What is the debt? How meaningful is the ceiling that we set here today? What do we do about keeping the interest costs on this debt at the lowest possible level. Interest on the debt is the biggest item in our budget today other than national defense. We are paying more in interest to carry the debt this year and next year than for any other function of the whole Federal Government except national defense.

I do accept the argument that because we are in an emergency right now, the Congress has got to take this bill as it comes from the Committee on Ways and Means without any amendments and without dotting an "i" or crossing a "t" simply because we are close to the date when the Treasury will have to borrow above the $330 billion limit that exists today.

It is agreed—the Chairman has agreed, I have agreed, and I think everybody can agree—that if we turn down the motion to recommit and, as a result, final passage of the bill is defeated, the Committee will have to meet again, and this Congress will have to meet again on this issue, and we will pass a bill. So we have the alternative, and we have the right, here today to work our will and not have threats hanging over our heads.

Mr. Chairman, the Republican members of the Ways and Means Committee take the position, and the House Republican Policy Committee takes the position, that there are two sections of the Second Liberty Bond Act that should be amended while we have this issue before the Congress. Let us be honest about setting the ceiling and let us do something about the restriction which during the last year or so has forced the Treasury to pay a higher interest rate on its borrowings than the market required. As a result, forced interest rates were also forced up for other borrowers to a rate higher than they otherwise would have to pay, due to the pressure exerted by these Government borrowings on the money market.

We think that those two issues should be faced up to by this Congress as we approach this issue today.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield at that point?

Mr. BYRNES of Wisconsin. I am going to go into each one of these aspects separately. I am going to discuss participation certificates first, and then I shall discuss the interest aspect. I wish you would hold any comment with respect to the interest aspect until I get to that point.

Participation certificates are now being marketed as Government obligations, guaranteed as to principal and interest, and even put into the Social Security Trust Fund to replace a general obligation of the Government. That kind of obligation, because it can be used to serve a dual purpose, should be under the debt limit. How pointless it is to say that we have a debt ceiling—and you pick a figure—and then have a situation where the Treasury can go out and issue a participation certificate to replace a general obligation bond that is under the debt ceiling. How silly can you be? The Secretary of the Treasury is trustee of the Social Security Trust Fund. He can say, "I have to borrow some money, but I don't want to borrow it under the debt ceiling because I am hitting that ceiling. I will give you a participation certificate. You give me this general obligation that I gave you before, and we will just swap." Then he can go out and he can sell that general obligation in the private market.

What a fraud that makes of the debt ceiling as a control over these general obligations that can be issued if that is the kind of hanky-panky we are going to permit to go on. This loophole has developed in the debt ceiling and it should be closed.

Let me show why the situation has changed even since last June. I call attention to the fact that on June 23, they issued a prospectus on $530 million of participation certificates. In that they state in no uncertain language—they even italicize it so it stands out—that participation certificates are not obligations of and are not guaranteed by the United States. That is what they said about the participation certificates issued in June of 1966.

But, as our minority report points out, they got into trouble in selling these, because the interest was so inordinately high. The other borrowers complained that these were just forcing interest rates up and up and up. They paid 5.7 percent interest on the participation certificates issued at that time. This created a pressure which raised the interest rate in the market, not only for Government securities but for the average man who had to borrow money.

To those who are concerned about high interest rates, I say that it was the participation certificates that precipitated the rise in interest rates, and the administration knew it. That is why the administration had to relax and call a moratorium for a while. Nobody disputes that. So the administration declared a moratorium and got a fancy attorneys' opinion which said that they could issue participation certificates that are just like a general obligation, which can be sold to the trust funds. The administration thus devised a means of getting around the debt ceiling and creating a readymade market in the trust funds.

Let me read what is in the prospectus—and if anyone is interested, I will be glad to get him a copy. Here is what they said in the prospectus issued in January 1967—last month.

It is not italicized this time, but it is put in a different size print, so that it stands out. They say: "FNMA's guarantee of a participation certificate brings into being a general obligation of the United States backed by its full faith and credit" and that "the holders of participations guaranteed by FNMA," that is the participation we are talking about, "hold valid general obligations of the United States." Is that the type of obligation we are talking about when we define the public debt? Take a look at section 21 of the Liberty Bond Act that we are amending today. See what it says.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield myself 5 additional minutes.

Section 21 provides that the face amount of the obligations issued under the authority of that act and of all other obligations guaranteed as to principal and interest by the United States, shall not exceed in the aggregate $285 billion outstanding at any one time. That is the permanent ceiling. We have substituted $330 billion as a temporary ceiling above that. We say the Government cannot issue obligations of this kind in excess of the ceiling, which is now temporarily at $330 billion to June 30.

I cannot for the life of me see, Mr. Chairman, the distinction between those obligations referred to in the debt ceiling and the kind of certificate the Government is now issuing. That is why all our talk about the debt ceiling is going to be a sham if we are going to give them an opportunity for an end run, or we are going to say no, gentlemen, we mean what we say. We are going to give the borrowing authority which is needed between now and June 30, but we are going to make sure all of these general obligations guaranteed as to principal and interest are under that authority.

If we do not do that, we will be condoning escape hatches and loopholes and plain gimmickry. So far as I am concerned, this will make the whole debate meaningless. I do not see why anybody should be asked to vote on final passage for meaningless legislation.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. I thank my distinguished friend for yielding. The gentleman says that to raise the debt ceiling without including the $3 billion of sales participation certificates would make a sham of the debt ceiling. Is it not a fact that prior to the enactment of the Sales Participation Act a number of Federal agencies, including Fannie Mae, could market sales participation certificates which were not included in the debt ceiling but only had to have the approval of the Appropriations Committee to do so?

Mr. BYRNES of Wisconsin. They were not marketed, at least in my understanding, under an Attorney General's opinion saying that they were general obligations of the United States guaranteed as to principal and interest. They were marketed as an obligation of the agency which was selling the particular certificate.

Here, however, we have an instrument which the Attorney General says is a general obligation of the United States guaranteed as to principal and interest. I do not believe the gentleman will find that any of the other obligations were in that category.

Mr. WAGGONNER. Technically speaking, what is the difference, when these agencies prior to the enactment of the Sales Participation Act had that authority with Appropriations Committee approval and used that authority in respect to, for example, the Export-Import Bank not being included in the debt limit then and not being included now and insisting on including only participation certificates now? Why?

Mr. BYRNES of Wisconsin. Because the Attorney General now says that the participation certificates are general obligations, and that is what the debt limit is intended to reflect. The administration proposes to borrow through this device $2 billion in the next 4½ months. The administration is talking about borrowing $6 billion in the next 18 months through this device so far as I am concerned, it is a real loophole.

The CHAIRMAN. The time of the gentleman from Wisconsin has again expired.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield myself 5 additional minutes.

Mr. WAGGONNER. Let me ask an additional question. Have we abandoned the argument that there is no need to increase the debt ceiling? That there is, in fact, a need to increase the debt ceiling, we now admit, but we are only arguing as to whether, included in that debt ceiling, there should be the obligations of participation certificates and how much?

Mr. BYRNES of Wisconsin. So far as the discussion today is concerned, I believe the gentleman correct. Today we are taking care of a situation for the remainder of this fiscal year, which is only four and a half months. We are talking about paying bills due in March, in April, and in May. We are not talking, as we normally do, about a situation which will develop during the course of a fiscal year, looking ahead some 6 or 7 or 8 or 9 months. We could take a different attitude at that time it seem to me, in recognition that the administration had the time to cut back on expenditure levels, so as not to avoid a contingency some months in the future. We are talking now in terms of bills coming due in March, April, and May. So far as my opinion is concerned, I do not believe there is much that can be done to change the amounts of those bills in the time remaining.

I think that the administration could take positive action to reduce the amount of bills that will be coming due in October, November, and December, but it seems to me there is leadtime required to change that. I am willing to say today that you do not have enough leadtime to change the expenditure picture, because it is done and we have to face the facts and the picture that we have.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to my friend from North Carolina.

Mr. JONAS. The gentleman from Wisconsin made a point earlier that I think would be surprising to many people when they read the RECORD.

Mr. BYRNES of Wisconsin. Maybe I had better correct it.

Mr. JONAS. I want to be sure I understand it. Did the gentleman from Wisconsin mean to tell the country as well as the committee today that last year when participation certificates were sold the prospectus clearly stated that they were not general obligations of the Treasury?

Mr. BYRNES of Wisconsin. That is correct. In June of 1966.

Mr. JONAS. And now on the ones that they sold last week or that they sold a few weeks ago they changed that 180 degrees and stated that they do constitute general obligations of the U.S. Government, meaning that the holders thereof have the full faith and credit of the U.S. Government behind them?

Mr. BYRNES of Wisconsin. They have. And, of course, they based their change on an Attorney General's opinion. But we have a different obligation as a result of the prospectus and as a result of the Attorney General's opinion than we had last year.

Mr. JONAS. Why, of course we have.

Mr. BYRNES of Wisconsin. Therefore, it is that which presents the real need as far as I am concerned for bringing this under the debt ceiling. It is because the participation certificates are being sold as general obligations, and to the trust funds, but are not acknowledged to be subject to the debt ceiling. I think the language of the debt ceiling should bring them under, but the administration says they do not have to. They can be one animal for one purpose and they can be another animal for another purpose. How can you tell what it is? For one purpose—that is the debt ceiling—it is not a guaranteed obligation, but it is for as far as the trust fund is concerned and telling the buyer what he is getting. We should make some rhyme and reason out of this thing and not have both ways.

Mr. ADAMS. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Washington.

Mr. ADAMS. As I understand it, these obligations are actually, in their original sense, third party obligations to the U.S. Government.

Mr. BYRNES of Wisconsin. All I am talking about is what the Attorney General says, and that is the way the Treasury is calling them. We can get into a discussion as to whether it is a sale or a loan or what it is, but that is another issue.

Mr. ADAMS. But the gentleman has referred to these continually as borrowings, and probably he is correct in so doing in that they are pooled and sold to the general public as certificates with a guarantee. But does that not have a very different original basis than direct obligation borrowings of the United States in that they are assets which are sold with a contingent liability behind them.

Mr. BYRNES of Wisconsin. There is no point in getting into that discussion. You are selling to the trust fund and the trust fund could not buy the assets in the pool. The trust fund could not invest in that type of obligation.

Mr. ADAMS. I well agree with the gentleman.

Mr. BYRNES of Wisconsin. The trust fund can only invest in a general obligation of the U.S. Government. Let us make them general obligations. That is the way the Treasury is treating them. Put them under the public debt limit, and then we know what our debt is.

Mr. ADAMS. As the chairman suggested, and you may be right, the whole problem of the sale of Federal assets with contingent liabilities of the Federal Government should be examined. I may well agree with you that the whole asset picture should be examined, but we do not have a Federal asset account at the present time. We only have a debt limit.

The CHAIRMAN. The time of the gentleman from Wisconsin has again expired.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield myself 5 additional minutes.

Mr. Chairman, I will agree that this will not resolve the whole problem of these contingent liabilities. One may ask whether we have a trust fund when the Secretary of the Treasury comes to us and says, "If you do not give us borrowing authority, we will not be able to do this or that." I believe we ought to at least take one strong step here that we know needs correction.

This is not going to do any harm. Our efforts to honestly describe what this debt situation is and what the facts are under the present debt ceiling will not prevent us from taking future actions to clean up this mess.

Mr. MILLS. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of Wisconsin. Yes, I yield to the chairman of the committee.

Mr. MILLS. My concern is this—and I agree with the gentleman from Wisconsin, that, of course, we could do something in this area—but we want to be certain what we do is correct. For example, we might want to set up a separate category here. The point is, this whole matter needs much more study.

Mr. BYRNES of Wisconsin. Mr. Chairman, let us do it when we come to it. But this one situation sticks out like a sore thumb, and we should proceed to cure it now.

Mr. MILLS. Mr. Chairman, if the gentleman will yield further, why do it today?

Mr. BYRNES of Wisconsin. I do not mind a little time to be taken in which to accomplish this purpose.

Mr. MILLS. Mr. Chairman, my friend and I do not like to go up the hill and down the hill again without some useful purpose being served.

Mr. BYRNES of Wisconsin. I admit that we will have to go into this general area, but this point stands out. The committee is going to be busy, and unless there are some changes made in the attitude of the Congress and the administration, we will be dealing with tax increases when the representatives of the administration should be coming in with solutions to some of these problems. However, Mr. Chairman, let me get into the interest matter and into the fiscal problems confronting the country.

Mr. Chairman, in the remainder of the fiscal year, and for fiscal year 1968, we are going to borrow, according to the statements of the Secretary of the Treasury, some $6 billion through the participation certificates method.

Now, Mr. Chairman, it is recognized by everyone that this represents a most expensive way of borrowing. It is going to cost at least one-quarter of 1 percent more to do so, and the additional cost can run as high as one-half of 1 percent a year.

Also, Mr. Chairman, we are going to have to borrow during the next year upon general obligations—obligations that are now coming due—money with which to pay off present holdings, or to refinance the financial obligations that are issued under the Liberty Bond Act.

Mr. Chairman, what is the situation in which we place the Secretary of the Treasury? Every Secretary of the Treasury with whom I have come into contact in recent years, including the present one, has admitted that he has not been able to administer the national debt within the interest ceiling that exists.

Now, Mr. Chairman, what can the Secretary do today in view of that ceiling? As you know, the present interest rate on long-term obligations guaranteed by Uncle Sam is 4¼ percent. However, the lenders say, no, we will not loan you any money at 4¼ percent. You have got to pay us more than that. So that is the situation.

Mr. Chairman, there are two ways of getting around it—either by issuing short-term debt—or to go out and sell participation certificates, without any limitation.

Then, it does not have to be the short term, it can be 3 years, 10 years, 15 years, 25 years, anything, but the interest cost will be more than 4¼ percent. I do not care how you look at it, the Treasury can pay any interest rate they want to, that the market requires.

So what are we doing? I say "we," and I mean the Congress of the United States. So long as we keep the law as it is today, we are saying to the Secretary of the Treasury we do not care, we think this 4.25 percent is good, it looks good politically, and by Jove we are going to keep that there. And even if that means you have to pay $25 to $50 million, or even more than necessary in interest charges on an annual basis, it is right to do it that way because we like this 4.25-percent figure in there, or we like you to sell participation certificates at a higher rate, or we want you to keep the debt in short terms and pay 5 or 6 percent, even though that has the effect of increasing the pressure on interest rates because those rates are higher than the long-term rates, they always are.

Even though it is going to cost more, and it is going to force interest rates up, and it means that other people have to pay higher interest, we are going to make sure that the only way you can borrow today is those two ways, participation certificates, or less than 5-year maturities. And there is no limitation on the interest you can pay, whether it is 5 percent, or 5.25 percent, or whatever you like.

Mr. Chairman, I am saying today that we have the obligation to our people to keep interest costs down; to give the Secretary of the Treasury the authority to manage the debt in the least costly way as far as interest is concerned; to give the Secretary of the Treasury the administrative leeway so that he does not have to go into the market and force up the interest rates of the average borrower.

Therefore, I say we ought to at least give the authority and the privilege today to the Secretary of the Treasury to borrow on a long-term basis at a level of interest in excess of 4.25 percent, and the time to do it is today.

Mr. BURKE of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman.

Mr. BURKE of Massachusetts. In other words, you want to remove the 4.25-percent ceiling and open the floodgates, give them a blank check to write the interest rates of this country, and do it automatically?

Mr. BYRNES of Wisconsin. Mr. Chairman, I believe if the gentleman understood this he would not be making that statement.

Mr. BURKE of Massachusetts. Mr. Chairman, I say to the gentleman that he would remove that 4.25-percent interest rate, but he would place no ceiling on it.

Now, give the Members of the House the facts.

Mr. BYRNES of Wisconsin. All right. The facts are just what I have told the House today. The Secretary of the Treasury can borrow without limit so far as the interest rate is concerned, and he is doing so, on short-term borrowings of under 5 years.

Mr. BURKE of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of Wisconsin. Please let me finish.

Mr. Chairman, I refuse to yield.

The CHAIRMAN. The gentleman refuses to yield.

Mr. BYRNES of Wisconsin. Second, he is borrowing today through participation certificates, and he has just borrowed $1.1 billion in January.

Did he pay 4.25 percent? Oh, no. There is no limitation on what he can pay under the law. He paid 5.20 percent.

And are the floodgates open? Well, Mr. Chairman, I do not think so. But, Mr. Chairman, here is what the Secretary is paying. He is paying 5.20 percent.

That is the interest rate on the recent participation certificates, some of them for 5 years, some of them for 10 years, and some of them for 15 years. Is that the floodgates?

Mr. Chairman, I am saying give the Secretary a little leeway, so that he does not have to borrow at the most expensive rate such as short-term borrowing, and such as participation certificates, which always carry a higher interest rate than long-term general obligations.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman.

Mr. GROSS. I wonder who opened the floodgates by voting for this Participation Certificates Act?

Mr. BYRNES of Wisconsin. I know you and I did not.

But I do not think that is the point today. The point is that today we have an opportunity to correct it to some degree. That is why, Mr. Chairman, I urge support of the motion to recommit which will be made that closes this loophole in the debt ceiling and makes possible a more reasonable administration of our public debt and lower interest charges to our people.

The CHAIRMAN. The time of the gentleman has expired.

The gentleman from Wisconsin has consumed 35 minutes.

Mr. MILLS. Mr. Chairman, I yield 15 minutes to the gentleman from Florida [Mr. HERLONG].

Mr. HERLONG. Mr. Chairman, I would like to start in with just a short statement as to why we should not at this time adopt the motion to recommit which would, in effect, make contingent liabilities a part of the national debt.

In this connection we have a history of the percentage of losses on these obligations. Remember these are not Government obligations—this is not money owed by the Federal Government. This is money owed to that department or agency of the Federal Government which has made a loan to someone. The department or agency guarantees payment in case of default by the obligor when a participation certificate has been sold to an investor. There are assets in back of these notes in order to make them good.

We do not lose 100 percent—and there is no good accounting or other reason for including in the national debt 100 percent of such contingent liabilities.

We might make some study in committee and find out just what percentage of these loans are defaulted on and include that percentage as a so-called reserve against losses on these contingent liabilities as banks have reserves against bad debts. We may do it that way and we would take care of the situation much more realistically than by including the whole contingent liability amount in the debt ceiling. Everyone knows that there would never be 100 percent default on these contingent liabilities.

Mr. MILLS. Mr. Chairman, will the gentleman yield?

Mr. HERLONG. I yield to the gentleman.

Mr. MILLS. I do not know whether it is remembered or not, but I am sure my friend, the gentleman from Florida, remembers that we used to have what we call certificates of interest where one agency of the Government would put its loan assets into a pool and then it would sell certificates of interest representing a part of the value of the assets in that particular pool. The only difference between these participation certificates we are talking about and a certificate of interest is that a number of agencies of the Government are putting their assets into a common pool and selling participation certificates which represents a pro rata interest in that common pool. This has been done in principle time and time again.

This we thought last year, and I was not on the committee that handled it, is from an administrative point of view a more efficient arrangement than having each agency form separate pools of their own loans.

This is no basic difference whatsoever from the old certificate of interest which was first issued in 1953. Nobody ever talked of putting them under the public debt because everybody recognized that it was merely a contingent liability with maybe 1 percent loss or one-half percent loss or one-tenth of 1 percent loss whatever it turned out to be.

We may well be amazed here if we should put them under the debt ceiling, it will be the same history of small actual losses.

Mr. HERLONG. I thank my chairman. At least we should not do it precipitously at this time without having an opportunity to study it and then see what we want to do.

Mr. Chairman, I want to address myself especially for a few moments to the new Members since they might well lose sight of the real issue involved here as it is becoming confused by this argument about participation certificates and certificates of interest and so forth.

I hope those of you who have not had a previous opportunity to engage in this debate or to vote on this question will take a few minutes and listen.

I want to call your attention to the fact that no real question has been raised regarding the necessity for an increase in the temporary debt limit through the end of this fiscal year.

The Secretary of the Treasury testified in our committee as to the urgency for congressional action. He and the committee have agreed on the amount of increase that was needed to enable the Federal Government to pay bills which will become due over the next several months.

Some of the minority have even expressed the opinion that possibly we have not raised the ceiling enough.

But first, stripping this issue of all the collateral and unrelated arguments that have been raised, we are left with only one question.

"Will this House of Representatives act in a responsible manner to maintain the fiscal integrity of the U.S. Government and to sustain the public credit?"

This is not a partisan question and we should not get a partisan answer. Personally I do not believe that there is one single Member of this House who would willfully do anything which would impair the credit of the United States or make it impossible for the Secretary of the Treasury to pay the Government's bills—bills, incidentally, which were not incurred by the Secretary of the Treasury but by the majority of the Members of this House of Representatives and the other body in the last Congress and in previous Congresses.

To put this whole question in terms that all of us can understand, let me say, first, that if I owe a bill and I do not pay it when it is due, I have hurt my credit rating. Is that not a fact? If I cannot pay it because I do not have the money, then if I want my credit to stay good, the only thing left for me to do is to get the money from somewhere. If I cannot earn it—and the only way that the Federal Government can earn additional money is to take it in increased taxes, and there is certainly not enough time for us to do that before these bills must be paid—but if I do not earn the money, the only thing left for me to do then is to borrow the money. But if the bank says that I have already reached the limit of my line of credit, then I can go out and borrow it from a so-called loan shark at a higher interest rate. I can do that, or I can arrange for a higher line of credit at my bank.

It is just that simple. We tried this "loan shark method" with these participation certificates. This is a gimmick that we learned in 1953 from the Eisenhower administration. They called them certificates of interest. But that is where we learned it, because they were the first ones who did it; the first so-called certificates of interest were issued by the Commodity Credit Corporation in 1953 and the Reconstruction Finance Corporation in 1954.

In my judgment, that gimmick turned out to be bad. In the first place, as has been stated, it cost more to operate in that way. In the second place, it made the Government compete in the money market at the wrong time, and resulted in running up interest rates, as has been shown. That was a situation that none of us liked. I must accept part of the blame for that because I voted for the bill. But it simply was not the right answer, in my judgment.

So the only thing left for us to do now is to arrange for more credit at the bank, and that is exactly what would be accomplished by this bill that we are seeking to pass today.

I am aware that some Members of this body seem to believe, and believe sincerely, that a vote against this necessary increase in the public debt limit is a proper way to express their opposition to expenditures which they do not personally approve. Some Members, I regret to say, consider a vote against increasing the debt ceiling as an economy vote. They envision it as an occasion to appear as champions of economy in Government, even though they supported the legislation and voted for the appropriations which have led to the expenditures which they claim to be protesting.

This is just as irresponsible as writing a check when you do not have any money in the bank to cover it, and then refusing to take any steps to put the money in the bank to cover the check. And the result is just as disastrous.

There are other Members of Congress who, as I have said, sincerely feel that their opposition to a necessary increase in the public debt limit is justified by their previous opposition to these spending programs.

I have heard Members say, "I did not help spend this money. Let them stew in their own juice. I did not help make these bills. In fact, I told them not to make these bills, and I am not going to do anything about helping them pay these bills."

That is a form of rationalization that is pretty easy to get across to the folks back home, who look only to results and not to causes. But let me say this: Every one of us here, regardless of where he sits in this House of Representatives, is an individual and a responsible member of the total family of government, and today we are sitting here as the only members of that family of government who have the power to do anything toward helping to get out of the dilemma in which we find ourselves now.

Suppose I tell my wife not to put something on credit, but I do not tell the merchant not to sell it to her, so she goes out and buys it anyhow, and charges it to my account. My credit is awfully important to me. But when the bill comes due, I say to the merchant, "I am not going to pay you because I told my wife not to buy it." Who is hurt? I am, because I am ruining my own credit. The same applies to all of us.

Suppose one cannot control his wife, as those of us who voted against these appropriations bills last year could not control the majority of the Congress. Suppose one cannot control his wife. Then he ought to act responsibly and pay these bills or he impairs his credit.

It is too late once we have reached this stage, and it is no answer, and it helps nothing to say, "I told you so."

There are those who argue that this method of simply increasing the temporary debt ceiling is wrong and that some adjustment should be made in the permanent ceiling.

There is no question but there is great merit to their argument. Year after year some of us have been hoping that the committee would have the time to do something in this area, but the very nature of this legislation is such that we have not come here with a bill in any year until the ox is in the ditch, so to speak. There are so many things that the committee has had to work on during the past 2 years, all of them of great importance, that there just never seems to have been any enthusiasm for pushing those things aside and working on a debt ceiling when it was not an emergency. Maybe we are guilty of refusing to fix a leaky roof as long as the sun is shining. But as far as I am concerned, in my more than 12 years on the Ways and Means Committee, it has been raining every day and we have not had sunshine.

We are Members of the Congress of the United States. We abide by the laws of the majority of the Congress. Just because one voted against the bill and that bill became law, one does not have the right, my friends, to refuse to obey that law. Each of us has the responsibility to do what he can, after an appropriation bill has been voted, whether he voted for it or not, to make sure that the Secretary of the Treasury has the necessary authority to manage the fiscal affairs of this country in as responsible and as economical a fashion as possible.

May I say to the new Members, they were not participants in the enactment of the spending legislation which put us in this box. It was not your fault that we are here, but we cannot go back and repeal retroactively appropriations that have already been made. I am sure everyone came here with a determination to be an asset to his country and to act in a responsible manner. In my judgment, although I know there are those here who would simply disagree with me, the last Congress could have acted much more responsibly and would have acted much more responsibly if we had not spent all this money, but the majority did this. That is where we are today. This is a situation that the new Members have inherited. They cannot start last year if they are going to help their country. They have to start from where they are. They have to start from here. They have to start today. They are today taking the first step of many steps they will be taking on the road to make themselves outstanding Members of Congress.

Will that step be a responsible one? Will it be in the right direction? The decision as to the direction of this first step may well be the most important decision a Member will make while he is here. Let me remind the Members that a vote against this needed increase is clearly a vote for inefficiency and waste in Government operations. To delay the enactment of the necessary increase in the public debt limitation would jeopardize the payment of the current bills of the Federal Government and would have a serious and long-lasting adverse effect on the faith and credit of the United States.

If we should be so irresponsible as to compromise our Government's credit standing, it would seriously impair our future ability to enter into contracts. It would significantly increase our cost of doing business. It would introduce uncertainty into the Government's ability to make timely payments of its debts, and it would undoubtedly be reflected in higher interest rates for Government securities.

I would hate to speculate, Mr. Chairman, on the effect of the failure to pass this bill today on our international relationships. I am sure none of us wants these disastrous results.

May I remind the Members again that this is not an occasion of voting for economy in government. That is not the issue, and no attempts to rationalize, or to confuse the situation, can make that the issue.

The proper occasion for us to vote for economy is when we are considering authorizing legislation and when we are considering appropriation bills.

I believe that earlier today the distinguished gentleman from Illinois [Mr. ANDERSON], a member of the Rules Committee, said that no one knew how much we were spending. Perhaps we did not know, but if we looked at the budget requests that came here and saw how the

Congress itself, in many instances, increased the appropriations even over the budget recommendations, all we had to do was to take a little pencil and paper and add it up, and we could see that we were getting ourselves in trouble on this.

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. HERLONG. I yield to the gentleman from Wisconsin.

Mr. BYRNES of Wisconsin. I wonder why the President did not do that in September, when he told us we were still operating on the basis of the $112-billion-plus expenditure level he told us about in January.

Mr. HERLONG. I would say to the gentleman, that has nothing to do with the argument I am making. I might, on the side, have a discussion with the gentleman about that myself, but that has nothing to do with the point I am trying to make here.

I will say to Members that the proper occasion for voting for economy is when the authorization bills and the appropriation bills are coming before us. When that time comes, I will be happy to join with others, as I have in the past, and vote for economy in government.

Again I say we cannot today repeal Federal expenditures which are the direct consequence of past actions by a majority of the Congress and thereby prevent this need for an increase in the public debt limit.

Mr. HALEY. Mr. Chairman, will the gentleman yield?

Mr. HERLONG. I yield to my friend from Florida.

Mr. HALEY. My colleague from Florida is making a good statement. However, there are some of us in this Congress who wonder how we are ever going to control the irresponsibility of some of the Members of the Congress, who continue to vote for programs which increase the national debt, when we have no way, apparently, of controlling them whatsoever. Can we ever control this situation by keeping the lid on the national debt, so to speak?

Mr. HERLONG. I say to the gentleman, we cannot control it by trying to keep the lid on, any more than we can keep a pot from boiling by putting a lid on it. The fire underneath is the problem—it is the fire. It is necessary to dampen that fire.

The fire really comes from the demand from people back home for these appropriations, or the Congress would not vote for them.

Mr. HALEY. I thank the gentleman. If we keep this situation up and if we have another or two or three more "89th Congresses," the voters themselves will put the pot on the grill, or set it back away from the fire, or put a lit on it. That is likely to happen, unless we quit this.

Mr. HERLONG. That is, of course, the gentleman's own observation in that respect.

I would say that Congress has always had an opportunity to work its will. Congress would not have yielded to these requests from the people back home, or from the President, unless the people themselves wanted them to.

Mr. JONES of Missouri. Mr. Chairman, will the gentleman yield?

Mr. HERLONG. I yield to my friend from Missouri.

Mr. JONES of Missouri. I want to compliment the gentleman on the manner in which he has explained this in simple terms which I can understand. The gentleman has done a fine job.

The gentleman did not touch on my point of the problem I have had, which we have discussed from time to time; that is, the unrealistic permanent debt ceiling. Everyone I talk to, including the chairman of the committee and the ranking minority Member, says, "yes, it should be raised," but we never do anything about it.

I have been here year after year trying to get somebody in a responsible position to tell me why we have not raised the permanent debt ceiling, which I believe is the only thing which would have any effect on the administration and others, to let them know we mean business about it.

Can the gentleman tell me how I can vote so as at least to bring it to the attention of somebody that I want something done about making a realistic debt ceiling and not have this funny stuff going on that we have been fooling around with here year after year since I have been here?

Mr. HERLONG. I will say to the gentleman that I thought I discussed it a few moments ago. I am sorry I did not make myself clear on it. I said there were those who argue against this method of increasing the temporary debt ceiling and say some change should be made or some adjustment in the permanent debt ceiling. There is no question but that there is merit in your argument.

Mr. JONES of Missouri. Why have we not done something about it, then?

Mr. HERLONG. I went on to say then that I have been a member of this Committee on Ways and Means for more than 12 years and I will say since I have been there we do not ever get down to the point of discussing the debt ceiling until the ox is in the ditch. Unfortunately that has been the truth.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MILLS. I yield the gentleman 5 additional minutes.

Mr. HERLONG. In this case we would like to do it, but there is always something pressing there where we have not felt that we could push it onto the back burner and work on this problem. I said that we may be guilty of being in the position of a man who does not fix his roof as long as the sun is shining and waits until it rains, but I just want to say that it has been raining ever since I have been on the committee. I want to tell the gentleman from Missouri that I want to do it and I know the chairman wants to do it, too.

Mr. JONES of Missouri. Everybody on this committee tells me that they want to do it, but nobody does anything about it.

Mr. HERLONG. You just tell me where we can get 14 or 15 months out of a year, and I will tell you when we can do it.

Mr. MILLS. Mr. Chairman, will the gentleman yield to me on that point?

Mr. HERLONG. Yes. I yield to the chairman.

Mr. MILLS. I would like to call the gentleman from Missouri's attention to one or two facts in relation to this situation. There is no need for us to think in terms of the word "temporary" which we use in establishing the debt ceiling rather than in terms of permanent until our bills are paid. These obligations are just as legal as obligations would be if we had a ceiling which we called permanent up at some higher level.

The second point I want to make to the gentleman is this: I think my friend from Missouri would want us to look at this situation periodically and exercise through the debt ceiling, to the extent it is possible to use it for that purpose, the degree of restraint in the expenditure of funds that could be brought about as well as to allow within it that minimum degree of flexibility which is required by the Secretary of the Treasury in the management of the debt. If you have a permanent ceiling, where would you make it stop? At $300 or $400 billion or what figure?

Mr. JONES of Missouri. I do not care where you put the limit, but let us fix it some place where I think that we can get back to it at some time. I know we can never get back to $285 billion.

Mr. MILLS. I do not think it is as important as the gentleman seems to think it is whether it is permanent or temporary, because if you make it permanent and you put the level above what it may be today and what it may be in the next 4 or 5 years, then you have lost the restraining influence that we think we have within the use of the temporary ceiling, whereby at least once a year the Secretary has to come to us and justify the administration's need for more credit. I do not know that it makes a lot of difference. If you want to have a ceiling, you can call it a permanent ceiling each year and have action with respect to it. It does not make much of a difference whether we call it permanent or temporary. I think the fact that they have to come to us makes them perhaps consider more carefully the programs they propose.

Mr. JONES of Missouri. I do not think it makes any difference now whether we have a debt ceiling or not. It has not had any appreciable effect. We are getting like we were a few years back when we raised it three times in one year. Here we are going to raise it twice in one year.

Mr. MILLS. I do not agree with my friend that it does not have some influence and effect. The ceiling does have, I think. There are those who argue that we should do away with it, but I am not ready yet to cross that bridge. It does have an effect, and it is an effect for good. We give their whole operation a review.

Mr. JONES of Missouri. I am sorry, but I cannot agree with my good chairman. I do agree with most everything else he does or says.

Mr. HERLONG. This seems to be more an exercise in semantics than anything else over using the words "temporary" or "permanent."

Mr. Chairman, the moment is upon us. The need is for a $6 billion increase in the public debt limit. Does anyone seriously believe that we could cut expenditures that must be made in the next 6 weeks by $6 billion? And that is how much that would have to be cut if we do not pass this bill. Frankly, I wish it were possible for us to effect such a cut, but I am realistic enough to know that it cannot be.

May I say that this is a dangerous game we are playing, so I urge you to please be careful. I have heard some Members say in effect, "Let's turn down a request for a debt-limit increase one time and see what happens?" How foolhardy can we get? This would be just like a man holding a fresh egg over his head and saying, "I think I'll drop this egg on this tile floor and see what happens." We know what would happen and we will have just about as good a chance to correct the situation we will be in if we fail to pass this bill as we would have to reassembling that egg in its original form.

Thank you, Mr. Chairman. I support the bill.

I yield back the balance of my time.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield 20 minutes to the gentleman from Missouri [Mr. Curtis].

Mr. CURTIS. Mr. Chairman, the issue that is really before us might well be referred to as a truth-in-borrowing bill.

And, Mr. Chairman, it also might include the title, "truth in lending," because we might relate what the fictional interest rate is and what the people and what the Federal Government are really paying in interest. One portion of the securities which are involved, are limited in interest rates, when another portion has no limitation whatsoever.

Mr. Chairman, in other words, the 4¼-percent ceiling relates only to Government securities with maturities beyond 5 years. As a result of this, a lopsided situation exists in the total marketable securities issued by the Federal Government.

Mr. Chairman, we have been forcing the Federal Government to refinance in the short-term area, to the point where today 50 percent of the marketable debt is in securities with maturities of one year and less, which amounts to "near" money; 77 percent of the marketable debt is in maturities of less than 5 years. Contrast this to 1946 when only 45 percent of the marketable debt was in maturities of 5 years and less. We are paying, on the average, on the entire debt an interest rate of well over 5 percent.

So, Mr. Chairman, these people who believe that we are talking in terms of low interest rates—when they point to the 4¼-percent ceiling on long-term securities—I want to say are misrepresenting the true picture.

Mr. Chairman, this is a false situation. What they are doing is hobbling the administration in properly managing the national debt.

Mr. Chairman, the administration itself has said this on many occasions, and the Secretary of the Treasury has said that it would be very beneficial to him and to the country to enable Treasury to cut down on the interest rates that the Federal Government is paying, as well as to ease interest rates in the entire money market, the market to which the consumers have to go in order to borrow money with which to purchase washing machines and homes and in order for our businessmen in the local communities to expand their operations to train and employ men, and who of necessity must borrow money.

Mr. Chairman, the issue pending before this Congress is clearly of great economic importance.

Mr. Chairman, we in the Joint Economic Committee are this week going over the President's Economic Report. The economic troubles lie in the causes of high interest rates, and we had in 1966 the highest interest rates this country has had during the past 40 years. We have also had serious inflation, which relates to how we increase the amount of money supply. Both of these facets of our economy are vitally affected by the size of the Federal debt, its increment through more deficit financing, and the manner in which the total debt is managed.

Mr. Chairman, these are the serious things still facing our society during 1967. The end of 1966 has not brought these problems to an end.

These, I might say, are the reasons for our debate on this legislation, and why these issues must be drawn here on the floor of the House of Representatives today and not wait until the balmy month of May.

Mr. Chairman, in February 1967 we have presented to us the first opportunity which this 90th Congress has—since the adjournment of the 89th Congress in October 1966—to do something and to say something about the Federal fiscal policy and to look to its legitimacy in context of the Federal debt. There is also involved not only the question of the management of the Federal debt, and its very size, but whether that management the past year has contributed to aggravate the great problems which our society has experienced in inflation and in these high interest rates, the highest interest rates I emphasize which the people of this country have experienced in the past 40 years.

Mr. Chairman, let us take this situation into account and take a good look at it.

Mr. Chairman, I do not see how my good Democrat friends can refer to themselves as the party of low interest rates with that kind of record.

You might wishfully want to do it. But face the facts of life and come around and look with realism today at the problem that has contributed to creating the highest interest rates in 40 years. See the picture that we are now trying to present to you. There is no ceiling on short-term Government securities. The Government can pay as high as it pleases, whatever the market demands, and indeed that is what is happening. The rates go as high as 6 percent, not 4¼ percent.

Furthermore, as Mr. Byrnes has pointed out, these participation certificates sold for over 6 percent. There is no interest ceiling on them. Let the people in on the truth, the 4¼-percent interest ceiling is an illusion.

Mr. Chairman, we have not sold a long-term bond since May 1965. That is the testimony of the Secretary of the Treasury. We have not been able to market any of the Federal debt, in other words, in the longer maturity areas. The result is that today—and if anyone would like to follow the figures on table B–58, page 281 of the President's Economic Report of 1967, the one that we have before us, they will find the maturities of the Federal debt. They will see that there is a $105 billion within 1 year and less maturity. Those are 60-day, 90-day notes out of the total marketable interest-bearing debt of $218 billion. The rest of the debt is held in trust funds and elsewhere. In other words, almost 50 percent of the Federal debt today is in short term. That is near money. That is the thing that has created great damage to the consumer by both kicking up interest rates and the Consumer Price Index, inflation to the housewife.

And I might say, Mr. Chairman, that I believe we heard from the consumer, the voters, this November about this point of high-interest rates and inflation.

Mr. Chairman, when you go over and look at the next column, the 1 to 5 years, then you will find another 27 percent of the debt.

In other words, Mr. Chairman, 77 percent of the Federal debt today is in maturities of 5 years and less. To emphasize again this is the area where there is no interest ceiling, where the Government can and must pay whatever is necessary.

You can relate that to the year 1946 because the tables we are referring to go back to the year 1946, and you will find that in 1946 45 percent of the Federal debt was in short-term securities, 55 percent in long-term securities. What a contrast in 20 years with only 23 percent in long terms.

Incidentally, Mr. Chairman, the Government is paying, as I say, well over 5 percent for money in the short-range area. I do not think there is any question but what we could market some long-term securities for probably 4.5 or 4.75 percent at this moment. We would right there and then, tomorrow, if the Congress in their wisdom did grant this flexibility to the Secretary of the Treasury, immediately save in interest rates, interest expense to the Federal Government, and at the same time ease this money market for the consumer and the employer of men. Our motion to recommit would give the Secretary of the Treasury the flexibility that he needs to accomplish these ends we all desire.

Mr. Chairman, let me go back to one other point. Mr. Mills, in trying to narrow the area of debate, and he properly did so, let me say, has pointed out that there is no serious differences between the members on my side of the aisle on the Committee on Ways and Means, and the majority members, in respect to the need to increase the dollar amount of this debt ceiling.

Indeed, Mr. Chairman, it is quite clear that the Government has spent more money than it said it would last year. The administration would not revise the figure of $112.7 billion that they gave us in January 1966, as the expenditure level for fiscal 1967. They would not revise that in May last year, when we had the debt ceiling before us. And as late as October—and Mr. MILLS so testified before the Committee on Rules—they would not revise this figure even though 3 months of fiscal 1967, July, August, and September 1966 had come and gone and shoved expenditures considerably beyond the estimated levels.

The administration—and I must use this word—has been deceitful in presenting this expenditure issue to the Congress and to the people of this country.

There are excuses such as—well, it is hard to estimate what the expenditures are in time of war. Indeed, this is a fair statement. But they certainly could say that the $112 billion expenditure level they had given, the figure that the Committee on Ways and Means had to deal with was irrational and they could have come up with a much better estimate.

As a matter of fact, just using crude figures in estimating I came up in the hearings late in September with a figure of $127.6 billion for expenditures for the fiscal year 1967, which is pretty near the mark that we have in this budget message that was delivered here to us this January, in the revised figures of expenditures for fiscal 1967.

I say that not to boast but simply to point out how it was relatively easy for someone to come forward with a reasonable reestimate. But the administration left us without any benefit of their judgment on these expenditure figures. If anything they sought to divert the Congress from making intelligent revisions of the expenditure figure.

I want to say this in behalf of our chairman [Mr. MILLS] when we fixed the figure at $330 billion last May—let me digress a bit. Let us establish one point very clearly—that the debt ceiling can be used, has been used, and is an effective way of controlling expenditures. But it is cumbersome and it is my judgment that it is not the best way. But do not let anyone tell you, as my good friend, the gentleman from Florida [Mr. HERLONG] said, and I know he thinks that is so—that this is just a question that we have told our wife that she can spend money and she has gone ahead and spent it and then we have to face up to paying the bill. Part of it is that after the fact—yes, part of it is that. But there is also an area of discretion of expenditures right now for the next 5 months of this fiscal year about which something quite real can be done. They are the months of February, March, April, May, and June. For these months the Executive can cut back this level of expenditures. Make no mistake about that. Sure—they will have to stretch out programs. The Executive witnesses told the committee that they had stretched out and deferred and rescinded in some instances $3 billion worth of expenditures in the past months. This is to a large degree because of the tight debt ceiling of $330 billion.

So there is a discipline in this. Why would the chairman of the Committee on Ways and Means be coming in here and telling the House instead of giving the administration its request of $7 billion additional, give them only $6 billion? Why did we say—instead of $332 billion that the administration requested last May—$330 billion? Because we were trying to give them a tight figure which would force some expenditure discipline.

I think the $336 billion the committee recommends has some tightness about it. I told the chairman of the committee that I would urge my colleagues to vote for this. Although let me say, I think the administration properly motivated with proper economic education could do a better job. And I wish the Congress would do a little better job. Yes—in the next 5 months—yes, they could do quite a bit better. I must also say that the administration misused the cushion we gave them as we always do in the debt ceiling. The cushion is about $6 billion—$3 billion in cash which they have to have and uncommitted borrowing of about $3 billion as a contingency in the event that something untoward occurs and to provide flexibility in financing and refinancing the debt. The administration misused that cushion in the months of October, November, and December 1966 and the month of January 1967 to accommodate expenditures of various departments. The administration could have, and they should have, said to those departments, "Look, do not cut away on this cushion. The Committee on Ways and Means, or rather the Congress, gave us that cushion in order to handle properly the Federal debt, so we were not forced into the money market because of a shortage of funds. So that we can go into the money market at appropriate times of our own choosing. If we are forced in, we have to pay whatever the going rate is. If we have some flexibility and we do not have to go in this week or next week, if we have a month or something like that, we can manage the public debt with a great deal more ease and disrupt the money market in a minimum way."

So although I agree with the chairman in saying that this debate is narrowed and should be narrowed to the area that we are discussing; namely, this problem of interest rates and the problem of participation certificates, I do not want us to lose sight of this overall proposition that the debt ceiling is a method, cumbersome though it may be, for the Congress to express its judgment on expenditure levels. Believe me, it has been effective and it can continue to be effective.

The $336 billion figure that the chairman has suggested I go along with in the context which I have been discussing. I emphasize this point again because I noticed that the majority whip, who is a member of our committee, took the floor on Monday with the Speaker to engage in a colloquy about how the debt ceiling is just an exercise of Congress to face up to its responsibilities and there is nothing that can be done about expenditure policy. This is not just an after-the-fact action. True, some of it is after the fact but a considerable amount is not. We cannot live any longer with $330 billion. We have already spent that much beyond in the 7 months of fiscal 1967. But some of it is still within the area of discretion of the Executive and I might add the Congress. I hope the Congress itself will come up with a recision bill to rescind some of the power of spending that we have previously granted.

If the President could find $3 billion where he could defer by what amounts to an item veto, those who do not like the item veto—and, believe me, I do not—if he can do that, our Appropriations Committee can certainly figure out other areas to rescind an even greater amount. Maybe they will have to defer or rescind some good programs, but programs that we ought to put on the shelf until we are able to handle our fiscal problems with more ease; otherwise we damage all programs, private as well as governmental.

Let me direct attention to what I believe is the heart of the difference of opinion, as I see it, between the chairman, the gentleman from Arkansas [Mr. MILLS], and myself. It is one of timing. The plea of Mr. HERLONG is really one of timing. This is an important distinction, and there is a great deal to be said for the point he and the chairman make.

The Secretary of the Treasury has told us, has told the committee, that he is going to have to be back in May in order to ask for a further increase in the debt ceiling to accommodate the projected expenditures for fiscal 1968. There is no question that he is going to be there, and he said he will be prepared to zero in on this issue of participation certificates. Mr. MILLS has said, "We will take the issue up then." And I am sure he will. I am sure our chairman of the Committee on Ways and Means will by then get in depth into this very difficult problem—and it is difficult—of these $115 billion contingent liabilities. So there is merit to the point that is being made here. Why bring this matter in along with the problem that we have in raising the debt ceiling

In my judgment, the reason is a very clear one. I want to choose my words carefully, if I can, but if I am intemperate in these remarks I hope to correct them and put them in temperate language. The aggravation has been such it is hard not to be intemperate.

The administration, in my judgment, has acted beyond the law in how it handled the participation certificates. The Attorney General, in effect, said that the Congress and the leaders here did not know what they were saying during the debate on the participation certificates; that they had misjudged what they really were creating.

I am concerned, of course, about whether these participation certificates are under the debt ceiling because this was a subject of debate during the Participation Sales Act and actually the subject of a Republican amendment to put them under the debt ceiling. But I think I am even more alarmed about the manner in which these participation certificates were put into the social security trust fund.

I am going to bring out another point. In the original presentation by the Secretary of the Treasury before the Ways and Means Committee on his request to increase the debt ceiling he said that anybody who does not do this is irresponsible. He did not even want to discuss these other issues, although they are very pertinent to it. He said, to underscore his allegation of irresponsibility, that the social security beneficiaries might have to forgo payments of their benefits. This was a statement that was released to the news media and, of course, it was given in public hearings.

I cross-examined him on this statement and so did some others. I said, "Mr. Secretary, how can this be so long as there is the social security trust fund, which is a contingent fund, which is there for the very purpose of insuring that social security beneficiaries do get paid regardless of what the Federal Government might become involved in elsewhere fiscally?

"This is the purpose of the trust fund. How can you say then that the social security beneficiaries might have their benefits cut off because of this issue that we have in another area, and in the main area of government fiscal policy?"

Then one should read the answers he gave. He began to describe the difficulties of converting the securities in the social security trust fund into cash. Let me say this: A contingent fund should be a liquid fund. If it is serving its purpose, those moneys should be readily convertible into cash.

I am happy to say this to the Congress and to the general public. The Secretary of the Treasury was misinformed. We had the Under Secretary of Health, Education, and Welfare, Mr. Cohen, and Mr. Myers, who is the actuary of the social security trust fund, before us this morning in the Joint Economic Committee. I asked them and I posed it the way I have here presented it. The answer, I am happy to say, is that of course there is enough liquidity. There is not the liquidity there should be, in my judgment but probably as much as $3 or $4 billion certainly. The people of this country need not be alarmed at this intemperate statement of the Secretary of the Treasury to try to whiplash this Congress into doing something because of a feeling of what might happen to the social security beneficiaries. And, I might add, also to those people who are dependent on civil service retirement or otherwise concerned about our trust funds, they need not be alarmed. But I am alarmed at the recklessness of a high official of Government not only saying what he said, but doing what he did in respect to the management of the Federal debt and the peoples' trust funds.

Mr. MILLS. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Arkansas.

Mr. MILLS. Mr. Chairman, frankly I am pleased that the gentleman has pointed out the fact that there are securities within the social security trust fund and others that could almost immediately be converted into cash. The gentleman from Missouri knows that, of course, in my own discussion of this I never referred to any possibility of these people not being paid.

Mr. CURTIS. I know the gentleman did not, and I know the gentleman feels as I do, but I am bringing this in to point out why I believe it is important for the Congress to speak today on this issue of the participation certificates.

Originally we had thought that the full faith and credit of the United States as to principal and interest was not behind these securities. The ruling of the Attorney General now indicates that it is. I know the Secretary of the Treasury said he did not get this ruling in order to put these certificates in the social security trust fund, but the fact remains that the social security trust fund by law says that only securities with the full faith and credit of the United States as to principal and interest can go in there.

I believe it is most important that we in Congress clarify this issue right now. We can do it through the amendment in the proposed motion to recommit. That is why the amendment is limited to just the area of what has been done and is immediately planned in respect to the participation certificates.

I do share the chairman's views that the bulk of this problem, including this, one to be clarified right now should be given a long look and something should be done about it in depth and permanently. But this is one of the reasons for the urgency of this matter. There is a question of clarifying what has been done and what is contemplated being done in the next 5 months. This cannot wait.

Let me come back to what I believe is also urgent. Every day that we wait in freeing the hands of the Secretary of the Treasury to some degree in this field of debt management, we damage not only the Federal Government in its fiscal setup, but we continue to create damage in the marketplace in those two areas which are still acute; namely, high interest rates and inflation. I would add a third, which is even more serious, really more serious than the first two, and that is our deficit in international payments. The prudent management of the Federal debt bears heavily on all three of these areas which are so highly sensitive and important at this particular time.

Someone on our side in one of our caucuses said, "Why are we talking about something that is only $50 million?" That is probably what we would save on interest payments by the Federal Government, from now until June 30, if we were to do this today. I said that may be a relatively small amount in the total of $14 billion interest that is to be paid by the Federal Government but we are at the point where we may have the straw that breaks the camel's back. Gentlemen, I believe the camel's back is broken, in fact; but in any event we are that close to a breakdown. I believe many economists recognize this and the administration has recognized this in some of its actions but to a degree that is clearly too little and too late.

If we are at the point where this is the straw that would break the camel's back, it well behooves us to move in now and not wait until May to try to solve this problem.

I close by saying this: Do not forget that the Secretary of the Treasury has asked for this flexibility. I asked him last May, during those debt ceiling hearings, and he said, "I would be glad if you would give it to me."

There is only one reason, apparently, why the administration will not formally ask for the removal of this impediment. It is because of people on the Democratic side of the aisle. I am looking at one now who is a very sincere person in believing that this actually would tend to increase interest rates; but there are many others, in my judgment, who believe that this is a sort of way they can pretend—I use the word "pretend"—that they are for low interest rates.

Whatever the reason is, the administration says that not enough of the Democrats will support this and therefore we do not want to embarrass them.

So I ask the Speaker of the House, who suggested during the debate on the rule that there might be some politics in this, what politics is there, if that is the reason that there is not given to the Secretary of the Treasury in these crucial times some flexibility so that a better job can be done in managing the Federal debt, so that something can be done to ease high interest rates and inflation?

Mr. MILLS. Mr. Chairman, I yield 10 minutes to the gentleman from Oregon [Mr. ULLMAN].

Mr. ULLMAN. Mr. Chairman, it is unfortunate that the record of this debate will show so little discussion about the reasons we are here, the basic problem of spending, and why it is necessary at this time to come before the Congress and ask for another increase in the debt ceiling.

We had complete testimony before the Ways and Means Committee. The Secretary of the Treasury, Mr. Fowler, and the Director of the Bureau of the Budget, Mr. Schultze, came before our committee and were questioned hour after hour. They presented excellent statements as to why the expenditures pressuring the ceiling are needed, and I believe they gave us very excellent testimony that they are, in fact, managing the expenditures as wisely as any administration could be expected to, considering the problems of our time.

In the hearings I was deeply gratified when the Secretary of the Treasury, in his testimony, assured us that he would bring before the committee and the Congress proposals for budget reform. If we had a budget which was meaningful—if we had instituted budget reforms and had put them into effect—we would not have this problem before us of what accounting procedures to apply to participation certificates.

I hope that all of us will make sure that the administration does come forward with reform measures, and I hope that later this year we will have such a proposal up for consideration in the Congress. It is one of the most important things we must do if we are ever really to come to grips with expenditures.

We debate the debt ceiling, but our

budgetary process is so obsolete we do not know, by looking at the budget, what the problem is. A modern budget system is the first step for the Congress in reasonably controlling the expenditure process.

I come before the House as a consistent opponent of the Participation Sale Act, but I believe for reasons far different from some of those on the minority side.

I happen to think that in the high interest rate situation we found ourselves in this past year, with money becoming tighter and tighter, with the private money market under tremendous pressure, it was absolutely the worst time to come forward with an extension of the participation certificate financing. But whether you voted against it or voted for it is immaterial in the discussion today of the recommittal motion proposed by my colleagues across the aisle.

I support the chairman of the Ways and Means Committee 100 percent in his contention. I think every Member of this House should look at this thing very, very carefully, because the implications of the recommittal motion are far more serious than those who propose it would have you believe.

The minority would have you believe that the basic issue today is getting these certificates under the debt ceiling. I want to analyze that very briefly.

I think we should try to establish some realistic basis for our debt. I think the only real basis we can arrive at for determining what is Federal debt and what is not Federal debt is whether or not an obligation is based upon the taxing authority of the country. If a Government obligation is not, then it should not be under the debt ceiling. If it is a contingency obligation, if it is secured in some other way, then it should not come under the general debt ceiling. The able chairman of our committee has pointed out that by statutory authority there are two contingency liabilities that do come under the debt ceiling. One of these is the stadium bonds and the other is the FHA debentures. The remedy is not to extend this wrong and add yet another contingency obligation under the debt ceiling. The remedy to this problem would be to remove the stadium bonds and the FHA's from the debt ceiling. In my judgment, it would be wise to establish a second ceiling which would cover at least part of the contingency liabilities and in which you could put the stadium bonds and the FHA's. I think we can put the participation certificates under this, too, because they are sufficiently different from the other contingency liabilities of the Nation so that they would warrant some special attention.

We must not move toward including additional contingency liabilities in the Federal debt which only make it more and more unrealistic. All of this, it seems to me, belongs in the general budget reform recommendations that should come up to the Congress under the promise I have mentioned by the Secretary of the Treasury.

Now turning to the other feature of the recommittal motion—much as I am concerned about what I consider to be the wrong direction we would take if we put these certificates under the debt ceiling—I am far more concerned about removing the historic 4¼-percent ceiling on Treasury bonds. I think there has been too little said on this proposal today and it is probably too little understood.

I well know that you can make a sophisticated argument on debt management in favor of lifting the ceiling on long-term bonds, but I think this is one of the most serious things this Congress could possibly do at this time. We have been engaged in a concerted economic fight during the past year, and I think the administration—with some reluctance—has adopted policies that are bearing fruit. We have turned the tide on the high interest rate trend. We finally have a bond market that is coming down. And, we have indications of a policy change on the part of the Federal Reserve that will lead to lessening of market pressures.

Mr. Chairman, if we conduct ourselves wisely in this 90th Congress we will do some of the things that we must do—yes; cut some of our spending. We must look carefully at the programs that we adopt and renew. In the interest of debt management flexibility, the minority recommends that we scrap the 4¼-percent on long-term Treasury financing. But, to suggest that this Congress should relinquish the one control which it has over the general monetary and credit structure of this Nation—the interest rate structure of the Nation—is in my judgment a policy and a decision that we would regret over and over again.

Mr. CURTIS. Mr. Chairman, will the gentleman yield to me on that point at this time?

Mr. ULLMAN. Permit me to expand upon my thinking before yielding to the gentleman from Missouri. I shall be happy to yield to the gentleman when I have concluded my statement because I know of the gentleman's concern. I would prefer not to yield at this time.

Mr. CURTIS. But, Mr. Chairman, if the gentleman will yield, it is just on that point about which I would like to interrogate the gentleman from Oregon.

Mr. ULLMAN. Not at this time. However, I shall be glad to yield to the gentleman from Missouri later.

Mr. Chairman, this is of very, very great importance to the Members of Congress. The 4¼-percent limit represents a congressional prerogative.

Now, Mr. Chairman, I for one am not going to take the advice of the people downtown who are managing the debt, that Congress should relinquish this one control, because they feel it would be easier to manage the debt if there were not a ceiling.

Mr. Chairman, it is my opinion that the Congress of the United States should not accept the recommendations of anyone downtown with respect to this problem.

I say this, because when one looks at the long-range picture—back 50 years and ahead 50 years—to the gut structure of our free enterprise economy, and our economic growth during these past years—and if one will look at the same time at the graph for interest rates during those years—one will see what has happened. We have made some mistakes during this past year. All the mistakes are not made downtown. We made some of them up here on Capitol Hill. We refused during an election year to make some hard fiscal decisions that needed to be made.

Mr. Chairman, I believe I was probably more critical of the decisions made downtown than some of the Members on the minority side.

The CHAIRMAN. The time of the gentleman from Oregon has expired.

Mr. MILLS. Mr. Chairman, I yield 5 additional minutes to the gentleman from Oregon.

Mr. ULLMAN. Mr. Chairman, we did receive in September some basic decisions and some changes in policy. As the gentleman from Wisconsin mentioned, one decision was to withdraw our sales participations offerings for the balance of the year. Taxwise, we did suspend the investment tax credit, and certain accelerated depreciation provisions.

Mr. BYRNES of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. ULLMAN. I yield to the distinguished gentleman.

Mr. BYRNES of Wisconsin. I wonder why under this bill the ceiling that is established by the majority position, namely, $336 billion, the administration was forced to sell $2 billion of participations, sales which we had as the gentleman knows at the highest interest rates.

Mr. ULLMAN. Mr. Chairman, the gentleman from Wisconsin asked that question of the distinguished chairman of the Committee on Ways and Means, the gentleman from Arkansas [Mr. MILLS] and debated that question with the gentleman from Arkansas. I would only say this: I do not approve of the sales participation program. I have consistently voted against it. If there is really anyone who is genuinely worried about short-term rates, perhaps they should consider sales participation offerings, where there is no interest ceiling.

The $6 billion of sales participation that could conceivably be sold during the next year, could sell on a long-term basis at interest rates above the 4.25 percent ceiling if you consider that a solution to your short-term problem. Where we must decrease the rate is with respect to the fundamental obligations of the United States, based on the tax structure, and under the debt ceiling. If we acted to lift the 4¼-percent ceiling even on $6 billion worth of Treasury bonds we would be sending a signal to the banking and the financial community of this Nation that Congress had adopted a policy—a decision in favor of high interest rates for this country. There is no question about it in my mind; the psychological influence of this kind of decision would be fantastic. In my judgment if you pass the recommittal motion to take the ceiling off even $6 billion worth of these bonds you will reverse the trend today toward lower interest rates, and you will throw us back into the kind of interest rate spiral we had last year. How else can the banking and financial communities of this Nation read that kind of an action by the Congress of the United States?

Mr. Chairman, $6 billion—if you took the lid off of $6 billion there is no way in the world that you could keep the market from moving up interest rates on the whole gamut of long-range borrowing in this country.

I do not see how you can take the lid off the interest rate ceiling on long-term bonds and claim to save the taxpayers of this country any money. The bonds you sell for 15 or 25 years are locked in at the higher interest rates. The long-range sale of these debts would mean that you would be selling these long-term debts at a higher rate of interest throughout their lifetime and postponing the reckoning for a future generation.

This in my judgment is totally indefensible. It would be totally irrespon*sible for this Congress to remove the 4¼*-percent limit at a time when we are witnessing interest rates going back down, and we are beginning to get money throughout the economy so that we can reestablish the housing market and other victims of the tight money crisis.

My colleagues, a vote for the recommittal motion is a far more serious vote than you think. It is a vote to take congressional control away from the long-range interest indebtedness of this country. We should not relinquish that prerogative without a great deal of soul-searching. In my judgment we should never relinquish it. If we need another eighth of a point in order to make our debt management flexible, then let us hold adequate hearings and consider separate legislation on another day; but let us do it reasonably and not in this fashion.

The traditional argument for relaxing the 4¼-percent ceiling claims that this limit is an "anachronism," a statutory impediment to "flexibility" in money management. But what are the consequences of striking down the ceiling? What price must you pay for this "flexibility?"

In the marketplace of February 1967, you can buy flexibility by paying 5 percent for 15, 25, or 40 years. You can lock in the Treasury to pay 5-percent and 6-percent rates not for 13 or 26 weeks, but for 40 years.

Aaa corporate bonds traded last week at a yield of 5.04 percent. Last September they sold to yield over 5½ percent. Fifteen-year Government participation certificates traded last year for as high as 5.75 percent.

Those who advocate lifting the 4¼-percent ceiling claim that reliance on short-term obligations today—in this period of tight money and high interest rates—is an unnecessarily costly means of Government financing. They prefer to defer the yields of 5 and 6 percent to some distant reckoning.

Mr. Chairman, we have faced this argument before. The most concerted effort to repeal the 4¼-percent ceiling, you will recall, was undertaken by Secretary of the Treasury Anderson in 1959—during the Eisenhower administration. Not long after that effort failed, interest rates generally receded from the levels of 1959-60, and the Treasury resumed long-term financing at rates which reached 3⅝ percent in March of 1961.

If the Treasury had issued bonds at rates above 4¼ percent in late 1959 and early 1960, those bonds would have cost the Government far more than the rates which characterized the actual bond market *of 1960 to 1965*. I repeat that an issue of long-term securities during the occasional periods when money is tight and interest rates are high locks the American taxpayer to those above-market rates over the life of those securities.

The argument is made that because of the ceiling in the topsy-turvy, upside down bond market of 1966—where Treasury bills received higher interest than longer issues—we must pay a premium by relying on short-term financing. *Perhaps so, but it is a short*-term premium and not a long-term one. One obvious answer is that condtions were not normal—heavy corporate borrowing caused a demand squeeze that fostered extraordinary short-term interest rate competition. But let us as*sume that the Treasury had the authority to offer* bonds above 4¼ percent—say at rates near to 5 percent. Bonds that are near to maturity are now being traded in the market to yield between 4.05 and 4.51 percent Longer maturities are being traded at yields in the same range. The two longest maturities, the 3 percent of 1995 and the 3½ percent of 1998, now yield 3.79 and 4.23 respectively. Think of the premium that would be paid, and the unnecessary interest burden that would be incurred if those long-term bonds had been sold at 5 percent.

In his recent budget message the President stated that interest payments on the public debt will be $1.4 billion higher in fiscal 1967 than in fiscal 1966. President Johnson said that the rise was "due mainly to larger outstanding debt and secondarily to higher interest rates required to refinance certain maturing debt." The grand total estimated for servicing the national debt in fiscal 1967 is $13.4 billion—the second largest item in our budget. As a longtime opponent of tight money, I am as disturbed by these figures as any Member of this House. Do not let them tell you, however, that there would have been any appreciable changes in this interest cost if bonds could have been sold above the ceiling price. The main effect would have been to lock in the high cost for 15 or 20 years.

There has been much concern expressed across the aisle that the average maturity of our Government debt has dwindled to 4 years, 7 months. I must admit that this is the lowest figure since the 4 year, 4 months, at the end of the Eisenhower era, and it is unfortunate. But be that as it may, the problems of borrowing by governments and private borrowers are affected far less by the average maturity of the debt than by the overall adequacy of the supply of credit. Today borrowing is less costly for business and government than it was last fall, even though the average maturity of the Federal debt is shorter.

In view of our extraordinary bond market conditions of 1966, there is serious doubt that additional long-term financing would have been beneficial. The crisis in the homebuilding and lumber industry caused by the collapse of the mortgage market is remembered by every Member of Congress. We went to extraordinary lengths—authorizing $4.4 billion in Fannie Mae borrowing authority, and regulating bank time deposits and thrift institutions—in order to stem the tide and hold the line. I shudder to think what would have happened if the *Treasury had added its bonds to the com*petition in the long-term money markets.

If Government bonds had been issued in 1966, as in the 4 preceding years, corporations would have borrowed less from the bond market, where they issued a record $15.9 billion, and financed their extraordinary expansion in plants and equipment by even greater borrowing from the banking system. The prime commercial lending rate charged by banks to their blue-chip customers, which reached 6 percent in early September and did not relax until very re*cently, would have zoomed to even loftier* heights. Obviously most small businesses are unable to pay these prices for money for inventory and expansion purposes.

State and local government funding has remained around 4 percent since last July, and undoubtedly would have been hurt by long-term competition from the Treasury. These tax-free bonds for education, public services, health and welfare needs, have now been priced out of the market. The always undernourished State and local governments are facing a crisis of major proportions.

The lure of long-term Treasury bonds at going market rates of 5 and 6 percent would have attracted individual investors and insurance companies who invested heavily in corporate issues, and aggravated the tight conditions already existing in the banking community. The banks then might have reduced their holds of Government securities by more than the $6½ to $7 billion which actually occurred, and added even greater pressure to the money markets.

Since the Treasury was constrained by the 4¼ percent ceiling, all of this did not occur, but I submit that it is reasonable to conclude that the dislocations in the money market would have been even more severe if high priced long-term bonds had been active in the tight money competition. The damage done to small business, home buyers and sellers, the lumber industry, and State and local governments, might well have plunged us into a full scale recession.

An even more spurious argument against this sole statutory limit on Treasury borrowing is that it interferes with Operation Twist and increases our balance-of-payments problems. For the uninitiated, Operation Twist is a program where the Federal Reserve System buys long-term bonds to depress their prices, while short-term Treasury bills and notes are kept high to prevent volatile funds from going overseas. Under questioning last summer by Congressman Paul Todd, Jr., of Michigan, before the Committee on Banking and Currency, Gov. J. L. Robertson of the Federal Reserve Board, administrator of Operation Twist, agreed that this program was ill conceived and had improved the balance of payments by a negligible amount. Not only does Operation Twist fail to achieve its objective, but it maintains the competition for short term money in a market already crowded by corporate demand.

We can afford lower interest rates than our European partners for the very simple reason that the United States possesses the world's greatest productive capacity and the world's strongest currency and credit position. As Secretary Fowler aptly stated last spring:

> The U.S. has "characteristically been a low-cost-of-money country because of the very capable and effective capital-generating institutions that we have in our economy. Being able to get money at a very reasonable cost is a real national asset.

Borrowing becomes less costly when the Federal Reserve Banks buy Government securities to increase bank reserves, and thereby increase the money supply. At long last, the Federal Reserve seems to have adopted a policy of easing their monetary controls. The Congress and the administration showed their determination to cooperate by reducing Federal spending, suspending the investment tax credit, restoring excise tax cuts, and accelerating withholding tax collections. More fiscal action may be necessary in the area of corporate taxation. If these policies are pursued, business demands for bank credit will ease and interest rates will continue to recede from last fall's record levels.

Repeal in today's conditions of the 4¼-percent ceiling on Treasury bonds would enable the Treasury to sell bonds now—but postponing these issues for a few months will, no doubt, again find 4¼ percent a feasible rate. The refunding of $7.5 billion in 15-month and 5-year Treasury notes on February 1 gives strong credence to this conclusion. Both issues were priced to yield 4.85 percent. The Treasury received subscriptions totaling over $42 billion for the two new note issues—almost six times the amount required for the refunding operation. Securities specialists in New York attributed the huge oversubscription to the unusual attractiveness of these notes and the expectation that it will be some time before Treasury will offer as high a yield. If 5-year notes are overpriced at 4.85 percent, we may reasonably expect that the market will again be conducive to long-term offerings in the near future.

The 4¼-percent interest rate ceiling is an indicator of this Government's intention to keep interest rates within reason. To maintain this bulwark against interest escalation is to act consistently with the lessons learned last year—that tight money endangers the entire economy as well as curbing orderly expansion.

Mr. Chairman, before I turn to the question of whether or not sales participations belong under the debt ceiling we are debating this afternoon, let me remind my colleagues of my record of consistent opposition to this expensive and back-door financing scheme. When participations certificates were first proposed during the Eisenhower administration, I voted against them. In 1962, when the minority members of the Ways and Means Committee proposed their use to escape the debt ceiling, I again challenged their validity and we succeeded in defeating their imposition. I took the floor in 1964 against the Participation Sales Act, and again last summer voiced my firm opposition.

The sales of these pooled agency debts in last July's overheated money market at 5.75 percent was a tragic mistake and the $1.1 billion sold in January at 5.20 percent—which sold out in one and a half hours—was a further example, in my judgment, of overpricing of Government securities.

An opinion of the Attorney General on September 30 established that these certificates are guaranteed by the full faith and credit of the United States, and permits their sale, along with obligations of the Federal Land Banks, the Federal Loan Bank Board, the Federal Intermediate Credit Bank, and cooperatives' debentures, to Government trust funds.

If we must continue to sell these obligations, it is far better to sell them to Federal trust funds than to cram them into the present high interest private money market. If this constitutes an "escape hatch" from the debt ceiling, it is a far better escape hatch than to issue long term Treasury bonds at similar yields. If we must lock in Federal obligations at exorbitant interest rates, let us do it with contingent liabilities instead of the direct obligations of the United States.

The offering of participations certificates in a tight money market at premium rates only damages competing securities and mortgages in the long-term marketplace.

We will have ample opportunity to review the validity of these instruments when the Participations Sales Act of 1966 comes up for renewal. That is not the question here today.

Today we are considering whether or not these pooled loans should be considered within the meaning of the language of the Second Liberty Bond Act. Secretary Fowler, in a carefully prepared rebuttal, has shown that these instruments are contingent liabilities—that they are not subject to the debt ceiling because they are not unconditionally guaranteed by statute as to principal and interest by the United States.

The gentleman from Missouri and the gentleman from Wisconsin contend that since obligations of the District of Columbia Armory Board—the so-called stadium bonds—and the Federal Housing Administration bonds, are not direct obligations of the United States and are included in the debt ceiling, by inference other contingent obligations such as the participation certificates must also be included. The distinguished chairman of the Ways and Means Committee has discussed the fine points of these two anomalies, and detailed the statutory language which distinguishes them from the participation certificates. I will not repeat his conclusive argument further, but merely add that two wrongs do not justify further abuse of the language of the Second Liberty Bond Act.

The confusion which pervades this issue of including participation certificates under the debt ceiling illustrates again the need for modernization in our Federal accounting procedures. If it is desirable to account for contingent liabilities—and I think it is—let us consider that issue apart from H.R. 4573 in some systematic and orderly way. It may very well be that FHA's, stadium bonds, participations, and the great variety of other agency borrowings deserve a category of their own. Perhaps we need a separate debt limit covering these myriad transactions involving Government guarantees of private lending. The Ways and Means Committee is prepared and willing to unravel this mess, but not at the expense of delaying the Treasury's obligation to pay the Nation's bills on time.

I agree entirely with my colleague from Missouri when he advocates that the debt ceiling apply to obligations directly based on the taxing structure of the United States. I was gratified when Secretary Fowler and the President called for a bipartisan commission to reexamine budgetary presentation, and I will work for legislation to distinguish the differences between expenditures, lending operations, and capital investments from the accounting standpoint.

Mr. Chairman, we cannot afford to resort to stratagems and subterfuge with the economic health of the Nation. The Federal Government has the tools at its command to check interest rates and restore growth in our economy. We must not abandon our prerogatives to the forces of the money market.

The basic guidelines the Congress can establish is to limit long-term Treasury borrowing. The United States can and must control its own money for the benefit of the farmers, businessmen, laborers, and citizens who are not in a position to manipulate the "free" money markets and profit from their machinations. It is particularly appropriate, on the eve of the birthday of our 16th President, Abraham Lincoln, that we consider his advice:

> Money is the creature of law and the creation of the original issue of money should be maintained as an exclusive monopoly of National Government.

I entreat the Members of this House of Representatives to approve H.R. 4573, without amendment.

Mr. COLLIER. Mr. Chairman, I yield myself 5 minutes.

Mr. CLEVELAND. Mr. Chairman, will the gentleman yield?

Mr. COLLIER. I am delighted to yield to the gentleman.

Mr. CLEVELAND. If I may inquire of the gentleman from Arkansas, [Mr. MILLS], the chairman of the committee, I would like to confirm some information I believe the gentleman gave the gentleman from Missouri [Mr. CURTIS].

As I understood the dialog between the gentleman from Arkansas [Mr. MILLS], and the gentleman from Missouri [Mr. CURTIS], it is not a true statement to say if the debt limit is not increased, payments under the social security system are immediately in jeopardy. Did I correctly understand your reply to what the gentleman from Missouri said in that regard?

Mr. MILLS. That is my opinion of the matter. There are liquid securities to be sold within the social security trust fund. There might be some delay, but there would not be any long postponement of any such payment.

Mr. **CLEVELAND**. I am relieved to hear the distinguished chairman of the Committee on Ways and Means say that because I listened to the third-ranking member of your committee, the distinguished gentleman from Louisana [Mr. Boggs], the majority whip, speak on the floor of the House on Monday and I quote from the Congressional Record of Monday, February 6, at page 2589. He stated during his remarks on this issue:

> Among the broad categories of payment that may be placed in jeopardy are the following—

He lists, first, "social security and disability insurance benefits."

So I am very relieved to hear that this statement of his, at least in your opinion, and that of the gentleman from Missouri [Mr. Curtis] is not correct.

Mr. **MILLS**. I had not initially thought that that might be the case, but on further checking into the matter I think my statement to the gentleman would be correct.

Mr. **CLEVELAND**. I thank the gentleman from Illinois for yielding.

Mr. **COLLIER**. Mr. Chirman, our distinguished colleague the gentleman from Oregon, who preceded me, said he regretted that we had not spent enough time on the question of why we are in the position we are in today and with that thought in mind, I would like to direct my remarks briefly to that subject.

First of all, I think the bill before us today is an admission by the administration of either fiscal incompetence or fiscal deception.

I say that because if it is not the latter, then certainly there is no question that we would not be in the position we are in today if there had not been incompetency.

If you do not agree, then someone had better explain to me how we can possibly find ourselves in this position today—a situation caused by a miscalculation or underestimate of expenditures last year by $15 billion. Sadly, we had no midyear review of the budget which we should have had. Again we would not be in the predicament we are in had we had such a review and had we moved in the responsible direction of dealing with the problem.

Let me cite an example. As far back as last July, there was not a knowledgeable Member of this House who was not fully aware, as the Member now addressing you in the well, that the cost of the military conflict in Vietnam far exceeded—yes, far exceeded—the estimates earlier in the year. Yet, we did nothing in the last session to meet the problem which we are now faced with on an emergency basis.

Let me just point out one other thing. Throughout the 8 years of the Eisenhower administration, the debt ceiling was increased by $18 billion.

During the Kennedy-Johnson administrations from 1961 up to and through the request that is before us today, the debt has been hiked by $43 billion.

Now you might say, this developed as a result of the cost of the war in Vietnam. But a careful study and scrutiny of the budgetary expenses will dispel such a thought.

Bear in mind, if you will, that in the last year of the Eisenhower administration, revenues were only $67 billion. Whereas the estimated revenues today—and they have been going up—will be somewhere in the neighborhood of $117 billion. In the aggregate, an increase of some 25 percent over this period of time in revenues.

In sum and substance, I am suggesting that in the light of the projected deficit for the current fiscal year together with that of the next fiscal year, it may be well that we are casting our first legislative vote in this House in this session of Congress on this bill. Perhaps this will set the proper tenor in the House as we deal with authorization and appropriation bills in the months ahead, because we are going to be faced with some hard decisions. There is no question about it.

But I think we should point out that we cannot continually, as a responsible legislative body, approve more and more spending programs each year, in spite of increased revenues, than is coming into the Federal Treasury.

I suggested to the distinguished Secretary of the Treasury, who pointed out that a vote against the debt ceiling bill today is by no means an economy vote, I could not agree more. But I would hope in the light of his statement—and I suggest that it might be well to repeat it throughout the coming session as we deal with these bills. Remember, if you will, that effort after effort was made in the last session, primarily by my colleagues on this side, foreseeing the problem with which we are faced today, to attempt to cut back in some of those areas, to defer some of those desirable programs so we could be fiscally responsible.

I am sure you all realize that in May we will be back here with another bill to increase debt ceiling. Bearing that in mind, as appropriation bills come up I would hope that, in the light of this, many more Members will let sound fiscal judgment and conscience be their guide.

Mr. **BYRNES** of Wisconsin. Mr. Chairman, I yield 5 minutes to the gentleman from Virginia [Mr. Broyhill].

Mr. **BROYHILL** of Virginia. Mr. Chairman, at the beginning of the hearings on this legislation before the Committee on Ways and Means the Secretary of the Treasury in his testimony likened the consideration of this legislation to that of the board of directors of an American corporation receiving a report from the managers of that corporation. The managers had reported that the corporation had run out of money, and the management needed authority to go across the street to the bank and make an additional loan in order to meet the corporation's obligations and to meet the payroll.

Management submitted a proposal to us stating the amount it wanted to borrow and the terms under which it wanted to make that loan. The Secretary admonished the committee, or the so-called board of directors, that any change, any hesitancy, any questions whatsoever, any alternative proposals on the part of the so-called board of directors would be an act of irresponsibility. He took it upon himself to give the committee some political advice.

The Secretary of the Treasury is a constituent of mine, and I always appreciate the advice coming from a constitutent. But here he had made a proposal to the committee, and he put it to us on a "take it or leave it" basis. It had to be acted upon immediately with no changes.

Using the analogy of the Secretary of the Treasury—and I think it is an appropriate analogy—here we are somewhat like a board of directors of a corporation. If we are going to be a responsible board of directors, we should ask some questions.

One obvious question we should ask is, Why was this desperate need reported to us at the last minute, when we are called upon to act in such haste? The delay in making the request in itself should cause us to question the credibility of the management.

Another question is, Why was such a great error made in the amount of financing that was going to be needed? It was just 1 year ago, as we know, when the management told us, with some great delight and pride, that we were going to live within a deficit of approximately $1.8 billion, provided that the Congress, or the so-called board of directors, would give them additional revenue measures—which we did, such as the increase in excise tax, or the postponement of a decrease in the excise tax, acceleration of withholding taxes, corporate income taxes. We gave them all they asked for.

Again, about last May, management came to us and said they needed additional interim borrowing authority. Again they confirmed the estimate of $1.8 billion deficit was still holding up.

Again in September they came to us and said they needed some relief legislation because the economy was in trouble and needed suspension of the investment credit, and again they confirmed that things were all right, that management was going along on the same keel they indicated they were going along on last January.

But then, lo and behold, what happened on November 8? We had a stockholders' meeting, where any responsible corporation would make a complete and up-to-date report to the stockholders as to what was the status of the business. Of course, at that time it was again confirmed that things were going along as originally reported.

But now, just about 2 months later, we are told by management that they have made an error as to what the expenditures were, by as much as $1 to $1.5 billion per month, and they tell us that we have to go along and approve their line of credit, give them something of a blank-check type of authorization, with no restrictions whatever, and unless we approve what they propose, we will be guilty of fiscal irresponsibility.

If we have learned that this management, so to speak, has been using a certain type of borrowing authority to circumvent the limit of credit that we have provided for them outside of the control of the so-called board. I think in light of the error that has been made, any responsible board would want to put a stop to it.

Second, if this management has been paying more interest for this type of borrowing, the board would want to put a stop to it.

In substance, that is what our proposal is today, two restrictions on this proposal being made by the Secretary of the Treasury: to limit this borrowing, that is outside the control of the Congress, or the board of directors, and to make it possible for them to do their borrowing at a little less cost to the corporation.

All of us want to meet our obligations. We do not need to be told what our responsibilities are. I do not know of any Member of this body who would tolerate there being any past due bills on the part of the U.S. Government. Certainly we know we have to meet the payroll when it comes due.

Of course, if the motion to recommit is adopted, there will be no problem whatsoever, but if this bill itself is voted down, there is no question whatsoever that we are going to act immediately on another bill, another proposal in a matter of hours. We all know that. We are not going to be so irresponsible as to let it go. So a vote against this bill today does not mean we are not conscious of what our responsibilities or obligations are. On the contrary, the administration has erred. They have made a serious error, or they have not been honest with us in telling us just what the fiscal situation is.

I say that by voting for the motion to recommit or voting down the bill itself, we are in effect refusing to give the administration a blank check and would not be guilty of being a rubberstamp.

Mr. Chairman, the Congress appropriates the funds, but the President decides what will be spent. If the President does not choose to spend the money he does not have to do so. We saw an example of this last fall. The President stated that he would cut back or defer some $3 billion of the appropriations which he had originally planned to spend during the balance of the fiscal year 1967.

In the 89th Congress, the Democrat administration prided itself on the number of bills passed, starting new programs and appropriating additional moneys. The Democrats claimed that they broke all records. However, the President did not have to spend this money. The President asked for the bills and it was up to him to decide whether or not to spend the money.

Having decided to spend the money, the administration now comes back to the Congress for an increase of $6 billion in order to borrow money to pay its bills. We are told that it was the Congress—not the President—that appropriated the money and it is up to the Congress—not the President—to pay the bills. I refuse to accept that responsibility. In fact, I do not think that anyone in Congress—Republican or Democrat—should accept that responsibility.

While it is true that Congress appropriated the money—and I and my Republican colleagues objected to much of it—Congress did so on the basis of misleading information. When the President asked Congress to appropriate the money, the budget for fiscal 1967 showed a deficit of only $1.8 billion. The administration represented that for the most part the amount to be spent could be financed out of general revenues, not a debt increase. It was only after the November elections were over, that a different budget was submitted to the Congress for fiscal 1967. In this budget, expenditures were up $15 billion and the estimated deficit had grown to $10 billion.

I am confident that if the Congress knew in the spring of 1966 what we know now, many of those spending bills would not have been enacted by the 89th Congress. We would have forced the administration to cut back on expenditures, and we would not be facing a debt problem today.

Just yesterday before the Joint Economic Committee, the Secretary of the Treasury proceeded to call the Republicans "Monday morning quarterbacks" for criticizing the administration's economic policies. The Secretary said:

> It has not been my practice in the past to spend time and energy answering Monday morning quarterbacks' partisan criticism.

Then he proceeded to do just that. I do not see it that way. It certainly is not "Monday morning quarterbacking" to criticize the fiscal policies of an administration which—although in control of spending—apparently had no idea how much it intended to spend as little as 2 months in advance. The record is clear. It does not take a "Monday morning quarterback" to see that the administration either deceived the Congress and the people or did not know what it was doing. The Republican position last year, and again today, must be viewed in the context of what the administration was, and is telling the Congress and the people it plans to spend.

The administration came to the Congress last May seeking an increase in the temporary debt ceiling, and again last September seeking the suspension of the 7-percent investment credit. The same Secretary of the Treasury who now is critical of the "Monday morning quarterbacks" presented those requests on behalf of the administration. How good was his quarterbacking?

In May 1966, we were advised that for the fiscal year 1967 the administration proposed to spend a total of $112.8 billion. The Secretary went so far as to submit a schedule showing how that amount would be spent by months. What happened?

At the end of July, only 2 months later, he already had missed the mark by $1.3 billion. Expenditures for July 1966 were $1.3 billion more than the Secretary had estimated. By the end of August, the Secretary had missed the mark by another $1 billion. Only 2 months of fiscal 1967 had elapsed, and the Secretary's estimates had missed the mark by $2.3 billion. In September, the Secretary missed the mark again. This time by $1.6 billion. Thus, at the end of 3 months, the estimates given to the Congress only a few months before had proven to be wholly unreliable. The Secretary had understated expenditures by almost $4 billion.

Again, in September 1966, the Secretary came to the Congress seeking the suspension of the investment credit. He must have known at that time that expenditures were going to exceed prior estimates by at least $4 billion. He had already spent that much. Notwithstanding this, he was not willing to budge from his earlier estimates, and to make the matter even worse, the President was telling us that he was going to cut back some $3 billion of expenditures.

For my part, I just cannot believe that the administration did not have more realistic expenditure estimates last May and again last September. I think it is clear that the administration deliberately elected to keep the Congress and the American people in the dark—first in order that the Congress would not itself take action to cut back on Government spending—and later in an effort to allay the concern of the American people until after the November elections.

When I say this, I am not "Monday morning quarterbacking." I said as much in May and again in September, and again here today. In fact, I will go further and say that without the fiscal manipulations which the administration regularly resorts to as a means of reducing the impact of expenditures on the Federal budget—the sale of participation certificates, withdrawals from the International Bank, the sale of Export-Import Bank obligations, and the like—expenditures will even exceed present estimates.

If the manager of a business—and the President is managing the largest business in the world—made repeated forecasts over a period of months that everything was going along fine, and then all of a sudden came to the board of directors to get authority to borrow a large sum of money because he had gone hopelessly in debt, he would be fired. The conclusion is inescapable that it has been the gross mismanagement of the fiscal affairs of the Nation by the administration, if not actual bad faith in its dealings with the public and the Congress, which necessitates a further increase in the public debt at this time.

What is this fiscal device resorted to by the administration in order to reduce the amount of its spending?

In the 89th Congress, the Democrat-controlled Congress enacted, with very little consideration, and in great haste, the Participation Sales Act—Public Law 89-429—authorizing the Federal National Mortgage Association to issue participation certificates, with selected Government assets as collateral. For budgetary purposes, the proceeds of these sales are not shown as receipts but are applied directly as a reduction of expenditures of the Treasury. Administrative budget expenditures reported for January 1967, will be understated by $1.1 billion on account of the issue of $1.1 billion in participation certificates sold on January 5, 1967. Expenditures for the balance of the fiscal year 1967 will be reduced by an additional $2.9 billion on account of further sales of these participation certificates. These are the only cutbacks we could find of any significance. Nothing is being reduced. In the case of participation certificate sales, the administration is merely issuing a new kind of note to pay its bills, and through some fancy bookkeeping crediting the proceeds directly against its expenditures.

Sale of the participation certificates does not involve the sale of any assets. Fannie Mae still holds the assets and collects the principal and interest. Sale of the participation certificates does not involve the substitution of private for public credit. The participation certificates are deemed to be obligations fully guaranteed, just like any other Government bond. All of the money used by the Federal Government and its agencies, whether it is obtained through taxation or through borrowing, must originate privately, but that in no way characterizes the governmental activities as being privately financed. It is a fiction.

For more than 30 years, both Democrat and Republican administrations limited the investment of social security trust funds to U.S. Treasury obligations. Prior to this time, regardless of the exigencies of the situation, no prior administration had violated this trust. Now, the present administration has seized the opportunity to sell these participation certificates to the social security trust funds. Unless these obligations are full faith and credit obligations of the United States—guaranteed as to principal and interest within the meaning of the debt limit—the Secretary of the Treasury clearly has acted in breach of his trust as managing trustee of the social security trust funds.

These fiscal manipulations by the administration serve no useful purpose other than to conceal from the American people the magnitude of the expenditure budget. What price deception. To do this, the administration is willing to disrupt the capital markets and to saddle the taxpayer with an additional interest bill of between $25 and $50 million for each year that the $10 billion of participation certificates—which the administration plans to issue—are outstanding.

In conclusion, the Republicans—and particularly those of us who serve on the Ways and Means Committee—did not bring about the critical fiscal problems facing the Johnson administration. Last May and again last September, we urged the administration to exercise greater control over expenditures. The administration chose instead to submit a "phony" budget to conceal the facts.

The administration should have come to the Congress last fall and laid on the table the problems it was facing in financing the public debt. The administration chose instead to resort to subterfuge in order to cover up its mistakes. Paper was issued by the agencies at interest rates ranging from 5.2 percent to more than 6 percent and unloaded on the social security trust funds.

The Secretary of the Treasury would have the public believe that the sale of these participation certificates is no different from other sales of financial obligations held by the Government by former Republican and Democrat administrations. There is a basic difference. In the case of prior administrations, emphasis was placed primarily on the sale of the financial assets themselves. Where successful, this involved an actual transfer of assets to a private buyer. The participation certificate gives the buyer only a beneficial interest in a pool of assets, and that is purely incidental. The buyer could not care less what is in that pool, if the certificate is a general obligation of the United States backed by its full faith and credit.

The proposal offered by the Republicans in committee—and rejected by a straight party-line vote—would have given the Secretary of the Treasury greater—not less—flexibility in the management of the public debt. The participation certificates, which the Attorney General ruled, and the Secretary of the Treasury sold, as full faith and credit obligations of the United States, would be specifically under the debt limit with a corresponding increase in the temporary debt ceiling to accommodate these obligations.

In addition, so that the Secretary of the Treasury would have no need to resort to the participation certificate device, and thereby saddle the taxpayer with the payment of excessive interest, we would permit the Secretary to issue up to $6 billion of long-term Treasury obligations bearing interest of a rate in excess of 4.25 percent.

Our proposals were constructive and should have been welcomed by the administration. Honesty with the Congress and the American people demanded as much. The position adopted by the majority leaves me no alternative except to vote against the bill.

Mr. MILLS. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. PATMAN].

Mr. PATMAN. Mr. Chairman, I hope the motion to recommit will not be approved. Just one thing about it condemns it, and that is the recommendation to raise the 4¼-percent rate on long-term Government bonds. This is a terrible recommendation against the interests of the American people. This maximum rate on long-term Government issues has been in effect since 1918—49 years—in good times and bad. No effort was made to raise it, except twice during the Eisenhower administration, and then it was overwhelmingly defeated. Now are we going to come in here, after defeating it in a Republican administration, and approve it?

This motion would take the limit off. It does not say from 4¼ to 5¼ or 6¼ or 10¼. It would take the limit off. The sky would be the limit.

I have known all the time that our friendly party in opposition to us was a high interest party.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. Not right now.

Mr. CURTIS. If I give the gentleman more time will he yield?

Mr. PATMAN. This takes the cake. This is higher than has ever been proposed in all history.

I have known President Johnson well all of his life. I have confidence in him. But I am not even willing to give the President this much power.

One hundred and two years ago President Lincoln was told by the Wall Street bankers that he would have to pay 28 percent on Federal securities. Mr. Lincoln did the only thing he could do. He took the only alternative he had, and that was to issue U.S. currency that provided for no interest.

As our friends on the Republican side go out this weekend to make Republican speeches, why do they not brag on President Lincoln's great stand on monetary policy.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. Not right now.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. Not right now. I know this makes you a little bit nervous, but I am not through with it yet.

Why not tell the American people that President Lincoln refused to pay 28 percent interest and instead issued $346 million in U.S. currency?

Then, during a Populist era, before 1900, a law was passed to always keep those notes issued by Lincoln in circulation, to say that if they were mutilated or destroyed they would have to be replaced immediately. They are still in circulation.

Here is where Republicans can brag. They can say that if President Lincoln had yielded to those Wall Street bankers and issued bonds at 5½ percent semiannually, the Government today would be out more than $50 billion—in fact, nearly $60 billion.

That is what I am talking about. The Republicans have something to brag about, and it is too bad they do not take the same position today.

Mr. ULLMAN. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Oregon.

Mr. ULLMAN. Abraham Lincoln was great, and certainly great in this respect.

From my reading of history it is my understanding that Abraham Lincoln ran the first time as a Republican, but the second time on a Union ticket.

Mr. PATMAN. That is correct. He did not have the Republican endorsement the last time. Perhaps that was one of the reasons; I do not know.

Today, the second largest item in the budget is interest, $14.2 billion. That is twice as much as it should be today. We are paying twice as much because of the high interest of the Republican administration of the 1950's.

Since Mr. Martin went in, interest rates have been doubled. That and the last Republican administration are the reasons why we are paying $14 billion instead of $7 billion.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. Not just now.

During World War II when the Federal Reserve was operating in the public interest, with a good President, Franklin D. Roosevelt, interest rates were kept at 2½ percent and below.

Unfortunately the Eisenhower administration deliberately raised them. When Mr. Eisenhower first came into office he floated one long-term issue for 2⅜-percent interest because the Democrats delivered to him a good system of low interest rates. But after that interest rates went up——

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. MILLS. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. PATMAN. It was under this administration of Mr. Eisenhower—the Republicans—which did it. Of course, they are high interest people. I have never heard a Republican on the floor get up and plead for low interest rates. I never have. Now, maybe I am mistaken about it.

Mr. GERALD R. FORD. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to anyone who says he has, and that is all I will yield for.

Mr. GERALD R. FORD. I will be glad to accept the challenge of the gentleman from Texas. Last year the gentleman from Texas sponsored and brought the high interest participation certificates bill to the floor of the House. His legislation has brought the highest interest rates in the history of the United States. The gentleman from Texas has become the high-interest advocate in the Congress and his legislation caused the highest interest rates in 40 years.

Mr. PATMAN. I refuse to yield any further. You are trying to use a smokescreen. I do not yield to the gentleman any further. That is what Republicans always do. They use a smokescreen. They want to hide what they stand for and they get up some emotional issue against the Democrats. That is the reason why you always lose. They have not been in power for a long time. Of course you had Mr. Hoover. He barely got in and he did so much damage that the Republicans stayed out a while. Then Mr. Eisenhower, as popular as he was, came in. He was the greatest general of all. That is the reason why you got him—to hide all of your sins. He was elected one time and, of course, by a thin margin the Republicans got the House and the Senate. In the very next election he lost the Congress. Then he lost it in the next election and the next election and the next election. This is why you gentlemen lose. I do not know of a single Republican that I dislike individually, but when they get together they get a kind of meanness in their heads and do a lot of things that they should not do.

Here you are advocating 100-percent interest. It could be that. The Federal Reserve Board raised the interest rates in December 1965, 37½ percent to bail out a few New York bankers. I have never heard your party denounce that raise. I will yield to anybody on the Republican side who says he was against that raise. Stand up now. Of course you will not do it because you did not object to it. You are just a high-interest party and here you are. You have taken it in your teeth and you have raised everybody. One time when Dr. Townsend was asked the question, "Why did you make the pension $200 a month?" he said, "Well, I want to make it high enough so I will know that so-and-so cannot raise it." That was a $200 a month pension. So you have certainly gone the limit here and made the amount so high that nobody could possibly raise it. But the pressure would be on in the Government, like they did in Mr. Lincoln's time, to frame up on the Government and put pressure on the President to pay 10, 15, 20, or 28 percent. That is what you would be authorizing here. You would be creating a situation for higher and higher interest rates on Federal Securities. If you succeeded you would cause more poverty through high interest than through any other activity that the Government or people in any line of endeavor cause. There is where poverty is caused. If you help the poor first, you help everybody, because money travels. There are 50 or 75 transactions a year and every transaction pays a little tax. But if you benefit the rich with high interest, then it goes on the books of the banks or into the hands of the people who do not need to buy a new pair of shoes or a new automobile and it stops there. If you want to help the people of this country, start with the poor people and the people who have had misfortune and who need some help from the Government—until they can get on their feet.

A vote for this Republican motion means but one thing—saddle the Federal Government and the people with higher and higher interest rates, and kill every social and economic program the Democratic Party has ever stood for and enacted into legislation.

Mr. MILLS. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. Rees].

Mr. REES. Mr. Chairman, we should talk a little bit in terms of what the participation certificate is and what is its rationale. It is a certificate of beneficial interest in a pool of Government paper and to the individual.

Mr. Chairman, in the law which was passed last year, there are seven agencies of the U.S. Government which are involved in this pool of Government paper. They are the Small Business Administration, the Housing and Urban Development Department, the FHA, the Export-Import Bank, the VA, and the Farmers' Home Administration. There is also some participation from the Department of Education on the college loan program.

Mr. Chairman, these actually are loans which have been made to, for instance, your city, or to other cities, for the construction of a new sewer or for the construction at one of your university centers some dormitories. They are contingent liabilities of the U.S. Government, because someone else is going to pay them off—your university, your city, your veteran, or whomever the borrower—is going to pay this loan back, because he has borrowed that money from the U.S. Government. It is not really a direct debt of the U.S. Government. It is a contingent liability, effectively guaranteed by the U.S. Government.

Mr. Chairman, this type of instrument does not belong under the Nation's debt limitation. We would create real debt if we do not raise taxes with which to balance the budget this year. We would have to go into the open market with Government securities, short-term securities, and borrow this money, to pay for the appropriations made by this Congress.

But, Mr. Chairman, this is not a contingent liability. This is a direct liability of the U.S. Government.

Mr. Chairman, it is my opinion that it is about time we quit mixing up our debt—the direct debt of the Government with contingent debts. The direct debt of the Government should be in one column and the contingent liability of the Government should be in another. They are two different items.

Mr. Chairman, if we are to consider all contingent debt, to be part of the Government debt, we might as well include FDIC's insurance of bank accounts in this country, as the U.S. Government, of course, stands behind the banks to the extent of insurance in the amount of $15,000 for each bank account.

Also, Mr. Chairman, I feel that these participation certificates are good, because it means that we have a means of orderly selling of securities in the market.

Mr. Chairman, if the minority motion passes, it will not mean that these securities are not going to be sold on the open market. They will be sold, but in the form of short-term securities or debentures.

This question was brought up last year when, in about February, the FDIC sold some paper in the market for a rate of 6 percent. This, by far, represented the highest rate that the Federal Government had paid in many years. The FDIC went to the market on their own. They were not coordinated with our monetary policy and this caused problems in a time of tight money.

By putting these obligations under one management, FNMA, means that the selling of these securities can be tightly coordinated with the monetary policy of the United States. This was done just last September, a period of time during which we were in a terrible tight-money situation. The President said we would not sell any participations thus aiding private borrowers.

Mr. Chairman, with participation certificates we will have a more honest appraisal as to actually what is the real debt of the United States, and not mix this up with the contingent liabilities of the United States. It means that we will have a better idea as to when we can sell these securities, and how their sale will affect the monetary policy of the United States and when we can obtain the best interest rates, and what is going to really be best for the overall economic policy of the United States.

If you believe in a rational conception of what true debt is, if you believe in order in terms of a well-balanced money market, then you should oppose the minority recommittal motion.

Mr. CURTIS. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. Conable].

Mr. CONABLE. Mr. Chairman, I do not think the point can be emphasized too much that a vote for the Republican recommittal motion is not only a stroke for a more honest budget, but also can only reduce the interest expense on the Nation's borrowings. Short-term debt carries a high interest rate. The so-called participation certificate also carries a rate at least one-fourth of a point above a comparable direct obligation of the Treasury. In view of the Attorney General's ruling that a participation certificate carries with it the full guarantee of the Nation's credit the only advantage which can offset its higher interest cost is the element of deceit. Its issuance confuses the balance sheet. We should discourage such a practice at the same time we try to minimize the cost to the taxpayer of interest on the public debt. The Republican proposal will not solve the problems the administration's handling of the participation certificates has created, but it is a step in the right direction, and we should not wait. As far as I am concerned this is a reasonable condition to be imposed by the Congress at the time the administration is asking us once again to bail it out after its latest manifestation of fiscal irresponsibility.

Mr. CURTIS. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. FINO].

Mr. FINO. Mr. Chairman, I rise in opposition to any further extension of the national debt ceiling. I do not think any Member can deny that our Government is spending too much as it is. This is not the year for a huge debt ceiling hike and a stiff tax increase. This is not the year to raise the bridge—if anything, this is the year to lower the water. In short, let us cut spending and let us stop raising the taxes of this generation and generations yet unborn.

There are those who will say we cannot cut expenditures without cutting into our war effort. I wonder if we are talking about the same war? I am not talking about cutting the spending that keeps our troops in Vietnam supplied with all the firepower they need, although I wish the administration would get a bit more decisive. I am talking about the Great Society's other war effort. You know—the war on self-help, the war on fixed incomes, the war on respect for law and order, the war on middle-class morality, the war on purchasing power, the war on suburban living patterns, the war on the stable residential neighborhood, the war on the neighborhood school. I am for cutting out these Great Society war efforts. I am for ripping the general's insignia from the shoulders of the social planners.

I repeat, let us not raise the debt ceiling. Let us lower spending. We can start with the poverty program. It is not a CCC for the needy, it is a WPA for unemployable social planners and social revolutionaries. Then how about "demonstration cities," Secretary Weaver's little do-it-yourself urban racial balance kit? Surely we can postpone the school bussing for another year or two? Incidentally, some of you may think that I am talking through my hat. After all, did not this House tack antibussing amendments on the cities bill? Yes, we did. But get a hold of a UPI news story for November 30, 1966, which quotes HUD as planning to insist on school racial balance schemes anyway.

Mr. Chairman, there is plenty of other spending to cut. How about rent subsidies? That is a popular program. The last time we checked through the congressional district questionnaires, not one district had favored it. How about metropolitan planning? Secretary Weaver wants money to mix up the suburbs and slums. How about slashing that one?

Then let us not forget our scientific programs. They, too, are fat with waste. We can start with the man-on-the-moon program, lest we all be in the poorhouse by the time he gets there. Then there is Operation Mohole—better known as "operation rathole"—by which our money is being poured down a hole somewhere in the earth's crust to keep the geology trade employed.

On top of this, Mr. Chairman, there is foreign aid, which varies between guns for the Arabs, roads going nowhere, payola for dictators, and South American gunboats, food people will not eat, and other wasteful programs.

I think all of this adds up to plenty of fat to clip from the budget. Let us clip it and spare the taxpayer. If we cut enough fat, we can avoid a tax hike and minimize the debt ceiling hike.

Mr. CURTIS. Mr. Chairman, I yield to the gentleman from Missouri [Mr. HALL].

Mr. HALL. Mr. Chairman, it is time a Congress which controls appropriations, begins to cut off the water in budgets and debts at its source. Those of us who read our junk mail yesterday were surprised to learn that the Johnson administration has approved a grant of $8,789 to the University of California at Santa Barbara, for a study of comic strips.

Federal grants of this nature are one more reason why the Johnson administration suffers from a credibility gap, and why the Congress should not approve another increase in the debt ceiling until this administration learns to distinguish between what is essential, and what is utter nonsense priorities when it comes to spending the taxpayer's dollars in time of war and severe strains on the Federal Treasury.

The National Foundation on the Arts and Humanities, which announced the grant said:

> This study should make a great contribution to the understanding of the comic strip on a historical and sociological basis, as well as an artistic one.

The biggest belly laugh will not be found in the comic books, but rather in the sheer stupidity of throwing tax dollars away on projects like this. If refusal to raise the debt ceiling means the Federal check to the University of California will bounce, then I say let us bounce it off the heads of those who have the temerity to approve grants like this at a time when the President is asking Congress to approve a 6-percent increase in taxes, and cut back interstate defense highway construction.

A few days ago, in a self-righteous statement, the Secretary of the Treasury said Congress should raise the debt ceiling to pay for the appropriations Congress has already approved. Is there anyone in the House Chamber who will admit to appropriating money for a comic book study?

This may not sound like a lot of money to Secretary Fowler, but there are millions of Americans who work an entire year for less than $8,789.

What business has the Federal Government got financing comic book studies, or spending $12,650 to make a literary investigation of American popular culture, or $10,000 to prepare biographies of major figures in Chinese life in the Ming period from the 14th to the 17th centuries, or $15,000 to prepare a dictionary of popular beliefs and superstitions?

I have nothing against "Steve Canyon." In fact, I enjoy reading the comic sections as regular welcome relief. If, perchance, the Ford Foundation or the Carnegie Foundation wants to finance a study of the comic strips, more power to them; but why the taxpayer and why the Federal Government at a time when we are going deeper into the red, at the rate of $56,000 a minute? Where is this administration's sense of priority and urgency?

Would you believe a comic book that cost $8,789? Can we really afford to laugh this one off? I am against further increases in the legal debt limit of the United States.

Mr. CURTIS. Mr. Chairman, I yield to the gentleman from Wisconsin [Mr. SCHADEBERG].

Mr. SCHADEBERG. Mr. Chairman, it is my conviction that one of the greatest problems facing the people of this Nation, and one which we in Congress must recognize as basic to all we do in our efforts to keep our economy moving forward, is that of setting our financial house in order. To be sure, our number one problem is and must continue to be the termination of the war in Vietnam at the earliest possible moment with a minimum of loss of life and with victory for the forces of freedom. That, too, is a part of the whole matter we are discussing today. We cannot discuss deficits without taking into consideration the cost of conducting a war such as we are waging in Vietnam. This becomes even more difficult when we are not informed of the true cost but must rely on intermittent estimates and supplemental appropriations.

I am opposed to raising the debt limit. I am not irresponsible in taking this position. The fact is that those who have consistently voted in this House for those New Frontier and Great Society programs and projects that have placed undue strain upon our economy must bear the burden of facing their people back home and admitting that, having already spent their money, they must now increase their taxes and add another additional burden on the as yet unearned income of this Nation's unborn.

Based on my record in this House of opposing the increase in the public debt limit on June 26, 1961, on February 20, 1962, on May 15, 1963, on August 8, 1963, on November 7, 1963, and on June 18, 1964, because I felt each time, then as I do now that we ought to tailor our spending to our income, it would be most inconsistent for me now, after several increases in the debt ceiling in my absence from the Congress, to vote for it. The circumstances that dictated the increases in the debt limit have not appreciably changed save perhaps for the escalation of the war in Vietnam but, in regard to this, may I say that this generation is expecting enough of this Nation's youth in requiring them to fight and suffer and die on the battlefield without placing the burden on paying for it on their children. If the war in Vietnam is important to us and to the cause of freedom, we ought to bear the burden of it ourselves. Perhaps, if the American people were made fully aware of the cost of continuing this war, they might have some second thoughts about the present conduct of the war and the present policy of not trying to stop Communist aggression with every means at our command, but merely trying to contain it in each of the areas of conflict—a costly policy that is like putting salve on a highly contagious sore only to cover it up, and have the sore break out elsewhere.

I believe that we have reached a point in our modern blindness to the facts of life at which we must square with the American people and let them know the difficulty into which this body, through the past 6 years, has lead them. It is time that we remove the camouflage of deficit spending so that the people can see for themselves that they cannot have their cake and eat it. This present practice of spending, under the guise of "giving something to everyone for nothing," will continue so long as this body is willing to keep on raising the debt limit and, incidentally, calling it a "temporary" debt limit which is hypocrisy in itself. We must make it clear to the Members of this House, to the administration, that there will be no authority to borrow if we are to stop this headlong rush into national fiscal insolvency.

I believe we have a responsibility to our people back home to take the necessary measures now that will force us and the administration to live within our income.

I am aware that the need for the increase in the debt limit is due to the fact that the money has already been spent. Perhaps the present critical need for available money on the part of the Government needs to be dramatized so that we in Congress will be lulled out of our complacency about fiscal matters and the American people can see for themselves what is troubling our economy.

My vote against the debt limit increase is one which is based on the firm conviction that the only way we can bring the wayward spenders into line is to cut off the source of supply of their funds and refuse them the right to squander today the wealth of tomorrow's generation in order that they may selfishly live high off the hog.

Mr. CURTIS. Mr. Chairman, I yield to the gentleman from Washington [Mr. PELLY].

Mr. PELLY. Mr. Chairman, I rise in support of the motion to recommit and if that motion does not prevail I intend to oppose the bill.

Mr. Chairman, I am sure the American people have little idea of how serious this matter of Government debt is. Between now and June 30, because of the high level of Government spending and obligations incurred by the Johnson administration, the Treasury must borrow $8 billion, and to do that the legal debt ceiling must be raised.

The Republican Party and those of us who opposed higher spending and borrowing are not responsible. Those of us who supported the Republican attempts last year to reduce appropriation bills by 5 percent and to hold down spending are not responsible. But, unfortunately the Republicans and those of us who have been for economy cannot sit back and see our Government repudiate its obligations and the money it owes. We have a greater and overall responsibility to see that Government pensions and salaries are paid and that amounts due under defense contracts are paid. So I want to make it clear that since it is necessary to increase the debt ceiling and to borrow more money in order to make these ceiling payments we must take some action soon.

At the same time, Mr. Chairman, I am opposed to H.R. 4573 in its present form because I believe, in all honesty, that the two Republican amendments should be adopted. One of these amendments would allow the Treasury Department to shift part of the public debt to long-term obligations. This would allow the Treasury to borrow at lower interest rates. As it is now, the Treasury is forced to borrow all of its money on short-term obligations, which carry a higher rate of interest than long-term bonds. But, this is not the only reason I favor this amendment, I think that it is highly dangerous to have almost one-half of our public borrowing in obligations of 1 year or less. If there is a disturbance in the money market or a national financial crisis because of our shortage of gold the Government could not possibly refinance that one-half of $218 billion which is outstanding. It could not be done in 1 year or at one time. It is a highly dangerous situation and there is a third reason why the Government should borrow in the long-term market; this is because it would ease the money market and enable private borrowing and mortgage lending to proceed; it would mean that the private money market interest rates would go down.

Also as to the second amendment, Mr. Chairman, I favor placing the outstanding participation certificates which carry the full faith and credit of the United States under the public debt ceiling. Otherwise, for one thing these participation certificates could be exchanged for regular Government bonds which could be resold and thereby bypass the Federal debt ceiling. All borrowing of the Government should be under the debt ceiling.

Mr. Chairman, as I said at the beginning of my remarks, it is necessary to permit the Government to borrow some $8 billion between now and June 30 but I feel so strongly about these two amendments I will not support this bill unless they are included. Of course, should H.R. 4573 be defeated then it would compel the Ways and Means Committee to come back with a bill that Congress will accept and Republicans have made it clear that we will support legislation to increase the debt ceiling if these amendments are accepted.

Finally, Mr. Chairman, may I comment that this bill is before us because of the poor fiscal policies and management of the Johnson administration. The President has insisted on "guns and butter" and has come in with a new budget calling for greatly increased nonmilitary spending, including $25 billion for Great Society programs. It is the largest budget ever and would require more taxes and more borrowing. I think it is time to reduce Government spending and the only way that I can influence any such policy is to insist on truth in borrowing and spending, which the people have not had. Republican amendments are needed to help restore sound fiscal management and to give the public the true facts.

I want to make it clear that if the amendments are adopted I will support this legislation; if they are not I will not support it.

Mr. MILLS. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. POOL].

Mr. POOL. Mr. Chairman, as Members of the House know, it has been my practice in the past to vote against measures to extend the debt limit of this country. Our Nation is in a much different position today, however, than it was on those previous occasions to which I refer.

Today we are engaged in a war in southeast Asia, the magnitude and tremendous cost of which are now clear to us all. This war is currently costing us at a rate in excess of $20 billion a year. Were it not for this conflict the budget of the United States would be in surplus, and we could be reducing the debt rather than adding to it, which I can assure you would be much more to my liking.

That we will have to augment and supplement substantially the budget for the current fiscal year because of increased expenditures in Vietnam, however, is now beyond question. The cost of these increased needs and increased expenditures must be met. The Secretary of the Treasury has told us very frankly that if the debt limit is not increased by the end of this month he cannot pay the bills that are coming due and that in his opinion:

> The possibility of an economic and monetary derangement will be a reality.

Mr. Chairman, responsible Members of this House cannot let this happen. We must do whatever is necessary in this emergent situation to provide the full measure of support for our Armed Forces in Vietnam—to provide them with every plane, every gun and every round they require—and in doing so we must also keep the credit of the United States good. In such circumstances, Mr. Chairman, prudence, responsibility and full recognition of the dire consequences of our failure to do so, require—yes, demand—my vote for the pending bill.

Mr. GROSS. Mr. Chairman, those who vote today for another increase of $6 billion in the debt ceiling ought to be confronted by their constitutents with the question of when, if ever, they propose to join in halting the profligate spending of this administration.

This will put the debt ceiling at $336 billion and Congress is already on notice that within 3 or 4 months another increase will be requested. This despite the fact that all kinds of gimmickry is being used to keep additional Federal debt from beng listed as such.

How much longer is it proposed to load upon the backs of our children, and those yet unborn, mortgages in the form of debt they can never liquidate. This is the height of irresponsibility. Nothing is more cowardly than to pass on to our children, grandchildren, and great grandchildren the responsibilities with which we are here today confronted.

History is strewn with the wreckage of governments which became dissolute in the management of their financial affairs. This Government is reeling down the road to insolvency and this bill, if approved, will mark another milestone on the road to this tragic end.

Mr. HORTON. Mr. Chairman, for the second time in less than 1 year, the Congress is being asked to authorize a temporary increase in the Treasury debt limit. Administration witnesses have testified before the Ways and Means Committee that unless the limit is raised from its present $330 billion level to $336 billion, our Treasury will not have sufficient funds available to pay the obligation of the U.S. Government in the coming weeks and months.

Much of the reason for accelerated Government expenditures is correctly stated as being the high cost of carrying on our effort in southeast Asia. In a period of high military spending, it is not unusual or unjustified for the Government to have to extend its borrowing of funds to meet current obligations. I am certainly not opposed to allowing our Government to pay its bills.

At the same time, however, when Federal financial operations are exposed to the stresses of wartime, it is most important that the public have an accurate gage of the extent and nature of these pressures. If we were to turn today to the American people and say to them that by increasing the Treasury debt limit by $6 billion we have provided sufficiently for the needs of our Government's financial obligations, we would be guilty of distorting the financial position of the U.S. Government.

How can we state the debt of our Government in terms which do not take into account considerable sums of high-interest borrowing? I am referring, of course, to the sale by Government agencies of participation certificates in Government-made loans at high interest rates. Last year, above the objections of many of us in the Congress, this body voted to allow the Federal National Mortgage Association to sell shares in mortgages and other obligations held by agencies of the Government.

Many able members of the Ways and Means Committee sought to include the sales of these loan shares in Government borrowing which is subject to the debt ceiling we are now considering. If this were done, Americans could tell at a glance what the debt position of their Government is. If this were done, the administration would today be asking Congress for a higher debt ceiling, which would more accurately reflect the long- and short-term debt obligations of the United States.

In the coming months, we in Congress along with all American citizens will be asked to judge whether the President's proposal for a 6-percent surcharge on income tax should be adopted. In order to pass judgment on this crucial question, our citizens, many of whom run efficient businesses or households of their own, will look at several financial facts about their Government. One of the factors they will consider will be the prospect for a balanced budget in the current year and in years to come. Another factor considered will be the size of expected deficits, and of course, the effect of such deficits on the overall size of the Federal debt.

So that we and our constituents may make fair judgments on this and other crucial questions, it is imperative that the administration and the Congress provide an accounting of Federal financing to the public which is fully honest, open, and understandable. There is nothing to be gained from hiding certain categories of debt or expenditure, merely because a technical or formal aspect of the transaction makes it easier to exclude it from aggregate debt or budgetary figures. Sooner or later, the public will want to know why such crucial facts were shuffled, and why they were not handled in terms understandable to everyone.

A vote to increase the ceiling on the Federal debt, as it is presently defined, would only serve to continue a system of accounting of Government transactions that is less than honest. I cannot in conscience take part in the continuation of such a system. Thus, Mr. Speaker, I am supporting the motion to recommit this bill to the Ways and Means Committee so that it may be amended to tell the full story of the Federal debt. Should the motion to recommit this measure fail, I will vote to defeat the bill.

While I fully support the full and prompt payment by the Government of its financial obligations, I also recognize that we have an obligation to the citizens of this country to provide a full and fair explanation of our financial position.

Mr. MYERS. Mr. Chairman, there has been much discussion today about the responsibility involved in our vote. I agree with this and will go one step further by stating I intend to register my responsibility to the taxpayer and to future generations.

I must vote against any increase in the debt ceiling at this time because any such limit is meaningless to the present administration.

There has been much talk about banks and bankers here today. As a country banker, I do not understand the double standard which allows us to ignore our indirect obligations because they are classified as contingent liabilities.

According to my dictionary, the word contingent means "Liable, but not certain to occur, possible." I would like to repeat the first word in the definition: "Liable."

We must include the participation certificates as part of the debt because we have sold an interest in our Government's assets. We are reducing the net worth of our assets which must be offset by a liability.

Here, there is a definite difference between the participation certificates and the other so-called contingent liabilities. With the participating certificates, we are actually administering the program while with the other contingent liabilities, we are guaranteeing payment.

The Government has made a sham of the Federal budget and I believe it is time the true debt is explained to the American people.

There are those who have called us irresponsible for opposing the administration proposal to hike the Federal debt limit from $330 to $336 billion. It is my opinion our position is rather one of responsibility. Why even go through the motion of having a debt limitation if we are not going to observe it and raise it whenever it is politically expedient.

When President Eisenhower left office 6 years ago the Federal debt ceiling was $285 billion. It seems impossible, but in just 6 short years of the New Frontier and Great Society, the administration has asked for increases amounting to $51 billion.

Must I remind the Members of the House, it was the 89th Congress, controlled 2 to 1 by the administration's own party, that approved appropriations of more than $144 billion for fiscal 1967.

It seems to me that as long as we are in the midst of a major conflict in southeast Asia, we have a responsibility to be selective in our spending. We must establish priorities.

I would liken the administration's approach to this question to the young lad who has a set allowance from his parents of $1 each week but continually spends $1.50 knowing Dad will come through with the additional money. There is no question Congress approved the appropriations which the administration now wishes to cover by extending the debt limit.

The Government should show the true debt. We are not really discussing a $6 billion increase but a $9 billion increase if you include participation certificates in the debt limitation. These amendments were constructive and would have eliminated the interest ceiling on the long-term and full-faith credit obligations of the Federal Treasury, allowing the Treasury to obtain money at a cheaper rate than at the present time.

The time is fast running out when the administration can have its fiscal cake and eat it too. At a time when the administration is asking us to make sacrifices at home and abroad, the administration itself should exhibit some control over its spending appetites.

Mr. McCLURE. Mr. Chairman, when I was a candidate for Congress last fall, the principle plank in my platform was to work toward a return to fiscal sanity on the Federal level and to reduce excessive Government spending. There is no doubt in my mind that this promise, more than any other, prompted the people of the First District of Idaho to support me in the election.

Now, in only the second month of my congressional service, I am asked to turn my back on that promise by voting to increase the ceiling on the Federal debt.

How do we find ourselves in this situation? Mr. Johnson has only himself to blame. It was not the Republican Party that encouraged increased domestic spending while trying to finance a war. It was not the Republican Party that deliberately understated the costs of that war in budget estimates. It was not the Republican Party that failed to bring the matter to the attention of the Congress last fall because it might be embarrassing in the upcoming elections. It was not the Republican Party that rammed the Sales Participation Act through Congress. It was not the Republican Party that denoted participation certificates as obligations of the United States and then tried to exclude them from the Federal debt.

But it is the Republicans in Congress that Mr. Johnson now asks to join him in getting his administration out of an economic jam of its own making. What gall.

Through participation certificates the Government is selling its assets to help balance the budget. The administration had represented to Congress that they would not be guaranteed and therefore could not be invested in trust funds. This was backed by an opinion of the Attorney General. But last November, the budget was in the red by $16 billion, and the initial issue of certificates had pushed interest rates to a 40-year high. The administration changed its position and got the Attorney General to write a new opinion which permitted the second issue of certificates to be backed by the full faith and credit of the United States. What this amounts to is a raid on the social security and other trust funds. It has been quite a spectacle on the part of the man who pictured himself as the patron saint of social security during the 1964 election.

The House Republican leadership has reacted responsibly by offering amendments that would permit proper management of the public debt at lowest interest cost. I supported those amendments, but the administration opposition prevailed. I would remind our colleagues on the other side of the aisle that their support of this measure is one more albatross that the President has hung around their necks.

There are those who say that in the final analysis it is the Congress that appropriates the money and increases the debt. Supposedly, under this reasoning, it therefore becomes the responsibility of the Congress to increase the debt ceiling now and reduce spending next year. That reasoning has failed on every occasion it has been given.

It is the administration that submits the budget. It is the administration which spends the money, and there is still time to cut back or stretch out programs. Likewise, it is the administration that waits until the last minute to make this proposal because it knows an increase in the debt limit can only pass under emergency conditions.

I cannot, in good conscience, be a party to legislation that would help the Johnson administration cover up its mistakes. I cannot in good conscience renege on my promise to the people of Idaho to work for fiscal responsibility. And the only way that I can express the feelings of my constituents and myself is to vote against the bill.

Mr. LANGEN. Mr. Chairman, if the administration had heeded my repeated advice and balanced the budget, we would not now be burdened with an ever-increasing national debt. Not only is unrestrained administration spending the primary cause of our present inflation, but it in effect constitutes a $1,662 mortgage on every man, woman, and child. This is the amount of national debt on a per capita distribution.

Moreover, the interest paid on our national debt has increased from $9 billion in fiscal year 1961 to the current yearly rate of $13.5 billion. For fiscal year 1968, the administration estimates that the interest payment on the national debt will rise to a record $14.2 billion.

Consider, for a moment, what would happen if we did not have to pay any national debt interest. We could cut everybody's taxes by one-fourth. Or, we could pay for all the antipoverty and economic development programs for 4 whole years and still have more than $4 billion left over.

I term the administration's desire for a higher debt ceiling an outright admission of inability to operate the Government in a prudent manner. I recall the numerous occasions since coming to Congress in 1959 that I have urged implementation of a balanced budget, elimination of wasteful expenditures, and, in the instance of the present administration, the return of truth in Government.

How much longer can the American people tolerate the administration predicting a budget deficit of $1.8 billion only to have the figure revised last month to register a deficit of almost $10 billion? Our national debt and the interest we must pay on that debt have skyrocketed in the past 7 years because the administration has continually broken promises to trim unnecessary spending and give the public an accurate report of Government fiscal activity.

At this time, however, I am most highly disturbed about the administration's refusal to project Vietnam costs in a candid and accurate manner. Last fall they assured us that the rate of expenditure for all Government activities was in accordance with original budget estimates. Two weeks ago, the President sent to Congress a supplemental appropriation request for over $12 billion, most of which will be required to sustain our effort in Vietnam through the end of this fiscal year. But if the administration again foists a similar situation on the Congress and the country, it could send the budget deficit and national debt to unbelievable heights.

And let me add that the budget deficit and national debt would be in even more perilous condition if participation sales certificates, the Government I O U's based on pools of assets, were correctly recorded in the administrative budget. On top of $5 billion worth of these high-interest notes, which I pointed out last year to be a phony budget-dodging scheme, we would have an additional deficit of $5.5 billion if Congress decides not to enact the President's 6-percent income tax increase plus corporation tax collection speedup.

With these observations and considerations in mind, it is indeed of greatest regret that Congress is now called upon to raise the "temporary" national debt ceiling by $6 billion to a record $336 billion. I can only hope that the concepts of truth in budget and fiscal restraint will be adhered to and practiced by the administration in the crucial months and years ahead.

I have stated many times and say so again now, that the answer to the problem before us is not one of raising the interest rate on long-term bonds. It would be far better to manage the debt and the economy so that interest rates could go down. This can be accomplished by a balanced budget, or even a small surplus. This was proved under similar circumstances in 1958 and 1959. The time has long since passed when Congress should have taken action to establish such conditions.

The urgency and seriousness of the problem before us today should surely alert all of us to one of the most important objectives of this Congress; namely, get our fiscal house and policy in order so that we will not be called upon to take this kind of action every year by necessity.

Mr. DANIELS. Mr. Chairman, the bill now pending before the House to raise the national debt limit is, unfortunately, one of those measures which traditionally produces more heat than light. In the past, this legislation has been the catalyst for a sham battle over economy in government. I say sham battle because, as my colleagues well know, this legislation is not a spending proposal. It will not authorize the spending of any additional funds; in and of itself it will have no real effect on the size of the national debt or the Federal budget.

The only purpose of this bill is to permit the Government to operate in an orderly, responsible manner, to permit the Government to pay, when they are due, debts and obligations already incurred. And in almost every case these debts and obligations were incurred as a result of programs approved by the Congress. There can be no valid opposition to this bill on the grounds of sound fiscal management of Government affairs. In fact, a vote against this bill is a vote against sound fiscal management of Government affairs. Defeat of this measure would disrupt the operations of Government in a way no responsible business firm would ever permit.

Economy in government certainly is a desirable goal, but it is not a goal that can be reached by indulging in partisan political mischief over the debt ceiling legislation.

A brief look into the finances of the Post Office Department provides an interesting insight into the overall problem of the national debt. In 1962, the Congress amended the Postal Policy Act. The amendment we approved greatly expanded the functions of the Post Office that are classified as public services. The functions of the Department specifically designated as public services operate at a considerable loss. No provision is made to raise through postal revenues the money needed to carry on these public services.

To the contrary, the Postal Policy Act states that the losses from Post Office Department operations designated as public services shall be paid from the general revenues of the Treasury and not from postal revenues. In other words, the public service functions of the Department are a built-in deficit. I do not quarrel with the concept of public service losses or with the items assigned to the public service category. But in any discussion of the national debt limit I think it is well to remember that this built-in deficit in postal operations was specifically authorized by the Congress.

Now, how significant are the public service losses incurred by the Department? Since the Congress expanded the public service category in 1962, the annual loss on these services has never been less than $400 million.

In fiscal year 1963 these services cost the Post Office $412 million more than they produced in revenue. In 1964 the public service loss was $453 million; in 1965 it was $512 million; in 1966, $543 million; and for the current fiscal year it is estimated at $567 million.

Between 1963 and the end of this fiscal year this built-in deficit will total almost $2.5 billion.

There is also a growing deficit in that part of Post Office operations which are supposed to be self-financing. Under the Postal Policy Act, postal revenues should be approximately equal to operating costs, after public service losses have been deducted from total operating costs.

This year postal revenues are expected to fall about $600 million short of achieving this goal. And the primary reason for this deficit is preferential postal rates on commercial second- and third-class mail—preferential rates that were set by the Congress and can only be adjusted by the Congress.

The Congress is responsible for establishing the public service category of postal operations and the built-in deficit resulting from it. And the Congress is responsible for establishing preferential postal rates on commercial mail.

Let me make it quite clear that I do not think the Congress has acted irresponsibly in these matters. I know that the Congress made these decisions after careful study and considerable deliberation. I believe these actions were fully justified.

But the Congress will be acting irresponsibly if it ignores its own past actions and tries to palm off a vote against raising the debt ceiling as a vote for Government economy.

Mr. WIDNALL. Mr. Chairman, I would like to take this time to discuss a little recent legislative history.

As I understand it, a motion to recommit will be offered, part of which would provide that beneficial interests from participations issued under section 302(c) of the Fannie Mae Act shall be included in the public debt set forth in section 21 of the Second Liberty Bond Act.

Judging from recent rulings from the Attorney General, I wonder whether we are wasting our time debating this issue. Let us assume for a moment that a majority of the House votes to recommit the bill and the bill is reported forthwith back to the House and passed with a provision making participation certificates included in the public debt. Let us further assume that the Senate agreed and passed it in the same form as the House and that the President signed it into law. The law of the land? I wonder.

I wonder if a letter would not then be forthcoming from the Attorney General saying that the House of Representatives, the Senate and for that matter, the President, did not know what they were doing and, notwithstanding the act of Congress, that beneficial interests in participation certificates would still not be included in the public debt.

Ridiculous? Incomprehensible? Well I do not think so. Let us take a look at the record. On this very floor, last May 18, I offered an amendment to the Participation Sales Act of 1966 which stated:

> All beneficial interests and participations issued pursuant to this subsection after enactment of this paragraph shall be obligations guaranteed as to principal and interest by the United States.

The intent of my amendment was obvious to everybody here in the House.

The chairman of the Committee on Banking and Currency rose in opposition to the amendment on the basis that my amendment would have made participation certificates obligations of the United States subject to the debt limit. The gentleman from Texas said that my amendment "provides these obligations are guaranteed as to principal and interest by the United States."

Also opposing my amendment was the gentleman from New York [Mr. MULTER]. He said:

> What they are seeking to do by this amendment is to prevent the sale of these instruments unless and until you increase the debt limit. Because as must be very clear to anyone who knows anything about the subject matter, every obligation guaranteed by the U.S. Government is a part of the public debt. The law so requires.

There was no confusion. Later in the debate, Mr. MULTER said:

> If I understand correctly, the gentleman says that by writing this amendment into the bill it will make it crystal clear that the amount of whatever is sold pursuant to this bill, when it becomes law, will become part of the public debt and within the statutory limitation, and unless and until that is increased, we cannot go beyond it by sale of these obligations.

The gentleman from Missouri [Mr. CURTIS], answered:

> That is correct.

Having debated the merits of my judgment, a teller vote was taken and 122 Members of the House voted against it, and 90 voted in favor. By action of the U.S. House of Representatives, as well as by teller vote, the House went on record against statutorily designating participation certificates as obligations guaranteed as to principal and interest by the United States.

Thereupon, the Senate passed the Participation Sales Act, the President signed it into law and in the period intervening there has been no amendment of the act. Nevertheless, on September 30 of last year, the then Attorney General Nicholas Katzenbach addressed a letter to the Secretary of the Treasury wherein he ruled that Fannie Mae's guarantee of participation certificates brings into being a general obligation of the United States backed by its full faith and credit.

The Attorney General admitted that he was aware that the legislative history of the Participation Sales Act disclosed contrary statements asserting that Fannie Mae guarantees of participations are not backed by the full faith and credit of the United States. In his ruling, the Attorney General implied that the Congress was confused and acted under a misconception. Had there not been a record vote in the House, his ruling might have been in order. However, his ruling did not take into account a record vote on this very floor.

In effect, the Attorney General was saying that a majority of the Members of the House of Representatives had no idea what they were doing. The record of the debate on my amendment shows that this clearly was not the case.

In short, the Attorney General's ruling makes a mockery of the legislative process.

Then, to make matters worse, just 5 days ago, the Acting Attorney General wrote another letter to the Secretary of the Treasury in which he said, "that the amount of Fannie Mae participation certificates outstanding at any time is not a factor in determining whether the public debt limit set by section 21 of the Second Liberty Bond Act has been reached.

Mr. Chairman, we have here an incredible legislative and administrative history. The House acts by vote, the Attorney General overrules that action, an Acting Attorney General rules still another way to meet his immediate convenience.

Which brings me to my original question. Mr. Chairman, in appraising the motion to the recommit, I wonder what good will be served when we have Attorneys General ruling contrary, not only to the intent of Congress, but also to duly constituted record votes of the U.S. House of Representatives.

Mr. Chairman, what occurred last year and this, constitutes a serious breach of comity between the executive and legislative branches. If the Members of this House are in any way disturbed by the fact that their votes can be overturned by a stroke of the Attorney General's pen, then they will reassert their constitutional authority and vote against H.R. 4573.

Mr. DENNEY. Mr. Chairman, I oppose raising the debt ceiling to $336 billion without making the basic budgetary reforms that are absolutely essential.

Last June the Republican Policy Committee joined the Republican members of the Ways and Means Committee in opposing the administration's proposed increase in the debt ceiling. We called for a cutback in nonessential spending and an honest reporting of anticipated Government expenditures. Our requests were rudely shoved aside and the administration's frantic attempts to hide the steadily darkening financial picture continued until after the November elections in 1966.

The bad news was permitted to leak out. We learned that by September 1966 expenditures had exceeded estimates made as recently as May 1966, by almost $4 billion. By the end of November, the administration had rolled up a whopping administrative budget deficit of $16 billion.

Thus, in the fall of 1966, this country was faced with a serious fiscal crisis. Expenditures were running at a rate of approximately $1.5 billion per month in excess of estimates. Borrowing through regular channels had reached the maximum permissible limits. The initial issue of the participation certificates had helped to propel interest rates to the highest level in 40 years. For the past year, the Johnson-Humphrey administration has been resorting to an extreme in order to raise additional money.

The administration solicited an opinion from the Attorney General to the effect that the second issue of participation certificates would be backed by the full faith and credit of the United States. This did two things: First, the big investors could now buy participations at the very attractive 5.75 percent rate of interest with new faith and enthusiasm and; even more important, second, the various Government trust funds could now become a "built in" and always available market for the certificates.

This gimmickry with the budget and national debt must stop and confidence in the word of our Government must be restored. The wild spending by the Johnson-Humphrey administration that was roundly rejected by the American people in the 1966 election, must be curbed.

I believe if the debt ceiling must be raised to continue the monetary affairs of our Nation in an orderly manner, the participation certificates which this administration has been selling at less than the present market interest rates—in order to respend the money—must become a part of the national debt, because they are guaranteed by the full faith and credit of the United States.

I believe not only in fiscal responsibility but also in fiscal honesty with the American people.

Mr. FINO. Mr. Chairman, I rise in support of the Byrnes amendment to make participation sales certificates obligations of the United States so as to come within the national debt. Ten days ago, I introduced legislation to achieve exactly this end.

Mr. Chairman, the Byrnes amendment is a very important one to the American taxpayer—very important, indeed. As you know, participation sales certificates carry interest rates of between one-quarter and three-quarters of a percentage point higher than comparable period Treasury borrowings. In the last half year, the spread has varied from one-half to three-quarters of a point. There are several reasons for this. In the first place, the participation sales certificate, whatever the Attorney General may try to say, is not an obligation of the United States until Congress passes on that point. Nobody elected the Attorney General to a legislative position: he is not a legislator. He cannot decide what is a matter of legislation.

Not being an obligation of the United States, participation certificates require higher interest rates to be marketable. Then there is another reason why participation certificates require high interest rates—or have so far. They represent beneficial interest in pools of variable quality government loans. As the loans turn from middle-quality—and I refer to the VA-insured and FHA-insured loans—to low-quality, the interest they require goes up. The Bureau of the Budget told this to the Senate Banking Committee last spring. You and I know that the Government is going to put its lowest quality subsidized loans into the pools this year. That is going to keep participation certificate interest rates way up.

In turn, participation sales interest rates are going to keep the money market tight. But most of all, they are going to cost the American taxpayer a fortune. If the administration floats some $5 billion worth of participations a year for 10 years, there will come a point where we have $50 billion worth outstanding. This is possible because they will have a maturity of up to 15 years. If we have $50 billion outstanding, they are costing us one-half of 1 percent more interest a year than Treasury borrowing, think what the cost will be—one quarter of a billion dollars a year above and beyond what we would have to pay to borrow via the Treasury.

Think about that, gentlemen. One quarter of a billion. You can dispute my figures, but you cannot dispute my point—that participation sales are going to soak the taxpayer.

And who are they going to soak him on behalf of? L.B.J., that is who. The Chief budget warper of the United States. And not only L.B.J., but Wall Street. Think about who will get the high interest rates. Not my Bronx constituents. Not your constituents. But Wall Street. The big investors. The fat cats, if you will. Only fat cats will be able to buy the $5,000 and up certificates. They will be getting windfall interest rates. To say nothing of the fact that participations will keep other interest rates up.

There is one way to fight budget gimmickry, save the taxpayers from being skimmed and keep Wall Street from getting a windfall. Adopt the Byrnes amendment. If participation sales are made part of the national debt, the administration will stop borrowing at inflated interest rates; it will stop indulging in budget gimmickry; it will not be able to soak the taxpayers for interest dollars to pay to the big Wall Street investment houses. In the name of sensible and sane public finance, I urge the Members of this House to support the Byrnes amendment.

Mr. BETTS. Mr. Chairman, the debate on this bill leads me to make a few brief observations.

In the first place, I recall that in 1964 when we debated the tax reduction bill it was argued by the Democrats that this action would result in greater business activity which would mean higher incomes and result in higher revenues. It was also stated that such increased revenue would permit payments on the national debt. If this position had been followed by the administration we would not be here today with a request for increasing the debt limit.

The administration's answer now is that the war in Vietnam has changed the picture and that the increased cost of war has stood in the way of a balanced budget and payments on the national debt. This argument, however, would be more impressive if the administration had not been so persistent in pressing for the passage of legislation which resulted in large increases in domestic spending. As a matter of fact, spending in this area has increased at a much faster rate than that for the war in Vietnam. So the war effort cannot be used in any way as an excuse for this bill.

Along another line, the Democrats are saying that they went along with the Eisenhower administration when requests were made to increase the debt limit. But there is a difference. During 6 years when Eisenhower was President the Democrats were in control of Congress. They were responsible for spending during those years and to be consistent had to vote for debt limit increases to permit payment of their own spending programs. On the other hand, the Republicans have not been responsible for the Johnson spending programs. As a matter of fact they are on record in opposition to them—at least to the extent that they have created deficit financing.

Mr. RHODES of Arizona. Mr. Chairman, the Republican policy committee is opposed to H.R. 4573 as it is presently drafted. This bill would raise the debt ceiling to $336 billion without making certain basic budgetary reforms that are absolutely essential. Such reforms must be adopted if this country is to stop the Johnson-Humphrey merry-go-round of budget subterfuge and gimmickry financing.

Last June the Republican policy committee joined the Republican members of the Ways and Means Committee in opposing the administration's proposed increase in the debt ceiling. We called for a cutback in nonessential spending and an honest reporting of anticipated Government expenditures. Our requests were rudely shoved aside and the administration's frantic attempts to hide the steadily darkening financial picture continued until after the November elections. Then, for the first time, the bad news was permitted to leak out. We learned that by September 1966 expenditures had exceeded estimates made as recently as May 1966 by almost $4 billion. By the end of November, the administration had rolled up a whopping administrative budget deficit of $16 billion.

Thus, in the fall of 1966, this country was faced with a serious fiscal crisis. Expenditures were running at a rate of approximately $1.5 billion per month in excess of estimates. Borrowing through regular channels had reached the maximum permissible limits. The initial issue of the participation certificates had helped to propel interest rates to the highest level in 40 years. As a result, the Johnson-Humphrey administration had to resort to an extreme measure in order to raise additional money. Contrary to its earlier testimony before a congressional committee and contrary to the very statement that appeared on the participation certificate prospectus, the administration solicited an opinion from the Attorney General to the effect that the second issue of participation certificates would be backed by the full faith and credit of the United States. This did two things: First, the big investors could now buy participations at the very attractive 5.75-percent rate of interest with new faith and enthusiasm and, even more important, second, the various Government trust funds could now become a "built in" and always available market for the certificates.

This game of fiscal higgery-jiggery must stop. Confidence in the word of our Government must be restored. We repeat our call for a reduction in nondefense spending and an accurate accounting with respect to this country's finances. The wild spending by the Johnson-Humphrey administration that was roundly rejected by the American people in the 1966 election, must be curbed.

The start in this new direction must be made at the outset of the 90th Congress. H.R. 4573 is the first piece of major legislation to come before this Congress. It must be made to reflect honesty in fiscal affairs and truth in borrowing.

This can be accomplished through the adoption of the following Republican amendments:

First. Participation certificates sold as full faith and credit obligations of the United States, should be included as a part of the public debt subject to the limitations of the debt ceiling.

Second. The Secretary of the Treasury should be permitted to save the American taxpayer from $25 to $50 million in annual interest payments by issuing up to $6 billion of long-term Treasury obligations on the same interest basis as short-term obligations are sold. About 50 percent of the marketable debt is now in short-term obligations of less than 1 year duration. Substantial savings can be effected by shifting part of the public debt to the long-term money market.

We urge the adoption of these amendments and the rejection of H.R. 4573 unless they are adopted.

Mr. WYMAN. Mr. Chairman, I cannot vote to increase the debt limit and keep faith with the people in my district who sent me to this 90th Congress. My constituents want the continuous overspending of the Federal Government brought to a stop. I pledged to do this. A vote to increase the debt limit is a license to continue Federal overspending. It would be a breach of commitment to my constituents.

Every time this question comes before the Congress it is because the executive branch has spent right up to the debt limit. Every time the administration says it will not happen again, yet we should know by now they will not stop overspending until Congress calls a halt. Again every trick in the book is being used to suggest that my failure now to ratify such excessive spending will be irresponsible. I say it is this administration that has been irresponsible, with our money. It is this or they have cried wolf once too often.

Now, it is said that if we refuse to increase the debt limit the Government will have to grind to a halt. Dire warnings are heard from administration spokesmen that it will be necessary to suspend Government checks to social security recipients, to veterans, to the unemployed, to stop tax refunds; in fact, anything that will have an impact where it politically hurts. The American people should realize that this is at the discretion of the executive branch unless Congress specifies.

Congress has the power to specify what payments shall be suspended and what continued. Assuredly, it will not be the war costs. Nor payments for the war in Vietnam, nor to the needy, nor for the trust fund operations, veterans, or the unemployed. Prescribing who and what is to be affected and the extent of the moratorium required is an urgent congressional responsibility. The alternative is another go-around and more debt.

Advocates of this increase plead once again "Let us have this one final increase and we won't overspend again." Mr. Speaker, they will. They have done so—again and again and again. It is to no avail for Congress to suggest that this increase in the debt limit will and must be the last one. There will be another request before us within 6 months.

Our people should not be misled by saying that this is a special situation to apply only until May or June and that we will stand firm on the next request. No matter how you slice it a vote to increase the debt limit is a vote to ratify waste and overspending which has helped precipitate this fiscal crisis. The majority of the American people feel strongly that it is up to Congress to call a halt. I agree.

If this debt limit increase were a war measure—if it could be urged with validity here today that the increase is uncontrollable and essential solely to meet our military commitments, it would, of course, be a different story. We would have to respond. But this is not the situation.

Again we are hearing the same old scare story, pressure points and pressure groups. Our ultimate strength will derive from a financially responsible conduct of fiscal affairs protecting our people's dollars.

I say we must call a halt now, today. In due course we must work out a solution to our continuing financial crises that will not mean further escalation of tremendous national debt. This debt and its continued increase mortgages every man, woman, and child in this Nation against their will and beyond their reasonable ability to pay. We should vote against increasing the debt limit. It is radical therapy but the sickness demands this now.

The source of our difficulty is found in the appropriating process itself. Congress should not appropriate more money for a given fiscal year than the Government will receive in that fiscal year, in the absence of a national emergency.

It is unsound to permit individual appropriations subcommittees to act without an overall legislative budget limitation.

A reliable method must be found to calculate sensibly precise Government receipts for the next fiscal year and to require, as a matter of law, that the Appropriations Committee shall be limited to the total of these receipts for its overall appropriations for that fiscal year.

How this is best to be handled administratively with the committee is a procedural problem, but the principle is clear. This is that no responsible individual, or company, or the Federal Government can have more pieces out of a pie than there are pieces to go into the pie.

Unless this principle is to be of application for a good many subsequent fiscal years, we might as well give up all hope of ever reducing the national debt, or even of balancing the budget, because the pressures for additional funds in an expanding economy and with an expanding population are irresistible.

Should war require additional borrowing, the national security would compile a proportionate increase in debt limitations. But the problem we face today derives directly from an administration that has defied logic, precept, and precedent by telling the people, in a quest for votes, that they can have guns and butter, too.

With the national debt at $330-plus billion, the American people cannot have guns and butter. It must be one or the other, for we must protect the economic integrity of the dollar and our essential fiscal strength to borrow in the future, if we must, to finance a war of survival.

The achievement of this kind of strength is possible only through guts and belt tightening. The guts must be found among a majority of those in the Congress. The belt tightening is the price that has to be paid by a reasonably comfortable American society for national security against communism's onward aggression, in this year in the Far East and tomorrow almost anywhere else. It perhaps is of some consolation that even with tightened belts the American midriff is still substantially greater than comparable midriffs in almost every other society of the world.

Mr. RIEGLE. Mr. Chairman, in the discussion today, one spokesman addressed the freshman Members of Congress to urge us to increase the debt limit. I wish, as one freshman, to respond to those remarks.

The easiest thing for the Government to do is to go into debt. For as long as the Government can go deeper and deeper into debt—the more it can spend and spend and spend, then the more it can, in turn, expand the grasp of the Federal Government and its influence and control over the individual citizen.

And that has been the pattern—borrow, borrow, borrow; spend, spend, spend—and let the country sink deeper and deeper into debt.

I believe this country is already too deeply in debt. It is time—it is past time—to take a new look at automatic increases in the national debt. If we can stop this present debt increase—then perhaps the administration will take account of the fact that the 90th Congress will not give rubberstamp, blank-check approval to the proposed 1968 administration budget. That budget is not built on the premise that we ought to have lean, efficient, minimum government at the Federal level.

Rather its basic character is that of continually growing, continually expanding Federal Government that lays continuous layers of Federal bureaucracy on the individual American citizen. And if there is no limit to the amount of debt that this country can incur—then there is no responsible limit to what an administration can spend when it has a majority in both Houses of Congress. And if there is no meaningful limit to the Federal debt—then there is no limit to the amount of strangling Federal bureaucracy that can be imposed upon the people of this country.

The annual interest on the existing Federal debt is over $14 billion. That means that over 10 percent of our Federal budget must be spent on interest alone.

And is this annual interest expense of $14 billion productive? Does that wasteful interest cost of $14 billion rebuild the slums of Harlem? No. Does it provide new schools or new educational programs? No. Does it provide for a broadened Headstart program? No. Does it provide needed funds for increased social security benefits—or funds to mount an all-out attack against the causes of inflation? No. Does it provide for the national and international defense—does it pay for our program of military, social, economic, and political activity in Vietnam? No. Does it serve to reduce the need for the 6-percent surtax the President has called for, does it possibly serve to reduce the need for our present high level of taxes so that we might reduce taxes in the amount of $14 billion? No. The answer to all these questions, I am sorry to say, is "No."

This interest cost is nonproductive. It does not add to national vitality; it saps national vitality. And this is not the only damage that is done.

Let us consider inflation—the vicious, unrelating increases in the cost of living that have become the hallmark of the present administration. More debt for more Federal spending and ever-increasing deficits means more inflation. Are we, as a Congress, going to say no to more debt, and more deficit, and more inflation? Well, as one vote of 433 votes in this Chamber, I am going to vote to stop the inflation; to stop the soaring deficits and put an end to the easy expedient of loading more debt on present and future generations.

With my single vote, I hope to strike one blow for economy in Government; one blow for fiscal responsibility; one blow for the individual citizen; the man on the street who is sick and tired of endless Government spending, endless Government debt, endless deficits, and endless inflation.

If we who vote against this debt increase lose when the votes are tallied, then the country loses, and each citizen who is hoping and praying for some relief from inflation will lose with us. But unless someone here in the U.S. Congress is willing to stand fast in the face of a policy of Government by giveaway, then what hope is there for the individual citizen who tries his best to balance his own budget and be a responsible citizen?

Today the interest on the present national debt is costing the American taxpayer over $25,000 a minute; $25,000 a minute, 60 minutes an hour, 24 hours a day, 7 days a week, 52 weeks a year. Are we going to let this cost balloon go even higher? I hope not. This is not sound government, and it is time for all public officials to stand up and say it is time to stop the slide into easy debt increases, which only create hard inflation.

There is no middle course on this issue; either you stand with the individual citizen and oppose these continuing increases in the Federal debt, or you take the low easy road of more debt, more Federal bureaucracy, more deficits, more taxes, and more inflation. I wish to stand with the individual citizen, win or lose, and oppose the increase in the debt limit.

Mr. SCHWENGEL. Mr. Chairman, today we in the House are being asked once more to raise the limit on the public debt. On June 24 of last year the President signed the last debt increase bill. Now only 8 months later the Congress is being asked to raise the debt limit by another $6 billion. And this we are told will tide us over until the end of fiscal year 1967.

Let me make it clear from the outset, Mr. Chairman, that I am opposed to an increase in the debt limit. We are being given all kinds of warnings about the disastrous results if the measures before us do not gain approval, but one must take a stand and I stand with those who cannot in good conscience support this legislation.

It is a bit incredulous to me that a Ways and Means Committee is coming to the House for the 10th time in 6 years to raise the debt limit. The function of a Ways and Means Committee is not to raise the debt limit, but to find the necessary revenues to pay for the Government expenditures.

It is time the Ways and Means Committee, the Appropriations Committee, and the Congress squarely faced up to this responsibility. Some may quickly say that this approach would mean an immense tax increase. I think not.

First of all, if the Ways and Means Committee indicated that it was seriously and methodically embarking on a program that would match revenues with expenditures, it is likely that the Congress would exercise greater restraint in making its appropriations.

Let us face it; none of us here on the floor of the House wants to go back to his constituents having been part of a Congress that raised taxes. Most of us, I believe, would rather use more discretion in voting for funds for the evergrowing number of Federal programs.

There is another reason why the taxes of the average citizen would not necessarily rise if the Ways and Means Committee took its title seriously. Tax loopholes have long been a thorn in the side of our tax structure. In fact, there are many such thorns. Mr. Chairman, if the tax advantage given the oil industry, or the clay industry in Georgia or other special interest groups who in one way or another reap large profits at the expense of the average taxpayer, were taken away and dealt with on an equitable basis the need for continued increases in the debt limit probably would not be necessary.

Why is the present increase in the debt limit needed? We are told that the increasing cost of the war in Vietnam is the culprit. But was the last debt limit increase which became law last June not supposed to take these costs into account? Mr. Chairman, the 89th Congress evidently was led to believe the so-called temporary debt limit increase to $330 billion would cover these increased costs. In fact, as late as last September the President said virtually the same thing.

In addition, the 89th Congress exercised little restraint in its budgetary authorizations and appropriations. Efforts to reduce Federal spending were repeatedly beaten down. So today, we are considering legislation which properly is the responsibility of the 89th Congress. It was their lack of fiscal responsibility which has brought this legislation before us today. We in the 90th Congress have not approved any appropriations or even considered them. We can hardly be blamed for the necessity of considering a debt limit increase.

But, if the consideration of this legislation serves any purpose, let it stand as an early and clear reminder to us in the 90th Congress of the aftereffects of a loose fiscal policy. Let us make a vow that our legacy to the 91st Congress not begin with the statement, "We have spent so much money that you will have to raise the debt limit."

At issue today, however, is not only the increase in the debt limit, but the credibility of the present administration's statements on the budget, its estimates of war costs, its honesty in revealing those costs, its management of the public debt and its willingness and ability to accurately portray the actual public debt of the United States. What is disturbing me is the increasing lack of candor on the part of the administration not only in regard to financial affairs, but other matters as well. There seems to be little doubt that cost estimates, statements on actual costs and on the estimated budget deficit were tailored or tainted to reduce the byproducts of honesty. In an election year, the administration tried to ward off additional criticism by failing to level with the American people.

This brings me to another important point. In 1921 when the Budgeting and Accounting Act first required the President to submit an annual budget to the Congress, it was thought that this procedure would give Congress an opportunity to consider all expenditures in terms of estimated revenues. This has not been the case, to say the least.

We in the Congress rarely have any information on the relationship of appropriations to expected revenues during any one session. It seems that the only action which calls our attention to the fact that we have not had this kind of information is what has become a regular request to raise the debt limit. The recommendations of the Joint Committee on the Organization of Congress regarding the dissemination of information relative to the budget are a step in the right direction, but more is needed.

We need automatic data processing equipment programed so that each of us can be well informed as to the effect of our actions on appropriations and revenue measures. We need to know the long-range nature of the commitments we are being asked to make. We need to know at every step in the appropriations process where we are and where we are going in the total picture of expenditures and revenues. How many of us know at this moment how much the obligations made in the 89th Congress will cost us 5 or 10 years from now, or for that matter, in the next fiscal year? We now work under unreasonable handicaps in trying to frame a fiscal policy for this country. We can overcome many of these handicaps by reforming our procedures and adopting data processing to our particular needs.

Mr. Chairman, let me conclude by reciting the following facts. Since 1939 the Consumer Price Index has gone from 100 to 237. The value of the dollar has dropped to 42.2 cents. Our national debt has risen from $45 to $330 billion. The correlation between the decrease in the value of the dollar and the increase in the debt limit is unmistakable. Today, if this legislation is approved, we are once more paving the way for even further devaluation of the dollar. This seemingly endless process must be halted. It can be halted if the 90th Congress adopts a sensible and sound fiscal policy. We must reduce expenditures, close the loopholes, and tighten the tax structure. I hope we have the foresight and courage to undertake such a program.

Mr. SKUBITZ. Mr. Chairman, I shall vote against H.R. 4573 in its present form. Seven times since I entered the Congress in 1963, bills like this one have been passed. In fact, raising the debt ceiling is becoming as routine as the rollcall and I am concerned that the Members of this body may let habit cultivate their consent to this regular ceremony. The permanent debt limit of $285 billion, set in 1960, has been lost in a cloud of dust left from the scurry of temporary increases since then.

The question of whether to raise or not to raise the national debt ceiling must be more than an academic one if we are to maintain any semblance of fiscal integrity. Deficit financing by the Federal Government is one of the greatest contributors to inflationary pressure. Every time the debt ceiling is raised the value of the dollar is lowered. If a rigid debt ceiling were maintained, the administration would be restricted to spend an amount comparable to that proposed in the budget and it would force a more careful evaluation of all Government spending programs. Appropriation acts do not effectively impose this restriction for they do not represent annual expenditures.

I find most alarming the fact that the second largest item of our Federal expenditures is the interest on the national debt. It represents nearly 12 percent of the total expenditures and is surpassed only by defense. We are dropping tax dollars into a bottomless pit and we have not begun to construct a bottom.

I am fully aware of the problems which might result should the Congress refuse to increase the debt ceiling. But I know of no other way to sound the warning, to impress upon the spenders that we go this far and no further. There is virtue in a balanced budget and a limit to what we can afford. These principles are not so outmoded as to be ignored in our Great Society. The time has come when those who believe in a sound fiscal policy must vote against any proposal to increase the debt limit.

GENERAL LEAVE TO EXTEND REMARKS

Mr. MILLS. Mr. Chairman, I ask unanimous consent that all Members desiring to do so may extend their remarks in the body of the Record during general debate on the bill under consideration.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield 15 minutes to the distinguished minority leader, the gentleman from Michigan [Mr. Gerald R. Ford].

Mr. GERALD R. FORD. Mr. Chairman, in the main this debate has been constructive. The discussions have been helpful in most instances. I thoroughly agree we should consider a matter of this importance as objectively as possible. I strongly feel we should have a minimum of partisanship although I concede that when the distinguished chairman of the Committee on Banking and Currency, the author of the Participation Sales Act—the high interest act of the 89th Congress—makes the allegations that he makes, it does make it most difficult to put partisanship aside.

At this time I think we can agree in some respects on undeniable facts.

First, we can agree that the United States, our Government, in the next few weeks, will have to borrow approximately $8 billion. As I understand, it will have to borrow $6 billion through general obligations of the Federal Government and probably $2 billion through the Participation Sales Act of last year.

We can agree that if the U.S. Government does borrow these funds through short-term obligations it will cost the Treasury and the taxpayers more. Interest rates on short-term obligations range from 5 to 6 percent in the current market.

We can also agree that if our Government borrows on a long-term basis, 5 years or more, the cost will be less to the Federal Treasury, probably a half a percentage point less than if we borrow under the short-term method.

It can also be agreed that if the Treasury Department has to borrow under the PC process under the legislation brought to the floor of the House last year by the distinguished chairman of the Committee on Banking and Currency, the Treasury will have to pay the highest interest rates of any method. In fact, the record is clear that last June or thereabouts they borrowed around $400 million worth through PC's, or they sold PC's to that extent with an interest rate, when you include the discount, of about 5.75 percent.

We can also agree that under the law obligations included under the debt ceiling are those that carry the full faith and credit of the United States. The Second Liberty Loan Act so provides.

Lastly we can agree that if this legislation is defeated on final passage today, the Committee on Ways and Means will reconvene, reconsider, and come out with a different version than the one that we have before us today.

My good friend, the distinguished majority leader, in our colloquy earlier today, said in effect that if this result took place today, the committee would reconvene and that the legislation would come before the House at a later date.

If we assume these are the facts—and I think they are—what should we do here this afternoon? The majority say whatever the cause, regardless of the blame and regardless of the need and necessity for basic corrective action, the House today must automatically increase the debt ceiling by $6 billion. I violently disagree with that assumption.

It is my judgment we are in this fiscal mess today because the President a year ago asked the Congress to appropriate too much money and because the last Congress, particularly in the last session in 1966, did appropriate too much money.

We are in this mess also because the administration did not tell us the facts that they knew early last year, that the expenditures for the conflict in Vietnam were going to be infinitely greater than what they told us they would be earlier in 1966.

The record is ample and clear that the Members on our side of the aisle who were here in the last session, almost without exception, voted repeatedly to cut back on expenditures. They sought to reduce authorizations. So I believe it is fair to say that the Members on our side of the aisle, who were here in the 89th Congress, are not responsible for the fiscal problems we have before us today.

Certainly the new Members on our side who were elected for the first time in the last election are not responsible for the actions that were taken in the last Congress to approve a budget that called for large expenditures. They are not responsible for the votes that were taken in the last Congress, which in some instances even increased the President's budget.

So those of us on our side, the old and new Members, feel that if we are to cooperate—and we do want to cooperate—we should have some consideration in what we believe are constructive, responsible, tax-saving amendments to the bill that came from the committee. There should be some give and take. There ought to be some quid pro quo for our willingness and desire to cooperate. But as I have analyzed the situation on the floor of the House today, the administration, from the White House down, is absolutely adamant: They want it their way and will accept no compromise.

It seems to me that if the administration and the leadership on the other side of the aisle are going to be adamant, if they are going to be unbending, then it gives to us on our side of the aisle the option to vote against the bill on final passage, and to do so with a completely clear conscience—and that is exactly the way I feel.

Let me take just a minute to summarize, as I see it, the arguments that have been made by the Members on our side of the aisle for the amendments that will be included in the motion to recommit. We feel, in the first place, that if these amendments are approved, we will restore credibility in the budgeting process, and in the accounting procedures of the Federal Government.

Obligations under the debt ceiling, according to the law, carry the full faith and credit of the United States. These are borrowings and are, therefore, a part of the debt. The administration now concedes that PC's are full faith and credit obligations of the Federal Government. At least, this is the ruling which the Attorney General has now given. If this is true, despite what was said a year ago when we debated the issue, then in all honesty, in all truthfulness, PC's should be covered under the debt limitation. This would be consistent. This would restore credibility in the handling of our Federal obligations as they relate to the debt ceiling.

The second point is more understandable, perhaps. The second part of the amendment which will be included in the motion to recommit involves saving a minimum of $50 million in tax dollars, and perhaps more. It will establish a principle which will result in greater savings if the Congress subsequently carries out the principle we would like to establish here today.

As I said earlier, if the Treasury is forced to borrow through short-term obligations, obligations under 5 years, and if the Treasury is forced to borrow through the PC process, instead of permitted to borrow by long-term full faith and credit obligations, this imposes a greater burden on the taxpayers of the United States. It is just that simple.

Therefore, in my honest judgment, we must give to the Treasury the opportunity to sell up to $6 billion worth of general obligations, and this means at a market price lower than what the Johnson administration is paying today. This means very simply they will still sell long-term obligations at a lesser price than through the short-term process or through the process of obtaining the money under PC's.

I believe we ought to be interested in saving $50 million. This will be an economy vote.

Therefore, I urgently ask that when the motion to recommit is offered not only those of us on our side but also a sufficient number on the other side vote for the motion to recommit. It will restore credibility to the budget and to our accounting procedures. It will save money. It is sound. It is constructive. And it is responsible.

If we unfortunately are not successful in the motion to recommit, in my judgment anyone who has voted for the motion to recommit can honestly, with a clear conscience, vote against the bill on final passage.

Mr. MILLS. Mr. Chairman, I yield 10 minutes to the distinguished majority leader, the gentleman from Oklahoma [Mr. ALBERT], to close debate.

Mr. ALBERT. Mr. Chairman, first I want to congratulate the great chairman and the ranking minority member of this committee, and their great committee, for again bringing to the floor, as they have done so often in the past, a measure of such tremendous importance to the country, to the American people.

This is not a bill for individuals or groups. This is a bill for all America.

I was interested in the opening observations of my friend, a great American, the distinguished minority leader, when he said that he wanted to make this matter nonpartisan but that it was difficult to do so on hearing our collegue, the gentleman from Texas, WRIGHT PATMAN, speak.

I will make a bargain with the minority leader. If he will drop his motion to recommit and pass this bill by acclamation by 6 o'clock tonight, I believe I can get the gentleman from Texas, WRIGHT PATMAN, to take that remark out of the RECORD.

The distinguished gentleman from Michigan has made a very interesting speech, but, like many of the speeches that have been made on this subject, it is based on a number of false assumptions. For instance, I read into it the assumption that long-term credit always guarantees lower interest rates. I suppose that is why he wants long-term credit. At any rate, I assume what he is assuming is that interest rates may not go down. I do not think that has been the history of interest rates. In any event, we do have before us today one of the most critical measures of this session of Congress. I have heard very few Members here dispute that statement.

The vote on the temporary increase in the public debt ceiling is simply a question of this Congress facing up to its responsibilities by permitting the Secretary of the Treasury to pay off the bills and services which the Treasury Department has incurred with the people of the United States or on behalf of the military forces of the United States. It seems to me that is really the issue before us here.

It has been stated over and over during this debate and during the past several days before this debate started, that during the 1950's the votes on the debt limit increases received bipartisan support. The Speaker made a great speech on that subject just a few days ago. The RECORD contains the Speaker's remarks. I shall not endeavor at this time to repeat the number of occasions when it has happened, but I think most Members know that during the Eisenhower administration most Democrats voted with the President on debt ceiling extensions. I think most Members also know that during the Kennedy and Johnson administrations the overwhelming majority of the Republicans have voted the other way. I think successful politics of this issue, if there is any politics in this issue, is to be determined by how the parties have come out at the polls during the past 12 or 14 years. During all that time the Republicans have won only once. We have won the rest of them, and in my opinion we will win again next time. We will win because we have not only been the party of the people; we have been the party of responsibility as well.

Everyone here knows that the debt limit increase sought today is a direct result of our effort in Vietnam. There is no question about that. Secretary Fowler pointed out last week in the hearings before the Committee on Ways and Means that but for our tremendous effort in Vietnam we would be running a small budget surplus.

To be sure, that effort and its practical role is very similar to the Korean war situation when the distinguished former minority leader, the gentleman from Indiana [Mr. HALLECK], stated that he was voting to increase the debt limit because of the expenditures that had been brought about as a result of that war.

Mr. Chairman, I think that the distinguished gentleman from Wisconsin also made a very interesting statement, in 1958, when he called a vote against increasing the debt limit "sheer irresponsibility." I believe I am approximately quoting the distinguished gentleman from Wisconsin [Mr. BYRNES].

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. ALBERT. I am delighted to yield to the distinguished Speaker, the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Chairman, the gentleman from Wisconsin [Mr. BYRNES], on August 5, 1958, made one of the most powerful arguments in support of the resolution then pending during which he even went so far as to say that the credit and integrity of the Government of the United States and the confidence of our Government, among other things would be at stake.

Mr. Chairman, the gentleman from Wisconsin [Mr. BYRNES] stated as follows:

> Let me remind those of my friends who say that all you have to do is refuse to increase the debt limit—if you want to put in jeopardy the credit of the United States of America, then that is the way to do it. I fear for all of us and all of our people when I contemplate the tragedy that will follow from lack of confidence in the credit and integrity of the Government of the United States, because when that day comes there will not be a bank in the United States that will be worthy of its name and there will not be an insurance company or an insurance policy worthy of its name, and your whole system of government will go down with it—make no mistake about that.

Mr. Chairman, I know this. What did we do, we Democrats? What did we do back in 1958? Did we vote for the resolution? Yes.

Mr. Chairman, 142 Republicans voted for the resolution and 42 Republicans voted against it; 186 Democrats voted for the resolution and 29 Democrats voted against it.

Mr. Chairman, during the last three votes which have been held on this question in the last 2 years, one Republican voted for it, on the second increase in that year two Republicans voted for it, and on another occasion six Republicans voted for it, while during the Eisenhower administration, we Democrats voted 2½-to 3-to-1 in support of this legislation.

But, Mr. Chairman, since a Democrat comes in, we see that the political wheel turns in the opposite direction. We do not see the inconsistency of the Democratic Members, but we see the marked inconsistency of the Republican Members.

Mr. BYRNES of Wisconsin. Mr. Chairman, I wonder if the gentleman will yield, in view of the fact that I have been referred to by the distinguished Speaker of the House?

Mr. ALBERT. Mr. Chairman, would the distinguished gentleman from Wisconsin permit me to finish my remarks and then I shall yield to the gentleman? However, I will yield to the distinguished gentleman from Wisconsin at this time; if he desires to be heard.

Mr. BYRNES of Wisconsin. Mr. Chairman, I would just add that I thought I made a rather impelling argument for increasing the borrowing authority of the President of the United States. Therefore, I do not feel that I have been inconsistent.

Mr. ALBERT. I believe that on one occasion that was the only vote on the "no" side.

Mr. BYRNES of Wisconsin. No; I shall have to set the record straight. I was "no"——

Mr. ALBERT. The gentleman from Wisconsin was one of two perhaps; the gentleman was pretty close to being alone.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield further? Does the gentleman wish some assistance in that respect?

Mr. ALBERT. I yield further to the gentleman from Massachusetts.

Mr. McCORMACK. The only Member who voted with the gentleman was the Honorable Joe Martin, and in 1965 it was the gentleman from Virginia [Mr. Broyhill], the gentleman from Kansas [Mr. Ellsworth], the gentleman from New Jersey [Mr. Frelinghuysen], the gentleman from California [Mr. Teague] and the gentleman from Maine [Mr. Tupper].

My dear friend was the only remaining minority member of the Republican Party who voted with us, but he did not take many of his party with him.

Mr. ALBERT. Mr. Chairman, I must say that the gentleman from Wisconsin [Mr. Byrnes] is a very responsible, as well as a very able Member of the House. He joined a small, but most illustrious group, as I hope he will do again today.

Mr. Chairman, the words of both the gentleman from Wisconsin and the gentleman from Indiana certainly apply in 1967.

Mr. Chairman, I hope that my colleagues across the aisle will remember that historically the votes on debt limit increases have not been partisan matters, but have been bipartisan, nonpolitical votes, wherein the Members of Congress have recognized that the question of the Nation's credit is much too serious to be infused with negative obstructionism.

My Republican friends seem to have made a major reversal in policy and will not attempt to change the accounting procedures with respect to the sale of participation certificates. Their proposal, which does not affect the substance of participation sales, is revolutionary in that it would change procedures which were first adopted during the Eisenhower administration and which have remained intact to this day. They seem to forget that the Eisenhower administration commenced sales of these types of assets in the 1950's and that the Republicans were the innovators whose innovations have been tested by time and accepted. Between 1954 and 1960 there were $3.2 billion worth of sales of assets sold to private investors. They were then called certificates of interest but the principle is the same as participation certificates. These certificates represented interests in the pooled loans of the Commodity Credit Corporation and the Reconstruction Finance Corporation. The participation certificates of 1967 are being treated under the same accounting procedure that was adopted 12 years ago for certificates of interest.

The sale of these kinds of assets have been publicly supported by Republicans. In 1960, in response to a question concerning sales of assets at a press conference, the then Budget Director Stans said:

> I think it is proper business judgment in the Federal Government as in any other enterprise, when you are in that kind of position to look to assets you can liquidate in order to pay your bills. . . . It is like an individual selling off 100 shares of stock in some year in which he has to pay for some operation for his wife.

To the question, "Would you describe it as a bookkeeping device simply to balance the budget?" Mr. Stans replied:

> No, sir, I would not. This is a financing means that is employed in this budget.

During the course of the hearings before the Committee on Ways and Means last week it was established that participation certificates are only contingent liabilities of the U.S. Government. Contingent liabilities such as the Government's guarantee of an individual's FHA or VA home mortgage are entirely different from direct liabilities of the U.S. Government.

I am bringing this to the attention of the House because I think Members should go back and read, when they get a chance, the fine speech that was made by the gentleman from California [Mr. Rees], on this very subject. I think it is important, and I think it knocks the props out from under a good part of the speech by the distinguished gentleman from Michigan, our minority leader.

Furthermore, if participation certificates are placed under the debt ceiling as the Republicans would like to have us do, it should also follow that all other contingent liabilities of the United States should also be placed within the debt ceiling. There is well over $100 billion of contingent liabilities including participation certificates. It would be budgetary nonsense for us to place all other contingent liabilities under the debt ceiling and accordingly increase our national debt figure by over $100 billion. Certainly when our obligations are only contingent, and in reality most of the contingencies will not occur in that those persons primarily liable will pay off their debts, the $100 billion increase would be a distorted, meaningless increase not truly reflecting our national debt. Similarly, by placing participation certificates under the debt limit the same distortion would occur and the national debt figure would henceforth have less meaning and less certainty than it now has.

The sale of participation certificates and other loan repayments are approximately equal to the new loans being made. In other words, as our tax dollars go out to the public in the form of loans, the incoming funds from the sale of participation certificates approximately equals those funds going out. It is apparent, then, that the sale of participation certificates is helping to keep down the net outflow of our tax dollars for private loans. This makes good business sense; any businessman who is continually lending money likes to have some coming back in. Our sale of participation certificates is accomplishing this, and will continue to do so within the constraints of overall fiscal and monetary policy.

The administration recognizes that the budget is a complex matter. However, any change in budgetary procedures should be brought about by thorough—and I think the gentleman from Oregon made this point much clearer than I can make it—reflective and careful study. A hasty and ill-conceived change of a 12-year-old policy with respect to participation certificates and other contingent liabilities would be irresponsible. The proponents of the amendment to place participation certificates under the debt ceiling should be reminded that the President has committed himself to a thorough and exhaustive review of budgetary procedures. On page 36 of the budget message presented last week the President said:

> For many years—under many Administrations—particular aspects of the overall budget presentation, or the treatment of individual accounts have been questioned on one ground or another.
>
> In the light of these facts, I believe a thorough and objective review of budgetary concepts is warranted. I therefore intend to seek advice on this subject from a bipartisan group of informed individuals with a background in budgetary matters. It is my hope that this group can undertake a thorough review of the budget and recommend an approach to budgetary presentation which will assist both public and congressional understanding of this vital document.

Mr. Chairman, I urge you to await the report of the bipartisan group to review budgetary matters, which group will be organized by the President. The hasty change which is contemplated could cause administrative havoc, and more important, a proposed change in budgetary accounting which has not been thoroughly reviewed in a bipartisan fashion should not be attached to and made a rider to a measure as vital to our Nation of the proposed debt limit increase. Never before in the history of the debt limit increases has a proposed amendment of this nature been attached to a debt limit proposal, and at this crucial hour, a departure from precedent should not occur.

The hasty change which is contemplated could cause administrative havoc and, more important, a proposed change in budgetary accounting which has not been thoroughly reviewed in a bipartisan fashion should not be attached to and made a rider—just a rider—to a measure which deals only with a temporary debt limit increase.

I hope we defeat the motion to recommit, and I hope we pass the bill. We will be doing what we have done for many years under both Democratic and Republican administrations. Any departure may have dire consequences. What effect will it have on our monetary policy around the world? What effect will it have on inflation? What effect will it have on interest rates? What effect will it have on the building industry? What effect will it have on the stock market? These are things in which our citizens are interested.

I hope and trust, and I sincerely believe that we will follow the course that we have charted for 12 long years, and will enact this legislation as reported by the great Committee on Ways and Means.

The CHAIRMAN. Does the gentleman from Arkansas have any further requests for time?

Mr. MILLS. Mr. Chairman, we have no further requests for time.

The CHAIRMAN. Under the rule the bill is considered as having been read for amendment.

The bill is as follows:

H.R. 4573

A bill to provide, for the period ending on June 30, 1967, a temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, during the period beginning on the date of the enactment of this Act and ending on June 30, 1967, the public debt limit set forth in the first sentence of section 21 of the Second Liberty Bond Act (31 U.S.C. 757b) shall be temporarily increased to $336,000,000,000.

The CHAIRMAN. No amendments are in order to the bill except amendments offered by the direction of the Committee on Ways and Means.

Are there any committee amendments?

Mr. MILLS. Mr. Chairman, there are no committee amendments.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. STAGGERS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4573) to provide, for the period ending on June 30, 1967, a temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act, pursuant to House Resolution 226, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. BYRNES of Wisconsin. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Wisconsin rise?

Mr. BYRNES of Wisconsin. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. BYRNES of Wisconsin. I am opposed to the bill, Mr. Speaker.

The SPEAKER. The gentleman qualifies.

The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. BYRNES of Wisconsin moves to recommit the bill (H.R. 4573) to the Committee on Ways and Means with instructions to report the same back to the House forthwith with the following amendment: Strike out all after the enacting clause and insert: "That, during the period beginning on the date of the enactment of this Act and ending on June 30, 1967, the limitation set forth in the first sentence of section 21 of the Second Liberty Bond Act (31 U.S.C. 757b) shall be temporarily increased to $339,000,000,000.

"SEC. 2. (a) The first sentence of section 21 of the Second Liberty Bond Act (31 U.S.C. 757b) is amended by striking out 'and' after 'Act,', and by inserting after 'Treasury),' the following: 'and the face amount of beneficial interests and participations (except those held by the issuer thereof) issued after June 30, 1966, under section 302(c) of the Federal National Mortgage Association Charter Act (12 U.S.C. 1717(c)),'.

"(b) The amendments made by subsection (a) shall apply on and after the date of the enactment of this Act.

"SEC. 3. The Second Liberty Bond Act is amended by adding at the end thereof the following new section:

" 'SEC. 26. (a) Notwithstanding sections 1, 22(b)(1), 22A(b)(1), and 25, in the case of—

" '(1) bonds of the United States issued under section 1 of this Act,

" '(2) United States savings bonds issued under section 22 of this Act, or

" '(3) United States retirement and savings bonds issued under section 22A of this Act,

the maximum limits on the interest rate or the investment yield or both may be exceeded upon a finding by the President with respect to such bonds that the national interest requires that such maximum limits be exceeded.

" '(b) The face amount of obligations with respect to which the maximum limits on the interest rate or investment yield or both may be exceeded pursuant to subsection (a) shall not exceed $6,000,000,000 outstanding at any one time.' "

Mr. MILLS. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 155, nays 261, answered "present" 1, not voting 15, as follows:

[Roll No. 12]

YEAS—155

Adair
Anderson, Ill.
Arends
Ashbrook
Ayres
Bates
Battin
Bell
Berry
Betts
Biester
Blackburn
Bolton
Bray
Brock
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, Va.
Burke, Fla.
Burton, Utah
Bush
Button
Byrnes, Wis.
Cahill
Carter
Cederberg
Chamberlain
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Conable
Conte
Corbett
Cowger
Cramer
Curtis
Davis, Wis.
Dellenback
Denney
Derwinski
Dole
Duncan
Erlenborn
Esch
Eshleman
Findley
Fino
Ford, Gerald R.
Frelinghuysen
Fulton, Pa.
Goodell
Goodling
Grover
Gubser
Gude
Gurney
Halleck
Halpern
Hansen, Idaho
Harrison
Harsha
Harvey
Horton
Hosmer
Hunt
Hutchinson
Johnson, Pa.
Keith
Kleppe
Kuykendall
Laird
Latta
Lipscomb
Lloyd
Lukens
McClory
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
MacGregor
Marsh
Mathias, Calif.
Mathias, Md.
May
Mayne
Meskill
Michel
Miller, Ohio
Moore
Morse, Mass.
Morton
Mosher
Myers
Nelsen
Pelly
Pettis
Pirnie
Poff
Pollock
Price, Tex.
Quie
Quillen
Railsback
Reid, N.Y.
Reifel
Reinecke
Rhodes, Ariz.
Riegle
Robison
Roth
Rumsfeld
Ruppe
Sandman
Saylor
Schadeberg
Schneebeli
Schweiker
Schwengel
Scott
Shriver
Skubitz
Smith, N.Y.
Snyder
Springer
Stafford
Stanton
Steiger, Ariz.
Steiger, Wis.
Taft
Talcott
Teague, Calif.
Thompson, Ga.
Thomson, Wis.
Utt
Vander Jagt
Wampler
Watkins
Watson
Whalen
Whalley
Wiggins
Williams, Pa.
Winn
Wyatt
Wydler
Wylie
Wyman
Zion
Zwach

NAYS—261

Abbitt
Abernethy
Adams
Addabbo
Albert
Anderson, Tenn.
Andrews, Ala.
Annunzio
Ashley
Ashmore
Aspinall
Baring
Barrett
Belcher
Bennett
Bevill
Bingham
Blanton
Blatnik
Boggs
Boland
Bolling
Brademas
Brasco
Brinkley
Brooks
Broyhill, N.C.
Buchanan
Burke, Mass.
Burleson
Burton, Calif.
Byrne, Pa.
Cabell
Carey
Casey
Celler
Clancy
Clark
Cohelan
Colmer
Conyers
Corman
Culver
Cunningham
Daddario
Daniels
Davis, Ga.
Dawson
de la Garza
Delaney
Dent
Devine
Dickinson
Diggs
Dingell
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Eilberg
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Fisher
Flynt
Foley
Ford, William D.
Fountain
Fraser
Friedel
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Gardner
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gonzalez
Gray
Green, Oreg.
Green, Pa.
Griffiths
Gross
Hagan
Haley
Hall
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Wash.
Hardy
Hathaway
Hawkins
Hays
Hébert
Hechler, W. Va.
Helstoski
Henderson
Herlong
Hicks
Holifield
Holland
Howard
Hull
Hungate
Ichord
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Jonas
Jones, Ala.
Jones, Mo.
Jones, N.C.
Karsten
Karth
Kastenmeier
Kazen
Kee
Kelly
King, Calif.
King, N.Y.
Kirwan
Kluczynski
Kornegay
Kyl

Kyros
Landrum
Langen
Leggett
Lennon
Long, La.
Long, Md.
McCarthy
McFall
McMillan
Macdonald, Mass.
Machen
Madden
Mahon
Matsunaga
Meeds
Miller, Calif.
Mills
Minish
Mink
Minshall
Mize
Monagan
Montgomery
Moorhead
Morgan
Morris, N. Mex.
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nichols
Nix
O'Hara, Ill.
O'Hara, Mich.
Olsen
O'Neill, Mass.
Ottinger
Patman
Patten
Pepper
Perkins
Philbin
Pickle
Pike
Poage
Pool
Price, Ill.
Pryor
Pucinski
Purcell
Randall
Rarick
Rees
Reid, Ill.
Resnick
Reuss
Rhodes, Pa.
Rivers
Roberts
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Roybal
Ryan
Satterfield
St Germain
St. Onge
Scherle
Scheuer
Selden
Shipley
Sikes
Sisk
Slack
Smith, Iowa
Smith, Okla.
Staggers
Steed
Stephens
Stratton
Stubblefield
Stuckey
Sullivan
Taylor
Tenzer
Thompson, N.J.
Tuck
Tunney
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Waggonner
Waldie
Walker
White
Whitener
Whitten
Widnall
Williams, Miss.
Willis
Wilson, Charles H.
Wolff
Wright
Yates
Young
Zablocki

ANSWERED "PRESENT"—1

Teague, Tex.

NOT VOTING—15

Andrews, N. Dak.
Bow
Flood
Heckler, Mass.
Kupferman
Mailliard
Martin
O'Konski
O'Neal, Ga.
Passman
Roudebush
Smith, Calif.
Watts
Wilson, Bob
Younger

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Roudebush for, with Mr. Teague of Texas, against.

Until further notice:

Mr. O'Neal of Georgia with Mr. Bow.

Mr. Flood with Mr. Smith of California.

Mr. Passman with Mr. Andrews of North Dakota.

Mr. Watts with Mr. Younger.

Mr. NIX changed his vote from "yea" to "nay."

Mr. TEAGUE of Texas. Mr. Speaker, I have a live pair with the gentleman from Indiana [Mr. ROUDEBUSH]. I voted "no." If he were here he would have voted "yea." I withdraw my vote and vote "present."

Mr. MIZE changed his vote from "present" to "nay."

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the passage of the bill.

Mr. GERALD R. FORD. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 215, nays 199, answered "present" 1, not voting 17, as follows:

[Roll No. 13]

YEAS—215

Adams
Addabbo
Albert
Anderson, Tenn.
Annunzio
Ashley
Aspinall
Barrett
Bennett
Bevill
Bingham
Blanton
Blatnik
Boggs
Boland
Bolling
Brademas
Brasco
Brooks
Burke, Mass.
Burleson
Burton, Calif.
Byrne, Pa.
Cabell
Carey
Casey
Celler
Clark
Cohelan
Conyers
Corbett
Corman
Culver
Daddario
Daniels
Davis, Ga.
Dawson
de la Garza
Delaney
Dent
Diggs
Dingell
Donohue
Dorn
Dow
Downing
Dulski
Eckhardt
Edmondson
Edwards, Calif.
Edwards, La.
Eilberg
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Fascell
Feighan
Fisher
Flynt
Foley
Ford, William D.
Fountain
Fraser
Friedel
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Garmatz
Gettys
Giaimo
Gibbons
Gilbert
Gonzalez
Gray
Green, Oreg.
Green, Pa.
Griffiths
Hamilton
Hanley
Hanna
Hansen, Wash.
Hardy
Hathaway
Hawkins
Hays
Hébert
Hechler, W. Va.
Helstoski
Henderson
Herlong
Holifield
Holland
Howard
Hull
Hungate
Ichord
Irwin
Jacobs
Joelson
Johnson, Calif.
Jones, Ala.
Jones, N.C.
Karsten
Karth
Kastenmeier
Kazen
Kee
Kelly
King, Calif.
Kirwan
Kluczynski
Kornegay
Kyros
Landrum
Leggett
Long, Md.
McCarthy
McFall
McMillan
Macdonald, Mass.
Machen
Madden
Mahon
Marsh
Matsunaga
Meeds
Miller, Calif.
Mills
Minish
Mink
Monagan
Moorhead
Morgan
Morris, N. Mex.
Moss
Multer
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nix
O'Hara, Ill.
O'Hara, Mich.
Olsen
O'Neill, Mass.
Ottinger
Patman
Patten
Pepper
Perkins
Philbin
Pickle
Pike
Poage
Pool
Price, Ill.
Pryor
Pucinski
Purcell
Randall
Rees
Resnick
Reuss
Rhodes, Pa.
Rivers
Roberts
Rodino
Rogers, Colo.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Roybal
Ryan
St Germain
St. Onge
Scheuer
Shipley
Sikes
Sisk
Slack
Smith, Iowa
Staggers
Steed
Stephens
Stratton
Stubblefield
Stuckey
Sullivan
Taylor
Tenzer
Thompson, N.J.
Tunney
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Waggonner
Waldie
Walker
Whalen
White
Willis
Wilson, Charles H.
Wolff
Wright
Yates
Young
Zablocki

NAYS—199

Abbitt
Abernethy
Adair
Anderson, Ill.
Andrews, Ala.
Arends
Ashbrook
Ashmore
Ayres
Baring
Bates
Battin
Belcher
Bell
Berry
Betts
Biester
Blackburn
Bolton
Bray
Brinkley
Brock
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burton, Utah
Bush
Button
Byrnes, Wis.
Cahill
Carter
Cederberg
Chamberlain
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Colmer
Conable
Conte
Cowger
Cramer
Cunningham
Curtis
Davis, Wis.
Dellenback
Denney
Derwinski
Devine
Dole
Dowdy
Duncan
Dwyer
Edwards, Ala.
Erlenborn
Esch
Eshleman
Findley
Fino
Ford, Gerald R
Frelinghuysen
Fulton, Pa.
Gardner
Gathings
Goodell
Goodling
Gross
Grover
Gubser
Gude
Gurney
Hagan
Haley
Hall
Halleck
Halpern
Hammerschmidt
Hansen, Idaho
Harrison
Harsha
Harvey
Horton
Hosmer
Hunt
Hutchinson
Jarman
Johnson, Pa.
Jonas
Jones, Mo.
Keith
King, N.Y.
Kleppe
Kuykendall
Kyl
Laird
Langen
Latta
Lennon
Lipscomb
Lloyd
Long, La.
Lukens
McClory
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
MacGregor
Mathias, Calif.
Mathias, Md.
May
Mayne
Meskill
Michel
Miller, Ohio
Minshall
Mize
Montgomery
Moore
Morse, Mass.
Morton
Mosher
Myers
Nelsen
Nichols
Pelly
Pettis
Pirnie
Poff
Pollock
Price, Tex.
Quie
Quillen
Railsback
Rarick
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Rhodes, Ariz.
Riegle
Robison
Rogers, Fla.
Roth
Rumsfeld
Ruppe
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shriver
Skubitz
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Stanton
Steiger, Ariz.
Steiger, Wis.
Taft
Talcott
Teague, Calif.
Thompson, Ga.
Thomson, Wis.
Tuck
Utt
Vander Jagt
Wampler
Watkins
Watson
Whalley
Whitener
Whitten
Widnall
Wiggins
Williams, Miss.
Williams, Pa.
Winn
Wyatt
Wydler
Wylie
Wyman
Zion
Zwach

ANSWERED "PRESENT"—1

Teague, Tex.

NOT VOTING—17

Andrews, N. Dak.
Bow
Dickinson
Flood
Heckler, Mass.
Hicks
Kupferman
Mailliard
Martin
O'Konski
O'Neal, Ga.
Passman
Roudebush
Smith, Calif.
Watts
Wilson, Bob
Younger

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Teague of Texas for, with Mr. Roudebush against.

Until further notice:

Mr. Hicks with Mr. Smith of California.

Mr. Flood with Mr. Younger.

Mr. O'Neal of Georgia with Mr. Kupferman.

Mr. Passman with Mr. Bow.

Mr. Watts with Mr. Bob Wilson.

Mr. HOWARD changed his vote from "nay" to "yea."

Mr. TEAGUE of Texas. Mr. Speaker, I have a live pair with the gentleman from Indiana [Mr. ROUDEBUSH]. If he were present he would have voted "nay." I voted "yea." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

LEAVE TO EXTEND

Mr. MILLS. Mr. Speaker, I ask unanimous consent that those speaking on the bill in general debate today may be permitted to revise and extend their remarks and include extraneous material relating to the subject under debate.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

GENERAL LEAVE TO EXTEND

Mr. MILLS. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to

the request of the gentleman from Arkansas?

There was no objection.

GENERAL LEAVE TO EXTEND

Mr. SCHWEIKER. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may have 5 legislative days during which to extend their remarks in connection with the resolution introduced today on the United Nations Peacekeeping Force.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

SUPPORT OF CONSTITUENT ASSEMBLY OF SOUTH VIETNAM

Mr. WOLFF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WOLFF. Mr. Speaker, the first steps toward full sovereignty directed by the people themselves are now being taken by our friends in South Vietnam. Dedicated men are carving a form of government out of their national ideals and molding it with their hopes for a better life.

Freedom is the very basis of this endeavor to let the people choose their own representatives and system of laws. We, in the United States, have always held that people everywhere have the right to determine their own destiny and that is why we are in South Vietnam today.

To express the sense of the Congress in supporting this valiant people I am today introducing a concurrent resolution stating our full support of the South Vietnamese Constituent Assembly to assure all the people of South Vietnam the rights of self-determination and representative government.

I invite all Members to the Joseph Martin dining room in the Capitol today at 3:30 p.m. to hear an exclusive interview I held with Mr. La Than Nghe who is the principal drafter of the South Vietnamese Constitution. I urge all to attend.

The resolution follows:

CONCURRENT RESOLUTION

Whereas the South Vietnam Constituent Assembly has been formed as a result of recent elections; and

Whereas this Constituent Assembly is preparing a new constitution to provide a basis of freedom for the people of South Vietnam; and

Whereas this Constituent Assembly proposes that all people of the Republic of South Vietnam be permitted to vote for the officials who will govern them; and

Whereas the United States, in the conduct of its foreign affairs, is dedicated to the principle that people everywhere have the right to determine their own destiny through free participation in the choosing of their government: Now, therefore, be it

Resolved by the House of Representatives (*the Senate concurring*), That the Congress hereby expresses its full support of the South Vietnam Constituent Assembly in its efforts to assure all the people of South Vietnam the right of self-determination and the right to choose a representative form of government.

A PERMANENT U.N. PEACE FORCE

Mr. SCHWEIKER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SCHWEIKER. Mr. Speaker, although the struggle for world peace has often been both futile and frustrating, it is equally true that we will not achieve world peace merely by wishing for it. We must constantly strive to build bridges of understanding between our Nation and other nations. And through the United Nations, we must work to develop ways of settling international disputes and preserving international peace that are impartial and at the service of every nation.

United Nations peacekeeping forces are one of these impartial instruments for world peace. Today, Mr. Speaker, my distinguished colleagues, the gentleman from Pennsylvania [Mr. MOORHEAD], and I and 48 other Members of the House have joined in a bipartisan effort calling for a strengthening of these forces.

The concurrent resolution that each of us has introduced reads as follows:

CONCURRENT RESOLUTION

Whereas Congress has urged that there should be developed permanent organization and procedures to "enable the United Nations promptly to employ suitable United Nations forces for such purposes as observation and patrol in situations that may threaten international peace and security" (H. Con. Res. 373, 85th Congress, 2d session); and

Whereas the need for such forces has been demonstrated by past experience and will be even greater in the future; and

Whereas United Nations impartial peacekeeping forces will continue to be a major instrument for the maintenance of international peace and security: Therefore, be it

Resolved by the House of Representatives (*the Senate concurring*), That the Congress reaffirms its support for United Nations peacekeeping and peacemaking and urges:

(a) That, as an immediate objective, the United States Government—

(1) encourage and support the earmarking and specialized training of units by United Nations Member States for employment in U.N. peacekeeping operations;

(2) be prepared to make available to the United Nations transport, communications and logistical personnel and facilities; and

(3) be prepared to advocate or support on all appropriate occasions proposals for guidelines to govern the financing, training, and equipping of peacekeeping forces for effective use.

(b) That, as part of the long-range development of the United Nations as a more effective instrument for building and keeping peace, the United States Government encourage and support the creation, at such time as conditions warrant, of a permanent, individually recruited force under United Nations command for impartial peacekeeping duties.

Mr. Speaker, peacekeeping forces have been the major contribution of the United Nations to world order in the last two decades. There are U.N.-commanded peacekeeping forces on the job today in four of the world's trouble spots: Cyprus, Kashmir, and two different border areas of Israel.

These forces are policemen assigned by the world community to enforce law and order, and the idea has worked. But one factor that has weakened this "world police force" is the lack of permanent organization. If these forces are to do their job, they must be set up on a more permanent footing.

At the moment, Mr. Speaker, the Secretary General of the United Nations has to round up a new peacekeeping force each time a crisis erupts. Troops of neutral countries must be drawn together and trained in peacekeeping methods. Valuable time is lost. Imagine a police chief in the position of U Thant. If a riot breaks out across town, the police chief would have to call on squads of police not from his own force but from those in nearby towns. He would have to make sure these men could work together and that they were schooled in riot control. Only then could he send them to the scene, and this would be weeks too late.

If this is no way to run a police force, it is certainly no way to administer a United Nations peacekeeping force. The United States, a founder of the U.N. and the most powerful of its 122 members, must take the lead in establishing more permanent peacekeeping forces than the ones now in service.

Our resolution presses the U.S. mission to the United Nations to call on other member countries to earmark troops, men that could be called for duty in a United Nations peacekeeping operation and trained for these duties in advance.

Our resolution proposes that the United States, while not contributing frontline troops to a peacemaking force, offer personnel and facilities to handle communications, transport, and logistics for U.N. peacekeeping operations.

Our resolution urges that the United States take initiative in the United Nations to get other member countries to agree on rules for future peacekeeping operations, since the lack of fixed rules has hindered peacekeeping efforts in the past.

Finally, our resolution would have the United States adopt, as a long-range goal, formation of a permanent United Nations peacekeeping force, a body of soldiers individually recruited by the United Nations instead of loaned to it by armies of separate nations.

Mr. Speaker, resolutions in both the Senate and House over the last decade have advocated the idea of a permanent United Nations World Peace Force.

In 1957 the Senate passed unanimously Senate Concurrent Resolution 29, a resolution asking that such a force "be made a continuing agency of the United Nations, that it should be expanded and given special training in observation, patrol, guard duty, and arms inspection, and that its arms and equipment be confined to what is required for these specific duties."

The following year the House passed

House Concurrent Resolution 373, urging that the United Nations develop permanent organization and procedures to "enable the United Nations promptly to employ suitable United Nations forces for such purposes as observation and patrol in situations that threaten international peace and security."

In the same year, 1958, Mr. Speaker, President Eisenhower addressed the United Nations General Assembly and called for formation of a "standby United Nations Peace Force," terming it "a matter for urgent and postive action."

On September 22, 1960, in the closing days of his administration, President Eisenhower renewed his call for U.N. peacekeeping forces of a more permanent type, when he again addressed the United Nations General Assembly.

This time he emphasized the earmarking of troops for peacekeeping duties by member nations of the U.N. He added:

> The United States is prepared to earmark substantial air and sea transport facilities on a stand-by basis to help move contingents requested by the United Nations in any future emergency.

Mr. Speaker, it is tragic that in 1967 we are still without action on a step that our President could announce with such certainty in 1960. It is time to seize this lost initiative and make up for 7 years of inertia on the question of more effective United Nations peacekeeping forces.

I realize full well that the United States of America cannot of and by itself make United Nations policy nor create the permanent peacekeeping machinery for which the world cries out. I know also, however, that the power and persuasion of this Nation looms large in the halls of the United Nations and in foreign offices around the world. The time to act, Mr. Speaker, is long overdue.

Mr. Speaker, I am pleased to note that the following of our colleagues have joined the gentleman from Pennsylvania [Mr. Moorhead] and myself in introducing these resolutions:

Mr. Adams, Mr. Ashley, Mr. Barrett, Mr. Bingham, Mr. Brademas, Mr. Burton of Utah, Mr. Button, Mr. Cahill, Mr. Cohelan, Mr. Conte, Mr. Corman, Mr. Daddario, Mr. Dent, Mr. Dingell, Mr. Edwards of California, Mr. Eilberg, Mr. Fraser, Mr. Gilbert, Mrs. Green, Mr. Gude, Mr. Halpern, Mrs. Hansen, Mr. Harvey, Mr. Hechler, Mr. Helstoski, Mr. Horton, Mr. Kupferman, Mr. Leggett, Mr. Mathias of Maryland, Mr. Matsunaga, Mrs. Mink, Mr. Morse of Massachusetts, Mr. Moss, Mr. Multer, Mr. Pepper, Mr. Quie, Mr. Reid of New York, Mr. Rhodes, Mr. Rodino, Mr. Rooney of Pennsylvania, Mr. Rosenthal, Mr. Roybal, Mr. Ryan, Mr. St. Onge, Mr. Scheuer, Mr. Smith of New York, Mr. Tenzer, and Mr. Wolff.

STRENGTHENING THE UNITED NATIONS PEACEKEEPING OPERATIONS

Mr. BROWN of California. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BROWN of California. Mr. Speaker, I fully support and plan to introduce this proposal to strengthen the peacekeeping operations of the United Nations. This resolution proposes to further the long-range development of the United Nations as a more effective instrument for building and maintaining peace.

Until such time as we can realize the existence of a permanent U.N. peacekeeping force, individually recruited by that world organization, I wholeheartedly agree with the immediate objective presented in this proposal.

Because of the swiftness with which most crises erupt, and the immediate need for dispatching specially trained and equipped peacekeeping forces, I am in favor of the earmarking of special units by the U.N. member states to be available for and readily placed under the command of the United Nations peacekeeping agency.

I believe that this country should be especially willing to assist with the facilities for handling communications, transport, and logistical support for U.N. peacekeeping operations. It is essential that these forces for preserving peace have at their immediate disposal adequate materiel for conducting their operations successfully.

All of these supporting measures are directed at the final goal of a permanent and impartial United Nations peacekeeping force—a goal which I believe to be not only in the interests of our Nation, but vital to world progress and peace. I feel that this resolution is a meaningful and important step in the proper direction.

CUTBACK IN FEDERAL HIGHWAY CONSTRUCTION PROGRAM

Mr. BRAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BRAY. Mr. Speaker, the administration's cutback in the Federal highway construction program is a violation of the intent of the Congress, a flagrant betrayal of the American motorist, a move of doubtful legality, an attempt to raid the trust funds to finance more Great Society programs, the most shocking example of bad faith with the States in recent memory and a step that simply cannot be justified in any manner, let alone the excuses the administration gave for taking it.

The money for the highway program was collected from highway users, in the form of Federal excise taxes such as the gasoline tax. This money was by law to be used for highways. Now the Federal Government proposes to use this money for purposes other than highways.

The Federal-State highway relationship has rightly been called exceptionally successful and one of the most productive partnerships in the long record of Federal-State participation programs. With the Federal-Aid Highway Act and the Highway Revenue Act, both enacted into law in 1956, the Congress put the Federal-aid program on a wholly highway-user-financed, pay-as-you-build basis. The size of the program for improvement of main highways, secondary roads and urban extensions was increased. Some of the highway-related excise taxes were earmarked specifically for the highway trust fund, which has become the sole source of money for the A–B–C and interstate programs.

The intent of the Congress in 1956 was quite clear and the solid, nonpartisan support for the concepts of these laws in subsequent years is testimony to continuation of this intent. Strengthen the program, earmark special funds for its financing, make it pay as you build, and provide a smooth, uninterrupted flow of money for the purpose. This is what Congress intended, this is what Congress has consistently supported. I am sure no one ever dreamed that congressional intent and will would be so roughly kicked aside.

Second, it is a betrayal of the American motorist. This was made devastatingly clear in the House this week when the gentleman from Florida [Mr. Cramer] read into the Record a sentence from the President's remarks made in 1964 when he signed the Federal-Aid Highway Act for that year:

> I want the American motorist to know that things aren't so bad that we must sell off our public roads to the highest bidder for Uncle Sam to stay liquid.

Just 2 years later, though, under the excuse from the administration that it is necessary "to reduce inflationary pressures"—pressures of the administration's own making, I might add—things must have gotten very bad indeed because our public roads have been sold off and the American motorist with them.

Third, the move is of questionable legality. There is nothing in title 23 of the United States Code, which contains the laws governing the Federal-aid highway program, that would give any authority for arbitrary cutbacks of this sort. Neither has any sort of legal opinion on this move been rendered by any of the agencies involved. I hope this question will receive close scrutiny from the Committee on Public Works.

Fourth, the administration has discovered the neat budget gimmick of "selling" its participation certificates to the trust funds, in order to finance other programs. The 1968 budget calls for a sale of $5 billion in participation certificates. There will be a sizable accumulation of unspent money in the highway trust fund during fiscal 1968. I have no doubt that the administration plans to "sell" some of its certificates to the highway trust fund, then use the money for projects not remotely connected with highways. This is a raid on the trust fund and certainly morally questionable if not outright dishonest.

Fifth, it is undoubtedly the worst example of bad faith with State governments in recent memory. There was no warning given to the States that such a move was coming. When the cutback was announced last November, some States, Indiana among them, had already obligated substantial amounts of their funds for the year. There was no opportunity at all to reevaluate State highway construction plans and, in line with the cutback, give priority to the most needed projects.

Sixth, neither of the administration's two reasons for the cutback stand up. Part of the statement from the Bureau of Public Roads reads:

> In recognition of the need for reducing non-military Federal expenditures as a contribution to the Vietnam effort and the resultant program to reduce inflationary pressures. . .

If the administration found it necessary to cut highway expenditures, then how did it find space, 2 months later, to put a $2 billion increase into the fiscal 1968 budget for nonmilitary Great Society programs? And if the administration is worried about inflationary pressures, it surely could have found a place to cut its spending where the effect would have been immediate.

As has been pointed out, there is a lag of about 18 months between obligations and expenditures of highway trust fund money. The main deflationary effect of the cutback will not take effect until sometime in 1968. Does this mean that the administration feels inflation will still be a serious problem at that time? I can read nothing else into it. Perhaps, though, the administration was thinking of the immediate deflationary effects of construction crews out of work and construction companies thrown into financial chaos and possible bankruptcy.

The attention of the Congress, and the whole country, is being turned more and more to the problems inherent in Federal-State relationships. Why, at this time, did the administration choose to strike at what is clearly a model program in this field? There is already much discontent in State governments over heavyhanded and arbitrary interference from Washington, and the highway cutback does nothing to ease this feeling.

By law and by intent of Congress, these funds are for the States. The States had counted on them and, trusting the Federal Government to act in good faith, had shaped their plans around them. These plans cannot be changed on a moment's notice and I cannot think of a more damaging attack on Federal-State relations.

The cutback does nothing to increase State or congressional confidence in the administration's judgment or good faith. It is, at the most, ill considered, ill timed, and morally wrong. At the very least, it is legally questionable. The administration has done the States a great wrong, and if ever an order should be revoked, it is this one.

A TRIBUTE TO MR. AND MRS. STEPHEN R. CURRIER

Mr. RYAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, 3 weeks ago a devoted and dedicated young couple, Stephen and Audrey Currier, disappeared in the Caribbean. Hope for their survival was abandoned last week when their wills were filed. This is an appalling tragedy. This remarkable couple had already made a significant contribution to society, but their future was limitless.

Mr. and Mrs. Stephen R. Currier devoted their fortunes and their lives to the cause of human rights and human dignity.

For almost 12 years—from the moment of their marriage in 1955 until they disappeared in the small chartered airplane—Stephen and Audrey Currier worked closely as a team. Their purpose was philanthropy; the beneficiaries of their work: the underprivileged people of the United States.

The Curriers both came from wealthy families, but Audrey had the famous fortune, inherited from her grandfather, Andrew W. Mellon, the Pittsburgh financier. When they married, the Curriers pooled their wealth and agreed to spend the bulk of it in philanthropic undertakings of several kinds. The results were impressive.

Deeply disturbed by the evils of racial discrimination, the Curriers turned their attention to combating prejudice and bigotry to the full extent of their abilities.

In 1958 they established the Taconic Foundation to assist in the cause of civil rights. At that time few other foundations were willing to do so. The Taconic Foundation also supported child welfare and mental health programs.

In 1961 at the Potomac Institute in Washington, D.C.—an organization supported by the Taconic Foundation—they stimulated the development of a voter education project to encourage Negro registration in the South. This was 4 years in advance of the passage of the Voting Rights Act of 1965.

Stephen Currier was an organizer as well as a giver. In 1963, when the Birmingham police force brutally abused Negro citizens, he solicited $1.5 million from other wealthy citizens to establish a financial pool for seven civil rights organizations.

Mr. Speaker, the generosity of the Curriers strengthened and encouraged the civil rights movement and helped to awaken America to the failure of our democracy to provide full equality to all of our citizens.

In addition to civil rights activities, the Curriers devoted much of their time and their fortune to the problems of big cities. In keeping with this concern, they formed an organization known as Urban America, Inc., and, shortly before their disappearance, they were engaged in an effort to bring together mayors, industry, labor, and civil rights leaders for a concerted attack on the urban crisis.

Mr. Speaker, Stephen Currier was keenly aware of the relationship between political action and progress in civil rights. He understood that grassroots political involvement was essential to begin to solve the problems of the poverty stricken in our urban centers. He recognized that entrenched political machines were more interested in perpetuating the status quo than in overcoming the ills of our society.

Therefore, he was committed to political reform. I was privileged to work with him in the New York Reform Democratic Movement to which he made generous contributions. He served as a member of the board of advisers of the New York Committee for Democratic Voters.

Considerate, compassionate, and always concerned, Stephen Currier was a true humanitarian whose friendship I valued. I am sure that none of us will ever forget where we were on that tragic 22d of November 1963, when word reached us of the assassination of our gallant President, John F. Kennedy. I shared those unbelievable and awesome moments with Stephen Currier. We were together at luncheon. I know how deeply grieved he was and how profoundly affected by President Kennedy's loss. I thought of that day when word reached me of his disappearance, for he had a zest for life similar to President Kennedy's. They were kindred spirits who had "promises to keep and miles to go before they sleep."

Mr. Speaker, the Taconic Foundation, Urban America, Inc., a revived architectural forum, and the Potomac Institute of Washington stand as monuments to the work of Stephen and Audrey Currier, whose sense of social obligation rendered them people of the foremost importance. Their three young children, Andrea, Lavinia, and Michael, have a great heritage. They can always be proud that their parents devoted their inheritance and their talent to the uplifting of our society. To the children and parents of Stephen and Audrey Currier, I extend my deepest sympathy.

BLUNDER AT CAPETOWN

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, I am extending my remarks to include an editorial in today's Washington Evening Star, which follows:

BLUNDER AT CAPETOWN

The visit of the carrier Franklin D. Roosevelt to Cape town must go into the book as one of the monumental bloopers of United States diplomatic history. Everyone concerned came off a loser.

First came the decision to stop at the South African port to refuel and give the crew a chance to stretch their legs after months of sea duty off Vietnam. Then came the protests from civil rights leaders and liberal congressmen over subjecting the racially mixed crew to the racists laws of that nation. The Navy, after some red-faced sputtering, cancelled all shore leave. The South Africans, having made elaborate plans to welcome the 3,700 man crew with open, segregated arms, were furious. The officers and men of the F.D.R., for their part, displayed no great enthusiasm over the Navy's about face. Some 100 of them went AWOL.

Someone, as the saying goes, had blundered. And in retrospect it's clear who that blunderer was: The one who made the original decision to put in to Cape Town.

The United States had been singed by South African racial policies before. In 1965 a scheduled call by the carrier Independence was cancelled when then Prime Minister Hendrik Verwoerd announced that no Negro pilots from the carrier would be permitted to land at South African airfields. Today, South Africa has a new prime minister, Balthazar J. Vorster. But that is about the only change on the national scene since 1965.

Racial discrimination is still the law and the practice of the land, and so long as that condition persists, United States warships have no business in that nation's ports. Quite apart from the sensibilities of the liberals at home, shore leave for a racially mixed crew could produce incidents that would rupture the strained relations between the two nations.

The F.D.R. took on $70,000 worth of fuel. It is said that it would have cost a quarter-million dollars to refuel the carrier at sea. That would have been $180,000 well spent.

KNOCK IT OFF

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. RUMSFELD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. RUMSFELD. Mr. Speaker, in the closing days of the 89th Congress the other body adopted a nongermane amendment authorizing an untested, poorly thought out, and in my opinion, unwise scheme to funnel tax dollars into the coffers of the national political parties.

My very able colleague, the gentleman from Illinois, EDWARD J. DERWINSKI, has been active in urging repeal of that election fund campaign gimmick. I am pleased to note that Suburban Life, a highly regarded chain of newspapers serving suburban Chicago, has joined in the grassroots demand for repeal or revision of this statute during this session of Congress:

KNOCK IT OFF

It's ironic that the Congress of the United States, with all the high level problems it has before it, had to be faced with a gimmick such as the Presidential Election Campaign Act of 1966 which provides for taxpayers to designate $1 of their tax money for Presidential campaigns.

How this act managed to get through the complicated legislative process in the first place is immaterial now; the important thing is to get it off the books.

To this end Cong. Edward J. Derwinski (R-4th) has introduced a bill to repeal the act, HR 2067, and has requested the House ways and means committee chairman to designate the question as the first item on the committee's agenda, either as a separate bill repealing the act or by attaching a repealer to the first tax measure coming from the committee.

Why should the taxpayer designate money, even though it may only be a buck, to help support the major political parties in a Presidential or any other campaign?

And hasn't the federal government enough to do without adding another bookkeeping chore to its list?

In the first place, the political parties spend much more money than they should, a good portion of it on the shady side.

Instead of contributing to the general enlightment of the voting public, the length of the campaigns many times serves to confuse the voters.

Charges and counter-charges are hurled back and forth with abandon either by the candidates themselves or their proponents. After a while the voters begin to wonder which side is up.

Issues and non-issues are bandied about until the original lines of thought are either lost or repeated over and over again.

The campaigns are much too long and unnecessary, especially in this age of rapid communication provided by the press, television and radio. What has to be said can be brought before the public in a fraction of the time it now takes.

Days of the barnstorming campaigns are of the past. This doesn't mean, however, that the candidates should not journey to the various states to give the people a personal look at them and first hand information on what they propose or of what they disapprove.

Asking the people to designate part of their tax money to these run-arounds brings the gimmick to full circle.

As Cong. Derwinski pointed out, "Further irony is that taxpayer Dwight Eisenhower, under the provisions of this act, would be contributing to the Democratic Party and taxpayer Harry Truman to the Republican Party."

Now what kind of a way is that to run a railroad?

PROFIT, A BAD HABIT?

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, the Lansing Journal, an outspoken independent publication serving the village of Lansing and other communities in southern Cook County as well as adjacent Indiana communities, has acquired a well-deserved reputation for the vigor of its editorial comment. In a very perceptive editorial on Thursday, January 26, 1967, it made a pointed comment concerning proper appreciation of profit motives.

PROFIT, A BAD HABIT?

Those who hail profit as intrinsically evil and feel that we would be a much happier nation if the profit motive could just be eliminated from human nature will find little consolation in late news reports from Soviet Russia.

To put it bluntly, Russia is converting its industry to the capitalist profit system—apparently as rapidly as the change can be made.

So far 673 companies—representing 12 per cent of Russia's total production—have already made the changeover.

In the operation of these companies, market forces determine production, prices and profits. The result is a marked production increase.

Total conversion of industry is scheduled for the end of 1968. Perhaps it might be a good idea after all to import some Russian professors into the American educational system which for years has been failing to teach our young people that the capitalistic habit of working for a profit is inseparable from material abundance and personal liberty.

WESTERN PENNSYLVANIA CONSERVATORY

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. SAYLOR] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. SAYLOR. Mr. Speaker, in 1965 my good friend and colleague from Colorado [Mr. ASPINALL] and I were presented the National Conservationist of the Year Award by the National Wildlife Federation. It is a tribute that I shall always treasure.

The federation featured another outstanding National and State conservation achievement program on January 24 of this year. I congratulate all who were recognized for their contributions to conservation as well as those responsible for making the event possible. I call particular attention to this announcement appearing in the achievement winners listing, for behind it is a remarkable story that may provide encouragement for other groups dedicated to advancing the wise use and management of our natural resources:

NATIONAL CONSERVATION ACHIEVEMENT—ORGANIZATION

The Conservation Organization of the Year is the *Western Pennsylvania Conservancy*, Dr. Charles F. Lewis, president. Among the organization's accomplishments in its 34-year history is the acquisition of 18,000 acres of natural and historic interest. Its educational program includes publishing, conducting tours, and lectures.

Mr. Speaker, the Western Pennsylvania Conservancy was established as the Greater Pittsburgh Parks Association 34 years ago and took its present name in 1951. This private, nonprofit citizens organization is dedicated to the conservation of western Pennsylvania's native beauty, its water, land, and forests. It has sought out and acquired areas having unusual importance to natural history, special scenic beauty, or recreational potential. During 1966, nearly 125,000 persons participated in the conservancy's educational programs, more than 20,000 were conducted on nature tours, and almost 30,000 enjoyed the scenic trails and educational features of the wildflower reserve.

At the present time the conservancy is bringing into existence a most impressive conservation and recreation complex in famed Laurel Ridge, south of Johnstown, Pa. The most imaginative phase of the overall concept is the establishment of Laurel Ridge State Park, a plan to "save a whole mountain range," which will stretch along the ridge of Laurel Mountain for 57 miles from the Conemaugh Gorge west of Johnstown to the Youghiogheny River at Ohiopyle, where the largest park in Pennsylvania is now under development—primarily through the work of the conservancy.

Robert S. Waters of Johnstown, a conservancy director, has explained how this bold venture got its start:

> Some years ago the conservancy, which had been engaged in saving small areas from the incursions of commerce, prepared a map showing all the private and recreational lands in the western part of the state. An interesting pattern revealed itself.
>
> A chain of state parks, state forests, game lands, and privately-owned conservation reserves, including protected watersheds, stood out on the map. All that was needed was the acquisition of additional acreage to link all parts of this chain together into one majestic ridge park.

Lying at the head of this dream park is the Conemaugh Gap, once the site of a canal that carried traffic to the historic Portage Railway. In 1889 the waters of the Conemaugh River carried through the gap in the tragic Johnstown flood.

Extending for 7 miles through the Laurel Mountain, the Conemaugh Gap is one of the deepest gorges in eastern United States and boasts both spectacular scenery and unusual plants and wildlife.

When completed, Laurel Ridge Park will more firmly establish this part of Pennsylvania as one of the Nation's most magnificent conservation and recreation areas. Though it represents only a part of what the conservancy has done, is doing, and will continue to accomplish, the park will be an impressive and spirited monument to an organization which in less than 35 years has been responsible for improvements that citizens of Pennsylvania and our visitors will appreciate forever.

COL. ROBERT CUSTER, DIRECTOR OF INDIANA'S STATE SELECTIVE SERVICE SYSTEM, DISCUSSES OPERATION OF DRAFT LAWS

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. Bray] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. BRAY. Mr. Speaker, few matters are receiving more attention than the operation of the selective service laws. There is a great deal of misunderstanding about the laws and regulations, how they are applied, and the methods of evaluating individual cases.

In an interview published in the Indianapolis, Ind., News, on February 6, 1967, Col. Robert K. Custer, head of Indiana's selective service system, gives a candid and open assessment of the present laws and some of the suggested changes. I believe his remarks deserve the attention and consideration of all who are concerned with this problem, and I include them herewith:

Is the Draft Fair?—Judgment May Err, Integrity Is Solid

At almost the instant the military buildup began in Vietnam, the agency responsible for supplying the armed forces manpower—the Selective Service System—became the target of a yet-to-be resolved question.

Is the draft fair? Overnight, local boards switched from very liberal policies to an emergency level. Some fumbled along the way.

As the nation now awaits a report of a commission on possible changes in the system, countless others from college students to Selective Service administrators themselves are being heard.

And Indiana's own director, Col. Robert K. Custer, who has headed the state office since June 1961, isn't staying out of the debate. In an interview with The News, Col. Custer candidly discussed problems facing the system.

DEGREE OF UNIFORMITY HIGH

Q. What is your position on determining deferments?

A. Personally, I feel that the way we're operating now has worked out quite successfully. In any case where individuals exercise human judgment, there will no doubt be differences of opinion. I guess that's the reason we have lawyers and courts. I feel the system we have now, if the state headquarters implements certain policies, we can keep a very high degree of uniformity within the state.

There's no doubt the regulation for student deferments are rather broad. At the inception of the deferment program, we did have local boards going in opposite directions, but now our local boards are going along under the same guidelines.

There are many cases where perhaps they could go either way on a particular decision based upon the information they have in the file and what they know about the registrant.

The danger of the lack of uniformity has been exaggerated. I know there are times when I've had to assist the local board at arriving at a determination and sometimes you could go one way or the other.

One reason that our regulations are not particularly straight down the line is the fact that we do have to be flexible in our operation. During periods when our manpower needs are not so great, local boards are more liberal. When a situation like the Vietnam war comes along, overnight they can tighten down. It takes awhile then for local boards to begin thinking along the same lines, some of them adapting to the changed situation sooner than others.

STATE SHOULD RULE

Q. Would you like to see more stringent regulations from Washington?

A. No, I feel there's a great variation in the physical and economic climate of each state and that there has to be variation in policies within the states. Some are industrial, some are industrial-agricultural, so our policies must serve as well for manpower sources and for our civilian economy.

Our national interest is served in allowing everyone to continue with his education for as long as he possibly can, commensurate with the armed forces needs for manpower.

Another thing, too, under our present regulations we take the oldest man first, so that when a person gets through college, if he is not found deferable otherwise, the college graduate is placed at the top of the list and is the first to go in.

Q. How would universal military training affect the system?

A. I have no objection to it. It would perhaps be good for everybody to have a period of service. If we did that, the length of service would have to be cut down to the point where we could afford it or the services themselves would not get much benefit. In theory it's all right; practically, I don't feel we can afford it.

Everyone that talks about universal training has different ideas about what it is. Universal training, of course means taking everyone, but there are many persons who physically or mentally just could not go into the armed forces. There are others going in certain lines that would be contributing more to the nation if they continued to devote time to their studies.

At present, we don't have the facilities or instructors to provide military training for everyone.

HIGHER LEARNING EXEMPTED

Q. How do you determine who gets a deferment?

A. If he attends a recognized institution of higher learning, which would include apprenticeships.

Q. What about persons serving in the Peace Corps?

A. Service in the Peace Corps does not relieve any individual from his military obligation. I don't know of any local boards that would defer a registrant because he had served in the corps.

Q. Should schoolteachers be deferred?

A. I feel that teachers should be considered individually and that there are certain areas in which perhaps there is a surplus of school teachers . . . or areas in which schools could cut down on the numbers of teachers they are using in periods of emergency in which we are in now. However, I realize there are shortages in certain subjects.

Now, each case is considered individually and deferments depend upon whether or not a teacher in a certain subject area can be replaced.

From all indications there is a surplus of teachers in physical education, coaching, social sciences and commercial.

Q. Should liability for those deferred be extended to age 35?

A. I feel that that is important. They have been deferred from age 19 through 25. And if the need for manpower becomes great enough, they should be called upon to fulfill their obligation.

I was about 34 when I first went on active duty and I could out-hike most of the kids who were 18 and 19.

ALTERNATIVES UNSUCCESSFUL

Q. Is there a better system?

A. Of all the ideas that have been presented by different people, I don't believe any of them have come up with an alternative that would be as successful as the present system. After all, we are furnishing the armed forces with the men they need. We have deferred people with critical skills. I do believe perhaps that the standards are still high. A lot of the persons with physical or mental defects could be taken in by the armed forces under limited service or the service could help them overcome these defects.

Q. Would a national lottery work?

A. There are many variations of a lottery. Of those who advocate a lottery, some would include every man 18 or older, some would give physicals and then the lottery, while others would have local boards grant deferments and then enter the remaining men in the lottery. At the present time it wouldn't have any advantage since we are taking everyone as soon as they reach the age of 19. I just don't feel you can substitute chance for human judgment.

With a lottery, we would be hurting our national interests because we are taking men who would contribute so much more to our nation if they were allowed to continue an apprentice program or if they were allowed to go to college.

Q. Should a student working his own way through school be given special consideration?

A. Under our regulations we can do that. If his grades are a little bit low and he furnishes evidence that he's working his way through school, that would be taken into consideration. If he's been ill, our local boards also consider that. If we had rigid guide lines, we wouldn't be able to consider these special cases.

PROPER STANDING DEFERS

Q. Should student deferments be eliminated altogether?

A. Some students say deferments should be eliminated entirely, but they are the ones first to claim it. Rigid student deferment policies came into existence when we started the armed forces qualification tests and class standing requirements. Some boards wanted to take into account both the tests and the standings, others only one while still others didn't require registrants to meet either. It has taken us a little while in getting this worked out. Just about all of our local boards are going along the line that if the student makes a proper score or is in proper standing, then we will defer him.

Of all the criticisms that have been leveled against selective service and local boards, there have not been any accusations of graft. The integrity of local boards is above reproach. Understandably, when there is human judgment involved it can be questioned. Local board members put in many hours of uncompensated time.

THE RIGHT TO LOOK AND LISTEN

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. Cleveland] may extend his remarks at this point in the Record and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, I have today reintroduced two resolutions that would allow television and broadcasting of sessions of the House of Representatives and its committees under certain conditions.

I feel most strongly that the people have a right to see and hear what is happening in their National Legislature. Yet, each year we allow the listening and viewing public into our Chamber only once. And even then, it is to listen with us to the President's state of the Union message, not to see us at work.

After that, the doors close behind us and we deny access to the broadcasting and telecasting media.

Thus this year, microphones and cameras recorded the President's state of the Union message. But only a few short hours earlier, they were barred from the important and significant debate on the fate of Adam Clayton Powell.

Last year we passed freedom of information legislation to force Federal agencies to open certain files to the public. It is incongruous that, at a time when there is an urgent need for Congress to be on a more equal footing with the executive branch in terms of communicating with the public, we continue to bar from our deliberations a sizable segment of the communications media.

My two resolutions would help correct this situation and might at the same time protect the integrity of congressional debate.

Last session, some bills were pushed through the House at breakneck speed and under intense White House pressure. And in some of these cases, there was inadequate debate.

Just a few weeks ago, the distinguished majority leader of the other body asked that the 90th Congress be a "stop, look, and listen" Congress.

I heartily concur and feel that adoption of these "look and listen" resolutions are steps in that direction.

A lot of the nonsense down here might stop if the public could look and listen.

"NEITHER SNOW NOR SLEET—"

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ayres] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. AYRES. Mr. Speaker, my home city of Akron had considerable snow and bad weather over the last several days, but I was not surprised to hear the mails went through in good order. This has been a bad winter for many areas, but the postal force has delivered, as always.

Yesterday, crawling through nearly paralyzed traffic here, I was impressed by the fact that the only people abroad on foot were the letter carriers, plowing through heavy snowdrifts and with loaded mail sacks—taking it all as a matter of course.

We have all had the same experience. But we take it for granted, even when we would be greatly surprised to see anybody else doing business as usual.

It occurred to me then, observing this commonplace example of dedicated public service that so well deserves the appreciation of the American people, that somebody in this House should express gratitude to the postal force for a fine tradition of public responsibility and determination that the U.S. mails shall go through. I feel I speak for every Member in expressing this appreciation here now.

THE CREDENTIALS OF SINCERE MEN

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashbrook] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, two occasions recently provided a stark contrast on the views of clergymen here in the United States on the Vietnam war. The first concerned mission conferences in Miami, Fla., which were attended by six Presbyterian and Christian and Missionary Alliance missionaries from the Orient who agreed that the United States must stay in Vietnam—and win there—or all of southeast Asia will fall to communism.

The second occasion was the Washington Mobilization on January 31 and February 1 of this year of clergymen from various parts of the Nation to express their concern over the Vietnam war. A position paper prepared by the Executive Committee of Clergy and Laymen Concerned About Vietnam and entitled "Vietnam—The Clergyman's Dilemma," was distributed. Among the recommendations, not necessarily endorsed by all the clergymen present, were the stopping of the bombing of North Vietnam as a prelude to negotiations, inclusion of the National Liberation Front, the political arm of the Vietcong, in peace talks and others. One excerpt from the position paper read:

> All who believe that man is made in God's image must be horrified by such crimes committed against God and man. There is guilt on all sides in such a war as this, but the guilt is ours far more than we have courage to admit. We can only tremble at the thought that God is just.

Another glaring difference in the viewpoints of the two positions is their basic analysis of the Vietnam problem: the missionaries recognize the threat of international communism to freemen everywhere, while the clergymen's statement contends that "responsible expression of disagreement and dissent is the lifeblood of democracy, and we speak out of a loyalty that refuses to condone in silence a national policy that is leading our world toward disaster."

Possibly a third difference between the two groups are the credentials of those involved. While one cannot ascertain how extensive has been either the experience or the study regarding the worldwide Communist threat of the clergymen endorsing the position paper, the missionaries' backgrounds are impressive. Miss Marion Wilcox, who served in China for 29 years before going to Taiwan in 1952, and who saw many led off to execution, stated:

> I'm thankful that I stayed in China under the Communists for two years. I would have always wondered if it is possible to do Christian work under the Communists. Now I know you can't. There is no freedom whatsoever.

Rev. G. Edward Roffe was the first Protestant in Laos in 1928. He testified that fear and force is the explanation of Communist success. He told how teenagers are kidnaped, taken to Vietnam for indoctrination, and perhaps 2 years later returned to their home areas where they take over with ruthlessness.

Dr. D. J. Cumming, who has spent most of his life since 1918 in Korea, agreed that there can be no compromise between Christianity and communism.

While experience is an excellent teacher, intelligent and responsible study of a problem can, in many cases, arrive at the truth. For instance, the American Bar Association, the American Legion, and the National Education Association support responsible education on the philosophy, strategy, and tactics of communism in conjunction with a study of the various facets of Americanism. In this manner one can profit from the vast storehouse of literature on the menace of the worldwide Communist threat to freedom. Authoritative information on the nature of communism abounds in responsible publications. For instance, the Subcommittee on Europe of the Committee on Foreign Affairs, a standing committee of the U.S. House of Representatives conducted hearings in 1965 entitled "Antireligious Activities in the Soviet Union and in Eastern Europe." One section of the report of the subcommittee read:

> Of the three major religious groups, the Christian religions historically have had the largest number of adherents in the Soviet Union and in Eastern Europe. The Clergy and the lay membership of these religions have suffered prodigiously. According to testimony on record, since the Communist takeover—55 bishops, 12,800 priests and religious, 2.5 million Catholics (have been) killed. 199 bishops, 32,000 priests and religious, 10 million believers, imprisoned or deported. 15,700 priests and religious forced to abandon their profession and seek other jobs. 8,334 seminaries closed. 1,600 monasteries nationalized. 31,779 churches closed. 400 newspapers prohibited.

Information such as the foregoing statement, which incidentally, should be of special interest to all clergymen, is just a sampling of material available which cannot but help convey the true nature of communism.

Without evidence to the contrary one must grant the sincerity of differing opinions while questioning the credentials of sincere men.

I insert the article, "Missionaries: Viet Victory a Must," from the Miami Herald of January 28, 1967, in the Record at this point:

Missionaries: Viet Victory A Must

(By Adon Taft)

The United States must stay in Vietnam—and win there—or all of Southeast Asia will fall to communism.

Six Presbyterian and Christian and Missionary Alliance missionaries from the Orient here for mission conferences this week all agree on that view.

And, distasteful as war is and unfortunate as the bombing of civilians is, the alternative is much worse, in the opinion of these veteran missionaries who have had first-hand experience with communism in the Orient.

"I'm thankful that I stayed in China under the Communists for two years," said Miss Marion Wilcox, who served on the mainland for 29 years before going to Taiwan in 1952.

"I would have always wondered if it is possible to do Christian work under the Communists," she explained. "Now I know you can't. There is no freedom whatsoever," added the 70-year-old woman who saw "many led off to execution."

Dr. D. J. Cumming, who has spent most of his life since 1918 in Korea, agreed that "there can be no compromise between Christianity and communism." His wife grew up in Korea where she was born of missionary parents.

The presence of Korean troops in Vietnam is eloquent testimony of how Koreans who know what Communism is like really feel about the American presence in Asia, said Dr. Cumming.

Having been in areas briefly occupied by the Communists and having interviewed captured Communist leaders, Dr. Cumming reported how Christian leaders are marked for elimination by the Reds.

All the missionaries agreed that wherever the Communists have control, the visible church—buildings, congregations, and institutions are destroyed. Yet the word that filters out tells of a growing underground body of believers.

The recent uprisings in China took the missionaries by surprise, but they see no real reason for rejoicing over the situation except that it might tarnish the image of Red China and delay any expansionist plans.

Americans know so little of the history of the Orient and have so little understanding of what is going on there that they often think communism grows in Asia because of an ideological appeal and the offering of a government concerned for the people and devoid of the corruption so universal in the Orient.

However, the missionaries insisted, there is barely a grain of truth to that view. The Reds may at first entice a young person into the fold with an appeal to idealism—but more often with an appeal to nationalism, as in Korea where the appeal was to throw off the strict though beneficial shackles of the Japanese, noted Dr. Cumming.

But then the recruit is shipped off to some training point—in Manchuria, Siberia, or North Vietnam—where by force he is kept until thoroughly indoctrinated in hate and completely subject to thought control.

The Rev. G. Edward Roffe, a CMA missionary who was the first Protestant in Laos in 1928, testifies that fear and force is the explanation of Communist success. He told how teenagers are kidnaped, taken to Vietnam for indoctrination, and perhaps two years later returned to their home areas where they take over with ruthlessness.

The defeat of the Communist attempt to take over Indonesia never would have been undertaken if the Indonesians had not been encouraged by American firmness in Vietnam, observed the Rev. Peter N. Nanfelt who serves in Kalimantan (formerly Borneo). That is one of the 3,000 occupied islands among the 10,000 islands which make Indonesia the fifth largest and one of the richest-in-natural-resources nations in the world.

An authority on the history and languages of all the area once known as Indo-China, the Rev. Mr. Roffe scoffed at the Western idea of the "Oriental mind" and noted that Asians respond to the Gospel just as people do anywhere although its presentation has to overcome historic and cultural barriers.

The missionaries all agree that though the percentage of Christians in the Oriental countries is small—ranging from less than one per cent to a high of three per cent in Indonesia, the church is growing rapidly and in most places has become indigenous.

Most areas of Asia not under Communism are open to the Christian Gospel and there is a great need for more missionaries to take that message to the Asians.

The growth of Christianity has been greatest where the people are animists and have no institutional religion such as Buddhism, Islam, or Hinduism, Daoism and Confucianism often are mixed in with the others.

Mrs. Kathleen Kepler, who went to China as a missionary in 1930 and now serves in Taiwan, views Taiwan (which few Americans realize is a province of China) as a shining example of Christian influence in the Orient.

That area's economic, political, and educational growth while curtailing traditional Oriental corruption is directly attributable to the Christian influence of Chiang Kai-shek and other leaders, she believes. (Chiang's mainland regime has been misjudged, Mrs. Kepler feels, by people who did not understand the circumstances.)

All the missionaries agreed that the only hope for ending wide-spread corruption in the Orient and thus making democracy eventually workable is Christianity.

But one of the American mistakes in the Orient has been to expect "instant democracy" despite the history and culture of the area where most of the natives are politically naive and very uninformed of events in the next village, let alone throughout the world.

Mrs. Kepler, Miss Wilcox, and Dr. and Mrs. Cumming are among 15 speakers from Asia, Africa, Latin America, and this country addressing missionary conferences in 13 local Presbyterian churches this week.

The Cummings will speak at the 11 a.m. Sunday service at Trinity Presbyterian Church, 4101 SW 107th Ave.; Miss Wilcox will speak at the 9:30 a.m. Sunday school session at Key Biscayne Presbyterian Church, 160 Harbor Dr.; and Mrs. Kepler at the 9:45 a.m. Sunday school session at Shenandoah Presbyterian Church, 2150 SW Eighth St.

The Rev. Mr. Roffe and the Rev. Mr. Nanfelt will speak at the 11 a.m. and 7:30 p.m. Sunday services at Central Alliance Church, 777 NW 106th St.

SPUTNIK, KOSYGIN, AND ELEMENTAL RECIPROCITY

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Lipscomb] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. LIPSCOMB. Mr. Speaker, the current interchange of commodities and ideas between this country and the U.S.S.R. are to a great extent the handwork of this administration's "bridge-building" efforts. The President, in his state of the Union message, again reminded us of those efforts when he urged the Congress to pass an East-West trade bill and to approve a consular convention with the Soviet Union.

Now the American people have been exposed to an equal treatment telecast message from Premier Kosygin, a ranking, and full member of the Soviet Communist Party Politburo. Mr. Kosygin was presented live, via Early Bird, over all U.S. national television networks. He presented Communist-approved solutions for solving world problems including how to begin peace negotiations in Vietnam. And, inasmuch as Mr. Kosygin has attained high standing in the Communist Party, after loyal work in the Ministries of Industry and Finance and also as Chairman of the State Planning Commission—GOSPLAN—it was to be expected that his responses to written questions also would include a pitch for the expansion of Soviet trade. In any event no harm to the cause and image of the Communist Party resulted from Mr. Kosygin's telecast.

Mr. Kosygin's telecast relates to my remarks of January 18, 1967. At that time I stated my concern that the "administration is not capable of keeping up with the activities of the agencies of the Communist Soviet Government which are directly involved with distributing propaganda in the United States."

The country's unease in this matter has not yet been relieved.

The U.S. Information Agency and many people, including distinguished gentlemen from various parts of the country, have suggested or implied that the heart of the matter rests in the current Cultural Exchange Agreement which was signed and entered into with the Soviet Union on March 19, 1966.

It is to be hoped that the administration would not intentionally enter into a solemn agreement with the U.S.S.R. unless such agreement was meaningful. And in that part of the Cultural Exchange Agreement which provides for the exchange of information in the fields of printed materials, radio and television, it is to be hoped that the administration protected the best interests of the United States such that any exchange would be an equitable exchange.

Since the responsibility for negotiating and administering the provisions of such an agreement rests with the Department of State, I believe it would be constructively informative at this time to enter in the RECORD the exchange of correspondence about Communist propaganda I have had with the Department of State.

When the Department of State replies *to my most recent letter of January 27, 1967*, it is my sincere hope that the reply will give clear indications of the administration's plans for making an hour-and-a-quarter televised presentation to all Soviet citizens. In reciprocity for Mr. Kosygin's appearance here, it is natural for Americans to expect that the administration soon will skillfully present to the Soviet people this Government's proposals and plans for achieving an honorable peace in Vietnam.

The following points are brought out in my letter of January 6, 1967, to the Secretary of State and the Department's January 20 letter of reply:

First. As of October 12, 1966, the Secretary of State held the opinion that the Communist Party was getting behind in the competition in ideas with the free world. Approximately 3 months later, Sputnik magazine, a vehicle for disseminating official Communist Party propaganda, was permitted entry into the United States.

Second. The Communist Party's device of substituting names of Soviet Government agencies for Communist Party activities apparently is acceptable to the Department of State. In other words, such words as "Moscow, U.S.S.R." printed in minuscule type—approximately one-half the size used in the CONGRESSIONAL RECORD—at the bottom of an inside page is adequate and can be equated with any need for clearly identifying Sputnik as being printed under the auspices of the Communist Party.

Third. Citizens of the Soviet Union are undernourished—in fact destitute—as concerns non-Communist ideas and opinions.

Fourth. A measure of doubt arises as to whether the Department of State made any attempt to obtain reciprocal rights—prior to the import of Sputnik, and in exchange for Sputnik—to export to the U.S.S.R. a similar magazine, for example, a Russian language edition of the Reader's Digest.

The correspondence follows:

JANUARY 6, 1967.

Hon. DEAN RUSK,
Secretary of State,
Washington, D.C.

DEAR MR. SECRETARY: News stories this week tell of a new Soviet magazine called *Sputnik*. It carries articles which have appeared previously in Soviet publications. Reportedly, 12,000 English language copies of the magazine's first edition, the January 1967 issue, are being distributed in the United States and circulation is expected to reach 50,000 before the year is out.

It is my understanding that in the Soviet Union the agency, GLAVLIT, reviews all printed matter of every kind and in so doing it performs pre-publication and post-publication censorship. I also understand that no publication may be exported and no publication may be imported without the permission of GLAVLIT. The need for GLAVLIT is, of course, clear. In the words of the Communist Party's theoretical journal, *Kommunist*, "The strength of our press lies in its idea content, its loyalty to the all conquering teaching of Marxism-Leninism . . ."

In the light of the above it would appear that the magazine *Sputnik*, as all material printed in the Soviet Union, is definitely a vehicle for disseminating Communist Party propaganda.

If the magazine *Sputnik* is now being *imported into the U.S. two questions immediately arise:*

1. Is each copy clearly identified as "Communist Propaganda"?

2. Did the United States Department of State proffer any agreement to the Soviet Union for the purpose of obtaining reciprocal rights to export to the U.S.S.R. a similar magazine, for example, a Russian language edition of Reader's Digest?

On October 12, 1966 you made an address entitled, "Requirements for Organizing the Peace." In your remarks you brought out the fact that economic production is growing more rapidly in the Free World than in Communist states. Then you went on to say:

"Even more important, communism is losing the competition in ideas."

It is my conviction that in any equitable competition between ideas generated by a free society and ideas generated by the Soviet Communist society that the latter would be defeated overwhelmingly. The key word, however, is "equitable". Within any society the opportunity for a victory of Free World ideas over Communist ideology is greatly diminished if rules are stacked against the Free world such that there is no equitable competition.

And in the Soviet Union the Communist Party destroyed the competition in ideas almost 50 years ago. I believe the records show that on November 9, 1917, two days after the Bolsheviks seized power, Lenin suppressed all non-Communist publications. Reportedly, Lenin stated at that time that the "press is one of the most powerful weapons" which is "not less dangerous than bombs and machine guns."

Mr. Khrushchev has said:

"We do not have a stronger, more effective instrument than our own press. The press is the best long-range weapon of our Party. We can if we select our newspaper articles well, hit the mark thousands of kilometers away . . ."

From what I can determine the present ruler of the U.S.S.R., Mr. Brezhnev, does not differ with the policy and statements of Lenin and Khrushchev as regards the usefulness of the printed word in advancing the cause of Communism. On May 5, 1966 *Pravda* used these words, ". . . the Soviet press—the mighty ideological weapon of the party, the collective propagandist, agitator and organizer. Our truly popular press, guarding and multiplying militant Bolshevik traditions, loyally serves the Communist Party . . ."

A requirement for organizing the peace should include specific plans and positive action for winning the competition in ideas. It would seem that meaningful efforts to establish equitable competition in ideas between the Free World and the world of the Bolsheviks are long overdue and that for the advancement of U.S. national interests such efforts are mandatory.

I invite your comments to the above.

Sincerely yours,
GLENARD P. LIPSCOMB,
Member of Congress.

DEPARTMENT OF STATE,
Washington, January 20, 1967.

Hon. GLENARD P. LIPSCOMB,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN LIPSCOMB: The Secretary has asked me to reply to your letter of January 6 concerning the new Soviet magazine *Sputnik*, which, I understand, is being offered for sale on newsstands in the United States this week.

You raise two specific questions regarding the magazine.

With regard to the first question—whether each copy is clearly identified as "Communist propaganda," the magazine does not carry such a label. However, its identity *as a Soviet publication is clearly set forth* and the fact that the American distributor has registered with the Department of Justice as an agent of Mezhdunarodnaya Kniga, Moscow, U.S.S.R., under the Foreign Agents Registration Act of 1948 is specified on the inside of the front cover.

Concerning the second question—whether the United States has received reciprocal rights to export a similar magazine in the Russian language to the U.S.S.R., the Department has raised the question with the Soviet Embassy and we now await a Soviet reply. In taking this action, we are continuing our efforts to achieve the very objective that you have set forth, namely, to establish an equitable competition in ideas.

Please let me know if I can be of any assistance in the future.

Sincerely yours,
DOUGLAS MACARTHUR II,
Assistant Secretary for
Congressional Relations.

JANUARY 27, 1967.

Hon. DEAN RUSK,
Secretary of State,
Department of State,
Washington, D.C.

DEAR MR. SECRETARY: Thank you for the Department's January 20 reply to my letter of January 6, 1967. It arrived in my office on January 24.

On the matter of exports of a magazine similar to *Sputnik* to the Soviet Union, the Department's letter states you "now await a reply" from the Soviet Embassy. (This refers to the fact that the United States after having permitted the import of the Communist Party magazine, *Sputnik*, then approached the Soviet Embassy and raised the question of reciprocal rights to export a similar magazine to the USSR.) As it becomes available, I would appreciate learning:

1. The date and nature of the Soviet reply (complete text is desired if the release of it will not harm the national security of the United States).

2. The date of the Department of State's message to the Soviet Embassy to which you "now await a reply".

At this time, I would also like to determine what arrangements the Department of State has made with regard to having an official of the United States Government appear on a telecast to the entire citizenry of the Soviet Union.

Sincerely yours,
GLENARD P. LIPSCOMB,
Member of Congress.

LIPSCOMB QUESTIONING SPOTS GOVERNMENT BOOK CONTROL

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. HOSMER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to

the request of the gentleman from Tennessee?

There was no objection.

Mr. HOSMER. Mr. Speaker, on February 5, the magazine Book Week contained an article based on the perceptive questioning by our colleague, the gentleman from California [Mr. Lipscomb] of USIA Director Leonard Marks on the subject of Government-developed books. The article is as follows:

GOVERNMENT BOOK CONTROL

(By Geoffrey Wolff, book editor of
the Washington Post)

"Words are loaded pistols," says Sartre, and official voices in this country have come to fully acknowledge this dictum. In the months before the 1964 election, for example, 18 of our 50 Senators were working on one or more books, most of which would be ghost-written and published under their names. The publish or perish syndrome is even more prevalent in the executive branch: we have had platoons of books and non-books about the Peace Corps, introduced by Sargent Shriver; the Defense Department has been endlessly chronicled, as have NASA, the diplomatic corps, the Internal Revenue Service, and the rest of the Establishment's interests. A story often heard in Washington has President Kennedy looking ahead to the 1964 election and huddling with his lieutenants to come up with a campaign issue. In one of the meetings, the story goes, he asked if there was anything of substance in Michael Harrington's study of poverty, *The Other America*. Assured that there was, Kennedy called for memorandums, documents, and ideas. Shortly thereafter, poverty books came forth by the dozens—many written by persons who were part of or close to the Administration. Magazine articles followed; silence and ignorance gave way to public clamor; an issue was born, and the War on Poverty began.

In principle, there is nothing alarming about public officials generating books to further their political ideals and careers. In practice, however, political expediency has made many writers so arrogant that they scorn facts and ignore their duty to learn and the reader's right to know. There is much evidence that books are used increasingly as engines of propaganda, that highly-placed persons are pre-censoring books they find repellent or embarrassing, and that they are commissioning and controlling the writing of books without disclosing the facts of such control. If we believe that truth has a more exclusive claim to our attention than partial truth or falsehood, and if we believe that openness and disclosure of the circumstances surrounding the writing, publishing, and marketing of a book are requisites of a free access to ideas, then we must be alarmed at the sham, illegality, and indirection that have infected much of what is sold as objective reality.

Recently, for example, Mr. George Carver wrote for the highly respected periodical *Foreign Affairs* an article supporting our official policy toward North and South Viet Nam. Mr. Carver is with the C.I.A. but this crucial information was not related by *Foreign Affairs*. Worse, it is possible it was not given to the magazine. It is illegal for the C.I.A. to operate as an intelligence-gathering or intelligence-disseminating organization in the United States. The same restrictions apply to U.S.I.A., which is bound to confine itself to propaganda activities abroad. Yet its officers admitted several months ago in hearings before a subcommittee of the House Committee on Appropriations that part of the activity of its "Book Development Program" has been the *secret* production of manuscripts, published by private companies which the U.S.I.A. subsidizes, and sold in this country without any government *imprimatur* or other acknowledgment of the circumstances of their origin.

Reed Harris, appearing before the subcommittee in his capacity as director of the U.S.I.A. Information Center Service, said of these books: "We control the things from the very idea down to the final edited manuscript." Perhaps the books are accurate and valuable, perhaps they are self-serving or meretricious; what is certain is that they do not tell the reader what he surely wants to know: that they are works which the U.S.I.A. admits would never have been written without Government support and would not have been released by a commercial publishing house without subsidization—either because they were unworthy of publication or they were unmarketable.

Leonard Marks, director of U.S.I.A., and Ben Posner, assistant director, were questioned about the Book Development Program by Congressman Glenard Lipscomb (R.-Cal.). Portions of the exchange follow:

"Mr. Lipscomb: What were the books that were developed in the 1966 [sic] fiscal year Book Development Program?

"Mr. Posner: In fiscal year 1965 there were four books that were developed. *The Ladder Dictionary* by John R. Shaw, *The Sword and the Plow* by Ralph Slater, *President Kennedy in Africa* by Robert Marshall, *The Truth About the Dominican Republic* by Jay Mallin . . . We will be pleased to make this information available to the committee. Because it has not been our policy to make our support known in connection with these items, the material that I have is not for the record, Mr. Chairman.

"Mr. Lipscomb: Do I understand that this list is considered as classified?

"Mr. Posner: In the sense that we have not in the past divulged the Government's connection with it, yes sir.

"Mr. Lipscomb: Are any of these books on this classified list distributed and sold within the United States?

"Mr. Posner: I believe that they are; yes.

"Mr. Marks: In other words, we assist."

At this juncture Mr. Marks agreed to put in the record the titles of the books and the cost, $90,258, of commissioning manuscripts and supporting the publication of books commissioned by private publishers. The taxpayer who buys one of these books pays for it three times: he pays to have it written; he pays to have it published; and he pays its retail price at the bookstore. He also pays to support a Government Printing Office which could publish and sell the book at a fraction of its cost as produced privately and secretly. But Mr. Marks in later testimony explained why books under Government *imprimatur* are not useful to the purposes of U. S. I. A.

"Mr. Lipscomb: Why is it wrong to let the American people know when they buy and read the book that it was developed under Government sponsorship?

"Mr. Marks: It minimizes their [sic] value.

"Mr. Lipscomb: Why is it not a good policy to maintain the same ground rules that you maintain with motion pictures with newspaper stories and do your work just for overseas and make it a policy that these books that are prepared under your supervision and prepared with taxpayers' money are not for distribution within the United States?

"Mr. Marks: . . . Where an audience overseas reads a book with the label of the U.S. Government they look upon it in a particular manner. Where they read a book that is published in the United States and we distribute it they look upon it differently, as the expression of the author. It is the expression of the author, it is not our expression. We did not write that book. We merely bought copies and helped to distribute it. But if we say this in our book, then the author is a Government employee, in effect."

Of course the author *is* a Government employee—in fact, not in effect. He does a chore at the order and to the requirements of the Government. Further, his work is then published under the copyright of a private publisher even though Section 8 of the Copyright Laws says that any work produced by a Government employee within the scope of his employment is not copyrightable, even though produced by a private publisher. Thus the taxpayer pays again: he pays royalties on each copy of a book that the U.S.I.A. buys for distribution—a book which is already their property. Mr. Lipscomb was very gentle with Mr. Marks on this point:

"Mr. Lipscomb: I am for the Book Development Program for distribution overseas. I believe you can do lots of good with it. But why not limit your activities for overseas? You are making a subsidy to the author and publisher. The taxpayer is not complaining about it, but there is a principle involved in my mind that when an American citizen who subsidizes a book reads it, he should know.

"Mr. Marks: That is a point of view which I understand.

Mr. Lipscomb: I assume you are distributing them overseas, for lack of a better word, for propaganda purposes.

"Mr. Marks: Yes, definitely; to tell a story.

"Mr. Lipscomb: Is it being sold in the United States for propaganda purposes?

"Mr. Marks: No."

In other words, what is meant to manipulate a foreign reader is believed by Mr. Marks to be a fair and objective account to an American reader. But the truth is that a student writing a paper about our intervention in the Dominican Republic has before him in Mallin's account of *The Truth About the Dominican Republic* a controlled package which is not truly labeled. If he is misled before he gets past the dust jacket and title page, what can he expect of the book itself? The C.I.A. also has had for years a great respect for the power of books to influence opinion. The names of Frederick A. Praeger and the M.I.T. Press (The Center for International Studies at M.I.T. was set up with C.I.A. money 15 years ago) are only two of many that crop up again and again in the company of the U.S.I.A. and the C.I.A. One welcomes the written views of men connected with such agencies as well as those of scholars working without such support, but the taxpayer has the right to know what he is paying for and the reader has the right to know the basic beliefs and qualifications and sources of the man whose book he buys.

And the evil is compounded by the fact that the reader is often guided to a book by the good reputation of its publisher. Praeger, who is one of the chief contractors of books purchased by U.S.I.A., and whose company was recently purchased by the Encyclopaedia Britannica (think of the potential *there!*), is no Government stooge. Praeger books on politics, foreign affairs, and history have an excellent reputation for accuracy and timeliness. But we have no way of knowing *which* Praeger books were supported by the Government. For example, Praeger is the publisher for Bernard Fall, whose books about Viet Nam are indictments of Administration policy. Praeger also published Philip Geyelin's *Lyndon B. Johnson and the World*, an objective study of the President's foreign policy that was not purchased by U.S.I.A. for foreign distribution because it did not answer the Agency's propaganda needs. But Praeger is also named as the publisher of five* of the 16 titles U.S.I.A. supported or generated in 1965.

Book Week, February 5, 1967

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* *The Sword and the Plow* by Ralph P. Slater, *The Dragon's Embrace* by Joseph Hevi, *The Communist Front as a Weapon of Political Warfare* by J. E. Atkinson, *In Pursuit of World Order* by Richard N. Gardner, *From Colonialism to Communism* by Hoang Van Chi.

The Agency also spends $6 million or so every year to buy books for distribution (in 1965 it purchased 175,032, representing 1,500 titles), and no one knows what effects the lure of this amount of money has on a publisher's agreement with an author concerning a book's tone and direction. Lipscomb and Marks touched on this question after it had been revealed that a substantial number of these books were ordered from Potomac Books, Inc., a Washington publishing company. The Agency agreed to pay $25,000 for six volumes on America, three of which had yet to be written and which would be distributed here and abroad without mention of the U.S.I.A. contract. Mr. Marks was asked about the agreement:

"Mr. Marks: That is right, we bought a substantial number of books from that publisher but we did not write the books.

"Mr. Lipscomb: You hired the manuscripts done?

"Mr. Marks: We worked with them. I would not say we hired them. We did not contract for them. We said, 'If this book is written on this subject, we are a customer for you, and will buy *X* copies.' "

The case of William Manchester vs. The Kennedy Family has brought to public view an arrangement whereby sources of information for the book attempted to exercise complete control over the book's content, tone, and publication date. Manchester has been accused of foolishness in entering into such a contract, and the Kennedy family has been accused of misunderstanding the ground rules by which history gets written. On the contrary, what Manchester agreed to do has become common practice among historians and biographers and the Kennedys simply made the arrangement public.

A typical case of book-control works this way: a Government agency keeps information essential to the writing of a given book under a security classification. The agency then contacts a writer and agrees to lift the classification in exchange for the right to edit the entire book—not just the portions that touch on the previously classified material. Whether such censorship is in the interest of national security or in the interest of political expediency is a moot question: the effect of such an agreement is to grant enormous leverage to the Establishment, whose editorial judgments are neither disclosed nor subject to review.

When one considers the tens of millions of dollars spent by the Government on books, the economic leverage that results must be enormous. Books by, about, and for the Government claim a massive share of the book-selling and writing business and any publisher who flaunts the power structure does so at his peril. Recently, a freelance writer, Ralph Schoenstein, revealed that a book he wrote in 1965 about President Johnson and his three dogs, Blanco, Her, and the late Him, was submitted by his publisher, Doubleday, for review by Elizabeth Carpenter, Mrs. Johnson's press secretary. Mrs. Carpenter was furious: she fancied the 65-page manuscript to be repellent to the dignity of the President's high office and made it clear that for Doubleday to print the book would be to sacrifice the cooperation of the White House with its future writers. It never appeared.

We should not lament the loss of the doggy book were it not that such *sub rosa* censorship sets extremely dangerous precedents. The writing of a book and the reading of one are private enterprises that constitute a crucial defense against the tyranny of the majority. The cornerstone of such a defense is the frank disclosure of the manner in which the book came to be written or controlled. John Milton, arguing in the 17th century against the Licensing Act, wrote in *Areopagitica:*

"I deny not but that it is of the greatest concernment in the Church and to the Commonwealth to have a vigilant eye how books demean themselves, as well as men; and thereafter to confine, imprison, and do sharpest justice on them as malefactors. . . . And yet, on the other hand, unless wariness be used, as good almost kill a man as kill a good book. Who kills a man kills a reasonable creature, God's image; but he who destroys a good book kills reason itself, kills the image of God, as it were, in the eye."

It is not Government money or Government interest itself that sullies books. All one wants is that Government acknowledge its involvement and keep its hands off the writer's work. To ask this is to ask for no more than the Government demands of charitable foundations. But now there is a double activity, the secret suppression and creation of history, which reinforces the fears of American writers that their Government cannot be trusted and that it is not mature or brave enough to subsidize the open dissemination of ideas.

WHERE ARE OUR FRIENDS IN THIS WAR?

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. MORTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. MORTON. Mr. Speaker, I call to the attention of my colleagues a most disturbing article which appeared in the Baltimore Sun of Monday, February 6, by Maritime Reporter Helen Delich Bentley.

If the situation regarding discrimination against American shipping in the clogged port of Saigon is true, all Americans should take grave insult at the treatment we are getting from some of our so-called allies in South Vietnam.

If such discrimination exists, it serves once again to point out the agonizing frustration the United States is undergoing in this confused and costly war.

We must ask ourselves: Who are our friends in this war? Are our boys dying from Vietcong and North Vietnamese bullets while speculating South Vietnamese business interests gleefully engage in a trade conspiracy?

The article follows:

OBSTRUCTION OF U.S. SHIPS HINTED

(By Helen Delich Bentley)

SAIGON.—There is considerable speculation here that some of the problems surrounding the congestion of cargoes in Saigon are deliberately aimed at persuading American-flag steamship companies to stop making this a port of call.

If American-flag ships turn down cargoes that are financed by the United States Government, then the Vietnamese importers would be able to go out and use vessels of any nationality, at what they hope would be a cheaper rate. The fact that the money originates in Uncle Sam's pocket doesn't matter.

ONE-HALF FOR U.S. SHIPS

Under the Cargo Preference Act, one-half of all Government-financed cargoes must move on American-flag ships if they are available at reasonable rates. Likewise, the 1964 Military Assistance Act calls for all military cargoes to move in American bottoms.

If American ships are not available at reasonable rates for the cargoes, then the recipient country may ship more than 50 per cent on foreign-flag vessels.

The thought that some of the pressure may be deliberate was raised last week after Lykes Bros. Steamship Co.—the largest subsidized American-flag operator—said it would follow the path of three other operators who have eliminated commercial service to Saigon.

The three other major American companies had dropped Saigon as a port of call, transshipping their Saigon cargoes at Hong Kong to Panamanian and other foreign-flag coasters that do not need as much dock space as the large C-3 and C-4 American-flag vessels plying the Pacific Ocean.

THREE LISTED

American Export Isbrandtsen Lines, American Mail Lines, and Pacific Far East Lines who have already dropped service, all had bitter and costly experiences. In addition States Marine Steamship Company only brings military cargoes into Saigon, transshipping commercial or aid cargoes elsewhere.

Naturally there have been more American-flag ships entering this port than those of any other nationality because of the military sealift and the civilian assistance programs. All these cargoes originate in the United States or are financed there.

Somehow it seems that the commercial cargoes that have been removed from the American bottoms are in the worst shape, have been in barges longer than any other, are "lost" around the port, with the consignees refusing to pick them up or not even being interested in even getting the cargoes.

BRUSSELS CONVENTION

Under the Brussels Convention, the steamship line is liable for cargo until the consignee picks it up. Whether or not this applies in Vietnam has not been determined. Meanwhile, the shipping company must assume that it does.

If the burden becomes too great, all corporations may determine that the losses aren't worth the effort.

With Lykes, for instance, barge costs have been mounting at the rate of $9,000 a day for more than 200 days.

At a recent meeting of the Saigon Chamber of Commerce, Duong Ngoc Suu, chairman of the importers and exporters syndicate, made it quite clear that they were not happy with the obligatory transportation on American vessels.

At the same time, he made it clear that they were not happy with having to spend money from the Agency for International Development on merchandise manufactured in the United States and in underdeveloped countries like Korea, Nationalist China and India.

In his presentation, Suu pointed out that "each year, Congress votes for the aid to Vietnam a fixed amount of foreign exchange in United States dollars, not handed directly to Vietnam, but supplied by agreed United States banks such as Chase Manhattan, Bank of America, First National Bank which undertake to pay the suppliers through a bank acting as paying agent.

"The total of this foreign exchange is divided between the eighteen different import branches, each branch being divided in several divisions and subdivisions.

"The use of this foreign currency is controlled ulteriorly and, if this control finds out that the foreign exchange is used for the importation of goods non-eligible, the Vietnamese Government will have to replace the ill-used exchange from its own currency reserve.

"During the first years of American aid, the Vietnamese firms could import goods from any country. At the time, the Americans found that most of those goods came from France, Germany and Japan, who received more exchange because of their cheap prices and the quality of their goods.

"American goods were not attractive because of their high cost and the lack of knowledge of the market. We can say that in Vietnam the question of taste is an important point of the sales.

"Some American firms, because of heavy taxes and with the hope of doing good business in Vietnam, made serious protests in order to satisfy them, the Americans created the 'office of small business.' Imports of about 10,000 United States dollars had to be the object of tenders controlled by this organization, tendering delay being of at least two months."

DENOUNCED LIMITATIONS

Suu went on to denounce the list of nineteen countries which could not be authorized to supply goods to Vietnam and the present limitation to the United States Korea Nationalist China and Korea. He claimed that the exporters delay shipments, the goods are not up to the samples presented, nor of the quality ordered.

With these facts in mind, American manufacturers and cargo producers might try sympathizing with the American steamship companies about deliberate pressure and falsehoods to make them look bad.

FINO INTRODUCES AIRCRAFT NOISE ABATEMENT LEGISLATION

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Fino] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. FINO. Mr. Speaker, today I am introducing legislation to amend the Federal Aviation Act to require the FAA to issue and enforce noise abatement regulations.

I believe that the Federal Government must act against aircraft noise, and the sooner the better. If FAA is left to their own decisionmaking, they will not take the firm steps necessary for fear of antagonizing their friends in the airlines.

But I am afraid that the airlines are going to have to be antagonized. They are going to have to be made to pour some of their burgeoning profits into research and prevention of excessive noise.

Jet noise is simply getting out of hand. The big jets come in too low to too many airports located near too many people in all sections of the Nation. My own constituents find the jets landing at nearby LaGuardia field almost intolerably noisy—particularly during the summer.

Until some new ground transit breakthrough enables us to move airports out into the more remote peripheries of our many metropolitan complexes, we will just have to curb the noise where it is—no doubt this will be an expensive process, but I hope Congress will make it clear to the FAA that tough antinoise regulations are the order of the day.

ADVANCING ECONOMIC GROWTH THROUGH PRIVATE VOLUNTARY ORGANIZATION

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Morse] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. MORSE of Massachusetts. Mr. Speaker, yesterday, our distinguished colleague, the gentleman from Minnesota [Mr. Fraser], delivered one of the key addresses at the International Development Conference on "Advancing Economic Growth Through Private Voluntary Organization."

Mr. Fraser, with whom I have worked closely on the enactment and implementation of title IX of the Foreign Assistance Act of 1966, gave an eloquent expression of the need to reverse our thinking about the developmental process. He stated:

> The problem of the developing nation requires attention to the social and political structures. These must be changed to release the energies—where they exist—of individual men and women who want to improve their lot. This will lead to economic progress.

This, Mr. Speaker, is the concept that title IX was designed to implement.

I include the full text of Mr. Fraser's remarks in the body of the Record:

Address by Congressman Donald M. Fraser, International Development Conference, February 7, 1967

Archibald MacLeish wrote in the New York Times the other day that, when in a hypothetically sane universe, a problem proves insoluble by the exercise of sanity it is usually because it has been stated in mistaken terms. It is my purpose this afternoon to argue that the conceptual formulation of foreign aid suffers because it is being stated in mistaken terms. As a consequence the problems of the developing world seem intractable and incapable of solution.

Evidence of the intractability abounds. After 15 years of aid to the developing world, the gap between the rich and poor nations grows greater. Yet the advanced nations appear unwilling to increase their aid. Is this pure obstinancy, or is it linked to the lack of clear indications of the value of aid, as well as to other pressures?

In Vietnam massive aid efforts—accompanied by more than half a dozen efforts at pacification—have each resulted in new starts with disappointing progress.

At a private meeting several years ago, one of the leading architects of U.S. foreign policy in the post World War II period concluded that foreign aid was probably on its way out and would probably have to be replaced solely by trade.

The gist of the Clay Committee Report on Foreign Aid in 1963 was equally depressing.

Traditional champions of aid in the Senate are demonstrating increased skepticism of our aid programs. The fate of our aid program this year in the House of Representatives is highly uncertain.

The apparent intractability of the development problem can be overstated. In many ways and in many parts of the world, there is visible progress. Yet in the over-all picture there is little cause for optimism.

The problem of the developing nations has been described largely in economic terms. This statement of the problem has led us into blind alleys. Conventional wisdom tells us that economic assistance is the primary need, and that economic aid results in a better life for the people, moderates strains and stresses on the political system, and encourages the growth of democratic institutions.

Two propositions are implicit in this formulation. First, that economic aid provides an improved economic position for the people of these countries. Second, that an improved economic position is a prerequisite to the growth of democratic institutions.

Does economic aid lead to an improved position for the people of the nation receiving the aid?

Consider for a moment, U.S. economic aid to Latin America, an area to which we give considerably more attention than most other areas. Our aid barely exceeds 1% of the gross national product of this region. If a 1% increment to their wealth can turn the trick, what has the 100% of their own wealth been doing all of this time?

I am familiar with the economists' reasoning which underlies this approach. Yet I am not persuaded that a 1% supplement for a ten year period—the period of the Alliance for Progress—can do what 100% has not been able to do for a century.

We must think hard about this question. It deserves to be mulled over thoughtfully and reflectively. Until we can answer this question with some confidence, we need to keep thinking about it.

The increasing over-all gap between the poor and the rich nations, the inability to detect much progress in the lives of most of the people of the nations we have helped, and the downward movement of basic indicators in some areas in which we have made major efforts cannot be blinked away. If we cannot contribute significantly to economic progress, the second proposition, that improvement in the economic lot of a people will lead to the growth of stable, democratic nations, is illusory.

Moreover, the relationship between stages of economic growth and the stability and democratic quality of a government is an uncertain one. One of the highest per capita incomes in Africa is enjoyed by South Africa. Argentina enjoys one of the highest standards of living in Latin America. Yet neither nation is a model for other nations. Nor can we overlook the fact that the two major wars in this century originated among nations which were relatively developed.

How, then, should the development problem be stated? There is increasing evidence that the major deficit in the developing nations is in their political and social structures. Until we address ourselves to this reality, we shall make little progress. We must turn our formulation around. The problem of the developing nation requires attention to the social and political structures. These must be changed to release the energies—where they exist—of individual men and women who want to improve their lot. This will lead to economic progress.

In what ways should the traditional social and political systems be changed?

There are three more obvious paths to pursue in examining the political and social requirements for development:

First, we can call upon our general understanding of man and society in an attempt to identify the requisites for improved performance by a society.

Secondly, we can attempt to reconstruct our own history of development and the interplay of various economic, political and social pressures over the past several hundred years to glean principles which might be useful to other societies.

Third, we can make a comparative study of the experience of other nations in their various forms and stages of political, social and economic development to draw certain hypotheses about development.

I will not pursue these three lines of inquiry at length because others far more competent than I have begun to do so. What I find most interesting about these three ways of inquiring into the question is that they all point to the same general conclusions:

1. That under a highly centralized government, development is least likely to take place.

2. That the mainspring for development lies with the individual's desire for a better shake in life, and the need is to channel this interest through responsive social, political and economic organizations close to that person with higher levels of government playing a complementary and supporting role.

An increasingly complex society cannot be centrally directed, as the Soviets are discovering. A look at the U.S. society as it continues to grow, demonstrates a steady enlargement of pluralism in both the public and private sectors. In our country the trend is toward adding new and more flexible forms of economic organization, an astonishing increase in growth of voluntary associations, continued emphasis on creating and strengthening various levels of government below the federal level including increased powers for local government, and significantly, the rate of increase in spending of tax revenues at lower levels of government is double the rate of increase of federal government expenditures.

I bypass the issue of economic concentration and an increasing federal involvement in many aspects of American life. With time I would try to show that these are not generally in contradiction to this pluralism but that where they are, they will inhibit growth unless corrected.

By knowing the half-life of carbon 14 we can make reasoned guesses about the age of certain matter by taking a current reading on it. A glimpse into changes in American society as it continues to grow reinforces the impression that from the beginning, a concommitent of economic development, if not a prerequisite, is a growth in pluralism. Where this pluralism is inhibited—where decision making is not located at the most advantageous point—growth is bound to be inhibited.

To illustrate this point further:

I have come to believe that one of the most important reasons for the growth of the United States has been the local school district with its locally elected board. Education—especially education which is relevant to the environment in which the people find themselves—is clearly the single most important input for economic growth as well as for the maturing of the political environment. Having been actively acquainted with educational inputs at every level of government, I am convinced that neither the state nor federal government would ever have taxed the people as heavily to support education as the people have taxed themselves through their local school district.

I cite these highly impressionistic views about the U.S. in full knowledge that this kind of intuitive, retrospective glance at American society hardly meets the degree of objectivity and analysis demanded by our social scientists. But our social scientists are producing comparable, more carefully phrased hypotheses based both on comparative studies of the histories of development in other nations and upon more recent experience.

I connect the results of these studies to my own impressions because they lead me to a higher degree of conviction about the necessity for a reappraisal of our present approach.

Instead of a decentralized, pluralistic approach with which we began in the U.S., we find in most of the developing world centuries-old, traditional societies. The citizen has become resigned to his inability to change his environment. He has lived under officials whose authority derives from a remote central government rather than from the citizen, and who often are corrupt. Control over education, land tenure, marketing opportunities, education, and roads has never been held by the citizen. The wealthy—the power structure—have always played an overwhelming role. Hope of producing significant change in such societies through changes in the central government seems small. Any changes of importance threaten the vested interests—whose power to defeat or delay change is notorious.

The need to improve the lot of people is articulated by national political movements. Because these political movements originate within the cultural environment of the nation, shortcomings and deficits in the society are seen as a responsibility of the central government. In their eyes the way to correct these deficiencies is to put new leadership into the central government. The possibility that working through central government has inherent limitations will not easily occur to them because any alternative lies outside their experience. Moreover, the decentralizing of power is not an instinct of politicians who hold power.

The problem is aggravated by the tendency of most idealistic parties—the most highly motivated parties—to be impatient with the speed of development progress. The decentralization of function and decision-making and the strengthening of institutions closer to the people and more dependent directly upon them—appears as an improbable course which is both slower and requires increased dependence upon others who may lack strong motivation.

Yet these highly motivated political parties come to office with great expectation—which cannot be easily fulfilled. One likely result is increasing skepticism and cynicism by the people, and attraction to even more radical movements.

These conclusions are shared by many, though perhaps most would state them somewhat differently. These conclusions, however, are not accepted by enough of the decision makers in our government. Moreover, the acceptance of the idea that social and political organization of a society is the root cause of the problem in the developing world does not lead automatically to acceptance of the idea that we can do anything about it. It is quite simple for someone to acknowledge the social and political deficits of these societies, but too often that same person says in a challenging voice, jut try changing them and see how quickly your fingers get burned.

I honestly believe that those who hold this last view have not engaged with the issue adequately. One cannot fully accept the view that social and political deficits are basic, and then suggest we continue treading the old paths. Some of our present programs reinforce existing social and political patterns and thus are detrimental. They should be stopped or changed but will not be by those who only pay lip service to the problem.

The academic community has devoted increasing attention to the problem of social and political development. Many have concluded that while economic aid may not be getting at the basic social and political problems, we are prevented from contributing more directly to their solution by the limitations of our culture. We can't transplant our political and social concepts to other nations, they say, any more than transplanted kidneys will function very well in another body. They say that our ethnocentric perspective denies us a useful role in working at the political and social level in other countries. Thus, our efforts must be limited to the more obvious forms of economic and technical aid, perhaps accompanied by more caution.

This position reminds me of the story about the bumblebee who was unaware of the principles of aerodynamics and didn't know that it was impossible for him to fly.

The bumblebee in the developing world could be the Communists who in their ignorance go out to organize. The bumblebee could also be one of the dozens of U.S. personnel and others who in developing countries have found ways to contribute to progress in political and social organization, thus opening new opportunities to the people of those nations.

The ways in which people organize for social, economic or political purposes are not unique to separate cultures. Municipal government exists more or less in almost every society. The corporate device is found in every advanced country. Cooperative movements have been strong in many developing nations for years and take root easily in others. The commonality of experience among most nations—developed or developing—in political organizing is striking to those of us who have been active participants in the political process.

What the West—and especially the United States—is richest in is the variety of conceptual approaches used to solve problems. While the horizon of every society is limited by its cultural traditions, at least in this respect, our experience is broader than that of the developing world.

Finally, let me emphasize that development is a process which is never ending. This is especially the case as we accept political development as a part of the development picture. The goal of development should be to bring about the necessary political, social and economic arrangements which will accommodate and resolve conflict and permit each man and woman to grow and develop as far as possible.

Measured in these terms, *all* of the nations of the world are in the process of development. We should perceive our international development role as an integral part of our over-all concern for an improved ordering of men's affairs. In the pursuit of this we need to share experiences within and among all nations. Our attitude should be one of participating in mutual undertakings in a common cause, opening dialogues at all levels to mark out common courses of action.

We should accept the pluralistc approach as a working hypothesis. A pluralistic approach, however, does not require a scatter-gun effort. The development of institutional capacities should be a part of an integral plan which takes the broadest possible perspective. Our efforts to strengthen cooperatives, labor unions, various levels of government, private enterprise, citizen participation and educational institutions should not be pursued singly, but should flow from an over-all concept of how these and other social institutions relate to one another. This approach is particularly needed in the agricultural sector where action is needed on a wide variety of fronts if increased agricultural production is to be gained.

One of the most important vehicles for producing change in society is through political movements. In many ways the political parties of developing nations are highly sophisticated but need to deepen their understanding of development processes. This understanding will be aided by comparative studies of change and progress in other countries. Providing students from developing nations with a more profound understanding of development processes and their relationship to ideology would be most productive.

In all of these efforts the initiative should come from those we seek to help. The problems should be discussed, examined and analyzed together. We in the development field need to explore all possible channels through which these mutual studies and dialogues can be most effectively pursued. The benefit will be immense to both the U.S. and to other countries.

The entire range of pluralistic endeavors in the U.S. should be examined with care, sensitivity and caution in order to maximize their contribution to the developing world. The role of the country aid mission perhaps should shift to a larger emphasis on monitoring and evaluating the undertakings in which our government invests, letting others become more involved on a long term basis through institutional frameworks which are durable and appropriate to the problem.

I conclude with several general observations. Foreign aid is a major undertaking. With the accumulation of years of experience and the usual ingenuity of Americans we have been finding ways to be more effective. We are already at work in the social, and to a lesser extent, the political field. Much of this came about as a result of the amendment to the Foreign Assistance Act offered by former Senator Humphrey. Through Title IX which was added to the law in 1966 we have sought to give added emphasis to the need for such work. Change, however, comes slowly.

What I plead for today is a basic reorientation in our thinking—to put social and political evolution as our first concern, with economic aid playing the supporting role rather than the other way around. Such a change in priority would more clearly serve our national interest and would better serve the aspirations of the people of the developing world.

REDWOOD PARK PROPOSALS

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Don H. Clausen] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. DON H. CLAUSEN. Mr. Speaker, one of the clearest and most unbiased statements on the National Redwood Park controversy has been made available to me and I propose to submit it to the Record for the edification of my colleagues.

The northern California section of the Society of American Foresters has made the evaluation of redwood park proposals, in a manner reflecting the highest standards of this professional organization. I congratulate the northern California section of the Society of American Foresters for its precise analysis and commend it to all Members of the House who will more likely than not have to render a judgment this session on the park issue:

Northern California Section Society of American Foresters Statement on Redwood Park Proposals

A number of proposals for withdrawing additional lands containing the coast redwood of Northwestern California for park purposes have been developed in recent years. Around these various park proposals has erupted a controversy of nation-wide importance. The controversy has its roots in conflicts in basic data and wide divergence of opinion within lay and professional groups. Consequently, the public and the decision-makers still face a situation that is not clear.

This issue is of more than ordinary interest to the Northern California Section of the Society of American Foresters. Our Society is a professional organization composed of foresters in both public and private employment concerned with the scientific management of forest lands for the production of goods and services, including the protection of environmental and aesthetic influences. In keeping with our professional responsibility, after objective study of this problem, we offer the following evaluation of the facts in the case.

ARE REDWOODS DISAPPEARING?

One impression commonly held is that the coast redwood is becoming virtually extinct. This is not so. The species still occupies almost the same geographic area it occupied at the time of arrival of white men. Because of the inherent vigor of redwood, harvesting has resulted in young-growth forests with five to ten times the number of redwoods that were present in the original forest stand. There may well be more individual redwood trees now than when men began to utilize them.

The older young-growth forests resulting from early logging, while not as spectacular as the superlative virgin groves, possess significant aesthetic and recreational value. Good examples of these young-growth stands can be found along the Russian River in Sonoma County, along the Navarro River in Mendocino County, and many other places in the region. Some of these young stands are of such aestheic and recreational value that they have been reserved from future harvesting in parks. Areas like these can become superlative stands in the future.

Thus, the impact of human use and occupancy does not even remotely threaten extinction of redwood *as a species*. But it has greatly reduced the number of old-growth redwood trees and the area of redwood forest which is in essentially primitive condition. The present area of virgin redwood is approximately 19 percent of that which existed when the white men came.

HAS SUFFICIENT REDWOOD ALREADY BEEN PRESERVED?

A key question in the redwood controversy is: how much of these lands should be set aside in parks? Some 1.9 million acres are estimated to have been occupied by redwood in primitive times. To date about 100,000 acres or over 150 square miles of the redwood type are preserved in existing parks, principally those of the California State Park System. These parks represent about five percent of the total redwood type. The old-growth redwood stands in parks amount to about 59,000 acres, or about one-sixth of the remaining old-growth redwood in all ownerships.

An important factor often overlooked in the redwood controversy is the great diversity of the redwood forest type. The diversity is both natural and man-caused. In nature the largest trees, the purest stands, and the most aesthetically pleasing vistas are very limited in extent. These "cathedral-like" groves are the superlative ones. They occur on alluvial flats and benches along the principal streams within the redwood region. The superlative redwood groves found on alluvial bottoms within existing parks amount to approximately 25,000 acres. We estimate that public parks now contain about one-fourth of all the original superlative bottom land type that ever existed.

The great bulk of the area on which redwood grows is on steep, rough terrain. Here the forest contains varying amounts of Douglas-fir, tanoak, madrone and other species; and the redwood trees are smaller than on the flats. The forest floor is often tangled with undergrowth and open vistas are not present or are very limited in size.

Without question the program to date for preservation of redwoods by the State of California, with extraordinary assistance of private groups and the cooperation of many timberland owners, has created a remarkable system of State Redwood Parks. The acquisition and management of these parks are a credit to the agencies concerned. Development of the parks to accommodate recreation has not been fully executed. Many park areas are still quite inaccessible and there is a need to install additional facilities for visitors. However, it should be noted that park preservation objectives are by no means compatible with maximum development of recreation potential. Existing public parks contain undeveloped recreation capacity, but the extent of this capacity will depend on the extent to which the goal of preservation is maintained.

In addition to park lands, another 77,000 acres of the coast redwood type are in other public holdings managed by the U.S. Forest Service, the Bureau of Land Management, and the California Division of Forestry. These public lands are predominantly the ridge-type forests not considered superlative. These lands are not reserved exclusively for park purposes; they are managed for multiple use. In most cases redwood and associated species are harvested, but in a manner to provide perpetual crops of wood; and public recreation and wildlife and watershed protection are recognized objectives of management.

WHAT ARE THE ECONOMIC CONSIDERATIONS

Analysis of any proposal for a major allocation of a resource to a particular use should cover the benefits anticipated and the costs involved. Timber growing and the wood products industry constitute the principal economic activity of the northern counties of the redwood region. The opportunities for broadening the base of the economy in this region are limited A major potential for expanding the economic life of the area lies in taking full advantage of the renewability of the large forest resources in these counties. These forests have a capacity of timber growth that is not excelled anywhere in the United States. Development of more complete wood utilization facilities such as pulp mills, better logging practices, and increased attention to intensive timber management are among the principal means available to strengthen the economy in the future.

Large further withdrawals of redwood lands for parks would have an impact on this major industry in terms of both current operations and prospects for future industrial growth. Current park proposals envisage additional acquisition up to 87,000 acres of private land, containing as much as three billion board feet of commercial timber. On the average every 10,000 acres of old-growth timber withdrawn would lessen the timber reserves available for future operations by a half-billion board feet. The harvest and primary processing of a billion board feet of timber utilizes about 10,000 man-years of employment. Each harvesting and processing job supports about 1.5 man-years of nontimber employment. Not only would the wealth production potential be diminished by substantial public acquisition, but also it would be more difficult for the economy to adjust to a young-growth timber base, which requires that new tree crops be grown. The plans for sustained yield and more intensive forest management of the principal timber producers could be materially disrupted. The long-term annual timber growth of the region would be reduced on the order of ten million board feet for every 10,000 acres planted in parks.

Substantial capital investments in improved manufacturing facilities have been based on present sustained yield capacity of commercial timberland in the Redwood Region. Further implementation of plans for development is being held in abeyance pending determination of the ultimate extent of park acquisition. This situation has depressed the local economy and will continue to preclude orderly economic development of the area until a decision on this matter is reached.

Offsetting this effect on basic industry, the expansion of parks can add to the local economy. The evidence is not clear as to what the size of this addition would be. Estimates made by park proponents differ sharply from those of their opponents. Existing

State parks attract large numbers of tourists presently. No analysis has been made to show the increased attracting power of a National Park created simply out of existing State parks without additional park area. Some of the tourist increases projected will occur without a National Park due to population pressures, increased leisure time, and a better transportation system. The current trend in visits to existing redwood parks is not so steeply upwards as was predicted a few years ago. Present facilities handle existing levels of use satisfactorily except for brief periods of peak demand. A problem in measuring the benefits to the economy from recreation is that recreational use in the redwood region is highly seasonal, limited mostly to the three summer months.

Public purchase of more redwoods for a park would materially affect the local tax base. Under existing laws, annual property taxes are paid to the counties by all private owners of land and timber; lands in Federal or State parks do not pay such taxes or make any in-lieu payments. Another 10,000 acres of representative old-growth in parks would remove $1,300,000 or more in assessed value from the tax rolls; this assessed value produces more than $100,000 annual tax revenue. Thus, one consideration in the establishment of any new park is that of how to avoid an inequitable shift in the local tax burden to the remaining taxpayers in the county.

HOW CAN WATERSHED PROTECTION BEST BE PROVIDED?

Some park proposals justify public acquisition of upstream nonsuperlative lands on the grounds that this is necessary to provide watershed protection for existing parks. Land movement and soil erosion have been characteristic of this region long before man's influences. These effects are mainly due to the unstable geology and landscape, and the heavy precipitation in much of the region. The superlative streamside redwood groves we now treasure are a product of this natural phenomenon and the periodic flooding that has occurred for centuries.

Differences exist within the region in geology and soils which present varying hazards. For instance, the landscape within the Mill Creek Watershed at Del Norte County is much more stable than that in Bull Creek of the Humboldt Redwoods State Park. Each particular situation must be closely viewed considering all the various natural and land use variables before a determination can be made how best to achieve watershed protection.

Some land use practices are known to accelerate erosion and runoff. But it cannot be assumed that mere elimination of any land use will insure freedom from flood damage in downstream stands or that such elimination will necessarily minimize such damage. Protection of park groves should be sought through the best possible management of upstream watersheds, not through categorical restrictions on use.

WILL REDWOOD GROVES BE PRESERVED BY RESERVATION ALONE?

In most discussions of redwood preservation, it is implicitly assumed that reservation of superlative groves in park status will be sufficient to insure their preservation for an indefinite period. The past half century of experiences and research has provided substantial evidence that no such general assumption is justified.

Vegetation is never static and the Coast Redwood type, like other vegetation, undergoes long-term successional changes. More importantly, exclusion of fire, modification of the regime of flooding and silting as a result of upstream reservoir construction, and other changes in conditions which arise, either because of or in spite of park status, may have serious effects on the future development of reserved groves. Intense use of the groves themselves by visitors provides a further dynamic element which must be recognized.

In view of all of these stimuli for change which exist even within a park reservation, true preservation of the values we see in the superlative redwood groves must consist, in effect, of managing change. It is necessary to determine what the objectives of preservation are, how much and what kinds of changes are consistent with these objectives, and what sorts of methods of modifying changes are best adapted to the purposes of preservation. Much of the scientific knowledge needed to develop such programs of vegetation preservation management is available. But the philosophy and policy of applying such knowledge to the goal of redwood preservation has not yet been widely accepted. Indeed, the necessity for it is still too little recognized.

CAN RECREATION AND TIMBER GROWING BE COMPATIBLE?

The setting aside of more commercial timber for park purposes is not the only means to accommodate increasing demand for outdoor recreation. A number of important forms of forest recreation can be supplied in large quantities by young-growth forests which are also being managed for timber production. The existence of substantial opportunities to expand the supply of this sort of recreation resource at low cost has been demonstrated clearly on National and State Forests. On private industrial forest lands increasing attention is being given to this concept as evidence by 365,000 acres recently opened for public recreation. Many kinds of demands for intensive recreation use can be met on such lands as well as, or better than, in a park where protection of the unique park features requires severe restrictions on all uses, including recreation.

WHY THE RACE FOR THE "TALLEST TREE?"

Some of the support for more redwood parks stems from interest in preserving the "tallest tree." The importance of this single feature needs to be related to many other attributes that require consideration in establishing parks. The aesthetic effect from exposure to superlative redwood groves is influenced very little by minor differences in height of the trees. Actually, it is not necessary to the appreciation of the beauty of a redwood tree to know how tall it is. As one forester has aptly put it: "With trees as with women, too much emphasis can be placed on measurements."

Moreover, no one can be sure that any given tree is the record tree or that it will remain so. For years the Founders Tree in Humboldt Redwoods State Park was the tallest known specimen. In 1964 the Howard Libbey Tree along Redwood Creek was shown to be taller. Within the past few months the title has been transferred to still another specimen in Humboldt Redwoods State Park. With four million or more large trees still living on 360,000 acres of remaining old-growth stands, it is wholly possible that taller unidentified trees remain to be discovered. Due to physiological changes in the tree top and to ground levels changes on flats subject to flooding, the measured height of a virgin redwood may change from time to time.

CONCLUSIONS

The policy of the Northern California Section is to support the establishment and necessary development of local, state, and national parks to preserve and permit enjoyment of outstanding scenic, scientific, historical, inspirational and recreational areas provided that intensive study clearly establishes that the long-time public interest requires the permanent sacrifice of alternative uses and values. In the light of this long-standing policy we offer these conclusions and recommendations:

1. We believe that preservation of the unique scientific and aesthetic values of the superlative redwood groves can best be insured by permanent reservations of these groves in park status. We reiterate our earlier recommendations that immediate attention be given to public acquisition of some 6,000 to 8,000 acres containing superlative groves adjacent to existing State Parks in Del Norte and Humboldt Counties. Additional superlative groves which are not adjacent to these existing parks should also be acquired where they can be incorporated into administratively feasible park units.

2. A half century of experience and scientific study in superlative redwood groves demonstrates that the uniquely impressive characteristics of these groves may not be preserved simply by reservation from conflicting forms of use. Rather, sophisticated technical management of these groves, designed to achieve carefully defined scientific and aesthetic objectives, will be required if the superlative character of the groves is to be maintained. Wherever redwood groves are held in park status a vigorous program of vegetation preservation management must be applied promptly.

3. We believe that protection of both parks and other downstream values can be assured through broadly conceived and effectively executed plans for multiple use management applied to the upstream watershed areas. Such protection can minimize the need for public acquisition of nonsuperlative upland redwood stands. A dual policy —effective multiple use management of upstream forests and public acquisition and restriction of use of superlative redwood groves—can best achieve the objectives of maximum public benefits at least cost in the forests of the Redwood Region.

4. A prompt and decisive judgment on the redwood park controversy should be rendered by the responsible public officials not only because further delay will inevitably reduce the values available for preservation, but also because the existing state of uncertainty threatens effective management of forest land for nonpark purposes. But neither of these costs of delay is so large as to justify action so precipitate that it is taken without full consideration of the facts.

PERMANENT UNITED NATIONS PEACEKEEPING FORCE

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. REID] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. REID of New York. Mr. Speaker, I am introducing today, along with a number of colleagues, a concurrent resolution calling on our Government to take the lead in advocating the establishment of a permanent United Nations peacekeeping force.

On two separate occasions in the 89th Congress, I joined other Members in suggesting that the United States urge the establishment of a First Brigade—Forces for International Relief on Standby—as a permanent unit of technical, noncombatant personnel who would function as an integral part of the U.N.'s peacekeeping operations. Under this plan, the United States would make available a force of 1,000 men trained in transportation, communications, and logistical services.

The resolution introduced today reaffirms this commitment in a somewhat modified form and, in addition, expresses the U.S. support for a "permanent, individually recruited force under United Nations command for impartial peacekeeping duties."

Mr. Speaker, it is my hope that this resolution, which so modestly reaffirms the U.S. commitment to strengthening U.N. peacekeeping machinery, will be acted upon during this session of the Congress.

LEGISLATION TO ALLOW AN INDIVIDUAL A TAX DEDUCTION FOR HIS EDUCATION AND TRAINING EXPENSES

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. CURTIS. Mr. Speaker, in this 90th session of Congress we are again confronted with the very serious question of how to best assist people get more training and education. In the 89th and previous Congresses the majority party has placed heavy reliance of governmental expenditure policy in hopes of achieving the desired results. There is plenty of room for honest argument over expenditure policy; indeed, there is great need for above-the-board debate, particularly over the question of what mechanism in our society spends more wisely for which type of objectives, government, Federal, State, or local, private, nonprofit, private for profit, mechanisms or individuals. However, at this time I would like call attention to the fact that all too little consideration has been given to the fiscal twin of governmental expenditures—taxation.

Governmental expenditure policy must be considered in relation to taxation. I have argued for the hypothesis of tax neutrality in tax policy and do so again today. The power of taxation should only be used to gain the revenues necessary to implement governmental expenditure programs. However, tax policy should be in accord, not in discord with governmental expenditure policies.

When government decides through expenditure policy that a certain endeavor in society begin or should be increased, then tax policy should be conformed to that expenditure policy. If government money is going to be spent for training and retraining the labor force, then tax policy should—to remain neutral—not impede private training and retraining and private expenditures that improve to mobility of labor. Likewise, if the decision is made at the governmental level that more money must be spent on education, and that government itself is going to spend more money, then tax policy should be conformed not to deter private money spent for education.

In accord with this thinking I have introduced legislation which would provide tax benefits to business—or more correctly to remove tax impediments—for expenses for training and retraining of the labor force—the Human Investment Act—expenses by industry for the installation of antipollution equipment, the expenses for higher education, and the like. Today I am introducing two bills which will provide a tax benefit to individuals for their expenses incurred in upgrading their own talents and skills.

The first of these bills provides that expenses paid by any taxpayer for his education or training shall be deductible as a necessary business expense. At present, our tax laws and regulations very narrowly circumscribe the areas in which educational expenses can be considered deductible business or trade expenses. The only basis which is recognized for such deductions is job preservation; only those expenses may be deducted which are undertaken to prevent one from losing a job, from being fired for not taking a particular course of study. Certainly this is a correct ruling as far as it goes as these are legitimate expenses. However it is far too narrow. The acquisition of new skills and the improvement of old, without the threat of dismissal, are also trade or business expenses and should be recognized as such.

This bill is the obvious "other side of the coin" to the Human Investment Act introduced on February 2, 1967, by 122 of my colleagues which provides a 10-percent tax credit to employers for their expenses in training and retraining. This bill introduced today provides that those expenses undertaken through the taxpayers own initiative should be similarly treated under our tax laws. Hearings and further discussion of this proposal may indicate that certain qualitative or quantitative limitations are needed, perhaps similar to some of those written into the Human Investment Act. In any event, in my judgment, these proposals are sound steps toward eliminating some of the impediments to education and training and relieving structural unemployment in our economy.

The second bill which I am introducing today is a further example of the broad approach taken by the first; I am introducing it separately because of the acute need for relief of the particular occupation covered by the bill. This bill clarifies the right of teachers to deduct their educational expenses as necessary business expenses. Because of the severe teacher shortage in the country it is essential that immediate attention be given to proposals allowing this particular group to upgrade their skills, as it is their skills that are most needed to assist others in our society to improve also.

HORTON URGES EARMARKING OF U.S. "FIRST BRIGADE" AS FIRST STEP TO PERMANENT U.N. PEACEKEEPING FORCE

Mr. HORTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, nearly 2 years ago, I joined with a group of our colleagues in proposing that the United States initiate the establishment of a permanent United Nations peacekeeping force. The heart of our proposal was that a "first brigade" consisting of 1,000 technical, logistical and other noncombatant U.S. troops would be earmarked for instant callup in the event of an international emergency requiring United Nations action.

Last year, when the two gentlemen from Pennsylvania [Mr. Moorhead and Mr. Schweiker] submitted sense of Congress resolutions urging the establishment of a permanent U.N. peacekeeping force, I submitted an amendment to their proposal which included an unqualified offer by the United States of an earmarked "first brigade." I am pleased to note this year, that Mr. Moorhead and Mr. Schweiker have made the earmarking principle the primary element of their new proposal. Because I have supported the earmarking of American troops as a first step toward a permanent peacekeeping apparatus in the U.N., I am especially pleased to join with these gentlemen, and with many other colleagues in sponsoring a new concurrent resolution urging positive action on the part of our delegation to the United Nations to work toward an effective peacekeeping force.

I want to commend the sponsors of this new resolution for placing primary emphasis on an earmarking plan. In the conviction that we must go further by providing in the resolution for an unqualified offer by the United States of a 1,000-man "first brigade," I am today submitting an amended proposal which contains this provision. Only by such an above-board offer of support for this plan will our good faith and intentions be felt and acted upon by the other members of the United Nations.

Thus, Mr. Speaker, by urging that the U.S. delegation to the U.N. bolster its proposal for an effective earmarking force with an offer to earmark a "first brigade," I hope that these 1,000 Americans will become the first of many brigades which stand ready to snuff out the fires of international conflict, wherever they may erupt on this planet.

PARITY PRICES

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Langen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. LANGEN. Mr. Speaker, I am seriously concerned over the influence which the Johnson administration's farm price policies may have on the agriculture Department's pending farm parity report to Congress.

I am wondering just how much the administration's desire for low farm prices will affect the findings and recommendations of the long-overdue parity report.

As we know, the Food and Agriculture

Act of 1965 directed the Secretary of Agriculture to make the parity study and report back to Congress by June 30, 1966. The filing date was postponed, however, and the report is expected early this year.

It is no secret that the administration favors low farm market prices—this has been amply demonstrated through various government actions and statements by public officials over the past several years.

A year ago, for example, when the Secretary of Agriculture appeared before the House Agricultural Appropriations Subcommittee, I asked him if he thought that the present parity prices as established were too high, and his response was "Yes." Here is the dialog I remember so well:

[From the Department of Agriculture Appropriations for 1967, Hearings, Part I, p. 77, Feb. 3, 1966]

Mr. LANGEN. Does this imply then because of production increases you think the present parity prices as established are too high?

Secretary FREEMAN. Well, I think parity income is the standard. I think parity price today is largely meaningless. It is just one of a number of factors.

Mr. LANGEN. That doesn't answer my question. Do you think present parity is too high?

Secretary FREEMAN. Yes.

Mr. LANGEN. So that parity ought to be lower?

Secretary FREEMAN. I think parity income ought to be better. And you asked the specific question if I felt that the parity price relationships that go back 50 years, upon which apparently that article was based, are artificially high and unrealistic according to modern standards, and the answer is "Yes."

Mr. LANGEN. But I think these parity prices are those developed by the Department of Agriculture.

Secretary FREEMAN. Well, we make this information available, but their application is the thing that counts. And I couldn't think they are meaningful as an index or an interpretation *of farm income today. I think they are relatively meaningless.*

Mr. LANGEN. That is a rather surprising revelation, but I am glad to hear the Secretary's view.

While we still do not know what will be in the report when it is presented to Congress, I would be very surprised, indeed, if its recommendations depart substantially from the administration's well-documented commitment to low farm prices.

U.S. farmers have many times borne the brunt of Government price-depressing actions, and current indications are that the administration's views have not changed a bit. Farm prices are currently at 75 percent of parity and USDA predicts a drop in farm income this year. I hope for the sake of American agriculture, that the parity report will reveal at least some faint glimmer of concern for fair and adequate farm prices.

ELECTION REFORM LEGISLATION

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the gentleman from Arizona [Mr. RHODES] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. RHODES of Arizona. Mr. Speaker, on February 7, 1967, at the first meeting of the House Republican policy committee in the 90th Congress, two extremely important statements were adopted. I believe it is highly significant that in each case the policy committee urged the Democratic leadership to schedule badly needed reform legislation which the American people want enacted before the 1968 election campaign.

Election reform legislation and the creation of a House Committee on Standards and Conduct are matters well within the purview of this Congress, and the majority cannot escape its responsibility if they are further delayed or evaded. If enacted, this legislation would do much to restore public confidence in the legislative branch of the Federal Government. This should concern every Member of this body. It should be dealt with promptly and courageously. It demands action, not merely lipservice. Republican Members stand ready to do their duty.

At a news conference held February 8, 1967, to discuss the Republican policy committee actions, our distinguished minority leader, Mr. GERALD R. FORD, disclosed that Republican bills have been introduced covering 26 out of the 39 legislative goals briefly set forth in his January 19 appraisal of the domestic state of the Union. He termed the two measures endorsed by the policy committee—election reform and a Standards and Conduct Committee—two of the most urgent of these constructive Republican proposals to give a new direction to America.

Mr. Speaker, as chairman of the House Republican policy committee, I would like to include at this point the texts of the two policy committee statements announced this morning and the remarks of our Republican leader, Mr. GERALD R. FORD:

SELECT COMMITTEE ON STANDARDS AND CONDUCT

The House Republican Policy Committee urges the immediate establishment of a select Committee on Standards and Conduct

This Committee should be composed of twelve Members divided evenly between the Majority and Minority parties. It should be empowered to recommend rules and regulations that it deems necessary to ensure proper standards of conduct by Members and by officers and employees of the House. It should have the authority to investigate alleged breaches of conduct, recommend appropriate action and report violations of law to the proper Federal and State authorities.

In the closing hours of the 89th Congress, a select Committee on Standards and Conduct was established. This was an important first step. Now, without further delay, this Committee should be reestablished.

Over the past few years, a handful of highly publicized allegations of misconduct against a few Members of Congress and a few employees have cast a dark cloud over the entire Congress. As long as this House does not have an effective body that can investigate and resolve allegations of misconduct, the American people will continue to have serious questions regarding the integrity of the Members and their ability or willingness to ferret out those who are guilty of misconduct. Moreover, until such time as a Committee on Standards and Conduct is created and a code of ethics and standards of conduct are established, proceedings that are brought against an individual or a Member may be subject to attack on the basis that they are "witch hunts" or politically inspired.

Justice for those accused as well as the ever mounting public demand for the highest standards of personal conduct makes imperative the immediate establishment of an effective Committee on Standards and Conduct. We urge the Democratic Leadership to schedule this legislation without further delay.

ELECTION REFORM ACT OF 1967

The House Republican Policy Committee urges the immediate consideration and enactment of the Election Reform Act of 1967 which has been sponsored and introduced by the Republican Members.

With each new disclosure at the recent Bobby Baker trial, the need for Election Reform legislation has been reemphasized and underlined. There is today a crisis of confidence with respect to campaign contributions. Election Reform legislation must be enacted well in advance of the 1968 election.

In the last Congress, the Republican Policy Committee adopted a statement urging the enactment of this legislation. The Republican Leadership introduced a bill that would modify and improve the Administration measure, and the Republican Members of the House Administration Committee did everything in their power to get a meaningful and workable bill reported. As a result of their efforts, a bill that incorporates the major provisions of the Republican measure was reported by a Subcommittee. At the following meeting of the full committee, all Republican Members were present and ready to vote to report the bill for immediate Floor consideration. Unfortunately, the Democratic members would not join the Republicans so for that session of Congress, this important measure died.

The Election Reform Act of 1967 includes the following Republican proposals:

1. A five-member bipartisan Federal Elections Commission is established to receive reports and statements regarding campaign contributions and expenditures.
2. The Commission has been granted full and *complete authority to enforce the* provisions of the Act through appropriate investigation and audit. It is also authorized to make reports and statements available for public inspection and to prepare and publish summaries and reports.
3. Every candidate, and every political committee that accepts contributions or makes expenditures of $1,000 or more in any calendar year, is required to report all contributions and expenditures.
4. Donations of more than $5,000 to any one candidate or committee in any single year are prohibited.
5. The present meaningless ceiling on total contributions to and expenditures by political committees is removed.
6. Campaign contributions by organizations or associations financially supported by a corporation, trade association or labor organization are prohibited.
7. Conventions, primaries and party caucuses have been placed under the reporting and disclosure provisions of the bill.
8. The disclosure of gifts or honorariums is required of candidates for the House and Senate as well as incumbents.

The appropriate studies regarding election reform have been completed. Detailed hearings have been held. The need for the legislation has been established. A good bill was reported in the last Congress. The time for legislative action has arrived. We urge the Democratic Leadership to schedule the Election Reform Act as one of the first pieces of legislation to receive Floor consideration.

STATEMENT BY REPRESENTATIVE GERALD R. FORD, REPUBLICAN, OF MICHIGAN

Three weeks have passed since Senator Dirksen and I gave our Republican Appraisal of the State of the Union. We have been very gratified by the news coverage and thoughtful editorial treatment it has received, and by the interest in a positive Republican program which our mail reflects.

In many of the comments I read the idea was expressed that our Republican proposals had much merit *IF* they were actually incorporated into legislation. Now, as 187 Republicans in the House are about to go home to their districts and around the country for Lincoln Day meetings, people will surely ask us: Well, what have you done about all those Sensible Solutions for the 1970s that you proposed in your State of the Union program?

Our researchers tell us there were 39 points in our domestic State of the Union appraisal which require specific legislative action. They also report that two-thirds of these positive, constructive Republican goals already have been reflected in bills introduced in the first month of this 90th Congress.

Republican bills listed in the background memo attached cover these 26 subject areas, but the list is by no means exhaustive since in many cases numerous other Republicans have introduced identical or similar bills. I have introduced some of them myself.

I think starting the legislative ball rolling on two-thirds of our positive Republican proposals within the first month of the Congress is a pretty good record to take back to the people who elected us last November. During the 18 years I have been a Member of the House, I can't remember a harder-working or more businesslike group of Republicans; and if we get any kind of cooperation from the Democratic majority, we are going to get started on a New Direction for America.

The big difference between this Congress and the last one is that the normal legislative process has been restored. This will mean better government for all Americans. Last year laws were passed without full hearings and with only scant floor debate—the people sensed this and stopped that steamroller cold.

By giving you this run-down of Republican bills implementing two-thirds of our domestic State of the Union proposals—26 out of 39 legislative goals—I don't mean to say they all have the 100% endorsement of all House Republicans or of the Republican leadership. The details will be ironed out in the normal process. The House Republican Policy Committee, however, has acted on two of the most urgent items—an Election Reform Law and a House Ethics Committee.

REPUBLICAN BILLS INTRODUCED, 90TH CONGRESS

1. Tax Sharing (H.R. 784, Laird; H.R. 4070, Goodell).
2. National Commission on Urban Living (H.R. 3155, Quie).
3. Tax Credits for Higher Education Costs (R.R. 781, Laird).
4. Increase Earnings Limit for Social Security Recipients (H.R. 297, Bolton).
5. Eight Percent Increase in Benefits Retroactive to Jan. 1 (H.R. 31, Byrnes).
6. Increase Social Security Benefits with Living Costs (H.R. 31, Byrnes).
7. Increase Benefits for Veterans and Widows (H.R. 1307, Saylor).
8. Human Investment Act (H.R. 4574, Curtis).
9. Hoover-Type Commission (H.R. 69, Mathias, M.D.).
10. Merit System for Postmasters (H.R. 425, Cunningham).
11. Fair Farm Prices in Market Place (H. Con. Res. 96, Dole).
12. House Ethics Committee (H. Con. Res. 42, Reid, N.Y.; H. Res. 71, May).
13. Minority-controlled Investigating Committee (H. Res. 52, Dwyer; H.R. 873, Michel).
14. Clean Elections Law (H.R. 806, Lipscomb; H.R. 631, Goodell).
15. Repeal Long Amendment (H.R. 465, Davis).
16. Citizens' Rights Act (H.R. 421, Cramer).
17. Blue Ribbon Commission on Defense (H.J. Res. 2, Lipscomb).
18. Independent Maritime Agency (H.R. 841, Mailliard).
19. Congressional Reorganization (H.R. 2925, Curtis).
20. Tax Credit for State-Local Taxes (H.R. 1047, Poff).
21. Strengthen Reserves and National Guard, Draft Revisions (H.R. 422, Curtis).
22. Electoral College Reform (H.J. Res. 40, Davis).
23. Block Grants for Education (H.R. 308, Brock).
24. Opportunity Crusade (Goodell).
25. Repeal Participation Sales (Goodell).
26. Restore Investment Tax Credit (Goodell).

(NOTE.—This list is far from complete. In many instances, identical or similar bills have been introduced by numerous other Republican members. The somewhat arbitrary selection is intended only to show the general subject areas which have been implemented by Republican-sponsored bills.)

BISHOP PIKE STATEMENT REGARDING VIETNAM

Mr. GOODLING. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GOODLING. Mr. Speaker, I am extremely disturbed over a matter reported in the February 8 issue of the York, Pa., Gazette and Daily. The paper stated as follows:

> Bishop James A. Pike said yesterday that if President Johnson refuses to negotiate for peace in Vietnam, the young men in this country, "as a last resort," should refuse to go into the armed forces . . . "as a last resort, we would give serious consideration to conscientious objection on a mass basis. The boys should stick together in refusing to go in . . . the alternative of being put into a penitentiary is better than having to murder people."

Mr. Speaker, I find it hard to believe that a supposedly intelligent man would publicly make such irresponsible and ridiculous statements.

No one will argue with the bishop's right of free expression on matters vital to our national security; however, it is quite another thing for a man of his position and influence to use this influence in a grossly improper manner by persuading young men of this Nation to flagrantly flaunt and disregard the law of the United States.

Bishop Pike would serve a far more useful purpose if he were to devote his energies and talents to the service for which he has been trained and charged—teaching the observance of God's laws.

I think Bishop Pike was out of order and that he acted without an iota of regard for responsibility. I feel he should be cognizant of a few fundamental truths, thereby guarding against a recurrence of another irresponsible performance in the future.

For one thing, the bishop should ponder what the condition would be were every person of some office and persuasion in the United States to use his position and office in urging select groups of our society to defy compliance with the law. The unhappy result would be that the United States would be caught up in chaos, and a storm of anarchy would sweep across this land.

Another thing the bishop must remember is this: Although he has been extended certain privileges and rights by his church, he has not been assigned any authority whatsoever for the conduct of the affairs of the American Government.

Bishop Pike has stated that he does not want the United States to pull out of Vietnam; therefore, it appears that he approves of the war, providing it is carried out according to the Bishop Pike blueprint.

The Constitution of the United States—nor any law, for that matter—does not give Bishop Pike the authority either to declare or to conduct war. Article 1, section 8, of the U.S. Constitution, states:

> The Congress shall have the power to declare war . . .

And article 2, section 2, says:

> The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several states, when called into the actual service of the United States.

It should be noted that the U.S. Constitution says exactly nothing about a bishop—whether Bishop Pike or any other—having any authority in either the declaration or exercise of war.

Bishop Pike's conduct is ironic when one realizes that it occurs at a time when we are celebrating the birthday of Abraham Lincoln, a man who was an ardent champion of adherence to the law. Even more ironic is the recognition that Bishop Pike uttered his disrespect for law in the shadow of the location where Lincoln delivered his famous Gettysburg Address, which appealed to all men to unite—not each to do what he wished—in a common endeavor and "to be dedicated to the great task remaining before us."

Mr. Speaker, I would like to make it clear that I do not always agree with what the President does or says. I do not feel, however, that such disagreement gives me license to urge people to disregard the law toward the end of coercing the President into doing something I think should be done, even though I have no responsibility in this area. And I think the bishop should dissociate himself from the feeling that his august position in the church gives him any such Satanic license.

Mr. Speaker, I feel that Bishop Pike does our country and his fellow clergy a disservice through such irresponsible conduct. He should stay in his pulpit, teaching observance to God's laws, rather than encouraging disrespect for manmade laws.

LEGISLATIVE PROGRAM

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I have asked for this time for the purpose of asking the distinguished majority leader about the program for the remainder of the week and any indication that he may be able to give us as to the program for next week.

Mr. ALBERT. Mr. Speaker, will the distinguished minority leader yield?

Mr. GERALD R. FORD. I yield to the gentleman.

Mr. ALBERT. In response to my friend's inquiry, we have finished the legislative business for this week.

We do expect to receive the President's message on foreign aid tomorrow, but there will be no legislative business.

There may be a further announcement tomorrow regarding next week. I know of no other messages but there will be no legislative business from tomorrow until Wednesday of next week.

We have no legislation to announce at this time for Wednesday, 1 week from today, but we expect to have legislation at that time and we will be prepared to take up miscellaneous matters and to announce any legislation that will be ready for the balance of the week.

Mr. GERALD R. FORD. I thank the distinguished majority leader.

AMERICAN TEXTILE INDUSTRY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from North Carolina [Mr. WHITENER] is recognized for 60 minutes.

Mr. WHITENER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WHITENER. Mr. Speaker, 1967 will be a crucial year for more than 2 million people employed in the American textile industry. During the 10 years that I have served in the House I have on numerous occasions called to the attention of my colleagues the many problems with which the textile industry is confronted and the great importance of the industry to the economy of the country.

During the last session of Congress I pointed out to our distinguished colleague, the gentleman from Missouri [Mr. CURTIS], the fact that I did not agree with the view that the domestic textile industry was expendable and that people employed in the industry could be shifted to other types of employment like checkers on a checkerboard.

We will have another round of trade negotiations this year with overseas nations. The future of the American textile industry will be at stake in whatever conclusions might be reached as a result of the negotiations. The agreements reached this year with overseas textile manufacturing nations could result in increased job opportunities for American textile workers through a realistic restriction on textile imports. On the other hand, the negotiations could result in a further decline in jobs in the domestic textile industry by permitting the present level of textile imports to continue.

A basic American industry, vital to the national security and essential to the livelihood of millions of Americans, is seriously threatened by the failure of administrative action on the part of the Government to control textile imports. Because of the continuing failure of administrative agencies to be realistic the time is at hand for the Congress to examine carefully our foreign trade policies as they affect the textile industry.

The industry and its employees face difficult days ahead under the best conditions. As Representative of a congressional district with more than 64,000 persons employed in textile mills, I have a particular interest in the problems of the domestic textile industry. There are 2.3 million people in the United States who earn their livelihoods in the textile and apparel industries, and many others in related industries. The well-being of the industries should be of concern to every Member of the Congress. The national interest demands such concern by each of us.

Many do not realize that one-eighth of the total manufacturing employment in the United States is in the textile and apparel industries. While textile manufacturing is primarily located in the South, the apparel industry has plants in nearly every part of the country. The textile and apparel industries contributed $12.4 billion, or 7.3 percent, of the total national income in 1965 derived from manufacturing.

Mr. Speaker, many of the critics of the textile industry have said that the ills which beset the industry have not come about through unreasonable textile import policies but through poor management, the use of obsolete machinery, and unsound employment practices. The facts do not support the conclusions reached by these critics.

During the past 10 years the textile industry has been at the forefront in the development of better and more professional marketing techniques, a greater emphasis on product development, an expansion of advertising outlays, the installation of the most modern machinery, the modernization of existing plants and the construction of new plant capacity. The rapid strides in technology and the use of new machines have brought about a hitherto unexcelled degree of efficiency in the textile industry in the manufacture of textile products of the highest quality.

Plant modernization in the textile industry in the past 5 years has been greater than at any time in our history. This is reflected in the fact that the domestic shipments of textile machinery totaled more than $695 million, up from $490 million in 1961. A new peak of $765 million is estimated for 1966.

Mr. KORNEGAY. Mr. Speaker, will the gentleman yield?

Mr. WHITENER. Yes, I yield to my friend from North Carolina.

Mr. KORNEGAY. I appreciate very much the gentleman yielding to me. I would like to interrupt him at this time to commend him very highly for bringing this most important matter to the attention of the House. Certainly I join with him in what he is saying in connection with the situation with reference to imports not only in the cotton textile industry but in the area of manmade fibers, woolens, and garments.

Mr. Speaker, imports are actually growing faster than the textile industry. In the last 5 years production has increased up to one-third, but imports have tripled, and if this continues, as the gentleman in the well has so well pointed out, certainly many of the 950,000 textile workers will lose their jobs, and the mills will not be able to keep up their development with modern equipment.

So I wish to say to the gentleman that I appreciate the time that he is taking today, and I appreciate very much the great fight he has led through the years in this House to see that this most important segment of our economy is treated fairly and squarely and given an opportunity—that is all I think they have ever asked, just the opportunity—to survive and be in the American market and in the world market. I thank the gentleman.

Mr. WHITENER. I thank my good freind, the gentleman from North Carolina [Mr. KORNEGAY] for his comments, and would point out that the figure which he gives as to the numbers of people employed directly in the textile industry is representative of an important one million wage earners in America. But when we project the employment figures which directly result from textiles into the apparel industry and into those industries which supply the textile industry with machinery and with raw materials and with the other items which are used in the production of American textiles, this figure moves into the millions of people—2.3 million in the textile and apparel industry alone. But when we go into the oil fields, where we are told that textiles is the second largest industrial customer of petroleum products, when we go into the rubber industry, which finds the textile industry as one of its prime outlets for its production, and into the steel industry, which finds the textile industry a major segment of its buying public, we begin to see that this is a real vital thing, not only to our textile area, but to every nook and cranny of the United States of America.

Mr. KORNEGAY. The gentleman from North Carolina is exactly correct, because it extends into virtually every industry, every corner of every State.

Will the gentleman yield for just one further statement?

Mr. WHITENER. I yield to the gentleman from North Carolina.

Mr. KORNEGAY. Of course, I was using the figure of 950,000 persons employed directly in the textile industry itself.

Mr. WHITENER. I might say, if the

gentleman will pardon me, that over 230,000 of those employees are located in North Carolina.

Mr. KORNEGAY. Yes, sir, in the district of the gentleman and in my district, where we have a large percentage of those who are employed in North Carolina.

Mr. WHITENER. If the gentleman will pardon me again, 80 percent of the sales of cotton yarn manufactured in America is manufactured in the textile plants of our State of North Carolina, so we have a particular reason to be alarmed about the present trend.

Mr. KORNEGAY. I wanted to point out to the House, if the gentleman will yield further, that notwithstanding the long-term agreement which provides, as I understand, for a reasonable annual increase of imports into the United States, despite this agreement, textile cotton imports have doubled in the last 5 years.

The manmade fibers, which we all know are completely uncontrolled by the act, have more than tripled in the last 4 years. Foreign fabric imports now amount to about one-quarter of the U.S. consumption. In total, foreign imports now take about 10 percent of the American market.

I am grateful to the gentleman for yielding. Again I express to him my appreciation for taking this time to talk on this matter.

Mr. WHITENER. I certainly thank the gentleman for his having participated in this debate, because the gentleman is one of the individuals in this body who have been persevering and constant in support of the employees of our great textile industry, whose jobs are now hanging in the balance because of an unrealistic attitude on the part of our country toward our imports.

Mr. KORNEGAY. I thank the gentleman.

Mr. TAYLOR. Mr. Speaker, will the gentleman yield?

Mr. WHITENER. I am pleased to yield to the gentleman from North Carolina [Mr. TAYLOR].

Mr. TAYLOR. I, too, would like to associate myself with the remarks of my colleague, the gentleman from North Carolina [Mr. WHITENER], and commend him for bringing this matter before the House.

The textile industry is of basic importance to our entire Nation. It is especially important to our State of North Carolina. Imports are a real threat to the future of that industry, and especially to the manmade fiber industry are they a threat.

I believe we need additional controls on imports. Certainly we should not let anything happen that will provide less controls on imports.

I commend my colleague for the statement he is making.

Mr. WHITENER. I certainly thank the gentleman for his comments, as well as my other colleague, the gentleman from North Carolina [Mr. KORNEGAY], who also commented about the synthetic industry.

When I came to the Congress in 1957—and I am sure that you gentlemen who have just spoken will remember—at that time even our industry people had no apprehension about the invasion of manmade fibers and fabrics from abroad, because at that time they said we have the control in this country of the production of the raw materials, the synthetic fibers. However, today, as those of us who have been privileged to examine into the subject know, raw material synthetics are being manufactured almost wherever there is a textile industry—Japan, Taiwan, Hong Kong, I am told, and in Europe some of the German companies. So the picture has changed, and while we originally, or 10 years ago, were concerned primarily about cotton textiles, now we have cause to be concerned about synthetics.

Mr. Speaker, for many years the wages in southern textile mills were considered lower than in the North, but this differential has now narrowed, and wages are much higher than was true 5 years ago. While wages have not reached the level that some of us desire, the industry has made an effort to keep in step with the times. For example, during the period 1958 through 1965 the gain in wages in textile plants was 25.4 percent versus 24 percent for all other manufacturing.

The textile industry has been pictured as enjoying great prosperity and showing above average profits. The facts do not bear out this assumption.

The truth of the matter is that profit margins in the textile industry have increased since the low level in 1958, but they have been consistently below the average margins for all manufacturing. Profits after taxes rose from 1.7 percent of sales in 1958 to 3.8 percent of sales in 1965, compared with an increase from 4.2 percent to 5.6 percent of sales for all manufacturing in the same period.

The ratio of textile profits after taxes to stockholders' equity increased from a low of 3.7 percent in 1958 to 10.8 percent in 1965.

Mr. Speaker, the domestic textile industry cannot continue to purchase new machinery, build new plants, increase wages, and otherwise remain a vigorous and dynamic part of the American economy unless positive action is taken by the Government to bring within reasonable limits the depressing effect of textile imports. The national interest requires a viable and vibrant textile economy in the future. This means that our recent progress must not be halted.

The competitive opportunity the textile industry has gained during the past 10 years through the expenditure of billions of dollars for new plants and equipment, through one-price cotton legislation, and the revision of depreciation allowances have more than been offset by the accelerated pace of textile imports.

Mr. Speaker, we were led to believe that the long-term agreement arrived at, in Geneva, would alleviate the textile import problem. We were assured by representatives of the State Department and the Department of Commerce that the system of textile import controls to be negotiated under the agreement would permit the healthy expansion of the American textile industry.

An examination of the record under the long-term agreement reveals a different picture. All imports under the agreement, including apparel and other made-up goods, rose to a peak of 1,232,700,000 yards in 1965. In mid-1966 it had risen to an annual rate of 1,660 million yards.

Imports of uncontrolled manmade textile products have been soaring during the same period. Estimates for 1966 in these manmade textile imports reveal that over 750 million yards were imported, an increase from 566 million yards in 1965.

In dollars and cents the story of what is happening to the domestic textile industry and the American economy by reason of the fantastic increase in textile imports is even more revealing.

In 1958 the imports of textiles and apparel amounts to $625 million, exceeding exports by $164 million. By 1965 imports had increased almost 110 percent to $1,314 million while our exports amounted to only $581 million. Thus, in 1965 the gap between imports and exports rose to $733 million, or four times greater in dollar volume than it was in 1958. This differential accounted for more than one-half of the U.S. total $1.3 billion balance-of-payments deficit in 1965, according to the Department of Commerce. This fact alone should be sufficient to cause even the most cavalier disciple of free trade to sit up and take notice. America cannot safely permit such further depletion of our gold reserves as may result from such inane foreign trade practices.

In the first 8 months of 1966 imports of textiles and apparel were running at an annual rate of $1.5 billion, an increase of 20.5 percent from a year earlier; and exports were at an annual rate of $648 million, an increase of only 11 percent over the same period.

Mr. Speaker, those of us who have watched the operation of the negotiated textile arrangements with foreign nations have always felt that the only solution to the textile import problem was through legislation enacted by the Congress. We have felt that only through law could the industry have the protection necessary for survival.

It seems highly unrealistic to those of us who understand the textile industry to be asked to believe that negotiators from the executive departments will arrive at adequate import-export solutions for an industry as large and with as diverse and complex problems as the textile industry. Their past record and the apparent philosophy of free trade give little basis for hope to the American textile worker.

There are many who believe that the time has come for the industry to wage an all-out fight for its survival. I agree with them. In that connection I would like to include at this point, as a part of my remarks, an excellent editorial entitled "The Time Has Come to Fight," which appeared in the February 6, 1967, edition of the Southern Textile News, published at Charlotte, N.C. I commend the sound reasoning in the editorial to all of my colleagues for what is happening to the textile industry is in varying degrees taking place in respect to other major industries in the country.

THE TIME HAS COME TO FIGHT

In the newspaper business there comes a time when you have to lock up your forms and roll.

Whether you're ready or not—whether the publication looks as well as you'd like for it to look—whether you've got all your stories or not—these things have to be disregarded and the paper has to go to press.

We fancy that it's the same in any business.

There comes a time when you have to move out with what you have to get the job done.

And we think that perhaps that time has arrived for the textile industry.

On the present inequitable import situation.

In the past few years we've been able to afford generosity toward the under-developed nations which so concern our state department officials.

And the curious unrealism these officials use to justify their attempted crucifiction of a whole industry.

In those past years business was extremely good. The market was tight. Everything was booming.

But this is a different year.

It's beginning to appear that the economy has been de-boomed to some extent and this means that we should be taking some steps to maintain our own economy at a reasonable level. If we continue our present import policies, particularly on textiles, it could be ruinous to many millions of our people.

It has become apparent in the past six or eight years that we cannot depend on the administrative branch of the government for relief—and whatever relief we receive must come from the government.

So—our only recourse is the legislative branch.

We'll agree with some of our friends that you can't legislate morality, or prosperity. And we'd never ask our solons to pass a law saying that textile mills must make money or the textile industry must be prosperous.

What we do want from our national legislature is laws which insure justice and fairness—to all people—the citizens in our textile industry as well as the citizens of the so-called underdeveloped nations.

If congress is going to pass laws regulating business competition, as it has done in the past, then let the Congress make sure that the competition that it regulates is a fair competition.

Just because some of our underdeveloped friends have a standard of living so low that their citizens are forced to exist on pennies a day—it doesn't follow that we should penalize our mills because they pay a decent living wage which is and has been contributing to the highest standard of living in the world.

Nor does it follow that we should allow some of our own industrial organizations to fall by the wayside in order to keep a protective cloak of international welfarism over the industries of nations which haven't learned to look after their own.

The time has come.

The 90th Congress has just begun its business of legislating. Whether we're ready, or not, it's time to begin making our pitch for fairness and justice to our industry.

If we don't ask for it, and fight for it, chances are that we won't get it.

The low-wage textile products flooding the country can be sold at a price far less than the domestically produced item. As a result, therefore, the domestic textile manufacturer is unable to increase his prices. If he does, his items will meet increased sales resistance. An increase in domestic textile prices actually accelerates textile imports. It also makes it extremely difficult for the American textile manufacturer to grant a wage increase as any sustained increases in wages must inevitably result in higher prices for the domestic producer.

An Associated Press article, which appeared in the February 4, 1967, edition of the Charlotte Observer, Charlotte, N.C., illustrates this fact. I include the article at this point in my remarks:

TEXTILE PRICE UPSWING MAY HIKE IMPORTS

NEW YORK.—Higher labor costs and cotton prices in the United States may make it possible for producers of textiles to increase their exports to the U.S. market.

Already some American-made textiles are showing price increases, particularly those in the heavier ranges.

Several classes of sheeting are up a cent or more in price and dealings in spot class C sheeting have halted. Mills will sell for future delivery at an increase of three fourths of a cent per yard, but no cloth is available for immediate delivery.

Osnaburg have also gone up in price, this because of the demands of the Vietnam war. This fabric can be used for sandbags and the price has gone up by 1½ cents a yard since the war started.

The minimum wage in the United States went up this week from $1.25 to $1.40 an hour. This will have a considerable impact on domestic textile mills whose pay is frequently near or at the minimum.

Cotton prices have been creeping up, also, under the influence of liberalized government controls on plantings. The combination of higher labor costs and higher prices for raw materials are sure to be reflected in the price of finished cloth.

Furthermore, as the prices of U.S.-made goods go up, imported goods have a better chance of selling on their price advantage.

Some of this advantage has already been discounted, however, and the International Statistical Bureau, a private economic reporting agency, commented:

"The sustained high level of imports is not surprising. However, do not expect the same rate of gain to be maintained for the rest of the year, even without a new agreement.

"The easier cotton textile market, both supply and price, is certainly more favorable to liberal purchases in this country, even though some of the new producing countries will press offerings."

Despite the bureau's pessimism about imported textiles, the indications are that the higher prices shown in the market recently will continue to make imported goods more attractive from a price standpoint.

And the higher manufacturers' costs in the United States make it unlikely that prices will be brought down to the level of imported fabrics.

Mr. Speaker, the dwindling oversea markets of the American textile products have not been offset by increased consumption of textile goods in the United States. This is particularly true with reference to products made from cotton. In 1954 the per capita consumption of cotton fibers was 23.8 pounds; in 1965 it was 24 pounds. The consumption of cotton reached a peak of 5,637 million pounds in 1942. The percentage of total cotton fiber consumption in recent years has declined to an all time low.

Many have the mistaken idea that the war in Vietnam has contributed greatly to domestic textile sales and earnings. In 1966 military procurement of textiles and apparel was substantially above the pre-Vietnam level. Military procurement, however, accounts for a relatively small proportion of the total textile and apparel production in the United States.

Military purchases are concentrated in a limited number of items, and consequently a tight supply situation often develops for such items as cotton duck, webbing, and some types of uniforms.

The economic well-being of the textile industry, however, cannot depend on American military purchases. A broad base of domestic consumption must be maintained and every effort exerted to increase the export of domestic textile products.

The most noticeable swing away from the use of cotton has been a shift to synthetic fibers. The imports of man-made fibers rose to 160.9 million pounds in 1965 from 146.5 million pounds in 1963. The principal exporters of man-made fibers to the United States were West Germany, Japan, Italy, and the United Kingdom. Domestic producers of man-made fibers in 1965 exported 51.6 million pounds, down from 87.7 million pounds in 1963.

The raw cotton producer, therefore, has more than a passing interest in this problem of textile imports. Although there have been differences on the part of the cotton producer and the textile manufacturer in the approach to the textile import problem, these differences cannot conceal the fact that the producer and the manufacturer both have common interests. Each of them should be greatly concerned over the flood of cotton and synthetic fiber imports reaching the United States.

If the American market for cotton products overseas is destroyed and there is no corresponding increase in the domestic consumption of cotton goods, the future of the cotton producer is indeed bleak.

Mr. Speaker, the experience of the domestic textile industry under the long term agreement has not been in the best interest of the industry or of the American economy. The flood of textile imports has decreased job opportunities for our people and is estimated to produce a balance of trade deficit of approximately $1 billion this year.

Textile plants in my congressional district have been forced to curtail production as a result of compétition through imports. A number of the mills are operating only 3 days a week. Others are closing completely for as much as 2 weeks at a time. During the past several weeks I have received hundreds of letters from constituents who earn their livelihoods in these plants expressing their concern over loss of income and the resulting personal hardships they experience.

The management of the textile industry is hesitant and uncertain with reference to future investment in production capacity. The people who work in textiles look to the Congress, and not to the State Department or other executive agencies, for a solution to the import problem.

The responsibility should be met by the Congress. Voluntary agreements negotiated by people in the executive agencies, have failed to protect the job opportunities of the textile worker. The Congress should take a new look at the situation. I feel that Congress should by law regulate the importation of textile products and take whatever other means are necessary to guarantee the jobs of our people and the survival of the American textile industry and the cotton producer.

It is inconceivable to me, and to the people I represent in the Congress, that the Nation would permit the textile industry to be destroyed and that our requirement for textile products so essential to our personal well-being, our security, and our economy, to be placed in the hands of foreign manufacturers. It is more inconceivable that our Nation would permit the jobs of more than 2 million Americans to be further jeopardized by a senseless foreign trade policy.

I urge that the Congress once again assume its constitutional authority over the regulation of the foreign trade of the United States. The alternative is the destruction of basic industry and job opportunities for hundreds of thousands of our citizens.

SEND PRESIDENTIAL CRIME MESSAGE TO THE SUPREME COURT, NOT TO CONGRESS

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. SNYDER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SNYDER. Mr. Speaker, I have been pondering the Presidential message on setting standards for dealing with crime. It occurs to me that the following punishments might be set:

First. Theft and robbery: A slap on the wrist.

Second. Rape and arson: Write "I have been bad" 25 times on a blackboard.

Third. Manslaughter and homicide: Put on a dunce's cap and sit facing the wall for from 30 to 45 minutes.

Fourth. For attacking a policeman: Mandatory induction in the Job Corps.

I submit this would not seriously interfere with the current thesis that the criminal must be protected from society and, at the same time, would constitute more punishment than often has been meted out.

Seriously, I would suggest, Mr. Speaker, that the President initiate his war on crime by sending a Presidential message, not to Congress but to the Supreme Court. I do not remember a case yet where Congress has set a criminal free after conviction by a jury.

REDWOODS TO THE SEA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. DON H. CLAUSEN], is recognized for 30 minutes.

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DON H. CLAUSEN. Mr. Speaker, it is apparent to me, as I am sure it is to most Members of the House, that this Nation has reached a crisis in the relations of the Federal Government to the various States.

One State, my own, California, and one issue—a national redwood park—may well serve, Mr. Speaker, as the catalyst for greater understanding, clarification, and cooperative action so that the will of the majority of our people may be fully expressed.

By every public indicator the American people are distressed after 30 years of continuously proliferating Federal power in the conduct of their affairs.

The President of the United States publicly, in his state of the Union message, recognized the almost universal unrest at the overpowering pressure from Washington on even the minute aspects of our personal affairs.

In my own campaign last fall, in which I interpreted the wishes of my people, there was massive discontent with the hard and high hand of the Federal Government as it was and is being applied to their affairs, their jobs, their economic future.

Within the scope of this discontent, Mr. Speaker, there was, however, a thread of understanding, reasonableness, and a desire to cooperate with all of the American people and those elected to represent them. This same thread of enlightenment is woven throughout the hopes of our people for the future. Thus my purpose in addressing the House today, on the issue of a national redwood park, is not a narrow one, but one that this Congress, if it is to truly represent those who elected it, must face with understanding and wisdom.

The heart of the redwood park controversy—which soon will be before this body in formal array—may well determine whether or not the wishes of my people, their community stability and economic future, is to be a factor in the plans of the Federal Government, or merely a voice crying in the wilderness of controversy and eventual submission to a cold, relentless, overpowering force that has no concern for them.

It is well and good, Mr. Speaker, that Government agencies have plans for the future, and that they try to carry them out in the best interests of their own visions within the mandates of the Congress that created them.

I am for a national redwood park. I have a concept—that of a national redwood park and seashore—redwoods to the sea—which in the minds of those who have taken the time to study it, offers one of the most exciting concepts for creating a national park that has thus far been presented to the Congress of the United States.

But when we discuss this concept—in comparison to the proposals presented by others—let us remember that we are not dealing solely in computer digits or trees but that we are talking, as well, about people.

Certainly, all Americans have a right to protect its wilderness treasures—and the northern coast of California, which I have the honor to represent, contains a unique lode of those treasures. My people are willing to share them, to sacrifice within the bounds of commonsense and reason, to see that they are not only preserved but utilized to the fullest extent for the pleasure and comfort of those who enjoy the great American outdoors life.

The President of the United States, Mr. Speaker, the distinguished majority leader of the Senate of the United States, and countless other distinguished Members of both Houses have asked that this Congress pause and review the total picture of where America stands today as it seeks the peace and prosperity all of our people deserve.

More than 70 percent of our people, recent public indicators reveal, desire the same review of our national interest I believe we, in the 90th Congress, are charged with the duty of doing so and I believe with all the strength I can muster, Mr. Speaker, that we must do so now. We must begin with the issue that will soon be before us—the question of a national redwood park and how its concept will best serve all of our people.

If we do examine the issue and have the wisdom to select the best of all possible concepts—and I believe the redwoods to the sea concept upon examination will qualify as the best—perhaps we can, in this examination of land use in the Nation, launch what is really needed for future planning, a total examination of land use in the Nation, the conduct of those who have directed its use in the past, and an accounting of how well or poorly they have done so.

I mention this not in a spirit of recrimination but in the spirit of acceding to the mood of our people and the public utterances of our elected leaders.

The Federal Government already owns one-third of the land in the Nation.

The General Services Administration lists the fact that 64.6 percent of all land west of the Rockies is owned by the Federal Government. In my own State, 45 percent of the land is under Federal ownership.

The staggering total is 766 million acres. And the acquisition continues. In the 4-year period ending in 1963, an additional 1,790,000 acres came under Federal control. In 1964–65 the U.S. Government acquired an additional three-quarters of a million more acres alone.

In California we have 30 State parks in the redwood forest area alone, to preserve the prize tall-tree redwood treasures.

But, again, Mr. Speaker, I do not utter these remarks to berate those who led to the acquisitions of this vast acreage, nor to urge a total cessation of more acquisition. As I have stated previously, I am for a national redwood park concept that will require further Federal land purchases—and I believe my Redwoods to the Sea concept will accomplish this with a minimum of cost, and a maximum of protection to jobholders and community stability.

We are witnessing again the emotionalism that confronts a sensible discussion of the issues involved in a national redwood park—when proponents of one plan berate the Nation and its leaders for trying to reach the moon but seem unwilling to secure what they describe as a "patch of forest" for where our people can walk in comfort in contemplation of their lives.

I, for one, Mr. Speaker, am not talking about a patch of redwoods, but a vast expanse of the finest redwoods, as are those who approach this need, with measured commonsense, including the President of the United States and the administrators of his agencies concerned with parks and recreation.

Let us once and for all distill the nonsense from the arguments of advocates of one park concept or another. We all want a national redwood park. And we all, if we are in tune with the wishes of the people we represent, want one that will still for generations, the emotions, misguided clamoring, and tasteless accusations that a vast conspiracy exists to prevent our having one.

The State of California has and is spending millions improving its parks, including redwood parks. Its new Governor, in his wisdom, has reiterated his intentions of cooperating with the Federal Government and the people of his State in securing more and better park land, as well as better utilization of existing parks.

The redwood industry, the perpetual whipping boy of some segments of our society, want additional parks and have cooperated fully in the past with the Save-the-Redwoods League and those who seek the preservation of our redwood treasure to the extent of making available thousands of their best timberland acres.

They seek, Mr. Speaker, and they are entitled to have from this Congress and the Federal Government, common understanding and a cessation of perpetual harassment so that they can proceed with supplying to a growing nation the materials needed for the construction of the Nation's homes, schools, hospitals, and industrial plants.

No less, the people of my district, with bonded indebtedness, with the whiplash of disaster on disaster still fresh in their memories—the scars of recent floods, tidal waves, and fires are there for all to see—are equally entitled to know once and for all the wishes of those who govern them, so that they may proceed to build their communities for the future.

In Del Norte County, alone, in my district, for instance any one of the three redwood park proposals by the National Park Service would close a major milling operation, throwing 207 men out of work, and canceling an expansion program that would raise the company's employment to more than 600 jobs. That company in wages, taxes, procurement of materials, and other services locally, currently puts $3 million annually into the economy of Del Norte County. This loss estimate is modest, because it does not allow for future jobs that could have come into being by utilizing the growth of timber. Actually, the park proposals could cost Del Norte County between $6 and $8 million in annual income.

The people of Humboldt and Del Norte Counties temporarily closed their schools and shops in order to mount protests to this threat to their economic survival. Meanwhile, the timber companies, the city councils, and the county boards of supervisors point to the need for industry and jobs to keep the area from becoming another Appalachia.

We hear from people who are not familiar with the redwood country and have the impression there is a little grove here and a little grove there, and that to cut a single tree is a crime against nature. This is not true The redwood region of northern California is one of the great scenic and recreation areas of the country. Within this region there are already 30 State parks in which more than 115,000 acres of redwood forest is preserved that is 180 square miles. Preservation of the redwoods is not a new task. It is a job that was started more than 65 years ago with the cooperation of the industry.

But this is by no means a local problem or a State issue. For the Government's broad land acquisition program plans to bring under the Federal control even more lands in the States east of the Rocky Mountains. Overall, 85 percent of the land and water conservation fund is to be spent in States east of the Rockies. The fund has been given a life of 25 years, but estimates have not been made of the money that will be raised beyond the first 10 years.

Of the money funneled into the fund, 60 percent will go to the States which will be required to match it dollar for dollar. The remaining 40 percent is to be spent on acquisition of recreation areas by the Federal Government. With the exception of Alaska, the Federal Government will close in on land in every State in the Nation over the next quarter of a century. The projects in mind are far too numerous to cite here. But its repercussions are already being felt around the country.

In almost every instance, however, the basic issue is how much more land will the Government take out of productive use in its huge land-acquisition program; why is the Government staking out such huge acreage for itself across the Nation when presently it can hardly afford to maintain what it already owns?

The very nature of our democratic form of government vitiates against the uncontrolled acquisition of real property by the Federal Government, particularly when it threatens the economy of its citizens. I believe our people are entitled to know all the facts before Congress acts on further Government land acquisitions, and I believe the majority of this Congress so agrees.

We must know, in order to act wisely, how the Government plans to finance its land claims. With tax dollars, of course, as well as admission fees to parks and from fees for campsites. Additionally, a tax on motorboat fuel, as of January 1, 1965, has been diverted into a new fund for such financing.

But more important is the effect this land-acquisition program has had on the economy itself. For instance, it threatens the very backbone of the Redwood empire in California. The base of the redwood country is Humboldt and Del Norte Counties. Both areas had been experiencing a population boom. The counties grew by better than 50 percent from 1950 to 1960, as they did in the 10 years before that, and the rate of growth was accelerating, until the Federal Government moved in and threatened to stake out up to 90,000 acres of valuable non-park-quality timberland for a national redwood park. It is here that the forest products industry represents better than 73 percent of the economy of California's north coast, compared to not quite 14 percent that the area gathers in revenues from tourism.

In California today there are 150,000 acres of redwood State, county, and municipal parks forests. There is an additional 280,000 acres of Government ownership of redwoods in one form or another. In this area alone, there are therefore some 1,530,000 redwood trees. In my two major counties, this with the fact that 85 percent of all employed persons in Del Norte County and 67 percent of the population of Humboldt County are directly dependent upon forest products industries for their livelihood and we have some idea, Mr. Speaker, how crucial the situation is for this area.

Against the backdrop of these facts, Mr. Speaker, let me now review the three plans Congress will soon be asked to consider, before detailing the redwoods-to-the-sea concept to which I, along with the Governor of my State and my people, am committed.

The administration's 1966 plan—45,000 acres—would embrace the Jedediah Smith and Del Norte Redwoods State Parks, the private lands between these parks consisting mainly of 18,000 acres of operating timber lands all in Del Norte County, plus 1,400 acres involving the Tall Trees area in Humboldt County. The estimated total cost of this plant varies from $45 million to $90 million depending upon the identity of the estimator. The plan, if enacted, would put one lumber company out of business.

A second plan before Congress—91,000 acres—embraces the Prairie Creek Redwood State Park and 80,000 acres of private land surrounding the Tall Trees. It too would put a vast amount of industry out of business. Almost all of this land is in Humboldt County. Estimates of cost range from $150 million to $450 million.

A third congressional plan, an earlier suggestion of mine, includes only the Jed Smith and Del Norte State Parks with a connecting corridor. This was introduced as the first stage of developing our redwoods-to-the-sea concept.

Other informal proposals include a suggestion by the American Forestry Association that Humboldt Redwood State Park be given national park status. This would involve acquisition of some 7,000 acres of private land at an estimated cost of $10 million and create a national park with a gross area of 45,000 acres. The State of California does not agree with this proposal because it conflicts with their plans for development of this park and the surrounding area.

Mr. Speaker, the north coast of California is an oddity. In this general area, the fog rolls in from the Pacific on the average of more than 175 days a year, feeding the giant trees with essential moisture. Up on the slopes where the fog reaches only seldom the redwoods are smaller and fewer and give way to Douglas-fir and other species. The superlative groves grow down on the alluvial flats and the commercial type redwoods grow on the slopes. These are vital factors that must be considered in evaluating various redwood park proposals. This is why I question costly Government acquisition—costly from the standpoint of the Federal Government's ability to pay and the local government's ability to survive with a reduced tax base. The mountainsides and ridges are definitely not of national park quality and their place in a national park should rightfully be questioned. Further, of the 18,000 acres of non-park-quality lands considered for acquisition in the administration's plan, nearly two-thirds has already been cut over and is under the most intensive type of industrial tree farm management known to man. On the Redwood Creek—the 91,000-acre plan—nearly half the watershed has been logged and is also managed for intensive timber growing.

It is my sincere belief that neither the administration plan, supported by the Save-the-Redwoods League, nor the Sierra Club proposal—91,000 acres—are fully park quality. Furthermore, they are very costly, exceeding by two- to sixfold the largest expenditure ever authorized by the Congress for an addition to the national park system. Furthermore, the land and water conservation fund, from which a park must be financed, has proven to be inadequate for the large number of authorized, yet unfunded projects elsewhere in the Nation. Remember the Point Reyes National Seashore project also in the redwood region—has $57 million Federal land acquisition cost which is almost the same as all the Nation's national parks to this date. This project must be totally authorized and completed because only $19 million has thus far been authorized and funded.

One must weigh also the future of California's State park system, the redwood park and recreation plan of the forest industries, the recreational potential of adjoining national forests and the economy of the region, as well as the national interest, in seeking the best conservation package for the benefit of our people.

My Redwoods to-the-Sea concept will protect the best features of both the Save the Redwoods League and the Sierra Club plans. This proposal will enhance the recreational opportunities envisioned by Conservation Associates, while preserving superlative qualities of the American Forestry Association's suggestion for Humboldt State Park. And last, but certainly not least in the view of local citizens, it will add the increased income from tourism to the present economy of Del Norte County instead of substituting highly speculative future benefits from recreation for the established income from forestry.

The Redwoods-to-the-Sea concept is a combination of redwood seashore extending for nearly 50 miles along the most scenic beaches on either coast. It would include the best features of the league's proposal for Jed Smith and Del Norte State Parks, plus the administration's 1,400 acre Tall Trees unit. It would contain the best of the Sierra Club's plan, for example Prairie Crook State Park, Gold Bluff wild beach area, the Roosevelt Elk Sanctuary, and Fern Canyon. The sparkling waters of the Smith and Klamath Rivers would beckon salmon and steelhead fishermen. Water skiers and swimmers could cavort in three large lagoons. Motorists might glimpse startling vistas of tree-covered hillsides, fog-shrouded valleys, and rocky lookouts along a rugged shore. Hardier souls, clam diggers, and shutterbugs could explore on foot all the way from Patricks Point to Crescent City.

This recommendation, one we can all live with and be proud of, would have minimal adverse effect upon the present economy, yet in time it would greatly enhance the welfare of everyone. This plan will make—not take—jobs.

Redwoods to the Sea would contain over 50,000 acres, including 23,000 acres of primeval forest stretching along the Pacific Ocean and Highway 101 from the Smith River on the north to Patricks Point. Acquisition costs for 14,000 acres of private land including some truly awe-inspiring stands of virgin redwoods are estimated by local observers at one-third the cost of the administration's plan. The total cost could be reduced substantially without impairing any long-range plans by implementing some of the present opportunities for land exchange.

Watershed protection, one of the major points in previous proposals, is now available through the Water Quality Act of 1965 and the amendments of 1966. Under this act, the State and Federal governments cooperate on a matching basis, with the State classifying streams for water pollution control. Under the California Forest Practices Act, the State has the power to control forest practices of lumber companies, and this can be used to protect watersheds and stream quality. If these laws are believed to be inadequate for protection of a Redwood national park, I am sure that other arrangements, short of outright Government acquisition, can be found to solve the problem.

The scattered federally-owned lands in the King Range, 31,500 acres, should be combined through exchange for adminstration as a conservation area with recreation and multiple use objectives. I will offer this as part of my conservation legislative package.

I know this meets with the approval of the people of the Mattole Valley because many of the cattle and sheep ranchers are desirous of keeping these surrounding lands under Department of the Interior management.

My final major conservation recommendation comes as a reminder to everyone that we still must complete the land acquisition and development of the Point Reyes National Seashore. This will remain my first priority conservation project until completed.

With the 53,000-acre seashore, the 2,404-acre Tamalpais State Park and the beautiful John Muir Woods National Monument, we again have a unique opportunity to bring into focus a State-national redwood park and seashore combination located conveniently to heavily populated San Francisco Bay area.

I hope that we can consider the State and Federal land acquisition in block—have them accepted by the Congress and the State legislature. This would permit the forest products industry to move forward with its forest and land management programs with a minimal amount of harassment in the future. Remember, the standard of living of more than 10,000 families is made unstable while these proposals threaten the economy. Certainly they too are deserving of consideration. The company's plans for continuity and permanence and expansion demand the holding of adequate timber-growing acreage to operate successfully on a perpetual yield basis.

Now, permit me to recap my reasoning.

First, the administration's proposal last year to stop all cutting in proposed park areas has created great fear in the local area. People should not be forced to live their lives month in and month out, under threat of economic disaster at any moment.

Second, the forest industries have suspended logging in parklike redwood groves. But this is a temporary move. Remember, these lands are a priceless wood-growing factory. They must continuously be under management that involves timber cutting.

Third, both Houses of Congress have announced their intent to consider legislation for a redwood national park as the first order of business.

So decisions must be made now. Everyone familiar with the situation agrees that a compromise must be worked out, everyone must give a little. The forest industries have changed from their initial opposition to any redwood national park. They left preservation of the superlative tree stands virtually intact. They agree that redwoods are worthy of national park status. The conservation organizations can help in determining the best combination of truly park-caliber redwoods.

All too often, Mr. Speaker, those of us who have sought reasonableness in providing Americans with recreational facilities within the boundaries of economic commonsense are accused of blind obstructionism.

I reject this accusation out of hand, Mr. Speaker.

I reject it personally.

I reject it for the Governor of the State of California.

I reject it for the redwood industry.

I reject it for the good people of the First District of California.

I reject it, Mr. Speaker, on behalf of the 90th Congress.

In the give and take of American democracy there is room for reason. Without it we will no longer function as a democracy. The people of this Nation built it on the foundations of reason and equality. We will maintain it on that same benchmark or we will destroy it.

If we fail to listen to the voice of the people—and there are so many missing from the ranks of this Congress who did not do so—we neglect that precious spark of freedom which makes us grow.

Whatever the needs of the majority, however urgent we look upon any given issue at the moment, the voice of the minority must not be stilled.

I raise my voice now, on behalf of the people of my district, who are fortunate to live in a land with so much to give for the pleasure of their fellow men, and, who are so willing to give it.

All they seek is a voice in their own destiny.

I seek it for them. In doing so I beseech this Congress to respect their right to be heard and to listen when they speak.

They are entitled, along with freedom, jobs, and community stability, to no less.

NEED TO REVISE SELECTIVE SERVICE LAW—XVI

Mr. KYROS. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. KASTENMEIER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, Kingman Brewster, Jr., president of Yale University, has charged that the draft law results in encouraging "a cynical avoidance of service, a corruption of the aims of education, and a tarnishing of the national spirit."

Our present selective service law discriminates against those young Americans from average- or low-income families who, because of financial reasons, are either unable to attend college or can only do so on a part-time basis, and, as a result, are drafted, while the deferment provides a sanctuary for those students who have the financial means to continue their education merely to avoid the draft.

Joseph F. Kauffman, dean of student affairs at the University of Wisconsin said:

> I am offended by the fact that one's socioeconomic background has a great deal to do with whether he will be a college student, and thus be deferred from the draft.

The Selective Service System does not define what constitutes either a full-time or a part-time student.

General Hershey declared:

> Congress said in the law that a full-time student could finish the year, if he was satisfactory. They never said that a part-time student got anywhere.

Local board practices differ widely in the granting of deferments to these part-time students. In some areas of the country, they are deferred, in others they are not. Many students who are working to pay for their education do not carry a full credit load during the normal college year but nevertheless will continue to attend classes in the summer to obtain the necessary credits. Others attend college in the evenings. They are, however, ruled eligible for the draft while the student who is fortunate enough financially not to have to seek employment and is able to take the normal full credit in a college year, is deferred. The reason why these part-time students are not deferred, according to General Hershey, is that—

> You could get a college graduate in 4 years and you can't get a college graduate in 4 years if you allow him to take it on half-time or something of that kind.

And, while the General happens to have a great deal of sympathy for the part-time student, many, many college students work a considerable number of hours each week and still take full-time work in college.

So, for those students who are financially able to continue their education, the deferment allows them to remain in the limitless labyrinths of higher education until age 26, which is the effective draft age limit. For others who are unable to afford a full-time education, however, there is no deferment.

Students, themselves, have recognized such inequities which have arisen from the present law. Over 30,000 students expressed their opinions regarding the draft in polls which were recently released by the U.S. National Student Association. More than 70 percent of those polled are not satisfied with the present Selective Service System.

Are you satisfied with the present Selective Service System?

[In percent]

	Yes	*No*
Goucher	17	83
San Francisco College for Women	18	82
Westmar College	33	67
Mercyhurst College	32	68
College of Wooster	22	78
Bellarmine	43	57
Wartburg College	25	75
Edgewood College	30	70
Stetson University	38	62
Mount St. Mary's College	18	82
North Park College	31	69
Harvard University (graduate school)	21	79
Marquette University	29	71
Bennington	4	96
Simmons College	84	16

Over 60 percent do not feel that students should be deferred just because they are students.

Do you feel that students should be deferred simply because they are students?

[In percent]

	Yes	*No*
Goucher College	33	67
San Francisco College for Women	24	76
Westmar College	22	78
Mercyhurst College	31	69
College of Wooster	45	55
Bellarmine	45	55
Wartburg College	29	71
Edgewood College	31	69
Stetson University	38	62
Simmons College	47	53
Valparaiso University	36	64
Mount St. Mary's College	17	83
North Park College	39	61
Harvard University (graduate school)	32	68
Marquette University	44	56
Bennington	44	56

The fact that the draft does discriminate against those in our society who are financially unable to seek a college education or can obtain this education only on a part-time basis calls for a change in the present law.

CONGRESSIONAL CONDUCT

Mr. KYROS. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. HANNA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. HANNA. Mr. Speaker, I am introducing legislation today, that will, if enacted, create a Select Committee on House Ethics and Standards. The committee will have an equal number of Democratics and Republicans. It will be authorized to propose new rules relating to the standards of conduct both for Members of the House and their staffs. The committee will be given full investigatory power as well as the means of enforcing the rules of conduct adopted by the House.

Such legislation is long overdue. A House code of ethics and standards is long overdue.

Yesterday's Washington Post pointed out the irony of the present circumstances vis-a-vis House conduct and ADAM CLAYTON POWELL. The Post suggested that POWELL, unpurposefully, may finally be the fellow who jogs his colleagues into adopting a set of standards and ethics. I am a little chagrined to think the House of Representatives actually needed an ADAM POWELL to push it into establishing standards of conduct. Obviously, and disillusionly, we do. Since being elected to Congress I have annually joined in introducing legislation calling for a code of congressional standards. I do not have to point out that such proposals in the past have met with little success.

However, now that the ADAM CLAYTON POWELL affair has focused public scrutiny on the procedures of the House, and has forced us to come to grips with the essence of congressional conduct we find that the House is ill prepared to meaningfully deal with the issue.

By investigating ADAM CLAYTON POWELL we are being forced to look at ourselves. I am not at all satisfied with what I see. Whatever is finally the result of the Powell question, the larger issue of the integrity of the House will still be at stake.

The House can take a significant step forward this year. We can demonstrate to our constituents that we have the necessary faith in our own conduct and in the Congress to stand judgment. If we are unwilling to invest this faith in ourselves we can hardly expect the American public to act differently.

TRIBUTE TO JIM BROWN

Mr. KYROS. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. FEIGHAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. **FEIGHAN**. Mr. Speaker, last Sunday evening, it was my privilege to participate in a community tribute to one of the greatest athletes of our times—a husky fellow named James Nathaniel Brown. You are probably more familiar with him as Jim Brown, the hard-driving fullback of the Cleveland Browns professional football team.

Despite the wintry weather, thousands of people turned out to help celebrate "Jim Brown Appreciation Day" at the arena in Cleveland.

Very appropriately, Sunday has been proclaimed "Jim Brown Day" in Cleveland by official action of the city council, and also throughout Ohio by a formal resolution of the State legislature.

Of course, honors and applause are not a new experience for Jim Brown. He has been arousing admiration and enthusiasm by his good sportsmanship and athletic prowess for more than half of his 31 years.

He was an all-State athlete in New York in several sports when he attended Manhasset High School. He was the unanimous choice of the Nation's sportswriters for All-America fullback when he starred on the Syracuse University gridiron squad. During his 9 years as a professional football player, he toppled all previous records for yards gained and touchdowns scored by rushing.

Off the football field, Jim Brown has been an inspiring example for the youth of America—particularly Negro youth. He is living proof that fame and fortune can be won by hard work, clean sportsmanship, and determined adherence to the rules of the game.

In retiring from professional football, Jim Brown has embarked on a new career as an actor and businessman, but he has also set aside a good deal of his time for what, I hope, will become a major public service.

I refer to Jim Brown's leadership of the Negro Industrial and Economic Union. This is an organization dedicated to helping Negroes succeed in business and the professions through their own efforts.

One of the great emerging realities of this second half of the 20th century is the fact that the American Negro is now taking his rightful place as a full-fledged participant in every phase of our community and national life.

The brutal barriers of prejudice are coming down—rapidly in some areas, more slowly in others.

It should be apparent to everyone that our National Government has embarked on many programs intended to provide greater opportunities and a better life for all our people. American Negroes will be among the principal beneficiaries of these programs.

I sincerely hope that the overwhelming majority of American Negroes will continue to take advantage of these programs and new opportunities, and will turn their backs on the false prophets of discord and disorder.

Jim Brown, by his good sportsmanship and outstanding performance on the football field, has become an inspiration to his people—and I mean the American people as a whole, as well as the Negro community, which has special reason to be proud of his accomplishments.

The Nation's appreciation of Jim Brown's accomplishments was summed up by a letter from a White House official which I read at the "Jim Brown Appreciation Day" celebration.

It was written by Clifford L. Alexander, Jr., deputy special counsel to the President.

THE WHITE HOUSE,
Washington, January 25, 1967.

Mr. JAMES NATHANIEL BROWN,
Cleveland Arena,
Cleveland, Ohio.

DEAR MR. BROWN: It is with pleasure that I join your many admirers in extending my congratulations on "Jim Brown Farewell Day".

Your outstanding career has truly been packed with achievement. At Manhasset High School, you distinguished yourself as one of the best schoolboy athletes in the history of the State of New York. Your years of accomplishment at Syracuse University were a fitting prelude to your incredible record with the Cleveland Browns.

As America has become ever more conscious of the vital importance of athletics and physical fitness to the health of the Nation, you have been an inspiration to an entire generation of young people. Your great contribution to amateur and professional football has been a source of pride to all America.

I am happy to join this tribute to you today.

With warm regards.

Sincerely,

CLIFFORD L. ALEXANDER, Jr.,
Deputy Special Counsel to the President.

CHEMICAL AND BIOLOGICAL WARFARE

Mr. **KYROS**. Mr. Speaker, I ask unanimous consent that the gentlewoman from Hawaii [Mrs. MINK] may extend her remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mrs. **MINK**. Mr. Speaker, two recent articles in the January 13 and January 20 issues of Science magazine carry a detailed account of the development of chemical and biological warfare as part of our military arsenal. In the belief that the full airing of this information will be in the public interest, I insert these articles to be printed in full in the RECORD.

I would have my colleagues note especially the role played by Representative BOB KASTENMEIER, from Wisconsin, who is singled out in the articles as the leader of an earlier congressional effort to pass a resolution opposing our initiation of chemical-biological warfare without prior use by an enemy. I am deeply concerned to read such reports which give pause to thought about the potential effects on all mankind.

I commend the author of this series, Elinor Langer, and urge my colleagues to give their attention to this important report.

The article follow:

CHEMICAL AND BIOLOGICAL WARFARE (I): THE RESEARCH PROGRAM

Biological warfare is the intentional use of living organisms or their toxic products to cause death, disability, or damage in man, animals, or plants. The target is man, either by causing his sickness or death, or through limitation of his food supplies or other agricultural resources. Man must wage a continuous fight to maintain and defend himself, his animals, and his plants in competition with insects and microorganisms. The object of BW is to overcome these efforts by deliberately distributing large numbers of organisms of native or foreign origin, or their toxic products, taking full advantage of the ability to utilize more effective methods of dissemination and unusual portals of entry. BW has been aptly described as public health in reverse.—"Effects of Biological Warfare Agents," pamphlet published by Department of Health, Education, and Welfare, July 1959.

During the last 18 months, the University of Pennsylvania has from time to time been the unhappy object of national attention arising from disclosures that the university is conducting secret research for the Army and Air Force on chemical and biological weapons. In an interview with *Science* last fall, one troubled university official complained that Penn's participation in CBW was being unfairly singled out. "There are a lot of people in this game," he said. He was right.

The chemical and biological weapons program is one of the most secret of all U.S. military efforts—not because it is the most important of our military R&D activities, but because the Pentagon believes it is the most easily misunderstood and because it provokes the most emotional distress and moral turbulence. Official secrecy makes a complete portrait of the CBW program difficult to construct. Rumors fly freely around the security wall that separates the "ins" from the "outs." In some portions of the scientific community the Johnson administration's "credibility gap" has taken its toll and there is readiness to believe that, every time some one in Vietnam sneezes, it is because the United States is distributing the germs. In the defense establishment the CBW program is represented as being some kind of cross between defensive preparations, on the one hand, and peaceful byproducts in preventive medicine, on the other.

Defensive preparations are only one part of the program, for the United States is engaged in a comprehensive and flourishing R&D effort in chemical and biological weapons. It involves nonmilitary as well as military agencies, industry as well as the academic community, and it has received cooperation from some of the major scientific institutions of the United States. Stockpiles of chemical and biological weapons produced by this program provide a far-ranging offensive capability. Furthermore, U.S. policy concerning the use of chemical and biological weapons is ambiguous and contradictory, and is rendered even more so by the use of chemical weapons in Vietnam.

The current CBW program is the product of decisions made and steps taken during the late 1950's and early 1960's. Before that time the old-line Army Chemical Corps was regarded by the nuclear-age military establishment as custodian of a particularly controversial and probably useless emporium. The Chemical Corps had a message it had been repeating since World War I—that its wares were unusually humane—but no one was buying. The Corps existed on budgetary dregs, usually around $35 million a year. Its most active support came from the Armed Forces Chemical Association, a group of military and industrial executives supported by chemical companies and "dedicated to scientific and industrial preparedness for the common defense in the fields of chemical, biological, radiological and related technology commonly referred to as chemicals." The Corps felt continually threatened with the possibility that it would be abolished.

In 1959 the Corps took matters into its own hands and went to the public with a full-scale publicity campaign known as "Operation blue skies." It was a period of fascination with the possibility of "incapacitating" weapons, particularly psychochemicals, and, putting aside its more lethal products, what the Chemical Corps advertised—in articles, speeches, lectures, symposia, and Congressional appearances—was "war without death." Within a short time the Corps' hopes for expansion had won endorsements from a variety of outsiders, from the American Chemical Society to the House Committee on Science and Astronautics.

At the same time, the Kennedy administration came into office, concerned about the military inflexibility imposed by over-reliance on nuclear weapons. New Frontiersmen were interested in acquiring a more versatile weapons "mix." And they were especially interested in systems that, like CBW, seemed to offer particular promise in fighting limited wars. In the nuclear stalemate between the great powers, there began to be a reorientation in conceptions of how the U.S. would conduct its war against smaller nations, and CBW was just one beneficiary of the reorientation. Fantasies about battles in which whole populations would fall asleep while being captured provided a comforting alternative to the known, stark destructiveness of nuclear weapons, and also helped to establish the appeal of CBW. The relative cheapness of CBW systems played a role as well.

By 1961 CBW had ceased to be scorned, and a comprehensive program for improving U.S. capabilities was underway. In fiscal year 1961 the R&D budget for CBW for all three military services was about $57 million. By 1964 it had risen to about $158 million, with the Army's share being about $115 million. It is now roughly at that level or slightly lower. In 1961 only the Army had money for procurement—about $46 million. In fiscal year 1964 the Army received a little more than $117 million for procurement related to CBW; the Navy, $11 million; and the Air Force, $8.7 million. Procurement figures for more recent years are classified. (These sums for the procurement are additional to the amounts spent for research and development.)

In addition to these annual budgets, there is a large standing capital investment in CBW activities. Fort Detrick alone, the center of biological warfare research, occupies 1300 acres of land near Frederick, Maryland, and has a building complex valued at $75,000,000. According to an employee-recruitment brochure, it has "one of the world's largest animal farms" and its "facilities for conducting research with pathogenic organisms are among the most advanced in the world."

Were it not for two things, Detrick might pass as nothing more than the particularly well-endowed microbiological research center it advertises itself to be. Research on basic characteristics of microorganisms seeks the same knowledge and is carried on in the same fashion whether the agency paying the bills is Detrick or NIH. Some of the research undertaken has a defensive motivation—an effort to discover means of combating biological weapons that might be used by an enemy. Some of the research is neutral—not susceptible to utilization by a weapons program at all. But much of the work inescapably has a special character, an inverted quality like that of medicine turned inside out. It consists in part, for example, of efforts to breed into pathogenic organisms precisely the characteristics—such as resistance to antibiotics—that medical researchers would like to see eradicated. In the context of biological warfare even life-saving techniques such as immunization take on a strange aspect: immunity among one's own population and troops is a prerequisite to the initiation of disease by our own forces, as well as a precaution against its initiation by others. Some diseases are currently excluded from active consideration as BW agents chiefly because no vaccines against them have yet been developed.

A second factor separating Detrick from other research centers is the restraint placed on its researchers. Detrick's scientific staff consists of 120 Ph.D.'s, 110 M.S.'s, 320 B.S.'s, 34 D.V.M.'s, and 14 M.D.'s. Only about 15 percent of their findings are published through conventional scientific channels; the rest become part of a secret literature managed by the Department of Defense and available to other government agencies and contractors on a "need to know" basis.

While nothing is published that would indicate the relative degree of military interest in, or effort on, a particular agent, Detrick scientists do report in open literature on subjects such as instances of laboratory-induced or accidentally acquired infection, immunization, therapy, routes of infection in man and animals, and various experimental techniques. From these papers and from other sources it is possible to surmise a good deal about the Detrick research program.

Diseases that are at least the objects of considerable research and that appear to be among those regarded as potential BW agents include: bacterial diseases—anthrax, dysentery, brucellosis, glanders, plague, and tularemia; rickettsial diseases—Q-fever and Rocky Mountain spotted fever; viral diseases—dengue fever, several types of encephalitis, psittacosis, and yellow fever; a fungal disease, coccidioidomycosis; and botulism toxin.

In recent years a good deal of attention has been focused on plant diseases also. Recently the Army's Distinguished Service Medal, the highest award the Army gives civilians, was awarded to a Detrick researcher for her contribution to development of a rice blast fungus, a disease that in its natural form has repeatedly damaged Asian rice crops.

To make the jump from naturally occurring organisms to usable weapons, biological agents must possess certain characteristics: they must be highly infectious; they must be able to maintain viability and virulence during production, storage, transportation, and dissemination; they must be sturdy enough to withstand injury during dissemination and have a minimum decay rate; and they must be capable of being produced on a militarily significant scale. Judged from what has surfaced, a substantial portion of fundamental research at Detrick has been devoted to development of these characteristics in the organisms producing the diseases listed.

Detrick is also more or less the home of the science of aerobiology—the study of airborne infection—an area of much interest to researchers studying dissemination of disease, whether their interests are causative or curative. Aerobiology is of particular relevance to biological warfare, however, because the idea of disseminating infectious agents by aerosols—suspensions of small particles in the air—seems to be displacing earlier notions about how to transmit disease. Conventional images of biological warfare—the covert "man with the suitcase" or the poisoning of water supplies and ventilation systems—seem to have been discarded, partly because the number of people who could be subjected to infection at any one time is too small.

Two out of the three times Detrick has emerged to participate in a conventional way in the affairs of the scientific community, it has cosponsored conferences on airborne infection. (Its intellectual debut was a 1959 symposium on "Nonspecific resistance to infection," held in collaboration with the American Institute of Biological Sciences.) The first "Conference on airborne infection," held in Miami Beach in December 1960, was supported jointly by Detrick and the National Institute of Allergy and Infectious Diseases (NIAID), of the National Institutes of Health, and sponsored by the National Academy of Sciences. Detrick papers included "Viability and infectivity of microorganisms in experimental airborne infection," "Techniques of aerosol formation," and "Airborne Q fever."

Detrick's third meeting was the second International Conference on Aerobiology, held in Chicago last March and sponsored jointly with the Illinois Institute of Technology, a Detrick contractor. Papers by Detrick researchers included "Antibiotic prophylaxis and therapy of airborne tularemia;" "Physical and chemical stresses of aerosolization;" "Infection of pigeons by airborne Venezuelan equine encephalitis virus;" and "Attenuation of aerosolized yellow fever virus after passage in cell culture." Two papers reflected collaborations between Fort Detrick and NIAID: "Effect of route of inoculation on experimental respiratory viral disease and evidence for airborne transmission" and "Assessment of experimental and natural viral aerosols." A cooperative project between Detrick and the University of Maryland Medical School was a study of "Aerogenic immunization of man with live tularemia vaccine." A researcher at Ohio State University College of Medicine, supported by a Detrick grant, reported on "Aerosol infection of monkeys with *Rickettsia rickettsii,*" the organism that causes Rocky Mountain spotted fever. Detrick, the University of Arizona, and the Public Health Service all cooperated in a study of "Experimental epidemiology of coccidioidomycosis," an infectious fungal disease.

PHS INVOLVEMENT

The Public Health Service has also cooperated with Detrick in other ways. In 1960, for example, the PHS received more than $380,000 in funds transferred from the Army Chemical Corps, and, according to a PHS spokesman, annual transfers of funds measure only a fraction of the real cooperation between the two agencies. The PHS says that it does not take Army money to conduct research that it would not otherwise undertake, but only to bolster ongoing projects in fields in which it has an independent interest. Its policy is that none of the research results obtained in collaborative projects may be classified. However, the subject matter of an Army-PHS transfer of funds cannot always be discussed because—even though it may concern an area in which the PHS is studying openly—the mere fact of military interest in it may be classified.

Apart from the transfer of funds, there is active liaison between the two agencies—communication on several levels, and efforts on both sides to avoid duplication. And the PHS has also cooperated with Detrick by delaying required reporting to international health authorities of quarantinable diseases occurring at Fort Detrick. One such instance took place on 1 September 1959 when a 22-year-old enlisted technician named Ralph Powell became ill with pneumonic plague. The following day Detrick informed the Frederick County Health Officer, and on the second day it informed the Public Health Service. Its memo to the PHS, classified secret, stated that "no press release has been made or is contemplated by any DOD agency, unless death occurs. In such a case, the cause of death would not be announced." Powell recovered, the report was downgraded to "for official use only," and on 6 November the PHS reported the case. If the PHS is assured that no epidemic hazard exists, it allows the military's declaration of "national security" to take precedence over its international obligations.

Another source of advice for the biological warfare effort is the National Academy of Sciences. In addition to occasional formation of special groups to consider particular problems, the NAS has for several years sponsored a program of postdoctoral "Resident research associateships" designed in part to help bring talent into Detrick. The fellowships are supported by Detrick for research at its laboratories, but candidates are screened by the Academy. Appointees, who must be investigated and cleared, are subsequently permitted to describe themselves as having received an NAS-NRC fellowship.

Additional intellectual assistance for Detrick comes from the American Society for Microbiology, which maintains a permanent Detrick advisory committee. In 1966 the President of the ASM was Riley D. Housewright, scientific director of Fort Detrick. Detrick also uses the part-time consulting services of a number of individual researchers drawn largely from the academic community.

A MILLION DOLLAR SECRET

A number of universities and research institutes also have come into the CBW constellation. The terms of the research sponsored by Detrick or by its chemical-weapons counterpart, the research laboratories of Edgewood Arsenal, vary. Some of it is secret, some open. Some of it amounts to support for basic microbiological research in which Detrick and university-based investigators happen to have simultaneous interest; some is closer to a straight purchase of manpower for a particular task. The scale and magnitude of university-based CBW research is also variable, occasionally running—as at Penn—into large projects but most-often consisting of a few researchers together with perhaps a handful of graduate students.

Between 1955 and 1963, as example of one end of the spectrum, Johns Hopkins received over $1 million for work described as "studies of actual or potential injuries or illnesses, studies on diseases of potential BW significance, and evaluation of certain clinical and immunological responses to certain toxoids and vaccines." Hopkins reports that its work, which is continuing at a reduced level, produced no results published in open literature. At the other end of the spectrum is the Duke University Medical Center, where researchers have been working since 1958 to develop a vaccine against *Coccidiodies immitis* and have made several contributions to professional journals. Some of the CBW work. such as that performed in the late 1950's at Stanford University, is strictly classified; or, like that done at Brooklyn College, the New York Botanical Gardens, and the Midwest Research Institute, at least does not contribute to open literature. Most of the research seems to occupy an ambiguous middle ground where at least some fraction of the results may be publishable, but only with clearances, releases, and so forth from the Department of Defense. Among the institutions where researchers recently performed or are now performing work in this category are the Southern Research Institute, the University of Maryland, the Illinois Institute of Technology, and Hahnemann Medical College.

Another group of institutions has done or is doing research, supported by the CBW program, that is not classified; it includes the universities of Chicago, Minnesota, Michigan, and Texas, Ohio State University, and M.I.T.

Cooperation, including joint support of graduate students, seems particularly flourishing between Detrick and universities in the Washington area, such as the University of Maryland and George Washington University. GW had Detrick contracts totaling $1,202,000 in 1960, and from 1952 to 1959 it conducted a comprehensive research program relating to the "physical and biophysical factors incident to the explosive dissimination of biological aerosols." The annual report of the dean of sponsored research for 1959 reported "phenomenal success improving the efficiency of dissemination of liquids" and noted that, "While it is quite obvious that the end result . . . will be a new weapon," GW's role was limited to research and did not include development. GW maintained a special laboratory at Fork Detrick during that period. Similarly close relations appear to exist between the Dugway Proving Ground and academic institutions in its area. In 1960 the University of Utah had eight contracts with Dugway, totaling $1,570,000. Utah State University also has worked with Dugway.

Finally, it should be pointed out that many more institutions than those cited have contributed to the CBW program. While the Army has turned to academic organizations for basic research, especially on the biological side, industrial contributions to the chemical-weapons program have been substantial. At times nearly 65 percent of the military R&D money in CBW has gone to industry, which is reported to be the most productive source of new compounds. Arthur D. Little, Inc., and DuPont are among companies mentioned as prominent contributors to the CBW program. From outside the chemical industry, many aerospace companies now devote some fraction of their efforts to CBW.

BEYOND BASIC RESEARCH

During the past few years the Army and the Air Force together have moved into another area of CBW research. It goes by a lot of contemporary-sounding titles but boils down to evaluation of chemical and biological weapons and delivery systems. The controversial contracts at the University of Pennsylvania are of this type. But, although Penn is a crucial cog in this phase of the CBW program, it is not the only one: New York University also is performing such studies, under an Air Force contract, and a Pentagon official recently stated that related studies are being conducted by, among other organizations, RAND, the Stanford Research Institute, and the Institute for Defense Analyses.

Research Analysis Corporation, a small firm located near Washington, in a brochure designed to reflect past support by government as well as to attract more, lists the following "research capabilities." Under the heading "Agricultural warfare" are "Study of biological and chemical attacks on crops and some analyses of effects on livestock," "Covert attack on a food crop," and "Impact of chemical attack on guerilla food crops." Under "Guerilla warfare and counter-insurgency requirements in Southeast Asia," and "Southeast Asia environmental-data collection." And under "CBW warfare" are "Military potential of GB" [a toxic nerve gas], "The feasibility of chemical warfare in defense of a perimeter in the Naktong Valley basin," and "The value of toxic chemicals in ground warfare."

Another leading entry in the field of CBW is the Travelers Research Center, an outgrowth of the Travelers Insurance Companies. Its most recent brochure reports studies of military operations that are "highly sensitive to the natural environment." Chief among these, the report continues, ". . . are chemical and biological weapons systems, which exhibit a high degree of dependence on meteorological, terrain, and vegetative factors. The extensive experience of the TRC staff in research on turbulent diffusion and transport of atmospheric contaminants provides a firm base for TRC's participation in the nation's CB weapons analysis program. The Center's interest in this field stems not only from the importance of understanding the environmental phenomena involved, but also from our desire to support and assist the United States in acquiring effective, humane, incapacitating (nonlethal) systems for coping with proliferating limited war and counter-insurgency. One study was undertaken for the Army to identify the most effective approaches for contending with difficult military situations with a minimum loss of human life to both sides. Another study conducted for the Navy provided an updated review of the influence of micrometeorlogical factors on chemical warfare in the form of a technical manual to assist in the identification, observation, and prediction of relevant meteorological factors and processes. In another study for the Army, TRC began comprehensive research on dosage prediction techniques to provide up-to-date knowledge of dispersion processes in the lower atmosphere, and with a critical evaluation of the capabilities and limitations of present quantitative techniques for predicting the behavior of atmospheric contaminants. This study is similar in many respects to those being conducted on urban and regional air pollution."

Travelers has branched out in another new direction: "Because modern military planning must often consider technical and strategic goals in relation to their political, sociological and psychological implications, particularly with respect to limited war and counter-insurgency," the brochure states, "a study was undertaken for the Air Force to assess not only the military potential of nonlethal CB weaponry, but also the psychopolitical reaction to its use."

This is the chain of research. The United States government is developing chemical and biological weapons. It is learning how to use them effectively. And, finally, it is inquiring into the public reaction to their use.

—Elinor Langer.

Chemical and Biological Warfare (II): The Weapons and the Policies

Until I retired . . . I was not able to speak of a chemical or biological weapon without prefacing my remarks with the statement that the enemy might use it. I was never able to speak of the offensive, only of the defensive.—Brig. Gen. J. H. Rothschild, USA (Ret.), former Commanding General, U.S. Army Chemical Corps Research and Development Command, *Tomorrow's Weapons* (McGraw-Hill, New York, 1964).

The United States' program in chemical and biological weapons does not stop in the laboratory. Weapons are accumulating and military manuals describe in detail a variety of circumstances and conditions in which they might be used.

It has to be remembered that, because of restrictions in the government's information policy, a great deal of data would probably be held just as secret if CBW production were floundering as if it were successful. Nevertheless, although the magnitude and precise ingredients of the CBW arsenal cannot be known by those outside the security establishment, the weapons-production program does support an apparatus of several thousand people.

Fort Detrick, in addition to its research activities, is involved in process development, small-scale production, and design and operation of pilot plants. Closely related to Detrick is the Dugway Proving Ground, which employs about 900 people and occupies an area in Utah larger than the state of Rhode Island. Dugway is the principal station for field assessment and testing of chemical and biological munitions.

According to Pentagon officials, there is no large-scale field testing of chemicals and biological agents on human subjects. Limited testing is done on volunteers at Detrick—Seventh Day Adventists who serve in the Armed Forces only as noncombatants—and occasional experiments have been performed on prisoners. But the military logic of real testing is evidently outweighed by fear of injury and contamination, and field trials are reportedly limited to animals or to nonpathogenic simulated agents. (During World War II the British conducted BW experiments with anthrax—spores of which remain in soil for a long time—on the small island of Gruinard, off the northwest coast of Scotland. According to a recent statement by G. E. Gordon Smith, director of Porton, the British equivalent of Detrick, when the island was recently revisited it was concluded that "it may remain infected for 100 years.")

Biological munitions are produced at Pine Bluff Arsenal, a 15,000-acre installation outside Pine Bluff, Arkansas, which employs about 1400 people. Pine Bluff also produces toxic-chemical munitions and riot-control munitions. Its job runs from manufacturing the agents to filling and assembling weapons. (Research and development on chemical weapons, and some production and assembly of them, take place in a number of subunits of the Edgewood Arsenal, in Maryland. Various chemical munitions, reportedly including nerve gas, mustard gas, "incapacitants," and anticrop weapons, are produced at Rocky Mountain Arsenal in Denver. The U.S. also operates a major manufacturing plant—at an estimated annual cost of $3.5 million—in Newport, Indiana, where Sarin, a lethal nerve gas, is produced and loaded into rockets, land mines, and artillery shells. The plant is managed under contract by the Food Machinery Corporation, has 300 employees, and is reported to have been operating 24 hours daily since 1960. Additional chemicals were manufactured during the middle 1950's at another plant in Muscle Shoals, Alabama. A few years ago the Pentagon entered into contracts with about ten chemical companies for research and development on improved defoliants and dessicants; the chemical defoliants used in Vietnam are for the most part purchased commercially.

Chemical weapons are produced in forms designed to meet the requirements of all services. They are available in a variety of forms from regular artillery shells to the Sergeant missile (which has a range of 139 km), the Honest John and Little John rockets, and chemical land mines. They are also available as bombs for delivery by conventional military aircraft. Detailed information on delivery systems for biological agents is classified, but unclassified manuals suggest that biological weapons are available as warheads for missile systems (for large-area attacks), as cluster bombs, and as spray tanks and dispensers mounted on aircraft. (In his book promoting CBW, General Rothschild qualifies his discussion of the availability of chemical and biological weapons with these words: "Whether or not they have been procured in sufficient quantity for combat use is another matter. However, this information cannot be released to the public.")

Useful attributes of chemical and biological agents, from a military point of view, are that they can penetrate structures, cover large areas, and produce a range of effects for varying periods—severe illness for a brief time or less-severe illness for a long time, tears or hallucinations, paralysis or death. A useful quality of biological weapons, according to the unclassified military field manual *FM 3–10*, is their ability to "accomplish their effects . . . with little or no physical destruction. This constitutes an advantage both in combat operations . . . and—from a longer range viewpoint—in postwar rehabilitation, where overall rebuilding requirements would be reduced." The utility of chemical weapons is described in similar language. (The manual, entitled ***Employment of Chemical and Biological Agents***, has classified counterparts.)

THE CHEMICAL ARSENAL

Components of the arsenal change from time to time, reflecting both technical progress and military judgment. The current manual lists seven chemical agents now standardized for use. They include two nerve agents, one blister agent, an incapacitant, a vomiting agent, and two riot-control agents.

The nerve gases were discovered in Germany in the course of research on insecticides. At the end of World War II the Russians captured a German plant that manufactured Tabun, a highly toxic chemical known by the military symbol GA. They moved the plant to Russia, and are said to have made Tabun their standard nerve agent. The United States adopted a related chemical, Sarin, known as GB, which is said to be four times as toxic as Tabun and 30 times as toxic as the previously favored lethal agent, phosgene. Sarin is colorless, odorless, and poisonous in minute quantities. According to the Army technical manual TM 3–215, Military Chemistry and Chemical Agents, its effects, in order of appearance, are:

". . . running nose; tightness of chest; dimness of vision and pinpointing of the eye pupils; difficulty in breathing; drooling and excessive sweating; nausea, vomiting, cramps, and involuntary defecation and urination; twitching, jerking, and staggering; and headache, confusion, drowsiness, coma, and convulsion. These symptoms are followed by cessation of breathing and death. . . . Although skin absorption great enough to cause death may occur in 1 or 2 minutes, death may be delayed for 1 or 2 hours. Respiratory lethal doses kill in 1 to 10 minutes, and liquid in the eye kills nearly as rapidly."

The other standard nerve gas, VX, is of the same general type as GB and has similar effects, but it evaporates more slowly and therefore remains effective longer.

The blister agent available for use is distilled mustard, or HD, a purfied version of the mustard gas used in World War I. Moderate concentrations of mustard burn the eyes and produce skin irritation that may include blistering and ulceration. High concentrations may have systemic effects—nausea, vomiting, cardiac arrythmia, and shock. Long-term effects may include aplasia of bone marrow, dissolution of lymphoid tissue, and ulceration of the gastrointestinal tract.

Both the nerve gases and distilled mustard are recommended for use to cause direct casualties, to harass the enemy by forcing troops to wear protective clothing ("thereby impairing his effectiveness as a result of fatigue, heat stress, discomfort, and decrease in perception"), and to hamper or restrict the use of terrain. They may also be used to complement other munitions, or for, among other purposes, "engaging numerous small, individual targets not militarily worth the use of a nuclear munition."

"INCAPS"

Research on incapacitating chemicals, known informally to some CBW researchers as "incaps," began in the middle 1950's, with emphasis on consciousness-altering drugs, or hallucinogens. In 1964, General Rothschild remained enthusiastic. "Think of the effects of using [LSD–25] covertly on a higher headquarters of a military unit or overtly on a large organization!" he says in *Tomorrow's Weapons*. "Some military leaders feel that we should not consider using these materials because we do not know exactly what will happen and no clear-cut results can be predicted. But imagine where science would be today if the reactions to trying anything new had been 'Let's not try it until we know what the results will be.'" However, fear of inducing irrational and unpredictable behavior in an enemy—especially one who controls nuclear weapons—evidently outran scientific curiosity. Research shifted to agents causing temporary physical disability such as discomfort, anesthesia, paralysis, or immobility. One compound reportedly regarded as promising produces temporary ascending paralysis. The victim first loses the ability to stand, then becomes unable to move his arms. He remains alive but cannot fire a weapon or otherwise function in a military capacity.

The incapacitant now standardized for use is known as BZ. It has both physical and mental effects, but its precise nature is not clear; unclassified information is notably less ample than for other chemical agents. The Army technical manual (*TM 3–215*) lists the following effects: interference with ordinary activity; dry, flushed skin; tachycardia; urinary retention; constipation; slowing of physical and mental activity; headache; giddiness; disorientation; hallucinations; drowsiness; maniacal behavior (sometimes); and increase in body temperature. The weapons-employment manual warns that there are "critical limitations to the use of BZ" but cites the usefulness of incapacitants against intermingled enemy and friendly military units and against mixed populations of friendly, enemy, and civilian personnel.

The three remaining agents are sometimes placed together in the "riot control" category, although one—DM—is a vomiting agent. It causes sneezing and coughing, nausea, vomiting, severe headache, and acute pain and tightness in the chest; symptoms may last up to 3 hours. Another agent, CS, is one of the more recently developed agents of the general tear-gas type. It causes extreme burning and tearing of the eyes, difficulty in breathing, tightness of the chest, stinging of the skin, running nose, dizziness, and—in heavy concentrations—nausea and vomiting. The third, CN, has effects generally like those of CS, but it also causes burning, itching, and, occasionally, blisters. Effects of these two agents last for a few minutes.

The agent DM alone "is not approved for use in . . . any [riot-control] operation where deaths are not acceptable." However, the field manual reports that it may be used combined in munitions with CN and in "military or paramilitary operations, in counterinsurgency operations, or in limited or general war . . . where possible deaths are acceptable."

Chemical agents CN and CS may be used to flush "unmasked enemy troops from concealed or protected positions, to reduce their ability to maneuver or use their weapons, and to facilitate their capture or their neutralization by other weapons." They are also regarded as useful "in the conduct of raids and ambushes against guerrilla forces and in defense against insurgent or guerrilla attacks and ambushes." All three, DM, CS, and CN, have been authorized for use—and used in many of these ways—in Vietnam.

BIOLOGICAL POSSIBILITIES

The identity of the biological agents standardized for use is classified, but unclassified references testify to their existence. Characteristics of the diseases that might be employed vary considerably. Brucellosis (undulant fever), for example, begins with aching, headache, loss of appetite, and stiffness, and produces constipation, loss of weight, and fever accompanied by severe sweating. It lasts for months and sometimes years, and may produce severe depression. Tularemia (rabbit fever) is characterized by sudden onset of chills, nausea, vomiting, fever, and prostration; it sometimes produces ulcerations and pneumonic complications, and may become a chronic condition. Mortality of untreated victims is as high as 30 percent.

Rocky Mountain spotted fever is an acute infectious disease producing fever, joint and muscular pains, aversion to light, and sometimes delirium, coma, convulsions, tremors, muscular rigidity, and jaundice. Persistent effects may include deafness, impaired vision, and anemia. Mortality in untreated cases averages about 20 percent but can run as high as 80 percent. Psittacosis, or parrot fever, causes acute pulmonary infection, chills, fever, sore throat, constipation, weakness, and, sometimes, delirium. Mortality in untreated cases is about 10 percent; death is more common among persons over 30. Coccidioidomycosis ocurs as an acute, disabling disease resembling flu, and as a chronic malignant infection that may involve any or all organs—including skin and bones—and produces abscesses. From the second form, mortality is about 50 percent. Botulism poisoning produces vomiting, constipation, thirst, weakness, headache, fever, dizziness, double vision, and dilation of the pupils. In the United States, death occurs in about 65 percent of the cases.

Particular diseases are not recommended for particular uses in unclassified Army publications, but the anti-civilian character of biological weaponry is suggested: "While these agents might be employed against selected individuals, their main value appears to lie in producing mass casualties over large areas with resultant physical and psychological effects that could weaken or destroy the target group's ability to wage war."

Projections of the military utility of chemical and biological weapons now in the arsenal are not based on experience. Chinese allegations that the United States used biological weapons in Korea was never substantiated. During the Korean war some U.S. commanders sought permission to use chemical agents; they were refused, and after the war did considerable public griping. Riot control agents were used against North Korean prisoners of war during outbreaks in POW camps, however, which may have been the source of stories that chemicals were employed in combat. In addition, American planes are reported to have dropped propaganda leaflets in converted gas cannisters that were left over from earlier wars.

The Italians used mustard gas against the Ethiopians in 1936, and the Japanese are believed to have used chemicals against the Chinese between 1937 and 1943. But apart from these cases there are no authenticated instances of intentionally lethal chemical gases being employed since World War I, and there are no authenticated instances of modern use of biological weapons.

U.S. POLICIES

According to the unclassified field manual *FM 3–10,* "the decision to employ lethal or incapacitating chemical or biological agents is a matter of national policy." That policy is now in a somewhat unsettled state.

During the 1920's the United States took the lead in promoting international prohibitions of chemical and biological warfare. One effort, the 1922 Treaty of Washington outlawing "the use in war of asphyxiating, poisonous or other gases" was ratified by the U.S. Senate but rejected by France because of provisions, unrelated to chemical warfare, that placed strict limitations on submarines. The treaty never went into effect. In 1925 the United States tried again with the Geneva Protocol, which repeated the earlier ban on chemical weapons and added a prohibition of "bacteriological warfare." It was sent to the Senate in January 1926, where it met a returning wave of isolationism and a wall of opposition led by the American Legion and the American Chemical Society. A majority of the Senate became convinced of the need to keep the CBW option open and to avoid offending the treaty's enemies. The Geneva Protocol was returned to the Senate Foreign Relations Committee and never again emerged.

Since that time, American rejection of chemical and biological warfare has rested chiefly on a statement issued by President Roosevelt in 1943:

"From time to time since the present war began there have been reports that one or more of the Axis powers were seriously contemplating use of poisonous or noxious gases or other inhumane devices of warfare. I have been loath to believe that any nation, even our present enemies, could or would be willing to loose upon mankind such terrible and inhumane weapons. . . . Use of such weapons has been outlawed by the general opinion of civilized mankind. This country has not used them, and I hope that we will never be compelled to use them. I state categorically that we shall under no circumstances resort to the use of such weapons unless they are first used by our enemies."

This policy was fortified by the universal abstention from CBW in World War II, and by U.S. restraint in Korea. Roosevelt's statement was reaffirmed in January 1960 by President Eisenhower, who said, in response to a question at a press conference, "so far as my own instinct is concerned, [it] is not to start such a thing as that first."

Even while Eisenhower was speaking, however, wheels were already turning in other directions. In September 1959 Representative Robert W. Kastenmeier (D-Wis.), alarmed by the Army's emerging CBW campaign, proposed that Congress adopt a resolution opposing first use of these weapons. The resolution, its language echoing Roosevelt's, said:

"Congress hereby reaffirms the longstanding policy of the United States that in the event of a war the United States shall under no circumstances resort to the use of poisonous or obnoxious gases unless they are first used by our enemies."

Kastenmeier's resolution was opposed by the State and Defense departments in September 1960 in language that testified to the reevaluation that was under way, and on grounds remarkable for their avoidance of the "first use" issue. According to the State Department, in its official response to the resolution:

"As a member of the United Nations the United States . . . is committed to refrain from the use not only of biological and chemical weapons, but the use of force of any kind in a manner contrary to that Organization's Charter. Moreover, the United States is continuing its efforts to control weapons through enforceable international disarmament agreements. Of course, we must recognize our responsibilities toward our own and the Free World's security. These responsibilities involve, among other things, the maintenance of an adequate defensive posture across the entire weapons spectrum, which will allow us to defend against acts of aggression in such a manner as the President may direct. Accordingly, the Department believes that the resolution should not be adopted."

"The Pentagon said:

"It must be considered that biological and chemical weapons might be used with great effect against the United States in a future conflict. Available evidence indicates that other countries, including Communist regimes, are actively pursuing programs in this field. Moreover, as research continues, there is increasing evidence that some forms of these weapons, differing from previous forms, could be effectively used for defensive purposes with minimum collateral consequences. These considerations argue strongly against the proposed resolution, which appears to introduce uncertainty into the necessary planning of the Department of Defense in preparing to meet possible hostile action of all kinds."

Most recent official statements on CBW have arisen in the context of Vietnam. In a news conference held in March 1965, Secretary of State Dean Rusk told reporters, "We are not engaged in gas warfare. It is against our policy to do so. . . ." At about the same time, Deputy Defense Secretary Cyrus Vance wrote to Representative Kastenmeier that "national policy does proscribe the first use of lethal gas." In addition, the United States last month went along with a move of the United Nations General Assembly, initiated by Hungary, and endorsed a resolution calling for strict observance by all states of the principles of the Geneva Protocol. (Hungary's original version, which also condemned "any actions aimed at the use of chemical and bacteriological weapons" and termed their use an "international crime," was opposed by the U.S. as "subject to contention, misinterpretation, and distortion.")

These statements by U.S. officials have had a common theme. The Johnson administration maintains that its operations in Vietnam do not involve the "asphyxiating, poisonous, or other gases" outlawed by the Geneva Protocol, and that they do not constitute "chemical and biological warfare." Whether they do or not is something that scholars of international law can perhaps argue in many ways. But it has to be faced that despite their civilian analogues—to which the administration repeatedly has called attention—the destruction of crops by chemical or biological means, and the use of nonlethal chemicals to achieve military objectives, fit in naturally with most descriptions of CBW written before current operations in Vietnam began.

According to the latest information supplied by the Pentagon on request from *Science,* more than 500,000 acres of jungle and brush and more than 150,000 acres of cropland have been, in DOD's language, "treated with herbicides." While the Pentagon points out that this area is a negligible fraction of Vietnam's arable land, the program is now tripling in capacity, to 18 planes. (Correspondents in Vietnam report that, lettered above a room in the headquarters of the men who fly the missions is a motto: *Only We Can Prevent Forests.*) In other operations, the use of what the Pentagon still terms "riot control agents," after a period of being closely monitored in Washington, has passed to the initiative of local commanders. The Pentagon told *Science* that it no longer knows how many times and for what purposes they have been employed.

Apart from Vietnam itself, and the issues, raised by many scientists, of the effects of these chemicals on Vietnamese civilians and on the countryside, there is another question: Will what we are doing there, however, the government chooses to label it, lead to further CBW operations—by the U.S. or by others, during this war or the next—about whose character there could be no semantic quibble? Officials of the Pentagon and the State Department deny that we are setting a precedent or that there is a risk of escalation. On historical grounds alone, their position is weak. The first use of gas in World War I was not the German attack with chlorine in 1915 but a French attack in 1914—with tear gas. United States officials find the Vietnam war an especially bitter and frustrating one. There is constant search for a technological breakthrough—with some suggestions bordering on the bizarre—that will produce a political victory in the fight against elusive guerrillas. We appear headed for involvement in guerrilla warfare for a long time. Proposals to reach further into the waiting CBW arsenal provided by research have traveled high into the Pentagon. Until now they have been resisted. But, if the record of the Vietnam war demonstrates anything, it is that frustration and a sense of futility can make even desperate measures seem attractive. What is "unthinkable" at one moment may be policy the next.

—ELINOR LANGER.

CBW, VIETNAM EVOKE SCIENTIST'S CONCERN

In recent months thousands of scientists have signed a petition to President Johnson urging an "end to the employment of anti-personnel and anti-crop chemical weapons in Vietnam." The petition was initiated last September by 22 leading scientists including John Edsall, Felix Bloch, Paul Doty, Robert Hofstadter, and E. L. Tatum (*Science*, 23 September 1966); it will probably be presented to the President shortly. Addressed chiefly to the risks of escalation, the petition states that

"CB weapons have the potential of inflicting, especially on civilians, enormous devastation and death which may be unpredictable in scope and intensity; they could become far cheaper and easier to produce than nuclear weapons, thereby placing great mass destructive power within reach of nations not now possessing it; they lend themselves to use by leadership that may be desperate, irresponsible, or unscrupulous. . . . U.S. forces have begun the large-scale use of anti-crop and "non-lethal" anti-personnel chemical weapons in Vietnam. We believe that this sets a dangerous precedent, with long term hazards far outweighing any short term military advantage. The employment of any one CB weapon weakens the barriers to the use of others. No lasting distinction seems possible between incapacitating and lethal weapons or between chemical and biological warfare. The great variety of possible agents forms a continuous spectrum from the temporarily incapacitating to the highly lethal. If the restraints on the use of one kind of CB weapon are broken down, the use of others will be encouraged."

A number of scientific societies—including the American Anthropological Association, the American Association for the Advancement of Science, the Federation of American Scientists, and Physicians for Social Responsibility—have passed resolutions or taken other action expressing concern over or opposition to CBW. In addition, many individual protests have appeared in a variety of publications, and there have been series of private communications from distinguished scientists to the President and other government officials. In one such instance, 12 plant physiologists, arguing from the basis of "special knowledge of the effects of chemicals on plants," wrote to the President that the persistence of some defoliants is such "that productive agriculture may be prevented for some years," and that "massive use of chemical herbicides can upset the ecology of an entire region."

Most recently, distress about the effects of war—though not specifically about CBW—is evident in the formation of a new group known as the Committee of Responsibility to Save War-Burned and War-Injured Vietnamese Children.* The committee, whose sponsors include more than 60 well-known scientists and physicians as well as a number of clergymen and other public figures, plans to raise private funds to bring Vietnamese children injured in the war to the United States for medical treatment. Honorary chairmen include Bentley Glass, Albert Sabin, Benjamin Spock, and Helen Taussig. Other scientists associated with the effort include Edward Condon, Hudson Hoagland, Salvador Luria, and Anatol Rapoport.

Finally, a group of scientists growing out of the Pugwash movement have recently begun investigation of the problems and possibilities of biological weapons disarmament. These efforts are on a modest scale, consisting chiefly of exploratory research into the matter of what questions regarding biological disarmament need to be studied. Financial assistance for an expanded research effort may be forthcoming from the Stockholm International Peace Research Institute, an organization established last year by a grant from the Swedish Parliament. SIPRI has already expressed considerable interest in such studies.—E.L.

UNIVERSITY OF PENNSYLVANIA: IT'S HARD TO KICK THE HABIT

The University of Pennsylvania is now in the second year of an increasingly bitter dispute over the presence of CBW research on its campus. The project at Penn involves applied research on weapons systems; it has been going on for about 10 years under various titles: most recently, "Summit" (an Army contract) and "Spicerack" (an Air Force project). The contracts total roughly $1 million a year.

The Summit contract calls for the researchers, among other things, to:

"Prepare analyses and studies of the behavior, technical properties, and performance of particular agents, munitions, weapons components or subsystems of C&B weapons systems. The required analyses will be directed to include estimations of the human effects of particular C&B agents; characterization of the aerosol behavior of the specific agents in field clouds; appraisal of the performance of candidate munitions-agent combinations under environmental conditions; examination of various protective procedures in specific military situations; and the estimation of human factors and response to the C&B environment."

Penn subcontracted with the Cornell Aeronautical Laboratory for additional research on "targeting." Part of Cornell's job was to:

"Conduct a detailed target analysis to determine anticipated target neutralization requirements. This analysis will consider (i) protective measures against which a weapon capability should be required; (ii) acceptable time to incapacitation requirements; and (iii) target sizes and content and minimum acceptable casualty infliction to achieve neutralization."

The relation between these projects and U.S. operations in Vietnam is a matter of some debate. University officials connected with the controversy have made many contradictory statements, sometimes conceding relevance to Vietnam, sometimes denying it. But the researchers have done a good deal of study of the application of CBW to a number of crops, including rice; of the effects of crop-destruction on the economies of underdeveloped countries and on the political and nonpolitical climate of Asia. In an interview with *Science* last fall, Knut Krieger, the chemistry professor who directs the research, said that he receives Army field reports from Vietnam and that he has evaluated tests on defoliants. Penn now has a capability with which the Pentagon, for immediate or long-range reasons, is reluctant to part. "We could get along without Penn," one official recently commented, "but we're not very anxious to try."

Summit and Spicerack carry with them some obvious liabilities. President Gaylord Harnwell says that Penn loses money on the contracts—about 5 percent of the cost of the projects or about $50,000 a year. The bookkeeping on such matters is extremely intricate, and on the basis of other universities' experiences it is safe to say that profit and loss can be calculated in a great many different ways. However, the university is plainly not reaping great financial rewards from CBW, and officials state there is no hidden funding from which they are benefiting. The CBW projects have given the university painfully bad publicity. And, finally, the controversy has aroused and divided faculty, students, administrators, and alumni.

The answer to the question why, in this troubled climate, the research has not simply been abolished has to do in part with internal politics of the university, in part with the fact that the controversy touches on some of the most sensitive issues in academia. Last year a small group of professors sought to have the CBW projects thrown out because they considered its subject matter immoral. A much larger number of faculty members were unwilling to set a precedent of vetoing the substance of a colleague's research; instead they took up the issue of publishability. The faculty passed a resolution reaffirming an old but, practically speaking, extinct university policy that called for accepting "contracts or grants only for research projects whose principal purpose is to produce results which will be freely available and freely publishable in the ordinary manner of open research in the relevant discipline." The faculty also set about devising a mechanism which would assure review by the faculty of contracts suspected of violating the criteria.

The publishability issue did not prove an effective vehicle for accomplishing the faculty's object of ending CBW. President Harnwell believed that, under a special dispensation negotiated into the Spicerack contract at renewal time last spring, Krieger was technically free to publish his findings and that the research therefore did not come under the terms of the faculty resolution. Accordingly, he renewed the contract. The difficulty is that Krieger does not want to publish. "My findings are not of general interest," he told *Science*, "they are highly specialized. And in the second place I don't think it's the kind of work that ought to be published. It's a matter of national security."

Harnwell adds another argument to Krieger's. "He's a tenured professor," the President remarked to *Science*. "How can we make him publish if he doesn't want to? It's really a question of academic freedom. If I told someone what research to do or not to do or what and when to publish, another portion of the faculty would be down here knocking at the doors."

Harnwell's attitude—that what is at stake is neither the substance of the research, nor its publishability, but academic freedom—has been echoed this year by a faculty group that was relatively silent earlier, a group centered in the engineering sectors of the university. This group, heavily involved in defense contracting, feels that the ban on classified research, endorsed by most of the faculty, would harm the engineering schools. University officials have also been hearing from alumni, some of whom are reportedly shocked that the propriety of the University's conducting research related to national defense should even be called into question.

At this point, the future of Spicerack and Summit is uncertain. President Harnwell recently indicated that he would like to get rid of the research because he is tired of the emotion-racked controversy. But the University cannot simply run out on the Pentagon, and one problem is where to ship the research. The University is contemplating, among other possibilities, transferring it to the University City Science Center, a new, nonprofit, R&D corporation in Philadelphia, owned by a consortium of Pennsylvania colleges and universities. The trouble is that the consortium includes Quaker colleges Haverford and Swarthmore; there have been reports that they don't want CBW either.

—E.L.

THE DETRICK RESEARCH PROGRAM

Excerpts from Opportunities for Fundamental Research, *a Detrick publication issued in connection with the NAS–NRC Detrick fellowship program.*

AEROBIOLOGY

Respiratory Infections: . . . The disease process in laboratory animals exposed to aerosols of microorganisms is studied and characterized. Fundamental research is needed in the pathogenesis of disease in relation to (1) the particle size of the aerosol, (2) temperature and other environmental conditions, and (3) the effects of immunization on respiratory infectivity.

Environmental Stress: Basic research is needed in relation to the responses of airborne microorganisms to environmental stresses such as temperature, relative humidity, drying, and solar radiations. Quantitative data on the effects of these stresses are limited. In addition very little is known of the fundamental mechanisms which determine the resistance or susceptibility of cells to their environment. Studies are contemplated in which microorganisms will be exposed to natural sunlight, temperature and humidity ranges, etc., and wherein the effects produced may be measured quantitatively.

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*The committee's address is 777 United Nations Plaza, New York 10017.

BIOCHEMISTRY

Biochemistry: Various fundamental aspects of the biochemistry of microorganisms and bacterial products are being investigated. Some current problems are concerned with (1) the site and mode of action and the identification of the structure of an inhibitor of mammalian oxidation produced by various species of microorganisms, (2) the identification of the structural features of bacterial toxins required for biological activity including a study of reactive groups and the composition of partially degraded fragments, and (3) the effect of microorganisms on the metabolism of lymph tissue in vitro.

IMMUNOLOGY

Medical Entomology: This field involves basic research on the biology and rearing of medically important insects, the factors affecting infection of various arthropods and factors affecting transmission of microorganisms. Current problems consist of basic studies of effects of rearing procedures for various insects on longevity and fecundity; the effects of different environmental factors on infection of insects and on virulence of microorganisms.

PLANT SCIENCES

Pathology: A broad research program on several plant diseases is in progress. Some areas currently under investigation include: Factors of environment (host plant and pathogen) which affect spore germination, germ tube penetration, establishment of infection, disease symptom expression, sporulation, viability retention, resistance to infection. These and other problems of interest extend into fields of irradiation biology, physiology and genetics.

Physiology: Excellent opportunities exist for research on growth regulators, herbicides, defoliants, and problems of absorption of chemicals. Basic research is needed on the uptake, translocation, mode of action, structure versus activity relationships, and the function of surfactant compounds in herbicidal formulations.

ADDRESS OF VICE PRESIDENT HUBERT HUMPHREY BEFORE THE BUFFALO CLUB, BUFFALO, N.Y.

Mr. McCARTHY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. McCARTHY. Mr. Speaker, it gives me great pleasure to present to you the text of the speech delivered by Vice President HUBERT H. HUMPHREY at the Buffalo Club in Buffalo, N.Y., on the evening of January 6. The club is celebrating its 100th anniversary this year.

Because its first president, Millard Fillmore, was also a President of the United States, the Buffalo Club members considered it doubly auspicious that a Vice President of the United States address them on the occasion of the club's centennial.

In addition, Grover Cleveland was once a member of the Buffalo Club, and William H. Taft an honorary member. Mr. HUMPHREY'S remarks to the present membership follow:

REMARKS OF VICE PRESIDENT HUBERT HUMPHREY, BUFFALO CLUB, BUFFALO, N.Y., JANUARY 6, 1967

Tonight I want to talk with you about the tasks we Americans face in the world and the things that lie ahead.

There are a lot of questions being asked these days about our American purposes and goals in the world.

Are we a nation with an "arrogance of power" or a people bent on carving out new "spheres of influence" around the globe?

I say we are not. I say our purposes and goals are no more—and no less—than those expressed on behalf of all peace-loving peoples in the Charter of the United Nations—a charter which, under our constitutional system, is the law of our land . . . a charter we treat with the full respect accordingly due it: "to save succeeding generations from the scourge of war . . .

"to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal right rights of men and women and of nations large and small . . .

"to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and

"to promote social progress and better standards of life in larger freedom"—yes, to resist aggression and promote self-determination.

These are not the purposes and goals of an expansion or arrogant nation.

These are the purposes and goals which our America, in its wealth and power, has not only an opportunity but an obligation to pursue, if we are to be true to ourselves.

What today are the priorities we face in helping to build a world in which men and nations may live in just enduring peace?

Tonight I wish to touch on several of them.

First—and this priority is second to none among *all* our national priorities—is the need to slow down and halt the international arms race.

And this includes, specifically and urgently, the need to conclude an international nuclear non-proliferation treaty.

Second, if we value peace, we must lead in the effort to narrow the gap between the rich and poor nations of the world.

And this includes, specially and urgently, the need to wage all-out war on famine and hunger.

Third, there is the priority of building international bridges of understanding—bridges built upon every conceivable base of common effort—among nations of differing political systems and ideologies.

And this includes, specifically and urgently, the need to build such bridges of understanding and coexistence between our American and the peoples who live today in nations government by Communists.

Fourth, there is the priority of continuing to help build international institutions and international law which can provide the lasting framework to bind men together—institutions such as the United Nations; laws treaty recently concluded there to keep outer space free of weapons.

And underpinning these four priorities are two others: The necessity of resisting aggression before it can gain international momentum; the necessity of building here at home a strong and free America able to carry the burdens that are ours.

THE NEW ARMS RACE

There must not be a World War III.

Today, in this 22nd year of the nuclear age, we still survive because men have not fallen victim to the madness of nuclear war.

In recent months it has become almost fashionable to "game" out all sorts of international scenarios which begin with the premise that nuclear weapons will never be used . . . that nuclear stalemate will be lasting. In addition, I have become accustomed to hearing the argument that, even if as many as 20 or 30 countries obtained nuclear weapons, we would be no more unsafe than today.

And I am alarmed.

I believe these theories may have some power of logic, but that they do not take into account either past human history or the nature of man.

It is but a few years since Adolf Hitler.

Yes, Hitler was mad. But he was not the first madman to achieve power in a major nation state. Nor do I believe he will be the last.

For that reason I do not believe that we can afford to accept the premise that nuclear stalemate is permanent, or that there is safety in numbers when it comes to possession of such powerful destructive force.

It is the policy of the United States that a treaty should be concluded which would halt nuclear proliferation and lead to the reduction of the number of weapons and delivery systems for such weapons.

There is another threat.

As Secretary McNamara has said, there is "considerable evidence" that the Soviet Union is deploying an anti-ballistic missile system—a system of weapons capable of intercepting intercontinental ballistic missiles and destroying them in flight.

If the Soviet Union were to go ahead with deployment of such a system it could set off a new spiral of armaments expenditures and development.

Secretary Rusk has made our policy in this regard absolutely clear:

"We would regret very much the lifting of the arms race of an entirely new plateau of major expenditures.

"As you know, we made earlier to the Geneva Conference proposals for freezes and limitations on the further production of offensive and defensive nuclear weapons.

"We would like to see some means developed by which both sides would not have to go into wholly new and unprecedented levels of military expenditure, with perhaps no perceptible result in the total strategic situation."

There is no long run security in a great arms race—only an increasingly volatile insecurity in which one mistake or miscalculation can trigger Armageddon. Each new weapon breeds a counterweapon.

An arms race saps the resources of rich and poor alike. It sets in motion forces of power politics and mutual fear. It poisons the well-springs of international cooperation.

We see this no more clearly than we do today in the Middle East and in Latin America.

In the Middle East, the cradle of civilization, we see pressures and counterpressures which threaten conflict among many nations.

There, we see the urgent need for all parties not to develop nuclear weapons, and also to scale down the level of their conventional armaments.

In Latin America we see precious and desperately-needed national resources being devoted to armament far beyond what is needed for defense and security.

So long as this continues, the economic and social aspirations of the people in these nations will be denied and frustrated.

The time has come for the nations of Latin America to consult with each other about the weapons they believe are truly necessary for their security, as it has equally come for a regional arms agreement which would bar the nuclear arms race from our hemisphere.

If the nations of Latin America were to support such an agreement they could be sure that the United States, as a member of the Organization of American States, would enthusiastically respond.

It is the policy of our government to halt and turn back the arms race wherever we can—thus creating as an end result an even greater security for our nation than today.

THE RICH-POOR GAP

I give you the words of Pope John 23rd in his encyclical *Mater et Magistra*:

"The solidarity which binds all men and makes them members of the same family requires political communities enjoying an abundance of material goods not to remain indifferent to those political communities whose citizens suffer from poverty, misery, and hunger, and who lack even the elementary rights of the human person.

"This is particularly true since, given the growing interdependence among the peoples of the earth, *it is not possible to preserve lasting peace of glaring economic and social inequality among them persists* . . .

"We are all equally responsible for the *undernourished* peoples. Therefore, it is necessary to educate one's conscience to the sense of responsibility which weighs upon each and everyone, especially upon those who are more blessed with this world's goods."

We sit here today comfortably examining this situation. But for the disinherited and left-out of this world, it is no matter for examination: It is a matter of day-to-day survival.

That is why I believe one of our most powerful weapons for peace is our food power.

There is still abroad in the land the general impression that we are a nation of bulging granaries and gigantic farm surpluses . . . a nation with a clumsy embarrassment of agricultural riches.

This is not true today. It will be less true tomorrow.

The surplus today is a surplus of hunger. We must do everything we can to defeat hunger or we shall soon have a surplus of trouble.

World food production has increased in the past two years nowhere near enough to meet population growth. In that time the world has added nearly 140 million people—80 per cent of them in lands least able to feed them.

It is the policy of our government to give leadership to other "have" and food-surplus nations in providing assistance to the hungry nations . . . and at the same time to help the hungry help themselves in meeting their own food needs. The war on hunger can and must be won. We have joined the battle and will dedicate our resources and leadership to achieving victory.

A WORLD WITHOUT FENCES

America is a nation determined to tear down the fences that separate people and keep out ideas.

And America, in its strength, can most afford to be the nation which can lead the way to a world without fences.

You live next to the world's greatest inland sea—a sea shared in harmony by ourselves and by our good neighbor Canada.

The spirit which makes possible thousands of miles of unfortified border . . . which makes possible a St. Lawrence Seaway and its benefits to both countries . . . which makes possible efforts by both our nations to preserve, for instance, the resources of shared shorelines and waterways—this is the spirit with which we pursue the task of building bridges and of removing fences among all nations.

There are those who argue it is dangerous, wrong, and immoral to increase trade and cultural exchange with the nations of Eastern Europe. Fortunately, most Americans, including the organizations representing business, labor, and agriculture, support a policy of economic and cultural exchange.

The benefits to all people are self-evident.

Our democratic system has not been tainted because of our contact with those with whom we disagree. Rather, we have helped bring currents of change and liberality to nations and people desperately in need of them.

Today, even as we are in armed conflict in Southeast Asia, we look toward the building of bridges and removal of fences between ourselves and the peoples who live in the Communist-governed nations of Asia.

National isolation breeds national neurosis.

That is why President Johnson is today making every effort not only to find the way to a just peace in Southeast Asia, but also to do all we can to open societies which today remain closed against themselves.

"The peace we seek in Asia," the President has said, "is a peace of conciliation between Communist states and their non-Communist neighbors: between rich nations and poor; between small nations and large; between men whose skins are brown and black, and yellow and white; between Hindus and Moslems, and Buddhists and Christians.

"It is a peace that can only be sustained through the durable bonds of peace: through international trade; through the free flow of people and ideas; through full participation by all nations in an international community under law; and through a common dedication to the great task of human progress and economic development."

Our efforts so far have brought us nothing but furious reaction and denunciation by Asian Communist leaders.

But I do not believe that is any reason for giving up.

To do so would only serve the purpose of those who can least afford to let in the outside world.

This fresh air of freedom, once let in, quickly sweeps aside the stale, oppressive vapors of totalitarian control.

It is the policy of our government to persist—however long it may take—in an effort to break down, by peaceful means, the barriers which today isolate a good share of the world's people from the community of nations.

A FRAMEWORK FOR PEACE

The fourth priority—the building of institutions and of laws—is perhaps the one that above all, tries man's patience.

Yet when, through the United Nations, we can achieve something so important as a treaty banning nuclear weapons from outer space, all the months and years of effort are more than repaid.

There are those who complain of the loss of sovereignty involved in membership in the United Nations, or in the Organization of American States, or in NATO, or in signing any international treaty.

But without the rule of law, the rule of the jungle prevails.

And "sovereignty" is lost in the fire and dust of brute power and force.

The answer is to build *useful* institutions . . . and to draft *wise* laws and treaties—so that the sovereignty of the modern nation state is strengthened and made meaningful by the freedom and safety gained by the cooperation of many nations.

Halting the arms race . . . closing the gap between the rich and poor nations . . . removing fences of misunderstanding . . . building institutions and laws to nurture the rights of man—these are the priorities we face in the world around us.

And basic to all of these things, as I said earlier, are two other imperatives: That aggression shall not be allowed to feed upon itself; and that the fabric of our nation should be strong.

Today, in Southeast Asia, we are engaged with our allies in an effort to stem aggression.

There are those who say we have no business there . . . that we belong in our own hemisphere . . . or that we should limit ourselves to concern for the European lands of our ancestors.

There are many things to be said in response to this. I will only say this: In this nuclear and space age, no point in this world is more than a few minutes' distant from any other—as the ballistic missile flies. If there is today a proper American "sphere of influence," it is this fragile sphere called earth upon which all men live and share a common fate . . . a sphere where our influence must be for peace and justice.

It is precisely in the most remote corner of the earth that the small disorder can grow to the larger conflict which can draw all of us into war against our wills.

Today we are engaged in Southeast Asia so that such a great war may never take place.

And at this point I would like to give you the words of a wise American President.

"We have . . . states which face the Pacific and without anything else they make us a real Pacific power . . ."

And then he went on; in discussion of a war in a distant place:

"It is wise for us to stop the event before it shall spread and assist in stopping a local fire before it shall spread into general conflagration . . . Somebody inquired: 'Would you be willing to have your son lose his life in a controversy over (a) . . . remote question with which we have nothing to do?' And the answer very promptly came: 'If that was to involve the spread of that local war into a general world war and into a retrograde step in human civilization, his life could not be sacrificed in a higher cause.' "

The wise American President was William Howard Taft, and his words were uttered in these club rooms 50 years and 2 days ago.

President Eisenhower described the other and final imperative we face: "The firm base . . . leading the world toward the achievement of human aspirations—toward peace with justice in freedom—must be the United States."

We must build an America so strong, so free, so prosperous, so able to lead, that there may be no question about our purpose or our endurance.

If we are to do it, we shall have to undertake something that no other nation has ever undertaken or achieved: To make every citizen in our society a full and productive member *of* our society.

We shall have to make national investments in our country and in our people—investments in productivity, in economic growth, in opportunity, in enterprise, in greater social justice, in self-help.

Education of the highest quality . . . war against poverty . . . programs of retraining and redevelopment . . . better and safer cities and transportation . . . an even more productive agriculture . . . yes, equality at the ballot box and before the law—these are the most basic investments of all in an America able to keep its commitments at home and abroad.

But it will—and must—take more than the efforts of the federal government to build our stronger and better America.

What is needed is a partnership in which our public and private institutions, working together, can meet public and private need without any one institution or sector of our society becoming a dominant force. There are conflicting designs for national growth and strength being pursued in today's world.

For those nations which have lost or forsaken freedom, it is collectivism.

For us—a nation seeking to enhance and nourish freedom—it must be a partnership of free men.

No one can go it alone in meeting these challenges. We need a new working relationship . . . new confidence and understanding among all parts of our society if we are to meet the priorities of international responsibility.

In closing, may I say a word about the nature of that responsibility.

Leadership today requires more than the ability to go it alone—although we must not be afraid to do so when necessary.

Leadership today requires understanding of the problems we face . . . of the resources at hand . . . and of the objectives we seek.

It requires the ability, perhaps even more, to lead and inspire others—to lead and inspire in a sense of common enterprise.

For strong and rich as we may become, our goal of a just and peaceful world will never be achieved by America alone.

It will be achieved only when the resources of strong and weak, of rich and poor alike are allocated, in the most effective manner possible, to challenges that are far too great for any one nation to attempt to overcome.

This, then, is the test we must set ourselves: Not to march alone, but to march in such a way that others will wish to join us.

I will add one caveat: In none of this should we expect either friendship or gratitude.

I think the most we can expect is this: That those who question us will one day find no reason to question; that in the world there may be no doubt that Americans have the vision, the endurance and the courage to stand for what we believe and to see it through.

WATER

Mr. KYROS. Mr. Speaker, I ask unanimous consent that the gentleman from New Mexico [Mr. MORRIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. MORRIS of New Mexico. Mr. Speaker, as our society burgeons outwards, greater and greater demands are being made upon all natural resources. Yet it seems that we take for granted the most necessary one of all—water.

Fortunately, a time has now arrived when thoughtful men and women all over the Nation are beginning to question old methods that waste it, old thinking that takes it for granted and old techniques that cannot cope with coming demands.

At long last those who waste water are being stopped—those who pollute it are being restrained—those who would conserve, replenish, or replace it are being heeded.

Government money now is being funneled into universities while technicians and scientists of a totally new discipline are emerging onto the national scene.

Mr. Speaker, we in the Southwest have long been aware of these problems, dangers, and opportunities. Senator JOSEPH M. MONTOYA, of New Mexico, last week delivered a speech at the Southwestern Water Symposium at Portales, N. Mex. He covered the entire subject in the most scholarly, informed manner.

I feel sure that every Member, with this problem pounding at the gates of so many of his constituents, will find the information in that speech invaluable, and I therefore submit it for their consideration.

THE SIMPLEST—BUT MOST NECESSARY WORD

"Water." Just the word, "water." What does it make you think of? Each of us has his or her own personal remembrance when one mentions this word in that certain way. What does it bring to mind? Thirst? Growing things? Entertainment and recreation? A lost golf ball? Or the difference between success and failure if you are a farmer. Life or death. Hope and despair. Water is our world . . . our life . . . our future . . . our greatest menace and our finest hope.

We here in the West have never taken water for granted. We have always respected it . . . doled it out carefully . . . grudgingly . . . with a thought always present in our minds that says . . . "Careful, not too much . . . don't spill a drop."

In other parts of the Nation they are coming to understand what we have lived with all these years. They are beginning to understand what it means to wrestle with water problems . . . pollution, shortages, brackish water, and all the other difficulties we have cursed at and grappled with.

I am not laughing or deriding them. Rather I say we are all united in this land in a new realization of what we face, need, and must do in order to cope with needs of today and sure-to-come demands of tomorrow.

The time is past for bemoaning the existing order of things. We have had to attack the problem head on and change the existing order so many other generations have accepted without many qualms.

It is not for us to walk up to the problem, ascertain it is there, decide it is insoluble, and walk away to say that is what the Lord has given us to live with.

No. We have had to say now we must change this if the West and our Nation is to grow. We have had to change old views. A man who pollutes a stream or wastes water is rapidly become a criminal of sorts in the eyes of society. This is all to the good. Industry or business which does the same is in the same category. All of a sudden we are moving toward new ways of making us of all water we have access to. Suddenly there is new scientific research everywhere, and men and women with excellent educations have had money granted and facilities built so they may help us stabilize and improve our environment.

All this is none too soon. It may even be a little late. But the important thing is it is not too late. All must realize we must rethink many ideas in order to understand how we are affected, and what we may expect in the future. I can only give thanks that problems we face are not those of other areas of the Nation.

For there, they are confronted with situations that are appalling.

But let us look at what we have to work with. In comparison with other nations, the United States is blessed with a general abundance of water. An annual average of about 30 inches of precipitation . . . in the form of rain and snow . . . falls on the surface of the 48 continental States. This amounts to about 4.3 billion gallons a day. That is our total water supply.

With this apparent abundance of rainfall, why do we yet suffer from a growing crisis in water?

First Nature takes about 70 percent of the 4300 billion gallons of precipitation by processes outside man's control, or about 21.5 inches a year or 3100 billion gallons a day. After evaporation from water and land surfaces, transpiration by crops, pastures, forests, and other vegetative cover, and losses to deep underground flow, there remains each year only about 8.5 inches of the 30 inches of precipitation, or a total streamflow from surface runoff and groundwater of about 1200 billion gallons per day of water that can be considered as potentially usable. That is maximum potential sustained supply for direct human use for all purposes—in homes, industry, irrigation, recreation, hydropower, navigation, etc.

Of this total average streamflow of 1200 billion gallons a day, 270 billion gallons a day was withdrawn for human use in 1960, and 61 billion gallons daily was consumed. Much that was withdrawn but not consumed was returned to streams deteriorated in quality.

In mid-1966 there were estimated to be 196.8 million Americans. Assuming continued growth at the 1958–64 annual rate, in the year 2010 population will be doubled, or approaching 394 million Americans. Sometime in the late 1970's, there will be in excess of 225 million Americans, of whom 165 million will be depending on surface water supplies. More than 75 percent will then be living in vast supercities on about 1 percent of our total land area. At least 200 million persons will then be served by sewage systems, and it has been estimated that up to 70 percent will probably be located east of the Mississippi River. By the late 1970's, hardly more than 5 percent of our population will earn its livelihood by direct agricultural production.

What of water requirements for this vast American populace? In 1950, withdrawals were 170 billion gallons daily. In the next decade, water demand may aggregate 560 billion gallons per day. By the year 2000, a withdrawal of nearly 900 billion gallons of water a day ((888) BGD) may be required, or 337 percent of 1960 withdrawals.

Today a one-family house with four people living in it uses about 550 gallons of water a day. A large apartment complex with 300 apartments housing 1,000 people requires 50,000 gallons daily. A 20-story office building with 200 persons a floor will use 120,000 gallons of water daily. A 400-bed hospital will use 100,000 gallons a day.

To produce a ton of paper from pulpwood, 38,000 to 184,000 gallons of water are required. A ton of processed aluminum needs 32,000 gallons. A ton of synthetic rubber, 660,000 gallons; to refine one gallon of crude oil, 44 gallons of water are needed. Each automobile coming off an assembly line is a product of a process using 16,000 gallons of water, and each new truck or bus, 20,000 gallons.

After giving you these statistics on quantity of water used by various groups and processes, I must inject a word of caution.

When you read or apply statistics on water "use", do not confuse gross withdrawals about which I have been speaking, with actual "consumption." I may say it takes 100 tons of water to make a ton of steel. But if I multiply this figure of 100 tons of water by total steel production in our country, I will not get a figure which tells me requirements of our steel industry for water. Because steel mills, and many other industries, use the same water many times. So we see the actual amount of water the steel industry withdraws is considerably less than it consumes. Less than 5 percent of water used is actually consumed, in the sense that it is returned to the atmosphere and is no longer available for other purposes.

However, even in terms of water withdrawal and use, there is no doubt our burgeoning population is creating serious water problems. Water needs for human use pyramid with growing population. Expanding industry and rising standards of living require more water per person to satisfy our way of life. From 1900 to 1950, while our population doubled, total water use, other than for power, increased four-fold. In 1900, average daily use for all purposes averaged 600 gallons, in 1950, it was 1100 gallons. By 1960, per capita water use had increased to 1500 gallons.

The Senate Select Committee on National Water Resources estimated our country will be using nearly 2300 gallons of water a day for every man, woman, and child by 1980, and 2700 gallons a day by 2000.

There is just so much water. Except for negligible amounts newly created or destroyed by chemical changes, earth's water supply remains constant. But that supply is always on the move. It goes round and round in the water cycle—from clouds in the sky to land and ocean; then back to the sky again. But, oh, the vagaries of its movement through that water cycle, its uneven distribution and irregular timing. These vagaries are largely what create problems of local or regional water shortage, or its reverse, excess water, as in floods.

Rivers, creeks, lakes, and reservoirs are major sources of water for humans and their pursuits, supplying nearly 70 percent of water used by cities, towns and farmers for irrigation. They supply 80 percent of fresh water used for industry, and nearly all water used for hydroelectric power. In 1954, Reservoirs storing water artificially had a combined surface area of more than 11 million acres. They could store 278 million acre-feet of water, more than ⅕ of annual streamflow.

On the face of it, it appears water supplies in America are ample. Then why are there indisputable shortages in various areas of the Nation? First, rainfall varies from region to region, and from year to year. A recent series of dry years is responsible for the shortage plaguing the Northeastern States along with failure to provide adequate storage facilities to serve rapidly increasing urban population and an almost unchecked growth of pollution. But what of our "dry" Southwest?

A water map of the United States showing streamflow as a rough measure of how much water is available to a region shows the Colorado Basin has an annual average runoff of 6400 gallons per day per capita, a water use of 7000 gallons per day per capita, and a water consumption of 3500 gallons per day per capita. It might appear from this that our runoff per capita is less than our use. This paradox is easily explained, for water is often withdrawn from a source, "used" for some purpose and then returned to the source where it can be used again.

An average inhabitant of the "dry" Southwest has more water available to him than someone in the humid regions of the Northeast where population density is greater, as for example in the Delaware-Hudson basin where average annual runoff is 1300 gallons per day per capita, water use 830 gallons per day. And water consumption 35 gallons per day per capita.

The difference lies in uses to which each region puts its water. Irrigation consumes large amounts of water that is not returned to its source, whereas industry may re-cycle, reclaim, and re-use water in northeastern industry many times without actually consuming, or depleting, its supply. Almost three-quarters of water supplied to soil may evaporate into the atmosphere, and thus be lost when it falls to earth again or over the ocean. An irrigation farmer's sprinklers, operating on well water, may cause a net reduction in his region's groundwater supply. A factory owner installs a recharge well and returns much of his withdrawn water to the same place. In the case of hydroplant turbines and steam plant condensers, water merely passes through. And in a condenser, as in many industrial cooling processes, only water's temperatures are changed. If a city water system draws water from a stream and the sewer system discharges back into it, and if wastes are treated, there is little net change in water supply.

However, a large part of the northeastern water shortage hinges about the phrase "if the wastes are treated". New York City uses 1 billion gallons of water a day, most of it obtained from reservoirs in the Catskill Mountains and from its allocation of Delaware River water. In 1965, New York's allocated share of Delaware River water came close to total run-off of that system, which also has to meet requirements of heavily populated New Jersey and Pennsylvania. While this was happening, and while inefficiencies of the New York City water system were being debated and the Interior Department's task force was busily trying to assist in the emergency, the Hudson River flowed constantly past the city, carrying eight times the city's water needs to the ocean. But the Hudson's flow was too polluted to use. Similar circumstances were to be found on many New England rivers, including the Merrimac and Connecticut. The same situation may occur at our Nation's Capital in Washington, D.C., if the Potomac River undergoes a continued drought cycle and the city's metropolitan population and its demand for water continues to grow.

Problems of the Southwest are somewhat different. The Lower Colorado drains some of the driest land in our Nation. At the same time, this region is one of the fastest growing in the country. In 1940 there was a population of 5 million people in the Lower Colorado Basin and 16.5 million acre feet of water was adequate.

But in 1960, there were 11 million people living there. Obviously, its water requirements are no longer met. By the end of this century water needs of the region are expected to exceed the full carrying capacity of the Lower Colorado by an additional 7 million acre-feet of water which will be needed by a population of 30 million by the year 2000.

The dilemma of our Southwest is unique in American history. For the first time, population in a major region of the Nation will generate demands for water far in excess of available water supply. Inter-basin transfer of water or drastic reduction in cost of desalting appear to be the best potential hopes for our region. The Nation at large would feel effects of failure of the Southwest's development if water supply is not increased.

With some temerity, I suggest that perhaps the Southwest should take another look at its expansion of irrigation, which brings a large water loss to the region through evaporation and transpiration. Should our priorities be shifted to meet tremendous needs of cities and industry? I strongly commend consideration of large-scale water importation and accelerated desalting programs for the Lower Colorado area.

Right here in New Mexico a series of studies and projects are under way aimed not only at stabilizing or improving our statewide water problems, but which may make a general contribution to efforts elsewhere.

We can begin with the Portales project that the Bureau of Reclamation is carrying on in the Portales Valley. Project objectives call for evaluation of present and future water supplies of the valley, and effects of that supply on the area's economic growth.

Also involved will be the development of a well field to provide a supplemental supply for the presently irrigated area where groundwater levels are declining rapidly and serious shortages are occurring.

The Bureau is also working on an eastern New Mexico water supply project located in the counties of Quay, Curry, Roosevelt, Chavez, Eddy and Lea. It will provide a municipal and industrial water supply for 17 New Mexico cities.

The Brantley Dam and Reservoir will make a significant contribution by ending water shortages and aiding in flood control.

The water resources of the entire Pecos River Basin are under study at present. The Pecos River Basin water salvage project, by eradication of vegetation, will salvage an average of 152,600 acre-feet of water annually.

The hydrology of the Lower Rio Grande Valley and adjacent intermountain areas of the State is being studied.

A major project is advancing through the "frail lands watersheds" program of the Bureau of Land Management. This is a term used to describe watersheds that are highly susceptible to actions of wind and water. They usually have steep slopes, highly erodible soils and poor vegetative cover.

These lands are of vital importance to the West's water resources. In our State of New Mexico, 14 million acres, or about 18% of the State's land area is public domain. About one third of this land, or roughly 5 million acres, is in the frail watershed category.

Our Government's policy is to rehabilitate frail watersheds by halting deterioration, rebuilding depleted soils, promoting soil fertility, stabilizing critical runoff and sediment producing areas, improving grasslands, woodlands, and wildlife habitat, conserving water for beneficial multiple use and reducing flood and sediment damage.

These objectives are being attained through implementation of multiple resource use management and application of land treatment and water control practices. Government grants are being made more and more available to our institutions of higher learning. Our universities are playing an essential role in this broad assault upon this problem.

Man-made pollution of America's waters has added an ominous dimension to the water equation. There may be plenty of water flowing in a stream, but of what worth is it if human and industrial wastes befoul it and it carries filth and contamination to the next downstream community. This is happening now.

Pollution threatens all uses of a stream. It is commonly asserted that every major river basin and our Great Lakes are polluted.

People have used water for waste disposal since ancient times. Today we are not reducing our *volume* of water by dumping wastes into lakes, streams, and rivers, nor by siltation from watersheds, nor by acid mine drainage, nor by raising temperature by steam power generation. What we are reducing is *quality* of our waters. Any major stream you could name has its water used again and again. This is why control of water quality must go hand in hand with securing and controlling an optimum supply for a growing people.

If withdrawal and consumption were the only factors in our water equation, we could be optimistic. There is not presently a major region in the Nation where actual consumption comes even close to available supply. Yet we do have shortages in many areas, and not always because of drought. Within a given region, water may not always be available where it is needed most. And in considering figures for a large region, an average figure will of course conceal inequities between available supply and above-normal demands that may come from large cities and heavy industrial centers, as in southern California. In California, such problems are being solved by moving water from where it is to where it is needed.

But after considering drought and inequitable distribution, a more important factor in shortage is pollution. In February 1966, the President, in his natural heritage message to Congress, referred to a report on environmental pollution made to him by his Science Advisory Committee. He said, referring to the November 1965 report, "at that time, every river system in America suffered from some degree of pollution. At that time, discharges into our rivers and streams—both treated and untreated—equaled raw sewage from almost 50 million people . . . at that time, rivers, lakes, and estuaries were receiving great quantities of industrial chemicals—acids from mine run-off, detergents, and minerals that would not 'break down' in ordinary life of water. These pollutants were reentering domestic and industrial water supplies. They were killing fish. They posed hazards to both human and animal life. By that time, on Lake Erie six of 32 public recreation and swimming areas had been closed down because water was unsafe for human beings."

The President's remarks point up a sad fact of American life: although we have ample water supplies, we have allowed pollution to make a high percentage of them unavailable to anyone, including fish. Pollution is undoubtedly the most urgent water problem we have nation-wide. It is a challenge to everyone, and a problem that has a solution.

The 89th Congress, by writing two historic pieces of legislation, ordered a clean-up of polluted water. Under the Water Quality Act of 1965, each State has now certified it will set water quality standards and put them into effect by June 30, 1967. If a State fails to meet the time limit, or if standards are not considered adequate, the Federal Government will step in and set its own standards of water quality. On November 2, 1966, President Johnson signed into law the second major contribution of the 89th Congress in this field—the Clean Waters Restoration Act of 1966. It authorizes a four-year $3.4 billion program of Federal grants to promote construction of sewage treatment plants. States must now gear up to take full advantage of the Federal program. There is a range of choice.

Our Federal Government will grant 30% of cost of a treatment plant for a community, leaving 70% to be paid by the community itself. Federal share increases to 40% if the State involved agrees to pay 30% of cost of all projects receiving Federal help within the State. The ratio changes to 50% Federal, 25% State, and 25% local if the State establishes acceptable water quality standards for streams receiving discharge from federally-aided treatment plants. If a project is incorporated into a comprehensive metropolitan area plan, then Federal help is 33%, 44%, and 55%, respectively.

On January 11, 1967, Secretary Udall announced a total of approximately $20 million in contracts and grants for new research and demonstration programs to reduce water pollution by better treatment of combined storm water and sewage wastes, sewage, and industrial wastes. About half the $20 million is designed to find improved methods of dealing with problems of overflow from combined sewers. Thousands of miles of combined sewers were built in an earlier America when problems caused by growing pollution of America's rivers and lakes was not fully realized. If separate sewers were put into all cities where it needs to be done, cost would be somewhere around $20 to $30 billion. And then it would not be a full solution, for there would still be pollution from storm water runoff. As an alternative to this very costly approach of separating combined sewers, Congress authorized spending money for research and demonstration to find other ways of dealing with the problem for less. Some research projects will experiment with large detention basins where combined sewer overflows can be held and treated before being discharged into rivers and streams, as well as experiments with automated sewer regulator stations to provide better control of combined flows.

A United States Geological Survey map would show you an amazing picture of where ground water aquifers—beds that yield water readily to wells—are scattered over the United States. Water that accumulates in these underground reservoirs has slowly seeped downward from rains and snows that fell on the land above. All over the world, man draws water from hundreds of thousands of underground wells.

More than 75% of the fresh water supply in West Germany and the Netherlands comes from below ground. Denmark gets almost all its water from underground reservoirs, and Belgium 90%. Many geologists believe we have only skimmed the surface of this potential water source. Many cities and industries are turning more and more, during time of shortage especially, to ground water supplies. The Bridgeport, Connecticut Hydraulic Company, in order to supply a total demand of 60 million gallons a day, got the bulk, 75% in 1965, from nine surface reservoirs during the first half of this century. But when new reservoirs were needed, an economic study showed that for $800,000, four underground wells could be constructed with a total yield of 10 mgd., as compared with $3.5 million for a 10 mgd. surface reservoir in the Trumbull, Conn. area. As of June 1966, the company was operating 17 underground wells in five fields.

As natural reservoirs for short or long term storage, underground reservoirs are proving to be attractive, because they are less costly to build than surface reservoirs and because the evaporation rate is lower. Under the California water plan, San Joaquin and Sacramento Valleys plan to store excess water underground during wet years, and then withdraw it when they need it. The Corps of Engineers if planning the Edwards underground reservoir for San Antonio, Texas. Under the plan, flood waters from the Nueces, Frio, and Sabinal Rivers would be retained by three dams, and then slowly pumped underground into a water-bearing layer of limestone.

In pilot wells for the south shore of Long Island, sewage effluent is to be injected into ground water to halt salt water intrusion. In future, it is hoped to inject treated effluent directly into the ground water system.

There is a water reclamation plant at Whittier Narrows, California, that reclaims 12 mgd., with a 280 mgd. potential. It reclaims water from sewage. Effluent percolates into the ground at spreading basins, eventually mixes with ground water feeding wells and is ready for general use. Operating cost is 2.2 cents per 1000 gallons.

Because it is a solvent, water picks up minerals and actually dissolves rocks as it seeps into the earth. Because ground water is in contact with rocks for long periods, it usually contains more dissolved minerals than surface water—or is brackish, or saline, depending on the number of dissolved solids per million parts. If dissolved solids exceed 1000 ppm., the water is classed as saline. Brackish waters hold 1000 to 10,000 ppm. The two most successful schemes for sweetening brackish water to date are electrodialysis and ion exchange. Last year an electrodialysis plant went into operation at Port Mansfield, Texas, to sweeten the brackish well-water supply. The plant, owned by the city, gets its water with a deep-well turbine pump, forcing water through several large pressure filters.

Reverse osmosis—blocking salt, minerals and waste products by a membrane—is another technique being explored for treating brackish waters. A test plant with 100,000 GPD potential is under way as part of the Office of Saline Water R and D program.

While there is much to be said for ground water as a whole, a system of checking it for contaminants is needed. Some of the more common contaminants that find their way into underground aquifers are oil well wastes, chemical fertilizers, pesticides, and detergents.

The ocean's waters cover 75% of the world's surface. How can we get it for use on the 60% of land surface that is arid or semi-arid? This question has tantalized man for generations. For some time, he has been able to derive freshwater from ocean water on shipboard, but recent advances in technology have made large-scale desalting a possibility.

The Office of Saline Water in the Department of the Interior must be credited with much of the impetus evident in development of today's desalting technology. The OSW was at first principally concerned with research into water's physical and chemical properties and small-scale desalting experiments. But lately OSW has selected five processes for large-scale demonstration. Three plants of 1 million gallon capacity per day use processes of evaporation or distillation, known as multi-stage flash, long-tube vertical and vaport-compression processes. Smaller demonstration units include an electrodialysis plant and a presently discontinued freezing process which will be reactivated when the process becomes more refined. An imaginative new program now combines nuclear technology power production with desalting in a 40–50 million gallon a day plant for the metropolitan water district of Los Angeles, California.

It is expected that larger dual-purpose plants will produce materially lower costs. If a particular locality has simultaneous need for large quantities of water and electricity, it is hoped that a nuclear-desalting combination plant may be economically feasible.

As of now the reduced cost has been from 40c per 1,000 gallons to 21.9c—at the plant. It is 27c per thousand when pumped into the distribution system.

The continental United States is a favored Nation in abundance of rainfall, yet it is presently suffering a growing crisis in water. Unless the Nation moves increasingly toward rational planning in conserving and using its water resources and puts an end to widespread pollution, there are going to be social and economic consequences of enormous proportions. Some regions of the Nation, as the Southwest, which are now enjoying rapid growth, are going to discover they have quite literally built on sand. As usable water supplies are exceeded by demand, economic decline is inevitable. They will bring social and political problems with them.

Already, the Middle Atlantic States and New England have been through a long cycle of low rainfall. Forecasts indicate there will be continued shortages during decades ahead in areas of the upper Missouri, western Great Lakes, upper Arkansas-Red River, upper Rio Grande and Pecos, Great Basin, Colorado River Basin and western gulf region. Severe shortages lie ahead in the Pacific Southwest.

For many years, our Nation has rested on the assurance that we have plenty of water. This assurance has now turned to doubt in face of postwar population upsurge, concentration of more and more people in supercities, expanding uses of water for the economy and increase in human and industrial wastes. Our once great available clean water supplies have been markedly reduced.

The recent story of two great river basins, Delaware-Hudson and Colorado, illustrate problems sharply. In one case, there has been excessive pollution and poor storage planning, and in the other, population pressures and irrigation farming have depleted supplies.

It has become imperative that new approaches, wise and far-sighted planning, economic and engineering evaluations, and well-directed research must become instruments to achieve solutions.

Congress, since 1961, has enacted a volume of legislation without precedent relating to water resources. There have been the Wilderness Preservation Act; 1961, 1965, and 1966 Water Pollution Control Acts; expansion of the Federal desalting program; Water Resources Planning and Water Projects Recreation Acts signed by the President in 1965. Amendments to the 1965 Housing Act liberalized Federal matching funds to aid communities to build and improve sewage treatment plants under the Water Pollution and Community Facilities Acts. An amendment in 1965 to the Rivers and Harbors and Flood Control Act authorizes the Federal Government to establish plans to developed major comprehensive water development plans for the Eastern United States. Now national Parks, seashores, lakes and other recreational areas where water is part of the operation have been proposed and passed.

But are these efforts enough? In 1961, the Senate Select Committee on National

Water Resources stated that providing another 315 million acre-feet of active water storage capacity between 1954 and 1980 would cost $12 billion (mostly federal money) and 127 million acre-feet additional storage by the year 2000 would require another $6 billion. The same committee suggested it would cost the Nation about $42.2 billion between 1954 and 1980 to achieve meaningful water quality control nationwide, and $40 billion more between 1980 and the turn of the century. In 1965, the President's Science Advisory Committee put a price tag of $20 billion on an adequate water quality program between 1966–1976, assuring secondary facilities treatment for 80 percent of the nation. Admitting that these forecasts are only rough approximations, it is easy to see that to develop, store, and clean up our waters to meet forecasts of needs of our society may well go over $50 billion in the next ten years, and another $50 billion before the year 2000.

But money alone will not do the job. It is going to take some exceptional minds and a lot of research and a new kind of planning outside the siren calls of special interest groups.

We always tend to take for granted the most bountiful blessings of nature. This familiarity often creates a kind of contempt that often can cause nature to turn upon us. We are dangerously close to this point now. Our awareness of this situation must grow, our demands for action on the part of authorities and cooperation on the part of our fellows must match that.

For we are on the brink not only of limiting the growth of our area and nation, but on the verge of the alteration of our society's balance. Once tipped, the scales would be almost impossible to rebalance. The human tragedy is really unmeasurable. Suffice it to say that we are like a blindfolded man walking on the edge of an abyss. He knows it is there, but he just wants to see how long he can continue to stroll before he must remove the blindfold.

We are running out of time!

REPEAL OF THE FAMILY MOVING TAX

Mr. KYROS. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. FULTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. FULTON of Tennessee. Mr. Speaker, once again I am privileged to join with my colleague, Mr. BURKE, in offering a bill to provide for the exclusion as taxable income of certain reimbursed moving expenses for employees who are transferred by their employers to a new job location.

The need for this legislation was lucidly spelled out last year in a special report by the Chamber of Commerce of the United States entitled "Unfair and Unwarranted: The Family Moving Tax." The report reads, as follows:

THE PROBLEM

Is there any reason an employee and his family should incur a tax liability when he is transferred to a new location by his employer?

Employers frequently find it necessary to transfer employees from one part of the country to another. Most frequently these moves involve young or middle age men earning less than $10,000 a year. In fact, highly reliable sources indicate that between 85 and 90 percent of all employee transfers involve those earning less than $15,000 a year. Generally they are married, own their own homes and often have children of school age. And, more times than not, the move does not mean a promotion.

Nearly always, when an employee is moved for the employer's convenience, the boss picks up the tab. However, under existing tax laws and regulations, much of the employer's payment to the employee, to cover moving expenses, is treated as income to the employee and is therefore subject to income tax.

The result is a net loss to the employee in dollars and cents, as well as the usual inconveniences of moving.

While the tax problem is the employee's, in many practicable ways it becomes the employer's problem. To induce employees to move to a new work location the employer finds it necessary to safeguard the employee against economic loss. If the employee is taxed on reimbursed expenditures, there is a demand by the employee that the employer make up his loss in some fashion.

That this is a far-reaching problem for employees is emphasized by the fact that American industry, according to studies by an interested national trade group, transfers more than 150,000 families from state to state each year.

BACKGROUND

Prior to 1954, the tax treatment of moving expense reimbursements, at least in the case of transferred as distinguished from new employees, presented no problem. Employers and employees assumed that, where an employee was transferred to another location by his employer for valid business reasons, no individual tax liability was incurred when the employer, directly or indirectly, paid for the reasonable expenses connected with the transfer. No one questioned that these payments were simply intended to save the employee from a financial loss occasioned by the transfer—a transfer which more than likely did not result in a promotion or more money.

In 1954, the Treasury Department issued a revenue ruling permitting the exclusion from income only of reimbursement for the "bare bones" cost of transporting the employee, his family and household goods. But it ruled that an employer's payment of all other transfer-connected expenses would be considered income to the employee and subject to Federal taxation.

Practically all affected taxpayers and several lower courts took exception to the ruling. The Tax Court, in 1961, rejected the Treasury theory that reimbursements of "extraordinary" costs gave rise to taxable income. The employee had received no actual income. The Tax Court reasoned that only the reimbursements of normal or "ordinary" expenses, which the employee and his family would have incurred in any event without regard to the transfer, were properly within the ambit of the tax laws as additional income to him. (John E. Cavanaugh, 36 T.C. 300, 1961.) The same reasoning held true for a case tried in the U.S. District Court of Southern Illinois (Kenneth D. England v. U.S.) in 1964.

The holding in the England case, however, was overturned by the Seventh Circuit Court of Appeals on April 29, 1965. The Court not only rejected the reasoning of the lower court but made it quite clear that it disagreed with the interpretation of the law by the Tax Court in Cavanaugh. And, in January of 1966, the Supreme Court refused to hear the case. Thus, the Court of Appeals ruling became final—establishing the taxability of payments for certain moving expenses.

It should be noted at this point that the Internal Revenue Service has required that employers must withhold Federal tax on reimbursements paid employees. (Rev. Rul. 65–158, I.R. Bull. 1965–24, June 14, 1965.) But, enforcement activities had generally been held in abeyance pending the Supreme Court action on the England petition. It can reasonably be anticipated that the IRS will now increase its enforcement.

THE SOLUTION

When the Supreme Court refused to hear the England case, relief through the judicial system was delayed, perhaps for years.

Corrective legislation is clearly needed, now—and such legislation has been introduced.

Both Democrats and Republicans have introduced or co-sponsored legislation.

In the House, the first bill (H.R. 13070) was introduced by Rep. JAMES A. BURKE (D–Mass.).

On the Senate side the legislation has been introduced by Sen. MCCARTHY (D–Minn.) as S. 3181.

Despite bi-partisan sponsorship, the going will not be easy for legislation which is designed to facilitate manpower mobility. Although the beneficiaries of the bill will be America's working people, the proposed legislation has one major drawback: It may mean a slight revenue loss, and the Treasury has indicated it will oppose any revenue reducing changes in the tax system this year.

Estimates of potential revenue loss run somewhere between $40 million and $60 million. A precise figure is difficult to pinpoint. Past records are incomplete, and it is practically impossible to predict anticipated intercompany moves. Regardless, the figure will be insignificant when placed beside a total Federal receipts figure well in excess of $110 billion, which is projected for fiscal 1967. The provisions of the bill which I offer today would treat as non-income any funds expended by an employer in moving an employee for:

1. House hunting trip of the employee and spouse when both the old and new job location are located within the United States.
2. Temporary living expenses at the new employment location while awaiting occupancy of permanent quarters. Reimbursement here cannot exceed a period of 30 days except that the period is extended to 60 days when a taxpayer is moved from or to a foreign country such as Puerto Rico, the Canal Zone or one of the possessions of the United States.
3. Selling commissions and other expenses incident to the sale of the employee's old residence or to the settlement of an unexpired lease on the employee's old residence.
4. Out-of-pocket expenses incident to the purchase of a residence at the new job location.
5. Other miscellaneous expenses directly attributable to the transfer but not to exceed the lesser of two weeks' pay or $1,000 in the case of a family man or the lesser of one week's pay or $500 in the case of a single employee.

This special exclusion would be afforded employees who are reimbursed for these items, providing they have been with the same employer or related employer for at least one year at the time of transfer.

NATIONAL COMMITTEE ON PRODUCT SAFETY

Mr. KYROS. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. MOSS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. MOSS. Mr. Speaker, in the state of the Union message, President Johnson discussed five ways to carry forward the great progress of the past 3 years.

The five concerned programs, partnerships, peace, prosperity, and priorities. One of his priority items is to safeguard the homes of our people against hazardous household products.

This problem may seem to be relatively unimportant when considered against the background of our vast international and domestic aspirations, but none of the 20 million Americans injured each year by accidents in the home considers the problem unimportant; nor do the families and loved ones of the 28,000 Americans killed each year by accidents in the home.

The question could well be raised: How many people will have to die before the problem becomes "important"? Thirty thousand? Thirty-five thousand? Forty thousand? Will the death toll have to approach the magnitude of death on the Nation's highways before the problem becomes "important"? None of us would consider this to be a satisfactory approach.

The first and obvious question is: What should we do? Unfortunately, the answer is not so obvious. It is not obvious, because we are not confronted with unusual houses or unique situations or special cases. What we are faced with is the safety of typical American citizens using commonly available products in and around their homes.

I am not talking about amateur inventors experimenting in their basements. I am not talking about complex and sophisticated technological devices used in pursuit of some hobby. I am referring to everyday products such as furnaces, stoves, incinerators, hot water heaters, electrical appliances, sunlamps, powermowers, glass doors, and household tools.

It may be that some small percentage of these accidents is unavoidable. We do not know one way or another. It is possible that we might be able to reduce the annual toll in life and limb. We do not know that, either. How do the manufacturers of these products face the problem? What about local laws? Again, we do not know.

Clearly, a full understanding of the problem is the first step. Accordingly, I have introduced a bill to establish the National Commission on Product Safety. The purpose of this bill is to help build a foundation of knowledge from which we may make intelligent choices as to appropriate steps toward solving the problem of safety in the home.

Last year, the Congress passed landmark legislation in the fields of automotive and highway safety. As a result, we confidently look forward to the day when human and material losses from auto accidents will begin to nose downward. But we surely did not act to improve the skills of the driver, the safety of the vehicles, and the design of the highways in order to have the occupants of the car arrive home safely and then walk into a nest of devices which may be threats to their lives and their well-being.

The proposed Commission on Product Safety will be a vital first step toward safe homes for the users of the products of our technological age. Some may consider this bill a consumer-oriented piece of legislation. The business community, however, has much to gain from a searching look at product safety. In the absence of Federal action, manufacturers might some day face a host of State and local efforts to cope with specific safety problems. A welter of separate and possibly different safety requirements for household products would make it impossible for manufacturers to produce goods for the mass markets so vital to our economy today.

The heart of the problem of product safety may be technological. If this turns out to be the case, surely a nation which can aspire to put men on the moon can devise technical means of safeguarding the use of household products.

The core of the problem may turn out to be information and education. If this is so, then a nation which seeks to make it possible for every child to learn to the limits of his ability and his aspirations—such a nation can certainly provide mechanisms to educate people in the safe use of the worksaving devices so much a part of modern living.

The real stumbling block may turn out to be legal and jurisdictional. But a nation which is determined to come to grips with such complex problems as city building, equal opportunity, air pollution, poverty, medical care, and many others should be able to devise a workable solution to the problem of safety in the home.

If there is a solution to this problem, then we will never find it unless we take a first, sound step. In my view, that step is to inform ourselves fully on the nature and extent of the problem of product safety. Accordingly, I have introduced a bill to establish the National Commission on Product Safety.

The Commission is to be composed of seven members appointed by the President, specially qualified to serve by virtue of their education, training, or experience.

The Commission's mandate is to:

Conduct a thorough study of the adequacy of existing measures aimed at protecting consumers from injuries caused by hazardous household products. The study will include consideration of the following:

First. The identity of household products which are found to present an unreasonable hazard to the public;

Second. The extent to which self-regulation by industry protects people;

Third. The protection against hazardous products offered by common law in the States, and the relationships of product warranty to protection; and

Fourth. A survey of Federal, State, and local laws relating to the consumers' protection against hazardous products, including the scope, the effectiveness of sanctions, the adequacy of investigatory powers, the uniformity of application, and the quality of enforcement.

The Commission would make interim reports and a final report, not later than January 1, 1969. It would then deliver to the Congress and the President its findings and conclusions, plus recommendations for legislation and other action it deems appropriate.

The Commission is given the usual powers to hold hearings and to obtain relevant information, to employ a qualified staff, to use the resources of Federal agencies, and to contract with private and public agencies for specific research projects. The Commission is to be limited to a total authorization of $2 million.

To make the task manageable, and to avoid wasting time and effort on products which have been thoroughly subjected to recent congressional scrutiny, the Commission's studies will not include motor vehicles, foods, drugs, cosmetics, cigarettes, or pesticides.

This proposal for a Commission is based on the following premises: First, that the consumer has a right to safety in the products he purchases for his use; second, that manufacturers are entitled to reasonable uniformity and certitude in the laws with which they must comply; and third, that both of these rights are essential to the orderly flow of interstate commerce.

THE FORGOTTEN VETERANS

Mr. KYROS. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. DANIELS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. DANIELS. Mr. Speaker, in 1960 the platform of the Democratic Party contained the following paragraph:

> Veterans of World War I whose Federal benefits have not matched those of subsequent service will receive the special attention of the Democratic Party, looking toward equitable adjustments.

Mr. Speaker, to me the meaning in these words is very clear and I think it is high time that we gave some consideration to the veterans who truly rate the description "the forgotten veterans"—the men who served in World War I.

I have introduced a bill today which would provide maximum payment of $150 per month to each eligible veteran who served between April 6, 1917 and September 1, 1919, which shall be determined by multiplying $5 by the number of months such veteran served within the continental limits of the United States and adding to this figure the product of $10 and the number of months such veteran served outside the continental limits of the United States.

Further, my bill provides a special pension to widows of veterans of this conflict equal to one-half the monthly rate of pension which their deceased husbands would have been entitled to under this legislation.

Mr. Speaker, this bill is not a bonanza. In fact, the amount of money which these veterans would receive—almost all of whom have reached the age of three score and ten—is really quite small when you consider today's cost of living. Very frankly, I consider my bill the very least one can do for those who took up arms to "make the world safe for democracy" almost a half century ago.

Mr. Speaker, I urge all Members to join with me in cosponsoring this worthy measure.

MEDICARE COVERAGE FOR EMPLOYEES OF STATE AND LOCAL GOVERNMENTS

Mr. KYROS. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ANNUNZIO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, most working Americans today are putting aside a few dollars each payday to provide themselves with protection against heavy hospital expense after they reach age 65. The enactment of medicare legislation in 1965 made it mandatory that they provide themselves with this important protection. It was a long step forward in making our social security system the kind of program which provides genuine protection against those risks which can befall any one of us—and wipe out a lifetime of savings.

I rise today, however, on behalf of one relatively small but very important segment of our working population which has been denied such protection—namely, those employees of State and local governments who are working as hard as the rest of us but are not able to build up this kind of protection.

Under our social security system, State and local employees are excluded from compulsory participation in the program. This is because the social security program is financed by a tax on both the employer and the employee. In this case, the employer is the State or local government. The Congress, not wanting to be in the position of attempting to tax a State or local political unit, excluded their employees from compulsory coverage under the system.

The Congress, however, did make a form of group voluntary coverage available at the will of the employer and the employees. If this voluntary social security coverage was desired, the State government could work out a coverage agreement with the Secretary of Health, Education, and Welfare.

While all States have coverage agreements, unfortunately, some States have failed to act to afford coverage to a substantial number of the public employees in their State. Where States have acted, under present law, members of a local retirement system also must approve coverage under the social security system. However, many groups of public employees have decided not to take coverage, and with good reason, because they have preferred their own retirement plans. In so doing, they have denied themselves the benefit of medicare coverage inasmuch as the law provides that after January 1, 1968, a person must first be entitled to cash benefits under the social security system before he can qualify for medicare benefits. As a result, across the Nation today there are over 1.7 million State and local employees who do not have coverage under the social security program and therefore may not be covered under the medicare program.

Mr. Speaker, in my own city of Chicago, there are over 40,000 city employees who find themselves in this situation. Cook County alone, in which Chicago is located, has over 17,000 employees whose employment is not covered under social security and, therefore, is not covered under the medicare program. There are, in addition, almost 100,000 schoolteachers in the State of Illinois who, because of this reason, are not covered and, therefore, may not qualify for hospital insurance benefits. Altogether, in the State of Illinois, there are over 275,000 employees who may be deprived of the opportunity to participate in the medicare program because their employment is not covered under the social security program.

In view of these facts, I am today introducing a bill which would permit these State and local employees to add the protection provided by medicare to the protection they now enjoy under their own retirement system.

I feel it is possible to have this group participate in the basic hospital insurance program, without having them participate in the cash benefits part of the social security program, because the hospital insurance program is financed by a tax which goes into a separate trust fund established to pay the benefits and administrative expenses of the medicare program. The Congress carefully made this distinction between hospital benefits and social security benefits because the hospital benefit is a "service" benefit while the retirement benefit is a "wage-related" benefit. This arrangement, moreover, not only distinguishes the amount of the regular tax contribution for the hospital benefit from that for retirement benefits, but also enables us to distinguish just how much the hospital plan is costing.

My bill would take advantage of this distinction by providing that those State and local employees not now included under an agreement providing coverage for social security benefits may be covered by hospital insurance only. The State and local governments and their employees would, of course, pay for the coverage of hospital insurance according to the schedule which applies to all other workers as it is now set forth in the law.

Mr. Speaker, my legislation will insure that another large group of Americans will have the opportunity to participate in the Federal hospital insurance program. At the present time, this type of protection is not usually available to them. Yet, our dedicated public servants are just as entitled to these benefits as are our citizens employed in private industry who are already covered under the social security system and who therefore qualify to receive medicare benefits. The rights and requirements of almost 2 million Americans will be met by the passage of my legislation, and therefore, I urge its early enactment.

BANKING COMMITTEE CHAIRMAN WARNS CREDIT UNIONS TO BEWARE OF BANKERS

Mr. KYROS. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ANNUNZIO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, Chairman WRIGHT PATMAN, of the House Banking and Currency Committee, has long been a champion of the credit union movement in this country. He was the author of the legislation which established Federal charters for credit unions and has been instrumental in all credit union legislation adopted by Congress since Federal credit unions were first formed.

Credit unions are facing a serious challenge from the commercial banking industry, primarily because credit unions have shown that the small saver and the small borrower are excellent credit risks and are just as important to the economy of our Nation as big borrowers and big savers. The executive committee of CUNA International, the worldwide credit organization, is conducting a quarterly meeting this week in Washington. On Tuesday, along with several of my colleagues in the House, I was privileged to attend a luncheon meeting of the group and to hear an address by Chairman PATMAN.

Chairman PATMAN warned credit unions that bankers are seeking the total elimination of credit unions in the United States. He warned that credit unions must band together in order to resist the attempts of the bankers. It would be a tragic blow to the welfare of our Nation if banks in any way hindered the operation of credit unions. Because of this, I am including a copy of Chairman PATMAN's remarks so that every Member of this body will not only see what an outstanding job credit unions are doing for this Nation, but also the threat that they face from commercial banking.

The remarks follow:

REMARKS OF HON. WRIGHT PATMAN, BEFORE THE QUARTERLY MEETING OF CUNA INTERNATIONAL, TUESDAY, FEBRUARY 7, 1967, MAYFLOWER HOTEL

Less than three blocks from where we are meeting today, there is an organization called The Bankers Committee for the Elimination of Favoritism Toward Credit Unions. It is a highly secret group of banks and other businesses—including small loan companies—whose sole objective is to short circuit the credit union movement in the United States. True, many of the members of this group are large bankers, but you would be surprised at the number of small town bankers who provide more than financial support for this group. It would not surprise me in the least to learn that banks selling services to credit unions also belong to the bankers' anti-credit union committee.

Let me for a moment describe some of the material which the bankers' committee is using to wage war against credit unions. And make no mistake about it, it is a war. The bankers have only one objective: Total victory, through the complete elimination of credit unions.

Much of the literature put out by this organization is completely untrue. But, unfortunately, there are those who may read this literature and not question its accuracy.

Typical of propaganda being published by the anti-credit union group is a speech made by the chairman of the board of a loan and finance company. The speaker points out that his organization had a credit union, but it was liquidated because "we suddenly came to the realization that this arrangement was against many of the principles for which we stand." If credit unions are against the principles for which bankers stand, I cannot help but wonder what principles the bankers do believe in. Do the bankers believe that borrowers should be charged an interest rate of "whatever the traffic will bear?" And, do they believe that the borrower is at the mercy of the lender? It is strange to me, indeed, how anyone could be against the principles of a credit union.

The bankers' committee publications further state that credit unions are born of an alien philosophy. I ask you, ladies and gentlemen, is it an alien philosophy to make loans for provident and productive reasons—and at a low cost? Is it an alien philosophy to encourage habits of thrift? Is it an alien philosophy to provide educational services in the area of consumer spending? And, is it an alien philosophy for a group of Americans to band together on a volunteer basis to help each other?

I can assure you that Government officials from the President on down do not look on credit unions as being born of an alien philosophy. The Vice President of the United States, the Honorable Hubert Humphrey, last week became a credit union member in a war-on-poverty credit union in Washington. At that time the Vice President said of credit unions: "I applaud all of you here for your work which is building strength, equality, democracy, and comradeship, independence and freedom through active membership in credit unions."

I think that we would all agree that credit unions are not born of alien philosophy, but are born in the best interests and traditions of the American people that have helped this country grow to its position of greatness.

On the other hand, I do feel that it is an alien philosophy for organizations such as the bankers' anti-credit union committee to operate under a cloak of secrecy. I note that none of the Committee's publications that I have read lists any of the officers or members of the group. Let these gentlemen come forward and make themselves known. If they have nothing to hide, there can be no reason for the bankers' committee not making public the list of its membership. Credit unions have nothing to hide. Why, then, should groups which oppose credit unions barricade themselves behind the printed word?

The anti-credit union committee denies that a need for credit unions exists. The Committee also objects to what it terms subsidies provided credit unions. I asked the bankers' Committee if the need for credit unions does not exist, why is it that nearly 18 million Americans are members of credit unions and more than 22,000 credit unions are in operation? And, if a need for credit unions does not exist, why is it that servicemen throughout the world have written the Banking and Currency Committee asking about the prospects of establishing a credit union at their installation? And, if bankers are unhappy with subsidies granted to financial institutions, let them look no further than their own industry, commercial banking, which is the most subsidized industry in the United States. What other industry receives millions of dollars in free Government funds or investments in the form of tax and loan accounts? What other industry has the exclusive right to create money? And, what other industry is provided hundreds of millions of dollars worth of free Government services each year?

The bankers have thrown another knockout punch of credit unions recently. The February issue of *Nation's Business* carries a highly distorted article entitled "Washington Hides Truth-in-Lending," an article dedicated to the sole proposition of criticizing credit unions in general and antipoverty credit unions in particular. The very fact that this article appeared in the publication *Nation's Business,* is enough to raise questions concerning its credibility. *Nation's Business* is, of course, the paid voice of the United States Chamber of Commerce, an organization which has never been known to advocate the causes of anyone except big banks and big business. It must be remembered that one of the recent Presidents of the U.S. Chamber of Commerce was Mr. Edwin P. Neilan, who is Chairman of the Board and President of the Bank of Delaware. It was Neilan who traveled around the country making speeches against payments to veterans for such items as education and home mortgages, while at the same time he accepted subsidy payments for the operation of his farm in Wilmington. And it is interesting to note that Mr. Neilan's bank has more than $22 million of Government funds on deposit in his bank, for which the bank pays not a penny in interest. Mr. Neilan is not opposed to subsidies, he is only opposed to subsidies which he does not receive. I only make these points to indicate that articles appearing in U.S. Chamber of Commerce publications carry a highly distorted viewpoint. For instance, in the article on credit unions, *Nation's Business* reports that many low-income-areas credit unions never have paid a dividend. The article states, "In fact, in 1965, about 70 percent of all Federal credit unions with assets of less than $10,000 paid no dividend."

On the face of it, this is a damaging statement. But when the truth is known, the statement is as hollow as an empty rain barrel. What the article does not point out is that a large majority of credit unions operating in 1965 with assets of less than $10,000, were newly formed credit unions. In fact, more than half of the credit unions in this category opened their doors during that year. It is not unusual for a credit union in its early formative years not to pay a dividend. In addition, it must be remembered that most credit union members do not join for speculative or profit-making reasons. The article should also mention the number of credit unions that did not pay dividends in their first years, but at the same time did not lose members, but, in fact, gained new members. How many banks would continue to attract customers to their savings department if they did not pay interest? You would see a mass exodus from banks in this category, yet, there was no such pulling-out on the part of credit union members.

This twisting of figures and words by *Nation's Business* reminds me of the story of the great auto race between a Russian and American car. Both countries were firmly convinced that their car was the fastest in the world. So a race was arranged to prove which car was the faster. When the race was run, the American car easily defeated the Russian car. The next day the headline in the Russian newspaper read: "Russians finish second in great auto race, Americans next to last."

Banks do not like credit unions because they feel you are invading their territory. I would argue that it is banks that are invading your territory. For years, banks were not interested in the small saver or the small borrower. It was only after credit unions had clearly shown that the small borrower and saver were good business risks that the banks entered the field of consumer banking. However, there is another reason—perhaps more important—why banks want to put credit unions out of business. One of the biggest customers of commercial banking—perhaps the biggest—is the loan and finance company industry. While there are no accurate figures available on the amount of funds which loan and finance companies obtain from commercial banks each year, it has been estimated by some, however, that these companies obtain 70 to 80 percent of their short-term funds from commercial banks. The banks do not ask these loan companies what they do with their money or what rates of interest they charge borrowers or question any of the practices of these companies. The banks ask only one question: Will we be paid on time?

I am certain that many of you are aware of the investigation of Federal Services Finance Corporation conducted in 1965 by the Domestic Finance Subcommittee of the Banking and Currency Committee. This was a loan company specializing in servicemen's transactions, that was charging our men in uniforms loan rates as high as 60 and 70 percent a year. We also found that this company was taking advantage of the servicemen in a hundred other ways. But what was really shocking was the fact that in 1965 alone, a group of commercial banks across the country extended lines of credit to Federal Services of nearly $32 million. One of the banks making funds available to Federal Services was Puget Sound National Bank of Tacoma, Washington. The Chairman of the Board of that bank was one Reno Odlin. At the time, President of the American Bankers Association, Odlin, like Ed Neilan, felt that this country was perhaps giving our veterans too much assistance. Mr. Odlin chose a strange way to voice his feelings. His bank lent a half million dollars to Federal Services, a company dedicated to the sole proposition of getting as much of the serviceman's pay check as possible.

You can see that banks cannot be your friends and also friends of the small loan industry. And you can also see on whose side they would be in a toe-to-toe match. And, unfortunately, it would not be with credit unions.

For years credit unions have fought for truth-in-lending legislation. For the same number of years, banks and small loan companies have fought against such legislation. The type of truth-in-lending legislation which has been proposed in the past merely requires full disclosure of credit transactions. In short, truth-in-lending requires that the lender tell the truth. This idea is strangely repugnant to the banking industry. They argue that they cannot comply with the provisions of the legislation because of technical difficulties. But, in fact, the bankers are actually saying we cannot comply with the legislation because we cannot tell the truth. Bankers are reluctant to spell out for the lender the interest rate which must be paid. They are hesitant about providing full information so that a rational decision can be made by the borrower. And, at the same time, the banks must oppose truth-in-lending because they are "shills" for their good customers, the loan companies. What's good for the loan companies, must be good for the commercial bankers.

Let me state again that I look favorably upon legislation which would enable the borrower to better choose between competing credit offers. At the same time, however, I am not certain that this type of legislation would solve the problems that the consumer faces when he seeks credit or attempts to make a loan. Let's put some meat and potatoes on the truth-in-lending menu, and seek legislation that would go to the root of the problem. I would look with favor on some type of Federal statute that would provide a fair and reasonable limit on interest rates, including those imposed on small loans. Such a law is needed because of the wide variance in small loan laws from state to state. These laws carry interest rates that range as high as 48 percent. In fact, a so-called uniform small loan law which has made the rounds and been adopted in many states recommends a 36 percent limit, a figure which to my way of thinking is nothing more than legalized larceny. In addition, the rapid rise of mail order borrowing clearly justifies the need for Federal legislation in this area. Servicemen are, perhaps, the biggest losers in the mail order borrowing business, particularly those stationed abroad. The Domestic Finance Subcommittee learned that many small loan companies open offices in states with the highest small loan rates, and then offer loans through the mail. The company is careful to make certain that the contract for the loan is executed in the state bearing the high interest rate, even though the borrower may be situated in a state having a lower rate. Why should a person in one state pay more for money than a person in another? A Federal law would change this and I am certain would correct many of the abuses which have gone on in the small loan field.

Thus, while I will support truth-in-lending legislation of any type, since I feel it will be a step forward, I would rather see legislation that would prevent the borrower from being bilked, instead of merely requiring the lender to tell the borrower that he is being bilked.

At the same time banks are fighting against truth-in-lending legislation, they are waging an aggressive battle to change laws so that their profits can be increased. Right here in sight of the Capitol—there are major attempts being made to water-down state usury laws. Both Virginia and Maryland legislatures are being bombarded with demands that the 6 percent usury laws be changed to a much higher figure. Unfortunately, state usury laws provide only minimal protection for the borrower, and any attempt to dilute this protection would leave the borrower virtually unprotected from the profit-grasping clutches of the bankers. If state usury laws are raised only 2 percentage points, it will mean that the average homeowner will have to work at least one extra year, simply to pay the interest on his home mortgage. This fact does not bother the bankers. They are only interested in the increased profits it will bring into their treasuries. But it is important to you as members of the credit union movement. You must use all your energy and resources to fight any attempt to increase the usury law in any state.

It would be a grave mistake for credit unions to underestimate the objectives or powers of bankers seeking credit union elimination. This is not a scheme drawn up by some bank lobbyist in order to justify his pay check. The amount of money, the number of people, and the amount of work which the bankers are throwing into this fight should clearly indicate that the bankers mean business. They may tell you they are your friends; but if this is true, why, then, do the banking braintrusts seek the elimination of credit unions? It may be true that the bank in your community is a sincere friend of your credit union, and may endorse privately—if not publicly—the work you have done. But I assure you that this banker will soon be whipped into line by the Washington bully-boys of the American Bankers Association. The bankers want to present a united front on every issue in which they take sides. The bankers do not provide for minority viewpoints in their power struggle.

What, then, will the credit union movement do to protect itself from this unwarranted attack by bankers?

There are several choices open to you. You can ignore the bankers and tell yourselves that the bankers really are your friends, and are only making these attacks on credit unions for publicity purposes. You can rest on your laurels, pointing out that credit unions do such a wonderful job in this country that our interests will be protected by legislators on both the Federal and State levels. You can stand idly by with your hats in your hands and let the bankers steamroll you. All of these courses of action would be tragic mistakes. There is a course of action that will not only benefit credit unions, but will also benefit everyone who strives for more service to the public interest in our financial community. Credit unions have more than 18 million members who belong to more than 22,000 credit unions. Mobilize these members and credit unions and fight the bankers. Stand up to them and tell your story publicly and loudly. Organize letter writing campaigns to your Congressmen and Senators. Tell them what the bankers are advocating and, at the same time, tell them what your organizations are doing to better life in this country. Your leaders have outlined a dynamic legislative program. You will not see passage of a single piece of that legislation unless you are willing to work for it. Let your elected representatives know your reasons for needing this legislation. Point out the number of people who are members of your credit unions. You will have this opportunity this week when you visit your Congressmen and Senators on Capitol Hill. Hit them with the facts. Tell them what you want and what you expect. As a group representing more than 18 million people, you are much more highly representative of this nation's needs than are the bankers.

I have often heard it said by Members of Congress that they would like to vote a particular way on a piece of legislation, but because of hundreds of letters from commercial bankers in their District, they had decided to vote in the way suggested by the bankers. If the bankers can accomplish their legislative program with a few hundred letters, let credit unions accomplish their programs with thousands of letters. A highly organized letter writing campaign can have a great effect on the voting outcome of legislation. I sincerely hope before you leave Washington this week that you discuss the need for better grassroots support among credit unions. Your representatives here in Washington and in Madison do an outstanding job, but there is nothing more effective than a letter or letters from a member's constituents outlining their views on a particular piece of legislation.

In closing, I would like to quote from a letter I received last week from a man who felt he had been treated unjustly by a bank concerning his auto loan. I feel this paragraph is an acute observation of what has happened to banking in our country. If there are those among you who still maintain that bankers are credit unions' friends, I hope that you will listen closely to this paragraph.

The letterwriter states:

"In a small town where I grew up in the 30s and 40s, the local banker was placed on a level with the local doctors and judges. You could stake your life on his word. Interest was calculated as simple interest. Nowadays, you can put no stock in what your banker tells you and they will skin you just as quick as a loan shark or fly-by-night loan company . . ."

It has been a pleasure for me to be here and I sincerely thank you for the opportunity to speak to you.

VICE PRESIDENT JOINS NEIGHBORHOOD CREDIT UNION

Mr. KYROS. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Annunzio] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, recently the Vice President and his family moved into an apartment in the southwest section of Washington, D.C. The Vice President has quickly established himself as a good neighbor to his fellow citizens in that area. Shortly after moving into the neighborhood Vice President Hubert Humphrey joined the Southwest House Federal Credit Union, one of the nine Washington credit unions sponsored by the Office of Economic Opportunity and the United Planning Organization of Washington.

The Vice President has long been a supporter of credit unions in this country and has been a leader in efforts to establish credit unions in other areas of the world as a vital part of our foreign aid programs. Five years ago he offered an amendment to the Foreign Assistance Act of 1961 which encouraged the development of credit unions and other type cooperatives in order to assist our foreign aid programs.

Because of this, I am extremely happy that one of the first things that the Vice President did in moving into his new neighborhood was to join the credit union. This indicates that he still feels as strongly about credit unions in 1967 as he has over the years.

When the Vice President became a member of the credit union, a small ceremony was held in the Senate Reception Room in honor of the occasion. At that time the Vice President commended credit unions for the job they have done in making America a better place in which to live. I am enclosing a copy of the Vice President's remarks because they indicate the support that the credit union movement has at all levels of our government.

The remarks follow:

Remarks of Vice President Hubert H. Humphrey, on His Joining the Southwest House Federal Credit Union, January 30, 1967, Senate Reception Room, U.S. Capitol

Mr. Ehrman, Mrs. Peterson, officials of the Office of Economic Opportunity, the United Planning Organization, the Bureau of Federal Credit Unions CUNA, neighbors and friends.

You folks surely know that there is nothing a small town boy from South Dakota and Minnesota values more than a sense of neighborhood. And I want you to know that I am delighted to be a part of the Southwest Washington neighborhood, and to be able to participate in the activities of Southwest House.

So I am especially pleased to join today the Southwest House Credit Union, and to now ask you to accept, Mr. Ehrman, my membership fee and the purchase price of my first share.

The credit unions are a marvelous influence, in this country and increasingly throughout the hemisphere. Credit unions are basically a means of permitting people to pool their individual resources for a common purpose without any loss of their freedom. Now you can work for common purposes either through collectivism or cooperation—and I thoroughly reject the collectivism approach. But cooperation through credit unions, savings and loan associations and other cooperatives permits us to work together while preserving individual initiative and enterprise. Credit unions, for example, are very much a part of private enterprise. They not only help in the accumulation of capital, but also generate resources and activities which bring business to banks and merchants.

In the United States today, there are 22,600 credit unions, with 18 million active accounts and assets which total $11 billion. In my state of Minnesota alone, there are 500 credit unions with 300,000 members and assets of $250 million. I know about credit unions and other cooperatives because Minnesota has been a leader in their development, and I am proud of our record.

The cash benefits which people gain from their membership in credit unions is, of course, only a small part of the whole story. Credit unions have recognized their community responsibilities and have established loan counseling and consumer education services which have greatly added to the quality of life for credit union members.

In 1961 a Senator from Minnesota felt that the educational and financial services of credit unions and other cooperative groups would offer real hope for the development of other nations as well as our own. He knew how much credit unions had meant to the people of Minnesota. And so he proposed and secured the enactment of an amendment to the foreign assistance act which authorized the use of personnel from cooperative organizations in the United States to provide technical assistance to groups abroad for the development of cooperatives, credit unions and savings and loan associations.

Now this ex-Senator has been delighted to see that such assistance to 12 Latin American countries under the Humphrey Amendment has contributed substantially to their progress.

In 4½ years this assistance has increased the 432 existing credit unions to 2216; their membership from 124,000 to 590,000; and their assets from $4.2 million to $41.4 million.

The credit unions in these countries are loaning accumulatively about $112 million a year to people who otherwise would be denied such low cost help. Many of these are people who can invest only pennies or a nickel a week. But from these pennies they have assembled millions of dollars which are being used to help people who were enslaved by poverty. They have helped themselves to improve their agricultural production, buy needed consumer goods, make home improvements and get seed capital for small enterprises. $112 million a year to people in 12 Latin American countries; and keep in mind that our total government assistance to Latin American countries is only $350-$400 million a year. These credit union loans come from little people and go to little people. They are making not only a way of life, but the way to a good life.

And don't forget that to each member the credit union provides not only interest on his savings, but services to benefit the family and the community.

In this country, the OEO-funded credit unions are a basic asset in our war against poverty. That is why I felt the Vice President of the United States should join the Southwest House Credit Union. OEO now has 47 fully active federally funded credit unions, with 16,000 members and $785,000 in assets. In terms of people, this means that each year some 9000 loans, with a total value of over $1 million, are being made to people who cannot otherwise get such assistance. This is a good start, and it is clear that the United Planning Organization in the District of Columbia is going to show other communities how the job is done.

I want to emphasize this morning, as I join this credit union, the virtues of *union* in this connection. Union has brought strengths and opportunities to all common efforts of good purpose, from our national union of states to local unions of workers. The advantages which flow from union are particularly appropriate to the credit union established to serve people of modest resources.

First of all, this union brings strength—the strength of economic resources combined to assist members having small incomes and very modest resources.

It brings to its members *equality*—the equality of being eligible for small loans, for people who are usually denied the opportunity to borrow from legal lending sources because they are poor.

This common effort brings to members the sense of comradeship and democracy of self-government, devoted to managing the combined resources of individuals and to establishing consumer education programs, for the benefit of union members and the community in general.

It brings independence—independence from exorbitant credit charges, from the selfish and sometimes cruel hands of the loan sharks and the "juice" racketeers who prey upon the poor in particular. It provides an effective answer to unscrupulous operators—a private alternative.

And, it brings *freedom—the freedom* to have a real choice, a better choice, when the family buys a needed household article, a radio or a refrigerator. A credit union member can choose to borrow and repay the borrowed amount at a reasonable credit cost through his credit union; or he may choose to save before spending and realize income from interest or dividends, as well as the savings that come from buying in cash.

One last point. Some may inquire why those of us who are fortunate enough not to be poor should join this credit union. The answer is that we want to be a part of that community effort and to devote a share of our resources to the common "pot". Our united effort strengthens the entire community.

So I urge all my friends and neighbors in the Southwest, regardless of income, to become investing and participating members of the Southwest House Federal Credit Union. And I hope that similar memberships will come to the OEO-funded credit unions across the country.

Finally, I applaud all of you here for your work which is building strength, equality, democracy and a sense of comradeship, independence and freedom, through active membership in credit unions.

THE GULLIBILITY OF AMERICAN INDUSTRIAL LEADERSHIP

Mr. KYROS. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. DENT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. DENT. Mr. Speaker, this morning I was privileged along with many other Members of Congress to attend the American Iron & Steel Institute's meeting dealing with the problems facing the steel industry.

The main theme of the presentation by L. B. Worthington, chairman of the American Iron & Steel Institute, as well as president of the United States Steel Corp., was the disastrous effect on the American steel industry by imports of steel and steel products.

While looking backward has its faults it is also true what Patrick Henry said:

To know where we are going we have to know where we've been.

Therefore, Mr. Speaker, I would like to call to the attention of the House that the remarks contained in the address of L. B. Worthington were said over and over again by myself on many occasions on the House floor.

The conclusion arrived at by the steel industry to oppose free trade in steel as we now know it, was in my opinion inevitable. What started out to be a skirmish relating to the balance of payments has now developed into a major battle for survival in the American economic system.

Needless to say, we have lost the skirmish and are well on our way to losing the battle.

The main reason for the serious condition we find ourselves in on the matter of foreign trade is based upon the gullibility of the American industrial leadership.

By parceling out favorite treatments *and special consideration the free trade* crowd has been able to divide American industry and then follow up by cutting each industrial entity in turn to the point where the affected industry has had to do one of two things: build plants overseas and ship back to the United States products formerly made in our American plants; or force our American plants into accelerated automation to survive. In either case the real loser is the American workman directly, and the entire American economy indirectly.

The American steel industry has now realized the seriousness of the situation. The next step must come from the workingmen.

The American steelworker must know the danger is great. In 1966, 70,000 steelworkers were displaced by imported steel. By 1970, unless a change is made on our trade policies, 180,000 steelworkers will be displaced because of imported steel.

The American economy will be the real sufferers. For every steelworker displaced three additional wage earners in service and other industries will be displaced also. This means that in 1966, 280,000 Americans suffered loss of wages, income, and in many cases jobs, because of the steel imports.

I welcome the steel industry into the fight that I have been carrying on for 10 years, and in many instances singlehandedly.

I now ask American labor to join with us in the fight.

The address referred to follows:

REMARKS OF L. B. WORTHINGTON, CHAIRMAN, AMERICAN IRON AND STEEL INSTITUTE, AT THE CONGRESSIONAL BREAKFAST, 1967 PUBLIC AFFAIRS CONFERENCE, ROOM 1202, NEW SENATE OFFICE BUILDING, WASHINGTON, D.C.

In the short month since the 90th Congress convened, you members of this most important body have already received enough legislative challenges to overburden the hardiest among you.

You've learned of the state of the union, the state of the budget and the state of the economy.

I wish that I could, this morning, report in equal detail upon the state of the steel industry and discuss some of the pending legislative proposals that are of importance both to you and to us.

Particularly, I wish that we could explore together this pressing question of air and water quality which concerns all of us so deeply; and that I could review the nearly thirty years of research that has been carried out by American Iron and Steel Institute in this field. . . . that I could tell you about the more than half-billion dollars that the steel companies have spent in the past 15 years on the installation of pollution abatement facilities, and about the additional 150 millions or so that they are now in the process of spending for this purpose. I wish I could discuss the role that the 7 percent tax credit has played in helping to finance these heavy capital outlays which add nothing to our production; and that I could explain the advantages which might be gained by substantially enlarging this credit as it applies to pollution control facilities.

But in view of the heavy demands upon your time, and in keeping with my promise to make this short, I must confine myself this morning to a single topic; and because of its importance, that topic has got to be the steady and relentless increase in the imports of foreign steel, and the effect of these imports upon the companies, their employees and the people of this nation.

By way of background, let us look for a moment at what has been happening to the world steel picture over a span of just fifteen years:

In 1950 there were 32 steel producing nations in the world; but in 1965 there were more than double that number. That means that more than 30 countries which had formerly depended entirely upon imported steel, now have steel-making resources of their own; and that the nations which formerly supplied those countries have had to scramble for new markets for their exports.

At the same time, world production of raw steel has increased from 207 million tons to 501 million tons. Moreover, it appears that at least 75 million additional tons could have been produced had there been a market for this steel.

The world exports of steel have more than doubled in the past decade. In 1955, 23 million tons went into the export market; but in 1965, 51 million tons were exported. And no longer does this steel flow principally from the industrialized nations to the less-developed countries. Twenty percent of it comes into the United States, so that this nation—which is the world's largest producer of steel—has become paradoxically the world's largest importer of steel.

Furthermore, major facility additions are projected for both Western Europe and Japan, even though the evidence is that neither in their own home markets nor in the less-developed countries will demand for steel increase sufficiently to absorb this additional production. Thus it is clear that more and more of this foreign steel will be knocking at the door of our American domestic markets.

Today then, the American steel industry is confronted by the cold hard fact that the shifting patterns of world trade over the past nine years, are now costing us more than 13 million tons of finished steel products annually.

Our exports have plummeted from 5½ million tons in 1957 to less than 2 million tons last year while imports during this period have rocketed from a little more than 1 million tons to an all-time record of 11 million tons in 1966. And these imports now account for about 11 percent of our total domestic steel market.

In the Southwest, and out on the Pacific Coast, imports have taken more than 20 percent of the market; and for certain products—such as wire rods, barbed wire, nails and staples—foreign imports represent from a third to a half of the sales in this country.

No one, I think, should try to minimize the impact of 11 million tons of imported steel on the American market. It represents more than 70,000 steelworkers' jobs alone, and many thousands of additional jobs in supporting industries—all at a time when this nation is striving to achieve maximum employment.

It represents a negative trade balance of nearly a billion dollars at a time when our nation is striving mightily to reverse or contain our balance of payments deficit.

It represents the output of a company larger than Armco and Jones & Laughlin combined, and all the federal, state and local taxes which that company—its employees, its suppliers, and their employees, in turn—would be contributing to the welfare of our nation.

And, finally, it represents a threat to the growth and strength of our own steel industry at a time when America is called upon to defend world peace and the integrity of smaller nations in many parts of the globe. In this situation, gentlemen, I am sure you believe as I do that American security requires a steel industry strong enough to meet whatever demands may be made upon it; and that this nation can never afford to look to other countries for the vital steel supplies that are a major ingredient of its military power, and of its peace-time economic strength.

Now I don't have to tell you, I'm sure, that the American steel companies have not been taking all this lying down. We've been doing everything in the book to make this industry as efficient and as competitive as it is possible for any industry to be.

To enhance our position of technological leadership, and to develop new steel products that could not be obtained anywhere else in the world, we are now spending considerably in excess of 100 million dollars a year on research. And you may be interested to know that in the case of my own company about 15 percent of its shipments last year were of products that we have been selling for less than five years.

But transplanting technological advances from the laboratories to the mills themselves is a costly business; and during the past ten years the American steel companies have spent more than 13 billion dollars on new, more efficient production facilities—designed not only to reduce costs, but to establish new high standards of quality for our competition to shoot at.

Last year, these capital expenditures exceeded 2 billion dollars; and we expect that they may be as great or greater in the current year. Yet even these enormous outlays are inadequate now to take full advantage of existing technology, and they show little promise of growing at anything like the pace of the increase in our knowledge of steel products and production methods.

Retarding this growth, of course, is the recent suspension of the 7 percent investment credit and of the provisions for accelerated depreciation; and needless to say, the proposed surtax on corporate and personal incomes will, if enacted, impair further our ability to generate the funds needed to finance these capital expenditures. Not only will it intensify the profit squeeze which the industry has suffered in the past decade, but by biting more heavily into the take-home pay of the steelworkers at a time when they are already disturbed by the rising cost of living, it might well build up increasing pressure behind the wage demands that will be made upon us next year.

So our competitive position will be directly affected by the actions of Congress in these important fields of taxation. But meanwhile, we are pressing forward with this program of capital spending as rapidly as we can; because this race for technological advancement is one race that we cannot afford to lose, and neither, I think, can America.

Yet in spite of all we have done and are doing, foreign imports continued to increase last year, even though there was no labor negotiation to be faced, no threat of a work stoppage, and no reason for steel users to protect their supply by turning to offshore sources since domestic producers could fully meet the demand.

Now what are the root causes of this problem?

Well, whether we are talking about steel or any other industry, American production costs are inescapably related to the American standard of living; and are based upon the world's highest wage structure. Even the minimum hourly wage in this country—as fixed by our federal wage-hour laws—is substantially higher than the average wage in most foreign countries. And when you remember that, in the economy as a whole, employment costs represent more than 75 percent of all production costs, you realize why—in industries like steel—foreign-made products can often undersell ours in world markets.

I wish that some of our Congressional guests, this morning, could have been with me on my trip to Japan last month, and could have seen as I did the spectacular advances which the steel industry in that country has made since the end of World War II. Starting almost from scratch, it has become the third largest steel producer in the world, and last year it exported about 11 million tons of which nearly 5 million tons were sold in the United States.

Moreover, the Japanese have vast plans for expansion in the very near future, with the likelihood that most of this new tonnage would go into exports. So a few points of comparison between the two industries might be worthy of attention.

There is little to choose between the two as to technology, productivity, labor supply, skills and climate. The United States may have some advantage in the availability of raw materials although this is shrinking as new high-grade ore and coal sources open up around the world and as highly-efficient ocean bulk carriers go into service. The United States has the most modern and diversified transportation system in the world—a real advantage—but the location of all major Japanese plants on the Coast is a partially balancing factor. Therefore—as to these factors—our steel industry would seem to have some edge on Japan's. The only identifiable major difference among the economic factors affecting the two industries is in employment costs.

Employment costs in the Japanese steel mills are less than one-third as much as they are in the United States. And when I speak of employment costs, I am not talking about wage rates alone. I am including the whole range of benefits which the Japanese steelworkers receive.

The net result is that the Japanese mills have an advantage of from $30 to $35 a ton in employment costs alone. And beyond that their capital costs in the construction of new facilities are only about half as much as ours.

Faced by that kind of cost disadvantage, American producers have little chance of competing on a basis of price and must rely on quality, service and innovation as the primary areas of competition.

But these cost advantages which foreign producers enjoy in varying degrees in Europe and the Far East are not the only explanation of the flood of steel imports which washes up on our American shores. A basic cause lies in the excess steelmaking capacity which exists abroad and continues to increase; so that steelmakers in these countries are compelled to maintain their exports at the highest practical level. If this means that they must ship their excess tons across the seas at whatever price is necessary to get the business, then they do so—and eventually their governments or their home-market customers must subsidize these exports in one way or another.

Foreign governments use their steel industries as instruments of national policy resulting in protection of those industries. The measures they have adopted take many forms but they are designed to protect domestic markets and stimulate exports. These include tax rebates, subsidies, special shipping rates, and special depreciation allowances.

And America is a prime target for these exports because the steel market in the United States is not only the largest and most diversified in the world—it is also the most open and easily accessible in the world. Here a low tariff, averaging less than 6 percent of the value of the product, is the only barrier this country places in front of steel imports.

But in other countries it is different. When American steel goes abroad, for example, it must absorb tariffs that can be more than double the American duty and then be required to hurdle a battery of nontariff barriers which may include border taxes, surcharges, import licenses, penalties, fees and so-called equalization taxes that—in various countries—are levied on imports and rebated on exports. So the United States market is thus being used by foreign mills as a kind of "bargain basement" in which to dispose of their surplus production.

Gentlemen, there is a point—and I believe that point has been reached—where there is a limit to what we can do and still maintain the financial soundness that steel or any other industry cannot and must not jeopardize. There is a point—and I believe that point has arrived—when the import-export problem of the steel industry must be recognized in the offices of government and appropriate steps taken to solve those portions of the problem which only government can solve.

You all know what has been happening in Geneva. After years of debate, the GATT negotiations are at a virtual standstill and we in the steel industry feel certain that nothing can result which will prevent the steady deterioration of our international trade in steel.

The Trade Expansion Act expires in June and we feel it would be a tragic mistake if the Congress were merely to pass a perfunctory extension of that Act. And I gather that we are not alone in that opinion.

The Chairman of the Finance Committee, Senator Russell Long, was quoted the other day as saying: "Our trade policies need a thorough new look; and some hard-headed American businessmen are needed to devote a great deal of independent thought and study to the over-all program."

And at the annual meeting of the Trade Relations Council, Senator Everett Dirksen, the Minority Leader, expressed his "deep conviction that it is time that the Congress restore some semblance of fairness and balance to our foreign trade policy and procedures.

"We must be as zealous," he said, "in our concern for the welfare of American workers and their employers as we are for those living in distant lands . . . we as a people—and especially your Representatives in the Congress—must be farsighted enough to strengthen the American system by our wise adoption of laws calculated to foster America's strength and economic growth, rather than submissively to accept policies whose chief contribution is strengthening other nations at our expense."

Statements like these—coming as they do from both sides of the aisle—are encouraging indeed and certainly we are grateful for the efforts of many of you Members of Congress in seeking a solution to this problem. Two examples come to mind—the study of the steel import situation which is presently being conducted by the staff of the Finance Committee as the result of a resolution introduced during the last session by Senator Vance Hartke; and the hearings concerning the impact of imports on labor which were held by Congressman John Dent and his General Labor Subcommittee this past summer.

Studies and hearings of this kind are important in the determination of long-range trade policy. However, the welfare of this industry, the maintenance of the high standard of living of the American steelworkers, and—I believe it is fair to say—the security of this nation require that the Congress takes steps at this Session to enact a temporary levy on imports of foreign made steel and pig iron, so as to narrow the price differential and create a climate of more equitable competition between domestic and foreign producers who seek a share of the United States market.

What the exact terms of such a law would be, and how it should be drafted, are matters, of course, which rest with you, and we will be communicating with you individually to gain the benefit of your counsel as well—we hope—as your support.

But meanwhile if you are looking for any of those "hard-headed businessmen" that Senator Long was talking about, I must say that seated in this room today are some of the hardest-headed men that you could find anywhere. I know, because I have been competing against them and their companies for more than forty years. And every one of us wants to be helpful to you in finding a fair and workable solution to this vital problem.

I hope that, together, we can.

GETTING ALONG WITH PEOPLE

Mr. KYROS. Mr. Speaker, I ask unanimous consent that the gentleman from Colorado [Mr. ASPINALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. ASPINALL. Mr. Speaker, throughout many years now it has been my privilege to worship at the church where our own Chaplain, Dr. Edward Gardiner Latch, has been the minister. He always brings worthwhile messages to his parishioners. His sermon of Sunday, January 23, was, in my opinion, most outstanding, as he set forth for his hearers an excellent message, "Getting Along With People."

It occurred to me that it would be well to share this message with my colleagues of the House. Accordingly, I am requesting permission to insert it in the body of the RECORD. It is especially meaningful as we begin the work of a new session.

GETTING ALONG WITH PEOPLE

(By Edward Gardiner Latch, D.D., L.H.D., minister of the Metropolitan Memorial Methodist Church, Washington, D.C.)

Some time ago a minister was invited to give an address to the student body of an eastern university. In preparation for this address he talked to a number of students in the city where he was living. They told him that many speakers spoke about world affairs and contemporary problems but they felt that students wanted to know something about how to live in this world, how to face the experiences of daily living and particularly how to manage their personal relationships. One sophomore confessed to feeling alone and rejected. Said he—"I do not seem to be able to get along with anybody—my parents, my professors or my fellow students. There is something within me that makes it impossible for me to have happy personal relations. I want relief."

This brings to mind the fact that other people have the same problem. A personnel manager of a company said that in his opinion the reason why many people fail in life is not so much the lack of ability, or education, or opportunity—they simply have not learned to have satisfactory relationships with other people.

I read that at Harvard they made a study of the reasons why some 5,000 men and women failed as employees of various organizations. They discovered that one-third had failed for lack of "know-how," and to their surprise two-thirds failed for what they called "Poor adjustment to fellow workers." It was a failure in human associations; they could not get along with other people; they had not learned to manage their personal relationships.

Here is a man in business who expected to get a big promotion. He felt sure it would come and thought he had it coming to him—but it never came. When he was passed by he was left broken-hearted and dejected. His qualifications were excellent, he knew his work, he was a college graduate, but his trouble was that he could not get along with people. Said the president—"We cannot promote him to an executive position in spite of his ability and qualifications because he rubs everybody the wrong way. If he would only get enough religion to help him realize that others may be right once in a while—he might get somewhere in business." It was a failure in developing the spirit whereby he could live affirmatively with others.

Here is a minister who has a long record of brief pastorates. He manages to stay a year or two but has to move on. This particular man was an "A" student—perhaps it would have done him good to have received a few "B's" and to have played on the baseball team. He had ability, education and opportunity—but with all that, he had not learned to manage his personal relationships. To hear him talk you would think that the church was made up of difficult people. He had no idea that the difficulty might be within himself.

Here is a home in which differences allowed to continue finally lead to disillusionment and disaster. A family circle is about to be broken up. Why? Why are there so many broken homes? Is it lack of education or opportunity or knowledge? I would say "No." Many homes that are broken are broken because parents and children are not willing or able to solve the problems of personal adjustment which marriage and family life inevitably bring.

Again and again the ability and the readiness to manage our personal relationships has determined our success and the inability and the unreadiness to get along with others has decided our failure. Happy is the person who has learned this art and unhappy is he who has not learned it.

Let me add to the happiness of your life by making a few suggestions which will help you to manage your personal relationships. At the outset, let me make one observation in fairness to ourselves. There is no possible way whereby we can please everybody—and I am not giving a sermon on how to please everybody. No matter how wise we are, how kind we strive to be, how self-forgetful our attitude, there will always be at least a few people who will not be overly enthusiastic about us. Why this is so I do not know and I make no attempt to understand—I am just making a statement of fact. Try as you will, you cannot please everyone—not even Jesus did that. However, there is something we can do. We can eliminate from our own lives the attitudes and the habits and the thoughts which produce needless friction between ourselves and those about us. We can, at least, change ourselves even though it may not be possible for us to change other people.

To get along with people let us begin by learning to improve our self-mastery. It has been said that some people are moody and some are not moody; some have tempers, some do not have tempers. It would be nearer the truth to say that some people master their moods and some people do not master their moods; some people control their tempers, while other people do not control their tempers.

This lack of self-mastery, this loss of self-control has made it difficult for us to get along with others and it has often made it very difficult for others to get along with us. It is a mistake, always a mistake, never anything but a mistake to lose our self-control and to let the mastery of our moods slip away from us. We never do it without remorse setting in upon us. In an old novel I remember reading these words—"I have never hated a man in my life but what God has let me live long enough to find out that I was wrong, dead wrong. There are Jews and Yankees, I used to hate them worse than sin. But what do you reckon—Jesus, My Lord, was a Jew and Captain Tom, my friend, became a Yankee." If we would only live long enough and possess a will to understand we, too, will realize that the moods of hatred and ill will and resentment are always wrong. Always is it a mistake to lose our self-mastery.

The way to improve our self-mastery is to master our thoughts—the thought of anger, ill will, hatred, lust—the very moment we find them rising in our mind. We can master our moods, we can control our impulses, we can govern our passions if we will learn to control them in the initial state. For a moment that mood, that impulse, that passion, is only a thought and in that state it may be controlled with relative ease. The anger that issues in murder was first of all a thought. The lust that issued in adultery was first of all a thought. The hatred that resulted in a feud was first of all a thought. The resentment that finally wrecked the friendship was first of all a thought. While these evil forces are in their incipient stage they can be easily brought under control—once grown to full strength in word or deed, they may become almost invincible.

Here is the profound wisdom behind the familiar words of Jesus—"Thou shalt not kill—I say unto you thou shalt not be angry: Thou shalt not commit adultery—I say unto you thou shalt not lust: an eye for an eye, I say unto you thou shalt love." If our thoughts and desires and moods are mastered, the outward acts would never come into being at all.

When anger, lust, resentment, come barging into our minds, let us halt them. See them for what they are, refuse them entrance and close our minds to them. Let us not let them "dig into" our minds. On the other hand when love and kindness and goodness and forgiveness and truth come to our minds, see them for what they are and bid them enter and keep them alive with us. Do this and keep on doing it. Center your mind upon what is good and true and beautiful and you will begin to master your moods, and in mastering your moods, you will learn to manage your personal relationships.

My second suggestion is that we develop an interest in other people. Many people are interested in themselves and in themselves alone. They do not want to hear you talking about your problems, your troubles, your experiences—they want to talk to you about their problems, their troubles and their experiences. All too many people center their lives around themselves—as one man has said—"they are walking centers of self-interest."

One good way to manage our personal relationships is to increase our interest in what others are doing and saying and planning. People cannot help liking you if you will show a definite interest in them. Instead of talking so much, why not listen and thrill the other person with your willingness to learn. It has been said that a gossip is one who talks to you about others, a bore is one who talks to you about himself, but a brilliant conversationalist is one who talks to you about yourself. Do this, says Dale Carnegie, and you will be welcome anywhere. You can make more friends in two months by becoming interested in people than you can in two years by trying to get other people to become interested in you.

Then he goes on to tell the story of a man who had tried for years to sell coal to a large Chain-store organization—but the company continued to purchase its coal from an out-of-town dealer and to haul it right past the door of his office. During one of the classes this man poured out his indignation upon chain-stores, branding them as the curse of the nation, and he still wondered why he could not sell them coal.

It was suggested that he try different tactics and this is what happened. A debate was staged between certain members on "Resolved that the spread of the chain-store is doing the country more harm than good." This man was recommended to take the negative side, which he did and agreed to defend the chain-store. Then he went directly to the executive of the chain-store organization that he despised and said—"I am not here to try to sell coal, I have come to ask you to do me a favor." Then he told about the debate and said—"I have come to you for help because I cannot think of anyone who would be more capable of giving me the facts that I want. I want to win this debate and I would appreciate your help." Did he get help? I say he did. He asked for a few minutes and got over an hour and a half and left the office armed with all kinds of facts and when he did the executive put his arms around him, wished him well and then said—"Drop in and see me sometime and let me know how you made out. I think I would like to place an order for coal."

To him that was a miracle. Here he was offering to buy coal without his even suggesting it. He had made more head-way in two hours by becoming genuinely interested in him and his problems than he could have made in ten years by trying to get him interested in him and in his coal.

That is an old, old truth. If you want to manage your personal relationships become genuinely interested in other people and take some interest away from yourself.

My last suggestion is the simple, yet strong virtue of kindness. Learn to be kind to people. If we, as a Christian people, would be true enough to our ideals and were kind—what a stream of good will would flow into the heart of the world and what a wave of gentleness and greatness would wash the face of our globe.

If you want to manage your personal relationships learn to be kind to people, learn to love them, learn to be forgiving, learn to do them good. Sustained kindness, persistent good will, enduring love, a readiness to forgive, will ultimately break down almost every form of ill will. The experience of generations has shown that love is stronger than hate, that active kindness will conquer the most stubborn will to evil. If we meet anger with anger, hatred with hatred, cruelty with cruelty, we set up a vicious circle in which we are repaid in kind, but if we reveal the love that bears all things, believes all things, hopes all things, endures all things, the love that never fails—we will find that enmities will fade away, ill will will disappear and hatred will begin to vanish.

> "He drew a circle and shut me out,
> Heretic, rebel and a thing to flout,
> Love and I had the wit to win,
> We drew a circle and took him in."

You know from your own experience that you cannot retain the feeling of bitterness or hatred or ill will toward a person who quietly and genuinely endeavors to help you, who continually seeks your good and who is persistently kind to you, whether you are kind to him or not.

Here again is the wisdom of Jesus. His rule for dissipating bitterness is the way of an unfaltering kindness and unwearying forgiveness, an unfailing good will. "Bless them that curse you, do good to them that hate you, pray for them that despitefully use you, that you may be the children of your Father who is in heaven." Keep alive within you the thought of blessing others, doing good to others, of praying for others, of forgiving others. Keep on being kind and you will be amazed to discover how well you manage your personal relationships.

During one of the Armenian massacres during the First World War, an American girl and her brother were chased by a Turkish soldier who was determined to kill both of them. He did overtake the boy and kill him but the girl dodged down a side street and leaped over a wall and escaped. Later in the war she became a nurse and was assigned to duty in a military hospital. One day an orderly brought into her ward the Turkish soldier who had killed her brother and tried to kill her. He was desperately ill, too ill to recognize anyone—but the nurse recognized him instantly. How could she ever forget that face! The slightest inattention on her part would bring about that soldier's death and thus avenge the wrong he had done her in the past. What should that nurse do? One voice within her said—"Control yourself, become interested in him, be kind to him." Another voice said—"Forget your self-control, neglect your interest? Why be kind?" One voice cried, "revenge"—the Christ voice cried, "love." Which voice should she follow? She made her choice and nursed the soldier back to life. One day when strength had returned she saw him gazing at her in astonishment. He, too, had remembered. He beckoned to her and as she leaned over the bed he asked her why she had saved his life and she answered quietly—"I am a follower of one who said—'Thou shalt love even your enemies.'" The soldier was quiet for a long time, then whispered—"I never knew there was such a religion. I want it too."

There is a religion like that—the religion of Jesus Christ. When we give our lives to Him, when we walk in His way, when we possess His Spirit—then our self-mastery is improved, our interest in others is increased and kindness and love rules our hearts. In His Spirit we develop a personality which learns to get along with people.

THE YANKEES AND THE BOARD OF EDUCATION

Mr. KYROS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. SCHEUER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. SCHEUER. Mr. Speaker, I would like to bring to the attention of Congress the multifaceted program which was recently inaugurated by the board of education of New York City and the New York Yankees Baseball Club.

The most interesting phase of this program will occur on April 29, when 15,000 New York City high school seniors, who have attained a high academic level, will be guests of the New York Yankees at

Yankee Stadium. The development of this program is worth noting.

The Yankees and the board of education, at a joint meeting, noted that students who possess physical dexterity and ability and are able to participate in a high school sports program can receive a trophy or a letter or some other public recognition of their accomplishments. On the other hand, the student who does not posses this ability, but attains a high academic level, actually receives no public recognition. It is important that we recognize the honor students in some manner to applaud publicly his diligence in the classroom.

Going beyond the recognition of honor students, the Yankees and the board of education will work together to make Yankee ball games available to underprivileged children and reward students with good attendance records with a free ball game.

This is not the end of the community effort of the board of education and the Yankees. We are all cognizant of the school dropout figures. Students constantly receive lectures and written material urging them to stay in school. No body or no group can make a stronger impact on a youngster than a baseball player. To capitalize on the potential impact on the student, Yankee ballplayers will visit various schools and speak to students urging them to stay in school, complete their education to be prepared for a full and rewarding adult life.

Baseball is the national pastime. It is gratifying to see a professional sports organization and an organization such as the Board of Education of the City of New York working together in these noble efforts.

I am most enthusiastic about the potential results of this phase of the program. Since Yankee Stadium is located in my district, I am proud to submit into the CONGRESSIONAL RECORD this report of worthwhile community relations effort.

TO REQUIRE THAT STATE PLANS UNDER TITLES I AND XVI OF THE SOCIAL SECURITY ACT PROVIDE FOR THE ESTABLISHMENT AND MAINTENANCE OF HEALTH AND SAFETY STANDARDS FOR RENTAL HOUSING OCCUPIED BY RECIPIENTS OF ASSISTANCE UNDER SUCH TITLES ON WEDNESDAY, FEBRUARY 8, 1967

Mr. KYROS. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. ST GERMAIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, the 1960 census revealed that one-fourth of our senior citizens who have attained the age of 60 years or older did not have households of their own but rather lived in the houses of relatives, in lodging houses, or in institutions. Of the remainder, over 30 percent lived in substandard housing while many others lived in housing unsuitable or unsafe for elderly people.

Fortunately, through a number of housing-for-the-elderly projects, many of our senior citizens now enjoy a suitable place of residence. Nevertheless, there still remains a large number of elderly citizens who live in substandard or unsuitable housing. And though more housing projects for the elderly are being built, other means must be sought to protect our senior citizens from the plight of substandard housing.

Our beloved late President John F. Kennedy, in a speech before the Congress on February 21, 1963, spoke about the substandard housing and exorbitant rentals to which our senior citizens are subjected and proposed that the Federal Government require that as a condition for receiving Federal grants for old-age assistance under social security a State's plan must establish and maintain standards of health and safety for housing rented to recipients of old-age assistance.

Much to my dismay, President Kennedy's proposal, which would have quickly eliminated substandard housing for recipients of old-age assistance, was never adopted.

As a member of the Housing subcommittee and as a Representative from a district in which much housing for the elderly has been proposed and completed, I have been intimately involved in this problem of providing suitable housing for our senior citizens. I know quite well this problem of substandard housing that casts its ugly shadow over the golden years of these citizens.

Therefore, Mr. Speaker, I would like to offer to this House today a bill which would provide a solution for those senior citizens who, because they are unable to gain residence in an elderly housing project, are confronted with this ugly problem of substandard housing. This bill represents for me a continuation of the fight for decent housing for our senior citizens that was begun by our late President Kennedy.

If this bill were to be enacted, all States would be required to establish and maintain health and safety standards for rental housing occupied by recipients of aid to the aged, blind, disabled, and dependent children. It would provide the States with broad latitude in furnishing realistic protection for our senior citizens, the blind and disabled and also would allow the States adequate time in which to implement their provisions.

Though some legislative action has been taken on the State level to combat this problem of substandard housing, the need for Federal legislative action still remains great. We must not remain idle while assistance payments are used to subsidize the slums of our Nation.

In his address to the Congress on February 21, 1963, President Kennedy said:

> It is estimated that old-age assistance payments presently going into payments of rent equal some half a billion dollars a year—a fourth of the $2 billion total that is expended in federal, state, and local funds for all old-age assistance. These funds should not subsidize substandard housing. The establishment of state rental housing standards is long overdue.

Mr. Speaker, I would like to bring to the attention of my colleagues what some States are doing to combat the problem of substandard housing for I feel that they can prove to be an excellent source of reference.

The State of Illinois has a statute that authorizes municipalities, under specified conditions, to demolish or repair unsafe buildings. It authorizes any municipality to adopt an ordinance requiring multiple-dwelling properties to meet certain minimum standards of health and safety. When a landlord refuses to comply with such minimum standards, after notice and reasonable time are given to do so, the municipality may take one of two alternative courses: First, apply to a court for a mandatory injunction requiring compliance, or second, request the appointment of a receiver to collect all rental income derived from the substandard property and apply it toward rehabilitation. In the event such income is not sufficient to cover maintenance and rehabilitation expenses, the receiver may issue freely transferrable certificates to creditors involved in the rehabilitation. The holders of these certificates, under the terms of the statute, have a first lien, after taxes, upon the rehabilitated property and its rental income provided that they record such liens within 60 days after receipt of the certificate.

The State of Massachusetts authorizes the Massachusetts Public Health Department to adopt and promulgate a State sanitary code which prescribes minimum standards of health and safety for rental properties and penalties for violations. Either the tenant or the local health department may file a petition in the district court alleging that certain rental properties violate the code. If the court finds that violations exist, it may issue a written order authorizing, first, the tenant to pay the rent to the clerk of the court, and second, the clerk to expend the rental income for the correction of violations and turn over any balance to the landlord after the deficiencies have been corrected.

The tenant or the local health department also may file a petition with the superior court. If this court finds that a violation exists, it may issue an injunction requiring the landlord to comply with the code. The court may also appoint a receiver to collect withheld rental income and apply it to repairs and rehabilitation expenses. If this income is insufficient to cover expenses, the receiver may petition the court for leave to apply for financial assistance from the State to supplement the funds available from rents. This deficiency becomes a contractual debt running from the landlord to the State and the debt becomes a lien on the land in favor of the State.

A failure to comply with an order after notice and reasonable time subjects the landlord to a penalty of up to $500 for each code violation. If the landlord refuses to comply for more than 1 year after notice of a code violation, the local health department may demolish or remove the premises. The expenses of repair or demolition are charged to the landlord and become a lien on the land involved.

In the State of New Jersey the State bureau of housing is authorized to establish a State housing code on or before December 18, 1966. Any municipality many subsequently adopt an ordinance based upon this code. The ordinance, when enacted, should be designed to insure the improvement of substandard apartments. It should also provide for the appointment of a public officer who will implement the program for the improvement of dilapidated properties.

When the public officer's preliminary investigation discloses a housing code violation, he should notify the landlord and request him to appear for a hearing on the matter. If the hearing confirms the violation, the public officer sends an order to the landlord requiring his compliance with the order. After a failure or a refusal to comply with the order, the public officer may impose rent control if the landlord's substandard apartment does not satisfy minimum standards of safety and sanitation. The public official, with the consent of the municipality, may petition the court for appointment of a receiver to collect the rents and use such income for rehabilitation expenses, payment of penalties, or other purposes approved by the court. Under this plan of rent control, the landlord may be entitled to receive a portion of rents due under certain conditions prescribed by the statute.

Mr. Speaker, Federal action is needed now to assure that the Government's money is not used to subsidize our Nation's slums. We must provide the States with the necessary impetus to enact suitable legislation for the assurance of adequate housing not only for the aged but for all our citizens.

THE LATE JOHN E. FOGARTY

Mr. KYROS. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. St Germain] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, on Wednesday, January 18, this House paid tribute to the late John E. Fogarty at which time many fine eulogies were delivered in commemoration of this most extraordinary man.

For the benefit of my colleagues in gaining a greater insight into the life of John Fogarty I would like to insert into the Record a letter written to Congressman Fogarty's widow, Luise, by his Godson, Joseph McLaughlin.

January 18, 1966.

Dear Luise: I don't think I have to tell you how sorry I am to hear of John's death. I considered him to be perhaps the greatest man that I ever knew and to be his Godson was the greatest honor ever bestowed on me. I don't think I will ever forget him and I will always remember him in my prayers.

Luise, this is the honest to God truth, all through my life I have always dreamed of being as great as him and to be humble like him. I know this would be and will be impossible but if I could get just half as great as he was, I would be very happy and satisfied. I really was proud of him and everytime I stood next to him my head would be as high as ever. I only wish I could be home right now to see you and tell you, but that is impossible. I will be home Feb. 14 and I hope that I will be able to see you.

From the bottom of my heart, soul and body, may God shower His blessings on both you and Mary.

Always,

Joey.

P.S.—Luise, he was by far the greatest man that I ever knew.

SUB-PAR PAY OF OUR MAILMEN AND POSTAL CLERKS

Mr. KYROS. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Van Deerlin] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. VAN DEERLIN. Mr. Speaker, I am today introducing legislation that is designed to correct a long-standing injustice: the sub-par pay of our Nation's mailmen and postal clerks.

In 1962, Congress promised the postal workers true comparability—salaries equivalent to the wages of workers holding comparable jobs in private industry. That promise has yet to be fulfilled.

For today, a starting letter carrier earns only $5,331 a year. And he must toil for 21 years to achieve the top pay scale for his level in the postal field service salary schedule. I personally cannot accept the implication that it takes more than two decades to achieve maximum proficiency in this calling.

My bill would adjust the pay of letter carriers and distribution and window clerks by advancing them from level 4 to level 5 in pay schedule. In addition, the first two steps in level 5 would be eliminated, leaving only 10 steps in the level. As a result, it would take postal clerks and carriers 15 years to reach the top of the level, instead of the present 21 years.

The legislation also would provide substantial increases for Post Office personnel in lower grades, including janitors, elevator operators, order fillers, guards, file clerks, typists, mail handlers and garagemen. All would be moved up to the next level in the salary schedule, with the resulting increases averaging about 14 percent.

Can we do less? In my own city of San Diego, for instance, a mail carrier in his third year earns less than a meter maid with similar experience. I certainly do not advocate reducing the salaries of the meter maids, who perform a valuable public service, but I do feel strongly that the mailmen should be paid at least as well.

My legislation has been endorsed by a distinguished resident of my district, S. A. Zitnay, president of Branch 70 of the National Association of Letter Carriers.

Mr. Zitnay has advised me that his 700 carriers earn about 80 cents an hour less than the prevailing wage for industrial workers in the San Diego area. The hourly gap translates into a weekly deficit of approximately $32, or an annual difference of more than $1,600.

Our national economy depends to a large extent on the efficiency and devotion of our 150,000 letter carriers. We must act now to make postal compensation attractive enough to recruit career-minded individuals for the postal service while at the same time retaining experienced personnel.

AGRICULTURE: PAST AND FUTURE

Mr. KYROS. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Purcell] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. PURCELL. Mr. Speaker, as we begin this new year and this new Congress, I believe it is appropriate for us to take stock, to see where we have been in order that we may better know where we should go. In that connection I would like to direct the attention of my colleagues for a few moments to our agricultural programs. The flexibility built into the Food and Agriculture Act of 1965 is demonstrating its value season by season.

President Johnson said when he signed the legislation that it would enable us to "reap the wisdom of three decades of trial and error," setting the course of a "farm policy geared to growth." He said it would strengthen the competitive position of U.S. cotton, wheat, and feed grains in world markets, help reduce surpluses, help improve farm income and assure consumers of reasonable prices. His statement was prophetic.

As we look at the progress made under this new legislation, we find it is even exceeding our expectations.

Surpluses of grain are gone, and the surplus of cotton is being brought down. The Commodity Credit Corporation at the end of 1966 had an investment in commodities of only $4.4 billion, compared with a peak investment of $8 billion at the end of 1963. This is a reduction of 45 percent, and thanks to the Food and Agriculture Act of 1965, we can look forward to a balance between supply and demand—with adequate reserves for protection.

The new cotton program is providing producers fully $200 million more this year than they would have had under the previous legislation. That is an increase of about one-fourth. Furthermore, by the end of the marketing year the surplus will be down by one-third.

Wheat income in 1966 was the highest in 15 years. At $2.7 billion, it was fully half a billion dollars more than in any recent year. Wheat exports the first 6 months of this marketing year were 42.5 million bushels higher than in the same period last year. The exports and inspections for export through December added up to 435,854,000 bushels including the wheat equivalent of the flour exports. The comparable figure last year was 393,319,000. With the wheat surplus down, the flexible program provides for increased allotments so that farmers can continue to participate in the program and earn wheat certificates while increasing their production if they care to.

With the feed grain surplus a thing of the past, the program for 1967 calls for only half as much acreage diversion as in 1966. There is no diversion payment, except for farms with very small base acreages, but price-support levels are up 5 cents for corn and 9 cents for grain sorghum. Barley is not in the program this year, and the barley loan rate is up 10 cents a bushel. Feed grain producers who want to grow soybeans on their feed grain acreage may do so and still be eligible for feed grain price-support payments just as if they planted corn or grain sorghum. Thus, the feed grain program is another excellent example of the importance of flexible legislation.

All told, the acreage being returned to production this year as a result of flexible program operations may be as much as 30 million acres, about half of what was diverted under programs last year. However, this is a far cry from doing away with programs. Farmers have probably 160 million acres of land that could be planted to crops very quickly—without clearing woods or installing any irrigation or drainage systems. This means that for every 2 acres planted last year there was at least another acre available for planting. And last year our total crop production was as large as the Nation ever has had in any year but one. The capacity for surplus production is still there. But the flexible program legislation is helping us produce for market—not for Government storage.

Meanwhile, consumers continue to get good treatment. Last year they spent only 18.2 percent of their disposable income for food as against 25.7 percent 20 years ago. As Secretary of Agriculture Orville Freeman has said, the consumer food bill would have been $123 billion last year instead of the actual $91 billion—a difference of $32 billion—if farm prices had kept up with food prices during the past 20 years. However, farmers now get only 5.5 percent of consumers' expenditures for food, while in 1947 they got twice that percentage.

Nevertheless, farm income has been rising and last year went to a record $16.3 billion. The comparable figure for 1960 was $11.7 billion. We must direct very close attention to the vital need to increase farm income.

Farmers still do not have parity of income, but with the aid of the Food and Agriculture Act of 1965 they are making progress toward that goal.

Mr. Speaker, this morning the Secretary of Agriculture appeared before a session of the House Committee on Agriculture. He outlined for us the current operations of the Department of Agriculture, the goals for which the Department is currently striving, reviewed the accomplishments of the past, and projected the problems and prospects for the future.

At this point in the Record, Mr. Speaker, I would like to include that portion of Secretary Freeman's remarks to the committee this morning which were included in his prepared statement:

Statement of the Secretary of Agriculture, Orville L. Freeman, Before the House Committee on Agriculture, February 8, 1967

My testimony today takes a somewhat different approach from that of earlier years. It seemed to me that the most useful information I could bring to all of you, but especially the new members, at this time would be a summary of the overall organization, the policies, and the program goals of the United States Department of Agriculture. Knowledgeable senior members know this, but even they might benefit from a quick review.

First of all, I would direct your attention to an organizational chart of the Department. In a moment I shall go over it with you in some detail. Then we shall proceed to other charts that I have brought along today so I can present my testimony in the most graphic manner possible.

Back in 1862, when your predecessors in the Congress established a Cabinet post for agriculture, President Lincoln called his new agency, "The People's Department."

Over the intervening years—while serving as a people's department—we have become increasingly mission-oriented. More and more, we try to coordinate and integrate this great Department from a functional perspective tied to our goals or missions. We budget our financial resources according to the departmentalized picture you see on this first chart, but in achieving our objectives—in carrying forward the respective programs to reach our goals—we frequently obliterate agency lines.

Let me cite an example. Maintaining and increasing farm income is a primary goal of the USDA. But no single agency performs all the tasks contributing to that objective. Obviously, the Agricultural Stabilization and Conservation Service plays an important role through the commodity programs that it administers. But so do the agencies of research and soil conservation and the Farmers Home Administration loan programs. Meat inspection is important, too. This is a vital service employing 4,277 persons, costing about $50 million, and inspecting 50 billion pounds of meat yearly. An effective inspection service affects farm income very importantly.

The point I want to make is that if we are to give the best service, we must keep our eye on the goal we want to reach and draw upon all personnel and resources, throughout the entire Department, to reach it. We must be careful not to get pressed into narrow organizational compartments, but rather to pool our resources across agency lines so that we can move toward our targets and goals as efficiently and expeditiously as possible.

I have been trying—I am trying—to identify our overall Department goals so the public will understand what the USDA really does . . . and so the people in our own Department (and this is extremely important) will identify with them. Only in this way will the public understand and use these services, and will our employees, regardless of how humble their work, feel they are a part of these efforts.

I am in the process of trying to further this objective by making six major addresses setting out Department policy. In them, I am enunciating the six primary missions and goals of the U.S. Department of Agriculture under the title, "Agriculture/2000."

At first blush, the year 2000 seems eons away. But it is not. In this era of lightning change it is incumbent upon us to think 33 years ahead and to plan accordingly. Actually, we are midway between the first years of the New Deal and the turn of the 21st century. I am sure that Chairman, for one, well remembers the agricultural acts of the early '30s. It is entirely likely that one of you newer members, sitting here today, will be in the chair at the head of this table when the new century arrives.

I have asked myself what agriculture will be like in the year 2000 . . . what conservation will be like, and communications, and research, and even life itself. What can we do today to contribute to the kind of United States that we hope to leave to our children in the 21st century?

Let me summarize, then, my objectives as I seek to define USDA goals in these early weeks of 1967:

1. To reach the good people of the Department of Agriculture . . . to make them feel that all of them have an important part to play in reaching our goals.

2. To inform the public so that they may understand the extent and magnitude and purpose of what we are trying to do.

(If you could read some of the 600,000 letters that Americans write to us every year, I think you would be surprised at how many people are confused about our role in U.S. life. We try to answer those letters . . . even the one from the lady who wrote us last week saying, "I understand there is a machine to manufacture eggs, and I need information on it."

(That was easier to answer than the question of a man who asked for a home brew recipe, and pointed out, "If I can change the taste of my formula, I can get 25 cents more a bottle for it." We suggested that he check with the Treasury Department before he went any further.)

3. Finally, for the benefit of the Department and the nation, we are hopeful that this process will make it possible to raise our sights and shape our programs more intelligently in the days ahead. We all want to do today what will mean a better U.S.A. come the year 2000.

THE HONORABLE W. PRESTON LANE, JR.

Mr. KYROS. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. Long] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. LONG of Maryland. Mr. Speaker, from 1947 to 1951 the Governor of Maryland was a man of virtue and courage, a man who, despite a brilliant record of achievement, was defeated for reelection precisely because he had the courage to champion a righteous but unpopular cause. Yesterday former Governor W. Preston Lane, Jr., died in his home of a heart attack. Today, all of Maryland mourns the loss of the man who initiated the State sales tax, constructed the Bay Bridge, and made vast improvements in the quality of education. Mr. Speaker, I can do no better than to share with my colleagues the moving tribute paid to Mr. Lane by the editorial of February 8 in the Baltimore Sun:

W. Preston Lane, Jr.

In the list of Marylanders of stateman's stature, Preston Lane will have an honored place. He was a man of vision, intelligence and character. Above all, he was a man of courage. A citation for gallantry as an officer of the 115th Infantry in the Meuse-Argonne fighting of World War I testified to his physical courage; and his political courage was no less. Once the two were demonstrated together. In the early Thirties, when the State was disgraced by two lynchings on the Eastern Shore, Lane was attorney general. Warned that if he crossed the Bay to direct the search for the lynchers he faced violence, and beyond that an end to any political aspirations, he crossed the Bay. Stonings of his car did not deter him. "I detest and abhor intolerance and bigotry," he said, and so he did, all his life.

The passions of that time had subsided by 1946, when he was elected governor, but Lane had not changed. Politically, the fiscal reform he proposed in 1947, including as it did the sales tax, was said to be an invitation to personal disaster. He pressed for the program, and got it, and the condition of the State's financial affairs today serves as a reminder that the program carried us for almost two decades. There were other accomplishments: the realization of the 40-year-old dream of a bridge across the Bay, notable progress in road-building, a vast improvement in the quality of education in Maryland. But at the end of four years the prophets of political gloom were proven right, and the voters whose affairs had been so benefited by their own sales-tax pennies repudiated Lane in his attempt to win reelection. In disappointment, and in honor and dignity, he left the stage of public office.

The other aspects of his career, in the law, in business, in newspaper publishing, require no recitation. In all these fields, as in politics, he was an ornament to the State of which he and his forebears were citizens. As Maryland honors him today in death, those who knew Preston Lane grieve also at the passing of a friend of unforgettable warmth, wit and charm.

"WHY I LIKE BALTIMORE, OUR BALTIMORE" ESSAY CONTEST

Mr. KYROS. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. FRIEDEL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. FRIEDEL. Mr. Speaker, the Maryland Improvement Contractors Association, dedicated to home improvement and civic activities, has announced the winners of its "Why I Like Baltimore, Our Baltimore" essay contest, conducted in tribute to the 50th anniversary of the municipal anthem, "Baltimore, Our Baltimore."

It is significant that Baltimore, which is the birthplace of the Star-Spangled Banner, has also given birth to its own unique municipal anthem.

Mrs. Billie Wells Keller, of 4021 Lyndale Avenue, Baltimore, Md., was selected as the first prize winner and received a $25 U.S. savings bond.

The project was conducted under the auspices of the Maryland Improvement Contractors Association's officers and board members: Paul Caplan, president; Philip Baron, vice president; Fred Stoddard, acting secretary; James J. Oliver, treasurer; Milton Rabovsky, executive secretary; William H. Klarner, past president; and Milton Bates and William Lobe, board members.

Since the essays are so well written and carry a message which should be of interest beyond the confines of Baltimore City, I take pleasure in presenting them for inclusion in the CONGRESSIONAL RECORD:

WHY I LIKE BALTIMORE, OUR BALTIMORE

(By Mrs. Billie Wells Keller, Baltimore, Md.)

(Winner of first prize in essay contest conducted by Maryland Improvement Contractors Association)

Can anyone resist her?

Unforgettable; clothed in the four seasons; snug between the mountains in the west and the seashore on the east:

In spring she is especially delightful and teasing. Your heart is instinctively caught up in the gayety and new life of her mood.

Come June, she begins to sun herself in traditional summer fun; sailing, fishing, swimming, clamming, crabbing.

Ah, but autumn catches our lady dressed in brilliant color, the sun spinning magic upon her blazon hair. You see her everywhere—football games, hunting, the races, hiking through the crisp late afternoon.

But there is a calm and tranquility in her winters. Serene in her white mantle, with lights reflecting upon her face like candles in a hallowed place.

Her diary she leaves discreetly open, being careful not to bore us with a mass of details, annoying statistics, what would seem a boastfully long list of "firsts" and record of phenomenal growth in cultural, scientific, maritime, commercial and industrial achievements. Her youth is astounding when compared to her accomplishments.

Look at her trim modern lines; note her get-up-and-go attitude. She is Tradition done up in contemporary attire; quiet or bustling; flourishing port of entry; hub of immense aid traffic; numerous manufactures; "Queen City of the Chesapeake"; a woman of purpose and dedication; beautiful, historic; a pleasurable place to live and work.

Once you hitch your wagon to her Star, wherever you travel you always return or harbor the desire to do so, for our *Baltimore* has a hum and song all her own. The lyrics, the melody fill my eyes, my ears, my heart—and I love her.

Can anyone resist?

WHY I LIKE BALTIMORE, OUR BALTIMORE

(By Mrs. Sadie Feldman, Baltimore, Md.)

(Winner of second prize in essay contest conducted by Maryland Improvement Contractors Association)

Come, let me introduce you to a beautiful lady, a most gracious lady in the family of American cities. Her name: Baltimore.

Sometimes, this charming lady resembles her Southern sisters, having a passion for horse racing, and the fact that tobacco has played an important part in her birth and growth.

Then, too, she resembles her Northern siblings, with her bustling harbor, her factories, such as Bethlehem Steel; her industrial plants, such as the McCormick Spice Company. The Baltimore & Ohio Railroad, Western Electric, and Glenn L. Martin have all made her immediately accessible to any part of the world.

Among her proud memories is the fiery night Francis Scott Key stood on a ship, and thankfully found his Star-Spangled Banner flying over Fort McHenry.

There has been tragedy, too, in the lady's life. The Baltimore Fire of 1904, when hungry flames consumed the entire business district. It was then that she was challenged to grow from an awkward, dreamy teenager into a great modern city.

Many suitors have come to woo her with generous gifts. Johns Hopkins, with a great University and Medical School; Enoch Pratt, with a remarkable Library; George Peabody, with an endowment for a fine Music School.

Yet, with all this, she refuses to wear the same dress and hair style as her sisters. Her distinctive row houses with the white marble steps have housed such famous personalities as Babe Ruth, Betsy Patterson, Edgar Allan Poe, and the Duchess of Windsor. She shyly admits that she has more monuments for her population than any other American city, and that she was the first city to erect a monument to George Washington.

She boasts proudly of the World Champion Orioles, the Colts, and the delectable Chesapeake Bay crabs and oysters. She displays with pride her great architectural achievements—the harbor tunnel, the Charles Center, and a fantastic Beltway encircling her like a giant belt.

The lady has a personality and quaint charm all her own. However, as a city, Baltimore is as strong as her port, as dynamic as her modern highways and architecture, as dignified as her monuments, and as varied as her memories.

I am proud to have known her, and prouder still that I am a Baltimorean.

INACTIVATION OF RESERVE UNITS

Mr. KYROS. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. HAMILTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. HAMILTON. Mr. Speaker, I wish to protest the proposed inactivation of six Air National Guard units and eight Air Force Reserve units, as proposed by the Secretary of Defense.

Since the inactivation was announced December 8, 1965, I have had several meetings with officials of the Defense Department and the Department of Air Force. I was told repeatedly that these units are well trained, proficient, and capable. It seems ironic, then, at this juncture of our history, the Department of Defense has determined to inactivate these skilled, competent men.

The eight Air Force Reserve units facing inactivation carried out more than 4,900 missions during 1966, hauling 4,100 tons of cargo and transporting 23,800 passengers. I am not familiar with the work of all these units, but I am with the work of the 434th Troop Carrier Wing, stationed at Bakalar Air Force Base, Columbus, Ind.

The 434th is one of those wings slated for inactivation, yet, in spite of this demoralizing decision, the officers and men flew a total of 7,665 hours in 1966 and achieved the highest level of proficiency in the history of the wing.

In addition to meeting the training requirements of Tactical Air Command, the wing flew 40 MAC support missions; 29 airborne supply missions; 16 air evacuation training missions and 17 combat leave missions, that is, flying military personnel during the airline strike last year.

The wing also was selected for two TAC research programs—the Slingshot Positive Aerial Delivery System—SPADS—and a navigational proficiency exercise called the Timing Point System.

Both programs were highly successful.

But, perhaps most important of all, this unit kept its combat readiness proficiency at the very highest level in the face of the Defense Department's deci-

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sion that these men were no longer needed.

The Honorable Mendel Rivers, chairman of the House Armed Services Committee, has said the proposed deactivation of these units should be deferred until the conflict in southeast Asia is resolved and until a thorough study of this country's tactical airlift requirements is completed. I agree.

If there are men as skilled as are the men of the 434th—men whose skills are recognized in continued high proficiency ratings—and if there is a need for short haul aircraft, why inactivate them?

There are more than 9,800 skilled and dedicated officers and airmen facing inactivation in the Reserve and Guard inactivation. This training alone represents a national asset of millions of dollars.

It is not at all inconceivable that our national defense will be affected by their loss. Any action to inactivate units of proved combat capability should be weighed very carefully at this time.

I urge Congress te act now to forestall this impending inactivation by expressing its will that these units be continued.

UPWARD BOUND

Mr. KYROS. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Thompson] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. THOMPSON of New Jersey. Mr. Speaker, one of the most superb antipoverty efforts launched under the community action program is Upward Bound, which involves disadvantaged and underachieving high school students in an intensive year-round program of educational and cultural enrichment, leading to a permanent escape from poverty through a college education. Upward Bound provides not only learning, but the motivation and self-confidence which are so crucial to success in life. And it is succeeding beyond the fondest hopes of its creators at the Office of Economic Opportunity. Seventy-five percent of all Upward Bound students are going on to college—compared to 50 percent of all American youth—yet hardly any of them could have dreamed of college before they found Upward Bound: Only 8 percent of poverty-level youth have gone to college in the past, and these exceptional students are not the underachievers that Upward Bound selects. And it appears that most Upward Bound graduates will go on to complete their college education.

Mr. Speaker, so far only about 20,000 needy young Americans have been able to take advantage of Upward Bound although no less than 700,000 of our young people could vastly benefit from this outstanding program. This year, more than 420 colleges and universities have applied for participation in Upward Bound, but limited OEO funds will permit only 245 of these institutions to operate Upward Bound programs in 1967.

Mr. Speaker, there is no more serious question confronting our Nation today than whether hundreds of thousands of American youth are to be "poverty bound" or "upward bound," on the road to opportunity and responsible, productive lives. The Upward Bound program deserves the strong support of every Member of this body, if victory is to be achieved in the war on poverty.

Mr. Speaker, as an indication of the tremendous success of Upward Bound, I ask permission to have inserted at this point in the Record a collection of newspaper articles on the program which have appeared in papers all across the country in recent months. These stories are merely a representative sampling of press coverage of Upward Bound, and I think the message they convey is worth the very closest attention of my distinguished colleagues:

[From the Trenton (N.J.) Sunday Times-Advertiser, July 17, 1966]

THEY RESCUE BRAINS: CREATING A NEW WORLD—UPWARD BOUND

(By Susan Schildkraut)

"What a wonderful opportunity. We're able to create our own world: nothing is ready-made. It's a once in a lifetime experience."

These words were spoken by a high school drop-out, one of many intelligent and talented, but economically and culturally underprivileged youngsters benefiting from this summer's Upward Bound program.

Upward Bound, a nationwide project sponsored by the Office of Economic Opportunity, is holding two programs in New Jersey this summer: one at Rutgers and one at Trenton State College. The former is designed to accommodate 150 students, the latter, 50. Both are co-ed.

Most of the participants, who were chosen by their high school guidance counsellors and interviewers from United Progress, Inc., are going into either their junior or senior year in high schools all over the state. Some, however, are drop-outs who have joined the program with the hope of reentering school in the fall.

The goal of Upward Bound is to provide these youngsters with a new experience in learning and to channel their enormous potential into worth-while projects. One of the stated aims of the program is "to rescue the youngster whose brains and ability may be lost to society, or worse yet, be directed against society, unless he can be motivated to apply his talents and energies constructively."

But Upward Bound is not just a one-summer project: its follow-up program is designed to continue guidance throughout the year, and many of the students will return to the same college campuses next summer to continue their studies.

HAVE FREE HAND

The co-directors of the Trenton State College program, David Austin and Robert Mehlman, have been given a unique opportunity. Since the college has never before had an Upward Bound project, these men were free to let their creative imaginations run wild in planning a curriculum. And the results have been astounding.

The students live at Trenton State for six weeks. The first week, which began on June 26, was used primarily for acquainting the youngsters with all of the academic possibilities. By the second week, they had been divided into preference groups: each student had chosen two courses on which to concentrate for the rest of the summer.

The courses are extraordinary. Each is geared to make the subjects relevant to the pupils themselves. The classroom atmospheres are relaxed: there are no tests, no grades, and no text books. Instead of reading theories which are meaningless to their every-day experience, the students learn by participating.

The city planning class, for instance, was given a tour of Trenton, a city which many of them see every day of their lives, but which few ever really looked at. They were taught to view it in a wholly new perspective. They had never before been forced to think creatively about architecture, zoning, landscaping and many problems which confront city planners. Said one of the pupils, "Whenever I go into Trenton now, I feel like I'm seeing it for the first time."

PLANNING CITY

The class was then divided into two groups, with seven students in each. One group is planning a utopian city. Each student is a commissioner who deals with one specific aspect of the city's growth.

The enthusiasm shown by the youngsters is gratifying. Although there is no assigned homework, many of them return the next day with plans that they've worked on at night; and the healthy classroom arguing that goes on shows how deeply involved the students are with their work.

The other group is designing a playground. The city of Trenton has been generous enough to give them an actual lot on Decatur Street, and a budget to work with. Directed by an architect, the youngsters are constantly submitting and revising plans.

The film-making class, too, is out of the ordinary. One of the greatest problems for these students is relating to others. Because of lack of verbal communication in their home environments, many of them had never discussed things beyond the latest fashions or the newest records.

But by working with tape recorders, cameras, and even a monitoring television, they are learning about communication. They are defining themselves, their goals, and learning to develop a sense of identity.

Everything is done to create a relaxed atmosphere: even coffee and donuts are served during class. And the warm feeling of community which pervades the workshop is testimony to the effectiveness of the program.

WRITING MUSICAL

The creative approach to learning extends to music class, where the students are taking the music from the Broadway hit, "Mr. Wonderful," and are writing their own script. Casting, directing, and technical work will be done entirely by the students, and the final production will be open to the public during the first week in August.

Upward Bound is free to make use of all the college facilities, and Trenton State itself has a financial commitment to the project: it contributed 10 per cent of the funds. The students have classes in arts and crafts, industrial arts, science, social studies, and even print their own newspaper called "The Syncopated Times."

Everything is run on a voluntary basis. No student is forced to participate in anything he dislikes. But it generally happens that the enthusiastic youngsters want to do everything all of the time.

During their free hours, the students play basketball, baseball, take swimming lessons or join the modern dance classes. In the evenings, they have movies, dances, or just free time to watch television, play ping-pong and pool, or go out bowling.

The faculty consists of regular Trenton State teachers and several teachers from the students' own high schools, who will continue to provide guidance throughout the year as well as furnish information on colleges. In highly specialized fields, regular professionals were called in: Robert and Virginia Bell instruct in the techniques of film making, and architects from the firm of Richard Cripps in Lambertville take turns teaching the city planning course.

TUTORS USED

The teachers are assisted by 11 "tutors," or regular Trenton State students, who help to advise the program's participants and make them feel at home. The keynote of Upward Bound is mobility, and the youngsters, if accompanied by a tutor, can leave the campus to find recreation in town or to drive to the nearest bowling alley or restaurant. It is hoped that by forming friendships with actual students, the group will be encouraged to return to Trenton State for visits during the winter.

"Before I came here, I always thought a teacher was a perfect being," remarked one student, "somewhere up in the clouds. I never imagined that they were real people who make mistakes and who are interested in helping you."

The students have a chance to see their teachers and education itself in a new light. Faculty members accompany the group to plays, on field trips and even on overnight camping trips. And the rapport which has been established among the group members themselves is inspiring. Said director David Austin with a smile, "Yes, everything is going so well that I'm wondering if we chose the right kids."

[From the National Observer, Aug. 15, 1966]

TURNING UP TALENT: "UPWARD BOUND" BRINGS UNUSUAL TYPE OF STUDENT TO THE CAMPUS

NEW HAVEN, CONN.—In the Common Room of the Yale Divinity School, under the stern gaze of famous preachers portrayed on the walls, 150 high-school boys rendered last week a new folk tune, and here is how it begins:

I am a frustrated underachiever,
Been underachievin' for all of my days,
They sent me to Yale for to get motivated,
So when I return home I'll get me all A's.
So God Bless the Office of Economic
Opportunity,
And the Science Foundation for whatever
they do,
Bless Boolean Algebra and Advanced
Composition,
And God bless the running water too.

These were students at the Yale Summer High School, and they were there, as the song indicates, because they are poor, bright, and not doing as well in school as they ought to be. Just past their sophomore and junior years in high school, they come from 35 states, two-thirds from urban and one-third from rural environments. Nearly half are white, nearly half are Negro; some are American Indians, and several are Mexican-Americans, Puerto Ricans, and Cubans whose principal language at home is Spanish.

UPWARD BOUND

The Yale Summer High School is part of the Federal antipoverty program known as Upward Bound. The stated object of Upward Bound is to discover capable boys and girls who would not be likely to attend college and direct them toward and prepare them for college work. In other words, discover and utilize promising talent that might otherwise be overlooked.

There were 224 such programs nationwide this summer, operating primarily at colleges, enrolling 20,418 students, at a cost to the Government of $27,674,577. Several dozen other programs, similar in scope, using both public and private funds, were also functioning this summer.

If its broadest goals are realized, Upward Bound's effect will carry further than the 20,000 students, their families, their friends at school. "We're trying to open some doors, bring some ventilation, into the relations between colleges and secondary schools," says Dr. Richard T. Frost, on leave from Reed College to serve as director of Upward Bound. "We want the colleges to be prepared for this type of youngster, who does not have the conventional talents, conventionally measured. They have seldom dealt with these youngsters before and most of them don't know how."

Yale's program is one of Upward Bound's demonstration projects and in some ways not typical. It was founded in 1964, a year before the national program, as Yale's response to President Kennedy's request that some of the nation's most prestigious schools do what they could for this type of student.

The Summer High School's student body is almost certainly better than most. Last year's average I.Q. was 122, for example, and this year's was higher.

The students are recruited nationwide; most Upward Bound programs draw only from their own communities. Fifty of the 150 students here were in their second summer—mainly boys who, the leaders felt, could aspire to the prestigious schools with a little extra concentrated work.

They are also adjudged leaders, usually with high aspirations at the start. As the song, written by students, suggests, they are not unsophisticated. They are aware of their status, their academic record, and their opportunities. There seems little doubt that most of them want to take advantage of these opportunities.

THE FULL SCHEDULE

The boys were driven harder, academically, than in almost any other program and they reveled in it. They attended class six days a week, with one free period all day and required study in the dorms at night. They heard impressive visiting speakers, attended Shakespearean plays at Stratford, Conn., took field trips to New York City and various New England spots.

They took courses in fiction, poetry, advanced composition, the history of art, Shakespeare, number patterns, advanced algebra, Boolean algebra, experimental physics, and computer science, among others. They participated in such seminars as The Living City, Protest and Problems, and International Relations. Their homework assignments ran to hundreds of pages nightly.

The youngsters griped at the workload, as youngsters will, but they would have it no other way. As the session drew to last week's close, Joel L. Fleishman, assistant to the president of Yale and director of the Summer High School, brought small groups to his apartment for a critique.

One set of nine boys, while consuming 20 quarts of ginger ale, 3 bags of cookies, 2 boxes of potato chips, and 2 boxes of pretzels in one such gathering, engaged in a philosophical discussion of the program, pointing to this conclusion: We have never had this chance before, and we'd be foolish not to take advantage of it now.

"WE'RE BETTER OFF"

They complained about the eggs in the dining hall and about the absence of girls. But the benediction came from Curt Martin, a brilliant athlete as well as a fine student and wit from Kansas City: "I've got tears in my eyes when I say it, but I've got to admit, we're better off without girls around."

Mr. Fleishman believes strongly in a rigorous academic effort and worries that some similar programs are too casual in their approach. "We've got a short time to instil in these youngsters a love of learning," he says. "It's too easy to be impressed by what you think you are doing for them and to offer them what amounts to one pleasant summer. In the long run, what good will that do?"

Mr. Fleishman's philosophy is this: "We hope to find bright and talented students who come from backgrounds of poverty who have the ability to succeed in the most difficult educational institutions in the country but whose preparation is not up to that level. We hope to give them the kind of academic training that will get them admitted to, and make them able to succeed in, those institutions."

THE CLASS RECORD

Of the 75 students so far reported on from Yale's first class of 1964, who would be college age now, 70 will attend college next fall, 4 will be in prep schools, and one of the best is serving in the Marines before going to college. Yale has accepted nine of them for next year, and some of the other schools to which they have been admitted are Harvard, Princecton, Dartmouth, Columbia, Pennsylvania, Boston College, Wesleyan, Williams, Tulane, Vanderbilt, and Georgia Tech.

Yale hopes to find out how much good the program does through a detailed evaluation developed by two university psychologists, Lawrence J. Gould and Edward B. Klein. They will study and test the boys who come to the school, a control group of boys nominated by their own high schools but not selected by Yale, and a second control group of boys who look on paper like the others but did not attract enough attention in their schools to be nominated. Each student will be checked over a three-year period. "We'll have a good idea by then," says Mr. Gould, "if they're going to make it."

Yale believes its program is succeeding, but the staff is aware of the problems—the obvious fact, for example, that the school is not getting through to some youngsters. "Perhaps all this money might better be used to improve Negro teacher colleges in the South," says Bruce MacDonald, head of the composition program. "How can we know how many lives we're affecting and how much good we do?"

"A WORTH-WHILE ENTERPRISE"

But Mr. MacDonald is typical of the faculty in his feelings about what is being accomplished. "In composition," he says, "we try to show the kids that they ought to sound like themselves. That's a surprise to them. Many think they have to write some fanciful way to be considered good. And no one ever thought they had anything to say before. Here they learn that putting themselves on paper is a worth-while enterprise."

The staff is enchanted by the progress these youngsters make from start to finish in this seven-week program. It is a carefully recruited staff, college teachers and high-school teachers, mixed racially, combed from all over the nation.

Besides the faculty, the school had 18 tutors, Yale and Harvard students, who also represent something of a national cross-section. The tutors, who are responsible for 10 boys each and who all teach seminars, are chosen partly for their understanding of the problems, partly for their intelligence, and partly for their athletic ability.

Their presence illustrates that young men of all backgrounds can be accepted at Harvard and Yale, and further that academic excellence and manliness are not mutually exclusive—not insignificant for teen-agers used to cultures where only girls are supposed to be smart. One of the tutors, for example, Jim Thomson, is a squarely constructed Harvard football player who taught a class in poetry and a seminar on Yeats.

The youngsters get the idea quickly, but that's not surprising; they may be "underachievers" (academic jargon for students who don't do as well as they ought to) but they aren't stupid. On an inspection tour recently (not at Yale), the national director, Dr. Frost, met a boy who, commenting on the name similarity, said, "You know Robert Frost was born in San Francisco, not Vermont, don't you?" and, "his father was a drunkard," and, "Edgar Allen Poe was a dope addict." They were men who had made it from a difficult background too.

It turned out this boy had applied twice under separate names for this program and had been admitted twice. He pulled off the hoax until he got caught trying to collect twice on the weekly $10 spending-money allowance.

"TOYING WITH ADULTS"

"This is a boy who has been toying with adults all his life," says Mr. Frost. "He's smart. The question is whether we will let him continue to use his intelligence in anti-society behavior or try to convert him into a productive member of society."

Some people believe that because the colleges may not know how to deal with youngsters like this, too many of the programs are more like a vacation than a school. Dr. Frost disagrees. He thinks Upward Bound programs are turning up bright youngsters who are, in psychologists' terms, "passively aggressive"—resistant to society—and making potential college successes out of them.

How well the program is succeeding cannot yet be known. One second-year student at Yale, from the Midwest, remembers slipping a couple of times back home and saying, "When I was at Yale . . . ." The youngster who attends a school like this is still a special case, with all the problems that entails for him, his family, friends, and school.

But he was, in fact, at Yale. That is an experience and a training ground he would never have had but for the Summer High School. What's more, he may be back for college—here or at some other similar institution. The difference in his life, and in other lives like his, offers hope for a lot of poor, bright, underachievers—and the people their talents might benefit.—Jerrold K. Footlick.

[From the New York Daily News, Aug. 16, 1966]

Kids Get Foothold on Life's Ladder in Columbia's Halls

(By Gerald Fraser)

Her arms loaded with books, Rolissa Bright, 15, an alert, good-looking Negro girl from Brooklyn, crossed the campus of Columbia University with a visitor. As the two passed the parched brown-green lawns and rows of red and yellow begonias, Rolissa explained how she felt about being part of a unique and outstanding antipoverty program—Project Double Discovery.

"There are a lot of steps here on the campus. And they are so wide. Sometimes, when I walk up and down alone, I can't help thinking about the other people who have walked here before me. And I think about myself and the fact that I am here.

"This place," she said, "and PDD bring out the best in a person."

Project Double Discovery is the summer program of the school-year-long City University's College Discovery and Development Program. Money for these comes from Upward Bound, the federal government's $20 million college preparatory anti-poverty program.

PDD's aim is to seek out academic talent and develop it, to motivate students and then back this up with solid knowledge.

PDD has selected 300 high school students from all corners of the city—the Lower East Side, Chinatown, East Harlem, Harlem, the South Bronx, Jamaica, Bedford-Stuyvesant and Staten Island—and dropped them into the educational big leagues—the Ivy League.

SPOT PROSPECTS WITH POTENTIAL

The 1,100 city-wide CDDP prospects are usually spotted by junior high school teachers or guidance counselors.

The students must come from a New York City family whose yearly income meets anti-poverty requirements; for example, $3,215 for a family of four. While the students may not have high academic records indicating qualifications for college, they must have the potential—found through special tests—for doing college work.

Of this group, Columbia chooses 300 for PDD.

The 300—180 boys, 120 girls—study, play, eat and sleep at Columbia for eight summer weeks.

About 40% are Negro, 33% Puerto Rican and the rest white and Oriental. All are exceptionally good readers. Few, if any, had given any indication that they were college material.

"I guess I was lazy," said Udo (Willie) Maldoff, 15, of the Bronx. "When I worked I got good grades. Some days I would feel like working, some days I would just sit and look out the window.

"Now, I have something to work for. If I blow this opportunity, it's good-bye college."

WEREN'T PERFORMING UP TO STANDARD

Dr. Daniel Tanner, director of the College Discovery and Development Program said: "Many of our students never thought about going to college. No one in their families ever went. We know they are bright. But because of so many social and economic hangups, some were not performing up to standard."

Bringing the students up to standard is the main concern of PDD's associate director, Murray Bromberg. In the regular school year, Bromberg is chairman of Thomas Jefferson High School's English department.

"The program hammers on two main subjects," he said, "English and mathematics. English classes read books, discuss them and write about them—you know, you have to be a good reader to be in the program.

A VARIED SCHEDULE MAKES UP THE DAY

"Students who were here last year—about half were—also study history, since World War II, and the basics of geography.

"We try to relate the social studies to the students' lives and show them how the subjects are important to them."

The daily schedule is three hours of classes, a one-hour teacher-student conference, a two-hour study period in large Columbia lecture halls—boys separated from girls, hour-long "skill sessions" for teaching hobbies and laboratory techniques and post-supper trips, sports and book discussions.

In one discussion group in a hot, old-fashioned classroom in Hamilton Hall, a student sat informally behind the teacher's desk, the rest took the regular wooden chairs and the counselor joined them. They had read Richard Wright's "Black Boy."

For an hour they wrestled with ideas about the book and questions such as "What is crime? What's a man? What does it mean to be a man?"

TV, ROCK 'N' ROLL OFFER CULTURE

Second year PDD students may volunteer to tutor a 5, 6 or 7-year-old in reading one hour a day, three days a week. The youngsters are on Columbia's campus in a Harlem Educational Program day camp.

PDD costs the taxpayers more than a quarter of a million dollars—$316,980. And of the 45 teachers, those employed by the NYC Board of Education are paid their $675 a month salary separately. (Other teachers are graduate students and Columbia staff. Most, however, are city school teachers.)

Although this is an anti-poverty program, the students fiercely resent being labeled "poor," "slum children," "disadvantaged" or "culturally deprived."

Willie Maldoff said: "No one who lives in New York is without culture. TV is culture. Rock 'n' roll is culture."

The feeling is that being called poor is being "put down." Resentment is deepest among Negro students.

The important thing about PDD, however, is that it works.

What turns the students on?

Individual attention. Small classes. (One teacher for 10 students.) Frequent teacher-student conferences. And every six students have one counselor.

The counselors—Barnard or Columbia college students, sometimes only two or three years older and often not bigger than their PDD charges, run all nonclassroom activities, keep in touch with the teachers on the students' progress and live with the students in the dormitories. Their pay is $600 for the summer.

"They speak the same language you do, they understand your problems," said Willie Maldoff. "Because of all the informality, you don't feel sticky with them."

THEY RATE THEIR TEACHERS TOPS

The students here have nothing but praise for the teachers.

"In public school, a lot of the teachers don't give a damn whether you learn or not," said Arnold Gant, 16, of the Bronx. "They'll tell you: 'We're being paid to be here.'

"I always thought that maturity means to be able to talk, to express yourself."

Most PDD teachers like this spirit.

Instructor David Fisher, a graduate student in English at Yale, said: "The students will tell you if they're bored, if they think the book you assigned is boring, or if they don't like what's going on.

TEACHERS SQUIRM—AND LIKE IT

"In public school, the teacher makes the students squirm. Here, the students make the teachers squirm. I think this is right. As a teacher, though, it's rough. With a classful of bright students, you work."

The unique aspect of PDD is that summer's end does not mean the end of the high caloric intellectual diet. Next month, these 300 will join 800 more students in the City University's College Discovery and Development Program in five city high schools.

Moe Deutsch, executive director of PDD, summed it up:

"We are raising these students' sights. Their belief in their own aspirations goes up. And their hopes go up. They are better students. Their attendance record is twice as good as other college-bound youth—some of them who couldn't get to school in the subway strike came here to Columbia.

"And at 16, unlike so many others, they haven't resigned from the world."

SOCIAL SECURITY PAYMENTS AND OUTSIDE EARNINGS

Mr. KYROS. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Tunney] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. TUNNEY. Mr. Speaker, I am introducing legislation which would increase to $3,600 per year the amount of outside earnings a person may have without any loss in social security benefits.

At the present time an individual may earn up to $1,500 a year without suffering any loss of social security benefits. If an individual earns between $1,500 and $2,700 per year he losses $1 in social security benefits for each $2 of outside earnings. For having outside earnings in excess of $2,700 per year a person would lose social security benefits on a dollar-for-dollar basis.

I do not believe that any person should be punished for working to maintain a minimum decent standard of living. Those over 65 should in fact be admired and respected for continuing to work and contribute to their Nation's future. I offer this bill as incentive in the hope that those 65 and over will continue to work and support themselves in their golden years and stand as examples to us all.

GEOTHERMAL RESOURCES

Mr. KYROS. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Tunney] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. TUNNEY. Mr. Speaker, I am introducing legislation today to authorize the Secretary of the Interior to make disposition of geothermal steam and associated geothermal resources. A geothermal bill was reported out of the House-Senate conference last year but contained certain provisions which caused a Presidential veto. The bill approved by the House in 1966 was a better bill in my opinion than the conference bill. It is the final version of the House bill which I am introducing now. I hope that both the House and the Senate will act on this bill as soon as possible.

This legislation would allow private individuals and companies to tap vast resources of subterranean steam under Government-owned lands and thereby provide a new source of power for home and industry.

Based on the geometric increase in the use of electrical energy, as opposed to normal population increase, the utilities, both public, and private, must in the next 10 years double their capacity to produce electricity. This is particularly true in California and other Western States.

Other nations have already gotten a headstart in the use of geothermal steam resources. This is particularly true in New Zealand, Iceland, and Italy.

The heat generated from the steam can be used in production of electrical energy and also to provide heat for human habitation. In many localities, such as the Salton Sea, the steam also carries with it much needed minerals such as rare metals and salts.

In light of these new discoveries, both at home and abroad, it has now become quite clear that when geothermal energy is discovered in the right geologic environment it can outperform economically any other source of electrical energy.

Union Oil Co. and Morton International's major geothermal brine and steam discovery at the south end of Salton Sea makes it evident that geothermal steam mining is rapidly becoming a new and exciting art with an enormous theoretical economic potential. This great potential has, in my opinion, barely been scratched.

The greater part of geothermal resources in this country are located primarily on the public domain. However, there has been no statutory authority that would permit development of this resource on public lands. This bill today permits the development of public lands to keep pace with what is taking place on privately owned land.

CLAMOR FOR CLEAN AIR

Mr. KYROS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Murphy] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. MURPHY of New York. Mr. Speaker, the legislation proposed by the administration to combat air pollution in America is a direct attack on one of the gravest problems of modern life. It strikes me as an excellent tribute to the effectiveness of our Government apparatus that such a basic although complicated, approach can be mounted by a Central Government.

The very idea of Federal involvement in such a matter would have been unthinkable in another day, and yet who today can argue that this is a problem that can be solved by private initiative alone. Our people have been quick to recognize that the Federal Government has a real, important and urgent role to play in assuring the quality of our air.

Endorsement of the President's proposal by our Nation's newspapers has been widespread and enthusiastic. I recommend that a few samples of this manifest public concern be inserted in the Congressional Record. These are the editorials from the Cleveland Plain Dealer of Tuesday, January 31; the Washington Post of Thursday, February 2; and the New York World Journal Tribune of Sunday, January 29.

[From the Washington Post, Feb. 2, 1967]

Pollution Peril

The President's strong message on air pollution ought to move Congress to the prompt enactment of the Air Quality Act of 1967 for which he asks. This six-point program will launch a more aggressive Federal intervention in this area than anyone would have thought possible a few years ago. It is clear that the Nation, having only barely acknowledged the existence of a problem, five years ago, now finds that it has to deal with a crisis that already menaces the health and safety of millions of Americans.

The President's proposals are sound. Emision control levels for industry should be fixed. Regional air quality commissions are needed. Annual vehicle pollution inspection is essential. Enforcement procedures must be improved. Research on fuel additives is imperative. The whole problem must be given more urgent study.

The smog in New York City two months ago, to which the President alluded, alarmed the whole Nation to the seriousness of its pollution peril. Sweeping as the President's proposals are—and perhaps the very lack of information inhibits more drastic steps—the uneasy feeling persists that this program is not going far enough fast enough.

The country may have to brace itself for prevention and abatement measures that will be more costly in terms of money and more disagreeable in terms of their restraint upon the actions of private individuals and corporations.

[From the Cleveland Plain Dealer, Jan. 31, 1967]

New Push in Air Pollution War

Congress should assign high priority to President Johnson's request for new weapons to wage a winning war against air pollution.

Unless action is taken now, that war will be lost within 10 years, the President warned in his special message to Congress yesterday.

Mr. Johnson had strong support for his assessment of the situation. The fact is that the war right now is going poorly.

Recent events have demonstrated that the ever-growing numbers of people, industries and automobiles are fouling air at a rate far beyond nature's tolerance. The once-rare instances of concentrated, polluted air collecting and laying a smothering blanket over American cities are now becoming frequent.

Efforts of local governments to control all the many forms of air pollution have been unsuccessful. To cope with today's emergency conditions, federal help and federal standards such as those outlined by President Johnson are needed.

The President very wisely acknowledged that federal action alone cannot solve the problem. He proposed legislation to set pollution emission limits for industries in interstate commerce but also proposed that such legislation encourage individual states to set equal or more stringent limits.

With his additional recommendation for the establishment of regional commissions to enforce air pollution control measures, the President also wisely heeded warning signals raised by the recent National Conference on Air Pollution. That December session in Washington gave voice to the idea that regional control of pollution is desperately needed over "air sheds" which extend beyond local and state boundaries.

Cost of regional control commissions and new research to abate the foul air menace would add an estimated $18 million a year to the cost of existing federal antipollution efforts.

This would be a small sum to pay for a significant contribution to the health and welfare—and the future—of America and Americans.

[From the World Journal Tribune, Jan. 29, 1967]

A National Menace

It happened again, the second time in two months, this atmospheric inversion that clamped a lid on the metropolitan area and gave people a choice of breathing more poisons than usual—or not breathing at all.

The best any governmental agency could do was to declare a pollution alert and ask, please, for drivers not to drive so much and for operators of incinerators not to burn so much and for Con Edison and other utilities to turn off the oil and turn on the gas to make electricity.

That's the way it is in New York and environs when the health of millions is put in jeopardy by a weather whim. Officials can ask, not order.

And people, between coughs and tears, can hope and wait for beneficent breezes to dilute the poisons and whisk them away, as blessedly happened on the Thanksgiving weekend and this.

One item of encouragement emerged from Thursday's smog. Con Edison announced it had arranged for a flow of enough low-sulfur oil to meet its annual needs by Oct. 1. That's two years ahead of a deadline recommended by the recent interstate conference on air pollution.

The best news of the week came from the White House. President Johnson, acknowledging air pollution as a national menace, referred to the problem in both his budget message and his report on the economy.

Johnson urged establishment of national standards limiting pollutants and regional "airsheds" under administration of a federal-state-local commission. That makes sense, for there is evidence that all of New York's air poisons are not home-made, that winds can whirl them from as far away as Los Angeles.

The President is preparing a message to Congress with details of his program. It should have high priority without partisan nit-picking.

Bronchitis and emphysema don't inquire the politics of an individual.

DEDICATION DISPLAYED BY THE BOY SCOUTS OF CONCORD, CALIF.

Mr. KYROS. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. WALDIE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. WALDIE. Mr. Speaker, Contra Costa County, my congressional district in the State of California, was subjected to an intense rainstorm the weekend of January 21 and 22. As a result of this storm, local facilities available for storm drainage were overtaxed and considerable damage was done to property in the area. That damage, as considerable as it was, would have been much greater were it not for the wonderful action of the local Boy Scout organizations in the Concord, Calif., area.

An emergency call for assistance in placing sandbags to prevent flood damage was made by local authorities to the Boy Scout troops in the area. The response was immediate and enthusiastic. Over 100 boys and their adult leaders spent many hours that difficult weekend in very severe weather and under most trying conditions, and by reason of their effort, prevented the damage caused by that storm from being far greater than was the case.

The local authorities of the threatened area expressed their appreciation of this effort to one of the leaders of the Boy Scouts, Mr. Henry Pohndorf. Mr. Speaker, I insert this letter of appreciation as part of my remarks, and I join in the commendation given these able young men.

The letter follows:

CITY OF CONCORD,
January 27, 1967.

Mr. HENRY POHNDORF,
El Cerrito, Calif.

DEAR MR. POHNDORF: Mayor Dan Boatwright has requested that I write to you regarding the assistance given us by the Boy Scouts of our area in the flood emergency that occurred last Saturday, January 21, 1967.

As you have no doubt read in the papers, the city was faced with a very critical situation in the early afternoon as water was rising in Pine Creek and in other areas throughout the city. At about 2:00 p.m., reports came in from our field crews that Pine Creek was going out of its bounds and would inundate a large tract of homes. At about the same time, we received a forecast from the Flood Control District that confirmed our observations in the field. By this time, all city maintenance forces were involved in the flood fight and had been since the early morning hours.

At this time, I requested that Captain John Huddleston, Concord Police Department, contact the scout leaders in the area for volunteer service in filling, distributing and placing sand bags to control water damage. The response was immediate and overwhelming. More than one hundred Boy Scouts responded to our call, together with their leaders. They were immediately put to work assisting our crews and remained in our service for the balance of the afternoon until the crisis had passed.

It is not possible to measure the help that they gave us but it was very significant and appreciated by all of us involved in the flood fight effort. We are most grateful to all of the scouts involved. The knowledge that these fine young men are available in emergencies of this type is a great reassurance to those of us who have the responsibility of control and assistance in times of floods or other disasters.

Sincerely yours,

F. A. STEWART,
City Manager.

VISIT OF "FRANKLIN D. ROOSEVELT" AT CAPETOWN

Mr. KYROS. Mr. Speaker, I ask unanimous consent that the gentleman from Georgia [Mr. BRINKLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. BRINKLEY. Mr. Speaker, in the high ideals of governmental philosophy there can certainly be more than one right pattern to guide the daily functions of human endeavors.

The United States has misinterpreted its affluence for its influence by attempting to impose our national policy upon the rights of people of other governments. Such was the case when the Defense Department ordered the cancellation of leave of 3,700 officers and men of the *Franklin D. Roosevelt* at Capetown, South Africa. I wish we would apply the Golden Rule if we are to serve as the conscience for the entire world. The customs of one country may not fit our ideas on what is correct; in Japan we find a different custom for taking a bath; Tunisian women wear veils and in Saudi Arabia it is not uncommon for one man to have several wives.

The U.S. Department of State and Department of Defense owe the South African Government an apology and I hope it is forthcoming. I further hope that it is accepted. We all owe the battle weary men on the *Franklin D. Roosevelt* an apology for denying them the rights they possess to enjoy recreation and rest in Capetown, South Africa.

STUDIES TO EVALUATE TAX-SHARING PROPOSALS

Mr. KYROS. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. FOUNTAIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. FOUNTAIN. Mr. Speaker, there is a growing concern in the Congress, in the administration, and, I believe, in the country, about the capacity of our Federal system to meet the demands for adequate governmental services—now and in the years ahead. During the past several months I have been impressed with the increasing attention given to the problems of a working partnership between the Federal Government and the States and localities, for combining and coordinating resources to achieve more orderly, more effective public services. Much of this attention has been centered on the concepts of "tax sharing," "block grants," "Heller plans," and the like. And a great many bills have already been introduced in the Congress to put these ideas into practice.

Mr. Speaker, helping our hard-pressed State and local governments to meet their ever-growing responsibilities is unquestionably a matter of the highest priority. But many fundamental questions need to be carefully examined and answered before the National Government embarks upon what could become an irreversible arrangement for distributing general-purpose funds to other levels of Government. I should like to inform my colleagues of two complementary studies that are intended to provide the Congress with the background information essential for determining a desirable fiscal balance in our Federal system and the most appropriate method or methods for achieving it.

The Intergovernmental Relations Subcommittee, which I am privileged to chair and on which the able gentlewoman from New Jersey [Mrs. DWYER] serves as the ranking minority member, is undertaking a broad study of the changing patterns, revenue sources, and requirements of governmental programs at the Federal, State, and local levels. Ten years ago the subcommittee made a very intensive study of intergovernmental relationships which culminated in the Committee on Government Operation's widely read 30th report dealing with Federal grants-in-aid—House Report No. 2533, 85th Congress, second session. There is a great need today to follow up that earlier study by examining some of the basic principles and practices that govern the balance of policymaking, program administration, and financial resources among the governmental levels in our Federal system.

A number of proposals have also been made in the present Congress for the establishment of a national commission to study the concept of tax sharing and to recommend the best method or methods of providing financial assistance to State and local governments. I would like to bring to the attention of all interested Members of the Congress that a national study of this problem is already well underway by the Advisory Commission on Intergovernmental Relations.

The Commission was established by

Congress in 1959 and is composed of representatives of the public and of each level of Government, including six members of the Congress. The gentlewoman from New Jersey [Mrs. DWYER] and I have served on the Commission since its establishment.

The gentleman from Oregon [Mr. ULLMAN] was recently appointed to the Commission to succeed our former colleague from New York, Mr. Keogh. In the other body, Senator MUSKIE, of Maine, chairman of the Senate Subcommittee on Intergovernmental Relations; the Senior Senator from North Carolina [Mr. ERVIN]; and the senior Senator from South Dakota [Mr. MUNDT] are also charter members of the Commission.

In addition to the six Members from Congress, the Commission has three from the executive branch: the Secretary of the Treasury, the Secretary of Agriculture, and the Secretary of Housing and Urban Development. Other members include four governors, four mayors, three State legislative leaders, and three elected county officials. The public is represented by three members, one of whom is the Commission's Chairman.

Finally, Mr. Speaker, I should like to advise my colleagues in the House and in the Senate that the Advisory Commission is scheduled to meet and make recommendations on its study this summer. I expect this study to be detailed and comprehensive and to go to the heart of intergovernmental fiscal problems. It will provide an excellent opportunity for Congress and the many interested groups and individuals throughout the Nation to give this matter thorough and informed consideration.

The study outline is as follows:

FISCAL BALANCE IN THE AMERICAN FEDERAL SYSTEM—STUDY OUTLINE

INTRODUCTION

A. Assumptions

1. That it is most appropriate to maintain our system of decentralized government in good working order because our nation continues to manifest:

a. significant regional, social, and economic diversity—despite growing economic and cultural interdependence.

b. remarkably tenacious support for grass roots" government and considerable uneasiness about "big government" despite (or perhaps because of) the centralizing trends of the last three decades.

2. Because of our social diversity and political traditions, progress in domestic affairs will require the active and *innovative* support of State and local government.

B. Basis for concern

Our federal system of government tends to lose its integrity when the constituent members can no longer maintain fiscal balance and are forced to lean heavily on the central government for ear-marked funds. Four current developments indicate the presence of potentially serious kinds of fiscal imbalances.

1. The growing superiority of the National government's fiscal position in relation to the State-local systems.

2. The emergence of relatively rich and poor jurisdiction within the same metropolitan economic community as the earlier relatively balanced municipal tax jurisdiction becomes a casualty of suburbanization.

3. The existence of hard-core poverty areas and regions—e.g. Appalachia—despite narrowing of interstate per capita income differentials.

4. Growing State and local reliance on Federal grants with expenditure strings attached as Congress becomes more assertive in its efforts to stimulate and direct State and local spending.

Chapter I—Summary of Findings and Recommendations.

PART I—FISCAL IMBALANCE?

Chapter II—The Size, Shape, and Significant Features of Fiscal Federalism.

A. The public sector in the national economy.

1. Total government—National, State, local.

a. Historical trends.

b. Projections.

2. Interstate diversity.

a. Economic.

b. Demographic and social.

c. Governmental.

B. Government expenditure patterns—National, State, local.

1. Historical trends.

2. Projections.

C. Government revenue patterns—National, State, local.

1. Historical trends.

2. Projections.

D. Government debt patterns—National, State, local.

1. Historical trends.

2. Projections.

E. Grants-in-aid and intergovernmental transfers—National, State, local.

1. Historical trends.

2. Projections.

Chapter III—Growing Fiscal Superiority of National Government.

A. Growing National government tax superiority.

1. Growing National government superiority from revenue yield standpoint.

Collection trends and revenue projections clearly indicate that the revenue response of the National tax system to economic growth is far more impressive than the State-local performance. (State and local revenue projections and ACIR Income Tax Report data).

2. Growing National government superiority from equity standpoint.

Despite its flaws, the Federal income tax appears to conform far more closely to ability to pay especially as State and local governments are forced to make more intensive use of property and consumer taxes and as demands for property tax relief mount.

3. Obstacles to State and local tax action.

The massive Federal income tax was built largely during times of great national crisis-consensus (1917–19, 1933–36, 1941–44). State and local tax increase action must be taken continuously in the absence of widespread agreement—hence fear of political mortality. Also, limited jurisdictional reach coupled with growing economic interdependence is reflected in great sensitivity to adverse economic effects of tax competition. (Industrial Location Report data).

4. Limited effect of present tax coordination arrangements.

The present system for allowing Federal income taxpayers to deduct certain State and local tax payments is costly in terms of revenue foregone to the U.S. Treasury and actually aggravates the regressivity of State and local taxes and does very little to overcome taxpayer resistance to higher State and local levies.

B. Wider National government budget opportunities.

In striking contrast to the favorable long-term outlook for "elbow room" in the U.S. budget, there is no prospect of any decline in State and local expenditures. The only real question is how fast will State and local expenditures increase. (State and local expenditure projections.)

C. National government debt superiority.

The growing acceptance of Federal deficits as a tool of fiscal policy since the 1930's, in contrast with the political and legal necessity for maintaining balance operating budgets at the State and local level.

Chapter IV—The Growing Fiscal Disparities in Metropolitan Areas.

A. The demise of the balanced municipal tax jurisdiction and the rise of the lopsided tax jurisdiction—the central city ghettos, the estate and industrial enclaves, and the "in between" bedroom communities.

B. The apparent incompatibility of the effective use of the property tax in the light of growing political fragmentation of the metropolitan economic community.

C. The effect of State fiscal and local development policies (annexation, incorporation, land use controls) on the distribution of tax burdens and the provision of public services within metropolitan areas.

D. Federal program contribution to suburbanization and industrial dispersion—FHA and VA loans and Interstate Highway System.

E. The increasing demand particularly from the large central cities for direct Federal aid. Large cities set up their own Washington offices.

F. Metropolitan case studies to trace this deterioration of fiscal balance in metro areas, to project the fiscal consequences of these imbalances, and to evaluate the effectiveness of various proposals designed to correct the fiscal imbalance or to compensate for it.

Chapter V—Growing State and Local Reliance on Federal Special Purpose Grants.

A. The rapid expansion of Federal special purpose grants.

B. The management and budgetary problems posed for:

1. National Government,

2. State Government,

3. Local Government.

C. Recent efforts to bring order out of complexity and confusion.

D. The equalization effects of Federal aid.

E. The long-range political implications for our federal system.

PART II—STRENGTHENING FISCAL FEDERALISM

Chapter VI—Overhauling the Categorical Grant-in-Aid System.

A. Consolidation of categories.

B. Infusion of greater flexibility regarding organizational requirements for State and local administration.

C. Simplification and standardization of matching and allocation formulas.

D. Restructuring equalization formulas.

Chapter VII—Basic Alternatives for Improving the Alignment of Fiscal Responsibilities and Resources Within the Federal System.

A. Reduce tax power of the National government via the income tax limitation or reduction route, leaving an increased area of income taxation for possible use of State and local government.

B. Reduce tax power of the National government while strengthening the tax position of State and/or local governments by the use of positive and negative Federal income tax credits for State and local tax payments.

1. Wide range of alternatives—positive tax credits designed to overcome taxpayer resistance to higher State and local taxes and negative tax credits compensating low income families for excessive burdens incident to the payment of consumption and property taxes.

2. Critical issues: amount of Federal revenue to be foregone and the degree of coercion to be placed on State and local tax policymakers.

C. Transfer more Federal dollars to State and local governments.

1. Alternatives range from expansion of present categorical grant-in-aid system to tax sharing with few or no strings attached.

2. Critical issues.

a. Degree of National expenditure control.

b. Degree of State and/or local tax effort required.

c. The weight to be accorded variations in State and local fiscal capacity.

d. The weight to be accorded variations in State and local administrative and structural capacity.

e. The extent to which Congress should prescribe how States reallocate the funds to local governments.

f. Special arrangements for economically underdeveloped regions.

D. Expand or create direct Federal programs designed to relieve social welfare expenditure pressures on State and local governments—for example, income maintenance, family allowance, or negative income tax programs.

E. Combination of two or more of the above.

Chapter VIII—Improving the Fiscal Balance Among Jurisdictions Within the Metropolitan Area—Basic Alternatives.

A. Structural reform action—governmental consolidation.

1. Voluntary local action.

2. State action or stimulation of local action.

3. Federal stimulation of State and local action.

B. Metropolitan tax federation action—areawide property, sales, or income taxes.

1. Voluntary action.

2. State subsidization.

3. Federal subsidization.

4. Direct Federal action—e.g. Federal metropolitan taking districts.

C. Compensatory action—fiscal equalization.

1. State action.

2. State action Federally subsidized.

3. Direct Federal action.

D. Reallocation action—State assumption of greater fiscal responsibility for educational and welfare needs.

1. Voluntary State action.

2. State action Federally subsidized.

E. Combination of two or more of the above.

TAX SHARING

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that the gentlewoman from New Jersey [Mrs. DWYER] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mrs. DWYER. Mr. Speaker, as ranking minority member of the Subcommittee on Intergovernmental Relations, I am delighted to join our chairman, the distinguished gentleman from North Carolina [Mr. FOUNTAIN], in reporting to the House the first major congressional study of tax sharing and related proposals for strengthening the fiscal balance between the Federal, State, and local governments.

As our colleagues recognize, the revenue problems of State and local governments have become of increasing concern to the Nation not only because they affect the level of public service which these governments can provide their own people but also because they influence the health of the Federal system of shared and separate governmental responsibilities.

Our commitment to the federal system is as old as our country's independence. It has grown and developed along with the Nation and its worth has been amply demonstrated. It has kept government close to the people. It has encouraged diversity without threatening unity. It has made authority responsible and protected the people's liberties. And its flexibility has contributed greatly to the growth and prosperity of the country.

Precisely because the federal system is dynamic and has responded to change and development, we cannot take its health for granted. The proper balance in terms of the powers and functions of Federal, State, and local governments must frequently be reassessed if that balance is to be preserved. At the present time, there is widespread agreement that the balance is being threatened by a disproportion in the revenues available to the three levels of government. State and local governments need help, and it is the purpose of the subcommittee to consider how best to provide the help by correcting the present fiscal imbalance.

In recent years, the Congress has utilized almost exclusively one device for aiding State and local governments to meet their responsibilities—the categorical grant-in-aid. Many of the Federal grant programs have been remarkably successful. Others have encountered serious problems. And the proliferation of grant programs in the last two Congresses has tended to maximize the problems. Coordination has been difficult. Overlapping and duplication have become frequent. Inconsistent planning requirements and complex administrative regulations have increasingly inhibited rather than enhanced the effectiveness of programs. And, of special significance, the growing cost to State and local governments of multiple, special-purpose grant programs has restricted the freedom of these governing bodies to use their own revenues to meet their differing priority needs.

Tax sharing, in its several variations, offers a logical and hopeful opportunity to overcome the inadequacies of Federal grants-in-aid. I do not suggest that tax sharing can ever completely replace the grant-in-aid, but as a substitute for some and a supplement to others it could become immensely useful.

There are problems, however. In addition to the need to choose from among the varying proposals and to determine an appropriate share of Federal revenues to disburse in this way there are questions of accountability for the use of Federal funds, the controls, if any, which should be applied, the adequacy of State and local governmental personnel, the division of funds between State and local governments, and many others.

These problems must be studied thoroughly and comprehensively, Mr. Speaker, before Congress embarks on a course of such potential magnitude. As the sponsor of one tax-sharing proposal, I have no commitment except to a complete survey of this entire subject. We need facts and a deeper understanding of the consequences of any action in this field. I am confident our subcommittee can help obtain these facts and contribute to the kind of understanding on which responsible legislative action can be based.

ENVIRONMENTAL RESEARCH

Mr. KYROS. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. DADDARIO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. DADDARIO. Mr. Speaker, it was with great pleasure that I learned recently that President Johnson has paid well-deserved tribute to the Environmental Science Services Administration's phenomenal record of scientific and administrative achievement over the 19 months of its experience as an entity in the U.S. Department of Commerce. The President said that ESSA has enhanced "our capability to identify and solve problems associated with the physical environment."

One of the major factors in this record has been the creation and the performance of ESSA's Institutes of Environmental Research, a group of 1,300 persons formed from highly skilled groups in the Weather Bureau, the Coast and Geodetic Survey, and the Central Radio Propagation Laboratory of the National Bureau of Standards.

These Institutes today are four: The Institutes of Atmospheric Sciences, Oceanography, Earth Sciences, and Telecommunication Sciences and Aeronomy.

The IER calls Boulder, Colo., its home—but its laboratories are spread throughout the Nation. Its mission is awesome—to supply humanity with the information it must have to descend safely deep into the oceans or soar high into space; to free our people from the fear of the hazards of storms; to protect them from earth's seismic convulsions; to help assure communication with our men in space; all this and much more.

This year, the IER is undertaking no fewer than 400 projects, many sponsored by ESSA and others—in recognition of its unparalleled abilities in its field—by various other Government agencies.

Let me mention briefly some of the programs in which the institutes are involved:

Supersonic transports, before too many years have passed, will traverse our skies at 60,000 to 80,000 feet. Passengers must be protected from the radiation that exists above the thin protective envelope of our atmosphere. This protection is a prime goal of the institute's endeavors.

Venture into the sea, our last frontier, has been extremely limited. These institutes are assuming the challenge of helping to make the ocean floor accessible to man, for exploration and development.

We are all painfully familiar with the sacrifices nature exacts with its hurricanes, tornadoes, earthquakes, tsunamis, and other savage outbursts. No less a problem to all mankind is the specter of drought. Within these institutes, scientists are working toward methods designed to curb nature's fury and achieve a balance which will bring blessings to all of us.

We are all becoming increasingly aware of the dangers to our health—and to life itself—we are generating through the pollution of our air and our waters. Uncontrolled combustion, nuclear explosions, undisciplined incineration are only a few of the contaminants that have brought this Nation to a critical point. ESSA's institutes are in the forefront of the national endeavor to reduce this evil, in their search for better understanding of the environment in which we live.

The IER's space disturbance laboratory is a stellar example of the benefits science produces for our people. Last year this laboratory established an operational, real-time prediction program under which scheduled bulletins warning of solar flares are transmitted to help determine the degree of dangerous proton activity in space. A buildup of excessive proton particles could be a hazard to our astronauts, as well as to the vital instrumentation in our satellites. Today the IER has a high-speed telecommunications network that permits warnings to be issued as quickly as 15 minutes after reports of unusual solar activity are received.

The Institutes operate—literally—from beneath the ocean floor to the sun. Its divisions embrace the entire environmental spectrum—from earthquake and geomagnetic studies to weather modification, from radio wave propagation to oceanography, from ionospheric research to air pollution.

In this hour of our national life, with so many hazards, natural and manmade, about us, it is reassuring to know that this magnificent collection of scientific and technological talent is at work in these areas of such concern to our Nation and to all humanity. I am pleased that the President has chosen to salute the fine and growing organization known as ESSA, and I count it as a personal privilege to add my own congratulations to its Institutes for Environmental Research.

ADDRESS OF HON. HUBERT H. HUMPHREY BEFORE THE INTERNATIONAL DEVELOPMENT CONFERENCE

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from New York [Mr. Farbstein] is recognized for 15 minutes.

Mr. FARBSTEIN. Mr. Speaker, it was my privilege to attend the International Development Conference last evening and to hear Vice President Humphrey's address to that Conference. In his remarks the Vice President assured the world that this country "would walk the extra mile which could bring peace to a long-tortured nation." He was, of course, referring to Vietnam where, he said:

The TET truce period, immediately ahead, offers opportunity for re-thinking by all combatants.

Mr. Speaker, I would like to include the entire text of the Vice President's remarks at this point in the Record:

Remarks of Vice President Hubert H. Humphrey, International Development Conference, Washington, D.C., February 7, 1967

I remember a Hearing of the Senate Foreign Relations Committee in 1961. The subject was cooperatives.

Senator Hubert Humphrey asked how many foreign aid agency people were in the field organizing credit unions. After a pause and hurried consultations, the witness answered "None."

How many people did we have helping to organize savings and loan associations in the countries of Latin America and Africa? "None."

How many were employed to organize marketing or consumer cooperatives? The answer was the same—"None."

We did something about it.

Since the autumn of 1961, AID has carried out the mandate of the Humphrey Amendment working with the organizations represented here tonight.

On this fifth anniversary observance of the Humphrey Amendment, AID has contractual arrangements with 10 major cooperative organizations. It has 97 cooperative personnel. It has involved 286 consultants. It reports 123 projects in 39 countries and 40 thousand cooperatives with 16 million members. During the past five years, it has committed 50 million dollars to cooperatives.

The underlying objectives of the Humphrey Amendment are as valid today as five years ago. I would single out four:

First, to help people who most need it. Regardless of good intentions, government-to-government assistance always seems to trickle down slowly, if at all, to the poor people of developing nations—even where their governments honestly seek to help them.

Second, to help in modernization of *rural* areas. In the assistance programs of the 1950's and the early 1960's there was too much emphasis on industrial development—on steel mills, factories, and airports. The new emphasis on cooperatives has opened a channel of technical and financial assistance to the rural masses.

The continents of Asia, Africa and Latin America, we must not forget, are basically rural continents. And, as desperate as poverty may be in the many of cities of these continents, it is far more desperate in the countryside.

Third, to promote "pluralism"—that is, the development of a multiplicity of private institutions, as well as governmental, which involve varying elements in a society in the business of that society. The cooperative encourages decentralization in decision-making and helps provide the mechanics for making economic, social and political decisions at the grassroots level.

Fourth, to foster economic and social development within a specific democratic political framework.

During the past year the Congress has taken an additional step to encourage popular participation in the development process. Thanks to Congressman Don Fraser's Amendment to the Foreign Assistance Act, AID is encouraged to make a more conscious and direct effort to promote the development of democratic institutions at all levels—national, regional and local.

One year ago, Pope Paul, in addressing a United Nations group in Rome, rightly stated that in today's world "development" is the new name for peace."

Poverty breeds disorder. Poverty breeds hate. Poverty breeds war.

No fewer than 164 outbreaks of violence—outbreaks carrying *international* danger—have taken place in the last eight years, in the "have-not" nations of the world.

Using the World Bank classification of nations as "middle-income;" "poor;" and "very poor;" since 1958 serious violence has visited 48 per cent of the middle-income nations . . . 69 per cent of the poor nations . . . and 87 per cent of the very poor nations.

I do not contend that development efforts will in the short run end disorder—in fact, some disorder usually comes with economic and social transition. But we know that, in the long run, far greater disorder will follow if people are denied a share in the better life they see around them.

Just what are the facts of world poverty? The overwhelming and inescapable fact is that the gap between the rich nations and the poor continues to widen. Today, 20 per cent of the world's population disposes of 75 per cent of the world's income.

Last year, the rich nations of the West added 106 billion dollars to their total production—more than the *total* GNP of the Near East and South Asia, or of Latin America.

In 1966, we in the United States, with 190 million people, *increased* our GNP by 58 billion dollars. The less developed nations of Africa, with a population of 250 million, have a *total* GNP of only 30 billion dollars.

Yes, the gap continues to widen. But there is another fact we must face: Many nations have not yet begun to climb the curve of growth.

In most less developed countries, the population explosion and the debt explosion threaten to eat up all potential gains. The population of the poor nations increases each year by 2.5 per cent compared with nine-tenths of one per cent in Europe or 1.5 per cent in the United States and Canada.

Schools cannot keep up.

Since 1960, despite enormous investments in education, world illiteracy has grown by some 200 million people. Of 373 million children in developing nations, about 115 million—30 per cent—are in school and about 258 million—or about 70 per cent—are *not* in school.

World food production is well behind demand. It has barely risen over the past two years, while population in the less developed countries has increased by 40 million.

World per-capita production of food has not gained significantly in the past *10* years and in some years bad crops have threatened acute and widespread famine.

In addition to the growing burden of supporting their populations, these countries have the growing burden of their foreign debt. Since 1956 the average annual rate of increase in foreign debt has been about 15 per cent. Foreign debt has grown three times faster than the United Nations *target* of 5 per cent for annual economic growth, and that economic growth target has not generally been achieved.

The debt burden to foreign governments and international agencies is only part of the story.

Private producers in every developed country—usually under the protection of government guarantees—extend short-term credit for a wide variety of items which have no relation whatsoever to priorities and development plans in the developing nations.

The temptation to consume now and pay later is seldom resisted.

No certain statistics are available on the volume of these private credits, but the Development Assistance Committee of OECD estimates that developing countries paid back in 1965 for these private credits *twice* as much as the repayment on aid loans.

This would mean that the two reverse flows together ate up *three-fifths* of all aid.

All this adds up to a dismal picture. But it is a far from hopeless picture.

The rich nations have greater resources for foreign assistance than ever before.

And both the rich and poor nations have learned some lessons in these past few years about the business of peaceful nation-building.

Let me mention some of the lessons I believe we Americans have learned.

As I have already pointed out, one lesson is that governments cannot do the job alone. Just as progress in our own nation requires a working partnership among *all* elements of society, so is this true in other places.

Another lesson we have learned is that one country—the United States—cannot do the job of nation-building alone. All nations must participate.

In his War on Hunger Message last week, President Johnson expressed it clearly:

"If we are to succeed, *all* nations—rich and poor alike—must join together . . . with the same spirit, the same energy, and the same sense of urgency that they apply to their own national defense. Nothing less is consistent with the human values at stake."

It is gratifying to observe that as the other industrialized nations have arisen from the ashes of World War II, they *have* picked up this burden along with us.

In the last nine years they have increased their flow of aid to the less developed countries from 1.3 billion dollars to more than 2.5 billion dollars—an increase much higher than the rate of increase in their incomes.

Today, five industrialized countries spend a larger percentage of their nation incomes on foreign aid than we do.

There is another lesson: That regional development is far more effective than isolated national programs.

In Latin America what started as an experiment in cooperation has become a way of life. Regional cooperation has become institutionalized in the Organization of American States . . . in the Inter-American Development Bank . . . and in the Inter-American Committee for the Alliance for Progress, which reviews the development plans and policies of each of its members. Progress toward economic integration is encouraging.

Obviously, such things as transportation, river valley development and communications do not stop at the edge of political boundaries.

With the perfection of satellite systems, a regional educational television network, which would reach vast millions in Latin America is now a realistic probability.

In Africa, the United States—in cooperation with international agencies and with other bilateral donors—is seeking to concentrate its assistance on region-wide projects, particularly in fields such as agricultural research, transportation and communications. And African nations themselves are increasingly cooperating on a regional basis.

In Asia, the doors of the one billion dollar Asian Development Bank have just been opened with the majority of its capital provided by donors other than the United States.

Another lesson learned is that outside help does little good in the absence of sound policies and diligent self-help actions by the developing nations. To be effective, foreign aid must be used to support forces for reform which are at work in the developing nations.

We have also learned that development cannot be achieved by technicians alone.

The indispensable prerequisites for development are *political* leadership and responsive political institutions.

John Adams once observed that "Power always thinks it has a great soul."

We, as a great power, must beware the impulse to try to impose on nations with far different traditions and histories our own political institutions in carbon copy.

But, at the same time, we must not hesitate to help them—when they ask for help—to develop their own institutions, tailored to their own experience, which will meet the need of their people.

Nowhere is this more clear than in Vietnam today.

In Vietnam, a developing country, we are resisting Communist military force with force, and succeeding militarily. We are aiding the South Vietnamese in economic development, and succeeding economically. But the corner will not be fully turned there until *political* progress matches military and economic progress.

The greatest single threat to the Viet Cong and to North Vietnam today is a freely-elected, representative government in South Vietnam.

It is the ever-growing probability that such a government will soon come into being. And that probability, I believe, is causing Hanoi and the National Liberation Front to have some second thoughts.

The barrage of threats, intimidation, and propaganda launched by North Vietnam and the Viet Cong against the election for a constituent assembly last fall was a miserable failure.

The people of South Vietnam *did* vote in overwhelming numbers.

A constituent assembly was elected. It is at work.

A constitution is today being written.

Village and district elections will be held this spring.

National elections are scheduled for this fall.

These are solid steps toward peace and victory over Communist intimidation.

And, in combination with our military and economic efforts, these are the steps which can in time inoculate a nation against terror, subversion and political agitation waged by a disciplined minority.

And here, may I add a few words concerning the many press reports you have seen recently concerning the possibilities of peace in Vietnam.

This is an extremely delicate and sensitive time. The Tet truce period, immediately ahead, offers opportunity for rethinking by all combatants in Vietnam.

I do not believe the cause of peace would be served today by publicly speculating about the events of the next few weeks and months.

I do believe the cause of peace can be served if we keep steady and level heads . . . if we show no signs of weakness, impatience or petulance.

I believe the cause of peace can be served if we patiently and perseveringly continue the course we have set for ourselves in Vietnam—the course to which I have just alluded.

We must continue, as the President has said, to "fight a war of limited objectives" to thwart aggression before it can spread.

We must continue, with our allies, to mobilize manpower and resources for economic and social development.

We must continue to press forward with pacification in the countryside. We must continue to help the South Vietnamese people build representative and responsive political institutions.

And, at the same time, we must continue patiently and diligently to seek a just and lasting peace.

The world knows that we have the courage to resist aggression . . . that we keep our commitments.

The world should also know that we have the even greater courage required to walk the extra mile which could bring peace to a long-tortured nation.

Yes, now is a time for self-discipline and for statesmanship. We Americans, in this time of testing, must prove equal to the exercise of those qualities.

We have, I think, learned another painful lesson: That development is a long-run process. We delude ourselves if we expect quick or easy returns or instant tranquility. The most important changes are often those which take longest.

Development assistance has been regarded primarily as a weapon in the cold war.

In that context, show-piece projects often as not diverted resources from such important investments in nation-building as education, rural development and public health.

Today, agriculture, education and health are the basic cornerstones of our development efforts.

And they will continue to be—even though they may not bring quick or flashy or dramatic results.

Today, as we face the challenge of a world of poverty and need, we increasingly realize that three elements, above all, are necessary if nations are to survive and grow.

These three elements—participation, progress, and peace—often conflict with one another, and even in the best of circumstances their reconciliation is difficult.

Peace—in the sense of domestic order—can temporarily be achieved by military dictatorship.

Progress—the more abundant and equitable provision of material goods and services to the citizens—can be achieved through technocracy.

But participation—full participation of the citizens—is the vital ingredient which, in the long run, not only insures the social stability which makes possible peace and progress, but also unleashes the full talents and energies of people who seek a better life.

Finally, may I say this: Our critics always tell us that we Americans win the 100-yard dashes but lose the marathons.

I think we realize today that the business of nation-building *is* a marathon.

What is more, it is a never-ending marathon. For the building of peace and of peaceful progress will be with us throughout our lifetime, and the lifetimes of our children as well.

If we abdicate our responsibility . . . if we drop out of the race, who will there be to lead?

Our nation produces more than half the Gross National Product of the world. We, among all nations, are rich.

Our nation has interests which touch every corner of the globe. We among all nations, have world-wide concerns.

But—far more important—our nation, among all nations, is one which professes belief in the equality and brotherhood of man.

Ours is a nation which seeks the Common Good, not only within our own borders, but in the world.

We must last out this marathon because it is in our own interest. We must last it out because of the perils involved if we do not. But we must, above all, last it out because it is right that we do.

I believe that we can, and shall.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. GROSS, for 30 minutes, tomorrow, February 9.

(The following Members (at the request of Mr. DUNCAN) to revise and extend their remarks and include extraneous matter:)

Mr. DOLE, for 15 minutes, on February 9.

Mr. BRAY, for 15 minutes today.

Mr. Ashbrook, for 10 minutes, today.

Mr. Hosmer, for 20 minutes, on February 9.

Mr. Taft, for 1 hour, on March 1.

Mr. Don H. Clausen, for 30 minutes, today.

Mr. Farbstein (at the request of Mr. Kyros), for 15 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. Rosenthal (at the request of Mr. Kyros), for 20 minutes, on February 9; to revise and extend his remarks and to include extraneous matter

Mr. Moorhead (at the request of Mr. Kyros), for 60 minutes, on February 9; to revise and extend his remarks and to include extraneous matter.

Mr. Laird (at the request of Mr. Don H. Clausen), for 1 hour, on February 15; and to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. McCarthy in three instances.

Mr. Philbin in five instances and to include extraneous matter.

(The following Members (at the request of Mr. Duncan) and to include extraneous matter:)

Mr. Hosmer.

Mr. Fulton of Pennsylvania.

Mr. Fino.

Mr. Devine.

Mr. McEwen.

(The following Members (at the request of Mr. Kyros) and to include extraneous matter:)

Mr. Celler.

Mr. Udall.

Mr. Brademas.

Mr. Downing.

Mr. Kee.

Mr. Hagan.

Mr. Wolff.

Mr. Miller of California.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 16. An act to provide additional readjustment assistance to veterans who served in the Armed Forces during the Vietnam era, and for other purposes; to the Committee on Veterans' Affairs.

ADJOURNMENT

Mr. KYROS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 40 minutes p.m.), the House adjourned until tomorrow, Thursday, February 9, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

356. A letter from the Acting Secretary, Department of Health, Education, and Welfare, transmitting a report covering personal property donated to public health and educational institutions and civil defense organizations; and real property disposed of to public health and educational institutions, pursuant to the provisions of section 203(o) of the Federal Property and Administrative Services Act of 1949, as amended; to the Committee on Government Operations.

357. A letter from the Assistant Director, Bureau of Land Management, Department of the Interior, transmitting a report of all compensatory royalty agreements affecting oil and gas deposits in unleased Government lands which were entered into during calendar year 1966, pursuant to the provisions of rule III, clause 2, of the Rules of the House of Representatives, and in accordance with 30 U.S.C. 226(g); to the Committee on Interior and Insular Affairs.

358. A letter from the Assistant Secretary of the Interior, transmitting a draft of proposed legislation to authorize the Secretary of the Interior to make disposition of geothermal steam and associated geothermal resources, and for other purposes; to the Committee on Interior and Insular Affairs.

359. A letter from the Acting Attorney General, Office of the Attorney General, transmitting a draft of proposed legislation to assist in combating crime by creating the U.S. Corrections Service, and for other purposes; to the Committee on the Judiciary.

360. A letter from the Acting Attorney General, Office of the Attorney General, transmitting a draft of proposed legislation to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes; to the Committee on the Judiciary.

361. A letter from the Administrator, Veterans' Administration, transmitting a draft of proposed legislation to authorize the use of policyholders of the cash surrender value or the proceeds of a matured endowment policy of U.S. Government or national service life insurance to purchase annuities; to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FRIEDEL: Committee on House Administration. House Resolution 177. Resolution to provide funds for the select committee pursuant to House Resolution 1, 90th Congress (Rept. No. 11), ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ABBITT:

H.R. 5031. A bill to authorize the preparation of plans for a memorial to Woodrow Wilson; to the Committee on House Administration.

H.R. 5032. A bill to restrict imports of dairy products; to the Committee on Ways and Means.

By Mr. ANDREWS of Alabama:

H.R. 5033. A bill to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to consolidate certain provisions assuring the safety and effectiveness of new animal drugs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ANNUNZIO:

H.R. 5034. A bill to amend title II of the Social Security Act to permit States, under Federal-State agreements, to provide for coverage for hospital insurance benefits for the aged for certain State and local employees whose services are not otherwise covered by the insurance system established by such title; to the Committee on Ways and Means.

By Mr. ASHMORE:

H.R. 5035. A bill to amend title 38 of the United States Code to provide for the payment of an aid and attendance allowance to certain individuals with severe service-connected disabilities; to the Committee on Veteran's Affairs.

By Mr. BURTON of California:

H.R. 5036. A bill to establish a Redwood National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CELLER:

H.R. 5037. A bill to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, for other purposes; to the Committee on the Judiciary.

H.R. 5038. A bill to assist in combating crime by creating the United States Corrections Service, and for other purposes; to the Committee on the Judiciary.

By Mr. CLANCY:

H.R. 5039. A bill relating to withholding, for purposes of the income tax imposed by certain cities, on the compensation of Federal employees; to the Committee on Ways and Means.

By Mr. CLARK:

H.R. 5040. A bill to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health; to the Committee on Interstate and Foreign Commerce.

By Mr. COHELAN:

H.R. 5041. A bill to establish certain policies with respect to certain use permits for national forest lands; to the Committee on Agriculture.

By Mr. COLLIER:

H.R. 5042. A bill to provide additional readjustment assistance to veterans who served in the Armed Forces during the Vietnam era, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CRAMER:

H.R. 5043. A bill to amend the Internal Revenue Code of 1954 to provide for an amortization deduction for pollution control facilities, a tax credit for expenses of employee training programs and for expenses of higher education, a deduction for teachers educational expenses, special rules for the income tax treatment of business development corporations, and an income tax incentive for employment of older workers; to the Committee on Ways and Means.

By Mr. CURTIS:

H.R. 5044. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

H.R. 5045. A bill to amend the Internal Revenue Code of 1954 to provide that the costs of education or training shall be deductible as trade or business expenses when incurred in order to obtain a new or better job, as well as when incurred in order to maintain existing skills, status, salary, or employment; to the Committee on Ways and Means.

By Mr. DANIELS:

H.R. 5046. A bill to amend title 38 of the United States Code to provide a special pension for veterans of World War I and their widows; to the Committee on Veterans' Affairs.

By Mr. DEVINE:

H.R. 5047. A bill to amend title II of the Social Security Act to increase to $3,000 the annual amount individuals are permitted to earn without suffering deductions from the insurance benefits payable to them under such title; to the Committee on Ways and Means.

By Mr. DOW:

H.R. 5048. A bill to amend the Packers and Stockyards Act of 1921, as amended, and for other purposes; to the Committee on Agriculture.

H.R. 5049. A bill to establish a United States Committee on Human Rights to prepare for participation by the United States in the observance of the year 1968 as International Human Rights Year, and for other purposes; to the Committee on Foreign Affairs.

H.R. 5050. A bill to incorporate Pop Warner Little Scholars, Inc.; to the Committee on the Judiciary.

By Mr. EDWARDS of Alabama:

H.R. 5051. A bill to repeal the Presidential Election Campaign Fund Act of 1966; to the Committee on Ways and Means.

By Mr. FALLON:

H.R. 5052. A bill to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health; to the Committee on Interstate and Foreign Commerce.

By Mr. FARBSTEIN:

H.R. 5053. A bill to amend titles I, IV, X, XIV, XVI, XVII, and XIX of the Social Security Act to require that drugs provided by, or under programs receiving Federal financial assistance pursuant to, such title must be prescribed and furnished on a nonproprietary or generic basis; to the Committee on Ways and Means.

H.R. 5054. A bill to extend the program of health insurance benefits under title XVIII of the Social Security Act to disabled individuals aged 60 or over who are entitled to monthly cash benefits under section 223 of such act, and individuals aged 60 or over who are retired for disability under the Railroad Retirement Act of 1937; to the Committee on Ways and Means.

H.R. 5055. A bill to amend title XVIII of the Social Security Act to permit payment thereunder, in the case of an individual otherwise eligible for home health services of the type which may be provided away from his home, for the costs of transportation to and from the place where such services are provided; to the Committee on Ways and Means.

By Mr. FINO:

H.R. 5056. A bill to amend the Federal Aviation Act of 1958 to authorize aircraft noise abatement regulation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FULTON of Pennsylvania:

H.R. 5057. A bill declaring October 12 to be a legal holiday, to be known as Columbus Day; to the Committee on the Judiciary.

H.R. 5058. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. GILBERT:

H.R. 5059. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 5060. A bill relating to withholding, for purposes of the income tax imposed by certain cities, on the compensation of Federal employees; to the Committee on Ways and Means.

H.R. 5061. A bill to permit officers and employees of the Federal Government to elect coverage under the old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

By Mrs. GRIFFITHS:

H.R. 5062. A bill to amend title II of the Social Security Act to continue to exclude firemen from the insurance system, except where such system is made available as a supplement to fire department pension systems; to the Committee on Ways and Means.

By Mr. GROSS:

H.R. 5063. A bill to amend the Uniform Time Act of 1966 in order to provide that daylight saving time shall be observed in the United States from the first Sunday following Memorial Day to the first Sunday following Labor Day; to the Committee on Interstate and Foreign Commerce.

By Mr. GUBSER:

H.R. 5064. A bill to provide appropriations for sharing of Federal taxes with the States and their political subdivisions out of funds derived from a cutback in projected new expansions of grant-in-aid programs and as a substitute for portions of existing grant-in-aid expenditures; to the Committee on Ways and Means.

By Mr. HALPERN:

H.R. 5065. A bill to amend section 8(b)(4) of the National Labor Relations Act, as amended, with respect to strikes at the sites of construction projects; to the Committee on Education and Labor.

H.R. 5066. A bill to permit the transmission in the mails of lottery tickets and other matter mailed in a State where lotteries are legal, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 5067. A bill to amend the Internal Revenue Code of 1954 to exempt State-conducted lotteries from the taxes on wagering; to the Committee on Ways and Means.

By Mr. HOSMER:

H.R. 5068. A bill to provide appropriations for sharing of Federal taxes with the States and their political subdivisions out of funds derived from a cutback in projected new expansions of grant-in-aid programs and as a substitute for portions of existing grant-in-aid expenditures; to the Committee on Ways and Means.

By Mr. KLUCZYNSKI:

H.R. 5069. A bill to incorporate Pop Warner Little Scholars, Inc.; to the Committee on the Judiciary.

H.R. 5070. A bill to provide for the establishment and development of the Kenilworth National Capital Park in the District of Columbia for the benefit of the people of the United States and, in particular, children; to the Committee on Public Works.

By Mr. LENNON:

H.R. 5071. A bill to appropriate funds to initiate preconstruction planning for the Brunswick County beaches from the Cape Fear to North Carolina-South Carolina State line.

H.R. 5072. A bil. to appropriate funds for the construction of the Carolina Beach and vicinity project, North Carolina.

H.R. 5073. A bill to appropriate funds for the construction on the Cape Fear River, above Wilmington, N.C.

H.R. 5074. A bill to appropriate funds for continuing construction of the New Hope Dam and Reservoir project, North Carolina.

By Mr. LONG of Louisiana:

H.R. 5075. A bill to modify the proposed work of improvement on the Red River below Fulton, Ark., and for other purposes; to the Committee on Public Works.

By Mr. MACHEN:

H.R. 5076. A bill to establish a Federal sabbatical program to improve the quality of teaching in the Nation's elementary or secondary schools; to the Committee on Education and Labor.

H.R. 5077. A bill to provide an equitable system for fixing and adjusting the rates of compensation of wage board employees; to the Committee on Post Office and Civil Service.

By Mr. MINISH:

H.R. 5078. A bill to assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with the extension of credit; to the Committee on Banking and Currency.

By Mr. MORGAN:

H.R. 5079. A bill to amend further the Peace Corps Act (75 Stat. 612), as amended; to the Committee on Foreign Affairs.

By Mr. MORSE:

H.R. 5080. A bill to provide for a more effective and equitable draft system by amending the Universal Military Training and Service Act; to the Committee on Armed Services.

By Mr. MOSS:

H.R. 5081. A bill to require the payment of interest for delinquent mineral leasing obligations; to the Committee on Interior and Insular Affairs.

By Mr. NIX:

H.R. 5082. A bill to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health; to the Committee on Interstate and Foreign Commerce.

By Mr. OLSEN:

H.R. 5083. A bill to amend the Older Americans Act of 1965 to provide for a National Community Senior Service Corps; to the Committee on Education and Labor.

H.R. 5084. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 5085. A bill to amend the tariff schedules of the United States with respect to the rate of duty on scrap containers made of iron or steel; to the Committee on Ways and Means.

H.R. 5086. A bill to amend part B of title XVIII of the Social Security Act to include prescribed drugs among the items and services covered under the supplementary medical insurance program for the aged; to the Committee on Ways and Means.

By Mr. PATTEN:

H.R. 5087. A bill to authorize the preparation of plans for a memorial to Woodrow Wilson; to the Committee on House Administration.

H.R. 5088. A bill to amend the Clean Air Act to improve and expand the authority to conduct or assist research relating to air pollutants, to assist in the establishment of regional air quality commissions, to authorize establishment of standards applicable to emissions from establishments engaged in certain types of industry, to assist in establishment and maintenance of State programs for annual inspections of automobile emission control devices, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 5089. A bill to provide a deduction for income tax purposes, in the case of a disabled individual, for expenses for transportation to and from work; and to provide an additional exemption for income tax purposes for a taxpayer or spouse who is disabled; to the Committee on Ways and Means.

By Mr. PETTIS:

H.R. 5090. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

H.R. 5091. A bill to amend Public Law 87-752 (76 Stat. 749) to eliminate the requirement of a reservation of certain mineral rights to the United States; to the Committee on Interior and Insular Affairs.

H.R. 5092. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. PRICE of Texas:

H.R. 5093. A bill to provide that no further sales may be made under the Participation Sales Act of 1966; to the Committee on Banking and Currency.

By Mr. QUILLEN:

H.R. 5094. A bill to provide additional readjustment assistance to veterans who served in the Armed Forces during the Vietnam era, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. RHODES of Arizona:

H.R. 5095. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. RODINO:

H.R. 5096. A bill to incorporate the Italian American War Veterans of the United States, Inc.; to the Committee on the Judiciary.

H.R. 5097. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. ROUDEBUSH:

H.R. 5098. A bill to amend the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. ROYBAL:

H.R. 5099. A bill to assist in the promotion of economic stabilization by requiring the disclosure of finance charges in connection with extension of credit; to the Committee on Banking and Currency.

By Mr. ST GERMAIN:

H.R. 5100. A bill to require that State plans under titles I and XVI of the Social Security Act provide for the establishment and maintenance of health and safety standards for rental housing occupied by recipients of assistance under such titles; to the Committee on Ways and Means.

By Mr. ST. ONGE:

H.R. 5101. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 5102. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. SANDMAN:

H.R. 5103. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. SCHERLE:

H.R. 5104. A bill to amend the Uniform Time Act of 1966 in order to provide that daylight saving time shall be observed in the United States from the first Sunday following Memorial Day to the first Sunday following Labor Day; to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of Iowa:

H.R. 5105. A bill to amend the Packers and Stockyards Act of 1921, as amended, to prohibit slaughter of livestock under certain conditions which reduce the bargaining power of livestock producers generally and interfere with a free market, and for other purposes; to the Committee on Agriculture.

By Mr. THOMPSON of New Jersey:

H.R. 5106. A bill to promote the advancement of science and the education of scientists through a national program of institutional grants to the colleges and universities of the United States; to the Committee on Science and Astronautics.

By Mr. UTT:

H.R. 5107. A bill to amend section 410 of title 38, United States Code, to provide that all retired members of the uniformed services who served not less than 30 years on active duty, or who were retired for disability in excess of 50 percent shall be considered to have died service-connected deaths; to the Committee on Veterans' Affairs.

By Mr. VAN DEERLIN:

H.R. 5108. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. VIGORITO:

H.R. 5109. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. WALDIE:

H.R. 5110. A bill to amend the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 to provide grants for costs of initiating services in community mental retardation facilities; to the Committee on Interstate and Foreign Commerce.

By Mr. WATSON:

H.R. 5111. A bill relating to the income tax treatment of statutory subsistence allowances received by law enforcement officers and firemen; to the Committee on Ways and Means.

By Mr. WHALLEY:

H.R. 5112. A bill to amend section 4(e) of the Fair Labor Standards Act of 1938 to require the Secretary of Labor to investigate the effect of foreign competition on domestic employment when a complaint is filed by an employer or labor organization; to the Committee on Education and Labor.

H.R. 5113. A bill to establish a system for the sharing of certain Federal tax receipts with the States; to the Committee on Ways and Means.

H.R. 5114. A bill to amend the Antidumping Act, 1921; to the Committee on Ways and Means.

By Mr. BOB WILSON:

H.R. 5115. A bill to amend title II of the Social Security Act to provide an 8-percent across-the-board benefit increase, and subsequent increases based on rises in the cost of living; to the Committee on Ways and Means.

H.R. 5116. A bill to amend the Civil Service Retirement Act to allow retirement credit for service performed for the University of California, Division of War Research, in World War II; to the Committee on Post Office and Civil Service.

By Mr. YOUNG:

H.R. 5117. A bill to authorize the Secretary of the Interior to construct, operate, and maintain stage 1 of the Palmetto Bend reclamation project, Texas, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ZWACH:

H.R. 5118. A bill to restrict imports of dairy products; to the Committee on Ways and Means.

By Mr. CEDERBERG:

H.R. 5119. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. CLARK:

H.R. 5120. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mrs. DWYER:

H.R. 5121. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. FULTON of Pennsylvania:

H.R. 5122. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. FULTON of Tennessee:

H.R. 5123. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. GILBERT:

H.R. 5124. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. KLUCZYNSKI:

H.R. 5125. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. MINISH:

H.R. 5126. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. MURPHY of Illinois:

H.R. 5127. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. NIX:

H.R. 5128. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. WHALLEY:

H.R. 5129. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. BELL:

H.R. 5130. A bill to authorize the construction, operation, and maintenance of the Colorado River Basin project, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BYRNE of Pennsylvania:

H.R. 5131. A bill to amend title II of the Social Security Act to eliminate the reduction in disability insurance benefits which is presently required in the case of an individual receiving workmen's compensation benefits; to the Committee on Ways and Means.

By Mr. BURLESON:

H.R. 5132. A bill to amend title 38, United States Code, to provide disability compensation; to the Committee on Veterans' Affairs.

By Mr. CAHILL:

H.R. 5133. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. CONTE:

H.R. 5134. A bill to amend title 39, United States Code, to provide for the transportation of mail at no cost to the sender to and from the United States and combat areas overseas as designated by the President, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 5135. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 5136. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

By Mr. DOWDY:

H.R. 5137. A bill to provide compensation to survivors of law enforcement officers killed while apprehending persons for committing Federal crimes; to the Committee on the Judiciary.

By Mr. DOWDY (by request):

H.R. 5138. A bill to provide for the establishment and development of the Kenilworth National Capital Park in the District of Columbia for the benefit of the people of the United States and, in particular, children; to the Committee on Public Works.

By Mr. EDWARDS of Louisiana:

H.R. 5139. A bill to amend the Internal Revenue Code of 1954 to provide that an individual not required to file a return of the Federal income tax shall be paid directly the amount of Federal excise tax paid by such individual with respect to gasoline and lubricating oil put to certain uses; to the Committee on Ways and Means.

By Mr. FARBSTEIN:

H.R. 5140. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. GROVER:

H.R. 5141. A bill to establish the Sandy Hook National Seashore in the State of New Jersey, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 5142. A bill to amend the act of October 19, 1949, entitled "an act to assist States in collecting sales and use taxes on cigarettes," so as to control all types of illegal transportation of cigarettes; to the Committee on Ways and Means.

H.R. 5143. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. HAGAN:

H.R. 5144. A bill to remove time limitations on correction of military records and provide a time limitation as to payments; to the Committee on Armed Services.

By Mr. HANLEY:

H.R. 5145. A bill to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health; to the Committee on Interstate and Foreign Commerce.

H.R. 5146. A bill to extend to persons who served in the Armed Forces of the United States on or after August 5, 1964, the date of the Gulf of Tonkin incident, the same range of veterans' benefits heretofore provided veterans of other wars; to improve the pension and certain other benefits now available to these servicemen and veterans; and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. KELLY:

H.R. 5147. A bill to amend the Internal Revenue Code of 1954 to eliminate all dollar limits on the amount of the child care deduction and all income limits on eligibility for such deduction; to the Committee on Ways and Means.

By Mr. KING of California:

H.R. 5148. A bill to amend the act of August 27, 1954, relating to the protection of vessels of the United States on the high seas and in territorial waters of foreign countries; to the Committee on Merchant Marine and Fisheries.

By Mr. McCARTHY:

H.R. 5149. A bill to establish a National Intergovernmental Affairs Council; to the Committee on Government Operations.

By Mr. MacGREGOR:

H.R. 5150. A bill to increase to 5 years the maximum term for which broadcasting station licenses may be granted; to the Committee on Interstate and Foreign Commerce.

By Mr. MONAGAN:

H.R. 5151. A bill to provide for the designation of that portion of U.S. Highway No. 6 between Hartford, Conn., and Providence, R.I., as a part of the National System of Interstate and Defense Highways; to the Committee on Public Works.

By Mr. NIX:

H.R. 5152. A bill to establish a Federal sabbatical program to improve the quality of teaching in the Nation's elementary or secondary schools; to the Committee on Education and Labor.

By Mr. PATTEN:

H.R. 5153. A bill to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health; to the Committee on Interstate and Foreign Commerce.

By Mr. REIFEL:

H.R. 5154. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. REINECKE:

H.R. 5155. A bill to provide for the participation of the Department of the Interior in the construction and operation of a large prototype desalting plant, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 5156. A bill to protect the employees of the executive branch of the U.S. Government in the enjoyment of their constitutional rights and to prevent unwarranted governmental invasions of their privacy; to the Committee on Post Office and Civil Service.

H.R. 5157. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

H.R. 5158. A bill to amend title II of the Social Security Act to increase widow's benefits, to eliminate the actuarial reduction presently required in such benefits when application therefor is made prior to age 62, and to provide benefits for certain disabled widows without regard to their age; to the Committee on Ways and Means.

By Mr. SAYLOR:

H.R. 5159. A bill to provide for continuity and support of study, research, and development of programs for peaceful uses in science, commerce, and other activities related to Antarctica, which shall include, but shall not be limited to, gathering, evaluating, correlating, and dispersing of information and knowledge obtained from exploration, research, and other mediums relating to weather, communications, travel, and other areas of information; also, to coordinate Antarctic activities among those agencies of the U.S. Government and private institutions interested in or concerned directly with the promotion, advancement, increase, and diffusion of knowledge of the Antarctic; and to direct and administer U.S. Antarctic programs in the national interest; to the Committee on Interior and Insular Affairs.

By Mr. SNYDER:

H.R. 5160. A bill to amend title II of the Social Security Act to include Kentucky among those States which are permitted to divide their retirement systems into two parts for purposes of obtaining social security coverage under Federal-State agreement; to the Committee on Ways and Means.

By Mr. TEAGUE of California:

H.R. 5161. A bill to designate the San Rafael Wilderness, Los Padres National Forest, in the State of California; to the Committee on Interior and Insular Affairs.

H.R. 5162. A bill to amend the Internal Revenue Code of 1954; to the Committee on Ways and Means.

H.R. 5163. A bill concerning Federal tax fairness; to the Committee on Ways and Means.

By Mr. TUNNEY:

H.R. 5164. A bill to amend title II of the Social Security Act to increase the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. CHARLES H. WILSON:

H.R. 5165. A bill to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health; to the Committee on Interstate and Foreign Commerce.

By Mrs. DWYER:

H.J. Res. 271. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. FULTON of Pennsylvania:

H.J. Res. 272. Joint resolution proposing an amendment to the Constitution of the United States to permit voluntary participation in prayer in public schools; to the Committee on the Judiciary.

By Mr. MACHEN:

H.J. Res. 273. Joint resolution to amend the Agricultural Adjustment Act of 1938, as amended, with respect to the lease and transfer of tobacco acreage allotments; to the Committee on Agriculture.

By Mr. MORTON:

H.J. Res. 274. Joint resolution to amend the Agricultural Adjustment Act of 1938, as amended, with respect to the lease and transfer of tobacco acreage allotments; to the Committee on Agriculture.

By Mr. O'HARA of Illinois:

H.J. Res. 275. Joint resolution requesting the President to instruct the Permanent Representative of the United States to the United Nations to request the Security Council without delay convene the Arab States and the State of Israel and other interested nations in a peace conference; to the Committee on Foreign Affairs.

By Mr. ROUDEBUSH:

H.J. Res. 276. Joint resolution to provide for the resumption of trade with Rhodesia; to the Committee on Foreign Affairs.

H.J. Res. 277. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. WATSON:

H.J. Res. 278. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. WHALLEY:

H.J. Res. 279. Joint resolution to require that reports on imports into the United States include the landed value of articles imported, and for other purposes; to the Committee on Ways and Means.

By Mr. MOSS:

H.J. Res. 280. Joint resolution to establish a National Commission on Product Safety; to the Committee on Interstate and Foreign Commerce.

By Mr. SNYDER:

H.J. Res. 281. Joint resolution proposing an amendment to the Constitution of the United States relative to the balancing of the budget; to the Committee on the Judiciary.

H.J. Res. 282. Joint resolution proposing an amendment to the Constitution of the United States to preserve and protect references to reliance upon God in governmental matters; to the Committee on the Judiciary.

By Mr. MOORHEAD:

H. Con. Res. 130. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. SCHWEIKER:

H. Con. Res. 131. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. MULTER:

H. Con. Res. 132. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. BARRETT:

H. Con. Res. 133. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. RHODES of Pennsylvania:

H. Con. Res. 134. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. RODINO:

H. Con. Res. 135. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. MOSS:

H. Con. Res. 136. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ASHLEY:

H. Con. Res. 137. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mrs. GREEN of Oregon:

H. Con. Res. 138. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. DINGELL:

H. Con. Res. 139. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. DENT:

H. Con. Res. 140. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. QUIE:

H. Con. Res. 141. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. BRADEMAS:

H. Con. Res. 142. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. CAHILL:

H. Con. Res. 143. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. COHELAN:

H. Con. Res. 144. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. CONTE:

H. Con. Res. 145. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. DADDARIO:

H. Con. Res. 146. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. HALPERN:

H. Con. Res. 147. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. HECHLER of West Virginia:

H. Con. Res. 148. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. GILBERT:

H. Con. Res. 149. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mrs. HANSEN of Washington:

H. Con. Res. 150. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. CORMAN:

H. Con. Res. 151. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. HARVEY:

H. Con. Res. 152. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. MATHIAS of Maryland:

H. Con. Res. 153. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. MORSE:

H. Con. Res. 154. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. RYAN:

H. Con. Res. 155. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ROSENTHAL:

H. Con. Res. 156. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. BURTON of Utah:

H. Con. Res. 157. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. EDWARDS of California:

H. Con. Res. 158. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. FRASER:

H. Con. Res. 159. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. HORTON:

H. Con. Res. 160. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. LEGGETT:

H. Con Res. 161. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. MATSUNAGA:

H. Con. Res. 162. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. PEPPER:

H. Con. Res. 163. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. REID of New York:

H. Con. Res. 164. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ROYBAL:

H. Con. Res. 165. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ST. ONGE:

H. Con. Res. 166. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ROONEY of Pennsylvania:

H. Con. Res. 167. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. ADAMS:

H. Con. Res. 168. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. BINGHAM:

H. Con. Res. 169. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. HELSTOSKI:

H. Con. Res. 170. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mrs. MINK:

H. Con. Res. 171. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. SCHEUER:

H. Con. Res. 172. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. SMITH of New York:

H. Con. Res. 173. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. TENZER:

H. Con. Res. 174. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. WOLFF:

H. Con. Res. 175. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. KUPFERMAN:

H. Con. Res. 176. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. BUTTON:

H. Con. Res. 177. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. EILBERG:

H. Con. Res. 178. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. GUDE:

H. Con. Res. 179. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. OLSEN:

H. Con. Res. 180. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. GIAIMO:

H. Con. Res. 181. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. DELLENBACK:

H. Con. Res. 182. Concurrent resolution to provide early appropriations for Federal educational programs; to the Committee on Rules.

By Mr. DONOHUE:

H. Con. Res. 183. Concurrent resolution to request the President of the United States to urge certain actions in behalf of Lithuania, Estonia, and Latvia; to the Committee on Foreign Affairs.

By Mr. FASCELL:

H. Con. Res. 184. Concurrent resolution to authorize the establishment of a suitable memorial to Astronauts Grissom, White, and Chaffee; to the Committee on Rules.

By Mr. FUQUA:

H. Con. Res. 185. Concurrent resolution to direct the appropriate committees of the House of Representatives and the Senate to consider a memorial to the astronauts who lose their lives in the line of duty; to the Committee on Rules.

By Mr. O'HARA of Illinois:

H. Con. Res. 186. Concurrent resolution to establish an Atlantic Union delegation; to the Committee on Foreign Affairs.

H. Con. Res. 187. Concurrent resolution relating to freedom for Baltic States; to the Committee on Foreign Affairs.

By Mr. ROUDEBUSH:

H. Con. Res. 188. Concurrent resolution expressing the sense of the Congress with respect to the construction on Guam of a memorial honoring the Japanese dead of World War II; to the Committee on Interior and Insular Affairs.

By Mr. SIKES:

H. Con. Res. 189. Concurrent resolution to direct the appropriate committees of the House of Representatives and the Senate to consider a memorial to the astronauts who lose their lives in the line of duty; to the Committee on Rules.

By Mr. WOLFF:

H. Con. Res. 190. Concurrent resolution expressing the support of the Congress for the South Vietam Constituent Assembly; to the Committee on Foreign Affairs.

By Mr. ZWACH:

H. Con. Res. 191. Concurrent resolution concerning Federal highway funds; to the Committee on Ways and Means.

By Mr. BURLESON:

H. Res. 227. Resolution providing funds for the Committee on House Administration; to the Committee on House Administration.

By Mr. CLEVELAND:

H. Res. 228. Resolution amending the Rules of the House of Representatives to allow televising and broadcasting of proceedings in the Hall of the House; to the Committee on Rules.

H. Res. 229. Resolution amending the Rules of the House of Representatives to allow televising and broadcasting of proceedings before committees of the House; to the Committee on Rules.

By Mr. DELLENBACK:

H. Res. 230. Resolution creating a Select Committee on Standards and Conduct; to the Committee on Rules.

By Mr. HALPERN:

H. Res. 231. Resolution expressing the sense of the House of Representatives that the United States should ratify the Genocide Convention recommended by the General Assembly of the United Nations; to the Committee on Foreign Affairs.

By Mr. HANNA:

H. Res. 232. Resolution for congressional interns; to the Committee on House Administration.

H. Res. 233. Resolution to establish a Select Committee on Standards and Conduct; to the Committee on Rules.

By Mr. McMILLAN:

H. Res. 234. Resolution to provide funds for the expenses of the studies and investigations authorized by House Resolution 68; to the Committee on House Administration.

By Mr. WALKER:

H. Res. 235. Resolution authorizing Members of the House of Representatives to employ during each summer one student congressional intern; to the Committee on House Administration.

H. Res. 236. Resolution amending the Rules of the House of Representatives to permit the presentation and recognition in the Hall of the House of holders of the Congressional Medal of Honor, and for other purposes; to the Committee on Rules.

By Mr. SNYDER:

H. Res. 237. Resolution to authorize the Committee on Government Operations to conduct an investigation and study with respect to competition of the Federal Government with private business; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

11. By Mr. HATHAWAY: Memorial of the Legislature of the State of Maine, relative to the inclusion of the State of Maine in the study of high speed ground transportation; to the Committee on Interstate and Foreign Commerce.

12. Also, memorial of the Legislature of the State of Maine, relative to the extension of the Interstate and Defense Highway System in Maine, to the Committee on Public Works.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 5166. A bill for the relief of George Kuan; to the Committee on the Judiciary.

H.R. 5167. A bill for the relief of Enrique Yong, also known as Mui Po Yeung; to the Committee on the Judiciary.

H.R. 5168. A bill for the relief of Felicula C. Busog, M.D.; to the Committee on the Judiciary.

H.R. 5169. A bill for the relief of Antonia Marsiglia (Massiglia); to the Committee on the Judiciary.

H.R. 5170. A bill for the relief of Ricardo D. Sambat, M.D.; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 5171. A bill for the relief of Gerardo Barone; to the Committee on the Judiciary.

H.R. 5172. A bill for the relief of Francesco Calderone; to the Committee on the Judiciary.

H.R. 5173. A bill for the relief of Filippo Candela; to the Committee on the Judiciary.

H.R. 5174. A bill for the relief of Salvatore Carollo and Antonina Carollo; to the Committee on the Judiciary.

H.R. 5175. A bill for the relief of Salvatore Finazzo; to the Committee on the Judiciary.

H.R. 5176. A bill for the relief of Antonina Gambino; to the Committee on the Judiciary.

H.R. 5177. A bill for the relief of Francesco Gambino; to the Committee on the Judiciary.

H.R. 5178. A bill for the relief of Giustino Gambino; to the Committee on the Judiciary.

H.R. 5179. A bill for the relief of Vincenzo Napolitano; to the Committee on the Judiciary.

By Mr. BUTTON:

H.R. 5180. A bill for the relief of Wlodzimierz Kwolek; to the Committee on the Judiciary.

By Mr. CELLER:

H.R. 5181. A bill for the relief of Samuel Renwick Too-A-Foo; to the Committee on the Judiciary.

By Mr. COHELAN:

H.R. 5182. A bill for the relief of Joanna Bruckner; to the Committee on the Judiciary.

H.R. 5183. A bill for the relief of Romana Costa Edwards; to the Committee on the Judiciary.

H.R. 5184. A bill for the relief of Mrs. Annemarie Sauer; to the Committee on the Judiciary.

By Mr. DULSKI (by request):

H.R. 5185. A bill for the relief of Dr. Hi Yun Whang; to the Committee on the Judiciary.

By Mr. FULTON of Tennessee:

H.R. 5186. A bill for the relief of Dr. Armando Cobelo; to the Committee on the Judiciary.

H.R. 5187. A bill for the relief of Dr. Hector Alfredo E. Planas-Pina; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 5188. A bill for the relief of Swami Abhay Charanaravindr Bhaktivedanta; to the Committee on the Judiciary.

H.R. 5189. A bill for the relief of Magdalina Karabatsos; to the Committee on the Judiciary.

H.R. 5190. A bill for the relief of Maria Klapsi; to the Committee on the Judiciary.

H.R. 5191. A bill for the relief of Enid May Reid; to the Committee on the Judiciary.

H.R. 5192. A bill for the relief of Arnold Williams, his wife, Rose Eloise Williams, and their minor children, Delorese Williams, Claude Williams, and Audley Williams; to the Committee on the Judiciary.

H.R. 5193. A bill for the relief of Rosario Zangri; to the Committee on the Judiciary.

By Mr. GUDE:

H.R. 5194. A bill for the relief of Mrs. Gertrude Magnuson; to the Committee on the Judiciary.

By Mr. HAGAN:

H.R. 5195. A bill for the relief of Nicolo Baretta; to the Committee on the Judiciary.

H.R. 5196. A bill for the relief of Paul Parris Mustakas; to the Committee on the Judiciary.

By Mr. HAMILTON:

H.R. 5197. A bill for the relief of Paul Joseph Harph; to the Committee on the Judiciary.

By Mr. HANNA:

H.R. 5198. A bill for the relief of Nasser Honarvar and his wife, Sabreh Honarvar; to the Committee on the Judiciary.

By Mr. HARSHA:

H.R. 5199. A bill for the relief of James E. Denman; to the Committee on the Judiciary.

By Mr. IRWIN:

H.R. 5200. A bill for the relief of Biovanni Sari; to the Committee on the Judiciary.

By Mr. KAZEN:

H.R. 5201. A bill for the relief of Leon Shapu; to the Committee on the Judiciary.

By Mr. KING of California:

H.R. 5202. A bill for the relief of Farhat Hasan; to the Committee on the Judiciary.

H.R. 5203. A bill for the relief of Jose Maria Torres-Arroyo; to the Committee on the Judiciary.

By Mr. MACHEN:

H.R. 5204. A bill to authorize the Secretary of the Interior to convey certain public lands to Herbert E. Counihan of Las Cruces, N. Mex.; to the Committee on Interior and Insular Affairs.

H.R. 5205. A bill for the relief of Yee Min Kiang, his wife, Wong Shui Yin, and their minor children, Louis Kiang and Agnes Kiang; to the Committee on the Judiciary.

By Mr. MULTER:

H.R. 5206. A bill for the relief of Jacques Laniado; to the Committee on the Judiciary.

By Mr. O'HARA of Illinois:

H.R. 5207. A bill for the relief of Vincenzo Gabriele; to the Committee on the Judiciary.

H.R. 5208. A bill for the relief of Meline Rastic; to the Committee on the Judiciary.

By Mr. RHODES of Arizona:

H.R. 5209. A bill for the relief of certain individuals; to the Committee on the Judiciary.

By Mr. ROSENTHAL:

H.R. 5210. A bill for the relief of Romulo A. Jardiel; to the Committee on the Judiciary.

By Mr. SANDMAN:

H.R. 5211. A bill for the relief of Anna B'Aloisio; to the Committee on the Judiciary.

H.R. 5212. A bill for the relief of Basile and Palagia Stavroupoulos; to the Committee on the Judiciary.

By Mr. SCHADEBERG:

H.R. 5213. A bill for the relief of Hermine Grigorian, nee Minassian; to the Committee on the Judiciary.

By Mr. WATSON:

H.R. 5214. A bill for the relief of certain individuals; to the Committee on the Judiciary.

By Mr. BOB WILSON:

H.R. 5215. A bill for the relief of Boys' and Girls' Aid Society of San Diego, Ltd.; to the Committee on the Judiciary.

H.R. 5216. A bill for the relief of Roberto Martin Del Campo; to the Committee on the Judiciary.

H.R. 5217. A bill for the relief of George Mattar; to the Committee on the Judiciary.

H.R. 5218. A bill for the relief of Gabriel Jorge Rocha; to the Committee on the Judiciary.

By Mr. YATES (by request):

H.R. 5219. A bill for the relief of Vito Portuesi and his sisters, Maria Portuesi and Maddalena Portuesi; to the Committee on the Judiciary.

By Mr. BUCHANAN:

H.R. 5220. A bill for the relief of Bedford F. Kuykendall; to the Committee on the Judiciary.

By Mr. BURLESON:

H.R. 5221. A bill for the relief of J. H. Reynolds, doing business as Reynolds Manufacturing Co.; to the Committee on the Judiciary.

H.R. 5222. A bill for the relief of All Products Co.; to the Committee on the Judiciary.

By Mr. CLARK:

H.R. 5223. A bill for the relief of Ok Yon (Mrs. Charles G.) Kirsch; to the Committee on the Judiciary.

By Mr. EDWARDS of Louisiana:

H.R. 5224. A bill for the relief of Dr. Guillermo Fresco De Jongh; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 5225. A bill for the relief of Vincenza Chiarello and Margherita Chiarello; to the Committee on the Judiciary.

H.R. 5226. A bill for the relief of Helen S. Cabilites; to the Committee on the Judiciary.

By Mr. HAWKINS:

H.R. 5227. A bill for the relief of Southwest Hospital Foundation; to the Committee on the Judiciary.

By Mr. JOELSON:

H.R. 5228. A bill for the relief of Gordana Topalovich, Dragana Topalovich, and Svetlana Topalovich; to the Committee on the Judiciary.

H.R. 5229. A bill for the relief of Veda A. Bell; to the Committee on the Judiciary.

H.R. 5230. A bill for the relief of Milena Fedel; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 5231. A bill for the relief of Mr. Ignac Ferdinand Klein, his wife, Netti, and their two sons, Edward and Benjamin; to the Committee on the Judiciary.

H.R. 5232. A bill for the relief of Arturo Rammairone; to the Committee on the Judiciary.

By Mr. LONG of Maryland:

H.R. 5233. A bill for the relief of Mrs. Sophie Michalowska; to the Committee on the Judiciary.

By Mr. McEWEN:

H.R. 5234. A bill for the relief of M. Shawky A. A. Hammam, Fathia Hammam, Nadia Hammam, Sonia Hammam, Mona Hammam, and Magda Hammam; to the Committee on the Judiciary.

By Mr. ROONEY of New York:

H.R. 5235. A bill for the relief of Mr. Nicolo Avvocato; to the Committee on the Judiciary.

H.R. 5236. A bill for the relief of Hermogena O. Fajardo; to the Committee on the Judiciary.

By M. RYAN:

H.R. 5237. A bill for the relief of Isaac Destin; to the Committee on the Judiciary.

H.R. 5238. A bill for the relief of Dr. Yellamaty Williams; to the Committee on the Judiciary.

H.R. 5239. A bill for the relief of Norga Florentina Madera Genao; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

25. The SPEAKER presented a petition of William A. Albaugh, Mount Rainier, Md., relative to the election of the Maryland delegation to the U.S. House of Representatives, which were referred to the Committee on House Administration.

EXTENSIONS OF REMARKS

Georgia Day

EXTENSION OF REMARKS

OF

HON. G. ELLIOTT HAGAN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 8, 1967

Mr. HAGAN. Mr. Speaker, Sunday, February 12, is Georgia Day, commemorating the founding of the 13th English colony in the New World at Savannah by Gen. James Edward Oglethorpe on February 12, 1733.

For several days during that period, Georgia Day is celebrated with much fervor in the State of Georgia and particularly in Savannah, the mother city.

On Georgia Day I will have the honor of presenting to the city of Savannah a bronze plaque from the National Park Service, Department of the Interior, designating the downtown area of Savannah a national historic landmark.

This recognition for the largest city in the First District is one of many that have been accorded since its founding. Savannah's famous "firsts" include being the first planned city in North America, laid out by General Oglethorpe in 1733; site of the first agriculture experiment station in America and the first lighthouse on the South Atlantic coast. The first practical cotton gin was invented by Eli Whitney near Savannah in 1793. The first Negro Baptist congregation in the United States founded there in 1788 as well as the first hospital for Negroes in the Nation in 1832. The first Girl Scout troop was founded in Savannah by Juliette Gordon Low, one of the city's most illustrious daughters. And in marking Savannah as one of the greatest seaports in the Nation, it must be noted that the first steamship to cross any ocean, the SS *Savannah*, sailed from Savannah to Liverpool in 1819, the first commercially successful iron steamship, SS *John Randolph*, was launched there in 1834 and the first nuclear-powered merchant ship in the world, the NS *Savannah*, made Savannah her first home port call in 1962.

Fino Introduces Flood Insurance Legislation

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 8, 1967

Mr. FINO. Mr. Speaker, yesterday, I introduced legislation to provide for a national program of flood insurance. The legislation is virtually identical with that introduced recently by Majority Whip HALE BOGGS, and others.

I introduced this bill in the hope that Congress will see fit to help our river, lake, and maritime communities by making it possible for them to enjoy adequate insurance protection against the ravages of wind and waters.

In my own Bronx district, New York's maritime center of City Island will benefit greatly from any such insurance coverage Congress might choose to make available.

Last year, City Island was lashed by Long Island storm waters several times, and it may be a few years before the Corps of Engineers gets a breakwater built.

I hope Congress will take prompt action of the question of a national flood and storm insurance system.

The Legion of Valor

EXTENSION OF REMARKS

OF

HON. SAMUEL L. DEVINE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 8, 1967

Mr. DEVINE. Mr. Speaker, Columbus, Ohio, will be honored July 23–26, 1967, as the community hosts the national reunion of the Legion of Valor.

Columbus has always been in the forefront of steadfast adherence to the ideals of the United States and the inspiration of those attributes which are so basically American.

The members who make up the Legion of Valor, each of which holds a Valor Medal awarded by the United States, these medals being the Medal of Honor, Distinguished Service Cross, Navy Cross, or Air Force Cross, will find warm hospitality accorded them as they assemble in Columbus, for their fraternal and annual reunion.

The accolades of the community will be manifested in many ways, tangible and intangible, as the Columbus area goes all out to make members of the

Legion of Valor welcome in a most hospitable and considerate way.

I urge my colleagues in the U.S. House of Representatives, who are members of the Legion of Valor to participate in the inspirational and enjoyable aspects of the forthcoming reunion and I wish to urge members of the Legion of Valor from all over the United States to visit and see the All America City at the zenith of hospitality throughout the Legion of Valor reunion.

The Kee Report: Federal Deposit Insurance Corporation

EXTENSION OF REMARKS

OF

HON. JAMES KEE

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 8, 1967

Mr. KEE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include this week's public service television and radio newscast, "The Kee Report." The subject discussed is "Federal Deposit Insurance Corporation."

The report follows:

THE KEE REPORT: FEDERAL DEPOSIT INSURANCE CORPORATION

This is Jim Kee, bringing you the Kee Report. The virtual collapse of the banking system was one of the most distressing features of the great depression which swept over this country in early 1930's. In fact, many economists believe that the failure of the banking system to function properly was a major cause of the depression.

The loss of savings was a dreadful blow for the family wage-earner who was already out of work—or the farmer who found that market prices for food products were less than the cost of production. Even while Congress was passing emergency measures to get the economy moving once again, it was realized that the whole effort might be in vain unless something was done to restore public confidence in the banking system.

The insurance of bank deposits had been urged in Congress without success ever since the hard times of the 1880's. But then in 1933 Congress did something about the problem. The banking act of that year established the Federal Deposit Insurance Corporation for the purpose of protecting depositors against loss from bank failures. In the years since then, this has developed into one of the most useful and efficient organizations in the Federal Government.

Today, there are more than 170 million bank accounts insured against loss up to a maximum of $15,000. The great majority of banks in the United States belong to the system. Most of those outside are mutual banks ineligible to participate, but whose depositors are protected by state law. Before this system was established, the unlucky depositors of insolvent banks had to wait for years until liquidation of the bank's assets returned to them a small part of their savings. Today, depositors are paid within ten days—and sometimes, when it is possible to merge the closed bank with a sound bank, the depositors are paid immediately if that is what they wish.

The Federal Deposit Insurance Corporation, as the agency is called, has performed a splendid service for the nation's bank depositors. It has also performed a great service for the entire banking system. Because of its inspection system, which shows up danger spots in time for corrective action, the incidence of bank failures has been reduced to a fraction of what it was in pre-depression years. In other words, banking practices and banking habits have improved to the point where failures seldom occur.

What this means to the general economy may be realized by taking a look at what happened before this system became operative. During the 1920's, bank failures averaged more than 80 each year. During the depression, the number climbed until there were more than 4,000 failures in the year 1933. You can imagine the suffering and distress caused to millions of depositors. But the injury went beyond that. In some Mid-Western states, where farming was the only occupation, almost all the banks crashed. The result was that business everywhere was at a standstill. In some regions, the normal system of exchange had to be replaced by barter.

Three decades ago, many sincere men predicted that losses from bank insurance would be severe enough to endanger the Federal credit. Time has disproved that theory. The insurance of bank deposits has proven to be one of the wisest measures ever adopted.

Thank you for listening.

Congressman Dulski Featured on Magazine Cover

EXTENSION OF REMARKS

OF

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 8, 1967

Mr. McCARTHY. Mr. Speaker, I am proud to bring to your attention the fact that my colleague and friend, Congressman THADDEUS J. DULSKI, is featured on the cover of the February 4 issue of the National Rural Letter Carrier.

Mr. DULSKI is the new chairman of the House Post Office and Service Committee—and I can speak for the people of Buffalo in saying that we are proud to have a native Buffalonian and former Buffalo councilman at large follow in the footsteps of the late Representative James M. Meade, of Buffalo, who was chairman of the committee before going to the U.S. Senate.

The people of Buffalo are also proud to have a former Canisius College student and graduate of the State University of Buffalo representing them in Congress.

TED DULSKI, a hard-working Democrat-Liberal, represents New York's 41st District. Beloved by all in Buffalo, he has been reelected four times. Formerly an accountant and tax consultant, Mr. DULSKI served for a time with the Bureau of Internal Revenue, Treasury Department. He is a Navy veteran of World War II, and also has several years as a special agent with the Price Stabilization Administration to his credit.

First elected a district councilman of the city of Buffalo, Mr. DULSKI became a councilman at large in 1957. The following year he ran for Congress—and has been here ever since. The Post Office and Civil Service Committee is, indeed, fortunate to have such a competent and likable chairman.

Judge George C. Sweeney

EXTENSION OF REMARKS

OF

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 8, 1967

Mr. PHILBIN. Mr. Speaker, I was greatly distressed and deeply touched to learn of the passing on November 5, 1966, of the Honorable George C. Sweeney, for years an outstanding judge and chief judge of the Federal district court at Boston.

I had known Judge Sweeney during most of my lifetime and held him in highest regard, esteem, admiration, and affection.

His brilliant career is a great monument to him—a tribute to his great ability, fine legal training, wonderful spirit of dedication and his many outstanding contributions to the public interest.

Judge Sweeney started from humble beginnings, and by virtue of his ability, ambition, courage, personality and forceful character, rose to one of the topmost judicial positions in the Nation.

He was an American of the finest quality, who, at an early age, joined the colors and gallantly served our country in World War I with great credit.

He was the youngest mayor in the history of his beautiful, native city of Gardner, Mass., in my district. Veteran, mayor, lawyer, distinguished right arm of the U.S. Attorney General as head of the important Claims Division of that high office, learned, wise and respected judge, admired and loved by all who knew him, Judge Sweeney was indeed a great American.

His service on the bench was particularly meritorious and praiseworthy. He enjoyed the high esteem of bar and bench, of his able and distinguished colleagues, and of the members of our great legal profession. He held the admiration and love of all who knew him.

His lifetime of outstanding, devoted faithful public service of a rare kind stands out like the Washington Monument.

Judge Sweeney was a man of amiable, personal qualities, noted for his fairness and kindliness toward others, his sound judgments, his compassion, and his loyalty to his friends and to the many fine causes which he supported throughout his life. He was truly beloved by his learned judicial colleagues and by all who knew him.

In every sense, he was a great American and his long, valuable outstanding service to his country, to his community, State, and Nation in so many important posts of duty will long be remembered by his distinguished colleagues on the Bench, members of the bar, and by a grateful people, not only in his native city of Gardner, but wherever he was known.

I am personally deeply saddened by his unexpected, untimely demise, and I join with his beloved family, his dear ones, colleagues and friends in mourning his untimely passing, and I extend to them all my most heartfelt sympathy for their great irreparable loss, a loss which I very keenly feel.

The memory of Judge Sweeney will long remain in our hearts.

May he find peace and rest in his eternal, heavenly home.

Mr. Speaker, the day before Judge Sweeney passed away, I dictated a letter to him upon learning that he was ill, which I held after I heard of his death. Under unanimous consent I include the letter in the Record as part of my remarks on the passing of this great and beloved jurist:

Congress of the United States,
House of Representatives,
Washington, D.C., November 4, 1966.

Hon. George C. Sweeney,
330 Beacon Street,
Boston, Mass.

Dear George: I hope you are feeling better these days and that you will take it easy for a while. After all, you have had a very busy life over a long period of time now, and your admirable work on the Bench has been extremely taxing at times.

In public life these days, the problems seem to grow and become more complex and the work load increases almost at a geometric rate.

To be sure, it is not at all like the old days, when there was some more leisure time for family life, diversion, recreation and comradeship.

Our tasks in the public service have changed a great deal since earlier days, and so far as I am concerned, it seems that I can never get out of the salt mines and I know that you must have had the same kind of a situation in the Courts.

One thing is certain, and I must mention it to you, because no one in the entire history of this country has made greater contributions in any judicial role for our federal system of justice, for our courts or for our country than you have done.

Indeed your career is a great monument to you, a tribute to your great ability, your legal learning, your wonderful spirit of dedication and your complete willingness to give of yourself unselfishly and wholeheartedly in the sterling performance of your heavy responsibilities and important duties.

One of the finest things about your service, George, is that in the eminence, distinction and high standards you have achieved, you have always kept your balance, and you have been noted, not only for your mastery of the law, your dignity, your fairness and kindliness toward others, but also for your consistent, sound judgment, compassion for others and the down to earth realism and kindness which you have always shown in the conduct of your important work as well as in your personal relations.

There are so many things I could mention about your contributions—the personal qualities that endeared you to so many of us and that have marked you as a true, genuine, friend, your instinctive concern for people, and the constant loyalty of your friendship which, Lord knows, stands out like a beacon light. To enjoy such high esteem of the Bar and Bench, of the fellows of our great profession and the admiration and love of all who know you, is surely a great thing even though your own inherent modesty might prompt you to evaluate it somewhat differently than we do.

They say that the past is prologue, but you certainly can look back on it as a gleaming reflection of outstanding, devoted, faithful public service of a kind that we seldom have these days and that stands out like the Eiffel Tower or the Washington Monument.

In any event, I just want to have this opportunity as an old friend and admirer, to commend and thank you as well as to congratulate you and your lovely family upon your extraordinarily brilliant career on the Bench and your superb contributions throughout the years. Veteran, Mayor, lawyer and distinguished right arm of the Attorney General, learned, wise and respected Judge, admired and loved by all, you and your dear ones, your friends, and all who know you, may well be proud and grateful for your tremendous achievements for God and country.

I also want to thank you for your invariable kindness to me and your strong, inspiring, loyal friendship. Truly you are in a class by yourself—a great American.

I wish for you and your dear ones all choicest blessings in the time to come, and well-being, happiness and peace together for many years to come.

Please do not hesitate to call upon me anytime.

Warm regards and best wishes,
Sincerely yours,
Philip J. Philbin.

Address Delivered by the Honorable William M. Colmer at the Launching of "Oregon II"

EXTENSION OF REMARKS

OF

HON. THOMAS N. DOWNING

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 8, 1967

Mr. DOWNING. Mr. Speaker, our prestige as a great nation is as much on the line on the high seas as it is in space or in southeast Asia.

We are locked in a conflict with the U.S.S.R.—a conflict between ideologies that makes us competitors in outer space and inner space.

It is imperative that the United States develop its capacity to benefit from the ocean's resources. Every American is aware of our Polaris fleet's importance but relatively few of our citizens are aware of the importance of our commercial fishing fleet. Our people's future food needs and the projected needs of future world populations make it imperative that we develop the nutritional resources of the seas.

One of our colleagues, the gentleman from Mississippi, Congressman William M. Colmer, discussed the importance of our domestic fishing industry when he delivered an address at the launching of the *Oregon II* at Pascagoula, Miss. Congressman Colmer has taken a personal interest in the commercial fishing industry in the United States for 16 years and I believe my colleagues would appreciate an opportunity to read his remarks on our Nation's fisheries resources.

I would appreciate, Mr. Speaker, an opportunity to insert Congressman Colmer's *Oregon II* address in the the Record.

Congressman Colmer's address follows:

Address To Be Delivered by Congressman William M. Colmer at the Launching of "Oregon II," Pascagoula, Miss., February 4, 1967

This is a day of great pride for me. I am indeed pleased to be here today and to participate in the launching ceremony of this modern exploratory fishing and gear research vessel. In that regard, I thank Mr. Gardner and Mr. Bullis for their kind invitation.

Oregon II will be a vital link in the chain of events needed to bring our fishery resource potential into commercial utilization. A quick look at the state of our domestic fisheries and the changes that have taken place in world fisheries over the past few years shows some very disturbing trends . . . with the result that the United States has slipped from second place in ranking among major fish producers, to a very poor fifth.

While virtually every other nation with a fisheries tradition has recorded a great production increase during the past decade, our catch declined 200 million pounds. Since we pride ourselves on our technology and knowhow, it must be concluded that our diminishing position in fisheries production has come about for the simple reason that we have not given the problem sufficient attention.

The reality of the demands which the expanding world population will place on available food supply must be recognized. Good quality proteins are not universally available in sufficient quantities in the form of agricultural products. Furthermore, land resources for crops and animal grazing are not inexhaustible; only one-fifth of the total available crop land is left unutilized and this, at best, could only supply enough food (predominantly vegetable) for presently underfed people—and this only if the most modern agricultural methods could be applied world-wide. But even if this could be achieved, there would still be a serious deficit in the supply of animal proteins to supplement adequately the diets of today's population, let alone that of tomorrow's millions.

The seas offer a wealth of nutritional resources. They already are a principal source of protein. They can provide many times the current food supply if we but learn how to garner and husband this self-renewing larder. To meet the vast needs of expanding population the bounty of the sea must be made more available. Within two decades our own Nation will require over a million more tons of seafood than we now harvest.

But there is still another reason—a very vital reason—why the United States must move ahead in our programs of studying the seas. This reason is communism. Soviet leaders are convinced that the way to world communism, among others, is by leadership in oceanography, dominance among fishing nations, and the superiority of the Russian merchant marine.

A report on the Soviets and the seas was made recently by my colleagues, Congressmen Hastings Keith and Paul Rogers, members of the Merchant Marine and Fisheries Committee, who were delegated to visit Russia and Poland in the face of a growing Soviet buildup in marine sciences and technology.

The report noted that the Soviet Union is finely tuned to world political revolution; and its people are but a generation away from internal upheaval. They are also deeply concerned over the possibility of having their own political philosophy replaced by some foreign and repugnant ideology. They sense change, dissatisfaction and turmoil in the plight of what by the end of this century may be billions of under-fed human beings. In this potential instability the Soviets may well be able to achieve political ideals which have so far proved unattainable through nuclear backmail and overt military conflict. To seize firmly upon these exclusive objectives, the Soviet Union is using technology and building its capability rapidly.

The Soviet Union is said to have marked the paths it must follow to achieve world communism. Three of these paths will be through the ocean as they build and exploit their merchant marine, fisheries and ocean sciences. All of these will help to fill the empty stomachs in underdeveloped nations all over the world. The seas, covering 71 per cent of the earth's surface will have to provide much of the long-range answer to the population. The United States cannot afford to let the Soviets be the only ones with the answers. Happily there are those in Congress who recognize the importance of increasing our efforts to control the waters of the world. I assure you that we will continue these efforts to win the race for mastery of the seas.

As for the situation in our immediate area, and I am referring particularly to the Gulf of Mexico, it is far from discouraging in spite of the overall decline of the United States fisheries. The gulf alone has shown an upward trend over the past 20 years and now accounts for about 25 per cent of the total United States fish production.

For years, however, the importance of the fishing industry in the gulf was not realized. In fact, the exploration of the possibilities in the gulf lay dormant until the late 1940's. Although the government maintained exploratory vessels and other implements for the development of the fishing industry in both the Atlantic and Pacific Oceans, there were none in the gulf.

An act of Congress, which I had the honor of sponsoring, resulted in the transfer of the original *Oregon* to Pascagoula and the *Alaska* to Galveston, Texas.

A number of people in the industry, both locally and on the higher government level, were interested and helpful in accomplishing this transfer. However, I should like to acknowledge particularly the efforts of my good friend and outstanding Jackson Countian Hermes Gautier, who was convinced that the Gulf of Mexico offered vast fishery potential. In this connection, I should like to pay tribute among others to Harvey Bullis of the Bureau of Wildlife and Fisheries, under whose dedicated management the splendid and vast results and accomplishments have been made possible, both in research in the local laboratory and the valuable discoveries of new supplies of sea food throughout the gulf and adjacent waters.

It is indeed gratifying to me, as I am sure it is to all, to realize the considerable economic growth and benefit which has come from the transfer of the *Oregon* and the establishment of this base. These benefits are not confined to Pascagoula and the Mississippi coast, but are for the entire gulf fishing industry.

I have watched the program closely during the past 16 years and have seen many important contributions to our fisheries emerge.

The old *Oregon's* early shrimp explorations were instrumental in defining the extent of the industrial bottom-fish potential in the Gulf of Mexico and were to a large extent responsible for the decision of a pet food manufacturer to erect a canning plant in our area. The vessel also discovered the presence of yellow-fin tuna in commercial numbers in the gulf in 1954 and two small canneries opened to process fish caught by five vessels, but a combination of events forced them to stop operating in 1959.

At the request of industry the old *Oregon* in 1957 initiated trawling experiments for the capture of red snapper and developed trawling gear suitable for operation on rocky bottom that was more productive and commercial.

These are only a few of the projects that resulted in considerable monetary gain to industry. Equally important, though less tangible benefits, also have been received.

Since the start from scratch in 1950, the annual contribution of exploratory fishing efforts in this program alone has become more valuable until the dollar value of this research to our fishermen today approaches $25 million, almost a ratio of 50 to 1 on our dollars invested.

For the past several years, there has been considerable expansion in ocean research and much has been done in measuring the physical features and determining the basic biology of many marine species.

However, this new *Oregon* has been designed for a program totally committed to solving the practical problems of fisheries development. This vessel, therefore, profiting by the rewarding results of its predecessor, will surely play an important role in restoring the United States world ranking in the production of fish.

I am likewise gratified that this Pascagoula-based ship, the last word in exploratory vessels, in which all Mississippians take pride, was built by Ingalls craftsmen. Moreover, additional color is added by the fact that this vessel was designed by Mr. Robert Macy, an outstanding naval architect of this city. Likewise, the expenditure of more than $2 million for its construction has contributed to their local economy.

It is truly appropriate that the *Oregon II* is being launched here on the Mississippi coast, which now ranks as one of the largest fishing areas of the United States. In fact, I believe the records will reveal that we lead in pounds of fish landed in the whole country.

Because this modern new vessel was specially designed to take care of many needs that became apparent during the period of operation of the original *Oregon*, I feel the *Oregon II* will not be long in equalling or exceeding the reputation of its predecessor . . . one which achieved respect throughout the U.S. fishing industry and earned well-deserved international recognition in fishery survey and development.

The need for this vessel is clear-cut if we have the potential fishery resources referred to by Mr. Thompson, and, I have every reason to believe that we have. If, indeed, we are presently harvesting no more than a small percentage of the potential yield of this region . . . If these resources can make a major contribution to the long-range nutritional well-being of our country, and, if our fishermen and fleets can profit and thrive by their harvest, then we cannot afford to lose them either by default or by letting our burgeoning foreign competition develop and exploit them before our very eyes.

We shall expect much from *Oregon II*. Not only will she advance our domestic fishing industry, but she will exemplify our interest in developing and utilizing the oceans for the well-being of all mankind. And, lastly, she will represent our pride in the accomplishment and technological capabilities of our own community here on the Mississippi coast.

In a few moments the *Oregon II* will slide into the fabled water of Pascagoula River. The same waters where majestic, ocean-going liners, sleek and powerful nuclear submarines, swift cargo vessels and naval defense ships have been launched before her. From here she will for many fruitful years search the mysteries of the sea for new sources of the sea's wealth for the benefit of mankind in an ever-growing population.

May she serve us well.

Important NASA Film on Polymers Was Produced at Notre Dame

EXTENSION OF REMARKS

OF

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 8, 1967

Mr. BRADEMAS. Mr. Speaker, I would like to call the attention of my colleagues to one of the less well known, but nonetheless highly valuable, contributions of the National Aeronautics and Space Administration: educational films on a wide range of scientific questions that form the basis of NASA-supported research projects.

Such a film is "The Poetry of Polymers—An Adventure in Research." Produced on the campus of the University of Notre Dame under the direction of Wayne State University of Detroit, this film is based on the work of Dr. G. Frank D'Alelio, research professor of Chemistry at Notre Dame. In the film Dr. D'Alelio describes his research on polymers, which he performed with the help of a NASA grant. The film is now being shown in high schools throughout the Nation to stimulate talented young people to consider careers in the aerospace field.

"The Poetry of Polymers" had its debut in South Bend on November 22, 1966, under the sponsorship of the Notre Dame Foundation. I congratulate Dr. D'Alelio and his colleagues from Notre Dame and Wayne State University—and from NASA—for making this useful and important film.

Naval Justice School Graduation

EXTENSION OF REMARKS

OF

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 8, 1967

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein a speech I made December 9, 1966, before the graduating class of the U.S. Naval Justice School at Newport, R.I. This was the 128th class to complete the course of study at this noted school.

I was greatly impressed with the way these graduation exercises were arranged and conducted by the admirable commanding officer, Capt. Anthony J. De Vico and his staff, and by the splendid, well-trained graduating class of this very essential Navy school.

The exercises were well attended by high ranking Navy officials, including the able and distinguished Admirals Massey and Ruckner and other distinguished guests. The occasion was appropriately graced by the presence of the very able, distinguished Chief Judge of the Court of Military Appeals, the Honorable Robert E. Quinn, whose leadership and contributions in the field of military justice is so widely known and deeply appreciated.

The speech follows:

REMARKS OF CONGRESSMAN PHILIP J. PHILBIN, GRADUATION EXERCISES, NAVAL JUSTICE SCHOOL, NEWPORT, R.I., DECEMBER 9, 1966

My Dear Rabbi and Reverend Fathers, Captain De Vico, Judge Quinn, distinguished guests, members of the graduating class and their families, officers and men, friends and fellow Americans:

I am very thankful to our very able, distinguished friend and great Naval leader, Captain De Vico, for giving me the very high privilege and honor of being with you today at these very impressive, graduating exercises of this outstanding U.S. Naval Justice School.

This is a very great day for each and every one of you, and I am proud and happy to share it with you and your dear ones, and take special pleasure in extending to all of you my heartiest congratulations and very best wishes for your future success, well-being and happiness.

This school is not only one of the finest, but one of the most important institutions, of our armed services, indeed, there are few things more vital to morale than the fair, impartial dispensation of justice in the interests of the many officers and men, who comprise the defense and fighting force of this great nation.

In that context, this school is not only of greatest import to the country but it is extremely well organized. Its forceful, talented leadership truly represents our highest standards, is learned, dedicated and intent upon maximum contributions to the student body that is possible in a school of this kind.

Your education, training and experiences here have been memorable. You have been carefully screened and selected in terms of character, background, ability, aptitude and loyalty to the nation.

You have been expertly instructed in the complexities of military and naval justice, in the intricate, sometimes baffling provisions of the Code and the many rules and regulations, customs and precedents, written and unwritten, which pertain to insuring the highest possible measure of justice, equity, fairness and consideration, consistent with the urgent needs and the imperative demands of our armed forces in war and peace.

As you know, the Uniform Code of Military Justice originated in the House Committee on Armed Services, and I may state in all modesty, that I was privileged, as one charged with special duties as a member of that great Committee, to play a part in the formulation of that significant, historic document.

The Code is not perfect, to be sure. No such document can be. There are, no doubt, areas which require further legislative attention that I will not elaborate upon here. But I can assure you that the Code has been worked out with meticulous care, after long hearings, and after our Committee had sought and received the counsel, advice and active assistance of some of the greatest legal authorities and leaders of our Armed Services, our outstanding law schools, Bar Associations, noted leaders of the Bar, veterans and service organizations and a host of highly informed, richly experienced specialists, too numerous to recite.

As you well know, the Manual for Courts-Martial prepared to implement this Code is an extremely comprehensive, thorough and expertly compiled document, brought up to date in a diligent and scholarly manner, and constituting in a general sense a valuable, effective, if not always an absolute or impeccable guide, for the administration of total justice in the Armed Forces.

The "rule of law" is a cherished American basic principle supporting the incomparable edifice of liberty, freedom and justice that is truly indispensable to the conduct of this great government, not only in its civil functions but in its military organizations as well.

The maintenance of law and order under principles laid down by the Constitution of the United States is a prerequisite to the existence of the government itself, of paramount relevance to the effective implementation and operations of all our military services.

While, as lawyers and legislators, we well understand the differences in approach and the distinctions in procedure, substantive content and result, necessitated by the special and critical characteristics of the military services, under our system of government, every member of the Armed Services whatever his calling, just as every citizen and resident coming under the protection of the law, is and must continue to be, entitled to the maximum measure of justice that is implicit in the great charter of freedom, which we so proudly call the Constitution of the United States. That must always be your special concern.

Today we are facing and going through unprecedented changes in our way of life. The country and the world are changing in many basic, fundamental ways made necessary by the tremendous advancement in the arts and sciences, truly incredible new ideas and techniques affecting our economy, our social institutions, our government structure and, indeed, our entire way of life.

The Armed Services have been profoundly affected by these changes; in fact, in many respects, the services of today would hardly be recognized by those who served ten or fifteen years ago, and they will continue to be changed, streamlined, radically revised in the future, particularly in the immediate years ahead.

This means, of course, that the military law, like the civil law, will have to adapt itself to the rapidly shifting format of organic change that few, if any could have envisioned a few years ago. In order that the government may continue to be our servant, not our master, we must tenaciously cling to our immutable, fundamental principles and concepts of freedom, reinforced, sustained and activated by legal principles and sound, intelligent, well-equipped and high-minded administration.

In this process, every man and woman in our Armed Services, and in civilian life, will be entitled to their rights under the law, to their day in court, and to procedural and substantive justice of the kind that is part of the fabric of our Constitutional system—not merely the casual or hard-handed rule of the dictator, but the impartial, humane, understanding and enlightened judgment of those who are schooled in law, trained and prepared to help and counsel those who, for any reason, may become subject to inquiry, trial or judgment.

It is for these reasons, my friends, that I am gratified to observe on this happy occasion when you are graduating from this fine school to take your part—and it will be a meaningful, important part—in promoting the goals of military justice that the faithful, efficient fair-minded peformance of these duties will be a truly invaluable contribution to the Navy, the Department of Defense, and the security of the nation.

As you leave this school today, I know you have mingled feelings of pride, satisfaction, gratitude and regret. You can well recall your concrete achievements here, you can be satisfied with your success and I know you are very grateful to your devoted instructors, teachers and leaders, the great men who have given you the benefit of their knowledge and wisdom and fitted you for your very important tasks.

I also realize that it is a time for parting for many of you from the friends you have made here, the fine fellowships you have formed, but you must bear in mind that the recollection of all these things will not only afford you pleasure but inspiration in the time to come.

Much of the world is in a state of upset and revolution, fanned by the tyrannical, world-wide Communist conspiracy that is intent upon undermining and bringing down the monuments of our civilization and converting this nation and indeed all mankind to the servitude of the World Communist Superstate.

These forces have lighted the fires of subversion, revolution, force and violence in many places throughout this world. Predicated on Marxist principles, these forces are seizing upon every opportunity to strengthen their position and to weaken the over-all power, prestige and strength of this nation and the free world.

Regardless of their professed differences of opinion on tactics, this is the leadership that is responsible for the take-over of Cuba, 90 miles from the shores of the United States.

This is the leadership fomenting unrest and insurrection in Latin America, Africa and Asia, as well as in Europe. Through stealth, infiltration and, where necessary, aggression this power complex is working in every way to topple down free democratic regimes and substitute in their stead the mailed fist and the police state of the Communist tyranny.

This is the leadership that produced the tragic conflict in Vietnam and is now probing and testing to see whether the free world has the courage, the stamina, the will, purpose and determination to defend itself, or whether it is willing to stand by in mock protest and supine acquiescence while the Communists take over Asia, and, then when they have consolidated their gains, move in accordance with the Marxist plan and timetable toward other nations.

Regretfully and tragically, this is the kind of world in which most of you will serve for varying times to come, but I hope your service will be pleasant, as short as you choose to make it, and never dangerous to your life or well-being.

The issue before us is not obscure. It is whether we of this nation and the people of the free world are to be free or captive to Communist masters, whether the small, helpless peoples can be crushed underfoot, their rights as human being ignored, their liberties ruthlessly suppressed by force of arms, and in time the whole free world overrun, over-powered and shackled by the Communist superstate.

Everybody wants peace—universal peace—the end of irrational carnage, the end of the nightmare of threatened nuclear destruction, a world organized on the 'rule of law', in which you are so well trained, and to which our nation and other free nations are committed, that will renounce war forever as an instrument of settling international differences and that will substitute friendship, understanding, cooperation, and love for the welter of conspiracy, conflict, destruction, and hate that is threatening the world with disaster.

So far as this nation is concerned, the door to peace is open, as it always has been. The puppets of Hanoi need only to indicate by one word that they are willing to talk peace and sit around the conference table and negotiate with sincerity and truth, an honorable agreement to end the fighting and establish enduring peace.

But it takes two sides to conduct a peace parley, two sides to talk, two sides to act, two sides to join hands with honor and decency to dispel the shadows and miseries of war, and embrace the sunshine and happiness of peace, to bring law and order to the world, to institute judicial accord and the rule of law in place of conspiracy, hatred, violence, aggression and destruction.

When that time will come no one can predict. The Communists gloat over our present involvement. How soon they will realize that this attitude will consume and finally destroy them and cause more destruction and suffering no one could tell at this time.

But there are some good signs, some promise. This nation and much of the world is pressing vigorously for peace and progress.

Let us continue our militant work for a just peace. Let us strive for peace with all the earnestness and determination we can command. The door is wide open. Let us continue to mobilize world opinion, in and out of the United Nations, behind the cause of self-determination and freedom to which we are committed.

Meanwhile, until that day of peace comes, let us remain firm, strong and resolved to prevail in our great purpose, keeping our commitments to freedom and above all, protecting the safety, security and great heritage of this country. Let us exert every effort, every energy in the early settlement of this extremely tragic conflict and take every honorable means to bring peace, brotherhood, prosperity and happiness to all peoples of the earth.

Let me say, Captain DeVico, that I am very proud of you, your instructors, the members of your command, and the dedicated graduates of this school, and of all those who are enrolled in our armed services, and I wish especially to reiterate my heartiest congratulations, wholehearted compliments and commendations to all of you in this command who are doing such outstanding work for our great Navy and country.

I have confidence that you graduates will continue to make a fine record in the service of our nation, and that you will reflect great credit upon this school in the time to come.

I am also sure that you will serve as enlightened advocates and staunch champions of the "rule of law" and the cause of justice for all members of the armed services that may be in any way affected and benefited by the splendid services you render and the significant decisions you may be called upon to make. May they always be blessed with the healing graces of justice tempered with mercy.

As you go forth as proud graduates from this school today, I know you will take the good lessons you have learned here with you, to guide and help you in the faithful effective performance of your duties, and I hope and pray that the good Lord will be with you wherever you may go, wherever duty may call you, to protect and shield you from danger, to inspire and strengthen you to serve with courage, loyalty, distinction and sound judgment, and return you safely to your dear ones, your families and friends when your tasks are completed.

Finally, I hope and pray that our leaders, and the leaders of the free world, and most importantly, the Communist leaders involved will soon be inspired to end the fighting and aggression in Vietnam and elsewhere, and join together to bring universal peace and justice under the "rule of law" to all nations of the world.

And let me assure you that our Committee will continue to work for your well-being, welfare, prosperity and happiness as best as we can and I am sure the Congress will do likewise.

God love you and thank you very much.

Vietnam Servicemen and Veterans' Act of 1967

EXTENSION OF REMARKS

OF

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 8, 1967

Mr. McCARTHY. Mr. Speaker, my sponsorship of President Johnson's proposed Vietnam Servicemen and Veterans' Act of 1967 became even more meaningful to me this week, with the reception of a letter from a former GI in my district.

> I am truly grateful to my country for financing my education.

Wrote George Todaro, a resident of Eden, N.Y., who was eligible for the GI bill after the Korean war.

> Since graduating from Fredonia State in 1961, over 125 children have been in my classroom.

Continued Mr. Todaro.

> Possibly you can think of this as being the interest with the principal on loan.

It is letters like these that emphasize to me the importance of the Federal Government's providing the same educational benefits for veterans of today's war as it did for World War II and Korean war veterans. As my constituent pointed out, the Government is royally repaid in "interest" for offering education moneys to these men.

They are, as we all know, spending an important part of their lives fighting for our country. They deserve as much as we can give them.

Rainbow's End

EXTENSION OF REMARKS

OF

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 8, 1967

Mr. PHILBIN. Mr. Speaker, Rainbow's End Camp in Ashby, Mass., is a very constructive, significant activity.

It was established not long ago by a group of interested citizens under the guidance and direction of my able, esteemed, and dedicated friend and constituent, Rev. Lawrence M. Jaffa, as president. The camp is situated in Ashby, Mass., a very beautiful New England town in my district, and completed its first summer last year.

I think that there are few things more important today than adequate, wholesome, intelligently directed recreational and educational facilities for our young people, and indeed for our adult people as well. The functional properties of this camp and the able manner in which this pilot project has been set up and administered indicates the real, valuable potential it has, through a strong, well-organized program of counseling, training, and personal guidance, to serve those fortunate enough to be in a position to utilize its opportunities for enjoyment, physical development, and enlightened companionship.

Those affiliated with the leadership are highly dedicated and they are anxious to do everything they can individually and collectively to make the excellent facilities and opportunities of this camp more generally available to our young folks.

I understand that toward that end the next step of the group is to expand the usefulness of Rainbow's End Camp, offering its facilities to men and women, clerical and lay groups alike, for discussions, seminars, and retreats.

Thus, the activity would extend the range of its operations to adult groups across a very broad front.

This appealing, well-led, movement is now in a position to augment and enhance its work in behalf of our young people, and it certainly should not be necessary at this time for anyone to stress the need there is in this field for the introduction and spread of wholesome programs, firmly established on the spiritual basis of warm human fellowship and understanding that recognize the place that wholesome recreation, creative, imaginative training, and the versatile development of natural skills and talents can play when properly directed in improving the tone of our entire society, both young and adult.

I believe this project is based on sound principles, is ably and responsibly directed, can meet a need that must be met, and is possessed of forceful, intelligent, high-minded leadership capable of doing the job that has to do be done these days. I am happy and proud to express my commendations and best wishes.

Food Aid for India

EXTENSION OF REMARKS

OF

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 8, 1967

Mr. UDALL. Mr. Speaker, this year India has been the victim of a serious drought for the second year in a row.

Last year, my colleagues will recall, the Congress endorsed the President's proposal to provide for the relief of the Indian people in cooperation with the people of a great many other countries. During 1966 the United States shipped almost 8½ million tons of food grains to India. To put this quantity in perspective, it amounts to about 23,000 tons of grain a day—that is, two ships laden with grain leaving a port of the United States every day of the year.

Other countries also helped. Our neighbor Canada made a gift of more than a million tons of wheat. The people of Italy and the Netherlands responded to the need of people half way around the world. And there were others—many others who stretched a helping hand to the people of India.

President Johnson said last year that our tradition and our history demand that we help those in need, when we are able to do so. But food aid, he pointed out, is just a stop gap; the race between food and population is worldwide and of critical importance to the entire world. The future peace of the world may depend on food production being raised within these affected countries to bring food supply and population needs into balance.

Fortunately, India has initiated strong new programs to improve agricultural production. That nation has wisely used the development aid provided by the United States and other countries to expand its domestic production of fertilizer, pesticides, and improved seeds, and to raise imports of fertilizer, seed, and other agricultural materials until its own production picks up speed. Also, India has raised prices paid to farmers so they can buy fertilizer and use modern technology, and it has taken steps to increase irrigation, credit, and transportation. Today about a quarter of all the money India is spending for development goes to support agricultural expansion.

These new efforts are now threatened by a new disaster which prevents India from reaping any benefits this year. And the frightening prospect is that millions of people will endure starvation and crippling disease because of this national calamity.

President Johnson is asking us to support his efforts to mobilize worldwide help in this emergency. Our own ability to help is more limited than it was in the past when we had large surpluses of grain and, clearly, we cannot carry the burden alone. But help we must.

A moment ago I spoke about the need to bring food supply and population into balance. I cannot overemphasize the importance of working toward that goal. But for the longer range, I think the Indian Government and the American people are fully aware that increases in food production are not going to remove the spectre of famine unless there is a concurrent effort to limit births. In this battle against too rapid population increases the people of India deserve this Nation's full support.

I believe India is meeting the test of self-help. Therefore, I am pleased to see President Johnson taking initiative in helping to organize an international war on hunger to help the people of India. Other countries, I understand, are willing to contribute to India's immediate food needs and to continue to support India's development program, which is the food of tomorrow. I think it is in the best interest of our country that we take the lead in this "war."

Mr. Speaker, I am confident the Congress will endorse the President's proposal to help India in her present crisis and to lay the foundation for more rapid economic development in the future.

Representative Cramer Calls for Full Partnership Approach to Water Pollution Control Programs

EXTENSION OF REMARKS

OF

HON. ROBERT C. McEWEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 8, 1967

Mr. McEWEN. Mr. Speaker, yesterday at noon, the distinguished ranking Republican member of the Committee on Public Works, Representative William C. Cramer, of Florida, addressed the water and waste water seminar here in the Nation's Capital. The seminar was jointly sponsored by the American Water Works Association, Inc., and the Water Pollution Control Federation, two outstanding organizations in the field of water pollution control programing.

Representative Cramer's timely remarks present a philosophy of the national effort toward adequate water quality and toward adequate water supply which is generally consistent with the views of most Republican Members of this body. He has made a strong case for a long-held position of many, if not most, Members that the real way to control the pollution of this Nation's waters is to approach it on a full partnership basis with all levels of government cooperating.

Representative Cramer has accurately detailed the water pollution control activities of the Federal Government and has outlined some very important measures that the State and local governments can undertake during the next 2 years to adequately meet the immense problems of water pollution control.

His remarks on the needed effort in the future to control and to abate pollution of our rivers and waterways are timely indeed. He has offered a substantial challenge to the several hundreds seminar participants, representing the leadership in this field, to take up the task of water pollution control on a State and local level and to proceed ahead to undertake effective water pollution control measures in the States.

Representative Cramer has called for the creation of Cabinet-level departments with full responsibility for air and water pollution control in each of the States. He has called for Federal and State tax incentives to aid industry in the control of its pollution. He has called for the cessation of pollution from Federal installations on a timetable enacted into law. He has called for additional requirements for water pollution control which developers of industrial parks and housing developments of specified size would have to meet under State law. He has called upon the State legislatures to authorize and appropriate adequate sums of money to carry out water pollution control programs on State levels. He has called for additional requirements on county, metropolitan area, and regional planning agencies for water pollution control.

Mr. Speaker, under unanimous consent, I include the full text of Representative Cramer's remarks today. I commend them to the attention of all Members and all Americans who want to adequately control water pollution.

The remarks follow:

Toward Adequate Water Quality and Water Supply: A Philosophy of the National Water Resources Programs

(Remarks of the Honorable William C. Cramer, Member of Congress from Florida, before the Water and Waste Water Seminar of the American Water Works Association, Inc., and the Water Pollution Control Federation, Sheraton-Park Hotel, Washington, D.C., February 7, 1967)

Ladies and Gentlemen, if there are members of any two groups in America with whom it is unnecessary to speak at length on the magnitude of our Nation's water resources problems, it is you. You are active members in either of or both of the two outstanding organizations which are sponsoring this important seminar today. Those two organizations are highly dedicated to the cleaning up of America's waters. I know that you are too.

As professionals in this complex subject of water resources management, you know there just is not enough water of adequate quality at all the places where it is needed. Poor quality water and insufficient water supplies menace public health and reduce property values. They raise taxes and water consumer charges and destroy natural beauty and fish and wildlife. They drive away existing industry and discourage the location of prospective industries and residents. Poor quality water and inadequate water supply adversely affects the lives of every living American. Providing enough good water at all the places where it is needed must be a high priority task of all levels of government, not just tomorrow but also today.

WATER POLLUTION CONTROL ACTIVITIES OF GOVERNMENTS

Since the enactment of the historic Federal Water Pollution Control Act of 1956, our Nation's increasing awareness of its water quality and water supply problems has been reflected in the activities of all levels of government to control and abate water pollution. It also has been reflected in their efforts to provide our citizens with adequate supplies of good water.

Federal, State, interstate, municipal, and intermunicipal agencies have devoted millions of man-hours and have authorized millions of dollars trying to solve water quality and water supply problems. These legislative bodies have expanded the authorities of agencies and have broadened the provisions of statutes and ordinances. Hundreds of millions of dollars have been spent on research and development, on demonstration projects, on water quality control, and on the construction of sewage treatment plants, water purification works, and collector and distributor systems. Greater strides have been made to strengthen Federal water pollution control programs during the past few years than ever before. The government in Washington and the State and local governments throughout America have addressed themselves to the needs for more adequate water supply systems. But the manifold problems of water pollution and inadequate water supply are still very much with us.

FEDERAL LEGISLATION AND PROGRAMS

Congress has proclaimed that our water resources problems cannot be ignored. But just because they are national problems, we cannot and should not rely upon the Federal Government alone to correct them. Only by concerted action on all levels of government—in the spirit of true partnership—can we insure that there will be an adequate supply of clean water.

Effective water pollution control cannot be fully achieved without sincere cooperation between all levels of government. It cannot be achieved without earnest anti-pollution efforts by all present and future pollutors. It cannot be achieved without support from all public, semi-public, and private organizations, private enterprise, and aroused citizens.

I sincerely feel that the Congress has been most responsive to the needs for controlling and abating water pollution and for enhancing our water supplies.

Enactment of the Federal Water Pollution Control Act of 1956, better known as Public Law 660, was the first really significant step taken by the Congress towards eliminating water pollution. I cosponsored and strongly supported the enactment of Public Law 660, and I have always taken great pride in the program.

As you know, that Act established a Federal grant program for the construction of waste treatment works and provided for some enforcement procedures for abatement of pollution.

Amendments to Public Law 660 were enacted in 1961, 1965, and 1966.

THE WATER QUALITY ACT OF 1965

The Water Quality Act of 1965 provided for the creation of the Federal Water Pollution Control Administration, which has since been transferred from the Department of Health, Education, and Welfare to the Department of the Interior. It increased authorizations for appropriations for the last two years of the then-authorized program, 1966 and 1967, to $150 million per annum, with all amounts appropriated in excess of $100 million to be allocated on the basis of population alone.

The 1965 Act also waived the dollar ceiling limitations for 30 percent project grants from the allocations in excess of $100 million, if the State matched the full Federal contribution made to all projects from such allotments. It doubled the dollar ceiling limitation on grants for construction of waste treatment works for individual and joint projects. It further permitted the Secretary to increase the basic grant by an additional ten percent of the amount of the grant, if the project conformed to the comprehensive plan for a metropolitan area.

Needless to say, the most controversial aspect of the 1965 Act pertained to enforcement provisions. After extended debate, a change in enforcement provisions was finally arrived at. That change was acceptable to most and was the best compromise obtainable. Thankfully, the House position on enforcement provisions was generally upheld in conference committee.

WATER QUALITY STANDARDS OF THE 1965 ACT

The intent of the House, which by prevailing in conference committee became the intent of Congress, was clearly that the States would be the ones who formulated water quality standards.

The law specifically provides that if the Governor of a State or a State water pollution control agency filed by October 2, 1966, a letter of intent that such State, after public hearings, would before June 30, 1967, adopt water quality criteria applicable to interstate waters or portions thereof within such State, together with a plan to implement and enforce such criteria, then such criteria and plan would thereafter be the water quality standards applicable to those interstate waters and portions thereof in that State. The Secretary would have to make a determination that such criteria and plan were consistent with the provisions of the Act before such criteria and plan were to become applicable.

The law does not say, however, that the Secretary, if he were displeased with the State criteria and plan, could then abruptly throw out the State criteria and plan and then establish his own criteria and plan for that State and make them the applicable ones. It is clearly not the intent of Congress that he should be permitted to do that kind of thing. It is clearly not the intent of Congress that it should have said or that it should be interpreted to mean that he should do that kind of thing.

As a Member of Congress and as the Ranking Minority Member on the House Committee responsible for this legislation, I have no intention of sitting back and permitting the Secretary to act with any disregard for the carefully thought out and arrived at plans of the States.

I hope that such a situation will not arise. But if it should arise, there are many Members of Congress who will not be sitting back seeing clear Congressional intent violated, and, perhaps even the letter of the law violated.

If the State criteria and plan are economically viable, if they are practicable, and if they can be achieved, they should be approved by the Secretary.

I personally attended several meetings of State leaders which were held to discuss ways of arriving at a sound, comprehensive State program. I think the enthusiasm shown at these meetings for getting effective water pollution control programs underway in the States is a clear indication that the States will effectively meet their water pollution control problems. I think the States will do the job and do it well.

CLEAN WATER RESTORATION ACT OF 1966

Last year, the Congress enacted the Clean Water Restoration Act of 1966, which further amended Public Law 660. Last year's Act authorized the Secretary of the Interior to make grants to pay up to 50 percent of the administrative expenses of a basin planning agency for a period of not to exceed three years, if such agency and the request for the creation of such conform to certain provisions spelled out in the Act. Those provisions are primarily to protect State and local interests. This is a major step toward basinwide attacks on the problems of pollution.

The Act broadened the research and development provisions of the basic law and increased authorizations for appropriations for research and development in many fields where research and development are badly needed. Of great importance, grants are now available for research and development projects for prevention of pollution of water by industry, including the treating of industrial wastes. This is a direct move toward greater technological research and the application of existing and future research and development in this area.

The Act provides for a comprehensive study of the effects of pollution, including sedimentation, in the estuaries and estuarine zones of the Nation.

The Act substantially increases authorizations for appropriations for the construction of sewage treatment works and requires the Secretary to submit a report to the Congress by January 10, 1968, on the reasonable estimated cost of needed waste treatment facilities. This should reveal to what extent these new monetary authorizations may need to be adjusted. The Act authorized additional appropriations totaling $3.4 billion over the next four fiscal years, 1968 through 1971. The President's recommended budget for fiscal year 1968 requests $203 million for construction grant funds. $3 million of that $203 million request is for construction grants under the provisions of the Appalachian Regional Development Act of 1965.

Dollar ceiling limitations on project grants have been stricken from the existing law. If the State agrees to pay not less than 30 percent of the cost of all projects for which Federal grants are to be made from an annual allocation for the construction of projects in that State, the Federal share can be increased to a maximum of 40 percent of the total cost.

If a State agrees to pay not less than 25 percent of the total cost of all projects for which Federal grants are made in the State from an annual allocation for project construction therein, and if enforceable water quality standards have been established for the waters into which the project discharges in accordance with the water quality enforcement provisions of P.L. 660, as amended, in the case of interstate waters, and under State law in the case of intrastate waters, the Federal maximum share can be increased to 50 percent of the total project cost.

The Act makes provision for reimbursements in varying degrees to State and local entities, under certain conditions set forth in the Act, for the Federal share of the costs of construction of sewage treatment works undertaken in advance of the availability of Federal funds. This is done without committing or obligating the United States to provide funds or to make or to pay grants for such projects for obvious reasons.

The Act slightly changed enforcement provisions and amended the Oil Pollution Control Act of 1924.

Last year's Act also authorized the Secretary of the Interior to make a full and complete investigation and study of the methods to provide incentives for the construction of facilities and works by industry to reduce or abate water pollution, including possible use of tax incentives. The Secretary's report of such an investigation is to be submitted to the Congress in January 1968. It is to include any recommendations for legislation.

The recognition by Congress of the need for industry to control its pollution was reflected last year in the suspension of the 7 percent investment credit under the Federal tax code. The legislation, as enacted, specifically exempts from this suspension those capital expenditures for facilities, installations, machinery, and equipment which contribute to the elimination, control, or prevention of air and water pollution. I think from my brief discussion of last year's Act and its increased emphasis on control of pollution by industry that everyone can see the importance of such a study.

THE EXTENT OF THE FEDERAL EFFORT

I have directed my remarks up to this point today to the Federal effort to control or abate water pollution and to maintain sufficient water supplies. But I am not trying to make you think that the Federal Government has done, is doing, or will do everything that needs to be done in this field. That is not and should not be the role of the Federal Government in this program. The Federal Government's efforts have been enormous, but, in my opinion, we are probably very close to the maximum extent of the Federal effort.

There are several philosophies on the Federal role in controlling water pollution and in insuring adequate water supplies. There are those who say the Federal Government should do everything. There are those who say it should do nothing. There are those, like myself, who say that the Federal Government does have a responsibility in this area. But I also say the programs will be a success only if all levels of government assume and reserve unto themselves their proper responsibilities.

In my opinion, the Federal Government is largely meeting its responsibilities in the construction of sewage treatment works and pollution abatement enforcement. You have seen in the Water Quality Act of 1965 and in the Clean Water Restoration Act of 1966 several distinct trends which, I am sure, are obvious to you. They are trends toward greater State participation. They are trends toward full cooperation among all levels of government. They are trends toward bringing the largest single source of pollution—industry—into the picture in a full sense. They are trends toward greater reliance upon the States to enforce water quality standards.

The recent increase in the Federal effort is not a sign that the Congress is permitting the Federal Government to take over responsibility for the entire effort. Rather the intent runs, in my opinion, in the opposite direction. As one of the drafters and principal supporters of workable Federal water pollution control legislation, I say to you that the non-Federal interests must now assume their rightful responsibilities and fully implement effective programs.

The Federal Government cannot do the job alone. It cannot control pollution "by remote control." No Federal administrator in Washington can properly and accurately enforce water quality standards in Horse Shoe Bend, Idaho, for example. The States cannot do the job alone. The expense would be too exhorbitant. Local governments cannot do the job alone. The expense would not only be too exhorbitant but many of them are restricted by State statutes in this field. Industry and other polluters cannot do the job alone. The additional expense would bankrupt many, if not most, of them. The effort must be made together—and cooperatively.

Inasmuch as Public Law 660 has been substantially amended twice in the past two years, and inasmuch as the many reports which last year's Act requires of the Secretary of the Interior will not be submitted to

Congress until January 1968, I do not foresee any further amendments during this year.

After the Congress receives the reports of the Secretary, and after the Members and the professional staffs have had sufficient time to thoroughly digest the findings of and the recommendations embodied in those reports, then further amendments to Public Law 660 may be made.

But until that time, what should we be doing to insure the enhancement of efforts to control water pollution and to insure adequate supplies of clean water at all the places where it is needed?

Quite obviously, we should move ahead in implementing, as effectively as possible, the basic Act, as amended by the 1965 and 1966 Acts. As you know, the amendments during the past two years offer a substantial challenge to all Americans to clean up our waters. While the ultimate success of our efforts will rest with the people, the immediate success of the expanded effort to control water pollution will depend upon people like yourselves who are intimately associated with the work which must be undertaken to provide adequate supplies of clean water to meet all the demands of our citizens for clean water.

THE NEEDED EFFORT IN THE FUTURE

To adequately meet the challenge of our critical water resources problems, I offered several proposals last October for consideration by the 17th Annual Joint Conference of the Florida Pollution Control Federation and the Florida Section of the American Water Works Association.

Revised to meet national needs and to include an additional proposal, I offer them to you today for your consideration. They are not as far reaching as some which might be put before you by some of my distinguished colleagues, but, in my opinion, they are within the realm of possible enactment by the Congress, the State legislatures, and the local governments. They are needed.

Forty-seven State legislatures, many of which meet only every other year, will meet this year. This is the year to act. This is the year to leave a seminar, such as this one, fired up with the determination to go back to your respective States and communities and push forward with an adequate water pollution control program. You should push forward with a program of such magnitude that, combined with the efforts of other States and other communities, it will be unnecessary for the Federal Government to restore the infringements in the future upon State and local prerogatives in this area. You should push forward with such a successful and adequate program that the Congress would not stand for any request by the Federal Government for additional authority because such authority would not be needed for the overall effort.

Let us face the facts: Only where we have tended to be lax in meeting our responsibilities to the people in this field have the Administrations found it necessary to ask Congress for, and for Congress to subsequently grant, additional authority. I say if the State and local governments assume their full and rightful responsibilities in this field, Federal encroachments will be repelled.

Toward a realization of State and local assumptions of responsibilities in this field, I offer the following proposals for your consideration in the course of today's seminar and in the course of your discussions with other concerned Americans once you return home:

1. *I propose the creation by the State legislatures of State departments, or their equivalents, headed by a person with Cabinet rank, with full responsibility for air and water pollution control and natural resources development programs.* It is time to elevate what we consider to be essential air and water pollution control programs from the bureaucratic jungles of our State governments to a proper level of Cabinet rank. It is time to give air and water pollution control programs a direct vote in the Governors' Cabinets of our States.

2. *I propose Federal and State tax incentives* for any industrial facilities, installations, machinery, or equipment, which contribute to pollution treatment and provide for the elimination, control, or prevention of air and water pollution, provided those units meet certain standards established by the appropriate Federal and State agencies. Last Congress about thirty-five Representatives introduced and twenty-five Senators cosponsored bills to provide for such Federal incentives. I am pleased to report to you that over fifty-five tax incentive bills have already been introduced this Session. I have introduced H.R. 2781 this Congress to accomplish this.

3. *I propose the enactment of Federal legislation at the earliest possible date to bring a halt to the pollution of our waters from one of the largest sources of pollution in the Nation—Federal installations.* Insofar as it is practicable and consistent with the interests of the United States, the Federal Government must set a clear example to the other polluters by stopping its own pollution. It should place the construction of facilities necessary to abate pollution of our waters from Federal installations on a high priority basis. The establishment of a time table whereby pollution from any new Federal installations would have to be ceased by July 1, 1969, and whereby pollution from any Federal installation would have to be ceased by July 1, 1971, is one method of meeting this problem. Expenditures necessary to control pollution from Federal installations would be far wiser than Federal expenditures for many things I have found in this year's budget.

4. *I propose the enactment by the State legislatures or the local governments, whichever is appropriate in the individual State, of laws that all developers of industrial parks and housing developments of specified size to be constructed in the future be required to construct adequate waste treatment works to treat the discharge from such industrial facilities and development.* This is one method of helping to eliminate the ever-increasing amount of wastewater which must be treated by municipal treatment works. The developers would be required to operate the facilities and to meet standards consistent with statutes and regulations applicable to government-owned and operated treatment works.

5. *I propose the appropriation by all State legislatures of adequate funds* to permit the States to meet their responsibilities under Federal law and to take maximum advantage of the Federal grant program to abate water and air pollution and also to permit the State to take such other action as may be needed to attack air and water pollution. These should include, but not be limited to, the training of additional State technical personnel, provided such trainees agree to remain in the State's employment for at least a minimum specified period of time.

6. *I propose the requirement of State statutes that all county, metropolitan area, or regional planning agencies must provide for minimal air and water pollution control and abatement requirements.*

I know that some of the States already have statutes and measures which provide for some, most, or all of the measures which I have just enumerated. But I think that these six proposals are the minimum measures which should be enacted during the next 2 years to adequately assume our responsibilities and to adequately contribute to the further abatement of water pollution.

There are, of course, other proposals which could be made. But I consider the ones which I have enumerated to be the most important ones, although their relative importance is not necessarily in the order in which I presented them.

Unfortunately, I cannot be with you for the duration of your seminar. However, your consideration of these and other proposals should be a worthwhile effort. Although the realization of my proposals will require a substantial expenditure by the State and local governments, in some instances, I am confident that the benefits which would accrue to the States, if these proposals are carried out, would more than offset the expenditures. Furthermore, I think these programs should have a much higher priority than some of the items we now find in some State budgets.

IN CONCLUSION

I have attempted to point out to you today that while the Federal Government has done much to control and abate water pollution and to provide measures to insure against inadequate water supplies, the responsibility lies now, more than ever before, on the State and local governments, public and private organizations, industries, and concerned citizens.

It will be groups like the American Water Works Association and the Water Pollution Control Federation, and authorities in the field, like yourselves, on whom will rest the success of this most important effort.

Thank you.

Veterans' Day Program, Clinton High School

EXTENSION OF REMARKS
OF
HON. PHILIP J. PHILBIN
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 8, 1967

Mr. PHILBIN. Mr. Speaker, on November 10, 1966, it was my great privilege and honor to address the student body of Clinton High School in my hometown of Clinton, Mass., at impressive exercises to commemorate Veterans' Day.

I have unanimous consent to have printed in the RECORD the speech I made on this event which I was privileged to share with the outstanding faculty and students of this noted school:

REMARKS IN PART OF CONGRESSMAN PHILIP J. PHILBIN AT VETERANS' DAY EXERCISES, CLINTON HIGH SCHOOL, NOVEMBER 10, 1966

It is a great honor, a high privilege and a genuine pleasure to join you today at these very well arranged exercises to commemorate Veterans' Day.

The kind invitation came to me virtually as a command because Clinton High School, its distinguished teachers, its students, its alumni and everything pertaining to it is very close and dear to my heart.

There is a tremendous tradition associated with Clinton High School that traces back to the early days of this great hometown of ours and has come down to us through the years. There are few if any secondary schools in this nation or anywhere else for that matter that could boast of the distinguished history and record of our beloved Clinton High.

If time permitted I could talk a long time but will not today about the tremendously rich and valuable heritage, accomplishments, achievements, teachers and graduates of this great school.

Clinton High was founded by zealous high-minded leaders and educators, great men and women who were influenced by their belief in the Almighty, superb patriots who passionately loved individual liberty, the principles of the American Constitution, the virtues of the free way of life, zealous patrons of the Arts and Sciences, staunch believers in this system of government and free enterprise. These folks were endowed with highest ideals and zealously followed the religious and spiritual principles which they embraced. They were great inspirers, great teachers, great uplifters of the youth and the community, highly motivated, just as your own very distinguished teachers of today are, to counsel wisely and to guide and direct intelligently and well those who came under their charge.

I wish I could touch more in detail upon the lives and contributions of some of these men and women because they laid here the foundations for this outstanding institution which has done so much for Clinton, its young people and for our beloved Commonwealth and nation as well.

It is teachers and leaders like these who through the years made Clinton High School the effective influence for good in the training, educating and enlightenment of our youth that it is today.

And I am proud to note that their high standards and motivation, zeal of leadership and perfectionism in all things that relate to sound education and lofty citizenship are well represented and well exemplified by your present able and distinguished Superintendent, Mr. Sheridan, your able and distinguished Principal, Mr. Gibbons, and all the other fine teachers who serve you so well in this noted, well-appointed, secondary school.

If I had the time, I could tell you something about the great men and women that have come out of this school in the past and that have gone on to higher institutions of learning and have distinguished themselves in the professional business and public life of this country.

Of course, I do not have the time adequately to deal with this subject, to recite the large numbers of Clinton High School graduates who have gained great distinction for themselves in later life and have contributed greatly to the country in so many ways.

It would perhaps suffice, if I were to stress this one almost unbelievable fact that, in a period of six or seven years sometime ago, Clinton High School graduated four future members of Congress, two of them in one class, your speaker, and my classmate, Congressman James G. Donovan of New York, who almost single-handedly successfully fought the Communist conspiracy in New York City, and in the succeeding class, our friend, Congressman Joseph E. Casey, for years an outstanding Member of Congress, and a few classes before that time, Congressman Edward Kenney, another outstanding member of the House from the great state of New Jersey, the uncle of the Honorable Joseph E. McGuire, outstanding young public servant from Worcester. And then of course, before that time and since we had the great Senator David I. Walsh and a host of others.

I suppose, and I certainly do not want to appear to be boasting, that there is no High School in all this country that can come up to this record, and frankly it has always inspired me, because it pinpoints in such a remarkable way the wonderful heritage of Clinton High School.

It brilliantly illustrates that this school reaches out beyond the individual to the community, the country, and the outside world to encourage, and inspire, and train boys and girls to move up in life, to make something out of themselves, so to speak, and where possible to serve their fellow-man in the spirit of our old class motto "Every day some nobler deed."

I have confidence that you and those who come after you in this fine school will follow this standard and I certainly hope you will gain all your aims and goals.

Now for the subject of Veterans' Day.

It is not possible for any of us to pay adequate tribute to the Veterans of America, whether they sleep in honored glory as hero dead, or recline or sit back helpless in some hospital room, or their home, or whether they still live and actively serve.

No words could ever picture their bravery and sacrifices, and no encomiums and no expressions of gratitude could ever adequately thank them for what they have done.

For in truth, in many wars, in every war of history since this nation was founded, they have gallantly responded to the call of country and duty and honor with little or no thought of themselves.

They have gone forth from their homes, their schools, their places of business and their work, yes, even from their churches, to stand fearlessly against the enemies seeking to destroy it, and they have offered their lives, when necessary, on the sacred altar of American patriotism to save and protect this nation and the liberties and the opportunities and the blessings it has bestowed upon its people.

Very many of our veterans sleep in honored glory in places far removed from home the world over, where they were stricken in deadly battle fighting for the liberties and opportunities that we enjoy. Some of them lie in military cemeteries abroad, or in some sheltered spot, or even in the nameless dust of the past.

One of them, selected by lot, lies in the great Capital of the nation at Washington surrounded by pomp, grandeur, glory and perpetual honor guards.

If you could ask his name and who he was, whether he was black or white, Jew or Gentile, Catholic or Protestant, race, nationality or creed, if he could respond, he would answer in simple words "I was an American who died for my country."

When we consider this kind of sacrifice, my friends, so willingly made in order that this nation might live, that these freedoms and liberties we enjoy might be preserved, we can readily understand that nothing we can do or say could possibly pay these veterans adequate honor or discharge the great debt we owe them.

But there is one thing that we can do to show that we appreciate what they have done for us, and what they have "so nobly advanced" as the great Lincoln put it, to save this nation, and that is, in our day and in the way that is given to us, in the fervor and spirit that our Creator has implanted in our hearts, the energy and life that he has given us, and the learning, the talents and the abilities with which he has endowed us to try as best we can to emulate their example with loyal devotion and wholehearted service in time of strife or peace, to defend, protect and preserve our great heritage of liberty and to hand it down to those who follow us untarnished, untrammeled, unfettered, as eternal testimony of our own contributions to God and country even better than we found it.

And let us remember that there are few, if any, greater services that we as individuals, or as a nation, could render to the ideals, the principles, and the memory of the valiant and the brave; whom we honor today, than to carry out the mandate which they fought and died for, to establish an enduring peace with freedom under God, to join hands with all Americans and all of mankind, as we pledge ourselves to sustain the safety and security of this great land, come what may, in order to put an end to the mockery and calamity of war before a nuclear holocaust destroys all civilization, and install a universal lasting peace based on honor, justice, understanding and amity for all the peoples of the earth.

Tomorrow, as we have done from earliest days, Clinton will celebrate Veterans' Day with prayers, heartfelt gratitude, and fond recollections of the loved ones and the heroes, the valiant and the brave, who served with unstinted devotion.

We will commence this program with a religious remembrance in honor of Clinton's most illustrious son, the late Senator David I. Walsh, esteemed and beloved graduate of this school, veteran statesman-patriot, who left the indelible impression of his zeal and great work for freedom, justice and peace upon the annals of this great government and in the hearts of the people.

This fitting program will continue with special military exercises in honor of all our veterans whose hallowed services we honor. I hope we will all join together as neighbors, friends, admirers in this appropriate tribute to the memory of those whose unselfish service to this country will never be forgotten to the end of time.

Let me thank you warmly, Mr. Sheridan, Mr. Gibbons, Mr. O'Rourke for giving me the high privilege of being with you today. Thank you all for your kind attention and your inspiring friendship which I prize more than I could ever tell you. Keep up your good work and strive your best for your own place of usefulness and service and for the greater glory of Clinton High and the great town, state and country we love. Thank you all.

Aid to Cities and States

EXTENSION OF REMARKS
OF
HON. RICHARD D. McCARTHY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 8, 1967

Mr. McCARTHY. Mr. Speaker, I am today introducing a bill to modernize and improve the Federal Government's system of aid to cities and States.

It is identical to a bill introduced in the other body by a Senator from Maine, Mr. Muskie, on June 15, 1966, and again on January 25, 1967.

I am proposing this bill to help alleviate confusion in the administration and coordination of Federal-aid funds and programs and to promote understanding and cooperation among our various levels of government.

The bill, as originally sponsored by Mr. Muskie, would provide for a national council close to the President, specifically to carry out this work and would thereby result in a major reorganization of the executive branch of the Federal Government.

It would require, first of all, an Intergovernmental Cooperation Act to furnish a policy of coordinating the Federal programs. The policy would consider the plans and objectives of localities concerned. Chief responsibility for carrying out this policymaking will fall upon the President, who will have the authority to present plans to combine Federal programs under fewer agencies.

An Intergovernmental Personnel Act—also proposed by Mr. Muskie—would be established under the bill, to center on merit systems, personnel management, in-service training and the interchange of Federal, State, and local employees.

These present problems are considerable threats to the future administration of Federal programs and deserve immediate reorganizational attention.

Local governments have always had problems in knowing just what Federal aid is available to them for such important projects as urban renewal, economic development, development of resources, construction of sewerage, and manpower training. As the country grows larger, these problems increase. Because there is now no truly effective policy for sorting out the overlapping funds for Federal-aid programs this responsibility often falls to city mayors and city councilmen.

Today we must cope with 86 new programs for local assistance—all passed by the 89th Congress, and 84 previous programs. These 170 Federal-aid programs are currently financed by more than 400 separate appropriations and are administered by 21 Federal departments and agencies assisted by 150 Washington bureaus and more than 400 regional offices—all of which can gather applications and dispense Federal funds.

Subsequently, many of these programs move slowly if at all, and prompt inefficiency at all levels of government. Towns, cities, and small villages—who often come to consider the Federal Government a great ogre with interest only in large urban areas—have no real clearing place where they can know immediately what aid is there for them, how they can become eligible for the aid, and how they may apply for it.

Many of these difficulties would be cleared up with the enactment of the bill I am proposing today—and smaller governments for both urban and rural areas would know—according to a more flexible, simpler policy, what funds are available to them for education, pollution, civil rights, law enforcement, housing, education, transportation, and public facilities.

A National Intergovernmental Affair Council (NIAC), operating close to the President, would work to counteract what Mr. MUSKIE has called the bigger threats to our Federal system "program fragmentation and the tunnel vision of Federal administrators."

We cannot go on establishing more and more Federal programs only to add to the top of an already unwieldy pile of existing programs. We must give more thought to speed, and simplicity. We must introduce legislation to help the Chief Executive carry out this mission.

We must look into programs that provide too much money for purposes requiring less than this amount. We must bolster up programs that give too little money for their needs.

Auditing and bookkeeping problems are far too complicated in many areas—preventing complete administration of many of the funds available. There is no consistent pattern that exists from one program to another; in many of the programs there are no equalization factors to insure that poorer States and localities are receiving more funds than more fortunate areas. Sometimes the mere cost of planning for the administration of some Federal funds has proved too much for a locality—which has to forego available moneys.

In addition, it is difficult for localities to find qualified persons to carry out the planning of programs available to them, thus further confusing the efficiency of the Federal aid issues.

Delays and uncertainty have resulted in many unused funds and have often proved costly because they have involved much research, budgeting and documentary work.

What goes for the Federal Government in Washington—needless to say—would never go for the government of a small Western town, or even a large city in the East. The key word is "implementation." For even if the entire structure of the Federal aid program is revamped to a satisfactorily workable condition, it will do no good unless the structure is carried out fully in its proper manner.

What the council I am proposing today—the NIAC—will do is this: It will stand in the offices of the President, determine the importance of all existing Federal-aid programs, and bring about policies of simplicity, flexibility, and coordination.

Legislation to Curtail the Practice of Nongermane Amendments

EXTENSION OF REMARKS
OF

HON. EMANUEL CELLER

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 8, 1967

Mr. CELLER. Mr. Speaker, on February 2, 1967, I introduced a resolution to amend the rules of the House to curtail in the future the practice of attaching nongermane amendments to bills, and a bill to correct one example of this practice in the 89th Congress by repeal of the Presidential Election Campaign Act of 1966. Under the Celler proposed resolution, any amendment of the Senate to a House or Senate bill which was not germane to the subject matter of the legislation would be referred to the House committee having jurisdiction over the subject matter of the amendment before its consideration by the House.

Mr. Speaker, under the rules of the House a nongermane amendment is subject to a point of order, but there is no such rule in the Senate. Thus, the practice is often utilized in the Senate of attaching riders to legislation in the form of an amendment which would not normally receive favorable consideration. This practice is dangerous. It eliminates thorough consideration and the expertise and experience that standing committees have over subject matters which they normally consider. My proposal would at least provide for the appropriate and proper consideration by those Members who are acquainted with the subject matter of the amendments.

The 89th Congress provided a number of examples of the problem presented by the present practice of attaching nongermane riders to House-passed bills. Many have referred to this practice as an "end run," and it is my intention under this resolution to block any such move in the future. It will keep future proposals from riding through Congress on the back of nonrelated legislation.

My second bill will give Congress an opportunity to correct one instance of mischief that results from the attachment of nongermane riders to bills that have already passed the House. This bill is to repeal the Presidential Election Campaign Act of 1966, which was appended to H.R. 13103, the Foreign Investors Tax Act of 1966, in the 89th Congress, although it had no relevancy at all to the subject matter of that bill.

The Presidential Election Campaign Act of 1966 introduced a new and unprecedented concept in the financing of presidential campaigns in this country. Congress has enacted into law, for the first time, the concept that the Federal Government should subsidize the major parties in a presidential election. The subsidy even extends to a third party if it has more than 5 million votes.

No committee of either House studied the proposal that led to this legislation. No one can say with any degree of assurance what the effect of this bill will be on campaign spending. As passed, the act authorizes the individual taxpayer to designate that $1 should be paid into the presidential election campaign fund. If a political party receives more than 15 million votes in a presidential election, it shares equally with all other parties in the distribution of this Federal fund. If a political party receives more than 5 million, but less than 15 million votes, it will receive $1 for each vote in excess of 5 million.

What if George Wallace, or Stokely Carmichael, or any other leader of a splinter group, would run for President and receive 10 million votes? It is right that the Federal taxpayer should then be bound to provide $10 million to that party? On the other hand, is it right that the Federal Government, if it is going to subsidize the presidential campaigns, should refuse to provide money to a political party that receives only 4,999,000 votes?

One thing is sure. Every splinter party will press to get their candidates on the ballot in every State, and thus assure that they attract the 5 million vote minimum needed for participation in Federal fund moneys.

A host of questions arise that could have been resolved through normal committee procedures. Should the law provide for financing the campaigns of Members of Congress? Does the Federal Government have the right to decide which of the political parties deserve Federal funds and which do not? It seems to me that there may be weighty constitutional problems. Under the law, tax revenues are distributed automatically for political purposes by Government employees. The taxpayer is deprived of any opportunity to earmark his political contribution to a named party of his choice.

The 89th Congress gave us two additional cases where House conferees were faced with nonrelevant and unfamiliar Senate riders. The act to suspend the investment credit and allowance of accelerated depreciation in the case of certain real property was amended in the Senate to incorporate provisions to grant exemption from the antitrust laws for a merger of professional football leagues. This amendment was made to a bill from the Ways and Means Committee at the very time the Committee on the Judiciary was in the process of conducting hearings on similar professional football league merger bills. The Senate held no hearings on these bills, and the Senate action short-circuited the hearings in the House. As a result, Congress has granted an antitrust exemption of unknown scope to professional football.

The third example in the 89th Congress of Senate action without hearings was the rider to H.R. 13935, a bill to consent to the entry of Massachusetts into an interstate compact providing for bus taxation proration and reciprocity. The rider was an amendment to the War Claims Act, and had no relevancy whatsoever to the Massachusetts compact. The rider, if enacted, would have depleted the funds of the Foreign Claims Settlement Commission by providing the payment of interest to preferred claimants even before the payment of principal was made to other claimants. Fortunately, the Senate receded from its rider during the closing days of the session.

World Weather Program

EXTENSION OF REMARKS

OF

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 8, 1967

Mr. MILLER of California. Mr. Speaker, recently President Johnson praised the progress made by the Environmental Science Services Administration, U.S. Department of Commerce, since its establishment in 1965. At the time President Johnson submitted reorganization plan No. 2 of 1965 creating ESSA, he predicted that it "would permit us to provide better environmental information to vital segments of the Nation's economy." In reviewing accomplishments of ESSA recently, the President noted that today, "by interpretation of pictures transmitted by satellites we are able to gather data on snow cover" and that this information "is useful in water supply forecasting for semiarid regions, sea and lake ice reconnaissance, and identification of flood areas."

Today within ESSA, a century-old meteorological dream is becoming a reality. The global weather observing potential of earth-orbiting satellites has provided the key in the quest for an improved understanding of man's physical environment.

Because of the tremendous scientific and technological advancements triggered by the weather satellite, a world weather program with enormous economic and lifesaving benefits is now being planned by the nations of the world.

The world weather program, an international effort in which President Johnson has pledged the Nation's cooperation, is a long-range effort planned by the World Meteorological Organization of the United Nations. The meteorological goals of the program will be to improve the meteorological services of all nations, to increase the accuracy and extend the time range of weather predictions, and to explore the possibility of large-scale weather and climate modification.

This month—February—marks the first aniversary of the establishment of the world's first fully operational weather satellite system Successful launches of the environmental survey satellites ESSA 1 and ESSA 2 in February of 1966 established the system a short 7 years after the first weather satellite, Tiros 1, was launched in April 1960. These satellites, along with ESSA 3, launched in October of 1966 and ESSA 4, launched last month—January 26, 1967—are providing regular and continuous daily weather observations of the entire globe. ESSA 1 and 3 are sending global cloud pictures for central analysis while ESSA 2 and 4, equipped with automatic picture transmission—APT—cameras are directly and automatically beaming regional cloud cover photos to receiving sets in 35 nations of the world.

About 180 APT receiving stations are now in operation around the world. They have been established on every continent—including Antarctica—by U.S. and foreign government agencies, universities, television stations, and commercial organizations. APT pictures have also been received on ships at sea and aircraft in flight.

In the United States, "instant weather" photographs have been valuable in improving local forecasts and briefing pilots. Other nations have expressed their gratitude for the help these pictures have given in preparing daily weather forecasts, in issuing storm warnings, and in contributing to the safety of aviation and shipping.

APT pictures provide meteorologists with immediate, timely information on weather conditions over a large area around the receiving station. Photographs of ocean areas are especially useful because of the scarcity of weather observations at sea. Such pictures are sometimes given to pilots preparing for long, intercontinental flights. The Weather Bureau's hurricane forecast offices are equipped with APT receivers which enable them to detect and track tropical storms long before their approach to land.

Even in areas with relatively adequate surface observations, meteorologists have used the APT photographs to find the exact position and extent of fronts, storms, the jet stream, sea-ice conditions, and snow cover. From some pictures, an expert can deduce the presence of turbulence, the direction of surface winds, and sea conditions.

Since the beginning of the operational system, the ESSA 1 and 3 satellites have returned more than 110,000 useful pictures. ESSA 2 has broadcast over 32,000 pictures for reception by APT ground stations. From the pictures, ESSA's National Environmental Satellite Center has prepared more than 10,000 analyses for transmission to U.S. weather stations and foreign meteorological services, and has sent more than 700 warnings to areas in the paths of potentially dangerous storms.

Working in cooperation with ESSA's Institutes for Environmental Research, the National Environmental Satellite Center is planning and developing improved satellite sensors. ESSA's Institute for Telecommunication Sciences and Aeronomy has designed a solar proton counter. This instrument will provide data to detect and forecast solar disturbances which can affect the operation of unmanned satellites, astronauts, and supersonic aircraft flying at high altitudes.

Improved ESSA satellite systems are being developed for launching in late 1968 or early 1969. Besides carrying the solar proton counter, the new environmental satellite system will combine within a single satellite the direct and stored picture readout now requiring two satellites. The new system will also permit nighttime cloud observations on a global basis.

It is through these remarkable advancements that man at last has hope of probing the mysteries of our atmosphere and acquiring an understanding of its processes and thereby improve man's prospect for survival.

Battle of Grand Canyon

EXTENSION OF REMARKS

OF

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 8, 1967

Mr. HOSMER. Mr. Speaker, during the period between the 89th and 90th Congresses an article appeared in Per Se magazine's winter issue in which I had the opportunity to detail some of the attitudes in California and elsewhere along with my own views on the need for regional development of the Colorado River Basin water resources. For the purposes of the Record, I have asked and been granted unanimous permission that the article be reproduced:

The Battle of Grand Canyon

(By Hon. Craig Hosmer)

In Hollywood's Wild West it's easy to spot the good guys: they all wear white hats. In today's real West it isn't so easy. A gigantic water battle rages and both sides deck themselves out in the white of righteousness. The result is confusion, particularly in Congress where the struggle focuses.

The battle and its issues are wrapped up in H.R. 4671, a bill to authorize spending $1.7 billion to build the Colorado River Basin Project, latest of many multi-purpose western water and power projects. It will benefit seven states and affect a vast area of approximately 242,000 square miles—about one-twelfth of the continental United States. Mexico, our neighbor to the south, has a stake in it too; for the lower reaches of the Colorado wind through that country to the Gulf of California.

The project's proponents are the responsible water officials of Utah, Wyoming, Colorado, New Mexico, Nevada, Arizona and California. Faced with spectacularly rising population curves and burgeoning new demands for municipal, industrial and agricultural water, they foresee a bleak future of drought and economic stagnation unless H.R. 4671 is enacted. Further, they see in the revenues from the two proposed power dams a practical means to price water within reasonable relationship to its users' ability to pay. Dams of this kind have been an integral element of western water development ever since the Reclamation Act was enacted in 1902 under sponsorship of Theodore Roosevelt's Administration.

The project's opponents are conservation groups spearheaded by the prestigious San Francisco-based Sierra Club. They have taken dead aim on the dams, which they charge are unnecessary, will inundate Grand Canyon, generally ruin the area's natural state and set a precedent for the invasion of all national parks and wildlife areas.

Basic to this battle is the conflict which inescapably occurs when a dynamic, expanding society reaches physical circumstances tending to contain it. For centuries the consequence in Europe has been bloody wars. In America has been water wars. To the opponents, the issue now at stake is conservation and a place for man to commune with nature and to play. To the proponents, a place for man to play comes second to a place for man to live—and *water* is vital to life.

The current battle is only the latest in a century-long series of water wars dotting the history of the arid west. Pioneers turned to the Colorado's waters for their needs, when the states involved first were settled. By the law of the West, water appropriation for "beneficial consumptive use" creates a right to continue that use indefinitely against subsequent appropriators. While the land remained sparsely settled water rivalries arose on a local basis. Later, as population increased, more rapidly growing states—particularly the southern section of California—began appropriating uses of the Colorado's water at a rate alarming to the others. Adolescent California, it was feared, would lay claim to a lion's share by prior appropriation before maturity in other states would grant them their rights. Local rivalries ripened to interstate contests.

Defense actions by California's neighbors took the form of blocking her reclamation projects in the Senate. Their success hinged on the fact that smallness of a state's population does not dilute its political power in that body. Senators from the Upper Colorado River Basin states of Wyoming, Utah, New Mexico and Colorado ganged up with Arizona's and Nevada's to outvote the two from California, the other Lower Basin partner.

Not until 1922 was the impasse partly broken by a seven-state Colorado River Basin compact negotiated at Santa Fe, N.M., under guidance of Herbert Hoover, recently returned from Europe as post-World I food relief czar. The compact did not divide the Colorado's water among the states but between the Upper and Lower Basins, with the dividing line at Lee Ferry in Northern Arizona. It left to the respective states the further task of allocating basin entitlements between them.

The compact was written in "acre-foot" terminology—an amount of water covering an acre of land to a depth of one foot, roughly 325,900 gallons. Along with other provisions, it gave each basin a right to beneficial consumptive use of 7½ million acre-feet annually. The Lower Basin was authorized to increase its use by 1 million acre-feet per year if surplus water was available. Water to which Mexico might be entitled (and the amount was assumed to be small) was to be deducted first from the surplus and then equally from each basin's allocation. With this exception the basins now were freed to appropriate permanently beneficial consumptive uses up to the limits of the compact and, on a temporary basis, take water in excess of that amount until uses in the other basin required its retention. The slower developing Upper Basin was protected against the fast developing Lower Basin exemplified by California.

Without the pressure of rapid growth and expansion during the 1920–1950 period, the Upper Basin could move leisurely and amicably to an agreement in 1948 dividing up their water.

The situation was quite different to the south. Arid Southern California desperately wanted the Boulder Canyon Project based on Hoover Dam. It wanted large-scale importation of Colorado River water to its coastal plain via a massive aqueduct planned by the Metropolitan Water District of Southern California. Arizona wanted none of this. Its strategy was to throw every possible roadblock against acquisition of water rights by the growing giant next door. It refused even to ratify the 1922 agreement. It declined to agree on a division of Lower Basin water. In Congress it fought a bitter delaying action against the Boulder Canyon Project Act, first introduced in 1922, and stalled from passage until 1928.

Congress, wearied of the running Arizona-California feud, determined by that Act to settle it. It said that before Hoover Dam could be started, California must renounce all claims to over 4.4 million acre-feet annually of Colorado River water, plus one-half of surplus waters, if any. A 2.8 million acre-feet allocation was suggested for Arizona and 300,000 acre-feet for Nevada. In 1929 the California legislature agreed to the limitation. Construction of Hoover Dam at last began in 1930, despite threats by Arizona's governor to call out his National Guard and stop the ground-breaking. It was not until 1944 that Arizona reluctantly ratified the Santa Fe Compact in order to sign a contract with the Department of the Interior for its stipulated 2.8 million acre-feet of water.

During that same World War II year, 1944, a treaty with Mexico was ratified giving it a surprisingly large 1.5 million acre-feet of the Colorado's water annually. The actual burden of this treaty is not 1.5, but approximately 1.8 million acre-feet to account for water lost through evaporation and regulation of the delivery to Mexico.

By itself, the superimposed Mexican Treaty burden was an unexpected but not staggering blow. Taken with more complete data on the Colorado River's actual water supply accumulated following the 1922 Compact, it ran up a life-sized red warning flag. The Santa Fe negotiators, it turned out, had divided up more water than the river supplied. This deficit now was to be augmented further by the imposing treaty burden. The gap between water expectations and water realizations of the states was staggering. In short, the water-bankruptcy of the river became clear and certain.

The seeds of violent controversy between the states along its banks again were sown. This time the mere division of an assumed water sufficiency was not the issue. The dispute transmuted to a dreaded responsibility to allocate a frightening deficiency. Arizona moved quickly in 1946 to insulate itself from any allocation of the deficiency by introducing bills in Congress for the Central Arizona Project measured by the state's full 2.8 million acre-feet claim, undepleted by any shortages in supply. California and others countermoved by stalling the bills. Frustrated in Congress, Arizona moved its battle to a new arena in 1952. It filed suit against California in the Supreme Court to enforce it hopes and desires.

The Court rendered its decision in 1963. It refused to consider the question of deficits. That hot potato was tossed back to the Secretary of the Interior and Congress. In the process, California's 4.4 million acre-feet paper allocation of water was confirmed. The Court further decreed that the considerable water of an Arizona tributary of the Colorado the Gila River, need not be counted against Arizona's 2.8 million acre-feet paper allocation. This was a bitter blow to California, as it meant—in practical effect—the Colorado River's deficit was not to be lessened by the Gila's estimated 1.75 million acre-feet flow.

Anticipating the possibility of a dismal day in court, California fought hard during the mid-1950's to delay legislation sought by the Upper Basin states to approach their Compact entitlements of Colorado River water. Water rights and compacts to the contrary, California theorized that as long as water flowed down the river it was not held upstream and consequently was available for use in existing California projects. She gained four years, delaying passage of the Upper Basin's Colorado River Storage Project until 1956.

This contest marked the beginning of the current truce on bickering between the river states. It became apparent to California, as well as to the others, that fighting between themselves offered no real solution to the basic problem common to all: water-bankruptcy of the river. Each passing year had brought a closer realization that the river's water ledger must be brought out of the red by a substantial augmentation of water supply. Within 20 years the actual water to meet California's 4.4 million acre-feet entitlement will not be flowing due to new uses upstream. Should the Central Arizona Project be built, its situation will be the same. Only a little farther in the future will the same consequences plague Upper Basin states. Their entitlement by the Compact may meet their needs, but water actually available will not.

Although the seven Colorado River states may agree on little else, all are now convinced that a dire future of drought can be avoided by augmentation of their river basin's deficit water supply through "importation from sources outside the natural drainage basins of the Southwest, desalination, weather modification, and other means," as H.R. 4671 provides. To the complete satisfaction of each, the bill calls for studies and reports on feasible means for augmentation. Of equal importance, and to help pay the cost, the bill authorizes Marble Canyon and Hualapai (formerly Bridge Canyon) Dams, whose hydro electric revenues, when combined with Hoover, Parker and Davis Dams and other project-income, are expected in 75 years to pay all interest and pile up $2.14 billion net revenues to help pay for augmentation schemes. The two new dams account for $1.2 billion of this total. Additionally, it allocates to the U.S. Treasury (rather than Colorado River revenues) the cost of the first 1.5 million acre-feet of augmentation by declaring the Mexican Treaty burden a national obligation. The 1 million balance of the first 2.5 million acre-feet per year is to be repaid from the proposed dams. These are the mechanics by which water augmentation—whether by "importation, desalination, weather modification, or other means"—becomes financially feasible.

The bill includes other features acceptable to all seven states by way of give-and-take compromises, such as:

Authorization of the Central Arizona Project for Arizona.

Authorization of five new participating projects for the Upper Basin.

Extension of water augmentation studies to include such far-away locations as West Texas and Western Kansas.

A guarantee to California that calculation and allocation of the river's water deficit will respect her claim to 4.4 million acre-feet.

A provision guaranteeing first claim to the areas of origin of water imported from them.

Establishment of a National Water Commission, which powerful members of the Senate held as ransom for even considering the bill.

Despite the area-of-origin protective clause, states of the Pacific Northwest—Washington, Oregon, Idaho and Montana—violently oppose the legislation. Such opposition is somewhat understandable in context of these states' amply generous water supply. They have not studied it carefully in relation to possible future needs based on expansion during the decades ahead. They don't want to take any chances on unknowns. Further, their numerous Congressmen, Senators, Governors and candidates for office at all levels find mounting a crusade "to save the Northwest's water from greedy California" is much more productive at the polls than debating more controversial issues.

Less understandable is the violently emotional opposition by the Sierra Club and its allies in hitherto responsible and respected groups, the wild charges that Grand Canyon will be "inundated," "flooded" and "ruined" tend to be believed by millions, who picture a total obliteration of this priceless national scenic heritage. If this were true, public outrage would be justified. Plans for dams which would bring such an end to the Grand Canyon should be burned like a leper's rags.

But the charges are not true. Marble Canyon and Hualapai Dams will do no such thing. Grand Canyon National Park will not be inundated. It will not be flooded. It will not be ruined.

The effect on the Canyon will be minimal and then only at locations inaccessible to all but a hardy and adventurous few possessing money, strength and stamina to play at the dangerous game of shoot-the-rapids. Such adventurers are so small in numbers that in all recorded history less than 2000 have played it and seen the scenes the Sierra Club is unwilling to allow modified in exchange for water for perhaps 50,000,000 people by the year 1999.

The truth is that under authority of H.R. 4671, Marble Canyon Dam will be built 13 miles upstream from Grand Canyon National Park and nearly four times that distance from the traditional South Rim observation points. It wont affect the "wild river" below because the river ceased to be "wild" when Glen Canyon Dam, upstream from Marble, began storing water—as much water as Lake Mead. Marble Canyon Dam will simply generate power, and money, with the water that Glen regulates and releases. Hualapai Dam will be built 80.3 miles downstream from the western border of the Park and 149.5 river miles from the South Rim. Even the recreation lake created by Hualapai will be 55.5 miles from the South Rim. True, this lake at its tip will border the Park for 13 miles. It will be 89 feet deep within a narrow inner gorge, which the general public never sees or visits. It first touches a boundary of the Park, dwindling to nothing 13 miles upstream, still at a boundary. The canyon walls in this area are more than 3000 feet high. The ratio of 89 to 3000 is about that of the thickness of a brief case, lying flat on the floor, to the height of a usual ceiling. In length the 13 miles of the canyon bottom (now inaccessible) that would be made visible from the new lake bears about the same ratio to the length of the river in the Park as the length of the brief case bears to the length of an average living room.

As to relative volume, the ratio of the lake's little puddle to the vast emptiness of the canyon overyling it is too small to be calculated—a minuscule fraction of one percent. A veritable drop in the bucket. To say that this will "ruin," "inundate" and "flood" Grand Canyon National Park, as the Sierra Club alleged in paid advertisements in the New York Times and Washington Post, deserves the reply made in the Post's editorial of July 14, ". . . It is plain nonsense to speak of this proposed minor change in the Park as ruining the Grand Canyon." No dams or lakes will be visible from any easily accessible public observation point anywhere in Grand Canyon National Park. The Colorado River will flow, as it does now, through 104 miles of the interior of Grand Canyon National Park—just as the Act of Congress of 1919 which created Grand Canyon National Park contemplated by providing specifically for hydroelectric development in or along its borders.

The Sierra Club, having lost all perspective for any view but its own, has elected to accomplish its allegedly conservationist goal by destroying one of the most delicately-structured compromises ever placed before Congress. It has decreed that H.R. 4671 shall be gutted by striking out everything after its enacting clause and substituting language authorizing only the old, original Central Arizona Project.

Conservationists tacitly admit their case against the dams is weak. They make their fight not so much for Grand Canyon as for general principle, explained by one of them, Prof. Richard C. Bradley of Colorado College: ". . . If they (the conservationists) lose Grand Canyon it is doubtful that they could ever win anywhere else. Every one of our national parks has reservoir basins, marketable timber, mineral resources, or motel sites. Next time the promoters will have the added weapon of 'precedent,' because of the decision on Grand Canyon . . .".

Prof. Bradley and his colleagues can point to no specific threats to any park. They are oblivious to the West's water needs. They have forgotten such already-existing "precedents" as beautiful Jackson Lake and Dam in Grand Teton National Park, and glistening Sherburne Lake and Dam in Glacier National Park. There's also Fontana Lake and Dam which now abuts Great Smoky National Park in the same manner the proposed Hualapai Lake will border a far boundary of Grand Canyon National Park. All of these lakes are being visited yearly by millions, who can testify these waters have enhanced—not ruined—the scenic surroundings.

There can be but two alternative results of this battle. If good sense prevails, the bill will pass and the West will have water. If the Sierra Club's campaign succeeds, there will be disastrous and lasting water shortage throughout one-twelfth of the U.S. continent.

Irrelevantly, and in either event, Grand Canyon National Park remains essentially unchanged.

With the dams, the Canyon will stay as it now is with this exception only: a narrow lake, about the width of a football field, extending 13 miles along the northwest border of the Park. Just how this could ruin an area nearly as big as the State of Rhode Island is inexplicable.

As a Westerner, I am particularly concerned that this position of a usually responsible private club does not wreck H.R. 4671. Down the drain with the wreckage will go the water future of my own and six neighboring states. Funds will not be available to augment the Colorado River's inadequate water supply. Even studies aimed at water augmentation will be scrapped, and so will relief from the Mexican Treaty burden. Arizona does not ask for prostitution of the legislation to a parochial central Arizona project by the elimination of these features, which make it a *regional* plan valuable to all seven states. Since Arizona does not ask that California or her other sister states commit hara-kiri, why should the Sierra Club?

Because, it says, the dams aren't needed to pay for the Central Arizona feature; and if money is needed for anything else, it can come from alternatives to the dams, such as:

Selling around 100,000 acre-feet a year the Club contends will evaporate from the new lakes. (The water only could be sold for an insignificant profit in relation to the dam's $1.2 billion.)

Building nuclear or coal-fired power plants someplace else to raise the money. (This is a bald invitation for the Government to go into the power business and plunge the whole project into the much larger private-versus-public power struggle; as a "precedent" it suggests the Government build power plants everywhere as an alternative to raising taxes.)

Taking the $700 million construction cost of the dams and lending it out over the life of the project to earn the $1.2 billion. (The Government's profit would be the difference between the interest it pays and what it receives, less other expenses of the money-lending business—probably less than half that of the dams.)

The Sierra Club contends that, in any event, the dams just will not make the amount of money estimated. Its witnesses before the House Interior and Insular Affairs Committee said the power could not be sold. None of them were public utility economists. The real experts in the subject speak differently.

Bureau of Reclamation engineers and economists gave the Committee details of their comprehensive studies of project power markets and revenues, refuting the Club.

A. H. Forman, executive vice president of Arizona Public Service Co., an investor-owned utility, stated ". . . the available market can easily absorb these quantities (of hydropower) by the time the dams are constructed . . . It is indicated that the estimated rate for peaking power from these dams would be competitive . . . and the estimated price would not be a barrier to marketing such power."

Alex Radin, general manager of the American Public Power Association representing more than 1,400 municipal and other publicly-owned electrical systems, last January wrote: "By 1980, population gain and associated production increases will swell the need for peaking power from the present 20 million kilowatts to more than 50 million. Power dams at Bridge Canyon and at Marble Canyon would contribute 2 million kilowatts, a very welcome and valuable help to the local and national economies."

On May 27, in a letter to Rep. John Schmidhauser, Radin also wrote, ". . . private utilities are building, and applying for licenses to build, a number of conventional hydroelectric plants. In 1965, there were 46% more applications filed with the Federal Power Commission for non-Federal hydro power sites than the average of the last 10 years."

Managers of electrical utilities are not foolish with their investment funds. In fact, several applications by power utilities to build each of these dams are temporarily tabled by the Federal Power Commission. Congress voted to hold private licensing in abeyance until next January 1 to allow time for Congressional decision on H.R. 4671. Next year the FPC can license the dams if Congress has not done so. Should this occur, profit from power sales will not go to the U.S. Treasury to help pay for this water project and future progress. They will go to the power companies.

The National Rural Electric Cooperatives

Association also has investigated the economics of H.R. 4671. Last July, this body advised its members to express themselves to Congressmen in favor of the bill, which "would provide billions of gallons of fresh water for the Southwestern desert states and some 2,000 megawatts of low-cost hydroelectric power," saying it did so because "the Sierra Club, and other preservationist organizations, have mobilized a nation-wide effort to kill the Colorado River Basin Project . . ."

As a Californian, I am further concerned with the Sierra Club's "Central Arizona Project only" flim-flam because it tosses aside my own state's hard-won provision in the bill that the Lower Basin burden of possible water deficits be borne first by the new Arizona Project. It requires diversions for that project be reduced to the extent necessary to protect other existing, long-operating projects in Arizona, California and Nevada. Despite this, California's protection is not unlimited. Her prior right still is held to 4.4 million acre-feet yearly because she agreed to that in 1929. Further, the protection continues only until works are completed to augment, by 2.5 million acre-feet annually, the Colorado's supply. The Sierra Club's bill-gutting maneuver would strike out this protection for 10 million Southern Californians dependent on the Colorado River. It would authorize the water-using Central Arizona project anyhow, thereby imposing an even greater probability of deficit on the River.

Adding insult to injury, the Sierra Club's deleting of both dams will place the whole burden of subsidizing the new Central Arizona Project on Hoover, Davis and Parker Dams—that is, on the users of power produced by these dams. They would have to pay higher power rates to replace lost Hualapai and Marble Revenues. Ironically, these users principally are the Metropolitan Water District of Southern California, Los Angeles Department of Water and Power, Southern California Edison Company and the Imperial Irrigation District. They would pick up the tab. Metropolitan is the biggest single bill-payer at Hoover Dam, paying as much as Arizona and Nevada combined. The Sierra Club commands California's power users to pay higher rates to subsidize a project which takes water away from them!

In a more general vein, conservationists objections to the dams raise the issue of whether the outdoors are to be reserved for enjoyment by a few or opened for the enjoyment of many. The National Geographic magazine for July 1966 contains an article by the Director of the National Park Service about the population pressures on the National Parks. It is illustrated by breathtaking pictures of Lake Powell, and of Rainbow Bridge, so despised by the Sierra Club. Secretary Udall is quoted as predicting that in a few years reservations, months ahead, may be necessary for overnight visitors to stay in Grand Canyon National Park. More recreation areas, like Lake Mead, Lake Powell and Lake Hualapai, must be created to relieve the population pressures on national parks like Grand Canyon. It is a fine thing to be pro-nature, but to do so it is not necessary to be anti-water. That is about the stance to which the Sierra Club's hysterical campaign has reduced the once respected organization.

Senator Frank Moss of Utah told his colleagues last June of the pleasure he had as a Boy Scout in the canyon of the Colorado above Glen Canyon, where he rafted down and camped beside the muddy torrent. He said he then could not get into side canyons, nor could he see the great escarpments and buttes set back at a distance from the water.

Since Lake Powell has filled Glen Canyon Dam, the Senator has gone back to the places of his youthful frustrations. Now he finds, he says, a myriad thrilling by-ways to explore, ruins of ancient dwellings of Indians, and "best of all, there are the reflections of all this beauty to be seen in the clear, blue waters of the lake . . . The Glen Canyon story will be repeated in Marble and Bridge Canyons once the dams are built."

Incidentally, the effect of Glen Canyon Dam has been to cool as well as clarify the water impounded in Lake Powell behind it. In the now cooled stream below the dam there are trout to be caught in great numbers. In the turbid torrent previously there, only a few trash fish could live. The effects below Marble and Hualapai dams will be similar.

The lonely Hualapai Indian tribe wants a dam at Bridge Canyon, and they want it called Hualapai Dam. On the lake, which will border their reservation, they plan to build marinas, parks and campsites to earn a better living. Hualapais are now isolated in their wilderness and impoverished. Family incomes average less than $1,500 a year. For these Indians, the dam represents hope for a better life. In their way, they get as emotional on the subject as any member of the Sierra Club. They know Thoreau chose penury to live at Walden Pond, but they have had enough of penury. And they respect Thoreau, who went to live his wilderness ideal without forcing others to share his austerity.

There was a time when the Sierra Club, too, respected the man's philosophy. But a new, reckless breed of leadership has taken hold of that organization. Using the flimsy pretext of saving the wilderness, it is attempting to thrust its monastic views upon a misinformed public, blocking orderly resource development for private political advantage.

Who shall triumph? The few or the many? The choice seems so clear as to make the question rhetorical. But this is an election year and there are many considerations to cloud the principal issue. When talk of "economy" grows louder in Capitol corridors, when the strength of the opposition is unfathomable, when voters are in a protesting mood, men in public office oftentimes find prudence in forsaking statesmanship for survival. It is a human frailty as old as politics.

Perhaps the question will not be resolved at all this year. It is impossible to predict at this writing. There is no escaping the undeniable fact that the dry-as-dust West needs water augmentation desperately. Common goals and principles enunciated in H.R. 4671 embody the solutions to that problem. They provide the opportunity to develop wisely our precious resources today and plan soundly for tomorrow.

The State of Our World Progress

EXTENSION OF REMARKS

OF

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 8, 1967

Mr. FULTON of Pennsylvania. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following speech:

ADDRESS BY VICE PRESIDENT HUBERT H. HUMPHREY TO THE INTERNATIONAL DEVELOPMENT CONFERENCE

WASHINGTON, D.C., Tuesday, February 7, 1967.—"The greatest single threat to the Viet Cong and to North Vietnam today is a freely-elected, representative government in South Vietnam," Vice President Hubert Humphrey told the International Development Conference meeting in Washington Tuesday night.

Humphrey predicted that the stable political leadership and responsive political institutions needed for such a government will soon become realities.

The Vice President said, "In Vietnam . . . we are resisting Communist military force with force, and succeeding militarily. We are aiding the South Vietnamese in economic development, and succeeding economically. But the corner will not be fully turned there until *political* progress matches military and economic progress."

Humphrey warned that, "We, as a great power, must beware the impulse to try to impose on nations with far different traditions and histories our own political institutions in carbon copy."

But, he said, "We must not hesitate to help them—when they ask for help—to develop their own institutions, tailored to their own experience, which will meet the need of their people."

Humphrey said that the probability of a freely-elected, representative government in South Vietnam "is causing Hanoi and the NLF to have second thoughts."

He added, "The barrage of threats, intimidation, and propaganda launched by North Vietnam and the Viet Cong against the election for a constituent assembly last fall was a miserable failure. The people of South Vietnam *did* vote in overwhelming numbers.

"A constituent assembly was elected. It is at work.

"A constitution is today being written.

"Village and district elections will be held this spring.

"National elections are scheduled for this fall.

"These are solid steps toward peace and victory over Communist intimidation.

"And, in combination with our military and economic efforts, these are the steps which can in time innoculate a nation against terror, subversion and political agitation waged by a disciplined minority."

I remember a Hearing of the Senate Foreign Relations Committee in 1961. The subject was cooperatives.

Senator Hubert Humphrey asked how many foreign aid agency people were in the field organizing credit unions. . After a pause and hurried consultations, the witness answered "None."

How many people did we have helping to organize savings and loan associations in the countries of Latin America and Africa? "None."

How many were employed to organize marketing or consumer cooperatives? The answer was the same—"None."

We did something about it.

Since the autumn of 1961, AID has carried out the mandate of the Humphrey Amendment working with the organizations represented here tonight.

On this fifth anniversary observance of the Humphrey Amendment, AID has contractual arrangements with 10 major cooperative organizations. It has 97 cooperative personnel. It has involved 286 consultants. It reports 123 projects in 39 countries and 40 thousand cooperatives with 16 million members. During the past five years, it has committed 50 million dollars to cooperatives.

The underlying objectives of the Humphrey Amendment are as valid today as five years ago. I would single out four:

First, to help people who most need it. Regardless of good intentions, government-to-government assistance always seems to trickle down slowly, if at all, to the poor people of developing nations—even where their governments honestly seek to help them.

Second, to help in modernization of *rural* areas. In the assistance programs of the

1950's and the early 1960's there was too much emphasis on industrial development—on steel mills, factories, and airports. The new emphasis on cooperatives has opened a channel of technical and financial assistance to the rural masses.

The continents of Asia, Africa and Latin America, we must not forget, are basically rural continents. And, as desperate as poverty may be in many of the cities of these continents, it is far more desperate in the countryside.

Third, to promote "pluralism"—that is, the development of a multiplicity of private institutions, as well as governmental, which involve varying elements in a society in the business of that society. The cooperative encourages decentralization in decision-making and helps provide the mechanics for making economic, social and political decisions at the grassroots level.

Fourth, to foster economic and social development within a specific democratic political framework.

During the past year the Congress has taken an additional step to encourage popular participation in the development process. Thanks to Congressman Don Fraser's Amendment to the Foreign Assistance Act, AID is encouraged to make a more conscious and direct effort to promote the development of democratic institutions at all levels—national, regional and local.

One year ago, Pope Paul, in addressing a United Nations group in Rome, rightly stated that in today's world "development is the new name for peace."

Poverty breeds disorder. Poverty breeds hate. Poverty breeds war.

No fewer than 164 outbreaks of violence—outbreaks carrying *international* danger—have taken place in the last eight years, in the "have-not" nations of the world.

Using the World Bank classification of nations as "middle-income;" "poor;" and "very poor;" since 1958 serious violence has visited 48 per cent of the middle-income nations . . . 69 per cent of the poor nations . . . and 87 per cent of the very poor nations.

I do not contend that development efforts will in the short run end disorder—in fact, some disorder usually comes with economic and social transition. But we know that, in the long run, far greater disorder will follow if people are denied a share in the better life they see around them.

Just what are the facts of world poverty? The overwhelming and inescapable fact is that the gap between the rich nations and the poor continues to widen. Today, 20 per cent of the world's population disposes of 75 per cent of the world's income.

Last year, the rich nations of the West added 106 billion dollars to their total production—more than the *total* GNP of the Near East and South Asia, or of Latin America.

In 1966, we in the United States, with 190 million people, *increased* our GNP by 58 billion dollars. The less developed nations of Africa, with a population of 250 million, have a *total* GNP of only 30 billion dollars.

Yes, the gap continues to widen. But there is another fact we must face: Many nations have not yet begun to climb the curve of growth.

In most less developed countries, the population explosion and the debt explosion threaten to eat up all potential gains. The population of the poor nations increases each year by 2.5 per cent compared with nine-tenths of one per cent in Europe or 1.5 per cent in the United States and Canada.

Schools cannot keep up.

Since 1960, despite enormous investments in education, world illiteracy has grown by some 200 million people. Of 373 million children in developing nations, about 115 million—30 per cent—are in school and about 258 million—or about 70 per cent—are *not* in school.

World food production is well behind demand. It has barely risen over the past two years, while population in the less developed countries has increased by 40 million.

World per-capita production of food has not gained significantly in the past *10* years and in some years bad crops have threatened acute and widespread famine.

In addition to the growing burden of supporting their populations, these countries have the growing burden of their foreign debt. Since 1956 the average annual rate of increase in foreign debt has been about 15 per cent. Foreign debt has grown three times faster than the United Nations *target* of 5 per cent for annual economic growth, and that economic growth target has not generally been achieved.

The debt burden to foreign governments and international agencies is only part of the story.

Private producers in every developed country—usually under the protection of government guarantees—extend short-term credit for a wide variety of items which have no relation whatsoever to priorities and development plans in the developing nation.

The temptation to consume now and pay later is seldom resisted.

No certain statistics are available on the volume of these private credits, but the Development Assistance Committee of OECD estimates that developing countries paid back in 1965 for these private credits *twice* as much as the repayment on aid loans. This would mean that the two reverse flows together ate up *three-fifths* of all aid.

All this adds up to a dismal picture. But it is a far from hopeless picture.

The rich nations have greater resources for foreign assistance than ever before.

And both the rich and poor nations have learned some lessons in these past few years about the business of peaceful nation-building.

Let me mention some of the lessons I believe we Americans have learned.

As I have already pointed out, one lesson is that governments cannot do the job alone. Just as progress in our own nation requires a working partnership among *all* elements of society, so is this true in other places.

Another lesson we have learned is that one country—the United States—cannot do the job of nation-building alone. All nations must participate.

In his War on Hunger Message last week, President Johnson expressed it clearly:

"If we are to succeed, *all* nations—rich and poor alike—must join together . . . with the same spirit, and same energy, and the same sense of urgency that they apply to their own national defense. Nothing less is consistent with the human values at stake."

It is gratifying to observe that as the other industrialized nations have arisen from the ashes of World War II, they *have* picked up this burden along with us.

In the last nine years they have increased their flow of aid to the less developed countries from 1.3 billion dollars to more than 2.5 billion dollars—an increase much higher than the rate of increase in their incomes.

Today, five industrialized countries spend a larger percentage of their national incomes on foreign aid than we do.

There is another lesson: That regional development is far more effective than isolated national programs.

In Latin America what started as an experiment in cooperation has become a way of life. Regional cooperation has become institutionalized in the Organization of American States . . . in the Inter-American Development Bank . . . and in the Inter-American Committee for the Alliance for Progress, which reviews the development plans and policies of each of its members. Progress toward economic integration is encouraging.

Obviously, such things as transportation, river valley development and communications do not stop at the edge of political boundaries.

With the perfection of satellite systems, a regional educational television network, which would reach vast millions in Latin America is now a realistic probability.

In Africa, the United States—in cooperation with international agencies and with other bilateral donors—is seeking to concentrate its assistance on region-wide projects, particularly in fields such as agricultural research, transportation and communications. And African nations themselves are increasingly cooperating on a regional basis.

In Asia, the doors of the one billion dollar Asian Development Bank have just been opened with the majority of its capital provided by donors other than the United States.

Another lesson learned is that outside help does little good in the absence of sound policies and diligent self-help actions by the developing nations. To be effective, foreign aid must be used to support forces for reform which are at work in the developing nations.

We have also learned that development cannot be achieved by technicians alone.

The indispensable prerequisites for development are *political* leadership and responsive political institutions.

John Adams once observed that "Power always thinks it has a great soul."

We, as a great power, must beware the impulse to try to impose on nations with far different traditions and histories our own political institutions in carbon copy.

But, at the same time, we must not hesitate to help them—when they ask for help—to develop their own institutions, tailored to their own experience, which will meet the need of their people.

Nowhere is this more clear than in Vietnam today.

In Vietnam, a developing country, we are resisting Communist military force with force, and succeeding militarily. We are aiding the South Vietnamese in economic development, and succeeding economically.

But the corner will not be fully turned there until *political* progress matches military and economic progress.

The greatest single threat to the Viet Cong and to North Vietnam today is a freely-elected, representative government in South Vietnam.

It is the ever-growing probability that such a government will soon come into being. And that probability, I believe, is causing Hanoi and the National Liberation Front to have some second thoughts.

The barrage of threats, intimidation, and propaganda launched by North Vietnam and the Viet Cong against the election for a constituent assembly last fall was a miserable failure.

The people of South Vietnam *did* vote in overwhelming numbers.

A constituent assembly was elected. It is at work.

A constitution is today being written.

Village and district elections will be held this spring.

National elections are scheduled for this fall.

These are solid steps toward peace and victory over Communist intimidation.

And, in combination with our military and economic efforts, these are the steps which can in time inoculate a nation against terror, subversion and political agitation waged by a disciplined minority.

And here, may I add a few words concerning the many press reports you have seen recently concerning the possibilities of peace in Vietnam.

This is an extremely delicate and sensitive time. The Tet truce period, immediately ahead, offers opportunity for rethinking by all combatants in Vietnam.

I do not believe the cause of peace would be served today by publicly speculating about the events of the next few weeks and months.

I do believe the cause of peace can be served if we keep steady and level heads . . . If we show no signs of weakness, impatience or petulance.

I believe the cause of peace can be served if we patiently and perseveringly continue the course we have set for ourselves in Vietnam—the course to which I have just alluded.

We must continue, as the President has said, to "fight a war of limited objectives" to thwart aggression before it can spread.

We must continue, with our allies, to mobilize manpower and resources for economic and social development.

We must continue to press forward with pacification in the countryside. We must continue to help the South Vietnamese people build representative and responsive political institutions.

And, at the same time, we must continue patiently and diligently to seek a just and lasting peace.

The world knows that we have the courage to resist aggression . . . that we keep our commitments.

The world should also know that we have the even greater courage required to walk the extra mile which could bring peace to a long-tortured nation.

Yes, now is a time for self-discipline and for statesmanship. We Americans, in this time of testing, must prove equal to the exercise of those qualities.

We have, I think, learned another painful lesson: That development is a long-run process. We delude ourselves if we expect quick or easy returns or instant tranquility. The most important changes are often those which take longest.

Development assistance has been regarded primarily as a weapon in the cold war.

In that context, show-piece projects often as not diverted resources from such important investments in nation-building as education, rural development and public health.

Today, agriculture, education and health are the basic cornerstones of our development efforts.

And they will continue to be—even though they may not bring quick or flashy or dramatic results.

Today, as we face the challenge of a world of poverty and need, we increasingly realize that three elements, above all, are necessary if nations are to survive and grow.

These three elements—participation, progress, and peace—often conflict with one another, and even in the best of circumstances their reconciliation is difficult.

Peace—in the sense of domestic order—can temporarily be achieved by military dictatorship.

Progress—the more abundant and equitable provision of material goods and services to the citizens—can be achieved through technocracy.

But participation—full participation of the citizens—is the vital ingredient which, in the long run, not only insures the social stability which makes possible peace and progress, but also unleashes the full talents and energies of people who seek a better life.

Finally, may I say this: Our critics always tell us that we Americans win the 100-yard dashes but lose the marathons.

I think we realize today that the business of nation-building *is* a marathon.

What is more, it is a never-ending marathon. For the building of peace and of peaceful progress will be with us throughout our lifetimes, and the lifetimes of our children as well.

If we abdicate our responsibility . . . if we drop out of the race, who will there be to lead?

Our nation produces more than half the Gross National Product of the world. We, among all nations, are rich.

Our nation has interests which touch every corner of the globe. We, among all nations, have world-wide concerns.

But—far more important—our nation, among all nations, is one which professes belief in the equality and brotherhood of man.

Ours is a nation which seeks the Common Good, not only within our own borders, but in the world.

We must last out this marathon because it is in our own interest. We must last it out because of the perils involved if we do not. But we must, above all, last it out because it is right that we do.

I believe that we can, and shall.

Cutthroat Trade Must Be Stopped

EXTENSION OF REMARKS

OF

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 8, 1967

Mr. PHILBIN. Mr. Speaker, I would like to indicate and emphasize my strong support of the recent proposal of my esteemed and very able friend and colleague, Congressman JOHN S. MONAGAN, urging the President of the United States tc prevent any further tariff concessions on imports of rubber-soled, canvas footwear.

I have been interested in this matter for sometime past, and have previously urged the President and the Tariff Commission to take effective action, but no such action has been taken, I regret to say.

Congressman MONAGAN has been chairman of a very able, knowledgeable ad hoc congressional committee set up by Speaker MCCORMACK in response to the pending revision of the ASP guidelines, and he has furnished very effective leadership, and has taken all possible measures, to resolve this very serious problem in favor of the affected industries, their faithful workers, and the American people.

It is regrettable, to my mind, that this Government persists in following trade policies which, in effect whether some people believe it or not, undermine the basic structure of many industries in this country of which, the domestic rubber footwear is a very important one.

In the broader sense, the cutthroat competition of cheaply produced foreign imports is having a very harmful effect upon many industries in this country which are plagued by destructive competition from overseas.

It is my sober conviction that unless some way can be found to stop the flood of cheap, foreign imports from inundating American markets in footwear and other products, we will, in time, and it may not be long, feel more keenly the sharp impact and the injurious effects of foreign competition that no economic system, not even our own, can long endure, without being weighed down, ultimately depressed, and finally, in some cases, having its workers displaced from their jobs by the competitive effects of low-priced, cheap goods from overseas.

I propose to file a similar bill to Congressman MONAGAN's in the House, and do everything I can to secure favorable action on the bill, and, meanwhile, continue my efforts to induce the executive department of our National Government to take appropriate action reversing the reduction of the tariffs on imported rubber footwear by 35 percent.

It should be recognized also that in addition to causing dislocation, depression and unemployment in American industries, the current flood of imports is having a very unfavorable effect upon our trade balances and is, without any doubt, a large factor in augmenting and widening the menacing dollar gap.

In fact, the best way to close the dollar gap is to institute reasonable restraints on harmful foreign imports and make substantial reductions in wasteful appropriations for foreign aid. Such a course would close the dollar gap in a comparatively short period of time.

I do not want to have my position misunderstood in these matters. I strongly favor honest, reciprocal trade with all Nations, except those who by their policy and actions are seeking to destroy this Government and our great free enterprise system.

But I believe this trade must be truly reciprocal, and must be carefully regulated, first, to prevent the inroads of cheap competition, destructive to our industrial structure and the employment of our fellow citizens, and, second, to insure that American products shall be allowed to compete on a reciprocal, equal, and favorable basis in the markets of other countries, who have similar privileges here.

I realize the obstacles to changing the present trade laws, but I again want to warn those who are responsible for these discriminatory laws, and for their inconsistent, illogical administration, and for the overgenerous concessions, now being accorded foreign nations, of which rubber footwear industry is a good example, that unless this unjust competition with American industry and its products is stopped, and stopped soon, that many segments of our own economic system will be injured and jeopardized, and the gravely impacting dollar-gap problems will become even more dangerously augmented than they are today. The President and the Congress must take note of this situation and act before it is too late.

I urge the President to take affirmative action in these matters in the first instance, and sincerely hope he will do so.

I want to congratulate Congressman MONAGAN for his fine, able leadership in seeking relief for a truly afflicted shoe industry, and want to assure him of my wholehearted support.

Let Us Have Peace in the Middle East

EXTENSION OF REMARKS

OF

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 8, 1967

Mr. WOLFF. Mr. Speaker, recently a very important and historic conference of the New York Metropolitan Region of the United Synagogue of America was held at the Plainview Jewish Center, Plainview, Long Island. Delegates from throughout the New York metropolitan area met on February 5, 1967, to discuss the "New Role of the Conservative Movement and Israel."

Representing 155 congregations, the conference, which was sponsored by the Israel Affairs Committee of the New York Metropolitan Region of the United Synagogue of America, called on the U.S. Government and the United Nations to exercise every effort to end Arab beligerency and to resolve the Middle East crisis by bringing the Arab nations and Israel together around the peace table.

Presented by David Zucker, of Great Neck, Long Island, regional vice president for Israel affairs, the resolution also recommended that our Government seek the cooperation of the Soviet Union to bring about a relaxation of tensions in the area.

Mr. Speaker, that resolution passed at the New York Regional Conservative Movement conclave shows the support that many of our constituents have for the state of Israel. They, like I, want peace in the Middle East.

My statement to the conference of the Israel Affairs Committee of the New York Metropolitan Region of the United Synagogue of America was passed out to all delegates.

My statement declared:

> Peace in the Middle East depends on one factor—the willingness of the Arab states to recognize Israel's existence.
>
> Recent events have again shown that the Arabs are determined to destroy the Jewish State. Recognizing that they are not now ready to defeat Israel in open warfare, the Arabs, led by the Syrian regime and the Palestine Liberation Organization have resorted to guerrilla raids—sabotage, terror and murder.
>
> It is the Arabs that we must ask why there is no peace in that troubled region. It is Syria, which encourages terrorism; Egypt, which is waging war in Yemen and bombing Saudi Arabia, Iraq, which continues to fight its Kurdish minority.
>
> We Americans cannot be silent while Israel is threatened and the prospect of open warfare draws nearer. As citizens you have the right, and the moral duty, to petition your government, to write your elected representatives and to insist that our government act decisively to stop the drift towards war. As a member of Congress I have made my position known. I will continue to do all in my power to ensure that Israel is secure and free from attack.
>
> Our Government has been much too diffident in challenging the Arab war against Israel. All too often it has seemed to equate the aggressor and the victim by a posture of neutrality. In the recent Security Council debate, it has ignored Arab attack while censuring Israel's reply to that attack.
>
> Both principle and the reality of the crisis in the Middle East require our Government to take the lead in condemning Arab violations of the U.N. Charter and in demanding a peaceful solution, through direct negotiations, of the Arab war. If the international community voices this demand loudly and clearly the Arabs will be unable to withstand it. They will have to abandon their dream of reversing the Partition resolution of 1947, of regaining what they refused to accept in 1948 and what they lost by going to war against Israel.
>
> The call for peace must be reinforced by action. Israel needs the strength to deter any Arab attack. The United States should provide Israel with this deterrent capability. Last year we took a welcome step by allowing Israel to purchase the Skyhawk bomber. If the Soviet Union continues to supply the Arabs more and deadlier weapons, the United States must assist Israel in coping with its tremendous defense burden. In this manner we can convince the Arabs that the arms race is useless as well as wasteful.
>
> Last year Congress voted against using our contributions to UNRWA for the care of refugees who are being trained to destroy Israel. But Commissioner General Michelmore's alternative proposal for a special fund to provide $150,000 to feed and house these terrorists is a shocking compromise which must not be accepted. Our U.N. delegation should call on other nations to reject this proposal and work towards the settlement of the refugees by their absorption in the lands in which they live.
>
> The moral fabric of our society is guarded by the religious faith of our people. As synagogue representatives you have accepted the task of reinforcing and guiding our heritage. American policy in the Near East can benefit greatly from your advice and counsel. With it perhaps the words of the Prophet: "peace shall be unto Israel" shall be realized in the near future.

Mr. Chairman, the delegates at the conference did accept the task of reinforcing and guiding the Jewish heritage and of building spiritual bridges between Israel and the United States.

They passed a second resolution which read:

> The Conservative Movement always has maintained a position of support of Israel even before there was a Jewish Homeland, for the Land of Israel constantly occupies a position of centrality in the Jewish religion. We therefore call on all our members to learn about Israel, its history, people, achievements and problems.
>
> We urge every member of our Conservative Movement to visit Israel at least once. We ask our members to aid our movement's Building Spiritual Bridges projects, and to develop the American Student Center in Jerusalem. And finally, we hope that every American Jew will realize that Judaism as a religion is boundup with the homeland of the Jewish people, Israel.

Also at the conference, Rabbi Nahum Cohen, regional director of the New York Metropolitan Region of the United Synagogue of America, spoke to the delegates, declaring:

> We should no longer react to crisis in the Middle East, but rather act to prevent a crisis from happening.

The New York rabbi also added:

> Our efforts should be concentrated on building both a physical and spiritual center for the Conservative Movement in Israel.

It also gives me great pleasure to insert here some of the remarks of David Zucker, of Great Neck, Long Island, regional vice president for Israel affairs. Mr. Zucker told the delegates to make their voices heard in support of the state of Israel.

Said Mr. Zucker:

> Look what we on the Israel Affairs Committee have established so far:
>
> Already, our Israel Affairs Committee in the New York area has published "Facts and Distortion," and "Arab Propaganda on the Campus." These brochures, which deal with Arab propaganda, have been distributed nationally.
>
> Already, our committee has placed a message in the New York Times calling for a U.N.-sponsored peace conference between Israel and the Arab states. This message was placed with the knowledge that something had to be done to sensitize American public opinion to the open hostility of the Arab states along Israel's borders and to achieve permanent peace in the tense Middle East.
>
> We still have a long way to go. We have to urge our members to learn about Israel. We have to encourage travel and study in Israel, so as to build spiritual bridges between Americans Jews and the people of Israel.
>
> I am convinced that we in the Conservative Movement, which has given so much to American Jewish life, can do this and more. And with your help, Israel will become an integral part of our total synagogue program.

At the conference, a new program and educational manual which was written for Israel Affairs Committee chairmen was distributed. An art exhibit, featuring works by members of the United Synagogue Youth Movement was displayed.

HOUSE OF REPRESENTATIVES

THURSDAY, FEBRUARY 9, 1967

The House met at 12 o'clock noon.

Rabbi Newton J. Friedman, Congregation Temple Emanuel, Beaumont, Tex., offered the following prayer:

Let us pray. Almighty God and Father, as the duly elected Representatives of the people, we are conscious of the grave responsibilities our duties impose on each of us. Fervently we invoke Thy blessing on our Nation. Guard it, O God, from calamity and injury, suffer not our adversaries to triumph over us, but let the glories of a God-fearing people increase from age to age.

Enlighten with Thy wisdom and sustain with Thy power our President in these trying days as he leads us in two wars, the war against Communist aggression overseas, and the war on poverty here at home. Bless our lawgivers and all who are entrusted with the guardianship of our rights and liberties.

As we approach the birthday of the Great Emancipator, who gave this country a new birth of freedom, may we ever echo his words "With malice toward none, with charity toward all."

May we find strength to face the uncertain future in the words of the High Priest of Ancient Israel:

"May the Lord bless you and keep you.

"May the Lord cause His countenance to shine upon you and be gracious unto you.

"May the Lord lift up His countenance upon you and grant you peace."

Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries.

DESIGNATION OF REPRESENTATIVE SCOTT TO READ WASHINGTON'S FAREWELL ADDRESS

The **SPEAKER**. Pursuant to a special order agreed to on February 6, 1967, the Chair designates the gentleman from Virginia [Mr. SCOTT] to read Washington's Farewell Address immediately following the approval of the Journal on February 22, 1967.

THE JOHNSON TREATMENT

Mr. **ROGERS** of Colorado. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. **ROGERS** of Colorado. Mr. Speaker, I would like to take the time of the House to call attention to an article entitled "The Johnson Treatment" by Mr. Theodore Levitt.

The article referred to is as follows:

THE JOHNSON TREATMENT

(By Theodore Levitt)

Whether they know it or not, the leaders of the economically most significant sector of the American business community—the top executives of the larger corporations—are just completing what may turn out to be the most remarkable ideological transformation of the century, perhaps since the beginning of the corporate economy.

It may seem the height of grandiloquence to say so, but there is abundant evidence that the American business community has finally and with unexpected suddenness actively embraced the idea of the interventionist state. A careful look shows that important elements of American business have now come to the clear conclusion that the federal government can and probably should be an active agent of social and economic betterment—not just that big government is here to stay, but that government bigness is not automatically badness and that the rising governmentalization of our social and economic affairs can indeed meliorate our lives and improve our society.

There is, and will continue to be, a great deal of business criticism and grumbling about "big government," "Washington extravagance," and "the destruction of our liberties"; and the tides of business opinion about events in Washington will continue to ebb and flow. Also, as now, there will continue to be many differences among individual businessmen; and they will continue to express their differing views in the way they vote at elections. This does not alter my thesis that the business community today holds and will continue to hold, quite visibly, an entirely different view of government's proper role in our society than it held just three brief years ago.

Business now has, for example, a remarkably tolerant and relatively friendly attitude toward the complex congeries of national fiscal, monetary, and social welfare programs inaugurated during Mr. Johnson's first three years as President—almost exactly the equivalent of Mr. Kennedy's 1,036 days. I believe that this new attitude is not just a casual flirtation with a fashionable and transient rhetoric of our times. I believe it represents an extraordinary and permanent transformation.

It is also my thesis in this article that the credit for this transformation belongs almost entirely to Johnson, and that this may well turn out to be his greatest single achievement as President. He may well go down in history as the President who finally removed the last remaining major resistance to the expansion of the federal government's constitutional effort to "provide for the general welfare." More significantly, it may be that he will be best remembered as the President who converted this resistance into outright support.

EVIDENCE OF CHANGE

Almost since the first day of his Presidency, Johnson has seemed to be in a race to outperform Kennedy in the extent to which the federal government's authority and power would be extended into the detailed affairs of our entire society. And he vigorously promises to do a great deal more—to extend the enormous lead he already holds over Kennedy's relatively skimpy record in this respect.

TESTIMONIALS TO L.B.J.

Yet you'd never know it, judging from what businessmen and their representatives are saying these days. "I always said that I think President Johnson understands business and businessmen, and I still think so," W. B. Murphy, president of Campbell Soup Company and an avowed political conservative, stated recently. And late last October, when lots of sideline pundits were earnestly pronouncing the uneasy end of the Great Society, a front page *New York Times* article on the Business Council's fall meeting reported that "the chiefs of the giant corporations, for the most part, do not, even now, attack the fundamental idea of President Johnson's Great Society."

These sentiments are merely a continuation of what cropped up during the earliest days of the Johnson Administration. We had the remarkable spectacle, during those days, of John D. Harper, the unhappily chastised president of the Aluminum Company of America, emerging from the White House with surprisingly conciliatory remarks about the necessity of the federal government playing a powerful meliorative role in our society. *Fortune* magazine noted that Robert P. Gerholtz, president of the U.S. Chamber of Commerce, "stalked into the White House to protest the Administration's 'blackmail' after the structural steel price increase, only to emerge smiling and allow that the Chamber might have reacted differently if he had known more about the President's side of the case."

If these gentlemen had not been so well known, the surprised reporters who rushed their unexpected comments into print might have been excused for mistaking them for what used to be referred to rather inconsistently as "softheaded bleeding hearts" or as "militant welfare-staters."

Later, from the Wall Street citadel of U.S. business there came the following illuminating view, expressed boldly by Armand G. Erpf, partner of the prestigious investment banking firm of Carl M. Loeb, Rhoades & Co. In a March 1966 interview Erpf said, in effect, that the historic ideological controversy between American business and government was now, under Johnson, largely over and that a new consensus was emerging. He suggested that instead of fighting government, business should now work to help it be more effective:

"From now on, our concern will be with the competence and techniques shown by those who run government . . . We have to work with all elements of our pluralistic society to help us meet our great responsibilities."

Lest this view be passed off as the special parochial prejudice of the Eastern international banking establishment, the respectably Midwestern manufacturing viewpoint of Arjay Miller, president of Ford Motor Company, is only slightly more circumspect:

"It's important that we in business accurately grasp the historic change taking place, avoiding or resisting actions that endanger economic progress, but not wasting our strength in futile effort to hold back the tides of history."

Finally, early last October when Johnson's revolutionary proposal for "demonstration cities" ran into Congressional trouble, 22 chief executives of major American corporations quickly issued a statement that included the following:

"Our cities are being submerged by a rising tide of confluent forces—disease and despair, joblessness and hopelessness, excessive dependence on welfare payments, and the grim threats of crime, disorder and delinquency. America needs the demonstration cities act."

James Reston of the *New York Times* wrote that the statement "sounded as if it had been written by Walter Reuther of the AFL–CIO." But its signatures included those of Edgar F. Kaiser, president of Kaiser Industries; David Rockefeller, president of the Chase Manhattan Bank; Henry Ford II, chairman of the Ford Motor Company; Thomas J. Watson, Jr., chairman of International Business Machines Corporation, and Thomas S. Gates, Jr., chairman of the Morgan Guaranty Trust Company and Secretary of Defense under President Eisenhower.

Just before the November elections, according to *U.S. News and World Report*, Henry Ford was quoted as saying: "I like Romney for Governor, but I wouldn't vote against President Johnson. I think the results he has achieved are good. That's what counts." And after the elections, despite the sharp gains by Republicans—traditional business party—there was no hint of the anti-change, roll-back-the-tide sentiment that characterized the post-election commentaries at the end of the Truman era in 1952. Rather than interpreting the strong vote for various Republican candidates as a rejection of Johnson's "Great Society" programs, the business press tended toward views like this, in *Business Week:* "The moderate Republican position on many of these programs is for expansion—at a more manageable rate, perhaps—but not at all for repeal or sharp retrenchment."

BUSINESS ON THE BANDWAGON

It is not just in what business leaders say, but also in what business does, that we see a new attitude toward government. Consider:

Hundreds of large and small companies quickly and eagerly participated in the Neighborhood Youth Corps program of salvaging school dropouts.

Poverty Program training camps are being operated by Xerox Corporation and other vigorously profit-minded companies.

The National Association of Manufacturers, which in the eyes of its critics has always been viewed as the institutionalization of resistance to welfare reforms, is busy hiring top men from the Federal Housing Administration and other federal agencies to develop and implement practical business solutions to public problems, such as slum housing and educating functional illiterates.

The N.A.M. is now even trying to establish a private financial institution to help Negroes get into small business.

In California, private businesses have, as subcontractors, taken on the direction of some of the same state-supported public services which only recently these businesses condemned as wasteful and unnecessary.

Numerous businessmen with unimpeachably conservative credentials are suddenly seeking opportunities to serve—at least for a few years—in the Washington bureaucracy that only a few years ago they characterized as redundant, wasteful, scandalous, and evil.

Clearly, it has become legitimate not only to work hand-in-glove with government, but to do so on traditionally "soft" matters, such as social welfare programs, and to do it pridefully and out in the open.

Few businessmen ever really talk about their change of heart and seldom even admit to themselves that their ideas and dispositions today are different from what they were even three years ago. If they are at all in a mood to talk, they are still groping for ways to express their new feelings without seeming to have compromised their traditional values. In intimate conversation among old friends, it generally takes a while for them to loosen up and confess their recently shaken, life-long devotion to Republican Party platform planks. But, slowly and occasionally, there filters into public print authoritative evidence of business's new attitudes. Erpf, Miller, Harper, and Gerholtz have said out loud what a great many others are still quietly withholding.

To have suggested even three years ago that any of these "out loud" views might, perhaps in a subsequent decade, be held in the very core of America's business elite, let alone spoken out loud in public, would surely have marked the predictor as patently naive, knowing little about American politics, less about American businessmen, and nothing at all about the persistence and staying power of obsolete ideas and ancient ideologies. But the almost impossible is clearly happening. The thoughtful businessman should recognize the fact that he has indeed changed his mind, the extent to which he has changed it, and see specifically how and why he has changed it. He may in the process learn something about himself and about what makes for administrative effectiveness in high places.

UNCONVINCING EXPLANATIONS

The dubious cliche by which this unparalleled turnaround in the business community's attitudes toward the increasing governmentalization of affairs and toward the head of the Democratic Party is usually explained is that businessmen now generally see the government as working for, rather than against, them. It is said that Johnson's policies obviously produced galloping prosperity and soaring profits. Nobody wants to rock the boat, least of all bite the hand that feeds him. Even without the Vietnam war, it is said, the business community clearly perceives the Johnson Dispensation as beneficiently expansionary.

And since business is, after all, the most pragmatic of institutions, it is no surprise that as long as growth and profits hold out it will, without visible indigestion, swallow the poverty program, Medicare, some sort of price-limiting guidelines, vast education subsidies, rent subsidies, and probably even the most revolutionary effort of all, the proposed negative income tax (direct dollar subsidies to the poor—the very people who, according to Eisenhower's first Secretary of Defense, were little better than indolent kennel dogs).

But it is useful to see that President Truman also pursued aggressively expansionary policies in times of prosperity. And for his efforts, he, like Kennedy, got no discernible business support. Yet Johnson has gotten it by the barrel. Even as late as last September, when the 7% investment tax credit suspension went before Congress and when many critics charged Johnson with "politics" for delaying what they felt was a needed tax increase, it was the business community that was generallv on his side, arguing that the uncertainties of the economy justified whatever tardiness there might have been.

There is a remarkable similarity between the aims and many of the specific policies of Truman and Johnson. But while the former harvested business hostility and suspicion, the latter has harvested support and understanding. Why? Two common suggestions are made, both of which are symmetrically unpersuasive. One is that, unlike Truman, Johnson has been fiscally conservative while Truman was fiscally irresponsible. Truman was particularly unsettling in the casualness with which he permitted expansion to produce inflation, cheerfully letting labor unions have their way while bitterly fighting business for raising prices. The second is that after 20 years of ritual opposition to the so-called Welfare State, the business community has simply been worn down and out, or at least that business has just become better educated about the virtues of the "new economics."

Little Resistance. While businessmen today express concern about inflation, they have not used the specter of inflation or other fashionable hobgoblins like "creeping socialism" as excuses to fight Johnson's expansionary social policies. Indeed, they have not really fought him at all—except for a few stubborn holdouts. Clearly things have changed, not only since the Truman days, but also since the Thousand Days.

But I do not believe that business's new tolerance of the expansionist state can be explained by saying that its canonistic opposition to government has just been worn down, or that it finally recognizes that the "new economics" is really its ally in the quest for stability and growth. These not only are the most easily believable explanations, since, of course, they contain some germ of truth; they are also, I think, the most naively misleading ones.

These explanations are simply too simple to explain what I believe is the almost total reversal of the business community's attitudes that occurred within the remarkably short span of only three years after Kennedy's awful death. In the words of James Reston, business's "old conservative ideological . . patterns have given way to a new concept."

HOW JOHNSON DID IT

Nobody in any degree of stridently good ideological health wears out his old commitments as fast as so many business leaders have in recent years. Something much more subtle and important than simple exhaustion or self-interest has produced these extraordinary reversals—reversals which will almost certainly reshape the landscape of America, the appearance of our cities, the occupational distribution of the labor force, the distribution of personal income, the shape of corporate balance sheets, the Dow-Jones averages, America's power and influence around the world, indeed the entire quality of American life.

MYTH AND REALITY

The pattern today, particularly in the better educated, more liberal, and more engagé circles, is to grudgingly admit Johnson's enormous domestic policy successes during his first two years, grumble at the reduced pace of his efforts during his third year, and generally express extravagant distaste for him as a man. The fashion is to wish that everything "good" that has happened in the past three years might somehow have been made to happen by a more deserving man, perhaps Hubert Humphrey, but of course preferably Kennedy.

Indeed, the unshakable belief in these circles is that had he lived, Kennedy would be the beneficiary of the plaudits they now so resolutely withhold from Johnson. The legislative victories of his first three years as President, it is felt, would have been Kennedy's. With his special characteristic qualities, Kennedy would now be extravagantly praised and admired the way Johnson obviously is not and never can be.

Yet this surprisingly naive but tenacious belief about what might have been misses the whole point that needs to be made: Kennedy could not possibly have achieved the legislative results that Johnson has achieved. Neither could Humphrey. Neither could any other President since World War I, nor any other promising candidate who might have been available in 1964.

Not even Franklin Roosevelt accomplished so much legislatively, or over such a long period. His honeymoon lasted little more than a year and ended in massive acrimony leading to a generation of unrelenting hostility between the business community and the Democratic Party.

Hyperbole or Truth? A chorus of protests went up some time ago when Mr. Johnson's assistant at that time, the close and wispy Jack Valenti, made an extravagantly sycophanic speech in which he attributed to Johnson almost supernatural powers of insight, vision, logic, analysis, compassion, and persuasion. Nobody could help but feel that Valenti had badly overestimated the amount of pure poppycock the nation would stomach about the undeviating greatness of his boss. Yet Valenti may have been closer to the truth than our habit of egalitarian skepticism about men in high places allows us Americans to entertain.

The new business attitudes toward government and the reshaped ideological lineups now in the process of final consolidation can be credited almost entirely, I believe, to hardly anything more substantive or profound than the pure focus of Johnson's highly unique personal and administrative style—the style of Johnson as a man.

To appreciate the extraordinary achievements of Johnson and understand the reasons for them, it is not just useful, but necessary, to compare him in some detail to his immediate predecessor—and as well to all the Democratic Party's twentieth-century Presidents.

This comparison may at first seem a departure from my main discussion, but I believe the thoughtful reader will soon grasp its vital point. In human affairs, no matter how many well-phrased aphorisms pronounce the superior wisdom of simple explanations and breezy dictums, truth seldom resides in anything so picturesque. Herbert Spencer's simplistic social statics were obsolete the very day they were so confidently proclaimed.

It is therefore worthwhile to look carefully at the context within which Johnson came to office—to contrast him with Kennedy and his predecessors. I believe that doing this will reveal a great deal about why Johnson has succeeded so magnificently where Kennedy failed so miserably.

MANNER OF THE MANOR

What stands out immediately is the enormous difference between the Kennedy and the Johnson styles.

For many years Kennedy has been credited with having had a corner on the idea of style in Washington. But when one looks closely, one sees, significantly, that it was to the White House, not to the Presidency, that he really brought style. To the White House he brought culture, intellectuals, athletes, professors, actors, princes; an almost bohemian retinue of bright and agile minds—exotic, self-assured, and handsome people. All of them were winners, culture heroes of sorts, and certainly attractive. There wasn't a plain one in the bunch, not even Barbra Streisand. The scene was of a gay and casual aristocracy, with lavishly stylish receptions, easy intellectual give-and-take, and wildly athletic Sunday afternoons.

To be a Kennedy man was to be a visibly public man with the knack of producing news by one's mere presence. Kennedy men's opinions and pictures were constantly solicited by the press and constantly printed. Regardless of their official positions in the Administration, even when they were not on the White House staff, they were obviously intimate members of the inner scene at the inner White House—the White House viewed not necessarily as an official work place but as a social institution, an Extended First Family. It was part of Kennedy's style and disposition to have such men ever around him, whether in Washington, in Palm Beach, or in Hyannis Port, whether for work with the Joint Chiefs or for play with Sammy Davis, Jr.

It was a scene that the press loved and reported with its own relish and special admiration. Yet, taking a hard retrospective look, it becomes clear that it was precisely this heavily reported scene of gaiety, wit, intellectualism, style, and grace in the White House that made much of the business community fear and suspect Kennedy as President.

This suspicion centered heavily on the most visible members of this inner White House scene, the Kennedy cadre of energetic, photogenic, articulate, politically liberal, highly progovernment intellectuals—of which Arthur Schlesinger, Jr. and John Galbraith were the symbolic elite and Chester Bowles a crafty inside man. For years before coming to Washington they stood cheerfully for a bigger, more interventionist government. They continued, after coming, to lead uncompromisingly activist lives in ways that frightened the dickens out of the more conventional sectors of our society. Sending Galbraith to India, Schlesinger to South America, and Bowles into successively more obscure bureaucratic pigeon holes helped little to alleviate the apprehensions of more conventionally minded Americans.

Kennedy also had his muscular Irish Mafia, the one feature of his Presidency that most nearly paralled conventional political practice and was most likely to be understood and respected by hinterland politicians. Yet he tried to hide its plodding operations behind an ill-concealed anonymity.

A Fun Group. Schlesinger makes much of the cheerful irreverence of this inner group in his *A Thousand Days.* The constant targets of in-group conversational banter were the conventional wisdom of many high-placed people, the so-called bureaucratic impotence of Dulles' State Department, the solemn and misinformed dullness of famous men. He shows how Kennedy shared and encouraged this banter with obvious relish.

In many ways it was a fun group, but it was, despite all its democratic values, a peculiarly intolerant and aristocratic group as well. Those not in the inner circle were almost automatically viewed as lesser mortals. Those lacking the cheerful and quick articulateness of the group were viewed as somehow lacking in adequate intelligence and incapable of really sound judgment. Some sectors of the public clearly sensed this condescension.

One reason why Dean Rusk is so relentlessly abused in Schlesinger's book is probably because he constantly frustrated and contradicted the inner group's preferred notions of how the intelligent man ought to behave. Rusk was bright but refused to be witty; he was intelligent but refrained from being flip; he was well-informed but refused to rush into fast and sweeping generalizations; he was articulate but refrained from using the colorful language which might have enlivened difficult discussions and therefore made things a lot more fun for the select insiders. And besides all this, while Rusk had incorruptibly respectable credentials (a Rhodes scholarship, an academic deanship, the Rockefeller Foundation presidency, and an almost life-long involvement in some official way with the problems of our society), he refused to play center stage, rejecting the notion which appeared to animate some of his colleagues that these credentials entitled their holder to a special platform in the public dialogue.

Free and Uneasy. While Truman's White House hangers-on spelled, in the minds of an increasingly restive public, cronyism, Kennedy's coterie spelled, for a fascinated and watchful public, a gay and athletic intellectual glamor. But for most of the business community the Kennedy White House coterie spelled playing free and easy with the serious matters that the economy and society were all about. The very fact that the general public was so easily intrigued and captivated by the inner White House scene was perhaps the most frightening thing of all. For the businessman it meant that his enemies had completely fooled the voting public, and hence in time his enemies would surely get their leftist ways.

The conspicuously intellectual and glamorous style that Kennedy so effectively brought to the White House and the enormously bright people whose company he enjoyed most are exactly what kept him from the accomplishments he sought. They created suspicion and alienation in the two powerful groups whose support he needed most: the business community and the Congressional conservatives of small-town and rural backgrounds.

Nothing President Kennedy ever did or proposed in domestic matters escaped the suspicions cast over his intentions and motives by the style of his inner White House life and by his constant close association with people who for years had done anything but endear themselves to the hinterlands.

ANTAGONIZING BUSINESS

Kennedy was a cheerful and understanding man, a sensitive and practical politician. But for all his political sensitivity, some of his most carefully calculated schemes to allay business's fears yielded the opposite of their intentions—irrational attack and criticism.

His famous Yale University speech in June 1962, is a good example. Dismayed by constant business criticism and suspicion, even of his clearly pro-business 7% investment tax credit, he used a commencement address to try some sort of conciliation, pointing out how much he had indeed done for business specifically. But business reacted with more hostility than ever. Even Joseph L. Block of Inland Steel Company, who did so much to support and bail out Kennedy during the famous steel industry price increase two months before, said: "I'm afraid a lot of people will take it as a combative speech. And I think it was a little combative." What went wrong?

By addressing business head-on, Kennedy called attention to his words; businessmen therefore read them with great care. But in reading them several things unexpectedly stirred their hostility:

The prose was, as usual, so carefully resplendent that it made them feel like an inferior breed of men, being talked down to almost as if by a scolding young schoolteacher, who, for his tender age, had obviously far outperformed his readers by the one measure they particularly valued, the achievement of high organizational rank.

The logic and the evidence were so clearly on Kennedy's side, and the speech organized the evidence so well, that the business community was made to look ridiculously unreasonable for opposing the Administration. Understandably, the publicly spanked business leaders were not persuaded into pliantly conceding their supposed errors.

Using a university site for his speech unintentionally created hostility. For the President and his intellectual advisers, notoriously inexperienced in the subtleties of executive suite manners, a university seemed particularly appropriate to talk about his probusiness achievements; the site suggested objectivity, neutrality, nonpartisanship. But for his business audience, and for the vast majority of Congressmen, the site suggested not a community of reasonable scholars seeking after truth with dedicated nonpartisan impartiality, but rather a means of using the prestigious name of a (to them) snobbish Ivy League university to embarrass them into painful submission.

As a consequence, many businessmen simply viewed the speech as just another straight-out attack on them. The instinct for survival took over, and Kennedy predictably achieved the opposite of his intentions. No matter how much sense Kennedy's proposals, programs, and arguments made to the objective observer, to the majority of the business community he remained until the end a suspect and aristocratic outsider—as suggested by Hobart Rowen in his book, *The Free Enterprisers,* "a rich man's son who had no real understanding of the role of profit or other business problems."

"LET US REASON TOGETHER"

By contrast to all this, Johnson's personal manner, his administrative style, his own group of White House functionaries, and his manner of speech are unselfconsciously hinterland—well suited to disarm and persuade critics and to allay always-present fears of radical motives or intentions.

When we look at Johnson's extraordinary legislative success, we see in full measure the difference between the Kennedy and the Johnson achievements. Yet few people now grant Johnson any special credit for them. At best he gets pejorative praise, summarized in tasteless references to the "Johnson Treatment"—the endless telephone calls, implied threats, stubborn push, pleading entreaties, back-room quid pro quos.

But this explanation of his success is no explanation at all. While these practices may exist, to say merely that they explain what has happened misses the point that only Johnson can make the Johnson Treatment work. To see why this is so and why it has produced such extraordinary social legislation and such enormous government involvement in our every affair, while at the same time gaining the support of a usually hostile business community, is to gain a new respect for Johnson. When we contemplate the juxtaposition of his revolutionary achievements and his continued popularity with business, we must stop to admire and try to understand his skill.

The business community, as I have suggested, is indeed highly pragmatic. When the handwriting is factually on the wall, it does tend to respond. But the handwriting on the wall is not what is there, but what people *perceive* to be there. Johnson's great achievement is that he has changed people's perceptions. They see new, different, and more congenial things than they ever did before when they look at today's Presidency, today's federal government, and the needs of modern society. That is the essence of the Treatment. It works not because it is ruthless, persistent, and threatening, which is the lapidary logic of most observers, but because it is perceived by its "victims" as the opposite—as being conversational, sensible, congenial, just plain common sense.

As one corporation president told me:

"I'd heard about his persistence and expected a real rough time. But you know, he got up, met me at the door, and sat me down next to him like we'd been friends for years. He started talking very candidly about the problems of running the government. It sounded just like the problems I've got back home. I never really thought about his job that way before. Our jobs are a lot alike. A big difference is that he's got a lot of Congressmen and reporters always raising hell. . . . I never realized how comfortable it is not to have a lot of outsiders asking a lot of questions. Now I know how those company presidents feel when Gilbert or that dame Wilma Soss stand up at an annual stockholders' meeting. Must be damned uncomfortable. . . .

"Well, anyhow, Johnson is just trying to do a job, the same as I. And you have to admit, it's a complex country with lots of problems. He's trying to get things done, to do a few things and do them better. What's wrong with that?"

The Johnson Treatment is nothing more or less than his practice of taking business and other opponents, or potential opponents, into his private and genuine confidence, to talk comfortably about the problems of our people, not intellectually about the issues of our times. This is a key part of the Johnson personality and the Johnson administrative style.

"Ideas" vs. "Common Sense." Johnson's administrative style and public posture are uniquely pacifistic. It is inconceivable that

he would ever quote *his* father as saying that all businessmen are *S.O.B.'s. And even if he* were to say it, he would take the edge off the quote by stating comfortably that "my daddy used to say. . . ." Johnson's arguments, entreaties, and programs are perceived as emanating directly from a reasonable and plain American—a man "whom you can do business with"—who, much like most business leaders, made his bundle himself, quite properly taking advantage of the main chance and not letting things go to his head.

While it can be argued that both the Kennedy and the Johnson social reform ideas sprang from the same humane sentiments, Kennedy's had the supreme mark of their being perceived as *ideas,* while Johnson's look like just plain *common sense.* When Johnson speaks of equal opportunities for the dispossessed, he speaks in modest and humble commonsense tones, talking calmly of his own deprived childhood and the wasteful unevenness of poverty.

There is no rhetorical embellishment, no obvious intellectualized preoccupation with the creation of quotable quotes, no implication that people who oppose his policies are callously self-serving and indifferent. Johnson went conspicuously out of his way to sign the revolutionary education aid bill in the humble schoolhouse of his Texas childhood. For the signing of the Medicare bill he traveled to Independence, Missouri, to honor another ordinary, and by now nostalgic, plain American, Truman (who, significantly, was too feeble even to read his own speech). How could anyone, even the most unrepentent reactionary, say a bad word about educational subsidies or Medicare under these circumstances?

The Professional's Professional. Till Johnson came along, and with the exception of Truman, this century's Democratic Party Presidents seemed constantly to project an air of personal superiority, aristocratic exclusiveness, or abrasive combativeness. This drove their adversaries into almost pathologically violent opposition.

Truman, though lacking Wilson's professorial self-righteousness or Roosevelt's country-squire smoothness, and clearly not an aristocrat like Kennedy, alienated his adversaries largely by responding hostilely to criticism (especialy after his first two years in office) and by surrounding himself with brilliant but highly contentious men such as Dean Acheson and Leon Keyserling. Johnson, the most professional of all the political pros, has masterfully avoided these mistakes. In the process he has made the revolution they could not.

As a leader he leaves no doubt about who runs Washington, creates no ambiguities about his stand or who his Administration really is. He carefully holds a tight and tough rein on all his advisers and major department heads. Nobody speaks for himself, and seldom even for Johnson. Every one of Johnson's major policy and program pronouncements issues directly from himself, and usually comes as a complete surprise.

The journalists who so grandly admired Kennedy's graceful style and Truman's aggressive spunk, and so disdainfully abjured Eisenhower's involuted prose, now constantly complain of what they call Johnson's unnecessary secretiveness and exaggerated vanity. He wants, they say, to pretend that everything issuing from his Administration is his own private inspiration and personal doing. Except perhaps for Robert McNamara, all who work for him are made to seem like colorless functionaries with no discernible ideas or animation of their own.

Johnson has muzzled them all, claiming every credit for himself. A perfect example is Stewart Udall, the gregarious and energetic Secretary of the Interior. His rugged features and uncompromising determination dramatized the Kennedy years' preoccupation with natural resource preservation. His refreshing articles and crewcut photographs were, under Kennedy, seen everywhere. Now they are seen nowhere. He is almost completely silenced, just as were McGeorge Bundy and other colorful Kennedy personalities who stayed on to serve Johnson.

The press has reacted as one might expect. Since its job is to report and, in a way, to make news, Johnson's insistence that the Administration has only one source of news understandably does nothing to endear him to the journalists. He has cut off their sources, made them almost utterly dependent on him alone. With so little to report and write about, it is hardly surprising that they now write so much about Johnson's vanity. Like Kennedy's critics, they are driven into irrational attacks and criticism, pouring old wine into new bottles.

ALIEN EGGHEADS

To suggest that a rustic personality and a sort of barnyard common sense are more persuasive in the case of high-level business executives than well-phrased reasoning and well-ordered facts at first glance contradicts the general impression of how business operates. It must certainly offend businessmen who think of themselves as uncommonly pragmatic and hardheaded.

But to say that businessmen are uniquely pragmatic is really to say very little. The realities to which any of us respond are the realities we perceive, not necessarily the computerized realities of God's laboratory. What the seasoned executive sees, he sees through the filters with which years of seasoning have equipped him.

The effect of these filters has been particularly apparent in recent years inside business itself. This shows up especially in the larger companies, where increasingly more employees are being recruited from the educated professional elite—physicists, chemists, psychologists, statisticians, sociologists, economists. The reactions of business executives to some of these professionals bear a lot of similarity to their reactions to the Kennedy Administration. The professionals are strongly oriented toward concepts and ideas. They often speak about ordinary matters of business strategy and competitive conditions in the unfamiliar language of their special disciplines. They frequently intellectualize matters to a degree that bothers and threatens their bosses because the bosses are unaccustomed to the subtleties on which these professionals so constantly focus. For example:

Economists are hired to say what the economic outlook is. But instead of making clear-cut predictions, they frequently insist on first explaining a complex set of elaborate assumptions and arcane theories on which the predictions are based.

Psychologists, hired to suggest appropriate advertising themes and product designs, generally hedge and embellish their findings in elaborately complex theories of human motivation.

Sociologists, hired to assist in solving personnel problems, often seem to create new ones with their jargonistic insistence on talking about ordination and subordination, Theory X and Theory Y, and organizational psychoses.

Mathematicians, hired to help the decision-making process via developing, say, linear programming and simulation schemes for physical distribution, often seem to complicate things by talking about "minimizing the maximum regret" and "substituting heuristic models."

These professionals are being hired because there is a growing conviction that business is not a simple "seat-of-the-pants" discipline and that maybe "these guys do have something to contribute." But wherever the professionals are on board, there is friction. They substitute a new professional language for the everyday words the executive has used for years. They develop theoretical constructs where common sense has seemed perfectly adequate. They raise questions and suggest solutions that are highly involved, that seem to rest on a special professional mystique. And always the language is jargonistic and somewhat abstract. Even if the executive easily understands what the professionals offer, as increasingly more do, he is almost certainly repelled by how they do it. All too often they "act too damned smart," are too convinced of the superiority of their wisdom, and are distressingly articulate.

The executive who has climbed to the top through a generation of following his instincts, and by making up with energy what he lacked in information or elaborate rationale, is suddenly very uncomfortable in the presence of these self-assured professionals. Understandably, he doesn't like them. He dislikes them as much as he disliked the aggressively self-confident and articulate people of the Kennedy Administration.

When he finds a professional in his organization who is modest, talks in commonsense prose and with restrained tolerance for opposing viewpoints, then he listens and acts. And that is what has happened under Johnson. For the first time in this century a program for massive social reform and governmental involvement in the general economy has been presented in modestly measured tones, in the name of simple and humane common sense, and with an indication of some understanding of opposing viewpoints and problems. And, as a consequence, for the first time the business community accepts the prescription, or at least does not react with blind fury.

This is the result of Johnson's special touch. This is why the Johnson Treatment has produced such remarkable acceptance and cooperation on the part of those "treated." It hinges on his almost instinctive ability to reduce revolutionary ideas to commonsense practicalities; his brilliantly calculated device of surrounding himself with exceptionally able people whose own brilliance is not too apparent, whose White House presence is not too visible, and whose own styles are neither flashy nor condescending; his constant vigilance that his style is never compromised by members of his Administration prematurely leaking programs under consideration, publicly expressing their own personal views (or even the President's views) about current issues, or being constantly seen in public with people or in situations that might generate envy, fear, distrust, or suggest haughtiness or aristocratic exclusiveness in circles whose support is needed.

WHAT KENNEDY ACHIEVED

None of this means, however, that Kennedy, in spite of his problems, in spite of his specific failures, and in spite of his inability to marshal sufficient business and Congressional support, was a failure as President. I believe that Kennedy was in important ways an extraordinary success. His impact on America's future will be vastly disproportionate to his short tenure in the Presidency.

One of his most encompassing contributions will undoubtedly turn out to be in an area for which he seemed least prepared—the almost total rationalization of the federal government's complex administrative and decision-making processes. In spite of his enormous inexperience as an administrator, and in spite of Eisenhower's vast experience, it was Kennedy who selected and brought into the federal administrative machinery men who effectively implemented entirely new and powerful methods for analyzing complex projects and for evaluating costly proposals—methods such as cost benefits analysis, cost effectiveness analysis, and systems analysis.

We tend to associate these methods with Department of Defense projects, but, thanks to Johnson, they are now being actively employed in such historically "soft" areas as flood control, agricultural subsidies, and even for determining the level and payout of expenditures for the Neighborhood Youth Corps. Largely through the efforts of men with no previous business experience (men like Charles Hitch and Alain Enthoven), the vast federal machinery is at last beginning to be operated in a somewhat more thoroughly businesslike fashion.

But Kennedy did a lot more. Above all else, he raised new issues in a newly inspirational manner about what the legitimate concerns of government are. His enormously self-confident and aristocratic manner may have ruffled and frightened certain major groups whose support was badly needed. But he successfully pointed the sights of a large majority of our society to new possibilities of national economic achievement and social betterment. (Johnson's extraordinary contribution in this respect was to enlist effectively the solid support of business and Congress behind the goals Kennedy had taught others to value and seek.)

Perhaps most of all, Kennedy inspired a whole generation of young Americans to think of public service and politics as thoroughly legitimate and rewarding activities. But in this respect at least, he did it less with his speeches than with the extraordinarily able and articulate men he appointed to office. He, together with them, showed once and for all that to be in government service does not necessarily mean being incompetent; that being actively concerned about social betterment for the deprived sectors of our society does not necessarily mean being muddleheaded or radical; and that it is possible for a man to be both athletic and intellectual, educated and sparkling, serious and fun, dedicated to social causes while also being businesslike in getting the job done.

And, especially interesting for American business executives and their children, the Kennedy group showed (as had been shown in Great Britain years ago) that it is possible to be born to and raised in affluence and yet be actively compassionate in a political sense about the plight of others. Kennedy was his own best example of the fact that a well-to-do and achieving society need not be a soft, callous, or indifferent society—that the Affluent Society can, indeed, be a Great Society. So Kennedy's contribution was great, indeed indispensable for what followed. But it was not enough; another kind of man was needed to go the rest of the way if businessmen were to be won over.

QUIET REVOLUTION

While Johnson's personality and his at times seemingly muscular style have in part alienated the nation's intellectual elite and badly disappointed many of the young people whom Kennedy inspired and influenced so greatly, they have won for his domestic programs the support of nearly everyone else. And, as a result, he has achieved all the legislative goals which this "elite" so uncompromisingly favors.

In domestic affairs Johnson has made almost a complete sweep—occasional apparent setbacks like the airline strike break, or the original wage-price guidelines (and further labor problems yet to come), or rising criticism of the poverty program and civil rights legislative problems notwithstanding. Whatever happens now—whatever happens in his relations with Congress and the business community during the rest of his time in the White House—will not, I believe, alter the fact that the minds of most business leaders have already been irrevocably changed. To them government is no longer the lumbering, Brobdingnagian Washington abstraction it once was. The interventionist state is no longer so unambiguously abhorrent.

Only in international affairs does any real disappointment and dissension linger about the Johnson policies. Vietnam remains the Administration's major problem. But insofar as the business community is concerned, Johnson, even on this matter, stands rather well. The reasons are that from the start the business community generally sided with his policy of continued pressure and resolve, and that business executives know from their own experience that once started, competitive policies are very hard to change. They sympathize with his dilemma.

Johnson has laid the groundwork for demonstrating that our society can and will be great in things that transcend material things; that it will be great as well in its compassion, sense of justice, and the fact that the economically most significant sector of our society is at last solidly behind making it great in every way.

REPRESENTATIVE PATMAN PROPOSES PLAN TO SAVE TAXPAYERS OVER $1 BILLION IN INTEREST CHARGES ON THE NATIONAL DEBT—TESTIMONY BEFORE THE WAYS AND MEANS COMMITTEE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, on Tuesday, January 31, 1967, I was privileged to appear before the Committee on Ways and Means to testify on the administration's proposal for a temporary increase in the public debt ceiling.

With unanimous consent, Mr. Speaker, I hereby insert at this point in the RECORD the text of my remarks, preceded by a short summary:

SUMMARY

1. It is the Congress' Constitutional responsibility to provide the public a fair, equitable, and coordinated system of tax, monetary and debt management policies. This is provided for in Article I, section 8 of the Constitution where the people delegated these great sovereign powers to their elected representatives.

2. High interest costs on the national debt—estimated at $14.2 billion for fiscal 1968—are a primary cause of budgetary deficits. These deficits are being financed with additional debt upon which additional interest must be paid, thus contributing to further deficits and a mushrooming national debt.

3. In the past 15 years, annual interest costs have doubled and can be expected to double again in the next 15 years. This huge interest burden threatens necessary public works programs such as highways, dams and bridges, education and health programs, as well as badly needed economic opportunity and poverty measures, not to mention vital defense and space requirements.

4. I have recently introduced a bill, H.R. 3387, which if enacted will save the taxpayers over $1 billion in fiscal 1968, and $1 billion per year for the next 40 years after that. It merely provides that that portion of national defense expenditures for any fiscal year which exceeds the amount of such expenditures for fiscal 1965 will be financed by the direct sale of nonnegotiable, noninterest bearing government bonds to the Federal Reserve System. In this manner, we can save over $1 billion a year in interest charges rather than if the Treasury sold negotiable, interest-bearing bonds in the New York bond markets.

5. The monetary experts, including Federal Reserve System officials, all agree that the Federal Reserve creates our money supply on the public credit. When the Federal Reserve buys securities, bank deposits are increased by an equal amount. This increase in deposits provides the banking system additional reserves which through the operation of the fractional reserve system permits the banks to make loans or investments in the amount of ten dollars for every one dollar in reserves. Thus, the banking system can take these high powered dollars created free for them by the Federal Reserve and purchase ten dollars of government bonds for each one dollar of new reserves. This is how the commercial banks buy government bonds on the public credit and enjoy "unearned interest" for the benefit of their stockholders but to the great detriment of all the rest of us.

6. My bill, H.R. 3387, would thus permit the people's government to enjoy the great benefit of the facilities of the Federal Reserve System. These money creating facilities are now enjoyed only by the privileged few. By the same token, Federal Reserve credit facilities should be opened to publicly supervised private financial institutions. For instance, if savings and loan associations, farm credit cooperatives and credit unions were admitted to Federal Reserve membership, it would then be possible to abolish present Federal credit programs designed to assist these institutions. When we give the Federal Reserve back to the people, we can get the government out of the lending business. When this happens, it will be my privilege and pleasure to sponsor legislation abolishing the Federal Home Loan Bank System and other government credit instruments which as mere financial intermediaries fail to serve their intended purpose in times of severe monetary stress. Federal Reserve credit facilities should also be available for the financing of necessary State and local projects such as hospitals and schools.

7. When the government reforms its defective and inequitable monetary and debt management system, mushrooming interest and public debt burdens, as well as most Federal credit programs, may well disappear as public problems. This would contribute a new competitive vigor and dynamism to our free enterprise system.

TESTIMONY

Chairman Mills, members of the Committee on Ways and Means, my name is Wright Patman, a Representative in Congress from the first Congressional district of the State of Texas.

CONGRESSIONAL REVIEW OF THE DEBT CEILING IS VITAL

I thank you for permitting me the great privilege of appearing before you today to present my views on an all-important subject—the public debt of the United States of America. Many honorable—but perhaps unthinking—persons deprecate the principle of a statutory public debt ceiling and periodic Congressional review of Administration proposals to permit temporary increases in that ceiling. But I for one stoutly defend this procedure and I take this opportunity to congratulate your Committee for continuing review of the public debt as such.

CONSTITUTIONAL RESPONSIBILITY OF CONGRESS OVER TAXATION, MONEY AND THE PUBLIC DEBT

For, can we in this Congress, or any Congress, fail to give due regard to Article One, Section 8 of the Constitution which confers upon Congress the sole power and responsibility to impose and collect taxes, to pay the nation's debts, to borrow money on the credit of the nation and to issue money and to regulate its value? Can we fail to meet this responsibility in the same full measure that we meet our Constitutional responsibility to provide this great nation with defense forces sufficient to protect her vital interests, also provided in this very same Article One, Section 8? Of course not, for there is nothing more crucial for the well being of a free people than the handling of their public finances. The taxing and money powers are powers peculiar to sovereignty. The severe imperfection of these powers, as students of history know, was a fatal weakness of the Articles of Confederation.

The people conferred their sovereign powers of taxation and money creation upon the Congress when they ratified the Constitution, and the faithful exercise of these great powers for the public good is a sacred trust. This trust cannot be delegated or assigned. Members of Congress alone are responsible for formulation of the government's financial policy and we alone are responsible for its success. We must take the credit—we must take the blame. It can be no other way. The Constitution does not permit any alternative, and to do otherwise would violate the solemn oath we took on January 10, 1967.

TAXATION, MONEY, AND DEBT ARE CLOSELY INTER-RELATED

Thus, the issuance of money as a medium of exchange to finance the production of goods and services, taxation, and the public debt are all the sole responsibility of the sovereign people's elected representatives. The fact that these public functions are so closely inter-related one to the other is why I hope that my thoughts may be of some interest and usefulness to you today on the question of the debt limit increase. I speak to you as a person interested in this subject of the debt ceiling increase particularly in terms of the relationship of the Constitutional issuance of money to the public debt.

THE NATIONAL DEBT IS A MORTGAGE ON ALL OUR PROPERTY

The amount of the public debt, and the payment of interest thereon, represents a first mortgage on the real and personal property of every man, woman and child in America. Further, this debt represents a mortgage on the incomes—the earning power itself—of all of us, the present and future generations of Americans.

HIGH INTEREST COSTS ON THE NATIONAL DEBT CAUSE BUDGET DEFICITS AND MAKE THE DEBT GROW LARGER

Gentlemen, a shocking aspect of our national debt is the realization that the annual service charge on the public debt is so high that it alone makes annual deficits in the Administrative budget virtually unavoidable unless our tax rates are so high as to possibly inhibit production and consumption. These deficits, year after year, are in turn financed by additional debt, and that additional debt must itself be serviced by the payment of more interest, thus contributing to ever larger budget deficits and an ever larger national debt. This compounding of interest on our national debt has been going on and on and on, and first became an extremely serious problem when we began spending $250 million a day fighting World War II. Simple arithmetic tells us that an annual Administrative budget deficit equal to and resulting from a rate of interest of 5% on the public debt, which is about what it is now, will, by 1980—assuming that the rest of each and every budget is in perfect balance—result in a public debt of over $650 billion at an annual interest cost of $30 billion or more. This is a frightening prospect, and 1980 is just around the corner, colleagues.

EVER-GROWING NATIONAL DEBT THREATENS PUBLIC WORKS PROGRAMS

A recent Joint Economic Committee report estimates that the capital requirements during the period 1966–1975 of all public spending units for necessary facilities such as water and sewer, electric and gas, transportation, education, health, recreational and cultural, and other public buildings will amount to $500 billion, or one-half a trillion dollars! How can these basic needs be met, not to mention immense sums required for defense and space, when all our property, incomes and earning power are already subject to a debt mortgage of over $300 billion and which by 1980 may double itself? This mushrooming debt upon debt will be a tremendous burden on the average citizen without any corresponding benefits to him. How could the national government share its income with State governments—a suggestion some are proposing—when saddled with such a huge, ever-growing debt—a debt that is increasing at an increasing rate year in and year out?

Will it ever end? What is the answer? Must our citizens be deprived of necessary public facilities and services because of unwise and costly debt management policies?

EARLIER TESTIMONY BEFORE WAYS AND MEANS COMMITTEE ON PUBLIC DEBT

This February 13 it will have been exactly 23 years since I appeared before this great Committee on Ways and Means to speak on the same question that is before us today. At that time, during the dark days of World War II, I was accompanied to the witness table by two great Americans—the late Senator Robert L. Owen, former chairman of the Senate Banking and Currency Committee, and a founder of the Federal Reserve System, and the Honorable Jerry Voorhis, a member of Congress from the State of California and a foremost authority on the subject of money and public finance. His book entitled "Out of Debt, Out of Danger" is a classic work.

Our deep concern expressed before this Committee that day was that unless Congress adopted certain basic and simple measures, by the end of the war the national debt would amount to the staggering sum of $300 billion with an annual interest charge of more than $5 billion. History proves, of course, that our fears were not at all groundless. The bill, H.R. 1, that I introduced back in 1943 is substantially the same proposal that I offer right now at the opening of the 90th Congress in January 1967—to control the virulent growth in the national debt and debt service costs without sacrificing the national goals so clearly and forcefully expressed in the Full Employment Act of 1946: maximum production, maximum employment and maximum purchasing power.

THE FEDERAL RESERVE CREATES MONEY ON THE PUBLIC CREDIT

Chairman Mills, Members of the Committee, the sovereign powers of the people to create money and credit has ben farmed out—unwisely, I think—by their representatives in Congress to the Federal Reserve System. The Federal Reserve—legally or otherwise—is now the issuer of our Constitutional money and credit, not the Congress, and they make all the policy decisions as well as carry them out in spite of what anyone else says or thinks. The Federal Reserve System has become a central bank of issue in the old European tradition. President Johnson's remarks about the Federal Reserve System's high interest rate policy in his recent State of the Union message illustrate my point.

Be that as it may, the Federal Reserve potentially is the greatest engine of inflation and of depression the world has ever seen; it has the unlimited power to create or destroy money. Overnight it can create a trillion dollars by increasing commercial bank deposits—deposits which provide reserves for bank loans which in turn become additional deposits, and so on. By the time the system of fractional reserves, which our banks are privileged to use, has run its course, for every dollar of new reserves provided by the Federal Reserve our banking system can create ten additional dollars of checking account money. That is how our money supply, presently about $170 billion, is created. When the Federal Reserve System purchases government bonds, it creates additional bank reserves by an equal amount. When it sells bonds, the Federal Reserve decreases bank reserves by an equal amount.

So, the first step in the money creation process is the purchase by the Federal Reserve of someone's debt—either government debt or private debt. The Federal Reserve turns debt into money—either in the form of Federal Reserve notes or increased bank reserves—the latter which may be drawn down by member banks for an equal amount of Federal Reserve notes or, alternatively, to provide checkbook money on the aforementioned 10 to 1 ratio. So money is based on debt—no debt, no money. As long as someone is willing to sign a promissory note or issue a bond, then the Federal Reserve can "monetize" it, merely by "buying" it.

Now when the Federal Reserve creates Federal Reserve notes or bank reserves directly convertible into Federal Reserve notes, it is not using its own credit or bankers' credit or borrower's credit. They are using the public's credit—yours and mine—because section 16 of the Federal Reserve Act says: "Federal Reserve notes, to be issued at the discretion of the Board of Governors of the Federal Reserve System are hereby authorized, and said notes shall be obligations of the United States. They shall be redeemed in lawful money on demand at the Treasury Department of the United States, in the city of Washington, D.C."

THE FEDERAL RESERVE CREATES MONEY FOR PRIVATE BANKERS TO BUY U.S. BONDS

Now I think this section of the Act is perfectly clear. The Federal Reserve uses the public's own credit to enable our privately-owned banks to create checkbook money which they can use to buy interest-bearing government bonds. The banks pay for the bonds by creating deposits on their books for the Treasury's account—all because of the reserves created for the banks free by the Federal Reserve's purchase of a government bond. I repeat, for every $1 in government bonds purchased by the Federal Reserve with the government's own credit, the banking system can buy $10 of bonds for themselves and keep the interest for the benefit of their stockholders.

UNEARNED INTEREST GIVEN TO BANKERS CAUSES DEFICITS AND BIGGER NATIONAL DEBT

Mind you, gentlemen, while this interest is income to the banks, it is an expense to the taxpayers, and it contributes mightily to our budget deficits and to our national debt. For fiscal 1968, interest on the national debt will cost the taxpayers an estimated $14.2 billion, nearly twice the estimated budget deficit. So, gentlemen, by law these Federal Reserve notes are legal obligation of the United States and, together with these government bonds sold for bank-created checkbook money, represent a mortgage on the entire assets of our people. The people's own credit is used in this manner, and although I am all for our banks' making money and for a profitable and healthy privately-owned banking system, and although I am all for the government paying interest to individuals and others for the loan of their savings—real savings, let me pose this question. Why must the people's government borrow money from our commercial banks at interest when it is the people's own credit that these banks are using to buy these government bonds with? Why should the Government exchange its interest-bearing bonds for a non-interest bearing Federal Reserve note, both of which represent the public's own credit? Why do these banks get a better break from the Federal Reserve—at the expense of the taxpayers—than the government itself? The Federal Reserve can create money directly for the government that is just as sound and as good as that created for the commercial banks by the Federal Reserve.

The money created directly for the government would be no more or no less inflationary than that money created by the private banks on the public's credit. But the crucial point is that the interest costs on this Federal Reserve created money would be saved, and these deficits and this huge national debt would be much more readily controllable and there would be more money left for badly needed highways, dams, bridges, sewers and schools, poverty and other necessary public programs.

WHY SHOULD USE OF THE PUBLIC DEBT SUBSIDIZE BANKERS?

Unfortunately, gentlemen, World War II was financed in large part by the purchase of interest-bearing government bonds made possible by the free use of the public credit by our privately-owned commercial banks. That part of the debt is still outstanding and costs us about $4 billion each year in interest. Now why couldn't we have just had the Federal Reserve purchase those bonds from the Treasury and save the interest? Everybody knows that the Federal Reserve creates money on the credit of the people and their taxable property. The value of our money is not based upon gold, silver, or any other similarly scarce commodity. It is an obligation of the government derived from the Constitutional power to tax income and wealth that gives our money value. It is our American genius for production of goods and services that makes our paper money valuable and acceptable as a medium of exchange. The reason that the so-called Lincoln greenbacks sold at discounts from time to time during the War Between the States was because of serious doubt that the Nation would survive. That is the reason, because greenbacks were convertible at any time at part into 6% bonds. In fact, most of the greenbacks—U.S. notes—are still in circulation and are as good as gold—even better than gold. So where a nation is strong and the people have faith in themselves and confidence in their ability to produce, paper obligations of their government are entirely acceptable—and my main point here today is that from the point of view of *soundness*, an interest-bearing obligation is not a bit better than a non-interest bearing obligation. Furthermore, had not the greenbacks been issued the national debt might well have been $60 billion greater than it actually is today if Lincoln had let the banks buy interest-bearing bonds instead, and collect unearned interest.

We should have the Federal Reserve purchase directly from the Treasury non-interest bearing bonds whenever it is necessary for the government to create money for unusual expenditures such as large-scale military operations. In other words, when large amounts of newly created money are necessary for defense purposes, as at the present time, let it be done directly between these two government agencies and keep the private banks out of the money-creating process. This way the taxpayers save the interest. Let the government pay interest only on bonds purchased with real savings, not with money just created out of thin air on the government's own credit by the Federal Reserve.

EXPERTS ADMIT FEDERAL RESERVE LETS BANKERS CREATE OUR MONEY

Now nobody claims that my description of how our money is created is either inaccurate or incorrect. Listen to what Mr. Marriner Eccles,* a former Chairman of the Federal Reserve Board had to say on this subject of money creation during previous Congressional hearings some years ago:

"Mr. Patman. The stock is less than $140,000,000 and you do several hundred billion dollars' worth of business a year sometimes, and furthermore, when you actually hold and claim now over $2,000,000,000 in Government securities which you claim you bought. How did you get the money to buy those $2,000,000,000 of Government securities?

Mr. Eccles. We created it.

Mr. Patman. Out of what?

Mr. Eccles. Out of the right to issue credit, money.

Mr. Patman. And there is nothing behind it, is there, except the Government's credit?

Mr. Eccles. We have the Government bonds.

Mr. Patman. That's right, the Government's credit.

Mr. Eccles. That is what your money system is . . .[1]

Mr. Patman. Going back to this issue as to the Government's credit, is it a fact that the $20,000,000,000 that the commercial banks of the country hold today in United States Government bonds were purchased with created money?

Mr. Eccles. Is it not a fact that what?

Mr. Patman. The $20,000,000,000 of Government bonds, approximately, that they purchased these bonds with created money.

Mr. Eccles. What 20 billion of bonds?

Mr. Patman. That the banks hold today; approximately—between 19 and 20 billion dollars.

Mr. Eccles. I do not know exactly what the banks hold.

Mr. Patman. Well, that is not the main point. In other words, the bonds that the banks hold today—they created the money to buy those bonds, did they not?

Mr. Eccles. The banking system as a whole creates and extinguishes the deposits as they make loans and investments, whether they buy Government bonds or whether they buy utility bonds, or whether they make farmers' loans.

Mr. Patman. I am thoroughly in accord with what you say, Governor, but the fact remains that they created the money, did they not?

Mr. Eccles. Well, the banks create money when they make loans and investments.

Mr. Patman. All right; and these Government bonds were one of the investments.

Mr. Eccles. That is correct.

Mr. Patman. Now we are back to where we were. The banks created the money to buy $20,000,000,000 or whatever it was in Government bonds. Therefore it has increased the available money supply by $20,000,000,000 did it not?

Mr. Eccles. Yes; that is true, if those are the figures representing the increase in commercial banks. I think those figures are excessive.

Mr. Patman. It is over 19 billion, anyway?

Mr. Eccles. I think those figures represent a large investment of savings funds.

Mr. Patman. I believe they do. Anyway, the commercial banks when they buy bonds or anything else, create the money, so to speak, to buy them with?

Mr. Eccles. That is right . . .[2]

Mr. Patman. In other words, you would buy a billion dollars' worth of bonds. What would be the effect of that billion dollars on the banks?

Mr. Eccles. If they could get a billion dollars they could buy up about $10,000,000 in bonds . . .

Mr. Eccles. No; the Federal Reserve would buy in the open market. If the Federal Reserve then bought a billion dollars of securities in the open market that would be new Treasury issues. The banks would still hold them, and the Federal Reserve would put into the banks another billion of excess reserves. If they used that billion they could buy five billion more of Governments, and you could keep the price up. For every billion of the Federal Reserve banks put in the open market operations, the private banks could buy five billion.

Mr. Dewey. That comes pretty close to some other ideas I have heard.

Mr. Eccles. I mean they could buy ten billion. I mean the Federal Reserve when it carries out an open-market operation, that is, if it purchases Government securities in the open market it puts new money into the banks which creates idle deposits.

Mr. Dewey. There are no excess reserves to use for this purpose.

Mr. Eccles. Whenever the Federal Reserve System buys Government securities in the open market or buys them direct from the Treasury, either one, that is what it does—

Mr. Dewey. What are you going to use to buy them with?

Mr. Eccles. What is who going to use?

Mr. Dewey. The Federal Reserve bank to make these purchases.

Mr. Eccles. What do they always use?

Mr. Dewey. You are going to create credit?

Mr. Eccles. That is all we have ever done. That is the way the Federal Reserve System operates. The Federal Reserve System creates money. It is a bank of issue.[3]

And more recently, Mr. Martin, present Federal Reserve chairman also admitted that the Federal Reserve creates our money on the public credit by the mere stroke of a pen:

Mr. Patman. Now then, Mr. Martin, isn't it a fact that these Federal Reserve notes that you issue and exchange for these bonds are obligations of the U.S. Government, just as are the bonds?

Mr. Martin. That is right.

Mr. Patman. In other words, each note says on its face: "The United States promises to pay to bearer on demand so many dollars." That is just as much a Government obligation as a U.S. bond maturing 10 years from now, isn't it?

Mr. Martin. It is money.

Mr. Patman. It is an obligation of the government.

Now, these statements of the Federal Reserve Board, covering the 12 Federal Reserve banks, shows that 96 or 97 percent of all the earnings of all the Federal Reserve banks comes from interest on Government bonds. Now, Mr. Martin, in acquiring those bonds for the 12 Federal Reserve banks, isn't it a fact that you don't use as backing for the money which you exchange for those bonds, for instance $23 million worth for the Dallas bank, you didn't use the reserve of the member banks; did you?

Mr. Martin. That is correct.

Mr. Patman. You did not use the capital stock of the member banks; did you?

Mr. Martin. That is correct.

Mr. Patman. You did not use the reserves or the surplus funds of the member banks?

Mr. Martin. That is correct.

Mr. Patman. Isn't it a fact that the only thing you used was money that you created which, of course, you have a right to do under the law? You created $23 million in Federal Reserve notes. Whether you actually transferred them physically or not, the result was that you created that much in Federal Reserve notes and traded them for U.S. Government bonds. That is correct; is it not?

Mr. Martin. That is one way of stating it.[4]

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*Mr. Eccles stated in *Collier's* Magazine, June 8, 1935: "The banks can create and destroy money. Bank credit is money. It is the money we do most of our business with, not with that currency which we usually think of as money."

[1] Hearings before the Banking and Currency Committee of the House of Representatives on S. 1471, June 21, 23, 24 and 25, 1941.

[2] Hearings before the Banking and Currency Committee of the House of Representatives on S. 1471, June 21, 23, 24 and 25, 1941.

[3] Hearings before the Committee on Banking and Currency of the House of Representatives on H.R. 7158, June 17, 1942.

[4] Hearings before the Committee on Banking and Currency of the House of Representatives on S. 1451, July 15, 1957.

Mr. PATMAN. You have $24 billion worth of bonds. Now, those bonds were bought by giving Federal Reserve notes in exchange for the bonds were they not?

Mr. MARTIN. Well, Federal Reserve credit.

Mr. PATMAN. What is that?

Mr. MARTIN. Federal Reserve credit. They were not specific——

Mr. PATMAN. That is what I mean. But everyone of them is an obligation of the U.S. Government; is it not?

Mr. MARTIN. That is correct.

Mr. PATMAN. That is what makes it good.

Mr. MARTIN. That is right.[5]

SENATOR OWEN SPEAKS OUT AGAINST "UNEARNED INTEREST"

To put the issues here even more bluntly, gentlemen, let me quote from Senator Owen's 1943 testimony before this same Ways and Means Committee on the evils of bank-created money used to buy government bonds. Mind you, gentleman, Senator Owen was a principal author of the original Federal Reserve Act, Chairman of the Senate Banking and Currency Committee, and himself a commercial bank director.

"Mr. OWEN. One of the reasons why I felt disposed to appear before the committee with regard to this matter of what I call unearned interest was this: That, in my opinion, the sovereign power of the United States was involved, and it is in the exercise of the sovereign power only that money is created by Congress, or through its authority, and I am opposed to any private interest taxing the sovereign power of the United States to make credit for the protection of the people of this country in a great war in which we are involved, or even in peacetimes. . . . But I want to say this, and say it very plainly; regardless of anybody's opinion, this committee now has the opportunity of saving the taxpayer's 2 or 3 billion dollars a year in unearned interest to be paid to the stockholders of the banks of this country. That is what I have got to say, and I am opposed to any further expansion of the debt for that purpose, and I wish my opposition to be put in the record. I did not come here for that purpose, but now that I am here, I feel like expressing my opinion, because I have no reason not to, and because I think it may be useful. I think it is a very grave responsibility on any member of this Congress to be taxing $13 a week and giving away unearned interest to the extent of billions per annum. I will not approve that, as a citizen of the United States; and, as a citizen, I speak.

"The CHAIRMAN. You always speak very interestingly, Senator.

"Mr. OWEN. I have a very determined view about it."[6]

ABRAHAM LINCOLN'S VIEWS ON MONEY ARE JUST AS VALID TODAY

Senator Owen's condemnation of "unearned interest" received by bankers apparently originated with Abraham Lincoln whose money views are "must reading" for everyone. Lincoln approved of a system of privately-owned commercial banks to serve the banking needs of the public, but not as creators of money lent to the United States government, as is done today:

"Money is the creature of law and the creation of the original issue of money should be maintained as an exclusive monopoly of National Government.

"Money possesses no value to the State other than given to it by circulation.

"Government has the power to regulate the currency and credit of the Nation.

"Government should stand behind its currency and credit and the bank deposits of the Nation. No individual should suffer a loss of money through depreciated or inflated currency or bank bankruptcy.

"Government possessing the power to create and issue currency and credit as money and enjoying the right to withdraw both currency and credit from circulation by taxation and otherwise, need not and should not borrow capital at interest as the means of financing governmental work and public enterprise. The Government should create, issue, and circulate all the currency and credit needed to satisfy the spending power of the Government and the buying power of consumers. The privilege of creating and issuing money is not only the supreme prerogative of Government, but it is the Government's greatest creative opportunity.

"By the adoption of these principles, the long-felt want for a uniform medium will be satisfied. The taxpayers will be saved immense sums in interest, discounts, and exchanges. The financing of all public enterprise, the maintenance of stable government and ordered progress, and the conduct of the Treasury will become matters of practical administration. The people can and will be furnished with a currency as safe as their own Government. Money will cease to be master and become the servant of humanity. Democracy will rise superior to the money power."[7]

SHOULD PRIVATE BANKERS GET OUT OF MONEY CREATION BUSINESS AND UNITED STATES OUT OF LENDING BUSINESS?

The third witness with us before this Committee back in 1943, Mr. Voorhis, also testified in 1964 before the House Banking and Currency Committee. What he told us in 1964 may be of interest to you today:

"My simple proposal is that, by appropriate means, the United States, without any increase in public debt, credit itself each year with a percentage increase in the amount of money in circulation roughly equivalent to the rate of expansion of the economy itself. Such an amount could then be used to retire a portion of the outstanding national debt, or it could be spent into circulation, or employed in whatever manner existing economic circumstances might dictate.

"Let me emphasize that what I am proposing is not that the Congress authorize creation of money to pay the bills of the Government.

"Neither am I proposing any inflationary action. I am proposing that we correct the present built-in tendency toward deflation.

"And that we remove from our backs the necessity of increasing the public debt in order to accomplish that purpose, as we are now compelled to do.

"For at present the only method of any consequence whereby we obtain increase in our money supply is by the creation of what I might call 'checkbook money', by the commercial banks operating as they do under the fractional reserve system. . . . The obvious wrong in this system is that when our Nation needs expansion of its money supply because it has already earned the right to that expansion, we must nevertheless print interest-bearing bonds and, in effect, give them to the commercial banks which buy them with newly created credits on their books and then justify those credits because they have the government bonds with which to back them. The Government of the United States does not in such cases borrow the credit of the commercial bank. It borrows its own credit and pays interest on its own credit to a private corporation at the expense of all the rest of the people and all other businesses. I just believe this is wrong."[8]

This, gentlemen, is perfectly consistent with what Mr. Voorhis stated in 1943 when he testified before this Committee that:

"My conception is that the ideal banking and monetary system is one in which banks lend money, but do not create it, and in which the Government creates money, but does not lend it."[9]

These words should be heeded by all of us in the Congress, Mr. Chairman and I will get back to Mr. Voorhis' provocative statement in just a moment with a suggestion of my own on how it can be accomplished.

HOW REPRESENTATIVE PATMAN'S BILL, H.R. 3387, CAN SAVE THE TAXPAYERS OVER $1 BILLION IN FISCAL 1968 AND EACH YEAR THEREAFTER

First, however, let me offer you my plan to save the taxpayers over a billion dollars in "unearned interest" in fiscal year 1968 and each year thereafter. The bill, H.R. 3387, which I introduced in the House of Representatives on January 23, 1967, provides that recently increasing defense expenditures be financed by cooperation between the Federal Reserve System and the Treasury Department in such a way as to save the taxpayers interest. My bill authorizes the Treasury to issue to the Federal Reserve banks non-negotiable, non-interest bearing bonds. The specific purpose for these government obligations would be for the financing of defense expenditures only. For instance, the bill further provides that the maximum principal amount of such bonds issued in any fiscal year may not exceed the amount by which national defense expenditures for that fiscal year are greater than such expenses for fiscal 1965. Provision is also made for repayment in equal annual installments of 2½% of the amount borrowed. So in 40 years it will all be repaid without costing the taxpayers one red cent in unearned interest.

Now our national defense expenditures for fiscal 1965 amount to about $51 billion and these costs for fiscal 1968 are estimated at $73 billion. Under my bill, the difference of $22 billion could be financed without any interest expense and without any more of an inflationary impact than by refinancing $22 billion of the public debt with created money provided to private bankers by the Federal Reserve System. Under my plan the taxpayers would not be gouged an extra $1 billion a year in unearned interest, assuming a 5% rate of interest, and it could be all paid off in 40 years. Now if we financed this $22 billion by the issuance of or the refinancing of 5% bonds, after the forty years elapsed, the taxpayers would have paid to the bankers, with interest compounded annually, approximately $150 billion in interest and still owing them the original $22 billion principal.

So immediately one realizes what a tremendous impact unearned interest charges have on the national debt and the relevance of my bill, H.R. 3387, has to your important deliberations here today. Mind you, gentlemen, I am talking about savings to be realized by using my financing method just for a portion of one year's defense expenditures. Think of the potential savings if we did this every year. Not only can we save hundreds of billions of tax dollars and avoid the crushing effects of a mushrooming debt, but we could very probably substantially reduce taxes. We could have our schools, highways, public buildings, health programs and all the rest, and without inflation, to boot.

What I am proposing, therefore, is the return of the people's money power to our Constitutional government, at least insofar as a portion of national defense expenditures are concerned. To the extent that new money must be created for such public purposes, the effect would be to get the banks out of the money creating business, thus saving the unearned interest. The text of the bill is as follows:

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[5] Hearings before the Subcommitee on Economic Stabilization of the Joint Economic Committee, 1956.

[6] Hearings before the Committee on Ways and Means of the House of Representatves on H.R. 1470, February 13, 1943.

[7] "National Economy and the Banking System of the United States," Senate Doc. 23, page 91, 1939.

[8] "The Federal Reserve System After Fifty Years," Hearings before the Subcommitte on Domestic Finance of the Committee on Banking and Currency of the House of Representatives, Vol. 3, page 1593, 1964.

[9] Hearings before the Committee on Ways and Means of the House of Representatives on H.R. 1470, February 13, 1943.

"SECTION 1. The Secretary of the Treasury may issue to Federal Reserve banks nonnegotiable, noninterest-bearing bonds the principal of which shall be repayable in annual installments equal to 2½ per centum of their face value. The principal amount of such bonds issued by the Secretary in any fiscal year shall not exceed the amount by which national defense expenditures for that fiscal year are greater than such expenditures for fiscal 1965. The provisions of section 14(b) of the Federal Reserve Act (12 U.S.C. 355) shall not apply to any obligations issued by authority of this Act."

THE FEDERAL RESERVE BANKS SHOULD SERVE ALL THE PEOPLE

In a sense, gentlemen, what I am proposing is to give the people's government the benefit of membership in the Federal Reserve System. This is only as it should be, for as former Reserve Board Chairman Eccles testified:

"Mr. ECCLES. Well, the Government in effect, for all practical purposes, owns the Federal Reserve banks." [10]

As it stands now, only certain banking institutions are eligible for Federal Reserve System membership. The Federal Reserve, if it wants to, can discount paper offered by these institutions, including Morris Plan banks, incidentally, to an unlimited extent. Any time the Federal Reserve buys debt paper, it literally creates new money, just like it does when it buys government interest-bearing securities in the open market. It is a great privilege for these financial institutions to have access to the public credit in this manner through the Federal Reserve's discount window. And since it is the people's credit that is the basis of our monetary system, should we not fulfill the original purpose of the Federal Reserve Act by having it truly serve the needs of *all* the people, not just a relatively few privileged institutions?

I believe I have fairly stated a case for government participation in the money creation process in order to spare the taxpayers the additional burden of unearned interest on government bonds purchased with the public's credit by private interests. The same case can be made for expanding the scope of the Federal Reserve's money creation powers in the private sector by liberalizing the Federal Reserve membership requirements and by liberalizing the type of debt paper eligible for discount and purchase. Suppose we admitted to Federal Reserve System membership, in addition to banking institutions, all publicly supervised private organizations which play a financing role to achieve desirable public needs. I might mention, as examples, savings and loan institutions, farm credit cooperatives, and credit unions. Assuming adequate supervision and a worthwhile public purpose, there is no earthly reason why Federal Reserve credit should not be made directly available to these entities. A few such organizations already belong to existing government programs created for the express purpose of providing them credit advances. However, during periods of severe monetary stress, these credit systems have not proven satisfactory. This is because these institutions, such as the Federal Home Loan Bank System—which was created to extend credit to savings and loan associations to encourage homebuilding—are themselves merely financial intermediaries and not creators of money like the Federal Reserve. In the recent tight money markets, the Federal Home Loan Banks found themselves paying rates of interest of some 6%. Now when the Chase Manhattan Bank announces a 5½% interest rate on loans to its best customers, but the Home Loan Bank System—A U.S. government-backed credit system—has to charge 5¾% on loans to its member savings and loan associations to re-lend, then I think the point is quite clear. Naturally, they must charge an even higher rate to their borrowers, and in most cases other borrowers have been denied credit at any price. Just consider the recent devastation in the lumber and homebuilding industry and the squeeze on small independent businessmen. And all during this time Federal Reserve member banks could borrow from their reserve bank at 4½% interest, even lower than Uncle Sam himself. This is shocking indeed. Of course, the Federal Reserve could have bought bank paper at zero interest if it wanted to.

The various Federal credit guarantee and insured loan programs have been a wonderful thing to thousands upon thousands of our finest citizens. But when the Treasury and government credit agencies, acting as financial intermediaries, must pay exorbitant rates of interest, then the inherent defects of such credit sources become apparent. Furthermore, the necessity for these programs frequently affects the cost of running the government in a substantial way. Now, I do not regret having voted for any one of these programs nor the money appropriated and spent.

However, if we make of the Federal Reserve the people's bank as the Constitution and the Federal Reserve Act actually contemplated, then these public credit programs would be entirely unnecessary. If we permit such institutions as I have mentioned and perhaps others direct access to the Federal Reserve's money creation facilities, then, who knows, maybe we can get Washington clean out of the financing business and leave that field entirely to our private financial institutions. Maybe it might then be possible to discontinue the Federal Home Loan Bank System, the Small Business Administration, the Federal National Mortgage Association, the Farm Credit Administration, and others all worthwhile programs which I presently support. And we would not have to concern ourselves as we are at present with even more new programs, such as a support program for conventional mortgages, a Small Business Capital Bank, and a new Rural Electric Capital Bank, and a telephone bank. When we in Congress are willing to resume full responsibility for our monetary policies—including these reforms—then it will be my privilege to introduce legislation abolishing the Federal Home Loan Bank System and other Federal credit programs. Because when we return the Federal Reserve to the service of all the people, we can then get the Government out of the lending business. The present hodge-podge of programs—nearly all of which grew out of the Great Depression of the early 1930's and later depressions and recessions—represent a sincere but haphazard, patchwork effort over the years designed to treat symptoms with temporary remedies while ignoring the search for a permanent cure. I believe the answer lies with a more equitable and rational use of the Federal Reserve System, the fountainhead of all money and credit. I also believe that these reforms I am suggesting would instill a new competitive vigor and dynamism to our private enterprise system.

We should also permit the Federal Reserve banks to purchase directly obligations of State and local governments for the construction of necessary public facilities, such as hospitals and schools, for example. Think of the tremendous savings in interest that would be realized and the revenue needs of these governments, which are now urgent, would be eased. Think of the tremendous improvement in the State and Federal relationship that would result. Think of the deserving citizens who would benefit by more lower cost schools and hospitals.

LET US NOT CONTINUE THE SAME MISTAKE FOREVER

As I have already indicated, World War II was financed in large part by selling government bonds to commercial banks purchased with the public's own credit. Since then the taxpayers have paid about $80 billion interest on that part of our World War II debt which itself amounted to about $80 billion. The original principal of $80 billion is still outstanding and owed and still collecting interest. This $80 billion continues to contribute to budget deficits and thus continue to contribute to an avalanche of public debt as the compounding effect of high interest rates continues unabated.

This is certainly not a partisan issue, Mr. Chairman and Members of the Committee. We must all work together on this question of debt. Cutting back various programs which serve necessary public needs makes no sense, especially when you consider that the second highest single item on the proposed fiscal 1968 budget is $14.2 billion for unproductive interest expenses. Gentlemen, in considering this proposal for a temporary increase in the public debt ceiling, I hope that this Committee will make a specific recommendation that the government—both Congress as well as the Executive Branch—take immediate action to prevent further growth in the public debt burden due to spiraling interest costs, including consideration of my own suggested solution, so that perhaps in the very near future congressional hearings on proposals to increase the public debt ceiling of this great land of ours—along with Federal credit programs resulting from a defective and inequitable monetary system—will have permanently disappeared as matters of legislative concern.

ABRAHAM LINCOLN'S VIEWS ON THE NATIONAL DEBT—A CHALLENGE TO DEMOCRATS AND REPUBLICANS ALIKE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, this Sunday, February 12, 1967, marks the 158th anniversary of the birth of Abraham Lincoln. He was the first and greatest Republican President the United States ever had. Abraham Lincoln is revered as a man who always fought hard and unceasingly for the benefit of the average citizen, for the little man.

Today as we debate the great issues of the national debt, taxes, high interest rates, and defense expenditures, let us not forget that President Lincoln was faced with these very same problems. Lincoln was vehemently opposed to war finance by means of permitting commercial banks to acquire interest-bearing bonds in exchange for non-interest-bearing national bank notes—issued by the banks themselves and secured only by those very same bonds. In other words, the taxpayers would be making a gift in the form of bond interest to the stockholders of these banks. Naturally, this interest was unearned interest. The difference between earned and unearned interest is that earned interest is interest paid by the borrower for the use of real savings. Unearned interest, in contrast, is interest paid by the Government for the use of money created out of thin air by private bankers on the Government's own credit.

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[10] Hearings before the Committee on Banking and Currency of the House of Representatives on H.R. 7158, June 17, 19, 1942.

In the end, Treasury Secretary Chase and the Wall Street banker clique won out with the passage of the National Currency Act in 1863. Notes issued thereafter by national banks thus became by law the legal tender of the United States, backed by the full faith and credit of the Government, including the taxing power. Lincoln felt that the Government should issue directly its own currency instead of letting the bankers do it. This way, the little people—the average citizen—would be relieved of the burden of a heavy national debt and the expense of paying interest on that debt in a direct subsidy to bank stockholders. President Lincoln did in fact succeed in issuing about $412 million in U.S. currency, more than three-fourths of which is still in circulation this very day.

On December 13 I wrote the Under Secretary of the Treasury, the Honorable Joseph W. Barr, and asked him what it would cost the U.S. Government and the American taxpayers in interest charges if bonds paying 5 percent interest semiannually had been issued instead of these Lincoln greenbacks—or as they are more formally called, U.S. notes. The Under Secretary, Mr. Barr, replied to me on December 27 and said:

> The total cost through June 30, 1966, would have amounted to approximately $59.5 billion.

In other words, Mr. Speaker, had this entire amount of $412 million been raised by the sale of interest-bearing bonds to the banks at a computed rate of 5½ percent semiannually and not retired, by now the national debt would have been an additional $60 billion more than it is—with the interest going to the banks and subsequent purchasers.

Unfortunately for the American taxpayer, much of our Federal expenditures—including defense outlays—are financed in the very same way that Mr. Chase and his banker friends wanted it. Our commercial banks, literally, are given free reserves by the Federal Reserve System which they use to "purchase" interest-bearing Government bonds in exchange for demand deposits—"checkbook money." Or, if they want to, these banks can use these additional reserves to acquire—again "free"—legal tender Federal Reserve notes with which to "buy" Government bonds. Why should the Government exchange its interest-bearing obligations—bonds—in exchange for an equal amount of its own non-interest-bearing obligations—Federal Reserve notes?

Both are equally full faith and credit obligations of the Government, backed up by the constitutional powers of taxation. The question that bothered President Lincoln still has not been solved. Why should the taxpayers subsidize private investors with unearned interest for the use of money created on the Government's own credit? Why, during World War II, these investors were actually given the interest on $80 billion of Government bonds which are still outstanding, or since replaced with higher yield issues.

For over 20 years, they have enjoyed each year a gift of hundreds of millions in interest payments that could have and should have been used for schools, highways, health, and other public welfare programs. Perhaps our Republican friends who are somewhat more numerous in the House this year than last might indicate some interest in putting President Lincoln's monetary principles into practice.

For those who might take seriously these great principles of their party's founder, Mr. Speaker, I insert at this point in the CONGRESSIONAL RECORD Abraham Lincoln's views on the constitutional powers and responsibilities of us lawmakers on the subject of money and interest. Republican support for these ideas just might provide the necessary spark to achieve badly needed monetary reform. At the same time, we could avoid a high national debt and budget deficits resulting from high interest costs on the national debt—expected to exceed $14 billion just for fiscal 1968 alone. This would be an act of fiscal responsibility which is long overdue.

It is certainly entitled to consideration for the purpose of determining whether any of Mr. Lincoln's ideas should be recommended during this emergency caused by high interest and tight money.

LINCOLN'S MONETARY POLICY*

Money is the creature of law and the creation of the original issue of money should be maintained as an exclusive monopoly of National Government.

Money possesses no value to the State other than given to it by circulation.

Capital has its proper place and is entitled to every protection. The wages of men should be recognized in the structure of and in the social order as more important than the wages of money.

No duty is more imperative on the Government than the duty it owes the people to furnish them with a sound and uniform currency, and of regulating the circulation of the medium of exchange so that labor will be protected from a vicious currency, and commerce will be facilitated by cheap and safe exchanges.

The available supply of gold and silver being wholly inadequate to permit the issuance of coins of intrinsic value or paper currency convertible into coin in the volume required to serve the needs of the people, some other basis for the issue of currency must be developed, and some means other than that of convertibility into coin must be developed to prevent undue fluctuations in the value of paper currency or any other substitute for money of intrinsic value that may come into use.

The monetary needs of increasing numbers of people advancing toward higher standards of living can and should be met by the Government. Such needs can be served by the issue of national currency and credit through the operation of a national banking system. The circulation of a medium of exchange issued and backed by the Government can be properly regulated and redundancy of issue avoided by withdrawing from circulation such amounts as may be necessary by taxation, redeposit, and otherwise. Government has the power to regulate the currency and credit of the Nation.

Government should stand behind its currency and credit and the bank deposits of the Nation. No individual should suffer a loss of money through depreciated or inflated currency or bank bankruptcy.

Government possessing the power to create and issue currency and credit as money and enjoying the right to withdraw both currency and credit from circulation by taxation and otherwise, need not and should not borrow capital at interest as the means of financing governmental work and public enterprise. The Government should create, issue, and circulate all the currency and credit needed to satisfy the spending power of the Government and the buying power of consumers. The privilege of creating and issuing money is not only the supreme prerogative of Government, but it is the Government's greatest creative opportunity.

By the adoption of these principles, the long-felt want for a uniform medium will be satisfied. The taxpayers will be saved immense sums in interest, discounts, and exchanges. The financing of all public enterprise, the maintenance of stable government and ordered progress, and the conduct of the Treasury will become matters of practical administration. The people can and will be furnished with a currency as safe as their own Government. Money will cease to be master and become the servant of humanity. Democracy will rise superior to the money power.

SBA ADMINISTRATOR BOUTIN OUTLINES AGENCY PROGRAMS FOR NEW MEMBERS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, one of the most outstanding presentations of a Government agency's functions in my 38 years of Congress was presented last Tuesday by Small Business Administrator Bernard L. Boutin. The occasion was an agency briefing for new members and their staffs, held in the Banking and Currency Committee hearing room.

Mr. Boutin outlined all of the programs conducted by his agency and carefully explained the requirements for participation in these programs. It was a thoroughly accurate and interesting presentation, but it was not surprising that it was such an outstanding job in view of the brilliant work that Mr. Boutin has done at SBA in the few short months that he has been its Administrator.

President Johnson is fortunate to have the services of such a capable person to run a very complex agency. Mr. Boutin is running SBA in such a capable manner that I hope the President will consider expanding the powers and authorities of SBA so as to better serve small businessmen.

PROHIBITING POLITICAL INFLUENCE WITH RESPECT TO APPOINTMENTS AND PROMOTIONS IN THE POSTAL SERVICE

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, the gentleman from Pennsylvania, Congressman

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* *National Economy and the Banking System of the United States,* Senate Doc. No. 23, p. 91, 76th Cong., 1st Sess.

ROBERT J. CORBETT, ranking Republican member of the House Post Office and Civil Service Committee, and I have today introduced legislation to end political influence in connection with postmaster appointments, rural carrier appointments, and all promotions within the postal service. Our bills differ materially from legislation heretofore introduced on this subject, in that they provide that first opportunity for appointments to vacant positions of postmaster and rural carrier shall be given to qualified career employees in the postal field service and provide criminal penalties for violations of the strict prohibitions against use of political influence.

The American people have been dismayed recently by the ineptness of the present Postal Establishment to provide adequate postal service despite the fact that the Congress has given the Post Office Department practically all the funds and substantive legislation it has requested during the past 6 years.

Postal employee organizations have complained during the past year about the failure of the Post Office Department to recognize and to promote able and experienced career postal employees. Elimination of political influence in this area will improve the postal service and will help restore better service to postal patrons.

I agree with the recent expression of the president of the National Civil Service League who stated:

> One serious deterrent to the Post Office's drive for quality is the archaic, inefficient system of appointing Postmasters and rural letter carriers through the old fashioned patronage system.

However, this statement merely scratches the surface of the real problem. The tremendous reservoir of talent and know-how among the career employees of the postal field service has never been given an opportunity to prove its great potential for service to the American people.

The postal field service has been in political chains for over a century. It is time to remove these chains of political bondage from the more than one-half million postal employees.

It is worthy of noting that for the 7 calendar years from 1960 to 1967, only 35.5 percent of postmaster appointments were made from the ranks of career postal employees.

Also, it should be noted that during the same 7-year period, only one-half of rural carriers were appointed from within the ranks of career employees in the postal service.

These statistics show that the Post Office Department has not taken full advantage of the available qualified employees in the postal service in connection with the selection of postmasters and rural carriers.

It is impossible for these career postal employees to fulfill their duties and responsibilities without improvements in postal personnel administration provided for in legislation we have introduced.

Briefly, our bills provide:

First, prohibition against postal officials securing political recommendations from any source whatsoever in connection with appointments of postmasters;

Second, prohibition against postal officials securing political recommendations from any source whatsoever in connection with the appointments of rural carriers;

Third, prohibition against postal officials securing political endorsements from any source whatsoever in connection with any promotion of a postal employee;

Fourth, violators of any of the above three prohibitions would be subject to dismissal and certain criminal penalties;

Fifth, postmaster and rural carrier vacancies shall be filled by promotion of qualified career postal employees who reside within the county in which the post office is located where such vacancies exist. In the event the Post Office Department and Civil Service Commission cannot find a qualified career postal employee, then an open competitive civil service examination shall be given to fill such postmaster or rural carrier vacancy; and

Sixth, the President shall continue to submit postmaster nominations to the Senate for confirmation.

It is not generally known that the present system in the postal service provides a so-called advisory procedure for postmaster and rural carrier appointments. Whenever a postmaster vacancy occurs, for example, either the Democratic Member of Congress, or, in the absence of a Democratic Member serving that particular area, the Democrat party leader is contacted by the Post Office Department and requested to recommend whether the vacancy should be filled by promotion or by open civil service competitive examination. After the advice of these politicians is received, if it is decided that a competitive civil service examination is to be given, then, following the examination the three highest names on the civil service eligible register are submitted to the politician for his selection of one person for appointment. Almost without exception, that recommendation is followed by the Post Office Department.

The same general procedure is used by the Post Office Department with respect to the appointment of rural carriers.

The advisory procedure described above applies equally to Republican administrations when they are in charge of the executive branch.

Most promotions to important supervisory positions within the postal system are subject to Democratic political clearance, and in most instances the recommendation of the Democrat politician contacted by the Post Office Department is followed.

This archaic procedure is a throwback to the "spoils system," which, in this enlightened age, should be discarded in favor of the most objective personnel selection procedure which can be devised.

Over the last few years a number of bills have been introduced proposing in one form or another the elimination of politics from the appointment of postmasters, but they were not given favorable consideration. I believe, however, that in view of the recent breakdown in the postal service such action must be taken now before more serious consequences result.

Our bills do not provide for the removal of the present requirement for Senate confirmation of postmasters for three important reasons.

First, the mere elimination of Senate confirmation of postmasters will not remove such appointments from political influence. Such action alone would simply transfer the politics from the Congress to the hidden recesses of the Post Office Department and make the problem far worse than it is now.

I believe that confirmation of Presidential appointments is a prerogative of the Senate which does not properly belong in legislation originating in the House of Representatives.

Third, in view of the deep civic interest in the position of postmaster in every town, village, and city in our Nation, there should be a bipartisan forum to which postal patrons and residents of a community can present their views with respect to any Presidential nominee for the position of postmaster. The Senate serves this purpose.

Retaining Senate confirmation would provide a congressional check on the selection of postmasters to make certain that more than lipservice is given to the prohibitions contained in this legislation against political endorsements and recommendations.

I believe our bills will provide a more effective elimination of political control and influence in postal personnel management than many bills which have been introduced, particularly those which merely provide for driving the political patronage system underground.

Finally in order to achieve this objective, our bills also provide that Members of Congress and political party officials shall be prohibited from the use of political influence in connection with appointments or promotions of postmasters, rural carriers, and all other postal employees, and violators of this prohibition shall be subject to criminal penalties.

CONGRESSMAN L. MENDEL RIVERS

Mr. MATHIAS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. MATHIAS of Maryland. Mr. Speaker, the opening days of the 90th Congress seem, in some ways, to have become an open season on committee chairmen. While the American people expect a very high standard of performance of all Members of Congress, and in particular of committee chairmen, it is unfortunate that the collective nature of congressional activity sometimes obscures the personal contributions that are made by committee chairmen.

While I am no friend of the inflexible application of the seniority system, I am not opposed to recognizing the valuable contributions of congressional leaders who have become leaders under that system.

For that reason, Mr. Speaker, I should like to call the attention of the House to a particularly important service that has been rendered by the gentleman from

South Carolina, MENDEL RIVERS, the chairman of the Committee on Armed Services. I shall mention a single service only by way of illustration, and not by way of limitation, because the affection and regard for MENDEL RIVERS expressed by seamen, airmen, and privates, as well as by admirals and generals, is testimony to the breadth and depth of his concern and his activity.

Mr. Speaker, I speak today, however, of the chairman's original initiative and continuing interest in our naval facilities at Rota, Spain, just west of the Gibraltar entrance to the Mediterranean Sea.

The practical utility of this naval base is demonstrated by its rising level of activity. The unique strategic value of Rota is just now becoming fully apparent. With French foreign policy moving toward neutrality we face the prospect of a band of neutral states stretching from Vienna on the east to the English Channel. Such a neutral strip cuts Europe in half, and isolates our forces in the Mediterranean from the facilities that we and our friends maintain in northern and western Europe. The new importance of Rota should be obvious.

On a visit to Rota several months ago I observed that the naval personnel serving there, both enlisted and commissioned, are subject to hardship not usually associated with shore duty in a glamorous foreign country.

The interest, the concern, and the personal knowledge of MENDEL RIVERS in these problems is a matter of common knowledge to all ranks and rates at Rota. The fact that difficulties are being gradually resolved by the construction of new housing and other facilities is widely attributed to the chairman's energetic and effective efforts. I believe this is correct, and I want to say publicly that I believe we owe MENDEL RIVERS at least the minimum expression of appreciation that is implicit in a recognition of this job well done at Rota.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. MATHIAS of Maryland. I am delighted to yield to the distinguished gentleman from Illinois.

Mr. ARENDS. Mr. Speaker, I have listened with great interest to the remarks of the gentleman from Maryland and I am very pleased to join with him in commending the chairman of the great Committee on Armed Services. He is doing such an outstanding job as chairman of our committee charged with responsibility for our national defense. I am proud to be a member of this committee and proud to serve under the distinguished gentleman who is our chairman. He and every member of the committee are dedicated to the best interests of the United States and its security. Our deliberations are on a nonpartisan basis. We seek solely to make certain we have the kind of defense we should have. Our chairman works tirelessly to that end, and he is an inspiration to all of us on the committee.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. MATHIAS of Maryland. I am delighted to yield to the distinguished gentleman from Louisiana.

Mr. BOGGS. Mr. Speaker, I am so pleased that the gentleman from Maryland has taken the time to say these words about the distinguished gentleman from South Carolina, who is chairman of one of the great committees of the Congress. I am pleased, too, that my distinguished colleague, the gentleman from Illinois [Mr. ARENDS], who serves on that committee and who has served on it for many years, has joined in this deserved tribute.

Mr. Speaker, it is easy to criticize—and in the business that we are in as Representatives of the people in this great legislative body, it seems as if criticism is the order of the day—almost every day and every hour of the day.

On the other hand, it is oftentimes very difficult, I know, to point out the tremendous good that so many of our Members do day after day with little or no recognition. Constructive work gets too little attention.

Mr. Speaker, I came to the Congress at the same time as our colleague, MENDEL RIVERS, a good many years ago. He is one of the most dedicated and devoted Members we have and I was so glad that the gentleman from Maryland has pointed out that he not only has found acceptance and favor with the officers of our armed services of our country but that he is equally respected and admired by the enlisted men in our armed services—which indicates his broad interest in all who serve this great country of ours.

I congratulate the gentleman on the statement he has made and I concur in the fine remarks he has uttered here.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. MATHIAS of Maryland. It is an honor to yield to the distinguished Speaker of the House of Representatives.

Mr. McCORMACK. Mr. Speaker, the gentleman from South Carolina [Mr. RIVERS] is one of the outstanding Members of the Congress of the United States. As chairman of the House Committee on Armed Services he renders invaluable service in the national interest of our country.

He is also one of the finest gentlemen I have ever had the pleasure of meeting—a man whose intense love of our country is clearly evidenced by every action and deed as well as every word he utters. He has a tremendous responsibility. He and his committee—and especially he as chairman, guiding his committee at this particular point in the world's history—have great responsibilities at all times and particularly so during this period of great world tension.

The position of chairman of the House Committee on Armed Services is one of the most important in connection with the welfare and the national interest of our great country. His leadership is evidenced and recognized by the profound respect in which he is held by both the members of the Democratic Party and the Republican Party. His committee is bipartisan in the truest sense humanly possibly—and that can only be accomplished by reason of the leadership of the chairman of the committee—in this case our dear friend, MENDEL RIVERS.

I want to join my other colleagues in the remarks made by the gentleman from Maryland, and I want to express my congratulations to the gentleman from Maryland, in particular, for taking the floor and paying tribute to MENDEL RIVERS—that he so richly deserves.

Mr. MATHIAS of Maryland. I thank the distinguished Speaker for his kind remarks.

Mr. GETTYS. Mr. Speaker, will the gentleman yield?

Mr. MATHIAS of Maryland. I am glad to yield to the gentleman.

Mr. GETTYS. Mr. Speaker, I would like to join the distinguished Speaker of the House of Representatives, the majority whip and others of our colleagues in commending the gentleman from Maryland for his kind reference to the able chairman of the Committee on Armed Services, MENDEL RIVERS, of South Carolina.

Chairman RIVERS is my friend and colleague and has been very, very considerate of me, as a junior Member of this body, in all matters relating to our representation of the people of the great State of South Carolina. He has followed in the great tradition of distinguished chairmen of committees of this House established by other South Carolinians before him.

I personally appreciate the statements of the Members who have spoken in praise of my beloved colleague and fellow South Carolinian, and, speaking for the constituents of Mr. RIVERS and for all the people of South Carolina, I thank the distinguished gentlemen for their remarks.

FRANCE'S UNPAID DEBTS

Mr. SIKES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, our wealthy friends, the French, who have had over $7 billion in aid from the United States since World War II, plus lend-lease during World War II, plus loans during World War I, and so forth, and so forth, ad infinitum, are now in the process of taking over a number of military properties which are being left behind by the U.S. forces. It is estimated that a total of $1 billion in facilities, including military bases, schools, housing, and hospitals, have been turned over to the French, or will be when U.S. forces are completely moved out of France—by French direction. The State Department gives very inconclusive answers when queried on its efforts to secure compensation, even though there is a United States-French contract providing for payment to the United States of the residual value of the property. As a matter of fact, 27 of these properties already are in French hands and we have received nothing in payment. This is not a healthy situation for the taxpayer, who is thoroughly tired of seeing the United States bilked by Charles de Gaulle's government.

LUNAR ORBITER III—PERFORMING WELL

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MILLER of California. Mr. Speaker, at 8:17 p.m., eastern standard time, February 4, 1967—Saturday—Lunar Orbiter III, the third of this country's spacecraft designed to orbit the moon and return high resolution photographs of its surface, was launched from Cape Kennedy on an Atlas-Agena rocket.

The National Areonautics and Space Administration's Langley Research Center, Hampton, Va., is responsible for Lunar Orbiter project management. The 850-pound spacecraft was developed and manufactured under a prime contract by the Boeing Co., of Seattle, Wash., with major subcontract assistance by the Radio Corp. of America, Astro-Electronics Division, Hightstown, N.J., and the Eastman Kodak Co., Rochester, N.Y.

Liftoff occurred only 1.12 seconds later than the planned time for earliest opportunity available for the day. The Agena rocket injected the spacecraft into a translunar trajectory 20 minutes after launch. Telemetry data was received from the spacecraft by way of the deep space net tracking station at Woomera, Australia, approximately 1 hour after launch. These data confirmed the spacecraft had acquired the sun and that all spacecraft systems were operating normally. The star Canopus was acquired by the spacecraft's Canopus star tracker at 7:04 a.m., February 5, 1967—Sunday. The sun and the star Canopus are the space references used by the spacecraft for navigation.

The spacecraft is being tracked by deep space net tracking stations at Goldstone, Calif.; Woomera, Australia; and Madrid, Spain. The tracking data has shown the translunar trajectory to be very close to the required trajectory missing the aim point in space in the vicinity of the moon by only 510 miles. Because of this precision, only one midcourse maneuver is planned. This maneuver was successfully completed at 10 a.m., eastern standard time, February 6, 1967—Monday. The maneuver was carried out precisely as planned. The onboard integrating accelerometer shut down the 100-pound thrust of the small rocket engine on board the spacecraft after a 4.4-second burn for precisely the velocity change of 11.4 miles per hour planned. At the time of the midcourse correction maneuver, the spacecraft was 156,800 miles from earth, traveling away from the earth at a velocity of 2,400 miles per hour.

The spacecraft reached the moon and was injected into lunar orbit at 4:54 p.m., eastern standard time, yesterday, Wednesday, February 8. After several hours of tracking the parameters of the flight were calculated to be very close to the desired ones. Lunar Orbiter will continue in high elliptical test orbit until Sunday morning, February 12, at which time it will be placed in its workhorse photographic orbit nearer the lunar surface. Photo read-outs will begin on Wednesday, February 15, and a total of 215 photographs are expected.

Lunar Orbiter II which continues to orbit the moon has been contacted during the flight of its sister Lunar Orbiter III to the moon. The ability to control more than one spacecraft moon mission at a time greatly extends the usefulness of each mission.

The outstanding success of Lunar Orbiters I and II in providing the world with the excellent closeup photographs of the moon and the earth as seen from the moon and the present fine performance of Lunar Orbiter III is a great credit to this country's space effort and stature. The fine team composed of NASA, other Government agencies, and industry that is responsible for the success of three consecutive Lunar Orbiter missions reflects outstanding management and professional competence, technical thoroughness, and effective use of funds provided by Congress.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS NEXT WEEK

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to dispense with Calendar Wednesday business on Wednesday next.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

ADJOURNMENT TO MONDAY, FEBRUARY 13, 1967

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

FOREIGN AID—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 55)

The SPEAKER laid before the House the following message from the President of the United States; which was read and referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Twenty years ago, President Truman set forth the basic proposition underlying the foreign aid program when he told the Congress:

> I believe that we must assist free peoples to work out their own destinies in their own way. I believe that our help should be primarily through economic and financial aid which is essential to economic stability and orderly political processes.

This judgment was shared by Presidents Eisenhower and Kennedy and by every Congress since the 79th in 1946. It is my judgment today. I believe it is the judgment of most Americans.

Our commitment to assist the economic growth and security of developing nations is grounded in the hard realities of the postwar world. We know that want is the enemy of peace and hopelessness the mother of violence.

We know that:

In the long run, the wealthy nations cannot survive as islands of abundance in a world of hunger, sickness, and despair.

The threat to our security posed by internal subversion and insurgency cannot be countered by withdrawal, isolation, or indifference.

Men—acting together—have the power to shape their destiny. Around the world, from Mexico to Greece to Taiwan, we have seen the energy and determination of the emerging peoples transform our aid into the seeds of prosperity.

Abroad, as at home, the true national interest of the American people goes hand in hand with their sense of freedom, justice, and compassion.

Precisely because foreign assistance programs are so vital to our national interest, they must reflect the circumstances of the late sixties, not those of the past. They must respond to the ideas which move men in the emerging nations today. They must draw upon the lessons of experience. They must take account of the growing wealth of other advanced countries.

The proposals in this message reflect the experience of our aid activities over two decades. They emphasize the six guiding principles on which our programs must be based:

1. Self-help—nations develop primarily through their own efforts. Our programs can only be supplements, not substitutes. This is the overriding principle.
2. Multilateralism—every advanced nation has a duty to contribute its share of the cost.
3. Regionalism—the future of many countries depends upon sound development of resources shared with their neighbors.
4. Agriculture, health, and education—these key sectors are the critical elements of advancement everywhere in the underdeveloped world.
5. Balance of payments—we cannot help others grow unless the American dollar is strong and stable.
6. Efficient administration—every American citizen is entitled to know that his tax dollar is spent wisely.

NEW DIRECTIONS

To carry out these principles, I propose:

A new Foreign Assistance Act, stating in clear language our objectives, our standards, and our program techniques.

A statutory National Advisory Committee on Self-Help, to advise the Congress, the President, the Secretary of State, and the AID Administrator on how effectively recipient nations are mobilizing their own resources under the self-help criteria of the act.

A statutory objective that at least 85 percent of our development loan fund be spent in a regional or multilateral framework.

More than $1 billion in programs to improve agriculture, education, and health, a 25-percent increase over last year.

A shift in emphasis in our aid policy in Africa, to concentrate our help increasingly on regional and multinational projects.

Sympathetic consideration of a U.S. contribution to a new special fund of the African Development Bank.

A $200 million U.S. contribution to new special funds of the Asian Development Bank, in accord with the recommendations of the Black mission, headed by Mr. Eugene Black, my special representative on Asian development.

A reorganization of the Agency for International Development, to better carry on the war on hunger and to promote private investment and the growth of private enterprise in the less-developed world.

My proposals for programs authorized by the Foreign Assistance Act in fiscal 1968 will require total appropriations of slightly over $3.1 billion. Of this, some $2.5 billion will be devoted to economic aid. Almost $600 million will be for military assistance. Funds for the regional development banks would be authorized by separate legislation.

THE FOREIGN ASSISTANCE ACT OF 1967

Foreign aid now rests on a legislative foundation enacted in 1961. This pathfinding statute has served the Nation well. But the experience we have gathered over the past several years should now be codified in a new law.

I propose the Foreign Assistance Act of 1967.

This act will contain a clear statement of the philosophy which underlies our programs and the criteria to be used in this administration. To provide the continuity needed for sound management, it will contain authorizations covering 2 years. Most important, it will provide a framework for each of the basic thrusts of our aid policy.

1. SELF-HELP

Self-help is the lifeblood of economic development. No sustained progress is possible without it. Aid provided as a substitute is aid wasted.

Waste is a luxury none of us can afford. The only obligation tied to our aid is the recipient's obligation to itself—to mobilize its own resources as efficiently as possible. I will not ask any American citizen to contribute his tax dollars to support any country which does not meet this test.

Accordingly, the act will make it clear that the development job is primarily the responsibility of the developing countries themselves. In no case will the United States undertake to do for any country what it should do for itself. Nor will we assist in any venture which we believe has received less than full support from the recipient country. The United States will insist on the general economic policies necessary to make our aid effective.

We are now applying strict and effective self-help standards. The results are evident in the fact that, on the average, each citizen in the major aid-receiving countries is saving 1 of every 8 dollars he earns. These savings become investments. For every dollar the United States and other donors provide, these local sources invest $10.

Still, there is an urgent need for a permanent, nonpartisan, public body to evaluate self-help performance.

Thus, the act I propose will authorize the President to establish a National Advisory Committee on Self-Help. This Committee will consist of members from both parties, from the business community, from labor, from universities, and from other walks of life. It will review and evaluate our aid programs in as many countries as it sees fit. It will examine our program to see whether the recipients are extending their best efforts and whether we are making the best possible use of our aid. Its findings will be available to the Congress.

2. MULTILATERALISM AND BURDEN-SHARING

Development is a world problem. No single country has all of the resources required. Equity demands that no single country be asked to carry the bulk of the load.

I propose that the act set as an objective that 85 percent of our development loans be undertaken in a regional or multilateral framework.

This action fits the trend of recent years, as advanced nations have increasingly accepted the responsibilities associated with their growing wealth. The combined value of our economic and food aid is less than seven-tenths of 1 percent of our national income, only slightly more than the average for all advanced countries. We devote smaller shares to foreign assistance than such countries as France and Belgium.

But these figures do not tell the whole story. Our defense expenditures far exceed those of all other free nations combined and serve their common interest. This burden, too, must be counted in the balance.

Thus, we must redouble our efforts to get other donors to enlarge their commitments.

3. REGIONALISM

Resources know no national boundaries. Rivers flow through many countries, transportation and communication networks serve different peoples, sources of electric power must be shared by neighbors. Economic advance in every part of the world has required joint enterprises to develop shared sources of wealth.

These facts underlie the growing movement toward regional cooperation:

The Alliance for Progress has transformed the inter-American system of institutions into a reliable and dynamic engine of change.

Asian initiatives have created the framework for cooperation of all kinds. Such institutions as the Asian and Pacific Council and the Asian Development Bank are clear evidence of the new will to press forward.

I propose that the act state that the United States will encourage regional economic development to the maximum extent consistent with the economic and political realities in each region.

I propose three steps to carry out this policy:

First, in most African countries, we will gradually shift to cooperative projects which involve more than one donor or more than one recipient.

Second, we will seek an appropriate means of responding to the recent request of the African Development Bank for U.S. participation in a special fund to finance worthy projects which are beyond the means of the Bank's ordinary capital.

Third, we will respond favorably to the request for special funds for the Asian Development Bank. Preliminary explorations suggest a U.S. share of $200 million, to be contributed over a number of years with matching arrangements and balance-of-payments safeguards.

These proposals spring from a philosophy of pragmatic regionalism. They reflect the facts of economic life.

Political unity is neither required nor expected. But the resources available for development are too scarce to scatter among many countries when greater promise lies in joint action. We must take full advantage of the benefits of cooperation.

4. AGRICULTURE, HEALTH, AND EDUCATION

The fundamentals of a decent life are sufficient food, freedom from disease, and an opportunity to absorb as much knowledge as individual capacities permit.

These are the first goals of all societies. They must be the first objects of our aid.

I propose that the act establish agriculture, health, and education as our primary concerns and that investment in these areas be substantially expanded.

I propose that our investment in agriculture rise from $504 million last year to $668 million in 1968; education rise from $166 million to $228 million; health rise from $192 million to $202 million.

In particular, we will wage war on hunger. Together, the world must find ways to bring food production and population growth into balance. My proposals make clear our determination to help expand food supplies. We must be equally ready to assist countries which decide to undertake voluntarily population programs.

5. BALANCE OF PAYMENTS

Our foreign assistance programs rest on the basic strength of the dollar and our balance of payments. This administration will continue to see that our aid programs have the least possible adverse effect on our balance of payments.

Almost 90 percent of our economic assistance and over 95 percent of our military assistance is now spent in the United States. These programs serve to expand U.S. trade abroad. They help develop new trading patterns.

6. EFFICIENT ADMINISTRATION

The Agency for International Development is a sound, well-run instrument of public policy. But, like all arms of government, AID can be improved. It can add further to its economy record—a record which includes $33 million in cost reduction last year alone, and a 20-percent cut in personnel—apart from southeast Asia—since 1963.

I am establishing two new offices in AID:

An Office of the War on Hunger to consolidate all AID activities relating to hunger, population problems and nutrition.

An Office of Private Resources to concentrate on marshaling private investment and the expansion of private sectors in the less-developed world—the best long-term route to rapid growth.

Both of these steps are consolidations—they will require no new appropriations or personnel. They will focus the attention and energy of the Agency directly upon two priority areas. They are significant steps forward.

ECONOMIC ASSISTANCE

LATIN AMERICA

For Latin America, I recommend an economic aid program of $624 million.

This amount is clearly justified by our own interests and the recent performance of our Latin American partners. The program I propose is lean and concentrated. Nearly 70 percent of it will be committed in four countries—Brazil, Colombia, Peru, and Chile. In each case, we will make certain that the amount actually spent is in accord with clear needs and meets the strict self-help criteria of the act.

The outlook for a solid return from these expenditures is promising:

Brazil shows greater economic dynamism than at any time in her recent history. She has forced inflation down from the 1964 high of 140 percent to 40 percent—still far too high, but an enormous improvement. Her balance-of-payments situation is well under control. Agricultural production has been increased. Per capita income is up. In general, the economic situation is more hopeful than the most favorable predictions of 3 years ago.

Peru continues its steady economic climb. Per capita income last year was $378, compared to $325, 5 years before. The critical job now is to bring more people into the economic mainstream, while further stimulating the developed coastal areas. U.S. contributions will be heavy in the areas of agriculture and education.

In Chile the favorable copper market will make possible a reduction in our aid. We will concentrate our help in the crucial rural area to increase agricultural production and exports.

In Colombia economic trends are also encouraging. Our contributions will be made through a group of donors led by the World Bank. We will concentrate on agriculture and education.

Our program for Central America—Nicaragua, El Salvador, Guatemala, Costa Rica, and Honduras—is tailored to support the Central American Common Market. This market is one of the most promising innovations in the developing world. The spirit it reflects has already increased trade within the Central America region by 400 percent over the past 5 years. We will make modest contributions to the Central American Integration Fund to continue and accelerate this pace.

The balance of my request is largely for the Dominican Republic and Panama. It is essential that we maintain strong programs in these countries, although they will cost slightly less than in the past.

The vision and hard work of 450 million people in this hemisphere have made the Alliance for Progress into one of the great tools for human betterment. Its success is by no means assured. There will be disappointments as well as achievements along the way. But it is a vehicle for the hopes and energies of a continent. The program I propose will carry it forward.

Meetings among the governments of the Western Hemisphere during the year may produce further proposals, such as replenishment of the resources of the Inter-American Development Bank. Where these proposals merit our consideration and support and require action by the Congress, I will submit my recommendations to you at the appropriate time.

NEAR EAST-SOUTH ASIA

For the Near East-South Asia I recommend a program of $758 million.

This region provides the harshest test of free institutions:

Nowhere else in the free world are there so many people: as many as the combined populations of North and South America and Western Europe.

Nowhere else do so many people live in such dire poverty: per capita income for 9 out of every 10 persons is under $100 per year.

Nowhere else are divisive forces so poised to take advantage of any misstep.

Several advanced nations have banded together, under the leadership of the World Bank, to form an aid consortia for India and Pakistan. A similar group has been formed for Turkey, chaired by the Organization for Economic Cooperation and Development. These groups determine the share each member will contribute and provide a forum for continuing discussions with recipient countries. They have served the interests of all parties.

In my message on food for India I proposed that food and related aid be added to the agenda of the consortium for India as an additional area of assistance in which all donors should join. We will exert the full extent of our influence to insure that this consortium becomes the primary vehicle for all aspects of development aid to India—from grants of funds to evaluation of performance.

Despite the shadow of famine and the ever-present danger of renewed frictions, the situation in the three countries—India, Pakistan, and Turkey—which will receive 91 percent of our aid to the Near East-south Asia, gives reason for hope:

India is trying to regain the lead in the race between her expanding population and her food supply. She plans to double her outlays for agriculture in the next 5 years and to quadruple her voluntary population program. India has increased fertilizer purchases by 85 percent and has started crash programs in farmland development. She has begun campaigns to increase supplies of better seeds and pesticides. But Indian performance is not confined to agriculture. In early 1966, she liberalized her system of import controls and devalued her currency. All advanced nations must come to her aid if these hard-won opportunities are to be realized.

Pakistan has an outstanding economic record. Her future is brighter still. From 1960 to 1965, her gross national product grew at an average annual rate of 5.8 percent, compared to 2.5 percent previously; agricultural production grew at an average annual rate of 3.5 percent, compared to 1.6 percent previously; local private investment grew by 54 percent; and total private investment was 63 percent over planned targets.

Turkey also has a remarkable record. We and other Western nations are determined to help Turkey meet its goal of self-sustaining economic growth by 1973. She is already well on her way. In 1966, her gross national product grew by 8.3 percent, industry by 9.5 percent, agricultural production by 11 percent, and the use of fertilizer by 40 percent. The percentage of children of school age enrolled in primary schools increased to almost 80 percent.

If it cannot be demonstrated that hard work, coupled with relatively modest amounts of our aid, will produce better lives for the countless millions of this region, our cause will surely fail. The programs I propose will enable us to continue meeting this challenge.

AFRICA

For Africa, I recommend a program of $195 million.

Africa is undergoing the historic growing pains of attaining stable independence. Thirty-five of her 39 nations have gained their freedom since World War II, many in the past 5 years. The inevitable strains are evident in the headlines of the world's newspapers.

The most hopeful sign of growing African maturity is the increased support for cooperative economic enterprises. With 14 countries of less than 5 million people each, this attitude is essential for progress.

Our AID policy toward Africa will:

Encourage the African activities of the World Bank and its affiliates;

Direct a greater part of our resources into projects and programs which involve more than one African country;

Seek new breakthroughs in private investment in Africa, particularly the current efforts by private American banks and other financial institutions.

EAST ASIA

For east Asia, I recommend a program of $812 million.

Nearly 85 percent of our assistance to this region is directly or indirectly related to our effort to block Communist aggression.

My recent visit to Asia confirmed my deep conviction that foreign assistance funds for Vietnam and surrounding countries are just as important as military appropriations. They are vital to a successful war effort. They permit us to build for the future.

Most of these funds—about $650 million—will be used in Vietnam, Laos, and Thailand. The $550 million planned for Vietnam is indispensable to military success, economic stability and continued political progress. It will stimulate and support measures to bind the people and Government of South Vietnam together in a common cause. It will help to begin the task of reconstruction and development. It will relieve wartime suffering for millions of Vietnamese.

In Laos and Thailand, these funds will finance economic development and security which will assure that armed conflict will not engulf all of southeast Asia.

Our assistance to Thailand will be channeled through a new consultative group of 13 donors, chaired by the

World Bank. In Laos, five other countries will join the United States with significant contributions.

Elsewhere in free Asia, the tide of history clearly favors progress:

In Korea, the economy is now growing at the rapid annual rate of 8 percent. Industrial production is rising at a 14-percent rate annually, agricultural production at a 6-percent rate. In the few short years since the Korean war, the Republic of South Korea has become strong enough not only to maintain its internal advance, but to help in the defense of freedom in Vietnam.

In Indonesia, the new Government has committed itself to a program of economic rehabilitation and recovery. We are joining with other European and Asian nations to provide urgently needed help to the stricken Indonesian economy. We are also participating in arrangements with other nations to reschedule Indonesian debts.

The road ahead in east Asia is long and dangerous. But these accomplishments are hopeful signs. We will encourage the vital and progressive spirit that has stimulated them.

MILITARY ASSISTANCE

For military assistance, I recommend appropriations of $596 million.

This is the smallest request since the program began in 1950. In part, this fact reflects transfer of appropriations for military assistance for Laos, Thailand, NATO infrastructure and international military headquarters to the budget of the Department of Defense.

But this request also represents a substantial reduction. Military assistance outside southeast Asia is now only 45 percent of what it was in 1960.

For the Near East-south Asia, I recommend $234 million, down 50 percent from 1963. Virtually all this will be used in Greece, Turkey, and Iran, three countries which have shared the burden of mutual security for 20 years.

For east Asia, I recommend $282 million, almost entirely for Korea and Taiwan. We will use these funds to strengthen these outposts against further Communist expansion in Asia.

For Latin America, I recommend $45.5 million, largely for internal security and training.

For Africa, I recommend $31 million, heavily concentrated in countries where we have major interests and where there are problems of internal security.

It is not the policy of the United States to provide sophisticated arms to countries which could better use their resources for more productive purposes.

It is the policy of the United States to help where we are asked; where the threat of invasion or subversion is real; where the proposal is militarily and economically sound; where it is consistent with our interests and our limited means.

This will continue to be our policy.

THE CHALLENGE AHEAD

The programs I propose represent the minimum contribution to mutual security and international development which we can safely make.

There are some who say that even this request should be foregone in view of needs at home and the costs of the struggle in Vietnam.

Nothing could be more shortsighted and self-defeating. This country—the wealthiest in human history—can well afford to devote less than seven-tenths of 1 percent of its national income to reduce the chances of future Vietnams.

Some would have us renege on our commitments to the developing countries on the ground that "charity begins at home."

To them, let me emphasize that I have recommended no charity, nor have I suggested that we stray from home. The inescapable lesson of our century, inscribed in blood on a hundred beaches from Normandy to Vietnam, is that our home is this planet and our neighbors 3 billion strong.

Still others have grown weary of the long, hard struggle to bring the majority of the world's population out of the shadows of poverty and ignorance.

To them, let me say that we are dealing in decades with the residue of centuries. There is no shortcut. There is no easy way around. The only effective tools are ingenuity, capital and, above all, the will to succeed.

All of us sometimes find ourselves sympathizing with these complaints. All of us are subject to the frustrations, disappointments and shattered hopes which accompany a supporting role in a task which must fundamentally be performed by others. But, in the cold light of reason, our responsibility to ourselves and our children reasserts itself and we return to the task with renewed vigor.

I am confident that the American people have not lost the will and the dedication which have made them the most powerful and responsible Nation on earth.

I am confident that they will go forward into the new era of world progress for which their past efforts have prepared the way.

I am confident that their vision will transcend the narrow horizons of those who yearn for a simpler age.

The proposals I offer today are the practical requirements of that vision. To do less would endanger all we have accomplished in the past two decades.

I know that this test shall not find us wanting.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *February 9, 1967*.

AID AND THE U.S. ECONOMY

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BOGGS. Mr. Speaker, the President today sent to the Congress a special message on foreign aid, a program to benefit the economies of foreign countries, as we usually say.

And, of course, it is the "foreign" aid bill. It is the U.S. program to assist in the economic development of the countries in Latin Amreica, in Asia, in Africa. It is a program that is designed to help promote peace in the world by removing the underlying causes of human unrest in the less-developed countries of the world. It is a program in which we seek to fight hunger, disease and ignorance.

But the truth is that the foreign aid bill is more than an instrument of our foreign policy. It is an important factor in the economy of the United States at the same time. I speak of the more than $1 billion of U.S. exports each year generated by our foreign aid program.

Because we do not send dollars abroad but the materials and equipment—products of our labor and industry—which the developing countries can immediately use, I can cite these U.S. economic advantages of our aid program:

More than $1 billion worth of AID-financed U.S. commodity exports in each of the last 3 fiscal years—more than $1.1 billion during the last year alone, ending June 30, 1966.

A very high share—90 percent of all commodity procurement financed by AID—is business for our U.S. industry.

All 50 States participating in this form of export business. And not just major industrial States and giant corporations, but substantial participation by small "local" plants in our small towns and cities—many of whom had not taken part in export trade before.

These are distinct, and immediate, "plus-es" for our own people while we help the people of the world's developing regions. This is one of the reasons that I ask support for the President's foreign aid program.

Mr. TEAGUE of Texas. Mr. Speaker, the President's foreign aid message explains in some detail the expanding effort of the United States to help Vietnam in its efforts to build a nation even in the face of war.

This "other war" in Vietnam is constantly overlooked, disregarded in the debates on U.S. involvement in that country. Our extensive efforts to wage peace in Vietnam must now be given careful attention by the Congress because they are an important part of our foreign aid.

Fourteen hundred American technicians are working for AID in Vietnam now. These are civilians—warriors without weapons. But they are fighting a very real war—a war against the suffering caused by Communist aggression; a war against poverty, ignorance, and disease. These specialists are helping Vietnamese in each of the country's 43 provinces learn new skills, educate their children, build new homes, plant new crops, and care for their sick.

These "quiet warriors" handle AID's largest program under the most difficult conditions. Nine have been murdered; two have been kidnaped and 11 wounded. But the AID workers persevere, and they score impressive gains. In 1966, they helped build 4,600 schoolrooms and helped train 4,000 teachers. More than 12 million immunizations were given through AID, and more than half a million patients were cared for by provincial health teams.

The AID people for the most part work in the countryside where 175 local officials were assassinated and another 189 were kidnaped by the Vietcong. These were hamlet chiefs, schoolteachers, and other officials. Another 1,500 ordinary civilians were killed by planned acts of Vietcong terrorism.

Recently, most U.S. provincial operations in Vietnam were put under a new headquarters: the Office of Civil Operations, headed by Deputy Ambassador William Porter. Operational control is handled by Wade Lathram who had been deputy to the AID mission director. Donald MacDonald continues to head AID/Vietnam and his mission continues to have charge of overall economic policy, the commercial import program, AID programs in the metropolitan areas, and those functions in the provinces not falling under OCO.

America needs these quiet warriors who are fighting this "other war" in Vietnam—the struggle for peace and progress. They come from all parts of the United States. For the past year, AID officials have combed the United States and so far, 54,000 Americans have volunteered for service with AID in Vietnam. Vigorous screening and stiff requirements reduced their numbers to 1,038 selected. They are the best we can send. They deserve all the support we can give.

Mr. REES. Mr. Speaker, no man ever built a good house on an empty stomach, nor a starving people a sturdy nation. Yet tomorrow some 10,000 people will die from hunger and malnutrition, most of them children who could help build a nation if they grew to manhood. And what of those who survive? In India there are people subsisting on roots and grasses scraped from a parched earth. In other parts of Asia, Latin America, or Africa, life is a steady and often losing battle with hunger and sickness too. Malaria, cholera, measles, smallpox, sleeping sickness, hookworm, diarrheal disease, foot and mouth disease, rabies. It is a very long list.

I was reminded of these facts by the President's special message on foreign aid and was particularly pleased to note that the Agency for International Development is giving priority attention to programs in the field of health. With our own technology, we know how to lick these diseases that sap men's energies and drain away the resources of which nations are built. The job is one of getting this technology to those who need it and this is one of the jobs which AID is pursuing.

In the last fiscal year, for example, AID helped build more than 12,500 community health centers and subcenters throughout the developing world. In one year, it made possible the vaccination of nearly 7 million Vietnamese against cholera, nearly half a nation. And its programs helped bring almost 120 million people the benefit of clean supplies of water.

AID is involved in feeding programs that now reach some 40 million schoolchildren plus 10 million preschool children or pregnant or nursing mothers. Vitamins A and D are being added to nonfat dry milk going overseas. And in the laboratories of this country AID is sponsoring research into better and more acceptable ways of enriching local foods with vitamins, proteins or minerals.

Can anyone doubt that these programs are vital to successful development when he realizes that three of 20 babies in the developing world live to become adults without permanent, irreversible physical or mental retardation. A vaccination, a meal, a drink of pure water—these are the simple victories AID is helping achieve.

Recognizing the critical relevance of national health to successful development, AID last year boosted its commitments in health programs by about 15 percent over its original planning. This year, the rise will be higher, as priority decisions have their effect. For the new fiscal year contemplated by the message we have just received from the President, the allocation to health will be greater still.

AID is putting first things first in health—as in agriculture and education—and the effort deserves the support of this body.

Mr. FASCELL. Mr. Speaker, the President has today proposed a foreign aid program for fiscal year 1968 that deserves the support of every Member of Congress who is interested in advancing the cause of peace.

The program which the President has outlined is tailored to meet the needs of the sixties. It reflects the evolution of the program from one designed to assist the war-damaged countries of Western Europe to one which is aimed at aiding the developing nations of Latin America, Asia, and Africa. It is a program which recognizes the needs of the domestic economy and the cost to the American taxpayer of the war in Vietnam.

It is a program which calls for the smallest appropriation in the 20-year history of foreign aid.

In addition, Mr. Speaker, this year's foreign aid proposal is one which will have a minimum impact on this country's balance-of-payments deficit. This results from policies developed by the Agency for International Development to insure that practically all AID funds are spent in the United States.

As a result of these policies, aimed at safeguarding the U.S. balance-of-payments position and the promotion of expanded U.S. exports, more than 90 percent of all AID expenditures for commodities are now spent here in the United States. This means that during the last 2 fiscal years alone close to $2 billion was spent here at home as a direct result of AID financed commodity procurements.

Each of our 50 States benefits from AID's increasingly strict procurement policy which requires that commodities financed by the United States be purchased here or in a very small number of developing countries in which the United States has a major interest and which themselves have agreed to respend their dollar credits only in the United States.

In 1968, for example, it is estimated that AID will purchase more than 97 percent of its commodity requirements here at home. These are commodities which are used to meet current requirements for economic development. They include fertilizer, industrial machinery, pharmaceuticals, transportation equipment, as well as foodstuffs and other products and materials needed by developing countries.

During 1966, AID spent $9 of every $10 for commodities in the United States. For all categories, 80 percent of AID expenditures were confined to this country. In my own State of Florida, AID financed transactions, in excess of $10,000 each, for commodity purchases amounting to a total of well over $16 million. If all AID financed transactions were included, the total would undoubtedly be much higher.

In fiscal 1968, AID expects to spend about $319 million overseas. But an estimated $212 million will be received in aid debt repayments from abroad. This leaves a net adverse effect on the balance of payments of only $107 million.

When we consider the President's foreign aid program, I hope that all of the Members of the Congress will keep these figures in mind. They clearly indicate that foreign aid is not a major contributor to the balance-of-payments deficit.

The President's foreign aid program makes sense. It is a program which we can afford. It is a program which is in the national interest. I urge support for the President's proposals.

As the Congress again begins to consider U.S. foreign aid legislation, I would like to briefly point to the fact that this program has changed significantly in recent years to involve and utilize larger and larger numbers of private American citizens.

One might well say that these days everyone is in the foreign aid business.

When we think of foreign aid "experts" working in developing countries, we really mean the man from the farm cooperative, a teacher from the nearby high school or college, an engineer from a local firm or a management specialist from the factory.

For these private American citizens are the foreign aid "experts" who in a large measure bring the message of American enterprise and know-how to the people struggling for a better tomorrow in the developing countries.

Under contract individually or through their firm or university, literally hundreds of these private Americans are at work overseas—helping a farmer in Pakistan with a crop problem, training new teachers in an African village, guiding local engineers in building an electric powerplant in Turkey, or working out a production problem with the foreman of a fertilizer factory in Brazil.

AID currently has agreements carrying a total value of $509 million for a variety of technical assistance, training, and research functions. Most of this amount represents contracts held by U.S. firms, universities, nonprofit or cooperative organizations, and individual technicians. The number of contracts is 1,489—including those with individuals. The agreements cover work in 73 countries, while some—like research—support the program as a whole or benefit an entire region.

These agreements tap a rich source of initiative and imagination for our foreign assistance programs. They comprise another of the many ways American private citizens can help others help themselves.

Mr. PUCINSKI. Mr. Speaker, in his foreign aid message received today, President Johnson underscores the intent of the United States to continue its support to the Alliance for Progress. He reminds us again of the far-reaching significance of this program.

On August 21, 1961—5½ years ago—the governments of 19 Latin American nations met with representatives of our own Government to launch a peaceful revolution in the southern half of the hemisphere. In return for U.S. support of their national development efforts, the Latin Americans agreed to undertake vigorous programs of self-help and reform.

By and large, Latin America is keeping its side of the Alliance for Progress bargain.

Reform governments oriented to Alliance principles have since been elected in Colombia, Brazil, Chile, Peru, Bolivia, and several countries of Central America. All of these and others are trying to reform tax systems to finance a higher percentage of their development programs. Many have begun to reform their land tenure systems and thus raise the living standards of their farmers. New housing, new schools, new clinics are rising in the cities and villages of every country.

Specific examples are innumerable:

Primary school enrollment in Chile increased by 175,000 pupils in 1965, and by 80,000 in 1966. To teach the new students more than 5,000 new primary schoolteachers are being trained by the Chilean Government every year.

Colombia doubled agricultural investments last year, and strives to triple them this year, in a move to step up the distribution of farmlands and credits.

Peru has financed more than 7,000 self-help projects in its impoverished Indian communities.

In Central America, the formation of a common market has quadrupled regional trade in only 5 years.

But the pace of Latin Amerian development is still too slow to meet the growing demands in every country for food, housing, water, power, schools, and jobs—to consider only the minimum requirements of rapidly growing populations. If present trends continue, we are told, the Latin American population will double every 23 years and reach 625 million by the year 2000.

Steadily increasing numbers of unemployed or underemployed urban slum dwellers present an immediate political crisis to the statesmen and economists of every Latin country.

Indeed, it is hard to overstate the magnitude of the challenge.

To meet the demands for food, farm production must be increased by at least 6 percent every year;

To meet employment demands, at least 140 million new jobs must be created;

To house those not yet born, more than a million new houses are required;

Hundreds of thousands of new classrooms must be built; tens of thousands of new doctors and nurses must be trained; thousands of hospitals and clinics must be constructed.

We in the United States are well aware of the political and economic chaos that could threaten this hemisphere—and our own security in the United States—if these minimal goals are not met. That is an important reason why we pledged our help to the people of Latin America in the Charter of Punta del Este. And that is why the President of the United States has promised to continue U.S. support of the Latin American development effort beyond the 10-year period originally envisaged for the Alliance for Progress.

As President Johnson has reminded us—

> The beginning of the beginning is behind us. . . . We have only begun to meet the needs of today, and these are but a fraction of those of tomorrow.

Can we in the United States afford to renege on our part of the Alliance for Progress bargain? Do we want to?

My answer is no. This is a pledge that we can and must honor.

BIRTHDAY OF TADEUSZ KOSCIUSZKO

Mr. SMITH of New York. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, Sunday, February 12, the birthday of Lincoln, will also be the 221st anniversary of the birth of Tadeusz Kosciuszko, the great Polish hero who made such an outstanding contribution to the American Revolution. As an American of Polish descent, I take great pride in briefly recalling to the Members of the House the highlights of his tremendous career in the cause of freedom both here in America and in his native Poland.

Stimulated by a strong love of liberty, Kosciuszko came to America from Europe on borrowed money in order to help in our struggle for independence. His superlative work in the planning and construction of fortifications for the Delaware River, Fort Defiance, and West Point, as well as his courageous service in a number of battles earned him the rank of brigadier general in the American Revolutionary Army.

Following our war for independence, Kosciuszko returned to Poland and served in his homeland as a leader in the unsuccessful insurrection against the Russian invaders. He came back to the United States after being released from a Russian prison and received land and money which had been awarded to him by the Congress in appreciation for his services to our country. He returned again to Poland in 1798.

The memory of Kosciuszko's brilliant and heroic career will continue to be an inspiration to freedom-loving people everywhere. But the U.S. debt to him will never be repaid until we can develop a foreign policy which will help restore freedom to Poland, one of the countries betrayed at the infamous Yalta Conference in 1945. It is a tragedy, Mr. Speaker, that the people of Poland who have shared with the people of the United States a strong love for freedom and national independence are among the captives of Communists in Eastern Europe. It is, therefore, difficult for them to understand the official policy of the U.S. Government to subsidize and thereby sustain in office the Moscow-imposed rulers of present-day Poland.

CODE ENFORCEMENT IN THE DISTRICT OF COLUMBIA

Mr. SMITH of New York. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WIDNALL. Mr. Speaker, as ranking Republican on the Special Housing Subcommittee, housing policies have long been a major concern of mine. While no single program will solve our problems overnight, necessary ingredients in any solution are code enforcement and rehabilitation. The Hough area of Cleveland, for example, site last year of a tragic outburst of violence and destruction, was as early as 1963 the scene of a rent strike. During the same year of the rent strike, a local citizen's committee publicized a list of demands including one as follows:

> All city codes (including the housing code) should be enforced throughout the entire Hough area. Additional inspectors should be hired to do the job. A record of progress should be available to the public.

Code enforcement and rehabilitation alone will not end or prevent urban unrest, but they can be important steps toward improved living conditions, steps that reduce the likelihood of clearance and neighborhood disintegration.

In 1954 I authored the workable program requirement for urban renewal, which includes a code enforcement section, and in 1964 and 1965 I coauthored provisions for federally assisted code enforcement. Not only are localities eligible for financial aid, but renters, homeowners and small businessmen in areas of intensified code enforcement are eligible under the Widnall low-interest rehabilitation loan program, in order to bring property up to code standards. Low-income homeowners, especially the elderly, are eligible for grant payments to bring their properties into compliance. The 1964 Housing Act also provides that 3 years after enactment no workable program shall be certified or recertified unless, first, the locality has had in effect a minimum housing code for at least 6 months; and second, the locality is carrying out an effective program of enforcement under the code.

With the District of Columbia right before our eyes, we have an opportunity to observe firsthand how this legislation is being implemented. Though the city has no federally assisted code enforcement program in effect yet, plans are being completed for such a project in the Trinidad area. Two other areas, Parkview and Columbia Heights, have been selected for study. I would hope that no delay will be encountered in using available programs to make our Capital a model city.

In regard to general code enforcement efforts, within the District, I recently submitted a list of questions on code enforcement to the District of Columbia Department of Licenses and Inspection. The questions, and the responses of Mr. Ilgenfritz, the Director, are included below. Particular attention should be given to comments on automatic data processing and its potential for improved reporting. Other cities may wish to investigate the possibilities of a similar reporting system.

The District of Columbia appears to be making progress in code enforcement. Nevertheless, the officials concerned would, I am sure, admit that much remains to be done. In order to assist other Members of Congress, and the many interested and concerned citizens of the District in their evaluation both of what is being accomplished and what needs are unmet, I include at this point the following material:

December 16, 1966.

Mr. J. J. Ilgenfritz,
Director, Department of Licenses and Inspection, Washington, D.C.

Dear Mr. Ilgenfritz: As you know, I have long had an interest in the problems of housing and code enforcement in the District of Columbia as well as the nation in general. In order to prepare for the new session of Congress, there is some additional information which would be useful to me as the ranking Republican Member on the House Special Subcommittee on Housing.

Enclosed you will find a list of questions concerning the code enforcement efforts under the Workable Program by the District of Columbia. Your assistance in providing answers will be greatly appreciated.

Sincerely yours,
William B. Widnall,
Member of Congress,
Seventh District, New Jersey.

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1. In fiscal year 1966, there were 121,665 housing code inspections made resulting in 197,496 violation notices issued. Of the violations issued, 172,479 were satisfied.

a. Of the 197,479 violations recorded, which ones were the most prevalent—those accounting for at least 75 percent of the total violations issued?

b. Of the 172,479 violations listed as satisfied, which ones were the most prevalent?—those accounting for at least 75 percent of the total?

c. Of the 25,017 violations not satisfied, as of the end of fiscal year 1966, what percentage is tied up in litigation? Of these, what percentage concerns an interior deficiency?

d. Of the 121,665 inspections made during fiscal year 1966, what percentage were planned inspections—not resulting from public complaints of agency referrals? Of the violations issued as a result of planned inspections, which ones were the most prevalent?

2. For the fiscal year 1966, 51,333 structures listed in the non-compliance category. How many of these structures had recorded interior violations?

3. According to the Workable Program Report, " . . . annual inspections are made of all licensed multiple housing." Are these annual inspections considered to be complete or partial? Are you successful in annual inspections of each multiple housing unit? In this category of annual inspections, what were the most prevalent violations recorded?

4. Under the general code compliance category there were listed 14,834 complaints received from the public during fiscal year 1966. What are the most prevalent complaints?

5. In the Cardoza I Conservation Area, as of October 1963, there were recorded 4,217 structures which were brought into code compliance. What was the total number of violations recorded for this area? Which were the most prevalent violations found in the nine Conservation Areas for the fiscal year 1966—those categories accounting for at least 75 percent of the total.

January 16, 1967.

Hon. William B. Widnall,
U.S. House of Representatives,
Washington, D.C.

Dear Mr. Widnall: Enclosed are the statistics you have requested concerning Housing code enforcement in the District of Columbia. We want to emphasize that the Housing Division does not concentrate on outside inspections, but on total planned inspections as completely as possible. Outside inspections are made in three areas of endeavor. The first is connected with discovered rodent problems and are scheduled whenever the inspectors are available. Those inspections are limited to the geographical extent of the rodent population and include trash, garbage, dirty yards, drainage, downspouts and porches. They are usually confined to the rear of the premises.

Another series of outside inspections are made in connection with Field Review. Field Review is the continuous inspection of areas already brought into compliance by door to door inspections involving both the interiors and exteriors. We have found that neighborhoods once brought into compliance by code conservation will retrogress to previously blighted conditions unless continuous surveillance is maintained. The District of Columbia Housing Division is noted as a pioneer in this endeavor and has received many inquiries and expressions of satisfaction concerning the results from professionals in the code enforcement field from other cities. It has been found that the first manifestations of retrogression are detected by the deterioration of the outsides of the buildings, however, field review inspectors also make interior inspections when conditions of retrogression on individual premises warrants it. Continuous surveillance must be maintained in a judicious manner so that there is good enforcement without harassment.

The third series of outside inspections are those where the Housing Division works in cooperation with citizen's groups. They usually request the inspectors to assist them in getting compliance where their voluntary efforts have not been able to get 100% cooperation. The Housing Division serves the necessary notices and makes arrangements with the Sanitation Division to pick up all of the trash and extra debris accumulated during the concerted effort, so that the entire neighborhood has a complete cleanup at the same time.

We feel that there is an erroneous concept as to how the Housing Division conducts its business. Many groups in the city have emphasized the 8 or 9% of difficult cases which take the Housing Division over six months to bring into compliance rather than the 92% rapid completions, which incidentally can not be duplicated by any city of comparable size. The impression has been given that the Department is lax in code enforcement or favors landlords over tenants. Two documents have been distributed which lead to this impression, "The Girard Street Project" and "The Study of Code Enforcement Procedures" by the Washington Planning and Housing Association. Neither of these documents are correct or true. Statements in them show an appalling lack of information concerning Housing Division procedures. Housing Inspectors do not now, or have ever conducted windshield inspections, nor do they ask an owner or responsible person to request an extension of time. They issue notices and when the time is up, they either recommend a summons or if the work is almost completed they recommend an extension. Any other extensions must be requested by the owner or operator, give a good reason and must be in writing. All of these are a matter of public record.

The same organization who claims lax enforcement has suggested tenant complaints against landlords directly to a court without requesting the code agency's assistance. Forty or fifty such cases appealed to higher courts would result in code violations remaining in existence for years rather than weeks or months. Such a situation would only serve to delay rather than expedite code enforcement.

The cases which you referred to as being unresolved are those where the cases are still in action. There are no cases except those under court injunction which the Housing Division has not resolved. The figures merely represent an overlap of dates.

Annual inspections are made on all license premises. The procedure was instituted in May 1965 and continued from that time. Prior to that time the inspection cycle was about 18 months on apartment houses. Some apartments are 100% surveyed, and have been for some time. They are those having had 10 or more violations the previous year, or where the Housing Division found it necessary to visit three times for complaints. All hotels, convalescent homes, rooming and tenement houses have been inspected 100% interior and exterior for years. The apartment house cycle was 18 months. Not all apartments are 100% inspected. New apartments, and large apartment complexes in excellent condition, having a history of good maintenance, management practices, and continued compliance, are inspected on a representative basis, i.e. each type of unit in each apartment building is inspected. On alternate years alternate apartments are inspected. If violations are discovered, all units are inspected. It would be a waste of already limited manpower to schedule complete inspections of such properties, where the situation does not warrant them.

As evidence that the Housing Division performs its duties efficiently, I would like to refer to the statistics which you are using. No other city in the country of any size can furnish as many and diverse statistics involving all phases of code enforcement. Description of the Housing Division's automatic data processing system has been published, and over 500 cities have requested information on how to obtain such reporting. The reports are used for operational purposes to plan for further areas and to enable the Division to place the most emphasis where the need is indicated. The reports are also used for management controls.

We would like to invite you to tour the entire city at your convenience and permit us to show you all of our areas, not only those that we have a difficult time maintaining in a satisfactory condition but also those areas where we have been successful and those we have not yet attacked.

We thank you for your continued interest in code enforcement and Urban Renewal and want to assure you that we are available to render any further service which you may desire.

Sincerely,
J. J. Ilgenfritz,
Director.

Fifteen most reported violations, fiscal year 1966 [1]

Type of violation	*Number reported*
Unsatisfactory wall covering	22, 310
Defective window and window frames	20, 714
Defective interior walls and ceilings	18, 661
Unclean yards, walks and areaways	15, 503

Fifteen most reported violations, fiscal year 1966 [1]***—Continued***

Type of violation	*Number reported*
Inadequate or no screening	9,843
Utilities, facilities, and services not provided or maintained	9,064
Rodent infestation (yard)	7,854
Insufficient preservative on exterior wood surfaces	6,555
Rodent harbors	6,091
Defective interior doors	5,782
Defective or inadequate trash receptacles	5,614
Defective or inadequate garbage receptacles	4,914
Defective exterior doors and frames	4,827
Defective exterior stairways and steps	4,208
Defective floors	4,191
Total	146,131

[1] These 15 violations accounted for 74% of the 197,496 violations reported during Fiscal Year 1966.

Source: Government of the District of Columbia, Department of Licenses and Inspections, Housing Division, Washington, D.C., December 20, 1966.

Most prevalent violations abated, fiscal year 1966

Type of violation	Abated [1]	NCA
1. Defective window and window frames	15,918	56
2. Unsatisfactory wall covering	15,205	42
3. Unclean yards, walks, areaways	13,944	1,423
4. Defective interior walls and ceilings	13,236	98
5. Inadequate or no screening	8,904	39
6. Rodent infestation, yard	7,238	577
7. Utilities, facilities and services not provided or maintained	7,007	196
8. Insufficient preservative on exterior wood surfaces	6,968	61
9. Rodent harbors	5,896	202
10. Defective or inadequate trash receptacles	5,437	190
11. Defective or inadequate garbage receptacles	4,745	165
12. Defective exterior doors and frames	4,502	29
13. Defective stairways and steps	4,231	17
14. Defective interior doors	4,081	14
15. Weeds	3,870	124
16. Defective pipes, drains, downspouts and gutters	3,844	95
17. Defective porches	3,782	33
18. Defective floors	3,290	30
19. Dilapidated fences	3,185	19
Total	[2] 135,283	3,410

[1] Excludes 6,993 violations which were found to be "No cause for action," i.e. based on unfounded complaints.

[2] These 19 violations accounted for 81.7 percent of the net 165,486 violations abated.

Source: Government of the District of Columbia, Department of Licenses and Inspections, Housing Division, Washington, D.C., Dec. 20, 1966.

LEGAL ACTIONS ON HOUSING CASES, FISCAL YEAR 1966

A backlog on pending violations normally exists and 25,017 violations outstanding is not felt to be in excess. Most structural violations are cited on orders which allow the recipient 60 days to bring the condition into compliance status. Additional time may be granted on requests for extension with reasonable justification. A breakdown of all Housing Cases [1] requiring some form of legal action during fiscal year 1966 is as follows:

Description	*Number*
Referred to enforcement branch	3,718
Corporation counsel hearings	2,944
Court sessions	974
Cases dismissed	41
Not guilty	5
Guilty, jail sentence	11
Guilty, jail and fine, suspended	87
Personal bond	34
Forfeitures of collateral	178
Nol-prossed	299

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[1] A case represents one premises.

Source: Government of the District of Columbia, Department of Licenses and Inspections, Dec. 22, 1966.

Total inspections, planned and unplanned, by program activity

Program	Inspections [1]	Percent of inspections	Reported violations
Total all programs	121,665	100.0	197,496
Conservation	(40,506)	(33.3)	(50,915)
Conservation surveys [2]	5,295	4.4	9,236
Field review [2]	35,211	28.9	41,679
General code compliance	(81,159)	(66.7)	(146,581)
Licensed Inspections [2]	22,698	18.7	63,417
Combination certificate of occupancy [3] and licensed premises [2]	49	([4])	24
Certificate of occupancy licensed [2] [3]	2,262	1.9	7,927
Certificate of occupancy unlicensed [2]	1,468	1.2	4,373
Code survey	154	.1	627
Complaints	30,336	24.9	42,355
Official referrals	6,213	5.1	8,804
Unreported violations [2]	8,551	7.0	11,105
Exterior surveys [2]	9,420	7.7	7,918
Real estate	8	([4])	31

[1] Includes original and subsequent inspections.

[2] Planned inspections.

[3] Certificate of occupancy.

[4] Less than .05 percent.

Source: Government of the District of Columbia, Department of Licenses and Inspections, Dec. 23, 1966.

Violations resulting from planned and unplanned inspections

	Inspections [1]		Reported violations	
	Number	Percent	Number	Percent
Total	121,665	100.0	197,496	100.0
Unplanned	36,711	30.2	51,817	26.2
Planned	(84,954)	(69.8)	(145,679)	(73.8)
Conservation surveys	5,295	4.4	9,236	4.7
Field review	35,211	28.9	41,679	21.1
Licensed inspections	22,698	18.7	63,417	32.1
Combination of certificate of occupancy and licensed premises	49	([2])	24	([2])
Certificate of occupancy, licensed	2,262	1.9	7,927	4.0
Certificate of occupancy, unlicensed	1,468	1.2	4,373	2.2
Unreported violations	8,551	7.0	11,105	5.6
Exterior surveys	9,420	7.7	7,918	4.0

[1] Inspections are original and subsequent inspections.

[2] Less than 0.05 percent.

Source: Government of the District of Columbia, Department of Licenses and Inspections, Jan. 3, 1967.

Violations recorded in Cardozo I conservation area, fiscal year 1958 through fiscal year 1963

Fiscal year	Violations	
	Reported	Cleared
1958 [1]	[1] 4,200	[1] 3,900
1959 [2]	[2] 5,060	3,242
1960	6,171	4,678
1961	5,839	6,816
1962	4,784	4,591
1963	3,317	4,145
Total	29,371	27,372

[1] Estimated number of violations.

[2] Data for January to June, fiscal year 1959 projected.

Source: Government of the District of Columbia, Department of Licenses and Inspections, Jan. 3, 1967.

Buildings reported in relation to interior, exterior violations, fiscal year 1966

	Buildings	Total violations	Interior violations	Exterior violations
Total reported	[1] 47,701	197,496	119,441	78,055
Total cleared	47,750	172,479	94,943	77,536

[1] 51,333 was the number of buildings estimated to be reported. 47,701 is the actual number of buildings or cases opened during fiscal year 1966.

Source: Government of the District of Columbia Department of Licenses and Inspections, Jan. 3, 1967.

Most prevalent violations cited resulting from public complaints

Violation description	Reported violations	Percent reported
Total	[1] 42,355	100.0
Subtotal, major violations	(31,982)	(75.5)
1. Unclean yards, walks and areaways	4,701	11.1
2. Defective interior walls and ceilings	3,217	7.6
3. Unsatisfactory wall covering	2,997	7.1
4. Defective window and window frames	2,512	5.9
5. Rodent infestation (yard)	2,247	5.3
6. Utilities, facilities and services not provided or maintained	2,031	4.8
7. Defective or inadequate trash receptacles	1,753	4.1
8. Defective or inadequate garbage receptacles	1,625	3.8
9. Rodent harbors	1,563	3.7
10. Inadequate or no screening	1,232	2.9
11. Weeds	1,073	2.5
12. Insufficient heat	1,024	2.4
13. Defective pipes, drains, downspouts, and gutters	961	2.3
14. Defective exterior doors and frames	953	2.3
15. Insufficient preservative on exterior wood surfaces	878	2.1
16. Building unclean	846	2.0
17. Obstructed pipes, drains, downspouts, and gutters	809	1.9
18. Defective interior doors	781	1.8
19. Defective floors	779	1.8
20. All other reported violations	10,373	24.5

[1] The 42,355 violations which were cited as a result of 14,834 public complaints received during fiscal year 1966.

Source: Government of the District of Columbia, Department of Licenses and Inspections, Housing Division, Washington, D.C., Jan. 3, 1967.

Most prevalent violations cited in all conservation areas, fiscal year 1966

Violation description	Reported violations	Percent reported
Total	9,236	100.0
Subtotal, major violations	(7,260)	(78.6)
1. Defective windows and frames	1,309	14.2
2. Unsatisfactory wall coverings	825	8.9
3. Defective interior walls and ceilings	822	8.9
4. Defective interior stairways and steps	397	4.3
5. Insufficient preservative on exterior wood surfaces	391	4.2
6. Inadequate or no screening surfaces	369	4.0
7. Utilities, facilities and services not provided or maintained	362	3.9
8. Defective porches	337	3.6
9. Defective yards, walks, areaways and retaining walls	328	3.6
10. Defective interior doors	307	3.3
11. Defective exterior doors and frames	298	3.2
12. Defective plumbing facilities	297	3.2
13. Defective exterior stairways and steps	295	3.2
14. Defective pipes, drains, downspouts and gutters	275	3.0
15. Unclean yards, walks and areaways	267	2.9
16. Rodent harbors	192	2.1
17. Dilapidated fences	180	2.1
18. All other violations	(1,976)	(21.4)

Source: Government of the District of Columbia Department of Licenses and Inspections, Housing Division, Washington, D.C., Jan. 3, 1967.

Violations reported, resulting from planned inspections

Violation description	Total	Conservation survey	Field review	License inspection	Certificate of occupancy combination and licensed	Certificate of occupancy licensed	Certificate of occupancy unlicensed	Unreported violations	Exterior survey
Total	145,679	9,236	41,679	63,417	24	7,927	4,373	11,105	7,918
1. Outside water closet	27	10	13					3	1
2. Water shut off	21		4	2		3		7	5
3. Defective septic tank or privy	2		1				1		
4. Hydrants	3	1	1					1	
5. Dilapidated fences	2,564	189	1,384	251		41	34	315	350
6. Dilapidated sheds	1,061	97	551	81		14	15	142	161
7. Rodent infestation (yard)	5,265	99	2,913	368	8	55	40	1,318	464
8. Rodent infestation (building)	123	1	46	35		4	1	19	17
9. Rodent harbors	4,211	192	2,348	352	4	50	34	920	311
10. Rat bite	2		1	1					
11. Ratproofing	445	13	160	147		22	13	48	33
12. Defective or inadequate garbage receptacle	3,027	106	1,353	441	1	45	26	662	393
13. Defective or inadequate trash receptacle	3,559	127	1,559	541	1	50	29	750	502
14. Unclean yards, walks, and areaways	9,611	267	5,246	1,128	6	109	78	1,607	1,170
15. Defective yards, walks, areaways and retaining walls	1,739	328	492	577		49	50	97	146
16. Drainage insufficient or not provided in yards, areaways	78	3	41	20		2	1	6	5
17. Weeds	2,832	103	1,570	153	2	24	11	527	442
18. Defective pipes, drains, downspouts and gutters	2,828	275	1,151	621		65	48	263	405
19. Obstructed pipes, drains, downspouts and gutters	635	32	213	200		25	18	88	59
20. Defective or obstructed sewers	239	17	79	46		4	12	52	29
21. Defective foundation	4		1			1	1	1	
22. Defective structural members	80	17	30	21		2	3	5	2
23. Defective exterior stairways and steps	3,363	295	1,272	821		123	91	281	480
24. Defective porches	2,905	337	1,224	562		89	58	245	390
25. Defective exterior doors and frames	3,687	298	1,072	1,696		159	122	206	134
26. Defective exterior walls	1,724	129	729	424		94	71	116	161
27. Insufficient preservative on exterior wood surfaces	5,473	391	2,983	566		76	95	479	883
28. Defective or leaky roof	456	55	172	131		21	19	26	32
29. Defective chimneys	823	87	498	62		21	9	31	165
30. Defective plumbing facilities	1,324	297	67	857		58	21	22	2
31. Insufficient plumbing facilities	660	32	56	405		81	64	20	2
32. Insanitary plumbing facilities	5	1	1	2				1	
33. Defective heating facilities	112	27	18	49		4	2	8	4
34. Inadequate heating facilities	27		1	21		1	1	2	1
35. Insufficient heat	30		9	8		4	2	3	4
36. Water heater not provided or defective	19	4	8	3			1	2	1
37. Insufficient or no hot water provided	34	4		15		6	5	1	3
38. *Insufficient or no cold water provided*	16	4		6		4	2		
39. Overcrowding	206	38	55	57		17	6	30	3
40. Privacy not provided	36	2	1	24		6	3		
41. Insufficient room size or subdivided	171	3	4	124		24	10	3	3
42. Insufficient width	39	19		19		1			
43. Insufficient ceiling height	925	100	25	595		121	74	9	1
44. Rooms more than 50 percent below ground	150	5	2	110		22	11		
45. Insufficient light	1,243	166	28	823		127	91	7	1
46. Insufficient artificial illumination	40	4	1	36		4	2	2	
47. Insufficient ventilation	1,046	144	24	704		92	77	5	
48. Insufficient air supply to furnace room	4	1				2	1		
49. Defective window and window frames	17,458	1,309	3,063	10,117		1,263	584	741	381
50. Defective interior walls and ceilings	14,758	822	1,276	10,234		1,257	596	450	123
51. Unsatisfactory wall covering	18,689	825	1,173	14,008		1,674	651	241	117
52. Defective floors	3,179	122	374	2,038		288	174	145	38
53. Defective floor covering	2,249	128	202	1,548		176	114	70	11
54. Waterproof toilet floor not provided	621	25	75	354		46	43	66	12
55. Defective interior doors	4,739	307	460	3,060		370	267	235	40
56. Defective interior stairways and steps	1,975	397	217	1,029		119	130	68	15
57. Building unclean	961	59	185	535		48	30	64	40
58. Presence of carbon monoxide or other noxious gases	26	3	4	13		1	3	2	
59. Space heater not flue connected	13		2	6			1	4	
60. Gas meter in sleeping room	102	27	10	37		6	11	7	4
61. Gas jets, cocks, etc	65	13	11	32		4		5	
62. Defective cooking facilities	440	65	20	286		30	27	11	1
63. Defective food storage facilities	68	4	14	46		8	2	2	
64. Utilities, facilities, and services not provided or maintained	6,667	302	502	4,723	1	533	255	243	48
65. *Insufficient electrical outlets*	468	71	50	197		23	39	81	7
66. Flies and mosquitoes	3		3						
67. Legal requirements—keys, locks, room numbers, and register	1,002	8	245	639		134	52		14
68. Inadequate or no screening	8,104	369	5,955	1,082	1	188	125	166	218
69. Dampness	262	11	52	154		18	9	15	3
70. Vermin	181	8	31	109		11	3	15	4
71. Insanitary bedding and mattresses	11	2	2	6		1			
72. Abandoned refrigerators	145	6	65	18		2	1	35	18
73. *Fowl and pigeons*	21	2	7	2				7	3
74. Odors	20		9	1		2	1	7	
75. Abandoned vehicles	227	9	148	23		2	1	24	20
76. Unbarricaded buildings	252	12	108	15		9	1	71	36

URBAN RENEWAL IN CLEVELAND

Mr. SMITH of New York. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WIDNALL. Mr. Speaker, an important matter of legislative oversight requires our attention. In reaction to a crackdown by Washington authorities on urban renewal spending in Cleveland, Mayor Ralph Locher stated:

> They (the Department of Housing and Urban Development) have exacted some requirements of Cleveland over and above those of other cities.

In point of fact, Cleveland has not been meeting minimum Federal requirements on at least two important counts, detailed below. In all phases, delays have been frequent, deadlines rarely if ever met. And most importantly, the intent of urban renewal legislation has been disregarded, in that housing conditions have been allowed to deteriorate.

An examination of the exchange of letters between HUD and Mayor Locher on the action or lack of action by the city *on the 16 points agreed to last year fully* supports the position taken by HUD Assistant Secretary Don Hummell that the city's response has been inadequate. Of the 16 points, only those dealing with neighborhood centers, demolition of vacant and vandalized buildings, and rent supplemental can be said to show substantial progress. The points of particular concern to the people of Cleveland, to HUD, and to me deserve full discussion.

RELOCATION

Federal regulations clearly require that: First, families and individuals displaced by urban renewal "shall have the full opportunity of occupying housing that is decent, safe, and sanitary; that is within their financial means; and that is in reasonably convenient locations," and second, "displacement shall be carried out with a minimum of hardship to site occupants."

The facts indicate an unadorned failure by Cleveland authorities to meet these conditions. The situation has not gone unobserved. Last fall, subsequent to studies by the U.S. Civil Rights Commission and by Cleveland's Little Hoover Commission, a Plain Dealer editorial said of the city's program:

> Families shoved out of their homes by urban renewal have not been humanely relocated. The city has no program for building relocation housing for them.

Ample statistical documentation has been made of relocation inadequacies. In the St. Vincent's Center project, 1,200 families moved out before relocation procedures were even set up. Of the families displaced 98 percent were renters, 95 percent were Negroes. In the Garden Valley project, 40 percent of the 185 families moved to unknown parts, 16 of the other families moved to substandard housing. In the Gladstone project more than half the families displaced—224 of 416—moved to unknown locations; 57 others are known to have moved to substandard housing. Of the 453 families relocated from the University-Euclid project in the Hough area, 77 are known to have been housed in substandard dwellings; another 67 were in dwellings which had not been inspected. One of these 67 units had been awaiting inspection since July 1962; most of them had been awaiting inspection 7 months or more.

Under questioning before the Civil Rights Commission, Mr. Dean Swartzell, the Regional Urban Renewal Director admitted reluctantly that there was not in Cleveland a supply of housing adequate for low-income Negroes displaced by urban renewal. Mr. James P. Friedman, the Cleveland official in charge of relocation, was forthright in admitting that the estimate of housing for displaced Negroes reported in the workable program was not realistic. He explained:

> The figures that were arrived at in the workable program were not arrived at through a great deal of research and analysis prior to setting them down primarily because up until recently, we have not had that kind of function within our program. This is obviously to arrive at how many units are going to be available and to break them down realistically in terms of size, in terms of economics, that is rent, in terms of location, in terms of nearness to public transportation, to employment and so on. This is a very complex effort. It should be carried out, but to that extent, we have not carried it out. Judgment has been made in compiling a workable program and in making certain estimates. We have asked for clarification regarding this breakdown, but nevertheless, the breakdown is still called for within the form. The judgment has been made, and it has certainly been made on a tenuous basis.

Mr. Friedman further admitted that probably one of the reasons many families had gone into substandard housing was, in his words:

> We cannot offer to them in standard housing in the size units which meet their own needs.

Mr. Friedman had little choice but to confess to the errors of Cleveland's ways. The Civil Rights Commission staff put into the record a report indicating that vacancies in Cleveland housing was concentrated at the high-rent level. Moreover practically all of the new housing was for high-income families. Since a large number of Cleveland area families were paying a high proportion of their income for rent, neither the vacancies nor the new housing offered relief to low-income families. The housing situation is especially critical for Negroes because they often suffer under the dual handicap of low income and discrimination. Yet it is upon this doubly handicapped group that the burden of displacement has been placed. In the four most recent urban renewal projects nearly 90 percent of the approximately 1,300 families who have been relocated are Negro. Parenthetically, it might be noted that since many families moved before they became part of the workload, displacement has been much more extensive than relocation figures indicate.

Within the Cleveland metropolitan area Negroes are concentrated in the central city, and within the city on the East Side. In this densely populated area, as of the 1960 census, 9,000 Negro families were in substandard units, 13,100 in overcrowded units. Within this same area 23,400 families paid more than 25 percent of their income for rent, 15,300 paid more than 35 percent of their income for rent.

Far from ameliorating ghetto problems, relocation has intensified them. From the four most recent urban renewal projects, three-fifths of the Negro families were relocated in the Hough or central area, 85 percent were relocated in census tracts of more than half Negro. In contrast to this concentration of Negroes on the East Side, whites were dispersed throughout the city. The pattern does not appear to be the result of mere chance. Housing listings for Negroes obtained by relocation officials all fall on the East Side of Cleveland, most of them in tracts that are predominantly Negro.

It should not be assumed, however, that relocation personnel exercise much control over the actual housing of displaced families. Even of the families in the workload, only 15 percent moved into housing referred by relocation officials. This low percentage is attributable mainly to the fact that much of the housing listed was either too small or too expensive for the families displaced. A comparison of the needs of Negro families displaced in the University-Euclid area with relocation facilities revealed that the housing units were either too small or too costly for almost half the families—177 of 391.

Understandably the first of the 16 points in the Weaver-Locher Immediate Action program called for an accurate inventory of relocation resources. Six months after the agreement—which itself had come 2 months after the Civil Rights Commission hearings—Cleveland's Urban Renewal Director, Barton R. Clausen, in December, 1966, told the Cleveland Press that though the survey was not yet complete it would be within a month. Six weeks later, mid-January, when Secretary Weaver scored the city administration for failure to produce the inventory, Mayor Locher responded that the survey would be completed in mid-February. Delay has followed delay. Meanwhile the number of families to be relocated is more than three times as great as the number of standard housing units listed as available for relocation.

CODE ENFORCEMENT

Federal legislation leaves no discretion on code enforcement. Under the workable program requirements, in effect since 1954, in order to receive urban renewal funds a city must have an adequate housing code and that code must be enforced. The 1964 Housing Act provides further that any locality not meeting these two conditions within 3 years after enactment would lose all urban renewal funds. Cleveland stands in danger on both counts. The housing code is deficient, particularly in regard to density controls. There is little to say about code enforcement except that it has been tragically inadequate.

The problem was highlighted in 1963 first by a rent strike and then by a petition from Hough residents calling for code enforcement and other reforms in the city's urban renewal program. Nothing was done, and 3 years later inadequate code enforcement was found first by the Civil Rights Commission and then by both the grand jury and the Cleveland Citizens Committee on Hough Disturbances.

The city's own records for University-Euclid show that in 1964 only five code-violation cases were referred to the housing division for enforcement action. In 1965 there were only eight such cases. And in the first three quarters of 1966, despite Civil Rights Commission hearings that publicized the situation, only seven cases were referred for enforcement.

In the Civil Rights Commission hearings, Friedman admitted that for many years it had been city policy not to enforce the housing code in urban renewal areas. Allegedly that policy had been changed "recently." When Commissioner Erwin Griswold asked if this policy was based on a desire to keep acquisition costs down, Mr. Friedman responded:

> I think that perhaps that may be it in part. I think there was some feeling, perhaps, that if there were dealings with owners of property and structures were brought up to code, and then to come back at a later date, come back and ask for a further investment to bring those properties to rehabilitation standards, that there would have been less likelihood of accomplishing that second effort. This is the position that others did take in terms of that policy.

Mr. Friedman also confessed that after the University-Euclid area became an urban renewal project area—

> It would be my judgment that there has been deterioration.

In view of the area's code enforcement history, it is not surprising that the revised Hough renewal plan calls for the demolition of buildings marked originally in 1961 for rehabilitation, but now too badly deteriorated to save.

During the demonstration cities hearings in March of 1966, when asked about the federally assisted code enforcement program, Mayor Locher stated that an application was to be filed on April 15. Nothing further has been said of the program, though the city has continued to plead insufficient staff.

Perhaps the paucity of code enforcement staff can be explained by the large expenditures on other phases of the program. In the University-Euclid project, salaries and consultant fees averaged about $2,200 per structure rehabilitated. Huge amounts have been expended on planning additional urban renewal even though existing projects are floundering.

The Cleveland pattern seems to be one of planning the grandiose and neglecting the mundane. Not only has code enforcement been lax, but, according to a U.S. Public Health Service study, refuse collection is inadequate. Cleveland has a serious rat problem, a problem that had worsened between a study made in 1962 and another made in 1966.

The conclusion seems inescapable that Cleveland has not directed its resources into a coordinated attack on urban decay. Large sums have gone into planning and administration while such elementary activities as code enforcement and refuse collection are under financed. Perhaps one reason some services lack funds is the exceptionally large amount of resources fed into urban renewal. Though eighth among the Nation's cities in population and 23d in area, Cleveland ranks first in the Nation in amount of acreage under urban renewal.

	Acres
Cleveland	6,060
Philadelphia	3,586
Boston	1,906
Chicago	1,787
Detroit	1,332
St. Louis	1,003

HOUSING SUPPLY AND URBAN RENEWAL PRIORITIES

Mayor Locher in hearings on the urban renewal program in 1963 declared that by 1959 Cleveland "had sufficiently stemmed the spread of further blight" and increased the housing supply "to the point of matching need" so "that the city of Cleveland could turn its attention to its central business district." But, when questioned about this statement during the demonstration cities hearings Mayor Locher responded:

> I don't believe that any older city in the United States has enough moderate- and low-income housing.

And in hearings on "The Federal Role in Urban Affairs," Mayor Locher's recitation of Cleveland's problems included "overcrowding and a lack of decent, safe, and sanitary housing at rents which our citizens can afford." Yet, just a year earlier, the Cleveland mayor was quoted in U.S. News & World Report as saying not that low-income housing should have priority but that—

> We have got to bring people back to the city. This is especially true of those who earn the better salaries.

Actions indicate that the latter statement describes best Cleveland's urban renewal goals. In the demonstration cities hearings Mayor Locher admitted that half the money under projects approved since 1960 was for commercial renewal, and the residential part involved luxury units in the Erieview project.

The East Woodland project was originally to be at least partially residential rehabilitation, but was changed to industrial. Now its redevelopment status appears to be unsure. Two other recent projects, Erie View, and Gladstone, were earmarked commercial from the beginning. Both are floundering. The St. Vincent's project was supposed to be predominantly residential, but has been used mainly by nontaxable institutions. The only residential units to go up are for the elderly.

Neglect of low-rental housing is another phase of the Cleveland program documented by the Civil Rights Commission. A staff report prepared for the hearings in 1966 estimated that each year public and private actions eliminated 300 units of low-income housing. The only new housing of this type since 1960 has been 1,600 public housing units, and these were mainly small units designed for the elderly. Testimony before the Civil Rights Commission indicated that the greatest housing need was for large families, housing of a type in great demand but short supply.

Even after the Civil Rights Commission hearings and the "immediate action" agreement between Secretary Weaver and Mayor Locher, progress has been slow. The Cleveland Metropolitan Housing Authority, as of January 1967, had agreed to rehabilitate 50 to 100 units in the Hough area and add 379 new units in the Wade Park public housing project if additional land could be acquired under a revised University-Euclid plan. The only concrete action taken and completed was the enlargement of two public housing units in order to accommodate larger families. Despite Hough residents' clearly expressed antipathy to living in project housing, the Cleveland Metropolitan Housing Authority has made no use of the Federal leasing program. This program, which I authored in 1965, has been widely used in other communities.

Rehabilitation has proceeded very slowly. The University-Euclid project is more than 80 percent incomplete. There are interested and active private groups in the area. Indeed one of these, HOPE, is responsible for much of the rehabilitation that has taken place. Significantly HOPE was receiving a $130,000 OEO grant to pursue its coordinated attack on slum conditions at the same time the city was having funds curtailed. If city officials had not been neglecting the ghetto while pursuing commercial redevelopment so avidly, the task of HOPE and similar groups would be much easier. And, if the Chicago regional office of housing and urban development had examined and supervised the Cleveland urban renewal program properly, the city would not have so completely neglected its ghetto. A review of the four pages of testimony by Regional Director Dean Swartzell before the Civil Rights Commission, which I include at the end of my comments, reveals the paucity of knowledge and interest by his office.

It is significant that at last report, over 100 residents of the University-Euclid area have taken advantage of the urban renewal rehabilitation loan program, which I authored in 1964, as well as the rehabilitation grant program enacted in 1965. In contrast, the city which also promised to rehabilitate 100 units per year, has only been able to handle one 14-unit rehabilitation project. The belief that the local residents of deteriorating areas are willing to take the initiative in improving their own properties, given the chance and given the financial tools to do so, has been amply borne out. It would not surprise me at all to find that the cost per unit of rehabilitation by private individuals is considerably lower than when done by public officialdom, particularly in light of the astounding $2,200 per rehabilitated unit administrative cost already chalked up in Cleveland.

The Cleveland situation is an ugly reminder of what happens when commercial renewal is pushed at the expense of low- and moderate-priced housing. Mayor Locher's smooth talk last year about a balanced program of housing and commercial redevelopment, seems very shallow in the light of Cleveland's failures. The intent of Congress, the spirit of the law, if you will, has been disregarded. Housing conditions in Cleveland have deteriorated under urban renewal. The supply of housing for low-income families has declined.

Last year my amendment to the 1966 omnibus housing bill reiterated the purpose of urban renewal legislation, to bring about "marked progress in serving the poor and disadvantaged people living in slum and blighted areas" by providing "a substantial supply of standard housing of low and moderate cost." The administration opposed this amendment on the grounds that it was unnecessary and inflexible. Flexibility is needed, to be sure, but in the "how" not the "whether" of low-income housing. Ample tools are available for providing such housing. What we need now is careful oversight of urban renewal to make sure that housing for the less affluent is developed and preserved.

In the past this need has not been met in Cleveland nor in all other cities. During the Cleveland hearings Father Hesburgh of the Civil Rights Commission declared:

> All over the country, we have seen evidence this has been true—North, East, South and West—of these enormous Federal Programs. They are coming in, supposedly, to help the community. They want to rebuild our society. What has happened in many cases is that people who are presently in the worst situation have their houses swept out from under them, by bulldozers, they are given very little help in finding other houses and they generally go to worse than where they came from. This is immoral.

His views were echoed clearly and responsibly in Hough, and this was months before that area became the scene of violence. One resident stated:

> I think that we should insist that before an urban renewal project starts moving people from one area to another, that they

should find adequate homes for these people before they start running them out and tearing down their homes.

Another, a businessman, had this to say of urban renewal:

> It is killing my business. All they've done down there in the matter of urban renewal is chase the people over into Glenville and other areas and made slums out of them; tear down a few houses, make the streets more deserted, fewer people and more vulnerable to hoodlums. As for urban renewal, this is a joke.

And an official of HOPE added:

> It seems to me that urban renewal promised in direct ways or indirect ways as long as eight years ago, in our neighborhood . . . promised that housing would be available and these facilities would be there. Some people who were promised this and owned their homes and were thinking of fixing them up, held on to things as they were and they didn't fix them up because they thought the house would be bought up and taken down. It never happened. Our area is not even eligible for this kind of thing now.

The conclusion is inescapable that there is a need to keep a tight rein on Cleveland operations. I like to see local initiative, but the Department of Housing and Urban Development has both a duty and a right to demand that the American taxpayer's money is spent wisely and in accordance with congressional attempt. The recent action of Secretary Weaver with regard to Cleveland was very much in order, probably long overdue, and perhaps too mild.

Cleveland urban renewal needs to be put on a sound basis with priority going to that city's pressing housing needs. This has been recognized by some in Cleveland, and now in Washington. I include in the Record some recent news articles and editorials from Cleveland and the exchange of correspondence between Secretary Weaver and Mayor Locher.

The material referred to follows:

The Secretary of Housing and
Urban Development,
Washington, D.C., January 15, 1967.

Hon. Ralph S. Locher,
Mayor of Cleveland,
Cleveland, Ohio.

Dear Mayor Locher: It is now six months since the agreed upon "16 Point Immediate Action Program" for the University-Euclid project in Cleveland has been in effect. As you can see from the enclosed summary analysis, few, if any, of the objectives contained in that program can properly be considered to have been fulfilled. In addition, progress in Cleveland's other federally assisted renewal projects is still generally unsatisfactory.

Under the circumstances, I think the time has come to take certain steps with respect to Federal financial support for Cleveland's urban renewal program. It is with regret that I am compelled to advise you of my decisions on the following:

1. *University-Euclid project.* We understand that Cleveland has submitted an amendatory application to increase the University-Euclid total grants by almost $24 million (from $16 million to almost $40 million). I do not think it appropriate to authorize additional grant funds for this project until such time as Cleveland can demonstrate that it has in fact the organization needed to deal with the problems of University-Euclid. Cleveland should proceed with the more restricted amendatory contemplated under Item 11 of the "Immediate Action Program."

2. *Erieview II project.* This project has been in planning since July 1961 and no plan has as yet been submitted for approval. As a result the $10,400,000 reserved for this project has not been used while projects in other cities are awaiting funding. I must therefore withdraw this reservation in accordance with our policy on all cities that have not completed their planning requirements within a reasonable time. I will consider restoration of the grant reservation when this project is ready for execution, provided, of course, that Cleveland has demonstrated by that time that it will be able to consummate it successfully.

3. *Erieview I project.* Progress has not been adequate with respect to land acquisition, land disposition, site improvements, and development of supporting facilities. If progress continues to be unsatisfactory, it will be my unpleasant duty to declare this project in default. This action I sincerely hope to avoid. The Chicago Regional Office of HUD will work with you to establish reasonable and acceptable dates for the completion of these activities.

4. *Garden Valley and St. Vincent's Center projects.* Your own estimates indicate that these projects should have been completed some time ago. At your request, project completion dates have been extended three times for each of these projects. I do not feel it proper to keep these projects open indefinitely. Therefore, administrative costs for these projects will not be recognized after July 1, 1967. This should provide you ample time to complete and close out these projects.

In view of the foregoing, I trust you can also appreciate that I cannot properly entertain any request for funds for new urban renewal projects until the city of Cleveland has clearly demonstrated a capacity to meet existing urban renewal commitments.

I should like to make very clear that we in the Department are not unmindful of the needs of Cleveland and the Hough area in particular. I am prepared to take such additional measures with respect to the availability of Federal renewal funds as the situation may warrant. It is my hope that Cleveland will demonstrate that it can provide the organization and staff resources necessary to carry out a successful renewal program.

You may be assured that this Department continues to be ready to assist the city toward this end in every way possible. My staff and I personally are anxious to assist in all possible ways. It is with great personal regret that I feel compelled to take this action.

Sincerely yours,

Robert C. Weaver.

Enclosure.

Summary Analysis of Progress on "16-Point Immediate Action Program," University-Euclid Urban Renewal Project, Cleveland, Ohio, as of December 1966

1. Cleveland will accurately inventory all local relocation housing resources in order to meet project relocation needs—and relocation needs caused by the displacement activities of other local programs such as highways, code enforcement, and demolition.

The city has not inventoried local relocation housing resources and related relocation needs.

2. Cleveland will construct five recreation areas, within the project boundaries, as quickly as possible. Proposed timetable: completion of Central Playfield surface facilities by September 1, 1966; in the case of the Hough School Playground, to be developed by the Board of Education, the city will complete the acquisition, transfer, and expedite development; completion of Orr and Morgan and those portions of Linwood within the project area by October 1, 1966.

Completion of the five recreation areas is still some time off. Central Playfield surface facilities have yet to be completed. Additional acquisition and other steps must be taken before work can actually begin on the other playground areas.

3. Cleveland will work out, with local community groups within the city, a systematic approach for providing all social and welfare services needed by project area residents. The city will plan a multi-purpose community service center to support anti-poverty program activities in the project area. HUD will make a Federal grant for two-thirds of the cost of this facility within 30 days after receipt of the city's application. Construction will start immediately thereafter.

No systematic plan has been worked out as yet with local community groups for the provision of adequate social and welfare services, but some effort is being made toward the development of a social services program and the preparation of an application for Federal assistance. Two locations have been selected for proposed neighborhood facilities.

4. Cleveland will demolish all vacant and vandalized structures owned by the city in the project area by August 15. There are approximately 50 of these buildings. Cleveland also will use its federally aided demolition project to demolish other structures in the Hough area, outside the project boundaries.

Substantial progress has been made in the demolition of those vacant and vandalized structures owned by the city in the project area; however, a great deal of demolition of similar buildings will be required.

5. Cleveland will immediately complete inspections of all project dwellings unfit for human habitation. Occupants will get first priority for relocation.

The city has not yet implemented the program for complete inspection of unfit project dwellings.

6. Cleveland will immediately ensure that all public services are adequate for project residents' needs. This means a step-up in frequency of trash and garbage collections to reflect the requirements of this high density area, and an evaluation, with neighborhood groups, of the adequacy of police protection.

It is not possible to determine whether clean-up services and police protection are now adequate because of the absence of specific information with respect to improvements in level of service.

7. Cleveland will make maximum use of small open areas, in the project area, as sites for tot lots, off-street parking, and allied uses. This will involve landscaping and the installation of benches, lighting, and other amenities. HUD will grant funds to help pay for improving these lots, as well as park areas, walkways, and median strips.

The city has yet to make extensive use of open areas and cleared lots for providing community amenities, and little if any new construction has taken place.

8. Cleveland will reinforce its relocation staff and services to develop and maintain a current housing inventory, and furnish all needed relocation aid. This will include positive steps to assure the availability of standard relocation housing for all displaced residents, and the making of reloaction adjustment payments to all eligible residents.

Relocation services are still inadequate although additional employees have been reported hired (20).

9. Cleveland will immediately correct deficiencies in its housing code.

Deficiencies of the city's housing code, particularly as related to controls of overcrowding, awaiting correction.

10. Cleveland will carry out a vigorous code enforcement program in the project as soon as rehabilitation surveys are complete. Timetable: September 1966. Since the city lacks adequate enforcement staff, recruitment and training will begin immediately.

An effective housing code enforcement program has not been established in the area.

11. Cleveland will submit an amendment to the University-Euclid project plan to bring

it up-to-date, and to incorporate property rehabilitation standards. Timetable: not later than November 1966.

The amended plan contemplated as part of this Action program has not been submitted.

12. Cleveland will launch an aggressive program of property rehabilitation, with financial and technical assistance to property owners. The city will complete its surveys, by September 1966, of all properties to be rehabilitated; seek out all potential rehabilitators and developers for the area; and provide all skills—architectural, financial, legal, social—on its Department of Urban Renewal and Housing staff, necessary to service the rehabilitation aspects of the University-Euclid project.

HUD will provide loans and grants—along with special FHA mortgage insurance—to qualified applicants. FHA insuring office staff will provide full cooperation in processing applications in the University-Euclid area. The rehabilitation demonstration program will be used to the fullest extent possible.

An aggressive program of property rehabilitation including the providing of rehabilitation loans and grants has not been instituted. While some rehabilitation demonstration is under way, it represents only an insignificant amount as compared to the total job that must be done.

13. Cleveland will program low-rent public housing in the project area to help meet the relocation needs of project area residents.

Provision of low-rent public housing to meet relocation needs is still in the discussion stage. There is no positive program yet announced.

14. Cleveland, in reviewing redeveloper proposals for new and rehabilitated housing in the project area, will give priority to those which best meet the needs of project area residents.

Construction of new private housing for moderate-income families is not under way, although redeveloper proposals are anticipated.

15. The Mayor will call upon the Cleveland Metropolitan Housing Authority to utilize to the maximum degree *existing* housing in the project area as a public housing resource.

No effective relationship has been achieved with the Cleveland Metropolitan Housing Authority.

16. Cleveland will be given the highest priority for rent supplement funds, under the new Rent Supplement Program authorized by the Housing and Urban Development Act of 1965.

Cleveland is being given the highest priority for rent supplement funds. A contract for Federal rent supplement funds has been approved for a 21-unit, three-story walk-up apartment building which is scheduled for rehabilitation treatment by nonprofit sponsor.

CITY OF CLEVELAND,
January 25, 1967.

Hon. ROBERT C. WEAVER,
The Secretary of Housing and Urban Development, Washington, D.C.

DEAR SECRETARY WEAVER: Your letter of January 16, 1967, expressed concern about Cleveland's progress on the "16 Point Immediate Action Program" and other federally assisted renewal projects.

Cleveland has worked diligently to achieve progress in the "16 Point Immediate Action Program" University-Euclid Urban Renewal Project—specifically as follows:

1. RELOCATION RESOURCES INVENTORY

The inventory of all local relocation housing resources will be completed and reported to HUD by mid-February, 1967.

2. FIVE RECREATION AREAS

Central Playfield to be completed September, 1967. Morgan Playground bids are in Regional Office of HUD awaiting approval. Orr Playground bids are due February 23, 1967. Hough School Playground is ready to be conveyed to the Cleveland Board of Education except for the Old Meadow Creamery parcel which has presented most difficult acquisition and relocation claims. Linwood Playground Phase 1 is under construction as part of Central Playfield.

3. SOCIAL SERVICE PROGRAM—NEIGHBORHOOD CENTERS

Cleveland will file this week an application with HUD for two-third Federal participation in two multi-purpose community service centers, one of which is in the project area. It is my hope that you will keep your promise to approve this application within 30 days.

4. VACANT AND VANDALIZED BUILDINGS

Your letter admits that substantial progress has been made on the demolition of vacant and vandalized buildings. On January 23, 1967, Cleveland City Council authorized me to seek another $250,000 federal grant to continue this program.

5. HOUSING INSPECTIONS AND CODE ENFORCEMENT

One third of the City's housing inspectors are assigned to the 5th Police District which includes the project area. Fourteen new inspectors have been employed since January 1, 1967, and, upon completion of training, six will be assigned to the 5th Police District. Furthermore, the 1967 budget provides for an additional one hundred inspectors.

6. PUBLIC SERVICES

The University-Euclid high density area is one of several which is receiving weekly garbage and rubbish collections. All high density areas in the City will be similarly served by July 1, 1967.

Ordinance No. 1905–66 requires multiple dwelling units to obtain one cubic yard capacity trash containers.

Pedestrian litter containers have been placed at 37 locations.

In University-Euclid the City is current with street curbing, sewers, and sidewalk improvements. It will remain so.

To date, in the project area 817 new mercury street lights have been installed at a cost of $237,520. The program for 1967 calls for an additional 550 lights, at an estimated cost of $346,675. This will complete the conversion to mercury street lighting in the University-Euclid area. Mercury lamps provide double the illumination of incandescent lights, giving greater safety on the streets.

The 5th Police District which includes the University-Euclid Project comprises only 8% of the total area of Cleveland. However, approximately 19% of the basic patrol is deployed in this district.

This does not include special task forces, detective bureau, blitz squads, juvenile and women's bureau activities, and vice squads, etc. also working in this area. On January 5, 1967, the Police Department established a new Bureau of Community Relations under the direction of a Deputy Inspector. A request for a $15,000 community relations grant to supplement the efforts of this bureau was submitted to the Department of Justice more than three months ago.

A rodent control demonstration project was initiated in Hough in the Summer of 1966.

7. SMALL OPEN AREAS

The City has utilized hundreds of man-days of Neighborhood Youth Corps teams to clean and keep clean all vacant lots owned by the City. A pedestrian walkway running from East 86th Street to East 95th Street between Wade Park and Superior Avenues will be completed by July 1, 1967.

8. RELOCATION STAFF AND SERVICES

As acknowledged in your letter, we have indeed added a substantial number of people to our relocation staff, and we have made good progress in providing better relocation services. The number of standard housing units available for relocation jumped from 37 on September 30, 1966, to 318 on December 31, 1966. The number of referrals made increased from 34 in the quarter ending September 30, 1966, to 91 in the final quarter of 1966.

9. HOUSING CODE DEFICIENCIES

Density controls are seen as the major deficiency in our housing code. Ordinances to correct these deficiencies have been introduced in Council on three separate occasions in the past two years, most recently on January 9, 1967. The administration will again press for early passage of this vital legislation.

10. CODE ENFORCEMENT

University-Euclid code enforcement was at a low ebb in earlier years. In 1964 and 1965 five and eight cases respectively were referred for enforcement from the Division of Slum Clearance and Blight Control to the Division of Housing. In 1966, 75 cases were referred for enforcement, 68 of these in the final quarter of the year.

11. PLAN AMENDMENT

Your letter acknowledges receipt of our University-Euclid plan amendment but your observation on Point 11 of the so-called "16 Point Immediate Action Programs" states:

"The amended plan contemplated as part of this Action program has not been submitted."

We are disappointed that you cannot fund our entire amendatory request. However, we will comply with your suggestion for a more restricted amendatory by submitting an 18 month budget and work program by February 6, 1967.

12. PROPERTY REHABILITATION PROGRAM

After a slow start, the City of Cleveland launched an aggressive property rehabilitation program which will begin to bear fruit in 1967.

The Grant and Loan program is now moving well. Twenty-six applications for loans, grants or combination grants and loans totaling $110,438 have been approved by HUD. There are 92 active cases in process.

The City itself has completed a 14-suite demonstration rehabilitation project. With the City's encouragement and assistance a number of private entities and non-profit organizations are actively acquiring property and planning rehabilitation in University Euclid.

The Cleveland Metropolitan Housing Authority has committed to the rehabilitation of 50 to 100 units in University-Euclid this year.

However, it should be pointed out that a realistic and successful rehabilitation program is dependent upon your approval of the plan amendment which we have submitted.

13. PUBLIC HOUSING PROGRAM

As noted in Point 12, the Cleveland Metropolitan Housing Authority has agreed to rehabilitate 50 to 100 units in the University-Euclid project area. In addition, The Wade Park Public Housing Project will provide 379 new units in the area. Assembly of parcels for the Wade Park project is dependent upon your approval of the University-Euclid amendment. Unfortunately, CMHA has not as yet chosen to take advantage of the Federal leasing program.

14. HOUSING DEVELOPMENT PROPOSALS

Cleveland has been and will continue to give priority to those redeveloper proposals which best meet the needs of the residents of the area whether they be for moderate-income or low-income housing. Contracts for construction of new housing on parcels 58 and 75B have already been awarded. We are working closely with several groups which have expressed an intent to build in University-Euclid.

15. PUBLIC HOUSING UTILIZATION

We have asked CMHA to enlarge some of its existing housing units in order to accommodate larger families. CMHA has done this in two cases and has expressed willingness to do more.

16. RENT SUPPLEMENT

As you know, HOPE, Inc. of Cleveland received the first rent supplement in the Nation. We will continue to encourage developers to make maximum use of this program and appreciate your efforts in expediting rent supplement requests.

With respect to your observations on other urban renewal projects our position is as follows:

(a) Erieview II Project

The City of Cleveland continues its commitment to Erieview II. At such time as we are prepared to undertake it, we will apply for the restoration of the grant reservation.

(b) Erieview I Project

(1) As required by HUD, the City of Cleveland has retained I. M. Pei and Associates to review the feasibility of the Bond Court development. This review will be completed by mid-March, 1967.

(2) On January 20, 1967, Erieview Corp. was informed that disposition parcels 8, 10a, and 10b are ready for redevelopment and title must be transferred within 60 days of notification.

(3) In disposition parcel 5, the City is actively acquiring the few remaining properties. There is keen developer interest in this tract.

(4) On February 1, 1967, bids will be opened for development of disposition parcel 19.

(5) Disposition parcels 2, 3 and 4 are tied up in very important litigation which will set nation-wide precedent concerning the purchase of property. The suit involves the vacation of streets and the reversionary rights therein. Final argument in an appeal from a favorable lower court decision was heard on January 18, 1967.

(6) Since the fall of 1966, one of the most competent title companies in the United States has been working on the parking platform and they have as yet been unable to ascertain the various real estate interests to be acquired. The railroads are occupying the properties on a right-of-way which goes back 125 years.

(c) St. Vincent's Center and Garden Valley Projects will be completed by July 1, 1967.

I have condensed and summarized my response in the interest of brevity. Complete and detailed information is being forwarded to HUD's Chicago Regional Office and I am prepared to supply you with as much information as you may want.

Also, we have made an Organization and Management Survey of our Department and the legislation needed to effectuate its reorganization was approved by Council last month. We are implementing the reorganization just as rapidly as possible. You know first hand that this cannot be done overnight.

A task force of high level executives from every City department involved in community development has been appointed to expedite our programs and to provide the needed coordination of effort.

Urban Renewal has been under fire by various cities throughout the nation since its inception 18 years ago. We have, of course, made mistakes in Cleveland and indeed we will make mistakes again. That, however, is to be expected and an unpleasant fact of life that those of us responsible for redeveloping our cities must be prepared to face.

I for one am not prepared to join the ranks of the defeatists so busily seeking scapegoats and so eagerly pointing their fingers at Urban Renewal's every little failure while completely ignoring its successes. I am not so naive as to expect Urban Renewal to solve every urban ill but I am confident that working together in a true spirit of cooperation our great central cities and HUD can make Urban Renewal an important weapon in our war on urban blight.

Sincerely,

RALPH S. LOCHER,
Mayor.

[From U.S. Commission on Civil Rights, hearings held in Cleveland, Ohio, April 1 to 7, 1966]

TESTIMONY OF MR. DEAN SWARTZELL, REGIONAL DIRECTOR, URBAN RENEWAL ADMINISTRATION, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Chairman HANNAH. Proceed, Mr. Glickstein

Mr. GLICKSTEIN. Would you state your name and position?

Mr. SWARTZELL. Dean Swartzell, Regional Director of Urban Renewal, Department of Housing and Urban Development.

Mr. GLICKSTEIN. Where is your office located?

Mr. SWARTZELL. At 360 North Michigan Avenue, Chicago, Illinois.

Mr. GLICKSTEIN. Does the Chicago region have jurisdiction over urban renewal in Cleveland?

Mr. SWARTZELL. Yes, it does.

Mr. GLICKSTEIN. Mr. Swartzell, you have heard much about Cleveland programs to provide housing for persons displaced by urban renewal. As you know, Federal Law requires that such persons be housed in decent, safe, and sanitary housing.

Do you ever inquire whether estimates of available decent, safe, and sanitary housing within the means of persons displaced by urban renewal are realistic?

Mr. SWARTZELL. In terms of submission of information from the locality, Cleveland in particular, we review and ask that particular community to verify certain of the statistical data.

We are aware that this information is not absolute in its way and we are also aware that there is a considerable supply of housing that is not standard in the community, but on balance, the statistics that are presented seem to equate out in the terms of the housing available vis-a-vis the relocation demand.

Mr. GLICKSTEIN. So you have made this inquiry in Cleveland?

Mr. SWARTZELL. With respect to the several projects we had before us at the time they were approved, there was a relocation plan for those projects that appeared to be achieveable.

Mr. GLICKSTEIN. Do you believe that in Cleveland there is an adequate supply of decent, safe, and sanitary housing within the means of low income Negro families displaced by urban renewal?

Mr. SWARTZELL. The statistics that we viewed at the time showed it was a rather close thing, but in terms of problems of relocation that have come before us when the chips were down, the battle is the payoff when you come to more people and so on. I feel there is a deficiency in housing for many of the people who are to be relocatees or who are to be disturbed by the project, themselves.

Mr. GLICKSTEIN. A Staff study that has been introduced shows a great majority of Negroes displaced by urban renewal have relocated in predominantly Negro or entirely Negro areas, many in areas of greater racial concentration than the areas from which they were displaced. Do you believe that Federal funds should be used to compound the ghetto?

Mr. SWARTZELL. No, I do not believe that Federal funds should be expended to compound it or intensify it.

Mr. GLICKSTEIN. How is a situation like this to be avoided?

Mr. SWARTZELL. It can only be avoided by the willingness of the community as a whole, and the actions of the relocating agency to try to become positive and overcome this, to attempt to locate people in those areas or neighborhoods which they choose and I will grant that there have been severe inhibitions in the market itself.

Urban renewal let us say, in terms of its relocation activity, has to deal with the realities of the private sector and I feel they are only boundaries when one group propels another.

However, I feel that urban renewal has helped in this regard, but the Cleveland situation is not exemplary. I don't think there has been much gained here at all.

Mr. GLICKSTEIN. Mr. Swartzell, the Cleveland Urban Renewal Division stated in its 1966 workable program submission to the Urban Renewal Administration that there were 18,000 rental units available for the white persons who would be displaced by urban renewal, but only 11,000 available for rental to nonwhites. The division also stated that 9,500 units were available for sale to white persons but only 3,500 units for sale to nonwhites. Do you view this type of submission as consistent with Title VI of the Civil Rights Act of 1964?

Mr. SWARTZELL. Well, I don't believe I can answer that categorically. It is certainly indicated that there was a certain number of units not available to nonwhite families and this, of course, is a judgment figure, as I presume, as I understand from the testimony that has been received before.

Well, I can't answer that question categorically. I think I would need legal advice.

Mr. GLICKSTEIN. But in any event, the fact that certain units are not available to nonwhites would not preclude a city such as Cleveland from receiving urban renewal assistance?

Mr. SWARTZELL. No.

Mr. GLICKSTEIN. Mr. Swartzell, what do you think the city of Cleveland must do to meet its responsibilities in relocating low-income Negro families in decent, safe, and sanitary housing? You indicated the program wasn't exemplary.

Mr. SWARTZELL. I don't want to be repetitive. The man before me came to grips with this issue. We have a problem here of one of creating and stimulating the creation of this additional housing through what tools are now available.

I think we also have a need for greater activity, more intense activity on the part of the relocation people in trying to assist people to arrive in those localities in those parts of the geography of the town in which they wish to live.

Granted, this is going to be difficult, but I believe through the project operation and through the staffing that I hope they will be able to achieve that. There might be some harder work in this direction. It is going to be difficult.

There are no inhibitions in terms of funds available for the relocation people to proceed with every means and tool that they have to overcome these things in terms of promulgating and promoting additional housing to work in particular areas in terms of people who already are skilled in convincing other peoples and social workers about the in-movement of Negroes, and how they might be accommodated and so on.

There has to be a great deal of positive action in this regard. The project will be able to assist with this up to a limited degree.

Mr. GLICKSTEIN. I believe you probably heard testimony from the previous speaker that there was a policy decision to stop enforcing the code in the University-Euclid project area.

Is that permissible under the Federal Housing Act and regulations?

Mr. SWARTZELL. No, it is not. I was not distinctly aware that there was such a policy. We did have, as the previous testimony indicated, a very severe and difficult problem on our hands with the University-Euclid project.

It has been dreadfully unsatisfactory and the root causes of it, I think, were mentioned in the previous testimony. We have been working with the people constantly, we have been trying to provide them with what means they can avail themselves of or we can avail them of to improve this particular situation.

Mr. Glickstein. If you had been distinctly aware of the decision to stop housing code enforcement in the University-Euclid area, what action would you have taken?

Mr. Swartzell. We would have taken an action to have the policy changed. This whole matter of not assisting those people when the project personnel in this area are out working and they find that there are people occupying housing that is dangerous, that it affects their health and safety, action should be taken to improve this, and there are certain ways and means in which the project can accommodate some temporary measures to alleviate this situation if relocation resources aren't immediately available.

Mr. Glickstein. I have no further questions.

Chairman Hannah. Dr. Rankin?

Commissioner Rankin. When does the renewal part of urban renewal get under way?

Mr. Swartzell. It takes a long time, I will grant that, and this whole matter of transition, I believe some of the statistics indicate that a project is a long time getting completed. Some of them run 14 to 15 years before it is brought to the goals that were called for in the plan.

Commissioner Rankin. Do you have any in your area where the renewal part is under way?

Mr. Swartzell. The renewal part, yes.

Commissioner Rankin. Well under way?

Mr. Swartzell. Yes, we do have. Cleveland is not one of those localities.

Commissioner Rankin. I understand that.

Chairman Hannah. Mrs. Freeman?

Commissioner Freeman. No questions.

Commissioner Hesburgh. Mr. Swartzell, you have indicated you are unhappy with the Cleveland urban renewal and I think it has been pretty obvious from the testimony that there hasn't been much of a local commitment.

Who is the source of this local commitment? Is it the Mayor, is it the Council? What do you in the region look for?

Mr. Swartzell. To my mind, it begins with the Mayor and the Council. I don't believe that a commissioner or a director of the department can create policy and motivation. There has to be a public statement as to the treatment of that area as a project.

Commissioner Hesburgh. I understand there has been something like $30 million spent on the project in this area?

Mr. Swartzell. I don't have the statistics. There has been quite an input of money and the production vis-a-vis the money is bad.

Commissioner Hesburgh. The people in the local community when you mention urban renewal, they generally laugh. Now, the point I am trying to make, is——

Mr. Swartzell. I'm sorry I couldn't when I go out there.

Commissioner Hesburgh. You say you are willing to help the local people in the region do better? I, for one, was much impressed with the thoughtfulness of our previous witness and his idea of how he might do better in a job he has just taken, apparently. One way to get commitment in a big hurry is to say unless this changes immediately, there won't be any more money for urban renewal in Cleveland.

Mr. Swartzell. My office has indicated we are not entertaining any additional projects. We are in this thing now. I don't want anybody to think we will cut out our projects in University-Euclid. This would not help the people or anyone else. We have to go forward in a sounder and definite manner. I believe University-Euclid can be revamped. This plan can be amended.

It has to face some of the issues that are clearly before us and it is going to take longer and this renewal that you talk about, it is going to be a little longer coming than we thought it would, even in this particular instance.

However, we can go forward. I would not curtail the flow of funds. I would add to them measurably, if there is a definite program of action, and we see action underway. This has happened. I think we are finally on the way up.

Commissioner Hesburgh. If you had two things, a better plan than now exists, which I find very unimpressive for what it is worth, and secondly, leadership willing to go ahead, and thirdly, backing from the local community, the Mayor and the Council, then they could get more money into it, but you would want to see that work? Right?

Mr. Swartzell. That is correct.

Commissioner Hesburgh. No other questions. Thank you very much.

Chairman Hannah. Any other questions? Thank you, sir.

(Witness excused.)

Chairman Hannah. Call your next witness.

Mr. Glickstein. The next witnesses are Mr. and Mrs. Robert Crumpler.

(Whereupon, Mrs. Mary Crumpler and Mr. Robert Crumpler were duly sworn by the Chairman and testified as follows:)

Study Group Urges City To Shelve Plans for Most New Urban Renewal Projects

(By Fred McGunagle)

Cleveland should shelve plans for most of the seven new urban renewal projects now under study.

And it should step up city services in its six present renewal areas—if need be at the expense of other parts of the city.

These are the recommendations of a Little Hoover Commission analyst whose six-month study found the city's urban renewal programs to be confused, uncoordinated and ineffective.

Listing a series of mistakes, the report holds poor management directly responsible for the loss of $2,164,000 in city and federal funds.

The report, prepared by Wallace Chapla of Lorain, is scheduled for publication later this week. It will be submitted to the full 24-member commission later this month.

In it, Chapla calls for increased garbage and rubbish collection, street cleaning, recreation facilities and police protection in renewal areas.

He holds out little hope the city can get federal funds soon for any of the seven new projects—Cleveland State University, Glenville, Near West Side, Tremont, Area H, Fairfax or University-Euclid II.

Though avoiding mention of individuals, Chapla's report points out the blame for failures goes higher than the Urban Renewal Department.

He notes that the administration—meaning Mayor Locher—has failed to coordinate the work of urban renewal with other agencies and city departments and has overlooked human and social problems in renewal areas.

Here is how Chapla accounts for the loss of $2,164,000:

Delays in completion of existing projects, all one to four years behind schedule, added $1,389,000 in extra interest charges and $658,000 in extra administrative costs. The bill continues to mount.

Lack of a property management policy cost $65,000 in uncollected rent—$50,000 in the University-Euclid project alone.

Illegal expenditure of $52,000 for relocation in East Woodland resulted in a finding against the city for that amount. Normally the Federal Government pays all relocation costs.

Chapla's recommendations include one that the city go into the housing business by buying, remodeling, renting and reselling old houses.

Other recommendations include:

Giving responsibility for land buying to the Urban Renewal Department rather than the Law Department.

Taking away Council's right to review prices paid for land, a process which causes delays of two months or more.

Launching a hard-sell campaign to interest developers in urban renewal land, using either city employees or real estate brokers hired for the purpose.

Reviewing and bringing up to date plans for the existing projects: Erieview, St. Vincent, Garden Valley, University-Euclid, East Woodland and Gladstone.

Chapla notes that because of failures in existing projects, federal officials are unwilling to approve new projects. He also points out the $750,000,000 set aside by Congress for urban renewal in 1967 has been oversubscribed by other cities and no more money will be available until at least July.

His suggestion is that the city concentrate on one or two of the new projects, though he does not recommend which ones. The others would be deferred until later years.

Because Cleveland failed to obtain federal approval before hiring planning consultants, no money was reserved by federal officials for the new projects, he reveals.

The failure to obtain federal approval also means the city will have to pay the entire $735,000 cost of drawing the plans some of which may never be used.

Also participating in the study were Dorward Witzke, executive director of the commission, and James Carney, commission member in charge of the report.

[From the Cleveland (Ohio) Plain Dealer, Nov. 15, 1966]

Cleveland's Urban Renewal Mess

The Little Hoover Commission reports that urban renewal in Cleveland is in a deplorable state.

Cleveland bit off more acreage than it can chew, says the report written by W. C. Chapla, a Lorain consultant who did the analysis. He pinpointed facts that everyone had surmised.

Cleveland has an undermanned urban renewal staff. It has too little money. It cannot chew and digest 6,060 acres marked for renewal—more than any other city bit off nationwide.

And City Hall has no firm, realistic planning to move the vacant land it bought out into profitable, taxpaying use—which was the main purpose of urban renewal from the start.

There have been blunders in financing, says the report. Delays have put all projects behind schedule; as much as four years behind.

While city-bought land lies idle, the city loses taxes from it. But also, the city meanwhile has to pay interest on money it borrowed to buy that land.

Waste like this is costing money up in the millions.

As The Plain Dealer has been saying families shoved out of their homes by urban renewal have not been humanely relocated. The city has no program for building relocation housing for them, nor more than a few dabs of rehabilitation housing for them.

Out of St. Vincent Project alone, 1,780 families were dislodged and 1,194 of them disappeared, untraced, into unknown locations.

A planned $900,000 play area for Garden Valley Project vanished out of that program in 1959. It surfaced in new blueprints in 1965 as a $400,000 improvement for the future.

The report says there is no clear-cut phasing and scheduling to move land from city purchase to the goal of sale and redevelopment. Nor much coordination among federal, private, city and other agencies. Not even between departments within City Hall.

It is too late to back out. The city must go ahead. If it tried to shrink back now, the cost would be ruinous to owners whose property has been blighted by having the urban renewal tag hung on.

So the Little Hoover Commission is urging that the city hire or contract with outside experts who can put on a hard-sell campaign to get 75 acres of idle renewal land on the market and into fruitful use.

The Plain Dealer, too, has strongly recommended to Mayor Locher that he should accept the help offered by business and civic people.

The city has sold only 17% of its land since 1960. Not an inch of taxable property has been sold since 1964. The whole operation has bogged down.

Surely men experienced in large-scale land and construction could do better than those city workers Locher can hire at limited city salaries. Business savvy is sorely needed at the Hall.

Urban renewal is the most vulnerable flank of City Hall. The Little Hoover report certainly found its mark.

[From the Cleveland (Ohio) Plain Dealer, Nov. 16, 1966]

Urban Renewal Attacked Again

(By Donald Sabath)

Urban renewal in Cleveland came in for more criticism yesterday, this time from Upshur Evans, President of the Cleveland Development Foundation.

It was a one-two blow for City Hall and followed a report of the Little Hoover Commission finding fault with nearly every phase of urban renewal in Cleveland.

Evans blamed incompetent staff, poor financial management and lack of any clear-cut goal for the city's renewal problems.

On Monday, the Little Hoover Commission released a 100-page report which charged that inadequate management had caused numerous delays in the city's six renewal projects.

Evans said the commission report "was good" but "it did not go far enough."

In his first public condemnation of City Hall's handling of urban renewal, Evans charged the city had been given a bad national image by the many failures in the program.

The Foundation, established 12 years ago, represents 83 major business and industrial leaders here, has been the strongest single supporter of all the renewal projects here in the past.

The foundation paid $300,000 to consultants for the proposed Cleveland State University renewal project.

In an interview with The Plain Dealer, Evans specifically pinpointed areas where the city has failed in renewal. He cited:

Incompetent staff.

Failure to put renewal land up for sale.

Failure to build the Erieview parking platform.

Financial problems

Evans said in the past the best area for placing political appointees has been in renewal. It was a new department and it needed staffing.

"We have had to put up with these incompetent individuals while the renewal work was not done," said Evans.

Evans said that these employees are now securely protected by civil service and the city cannot get rid of them.

"The commission report showed that staff is needed," said Evans. "But that is only one part of the problem. Staff is needed, but should be adequately trained."

Evans said the foundation will do and has done all it can to bring developers into the city and to dispose of urban renewal land purchased by the city.

"We have developers waiting for all four sites in Erieview, and all other renewal areas but we cannot get any agreement from City Hall," Evans said. "I do not know what they are waiting for."

The commission report criticized the city for retaining $26 million worth of renewal land, which is not producing tax revenue. The majority of the land (worth $19.6 million) is in Erieview.

"I disagree with the commission report about having real estate experts hired to dispose of the land," said Evans. "The foundation with business and industry is well equipped to help the city sell the land."

Evans and his group has been pushing City Hall to complete plans and start construction of the $5-million parking platform over the Lakefront Municipal Parking lot. Plans were first announced five years ago.

"The report bears out our complaints that the city has used bond money from Erieview to finance three other projects and the money for the platform will not be available until the three projects are completed," explained Evans.

Evans disagreed with the commission report concerning new projects, including the proposed downtown Cleveland State University renewal area.

"We can get the initial funds from the federal government if we can just submit the plans now. We should not delay them," said Evans. "We have the developer (state of Ohio) ready to build and I think we can convince the government that we can complete the project," said Evans.

The federal government in the past has been reluctant to approve new projects here, until some progress has been shown in the six present projects.

Mayor Ralph S. Locher, commenting on the Little Hoover report, said that as soon as a few details are cleared up, the majority of the 75 acres now owned by the city will be offered for sale.

Locher, in a statement issued by his office, said he was essentially in accord with the recommendations of the commission, but that a majority of them were first suggested by Sigfrid Pearson, city budget analyst, last spring upon the urging of the mayor.

[From the Cleveland (Ohio) Plain Dealer, Jan. 15, 1967]

Hough: After 6 Years of Talk and Planning, Rehabilitation Is Getting Big Push—and the Help Is Coming From All Quarters

(By Donald Sabath)

For far too many years, the word rehabilitation has been defined by Hough area residents as: Waiting, Promises, Frustration and Disgust.

Six years ago, the word implied an instant rebuilding of the urban decay which struck the area a mighty blow right after World War II.

Almost all the homes and apartment buildings in Hough, many of which were built in the early 1900s, began to show their age. As in other inner regions of the nation's large urban centers, deterioration had set in.

NEW HOUSING LAWS OPEN RENEWAL GATES

Hopes for repairing the neighborhood were spelled out in an urban renewal plan called the University-Euclid project.

Massive federal funds—$27 million—would be sent into Hough to stop the era of the bulldozer.

But for the six-year period, the rehabilitation plans were nothing more than words in a planner's handbook. In fact, federal officials said it was physically and financially impossible to begin.

Late last year, with the help of major new housing laws enacted by Congress, rehabilitation took on a new meaning. And in the coming year, the real push for a rebuilding of Hough will begin.

Within the last three months, two major home material supply companies have set plans for $3-million worth of rebuilt housing units in Hough.

The Cleveland Development Foundation also will begin the rebuilding of 106 suites on E. 90th Street at a cost of $1 million.

At the same time, HOPE, Inc., a nonprofit group in the western portion of the Hough area, has started the rehabilitation of two apartment buildings on Belvidere Avenue N.E.

One major East Side manufacturer, Warner & Swasey Co., even has tackled the rehabilitation of an apartment building on 1579–81 Crawford Road N.E. Other companies are expected to announce similar plans shortly.

"STRESS REHAB IN 1967—AS FAST AS WE CAN"

The interest in rehabilitation has spread to the community's churches, and a subsidiary of HOPE, Inc., made up of area churches, will rebuild 400 single-family homes. Sixteen churches have already pledged $65,000 for the work.

Why the sudden increase in rehabilitation?

Barton R. Clausen, director of the city's Community Development Department, explains: "The emphasis for too long has been on the glamour projects—Erieview and others and we have neglected the neighborhoods.

"We are going to stress rehab in 1967," he added. "And we are going to move as fast as we can."

Cleveland has completed a token rehabilitation project on E. 90th Street. After a long delay, reconstruction of a 14-suite apartment on E. 90th Street has been completed.

It is now being shown as a demonstration project.

The city can acquire 100 dwelling units as part of the project costs and last week an amended plan for University-Euclid was sent to Chicago for approval.

Cleveland has requested $23 million in additional federal aid and out of this, if approved, the city would use $700,000 for rehabilitation.

"The mayor has told me that he wants the city to fix up 100 units a year and then sell them to a nonprofit group," said Clausen. "After we complete the 100 units, we will start on another 100 units."

Even if this plan is completed, it will just barely dent the need for standard and decent housing in the Hough area.

What is needed, some say, is massive private assistance.

The successful techniques used by the U.S. Gypsum Co. in Harlem will be transplanted in Hough early in the year when the company purchases six apartment buildings for reconstruction.

A company spokesman will not say where the apartments are located, since this would push up the asking price for the property.

Despite the added federal renewal tools and laws, U.S. Gypum uses its own funds to purchase the buildings, thereby passing up the ever-present government red tape.

As in Harlem, U.S. Gypsum will probably purchase an entire square-block area, to really show what can be accomplished by rehabilitation.

U.S. Gypsum experiments with new products in its remodeling and of course it has a motive for its work. The company wants to tap an industry which is estimated could reach $20 billion a year . . . the rebuilding of the nation's cities.

Once the apartment buildings are rebuilt, U.S. Gypsum sells them, at cost, to a nonprofit organization for operation.

HOPE, Inc., has also been asked to cooperate with the American Plywood Association (APA) and the National Forest Products Association in their plan to remodel a two-block area of Hough.

The total cost would be $1.8 million.

This project would be financed 100% with Federal Housing Administration (FHA) insured loans at 3% interest. The funds would come from commercial financing channels.

To be successful in rehabilitation, the property acquisition price "must be right," according to William A. Hackman, regional FHA director here.

"If the original price is realistic, it can work," he explained. "You can not have much of a markdown on construction costs, so you must begin with a sensible price for the property."

Hackman said the cost for rebuilding an apartment unit should be around $8,000 a unit or less. Only with the cost this low, can rents be charged in Hough according to what the market can bear. This is between $65 and $85 a month.

"But unless we begin the rebuilding, the whole community will suffer," said Hackman. "We need rehabilitation."

The largest rehabilitation program announced so far comes from the Cleveland Development Foundation, which plans the rebuilding of 106-apartment units on E. 90th Street, between Chester and Hough Avenues N.E.

The $1-million project, according to Upshur Evans, foundation president, should prove that rehabilitation is expensive, "but not uneconomical."

As with the HOPE project, rent supplements must be used in the Cleveland Development Foundation remodeling, to make ends meet.

LOW INTEREST LOAN MAKES IT POSSIBLE

Under rent supplements, a portion of the monthly rent is paid by the federal government for low income families.

Blending in with the rehabilitation are plans for new construction in the project.

A week ago, two labor unions, the Amalgamated Meat Cutters Local 147 and Building, Service and Maintenance Local 47, were sold a three-acre site for a $1.1-million apartment project of 94 units between E. 90th and E. 93d Streets on Hough Avenue N.E.

"You come to a tip point," said Clausen. "You have to have new building and rehabilitation, but it must be concentrated in an area. Then the tip point occurs."

Clausen said a neighbor sees what another one is doing to repair his home, and he then begins to think that he should join.

But the blend of new construction and rehabilitation should be more than 50% of the neighborhood to be effective, he added.

On a minor scale, residents of the project can and have applied for government loans and grants to fix up their homes.

NEW BUILDING BLENDS WITH REHABILITATION

The city reports that in the past three months, the federal government has approved six rehabilitation grants up to $1,500 and three low-interest loans and two combinations of the loan and grant program.

This brings the total in University-Euclid to 17 grants, seven loans and two combinations.

The newly painted home of Mr. and Mrs. Martin Cain at 1603 E. 86th Street is an example of the rehabilitation loan at work.

Mrs. Cain, who is the new councilman in Ward 20, received a low interest loan for $2,900 a year ago.

The loan was the fifth one granted nationally and the first rehabilitation loan granted from the Chicago regional renewal office.

"We repainted the interior and exterior of the home and repaired the plaster in all the rooms," said Mrs. Cain. "We even added a new sidewalk along the side of the house."

Mrs. Cain said the remodeling had been planned for some time, but she waited patiently for the federal approval. The interest rates are better, she added.

Under her 3% loan, she pays $28.01 a month for 10 years.

"I cannot speak too highly of the program," she said. "I'm going to become a salesman for the renewal office and try to sell rehabilitation loans to other residents here."

She said it is hard to explain to residents that they can get the low-interest loan from the government, or still better, a $1,500 grant if they qualify.

"If everyone would learn that the government is just trying to help you, I think we could get more action," Mrs. Cain said. "Why just today, my neighbor became interested and is going to inquire at the renewal office."

Mrs. Cain said she hopes the interest can spread up and down her street and in other areas of the Hough project.

"Our hopes have been raised so many times, it just seems too good to be true that the rebuilding is finally getting started," she said.

HOPE: CONTRIBUTING CONFIDENCE—PEOPLE OF FORGOTTEN SLUM TAKE JOB, EXPERTS AVOIDED

(By Roldo S. Bartimole)

A handful of people gathered in a small room in Hough on a warm night in June of 1965.

To a visitor the meeting was a replay of countless others in which amateurs came together to solve the problems that symposiums are made of: How to revive a dying neighborhood.

The meeting dragged. An hour passed. Then another.

It was the type of meeting that has some therapeutic value to the slum-locked, but little relevance to those locked in the slums.

Finally, a decision. The group elected to incorporate. The corporation would rehabilitate housing in an area avoided even by urban renewal.

On a cool September afternoon 15 months later, the vice president of the United States made a special stop in Hough to speak on the steps of the corporation's first ambitious project.

HOPE had come to "forgotten Hough."

The question of how successful HOPE, Inc., has been can best be answered by another question: "Who in Cleveland is doing better?"

Another gauge can be the task that HOPE, which means Housing Our People Economically, set for itself.

HOPE elected to work in the area between E. 55th and E. 79th Streets and Superior and Chester Avenues, N.E. It is called the "forgotten Hough" because even the urban renewal planners avoided it.

The 1960 census gives some hint of the problems.

Some 30,000 people made their homes there.

More than 40% of the housing was substandard.

About 35% of the families had incomes of less than $3,000 a year.

By the time HOPE came in 1965, conditions had worsened.

Donations of some $350 from board members made up HOPE's assets in 1965. The money included a $5 donation from a woman who existed on the meager payments of the Aid to Dependent Children program.

But by November, 1966, two national wood products associations were talking optimistically about a project with HOPE that would cost $1.8 million and rehabilitate some 140 units.

HOPE had already earned itself a national image by obtaining the first rent supplement grant from the federal government to fix up 21 units at the Belvidere Apartments, 6215–6303 Belvidere Avenue N.E., and rent to low-income families.

After the Hough riots last summer, a drive to provide HOPE with funds to renovate 400 homes was launched by the Council of Churches of Greater Cleveland. Some $65,000 has been pledged since.

HOPE now has seven rehabilitated housing units occupied in four locations. The Belvidere Apartments will bring the total to 28 next month when renovations are completed.

It hasn't been easy.

The first attempt to obtain financing received a setback from the Cleveland office of the Federal Housing Administration.

A request for rehabilitation financing for a house on 6516 Hough Avenue, now HOPE headquarters, was turned down by FHA here.

The area, FHA felt, was too deteriorated to take the financial risk.

Washington officials thought differently. After an initial polite "no" from Washington, a meeting was arranged there for HOPE.

About the same time, HOPE contacted U. S. Rep. Charles A. Vanik, D-21, for assistance. Vanik, HOPE and Washington officials from various departments met and the result was the rent supplement grant.

The nature of HOPE's organizational ties to the residents of the area attracted federal interest.

Other good things began happening. The Greater Cleveland Associated Foundation made a grant of $1,000 a month for a year to help HOPE hire the necessary technical assistance it needed to begin putting together its programs.

Then an advance of up to $10,000 in an interest-free loan came from the Cuyahoga County Savings and Loan League.

When the American Plywood Association began looking for a nonprofit group that might be able to handle a rehabilitation program locally, it came to HOPE and asked that a proposal be written.

The proposal was written by Land Associates of Cleveland, a firm that has been HOPE's consultants since its beginning. The proposal is now being considered by the association.

On the human side, HOPE was provided a ground for Hough residents and suburban groups to come together, including youth groups and even scientists from the NASA center.

Neighborhood residents will make up a tenant selection committee to decide which families will live in the HOPE buildings. Sewing and cooking classes are planned to provide homemaking skills.

Hope is providing "a relationship of confidence absent in most landlord-tenant associations," said the Rev. Walter E. Grevatt Jr., HOPE chairman, and pastor of the Hough Avenue United Church of Christ, 1650 E. 65th Street. "HOPE has provided confidence that something can be done by an organization that has its base here in the neighborhood," Rev. Grevatt said.

Beyond the physical rehabilitation, confidence may be HOPE's most lasting contribution to Hough.

[From the Cleveland (Ohio) Plain Dealer, Jan. 18, 1967]

CITY YIELDS RENEWAL INITIATIVE

The speed and determination with which private, inexperienced groups tackle the city's renewal problems make the indecision and delay of government all the more perplexing and frustrating.

The housing situation in the Hough area has been recognized as deteriorating into hopelessness for nearly 10 years but today private organizations are carrying the major burden of the rehabilitation.

The latest such group is the Cleveland Inter-Faith Housing Corp. formed by four Protestant denominations to sponsor new construction of low-income housing.

This is the desperate need in the Hough area and lack of this type of housing was a contributing factor in the rioting last summer.

With other church groups the four denominations are contributing to home repair and rehabilitation through HOPE, Inc., another nonprofit corporation concerned with saving repairable Hough buildings. HOPE already has relocated several families in adequate living quarters.

In addition to the churches, private industry is sponsoring Hough projects to improve the lot of families there.

Initiative and leadership, which the government should have been providing long ago in this important area, has gone by default to private interests.

The city's dalliance and uncertainty has made other areas suspicious and fearful of renewal projects and has stymied improvements on the near West Side where institutions with plans for expansion geared to a renewal program are losing hope.

Among them is Lourdes Academy, reportedly considering moving to Parma because of the lag in upgrading the area.

St. Ignatius High School has extensive expansion plans waiting for the city to give the sign.

But the near West Side is on dead center, as are urban renewal hopes for the Cleveland State University area, while the city tries to get moving on its Hough area commitments. Were it not for the church groups and other private organizations there would be reason to despair.

[From the Cleveland (Ohio) Plain Dealer, Jan. 19, 1967]

CITY'S RENEWAL LAG BOMBED

The massive blow dealt Cleveland's urban renewal program is a direct result of the city's failure to act.

It is no surprise.

The program here has been virtually on dead center for years. There have been endless warnings that the federal government was deeply concerned at the lack of progress. Regional as well as national headquarters of the Department of Housing and Urban Development have tried to get the message across that Cleveland has been dragging its feet.

Although Secretary Robert C. Weaver's message to Mayor Ralph S. Locher is not too surprising, it still is shocking.

It is difficult to see how any further word from HUD could be more devastating.

While Mayor Locher prepares a documented reply which he feels will show "substantially greater progress than Washington officials are aware of," HUD has delivered a many-sided blockbuster—make no mistake:

At least for the present it is denying the city an additional $24 million for University-Euclid development.

It has canceled federal financing of Erieview II. This surely is no unexpected bomb. A federal grant for $10.4 million for this project had been unclaimed by the city for six years because it hasn't been able to get the project off the ground.

HUD threatened to cut off further aid in Erieview I, said it was finished (as of July 1) with paying administrative costs in St. Vincent and Garden Valley projects and put any new urban renewal projects in the "wait and see" category until the city fulfills some of its obligations under the 16-point program agreement worked out six months ago between Weaver and Locher.

Point by point, Weaver detailed the city's failure to live up to that agreement.

For example: Cleveland will immediately correct deficiencies in its housing code. (HUD's comment: "Deficiencies of the city's housing code, particularly as related to controls of overcrowding, await correction.")

Another example: Cleveland will accurately inventory all local relocation housing resources in order to meet project relocation needs . . . HUD's comment: "The city has not inventoried local relocation housing resources and related relocation needs.")

This is one more challenge to City Hall, one more goad to get along, to move faster, to get results. It is a serious assessment of Cleveland's sluggish urban renewal pace.

Mayor Locher says, "Washington cannot escape its responsibility on local programs."

The responsibility begins at home.

[From the Cleveland Press, Feb. 6, 1967]

HOUGH RENEWAL IS 5 YEARS OLD, STILL LAGS

The University-Euclid urban renewal project is five years old today.

No celebration is scheduled.

It was on Feb. 6, 1962, that the Federal Government gave its final go-ahead on the Hough Area project, though the official loan and grant contract was not signed until June.

Phase I, the section east of E. 86th St., was expected to cost $27,000,000 and take five years.

James Lister, then urban renewal director, hailed the announcement.

"We are convinced that this area from E. 79th St. to University Circle can become one of the finest areas in the country" he said.

The 855-acre project, one of the largest ever attempted, is bisected by E. 105th St.

Here is a status report on the major improvements proposed in the plan:

Research park: Perhaps the most promising development in the project has been the start on the first building of the University Circle Research Center, now under construction at Stearns Rd. and Cedar Ave.

Central playfield: A 12-acre recreation area at Crawford Rd. and Hough Ave. was put under contract in November. Some facilities will be available this summer.

Orr playground: Work has just started on the playground north of Charles Orr School at E. 101st St. and Lamont Ave.

Morgan playground: The city will take bids this month on development of this playground, next to Daniel Morgan School at E. 91st St. and Wade Park Ave. Not all houses on the site have been demolished.

Public housing: The Metropolitan Housing Authority has been unable to go ahead with expansion of the Wade Apartments because the city has not completed purchase of the land.

Low-income private housing: The city awarded a site at E. 90th St. and Hough Ave. for a 94-suite project proposed by two unions. But work cannot start until the city buys and tears down two buildings which still remain.

Mayfield-Euclid apartments: Purchase of the land for this 600-suite development bogged down in a court fight and shelved for the time being.

Street improvements: More than $1,000,000 was spent in the last two years for new pavement, tree lawns, curbs and sidewalks. But many streets have not yet been done. Kenmore Ave. has not been extended to Ansel Rd. A children's walkway for Orr School and Playground has not been started.

Hospital expansion: Mt. Sinai has been building on its own property. The city has legislation pending to vacate Ansel Rd. so the expansion can continue to the West.

Rehabilitation: Nearly 100 homeowners have taken advantage of federal grants and loans and city counseling to remodel. But the city, which promised to redo 100 units a year on its own, has done only one 14-suite building.

A Cleveland Development Foundation project to remodel nine apartment buildings on E. 90th St. is stymied until the city can buy the buildings.

Because the original 1961 renewal plan is now out of date, the city paid $30,000 for a revised plan which raised the cost of Phase I to $57,000,000.

The revision was turned down by the Federal Government, which told the city to submit a short-term program. Until the plan amendments are approved, projects like the Development Foundation rehabilitation and demolition of additional eyesore houses cannot be started.

It was the city's failure to meet its schedules for residential renewal, particularly University-Euclid, that prompted Robert Weaver, secretary of housing and urban development, to put a freeze on further aid for Cleveland.

NOMINATION OF THE LATE WALT DISNEY FOR AWARD OF NOBEL PEACE PRIZE

Mr. SMITH of New York. Mr. Speaker, I ask unanimous consent that the gentleman from Arizona [Mr. STEIGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STEIGER of Arizona. Mr. Speaker, the late Walt Disney served mankind by employing his creative genius through the motion picture and television industries to produce wonderful films for the world and thereby promoted understanding, peace, unity, and brotherhood. The Associated Students of East High School in Phoenix, Ariz., requested that I nominate Mr. Disney for a posthumous award of the Nobel Peace Prize. I wholeheartedly joined the students of East High School of Phoenix in their proposed tribute to the late Walt Disney and recommended him to the Nobel Committee in Norway. Mr. Speaker, under unanimous consent I revise and extend my remarks in the body of the RECORD and include extraneous matter. These three letters follow:

Letter of January 14, 1967, from Tony Klumpe, committee chairman, East High School, in Phoenix, Ariz.

Letter of January 27, 1967, from Representative SAM STEIGER to the Nobel Institute, Drammensvein No. 19, Oslo, Norway.

Letter of January 27, 1967, from Representative SAM STEIGER to the Honorable Margaret Joy Tibbets, American Ambassador, Oslo, Norway.

EAST HIGH SCHOOL,
Phoenix, Ariz., January 14, 1967.

Hon. SAM STEIGER,
House of Representatives,
Washington, D.C.

DEAR SIR: The associated students of East High School in Phoenix, Arizona, are heading a campaign to nominate Mr. Walter E. Disney, posthumously, for the Nobel Peace Prize in 1967.

We feel that Mr. Disney did a great service for mankind by employing his creative genius and the motion picture industry in producing his wonderful films and thus promoting the feeling of understanding and peace, unity and brotherhood.

We would appreciate it very much if you would aid us in this project by writing to the American ambassador to Norway, as soon as possible, and inform her that you endorse this plan.

Thank you for your time and cooperation.

Very truly yours,

TONY KLUMPE,
Committee Chairman.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., January 27, 1967.

The NOBEL INSTITUTE,
Drammensvein No. 19,
Oslo, Norway.

GENTLEMEN: Under the regulations governing the awarding of the Nobel Peace Prize, I would like to nominate for posthumous award the late Walter Elias Disney (known to the world as Walt Disney), of America, as having done the most to promote brotherhood among nations and peoples. Mr. Disney's name was proposed for this award in 1964 by a leading French magazine. He died in late 1966.

In motion pictures and television productions, Mr. Disney combined history and nature with entertainment and education for a worldwide audience. His work knew no nationality, race or political creed and was understood and enjoyed by all ages and all nationalities throughout the world. Through his contribution to education and entertainment, his audiences were united and in this way experienced a brotherhood unknown by most means of communications. Truly he contributed greatly to the brotherhood of men.

Attached hereto is further information on the background and the accomplishments of the late Walter Elias Disney and his gifts to the people of the world. I earnestly hope that his name may be seriously considered for a posthumous award of the Nobel Peace Prize.

Please accept assurances of my highest consideration.

Sincerely,

SAM STEIGER,
Member of Congress,
Third District of Arizona.

BACKGROUND ON ACCOMPLISHMENTS OF THE LATE WALTER ELIAS DISNEY (KNOWN AS WALT DISNEY)

Through the exercise of an unusually fertile imagination and genius in the communications media, Walt Disney achieved a degree of affection and prestige throughout the world known by few men. Probably no other man has ever brought so much joy to so many people.

From being the first man to mix animation and live action, he combined history and nature with entertainment and education, and pioneered in making full length nature films, adventure, comedy and musical films and true life dramas enjoyed by worldwide audiences, among them being "The Living Desert," "The Vanishing Prairie," "The African Lion," "Secrets of Life," and "White Wilderness."

His productions showed the good side of the world and its people and the triumph of good over evil. Through his genius and understanding, generations of adults and children glimpsed a better world via the gentle images projected for them on motion picture and television screens around the world. He fashioned the most popular movie stars ever to emerge from the motion picture industry and created one of the most fantastic entertainment and education enterprises in history. His work, which knew neither nationality nor political creed, has been praised by groups of such diverse philosophies as the American Legion, an American service organization composed of former members of the armed forces of the United States, and by the Soviet Union.

From ordinary barnyard animals, he created characters that are instantly recognized in the farmost outposts of the world. His Mickey Mouse and Donald Duck characters have delighted adults and youngsters the world over. From 1928 on, his original cartoon character, Mickey Mouse, was known worldwide and knew no race nor nationality. In France, he was "Michel Souris;" in Latin America, "El Raton Miguelito;" in Japan, "Mikkii Kuchi;" in Germany, "Mickey Maus;" in Italy, "Topolino;" in Sweden, "Musse Pigg."

From Mickey Mouse and Donald Duck, Walt Disney went on to create scores of other characters and combining cartoon stories with classical music, his characters having in common always a loveability and an unsophistication. By developing a whole new art form—the animated cartoon with his original characters—he transformed simple stories of comic animals into a universal language. People of all ages will always be in his debt because he brought them the gift of laughter. His undertakings encouraged and enabled hosts of people to get closer to nature and to enjoy healthful, inspiring recreation. Among other undertakings, he developed Disneyland, which has been visited by people from many lands, including kings and queens.

His characters knew no politics and received affection from the young at heart of whatever persuasion or ideology.

No man in the entertainment or educational field left a richer legacy to the world than Walt Disney.

From organizations and governments around the world, honors piled up in profusion. In a highly competitive profession, he won thirty-nine (39) Academy Awards (motion picture awards) and four Emmy (television) awards and more than 800 other citations from presidents, kings and queens, world statesmen and neighborhood clubs. By the end of his career, the list of awards and honors that Mr. Disney received from many nations filled 29 typewritten pages.

The President of Mr. Disney's own country presented him the Presidential Medal of Freedom, his government's highest decoration for a civilian.

From the great universities of Harvard and Yale in America, this man (who never finished high school) received honorary degrees. He was honored by Yale the same day Yale honored Thomas Mann, the Nobel Prize winning novelist. Professor William Lyon Phelps of Yale said of Mr. Disney:

"He has accomplished something that has defied all the efforts and experiments of the laboratories in zoology and biology. He has given animals souls."

He helped found the California Institute of the Arts, a professional school for the creative and performing arts, and has been called the most significant figure in graphic arts since Leonardo.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., January 27, 1967.

Hon. MARGARET JOY TIBBETS,
American Ambassador,
Oslo, Norway.

DEAR MADAM AMBASSADOR: The associated students of East High School in Phoenix, Arizona, have written me to request that I assist them in their desire that Mr. Walt Disney (Walter Elias Disney) be awarded the Nobel Peace Prize posthumously for his great service to mankind.

My constituents feel that Mr. Disney did a great service for mankind by employing his creative genius and the motion picture and television industries to produce wonderful films for the world and thereby promoting understanding, peace, unity and brotherhood.

I take pleasure in endorsing the ideals expressed by Mr. Disney and the admiration expressed by the students of East High School for his accomplishments. Accordingly, in my capacity as a Member of Congress, I have prepared a letter to the Nobel Institute recommending the late Mr. Disney's name for a posthumous award.

By separate mail I am sending the same letter as the enclosed one, with enclosure, directly to the Nobel Institute. Since this has a February 1 deadline for the awards to be made next December, I will greatly appreciate your assistance in bringing this nomination to the attention of the proper officials by the deadline given me. Thank you for your assistance.

With best wishes.

Sincerely,

SAM STEIGER,
Member of Congress,
Third District of Arizona.

WHY NOT JOHNSON-HO CHI MINH TALKS?

Mr. SMITH of New York. Mr. Speaker, I ask unanimous consent that the gentleman from Washington [Mr. PELLY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. PELLY. Mr. Speaker, Ho Chi Minh a short time ago told Rabbi Abraham Feinberg of Toronto, Canada, when he was visiting North Vietnam, that if President Johnson would come to Hanoi he would be glad to talk with him. I personally think that a talk between President Johnson and Ho Chi Minh might result in peace.

Of course, I do not know the extent to which the administration is probing for peace nor to what degree this lead was followed up, but I am wondering if there might not be a way to arrange a cease-fire and peace now, similar to the way in which Gen. Dwight Eisenhower flew to Korea to arrange a cease-fire shortly after he was elected President of the United States.

I wonder if it would not be wise for the United States to put forth an official invitation to Ho Chi Minh to meet with President Johnson in some neutral country such as Switzerland where security could be held at a maximum. I would assume that lower level meetings would be held prior to the meeting of the heads of state to work out an acceptable agenda.

Why not a dynamic gesture from President Johnson to demonstrate to the world our sincere desire to bring an end to the war in Vietnam? Such an offer might succeed where other plans have failed.

LAW OF THE JUNGLE—THE CONGO IS RAPIDLY REVERTING TO SAVAGERY

Mr. SMITH of New York. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, it has been observed many times before that the United States is employing a double standard regarding our approval of economic sanctions on Rhodesia while remaining silent about Great Britain's trade with North Vietnam and Cuba. Recent events tend to indicate that Ambassador Goldberg has so refined our double-standard policy that it might aptly be described as a triple-standard one. The refinement, of course, consists in remaining silent when a condition which we helped to create—the present chaotic situation in the Congo—is a thousand times worse than the policy of a nation we now oppose, in this case

Rhodesia. As Barron's, the reputable business weekly puts it:

> If Rhodesia constitutes a vague threat to world peace, as Arthur Goldberg and his fellow UN diplomats have charged, the Congo is a positive menace. In Africa, as elsewhere, the U.S. persistently remains hostile to its friends and friendly to its enemies.

Ambassador Goldberg is concerned with the African majority in Rhodesia, and this is, of course, as it should be; but what about the African majority in the Congo where Gen. Joseph Mobutu, overthrew duly constituted authorities some 15 months ago?

Ambassador Goldberg is concerned about the Rhodesian threat to world peace as he stated in the Washington Post of January 8:

> A failure to resolve the Rhodesian crisis with justice to the African majority would inevitably strengthen the hand of extremism, violence and racism in the heart of Africa. Such a prospect is not in the interest of African development and progress nor of world peace and security—nor is it in the interest of the United States.

However, Mr. Goldberg conveniently forgets the Congo situation, its threat to world peace and security, and the interests of the United States. Presumably it is in the interest of world peace that the Congo for quite some time now has been granting sanctuary to Red-inspired terrorists who attack Portuguese Angola. Presumably, it is in the best interest of the United States to remain silent while a stanch NATO ally, Portugal, is harassed by a campaign of terrorism which is now a matter of public record.

For the information of those who are concerned about this Nation's foreign policy, I include the article, "Law of the Jungle—The Congo Is Rapidly Reverting to Savagery," from the February 6, 1967, issue of Barron's, in the RECORD at this point:

LAW OF THE JUNGLE—THE CONGO IS RAPIDLY REVERTING TO SAVAGERY

"KINSHASA.—This capital of the Republic of the Congo seemed a prosperous city as its population looked back on a successful year from the economic view. Minerals production in 1966 surpassed pre-independence levels, according to Alexis Kishiba, until recently Minister of Mines and Energy. He estimated the value of 1966 production at $400 million, up 10% from the 1965 level. Because of its mineral riches, the Congo had a favorable balance of payments. Congolese foreign-currency reserves showed a small improvement as they rose to $45 million . . . The Congo's public finances are better today than at any time since independence. Despite a major rebellion in Kisangani, the government was able to keep its 1966 budgetary deficit within the anticipated levels . . . However, the key to all 1967 economic plans is the Union Miniere du Haut Katanga. The future of the company, which mines $200 million worth of Congolese minerals a year, is still uncertain."

In a special year-end review of African business, distinguished less for editorial content than for advertising, a leading New York City daily recently carried the on-the-scene account cited above. By the same journalistic standards, a reporter in Johnstown, Pa., in the rainy Spring of 1889, would have ignored the fact that the waters of the South Fork were rising; a like-minded colleague in Calcutta decades earlier might have wound up a glowing account of the British Raj with the offhand comment: "The natives are restless tonight." While the Johnstown Flood and the Black Hole are history, the tragedy of the Congo continues to unfold. Since gaining its independence in 1960, the unhappy land has suffered UN invasion, civil war and military coup. Under the misrule of General Joseph Mobutu, who overthrew the duly constituted authorities 15 months ago, Congolese economic growth has ground to a halt, while the national currency has gone from bad to worse. Now Kinshasa (the former Leopoldville), in reckless disregard of its own well-being and in violation of treaty obligations, has seized the properties of Union Miniere and tried to make the latter's 1,500 Belgian employes virtual prisoners.

Thus another ill-conceived stroke of American statecraft has come perilously close to bankruptcy. Under Republican and Democratic Presidents alike, U.S. policy officially has aimed at "assisting the Congo to become a viable, independent state, capable of maintaining political stability, internal security, a reasonable rate of economic and social development, and of resisting external subversion." Instead, despite an estimated quarter-billion dollars worth of U.S. aid, the Congo, according to a recent authoritative private appraisal, has begun to revert to cannibalism, Communism and chaos (not to mention slavery, which as Brussels stiffly reminded Kinshasa, happens to run counter to the United Nations' Universal Declaration on the Rights of Man). If Rhodesia constitutes a vague threat to world peace, as Arthur Goldberg and his fellow UN diplomats have charged, the Congo is a positive menace. In Africa, as elsewhere, the U.S. persistently remains hostile to its friends and friendly to its enemies.

As in the case of Cuba, the folly has been bipartisan. When Congolese independence swiftly degenerated into civil war, Henry Cabot Lodge, then U.S. Ambassador to the United Nations, led a drive to authorize a UN "presence," charged with keeping the peace even "through the use of force." Thereupon, with the blessings of Adlai Stevenson, who succeeded Mr. Lodge, ensued the shameful suppression of rebellious Katanga. With national "unity" bloodily restored, the UN departed the scene and, for a time, things went better Moise Tshombe, durable and sensible statesman from Katanga, became Premier. Leopoldville and Brussels concluded a treaty under which Union Miniere, the giant copper mine which supports half the Congo, could remain in business. Recovery proved short-lived. In the fall of 1965, President Kasavubu dismissed M. Tshombe, who left the country. Shortly afterward General Mobutu, head of the armed forces, threw out the President, dissolved Parliament and seized power. The palace revolution elicited not a word of concern or protest from either Washington or Brussels, which still sends the Congo millions of dollars in aid.

Thereby they help to sustain an increasingly savage and anti-Western regime. In the Congo, to be sure, politics is rarely a matter of black and white. Though an old associate of the Communist "martyr" Patrice Lumumba, General Mobutu for a while succeeded in masking his leanings. However, last July, on the sixth anniversary of Congolese "independence," the General showed his true colors. Proclaiming the late rabble-rouser a national hero, the chief of state shouted: "I have taken up Lumumba's mantle." He also declared war on the "money powers" and promised to rid the Congo of "economic colonialism." The General has been as good as his word. Kinshasa has moved to reestablish diplomatic relations with the Soviet bloc. It has closed down Western consulates throughout the interior and severed ties with Portugal. Most inflammatory of all, it has allowed the Congo to serve as a staging area for destructive Red-inspired terrorist raids on neighboring Portuguese Angola.

Economically as well as politically, the Congo is slipping back. Visitors report that grass grows knee-high on the runways of the once-proud Leopoldville airport, while the garbage remains uncollected for weeks (the capital city is now run by the military). Foreign investment has come to a standstill, and the country's reserves of gold and foreign exchange are dwindling. Since 1964 the budget deficit has soared fifteenfold; the cost of living has more than doubled; the Congolese franc, which is officially worth 150/180 to the dollar (and 18 months ago traded at 300), now has lost more than three-fourths of its value.

After squandering the golden eggs, Kinshasa last month abruptly moved to kill the golden goose. Although 1965 levies already gave it the lion's share of the profits—on mining operations in the Congo, Union Miniere that year paid $75 million in taxes, while netting $2,350,000—the government last fall decreed fresh exactions. Specifically, it raised export taxes and royalties, and demanded that Union Miniere become a Congolese corporation, a shift that would have jeopardized sizable foreign assets. Rejecting all attempts at compromise, the Mobutu regime late last year barred all mineral exports and last month seized the company's property. Unless it softens its stand—new efforts toward negotiations were afoot last weekend—the future looks bleak. Union Miniere already has served notice that its property has been "purloined," and that all "purchasers . . . shall be considered insincere and dishonest," as well as subject to legal action. By forcibly detaining Belgian technicians (and, for a while, their dependents as well), the Congo threatents to compound its breach of contract and treaty with reversion to the law of the jungle.

Whatever the outcome, the affair is a sorry commentary on U.S. foreign policy. Without a word of protest, Washington has allowed a dependent regime to jeopardize nearly 10% of the free world's copper and its chief source of strategic cobalt. While aiming their fire at mythical threats to peace from such civilized quarters as Rhodesia and the Republic of South Africa, American diplomats have chosen to ignore the real threat of Congolese aggression and subversion. Know your enemy is the first rule of warfare. No wonder that this country—either in Africa, Asia or Latin America—these days can't seem to win.

THE RESPONSIBLE STATE

Mr. SMITH of New York. Mr. Speaker, I ask unanimous consent that the gentleman from Oregon [Mr. DELLENBACK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DELLENBACK. Mr. Speaker, the Honorable F. F. (Monte) Montgomery, Speaker of the Oregon State House of Representatives, is an outstanding citizen of our State who has served and is now serving the people of our State and of this Nation in a series of capacities and a series of positions. He recently made a speech before the City Club of Portland, Oreg., expressing some thoughts shared by many citizens of our great State which thoughts have pertinence and application throughout the entire Nation. His speech follows and could with value be read by all readers of the CONGRESSIONAL RECORD:

F. F. (MONTE) MONTGOMERY SPEECH, CITY CLUB, JANUARY 6, 1967

I reviewed the various projects of the City Club over the past few years and I can say I was impressed by the variety of topics and the depth of research you undertook. You can never know the contribution this effort makes to the development of good public policy.

Too frequently we in government are nearly immobilized just attempting to cope with current crises. We are so busy in Salem today dealing with the techniques of providing property tax relief, of gaining enough revenue to meet budget requests, and of seeking a stop-gap solution to our increasing dangerous pollution problem, that we quite frankly have little time to concern ourselves with the problems of 1970 and 1975 or 1980.

In fact we are so busy today dealing with the problems that should have been solved in the past that we have all too little time to plan and research adequately for the future.

I do hope we are moving in the direction of dealing with future problems, however. I know I am going to instruct and urge all our committee chairmen in the House of Representatives to look beyond just those bills introduced. I am going to urge them to identify problem areas, and to originate legislation providing solutions for them.

Secondly, on behalf of my party's caucus, I have asked Dr. William H. Brandt of Oregon State University to serve as chairman of a Task Force '77 Committee to prepare basic information and hypotheses about Oregon's problems a decade hence, the purpose being to permit us to act on a planned program rather than react to crisis.

On September 1 of last year the second third of the twentieth century ended, and the final third began. We have closed that period which John Dos Passos called "Mid-Century," and we are now entering the final chapter of the 1900's.

The mid-century has been high-lighted by a steady drift of power, of prestige, of responsibility and of authority to Washington, D.C. States find themselves becoming merely agencies for the administration of federal highway, school or welfare programs rather than policy initiating bodies. In fact, too many federal programs completely bypass state government and channel aid directly to local governments and municipalities.

The idea that states are declining institutions must be reversed. And, I believe it can be. On every hand I am beset by greater interest in State Government and greater emphasis on state legislatures, by scholars, by the great philanthropic foundations and by the press. It is the single most encouraging thing that has occurred during my experience in public office.

And this recognition goes beyond the so-called "elites" of our society; the men and women on the streets of this great democracy recognize that if our traditional concepts of federalism are to be maintained there is need for cooperation—not competition.

There is a great demand and a great need for diffusion of political initiative; for development of new techniques for democratic participation; new safeguards of individual rights and for new processes of correcting bureaucratic abuses. There is a need for the "Responsible State."

Politics, the backbone of a free society, must become more than a spectator sport.

The Responsible State, which really means the political leaders of state government with the support and participation of people such as yourselves, must rise to the challenges of the remaining third of this century.

The Responsible State must do more than talk about the metropolitan sprawl.

The Responsible State must conquer the challenges of providing education for residents of a world facing a fantastic explosion in knowledge and information.

The Responsible State must provide government responsive to people, that takes effective action to protect our natural resources and maintain the "liveability" of our environment.

Of all the problems facing Americans in the next third century, none is more acute than the challenge of our cities.

The chaotic development of the great industrial centers we have witnessed during the two-thirds of this century cannot continue. 70% of all Americans now live in urban centers of 2500 or more. More than one out of every two Americans live in the great metropolitan centers of the U.S.

Traffic clogs our streets even as highways, skyways, freeways and rampways assault our aesthetic senses.

The smoke and soot and smells of industrial society pollute the air we breathe.

Our lakes and rivers have become sludgy cesspools of industrial waste and raw sewage often released by our city governments.

Too much of our green space has given way to the axe and the bulldozer.

Our once stately and respectable dwellings decay and fall into disrepair.

And most importantly, man himself all too frequently is unable to adapt himself to this environment. The psychological decline of men and women dragged down to despair, prisoners of poverty, and victims of economic forces they can neither identify nor influence, create the seemingly permanent "slum society" of American cities. Their government clearly has failed to help them.

While this problem is certainly bigger than any one state government, the future success of state government may well be judged by its ability to deal with the problems created by urban living.

Education is an equally vital problem facing state government today.

Scholars who keep records of the world's gross supply of information estimate that knowledge was doubled for the first time between the dawn of history and 1700. A second doubling occurred by 1900; a third by 1950 and the fourth by 1960.

While parents our age don't like to admit it—the amount of information now available in so many fields is staggering.

Scholars tell us this gross supply of knowledge will continue to double about every 10 years.

And Knowledge is *not* the only thing expanding.

It took from the founding of our Republic to the mid-1860's for school enrollments to surpass the 50 million mark. By the end of this century enrollments will have more than doubled. A few years hence well over one-third of the people in the United States will be full-time students in one of our educational facilities.

Look at enrollments in Oregon colleges for example.

In our state system of higher education enrollments in the last 10 years have more than doubled—going from 18,000 to 40,000. In another 10 years they will surpass 60,000.

Enrollments in our elementary and secondary schools have jumped from 350,000 ten years ago to about 475,000. The next decade will find the total soaring well above one-half million.

Today we look at a 28% increase in General Fund operating budget requests for higher education in Oregon for the next biennium, even though they were drastically cut by Governor Hatfield. Last biennium we increased higher education's budget a similar amount.

It is also worthy of note that over 60% of the increase in our last budget was directly applied to education. Most of the rest of it was applied to property tax relief—needed because of the skyrocketing cost of education.

I have touched only briefly on two of the major problems of state government that concerned citizens must tackle effectively if we are to accept and fulfill our responsibilities to the next generation.

You know as well as I the other problems that I could mention—Pollution. A recent Portland newspaper article said a person breathing Portland air was exposed daily to 100 times as much carcinogen—thought to be a major cause of cancer—as a resident of rural Oregon.

Recreation, parks and green belts, removal of dilapidated buildings, leisure time activity particularly for the trouble-prone 12–20 year old group all require the attention of state leaders.

Obviously we must discard the old prejudices and old slogans.

We must prepare to sail uncharted waters if history is to look favorably upon our efforts.

No proposal must be "too far-out" to merit examination.

But, let me go back to the points I referred to earlier.

In meeting the challenge of Metropolitan Government, the Responsible State must seek:

1) adequate statutory and constitutional revision to give urban government authority equal to its responsibilities. This might include the right to levy sales or income taxes locally.

2) effective local action in the civil rights arena which includes active participation of those most deeply involved in civil rights problems.

3) The Responsible State must seek some method to encourage home or apartment ownership for the (disadvantaged) poor and the slum dweller. We must instill in the individual the initiative and pride required to improve himself and his environment.

4) sufficient consolidation of governments to avoid conflict and needless competition. Oregon now has about 1,400 governmental units over half of which are special service districts.

5) adoption of modern, workable zoning regulations.

6) We must give high priority to the rehabilitation of land rendered derelict by dumping of industrial spoil or garbage.

7) establishment of an ombudsman or similar independent appeals agency for the alienated citizens.

8) creation of a useful mass transportation system. Banning of private automobiles in the downtown area and development of mass transportation with a non-pollutive source of power may well be necessary in the years to come. Rapid short-haul public transportation from Eugene to Seattle is also needed.

9) broader attack on crime and compensation for the innocent victims of criminal activity. And to this point I have already proposed and we will be working for a uniform police training program in Oregon.

10) The Responsible State must seek more effective liaison between political leaders and civic action organizations such as yours.

In the field of education, the Responsible State must:

1) develop integrated, consolidated administration for all levels of education. We have had legislation before us. . . .

2) achieve consolidation of units necessary to achieve maximum use of physical plants and staff.

3) look beyond our selfish desires and seriously weigh the adoption of the "quarter system" with year-round classes in elementary and secondary schools as well as in higher education.

4) The Responsible State must seek a better method of understanding individual talents which I am confident would lead to greatest emphasis on technical services and trades.

5) encourage the federal government to provide tax credits or deductions for educa-

tion expenses—and in lieu of that accomplishment, provide state credits or deductions for such expenses.

6) The Responsible State must move rapidly away from what has become over-reliance on the property tax to finance the costs of Education. But at the same time we must recognize that local control and supervision of our schools is one of the most fundamental strengths of our democracy.

This is far from a complete critique of the problems of state government. The Responsible State must clean its own house as well.

We in Oregon will soon require annual legislative sessions.

We need more and better legislative staffing.

We need better information more rapidly, particularly on the activities of other governments. For example, Senator Dirksen has told me that the Congress anticipates major revisions in several federal programs that will directly affect our efforts this session. The highway beautification act, Medicare legislation, National Highway Safety act, Federal Water Quality Act of 1965 and education legislation certainly will receive attention by Congress this year.

To keep abreast of this federal activity Senator Potts and I are seeking the services of a consultant in Washington, D.C. to provide us with periodic reports on such changes.

Constitutional revision is long overdue.

Coordination and consolidation in the executive branch is required.

Many state governments need more and better revenue sources. Oregon is in a paradoxical situation in this regard. Most of the programs of the Responsible States that I have discussed can be accomplished by leadership with wisdom and courage, without great sums of additional revenue. State Government in Oregon does not now need more revenue to operate. New taxes at the state level are *not* needed.

The paradox arises, however, in regard to local government which relies on the property tax. If state government is to provide the property tax relief apparently demanded by the voters, additional tax revenues at the state level will be required. I can say on that subject that any new taxes adopted by this session of the legislature will be handled like the cigarette tax—referred to the voters for their decision. Present state services will be funded by existing revenues independent of any tax referral program.

Any state, if it is to be responsible, must have the support of a responsible citizenry.

For this reason, let me solicit your thoughts and your counsel.

Together we can look to the final third of the century as the period in which we will truly achieve the Responsible State.

HUMAN RIGHTS AND THE GENOCIDE CONVENTION

The **SPEAKER** pro tempore (Mr. MILLER of California). Under previous order of the House the gentleman from New York [Mr. HALPERN] is recognized for 15 minutes.

Mr. HALPERN. Mr. Speaker, I have introduced a House resolution urging the United States to ratify the Genocide Convention, a multilateral agreement drafted in 1948 and subsequently ratified by 67 foreign countries.

The United States is a signatory to the Genocide Convention. We also participated in negotiating treaties dealing with slavery, forced labor, and the political rights of women. These four human rights documents have been referred to the Senate. There has been no final disposition, and the continuing congressional inaction is a shameful testament to our professed allegiance to principles of international law.

Mr. Speaker, I have on several previous occasions discussed the Genocide Convention here on the House floor. On March 24, 1966, in a lengthy reappraisal, I sought to dispel many of the fears and misgivings harbored in some quarters. Last August 31, in a further statement, I renewed the debate and called once again for congressional action.

Under our Constitution, the Genocide Convention and other treaties are matters for the Senate to resolve. But we in the House can take little comfort from this. The Senate has all but ignored this unfinished business. I urge House passage of my resolution calling for approval of the Genocide Convention.

Now we have come to a truly sorry state of affairs when this Nation can completely disregard its obligations to the international community and refuse to take up for consideration a whole list of multilateral treaties to which we are a signatory. How long can this go on?

Our reputation is suffering, and justly so, in the chancelleries of the world. Can we fairly demand of other states a recognition of human rights and judicial practices when America balks at approving certain very fundamental codes of international behavior?

The U.S. record in the field of human rights, as reflected by Executive diffidence and congressional inaction, is inexcusable. Our Government took the lead in negotiating these agreements, after which we have chosen to ignore them.

Last March 24, I discussed the Genocide Convention at length here on the floor of the House. I attempted to answer many of the criticisms voiced at the time of the initial Senate Foreign Relations Committee hearings more than 15 years ago. To a considerable extent, this concern related to the impact of the convention's articles on domestic law. The Department of Justice has drafted some reasonable legislative implementation clauses aimed at avoiding alleged conflict and complication with respect to U.S. accession.

Moreover, at the time of the hearings, "understandings" were agreed to by the subcommittee. Numerous other suggestions have been put forward to facilitate U.S. adherence without altering the substantive nature of the protections and obligations imposed.

The most recent human rights pact, dealing with the elimination of racial discrimination, has not yet been referred to the Senate for ratification purposes.

And at this moment there is pending a bill to establish a U.S. Committee on Human Rights, to prepare for American participation in International Human Rights Year in 1968, as proclaimed by the United Nations. The proposed Committee would submit a report to the President recommending means whereby the United States could foster and strengthen recognition of international law principles. The Senate passed it in 1966; the House Foreign Affairs Committee reported it favorably, but it was not scheduled for House floor action.

This legislation, or a similar vehicle, could serve as the first, promising step in righting this Nation's neglectful stance on human rights.

But I seriously doubt whether we will ever move with dispatch on these longstanding issues without real impetus from the executive branch.

The full weight and prestige of the President's Office is required to reverse the indifference which has characterized our official posture in this area.

I call upon the President to submit a special message on human rights to the Congress, urging ratification of the five pending treaties and passage of my bill to establish a U.S. Committee on Human Rights, to prepare for American observance of International Human Rights Year in 1968. If not the latter measure, then some other course must be selected to make the U.S. contribution to Human Rights Year a worthwhile and constructive endeavor.

DISCRIMINATION AGAINST BUILDING TRADESMEN MUST END

Mr. HALPERN. Mr. Speaker, the Congress must no longer permit the continuation of outright discrimination against building tradesmen, who are frontline fighters in our Nation's Constant battle for prosperity and economic stability.

I refer to the fact that on-site picketing by building tradesmen is considered a prohibited secondary boycott, under section 8(b)(4) of the Taft-Hartley Act. I applaud the gentleman from New Jersey [Mr. THOMPSON] for his introduction of amendments similar to those I am introducing today, to end this discrimination against the tradesmen of this key industry.

While other trades are allowed free, full picketing privileges at places where they work, building tradesmen are barred from on-site picketing because of an old decision of the National Labor Relations Board.

From the start, this decision did not carry out the intent of the Congress. This unfair discrimination against building tradesmen has remained in effect for 18 years, since the National Labor Relations Board decision in the Denver Building Trades case in April 1949. It is our duty to rectify this injustice.

At the time of the decision, the Board was not familiar with the special conditions of the building trades, because it had not taken jurisdiction over these trades during the Wagner Act period of 1935 to 1947.

Under that decision, the building trades unions were denied the right to picket peacefully at employment sites. They, alone, of all unions were barred from such picketing by the Denver rule which held that similar picketing by building tradesmen is a secondary boycott, prohibited by the Taft-Hartley amendments to the Wagner Act.

Neither authors of the Taft-Hartley Act, nor the Congress intended to establish such discrimination. In fact, during hearings on this bill in 1953, the late Senator Taft stated:

> I certainly was under the impression that during the consideration in 1947, that we were not dealing fundamentally with building trades.

President Truman and President Eisenhower asked for legislation to nullify the Denver rule. In 1959, section 8(b)(4) was amended to avoid similar injustice in the garment trades.

Mr. Thompson's bill was reported out of the House Rules Committee on March 14, 1966, and was scheduled for floor action on May 12, 1966, but was suddenly withdrawn before such action.

We have allowed inaction to perpetuate a serious discriminatory situation, victimizing the tradesmen who are the heart and muscle of one of the Nation's most important industries. We must allow this to continue no longer.

WHILE YOUNG AMERICANS FIGHT AND DIE, WE SHOULD WASTE NO TIME IN REAFFIRMING THE MONROE DOCTRINE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Iowa [Mr. Gross] is recognized for 30 minutes.

Mr. GROSS. Mr. Speaker, our former colleague, the Honorable Ben F. Jensen, of Iowa, has prepared the material for a book, which he expects to have published soon and which, in addition to his experiences as a Member of the Congress, sets forth his views with respect to this Nation's foreign policy, or lack of it.

Among other things, Mr. Jensen calls for an immediate return to the Monroe Doctrine, warning that bankruptcy awaits this Nation if it continues on its present course of attempting to police and finance the rest of the world.

The material referred to above follows:

(By Hon. Ben F. Jensen)

(Compiled, March 1966)

While young Americans are fighting and dying, by the thousands, millionaires are made, by the hundreds, from the profits of war. When our victorious veterans return home, they must help pay the enormous cost of the war they won. Many of them maimed and physically and mentally ill, while thousands of their buddies paid the supreme sacrifice. During World War I, hospital records were so poorly kept that disabled veterans, by the thousands, were unable to prove service connection. Now their average age is seventy-one, their earning capacity almost nil, and their pensions less than $100.00 per month, or about one-fifth of the average American's monthly income; also, they must first file an application to prove their annual income is, in fact less than half the average American's income.

How can the burdens of war be spread more evenly? Many of our people have asked and are still asking that question. The answer is that in a capitalistic nation such as ours, should Congress pass a law, signed by the President, that provided a heavy excise tax during a war permitting industry, business, wage earners and agriculture to retain just enough of their profit for living costs, education, medicine and taxes, it might never be repealed. That very idea was toyed with in Congress during World War II. We were told by those who suggested it that if such a law was adopted, it would spread the burdens of war more evenly among all the people; and by such a law that compelled everybody to pay the heavy tax imposed, the war would be paid for almost completely, as the war progressed. "Sounds good," some say, but let us take a good, long, hard look at it. We did impose excise taxes on many commodities, and a heavy tax on profits of business and industry during World War II. But to repeal any law, especially a revenue-raising law such as an excise tax when the U.S. Treasury is so deeply in the red, is something else. During the 1965 session of Congress, the President requested Congress to repeal certain excise taxes, which it did, but lo and behold, early in 1966 the President had completely changed his mind. Now he demands that after the present law expires, Congress reenact the law.

LAWS ARE DIFFICULT TO REPEAL

The Honorable Bruce Barton, my friend and famed author of New York City, was elected to the House of Representatives in 1938, the same day as I was elected. Mr. Barton had long felt the U.S.A. had far too many useless laws on its books, hence he promised his people during his campaign that he would try his very best to repeal some of those useless laws. However, he soon discovered that to repeal any law was a Herculean task, and almost beyond human power to accomplish. Mr. Barton retired from Congress in 1940, never to return to politics. The fact is nobody in the U.S.A. has ever come up with a safe, sound suggestion to spread the burdens of war more equally among all the people. Of course the Communists have their answer; they permit only a chosen few to make a small profit in wartimes or peacetimes, but few among us here want any part of their kind of business or government.

There is only one sure solution to the problem, and only one—Stay out of war! However, the time comes in the life of a nation when that nation is completely justified and duty-bound to make war on an enemy. Such a time was surely ours the minute Mister Castro declared himself a communist and set himself up as the dictator of little Cuba just ninety miles from our shores. Instead, we only told him in polite language to cease and desist, thereby losing face in every nation of the free world; but it was a big lift to the communists here and worldwide. Then when the refugee Cuban Nationals attempted the invasion of the Bay of Pigs in secrecy, they thought the communists who had infiltrated our government agencies got the word quickly to Castro—that the invaders were on their way, where they would land and when—and there were the Castro forces ready to swallow them up. The real military experts in the Pentagon pled with the President to give air cover to the invading Cuban Nationals, but the self-styled military experts in the State Department said no; the President took their advice, which was the biggest mistake Kennedy ever made.

The American people paid a terrific price in treasure and blood, are still paying, and will continue to pay until such time as the President of the United States permits our military experts to work their will not only in Cuba, but also in Viet Nam.

At the time of the Spanish-American War, the Monroe Doctrine was in full force and effect. We proved to the world, at Manila Bay, that we had the will and the military might, and that that instrument meant exactly what it said. It was then the U.S.A. became recognized around the world as a world power.

We were then yet a young but progressive, determined nation, in that we told the rest of the world to keep their noses out of our internal affairs and in return we would keep our nose out of theirs. In plain words, that is what Monroe intended when he issued that manifesto—and every nation in the world knew fully well exactly why he made that declaration and that, along with it and our Declaration of Independence, the American people would defend it with their lives, their resources, and their sacred honor. Even Russia understood it. It seems far too few Americans living today are aware of the untold benefits every American enjoyed from 1823 until we threw the Monroe Doctrine in the ash can, when we became involved in World War I. The Congressional Service of the Library of Congress, furnished me the following at my request:

"JAMES MONROE AND THE MONROE DOCTRINE, PRESIDENT, JAMES MONROE MEMORIAL FOUNDATION

"James Monroe, fifth President of the United States, was called 'the last of the cocked hats,' because throughout his life he clung to the Revolutionary mode of dress. Descended from the Scottish Barons of Foulis, he was already the fifth generation of Monroes in America. Born on April 28, 1758, in Westmoreland County, Virginia, the son of Spence and Elizabeth Jones Monroe, he was educated, as were George Washington, Thomas Jefferson and James Madison, under country school masters and private tutors. At the tender age of eight, he saw his father leave for the old Virginia tobacco port of Leedstown on the Rappahannock River, to become a signer with his neighbors in 1766—10 years before the Declaration of Independence—of the 'Leedstown Resolutions,' the first formal resistance against Great Britain's hated Stamp Act and taxation without representation. At 16 his patriotic fervor was raised to further heights when, as a student at the College of William and Mary, the town crier of Williamsburg raced through the streets with the news of the Battles of Lexington and Concord. Then, not a mile from his classroom, came the rifling by the British of the Powder Magazine. School days were over for young James. He joined with his fellow students and the youth of the surrounding country to drill under Patrick Henry on the Palace Green in full view of the last British Governor.

"The following year, at the age of 18, he marched away to war, the only other American President beside George Washington to fight in the Revolution. He served brilliantly through many of the major battles of the War, crossing the Delaware in the vanguard of Washington's forces for the attack on Trenton, and receiving in the ensuing battle a British musket ball which he carried in his shoulder for his remaining life. He was among the ragged crew at Valley Forge. Emerging from the war at 23 as a Lieutenant Colonel, he carried with him the high praise and commendation of his Commander-in-chief, George Washington.

"Returning to Virginia, he read law under Thomas Jefferson and opened in Fredericksburg what was to be his only private law office, in a building which still stands and is a beautiful museum to his memory. From here he went into the public career which carried him into more high public offices than have ever been held by any other American: Town councilman; member of the Executive Council of the Virginia Legislature; member of the Continental Congress and the Virginia Continental Convention; United States Senator; Minister to France, England and Spain; Governor of Virginia for four terms; Secretary of State, then Secretary of War, and the only person in our history to serve as both simultaneously. Then twice President of the United States, and, in his old age Regent of the University of Virginia, and finally, Justice of the Peace in his home county of Loudoun. No office was too high or too lowly for him as long as he could serve his fellow-Americans.

"During these busy years, he was in large measure responsible for the negotiation with Robert R. Livingston of the Louisiana Purchase; he was untiring in his efforts for the opening of the West, and, the crowning achievement of his career, he sent to Congress on December 2, 1823, his annual message, embodying therein a defy to the aggressor nations of Europe which became known as the 'Monroe Doctrine.'

"One of the reasons behind James Monroe's famous Doctrine was his deep concern for the liberties of the Latin American republics, which were in their early infancy during his administration. He considered their independence intimately connected with that of our own country. Spain was ambitious to re-conquer these infant republics, and Russia, through what she termed the Holy Alliance, which included Prussia and Austria, was also dedicated to this end. It was an anxious time for James Monroe because of his realization that if these objectives were attained, it would be dangerous to the peace and safety of the United States, since it would mean having aggressor nations on our borders or within the Western Hemisphere.

"While the idea of a division of the hemispheres was not new with James Monroe, many prominent men of his day being concerned with it, he was the one to make the final decision to announce it as a definite policy of these United States. He wrote his old friend, Thomas Jefferson, who had retired to his home, 'Monticello,' and outlined his ideas as follows:

" 'My own impression is that we ought . . . to make it known that we would view an interference on the part of the European powers, and especially an attack on the (Latin American) Colonies by them, as an attack on ourselves, presuming that, if they succeeded with them, they would extend it to us.'

"Jefferson replied with these words:

" 'The question presented by the letters you have sent me, is the most momentous which has been ever offered to my contemplation since that of Independence. That made us a nation, this sets our compass and points the course which we are to steer thro' the ocean of time opening on us.'

"Thus, Jefferson placed the proposed edict above even the Constitution and the Bill of Rights, for without freedom from aggression, what need of either of these?

"Upon receipt of this letter, Monroe called his Cabinet together, and after consultation with them, made his decision. Thus, the responsibility of enunciating this country's stand to a startled world was Monroe's alone, and his would have been the blame had there been unfavorable repercussions. He had to stand or fall with it.

"His words were simple and can be translated into—'Hands off the twenty-one republics in this hemisphere!' There effectiveness was instantly discernible, and they have stood the test of time while their strength has grown with the years. The Monroe Doctrine remains today the bedrock of our foreign policy as surely as on the day it was enunciated by James Monroe.

"THE MONROE DOCTRINE

" 'We owe it therefore to candor, and to the amicable relations existing between the United States and those Powers, to declare that we should consider any attempt on their part to extend their system to any portion of this Hemisphere, as dangerous to our peace and safety. With the existing Colonies or Dependencies of any European Power we have not interfered, and shall not interfere. But with the Governments who have declared their Independence, and maintained it, and whose Independence we have, on great consideration, and on just principles, acknowledged, we could not view any interposition for the purpose of oppressing them, or controlling in any other manner their destiny by any European Power, in any other light than the manifestation of an unfriendly disposition towards the United States.'

"MONROE'S MESSAGE ENUNCIATING THE MONROE DOCTRINE, DECEMBER 2, 1823

"The triumph of Napoleon in Spain in 1808 was followed by a succession of revolts in the Spanish colonies in America, and by 1821 all the colonies had established revolutionary governments. In 1823 France, with the sanction of the so-called Holy Alliance, had restored Ferdinand VII of Spain to his throne and later in the year another meeting of the allies was suggested to consider the question of aiding Spain to reduce its colonies to submission. In the meantime, in September, 1821, a Russian ukase had asserted the claim of that country to all the Pacific coast of North America north of the 51st parallel, and forbidden foreigners to trade in the region. The claim of Russia was opposed by both Great Britain and the United States. A proposal from Great Britain, in September, 1823, 'that the two countries should unite in a declaration against European intervention in the colonies,' was however, declined. In his annual message of Dec. 2, 1823, Monroe, in discussing the relations of the United States with Russia, Spain, and the Spanish-American colonies, stated the policy which afterwards came to be known as the Monroe Doctrine. The portions of the message dealing with the subject are given in the extracts following.

"(REFERENCES.—Text of the message in House and Senate Journals, 18th Cong., 1st Sess.; the extracts here given are from the Senate Journal, 11, 21–23. On the origin of the statements in the message, see J. Q. Adams Memoirs, VI; Madison's Writings (ed. 1865), III, 339, 340; Jefferson's Works (ed. 1854), VII, 315–317. Correspondence relating to the Russian treaty of 1824 is in Amer. State Papers, Foreign Relations, V., 434–471; the correspondence with Spain, ib., V., 368–428, throws light on the condition of the colonies. The policy stated by Monroe had been frequently enunciated, though less definitely, before 1823; interesting extracts, from 1787 onwards, are collected in Amer. History Leaflets, No. 4. The leading discussions of the Monroe Doctrine are Gilman's Monroe, chap. 7 (with valuable bibliography, Appendix IV.); G. F. Tucker's Monroe Doctrine; Wharton's Intern. Law Digest (ed. 1887), I., 268–298; Snow's American Diplomacy, 237–294. See also G. Koerner, in Lalor's Cyclopaedia, II., 898–900; Rush's Court of London, chap. 13.)

"At the proposal of the Russian imperial government, made through the minister of the Emperor residing here, a full power and instructions have been transmitted to the Minister of the United States at St. Petersburgh, to arrange, by amicable negotiation, the respective rights and interests of the two nations on the northwest coast of this continent. A similar proposal had been made by his Imperial Majesty to the government of Great Britain, which has likewise been acceded to. The government of the United States has been desirous, by this friendly proceeding, of manifesting the great value which they have invariably attached to the friendship of the Emperor, and their solicitude to cultivate the best understanding with his government. In the discussions to which this interest has given rise, and in the arrangements by which they may terminate, the occasion has been judged proper for asserting, as a principle in which the rights and interests of the United States are involved, that the American continents, by the free and independent condition which they have assumed and maintain, are henceforth not to be considered as subjects for future colonization by any European powers.

"It was stated at the commencement of the last session, that a great effort was then making in Spain and Portugal, to improve the condition of the people of those countries, and that it appeared to be conducted with extraordinary moderation. It need scarcely be remarked, that the result has been, so far, very different from what was then anticipated. Of events in that quarter of the globe, with which we have so much intercourse, and from which we derive our origin, we have always been anxious and interested spectators. The citizens of the United States cherish sentiments the most friendly, in favor of the liberty and happiness of their fellow men on that side of the Atlantic. In the wars of the European powers, in matters relating to themselves, we have never taken any part, nor does it comport with our policy so to do. It is only when our rights are invaded, or seriously menaced, that we resent injuries, or make preparation for our defense. With the movements in this hemisphere, we are, of necessity, more immediately connected, and by causes which must be obvious to all enlightened and impartial observers. The political system of the allied powers is essentially different, in his respect, from that of America. This difference proceeds from that which exists in their respective governments. And to the defense of our own, which has been achieved by the loss of so much blood and treasure, and matured by the wisdom of their most enlightened citizens, and under which we have enjoyed unexampled felicity, this whole nation is devoted. We owe it, therefore, to candor, and to the amicable relations existing between the United States and those powers, to declare, that we should consider any attempt on their part to extend their system to any portion of this hemisphere, as dangerous to our peace and safety. With the existing colonies or dependencies of any European power, we have not interfered, and shall not interfere. But with the governments who have declared their independence, and maintained it, and whose independence we have, on great consideration, and on just principles, acknowledged, we could not view any interposition for the purpose of oppressing them, or controlling, in any manner, their destiny, by any European power, in any other light than as the manifestation of an unfriendly disposition towards the United States. In the war between those new governments and Spain, we declared our neutrality at the time of their recognition, and to this we have adhered, and shall continue to adhere, provided no change shall occur, which, in the judgment of the competent authorities of this government, shall make a corresponding change, on the part of the United States, indispensable to their security.

"The late events in Spain and Portugal, show that Europe is still unsettled. Of this important fact, no stronger proof can be adduced than that the allied powers should have thought it proper, on any principle satisfactory to themselves, to have interposed, by force, in the internal concerns of Spain. To what extent such interposition may be carried, on the same principle, is a question, to which all independent powers, whose governments differ from theirs, are interested; even those most remote, and surely none more so than the United States. Our policy, in regard to Europe, which was adopted at an early stage of the wars which have so long agitated that quarter of the globe, nevertheless remains the same, which is, not to interfere in the internal concerns of any of its powers; to consider the government de facto as the legitimate government for us; to cultivate friendly relations with it, and to preserve those relations by a frank, firm, and manly policy; meeting, in all instances, the just claims of every power; submitting to injuries from none. But, in regard to these continents, circumstances are eminently and conspicuously different. It is impossible that the allied powers should extend their political system to any portion of either continent, without endangering our peace and happiness; nor can any one believe that our Southern Brethren, if left to themselves, would adopt it of their own accord. It is equally impossible, therefore, that we should behold such interposition, in any form, with indifference. If we look to the comparative strength and resources of Spain and those new governments, and their distance from each other, it must be obvious that she can never subdue them. It is still the true policy of the United States to leave the parties to themselves, in the hope that other powers will pursue the same course."

WASTE NO TIME

We should waste no time in reaffirming the Monroe Doctrine, then let Mr. Castro know in no uncertain terms that it means exactly what it says, and that it applies to him especially and directly.

Next, as any real military expert will tell you off the record, we cannot whip the Viet Cong forces on the ground, as both Generals Douglas MacArthur and Dwight D. Eisenhower said in World War II and the Korean War. For the U. S. A. to let that bloody, costly war in Viet Nam continue on for possibly years, as President Johnson said it might, borders on the criminal. Our real military experts, schooled and trained in the prosecution of winning a war, would quickly bring that war to a successful end. It stands to reason that if they were charged with prosecuting that war, they would waste no time in ordering sufficient conventional air might to bomb to ashes all Viet Cong military bases, their supply lines on ground and sea, and their supply depots, with pinpoint bombing north of the 17th parallel; then demand the Viet Cong's unconditional surrender, which they certainly would do, having lost their bases and ammunition supplies, as well as supply lines, thus rendering helpless their guerrilla swamp and brush fighters.

By that time, we would also be rid of Mr. Castro, as the Monroe Doctrine would be in full force and effect; if not we would of course take the necessary means to stop him cold and quickly. Then we should bring all our military forces back home—our tanks, guns, planes, and all our military equipment—and never again become involved in a shooting war across the seas; and in the same breath, say to the rest of the world, "Have your communism and socialism until you're sick of it!"

You may say, "Oh, we can't do that under present world conditions." If so, then my question to you is, "Just when do you want us to do it?" For sooner or later we will have to do it, and it best be soon before Uncle Sam spends himself into complete federal bankruptcy, and before the ten-dollar bill now in your pocket will not buy even a slice of bread. Then our fighting men will have little incentive to fight and maybe die to protect our system of government, as they have done so ably and willingly in the past.

Mr. and Mrs. America, this is a deadly serious situation with which you and I and every American is dealing this very minute. I have lived close to enemies within our shores most of the time during the past twenty-seven years, and I believe—yes, I'm sure—that unless we make a complete about-face and make amends for our national and international spending stupidity, and the slaughter of youth on foreign soil, our blessed way of life is doomed.

You may say, "But if Uncle Sam pulled out abroad, communism will surely take over Europe and Asia." I doubt that, as the minute we pull out the other nations of the free world would build up their own military defenses with their own money, instead of with ours. No doubt the communists would continue to try to do as they always do, which is to take over a nation by infiltration and propaganda, just as the Fabian socialists and communists are adroitly scheming to do nere in the U.S.A. I challenge anyone to name a people back of the Iron Curtain that would join the ungodly communists in a war against the free world. But you may ask, "How about the Red Chinese?" That is a good question, especially if the Viet Nam War is not soon won by us and Red China continues to build up her atomic power, but which will take her at least twenty-five years to come close to our present striking power, if ever. The Russian Communists know only too well, as does Red China, that we have atomic and naval power sufficient to blow their continents off the face of the earth, right now, and we will have the wherewithal to increase that power month after month if—and it's a big if—we keep economically and financially strong, keep our powder dry, and get out and stay out of all foreign entanglements while we carry on friendly relations with all nations, as George Washington admonished us to do. We honored such advice until we became involved in World War I, thus throwing the Monroe Doctrine in the ash can, as I said before. Ask any military expert, off the record, who has had a lifetime training in the arts of waging and winning a war, as I have during the past year or more, then you will know why I have taken the position I have on this most important question.

We could then safely reduce our backbreaking costs for national defense by at least twenty billion dollars; spend upwards of the remaining forty billion dollars for implements of war and the military payroll for a more than adequate national defense establishment, so strong that any nation on earth or group of nations would ever dare invade our shores.

We could then reduce taxes to our present overburdened taxpayers by billions of dollars and apply the balance on our national debt. If any one has a better plan to stop killing our people and for stopping this mad rush to national and private suicide, let them come forward with it, please. What say you Americans?

WALT DISNEY—A GREAT AMERICAN

The **SPEAKER** pro tempore (Mr. Miller of California). Under a previous order of the House, the gentleman from Kansas [Mr. Dole] is recognized for 15 minutes.

Mr. DOLE. Mr. Speaker, today I have introduced a joint resolution authorizing the posthumous issuance of a gold medal to the late Walt Disney. This resolution provides that the President, in the name of the people of our Nation, shall present this medal in recognition of Walt Disney's contributions to the culture of the United States.

Our Nation lost one of its most illustrious and important citizens on December 15, 1966, when Walt Disney passed away. He had been called Hollywood's only authentic genius.

RECIPIENT OF OUTSTANDING AWARDS

Walt Disney's name has been synonymous with the best in the field of entertainment. He also reached the peak of creativity in bringing to peoples all over the world hundreds of hours of pleasure. Since 1928, when he launched his Mickey Mouse series, he won international acclaim for his ingenuity and ability to bring to the screen the wonders of animation.

He was the winner of about 30 Motion Picture Academy Award Oscars, and over 900 other awards, including decorations from foreign governments, gold medals, trophies, and citations from national and international organizations, newspapers, magazines, and churches.

On May 23, 1966, Disney received a once-in-a-century award as an outstanding humanitarian from the American Society for the Prevention of Cruelty to Animals, at its 100th anniversary annual meeting in New York City. He was cited for his role as a teacher of kindness and compassion. During the presentation Walt Disney was characterized as a "corporate pathfinder and an architect of the imaginative without peer in the field of humane education."

How highly Walt Disney is regarded by his fellow Americans was indicated when he received the George Washington Medal, highest award of the Freedoms Foundation at Valley Forge. Former President Eisenhower, serving as chairman of the foundation's board of directors, made the presentation. He read a citation honoring: "Walt Disney, Ambassador of Freedom for the U.S.A."

CAREER IN ENTERTAINMENT

As a youth his home was Kansas City, Mo., and there he began to draw and dream of animated cartoons which could be projected on the motion picture screen. He was the youngest of five children and was born in Chicago, Ill. He served in World War I as a Red Cross ambulance driver. Advertising art gave him the first outlet for his great talents and eventually he went to California, where he formed a partnership with his brother.

Walt Disney's contributions to the motion picture screen since the twenties are legion: "Mickey Mouse," "Donald Duck," "Fantasia," "Snow White," "Pinocchio," "So Dear to My Heart," "Peter Pan," "Seal Island," "The Living Desert," "The Vanishing Prairie," "20,000 Leagues Under the Sea," and "Mary Poppins," to mention a few.

His contributions never ceased. Generations have laughed and cried at his creations. His sensitivity was unparalleled and he knew how to reach the entire family. He was the greatest of entertainers. He was a magician without pretense. It has been recorded that he was one of the most influential men alive.

Walt Disney came to the top the hard way. He had a tremendous drive. The Disney studio atmosphere, said a former executive, was one of compulsory democracy. The lowliest inkgirl called Walt by his first name.

INTEREST IN CONSERVATION AND NATURE

In 1954 Time magazine recorded that through Disney's feeling for animals he was related to nature and to the mother warmth of the earth:

> Out of this earthiness, Walt feels, there sprout whatever seeds of creativity he has. "I'm an earthy guy, all right," he says.

Walt Disney served as National Wildlife Week chairman, sponsored by the National Federation of Wildlife, for approximately a dozen years. While he was not identified with any particular type of conservation, he was an honorary member of the National Wildlife Federation.

Great credit should go to Walt Disney for his nature films, both motion pictures and television. He did excellent work in the whole area of nature. As an individualist he brought the word "conservation" to the people. This idea has always been thoroughly interwoven into his nature films.

He produced short television scripts on wildlife at no cost to the Federation of Wildlife. Further, Walt Disney accomplished an enormous amount of work in conservation which went unnoticed because he did not advertise it. Disney constantly brought the necessity of conservation to the eyes of individuals which made them think conservation.

A GREAT AMERICAN ARTIST

What can we say of Walt Disney that has not been said before? Volumes have been written about him. He has been called the most ingenious artist of our day, America's idol, a giant of the motion picture industry.

Disneyland opened its doors July 18, 1955, and became a mecca for travelers the world over. About 50 million persons—at the rate of 6 million a year—had passed through its turnstiles by 1965, including kings and commoners.

Through the years Walt Disney continued to bring to us hours of clean and fascinating entertainment which old and young have shared together. He did good wherever he went.

To this great artist and loyal American we owe a debt of gratitude and our profound thanks for sharing with us his God-given talents.

To his wife, Lillian; his daughters, Mrs. Ronald Miller and Mrs. Robert Brown; his seven grandchildren; and his brother, Roy, I extend my prayerful sympathy in this time of sadness.

BATTLE BREWS AT WESTERN WATER HOLE

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from California [Mr. HOSMER] is recognized for 20 minutes.

Mr. HOSMER. Mr. Speaker, the other day I commented very briefly on Secretary Udall's proposed revision of the Colorado River Basin project. Having now had the opportunity to review his plan more thoroughly, I am satisfied that my initial evaluation was accurate. It is fantastic. Because Secretary Udall, in his responsible position as the administration's policymaker on development of our natural resources, has taken it upon himself to totally disregard a carefully wrought seven-State agreement for development of the Colorado River Basin, I must make a more detailed evaluation of my position on the central Arizona project.

I am not aware that Mr. Udall has taken the time to consult with representatives from the Colorado River Basin States. However, I do not wish to cast the entire blame upon him. His fellow Arizonans, with whom he has limited his conferences, seem not to lack in imagination as to ways and means for throwing monkey wrenches into the Pacific Southwest water machinery. Undoubtedly, the most perplexing aspect of the attempt by the six other States of the Colorado River Basin to maintain unity within the basin has been the multiplicity of proposals streaming out of Arizona since the last Congress. Now the Secretary has thrown more mud into the water.

Two years ago, Arizona and California buried an extremely active hatchet, blunted and bloodied from half a century's constant warfare in every forum their resourceful water leaders could discover. From the stately and subdued atmosphere of the Supreme Court to the ordering out of Arizona's National Guard to rout the builders of Parker Dam, no effort or expense was spared by these States to prevent a sensible resolution of the dispute. Westerners have always battled vigorously over their water holes, but never on as ambitious a scale as this.

The West has always been haunted by too little water for its unprecedented growth. Perhaps in the past, the solution was beyond our grasp. Today, this is no longer true. Our expanding technology is giving us answers not readily available to us before to augment our Colorado River water supply. Weather modification and desalination now have a realistic potential. We are now capable of extending our more traditional aqueducts greater distances to seek new supplies. Knowledge which increases the productiveness of our watersheds and improves our conservation practices must inevitably increase our existing resources.

On the basis of our ability to increase our water supply and end brawling over a dwindling river, we reached agreement. I will not again describe this agreement to you. But I must point out that the features upon which this agreement was reached are now being plucked out one by one and consigned to the junk heap by those whom I heretofore considered responsible water leaders. Berating their able representatives in this body and fuming against California, some Arizonans insist on placating every noisy foe of Southwest development. They want to root out every provision even mildly offensive to those who are indifferent to the water needs of the basin, no matter how painstakenly those features were developed and made a part of this delicately structured compromise; and, no matter how vital they are to the continued growth of the entire West, which includes Arizona whether we can live easily with her or not.

Arizonans now insist that we forgo any serious attempt to study means to augment the Colorado, apparently with the wistful thought that this can be done by a National Water Commission, not yet created, whose duties will be so far-reaching and numerous that it is pure whimsy to imagine that a practical plan could evolve before the Colorado River becomes an historic monument. Gone also is the protection to those who have long since developed their economies through usage of Colorado River water, having relied on the keystone of western water law that existing uses have priority over new developments. Apparently, Arizonans believe that principle only applies to Arizona as that is the extent of the protection in their bills today, ignoring like uses in California and Nevada. Also caught up in the vanishing act is Marble Canyon Dam, a hefty revenue producer designed to assist in paying out the central Arizona project in addition to furnishing financial support for the program to augment the river. And now, apparently inspired by this junking expedition carried on by his fellow Arizonans, Secretary Udall has thrown out the rest. In a page and a half press release, Hualapai Dam and the development fund were consigned to oblivion in what can only be a quixotic gesture to the unsatiable conservationists, amply sweetened by a proposal to extend Grand Canyon National Park to include Marble Canyon. I am amazed that the author of the Pacific Southwest water plan, a bold and sound regional approach to the problems of the entire basin and containing each of the features noted above, is now recommending a bill containing less even than the central Arizona project legislation when it was originally introduced in 1947. The Secretary apparently is striking for a reputation for turning mountains into molehills.

Yet some remarkable contradictions exist in all the new approaches being showered upon us. While telling us to forget a realistic approach to augmenting the river and financing new developments, the water carrying capacity of the central Arizona project has mysteriously grown from 1.8 million acre-feet to 2.1 million acre-feet after a lapse of only 6 months and this after we reluctantly swallowed an increase in its capacity of 40 percent just 6 months before that. Further, in abandoning Marble Canyon Dam under one approach and thereby depleting our financial resources, we now find a vigorous petition to the Federal Power Commission to grant an immediate construction license for Marble Canyon Dam on behalf of the Arizona Power Authority, an official agency of the State of Arizona. It appears that while the size of the aqueduct may be increased, the potential revenues from Marble to help pay for it will now be for the exclusive use of Arizona.

I see only two alternatives open in the face of these proposals. If all our future lies with the National Water Commission as recommended by Secretary Udall and the Arizonans, then the central Arizona project must be deferred pending its appraisal by the Commission and I make no recommendation for any speed in making that appraisal. In the event the Commission recommends that people move where the water is rather than take the water to the people, then the project will not be necessary and the present residents can settle down to a semicomatose existence and not concern themselves with improving their lot. If the Commission furnishes us a concrete program to augment our bankrupt river, then it is time to start thinking in a very preliminary way about someday building a central Arizona project adequately financed and assured that it will always run brim full. Perhaps this is a task we might leave to our grandchildren or great-grandchildren.

If we can somehow manage to salvage some vestiges of a regional plan, albeit poorly financed and with dimmed hopes of a realistic means to overcome our shortages, then the central Arizona project must be reduced commensurately in size so as not to overtax the river and the revenues available to fund its construction. For almost two decades, this project was promoted with a carrying capacity of 1.2 million acre-feet per year. We struck our bargain with Arizona 2 years ago on this amount, and I will fight for their project in this size, or at least half this size or so. The willingness of the Arizonans to give such aid and comfort to the critics of the seven-State agreement will force us to work desperately to rescue what little we can of these all-essential features. I can foresee no other course but to reduce our costs and our demands on the river.

I do not want to oppose the central Arizona project or have to shrink it to minuscule proportions. I have pledged my full support for 2 years and I intend to be good to my word. But my word encompasses a program which runs to the well-being of 25 million people living in seven States, a program developed by the present Secretary of the Interior, one I am pleased to espouse. My word does not encompass this more recent nonsense from Arizona or her Secretary of the Interior.

U.S. POLICY ON RHODESIA

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. ROSENTHAL] is recognized for 20 minutes.

Mr. ROSENTHAL. Mr. Speaker, in the past few weeks a number of Members of Congress have raised important questions about U.S. policy in support of economic sanctions against the Smith regime in Rhodesia. Generally, they have argued against the legality of this policy and have urged that we reopen trade with the Smith regime and rescind our policy of support for the Security Council resolution. I think it would be useful to analyze these contentions.

Most critics of the U.S. position argue that we are violating the United Nations Charter by meddling in the domestic affairs of another state, and they cite article 2, paragraph 7, of the charter as their evidence. However, article 2, paragraph 7, does not apply in this instance. Rhodesia is not a "state" and has not been recognized as such by a single government or international organization. Nor is the situation in Rhodesia "domestic", since it involves Britain's international responsibilities under the charter relating to non-self-governing territories. Nor, finally, does the action of the Security Council constitute "intervention" since the Council has acted at the request of the legitimate sovereign, the United Kingdom. Rhodesia cannot claim sovereignty or international legal standing before Britain formally grants it independence.

Many of the same critics claim that the United Nations action is a denial of the principle of self-determination. But this argument cannot be substantiated unless one chooses to take a perverse view of the facts. Ian Smith's regime speaks for only 6 percent of Rhodesia's population, decidedly not for the other 94 percent. To those who believe that Mr. Smith eventually plans to extend majority rule, I can only quote his own words in refutation:

> I cannot in all honesty claim that I am an advocate of majority rule.

Again, after rejecting the British working document last December, Smith said:

> We will never negotiate with Britain while Mr. Wilson is in his present position because he is waiting for us to reach the position of one man, one vote, and this will not happen in my lifetime or Mr. Wilson's lifetime.

Far from representing a denial of self-determination, the United Nations action—taken at Britain's request—seeks to insure that the rights of 4 million are not overridden by a minority of 220,000. Surely, support of such a policy is in the best American tradition and very much in the spirit of the United Nations Charter.

On January 5, President Johnson signed an Executive order prohibiting all American trade with Rhodesia. Some contend that he had no legal authority to do this without congressional consent. They are mistaken. Under authority granted him by the United Nations Participation Act of 1945, as amended, the President is empowered to implement Security Council measures pursuant to article 41 which are intended to maintain or restore international peace and security.

But, say these critics, the Security Council is in error because the Rhodesian situation poses no threat to international peace and, therefore, provides no justification for mandatory sanctions. However, the Security Council has acted, and we as members of that body are obliged to abide by that decision. Furthermore, the Security Council concluded that continued minority rule by 220,000 whites over a disfranchised majority of 4 million nonwhites involves great risks of violence, particularly in a continent of nonwhite nations so recently freed from colonial rule. That the Security Council should judge Rhodesia's rebellion to be a threat to international peace is obviously consistent with the realities.

The most extreme critics of the U.S. position on Rhodesia point to British trade with North Vietnam as cause for not helping Britain bring Rhodesia to terms. This argument is an evasion of the central issue and, worse, is both unfair and inaccurate. It is time that the record was set straight.

In 1965 the total value of all trade in both directions between North Vietnam and Great Britain added up to $530,000. In 1966 it was much less. Moreover, none of this trade was in strategic goods. As for ships flying the British flag, it has not always been possible for the United Kingdom to control the movements of vessels owned and registered in Hong Kong. Nine such ships—none of them over 7,000 tons—called at North Vietnam during 1966. But no ship owned in the United Kingdom has gone to North Vietnam in over a year. Thus, on the whole, Britain has respected the U.S. position on trade with North Vietnam. Even then, it should be pointed out that there is no logical or legal connection between U.S. trade with Rhodesia on the one hand and British trade with North Vietnam on the other. The sanctions against Rhodesia have been called for by the United Nations Security Council and are binding on all member states, whereas there is no United Nations obligation in relation to trade with North Vietnam.

Acting at the request of the sovereign power, Great Britain, and under the authority of the United Nations Security Council, the United States is on the firmest legal, moral, and political ground in implementing economic sanctions against Rhodesia. The future welfare of 4 million Africans and the racial stability of the whole of southern Africa require that we do our utmost to support Great Britain and the United Nations in bringing Mr. Smith's illegal regime to terms.

But there is at least one fly in the ointment—and that is South Africa. Despite its legal obligation as a member of the United Nations to implement sanctions, South Africa continues its thriving trade with Rhodesia and, more significantly, supplies Rhodesia with oil and petroleum products which the colony has been unable to get elsewhere. Because of such assistance, Smith has now been able to hold out for some 15 months. He could hold out indefinitely unless this flow of oil and trade is stopped.

Given its chronic balance-of-payments difficulties and large investments in South Africa, Britain is understandably reluctant to apply the necessary pressures on South Africa. The United States, however, has much less to lose by doing so and, in fact, is in a unique position to take action should it prove necessary.

South Africa imports all its oil, much of it supplied and refined by American oil companies. Caltex and Mobil alone own 48 percent of South Africa's refining capacity, and 12 U.S. oil firms are currently under contract to Pretoria to prospect for oil. Thus, South Africa is highly vulnerable to external pressures—particularly to pressures from the United States. The United States has considerable economic leverage through its oil interests to make it painful for South Africa should she continue to supply and trade with Rhodesia. We should be prepared to use this leverage. Such action is beyond Britain's current economic capabilities, but would doubtless meet with her approval.

Whether we like it or not, because of our membership in and support of the United Nations, the United States has become closely identified with the ultimate outcome in Rhodesia. The African nations would attribute failure of sanctions to a lack of will on our part. The damage this could do to our diplomatic posture throughout nonwhite Africa is incalculable. If the Africans do not get adequate help from us on Rhodesia, they could well turn to the East for assistance.

But even more serious, the authority of the United Nations will suffer badly if the sanctions fail. No one need be reminded what the failure of economic sanctions on Italy did to the League of Nations between the World Wars. We cannot afford to let this happen again.

DAVID LEO LAWRENCE—CREATIVE POLITICIAN, 1889–1966

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Pennsylvania [Mr. MOORHEAD] is recognized for 60 minutes.

Mr. MOORHEAD. Mr. Speaker, when Gov. David L. Lawrence died in November of last year, I lost a great friend, and the Democratic Party, the city of Pittsburgh, the Commonwealth of Pennsylvania and the United States of America lost a great leader, a man who can best be described as a truly creative politician.

"I was born into politics," the late David Leo Lawrence once said.

Seventy-seven years later, on November 21, 1966, he died in politics. He never regained consciousness after a massive heart attack that struck him down 17 days earlier as he addressed a Democratic campaign rally in Pittsburgh, the city of his birth.

In a lifetime of dedication to politics, two things marked David Lawrence for greatness.

The first was his consummate skill in his chosen profession, a skill that earned him the admiration of his peers and a place in the highest councils of his party and his land.

The second was his vision of political power, a vision that won him the lasting love of his fellow citizens. He saw political power not as an end in itself, but as a rare means—indeed, the best opportunity—to make creative contributions to American society.

He made many such contributions, but the greatest living monument to his political creativity is the city of Pittsburgh, a city he re-created during an unprecedented four terms as its mayor. David L. Lawrence succeeded in uniting public power and private wealth for the revitalization of his dying birthplace. The result is justly famed as the Pittsburgh renaissance.

David L. Lawrence's creativity was his by birth. His skill in politics came through long experience. He could not have utilized the birthright without the apprenticeship.

Lawrence was born, on June 18, 1889, into a working-class Pittsburgh home where politics, like potatoes, was a staple in the diet. His maternal grandmother had been an Allegheny County assessor. His father, Charles B. Lawrence, was in the hauling business and a precinct leader in a Democratic organization then so small, he said later, that "the Democrats had a hard time rounding up enough people to act as poll watchers."

His classroom schooling ended with the 10th grade, after he completed a 2-year commercial course. His political schooling began in earnest when, at the age of 14, he became a stenographer and boy of all chores in the law office of William J. Brennan, chairman of the Allegheny County Democratic Party.

Brennan taught Lawrence the A B C's of ward politics, particularly the duty of loyalty to the party organization. Lawrence, for his part, was an apt and eager student of what Columnist Robert Taylor described in the Pittsburgh Press of November 27, 1966, as "the old-style politics of the pre-Roosevelt era."

Taylor wrote:

> As an up-and-coming young politician, Mr. Lawrence was for the most part on the outside looking in. He was a lifelong Democrat and the politics of the day were, with rare exceptions, strictly Republican.
>
> Before 1932 there were no such backstops against individual adversity as relief, public assistance, unemployment compensation, Social Security, etc.
>
> The local political leader then took the place of the government-operated programs. If a family fell into dire straits, it was the ward chairman or other local operative who arranged for a basket of food or a ton of coal, or a job on the public payroll.
>
> Those were the days, too, of various restrictions on voting. There was a tax qualification on the franchise, and for those who didn't own real estate, there was the tedious business of standing in line to get assessed and standing in line again to pay the tax.
>
> There was also annual registration for voting, which meant standing in line again to register.
>
> All this, of course, tended to discourage voting by independents and made elections easier for those in power to control. . . .

Lawrence was later to do a great deal to change this system, and to adapt to the changes he helped bring about, but in his youth, he listened, observed, and learned.

He did all these things so well that he was sent, at the age of 23, to the Democratic National Convention of 1912, where he served as a page for the Woodrow Wilson forces. "Wilson," he observed years later, "was the real class."

The 1912 convention was the first of 14 he was to attend in his political life.

After serving in the World War I Army, Lawrence opened an insurance business but continued to devote a major portion of his time to politics. In 1920, 17 years after he had embarked on his apprenticeship to Brennan, he became Allegheny County Democratic chairman. The title sounded grand, but the organization he presided over then was weak and without funds or headquarters.

Meanwhile, Lawrence's political horizons were widening. As Helen Fuller wrote in Harper's magazine in August 1964:

> Pennsylvania had not given a Democrat a majority in a Presidential election since the Civil War, but the state's delegation, with its large bloc of votes, had status at national nominating conventions. As a delegate, Lawrence listened, learned, and made friends with delegates from powerful states, including in 1920 Franklin Roosevelt and Alfred E. Smith. Four years later, in Madison Square Garden, he worked at both the bottom and the top. In a fierce fight over a plank in the platform denouncing the then-rampant Ku Klux Klan by name, Emma Guffey Miller, Pennsylvania's perennial Democratic National Committeewoman, delivered an eloquent supporting speech which Heywood Broun called "the intellectual treat of the convention." Moments before delivering the speech, she had dictated it to Lawrence as he sat at a typewriter in the basement of the Garden.
>
> At the same convention, Lawrence first made it to the top. The Democratic leader of Philadelphia, Charles P. Donnelly, was one of the select group from all over the country who constituted the Al Smith Strategy Board. An hour after the convention adjourned each day, these leaders met to decide what to do at the next session. FDR, in his wheelchair, presided.
>
> The Smith group had fought vigorously for the anti-KKK plank. When they lost, Mr. Donnelly decided to go home to Philadelphia. "I'd like Davey to sit in my place," he told the Strategy Board. And Lawrence was in.

At the 1928 convention, Lawrence again backed Smith, who won the nomination. At every convention thereafter, the man whom Lawrence backed eventually received the party's nomination, and at every convention thereafter his reputation as a skillful presidential kingmaker grew.

With his power over Democratic affairs growing far beyond Pittsburgh, Lawrence made his first, and only unsuccessful, try for public office in 1931, losing by 9,000 votes in a race for county commissioner. He was not to seek office again until 1945, and then reluctantly.

Lawrence had developed an uncanny skill as a behind-the-scenes mediator. As the Washington Evening Star noted in 1964, when Lawrence was called in to head off an embarrassing convention floor fight over rival Mississippi delegations:

> Mr. Lawrence . . . is an expert at political maneuvering. He is skilled in the arts and sciences of making sure that, in intraparty disputes, nobody loses and everybody wins.

He used this skill to help forge the winning Roosevelt-Garner ticket in the 1932 convention, and to cement his hold on the Pennsylvania party apparatus during the ensuing campaign.

The New York Times of November 22, 1966, took note of Lawrence's extraordinary performance in 1932:

> Mr. Lawrence's vote-getting effort in behalf of Gov. Franklin D. Roosevelt brought comparisons with Gov. Alfred E. Smith's effort in New York, a considerable compliment to Mr. Lawrence's campaigning since Pennsylvania had been a Republican fief for most of the century.

Lawrence's efforts yielded a threefold reward. In 1933, President Roosevelt appointed him collector of internal revenue for western Pennsylvania.

In 1934 he resigned to become Democratic State chairman, a post he held a total of 10 years, and the following year, after George H. Earle was elected Pennsylvania's first Democratic Governor in this century, he was also appointed secretary of the Commonwealth.

Lawrence's use of his position in the State government was a measure of his greatness. During his campaigning, he had noted a groundswell in favor of reforming the State's election code. When the bureau of elections came under his control as secretary of the Commonwealth, he quietly set about getting tax-qualifications for voting abolished and replacing annual registration with the permanent registration now in effect.

The State's present basic election code was enacted by the Democratic legislature in 1937, and it was Lawrence's draft of the code which the legislature passed.

Robert Taylor wrote of Lawrence's efforts in the Pittsburgh Press of November 27, 1966:

> The new order brought a profound change in politics and campaigning styles. The so-

> called "controlled vote" shrank in size and importance. Public payrolls no longer swing elections; they simply supply the campaign workers and some of the campaign funds.
>
> Many of the old-style political leaders never did get adjusted to the new order of things, and kept trying to win elections by the old methods.
>
> But Dave Lawrence realized full well the nature of the reforms which he helped to bring about. . . .

Lawrence's reforms radically altered the political system in which he had grown up, but he adapted easily to the changes. As he himself explained about enlarging the franchise in a speech last February 28:

> Political parties consistently need new people. They need spirited discussion. And they need skilled participation. As a Democrat I always welcome it and I always will. That kind of participation should in no way stifle or quiet warranted criticism. What it does is to give perspective and effectiveness to that criticism.

Electoral reforms were not the only changes that Lawrence made as secretary of the Commonwealth. He guided the State's "Little New Deal" through the legislature, giving the State its first major welfare legislation, legislation which remained on the books intact until another Democratic administration updated it in 1955:

The Pittsburgh Post-Gazette of November 26, 1966, called Lawrence a "man who had wielded power for human betterment." His efforts on behalf of the unfortunate won him this tribute from the Pennsylvania AFL–CIO:

> Dave Lawrence never relaxed in his efforts to ease the burdens of humble working people. Improvements in many of the laws passed in Harrisburg over 30 years ago are testimony to his conviction and willingness to work hard to achieve humane legislation. . . .
>
> He was a man of the people who never lost the common touch amid nationwide recognition that came to him as a leader of his party and intimate colleague of three Presidents.

Lawrence returned to Pittsburgh after Governor Earle ended his term in 1939 in the midst of a terrible intraparty struggle. In the presidential election year of 1940, he became Democratic national committeeman, a post he continued to hold until his death.

As a national committeeman, his influence in the high councils of his party grew. At the 1944 convention, he engineered the move that blocked the renomination of Henry A. Wallace as Vice President and gave it to Senator Harry S. Truman.

With the exception of the convention, Pittsburgh was Lawrence's preoccupation throughout the war years. In 1945 it became clear to him that his allies in the city government lacked the ability to sell their progressive ideas to the powerful business and labor leaders whose help they needed.

One morning in 1945, while he was pondering a successor to the incumbent mayor, Lawrence was accosted by a neighbor who wanted to know if the party was going to nominate a certain judge for the post.

No, Lawrence replied, party leaders had not been able to agree on a candidate.

"What about me?" the man asked.

"We could go farther and do worse," Lawrence conceded.

Later, newspapers carried the story that Lawrence himself had decided to take the nomination. The next morning, Lawrence encountered his neighbor again.

"Well," said the neighbor, "I see they went farther and did worse."

Lawrence was elected by 14,000 votes and took office for the first time on January 7, 1946. The city of Pittsburgh, the city of his birth and his education, was in deep trouble.

America was in the throes of the transition from war to peace, and strikes were the order of the day, particularly in heavily industrialized Pittsburgh. Mayor Lawrence faced his first strike—a walkout in the Duquesne Light Co.—little more than a month after he took office.

He succeeded in postponing the strike until October, but during the same year he had to wrestle with a 26-day steel strike, two coal strikes, a 115-day walkout at a huge Westinghouse plant, a 53-day hotel shutdown, several bus strikes, and 81 other work stoppages.

Strikes were not the city's only problem. Pittsburgh was a used up city, unattractive physically and unpromising economically because of the nationwide trend toward industrial decentralization. The core of the city, its principal source of municipal revenue, was decaying, and property values were falling.

It was a situation that clearly called for the concerted action of leaders in business, labor, and government. In view of the city's history of labor strife and its rigid social stratification, it could easily have been an impossible situation.

But David L. Lawrence had faith in the city of his birth. "It is my belief," he said in 1950, "that the central city will live as the fountainhead, the directing center, of all the swarming productivity of the region about it."

Equipped with his consummate political skill, honed by more than 40 years of experience, Lawrence set out to make the dream he had for Pittsburgh come true.

He enlisted the prestige, planning talent and overwhelming economic resources of Pittsburgh's industrial chiefs, led by banker Richard K. Mellon. He won the confidence and support of organized labor. And he contributed the cooperation of a by then well entrenched Democratic political machine. Between them they accomplished what none of them could have done alone.

Lawrence put into effect and enforced—a strict air pollution control ordinance that cleared the skies over Pittsburgh of the smog that had forced housewives to wash their curtains once a week and businessmen to wear two shirts a day.

Lawrence coordinated a vast $1.5 billion renewal of the city's Golden Triangle area. In place of the slums there are now more than 15 major new skyscrapers. More than a dozen urban renewal projects have been completed, and Pittsburgh's property values have climbed by more than $500 million. A $100 million county-wide sewage disposal system has contributed to the cleaning up of the three rivers that touch Pittsburgh.

Lawrence was reelected an unprecedented three times as mayor of the city he knew and loved. In steering the Pittsburgh renaissance, he never used the ordinance veto power available to him. He journeyed to Harrisburg to plead for the Pittsburgh package of enabling laws to spur the renewal, and he got them.

Lawrence was elected president of the U.S. Conference of Mayors from 1950 to 1952, admired as the man who had brought a city back to life.

Fortune magazine in 1958 cited Pittsburgh as one of the eight best-governed cities in the country, and Lawrence as one of the nine most outstanding mayors in the country.

He was to go on to higher office, but those who knew him say he was happiest as the mayor of Pittsburgh. Joseph M. Barr, who succeeded Lawrence in the post, said of his mentor:

> More than once he confided to me that the most satisfying years of his life were those he served as Mayor of Pittsburgh.
>
> It was in the mayor's office that this man, so firm in his own political credo, demonstrated unmatched ability to work with others of diverse political backgrounds in the best interests of this city and its citizens.

By 1958, shortly after his fourth term as mayor had begun, Lawrence had built a strong political base in Pittsburgh, and was unquestionably the most powerful Democrat in the State. His fellow Democrats, unable to agree on a gubernatorial candidate, turned to Lawrence. He hesitated, fearing that his 69 years of age and his Catholic religion would work against him in a bid for statewide office, but accepted the nomination and won the office.

As Governor, Lawrence had to deal on a larger scale with some of the problems he had faced in Pittsburgh—a depressed economy and widespread unemployment. In his first year, he worked behind the scenes with Federal officials to end a steel strike that had idled 220,000 of the State's workers.

He drove the legislature unmercifully, keeping them in a 12-month session his first year and pushing through 900 bills.

His governorship was highlighted by a variety of progressive actions. He was proudest of significant educational advances, particularly in higher education and school district reorganization, record-breaking capital improvements, enactment of a model library assistance program, expansion of civil service coverage, augmented industrial development, and bringing about a truly balanced fiscal program for the State, in which current income matched current outgo for the first time since World War II.

Midway through his term of service came the 1960 Democratic convention, where he played a key behind-the-scenes role in the nomination of John F. Kennedy for President and Lyndon B. Johnson for Vice President. His vigorous campaign for the Kennedy-Johnson ticket was a strong factor in the 117,000-vote Democratic margin of victory in Pennsylvania.

When he left Harrisburg in 1963, it was to come to Washington as chairman of the President's Committee on Equal Opportunity in Housing, a post he held until his death.

The Governor's post in Washington did not prevent him from continuing to play an active role in Pennsylvania Democratic affairs; when he was felled, it was in the midst of a spirited partisan speech in behalf of a Democratic candidate who had beaten a candidate of his own choosing in a primary. The early lesson of party loyalty stayed with him to the end.

His devotion to his party's principles was recognized by his Republican successor in Harrisburg, William Scranton. Scranton said:

> Gov. Lawrence has been outstanding both as a professional politician and a statesman, whose service to the people of Pittsburgh, the Commonwealth of Pennsylvania and the entire nation has been performed in line with his high ideals.

And Vice President HUBERT HUMPHREY said of Lawrence:

> He was both an elder statesman of our Democratic party and a stanch liberal who remained young in spirit until the very end. He was just as much at home on the New Frontier and in the Great Society of the 1960s as he was in the New Deal era of 30 years ago.

Lawrence was a man of towering vitality endowed with a zest for life in all its variety. These characteristics were ably described by the Most Reverend John J. Wright, Bishop of the Catholic Diocese of Pittsburgh, during the low pontifical requiem Mass celebrated for Lawrence:

> David Lawrence demonstrated his value judgment on life by the fight for social morality that he waged from his first efforts at slum clearance to the last post he held as a battler for fair housing and a foe of discrimination against or disparagement of any being endowed with the divine gift of human life.

Lawrence's was a life of extraordinary activity and creativity. His life was a great one, because he was a man who, in his own words, "does not shrink from being called a politician." Politics to David Lawrence was the noblest of callings, the most exciting and rewarding of professions.

On February 28, 1966, when he was honored by the Pittsburgh ADA at its annual Roosevelt Day memorial dinner, Lawrence summed up his life as a politician:

> Being a politician has in no way infringed upon my liberal tendencies, my liberal commitments. Indeed, it has helped to make it possible to translate ideas into reality, to give substance to proposals, to convert platforms into law. It has also made it possible for me to take part in formulating party policies and in the selection of party candidates.
>
> Over my lifetime, it has afforded me the opportunity to be a follower of great leaders from William Jennings Bryan to Lyndon Johnson. It has placed me in a position to help nominate such men as Franklin D. Roosevelt, Harry Truman, Adlai Stevenson, John F. Kennedy and Lyndon Johnson.
>
> So you can see that for me, at least, being a politician has been not so much a burden as a rewarding experience of citizenship.
>
> While it is true that I have been elected and served in high public positions, and while I have been privileged to be chosen for office by three Presidents—Franklin D. Roosevelt, John F. Kennedy and Lyndon Johnson—and I am proud of having these opportunities, I would be especially grateful if you were to honor me as the politician I have been or still am, rather than for the offices I have held.
>
> That would be the honor I would most appreciate.
>
> And it would have its highest meaning if it helped to attract others to the calling, bring others into party circles, give new vigor, new enthusiasm and new vitality to political action. I can think of few developments that would be more beneficial to our way of life and to the hopes for the future which are common to us all.

THE CASE FOR LOWERING THE VOTING AGE TO 18

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Pennsylvania [Mr. SAYLOR] is recognized for 15 minutes.

Mr. SAYLOR. Mr. Speaker, today I am introducing a joint resolution providing for an amendment to the Constitution of the United States that would establish the right to vote of citizens who have attained the age of 18 years. The issue has been considered for decades. I believe that now is the time for a decision.

Poll privileges for the 18-year-olds is a contemporary cause warranting action to an unprecedented extent. It seems to me that the reasons for this constitutional amendment fall into two major categories—population statistics and functional practicality.

First of all, a brief review of our population's characteristics reveals a strongly vocal youth group whose ranks are rapidly expanding. Although we may recognize this present phenomenon, it is hard for us also to recognize adequately the impact of the statistical projection that one-half of our population will be under 25 within 5 years. One-half of a nation's people is a significant number.

The Census Bureau notes that 3,717,000 persons celebrated their 18th birthday during 1965. This is a large group of Americans, and many of their ideas will become fixed and their habits formed long before they reach the age of 21. They are among the college-bound, but still more frequently they are among the working force; and it is very likely that they are starting their own families or are seasoned military veterans with experience that needs to be reflected in the polling places. No nation can afford to ignore such a vital group economically or politically. By allowing these energetic young persons of the 20th century to drift rather than immerse themselves in our society, we may be encouraging them to become permanently alienated politically. Since our present political system has evolved as a practical—and effective—system for resolving conflict, I cannot readily imagine what kind of system could be created to replace it in the future. Certainly our young people should be given the opportunity to express themselves in our democratic and traditional way—at the polls.

We already know that many of our newly eligible voters will not go to the polls this year or next. Election research data do not enable us to analyze people's voting habits and reasoning to any substantial extent, but computations do show that only about half the new eligibles are apparently voting each year. For this reason, the Census Bureau has observed that only 5 million persons could be called recent "potential voters" although a total of ten and a half million persons reached voting age between 1960 and 1964.

In my own State of Pennsylvania, we boasted about 600,000 youth in 1900 between the ages of 15 and 19, while the 1960 figures showed we had 800,000 energetic young people falling into that age category. This expansionary trend is expected to continue in my State and in every other State.

These statistics are also meaningful in the environmental sense. We may infer more depth and significance to our population figures by observing social trends. Our young people between 18 and 21 represent a well-informed contemporary army computed to be 12,148,000 in force as of 1965. They have taken advantage of our intensified Federal, State, and local educational programs as well as our improved transportation and communication facilities. They certainly are not carbon copies of yesterday's youth and we would not realistically wish them to be mere reproductions. The young people of the past, the world over, however, have made historic contributions without modern opportunities. Alfred Tennyson wrote his first volume when he was 18; Victor Hugo was already writing at age 15; and Newton made some of his greatest scientific discoveries before he was 25. Certainly creativity and maturity are capable of transcending all chronological age and historical barriers. The American political system needs the efforts of youth as much as the sciences and the arts need talented young people.

A majority of this Nation's adults consider today's 18-year-olds mature enough to vote, according to a 1965 Gallup poll. The poll reported that a total of 57 percent said "yea" while only 39 percent were negative and 4 percent of the respondents expressed no opinion. Less than 30 years ago—in 1939—17 percent of the polled populace were in favor while 83 percent were opposed.

Times have changed.

The accelerating rise of youth in terms both of number and intellectual attainment constitute one category of the numerous reasons compelling me to introduce legislation giving the 18-year-olds the right and privilege to vote. The other category is based on the purely functional approach.

Since 1943, nearly every State in the Union has considered lowering the voting age from 21. Since the voting laws are essentially the responsibility of each and every State, this question has demanded much time and effort from a great number of legislators. Many of these legislators would prefer to devote their attention to other pressing problems facing the States today. And since changing the voting age requires a State constitutional amendment in every case except for West Virginia, such a change is a complex task.

The complexity of this task can be observed within the confines of one State—my own. Pennsylvania, like many other States, requires the approval of two successive legislatures before a constitutional amendment may be put to a referendum. A constitutional amendment to lower the voting age to 18 was introduced in the legislature in 1943 but it died in committee. Between that year and 1957, there was additional activity, but little or no action resulted. The first proposal to achieve notable success in the tedious process of constitutional amendment legislation on this topic was introduced during 1957. That was the year the House of Representatives approved the measure by a vote of 159 to 1, while the Senate approved it unanimously. The advocates tried to secure the approval of the succeeding legislature, but the necessary action was not repeated in 1959.

Now Pennsylvania's new Senate has a similar resolution before it, and other States are also showing renewed interest. Congress can save the individual State legislatures both time and energy by quickly agreeing to my resolution and then submitting it to the States for ratification.

Only four States have been able to take the necessary provisions permitting persons under 21 to vote. Georgia and Kentucky place the minimum age at 18, while our two newest States have been a little less progressive: Alaska selected 19, and Hawaii, 20.

Enacting my proposal permitting the 18-year-olds to vote would be a timely action concluding much consideration and debate. It is an action supported by statistics, and an action supported by practicality.

I support the right of the modern-day 18-year-old to vote, and I firmly believe that Congress should assume its responsibility to make these timely provisions.

AMERICAN NAZI PARTY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. Ashbrook] is recognized for 15 minutes.

Mr. ASHBROOK. Mr. Speaker, early in the last Congress, the House Committee on Un-American Activities authorized a preliminary inquiry into several organizations which, it felt, might be engaging in un-American activities which would bring them under the legislative mandate of the House Committee on Un-American Activities. One of these groups was the American Nazi Party under the fanatic leadership of one George Lincoln Rockwell.

An extensive study of this organization was conducted, and yesterday the chairman of our committee, the able gentleman from Louisiana, Representative Edwin Willis, reported to the full committee on the results of this preliminary inquiry. It is interesting to note, Mr. Speaker, the cautious and painstaking manner in which the House Committee on Un-American Activities proceeds in these matters. Despite the charges of our adversaries, the House Committee on Un-American Activities adheres to an orderly and carefully circumscribed procedure in all investigations. One of our cardinal principles is that in each case a preliminary inquiry be conducted and its results appraised by the full committee.

The American Nazi Party was carefully scrutinized during the past Congress by our staff investigators. Chairman Willis' report, which was adopted by the committee yesterday, states that:

> While the Nazi Party's aims and doctrines are un-American, it is clear that Rockwell and his handful of followers are of little significance to the security of the United States in the traditional or generally accepted sense of that phrase. It is my view that we, as a Committee of Congress, would be dignifying Rockwell far beyond his importance if we were to hold hearings on his group.

The committee staff has been collecting information on the American Nazi Party since it was formed some 7 years ago, and has obtained the name of just about every person who has been a member of the party in the last few years.

It is interesting to note that the committee finds that the Rockwell Nazis have probably less than 50 active members, and it is doubtful that the group has numbered more than 100 members nationally at any time in the past. Financially unstable, this subversive group is anything but impressive with a significant percentage of the so-called "troopers" having either criminal records or dishonorable discharges from the armed services.

In attempting to salvage the remains of his poorly organized group, Rockwell recently announced that he was changing the name of his organization to the National Socialist White People's Party.

The House Committee on Un-American Activities staff is continuing its vigilance over the day-to-day activities of the American Nazi Party and will report any noticeable changes to the committee. Otherwise, it is the considered opinion of the chairman, Mr. Willis, that this small subversive group creates no more than occasional problems which local police can adequately handle.

The text of the chairman's report, subsequently adopted by the full committee on February 8, 1967, is hereby submitted for printing in the Record:

The American Nazi Party

The American Nazi Party, as its name indicates, has openly advocated a form of government for the United States that is both alien and hostile to that provided by the Constitution. It has categorized itself as a subversive organization not only by its name, but by open profession of Nazi aims. Therefore, there is no question in my mind but that the organization definitely comes within the scope of the Committee's mandate. It "attacks the principle of the form of government as guaranteed by our Constitution."

The mandate of this Committee is worded exactly the same as the mandate of its immediate predecessors, the Special Committee on Un-American Activities. The very first investigation conducted by that Committee, and its first hearings, concerned the German-American Bund and other groups in this country which, in the late 30's, were serving as agents of the Axis powers. Its investigation led to the prosecution of a number of Nazi and Fascist leaders and, not long after its report on this investigation was published, President Roosevelt expelled from this country scores of Nazi agents mentioned in that report.

These facts, coupled with numerous remarks made on the Floor of the House on May 26, 1938, when the scope of the Committee's mandate was being debated, make it clear that there is no question about the Committee's authority to investigate the American Nazi Party.

At present, however, we are faced with the practical question of whether or not we should exercise that authority.

Conditions are much different today than they were in the late 30's and early 40's when the Special Committee investigated Nazi and Fascist organizations. The membership of the German-American Bund, the Silver Shirts and other organizations of that type was large. Moreover, those organizations were agents of totalitarian foreign powers and enjoyed the aid and support of those powers. Because of their strength, backing, political ideology, and the threat of war the Axis posed to this Nation, they comprised a very real Fifth Column threat to our security. I don't think there is any question about the fact that, at that time, the Special Committee's investigation of these groups was not only justified, but needed.

Today the situation is vastly different. While George Lincoln Rockwell has made some trips abroad and has sympathetic and ideological ties with some relatively small Nazi movements in other countries, neither he nor his party serve as agents of any foreign Nazi government as such. In addition, Nazism is largely discredited as a political ideology in all parts of the world and there are no indications that there will be any change in this situation in the near future.

The staff has been collecting information on the American Nazi Party since it was formed some seven years ago. It has checked more thoroughly into George Lincoln Rockwell's group since I directed the preliminary investigation to be made early in 1965. As a result of this investigation, the staff has obtained the name of just about every person who has been a member of the Party in the last few years. At the present time the Nazi Party probably has less than fifty active members. It is doubtful that it has ever at any one time had as many as 100 active members nationally.

For this reason, even though their aims and doctrines are totalitarian, representible and un-American, it is clear that Rockwell and his handful of followers are of little significance to the security of the United

States in the traditional or generally accepted sense of that phrase. It is my view that we, as a Committee of the Congress, would be dignifying Rockwell far beyond his importance if we were to hold hearings on his group.

Rockwell, of course, wants us to investigate his organization. He has written letters to me asking that we do so. He wants to see front-page headlines about his organization. He would like to see his picture featured on nationwide TV newscasts and spread over the pages of newspapers in all parts of the country. It would give him the publicity he not only wants, but desperately needs, at this point. I do not believe the Committee should accommodate him on this matter.

The preliminary investigation which the staff has made of the American Nazi Party indicates that while Rockwell is a demagogue and quite clever in devising publicity gimmicks, he is anything but an effective organizer, conspirator, or leader of men. We saw an example of his publicity attracting ability the year before last when one of his men rushed out on the Floor of the House in blackface. It took just one of his very small number of followers to do that. Yet, the natural reaction of many people to the radio, TV and press coverage of this action was one of alarm and a tendency to vastly overrate the strength and importance of his movement.

Another factor to be considered is that everywhere he goes, and whatever he does, Rockwell generates hostility and bad publicity for himself—denunciations from the pulpit, from the press, radio and TV, and from numerous organizations and prominent individuals.

I only wish that the same were true of the Communist Party leaders who, for many reasons, pose a very real threat to this country.

In his desperate efforts to win friends and influence people, Rockwell, for a time, courted Elijah Muhammad, leader of the Black Muslims. He was the first white man to address a rally of the Muslims. He later broke with Muhammad, however, and denounced him as a hypocrite.

Despite what we must assume to be his best efforts, Rockwell has failed, after years of effort, to organize anything resembling a significant or meaningful following in the United States.

Rockwell's Nazis are anything but an impressive lot. Our investigation has revealed that quite a few of his followers have received dishonorable discharges from the Armed Services; a relatively large number, considering the size of the group, have criminal records, and some of them have spent time in mental institutions. The so-called "troopers" who man the party's Arlington headquarters live poorly and have been torn by dissension based, in part, on homosexuality. The organization is not well financed. Its bank account has never reflected an impressive balance. Nazi Party literature has asked for contributions of such items as soap, razor blades, canned goods and even old clothing.

Rockwell himself has apparently come to realize that Nazism is not a salable product in this country. He recently announced that, in the hope of creating a better image, he was changing the name of his organization from "American Nazi Party" to "National Socialist White People's Party." He also indicated that the Party's rallying cry would be changed from Hitler's "Sieg Heil" to "White Power." I doubt that he will gain much by this. To informed Americans, "National Socialism" spells Hitlerism just as much as the term "Nazism" does. I doubt, too, that Americans will be taken in by the call of "White Power", as Rockwell defines it, any more than they were taken in by Hitler's traditional rallying cry.

I wish to stress that my saying that Rockwell's Party is not a threat to the security of our country is not intended to mean that it presents no danger at all. I mean only that he obviously presents no threat to the country by organized, mass action.

The unfortunate fact is that there is always danger of another kind in groups, however small, which live on hate as though it were the bread of life. By their very nature, such organizations attract as members those who are normally described as crackpots and "kooks"—the most unstable and undesirable elements in our society. There can be no telling when an individual member, or a few members of such an organization, going completely off the deep end, will attempt an act of violence that can have terrible results.

Even more unfortunate is the fact that neither investigation nor legislation can prevent such acts of violence by the unstable, whether or not they are members of some hate group and whether the group represents the right or the left.

It is my considered opinion and that of the staff that at this time Rockwell and his handful of Nazis create no more than occasional problems which local police can adequately handle.

Certainly, if indications should develop in the future that Rockwell's Party is gaining any significant number of followers and influence, I would not hesitate to recommend a full-scale investigation and public hearings on the organization's activities. Because the facts about his organization are as I have stated, however, I do not believe such an investigation or hearing should be held now. At the same time, I firmly believe that, because of the group's aims and the character of its members, the Committee should continue the surveillance it has exercised over the American Nazi Party since the time it was formed.

BOY SCOUTS OF AMERICA

Mr. WATSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. WATSON. Mr. Speaker, in an age of growing cynicism with more and more emphasis being placed on material interests, it often appears that modern man is losing his grasp of some of the fundamental values. Daily headlines constantly remind us of man's inhumanity to man. Sometimes I wonder if contemporary man has just accepted apathy toward his neighbors as a way of life.

But, there is always a ray of hope in the storm of despair. In fact, during this week the Nation is paying tribute to one of the brightest spots on the horizon—the almost 6 million young lads who make up the Boy Scouts of America.

Since the birth of the Boy Scouts 57 years ago, this world renowned organization has spread to 100 nations on the face of the globe. Where ambassadors and professional diplomats have failed, young men with high ideals throughout the world have succeeded. Their success in communicating with each other is really very simple: it is composed of a mutual criteria that every Scout must strive to attain. That criteria is the 12 principles of Scouting. Most of us should know these principles, but I would just like to list again what makes a Boy Scout. He is trustworthy, thrifty, reverent, cheerful, kind, friendly, helpful, loyal, brave, obedient, clean, and courteous. There can be no doubt that these are attributes we should all strive for.

I have never met a man who said that he was the worst for being a Scout during his formative years. Not all Scouts will achieve the coveted status of Eagle, but every boy who has taken the Scout oath and spent his first night away from home in a sleeping bag on the hard ground has gained something that will stay with him for the rest of his life—character.

Mr. Speaker, at this time I consider it a great honor and privilege to add my name to those who are commemorating the week of February 7 to 13 as Boy Scout Week. To these gallant young pioneers today who will be this Nation's leaders tomorrow, I say with pride "Happy birthday and good Scouting."

NEED TO REVISE SELECTIVE SERVICE LAW—XVII

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. KASTENMEIER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, in his defense of the educational deferment, General Hershey presented figures before the House Armed Services Committee hearings last June which showed that about 56 percent of the male college students see military service in comparison to only about 43 to 44 percent of those who do not go to college.

General Hershey said:

> The percentage of college people who have served is 10 points higher than the percentage of people who didn't go to college.

General Hershey's "college student" figures are, of course, misleading for they include those young men who had some college education but did not graduate. A more accurate picture was drawn by Assistant Secretary of Defense Thomas D. Morris who, at these same hearings, presented statistics during his testimony which revealed that only 40 percent of the college graduates, reaching age 26 had served in the Armed Forces, as compared to 60 percent of the college dropouts, 57 percent of the high school graduates and 50 percent of the non-high-school graduates. When confronted with the difference between the figures of the Defense Department and his own, General Hershey admitted:

> Our figures were based on college people in college, and not necessarily on graduates.

Secretary Morris inserted the following tables in his testimony:

TABLE 7a.—*Estimated military service status of 26-year age class [1] by educational level, July 1964*

Status	Total [2]	Less than high school	High school	Some college	College
	Number (thousands)				
Total	1,190	495	355	131	154
Entered military service (Active or Reserve)	614	247	203	78	62
No military service, total	576	248	152	53	92
Available for service (class I-A) [3]	13	3	3	1	5
Married	5	1	1	(4)	3
Unmarried	8	2	2	1	2
Not available for service	565	246	149	52	86
Disqualified (classes I-Y and IV-F)	217	126	43	18	18
Student deferments (classes I-S and II-S)	12	....	(4)	2	9
Occupational deferments (classes II-A and II-C)	20	1	1	1	17
Dependency deferments (class III-A)	296	116	103	30	38
Other deferred and exempt groups [5]	20	3	2	1	4

Status	Total [2]	Less than high school	High school	Some college	College
	Percent distribution				
Total	100	100	100	100	100
Entered military service (Active or Reserve)	52	50	57	60	40
No military service, total	48	50	43	40	60
Available for service (class I-A) [3]	1	1	1	1	3
Married	(4)	(4)	(4)	(4)	2
Unmarried	1	1	1	1	1
Not available for service	47	50	42	40	56
Disqualified (class I-Y and IV-F)	18	25	12	14	12
Student deferments (classes I-S and II-S)	1	....	....	2	6
Occupational deferments (classes II-A and II-C)	2	(4)	(4)	1	11
Dependency deferments (class III-A)	25	23	29	23	25
Other deferred and exempt groups [5]	2	1	1	1	3

[1] Includes individuals born in calendar year 1938 and who were therefore approximately between 25½ and 26½ years old in July 1964.

[2] Also includes registrants whose educational attainment is unknown.

[3] Includes individuals between 25½ years and their 26th birthday who were still liable for induction until they attained age 26. It is probable that most of the small number of qualified unmarried men in this group were reached for induction before their 26th birthday.

[4] Less than 500 persons or 0.5 percent.

[5] Includes conscientious objectors available for or performing civilian work, officials certain aliens, ministers of religion and divinity students, etc.

NOTE.—Details may not add to total due to rounding.

Source: Adapted from sample inventory of selective service registrants as of July 1964.

TABLE 8a.—*Educational level of Army inductees* [1]

Educational level	Average monthly number			Percent distribution		
	March-August 1965	September-November 1965	December 1965-February 1966	March-August 1965	September-November 1965	December 1965-February 1966
Less than high school graduate	3,516	6,352	7,386	23.1	22.9	23.6
High school graduate, no college	8,873	18,115	19,436	58.3	65.3	62.1
Some college, no degree	2,511	2,885	3,818	16.5	10.4	12.2
College graduate	320	388	657	2.1	1.4	2.1
Total	15,220	27,740	31,297	100.0	100.0	100.0

[1] Adapted from 5-percent sample survey of Army inductees on active duty as of Feb. 28, 1966, by length of service.

8b.—*Percentage distribution of enlistees by educational levels, Army and Navy*

	Total	Non-high-school graduate	High school graduate, no college	Some college	College graduate [1]
ARMY					
January-June 1965	100	49.6	38.9	9.5	1.9
July-December 1965	100	30.3	54.4	12.3	3.0
January 1966	100	32.0	48.5	14.6	4.9
February 1966	100	27.5	47.1	20.7	4.7
March 1966	100	28.7	46.5	20.5	4.3
April 1966	100	31.0	42.7	19.7	6.6

	Total	Non-high-school graduate	High school graduate, no college	Some college	College graduate [1]
NAVY					
January-June 1965	100	53.3	41.2	5.2	0.2
July-December 1965	100	29.5	61.6	8.3	.6
January 1966	100	20.1	65.3	13.5	1.1
February 1966	100	11.8	68.3	18.3	1.6
March 1966	100	15.0	67.4	16.4	1.2
April 1966	100	21.3	59.8	17.3	1.6

[1] Includes enlisted OCS candidates in Army.

There is no inherent right to a student deferment. These deferments are granted to students in order to fully develop the talents of each individual, thus increasing the contribution each one can make to this country. But, our colleges, and in particular, the graduate schools, have become a haven for draft dodgers, making a mockery of the present law and, in the process, corrupting the goals of higher education. The selective service law must be changed.

TOWARD PEACE IN VIETNAM

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. OTTINGER. Mr. Speaker, the Vietnam situation has reached another crucial turning point. The United States is confronted with a range of choices wider than ever before and perhaps never again to be repeated. Whatever course we select will have historic long range consequences for the future of this country and the world. It will also have immediate impact on our relations with many nations, on our economy and the economies of other countries, and on our and others' ability to achieve internal aspirations. And, of course, it will have very special consequences for the long-suffering people of Vietnam and for our young men, both in and out of the armed services.

No one can be certain that he has enough facts on which to presume to give advice in such an awesome situation and one always wants for greater wisdom. Still, I view it the duty of a Congressman to speak out at a juncture so vital for the Nation.

The unique feature of this moment in history is the coincidental occurrence of so many factors favorable to settlement of the tragic and costly conflict in Vietnam:

China is engaged in drastic internal turmoil such as to render doubtful any effective intrusion on the scene. Hanoi's freedom from Chinese constraint to settle is certainly at a unique apex.

China's increasingly sharp differences

with Russia must leave North Vietnam highly uncertain of her future support.

Within Vietnam, the Government of South Vietnam is enjoying unprecedented stability and rapidity of movement toward a popular base.

The Government of North Vietnam is showing new signs of flexibility.

On the military front, the inevitability of stalemate seems clearer than ever before.

There exists a climate ripe for settlement, with such world-respected leaders as Pope Paul and U Thant ready to assume a constructive role to facilitate negotiations. Premier Kosygin of Russia is in Britain expressing for the first time Soviet willingness to assist a settlement.

And finally, the Vietnamese lunar new year truce provides the kind of hiatus from the brutalities of war that could well harbinger a continuation of the peace it temporarily produces.

In these circumstances, it seems incredible that we should turn our backs on our most experienced Asian experts who almost with one voice counsel us to take new settlement initiatives. Men who know the Asian mind and Vietnamese temper like U Thant and Ambassadors Reischauer and Kennan deserve to be heeded, at least to the extent of giving their proposals the test of a trial.

The real bridge over "credibility gap" will not be built with small blocks like more realistic budgeting, more accurate reports of military losses, and so forth. If the the gap is to be bridged it must be by the big building block, bringing together words of desire for settlement with actions to produce settlement.

It is simply beyond my comprehension why every settlement initiative, whether from the Pope or U Thant of the United Nations or from Hanoi must be rejected out of hand by the United States as less than genuine.

When U Thant, who knows well the Asian mind, puts his prestige on the line as Secretary General of the United Nations to say that a settlement could be reached on stated bases, why do we automatically assume that his assumptions are inaccurate?

Whatever its reasons for summary rejection of recent settlement initiatives, the administration is not telling us in Congress, nor the public at large, nor the men it is asking to give their lives. The administration is only saying the signals do not sound right yet, the right mystic signs have not been given by the North.

One cannot rule out, of course, the possibility that secret negotiations may now be taking place in accordance with the predilections of many diplomats for such quiet diplomacy. Presidential Adviser Walt W. Rostow's recent statement that "an extremely interesting and delicate phase" of diplomatic exploration is taking place lends some credence to this possibility. If secret negotiations are taking place, the above words of criticism and incredulity are mistaken, and I certainly will be among the first to hail any resulting achievements.

Based on what we know, however, and on past performance, I cannot avoid expressing my reservations over our recent public peace initiative rejections. Until we learn of any quiet endeavors and their substance I feel it is my duty to urge upon the administration a course of action that, quietly or publicly, I think it should assume.

I therefore urge the administration to take new settlement initiatives and specifically to call Hanoi's bluff on its recent settlement overtures instead of rejecting them. This includes agreeing to negotiate with the National Liberation Front—an obviously necessary party—and stopping the bombing of North Vietnam on an indefinite basis for the expressed purpose of laying the groundwork for negotiations. With the advent of the monsoon in Vietnam, our bombing will be sharply curtailed anyway, and if an extended cessation will bring Hanoi to the bargaining table, we will have paid a relatively small price. If Hanoi fails to respond after a reasonable period of time, we can always resume the bombing—if such action is adjudged effective and worth the adverse effects.

I again reiterate that I do not advocate unilateral withdrawal of our troops from Vietnam, for to do so would only undermine moderate elements in the Communist world and encourage the Chinese policy of aggression and subversion. Until a settlement can be reached, we must continue to give every support to our men in the field.

The chief obstacle to negotiations today seems to be the inability of either side to take the first move for fear of losing "face." This "face," according to the testimony of all Asian experts, is far more important in the Eastern culture than in ours. Were we to miss the opportunity for sensible settlement of this dreadful war for reasons of false pride involved in saving "face," our children should never forgive us.

History has given us a unique opportunity in the coming weeks. Our role in history may well be determined by our statesmanship in taking advantage of it. No one knows for sure if the opportunity is real. No one will ever know if the opportunity is not tested.

CONGRESSMAN ADAM POWELL—IN A SELF-MADE BED

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. VAN DEERLIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. VAN DEERLIN. Mr. Speaker, I should like to direct the attention of my colleagues to an editorial published in January 19 editions of the Los Angeles Sentinel, southern California's leading Negro newspaper.

The editorial makes some telling points in explaining the background of events that led to the temporary exclusion from the House of our colleague [Mr. POWELL], and in scuttling suggestions that this action was related to Mr. POWELL's race.

While praising Mr. POWELL for his past services on behalf of the American Negro, the Sentinel also notes that Mr. POWELL has "flagrantly defied the rulings of the court, and intricately eluded the enforcement of the law" in the libel suit brought against him in New York.

Weighing all the facts at its disposal, the Sentinel has determined that "Congressman ADAM CLAYTON POWELL got exactly what he deserves" in the discipline meted out by the House on opening day. I urge my colleagues to read this very significant editorial which follows:

CONGRESSMAN ADAM POWELL—IN A SELF-MADE BED

Cong. Adam Clayton Powell got exactly what he deserves.

The United States House of Representatives as a body, his fellow congressmen individually, and his fellow Americans—both black and white—have tolerated 22 years of Powell's notoriety and that is enough.

Powell, as well as Stokely Carmichael and other such militant rights advocates, views the representative's ouster from his congressional seat as an act of "racism" or a "lynching—northern style." This, we maintain, is debatable, and will be resolved after the investigation into the charges against Powell has been completed.

The "racism" reaction is to be expected from the more radical elements in Negro America. However, we listen in disbelief to the same charges being levelled by the more moderate to conservative members of the community who should be the first to put Powell in proper perspective and view his situation with more objectivity.

If the bigotry charge is true, as it can very well be, the result is Powell's own fault. He allowed himself to be "gotten" by those who were "out to get" him. Powell has been a congressman for 22 years and during that time authored and influenced innumerable pieces of legislation which have greatly benefited Negroes and highly angered whites. Powell had fought for the Negro long before anyone else would dare raise a voice in protest or a hand in aid, and had secured many civil liberties long before Kennedy and Johnson dreamt of those blanket civil rights bills.

On becoming chairman of the powerful House Education and Labor Committee, Powell reached the highest post ever attained by a Negro in Congress.

While doing this, Powell made many enemies of both northern and southern whites who, no doubt, have wished and sought the means to remove him from Congress. The presence and perseverance of his enemies should have been uppermost in Powell's mind and he should not have given his foes the opportunity to accomplish their 22-year-long desire.

Powell's being charged with spending government funds for private matters is not unique and obviously all persons with government funds at their disposal have acted and will act similarly. But Powell let himself be charged with income tax irregularities and, although himself cleared, allowed two of his aides to be jailed on the same charges.

Powell, a Democrat, backed Republican Dwight Eisenhower for the Presidency in 1952 and uncannily escaped party punishment.

But the irresponsible act that refutes any comparison is the fact that Powell, being as influential and important to the Negro as he is, let himself be involved in a libel suit, lost it, and then, over the course of several years, flagrantly defied the rulings of the court and intricately eluded the enforcement of the law.

Powell through his cockiness, let himself be repeatedly charged with contempt of court as he ducked civic warrants, and finally allowed himself to be the subject of a criminal warrant for his arrest, all because he refused to pay libel damages the court demanded from him.

In view of the many enemies he has amassed in Congress, the high post he held, his tenure in office, and his record of legislating for the Negro, Powell's actions in connection with the libel suit make one wonder.

Yes, he may have been the victim of

"racism" and his colleagues who voted for his ouster may be "Judases" and "rats," but they had an ax to grind which got duller over 22 years. Powell, himself, presented the opportunity to grind it, and his crying "foul" now is simply winnowing in the wind.

INTERGOVERNMENTAL COMMITTEE FOR EUROPEAN MIGRATION—TODAY

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. CELLER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CELLER. Mr. Speaker, I take this opportunity to focus attention on U.S. membership in the Intergovernmental Committee for European Migration. As on previous occasions, I was privileged to be a U.S. adviser to the 25th session of the Council of this organization which was held November 14 to November 18 in Geneva, Switzerland, the headquarters of the Committee.

Since the birth of this nonpolitical, humanitarian Committee 15 years ago, principally at the initiative of the United States, it has been customary for members of the Committee on the Judiciary to attend each semiannual Council session and to maintain vigilance over the operations, progress, and future plans of ICEM.

I am proud of the congressional delegation—Hon. WILLIAM M. MCCULLOCH, Hon. PETER W. RODINO, JR., Hon. BYRON G. ROGERS, Hon. WILLIAM T. CAHILL, Hon. CLARK MACGREGOR, Hon. CHARLES MCC. MATHIAS, JR., and Hon. ROBERT W. KASTENMEIER—who journeyed with me to this council session as congressional advisers, and demonstrated once again the deep interest and dedication that the Committee on the Judiciary and the Congress has in the purpose and objectives of ICEM.

On December 5, 1951, representatives of 16 Western European and Latin American governments convened in Brussels and adopted a resolution to create an international organization for the purpose of providing assistance in finding a solution of the European refugee and population problems, as well as contributing, through immigration, to the alleviation of economic difficulties of the developing countries.

Since ICEM commenced its operations on February 1, 1952, the organization has moved close to 1½ million people to new opportunities. Of this number, 669,550 were refugees and the remainder were national migrants.

The 25th session of the Council was of particular significance because it was demonstrated that ICEM has successfully passed through a transitional period.

While the general complexion of the refugee has in the main changed from that desperate, frightened, unfortunate who crawled through minefields and over barbed wire, and suffered an agonizing existence in a refugee camp, let us not forget for one instant that this type of refugee still exists. As long as totalitarian regimes attempt to compress minds of men, man will escape and seek asylum in free countries.

Today, however, the greater number of refugees who come to asylum countries arrive with exit permits or are scooped up and expelled by governments that no longer want them. During the last 4 years ICEM has moved at a steady rate from 31,000 to 35,000 refugees a year and there is every indication that the number of refugees seeking asylum will increase during 1967. These refugees are actually invisible refugees because they do move with legal documents, they do not erode in refugee camps, they are more often than not contributing to their own existence, and they are moved to immigration countries as swiftly as legal procedures permit. ICEM has adjusted to the need of this new refugee and continues to provide much needed assistance and transportation, but primarily as a lending agency with a minimum of aid through direct grants. By virtue of contributions from member nations, as well as funds repaid by persons already moved, ICEM has established revolving funds and with the assistance of voluntary agencies, ICEM now will lend money to the refugees and the migrants, for their movement, from the special funds with the promise that the money will be later repaid and thus be reusable for future movements. The handicapped persons, the Council agreed, should be moved without the repayment requirement.

Included within the anticipated movement of refugees are the increasing numbers of foreign workers who have been part of the labor market of Europe, particularly Germany, and who, now that the economic boom is beginning to level off, are part of a new surplus labor force. Since a residence permit is contingent upon a work permit, the surplus foreign workers find themselves unwanted in their host country, as well as their own country. We can envisage a reopening of refugee camps to accommodate these people until they can be sent to immigration countries which need and seek their muscle and brain.

Another important project of ICEM is the Latin American program. This program serves a dual purpose by relieving the pressures that are caused by surplus workers in Europe and by bringing much needed skills to the underdeveloped lands in South America which are so abundant with natural resources. Through the migrant adjustment fund, ICEM is in a position to guarantee to skilled persons a standard of living in Latin America comparable to that which they had had in Western Europe. The costly travel expenses, outlay of money to establish new homes, as well as adjustment to the cost of living, can now be prepared through use of the funds so that there will be a greater incentive for skilled people to migrate to Latin America.

The United States, through its participation in ICEM, has helped countries of the free world to help themselves. As the results of self-help became more evident, the United States has been able to decrease its contribution to ICEM, while encouraging member nations to participate to a greater extent in its financing. I am pleased to announce that for the first time another country, Australia, has superseded the United States as the largest contributor to the operational budget of ICEM.

The role of ICEM is no less important today than it was 15 years ago. Times may have changed, but the purpose and the cry for help are still the same.

I have highlighted certain phases of ICEM's operation to keep the House alerted to the continuing need for the expertise of this organization. In the near future, I will present to the House a more comprehensive report from the Committee on the Judiciary.

When one reviews the entire refugee picture, it becomes obvious there are still certain troubled areas of the world where a little refugee assistance would stamp out festering and potentially explosive situations. I have gone before the Council of ICEM proposing that member governments of ICEM look again at the constitution and consider expanding the scope of action to the other needy areas. I am pleased to see that my proposal has been submitted by the administration of ICEM to the member governments.

I would like to include in these remarks a statement that I made before the 25th session of the Council of the Intergovernmental Committee for European Migration:

STATEMENT BY CONGRESSMAN EMANUEL CELLER (UNITED STATES OF AMERICA) AT THE 230TH MEETING OF THE COUNCIL, NOVEMBER 16, 1966, INTERGOVERNMENTAL COMMITTEE FOR EUROPEAN MIGRATION, 26TH SESSION OF THE COUNCIL, GENEVA, SWITZERLAND, NOVEMBER 16, 1966

Mr. Chairman, Mr. Director, Members of the Staff and Delegates, friends of ICEM, my colleagues from the United States, believe me I am deeply honoured to be given this opportunity to talk to this distinguished Council. When I consider the magnificent contribution of ICEM in the past fifteen years, I am reminded of our navy's catch-phrase, "what is difficult we do immediately, what is impossible takes a little longer". I don't have to recite the record of your achievements. It is all too well known to you. I can say that I am proud to have supported and applauded this Committee, which in its own way constitutes an international conscience. You can look back with a sense of concrete accomplishment. 1,459,266 people, refugees and migrants, moved to freedom and opportunity.

What do we see when we look forward? The first year of ICEM's operations: ICEM moved that first year 77,664 migrants and refugees, mostly refugees. As of November 1, 1966, ICEM moved a total of 41,880 refugees and migrants. In the first year there were few, if any, skilled workers moved—in this year a large proportion of those moved were all skilled—the most coveted today.

Are we going to say that the need for ICEM is gone? Some say, for example, that skilled workers for Latin American countries can if they wish make their own way. And this constitutes an activity for ICEM, they ask? Others say that affluent countries can, of course, institute transportation services of their own and resettle within their boundaries refugees or migrants from other countries. Yes, maybe, but in the first place, it is cheaper, it is better organized and it is in keeping with humanitarian principles of the modern times, to do it through an international organization.

Similarly, the transfer of highly skilled workers to Latin America is a tremendous help to the economic growth of that portion of the world and thus helps to ensure stability which in turn helps to ensure the peace. This programme of ICEM is thus of universal importance. Of affluent nations who seek new commons again it is true that organised migration under the know-how of ICEM is far more desirable than individual effort. And what about the stricken, the dispossessed, the helpless, the political footballs of our day and age, from whence cometh their help?

I know I am treading on the most delicate surfaces, but this needs to be said and I intend to say it. ICEM has a vital role to play in our world today, no less vital than it did 15 years ago. The question is, have we lost sight of that role of conscience, the role of ICEM as the conscience of the Free World, the Free World, particularly of Europe. The world of today is not the world of 15 years ago. The nature of the refugee proper is on the surface only different but the exploded volcano still exists. The refugee exists. He exists in want right here in Europe and in corners far away from Geneva. He exists in makeshift camps, in tent cities put together in the desert, dependent on the hand-out of nations, but he cannot look to ICEM for devious political reasons which require the E, the refugee and his children born in the misery of camps stay where they are. This is indeed unfortunate and should be an object of concern to all of us.

Some may sneer to touch this subject but to them I say, if you fear the wolves you never enter the forest. It is refreshing to note that our distinguished Director in his introductory statement of November 14 adumbrated this matter. He called for thorough study of our present and future tasks, and I quote "To secure an efficient way to carry out the movements of European refugees and refugees belonging to religious minorities in the Middle East and North Africa and to establish the policy principles and to find operational authorities with respect to possible movements of non-European refugees for resettlement". This may be hazardous and onerous, but ICEM has attacked in the past and solved problems as great and as difficult. There must be a beginning.

It is known that it needs but one step to take a long journey. Above all, above all, this is essential, namely a thorough-going study should be made of the problem. There has been some reference to some sort of amalgamation of ICEM with the Office of the High Commissioner for Refugees. I do not wish to prejudice the result of any study that may be made concerning the future role of ICEM, but I have serious, serious reservations concerning such a union and I want to emphasize these serious reservations.

Just as oil will not mix with water, so the work of ICEM, I fear, cannot be mixed with the political aspects of the Office of the United Nations High Commissioner for Refugees. Years ago, we envisaged an ICEM that would also be a training school to help people to help themselves such as the proposed Francis E. Walder Training Centre in Greece. This worthy project I am informed is now making progress after much regrettable delays.

I am pleased to know about this progress. I believe too, that ICEM should undertake a study of the numbers and categories of skilled and untrained workers; what workers are in short supply in the countries of the world. For example, does Paraguay lack construction workers, telephone operators, or clerical help? Does Argentina need agronomists to develop food production? How many Italians, Spaniards or Turks who spend some years in Germany or France wish to find permanent places to live in and utilize the skills they have acquired or perfected? There are refugees coming out of the Iron Curtain countries today. They need resettlement; to make absorption, the best possible absorption workable and to send these people into economies which would make good use of them can specially be a function of ICEM.

Would it not be a simpler matter for each of the Member Nations, both receiving and sending countries, to send concrete intimation to ICEM detailing their specific worker shortages or needs? To institute a system of matching should not be too difficult a task. ICEM has already learned how to do it for Latin Americans, Latin American needs, but on a scale much too small to satisfy the needs. I believe ICEM has to consider most carefully whether it could not extend its activities to refugees beyond the borders of Europe who may need resettlement assistance. This would not entail a re-interpretation of the constitution, nor a constitutional amendment. Certainly this area should be explored and I am sure all the Member nations would welcome such an exploration.

A further point I wish to make is that ICEM could make better use of the voluntary agencies than it has heretofore. The voluntary agencies have techniques and special familiarity with the needs of their respective groups. Hence in transporting and placing refugees, the voluntary agencies can render a tremendous service. The refugee trusts his voluntary agency as he trusts no other group, for he feels the voluntary agencies are closer to the knowledge of his home ties, his worries, his culture and his religion, and a great deal of the work of ICEM could be funnelled through the voluntary agency channel.

It also occurs to me that ICEM should strengthen its ties with the other international organizations, such as the International Labour Organisation, the Organisation of American States, the Food and Agriculture Organisation and even with the Common Market of Europe, and the one of Central America.

There are times when it appears to me that ICEM works a bit too much in isolation. Now, if I have seemed a bit too harsh I hope you will understand that I say these things out of a complete conviction that ICEM must be maintained and vigorously supported; that the world today cannot do without the know-how of ICEM; that the refugee problem will grow or shrink in proportion to international crises, but also in proportion to ICEM's continuous efforts. And I pledge every personal aid, confidence, support to ICEM, especially in the United States Congress. We cannot afford to waste the know-how of ICEM by crippling or dismantling its machinery because it will be many, many years before we can dispense with the kind of services ICEM does and can give. So long as there is one man or woman or child without a home, without a country to call his own, just so long will there be need for ICEM. I believe the world is grateful for all you have done and because you have shown the capabilities for doing so much I call upon you to do more. Only those who are worthy of responsibility, and capable of discharging that responsibility, have responsibility placed upon them.

DOMINICAN REPUBLIC

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. GALLAGHER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, I had the recent good fortune to spend several days in the Dominican Republic, talking to high government officials and visiting different parts of the country.

I had previously been there 7 months ago to participate in the inauguration ceremonies of President Balaguer.

Briefly, I would like to describe what I found on my last trip and what I observed to have taken place in that country between my two visits.

Last July, Mr. Speaker, the country was gripped in the euphoria of successful elections and the inauguration of a new president who promised political stability and economic recovery.

I found on my first trip optimism about the future. But it was the heavily qualified optimism brought on by uncertainty. The Inter-American Peace Force had remained in Santo Domingo, and the people were not at all sure what would transpire after the force was withdrawn, scheduled for 90 days after the inauguration. The economy was left at a virtual standstill, and the people wondered how successful their new President would be in getting it moving again. The forces of extremism—both on the left and right—which had clashed during the Garcia Godoy interval were quiet, but the people were unsure whether they would emerge to clash in violence and harass President Balaguer once the IAPF presence was removed.

The situation today, Mr. Speaker, clearly demonstrates the preliminary success which President Balaguer has had in achieving his immediate goals. To be sure, he has some way to go before attaining the degree of stability which we all want to see in the Dominican Republic. President Balaguer, being a realist, would be the first to admit that he has a long road to travel.

But I found that what he has gained in the initial phases of his administration is impressive, and he deserves the full credit for this in the eyes of the world.

He has established a degree of political stability, which while not complete, is far greater than those of us close to the earlier situation had reason to hope for.

Through his austerity program he has brought the operating budget in line with current revenues, and during 1967 he expects to achieve a modest current revenue surplus which can be used in his development program.

He has checked the rise of living costs and had no serious problems with labor.

And, of great importance and impact, I think, he has brought about a new sense of confidence to the business community reflected in the demonstrated interest of national and foreign investors to undertake new projects.

I would make one further observation, Mr. Speaker. What has taken place in the Dominican Republic during the past 7 months shows again the wisdom and remarkable foresight of the hard decisions President Johnson made during those critical days in April of 1965. The Dominican Republic is back on the road of constitutional government, political stability and economic and social progress, because the actions of April and May 1965 preserved the option for the Dominican people to choose by free elections the men whom they trusted to guide their nation's destiny during the next 4 years.

It is time to salute President Balaguer, and is the time, also, to salute President Johnson for having made a most difficult decision with great courage and wisdom, a decision that brought peace and tranquillity to the people of the Dominican Republic and Latin America, and which brought hope to the world. And, perhaps most importantly, when the last soldier left the Dominican Republic, it lent new credence that the word of the United States is valid.

MARINE SGT. ROBERT EMMETT O'MALLEY

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. DELANEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. DELANEY. Mr. Speaker, on August 18, 1965, near Chu Lai, in Vietnam, Marine Cpl. Robert Emmett O'Malley, a resident of my district, performed an act of extraordinary heroism which is an inspiration to all Americans, and particularly our youth. He dramatically demonstrated that our young people today continue to possess the bravery and heroism which has been the hallmark of American youth throughout our history.

With complete disregard for his own safety, O'Malley raced across an open rice field to attack an enemy stronghold with rifle and grenade, killing eight Vietcong. He then led his squad to assist an adjacent marine unit which was suffering heavy casualties, and personally assisted in the evacuation of several wounded. After returning to the fight, he was ordered by an officer to evacuate himself. Although sustaining three wounds, and facing imminent death, he continued to cover his squad from an exposed position until his wounded were safely evacuated. Only then did he permit himself to be taken from the battle scene.

For this outstanding performance President Johnson, on December 6, last year, awarded O'Malley, who is now a sergeant, the Congressional Medal of Honor.

In reviewing the list of Congressional Medal of Honor winners, one is immediately struck by the long list of Irish names which run virtually the entire alphabet, beginning with Ahern, Boyne, Callahan, and continuing right on through to Welch. While all Americans are extremely proud of Sergeant O'Malley, we Irish are singularly proud of one of our own who has continued a long Irish tradition in the United States of service above and beyond the call of duty. In this regard, I would like to include the following message from the United Irish Counties Association of New York:

> We of the United Irish Counties Association of New York, Inc., would like to congratulate Sergeant Robert Emmett O'Malley on the recent honor bestowed upon him by the President of the United States, namely, the Congressional Medal of Honor.
>
> We are also proud that this brave soldier is the son of a father who comes from County Mayo, and of a mother who comes from County Kerry, Ireland.
>
> To Sergeant O'Malley and all the other valiant soldiers who are serving in this conflict we offer our thanks and our prayers.

JIM FARLEY ON THE PRESIDENCY

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. DELANEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. DELANEY. Mr. Speaker, the Nation has heard and read considerable speculation as to the alleged decline of the Democratic Party and the possibility of the opposition party electing the next President. I think recent comments by one of the greatest party chairman of all time, the Honorable James A. Farley, place this matter in better perspective. Under leave to extend my remarks, I include for the RECORD an article from the Sacramento Bee and a recent column by Mr. Walter Trohan, of the Chicago Tribune, which I commend to our colleagues' attention:

[From the Sacramento (Calif.) Bee, Jan. 23, 1967]

DEMO EX-CHIEF EXPECTS L.B.J. TO RUN, WIN IN 1968

WASHINGTON.—Former Democratic National Chairman James A. Farley called on President Lyndon B. Johnson Thursday and said afterwards that Johnson "is bound to run and bound to win" in 1968.

Farley said Johnson's likeliest Republican opponents would appear to be former Vice President Richard M. Nixon or Michigan Gov. George Romney. Farley said he thought "it would be a great thing for the Democratic party if either one of them is the nominee."

Farley, 78, a top executive of the Coca-Cola Co., said he did not discuss with Johnson the prospect of the President running for reelection.

He said they talked about a wide range of matters, including visits both he and the President made to New Zealand and Australia last year.

Farley said that despite the decline in public opinion polls and other setbacks, Johnson is "in good shape" politically.

He said he "very frankly, was surprised" at criticism of Johnson last November by Democratic governors. Farley said some of them owed their election to Johnson and "they ought to show, in good judgment, more loyalty to the Democratic party."

Farley said Johnson displayed "great leadership" on the domestic front and in guiding the war in Vietnam.

"No president of the United States was ever repudiated as a candidate while the country was at war," he said. "I am confident that President Johnson will be reelected—by a very substantial majority. As I look at the picture, he is bound to run and bound to win."

As for Romney, Farley said that "sooner or later Gov. Romney has got to make known his position on certain issues on which he seems to be stalling."

Nixon has "made the strongest contribution" to the Republican party and "there isn't any doubt he is the strongest candidate among those fellows" now, Farley said.

[From the Chicago (Ill.) Tribune, Jan. 23, 1967]

FARLEY, LYNDON VISIT BODES ILL FOR REPUBLICANS

WASHINGTON, January 22.—There was a meeting in the White House last Thursday between two professional politicians that boded no good for those Republicans who believe that the Presidential race is in the bag for the G. O. P. in 1968.

The meeting was listed by the White House as "a courtesy call" by former Postmaster General James A. Farley, widely regarded as the greatest party chairman in this century, if not in all time. He talked for an hour with Lyndon Baines Johnson, who was considered the second most powerful man in Washington during his days as Senate Democratic leader in the Eisenhower administration and who is now the most powerful as President.

It needs no Daniel come to judgment to tell us that the hour was devoted to politics, especially since the President's popularity has fallen in opinion polls, the party suffered stunning reverses in November, and Democratic governors have been attempting to pass the losses onto the President's shoulders. Obviously Mr. Johnson consulted the party oracle, Mr. Democrat himself, altho Farley holds no public office.

The Farley formula is no secret. It is an open book, yet it has gone neglected by both Republican and Democratic chairmen for a quarter of a century. The formula is warm friendliness, impeccable courtesy, minute attention to even the lowest party worker, and a tremendous capacity for work, hard work.

COURTED WORKERS WHO DELIVERED VOTES

Farley has written more letters than any other man in public life. His correspondence is still heavy, altho he left Washington in 1940. Once during the 1936 campaign Farley shook hands with thousands upon thousands of voters at a rally in Iowa. Each one he met received a letter, because he had stationed workers behind him who knew and took down the names of all who filed by to shake the party leader's hand.

Farley kept a file of the birthdays and other notable dates in the lives of party workers. Each was sent a letter on those dates. He wrote every successful candidate to congratulate him on winning high office, sometimes to Republicans as well as to all Democrats.

He wrote to county chairmen, asking them to sound out opinion in their districts, knowing they would take a poll merely by showing the intimate letter they had received from the party chairman. These letters were showed until they wore out and Farley got the information he wanted.

No one, no matter how humble, was ever slighted by genial Jim. Everyone was given a hearing, at least by letter. In matters of protocol, Farley could have instructed the state department, always remembering former party workers and current party workers, never forgetting anyone.

JOHNSON, LIKE FARLEY, IS TIRELESS

Farley was tireless, knowing a political machine needs constant attention. He was working at his desk 10 hours a day and at his job 16 and more hours daily.

Mr. Johnson is also tireless. Altho he does take a nap, he is up early and to bed late. He has himself photographed with most visitors, he writes many letters, which he knows are treasured. He can be most persuasive, and he knows when and how to apply pressure.

In the November election, many of the Democratic losses came where the party had won victory in G.O.P. areas in the 1964 Presidential election. The defeats were suffered, in a large measure, by coattail riders. There were only a few defeats that hurt.

The conference with Farley should have ended G.O.P. speculation that Johnson will not run in 1968. Obviously, the two discussed ways and means of pulling the party together and victory strategy. When he left the President, Farley voiced the prediction that Johnson is "bound to run" in 1968 and that "he's bound to win." Republicans, who dream of victory falling into their laps in

1968, should remember that Farley is a prophet not without honor in matters political and should get to work on his formula.

KILMER JOB CORPS CENTER

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. PATTEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. PATTEN. Mr. Speaker, this Saturday the Kilmer Job Corps Center in Edison, N.J., will celebrate its second anniversary.

Proud as I am of our attempts to probe the problems of outer space, just as proud am I of our attempts to probe the problems of our own civilization.

The Kilmer Job Corps Center is one of the greatest projects my State has ever had.

We know all too well the grand achievements of this center in training boys—once considered unemployable—for self-supporting roles in society.

It was only a few weeks ago, January 24, that I had occasion to comment here on the 1,000th corpsman trained and placed in employment by the Kilmer center.

In this short period, the number has risen to almost 1,300—a remarkable achievement.

How much better it is, I submit, to replace welfare and giveaway programs with a successful job training program which pays its own way? The earning ability a corpsman now acquires enables him to return his country's investment in him within 5 to 7 years through the income tax that he will be able to pay for the first time in his life.

But I also submit that what Kilmer has accomplished cannot be measured by training and job placement alone.

Our attention has been directed to training and placement, to the questions of poverty and their solution.

But have we stopped to consider that we are engaged in more than a mere war against poverty and unemployment?

We are at war against the effects of the slum, both urban and rural.

We are at war against the antisocial feelings of the slum, the scoffing of authority, the hatred of the police, the hostility toward society, the destructiveness of property, the contempt of educational institutions, the flaunting of life and limb.

There is not a Congressman with a Job Corps center in his district who does not recall the early, revealing days of the program.

Some of my constituents in Edison, Piscataway, and New Brunswick were very concerned, and properly so, at the excesses of many of the slum-bred, hostile corpsmen.

But, Mr. Speaker, the excesses to which I have just referred have been dwindling. Police arrests have gone down from 20 to four a month, former complainants are now volunteer workers in the center and several score blue-chips industries have sent personnel men to Kilmer to recruit employees.

What is happening?

The Job Corps, certainly the center in my district, is beginning to change the attitudes of the corpsmen. It is making men out of boys. It is substituting positive thinking for street thinking.

There are boys at Kilmer who portray not so much their failure in public school, but the failure of the public schools to reach them.

There are boys at Kilmer who had never learned to read or write in public school. Kilmer is teaching these boys to read and to write.

There are boys at Kilmer who had never looked at themselves except through eyes of self-hate and failure. Kilmer is teaching them confidence and self-respect.

There are boys at Kilmer who had never looked at a policeman except through eyes of hate. Kilmer is teaching these boys to respect the police.

There are black boys at Kilmer who had never looked at a white boy except through eyes of distrust, and there are white boys at Kilmer who had never looked at a Negro except through eyes of contempt.

Kilmer is teaching them to respect each other—and themselves.

In a sense, Kilmer is a laboratory. It is finding ways to reach these boys that existing agencies and schools were unable to find. Soon Kilmer will be able to share with our public schools systems new techniques in education not only to prevent dropouts, but to enhance the education of all our children.

Kilmer may not and cannot be measured by its educational and vocational results alone.

There will be few Kilmer boys, I assure you, who will be found among the rioters of the future.

Kilmer boys will be among the leaders in meeting our thorny social problems in constructive fashion.

Some say we cannot change human nature. Mr. Speaker, we have been changing human nature for thousands of years. Kilmer now is doing just that.

Kilmer is making the American dream a reality for the thousands of boys who have passed through its portals.

For its successful work in both rehabilitation and citizenship, on this, the center's second anniversary, I salute the administration, the staff, and the boys themselves.

UNITED STATES TO ISSUE STAMP POINTING TO THE NEED FOR URBAN PLANNING

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. BARRETT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. BARRETT. Mr. Speaker, I have been informed by the Postmaster General, the Honorable Lawrence F. O'Brien, that the Post Office Department will, this year, issue a special stamp pointing to the need for urban planning. I take this opportunity to commend the Postmaster General and those who advise him on the issuance of special stamps for this decision.

As chairman and long-time member of the Subcommittee on Housing, I have been aware of the problems of our urban areas, as have the majority of members of the House. I believe it is fair to say that the Federal Government has attempted to deal with the problems of our urban areas through a number of Congressional programs.

Despite the earlier programs to combat the slums and blighted areas of our cities and urban centers, it was not until the 89th Congress that a sufficient number of supporters could be mustered to support a concerted, concentrated, and comprehensive program to attack these problems.

Among the many enactments of the 89th Congress to deal with urban problems, there are three that stand out as most important: The creation of the Department of Housing and Urban Development, the rent supplement program and the Demonstration Cities and Metropolitan Development Act—generally referred to as the model cities program. These three acts are and will be landmarks in our efforts to make urban areas a better place to live.

Mr. Speaker, my own great city of Philadelphia has been a leader in the field of comprehensive urban planning and I am proud to inform my colleagues that it has been honored to receive an award from the Department of Housing and Urban Development for its preeminence in the urban planning field.

Mr. Speaker, it is, therefore, most appropriate that a special stamp be issued this year, which is the 50th anniversary of the American Institute of Planners, pointing to the need for Federal, State, and city cooperation to halt the decay of our cities.

GI BILL OF RIGHTS FOR VIETNAM VETERANS

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that the gentleman from Georgia [Mr. STEPHENS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. STEPHENS. Mr. Speaker, there is no question in my mind that the young men who are today fighting the battle for freedom in Vietnam are some of the finest and greatest men ever to comprise our military. Their bravery, their devotion and their sacrifices will not be forgotten.

I was pleased to see that the administration has taken the initiative in proposing an extensive program of benefits for these men when they return as veterans. It is only fair and just that these men receive the benefits that we have afforded all other veterans from other wars.

It is gratifying to see that the press has responded with favorable comment on the President's message. I want to call to the attention of this body this

excellent editorial from the Stars and Stripes—The National Tribune, dated February 2, 1967:

PRESIDENT'S MESSAGE

In other columns of this paper there appears the recommendations made by the President of the United States with reference to the enactment of a broad legislative program affecting the veterans of this Nation.

It is believed that this special message pertaining to veteran legislation is the first that any President has ever sent to the Congress. The President's program is a giant step forward in bringing equity and justice to our Viet Nam veterans in particular. The proposal would grant these veterans full parity with benefits given to those veterans of World War II and the Korean Conflict.

The cost-of-living increase for older veterans, their widows and dependents now in receipt of pension is highly gratifying to those veteran leaders who are concerned over the plight of this particular segment of the veteran population. While the increase itself is modest, approximately 5.4 per cent, nevertheless a large number of those persons in the low-income category will receive badly needed increases.

The statement in the message that the enactment of greater Social Security benefits will not endanger the pensions of those close to present income limitations is also reassuring.

In view of the strong support the President has given to these proposals there appears little likelihood that there will be a repeat performance of legislation which was enacted in the House during the 89th Congress and failed to receive consideration in the Senate.

This would lead us to believe that perhaps the Chief Executive has had a change of heart with regard to the need for increased benefits for veterans inasmuch as his Administration is generally credited with having killed similar legislation in the 89th Congress.

THE STEEL INDUSTRY

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that the gentleman from New Mexico [Mr. MORRIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MORRIS of New Mexico. Mr. Speaker, yesterday morning I had the good fortune of hearing Mr. L. B. Worthington, chairman of the American Iron & Steel Institute, speak at the congressional breakfast of the 1967 public affairs conference.

Because of the timeliness of this topic and the expertise displayed in his remarks, I would like to bring Mr. Worthington's excellent presentation to the attention of my colleagues:

In the short month since the 90th Congress convened, you members of this most important body have already received enough legislative challenges to overburden the hardiest among you.

You've learned of the state of the union, the state of the budget and the state of the economy.

I wish that I could, this morning, report in equal detail upon the state of the steel industry and discuss some of the pending legislative proposals that are of importance both to you and to us.

Particularly, I wish that we could explore together this pressing question of air and water quality which concerns all of us so deeply; and that I could review the nearly thirty years of research that has been carried out by American Iron and Steel Institute in this field . . . that I could tell you about the more than half-billion dollars that the steel companies have spent in the past 15 years on the installation of pollution abatement facilities, and about the additional 150 millions or so that they are now in the process of spending for this purpose. I wish I could discuss the role that the 7 percent tax credit has played in helping to finance these heavy capital outlays which add nothing to our production; and that I could explain the advantages which might be gained by substantially enlarging this credit as it applies to pollution control facilities.

But in view of the heavy demands upon your time, and in keeping with my promise to make this short, I must confine myself this morning to a single topic; and because of its importance, that topic has got to be the steady and relentless increase in the imports of foreign steel, and the effect of these imports upon the companies, their employees and the people of this nation.

By way of background, let us look for a moment at what has been happening to the world steel picture over a span of just fifteen years:

In 1950 there were 32 steel producing nations in the world; but in 1965 there were more than double that number. That means that more than 30 countries which had formerly depended entirely upon imported steel, now have steel-making resources of their own; and that the nations which formerly supplied those countries have had to scramble for new markets for their exports.

At the same time, world production of raw steel has increased from 207 million tons to 501 million tons. Moreover, it appears that at least 75 million additional tons could have been produced had there been a market for this steel.

The world exports of steel have more than doubled in the past decade. In 1955, 23 million tons went into the export market; but in 1965, 51 million tons were exported. And no longer does this steel flow principally from the industrialized nations to the less-developed countries. Twenty percent of it comes into the United States, so that this nation—which is the world's largest producer of steel—has become paradoxically the world's largest importer of steel.

Furthermore, major facility additions are projected for both Western Europe and Japan, even though the evidence is that neither in their own home markets nor in the less-developed countries will demand for steel increase sufficiently to absorb this additional production. Thus it is clear that more and more of this foreign steel will be knocking at the door of our American domestic markets.

Today then, the American steel industry is confronted by the cold hard fact that the shifting patterns of world trade over the past nine years, are now costing us more than 13 million tons of finished steel products annually.

Our exports have plummeted from 5½ million tons in 1957 to less than 2 million tons last year, while imports during this period have rocketed from a little more than 1 million tons to an all-time record of 11 million tons in 1966. And these imports now account for about 11 percent of our total domestic steel market.

In the Southwest, and out on the Pacific Coast, imports have taken more than 20 percent of the market; and for certain products—such as wire rods, barbed wire, nails and staples—foreign imports represent from a third to a half of the sales in this country.

No one, I think, should try to minimize the impact of 11 million tons of imported steel on the American market. It represents more than 70,000 steelworker jobs alone, and many thousands of additional jobs in supporting industries—all at a time when this nation is striving to achieve maximum employment.

It represents a negative trade balance of nearly a billion dollars at a time when our nation is striving mightily to reverse or contain our balance of payments deficit.

It represents the output of a company larger than Armco and Jones & Laughlin combined, and all the federal, state and local taxes which that company—its employees, its suppliers, and their employees, in turn—would be contributing to the welfare of our nation.

And, finally, it represents a threat to the growth and strength of our own steel industry at a time when America is called upon to defend world peace and the integrity of smaller nations in many parts of the globe. In this situation, gentlemen, I am sure you believe as I do that American security requires a steel industry strong enough to meet whatever demands may be made upon it; and that this nation can never afford to look to other countries for the vital steel supplies that are a major ingredient of its military power, and of its peace-time economic strength.

Now I don't have to tell you, I'm sure, that the American steel companies have not been taking all this lying down. We've been doing everything in the book to make this industry as efficient and as competitive as it is possible for any industry to be.

To enhance our position of technological leadership, and to develop new steel products that could not be obtained anywhere else in the world, we are now spending considerably in excess of 100 million dollars a year on research. And you may be interested to know that in the case of my own company about 15 percent of its shipments last year were of products that we have been selling for less than five years.

But transplanting technological advances from the laboratories to the mills themselves is a costly business; and during the past ten years the American steel companies have spent more than 13 billion dollars on new, more efficient production facilities—designed not only to reduce costs, but to establish new high standards of quality for our competition to shoot at.

Last year, these capital expenditures exceeded 2 billion dollars; and we expect that they may be as great or greater in the current year. Yet even these enormous outlays are inadequate now to take full advantage of existing technology, and they show little promise of growing at anything like the pace of the increase in our knowledge of steel products and production methods.

Retarding this growth, of course, is the recent suspension of the 7 percent investment credit and of the provisions for accelerated depreciation; and needless to say, the proposed surtax on corporate and personal incomes will, if enacted, impair further our ability to generate the funds needed to finance these capital expenditures. Not only will it intensify the profit squeeze which the industry has suffered in the past decade, but by biting more heavily into the take-home pay of the steelworkers at a time when they are already disturbed by the rising cost of living, it might well build up increasing pressure behind the wage demands that will be made upon us next year.

So our competitive position will be directly affected by the actions of Congress in these important fields of taxation. But meanwhile, we are pressing forward with this program of capital spending as rapidly as we can; because this race for technological advancement is one race that we cannot afford to lose, and neither, I think, can America.

Yet in spite of all we have done and are doing, foreign imports continued to increase last year, even though there was no labor negotiation to be faced, no threat of a work stoppage, and no reason for steel users to protect their supply by turning to offshore sources since domestic producers could fully meet the demand.

Now what are the root causes of this problem?

Well, whether we are talking about steel or any other industry, American production costs are inescapably related to the American standard of living; and are based upon the world's highest wage structure. Even the minimum hourly wage in this country—as fixed by our federal wage-hour laws—is substantially higher than the average wage in most foreign countries. And when you remember that, in the economy as a whole, employment costs represent more than 75 percent of all production costs, you realize why—in industries like steel—foreign-made products can often undersell ours in world markets.

I wish that some of our Congressional guests, this morning, could have been with me on my trip to Japan last month, and could have seen as I did the spectacular advances which the steel industry in that country has made since the end of World War II. Starting almost from scratch, it has become the third largest steel producer in the world, and last year it exported about 11 million tons of which nearly 5 million tons were sold in the United States.

Moreover, the Japanese have vast plans for expansion in the very near future, with the likelihood that most of this new tonnage would go into exports. So a few points of comparison between the two industries might be worthy of attention.

There is little to choose between the two as to technology, productivity, labor supply, skills and climate. The United States may have some advantage in the availability of raw materials although this is shrinking as new high-grade ore and coal sources open up around the world and as highly-efficient ocean bulk carriers go into service. The United States has the most modern and diversified transportation system in the world—a real advantage—but the location of all major Japanese plants on the Coast is a partially balancing factor. Therefore—as to these factors—our steel industry would seem to have some edge on Japan's. The only identifiable major difference among the economic factors affecting the two industries is in employment costs.

Employment costs in Japanese steel mills are less than one-third as much as they are in the United States. And when I speak of employment costs, I am not talking about wage rates alone. I am including the whole range of benefits which the Japanese steelworkers receive.

The net result is that the Japanese mills have an advantage of from $30 to $35 a ton in employment costs alone. And beyond that their capital costs in the construction of new facilities are only about half as much as ours.

Faced by that kind of cost disadvantage, American producers have little chance of competing on a basis of price and must rely on quality, service and innovation as the primary areas of competition.

But these cost advantages which foreign producers enjoy in varying degrees in Europe and the Far East are not the only explanation of the flood of steel imports which washes up on our American shores. A basic cause lies in the excess steelmaking capacity which exists abroad and continues to increase; so that steelmakers in these countries are compelled to maintain their exports at the highest practical level. If this means that they must ship their excess tons across the seas at whatever price is necessary to get the business, then they do so—and eventually their governments or their home-market customers must subsidize these exports in one way or another.

Foreign governments use their steel industries as instruments of national policy resulting in protection of those industries. The measures they have adopted take many forms but they are designed to protect domestic markets and stimulate exports. These include tax rebates, subsides, special shipping rates, and special depreciation allowances.

And America is a prime target for these exports because the steel market in the United States is not only the largest and most diversified in the world—it is also the most open and easily accessible in the world. Here a low tariff, averaging less than 6 percent of the value of the product, is the only barrier this country places in front of steel imports.

But in other countries it is different. When American steel goes abroad, for example, it must absorb tariffs that can be more than double the American duty and then be required to hurdle a battery of non-tariff barriers which may include border taxes, surcharges, import licenses, penalties, fees and so-called equalization taxes that—in various countries—are levied on imports and rebated on exports. So the United States market is thus being used by foreign mills as a kind of "bargain basement" in which to dispose of their surplus production.

Gentlemen, there is a point—and I believe that point has been reached—where there is a limit to what we can do and still maintain the financial soundness that steel or any other industry cannot and must not jeopardize. There is a point—and I believe that point has arrived—when the import-export problem of the steel industry must be recognized in the offices of government and appropriate steps taken to solve those portions of the problem which only government can solve.

You all know what has been happening in Geneva. After years of debate, the GATT negotiations are at a virtual standstill and we in the steel industry feel certain that nothing can result which will prevent the steady deterioration of our international trade in steel.

The Trade Expansion Act expires in June and we feel it would be a tragic mistake if the Congress were merely to pass a perfunctory extension of that Act. And I gather that we are not alone in that opinion.

The Chairman of the Finance Committee, Senator Russell Long, was quoted the other day as saying: "Our trade policies need a thorough new look; and some hard-headed American businessmen are needed to devote a great deal of independent thought and study to the over-all program."

And at the annual meeting of the Trade Relations Council, Senator Everett Dirksen, the Minority Leader, expressed his "deep conviction that it is time that the Congress restore some semblance of fairness and balance to our foreign trade policy and procedures.

"We must be as zealous," he said, "in our concern for the welfare of American workers and their employers as we are for those living in distant lands . . . we as a people—and especially your Representatives in the Congress—must be farsighted enough to strengthen the American system by our wise adoption of laws calculated to foster America's strength and economic growth, rather than submissively to accept policies whose chief contribution is strengthening other nations at our expense."

Statements like these—coming as they do from both sides of the aisle—are encouraging indeed and certainly we are grateful for the efforts of many of you Members of Congress in seeking a solution to this problem. Two examples come to mind—the study of the steel import situation which is presently being conducted by the staff of the Finance Committee as the result of a resolution introduced during the last session by Senator Vance Hartke; and the hearings concerning the impact of imports on labor which were held by Congressman John Dent and his General Labor Subcommittee this past summer.

Studies and hearings of this kind are important in the determination of long-range trade policy. However, the welfare of this industry, the maintenance of the high standard of living of the American steelworkers, and—I believe it is fair to say—the security of this nation require that the Congress take steps at this Session to enact a temporary levy on imports of foreign made steel and pig iron, so as to narrow the price differential and create a climate of more equitable competition between domestic and foreign producers who seek a share of the United States market.

What the exact terms of such a law would be, and how it should be drafted, are matters, of course, which rest with you, and we will be communicating with you individually to gain the benefit of your counsel as well—we hope—as your support.

But meanwhile if you are looking for any of those "hard-headed businessmen" that Senator Long was talking about, I must say that seated in this room today are some of the hardest-headed men that you could find anywhere. I know, because I have been competing against them and their companies for more than forty years. And every one of us wants to be helpful to you in finding a fair and workable solution to this vital problem.

I hope that, together, we can.

CATERPILLAR TRACTOR CO.'S CONTRIBUTION TO OUR BALANCE-OF-PAYMENTS DEFICIT

Mr. SMITH of New York. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. MICHEL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MICHEL. Mr. Speaker, we have been reading and hearing a lot about the deficit in our balance of payments, but I should like to call to the attention of this House the very significant contribution of just one industry in improving the situation. The Caterpillar Tractor Co., with its biggest plant and worldwide offices in my district, can boast of a $444 million contribution to the plus side of our balance of payments. Their annual report, just published, discloses total sales in 1966 of $1.5 billion—an 8½-percent increase over 1965. Sales here in the United States totaled nearly $900 million, while sales outside the United States, including exported products as well as those manufactured abroad, totaled over $600 million.

While 41 percent of Caterpillar's sales were abroad, it is good to point out that only 16½ percent of their employment is overseas. And I think it should also be pointed out that three-fourths of Caterpillar's foreign sales were generated by exports of products built in the United States by U.S. workers.

Mr. Speaker, one final comparative figure bears mentioning, and that is that last year's estimated balance-of-payments deficit is in the neighborhood of $1.2 billion. If there were simply three more companies in this country with as good an export sales record as Caterpillar's, there would be no balance-of-payments deficit. And so, I take this opportunity to congratulate the officers, directors, and employees of Caterpillar Tractor Co., not only for this accomplishment, but for their ever-growing list of remarkable achievements.

FEDERAL FUNDS FOR SCHOLARLY DOODLING

Mr. SMITH of New York. Mr. Speaker, I ask unanimous consent that the gentleman from Colorado [Mr. Brotzman] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BROTZMAN. Mr. Speaker, an amazing document was submitted to me yesterday by the National Foundation on the Arts and Humanities. It was a news release, dated February 8, 1967, entitled "Humanities Endowment Announces $936,000 in Research Grants."

Mr. Barnaby C. Keeney, Chairman of the National Endowment for the Humanities, was announcing that 69 grants were being made to academic and other organizations for scholarly research projects.

The concept of modest Federal funding for the humanities is an appealing one. However, Mr. Speaker, after reading the Foundation's résumé of the subjects to be studied, I must question the manner in which these funds are being applied.

At least half of the projects look suspiciously like scholarly doodling exercises. Consider these examples:

To the University of California at Santa Barbara, $8,789, for a study of the history of the comic strip in the 19th century.

To the University of California at Los Angleles, $12,650, for research into dime novels and other popular literature.

To the Minnesota Historical Society, $5,000, to assemble writings about the fur trade in the United States and Canada between 1770 and 1820.

To the University of California at Los Angeles, $15,000, for preparation of a dictionary of folklore, magic, and witchcraft.

To transplant the 27th International Congress of Orientalists to the University of Michigan campus next August, rather than holding it somewhere in the Eastern Hemisphere, as it had been each of the 26 previous congresses, $25,000.

At a time when our overtaxed citizens are being asked by President Johnson to sacrifice even more, expenditure of Federal funds for this purpose seems highly imprudent.

A FLEXIBLE LEAD-ZINC QUOTA

Mr. SMITH of New York. Mr. Speaker, I ask unanimous consent that the gentleman from Colorado [Mr. Brotzman] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BROTZMAN. Mr. Speaker, in 1965 the President terminated the lead-zinc import quota proclamation. Since its termination, the United States has not had a mineral policy in this area. The inflexible nature of the proclamation's provisions did not accommodate changes in domestic consumption or the changing abilities of foreign producers to supply the ores and metals to our domestic consumers. The lead and zinc industry, at the time of the termination of the quota proclamation, urged a new policy based on current economic conditions. To date, Mr. Speaker, there has been no action by the executive departments.

The new demand for lead and zinc has encouraged the recovery of the industry from the 1958–63 period of excessive metal stocks, unprofitable price levels, and reduced mine and smelter productions. The domestic industry has been encouraged to reopen mines, develop new ore resources, and expand concentrating and smelting facilities. Mr. Speaker, these are expensive operations. The cost of reopening a closed mine alone is staggering.

Not only has the domestic industry been encouraged to revitalize, but foreign producers also have stepped up production. Foreign operations often can produce lead and zinc comparatively cheaper than domestic producers because of lower wage scales and safety standards and other overhead costs. Consequently, in recent years, the lead and zinc industry in the United States has been operating in an increasingly competitive world market.

Mr. Speaker, it is true that during 1965 and early 1966 there was a shortage of lead and zinc, but this temporary shortage could easily change to a surplus in foreign markets. Such a surplus could, once again, result in excessive, unneeded imports into the United States.

The domestic industry recognizes that a reasonable quantity of imported lead and zinc is required to supplement domestic production. Since the termination of the import quota proclamation in 1965, several approaches have been suggested for meeting the problem of foreign importation. Legislation in this area was introduced in previous Congresses. But there has been no favorable action either by Congress or the executive departments. The economies of the domestic industry are now favorable to maintain and expand production facilities. We should act now to retain this position.

Increasing production around the world can cause the same type of imbalance of supply and demand that led to the 1958 quota proclamation. With the proclamation terminated, a new plan should be available to regulate imports of lead and zinc, if required.

Mr. Speaker, this measure proposes to establish a mineral policy for lead and zinc. Briefly, the provisions of the bill are as follows:

First. A 5-year term is proposed to permit reevaluation of the program at proper intervals and to serve until a mineral policy for the lead and zinc industry is established by the executive department.

Second. A quota regulating imports of either lead and zinc ores and metals could become effective for a term of 3 years if the producers' metal stocks reach levels considered excessive to normal market requirements. A specified ratio of metal stocks to metal shipments during a current base period would determine the initiation of the quota.

Third. Should conditions arise calling for the initiation of the import quota, it will be calculated at 80 percent of imports during a base period of the most recent 10 quarters. This procedure is designed to reflect current world trade patterns.

Fourth. Specific import quotas will be assigned to countries with an import record in excess of 10 percent of imports during a current base period determined at the time a quota plan becomes effective. Countries with a lower level of imports will participate in an "all-other-countries" quota.

Fifth. The ratio of ore to metal is specified at levels that will assist the U.S. custom smelting industry.

Sixth. The import quota will be canceled if producers' metal stocks are reduced to levels considered below normal minimums, based on a current base period.

Seventh. Manufactured products would be placed under an import quota, if entries are excessive during the term of a quota on ores and metals for either lead or zinc.

Eighth. A minimum quota is provided to assure the importer a share of participation in U.S. markets.

Mr. Speaker, the executive departments have not accepted the responsibility of acting upon the urgent requests of the domestic lead and zinc industry to establish a new mineral policy. It, therefore, is incumbent upon the Congress to act in this area.

I urge the Ways and Means Committee to begin hearings on this measure as soon as possible. We cannot wait much longer.

A PROVOCATIVE APPEAL TO TOMORROW'S LEADERS

Mr. SMITH of New York. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Conte] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CONTE. Mr. Speaker, the student body at Williams College in the First Congressional District of Massachusetts, which I am privileged to represent in this body, were treated recently to a most articulate and provocative appeal for a new spirit of enlightenment and statesmanship in public service and in our political processes.

This appeal was made in an excellent address by our distinguished friend and colleague from Maryland [Mr. Mathias], who has repeatedly shown his sincere and forthright concern for the welfare and security of America and the world.

The gentleman from Maryland is widely respected as a man of powerful conviction and of sufficient courage to uphold those convictions even though they might suggest apparent serious political consequences from time to time. In that regard, his remarks on the subject of politics and statecraft are worthy of the attention of all of us in this body and of all Americans.

I insert the address of the gentleman from Maryland, delivered at Williams College, Williamstown, Mass., on February 6, 1967, at this point in the Record.

The address follows:

Address of Congressman Charles McC. Mathias, Jr., at Williams College

I have come to Williams tonight, as I shall go to other colleges, to meet my masters. For you, and the majority of Americans who have the good fortune of being under 28, are the real masters of America, of our government, and in fact of the world.

Six short years ago, on January 20, 1961, I stood in the quiet, cold morning and heard John F. Kennedy declare that "the torch has been passed to a new generation of Americans—born in this century, tempered by war, disciplined by a hard and bitter peace . . ."

I was and am part of that then-new generation. Our period of ascendancy has been brief. For what President Kennedy meant—and what we understood him to mean—was that new hands would grasp the old tools, and that what was passing from the Eisenhower Administration to the Kennedy Administration was the familiar torch of government, a beacon that identified the existing body politic.

In the six intervening years, I have learned that your generation is already reshaping this body politic to meet the changes and the challenges of the next third of this century, the third of a century which we are entering this year.

We are by far the most prosperous nation in the world. We are richer, larger in numbers, younger, more literate and more mobile than ever before. We have a vast technological wealth, whose benefits we are just beginning to understand.

But our national mood in 1967 is ambivalent. We may be optimistic about our private prospects, but our public moods are shadowed with pessimism. We have suddenly found ourselves in a strange country and a strange world—beyond the New Deal, beyond the Cold War, and very different from the crisp new frontier we glimpsed in 1961. We are in swift transition from an era we didn't like to one we don't completely understand. We are talented, but unable to resolve our most pressing domestic problems. We are strong, but unable to influence enough of world events to keep the universe predictable.

During the 1950's, when the world became extremely difficult, Americans retreated into their personal lives and into their private suburbs. Now even those islands are no longer safe. They've been invaded by the pressures of metropolitan growth, by inflation and taxation, by social change and racial conflict. They are shadowed now by the two clouds which we have labeled "crime" and "Vietnam"—the symbols of everything we don't want, can hardly understand, and can't escape.

In this period of midpassage, the United States needs sensible, subtle, imaginative leadership. But our politics, generally, are quite inadequate and out of date.

Of course in the narrow, procedural sense, American politics have changed with the times. In George Washington's era, male landowners voted at taverns and the candidates stood nearby, rewarding their supporters with a drink. At the turn of this century, William Jennnings Bryan stumped the country ranting about the "cross of gold". Of course you would be put in jail today for doing what Washington did, and you would probably be laughed off the stage for preaching as Bryan did—but the essential element, the human element of direct, personal contact between candidates and people —mouth to ear, hand to hand, eyeball to eyeball—has been the main thread of our politics throughout our history.

Now we are moving into a very different and frightening time. This is the era of the punchcard and the poll, of pre-tested issues, programmed candidates and prepackaged campaigns. It is prophylactic, and it may be sterile.

But the worst is yet to come. In one of last year's worst performances, the Congress passed and the President signed the "Christmas tree bill," which offers each National Committee reimbursement, out of Federal income tax receipts, for up to $30 million in Presidential campaign expenditures . . . far more than either party has spent to date . . . without restrictions on the spending of such sums, or the collection of extra private contributions. With $30 million, a party could buy 12 one-minute ads on every radio station in the country, plus 18 one-minute spots, in prime time, in each of the 100 largest television markets in the country—every single day for the last two full weeks of the campaign!

This could produce, out of the public purse, political persuasions as slick and saturating as the recent promotion for pro football's Super Bowl. Remember, 1984 is only 17 years away—and it's a Presidential election year. Unless we take effective steps to control our own ingenuity, the only barrier to thought control will be a two-party competition. As some people learned in 1964, this is not always a reliable defense.

Clearly we need regulation, to keep the new politics manageable and sane. The first step is to repeal these portions of the "Christmas tree bill", and the second step is to develop effective rules for the reporting and disclosure of all spending in Federal campaigns. I am working in these directions now.

But we cannot lose sight of an equally grave danger in the "new politics". These new methods of selling have already proved damaging to the parties who use them—for in our fascination with marketing, both parties have too often been selling the wrong things.

First of all, most of what we market is now badly out of date. Too many political spokesmen think and talk about the issues of today in the same terms in which they waged the domestic dialogs of the New Deal and the foreign policy debates of 1949. Of course the world has changed since then—but while we have reapportioned many legislative seats, we have not yet reapportioned seniority.

We hear the poverty program compared to the WPA, and we hear Vietnam compared somehow to Munich. We hear the old contrasts—"private enterprise" versus "socialism," "liberty" versus "coercion," "states' rights" versus "centralism," "conservative" versus "liberal," "the free world" versus "the international Communist conspiracy." I am not suggesting that the concepts behind these slogans are meaningless—they are in fact as central now as they have ever been. But the slogans themselves are so tired and worn that they can no longer contribute to intelligent debate. It is not very helpful, for example, to try to compare Southeast Asia in 1967 with Central Europe in 1938.

A second problem is that leaders of both parties seem to have surrendered too much to the current national mood of frustration and uncertainty. Although last year's campaigns have ended, many of my fellow Republicans continue to make shrill, extravagant attacks on the Administration, and many Democrats continue to defend their leadership too nervously. The November elections did give us a mandate for moderation and for careful change, and there are hopeful signs—the increased Republican interest in creative urban housing programs, for example, and the Administration's continued efforts toward better relations with Eastern Europe.

But other signs are most discouraging. The existing leadership has failed—indeed, has nearly abdicated—in the face of the greatest single threat to domestic tranquility today. That threat is racial tensions.

One clear symptom of rising strain is the new shorthand of resistance. It began a decade ago with the sweeping phrase, "the Warren Court". Everyone knew the implications of that. But now the language has expanded to give new, bitter meanings to the terms "freedom of choice," "war on poverty," "crisis of the cities" and—most ominous of all—"crime in the streets." And the new tricks of politics have spread this language throughout the nation, until images of riots and resistance have been hammered into our heads and the real essence of the issue has been forgotten.

The atmosphere of failure and frustration can be felt, too, in the Congress and the changing tone of Presidential messages. Three years ago, a great moral and legal milestone was reached with the enactment of the Civil Rights Act of 1964, a major bipartisan triumph backed by the energies of many labor and civic organizations and the influence of men of many faiths.

Two years ago, responding to the crisis in Selma, the President came before a joint session of Congress and recited, "We shall overcome." He boldly declared, "I shall send to Congress a law"—not a proposal, but a *law*—to guarantee the right to vote. After great discussion and many changes, of course, the "law" which he called for was passed.

But even in 1965 the entire civil rights movement was beginning to shift—moving from South to North, advancing its emphasis from legal rights to social wrongs, losing its internal unity—and losing the support of many elements in the coalition of 1964.

So last year the President, in a more measured and careful tone, called for not only the end of discrimination in jury selection, not only the firm punishment of civil rights crimes, but also the "outlawing" of discrimination in the sale and rental of housing. But not even the 89th Congress would follow him that far. The measure was nearly killed in the House Judiciary Committee—the same Committee which had largely drafted the 1964 and 1965 Acts. A greatly modified bill did pass the House with significant bipartisan support, but the measure finally succumbed in the Senate.

1966 also brought the first organized Congressional assaults on Title VI of the 1964 Act, specifically on Federal guidelines for desegregation of hospitals and schools. Finally, sensing the new mood of national retreat, the Administration felt compelled to include in the "Demonstration Cities" bill a disclaimer of any intent to foster urban integration. For good measure, the Administration also quietly changed the title of the program from "Demonstration Cities" to "Model Cities".

Finally, in his State of the Union message last month, the President quietly said, "We should continue to seek equality and justice for each citizen . . . We should find a solution to fair housing." But in the same message he devoted much more time and detail to a new proposal to improve law enforcement—and in an ironical footnote to 1964, he titled the new bill, "The Safe Streets and Crime Control Act of 1967".

So the new tone of politics reflects the current mood—a mood of tension, apprehension and quiet rebellion. This mood may well carry over into many other fields of policy in the Congress this year. The real danger is that such faithful echoing of current and volatile public opinion, in the short run, could rob both parties of their long-range power to moderate events.

American politics has generally lagged behind in times of rapid change. Right now, however, we cannot afford to have our major parties obsolete and timid, and unable to contain or satisfy the most dynamic social forces of the day.

There is a third disturbing element, closely related to these two. Many of the most thoughtful and creative Americans have simply lost their regard for politics and their respect for public service. Why? Not because of any single scandal, any single lapse, but rather because of a long record of failure to reform. Our parties today, however expansive in their programs, appear to be narrow in perspective, petty in concerns and small in spirit. There is too much concern for party tactics, too little for policy gains—and far too little humanity. There is too much suspicion and too little sense, too much aggressiveness and too little initiative. There is too much criticism and far too little tolerance of dissent.

This picture is not entirely fair—but it is prevalent. Public trust in politics cannot be regained until both parties stop worrying so much about their day-to-day, electronic images and start paying more attention to the overall impression that they make.

So, in this time of change, our greatest need is for an overhauling of our politics—and that takes leadership, the kind of dynamic, intelligent leadership that is not afraid to learn from youth, not afraid to explore new fields, and capable of restoring public hope in the vitality of government.

We are at the beginning of a vast and revolutionary change in the methods of government. We have finally recognized that the greatest problems in our society cannot be handled one by one. Our great defense and scientific communities have given us the tools of systems analysis and management—and we have the talent to use them in shaping public policy.

For an example, consider the problem of restoring a rundown neighborhood. This is not just a problem of physical reconstruction; it is a challenge of human and social redevelopment. It involves buildings, streets and open spaces of a particular age, size and design—it also involves jobs, schools, corner businesses, and relief from traffic. Any change in the whole neighborhood system affects its human mood—removing a vital bus line, for example, or tearing down a row of housing, or, more constructively, building a new school and keeping it open for community use at night and in the summer. Until we understand the relation among all these elements, and work to improve them sensibly, little real progress can be made and we will just continue to move our problems from place to place.

There are other difficulties, too. Restoring a block of houses, to create attractive dwellings of the right size and cost for the families who will live in them, is more than a problem of design and construction. We may have to reform our land-use priorities—and, to keep building costs down, we may also have to revamp our entire building codes, and change the whole manner of construction. These initiatives have political consequences many politicians would prefer to avoid. But if the job is to be done, we must have elected leadership willing to take the risks—and citizens who demand that they be taken.

One of the most stubborn barriers to modern public management may prove to be government itself. Our traditional, programmatic approach to problem-solving has produced, on the local level, multitudes of jealous, inefficient special districts, regional boards, commissions and agencies. On the Federal level it has produced a vast bureaucracy of many separate parts, each of which has particular legal mandates, particular Congressional friends and a great sense of self-preservation. Efforts to coordinate all of these activities have been made from time to time, but haven't been adequate. We still have more than thirty manpower training programs, more than half a dozen different types of aid to small towns for water systems, and countless programs of help for education. We have now reached the stage when many Members of Congress are proposing to create a whole new level of coordinators to coordinate coordination.

I frankly doubt that we can make much progress within the existing scheme. We have haphazardly created, during the past thirty years, a magnificent bureaucracy; your task during the next thirty years will be to tear it down. The time has come really to decentralize, to turn over direct supervision and detailed planning of many programs to states and cities . . . not because of any philosophical aversion to centralism, but because the limits of Washington's administration—in a nation as large and diverse as ours—have become obvious.

We face these challenges under the gun of rapid growth. Our population is soaring. In the next generation, you will have to build many new cities as large as our ten greatest metropolitan areas today. We will have to more than double our facilities for higher education in the next decade alone. We need greatly expanded recreational areas—and the fight for open space is already one of our most intricate and troublesome political issues.

At the same time, we have to rebuild much of what we've built in the past. Our earliest public housing, for example, is deteriorating. Much of our private housing is too old; and we can predict that many postwar suburbs will need rehabilitating within a decade or two. Our interstate highway system is inadequate even before its completion.

This country has the talent and resources to do the job—but we have not yet proven that we have the will. Despite the great and tragic demands of Vietnam, we can spend here at home not as much as we might like to spend, not as much as immediate, spectacular progress would cost—but as much as we can use wisely and progressively right now. One of the gravest errors of the "war on poverty" during its first months was the tremendous pressure on and within OEO to spend too much too fast—producing waste, problems and public disillusionment which has haunted the program ever since. The question now is not how much we spend—but how we spent it, and whether we are willing to make the adjustments necessary to permit our efforts to reach the people.

These are some of the challenges for the new politics. I have hardly touched on the greatest one: revising and bringing up to date our vision of the world. A glance at the headlines any day tells us that the traditional concepts of the post-war period are obsolete. The massive blocs of West and East are breaking up. Movements toward regional economic ties—not necessarily including the United States—are growing in Europe, Asia and Latin America. We are beginning to suspect that the greatest long-range threat to world stability may not be the Bomb, but hunger and poverty in the southern hemisphere.

In the world of the next thirty-three years, the key to American leadership will not be military might, but rather understanding, patience and perspective. By focusing so much of our energy on Vietnam for the past three years, we have already lost the initiative in Europe. Vietnam may not be the decisive battle against Communism, but it is a decisive test of our ability to wage a limited war in one part of the globe, without losing either our tolerance at home or our sense of world-wide priorities. So far we have not passed this test.

So the assignment for you is bold and difficult. You are not tied to the assumptions and the habits of the past. You need not be nervous or uncertain about the future. You have tremendous tools to use, and the advantage of knowing where your predecessors have failed. If you accept the challenge of complexity, and if you temper your energies generation which remakes America—and in with style and tolerance, yours can be the generation which remakes America—and in the process really civilizes her.

OUR VETERANS NEED AND DESERVE OUR HELP

Mr. SMITH of New York. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. CRAMER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CRAMER. Mr. Speaker, this Nation owes its greatest debt to those who served in the wars of this country to protect the lives and preserve the freedoms we cherish and enjoy. To the veterans of this Nation, who valiantly and unselfishly risked their lives and suffered irreparable losses, and to the widows and dependents of those who made the most supreme sacrifice, we owe not only gratitude but the responsibility to provide all those in need with adequate benefits and compensation to permit them to afford life's necessities with dignity and self-respect. Yet, today's ever rising cost of living is depriving our veterans, and their widows and dependents, of this most basic privilege as the dollar received continues to buy less and less.

I am today introducing legislation aimed at alleviating some of the most glaring inequities in our veterans' pension program, beginning with the unreasonable and unrealistic outside earnings limitations which constantly threaten to further reduce a veteran's pension.

My bill would first rectify the reductions in veterans' pensions, and in many instances loss of pensions, unjustly resulting from the 1965 increase in social security benefits. The inequity of this situation is readily apparent—when a source of income other than his veteran's pension is increased, the veteran is penalized with a reduction in or loss of his veteran's pension. My bill would permit a waiver of such outside earnings to prevent a loss of pension. Even now, a further increase in social security benefits is being proposed, by myself and others, and provision must be made to make certain that no decrease in veterans' pension benefits results therefrom.

My bill proposes a further remedy to accomplish this objective by increasing the amount of outside earnings permitted before the veteran, or widow or dependent of a veteran, suffers a reduction in pension rates. The increased outside earnings I propose are as follows:

$2,100 limitation for an unmarried veteran, or a widow without child

[increase of $700 over present limitation of $1,400]

$3,400 limitation for a married veteran, or a veteran with minor children, or a widow with children

[increase of $700 over present limitation of $2,700]

$3,600 limitation on the total earned income of a veteran's spouse, after which amount the spouse's income shall be considered as the income of the veteran

[increase of $2,400 over present limitation of $1,200]

Proposed increased rates of pension payable under Public Law 86–211, as in effect on June 30, 1960:

$50 for the child of a deceased veteran, wherever there is no widow entitled to pension, and $15 for each additional child

[increase of $22.70 over current amount of $27.30 for one child, $13.65 for second child, $13.65 for third child, $7.56 for each additional child]

$85.05 monthly basic rate

[increase of $18.90 over current rate of $66.15]

$100 if veteran is married or has a child to support, or if veteran is 65 years of age, or if veteran has been rated as permanently and totally disabled

[increase of $21.25 over current rate of $78.75]

$146.30 if veteran is in need of regular aid and attendance

[increase of $10.85 over current rate of $135.45]

$64 for a widow with no child

[increase of $13.60 over current rate of $50.40]

$83 for a widow with one child

[increase of $20 over current rate of $63]

$15 for each additional child [widow with one child]

[increase of $7.44 over current rate of $7.56]

Proposed increased rates of pension payable under Public Law 88–664, effective January 1, 1965:

Section 521(b), title 38, United States Code—pension payable to an unmarried veteran—is amended as follows:

"Column I		Column II
Annual income More than— but	Equal to or less than—	
-------------	$2,400	$100".

Section 521(c), title 38, United States Code—pension payable to a married veteran or a veteran with a child or children—is amended as follows:

"Column I		Column II	Column III	Column IV
Annual income More than— but	Equal to or less than—	One dependent	Two dependents	Three or more dependents
-----------------	$3,600	$105	$110	$115."

Section 541(b), title 38, United States Code—pension payable to the widow of a veteran, without child—is amended as follows:

"Column I		Column II
Annual income More than— but	Equal to or less than—	
-------------	$1,800	$65
$1,800	2,400	55".

Section 541(c), title 38, United States Code—pension payable to a widow with one child—is amended as follows:

"Column I		Column II
Annual income More than— but	Equal to or less than—	
-------------	$2,400	$80
$2,400	3,600	65".

Section 542(a), title 38, United States Code—pension payable to children whenever there is no widow entitled to pension—is amended by increasing the monthly rate for one child from $38 to $50.

A further provision of my bill would authorize the furnishing of outpatient medical services to veterans of World War I.

Two additional bills I am introducing today would provide, first, for national cemeteries in the central west coast area of the State of Florida and, secondly, for the establishment of an institute on gerontology to be located on the grounds of the Bay Pines Veterans' Administration Center in St. Petersburg, Fla.

With respect to the first bill, what greater final tribute can we pay to our benefactors of peace and freedom than to provide them with the dignity, and, honor of burial in our national cemeteries. Yet, the times have sadly fallen behind the need for space to accommodate our deceased veterans, and I can think of no more pressing obligation than the expansion of our national cemeteries program to guarantee that our veterans and their widows will not be denied the right of dignified burial alongside their fellow countrymen who also served their Nation in its greatest need.

My second proposal would amend the Public Health Service Act to provide for an institute on gerontology at the Bay Pines Veterans' Administration Center which shall, among other things, carry out research, and training with respect to chronic disease, and to accident prevention among our senior citizens. I believe that the creation of such an institute is vital to the health and well-being of our senior citizens to elevate their enjoyment of their golden years; and certainly the beautiful Bay Pines Veterans' Administration Center in St. Petersburg is a most appropriate and fitting location for such an important institute.

FULL EQUALIZATION OF MILITARY PAY

Mr. SMITH of New York. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. CRAMER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CRAMER. Mr. Speaker, I have today introduced legislation cited as the "Uniformed Services Retirement Pay Equalization Act." This bill is identical to the one I sponsored in the last Congress and its purpose is to provide that the pay of retired military personnel shall be proportionate in amount to the active duty pay scale, that is, computed on the monthly basic pay to which the retiree would be entitled if he were on active duty in his retired grade.

The bill would provide for uniformity of retirement pay by basing the rate of pay on the rank and years of service of the retiree, as opposed to the present system of basing the rate on the date of retirement. The disparity of the present system is clearly shown on the following chart where, for example, a major with 24 years of service would receive $402.42 if he retired before June 1, 1958, but would receive $497.88 if he retired after July 1, 1966. The sole reason for the difference in the rate of pay, amounting to 23.7 percent, is the date of retirement.

Military retired pay—Amounts of retired pay presently payable to retirees with 24 years' service, as affected by date of retirement

	Date retired							
	Before June 1, 1958	After June 1, 1958	After Apr. 1, 1963	After Sept. 1, 1964	After Sept. 1, 1965	After July 1, 1966	Overall differential	
							Amount	Percent
Major	$402.42	$413.46	$463.59	$475.06	$482.40	$497.88	$95.46	23.7
E–7	222.96	230.20	250.56	256.89	273.06	281.88	58.92	26.4

Since 1858, military retired pay was based upon current active duty rates. However, in 1958, and again in 1963, the equal pay for equal rank and years of service system was abandoned in favor of a cost-of-living formula for computing retired pay. The new formula has resulted in lowered standards of compensation and reduced future raises.

Ironically, this reduction in military retired pay has occurred during the very period when active duty military pay is being increased, when other retirement programs are continually being liberalized, and, most importantly, during a period when the cost of living has spiraled with such consistent rapidity as to outpace any benefit which might have accrued under the cost-of-living formula to the older military retirees who only continue to see their income decline in relation to others.

Legislation such as I propose is needed not only to remedy the injustice of this situation but also to keep faith with those military persons who have already completed their active service to their country; service which they entered with the explicit understanding that their retired pay would be based upon active duty rates and, further, that after retirement whenever the rates of pay for officers on the active lists were changed. the retired pay rates would be recomputed on the basis of the new rates.

The lowered standard of compensation

adopted in 1958 obviously broke faith with those already retired. It further raised grave doubts in the minds of those presently on the active lists as to the treatment they could expect to receive upon and during retirement. Certainly, the maintenance of a strong and constant current active duty force is of primary importance, and should be of primary concern, to the civilians of this country, whose freedom and very life our military are trained and dedicated to protect and preserve.

The following excerpt from a statement by the Retired Officers Association to the Department of Defense Compensation and Retirement Study Group further emphasizes the importance and the justness of this legislation:

RETIRED PAY EQUALIZATION

Personnel of the uniformed services mold their lives and the destinies of their families so as to conform with the exigencies of military life, but also in the expectation of enjoying the opportunities and benefits which exist during their terms of service. Quite naturally, they expect that the opportunities and benefits provided while they are in the active service will be preserved when they retire. To hold our promises, on the one hand, as an inducement to a long career in the uniformed services, and then to reduce or eliminate the benefits to the individuals after their service is completed, on the basis that the government has no legal obligation to fulfill its commitments, at once breaks faith with those who have already retired and raises grave doubts in the minds of those on the active lists as to their treatment in years to come. Once it is accepted that the promises of the U.S. Government to the individual member of its armed forces is enforceable only if contained in a written contract, morale of the active duty force will clearly be destroyed. It is axiomatic that loyalty to ones country and service, should be rewarded by equal loyalty by the country and by the service to the individual.

Traditionally, retired personnel of the uniformed services have been entitled, until October 2, 1963, to have their retired pay computed upon current active duty pay, with automatic upward adjustments whenever there were raises in the active duty rates. This right has been considered to be a part of the overall military compensation system offsetting to some extent the low pay drawn during active service and compensating in some degree for the hardships endured during active service.

We submit that this has been the single most valuable financial reward payable to military personnel, overshadowing by far the active duty pay received at any particular point in the active career.

SOME THOUGHTS ON THE PRESIDENT'S FOREIGN AID MESSAGE

Mr. SMITH of New York. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. GUDE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mrs. BOLTON. Mr. Speaker, the President's foreign aid message represents a desirable shift in foreign assistance as we have known it over the past years in the Foreign Affairs Committee from emphasis on military assistance to economic assistance. Of the total $3.1 billion requested some $2.5 billion is to be devoted to economic assistance, with $600 million for military assistance. For some years an effort has been made to take all military aid from foreign affairs. We have not been happy about this, feeling that, as military assistance plays an important part in foreign policy, our legislative committee should have a strong voice in deciding how it is to be used.

The so-called new directions in the President's message on foreign aid include a number of recommendations that the Republicans have been advocating over the years. It would appear that they are now proposed in anticipation of having them advanced by Republicans with considerably more backing.

I certainly agree with anything that will clarify the objectives, standards, and program techniques. I welcome the philosophy expressed in the message that "self-help is the lifeblood of economic assistance" and the development job is primarily the responsibility of the country involved. Also I am glad to note that emphasis is to be placed on getting other donors to enlarge their commitments. As to whether this can become a reality remains to be seen. Certainly greater efforts should be made to get those countries now "on their feet economically" to assume a greater share of the world effort. The United States has carried too much of the burden overlong.

Regarding multilateral aid it has been felt for a long time that the World Bank, for example, has been doing a much sounder job than has AID. If we are to have a foreign aid program at all there is certainly no fault to be found with concern for the balance of payments, or with emphasis on efficient administration. It is encouraging to note that agriculture, health, and education are to be treated as key sectors in the underdeveloped world.

The committee will want to examine the new proposals very carefully, particularly those which deal with channeling of our tax dollars through international organizations and the request for a 2-year authorization.

WASHINGTON TENANTS AND LANDLORDS

Mr. SMITH of New York. Mr. Speaker, I ask unanimous consent that the gentlewoman from Ohio [Mrs. BOLTON] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GUDE. Mr. Speaker, Mr. Richard Severo of the Washington Post newspaper has recently performed a great public service to the residents of the metropolitan area in writing a series of articles dealing with the plight of the landlord and tenant in the Washington area. As a new member of the District Committee I feel it pertinent to have the series included in the RECORD.

The articles referred to follow:

TENANTS AND LANDLORDS—I: THE LONELINESS OF THE URBAN SLUM OWNER

(By Richard Severo)

It was the night of Dec. 7, 1966, and Nathan Habib was talking about sneak attacks on Nathan Habib.

"Vandalism is at an all-time high," he told a gathering of his fellow landlords. "Millions of dollars worth of glass is broken . . . I alone spent $5000 a month for glass . . ."

"That's sixty grand a year," muttered one wag near the back of the room. "Nate must be putting his tenants into glass houses."

His houses are made of brick and wood, not glass. But Nathan Habib is a man with problems—most of them, he thinks, emanating from the people who live in his more than 300 Washington properties.

He also knows that other landlords share his views on what it is like to be a landlord. And so he called a group of them together, asking them to join the Washington Home Owners and Property Owners Association. The purpose: Do something about tenants who destroy. The Association supposedly has been in existence for several years, but cynical landlords say Habib has been its only member.

For the Washington landlord is dedicated to free agentry, free enterprise, low taxes and the wide-open arena that is the Washington real estate market. He shows little interest in joining anything.

ACTIVE ROLE SOUGHT

But Habib is convinced that the Washington landlord had better join something and take a more active, militant role in shaping the destinies of the business.

Habib's view of his business—its present condition and future prospects—is bleak. That was evident enough last summer, when he appeared before Senate District subcommittee hearings on housing in Washington.

Under questioning by Sen. Robert Kennedy (D-N.Y.), Habib said that although he grosses $200,000 a year from his real estate business, he records a loss in his tax returns.

The Senator wanted to make sure he got that right.

"In your tax return last year you had a loss?"

"Yes, sir."

"You got a loss in your tax returns; you reported a loss in your tax returns last year?"

"Yes, sir."

Habib was only too happy to explain his plight:

"If there is any way to make money in low-income rentals by one who has many years of experience, willing to work seven days a week, all hours of the day and night, must have the patience of a saint, skill in collecting rents, making repairs, handling tenants, community organizations and be willing to comply with the demands of the inspection organizations of the District of Columbia government, and satisfy these demands. . . ."

"You are breaking everybody's heart," said Senator Kennedy.

SUMMER WOES HANG ON

The woes of the summer were still there in December, as Habib made clear in that meeting with his fellow landlords.

"Taxes are going up . . . apartments are going vacant for months at a time . . . we are being harassed by tenants and reporters and social workers. . . ."

Habib's presentation was not unpredictable. A lot of other Washington landlords have said and are saying the same thing.

The landlord—especially the landlord who does business in slum neighborhoods—has had anything but a father image in history.

But now landlords are complaining of a tarnished image undeserved, of motives always suspect; of being cast as the heavies, the exploiters of the poor, the villains; the blood suckers who pay off District officials so that they are free to run property into the ground, to divide and subdivide and subdivide again; men who are six notches below Scrooge.

The landlords will tell you that when they make money, the do-gooders call it exploitation; when they indulge in philanthropy, it becomes a tax dodge. If they evict a tenant for non-payment, they are brutes; if they let him stay, they are called hypocrites, because who ever heard of a decent landlord?

LANGUAGE TROUBLES

Slum landlords are having trouble with the language. They cannot understand some of the terminology used by the do-gooders. If a hard-nosed businessman buys extensively in poor neighborhoods, he is a slum landlord. If a prominent spokesman for some worthy cause makes a similar move, he is an *investor*.

So the average holder of low-income property—the landlord's euphemism for slums—goes to an occasional meeting with kindred spirits so he can share his feeling of alienation from almost everyone.

That's what was going on the night of Dec. 7, as Habib held forth on tenants who destroy, of social habits that turn back yards into Valhallas for rats and vermin, of bizarre activities that clog plumbing, demolish doors and windows, create health menaces and perpetuate a way of life that was not eradicated by past administrations and will not be by this one, either, if present trends are any indication.

And the landlords puffed their cigars and nodded in grave approbation as they listened to a recitation of what's wrong with the real estate business in Washington.

There was no mistaking that Habib was saying things they wanted to hear. It was a classic tale of what tenants do to houses, which is the landlords' version of the equally famous story about what houses do to tenants. Habib was telling them they must unite and work together to form a bulwark against those either hostile or indifferent to the landed interests.

Habib directed his barbs against the government ("the government of the District of Columbia is the most incompetent government in the United States"); the police ("In Washington, a landlord has to be his own detective, his own policeman"); the tenants ("these animals have no respect for law and order"); and an assorted collection of newspaper men, radio personalities and social workers.

Opinions differed on how to improve on the situation but there was considerable interest in a suggestion by Melvyn Friedman that they retain a prominent lawyer who could intercede for the landlords, not only in court and in the District Building, but on Capitol Hill as well. "I'm thinking of a man like Jiggs Donohue," Friedman said. "He's respected and he is the sort of person we should be identified with." F. Joseph (Jiggs) Donohue was a District Commissioner from 1951 to 1953. He is now a practicing attorney.

Donohue has some sympathy for the landlords. "There is much to be said on their side," he says. "I am thoroughly aware of the enormous problem they have, which is a direct result of hooliganism and vandalism and so forth."

But he has not been approached by the landlords. When they discussed Friedman's suggestion, Habib said he thought different lawyers ought to be retained for different occasions. He said that he personally was a great admirer of Assistant Corporation Counsel Clark King. It is King's responsibility to be sure that landlords observe the letter of the Housing Code. But he will soon leave that job. He was not available for comment about the Habib suggestion.

"The Federal City is supposed to be a model city," Habib said, "and it is. It is a model of how to harass property owners.

"We have to do away with politicking or we will be lost . . . the District of Columbia will be torn down and in its place will be either luxury housing or public housing.

"The National Capital Housing Authority is the biggest slum landlord in town. If we did what they did, we would all be in jail." He was referring to the fact that the Housing Authority frequently finds itself with conditions in need of repair, but unlike the private landlords, cannot be brought before the Corporation Counsel's office.

"I didn't come here to listen to all this," Melvyn Friedman snapped. "You're telling us something we already know."

But the others at the meeting, including George Basiliko, Sylvan Mazo, James Graham, M. Paul Hannan and Sidney Hais, listened a while longer, long enough for Habib to say:

"WOL is haranguing against the landlords. The Great Society is haranguing against the landlords. Fires are breaking out all over the city and no arrests are being made . . . you have to apologize to a tenant when he breaks his commode. . . ."

It was vintage Habibian rhetoric.

But when the rhetoric and the polemics are pierced, there is no mistaking that the people who derive their income from buying, selling, leasing and manipulating have developed their own minority group syndrome. They want to occupy a more exalted position in society but aren't sure how to do it. They are tight-lipped and defensive about what they do.

But it seems clear that the landlords are looking for a change.

"I say to you, gentlemen, that we can no longer retreat from worrying about our image," Habib told them. "You cannot sink any lower."

TENANTS AND LANDLORDS—II: A PROPERTY OWNER GAMBLES—AND LOSES

(By Richard Severo)

Some of the people who know Washington's slums—like housing inspectors and landlords—have a favorite chant: "You can take the person out of the slums but you can't take the slums out of the person."

In the middle of 1965, a staff worker for an agency financed with money from the United Planning Organization—the city's antipoverty agency—decided he would try to disprove that rankling proposition.

After getting permission from his superior, the staff worker went to a landlord with a proposition: You rehabilitate a house, we'll supply a tenant who has never before had decent housing and supervise him. The landlord agreed, but the experiment failed. Actually, it never took place.

The agency sent over two tenants instead of one, because one alone couldn't afford the rent. Then the director of the agency said he could not go through with his part of the bargain. The reasons were not altogether clear to either the landlord or the staff worker on the project. The experiment ended with the house being left a shambles and the tenants leaving owing back rent.

The cost of the "experiment" is reflected in the landlord's books, which were made available to this reporter.

SPENT $1,400 ON IMPROVEMENTS

The landlord—who is now so wary about his image that he would not let his name be used—spent $1400 for improvements, including painting, replastering and new appliances.

The house became more than just respectable; it took on some of the restoration charm prized by many middle and upper-class Washingtonians.

The rental was $135 a month, gas and electricity extra. Here the first problem developed. The agency was unable to find a slum dweller able to handle that rent. So, it sent over two families—a couple with one child and a woman with six children.

Just accepting the tenants put the landlord in violation of the Housing Code, because the house was not licensed as a two-family residence. But the landlord hoped the housing inspectors wouldn't notice.

"It wasn't out of the goodness of my heart," he recalls. "I thought we ought to help any effort to provide better tenants because it is good business for us." He feels that if he could get better tenants who would take care of his property, he could increase his profit margin and offer lower rents.

Anyhow, the couple with the child moved upstairs and the woman with the six children took over the parlor floor and the English basement.

AGENCY RENEGES

That's when the agency discovered it could not supply the supervision it had promised. It seems that the rehabilitated house was not in the agency's "target area," the area where it conducts all of its work. So the agency told the landlord it could not go through with the bargain as planned and suggested that the tenants would be no problem, anyhow.

This forecast proved overly optimistic.

The tenants began to argue among themselves. The woman upstairs claimed the woman downstairs made $200 worth of telephone calls on her phone. Locks were demanded, letters were sent. The landlord began to get bills for broken windows, doors off their hinges and plumbing problems. At one point, one of the tenants stuck a clothespin to the furnace relay button so that the heat was on all the time. She was unfamiliar with how a theromstat worked since she had never had one; nobody was around to explain it to her.

Then the inevitable happened; the District's inspectors found there were two families living in a one-family house. They ordered the landlord either to get rid of one family or to make physical changes in the house.

The landlord didn't have to evict anybody. They both left. One tenant took with her the landlord's refrigerator. She also left behind an apartment in which all the front windows were broken.

For his trouble, the landlord lost $700 in back rent, and the cost of the refrigerator and breakage. He fixed the house up and rented it to a retired porter, who keeps it in spotless condition.

"It sounded like a good idea then and I still think it was a good idea," he says. "They weren't bad people, really, but they needed help. And I'm in the real estate business, not social work. What ever happened to the War on Poverty, anyhow?"

It exists, although perhaps not in this target area.

Indeed, although the War on Poverty is an extensive operation, it is sometimes difficult to find the skirmish lines in the slums of Washington. Which is to say that it is relatively easy to find the poor in Washington; harder to determine just who is helping them, and how.

With the exception of a small experimental project in the Northwest One urban renewal area, the United Planning Organization has chosen not to finance any program which might teach tenants the things they do not know about urban living, and landlords the things they might have forgotten about proper administration of real estate.

Joan Cole, UPO's housing coordinator, explained her reservations about the principle of tenant education schools.

PICKING UP TRASH

"Tenant education schools," she said, "all too frequently work under the assumption that the things wrong with slum living can be corrected if slum dwellers learn to pick up trash and keep their back yards clean."

Mrs. Cole made it clear she has little sympathy for landlords who complain of uncontrolled vandalism.

"If they can't control their property, they should put their units into standard code condition and lease them to the Housing

Development Corporation (it hasn't been funded yet) of the National Capital Housing Authority in its leased housing program."

LEASING PLAN

The National Capital Housing Authority has a program whereby it will accept up to 350 houses on a leased basis. The Authority is mostly interested in getting three- four- and five-bedroom units, not smaller apartments.

Mrs. Cole was also skeptical of landlords who claim they make repairs on their buildings, only to see renewed destruction by the tenants.

"I suggest," Mrs. Cole said, "that they do repair work at some level of quality. Shoddy repairs simply allow old problems to re-occur and more often than not that the tenant is frequently blamed."

There is no question that the quality of repairs leaves something to be desired. A housing inspector recently took this reporter on a tour of slum houses. At one point, he simply pressed against a newly plastered wall. It immediately swayed under the weight of his hand. One can only guess what would happen if a small boy were to run into it.

UPO Director James Banks agreed that tenant education could not be given major priority. "All of this relates to a lack of housing for low-income families," he said, "and that is what we are mostly concerned with."

Not all social agencies agree with UPO.

Joan Howell, executive director of the Washington Planning and Housing Association, feels that tenant education is an urgent need in Washington.

"It is a mistake," she says, "to assume that everyone is able to take care of himself and his property."

TENANTS AND LANDLORDS—III: A HOUSE UNREPAIRED—STORY OF THE DISTRICT OF COLUMBIA SYSTEM

(By Richard Severo)

The landlords say that nobody loves them.

They cannot understand why antipoverty workers frequently charge that there is a conspiracy between the landlords and the District Building.

There must be a reason why the antipoverty workers feel this way. Maybe that reason can be found in the continuing saga of 18 Logan Circle, nw.

For 18 Logan Circle is a classic example of how the system works, and by no means an isolated example. No evidence of hanky-panky or collusion. Just the good old District of Columbia being the good old District of Columbia.

Consider this chain of events:

Inspection Day—Oct. 19, 1965. District housing inspectors check 18 Logan Circle for possible violations. They find 28.

I-Day plus 52—Dec. 9, 1965. A deficiency notice is sent to rooming house operator Willie Smith, who is given 60 days to make the repairs.

I-Day plus 74—Feb. 18, 1966. Inpectors return to 18 Logan Circle, find that Willie Smith has done nothing to abate any of the violations.

I-Day plus 79—February 23, 1966. The Enforcement Section of the Housing Division receives notice of the persisting violations.

I-Day plus 93—March 9, 1966. Willie Smith appears at Corporation Counsel's office, announces plans to go out of the rooming house business, and receives a continuation until March 16.

I-Day plus 107—March 23, 1966. Willie Smith's application for a rooming house license is canceled.

I-Day plus 109—March 25, 1966. Inspectors return to 18 Logan Circle. They find that Smith is still operating a rooming house and that the 28 violations are all still there.

I-Day plus 111—March 28, 1966. Willie Smith tells inspectors she really does plan to get out of the rooming house business and that she is vacating 18 Logan Circle to convert it to a single-family residency.

I-Day plus 115—April 1, 1966. Inspectors return to 18 Logan Circle, find a single family there, along with the 28 original violations.

I-Day plus 147—May 2, 1966. Inspectors determine that owner of 18 Logan Circle is Basil Gogos. They send him the list of 28 violations, give him 60 days to make the repairs.

I-Day plus 225—July 20, 1966. Inspectors return to 18 Logan Circle, find no repairs made. Once again, case is turned over to Enforcement section of the Housing Division.

I-Day plus 231—Aug. 5, 1966 Basil Gogos summoned to a hearing at the Corporation Counsel's office. He does not appear. The Enforcement Section asks for a re-inspection of 18 Logan Circle. Repairs still not made.

I-Day plus 241—Aug. 15, 1966. Warrant requested for the arrest of Basil Gogos.

I-Day plus 243—Aug. 17, 1966. Warrant issued, sent to police. They serve it Aug. 28.

I-Day plus 345—Oct. 6, 1966. Gogos appears in Landlord-Tenant Court before Judge Thomas C. Scalley. Six of the original 26 violations have been taken care of; Scalley grants Gogos a continuance to do the rest and orders him to return to court November 8.

I-Day plus One Year, 20 Days—Nov. 8, 1966. Gogos fails to show up in court. He forfeits $25 collateral and the inspectors are ordered to check his property once again.

I-Day plus One Year, 26 Days—Nov. 14, 1966. Inspectors report Gogos still has not done the required work.

I-Day plus One Year, 40 Days—Nov. 28, 1966. Another warrant is issued.

I-Day plus One Year, 49 Days—Dec. 7, 1966. Gogos appears in court, is given a continuance on 18 Logan Circle case until Feb. 9, 1967 (though he is fined $750 for violations on another property).

It should be pointed out that 18 Logan Circle is not the worst building in town.

The violations included holes in walls and floors, peeling walls, ill-fitting windows and broken sash cords on most of the windows in the building. Minor things, really. Things that could have been easily fixed.

The importance of it is that the District of Columbia, in an effort to be fair, has allowed the violations to exist for more than a year. A check made last week indicates the work still has not been done. There is nothing unusual about the delay. It is the system.

Landlords tend to overlook the system when they complain about problem tenants. In their tirades, they ignore the lack of logic in asking a tenant to strive toward a better way of life while a landlord is permitting the property to go unrepaired.

The delays—inexplicable by any reasonable standards—serve to convince antipoverty workers that the cards are stacked against the poor and that it is naive to try to work with a landlord.

Inspectors say they feel they have to give a landlord a reasonable amount of time to comply with the code, especially if he is a big landlord with many properties and a big vandalism problem. The Corporation Counsel's office and the judges are also free to grant extensions and do, presumably in the name of fairness.

Vandalism is rampant, scream the landlords, and maybe it is. But the fact remains that in 18 Logan Circle over the course of 14 months, inspectors kept finding old violations that were never fixed; not new ones created by tenants.

TENANTS AND LANDLORDS — IV: CENTER LAUNCHES PROGRAM TO TRAIN RESIDENTS OF SLUMS IN HOUSEKEEPING

(By Richard Severo)

There is a woman on Hanover Street who sees nothing wrong with keeping chickens in her apartment. The chickens are not housebroken.

Not far from her there is a man who likes to give barbecues. So he carves up huge hunks of meat in his basement. The barbecues are well-attended by his friends; the pre-barbecue activities are more closely watched by the rats.

In the same neighborhood there is a house that boasts a family income of about $1,000 a month, none of it from welfare. The house is incredibly dilapidated and incredibly filthy. The 38-year-old mother of five who lives there says she simply doesn't have the time to pick up the soiled clothing, knee-deep in her bedroom. And the woman's 50-year-old mother says she is too old.

These people all live in the urban renewal area known as Northwest One. It is an area that contains a few people with a lot of money, a lot of people with a little money and a prodigious amount of housing that appears so anxious to fall down that it may not wait for the urban renewal bulldozer.

EDUCATION PROJECT TARGET

This is also an area where the United Planning Organization has made its only formal (financial) acknowledgement that some tenants are in need of education and that some landlords may not be scoundrels, after all.

The acknowledgement takes the form of an experiment called the Housing Improvement Center. It is running on a $75,614 grant from UPO. It is staffed not by anti-poverty workers but by three of the District's housing inspectors and a woman who has been trained to train other women in the art of housekeeping.

This staff serves a population of 24,000 that lives east of New Jersey Avenue, west of North Capitol Street, south of Florida Avenue and north of Massachusetts Avenue.

The approach might be described as velvet glove—velvet glove over a cotton candy fist. The inspectors ask and beseech and suggest. Arm twisting—in the form of violations notices to either negligent landlords or sloppy tenants—is kept at a minimum.

The inspectors work on a door-to-door basis. They have to. The inspectors had hoped to reach the problem tenants through block clubs set up by the Urban League's Neighborhood Development Center.

But the inspectors say the Urban League has been unable to form a block club that reaches the problem tenants. It is an old story. The people who are predisposed toward improving their lot are joiners; the people who need the help the most are reluctant to join anything. They must be sought out.

The Housing Improvement Center staff reports some success. Some tenants who have never lived in anything but slums have shown a real desire to improve their living conditions. And some slum landlords have been persuaded to do more than the minimum required by the Housing Code. The failures are evident, too—landlords who don't cooperate and tenants who won't change.

"We don't pretend to know all the answers," says William Torrance, supervisor of the Housing Improvement Center. "But we do known that you get no results if you form a committee which goes around telling tenants that they are dirt. Nor do you do it with coffee klatsches. The people around here don't like the coffee klatsch approach."

Torrance—his inspectors, Eldred Currie and Henry Rauch, and his housing aide, Julia Bush, are cautious and hopeful about the results they are getting.

HOUSES REHABILITATED

They report that since the project began in 1965, 201 houses in the area have undergone some sort of rehabilitation by landlords voluntarily complying with the code. Torrance says that between 75 and 80 per cent of the tenants who moved into the rehabilitated houses have kept them in good repair.

Some observers feel that although the experiment may be producing some hopeful results, the problem is more than simple tenant education and has to be attacked on several levels.

Bruce Terris, president of Better Homes, Inc., a nonprofit housing corporation, gave his opinion of a tenant school last summer when questioned by Senator Joseph Tydings, head of a subcommittee investigating housing conditions.

"I am perfectly happy," said Terris, "with voluntary programs to encourage people to learn more about keeping their house clean . . . but not to be sentenced to school.

"I don't think many of these people are very ignorant. Many of these people will keep my house clean, keep houses clean in the suburbs and get paid to do it.

"When they go home there is a reason they don't keep their houses that clean. The reason, in my view, is the fault of the landlords. It is not conducive to want to work in the evening to keep a house clean because it is dilapidated. It is the relationship with the landlord that causes the problem, not really that they don't know how to use soap and water."

TENANT EDUCATION FAVORED

Most landlords feel that whatever the causes of the problem may be, a little tenant education is in order.

One landlord, Norman J. Farquhar, told the Tydings committee during those same hearings that if a tenant school were started, "I would be willing to pay a fee for each of my tenants who attends and would consider a rent reduction . . ."

The people who live in the same neighborhoods with problem tenants are quite candid about what has happened.

"I'll tell you what we got to do," said Lila Montgomery, talking to members of the N Street Block Club recently. "The women got to stay home and take care of their children, otherwise everything will be ripped up.

"There is nobody to correct the child . . . nobody . . . the children run wild . . . the block is tore up. I tell you, it was better 30 years ago when women didn't work. Can we help these families with all these children, all these babies running in the street? We must have a foundation before you can build anything . . . if a home isn't organized, it don't mean a thing."

TENANTS AND LANDLORDS—V: MISTRUST AGGRAVATES SLUM CONDITIONS

(By Richard Severo)

Five myths serve either to aggravate the condition or maintain the status quo of low income housing in Washington.

Myth 1—That all slum landlords are greedy, rapacious parasites who have a callous indifference to their tenants. Poverty workers seem unable to admit that there might be a landlord they can trust.

"It's naive to think we could ever reach them," one antipoverty worker says. "As long as there is a shortage of low-income housing in the District, they can afford to be independent and they'll do whatever they damn please."

But the landlords appear ready to work with the War on Poverty, if they are given an opportunity. One landlord—complaining that for the month of December, repair bills took almost 90 per cent of his cash-flow profits—said, "Any landlord who turns his back on tenants now would have to be out of his mind. It's bad business. It doesn't make any sense."

Myth 2—That all—or even most—of the poor residents of run-down neighborhoods can never be educated to become better tenants.

Yet one prominent landlord openly refers to his tenants as animals. Poverty workers talk of an adult generation that is lost. It is the You Can't Do Anything With These People Anyhow School—a school with low mental requirements and undistinguished alumni.

But the evidence at hand suggests that most of the people are trying very hard to run proper households, sometimes in neighborhoods that destroy the spirit, and in houses that are literally falling apart. Even the most harassed landlords admit that their problem tenants constitute a minor part of the total.

Myth 3—That factors of race and past servitude can be used to explain the why and hows of bad housekeeping.

This explanation makes a racial problem out of what is essentially a problem of class. The suggestion that race is the dominant factor in generating slum problems ignores the thousands of Negroes who are trying to live decently, but who are trapped in bad housing because of economic or racial factors.

Negroes who live in bad neighborhoods but try to live properly are not indulgent about neighbors who create problems of public health.

Myth 4—That all Washington needs do to eliminate slums is to relocate slum dwellers into decent housing.

There is no question that some problem tenants will improve in better houses. But others will not, at least not without some supervision and help. In some cases the problems are caused by a lack of motivation; other times it is just plain ignorance. The landlords who have redecorated houses only to find them reverting to their original state in a matter of weeks—as described earlier in this series—can attest to the complicated nature of the problem.

Myth 5—That low-income housing ills would vanish if only the Housing Code were intensively enforced.

Many housing inspectors laugh privately at this one. They know they are enforcing a code designed to preserve and maintain middle and upper class neighborhoods, not the slums. There are poverty workers who say that no good purpose would be served by intensifying enforcement now. They know that many landlords are holding onto houses only because they are waiting for land values to go up. If they were ordered to make extensive repairs to these hovels, they would close them. The result might well be to aggravate the housing shortage.

The most common code enforcement problem is overcrowding, and overcrowding fosters many of the things landlords call tenant irresponsibility. But when you crack down on overcrowding, you also heave families onto the streets, to look elsewhere for housing they can afford, which means the overcrowding moves from place to place, depending on how hard the code is enforced.

The Housing Code sets up minimum standards which deal with houses on what is essentially a cosmetic basis—not underlying structural or design weaknesses.

After weeks in the worst slums of the city, the most sobering realization of all is that nobody is reaching the people who need the help the most—the bottom of the barrel. If troublesome slum dwellers resent their landlords, they are also suspicious of or disappointed in the social agencies established to help them. "I'm sick of UPO," one woman said. "We go to meetings and there's a lot of talking, but nothing ever. seems to get done."

Nor is anyone reaching the landlords—both good and bad—who are in a position to make life a little more tolerable for their tenants. For although there is scattered cooperation between landlords and poverty workers, there is no city-wide intensified cooperation. The apparent reason for this is that for the time being, the anti-poverty workers need landlords as symbols of the power structure. The War on Poverty needs targets.

The result is an ever-increasing polarity between landlords and tenants. It is the kind of thing that makes a landlord call his tenants "animals" and a tenant to curse the world in general and his landlord in particular.

COMMITTEE ON HOUSE ADMINISTRATION ASSERTS JURISDICTION IN THE FIELD OF ETHICS AND CONDUCT

Mr. BENNETT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. BENNETT. Mr. Speaker, I was surprised to learn late yesterday of the action of the House Administration Committee, earlier in the day, to rename one of its subcommittees under the name of an ethics committee and assume jurisdiction in this field. This announcement was made on the floor of the House yesterday by the gentleman from Ohio [Mr. HAYS], who is to be chairman. The House fully debated the creation of an ethics committee in the last session of the Congress and the House decided, by a record vote, to create a select committee, the House Committee on Standards and Conduct, of which I was appointed chairman. During last year's debate the gentleman from Ohio [Mr. HAYS] was the leader in opposition to the creation of any such committee unless its powers be carefully limited and defined by statute.

The House Committee on Standards and Conduct was directed by Congress to recommend to the House "such additional rules or regulations as the select committee shall determine to be necessary or desirable to insure proper standards of conduct by Members of the House and by officers or employees of the House."

In its report to Congress, the committee asked that the committee be reconstituted for this purpose in the 90th Congress because there was not sufficient time in the closing months of 1966 to make such recommendations and because such efforts should be made while Congress is in session so that the full membership of the House could be available for comments, recommendations, and hearings. The committee also asked for the new power to recommend to the House resolutions of censure in appropriate cases, but only on the submission of charges under oath and in writing and only when brought to the committee by a Member. Even then, the committee would have discretion not to act.

This committee, being a select committee, has to be reconstituted in each Congress and many resolutions are now pending before the Rules Committee to do that. I have asked permission to appear before the Rules Committee in behalf of the resolution I have introduced, acting on the unanimous request of the Committee on Standards and Conduct, to do this.

Mr. Speaker, it is not important whether any particular Congressman is a member or chairman of the committee; but it is important that a committee be set up which has the powers which the select committee has asked for.

Mr. Speaker, it appears that the action of the House Administration Committee was designed to thwart the reestablishment of the House Committee on Standards and Conduct. In fact the press has carried stories affirming that this was the intention. If this be done, the resultant committee would be only a subcommittee, would not have the power to recommend to Congress the legislation which Congress in 1966 asked for, and would not have the power to do anything about conflicts in interest or in any other matter except purely housekeeping accounts matters, a jurisdiction which it has always had. Thus, it appears that the purpose of the new House Administration Subcommittee is to sweep under the carpet the things about conduct in Congress which the public has every right to expect Congress to correct. It is my opinion that the public is entitled to better treatment by its Congress.

I would think that there would be very few complaints about the conduct of Members of Congress, but if a serious case, reflecting publicly on the House, were substantiated by evidence, it is my opinion that 90 percent, or perhaps all Members, would be willing to submit it for consideration. The committee would not be a snooping committee looking into the private lives of Members; but serious charges, fully substantiated, should be looked into. Moreover, the committee would devote its efforts to preventing, rather than penalizing and publicity. Such a committee is greatly needed. The proposed limited subcommittee is no answer at all. As a substitute, it would be a fraud on the public and upon our country.

MR. CHIEF JUSTICE TRAYNOR

The SPEAKER pro tempore. Under previous order of the House, the gentleman from California [Mr. CORMAN] is recognized for 10 minutes.

Mr. CORMAN. Mr. Speaker, Roger J. Traynor, chief justice of the Supreme Court of the State of California, was born on February 12, 1900. It is fitting that his birthday should fall on the same day we celebrate the birth of one of America's great Presidents—Abraham Lincoln. The similarities between the two are significant: their zest for the law, their services to their country during times of great upheaval, their integrity, their dedication to the preservation of our basic freedoms, and their efforts to ameliorate social injustices.

Chief Justice Traynor has served California in varied capacities as a dedicated public servant. An expert in tax law, he was drafted by Gov. Earl Warren—now Chief Justice of the U.S. Supreme Court—to organize a tax division in the State of California and to serve as part-time deputy attorney general, taking care of tax cases in both the State and Federal courts.

The California Supreme Court has been in the forefront in the fight for civil and social justice through the efforts of the chief justice, who has emphasized the importance of the State's courts taking an activist role in matters of policy as well as litigation.

It is with pride that I include in these remarks a reprint of an article written by John D. Weaver for the December 11, 1966, issue of the Los Angeles Times' West magazine. John Weaver is the author of the famous series of articles on Chief Justice Warren. His excellent reporting ability is again evident in his profile of Mr. Chief Justice Traynor.

MR. CHIEF JUSTICE TRAYNOR

(By John D. Weaver)

It has been the historic distinction of Chief Justice Roger J. Traynor to speak clearly on complex matters in a time of explosive growth and change and confusion. Since his appointment to the State Supreme Court in 1940, some 12,000,000 newcomers have turned up in California and gone about the business of making airplanes, chopping cotton, hustling real estate, setting styles, grinding out situation comedies, and looking for a place to park. There is no imaginable legal trouble that a Californian can't manage to get into. As a result, the state's highest court handles a wide and prickly range of litigation, from oil leases and water rights to pay-TV and topless pizza parlors.

In his first quarter-century on the bench, Traynor has delved into every corner of the law, sweeping away cobwebs, breaking through walls, letting in sunlight. He is not one to shed tears for the past when called upon to handle the last rites for an elderly precedent, nor is he likely to express fear for the future when giving obstetrical assistance at the birth of a healthy new judicial doctrine.

"The law will never be built in a day," he has written, "and with luck it will never be finished."

A gentle dynamo with a quiet voice and a roaring laugh, the Chief Justice shoulders a staggering workload as a judge and as an administrator. While listening to oral arguments, conferring with his six associates and fretting over the wording of an opinion, he also has to keep the state's overtaxed judicial system working smoothly and efficiently. In an average week, as work slackens in one court and piles up in another, the Chief Justice must move more than 50 judges from bench to bench. It is a delicate maneuver, requiring considerable diplomatic skill. Traynor has proved quite adept at shifting them around.

Despite the pressure of his new office (he was elevated from associate to Chief Justice in the summer of 1964), Traynor still finds time to take in a concert, putter about the garden, reread *Franny and Zooey,* write for the law reviews, play with his six grandchildren, atend judicial conferences, and shoot the breeze with old friends from the bench, the bar and the law schools. In a group he is less likely to dominate a conversation than to enrich it with a pun or a paradox. Always, spoken or written, his words are judiciously chosen.

"He's a perfectionist," says one of his law clerks. "You put any piece of writing in front of him, even a shopping list, and he'll start editing it."

"I have not found a better test for the solution of a case than its articulation in writing, which is thinking at its hardest," Traynor says.

In his judicial opinions, many of which have now become casebook classics, the Chief Justice manages to restrain the humor which bursts forth so naturally in his conversation and in his law review articles.

"Humor has no rightful place in an opinion," he says. "These are serious matters for the people involved. The cases belong to them, not to the judge. They should be told as plainly and forthrightly as possible how their case was decided. The litigant who loses is entitled to know why."

In one notable instance (*People vs. Pierce*), Traynor fell from grace, permitting himself the wayward pleasure of a pun. The case involved the common law concept of a man and wife as one person. Hence, according to an 1889 California precedent, when spouses conspire between themselves, they cannot be prosecuted for conspiracy. In laying this antiquated rule to rest, Traynor was unable to resist a playful comment on its absurdity.

"The fictional unity of husband and wife has been substantially vitiated by the overwhelming evidence that one plus one adds up to two, even in twogetherness," he wrote, and then stood guard over the printers, making sure the word was spelled as he had written it and printed without quotation marks.

"It is because Chief Justice Traynor has never let judging become habit, and has never lost his driving zest for the law, that he has been for many years our number one judge," writes Walter V. Schaefer, associate justice of the Illinois Supreme Court.

The Chief Justice dislikes the cumbersome circumlocutions of legalese. He uses the language with grace and dignity, always clear and logical, often eloquent and moving. He has even managed to give vitality and meaning to the least promising of literary forms—the baccalaureate address. When he returned to his native Utah to launch the state university's Class of '63, he sounded more like a homecoming poet than the distinguished jurist who had written California's sales tax law:

"A child growing up in the mountains of Utah in the early part of this century could readily come to envisage learning as a necessity of life, for his everyday lessons in the schoolroom served as indispensable companions across the wild country that he roamed on the longest possible route to and from school.

"There is no better way to begin one's learning than by wasting hours at a time exploring the Wasatch Range. As the wild maples turned color and the chokecherry trees took on the skeletal look of winter, one relearned each year that snow was knife-cold as well as beautiful. At the same time a child would notice that the sagebrush and the scrub oaks changed little enough to give reassurance of the coming spring.

"Years later these vagabond observations would give familiar meaning to Heraclitus, who had been saying only yesterday or was it some centuries earlier, that everything is forever changing and the permanence is but an illusion. Of course, whispered the child to the student he had now become. Anyone who ever lived in the Wasatch Mountains knew that by heart."

The Chief Justice was born in Park City, a Utah mining town, on Lincoln's birthday, 1900. His parents had left County Down, Ireland, to seek their fortune in the New World, where his father had worked in the mines, then gone into the drayage business. When the boy was 6 years old, just starting school, he tumbled headling onto a barbed-wire fence, ripping open his right cheek. He still bears the scar, which he lightly dismisses as "the Heidelberg mark of the Wasatch Mountains."

"It was a land of bohunks and Micks and krauts and Cousin Jacks," he recalled in his baccalaureate address. "In these rude labels of identification that are part of our vivid speech there is nothing evil if they are free of vicious gloss, and I should count it a loss if we were to become so self-consciously mannered as to shut the windows of the parlor and the study to the language of the street.

"Such labels remain innocuous so long as we value diversity. When we do not, then with brutal swiftness they are used as stones by savages, while bystander sloths look on. A child in a mountain town of Utah would learn that lesson with horror as the villagers whose kindness he had known hurled stones through the windows of a kraut. We are at war, they screamed; and a child could not begin to know what bleakness in their own lives could have caused them to seize upon such a pretext to turn so savagely against a neighbor."

The study, black-haired "Mick" from the Wasatch Mountains ("Traynor" springs from a Gaelic word meaning "strong man") managed to save $500 during the war and, in 1919, headed for the University of California, where he plunged into French and accounting, philosophy and history, logic and political science. In 1923 he was graduated with every available honor. He got his M.A. the following year, and in 1927 was awarded both a law degree and a Ph. D. in political science. All the while, when not rattling around some back-country road in his $65 jalopy, he had been teaching 11 hours of political science, while he was winding up his third year in law school and also editing the *California Law Review*.

"He has a tremendous drive, a conscientious feeling that it is the duty of everyone to work toward a solution of social problems," says Donald Barrett, who has served as Traynor's chief research attorney ever since he got out of law school in 1948.

No government—local, state or federal—can tackle any social problem without money in its till. This practical consideration aroused Traynor's interest in his days as an undergraduate (he was reading Morley's biography of Gladstone) and helped steer him toward his specialty—taxation. In the Depression decade of the 30s, when he was teaching law at Berkeley, he began to be called more and more often to Sacramento. Wryly, he describes these uneasy confrontations of professor and politician:

"In the desperate year of 1933, when new sources of revenue had to be found, the most cynical legislators reluctantly took to listening even to a specialist in taxation encumbered with book-learning, perhaps in the belief that in desperate times what you know won't hurt you any more than what you don't know."

He not only drafted the Retail Sales Tax Act, passed by the legislature in 1933, but also served as its first administrator, setting up the system by which the state tapped the cash registers of some 200,000 retailers. Regarded as a model of fairness and efficiency, it was widely copied and caught the eye of New Deal fiscal experts. In 1937 he took a year's leave of absence from Boalt Hall to serve as tax counsel to the Treasury Department in Washington.

While the Traynors were in temporary exile from their beloved Berkeley, their friendly neighborhood prosecutor, Earl Warren, launched his first campaign for state office. He took over as attorney general in January, 1939, and, as he was to do later as governor, immediately began to staff the place with experts. Inevitably, he latched onto Professor Traynor, whom he asked to organize a tax division and to serve as part-time deputy attorney general, taking charge of tax cases in both the state and federal courts in California.

Still a full professor of law (he had made the grade at the astonishingly youthful age of 36), Traynor now found himself going to court to defend laws he had drafted, administered, and taught his students. At the same time he was moonlighting in Washington as a tax consultant to the Secretary of the Treasury. In the summer of 1940 the Governor of California telephoned one day to ask if he would be interested in an appointment to the state Supreme Court.

"It was a complete surprise," Traynor says.

It was also something of a historical accident. Governor Culbert Olson had first selected Professor Max Radin to fill the vacancy. Radin, a friend and colleague of Traynor's, was a brilliant teacher, a charming companion, and a prolific writer. He was also a liberal, outspoken Democrat. Right-wing patriots lost no time protesting his appointment. Traditionally the state's highest court had been reserved as a final resting place for political conservatism and legal mediocrity.

Radin's appointment, as required by law, was submitted to the Judicial Qualifications Commission, where it was rejected. Olson urged him to make a fight for his seat on the bench, but neither Radin nor his wife had the stomach for it, so the governor asked if he knew a law professor he could recommend for the job.

"Yes, of course," Radin said. "Roger Traynor."

The Boalt Hall scholar now presides over a tribunal caught in the trade winds of prejudice, poverty and political expediency. Demagogues have been quick to play the apprehensions of well-housed Caucasians against the violence of dispossessed Negroes. In declaring Proposition 14 unconstitutional, five members of the court overruled 4,526,000 registered voters who had gone to the polls to proclaim their right to dispose of their property in such a way as to discriminate against the racial or religious minority of their choice.

Proposition 14 ran afoul of the "equal protection" clause of the 14th Amendment, which the United States Supreme Court has interpreted as a barrier to any "significant" state involvement in discrimination. California voters had made the state a public partner in their private acts of prejudice. The court left the prejudice intact. It dissolved the partnership.

"It's a difficult matter to grasp," the Chief Justice remarked not long ago in a luncheon conversation, and then, by way of illustration, he pointed out that Californians might suddenly take a notion to start coining their own money, but no matter how large a majority such an attractive proposition commanded at the polls, it would have to be ruled out on constitutional grounds.

Traynor at times has reversed himself, notably in the controversial *Cahan* decision of 1955, which broke with state precedent and practice by forbidding the use in court of illegally obtained evidence. The ruling touched off anguished cries from lawmen who had grown accustomed to enforcing the law by casually violating it. In this instance, as was not uncommon, the crime committed by the police officers was more repugnant than the offense charged against the defendant.

After getting permission from headquarters to "bug" a local citizen suspected of bookmaking, Los Angeles police officers stole into the home of Charles H. Cahan, entering at night by means of a first-floor side window. They planted a microphone under the chest of drawers, then strung wires to a listening post in a nearby garage. Cahan was found guilty of making book on the basis of evidence obtained by law enforcement officers guilty of breaking and entering.

"It is morally incongruous for the state to flout constitutional rights and at the same time demand that its citizens obey the law," Traynor wrote in *Cahan*.

In 1942, when he was new to the bench and to police practices, he had gone along with a 20-year old California precedent (*People vs. Mayen*) which permitted the use of illegally obtained evidence in state courts. As time went by, his misgivings began to grow. It was one thing to condone what Justice Cardozo had referred to as a constable's blunder, but quite another to wink at official lawlessness when it was standard operating procedure.

Six years after *Cahan* blew the whistle on the California law enforcement community, the United States Supreme Court applied the Fourth Amendment's protection against "unreasonable searches and seizures" to all state courts (*Mapp vs. Ohio*). In the five years since *Mapp*, the states have been ordered to provide counsel for the indigent (*Gideon vs. Wainright*), to respect the Fifth Amendment's privilege against self-incrimination (*Malloy vs. Hogan*) and to honor a suspect's Sixth Amendment right to counsel even before an indictment has been handed down (*Escobedo vs. Illinois*).

"There is some poetic justice in compelling state courts to resolve in more than provincial terms the problem of policing the community without oppressiveness," the Chief Justice told members of the New York City bar last spring. "Had all state courts taken the initiative in that regard there would have been less need for the United States Supreme Court to become involved in policing the police. There might have been little need at all, had state legislatures undertaken to formulate modern standards of police procedure, or had all police departments undertaken to raise their own standards."

In some pioneering instances, the California Supreme Court has staked out new judicial ground the United States Supreme Court has yet to occupy. In 1948, six years before the school segregation cases were resolved with a declaration that separate facilities were inherently unequal, Traynor spoke for the state court on the delicate matter of racial intermarriage, striking down California's anti-miscegenation law. The Warren Court still has not dealt directly with the outmoded laws of some 18 states which preserve a Jim Crow marriage couch.

"The responsibility to keep the law straight is a high one," Traynor has written. "It should not be reduced to the mean task of keeping it straight and narrow. We should not be misled by the cliche that policy is a matter for the legislature and not for the courts. There is always an area not covered by legislation in which the courts must revise old rules or formulate new ones, and in that process policy is often an appropriate and even a basic consideration."

The real threat to the law these days, the Chief Justice believes, is not that overly ambitious judges "might take off onward and upward, but that all too many of them have long since stopped dead in the tracks of their predecessors." As Traynor sees it: "The danger is not that they will exceed their power, but that they will fall short of their obligation."

Although the Chief Justice is one of the world's leading authorities on taxation, the family's Form 1040 is filled out by Mrs. Traynor, who in her husband's opinion "has far and away the most subtle mind I have ever encountered." She is not only at home in the field of accounting, but is also a graduate of Boalt Hall School of Law. In 1953, after the two oldest boys were grown and the youngest son had died, Mrs. Traynor returned to the University of California, where she had been an honor student as an undergraduate, and signed on as a freshman in the law school.

The Traynors live simply and comfortably on a pleasant Berkeley street where front yards are likely to be cluttered with tricycles and skateboards. Their rambling, two-story house is alive with the artifacts of three generations. Fishing rods and teething rings live on easy terms with Cardozo and Carson McCullers, Dr. Seuss and Edith Piaf. One Saturday afternoon a wealthy lawyer and his wife dropped by with their son, who disappeared upstairs, then returned a few minutes later, visibly shaken.

"You've got to see the Traynors' bathroom," he told his parents. "You know what they've got up there? A bathtub on legs. Like in a museum."

"We just never got around to modernizing the bathroom," Mrs. Traynor says. "There's always been something more important to do."

In the Traynor scale of values, it is more important to plant a tree than to install a new tub, more important to keep up with their French than with their neighbors.

"Why does it have to be so ugly?" Mrs. Traynor often wonders as she looks up at the high-rise apartment building that has blotted out a hunk of sky above their small, exquisitely manicured garden. Then she shrugs off the intrusion. "We create our own environment," she said one afternoon last summer, shortly before she and her husband were to leave for Manhattan, where he was to spend two weeks at New York University, participating in a seminar of Appellate Judges. "We'll be living in a tiny apartment, but somewhere we'll be able to find our quiet place, our tree, our piece of sky."

One night during the Berkeley troubles, when the Traynors were walking home, they rounded a corner and suddenly came upon a pack of angry rebels who obviously intended to force them off the sidewalk into the street. Roger and Madeleine Traynor do not back down in the face of force. The Chief Justice reached for his wife's hand and they calmly continued on their way. The demonstrators took the measure of this gentle pair, then fell back, clearing a path for them.

"The forces of darkness," Mrs. Traynor later wrote to a friend, "are always overpowering in aspect, always to be defied."

MR. JOHN S. KNIGHT

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Florida [Mr. PEPPER], is recognized for 10 minutes.

Mr. PEPPER. Mr. Speaker, on December 26 of last year, the Honorable John S. Knight of the Knight Newspapers, on the occasion of the Ambassador's ball, a brilliant event, in the presence of the Ambassador of Israel to the United States and Mrs. Harmon and many distinguished rabbis and guests, received the Eleanor Roosevelt-Israel Humanities Award. This distinguished award was a fitting recognition of the immeasurable contribution Mr. John S. Knight has made to his country and to the cause of freedom as a citizen, a soldier, a civic leader, as a humanitarian and as an editor and publisher who is now one of the towering figures of American journalism—indeed world journalism.

The sketch of Mr. Knight in Who's Who gives some revelation of the stature of the man he is. This is Who's Who's summary:

Knight, John Shively, newspaper pub.; b. Bluefield, W. Va., Oct. 26, 1894; s. Charles Landon and Clara Irene (Scheifly) K.; student Tome Sch., Md., 1911–14. Cornell U., 1914–17; LL.D., Akron Univ., 1945, Northwestern, 1947; medal for achievement in journalism, Syracuse U., 1946, m. Katharine McClain, Nov. 21, 1921 (died 1929); children—John Shively (killed in Germany, March 29, 1945), Charles Landon, Frank McClain; m. 2d Beryl Zoller Comstock, Jan. 24, 1932; 1 daughter, Mrs. Edward N. Cheek, Jr. Newspaper reporter and exec., 1920–25; mng. editor Akron (O.) Beacon Journal, 1925–33, editor since 1933; editorial dir. Springfield (O.) Sun, 1925–27, Massillon (O.) Independent, 1927–33, pres., 1933–37; owner and pub. The Miami (Fla.) Herald since Oct. 15, 1937; pres. The Beacon Journal Pub. Co., Knight Newspapers, Inc., The Herald Publishing Company, The Chicago Daily News Inc. Purchased and discontinued The Miami (Florida) Tribune, November 30, 1937; purchased Detroit Free Press, May 1, 1940, and since its publisher. Chief liaison officer between United States and British censorships, London, England, 1943–44; purchased Chicago Daily News, Oct. 18, 1944; dir. Asso. Press, also v.p., 1946—, Charlotte (N.C.) Observer. Trustee Cornell University, University Miami. Served in Motor Transport Corps, 113 Inf., in Army Air Corps, A.E.F., 1917–19. Awarded Frank M. Hawks Memorial Trophy, 1947; Citation of Merit from Poor Richard Club, 1946; Honor award, distinguished service journalism, U. Mo., 1949; recipient Brotherhood of Children Award, 1946; La Prensa award, 1954; cited outstanding Chicagoan in Inter-Am, relations by U.S.-Uruguay alliance, 1952. Established Knight Meml, Fund commemorating his father; the La Prensa Scholarship furthering Inter-Am. understanding. Mem. Am. Soc. Newspaper Editors (past pres.), VFW, Am. Legion, 40 and 8, Phi Sigma Kappa, Sigma Delta Chi. Episcopalian. Clubs: Portage Country (Akron, Ohio); Tin Whistles (Pinehurst, N.C.); Bath, Indian Creek (Miami); Union (Cleveland); Detroit, Detroit Athletic, Detroit Economic, Country Grosse Pointe (Detroit); Burning Tree Golf (Washington, D.C.); Racquet, Chicago, Chicago Athletic, Tavern, Casino Commercial, Saddle and Cycle (Chicago); Old Elm (Ft. Sheridan, Ill.); Glenview (Golf, Ill.). Home: 80 N. Portage Path, Akron, O.: also 2450 N. Lakeview Av., Chgo. 14. Office: Beacon Journal, Akron, O.; Miami Herald, Miami, Fla.; Free Press, Detroit, Mich.; and Chicago Daily News, Chicago.

The Knight Newspapers headed by Mr. Knight include the Miami Herald, the Detroit Free Press, the Akron Beacon Journal, and the Charlotte Observer and previously included the Chicago Daily News. The Knight Newspapers have won several Pulitzer Prizes for distinguished public service and will, I am sure, win many more in the future.

The Knight Newspapers reflect the keen competitive spirit of their editor-publisher, John S. Knight, and they reflect also the fact that this competitive spirit takes the form of an aggressive striving for excellence. The Knight Newspapers are thoroughly professional and they are highly successful. They have demonstrated the ability of their editor-publisher to combine the highest quality of professional service to their communities with sound and very profitable business operations. The Knight Newspapers are not only one of the largest groups of papers under a single proprietorship in the Nation, they are among the most influential of America's press.

The key to this remarkable success has been the extraordinary ability and personality of John S. Knight. Mr. Knight is the prototype of the editor-publisher in an era when many newspapers have become more and more fragmented and institutionalized.

Mr. Knight has demonstrated that rare ability to select highly competent people for his editorial and business operations and to allow them great freedom and initiative in the performance of their duties.

These intensely loyal, able, and dedicated employees under the inspired and dedicated leadership of Mr. John S. Knight and his very capable and devoted brother, Mr. James L. Knight, have made the Knight Newspapers one of the great constructive forces in the defense of freedom in the United States and in the world today.

Mr. Speaker, I insert Mr. Knight's eloquent and thought-provoking address upon the receipt of the Eleanor Roosevelt-Israel Humanities Award following after these remarks and warmly commend it to the consideration of my colleagues and my fellow countrymen:

Eleanor Roosevelt-Israel Humanities Award December 26, 1966

Mr. Chairman, Ambassador Harman, Rabbi Kronish, your Excellencies, ladies and gentlemen:

In receiving the Eleanor Roosevelt-Israel Humanities Award this evening I am moved by two emotions: one is unexampled gratitude; the other is humbleness.

When it has been said so generously that I "live by the values dear to people of all faiths, who share an innate respect for the human being and a reverence for the free human spirit," this is something to which I can only aspire, for to live so is always my ambition.

Throughout adult life, but most certainly in my later years, I have tried to substitute understanding for anger; to avoid prejudice; to grasp the motivations of those who are most critical; to reason rather than to insist.

For a newspaperman, these are demanding standards.

Fairness and objectivity are two requisites of responsible journalism.

The search for what we believe to be truth is a never ending quest.

Defense of the worth and dignity of the individual and, in his name, of the public interest is the bastion we must man with constant vigilance.

To these things, these goals, I am irrevocably committed. And for the opportunity to make this testament at a time when two great religious seasons, Chanukah and Christmas, so closely coincide and cement the spiritual values which they share, I am deeply grateful.

Yes, I knew Eleanor Roosevelt.

One night in November of 1937 it was my happy lot to present her to an overflow crowd in the Akron Armory.

She had come to our city at the invitation of the Akron Jewish Center's civic forum to deliver one of those measured and memorable speeches which gently prodded the conscience of a community and faced it to a challenge of human betterment.

The next day I was chided by some of my conservative friends for introducing the First Lady of the land and, of course, of the New Deal.

What I had done needed no defense. But it did provide material for a portion of the Editor's Notebook, in which I asked:

"If she is interested in social legislation and the problems of the suffering and the underprivileged, is that not better than putting in her spare time chit-chatting her way through the intricacies of the Culbertson system?"

(Reference to Goren)

It was characteristic of Eleanor Roosevelt that she made a point of seeing what I had written and thanked me gracefully in return.

I still have the letter. In a footnote in her own handwriting she said, again in character, "It's nice to be liked especially by people whom you like."

And, as she gently rebuked me in February of 1951 when detecting an error in something I had written:

"I am quite patient with memory failings" said Mrs. Roosevelt, "because I know that I am often forgetful myself. I have a rather poor memory for dates because I relied so long on my husband who had a remarkably good one.

"However, in this particular case," Mrs. Roosevelt continued, "You are not telling all of the facts anymore perhaps than I covered every item.

"But I am entirely in agreement that when the time comes that nobody twists the facts, and that everyone has space and time to cover every detail, we will perhaps be less confused."

So she went through life. One did not always need to believe in the causes which she embraced to concede her sincerity and selflessness.

Once she wrote about her husband:

"All human beings have failings, all human beings have needs and temptations and stresses. Men and women who live together through long years get to know one another's failings; but they also come to know what is worthy of respect and admiration in those they live with and in themselves."

You may agree that this is revealing. While she might excuse, in charity, the failings of others, her range of admiration had strict standards.

The fact that this Eleanor Roosevelt Humanities Award was established by the Israel Bond Organization is proof that Mrs. Roosevelt's enthusiasms were selective.

She involved herself heavily in Israeli independence.

She saw in the bond drive a vehicle for private capital in the literal creation of a state which could thrive only because of its mixed economy.

She was stirred by its pioneers and fascinated by its 20th century problems which only recapitulated problems of other countries and other generations.

She lived to see this tiny sliver of a country absorb more than one million immigrants with natural resources so sparse that they were scarcely detectable.

The story of these bonds in 1966 is an epilogue which she would have wanted to fashion.

Israel bonds have helped the expansion of industry assuring the new country of a private sector; the establishment of irrigation projects, the building of new towns in many areas of the Negev desert, construction of new harbors, highways and housing and the exploitation of natural resources such as phosphates, copper, oil and the potash and bromine of the Dead Sea.

Eleanor Roosevelt's subscription to the Judaeo-Christian ethic took into account in later years the mature application of this philosophy to the world outside. It is hardly known and rarely noted that Israel today is offering technical assistance to the majority of the more than 50 countries which have come into being since Israel itself was born.

Whether on the African continent or in some parts of Latin America, Israeli teachers, irrigation experts, medical specialists or engineers are helping the inhabitants solve problems of agricultural development, health and economic growth.

In a very real sense no man or woman of today can escape history—to borrow a phrase from Lincoln.

These times of remorseless pressure and constant challenge encourage the simple helpless conviction that there is little left for the civilian to do.

In his book about Israel, Meyer Levin makes the point that for good or ill Palestine has always been a corridor of history.

"It was the Prophet of Israel, Isaiah," he writes, "the very one whose book was found not once but twice among the Seven Dead Sea Scrolls, who wrote of the time when the lion and the lamb shall lie down together, when swords shall be beaten into plowshares, and nations shall study war no more.

"Isn't it a strange and beautiful symbol, that after the first Chief of Staff of the Israeli army resigned to go back to the study of the Dead Sea Scrolls, another Chief of Staff, Gen. Dayan, also resigned to go back to his studies, and then to become—the Secretary of Agriculture.

"Indeed, as it is written,

" 'And they shall beat their swords into plowshares.' "

Eleanor Roosevelt then might share the apprehension of some of the friends of Israel over its proper posture before the judgment of history.

As I see it, she believed that only in the very last, distasteful extremity may violence be countenanced as the final arbiter between nations.

And I suspect she would have agreed that strength is not proven by retaliation but by the moral rightness of a cause to which the free world can subscribe.

All thinking persons must deplore the sudden escalation of hatred and jealousy in the Middle East.

Here is where man had his spiritual beginnings and here is where he returns for strength.

As President Salman Shazar has written, "the great Jewish contribution to humanity is the Scriptures. In these books of the Bible (he goes on) are formulated the moral principles that have become the ideals of civilized man. Out of this Judaism, Christianity was born and Islam grew. In all the churches men pray with the words of the Psalmist. The call of the Hebrew prophets for social justice and peace among nations has become, today, the aspiration of all humanity."

It is an irony of history as it is a folly of man that the two worlds of the Middle East stand apart and talk only of the other's extinction.

In recent days Israel has made it clear that the state has no designs on the west bank of the Jordan while Hussein of the Hashemite Kingdom has said for his part that it is not Jordan's purpose to drive the Jews into the sea—supposing, of course, that it could, which is a broad supposition.

These assurances may not seem important but they are the beginning of a dialogue in which, additionally, Jordan for the first time in Arab experience addresses Israel by its name and not as "Palestine" or the "Zionist government."

This does not vouch for the rest of the Arab states, much less for that mischievous tyrant, Gamel Abdul Nasser, but it does prove that communication is a good substitute for conflict.

The logic of this communication is to carry it to the step where, one day, the fertile hinterland will feed the littoral and Israel will produce the industrial goods the Arab states need in exchange for the food it cannot produce yet in abundance.

Indeed, this is what Israel's 20th century prophet, David Ben-Gurion has envisaged. In "The Jews in Their Land" he wrote;

"We must dispel the hostility of the encircling Arab peoples and make a covenant of peace between them and Israel that will culminate in economic, cultural, and political cooperation, and advance the well-being of the whole Middle East.

"That peace is bound to come if tensions between Soviet Russia and the United States can be eased, for both are concerned to preserve peace throughout the world, and not least in our region.

"That peace is bound to come if the little nations of Europe, America, Asia and Africa exert a pressure to which the Arab world could no longer remain insensitive.

"That peace is bound to come if democratic governments come into being in the Arab states, for then the leaders would be forced to pay greater heed to the domestic needs of their people in the fields of education, hygiene, and economic development, and would be restrained from dissipating their energies in an arms race."

One of the most fruitful experiences of my professional life was to help found the Inter American Press Association and serve for several years as its president.

IAPA was looked upon with suspicion not only by dictators and oligarchies, but also at first by some highly respected Latin American statesmen.

It has survived the enmity and indeed the reigns of the first and it has won the confidence of the last because it communicates honestly and openly between free men.

This organization, in my opinion, outweighs all the gold of foreign aid in bringing understanding between peoples North and South, in discrediting the expropriators and censors and in encouraging the growth of democratic processes. But first it had to open the clogged lines of human communication.

While I am opposed to the concepts of foreign policy which led to our deep involvement in Vietnam, I am encouraged to see that our own government has maintained communication where peace might result, either in the United Nations or through sovereign third parties.

One day a word will be spoken, perhaps in some remote forum, and both sides will dust off the peace table.

The object ought to be assurance that South Vietnam may choose its own form of government unhindered. Widening the war physically and politically is to lose sight of this basic objective.

No one detests religious or racial bigotry more than I. When it is abroad in the world every man in every nation must shudder. This goes for the apartheid of Rhodesia and South Africa.

But failure to communicate again in this situation could lead to tragic involvement not merely of arms but of the delicate and damage-prone machinery of world peace itself—the structure of the United Nations.

The League of Nations went down in a heap of broken hopes because it was not really prepared to enforce sanctions against Mussolini over Ethiopia.

The U. N. could be the victim of what some believe to be a quarrel in the British family of nations. It is the fashion nowadays when murder is done to try the victim and not the defendant.

Again, perhaps, communicators have missed the point.

What is really expected of Rhodesia is that it let the majority have the major voice in its government. This it has agreed constitutionally to do. The question is one of timing and sincerity.

In other circumstances the British have not been loath to liquidate their empire. Why should they be so now, except to save face?

The point is, again, that conflict too often precedes communication, rather than follows it. So it must be the job of thoughtful people that where there is room made to talk there is room to avoid with honor the acceptance of war as a substitute.

I am not a pacifist.

There are times when the issue has been exhausted diplomatically and war becomes, as it has been said, the continuation of state policy by other means. Having served my country in two wars I think I know something about this.

But the object of men who can bring forth milk and honey from the desert's dust—as with men who can produce and domesticate a nuclear giant—is to see that the lines of communication are kept open, that statesmen in their awesome responsibility measure every word, and that above all their strength give them patience.

At length it may be possible, with Isaiah, to beat the swords into plowshares for all time.

Finally, let us remember that despite the pulls and tugs of crises ever since 1945, we have to this year avoided the third world war which everyone exactly a generation ago feared was just around the corner of history.

For that tonight we are not a little in debt to the humaneness of the woman who saw these things clearly and who year after year was acknowledged as the First Lady of the world, Eleanor Roosevelt.

I am proud of the honor you do me and shall be eternally grateful for your expression of faith.

I thank you, dear friends, one and all.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. SAYLOR, for 15 minutes, today; and to revise and extend his remarks.

Mr. ASHBROOK (at the request of Mr. SMITH of New York), for 15 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. GROSS, for 30 minutes, on Wednesday, February 15.

Mr. CORMAN (at the request of Mr. GIBBONS), for 10 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. PEPPER (at the request of Mr. GIBBONS), for 10 minutes, today; to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

All Members (at the request of Mr. BOGGS) to extend their remarks following the message from the President on foreign aid.

Mr. MCCARTHY.

Mr. PUCINSKI.

Mr. FINO.

(The following Member (at the request of Mr. SMITH of New York) and to include extraneous matter:)

Mr. BROWN of Ohio.

(The following Members (at the request of Mr. GIBBONS) and to include extraneous matter:)

Mr. O'NEILL of Massachusetts.

Mr. TEAGUE of Texas.

Mr. TAYLOR.

ADJOURNMENT

Mr. GIBBONS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 35 minutes p.m.), under its previous order, the House adjourned until Monday, February 13, 1967, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MCMILLAN: Committee on the District of Columbia. Report on investigation and study of metropolitan police department recruitment and retention problems and related matters (Rept. No. 12). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 5240. A bill to amend the Federal Aviation Act of 1958 to authorize aircraft noise abatement regulation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BELCHER:

H.R. 5241. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. BERRY:

H.R. 5242. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

By Mr. BEVILL:

H.R. 5243. A bill to amend title VI of the Civil Rights Act of 1964 to terminate the authority of Federal agencies to prescribe by regulation the manner in which such title must be complied with; to the Committee on the Judiciary.

By Mr. BINGHAM:

H.R. 5244. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. CLARK:

H.R. 5245. A bill to improve the safety of railroad transportation under the jurisdiction of the Department of Transportation; to the Committee on Interstate and Foreign Commerce.

By Mr. CLEVELAND:

H.R. 5246. A bill to extend to volunteer fire companies the rates of postage on second-class and third-class bulk mailings applicable to certain nonprofit organizations; to the Committee on Post Office and Civil Service.

H.R. 5247. A bill to provide for a decennial census of the physically handicapped; to the Committee on Post Office and Civil Service.

H.R. 5248. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. COLLIER:

H.R. 5249. A bill to allow a deduction for income tax purposes of certain expenses incurred by the taxpayer for the education of a dependent; to the Committee on Ways and Means.

My Mr. CORMAN:

H.R. 5250. A bill to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes; to the Committee on the Judiciary.

H.R. 5251. A bill to assist in combating crime by creating the U.S. Corrections Service, and for other purposes; to the Committee on the Judiciary.

H.R. 5252. A bill to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health; to the Committee on Interstate and Foreign Commerce.

By Mr. DADDARIO:

H.R. 5253. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. DELLENBACK:

H.R. 5254. A bill to amend title II of the Merchant Marine Act, 1936, to create the Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. DERWINSKI:

H.R. 5255. A bill to provide for the transfer of income taxes to the States for use for educational and other purposes without Federal direction, control, or interference; to the Committee on Ways and Means.

H.R. 5256. A bill to amend the Internal Revenue Code of 1954 to permit a taxpayer to deduct tuition expenses paid by him for the education of his children through the 12th grade; to the Committee on Ways and Means.

H.R. 5257. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer with adjusted gross income of $7,500 or less a deduction for the expenses of tuition and certain other fees and charges paid by him for his education or the education of his spouse or any of his dependents; to the Committee on Ways and Means.

By Mr. DINGELL:

H.R. 5258. A bill to amend the veterans' educational assistance program of title 38 of the United States Code in order to include on-the-job training among the programs available to veterans under that title; to the Committee on Veterans' Affairs.

By Mr. EDMONDSON:

H.R. 5259. A bill to amend the veterans' educational assistance program of title 38 of the United States Code so as to increase the amount of educational assistance allowances payable to veterans to include flight training in such program, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. EILBERG:

H.R. 5260. A bill to amend the Public Health Service Act to provide for the estabment of a National Eye Institute in the National Institutes of Health; to the Committee on Interstate and Foreign Commerce.

By Mr. FINO:

H.R. 5261. A bill to amend the Housing and Urban Development Act of 1965 to prohibit public or private agencies assisted under the Economic Opportunity Act of 1964 from performing certain functions under the rent supplements program; to the Committee on Banking and Currency.

H. R. 5262. A bill to amend the Economic Opportunity Act to prohibit certain housing activities; to the Committee on Education and Labor.

By Mr. GUDE:

H.R. 5263. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. HOWARD:

H.R. 5264. A bill to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health; to the Committee on Interstate and Foreign Commerce.

H.R. 5265. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 5266. A bill to amend title 5, United States Code, to provide additional group life insurance and accidental death and dismemberment insurance for Federal employees, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. JACOBS:

H.R. 5267. A bill to provide for the enforcement of support orders in certain State and Federal courts, and to make it a crime to move or travel in interstate and foreign commerce to avoid compliance with such orders; to the Committee on the Judiciary.

H.R. 5268. A bill to amend the Social Security Act to provide that the Secretary of Health, Education, and Welfare shall disclose certain information in his files to courts of competent jurisdiction to assist them in connection with the issuance of child support orders; to the Committee on Ways and Means.

By Mr. LANGEN:

H.R. 5269. A bill to restrict imports of dairy products; to the Committee on Ways and Means.

By Mr. LENNON:

H.R. 5270. A bill to provide for a national cemetery at Fort Bragg, N.C.; to the Committee on Interior and Insular Affairs.

By Mr. MCFALL:

H.R. 5271. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. MATSUNAGA:

H.R. 5272. A bill to amend titles 10, 14, 32, and 37, United States Code, to strengthen the Reserve components of the Armed Forces, and clarify the status of National Guard technicians, and for other purposes; to the Committee on Armed Services.

By Mr. MONTGOMERY:

H.R. 5273. A bill to amend title 10 of the United States Code so as to permit members of the Reserves and the National Guard to receive retired pay at age 55 for nonregular service under chapter 67 of that title; to the Committee on Armed Services.

By Mr. SISK:

H.R. 5274. A bill relating to the establishment of parking facilities in the District of Columbia; to the Committee on the District of Columbia.

By Mr. ZWACH:

H.R. 5275. A bill to control unfair trade practices affecting producers of agricultural products and associations of such producers, and for other purposes; to the Committee on Agriculture.

By Mr. BROTZMAN:

H.R. 5276. A bill to protect the domestic economy, to promote the general welfare, and to assist in the national defense by providing for an adequate supply of lead and zinc for consumption in the United States from domestic and foreign sources, and for other purposes; to the Committee on Ways and Means.

By Mr. CAREY:

H.R. 5277. A bill to amend the act of June 30, 1954, as amended, providing for the continuance of civil government for the Trust Territory of the Pacific Islands, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CRAMER:

H.R. 5278. A bill to amend title 38, United States Code, so as to permit the waiver of certain retirement or annuity payments under programs administered by the Federal Government for veterans pension purposes; to increase income limitations applicable to the payment of pensions and certain monthly pension rates; and for other purposes; to the Committee on Veterans' Affairs.

H.R. 5279. A bill to provide for national cemeteries in the central west coast area of the State of Florida; to the Committee on Interior and Insular Affairs.

H.R. 5280. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

H.R. 5281. A bill to amend section 1346 of title 28 of the United States Code in order to increase from $10,000 to $50,000 the limitation on the jurisdiction of the U.S. district courts in suits against the United States for breach of contract or for compensation; to the Committee on the Judiciary.

By Mr. TENZER:

H.R. 5282. A bill to assist in combating crime by creating the United States Corrections Service, and for other purposes; to the Committee on the Judiciary.

By Mr. TUNNEY:

H.R. 5283. A bill to authorize the Secretary of the Interior to make disposition of geothermal steam and associated geothermal resources, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. GROSS:

H.R. 5284. A bill to prohibit political influence with respect to appointments, promotions, assignments, transfers, and designations in the postal field service, to revise the laws governing the appointment of postmasters and rural carriers, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. CORBETT:

H.R. 5285. A bill to prohibit political influence with respect to appointments, promotions, assignments, transfers, and designations in the postal field service, to revise the laws governing the appointment of postmasters and rural carriers, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. KYL:

H.R. 5286. A bill to prohibit political influence with respect to appointments, promotions, assignments, transfers, and designations in the postal field service, to revise the laws governing the appointment of postmasters and rural carriers, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MAYNE:

H.R. 5287. A bill to prohibit political influence with respect to appointments, promotions, assignments, transfers, and designations in the postal field service, to revise the laws governing the appointment of postmasters and rural carriers, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SCHERLE:

H.R. 5288. A bill to prohibit political influence with respect to appointments, promotions, assignments, transfers, and designations in the postal field service, to revise the laws governing the appointment of postmasters and rural carriers, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SCHWENGEL:

H.R. 5289. A bill to prohibit political influence with respect to appointments, promotions, assignments, transfers, and designations in the postal field service, to revise the laws governing the appointment of postmasters and rural carriers, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BERRY:

H.J. Res. 283. Joint resolution providing for a bust of the late Senator Francis Case to be appropriately placed in the vicinity of the Francis Case Memorial Bridge; to the Committee on House Administration.

By Mr. BOGGS:

H.J. Res. 284. Joint resolution establishing the Commission on Art and Antiquities of the Capitol, and for other purposes; to the Committee on House Administration.

By Mr. BROYHILL of Virginia:

H.J. Res. 285. Joint resolution establishing a national shrine commission to select and procure a site and formulate plans for the construction of a permanent memorial building in memory of the veterans of the War Between the States or the Civil War; to the Committee on House Administration.

By Mr. CRAMER:

H.J. Res. 286. Joint resolution amending the Public Health Service Act to provide for an institute on gerontology which shall, among other things, carry out research and training with respect to chronic disease and to accident prevention among our senior citizens, and shall be located on the grounds of the Bay Pines Veterans' Administration Center, St. Petersburg, Fla.; to the Committee on Interstate and Foreign Commerce.

By Mr. DOLE:

H.J. Res. 287. Joint resolution authorizing the posthumous issuance of a Gold Medal to the late Walt Disney; to the Committee on Banking and Currency.

By Mr. SAYLOR:

H.J. Res. 288. Joint resolution proposing an amendment to the Constitution of the United States relating to the right to vote of citizens who have attained the age of 18 years; to the Committee on the Judiciary.

By Mr. HORTON:

H. Con. Res. 192. Concurrent resolution expressing the sense of Congress that a network of earmarked standby units and procedures for their deployment by the United Nations should be accomplished as a first step toward the creation of a permanent United Nations peacekeeping force; to the Committee on Foreign Affairs.

By Mr. BELL:

H. Con. Res. 193. Concurrent resolution to provide early appropriations for Federal educational programs; to the Committee on Rules.

By Mr. CLEVELAND:

H. Con. Res. 194. Concurrent resolution to provide early appropriations for Federal educational programs; to the Committee on Rules.

By Mr. PEPPER:

H. Con. Res. 195. Concurrent resolution to direct the appropriate committees of the House of Representatives and the Senate to consider a memorial to the astronauts who lose their lives in the line of duty; to the Committee on Rules.

By Mr. DIGGS:

H. Res. 238. Resolution authorizing Members of the House of Representatives to employ during each summer one student congressional intern; to the Committee on House Administration.

By Mr. RIVERS:

H. Res. 239. Resolution authorizing the Committee on Armed Services to conduct a full and complete investigation and study of all matters relating to procurement by the Department of Defense, personnel of such Department, laws administered by such Department, use of funds by such Department, and scientific research in support of the armed services; to the Committee on Rules.

By Mr. SCHEUER:

H. Res. 240. Resolution to establish a Select Committee on Standards and Conduct in the House of Representatives; to the Committee on Rules.

By Mr. TEAGUE of Texas:

H. Res. 241. Resolution amending the rules of the House in order to transfer jurisdiction over military and national cemeteries from the Committee on Interior and Insular Affairs to the Committee on Veterans' Affairs; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK:

H.R. 5290. A bill for the relief of Mr. Tomazos G. Leonidas; to the Committee on the Judiciary.

By Mr. AYRES:

H.R. 5291. A bill for the relief of Estike Veres; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia:

H.R. 5292. A bill for the relief of George Bombardiere; to the Committee on the Judiciary.

H.R. 5293. A bill for the relief of Dr. Emilio V. Soto; to the Committee on the Judiciary.

H.R. 5294. A bill for the relief of Nikolas George Polizos; to the Committee on the Judiciary.

H.R. 5295. A bill for the relief of Evangeline Keramidas; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia (by request):

H.R. 5296. A bill for the relief of Sung Hyum Hong; to the Committee on the Judiciary.

By Mr. CORMAN:

H.R. 5297. A bill for the relief of Mrs. Zofia Michalska Buniowska; to the Committee on the Judiciary.

By Mr. KING of California:

H.R. 5298. A bill for the relief of Kentaro Yamamuro; to the Committee on the Judiciary.

By Mr. RESNICK:

H.R. 5299. A bill for the relief of Dr. Mehmet Kemal Yillar; to the Committee on the Judiciary.

By Mr. TENZER:

H.R. 5300. A bill for the relief of Caterina

Fragapane; to the Committee on the Judiciary.

H.R. 5301. A bill for the relief of Francesca Fragapane; to the Committee on the Judiciary.

SENATE

THURSDAY, FEBRUARY 9, 1967

(Legislative day of Wednesday, February 8, 1967)

The Senate met at 11 o'clock a.m., on the expiration of the recess, and was called to order by the Vice President.

Rev. William R. Sengel, D.D., minister, Old Presbyterian Meeting House, Alexandria, Va., offered the following prayer:

Eternal God, we pray for the Senate of the United States.

We thank Thee for profiles in courage of gallant men who have walked this floor.

Remind us that now, no more than then, is courage reached without persistence, nor goodness gained without labor.

Hear the confessions of this body. They need Thy mercy daily as they fashion noble resolutions and often leave them bent and broken on the road.

Purge them of any fear that may shorten their vision.

Strip them of any pride that may sap their strength.

Keep them alike from being fretful in things they cannot change and heedless of the things they can.

Deepen the roots of their faith. Widen the circle of their love. Label them neither "hawks" nor "doves" but servants of a larger purpose than themselves, instruments of Thy peace. Amen.

ORDER FOR ADJOURNMENT TO 10 A.M. MONDAY AND FROM MONDAY TO WEDNESDAY AT NOON

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that, upon the completion of business today, the Senate stand in adjournment until 10 a.m., Monday next, and that immediately upon convening on Monday next, and without the transaction of any business, the Senate shall stand adjourned until noon, Wednesday, February 15, 1967.

The VICE PRESIDENT. Is there objection to the request of the Senator from Louisiana? The Chair hears none, and it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. LONG of Louisiana, and by unanimous consent, the following subcommittees were authorized to meet during the session of the Senate today:

The Subcommittee on Intergovernmental Relations of the Committee on Government Operations.

The Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary.

On request of Mr. BYRD of West Virginia, and by unanimous consent, the Juvenile Delinquency Subcommittee of the Committee on the Judiciary was authorized to meet during the session of the Senate today.

LEGISLATIVE REORGANIZATION ACT OF 1967

The Senate resumed the consideration of the bill (S. 355) to improve the operation of the legislative branch of the Federal Government, and for other purposes.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Pennsylvania. The Senator from Pennsylvania has 13 minutes; the Senator from Oklahoma has 12 minutes. There is an understanding, the Chair gathers, that the Senator from Delaware will have 2 minutes of the 12.

Mr. CLARK. Mr. President, late yesterday afternoon, when I believe the Senator from Louisiana [Mr. LONG], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Delaware [Mr. WILLIAMS], the Senator from Mississippi [Mr. STENNIS], and I were the only Members on the floor, the Senator from Delaware undertook to say, as appears in the third column on page 2993 of yesterday's CONGRESSIONAL RECORD:

> If we pass this bill we would be saying, in effect, that the Senate feels that it has no laws in this respect—I refuse to accept that premise. This bill is putting in a limit: that one could accept only $100.

I stress this part of the quoted matter:

> In my opinion this is not a Bobby Baker amendment. This is—let us face it—the Dodd amendment, and we might just as well abolish the pending investigation of the Ethics Committee if it is accepted.

I state categorically that this amendment has nothing to do with the problems involving the Senator from Connecticut. I have no doubt that the Senator from Mississippi will confirm my view in that regard. This amendment was first proposed by me back in 1964, before the Committee on Rules and Administration, several years before the Dodd matter arose.

This amendment was drafted and is intended to establish some principles, some regulations, which I would hope would make a repetition of the Bobby Baker case less likely.

Personally, I resent the implication that I am trying to do something with this amendment to take the Senator from Connecticut off the hook. I deny it categorically, and I demand proof.

I retain the balance of my time.

The VICE PRESIDENT. Who yields time?

Mr. CLARK. Mr. President, the Senator from Oklahoma is unfortunately detained. Therefore, in order to await his presence, I suggest the absence of a quorum, and I ask unanimous consent that the time not be charged to either side.

The VICE PRESIDENT. Is there objection to the request of the Senator from Pennsylvania? The Chair hears none, and it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is ordered.

Mr. HOLLAND. Mr. President, will the Senator yield to me so that I may insert some matter in the RECORD?

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that I may yield 30 seconds to the Senator from Florida.

FORMER SENATOR A. WILLIS ROBERTSON ADDRESSES FLORIDA BANKERS ASSOCIATION

Mr. HOLLAND. Mr. President, our former distinguished colleague, Senator A. Willis Robertson, will speak before the Florida Bankers Association in Jacksonville, Fla., this evening.

As one of the Florida Senators, I am honored, and I am sure that Florida bankers are honored, that Senator Robertson accepted their invitation. I am also pleased that he was gracious enough to furnish me with a copy of the talk he will make, which I have read with a great deal of interest and in which I concur generally.

Knowing that all of his friends in the Senate have long sought the able advice and assistance of Willis Robertson and have profited from his long experience in both the House of Representatives and the Senate and as chairman of the Senate Banking and Currency Committee, I am sure that they will be most interested in his comments with reference to the present economic trends as he interprets them. I am pleased that Willis Robertson is continuing to let us have the benefit of his wisdom.

Mr. President, I ask unanimous consent to have Senator Robertson's address printed in the RECORD at this point.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ECONOMIC TRENDS

(Address of A. Willis Robertson, before the meeting of Florida Bankers Association, Jacksonville, Fla., Feb. 9, 1967)

It always pleases me to be invited to address Florida bankers because in addition to sharing my wife's admiration of the state in which she was born I have been privileged to make so many friends in Florida that to me it is a second home. I also cherish the memory of service in the Congress with the many fine men you have sent to our nation's capitol during the last 30 years, especially your two present outstanding and influential Senators, Spessard Holland and George Smathers. I hope Senator Smathers will reconsider his announced plan to leave the Senate at the end of his present term because both Florida and the nation need men like him in the Senate.

There is another fact about Florida that excites my admiration—your unparalleled economic development since the end of World War II. A few years ago at your annual meeting in Miami—a meeting that I shall never forget—I referred to DeSoto's disappointment at not finding gold in Florida, continuing his search westward to the Mississippi River where he died and was buried. I then quoted Bancroft as saying "he crossed half a continent in search of gold and all that he found was his burial place." Throughout recorded history gold has been a prized metal—useful, ornamental, an evidence of wealth and a medium of exchange. Yet the true wealth of any nation has been based not upon its accumulation of gold but the development of its natural resources. Last year, for instance, the total production of gold in the free world amounted to only one and one-half billion dollars, but during the same period you good people of Florida sold your sunshine and recreational opportunities to millions of tourists for four billion dollars.

It was the bankers of Florida who financed that boom in tourism, as well as a significant development in industry and agriculture, including a $400 million per year citrus crop.

For the past ten years there has been an almost uninterrupted increase both in Florida and the nation at large of produced income which economists call the Gross National Product. But bankers here and elsewhere are asking a question which an ancient Roman expressed as "Quo Vadis" or, in the native tongue of a Virginia mountaineer, "Where are we going from here?" From recognized fiscal experts I have sought the answer to that question, but with little avail. With one accord they point to economic cross currents that create what one of them terms "a mixed atmosphere of confidence and concern."

You have learned, of course, that last month the forecast of 400 bankers was that the GNP would probably increase by $45 billion or more but that nearly one-half of that increase would be price increases. Those bankers pointed to increased military spending to bolster such weak spots as housing and the production of automobiles.

While I agree with my banker friends that no recession is in sight for 1967, I must frankly confess that the problem of making an informed guess as to future economic trends is more difficult this year than at any time in the past decade.

Last year the boom, which has lasted without serious interruption for ten years, became "overheated" as the economists say. There was a sharp advance in prices, and interest rates rose to a 45 year high. The value of our output was unprecedented and the hectic activity of the first quarter, when the demands for bank loans for expansion far exceeded the available money supply, indicated the need for a tax bill.

The Administration decided instead to rely primarily upon persuasion and the restraints on credit being imposed by the Federal Reserve Board. For the first six months that program was too little and too late. After mid-year, when monetary restraints increased in severity, slowing down some vital sectors of industry, such as housing, the Administration criticized the tight money policy of the Fed and pledged itself to lower interest rates.

The financial gloom of the late summer and early fall was relieved in part by the action of the Fed in opening the discount window to banks with certificate of deposit problems and in part by the Administration's five point anti-inflation program. Bond prices rallied. In fact, the market in January of this year for private as well as government bonds was strong.

Unfortunately, the psychological effect of anti-inflation promises that created confidence have not been translated into action. As I have said, cross currents are developing that cause concern.

One of them is the cost of the war in South Vietnam. It will be far more than the public realized last spring. And if we comply with the need, voiced by some of our top military experts, for an additional 100,000 ground troops the cost will be substantially above the figure carried in the budget that was sent to the Congress last month. Present plans seem to contemplate 18 more months of war at a cost of about twenty billions per year. In the opinion of military experts that would be just a holding action, barring, of course, some unforeseen contingency.

Our military leaders don't think that we can rely on Russia to bring North Vietnam to the conference table. What the Congress is willing to spend in behalf of a military victory is what those who try to predict economic trends don't know.

There are other major factors that they don't know. Will there be a tax bill and a substantial curtailment in government expenditures for domestic purposes? If a tax bill is passed, how much of its anti-inflationary effect will be offset by an easier money policy of the Federal Reserve?

The present indications are that action on a requested increase in social security taxes and an increase in government expenditures will precede action on an income tax bill. The proposal to increase social security pensions is popular and will be passed, accompanied by some increase in the social security tax rate. There is no clear indication as to what the Congress will do about other government expenditures and passage of the President's tax proposal. Based upon the pro and con views so far expressed by Congressional leaders, those of us, now on the sidelines, are entitled to guess that there will be some, but no major, cut in funds for the war on poverty and other domestic programs and that chances for the tax bill would be about 50–50.

It seems likely that government spending in 1967 will be at a rate that would mean increased consumer spending, more people at work, higher take-home pay and more household formations. That would help to offset possible drops in construction (other than housing), auto sales and inventory accumulation. While new housing starts will undoubtedly not go back to the 1965 level, the current easing of interest rates and the government support of home mortgages will give a substantial boost to home builders during 1967.

Expected drops in investment spending and inventory buildup are economic cross currents that cause concern. Another concern will be prices and wages which in turn will affect corporate profits. Even with the aid of a tax bill, the financing of the proposed budget will involve substantial government borrowing, through sale of participation certificates and direct Treasury obligations. With relatively full employment, this deficit financing will have an inflationary effect on prices. Cost-of-living escalator clauses, built into wage contracts, will push up wages and squeeze corporate profits. The suspension of the investment tax credit, increased costs of raw materials and a possible surtax on taxable income are other factors to be considered.

It's a fair guess, therefore, that corporate profits, after taxes, will be less in 1967 than in 1966.

In summary, you bankers will face continuing demands for loans, but with much increased knowledge and some increase in loanable funds with which to cope with those demands. Personally, I have great confidence in your ability to underwrite the economic development of your respective communities provided the government assures you sound money with which to deal and a continuation of fair laws under which to operate.

I enjoyed the part I was privileged to play in the formation of our present bank laws and welcome this opportunity to thank you and all the bankers of the nation for the wonderful cooperation that you gave me in that undertaking. I shall miss those contacts but shall never forget them.

It is your good fortune that the new Chairman of the Senate Banking and Currency Committee is an exceptionally fine and able man—John Sparkman of Alabama. You can depend upon his interest in your welfare and upon his fairness.

No effort to interpret economic trends in our country would be complete without reference to economic conditions in the rest of the world. Long before the development of intercontinental missiles, modern technology had wiped out boundary lines and brought the major nations of the world jostling together. In that process the world has developed a better understanding of the Parable of the Good Samaritan. Twenty developed countries, with less than a fifth of the world's population, produce and enjoy more than half the world's wealth. We expect a fairly prosperous 1967 and so do the major industrial countries. But millions of people in the world face an acute food problem and millions have a per capita income of $100 per year or less.

With the hope of preventing an atomic war in which civilization as we have known it would be destroyed, we combined in 1945 a moral duty to fellowmen, with enlightened self-interest, when we sponsored the creation of an International Monetary Fund and World Bank to help rehabilitate war-torn countries and assist in the economic development of others. Two years later we adopted our own foreign aid plan under which we have loaned and given away, including military aid, about $122 billion. For reasons that need not here be elaborated, our unilateral foreign aid program has not been as efficiently handled nor as successful in results as that of the World Bank.

Its 105 member governments have subscribed its capital of $22 billion, and have paid in about $2 billion of cash. After careful and painstaking examination, the World Bank makes long-term loans for projects in such fields as transportation, electric power, agriculture and education. More often than not, the projects it lends for are large in scale; its average loan is about $50 million. The Bank lends both to governments and private borrowers, but in either case it expects to get its money back with interest. It lends for projects in countries prosperous enough to pay the Bank's interest rate, which at the moment is 6 per cent. It has made about 1,000 loans in 79 countries, on which there have been no defaults.

The countries on the lower rungs of the development ladder, which are unable to attract sufficient investment on conventional terms, must depend largely on external aid given on special terms. With these nations in mind, the member countries of the Bank created the International Development Association, which now has 96 member governments. The Association combines a banker's glassy eye with a philanthropist's tender heart. It follows World Bank standards in appraising the projects it supports; but it gives its help on "soft" or easy financial terms—at no interest and with 50 years to repay. Up to now, IDA has made its loans in 24 countries. Most of its credits have been made in the least developed countries of Asia; and it has a long list of potential clients in the newly independent countries of Africa. During the first 7 years of its life, up to now, IDA has had $1.7 billion of usable funds from its member governments, and the most encouraging phase of that type of international cooperation is the fact that our subscription of about 32 percent has generated the additional 68 percent among the other 95 nations in the program. Its resources need to be replenished this year, and the American participation in this replenishment will be one of the pieces of business coming before the current session of Congress.

One of the Bank Group's major objectives is to mobilize private investment for economic development. It does this partly through the Bank itself, which augments its capital through borrowings in the world's capital markets. These borrowings by the Bank are now outstanding in the amount of over $2.8 billion. Another important objective of the Group is to encourage the growth of private initiative and production; it has invested a billion and a half dollars in private enterprises. To put an even sharper edge on this effort, the member countries created the International Finance Corporation, which works exclusively in the private sector, helping to shape new enterprises, providing them with equity and loan capital from its own resources, and bringing in other capital, managerial assistance and technical advice from abroad. The Corporation has 83 member governments and financial resources of $500 million. It is particularly active, naturally, in countries where sufficient private savings and private entrepreneurship exist as the basis for continuing industrial development. So far the Corporation has invested in about 35 of its member countries. While it has investments in all the underdeveloped regions, it is no accident that more than 60 percent of its investments are in Latin America, where levels of income and entrepreneurship are higher than elsewhere in the less developed continents.

In addition to sponsoring international cooperation through the World Bank and its two subsidiary corporations, we have sponsored, for help in developing South America and Asia, organizations somewhat similar to IDA.

In view of the fact that the population of the developing countries has been increasing at the rate of 40,000,000 per year, the task of even feeding those hungry hordes is herculean. Nevertheless, it is one on which the 20 percent of the world's population that has 50 percent of the world's wealth should cooperate in solving; but based, as the President said in his budget message, upon: "more effective self-help measures by recipient countries."

To that I would add that the advice to the American people on the subject of international cooperation by our great World War I leader, Woodrow Wilson, is even more vital today than it was in 1923. Deploring the national trend after World War I to materialism and isolation, Wilson predicted another and more costly world war, concluding his appeal for international friendship and cooperation by saying:

"The sum of the whole matter is this—if our civilization is to survive materially it must be redeemed spiritually; it must become imbued with the spirit of Christ and made free and happy by the practices that spring from that spirit. Only thus" said he "can discontent be driven out and the shadows lifted from the road ahead."

I know of no industrial group in our nation that will more fully measure up to that moral responsibility than our bankers.

LEGISLATIVE REORGANIZATION ACT OF 1967

The **VICE PRESIDENT**. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (S. 355) to improve the operation of the legislative branch of the Federal Government, and for other purposes.

ORDER OF BUSINESS

Mr. **LONG** of Louisiana. Mr. President, I ask unanimous consent that, without prejudice to the rights of those to whom time is assigned under the unanimous-consent agreement, the Senator from West Virginia [Mr. BYRD] may proceed for 10 minutes.

The **PRESIDING OFFICER**. Is there objection to the request of the Senator from Louisiana? The Chair hears none, and it is so ordered.

VIETNAM—THE NEED FOR FIRMNESS

Mr. **BYRD** of West Virginia. Mr. President, last week more than 2,000 churchmen came to Washington and marched on the White House in a demonstration for military deescalation in Vietnam and an all-out drive for a negotiated peace.

Following their appearance before the White House, the protestors then marched to the Capitol, where individual members visited Senators and Representatives from their home States. A group of West Virginia clergymen visited my office to urge deescalation of our military efforts, and I was glad to have the opportunity to listen to them. I also stated my own position—that not only do I believe it is unwise unilaterally to reduce our military efforts in southeast Asia at this time, but that I also believe firmly increased pressure will be more fruitful in ending the war sooner and thus save lives of American servicemen. The West Virginia clergymen were very courteous, very patient, and very reasonable. They were genuinely and rightfully concerned, as we all are, and I feel that our discussions were helpful and contributed to a better understanding on the part of everyone present.

I have advocated stepped up bombing of military targets in North Vietnam as recommended by our own military experts. I am convinced that demonstrations and demands to stop bombing have given the world a mistaken impression of weakness and irresolution on the part of the American people, so much so that the Communists have been persuaded to avoid the peace table in the expectation of our ultimate withdrawal because of pressures at home.

To me, it seems incredible that those critics of our Vietnam involvement who constantly exhort our Government to call off the bombing, cannot see for themselves that to accede to their demands means the giving of comfort to our enemies and, in a cumulative process, encouraging the Communists to refuse to participate in peace talks, believing that we shall eventually seek peace at any price.

It seems incredible, moreover, that Americans, well meaning though they often doubtlessly are, can be mesmerized by the distorted tales of atrocities and damages circulated by the Communists without stopping to remember that it is these same Communists who have brutally terrorized, mutilated, butchered, and murdered their fellow men for purposes of seizing political power in South Vietnam. While deploring loss of civilian lives in bombing raids and calling for cessation of American bombing flights over North Vietnam, many Americans apparently close eyes to the fact that the Vietcong have deliberately planned the location of military stores and military installations in civilian areas out of cold calculation that American softheartedness and humanitarianism will prove to be an excellent guarantee of their safety for later use against innocent civilians in South Vietnam as well as against military personnel serving as protectors of that embattled nation. These people fail to note the methods of the Vietcong and the North Vietnamese collaborators who murder innocent villagers to achieve terrorized compliance by those left alive. Yet the statistics on such murders are steadily increasing in those areas controlled or contested by the Vietcong.

It also seems incredible that at this time, when there have appeared in the atmosphere some stirrings of hopeful change, many well-intentioned people are insisting that our Government stop the bombings and beg for talks. The one thing above all that the Communists have grown to respect is resolute force. The firmness with which our Nation has pressed its military course, including U.S. bombing of North Vietnam, may now actually be producing the desired effect of making the Communists count the costs of their brutal assault on South Vietnam. Any real hope for peace in southeast Asia cannot arise from American weakness in sustaining its commitments, but instead must depend upon our strength and our determination to use that strength to hit the enemy hard and where it hurts. To do otherwise in this conflict, which is one of wills as well as steel, would be to assure that the months of hard effort, the expenditure of treasure, and the heartbreaking loss in American lives have been in vain.

Mr. President, I believe that now is the time for the American people to stand united behind their President, and to indicate by their words and by their actions that they support the President in his dedication to firmness in dealing with the Communists and their effort to terrorize, exploit, and subjugate the people of South Vietnam.

I am fearful that the President and the people who work closely with him may get the mistaken impression that the American people indeed are not behind President Johnson. He is our Commander in Chief, and I think that the day is now here when the great majority of the people, who undoubtedly support the President in this effort, should make their voices heard and not let that small but determined and highly articulate minority, who are constantly exhorting the President to stop the bombing and sue for peace, create the delusion abroad that our Nation is not backing its leader.

Mr. President, I stand behind the President. I have not always agreed with him. I have opposed him on some of his domestic programs. However, he is the Commander in Chief, and I intend to stand by him and give him my utmost support regarding the war in Vietnam. Wherever I can speak out in support of the President's position in pressing that war with firmness and determination and steadfast purpose, I am going to do it. I think the world has been given a distorted picture as to where the American people stand on this issue simply because of the highly publicized statements of just such persons as Bishop Pike who, only yesterday, was reported to have urged conscientious objection on a mass basis. Bishop Pike sought to blame the President for the fact that negotiations have not occurred, and suggested that our country's young men should refuse to go into the Armed Forces. If I have any criticism of the President in regard to Vietnam, it would be, in my judgment, that he has too often repeated his desire to negotiate.

I think that it is well that the world

know that our President wants peace. I think it is well that the world realize he is willing to go to any place and sit down with any responsible authority at any time in an effort to reach some kind of peaceful solution to the situation in Vietnam.

Yet, I am afraid that we have indicated this so often that the Communists feel that we are literally falling over ourselves to get to the peace table, and that we do not have the stomach to see this thing through.

For my part, we have indicated clearly enough our desire for peace. The President has done his best, but there has been no desire from Hanoi to negotiate, and the President's position has been made more difficult by Bishop Pike and others who present our image abroad as a divided country, thus delaying negotiations, prolonging the war, and lengthening the casualty lists.

I believe there should be less talk, openly at least, regarding negotiations. We should stand united behind the President, and we should let the world know that we intend to keep our commitment. Perhaps Hanoi will then see the necessity and wisdom of seeking peace.

Mr. LONG of Louisiana addressed the Chair.

The PRESIDING OFFICER (Mr. Stennis in the chair). Who yields time?

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that I may proceed for 1 minute.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 1 minute.

Mr. LONG of Louisiana. Mr. President, I salute the Senator from West Virginia [Mr. Byrd] for the very fine statement he has made and I associate myself with him. I am sure that his statement represents the feeling of the majority of Senators.

Mr. STENNIS subsequently said: Mr. President, earlier in the day the Senator from West Virginia [Mr. Byrd] made a very valuable statement about the war in Vietnam and our position in connection therewith. I wish to commend the Senator from West Virginia for that statement, and I associate myself with him in those remarks.

Mr. ERVIN. Mr. President, will the Senator yield to me? I shall require 2 minutes.

Mr. LONG of Louisiana. Is the Senator going to speak on the pending amendment?

Mr. ERVIN. No.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Senator from North Carolina [Mr. Ervin] may proceed for 2 minutes.

The PRESIDING OFFICER (Mr. Byrd of Virginia in the chair). Without objection, it is so ordered.

THE PROPOSED CONSULAR TREATY WITH RUSSIA

Mr. ERVIN. Mr. President, I am opposed to the Senate ratification of the proposed Consular Treaty with Russia for two reasons.

My first reason is that the ratification of such treaty by the Senate would tend to impair the image of the United States both at home and abroad. Instead, it is really inconceivable that the ratification of this treaty would even improve our standing in Russian eyes.

The United States now has between 300,000 and 400,000 of the members of its Armed Forces stationed in South Vietnam. These forces are engaged in mortal combat with the Vietcong and the infiltrated forces of North Vietnam. In the conflict now raging in southeast Asia, more than 7,000 American boys have suffered battle deaths and more than 40,000 have sustained wounds in combat.

Where did the Vietcong and the infiltrated North Vietnam forces obtain the weapons with which they killed and maimed these American boys?

As is well known both at home and abroad, a major portion of these weapons were furnished to the Vietcong and the infiltrated North Vietnamese by Russia. Available information indicates that more than $2 billion worth of military supplies, weapons, and munitions have been furnished by Russia during the past 2 years to North Vietnam. Moreover, Russia has trained hundreds of pilots for the North Vietnam Government. Furthermore, there is reason to believe that Russian technicians are now in Vietnam training missile crews to destroy American planes and the lives of American pilots.

As a matter of fact, the fighting in southeast Asia would come to a speedy close and the killing and maiming of American boys would soon end if Russia would quit furnishing military supplies, weapons, and munitions to North Vietnam.

It is to be noted, moreover, that only a few years ago Russia furnished to Castro in Cuba, an island only 90 miles from our coast, missiles of sufficient power to destroy many of our major cities, and removed them only when the United States made it plain to the men in Moscow that it would go to war if necessary to prevent the destruction of American civilians by those missiles. Today the people of Cuba are still enslaved by the Castro government, which would topple and fall and thus insure freedom to the Cuban people if Russia would desist from maintaining the Castro government by the lavish gift of Russian money.

If the United States is going to enjoy the respect of its own citizens and the respect of the free world—indeed, the respect of the Communist world—it must create in their minds an image of a nation which has stability of character and resoluteness of purpose.

Manifestly, the United States cannot create this image either at home or abroad if it cottons to Russia at a time when Russia is furnishing the weapons and munitions to slay and maim American boys in southeast Asia and is keeping the people of Cuba in bondage to the Castro government.

My second reason for opposing the ratification of the proposed Consular Treaty with Russia arises out of paragraph 2 of article 19, which provides that—

> Consular officers and employees of the consular establishment who are nationals of the sending state shall enjoy immunity from the criminal jurisdiction of the receiving state.

This provision is without precedent in American history. The United States has diplomatic and consular arrangements with 110 nations, and none of these arrangements grants to consuls or their employees complete immunity from criminal punishment for all of the crimes they commit. To be sure, there are a few consular treaties which give foreign consuls and their employees immunity from punishment for petty criminal offenses; that is, misdemeanors. But there is not a single consular arrangement now in existence which grants consuls and their employees complete immunity from all criminal offenses no matter how grave they might be.

In the proposed Consular Treaty with Russia is ratified by the Senate, Russian consuls and all their employees who happen to be Russian nationals, would be exempt from any criminal punishment whatever for any crimes they might commit in the United States in violation of acts of Congress or the laws of any of the 50 States. Consequently, a Russian consul or his employee, if a Russian national, could murder the President of the United States or any other American under any circumstances; and rape any woman in the United States; and steal the property of anybody in the United States; and engage in espionage and be wholly exempt from any criminal trial or any criminal punishment for so doing.

This provision would nullify for the benefit of Russia alone an act of Congress which was adopted on April 30, 1790, and which grants immunity from criminal punishment only to ambassadors and public ministers of foreign states and their servants. This is in accord with the law of nations which has long prevailed.

Why should the United States break all its previous precedents and extend total criminal immunity to Russian consuls, who are commercial agents rather than diplomatic officers, and all Russian consulate employees who happen to be Russian nationals?

The history of the United States during the past 20 years reveals that some 40 diplomats and consulate officials of Russia and her satellites have been caught spying in the United States and have been expelled from the United States for so doing. Since spying is an act committed in the utmost secrecy, it is reasonable to assume that for every act of spying which is detected, there are hundreds of acts of spying which remain undiscovered.

To be sure, the establishment of a single Russian consulate in the United States would not bring many additional Russian nationals into the United States. However, it is well to remember that a single additional spy might possibly discover and transmit to Russia secrets upon which our national survival may depend.

For these reasons, I cannot find anything in my mind or heart or conscience which will justify my voting to ratify the proposed Consular Treaty with Russia.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Oklahoma yield me 5 minutes on another subject?

Mr. MONRONEY. We have no time to yield on the bill but, Mr. President, I ask unanimous consent that the distinguished Senator from Delaware [Mr. WILLIAMS] may proceed for 5 minutes, the time not to be charged to either side on the pending amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONVICTS QUALIFYING FOR FEDERAL SERVICE

Mr. WILLIAMS of Delaware. Mr. President, today, I call attention to a situation whereby under a series of new regulations issued by the Labor Department, a convict can, solely as the result of his work while serving a prison sentence: First, establish his eligibility for unemployment benefits; second, qualify for social security benefits; and third, under certain circumstances have the time he served in prison counted as Federal service for the purpose of increasing his pension under civil service retirement.

Heretofore, Federal prisons have been recognized as places of punishment for persons after their conviction of a crime to society. The Great Society, however, has now adopted an entirely new approach to the criminal, an approach where the fringe benefits may partially offset the punishment of confinement.

In fact, so much is being said about protecting the crimnial that we are losing sight of the rights of the victims of the crimes.

As a part of this new philosophy the Department of Labor on June 27, 1966, issued a Special Bulletin No. 33. This bulletin dignified the work performed by a convict while serving his sentence by classifying such work as Federal service. It has far-reaching effects—effects far beyond those of classification of services.

For example, as the result of this new regulation prison work is now recognized as though the work were performed in the regular labor force with the result that a convict can now establish eligibility for unemployment benefits and increased pension benefits while serving time in prison.

Secretary Wirtz recently confirmed the unemployment benefits by stating:

> Since employment under the provisions of the Prisoner Rehabilitation Act of 1965 and Schedule A established by the U.S. Civil Service Commission is "Federal service" under title XV of the Social Security Act, it would be considered in the same manner as any other Federal service in determining entitlement for unemployment compensation for Federal employees.
>
> It is theoretically possible that upon release from prison, a claimant may establish entitlement to benefits under a State unemployment insurance law or the UCFE law based entirely on his "work release" employment and wages earned in private industry or a Federal job while serving his prison sentence.

I ask unanimous consent to have printed in the RECORD a copy of Bulletin No. 33, dated June 27, 1966, as published by the U.S. Department of Labor.

There being no objection, the bulletin was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF LABOR,
BUREAU OF EMPLOYMENT SECURITY,
Washington, D.C.

UNEMPLOYMENT COMPENSATION FOR FEDERAL EMPLOYEES, BULLETIN NO. 33, JUNE 27, 1966

To: All Federal agencies.
From: Robert C. Goodwin, administrator.
Subject: Coverage Under Title XV of the Social Security Act of Inmates of Correctional Institutions Appointed by Federal Agencies Under the Provisions of the Prisoner Rehabilitation Act of 1965

Pursuant to its authority under the Social Security Act, the Department of Labor issued its ruling on May 17, 1966, that an inmate of a Federal penal or correctional institution who is appointed to a Federal position prior to his release from the institution and who is permitted under the Prisoner Rehabilitation Act (PRA) of 1965, Public Law 89–176, to perform services outside the institution, performs "Federal service" and receives "Federal wages" within the meaning of section 1501 of the Social Security Act for purposes of the Unemployment Compensation for Federal Employees (UCFE) Program.

The U.S. Civil Service Commission's Federal Personnel Manual (FPM) Letter 213–8 explains the new schedule A authority available to Federal agencies to facilitate employment of prisoners under the work release provisions of the PRA of 1965. Prisoners who within 6 months will be eligible for release or parole and who otherwise meet the eligibility conditions prescribed can be given initial Federal appointments of up to 1 year's duration after release from custody.

Please insure that Federal agency personnel responsible for processing Forms ES–931, Requests for UCFE Wage and Separation Information, and other UCFE program documents received from State employment security agencies, understand that the employment performed in a PRA work release program by a Federal prisoner in the period covered by the initial schedule A appointment is "Federal service" for UCFE program purposes and item 1a on Form ES–931 should be completed accordingly (see facsimile of Form ES–931 in section 330.1, *UCFE Instructions for Federal Agencies*).

Mr. WILLIAMS of Delaware. Mr. President, next I ask unanimous consent to have printed in the RECORD a copy of my letter of January 11, 1967, addressed to the Honorable W. Willard Wirtz, asking certain questions as to the effects of this ruling, and a copy of his reply thereto, dated January 31, 1967. This letter of Secretary Wirtz' confirms that a prisoner can establish eligibility for unemployment benefits under a State unemployment insurance law or the UCFE law, based entirely on his work while serving his prison sentence.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, D.C., January 11, 1967.

Hon. W. WILLARD WIRTZ,
Secretary of Labor,
Washington, D.C.

MY DEAR MR. SECRETARY: U.S. Department of Labor Bulletin No. 33, dated June 27, 1966, has been called to my attention. This bulletin deals with coverage under Title XV of the Social Security Act.

In connection with this new ruling I would appreciate the following additional information:

1. Does this ruling mean that inmates of federal penal or correctional institutions are now eligible for appointment to a federal postion prior to their release from serving their sentences?

2. Does this mean that labor performed by these inmates during their prison sentences will be counted as regular employment for the purpose of establishing eligibility for unemployment compensation under the UCFE?

(a) If so, is it theoretically possible for a prisoner to establish such eligibility whereby he could immediately upon release from prison start drawing unemployment benefits which were earned in their entirety while he was serving his prison sentence?

3. Does this new regulation mean that the time served while a prisoner of a federal penal or criminal institution can be counted toward establishing eligibility for social security benefits when computing the number of quarters required in the working force?

Yours sincerely,
JOHN J. WILLIAMS.

U.S. DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, January 31, 1967.

Hon. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: Thank you for your January 11, 1967 letter requesting additional information about UCFE Bulletin No. 33, dated June 27, 1966. This Bulletin sets forth a ruling under title XV of the Social Security Act (now 5 USC, 8501 et seq.) that inmates of Federal penal institutions appointed to Federal jobs prior to release or parole from such institutions perform "Federal service."

The Prisoner Rehabilitation Act of 1965, provides for work furloughs under which Federal institutional inmates expected to be released or paroled within six months may be gainfully employed in nearby communities in labor shortage occupations while continuing as prisoners of the institutions. Policies and procedures are established by the Bureau of Prisons, U.S. Department of Justice, for selecting the inmates to be admitted to work release status under the Act.

The U.S. Civil Service Commission established new Schedule A appointive authority (Section 213.3102(x), Federal Personnel Manual) to facilitate Federal agency employment of the inmates selected under the work release provisions of the Prisoner Rehabilitation Act of 1965. Federal employment resulting from the Civil Service Commission's implementation of the Act made it necessary for this Department to issue the ruling described in UCFE Bulletin No. 33 to clarify the unemployment insurance status of such individuals.

In answer to your Question 1, it is not this Department's ruling that makes the individuals eligible for Federal employment. Our ruling merely recognizes that inmates of Federal penal or correctional institutions who are appointed to Federal positions prior to their release are performing "Federal Service" for "Federal wages" under title XV of the Social Security Act.

In answer to your Question 2, since employment under the provisions of the Prisoner Rehabilitation Act of 1965 and Schedule A established by the U.S. Civil Service Commission is "Federal Services" under title XV of the Social Security Act, it would be considered in the same manner as any other Federal service in determining entitlement for unemployment compensation for Federal employees.

It is theoretically possible that upon release from prison, a claimant may establish entitlement to benefits under a State unemployment insurance law or the UCFE law based entirely on his "work release" employment and wages earned in private industry or a Federal job while serving his prison sentence. The purpose of the "work release" employment, however, is to serve as a bridge to reentry of prisoners into continuing employment upon release from prison.

The third question presented in your letter is one which is properly answerable by the Social Security Administration in the Department of Health, Education, and Welfare. Therefore, I have referred your letter to that Department and requested that you be advised as to whether "the time served while a prisoner . . . can be counted toward establishing eligibility for Social Security benefits when computing the number of quarters required in the working force."

I appreciate this opportunity to be of service to you.

Sincerely,

W. Williard Wirtz,
Secretary of Labor.

Mr. WILLIAMS of Delaware. Mr. President, this regulation likewise has the effect of permitting the convict to establish eligibility for social security benefits solely as the result of work performed while serving his prison sentence.

The Department of Health, Education, and Welfare has confirmed that under the new regulations interpreting the Prisoner Rehabilitation Act of 1965 their work will be counted to establish eligibility for social security benefits in exactly the same way as it is for nonprisoners.

Just how this will work with a convict serving a life sentence is a question to which I as yet have not had an answer; however, it would appear that this convict, once having established his eligibility for social security benefits, may be able to collect his social security check as extra spending money while serving the remainder of his life sentence.

I ask unanimous consent to have printed in the Record a letter dated February 2, 1967, signed by Mr. Alvin M. David, Assistant Commissioner for Program Evaluation and Planning, Department of Health, Education, and Welfare. This letter confirms that prisoners can establish social security benefits as the result of work performed while serving a prison sentence.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Department of Health, Education, and Welfare, Social Security Administration,
Baltimore, Md., February 2, 1967.

Hon. John J. Williams,
U.S. Senate,
Washington, D.C.

Dear Senator Williams: This is in response to your telephone call to Robert J. Myers on February 2 in regard to whether prisoners of Federal prisons have social security coverage when they are working outside the prison under the terms of the Federal Rehabilitation Act of 1965.

We have checked into this matter with both our legal staff and with Mr. Myrl E. Alexander, Director, Bureau of Prisons, Department of Justice, and I can inform you that social security coverage applies to these individuals in exactly the same way as it does to non-prisoners. Specifically, most of these prisoners are working outside of the prison for private employers and they are paid wages in the same manner as other persons (and similarly have social security deductions as well as income tax withholding in the same manner). A few of these prisoners are employed by the Federal Government under appointments that in essence are temporary appointments. These latter individuals are covered under social security just as are non-prisoners under similar appointments.

Sincerely yours,

Alvin M. David,
Assistant Commissioner for Program Evaluation and Planning.

The PRESIDING OFFICER. The time of the Senator from Delaware has expired.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent to proceed for 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WILLIAMS of Delaware. Mr. President, as if unemployment and social security benefits were not sufficient we find that the U.S. Civil Service Commission has likewise joined this parade of granting these fringe benefits. I refer to Schedule A of this agency—section 213.3102(x), Federal Personnel Manual.

Under this schedule, it is theoretically possible for a prisoner to increase his benefits under the civil service retirement system in this manner:

Suppose Mr. A is working while serving a 2-year term in prison. If after release from prison this individual obtains a job in the Federal Government whereby he would be eligible to participate in civil service retirement he could, after working several years in Federal employment, use the 2 years of prison work to add to his Government work and be eligible for retirement benefits based on the total years of employment.

Another example—Mr. B. had 20 years of service with the Government prior to his prison sentence. During his 3-year term in prison he worked under this new classification "Federal service." Under the regulation this individual would not be permitted to add the 3 years to his previous Government service record, but instead the 3 years would be counted as a contributing factor toward establishing his eligibility under social security benefits.

However, if this same Mr. B, with 20 years of prior Government service and 3 years of "Federal service" established while serving time in the Federal penitentiary, upon leaving the penitentiary were to go back into Government service and work a minimum of 1 year, he could then have his retirement benefits computed based on the full 24 years, which would include the 3 years of work while serving a prison sentence.

During the past 4 years this Great Society has advanced some rather farreaching proposals but without a doubt this is the most fantastic concoction of them all.

When we stop to consider that under this new regulation criminals can establish eligibility for unemployment benefits or increase their pension rights solely as a result of serving time in a penitentiary, it is about time that the American people stop and ask the simple question, "How much further are they going down the road to protect the rights of the criminal, and is it not about time that somebody gave some thought to the rights of the 190 million law-abiding American citizens, who not only suffered as the result of the criminal acts of these individuals but also as taxpayers will be paying for these fringe benefits of a jail term?"

I ask unanimous consent to have printed in the Record a letter which I received from the Director of the Bureau of Retirement and Insurance of the Civil Service Commission.

There being no objection, the letter was ordered to be printed in the Record, as follows:

U.S. Civil Service Commission,
Bureau of Retirement and Insurance,
Washington, D.C., February 7, 1967.

Hon. John J. Williams,
U.S. Senate.

Dear Senator Williams: This is in response to your telephone request of February 1, 1967, for information concerning civil service retirement credit for employment in Federal agencies under the work release provisions of the Prisoner Rehabilitation Act of 1965.

Since a prisoner employed in a Federal agency under this program is appointed for a period not to exceed one year, he is not covered under the Civil Service Retirement System during such employment and may not derive title to any retirement benefit by virtue of such employment. However, because this employment is Federal service, it is creditable for retirement purposes if after discharge from prison the individual is employed as a regular Federal employee subject to the civil service retirement system.

Specific answers to your questions are:

1. The prisoner earns no civil service retirement benefits through Federal employment under the work release program if this is his only Federal service.

2. If he has been a regular Federal employee under the retirement system before his conviction, Federal service under the work release program may not be added to his length of service.

3. If he is a regular Federal employee under the work release program, work release service in a Federal establishment is creditable for retirement purposes.

4. If he has regular Federal employment under the retirement system both before and after employment under the work release program, such employment in a Federal establishment is creditable for retirement purposes.

Sincerely yours,

Andrew E. Ruddock,
Director.

Mr. YOUNG of Ohio. Mr. President, will the Senator from Oklahoma yield to me for 1 minute?

Mr. MONRONEY. Mr. President, I ask unanimous consent that the Senator from Ohio may proceed for 1 minute, with the time not to be charged to either side on the pending amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROFOUNDLY CONCERNED

Mr. YOUNG of Ohio. Mr. President, Gov. George Romney stated recently:

> I never talk politics on Sunday.

Well now, should he be elected President of the United States next year, who will keep the store on Sunday? In other words, would our Nation be expected to run itself every Sunday? For a Governor of a great State to issue such a sanctimonious statement causes one to wonder whether our Nation would need him the other 6 days.

Frankly, Governor Romney did not increase his stature as a presidential possibility when he announced his Vietnam policy to a breathless audience. He said:

> I have been following it as closely as a man can follow it in the position I have been in. And I have been there. I've had briefings and I've read and I've talked with people outside of this Nation who have had experience closest to ours and I just want to say to you that I am profoundly concerned about the situation in Vietnam.

LEGISLATIVE REORGANIZATION ACT OF 1967

The Senate resumed the consideration of the bill (S. 355) to improve the operation of the legislative branch of the Federal Government, and for other purposes.

Mr. MONRONEY. Mr. President, I yield myself 2 minutes.

Within about 10 or 15 minutes the Senate will vote again on one of the Clark amendments, and many Members of the Senate, I am afraid, feel that it is their last chance to vote on rules for the Senate affecting alleged derelictions of Members of the Senate or its employees.

Nothing could be further from the truth. I know the distinguished author of the amendment has not attempted to say that this is a last chance operation. I am sure he knows, as most Senators know, that a committee was specifically created by the Senate to look into these matters. After this type of amendment and other amendments had bogged down because of lack of agreement by a majority in the Senate Rules Committee, the distinguished Senator from Kentucky [Mr. Cooper] proposed the establishment of the Committee on Standards and Conduct.

There then was set up such a committee, a bipartisan committee, composed of an equal number of Senators from each party, which is, and which will be, engaged in formulating, after proper committee hearings, rules and regulations that will affect the standards and ethics of Members and employees of the Senate.

I think any Senator who has been around here for some time knows it is better to have committee consideration, where witnesses can be heard and where the full benefit of the staff can be realized, than to try to write an intricate bill on the floor of the Senate.

The distinguished Senator from Mississippi [Mr. Stennis] is chairman of that committee. The vice chairman is the distinguished Senator from Utah [Mr. Bennett], who has spoken on this matter.

We feel that if they are given an opportunity, rather than having this matter jerked out from under them by putting it in a bill where it does not belong, we will have legislation this year, and we have been promised that by the chairman of the committee, the Senator from Mississippi [Mr. Stennis].

Mr. President, I do not intend to take any more of my time. I am glad to yield 2 minutes to the Senator from Delaware [Mr. Williams], who has asked me for time.

Mr. WILLIAMS of Delaware. Mr. President, last night I outlined why I oppose this Clark amendment and pointed out why I think that at this particular time it would be unwise to adopt it. We now have a situation in which one of our colleagues is under investigation by the Ethics Committee and the adoption of this amendment could affect the final outcome of that case. Let us examine the amendment; I quote from section 1:

> No Member of the Senate or any officer or employee of the Senate may accept—
>
> (a) at any time from any individual, entity, or enterprise which is engaged in lobbying activity any gift of money, property, entertainment, travel, or any other valuable consideration in an amount or having a value in excess of $100.

Then the term "lobbying activity" is defined on page 4 of the amendment:

> The term "lobbying activity" means any activity undertaken by any person other than a Member of the Congress to influence directly or indirectly the introduction, passage, defeat, amendment, or modification of any legislative measure in either House of the Congress.

It is clear that if we adopt this amendment we shall be saying from this time on no one can accept an amount in excess of $100, but under the amendment a Member can accept up to $100 from any person who is trying to influence, directly or indirectly, his decision on a legislative proposal.

Why? Why put a cloak of respectability on $100 gifts? There is no such thing as a $25, $50, or $100 gift to a public official—let us face it, they are payments for services rendered or expected to be rendered.

If this provision were adopted there would be nothing to prevent a public function from being sponsored under the guise of honoring a Member of the Senate, with tickets distributed on the basis of $50 or $100 "gifts." What would prevent the proceeds of that dinner from being turned over to the Member of the Senate as gifts and therefore tax exempt. Since it is now agreed that this is in direct contradiction to the existing law—why was this amendment offered at this time?

In my opinion, the acceptance of money or gifts or payments of any amount of any description, which are made to a public official for the purpose of influencing his decisions are illegal under existing law and should not be condoned under any circumstances. What we need is not more rules or laws but more enthusiasm to enforce the existing laws.

If the amendment is adopted it would leave the impression that the Senate of the United States does not feel that under existing law there is any prohibition against such payments or gifts in any amount—$1,000, $5,000, or whatever it may be. What this amendment does is merely limit the amount to $100.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. WILLIAMS of Delaware. I ask unanimous consent to have 1 additional minute without being charged.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WILLIAMS of Delaware. Since we have existing laws against such payment, then why offer the amendment? This amendment would prejudice the investigation of one of our Members, which is now being conducted by the Committee on Standards and Conduct. The inference could be drawn that this was an expression by the Senate to the Department of Justice that whether or not the allegations against this Member are true, no law has been violated.

As one Member of Congress, I will not accept that premise. I feel we have laws which effectively deal with any public official who violates his public trust in this manner. Let us enforce them.

Mr. MONRONEY. Mr. President, does the distinguished Senator from Pennsylvania care to use any time now?

Mr. CLARK. No; I do not think so.

Mr. MONRONEY. Mr. President, I yield 5 minutes to the distinguished chairman of the Committee on Standards and Conduct.

Mr. STENNIS. Mr. President, yesterday afternoon, as well as before, and last night, too, I fully expressed as clearly as I could the position of the so-called ethics committee in this matter. I explained what we had done and what we hoped to do and gave some expression with reference to the timetable of what our expectations were. But no one should undertake to give an absolute dateline about a matter as important as the hearings we are conducting now, in addition to the rules and regulations we are considering.

There is no use repeating those matters, but I do want to say, with all the emphasis I can, that after hearing a great many matters—and everyone knows how studiously I have avoided saying anything about the Dodd case one way or the other in public or in private, but I am compelled to mention it now as an illustration—being as familiar with the proof and facts as I am in that matter, there is not the slightest doubt in my mind on this question, that the adoption of this amendment, however good the motives may be on the part of Senators who vote for it, could well create inferences or presumptions against Senator Dodd based on those facts.

I have no doubt about that as a lawyer, as one who is familiar with the facts, and as one who has at least some experience in trying to weigh them and pass on facts as a judge. I have not mentioned this matter to the Senator, and he has not to me. How he votes is another matter, but from where I sit on this committee, I would plead with the Senate, just in that case alone, do not come here now, in the midst of a hearing on this vitally important matter, the Dodd case, and pass rules and regulations that can reasonably leave an inference against the man who is being accused.

That is just a common, fundamental element of the American system of right and justice. My opinion—and I have no doubt in my mind—is that it would be injurious to him. The Senator from Delaware [Mr. Williams] has expressed another viewpoint, another approach. I say what I say with all the emphasis I possibly can.

There may be some Senators who have not heard the points that have been made on this subject. I am not arguing against the merits of some of the provisions or sections. I think they have some merit, and I have said so. Certainly these points will be considered by our committee. But when the Senate, in solemn session, agreed to a resolution, and said, "We want the committee to consider this subject and submit to the Senate rules and regulations," certainly the committee has given a full accounting of the use of the time that has elapsed.

If the Senate meant what it said at the time—and I believe it did—I can say that the committee has worked along that line. To suggest now that the committee make a hairpin turn and reverse itself in the midst of hearings involving one of our own Members seems to me to be not only contrary to logic, but unwise and unsound. It would be a reflection upon the Senate itself.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. STENNIS. I will yield if I have time.

Mr. MONRONEY. Mr. President, I yield an additional minute to the Senator from Mississippi.

Mr. SYMINGTON. As I understand the statement of the able Senator from Mississippi, these matters are to be taken up and discussed thoroughly by the select committee of which he has the honor to be the chairman. Then, at the proper time, the committee will submit its proposals to the Senate for approval or disapproval. Am I correct?

Mr. STENNIS. The Senator is entirely correct. The subject is already being considered at great length. Definite plans were in the making when the Dodd matter came along. They include the assistance of outside consultants—some of the best minds in the country—to help to pass on these questions, and also the assistance of any Members of the Senate who desire to help. Certainly that is the plan.

Mr. SYMINGTON. Mr. President, because of my respect for the ability and integrity not only of the chairman, but also of the other members of the committee, I intend to support the position taken by the junior Senator from Mississippi.

Mr. CLARK. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator from Pennsylvania has 10 minutes remaining.

Mr. CLARK. I yield myself as much time as I may require.

I am somewhat startled, Mr. President, to have the name of the Senator from Connecticut dragged into this debate. I think it is an affront to him, and I consider it an affront to myself. On the one hand, the Senator from Delaware says that this is a Dodd amendment, to take the Senator from Connecticut off the hook. On the other hand, the Senator from Mississippi says that if this amendment is adopted, it might be deleterious, in some as yet unexplained way, to the cause of the Senator from Connecticut.

Mr. President, any individual who has ever attempted to practice law in any area of this sort must know that this amendment could not possibly have any effect prejudicial or favorable to the case of the Senator from Connecticut. This amendment, if it were passed, would not become effective until it is passed by the House and signed by the President. We do not have ex post facto laws under our democratic form of government. Thus this amendment would have no retroactive effect on the case of the Senator from Connecticut, either favorably or unfavorably; and I am amazed that such a suggestion should be made by individuals who really ought to be learned in the law—and I know the Senator from Mississippi is learned in the law.

Mr. President, there is no provision in this amendment requiring an intent to bribe. We are not undertaking to usurp any part of the criminal laws of the United States. The suggestion that the amendment would have some bearing on the laws against bribery or extortion is one not worthy of serious consideration.

Mr. President, I ask unanimous consent that section 201 of chapter 11, title 18, United States Code, entitled "Bribery, Graft, and Conflicts of Interest," be printed in the RECORD at this point.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

There being no objection, the statute was ordered to be printed in the RECORD, as follows:

§ 201. Bribery of public officials and witnesses.

(a) For the purpose of this section:

"public official" means Member of Congress, or Resident Commissioner, either before or after he has qualified, or an officer or employee or person acting for or on behalf of the United States, or any department, agency or branch of Government thereof, including the District of Columbia, in any official function, under or by authority of any such department, agency, or branch of Government, or a juror; and

"person who has been selected to be a public official" means any person who has been nominated or appointed to be a public official, or has been officially informed that he will be so nominated or appointed; and

"official act" means any decision or action on any question, matter, cause, suit, proceeding or controversy, which may at any time be pending, or which may by law be brought before any public official, in his official capacity, or in his place of trust or profit.

(b) Whoever, directly or indirectly, corruptly gives, offers or promises anything of value to any public official or person who has been selected to be a public official, or offers or promises any public official or any person who has been selected to be a public official to give anything of value to any other person or entity, with intent—

(1) to influence any official act; or

(2) to influence such public official or person who has been selected to be a public official to commit or aid in committing, or collude in, or allow, any fraud, or make opportunity for the commission of any fraud, on the United States; or

(3) to induce such public official or such person who has been selected to be a public official to do or omit to do any act in violation of his lawful duty, or

(c) Whoever, being a public official or person selected to be a public official, directly or indirectly, corruptly asks, demands, exacts, solicits, seeks, accepts, receives, or agrees to receive anything of value for himself or for any other person or entity, in return for:

(1) being influenced in his performance of any official act; or

(2) being influenced to commit or aid in committing, or to collude in, or allow, any fraud, or make opportunity for the commission of any fraud, on the United States; or

(3) being induced to do or omit to do any act in violation of his official duty; or

(d) Whoever, directly or indirectly, corruptly gives, offers, or promises anything of value to any person, or offers or promises such person to give anything of value to any other person or entity, with intent to influence the testimony under oath or affirmation of such first-mentioned person as a witness upon a trial, hearing, or other proceeding, before any court, any committee of either House or both Houses of Congress, or any agency, commission, or officer authorized by the laws of the United States to hear evidence or take testimony, or with intent to influence such person to absent himself therefrom; or

(e) Whoever, directly or indirectly, corruptly asks, demands, exacts, solicits, seeks, accepts, receives, or agrees to receive anything of value for himself or for any other person or entity in return for being influenced in his testimony under oath or affirmation as a witness upon any such trial, hearing, or other proceeding, or in return for absenting himself therefrom—

Shall be fined not more than $20,000 or three times the monetary equivalent of the thing of value, whichever is greater, or imprisoned for not more than fifteen years, or both, and may be disqualified from holding any office of honor, trust, or profit under the United States.

(f) Whoever, otherwise than as provided by law for the proper discharge of official duty, directly or indirectly gives, offers, or promises anything of value to any public official, former public official, or person selected to be a public official, for or because of any official act performed or to be performed by such public official, former public official, or person selected to be a public official; or

(g) Whoever, being a public official, former public official, or person selected to be a public official, otherwise than as provided by law for the proper discharge of official duty, directly or indirectly asks, demands, exacts, solicits, seeks, accepts, receives, or agrees to receive anything of value for himself for or because of any official act performed or to be performed by him; or

(h) Whoever, directly or indirectly, gives, offers, or promises anything of value to any person, for or because of the testimony under oath or affirmation given or to be given by such person as a witness upon a trial, hearing, or other proceeding, before any court, any committee of either House or both Houses of Congress, or any agency, commission, or officer authorized by the laws of the United States to hear evidence or take testimony, or for or because of his absence therefrom; or

(i) Whoever, directly or indirectly, asks, demands, exacts, solicits, seeks, accepts, receives, or agrees to receive anything of value for himself for or because of the testimony under oath or affirmation given or to be given by him as a witness upon any such trial, hearing, or other proceeding, or for or because of his absence therefrom—

Shall be fined not more than $10,000 or imprisoned for not more than two years, or both.

(j) Subsections (d), (e), (h), and (i) shall not be construed to prohibit the payment or receipt of witness fees provided by law, or the payment, by the party upon whose behalf a witness is called and receipt by a witness, of the reasonable cost of travel and subsistence incurred and the reasonable value of time lost in attendance at any such trial, hearing, or proceeding, or in the case of expert witnesses, involving a technical or professional opinion, a reasonable fee for time spent in the preparation of such opinion, and in appearing and testifying.

(k) The offenses and penalties prescribed in this section are separate from and in addition to those prescribed in sections 1503, 1504, and 1505 of this title. (Added Pub. L. 87–849, § 1(a), Oct. 23, 1962, 76 Stat. 1119.)

Mr. CLARK. Under the criminal law, the intent to bribe, or to exercise undue influence, is an essential element for conviction of that crime. This amendment merely proposes a Senate rule of conduct. It might be considered a partial code of ethics. There is no conflict in the slightest degree between the criminal statutes, which remain in effect, and this particular amendment.

Moreover, Mr. President, the suggestion that $100 gives a hunting license to bribe is, to me, mildly ridiculous. Is there a Member of this body who could be bribed for $100?

The purpose of the $100 provision is very clear. People are asked out to dinner. People are given little Christmas gifts. Most of those gifts are entirely innocent—I would say 99 percent of them are. Are we to be so puritanical that we must say to a U.S. Senator that he cannot accept a total value of entertainment, innocuous gifts, and things of the sort, in one year, of $100, from an individual he happens to be friendly with, and whose intent is perfectly innocent? To me that is an argument hardly worthy of consideration.

So, Mr. President, I hope the Senate will consider this amendment without undue emotion, without feeling that we are attempting to do anything to change the criminal law, and without thinking that there is anything even remotely related to the case of the Senator from Connecticut in this proposal. I hope the Senate will vote on this matter on its merits, without dragging in a lot of issues which have no proper place in its discussion.

Mr. DODD. Mr. President, will the Senator yield?

Mr. CLARK. I am happy to yield to the Senator from Connecticut, on my time.

Mr. DODD. Mr. President, I have never discussed this amendment with the Senator from Pennsylvania until this morning, when I read the RECORD of yesterday, and then only to tell him what he already knew, that, of course, I had never discussed it with him. I do resent, and deeply resent, an effort to make it appear that this is an amendment introduced in my behalf, when I had not been aware of it until within the last 24 hours.

Let the RECORD show that there has been no amendment introduced for me or on my behalf nor have I asked for one. I am perfectly capable of introducing one myself, if I felt that one was necessary at all.

I do not know what is happening around here. I had always understood that fairness and courtesy were part of the custom and tradition of the Senate. But it is rather difficult for a lone Senator to protect himself or defend himself when a matter of this kind is bandied around and about in this fashion.

As I said yesterday, I have tried to conduct myself as I felt I should, since I had asked this committee to look into this affair; but certainly my patience is wearing very, very thin. If I am going to get kicked around every time there is an opportunity on the floor of the Senate, I certainly do not think I will remain silent any longer. I will go to the people and to the Senate, and tell my side of the case, if that is what I have to do and I believe I know how to do it. Maybe I should have done it long ago. Maybe it was a mistake to be so restrained. Many people have thought so. I thought I was right, and I still think so. But I say that there is a breaking point, and there is a point of decency and a place of justice—these things we talk about so much and disregard so lightly.

I mentioned yesterday the theft of my property. I think that is something we should all be concerned about, and I think it ought to be a first order of business. I offered my files in toto to the Ethics Committee. I am not worried about anything in my files. But I am worried about the fact that dismissed employees can break into a Senate office and commit a crime, and that nothing is done about it. We have had much talk about wiretapping. Nobody seems to be concerned about filetapping. I tell you there will be more of it, unless something is done about it and promptly.

That is a little bit off the subject that I had intended to speak about, but I certainly do wish to make it clear that I think it is unfair to label this the "Dodd amendment," with a clear connotation that I had something to do with having it offered, or with its writing, or with urging its passage, or anything of the sort. It is an outrageous thing to do to me, in my judgment, and I hope others so consider it.

Mr. CLARK. Mr. President, I reserve the remainder of my time.

Mr. MONRONEY. Mr. President, we are out of time, but the assistant majority leader would like to have 3 minutes to close the debate on the matter. I ask unanimous consent that he may speak for 3 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The Senator from Louisiana.

Mr. LONG of Louisiana. Mr. President, when the Senate voted for the so-called Committee on Ethics, many of us urged some of the very best and finest Members of this body to serve on it. We felt that this was not the kind of committee on which a man should serve if he was at all the kind of person who would yield to the temptation to seek personal aggrandizement at the other man's expense, but that its members should be the kind of men who would do a duty because they are called upon to do it by the Senate.

I know that the men on the Democratic side of the aisle who serve on this committee did not ask for the assignment. They are doing this because their colleagues called on them to serve. The same thing is true for Senators on the Republican side of the aisle. They were called on to perform this service because they were the best men to do so.

These men were given a very difficult and unpleasant task, but they are doing it, and they are doing their duty as the good Lord gives them the light to do it.

These gentlemen will report certain standards to us by which they think Senators ought to abide.

It seems to me that the least we could do would be to let them get on with their task. They did not ask for this duty. They are performing their duty because the Senate called on them to do it, and having done this job, they will propose to us what they think the proper standards should be.

Whatever their recommendations are, those standards will certainly have more reason and better logic and will represent a more balanced view than we would obtain by agreeing to one Senator when he asks us to report a particular set of standards by which he would judge his fellow men.

Others might judge their fellow men by another set of standards.

If we respect the committee which we have charged with this very difficult task and give them the time within which to agree on standards, we will get a better set of standards than we would if we were to let one Senator impose on the Senate the standards that he thinks we should abide by.

Mr. DODD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DODD. Have the yeas and nays been ordered?

Mr. MONRONEY. Mr. President, I intend, as soon as all time has been yielded back, to move to table the amendment of the Senator from Pennsylvania, and I will ask for the yeas and nays.

Mr. DODD. Mr. President, is it in order for a Senator, on a particular rollcall, to ask to be excused from voting by the Senate?

The PRESIDING OFFICER. If the Senate desires to grant that permission, it is in order.

Mr. DODD. Mr. President, in view of the fact that my name has been bandied about here, I think out of fairness to me that I should be excused from voting on the amendment.

Mr. President, I ask unanimous consent that the Senate excuse me from voting on this particular rollcall.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. MONRONEY. I have no time remaining.

Mr. PASTORE. Mr. President, I ask unanimous consent that I may be permitted to speak for 3 minutes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Rhode Island?

Mr. STENNIS. Mr. President, reserving the right to object—and I shall not object—I know that some Senators understood that the vote was going to be held perhaps even before 11:30. These Senators will soon be leaving. I do not object to the Senator speaking at all, but if there is to be a pattern established, we will have to object later.

Mr. PASTORE. Mr. President, I asked for the reason that permission had already been granted.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. PASTORE. Mr. President, we talk about equity and justice. I have no qualms about this particular amendment; it is like the 11th commandment. Nobody wants to see happen what this amendment prohibits.

I do not think it is right to receive a gift of over $100 from a lobbyist. I do not think it is right for any Senator or any employee of the Federal Government to engage in any venture with a lobbyist. I shall vote for this amendment with an open heart and a clear conscience. However, the thing that disturbs me is that sometimes we do not go quite far enough.

If this is wrong, then it is also wrong for any Senator to be associated with a law firm and receive income from that law firm when that law firm is representing people who are doing precisely what this amendment prohibits.

I think that we ought to go that distance.

I think if we are going to compel people to announce the gifts made at Christmastime, whether they be $50 or $101, and if we are going to compel people who are engaged in ventures connected with lobbyists—which of course are also wrong—to let that be known, then why is it not right to compel Senators associated with law firms and who receive income from those law firms, to report the names of the clients of the firm, so then we can discover any indiscretions in that situation.

This is what bothers me. When this amendment comes up, I will vote for it. I will vote against the motion to lay on the table, but I am hopeful when we remedy the situation—we do it thoroughly.

Mr. WILLIAMS of New Jersey. Mr. President, will the Senator yield?

Mr. PASTORE. I have no time remaining.

Mr. WILLIAMS of New Jersey. I am glad that the Senator mentioned business firms. That would include oil firms and automobile agencies and other businesses.

Mr. CLARK. Mr. President, how much time do I have remaining? I might yield some time.

The PRESIDING OFFICER. The Senator from Pennsylvania has 1½ minutes remaining.

Mr. CLARK. Mr. President, I want to say a word to my good friend, the Senator from Rhode Island, if he is willing to remain here for 30 seconds.

Mr. PASTORE. I will stay for 1½ minutes.

Mr. CLARK. If the Senator will look at the definition of lobbying activity on page 4 of the amendment, he will see that it means:

> Any activity undertaken by any person other than a Member of the Congress to influence, directly or indirectly, the introduction, passage, defeat, amendment, or modification of any legislative measure in either House of the Congress.

Then, turning back to page 2, the amendment reads:

> No Member of the Senate or any other officer or employee of the Senate may engage or participate in any business or financial venture, enterprise, combination or transaction with any business, firm, or corporation . . .

Mr. PASTORE. Nothing in here says that we have to recite the names of our clients so that the public will know from whom these fees come.

Mr. CLARK. That was contained in the amendment we rejected yesterday by a vote of 45 to 30.

Mr. PASTORE. And I voted with the Senator from Pennsylvania.

Mr. CLARK. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time has expired.

Mr. MONRONEY. Mr. President, all time having expired, I move that the amendment of the Senator from Pennsylvania lie on the table, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second, and the yeas and nays are ordered.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to table the amendment of the Senator from Pennsylvania. On this question the yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of Virginia (when his name was called). On this vote I have a pair with the senior Senator from Georgia [Mr. Russell]. If he were present and voting, he would vote "yea." If I were permitted to vote, I would vote "nay." I therefore withhold my vote.

The rollcall was concluded.

(At this point, Mr. Byrd of West Virginia assumed the chair.)

Mr. LONG of Louisiana. I announce that the Senator from New Mexico [Mr. Anderson], the Senator from Alaska [Mr. Bartlett], the Senator from Indiana [Mr. Bayh], the Senator from Maryland [Mr. Brewster], the Senator from Idaho [Mr. Church], the Senator from Arkansas [Mr. Fulbright], the Senator from Alaska [Mr. Gruening], the Senator from South Carolina [Mr. Hollings], the Senator from Hawaii [Mr. Inouye], the Senator from Missouri [Mr. Long], the Senator from Washington [Mr. Magnuson], the Senator from Montana [Mr. Mansfield], the Senator from New Hampshire [Mr. McIntyre], the Senator from Montana [Mr. Metcalf], the Senator from New Mexico [Mr. Montoya], the Senator from Oregon [Mr. Morse], the Senator from Utah [Mr. Moss], the Senator from Alabama [Mr. Sparkman], and the Senator from Maryland [Mr. Tydings], are absent on official business.

I also announce that the Senator from Mississippi [Mr. Eastman], the Senator from North Carolina [Mr. Ervin], the Senator from Oklahoma [Mr. Harris], the Senator from Indiana [Mr. Hartke], the Senator from South Dakota [Mr. McGovern], the Senator from Wisconson [Mr. Nelson], and the Senator from Georgia [Mr. Russell] are necessarily absent.

I further announce that, if present and voting, the Senator from New Mexico [Mr. Anderson], and the Senator from Alaska [Mr. Bartlett] would each vote "yea."

On this vote, the Senator from Oklahoma [Mr. Harris] is paired with the Senator from South Carolina [Mr. Hollings]. If present and voting, the Senator from Oklahoma would vote "yea" and the Senator from South Carolina would vote "nay."

On this vote, the Senator from Montana [Mr. Metcalf] is paired with the Senator from Oregon [Mr. Morse]. If present and voting, the Senator from Montana would vote "yea" and the Senator from Oregon would vote "nay."

On this vote, the Senator from Mississippi [Mr. Eastland] is paired with the Senator from Wisconsin [Mr. Nelson]. If present and voting, the Senator from Mississippi would vote "yea" and the Senator from Wisconsin would vote "nay."

If present and voting, the Senator from Washington [Mr. Magnuson] would vote "nay" as previously announced.

Mr. KUCHEL. I announce that the Senator from Vermont [Mr. Aiken], the Senator from Arizona [Mr. Fannin], and the Senator from Idaho [Mr. Jordan] are absent on official business of the Interparliamentary Union.

The Senator from New Hampshire [Mr. Cotton], the Senator from Illinois [Mr. Dirksen], the Senator from Colorado [Mr. Dominick], the Senator from Hawaii [Mr. Fong], the Senator from Kentucky [Mr. Morton], the Senator from California [Mr. Murphy], the Senator from Kansas [Mr. Pearson], the Senator from Illinois [Mr. Percy], and the Senator from Vermont [Mr. Prouty] are necessarily absent.

The Senator from Texas [Mr. Tower] is absent on official business.

If present and voting, the Senator from Illinois [Mr. Dirksen], the Senator from Colorado [Mr. Dominick], the Senator from Arizona [Mr. Fannin], the Senator from Kentucky [Mr. Morton], the Senator from California [Mr. Murphy], the Senator from Kansas [Mr. Pearson], and the Senator from Texas [Mr. Tower] would each vote "yea."

The yeas and nays resulted—yeas 37, nays 22, as follows:

[No. 26 Leg.]

YEAS—37

Allott
Baker
Bennett
Bible
Boggs
Brooke
Byrd, W. Va.
Cannon
Carlson
Cooper
Curtis
Ellender
Hansen
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hruska
Jordan, N.C.
Kuchel
Long, La.
McCarthy
McClellan
McGee
Miller
Monroney
Mundt
Randolph
Smathers
Smith
Stennis
Symington
Thurmond
Williams, N.J.
Williams, Del.
Young, N. Dak.

NAYS—22

Burdick
Case
Clark
Gore
Griffin
Hart
Jackson
Javits
Kennedy, Mass.
Kennedy, N.Y.
Lausche
Mondale
Muskie
Pastore
Pell
Proxmire
Ribicoff
Scott
Spong
Talmadge
Yarborough
Young, Ohio

NOT VOTING—41

Aiken
Anderson
Bartlett
Bayh
Brewster
Byrd, Va.
Church
Cotton
Dirksen
Dodd
Dominick
Eastland
Ervin
Fannin
Fong
Fulbright
Gruening
Harris
Hartke
Hollings
Inouye
Jordan, Idaho
Long, Mo.
Magnuson
Mansfield
McGovern
McIntyre
Metcalf
Montoya
Morse
Morton
Moss
Murphy
Nelson
Pearson
Percy
Prouty
Russell
Sparkman
Tower
Tydings

The PRESIDING OFFICER (Mr. Gore in the chair). On this vote the yeas are

37 and the nays are 22. The motion to table is agreed to.

Mr. MONRONEY. Mr. President, I move to reconsider the vote by which the motion to lay on the table was agreed to.

Mr. KUCHEL. Mr. President, I move to lay that motion on the table.

The motion to lay on the table the motion to reconsider was agreed to.

ORDER OF BUSINESS

Mr. YOUNG of Ohio. Mr. President, under the previous order of the Senate, does not the junior Senator from Ohio have the floor at this time?

The PRESIDING OFFICER. The answer is in the affirmative. The Senator from Ohio is recognized.

Mr. YOUNG of Ohio. Mr. President, I yield to the Senator from California [Mr. KUCHEL].

Mr. KUCHEL. Mr. President, while Senators are in the Chamber I wish to inquire of the distinguished senior Senator from Oklahoma [Mr. MONRONEY] whether he anticipates any further rollcall votes today.

Mr. MONRONEY. Mr. President, we will have some amendments which have been largely agreed to between the proponents and the committee. We do not expect a rollcall vote on any of these amendments.

I personally would not expect a rollcall vote bcause so many Senators have been compelled to leave the city at this time, which would leave us short of a required quorum if it were necessary to have a rollcall vote on a controversial amendment. I would not expect any rollcall votes after this amendment.

Mr. KUCHEL. I thank the Senator.

RATIFICATION OF CONSULAR TREATY WITH SOVIET UNION STEP TOWARD WORLD PEACE AND DEFINITELY TO THE ADVANTAGE OF OUR NATION

Mr. YOUNG of Ohio. Mr. President, the proposed Consular Treaty between the United States and the Soviet Union is not only a symbolic step toward world peace, but very definitely will be of more advantage to us than to the Russians.

It is evident from the tremendous volume of pressure mail I have been receiving from Ohio citizens expressing objection to the proposed treaty that these citizens have unfortunately been misinformed or duped by reading false propaganda from extremist groups of hatemongers, witch hunters, and self-appointed vigilantes. Much of this misinformation comes from propaganda disseminated by extremist rightwing organizations such as the Liberty Lobby, so called, and others. Their propaganda falsely charges that ratification of this treaty will mean more Soviet spies in our country.

It is absurd to claim that the 10 or 20 additional Russians staffing a consulate in an American city would be a serious threat to our national security. There are now more than 1,000 Soviet diplomats living in the United States, accredited to the United Nations or to the Soviet Embassy in Washington. I feel confident that the Federal Bureau of Investigation will certainly be able to handle any possible security dangers which would result—if they result at all—from an additional 15 employees and officials, or a few more. Furthermore, President Johnson has reported the assurance of FBI Director J. Edgar Hoover that the additional handful of Soviet representatives stationed in this country would constitute no problem.

Mr. President, many of the Nation's outstanding newspapers and eminent journalists have called for ratification of the treaty. I ask unanimous consent that the editorial in the New York Times of February 6, "Test of the Consular Treaty"; the editorial in the Baltimore News American of February 4, "The Consular Treaty"; the editorial in the World Journal Tribune of February 3, "The Consular Treaty"; and a column by Howard K. Smith entitled, "Overrating the Peril of a Few More Spies," which appeared in the Washington Star of February 5, be included in the RECORD at this point as part of my remarks. These fine editorials and this excellent column clearly and concisely set forth the necessity for ratification of the treaty and in no uncertain terms set forth the hollowness of the arguments against doing so.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the New York Times, Feb. 6, 1967]

TEST OF THE CONSULAR TREATY

Now that President Johnson has thrown his prestige into the fight to win Senate ratification of the Soviet-American consular convention, the treaty's prospects have improved; but the battle is not over.

The extreme right is mustering its entire force in the effort to kill the agreement. Senators are being deluged with opposition mail while—as so often happens—the more reasonable majority remains apathetic.

Yet, next to the Vietnam war, the consular convention has now become the most important single foreign policy issue on this nation's present agenda. What is really involved goes far beyond the immediate effort to insure more protection for Americans in the Soviet Union. It is just because of the intense right-wing opposition that the consular convention has become a vehicle for a national decision on relations with the Soviet Union.

Shall the world's two most powerful nations make a serious attempt to work together for their mutual advantage, or shall they revert to the hostility of the worst days of the cold war? This is now the central question. The desire of far-right extremists for a return to the frigid atmosphere and great perils of the early 1950's is plain enough, and their desires are shared by similar reactionaries in Moscow.

We believe, however, that the great majority of American and Soviet citizens alike want to live in peace, to understand each other, to cooperate to help prevent thermonuclear war and to spur trade and other mutually beneficial exchanges. Perhaps the right-wing fanatics have performed a service by making the nature of the choice so transparent.

[From the Baltimore News American, Feb. 4, 1967]

THE CONSULAR TREATY

President Johnson was at his persuasive best when he pleaded in his press conference for Senate passage of the controversial U.S. consular treaty with Russia. Point by point, he cleared up the confusion, doubts, and fears which have been expressed about the proposed pact, already signed by both nations.

Much of the confusion arose from the erroneous belief that the treaty would mean the automatic opening of numerous new Russian consulates in this country. The fact is, the President made clear, that there is no such proviso. The treaty provides only that if any new consulates are opened, their officials will have diplomatic immunity.

Doubt that the treaty would serve America's best interest was dispelled by the President's statement that it is needed primarily to protect the 18,000 U.S. citizens who travel to Russia each year in case of arrest. They would be assured rights that Russian citizens in this country have under our Constitution.

Fears that the treaty would result in grave security problems were answered when the President quoted no less an authority than FBI chief J. Edgar Hoover as saying no problems would be created that his bureau could not handle effectively. Mr. Hoover's position heretofore has been unclear.

The Hearst Newspapers have taken the position that any new agreements with the Soviet Union and other Communist nations must be most carefully weighed and adopted only if they positively serve the cold self-interest of the U.S.

President Johnson has made a compelling argument for the consular treaty. We believe the Senate should ratify it.

[From the New York World Journal Tribune, Feb. 3, 1967]

THE CONSULAR TREATY

Spies there are and spies there have been since the first cavemen peered across gullies to see who was having the more succulent supper.

We have had them at least since Nathan Hale and 1776, and Russia probably a thousand years before. Yet a big debate is churning in the Senate over ratification of the consular treaty with the Soviet Union, which was agreed to in mid-1964.

The principal opposition revolves around opening consular offices in the United States, which the antis contend would provide listening posts from which Soviet agents would operate, with diplomatic immunity, to filch military secrets.

As a matter of fact, no such office is currently contemplated. If one were established, it would add only 10 to 15 Russians to the 452 already in the U.S. with diplomatic immunity, as President Johnson said at his press conference.

The FBI's facilities for spy-watching would scarcely be shattered by the addition of 10 or 15, even if all were spies—and President Johnson noted that FBI Director J. Edgar Hoover has assured him they would constitute "no problem."

That should settle the argument. Hoover's position in 1965 that the treaty "would make my work more difficult," reaffirmed in a recent letter to Sen. Karl Mundt, R–S. Dak., has been a potent weapon of Senate opponents. It no longer is valid.

As Mr. Johnson said, the U.S. would be the principal beneficiary of the treaty. It would extend to American citizens visiting Russia (18,000 last year) protection already afforded foreigners here if they get in trouble.

The treaty should be ratified promptly. If espionage is an apprehension, there is a good chance we can match spy for spy.

[From the Washington (D.C.) Sunday Star, Feb. 5, 1967]

OVERRATING THE PERIL OF A FEW MORE SPIES

(By Howard K. Smith)

In these first weeks of the new political year the administration has been able to get our eye back on the ball. Vietnam may be our most passionate immediate problem, but by far our biggest problem remains the old familiar; the President of the U.S. is said to have at his command a nuclear force that works out at 35,000 tons of TNT for every human being alive. The Russians have a little less, but not enough less to matter.

The problem is to achieve a mood and an arrangement whereby, at the very least, this awful force will never be used. At most, the problem is to find a way whereby—as Red China has feared aloud and Undersecretary Katzenbach the other day hoped aloud—the two giants can join to prevent smaller nations now coming to possess nuclear weapons from ever using them.

A host of little things can contribute to a mood for agreement. At present one little thing before the Senate Foreign Relations Committee is the Consular treaty, negotiated by the U.S. and Russia in 1964, backed 19 to 5 by the Foreign Relations Committee, but never carried forth to ratification. The obstacle has been J. Edgar Hoover's fear that it would permit more Russian spies to come into our cities and increase his counterespionage difficulties. Mr. Hoover's objections have been enough to cause Senator Dirksen to announce he will not vote to ratify, and to cast doubt on the administration's ability to get the necessary two-thirds vote in the Senate.

People who have studied the spy business in depth think Mr. Hoover's objections are misconceived. In modern times spies do not have serious trouble getting information in any country, for it is nearly impossible to keep clues out of newspapers and speeches.

Allen Dulles who served longest as head of the CIA said 90 percent of our information about Russia comes from open, public sources. These sources are pretty good—for example we know around which towns the Russians have been deploying anti-missile missiles, and how many divisions they have removed from eastern Europe and sent to their border with China. It has also been estimated that about 97 percent of what they know about us is publicly available, in newspapers, or in brochures at industrial conferences, or in public hearings in Congress.

Getting the information is not hard. The problem lies in interpreting it accurately. Correct and relevant information is generally lost in a maze of irrelevant information. It is hard to estimate which is decoy and which is genuine.

For example, every one of Hitler's surprise attacks on his neighbors in World War II was known beforehand and the information was communicated to the victim-nation. Russia was told weeks beforehand when and where Hitler would invade her soil. Stalin did not take the information seriously. The U.S. knew all it had to know to get our fleet and planes out of Pearl Harbor, but underestimated the validity of the information. Hitler was given the date and place of the allied invasion of Normandy by his spies, but gave it no higher value than a host of rumors, and therefore was caught out.

An increase in the number of Russian spies is therefore not likely to matter greatly. It would be a pity to let the fear of it cause us to fail to take action to improve relations now that action is possible.

Two huge developments have made the world ripe for such an improvement. The first of them is the 50th birthday of the Russian revolution, to be celebrated this year. The Russian leaders appear to feel every day of its age, and would like to relax and derive a little more well-being from their economy and settle troubles rather than start them.

The other development has been the national nervous breakdown of Red China. As the London Economist observed recently, the so-called "Cultural Revolution" is giving all revolutions a bad name, and we may see that mode of changing things go out of favor in the world for the first time since 1789. Meanwhile, Russia is clearly so anxious to devote close attention to her border with China that she would like to stabilize relations elswhere.

If we are to miss the chance to improve relations, we should have very good reasons for missing it. Mr. Hoover's fear of a dozen more spies is not a good reason.

Mr. YOUNG of Ohio. Mr. President, the real reason for the opposition to the treaty is that many misguided individuals are opposed to any attempts to normalize relations with the Communist bloc nations and to reduce world tension. If we are ever to attain lasting peace it can only be achieved by experiments in cooperation between the citizens of the free world and those of the Communist bloc. We must begin cooperating in limited areas which are in the best interests of both nations. The ratification of the Consular Convention with the Soviet Union is one such area where we can begin.

This is not a treaty which gives the citizens of the Soviet Union something they want badly and gives us less in return. It was a Republican Vice President, not an official of the Soviet Union, who first proposed in 1959 an exchange of consulates. It was a Republican Secretary of State who, during the same year, proposed negotiations for a consular treaty. If the Russian leaders were so eager to open consulates in this Nation, why did they not snap at the bait 7 or 8 years ago?

The answer is, of course, that this proposed treaty benefits us more than it does them. Approximately 18,000 American tourists visited the Soviet Union last year. Many more will be doing so this year and in the future; especially since Americans can now fly for the first time direct from New York to Moscow nonstop at low excursion fares. Far fewer Russian tourists are expected to visit the United States—probably only a few hundred. Every year far more Americans have visited the Soviet Union than Russian nationals have visited our country.

The Consular Treaty is definitely beneficial to Americans. Had we had such a treaty last year, it is very likely that Newcomb Mott, the young man from Massachusetts who wandered across the border in a remote area of the Soviet Union, was arrested and sentenced to hard labor and then allegedly committed suicide, would be alive today. Unfortunately this young man was alone and our Embassy officials in Moscow lacked knowledge of the incident until after his trial. The proposed treaty contains guarantees committing Soviet Union officials to notify American officials of the arrest or detention of American citizens and to permit visits to such Americans within 4 days and on a continuing basis thereafter.

At the present time, assuming some of the more than 18,000 American tourists who will visit the Soviet Union this year lack sufficient funds, they would be compelled to go to the American Embassy in Moscow even though they were far distant from the capital. Furthermore, in event of a traffic accident or were they to be charged with some offense, however slight, they are now at a disadvantage. They would not only have the language barrier, but they would be altogether unfamiliar with the laws of the Soviet Union. They would have no place and no one to consult except the U.S. Ambassador or some member of his staff. They might be many miles from our Embassy.

Some misinformed individuals write me objecting that this treaty provides that all consular officials and employees who are nationals of the sending state shall be immune from the criminal jurisdiction of the receiving state. This insures the security of our consular personnel who are in the Soviet Union. The Soviet police will have no right whatever to arrest any of our consular officials or employees. Nor have we any right to arrest Soviet consular officials and employees within our country. However, we do have the right, which is a reciprocal right, to expel immediately from our territory as persona non grata any Soviet consular officials or employees who have allegedly violated any of our laws. We may expel any such persons without announcing the reason. Russia has this right also.

Mr. President, the ratification of the Consular Treaty will not only help reduce sources of friction between us and the Russians, but will encourage officials of the Soviet Union to conduct themselves like officials of other responsible nations in dealing with foreigners and foreign interests within their borders. Mr. President, ours is an open society. The Soviet Union is a closed society. The treaty can be a wedge toward opening the Soviet Union to the ideas and thoughts of the West. The winds of change and freedom are blowing throughout the world, in a manner and to an extent almost beyond belief, and every attempt possible should be made to permit them to flow through the Soviet Union.

Furthermore, this treaty would encourage trade between the United States and the Soviet Union. We should proceed without delay to establish normal trade relations with the Soviet Union in nonstrategic materials, selling at the outset whatever we produce that its nationals may eat, drink, smoke, or wear, and buying from them products which we need and of which we are lacking in this country. This will not only ease international tensions but will bring added prosperity to businessmen and working men and women and farmers throughout the Nation.

There is no question but that trade between the Soviet Union and the United States will increase in years to come. It is essential that we have consular officials in key Russian commercial centers to help normalize that trade, and aid American farmers, wheat producers, and businessmen seeking it.

The important fact is that by this treaty we would be giving the Soviet Union nothing that it does not already have. At the present time it is free to staff its missions in the United States and its Embassy in Washington just as we freely select our own staff members of our Embassy in the Soviet Union. Undoubtedly, some of these so-called diplomats are Russian intelligence agents, or to state the matter bluntly, spies. I would be shocked to learn that we did not have a number of intelligence agents among our diplomatic representatives in the Soviet Union. Unfortunately, this is a fact of life in the cold war and we can play the game as well as they. Of course, we do have CIA agents on our Embassy staffs throughout the world. The danger of a few more Russian agents posing as diplomats is infinitesimal compared to the benefits to be gained by the ratification of this treaty.

Mr. President, even while the Vietnam war continues to strain our relations with the Soviet Union, we have an opportunity to make a small but significant advance toward easing those tensions. No doubt this war has greatly slowed down the quest for world peace. Nevertheless, there are small steps which can be taken toward that goal. The ratification of this treaty is definitely one of them.

I spoke out for and voted in favor of ratification of the limited nuclear test ban treaty. I shall vote for ratification of the Consular Treaty. I feel in doing so I shall be on the side of those who hope for and strive for coexistence with nations behind the Iron Curtain, instead of coannihilation.

UNITED STATES-CANADIAN RELATIONS AND BANKING LEGISLATION

Mr. JAVITS. Mr. President, I wish to make a brief statement upon the great deal of newspaper speculation that has been inherent in a measure which I am preparing for introduction, a revision of a proposal which I introduced last year, and which involves our brothers and friends in Canada.

Last year I introduced legislation to provide Federal regulation for foreign banking corporations doing business in the United States. I intend to introduce this month a similar proposal. I have, however, decided to make certain revisions in the bill in order to establish the proper balance between the proposed Federal control, and the recognized State regulatory interest in the field. Also, whatever form my proposal does take at the time of introduction, it will, of course, have to face the careful consideration of committee hearings.

This announcement also gives me the opportunity to deal with a spate of rumors regarding this bill insofar as our good neighbor Canada is concerned. I wish to make it clear that this legislation is domestic legislation, and will not, and does not propose to influence the consideration by any government; of any law, or regulation regarding foreign banking branches or foreign ownership of banks, Canadian or otherwise.

The proposed revision of the bill gives me the opportunity to make clear that this legislation stands on its own, and should not have any effect upon the sovereign authority of the United States or Canada. The United States and Canada, respectively, have the sovereign right to consider any standard each deems proper, and permitted by law—including the grant of reciprocal privileges by other nations—as an element of its national policy in chartering new banks, and regulating existing banks. My bill would allow a Federal regulatory presence in such activities.

The bill accordingly should be taken on its merits for it is intended to improve, and assist international banking activities in the United States as a matter of purely domestic concern—not to impede these operations or to affect the consideration by any sovereign government as to what should be its policy in this matter.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Jones, one of his secretaries.

The PRESIDING OFFICER (Mr. GORE in the chair). The Chair lays before the Senate a message from the President on foreign aid which will be printed in the RECORD without being read; and appropriately referred.

The message was referred to the Committee on Foreign Relations, as follows:

To the Congress of the United States:

Twenty years ago, President Truman set forth the basic proposition underlying the foreign aid program when he told the Congress:

> I believe that we must assist free peoples to work out their own destinies in their own way. I believe that our help should be primarily through economic and financial aid which is essential to economic stability and orderly political processes.

This judgment was shared by Presidents Eisenhower and Kennedy and by every Congress since the 79th in 1946. It is my judgment today. I believe it is the judgment of most Americans.

Our commitment to assist the economic growth and security of developing nations is grounded in the hard realities of the postwar world. We know that want is the enemy of peace and hopelessness the mother of violence.

We know that:

In the long run, the wealthy nations cannot survive as islands of abundance in a world of hunger, sickness, and despair.

The threat to our security posed by internal subversion and insurgency cannot be countered by withdrawal, isolation or indifference.

Men—acting together—have the power to shape their destiny. Around the world, from Mexico to Greece to Taiwan, we have seen the energy and determination of the emerging peoples transform our aid into the seeds of prosperity.

Abroad, as at home, the true national interest of the American people goes hand in hand with their sense of freedom, justice, and compassion.

Precisely because foreign assistance programs are so vital to our national interest, they must reflect the circumstances of the late sixties, not those of the past. They must respond to the ideas which move men in the emerging nations today. They must draw upon the lessons of experience. They must take account of the growing wealth of other advanced countries.

The proposals in this message reflect the experience of our aid activities over two decades. They emphasize the six guiding principles on which our programs must be based:

1. Self-help—nations develop primarily through their own efforts. Our programs can only be supplements, not substitutes. This is the overriding principle.
2. Multilateralism—every advanced nation has a duty to contribute its share of the cost.
3. Regionalism—the future of many countries depends upon sound development of resources shared with their neighbors.
4. Agriculture, health, and education—these key sectors are the critical elements of advancement everywhere in the underdeveloped world.
5. Balance of payments—we cannot help others grow unless the American dollar is strong and stable.
6. Efficient administration—every American citizen is entitled to know that his tax dollar is spent wisely.

NEW DIRECTIONS

To carry out these principles, I propose:

A new Foreign Assistance Act, stating in clear language our objectives, our standards, and our program techniques.

A statutory National Advisory Committee on Self-Help, to advise the Congress, the President, the Secretary of State, and the AID Administrator on how effectively recipient nations are mobilizing their own resources under the self-help criteria of the act.

A statutory objective that at least 85 percent of our development loan funds be spent in a regional or multilateral framework.

More than $1 billion in programs to improve agriculture, education, and health, a 25-percent increase over last year.

A shift in emphasis in our aid policy in Africa, to concentrate our help increasingly on regional and multinational projects.

Sympathetic consideration of a U.S. contribution to a new special fund of the African Development Bank.

A $200 million U.S. contribution to new special funds of the Asian Development Bank, in accord with the recommendations of the Black mission, headed by Mr. Eugene Black, my Special Representative on Asian Development.

A reorganization of the Agency for International Development, to better carry on the war on hunger and to promote private investment and the growth of private enterprise in the less-developed world.

My proposals for programs authorized by the Foreign Assistance Act in fiscal 1968 will require total appropriations of slightly over $3.1 billion. Of this, some $2.5 billion will be devoted to economic aid. Almost $600 million will be for military assistance. Funds for the regional development banks would be authorized by separate legislation.

THE FOREIGN ASSISTANCE ACT OF 1967

Foreign aid now rests on a legislative foundation enacted in 1961. This pathfinding statute has served the Nation well. But the experience we have gathered over the past several years should now be codified in a new law.

I propose the Foreign Assistance Act of 1967.

This act will contain a clear statement of the philosophy which underlies our programs and the criteria to be used in this administration. To provide the continuity needed for sound management, it will contain authorizations covering 2 years. Most important, it will provide a framework for each of the basic thrusts of our aid policy.

1. SELF-HELP

Self-help is the lifeblood of economic development. No sustained progress is possible without it. Aid provided as a substitute is aid wasted.

Waste is a luxury none of us can afford. The only obligation tied to our aid is the recipient's obligation to itself—to mobilize its own resources as efficiently as possible. I will not ask any American citizen to contribute his tax dollars to support any country which does not meet this test.

Accordingly, the act will make it clear that the development job is primarily the responsibility of the developing countries themselves. In no case will the United States undertake to do for any country what it should do for itself. Nor will we assist in any venture which we believe has received less than full support from the recipient country. The United States will insist on the general economic policies necessary to make our aid effective.

We are now applying strict and effective self-help standards. The results are evident in the fact that, on the average, each citizen in the major aid-receiving countries is saving 1 of every 8 dollars he earns. These savings become investments. For every dollar the United States and other donors provide, these local sources invest $10.

Still, there is an urgent need for a permanent, nonpartisan, public body to evaluate self-help performance.

Thus, the act I propose will authorize the President to establish a National Advisory Committee on Self-Help. This Committee will consist of members from both parties, from the business community, from labor, from universities and from other walks of life. It will review and evaluate our aid programs in as many countries as it sees fit. It will examine our program to see whether the recipients are extending their best efforts and whether we are making the best possible use of our aid. Its findings will be available to the Congress.

2. MULTILATERALISM AND BURDEN SHARING

Development is a world problem. No single country has all of the resources required. Equity demands that no single country be asked to carry the bulk of the load.

I propose that the act set as an objective that 85 percent of our development loans be undertaken in a regional or multilateral framework.

This action fits the trend of recent years, as advanced nations have increasingly accepted the responsibilities associated with their growing wealth. The combined value of our economic and food aid is less than seven-tenths of 1 percent of our national income, only slightly more than the average for all advanced countries. We devote smaller shares to foreign assistance than such countries as France and Belgium.

But these figures do not tell the whole story. Our defense expenditures far exceed those of all other free nations combined and serve their common interest. This burden too must be counted in the balance.

Thus, we must redouble our efforts to get other donors to enlarge their commitments.

3. REGIONALISM

Resources know no national boundaries. Rivers flow through many countries, transportation and communication networks serve different peoples, sources of electric power must be shared by neighbors. Economic advance in every part of the world has required joint enterprises to develop shared sources of wealth.

These facts underlie the growing movement toward regional cooperation:

The Alliance for Progress has transformed the inter-American system of institutions into a reliable and dynamic engine of change.

Asian initiatives have created the framework for cooperation of all kinds. Such institutions as the Asian and Pacific Council and the Asian Development Bank are clear evidence of the new will to press forward.

I propose that the act state that the United States will encourage regional economic development to the maximum extent consistent with the economic and political realities in each region.

I propose three steps to carry out this policy:

First, in most African countries, we will gradually shift to cooperative projects which involve more than one donor or more than one recipient.

Second, we will seek an appropriate means of responding to the recent request of the African Development Bank for U.S. participation in a special fund to finance worthy projects which are beyond the means of the Bank's ordinary capital.

Third, we will respond favorably to the request for special funds for the Asian Development Bank. Preliminary explorations suggest a U.S. share of $200 million, to be contributed over a number of years with matching arrangements and balance-of-payments safeguards.

These proposals spring from a philosophy of pragmatic regionalism. They reflect the facts of economic life.

Political unity is neither required nor expected. But the resources available for development are too scarce to scatter among many countries when greater promise lies in joint action. We must take full advantage of the benefits of cooperation.

4. AGRICULTURE, HEALTH, AND EDUCATION

The fundamentals of a decent life are sufficient food, freedom from disease, and an opportunity to absorb as much knowledge as individual capacities permit.

These are the first goals of all societies. They must be the first objects of our aid.

I propose that the act establish agriculture, health, and education as our primary concerns and that investment in these areas be substantially expanded.

I propose that our investment in agriculture rise from $504 million last year to $668 million in 1968; education rise from $166 million to $228 million; health rise from $192 million to $202 million.

In particular, we will wage war on hunger. Together, the world must find ways to bring food production and population growth into balance. My proposals make clear our determination to help expand food supplies. We must be equally ready to assist countries which decide to undertake voluntarily population programs.

5. BALANCE OF PAYMENTS

Our foreign assistance programs rest on the basic strength of the dollar and our balance of payments. This administration will continue to see that our aid programs have the least possible adverse effect on our balance of payments.

Almost 90 percent of our economic assistance and over 95 percent of our military assistance is now spent in the United States. These programs served to expand U.S. trade abroad. They help develop new trading patterns.

6. EFFICIENT ADMINISTRATION

The Agency for International Development is a sound, well-run instrument of public policy. But, like all arms of government, AID can be improved. It can add further to its economy record—a record which includes $33 million in cost reduction last year alone, and a 20-percent cut in personnel—apart from southeast Asia—since 1963.

I am establishing two new offices in AID:

An Office of the War on Hunger to consolidate all AID activities relating to hunger, population problems, and nutrition.

An Office of Private Resources to concentrate on marshaling private investment and the expansion of private sectors in the less-developed world—the best long-term route to rapid growth.

Both of these steps are consolidations—they will require no new appropriations or personnel. They will focus the attention and energy of the Agency directly upon two priority areas. They are significant steps forward.

ECONOMIC ASSISTANCE

LATIN AMERICA

For Latin America, I recommend an economic aid program of $624 million.

This amount is clearly justified by our own interests and the recent performance of our Latin American partners. The program I propose is lean and concentrated. Nearly 70 percent of it will be committed in four countries—Brazil, Colombia, Peru, and Chile. In each case, we will make certain that the amount actually spent is in accord with clear needs and meets the strict self-help criteria of the act.

The outlook for a solid return from these expenditures is promising:

Brazil shows greater economic dynamism than at any time in her recent history. She has forced inflation down from the 1964 high of 140 percent to 40 percent—still far too high, but an enormous improvement. Her balance-of-payment situation is well under control. Agricultural production has been increased. Per capita income is up. In general, the economic situation is more hopeful than the most favorable predictions of 3 years ago.

Peru continues its steady economic climb. Per capita income last year was $378, compared to $325 5 years before. The critical job now is to bring more people into the economic mainstream, while further stimulating the developed coastal areas. U.S. contributions will be heavy in the areas of agriculture and education.

In Chile, the favorable copper market will make possible a reduction in our aid. We will concentrate our help in the crucial rural area to increase agricultural production and exports.

In Colombia, economic trends are also encouraging. Our contributions will be made through a group of donors led by the World Bank. We will concentrate on agriculture and education.

Our program for Central America—Nicaragua, El Salvador, Guatemala, Costa Rica, and Honduras—is tailored to support the Central American Common Market. This market is one of the most promising innovations in the developing world. The spirit it reflects has already increased trade within the Central American region by 400 percent over the past 5 years. We will make modest contributions to the Central American Integration Fund to continue and accelerate this pace.

The balance of my request is largely for the Dominican Republic and Panama. It is essential that we maintain strong programs in these countries, although they will cost slightly less than in the past.

The vision and hard work of 450 million people in this hemisphere have made the Alliance for Progress into one of the great tools for human betterment. Its success is by no means assured. There will be disappointments as well as achievements along the way. But it is a vehicle for the hopes and energies of a continent. The program I propose will carry it forward.

Meetings among the governments of the Western Hemisphere during the year may produce further proposals, such as replenishment of the resources of the Inter-American Development Bank. Where these proposals merit our consideration and support and require action by the Congress, I will submit my recommendations to you at the appropriate time.

NEAR EAST-SOUTH ASIA

For the Near East-south Asia, I recommend a program of $758 million.

This region provides the harshest test of free institutions:

Nowhere else in the free world are there so many people; as many as the combined populations of North and South America and Western Europe.

Nowhere else do so many people live in such dire poverty; per capita income for nine out of every 10 persons is under $100 per year.

Nowhere else are divisive forces so poised to take advantage of any misstep.

Several advanced nations have banded together, under the leadership of the World Bank, to form an aid consortia for India and Pakistan. A similar group has been formed for Turkey, chaired by the Organization for Economic Cooperation and Development. These groups determine the share each member will contribute and provide a forum for continuing discussions with recipient countries. They have served the interests of all parties.

In my message on food for India, I proposed that food and related aid be added to the agenda of the consortium for India as an additional area of assistance in which all donors should join. We will exert the full extent of our influence to insure that this consortium becomes the primary vehicle for all aspects of development aid to India—from grants of funds to evaluation of performance.

Despite the shadow of famine and the ever-present danger of renewed frictions, the situation in the three countries—India, Pakistan, and Turkey—which will receive 91 percent of our aid to the Near East-south Asia gives reason for hope:

India is trying to regain the lead in the race between her expanding population and her food supply. She plans to double her outlays for agriculture in the next 5 years and to quadruple her voluntary population program. India has increased fertilizer purchases by 85 percent and has started crash programs in farmland development. She has begun campaigns to increase supplies of better seeds and pesticides. But Indian performance is not confined to agriculture. In early 1966 she liberalized her system of import controls and devalued her currency. All advanced nations must come to her aid if these hard-won opportunities are to be realized.

Pakistan has an outstanding economic record. Her future is brighter still. From 1960 to 1965, her gross national product grew at an average annual rate of 5.8 percent compared to 2.5 percent previously; agricultural production grew at an average annual rate of 3.5 percent compared to 1.6 percent previously; local private investment grew by 54 percent; and total private investment was 63 percent over planned targets.

Turkey also has a remarkable record. We and other Western nations are determined to help Turkey meet its goal of self-sustaining economic growth by 1973. She is already well on her way. In 1966, her gross national product grew by 8.3 percent, industry by 9.5 percent, agricultural production by 11 percent, and the use of fertilizer by 40 percent. The percentage of children of school age enrolled in primary schools increased to almost 80 percent.

If it cannot be demonstrated that hard work, coupled with relatively modest amounts of our aid, will produce better lives for the countless millions of this region, our cause will surely fail. The programs I propose will enable us to continue meeting this challenge.

AFRICA

For Africa, I recommend a program of $195 million.

Africa is undergoing the historic growing pains of attaining stable independence. Thirty-five of her thirty-nine nations have gained their freedom since World War II, many in the past 5 years. The inevitable strains are evident in the headlines of the world's newspapers.

The most hopeful sign of growing African maturity is the increased support for cooperative economic enterprises. With 14 countries of less than 5 million people each, this attitude is essential for progress.

Our AID policy toward Africa will encourage the African activities of the World Bank and its affiliates, direct a greater part of our resources into projects and programs which involve more than one African country; seek new breakthroughs in private investment in Africa, particularly the current efforts by private American banks and other financial institutions.

EAST ASIA

For east Asia, I recommend a program of $812 million.

Nearly 85 percent of our assistance to this region is directly or indirectly related to our effort to block Communist aggression.

My recent visit to Asia confirmed my deep conviction that foreign assistance funds for Vietnam and surrounding countries are just as important as military appropriations. They are vital to a successful war effort. They permit us to build for the future.

Most of these funds—about $650 million—will be used in Vietnam, Laos, and Thailand. The $550 million planned for Vietnam is indispensable to military success, economic stability, and continued political progress. It will stimulate and support measures to bind the people and Government of South Vietnam together in a common cause. It will help to begin the task of reconstruction and development. It will relieve wartime suffering for millions of Vietnamese.

In Laos and Thailand, these funds will finance economic development and security which will assure that armed conflict will not engulf all of southeast Asia.

Our assistance to Thailand will be channeled through a new consultative group of 13 donors, chaired by the World Bank. In Laos, five other countries will join the United States with significant contributions.

Elsewhere in free Asia, the tide of history clearly favors progress:

In Korea, the economy is now growing at the rapid annual rate of 8 percent. Industrial production is rising at a 14-percent rate annually, agricultural production at a 6-percent rate. In the few short years since the Korean war, the Republic of South Korea has become strong enough not only to maintain its internal advance, but to help in the defense of freedom in Vietnam.

In Indonesia, the new Government has committed itself to a program of economic rehabilitation and recovery. We are joining with other European and Asian nations to provide urgently needed help to the stricken Indonesian economy. We are also participating in arrangements with other nations to reschedule Indonesian debts.

The road ahead in east Asia is long and dangerous. But these accomplishments are hopeful signs. We will encourage the vital and progressive spirit that has stimulated them.

MILITARY ASSISTANCE

For military assistance, I recommend appropriations of $596 million.

This is the smallest request since the program began in 1950. In part, this fact reflects transfer of appropriations for military assistance for Laos, Thailand, NATO infrastructure, and international military headquarters to the budget of the Department of Defense.

But this request also represents a substantial reduction. Military assistance outside southeast Asia is now only 45 percent of what it was in 1960.

For the Near East-south Asia, I recommend $234 million, down 50 percent from 1963. Virtually all this will be used in Greece, Turkey, and Iran, three countries which have shared the burden of mutual security for 20 years.

For east Asia, I recommend $282 million, almost entirely for Korea and Taiwan. We will use these funds to strengthen these outposts against further Communist expansion in Asia.

For Latin America, I recommend $45.5 million, largely for internal security and training.

For Africa, I recommend $31 million, heavily concentrated in countries where we have major interests and where there are problems of internal security.

It is not the policy of the United States to provide sophisticated arms to countries which could better use their resources for more productive purposes.

It is the policy of the United States to help where we are asked, where the threat of invasion or subversion is real, where the proposal is militarily and economically sound, where it is consistent with our interests and our limited means.

This will continue to be our policy.

THE CHALLENGE AHEAD

The programs I propose represent the minimum contribution to mutual security and international development which we can safely make.

There are some who say that even this request should be forgone in view of needs at home and the costs of the struggle in Vietnam.

Nothing could be more shortsighted and self-defeating. This country—the wealthiest in human history—can well afford to devote less than seven-tenths of 1 percent of its national income to reduce the chances of future Vietnams.

Some would have us renege on our commitments to the developing countries on the ground that "charity begins at home."

To them, let me emphasize that I have recommended no charity, nor have I suggested that we stray from home. The inescapable lesson of our century, inscribed in blood on a hundred beaches from Normandy to Vietnam, is that our home is this planet and our neighbors 3 billion strong.

Still others have grown weary of the long, hard struggle to bring the majority of the world's population out of the shadows of poverty and ignorance.

To them, let me say that we are dealing in decades with the residue of centuries. There is no shortcut. There is no easy way around. The only effective tools are ingenuity, capital and, above all, the will to succeed.

All of us sometimes find ourselves sympathizing with these complaints. All of us are subject to the frustrations, disappointments, and shattered hopes which accompany a supporting role in a task which must fundamentally be performed by others. But, in the cold light of reason, our responsibility to ourselves and our children reasserts itself and we return to the task with renewed vigor.

I am confident that the American people have not lost the will and the dedication which have made them the most powerful and responsible nation on earth.

I am confident that they will go forward into the new era of world progress for which their past efforts have prepared the way.

I am confident that their vision will transcend the narrow horizons of those who yearn for a simpler age.

The proposals I offer today are the practical requirements of that vision. To do less would endanger all we have accomplished in the past two decades.

I know that this test shall not find us wanting.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *February 9, 1967*.

NEW INITIATIVES IN FOREIGN AID

Mr. McGEE. Mr. President, the President's special message on foreign aid which was transmitted to the Congress today points out a number of significant changes which have been forged in the foreign aid program since it was initiated nearly 20 years ago.

It calls, for instance, for a global war on mankind's ancient enemies—hunger and disease and ignorance and directs the Agency for International Development to give top priority to projects in the fields of agriculture, health, and education.

These are closely linked. They are directly translatable into basic human needs.

Education provides the skilled manpower which, in turn, produces more and better food, resulting in healthier people. Thus, the attainment of our objectives in agriculture, health, and education is a touchstone of the effectiveness of our foreign aid policy.

The new emphasis on agricultural assistance is a direct response to the challenge represented by the growing food crisis in the less-developed world. That crisis is shown by the grim statistics: The less-developed countries are running every year about 16 million tons behind in food production. Unless food output is rapidly increased, the deficit will rise to 88 million tons by 1985. That means famine on a world scale—a disaster that must not be allowed to happen.

To help forestall that disaster, AID is spending about a half billion dollars this year on programs to speed agricultural growth in countries which for a variety of reasons are unable to raise enough food for their people. This money is being spent on programs to expand irrigation and water resources, financing of farm credit systems, the improvement of agricultural transport and warehouse facilities, and the equipment of farm-related industries such as plants to manufacture pesticides and farm machinery. A large part of that half billion dollars is being spent on fertilizer—both on exports from the United States and for the expansion of fertilizer production in the less-developed countries themselves.

Of particular importance, AID is financing assignments overseas for American technicians whose skills are primarily responsible for this country's overflowing abundance in food production. About 1,200 agricultural technicians are now serving with AID missions in less-developed countries, helping to improve and expand extension and research, enlarge agricultural education and training facilities and streamline farm marketing and pricing policies. Most of these technicians come from our land-grant colleges and universities, many of which are under contract with AID to export their technical skills to the less-developed world.

In addition, AID has provided funds to bring about 1,500 foreign agricultural technicians to this country this year for further advanced or specialized training in American colleges and universities.

In striving to increase food supplies in the poorer nations, AID has made funds and technical help available for the development of commercial fisheries so that another valuable source of protein might be exploited. India, Pakistan, Korea, and Nigeria are just a few of the countries which are expanding their fish catch with AID's help. AID-assisted extension services are also showing farmers in Laos, Thailand, Vietnam, and other countries how to harvest fish from village ponds.

As to health, major problems remain to be solved despite the dramatic and spectacular achievements of modern medicine and sanitation. For instance, about 700 million people are still exposed to the threat of malaria. Measles and smallpox are widespread in many African countries and enteric diseases are the biggest single cause of infant mortality in the less-developed world.

AID is spending this year around $200 million to help the developing nations cope with these health problems. About one-half of that sum is being spent in cooperation with the U.N. World Health Organization and the Pan American Health Organization in worldwide assaults on killing and crippling diseases. AID is supporting with funds and technical assistance malaria eradication programs in 17 countries and a campaign to control measles by 1971 and eradicate smallpox by 1975 in 19 African countries.

To help eliminate diseases caused by polluted water, AID has provided loans to modernize water and sewerage systems to major cities of Asia, Africa, and Latin America. To repair malnutrition's insidious damage to young bones and sinew, AID is financing enriched supplements for the diets of preschool children in the less-developed countries. By 1971 AID plans to reach about 150 million children with iron and vitamin-fortified supplemental diets in school-feeding programs.

AID is also helping the developing nations to conduct their own health programs by providing funds and technical assistance for the training of health manpower—doctors, nurses, sanitarians, hospital administrators, and paramedics.

Finally, AID has mobilized the vast intellectual resources of American colleges and universities to attack the problem of the shortage of educated manpower which is one of the biggest obstacles to progress in the developing world. Teams from 71 American universities are at work overseas on AID-financed technical assistance missions in 38 countries; many other of our colleges and universities play host to foreign scholars and technicians whose visits to this country for advanced and specialized training have been financed by AID. More than 210,000 students are enrolled in normal schools and teachers colleges established with AID's help in 37 Asian, African, and Latin American countries.

Almost as serious as the shortage of teachers is the shortage of textbooks in many countries. AID funds have provided more than 8 million textbooks for the schoolchildren of Central America and 2 million textbooks for elementary school pupils in Ecuador.

The statistics are impressive but the needs are staggering. We must continue to lend our support to the task of meeting these fundamental needs.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed a bill (H.R. 4573) to provide, for the period ending on June 30, 1967, a temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 4573) to provide, for the period ending on June 30, 1967, a temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act, was read twice by its title and referred to the Committee on Finance.

CHESS IN THE ARMED FORCES

Mr. CANNON. Mr. President, a report of progress is in order at this time for a unique program and for a distinguished gentleman who is well known and highly esteemed by a majority of my colleagues. I refer to the annual Armed Forces Chess Championship Tournament and to the Honorable George E. Reedy who presided at the Chess Awards Dinner in the Sheraton-Carlton Hotel, Washington, D.C., November 18, 1966.

This annual opportunity for chess players in the services is a project sponsored by the American Chess Foundation of which Gen. David M. Shoup, retired Commandant of the Marine Corps, is honorary president. The foundation has the cooperation of the U.S.O., U.S. Chess Federation, and the American Legion, the endorsement of the Secretary of Defense and the military and naval services.

I ask unanimous consent to have printed in the Record the text of Mr. Reedy's speech as given at that occasion.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Speech by Mr. Reedy

It is with a feeling of mild surprise—perhaps even bafflement—that I find myself presiding over the awards dinner of the Armed Forces Chess Championship Tournament.

A word or two is probably necessary to explain this remark.

As a boy, and later as a college student, I became an addict. But the great period of chess in my life came within a few weeks of VJ Day—which found me on Guam as a very junior Air Force officer.

I believe that there are many people at the head table and in the audience tonight who will recall the predicament in which the Air Force found itself in the Pacific during the period of readjustment that followed the ceremonies aboard the battleship *Missouri*. The demobilization program had been worked out with the infantry and with conventional Air Force organizations in mind. I presume that for such TOs the system worked quite well—at least I hope someone got some benefit out of it. But the B29 Wings of the 20th Air Force were not organized conventionally and instead of a gradual diminution of strength, we very quickly found ourselves totally unable to put air craft into the air.

The demobilization process was a "selective" process and, with what appeared to be diabolical ingenuity, the process selected out and sent home virtually all of the key maintenance men leaving behind air crews with unflyable planes.

This meant several thousand men sitting around a quite modern Air base hacked out of the jungle of Northwest Guam with time—and nothing but time—on our hands. As red-blooded American boys, we set out to fill that time. And since the boy-girl coefficient on Guam was somewhat lop-sided (and art galleries were few and far between) we turned to contests of skill and chance.

We started out with the highly touted game of poker—theoretically the supreme source of bliss for the American male. We graduated from straight stud to deuces wild; then to seven-card, low hole card wild and ultimately to an incredible version called "night baseball." (On this one, you bet the cards and then dealt them.) The stakes became higher and the hours at the gaming tables became longer. Gradually, the heretical thought crept into our consciousness that the game was a crashing bore.

We switched to bridge. We played every form of bridge that was conceivable. We devised new systems of bidding. We organized duplicate tournaments. At one point, we reverted to whist in our frenzied search for an analgesic to boredom. Finally, bridge ran out and we found ourselves playing grand slams, no trump, doubled and redoubled with all the enthusiasm of Tom Sawyer at a dancing class.

It might surprise you to learn that the next step in our progression was the fine old game of checkers. We rediscovered the delights of what most of us had considered just a small-town sport played by "old timers" next to a cracker barrel in the general store. To this day I am grateful to the game and refuse to allow it to be derogated in my presence.

Eventually even checkers failed. And then was launched the most intensive period of chess in my life. The Officers' Club, which we had built ourselves after the cessation of hostilities, became the scene of virtually continuous chess games. The Ruy Lopez evoked more avid discussion than the charms of Rita Hayworth. The Scotch gambit was debated with greater heat than the quality of the Suntory Scotch whiskey which we had found stashed away in caves. The Giuoco piano was the basis for wilder arguments than the fairness of a point system which had awarded a bronze star for sanitary engineering to a corporal who had distinguished himself during the war by spraying latrines with a flit gun.

It was about that time that someone in Wing Headquarters going through the 201 files discovered a carefully kept secret—that in civilian life I was a newspaper man. Before I knew what was afoot, Captain Reedy of a bomb group became Captain Reedy the Public Relations Officer of a bomb wing. I had an office, a corporal as an assistant and a geographical separation between myself and my chess-playing friends. There was no more to do and I cast about desperately for some form of activity. One day, I made a find—a book called the "Golden Treasury of Chess" which had been donated by some thoughtful citizen to the Armed Forces and had made its way clear across the Pacific to a library on Guam which contained little else except some well-thumbed detective novels and unbelievable quantities of the *National Geographic*.

I set up a chess board in the Public Relations Headquarters of the Wing and started to play through every game in the book, beginning with a 16th century classic of Ruy Lopez. I played as ostentatiously as I could, hoping and praying that a General—or at least a Colonel—would walk through Wing Headquarters some day and ask me what I was doing. I intended to tell him.

Unfortunately, no one with any greater rank that a Major came my way and he expressed only the most perfunctory interest. It was quite obvious that the Stars and the Eagles were sharing the predicament of the man with the two silver bars. Inspections of Wing Headquarters were few and far between, and nobody really cared.

My demobilization number came up about the time that I had reached a game between Lasker and Capablanca in 1921 and I went home. The book did not help to speed up my departure from the Marianas. But it did help to preserve my sanity—I hope. I left the chess board on the 28th move where Lasker had just executed a brilliant "check" (which involved a wisely rejected offer to sacrifice his queen) and I am not sure even now as to the outcome.

Some day I will return to Guam and proceed to Northwest Field, which, I understand, has been given back to the jungle) and, if the board is still in place, which it probably is, play out the rest of that game.

I do not believe that this experience would qualify me as a chess master. However, it did teach me something about the fundamental quality of chess itself.

It is always a matter of great amusement to me to hear the game described as sedentary. So many of my friends have remarked, "How can you possibly have the patience? How can you sit for so many hours without making a move?"

The truth is that chess is far from a sedentary game except to the observer. Furthermore, it is far from a gentle game. It is, in fact, the most savage form of contest that has ever been devised by mankind and I suspect that it is this quality which has made it so popular throughout the centuries.

The objective of the game is to kill a monarch (some philologists trace the phrase "check mate" to a Persian expression meaning "the King is dead".) The slaying is accomplished by mounting a coordinated attack which involves an array of extremely deadly people beginning with a murderous Queen and ranging down through most militant Eccelesiastical authorities; viperous Knights; Juggernaut castles; and relentless foot soldiers.

It is a mental savagery, of course, and involves bloodshed only on the rare occasions where a loser becomes so outraged at the discovery of the duplicity in the Scholar's Mate that he draws a derringer from his hip pocket and shoots his opponent on the spot. Incidentally, I would advise all of you who undertake to teach the game to a tyro to frisk him carefully before the match. No one likes to be fooled under any circumstances. But to be fooled at chess involves an extra degree of excruciating agony and outrage. You will notice that I myself guarded against the possibility of reopening old wounds by referring to the combination as a "Scholar's Mate" rather than by the more descriptive title of "The Fool's Mate."

The fact that the savagery is entirely upon an intellectual level most of the time accentuates rather than diminishes the effect upon the players. It means that the pent-up anger which is aroused by a successful gambit cannot find the release which comes from the physical exuberance of football, lacrosse or the fine old Gaelic sport of hurling. It is quite possible at the conclusion of such milder games as these for sweating, blood-stained youths to shake hands amicably and walk away in the firm realization that their wounds can be healed with bandages and oil of wintergreen. But when your losing opponent shakes hands with you at the conclusion of a chess match, it is well to keep a careful eye on his left hand to be certain that it does not reach for a concealed stiletto. You must remember that he has none of the alibis inherent in contact sports to salve his wounded pride. He cannot claim that the sun was in his eyes, that the grounder took a tricky hop, or that the wind was against him. He must frankly face the fact that his King has been killed and it was his own fault. There is no conceivable compensation for his ego other than retaliation and revenge at some future date.

It is rather appropriate that I appear here tonight surrounded by some of the Generals who would have been so welcome at the Headquarters on Guam in the fall of 1945. I hope that we can get together after this dinner so I can give them my long deferred explanation of what a chess board was doing on that table at Northwest Field. I also hope that they will agree with me that this game which we are honoring tonight is one that should be continued and pressed with all possible dispatch.

Frankly, I feel that the great value of chess to humanity is its savagery. I still prefer theoretical savagery to the other kind and it may well be that the day will come when disputes between nations will be settled bloodlessly at the chess table which, I assure any non-chess players who happen to be in the audience, is intellectually as gory as any battlefield but physically less damaging to the participants and observers.

DULLES INTERNATIONAL AIRPORT

Mr. BYRD of Virginia. Mr. President, I rise to invite the attention of the Senate, and in particular the attention of the commercial airlines in the aviation industry, to the desirability of Dulles Airport.

I am prompted to speak on this subject as a result of the phenomenon which occurred this past Tuesday during the heavy snowstorm which hit the eastern seaboard.

While Kennedy International Airport in New York was closed, and Washington National Airport was also closed, all during that time flights were being dispatched from Dulles Airport and aircraft were being received and landed there.

This is one of the great airports of the world, and I predict that as the years go by, it will become one of the most used airports of our Nation.

I feel that the progress that has been made in developing Dulles International Airport has been slow, although roughly a million passengers utilized that facility this past year. I think the aviation industry needs to direct greater attention to the great possibilities that exist at Dulles International Airport.

In that connection, I ask unanimous consent to insert in the Record following my remarks an editorial published in today's Washington Post, captioned "Dulles Airport."

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Dulles Airport

It is to be hoped that Tuesday's great storm may have brought to the attention of the aviation industry a phenomena of which it evidently has not been aware previously: that there is a great international airport outside of Washington which has a fine operating record. Dulles Airport continued to receive and dispatch flights during hours when both Kennedy International Airport in New York and Washington National Airport were closed.

Sooner or later this great facility—with good claim to being the best airport in the world—will be used to its capacity. That it is currently used chiefly as a standby facility for airports less fortunately located is no reflection on the airport. But it is a reflection on an industry that seems unable or unwilling to make good use of the best facilities on the Eastern Seaboard—best in terms of safety, convenience for passengers and efficiency for aviation.

Mr. RANDOLPH, Mr. President, will the Senator yield?

Mr. BYRD of Virginia. I yield.

Mr. RANDOLPH. Mr. President, I wish to associate myself with the comments just made by the Senator from Virginia in reference to the use of Dulles International Airport. I feel that his observations are timely. He set forth the splendid services at that airport among the three airports in the so-called metropolitan area, which includes Friendship Airport, given to scheduled airline operations during the recent storms in the East, those storms closing airports in several areas, including New York City.

Dulles International Airport is truly an airport of the future. It was built for the future, but we want it to be used now, because it is also an airport of the present. I hope that the request which was made from the floor by the Senator from Virginia, will in greater sense, be heeded by the trunk lines of this country and those carriers which engage in overseas operations.

Dulles International Airport is truly international in character. It was constructed originally on a sound base, because the Congress, frankly, brought it into being. It is not an airport in any sense regional, State, or city; it is an international airport.

I congratulate the Senator from Virginia. I join fully in the sentiments he has expressed.

Mr. MONRONEY. Mr. President, will the Senator yield briefly?

Mr. THURMOND. I am glad to yield to the Senator from Oklahoma.

Mr. MONRONEY. I compliment the distinguished Senator from Virginia. This airport, as has been said, is the finest airport in the world. I think it is a disgrace to the Nation's Capital, however, that so few international flights originate or use this great airport, which is international in nature.

It would seem to me that as the various domestic and foreign airlines extending service beyond the borders of this country apply for new rights, they should be urged by the Civil Aeronautics Board and by the President of the United States to give better service to the Nation's Capital than is now given.

Practically all flights are oriented toward New York City. It seems to me Dulles International Airport should be utilized as a coterminous or extension of the New York terminal, so that people visiting the United States would not have to transfer, in New York City as so many have to do each day, to reach Washington, D.C.

We must use this great investment that we have established, with the great safety it offers, greater than that of any other airport in the world. I think those of us who are concerned about airports are very anxious to see Washington become the Nation's air capital as well as the Nation's Capital of our Government.

Mr. BYRD of Virginia. I wish to thank the distinguished Senator from Oklahoma and the distinguished Senator from West Virginia for their kind interest in the development of Dulles International Airport. The remarks they have made will be tremendously helpful to the appropriate development of Dulles International Airport, and I express my appreciation to both of them.

LT. ROBERT J. HIBBS, OF IOWA

Mr. MILLER. Mr. President, in his letters and conversations, 2d Lt. Robert J. Hibbs of Cedar Falls, Iowa, felt that there was no question in his mind why we are in Vietnam.

As his father, Walter E. Hibbs, put it: "He thought it was absolutely necessary."

Last March 5, Lieutenant Hibbs sacrificed his life for what he believed to be "absolutely necessary."

On January 26 of this year, his father stood at attention in the North Area Gymnasium at Fort Myers to accept the Nation's highest award for combat valor, the Medal of Honor, which Lieutenant Hibbs was posthumously awarded for his heroic actions in Vietnam. It was the ninth such medal awarded during the Vietnam War and the first to an Iowan.

Lieutenant Hibbs lived and fought in the best traditions of this great Nation. He did not die in vain, for his actions will live on as a testimonial to those who will follow him in Vietnam and in the military service.

In his death, Lieutenant Hibbs gave meaning to life.

Mr. President, a very heart-warming and moving story about Lieutenant Hibbs was written by Nick Kotz of the Des Moines Register's Washington bureau on January 27, and I ask unanimous consent that this article be placed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Des Moines Register, January 27, 1967]

Modest Iowa Family Accepts Medal of Honor for Dead Son

(By Nick Kotz)

Washington, D.C.—A dairy manager from Cedar Falls, Ia., stood at attention Thursday to hear what the United States Army had to say about his son.

Walter E. Hibbs looked very proud but not very military in his loose-fitting suit.

Secretary of the Army Stanley Resor, trim and smart in a steel-gray suit, spoke of 2nd Lt. Robert J. Hibbs. He used phrases like "proud but solemn occasion" and "the supreme sacrifice."

Then Resor gave the elder Hibbs the

Medal of Honor—the nation's highest award for combat valor—which his son had won by sacrificing his life in Vietnam.

Lieutenant Hibbs was killed near a place called Don Dien Lo Ke last Mar. 5 while serving with the 2nd Battalion, 28th Infantry.

HOW HE DIED

The official citation that accompanied the medal—the ninth awarded during the Vietnam war and the first to an Iowan—told of the action in the flat language of military reporting:

"Lieutenant Hibbs was in command of a 15-man ambush patrol of the 2nd Battalion, 28th Infantry when his unit observed a company of Viet Cong advancing along the road toward the 2nd Battalion's positions.

"Informing his command post by radio of the impending attack, he prepared his men for the oncoming Viet Cong, emplaced two mines in their path and, when the insurgents were within 20 feet of the patrol's position, he fired the two anti-personnel mines, wounding or killing half of the enemy company.

"Then, to cover the withdrawal of his patrol, he threw hand grenades, stepped onto the open road, and opened fire on the remainder of the Viet Cong force of approximately 50 men.

"Having rejoined his men, he was leading them toward the battalion perimeter when the patrol encountered the rear elements of another Viet Cong company deployed to attack the battalion.

DIRECTED CHARGE

"With the advantage of surprise, he directed a charge against the Viet Cong which carried the patrol through the insurgent force, completely disrupting its attack.

"Learning that a wounded patrol member was wandering in the area between the two opposing forces, and although moments from safety and wounded in the leg himself, he and a sergeant went back to the battlefield to recover the stricken man.

"After they maneuvered through the withering fire of two Viet Cong machine guns, the sergeant grabbed the dazed soldier and dragged him back toward the friendly lines while Lieutenant Hibbs remained behind to provide covering fire.

"Armed with only an M-16 rifle and a pistol, but determined to destroy the enemy positions, he then charged the two machinegun emplacements and was struck down. Before succumbing to his mortal wounds, he destroyed the Starlight telescopic sight attached to his rifle to prevent its capture and use by the Viet Cong."

Thursday, the Hibbs family gathered for the ceremony in a building the Army calls the North Area Gymnasium at Fort Myer, Va., just outside Washington.

Walter Hibbs, a bit misty-eyed, was joined by his wife in a receiving line on the gymnasium floor.

Mrs. Hibbs, attractive and well-groomed, stood with hostess-like poise as a line of dignitaries came by to shake the parents' hands.

"THANK YOU"

"Thank you very much, we appreciate it—thank you, it was nice to have you," she commented gracefully as Senator Bourke Hickenlooper (Rep., Ia.), Representative H. R. Gross (Rep., Ia.) and 26 Army generals trooped by.

And then at the very end of the procession came 1st Lt. Keith Fish and Staff Sgt. David Payne. She warmly embraced and kissed Fish, who was her son's friend and fellow officer of the 2nd Battalion. Payne was second in command on her son's last patrol.

The Hibbses and the two young soldiers lingered together and reminisced softly like old friends.

Payne, a chunky, 24-year-old Negro career soldier, spoke later about what happened on Mar. 5:

"If we hadn't been out there, the whole battalion would have been wiped out. We were just doing our job. We killed a lot of VCs (Vietcong). The last time I saw the lieutenant he told me to get more ammunition."

FAMILY THERE

Three Hibbs children and Lynne Larson, the State College of Iowa coed Robert Hibbs had planned to marry, stood together during the ceremony. Lynne's parents and brother from Williamsburg, Ia., were there too.

The two Hibbs sons, clean-cut young men, looked proud and composed. Dale, 24, a high school teacher in Rochester, Minn., and William, an S.C.I. freshman, comforted Betsy, 3. She cried most of the time, but they helped her manage a smile as photographers clustered around them.

Later Mr. and Mrs. Hibbs, at a press conference arranged by Army brass, spoke with reporters.

Asked about his son's attitude toward the war, Hibbs said: "Both in his letters and a telephone conversation, he said there was no question in his mind why we were out there. He thought it was absolutely necessary."

Asked his own view of the war, Hibbs strongly echoed his dead son's sentiments that the war is necessary to stop Communist aggression.

Obviously nervous in his first public role of discussing American foreign and military policy, Hibbs twice asked the general beside him whether he was discussing anything secret.

He was not. Hibbs was merely expressing the rationale of the war as it has been explained by American officials starting with President Johnson.

Apologizing for the difficulty of the question, a reporter asked Mrs. Hibbs how she felt about the war, having lost a son.

Mrs. Hibbs talked not about the war, but about her son, Robert.

"When I first heard the news," she said, "the pain in my heart was unbearable. But two things helped. He wore his uniform proudly. And we have our faith in religion."

She spoke of her son's hopes, expressed in a telephone call from Japan three weeks before his death.

"He said he was glad the G.I. Bill had been approved, so he could come home and go to law school."

Robert Hibbs' hobby was collecting miniature soldiers, his mother related, but his interest in the military was a hobby rather "than in being a soldier."

Both Mr. and Mrs. Hibbs emphasized that religion has helped ease their loss.

CHRISTIAN GRACE

"We are Christians and have tried to raise our family as Christians," said Hibbs. "Nothing happens accidentally. This is something I had taught in Sunday school. This is what we term Christian grace."

The dignitaries were leaving now.

Gross and Hickenlooper headed back to Capitol Hill where the debate on Vietnam continued.

The generals departed in their limousines for the nearby Pentagon to read the latest reports on U.S. action in Vietnam.

And the Hibbses prepared to leave. Lieutenant Fish, looking lean and tough in his combat boots and green beret, gently helped Mrs. Hibbs with her coat.

Lynne Larson helped little Betsy find her coat, and put it on her.

Reporters sought taxicabs for a ride back to town. Some studied their neat press kits, prepared by the Army, which told a few fragments about the life and death of Robert Hibbs.

He was born Apr. 21, 1943, in Omaha, Neb. He entered the U.S. Army on Aug. 21, 1964, after graduating from Iowa State College at Cedar Falls. He arrived in Vietnam Sept. 16, 1965.

The citation described how he had fought and died.

HIGHWAY FUNDS

Mr. MILLER. Mr. President, I was pleased to note the presence on the floor of the distinguished Senator from West Virginia [Mr. RANDOLPH], who is also chairman of the Senate Public Works Committee.

Mr. President, last November the administration ordered a $1.1 billion cut in fiscal year 1967 highway spending. Again, in his January 17 news conference, President Johnson announced that a further cutback of $400 million in highway funds was under consideration.

I believe this is false economy. I believe that the administration is wrong in these actions—actions which I feel will sharply and severely hamper our highway programs.

The administration, in promoting these cutbacks, and deferrals, is failing to attack the problem of inflation at the right place. It should curtail domestic spending out of the general fund of the Treasury on its many new programs rather than in spending out of a trust fund which is supported entirely by highway user taxes.

Many are disturbed over these reductions and rightly so. In Iowa, it is estimated that a $10 million reduction will occur, a reduction which can only hurt a State program which is considered one of the best in the Nation.

Iowa needs these funds. Continued construction is vital to the growth and progress of the State. Construction is needed to continue the economic growth of my State and others.

Highway construction should have a high priority. To economize in this area is to cripple economic advancement without any benefit in putting a stop to inflation.

I am gratified that the senior Senator from West Virginia has set the date of February 27 for commencement of hearings on this subject.

THE JOURNAL

On request of Mr. BYRD of West Virginia, and, by unanimous consent, the Journal of the proceedings of Wednesday, February 8, 1967, was approved.

RAYMOND P. BRANDT

Mr. SYMINGTON. Mr. President, it is with deep regret that all Missourians, including myself, read of the retirement of Raymond P. "Pete" Brandt from the St. Louis Post-Dispatch.

As an editorial in the Post-Dispatch of February 7 well stated:

> Pete bought to his work the qualities young reporters are taught to admire—accuracy, scholarship, objectivity, integrity, intellectual curiosity, industry, and an aggressive determination to get to the heart of the matter.

My impression of his outstanding characteristics, over the years it has been my privilege to be his friend, would center around the words "objectivity" and "integrity." At times his comments could be sharp but one always knew that his criticisms were sincere, his integrity unquestionable.

Those of us who have made a practice of reading his wise and penetrating columns will miss him, and along with many other Members of the Senate, I shall miss him as an able sportsman and a friend.

I ask unanimous consent that an article in last Sunday's edition of the St. Louis Post-Dispatch, "Raymond P. Brandt Retires, Post-Dispatch Correspondent," be printed at this point in the RECORD; and also that an editorial in the Post-Dispatch of Tuesday, February 7, entitled "Mr. Brandt Retires," and from which I have quoted, be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the St. Louis (Mo.) Post-Dispatch, Feb. 5, 1967]

RAYMOND P. BRANDT RETIRES, POST-DISPATCH CORRESPONDENT

WASHINGTON, February 4.—The retirement of Raymond P. Brandt as contributing editor of the Post-Dispatch, a post he has held since 1962, was announced today.

Brandt had become one of the best-known Washington correspondents. He began his career here in 1923 and had reported the press conferences of every President beginning with Calvin Coolidge. His kettle-drum voice as he questioned successive chief executives was an unmistakable trademark.

Brandt was named chief of the Post-Dispatch bureau in July 1934. His connection with the Post-Dispatch started in 1917 when he was a part-time reporter prior to receiving his bachelor of journalism degree at the University of Missouri.

He will continue to contribute occasional articles to the Post-Dispatch, particularly in the fields he has specialized in, economics and politics.

After military service, he was a Rhodes scholar at Oxford, where he received a B.A. degree at Lincoln College. After his studies at Oxford, he became an administrator in the Hoover relief mission, serving first in Vienna and later as district supervisor in Vitebsk, Russia. He returned to this country in 1923 and joined the staff of the Post-Dispatch bureau in Washington.

Outstanding among his achievements for the Post-Dispatch were his successive series of articles on Russia. Five times, beginning in 1930, Brandt toured the Soviet Union and wrote reports that gained wide attention. His last tour was in 1955.

His pointed interrogation of President Harry S. Truman drew on one occasion a sharp retort from the President who denounced the editorial policy of the Post-Dispatch. Truman had been critical of the newspaper since the time it conducted an investigation that resulted in the conviction of the late Tom Pendergast, Democratic boss of Missouri. Despite their exchange, Truman and Brandt remained personal friends.

Charles G. Ross, who later was Truman's press secretary, opened the Washington bureau of the Post-Dispatch in 1918.

Under Brandt's direction, it became the largest bureau of an evening newspaper in the capital, with seven reporters.

Brandt received many journalistic honors. President Franklin D. Roosevelt conferred on him the first Raymond Clapper award, which was established a year after Clapper, a noted columnist, was killed in a plane crash. The University of Missouri School of Journalism gave him its award for distinguished service in 1939.

Brandt has been active in many journalistic organizations. He was president of the National Press Club in 1933 and of the Gridiron Club in 1946. He took an active part in Overseas Writers, made up of correspondents with foreign experience.

[From the St. Louis (Mo.) Post-Dispatch, Feb. 7, 1967]

MR. BRANDT RETIRES

Raymond P. Brandt's long and distinguished career as a member of the *Post-Dispatch* staff comes to a virtual close with his retirement as contributing editor. Fortunately, he will continue to write occasional articles on politics and economics, the fields in which he has specialized for most of his working lifetime.

Since 1923 "Pete" Brandt has represented this newspaper in Washington, where his keen insight, honesty and sound judgment made him perhaps the most respected figure in Capital journalism. Over the years, many a statesman sought Mr. Brandt's advice; he knew more about the Federal Government than most of the politicians and bureaucrats and judges—and Presidents—on whose activities he reported.

Mr. Brandt brought to his work the qualities young reporters are taught to admire—accuracy, scholarship, objectivity, integrity, intellectual curiosity, industry, and an aggressive determination to get to the heart of the matter—the qualities, in short, that were insisted upon by Joseph Pulitzer.

In his biography in Who's Who Mr. Brandt lists himself as a "newspaperman," a designation of which he was proud and which reflects his devotion to the profession on which his career cast so much credit.

LEGISLATIVE REORGANIZATION ACT OF 1967

The Senate resumed the consideration of the bill (S. 355) to improve the operation of the legislative branch of the Federal Government, and for other purposes.

Mr. THURMOND. Mr. President, I send to the desk an amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. The Senator from South Carolina [Mr. THURMOND] proposes an amendment as follows:

> On page 90, line 13, strike the words "As a division" and insert in lieu thereof "on the same basis of standards for personnel."
>
> On line 19, strike the word "through" and insert in lieu thereof "on the same basis that recruits are selected by."
>
> On line 20, put a period after the word "occur" and strike the remainder of line 20 through line 21.

Mr. THURMOND. Mr. President, this is an amendment to section 422(a) of the proposed legislation, which relates to the Capitol Police force. The first portion of the amendment merely provides that, in the formulation of the plan to turn the Capitol Police force into a truly professional force, consideration shall be given to the feasibility of providing for the operation of the force on the same basis of standards for personnel as the Metropolitan Police force of the District of Columbia. The legislation, as it is now worded provides that the Capitol Police shall be a division of the Metropolitan Police force.

I do not think it is the desire of the Senate, or the intention, possibly, of the authors of this section of the bill, to make the Capitol Police a division of the Metropolitan Police force. I believe we can accomplish the objective we all have in mind by providing that the personnel of the Capitol Police meet the same or similar standards for personnel as the Metropolitan Police force.

The other portion of my amendment provides that in replacing members on the Capitol Police force, they shall be selected on the basis of the same requirements as recruits are selected for the Metropolitan Police force. The legislation as now before the Senate provides that we shall recruit for the Capitol Police force through the Metropolitan Police force.

The Metropolitan Police force itself has had great difficulty in recruiting and I do not think we ought to be restricted to recruiting through that agency. I do think the members of the Capitol Police force should meet the same or similar high standards as those by which recruits are selected for the Metropolitan Police force.

Mr. President, those who offered section 422 of the bill certainly deserve to be commended. I am in hearty accord with the objectives of this provision, and what I have offered here in the form of an amendment is merely to perfect or improve the situation as I view it. I have talked with various members of the committee and none are opposing this amendment. I hope the chairman of the committee will see fit to accept it.

Mr. MONRONEY. Mr. President, I thank the distinguished Senator from South Carolina for his helpful interest in suggesting language for this section. I believe this is one of the very important parts of the reorganization bill, and the controlling part of the section, which is unaffected by the distinguished Senator's amendment, reads, as follows:

> The Capitol Police Board is authorized and directed to formulate a plan for converting the Capitol Police force to a professional force which shall operate under rules and regulations promulgated by the Capitol Police Board.

The portion to which the distinguished Senator has proposed his amendment is advisory, and reads as follows:

> In the formulation of such plan, consideration shall be given to the feasibility of providing for the operation of such force as a division of the Metropolitan Police force of the District of Columbia.

We did not intend that the Capitol Police should necessarily be made a part of the Metropolitan Police force, but we would like to have it on a similar basis of professional standards; so the Senator in his amendment has inserted the words "on the same basis of standards for personnel" as the Metropolitan Police force for the District of Columbia.

We wish to make it crystal clear that the Nation's Capitol and the many office buildings that we have are to be given adequate professional police protection. We do have in the proposed legislation a clause providing that the members who are now working on the police force, many of whom are working their way through college for a career in law or some other profession, will be retained, but will be given training to better qualify them for the job of law enforcement here on Capitol Hill.

It is understood, however, that as these men leave the force, as they graduate from college and return to their States to take up other careers, that their replacements shall be such members as the Capitol Police force shall deem qualified to perform law enforcement duties. The bill provides for replacements to be persons meeting the standards of the Metropolitan Police force.

It would be difficult, we feel, to operate the Capitol Police force as a division of the Metropolitan Police force, and I think the language that would be stricken, although it was purely advisory, is clarified by the Senator's amendment. I think every witness who testified, and all members of the committee, were unanimous in feeling, however, that the security of the Capitol Building and the Senate and House Office Buildings, and of the employees, particularly the girls, who work there, and the thousands upon thousands of visitors who come to the Capitol to go through the building at night, as it is kept open through the summertime, requires that the area be adequately protected by police. Certainly, we have seen enough incidents to realize why mature, qualified, professional policemen are better suited to fulfill the security needs than the fine young men who come up here and remain on duty as policemen for a period of a few months and cannot be expected to reach the professional status that should be required for as important an assignment as this.

Mr. President, I am happy that the committee is able to accept the amendment of the distinguished Senator.

I ask for a voice vote on the amendment if the Senator does not choose to use more time.

Mr. THURMOND. That is agreeable. I yield back the remainder of my time.

Mr. MONRONEY. I yield back the remainder of my time.

The PRESIDING OFFICER. All time having expired, the question is on agreeing to the amendment of the Senator from South Carolina.

The amendment was agreed to.

UNANIMOUS-CONSENT AGREEMENT

Mr. THURMOND. Mr. President, I have a statement to make on the consular treaty, but in order not to detain the Senators who are working on the pending legislation, I ask unanimous consent that I may yield the floor now, and be recognized immediately after the Senator from Oklahoma has concluded his business today on the pending legislation.

Mr. MONRONEY. Mr. President, I thank the Senator for waiting. Other Senators are waiting to leave. We have worked out with Senators adjustments on amendments which they had intended to offer. I feel that the committee is solidly behind these compromises, and I feel that the adjusted amendments will fit in with the purposes of the bill and expedite passage of the bill.

The PRESIDING OFFICER. The question is on agreeing to recognize the Senator from South Carolina [Mr. THURMOND] after the Senate completes action today on the pending business.

Is there objection? The Chair hears none, and it is so ordered.

The Senator from Texas.

Mr. YARBOROUGH. Mr. President, I have offered several amendments designed to preserve the general objective of the bill: to permit the committees to function in a better manner.

As the committee reported the pending bill to the floor, the bill would require more rigid committee procedures than under the existing rules.

The entire tendency in modern jurisprudence in the courts is toward getting to the substance of the litigation and away from rigid rules and court procedure which, prior to the past few decades, made the rules an end in themselves and made compliance with the rules more important than justice to the litigants.

The object of my proposed amendments is to lighten the bill's rigid proposals and give the several committees more autonomy to work out their own affairs and provide an expeditious procedure for reaching final action on the bills.

AMENDMENT NO. 50

Mr. YARBOROUGH. Mr. President, I call up my amendment No. 50 and send to the desk a substitute for amendment No. 50, and ask that the clerk read the substitute amendment.

The PRESIDING OFFICER. The substitute amendment will be stated.

The legislative clerk read as follows:

On page 6, line 9, strike out the word "when", and insert in lieu thereof the words "during executive sessions for marking up bills or for voting or when".

Mr. YARBOROUGH. Mr. President, the reference is to lines 7, 8, and 9 on page 6.

The pending bill requires that to have a closed meeting the committee would have to meet, get a majority, and vote to close the meeting.

My substitute amendment has been worked out with the distinguished floor manager and chairman of the committee.

My amendment would allow the committee to meet without such requirements. The chairman could call an executive committee meeting.

The amendment adds the words on page 6, line 9, after striking out the word "when," "during executive sessions for marking up bills or for voting or when".

It provides, in other words, that for marking up bills or for executive sessions or for voting, the meeting would be closed. The committee might vote the meetings closed for other purposes.

Does the chairman accept the substitute amendment?

Mr. MONRONEY. We will be glad to accept the amendment.

The committee has been consulted with reference to the pending amendment by the distinguished senior Senator from Texas.

The present language in the Senate rules provides for executive sessions when we are engaged in the markup of or voting on bills. Anyone familiar with the necessity of trying to reach agreements and compromises recognizes the difficult situation that would be created if this were not possible.

The provision in the bill was unclear as to whether the executive sessions for marking up bills and voting were necessarily to be postponed by committee action or be allowed by committee action.

Certainly, the committee did not intend this.

The amendment of the distinguished Senator makes it crystal clear that these two things are permitted in executive session.

We accept the amendment.

I yield back the remainder of my time.

Mr. YARBOROUGH. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having expired, the question is on agreeing to the amendment of the Senator from Texas.

The amendment was agreed to.

AMENDMENT NO. 52

Mr. YARBOROUGH. Mr. President, I call up my amendment No. 52 and send to the desk a substitute and ask that the substitute be stated by the clerk.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 8, line 10, immediately after the word "committee", insert the words "who has given such notice of intention at the time of such approval of that measure or who at that time has requested a copy of such report".

On page 8, line 17, immediately after the word "more", insert the word "such".

On page 8, line 24, immediately after the word "submitted", insert the words "by any such member of the committee".

Mr. YARBOROUGH. Mr. President, the pending bill provides that upon the completion and preparation of proposed committee reports upon a measure, such reports shall be transmitted promptly by the clerk of the court to each member of the committee.

This, it seems to me, would be a slowing down of the committee procedures.

I have offered a substitute amendment and worked it out with the distinguished floor manager and chairman of the committee to provide that the completed committee reports need be circulated only to those who intend to write minority views or who request a report at the time the measure is voted on in committee.

At the time the vote is taken, if some committee member says, "I want to file minority views," or if some committee member says, "I want a copy of the report," the report would then be circulated to them. However, this would not automatically be done for all members.

We felt that to do otherwise would constitute a slowing down in the committee procedures, if the committee had to wait to get all of the reports back.

Mr. MONRONEY. Mr. President, the committee has carefully gone over the amendment. We feel that the language offered by the Senator from Texas is entirely adequate to preserve the right of the committee's minority members if they wish to file minority views.

That was the purpose of the original language. However, many feared that it would slow down committee procedure.

The added language, by agreement of the committee in our conferences, provides that any such member of a committee who requests a copy of a report may receive it, as may those members who give notice of filing minority views.

We are happy to accept the amendment. We think that it improves the bill by adding clarity to the language.

Mr. YARBOROUGH. Mr. President, I thank the Senator.

Mr. President, I yield back the remainder of my time.

Mr. MONRONEY. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having expired, the question is on agreeing to the amendment of the Senator from Texas.

The amendment was agreed to.

AMENDMENT NO. 53

Mr. YARBOROUGH. Mr. President, I call up my amendment No. 53 and send to the desk a substitute amendment and ask that it be stated.

The PRESIDING OFFICER. The substitute amendment will be stated.

The legislative clerk read as follows:

> On page 12, line 12, strike out the words "two weeks", and insert in lieu thereof the words "one week".
>
> On page 12, line 13, strike out the words "by a majority vote".

Mr. YARBOROUGH. Mr. President, as the pending bill is reported, it requires that notice of a hearing to be conducted by a committee be given 2 weeks in advance.

The substitute amendment that I have sent to the desk would change that requirement from 2 weeks on a committee hearing to 1 week's notice.

It would also provide that the committee may determine by its rules, or informal agreements, whether the 1-week rule should be waived, rather than having to have a formal vote on such a question.

It seems to me that the substitute amendment would provide each committee with more flexibility in working out its rules.

An emergency arises sometimes, in which case it is not desirable to wait a week.

We have worked diligently with respect to all of these substitute amendments with the distinguished senior Senator from Oklahoma. He has given great time to this effort. He and his staff have worked with us day after day.

I thank the Senator and commend him for his diligence in helping to work out these amendments in the interest of an efficient committee procedure so that the procedures will not be the determining factor in legislation.

Mr. MONRONEY. Mr. President, this amendment also deals with procedure. The present provision provides for 2 weeks' notice in advance. However, the distinguished Senator from Texas and others thought that 2 weeks would be too long a time. They felt that 1 week would be sufficient time for the announcement.

There is nothing contained in the bill to prevent the announcement of 2, 3, or 4 weeks' notice if the committee so desires.

The original bill provides that the committee can determine this matter. If the committee so determines by majority vote, hearings can begin at an earlier date without the necessity of extra meetings by the committee to have a majority vote.

We would let the committee determine whether they shall begin at an earlier date. This provides more flexibility to committee members who can set the hearings earlier or later if they desire.

We are pleased to accept the amendment.

Mr. YARBOROUGH. Mr. President, I thank the Senator.

I yield back the remainder of my time.

Mr. MONRONEY. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having expired, the question is on agreeing to the amendment of the Senator from Texas.

The amendment was agreed to.

AMENDMENT NO. 59

Mr. YARBOROUGH. Mr. President, I call up my amendment No. 59.

The PRESIDING OFFICER. The amendment will be stated.

Mr. YARBOROUGH. I state to the distinguished floor manager, the Senator from Oklahoma, that this amendment is called up out of order because it is on the same page, page 12.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read the amendment, as follows:

> Beginning with the comma at the end of line 21, page 12, strike out all to and including the comma in line 23, page 12.
>
> Beginning with the second comma in line 4, page 49, strike out all to and including the comma in line 6, page 49.

Mr. YARBOROUGH. Mr. President, the bill as reported provides that if a hearing of a committee is open to the public, this hearing, in the discretion of the chairman, with the approval of the majority of the members of the committee, may be broadcast by radio or television or both, under such rules as the committee may adopt. My amendment modifies the conditions under which hearings may be broadcast, so that a majority vote would not have to be obtained prior to each hearing broadcast. In other words, my amendment provides that the committee itself can adopt rules in advance, for a month or for the whole session, if it wishes. Each committee could adopt rules for the broadcast of proceedings of those committees, without the necessity of obtaining a majority vote before each broadcast.

Mr. MONRONEY. This amendment deals more or less with the internal decisions of the committee which rightly belong to the committee. It was felt that the decision as to whether the rights were granted for a day or a week or for the session should be within the province of the committee; and the decision as to whether it will be delegated to the chairman by the committee or left to the majority of the committee to work its will, should be a part of the internal operation of the committee, and not one of the areas in which the Senate itself should prescribe hard and fast rules.

Consequently, we are happy to accept the amendment of the distinguished senior Senator from Texas regarding the broadcasting of committee hearings.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Texas.

The amendment was agreed to.

AMENDMENT NO. 54

Mr. YARBOROUGH. Mr. President, I call up my amendment No. 54, and send to the desk a substitute therefor, and I ask that the substitute be read.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read the amendment, as follows:

> On page 13, lines 3 and 4, strike out the words "two days", and insert in lieu thereof the words "one day".
>
> On page 13, line 6, strike out the words "determines by a majority vote", and insert in lieu thereof the words "chairman and ranking minority member determine".
>
> Beginning with the word "Before" in line 8, page 13, strike out all to and including the word "committee" in line 10, page 13, and insert in lieu thereof the words "If so requested by any such committee, the staff of the committee shall prepare for the use of members of the committee before each day of hearing before the committee".

Mr. YARBOROUGH. Mr. President, as the bill has been reported, it requires that a copy of the statement of each witness be filed with the committee at least 2 days before the committee hearing. My experience has been that constituents coming from my State generally do not get to Washington 2 days before the hearing. Often, they do not have their statements completed when they reach the city.

We have worked out an amendment to require that these statements be filed 1 day in advance of appearance, instead of 2 days.

Furthermore, the bill as reported provides that that requirement could be waived by a majority vote of the committee. It seemed cumbersome to us to wait to obtain a majority of the committee to decide whether to waive the filing of a statement by a witness 2 days before a hearing. The amendment would amend the requirement to require that the chairman and the ranking minority member of the committee could waive that requirement.

Furthermore, this new rule provides that before each day's hearing, the committee staff shall prepare a digest of the statements filed, and furnish digests of the proposed testimony to the committee members. My amendment makes these advance staff summaries or digests of the testimony optional with each committee, instead of mandatory. Each committee can adopt its own procedures as to whether to require its staff to digest these advance statements, and furnish them to the members.

I understand that the distinguished senior Senator from Oklahoma accepts this amendment as modified.

Mr. MONRONEY. The amendment has been reported, has it?

Mr. YARBOROUGH. The amendment has been reported.

Mr. MONRONEY. The committee is glad to accept the modified amendment, reducing the time to 1 day in which to file advance copies of statements of witnesses, realizing that many witnesses do not arrive in Washington 2 days ahead of time and bring their statements with them.

We are glad to make the modification, but I should like to have the Senator's attention as to the actual meaning of it. We provide that, if so requested by any such committee, the staff of the committee shall prepare a digest for the use of members of the committee before each day of hearing before the committee. This applies to the advance summary——

Mr. YARBOROUGH. The advance summary.

Mr. MONRONEY. The digest of a witness' statement.

Mr. YARBOROUGH. The Senator is correct.

Mr. MONRONEY. Obviously, if the witness files a statement 1 day before his appearance, it will be impossible for a staff member to digest that statement, or it will be difficult for him to digest that statement, in time for it to be on the desks of the Members at the time of the hearing. So, we leave this matter optional with the committee, to request their own staff, which they have the right to do now, to prepare digests.

However, I should like to make it clear that this does not affect the requirement that the testimony that is given in the hearing by these witnesses shall be subject to a daily summary, as provided in the bill.

Mr. YARBOROUGH. My amendment No. 54 relates only to an intracommittee presummary of the testimony that is to be given. The bill of the Senator from Oklahoma has a separate provision for a summary by the staff of the testimony presented after the testimony has been presented.

Mr. MONRONEY. That is the Senator's amendment, I believe.

Mr. YARBOROUGH. That is No. 55. Yes, that is the next amendment.

But before we leave amendment No. 54, dealing with this language, paragraph (c), at the top of page 13, the second paragraph in that amendment provides that the requirement of witness' statements being filed may be waived by the chairman and the ranking minority member. I should like to make legislative history of that at this time with the Senator from Oklahoma, that when we are referring to a hearing before a subcommittee, that this requirement may be waived by the chairman of the subcommittee and the ranking minority member of that subcommittee.

As a practical matter, with respect to the committees on which I have served—the Committee on Appropriations and the Committee on Labor and Public Welfare—very few hearings are conducted by the full committee. Most of the hearings of those committees are conducted by subcommittees.

It seems to me that we should make legislative history that we are referring to the chairman and the ranking minority member of that committee or the portion of the committee that is conducting the hearing.

Mr. MONRONEY. That is the committee's understanding. We favor that provision and believe that it would provide equal opportunity for the majority and minority parties to determine whether the requirement should be waived or not.

It is especially important not to have to call a meeting of the committee or of the subcommittee to determine whether to waive the right of a witness to appear without his statement. Often, some of the most important witnesses appear after the committee hearings have started, and the committee is happy to have the advice and the testimony of such witnesses, who may have come at the last minute and could not possibly have prepared a statement. In such cases, the right to waive the presentation of an advanced copy of their testimony properly should be left with the minority and majority members of that subcommittee or the full committee.

Mr. YARBOROUGH. It has been my experience, Mr. President—I am certain it has also been the experience of other Senators—that the people who are most likely to have their statements ready are the representatives of the trade associations in Washington, who are professional workers in the subject, who work on legislation of a certain type the year around. But if we have witnesses from our home States who are not professionals with respect to the legislation, they may have something very valuable to contribute, and they are not likely to have the written statement ready.

We believe it is valuable that we have flexible procedures so that we can get the testimony of those—we might say amateur—witnesses or once-in-a-lifetime witnesses, without requiring them to have the statement written out as in the case of a witness who appears before committees and testifies as to every bill affecting his trade association.

Mr. MONRONEY. Mr. President, we feel that the amendment of the Senator is satisfactory and we are happy to accept it.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Texas [Mr. YARBOROUGH]. [Putting the question.]

The amendment was agreed to.

AMENDMENT NO. 55

Mr. YARBOROUGH. Mr. President, I call up my amendment No. 55, and send to the desk a substitute for amendment No. 55.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT LEGISLATIVE CLERK. On page 13, line 19, strike out the word "shall", and insert in lieu thereof the word "may."

Mr. YARBOROUGH. Mr. President, a new requirement is imposed on committees by the bill. It would require that after the completion of each day of hearings before a committee the staff shall prepare for the use of the members of the committee a summary of the testimony that was heard before the committee that day. If hearings upon any measure before the committee are ordered by the committee to be printed, any summaries of testimony given in such hearings which would have been so prepared shall be printed.

Mr. President, we have offered an amendment to change that language to "may be printed" instead of the mandatory requirement that these staff summaries "shall be printed."

The bill, as introduced, would require the staff to summarize the testimony. The requirement is that the summary must be printed along with the testimony. My substitute amendment No. 55 would leave the requirement of preparing the summary in the bill but would make it optional with the committee as to whether it is printed or not.

Mr. MONRONEY. Mr. President, this is a very important part of the organization bill.

We have heard a great many complaints by Senators that it would be a tremendous and onerous duty to have the staff prepare a digest of testimony given before Senate committees.

The committee does not feel that this duty is going to require as great an effort or expenditure of time on the part of the staff as the opponents of this provision suggest. Despite many complaints that apparently have been made, I wish to say that we expect something in the nature of a digest or memorandum that would summarize in concise language a statement that might be four, five, or 10 pages long. Such a summary would save a great deal of time for a member who was not able to be present at the hearing and wishes to be sure that he did not miss something that was vital or important in the testimony of a witness.

Mr. President, we all know from years of experience that statements of witnesses often are unnecessarily long; and even in the presentation to the committee, statements are often briefed by those who are presenting them, so that many times the full statement is not in the record.

In order to help Senators know more about what has taken place, should Senators unfortunately be absent from hearings, we feel that it would be no great imposition on the staff to prepare a brief summary for committee members.

Knowing that some of these digests might not be fully acceptable to the public and that it might be claimed that they do not fully cover the testimony of witnesses, we leave in the amendment of the Senator from Texas, the discretion of the committee. The committee may, if it wishes, print the summary as a part of the printed record of the hearings. However, if the committee feels that the summary should not be released to the general public, committee members may use it for their own information in reaching conclusions on amendments to bills, and such summary may be kept as a part of the committee's records. Mr. President, the summary is not required to be printed. The summary will be printed only if the committee decides that it would be proper for such summary to be printed.

I believe that the amendment of the Senator from Texas will be very helpful. We are glad to have the benefit of his efforts in this matter and in other matters suggested by him.

I thank the distinguished Senator for his careful study of this matter, and for his recognition of the needs of Senators to have this briefing service. I thank him as well for his recognition that it should be within the discretion of the committee to determine whether the summary shall be printed as a part of the hearings.

Mr. President, I am glad to be able to accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 55, as modified, of the Senator from Texas [Mr. YARBOROUGH]. [Putting the question.]

The amendment was agreed to.

Mr. YARBOROUGH. Mr. President,

the action which has just been taken represents action on six of the amendments which we proposed, and some of my other proposals were substantially covered by the amendments of the Senator from Louisiana [Mr. LONG], which were voted on. We have some proposals pending and during the recess we intend to discuss them with the distinguished Senator from Oklahoma [Mr. MONRONEY].

Mr. President, I express my appreciation to the Senator from Oklahoma for his approach to the amendments. He has taken the amendments to the committee and worked them out, and worked out compromises in connection with them.

I feel that the six amendments adopted will expedite the procedures and preserve some of the essentials which the distinguished Senator was attempting to achieve.

Mr. President, in the Senate flexibility is needed because a Senator may serve on three or four committees, as well as three or four subcommittees, which meet at the same time, and there is a necessity for him to attend each meeting. We have considered in these amendments the problems that Senators have in connection with committee meetings and the heavy burden that is placed on Senators.

The Senator from Oklahoma has been most cooperative and studious in working these matters out in order to improve these procedures. I greatly appreciate his approach to this legislation.

Mr. MONRONEY. I wish to say that the committee appreciates the cooperation of the distinguished Senator from Texas. These matters are of a rather intimate nature to Senators. Many provisions of the bill would have gone one way or the other. The advice and cooperation of such studious Senators as the Senator from Texas, on the basis of his experience in committees, has been helpful in clarifying the situation in an effort to speed up legislation to prevent any unnecessary delay that might be caused by unnecessary revision of the rules. The Senator has been very helpful. I appreciate the spirit of cooperation that has enabled us in a few hours to save the time of Senators on the floor of the Senate. These matters could have consumed a day, 2 days, or perhaps 3 days. We hope that we find equally cooperative other Senators who have amendments, so that we can reduce the accumulated number of amendments.

Many of the amendments of the Senator from Texas were similar in nature to amendments proposed by other Senators. We hope that other Senators will be agreeable to accepting the amendments that have been made by the Senator from Texas, because in many instances other amendments modify the same sections of the bill as were modified by amendments of the Senator from Texas, and under which we would arrive at the same end. We are grateful for the splendid cooperation of the Senator from Texas and the way in which we have been able to work these matters out in committee rather than to take the time on the floor of the Senate.

Mr. YARBOROUGH. I again thank the Senator from Oklahoma. As he has stated, we worked for hours on these proposals. We attempted to work them out in order to save the time of the Senate on the floor. Also, as the Senator mentioned, we have disposed of a good many amendments.

I thank the Senator.

Mr. MONRONEY. Mr. President, I yield to the Senator from West Virginia [Mr. BYRD], the secretary of the Democratic conference, and assistant majority leader, for an executive matter.

EXECUTIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

The PRESIDING OFFICER. If there be no reports of committees, the clerk will state the nominations on the Executive Calendar.

FEDERAL HIGHWAY ADMINISTRATION

The assistant legislative clerk read the nomination of Lowell K. Bridwell, of Ohio, to be Administrator of the Federal Highway Administration.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

APPALACHIAN REGIONAL COMMISSION

The assistant legislative clerk read the nomination of Joe W. Fleming II, of Arkansas, to be Federal Cochairman of the Appalachian Regional Commission.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. RANDOLPH. Mr. President, I emphasize the importance of the action just taken by the Senate in approving the nomination of Lowell K. Bridwell to be the Federal Highway Administrator within the newly formed Department of Transportation. He will undertake most important duties in connection with the orderly and continued creative development of the highway system of the United States—during a period of transition when important policy decisions will be required.

This nomination was considered by the Committee on Public Works. Mr. Bridwell appeared before our committee, and was questioned carefully on his background. He has fully satisfied the members of the committee that, both as a distinguished journalist and as a dedicated public official, he will effectively discharge the very broad responsibilities assigned to him in connection with highway transportation.

I add that there was complete approval by the committee on the nomination of Mr. Bridwell.

Another matter of importance considered by the members of the Public Works Committee was the nomination of Joe W. Fleming II, to be the Federal Cochairman of the Appalachian Regional Commission.

This is the first of the regional commissions. We have now had 2 years of experience with this 12-State region, in which each State has been represented by its Governor. The Commission is a partnership, and a fine example of creative federalism. It has functioned successfully in the past under the cochairmanship of John Sweeney; and I am confident that the practice of cooperative Federal-State action will continue under the cochairmanship of Joe W. Fleming II.

Mr. Fleming is known to many Senators, having served on the staff of the distinguished Senator from Arkansas [Mr. FULBRIGHT]. For almost 2 years, he has been functioning with the Appalachian Regional Commission, as the assistant to Mr. Sweeney.

Those of us who have a direct interest, as does my colleague from West Virginia, in the 12-State Appalachian area, feel that in Mr. Fleming we will have the work at the Federal level carried forward with a complete knowledge of the congressional intent of Public Law 89-4 and an understanding of the problems of the Appalachian region.

I thank my colleagues for their cooperation.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

On request of Mr. BYRD of West Virginia, and by unanimous consent, the Senate resumed the consideration of legislative business.

PRINTING OF ADDITIONAL COPIES OF COMMITTEE PRINT ENTITLED "STATE AND LOCAL PUBLIC FACILITY NEEDS AND FINANCING"

Mr. BYRD of West Virginia. Mr. President, will the Senator from South Carolina yield to me for one or two unanimous-consent requests?

Mr. THURMOND. I am happy to yield to the Senator from West Virginia for that purpose.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 56, Senate Concurrent Resolution 7.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The ASSISTANT LEGISLATIVE CLERK. Senate Concurrent Resolution 7, providing for the printing of 1,500 additional copies of volumes I and II of committee print entitled "State and Local Public Facility Needs and Financing."

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to as follows:

S. Con. Res. 7

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Joint Economic Committee one thousand five hundred additional copies of volumes 1 and 2 of its joint committee print of the Eighty-ninth Congress, second session, entitled "State and Local Public Facility Needs and Financing".

Amend the title so as to read: "Concurrent resolution authorizing the printing for the use of the Joint Economic Committee of additional copies of its joint committee print entitled 'State and Local Public Facility Needs and Financing' ".

The title was agreed to as follows:

The title was amended, so as to read: "Concurrent resolution authorizing the printing for the use of the Joint Economic Committee of additional copies of its joint committee print entitled 'State and Local Public Facility Needs and Financing' ".

AIR POLLUTION CAUSED BY MOTOR VEHICLES

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 57, Senate Resolution 80.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The Assistant Legislative Clerk. Senate Resolution 80, to print a study by the Secretary of Health, Education, and Welfare, on air pollution caused by motor vehicles, as a Senate document.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to as follows:

S. Res. 80

Resolved, That there be printed as a Senate document the fifth semiannual report of the Secretary of Health, Education, and Welfare, on the problem of air pollution caused by motor vehicles and measures taken toward its alleviation, dated December 1966, in compliance with Public Law 88-206, the Clean Air Act, as amended by Public Law 89-272.

Sec. 2. There shall be printed two thousand five hundred additional copies of such document for the use of the Committee on Public Works.

Mr. RANDOLPH. Mr. President, I invite attention to the fact that our Subcommittee on Air and Water Pollution of the Public Works Committee will begin hearings in Los Angeles on February 13 and 14 on this very vital subject of air pollution, with specific attention to emissions from the operation of motor vehicles.

Since the resolution requests the printing of certain of the findings and criteria in this field, it is appropriate to mention the scheduled hearings of our subcommittee at this time.

We will continue the hearings in Denver on the 16th of February, in St. Louis on the 17th, and then in Detroit on the 20th and 21st.

The committee will be chaired by the very knowledgeable Senator from Maine [Mr. Muskie]. Several members of the subcommittee will join him in these important hearings.

We realize that all Members of the Senate are intensely interested and concerned, as are the citizens of the United States generally, that we control and abate the pollution of our air.

The President recently sent to the Congress his message on preserving our natural heritage, which was followed almost immediately by draft legislation to strengthen the national effort to abate and control air pollution. The Subcommittee on Air and Water Pollution, and the parent Committee on Public Works will be doubly involved in advancing this program during the current session of the 90th Congress.

THE COLORADO RIVER STORAGE PROJECT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 58, Senate Resolution 76.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The Assistant Legislative Clerk. Senate Resolution 76, authorizing the printing as a Senate document of the 10th annual report of the status of the Colorado River storage project and participating projects.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. BYRD of West Virginia. Mr. President, let me say at this point that the resolution, as well as the preceding resolutions which have just been called up under unanimous-consent request, were cleared with the minority.

The PRESIDING OFFICER. The resolution is open to amendment. If there be no amendment to be proposed, the question is on agreeing to the resolution. The resolution was agreed to as follows:

S. Res. 76

Resolved, That there shall be printed as a Senate document the Tenth Annual Report on the Status of the Colorado River Storage Project and Participating Projects, prepared by the Department of the Interior, and an introductory statement by Senator Anderson, and that five hundred extra copies be printed for the use of the Senate Interior and Insular Affairs Committee.

THE CONSULAR CONVENTION WITH THE SOVIET UNION

Mr. THURMOND. Mr. President, in the widespread public debate about the Soviet Consular Convention, a basic misconception has arisen. That misconception is that there is a need for this convention at all. I intend today, Mr. President, to show that the basic functions and protections which this convention supposedly would give are already in force; and that even though they are in force, they are ignored. And finally, no additional protection could be expected from the Soviets.

Mr. President, the Secretary of State has said that the basic purpose of this convention, the first bilateral convention signed between the U.S.S.R. and the United States, is to afford protection to increasing numbers of American citizens traveling in the Soviet Union. He has pointed out that no treaty is necessary for the President to establish foreign consulates on American soil; that power is already encompassed in the President's constitutional responsibilities for foreign relations. Soviet consulates were established in New York, San Francisco, and in Los Angeles in 1937, and an American consulate was established in Vladivostok in 1941. Apparently then, no new treaty is needed for the resumption of consular relations outside of our embassies.

On the other hand, no new agreement should be needed for the protection of American citizens traveling in the Soviet Union. We already give Soviet nationals in the United States the advantage of broad, democratic rights, including prompt notification to Soviet officials when a Soviet national is arrested. The Soviets ought to do the same thing without a treaty, simply on the basis of reciprocity.

And yet the Soviets have already agreed to recognize such rights since 1933, an agreement they have repeatedly violated, down to the most recent weeks. On November 16, 1933, Maxim Litvinov and President Roosevelt exchanged memorandums setting forth conditions for the diplomatic recognition of the U.S.S.R. by the United States. Litvinov at that time was the Soviet Peoples Commissar for Foreign Affairs. The documents discussed the possible negotiation of a consular convention, in which "nationals of the United States shall be granted rights with reference to legal protection which shall not be less than those enjoyed in the Union of Soviet Socialistic Republics by nationals of the nation most favored in that respect." But even though that treaty was never specifically negotiated, Litvinov promised nevertheless that "such rights will be granted to American nationals immediately upon the establishment of relations between our two countries." In other words, the protection would be granted merely upon the condition of diplomatic recognition.

What kind of protection did Litvinov promise? Litvinov called Roosevelt's attention to an agreement between the Soviet Union and Germany, signed on October 12, 1925. American rights would become equal to those of Germany, the "most favored nation." The language of this agreement is almost identical to the protective clauses of the 1964 consular treaty:

> Each of the Contracting Parties undertakes to adopt the necessary measures to inform the consul of the other Party as soon as possible whenever a national of the country which he represents is arrested in his district.
>
> The consul shall be notified either by a communication from the person arrested or by the authorities themselves direct. Such communications shall be made within a period not exceeding seven times twenty-four hours, and in large towns, including capitals of districts, within a period not exceeding three times twenty-four hours . . .
>
> In places of detention of all kinds, requests made by consular representatives to visit nationals of their country under arrest, or to have them visited by their representatives, shall be granted without delay.

President Roosevelt assumed that the protection promised by Litvinov was already in effect, when he wrote in formal reply:

> Let me add that American diplomatic and consular officers in the Soviet Union will be zealous in guarding the rights of American nationals, particularly the right to a fair, public, and speedy trial and the right to be represented by counsel of their choice. We shall expect that the nearest American diplomatic or consular officer shall be notified immediately of any arrest or detention of an American national, and that he shall promptly be afforded the opportunity to communicate and converse with such national.

Moreover, the U.S. State Department itself subsequently treated the agreement of November 16, 1933, as a binding document. In the official publication "Foreign Relations of the United States, Diplomatic Papers, the Soviet Union, 1933–39," there is recorded extensive diplomatic correspondence over Soviet violations of the November 16, 1933, undertaking. There are 15 items of correspondence in 1937, 18 items in 1938, 16 items in 1939. They may be read there by anyone who wishes.

No one can doubt that the State Department then regarded the right of access to arrested citizens as indisputable. Secretary of State Cordell Hull even held that these rights were inviolable even if Litvinoff had never even written his memorandum of November 16, 1933. Writing to the American Ambassador in Moscow in 1937, he instructed him:

> You should not, however, say anything that would imply that this letter (of Litvinoff's) is the only basis for this Government's request and you should make it plain, if necessary, that this Government would expect the granting of such permission even in the absence of all written guaranties.

But as a matter of fact, the guarantees did exist in writing.

Now some people might say that all this was a long time ago, and that the Soviets might have changed their attitude in recent years. Yet the 1964 Treaty has been signed for 30 months, and there have been 20 cases of Americans detained by Soviet police. The best comment upon this situation was provided by Secretary Rusk when he appeared before the Senate Foreign Relations Committee on January 23:

> In none of these cases did the Soviet authorities adhere to the standard of notification and access provided for by this Convention—

Said Mr. Rusk.

I ask, then, does this show good faith on the part of the Soviets? I grant that the treaty is not yet in force, but it would not hurt the Soviets to demonstrate their eagerness to abide by its provisions. By adhearing to the agreed-upon standards even now, the Soviets would not have lost anything; on the contrary, they would have gained a propaganda success. One thinks immediately of the notoriety gained by the Barghoorn incident, and the Newcomb Mott tragedy. The Secretary of State testified further:

> Surely such incidents have serious public impact in this country. Without rules of the kind this Convention would provide, the arrest of an individual quickly becomes an international incident.

And well it might.

Mr. President, this treaty should be considered on the actual benefits it will bring to U.S. citizens, and not upon its alleged effect upon improving the Communist image in the world. If the Communist government of the Soviet Union were interested in improving its own image, the Soviet Presidium could long since have ratified the 1964 treaty without delay. The Presidium acts under discipline. It is not hampered by free and open debate, nor by the prudence and caution which has caused this Chamber to hesitate over the matter. The Soviet Presidium does not have to wait to act until the U.S. Senate acts. If the Communist rulers of the Soviet empire wanted to afford U.S. citizens the elementary rights of free citizens, they could have done so by fiat many months ago.

The Soviet Union is not prepared to afford U.S. citizens these elementary rights. The main interest of the Soviet Union in negotiating the Consular Treaty is in security diplomatic immunity for its consular personnel, an immunity never before granted on such a broad basis. Since 1957 alone, according to FBI statements, 28 Soviet diplomats have been arrested or expelled for crimes, including espionage. This treaty would grant to Soviet charwomen in Soviet consulates the same immunity from prosecution now enjoyed only by recognized diplomatic personnel. No other consular convention has even suggested such a sweeping grant of immunity. In the past, Soviet consulate personnel on U.S. soil have submitted to U.S. criminal law. If Soviet criminal law is so patently unjust that even a foreign consul needs special immunity, then the climate is not yet favorable for the normalization of travel and trade relations which the establishment of consulates implies. The "immunity" which the Soviets promise in this treaty is not a benefit which it is safe for us to seek.

It is rather the immunity which the Soviets would gain for their agents in the United States which is the problem. This immunity from prosecution for espionage is the sole aim of the Soviets in negotiating this treaty. Ambassador Foy Kohler has testified that this extraordinary proposal for immunity originated from the Soviet side. It was, in fact, the thing they bargained for. This outrageous concession can be forgone by the United States without harm. It is the one thing which the treaty proposes which does not now exist in our consular relationship with the Soviet Union. The immunity provision must be dropped; and without it, the treaty adds no substantive rights which we do not already have a basis for demanding.

Since this treaty was signed in 1964, the opposite postures of the United States and the Soviet Union have changed drastically. There is no longer any doubt that the Soviets are the real power behind the Communists in Vietnam. The Soviets could stop the Vietnamese war any time they wished. The Soviets could very well now refuse to ratify this treaty, and deal us a stunning slap in the face. After all it is the United States that initiated these proposals, and begged on bended knee to get them signed.

The final question, then, is whether we ought to be encouraging U.S. citizens to travel in Communist countries in times of increasing stress. This consular treaty perhaps promises them a false protection. If the Soviets violated it after it went into force, the United States would have no sanctions to apply, except to make the violation into a dangerous international incident. We could rescind reciprocal Soviet privileges in the United States, but the Soviets would feel no great loss, for less than 900 Soviet nationals now travel yearly in the United States.

But for the Americans, the loss could be much more dramatic. There is every reason to believe that the Soviets will violate this treaty, even if it goes into effect. The U.S. State Department, in a memorandum distributed to Senators on February 6, has as much as said so. In discussing the extraordinary provisions for diplomatic immunity, the memo states:

> Without immunity, our consular employees could be jailed or suffer even harsher punishment on similar trumped-up charges.

If the Soviets are expected to arrest official representatives of the United States on trumped-up charges, will they not also harass ordinary citizens of the United States? And even with the treaty, ordinary U.S. citizens get no immunity. The only protection they get is the right to confer with consular officials before they are tried by a kangaroo court on trumped-up charges. Mr. President, the U.S. Government ought to be warning its citizens against taking such dangerous risks, instead of encouraging them to make use of such dubious protection as this treaty offers.

Mr. President, several recent newspaper articles shed much light on this Consular Treaty which the Senate is being asked to ratify. The first of these is an article which appeared in the Saturday, February 4 edition of the St. Louis Globe-Democrat. It is entitled "Consular Pact Production 'New' in 1933," and was written by the Washington correspondent of the Globe-Democrat, Mr. Edward W. O'Brian. I would like to read this article for the information of my fellow Senators.

The "new" protection which the pending consular treaty with the Soviet Union is supposed to provide for American tourists in Russia was in fact pledged by the Soviet Union 33 years ago.

The Russian pledge was a key part of the agreements between Moscow and Washington that comprised the diplomatic foundation for United States recognition of the Communist regime Nov. 16, 1933.

Research by this newspaper into State Department documents shows that President Roosevelt demanded and received a formal promise that American citizens traveling in Russia would be accorded several legal safeguards by Russia authorities.

These safeguards, explicitly spelled out in the documents exchanged in 1933, are virtually identical with the supposedly "new" rights granted under the consular treaty now before the Senate Foreign Relations committee.

The 1933 pledge by the Russians is still in effect. It was among the fundamental elements in President Roosevelt's decision to establish diplomatic relations with the Soviet Union.

LITVINOFF PLEDGE

The pledge was made in a letter to "My Dear Mr. President" by Maxim Litvinoff, then Soviet minister of foreign affairs.

He assured Mr. Roosevelt that several "rights will be granted to American nationals immediately upon establishment of relations between our two countries."

The "rights" guaranteed by Litvinoff were stated by him to be these:

United States diplomatic representatives would be notified "as soon as possible" of the arrest of any American in the Soviet.

Notification would be within three days if the arrest were in a city, and within seven days elsewhere.

"In places of detention of all kinds," United States diplomats or their representatives would be allowed to visit arrested Americans "without delay" upon request.

In his reply of the same day, President Roosevelt declared he was "glad" this pledge was going into effect "immediately."

He then reaffirmed his understanding of its meaning.

"Let me add that American diplomatic and consular officers in the Soviet Union will be zealous in guarding the rights of American nationals, particularly the right to a fair, public, and speedy trial and the right to be represented by counsel of their choice," the President told Litvinoff.

ARGUMENTS

"We shall expect that the nearest American diplomatic or consular officer shall be notified immediately of any arrest or detention of an American national, and that he shall promptly be afforded the opportunity to communicate and converse with such national."

In advocating Senate ratification of the pending treaty, President Johnson, Secretary of State Dean Rusk, and other officials have used as their principal argument the claim that American travelers in the Soviet Union are now without legal protection from arbitrary arrest and imprisonment.

On Thursday, for example, President Johnson appealed for Senate ratification on the ground that "we need this treaty to protect the 18,000 American citizens who each year travel from this country to the Soviet Union.

The convention requires immediate notification to us whenever an American citizen is arrested in the Soviet Union. It insures our right to visit that citizen within four days, and as often thereafter as is desirable."

VIOLATIONS

State department records show that Russia's pledge in 1933 has been violated more times than can be counted.

In 1956, for example, a State Department note protested Soviet detention of American personnel involved in various aircraft incidents since 1949.

The note stated that this government had trouble even in learning the identity of the Americans.

Another pledge by Russia in 1933 was to "refrain from interfering in any manner in the internal affairs of the United States" and to refrain from attempting to damage American security.

According to a recent FBI list, 28 Soviet officials have been arrested or expelled from the United States since 1957 for espionage activities.

In addition, there have been 12 criminal court cases since 1960 involving American citizens and others caught conspiring with the Soviet Union in violation of espionage and passport laws.

It is disturbing that we are calling for a new treaty at the same time that the U.S.S.R. is the real foe in Vietnam. David Lawrence has skillfully pointed this out in his column in the Washington Star of February 8. This column is entitled "Russia Called Real Foe in Vietnam," and it reads as follows:

RUSSIA CALLED REAL FOE IN VIETNAM

(By David Lawrence)

Peace could come overnight in the Vietnam war if the Soviet Union—which is spending billions of dollars to supply war planes and other weapons, and is providing military technicians to the North Vietnamese—were to decide to withhold its aid unless hostilities are ended.

For the Moscow government is at present the real adversary of the United States in Vietnam and has been indirectly responsible for the killing of thousands of American soldiers. Yet, instead of demanding an end to such acts of war, the President and his administration are actually asking Congress to ratify a new consular treaty which could mean assistance to the Soviet system of infiltration.

The figures derived from official sources show that in the last two years more than $2 billion worth of supplies—oil, field artillery pieces, heavy infantry weapons and modern jets, including light bombers—have been furnished by the Soviet Union to the North Vietnamese military forces. In addition, hundreds of pilots have been sent by the Hanoi government to Russia to be trained. More than 2,000 Soviet technicians are in North Vietnam training missile crews and operating military supply stations.

The tendency heretofore has been to portray Red China as the principal factor in the bolstering of the North Vietnam government. But the evidence is coming out now that Russia has become in the last two years the mainstay of the North Vietnamese. The Red Chinese, despite their internal troubles, are continuing to supply light weapons, ammunition and rice, all of which is a big help to the guerrilla forces. The Russians, however, are providing the real sinews of the war which is causing America and its allies to incur thousands of casualties.

Oddly enough, the United Nations and its secretary general, U Thant, have not said or done anything to protest this action. Inside the United States the facts about the Russians aid have not been publicized. Historically, the action of the Soviet government would long ago have been the subject of a formal protest by the American government and could have brought about a severance of diplomatic relations. The Moscow government in 1953 openly boasted that it had been furnishing arms and supplies to Red China, though that country had been denounced in 1951 by a formal resolution of the United Nations as an aggressor in South Korea.

Today the Russians are again giving military aid to an aggressor, and the subject isn't even being discussed in the United Nations. Nor is it being mentioned by administration spokesmen in Congress or elsewhere. Instead, the pressure for peace moves is centered on the North Vietnamese without regard to the fact that the Soviet government is encouraging the Hanoi regime to keep on fighting and is supplying the necessary military aid for that purpose.

Incidentally, the Soviet Union, according to news dispatches in the last 24 hours, has achieved its "first major success in a campaign to get Russian arms and military technicians into pro-Western nations." Arrangements have been completed for Russia to supply military aid to Iran, which is a member of the Central Treaty Organization along with Turkey, Britain, Pakistan and the United States. This is the organization which the American government played an important part in forming so as to defend the Middle East against Communist penetration.

Also, the news dispatches tell of the use of Cambodian territory by the Communists to attack American troops in Vietnam. Thus, the forces aided by Moscow are spreading the war into other countries in Southeast Asia.

The question is why the President and the Congress remain silent though they have indubitable proofs that the Soviet Union is North Vietnam's principal ally.

For the reasons contained in my remarks and fortified by these two particular columns, I feel that it would be the height of folly for the Senate to give its stamp of approval to the Consular Treaty with the Soviet Union.

SENSE OF THE SENATE WITH RESPECT TO TROOP DEPLOYMENT IN EUROPE—AMENDMENT

AMENDMENT NO. 89

Mr. DODD. Mr. President, I send to the desk an amendment to Senate Resolution 49, to express the sense of the Senate with respect to troop deployment in Europe.

I submit this amendment, rather than an alternate resolution, because I believe that my wording is in fundamental harmony with the objectives of the distinguished majority leader and with the motivations that inspired him to introduce his resolution.

The PRESIDING OFFICER. Does the Senator desire his amendment printed and reported?

Mr. DODD. Mr. President, I should like to have the amendment printed, printed in the RECORD, and appropriately referred, and I ask unanimous consent that it remain at the desk for 5 days.

The PRESIDING OFFICER. The amendment will be received, printed and appropriately referred; and, without objection, the amendment will be printed in the RECORD, and held at the desk, as requested.

The amendment (No. 89) was referred to the Committees on Armed Services and Foreign Relations, jointly, as follows:

AMENDMENT NO. 89

Strike out the preamble and all that follows and insert in lieu thereof the following:

"Whereas the foreign policy and military strength of the United States are dedicated to the protection of our national security, the preservation of the liberties of the American people, and the maintenance of world peace; and

"Whereas the North Atlantic Treaty has been a cornerstone of our security structure and has effectively served as a shield against the contingency of Communist aggression in Europe; and

"Whereas the security of the United States and its citizens remain interwoven with the security of other nations signatory to the North Atlantic Treaty as it was when the treaty was signed; and

"Whereas the North Atlantic Treaty is today in a state of grave disarray because of the withdrawal of France; the failure to resolve the problem of nuclear sharing; the British financial crisis and the possibility that this will lead to a significant reduction of British NATO forces; the failure of some other members of the alliance to contribute men and materials on a fair and equitable basis; and for other reasons; and

"Whereas the strength of NATO has derived in large measure from American participation in NATO and from the credibility of the total American commitment to the defense of Europe—and this is truer at the present critical juncture in NATO affairs than it has been at any previous time; and

"Whereas there is widespread fear in Europe, fanned by the critics of American policy, that the war in Vietnam will lead to a weakening in the United States commitment to defend Europe; and

"Whereas any further erosion of confidence in NATO would seriously weaken the free world, diplomatically and militarily, and might reactivate the danger of Communist aggression in Europe; and

"Whereas the reinvigoration of NATO would assure the maintenance of peace in Europe, would enormously enhance our diplomatic potential, and, by persuading the Communists that aggression will not be permitted to succeed and their efforts to destroy NATO have been frustrated, would encourage the trend toward a genuine normalization of relations in Europe; and

Whereas the reinvigoration of NATO, combined with improvement in the techniques of modern warfare, might well make it possible, with the full understanding of our allies, to effect a significant reduction of United States forces permanently stationed in Europe, without adversely affecting Western security, or the military-diplomatic balance in Europe, or our ability to meet our commitments under the North Atlantic Treaty; and

Whereas, for all these reasons, the reinvigoration of NATO should be a primary objective of American policy: Now, therefore, be it

Resolved, That—

(1) The Committee on Foreign Relations and the Committee on Armed Services shall meet in joint session, at the call of the Chairmen thereof and at the earliest feasible date, for the purpose of hearing and taking comprehensive testimony on the crisis in NATO and on those measures which can most effectively be taken to overcome this crisis;

(2) Prior to holding the hearings called for in the paragraph above, such committees shall dispatch a task force of six members, consisting of two majority and one minority member from each committee, to the NATO countries, for the purpose of discussing with the political and military leaders and parliamentary groups of these countries all aspects of the North Atlantic Treaty and the crisis in NATO, and such task force shall report promptly on their findings to the full committees;

(3) Starting from the premise of the imperative need for the maintenance and reinvigoration of NATO, such hearings shall give consideration, among other matters, to the problem of whether, how, and when a significant reduction of United States forces stationed in Europe can be effected without adverse consequences to the national security and the security of the Free World; and

(4) Such committees shall, at the earliest practicable date after the completion of such hearings, jointly report their findings and recommendations to the Senate.

Mr. DODD. Mr. President, I, too, would like to see a substantial reduction of American forces in Europe; and I am inclined to believe that such a reduction can be achieved in consultation and agreement with our allies, in a manner that will not weaken the basic structure of NATO, and without reducing NATO's capability to deter aggression, or, if need be, to respond to aggression.

The essential difference between my amendment and Senate Resolution 49 as it is now worded, is that my wording calls for deliberation and consultation. And it is my hope that my colleagues will find it useful to have before them two different wordings between which they can choose, rather than being confined to the option of supporting or refusing support to the resolution presented on January 19.

I had originally planned to introduce this amendment before the close of the last session. But when the majority leader announced that he would not press for action on his resolution, I decided to hold up on the presentation of my amendment out of deference to the majority leader's decision.

My amendment does not exclude the possibility of a significant reduction of American forces stationed in Europe at some future date.

Indeed, it states that the reinvigoration of NATO, combined with improvements in the techniques of modern warfare, might well make such a reduction possible.

Senator MANSFIELD's resolution calling for a reduction of U.S. forces in Europe could be interpreted to mean an immediate withdrawal of U.S. troops without any deliberation and consultation. This real possibility prompted the introduction of my amendment.

My amendment is based on the premise that the maintenance and reinvigoration of NATO should be a primary objective of American foreign policy and that it is within this context that the question of reducing American forces in Europe should be viewed.

Since the question of the reduction of American forces in Europe cannot be considered in isolation from the overall problem of European and Western security, my amendment asks that the Foreign Relations Committee and the Armed Services Committee conduct a comprehensive study of the crisis in NATO and the measures which can most effectively be taken to overcome this crisis; and that, to this end, the two committees hold joint hearings and dispatch a joint task force to Europe for the purpose of discussing with the political and military leaders and parliamentary groups of the NATO countries all aspects of the North Atlantic Treaty and the crisis in NATO.

I can understand the attitude of the distinguished group of Senators who have given their support to Senate Resolution 49.

It is true, as the wording of the Senate Resolution 49 states, that some of the members of the alliance have failed to contribute men and materials on a fair and equitable basis. The exceptions to this—and they are important ones—are West Germany, Great Britain, Italy, and Turkey. By and large I believe that it is accurate to say that these countries have fulfilled their commitments as they understood them.

It is true, too, as the original resolution states, that the continuing drain on the dollar is a matter for the gravest concern, and that we must seek to find ways of stopping it. This has some bearing on the NATO problem.

Senate Resolution 49 states that, I quote:

> The security of the United States and its citizens remains interwoven with the security of other nations signatory to the North Atlantic Treaty, as it was when the Treaty was signed.

On this cardinal point, I believe all of us in the Senate would agree.

In the light of this statement, I believe the original sponsors of Senate Resolution 49 would be opposed to taking any action that might seriously damage NATO or lead to its collapse. But can they be certain that their resolution would not have precisely this effect?

NATO today is a very sick organization.

France has pulled out, and is conducting a vigorous diplomatic campaign to convince other NATO nations to follow its lead.

As a result NATO is in the process of reorganizing its entire logistical and headquarters setup.

The British financial crisis has obliged Britain to consider a sharp cutback in its forces in Germany.

It proved impossible to obtain agreement on the multilateral surface force proposal and it is generally conceded that the new NATO Nuclear Planning Group is at the best a partial answer.

Even those European allies who sympathize with our commitment in Vietnam are worried that this may lead to a weakening of the U.S. commitment to help defend Europe.

For all of these reasons, a substantial and unilateral withdrawal of American troops from NATO at this juncture might be as dangerous and as unpredictable in its consequences as a hard blow on the head to a man recovering from a bout of double pneumonia.

Senate Resolution 49, as now worded, may serve some positive purpose by letting our European allies know that there is widespread resentment over the failure of the NATO nations, with the exception of West Germany, Britain, and Turkey, to accept their fair share of the burden of the defense of Europe. But if the resolution as I interpret it were implemented at this juncture, we might in effect, be cutting off our nose to spite our face—because the collapse and disintegration of NATO would gravely complicate our security problems and would result in an increased drain on the dollar rather than solving the problem for us.

Some of my colleagues may feel that I am overstating the dangers. I do not think I am. Last September it was my privilege to participate in a conference on world affairs in Wiesbaden, Germany. Although my opportunities for discussion were limited by the brevity of my visit, I came away with the distinct impression that many of our friends in Europe are worried about our intentions and about our heavy involvement in Asia. A substantial reduction in American forces at this time would be construed as a proof of General de Gaulle's contention that America cannot be relied upon and would be exploited by him in his design for the construction of a de Gaullist Europe as a replacement for NATO. The general for some reason ignores the fact that twice in this century European defensive arrangements have proved inadequate to protect the peace of Europe, and the United States has had to be called in on both occasions to prevent the victory of the aggressors.

From a purely logical standpoint, it can be argued that we would remain committed to the defense of Europe even if we had 25,000 or 50,000 men there instead of 300,000. But psychological attitudes and popular beliefs and suspicions are sometimes factors of paramount importance in the world of politics.

It will do no good to continue to assure the West Germans of our continued commitment to their defense if serious doubts about this commitment should ever be raised in their minds by a combination of American troop reductions and Gaullist propaganda and continuing disarray in NATO. They will come to the conclusion that we cannot be depended upon. Because of this, before we can make any intelligent decision on the question of reducing American forces in Europe or in any other problem confronting NATO, we in the Senate have the duty to learn as much as we can about the thinking and attitudes, the aspirations and the fears, of our NATO allies.

The impression has been fostered by numerous writings and statements, that there has been a firm and irreversible normalization of relations between Western Europe and Communist Europe.

There has been an apparent normalization in the sense that the existence of NATO has for almost two decades now served as a deterrent to open Communist aggression in Europe. But if, through overcomplacency, we fail to take countermeasures to arrest the current erosion of NATO, we would also soon learn that the danger of Soviet aggression is not a thing of the past.

Those who have found comfort in the belief that Soviet policy has undergone significant moderation, would do well to read the speech of Mr. Sharaf Rashidov, the leader of the Soviet delegation to the Tricontinental Conference, which took place in Havana in January of 1966. Mr. Rashidov said:

> The Soviet delegation has arrived at this conference with the aim of giving all-round assistance to the unification of the anti-imperialist forces of the three continents in order to provide greater impetus to our common struggle against imperialism, colonialism, and neo-colonialism—led by the U.S. capitalists.
>
> The Soviet Union—

Said Mr. Rashidov further—

> is supplying the fraternal people of Vietnam with the most modern weapons for meeting U.S. aggression. We are doing everything in order that the deliveries of Soviet military equipment—aircraft, rockets, artillery ammunition, and so on—will get into the hands of the Vietnamese freedom fighters as rapidly as possible.

It would be dangerous in the extreme to regard the present detente in Europe as a proof of Soviet moderation. This has been further misinterpreted by some people to call for the actual dismemberment of NATO. What it means is simply that the existence of NATO has thus far made aggression in Europe an unacceptable risk for the Kremlin. Because of this, the Soviets have in recent years directed their energy to other areas of the world like Vietnam and Latin America and Africa, where they can engage in subversion or support aggression without risking an open confrontation with Western Powers. But we should ask ourselves why the Soviets continue to seek the dissolution of NATO through a thousand different artifices if they harbor no aggressive intention toward Western Europe. And we should also ask ourselves why they are flooding the Middle East with arms, encouraging Nasser to continue his war in Yemen, supporting the terrorist campaign against the British in south Arabia, inciting the Syrian Government against Jordan, encouraging the Turks against the Cypriots and the Cypriots against the Turks. According to King Hussein, of Jordan, the rationale behind their Middle Eastern policy is a brutally simple one: What it adds up to is that they hope to subjugate the entire Middle East, from Gibraltar to Aden, to their control.

NATO was created to contain Soviet aggression. The sacrifices necessary to maintain it can only be justified by the NATO governments on the grounds that the danger of Soviet aggression still exists. The tendency to minimize this danger bears a large portion of the responsibility for the erosion of NATO unity and morale. Conversely, a realistic acceptance of this continued danger is the essential first step in the rehabilitation of NATO.

The North Atlantic Treaty has been a cornerstone of our security structure. It has effectively served as a shield against the contingency of Communist aggression in Europe.

Any further erosion of the NATO structure or of European confidence in NATO would seriously weaken the free world, diplomatically and militarily, and might reactivate the danger of Communist aggression in Europe.

Conversely, the reinvigoration of NATO would assure the maintenance of peace in Europe. By persuading the Communists that aggression will not be permitted to succeed and that their efforts to destroy NATO have been frustrated, it would encourage the trend toward a genuine normalization of relations in Europe.

I am convinced that we can work out a solution. I think we can reduce our forces, taking into consideration the modern techniques of warfare, getting our allies to make a greater contribution, taking into consideration several factors. I think this should be done with great care and deliberation and in consultation with our allies. I am afraid that Senator MANSFIELD's resolution, simply calling for a reduction, will have a bad effect on NATO.

Therefore, I offer this amendment, as an alternative method of securing the same result.

In submitting my amendment to Senate Resolution 49, I want to emphasize again that my wording is in fundamental harmony with the objectives of the resolution offered by the majority leader, but that I consider it of the greatest importance to approach this entire matter in a somewhat more deliberative and consultative manner.

I am convinced that a mutually acceptable solution can be found. Such a solution would involve certain adjustments in our current military posture and military doctrine. I expect to address myself to this matter more specifically in a speech which I hope to deliver on the floor of the Senate in the future.

I hope that those Senators who have not yet taken a stand on Senate Resolution 49 will find the wording of my amendment more acceptable. And I am confident that all Senators will consider my amendment with an open mind.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. DODD. I yield.

Mr. LAUSCHE. The purpose of the Senator's amendment is to give authority for the creation of a detailed study of what the situation is in NATO and what our course should be, and then draw conclusions to be acted upon by the Senate?

Mr. DODD. Yes, the statement of the Senator is exactly right.

Mr. LAUSCHE. How does that course differ from what is envisioned in the resolution to which the Senator from Connecticut has offered his amendment?

Mr. DODD. Senate Resolution 49, as I understand it, does not make any reference at all to consultations with our NATO allies or a joint study by the Committee on Armed Services, with the Committee on Foreign Relations. Most importantly, my proposal would provide for sending a task force of six Senators on behalf of the Senate to inquire of our NATO allies as to what the situation is, what can be done to improve it, what should be done, if anything, and how we can reduce our commitment and not endanger our security or that of our European friends.

Mr. LAUSCHE. As I understand what the Senator from Connecticut said it amounts to the declaration that the time has not come when we can feel secure that the European nations are secure from the threat of the Communists and the East.

Mr. DODD. The Senator is correct. That is exactly what I have been trying to say.

I think that this business of moderation of the Soviet Union has been vastly overdone. It is commonly referred to as a detente. I have tried to spell out here that there is no sign of real moderation of their intentions. They have only shifted the locale. They have not been aggressive only because of NATO. They would have moved in Europe long ago if they thought they could get away with it, but the risk with NATO is so great that they have not. Instead, they have turned to Latin America, Asia, and the Middle East. Heaven knows where they will turn next.

I wish to add one thought. The pity is that this constant writing and talking about the changes that are taking place when no changes are really taking place is the old tactic of the Soviet shift. On the surface they make it appear they have changed when they have merely moved to another position for the same purpose.

Mr. LAUSCHE. The Senator from Connecticut does concede, in the face of new modern equipment, that there may be ways to reduce our numbers, and he has even suggested that in all probability that will be done.

Mr. DODD. The Senator is correct.

Mr. LAUSCHE. But his amendment contemplates approaching the problem not impulsively but on the basis of a study and consultation with our allies so that there shall be a sort of multilateral action, instead of unilateral action on the part of the United States, keeping intact the great good that has been done in the last 20 years in deterring Red Russia from the objectives it had as early as 1947, 1948, 1949, and 1950, when it was evident that it wanted to move to the West on every front.

Mr. DODD. The Senator has stated the situation correctly. That is what I have been trying to say. I believe it is important that we embody in this resolution, if we are going to adopt one, a provision for deliberation and consultation. I repeat that I want to see our forces reduced and I think that it can be done.

Mr. LAUSCHE. Will the Senator yield further?

The PRESIDING OFFICER (Mr. McGEE in the chair). Does the Senator from Connecticut yield?

Mr. DODD. I yield.

Mr. LAUSCHE. Mr. President, this morning I listened to Kosygin's press conference in London. It went on for 1 hour. About the last 5 or 7 minutes were devoted to South Vietnam. Based on what I had read in the newspapers in the last 2 days I expected that Kosygin might say some kind word about the United States.

When the first question was put to him about South Vietnam, eagerly did I await what he was going to say. To my great chagrin he uttered not one word of sympathy or favor for our country. He said that we were the aggressors against North Vietnam; that we should unconditionally and interminably stop our bombing of the north.

I awaited his answer to the next question. It was a repetition of his answer to the first question. He said that we were the aggressors, we were the wrongdoers, and we should stop our bombing. There was not one suggestion from Kosygin that North Vietnam should quit sending military equipment and military personnel to the south. In other words, he repeated the words of Ho Chi Minh and nothing else.

I shall await to hear what Mr. Rusk has to say in the press conference this afternoon.

I might be asked why I listened so intently. The Consular Treaty is before us. I led the movement against it 2 years ago.

Mr. DODD. I well remember.

Mr. LAUSCHE. I would like to build bridges between the East and the West, if it can be done constructively, that would lead toward peace and better understanding. I have been prepared to change my mind, feeling that if what we have done in the past has not succeeded probably we should take a different course and see what the end will be.

Kosygin knows of the intensity of the difference of opinion on the consular treaty. Knowing of the difference that exists in the Senate, I thought, well, perhaps this morning he would say something that would give strength to those who are advocating the acceptance of the treaty. However, I regret to state that not one word, not one syllable of friendliness, came from him. The only marked aspect of what was said was an absence of labeling us as imperialists and capitalists.

I thank the Senator.

Mr. DODD. I thank the Senator from Ohio. His comments are always extremely intelligent, to the point, and worthwhile.

Mr. LAUSCHE. I wish to commend the Senator from Connecticut for the submission of the amendment. I think it is well thought out and constructive.

Mr. DODD. I am thankful for the statement of the Senator from Ohio.

(At this point Mr. CLARK assumed the chair.)

Mr. McGEE. Mr. President, will the Senator yield so that I might carry on where the Senator from Ohio left this question?

Mr. DODD. I yield.

Mr. McGEE. I appreciate the observations which my friend the Senator from Ohio made.

He had an opportunity to hear Kosygin this morning, which I did not, and he has arrived at some tentative conclusions with regard to the bearing this may or may not have with regard to the Consular Treaty now pending before this body.

It comes as no surprise to me that Kosygin would not make an overt gesture in a television demonstration in London that might influence the Consular Treaty.

I wonder if it occurred to my friend, the Senator from Ohio, that the Russians have so much less to gain from the treaty than we have, and that the reason so many of us are supporting that treaty so strongly is that our net gain far overshadows anything that the Russians hope to realize from it. If I were Kosygin and the Kremlin, I would have a hard look at it.

We, as Americans, have 18,000 tourists traveling in the Soviet Union and we are asking for better treatment and a higher status of supervision over what happens to them if they get into a clash with the law in the Soviet Union.

In return, there are so few Russians touring the United States in any given year that we are not conceding anything on that score. Thus, it is conceivable to me that Kosygin had no ax to grind in making concessions, so far as the Consular Treaty was concerned.

Let us not outsmart ourselves on this treaty.

I would hope that the distinguished Senator from Ohio would continue to look at the Consular Treaty and advance it in the cause of the United States and let the Russians sweat out the consequences.

Mr. LAUSCHE. My opinion is that while a consular treaty is of some consequence, it is not the major issue in what is going on. The Consular Treaty contemplates giving the right to Russia to open consular offices in different places in the country, but there will be other proposals coming before us, such as removing the restrictions against trade with Communist countries. I would hope that we could make a rapprochement with them, but there is no indication on the part of Russia of any purpose to do so.

Certainly, to establish, let us say, one new consular office with 15 attachés might not be dangerous, although if we give Russia a consular office, we will have to give one to Yugoslavia and to all the other satellite nations as well.

The Consular Treaty is not what bothers me. I think we can stomach that, even though there may be some dangers in it.

But, what is to follow?

How far are we to open the doors and engage in normal intercourse with them, commercialy and socially, after the Consular Treaty has been adopted?

I still have not closed my mind against giving support to it, but Russia could help by ceasing its condemnation of the United States; cease hurling epithets and labeling us as imperialists wanting to exploit the resources and the human beings of other areas of the world; cease issuing declarations such as the one it made in Havana, in its condemnation of the United States, that they were going to fight us in South America, Africa, and in the Far East; cease sending equipment to South Vietnam, equipment which is being used to kill our boys.

They have done nothing to show any gesture of friendliness toward us. All their actions have been hostile, indicating a continuation of the purpose they announced in 1949, that they would not rest content until all of imperialist United States has been destroyed.

I think I should speak up and make known my reaction to what has been said this morning.

Mr. McGEE. I agree with the Senator's reaction to that. I do not think we have any license to regard a consular treaty as a key to open doors wide. We must examine every step we take, in its own context and in its own time. However, I do believe that our national gain with this particular treaty proposal will far outweigh any which will redound to the Soviets.

I believe that we would be outsmarting ourselves if we took substance in any kind of interpretation from Kosygin's remarks this morning as a reason for not acting upon the treaty.

I, too, would insist on seeing each new step rather than accepting this simple, tiny, and insignificant step as a go-ahead to pull out all the stops.

Mr. LAUSCHE. I know I am imposing upon the Senator from Connecticut, but if he would allow me to speak briefly for a few more moments——

Mr. DODD. The Senator is not imposing upon me. I am interested in this discussion.

Mr. LAUSCHE. During lunch, I spoke with the Senator from West Virginia [Mr. RANDOLPH], and he, too, listened to the presentation of Kosygin. His reaction was identical to mine; namely, not one hint of friendliness toward us. It is not becoming to be the situation which prevails today.

Mr. McGEE. If the Senator from Connecticut will permit me to make one more quick observation, it is conceivable that, understanding, I am sure, as we do in this body, the climate of world politics as well as the climate of domestic politics, it probably would not be smart domestic politics for a man of Kosygin's stature to appear to be going soft toward the West, or soft on capitalism, when he is away from home of all places. If ever he were to make any noises like that, he should be at home where he can protect his political flank. In other words, I am sure that his people are more interested in what goes on between Moscow and Peking than between

Moscow and Washington at this time, and we must allow for that.

This does not mean that we should not weigh every single new angle of Kosygin's remarks, but it does mean that we must be cautious about over-interpreting the harshness of his remarks because of the competition with Peking for good favor in the international Communist world. We must continually keep this in balance and weigh it ourselves in our own national interest.

Mr. LAUSCHE. He did speak most highly of the Chinese Communists. He said that all that is occurring is an internal argument among themselves, that it will be settled, and Communist China will continue. He solicited their favor and their good will in the remarks he made.

His remarks about our country did not come close to bordering on what he said favorably about the attitude of Communist Russia toward Red China.

In any event, many thanks to the Senator from Connecticut for granting me this time.

Mr. McGEE. I wonder whether I might ask my good friend from Connecticut whether in his proposals in the amendment, to which I listened with great interest, he would dismiss the possibility of a quid pro quo negotiation with the Soviets in regard to any demobilization in Europe? He talks lucidly about multilateral consultations with the allies in NATO. But I would go one step further and suggest that even multilaterally if we decide, due to modern improvements, that we could cut back a little bit, why not try to trade something with the Soviets in Eastern Europe?

Mr. DODD. Do I correctly understand the Senator to mean, would I look favorably on an effort to get an arrangement or an agreement with the Soviet Union for their withdrawal and our withdrawal?

Mr. McGEE. Oh, no. I just meant that if they are going to pull back any number of troops, what do we lose by trying to get a quid pro quo from the Russians? Why do we not sit down and hammer out some kind of measured concession on both sides?

Mr. DODD. I would certainly think that is a good idea. I was prepared to go a little further. I thought the Senator was suggesting by his question that we might try to get an agreement with the Soviets that they pull out of Eastern Europe and maybe we could pull out of Western Europe. We could have a self-proving and self-protecting agreement on that.

I wholly agree. I would be for any reasonable proposal that would bring such a result about.

Mr. LAUSCHE. Did not the Senator propose that?

Mr. McGEE. Yes. I proposed that at one time.

Mr. DODD. I did not know I was in such good company.

Mr. McGEE. One of the Senate aids has just handed me a teletype release, reporting that just now the Soviet Union is said to be reducing some of its armed forces in eastern Germany, presumably because of their concern in the Chinese situation. It says that intelligence reports reaching West Berlin said the Russians plan to recall from three to five divisions of its 22-division army in the Soviet zone.

None of us can be sure of what really is happening in China, but we do know that everyone, including the Russians, are concerned about what is going on there. This might be a propitious moment to close with them on a hard agreement in terms of complete disposition, because of their concern on their other flank.

Mr. DODD. I quite agree with the Senator from Wyoming. I have always felt this way, as I know he has. I think he is right when he says we should get quid pro quo. We ought to try to get something in return for what we give. My basic complaint has been that too often we have gotten nothing in return. There were so many things we might have asked for and obtained had we tried hard enough to get them. The Soviets are hard bargainers. I think we should be too, particularly from the standpoint of security.

Mr. McGEE. May I observe to my friend from Connecticut that I would not want to trade positions with the Russians in trying to explain what we had done, looking back over the course of what we call the cold war. I think two material prizes at stake in World War II were the Ruhr Valley of Germany and the industrial capability of Japan. Russia was unable to get into its hands either one of them. We happened to get both of them. This happened despite all the Russians were able to do, in the course of the cold war.

If I were in the Kremlin, I could not sleep at night if I had to depend on the satellite armies of Eastern Europe. I would not trust them for 24 hours, if my own troops were not there watching them. So I think there is that difference from the point of view of what we were able to achieve.

On the other hand, we are talking about an organization set up, not on a unilateral basis, but a multilateral basis—the NATO Treaty. I think, therefore, we should not talk about dismantling NATO, because it has served a real purpose and has played its part in our achieving those purposes even now.

I think it is more significant to say that the Soviet setbacks in Asia, and setbacks everywhere around the globe, have probably redounded less to their credit than to ours.

So let us not sell ourselves short with respect to the Soviets. As I said, I would not wish to explain what has happened if I were sitting in Moscow as compared to what I would have to explain in Washington. I think our record, whether under Presidents Truman, Eisenhower, Kennedy, or Johnson, has been an exceedingly remarkable record.

We are rapidly becoming of age and more sophisticated with respect to the rather primary responsibilities of world leadership which have fallen upon us. So let us not sell ourselves short.

Mr. DODD. Although I agree with much of what the Senator has said, I would feel better if Castro had not been successful in taking over Cuba and if what has happened in some other places around the world like Syria, Zanzibar and the Brazzaville Congo had not occurred. But, in general, I think what the Senator has stated is accurate. I have not been one to say that all is gone, or all is lost, or anything of that sort. We have done very well since the Truman era, but it has taken quite a bit of effort and resolve to do so. I am fearful that at this hour we may, in our overenthusiasm or as a result of some signs of moderation, go too far and cause the complete disintegration of NATO. I think that would be a bad mistake.

Mr. McGEE. I agree with the Senator that, as far as being openminded is concerned, we should not be so openminded that our brains fall out. We have to be hardheaded. We are in rough and tumble company. It is a tough world. There is no law and order in much of it. There is really international anarchy. Yet we have to be realistic about that. On the other hand, I do not think we should commence to ascribe to the Russians or the Chinese some kind of immortality or infallibility in their judgment; their major blunders have considerably outrun ours, and the consequences are everywhere to be seen.

Even with respect to Mr. Castro in Cuba, to which the Senator referred, as serious as our mistakes were then, when the chips were finally put on the table for a showdown with the Russians on that occasion, the Russians had to back down because we made it clear, even though the hour was, perhaps, late, that we could not tolerate an overcoming of the balance in the area as a result of Soviet missile sites.

One of the things that came to mind as we have been engaging in this colloquy is that when one looks over the list of the new nations of the world that international communism would have regarded as fair game or felt it should do its best to take over and guide into its corral, so to speak—even with all these new countries, and there have been more new nations established since the end of World War II than there existed in the history of the world—not a single one of them, by its own open choice, has chosen communism. That is dramatic testimony to what I have spoken of. How does one explain that to the folks back home in Moscow?

I would not want the job of trying to sell the people there on what a great job I had done in trying to peddle international communism.

As the Senator has suggested, all this is no reason for going to sleep now or to relax. But we have something that is working, and that is far from failure, with respect to its impact around the world.

I want to pay my tribute to the American people for a rather successful record in the kind of world we found ourselves in, for which we had little preparation until World War II and the period thereafter thrust it upon us.

I thank the Senator for indulging me.

Mr. DODD. I am grateful to the Senator. I want to make a few observations. The Senator is a maker of colorful phrases, and in selecting good figures of speech when he said that we ought not to get so openminded that we get empty headed, I think we ought to add that we should not get so broadminded that we get flatheaded. These things sometimes happen.

I do not know of any nation that has elected to go Communist. I am glad the Senator made that point. If there is one, I do not recall it in history. I think it is well to remind the people of this fact.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. DODD. I yield.

Mr. CLARK. I wonder if the Senator would not indulge me for a moment. I wandered into the Chamber with the intention of making an insertion in the RECORD, and quite by accident heard the colloquy on this subject. The distinguished Senator from Ohio [Mr. LAUSCHE], was kind enough to relieve me in the Chair, where previously I had relieved the Senator from Wyoming [Mr. MCGEE], so he could engage in colloquy with the Senator from Connecticut. We are the only ones present in the Senate Chamber.

Mr. McGEE. We may be only ones in town. There are five of us.

Mr. CLARK. I had overlooked the Senator from West Virginia [Mr. BYRD]. I know that this is a subject in which he could engage in colloquy if he had a mind to do it.

Senators may recall that I visited Eastern Europe during the course of the last adjournment, and visited Moscow, Warsaw, Belgrade, and Prague. I want to make this comment with respect to what the distinguished Senator from Ohio said about having nothing of a friendly nature coming out of Kosygin's mouth in the course of his television broadcast in London. This does not surprise me, because while in Moscow I found a hardheaded and strongheaded attitude on the part of their leaders that they were not going to be interested in any accommodation or a detente as long as the war in Vietnam continued, and particularly as long as the bombing in North Vietnam continued.

I do not say they are right, but one can understand their point of view, being a Communist country, and, in their view, they are coming to the defense of another Communist country which, in their view, is being attacked by us, in their view without justification.

It is true that Russian weapons are being used to kill American boys. This I deplore as much as any other Senator.

I think we have to be realistic enough to realize that, if we want to substitute international cooperation for international conflict, it is going to be necessary to make some kind of real accommodation with Russia. I do not think at the present time that is probable, although they are ready to go ahead with the consular treaty, and go ahead with a nonproliferation treaty if they believe it is in their national interest, which I believe it is. Nevertheless, on the broad question of cooperation with the Soviet Union, we are not going to get it as long as the war in Vietnam continues.

The other Senators in this Chamber at the moment take a different view than I of the war in Vietnam. I do not think that late on a Thursday afternoon, shortly before adjournment, is any time to get into a discussion about that, other than to say that my second point is that I have looked with keen interest at the resolution just introduced by the Senator from Connecticut, and also listened with interest to the comments made thereon by the Senator from Wyoming.

There are now pending before the Foreign Relations Committee amendments which I proposed last year, and reintroduced again this year, to what has become known as the Mansfield resolution on withdrawal of our troops. My amendments would provide that not one American boy should come home to this country or be withdrawn from Germany unless at least the military equivalent were to leave East Germany or Poland for the Soviet side. I have written a report, which the Foreign Relations Committee has been kind enough to publish, entitled "East of the Elbe," in which I deal with these matters. In that report, I propose that we should put it up to the Soviet Union that we were prepared to make a substantial reduction of our troops in Western Europe, as the Mansfield resolution proposes, if—but only if—they would make a comparable reduction of their troops in East Germany, where they presently have 18 divisions, or in Poland, where they have two divisions.

I am pretty well convinced, myself, that it is in the selfish and hard-boiled interests of the Soviet Union to make such a deal, and also in our own selfish and hard-boiled interests to make it, if for no other reason than to help our balance-of-payments situation.

This is, of course, argumentative, but it is a point of view which I shall continue to urge upon my fellow Senators. I dislike to ask any Senator to read something another Senator has written, but I would hope that Senators would examine and give some consideration to that report entitled "East of the Elbe."

Mr. DODD and Mr. McGEE addressed the Chair.

Mr. CLARK. I yield first to the Senator from Connecticut.

Mr. DODD. I wish only to take a moment to say to the Senator from Pennsylvania that I have read his report. He was kind enough to send me a copy. It is a very interesting report, and I hope our fellow Senators do read it. Incidentally, his idea about mutual reduction of forces could, I feel, very well take place. It certainly is not contrary to what I have tried to urge about reduction of forces in NATO.

Mr. CLARK. I thank my friend.

Mr. McGEE. Will the Senator yield for a comment?

Mr. CLARK. The Senator from Connecticut has the floor.

Mr. DODD. I yield.

Mr. McGEE. I find it very difficult to believe that, as the Senator described it, the Russians are not going to be disposed in any direction as long as we are bombing North Vietnam.

The Russians know, as we know, as Hanoi knows, and as Peking knows, that the bombing of the North is relatively incidental to the other elements taking place around the world; that there have, in fact, been very strong indications from the Russians of a disposition to discuss other things, to move in other directions, and this has not retarded them.

I submit that this clinging to the bombing of North Vietnam is more in line with the political vernacular, rather than a substantive troublesome factor that prevents contact, that prevents diplomatic exchange, that prevents honest-to-goodness groping for bases of understanding.

I hesitate to have us contribute to the notion that this is the key olive in the bottle, and that if that one were just removed, somehow all these other things would roll out and fall into place. I think that, in all candor, is pretty superficial, and is not realistic in terms of the hard facts of power politics around the world; and that no nation with its self-interest at stake, like the Soviet Union, would permit that to be anything more than an alibi or an excuse, and that it is not going to stand in the way of doing something in their own self-interest.

Perhaps the Senator was here a moment ago when I read the dispatch that came over the wire service just now, that the Russians are reported to be moving three to five divisions out of East Germany.

This may be an opening we ought to look into, and seek to nail down a little bit, looking for further indications that in their self-interest, having nothing to do with the bombing of North Vietnam, there is room to come to grips with self-enforcing agreements that are in our mutual self-interest.

I do not like to see the issue of the bombing intruding upon the hard realities of diplomatic exchange or negotiating potentials, which I think are there whether there is a single bomb dropped or not. If we were not bombing Hanoi, it would be a question of something else going on, if they were looking for an excuse. If they are not looking for alibis, all the bombing in the world would not make any difference to them.

So I simply wish, to that extent, to differ with the Senator from Pennsylvania, and to add that I appreciated receiving his report, and read every word of it. I am trying to write a report myself, having just returned from all the rim countries of China, and I shall use some of the Senator's form as a guideline for myself, because, frankly, it is a rather overwhelming task to try to digest these things. But I commend the Senator on his report.

Mr. CLARK. I thank my friend from Wyoming for his kind words. He will, of course, permit me to disagree with him with respect to his major premise on the bombing in Vietnam.

This is not, of course, the first time the Senator from Wyoming and I have unhappily found ourselves in disagreement on this sort of matter. I do not think it is profitable to pursue that difference any further at this point.

STEEL IN 1967

Mr. BYRD of West Virginia. Mr. President, yesterday I attended the congressional breakfast which was part of the 1967 public affairs conference sponsored by the American Iron & Steel Institute, and I was greatly impressed by the remarks of Mr. L. B. Worthington, chairman of that institute.

Earlier this year, I noted that economic reports, published in connection with state-of-the-American-economy summaries for 1966, stressed that steel production was at an all-time high during the past year and that this made the year one more of several recent good years. Mr. Worthington yesterday discussed some of the problems which iron and steel industrialists successfully met in achieving past successes, and he asked for congressional consideration of difficulties which the industry must surmount in establishing similar records in the future. He included the worrisome factor of increased imports of steel and steel products from abroad, in his analysis of future competition, and he addressed himself as well to the element which taxation bears in relation to keeping profits in pace with production and consumption.

The analysis of these issues and many related ones is a task to which the Congress must thoughtfully and constructively address itself. The importance of coordination of Federal programs and legislative efforts toward the goal of maintaining a sound, progressive economy cannot be overemphasized.

Mr. President, I also call attention to an editorial entitled "Steel Industry Important," published recently in the Huntington, W. Va., Advertiser.

The editor of the Advertiser in this editorial referred to some remarks made by my senior colleague, Senator Randolph, on the floor some few days prior thereto, during which remarks my colleague mentioned the five major steel operations of the State, including the Connors Steel Division of H. K. Porter Co., of West Virginia, and told of their economic support to their areas.

Mr. President, I ask unanimous consent to have printed at this point in the Record the speech by Mr. Worthington and also the editorial to which I have just alluded.

There being no objection, the speech and the editorial were ordered to be printed in the Record, as follows:

Remarks of L. B. Worthington, Chairman, American Iron & Steel Institute, at the Congressional Breakfast, 1967 Public Affairs Conference, New Senate Office Building, Washington, D.C.

In the short month since the 90th Congress convened, you members of this most important body have already received enough legislative challenges to overburden the hardiest among you.

You've learned of the state of the union, the state of the budget and the state of the economy.

I wish that I could, this morning, report in equal detail upon the state of the steel industry and discuss some of the pending legislative proposals that are of importance both to you and to us.

Particularly, I wish that we could explore together this pressing question of air and water quality which concerns all of us so deeply; and that I could review the nearly thirty years of research that has been carried out by American Iron and Steel Institute in this field . . . that I could tell you about the more than half-billion dollars that the steel companies have spent in the past 15 years on the installation of pollution abatement facilities, and about the additional 150 millions or so that they are now in the process of spending for this purpose. I wish I could discuss the role that the 7 percent tax credit has played in helping to finance these heavy capital outlays which add nothing to our production; and that I could explain the advantages which might be gained by substantially enlarging this credit as it applies to pollution control facilities.

But in view of the heavy demands upon your time, and in keeping with my promise to make this short, I must confine myself this morning to a single topic; and because of its importance, that topic has got to be the steady and relentless increase in the imports of foreign steel, and the effect of these imports upon the companies, their employees and the people of this nation.

By way of background, let us look for a moment at what has been happening to the world steel picture over a span of just fifteen years:

In 1950 there were 32 steel producing nations in the world; but in 1965 there were more than double that number. That means that more than 30 countries which had formerly depended entirely upon imported steel, now have steel-making resources of their own; and that the nations which formerly supplied those countries have had to scramble for new markets for their exports.

At the same time, world production of raw steel has increased from 207 million tons to 501 million tons. Moreover, it appears that at least 75 million additional tons could have been produced had there been a market for this steel.

The world exports of steel have more than doubled in the past decade. In 1955, 23 million tons went into the export market; but in 1965, 51 million tons were exported. And no longer does this steel flow principally from the industrialized nations to the less-developed countries. Twenty percent of it comes into the United States, so that this nation—which is the world's largest producer of steel—has become paradoxically the world's largest importer of steel.

Furthermore, major facility additions are projected for both Western Europe and Japan, even though the evidence is that neither in their own home markets nor in the less-developed countries will demand for steel increase sufficiently to absorb this additional production. Thus it is clear that more and more of this foreign steel will be knocking at the door of our American domestic markets.

Today then, the American steel industry is confronted by the cold hard fact that the shifting patterns of world trade over the past nine years, are now costing us more than 13 million tons of finished steel products annually.

Our exports have plummeted from 5½ million tons in 1957 to less than 2 million tons last year while imports during this period have rocketed from a little more than 1 million tons to an all-time record of 11 million tons in 1966. And these imports now account for about 11 percent of our total domestic steel market.

In the Southwest, and out on the Pacific Coast, imports have taken more than 20 percent of the market; and for certain products—such as wire rods, barbed wire, nails and staples—foreign imports represent from a third to a half of the sales in this country.

It represents a negative trade balance of nearly a billion dollars at a time when our nation is striving mightily to reverse or contain our balance of payments deficit.

No one, I think, should try to miminize the impact of 11 million tons of imported steel on the American market. It represents more than 70,000 steelworker jobs alone, and many thousands of additional jobs in supporting industries—all at a time when this nation is striving to achieve maximum employment.

It represents the output of a company larger than Armco and Jones & Laughlin combined, and all the federal, state and local taxes which that company—its employees, its suppliers, and their employees, in turn—would be contributing to the welfare of our nation.

And, finally, it represents a threat to the growth and strength of our own steel industry at a time when America is called upon to defend world peace and the integrity of smaller nations in many parts of the globe. In this situation, gentlemen, I am sure you believe as I do that American security requires a steel industry strong enough to meet whatever demands may be made upon it; and that this nation can never afford to look to other countries for the vital steel supplies that are a major ingredient of its military power, and of its peace-time economic strength.

Now I don't have to tell you, I'm sure, that the American steel companies have not been taking all this lying down. We've been doing everything in the book to make this industry as efficient and as competitive as it is possible for any industry to be.

To enhance our position of technological leadership, and to develop new steel products that could not be obtained anywhere else in the world, we are now spending considerably in excess of 100 million dollars a year on research. And you may be interested to know that in the case of my own company about 15 percent of its shipments last year were of products that we have been selling for less than five years.

But transplanting technological advances from the laboratories to the mills themselves is a costly business; and during the past ten years the American steel companies have spent more than 13 billion dollars on new, more efficient production facilities—designed not only to reduce costs, but to establish new high standards of quality for our competition to shoot at.

Last year, these capital expenditures exceeded 2 billion dollars; and we expect that they may be as great or greater in the current year. Yet even these enormous outlays are inadequate now to take full advantage of existing technology, and they show little promise of growing at anything like the pace of the increase in our knowledge of steel products and production methods.

Retarding this growth, of course, is the recent suspension of the 7 percent investment credit and of the provisions for accelerated depreciation; and needless to say, the proposed surtax on corporate and personal incomes will, if enacted, impair further our ability to generate the funds needed to finance these capital expenditures. Not only will it intensify the profit squeeze which the industry has suffered in the past decade, but by biting more heavily into the take-home pay of the steelworkers at a time when they are already disturbed by the rising cost of living, it might well build up increasing pressure behind the wage demands that will be made upon us next year.

So our competitive position will be directly affected by the actions of Congress in these important fields of taxation. But meanwhile, we are pressing forward with this program of capital spending as rapidly as we can; because this race for technological advancement is one race that we cannot afford to lose, and neither, I think, can America.

Yet in spite of all we have done and are doing, foreign imports continued to increase last year, even though there was no labor negotiation to be faced, no threat of a work stoppage, and no reason for steel users to protect their supply by turning to offshore sources since domestic producers could fully meet the demand.

Now what are the root causes of this problem?

Well, whether we are talking about steel or any other industry, American production costs are inescapably related to the American standard of living; and are based upon the world's highest wage structure. Even the minimum hourly wage in this country—as fixed by our federal wage-hour laws—is substantially higher than the average wage in most foreign countries. And when you remember that, in the economy as a whole, employment costs represent more than 75 percent of all production costs, you realize why—in industries like steel—foreign-made products can often undersell ours in world markets.

I wish that some of our Congressional guests, this morning, could have been with me on my trip to Japan last month, and could have seen as I did the spectacular advances which the steel industry in that country has made since the end of World War II. Starting almost from scratch, it has become the third largest steel producer in the world, and last year it exported about 11 million tons of which nearly 5 million tons were sold in the United States.

Moreover, the Japanese have vast plans for expansion in the very near future, with the likelihood that most of this new tonnage would go into exports. So a few points of comparison between the two industries might be worthy of attention.

There is little to choose between the two as to technology, productivity, labor supply, skills and climate. The United States may have some advantage in the availability of raw materials although this is shrinking as new high-grade ore and coal sources open up around the world and as highly-efficient ocean bulk carriers go into service. The United States has the most modern and diversified transportation system in the world—a real advantage—but the location of all major Japanese plants on the Coast is a partially balancing factor. Therefore—as to these factors—our steel industry would seem to have some edge on Japan's. The only identifiable major difference among the economic factors affecting the two industries is in employment costs.

Employment costs in the Japanese steel mills are less than one-third as much as they are in the United States. And when I speak of employment costs, I am not talking about wage rates alone. I am including the whole range of benefits which the Japanese steelworkers receive.

The net result is that the Japanese mills have an advantage of from $30 to $35 a ton in employment costs alone. And beyond that their capital costs in the construction of new facilities are only about half as much as ours.

Faced by that kind of cost disadvantage, American producers have little chance of competing on a basis of price and must rely on quality, service and innovation as the primary areas of competition.

But these cost advantages which foreign producers enjoy in varying degrees in Europe and the Far East are not the only explanation of the flood of steel imports which washes up on our American shores. A basic cause lies in the excess steelmaking capacity which exists abroad and continues to increase; so that steelmakers in these countries are compelled to maintain their exports at the highest practical level. If this means that they must ship their excess tons across the seas at whatever price is necessary to get the business, then they do so—and eventually their governments or their home-market customers must subsidize these exports in one way or another.

Foreign governments use their steel industries as instruments of national policy resulting in protection of those industries. The measures they have adopted take many forms but they are designed to protect domestic markets and stimulate exports. These include tax rebates, subsidies, special shipping rates, and special depreciation allowances.

And America is a prime target for these exports because the steel market in the United States is not only the largest and most diversified in the world—it is also the most open and easily accessible in the world. Here a low tariff, averaging less than 6 percent of the value of the product, is the only barrier this country places in front of steel imports.

But in other countries it is different. When American steel goes abroad, for example, it must absorb tariffs that can be more than double the American duty and then be required to hurdle a battery of non-tariff barriers which may include border taxes, surcharges, import licenses, penalties, fees and so-called equalization taxes that—in various countries—are levied on imports and rebated on exports. So the United States market is thus being used by foreign mills as a kind of "bargain basement" in which to dispose of their surplus production.

Gentlemen, there is a point—and I believe that point has been reached—where there is a limit to what we can do and still maintain the financial soundness that steel or any other industry cannot and must not jeopardize. There is a point—and I believe that point has arrived—when the import-export problem of the steel industry must be recognized in the offices of government and appropriate steps taken to solve those portions of the problem which only government can solve.

You all know what has been happening in Geneva. After years of debate, the GATT negotiations are at a virtual standstill and we in the steel industry feel certain that nothing can result which will prevent the steady deterioration of our international trade in steel.

The Trade Expansion Act expires in June and we feel it would be a tragic mistake if the Congress were merely to pass a perfunctory extension of that Act. And I gather that we are not alone in that opinion.

The Chairman of the Finance Committee, Senator Russell Long, was quoted the other day as saying: "Our trade policies need a thorough new look; and some hard-headed American businessmen are needed to devote a great deal of independent thought and study to the over-all program."

And at the annual meeting of the Trade Relations Council, Senator Everett Dirksen, the Minority Leader, expressed his "deep conviction that it is time that the Congress restore some semblance of fairness and balance to our foreign trade policy and procedures.

"We must be as zealous," he said, "in our concern for the welfare of American workers and their employers as we are for those living in distant lands . . . we as a people—and especially your Representative in the Congress—must be farsighted enough to strengthen the American system by our wise adoption of laws calculated to foster America's strength and economic growth, rather than submissively to accept policies whose chief contribution is strengthening other nations at our expense."

Statements like these—coming as they do from both sides of the aisle—are encouraging indeed and certainly we are grateful for the efforts of many of you Members of Congress in seeking a solution to this problem. Two examples come to mind—the study of the steel import situation which is presently being conducted by the staff of the Finance Committee as the result of a resolution introduced during the last session by Senator Vance Hartke; and the hearings concerning the impact of imports on labor which were held by Congressman John Dent and his General Labor Subcommittee this past summer.

Studies and hearings of this kind are important in the determination of long-range trade policy. However, the welfare of this industry, the maintenance of the high standard of living of the American steelworkers, and—I believe it is fair to say—the security of this nation require that the Congress take steps at this Session to enact a temporary levy on imports of foreign made steel and pig iron, so as to narrow the price differential and create a climate of more equitable competition between domestic and foreign producers who seek a share of the United States market.

What the exact terms of such a law would be, and how it should be drafted, are matters, of course, which rest with you, and we will be communicating with you individually to gain the benefit of your counsel as well—we hope—as your support.

But meanwhile if you are looking for any of those "hard-headed businessmen" that Senator Long was talking about, I must say that seated in this room today are some of the hardest-headed men that you could find anywhere. I know, because I have been competing against them and their companies for more than forty years. And every one of us wants to be helpful to you in finding a fair and workable solution to this vital problem.

I hope that, together, we can.

Steel Industry Important

The devastating impact that the "gross margins tax" discussed in the preceding editorial could have on West Virginia is illustrated by the importance of the steel industry to the state.

In a discussion on the floor of the Senate a few days ago, Sen. Jennings Randolph (D–W. Va.) listed the five major steel operations of the state, including the Connors Steel Division of H. K. Porter Co. here, and told of their economic support to their areas.

The Huntington industry, he pointed out, has two electric furnaces which produce 150,000 tons annually. The division has 998 employees and an annual payroll exceeding $6.5 million.

The Wheeling Steel Corp. and Weirton Steel Division of National Steel Corp. have even much larger payrolls. Follansbee Steel Corp. and Parkersburg Steel Corp. are smaller but are still important units in the industrial complexes of their areas.

Although Sen. Randolph was calling attention only to the importance of the industries and was not discussing taxation, it is clear that any tax imposing a heavy load on such operations would handicap them and in so doing would discourage expansion and hurt the state's economic growth.

Unfavorable tax burdens in West Virginia might even cause some of the industries to move to Ohio or Kentucky.

Over the years this could cause a heavy decline in industrial production and a severe shrinkage in the state tax base.

THE TALE OF DAVID CREIGH

Mr. BYRD of West Virginia. Mr. President, in the heat of war a great many tragedies inevitably occur. Some of these have resulted in ballads and folk songs which have become classics among American songs and poetry. Others not so well known may some day have their own vogue, dependent upon the tides of public interest.

On February 6, the Beckley Post-Herald, Beckley, W. Va., carried a column, "The Tale of David Creigh Is Told Again," written by Dr. Shirley Donnelly, pastor of the Missionary Baptist Church, to which I belong, in Crab Orchard, W. Va. As a result of recent interest, the column repeated the Civil War story arising from the death of David S. Creigh, "the Greenbrier martyr," which has been memorialized in a number of ballads and poems. Dr. Donnelly provided one of these ballads for the information of Civil War buffs—the one which he considers to be the choicest of the selections based on this Civil War tragedy.

He is well suited to make this selection. An eminent scholar, he is probably today one of West Virginia's foremost historians. Additionally, Dr. Donnelly brings to his research a special field of experience gained as the chief chaplain in General Patch's 7th Army during World War II, and his column, "Yesterday and Today," is always interesting to read.

I ask unanimous consent that Dr. Donnelly's article be printed in the RECORD, at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE TALE OF DAVID CREIGH IS TOLD AGAIN

(By Shirley Donnelly)

In 1950 a little booklet entitled "David S. Creigh, the Greenbrier Martyr, A Tragedy of the Civil War" came from the presses. It was only a small item and the 250-copy edition was soon taken by Civil War re-livers around the area.

Now from a Boston dealer in out-of-print books comes a request for all available copies of the little local history item. But they are all gone, of course. Here's the story about David Creigh of Lewisburg (May 1, 1809—June 11, 1864) and the fate that he met.

In November, 1863, a straggling camp follower or marauding soldier, entered the home of David Creigh near Lewisburg and attempted to force his way into the room of a sick daughter in the Creigh home. Creigh interposed and attempted to eject the man.

In the altercation, when the man tried to kill Creigh, the Yankee soldier was shot and killed. In the spring of 1864 when General Averill and General Crook were retreating through Lewisburg after their defeat in the Lynchburg campaign, they learned of the shooting and had Creigh arrested. He was tried by a drum-head court martial which sentenced Creigh to be hanged.

General Hunter approved the sentence and Creigh was hanged on June 11, 1864, at Bellview, Va. His body was exhumed from where it was first interred and was returned to Lewisburg where it was re-buried in the Old Stone Church Cemetery. His funeral service was one of the best attended Greenbrier has ever had.

This event moved people to compose ballads and poems. The wife of Gen. W. H. Smith told the story of Creigh in what has been regarded as the best of many on the subject. Here it is:

"He lived the life of an upright man,
And the people loved him well;
Many a wayfarer came to his door,
His sorrow or need to tell.
A pitying heart and an open hand,
Gave succor ready and free;
For kind and true to his fellow man
And a Christian was David Creigh.

But o'er his threshold a shadow passed,
With the step of a ruffian foe;
While in silent words and brutal threats
A purpose of darkness to show;
And a daughter's wild imploring cry
Called the father to her side—
His hand was nerved by the burning wrong,
And there the offender died.

The glory of Autumn had gone from the earth,
The winter had passed away,
And the glad springtime was merging fast
Into summer's ardent ray,
When a good man from his home was torn—
Days of toilsome travel to see—
And far from his loved a crown was worn
And the martyr was David Creigh.

Here where he lived, let the end be told,
Of a tale of bitter wrong;
Here let our famishing thousands learn,
To whom vengeance doth belong.
Short grace was given the dying man,
E'er led to the fatal tree,
And short the grace of our starving hosts,
Since the murder of David Creigh.

The beast of the dissent shields its young,
With an instinct fierce and wild,
And lives there a man with the heart of a man
Who would not defend his child?
So woe to those who call evil good—
That woe shall not come to me—
War hath no record of fouler deed
Than the murder of David Creigh."

Creigh was hanged from the limb of a tree shortly after sunrise June 11, 1864. This was in Rockbridge County, Va., where Creigh had been taken on foot until General Hunter approved the sentence. Creigh was first buried near the hangsman tree in a blanket. He was next dug up and re-buried in a coffin in the graveyard of New Providence Church.

Next the body was exhumed and returned to the cemetery adjoining the historic Lewisburg church of which Creigh had long been an elder. On July 25, 1864, the Greenbrier County Court passed a set of resolutions enumerating the virtues of David Creigh and deploring his untimely death.

TRIBUTE TO FORMER REPRESENTATIVE CLEVELAND M. BAILEY

Mr. BYRD of West Virginia. Mr. President, the Weirton Daily Times, Weirton, W. Va., reported on Saturday, February 4, that the late Honorable Cleveland M. Bailey, of West Virginia, is to be honored by the placing of a bronze bust of him in the rotunda of the State capitol in Charleston, with unveiling ceremonies scheduled for today, Thursday, February 9.

Congressman Bailey's many friends and fellow legislators still serving here in the Congress will be pleased to learn that his years of efforts in behalf of labor and advanced education in the United States are again being commemorated in his home State.

I believe that these ceremonies are most appropriate as an expression of appreciation of Cleve Bailey's long endeavors to promote opportunities for more and better education for the children of our Nation. I single out this area of his work because from the period of my earliest contact with him I was impressed with his concern for expanded educational opportunities within the United States. I served with him in the House of Representatives and found his sage advice and personal encouragement of great benefit to me as a freshman legislator. We shared a community of interest in our hopes for economic and social advancement in our State and Nation. We had a shared conviction, also, of the importance of finding legislative means to make available to our American citizenry more and better education as the best weapon to combat crises in technology and to meet political and industrial upheavals.

It is worth while to note, once more, that the Secondary and Elementary Educational Act of 1965, as originally passed by the House of Representatives, was almost identical with a similar bill which Congressman Bailey introduced in 1940, 15 years earlier. A former West Virginia schoolmaster, Cleveland M. Bailey was a true legislative pioneer in the field of education. It is well that his State remembers his value; and I am sure that many of his former congressional colleagues, such as I, take pride in having worked with him to reach needed legislative goals.

Mr. President, I am sure that my colleague, the senior Senator from West Virginia [Mr. RANDOLPH], associates himself with my remarks and joins in them.

Mr. President, I ask unanimous consent that this newspaper editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Weirton (W. Va.) Daily Times, Feb. 4, 1967]

LABOR'S FRIEND HONORED

Labor had no greater dedicated representative in Congress than the late Cleveland M. Bailey of Clarksburg.

Labor organizations of the state will pay tribute to the veteran congressman Feb. 9 when they unveil a bronze bust of him in the rotunda of the State Capitol in Charleston.

"Old Cleve" served in Congress from the old Third District for 16 years, 14 of them consecutively from 1947 to 1963.

When the districts were revamped and Mr. Bailey's county was put into the enlarged First District, he went down to defeat before the invincible Republican thunderbolt, Arch A. Moore, of Glen Dale, in one of the most hotly contested political battles in the history of the state.

"Old Cleve," a campaigner of the old school and weighted by age, went down fighting before the dash and elan of the zestful Mr. Moore.

Mr. Bailey campaigned long and hard in Hancock and Brooke counties. He had a sentimental attachment for Hancock County because it was in Chester that he was married.

In Congress he was the ranking member of the House Committee on Labor and Education and chairman of the Subcommittee on Education, and was one of the most influential men in Congress. He sponsored many bills in the fields of education and labor. He was dedicated and devoted to the forward causes of those two areas.

Before he entered politics, Mr. Bailey was a teacher, school administrator, labor secretary and a Clarksburg newspaper editor.

ADDRESS OF VICE PRESIDENT HUMPHREY TO THE WEST VIRGINIA AFL–CIO LEGISLATIVE CONFERENCE

Mr. BYRD of West Virginia. Mr. President, last evening Senator RANDOLPH and I, together with Representatives SLACK, HECHLER, KEE, and STAGGERS, members of the West Virginia delegation, accompanied our distinguished Vice President to Charleston, W. Va., where he addressed the West Virginia AFL–CIO Legislative Conference at the request of Mr. Miles Stanley, president of the West Virginia Labor Federation.

The Vice President made an extremely eloquent and cogent speech before an attentive and grateful audience.

I ask unanimous consent that this speech be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. BYRD of West Virginia. Mr. President, I was happy to visit West Virginia in the company of the Vice President, and I feel that all West Virginians recognize our distinguished Vice President as a true friend of the people in the

Mountain State. We have known him for many years and know him favorably. We love him.

His welcome last evening was a very, very warm one in keeping with the deep appreciation which we hold in our hearts for the Vice President. We hope that he will come back to West Virginia soon and often.

EXHIBIT 1

REMARKS BY VICE PRESIDENT HUBERT HUMPHREY TO THE WEST VIRGINIA AFL–CIO LEGISLATIVE CONFERENCE, CHARLESTON, W. VA., FEBRUARY 8, 1967

I have visited your mountain state many times. But I think you can understand that my most vivid memories are of the spring of 1960, when I campaigned up and down West Virginia—and, believe me, I *do* mean up and down.

A lot has happened since then. A lot of progress has been made by West Virginia and West Virginians. (And I have made some myself.)

You have been blessed with first-rate leadership:

With Governor Smith, whose alert and modern-minded administration has done so much to spark your economic progress;

With Senator Byrd, whose new post as Head of the Senate Democratic Conference offers him fresh opportunities for statesmanship;

With Senator Randolph, whose prominence as Chairman of the Senate Public Works Committee puts him in position to give even more distinguished service to West Virginia and to the nation.

Back in 1960, I remember, there were some Americans who thought that poverty was something peculiar to West Virginia. And I remember that people here strenuously objected to being singled out in this way.

How right they were. For, since then, Americans have become painfully aware that there was poverty in every state and every city in this nation. For the most part, it was hidden away in isolated rural areas or urban ghettos, where it was all too easy to ignore it or not even see it.

To paraphrase the theme of your Governor's "State of the State Message," what has happened is this: poverty has for the first time commanded the *attention* of the American people and spurred them into *action*.

Of course, Americans have been fighting their way out of poverty in one way or another ever since the first settlers came here to escape the poverty of the Old World. And the labor movement in particular has been battling poverty directly, by organizing men and women to get decent wages and working conditions.

The new war on poverty has been in progress for only two years. Yet there are already summer soldiers who are prepared to haul down the banners, fold the tents, and abandon the field of battle.

Let us take stock. Just how far have we come?

First, let us put the war on poverty in perspective. It is being waged on a much wider front than the programs—such as the Job Corps and Head Start—initiated by the office of economic opportunity.

The sums allotted to the total attack upon poverty in the President's new budget add up to over 25 billion dollars—an increase of 3 billion dollars over last year. Of the 25 billion dollar total, the office of economic opportunity accounts for only 2 billion dollars.

The war on poverty includes the great social programs launched by Franklin Delano Roosevelt, such as social security, The National Labor Relations Act, and the minimum wage.

It includes, too, the full-employment economic policy of the Kennedy and Johnson administrations—a policy which has created an environment in which business, labor, and agriculture could work together to achieve a sustained economic growth—now in its seventy-first month—unprecedented in our history.

The war on poverty includes medicare, the Appalachian Regional Development Program, the Economic Development Administration, and the new federal programs for elementary and secondary schools, which are specifically directed to helping under-privileged children get a better education and a better start in life.

What have these programs and policies achieved?

Five million more Americans are at work today than were at work a year ago.

Wages are the highest in our history and unemployment is at its lowest point in 13 years.

Our gross national product has reached three-quarters of a trillion dollars.

More than one million persons are receiving job training under federal programs, compared to *none* only six years ago.

Of the six million young Americans in college today, one million are there because of federal assistance.

More than 3.5 million elderly Americans have already received assistance under Medicare.

The war on poverty has created eleven hundred community action agencies, serving half the nation's poor and touching all the 50 most poverty-afflicted metropolitan areas.

It has enlisted more than 56 thousand citizens for community action boards, more than one-third of them from the poor.

It has helped prepare 1.2 million preschoolers for the first grade through the Head Start Program.

It has given work and training to 5 hundred thousand young people through the Neighborhood Youth Corps.

It has helped 25 thousand high school youngsters through the Slum-To-College Upward Bound Program.

It has graduated 13 thousand young people from residential Job Corps Centers, with 29 thousand more now in training in 113 Centers.

It has utilized five thousand senior citizens as "Foster Grandparents" to ten thousand children in public and private institutions.

There are seven million fewer people living in poverty than there were six years ago.

Then, the poor amounted to almost 21 per cent of their people—today they are less than 16 per cent.

But the very progress that we have been making has brought us closer to the hard core of poverty. And it has forced us to face the fact that there are no panaceas . . . no quick and easy solutions.

Poverty is mankind's oldest and cruelest burden, antedating recorded history. And it will not vanish overnight, even in America.

Millions of Americans *have* begun the journey toward becoming self-sustaining, tax-paying citizens. But for many the road will be long and difficult.

The important thing is that they *are* eager to work their way out of poverty.

We have found that people do *not* prefer idleness on relief to honest work. Every opportunity program that has been offered has more people lining up at the door than there are places inside.

Therefore, it would be worse than cruel—it would be tragic—to slam the door in their faces. For, as the Bible says:

"Hope deferred maketh the heart sick."

We have learned, too, that many of the hard-core unemployed require a great deal of direct individual training—in matters so elementary as literacy and personal grooming—to become employable. Many must learn how to get a bus, what kind of clothes to wear, how to apply for a job, how to punch a time clock.

It is not enough merely to open the doors of opportunity—we must help people, through training, to step through them with confidence.

But we have also learned that there is a great potential for leadership among the poor. We have learned that, while we need public officials and professional social workers in community action programs, we also need the contribution that only the poor themselves can make.

They do not want things done *to* and *for* them. They want to help themselves. And that is as it should be.

Today there are thousands of poor people—never before consulted, never heeded, never given a voice—serving on local anti-poverty boards throughout the country. Just as the labor movement developed its own leaders—its William Greens and its Philip Murrays—so also are the poor.

Perhaps the most exciting discovery we have made is the eagerness of Americans who are *not* poor to volunteer for service in the war on poverty. Something like one hundred thousand volunteers have already taken part in the Head Start Program alone. And, in addition to the three thousand full-time Vista Volunteers, we are planning to recruit fifty thousand additional Vista "Associates"—people who will give part-time service in their own communities.

This is pioneering work, this war on poverty. There are no blazed trails. We are learning by experience as we go along.

We have learned, for example, that the effects of the Head Start Program—impressive as they seem at first—tend to fade away in the first few months of regular school. So, in order to maintain the momentum gained in Head Start, we are initiating a Head Start follow through program in the primary grades.

And I predict that the Head Start youngsters of today *will* grow up to be self-supporting heads of families of their own.

We have had to learn by experience how to run effective Job Corps Camps. Of course, there have been drop-outs. But the Job Corps dropout rate has been less than that in our colleges.

The average Job Corps graduate today enters industry at a starting rate of one dollar 71 cents an hour—whereas those who had worked at all before entering the Corps averaged 70 cents an hour.

We've become keenly aware of the multiple and inter-acting causes of poverty. We've learned that even education, vital as it is, is not enough in itself. There must be improvement in the child's home and community background . . . there must be adequate nutrition and health care.

We have been aroused to our really disgraceful failure to make health services available to the poor. To cite one example: there is not a single hospital in the Watts Area of Los Angeles. With the aid of poverty funds, a neighborhood health center is under construction there—and more are underway in the slum areas of other cities.

We recognize the need to do more for the rural areas, where more than two-fifths of the nation's poor live—and the president has proposed to channel more help to these areas.

For millions in poverty, of course, there is only one practical remedy—more money.

These are the aged, the disabled, the families with young children and no breadwinner—people who literally are unable to support themselves.

To meet this need, the President is urging a very substantial across-the-board boost of social security benefits, and the extension of Medicare to the 1.3 million permanently and totally disabled Americans under 65.

He is also urging a good, hard look at our public assistance system, which in many respects seems stuck in a deep and dreary rut. In some states, benefits are disgracefully low. In some states, the denial of relief to a family with a man in the house actually operates to break families up and increase dependency. Also, the practice of deducting a dollar from relief for each dollar earned is a disincentive rather than an incentive to work.

Looking further ahead, the President is appointing a commission of leading citizens to look into *all* possible means for assuring every American a way out of poverty.

Our ultimate objective must be to create opportunity for everyone who is capable of working. Further, I believe, our rich nation must also assure to those unable to work, or unable to find jobs, an income sufficient to provide them with the essentials of life and of human dignity.

Yes, we are learning from experience. We are improving old ways of overcoming poverty, and developing new ones.

But I can assure you of one thing. We are *not* going to turn our backs on the poor.

Just as we are determined to be the first nation to put men on the Moon, we are determined to be the first to put its people—*all* its people—on their feet here on earth.

And all elements of our national community—state and local government, business, labor, and our great voluntary organizations—have an important part to play.

First of all, state and local governments need to put themselves in better shape in terms of both organization and personnel, to cope with the problems that face their people—and notably the problem of poverty.

Governor Smith has noted that your constitution needs modernizing. So do those of many other states. So do many city charters.

The more effectively state and local governments can move to meet the needs of their own people—along lines such as those set forth in your Governor's recommendations—the less reason there will be for the federal government to step in.

The federal government does not—and should not—seek to supplant local initiative. What is needed is an effective working partnership between all levels of government.

Here, I know, I am preaching to the converted—because the performance of West Virginians in this field has been outstanding.

If anyone wants to see a demonstration of the best kind of working partnership between federal and state government, let him come to West Virginia.

We in Washington have been happy to give you timely help, but you have more than matched it with your own hard work and your own hard-earned money.

Instead of merely complaining about red tape, you have slashed it by establishing a special state discretionary fund for matching federal grants—an innovation, which, I am sure, will be widely copied elsewhere.

You have played a key role, too, in the pioneering work of the Appalachian Regional Commission, this great cooperative effort of the states that share Appalachia's problems to work their way out of them. I understand that you have already received authority to spend some 21 million dollars in Appalachian Act Funds—and that it will result in 48 million dollars worth of new roads, schools, hospitals, and other facilities vital to your future.

And I want to pay special tribute here to the leadership of your state AFL–CIO President, Miles Stanley. He has put labor in the front line of the war on poverty, not only here but throughout the Appalachian region. You are setting the pace here for all of organized labor.

Let me repeat: This poverty war is not something for government alone. We need everyone.

Labor has been in the war from the start.

I am pleased that private enterprise has met its opportunity to operate Job Corps Camps—and to make money doing it.

I am pleased that we have been able to revise our public housing procedures so as to enable the private home-building industry to enter this field more fully—and to make money for itself, while saving taxpayers' money on overall costs.

I am pleased that we are giving private enterprise more scope—and profitable scope—to design better schools and more economical hospitals.

For we cannot realistically expect private enterprise to involve itself in public need without profit incentive.

Profit *and* morality are a hard combination to beat.

I would like to see our universities enlist more fully in the war on poverty. They should be centers of action as well as study—not pacifist observers of the struggle, but militant participants in it.

The war on poverty is, in essence, a call to action to *all* Americans to join in building a better America . . . an America with better education for all . . . an America free of slums . . . an America that cares for its elderly and offers opportunity to its young.

Every American has a stake in winning this war.

For the poverty of those who have least casts a dark shadow on the well-being of those who have enough.

When you volunteer in this war, you volunteer to mobilize our resources to improve our social security . . . to expand our health care . . . to train our jobless . . . to educate our children . . . to rehabilitate not only slums but the people who live in them.

You volunteer to build the strong and free and happy America that we have always sought—the America we will one day have.

President Johnson has said this is a "Time of Testing."

It is a time of testing in the war on poverty.

It is a time of testing in Washington, but not only in Washington.

It is a time of testing here in West Virginia, as you seek to consolidate and step up your own progress out of poverty.

It is a time of testing in statehouses, in city halls, in farmers' organizations, in corporate boardrooms and in union headquarters throughout this nation.

It is a time of testing in the Congress of the United States.

There are members of the 90th Congress who have called for a halt in the war on poverty . . . who call for cuts . . . who oppose the programs of the President and of his congressional leadership.

I ask them:

Which child would you deny education?

Which grandmother, grandfather would you deny medical care?

Which community would you leave on poverty's ragged edge?

Which city streets would you leave as breeding places for violence and crime?

Which citizens would you leave behind the rest of us as stragglers and as second-class people?

I say that to be hard-headed, you do not have to be hard-hearted.

I say that to save money, we cannot afford to waste people.

The strength of America lies with its people—not people on the dole, but people on the job . . . not people in despair, but people filled with hope . . . not people without education, but people with skill and knowledge . . . not people turned away, but people welcomed by their neighbors as full and equal partners in our American adventure.

We are going to stand and fight for those people. I know that the members of the West Virginia Congressional Delegation are with us. And I know that you are with us.

Where there have been mistakes, we will correct them. Where something doesn't work, we will find something that does.

But we have come too far to turn away from those who need our help to help themselves. And together we shall go forward to win the war on poverty—the only war we seek, here or anywhere in the world.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DAY OF APPRECIATION TO WALT DISNEY

Mr. KUCHEL. Mr. President, the city in which I was born, and which I am grateful to still call my home, became famous all around the globe not too many years ago because that late, great American genius, Walt Disney, saw fit to locate what he was pleased to call Disneyland in my home community of Anaheim.

In the intervening years, Disneyland became almost a household word in every country and every clime and every language. Indeed, on one occasion, the Chair will recall with me, a very grave international incident almost occurred because a distinguished world leader was not given the opportunity to visit Disneyland on his trip to our country and to California.

Mr. President, earlier I spoke briefly on the life and labors of this extraordinary human being, who brought joy and laughter into the hearts of the young and old in most of the countries of this globe.

I wish to read into the record of these proceedings a resolution passed by the city council of the city of Anaheim entitled "Day of Appreciation to Walt Disney."

DAY OF APPRECIATION TO WALT DISNEY

In appreciation to an artist—

Whose genius in all fields of the fine arts and in every means of communications has inspired in all men for all time a personal dream for self-achievement and undying hopes for a better world,

And in appreciation to a builder—

Who fashioned out of dreams and imagination a living domain that will forever live in the hearts of men as real evidence that all good things remain in the realm of the possible,

And in appreciation to a world leader—

Who created in all a new inspiration on the values of his country and the freedom of men everywhere; who established a permanent beacon of world peace through his motives and ideals, and freely exchanged his views with visiting kings and queens, and heads of state of all nations, and all the people who came to him,

And in appreciation to a man—

A warm human being whose personal contributions have made a better world for all children of every age.

Now, therefore, be it resolved that the City Council of the City of Anaheim invites all people of every community, city, state and nation of the world to join with us in observing July 17, in the year 1967, and every year forever after as Walt Disney Appreciation Day.

FRED T. KREIN,
Mayor.
CALVIN L. PEBLEY,
Mayor pro tempore.
A. J. SCHUTTE.
Councilman.
JACK C. DUTTON,
Councilman.
ODRA L. CHANDLER,
Councilman.

Mr. President, I have received a letter from the able mayor of my city of Anaheim, Fred T. Krein, enclosing the resolution which I have just read, in which the mayor says in part:

> Because of the great contributions towards hopes for a better and peaceful future through faith in personal dreams and imagination that Walt Disney has inspired in the minds of so many men everywhere, it seems fitting that these ideals should continue to live in the hearts of men always.
>
> We now make a most earnest request for your valued personal influence and the influence of your great office in helping to make this proposal a reality. A similar request has been forwarded to President Lyndon B. Johnson, Secretary-General U Thant of the United Nations, Governor Ronald Reagan of California, and others.

Mr. President, this letter, in a real sense, is addressed to the Senate and to all Senators. I take it also that I may on this occasion have the right to speak for the Senate and salute the memory of a great world figure who brought laughter and inspiration to the human race. I bespeak, therefore, the interest of the Chief Executive of our country, the Federal Government, and the interest of the people of all the United States in honoring the memory of Walt Disney on July 17 of this year and on every July 17 thereafter forever.

Mr. President, I ask unanimous consent that the text of the letter addressed to me by Mayor Fred T. Krein may be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CITY OF ANAHEIM, CALIF.,
January 31, 1967.

Senator THOMAS H. KUCHEL,
Senate Office Building,
Washington, D.C.

DEAR SENATOR KUCHEL: Because of the great contributions towards hopes for a better and peaceful future through faith in personal dreams and imagination that Walt Disney has inspired in the minds of so many men everywhere, it seems fitting that these ideals should continue to live in the hearts of men always.

Therefore, by City Council action on January 10, 1967, the people of Anaheim, California have declared that every July 17th hereafter, starting in this year 1967, will be observed in Anaheim as "A Day of Appreciation to Walt Disney". The City Council has also invited all other communities, cities, states and nations of the world to join with us in this annual day of observance. A copy of this declaration is herewith enclosed.

This is not proposed as a holiday, but rather as a time of meditation, one day in the year in which the minds of men all over the earth while at their daily tasks may turn as one to the common desire for understanding between men and nations, mutual good will and universal peace. It is hoped that perhaps this day may be observed as World Peace Day.

We now make a most earnest request for your valued personal influence and the influence of your great office in helping to make this proposal a reality. A similar request has been forwarded to President Lyndon B. Johnson, Secretary-General U Thant of the United Nations, Governor Ronald Reagan of California, and others.

At this time, we would like to offer you our prayers and best wishes for your own daily good efforts towards peace and a better world.

Most respectfully yours,
FRED T. KREIN, *Mayor.*

JAPAN CASTS HER VOTE FOR DEMOCRACY

Mr. KUCHEL. Mr. President, the elections for the House of Representatives of the Japanese Diet held on January 19 of this year were a purely domestic concern for the Japanese people, but the results of the elections were important to the United States, and, I believe, we should take careful note of them. Although many commentators predicted they would suffer considerable losses in the voting, Prime Minister Sato's Liberal Democratic Party won 277 of the 486 seats in the Lower House. Additionally, eight other conservative candidates running as independents were victorious and are expected to join the Liberal Democrats shortly.

The Japan Socialist Party, whose leaders are now the main supporters in Japan of the Communist Chinese regime, failed to make the dramatic gains they had so widely heralded and, instead, lost several seats. The Japan Communist Party, while maintaining its token five Diet seats, also failed to achieve its aim of attracting 3 million votes, obtaining only two-nineteenths of the 46 million votes cast. In contrast to the losses by the leftist political parties, two small center parties, the Komei Party and the Democratic Socialist Party, won 25 and 30 seats, respectively.

Although the election campaign centered mainly on domestic issues, Prime Minister Sato again stood clearly for continued Japanese-American ties in dramatic contrast to the anti-American stand of the leftists. The victory of the Prime Minister's Party reconfirms the broad thrust of the Japanese people's desire to aline Japan with the free world. It also demonstrates that the Japanese people are seeking goals similar to ours in striving for a secure, peaceful world and, to attain these goals, they hope for the strengthening of Japanese-American relations. Japan's national purpose is of importance to us because of Japan's growing importance in Asia, and in the world.

Japan is a major world industrial power and a leading Asian nation. Its industry now challenges the Western European nations for third place in total industrial capacity behind only the United States and the U.S.S.R. Japan's phenomenal economic growth, exceeding 10 percent annually for the past decade, has not only raised the living standards of the Japanese to the highest in Asia but has also provided the means for Japan to offer ever-increasing economic assistance to other Asian countries. Additionally, the Japanese have within the past 2 years taken important initiatives in the promotion of regional economic cooperation which provide great promise for the future.

We welcome Japan's growing role in Asian affairs and are pleased by the support it receives from the Japanese people.

Mr. President, I think I have a right as an American and one who has the most fond respect for the people of Japan to make that comment on this occasion.

As a Californian I have long known that the United States is not only an Atlantic power; we are also a Pacific power. As a Pacific power, the United States works closely with our Japanese friends in strengthening the bonds of friendship and cooperation and in seeking new ways of solving the problems that plague us in Asia.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

PROPOSED LEGISLATION OF GENERAL SERVICES ADMINISTRATION

A letter from the Acting Administrator, General Services Administration, Washington, D.C., transmitting a draft or proposed legislation to authorize the disposal of molybdenum from the national stockpile (with accompanying papers); to the Committee on Armed Services.

A letter from the Acting Administrator, General Services Administration, Washington, D.C., transmitting a draft of proposed legislation to authorize the disposal of platinum from the national stockpile and the supplemental stockpile (with accompanying papers); to the Committee on Armed Services.

A letter from the Acting Administrator, General Services Administration, Washington, D.C., transmitting a draft of proposed legislation to authorize the disposal of rare-earth materials from the national stockpile and the supplemental stockpile (with accompanying papers); to the Committee on Armed Services.

A letter from the Acting Administrator, General Services Administration, Washington, D.C., transmitting a draft of proposed legislation to authorize the disposal of bismuth from the national stockpile and the supplemental stockpile (with accompanying papers); to the Committee on Armed Services.

A letter from the Acting Administrator, General Services Administration, Washington, D.C., transmitting a draft of proposed legislation to authorize the disposal of magnesium from the national stockpile (with accompanying papers); to the Committee on Armed Services.

A letter from the Acting Administrator, General Services Administration, Washington, D.C., transmitting a draft of proposed legislation to authorize the disposal of nickel from the national stockpile (with accompanying papers); to the Committee on Armed Services.

SALE OF STANDARD REFERENCE DATA

A letter from the Acting Secretary of Commerce, transmitting a draft of proposed legislation to provide for the collection, compilation, critical evaluation, publication, and sale of standard reference data (with accompanying papers); to the Committee on Commerce.

REPORT OF FEDERAL POWER COMMISSION

A letter from the Chairman, Federal Power Commission, Washington, D.C., transmitting, pursuant to law, a report of that Commission, for the fiscal year ended June 30, 1966 (with an accompanying report); to the Committee on Commerce.

REINSTATEMENT AND RENEWAL OF TERM POLICIES OF NATIONAL SERVICE AND U.S. GOVERNMENT LIFE INSURANCE

A letter from the Administrator of Veterans Affairs, Veterans Administration, Washington, D.C., transmitting a draft of proposed legislation to liberalize the provisions of title 38, United States Code, relating to the reinstatement and renewal of term policies of national service and U.S. Government life insurance (with an accompanying paper); to the Committee on Finance.

Recoupment of Disability Severance Pay Under Certain Conditions

A letter from the Administrator of Veterans' Affairs, Veterans' Administration, Washington, D.C., transmitting a draft of proposed legislation to revise the provisions of title 10, United States Code, relating to the recoupment of disability severance pay under certain conditions (with an accompanying paper); to the Committee on Finance.

Improvement of Certain Benefits for Employees

A letter from the Administrator, Agency for International Development, Department of State, transmitting a draft of proposed legislation to improve certain benefits for employees who serve in high-risk situations, and for other purposes (with accompanying papers); to the Committee on Foreign Relations.

Report on Foreign Excess Property Disposed Of

A letter from the Assistant Secretary for Administration, Department of Commerce, reporting, pursuant to law, on foreign excess property disposed of, during the calendar year 1966; to the Committee on Government Operations.

Right of Privacy of 1967

A letter from the Acting Attorney General, transmitting a draft of proposed legislation to protect the right of privacy by prohibiting wire interception and eavesdropping, and for other purposes (with an accompanying paper); to the Committee on the Judiciary.

APPOINTMENTS BY THE VICE PRESIDENT

The PRESIDING OFFICER (Mr. McGee in the chair). Pursuant to an invitation from the Houses of Parliament of the United Kingdom, the Chair, on behalf of the Vice President, appoints the following Senators as a delegation to visit Great Britain as guests of the British Parliament, March 12–21, 1967: Senators Sparkman, and Scott.

The Chair, on behalf of the Vice President, appoints the following Senators as a delegation to the 10th Pan American Highway Congress, at Montevideo, Uruguay, April 3–12, 1967: Senators Randolph and Fong.

Pursuant to 22 U.S.C. 276, the Chair, on behalf of the Vice President, also appoints the following Senators to attend the Interparliamentary Union Meeting at Majorca, Spain, March 27–April 2, 1967: Senators Sparkman, Monroney, Hart, Jordan of North Carolina, Scott, Kuchel, Allott, and Bennett.

The Chair, on behalf of the Vice President, appoints the following Senators to be U.S. representatives to the United Nations Outer Space Committee: Senators Anderson and Smith.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMATHERS:

S. 942. A bill to amend the Railroad Retirement Act of 1937 to provide a 10-percent increase in all annuities and pensions payable thereunder, to insure better investment of funds in the railroad retirement account, and otherwise to improve the railroad retirement program; to the Committee on Labor and Public Welfare.

S. 943. A bill for the relief of Jacques Maseri and his wife, Adela Maseri; to the Committee on the Judiciary.

(See the remarks of Mr. Smathers when he introduced the first above-mentioned bill, which appear under a separate heading.)

By Mr. TYDINGS:

S. 944. A bill relating to the establishment of parking facilities in the District of Columbia; to the Committee on the District of Columbia.

S. 945. A bill to abolish the office of U.S. commissioner, to establish in place thereof within the judicial branch of the Government the office of U.S. magistrate, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. Tydings when he introduced the above bills, which appear under separate headings.)

(Note.—The above two bills were ordered to be held at the desk until February 20, 1967, for additional cosponsors.)

By Mr. JAVITS:

S. 946. A bill to amend the Tucker Act to increase from $10,000 to $50,000 the limitation on the jurisdiction of the U.S. district courts in suits against the United States for breach of contract or for compensation; to the Committee on the Judiciary.

(See the remarks of Mr. Javits when he introduced the above bill, which appear under a separate heading.)

By Mr. HRUSKA:

S. 947. A bill for the relief of Jose Joaquim Bulhoes; to the Committee on the Judiciary.

By Mr. SYMINGTON:

S. 948. A bill for the relief of Seaman Eugene Sidney Markovitz, U.S. Navy; to the Committee on the Judiciary.

By Mr. SCOTT (for himself, Mr. Dominick, and Mr. Miller):

S. 949. A bill to establish a Judicial Service Commission; to the Committee on the Judiciary.

(See the remarks of Mr. Scott when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk until February 20, 1967, for additional cosponsors.)

By Mr. RIBICOFF (for himself, Mr. Boggs, Mr. Brewster, Mr. Fannin, Mr. Inouye, Mr. Jordan of Idaho, Mr. McIntyre, Mr. Miller, Mr. Randolph, Mr. Scott, and Mr. Talmadge):

S. 950. A bill to amend the Internal Revenue Code of 1954 to encourage the abatement of water and air pollution by permitting the amortization for income tax purposes of the cost of abatement works over a period of 36 months; to the Committee on Finance.

(See the remarks of Mr. Ribicoff when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk until February 20, 1967, for additional cosponsors.)

By Mr. WILLIAMS of New Jersey:

S. 951. A bill to amend the Older Americans Act of 1965 so as to extend its provisions; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Williams of New Jersey when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk until February 20, 1967, for additional cosponsors.)

By Mr. CLARK (for himself, Mr. Williams of New Jersey, Mr. Case, Mr. Scott, and Mr. Boggs):

S. 952. A bill to authorize the conduct of certain research and development through the Coast Guard in order to develop an effective electronic guidance system; to the Committee on Commerce.

(See the remarks of Mr. Clark when he introduced the above bill, which appear under a separate heading.)

By Mr. BYRD of West Virginia:

S. 953. A bill to amend the Food Stamp Act of 1964 for the purpose of authorizing appropriations for fiscal years subsequent to the fiscal year ending June 30, 1967; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Byrd of West Virginia when he introduced the above bill, which appear under a separate heading.)

By Mr. PASTORE:

S. 954. A bill for the relief of Dr. Naeemuddin M. Siddiquie; to the Committee on the Judiciary.

By Mr. HOLLAND (for himself, Mr. Smathers, and Mr. Ervin):

S.J. Res. 40. Joint resolution proposing an amendment to the Constitution preserving the rights of the States with respect to public schools; to the Committee on the Judiciary.

INCREASE IN RAILROAD RETIREMENT BENEFITS

Mr. SMATHERS. Mr. President, I introduce, for appropriate reference, a bill to provide a 10-percent increase in railroad retirement benefits. This is a companion measure to S. 186, my bill introduced January 11 to provide a 10-percent increase in social security benefits. Enactment of my social security bill would automatically increase some railroad retirement benefits by 10 percent. However, some railroad retirement beneficiaries would not receive an increase unless my railroad retirement bill is also enacted.

As is true with my social security bill, no increase in railroad retirement contributions of employees or employers would be required by this bill. Instead, the increase would be financed by raising from 3 percent to 4 percent the minimum interest payable to the railroad retirement trust fund on its investments. Since there is approximately $4 billion now in the trust fund, an increase of 1 percent in the return on trust fund investments would yield an additional $40 million a year in income to the railroad retirement system. The Railroad Retirement Board tells me that this is approximately the same amount of money as would be produced by increasing the railroad retirement tax rates by about forty-five one-hundredths of 1 percent on employers and employees alike.

In addition, to permit investment yields to go far above the 4-percent minimum, the bill removes the Secretary of the Treasury from any voice in making these investments, and vests this authority completely in the Railroad Retirement Board.

While not as numerous as recipients of social security, the beneficiaries of the railroad retirement system constitute an important segment of the Nation's senior citizens. Enactment of this bill would make a significant contribution to the provision of adequate retirement incomes to our older compatriots, and would make the railroad retirement system more effective in maintaining purchasing power and keeping the economy healthy.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 942) to amend the Railroad Retirement Act of 1937 to provide a 10-percent increase in all annuities and pensions payable thereunder, to insure better investment of funds in the Railroad Retirement Account, and otherwise to improve the railroad retirement program, introduced by Mr. SMATHERS, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

ESTABLISHMENT OF PARKING FACILITIES IN THE DISTRICT OF COLUMBIA

Mr. TYDINGS. Mr. President, I introduce, for appropriate reference, a bill relating to the establishment of parking facilities in the District of Columbia.

Last year, the Business and Commerce Subcommittee, of which I am chairman, of the District of Columbia Committee, held extensive hearings on a bill substantially similar to the bill I introduce today. These hearings persuasively established the urgent need in the District of Columbia for creation of a public parking facility, such as already exists in many major cities. Responding to this need, the Senate passed this bill last year. Unfortunately, the House District of Columbia Committee took no action. The need to meet the parking problems of the District has not, however, diminished. Accordingly I am reintroducing this bill.

The bill creates a parking board composed of the three District of Columbia Commissioners. The parking board will be assisted by a nine-man advisory council composed of the Secretaries of Interior and Commerce, the General Services Administrator, and the Chairman of the National Capital Transportation Agency and the National Capital Planning Commission.

The board is authorized to acquire land by purchase, by grant from any Government agency, or by condemnation. The condemnation power is carefully circumscribed to insure that it is sparingly and fairly invoked. The board could operate a parking facility through a private management firm or it could lease or sell a parking facility while retaining control over rates and quality of service. Private parking facilities would be required to file schedules of rates and new garages could not be constructed at locations that would be inconsistent with sound planning or interfere with efficient traffic flow.

The bill I introduce today varies from the bill passed last year by the Senate in one detail. Section 22 of the previous bill provided that the zoning commission should issue regulations to require that all buildings erected in the central business district of the District of Columbia should provide on- or off-premise parking facilities for its own needs. The basic idea here is sound. But I think that the drafting of this provision was unduly rigid, and that we should have made allowance for waiver of this requirement where provision of parking facilities would not be desirable, either because the building site in question was too small to provide parking space, or parking facilities in a particular location would interfere with pedestrian or vehicular traffic generally or be incompatible with a general plan for the development of the city established by the National Capital Planning Commission. Where a building in the central business district does obtain a waiver, however, so that the building does not provide its own on- or off-premise parking facilities, I do not think that the building owner should be relieved of his responsibility to make provision for parking needs created by his building. Accordingly, the bill provides that an owner who secures a waiver of the parking facilities requirement must pay the parking board a sum which is an equitable contribution toward the costs of providing public parking facilities generally. This payment provision is modeled after the successful practice of the city of Toronto, Canada.

The overriding philosophy of my bill is that parking is an integral part of a balanced transportation system. The bill requires comprehensive study every 5 years to determine the available transportation resources in the National Capital area and to analyze what additional parking facilities, if any, are required to implement an efficient and economical transportation system. Rates in public parking facilities would be established to encourage short-term parking by shoppers, businessmen, and others who wish to draw upon the financial, commercial, cultural, and other resources of the central city.

The parking board would also be authorized to establish fringe lots in the District of Columbia and in the suburbs to accommodate commuters, tourists, and other long-term visitors to the Nation's Capital. The fringe lots could be built on Government or acquired land, and authority is expressly included to construct parking facilities under the Mall and in air rights over any freeways. This would enable those who use the freeways to drive directly into a parking garage, without ever crossing a city street, and either walk or take a short rail or bus ride to their destination.

I ask unanimous consent that the bill lie on the desk for cosponsors, until the close of business on February 20, 1967.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk for additional cosponsors until the close of business February 20, 1967, as requested by the Senator from Maryland.

The bill (S. 944) relating to the establishment of parking facilities in the District of Columbia, introduced by Mr. TYDINGS, was received, read twice by its title, and referred to the Committee on the District of Columbia.

THE FEDERAL MAGISTRATES ACT OF 1967

Mr. TYDINGS. Mr. President, I introduce today, for myself and the Senator from Indiana [Mr. BAYH], the Senators from Utah [Mr. BENNETT and Mr. MOSS], the Senator from Maryland [Mr. BREWSTER], the Senator from North Carolina [Mr. ERVIN], the Senator from Missouri [Mr. LONG], and the Senator from Pennsylvania [Mr. SCOTT], the Federal Magistrates Act of 1967, a bill that would abolish the U.S. commissioner system and establish in its place a system of U.S. magistrates. This bill is the product of an extensive series of hearings by the Subcommittee on Improvements in Judicial Machinery, of which I am chairman. At sessions in October and December of 1965, and in February, July, and August of 1966, the subcommittee heard testimony from U.S. commissioners, Federal judges, the Department of Justice, the Administrative Office of the U.S. Courts, the American Bar Association, and numerous lawyers and law teachers expert in the administration of Federal criminal justice.

The bill reflects the virtually unanimous conclusion of these witnesses that the present U.S. commissioner system is inadequate to meet the demands of a modern system of justice, and that drastic reforms are needed promptly. The need for the measure has been recognized formally by a number of prestigious organizations. The bill has received the unanimous endorsement of both the Criminal Law and Judicial Administration Sections of the American Bar Association. It has received the endorsement of the board of governors of the ABA and, at last August's annual convention in Montreal, it was approved by the association's House of Delegates. Further, at last September's meeting of the Judicial Conference of the United States, the reforms embodied in the bill were approved in principle by that body of eminent Federal jurists. In approving the bill, the Judicial Conference directed its Committee on Administration of the Criminal Law to work with the Judicial Improvements Subcommittee in order to refine the wording of several provisions of the bill where the Conference was not satisfied that the language employed was adequate to accomplish the desired result. I am happy to report that the subcommittee and the Conference Committee have been able to reach agreement on the wording of the provisions in question, and I think that the bill can now be considered to have the full support of the Judicial Conference.

Mr. President, the amount of support the bill has received has been gratifying to the members of the subcommittee who have worked on it over the past 2 years. It has been circulated for comment to every Federal judge, every U.S. commissioner, every U.S. attorney, and to a host of bar associations, leading lawyers, and academicians. In all, the bill has been circulated to over 1,500 people. One can practically count the number of adverse responses on the fingers of one hand.

Mr. President, let me outline again, as I did when the bill was introduced last year as S. 3475, 89th Congress, second session, the most notable defects in the present U.S. commissioner system that were brought out by the subcommittee's hearings, by the responses to a questionnaire sent to all U.S. commissioners, and by the comments received from the many knowledgeable judges and lawyers to whom the bill was sent:

The busiest U.S. commissioners are grossly underpaid for the amount of work they do, and it is therefore difficult to attract the best men for the job.

Commissioners are paid under a fee system of questionable wisdom and doubtful constitutionality. The possibility that the commissioner may have a pecuniary stake in the outcome of a matter before him does violence to all our notions of justice.

Almost one-third of the more than 700 commissioners are not lawyers, yet commissioners are frequently called upon to apply some of the most sophisticated rules of constitutional law—rules that the best lawyer or judge is hard pressed to apply correctly.

Many commissioners do not have a clear idea of what their functions are; there is great disparity from district to district, and even from commissioner to commissioner, on how fundamental problems are handled.

In many districts search warrants and arrest warrants are handled on a mass-production basis with no independent judicial determination being made as to whether probable cause exists for the issuance of a warrant.

There is widespread confusion concerning the proper purpose and scope of preliminary hearings.

There is a tendency to downgrade certain offenses from felony or misdemeanor status so that they can be tried as petty offenses before the commissioner rather than burdening the dockets of the district courts. For the same reason, some offenses are not prosecuted at all. Neither of these practices serves the ends of justice. And when offenses of a minor nature are nonetheless tried in the district courts, their prosecution too often lends a "police court" atmosphere to the Federal court.

All of these factors, Mr. President, led us to the conclusion that the present system must be changed. At an early stage it became evident that we must choose one of two routes: first, to downgrade the system and relegate the commissioners to the performance of ministerial functions, transferring to the district judges the bulk of the duties now performed by commissioners; or second, to upgrade the commissioner in stature, qualifications, and compensation, making him equal to the important judicial tasks that he currently must perform, and giving him important new functions in the administration of criminal justice.

As I related to the Senate last year when the Federal Magistrates Act was first introduced, we chose the latter course. We did this because we feel that it is unreasonable to expect the presently overworked district judges to discharge additional functions—such as deciding whether there is probable cause for a warrant to issue—with the kind of considered and unhurried judgment that such decisions require. We heard testimony that in the only district in which this experiment has been attempted the commissioner duties undertaken by the judges impinge substantially on the orderly conduct of the other business of the court. A decision to deprive a citizen of his liberty—even though it is temporary and subject to subsequent review—or a decision to permit the search of a citizen's home, deserves careful consideration by a judicial officer whose primary attention is not lodged elsewhere. We believe that as a practical matter a district judge cannot and should not be that judicial officer, and that such functions can best be performed by an officer who is part of an upgraded version of the U.S. commissioner system.

To take the other course, and to transfer the significant functions of the commissioners to district judges, would necessitate the creation of many additional judgeships. The Congress has created more than 70 additional district judgeships in the past 6 years to keep our district courts abreast of the ever-mounting caseload. I feel that to create still more judgeships, simply to absorb the duties now performed by commissioners, would be neither wise nor frugal. In addition, there is the very attractive possibility that an upgraded commissioner system could be given many of the troublesome and comparatively trivial tasks that now occupy the time of district judges, releasing the time of those judges for more important Federal business. We believe that it is sound judicial administration to establish a tier of competent, qualified judicial officers at a level below that of the district judge, and to use these officers to perform certain functions that do not require the attention of the district judge.

The bill, therefore, is predicated on the fundamental assumption that the commissioner system should be upgraded, making it capable of discharging effectively the duties we presently call upon it to perform, and of undertaking new functions to relieve the district judges of some of their burden.

The first goal of the Magistrates Act is to establish a judicial officer who will have qualifications and a stature higher than those of the present U.S. commissioner. To achieve this goal, we have eliminated the present odious fee system, and replaced it with a sliding scale salary system based on the anticipated workload of each magistrate, under which the busiest U.S. magistrates may be paid as much as $22,500 per year. We have required that all magistrates be lawyers, except that, in the case of a part-time magistrate, this requirement is waived if both the appointing court and the Judicial Conference find that no qualified individual who is a member of the bar is available to serve at a specific location. We have increased the term of office from 4 to 8 years for full-time magistrates, and have provided that removal of magistrates—both full time and part time—can be for cause only. We have provided that the necessary expenses of magistrates in the exercise of their official duties will be paid by the Federal Government—something that is not the case today with regard to U.S. commissioners. We have established a preference for the appointment of full-time magistrates wherever the anticipated workload justifies such appointments, and have required that such full-time magistrates be given suitable office space in Federal buildings wherever possible. And finally, we have changed the name of the office to U.S. magistrate in order to establish the judicial nature of the office and to make clear the departure from the old commissioner system. We believe that all these measures will enhance the status of the new magistrates and make them a respected component of the judicial system.

There is, Mr. President, one service performed by the old commissioner system that a network of full-time magistrates cannot replace. This is having available in remote areas of the country a Federal judicial officer before whom an arrested person can be brought promptly for presentment and the setting of bail. In addition, there may be some judicial districts in which the caseload does not justify the appointment of even one full-time magistrate. For these reasons, our bill, while establishing a preference for full-time positions where such are required, also creates the office of part-time U.S. magistrate, at a salary ranging from $100 to $11,000 per year, depending on the workload. These part-time U.S. magistrates, unlike full-time U.S. magistrates, may practice law, with the exception of Federal criminal cases.

Under the present U.S. commissioner system, each district court may decide how many commissioners it wishes to appoint, and the compensation of the commissioners is of course on a fee basis according to the number of cases handled. With the establishment of a salary system of compensation under the Magistrates Act, it will become necessary to have some central control over the number, location, and salaries of full- and part-time magistrates throughout the country. Under our bill, this central control is to be exercised by the Judicial Conference of the United States, which will decide how many magistrates there should be, whether they should be full or part time, at which locations they should serve, and what their salaries should be. The Judicial Conference will make these determinations on the basis of surveys to be conducted by the Director of the Administrative Office of the U.S. Courts, and recommendations from the district courts and the circuit judicial councils. This procedure is patterned after the procedure currently in effect for Federal referees in bankruptcy, which has worked extremely well.

The new magistrates system set up under our bill would take over all of the present functions of the U.S. commissioners; the issuance of search and arrest warrants; advising a prisoner of his rights and the charge against him, appointing counsel and setting bail at the initial presentment; conducting a preliminary hearing; trial of petty offenses committed on Federal reservations; and certain other minor, infrequently exercised functions. In addition, magistrates specially designated for the purpose by the district court will have the power to try a wider class of minor offenses: all *misdemeanors, wherever committed,* that carry a penalty not exceeding 1 year in prison or $1,000 in fines, or both.

Let me point out that we now have the rather ridiculous situation where a U.S. commissioner can try a petty offense when it is committed within the confines of a Federal reservation, but if the petty offense is not committed within the confines of a Federal reservation it must be tried in the U.S. district court. When I was U.S. attorney for the District of Maryland, we took the valuable time of the district court every fall for a period of 2 months trying migratory bird treaty cases—cases in which a man might have taken one bird more than he should have, or might have thrown some corn around a duck blind. I submit that these minor offenses can and should be tried by U.S. magistrates.

We feel that the upgraded magistrate system, with its greater prestige and higher qualifications, is competent to deal with such minor offenses, and can thereby take a considerable load off the district courts. Of course, we retain the present provisions under which the magistrate has jurisdiction only if the defendant waives trial by the district court, and under which a convicted defendant may appeal to the district court. To facilitate such appeals in cases involving more than a petty offense, we have provided for proceedings before the magistrate to be transcribed by a court reporter or suitable sound recording equipment.

Since full-time magistrates under the new system will be expected to spend all their time on their official duties, we felt it appropriate to allow the district court to assign them duties in addition to those the statute imposes upon them. We think that this provision has great potential for increasing the efficiency of the Federal courts, and that this potential will be realized if the district judges choose qualified people for magistrate positions and use their services imaginatively. Our bill lists several additional functions, by way of suggestion rather than requirement, that might be assigned to magistrates. These include supervision of pretrial discovery proceedings in both civil and criminal cases, preliminary review of petitions for postconviction relief, and assignments to act as special masters in appropriate civil cases.

The subcommittee's hearings indicated that the proper role of the preliminary hearing is the aspect of the commissioner system about which confusion is greatest and the need for clear statutory standards most pressing. For this reason, we have attempted in our bill to establish uniform, rational practices with regard to preliminary hearings. This provision does not give the magistrate any functions that the commissioner does not now perform, but it clarifies the purpose and scope of the preliminary hearing.

Let me briefly review the present confused and inconsistent status of the preliminary hearing: Rule 5(c) of the Federal Rules of Criminal Procedure requires that a preliminary examination—to determine whether there is probable cause to believe that a crime has been committed and that the accused has committed it—be held within "a reasonable time" after initial presentment of the accused, unless this right is waived by the accused. In practice, in some districts, this actually occurs, and preliminary hearings are routinely held within a week or so after presentment. In other districts, grand juries are in continuous session and are able to return indictments, mooting the preliminary hearings—in most cases within several days of the presentment. In still other districts, however, preliminary hearings are not held even though the grand jury backlog is such that the delay between presentment and indictment is a month or more. This is done in at least one important district by routinely granting continuances to the prosecution, often ex parte, without any opportunity for the defendant to object. In addition, in many districts the majority of defendants waive preliminary hearing, but they do so before they have an opportunity to consult retained or appointed counsel. Some commissioners have told us that it is virtually impossible to explain to an uncounseled defendant the nature and purpose of the preliminary hearing so that he may make an intelligent choice.

We think that this situation is highly unsatisfactory, and that congressional action is needed to clarify the purpose of the rule and establish a uniform procedure throughout the country. We feel that an individual's liberty should not be restrained for more than a minimum period of time in the absence of a judicial determination that his continued restraint is justified. This is particularly true when the individual is in actual custody without bail or for failure to make bail. But it is also true if the individual's liberty is restricted by bail or other conditions of release.

Our bill therefore sets outer limits within which a determination of probable cause must be made—either by a magistrate at a preliminary hearing, or by a grand jury through the indictment process. These outer limits are 10 days after presentment for anyone in actual custody, and 20 days after presentment for those released under bail or other conditions. Let me emphasize that these are only outer limits, and that the bill reaffirms the requirement that the preliminary hearing be held within a reasonable time. In most cases a reasonable time may be well within the outer limits. No continuance beyond these limits may be granted without the defendant's consent, except upon the order of a judge of the United States after his finding that extraordinary circumstances exist, and that the delay of the preliminary hearing is indispensable to the interests of justice.

The bill further provides that if at the end of the 10-day or 20-day period there has been neither a preliminary hearing nor a grand jury indictment or information, the accused must be discharged from custody or from bail or any other condition of release. Finally, the bill requires that any waiver of preliminary hearing and any consent to a continuance of the hearing must be made after opportunity to consult counsel.

We anticipate that the effect of the preliminary hearing provision of our bill will be to increase the use of preliminary hearings in those districts in which the grand jury meets infrequently and in those districts in which the grand jury backlog is such that no action can be expected within a short time after arrest and presentment. It will also provide something of an incentive for prompt grand jury action, in that a prosecutor who wishes to avoid a preliminary hearing can do so only by getting his case to the grand jury quickly, knowing that he cannot obtain a continuance of the preliminary hearing beyond the 10- or 20-day limit. The ultimate result in our busy urban districts may be the virtual elimination of preliminary hearings, but only if the present grand jury delays are eliminated first.

At our hearings, there was a considerable amount of discussion of the preliminary hearing as a discovery device. Most witnesses concluded, however, that they would prefer that adequate discovery be provided by other means, and that the discovery question be treated separately from that of the preliminary hearing. We agree. The preliminary hearing is not well suited for discovery for a number of reasons. First, under current doctrines it will always be possible to bypass the preliminary hearing—and therefore discovery—by proceeding rapidly to indictment after arrest, or by arresting the defendant only after an indictment has been returned, in which case the rule 5 preliminary hearing process is not involved at all. Second, it is possible to hold a preliminary hearing on only one of several charges, and later to indict and try the defendant on other charges. Third, the amount of discovery that a defendant receives in a preliminary hearing depends on the amount of proof the commissioner requires the Government to bring forward to establish probable cause; this may be quite a bit, or it may be very little, but in either event it need not be all the evidence within the possession of the Government that should be subject to discovery. Moreover, the preliminary hearing should be conducted promptly after arrest, but a discovery proceeding is probably more efficiently conducted at a later stage, closer to trial, after counsel has had an opportunity to reflect at leisure about the defense, and when the evidence against the accused is likely to be more complete.

We believe that discovery in criminal cases should stand on its own feet. It should not be inextricably entwined in the process of establishing probable cause, but should be designed to facilitate an exchange of information making the trial a more rational method of determining the truth. As such, discovery should be available to all defendants, including those whose arrest following indictment takes them out of the rule 5 preliminary hearing process, and including those who for one reason or another do not get a preliminary hearing.

Therefore, we feel that discovery, apart from the preliminary hearing, should be handled in the Federal Rules of Criminal Procedure. A new rule 16, which liberalizes somewhat criminal discovery procedures, took effect last July 1. Some people feel that this new rule does not go far enough, particularly in that it does not cover statements of witnesses and does not contemplate the possibility of the taking of depositions. We hope that the Supreme Court and the Judicial Conference and its committees will carefully scrutinize the operation of the new rule 16 and will give consideration to further liberalization of the criminal discovery procedures in the Federal courts, so that the Congress does not have to act. This is one area in which we have lagged behind a number of our more progressive State court systems.

Mr. President, I believe that the Federal Magistrates Act, if enacted, will be a great boon to the effective operation of the Federal judicial system. I hope that it will receive prompt and favorable attention in the Senate, and that we may send this long-needed piece of legislation to the House before the session is very far along. I can report to my colleagues that I have received the assurance of the Honorable Emanuel Celler, chairman of the House Judiciary Committee, that the measure will receive that committee's prompt attention when it is sent to the House.

Mr. President, I ask unanimous consent that the bill lie at the desk for 10 days to permit additional Senators to join as cosponsors; and I ask further that the text of the bill be printed at this point in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record, and held at the desk, as requested by the Senator from Maryland.

The bill (S. 945) to abolish the office of U.S. commissioner, to establish in place thereof within the judicial branch of the Government the office of U.S. magistrate, and for other purposes, introduced by Mr. Tydings, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

S. 945

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Magistrates Act".

TITLE I—UNITED STATES MAGISTRATES

Sec. 101. Chapter 43, title 28, United States Code, relating to United States commissioners, is amended to read as follows:

"Chapter 43.—United States Magistrates

"Sec.
"631. Appointment and tenure.
"632. Character of service.
"633. Determination of number, locations, and salaries of magistrates.
"634. Compensation.
"635. Expenses.
"636. Jurisdiction and powers.
"637. Seals.
"638. Dockets and forms; United States Code
"639. Definitions.

"§ 631. Appointment and tenure

"(a) The judges of each United States District Court shall appoint United States magistrates in such numbers and to serve at such locations within the judicial district as the conference may determine under this chapter. Where there is more than one judge of a district court, the appointment, whether an original appointment or a reappointment, shall be by the concurrence of a majority of all the judges of such district court, and where there is not such concurrence, then by the chief judge. Where an area under the administration of the National Park Service, or the United States Fish and Wildlife Service, or any other Federal agency, extends into two or more judicial districts and it is deemed desirable that the territorial jurisdiction of a magistrate's appointment include the entirety of such area, the appointment or reappointment shall be made by the concurrence of a majority of all the judges of such district courts, and where there is no such concurrence by the concurrence of the chief judges of such district courts.

"(b) No individual may be appointed or serve as a magistrate under this chapter unless:

"(1) He is a member in good standing of the bar of the highest court of the State in which he is to serve, or, in the case of an individual appointed to serve in an area under the administration of the National Park Service, or the United States Fish and Wildlife Service, or any other Federal agency that extends into two or more States, a member in good standing of the bar of the highest court of one of those States: *Provided, however,* That an individual who is not a member of the bar of the highest court of one of the States in which he is to serve may be appointed and serve as a part-time magistrate if the appointing court or courts and the conference find that no qualified individual who is a member of the bar is available to serve at a specific location;

"(2) He is determined by the appointing district court or courts to be competent to perform the duties of the office;

"(3) In the case of an individual appointed to serve in a national park, he resides within the exterior boundaries of that park, or at some place reasonably adjacent thereto;

"(4) He is not related by blood or marriage to a judge of the appointing court; and

"(5) He holds no other civil or military office or employment under the United States: *Provided, however,* That, with the approval of the Director, a part-time referee in bankruptcy or a clerk or deputy clerk of a court of the United States may be appointed and serve as a part-time United States magistrate, but the conference may fix the aggregate amount of compensation to be received for performing the duties of part-time magistrate and part-time referee in bankruptcy, clerk or deputy clerk: *And provided further,* That retired officers and retired enlisted personnel of the Regular and Reserve components of the Army, Navy, Air Force, Marine Corps, and Coast Guard, members of the Reserve components of the Army, Navy, Air Force, Marine Corps, and Coast Guard, and members of the National Guard of the United States and of the National Guard of a State, territory, or the District of Columbia, except the National Guard disbursing officers who are on a full-time salary basis, may be appointed and serve as United States magistrates.

"(c) The appointment of any individual as a full-time magistrate shall be for a term of eight years, and the appointment of any individual as a part-time magistrate shall be for a term of four years. No individual may serve under any appointment under this chapter after attaining the age of seventy years.

"(d) Each individual appointed as a magistrate under this section shall take the oath or affirmation prescribed by section 453 of this title before performing the duties of his office.

"(e) Each appointment made under this section by any district court shall be entered of record in such court, and notice of such appointment shall be given at once by the clerk of that court to the Director.

"(f) Removal of a magistrate during the term for which he is appointed shall be only for incompetency, misconduct, neglect of duty, or physical or mental disability, but a magistrate's office shall be terminated if the conference determines that the services performed by his office are no longer needed. Removal shall be by the district court for the judicial district in which the magistrate serves; where there is more than one judge of a district court, removal shall not occur unless a majority of all the judges of such court concur in the order of removal; and where there is a tie vote of the judges of the district court on the question of the removal or retention in office of a magistrate, then removal shall be only by a concurrence of a majority of all the judges of the council. In the case of a magistrate appointed under the third sentence of subsection (a) of this section, removal shall not occur unless a majority of all the judges of the appointing district courts concur in the order of removal; and where there is a tie vote on the question of the removal or retention in office of a magistrate, then removal shall be only by a concurrence of a majority of all the judges of the council or councils. Before any order of removal shall be entered, a full specification of the charges shall be furnished to the magistrate, and he shall be accorded by the judge or judges of the removing court, courts, council or councils an opportunity to be heard on the charges.

"§ 632. Character of service

"(a) Full-time United States magistrates may not engage in the practice of law, and may not engage in any other business, occupation, or employment inconsistent with the expeditious, proper, and impartial performance of their duties as judicial officers.

"(b) Part-time United States magistrates shall render such service as judicial officers as is required by law. While so serving they may engage in the practice of law, but may not serve as counsel in any criminal action in any court of the United States, nor act in any capacity that is, under such regulations as the conference may establish, inconsistent with the proper discharge of their office. Within such restrictions, they may engage in any other business, occupation, or employment which is not inconsistent with the expeditious, proper, and impartial performance of their duties as judicial officers.

"§ 633. Determination of number, locations and salaries of magistrates

"(a) Surveys by the Director.—

"(1) The Director shall, within one year immediately following the date of the enactment of the Federal Magistrates Act, make a careful survey of conditions throughout the country to determine, (A) the number of appointments of full-time magistrates and part-time magistrates required to be made under this chapter to provide for the expeditious and effective administration of justice, (B) the locations at which such officers shall serve, and (C) their respective salaries under section 634 of this title. Thereafter, the Director shall, from time to time, make such surveys, general or local, as the conference shall deem expedient.

"(2) In the course of any such surveys, the Director shall take into account local conditions, including the areas and the populations to be served, the transportation and communications facilities available, the previous amount and distribution of business of the type expected to arise before officers appointed under this chapter (including such matters as may be assigned under Section 636(b) of this Chapter), and any other material factors. The Director shall give consideration to suggestions from any interested parties, including district judges, United States commissioners or officers appointed under this chapter, United States attorneys, bar associations, and other parties having relevant experience or information.

"(3) The surveys shall be made with a view toward creating and maintaining a system of full-time United States magistrates. However, should the Director find, as a result of any such surveys, areas in which the employment of a full-time magistrate would not be feasible or desirable, he shall recommend the appointment of part-time United States magistrates in such numbers and at such locations as may be required to permit prompt and efficient issuance of process and to permit individuals charged with criminal offenses against the United States to be brought before a judicial officer of the United States promptly after arrest.

"(b) Determination by the Conference.—Upon the completion of the initial surveys required by subsection (a) of this section, the Director shall report to the district judges, the councils, and the conference his recommendations concerning the number of full-time magistrates and part-time magistrates, their respective locations, and the amount of their respective salaries under section 634 of this title. The district judges shall advise their respective councils, stating their recommendations and the reasons therefor; the councils shall advise the conference, stating their recommendations and the reasons therefor, and shall also report to the conference the recommendations of the district judges. The conference shall determine, in the light of the recommendations of the Director, the district judges, and the councils, the number of full-time United States magistrates and part-time United States magistrates, the locations at which they shall serve, and their respective salaries. Such determinations shall take effect in each judicial district at such time as the district court for such judicial district shall determine, but in no event later than one year after they are promulgated.

"(c) CHANGES IN NUMBER, LOCATIONS, AND SALARIES.—Except as otherwise provided in this chapter, the conference may, from time to time, in the light of the recommendations of the Director, the district judges, and the councils, change the number, locations, and salaries of full-time and part-time magistrates, as the expeditious administration of justice may require. Such determinations shall take effect sixty days after they are promulgated.

"§ 634. Compensation

"(a) Officers appointed under this chapter shall receive as full compensation for their services salaries to be fixed by the conference pursuant to section 633 of this title, at rates not more than $22,500 per annum for full-time United States magistrates, and not more than $11,000 per annum nor less than $100 per annum for part-time United States magistrates. In fixing the amount of salary to be paid to any officer appointed under this chapter, consideration shall be given to the average number and the nature of matters that have arisen during the immediately preceding period of five years, and that may be expected thereafter to arise, over which such officer would have jurisdiction, and to such other factors as may be material. Disbursement of salaries shall be made by or pursuant to the order of the Director.

"(b) Unless the office has been terminated as provided in this chapter, the salary of a full-time United States magistrate shall not be reduced, during the term in which he is serving, below the salary fixed for him at the beginning of that term.

"(c) All United States magistrates and employees in the offices of full-time United States magistrates shall be deemed to be officers and employees in the judicial branch of the United States Government within the meaning of subchapter III (relating to civil service retirement) of chapter 83 of title 5, United States Code.

"§ 635. Expenses

"(a) Full-time United States magistrates serving under this chapter shall be allowed their actual and necessary expenses incurred in the performance of their duties, including the compensation of necessary clerical and secretarial assistance. Such expenses and compensation shall be determined and paid by the Director under such regulations as the Director shall prescribe with the approval of the conference. Such magistrates also shall be furnished necessary courtrooms, office space, furniture and facilities within United States courthouses or office buildings owned or occupied by departments or agencies of the United States, or, should suitable courtroom and office space not be available within any such courthouse or office building, the Administrator of General Services, at the request of the Director, shall procure and pay for suitable courtroom and office space, furniture and facilities for such magistrate in another building, but only if such request has been approved as necessary by the judicial council of the appropriate circuit.

"(b) Under such regulations as the Director shall prescribe with the approval of the conference, part-time United States magistrates serving under this chapter shall be entitled to receive from appropriated funds reimbursement for actual expenses necessarily incurred by them in the performance of their duties under this chapter. Such reimbursement may be made, at rates not exceeding those prescribed by such regulations, for expenses incurred by such deputy magistrates for clerical and secretarial assistance, stationery, telephone and other communications services, travel, and such other expenses as may be determined to be necessary for the proper performance of the duties of such officers: *Provided, however,* That no reimbursement shall be made for all or any portion of the expense incurred by such part-time magistrates for the procurement of office space.

"§ 636. Jurisdiction and powers

"(a) Each United States magistrate serving under this chapter shall have within the territorial jurisdiction prescribed by his appointment—

"(1) all powers and duties conferred or imposed upon United States commissioners by law or by the Rules of Criminal Procedure for the United States District Courts;

"(2) the power to administer oaths and affirmations and take bail, acknowledgments, affidavits, and depositions;

"(3) the power to conduct trials under section 3401, title 18, United States Code, in conformity with and subject to the limitations of that section; and

"(4) such additional powers and duties as may be conferred or imposed upon such magistrate by any provision of law enacted on or after the date of enactment of the Federal Magistrates Act, or by any provision of the Rules of Criminal Procedure for the United States District Courts effective on or after that date.

"(b) Any district court of the United States, by the concurrence of a majority of all the judges of such district court, may establish rules pursuant to which any full-time United States magistrate, or, where there is no full-time magistrate reasonably available, any part-time magistrate specially designated by the court, may be assigned within the territorial jurisdiction of such court such additional duties as are not inconsistent with the Constitution and laws of the United States. The additional duties authorized by rule may include, but are not restricted to—

"(1) service as a special master in an appropriate civil action, pursuant to the applicable provisions of this Title and the Federal Rules of Civil Procedure for the United States District Courts;

"(2) assistance to the district court in the conduct of pretrial or discovery proceedings in civil or criminal actions; and

"(3) preliminary review of applications for post-trial relief made by individuals convicted of criminal offenses, and submission of a report and recommendations to facilitate the decision of the district judge having jurisdiction over the case as to whether there should be a hearing.

"(c) The practice and procedure for the trial of cases before officers serving under this chapter, and for the taking and hearing of appeals to the district courts, shall conform to rules promulgated by the Supreme Court pursuant to section 3402 of title 18, United States Code.

"(d) In a proceeding before a magistrate, any of the following acts or conduct shall constitute a contempt of the district court for the district wherein the magistrate is sitting: (1) disobedience or resistance to any lawful order, process, or writ; (2) misbehavior at a hearing or other proceeding, or so near the place thereof as to obstruct the same; (3) failure to produce, after having been ordered to do so, any pertinent document; (4) refusal to appear after having been subpoenaed, or, upon appearing, refusal to take the oath or affirmation as a witness, or, having taken the oath or affirmation, refusal to be examined according to law; or (5) any other act or conduct which if committed in a district court would constitute contempt of such court. Upon the commission of any such act or conduct, the magistrate shall forthwith certify the facts to the district court and may serve or cause to be served upon any person whose behavior is brought into question under this section an order requiring such person to appear before the court upon a day certain to show cause why he should not be adjudged in contempt by reason of the facts so certified. The district court shall thereupon, in a summary manner, hear the evidence as to the act or conduct complained of and, if it is such as to warrant the court in so doing, punish such person in the same manner and to the same extent as for a contempt committed before the court, or commit such person upon the same conditions as if the doing of the forbidden act or conduct had occurred with reference to the process of the district court or in the presence of a judge of that court.

"§ 637. Seals

"The Director shall furnish to each United States magistrate appointed under this chapter an official impression seal in a form prescribed by the Director. Each such officer shall affix his seal to every jurat or certificate of his official acts without fee.

"§ 638. Dockets and forms; United States Code

"(a) The Director shall furnish to United States magistrates adequate docket books and forms prescribed by the Director. The Director shall also furnish to each such officer a copy of the current edition of the United States Code.

"(b) All property furnished to any such officer shall remain the property of the United States and, upon the termination of his term of office, shall be transmitted to his successor in office or otherwise disposed of as the Director orders.

"§ 639. Definitions

"As used in this chapter—

"(1) 'Conference' shall mean the Judicial Conference of the United States;

"(2) 'Council' shall mean the Judicial Council of the Circuit;

"(3) 'Director' shall mean the Director of the Administrative Office of the United States Courts;

"(4) 'Full-time magistrate' shall mean a full-time United States magistrate;

"(5) 'Part-time magistrate' shall mean a part-time United States magistrate;

"(6) 'State' shall mean any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Canal Zone, and any possession of the United States included within a judicial circuit of the United States; and

"(7) 'United States Magistrate' and 'magistrate' shall mean both full-time and part-time United States magistrates."

SEC. 102. (a) The item relating to United States commissioners contained in the chapter analysis of part III, title 28, United States Code, is amended to read as follows:

"43. United States magistrates-------- 631."

(b) The item relating to United States commissioners contained in the part and chapter analysis immediately following the title caption of title 28, United States Code, is amended to read as follows:

"43. United States magistrates-------- 631."

TITLE II—ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SEC. 201. (a) Paragraph (9) of subsection (a) of section 604, title 28, United States

Code, is amended by striking out the words "United States Commissioners", and inserting in lieu thereof the words "United States magistrates".

(b) Section 604, title 28, United States Code, is amended by adding at the end thereof the following new subsections:

"(d) The Director, under the supervision and direction of the conference, shall:

"(1) supervise all administrative matters relating to the offices of United States magistrates;

"(2) gather, compile, and evaluate all statistical and other information required for the performance of his duties and the duties of the conference with respect to such officers;

"(3) lay before Congress annually statistical tables and other information which will accurately reflect the business which has come before the various United States magistrates;

"(4) prepare and distribute a manual, with annual supplements and periodic revisions, for the use of such officers, which shall set forth their powers and duties, describe all categories of proceedings which may arise before them, and contain such other information as may be required to enable them to discharge their powers and duties promptly, effectively, and impartially; and

"(5) supervise the conduct of periodic training programs and seminars for both full-time and part-time United States magistrates, including an introductory training program for new magistrates, to be held within one year after their initial appointment.

"(e) The Director, with the approval of the conference, may promulgate appropriate rules and regulations, not inconsistent with any provision of law, to assist him in the performance of the duties conferred upon him by subsection (d) of this section. Magistrates shall keep such records and make such reports as are specified in such rules and regulations."

TITLE III—AMENDMENTS TO TITLE 18, UNITED STATES CODE

TECHNICAL AMENDMENTS

SEC. 301. (a) Except as otherwise specifically provided by this title, part II, title 18, United States Code (relating to criminal procedure) is amended by:

(1) striking out the words "United States commissioner" wherever they appear therein, and inserting in lieu thereof the words "United States magistrate";

(2) striking out the words "United States commissioners" wherever they appear therein, and inserting in lieu thereof the words "United States magistrates";

(3) striking out the word "commissioner" wherever it appears in relation to a United States commissioner, and inserting in lieu thereof the word "magistrate";

(4) striking out the word "Commissioners" wherever it appears in relation to United States commissioners, and inserting in lieu thereof the word "magistrates".

(b) Section 202(a) of title 18, United States Code, is amended by striking out the words "or a part-time United States Commissioner", and inserting in lieu thereof the words "a part-time United States commissioner, or a part-time United States magistrate".

(c) The chapter caption of chapter 219, part II, title 18, United States Code, is amended to read as follows:

"CHAPTER 219—TRIAL BY UNITED STATES MAGISTRATES"

TRIAL BY MAGISTRATES

SEC. 302. (a) Section 3401, title 18, United States Code, is amended to read as follows:

"§ 3401. Minor offenses; application of probation laws

"(a) Any United States magistrate specially designated for that purpose by the district court of the judicial district in which he serves, shall have jurisdiction to try and sentence persons committing minor offenses within that judicial district.

"(b) Any person charged with a minor offense may elect, however, to be tried in the district court of the United States. The magistrate shall carefully explain to the defendant his right to make such election, and shall not proceed to try the case unless the defendant, after such explanation, signs a written consent to be tried before the magistrate that specifically waives both a trial before the district court and any right to trial by jury that he may have.

"(c) With the approval of the district court, the magistrate may request the probation service of the court to make a presentence investigation and report to the magistrate before the imposition of sentence upon or the granting of probation to persons tried by a magistrate under this section. The report shall not be submitted to the magistrate or its contents disclosed to anyone unless the defendant has pleaded guilty or has been found guilty.

"(d) The probation laws shall be applicable to persons tried by a magistrate under this section, and such officer shall have power to grant probation and to revoke or reinstate the probation of any person granted probation by him.

"(e) Except in cases of petty offenses as defined in section 1(3) of this title, proceedings before United States magistrates under this section shall be taken down by a court reporter or recorded by suitable sound recording equipment. For purposes of appeal a copy of the record of such proceedings shall be made available at the expense of the United States to a person who makes affidavit that he is unable to pay or give security therefor, and the expense of such copy shall be paid by the Director of the Administrative Office of the United States Courts.

"(f) As used in this section, the term 'minor offenses' means misdemeanors punishable under the laws of the United States, the penalty for which does not exceed imprisonment for a period of one year, or a fine of not more than $1,000, or both, except that such term does not include any offense punishable under any of the following provisions of law: Section 102 of the Revised Statutes, as amended (2 U.S.C. 192); section 314(a) of the Federal Corrupt Practices Act, 1925 (2 U.S.C. 252(a)); and sections 210, 211, 242, 594, 597, 599, 600, 601, 1304, 1504, 1508, 1509, 2234, 2235, and 2236 of title 18, United States Code.

(b) The item relating to section 3401 title 18, United States Code, contained in the chapter analysis of chapter 219, title 18, United States Code, is amended to read as follows:

"3401. Minor offenses; application of probation laws."

PRELIMINARY EXAMINATION

SEC. 303. (a) Section 3060, title 18, United States Code, is amended to read as follows:

"§ 3060. Preliminary examination

"(a) Except as otherwise provided by this section, unless an arrested person brought before a United States judge or magistrate for initial appearance waives a preliminary examination after opportunity to consult counsel, such preliminary examination shall be held within the time set by the judge or magistrate pursuant to subsection (b) of this section, to determine whether there is probable cause to believe that an offense has been committed and that the arrested person has committed it.

"(b) The date for the preliminary examination shall be fixed by the judge or magistrate at the initial appearance of the arrested person. Except as provided by subsection (c) of this section, such examination shall be held within a reasonable time following initial appearance, but in any event not later than—

"(1) the tenth day following the date of the initial appearance of the arrested person before such officer if the arrested person is held in custody without any provision for release, or is held in custody for failure to meet the conditions of release imposed, or is released from custody only during specified hours of the day; or

"(2) the twentieth day following the date of the initial appearance if the arrested person is released from custody under any condition other than a condition described in paragraph (1) of this subsection.

"(c) With the consent of the arrested person after opportunity to consult counsel, the date fixed by the judge or magistrate for the preliminary examination may be a date later than that prescribed by subsection (b), or may be continued one or more times to a date subsequent to the date initially fixed therefor. In the absence of such consent of the accused, the date fixed for the preliminary hearing may be a date later than that prescribed by subsection (b), or may be continued to a date subsequent to the date initially fixed therefor, only upon the order of a judge of the United States after his finding that extraordinary circumstances exist, and that the delay of the preliminary hearing is indispensable to the interests of justice.

"(d) Except as provided by subsection (e) of this section, an arrested person who has not been accorded the preliminary examination required by subsection (a) within the period of time fixed by the magistrate in compliance with subsections (b) and (c), shall be discharged from custody or from the requirement of bail or any other condition of release, without prejudice, however, to the institution of further criminal proceedings against him upon the charge upon which he was arrested.

"(e) No preliminary examination in compliance with subsection (a) of this section shall be required to be accorded an arrested person, nor shall such arrested person be discharged from custody or from the requirement of bail or any other condition of release pursuant to subsection (d), if at any time subsequent to the initial presentment of such person before a magistrate and prior to the date fixed for the preliminary examination pursuant to subsections (b) and (c) an indictment is returned or, in appropriate cases, an information is filed against such person in a court of the United States.

"(f) Proceedings before United States magistrates under this section shall be taken down by a court reporter or recorded by suitable sound recording equipment. A copy of the record of such proceeding shall be made available at the expense of the United States to a person who makes affidavit that he is unable to pay or give security therefor, and the expense of such copy shall be paid by the Director of the Administrative Office of the United States Courts."

(b) The item relating to section 3060 contained in the section analysis of chapter 203, title 18, United States Code, is amended to read as follows:

"3060. Preliminary examination."

TITLE IV—TRANSITIONAL PROVISIONS

APPOINTMENT OF MAGISTRATES

SEC. 401. (a) No individual may serve as a United States commissioner within any judicial district after the date on which a United States magistrate has been appointed by the district court for such judicial district.

(b) An individual serving as a United States commissioner within any judicial district on the date of enactment of this Act may be appointed to the office of United States magistrate for an initial term pursuant to Section 631 of chapter 43, title 28, United States Code, as amended by this Act, and may thereafter be reappointed to such office for successive terms, notwithstanding his having attained the age of 70 years: *Provided*, however, That any such appointment or reappointment of an individual over the age of 70 must be by unanimous vote of all the judges of the appointing district court.

APPLICABLE LAW

SEC. 402. (a) All provisions of law relating to the powers, duties, jurisdiction, functions, service, compensation, and facilities of United States commissioners, as such provisions existed on the day preceding the date of enactment of this Act, shall continue in effect in each judicial district until but not on or after (1) the date on which the first United States magistrate is appointed to serve within such judicial district pursuant to section 631 of chapter 43, title 28, United States Code, as amended by this Act, or (2) the third anniversary of the date of enactment of this Act, whichever date is earlier.

(b) On and after the date on which the first United States magistrate is appointed within any judicial district pursuant to section 631 of chapter 43, title 28, United States Code, as amended by this Act, or the third anniversary of the date of enactment of this Act, whichever date is earlier—

(1) the provisions of chapter 43, title 28, United States Code, as amended by this Act, shall be effective within such judicial district except as otherwise specifically provided by section 401(b) of this title; and

(2) within such judicial district every reference to a United States commissioner contained in any previously enacted statute of the United States, any previously promulgated rule of any court of the United States, or any previously promulgated regulation of any executive department or agency of the United States, shall be deemed to be a reference to a United States magistrate duly appointed under section 631 of chapter 43, title 28, United States Code, as amended by this Act.

(c) The administrative powers and duties of the Director of the Administrative Office of the United States Courts with respect to United States commissioners under the provisions of chapter 41, title 28, United States Code, as such provisions existed on the day preceding the date of enactment of this Act, shall continue in effect until no United States commissioner remains in service.

EFFECTIVE DATE

SEC. 403. Except as otherwise provided by sections 401 and 402 of this title, this Act shall take effect on the date of its enactment.

AMENDMENT TO TUCKER ACT

Mr. JAVITS. Mr. President, last year, I introduced, and the Senate passed this bill to amend the Tucker Act, to increase from $10,000 to $50,000 the jurisdictional limitation of the Federal district courts in certain contract cases against the Federal Government. The bill was supported by the Department of Justice and the Administrative Office of the U.S. Courts, but was not passed by the House.

The primary purpose of this bill is to allow former Government employees to join suits for reinstatement with suits for back pay. The former must be brought in the district courts, but the latter must now be brought in the Court of Claims if the amount in question exceeds $10,000.

The Justice Department has estimated that if the jurisdictional limit were raised to $50,000 as contemplated by this bill, more than 99 percent of the backpay claims could be heard in district court—freeing the Court of Claims for more important work and considerably reducing the cost of litigation for claimants outside the Washington area. In addition almost one third of all the other contract cases against the Government could be heard in district court.

I, therefore, send to the desk, for appropriate reference, a bill to amend the Tucker Act which is identical to the measure I offered in the 89th Congress.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 946) to amend the Tucker Act to increase from $10,000 to $50,000 the limitation on the jurisdiction of the U.S. district courts in suits against the United States for breach of contract or for compensation; introduced by Mr. JAVITS, was received, read twice by its title, and referred to the Committee on the Judiciary.

JUDICIAL SERVICE COMMISSION

Mr. SCOTT. Mr. President, on behalf of myself and Senators MILLER, DOMINICK, and THURMOND, I introduce, for appropriate reference, a bill to establish a Judicial Service Commission. I ask unanimous consent that the text of my bill be printed immediately following my remarks and that the bill remain at the desk for 10 days so that Senators who wish to cosponsor may have an opportunity to add their names.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD and held at the desk, as requested by the Senator from Pennsylvania.

The bill (S. 949) to establish a Judicial Service Commission, introduced by Mr. SCOTT (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. SCOTT. Mr. President, the overwhelming increase in litigation which has characterized the postwar years in the United States raises problems that can be solved only through intelligent judicial reform.

No longer can a nation with a "jet age" population hope to administer justice quickly, efficiently, and fairly with a "stone age" judicial system.

The demands of an ever-growing population call for renovations and innovations in our judicial system.

With the need for qualified judges in the Federal courts greater today than ever before, we must take steps to insure that the most competent and qualified men available serve in the Federal judiciary.

Past nominations of clearly unqualified men, in a few instances, have forced us to reexamine the system of selecting members of the Federal bench. The present Executive appointment process for Federal judges, I believe, is inadequate. It offers no continuing permanent body regularly and actively to seek out highly qualified and talented persons for the bench and to bring them to the attention of the President. Moreover, the present system in no way limits the adverse effect of political pressure on judicial appointments.

Political affiliation and activity, along with friendship and congeniality, must not be substituted for competency and quality when a seat on the Federal bench is at issue.

A Gallup poll published in April 1966 indicates that over 60 percent of Americans prefer a method of judicial selection which would strengthen the quality of appointments to the Federal bench.

In 1965, I proposed the establishment of a panel to advise the President on judicial appointments. Because of the importance of this whole issue of judicial reform, I have since given considerable additional thought to the composition and responsibilities of such an advisory body.

The result of this study is the bill I introduce today. This bill would establish a seven-man Judicial Service Commission to be appointed by the President by and with the advice and consent of the Senate. Three members would be lawyers, three laymen from the public at large, and one a retired Federal judge. No more than four members could come from the same political party.

The Commission would examine the qualifications and availability of potential appointees to the Federal bench. The Commission would make recommendations to the President to fill vacancies in the judiciary as they occur.

The bill expresses the sense of Congress that whenever the President appoints an individual to the Federal judiciary who was not recommended by the Commission, he shall furnish the Senate with a statement explaining why he did not follow the Commission's advice.

Under my plan, although a permanent body is charged with recommending qualified personnel to the President, the final responsibility for selection rests with the Chief Executive.

Citizen respect for the law, and esteem for the courts and the judges who preside in them is the very essence of our way of life. Confidence in the institutions of law and in the men who administer them is necessary if this respect is to be maintained.

With the challenge so evident, and the American people rightfully demanding excellence from appointees to the Federal bench, surely we cannot refuse to bear our burden of leadership.

The bill (S. 949) to establish a Judicial Service Commission, was ordered to be printed in the RECORD, as follows:

S. 949

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 21 of title 28, United States Code, is amended by adding at the end thereof a new section as follows:

"§ 461. Judicial Service Commission

"(a) There is hereby established in the executive branch of the Government an agency to be known as the 'Judicial Service Commission', hereinafter referred to as the 'Commission'.

"(b) The Commission shall be composed of seven members appointed by the President, by and with the advice and consent of the Senate. Three of the members of the Commission shall be selected from among persons who are members of the bar of the highest court of a State or of a Federal court, three shall be selected from among persons who are not such members, and one shall be selected from among members of the Federal judiciary who have retired from regular active service. Not more than four members shall be from the same political party. One of the members shall be designated as Chairman of the Commission by the President at the time of appointment. Each member of the Commission shall be appointed for a term of three years, except that (1) the terms of the members first appointed shall expire, as designated by the President at the time of their appointments, two at the end of one year, two at the end of two years, and three at the end of three years, following the date of such appointments, and (2) a member appointed to fill a vacancy occurring before the expiration of the term of his predecessor shall serve under such appointment only for the remainder of such term.

"(c) It shall be the duty of the Commission to ascertain the qualifications of prospective appointees to positions as justices or judges of the United States and their availability for appointment to such positions, and, upon the occurrence of a vacancy in any such position, to make recommendations to the President for the filling of such vacancy.

"(d) It is the sense of the Congress that in any case in which the President nominates for appointment as a justice or judge of the United States a person not recommended by the Commission for such appointment, he should transmit to the Senate at the time of such nomination a statement for his reasons for failing to nominate a person recommended by the Commission for such appointment.

"(e) The Commission is authorized to appoint and fix the compensation of such employees, and to make such expenditures, as may be necessary to enable it to perform its functions. With the consent of the head of the department or agency concerned, the Commission may utilize, on a reimbursable basis or otherwise, the services or facilities of any department or agency in the executive branch of the Government.

"(f) Members of the Commission who are not otherwise receiving compensation as officers or employees of the United States shall be entitled to receive compensation at the rate of $——— per diem while engaged in carrying out their duties as members, including traveltime. All members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons in the Government service employed intermittently, while away from their homes or regular places of business."

SEC. 2. The analysis at the beginning of chapter 21 of title 28, United States Code, is amended by adding the following new item:

"461. Judicial Service Commission."

AMENDMENT OF INTERNAL REVENUE CODE TO ENCOURAGE THE ABATEMENT OF WATER AND AIR POLLUTION

Mr. RIBICOFF. Mr. President, for myself and the Senator from Delaware [Mr. BOGGS], the Senator from Maryland [Mr. BREWSTER], the Senator from Arizona [Mr. FANNIN], the Senator from Hawaii [Mr. INOUYE], the Senator from Idaho [Mr. JORDAN], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from Iowa [Mr. MILLER], the Senator from West Virginia [Mr. RANDOLPH], the Senator from Pennsylvania [Mr. SCOTT], and the Senator from Georgia [Mr. TALMADGE], I introduce, for appropriate reference, a bill to amend the Internal Revenue Code of 1954 to encourage the abatement of water and air pollution by permitting the amortization for income tax purposes of the cost of abatement works over a period of 36 months.

In his state of the Union message, President Johnson challenged us all to "vastly expand the fight for clean air with a total attack on pollution at its sources." In a subsequent message on pollution of the air, he spelled out a number of programs and proposals to carry out this attack. He called for increased Federal research, regulation, and technological assistance in the pollution control field.

This message on air pollution has graphically and accurately portrayed the urgency of this problem. He has recommended an excellent program.

To launch a total attack, however, his program should be strengthened by making industry a cooperative partner in the effort. My bill seeks to accomplish this by providing economic incentives to industry in the form of tax relief.

Four years ago I introduced for myself and a number of other Senators a bill to provide such economic incentives to industry to encourage the installation of needed industrial waste disposal and treatment facilities. The Senate adopted a revised version of that bill as an amendment to the 1964 tax-cut bill. Unfortunately, the amendment was dropped in conference. However, I am hopeful that this 90th Congress will at long last adopt legislation along the lines I propose today.

Actually, economic incentives to encourage installation of industrial waste treatment facilities is not a new idea. It was first proposed in the form of a bill in 1947 and has been frequently introduced since in succeeding Congresses. In addition, a number of States have recently moved forward and adopted measures to ease State and local taxes in order to encourage good pollution control practices by industry.

The problems of dirty air can no longer be ignored. The cost is too high. Metals corrode, fabrics weaken and fade, leather and rubber crack, paint discolors, stone and concrete erode. The simple problem of removing deposited dirt is often costly and shortens the life of materials.

This affects not only our buildings, our clothing, and outdoor equipment, it adds to the cost of our complex modern technology. The corrosive action of gaseous pollutants substantially increases the costs of our high precision industries.

But the problem is not an urban problem alone. Air pollution injures and kills plants. Orchid growers in Califronia are forced to relocate. Crop damage of at least 36 commercial crops, including spinach, endive, romaine, beets and chicory has occurred in every county in the Garden State of New Jersey. Orange growers in Florida have been severely hurt.

The annual cost to the Nation is estimated to be over $12 billion.

But there is more. Poisoned air kills. It has been almost 20 years since a thick, stagnant fog enveloped the small industrial town of Donora, Pa. Before an afternoon rain brought relief 4 days later, 6,000 persons in this town of 14,000 were sick. Twenty persons died.

In December 1952, the city of London went through a 4-day period of still air, during which pollution accumulated over the city. Four thousand persons died during the next 7 days, over and above the city's normal death rate. New York went through similar disasters in 1953 and 1962. Just last November, New York was struck again.

But deaths from air pollution may be swift or slow. Emphysema, bronchial asthma, pneumonia, lung cancer, and the common cold are brought on and aggravated by our poisoned air. On the other hand, fog, haze, and smoke obscure the vision of motorists and aircraft pilots alike—adding to the list of accidents—increasing the toll of violent injury and death.

We must launch a total attack upon this problem. If we are to clean up our air and our water, a large part of the job must be done by private industry. We cannot simply point the finger at private industry and say, "You are causing some of the pollution—do something about it." We must frankly recognize that the purchase and installation of equipment to control pollution is a big expense. Control costs money. And, unlike many capital outlays that ultimately produce new profits, these costs basically serve the health and safety of the public. Therefore, it is entirely appropriate that there be some public sharing with private industry of the economic impact of these expenditures.

Our tax laws already provide economic incentives in related areas. For instance:

First. Section 174 permits research and experimental expenditures to be deducted currently. However, these expenditures do not include amounts paid for the acquisition or improvement of land or depreciable property.

Second. Section 175 permits soil and water conservation expenditures and expenditures for the prevention of erosion of land used in farming to be deducted currently. However, the total deduction cannot exceed 25 percent of the gross income derived from farming. These expenditures are not deductible if they are incurred to purchase, construct, or improve structures or facilities which are depreciable.

Third. Section 180 permits capital expenditures paid by farmers to be deducted currently where they are incurred to purchase or acquire fertilizer, lime, ground limestone, marl, or other materials to enrich, fertilize, or condition land used in farming.

Fourth. Section 182 permits capital expenditures for the clearing of farmland to be deducted currently. However, the amount deductible for any one year cannot exceed the lesser of, first, $5,000 or, second, 25 percent of taxable income derived from farming, and such expenditures do not include those for the purchase, construction, or improvement of structures or facilities which are depreciable.

Fifth. Section 615 permits exploration expenditures paid for ascertaining the existence of any deposit of ore or other mineral to be deducted currently to the extent that they do not exceed $100,000 in any taxable year with an overall limit of $400,000. However, expenditures for the acquisition of depreciable property do not qualify.

Sixth. Section 616 permits development expenditures incurred for the development of a mine or other natural deposit—other than an oil or gas well—to be deducted currently but the section does not apply to the acquisition of depreciable property.

Mr. President, it is time we give equal

tax treatment to the quality of the air and water which sustain our lives as we do the quality of farm soils or mineral deposits.

That is what my bill does. It will help us obtain cleaner air and water by permitting taxpayers who buy expensive treatment equipment to deduct its cost over 36 months.

Under present law, a taxpayer who buys equipment designed to abate air or water pollution may take a depreciation deduction for such equipment; that is, he may deduct its cost over the same period of years as the useful life of the equipment.

However, since some of this equipment has a useful life of 20 years or more, in many cases it will be a long time before the deductions taken for tax purposes are equal to the expenditure outlays made by the taxpayer. The bill provides that a taxpayer may elect to deduct the entire cost of the treatment equipment acquired over 36 months rather than over its useful life.

To qualify for this special treatment, the appropriate State pollution abatement authority must certify to the Secretary of Health, Education, and Welfare that the equipment is in conformity with the State requirements and the Secretary of Health, Education, and Welfare must certify to the Secretary of the Treasury that the equipment is in furtherance of the U.S. policy in this regard as expressed in the legislation relating to pollution abatement.

In addition, he must certify that it meets minimum performance standards he has promulgated. From time to time, the Secretary is to promulgate new minimum performance standards taking into account the advances in technology. The bill also provides that the Secretary of Health, Education, and Welfare is not to certify any property for the special tax writeoff to the extent it appears that the operation of this property will recover its cost over its useful life.

The 3-year writeoff of this bill, according to estimates of the staff of the Joint Committee on Internal Revenue Taxation, can be expected to result in an initial revenue decrease of $50 to $150 million. Similar additional losses could also be expected in the second and third years such a provision is in effect. After that time, the revenue losses would gradually decline until the amount each year—apart from growth in the installations of the equipment—merely reflects the depreciation charge with respect to such items.

Mr. President, the need is great—the situation critical. We can invest at least that much through our tax structure to help and encourage industry—especially the small, marginal producer—to install similar equipment in their plants. It is a small enough investment to make America beautiful and to protect the health and safety of our people.

Mr. President, I ask unanimous consent that the bill be printed in the Record at the end of my remarks, and that the bill lie on the desk for 10 days in order that Senators who wish may join as cosponsors.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record, and held at the desk, as requested by the Senator from Connecticut.

The bill (S. 950) to amend the Internal Revenue Code of 1954 to encourage the abatement of water and air pollution by permitting the amortization for income tax purposes of the cost of abatement works over a period of 36 months, introduced by Mr. Ribicoff (for himself and other Senators), was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the Record, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) part VI of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to itemized deductions for individuals and corporations) is amended by adding at the end thereof the following new section:

"Sec. 183. Amortization of Works To Abate Water and Air Pollution.

"(a) Allowance of Deduction.—Every taxpayer shall, at his election, be entitled to a deduction, in lieu of the deduction provided by section 167, with respect to the amortization, on the straight line method, of the adjusted basis (for determining gain) of any certified water pollution abatement works or any certified air pollution abatement works based on a period of 36 months. The 36-month period shall begin as to any such works with the first month for which a deduction under section 167 would (without regard to this section) be allowable.

"(b) Election.—

"(1) Time.—The election provided by subsection (a) shall be made with respect to any certified abatement works not later than the time prescribed by law (including extensions thereof) for filing the return for the taxable year in which the Secretary of Health, Education, and Welfare makes a certificate with respect to such works as provided in subsection (c)(1)(B).

"(2) Manner: revocation.—The election provided by subsection (a)—

"(A) shall be made in such manner as the Secretary or his delegate shall prescribe by regulations; and

"(B) may not be revoked except with the consent of the Secretary or his delegate.

"(c) Certified Water or Air Pollution Abatement Works.—

"(1) In general.—For purposes of this section, the terms 'certified water pollution abatement works' and 'certified air pollution abatement works' mean so much of any property of a character subject to the allowance for depreciation provided in section 167 which is used to abate water or atmospheric pollution or contamination, respectively, by removing or altering pollutants, contaminants, and wastes from any type of manufacturing process, as—

"(A) the State certifying authority has certified to the Secretary of Health, Education, and Welfare as having been constructed, erected, installed, or acquired in conformity with the State program or requirements for abatement of water or atmospheric pollution. or contamination; and

"(B) the Secretary of Health, Education, and Welfare has certified to the Secretary or his delegate as meeting the minimum performance standards described in subsection (d), and as being in furtherance of the general policy of the United States for cooperation with the States in the prevention and abatement of water pollution under the Federal Water Pollution Control Act, as amended (33 U.S.C. 466 et seq.), or in the prevention and abatement of atmospheric pollution and contamination under the Clean Air Act, as amended (42 U.S.C. 1857 et seq.).

"(2) State certifying authority.—For purposes of paragraph (1), the term 'State certifying authority' means, in the case of water pollution abatement works, the State water pollution control agency as defined in section 11(a) of the Federal Water Pollution Control Act and, in the case of air pollution abatement works, the air pollution control agency as defined in section 9(b) of the Clean Air Act.

"(d) Authorization of Secretary of Health, Education, and Welfare To Set Standards, etc.—

"(1) Performance standards.—The Secretary of Health, Education, and Welfare shall from time to time promulgate minimum performance standards for purposes of subsection (c)(1)(B), taking into account advances in technology and specifying the tolerance of such pollutants and contaminants as shall be appropriate.

"(2) Profitmaking abatement works.—The Secretary of Health, Education, and Welfare shall not certify any property under subsection (c)(1)(B) to the extent it appears that, by reason of profits derived through the recovery of wastes or otherwise in the operation of such property, its cost will be recovered over its actual useful life.

"(e) Allocation of Basis.—In the case of property a portion of which is a certified water or air pollution abatement works for which an election has been made under subsection (a), the adjusted basis of such property shall, under regulations prescribed by the Secretary or his delegate, be properly allocated between the portion which is a certified abatement works and the portion which is not a certified abatement works.

"(f) Cross Reference.—

"For special rule with respect to certain gain derived from the disposition of property the adjusted basis of which is determined with regard to this section, see section 1245."

(b)(1) The table of sections for part VI of subchapter B of chapter 1 of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new item:

"Sec. 183. Amortization of works to abate water and air pollution."

(2) Section 46(c) of such Code (relating to qualified investment) is amended by adding at the end thereof the following new paragraph:

"(5) Water and air pollution abatement works.—For purposes of paragraph (2), the useful life of any property shall be determined without regard to section 183."

(3) Section 642(f) of such Code (relating to special rules for credits and deductions of estates and trusts) is amended—

(A) by striking out "Amortization of Emergency or Grain Storage Facilities" in the heading of such section and inserting in lieu thereof "Amortization Deductions"; and

(B) by inserting after "169" in the first sentence of such section ", and for amortization of certified water or air pollution abatement works provided by section 183,".

(4) Section 1245(a) of such Code (relating to gain from disposition of certain depreciable property) is amended—

(A) by striking out "or" at the end of paragraph (2)(A);

(B) by inserting "or" at the end of paragraph (2)(B) and by inserting after such paragraph the following new subparagraph:

"(C) with respect to any property referred to in paragraph (3)(D), its adjusted basis recomputed by adding thereto all adjustments, attributable to periods beginning with the first month for which a deduction for amortization is allowed under section 183,";

(C) by striking out "section 168" each place it appears in paragraph (2) and inserting in lieu thereof "section 168 or 183";

(D) by striking out "or" at the end of paragraphs (3) (A) and (B);

(E) by striking out the period at the end of paragraph (3)(C) and inserting in lieu thereof ", or"; and

(F) by adding at the end of paragraph (3) the following new subparagraph:

"(D) so much of any real property (other than any property described in subparagraph (B)) as is a certified water or air pollution abatement works which has an adjusted basis in which there are reflected adjustments for amortization under section 183."

(c) The amendments made by this section shall apply to taxable years ending on or after the date of the enactment of this Act but only with respect to property as to which the first month for which a deduction would be allowable under section 167 of the Internal Revenue Code of 1954 ends on or after such date.

Mr. RIBICOFF. Mr. President, I ask unanimous consent to insert at this point a detailed explanation of the bill prepared by the Joint Committee on Internal Revenue Taxation.

There being no objection, the detailed explanation of the bill was ordered to be printed in the RECORD, as follows:

DETAILED EXPLANATION OF THE BILL

The bill adds a new section 183 to the Internal Revenue Code providing a special 3-year writeoff.

Subsection (a) of this new section provides that the taxpayer may, at his election, take a deduction with respect to depreciable water or air pollution abatement works which are certified as described below. The deduction provides for the writeoff, on a straight-line basis, of the cost of these works over a period of 36 months. The deduction is to be taken beginning with the first month in which the depreciation deduction would otherwise be taken.

Subsection (b) provides that the taxpayer may elect the writeoff previously described no later than the time for filing a return for the taxable year in which the certifications are obtained. The form of the election is to be prescribed by the Secretary and the elections, once made, can only be revoked with the consent of the Secretary.

Subsection (c) provides the method of certification. Actually there are two certifications. First, the State authority must certify to the Secretary of HEW that the equipment is in conformity with the State program and requirements. Second, the Secretary of HEW must also certify to the Secretary of the Treasury that the equipment meets certain minimum performance standards and is in furtherance of the general policy of the United States as expressed in the statutes dealing with water and air pollution. The State authority for this purpose is the authority designated in the Federal acts dealing with water pollution or with air pollution.

Subsection (d) provides the Secretary of HEW is to promulgate minimum performance standards for water and air pollution equipment, for purposes of the certification. These will be modified from time to time to take into account advances in technology. This subsection also provides that the Secretary of HEW is to certify equipment only to the extent that it is expected the operation of the equipment will not produce sufficient income to recover its cost over its useful life.

Appropriate technical amendments are also made. One of these amendments makes it clear that the eligibility of water and air pollution abatement works for the investment credit is not to be adversely affected because of the 3-year writeoff allowed here. Another of these amendments adds appropriate language to section 1245 to make it clear that both amortization and depreciation will be recaptured, on a sale or other disposition of the equipment in the manner provided in that section, as to any property which is certified under the new section provided here.

The amendments made by the new section providing the 3-year writeoff are to apply to taxable years ending on or after the date of enactment of the bill but only with respect to property for which a depreciation deduction would otherwise first be allowable on or after the date of enactment.

AMENDMENTS TO THE OLDER AMERICANS ACT, 1967

Mr. WILLIAMS of New Jersey. Mr. President, I introduce, for appropriate reference, a bill to extend the provisions of the Older Americans Act of 1965 and to increase the funding levels authorized by this important piece of legislation. This bill will carry out the proposals of the administration as set forth in the President's message. The Older Americans Act and its programs represents a significant new hope to every older American who desires the opportunity to live out his later years in dignity and honor.

In his recent message on older Americans, the President pointed out that a larger proportion of our population joins the ranks of the senior citizen each year. The number of older people in the United States today is equal to the combined population of some 20 of our States. The American born in 1900 could expect to reach his 47th birthday; the American born today can expect to reach 70 years of age. As the President said, these figures represent a national challenge.

The Congress recognized this challenge in 1965 when it enacted, without dissent, the Older Americans Act. The Congress declared that it is the responsibility of governments at every level to assist our older people achieve the full and free enjoyment of life in retirement and the later years.

The President, in signing this act into law said:

> It clearly affirms our Nation's high sense of responsibility toward the well-being of older citizens.

I would like to highlight briefly the provisions of the Older Americans Act and the progress to date which has been made under the programs created by the act.

The Older Americans Act created the Administration on Aging to serve as the central focus within the Federal Government in all matters of concern to older people. It is the traffic center of ideas and has the responsibility for stimulating the most effective use of existing resources and programs in developing services and opportunities for older people.

To carry out these responsibilities, in addition to its coordination activities at the Federal level, the Administration on Aging administers three grant programs which are designed to encourage the development of programs on aging in States and local communities, to conduct research into new techniques for improving services for older people, and to train professional and other technical personnel in the field of aging.

GRANTS FOR COMMUNITY PLANNING, SERVICES, AND TRAINING

Under title III of the Older Americans Act, funds are made available to the States for community planning, services, and training. These funds, together with local efforts and resources, permit communities to develop a comprehensive program for its older residents. The act requires that States develop an overall plan which will meet the needs of the aged in the State. The act also requires that there be a State agency whose sole responsibility is to administer this plan and whose concern is improving the lives of older people. There are now 51 States and territories who have such agencies. State plans have been approved for 43 of these jurisdictions. Last year at this time, only 19 States had plans approved and programs operating in behalf of older people.

Title III funds, in partnership with local, State money, are made available to support community projects for older people in their own home neighborhoods. The kinds of programs funded under this program include community planning activities, programs for older people in senior activity centers, counseling and referral services, programs in senior housing projects, employment and health referral services, recreation programs, senior volunteer programs, consumer information and guidance programs, and a variety of other programs which actually affect the lives of thousands of our older people. In the first 11 months of this program, nearly 200 local projects have been started across the country. An additional 300 community projects have been submitted to State agencies for funding or are in various stages of development. It is expected that projects funded by the end of this fiscal year will total between 800 and 1,100.

DIRECT GRANTS FOR RESEARCH, DEVELOPMENT, AND TRAINING

Titles IV and V of the Older Americans Act authorize direct grants to conduct research into problems of the aged and to develop new techniques for meeting these problems, and to support specialized training of persons employed in or preparing for employment in aging programs.

At the end of 1966 some 39 project grants had been awarded to agencies and institutions in 25 States to conduct research into different areas of aging, including special kinds of demonstrations of new ways to deliver services to older people. I ask unanimous consent that a list of examples of such projects be printed in the RECORD after my remarks. Many worthwhile projects could not be funded from existing allocations. The training grants program funded some 15 project grants to support the training of professional and technical personnel in areas of aging not covered by other grant programs of the Federal Government. Similarly, the funding levels in the training grants program also place major restrictions upon the capability of the administration on aging to adequately carry out the provisions of the law it is charged with administering.

EXPLANATION OF CHANGES

Mr. President, not only must the beginnings made as the result of the Older Americans Act be continued, but additional funding levels must be authorized to fulfill the expectations which our older people have of this act, and which the Congress itself declares is the responsibility we have to make possible.

The bill I introduce today would extend the grant provisions of the Older Americans Act through 1972. The bill authorizes appropriation levels for fiscal year 1968 of $10,550,000 for grants to the States and $6,400,000 for research, demonstration, and training direct project grants and such sums as may be necessary for the next 4 fiscal years.

The $10,550,000 authorized for the State grants program will enable the continuation of the projects that will have been funded by the close of this fiscal year, and will permit the States to fund about 240 to 300 new projects during fiscal year 1968.

The $6,400,000 authorized for the research, demonstration, and training grants programs will provide for the continuation of about 49 projects from 1966 and 1967. This authorization would also fund some 70 to 80 new research projects into aging problems which up to now were set aside due to lack of sufficient financial resources. A major new program and a much needed one, of nutritional services will be developed to test new methods and ways to meet the nutritional needs of older people.

The programs and activities made possible by the Older Americans Act of 1965 are developing rapidly. These amendments are designed to continue the development of the State agencies on aging and their programs of local grants. This legislation will carry forward the program of direct project grants for research, development, demonstration, and training at the same level. And significantly, they will inaugurate an intensive new research, development, and demonstration effort to find the best ways to resolve the nutrition problems of older persons.

Mr. President, the members of the Senate Special Committee on Aging, of which I am privileged to serve as chairman, are particularly interested in the goals of this bill having worked so long in this area.

The programs and activities of the administration on aging are well begun. They are beginning to produce uesful and practical results. Above all, these programs are reaching the older people who can benefit most from them and are reaching these people in their home communities. The changes proposed in my bill are of key importance to sustaining this program momentum which has been built up at the Federal, State, and local levels.

Mr. President, I ask unanimous consent that the bill I am introducing be printed at the close of my remarks and that the bill be permitted to lie on the table for a period of 10 days for additional cosponsors.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred; and, without objection, the bill and list of samples will be printed in the RECORD, and the bill will lie at the desk, as requested by the Senator from New Jersey.

The bill (S. 951) to amend the Older Americans Act of 1965 so as to extend its provisions, introduced by Mr. WILLIAMS of New Jersey, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 951

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Older Americans Act Amendments of 1967".

COMMUNITY PLANNING, SERVICES, AND TRAINING

SEC. 2. (a) (1) The first sentence of section 301 of the Older Americans Act of 1965 (42 U.S.C. 3021) is amended by striking out "four" and inserting in lieu thereof "six".

(2) The second sentence of such section is amended (1) by striking out "and" before "$8,000,000" and (2) by striking out "and for the fiscal year ending June 30, 1968, and each of the two succeeding years, such sums may be appropriated as the Congress may hereafter authorize by law," and inserting in lieu thereof "$10,550,000 for the fiscal year ending June 30, 1968, and such sums as may be necessary for the next 4 fiscal years,".

(b) Section 302(c) is amended by striking out "June 30, 1972" and inserting in lieu thereof "June 30, 1974".

RESEARCH AND DEVELOPMENT PROJECTS AND TRAINING PROJECTS

SEC. 3. Section 603 of the Older Americans Act of 1965 (42 U.S.C. 3053) is amended (1) by striking out "and" before "$3,000,000" and (2) by striking out "and for the fiscal year ending June 30, 1968, and each of the two succeeding fiscal years, such sums may be appropriated as the Congress may hereafter authorize by law" and inserting in lieu thereof "$6,400,000 for the fiscal year ending June 30, 1968, and such sums as may be necessary for the next 4 fiscal years".

TECHNICAL AMENDMENTS

SEC. 4. (a) (1) Paragraph (2) of section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002) is amended by inserting ", unless the context otherwise requires," after "means".

(2) Paragraph (4) of such section 102 is amended by striking out "The term 'nonprofit institution or organization' means an institution or organization which is owned and operated by" and inserting in lieu thereof "The term 'nonprofit' as applied to any agency, institution, or organization means an agency, institution, or organization which is, or is owned and operated by,".

(b) Clause (b) of section 401 of such Act (42 U.S.C. 3031) is amended by striking out "activity".

(c) Section 601 of such Act (42 U.S.C. 3051) is amended (1) by inserting "regular full-time" before "employ" in subsection (a) (1); (2) by striking out "who appointed them" in subsection (c), and (3) by striking out "$75" in such subsection and inserting in lieu thereof "$100".

(d) Section 602 of such Act (42 U.S.C. 3052) is amended by striking out "Secretary of Health, Education, and Welfare" in subsections (a) and (b) and inserting in lieu thereof "Secretary", by striking out "Secretary concerned" in subsection (b) and inserting in lieu thereof "Secretary" and by striking out "their respective functions" in subsection (b) and inserting in lieu thereof "his functions".

The list of samples presented by Mr. WILLIAMS of New Jersey, is as follows:

EXAMPLES OF TITLE IV PROJECTS APPROVED FISCAL YEAR 1966

Allied Senior Citizens Clubs, Inc., Los Angeles, Calif.—This organization, which represents more than 100 senior clubs throughout the State with some 25,000 members, will employ older people as field representatives to try to help local residents in a number of Los Angeles County neighborhoods establish, expand, or improve services for their older people. Areas to which field representatives will go include East Los Angeles with its large Mexican-American population; Watts with its large Negro poverty group; Riverside-San Bernadino and its agricultural population; South Los Angeles which is largely industrial; and Westwood, a university area. A special effort will be made to organize programs to reach the isolated, the very poor, and the shut-in. Entitled "Operation Reach Out," the program is designed to demonstrate more effective use of volunteer leadership and volunteer workers in improving services to the elderly.

Barton Center, Inc., Lakewood, Ohio.—Believing that the best way to communicate with older people is through other older people on a personal basis, Barton Center will use its members to survey the needs of older people and the resources required to meet them within the service area of the Center. It seeks to determine how effective older people can be in recruiting new members, in identifying and providing services to house-bound older people, and in helping to channel presently wasted abilities, skills, and talents of older people into useful functions. The project will eventually serve to help Barton Center reevaluate and reorganize its own program. (Barton Center is a community center for all senior citizens in the west shore area of Greater Cleveland.)

City of Providence, R.I.—A grant of $57,710 (for first year of a 3-year project) to the City of Providence, Rhode Island to explore the extent to which a community center for older people can serve as the pivotal social institution for developing services and opportunities for older people. A multipurpose activity center will be established in downtown Providence, with one or more neighborhood outposts, to provide a range of individual and group services such as health education, employment services, housing registry, group counseling and discussions, individual counseling, recreation, education, volunteer registration and planning. Experience gained in development of this center is expected to provide guidelines for choice of services to be provided in such activity centers elsewhere, the most effective modes of delivery of services (by the center, by its outposts, by referral, or by arrangement with other agencies), and a measure of the value of a multipurpose center as a mechanism for assessing community-wide need and aiding planning and coordination of services. Providence has a population of approximately 30,000 persons 65 and over.

Cleveland Society for the Blind, Cleveland, Ohio.—A grant of $34,148 (for first year of a 3-year project) to the Cleveland Society for the Blind to determine if home teaching is a feasible service to meet the personal and social needs of the increasing population of newly-blind older people. More than 50 percent of the blind population of the country is over age 60. It is necessary to know what the impact of loss of vision has upon already existing handicaps of old age, particularly for many older men and women living alone, and how it affects their capacity to learn new ways to cope with daily living. The grant will make possible training for approximately 50 persons in a year period by graduate Home Teachers. Training will include cooking skills, other homemaking tasks, personal grooming, leisure time activities, and communication techniques such as handwriting, reading Braille, and use of telephone and typewriter. The Society will document details of training methods and results, and if effective, will seek expansion of such teaching services.

Combined Jewish Philanthropies of Greater Boston, Mass.—The organization will make a detailed analysis of older people's needs in the Boston area, the existence of suitable services, and the extent of use or reasons for non-use. The analysis will be based on earlier findings of studies, made with Community Services of Metropolitan Boston, which included personal interviews with 1500 men and women over 65 and some 600 younger people discussing their aged parents. In addition, the organization has access to detailed information on existing community services available to the elderly and their current usage. Individual areas to be investigated have been explored previously, but not studied together within a framework of a single metropolitan area sample which makes it possible to see interrelationships. The study will be most useful in improving quantity, quality, and appropriateness of future services, and methods of publicizing and making them accessible. Special attention will be paid to the impact of geographical mobility and social integration on social functioning and well-being of the elderly.

Department of Rural Sociology, University of Wisconsin, Madison, Wis.—To study the motivation and adjustment of older people, who move their place of address (both short distance and long) upon retirement, with special reference to health and welfare problems associated with moves to retirement communities outside the home State.

Greater Hartford Community Council, Inc., Connecticut.—The Council will use older people to make a survey of service needs of the aging population in the greater Hartford area, a regional complex of 29 urban, suburban, and rural municipalities. An inventory of existing community services will be developed, with information on the extent of use and the existence of gaps. The information will form a base for program planning, development, and coordination of services and activities for the aging throughout the metropolitan area. A special effort will be made to reach the isolated aged.

Health and Welfare Council of Nassau County, N.Y.—Development of county demonstration activity and training center designed to upgrade the quality and quantity of leisure time programs in the separate local communities of a county serving approximately 95,000 men and women over 65. Uniquely situated with a fine physical plant conveniently available, the Senior Center of Nassau County operated by the Council will aid in development of leadership in aging by providing training and facilities for directors and officials of all golden age clubs (nearly 100) in the county. Most of them now have no permanent meeting place and little opportunity for administrative development.

The Industrial Home for the Blind, Brooklyn, N.Y.—The organization will seek to meet the very special needs of elderly blind persons, preparing them to live with some degree of mobility and independence in Homes for the Aged, which are usually primarily designed for occupants who can see. Rehabilitation services will be given and training materials prepared first for older people already living in such institutions, whose sight has seriously deteriorated since their residence began. Such individuals are often relegated to a status of complete dependency and isolated from all group activity in the Home. As the project continues, services will be expanded to prepare elderly blind people before they move into a Home for the Aged. Value of such a program both to the individual and the community will be demonstrated.

Lewis and Clark College, Portland, Oreg.—A demonstration of the feasibility of employing older men and women to assist teachers in public schools and supervisors of students in school lunchrooms and playgrounds. The project is designed to increase the earning power of elderly persons; to relieve teachers of non-teaching chores; to provide frequent contact between old and young. Initially, the program will be tried in 15 Portland elementary schools; the College will act as coordinating agency. About 50 persons will be employed between September and June 1967, assessment of the programs value will be made in summer of 1967, and model programs developed for use in any school system, where school officials and teachers approve and wish to cooperate.

Los Angeles County Federation of Labor, AFL-CIO, California.—To determine the economic and social situation and the unmet needs of retired union members, to study the potential for expanding services and developing new ones through both union and community agencies, and the use of leadership skills of retired union members.

Louisiana State University and Agricultural and Mechanical College, Baton Rouge, La.—The State University will attempt to determine what effect differences of race, residence (rural or urban) and ethnic background have on adjustment to aging. Since the social process begins at an early age, the study will include interviews with men and women in three age brackets: 25 to 35, 40 to 55, and 60 and over, to determine at what period personality conditioning, which may affect adjustment to aging, first appears. The results of this study will help in development of future social services and retirement preparation designed to counteract factors causing negative adjustment.

Miami University, Oxford, Ohio.—To provide information on the adjustment to, and situation in, retirement of women formerly employed in the labor market—designed to fill a gap in existing research, and to aid in developing sound policies about retirement for this increasingly large proportion of our older population.

National Council on the Aging, New York.—A grant of $22,867 (for first year of a three year project) to the National Council on the Aging to establish and operate a National Senior Center Employment Service as a personnel clearinghouse to assist in the staffing of senior centers throughout the nation. The disciplines from which senior centers draw their staff are largely social work, psychology, sociology, recreation, and adult education. The rapid expansion of centers continues to cut into already short supply and the lack of a central exchange for information on available jobs and applicants has intensified the difficulty. The Employment Service, made possible by this grant, will provide a two-way exchange on job opportunities and qualified applicants as a service available to communities throughout the country.

New York State College of Agriculture, Ithaca, N.Y.—A long-range comparative study of community structure and its effect upon the happiness, well-being, and community participation of older people. In the first year, it will study some 90 communities in New York, rating them on services and opportunities provided to their older citizens. In the second year, it will look more intensively at the "adjustment" of the elderly in 5 communities rated as "alienating" their older people, and 5 considered as "integrating" them in community life. Discovery of community attributes accounting for variations in success of community services is of interest to all concerned with development of programs for the aged at the community level.

Northern California Presbyterian Homes, Inc., San Francisco, Calif.—This grant will make possible the first step in a projected larger program designed eventually to establish meal centers for the elderly as a means of providing, in a large city, improved nutrition, opportunity for social exchange, and a point of contact where health services and information can be made available. The AoA allotment announced today is a planning grant for development of project structure for the total program.

Oliver Wendell Holmes Association, New York.—A grant of $20,475 (for the first year of a 2-year project) to the Oliver Wendell Holmes Association, to conduct "Demonstration Institutes for older Americans" in cooperation with local educational institutions and organizations in a number of communities. The Institutes offer opportunities to men and women, retired or nearing retirement, to continue intellectual interests as students and teachers, and encourage them to use their abilities and talents for the benefit of their communities. A typical institute provides a 2-week program of lectures, seminars, workshops, demonstration and study sessions in such fields as natural sciences, the arts, humanities, and social sciences. Faculty will include distinguished retired professors. Project Director is Dr. Kirtley F. Mather, Professor Emeritus of Geology at Harvard University, widely known scientist and teacher.

Pacific Lutheran University, Tacoma, Wash.—A study of subsidized housing and the adjustment to it of older women, which may eventually lead to design of better housing for widows and other elderly persons. A relatively small sample of women will be seen before and after they move into new low-cost housing. This is seen as the first step of a larger program attempting to evaluate effectiveness of several kinds of housing for the elderly, including private housing and nursing homes.

Parks, Recreation, and Public Property Department of Omaha, Nebr.—A demonstration program to (1) provide recreation, education, and cultural services to Omaha's elderly population using actitviy centers as the nucleus, with community wide support, and using the abilities of older people in planning and operation, and (2) provide guidelines for similar developments in other communities.

Senior Centers of Dade County, Inc., Miami, Fla.—A demonstration food service program for elderly persons in five senior centers in a large metropolitan area which will combine provision of a main, hot, nutritious midday meal (and take-home meals) with activity programs of the centers including information on nutrition, food preparation, use of surplus foods and the Food Stamp Program, and economical shopping.

Senior Citizens Activities, Inc., Temple, Tex.—A demonstration "food and friendship" program at two senior centers in a small community with a high percentage of senior citizens, designed to improve nutrition and at the same time to draw additional people to the centers and into their wide range of activities.

Senior Citizens Services, Inc., Rochester, Minn.—This organization will expand its urban services and also send a mobile senior service corps to nearby rural communities in Olmsted County to help them establish services of their own. Quartered in a new home, Balfour House, made available free of charge by the Mayo Foundation, the organization will provide special services to older transients, many of whom come to the city to visit the Mayo Clinic either as patients or relatives of patients. The effect of a central location and a home of their own—in a building well known and part of the history of the area—on the morale and activity of Center members and on the community's attitude toward its older citizens will be an interesting part of the demonstration.

South Central Educational Broadcasting Council, Station WITF-TV, Hershey, Pa.—The Station plans to involve the whole community in producing a continuing weekly television series for older people (The Time of Our Lives). The series will provide on-the-air information and will invite telephone and mail inquiries. It will also create opportunities for older people to participate in a wide range of community and special activities. The project will serve the nine counties in the Station's broadcast area.

University of Denver, Denver, Colo.—A study of the accident involvement, licensing, and insurability of older drivers, and development of accident prevention materials for instruction of both the older driver and pedestrian. The project is designed to increase the safe mobility of older people and thereby increase their opportunity for employment and community activity and to assist in development of fair standards for licensing older drivers.

Young Men's Christian Association of Met-

ropolitan Chicago, Ill.—The YMCA, working out of the Wabash Center, will take senior center activities and services into the homes and neighborhoods of a particularly disadvantaged core-city area. Programs will be conducted for and with the elderly in familiar surroundings, and older people of the area will be used in finding others in need of help. The project will provide services of two kinds—those necessary to meet needs for physical well-being and those necessary for enjoyment of life and involvement in community activities. Transportation from homes to sites of health services and recreation will be arranged. Job placement service will help people find part-time employment to supplement their incomes. In this departure from the usual building-centered approach, hitherto isolated and unserved older people will act as hosts to neighbors at showing of motion pictures in their homes, and at meetings and parties. The area to be served is bounded by 35th Street on the north, 45th on the south, and South Park on the east, and State Street on the west.

Young Women's Christian Association of the Cincinnati Area, Ohio.—A demonstration program to provide services to older people through three multipurpose centers, involving Protestant, Catholic, and Jewish facilities and organizations. Two of the centers will be concerned with providing realistic and effective referrals of elderly people to community services and in pointing out gaps and seeking new programs where needed. Their programs will include identifying and reaching out to the hidden population of elderly not in normal contact with community services. The third center will develop a family-life program for older people and their children.

Administration on Aging—Research and development grants, Jan. 1–Dec. 31, 1966

DEVELOPMENT AND DEMONSTRATION PROJECTS

	Organization	Project	Amount
COMMUNITY ORGANIZATION			
California, San Diego: AA-4-67-028-01	Community Welfare Council	Protective services for older people in San Diego	$69,977
Connecticut, West Hartford: AA-4-66-019 [1]	Greater Hartford Community Council, Inc.	Survey of service needs of aging in Greater Hartford	28,150
Illinois, Champaign: AA-4-67-037-01 [1]	United Community Council of Champaign	Planned change in social provisions for aging	24,334
EDUCATION, TRAINING, AND INFORMATION			
Colorado, Denver: AA-4-66-007 [1]	Colorado Seminary, University of Denver	Safety courses for older persons; accident involvement, licensing, and insurability of older drivers.	13,884
Indiana, South Bend: AA-4-67-038-01	United Community Services of St. Joseph County, Inc.	Information, counseling, and referral program	38,683
New York, New York: AA-4-66-001	The Oliver Wendell Holmes Association	Demonstration institutes for older Americans	20,475
Pennsylvania, Hershey: AA-4-66-021	WITF-TV	Continuing TV series for aging, "The Time of Our Lives"	75,000
Wyoming, Rock Springs: AA-4-67-029-01	Southwest Counseling Service	Wyoming preretirement services	10,700
MANPOWER			
New York, New York: AA-4-66-004	National Council on the Aging	National senior center personnel service	22,867
NUTRITION			
Florida, Miami: AA-4-66-014	Senior Centers of Dade County, Inc.	Demonstration of low-cost meals for the elderly	77,255
Texas, Temple: AA-4-66-016	Senior Citizens Activities, Inc.	A food and friendship program	33,270
REACH-OUT			
California, Los Angeles: AA-4-66-026	Allied Senior Citizens' Clubs, Inc.	Operation Reach-Out	25,120
Ohio, Lakewood: AA-4-66-025	Barton Center, Inc.	Using senior center members to expand its services to older persons.	35,108
REHABILITATION			
New York, Brooklyn: AA-4-66-023	Industrial Home for the Blind	Geriatric rehabilitation for institutionalized blind	67,880
Ohio, Cleveland: AA-4-66-003	Cleveland Society for the Blind	Home teaching of newly blinded geriatric clients	34,148
ROLES FOR THE AGING			
Arkansas, Little Rock: AA-4-67-032-01	Arkansas Farmers Union	Community activities for senior Arkansans (CASA)	74,995
Illinois, Winnetka: AA-4-67-031-01	Board of Education, Winnetka public schools	Project for academic motivation	18,085
New York, New York: AA-4-67-035-01	Community Service Society	Older volunteers in community service	36,770
Ohio, Martins Ferry: AA-4-67-034-01	City of Martins Ferry	Elderly services and industries program	45,985
Oregon, Portland: AA-4-66-006	Lewis and Clark College	Replacement supervisors in Portland public schools	49,500
Vermont, Newport: AA-4-67-033-01	Orleans County Council of Social Agencies	Use of older persons as local library aids	25,808
SENIOR CENTERS			
Illinois, Chicago: AA-4-66-018	YMCA of Metropolitan Chicago	Senior citizen's mobile service project	66,718
Minnesota, Rochester: AA-4-66-020	Senior Citizens Services, Inc.	A multipurpose senior citizens' service in a historical setting.	19,820
Nebraska, Omaha: AA-4-66-015	Parks, Recreation, and Public Properties Department.	Recreational and cultural service for senior citizens	51,406
New York, Long Island: AA-4-66-009	Health and Welfare Council of Nassau County, Garden City.	Senior Centers of Nassau County, Inc.	47,588
Ohio, Cincinnati: AA-4-66-017	YWCA	Senior services	89,647
Rhode Island, Providence: AA-4-66-002	City of Providence	Providence Multipurpose center	79,810

RESEARCH PROJECTS

	Organization	Project	Amount
California, San Francisco: AA-4-66-005	Northern California Presbyterian Homes, Inc.	Evaluation, large city elderly service program	$8,810
California, Los Angeles: AA-4-66-011	Los Angeles County Federation of Labor, AFL-CIO.	Los Angeles labor retiree research project	26,052
Florida, Tallahassee: AA-4-67-036-01	Florida Commission on Aging and Florida State University.	Retirement hotels: Function, service, and relations	42,780
Illinois, Chicago: AA-4-67-030-01	Roosevelt University	Widowhood: Changes in role and role clusters	17.549
Louisiana, Baton Rouge: AA-4-66-022	Louisiana State University	Adjustment to confrontation by aging in 3 cultures	20,130
Massachusetts, Boston: AA-4-66-024	Combined Jewish Philanthropies of Greater Boston.	Community services for aging	36,719
New York, Ithaca: AA-4-66-010	New York State College of Agriculture	Community structure and aging	37,786
Ohio, Oxford: AA-4-66-012	Miami University	Women in retirement	25,573
Pennsylvania, Harrisburg: AA-4-67-027-01	Pennsylvania Department of Public Welfare	Needs and use of services among Negro and white aged	49,287
Washington, Tacoma: AA-4-66-008	Pacific Lutheran University	Subsidized housing and the adjustment of older women	3,520
Wisconsin, Madison: AA-4-66-013	University of Wisconsin	A study of the aged with special reference to adjustment in retirement communities.	46,800

RESEARCH AND DEVELOPMENT CONTRACTS

	Organization	Project	Amount
Pennsylvania, Philadelphia	National Analysts, Inc.	Study of susceptibility to health frauds and misrepresentation (interagency contract of which the Administration on Aging's share is).	$31,250

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[1] These were funded as research grants but contain major demonstration-development emphasis.

RESEARCH AND DEVELOPMENT OF AN EFFECTIVE ELECTRONIC GUIDANCE SYSTEM FOR USE IN NAVIGATION CHANNELS SERVING U.S. PORTS

Mr. CLARK. Mr. President, I am happy to introduce today, on behalf of myself and Senators WILLIAMS of New Jersey, CASE, SCOTT, and BOGGS, a bill to provide for research and development of an effective electronic guidance system for use in navigation channels serving U.S. ports. A similar bill has been introduced in the House by Representative JAMES BYRNE of Pennsylvania.

The project is to be conducted by the Coast Guard and will determine the feasibility and applications of new navigation aids which could improve the safety of ships entering and leaving ports under hazardous conditions.

The need for new and more accurate navigation devices is great. In the Delaware Channel, for example, in the 15-year period from 1951 through 1965, according to U.S. Coast Guard records, there were a total of 343 collisions and 335 groundings, resulting in property damage of more than $25 million and the loss of 43 lives.

Recently the Delaware River Pilots' Association and the Joint Executive Committee for Development of the Philadelphia Port Area have pioneered the establishment of a bridge-to-bridge radiotelephone procedure to assist ships in navigating the channel.

It would be our hope that the test will lead to the development of a device which would give a ship's navigator precise information on the position of his ship in the channel. Such a system could operate in conjunction with the ship's radar and the bridge-to-bridge radiotelephone. It would, if successful, further reduce the accident rate and cut delays caused by bad visibility.

The Delaware River is believed to be a highly suitable location for conducting this research project, and all port groups and agencies in the area are willing to cooperate wholeheartedly.

The bill authorizes the appropriation of $100,000 for the project, and specifies that the results will be reported back to Congress within 2 years.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 952) to authorize the conduct of certain research and development through the Coast Guard in order to develop an effective electronic guidance system, introduced by Mr. CLARK (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Commerce.

AMENDMENT TO FOOD STAMP ACT OF 1964

Mr. BYRD of West Virginia. Mr. President, I am pleased to introduce a bill today which will amend the Food Stamp Act of 1964 for the purpose of authorizing appropriations for fiscal years subsequent to that ending on June 30, 1967.

I cannot speak too highly of the value of this program, both for the people who have benefited from it directly by receiving the bonus buying power and for the communities in which it has been operated. I, myself, and the U.S. Department of Agriculture have received numerous letters stating the visual evidence of good which results from added food provided for needy families. School principals and teachers have written that children receiving extra food at home under this program "are visually more alert and do better work."

West Virginia inaugurated this program as a pilot study in December 1961 and it since has spread to 590 counties in 41 States. It is estimated that some 1.3 million people share in the benefits of the food stamps.

With the extension of the program into the future, the U.S. Department of Agriculture believes it can reach out to a total of 2 million persons who need this assistance.

Since the first stamps were issued in West Virginia in 1961, there has been a total Federal expenditure through December 31, 1966, of $202,808,734 for the program. This expenditure represents the bonus buying power to receive this assistance; the families receiving stamps had to spend another $342,574,529 of their own money—bringing total expenditures for food to $545,383,263.

It has also been known that food stamps have an accelerating business effect, and it is a beneficial one, on the communities where they are issued.

One estimate of the effect has been that for each additional $1 spent for food, the community realizes another $7 in economic activities due to the chain-reaction of more purchases and more employment.

We can take extreme pleasure in knowing that this program appears to be expertly and excellently administered, both by the U.S. Department of Agriculture and by the States where it is operating.

I wish to extend my congratulations for this fine record to Miss Isabelle Kelley, director of the Food Stamp Division.

In my State of West Virginia, Commissioner L. L. Vincent of the department of welfare and Mrs. Grace Strain, director of food stamps, also deserve great credit for the efficient operation of the program.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 953) to amend the Food Stamp Act of 1964 for the purpose of authorizing appropriations for fiscal years subsequent to the fiscal year ending June 30, 1967, introduced by Mr. BYRD of West Virginia, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

CHANGE OF REFERENCE

On request of Mr. LONG of Louisiana, and by unanimous consent, the Committee on Government Operations was discharged from the further consideration of the joint resolution (S.J. Res. 33) to establish a National Commission on Product Safety, and it was referred to the Committee on Commerce.

LEGISLATIVE REORGANIZATION ACT OF 1967—AMENDMENTS

AMENDMENT NO. 87

Mr. WILLIAMS of New Jersey submitted amendments, intended to be proposed by him, to the bill (S. 355) to improve the operation of the legislative branch of the Federal Government, and for other purposes, which were ordered to lie on the table and to be printed.

AMENDMENT NO. 88

Mr. BYRD of Virginia submitted amendments, intended to be proposed by him, to Senate bill 355, supra, which were ordered to lie on the table and to be printed.

AMENDMENT OF TITLE 18 OF UNITED STATES CODE

AMENDMENT NO. 90

Mr. DODD. Mr. President, on behalf of the administration, I submit, for appropriate reference an amendment to the bill (S. 1) to amend title 18 of the United States Code. I offer this amendment, Mr. President, as a substitute for S. 1, which I introduced in the opening days of this session of Congress. The major provisions of this amendment are identical with those contained in that legislation, which was introduced earlier in the session and, indeed, as I have read it over—and I have read it carefully—identical with the bill introduced in March of 1965.

In submitting this amendment, I speak with a sense of urgency for the gun problem in this country becomes more serious with each passing day. The tragic loss of life by gun in murders, suicides, and "accidental deaths" continues to spiral upward with no end in sight.

I speak with a sense of expectation for I believe that gun legislation can be enacted this year. The facts are before the Congress and our responsibility to act is clear. There is a virtual mandate from the people to act, if we are to place any credence in our public opinion polls which have consistently proven over the years that the overwhelming majority of Americans favor strong gun controls.

I speak with a sense of hope that the wanton and reckless taking of human life can be stemmed.

And, I speak with a sense of conviction that effective Federal gun legislation is the key to the realization of this goal.

The amendment I am submitting today represents the combined efforts of the Justice Department and the Senate Subcommittee To Investigate Juvenile Delinquency in our study of the gun problem over the last 6 years.

This amendment is not predicated on an emotional reaction to any one incident. It is based on 6 years of information gathering on the gun problem which conclusively documents the need for a strong Federal firearms law.

Basically this bill is designed to aid the States by placing uniform restrictions over the interstate traffic in firearms, so that the States can effectively deal with the gun problem within their own borders.

The bill provides needed controls in six major areas: mail order sales, over-the-counter sales, sales to minors, licensing, imports, and destructive devices.

It provides:

First. For a prohibition on the interstate mail order sale of handguns, rifles and shotguns to individuals.

Second. For a prohibition on the over-the-counter sale of handguns to nonresidents of a given State.

Third. For the identification and determination of the age of all purchasers of firearms from federally licensed dealers. In the case of handguns the age requirement is 21 years and in the case of rifles and shotguns, 18 years of age.

Fourth. For the licensing of all dealers, importers, and manufacturers in firearms.

Fifth. For a prohibition on the importation of all military surplus handguns and for the regulation of all other imported firearms.

Sixth. For the stringent control over the destructive devices, antitank guns, bazookas, mortars, and so forth.

Mr. President, our course of action should be clear: the immediate consideration and passage of this bill.

The problem has been abundantly documented by investigations and public hearings.

There is no need for further hearings.

The effect of such hearings would only prove what I feel has been proven beyond question, and that is the need for the enactment of this bill.

The timeworn myths of the gun lobby have been laid to rest.

The emotional harangue which they have raised in past years has been countered with facts.

Their arguments against gun controls are groundless.

The most unconscionable argument they put forth is that we have not documented the existence of a gun problem.

I wonder just how many more murders, how many more robberies, and how many more assaults with guns have to be perpetrated in order that the gun lobbies acknowledge a serious gun problem and the need for immediate action by the Federal Government.

If the 5,600 murders, 45,000 armed robberies, and 34,700 aggravated assaults with guns in 1965 cannot convince them of the need for gun controls, I do not think anything will.

I think it is time the Congress looks at these facts and overlooks the blandishments of the gunrunners.

And if the facts of firearms abuse in 1965 are not enough to move us to action, let us examine the shocking picture in the first 9 months of 1966 regarding guns and their misuse in crime.

Fifty-nine percent of all murders were committed with guns.

This is the highest percentage in recorded history.

Aggravated assaults with a gun rose an appalling 22 percent.

Armed robbery, which comprises 58 percent of all robberies, rose a substantial 10 percent.

I believe that it is a national disgrace to allow this toll of life, limb, and property to go on unchecked.

It is deplorable in view of the facts that are before us and have been before us for a number of years that new Federal legislation has not been enacted. Certainly the gun lobby must share responsibility for this inaction for they have vehemently resisted even the most mild attempts to control firearms.

I would remind my colleagues in the Senate that immediately after I introduced S. 1592, in the 89th Congress, a concerted campaign to kill the bill was put into motion. An alleged analysis of that bill was prepared by the National Rifle Association and sent to its 750,000 members and affiliated clubs.

That document contained distortions, half truths, untruths, and presented a "doomsday" picture of the bill to the Nation's hunters and sportsmen. There was an immediate response to that letter by the membership of the NRA and Congress was deluged with letters of opposition to the bill.

However, when representatives of that organization were called to testify before the Juvenile Delinquency Subcommittee, they admitted in open hearings that false and misleading information was contained in that letter.

I asked the NRA to correct those misstatements and the false impressions that the letter gave to the thousands of sportsmen who read it. Yet to this date, they have not done so, in spite of their acknowledgment of error.

This, unfortunately, has been typical of the campaigns that have killed proposed Federal gun controls during the last 30 years. Having no factual bases for opposing needed gun legislation, the gun groups have resorted to methods unworthy of responsible men.

Mr. President, the major provisions of the bill that I present to my colleagues today for their approval were thoroughly discussed during 11 days of public hearings in 1965. However, because of the grinding opposition of a minority of Americans, spurred on by the propaganda of the gunrunners, that bill could not be reported to the Senate floor.

I hope we do not fall into that trap again.

This legislation was first sent to the Congress by President Johnson in 1965, and he urged that it be enacted quickly.

In 1966, he spoke out again for a gun law and again he was ignored.

He has once more sent this legislation to Congress in the wake of many national tragedies, some in his own State.

Let us ignore him no longer.

Let us heed the President who so eloquently spelled out for us what needs to be done to combat crime in his message to Congress.

Let us heed those who have beseeched the Congress to act: The American Bar Association; the International Association of Chiefs of Police; the National Association of Citizens Crime Commissions; religious, civic and social organizations throughout the land; virtually every leading newspaper in the United States; and our national public opinion polls which show that fully 70 percent of the people favor strong Federal controls over firearms.

How long can we ignore this mandate to the Congress?

How long can we be intimidated by a clamoring minority?

If we examine the criticisms that have been leveled at this legislation we find that they are baseless and in fact mere fantasy and myth.

It is a horrible shame, I believe, that those arguments have to date stymied us.

Briefly, I will point out some of the more persistent of these myths.

It has been maintained by the gun lobby that this bill infringes upon the guarantees of the second amendment to the Constitution.

Mr. President, nothing could be further from the truth.

Our Supreme Court has ruled conclusively over the years in this regard and in sum and substance, the guarantees of the second amendment relative to the keeping and bearing of arms are contingent upon the maintenance of a well-regulated militia, which in this age of nuclear capabilities is our National Guard and Reserve Forces. A host of cases has been decided where this basic premise prevailed.

Recent cases concerning the National Firearms Act have firmed up the vast body of legal opinions substantiating the constitutionality of Federal gun laws. Attacks upon recently passed State gun laws have failed in New Jersey and other jurisdictions.

One fact should be clear to everyone by now. The Federal Government does have the right and in fact the responsibility to regulate the interstate commerce in firearms.

Furthermore, the States have such a right to regulate the acquisition, possession, and ownership of firearms within their own borders and political subdivisions.

This brings us to another of the myths perpetrated by the gun interests.

Over the years, the National Rifle Association and the gun lobby have had a "whipping boy" in the form of the strict Sullivan law in New York. They boldly claim that it has not worked; that it has not deterred gun crimes.

From this false premise they have concluded that no gun laws would work.

We examined that law in extensive hearings.

We know, based on facts that are available to anyone who desires to take the time to examine them, that gun laws and regulations, like the Sullivan law, do work.

These laws are a deterrent to crime, and particularly to murders committed with guns.

The hard fact is that in those States with intelligent gun control laws, murder by gun is much less frequent than in those States with no controls or ineffective controls.

Let us look at the gun murder rates for the last 4 years in several States which have effective gun controls.

In Pennsylvania, gun murders made up 43 percent of the total; in New Jersey, it was 39 percent; in Massachusetts, it was 35 percent, and, in New York with the "whipping boy" Sullivan law it was a significantly low 32 percent of the total number of murders committed in that State.

All of these States are well below the national average of 57 percent.

How do the States with minimal or no gun controls compare with this record?

In Colorado, 59 percent of the murders were committed with guns; in Louisiana, it was 62 percent; in Arizona, it was 66 percent; in Montana, it was 68 percent; in Texas, it was 69 percent; and, in Nebraska, it was 70 percent.

It should be clear to even the most skeptical of gun enthusiasts that meaningful firearms laws are a deterrent to their use in crimes of violence. Yet the fact remains that those who cry the loudest against gun controls are persons from the very States that have the highest percentage of gun murders.

They point to States like New York and Massachusetts claiming that the fact that they have large numbers of gun crimes proves their laws do not work.

This is the most astonishing charge of all.

It is astonishing because witness after witness spread on the record of our hearings proof that it is not the State laws that break down, but, the Federal law which is so weak and unenforceable it allows weapons to be either clandestinely delivered by common carrier or purchased in other jurisdictions, and smuggled into these States.

The testimony and figures that I have just cited are available to those who have opposed this legislation.

It is obvious that they choose to ignore this wealth of evidence.

Instead they continue to raise a hue and cry over laws such as the ones enacted recently in Philadelphia and New Jersey. After 1 year they gleefully decried the lack of effectiveness of these local firearms ordinances. They claim such laws do not keep guns out of the hands of criminals; that only the law-abiding sportsmen are prevented from acquiring firearms because of redtape; and, that the sport of hunting will diminish as a consequence.

The facts are that since the enactment of Philadelphia's gun ordinance in 1965, gun murders decreased 5 percent in the first 9 months of 1966.

The Philadelphia Crime Commission reported to me that:

> In the first full year of its life, the firearms ordinance made it impossible for 73 convicted criminals to purchase rifles and shotguns locally . . .
>
> Denied the right to purchase rifles and shotguns in Philadelphia were three narcotic addicts, 21 convicted of aggravated assault and battery, one murderer, 12 burglars, 10 robbers, two habitual drunks, 10 who had been convicted of carrying concealed and deadly weapons, three rapists, two convicted with intent to kill.

The commission concluded:

> No one denies that those whose applications (for guns) were rejected in Philadelphia could have purchased guns outside of Philadelphia. One did. When refused the right to buy a gun in the city, he obtained one outside of the city and killed his wife.

One of the most militant opponents of my gun bill announced on a major TV station on January 2, 1967, that the State of New Jersey "already reports [the] ineffectiveness" of its new firearms control law. Yet the attorney general of that State reports to me that 7 percent of all persons who applied for authorization to purchase weapons were denied this right because of criminal arrest records.

And, in spite of the "doomsday" philosophy of the gunrunners that gun controls will end the sport of hunting, the New Jersey gun law apparently did not deter legitimate sportsmen from enjoying the recent hunting season. The sale of hunting licenses and the bag of deer in 1966 surpassed the record in 1965 when the law regulating the sale of rifles and shotguns was not in existence.

Yet I can predict that the lobbys will continue to agitate against the law I introduce today in the face of the facts I have presented.

Mr. President, the simple truth is that State gun laws do work.

When they do not, it is usually because of a breakdown in the Federal law.

And that is what this bill is all about.

We must begin to think in terms of the victims of gun crimes and their grieving families rather than in terms of the slight inconveniences that firearms laws might impose.

We must begin to think in terms of the vast body of criminological knowledge that proves that gun regulation is an effective deterrent to gun crimes rather than in terms of the gun myths that have shackled us over the years.

We must now accept the testimony of responsible Federal, State, and local officials who time and time again have called for Federal legislation to regulate the interstate traffic in firearms.

I recently solicited the opinions of chiefs of police in over 100 of our cities throughout the land relative to the merits of the proposal before us today.

The responses show an overwhelming accolade of support for such a bill.

Mr. President, if we are to pay any heed at all to these men who are on the frontlines combating this Nation's growing army of criminals, then we can delay no longer in enacting gun control legislation.

Virtually to a man these officials have called for Federal action to control the interstate traffic in firearms. They point to an inability to enforce their own laws, when such laws are easily and readily circumvented because of the neglect of the Federal Government. This is the charge made repeatedly by the majority of our police chiefs.

And they are right.

It is the responsibility of Congress to enact enforceable controls over this flagrant, wide-open traffic in deadly weapons.

And these controls are needed now, not at some distant time in the future.

We cannot afford further delay.

Mr. President, I commend this bill to my colleagues for their urgent consideration and approval.

Mr. President, I ask that this amendment, in the nature of a substitute for S. 1, remain at the desk until February 20, so that other Senators may have an opportunity to cosponsor it and that the full text of the amendment be printed at the conclusion of my remarks.

The **PRESIDING OFFICER.** The amendment will be received, printed, and appropriately referred; and, without objection, the amendment will be printed in the RECORD and the amendment will be held at the desk, as requested by the Senator from Connecticut.

The amendment, No. 90, was received, and ordered to be printed, and by unanimous consent, referred to the Committee on the Judiciary, and then to the Committee on Commerce, when reported by the Committee on the Judiciary, and then ordered to be printed in the RECORD as follows:

Strike all after the enacting clause and insert in lieu thereof the following:

"That this Act may be cited as the 'State Firearms Control Assistance Act of 1967'.

"FINDINGS AND DECLARATION

"SEC. 2. (a) The Congress hereby finds and declares—

"(1) that there is a widespread traffic in firearms moving in or otherwise affecting interstate or foreign commerce, and that the existing Federal controls over such traffic do not adequately enable the States to control the firearms traffic within their own borders through the exercise of their police power;

"(2) that the ease with which any person can acquire firearms (including criminals, juveniles without the knowledge or consent of their parents or guardians, narcotics addicts, mental defectives, armed groups who would supplant the functions of duly constituted public authorities, and others whose possession of firearms is similarly contrary to the public interest) is a significant factor in the prevalence of lawlessness and violent crime in the United States;

"(3) that only through adequate Federal control over interstate and foreign commerce in firearms, and over all persons engaging in the businesses of importing, manufacturing, or dealing in firearms, can this grave problem be properly dealt with, and effective State and local regulation of the firearms traffic be made possible;

"(4) that the acquisition on a mail-order basis of firearms by nonlicensed individuals, from a place other than their State of residence, has materially tended to thwart the effectiveness of State laws and regulations, and local ordinances;

"(5) that the sale or other disposition of concealable weapons by importers, manufacturers, and dealers holding Federal licenses, to nonresidents of the State in which the licensees' places of business are located, has tended to make ineffective the laws, regulations, and ordinances in the several States and local jurisdictions regarding such firearms;

"(6) that there is a causal relationship between the easy availability of firearms and juvenile and youthful criminal behavior, and that firearms have been widely sold by federally licensed importers and dealers to emotionally immature, or thrill-bent juveniles and minors prone to criminal behavior;

"(7) that the United States has become the dumping ground of the castoff surplus military weapons of other nations, and that such weapons, and the large volume of relatively inexpensive pistols and revolvers (largely worthless for sporting purposes), imported into the United States in recent years, has contributed greatly to lawlessness and to the Nation's law enforcement problems;

"(8) that the lack of adequate Federal control over interstate and foreign commerce in highly destructive weapons (such as bazookas, mortars, antitank guns, etc., and destructive devices such as explosive or incendiary grenades, bombs, missiles, etc.) has allowed such weapons and devices to fall into the hands of lawless persons, including armed groups who would supplant lawful authority, thus creating a problem of national concern;

"(9) that the existing licensing system under the Federal Firearms Act does not provide adequate license fees or proper standards for the granting or denial of licenses, and that this has led to licenses being issued to persons not reasonably entitled thereto, thus distorting the purpose of the licensing system.

"(b) The Congress further hereby declares that the purpose of this Act is to cope with the conditions referred to in the foregoing subsection, and that it is not the purpose of this Act to place any undue or unnecessary Federal restrictions or burdens on law-abiding citizens with respect to the acquisition, possession, or use of firearms appropriate to the purpose of hunting, trap shooting, target shooting, personal protection, or any other lawful activity, and that this Act is not intended to discourage or eliminate the private ownership or use of firearms by law-abiding citizens for lawful purposes, or provide for the imposition by Federal regulations of any procedures or requirements other than those reasonably necessary to implement and effectuate the provisions of this Act.

"SEC. 3. Title 18, United States Code is amended by inserting after section 917 thereof the following new chapter:

" 'CHAPTER 44.—FIREARMS.

" 'Sec.
" '921. **Definitions**
" '922. **Unlawful Acts**
" '923. **Licensing**
" '924. **Penalties**
" '925. **Exceptions; Relief from Disabilities**
" '926. **Rules and Regulations**
" '927. **Effect on State Law**
" '928. **Separability Clause**

" '§ 921. DEFINITIONS

" '(a) As used in this chapter—

" '(1) The term "person" and the term "whoever" includes any individual, corporation, company, association, firm, partnership, society, or joint stock company.

" '(2) The term "interstate or foreign commerce" includes commerce between any State or possession (not including the Canal Zone) and any place outside thereof; or between points within the same State or possession (not including the Canal Zone), but through any place outside thereof; or within any possession or the District of Columbia. The term "State" shall include the Commonwealth of Puerto Rico, the Virgin Islands, and the District of Columbia.

" '(3) The term "firearm" means any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; or any firearm muffler or firearm silencer; or any destructive device.

" '(4) The term "destructive device" means any explosive, incendiary, or poison gas bomb, grenade, mine, rocket, missile, or similar device; and includes any type of weapon which will or is designed to or may readily be converted to expel a projectile by the action of any explosive and having any barrel with a bore of one-half inch or more in diameter.

" '(5) The term "shotgun" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.

" '(6) The term "short-barreled shotgun" means a shotgun having one or more barrels less than eighteen inches in length and any weapon made from a shotgun (whether by alteration, modification, or otherwise) if such weapon as modified has an overall length of less than twenty-six inches.

" '(7) The term "rifle" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.

" '(8) The term "short-barreled rifle" means a rifle having one or more barrels less than sixteen inches in length and any weapon made from a rifle (whether by alteration, modification, or otherwise) if such weapon as modified has an overall length of less than twenty-six inches.

" '(9) The term "importer" means any person engaged in the business of importing or bringing firearms or ammunition into the United States for purposes of sale or distribution; and the term "licensed importer" means any such person licensed under the provisions of this chapter.

" '(10) The term "manufacturer" means any person engaged in the manufacture of firearms or ammunition for purposes of sale or distribution; and the term "licensed manufacturer" means any such person licensed under the provisions of this chapter.

" '(11) The term "dealer" means (A) any person engaged in the business of selling firearms or ammunition at wholesale or retail, (B) any person engaged in the business of repairing such firearms or of making or fitting special barrels, stocks, or trigger mechanisms to firearms or (C) any person who is a pawnbroker. The term "licensed dealer" means any dealer who is licensed under the provisions of this chapter.

" '(12) The term "pawnbroker" means any person whose business or occupation includes the taking or receiving, by way of pledge or pawn, of any firearm or ammunition as security for the payment or repayment of money.

" '(13) The term "indictment" includes an indictment or an information in any court under which a crime punishable by imprisonment for a term exceeding one year may be prosecuted.

" '(14) The term "fugitive from justice" means any person who has fled from any State or possession to avoid prosecution for a crime punishable by imprisonment for a term exceeding one year or to avoid giving testimony in any criminal proceeding.

" '(15) The term "antique firearm" means any firearm of a design used before the year 1870 (including any matchlock, flintlock, percussion cap, or similar early type of ignition system) or replica thereof, whether actually manufactured before or after the year 1870; but not including any weapon designed for use with smokeless powder or using rimfire or conventional center-fire ignition with fixed ammunition.

" '(16) The term "ammunition" means ammunition for a destructive device; it shall not include shotgun shells or any other ammunition designed for use in a firearm other than a destructive device.

" '(17) The term "Secretary" or "Secretary of the Treasury" means the Secretary of the Treasury or his delegate.

" '(b) As used in this chapter—

" '(1) The term "firearm" shall not include an antique firearm.

" '(2) The term "destructive device" shall not include—

" '(A) a device which is not designed or redesigned or used or intended for use as a weapon; or

" '(B) any device, although originally designed as a weapon, which is redesigned so that it may be used solely as a signaling, line-throwing, safety or similar device; or

" '(C) any shotgun other than a short-barreled shotgun; or

" '(D) any nonautomatic rifle (other than a short-barreled rifle) generally recognized or particularly suitable for use for the hunting of big game; or

" '(E) surplus obsolete ordnance sold, loaned, or given by the Secretary of the Army pursuant to the provisions of 10 U.S.C., sections 4684(2), 4685, or 4686; or

" '(F) any other device which the Secretary finds is not likely to be used as a weapon.

" '(3) The term "crime punishable by imprisonment for a term exceeding one year" shall not include any Federal or State offenses pertaining to antitrust violations, unfair trade practices, restraints of trade, or other similar offenses relating to the regulation of business practices as the Secretary may by regulation designate.

" '§ 922. UNLAWFUL ACTS

" '(a) It shall be unlawful—

" '(1) for any person, except a licensed importer, licensed manufacturer, or licensed dealer, to engage in the business of importing, manufacturing, or dealing in firearms or ammunition, or in the course of such business to ship, transport, or receive any firearm or ammunition in interstate or foreign commerce.

" '(2) for any importer, manufacturer, or dealer licensed under the provisions of this chapter to ship or transport in interstate or foreign commerce, any firearm or ammunition to any person other than a licensed importer, licensed manufacturer, or licensed dealer, except that—

" '(A) this paragraph shall not be held to preclude a licensed importer, licensed manufacturer, or licensed dealer from returning a firearm or replacement firearm of the same kind and type to a person from whom it was received;

" '(B) this paragraph shall not be held to preclude a licensed importer, licensed manufacturer, or licensed dealer from depositing a firearm for conveyance in the mails to any officer, employee, agent, or watchman who, pursuant to the provisions of section 1715 of title 18 of the United States Code, is eligible to receive through the mails pistols, revolvers, and other firearms capable of being concealed on the person, for use in connection with his official duty;

" '(C) this paragraph shall not be held to preclude a licensed importer, licensed manufacturer, or licensed dealer from shipping a rifle or shotgun to an individual who in person upon the licensee's business premises purchased such rifle or shotgun, provided that such sale or shipment is not otherwise prohibited by the provisions of this chapter.

"(D) nothing in this paragraph shall be construed as applying in any manner in the District of Columbia, Commonwealth of Puerto Rico, or any possession of the United States differently than it would apply if the District of Columbia, the Commonwealth of Puerto Rico, or the possession were in fact a State of the United States.

" '(3) for any person other than a licensed importer, licensed manufacturer, or licensed dealer to transport into or receive in the State where he resides (or if the person is a corporation or other business entity, in which he maintains a place of business)—

" '(A) any firearm, other than a shotgun or rifle, purchased or otherwise obtained by him outside that State;

" '(B) any firearm, purchased or otherwise obtained by him outside that State, which it would be unlawful for him to purchase or possess in the State or political subdivision thereof wherein he resides (or if the person is a corporation or other business entity, in which he maintains a place of business).

" '(4) for any person, other than a licensed importer, licensed manufacturer, or licensed dealer, to transport in interstate or foreign commerce any destructive device, machine gun (as defined in section 5848 of the Internal Revenue Code of 1954), short-barreled shotgun, or short-barreled rifle, except as specifically authorized by the Secretary.

" '(5) for any person to transfer, sell, trade, give, transport, or deliver to any person (other than a licensed importer, licensed manufacturer, or licensed dealer) who resides in any State other than that in which the transferor resides (or in which his place of business is located if the transferor is a corporation or other business entity)—

" '(A) any firearm, other than a shotgun or rifle;

" '(B) any firearm which the transferee could not lawfully purchase or possess in accord with applicable laws, regulations or ordinances of the State or political subdivision thereof in which the transferee resides (or in which his place of business is located if the transferee is a corporation or other business entity).

"'This paragraph shall not apply to transactions between licensed importers, licensed manufacturers, and licensed dealers.

"'(5) for any person in connection with the acquisition or attempted acquisition of any firearm from a licensed importer, licensed manufacturer, or licensed dealer, knowingly to make any false or fictitious oral or written statement or to furnish or exhibit any false or fictitious or misrepresented identification, intended or likely to deceive such importer, manufacturer, or dealer with respect to any fact material to the lawfulness of the sale or other disposition of such firearm under the provisions of this chapter.

"'(b) It shall be unlawful for any licensed importer, licensed manufacturer, or licensed dealer to sell or deliver—

"'(1) any firearm to any individual who the licensee knows or has reasonable cause to believe is less than 21 years of age, if the firearm is other than a shotgun or rifle; or to any individual who the licensee knows or has reasonable cause to believe is less than 18 years of age, if the firearm is a shotgun or rifle.

"'(2) any firearm to any person who the licensee knows or has reasonable cause to believe is not lawfully entitled to receive or possess such firearm by reason of any State or local law, regulation, or ordinance applicable at the place of sale, delivery, or other disposition of the firearm.

"'(3) any firearm to any person who the licensee knows or has reasonable cause to believe does not reside in (or if the person is a corporation or other business entity, does not maintain a place of business in) the State in which the licensee's place of business is located; except that this paragraph shall not apply in the case of a shotgun or rifle.

"'(4) to any person any destructive device, machinegun (as defined in section 5848 of the Internal Revenue Code of 1954), short-barreled shotgun, or short-barreled rifle, unless he has in his possession a sworn statement executed by the principal law enforcement officer of the locality wherein the purchaser or person to whom it is otherwise disposed of resides, attesting that there is no provision of law, regulation, or ordinance which would be violated by such person's receipt or possession thereof, and that he is satisfied that it is intended by such person for lawful purposes; and such sworn statement shall be retained by the licensee as a part of the records required to be kept under the provisions of this chapter.

"'(5) any firearm to any person unless the licensee notes in his records required to be kept pursuant to section 923 of this chapter, the name, age, and place of residence of such person if the person is an individual, or the identity and principal and local places of business of such person if the person is a corporation or other business entity.

"'Paragraphs (1), (2), (3) and (4) of this subsection shall not apply to transactions between licensed importers, licensed manufacturers, and licensed dealers.

"'(c) It shall be unlawful for any licensed importer, licensed manufacturer, or licensed dealer to sell or otherwise dispose of any firearm or ammunition to any person, knowing or having reasonable cause to believe that such person is a fugitive from justice or is under indictment or has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year. This subsection shall not apply with respect to sale or disposition of a firearm to a licensed importer, licensed manufacturer, or licensed dealer who pursuant to subsection (b) of section 925 of this chapter is not precluded from dealing in firearms, or to a person who has been granted relief from disabilities pursuant to subsection (c) of section 925 of this chapter.

"'(d) It shall be unlawful for any common or contract carrier to transport or deliver in interstate or foreign commerce any firearm with knowledge or reasonable cause to believe that the shipment, transportation, or receipt thereof would be in violation of the provisions of this chapter.

"'(e) It shall be unlawful for any person who is under indictment or who has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year, or who is a fugitive from justice, to ship or transport any firearm or ammunition in interstate or foreign commerce.

"'(f) It shall be unlawful for any person who is under indictment or who has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year, or is a fugitive from justice, to receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce.

"'(g) It shall be unlawful for any person to transport or ship in interstate or foreign commerce, any stolen firearm or stolen ammunition, knowing or having reasonable cause to believe the same to have been stolen.

"'(h) It shall be unlawful for any person to receive, conceal, store, barter, sell, or dispose of any stolen firearm or stolen ammunition, or pledge or accept as security for a loan any stolen firearm or stolen ammunition, moving as or which is a part of or which constitutes interstate or foreign commerce, knowing or having reasonable cause to believe the same to have been stolen.

"'(i) It shall be unlawful for any person knowingly to transport, ship, or receive, in interstate or foreign commerce, any firearm the importer's or manufacturer's serial number of which has been removed, obliterated, or altered.

"'(j) It shall be unlawful for any person knowingly to import or bring into the United States or any possession thereof any firearm or ammunition, except as provided in subsection (d) of section 925 of this chapter; and it shall be unlawful for any person knowingly to receive any firearm or ammunition which has been imported or brought into the United States or any possession thereof in violation of the provisions of this chapter.

"'(k) It shall be unlawful for any licensed importer, licensed manufacturer, or licensed dealer knowingly to make any false entry in, or to fail to make appropriate entry in or to fail to properly maintain, any record which he is required to keep pursuant to section 923 of this chapter or regulations promulgated thereunder.

"'§ 923. LICENSING

"'(a) No person shall engage in business as a firearms or ammunition importer, manufacturer, or dealer until he has filed an application with, and received a license to do so from, the Secretary. The application shall be in such form and contain such information as the Secretary shall by regulation prescribe. Each applicant shall be required to pay a fee for obtaining such a license, a separate fee being required for each place in which the applicant is to do business, as follows:

"'(1) If a manufacturer—

"'(A) of destructive devices and/or ammunition a fee of $1,000 per year;

"' (B) of firearms other than destructive devices a fee of $500 per year.

"'(2) If an importer—

"'(A) of destructive devices and/or ammunition a fee of $1,000 per year;

"'(B) of firearms other than destructive devices a fee of $500 per year.

"'(3) If a dealer—

"'(A) in destructive devices and/or ammunition a fee of $1,000 per year;

"'(B) who is a pawnbroker dealing in firearms other than destructive devices a fee of $250 per year;

"'(C) who is not a dealer in destructive devices or a pawnbroker, a fee of $10 per year; except that for the first renewal following the effective date of the State Firearms Control Assistance Act of 1967 or for the first year he is engaged in business as a dealer such dealer will pay a fee of $25.

"'(b) Upon the filing of a proper application and payment of the prescribed fee, the Secretary may issue to the applicant the appropriate license which, subject to the provisions of this chapter and other applicable provisions of law, shall entitle the licensee to transport, ship, and receive firearms and ammunition covered by such license in interstate or foreign commerce during the period stated in the license.

"'(c) Any application submitted under subsections (a) and (b) of this section shall be disapproved and the license denied and the fee returned to the applicant if the Secretary, after notice and opportunity for hearing, finds that—

"'(1) the applicant is under twenty-one years of age; or

"'(2) the applicant (including in the case of a corporation, partnership, or association, any individual possessing directly or indirectly, the power to direct or cause the direction of the management and policies of the corporation, partnership, or association) is prohibited from transporting, shipping, or receiving firearms or ammunition in interstate or foreign commerce under the provisions of this chapter; or is, by reason of his business experience, financial standing, or trade connections, not likely to commence business operations during the term of the annual license applied for or to maintain operations in compliance with this chapter; or

"'(3) the applicant has willfully violated any of the provisions of this chapter or regulations issued thereunder; or

"'(4) the applicant has willfully failed to disclose any material information required, or has made any false statement as to any material fact, in connection with his application; or

"'(5) the applicant does not have, or does not intend to have or to maintain, in a State or possession, business premises for the conduct of the business.

"'(d) Each licensed importer, licensed manufacturer, and licensed dealer shall maintain such records of importation, production, shipment, receipt, and sale or other disposition, of firearms and ammunition at such place, for such period and in such form as the Secretary may by regulations prescribe. Such importers, manufacturers, and dealers shall make such records available for inspection at all reasonable times, and shall submit to the Secretary such reports and information with respect to such records and the contents thereof as he shall by regulations prescribe. The Secretary or his delegate may enter during business hours the premises (including places of storage) of any firearms or ammunition importer, manufacturer, or dealer for the purpose of inspecting or examining any records or documents required to be kept by such importer or manufacturer or dealer under the provisions of this chapter or regulations issued pursuant thereto, and any firearms or ammunition kept or stored by such importer, manufacturer, or dealer at such premises. Upon the request of any State, or possession, or any political subdivision thereof, the Secretary of the Treasury may make available to such State, or possession, or any political subdivision thereof, any information which he may obtain by reason of the provisions of this chapter with respect to the identification of persons within such State, or possession, or political subdivision thereof, who have purchased or received firearms or ammunition, together with a description of such firearms or ammunition.

"'(e) Licenses issued under the provisions of subsection (b) of this section shall be kept posted and kept available for inspection on the business premises covered by the license.

" '(f) Licensed importers and licensed manufacturers shall identify, in such manner as the Secretary shall by regulations prescribe, each firearm imported or manufactured by such importer or manufacturer.

" '§ 924. Penalties

" '(a) Whoever violates any provision of this chapter or any rule or regulation promulgated thereunder, or knowingly makes any false statement or representation with respect to the information required by the provisions of this chapter to be kept in the records of a person licensed under this chapter, or in applying for any license or exemption or relief from disability under the provisions of this chapter, shall be fined not more than $5,000 or imprisoned not more than five years, or both.

" '(b) Whoever, with intent to commit therewith an offense punishable by imprisonment for a term exceeding one year, or with knowledge or reasonable cause to believe that an offense punishable by imprisonment for a term exceeding one year is to be committed therewith, ships, transports, or receives a firearm in interstate or foreign commerce shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

" '(c) Any firearm or ammunition involved in, or used or intended to be used in, any violation of the provisions of this chapter, or a rule or regulation promulgated thereunder, or violation of any other criminal law of the United States, shall be subject to seizure and forfeiture and all provisions of the Internal Revenue Code of 1954 relating to the seizure, forfeiture, and disposition of firearms, as defined in section 5848(1) of said code, shall, so far as applicable, extend to seizures and forfeitures under the provisions of this chapter.

" '§ 925. Exceptions: Relief From Disabilities

" '(a) The provisions of this chapter shall not apply with respect to the transportation, shipment, receipt, or importation of any firearm or ammunition imported for, or sold or shipped to, or issued for the use of the United States or any department, or agency thereof; or any State or possession, or any department, agency, or political subdivision thereof.

" '(b) A licensed importer, licensed manufacturer, or licensed dealer who is indicted for a crime punishable by imprisonment for a term exceeding one year, may, notwithstanding any other provisions of this chapter, continue operations pursuant to his existing license (provided that prior to the expiration of the term of the existing license timely application is made for a new license) during the term of such indictment and until any conviction pursuant to the indictment becomes final.

" '(c) A person who has been convicted of a crime punishable by imprisonment for a term exceeding one year (other than a crime involving the use of a firearm or other weapon or a violation of this chapter or of the National Firearms Act) may make application to the Secretary for relief from the disabilities under this chapter incurred by reason of such conviction, and the Secretary may grant such relief if it is established to his satisfaction that the circumstances regarding the conviction, and the applicant's record and reputation, are such that the applicant will not be likely to conduct his operations in an unlawful manner, and that the granting of the relief would not be contrary to the public interest. A licensee conducting operations under this chapter, who makes application for relief from the disabilities incurred under this chapter by reason of such a conviction, shall not be barred by such conviction from further operations under his license pending final action on an application for relief filed pursuant to this section. Whenever the Secretary grants relief to any person pursuant to this section, he shall promptly publish in the Federal Register notice of such action, together with the reasons therefor.

" '(d) The Secretary may authorize a firearm to be imported or brought into the United States or any possession thereof if the person importing or bringing in the firearm establishes to the satisfaction of the Secretary that the firearm—

" '(1) is being imported or brought in for scientific or research purposes, or is for use in connection with competition or training pursuant to chapter 401 of title 10 of the United States Code; or

" '(2) is an unserviceable firearm, other than a machinegun as defined by 5848(a) of the Internal Revenue Code of 1954 (not readily restorable to firing condition), imported or brought in as a curio or museum piece; or

" '(3) is of a type that does not fall within the definition of a firearm as defined in section 5848(1) of the Internal Revenue Code of 1954 and is generally recognized as particularly suitable for or readily adaptable to sporting purposes, and in the case of surplus military firearms is a "rifle" or "shotgun"; or

" '(4) was previously taken out of the United States or a possession by the person who is bringing in the firearm.

" '*Provided*, that the Secretary may permit the conditional importation or bringing in of a firearm for examination and testing in connection with the making of a determination as to whether the importation or bringing in of such firearm will be allowed under this subsection.

" '§ 926. Rules and Regulations

" 'The Secretary may prescribe such rules and regulations as he deems reasonably necessary to carry out the provisions of this chapter. The Secretary shall give reasonable public notice, and afford to interested parties opportunity for hearing, prior to prescribing such rules and regulations.

" '§ 927. Effect on State Law

" 'No provision of this chapter shall be construed as indicating an intent on the part of the Congress to occupy the field in which such provision operates to the exclusion of the law of any State or possession on the same subject matter, unless there is a direct and positive conflict between such provision and the law of the State or possession so that the two cannot be reconciled or consistently stand together.

" '§ 928. Separability

" 'If any provision of this chapter or the application thereof to any person or circumstance is held invalid, the remainder of the chapter and the application of such provision to other persons not similarly situated or to other circumstances shall not be affected thereby.'

"Sec. 4. The administration and enforcement of this Act shall be vested in the Secretary of the Treasury.

"Sec. 5. Nothing in this Act shall be construed as modifying or affecting any provision of—

"(a) the National Firearms Act (chapter 53 of the Internal Revenue Code of 1954); or

"(b) section 414 of the Mutual Security Act of 1954 (22 U.S.C. 1934), as amended, relating to munitions control; or

"(c) section 1715 of title 18, United States Code, relating to non-mailable firearms.

"Sec. 6. The table of contents to 'Part I.—Crimes' of title 18, United States Code, is amended by inserting after

" '43. False personation.................. 911'

a new chapter reference as follows:

" '44. Firearms.......................... 921'

"Sec. 7. The Federal Firearms Act (52 Stat. 1250; 15 U.S.C. 901–910), as amended, is repealed.

"Sec. 8. The amendments made by this Act shall become effective 180 days after the date of its enactment; except that repeal of the Federal Firearms Act shall not in itself terminate any valid license issued pursuant to that Act and any such license shall be deemed valid until it shall expire according to its terms unless it be sooner revoked or terminated pursuant to applicable provisions of law."

ADDITIONAL COSPONSOR OF BILL

Under authority of the order of the Senate of January 26, 1967, the name of Mr. Inouye was added as an additional cosponsor of the bill (S. 699) to strengthen intergovernmental cooperation and the administration of grant-in-aid programs, to extend State and local merit systems to additional programs financed by Federal funds, to provide grants for improvement of State and local personnel administration, to authorize Federal assistance in training State and local employees, to provide grants to State and local governments for training of their employees, to authorize interstate compacts for personnel and training activities, to facilitate the interchange of Federal, State, and local personnel, and for other purposes, introduced by Mr. Muskie (for himself and other Senators) on January 26, 1967.

LIFE MAGAZINE PAYS TRIBUTE TO THE PRESIDENT

Mr. SMATHERS. Mr. President, it was my privilege on February 3 to preside at a hearing in Tampa, Fla., of the Subcommittee on Consumer Interests of the Elderly, a subcommittee of the Senate Special Committee on Aging.

At that hearing we heard from a number of witnesses, particularly those from the Tampa Bay area—where there is a high proportion of retirees.

As a former chairman of the Special Committee on Aging and as a Senator from Florida, I was once again struck by the fund of information and the articulate presentation on the problems of the elderly from the residents of this area.

I must say that the committee staff and I obtained many positive suggestions from the witnesses heard from in Tampa. I found, too, that many problem areas were defined more clearly as a result of testimony at the hearing and from questions raised by members of the audience following the formal hearing.

Just prior to the hearing, I had the opportunity to read in the February 3 issue of Life magazine a column written by staff member Hugh Sidey, which I thought was so pertinent to the problems of the elderly and the concern which President Johnson has for them that I read portions of Mr. Sidey's article into the official hearing record.

As I observed to those at the hearing, President Johnson has heartfelt compassion for and empathy with the 19 million older Americans of this Nation.

Mr. Sidey's article, I thought, correctly appraised the President's attitude and his continuing dedication to improving the lot of the senior citizen.

Mr. President, I ask unanimous consent to have Mr. Sidey's article printed in the body of the Record and commend it to my Senators—just as I commended it to the senior citizens of Florida—for its timely and appropriate message.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A BLUEPRINT BASED DEEP ON FEELING

(By Hugh Sidey)

Lyndon Johnson is at his best when he is talking about ways to help people out of misery. He has a feeling for the subject, carried over from the hill country, and it shows in what he says.

His message on older Americans sent to the Congress last week was moving, and in a year when he will have to curtail many dreams, both sweeping and imaginative, there was a convincing simplicity in the language of his statement. "One of the tests of a great civilization is the compassion and respect shown to its elders," Johnson wrote. "Too many of our senior citizens have been left behind by the progress they worked most of their lives to create. Too often the wisdom and experience of our senior citizens is lost or ignored." His basic proposition was to increase social security payments so that the living standards of those dependent on them could rise for a "meaningful retirement." Beyond that were ideas for giving coverage to more Americans like those farm workers now excluded; a simplifying of the tax laws with more tax breaks for the elderly; expanded programs for nursing homes and community care; a ban against unjust job discrimination because of age; fewer restrictions on the amount of money a person on social security can earn; more opportunities for meaningful use of the talents of older citizens in their communities. It all made fine sense. Though the thought of higher social securtly rates bothered some, nobody could—or did—argue with John Gardner, Secretary of Health, Education, and Welfare, when he declared that the program was the most sweeping blueprint for elderly citizens ever suggested by a President.

Almost every word in the message led back to Lyndon Johnson's own life. A small-town boy knows about old folks. In the urban areas people are often stratified. But in a town like Johnson City, population 611 at the last count, every citizen lives in full view of everyone else. The banker resides within sight of the courthouse custodian; the healthy live amid the infirm; the old are all about. Old people mean much in the small towns which send most of their young to megalopolis. The elderly provide continuity and legends, but they are also ignored. They sometimes control the commerce, but they also sit idly on the park benches. And when they become burdens, as many do, their final humiliation is seen by all, their contributions largely forgotten, their weight resented by many.

Lyndon Johnson has seen it all, and the image of age in the hill country has stayed with him. The first political monument he erected to himself, and the one which even today seems to please him most, is the Pedernales Electric Cooperative. He still talks about what power did for those people who "aged before their time," because long after most of the country had electricity they had to pump their water by hand, endure outdoor plumbing, cook with wood stoves and light their way with kerosene lamps. He can recall line by line the dialogue between himself and his father when the elder Johnson, suffering from heart disease, got out of his bed in an Austin hospital and demanded to be taken back among his people to die. There were no modern medical facilities, no nursing homes to ease his final days in Johnson City.

Even as President, Johnson has gone back to the hill country and sought out men and women who helped him along his way. More than once he has found them crippled and despairing in tiny rooms of homes overburdened with children. He has turned away in sadness from the miserable, makeshift nursing homes where once-proud men sat in lonely stupor, relics of themselves in body and in spirit.

The President rarely ignores a funeral of an old friend from that town. The services are not only a final salute but often a feeble way of saying that everybody wishes he could have done more before the end. Johnson now proposes to do something before the funeral. He is about the only one who can do it on a grand scale, and he finds this one of the gratifying things about being President.

"We should look upon the growing number of older citizens not as a problem or a burden for our democracy," Johnson said in his special message, "but as an opportunity to enrich their lives and, through them, the lives of all of us."

Lyndon Johnson is so complex and elusive in so many things that often it is difficult to get a clear view of him. The message on older Americans gives a rare chance. What always rings true in him, what has been constant from his political beginnings to now, is his desire to ease some of life's cruelties.

GOVERNMENT BOOK CONTROL

Mr. McGEE. Mr. President, I was disturbed by the allegations contained in an editorial entitled "Well Poisoners," and published in the Washington Post of Sunday, February 5, 1967. The editorial was based upon an article entitled "Government Book Control," published in the book-week section of the same paper of that date.

The editorial alleged that the U.S. Information Agency "has spent $90,258 according to testimony of USIA Director Leonard Marks, to publish the works of authors secretly paid by the Government." It further states:

> This practice violates in spirit, if not in law, the congressional injunction against domestic operations by the USIA.

Those are serious charges.

I immediately directed an inquiry to USIA, asking for their comments concerning these allegations, and have received a letter from Reed Harris, Assistant Director of USIA for Information Centers, which answers this editorial. I believe the letter sets forth the facts behind the situation and will correct any misunderstanding that may have been created.

I ask unanimous consent that the letter be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. INFORMATION AGENCY,
Washington, February 9, 1967.

Hon. GALE W. MCGEE,
U.S. Senate.

DEAR SENATOR MCGEE: As Assistant Director of the U.S. Information Agency in charge of all book programs since January 1964, I have been asked by Director Leonard H. Marks to respond to your request for comments on the editorial entitled "Well Poisoners" published on February 5, 1967 in the Washington *Post.*

1. The editorial states: "This week's issue of *Book Week* presents a review of USIA operations in the book publishing field that ought to arouse the people of this country to demand an end to an activity that is simply outrageous. An agency of the Government of the United States has spent $90,258, according to the testimony of USIA Director Leonard Marks, to publish the works of authors secretly paid by the Government."

Neither the Director nor anyone else in the Agency has testified that authors were secretly paid $90,258 by the U.S. Government. The facts are these:

A) $23,800 was spent in fiscal year 1965 for the abridgment of existing books into simplified English for persons who read English as a second language.

B) $53,591 was spent in fiscal year 1965 for the purchase of copies of books from publishers. The decision to publish the books, the selection of the author and judgments on content were made by the American publishers, not by USIA.

C) $8,688 was paid to authors to write manuscripts—but this was certainly not a secret. It was made a matter of record before a Committee of Congress (see pages 620–623 Hearing Before a Subcommittee of the Committee on Appropriations, House of Representatives, 89th Congress, Second Session, September 13, 1966), and such information has always been available to the Congress since the program of book development began in 1956.

2. The editorial next states: "The books thus produced are sold both in this country and abroad without any disclosure of the USIA role in picking the subject-matter, planning the book and paying the author. The unsuspecting purchasers do not know they are reading propaganda. And it is the acknowledged object of the program to conceal the Government sponsorship."

The U.S. Information Agency has not and does not distribute books in the United States. The sole purpose of the development program is to provide books needed for overseas distribution. Publishers who have produced such books have sometimes (at their own expense) produced copies of the books for domestic sale, but no Government funds are used for such production.

3. The editorial goes on to state: "This is a species of fraud and dishonesty that discredits the Government. But it is even worse than that. It constitutes a kind of well-poisoning that diminishes public credibility for all printed works. The book buyer must be on his guard against all literature in a country where some of it is secretly subsidized by government. He cannot afford to take any publication at face value. He must enter every book store on his guard against the covert intrusion of the propagandist. He cannot afford to take any volume at its face value. A Government agency created to carry the story of America abroad is engaged in a shabby piece of trickery that mars the image of this country, wherever this deceit is known."

It seems to us that it is a great disservice to all authors and publishers to imply that all books are suspect because three or four were commissioned each year by USIA prior to October 1965 (the last date on which such a book was commissioned). The reputable book publishers of the United States are as jealous of their independence as are the newspaper publishers. When they accept a commissioned manuscript they subject it to the same objective editorial scrutiny they apply to any manuscript to whose publication they are willing to assign their imprints.

The *Post* editorial concludes: "This practice violates in spirit if not in law the congressional injunction against domestic operations by the USIA. But what is really humiliating is that it violates standards of intellectual decency, affronts public morality and wrongs all authors and publishers by diminishing their public acceptance. Surely Congress can do something about this. Not one cent of public money ought to be appropriated for the purpose of polluting the stream of American literature."

In the testimony before the House Subcommittee cited in point one above, Director Marks was reporting on book development which existed under prior directors. A full description of the 1965 book development program was given to the Congress at that time and is available to the public and the press in the report on the Subcommittee hearings. I might point out that Director Marks now requires that no manuscript be commissioned without his personal approval and he has given no such approval since he became head of USIA.

Even considering the inaccuracies of the editorial and our disagreement with the opinions therein, we do subscribe wholeheartedly to the final statement—"Not one cent of public money ought to be appropriated for the purpose of polluting the stream of American literature." This agency has not and will not spend money for such a purpose.

Sincerely yours,

Reed Harris,
Assistant Director, USIA.

ADDRESS BY SECRETARY OF THE TREASURY FOWLER AT PRESIDENTIAL PRAYER BREAKFAST

Mr. JORDAN of North Carolina. Mr. President, I ask unanimous consent that the most inspiring address delivered by the Honorable Henry H. Fowler, Secretary of the Treasury, at the Presidential prayer breakfast in Washington on February 2, 1967, be printed at this point in the Record.

The remarks of Secretary Fowler were most timely and all of us would do well to contemplate his most appropriate observations.

There being no objection, the address was ordered to be printed in the Record, as follows:

Remarks of the Honorable Henry H. Fowler, Secretary of the Treasury, at the Presidential Prayer Breakfast, February 2, 1967

Mr. President, Mr. Vice President, Senator Carlson, Mr. Speaker, Your Excellencies, Members of the Cabinet and the Congress, Governors, Honorable Judges, Reverend Clergy, Distinguished Guests from other Nations, and Gentlemen:

As a layman, engaged in a highly *secular* activity concerned with that most *material* of elements, I arise, with deep humility, *doubting* my credentials to stand before you and discuss the Christian life.

Two thoughts comfort me.

One is the feeling of the stranger who walked into a church one Sunday just in time to hear those assembled intone the words of the General Confession:

"We have left undone those things which we ought to have done; and we have done those things we ought not to have done."

Slipping comfortably into a pew he said to himself, "I've found my crowd at last."

Indeed we are all grateful to those who bring us together for this period of fellowship and communion. For in so gathering we can demonstrate to each other, to the *nation* and to the *world* the validity of building *friendships* and ties in the spirit of Christ.

My second comforting thought is the recollection that those first chosen to bear witness to the life and teachings of Jesus were laymen—fishermen, a doctor, even a tax gatherer; men from diverse backgrounds and points of view.

My contribution this morning must be direct and simple.

It is a conviction that the need is clear and the time is ripe for a genuine spiritual reformation in leaders of nations. This must come if life is to endure on this planet, take on greater quality and meaning, and be worthy of the example and sacrifice of Jesus Christ.

In this spirit I want to share with you some observations on a challenge of overriding importance—the strengthening of the spiritual foundations of society.

In his historic message at the United Nations, His Holiness Pope Paul pointed eloquently to this vital current need. He said:

"The hour has struck for a halt, a moment of recollection, of reflection, almost of prayer. A moment to think anew of our common origin, our history, our common destiny.

"Today as never before, in our era so marked by human progress, there is need for an appeal to the moral conscience of man . . .

"To do this, such indispensable principles of superior wisdom cannot be founded, as you are aware, we believe, except upon faith in God."

Faith in God was and is the very *cornerstone* of this nation. Many of those who came here from many lands came not to find wealth or power, but a *place* in which they could be *free* to *worship* God. In the fundamental law of the nation they founded, their descendants imbedded bulwarks of that freedom.

At other prayer breakfasts we have been exalted anew to hear our leaders describe the spiritual heritage that our Founding Fathers gave us along with our Constitution.

President Johnson, then Vice President, at the Eleventh Annual Prayer Breakfast reminded us that:

"Since the United States first stood on its feet among the nations of the earth, the men who have guided her destiny have had the strength for their tasks by going to their knees."

And, so, this nation was conceived and given birth by our forefathers in greatness of spirit and courage and in an abiding faith in God and his Providence.

Today, the nation of limited numbers and space created out of the dedication of these early Americans has grown to great power and size in economic and political terms. Without our seeking it, events or maybe the ways of Providence have thrust upon those of us who live in the United States in the last half of this century an awesome responsibility. With it has come an opportunity almost without historical parallel.

If there was ever a time for Christian behavior combined with national greatness, it is now. Our responsibility and opportunity go beyond our borders. Our withdrawal in the 1920's from a world moving toward interdependence, together with a failure of leadership in the old world, led to a terrible aftermath culminating in a disastrous World War II.

And the end is not yet. The aggressor still strikes and misery, violence and disorder are rampant in many parts of the globe.

Moreover, since the 1920's the world has become increasingly interdependent as communications, ideas, and missiles make our globe an even smaller planet. There can be no longer any question but that the way we in this generation in the United States perform will, for a long time to come, shape the future for the world as well as for succeeding generations of Americans.

This does not reflect an attitude of national arrogance or self-importance.

Clearly we cannot deal effectively with world problems alone. But we can do so, with God's help and in association with brothers in Christ everywhere and other like-minded people and nations. The need is so great and so universal that men not of the Christian faith recognize and seek to satisfy it.

Saint Paul recognized this basis of universal brotherhood when he addressed the men of Athens in the Court of Areopague concerning their altar "To an unknown God" in these words:

"What you worship but do not know—this is what I now proclaim.

"The God who created the world and everything in it, and who is Lord of heaven and earth, does not live in shrines made by men. It is not because he lacks anything that he accepts service at men's hands, for he is himself the universal giver of life and breath and all else. He created every race of men of one stock, to inhabit the whole earth's surface. He fixed the epochs of their history, and the limits of their territory. They were to seek God, and, it might be touch and find him; though indeed he is not far from each of us, for in him we live and move, in him we exist; as some of your own poets have said, 'We are his offspring.'"

No, we cannot meet the challenge alone and we need not. For all over the world ministers and priests of the organized churches and religious institutions are finding their hands upheld and their work reflected in the increasing activity of laymen such as we here.

One evidence is meetings such as this one in various capitals of the world which Senator Carlson has described.

It was my privilege to attend a similar gathering in Athens only two months ago. Among many interesting and inspiring facts I found that in 1946, during and after a terrible period of national agony, more than a thousand leading men of letters and scientists of that country considered it their duty to declare publicly as well as privately their conviction. In a Declaration accompanying their Manifesto entitled "Towards a Christian Civilization" they said, among other things:

"1. The future of mankind, and that, more specifically, of our country, depends first and foremost upon the laying of true and unshakeable foundations for the life of contemporary man, whereby alone it is possible for true civilization to exist.

"2. Such a foundation cannot be laid if the man of today fails to use that treasure of values which Christianity, the Christian faith and Christian ethics holds out to him . . ."

It seems to me that perhaps this morning as we pray and meditate together we can encourage this idea.

Is it too much to ask that as leaders from throughout the world meet together we should on a more frequent basis in small groups find ways to learn how to pray together, to share, and to discuss the relevance of Christ and His teachings in our political contemplations? Is it too much to believe that, in these days when there is so much confusion and misunderstanding, we could see an acceptance of this concept on such a scale that as small groups of responsible persons meet in capitals and key cities all over the world, bonds of friendship, trust, and confidence might develop in our civilization because of the impact of God upon our lives?

Can we not all agree that there is a need in our world of today and tomorrow for bringing from all walks of life, at all levels of society, people from many nations together in a spiritual bond of mutual confidence and love—a bond that strengthens the more superficially contrived political and economic ties which depend for sustenance on the shifting tides of force or material advantage?

We may well ask, what have we done to the simple message and this supreme life in Christ which can draw us together in love and understanding but which today seems to be only on the surface of our relationship and not its primary basis.

It is in the hope of translating this recognition of the need of greater spiritual vitality into the practical expressions of our daily, work-a-day involvement that we meet today.

The need is, as always, for the individual and personal commitment which God requires. Are there better lyrics anywhere to point up this truth than those by the prophet Ezekiel: "And I sought for a man to stand in the gap for me for the land, . . ." (Ezekiel 22:30).

Through history in each generation God has sought for and found His men, men through whom He could work. Even as He, the Eternal Word, "Became flesh and dwelt amongst men" so today He comes alive in the flesh and blood of men who dare reach out beyond themselves and follow on in His way.

How does one become once again a man who is truly God's man? Many of us who count ourselves as practical men of the world ask this bold nagging question as the waves of secular life enfold us. Perhaps, an answer may be found in the words of another practical man of the world, Paul, who found the way on the road to Damascus. He formulated a prescription of Christian behavior in the twelfth chapter of the Epistle to the Romans.

In a famous passage he advises "a teacher should employ his gift in teaching, and one who has the gift of stirring speech should use it to stir his hearers." "If you give to charity, give with a free heart; if you are a leader, exert yourself to lead; if you are helping others in distress, do it unselfishly." In short, whatever you do, do it in the spirit of Christ and do it with the best that is in you.

This essay on Christian behavior concludes with a catalog of maxims which can neither be paraphrased or improved. A few are:

"Love in all sincerity, loathing evil and clinging to the good. Let love for our brotherhood breed warmth of mutual affection. Give pride of place to one another in esteem.

"With unflagging energy, in ardour of spirit, serve the Lord.

"Let hope keep you joyful; in trouble stand firm; persist in prayer."

By his choice of the metaphor of the human body, calling Christians the body of Christ, Saint Paul made clear to the Romans that the Christian's life is a corporate life. And, having made this clear, he comes straightway to the essence of this corporate earthly life, the awareness of God's presence in loving relationship with our fellow human beings.

In closing let me recall Benjamin Franklin's words:

"He who shall introduce into public affairs the principles of primitive Christianity will change the face of the world."

THE BICENTENNIAL OF THE UNITED STATES

Mr. SCOTT. Mr. President, the bicentennial of the United States will be celebrated in the year 1976.

The Senate of the Commonwealth of Pennsylvania, by a resolution adopted on January 31, 1967, has memorialized the Federal Bicentennial Committee and the Congress of the United States to select the city of Philadelphia for the observance of this event because the City of Brotherly Love is the birthplace of the Nation and is deep in the history of the Nation.

I ask unanimous consent that the resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION

The year 1976 marks the Bi-Centennial of the United States and the occasion will be noted with a celebration which should be one of the finest ever to be presented within the United States. At the present time a Federal Committee has been formed to plan for the anniversary.

This committee should select the City of Philadelphia as the place to officially observe the occasion since it is the birthplace of the Nation and a city deep in the history of the states. With Independence Hall and the beautiful parks connected therewith, no finer setting could be obtained.

We here in the Senate of the Commonwealth of Pennsylvania feel that no city other than Philadelphia should be considered as the place to mark such an occasion; therefore be it

Resolved, That the Senate memorializes the Federal Bi-Centennial Committee and the Congress of the United States to select the city of brotherly love as the site of the Bi-Centennial celebration of the United States in 1976; and be it further

Resolved, That copies of this resolution be forwarded to the Federal Bi-Centennial Committee, to the two Senators from Pennsylvania and to each member of the House from the Commonwealth.

I certify that the foregoing is a true and correct copy of a Senate Resolution introduced by Senators Thomas P. McCreesh and Stanley G. Stroup and adopted by the Senate of Pennsylvania the thirty-first day of January, one thousand and nine hundred and sixty-seven.

[SEAL] MARK GRUELL, Jr.,
Secretary, Senate of Pennsylvania.

PAUL RAUSHENBUSH, DISTINGUISHED WISCONSINITE, RETIRES

Mr. PROXMIRE. Mr. President, on January 28, one of America's true pioneers retired when Paul Raushenbush, the director of Wisconsin's unemployment compensation program, stepped down after 35 years of service. I am proud to say that this brilliant man engineered the first unemployment compensation law in the Nation. He then went on to head the Wisconsin Industrial Commission's Unemployment Compensation Department.

Fortunately for my State of Wisconsin, Paul Raushenbush's work as an administrator has equaled that pioneer legislative effort. I think Senators can best get a view of his dedicated performance reading an editorial published recently in the Milwaukee Journal. I ask unanimous consent that the editorial, commenting on the Raushenbush retirement, be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Milwaukee Journal, Jan. 30, 1967]

RAUSHENBUSH RETIRES

Wisconsin can have pride, and regret, in Saturday's ceremonies in Madison. They marked the 35th anniversary of the signing of the state's pioneer unemployment compensation law and the official retirement of Paul A. Raushenbush, state director of unemployment compensation.

Raushenbush was one of that band of enlightened individuals—in its ranks John R. Commons and Edwin E. Witte—who helped write one of the most exciting chapters in this state's history. From their labors flowed a wealth of social legislation which has significantly influenced the nation for the last three decades.

Gov. Philip F. La Follette signed the unemployment compensation bill on Jan. 28, 1932. It was the nation's first. Three years later the federal government adopted a national plan patterned after Wisconsin's.

Unemployment compensation has come to be one of the country's principal bulwarks against serious recession—an automatic stabilizer that partially helps maintain incomes when production slips and workers are laid off. More than this, it is an essentially human device that helps maintain dignity and avert suffering.

But for all the theoretical and practical value of unemployment compensation, it has taken honest, efficient, dedicated administrators to make the law work. Paul Raushenbush belongs in this category. Wisconsin and the nation owe him gratitude.

DISCLOSURE OF FINANCIAL ASSETS OF SENATOR SPONG OF VIRGINIA

Mr. SPONG. Mr. President, I ask unanimous consent to place in the RECORD a letter addressed to the Secretary of the Senate, dated today, wherein I certified as true a complete statement of the financial assets of my wife and myself.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FEBRUARY 9, 1967.

The Honorable FRANCIS R. VALEO,
Secretary of the Senate,
Capitol Building,
Washington, D.C.

DEAR MR. SECRETARY: My purpose in writing this is to report to you in your official capacity a statement of the financial status and holdings and liabilities for my wife and myself.

ASSETS	
Cash in checking and savings accounts (after provision for federal income tax for 1966) approximately	$3,000.00
Life insurance policies with the following insurers (currently providing for death benefits totaling $109,500): Minnesota Mutual Life Insurance Co.; National Service Life Insurance Co.; Atlantic Life Insurance Co.; North West Mutual Insurance Co.; Jefferson Standard Insurance Co.; Northwestern National Insurance Co.; Continental Assurance Co.; Federal Employees Group Life Insurance; cash surrender value and accumulated dividends	12,291.85
Stocks as listed on Schedule A	62,538.00
Real estate: consisting of residence at 316 North Street, Portsmouth, Va.; one-fourth interest in 200 acres of unimproved property at Great Bridge, Chesapeake, Va.; one-half interest in service station at Gosport Road, Portsmouth, Va.; less mortgage on Portsmouth residence $11,086.27, and encumbrance on Great Bridge acreage $19,875.00	65,038.73
Tangible personal property in Portsmouth home and rented house in Alexandria, Va	6,000.00
Notes receivable, accounts receivable, and money owed by Cooper, Spong, and Davis as a result of termination of full partnership in law firm	22,481.44
LIABILITIES	
Notes at American National Bank, Portsmouth, Va	7,450.00
Note at Bank of Virginia, Portsmouth, Va	14,500.00
Note at First National Bank of Norfolk, Norfolk, Va	20,000.00

These figures disclose a net worth of approximately $129,400.02.

Upon my appointment to the Senate Committee on Banking and Currency I resigned as a director of American National Bank. Stock which I hold in that bank, and which represents a considerable share of my assets, will be placed in trust during my service as a member of the Banking and Currency Committee. The other corporations in which I hold stock are small real estate corporations owning properties in the cities of Portsmouth, Chesapeake, and Accomac County, Virginia.

It is my intention to also file with your office an annual statement of my income for the years of my service as a member of the United States Senate.

The foregoing, Mr. Secretary, I attest as being a true and accurate statement of the financial holdings and liabilities of my wife and myself.

Yours very truly,

W. B. SPONG, Jr.

SCHEDULE A

[Number of shares]

Stocks:	
American National Bank	2,113
Old Town Corporation	10
Crawford properties	10
Poplar Hill Farm, Inc	21
Cedar Point Country Club	1
Russell Island Corporation	1

NOMINATION OF JAMES F. REYNOLDS TO BE UNDER SECRETARY OF LABOR

Mr. PELL. Mr. President, I was delighted to support the nomination of James F. Reynolds to the post of Under Secretary of Labor when it came before the Senate Committee on Labor and Public Welfare. I have known, liked, and admired Mr. Reynolds for some years and have followed with very real interest his remarkably able work on tough problems. I know what a great help he has been, too, in working out acceptable solutions to some of the problems each of us are concerned with as members of the Committee on Labor and Public Welfare. In this connection, he has assisted me as chairman of the Subcommittee on Railroad Retirement.

From a more personal viewpoint, I have always had the highest regard for him and his family. This appointment will give particular pleasure to his uncle, Judge Jeremiah T. Mahoney, who is also a remarkable and exceedingly able man and an old family friend.

It is with very real joy, then, that I congratulate both the administration on its nomination of Mr. Reynolds to the post of Under Secretary of Labor and to the Senate, which approved the nomination on February 3, 1967. And to Jim Reynolds: Best wishes for a successful tenure of office.

RATIFICATION OF HUMAN RIGHTS CONVENTIONS LIES WELL WITHIN SENATE'S TREATYMAKING AUTHORITY

Mr. PROXMIRE. Mr. President, as I rise today to continue my efforts to win Senate consideration immediately and Senate ratification ultimately of the conventions on forced labor, slavery, political rights of women, and genocide, I feel obliged to respond to some of the sincere opponents of ratification.

The opposition to any international involvement on the part of the United States is usually divided unequally among the vigilant, the vacuous, and the vicious. No response of mine will satisfy the third group—which is, thankfully, greater in decibels than it is in devotees. The second group, also a distinct minority, yearns interminably for an unattainable "Fortress America," safely insulated from all problems and ideas alien to their own definition of "American."

But the first group—the vigilant and sincere—have offered substantive criticisms of these conventions. These people are owed an explanation. I have attempted during my daily statements to answer many of these criticisms and am confident that some doubts and fears about these conventions may have already been allayed.

But a recurring argument against U.S. ratification of the conventions is that they are outside the scope of our treatymaking authority. Of course, the treaty power is expressly delegated to the President and the Senate by article II, section 2, of our Constitution. While the Supreme Court has held (*Geofroy* v. *Riggs* 133 U.S. 258, 267 (1890)) that the treaty power does not authorize what the Constitution forbids, and again, in 1957, that the President and the Senate together cannot nullify constitutional prohibitions (*Reid* v. *Covert* 354 U.S. 1, 17), the treaty power has been interpreted by the Court to extend beyond matters on which the Congress can legislate.

Thus while Congress was powerless to regulate the killing of birds flying between Canada and the United States, this matter could be properly and legally determined by treaty followed by implementing legislation.

With all due respect and deference to the Audubon Society and other kindred souls whose objectives I laud and have supported, can any among us deny the immeasurably greater value of one human life to all the flocks of wild geese aflight?

This is what these conventions deal with—human life, human rights, and human dignity.

I should like to answer the legalistic attacks upon these conventions by quoting from a recent report of the New York State Bar Association's Committee on International Law:

> No provision of any of these Conventions conflicts with express limitations in the Constitution of the United States. In fact, the Conventions express limitations on the United States and the States which are already contained in our Constitution, and particularly in the Bill of Rights.

Mr. President, the legality of these conventions is apparent. Let the Senate see clearly through the smokescreens of obstruction and perceive our obligation to mankind. Let us ratify the human rights conventions on forced labor, genocide, political rights of women, and slavery.

COMMENT ON MESSAGE ON INDIA FOOD

Mr. METCALF. Mr. President, President Johnson's continuation of the war on hunger via the India food message is most welcome. We in Montana have great interest in this program for reasons of philanthropy, service to fellow men, and economic benefits. Many of our citizens, educators, and members of industry have contributed in the past through CARE and other private agencies and through the more well-known public channels of assistance.

Surely all Americans will welcome this increase of interest, resources, and services for the less fortunate in many parts of the world. We must all keep in mind that while India is currently the major recipient of this help, many other countries are also in need.

This program is sound for many good reasons. India, and other nations participating are doing more and more to be of help in solving their own problems. Canada, Australia, and the Soviet Union are helping. Dutch and Italian resources are also contributing. Perhaps most significant of all, the message underscores the role of the World Bank using an India Aid Consortium as the administrative mechanism for integrating broad programs of economic assistance with capital and technical assistance tied in with agricultural development.

Specifically, I believe the message demonstrates that the American people:

First. Have a great deal of sympathy for the hungry peoples of the world in general and a sense of appreciation in particular for what India, for example, has been doing to help itself;

Second. Fully recognize that you cannot wage war on hunger on an ad hoc basis. We here as well as officials in India must be assured of our continuing willingness to help; and,

Third. Recognize that we need to perform a role of international catalyst to stimulate the widest possible national participation in the fight against hunger.

As there is congressional discussion of this massive and important war on one of mankind's greatest enemies, I hope that we will also consider some possible innovative approaches to the problem. Let us do all the President has requested, and more.

For example, last year, by exerting huge efforts, India's ports increased their handling of grain from 500,000 tons per month up to three times that much from May to October. Two thousand freight cars joined thousands of trucks in getting the urgently needed grain to the 128,000 fair-price distribution shops, which in turn reached nearly 121 million people—one-fourth of the population of India.

As we look to the future, perhaps we should consider the cost-benefit of looking to the jumbo jet cargo aircraft now being produced by our industry for more direct shipment of some of the products that are basic to this war. The time may come when we will need this type of gigantic food lift and it may well be a reasonable and effective way to perform this vital mission.

AID AND THE WAR ON HUNGER

Mr. METCALF. Mr. President, the junior Senator from South Dakota [Mr. McGOVERN], who is necessarily absent, has phoned a statement which he wished to make in regard to the President's splendid message on foreign aid. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

AID AND THE WAR ON HUNGER

(Statement by Senator GEORGE MCGOVERN, of South Dakota regarding the President's message on foreign aid)

The President's foreign aid message very wisely identifies agricultural development as the principal need of the world today and a priority of the U.S. foreign assistance program.

Food for the world's growing population is at the heart of the development problem, and in the end, the developing world must solve it. The United States recognizes that the food problem will be long in the solving and is enormously complicated. We recognize that while the United States will do its part, the problem can only be solved if the developing nations themselves get into maximum production.

The strategy of the moment is that America and her partners will continue to fill the food gap while the Agency for International Development, assisted by the Department of Agriculture, our colleges and universities and agricultural groups, is doing all it can, under the highest priority, to help the developing nations create the means to feed their people. That is why I am pleased that in the last year or so AID has increased the things it does to help agriculture by well over a third.

Sometimes, these agricultural aids are obvious, as when money is loaned to buy fertilizer or to build a plant to make it; or when better seeds, hardier cattle, and more nourishing feeds are successfully introduced in an alien climate; or when a new dam not only brings light and power to a farm, but water to its fields.

Yet aid to agriculture is more than that. It is schools to train both farmers and teachers of farmers. It is a road for getting crops to market and bringing things back. It is planting the idea that ten illiterate villagers acting together can do more about their condition than all the governments in the world can do for them. It is availability of simple credit, or a knowledge of prices and marketing, or reformed landholding practices. Finally, it is the careful relating of each factor to the others by skillful managers and administrators.

It is not an easy job, but the approach is right. It is these things and the projects necessary to help bring them about that are contemplated in proposals the President is making. He has asked that we wage war on hunger. I regard the war on hunger as the most important war of our time. I hope that Congress will support this by giving its endorsement to the foreign aid program.

IMPORTATION OF FOREIGN-PRODUCED DAIRY PRODUCTS

Mr. CARLSON. Mr. President, on January 24, I joined the Senator from Wisconsin [Mr. PROXMIRE] and 38 other Senators in introducing a bill (S. 612) which provides for an effective means of preventing the bypassing of the quotas established for the importation of foreign-produced dairy products.

For the past few years, imports of dairy products have been increasing at such an alarming rate that the American dairy farmer has been badly hurt. By tricks and by producing new products which do not come under quotas importers are sending in millions of pounds of dairy products which are displacing markets needed by American dairy farmers.

The U.S. Department of Agriculture estimates that more than 3½ million pounds of milk equivalent will be sent into this country during 1967.

A bill has been introduced, the "Dairy Import Act of 1967," which would give protection to the dairy farmer, and at the same time let our friends overseas share in our markets. Under this act, foreign countries would have quotas based on 1961–65 averages. The legislation would use the annual average quantities of butterfat and nonfat milk solids imported during 1961–65 as a base for setting quotas. Also, foreign countries would share in the growth of our markets in the same proportion as our own farmers. So this is a fair bill. It does not stop the importation of dairy products, but it does provide needed quotas.

Such a bill would establish definite levels of imports, which would be known to our own farmers as well as foreign countries, and would allow both to plan production for coming years. It is not fair to our dairy farm industry to set up a quota system which does not work. That is why the bill is needed—to put an end to the evasion of quotas which are causing prices paid to dairy farmers to fall below parity.

The evasion of quotas interferes with the dairy price support program and keeps prices from reaching parity.

The bill provides for domestic market expansion and also would permit the President to authorize additional imports in the national interest.

The bill is being sponsored by 40 Senators from all parts of the country. It is a bill which will be supported by nearly every dairy farmer in this country. I would be much surprised if I received even one letter from a dairy farmer opposing the bill.

I feel that passage of the bill is important if we are to protect the interests of our dairy farmers. I know that it has the support of the dairy farm industry, and I, along with the industry, consider it the most important legislation affecting the dairy farmer which has been introduced in Congress in the past 20 years.

THE FIFTH ANNUAL SENATE YOUTH PROGRAM

Mr. CANNON. Mr. President, today I wish to salute 102 fine young Americans with whom the U.S. Senate became acquainted when they came to Washington as guests of the Senate and the William Randolph Hearst Foundation in the final week of January.

Certainly those adults who may occasionally have misgivings with regard to the youth of today found reason last month to take heart after meeting with or learning of the caliber of the young people who participated in the fifth annual Senate youth program. The future of this Nation seems assured when one assumes that the students who were the guests of this body at that time are only a small proportion of young Americans everywhere with similar qualifications and interests.

During their week in Washington the visitors followed daily regimes which contributed vastly to their firsthand information on the operations of their country's governmental machinery. In addition to their day in Senate offices, during which they heard an address by Vice President HUBERT H. HUMPHREY, they were treated to a mock session in the House of Representatives by "Fishbait" Miller, were briefed by the Departments of State, Defense, and Justice and were greeted by such notables as Speaker of the House JOHN MCCORMACK, Acting Attorney General Ramsey Clark, Under Secretary of State Nicholas Katzenbach, Ambassador at Large Averell Harriman, Air Force Chief of Staff Gen. J. P. McConnell, and FBI Director J. Edgar Hoover. The week was climaxed by an interview at the White House with President Lyndon Johnson, the most memorable of many thrills.

Senators who accepted invitations to address the group will attest to the fact that their knowledge of world affairs and national problems was rather startling when one considers that they are yet teenagers. It should be a source of renewed inspiration to us who have perhaps been too long too close to such matters.

Our thanks to those who assisted with arrangements for the visit, particularly to Mr. and Mrs. George Hearst, Sr., who are never far away from their charges during that week and who serve as hosts for the visit. I commend also Mr. Ira Walsh who is director of the program and who, 5 years ago, conceived it; Lt. Col. Edward Ellis and Maj. Robert Keener of the Department of Defense Public Affairs Office for their efforts in connection with obtaining escort officers, arranging for participation of various elements of military musical groups and a Defense Department briefing; and Mr. Stephen King, briefing arrangements officer of the Department of State, who, for the third consecutive year, set up a fascinating morning session in the State Department auditorium. I would also like to say a word for the young men and women of the armed services who were assigned by the Department of Defense to escort the students and oversee their welfare at all times. The names of the officers from the four branches of the services are attached for inclusion in the RECORD, as are the names of the participating students.

This year I was serving as cochairman with the Senator from Hawaii [Mr. FONG]; for me it was the third such privilege. I congratulate the young people of the Senate youth program on their enthusiasm, knowledge, and eagerness to serve; I hope the Senate and my colleagues will continue to welcome them in ensuing years; I commend the Hearst Foundation for making the program available to the students and to us here in the Senate of the United States.

I ask unanimous consent that the lists of participating students and the Department of Defense escort officers be printed in the RECORD.

There being no objection, the lists were ordered to be printed in the RECORD, as follows:

FIFTH ANNUAL YOUTH PROGRAM—DEPARTMENT OF DEFENSE ESCORT OFFICERS

ARMY

Cpt. Joseph P. McLaughlin Jr. (OIC), Headquarters, 1st Bn, 3d Inf (The Old Guard), Fort Myer, Virginia 22211.

Cpt. Charles L. Littan, Headquarters, 1st Bn, 3d Inf (The Old Guard), Fort Myer, Virginia 22211.

1st Lt. Allen E. Davis, Headquarters, Fort Myer, Fort Myer, Virginia 22211.

1st Lt. Michael D. Medlock, Headquarters, Fort Myer, Fort Myer, Virginia 22211.

2d Lt. Diane Obloy, 528th MI Co, Fort Meade, Maryland.

2d Lt. Timothy Anderson, Headquarters, Fort L.J. McNair, Fort L.J. McNair, Washington, D.C.

2d Lt. Marcia E. Thompson, P&A Division, Officer of the Secretary, US Army Engineer School, Fort Belvoir, Virginia 22060.

NAVY

Lt. Paul R. Sundstrom, US Naval Station, Bldg No. 153, Washington, D.C.

Lt. (junior grade) Edward J. Shields, US Naval Air Facility, Washington, D.C. 20390.

Lt. (jg) Gerald J. Doherty, Naval Security Station, 3801 Nebraska Avenue N.W., Washington, D.C.

Ens. William M. Hall, NAVCOSSACT, Bldg #196, Washington Navy Yard, Washington, D.C.

Ens. Auzanne I. McElroy, ACNO General General Planning and Programming, Room 40710, Pentagon, Washington, D.C.

MARINE CORPS

1st Lt. Lawrence J. Ball, MTCo, Service Bn, Marine Corps Schools, Quantico, Virginia 22134.

1st Lt. Timothy P. Swartz, Headquarters Battalion, Headquarters, Marine Corps, Arlington, Virginia 22134.

1st Lt. Henry W. Buse III, H&S Co, TBS, Marine Corps Schools, Quantico, Virginia.

1st Lt. J. A. Straley, H&S Co, SDT, Marine Corps Schools, Quantico, Virginia.

1st Lt. Sara J. Pritchett, Headquarters Marine Corps, Washington, D.C. 20380.

1st Lt. Elsie M. Johnson (Asst OIC), Education Officer, Hq Bn, Henderson Hall, HQ MC, Arlington, Virginia 22134.

AIR FORCE

1st Lt. Carole M. Pyles, DPF, Central Base Fund, 1001st Air Base Wing, Andrews Air Force Base, Washington, D.C. 20331.

2d Lt. Karen Miller, 1100th Air Base Wing, Office of Information, Bolling AFB, Washington, D.C.

2d Lt. Frank Kruschinsky, 1001st ABW, Andrews AFB, Washington, D.C. 20331.

2d Lt. William T. Wyant, USAF Hospital, Andrews AFB, Washington, D.C. 20331.

2d Lt. Marshall K. Dobry, 1100th Civil Engineering Squadron, Bolling AFB, Washington, D.C. 20332.

2d Lt. Alfred G. Hanney, 1100th Civil Engineering Squadron, Bolling AFB, Washington, D.C. 20332.

NAMES OF STUDENTS PARTICIPATING IN THE FIFTH ANNUAL SENATE YOUTH PROGRAM

Alabama, B. Davis Hayes, Northport, and Charles Edgar Allen, Cuba.

Alaska, Jerome Davis of Ft. Wainwright, and Dorothy A. Hall of Craig.

Arizona, Jennie Tom of Tucson and Marvin L. Colvin of Glendale.

Arkansas, Troy R. Fulfer of Greenbrier, and Charles E. Jackson Jr., of Monticello.

California, Jonathan G. Briskin of Palo Alto, and Cathleen L. Cooper of Lemoore.

Colorado, Judy Ann Bryant of Loveland, and Gary E. Dungan of Salida.

Connecticut, Grace Anna Gaskins of Bloomfield, and Walter K. Earle of Wilton.

Delaware, Christopher H. Little of Wilmington and Mark Henry Jones of Seaford.

District of Columbia, Bernice Ann Fletcher and Clarence F. Stanback Jr.

Florida, Aubrey O. Dicus Jr. of Tampa, and James D. Hess of Satellite Beach.

Georgia, Mary Kathryn Zachary of Macon and Jay Fahn of Atlanta.

Hawaii, A. Scott Leithead of Hilo and Jo Ann Yukimura of Lihue, Kauai.

Idaho, John J. Streiff of Lewiston and Gregory C. Hill of Pocatello.

Illinois, Peter M. Bateman of LaGrange and Dale M. Stein of Lincolnwood.

Indiana, Whitney T. Shiner of New Albany and Daniel M. Satinsky of Indianapolis.

Iowa, Michael Edgerton of Manning and Peter Michael Solar of Cedar Rapids.

Kansas, Mary Elizabeth Hudson of Hutchinson and Robert Van Elliott of Osborne.

Kentucky, Ronald James Corn of Ashland, and William Duane Snider of Hopkinsville.

Louisiana, Edwin Staman Ogilvie of Shreveport and Alan B. Richards of Baton Rouge.

Maine, William B. Hopkins of Rockland and Linda Benzie of Orono.

Maryland, Dale Stephen Elliott of Maugansville and Douglas W. Kreshover of Bethesda.

Massachusetts, Ronald P. Sudiuko of New Andover and Bette A. Flumere of Framingham.

Michigan, David J. Carlyon of Bay City and Darry W. Dusbiber of Plymouth.

Minnesota, Charles W. Skrief of International Falls, and Stephen Mark Larson of Hopkins.

Mississippi, H. Crawford Rhaley of Jackson and Samuel T. Lloyd III of Canton.

Missouri, Patrick L. Pinnell of Columbia and Robert R. Broyles of Springfield.

Montana, Rachel Ann Vielleux of Fort Benton and Joseph Alan Savage of Kalispell.

Nebraska, Leon G. Rosenthal of Beatrice and Suzanne Schwartzkopf of Lincoln.

Nevada, Monte N. Stewart of Las Vegas, and Thomas C. Reiley of Reno.

New Hampshire, Kathleen D. Mills of Groveton, and William C. Barrett of Keene.

New Jersey, Mark T. Gaterud of Flemington and Susan L. Stout of East Brunswick.

New Mexico, Jon F. Kottke of Farmington and Nancy D. Breen of Tucumcari.

New York, Judith E. Gruber of New York City and Henry J. Sommer of Schenectady.

North Carolina, Paul Jay Saenger of Asheville, and Jacob Franklin Alexander of Salisbury.

North Dakota, Donald J. Ganyo of Grafton and Robert R. Kempf of Bismarck.

Ohio, Keith A. Davis of Shaker Heights and Charles R. Williams of Dayton.

Oklahoma, Larry G. Shirts, of Enid and Helena L. Baranoff of Tulsa.

Oregon, Clarene Esther Shelley of Springfield, and Willard Monroe Walch, Jr. of Eagle Point.

Pennsylvania, Andrew A. Bucke of Waynesboro and George E. Chalmers of Meadowbrook.

Rhode Island, Robert M. Entman of Providence and Douglas B. Pickard of East Greenwich.

South Carolina, Ernest D. B. Pittman of Columbia, and M. Brannon Sell of North Augusta.

South Dakota, Dale R. Sorenson of Mitchell, and Joyce Ann Goodwin of Ashton.

Tennessee, Robert I. Shapiro of Chattanooga, and Barbara Ann Dortch of Memphis.

Texas, Gay Carol Robinson of Dallas, and Robert Michael Mann of Austin.

Utah, Donald C. Hughes Jr. of Ogden, and Lawrence J. Jensen of Salt Lake City.

Vermont, Joan T. Burke of Rutland, and Alan K. Long of South Burlington.

Virginia, Nancy Rivers Adams of Roanoke, and Steven Wyck Shrader of Winchester.

Washington, Franklin D. Raines of Seattle, and Starr M. Tavenner of Seattle.

West Virginia, Betsy Shaffer Gilmore of Vienna, and Miles C. Cary III of Cedar Grove.

Wisconsin, Robert A. Brokl of Pewaukee, and Richard W. Lyons of Holcombe.

Wyoming, Kathleen M. Doyle of Casper, and Chris Richardson Redburn of Sheridan.

Participating student reporters

Roger Wilmot Smith of San Bernardino, California.

Stephen D. Tanzer of Arlington, Virginia.

SENATOR MILTON R. YOUNG, OF NORTH DAKOTA

Mr. ALLOTT. Mr. President, I was unable to be on the floor of the Senate on January 25, when the senior Senator from Kansas [Mr. CARLSON] spoke so favorably of our colleague, Senator MILTON YOUNG, and placed in the RECORD North Dakota House Concurrent Resolution G, commending Senator YOUNG for his outstanding and dedicated service to his own State and to the Nation. I wish I had been here to associate myself with the remarks of Senator CARLSON, and I do so now. A part of the North Dakota Legislative Assembly resolution reads as follows:

> Whereas with each succeeding year, Milton Young by his physical stamina, conscientious regard for the well-being of his State and Nation and their citizens, has expanded in stature and respect, by all with whom he represents and associates.

Mr. President, it has been my privilege and pleasure to serve with Senator YOUNG since 1959 on the Committee on Appropriations. I can categorically state that the senior Senator from North Dakota is one of the most conscientious and hardworking members of this great committee, and that he does indeed have the great physical stamina and interest cited in the resolution. We Republican members of the committee now look to Senator YOUNG for leadership on the committee and in the Senate as we undertake the monumental task of considering the President's proposed budget for the next fiscal year.

ROGER BROEKER, OF EDISON, NEBR., A ONE-MAN PEACE CORPS

Mr. CURTIS. Mr. President, I invite the attention of the Senate to the work of a U.S. soldier during his spare time while on Army duty in Ethiopia, Africa. This young man, Roger Broeker, of Edison, Nebr., was active in the Future Farmers of America and in 4–H Club work in Nebraska before entering the service. During his off-duty hours while serving with the Army in Ethiopia, Roger helped an orphanage to provide an education and livelihood for 44 boys. His part drew strongly on his farm background and his knowledge of agriculture.

Farmers in the western Nebraska area where Roger lives donated corn and milo seed which his father sent to him. Working with Ethiopian agricultural advisers, he planted the seed in the Keren area. The corn had a good yield. More importantly, Roger performed a humanitarian service in the highest interests of the United States and its relations with foreign peoples.

This young man was not a member of the Peace Corps, but was a one-man Peace Corps, working on a voluntary basis in his spare time while stationed overseas with the Army. He has now returned to Nebraska and is giving talks and showing slides of his experiences. I want to pay tribute to him before the

Senate today and ask unanimous consent to have printed in the Record an article about him which was published in the Arapahoe, Nebr., Public Mirror on February 2.

There being no objection, the article was ordered to be printed in the Record, as follows:

Seed Furnished by Edison Soldier Makes Improvement in Ethiopian Corn

Roger Broeker, after 18 months U.S. Army duty in Ethiopia, Africa, is enjoying a 45-day leave with his parents, Mr. and Mrs. Oral Broeker of Edison. With some interesting experiences outside of army duty, Roger has been busy presenting a number of programs, illustrated from the thousands of slides that he took while there. He is to furnish the program for the Arapahoe Rotary meeting tonight.

An Oxford high school graduate in 1963, Roger was an FFA member and spent a number of years in 4–H work. This led to his interest in helping the farmers of the area where he was stationed on his off-duty hours. Roger also helped with the Lambda Orphanage where 44 boys are getting an education and have beds to sleep in.

This volunteer work among the people of the country is encouraged by the United States government as promoting better relations and Roger has been commended for a citation for his work.

Roger was sent to Keren, Eritrea, Ethiopia, on July 15 and was stationed with a Headquarters and Headquarters Company at a communications station at an elevation of 7600 feet. Eritrea, a former Italian colony, is now a part of Ethiopia and is a mountainous section bordering the Red Sea. The small walled-off patches in the accompanying picture are about all the natives can secure for growing crops and Roger felt that even so, improved seed would increase their returns.

Farmers of this area donated corn and milo seed which Roger's father sent to him and which, working with Ethiopian agricultural advisors, he planted in the Keren area.

The crops were planted the first part of July and harvested in October. The corn had a good yield with the ears approximately 4 to 5 times larger than the native corn, also shown in an accompanying picture. The plants were about 12 to 15 inches apart, part being planted in rows and part broadcast in the native method. The milo was handled in the same method, only the seeds were planted at intervals of approximately 6 to 8 inches.

One deterrent to harvesting a full yield was the fondness of the natives for green corn as roasting ears.

Roger's picture collection includes many others including a brief snap of "The Little Man", Haile Selassie, Emperor of Ethiopia, who will be 75 this year and who has ruled since 1930. Many liberal innovations has been in the government since his rule.

His slides include those of beautiful, modernistic churches. Christianity is the predominant religion of the country, the Coptic faith having been embraced by Ethiopia in 330 A.D. Roger's reply, in regard to his religion, that he was a "Protestant" meant nothing to the Ethiopian people. However, his parents sent him a cross at his request and which proved a most satisfactory symbol to them.

One of Roger's remarks in his talks, in reference to the scenes in his slides, "It isn't what my visions of Africa were when I left but I now feel I've seen how other people in the world live who aren't as fortunate as we are."

WILLIAM PRESTON LANE

Mr. TYDINGS. Mr. President, Tuesday of this week marked the passing of William Preston Lane, Jr., Governor of Maryland from 1947 to 1951. William Preston Lane was a giant in my State of Maryland, and a model of courage for all men in public life in America.

During his 74 years, Governor Lane achieved success in business, the law, newspaper publishing, and the Army. Even at his death he was serving Maryland well as honorary chairman and working member of the Constitutional Convention Commission, which is preparing for the revision of Maryland's 100-year-old constitution.

Courage was the hallmark of William Preston Lane. He earned the Silver Star for gallantry during the Meuse-Argonne offensive in 1918.

Against the advice of seasoned politicians and despite public threats, as attorney general of Maryland, he endured being stoned and jeered by angry crowds to hunt the lynchers who had murdered two men on Maryland's Eastern Shore.

In 1947, upon his election as Governor, Lane fought for and secured the passage of a highly unpopular State sales tax in order to pull the State back from financial chaos. Despite warnings that he was committing political suicide, he pushed through a program, based on the new tax base, containing more reforms than Maryland had seen in decades. As his reward, some still-angry citizens hurled pennies at him and his family during his campaign for reelection, and he was swept from office by the greatest majority in Maryland history.

William Preston Lane was a great Governor of Maryland. Now he is so recognized throughout our State. He strove vigorously for the right as he saw it, despite personal risk and against the transient angers of public opinion.

William Preston Lane was the kind of man of whom Theodore Roosevelt said:

> It is not the critic who counts, not the man who points out how the strong men stumbled or where the doer of deeds could have done them better.
>
> The credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood: who strives valiantly, who errs and comes up short again, who knows the great enthusiasms, the great devotions, and spends himself in a worthy cause, who at the best knows in the end the triumphs of high achievement, and who at the worst, if he fails, at least fails while daring greatly, so that his place shall never be with those cold and timid souls who know neither defeat nor victory.

Maryland and the Nation will miss William Preston Lane.

Mr. President, I ask unanimous consent that three articles and editorials about Governor Lane, published in the Baltimore Sun and New York Times of February 8, be printed in the Record.

There being no objection, the articles and editorials were ordered to be printed in the Record, as follows:

[From the New York Times, Feb. 8, 1967]

William Preston Lane, Jr., Dies: Former Governor of Maryland—Democrat Introduced State's First Sales Tax During 1946–50 Term of Office

Hagerstown, Md., Feb. 8.—Former Gov. William Preston Lane Jr., a prominent Democratic leader, died at his home here yesterday. He was 74 years old.

Mr. Lane served as Governor from 1946 to 1950, and introduced the first sales tax, which proved a fiscal success.

He did not seek public office after his defeat in 1950 but remained active in the affairs of the Democratic party on the state and national levels.

Mr. Lane, who was chairman of the board of the Herald-Mail Company, newspaper publishers in Hagerstown, was a director of several large companies.

OUTSPOKEN POLITICIAN

Mr. Lane was a direct descendant of the earliest settlers of Washington County, Md., and of the Maddox, Claggett and other pioneer families of southern Maryland. One of his ancestors was a proprietary governor of Maryland.

Mr. Lane received a Bachelor of Laws degree from the University of Virginia Law School and was a member of Phi Beta Kappa.

He saw action on the Mexican border in 1916, and as a captain fought in the Meuse-Argonne offensive in France, where he won the Silver Star. He returned to law practice after the end of the war and in 1922 became president of the Herald-Mail Company, publishers of Hagerstown's two daily newspapers, The Morning Herald and the Evening Mail.

Mr. Lane first held public office in 1928 when he was elected to the Board of Education of Washington County.

It was generally believed that Gov. Albert C. Ritchie, a liberal, became Mr. Lane's mentor. In 1930 Mr. Lane became attorney general, serving through Mr. Ritchie's fourth term and winning a reputation for outspokenness and courage.

His advice to political candidates was: "Don't put your mouth in high gear unless your brains are turning over."

In October. 1933, when Mr. Lane sought to prosecute nine men accused of the burning of a Negro, he was the object of a lynching attempt. Testifying before the Senate Judiciary Committee, Mr. Lane urged Federal legislation as the only means of putting an end to such occurrences.

In 1944, Mr. Lane managed President Franklin D. Roosevelt's campaign in Maryland. He was elected Governor and sworn in Jan. 3, 1947, after a complicated race in which he emerged an easy winner.

As Governor, Mr. Lane secured the adoption of a sales tax over considerable opposition, which faded when the first year's receipts in 1949 made it possible to cancel an increase in the state income tax.

In March 1949, Mr. Lane signed into law a bill outlawing all subversive organizations in Maryland. This law was considered one of the strongest anti-Communist laws enacted in any state.

The Governor was a strong supporter of President Harry S. Truman for the Presidential nomination. At the Philadelphia convention he himself was considered a dark horse for the Vice-Presidential nomination, which went to Alben W. Barkley.

Mr. Lane served on many federal and state commissions, including the National Governors' Conference, of which he was chairman.

He is survived by his widow, the former Dorothy Byron; two daughters, Mrs. Worthington Campbell Jr. of Nice, France, where her husband is the Episcopalian minister, and Mrs. S. Scott Goddard of New York, and by three grandchildren.

[From the Baltimore (Md.) Evening Sun, Feb. 8, 1967]

William Preston Lane

When William Preston Lane was awarded the Silver Star for gallantry in the Meuse-Argonne offensive in World War I, more than a decade before he became Maryland's attorney general and nearly thirty years before he was elected governor, the citation commended his "courage, coolness and marked devotion to duty." Those were exactly the qualities which in a high degree distinguished the career of Lane the public servant and chief executive of the State as they had the action of Captain Lane the soldier.

In his political life Mr. Lane was a link between the Maryland of Gov. Albert C. Ritchie and the altogether different problems of the post-World War II period. It was under Ritchie that he served from 1930–1934 as the State's highest legal officer. And it was Mr. Lane as governor who wrestled with the large and urgent needs that had accumulated during the years when the energies and wealth of the states and localities, like those of the nation, had been chiefly absorbed by the great conflict. Though different in size some of the needs were remarkably like those that preoccupy us now. There were, for example, the questions of devising means of State aid for local governments, and of providing State assistance for the school system with particular reference to teachers' salaries, to the raising of standards and to the renewal of plant and facilities. In addition it was clear that the State's hospitals, especially in the case of the mental and tubercular institutions, required extensive improvement, and it was equally plain that a new beginning had to be made on Maryland's road system, on its renovation and modernization, on better maintenance and new construction.

Governor Lane confronted these tasks with characteristic courage, with realism and with determination. He recognized that the necessary work could not be done without new revenue and that Maryland, heading into an era of rising costs, had to find more money if it was to progress. Realizing this he struggled for and got the sales tax. He knew full well that politically it was a dangerously unpopular expedient, but since he also knew it was a sound program he never hesitated. He fought the fight for it and by winning the fight set the State on a fiscal course which kept it steady up to the present time.

With the same sure vision and tenacity of purpose he initiated reforms in education, undertook what seemed in their day to be notably ambitious roadbuilding plans, and drove to completion the long-discussed scheme for the construction of a great bay bridge. Indeed, it was Mr. Lane who with the same coolness of mind he had shown on the battlefield, shaped the future of Maryland in much of the pattern we know today. A great deal that citizens now take for granted, a great part of the foundation on which we now build was his work. Although he failed of reelection in 1950, chiefly because the effects of his long range vision were obscured by small-minded exploitation of the sales tax, his achievements remained to testify to his statesmanlike administration.

Maryland will remember William Preston Lane as one of its ablest leaders and honor him for the foresight, political valor and "marked devotion to duty" by which its people richly benefited.

[From the Baltimore (Md.) Sun, Feb. 8, 1967]

EX-GOVERNOR LANE DIES OF HEART ATTACK—ACTIVE EXECUTIVE, 74, FOUND SLUMPED OVER PHONE IN HOME

William Preston Lane, Jr., Governor of Maryland from 1947 to 1951, died at his home in Hagerstown yesterday. He was 74.

Mr. Lane, whose championing of unpopular issues brought him both success and failure in politics, gave Maryland the sales tax and the Chesapeake Bay Bridge in his historic term of office.

The former Governor, who was still active in government and business, was found slumped over his telephone, the victim of a heart attack.

MAN OF GREAT VIGOR

A man of tremendous vigor and enterprise, he was successful in business, the law, newspaper publishing and the Army.

At an age when most men are forced into retirement, Mr. Lane was serving actively as honorary chairman and a working member of the Constitutional Convention Commission, charged with remolding the 100-year old Maryland Constitution.

Last fall, as a member of the board of the Fairchild Hiller Corporation, whose aircraft missiles division is in Hagerstown, he worked to complete a merger of that firm with Republic Aviation.

Mr. Lane's political bravery in the face of opposition is viewed as a standard in Maryland politics. But it was this same bravery that was used by his opponents to work his political undoing.

AFTER 4 YEARS OF PIONEERING

Mr. Lane's defeat in 1950 by a Republican, Theodore R. McKeldin, was the only possible outcome of four years of Lane pioneering in State government.

In his first Legislature, the Governor brushed aside dire warnings that he was committing political suicide and personally rammed through a program studded with more reforms than Maryland had seen in 20 years.

The Bay Bridge, a dream which had teased but baffled the best brains in Maryland since 1907, was to become a reality. In addition, $100,000,000 was provided for new highways; the State school system was boosted from among the worst in the country to among the best, and the Sherbow Plan for a drastic reshuffling of State finances was adopted.

LAUDED BY M'KELDIN

Beneath it all, the hotly controversial sales tax established a firm financial base.

Yesterday, Mayor McKeldin, who rode to Annapolis on the discontent over the sales tax, called Mr. Lane "one of Maryland's greatest Governors."

"As the Governor who succeeded him, I was the beneficiary of the efficient State governmental structure he founded and of the sales tax he so wisely initiated.

"And yet, for him to advocate such a tax was in many ways political suicide. However, he saw this tax not for what it meant to his future, but what it meant to the future of the State he governed."

COURAGE SHOWN EARLY

The political daring of his administrative program could not have surprised those familiar with an earlier, more sensational display of Lane determination.

Maryland was aflame in the early Thirties over two brutal lynchings on the Eastern Shore. The late Gov. Albert C. Ritchie demanded that the lynchers be brought to justice and ordered his young attorney general, Mr. Lane, to hunt them down.

Shoremen rumbled threats of violent retaliation against any invader from Annapolis. Shore politicians earnestly warned the attorney general he could forget any hope of political future if he crossed the bay.

HE CROSSED THE BAY

Mr. Lane listened to them all, then said sternly:

"I detest and abhor intolerance and bigotry."

He crossed the bay—twice—in the teeth of the furor. He scoured the Shore vainly for the lynchers as angry residents stoned the State car and howled insults at its occupant. It was the same man who, in 1947, stood firm before the tremulous Legislature and demanded that it pass the sales tax.

Governor Lane's keenest political advisers assured him at the end of his first historic Legislature in 1947 that political passions would fade and the Lane program would sell itself to the people. They told him he didn't have a thing to worry about. Characteristically, he thought the same thing. He was wrong.

Four years later, a repudiated, bitterly disillusioned Governor took the rostrum of the House of Delegates to say good-by to a joint session of the 1951 General Assembly. It had been a hard four years.

He had had pennies—the harsh "Pennies for Lane" campaign—literally hurled in his face in a popular revolt against the sales tax. Worse yet, pennies had been thrown at Mrs. Lane and their two young daughters, Dorothy and Jean.

He had endured charges of mishandling the Bay Bridge contracts. Violent lobby battles over Maryland race tracks had cost him friends on all sides. Hard-bitten politicians in Baltimore had taken his patronage, damaged his prestige and, in the end, betrayed him.

To top it all, he stood before the assembled legislators a Governor beaten by the biggest majority in Maryland history.

Some who witnessed Mr. Lane's last appearance as Governor that day feared that emotion would not permit him to get through the final words of his prepared address:

"I leave the office with the inner satisfaction of knowing that, to the limit of my ability, I endeavored honestly to discharge my duties to the people of Maryland exclusively in their interests, as I saw them."

He stepped off the Speaker's stand, tears in his eyes, and strode firmly up the main House corridor into political oblivion.

The former Governor was born May 12, 1892, in his family's home at 217 South Prospect street, on a hill overlooking the business section of Hagerstown. His father was William Preston Lane, a Hagerstown banker, and his mother, the former Virginia Lee Cartright, of Charles county.

Mr. Lane, Sr., was a Princeton graduate and the scion of a family prominent in Western Maryland since 1775. He had one daughter and five sons.

FOOTBALL CAPTAIN

Preston, Jr., became football captain at the Hagerstown High School and went on to the University of Virginia, where he led his law class and was president and football manager of the Class of 1915. He also led the law class at the University of Maryland when he returned to the State to familiarize himself with Maryland law.

Barely had the young lawyer begun practice in Hagerstown with an uncle, Henry H. Keedy, Jr., when his National Guard regiment, which his father had commanded in the Spanish-American War, was called out for duty in 1916 on the Mexican border. The next year, the old 1st Maryland Regiment was incorporated in the 29th Division and, with Captain Lane, went to France in June, 1918.

RAN FOR ATTORNEY'S OFFICE

The governor-to-be fought with his infantry outfit both in the Alsace and in the famed Meuse-Argonne offensive, winning a Silver Star for gallantry. He returned to the United States a major and with an interest in military affairs which remained with him the rest of his life.

Politics caught up with him immediately and he ran for State's attorney of Washington county on the 1919 Democratic ticket, losing by 465 votes. Though defeated in the election, Mr. Lane won the favor of the powerful Governor Ritchie and, with his help, became in later years the leader of an influential combine.

In addition to himself, this included two fellow officers of the 29th Division, William C. Walsh, in Allegany county, and E. Brooke Lee, in Montgomery county. This trio of former officers added David C. Winebrenner 3d, from Frederick county, and became known as "Western Maryland Tammany."

Meanwhile, in 1922, Mr. Lane married Miss Dorothy Byron, whose family held large interests in Washington County. They had two daughters, both of whom also survive the governor: Dorothy Byron, now Mrs. Worthington Campbell, of Nice, France, and Jean Cartwright, now Mrs. S. Scott Goddard, Jr., of Greenwich, Conn.

At the death of Mrs. Lane's father, Lewis T. Byron, Mr. Lane assumed management of the diversified Byron enterprises, ranging from newspapers to the manufacture of shoes.

MANAGES BUSINESSES

Mr. Lane managed the Hagerstown Shoe and Legging Company, the base of the Byron fortune, and the two principal Hagerstown newspapers, the Democratic *Daily Mail* and the Republican *Morning Herald*, both published by the same firm.

That firm was sold five years ago, but Mr. Lane remained as chairman of the board of the company.

Still another activity which attracted his interest during these years was banking. He became executive chairman of the Hagerstown Trust Company, one of the leading financial institutions of Western Maryland. He had also become a partner in the law firm of Keedy & Lane and, upon the death of Mr. Keedy, was senior partner.

At the time of his election as governor, the Lane law partners were E. Stuart Bushong and David W. Bryon, a cousin of Mrs. Lane. The firm enjoyed a prosperous practice, particularly in railroad accounts. As governor, Mr. Lane withdrew from all his outside interests.

A POLITICAL OPPORTUNITY

The year 1930 brought Mr. Lane's first break into politics on a State-wide scale.

His long friendship with Governor Ritchie and the prestige he had built up as a member of the Western Maryland bloc of Democratic leaders paid off in his being placed on the Ritchie ticket for attorney general.

Though only 38 at the time, Mr. Lane won by a record majority after only three weeks of campaigning.

It was during this time in the attorney general's office that he had his experience with the militant Eastern Shoremen, an experience which left the Shore cool to him whenever he sought State-wide office thereafter.

By 1934 Mr. Lane was unwilling to go on for another term and voluntarily kept his name out of consideration.

MEETS ROOSEVELT, TRUMAN

He actively kept up his political interests, however, and was named the Democratic national committeeman for Maryland in 1940, a post he held until 1950.

This brought him into contact with Franklin D. Roosevelt and, later, with Harry S. Truman.

For President Roosevelt, he successfully managed the 1944 fourth-term campaign in Maryland, despite considerable doubt about F.D.R. beginning to spring up among State party leaders. Mr. Lane also staved off for President Truman in 1948 any serious Dixiecrat revolt in the State.

In return, he was offered the national chairmanship of the Truman campaign finance committee. He was also under active consideration for the vice presidential spot when President Truman was nominated for a second term at Philadelphia. He turned down both opportunities.

It became clear during 1945 that Gov. Herbert R. O'Conor was going to stop with two terms in Annapolis and strike for the United States Senate in the 1946 elections. This development sent party leaders casting about for a gubernatorial candidate.

Howard Bruce, long an elder Democratic statesman, was promoting Representative H. Street Baldwin, the most powerful party figure in Baltimore county; William Curran, the Baltimore city boss, had picked an Eastern Shoreman, State Comptroller J. Millard Tawes.

There was a murmur from Western Maryland in favor of Mr. Lane.

Neither the Bruce-Baldwin camp nor the Tawes-Curranites would back down for the other candidate so a hammer-and-tongs campaign began, quickly establishing Mr. Baldwin and Mr. Tawes as front runners for the nomination.

COMES TO BALTIMORE

Mr. Lane quietly consolidated himself with the old Western Maryland combine and, thus armed, came to Baltimore to look for some city friends.

By luck, he began the political rounds at a time when the once-powerful Curran machine was beginning to creak from lack of close attention by its leader.

Robert B. Ennis, a seasoned city politician, skillfully guided the Western Marylander to the doors of a series of neighborhood bosslets ready to throw off the Curran yoke.

They liked his quiet manner, even better, liked the sturdy bloc he already commanded in Western Maryland. They agreed to support him.

APPEAL TO INDEPENDENTS

It wasn't long before the Lane campaign began to overtake its faster-starting rivals. Mr. Lane's appeal was particularly effective with independent voters to whom the Curran machinery on one hand and the hard-shelled conservatism of Messrs. Bruce and Baldwin on the other presented a rather dim choice. Several internal explosions rocked the Baldwin promoters and Mr. Baldwin all but abandoned the race toward the end.

When the votes were counted, Mr. Lane had won the nomination by virtue of a handsome victory in five of the six Baltimore city districts coupled with sturdy Lane returns from his Western Maryland homeland.

He had 78 units votes to 49 for Mr. Tawes and 25 for Mr. Baldwin. The ensuing general elections in the fall of 1946 carried him into office with 268,084 popular votes to 221,752 for the GOP nominee, Mayor McKeldin, of Baltimore.

It was this success by Mr. Lane in coming from behind to win in 1946 which made the 1950 defeat so dramatic. The leaders who supported him for the earlier campaign were intact, with a few exceptions, four years later.

George P. Mahoney, then a virtual political unknown, scraped together a miscellaneous group of politicians and, by dint of furious campaigning, actually outdistanced Governor Lane by 17,582 votes in the popular count.

Mr. Lane managed to amass 84 units votes to Mr. Mahoney's 68. But it was only after two weeks that Mr. Mahoney finally conceded his defeat.

This party bloodletting was too much for the Democrats and, by the time they met the head-on campaign which Mr. McKeldin was waging along identical lines with the Mahoney campaign, the fight was pretty much decided.

FREE STATE PAYS TRIBUTE TO A GOVERNOR'S COURAGE

Both houses of the General Assembly adjourned yesterday in memory of W. Preston Lane, former governor of Maryland, and tributes came to him from many officials.

Ironically, the praise extended to him turned most often on his advocacy of the sales tax.

Repeatedly referred to as a courageous proposal that spurred progressive government in the State, it brought scorn and abuse while Mr. Lane was Governor.

COURAGE ATTESTED

Governor Agnew said yesterday: "The courage and leadership he displayed in shoring up the State's financial structure, in the face of public bitterness and even hostility, will be long remembered.

"His loss will be felt by all Marylanders who favor progress and respect public service."

The Maryland Senate adopted a resolution which also praised Mr. Lane for having fought for the passage of the sales tax.

"For 20 years that tax has now been a cornerstone in the financial structure of this State," it read, "and every citizen of the State of Maryland for generations to come will honor the name of Preston Lane for the ability and courage with which he met a crisis in the affairs of this State."

SALUTE BY MANDEL

Senate President William S. James (D., Harford), one of the few legislators in the General Assembly when Mr. Lane was Governor, said:

"Maryland is still building upon the firm foundations Governor Lane laid by forthright and courageous actions as her Governor. His dreams of yesterday are realities today."

Marvin Mandel, (D., 5th Baltimore), speaker of the House of Delegates, said: "He was a great Marylander and a great Governor. He risked and lost the governorship because he had the courage to do the right thing—preserve Maryland's fiscal integrity."

TRIBUTE TO MR. L. L. BEAN, OF FREEPORT, MAINE

Mr. MUSKIE. Mr. President, Mr. Leon L. Bean of Freeport, Maine, returned from hunting one day 55 years ago with wet and blistered feet. In a stroke of Maine inventiveness, he had a cobbler sew a pair of rubbers to the tops of his leather hunting boots. The result proved so satisfactory out in the woods that Mr. Bean had a few pairs made for friends. They praised the boots so highly that Mr. Bean was encouraged to manufacture the boots.

Mr. Bean died this week, leaving behind a unique business that was known world-round by sportsmen. Just as he woods-tested his first pair of rubber-soled hunting boots, he personally tried out each of the hundreds of outdoor items he eventually stocked or made in his Freeport factory outlet.

Circulation of his catalog, which he first published in 1914, grew to 450,000 and readers took his personal evaluations of the merchandise to heart. Some of his appraisals of equipment in the earliest catalogs have not changed by as much as a comma in 50 years. Mr. Bean read every word of the proofs before the catalogs went to press twice a year.

He gained considerable fame as an author with a book entitled "Hunting, Fishing, and Camping." Publishers turned down the book, probably because Mr. Bean took liberties with syntax and English. Undaunted, he published it himself, sold it for $1, and in the last 20 years sportsmen have bought almost 150,000 copies.

L. L. Bean Co. doors will be closed today for the funeral of its founder and president. The closing will be only the fourth in 16 years, the last being for the afternoon of November 22, 1963. Normally, the store remains open 24 hours a day, 365 days a year to serve outdoorsmen passing through Freeport.

The career of L. L. Bean is the story of a Yankee in love with the outdoors, who personally guided the development of his company to meet his own standards of excellence in sporting equipment.

His pronouncements were gospel to nearly three generations of outdoorsmen. His zest for hunting, fishing, and camping was contagious. By effectively encouraging appreciation for natural beauty, he was one of the outstanding conservationists of his era.

Maine was proud of Mr. Bean. Outdoorsmen around the world share the loss we feel. An editorial published in this morning's Washington Post sums up the feeling. I ask unanimous consent that it be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Post, Feb. 9, 1967]

MR. BEAN RECOMMENDS

The announcement of the death of L. L. Bean of Freeport, Maine, at the age of 94, will bring particular sadness to hunters and fishermen throughout the country. Bean was a woodsman, hunter and fisherman himself and remained active until he was 80. He founded an amazing sporting goods business, chiefly by mail order, though he kept his shop in Freeport open 24 hours a day for the benefit of passing sportsmen.

Bean's catalogue made excellent reading for both active hunters and fishermen and for armchair sportsmen grown too indolent for physical exertion. It was pleasant to read of a special salmon fly "which Mr. Bean himself recommends" or a hunter shoe "which Mr. Bean has found satisfactory" or a poncho that "Mr. Bean finds waterproof." From reading the catalogue one got the impression that Mr. Bean had personally tested every item except the women's shoes—and doubtless he had. We hope the catalogues keep coming. They make cheerful, if nostalgic, reading. We hope Mr. Bean's successors will continue to test the items offered and give us a personal opinion of their usefulness.

MR. KAZAN-KOMAREK RETURNS FROM CZECHOSLOVAKIA

Mr. KENNEDY of Massachusetts. Last Saturday, Mr. Vladimir Kazan-Komarek was reunited with his wife and five children in Wellesley, Mass.

Mr. Kazan-Komarek had spent the previous 14 weeks in a Czechoslovak prison. Just 8 days ago, at the conclusion of a 2-day trial, Mr. Kazan-Komarek had been convicted of violating Czechoslovak law in connection with alleged activities taking place some 17 to 19 years ago.

The Government of Czechoslovakia, instead of committing Mr. Kazan-Komarek to a lengthy prison term, chose instead to allow him to come home.

During recent days, there has been a good deal of speculation on this case. Much has been written on the extent and influence of State Department pressure; the effect of this case on the Consular Treaty and on East-West trade agreements.

Had Mr. Kazan-Komarek remained in prison, it is clear that the United States and Czechoslovak relations would have remained severely strained. The Government of Czechoslovakia, however, in acting responsibly by releasing Mr. Kazan-Komarek, has put an end to this disruptive incident.

I think it important to make clear that the freeing of this American citizen was not a victory of the United States, nor a defeat for the Government of Czechoslovakia. It represents, instead, the removal of a barrier to better relations between the two countries and a significant step away from the cold war attitudes and entrenchments of the past.

TRIBUTE TO JOHN T. CONNOR, SECRETARY OF COMMERCE

Mr. WILLIAMS of New Jersey. Mr. President, the able administrator is about to leave public office and return to private life. I, of course, speak of my good friend and fellow New Jerseyite, Secretary of Commerce John T. Connor. The Secretary has indeed contributed more than most in the service of our country, having spent a total of 7 years in the service during both peace and war, the latter 2 being as a Cabinet member.

Under his able leadership, the Department of Commerce has entered into many new areas. Considerable expansion was made in the area of economic development, science and technology, traffic and highway safety, consumer legislation, highway beautification, rapid and urban transit, and the innovation of our new Cabinet level—the Department of Transportation.

Mr. President, I salute New Jersey's own Jack Connor for a job well done and I ask unanimous consent that his report to the President on the programs and progress of the Department be included in the Record at this point along with a biographical sketch of the Secretary.

There being no objection, the report and biography were ordered to be printed in the Record, as follows:

REPORT TO THE PRESIDENT BY SECRETARY OF COMMERCE JOHN T. CONNOR ON THE PROGRAMS AND PROGRESS OF THE DEPARTMENT

It has been my privilege to serve as Secretary of Commerce and a member of your Cabinet in a period of action and achievement by your Administration and the 89th Congress that history will record a landmark of American progress.

I wish to report to you on the programs and activities of the Department of Commerce during my two years in office and review its contributions to the record of accomplishment of your Administration.

The era in which we live has been marked by dynamic forces of growth and change that have posed challenges of enormous complexity and scope for our Nation and the free enterprise system.

The problems of the day are so complicated, in fact, that the joint participation and best efforts of our public and private institutions are in most instances essential to their solution.

The forward strides our country has achieved in this period are owed in large part to a strong functional partnership between business, labor, and government over a broad range of endeavors.

Your call for these great creative forces in our society to join in a united attack on the Nation's social and economic problems has enjoyed broad support in the business community. The Department of Commerce is working shoulder to shoulder with the business leaders to:

Promote policies and actions in the private sector that will help ensure balanced and orderly growth.

Help wipe out the balance of payments deficit and strengthen the American dollar abroad through the voluntary efforts of U.S. business firms operating overseas.

Expand world-wide markets for the products of American factories and farms.

Promote the modernization of industry to strengthen our competitive position at home and abroad.

Improve the skills of the workingman and widen employment opportunities, especially for the young and deprived, the handicapped, and those displaced by technological change.

Apply the advances of science and technology more widely through the range of American industry.

Reseed the bare spots in the economy through regional planning and economic development.

Attract growing numbers of foreign visitors to our shores to increase the return flow of dollars while at the same time spurring the growth of the travel industry.

Broaden business involvement in the social and economic problems of the nation and enlarge business support of the Great Society programs.

These are only a few of the major activities that are now receiving high priority in the work of the department.

In giving me the honor to serve in your Cabinet you asked that the Department of Commerce increase its contributions in meeting the challenges of America's record growth and prosperity. You also asked that I work with the Secretary of Labor and with the business community and the labor community in mutual respect and cooperation. The department is doing both today.

The American business community and organized labor are in the midst of profound changes brought about by the wave of technology that is now sweeping the world and by the expanding dimensions of global trade.

Technology and change are bringing revolutions in management, production, distribution, transportation, and communication. The Department of Commerce is deeply involved in all these fields today. It is drawing on the best minds in the business world, the field of science, and the universities in the pursuit of its objectives.

It was one of my principal concerns to build a competent, unified management group to carry out our vital and varied activities. The operations of the department have been greatly strengthened by the calibre of the men now filling policy positions.

Believing so strongly in the essential role of the private economy in our society, I have interpreted the mission of the department to impose on me the responsibility of urging private industry to take a growing part in public problem solving.

It is clear that the Federal Government cannot and should not be expected to provide the answers to many social and economic problems that can be more effectively and economically handled at the local level and in many instances by private industry. We are witnessing many new initiatives by businessmen in response to the mounting needs of our cities and our people.

It is vital to the work of the department that a frank and continuing dialogue be maintained with the business community to secure the climate of confidence and cooperation that is needed to foster continued growth and prosperity.

This dialogue has been strengthened and extended in a substantial way, with salutary effects on the private economy and the relationship between business and government.

One outstanding example is the work of the action committees of the National Export Expansion Council, a group of business leaders who devote voluntary efforts to the international trade interests of the United States.

These action groups are developing proposals and courses of action to—

Improve our financial mechanisms for international trade.

Improve our tax structure with regard to exports.

Eliminate freight rate disparities and solve other ocean transportation problems.

Improve trade and investment relations with developing countries.

And evaluate present export promotion programs and recommend new approaches to export expansion.

Another example is the Commerce Technical Advisory Board comprised of leaders of business and industrial research, together with those in science, education, and labor.

The board meets monthly to study and recommend measures to:

Increase the value of the scientific and technological activities of the department to business and industry.

Advise of ways to stimulate private industrial research and development in the promotion of economic growth.

Provide liaison on technical matters between industry and government.

Every year about 100 business and professional leaders serve on panels that study broad problems relating to such subjects as high speed ground transportation, telecommunications, commodity standards, electrically powered vehicles, and Federal laws and policies and their effects on invention and innovation.

LEGISLATIVE RECORD

On the legislative front the department had major responsibilities in guiding important legislation through to final passage by the 89th Congress.

I devoted a great deal of my time and effort, with outstanding help of my assistant for Congressional liaison, Paul Southwick, to the advancement of your comprehensive legislative proposals to strengthen the private economy.

Principal legislation during my term of office included:

Economic development

The Public Works and Economic Development Act to provide planning, technical assistance, and other means to get lagging areas into step with the nation's economic pace and widen employment opportunities in depressed communities.

The Appalachia Act to combat poverty and isolation and open up depressed areas for economic development.

Science and technology

The State Technical Services Act to spread the benefits of research and development throughout industry and make greater utilization of technology for economic growth and human betterment.

Establishment of the Environmental Science Services Administration, bringing together the Weather Bureau, the Coast and Geodetic Survey, and the Central Radio Propagation Laboratory of the National Bureau of Standards to serve as a single focus for our efforts to understand and predict the state of the oceans and the upper and lower atmosphere.

Traffic and highway safety

The Traffic and Highway Safety Acts to reduce the death toll on highways by—

Establishing national standards to improve safety in automobile design.

Instituting a searching examination into the cause of accidents and how to prevent them.

Providing funds for states to stimulate programs for safer highways, driver training and licensing, and used car inspection.

The Tire Safety Act to protect the motorist against unsafe tires that can cause costly accidents.

Consumer legislation

In addition to consumer safeguards provided by automobile standards and tire legislation, the Fair Labelling and Packaging Act was enacted to benefit consumers by—

Requiring the full and clear disclosure of what is in a food package, who made the product, how much it weighs, and how much it costs.

Regulating practices which lead to confusion in the supermarket such as "cents-off," "serving," and "jumboquarts."

Encouraging voluntary standards which will aid the consumer in determining the value and quality of products.

Highway beautification

The Highway Beautification Act to help preserve America's natural beauty and spur the cleanup of highways and screening of junkyards as well as the landscaping of roadsides.

Rapid interurban transit

The High Speed Ground Transportation Act to pioneer research and development for improved transportation systems in densely populated regions.

Department of Transportation

I am proud to have had some responsibility for the legislative progress of the new Department of Transportation which was a top priority assignment you gave me. This new Federal Department provides a focal point for developing a coordinated transportation policy to keep our people and our products moving efficiently and economically in our burgeoning urban society.

The appointment of Alan Boyd, Under Secretary of Commerce for Transportation, to the new Cabinet post was enthusiastically endorsed by his associates in the department and particularly by me because his outstanding achievements in many fields of transportation activity eminently qualify him for the new responsibilities.

These were some of the major pieces of legislation which the Department of Commerce had the primary role in guiding through to passage.

MAJOR PROJECTS AND PROGRAMS

Balance of payments

You entrusted the management of your Voluntary Program with the business community to me when you instituted a series of measures to alleviate the nation's balance of payments deficit early in 1965.

It is gratifying to report that over a two-year period we have received outstanding cooperation and support from American business and industry and the results of the program have been impressive. The success of your voluntary approach broke new ground in cooperation between business and government and provides a blueprint for success in future spheres of joint action and responsibility.

My assessment of the voluntary approach and the results is shared by my Commerce associates who have worked with me on this program: Assistant Secretary for Economic Affairs, Andrew H. Brimmer (now a Governor of the Federal Reserve Board), his successor Dr. William H. Shaw, and my assistant Lawrence C. McQuade. Our activities in this important program have involved many officials within the department and their staffs. Assistant Secretary for Domestic and International Business Alexander B. Trowbridge had special responsibilities for the export expansion effort and my public affairs assistant James G. Morton worked out an imaginative program for educating the public and particularly American industry, on the balance of payments problem and your program to resolve it. The Director of the U.S. Travel Service, John Black, has managed a successful campaign to attract more foreign visitors to our country and increase the return flow of dollars.

In addition, the Office of Business Economics and the Census Bureau have compiled and interpreted basic economic data in a most timely and helpful manner in support of our efforts.

Economic development

The new program for development of the economically backward regions of the United States was one of my first legislative assignments. Your proposals emerged even stronger as a result of Congressional action. The program was started in the right direction under the able leadership of Assistant Secetary Eugene P. Foley. His colleague and successor, Ross D. Davis, is now in the process of simplifying the organization as necessitated by the stretch-out of this and other programs due to the heavy demands of the Vietnam situation. Now there is the opportunity for orderly planning and programming activities, and we expect that there will be a good "stockpile" of sound programs and projects for financing when the tapering off of Vietnam expenditures permits more extensive funding.

Science and technology

Assistant Secretary J. Herbert Hollomon has given brilliant leadership in the fields of science and technology so important to U.S. business and industry and, in fact, to the whole nation. The innovating programs of the National Bureau of Standards, the Patent Office, and the Environmental Science Services Administration, encompassing a greatly improved organization of the Weather Bureau, Coast and Geodetic Survey, and the Central Radio Propagation Laboratory, attest to the planning, programming, and management abilities of Dr. Hollomon and his associates, as does the excellent start made in the State Technical Services Program which you rightly called "the sleeper" in the outstanding legislative record of the 89th Congress.

Specific innovations and managerial advances in the scientific and technical programs of the Department included the establishment of:

The world's first operational weather satellite system to provide forecasters with daily pictures of the cloud cover over the entire earth.

The Center for Computer Sciences and Technology to aid the Federal Government in achieving cost effectiveness in the utilization of automatic data processing equipment.

The Technical Analysis Division at NBS to engage in systems analysis and operations research of Federal Government programs.

The joint Commerce-Navy research program to determine the feasibility of ocean-going surface effects ships.

The Presidential Commission on the Patent System to study the U.S. patent system.

A program of administrative and management improvements in the Patent Office resulting in a rise in productivity in the past two years of more than 25 percent over the average output in the preceding 10 years.

An advisory committee of leaders in business, research, and the academic community to study the effects on invention and technological innovation of Federal anti-trust, tax, and regulatory policies.

Economic education

We are giving great emphasis to a program to increase public understanding of the economic fundamentals that make our free enterprise system work. I think that the series of pamphlets written by my special assistant, James G. Morton, and his associates on topics such as economic growth, patents, profits, the balance of payments, and other *Do You Know Your Economic ABC's?* represent an outstanding piece of work. Economic knowledge strengthens the American system and this unique educational program is making a significant contribution.

Labor disputes

Bearing in mind your first instruction to me, I have worked to bring about a better understanding between labor and management, working cooperatively with Secretary Wirtz. I think we have made considerable progress in that field, especially in assisting your efforts to settle the steel and General Electric disputes without costly strikes. I sincerely hope the cooperative effort between Commerce and Labor will continue because the two Departments have such great common interest in a strong and growing national economy that it would be tragic for them to be considered as voices within the Federal Government for antagonistic forces.

In summation, it is clear that the Department of Commerce is taking a vital part in the continuing efforts of your Administration to—

Ensure the economic progress and well-being of our country.

Strengthen the free enterprise system and broaden its benefits to the American people.

Increase employment through job development, through the upgrading of skills, and through an expanding economy.

Conduct a productive dialogue with business and the business press to enhance mutual cooperation and understanding.

Enlist the help of business in the pursuit of America's social objectives and enlarge the role of the private economy in public problem solving.

I strongly endorse your proposal to create a new department in the Executive Branch, of which the Departments of Commerce and Labor would be major ingredients. This is a move wisely aimed at consolidating the gains that have been achieved through the partnership for progress which has been a cornerstone of your Administration.

Your efforts to strengthen the Federal Services to business and labor through a new Cabinet agency and to promote an even higher level of joint responsibility, participation, and action in solving the nation's problems will have my full support as a private citizen.

Biographical Sketch of the Secretary of Commerce John T. Connor

John T. Connor was nominated Secretary of Commerce by President Johnson on January 6, 1965, and confirmed by the U.S. Senate on January 15. The President's first cabinet appointee, he was administered the oath of office by Supreme Court Chief Justice Earl Warren in a ceremony at the White House on January 18.

He assumed his cabinet post after a career of law, government and industry, which spanned a quarter of a century since his graduation from Harvard Law School in 1939.

He is a graduate of Holy Rosary High School in Syracuse, New York; of Syracuse University where he received his A.B. degree, magna cum laude; and Harvard Law School where he received an LL.B. degree in 1939. Mr. Connor then was associated for several years with the New York City law firm of Cravath, de Gersdorff, Swaine and Wood.

In 1942, Secretary Connor was appointed General Counsel of the Office of Scientific Research and Development, of which Dr. Vannevar Bush was Director.

In 1944, he went on active duty with the U.S. Marine Corps, serving in the Pacific as an air combat intelligence officer. Returning from Japan in 1945, he became Counsel to the new Office of Naval Research, and later, Special Assistant to Secretary of the Navy James Forrestal.

Mr. Connor joined Merck & Co., Inc., in 1947 as general attorney and held several other key executive positions before being elected president of the company on September 27, 1955. He resigned from this post to become Secretary of Commerce.

Secretary Connor's honors include a Presidential Certificate of Merit (1948) for his work with OSRD; the 1962 Jefferson Medal of the New Jersey Patent Law Association; the New Jersey Business Statesman of the Year award (1946); the New Jersey Brotherhood award of the National Conference of Christians and Jews (1959); and the Brotherhood award of New Jersey Anti-Defamation League (1965). He has received honorary degrees from the Philadelphia College of Pharmacy (D.Sc., 1959), Hahnemann Medical College (D.Sc., 1964), Rutgers University (LL.D., 1964), Ohio Northern University (LHD, 1965), Boston College (LL.D., 1965), St. Louis University (LL.D, 1965), and Syracuse University (LL.D., 1965).

Among the numerous civic and professional associations which he has been affiliated with are the following: Vice Chairman, The Business Council; Member, Board of Trustees, Committee for Economic Development; Member, Council on Foreign Relations, Inc., Member, Board of Directors, Economic Club of New York; Member, Steering Committee, Business Group for Latin America; Member, Advisory Council, The Patent, Trade Mark, and Copyright Foundation of George Washington University; Trustee, National Safety Council; Member, Board of Directors, National Industrial Conference Board; Member, Board of Directors, American Management Association. He was also a Director of General Motors Corporation and General Foods Corporation before his appointment to the cabinet.

Mr. Connor is a member of the following honor societies: Phi Beta Kappa, Phi Kappa Phi, and Phi Kappa Alpha. He is also an honorary member of Beta Gamma Sigma. He is in a retired status as a Captain in the U.S. Marine Corps Reserve.

Secretary Connor was born in Syracuse, N.Y., on November 3, 1914. Until they moved to Washington, he and his wife, the former Mary O'Boyle of Milwaukee, and their three children lived in Summit, New Jersey. A son, John T., Jr., is a law student at Harvard; another, Geoffrey M., attends Williams College, and a daughter, Lisa F., is a student at Holton-Arms School in Washington, D.C.

SPEECH BY SENATOR JOSEPH D. TYDINGS BEFORE DISTRICT OF COLUMBIA METROPOLITAN AREA HIGHWAY USERS CONFERENCE

Mr. RANDOLPH. Mr. President, on Friday, February 3, the distinguished junior Senator from Maryland [Mr. TYDINGS] delivered an address before the District of Columbia Metropolitan Area Highway Users Conference. The subject of Senator TYDINGS' speech was the need for a balanced transportation system in our urban areas.

The Senator from Maryland is knowledgeable in the area of highway and mass transit problems and needs. He is an active member of the Senate Subcommittee on Roads, which I am privileged to chair. I have read and studied this detailed discussion on balanced transportation systems with great interest. It is my belief that the Members of the Senate, who must constantly address themselves to the problems of highway and mass transit requirements, should have the benefit of the remarks of the able Senator from Maryland.

Mr. President, I ask unanimous consent that the address by Senator TYDINGS be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

Address of Senator Joseph D. Tydings, Democrat of Maryland, Before the District of Columbia Metropolitan Area Highway Users Conference February 3, 1967

Mr. Pilzer, Mr. Wirth, Mr. Johnson, ladies and gentlemen—

I want to talk to you today about the interest we all share in achieving a balanced transportation system in our urban areas. These three words—balanced transportation system—have become almost a slogan, in recent years, like motherhood or apple pie. No one opposes the idea. After all, who could ever advocate an "unbalanced transportation system"? But the real meaning and importance of balance too often has become obscured.

The parking problem is an example. The more highways we build, the more automobiles and other surface vehicles we bring into our central cities, the more urgent it becomes to get vehicles in the center city off the streets once they have reached their destination. To build highways without, at the same time, building parking facilities which will accommodate the increased traffic generated by the new highways creates added congestion in the center city and thus defeats the purposes for which the highways are built. In short, new highways without new parking facilities is an unbalanced—and therefore self-defeating—transportation program.

You, as members of the D. C. Metropolitan Area Highway Users Conference, have clearly seen this imbalance in the present transportation plans for the Washington area. I was glad to have your active support last year for my District of Columbia Parking Bill. As you know, the bill passed the Senate but died in the House. But the need for the bill has not died. The District of Columbia must have an agency to plan for parking needs, and, where necessary, to provide parking spaces to relieve congestion in the central city. I intend to reintroduce the Parking Bill in this session of Congress. I hope you will provide the same active leadership in the community, in support of this bill, that you provided last year. Your leadership was invaluable in persuading the public that our highways must not be built without thought to the consequences of those highways.

Of course, the need for added parking space is not the only consequence of highway construction. Inevitably, no matter how carefully highway routes are chosen in urban areas, land is taken for highway construction on which houses are standing, or parks are located, or scenic views are available. These consequences also cannot be ignored. Often, of course, the people whose homes or parks or views are directly affected by a highway proposal make certain, by vocal protests, that these consequences are not ignored. And too frequently, we find ourselves locked in a political battle of wills between single-minded advocates for new highways and equally single-minded advocates for the preservation of every home and tree in the metropolitan area. In my experience, such political battles virtually never yield a sensible balance between the community's need for improved transportation and its need for the other amenities of residential life.

The dangers are dramatically illustrated in the experience of San Francisco. A number of years ago, the city officials decided to take advantage of the generous Federal funds available for highway construction, to build the so-called Embarcadero Freeway. When it was built, this freeway obstructed the historic waterfront view of San Francisco Bay from a significant portion of the city, and the citizens of San Francisco were furious. As a direct result of this poorly planned highway—an unbalanced answer to a transportation problem—highway construction has generally become anathema to the citizens of San Francisco.

As of last year, San Franciscans have voted to stop seven proposed freeways outside the city limits, and have turned down almost $250 million in Federal assistance for these freeways. In fact, I understand that there is even political pressure in San Francisco to tear down the Embarcadero Freeway itself.

The ugliness of that Freeway was also a significant factor which led the voters of the San Francisco metropolitan area to approve the bond issues and higher taxes which will be necessary to pay for the new Bay Area Rapid Transit (BART) system. I think San Francisco was wise to authorize construction of the BART system. But mass transit systems cannot be the whole answer to urban transportation problems. Mass transit cannot deliver freight merchandise from dispersed suburban warehouses or factories to center city stores, for example. Mass transit is not attractive to a woman shopper who wants to purchase and carry home bulky merchandise from center city retail stores. Truckers and retail merchants know this. But the single-minded construction planning of highway engineers in San Francisco may have caused the people of that city to ignore whatever needs they have for improved highway systems. Unbalanced highway planning may have led to an equally unbalanced wholesale rejection of highways.

I believe that many highway design problems which create public resistance and unhappiness can readily be overcome. As an engineering matter, highways can be recessed into the land so that desirable views are not spoiled. The air space above highways, and the cleared space around them, can be used for housing—and to replace the displaced housing—for recreation areas, for schools and public facilities generally. One often-heard objection to any highway program is that these roads remove land from tax rolls, which deprives center cities of needed revenue sources. But tne air above the highway can also be used to create new taxable property—shopping centers, for example. In fact, the highway program can be used as a positive instrument in urban renewal. Highway construction funds can be used to purchase the widest possible right of way, and new neighborhoods can be planned around and over the freeways. All of these ideas are, as an engineering matter, possible. And if these possibilities are acted upon—if we view highways not only as a strip of concrete to drive on at maximum speed, but also as a stationary object to live with at maximum comfort and beauty—then we will have developed a more balanced view of the proper role of highways in urban life.

Constructing recessed, instead of ground level or elevated highways does cost more. Using highways for any of the purposes I have discussed also costs more. And for this reason, many single-minded advocates of highway construction have adamantly refused to consider these ideas, which would answer many community objections to the highway program. But destruction of a prized scenic view, or destruction of a coherent and unified neighborhood or a pleasing recreational area, also costs a great deal. This "cost" may be less tangible, or less readily identifiable than the extra dollars required to build, for example, a recessed freeway. But the cost in loss of amenities is nonetheless real, and the community feels it. And, as the example of San Francisco illustrates, the highway proponents who advocate the narrow "dollars and cents" cost calculus may well find that future highways, which will be economically vital then, will be stalled or made impossible because of community reaction against earlier unbalanced highway design.

How can a balanced approach to highway planning be realized? I believe it can only come if those who are in the forefront advocating new highway construction themselves become active advocates of balanced planning. This advocacy is needed both before the officials responsible for highway construction, and before the community generally. The community must be persuaded that all of its interests—in better transportation and better residential living—will be met by highway planning. I believe that, as highway users, and as residents of this community, you have much to gain by working for the balanced approach to highway planning for which I am speaking.

I might note that, at the present time in Washington, the District of Columbia Government lacks legal authority to use the air space above the highways it builds, or to sell that space for commercial development. This is a serious shortcoming, and I intend to press for legislation in this session of Congress to correct this situation. The District must be able to use its highways and their surrounding space as fully and creatively as possible. I hope I can count on your active support in working for this legislation.

The need for balance goes beyond highway planning. It extends to transportation planning generally. Here too, I believe that those, such as the members of your Conference, who have important needs which are served by highways, have much to gain by actively advocating balanced planning—that is, by actively advocating mass transit construction to complement highway construction. Center city merchants, for example, are not properly served by the transportation system if their stores are inaccessible for four hours or more each day because of rush hour congestion in downtown streets or on the highways which connect the suburbs. Nor are truckers or taxicab drivers or other regular highway users properly served if traffic congestion for four hours or more each day slows their activities to a snail's pace. Exclusive advocacy of highway construction in large metropolitan areas, with relatively compact central business districts—such as Washington—is self-defeating.

The transportation needs of the commuter—who travels from the suburbs to the center city and back to the suburbs once each day at roughly the same time—are quite different from the needs of the delivery trucker—who travels all over the city and suburbs at all times of the day. And the transportation needs of the retail shopper who comes to the central city only occasionally, for a few hours, are also different. In my judgment, no single mode of transportation—neither highways nor mass transit—can properly serve all the different transportation needs of residents in any large urban area. A balanced system of transportation is needed—a system in which each substantial needs for transportation is met by a means of transportation best suited to it.

How is this balanced system to be achieved? At present, we often seem to be trapped in political battles between single-minded advocates of highways, and equally single-minded advocates of mass transit. But each position is, in my view, equally fallacious. The mass transit proponent focuses almost exclusively on the rush hour commuting problem—but ignores the basic urban services and activities which only the highways can provide. The single-minded highway advocate argues that highways alone can solve the rush hour commuting problem—but ignores the probability that exclusive commuter reliance on highways will defeat other purposes—such as rapid, all-hour movement of freight—which only highways can serve. The highway advocate thus ignores the great benefits to highway usage which mass transit systems can provide.

Neither extreme position can do the job. A balanced system is needed. And it seems to me that, as a simple matter of economic self-interest, the leading advocates of mass transit, as a means to solve commuter congestion problems, should be those who need highways for transportation purposes other than commuting. A balanced transportation system is in everybody's best interests.

There is today, however, one major obstacle in the way of achieving a balanced system. The availability of money—in particular, Federal money—for highways and for mass transit is drastically out of balance. The fact that cities and states can use Federal funds to finance much of their highway construction programs, while Federal funds available for mass transit are relatively puny in amount, in my judgment seriously distorts sensible urban transportation planning. To eliminate this distortion, Representative Bingham in the House and I in the Senate have proposed that cities or states should have an option to use funds for mass transit which are now available only for highway construction. This is not meant to be an anti-highway proposal. It is a pro-balanced transportation bill. And, as I have stated, a balanced transportation system is in everyone's best interest—and particularly in the interest of those who must use the highways.

The Federal Interstate Highway Act will expire in 1972. In the near future, Congress will begin deliberations on the allocation of our national transportation resources for the 1970s. I believe that those who support continuation of the interstate highway construction program must also become supporters of a complementary urban rapid transit program—so that highway programs will not be jeopardized by the inescapable pressures from the cities in need of rapid transit.

In the Washington metropolitan area, a number of transportation planning issues have just recently come closer to resolution. We are going to have a subway system, and we are going to add significant new roads to our urban complex. But many basic decisions still must be made—decisions regarding highway design and the use of space around the highways, decisions regarding subway routing, and the relationship of that routing to highway construction. We have a dramatic opportunity to achieve a sensible, balanced transportation system in this area—a system that will serve our many and differing transportation needs while enhancing the character of urban life. Active and enlightened community leadership can capitalize on this opportunity. We cannot afford to fail.

BAD TIMING FOR CONSULAR TREATY RATIFICATION

Mr. MUNDT. Mr. President, the dean of American columnists, and one generally recognized in Washington as the most widely read and influential of them all, David Lawrence, editor of the famed news weekly U.S. News & World Report, had a column in last night's Washington Evening Star which points up most graphically a realistic reason why the proposed consular treaty with Russia in this time of war should not be ratified.

As the great debate goes on, Mr. President, despite the almost frantic efforts of the White House and the State Department to win support from individual Senators whose disposition is to oppose this wartime treaty with the very Communist power whose shipments of sophisticated weapons, oil, antiaircraft guns, SAM missiles, nearly 200 and perhaps more Mig jet fighting planes, coastal ships, helicopters, radar defense systems, rolled-steel products, military trucks, heavy infantry weapons, and so forth, the evidence is rolling in that to ratify that treaty without getting a quid pro quo from Russia to stop its participation in this war against American troops is likely to do far more to prolong the war and to increase our casualty lists than it is to stop it.

I hope all Senators and all who read this issue of the Congressional Record will read these words by highly regarded, international minded, David Lawrence before casting their votes late this month on the Consular Treaty ratification. It is an issue which cannot be divorced from its potential consequences in the escalation of this bloody war in far-off Vietnam.

Incidentally, Mr. President, I hope those who read this statement will also refer to the Congressional Record for yesterday—February 3—where, starting on page 2942, I submitted in considerable detail the evidence which continues to grow in volume and significance in condemnation and opposition to administration policies which defer the likelihood of peace in Vietnam and points up how Russia is the major obstacle to convincing the Government in Hanoi that it should come to the negotiation table and work out with the United States of America the approaches to an early peace.

Without the steadily increasing shipments of the means to fight and the weapons with which to kill our fighting men which flow from Russia to Hanoi, many here believe the war would long since have been ended and the capacity of the Vietnamese Communists to continue the war would be terminated. The title of my statement in yesterday's Record is "Building Bridges to the Executioner."

Let me quote now a single comment from the David Lawrence column of last night. It reads:

> For the Moscow Government is at present the real adversary of the United States in Vietnam and has been indirectly responsible for the killing of thousands of American soldiers. Yet, instead of demanding an end to such acts of war, the President and his administration are actually asking Congress to ratify a new consular treaty which could mean assistance to the Soviet system of infiltration.

Mr. President, that statement by David Lawrence is closely similar to the statement I placed in the Record during my remarks yesterday in quoting an article from Our Sunday Visitor—highly respected Catholic newspaper—which will be found on page 2943.

It seems clear to me, Mr. President, that consideration of a Consular Treaty with Communist Russia in time of peace is one thing, but that to consider it and to ratify it during a costly and savage continuing war which is being prolonged and abetted by this self-same Russian Government is quite a different challenge to the judgment of the Senate.

I ask unanimous consent, Mr. President, to place the entire column by David Lawrence in the Record at this point of my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

RUSSIA CALLED REAL FOE IN VIETNAM

(By David Lawrence)

Peace could come overnight in the Vietnam war if the Soviet Union—which is spending billions of dollars to supply war planes and other weapons, and is providing military technicians to the North Vietnamese—were to decide to withhold its aid unless hostilities are ended.

For the Moscow government is at present the real adversary of the United States in Vietnam and has been indirectly responsible for the killing of thousands of American soldiers. Yet, instead of demanding an end to such acts of war, the President and his administration are actually asking Congress to ratify a new consular treaty which could mean assistance to the Soviet system of infiltration.

The figures derived from official sources show that in the last two years more than $2 billion worth of supplies—oil, field artillery pieces, heavy infantry weapons and modern jets, including light bombers—have been furnished by the Soviet Union to the North Vietnamese military forces. In addition, hundreds of pilots have been sent by the Hanoi government to Russia to be trained. More than 2,000 Soviet technicians are in North Vietnam training missile crews and operating military supply stations.

The tendency heretofore has been to portray Red China as the principal factor in the bolstering of the North Vietnam government. But the evidence is coming out now that Russia has become in the last two years the mainstay of the North Vietnamese. The Red Chinese, despite their internal troubles, are continuing to supply light weapons, ammunition and rice, all of which is a big help to the guerrilla forces. The Russians, however, are providing the real sinews of the war which is causing America and its allies to incur thousands of casualties.

Oddly enough, the United Nations and its secretary general, U Thant, have not said or done anything to protest this action. Inside the United States the facts about the Russian aid have not been publicized. Historically, the action of the Soviet government would long ago have been the subject of a formal protest by the American government and could have brought about a severance of diplomatic relations. The Moscow government in 1953 openly boasted that it had been furnishing arms and supplies to Red China, though that country had been denounced in 1951 by a formal resolution of the United Nations as an aggressor in South Korea.

Today the Russians are again giving military aid to an aggressor, and the subject isn't even being discussed in the United Nations. Nor is it being mentioned by administration spokesmen in Congress or elsewhere. Instead, the pressure for peace moves is centered on the North Vietnamese without regard to the fact that the Soviet government is encouraging the Hanoi regime to keep on fighting and is supplying the necessary military aid for that purpose.

Incidentally, the Soviet Union, according to news dispatches in the last 24 hours, has achieved its "first major success in a campaign to get Russian arms and military technicians into pro-Western nations." Arrangements have been completed for Russia to supply military aid to Iran, which is a member of the Central Treaty Organization along with Turkey, Britain, Pakistan and the United States. This is the organization which the American government played an important part in forming so as to defend the Middle East against Communist penetration.

Also, the news dispatches tell of the use of Cambodian territory by the Communists to attack American troops in Vietnam. Thus, the forces aided by Moscow are spreading the war into other countries in Southeast Asia.

The question is why the President and the Congress remain silent though they have indubitable proof that the Soviet Union is North Vietnam's principal ally.

Mr. MUNDT. Mr. President, additionally, so that all Senators may know completely and accurately the full extent to which the Russian Communists are aiding their Communist comrades in North Vietnam in their insane insistence on continuing the bloody fighting which has already cost us over 50,000 American casualties, I ask consent that an article from the January 30 issue of U.S. News & World Report, entitled "Russia: The Enemy in Vietnam," be reprinted at this point in my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

RUSSIA: THE ENEMY IN VIETNAM?

SAIGON.—Soviet Russia, not Red China, is turning out to be the major enemy of the U.S. in Vietnam. A steadily expanding Russian involvement is causing this war to be the second most costly in dollars in American history.

The American people have not previously been told of this situation that is regarded by military commanders with increasing concern.

Instead, high officials in Washington have pictured the Russians as anxious for peace.

The U.S. policy has been to portray Communist China as responsible for prolonging war and to try to buy Russian friendship by American concessions in many fields.

SINEWS OF WAR

The facts, just beginning to emerge, tell a different story.

The Red Chinese, torn by troubles at home, still are supplying light weapons, ammunition and rice to the North Vietnamese. Their aid is helpful to guerrilla forces when it reaches the South. It is the Russians, however, who are furnishing the real sinews for major and prolonged war.

Extent of Soviet participation is great and expanding. The Russians now are investing close to 1 billion dollars a year in the war. With this billion—and no real loss of life—they are helping to force the U.S. to wage a war that now is taking thousands of American lives and costing directly about 30 billion dollars a year.

On January 19, U.S. headquarters reported that U.S. forces in Vietnam suffered in the second week of January their heaviest casualties of the war—1,188 men killed or wounded in action.

The U.S., because it is bogged down in Vietnam and burdened with over-all defense spending that is to reach 73 billion dollars or more in the year ahead, is hampered in trying to keep Russia from forging ahead in the nuclear-arms race.

The Russians, with the U.S. tied down, have made a major "break-through" in anti-missile defense and are pushing ahead with that decisively important defense while the U.S. talks and delays because of money problems.

The Russian investment in the Vietnam war today is impressive. The chart on pages 28 and 29 spells out that investment not only in terms of dollars, but also in terms of specific armament and vital technical assistance.

THE BIG QUESTION

Says a top U.S. officer: "There no longer is any question about it—the Russians are at war with us in Vietnam in a very real sense. They are more important than most people realize in the operation of the war. Most of the trucks that move the needed supplies from North to South Vietnam, for example, come from Russia or her satellites. Many of the automatic weapons that we capture from North Vietnamese troops are of Russian manufacture. Most of our plane losses have resulted from the use of Soviet Russia's antiaircraft guns, missiles or MIG jet fighters."

From another officer: "If Russia were to pull out of the war, so would Bulgaria and Czechoslovakia and other suppliers of vitally needed equipment. Red China alone couldn't start to carry the supply burden alone. Ho Chi Minh in Hanoi would have a tough time continuing his infiltration. It would have a noticeable effect on the war, maybe a decisive one."

Soviet aid to North Vietnam trickled along at an average yearly rate of 35 million dollars until early in 1965, when, even before

U.S. began bombing in the North, the Russians started moving in a big way—with SAM antiaircraft missiles, jet fighters, military vehicles, oil, other paraphernalia of war.

The Russian rockets and guns are directly responsible for mounting U.S. losses over the North. Almost 1,000 SAM's have been fired at U.S. planes. These Soviet missiles, launched by Russian-trained crews, have themselves destroyed 30 U.S. planes and contributed in a large measure to an over-all loss in the North of more than 460 U.S. planes.

Cost to the Russians in spent missiles: about 25 million dollars. Cost to the U.S. in planes alone: more than 1 billion dollars.

The North Vietnamese landscape is also studded with conventional antiaircraft positions, about 6,000 in all. The original antiaircraft system was installed by the Chinese. Now bigger guns are coming in. They are Russian.

The North Vietnamese Air Force now consists of 75 to 100 fighter planes and a handful of light bombers supplied by the Soviet Union. About one fifth of the force are the most up-to-date MIG-21s; the remainder, MIG-15s and MIG-17s. The MIG's are replaced by the Russians as they are lost in the fighting.

RUSSIAN TECHNICIANS, TOO

Intelligence sources estimate there are upward of 2,000 Russian technicians working at air bases and at SAM sites. North Vietnamese pilots are trained in Russia and supervised by Soviet fliers when they return to Hanoi.

Within the past few months, the Russians have taught North Vietnamese to man approximately 350 SAM missiles and an estimated 3,000 antiaircraft guns. Other Soviet advisers help operate North Vietnam's industry, its coal mines and the port of Haiphong, and are helping in the building or rebuilding of hydroelectric plants, other major works.

For the first time, Soviet helicopters are being spotted in North Vietnam. Russian cargo aircraft are also making an appearance.

The North Vietnamese war machine runs almost entirely on Russian oil. In the past 18 months, the Russians shipped in 300,000 metric tons. The Chinese provided almost none. Last month alone, the Soviets shipped nearly 25,000 metric tons of gasoline and oil into Haiphong.

The Russians use ships to transport 80 per cent of their aid to North Vietnam, the balance going by rail or by plane across Red China despite severe restrictions set up by Peking. All told, the Russians are said to be delivering 80,000 tons of goods a month to Hanoi.

Intelligence sources in Saigon report that the Soviet ships going to Haiphong carry not only civilian goods, as the Reds insist, but jet aircraft, SAM's, radar gear and antiaircraft guns.

During 1966, an average of one ship a day reached Haiphong. Six Soviet ships docked there during the past two weeks.

Tonnage by sea from all sources—Russia, China, East Europe and non-Communist countries—was estimated at 2 million tons in 1966. Of that, the Russian share was estimated at half the total, Red China's about one fourth.

The point is stressed that the number of Chinese ships entering Haiphong went down in 1966, the Russian total up.

CHINA'S ROLE

Chinese propagandists, pushing their fight for world Communist leadership, maintain that Peking still is the main supplier to the Communists of Vietnam. "What the Chinese are bragging about," says one Western expert, "is volume. Tonnage from Red China may run higher, but the dollar-per-ton value and the strategic value of Russian aid is much greater."

In the words of another expert: "The vital suppliers are the Soviets. If the flow of supplies from Red China were cut off, the Soviets would be able to handle the whole job. The Chinese could not if the situation were reversed."

The Russians, when possible, avoid shipping vital items across Red China. One reason, according to intelligence sources: The Chinese insist on opening all shipments crossing their territory, often stamp, "From China With Love" over the Russian characters.

Reports are heard, also, that the Chinese have delayed shipments of SAM's and late-model MIG's while their technicians removed them from the crates to make copies for themselves.

SOVIET PRUDENCE?

It is agreed here in Saigon that the Russians have not gone as far as they could in arming North Vietnam. "In fact," says one U.S. official, "the Russians have been extremely prudent in some ways. We think it very likely that Hanoi has asked for such items as battlefield missiles for use in the South, perhaps even for submarines to use against the Seventh Fleet in the Tonkin Gulf."

Another senior officer adds:

"It is clear what the Russians are up to. They want to keep us tied up in knots out here. So far they have refused Hanoi the weapons to wage a bloody campaign against U.S. forces in the South, but is that to be permanent? The Soviets want Hanoi to win, and they are playing a very clever and cagey game."

Top analysts insist that Russia's basic strategy for conquest in the world has not changed: to weaken the U.S. position wherever it can in the world, while the Soviets seek to strengthen their own.

Russia is viewed as supporting a "war of national liberation" in Vietnam in precisely the way foretold by their top strategists.

Despite an impression fostered in Washington that the Russians really want peace in Vietnam, analysts here find the evidence in the other direction. "The Soviet Union," reports one official, "has done nothing publicly or privately to help start negotiations. We don't buy the Moscow line that they have no influence in Hanoi."

In view of the Russian record in Vietnam, fighting men here are puzzled at what seem to be efforts by U.S. to make one accommodation after another with the Soviets—space treaties, airline pacts, efforts to set up more consulates in both countries, attempts to expand East-West trade while war goes on.

In Washington, Senator Karl E. Mundt (Rep.), of South Dakota, said on January 18 he was appalled at the number of key U.S. items already being traded behind the Iron Curtain. He said: "We're doing this in the face of the fact that every sophisticated weapon being used to kill our boys in Vietnam is furnished by Russia. The deaths of many of them could be marked: 'Made in Moscow.' "

VITAL WAR SUPPLIES—EVERYTHING FROM OIL TO MODERN JETS

Supplied by Russia in past 18 months: SAM suface-to-air missiles, antiaircraft batteries, 75 to 100 MIG warplanes, coastal ships, IL–28 light bombers, field-artillery pieces, helicopters, advanced radar defense system, heavy-construction equipment, bridge-building materials, military trucks, rolled-steel products, fertilizer, pyrites, drugs, surgical instruments, 300,000 metric tons of oil, cargo transports, heavy infantry weapons.

In addition, Soviets are training hundreds of North Vietnamese pilots in Soviet Union, have sent about 2,000 Russian technicians into North Vietnam to train and help SAM missile crews. Soviet experts help run North Vietnam's mining, power, engineering and technical industries, serve at the port of Haiphong, at Hanoi factories, supervise construction of new plants.

Soviet military aid to North Vietnam

[In millions]

1955 to 1964 (yearly average, Soviet figures)	$35
1965 (Soviet figures)	550
1966 (estimated)	700
1967 (Soviet promise)	800

Mr. MUNDT. Mr. President, may I conclude with a few direct and simple questions which somebody high in this administration should answer to the Senate and to the country—including the mothers and fathers of our 500,000 troops now in the Vietnam war theater—before we are called upon to vote on a consular treaty which many informed and knowledgeable Americans sincerely believe would prolong the war and increase our American casualties and which none have as yet been able to demonstrate would stop the Russians from their continuing efforts to bring victory to Communists in Vietnam through slowing down or shutting off the Russian shipments of supplies of war without which our efforts to bring peace to that unfortunate area of the world might well succeed.

What would be the impact on the morale and the determined cooperation of our allies in Vietnam—the Koreans and the Filipinos for example, whose men are fighting side by side with our American troops—when they learn that, despite the efforts of the Russians to bring death and disaster to our common cause, we now grant them treaty rights which strengthen their hand and reward their malicious actions?

Why does this administration not insist on a quid pro quo in such a treaty, making it effective and operative only after the Russians discontinue their shipments of war supplies to our enemy in Vietnam?

What will be the reaction of our fighting men in Vietnam—and their mothers and fathers back home together with the many thousands soon to be called to the colors—when they read that we succumb to the pressures of men in high places in this administration and ratify a treaty which will expand the capacity and the ability of the Russian Communists to do us mischief in this country?

If feeding and fighting the enemy at the same time—overlooking its war moves against us while we cozy up to it in diplomatic concessions never before granted any country—is sound national policy, why is it that no other wartime administration in American history has ever engaged in such curious and counterproductive actions?

How shall we ever convince the Communists of Russia that we frown on their shipments of death-dealing weapons to our enemy in North Vietnam and how shall we ever prevail upon them to stop it if we now ratify this consular treaty with its unprecedented concessions to them without insisting on a change of policy in their efforts to weaken us, to defeat us, to bleed us to death, or to outlast us in Vietnam?

Mr. President, there are many other unanswered questions which Senators might well ask and answer, which their constituents now bring to their attention in their daily mail, and which should be carefully considered before we take a diplomatic action which can have most serious repercussions on the length and the success of our continuing war in Vietnam. Let us look behind the text of the proposed treaty and consider the potential consequences from every angle before yielding to the pressures being mounted by this administration to pass this treaty ratification quickly, to ask no embarrassing questions, and to play a game of make believe that our actions will have no impact on our major responsibility as Senators to try to help bring this war to the earliest possible conclusion, and to bring out a peace which will not come as a defeat and which will decrease rather than increase the likelihood of a greater and a bloodier war.

ABRAHAM LINCOLN AND THE 10 POINTS

Mr. METCALF. Mr. President, with Lincoln Day approaching, I am pleased to assist Lincoln Republicans, a dwindling breed for whom I have high regard, in correcting a persistent myth which is regularly perpetrated by rightwing extremist organizations and their close associates among the leadership of the investor-owned utilities. Recent republication of fictitious quotes suggests that it is again time to straighten the record.

I refer to the phony "Lincoln's 10 Points" which sprang from the imagination of Rev. William J. H. Boetcher, who copyrighted and printed them in 1916. It was the Committee for Constitutional Government, however, that sold and circulated the spurious quotations and, thus, earned the dubious honor of having first associated Mr. Lincoln with the maxims. Lincoln scholars and magazine articles have dissociated Lincoln from the maxims. The Republican National Committee has warned that the "10 maxims are not Lincoln's. Do not use them as Lincoln's words."

The phony Lincoln quotes are nevertheless circulated by some State Republican organizations, in Montana for example, and are used by officials of leading power companies. President Gerald L. Andrus, now head of Middle South Utilities, and former president of New Orleans Public Service—one of the utility contributors to the Committee for Constitutional Government—closed his 1962 Junior Achievement banquet address in New Orleans with the 10 Lincoln maxims. The September 1966 issue of Edison Electric Institute Bulletin, house organ of the IOU—Investor Owned Utilities—trade association, carried the text of a speech by F. J. Funari, vice president of West Penn Power, who documented one of his statements with a phony Lincoln quote.

Mr. President, the Library of Congress has for years been distributing a memorandum, "Abraham Lincoln and the Ten Points," which deals with the fabricated sayings attributed to a great President. I ask unanimous consent that the Library memorandum be inserted at this point in the RECORD.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

[From the Library of Congress, Washington, D.C., May 19, 1950]

ABRAHAM LINCOLN AND THE 10 POINTS

The *Ten Points,* which have been the subject of numerous inquiries, have been erroneously attributed to Abraham Lincoln, but the identity of the person who first willfully or unwittingly ascribed them to Lincoln has not been discovered.

The text of the *Ten Points* most frequently used is as follows:

1. You cannot bring about prosperity by discouraging thrift.
2. You cannot strengthen the weak by weakening the strong.
3. You cannot help small men up by tearing big men down.
4. You cannot help the poor by destroying the rich.
5. You cannot lift the wage-earner up by pulling the wage-payer down.
6. You cannot keep out of trouble by spending more than your income.
7. You cannot further the brotherhood of man by inciting class hatred.
8. You cannot establish sound social security on borrowed money.
9. You cannot build character and courage by taking away a man's initiative and independence.
10. You cannot help men permanently by doing for them what they could and should do for themselves.

The earliest dated appearances of any of the *Ten Points* that have come to our notice are in publications of the Reverend William John Henry Boetcker (b. 1873). One of these booklets entitled *Inside Maxims, Gold Nuggets taken from the Boetcker Lectures* (Wilkinsburg, Pa., Inside Pub. Co., 1916) contains several maxims which bear a strong resemblance to Points 2, 3, 4 and 10; his *Open Letter to Father Charles E. Coughlin* (Erie, Pa., Inside Pub. Co., 1935) reproduces Maxim 25 (i.e. Points 2 and 4) on page 56, and the same page contains lines which greatly resemble Point 3.

Also, the "Ten Don'ts," enumerated in an undated, printed handbill captioned *The New Decalogue,* which Mr. Boetcker has distributed widely, contains Points 2–5 and 10, and a slightly different version which, under the title *The Industrial Decalogue,* was included in *The American Charter Compass* . . . by Mr. Boetcker (Erie, Pa., Inside Feature Service, 1945) contains Points 6 and 8 in a single "Don't."

Furthermore, the *Ten Points* were published under the title "Warning Signs on the Road to Prosperity" on the outside back cover of *Investor America* for February 1940, with no attribution of authorship. This periodical, a monthly publication of the American Federation of Investors, Inc., of which Mr. Hugh Stewart Magill was President, bore on the front cover a photograph of the Lincoln Memorial in Washington. Subsequently, the maxims which had gained considerable popularity both in the business and social world were reprinted in a leaflet form by the Federation; and before long they were appearing in the *Congressional Record,* in the newspaper press, in house organs, official documents, and periodicals, and on Christmas cards.

Lincoln on Limitation is the caption of a leaflet published by the Committee for Constitutional Government, of New York, in the fall of 1942, which contained on the reverse the *Ten Points.* Of the four printings which we have seen (one bearing the caption *Lincoln on Private Property*) one attributes their source to *Land O'Lakes News,* another to *Inspiration of Wm. J. H. Boetcker;* the third and fourth bear no attribution of source whatever, and none bears any attribution to authorship. However, as these printings carried on the face of the leaflet excerpts from Lincoln's writings, it appears that by printing the *Ten Points* dos-a-dos to authentic Lincolnisms, without specifically relieving him of the distinction, the Committee has earned the honor of having first associated Mr. Lincoln with the maxims.

The *Royle Forum,* published quarterly by John Royle & Sons, Paterson, New Jersey, in Number 24, September 15, 1943, printed the *Ten Points* (p. [4]) in a variant sequence under the title *Ten Things You Cannot Do,* and ascribed them to Abraham Lincoln. This text, incorporated in a radio script, was broadcast as the work of Mr. Lincoln in Galen Drake's program of November 30, 1948.

More recently the *Ten Points,* slightly transposed, with the omission of a word or two, have been attributed directly to Lincoln in various media, and there seems to be no way of overtaking the rapid pace with which the mistaken identity has been spreading.

VIETNAM

Mr. PELL. Mr. President, one of the enigmas in Vietnam today is the degree to which the National Liberation Front is both different from and similar to the South Vietnamese Government.

In this connection I call attention to three very interesting columns, "Insight and Outlook" by Joseph Kraft, which while having been written some weeks ago, I found interesting and believe it to be of benefit to my colleagues. As I have said before on the Senate floor, I believe Mr. Kraft to be a remarkably well-informed newspaperman, particularly concerning the national liberation front. I ask unanimous consent that his three columns may be inserted in the RECORD at this point.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Nov. 23, 1966]

ON THE OTHER SIDE OF THE WAR

(By Joseph Kraft)

PRAGUE.—Fitly, perhaps, this half-lit Gothic city, the setting and inspiration for Kafka's weird novel "The Castle," is one of the few places where it is possible to meet the other side in the Vietnamese war. The National Liberation Front or Vietcong, maintains a delegation here under the leadership of a veteran guerrilla fighter, Tram Lam.

In the past few days I have been able to talk at length to one of the representatives of the Front. What follows is my summary of the main views expressed over several hours.

On Why They Keep Up the War: We have fought for independence for more than a quarter of a century. After we have shed so much blood and lost so many lives, it is not easy to accept the kind of capitulation the Americans are now offering.

We know that America is a great country and a rich country. But its power is not unlimited. We know what it has already taken to fight against 14 million people in a tiny piece of land. It has taken one-third of the American combat divisions, one-half of the American air strength, one-third of the American fleet.

Despite that effort, the Americans have not yet destroyed a single one of our companies, not one company totally destroyed. We know that the Americans have responsibilities here in Europe and in Latin America. We think that, if it has already taken them so much to accomplish so little, in the end our struggle will not be in vain.

On Escalation: If it has taken so much American power to fight a tiny country with such small results, it does not make sense to fight 17 million more people from North Vietnam in a still larger area.

On The American Elections: It was a complicated affair, very difficult to follow. Despite various demonstrations and manifestations, the American people apparently let President Johnson do what he wants to do in Vietnam.

On Why the Liberation Front has not formed a provisional Government: We were a Front representing many segments of the population of South Vietnam. But there remain some elements outside the Front. If we formed a government we might exclude those people. We think that, if we keep our ranks open, we can still win over whole cities and even units of the South Vietnamese army.

On Reunification With the North: By reason of language, culture and the economy, Vietnam is one. But we recognize as a reality the Geneva partition and the fact of 12 years of separate history.

We are fighting for an independent South Vietnam, with its own constitution, its own elections and its own government. Later, that government might, step by step and stage by stage, work toward unification with North Vietnam.

On Prospects for Negotiations: We do not think the time is right for negotiations for two reasons. One is that the Americans keep intensifying the war by sending in more troops, by raising the military budget and by increasing draft calls. The other is that the Americans have not recognized the Liberation Front.

On The Possibility of Negotiations Between the United States and North Vietnam: The North cannot negotiate for the South. Hanoi is not the voice of the South. The Front is that voice.

No doubt large elements of false information and deliberate distortion run through the views expressed by the Front. But the untruths believed by the Front are not unimportant. And even propaganda represents what people want to have believed about themselves, which means what they are themselves prone to believe.

At any rate, two qualities in the statements by the Front strike me as being especially notable. For one thing, there is immense confidence—even pride—in the capacity to absorb punishment and win out in the end.

For another, the Front does not draw its confidence, as the President and Secretary of State seem pleased to believe, from the American critics of American policy. The conclusion of the Front is that, given the small American stake in Vietnam and the huge American stake in the rest of the world, the commitment is too lopsided to be sustained indefinitely.

[From the Washington Post, Nov. 28 1966]

Anatomy of the Other Side

(By Joseph Kraft)

Paris.—In talking about "the other side" in the Vietnamese war, we all tend to lapse into the assumption that there is a unity stretching from the Vietcong guerrillas in the field through Hanoi to the Communist countries and parties around the world.

But, in the course of a trip that has put me in touch with most of the major elements of the other side, I have been struck by difference more than unity and, most of all, by the broad scope left to local option in the making of major decisions on the war.

The Vietcong, or National Liberation Front, concentrates intensely on South Vietnam. Its representatives talk of an independent South Vietnam, with its own government, Parliament and Constitution. They deny that Hanoi could negotiate for the South.

The North Vietnamese also concentrate heavily on their own problem. For them, the first thing that has to be done before anything else is the cessation of the American bombing of North Vietnam, unilaterally and for good.

They deplore the Sino-Soviet split but refuse, in a way that smacks almost of nonalignment, to choose sides. "We think," I was told, "that every Communist Party has to do what its own country requires."

The North Vietnamese directed my attention toward official declarations—an editorial in the September issue of the theoretical journal Hoc Tap and a statement by the Party theoretician Le Duc Tho on the 30th anniversary of the popular front here in France—both of which stressed the utility of popular front tactics.

But why do the North Vietnamese suddenly begin laying it on thick about something that is as much a part of their doctrine as Republican government is a part of American lore?

My guess is that Hanoi, perhaps against the will of Peking, is saying that a settlement in Vietnam could come through negotiations between the Vietcong and the Saigon government for a popular front, absorbing persons on both sides. But that, of course, means that Hanoi is throwing the issue of settlement back to the Vietcong.

With respect to the Chinese Communists, they seem, for reasons of internal policy and because of the split with Russia, to be occupying all available positions on the extreme far-left. In that vein, they have moved beyond the Vietcong and Hanoi to say that not even the Geneva accords form a basis for settlement.

But the Chinese, unlike the Russians, have played their hand in Hanoi with great self-effacement and subtlety. People who should know think that Peking, while prepared to help Hanoi in the fight if so asked, is also prepared to go along with any settlement endorsed by Hanoi.

As to the Soviet Union, every day that the bombing of North Vietnam continues, the Russians lose a little bit of their claim to be a world power on the same footing as the United States. Moscow, accordingly, is obliged to help Hanoi and is interested in putting an end to the war.

But when it comes to promoting a settlement in Vietnam, the Russians seem to have next to no influence—the less so, since Hanoi would probably not want to jeopardize relations with Peking by allowing Moscow to play the big role as peacemaker.

It is a mark of how little influence the Russians have that, in order to soften up Hanoi, they arranged visits to North Vietnam last fall by high-ranking delegations from Roumania, Hungary, Czechoslovakia and Poland. For, as was to be expected, the North Vietnamese turned a very deaf ear to these clumsy efforts.

The upshot of the complicated interplay is to underline anew the importance of local factors. More than ever, it seems to me, the key to a settlement in Vietnam is a government in Saigon that is ready to negotiate with the other side.

[From the Washington Post, Nov. 30, 1966]

Imbalance of Terror

(By Joseph Kraft)

I return from a trip through East and West Europe persuaded that in one respect many critics of official policy in Vietnam have been wrong.

We have been wrong, I think, in assuming that deeper American engagement in Vietnam would generate serious risk of resistance from the Communist powers and isolation from this country's allies.

The fact is that American strength has become so great that the old balance of terror model has become outmoded. There is an imbalance of terror in the world today. And I am driven to the sad conclusion that the only real check on the United States lies in qualities of self-denial that are not exactly prominent features of the present scene here in Washington.

The obvious candidates for potent resistance in Vietnam are Communist China and Soviet Russia. For the Chinese it would be particularly easy to shore up North Vietnam by putting in, say, 50,000 troops.

But the Chinese Communists are now caught up in the cataclysmic upheavals of their internal politics. And the effect of those events on prospects for major intervention are well illustrated by a talk I had with a North Vietnamese representative in Prague.

At the outset he gave the usual formula for indicating that if called upon, China would come to the aid of North Vietnam. He said that North Vietnam was China's "front line" and that "an attack on North Vietnam is an attack on China."

But when asked about current developments in China, he immediately took his distances. "Every Communist Party," he said, "has to do what its own country's situation requires." And that seems to mean that recent developments in China have intensified Hanoi's traditional suspicion of Peking to the point where it is extremely reluctant to call for direct intervention.

The Russians could also beef up resistance in Vietnam enormously by sending more air power, including planes flown by Soviet pilots. But the chief Soviet interest in foreign policy seems to be to maintain leadership over the world Communist movement. And the East Europeans have almost no interest in what is going on in Asia.

For the most part, they have been unwilling to join the Soviet Union in a stand against Peking. With respect to the war in Vietnam, they seem disposed for peace at any price. As one East European official put it to me: "Who the hell needs that war?"

As to the European allies, except for the special case of Gen. Charles de Gaulle's France, they are so intimately bound up with American military and economic power that there is no true possibility of exerting serious pressure to modify American policy. Their leaders seem mainly concerned that, Vietnam or no Vietnam, their ties with Washington be maintained.

Thus, in West Germany, a Social Democratic leader very keen to open new relations to the East and highly critical of past Christian Democratic dependence on the United States, went to great lengths in describing to me the troubles that would ensue if the United States actually undertook to reduce forces in Germany.

And in Britain, even as Prime Minister Harold Wilson moves toward the European Common Market, he asserts—to the prejudice of his European prospects—that he wants to maintain his special relationship with the United States.

All this, of course, does not mean that American policy in Vietnam is right. For my own part, I think it is very wrong. I think that any important results that can be achieved through negotiations without the cost, the loss of lives and the strident vulgarities always generated by war.

What is new, in my mind, is the emergence of the United States as the world's only superpower. This country has eclipsed the rest of the world in military and economic strength. No outsider, whether friend or foe, is likely to impose serious barriers against America in Vietnam. We are on our own.

And to me, at least, that is a melancholy conclusion. For I do not see that our present leadership or even our public opinion is chiefly characterized by the qualities that make for wise use of power—the qualities of restraint, of patience, of modesty.

NEW CHALLENGES IN INTERNATIONAL RELATIONS

Mr. PELL. Mr. President, I should like to call the attention of the Senate to a very excellent address entitled "New Challenges in International Relations" by Alfred M. Landon, which was delivered last December on the occasion of the inauguration of the Landon Lectures on Public Issues at Kansas State University.

I find myself in agreement with many aspects of Governor Landon's keen observations on the new realities which confront us in international affairs. In particular I applaud his sound and realistic views on dealing with Communist China and on facing up to the division of *Germany*.

I ask unanimous consent that the remarks of this distinguished former presidential candidate and public servant be inserted in the RECORD at this point.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

NEW CHALLENGES IN INTERNATIONAL RELATIONS

(By Alfred M. Landon)

We must face the challenges of new *realities of international life today.*

The world is an armed camp. An uneasy peace is maintained—while a power struggle continues to build up between the Soviet Union and China—with the United States neutral between them. On the other hand, we support South Vietnam's opposition to Communist aggression.

India—the second largest nation—wrecked by Socialistic leadership—is racked by internal dissension and menaced by external threats.

The potential colossus of China—the world's most populous nation—is experiencing a severe internal revolution.

The end of the Vietnam war is not in sight. And the vital questions of barring the use and spread of nuclear weapons and the military use of space remain unanswered.

Everywhere, a new nationalism—having recently vanquished European empires—is now transcending ideologies—old alliances—and is *paradoxically supporting* world peace—based on fear—not trust. World Communism—the United Nations—NATO—and the Atlantic Alliance—are fragmenting on the rocks of this new nationalism.

This new nationalism is one of independence and self-determination. It is not the old dynasty nationalism with its ancestral roots in medieval feudalism. Nor is it the aggressive nationalism of modern dictators built on the doctrine of force.

World War One wiped out the last of the monarchs representing the centuries-old dynasty nationalism. And World War Two eliminated two megalomaniac dictators—Hitler and Mussolini—and their Japanese brethren. The policies of two more aggressors—Stalin and Sukarno—have been thrown by their people on the scrap heap of history. Only one of the five megalomaniacs of our time is left—China's troubled Mao. The ruthless Red guards turned loose by him on his unhappy countrymen are a sad recreation of Hitler's Jackboots and Mussolini's Blackshirts.

Meanwhile, China's world influence has suffered severe reversals—in Latin America—Africa—India—and Indonesia—and also in the United Nations, which—by the greatest majority vote in some years—recently refused to seat Communist China.

This new nationalism is transcending Communism. Both outside—as well as inside China—the theories of Marx and Lenin for the establishment and maintenance of worldwide Communism are being revised. The turmoil in China is essentially concerned with a struggle between the fundamentalists and revisionists.

The Soviet Union is departing so far from the original concepts of Marx and Lenin as to render them almost unrecognizable. Soviet Communism is moving slowly and subtly—but surely—toward incorporation of certain capitalistic principles of reward for individual talent and incentive.

Behind the thinning and now porous Iron Curtain—Communism has failed to meet the hopes and aspirations of its people. Its hierarchy is changed. Developing public opinion has eroded and loosened its monolithic structure.

The heretofore captive East European Satellites are no longer captive nor satellites. *They are pushing away from economic and political control and domination by Moscow.* And it must be admitted that—by the same token—Western Europe is also pushing away from economic and political domination by the United States of America.

This new nationalism has wrought momentous changes. It is changing the post-war alliances within both the Communist and non-Communist world. It presents great difficulties for the United Nations and the ideas of world federation—or Atlantic Union.

By fostering national barriers—the new nationalism in one sense obstructs international cooperation. Paradoxically—by reducing *ideological barriers—this new nationalism* in another sense permits greater international cooperation based on the principle of equality of nations.

In October, 1961, when the White House was divided on whether to support the fledgling European Economic Community—or whether to request a year's extension of the Reciprocal Trade Agreements Act—I urged support of the E.E.C. as the most realistic step toward economic and political stability—and hence world peace. Why? Because the E.E.C. was founded on the simple principle of removing nationalist barriers to international trade.

The principle of a high protective tariff is basic to a government protected—or owned—or managed—economy. High tariffs inhibit cross-cultural relations. Freer trade, on the other hand, enables the peoples of different nations to become better acquainted with the customs, beliefs, ways of life, and government policies of one another. With the greater expansion and ease of communication today, freer trade induces mutual international understanding.

When international understanding is thus achieved—political tensions are reduced and voices of reason are easier heard and understood. The way is then prepared to move toward world stability—increased prosperity—higher standards of living and education—and peaceful competitive existence in international markets. These conditions, in turn, form the foundation for cooperative political policies among nations.

Two and one-half years of bargaining within the European Economic Community are coming to a close with expectation of the most substantial tariff reductions in history. The effects of this action will spread all over the world—from Europe to Latin America, Africa and Asia. I quote from a recent statement by the Japanese Ambassador:

"We Japanese believe that contacts through trade tend to facilitate mutual understanding among nations of differing ideologies and social structures."

This development is not as dramatic and grandiose as a League of Nations—a United Nations—or world law based on a world court. However, international trade is the only proven method for initiating a workable peace with international security and understanding—security and understanding that might save the United Nations organization—which is now bankrupt financially—politically—and structurally. The world needs the United Nations as a forum to discuss and expose international grievances and concerns.

Early this year, our President requested Congress to repeal legislation obstructing United States trade with Communist countries. Congress adjourned without acting on the President's trade recommendations. Meanwhile, the English—French—West Germans and Japanese are filling the orders of China—the Soviet Union—and Eastern Europe. Our allies are trading with Communist countries. We are not.

The defensive "white elephant" military structures of SEATO and CENTO existed only on paper. Despite our rebuilding efforts, NATO's days are numbered. They were not designed to provide the common *ground for better acquaintance with*—and understanding of—the communist world. Nevertheless, our own nationalism persists to inhibit the expansion of America's world trade. The American Congress has not learned a prime lesson of history—that economic isolationism leads to political isolationism as well as the converse—and that either is counterproductive in this day and age—as even the Soviet Union is reluctantly learning.

The world is truly in an era of greatest change. World peace and stability depend on harmonious relations between China—the Soviet Union—and the United States. The *time has come for each to completely re*appraise its foreign policies. Each major power must ask itself whether it correctly perceives new realities—whether momentous world changes have evoked commensurate policy responses. Specifically, each must introspectively assess whether continuing confrontation with its military strength is the most *effective* means to assure world peace and stability—and hence its own security.

What are these new realities? They include—the Soviet modernizing of Communist dogma—the Sino-Soviet split—European self-determination and independence *from Soviet and American domination*—the advent of Chinese nuclear power—the growing non-alignment of developing nations—the recession of the Communist tide—and worldwide acceptance of the concept of the welfare state. In a nut shell—these are the new challenges wrought by the new nationalism.

The potential colossus of China—weakened internally and externally by Mao's unrealistic fanatic militancy—bitterly attacks both the Soviet Union and the United States. The irony is that these attacks help to induce better relations between these super powers—exactly what China fears.

The Soviet Union faces hostility from China on her eastern front—the closest and most obvious mark for its new nuclear bomb—with the longest border line in the world—and territorial disputes and memories of bloody invasions centuries old. The passage of time has not eliminated from the folklore of Russian memories the ravages of Genghis Khan's hordes—or Napoleon's French—or German armies twice in the last fifty years. It was Mao's leadership that chased Russia out of Manchuria.

On her western front—The Soviet Union fears a united Germany as the devil fears holy water. In all of Russian history, there has been one basic foreign policy and that is to avoid facing a war at the same time on two fronts.

By the same token, China faces The Soviet Union on her land front and the United States of America on her Pacific front without a navy.

Both The Soviet Union and China face the United States of America uncertain as to the international policies of the greatest economic power—welfare state—and military power in the world. The Soviet lately links together both China and the United States of America in formal public attacks. The corollary of such attacks is what the Soviet fears.

We have this definite situation that The Soviet Union needs the pressure of America on China in the Pacific—despite Premier

Kosygin's continued assertions that ". . . if the war (in Vietnam) were ended, relations (with America) would certainly improve." China, in turn, needs the pressure of America in Europe on The Soviet Union—despite Mao's attacks on both. The peace of the world is in suspense while this jockeying goes on.

Hence, America is presented with an unusual opportunity to initiate a "live-and-let-live" policy of competitive economic existence with the Soviet Union—or China—or preferably both. Such American initiatives are necessary to reduce tensions—violence—war and threats of war; in other words—to normalize international relations. Encouragingly, these policies seem to be developing.

In recent months, President Johnson has made three highly significant foreign policy moves that have generally escaped the public attention and discussion they deserve—and have yet to be explained to the American people. Foremost among the foreign policies of the Truman, Eisenhower, Kennedy and Johnson administrations were the reunification of Germany and the political and economic isolation of Communist China. These two policies together with the implications of the President's commitments at the Manila Conference, signify possible momentous changes in our foreign policy.

The first of these three significant moves by President Johnson occurred last July when he proposed at least a tentative reappraisal of our China policy with his offer of reconciliation with China. I quote President Johnson:

"Lasting peace can never come to Asia as long as the 700 million people of mainland China are isolated by their rulers from the outside world.

"We persist (in efforts to improve relations) because we believe that cooperation, not hostility, is the way of the future. That day is not here yet. It may be long in coming, but it is clearly on the way, and come it must."

In September, Vice President Humphrey followed President Johnson's incipient design by speaking of "building bridges to China." I have been urging such a policy for a long time, but without success. Recently, spokesmen for the United States Chamber of Commerce are on record as stating that increased communication with the Peking government is in order. And, according to a recent report of the American Friends Service Committee, our present policy of non-intercourse with China is leading to disaster. Said the Committee, and I quote:

"Two of the largest and most powerful nations of the world have since 1950 lived largely in isolated ignorance of one another and in an atmosphere of mutual fear and hate. . . . Some attempt to break the present deadlock is long and dangerously overdue."

The point to be emphasized here is not that our China policy is soon to be reversed. China has replied to the President with more lies and abuse. Rather, the question of great interest to both the United States and the Soviet Union is—After Mao, what? It is in anticipation of answering this important question that the pending reappraisal of our China policy acquires added significance.

The second of the three meaningful moves was inherent in Mr. Johnson's assertion of last August that better relations with the Soviet Union "must be our first concern." By implication, the President threby signaled our intention to abandon the priority of the reunification of Germany. I quote from Joseph C. Harsch in the *Christian Science Monitor:*

"The President has formally stated that reunification of Germany can come about only within the reunification of Europe. Germany's cause is no longer Step One in healing the split in Europe caused by the cold war. The unity of Germany is a hoped-for result of closer East-West ties. It is no longer the pre-condition."

Two recent developments in Germany might possibly be related. They are: (1) the downfall of the Erhard government replaced by an uncertain coalition of the Christian Democrats and the Social Democrats; and (2) a resurgence of German nationalism as evidenced in two state legislative elections.

A quid pro quo for this momentous change in our European policy could be for the Soviet Union to use its good offices in bringing about a settlement in Vietnam that would be worthy of our sacrifice of blood and money. An end to the Vietnam war—according to Premier Kosygin—would pave the way to improved relations. Recently he said, "We want a relaxation of tension, we want an understanding with the United States."

The Soviet Union would have much to gain. She would be free of a threat on her western front which would allow her to concentrate on the growing Chinese military threat on her long Eastern front.

The third and last move fraught with momentous consequences for all the world concerns President Johnson's pre-election Manila Conference. I quote from a recent report by the Research Institute.

"First the Conference left untouched the one crucial issue: Where does the Vietcong figure in the war's final settlement?

"South Viet Premier Ky made clear where he figures the Vietcong: destroyed as an organization, its members 'abiding by the law'—the South Vietnam law as enforced by the government headed by Ky.

"It is inconceivable that Hanoi or the Vietcong will negotiate on any such terms, unless Ky should retract his words publicly. It is equally inconceivable that he will yield on any of them.

"The stage is set, hence, for a long drawn-out tug-of-war among the Manila conferees—with no end to the fighting itself. The allied stalemate may be harder to break than the field impasse."

And concluding from this report:

"If Ky were alone, he might be brought to heel fairly soon. But he has real support from the South Koreans, Thais and Australians. They do not want to see the Vietcong in a peacetime Saigon government either; they are in this to stop Red expansion, no matter what it takes.

"This is different from what the Filipinos, New Zealand—and the United States—are ready to accept: (Namely) Let the Vietcong into the government. Philippine President Marcos is ambitious to become Asia's peacemaker, even at the cost of including the VC.

"This is the United States position, as well, although President Johnson did not press it openly at Manila." (end of quote)

The Manila Conference was a complete failure as far as agreement on any Vietnam peace settlement is concerned. Before the ink was dry, Premier Ky of South Vietnam emphatically dissented from President Johnson's interpretation of the Manila Conference proceedings, just as he did with President Johnson's interpretation of the so-called Honolulu Pact. Again I quote from the Research Institute report:

"After Manila . . . Ky has only one clear course left: Keep the U.S. fighting until the Vietcong has been totally smashed. This means more men and arms, more escalation, a much wider war."

It should also be noted that the much heralded free election law in that unhappy country gives Premier Ky and his military junta a veto over any measure the civilian assembly adopts.

One result of the Manila Conference was the dramatic pronouncement by our President that the United States is a major Asian power and is assuming guardianship in its name over all of Asia. This appears to be an assertion of national responsibility of appalling proportions. Should Congress implement Johnson's Asian Manifesto, it would seem that America would become permanently and deeply involved—politically—militarily—economically—in all Asia.

Is this what our President intends? I raise this question: Are we—or are we not—now so committed? Did our President intend to permanently commit us to raise the standards of living, of health, of education, and of democracy throughout Asia under an American military umbrella?

Nearly two months have passed without any explanation by our President of his sweeping pronouncement. Why is the President silent? Americans are kept in the dark as to just what was said at Manila by our President—and what his intentions are.

Of equal present and future importance is how other governments interpret President Johnson's Manila manifesto. Do they consider it as a definite projection of U.S. foreign policy? Or do they consider his expansive statement as merely a gesture of good intentions designed to obscure the utter failure of the Conference to agree on peace in Vietnam? Have they learned that American presidents' words do not "always weigh a ton"—as Mr. Coolidge said?

Perhaps, when interpreting our President's Manila statement, other governments might recall previous American international commitments which we did not honor—as, for example, the Open Door for China—which we ignored when Japan invaded Manchuria in 1931. Or they might recall the Buffalo speech of John Foster Dulles during the 1952 presidential election campaign pledging the new administration—if elected—to liberation of the captive nations of eastern Europe—a pledge that was to contribute to the East German and Hungarian revolt of 1956 in expectation of American support that was never forthcoming.

Or, our President's Manila pronouncement might be explained as "speaking softly but carrying a big stick." If this is the correct interpretation, then the question must be asked—just how big a stick does America intend to carry in Asia in the light of spreading nuclear power. Do we really need such paramountcy in Asia?

In October, 1964, China formally proposed a conference of the five nuclear powers preliminary to a conference of all nations to abolish nuclear weapons. I immediately urged American acceptance—at least for the purpose of discussion. Secretary General U Thant somewhat unprecedentedly publicly endorsed my statement the next morning. But the Johnson administration dismissed off-hand China's overture on the ground that it was mere propaganda and that China's nuclear bomb was obsolete and that it would be 20 or more years before China would perfect the means of delivering it. But in less than two years, China has demonstrated that it has already achieved the capacity to develop an on-target missile delivery system and a bomb with thermonuclear characteristics.

Finally, there is the question—if President Johnson meant what he seemed to say at Manila—where is he going to get the money to bring his Great Society to all of Asia. And this in addition to the pressing question of where is he going to get the money to finance both a big war and yet continue his Great Society for the home folks.

If our President's new Asian policy is undertaken, the greater question must be asked: What responsibility—moral or otherwise—do we Americans actually have to bankrupt ourselves for President Johnson's unrealistic policy for world salvation?

If it is described as a part of the program to contain Communism—let us observe how Communism is containing itself by its unworkable theories—as can be seen in Communist dominated countries everywhere. Indonesia is the latest example—plus the African states that have kicked out both Chinese and Russian attempts at Communist domination.

It will be the responsibility of our Congress to implement President Johnson's Manila manifesto, or to refuse to assume its frightful consequences, when and if the President requests the necessary appropriations to implement it. Even a token Congressional appropriation would be tantamount to the assumption of responsibility that would lead to various future complications.

While the President's astounding Manila manifesto does not require treaty ratification by the United States Senate, it is so vital to American interests that I believe that the Senate Foreign Relations Committee ought to probe all its facets and to expose all its implications and our obligations under it for the attention of the American people as well as peoples elsewhere.

There must be a clear and complete understanding not only between the American people and their government, but also among the governments that participated at Manila—as to what exactly are we Americans expected to do for our Asian wards—what specific commitments and limitations were made by President Johnson—and how lasting will they be. For some unknown reason, President Johnson has chosen not to discuss these great concerns with the American people. Meanwhile, other governments should clearly understand that President Johnson's exuberant Asian commitments require Congressional action under our system to become operative.

The simplest way to clear this all up is to get the complete transcript of the Manila Conference before the Senate Foreign Relations Committee for introduction in the CONGRESSIONAL RECORD.

There remains one other critical development that threatens to enlarge even further the stretching world commitments of the United States. I speak of the growing pressures to impose economic embargoes through the United Nations on Rhodesia and the Republic of South Africa. To enforce its decision to end the South African mandate over Southwest Africa, the United Nations may soon impose economic sanctions on South Africa, as well as Rhodesia.

When Britain attempted to bring Rhodesia to heel by imposing sanctions, President Johnson promptly concurred. But these sanctions have failed. Now Prime Minister Wilson is apparently caught bluffing again. When his bold words in his report to the British Parliament of his conference with the Prime Minister of Rhodesia are boiled down—they are nothing but the same old appeal for "special sanctions" by the United Nations on purchases of key Rhodesian products.

From the beginning, it is evident that Prime Minister Wilson is trying to bluff Rhodesia back into line by threats.

If the United Nations adopts a more forcible policy, who is going to enforce it?

I quote from John Knight's "Editor's Scrapbook":

"Mr. Wilson would like nothing more than to have the United States pull his chestnuts out of the fire. As the *Economist* of London has said: "To pretend that Britain alone can resolve this problem is just as stupid as to think it can be handed over to the U.N. That duty (sanctions) does not rest with the British government alone. The cloud in Mr. Ian Smith's sky may seem no bigger than a man's hand; but the real question is whether the hand is President Johnson's.'

"And the *London Sunday Observer* comments that it must be up to the United States to make effective the sanctions on Rhodesia, the Republic of South Africa and Southwest Africa."

The only effective means of enforcing economic embargoes is by naval blockade—not to mention air cover. To effectively blockade the coast of South and Southwest Africa would be a prodigious and very expensive undertaking. Our navy is already fully committed. Our First Fleet is patrolling the California coast and the Second Fleet the Atlantic coast. Our Sixth Fleet operates in the Mediterranean area and Our Seventh Fleet in the straits between Taiwan and China and the rest of the Pacific area, including South Vietnam.

Moreover, any effective embargo of Rhodesia would require a blockade of South Africa. The volume of South African trade alone with Great Britain might well involve the solvency of the British pound.

How can we support the solvency of the British pound and yet enforce such economic embargoes on Rhodesia or South Africa—or both—and yet fight a major war in South Vietnam, not to mention all the other American commitments at home and abroad?

This African affair will not be settled in one week or one month. It can be as long as the engagement in Vietnam.

From every side then there is a pressing need for the Senate Foreign Relations Committee to review and assess the position America occupies as the result of its exuberant evangelical world leadership in Europe, in Asia, in Africa and in this hemisphere.

While I staunchly believe in and support President Johnson's policies of new contacts with both the Soviet Union and China as the basis for better international understanding, I believe Senator Fulbright's announced plan for a full and comprehensive review by the Senate Foreign Relations Committee in both public and closed hearings is both timely and essential.

Long ago, when the United Nations was being organized, I said it could not succeed in its objectives when it left out Communist China.

President Johnson has taken the first steps with both China and the Soviet Union. So far, there has been no commensurate response from either.

Our President is leading from strength, both economically and militarily. There is as much need—perhaps more—for our national administration's intelligent concentration on strengthening our economic foundations and backlogs as on strengthening our military.

It is now up to the Soviet Union to demonstrate a change of front—that Premier Kosygin desires—by performance rather than by words. After all, creditability is as essential in political relations as it is in trade.

Let me conclude by saying simply this: We should respond to the new nationalism and other new challenges in international relations in our continuing search for world peace. I believe we are on the threshold of abandoning our foolish and unrealistic China policy. At the same time, we are hopefully making progress toward improving relations with East European nations.

Now, at last, a realistic basis exists for discussions between the Soviet Union and the United States of a new policy for both countries.

Should China recover from her present insanity and join in responsible interaction with the Soviet Union and the United States—a new era in international relations would commence that would shape the destiny of this world by creating stability on which peace with security is ultimately based. This must be our hope. This must be our aim.

MANCHESTER, CONN., WINS A DISTINGUISHED ACHIEVEMENT AWARD

Mr. DODD. Mr. President, it was with great pleasure that I learned that the town of Manchester, Conn., has just won a distinguished achievement award as a result of their beautification efforts in the 1966 National Cleanest Town Achievement Award Contest.

I take this opportunity to commend all of the citizens of Manchester on obtaining this fine recognition.

Nestled among some of New England's prettiest scenery, Manchester has a population aproaching 50,000 people. Its industrial efforts run from textiles and parachutes to electronic equipment and missile components. C. R. Burr & Co., one of the oldest and largest nurseries in the country, is located in Manchester, and I feel sure that they were one of the forces which inspired the town's beautification efforts.

As the problems of urbanization increase and grow more complex, it is heartening, indeed, to know that the citizens of a town like Manchester are doing everything in their power to preserve the natural resources with which they were blessed. All too frequently, economic and technological progress go hand in hand with the decay and destruction of scenic beauty and healthful living conditions. Such is obviously not the case in Manchester.

Representatives of Manchester will be in Washington this month to attend the National Cleanest Town Conference. The conference will provide a wonderful opportunity for the representatives of Manchester and other cities and towns across the country, because the ideas which they discuss and the recommendations which they make will be presented directly to the President's Council on Recreation and Natural Beauty. I know that the ideas and recommendations which emanate from the conference will be invaluable to the President in his national beautification efforts.

I congratulate all of the citizens of Manchester on their outstanding achievement and notable demonstration of civic responsibility.

ADJOURNMENT UNTIL MONDAY NEXT

Mr. BYRD of West Virginia. Mr. President, if I may propound a question to the distinguished senior Senator from Wyoming [Mr. MCGEE] who has presided over the Senate this afternoon, and now occupies the chair, with a degree of dignity and efficiency "so rare as a day in June," it would be this:

Is there further business to come before the Senate?

The PRESIDING OFFICER. The Chair would have to observe that in this rare June day in February, there is no further business to come before the Senate.

Mr. BYRD of West Virginia. Then, Mr. President, in accordance with the order previously entered, I move that the Senate stand in adjournment until 10 o'clock on Monday morning next.

The motion was agreed to; and (at 3 o'clock and 21 minutes p.m.) the Senate adjourned until Monday, February 13, 1967, at 10 o'clock a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 9 (legislative day of February 8), 1967:

FEDERAL HIGHWAY ADMINISTRATION

Lowell K. Bridwell, of Ohio, to be Administrator of the Federal Highway Administration.

APPALACHIAN REGIONAL COMMISSION

Joe W. Fleming II, of Arkansas, to be Federal cochairman of the Appalachian Regional Commission.

EXTENSIONS OF REMARKS

Rail Rapid Transit

EXTENSION OF REMARKS
OF
HON. RICHARD D. McCARTHY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 9, 1967

Mr. McCARTHY. Mr. Speaker, the necessity of rail rapid transit to match America's future transportation needs and requirements was emphasized to me this week in a letter from the majority leader of the Buffalo, N.Y., Common Council.

I found the remarks of Councilman Stanley M. Makowski so telling that I have forwarded them to Hon. Alan S. Boyd, Secretary of Transportation, along with a letter asking Secretary Boyd what plans he has for the future in this regard.

Buffalo was the location recently of a model city conference, and Councilman Makowski was quick to recognize that before any city can effectively become a model city, mass rapid transit must be installed to serve its needs.

In addition, Councilman Makowski saw the importance of such a transit system in fighting air pollution. His letter, my reply to him, and my letter to Secretary Boyd, follow:

A MODEL CITY NEEDS MASS RAPID TRANSIT

(By Councilman Stanley M. Makowski, majority leader of the Buffalo Common Council)

Are we ready to accept a balanced, mass rapid-transit system in western New York, or should we continue constructing the ever-encompassing tentacles of concrete that stem from our city's core and will strangle our very existence if we allow it to continue? We must accept the challenge to control this developing menace to our society.

The recent model city conference held in Buffalo's city hall unfortunately did not emphasize this vital element of what I consider must be part and parcel of the model city program.

The model city sessions were most valuable to all of western New York in so far as they represented a most stimulating conference. Now must come the time for careful evaluation of problems discussed, ideas proposed, and issues omitted.

Unfortunately, no one spoke a word about either public rapid transportation or highway congestion. We are all aware what the combustible engine contributes toward the creation of frightful and destructive air pollution. Just who would benefit by the rapid transit system? And who would benefit by the elimination of much of the air pollution? The answer: *all* citizens would benefit, especially those core area residents who live nearest the highway interchanges where traffic is most congested. Panel after panel at the conference addressed itself to the socio-economic problems facing deprived areas that exist in the heart of our great metropolitan complex.

Can the use of mass rapid transportation aid the core area's unemployed to gain meaningful employment? The answer must be an emphatic yes! The poor and indigent must have ready and economical access to the outer communities. This is where many of the employment opportunities these people seek are located.

The model city sessions were devoted primarily to the conditions within our core areas. Through a common effort, many of the problems faced by the forgotten, unskilled and deprived groups, could be solved.

In addition, certain areas outside of our present city limits are also plagued by poverty. These neighboring residents could be helped by the opening of job opportunities which were previously limited because of the lack of good public transportation.

Gone are the days when urban highways could be regarded simply as facilities for the movement of vehicles from one place to another. Here to stay is the recognition that transportation is a basic force in shaping the course of urban development. The intelligent approach now being recognized by most planners seems to depend on the balanced transit system, with the rail rapid transit as the backbone.

Most planners agree that building new streets, widening existing streets, and constructing new expressways, in order to move the 1.3 million people of our metropolitan community, are not the best answers. These same planners must take into consideration the fact that excessive rates for present bus transportation to places of employment outside the core area constitute a handicap for those who lack sufficient funds for transportation. If they are employed, autos may be required to reach their respective places of employment. We know that it would be far less costly to provide rapid transit, rather than try to finance a car for every potential worker.

By denying our citizens a choice of transit, by ignoring this mode of travel, aren't we denying our less fortunate their right to a choice of work? Imagine, if you will, the day when more employment will lessen the welfare load and give to these socio economically disinherited people the chance this country promises everyone: the right to work. Considering these factors, what would the effect be on the overall tax structure locally and nationally? It would be decisively encouraging.

Returning to the idea of expressways, I realize that we can move vehicles, but 1¼ passengers per car requires (as Walter Reuther acknowledged) acres of highways to move acres of oversize cars, to park on acres of parking lots.

Western New York requires mass transportation of the most modern, most efficient kind. If we are to move people quickly, safely, cheaply and efficiently, we must consider the use of rail rapid transit as a nucleus for our coordinated overall transportation system.

If the model city conferees had reviewed national publications such as the November 1966 issue of Nation's Cities, they would have found such commonplace statements to planners as:

"Mobility and accessibility are fundamental to the very existence of the city and its metropolitan area—indeed they made the growth and development of the city and the area possible . . . The sinuous pattern of country freeways is not appropriate to cities. It cuts across the existing grid; disrupts neighborhood patterns, and leaves odd, difficult-to-integrate pieces. The wide right-of-way is inappropriate in cities. It wreaks havoc with existing structures; takes too much off the tax rolls, and cuts great swaths through the neighborhoods." (Patrick Healy, executive director, National League of Cities.)

Again, there was the Williamsburg Conference, where Detroit's Mayor Cavanaugh, President of the National League of Cities, said: "We must keep in mind the necessity of including a strong component of rapid transit if we are to end up with a balanced transportation system in the comprehensive plan because huge sums for urban highways will never by themselves solve urban transportation needs."

This statement also came from Mayor of Auto-Making Detroit:

"We would have liked to hear more remarks at the model city session concerning air pollution. A major contributor to this pollution is our automobile with one exhaust pipe for each 1¼ passengers. In California, the $60 devices required on new cars haven't proved efficient. To my knowledge, there is no way to cancel out the air pollution factor in internal combustion engine vehicles. However, much to our chagrin, medical experts state that these vehicles in congested areas are helping to cancel out the human factor—life."

Some would say: "We'll have electric autos by 1980." I hope we do; but it is unlikely that the electric car will appeal to the masses. Its range still seems too short for American families. We dare not wait for the necessary technological advancement to solve today's air pollution by autos.

Let us examine another possible benefit related to mass rapid transit. The underground facilities which would be required, due to the complex composition of the central business district, could serve as civil defense shelters in times of emergency. This type of use for underground facilities was utilized during World War II, in London, England, where millions of people found protection.

Another aspect of urban society that would benefit from the use of a rapid transit system would be the economic and efficient use of land. This factor is becoming more and more important to us as urbanites each day.

I feel that the conference has added much to our general knowledge of what is involved when we consider a model city program for Buffalo. We must also add to the files what others have learned in dealing with urban problems. Cities such as Toronto, Montreal, Philadelphia, and Cleveland—just to mention a few—should be contacted in order to learn their approaches to their problems. We are all urban areas with similar problems.

To do the total job of aiding the socially and economically depressed, and at the same time assist the entire citizenry, we must implement the balanced transit system. Buffalo cannot afford to delay any longer.

The local region has benefited through the efforts of a handful of civic-minded area residents who formed a non-profit organization called START (Suburban Town's Area Rapid Transit.) They pressed forward with an idea which has been carried throughout the western New York area. I am confident that more people will join their ranks in bringing this balanced transit plan to light. This idea could lead the entire region to a better and more productive way of life.

The model city program and the balanced mass transportation system must work hand in hand. Both can be the vehicles to help re-vitalize and save our cities. Let us move forward, *now*, on the wheels of progress that both of these programs can provide.

FEBRUARY 6, 1967.

MR. STANLEY M. MAKOWSKI,
Councilman at Large,
The Council,
Buffalo, N.Y.

DEAR STAN: Many thanks for your February 1 letter and a copy of your excellent statement of January 30: "A Model City Needs Mass Rapid Transit." I couldn't agree more with the emphatic statement embraced in the title of your speech.

As a matter of fact, I think so highly of your remarks that I am having them inserted in the CONGRESSIONAL RECORD for all my colleagues to read.

The very concept of a Model City must, I believe, include plans for an integrated transportation network—the backbone of which should be modern, clean, inexpensive rail transit. Indeed, I do not think that any application by a large city for designation as a Model City should be approved unless it contained provisions for planning for rapid transit.

The current, urgent attention being given to air pollution adds potent weight to the already weighty arguments in favor of mass transit. The Public Health Service recently estimated that 85 million of the 130 million tons of pollutants released into the nation's atmosphere annually come from internal combustion engines.

I am sponsoring legislation to speed up research on modern, low-cost, high energy electric propulsion systems for cars and buses, but as you say, the adoption by Americans of this alternate source of energy seems visionary and far off in time to most.

With the completion of the 41,000-mile interstate highway network now in sight, I believe the time has come to begin to rethink America's future transportation needs and requirements. And it is my firmly held view that rail rapid transit, today a mere stepchild in our transportation picture, must become a mature and dominant factor in the new era beginning with the completion of the interstate network in 1973.

I congratulate you on your foresight, wisdom and courage and I hope you will be successful in using your very influential position to persuade the City of Buffalo to include provisions for rail rapid transit in the Model City plans it's now undertaking.

With warm personal regards, I am,

Yours sincerely,
RICHARD D. MCCARTHY,
Member of Congress.

FEBRUARY 8, 1967.

HON. ALAN S. BOYD,
Secretary of Transportation,
Washington, D.C.

DEAR MR. BOYD: Several weeks ago, a Model City Conference was held in Buffalo, N.Y. Since its conclusion, I have received many letters about the possibility of Buffalo's becoming a model city.

One of these letters—from the city's Common Council majority leader—came to me in the form of a statement, "A Model City Needs Mass Rapid Transit." Its author, Councilman Stanley M. Makowski, had recognized the need for rail rapid transit to cope with the country's future transportation requirements.

I am enclosing Councilman Makowski's letter, as well as my reply to him. I believe the councilman's observations cast a great deal of light on our transportation problems of the future.

Would you advise me as to what the current thinking is in the Department of Commerce, regarding the role of rapid transit—and any future plans you may have for promoting it throughout the country?

Thank you very much.

Yours truly,
RICHARD D. MCCARTHY,
Member of Congress.

Sidney Zagri

EXTENSION OF REMARKS
OF
HON. ROMAN C. PUCINSKI
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 9, 1967

Mr. PUCINSKI. Mr. Speaker, the entire American labor movement lost a most convincing, and persuasive voice with the tragic death yesterday of Sidney Zagri in the restaurant fire in Montgomery, Ala.

Mr. Zagri was the chief legislative spokesman for the International Brotherhood of Teamsters, but in a sense, his abiding dedication to the cause of the American working men and women was felt throughout the entire labor movement.

Sidney Zagri had earned respect from both sides of the aisle here in Congress because of the excellent manner in which he always documented his arguments with unusual facts and statistics.

Mr. Zagri appeared before my subcommittee on many occasions, and I have previously stated that his was one of the most compelling contributions in support of improving minimum wage standards, particularly in the food processing industry.

I recall so well his brilliant testimony, thoroughly documented by facts, figures, and statistics, which left no doubt not only among my subcommittee's members, but also the entire Congress that after many years of effort, people engaged in the food processing industry should come under minimum wage.

But Sidney Zagri did not limit himself only to issues involving the labor movement.

His impact and logic, and deep devotion to human dignity were felt in civil rights legislation; international trade agreement; in school legislation; in medicare; social security improvements; and, yes, Mr. Speaker, even in foreign relations.

Sidney Zagri enjoyed his job. He had a keen mind and a judgment born out of a long compassion for social justice.

He gave the entire Teamster movement a respected voice here in the Halls of Congress. Sidney Zagri never made any improper or unreasonable requests of any Member of Congress. His greatest strength was his analytical mind and his ability to translate into meaning, programs for the unmet needs of America.

The president of Teamsters International, Mr. James Hoffa, and the entire membership of Teamsters locals throughout America have suffered a great loss in the death of Sidney Zagri. But, in a sense, Mr. Speaker, this is a great loss for all of America.

The Congress of the United States would encounter considerably more difficulty in trying to evaluate legislation without the help of capable and dedicated spokesmen for the various segments of our society. Sidney Zagri and his staff helped fill a great void in communications between legislators and spokesmen for the labor movement. He served a noble cause and democracy profited from his wisdom.

To the entire Teamster movement, and to the family of Sidney Zagri, Mrs. Pucinski and I extend our deepest condolence. We will all miss the expert voice of a man like Sidney Zagri, pleading the cause of social justice.

Interstate Roads

EXTENSION OF REMARKS
OF
HON. ROY A. TAYLOR
OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 9, 1967

Mr. TAYLOR. Mr. Speaker, I am deeply concerned over the cutback in Federal funds for our Interstate Highway System.

When the first reductions were announced last November, I immediately wired President Johnson and urged that the action be reconsidered. It is now feared that further reductions may be forthcoming.

In my judgment, the Nation's interstate highway program is the last place where reductions should be made.

This program to build a 41,000-mile system of interstate highways is already 3 years behind schedule, not counting further delays certain to result from recent cuts in construction money.

Since the program was launched in 1956, highway construction costs have almost doubled. An end to the rise in costs does not appear in sight.

Aside from the obvious inconveniences of a partially completed national highway network and the handicap to our military efforts, the lack of adequate interstate roads increases the dimensions of two of the country's largest unsolved problems.

The first, and most alarming, is the steadily mounting highway death toll.

Figures just released by the National Safety Council show that traffic accidents in the United States in 1966 killed 52,500 persons—an increase of 7 percent over the 49,000 killed in 1965. This is 7½ times the number of American fighting men killed to date in Vietnam.

For every 100 persons killed on noninterstate roads, only 40 would have died had they been traveling on an interstate highway, since interstate roads are rated 2½ times as safe as older highways. It is estimated by the Bureau of Public Roads that completion of the interstate road system will save at least 6,000 lives per year from traffic accidents. Ironically, a prolonged delay in completing America's interstate road system and the Appalachian road program could cause as many unnecessary deaths of American citizens as would be saved by an early end to the war in Vietnam.

Recently North Carolina Gov. Dan K. Moore observed,

> The mounting death and accident toll leads me to believe that it is of great importance to move ahead as rapidly as possible in the modernization of our highway system.

I realize that highway fund cuts were considered desirable by the administration as a means of meeting inflationary pressures produced by Vietnam expenditures. The highway fund, however, is unique in that while the administration may temporarily divert or suspend the distribution of highway construction funds to the States, the money must by law remain in the highway trust fund and eventually be turned over to the States for highway construction. Difficulty, however, results from the fact that in the meantime, highway deaths, and construction costs continue to mount.

The second problem is simply the fact that we are on the verge of a national traffic jam already common to many of our large metropolitan centers. By 1975, the number of motor vehicles on our Nation's highways will be almost double those on the roads when the Interstate Highway System was started.

If anything, our road program should be accelerated, including our Appalachian highways. We cannot afford to slow down now, and I intend to do everything possible to help keep our highway construction programs moving forward.

Continued roadbuilding is vital to both America's peacetime and wartime economies.

Survey of 90th Congress, First Session, Relative to Participation in the Boy Scouts of America, by Congresssman Clarence J. Brown, Jr.

EXTENSION OF REMARKS

OF

HON. CLARENCE J. BROWN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 9, 1967

Mr. BROWN of Ohio. Mr. Speaker, last year in observance of the 50th anniversary of the chartering of the Boy Scouts of America by the U.S. Congress, I had the pleasure of preparing a survey of the Members of the 89th Congress, second session, to determine what the Boy Scouts had done for Congress 50 years after Congress did something for the Boy Scouts by chartering it as a national organization.

This year, I have again been asked to make this survey by the Boy Scouts of America to determine the number of Members of the 90th Congress, first session, who were Scouts and/or Scout leaders. This year's survey, as did last year's, reveals that more than one-half of the Members of Congress have served Scouting in some way.

This year's survey discloses that 328 Members of the 90th Congress, first session, have participated in Scouting as Scouts and/or Scout leaders—as compared with last year's total of 302. Of the 328 who have participated, 26, compared with last year's total of 24, have achieved the rank of Eagle, the highest award which can be earned by a Scout. The increase in the number of Members participating and the number of Eagle Scouts might be attributed to the lower average age of the Members of the 90th Congress, as a result of the unusually large number of younger men elected last November.

Also nine adult leaders—one more than last year—hold the Silver Beaver award, two hold the Silver Antelope award and two others hold the Silver Buffalo award, the highest recognition given to adults in Scouting. In addition, while these have not been counted in my statistics, one of the women Members of Congress has been named honorary Boy Scout and another has served as Cub Scout den mother.

Under unanimous consent I make the results of my survey part of the RECORD in observance of National Boy Scout Week, February 7 through 13:

SURVEY OF 90TH CONGRESS, FIRST SESSION, RELATIVE TO PARTICIPATION IN BOY SCOUTS OF AMERICA

(By Congressman CLARENCE J. BROWN, JR.)

	Representative	Senator	Total
Scout	147	30	177
Scout and leader	81	10	91
Leader	51	9	60
No participation	145	50	195
Subtotal	424	99	523
Women	11	1	12
Vacancy	1	----------	1
Total	[1] 436	100	536

[1] Includes Puerto Rico representative.

Total Members who have participated in Scouting: 328 (77% of eligibles).

Total who were scouts: 268.

Total who were leaders: 151.

EAGLE SCOUTS

Senator Frank Moss, Utah (D).

Representatives

Jeffery Cohelan, California (D).
Burt L. Talcott, California (R).
Charles Bennett, Florida (D).
Roger H. Zion, Indiana (R).
Donald Rumsfeld, Illinois (R).
John Culver, Iowa (D).
Hervey Machen, Maryland (D).
Gerald R. Ford, Michigan (R).
John A. Blatnik, Minnesota (D).
Thomas Curtis, Missouri (R).
Durward Hall, Missouri (R).
Barber Conable, Jr., New York (R).
J. William Stanton, Ohio (R).
Horace Kornegay, North Carolina (D).
Mark Andrews, North Dakota (R).
John E. Hunt, New Jersey (R).
Clarence J. Brown, Jr., Ohio (R).
Tom Steed, Oklahoma (D).
John R. Dellenbeck, Oregon (R).
Daniel Flood, Pennsylvania (D).
Richard Schweiker, Pennsylvania (R).
J. J. Pickle, Texas (D).
John O. Marsh, Jr., Virginia (D).
Henry Reuss, Wisconsin, (D).
Larry Winn, Jr., Kansas (R).

SILVER BUFFALO

Senators

Carl Hayden, Arizona (D).
George Murphy, California (R).

SILVER BEAVER

Senators

Clinton Anderson, New Mexico (D).
Everett Jordan, North Carolina (D).
Mark Hatfield, Oregon (R).

Representatives

Del Clawson, California (R).
Larry Winn, Jr., Kansas (R).
Thomas Curtis, Missouri (R).
Durward Hall, Missouri (R).
Page Belcher, Oklahoma (R).
Arch Moore, Jr., West Virginia (R).

SILVER ANTELOPE

Senator Mark Hatfield, Oregon (R).

Representative Durward Hall, Missouri (R).

Honorary Boy Scout: Catherine May, Washington (R).

Cub Scout Den Mother: Florence P. Dwyer, New Jersey (R).

BOY SCOUT SURVEY RESULTS CONDUCTED BY CLARENCE J. BROWN, JR.

(Scout denoted by (S); leader denoted by (L); Scout and leader denoted by (S & L))

ALABAMA

Senator John Sparkman (D), S & L.
George Andrews (D), S.
John H. Buchanan, Jr. (R), L.
William L. Dickinson (R), S.
Robert E. Jones (D), L.
Armistead I. Selden, Jr. (D), S.

ALASKA

Senator E. L. Bartlett (D), S.
Howard W. Pollock (R), S.

ARIZONA

Senator Paul J. Fannin (R), S.
Senator Carl Hayden (D), L.
John J. Rhodes (R), S.
Morris K. Udall (D), S & L.

ARKANSAS

E. C. Gathings (D), S & L.
Wilbur D. Mills (D), S & L.
John Paul Hammerschmidt (R), S.
David Pryor (D), S.

CALIFORNIA

Senator Thomas Kuchel (R) S & L.
Senator George Murphy (R), L.
Alphonzo Bell (R), S.
George E. Brown, Jr. (D), L.
Del Clawson (R), S & L.
Jeffery Cohelan (D), S.
James C. Corman (D), S.
Don Edwards (D), S.
Richard T. Hanna (D), S & L.
Craig Hosmer (R), S.
Harold T. Johnson (D), L.
Robert L. Leggett (D), S & L.
Glenard P. Lipscomb (R), S.
John F. McFall (D), L.
William S. Mailliard (R), S.
Bob Mathias (R), S.
John E. Moss (D), S.
Ed Reinecke (R), S & L.
Edward R. Roybal (D), S.
H. Allen Smith (R), S & L.
Burt L. Talcott (R), S & L.
Charles M. Teague (R), S.
John V. Tunney (D), L.
James B. Utt (R), S.
Lionel Van Deerlin (D), S.
Jerome Waldie, (D), S.
Bob Wilson (R), S.
J. Arthur Younger (R), L.

COLORADO

Wayne N. Aspinall (D), S.
Frank E. Evans (D), S & L.
Byron G. Rogers (D), S.
Donald G. Brotzman (R), S.

CONNECTICUT

Senator Thomas J. Dodd (D), S.
Senator Abraham A. Ribicoff (D), S
Robert N. Giaimo (D), S.
William L. St. Onge (D), S & L.

DELAWARE

Senator J. Caleb Boggs (R), S & L.
William V. Roth, Jr. (R), L.

FLORIDA

Senator Spessard L. Holland (D), S.
Charles E. Bennett (D), S.
Dante B. Fascell (D), S.
Sam M. Gibbons (D), S.
James A. Haley (D), L.
Edward J. Gurney (R), S.
A. Sydney Herlong, Jr. (D), S.
Claude Pepper (D), S & L.
Paul G. Rogers (D), S.
Robert L. F. Sikes (D), S.
J. Herbert Burke (R), S.

GEORGIA

Jack Brinkley (D), L.
John J. Flynt, Jr. (D), S & L.
G. Elliott Hagan (D), L.
Phil M. Landrum (D), S.
Maston O'Neal (D), S & L.
Robert G. Stephens, Jr. (D), S & L.
Fletcher Thompson (R), L.
W. S. (Bill) Stuckey, Jr. (D), S & L.
Benjamin Blackburn (R), S & L.

HAWAII

Senator Hiram Fong (R), S & L.
Spark Matsunaga (D), S.

IDAHO

Senator Frank Church (D), S.
George V. Hansen (R), S.
James A. McClure (R), S.

ILLINOIS

Frank Annunzio (D), L.
Leslie C. Arends (R), S.
Harold R. Collier (R), S.
Edward J. Derwinski (R), S.
John N. Erlenborn (R), L.
Robert McClory (R), L.
Roman C. Pucinski (D), S.
Thomas Railsback (R), S & L.
Dan Rostenkowski (D), S & L.
Donald Rumsfeld (R), S.
William L. Springer (R), S.
Sidney R. Yates (D), S.
Senator Charles Percy (R), S & L.

INDIANA

E. Ross Adair (R), S.
John Brademas (D), S & L.
William G. Bray (R), S.
Lee H. Hamilton (D), S.
Andrew Jacobs, Jr. (D), S.
Richard L. Roudebush (R), S & L.
Roger H. Zion (R), S & L.

IOWA

Senator Jack Miller (R), S.
John C. Culver (D), S.
John Kyl (R), L.
Fred Schwengel (R), L.
Wiley Mayne (R), S.
Neal Smith (D), L.

KANSAS

Senator Frank Carlson (R), L.
Senator James B. Pearson (R), S.
Bob Dole (R), S.
Chester L. Mize (R), S.
Garner E. Shriver (R), S & L.
Joe Skubitz (R), L.
Larry Winn, Jr. (R), S & L.

KENTUCKY

Senator John Sherman Cooper (R), S.
William H. Natcher (D), S.
William Cowger (R), S.
Frank A. Stubblefield (D), S.
John C. Watts (D), S.
Gene Snyder (R), S.

LOUISIANA

Hale Boggs (D), S.
Speedy O. Long (D), S.
Otto E. Passman (D), S.
Joe D. Waggonner (D), S.
Edwin E. Willis (D), S.

MAINE

Senator Edmund S. Muskie (D), S.
William D. Hathaway (D), S.
Peter N. Kyros (D), S.

MARYLAND

Senator Joseph D. Tydings (D), S.
Samuel N. Friedel (D), S.
Hervey G. Machen (D), S & L.
Charles McM. Mathias, Jr. (R), S.
Rogers C. B. Morton (R), S.
Clarence D. Long (D), S.
Gilbert Gude (R), S & L.

MASSACHUSETTS

Senator Edward Brooke (R), S.
William H. Bates (R), S.
Thomas P. O'Neill, Jr. (D), L.

MICHIGAN

Senator Robert P. Griffin (R), S & L.
Garry Brown (R), S.
Elford A. Cederberg (R), S.
John D. Dingell (D), S & L.
Gerald R. Ford (R), S & L.
William D. Ford (D), S.
Edward Hutchinson (R), S.
Lucien N. Nedzi (D), L.
Philip Ruppe (R), S.
William S. Broomfield (R), S & L.

MINNESOTA

Senator Walter F. Mondale (D), S.
John A. Blatnik (D), S.
Donald M. Fraser (D), S.
Joseph E. Karth (D), S & L.

MISSISSIPPI

Thomas G. Abernethy (D), S & L.
G. V. Montgomery (D), S.

MISSOURI

Senator Edward V. Long (D), L.
Thomas B. Curtis (R), S & L.
Durward G. Hall (R), S & L.
W. R. Hull, Jr. (D), L.
William L. Hungate (D), S.
Paul C. Jones (R), S & L.
Frank M. Karsten (D), S.
William J. Randall (D), S.

MONTANA

Senator Lee Metcalf (D), S & L.
James F. Battin (R), S.
Arnold Olsen (D), L.

NEBRASKA

Glenn Cunningham (R), S & L.
Dave Martin (R), S & L.
Robert V. Denney (R), L.

NEVADA

Senator Howard W. Cannon (D), S.
Walter S. Baring (D), S.

NEW HAMPSHIRE

Senator Norris Cotton (R), S.
Senator Thomas J. McIntyre (D), L.
Louis C. Wyman (R), S.

NEW JERSEY

Senator Clifford P. Chase (R), S.
Senator Harrison A. Williams, Jr. (D), L.
Cornelius E. Gallagher (D), S.
John E. Hunt (R), S & L.
Joseph G. Minish (D), S.
James J. Howard, (D), S.
Charles Sandman (R), S.
William B. Widnall (R), S & L.

NEW MEXICO

Senator Clinton P. Anderson (D), L.
Thomas G. Morris (D), S.
E. S. Johnny Walker (D), S & L.

NEW YORK

Senator Robert F. Kennedy (D), S.
Hugh L. Carey (D), I.
Barber B. Conable, Jr. (R), S & L.
John G. Dow (D), S & L.
Thaddeus J. Dulski (D), S & L.
James R. Grover, Jr. (R), S.
Seymour Halpern (R), S & L.
Frank Horton (R), S & L.
Carleton J. King (R), L.
Richard D. McCarthy (D), S.
Robert C. McEwen (R), S.
Abraham J. Multer (D), L.
Richard L. Ottinger (D), S.
Otis G. Pike (D), S & L.
Odgen R. Reid (R), S.
Joseph Y. Resnick (D), S & L.
Howard W. Robison (R), S & L.
John J. Rooney (D), S.
Henry P. Smith III (R), S & L.
Samuel S. Stratton (D), S & L.
Herbert Tenzer (D), L.
John W. Wydler (R), S.
Theodore R. Kupferman (R), L.

NORTH CAROLINA

Senator B. Everett Jordan (D), L.
James T. Broyhill (R), S.
L. H. Fountain (D), S.
Nick Galifianakis (D), S.
David N. Henderson (D), S.
Walter B. Jones (D), S.
Charles R. Jonas (R), S.
Horace R. Kornegay (D), S & L.
Alton Lennon (D), S & L.
Roy A. Taylor (D), S & L.
Basil Whitener (D), S.
James C. Gardner (R), S.

NORTH DAKOTA

Mark Andrews (R), S.
Thomas S. Kleppe (R), S.

OHIO

John M. Ashbrook (R), L.
Jackson E. Betts (R), S & L.
Clarence J. Brown, Jr. (R), S & L.
Samuel L. Devine (R), S.
William H. Harsha (R), S.
Wayne L. Hays (D), S & L.
Delbert L. Latta (R), S.
D. E. "Buz" Lukens (R), S & L.
Clarence E. Miller (R), S.
William E. Minshall (R), S.
Charles A. Mosher (R), L.
J. William Stanton (R), S.
Chalmers P. Wylie (R), S & L.
Robert Taft, Jr. (R), S.

OKLAHOMA

Senator Fred R. Harris (D), S.
Senator A. S. Mike Monroney (D), S.
Carl Albert (D), S & L.
Page Belcher (R), L.
Ed Edmondson (D), S.
John Jarman (D), L.
Tom Steed (D), S & L.

OREGON

Al Ullman (D), L.
John R. Dellenbeck (R), S.
Senator Mark Hatfield (R), S & L.

PENNSYLVANIA

Senator Hugh Scott (R), S.
William A. Barrett (D), S.
Edward Biester (R), S.
Frank M. Clark (D), S & L.
Robert J. Corbett (R) S.
Daniel J. Flood (D), S.
James G. Fulton (R), S.
Albert W. Johnson (R), L.
Joseph M. McDade (R), S.
Thomas E. Morgan (D), S.
Fred B. Rooney (D), S.
John P. Saylor (R), S & L.
Herman T. Schneebeli (R), S.
Richard S. Schweiker (R), S & L.
J. Irvin Whalley (R), L.
L. G. Williams, (R), S.
Joshua Eilberg (D), S & L.

RHODE ISLAND

Senator Claiborne Pell (D), S.

SOUTH CAROLINA

Senator Strom Thurmond (R), S & L.
John L. McMillan (D), L.
L. Mendel Rivers (D), S & L.
Albert W. Watson (R), S.
Senator Ernest Hollings (D), S.

SOUTH DAKOTA

E. Y. Berry (R), L.
Senator Karl E. Mundt, (R), S.
Ben Reifel (R), L.

TENNESSEE

William R. Anderson (D), S.
William E. Brock III (R), S.
John J. Duncan (R), S & L.
Richard H. Fulton (D), S & L.
Ray Blanton (D), S & L.
Dan Kuykendall (R), L.

TEXAS

Senator Ralph Yarborough (D), L.
Omar Burleson (D), S.
Earle Cabell (D), L.
Bob Casey (D), S & L.
John Dowdy (D), S & L.
O. C. Fisher (D), L.
Eligio de la Garza (D), S & L.
Henry B. Gonzalez (D), S & L.
Wright Patman (D), L.
J. J. (Jake) Pickle (D), S.
W. R. Poage (D), L.
Graham Purcell (D), L.
Ray Roberts (D), S & L.
Olin E. Teague (D), S.
Richard C. White (D), S & L.
James C. Wright, Jr. (D), S & L.
Abraham B. Kazen, Jr. (D), S.
Robert B. Price (R), L.
Joe R. Pool (D), S.

UTAH

Senator Wallace F. Bennett (R), S.
Senator Frank E. Moss (D), S.
Laurence J. Burton (R), S & L.
Sherman P. Lloyd (R), S & L.

VERMONT

Robert T. Stafford (R), S.

VIRGINIA

Thomas N. Downing (D), S & L.
Porter Hardy, Jr. (D), S & L.
John O. Marsh, Jr. (D), S & L.
David E. Satterfield III (D), 1.
William C. Wampler (R), S.
William L. Scott (R), L.
Senator William B. Spong, Jr. (D), S & L.

WASHINGTON

Senator Henry M. Jackson (D), S.
Brock Adams (D), S.
Thomas S. Foley (D), S.
Lloyd Meeds (D), S & L.
Thomas M. Pelly (R), S.

WEST VIRGINIA

Senator Robert C. Byrd (D), S.
Senator Jennings Randolph (D), S.
Ken Hechler (D), S.
James Kee (D), S.
Arch A. Moore, Jr. (R), L.
John M. Slack, Jr. (D), S.
Harley O. Staggers (D), L.

WISCONSIN

Senator William Proxmire (D), S.
Robert W. Kastenmeier (D), S.
Glenn R. Davis (R), L.
Melvin R. Laird (R), S.
Henry S. Reuss (D), S & L.
Vernon W. Thomson (R), S.
William A. Steiger (R), S.

WYOMING

Senator Gale W. McGee (D), S.

Hon. Douglas H. MacArthur II

EXTENSION OF REMARKS

OF

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 9, 1967

Mr. TEAGUE of Texas. Mr. Speaker, as I am sure you know and those in this body who were Members during the 89th Congress, I was appointed by the President of the United States to serve on a Presidential panel dealing with Philippine veterans benefits. This was one of my first experiences with international negotiations.

I have been a Member of Congress for some 21 years and have had numerous occasions over that timespan to deal with the various agencies and departments of our Government; both directly with the heads of the agencies and departments and also through their respective congressional liaison officers. Because of the international aspect of the aforementioned Presidential panel, I dealt directly with Ambassador Douglas H. MacArthur II, Assistant Secretary of State for Congressional Relations and I would like you to know, Mr. Speaker and the other Members of this body, that so far as I am concerned, Ambassador MacArthur is one of the finest and ablest liaison officers with whom I have had the pleasure of working. Not only in the instance of the Presidential panel, but on all other occasions I have had to call on the Department of State, I have received the finest service and most courteous attention accorded to my requests.

Massachusetts General Hospital

EXTENSION OF REMARKS

OF

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 9, 1967

Mr. O'NEILL of Massachusetts. Mr. Speaker, it is my pleasure to inform this body that Massachusetts General Hospital, in my district, has been chosen by a panel of experts as the best hospital in the Nation.

This week Massachusetts General celebrates its 156th year of active service to the community. During this entire time the hospital has been known as one filled with dedicated, hard-working, intelligent, compassionate people. Citizens of the Greater Boston area and of the Commonwealth of Massachusetts have always considered themselves fortunate to have an institution of such high caliber serving them.

Some things at this great hospital have not changed for 156 years: the excellent care, the aura of comfort, the fine medical service. But in most fields Massachusetts General has been the leader in change, the first in innovation. In 1846 the first use of ether in hospital surgery was made, at MGH; in 1886 the first accurate diagnosis of appendicitis was made, at Massachusetts General. In 1905 Massachusetts General Hospital was the first hospital in the Nation to institute a social service unit. In 1925 Dr. James Howard Means set up ward IV as a joint research project with Harvard Medical School, and since that time Massachusetts General's progressive medical practice has grown along with its innovative medical research. The research in ward IV brought about an end to serious industrial hazards to workers in paint factories. A way was found to arrest a disabling form of adult rickets. The first successful operation on the heart covering was performed at MGH, an operation which led the way to the great advances in heart surgery. New and radical treatments for burns were begun at Massachusetts General following the disastrous fire at the Cocoanut Grove in 1942.

Today Massachusetts General is known as the finest hospital in the Nation. Its staff is dedicated to the treatment of disease and the end of pain and suffering. I am proud to have this hospital in my district. It stands for the best there is in medicine and hospital care. It has pioneered in the fields of research and social service. Its first 156 years have been fruitful ones; I am sure the next 156 will continue this great tradition.

I salute the doctors and the staff of the hospital and offer my heartiest congratulations to the board of trustees, and to Dr. John Knowles, president of this great institution.

Fino Reintroduces Bills To Block Washington Housing Development Corporation

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 9, 1967

Mr. FINO. Mr. Speaker, today I am reintroducing two bills to keep the Office of Economic Opportunity out of the housing business. The two bills are aimed specifically at the Washington Housing Development Corp., which OEO has just given $300,000 and HUD $100,000 as a downpayment to help HDC's war on the suburbs. HDC wants to go into the real estate business, leasing housing on behalf of alcoholics, pimps, prostitutes, welfare spongers, criminals, and junkies.

My first bill would amend the rent subsidy statute to prevent HUD from subcontracting the selection of rent subsidy tenants to agencies aided by poverty funds. This would keep HDC from climbing on the rent subsidy bandwagon, and using Federal rent subsidy funds for its care and feeding of pimps and junkies.

My second bill would amend the poverty program to prevent the OEO Director from using OEO funds to finance any construction, rehabilitation, or leasing of housing. The bill would also prohibit OEO from giving funds to any organization or program which in any way processes or recommends applicants or applications for any program administered by HUD.

The poverty boondogglers are back at it again. They have just given $300,000 to the Washington, D.C., Housing Development Corp., whose officials have bragged that they want to serve as a real-estate agency for pimps, prostitutes, junkies, alcoholics, and welfare chiselers. HUD has added another $100,000.

This new federally subsidized revolutionary real-estate agency is going to try and put troublemakers in every nook and cranny of residential Washington. I am sure that with a little encouragement, the Housing Development Corp.

would turn its talents to running flophouses for the interstate riot crews.

I hope that my bills will convince HUD and OEO that Congress is not asleep, and that they will pay the piper if they give away Federal funds to ad hoc organizations to lease residential properties and turn them into flophouses for social and political troublemakers.

HOUSE OF REPRESENTATIVES

MONDAY, FEBRUARY 13, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Blessed is the nation whose God is the Lord. Psalm 33: 12.

Almighty and Eternal God, who didst lead our forefathers into this good land, and who gave them guidance to produce on these shores a great nation, give us grace that we in this day may prove ourselves a people mindful of Thy favor, eager to do Thy will, and ready to preserve the democratic spirit of our Republic.

We thank Thee for those who, in times past, have led us in right and good paths. Particularly do we thank Thee for Abraham Lincoln—for the spirit of his great life, for the example he set before our people, and for his dedication to freedom and justice for all. May his spirit be born anew in us. In our hearts and in all our endeavors may there live forever his words:

"With malice toward none; with charity for all; with firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in; to bind up the Nation's wounds; to care for him who shall have borne the battle, and for his widow, and his orphan—to all which may achieve and cherish a just and lasting peace among ourselves and with all nations."

In the Master's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, February 9, 1967, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 7. Concurrent resolution authorizing the printing for the use of the Joint Economic Committee of additional copies of its joint committee print entitled "State and Local Public Facility Needs and Financing."

The message also announced that the Vice President, pursuant to title 22, United States Code, section 276, appointed Mr. SPARKMAN, Mr. MONRONEY, Mr. HART, Mr. JORDAN of North Carolina, Mr. SCOTT, Mr. KUCHEL, Mr. ALLOTT, and Mr. BENNETT as Members on the part of the Senate to attend the Interparliamentary Union meeting to be held at Majorca, Spain, March 27 to April 2, 1967.

COMMUNICATION FROM THE CLERK OF THE HOUSE

KINGDON GOULD, JR., AND OTHERS AGAINST COLUMBIA PLAZA CORP.

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, D.C., February 8, 1967.

The Honorable the SPEAKER,
House of Representatives.

SIR: From the United States District Court for the District of Columbia, the Clerk of the House of Representatives has received a subpoena duces tecum, directed to him as such officer, to appear before said court as a witness in the case of Kingdon Gould, Jr. et al., v. Columbia Plaza Corporation, and to bring with him certain and sundry papers therein described in the files of the House of Representatives.

The rules and practice of the House of Representatives indicates that no official of the House may, either voluntarily or in obedience to a subpoena duces tecum, produce such papers without the consent of the House being first obtained. It is further indicated that he may not supply copies of certain of the documents and papers requested without such consent.

The subpoena in question is herewith attached, and the matter is presented for such action as the House in its wisdom may see fit to take.

Sincerely yours,

W. PAT JENNINGS,
Clerk, U.S. House of Representatives.

The SPEAKER. The Clerk will read the subpena.

The Clerk read as follows:

U.S. DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Civil Action No. 575–64

Kingdon Gould, Jr., et al., Plaintiff v. Columbia Plaza Corporation, Defendant.

To: Hon. W. Pat Jennings, Clerk, U.S. House of Representatives, room 1036, Washington, D.C.

YOU ARE HEREBY COMMANDED to appear in (this court) to give testimony in the above-entitled cause on the 13th day of February, 1967, at 9:30 o'clock a.m. (and bring with you) preliminary reports filed pursuant to Federal Regulation of Lobbying Act for the year 1964 filed by Robert A. Hall on or about March 4, 1964, and by Phinney, Hallman & Pulley filed on March 3, 4, or 5, 1964, and quarterly reports filed by Phinney, Hallman & Pulley your file No. 61296, 63001 and 63517, filed April 10, 1964, July 16, 1964, and Oct. 6, 1964, respectively, and quarterly reports filed by Robert A. Hall and your file No. 61295, 62989, 63501, filed April 10, 1964, July 16, 1964, and Oct. 6, 1964, respectively, and a copy of HR 9774, 88th Congress, Second Session, and do not depart without leave.

ROBERT M. STEARN,
Clerk.
By CLAREMONT HARRIS,
Deputy Clerk.

Date: February 1, 1967.

Ferdinand J. Mack, 410 Shoreham Building, Washington, D.C. 20005, *Attorney for defendant.*

[Return of service not executed.]

KINGDON GOULD, JR., AND OTHERS AGAINST COLUMBIA PLAZA CORP.

Mr. BOGGS. Mr. Speaker, I call up House Resolution 242, Kingdon Gould, Jr., and others against Columbia Plaza Corp., and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Whereas, in the case of Kingdon Gould, Jr., et al. against Columbia Plaza Corporation (Civil Action No. 575–64), pending in the United States District Court for the District of Columbia, a subpena duces tecum was issued by the said court and addressed to W. Pat Jennings, Clerk of the House of Representatives, directing him to appear as a witness before said court at 9:30 antemeridian on the 13th day of February 1967, and to bring with him certain and sundry papers in the possession and under the control of the House of Representatives: Therefore be it

Resolved, That by the privileges of this House no evidence of a documentary character under the control and in the possession of the House of Representatives can, by the mandate of process of the ordinary courts of justice, be taken from such control or possession but by its permission; be it further

Resolved, That when it appears by the order of the court or of the judge thereof, or of any legal officer charged with the administration of the orders of such court or judge, that documentary evidence in the possession and under the control of the House is needful for use in any court of justice, or before any judge or such legal officer, for the promotion of justice, this House will take such action thereon as will promote the ends of justice consistently with the privileges and rights of this House; be it further

Resolved, That W. Pat Jennings, Clerk of the House, be authorized to appear at the place and before the court named in the subpena duces tecum beforementioned, but shall not take with him any papers or documents on file in his office or under his control or in possession of the House of Representatives; be it further

Resolved, That when said court determines upon the materiality and the relevancy of the papers and documents called for in the subpena duces tecum, then the said court, through any of its officers or agents, be authorized to attend with all proper parties to the proceeding and then always at any place under the orders and control of this House, and take copies of any documents or papers; and the Clerk is authorized to supply certified copies of such documents or papers in possession or control of said Clerk that the court has found to be material and relevant and which the court or other proper officer thereof shall desire, so as, however, the possession of said documents and papers by the said Clerk shall not be disturbed, or the same shall not be removed from their place of file or custody under the said Clerk; and be it further

Resolved, That as a respectful answer to the subpena a copy of these resolutions be submitted to the said court.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ADJOURNMENT TO WEDNESDAY FEBRUARY 15, 1967

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet on Wednesday, February 15, 1967.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

NEW HORIZONS

Mr. MONTGOMERY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. MONTGOMERY. Mr. Speaker, I wish to call the attention of the Members of the House of Representatives to an editorial by Joe T. Cook, editor and publisher of the Winston County Journal, entitled "New Horizons."

Mr. Speaker, the editorial I refer to is as follows:

New Horizons

Mississippi reached new horizons of industrial expansion and economic growth during 1966. Manufacturing employment and manufacturing payrolls stand at an all-time high in this state.

Here are some of the industrial facts about Mississippi today:

A total of $217,417,700 was invested in new manufacturing plants and expansions in 1966.

This investment figure (including $126,238,000 in new industry and $91,179,700 for expansions) was highest for any year except 1965, when St. Regis announced plans for a $100,000,000 paper mill in Lawrence County to bring that year's total to $286,380,500.

Manufacturing employment hit a new high of 164,200 in 1966.

In many other categories, too, the state set new records:

The 111 new industries topped the previous records of 91 in 1959, and the 121 expansions far exceeded the old high of 88 in 1965.

The 15,268 new jobs include 8,551 in new industries (old record: 8,370 in 1959) plus 6,717 in the expansions (old record: 6,496 in 1965).

Twelve of 111 new industries were in the million-dollar-or-more category, including one for $50 million and one for $30 million.

Thirteen of the 121 expansions were in the million-dollar-plus bracket, including one $30 million project.

An estimated 15,268 new manufacturing jobs were represented by the total 232 industrial announcements listed during 1966.

The Secretary of State has announced that charters were issued in 1966 for 2,166 corporations representing $3,300,000,000 in authorized capital stock. Corporate activity in Mississippi has almost doubled in the past ten years.

Still another record was set in the number of industrial bond issues for any single year. The A&I Board has announced that the board authorized 56 such bond issues for a total of $28,973,000. The previous high was 49 in 1964. The record year for dollar total is still 1965, with $32,437,000.

The 56 industrial bond issues in 1966 included 15 for new industries and 41 for expansions and brought the grand total since the A&I Board was created in 1944 to $211,200,000.

THE 1966 MONETARY CRISIS ASSAILED AT CONSUMERS INFORMATION COMMITTEE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, I was privileged to address a conference of the Consumers Information Committee along with the distinguished senior Senator from Tennessee, Albert Gore, and a distinguished former Member of Congress, Mr. Jerry Voorhis, of the Cooperative League. I would like to include the addresses of these two speakers in the Record, since I feel that they clearly outline the cause, responsibility, and effects of the monetary crisis that was brought about by the Federal Reserve Board.

Senator Gore is to be commended for his forthright statement, pinning the blame for the economic crisis right where it belongs, on Chairman William McChesney Martin. I join in his call for Mr. Martin's resignation. Mr. Voorhis' statement is a dire description of the effects that tight money and high interest rates have brought to our wage earning citizens. Mr. Speaker, I call to the Members' attention the very fine remarks of Senator Gore and Mr. Voorhis, which follow:

Our Monetary Crisis

(Remarks of Senator Albert Gore, before the Consumers Information Committee, Washington, D.C., January 26, 1967)

Late last summer the country faced an old-fashioned money panic. Interest rates and fees shot up, those with lendable funds squirrelled them away, and there was a great deal of churning in the market. I think it is not putting the matter too strongly to say that our money markets were demoralized.

One of the proximate causes of the crisis was the Administration's announced plans to market several billion dollars worth of participation certificates, a sleight-of-hand effort to hide a part of the budget deficit. And one indication of the seriousness of the situation was the Administration's suspension of its plans to proceed with this pet scheme.

Of course, the underlying cause of the rapid build-up of rates and the disappearance of lendable funds can be found in the age-old relationship between supply and demand. Demand had been running at a high level for some time, and to this already high demand was added the extra stimulus of government spending and planned spending in connection with the rapid escalation of the war in Vietnam. Plant and equipment expenditures were also rising by leaps and bounds.

All these actions and expectations on the demand side simply added up to too much pressure.

Several steps to alleviate the situation were indicated very early last year. The adoption of some consistent fiscal policy was clearly necessary. Repeal or suspension of the investment tax credit was the most obvious first move, and some general tax increase to dampen overall demand also seemed desirable. Candor on the part of the Administration, particularly with respect to expenditures in Vietnam, was called for, but this was an attitude the Administration was not yet ready to assume.

With demand running strong, what was happening on the supply side of this equation?

The Federal Reserve Board has the ability to increase the money supply, or to allow it to increase, to meet demand. I have been critical of the Board many times in the past, and I think this time, once again, the Board acted too precipitately in squeezing down on the money supply.

Conditions have now eased a bit, due largely to a levelling off of the too-rapid rate of expansion of plant and equipment expenditures, and to the near collapse of the home building and associated industries as a result of tight money policies. It seems to me that we are now well past the crisis stage.

But we have paid a terrible price. We have once more reached new highs in interest rates, and we are now faced with a long, long struggle to get those rates back down to livable levels. In the meantime, we are also faced with rebuilding those industries which have been so unfairly crippled.

You are aware of the terrible burden of high interest rates on those who must borrow money with which to purchase homes, automobiles, or major appliances. You are aware of the slow-down in economic activity, the deadly destruction of economic activity, which can result from tight money and high interest rates.

But it seems to me that we may need to be reminded from time to time of the unfairness of high interest rates, the unevenness of their effects on various segments of the economy, and their role in promoting economic dislocations.

In my view, high interest rates, as much as any other single factor, have helped to wreck competition, shift economic burdens to the weak, and bring about our dangerously high level of business concentration.

For purpose of the point I now wish to make, our economy is pretty well divided into two main segments—the non-competitive and the competitive.

Consider that segment of economic activity in which there is imperfect competition, often no competition at all, in price determination. This segment is clearly illustrated by, although not limited to, the Big Three's and Big Four's of manufacturing. This is the area of administered prices.

High interest rates and tight money have no appreciable effect here. They are ineffective as a regulator of business activity. In the first place, interest costs, which must be included in the cost of any operation, are simply passed on to the consumer. Prices, not being set by competitive forces in the market place, are pushed high enough to guarantee a pre-determined margin of profit, and production is curtailed, if such becomes necessary to balance production against final sales. This can be clearly seen at work today in the automobile industry.

In the second place, tight money, that is, the relative unavailability of funds from outside sources for expansion, carrying inventory, and the like, has no effect on the Big Three's and Big Four's because corporations operating in the non-competitive areas do not depend on outside capital. Profit margins are kept high enough to generate needed funds internally.

High interest rates constitute no burden on monopolistic operations. Tight money is no economic regulator, except in a most indirect way, when it comes to the Big Three's and Big Four's.

But in the competitive segment of the economy, where prices are fixed in the market place by market forces, the story is quite different. High interest rates, like high wages and salaries or any other component of final price, cannot be passed on to consumers at will. Production volume may be maintained at levels the market will absorb at reduced prices. Profit margins fall and many small operators go to the wall.

Tight money also works drastically here. Outside capital must be obtained regularly by these operators, even for short-term working capital, and when the banks dry up the stream of funds, these operators and operations suffer. Liquidation is often the way out, and a take-over by one of the giants in the price-fixing area is all too often the agreed upon solution.

I really feel that high interest rates and tight money have done as much as anything, at least during this century, to destroy competition in this country. High interest rates and tight money work unfairly to bring about distortions in our economic framework.

I do not wish to talk about all the individual cases of hardship worked by high interest rates, or to rail against interest rates, as such. Interest rates, like profits, are a necessary part of our free enterprise system. They serve as incentives for the accumulation of savings which, in turn, can be transformed into useful investment. Interest rates have a place as an economic regulator. We could no more function without interest rates than we can without profits.

But a level of interest rates which is too high is damaging to the economy. And present levels are too high. The unneeded increment serves largely to place a heavier burden on the poor and middle income groups, and to bestow an undeserved reward on those who have fortuitously inherited or otherwise accumulated wealth.

As I mentioned earlier, the Federal Reserve Board has control over the supply side of the supply-demand equation in the money markets. And the Federal Reserve System was not designed to restrict the money supply, but to insure that money was available when and where needed. A primary purpose of the System was to avert the money panics which periodically shook the economy during the nineteenth century. In pre-Fed times there was an imperfect system for expanding the money supply in times of real need. As a result, there were frequent depressions accompanied by wholesale liquidation.

With the establishment of the Federal Reserve System, it was hoped that the money supply could meet needs, and the machinery is well conceived to do this. It cannot work miracles. It did not prevent the Great Depression. But it can be much more helpful than it has been. Particularly since 1951 has the Fed been misused to induce and prolong business recessions.

Let me hasten to say that I do not blame the Fed for all our troubles. Over-dependence has been placed on monetary policy. Fiscal policy has been grossly neglected. But the Federal Reserve Board under its chairman, Mr. Martin, has been overly concerned with inflationary pressures and with contracting rather than expanding business. I do not advocate throwing away the monetary reins as a business regulator, but if we cannot get a Board more responsive to the real needs of the economy, I might be inclined to favor Professor Friedman's proposal to expand the money supply by a fixed amount every year, in good times and bad. Personally, I would lean more toward expansion were I a member of the Board.

But neither the President nor the Congress nor the people can rely upon McChesney Martin to act truly in the Public interest. He takes his advice from the large banking interests.

There is one heartening development. The Board has in recent years shown a somewhat less inclination to follow Chairman Martin blindly. There have been healthy discussions and split decisions within the Board. And now, Mr. Martin's term as Chairman is drawing to a close. I am opposed to his reappointment.

There has been some talk during recent weeks of the possibility that Chairman Martin may resign. This is a joke. What all this talk really amounts to is the beginning of a pressure campaign for his reappointment to another term as Chairman. Mr. Martin, of course, having been the architect of high interest rates and tight money for so long, would have difficulty serving as an ordinary member of the Board under another, and perhaps more expansion-minded, chairman. That would suit me fine. We should be rid of this spokesman for the big vested interests.

Johnson interest rates are higher than Hoover rates. In his State of the Union message, the President sought to put the blame on the Federal Reserve Board. If he reappoints Martin, whose actions have cost our people so dearly, then he will have no excuse; the blame will be squarely upon him.

Some of us who often rail against tight money and high interest rates have been catalogued as old-fashioned populists. I would like nothing better than to be remembered as one who adopted views and advocated actions designed to benefit the broad masses of our population.

As we learn more and more about how economics actually works, we will realize that it is good economics as well as good equity to pursue the broad public good rather than to attempt to further the goals of the money lenders or any other special group. The latter way can lead only to recurring monetary crises and hardships upon the mass of our people.

As representatives of consumers and payers of interest, I hope you will resolve to help rid the people of the policies and the people who have fastened upon us these burdens that make the poor poorer and the rich richer.

THE EFFECT OF THE TIGHT MONEY POLICY ON COOPERATIVES

(By Jerry Voorhis)

I. GENERAL OBSERVATIONS

It is not too much to say that the most important factors in American economic life today are money, credit, debt, and interest or the *cost* of money.

The cost of money is an important—often a major factor in almost every price the people pay for what they need and buy.

This one sentence proves how ridiculous it is any longer to contend that raising interest rates can be an effective means of preventing price inflation.

Further, the debt burden is on the point of becoming almost intolerable for millions of families, and for the American people as a whole.

And one central tragic fact is that the extension of credit and the provision of so-called "financing" of purchases has become the most oppressive, extortionate, racket-ridden, and, unfortunately fabulously profitable business in the whole nation.

Which makes inexcusable, it seems to me, the refusal of Congress, thus far to pass a "Truth-in-Lending" bill. It is only to be hoped that Senators Proxmire and Magnuson will succeed where former Senator Douglas strove manfully for so many years and failed.

The situation would be less serious if credit and debt had not become, in recent years immeasurably more weighty factors in our economic life than we once dreamed they could be.

Between 1952 and 1965 no less than $16 billion of needlessly excessive interest was paid on the federal debt alone—enough to finance a very big "War on Poverty" indeed.

In 1946 consumer debt was $8 billion. By 1965 it was $80 billion.

The American people paid about $125 billion in interest in 1966 and they will pay a great deal more in 1967 unless present rates come drastically down.

Farmers debt burden trebled from 1950 to 1965 and is still going up—fast.

A ¼% increase in interest rates adds about $1 billion to the interest bill which taxpayers must pay to holders of bonds and notes.

More than 15% of all consumers' disposable income is obligated to pay installment and mortgage indebtedness and probably 30% to 40% of the incomes of our poorest families are so obligated.

At 6¼% interest a family buying a $16,000 house on a 30-year mortgage will pay $20,000 in interest alone in order to get a $16,000 home.

Under these circumstances—and only part of them have been listed—any child can see how immeasurably relieved our country and its people would be with low interest rates in effect and how immeasurably *hurt* they are by high rates.

Why then would anyone in his right mind do what four-sevenths of the Federal Reserve Board did in December 1965 when the vote was taken to increase by 11% the rediscount rate? The whole nation has been paying dearly for that action and its consequences ever since.

The excuse, as always, is "to control inflation."

But it doesn't!

It hasn't!

It won't!

It can't!

Increasing interest rates is an unjust and an ineffective method of trying to control inflation of prices.

It is ineffective for these reasons, among others:

First, the cost of money enters into the cost of practically every commodity that goes onto the market. How can higher interest rates, then, possibly have any other effect than to force prices upward. The facts prove that that *is* the effect.

Second, we have heard constantly in the past the false argument that farmers were receiving "too high prices" for their crops. Then it has been argued that these high prices were causing farmers to produce "too much" and causing surpluses. All this is now changed, of course, and we at last realize that food is good for people—especially hungry ones and that we want our farmers to produce more, not less. But the old argument is still used—that the way to bring *less* of something onto the market is to *reduce* the return to the producers, to *reduce* the inducement for more production.

But not in the case of credit and financing! At least not in the minds of the four members of the Federal Reserve Board or other high interest advocates.

They argue that the way to reduce the amount of credit being created is to give the creators of credit a *higher* return by increasing interest rates!

To show how ridiculous this argument is we only need look at the nauseating saturnalia of credit card promotion that is now going on. If anything is economically unsound, if anything is inflationary, if anything is dangerous to every family in the country, this credit card craze is exactly that.

But nothing whatever is done about it!

It is certainly true that too much credit is being used for too many of the wrong purposes in our economy today. But nothing is done about that either.

The average consumer hasn't the foggiest idea how much interest he is paying when he buys something "on time" or purchases a "financed" automobile. Raising interest rates doesn't dissuade him at all because he didn't know what they were in the first place—and doesn't now.

If overuse of credit is causing price inflation—and it may be doing so—then the obvious thing to do is not to raise interest rates but to control and regulate the use of credit as a means of inducing consumers to buy gadgets they don't need at "financing charges" nobody ought to afford.

It is frequently lamented that in the past 25 years the dollar has lost 50% of its buying power, because of what is called "inflation." Well, in that same period, interest rates have more than doubled. In fact they have more than doubled in just the last 15 years. If raising interest rates were an effective method of curbing inflation these two events could not possibly have happened simultaneously.

Increasing interest rates is not only an ineffective way of curbing inflation. It is also an utterly unjust method of trying to do so.

It is unjust because the burden of the higher rates falls in exactly the *wrong* places. First, they fall most heavily upon the poor who are the most defenseless against them. Second, they fall most heavily upon the home-builders and the home-buyers whereas America's one greatest unmet economic and social need is for more good homes in good neighborhoods at costs they can afford. Third, high interest falls especially heavily on farmers, the very producers of whose production we need vastly more, if world hunger is to be prevented.

Now what we don't need more of are big fancy automobiles, a fifth gold-plated television set in every bathroom, or several billion more cigarettes. Yet the huge corporations that control these manufacturing segments of our economy are, generally speaking, not affected by the high interest rates for the single reason that their profit margins are so high that they can get all the financing they need without borrowing a cent.

The only humane, economically sound, or growth-inducing policy in this modern debt burdened world that makes any sense is a low-interest policy, not a high-interest one.

We ought to pay enough taxes to pay the entire bill for every war in which we become tragically involved.

The 19-year old youngsters whom we compel to fight in Vietnam didn't create the war. We did, by our failure to create peace-keeping machinery in the UN strong enough to stop and settle it.

Therefore, at the very least—if the older generation of Americans had the decency we should have—if our love for our children were as sincere as we like to claim it is—we should be demanding that taxes be increased at least enough to pay the cost of any war in which our country may, tragically enough, be engaged.

Unless the older generation does this, we of that older generation are in the position of not only compelling our children to fight and die and learn to kill in the war, but also of forcing them to pay for it at some future date, when the bonds come due.

Higher taxes, if levied against those best able to pay are a way of curbing inflation. Raising interest rates are no way at all. The only true way high interest rates can curb inflation is if they are raised *high enough* to cause a major depression and economic collapse.

The Committee for Economic Development has produced an excellent brochure entitled "A Stabilizing Federal Budget for 1967" which makes the point that in time of high prosperity a budget surplus should be produced to allow for debt reduction by the federal government.

And President Johnson, in his state of the union message, was right, in my opinion when he called for higher taxes. And he was also right I believe when he asked for increased social security payments, since they would have the effect of somewhat better distributing buying power among the people.

II. THE EFFECT ON COOPERATIVES

First of all the effect of the high-interest, tight money policy upon housing cooperatives has been almost disastrous. For they are part of the homebuilding industry. And they are in the midst of the most vulnerable as well as the most needed part because cooperative housing aims to make good homes at costs they can afford, available to people of middle and lower incomes.

Even where cooperative home-ownership developments are already built and occupied and where mortgage financing had already been obtained at pre-inflation rates, effects of present policies are sad enough.

For the high-interest policy has brought in its train increases in maintenance and operation costs all along the line. Taxes, assessments, electricity, fuel oil, water rates—all are up substantially. Especially is this true of all sorts of public services, whose cost is immediately raised by the interest rate on bonds and indebtedness. A table published recently by United Housing Foundation of New York City shows that many established housing cooperatives have been compelled, during recent months to increase their monthly charges to their members by anywhere from $2 to $3.50 per room.

This is serious enough, for these increases mean that somewhat fewer families of lower or moderate income can afford even this most economical type of home ownership.

But the devastating results of the high-interest, tight money policy are found where new construction is involved—rather I should say where it *might* have been involved. For the fact is that housing starts have been reduced by almost 50% in the past year—especially moderately priced housing starts, and cooperative housing development agencies and companies have, of course been caught in the general near-stagnation of this whole great vital industry. To be more specific the company that carries on most of the cooperative housing development outside New York City has had its 1966 business reduced by more than one-third below the level expected before tight and costly money came into vogue. Construction loans have been almost unobtainable—especially for the most significant of the programs approved for low-income families with such fanfare by the last Congress. Some builders have been paying as much as 10% interest for construction loans. But cooperative developers simply cannot do this if they are to benefit at all the middle and lower income families as is their basic objective. And if the Federal National Mortgage Agency—popularly know as "Fannie Mae"—continues to be restricted in its operations, the financing of either section 213 or section 221(d)(3) cooperatives will be almost impossible in the current year. This is tragic indeed.

For the most acute unmet economic need of American families today is for good homes at costs they can afford.

A change of 1% in interest amounts to an increase of about $2.25 per room per month in necessary carrying charges of cooperative home-owners. And on a four-room unit this amounts to more than $100 a year.

Wealthy families may be able to pay the extra $300 a year which is the result of an increase from 5% to 7% in the cost of mortgage loans. But middle and lower income families can't possibly afford such an extortionate overcharge.

So the first result of the tight money policy which I would point to is that the families who need them most simply can't have their own homes under their own ownership so long as that policy continues.

With respect to cooperative group health plans, it was only last year that Congress finally passed the long-needed and long-sought legislation to provide for guarantee of loans to non-profit group health plans for necessary physical facilities in which to operate. Financing is difficult at best when one is operating a non-profit, direct-service health plan and where every building and facility must be a one-purpose structure. In fact no one knows how great a contribution to the better health of the American people might have been made had money been available at low rates to enable established cooperative health plans to expand or new ones to be developed.

This of course was why the legislation above referred to was so earnestly sought by the Group Health Association of America through so many years and why we were so grateful to the majority of the House Banking and Currency Committee and the Senate Committee on Labor and Public Welfare for giving us the loan-guarantee provisions this year.

Then at the very moment when hope seemed to have dawned, along came the Federal Reserve Board and their fellow high-interest advocates, boosted interest rates to unprecedented levels and nullified for the time being at least, the hopes which the action of Congress had raised. One desperately needed clinic building in Appalachia has had to be abandoned completely. Other health plans will have to delay their expansion of facilities and hence of number of people served, and the whole movement toward solution of the people's problems of health economics by voluntary means has been retarded seriously and tragically in the hour of its greatest need.

Anyone who understands the history and circumstances of the rural electric cooperatives will know without my mentioning it how utterly impossible it is for them to continue their outstanding record of meeting the needs of rural America unless they are able to obtain loans at reasonable rates. They are required to serve anyone in their areas of operation who asks for service. They are businesses denied normal opportunity to show earnings. The proportion of their fixed investment to their revenue is about nine times as great as that of their so-called investor-owned competitors. They are forbidden to extend their services to any community of more than 1500 people which they do not already serve.

This is why the National Rural Electric Cooperative Association with statesmanlike foresight has been seeking to establish a bank for electric cooperatives to provide access to private capital and thus to enable their member cooperatives to obtain desperately needed expansion loans which they must have, beyond what Congress is willing to provide, if they are to continue to keep up with the burgeoning demand for electricity from our farms and countryside.

But even if NRECA gets its bank bill through Congress, the studies respecting its operations have all been based upon loan rates in the range of 4½% to 5% at most. For that is simply all these cooperatives, restricted as they are in their operations and service-motivated as they are, can afford to pay. If interest rates generally were at reasonable levels these rates could be hoped for. But not when the U.S. government itself is paying in excess of 5% for money.

And meanwhile under the tight-money policy, and at the very moment when our farmers are being asked to increase production, the tight-money program has dictated restrictions upon loans by REA, has cut the loan funds available to REA and has severely crippled the electric cooperatives in their service-oriented operations.

All of which is nothing short of a great shame.

Reports from consumer supermarket cooperatives are, in general, to the effect that while they have not *as yet* been severely affected by the high-interest, tight-money situation, the only reason this is so is because they are not at present in need of expansion funds. Most of them have been well located so that the curtailment of home construction has not yet affected their operations to any serious extent. But, they all report, if the present interest rates continue in effect and if financing continues to be as difficult to obtain as at present, then the future will be anything but promising.

Some of the agricultural cooperatives give much the same report. They say that the cooperative Farm Credit System has stood them in good stead up to now. And that they were in a strong capital position themselves when the tight-money blow fell. So *as yet* they have not been severely crippled. But the expansion of services which our expanding agriculture requires of its cooperatives is having in many cases to be delayed and if there is not an early easing of tight money and decline in interest rates the consequences upon farmers and their cooperatives alike could and would be devastating indeed.

And it is of course inevitable that the debt burden upon farmers, particularly as they attempt to increase their production in response to both national and world needs, has been multiplied by the high interest rates to an unjust and also an utterly unnecessary extent. The Department of Agriculture has estimated that farmers paid 14% or about $300,000,000 more in interest in 1966 than they did in 1965.

The Banks for Cooperatives report that they have been compelled in the past year to refuse numbers of loans requested by farmers cooperatives for badly needed expansion programs. They have striven to prevent any increase in interest rates charged to their cooperative borrowers that could possibly be avoided. So hard have they tried to do this that, at times, the Banks for Cooperatives have been making loans at a lesser rate than it was currently costing them to obtain the funds by sale of debentures, with which to make the loans! And with understandable nostalgia some of the Banks for Cooperatives recall that even under the pressures of the World War II conditions they were able to sell their bonds and debentures with yields of no more than 2½% or 3¼% so they could safely loan at 4% or at most at 5% to farmers and to their cooperatives.

Like the cooperative Farm Credit institutions, credit unions try *not* to increase interest rates to their borrowers for the simple reason that their borrowers *own* them and that the credit unions are in business to help and serve people, not to profiteer at their expense. But, obviously, this puts credit unions at a disadvantage that could prove serious if long continued. For since they do not want to—and in fact *have not*—raised their lending rates, they are at difficulty in attracting savings, since conversely they cannot very well raise the rates of their dividends. Consequently, the increase of savings in credit unions—that is, the increase in their shares, has not kept pace, in the tight-money situation with the demand for loans. Thus far it has been possible for the credit union movement as a whole to meet the situation rather well. But here again, it is a question of: "How long?" The hope, clearly is, as is the case with the other cooperatives discussed that at a very early date an easing of the situation and above all a reduction in interest rates will take place.

Cooperatives as countervailing forces

But not only are cooperatives affected by the high-interest, tight-money mistake. They also *have an effect upon* the mistake. And they have a very good effect.

Key Notes, the magazine published by the Pennsylvania Credit Union League, ran the following article on the front page of its January 1967 issue, which tells the story so far as credit unions are concerned as effectively as could be done:

"CREDIT UNIONS DO ALL RIGHT WITHOUT INCREASING PRICES

"In our time we have seen the value of the dollar reduced, as salaries and prices have steadily escalated.

"Now we see banks, savings and loan associations, and even the U.S. government competing with each other in a battle for higher interest rates in order to gain money they need. Since 1934 when the Federal Credit Union Act was signed, credit unions have been doing all right without increasing the price of anything.

"The price of entrance fees was established at 25¢ in 1934. It's still 25¢.

"Par value of a credit union share was $5 in 1934. It's still $5.00.

"The maximum and usual interest rate in 1934 was 1% per month on the unpaid balance. It is still the same.

"Dividend rates vary from year to year and from credit union to credit union but the range and average has changed very little. The maximum is still 6%.

"Loan protection and Life Savings insurance was offered at not cost to the members from the beginning of these coverages. This policy has never changed.

"The budget of the Bureau of Federal Credit Unions is self-supporting. This is frequently true of supervision costs among the various states. How many government bureaus can boast the same?

"Credit unions are non-inflationary. We can be proud of our record as a stabilizing influence on our economy."

And just after the Federal Reserve Board's action of December 1965, I myself wrote an article along similar lines in which I said:

Certain financial institutions in the United States probably won't raise their interest rates even though the Federal Reserve Board has given them an excuse to do so.

The ones that won't raise their rates if they can possibly avoid it are cooperative finanical institutions—the ones that *belong to their borrowers*.

The reason they won't raise their rates is that they *will not want to*. They'd hurt their owners if they did.

Credit unions, cooperative farm credit institutions, and mutual savings banks are in business to reduce the burden of debt, not to increase it. They exist because groups of people have created them to help each other by owning together the savings and lending institutions they need. These consumers of credit are not interested in raising interest rates to make more money for investors.

Credit unions did not raise their interest rates a few years ago when the Federal Reserve Board took action similar to that recently taken. This was because credit unions are in business to help their members reduce the burden of debt—not to increase it. Their *motive* is different.

Banks for cooperatives and other cooperative farm credit institutions raised their rates only slightly—because they get part of their money for making loans by sale of debentures in the money market. But even if cooperative farm credit institutions do raise interest rates somewhat, the *net* effect upon their owner-borrowers may not be to increase the cost of credit at all. For if as a result of the higher rates a Bank for Cooperatives, Production Credit Association, or Federal Land Bank Association increases its earnings, those earnings all belong to the borrower-owners and will be returned to them in patronage refunds. So the NET interest rate may not be increased at all.

The difference lies in motive. If the motive, the reason for being in business is service and mutual aid, then a financial institution will keep its interest rates as reasonable as it can. And in so doing, such institutions are certain to exert a very beneficial competitive influence—for the protection of all borrowers, even those who borrow from investor-owned institutions.

The very fact that cooperative financial institutions are in existence provides our entire nation with the best protection it can have at present against really extortionate interest rates. And they provide that protection in the best way it can be provided in a supposedly "free" economic order. That way is by the competition of businesses whose motive is mutual aid and the service of people.

III. CONCLUSION

So much for the effect on cooperatives of the tight money policy. But cooperatives are part of the economy of our country.

What affects the economy as a whole affects all our cooperative and mutual enterprises.

And to an extent what our cooperative, credit unions, and other mutual enterprises do, affects the rest of the economy as well.

So it is not possible for me to speak of the effect of the tight money, high interest policy on cooperatives without discussing also its effect on our people as a whole.

It is not too much to say that we are living in an economy whose central and controlling factor is money, credit, and debt.

The monetary tail wags completely the economic dog.

It should not be so. The money supply should be geared to the need for money. There should be enough money created every year to make possible—at reasonably stable prices—as much economic growth as our country is capable of.

And instead of that money coming into existence always as a direct accompaniment of increasing debt, the new, additional money *which economic growth justifies* should be paid into circulation, debt-free, as a credit entry in our national budget. That new money should be created not by private banks, as it now is, but by a national monetary authority or central bank of issue responsible to the Congress and the President and through them to the American people.

The money supply would then be adequate to the needs of a dynamic, growing economy. It would not be necessary to depend upon a constantly increasing debt burden to get enough money into circulation to maintain employment and sustain maximum practicable economic growth.

Neither would it be necessary to manipulate interest rates in a fruitless attempt to use that method to control inflation of prices.

The monthly economic letter of the First National City Bank of New York for January 1967 contains this sentence: "Unless the money supply is permitted to grow enough to support a rise in business volume, the squeeze on earnings is likely to worsen as wages rise and productivity growth slackens." The National City Bank was probably not meaning to advocate the same method as I would use to get an adequate monetary supply into circulation. But their basic concern is similar.

John Adams, second President of the United States once said in a letter to Thomas Jefferson: "All the perplexities, confusion and distress in America arise, not from defects in their constitution of confederation, not from want of honor and virtue, so much as from downright ignorance of the nature of coin, credit, and circulation."

John Adams said that a long time ago, and much experience has been had since he wrote his letter. But none of the experience refutes what he said.

For we still confuse credit and debit in much of our thinking. And as a result of this confusion we find ourselves continuing to doubt that we really can build a Great Society. We continue to ask: "Where are we going to get the money?" And we continue to doubt that we actually can. This is our greatest barrier to steady, confident progress.

We need to get our national bookkeeping straight.

Let me use an illustration. A farmer who owns his farm decides he needs to borrow $10,000. He goes to his bank for that purpose. The bank agrees to lend him the $10,000 if the farmer will secure the loan by giving the bank a mortgage on his farm, which is judged to be worth at least $10,000. So the bank writes up a demand deposit on its banks in the amount of $10,000 and gives the farmer a passbook showing that he has that amount of what we call "money" in the bank. The bank has created that amount of money. But the bank did not extend credit to the farmer. He had more than $10,000 credit already, represented in this case by the value of his farm. If the farmer does not pay his debt the bank will foreclose, sell the farm and get back the $10,000 it created for the farmer's use.

Again, the bank did not *give* the farmer any credit. What it did was to monetize the farmer's own credit. This was a convenience to the farmer, of course, because we don't permit private individuals to monetize their own credit. Only banks can do that. And for its trouble in handling the farmer's checks and caring for his account, the bank is entitled to be paid. But to conceive that the farmer is paying interest to the bank because the bank had credit and the farmer didn't, is wrong.

Now in some cases loans are made not upon security but upon what we call the character of the borrower. What we mean by this is that the borrower is honest, that he is willing and able to work, to produce, and to earn enough so that he can repay the loan. Even in such a case it was not the lender that had the credit, but the borrower. He was considered to be "credit worthy" as we say. And the lending institution simply monetizes—that is, turns into a generally accepted form of exchange—the credit of the borrower. The credit of anyone consists basically of his ability to produce real wealth—or his possession of it already—and his dependability in repaying a loan.

Now where dealings among private individuals and private lending institutions are concerned, we may only wonder why borrowers are called upon to pay quite as much as they usually are to borrow what is actually their own credit. The reason—or excuse—for this is, of course, that there is some risk involved. The borrower might not pay. And the lender protects itself against that possibility.

But let us consider what happens when the Government of the United States finds, as we do today, that each year our economy is growing, the productivity of the nation is growing, and that, therefore, an additional amount of money—or purchasing power—must be injected into the economy in order to "sustain growth and raise spending power to the levels needed to use our resources more fully." Obviously what has happened here is that the credit of the nation has been increased.

And since the Constitution specifically charges Congress with the power and the duty to "coin money and regulate its value," and since that essential prerogative of sovereignty is nowhere given to any other agency, one would expect that if the credit of the nation increases, the nation itself would monetize that credit and use it to provide the additional spending power needed to sustain growth and assure more full use of our productive capacity. Even though farmers can't monetize their own credit it would seem inescapable that Uncle Sam could do so! He is supposed to be sovereign.

But that is not what happens at all. Instead, we increase the nation's *debt* in such cases. And we worry because we seem never to be able to reduce the federal debt or—very often—to balance the budget, even in times of reasonable prosperity, when indeed it should produce a surplus.

The reason is obvious. The more active the economy is and the more rapid its growth, the greater is the need for an addition to our money supply to keep pace with the real growth of the real wealth economy. So as long as we persist in designating as "debt" what is actually the nation's credit, we shall never escape increasing federal debt.

The way the whole rather ridiculous procedure is carried out is, by having the sovereign Government of the United States print bonds and give them to private banks, which then create demand deposits and use them to purchase the nation's bonds, which are in turn used to back the deposits! This increases the volume of our check-book money and stimulates the economy as is necessary to do.

What has happened here is that the commercial banks have monetized the nation's credit—everybody's credit—and used it to buy evidences of the same nation's debt. This costs the banks absolutely nothing. In fact a banker friend of mine once, during World War II, complained to me that interest rates on government bonds were too low. I asked him what his bank did about this. And he replied quite honestly "we just buy twice as many bonds." No preexisting money was needed by the bank to do this. It simply created it, and lent it, with no scintilla of risk whatsoever involved, to the government and people of the United States.

Because the nation has thus given away its money-creating power it is presumed that it must not itself exercise that power. At least it never does so. The closest we ever come to doing so is when the Federal Reserve Banks create new Reserve Bank Credit. For while the Federal Reserve Banks are wholly owned by the private banks of the system they are nonetheless subject to some degree of public control. As long as the Federal Reserve Board and Banks recognize themselves as exercising the essentially public and governmental function of creating and controlling money there is a chance of the system working reasonably well, except for the chronic problem of ever-increasing debt.

But in order for this to be the case, the Reserve System must act in the public interest which is the reason for the legislation currently being proposed by Chairman Patman of the House Banking and Currency Committee, who understands the people's interest in this great problem better than anyone in our entire government today.

There have been times when the Federal Reserve Board came close to doing this. There was a time when its governmental power was used to maintain the price of government bonds at par and thus to prevent any necessity for raising interest rates thereon. As long as everyone knew that the Federal Reserve would use its essentially governmental power to provide a market for government bonds at par they could be sold elsewhere at par. And it was not "necessary" to increase their interest yield in order to sell them.

But this practice was abandoned about the year 1952, allegedly as a counterinflationary measure.

The results of this change of policy have been tragically dramatic. At 1951 rates we would now be paying $6.6 billion interest on our national debt. In 1964 we actually *did* pay more than $11 billion. And if present unprecedentedly high rates of interest continue, the taxpayers will soon be paying more than $18 billion in interest on the national debt instead of $6 billion!

It is time some changes were made.

The Government of the United States should assume responsibility for creating from time to time, by its own action and without expanding its debt, enough new money—and no more than enough—to accommodate the expansion of productive capacity in the economy and maintain reasonable price stability.

Under such a scientific monetary system it would become possible gradually to reduce the mountainous burden of our present national debt. It would also be possible to guard effectively against either monetary inflation or monetary deflation. And it would be possible actually to win the War on Poverty.

It is time we straightened out our national bookkeeping and stopped calling "debt" what actually is the nation's expanding *credit*.

CANADAIR RECEIVES DEFENSE DEPARTMENT CONTRACT

Mr. McCARTHY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. McCARTHY. Mr. Speaker, on November 11, 1966, Mr. John C. Mullen, business representative of the International Association of Machinists, District No. 76, AFL-CIO, informed me that a $32,735,000 contract for the leading edge and slat package of a C-5A program was awarded by the Defense Department's prime contractor, Lockheed Aircraft Co., to Canadair, Ltd., of Montreal, Canada. The second lowest bid was submitted by Twin Industries Corp., a Cheektowaga, N.Y., firm, which has already developed and demonstrated considerable expertise in building leading edge components for Lockheed. Mr. Mullen represents employees of the Twin Industries plant which is in the district I represent.

I subsequently protested this award and on December 9 received a perfunctory reply from Col. Bryce Poe, chief, plans group, legislative liaison, Department of the Air Force.

Because of the perfunctory nature of the reply, I later conferred with representatives of the company, the International Association of Machinists Local 76, and the United Auto Workers Local 520, which represents employees at the Twin Industries plant.

As a result of these discussions, another protest was registered, this time with the Secretary of Defense, Robert S. McNamara, on January 25 of this year. To date, I have not had a satisfactory explanation.

There are two points I would like to bring to the attention of the House:

First. While Twin Industries' bid was $1,495,000 higher than Canadair's bid, the ostensible savings will be more than nullified by the loss to U.S. payrolls and to the U.S. Treasury. Because the wages paid to Twin Industries employees would have been $11,220,000, with $1,571,000 Federal income tax withheld. Federal corporate tax withheld would have been $1,452,000.

So the total of income and corporate taxes would have been $3,023,000 for a net loss to the U.S. Treasury of $1,528,000 because the contract went out of the United States. In addition, $1,965,390 of work would have been subcontracted to local U.S. firms who would pay wages amounting to about $867,339.

Second. Canadair's technical competency in this field is a matter of skepticism even to its own internal management. This is demonstrated by a recent request from Canadair to Twin Industries to inspect Twin Industries' facilities and examine its equipment. Mr. Speaker, I find it somewhat disturbing that the successful and presumably superior bidder must reconnoiter its defeated rival for advice and assistance. On a program of this importance, I am surprised that the Department of Defense has apparently failed to enact demonstrated assurance that the subcontracted work can be delivered as specified—and at the caliber consistent with its standards of excellence.

Mr. Speaker, I am asking both the chairman of the Armed Services Committee, the Honorable MENDEL RIVERS, and the chairman of the Subcommittee on Defense Appropriations, the Honorable GEORGE MAHON, to investigate this matter and its future implications.

WHAT ARE THE RIGHT WORDS?

Mr. PIKE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. PIKE. Mr. Speaker, last night, in the city of Buffalo, N.Y., a Member of the other body made a speech which he labeled "The Republican Role in Vietnam" and in which, in the first paragraph, he described succinctly the purpose of his remarks as follows:

> What we say on Vietnam, the sense we make to the American people, seen from right now, is most likely to make the difference between victory and defeat in the 1968 Presidential election.

War is always a tragedy, but how much greater a tragedy when it is looked at, not as a matter of tears and loss and separation and sacrifices for all of the American people, but as a matter of saying the right thing in order to obtain political victory in the 1968 presidential election.

Well, what are the right words to say right now, to insure victory in the 1968 presidential election? The right words are these, according to the Senator:

> President Johnson has become locked into the mistakes, illusions, and overoptimistic predictions of his own policies.
>
> President Johnson made the mistakes and he feels he has to defend them.

Those are the right words for today.

What were the right words for yesterday?

Well, on February 13, 1966, on CBS television, the words were:

> The liberals should be for the limited struggle in Vietnam, because it is a struggle for freedom, the Honolulu conference showed up even more sharply the divisions within the President's own party and, interestingly enough, the real consensus on the Republican side, which is giving him all kinds of backing.

Last night, in Buffalo, what were the right words of bombing North Vietnam? They were these:

> The United States should declare a cessation of bombing in North Vietnam, stating in this declaration that it expects that the cessation of bombing will not be used as a cover for continued infiltration of men and supplies from North Vietnam to South Vietnam.

Had the speaker any experience on which to test this happy expectation? Here are his words on the floor of the Senate—January 28, 1966:

> Coupled with these belligerent statements has been the hard evidence that Hanoi has used the lull in bombing to repair bridges and roads and to accelerate its infiltration of men and supplies into South Vietnam. When I say hard evidence, I may say that I have seen it.

Last night, in Buffalo, the proper words were to advocate a cessation of bombing. Last year, in January, we had had a cessation of bombing for over 30 days. What were the proper words then?

> I feel that the President is entitled to know now who will support him if he ends the bombing pause. And I believe that . . . the President would and should have the support of the overwhelming majority of the American people if he decides to resume the limited bombing; and he would deserve my support, and I shall support him. (CONGRESSIONAL RECORD, vol. 112, pt. 2, p. 1458.)

With such constant support, no wonder the President has such an easy time with his critics.

The obvious conclusion is that for political purposes in 1968, any words will do. Only one man has the awesome responsibility for making hard decisions, but any number can play the game of backseat tactician. If the President has called for a bombing pause, we will support him if he resumes bombing. If he has not called for a bombing pause, we will support him if he does. We support him all the way, but the mistakes are all his, and we reserve the right to criticize, no matter how often we contradict ourselves in the process.

It is, perhaps, too much to hope that we might be unified in fighting a war, but those who criticize the President for his "mistakes" today should be reminded that they were loudly advocating those same "mistakes" only recently.

EXPEDITE PACIFICATION

Mr. SIKES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, in the stir and excitement which have accompanied talk of negotiations over Vietnam, we seem to have forgotten the problem of pacification. This may be the most serious problem of all. Particularly will it become a matter of grave importance if fighting should stop and American forces be, in large part, withdrawn. Those in charge of pacification have enjoyed much less success than have American fighting men. Large areas of South Vietnam are still heavily infiltrated with Communist sympathizers. This is particularly true in the Mekong Delta where most of the rice of South Vietnam is produced.

Communist forces have been living on the products of this area while supporters of the South Vietnamese Government have had to depend upon U.S. help for enormous shipments of food. If pacification is not given a more positive effort, the coming of peace could be a futile thing.

With the cessation of hostilities, it is obvious the Communists would move back into the nonpacified areas and take over. Work of pacification must be expedited and improved and its progress should parallel that of the fighting forces. This may mean a need for more effective leadership in the work of pacification. We do not want to fight this war but once.

PLOWSHARE PROGRAM VICTIM OF DISARMAMENT ZEAL

Mr. HOSMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOSMER. Mr. Speaker, late last Friday afternoon the Johnson administration preemptorily canceled the peaceful underground test even at the Nevada test site known as Cabriolet. It was a followon of the Sedan shot. Both were designed to give the Nation data required for beneficial programs of peaceful nuclear excavations.

This unilaterally imposed ban on underground atomic tests for peaceful purposes is the height of folly. If the world is to enjoy fully the benefits of nuclear science this type of activity must continue undelayed.

The Johnson administration simply has caved into pressure from a noisy group of liberals who urge us to go to any extreme to obtain disarmament treaties. The excuse that this action will facilitate negotiation of a Latin American Nuclear Free Zone treaty or a nonproliferation treaty is unacceptable. Project Plowshare activities are not an impeding force to such treaty negotiations. Contrarily, their emphasis on the use of the atom for peaceful instead of warlike purposes is salutary.

About $2.5 million has been spent in preparation for the Cabriolet event which awaited only proper weather conditions for firing. The so-called postponement is a euphemism for canceling the event entirely. We know that once turned off, a program like this is exceedingly difficult to restart. The same groups who have brought pressure to bear to achieve the postponement will develop other excuses and exert further pressures to keep it off schedule forever.

All this will have a decidedly adverse affect on investigations for the new canal planned to supplement the traffic burdened Panama Canal. Events such as Cabriolet can help us learn how to build such a canal at less than half the miltibillion-dollar cost of construction now estimated for conventional means.

In any event, countries like the United States and the U.S.S.R. who have highly developed nuclear capabilities must utilize their scientists to develop peaceful atomic uses not only for their own benefits, but others as well.

No other countries have the scientific resources to develop economically feasible and safe techniques for peaceful nuclear explosives. Once such uses are perfected the wise course would be to share them with nonnuclear nations whose progress from an underdeveloped state of poverty to subsistence living levels can be accelerated vastly by Plowshare type activities in rerouting flooding waters, creating lakes and harbors, extending transportation lines, mining of resources, and related activities.

If this Nation's course in international diplomacy as well as its route for technological developments are to be steered by the noisy clamor of a treaty for treaty's sake, a band of professors, clergymen, liberal lawyers, and assorted literati, then God help the United States.

LEGISLATION TO PROVIDE AN ADEQUATE NATIONAL CEMETERY SYSTEM

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, as sponsor of legislation in the 89th Congress to redesign the national cemeteries system if only to guarantee adequate gravesites for our deceased veterans and their families, I deplore the Army's new ruling to restrict Arlington Cemetery burials to those who die on active duty, professional soldiers, Medal of Honor winners, and veterans who have held high Government positions.

When I addressed the House on January 21, 1965, I warned that immediate steps should be taken by the Government if a shortage of burial sites was to be avoided. I repeated this admonition last April 18 when I introduced a bill to make operation and maintenance of a national veterans' cemeteries system a responsibility of the Veterans' Administration. Under this legislation, the Veterans' Administration would be permitted to acquire land needed for cemeteries in various areas of the country, thus enabling survivors to select burial grounds closer to their homes.

I have introduced similar legislation—H.R. 1306—this year, and I appeal to my colleagues to enact it quickly if we are to prevent our Government from reneging on an obligation that, until the new Army order actually goes into effect, America has willingly honored since the national cemetery system was set up in the Civil War years.

Lack of plannng for adequate gravesites could not help but lead to the present crisis, Mr. Speaker. It would not have developed if Arlington had been expanded and other sites made available. Had not the administration and the Bureau of the Budget opposed legislation such as I proposed in the past, the Army's unfortunate and unpopular decision of last Friday might have been precluded.

Now that the frantic announcement has been made, I trust that it will shock Congress into establishing immediately a new policy that will be fair to all deceased members of the Armed Forces and their families.

CIVIL SERVICE COMMISSION REPORT ON GOVERNMENT EMPLOYEES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Post Office and Civil Service:

To the Congress of the United States:

As required by the Government Employees Training Act of 1958 (5 U.S.C. 1308(b)), I am transmitting the report of the Civil Service Commission concerning Government employees who, during fiscal year 1966, received training in non-Government facilities for more than 120 days and Government employees who participated in training in non-Government facilities as a result of receiving an award or contribution.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *February 13, 1967.*

BOARD OF DIRECTORS OF GALLAUDET COLLEGE

The SPEAKER. Pursuant to the provisions of section 5, Public Law 420, 83d Congress, the Chair appoints as members of the Board of Directors of Gallaudet College, the following members on the part of the House: Mr. CAREY, of New York and Mr. NELSEN, of Minnesota.

THE NATIONAL MEMORIAL STADIUM COMMISSION

The SPEAKER. Pursuant to the provisions of section 1, Public Law 523, 78th Congress, the Chair appoints as members of the National Memorial Stadium Commission, the following members on the part of the House: Mr. TEAGUE of Texas; Mr. LONG of Maryland; and Mr. DON H. CLAUSEN of California.

NEED FOR RESEARCH AND DEVELOPMENT IN MILITARY TECHNOLOGY

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. REINECKE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. REINECKE. Mr. Speaker, the current issue of Air Force and Space Digest magazine, published by the Air Force Association carries a fine article about one of the most foresighted aerospace designers in the country, Mr. Clarence L. "Kelly" Johnson, of the Lockheed Aircraft Corp., in Burbank, Calif. The article, by Edgar E. Ulsamer, associate editor of the magazine, is entitled "Kelly Johnson: A Worried Planner."

The article focuses on the technological lag which has developed in our aerospace-military technology in recent years. Let me quote a few sections for the information of the House.

One subject that deeply concerns the builder of some of the world's most advanced aircraft—the recordbreaking YF-12A, the SR-71, the U-2, and a long line of others—is the course the technological race between the United States and the Soviet Union is taking. The main trouble, he says, is that this country has not started "enough advanced R. & D. projects in this decade."

Five or ten years from today the Soviets may well be ahead of us in military technology and science in general, due to their increasing output of scientists and engineers, he warns. To make matters worse, our leadtime in creating a weapon system, according to some estimates, is already 30 to 100 percent longer than that of the Soviets—and they are improving all the time.

> As far the United States' unilateral commitment to offensive missile systems, Mr. Johnson calls on this analogy: "No good carpenter would tackle his job with just one kind of tool in his toolbox, and there is no reason why our national defense should do so." All across the spectrum of deterrence we need "options because technological surprise is a fact of life." As an important example he cites the "alarming, high-level effort by the Soviets in the field of anti-ICBM technology," since then confirmed officially by Secretary McNamara's report of Soviet ABM deployment.

Engineer Johnson clearly articulates my fear that this administration's Defense program does not include enough effort in the field of defensive systems.

The article goes on to say:

> The United States should work harder to shorten development times for new defense systems. As it stands, he says, "by the time we get systems built, they are often already obsolete." His characterization of the building-block system is that it "optimizes the component"—and does that "more on paper than in fact"—instead of optimizing the entire system.
>
> "The worst mistake we could make would be to underestimate an opponent's resources and capabilities," he warns. In more specific terms, he refers to the MIG-21 flown to Israel in August 1966 by an Iraqi pilot seeking asylum. "It is a very good and very advanced aircraft. Yet they can afford to give it away to other nations. At home they must have something better," he says.

Kelly Johnson thinks that at this moment the United States does not have the right kind of interceptor to cope with Soviet supersonic bombers. The YF-12A as a fighter aircraft would be able to do the job, he says, but to date it has not been put into production. As for a completely new system, Johnson says it takes 5 to 7 years from contract award to production of a fighter and about 10 years to produce a bomber.

In the conclusion of the interview, Johnson calls for greater concern with two prime areas which will determine future U.S. accomplishments in military aviation and related fields: materials and propulsion.

He says:

> Materials are the pacing factor for almost everything we do.

In propulsion, the United States faces a challenge that is just as critical. We have to expand our horizons when we think of engines. From the X-1 to X-22, can you think of one experimental aircraft we have built to solve the overall propulsion problem for high speed? The answer is "None."

Mr. Speaker, the administration would do well to listen to this voice of a leading aircraft designer. He calls for our defense strategists in the Pentagon to look ahead, to plan for the future, to plant the seeds for research and development, and not to put all our eggs in one military basket.

It would be better, Mr. Speaker, for the United States to win any future military conflict on the drawing boards rather than risk defeat on the battlefields. By being technologically superior to a potential enemy, we can prevent and deter a future armed conflict.

THE VIET TRUCE WAS BLOODY

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashbrook] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, for the third time in the present Vietnam conflict a cease-fire agreement has been reached, the first two truces for a 2-day period each and the latest extending for 4 days. According to the following dispatch from Joseph Fried of the New York Daily News, 17 Americans were killed and 131 others wounded.

Rational people normally learn by experience. I hope the casualties suffered by our troops during the latest truce are remembered if recommendations for still another cease-fire are advanced in some circles.

I place the article, "The Viet Truce was Bloody," from the New York Daily News of February 12, 1967, in the Record at this point:

THE VIET TRUCE WAS BLOODY

(By Joseph Fried)

Saigon, Sunday, Feb. 12.—The four-day lunar New Year truce limped toward a close today with the Viet Cong piling up fresh violations and allied forces preparing to return to the field.

By late last night, the Communists had initiated about 360 incidents against allied forces, 84 of them regarded as "significant" by the allied command.

SEVENTEEN AMERICANS KILLED

U.S. authorities said 17 Americans were killed and 131 others wounded during the supposedly bloodless period.

U.S. troops, fighting back, killed 96 Viet Cong and captured 65.

The truce violations have shut off any chance that the truce will be extended to the 7-day lull proclaimed by the Viet Cong.

In terms of both incidents and American casualties the Viet truce has proved more costly to the U.S. than the Christmas and New Year truces combined. Each of those cease-fires lasted 2 days.

MORE WOUNDED THIS TIME

The number of Americans killed matched the losses for the two earlier truces. But the number of wounded was more than double the 53 recorded then.

As time ran out on the allied truce period, a South Vietnamese military spokesman flatly said government forces would resume operations today.

MORE ACTION ON AIR AND WATER POLLUTION

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. Brock] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. BROCK. Mr. Speaker, we have been—for some time now—talking about solutions to the problem of air and water pollution. The President has asked Congress for $40 million to finance further research and study of the problem. We are moving in the right direction, but are we moving fast enough? Are we really striking at the roots of the problem?

Certainly continuing research and study are necessary, but these cannot be an end in themselves. Merely to continue to sniff the air and test the water is not enough. This is not only a serious problem, it is a pressing one. The water we drink and the air we breathe are polluted. We must take direct and immediate steps to clean up our environment before it is too late.

The bill which I am today introducing is designed to affect direct action to combat both air and water pollution. Its primary aim is to stop pollution at its source—at the plant gate. We already have pollution control legislation on the books. Judging from the mood of this Congress, we are going to have more, stricter controls passed in the near future. Because we must protect life and health, we are going to have to stop pollution in one way or another. Yet, we cannot afford to wreck or severely cripple our business and industrial community. Only by planning ahead can we do something now that will allow industry to prepare to meet these stricter requirements.

The man who owns, manages, or works in a foundry drinks the same water and breathes the same air we all do. It is foolish to believe that these people are opposed to pollution control. They are not. The real stumbling block is the enormous cost involved in the purchase and installation of antipollution equipment.

In many instances, the cost of such equipment exceeds the total capitalization of a small industry. If one day we suddenly tell these people that they must get this equipment or get out of business, they are going to be faced with a very difficult, if not impossible, situation. Congress cannot afford to let this happen.

Here we have a situation where the Federal Government can—and should—participate directly in seeking realistic solutions through a program of tax incentives for those industries who purchase pollution control equipment. My bill would encourage action by allowing a tax credit of 25 percent—5 percent per year for 5 years—for expenditures incurred in purchasing or constructing such facilities and by permitting the amortization over a period of 60 months of the remainder of such expenditures.

These provisions, plus the 7 percent investment credit now allowed, would bring the real cost of pollution control down to a level which industry can afford, amounting approximately to 30 percent of the initial cash outlay. This, I believe, coupled with more effective State and local action, would be an effective program. It would achieve the desired result at the lowest cost. It does not involve the creation of a vast new Federal bureaucracy. The money spent will go directly to solving the problem. It will allow for flexibility in meeting differing local conditions and problems.

It is my hope that Members of Congress will recognize the real necessity and need to enact this legislation in the immediate future. I firmly believe that the allocation of tax incentives to industry in order to help them clean up our air and water would be one of the best investments for the future that we could possibly make.

DISTRICTING CONFUSION

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. MacGregor] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. MacGREGOR. Mr. Speaker, on January 9, 1967, the Supreme Court of the United States took two actions which could have a profound effect on congressional districting in 22 States having a total of 297 congressional districts.

On that date the Court handed down decisions holding that even a 10-percent variation from the State average district population is too large to meet the Court's one-man, one-vote test. An editorial in the February 7 issue of the St. Paul, Minn., Pioneer Press accurately assesses the blame for this situation and points out the action which is now necessary.

DISTRICTING CONFUSION

Members of Congress and of many State legislatures have complained of federal court rulings which force unexpected changes in congressional districting. Yet Congress itself is largely to blame for the unsettled situations. It has failed to set official standards which would meet constitutional requirements and guide the states to uniform practices.

This lack of firm congressional policy has left a vacuum which invites legal challenges and leaves it up to the courts to make delicate political decisions. The Supreme Court has not set specific population standards of its own. There is little doubt it would welcome congressional guidelines in the interest of uniformity.

Specific blame for current congressional procrastination on the problem falls most strongly on the Senate Judiciary Committee. The House last March passed a bill calling for compact districts of contiguous territory, with a population variance of not over 15 per cent from the average in each state. At large districts were ruled out. Once established, districts would be subject to review every 10 years. The Senate committee got

> into a controversy over details. No agreement was reached with the House and the bill failed of enactment.
>
> The situation in the courts becomes more complex as time goes by. With no specific standards established, each districting case presents new uncertainties. Missouri's 1965 redistricting has been ruled unconstitutional even though the population variation was held to 10.4 per cent of the state average. Previously it was generally thought by political scientists that a difference of 10 to 15 per cent would be acceptable to avoid undesirable splitting of towns, cities and counties.
>
> The present session of Congress should lose no time in reviving the 1966 bill. It may have to be revised in view of the Missouri case, but in any event an official declaration of congressional policy is required. Lacking this, the courts will perforce continue groping for solutions.

The editorial writer is, of course, right in stating that the Senate is at fault and that the Congress should take immediate action to resolve this question. I am today reintroducing the bill as it was passed by the House in the first session of the 89th Congress. I am hopeful that early and favorable action can be taken by both Houses and urge my colleagues to work toward that end.

FLOOD AND HURRICANE INSURANCE FOR HOMEOWNERS

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. GALLAGHER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, last year floods in the United States caused an estimated $200 million in damage. This monetary estimate, of course, reflects only the reported ruin and can at best only be considered a rough appraisal of the complete extent of damage. Flooded cellars, water-damaged automobiles, ruined lawns and landscaping, and other relatively minor destruction are usually not accounted for in these estimates. Most of the costs of the smaller harm by flood waters is borne by the individual, private homeowner. In most areas experiencing frequent flooding the cost of obtaining adequate insurance to cover losses is prohibitive, if available at all. This is understandable from the insurance companies' standpoint because most cannot afford to assume the risk of frequent damage for a fee reasonably within the means of most private owners.

A few months ago the city of Elizabeth, N.J., suffered a serious flood brought on by excessive rains. This was neither unexpected nor new to the people of Elizabeth. Flooding occurs frequently in the area and, as a result, most families cannot afford the necessary insurance. From that one recent flood over $2 million damage resulted.

To help remedy the existing insurance dilemma, I am introducing today legislation to provide a permanent flood and hurricane insurance program for homeowners living in places which frequently suffer damage from these occurrences.

My bill is designed to maximize the use of private insurance companies to provide adequate insurance protection to those owning homes in recurrent flood areas.

The National Flood Insurance Program Act will provide for this relief in three ways:

First. The Secretary of Health, Education, and Welfare may authorize payment of the difference between the reasonable cost and actuarial cost of providing flood insurance.

Second. The Secretary may assume obligations to pay all claims in excess of a predetermined amount.

Third. He may authorize loans at a reasonable rate to private insurance companies to replenish reserves which are depleted because of heavy losses on property insured pursuant to this act.

The aim and purpose of this legislation is to provide for adequate insurance at a reasonably priced premium in areas where the occurrence of severe flooding is a bar to this coverage at the present time. Statistics show that less than 10 percent of the population suffers almost 100 percent of the measurable flood damage in most years.

In past years the Government has tried to cope with flood and hurricane damage on a disaster-by-disaster basis. To maintain stability and promote security we must provide for a permanent policy of assurance and protection. This legislation proposes to make use of the best of our Government and the best of our Nation's private insurance companies to provide this necessary umbrella of protection.

In addition to the insurance program, my bill would provide that the Secretary of HEW in concert with State and local planning bodies develop long-range land use programs designed to help reduce the incidence of flood damage.

The Secretary of the Army would also be instructed to identify areas of recurrent flooding and to estimate the rate of probable flood losses for each. This will enable the Department of Health, Education, and Welfare and the private insurance companies to set premiums more accurately and point out alternative means to reduce flood damage.

Mr. Speaker, the 1965 Disaster Relief Act passed during the 89th Congress was a long step in the direction of assisting those persons and businesses hard hit by natural disasters. This insurance guarantee program I am proposing is a natural extension of that extremely successful act. The extensive study recently completed by the Secretary of Housing and Urban Development on flood damage in the United States recommends this very solution, and it is indeed the basis for my bill.

The Red Cross has performed well in the past in aiding the victims of floods. The Small Business Administration has in many disasters provided opportunity for low-cost, long-term loans to rebuild. The Army Corps of Engineers is constantly striving to build dams, levees, channels, and flood control walls to restrain the dangerous waters.

But I submit that none of these efforts can produce the security and relief afforded by a good insurance program. Unfortunately, at the present time this insurance is unavailable in many instances—in those instances where protection is most needed. My bill would put this protection within the reach of all homeowners and bring thereby the peace of mind and security enjoyed by those in less threatened areas.

NEED TO REVISE SELECTIVE SERVICE LAW—XVIII

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. KASTENMEIER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, selective service classification II–C is reserved for those registrants who are employed in the production for market of a substantial quantity of those agricultural commodities which are necessary to the maintenance of the national health, safety, or interest.

The production for market of a substantial quantity of agricultural commodities is measured in terms of the average annual production per farmworker which is marketed from a local average farm of the type under consideration. In Wisconsin, for example, the local draft board, with the aid of the county agricultural agent, translates the farmer's production for market into a point system which is used as extra evidence in the same manner as the college qualification test scores are for students. A minimum average score is set by each local board, depending on the county agricultural situation.

The production of agricultural commodities for consumption by the worker and his family, or traded for subsistence purposes is not considered as production for market. Only production which is in excess of that required for the subsistence of the farm families on the farm under consideration is considered as production for market.

The existence of a shortage or a surplus of any agricultural commodity is not considered in determining the deferment of any individual on the grounds that his employment in agriculture is necessary to the maintenance of the national health, safety, or interest.

The qualifications required for the agricultural deferment, however, discriminate against the small farmer, whose production can nowhere approach that of the corporate farm. How can he possibly seek a deferment on equal grounds with those workers from the large, business farm? If the small farmer has to use part of his crop for subsistence purposes, then his chances for deferment are diminished even more so.

The "channeling" process of the Selective Service appears also to have assisted in the accelerating movement away from the farm. In 1955, some 37,437 agricultural deferments were granted; in 1966, the number of deferments fell to 21,974.

The low number of deferments obviously discourages young men from either remaining in farming or entering this occupation.

The trend away from farming has emphasized the need to spell out a strong policy of support for the continuation of family farming and to encourage young people to enter this vital area. Farming is not the most rewarding of occupations; the hours are long and the returns, often, are not great. Dale E. Aebischer, chief, agricultural education branch of the State board of vocational, technical, and adult education in Wisconsin has said:

> The development of a successful farmer is a long and involved process beginning with the attracting of youth at an early age to the possibilities of farming.

At a time when our food surpluses have been greatly diminished and our foodstuffs have become an essential export in the battle to combat hunger throughout the world, as well as, of course, meeting the demands of our own growing population, we must attract and retain the young farmers who are so necessary for the production of this food and fiber.

The present selective service law, however, operates to the detriment of the young man who is in farming. General Hershey proudly boasts of how the Selective Service channels young men into certain occupations. Farming, however, is not one of these occupations. Young men are not encouraged to enter farming and many of the small, independent farmers are unable to meet the standards required to obtain a deferment. The present law must be changed.

STEEL INDUSTRY ASKS CONGRESS TO SET TARIFF

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. WHITENER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WHITENER. Mr. Speaker, on February 8, 1967, I called to the attention of the House the adverse effect that mounting textile imports were having upon the domestic textile industry. The flood of imports is causing American textile mills to curtail production, and the job opportunities of thousands of our textile employees are threatened.

The American steel industry is also suffering from excessive steel imports. Leslie B. Worthington, chairman of the American Iron & Steel Institute and president of United States Steel Corp., has called for a temporary tariff on the importation of foreign steel in order to lessen the adverse effect that steel imports are having on the American steel industry.

Mr. Worthington's concern over the future of the American steel industry is expressed in an article which appeared in the February 8, 1967, edition of the Washington Evening Star. I include the article as a part of my remarks.

In the same edition of the Star an article called attention to the fact that the Commerce Department has requested the steel industry to set aside additional production for the Vietnam war. I include the article at this point as a part of my remarks.

No one can question the fact that both the textile and steel industries are vital segments of our economy in peace and in war. I am hopeful, therefore, that the Congress will grant both industries relief from excessive imports.

[From the Washington (D.C.) Evening Star, Feb. 8, 1967]

STEEL INDUSTRY ASKS CONGRESS TO SET TARIFF

(By William Reddig, Jr.)

The American steel industry today asked Congress to enact a temporary tariff on imports to foreign steel to meet the effect they have had on the country's steel market.

Leslie B. Worthington, chairman of the American Iron and Steel Institute and president of United States Steel Corp., announced the industry's position at an annual congressional breakfast attended by more than 200 senators, representatives and leaders of the steel industry on Capitol Hill this morning.

Worthington said foreign imports now make up more than 11 percent of the total domestic steel market, with about 46 percent of this steel being produced by Japan, which can sell it at lower prices because of cheaper labor costs.

He said the effect was to cost American producers "more than 13 million tops of finished steel products annually" representing a negative balance of trade of nearly a billion dollars, "at a time when our nation is striving mightily to reverse or contain our balance of payments deficit."

Worthington said a temporary levy would narrow price differences between imported and domestic steel and pig iron and "would create a climate of more equitable competition among producers, domestic and foreign, who seek a share of the United States market."

He charged that the United States is being used by foreign mills as a kind of "bargain basement" in which to dispose of their surplus production.

The steel institute reported that foreign steel imports were 10.8 million tons last year, an increase from 10.4 million in 1965. Exports by U.S. steel producers last year dropped to 1.7 million tons from 2.5 million tons in 1965.

[From the Washington (D.C.) Evening Star, Feb. 8, 1967]

GOVERNMENT DEMANDS MORE STEEL FOR WAR

The Commerce Department told the steel industry yesterday that it will have to set aside more of its production for the war in Vietnam during the second quarter.

The Defense set-aside for steel mill products in the second quarter was fixed at 1,366,845 tons. That's about 6 percent of the industry's anticipated shipment compared to 5.5 percent in the first quarter and 6 percent in the fourth quarter of 1966.

Steel producers are required to fill all defense orders up to the individual set-aside established for each producer.

ANNIVERSARY OF GEN. TADEUSZ ANDRZEJ KOSCIUSZKO

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. BOLAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BOLAND. Mr. Speaker, I wish to pay tribute to the noble Polish national hero, General Kosciuszko, on the anniversary of his birthday, February 12, 1746. This man is deeply revered in the United States as well as Poland, for his dedication to freedom and liberty spanned two continents. His name ranks with those of Lafayette and Pulaski, men who were unable to resist the call to battle for liberty. All three left Europe to volunteer for military service in the American Revolution.

Kosciuszko so brilliantly distinguished himself during the American Revolution that the U.S. Congress, in 1783, extended to him its thanks, the rank of brigadier general, and the privilege of American citizenship. In addition he was given an annual pension and landed estates.

However, Kosciuszko could not settle comfortably in America when his homeland, Poland, remained in the throes of tyranny. He returned to Poland to take a leading part in its struggles against Russia following the proclamation of the Polish Constitution in 1791. When King Stanislas II acceded to the partition of Poland, he gave up his commission in protest.

The Polish insurgent leaders approached him in 1793 to persuade him to take command of the national armies in rebellion against Russia. Kosciuszko heroically led them into battle, achieving some victories, but finally succumbing in 1794 to the far superior strength of the enemy. He was then taken prisoner by Russia.

Upon his release 2 years later he returned to the United States for a brief period. But his desire to see Poland regain its territorial integrity and independence drew him back to Europe, where he strove until his death in 1817 to gain support from other European nations for Polish independence.

For his lifelong contributions to man's continuing struggle for liberty and for his dedication to his convictions which knew no national boundaries, we Americans join the Polish people today in expressing our deepest respect to the memory of this great man.

TADEUSZ KOSCIUSZKO

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. HELSTOSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. HELSTOSKI. Mr. Speaker, Tadeusz Kosciuszko was one of the distinguished and gallant Poles who had an important part in our War of Independence. He was born into a middle-class family on February 12, 1746. In his early youth he showed unusual liking for books and study, and his relatives—his father died when he was 13 years old—did everything in their power to educate him. He entered the royal school in Warsaw in 1765, and upon graduation in 1769, he earned a scholarship to study in France, where he entered the famous Mezieres military school, specializing in artillery and engineering. By 1776 he had finished his courses there, and was still in Paris when he heard of the American Revolution; that fired his imagination for a fight on behalf of a good cause. On borrowed money he sailed for America, arriving in Philadelphia in August of 1776. There he applied for military service; he was accepted at once and charged with drawing up plans for fortifying the Delaware. His success in this assignment earned him a colonel's commission. From then on, a distinguished career in our Revolutionary War seemed assured for him. Everything he did was done with distinction, and in October 1783 Congress made him a brigadier general.

Having fought for our cause with honor and distinction, he returned to Poland, hoping to carry on the fight there for Poland's freedom. Unfortunately all his efforts to that end were doomed to failure, and he ended his gallant career in exile in Switzerland, dying there on October 15, 1817. Today Americans of every rank and creed solemnly observe the anniversary of his birth and do homage to his blessed memory.

AMERICA'S SERVICEMEN AND VETERANS

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. RODINO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. RODINO. Mr. Speaker, I am sure we were all pleased with the President's splendid message outlining a program of expanded and improved benefits for our servicemen and veterans. And it is particularly gratifying to note the public response of the news media of the Nation to the message.

I was very pleased to note the views carried in the editorial columns of the Newark Star-Ledger, of Newark, N.J., on February 2. I believe this fine editorial expresses the opinions of all loyal Americans toward our fighting men in Vietnam as well as the stand taken by the President to provide adequate benefits for these gallant citizens. I am happy to include in the RECORD at this point this excellent editorial in support of the President's proposals.

DEBT OF GRATITUDE

President Johnson is wasting little time in bringing his legislative proposals before Congress. The President's most recent recommendations would make available more funds for servicemen and veterans who have been in the armed forces since August 5, 1964. Perhaps no piece of legislation in the President's 1967 portfolio can be more rewarding or demonstrative of our appreciation than this bill. It is heartening that such consideration is being taken—even if only as a mere token of gratitude—for our servicemen.

The bill is expected to sail through both houses of Congress with little difficulty, for as President Johnson said, "We must now take additional steps to fulfill our obligations to those who have borne the cost of conflict in the cause of liberty."

Today more than 400,000 American servicemen are stationed in Vietnam. Many Americans already have died there. Many of the more fortunate have returned home. They use live ammunition in Vietnam, and whether the proper terminology for the whole thing is "war," "conflict," or "peace keeping," one point is clear: The United States is involved just as deeply as it was in Korea, Europe and the Pacific Islands earlier in the century.

The men who fought in the World Wars and Korea received government benefits considered fair and economically representative of their time. No President in this country ever doubted that veterans were due a much greater reward.

That America's men in uniform have earned an honored place in history has never been disputed. However, there exists one strange paradox which hovers over veterans and servicemen of the Vietnam war. These men have actually been scorned in some quarters and verbally abused in others. They have been the targets of vicious "pacifist" demonstrations on several occasions.

Vietnam is indeed a confusing battleground. It is not the most popular military conflict we have ever entered. As a result, there are those people in the United States today who vociferously condemn our servicemen for taking part in the war. Such people fail to see the nefarious logic attached to their reasoning.

Conversely, many servicemen are confused by this public reaction. There was a despicable incident in midtown Manhattan recently when three uniformed Marines just back from Vietnam were stormed by a group of young men and women. The three heroes were practically vilified on the street for their participation in Vietnam.

The demonstrators, however, are a minority. To most Americans, one of the most sacred sights is a military uniform, perhaps second only to the flag.

Our veterans have not been forgotten. Benefits for servicemen are only a small token of our total appreciation. We can never fully repay the debt we owe them.

FOR CLEAN AIR

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. FRIEDEL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. FRIEDEL. Mr. Speaker, President Johnson's determination to commence a national battle against polluted air is exactly what the country has been waiting for.

The President's message calling for immediate action has been well received in the press.

The Baltimore News-American, a Hearst newspaper, agrees to the urgency of the problem. "There is literally no time to lose," the paper says.

Newsday, on Long Island, calls air pollution one of America's "most nagging problems," "too serious," it adds, "to be dealt with by half measures."

The Louisville Courier-Journal applauds the President's desire to throw the power of the Federal Government into the fight. Efforts to date, the paper writes, indicate that only Federal standards, federally supervised and federally enforced, will be effective.

I ask that these editorials be reprinted in the RECORD for examination by all those who are concerned with this deadly threat to our health and well-being.

[From the Baltimore (Md.) News American, Feb. 2, 1967]

BREATHING UNEASY

As well as being a national menace—and major scandal—the problem of air pollution has now become an urgent concern of the Johnson administration.

The President has called upon Congress to enact sweeping legislation to counter pollution and to establish a broad program of regulatory statutes covering both waste disposal and "clean air" criteria.

In a special message to Congress, President Johnson recommended that these statutes be both federal and regional, and that they be supported by continuing research and inspection. Congress should respond to the message with the urgency the situation demands, for there is literally no time to lose.

The battle against pollution, in fact, is being lost at this time, as the President somberly observed. One of the reasons for this is that an estimated 110 million vehicles will clog the nation's streets and highways within a few years.

"We shall," President Johnson said, "have lost the battle for clean air—unless we strengthen our regulatory and research efforts now."

The emphasis, therefore, is upon action. There must be action, swift and energetic, from the Congress, from local legislatures, from industry, and from the scientific community to combat this peril, which could well result in a catastrophe at some imminent date. The task ahead is immense and complex, but it must be tackled now, on an all-out basis.

However great the cost, the price will be nothing compared to what it will be if the problem is neglected any longer.

[From Newsday, Feb. 1, 1967]

WARRING ON POLLUTION

Pollution of the air is one of America's most nagging problems, and President Johnson has addressed himself to ways to keep it under control. In a message to Congress, Johnson pointed out (1) that the nation's health is being endangered, and (2) that the economic loss from pollution amounts to several billion dollars a year.

To control this menace, the President requested authority to establish and enforce industry-wide limits on the emission of pollutants, and the creation of regional commissions that would set and enforce clean air standards on an interstate basis. As we Long Islanders know pollution is not only a local matter. The dirt discharged into the air by New Jersey and New York City eventually drifts through our skies in Nassau and Suffolk.

As the President observed, if we do not act now, in 10 years it will be too late. By then we may have 110,000,000 autos on our streets and highways emitting fumes, plus a vastly increased emission of pollutants from industrial plants.

The message sets up a series of proposals for the regulation of pollution, but does not go into specifics. If and when a new antipollution law is approved by Congress, it should be one with teeth in it, one that cracks down on violators and makes the penalty sufficiently severe so that they will mend their ways. The problem is too serious to be dealt with by half measures.

[From the Courier-Journal, Feb. 1, 1967]

CLEANER AIR WILL REQUIRE TOUGHER CONTROLS

President Johnson wants to throw the power of the federal government into the fight against further pollution of America's air, and he is right. As he points out, dirty air is making life in our growing cities not only less pleasant but more dangerous, and is a major factor in the increasing incidence of lung disease. And local curbs, regardless of the good arguments for local control, have not done the job.

Reasons for their failure are indicated in the provisions of the President's proposed Air Quality Control Act. It would control industrial pollution, create regional commissions to control pollution that crosses state boundaries, and would require periodic inspection of automobile exhaust devices to make sure they work. City and state agencies have not had much success in these areas.

ENFORCEMENT IS NOT EASY

Neither states nor cities want to offend valuable industries by tough enforcement of tough anti-pollution laws, and those that are willing often find they are blocked by the political power of industrialists. Both cities and states have found themselves powerless to deal with smoke and fumes from nearby factories which lie across state lines. And no single city or state is capable of dealing effectively with the automobile, which remains the largest single source of pollution.

Only a federal law can compel Detroit to install effective exhaust control devices on its products. Only a strong federal law, apparently, with penalties for failure of enforcement, has much hope of being enforced on the local level. Most cities have, as does Louisville, relatively specific prohibitions against faulty exhausts and smoking diesel stacks, and in most cities, as in Louisville, they are ignored. Any driver, any day, can see cars, trucks and buses violating the laws of city, health and common sense without attracting even the attention of police.

Indeed, the dependability of local co-operation in enforcement is likely to be the key to the success of any anti-pollution measure passed by Congress. Perhaps if the critical importance of cleaner air can be impressed on city and state agencies, and if control efforts can be made uniform and nation-wide, local enforcement will improve. But on the basis of past performance, only federal standards, federally supervised and federally enforced will be effective.

HOW BUSINESS AND GOVERNMENT ARE COOPERATING IN OUR EFFORT TO ATTAIN FULL EMPLOYMENT

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. HOLLAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. HOLLAND. Mr. Speaker, on January 30 our distinguished colleague from Missouri [Mr. CURTIS] inserted in the RECORD an article appearing in Nation's Business, the official publication of the U.S. Chamber of Commerce. I, too, had read it, in the January issue, and I was quite disheartened for I had felt that the old-line thinking—business versus government—had few remaining advocates today.

The cooperative efforts of local business interests with local government agencies, as well as at the State and Federal levels, in our efforts to train or retrain our unemployed have been most encouraging. Two groups in my own congressional district—the Greater Pittsburgh Chamber of Commerce and the Greater McKeesport Chamber of Commerce—have been most active and have contributed greatly to the successful operation of both the manpower development and training and antipoverty programs. I know others, throughout the Nation, are active participants also.

Therefore, Mr. Speaker, for the sake of historical accuracy, I take this opportunity to comment on this article from the Nation's Business. This article, "How Business Employs the 'Unemployable,'" is long on rhetoric and short on information that presents an accurate picture of the Nation's present manpower programs.

The chamber of commerce has put its best foot backward once again in the minds of many citizens in publishing this piece.

The author of this ill-conceived article has:

First. Attempted to discredit the strategic Federal manpower programs which are doing so much to improve the lives of hundreds of thousands of disadvantaged Americans.

Second. Attempted to drive a wedge between American business and American Government, a partnership which has been highly productive in providing meaningful training opportunities for those most in need.

Third. Given the erroneous impression that the chamber and private business can go it alone in providing training and job opportunities for the disadvantaged, although the records show this was not too successful in those years prior to the Manpower Development and Training Act of 1962.

The article describes most warmly and in considerable depth, the notable contributions of businessmen in providing training opportunities for the needy. These efforts are warmly welcomed by all Americans, and I join with the author in hailing them.

However, in outlining some of these contributions, the author fails to mention the supplemental role played by the Federal Government in many of these same efforts. In charity, I shall assume his research was not complete.

The article boldly asserts that—

> Private firms are quietly, but successfully, opening job opportunities to tens of thousands of "unemployables." Meanwhile, expensive federal manpower programs, promoted with thunderous bureaucratic ballyhoo, have produced a mere trickle in results.

Obviously, the author again views Government and business as rivals—not as partners—in our Nation's campaign to help every American find productive and rewarding employment. As chairman of the Select Subcommittee on Labor and as representative of a constituency that demands honesty and forthrightness, I would be remiss if I did not clarify this fallacious impression.

First, let us review some of those programs mentioned in the article that are operated by private business.

The Management Council for Merit Employment Training and Research cited in the article is indeed operated by businessmen in Los Angeles to promote employment for the disadvantaged. As Nation's Business notes, this council agreed to seek or use no Government funds. But the magazine fails to report that the management council cooperates with the Government's Manpower Development and Training Act programs in Los Angeles. Since last July—and including fiscal 1967—$16 million in Federal support has been allocated for these vital programs.

The article relates that the Los Angeles Management Council set up, without Federal funds, an Opportunities Industrialization Center—OIC—in Los Angeles similar to OIC centers in Philadelphia and Boston. Nation's Business does not report, however, that the U.S. Department of Labor provided the original Philadelphia OIC with $532,840. Also overlooked in this publication is the crucial fact that the Department of Labor and the Office of Economic Opportunity have jointly financed an OIC Institute in Philadelphia to advise and assist other communities establishing OIC projects.

The success of the original Philadelphia project has encouraged communities in eight cities across the country to set up new community OIC programs. These, of course, will be aided by the OIC Institute and supported by $5 million in Federal funds. About 6,400 persons are expected to be trained through these OIC projects.

The chamber publication cites Aerojet-General's Watts Manufacturing Co. as an "example of what private firms are doing on their own to relieve tensions in the Watts area." But overlooked by the article is the $28,000 covering the normal on-the-job training costs the Labor Department's Bureau of Apprenticeship and Training has provided this plant for this on-the-job training program.

The article also states that—

> Twelve electronic firms in San Francisco helped finance, equip and provide instructors for another self-help training program called Opportunities Industrial Center West in East Palo Alto.

So they did. But the article fails to mention that the Government provided $1,656,734 for this program.

The article advises that in Buffalo, N.Y., businesses gave $40,000 to set up and staff the nonprofit Opportunity Development Corp.—ODC—which seeks jobs, education, and training for the unskilled. But we are not advised that the Government will spend more than $2.5 million on this project.

There are many references in the chamber of commerce article to Plans for Progress and the support businessmen are giving to this program which opens up job opportunities for Negroes.

I welcome both the firm support and continued participation by these businessmen in plans for progress. But, had I written this article, I would have been negligent as a reporter if I had overlooked these pertinent facts:

Vice President HUBERT H. HUMPHREY, Secretary of Labor W. Willard Wirtz, and Export-Import Bank Director Hobart

Taylor, Jr., serve as ex officio members of the advisory council to Plans for Progress.

Vice President HUMPHREY has organized, in cooperation with Plans for Progress, a task force on youth motivation that includes over 200 American business executives.

Government funds have provided partial support of vocational guidance institutes under Plans for Progress.

The aforementioned efforts document beyond any question that American business and American Government have joined hands to increase the employability of our disadvantaged citizens.

Perhaps the most baffling statement in the Nation's Business article is that—

> Expensive Federal manpower programs, promoted with thunderous bureaucratic ballyhoo, have produced a mere trickle in results.

It behooves each of us to examine the proportions of that "mere trickle":

Since 1962, nearly three-quarters of a million persons have been authorized for training under the Manpower Development and Training Act. About 80 percent of the training graduates are now gainfully employed.

More than 1 million job opportunities have been opened for disadvantaged young people through the Neighborhood Youth Corps, a vital part of the antipoverty program. They are helping build their own communities as they build their own futures.

Some 1½ million youngsters have been served at 166 Youth Opportunity Centers across the Nation. They receive vocational counseling and are referred to manpower programs and jobs.

The President's Youth Opportunity Campaigns have turned up approximately 1 million jobs for young people during each of the summers of 1965 and 1966. These campaigns have also persuaded many potential dropouts to stay in school.

The Job Corps has aided 52,000 youths. Of these, 70 percent are now employed.

These most essential and productive programs, along with others, illustrate that the American Government is most responsive to the needs of our citizens lacking skills and opportunity. It is not, as a misguided few would have us believe, a power-grabbing monster that delights in wastefully spending public funds. Our Government is operating to serve the mutual interests of all of our people.

As Thomas Jefferson so eloquently put it:

> The only orthodox object of the institution of government is to secure the greatest degree of happiness possible to the general mass of those associated under it.

This is not to say that the Government alone can eliminate the poverty and disadvantage that hamper so many citizens. But, in concert with the private sector, the Federal Government is playing a most crucial role in helping guarantee that every person has the opportunity to enjoy the great benefits of American life that most people take for granted.

Mr. Speaker, I regret, most deeply, the loss of confidence in this magazine among our leaders in business and Government the publication of this article cannot help but create.

Many—from now on—will wonder how much to believe and how much has been omitted in future issues of the Nation's Business.

A LOSS FOR ALL MANKIND

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. PEPPER. Mr. Speaker, the blending of the English-speaking and Spanish-speaking cultures of our hemisphere in Miami has given our area an increasingly distinctive quality among American cities. This is one of the elements which cause us to believe that the Inter-American Cultural and Trade Center, which this House has endorsed and which we are now building in our area, that this great center will be astonishingly successful in developing bridges of understanding and trade between the peoples of the United States and the peoples of Latin America.

A feature of our Miami cultural scene is regular programs in Spanish on our radio and television stations, and one of the most distinguished of these is conducted by Manuel J. Reyes, director of Latin American news for television station WTVJ. His news and commentary attract a large audience among those who speak Spanish in our area, including the large number of bilingual citizens in Miami, and a recent editorial of his attracted such special attention that it was translated into English and made more widely available.

By previous permission, I insert in the RECORD, so that my colleagues may have the privilege of reading this editorial comment by Mr. Reyes on the tragic death of our three Apollo astronauts, which he addressed to the young Cuban exiles in our area:

> My dear Cuban youngsters in exile: Life does not stop. The world continues to progress through the great steps of humanity. And history proves that on many occasions those steps were able to be taken because there have been human beings who would not stop, even sacrificing their precious lives, so that future generations could live a better future.
>
> Such is the case of Virgil Grissom, Edward White, and Roger Chaffee, the first three astronauts of the United States who died in the line of duty when they were getting ready for the greatest conquest of man in the modern space age: A trip to the moon.
>
> The news of the death of these brave astronauts found us in Boston, when we were attending the Inter-American Conference and it deeply moved us. Not as grateful Cuban exiles living in this great nation of the United States, but as citizens of a world that shortens its distances. We feel as though someone very dear to us has died.
>
> And this is because the astronauts, far from political barriers or human antagonism, are preparing with their efforts and noble sacrifices, a life for future generations, for you, for our children and for our children's children.
>
> This is why we join in the mourning of the people of the United States and especially in the sorrow of their parents, wives, children and other relatives of the ill-fated astronauts.
>
> There are moments in life when the world seems to stop when faced with a great tragedy: such is the respect, the love and the gratitude of the world for those involved in this tragedy.
>
> You, my dear Cuban youngsters, are now living this moment in the history of mankind. Think about it, analyze it, study it, and engrave it in your heart even though because of your few years you might not be able to understand it.
>
> And as life must go on, as the years go by, you will be understanding the truth of this great work of these three astronauts who have just died. And as man progresses in his knowledge, you will learn that the death of these three great men was not in vain.
>
> And when in the future, you and your children's children will be able to realize and live what today seems like a dream: finding new worlds in the solar system, the grateful memory of three names will come to your mind: Virgil Grissom, Edward White and Roger Chaffee, the first three astronauts who died in the line of duty so that future generations would live in a better world.

MALE SPOUSES ARE ENTITLED TO SURVIVOR BENEFITS

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from New Mexico [Mr. MORRIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. MORRIS of New Mexico. Mr. Speaker, I am today introducing legislation designed to remedy an oversight. This oversight pertains to the survivors' benefits available to the spouses of Federal employees.

At the present time, the Federal Government is permitting inequality. This discrimination has gone almost unnoticed for many years, but the growing number of women employed by the Federal Government and increasing recognition of the contributions made by working ladies demands our attention.

We have already made equal provisions for widows and widowers of employees of the Federal Government including Members of both the House and the Senate when the public servant's death occurs after retirement, but these provisions do not apply to the survivors of both sexes if the employee dies while still active.

In other words, discrimination through oversight exists. Stated more explicitly: a female Federal employee or Member of Congress may designate her husband as beneficiary at the time of her retirement and he is then eligible to receive benefits as a survivor in the event of her death. These provisions are exactly the same as the provisions made for the wife of a male public servant. If a male Member of Congress or civil service employee dies while serving, his wife is automatically entitled to survivor's benefits. These benefits, however, are not presently available to the spouse of a female public servant unless her husband is dependent upon her for support.

Summed up, we have overlooked providing equal benefits to both male and female employees' survivors when the death occurs before retirement.

As the ranks of women in Federal employment expand, corrected legislation becomes more and more necessary. Although the working woman may not contribute more than half payment of the family's rent and grocery bills, she is nevertheless an increasingly important assistant, and her spouse should not be deprived of the benefits available to the wives of male employees or Members of Congress.

In 1964 more than 600,000 women were working in the executive branch of the Federal Government. This number, slightly over half as high as the World War II peak, was considerably above the prewar level of about 173,000 women.

Last November, the Civil Service Commission reported that there were 2,855,772 civilian employees under its jurisdiction. At the present time, no exact figures are available telling us how many of these employees are women, but probably 600,000 or more. We do know, however, that the Civil Service Commission expects about 6,000 persons to leave the service each month due to death or retirement. Obviously, some of these are women, and if they leave this earth as well as the service, there are no survivor benefits available to their husbands. Naturally, if a woman can claim the gift of foresight, and retire just previous to her death, she can name her husband beneficiary and he thus becomes eligible for survivors' benefits. Naturally, few persons can claim this type of talent.

I cannot report statistics regarding the ages and marital status of the women employed by the Federal Government, but I can note some meaningful statistics on the employment of women during 1965. These total percentages no doubt do not differ widely from the percentages within the labor force of the Federal Government.

According to a bulletin from the Labor Department, women represented 35 percent of the labor force, and half of these women workers were over 40 years of age. Almost 3 out of every 5 women workers are married, and considering only the married women who are not separated from their husbands, a total of 34 percent were working during 1965. This is over one-third.

Certainly these 34 percent—many of them over 40—are making substantial contributions to the well-being of their families. These contributions doubtless frequently take the form of college tuition, rent, or mortgage payments. Obviously, the death of the working wife would affect the bereaved husband's and children's standard of living in most cases.

Even though the female employee is contributing substantially, she apparently is not often working in order to provide for a husband incapable of self-support due to mental or physical disability nor is she responsible for more than half of his support, although years ago these conditions were probably the most frequent reasons for women to belong to the ranks of the working force. The 44th annual report from the Board of Actuaries of the Civil Service Retirement System published last year noted that only 76 widowers were receiving assistance as survivors of deceased employees while more than 61,000 widows were deemed eligible under the existing law.

Since 1940 American women have been responsible for the major share in the growth of the labor force. In addition to recent national recognition of their numbers, this Nation has increasingly been alerted to their present-day needs and their varied professional potential. Their contributions are no longer questioned. Both the House and the Senate have included women among their Members in varied numbers ever since Jeannette Rankin took her seat in 1917 after election returns in Montana were counted. Only one Congress since—the 66th—failed to include at least one female Representative. It is certainly fair and just that the 90th Congress correct the discrimination we have previously permitted among our own Members and our employees simply through lack of awareness of the existing outdated provisions.

When enacted, my proposal would delete the conditions stating that the husband of a Member of Congress or Federal employee dying while still active, would have to be defined as incapable of self-support because of mental or physical disability and show he had been dependent on his wife for more than half the cost of his support. These specifications are no longer applicable—men and women frequently share the same responsibilities and make similar time-consuming demands on their spouses.

My proposed amendment to title 5, section 8341, is simple: It merely deletes the existing offending restrictions and provides completely equal benefits to the survivors of both male and female Members of Congress and employees of the Federal Government.

MARTIAL LAW FOR ARLINGTON CEMETERY?

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. BROWN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BROWN of California. Mr. Speaker, many of us have been urging that something be done to relieve the problems created by the rapidly shrinking number of available burial spaces in our national cemetery system.

Congress has failed to take action while the emergency continued to grow.

The Department of Defense, apparently feeling that action was necessary, issued a statement late Friday afternoon—February 10—that could be described as martial law for Arlington National Cemetery.

I think that it is obvious that the Department of Defense has overstepped its authority in deciding to change the eligibility requirements for burial at Arlington—requirements which were established by Congress.

And yet, I cannot help but feel that the Defense Establishment is simply protecting its own—an understandable, if not defensible, attitude. An attitude, perhaps, which Congress should adopt on behalf of the Nation's veterans as a whole.

Less than 5 years ago, when hearings were held by the Subcommittee on National Parks of the Committee on Interior and Insular Affairs, the Department of the Army apparently was not so sure that they had this authority to establish a new eligibility list. Yet, on Friday, they blandly announced that burials at Arlington National Cemetery "will be limited to Medal of Honor winners, active duty and retired members of the Armed Forces; and honorably discharged veterans who have also served in high positions in the Federal Government."

During the 1962 hearings, Subcommittee Chairman J. T. Rutherford questioned Col. Harry D. Temple, Chief of the Memorial Division, Army Quartermaster Corps. Colonel Temple stated flatly that the Army had no control over eligibility for burial in Arlington National Cemetery as this eligibility was determined by law. I quote from those hearings:

> Mr. RUTHERFORD. That is not a solution, though, Colonel. If you close down all other national cemeteries, and eventually they will be, acquiring more land itself will not prevent the ultimate closing at some time of the Arlington National Cemetery. Do you propose any kind of new restrictions, undesirable as they might be, any new qualifications or restrictions on the burial in Arlington National Cemetery?
>
> Colonel TEMPLE. Eligibility for burial in the Arlington National Cemetery is determined by law. We have no control over that.
>
> Mr. RUTHERFORD. But you made the recommendation Congress not expand the national system. I thought you might also have recommendations for the restrictions of qualifications at this particular national cemetery, Arlington, to prevent it being closed at some future date. Eventually it will be. We can only expand the national cemetery at Arlington just for a certain period of time. Do you have any other suggestions other than purchasing more land?
>
> Colonel TEMPLE. We have considered that for a number of years, the attempt to restrict, and we have yet been unable to find a workable way to restrict burials in that area.
>
> There have been proposals to restrict it to what are called heroes, or to war dead, or to ones who have war service. After considerable consideration, these were found to be administratively impossible, almost, for the Army to carry out.
>
> Mr. RUTHERFORD. Colonel, I do not mean to be facetious, but what is your criteria, or qualification, or definition of a hero?
>
> Colonel TEMPLE. That is one thing we have never been able to determine, and we are in no position in the Army to determine that. Every mother considers her boy a hero.

Well, the Department of Defense has now chosen to establish new criteria—whether it is legal or not and whether a mother considers her boy a hero or not.

At the same time, they have announced that they will acquire small parcels of additional land for gravesite development at two California, one New Jersey, one Kentucky, and one Virginia cemetery. This authority they do have but they have chosen not to use it for many years past.

Mr. Speaker, the whole scope of the problem concerning national cemeteries deserves immediate attention. I think that the Department of Defense may have recognized the fact that Congress probably needed to be spurred into action. Perhaps this unusual action on their part was taken in order to stimulate congressional intervention.

Certainly the new directive was not intended to be an effort toward permanent solution. They do not indicate how small the additions to the five cemeteries in other parts of the Nation are, but I would judge, at the rate which burials are taking place, this would be a very temporary stopgap move designed to take a little of the edge off the criticism which they knew would arise as a result of the new criteria announced for eligibility to be buried at Arlington.

I have urged that the responsibility for administration of the national cemeteries be transferred to the Veterans' Administration. I have also proposed that a new national cemetery be established in Los Angeles County.

I have taken these actions based on the fact that every veteran who has been honorably discharged is eligible for burial in a national cemetery. This is a commitment made by Congress—a promise we are making to every draftee and enlisted man who enters the armed services.

Either we should honor these commitments, or we should stop making the promises. The law establishing eligibility is a sham if there is no burial space available—or, if the Department of Defense can change the eligibility criteria at will. If new criteria can be established by the Defense Department for Arlington at this time, what is to stop them for extending this criteria throughout the Nation when the problem becomes even more acute?

Last year we passed the cold war GI bill promising education benefits for veterans when they return to civilian life. Would we, for 1 minute, think of allowing the Veterans' Administration to change the eligibility criteria if they were to suddenly find that too many veterans were choosing to take advantage of these benefits? Or, perhaps, the VA might decide that hospital beds were in such short supply and would establish new "criteria" for eligibility to receive treatment at a veterans hospital.

No; the Veterans' Administration seems to have a slightly different philosophy than the Department of Defense. If no veterans hospital is available to an eligible veteran in an emergency situation, we even pay his bill at a private hospital.

The time for action is now, Mr. Speaker. Hopefully, we can thank the Department of Defense for bringing the matter to a head.

BENEFITS FOR VETERANS OF VIETNAM

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. KAZEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. KAZEN. Mr. Speaker, President Johnson has provided the leadership for us to follow in proposing extensive benefits for the veterans who return from the Vietnam conflict. I am pleased with the message the President has sent to us for our consideration, and I am pledging my full support to the passage of this legislation. It is not only fair and just—it is a pledge of this Nation that we will never downgrade the young men who are facing death in order that free men may live in peace.

I am proud to say that the people of Texas have applauded this action of the President. I am likewise proud to say that the press of Texas gave important space to the announcement and commented on the message editorially. An example is this editorial comment from the Corpus Christi Caller, Corpus Christi, Tex., dated February 2, 1967:

VETERANS OF VIETNAM WAR SHOULD GET FULL BENEFITS

> President Johnson is unlikely to have any trouble in Congress getting the full benefits he has requested for veterans of the war in Vietnam. This has always been one area of public policy where Congress' sense of patriotism has overcome its sense of economy, and few Americans will argue with that.
>
> Congress first adopted a policy of broad benefits for veterans—educational training, housing loans, medical care, disability compensation, pensions and insurance—after World War II. And generally it is believed that those benefits contributed more to the nation's social progress and economic development than they cost the taxpayers. But even if they had not, they would have been justified as compensation for hazardous service to the country.
>
> There was no serious controversy over extending World War II veterans' benefits to veterans of the Korean war, a conflict fought under United Nations' auspices. Earlier the status of veterans of the Vietnam war was less clear, because it was not an officially declared war. That fiction is now so thin, however, that it is not likely to figure importantly in the President's request. A 1966 GI bill has already extended partial benefits. The Vietnam veterans certainly deserve the requested equal benefits, and they will surely get them.
>
> Congress may give more critical attention to the second part of President Johnson's proposal, which is to increase various phases of benefits for veterans of all wars. This will involve a large and long-term outlay, and what the nation can afford will have to be weighed against other budget priorities. The probable prospect is, however, that the President's broader proposal will be met in full or nearly so.

PROTEST OF INEQUITABLE CUTBACKS IN FEDERAL-AID HIGHWAY FUNDS TO INDIANA

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. HAMILTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. HAMILTON. Mr. Speaker, the recently announced cutbacks in Federal highway funds have an inequitable effect on Indiana. Last November 23 the administration announced a cutback of 17.5 percent on the highway fund allocations to the States, and a freezing of the unobligated funds the States had been allocated for future contracts. The result is that Indiana faces a 53-percent reduction in Federal funds for highways.

The cutback hits Indiana especially hard because Indiana possesses no bonding authority and cannot obligate apportioned Federal-aid highway funds immediately upon receipt, as several States can. Rather, Indiana is obliged to carry over unobligated funds on a year-to-year basis in order to maintain a balanced highway construction program.

The total amount of Federal highway funds that would have been available to Indiana from July 1, 1966, to June 30, 1967, is $154 million. The 17.5-percent cutback in these funds amounts to $15.3 million. At the same time, $66.6 million in unobligated carryover funds have also been frozen. This leaves a balance of only $72.1 million in 1967 apportioned funds left after the total cutback. Thus, Indiana has been subjugated to a total reduction of 53 percent, or $81.9 million, in Federal highway funds.

Of the $72.1 million available to Indiana, the amount already obligated at the time of the announced cutbacks was $56 million. Moreover, there were restrictions placed upon the remaining $16.1 million. None of these funds were to be obligated in the January, February, March 1967 quarter. Of this amount, $6 million must be used to clear right-of-way projects that were already in the purchasing stage. Thus, only $10.1 million was left for Indiana's highway construction work over the entire 6-month period, January 1, 1967, through June 30, 1967.

I commend the administration's action in cutting back funds in order to relieve inflationary pressures in the economy. The cutback should fall equally upon the 50 States, however, so that each is equally unhappy. When Indiana suffers a 53-percent reduction and, for example, New York only an 18-percent reduction, it seems to me that the cutback is inequitable in application. Indiana is being unduly penalized by the cutback simply because of the manner in which it has chosen to finance its highway system. If a State had obligated all or most of its fiscal year apportionment previous to July 1, 1966, then that State did not have any 1967 funds from which to take the deduction. As a result, only the three-quarters of 1968 apportionment became subject to the 17.5-percent cutback.

Surely a State, such as Indiana, which possesses no bonding power under its constitution, and cannot obligate the Federal matching funds as soon as they are received, is justified in bringing highway construction to the same status as those States which obligate the funds more quickly.

Approximately 75 percent of the cutback in Indiana is in interstate funds. This means that safer, dual-lane, limited-access highways, just as important to Indiana as any other State, will not be built. Indiana still has 307 miles of its allotted 1,116 miles to construct. The passage of time proves the benefits of the Interstate System and the desirability of completing it promptly. The death rate on the safety-engineered Interstate Highway System is only 2.8 per 100 million miles of travel, compared with 7.7 deaths per 100 million miles traveled on other roads. The rapid completion of the Interstate Highway System is essential to the lives and physical well-being of all of our citizens.

I strongly feel that the reduction of highway funds should fall equally upon the several States, allowing highway construction to continue in all States at a somewhat reduced level. Those unobligated funds, now frozen, in the sum of $66.6 million should be released to Indiana in order to restore Indiana's highway program to a level comparable to the national average.

I, therefore, urge the President, the Secretary of the Department of Transportation, the Director of the Bureau of the Budget, and the Federal Highway Administrator, Bureau of Public Roads, to reconsider the unfair effect of this cutback and restore Indiana and similarly situated States to a fair share of Federal highway funds.

MISUSE OF RECLASSIFICATION BY THE SELECTIVE SERVICE SYSTEM

Mr. **BOGGS**. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Moss] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. **MOSS**. Mr. Speaker, the U.S. Court of Appeals for the Second Circuit recently ruled that the selective service law does not permit the use of the draft system to punish registrants for expressing their views on national policy or for engaging in conduct unrelated to the operation of the draft. Both in clarity and in concept, I believe this decision is in the highest tradition of the American judiciary.

The case involves two University of Michigan students from New York who participated in an attempted sit-in at the Ann Arbor, Mich., draft board office in October 1965 to protest this country's involvement in the Vietnam conflict. Along with several other demonstrators, they were subsequently convicted of trespassing. I did not condone the sit-in, and I do not question the propriety of their convictions.

I strongly objected, however, to the fact that the students were also reclassified by their New York City draft boards from II–S status—student deferment—to I–A—eligible for immediate induction—solely to punish them for participating in the sit-in.

What was particularly appalling to me was that this use of the reclassification procedure was requested by the New York City director of selective service. More importantly, it was not only sanctioned, but strongly supported, by the Selective Service Director, Gen. Lewis B. Hershey.

At the time these students were reclassified, I stated that I felt the draft boards acted without jurisdiction and in violation of the Constitution. My contention has now been borne out by the court's unanimous decision of January 30.

This opinion makes it crystal clear that the Selective Service Sytsem, from General Hershey at the top of the ladder to the local draft boards at the bottom, may not—either legally or constitutionally—use induction into the Armed Forces as punishment for violations of general criminal law which are unrelated to selective service classification.

The court's decision is significant in two respects:

First, it underscores, in strong and unequivocal language, that the first amendment's free speech guarantees and protections may not be abrogated to punish draft registrants for exercising these constitutional rights.

Second, it recognizes that the importance of protecting these constitutional rights outweighs the normal judicial policy of not intervening in draft classification issues prior to the registrant's induction into the military service.

The court noted:

> The record shows that attempts to secure relief within the Selective Service System would be futile.

Mr. Speaker, I have corresponded with General Hershey on this matter over many months, and I have been continually frustrated by his failure to give me any meaningful response as to the legal basis for his support of the reclassification procedures against the protesting students. Indeed, in encouraging the draft boards in their unwarranted, capricious, and unconstitutional use of these procedures to stifle dissent, the general blithely ignored the position of Assistant Attorney General Fred M. Vinson, Jr., who, on January 6, 1966, stated:

> I am satisfied, as a matter of both law and policy, that sanctions of the Universal Military Training and Service Act cannot be used to stifle constitutionally protected expression of views. In short, where opinion is expressed, if there is no transgression of law, then no sanctions can be imposed. If there is a transgression, then the sanctions which attach to it are all that should be applied.

The actions of the Selective Service Director and of the local draft boards in this and related cases afford yet another example of the pressing need for a thorough congressional examination into the operations of both the Selective Service System and the Universal Military Training and Service Act. I hope that hearings will be held at the earliest possible date so that the Congress can devote the time and thought which are required for a meaningful evaluation of the selective service draft system, prior to acting on any proposals to extend the selective service induction provisions which expire in June.

I commend to my colleagues on both sides of the aisle the court of appeals' decision in Wolff against Selective Service Local Board No. 16, and I include the full text of the opinion at this point in the Record:

[U.S. Court of Appeals for the Second Circuit, No. 213, September term, 1966. Argued November 30, 1966; decided January 30, 1967. Docket No. 30783]

Peter Wolff and Richard Shortt, Plaintiffs-Appellants, Selective Service Local Board No. 16, Selective Service Local Board No. 66, and Col. Paul Akst, Individually and as Director of the New York City Headquarters Selective Service System, Defendants, Appellees

(Before Medina, Friendly, and Smith, *Circuit Judges.*)

Appeal from a judgment of the United States District Court for the Southern District of New York; Edward C. McLean, *Judge.*

Peter Wolff and Richard Shortt, registrants in Selective Service Boards No. 16 and No. 66 respectively appeal from a judgment dismissing their complaint "for lack of a justiciable controversy," in an action alleging the reclassification of appellants from II–S to I–A in violation of their constitutional rights. Opinion below not reported. Reversed.

Robert Layton, New York N.Y. (Ralph Fine and Alan H. Levine, New York, N.Y., on the brief), *for plaintiffs-appellants.*

Ezra H. Friedman, Assistant United States Attorney, New York, N.Y. (Arthur S. Olick, Assistant United States Attorney, and Robert M. Morgenthau, United States Attorney for the Southern District of New York, New York, N.Y., on the brief), *for defendants-appellees.*

Medina, *Circuit Judge:*

Peter Wolff and Richard Shortt, registrants of Selective Service Boards No. 66 in Queens County and No. 16 in New York County were classified II–S because of their status as full-time students at the University of Michigan. On October 15, 1965 these students and others participated in a demonstration to protest American involvement in Vietnam, at the offices of a Selective Service local board in Ann Arbor, Michigan. At the request of the New York City Director of Selective Service the local boards reclassified the two students I–A. The request was based upon the assertion that by participating in the demonstration the students become "delinquents" by reason of their alleged violation of Section 12(a) of the Universal Military Training and Service Act. Claiming that the local boards acted wholly without jurisdiction and in violation of their First Amendment rights of free speech and assembly and of their Sixth Amendment rights as well, Wolff and Shortt brought this action against the local boards and the Director to bring about a return of their student deferments. On motion, based upon the allegations appearing on the face of the complaint, Judge McLean dismissed the action for lack of "a justiciable controversy" and Wolff and Shortt appeal.

We disagree. The two local boards did act without jurisdiction, the record shows that attempts to secure relief within the Selective Service System would be futile, and the threat to First Amendment rights is of such immediate and irreparable consequence not simply to these students but to others as to require prompt action by the courts to avoid an erosion of these precious constitutional rights. Under this combination of circumstances an injunction could properly issue. But the question, whether the matter in controversy exceeds the value of $10,000 exclusive of interest and costs, not decided below, remains open and must be passed upon in due course.

I

Section 12 of the Act[1] is a lengthy penal statute covering offenses committed by registrants and by members of local boards. Jurisdiction over these offenses is given to the United States District Courts. With respect to some of these offenses, however, such as the failure of any person knowingly to "fail or neglect or refuse to perform any duty required of him under or in execution of this title," to the extent that the statute affects registrants, the jurisdiction of the District Court is, in effect, concurrent with the administrative jurisdiction of the local boards. Thus a parallel clause of the regulations provides that if a registrant fails to produce certain requested information or to appear for questioning, he may under 32 CFR Section 1642.4(a) be declared a delinquent and classified or reclassified I–A. Also under Section 12 various draftees have been convicted in United States District Courts for failure to appear for induction. See *United States* v. *Mitchell,* —— F. 2d —— (2 Cir. 1966) and *United States* v. *Hogans.* —— F. 2d —— (2 Cir. 1966).

The conduct of these New York students, registrants in Local Boards Nos. 16 and 66, in participating in the demonstration in Michigan on October 15, 1965 could, as Judge McLean assumed, be claimed to fall under another provision of Section 12 which makes it a federal criminal offense for any person to "knowingly hinder or interfere or attempt to do so in any way, by force or violence or otherwise, with the administration of this title"[2] and no regulation authorizes a draft board to declare a registrant a delinquent or to reclassify him for such action. As jursidiction over offenses of this character is exclusively granted to the District Courts, we hold that the Local Boards lacked authority to decide that Wolff and Shortt were "delinquents" by reason of their violation of the terms of this portion of Section 12. Accordingly, as these two students have never been indicted or tried or convicted of this offense in a District Court, the two Local Boards, appellees, exceeded their judisdiction by reclassifying the two students I–A.

There is nothing to prevent the prosecution of registrants or others for conduct by them in violation of either federal or state criminal laws, subject to such defenses as may be alleged and established. What we hold in this case is that it is not the function of local boards in the Selective Service System to punish these registrants by reclassifying them I–A because they protested as they did over the Government's involvement in Vietnam.

II

Despite the foregoing, the Government takes the position that the District Court properly concluded that it lacked the power to proceed in this matter and that the dismissal of the complaint may be affirmed on several grounds.

Irrespective of the existence of the power to do so, the courts, and particularly this Court, have been extremely reluctant to bring any phase of the operation of the Selective Service System under judicial scrutiny. The very nature of the Service demands that it operate with maximum efficiency, unimpeded by external interference. Only the most weighty consideration could induce us to depart from this long standing policy. But of all constitutional rights, the freedoms of speech and of assembly are the most perishable, yet the most vital to the preservation of American democracy. Historically, these preferred and paramount rights have continually come under attack from the best intentioned sources. And once the erosion of these rights is permitted to begin, it is exceedingly difficult to halt and the intervening damage may be irreparable. Here it is the free expression of views on issues of critical current national importance that is jeopardized. On such topics perhaps more than any other, it is imperative that the public debate be full and that each segment of our society be permitted freely to express its views. Thus the allegations of the complaint in this case that the draft boards have unlawfully suppressed criticism must take precedence over the policy of non-intervention in the affairs or the Selective Service.

We turn, then to the arguments of the Government that the District Court lacks the power to pass upon the issues.

A.

Subject matter jurisdiction

Appellants have invoked the general federal question jurisdiction of the District Court under 28 U.S.C., Section 1331. As the controversy involves the alleged violation of rights arising out of the Federal Constitution and federal statutes, appellants' view must be correct unless some federal statute other than Section 1331 makes an exception in matters affecting the administration of the Selective Service Act. We are told that 50 U.S.C., Appx. Section 460(b)(3) which provides that "the decisions of such local board shall be final" is such a statute. But it is difficult to understand how the Government can so argue at this date in the light of the express rejection of such a construction of Section 460(b)(3) in *Estep* v. *United States,* 327 U.S. 114 (1946). In that case the Supreme Court noted that the "authority of the local boards" is "circumscribed both by the Act and by the regulations" and is "limited to action 'within their respective jurisdictions.'" Thus the Court concluded that "it is only orders 'within their respective jurisdictions' that are made final." 327 U.S. at 120. Regarding Section 460[3] the Court explained:

> The provisions making the decisions of the local boards "final" means to us that Congress chose not to give administrative action under this Act the customary scope of judicial review which obtains under other statutes. It means that the courts are not to weigh the evidence to determine whether the classification made by the local boards was justified. The decisions of the local boards made in conformity with the regulations are final even though they may be erroneous. The question of jurisdiction of the local board is reached only if there is no basis in fact for the classification which it gave the registrant. 327 U.S. at 122–23.

The Government concedes, of course, that the courts have jurisdiction to review classification orders in criminal prosecutions or in an appropriate habeas corpus proceeding but it asserts that the courts lack the "power" to inquire into classifications at an earlier point. All of which seems to us to admit jurisdiction over subject matter and affect merely a quite different point, namely the presence of a justiciable controversy, a subject to which we shall now direct our attention.

B.

Justiciability

The Government further argues that this case is not ripe for adjudication because appellants have failed to exhaust their administrative remedies and because they cannot demonstrate irreparable injury. The courts ordinarily will not adjudicate a matter which may become moot through subsequent action by the executive. Nor will the courts hear a cause when the action complained of has not caused or is not certain to cause injury to the complaining party. In other words, a federal court cannot render an advisory opinion.

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[1] Section 12(a) 50 U.S.C., Appx. Section 462(a):

Any member of the Selective Service System or any other person charged as herein provided with the duty of carrying out any of the provisions of this title [sections 451, 453, 454, 455, 456 and 458–471 of this Appendix], or the rules or regulations made or directions given thereunder, who shall knowingly fail or neglect to perform such duty, and any person charged with such duty, or having and exercising any authority under said title [said sections], rules, regulations, or directions who shall knowingly make, or be a party to the making, of any false, improper, or incorrect registration, classification, physical or mental examination, deferment, induction, enrollment, or muster, and any person who shall knowingly make, or be a party to the making, of any false statement or certificate regarding or bearing upon a classification or in support of any request for a particular classification, for service under the provisions of this title [said sections], or rules, regulations, or directions made pursuant thereto, or who otherwise evades or refuses registration or service in the armed forces or any of the requirements of this title [said sections], or who knowingly counsels, aids, or abets another to refuse or evade registration or service in the armed forces or any of the requirements of this title [said sections], or of said rules, regulations, or directions, or who in any manner shall knowingly fail or neglect or refuse to perform any duty required of him under or in the execution of this title [said sections], or rules, regulations, or directions made pursuant to this title [said sections], or any person or persons who shall knowingly hinder or interfere or attempt to do so in any way, by force or violence or otherwise, with the administration of this title [said sections] or the rules or regulations made pursuant thereto, or who conspires to commit any one or more of such offenses, shall, upon conviction in any district court of the United States of competent jurisdiction, be punished by imprisonment for not more than five years or a fine of not more than $10,000, or by both such fine and imprisonment, or if subject to military or naval law may be tried by court martial, and, on conviction, shall suffer such punishment as a court martial may direct. No person shall be tried by court martial in any case arising under this title [said sections] unless such person has been actually inducted for the training and service prescribed under this title [said sections] or unless he is subject to trial by court martial under laws in force prior to the enactment of this title [said sections]. Precedence shall be given by courts to the trial of cases arising under this title [said sections], and such cases shall, upon request of the Attorney General, be advanced on the docket for immediate hearing.

[2] According to appellants' brief the Delinquency Notice sent by Local Board No. 16 to Wolff stated:

1) You are hereby notified that your Local Board has declared you to be a delinquent because of your failure to perform the following duty or duties required of you under the selective service law:

October 15, 1965—Violation of Section 12–A of the Universal Military and Training Service Act as amended, as you interfered with the administration of Selective Service System of Local Board No. 85, Ann Arbor, Michigan.

[3] 50 U.S.C., Appx. Section 460(b)(3) reads in relevant part: Such local boards * * * shall, under rules and regulations prescribed by the President, have the power within the respective jurisdictions of such local boards to hear and determine, subject to the right of appeal to the appeal boards herein authorized, all questions or claims with respect to inclusion for, or exemption or deferment from, training and service under this title, of all individuals within the jurisdiction of such local boards. The decisions of such local boards shall be final, except where an appeal is authorized and is taken in accordance with such rules and regulations as the President may prescribe.

Thus in the usual run of Selective Service cases, the registrant must wait until he receives an induction order, and has either obeyed it or is prosecuted for refusing to obey it, before the courts may review his classification. This is so because, in nearly all cases, it is service in the armed forces itself, and not the mere classification, that constitutes the alleged injury. Thus, should it develop that for independent reasons such as physical disability the registrant is not actually wanted by the armed forces, he will never have sustained a legally redressible injury. Perhaps it is true that a mere adverse classification will cause a disarray of plans and emotional upset but this is an acceptable price to pay for the efficient functioning of the Selective Service and it has been universally held that such injury is not sufficient to entitled a registrant to preinduction order relief.

But, while the general run of cases do not present a justiciable controversy, it does not follow that no case can. Here it is not relevant whether or not appellants will ever be inducted. The effect of the reclassification itself is immediately to curtail the exercise of First Amendment rights, for there can be no doubt that the threat of receiving a I–A classification upon voicing dissent from our national policies has an immediate impact on the behavior of appellants and others similarly situated.

It has been held repeatedly that the mere threat of the imposition of unconstitutional sanctions will cause immediate and irreparable injury to the free exercise of rights as fragile and sensitive to suppression as the freedoms of speech and assembly and the right to vote. *Baggett* v. *Bullitt*, 377 U.S. 360 (1964); *NAACP* v. *Button*, 371 U.S. 415 (1963); *Smith* v. *California*, 361 U.S. 147 (1959). Since it is the mere threat of unconstitutional sanctions which precipitates the injury, the courts must intervene at once to vindicate the threatened liberties.

Dombrowski v. *Pfister*, 380 U.S. 479 (1965), is very much in point. There a civil rights organization sought an injunction against various state officials against the threatened enforcement of a Subversives Control Law. It was alleged that the prosecution was being conducted without any real expectation of success and was in fact a deliberate harassment of the plaintiff. A three-judge District Court dismissed the complaint on the ground that there had been no showing of irreparable injury to federal rights and that the case was a proper one for abstention. Quite similarly to our case, the Supreme Court allowed that the inconveniences which normally accompany a prosecution were insufficient to invoke federal court intervention and that the rights of the appellants could ultimately be vindicated through the normal procedures. Nevertheless, the Court reversed the District Court and held, first, that irreparable injury had been alleged and, second, that abstention was not appropriate. Regarding the first point, the Court said: [T]he allegations in this complaint depict a situation in which defense of the State's criminal prosecution will not assure adequate vindication of constitutional rights. They suggest that a substantial loss or impairment of freedoms of expression will occur if appellants must await the state court's disposition and ultimate review in this Court of any adverse determination. These allegations, if true, clearly show irreparable injury.

Moreover, the decision of the Supreme Court in *Cameron* v. *Johnson*, 381 U.S. 741 (1965), wherein the District Court had found the statute in question not void on its face, makes it clear that the *Dombrowski* rationale is not to be limited to statutes which are unconstitutional per se. Certainly the justiciability of a given case cannot rest upon a distinction between a statute void on its face and a statute which is being applied in an unconstitutional fashion for the chilling effect of the illegal Government action is equally great.

Similarly in *United States* v. *Wood*, 295 F. 2d 772 (5 Cir. 1961), the federal government secured an injunction under the Civil Rights Act of 1957 against a state criminal prosecution. The Government successfully contended that the mere threat of this prosecution so interfered with the exercise of basic constitutional rights that a legally cognizable injury had resulted.

Here the injury caused by the threatened impairment of appellants' constitutional rights is magnified by the uncertainty as to the standard which the Service has applied. As there is no statute or regulation to guide the local boards, the registrant cannot know whether sit-ins alone will be deemed a basis for reclassification or whether sidewalk demonstrations or even more remote conduct are to be included. See Note, Federal-Question Abstention, 80 Harv. L. Rev. 604, 613 (1967).

Where basic constitutional rights are imperiled, the courts have not required a series of injured parties to litigate the permissible scope of the statute or administrative interpretation but have nullified the unconsitutional action and required the Government to start in the first instance with a statute or interpretation that will not so overhang free expression that the legitimate exercise of constitutionally protected rights is suppressed. See also *NAACP* v. *Button, supra; United States* v. *Raines*, 362 U.S. 17 (1960); *Winters* v. *New York*, 333 U.S. 507 (1948). In our case intervention is especially appropriate because for reasons independent of the First Amendment the entire course of conduct of the appellee boards is illegal and cannot be saved by any amount of narrowing construction.

C.

Exhaustion of administrative remedies

Normally it is desirable not only that the administration function with a minimum of judicial interference but also that, when the administration does err, it be free to work out its own problems. But, as noted above, there are competing policies and when as here a serious threat to the exercise of First Amendment rights exists, the policy favoring the preservation of these rights must prevail.[4]

Furthermore, the narrow facts presented on this appeal show clearly that no purpose would be served by relegating appellants to their administrative remedies.

Appellants were part of a larger group of demonstrators. Some of appellants companions were similarly reclassified I–A and have completed their appeals within the administration. The national appeal board has concluded unanimously that the reclassifications were valid and, further, the National Director of the Selective Service has stated repeatedly that the reclassifications were proper.[5] There are no facts which have been brought to our attention which would lead to a contrary result in appellants' case and we are most reluctant in a case of this importance to require appellants to proceed along the same futile path that others have trod before.[6]

When there is nothing to be gained from the exhaustion of administrative remedies and the harm from the continued existence of the administrative ruling is great, the courts have not been reluctant to discard this doctrine. See *McCulloch* v. *Sociedad Nacional*, 372 U.S. 10 (1963); *Leedom* v. *Kyne*, 358 U.S. 184 (1958); *Lichter* v. *United States*, 334 U.S. 742 (1948); *Glover* v. *United States*, 286 F. 2d 84 (8 Cir. 1961); *Bullard Co.* v. *N.L.R.B.*, 253 F. Supp. 391 (D.D.C. 1966).

III

We are well aware that many reported cases contain language, often by way of dictum as in *Witmer* v. *United States*, 348 U.S. (1955), relied upon below, to the general effect that the review of classification orders is possible only in criminal proceedings or on habeas corpus petitions. But we have discovered no case which contained the allegation that the classification by the board had the immediate effect of depriving the registrant of his First Amendment rights. Nor, in fact, have we discovered any case in which the board exceeded its jurisdiction as clearly as did the appellee boards in this case.

Wholly aside from the First Amendment considerations which we believe compel our intervention at this time, it has in the past been suggested that when a local board acts in flagrant disregard of the applicable regulations and thus in clear excess of its jurisdiction, the courts may intervene at any time to rectify the situation. Thus in *Schwartz* v. *Strauss*, 206 F. 2d 767 (2 Cir. 1953), Judge Frank remarked that he had no doubt that a court would have jurisdiction to review a classification where on undisputed facts the board's lack of jurisdiction was manifest. On the merits, however, he found that the board had acted properly as a matter of law. And in *Townsend* v. *Zimmerman*, 237 F. 2d 376 (6 Cir. 1956) Judge Stewart, now Justice Stewart, enjoined a threatened induction when it appeared clearly as a matter of law that the board had violated the regulations in issuing its order.

IV

Because Judge McLean was of the opinion that this suit was not presently justiciable, he held no occasion to determine whether or not appellants could demonstrate the presence of the requisite amount in controversy. It is an unfortunate gap in the statutory jurisdiction of the federal courts that our ability to hear a suit of this nature depends on whether appellants can satisfactorily show injury in the amount of $10,000[7] but the fact remains and on remand the District Court must determine this question.

Reversed.

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[4] In *Bond* v. *Floyd*, decided by the Supreme Court on December 5, 1966, it was held that the courts had jurisdiction to review a decision of a state legislature not to seat one of its duly elected members when it was alleged that the action was taken to penalize the legitimate exercise of the freedom of speech. Of course that case arises in a different context from ours but it further establishes the principle that the judiciary must be prepared to intervene in areas normally left to the other branches of government, when the free exercise of First Amendment guarantees is jeopardized. That the Supreme Court is placing increasing stress on the protection of the exercise of First Amendment rights can scarcely be doubted. See e.g., *Time, Inc.* v. *Hill*, decided by the Supreme Court on January 9, 1967.

[5] New York *Times*, Dec. 22, 1965. See also New York *Times*, Jan. 12, 1966 and Feb. 18, 1966.

[6] Furthermore, it is not altogether clear that an alternative exists to this suit in which the legality of the administrative sanctions here imposed may be contested. Certainly should these appellants be found unfit for service for an unrelated reason or not be called to service at all, the merits of their claim can never otherwise be heard. Yet the chilling effect of the Government's sanction would persist unabated.

[7] Wechsler, Federal Jurisdiction and the Revision of the Judicial Code, 13 Law & Contemp. Prob. 211 (1948); ALI, Study of the Division of Jurisdiction Between State and Federal Courts, 48–52 (Tent. Draft Nov. 4, 1966).

ADMINISTRATION OF OUR AID PROGRAM

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. LEGGETT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. LEGGETT. Mr. Speaker, regrettably last year I found it necessary to vote against our foreign aid budget for the first time. My action was designed primarily as a protest to the administration of our AID program in South Vietnam. I was concerned then about the exclusive list of Vietnamese importers, about diversion and sale of strategic materials to the Vietcong and also about lack of simple business management considering the dollar magnitude of goods involved and obvious implications of this action on our war effort.

My colleague, JOHN MOSS, of California, and his Committee on Government Information and Foreign Operations did a creditable job in documenting the problems with the AID commodity import program last year.

In response to the informal invective of Congress, I believe the Agency for International Development and, particularly, the new Administrator, William S. Gaud, has done a creditable job of reorientation and strengthening the safeguards against abuse of our own AID program.

Undoubtedly this particular program because of its strategic importance will come under the continuing critical eye of the Congress. Further safeguards may be required; Administrator Gaud, however, in his January 9 report to the President and the Congress points up the caution that is currently being taken.

Under unanimous consent I incorporate a portion of the report as prepared into the body of the RECORD:

DEPARTMENT OF STATE, AGENCY FOR INTERNATIONAL DEVELOPMENT,
Washington, D.C., January 9, 1967.

DEAR MR. PRESIDENT: I submit herewith a year-end report on the management of AID commodity assistance programs in Vietnam and what we are doing to improve their effectiveness and prevent their misuse.

Such a special report seemed desirable to me because the magnitude of our Vietnam aid program and the difficult wartime circumstances under which it must be administered, unique in AID's experience. Effective management of such large and complex programs would be a demanding task in any developing country. It has been especially demanding in a country whose economy, social structure, communications and transportation have been dislocated by a long war. Rapid expansion of these programs to meet urgent requirements in 1966 compounded the management task.

The U.S. has provided about $455 million in *food, equipment and other civil aid supplies* to Vietnam during 1966 to support "revolutionary development" activities in the rural areas, fight inflation throughout the country, establish the foundation for long-term development, and provide medical and relief supplies to the victims of communist terror and aggression.

To administer this expanding program, the AID Mission staff had to be doubled during the year. New systems, procedures and controls were adopted to strengthen safeguards against abuses and facilitate handling of supplies. These include exchange devaluation and reforms in import procedures made by the Government of Vietnam, major changes in AID's Commercial Import Program operations, expansion and improvement of physical facilities and management of the Vietnamese ports, a large increase in U.S. advisory services and auditing staffs, and improvements in documentation and information systems.

Among the most important specific actions taken were:

Assignment of the U.S. Army's 1st Logistic Command to supervise the handling of almost all AID project commodities from ship discharge to Government warehouses;

Assignment of the 125th Terminal Command as an advisory unit to the Vietnamese director of the Port of Saigon;

Doubling the AID Mission's U.S. auditing staff and the assignment of controllers and traveling auditors to all regions;

Assignment of a U.S. Bureau of Customs team to assist the Vietnamese Customs Office in improving its procedures and spot-checking AID-financed commercial imports;

A decision to station American logistics advisors in provincial and regional warehouses; and

Development of an automated arrival accounting system for AID's commercial imports.

Nonetheless, as generally happens in wartime, there has been some illegal diversion or other loss of aid supplies to Vietnam. Any such loss is deplorable, even in wartime, and I know that you have been concerned, as have I and my staff, with the necessity of assuring that large amounts of AID-financed commodities are not stolen or otherwise diverted. This report summarizes our work on that problem. It reviews the AID Mission's estimates of the recent and current rates of loss in the major program categories and measures to reduce these losses.

These estimates, which are the most comprehensive and carefully reviewed findings available, indicate that in recent months no more than 5–6% of all U.S. economic assistance commodities delivered to Vietnam were stolen or otherwise diverted.

Though these rates of loss are comparable to or lower than losses in other war zones under less difficult conditions, they are by no means acceptable and we are doing our best to reduce them further. Management improvements now in force or being initiated are expected to reduce losses substantially over the coming year. I am confident that my next report to you will reflect further improvement in the management and effectiveness of the AID commodity programs.

Sincerely yours,

WILLIAM S. GAUD.

MANAGEMENT OF AID COMMODITY PROGRAMS, VIETNAM, 1966

(January 1967)

I. INTRODUCTION

AID has undertaken in Vietnam a wartime economic assistance program unprecedented in its magnitude and intensity.

In late 1965, it became necessary to increase vastly the AID and Food for Peace commodity programs in order to bolster the Vietnamese economy against inflationary pressures resulting from the U.S. and Vietnamese military build-up, to provide greater *support to the "revolutionary development"* program in the rural areas, and to furnish relief and medical supplies to refugees and other victims of the "shooting war."

To be effective, our response to these urgent requirements had to be full and fast. Obligation of funds and the initiation of orders for the programs had to be started at once, even before all the personnel needed to manage them were on the job in Vietnam. The AID American staff of "direct-hire" personnel stationed in Vietnam or in training on January 1, 1966 numbered about 700; by December 31, 1966 it had nearly doubled. At the same time, AID and the Government of Vietnam undertook a variety of economic measures, reforms and procedures to manage more effectively this massive and complex flow of commodities.

During Calendar Year 1966, the period covered in this report, actual disbursements for AID and Food for Peace program goods shipped to Vietnam totaled $455 million, compared with $266 million in 1965. Operation and control of a program of this size in a less developed country would be difficult in time of peace under relatively stable social and economic conditions. South Vietnam in 1966 presented far greater problems. It was in every sense disjointed by war, its modest transportation capacity disrupted and insecure, its public and private management ranks thinned, its system of deterring corruption inadequate.

To meet the requirements of the Vietnamese economy and civil counter-insurgency effort, well over 150,000 different commodities had to be procured, shipped and distributed—items as large as huge gas turbine generators and manufacturing plant machinery and as small as sewing needles, as complex as specially designed industrial engines, and as "simple" as shiploads of rice. Nearly 3 million tons of economic assistance goods were shipped to Vietnam during 1966—the equivalent of 900 shiploads.

This report summarizes the nature and purposes of the AID commodity programs, describes the economic, managerial and logistical problems that have had to be overcome, and enumerates the economic measures, physical facilities and operational systems which have been or are being created to cope with these problems. The report deals separately with commodities which are intended for sale in Vietnam's commercial markets (Part II) and those which are intended for use in projects or relief programs (Part III). In both sections, the flow of goods is examined from arrival in Vietnam to the program destinations.

Special attention is directed throughout to the problems of loss, theft or other diversion of AID funded commodities and corrective measures. Losses of economic assistance goods in Vietnam are estimated by our Mission at no more than 5 to 6% overall in recent months. This aggregate is derived from estimates, using several separate methods, of between 2 and 5% of commercial imports (which accounted in 1966 for 85% of the total commodity flow), and estimates of between 10 and 15% of the far smaller amount of project and relief commodities which must be distributed to every province, often through insecure territory. These rates of loss are believed to be no more, and perhaps less, than that suffered in other wartime conditions. However, such losses are unacceptable to AID. They are being reduced now by new measures in the Saigon port and will be reduced throughout the internal logistic system by other measures recently adopted. The physical control and management systems already installed or decided upon are outlined below.

A separate section addresses economic warfare, the effort to frustrate the Viet Cong exploitation of local supply sources including U.S. economic and military aid supplies.

II. STRENGTHENING THE VIETNAMESE ECONOMY: THE COMMERCIAL IMPORT AND FOOD FOR PEACE PROGRAMS

A. Combating inflation

About eighty-five percent of the economic aid goods sent to Vietnam in 1966 were committed to the fight against destructive inflation. To the extent that imports could moderate domestic shortages, this AID Commercial Import Program and Food for Peace Program succeeded.

With over two-thirds of its able-bodied men in the 20–30 year age group absorbed by the war effort, cities swollen by refugees, internal transportation disrupted and much of the agricultural area a battleground, South Vietnam's capacity to provide goods and services for its own population has been drastically reduced. The shortage of domestic goods and services was compounded by an increase of over 130% during 1965–1966 in the amount of piasters in circulation, funds spent primarily in support of the war effort for salaries and expenditures of Vietnamese soldiers, policemen, civil servants and construction workers, and of U.S. troops and military contractors. If this increase in purchasing power were not offset by an increase in the inflow of goods, prices of scarce commodities would be bid up rapidly and a run-away inflation would undermine morale and cause extreme social inequity, jeopardizing the whole defense effort.

U.S. provision of commodities through the Commercial Import and Food for Peace programs gives the disrupted South Vietnamese economy additional dollar resources to finance more imports, supplementing the foreign currency resources it earns through normal financial transactions. These programs provide food, fertilizer, construction materials, machinery—thousands of items needed to keep the economy operating and expanding. The sale of these imported goods and domestic and customs revenue collections absorb piasters and re-establish the balance between money and goods in the market place.

In late 1965 the existing AID Commercial Import Program (CIP) and Title I sales of the Food for Peace program were rapidly expanded to meet this critical need.

B. How the CIP and title I programs function

The Government of Vietnam (GVN) controls imports of commodities for commercial sale in the country through a licensing system. After a license has been issued by the GVN and before AID approves U.S. funding of the import under the CIP, an AID commodity analyst reviews the order with special attention to four factors:

Is the applicant an authorized importer not under suspension?

Is the commodity a non-luxury item?

Could the enemy adapt such commodity to use as an item of critical importance?

Is the size of the order reasonable in terms of the current Vietnamese market demand?

If the order is approved the AID analyst assists the importer in preparing an invitation for proposals. The importer then enters into an agreement with the most qualified responsive bidder who ships the goods to the importer. The supplier is paid by AID in dollars. The importer deposits the piaster equivalent of the cost of the goods in a "counterpart fund," which is jointly administered by the U.S. and Vietnamese Governments to support sections of the GVN military and civil budgets.

The goods themselves are received by the importer through customs, almost always at the Port of Saigon, and disseminated throughout the Vietnamese economy. The presence of AID's "clasped-hands" symbol on these commodities sold in shops throughout Vietnam has frequently been misinterpreted as an indication of the diversion of AID material meant for free distribution of use in projects. It is, on the contrary, tangible evidence that the CIP effort is succeeding.

Most Food for Peace commodities brought to Vietnam for sale under Title I of that program are handled in precisely the same manner as other CIP goods. Title I rice, however, is treated differently. Approximately 59% of the rice is off-loaded at the Port of Saigon by the U.S. Army's 4th Terminal Command and placed in a GVN rice warehouse, while the remaining 41% is landed at the ports of Danang, Qui Nhon and Nha Trang. The Vietnamese Government then distributes the rice as follows:

Most is sold to merchants for local currency. They, in turn, distribute it in the rice deficit areas in normal commercial channels.

About 10% is turned over to the Vietnamese armed forces to supplement their diets.

A small amount is sold directly by the GVN to the public.

During calendar 1966, 422,000 metric tons of rice, valued at approximately $58 million, were exported to Vietnam under the Title I program.

C. Reforms of the system

Vietnamese importers active in the CIP and Food for Peace program, like businessmen elsewhere, strive to make the largest sustainable profit.

Before 1965 it was not especially easy for importers to manipulate the market because the foreign exchange rate was fairly realistic and smaller incomes and limited purchasing power kept the demand for imports stable. Following the rapid buildup of 1965, however, a combinaton of increased purchasing power, saturated logistic facilities, increased VC interdiction of internal distribution, an exchange rate which had become unrealistic and war-thinned civil government administration created a situation in which importers could collude with one another and with unscrupulous suppliers to generate windfall of monopoly profits. Administrative price controls proved ineffective or positively harmful. In effect, the institutions of the import sector, operating under a body of regulations adopted several years ago during a period of relative stability, were shown in some instances to be inadequate or counterproductive.

In the spring and summer of 1966 the Governments of Vietnam and the United States agreed on import reforms. Coupled with economic stabilization measures recommended by the International Monetary Fund, these reforms, each discussed below, reduced opportunities for profiteering and corrected other abuses that had taken place under the CIP.

1. *Devaluation.* On June 18 the Vietnamese Government announced a new system of exchange rates which raised the effective cost of foreign exchange for imports from 60 to 118 piasters per dollar, plus duties. While the primary purpose of devaluation was to absorb excess liquidity and keep inflation within tolerable limits, additional benefits were derived from the effect the new exchange rate had on CIP transactions. Doubling the piaster cost of foreign exchange made illegal re-exportation of CIP commodities unattractive and reduced the profit possibilities in such practices as over-invoicing.

2. *Expanded Competition in the Commercial Import Sector.* Open general licensing was adopted for the licensing of most imports financed under the CIP, and with Vietnamese-owned foreign exchange, and the former system of administrative allocation of foreign exchange on the basis of importer quotas was abolished. New importers were permitted to enter the previously closed import community if they could demonstrate that they were responsible firms, 70 percent Vietnamese owned and had at least 15 million piasters of paid-in capital. They had to prove that they had warehouse facilities available, and they were required to deposit one million piasters with the Ministry of National Economy as a surety bond against illegal activities. To date the applications of more than 170 new importers have been authorized or are in process. This increase in competition has been a healthy stimulus to the economy.

3. *Consolidated Procurement.* As a deterent to possible collusion between suppliers and importers, to achieve economies in procurement and to improve logistic management, both Governments agreed to consolidated procurement procedures for several bulk commodities, including galvanized iron sheet, white cement, newsprint, tinplate, fertilizer and jute bags. These commodities, and others which may be added in the future, are now purchased by the U.S. General Services Administration (GSA) acting as agent. GSA procures under standard U.S. Government procedures and arranges ocean transportation—usually on vessels provided by the U.S. Military Sea Transportation Service.

Since GSA buys in large quantities, economies can be achieved in both procurement and transportation. Consolidated shipments help to relieve port congestion and expedite customs clearance.

4. *Broader Advertising of Procurement.* Under CIP regulations any transaction of more than $10,000 must be advertised in a circular published by the AID Office of Small Business. This permits American suppliers to learn of requirements and offer bids. To reduce the possibility of importers who want to import more than $10,000 worth of goods evading this requirement by applying for separate import licenses of less than $10,000, each general importer is now allowed only three licenses under $10,000 in any three-month period.

The resulting increase in small business advertising should bring about lower prices due to increased competition. By reducing the volume of import transactions this innovation should also reduce the time required to process import licenses and consolidate the movement of commercial shipments through the Port of Saigon.

5. *Elimination of Agents' Commissions.* In the past, local agents' commissions have been eligible for dollar financing under the CIP. In order to reduce possible U.S. balance of payments drain and the opportunity for abuses such as illegal capital flight, AID has made arrangements to cease financing of commissions for any agents except those who are U.S. citizens maintaining residence in the United States.

D. Physical control of commercial imports in Saigon port area

Nowhere has the military and civilian import buildup which began in the summer of 1965 caused greater strains than at the port of Saigon. The port's physical equipment, security facilities and documentation systems, though adequate to handle the flow of cargo prior to 1965, were not designed to cope with the extraordinary demands of 1966. Designed to handle 1.5 million tons of cargo a year, the port was operating at an annual rate of 3.5 million tons by January 1966, and had reached an annual level of almost 5 million tons by November 1966.

The decision to strain port facilities because of the urgency of the military and economic efforts was made with knowledge that confusion and congestion would result until new facilities and systems could be established.

By mid-1966 the specific measures, discussed in detail later in this section, had begun discernibly to relieve port congestion, and present conditions, while not yet satisfactory, reflect very substantial improvement.

Control of the CIP and Title I programs is largely a problem limited to the Saigon area and, more often than not, to the port itself. Once these goods have cleared customs and have been delivered to the importer, AID's commodity import mission has essentially been accomplished. Thereafter they flow through commercial channels within the local economy to meet the needs of the people and hold down inflation.

Nevertheless, the U.S. AID Mission to Vietnam, together with other U.S. agencies and the Government of Vietnam, maintains a continuing interest in these and all other commodities available in the market place in an effort to limit the ability of Viet Cong military units to obtain critical supplies. This effort is described in detail in Chapter IV.

Since most CIP commodities are not shipped to Vietnam separately from other commercial cargoes, the efforts to improve their handling must in most cases be directed at the operation of the entire port. The steps which have been and are being taken toward this end fall into five categories: (1) expansion of physical facilities, (2) improved port management, (3) increasing U.S. advisory activities, (4) improvement of documentation procedures, and (5) tightening of port security.

(1) *Expansion of Physical Facilities.* Saigon Port's handling of commercial cargo has been increased from 295,000 metric tons a month in January 1966 to 415,000 metric tons in November 1966 principally because of the following measures:

14 additional deep draft buoy sites have been prepared and a floating dock for roll-on-roll-off unloading has been put into operation.

Roads and open storage areas have been repaired or constructed. More efficient traffic patterns have been laid out.

More barge discharge and transit facilities have been opened. Sheet steel piling has been provided for constructing LST and barge landing sites in Saigon.

Obstructions to navigation in the Saigon River have been removed.

Five heavy-duty hydraulic dredges for use in port construction have been sent to Vietnam.

AID has procured or contracted for 552 trucks, 156 barges, 13 tugs and 213 pieces of handling equipment (e.g., cranes and fork lifts) to facilitate port operations, and more equipment is being procured—all additional to port equipment used by the U.S. military.

Steel plate for constructing 47 new barges in Vietnam and rehabilitating 40 existing barges has recently arrived (these are included in the 156 barges referred to above).

10 coastal vessels and a 3,000-ton per month junk fleet have been chartered to help move cargo from Saigon to other ports.

The major New Port project, which is creating an entire new section of the Saigon port, is partially constructed and in use by the U.S. military. It is scheduled for completion in the Spring of 1967.

A new Fish Market pier, south of the main port area, is now in operation.

A fresh water facility for ships in port has been finished.

676,000 square feet of new civil warehouse space at Thu Duc, close to Saigon, is being built. It is partially in use now and is expected to be fully operational by April 1967. This facility possesses double the capacity of existing port transit warehouses for civil cargo.

Other Saigon area warehouse facilities have been expanded to expedite port clearance.

The load on the Port of Saigon has been reduced by the expansion of facilities at a number of other Vietnamese ports including Quang Ngai, Qui Nhon, Nha Trang, Danang and Cam Ranh Bay. The capacity of these ports has been increased more than threefold, from 125,000 metric tons per month in August to more than 400,000 metric tons at present.

(2) *Improved Port Management.*

The Vietnamese Army has been given responsibility for management of the port. The Port Director, General Lan, is responsible directly to the Prime Minister.

To reduce congestion, the GVN has decreed that all cargo must be removed from port warehouses within 30 days or be confiscated and auctioned by the government. (This decree was not being enforced satisfactorily at the close of the year, but congestion in port warehouses had been reduced.)

(3) *Increasing U.S. Advisory Activities.*

Since March 1966 a U.S. Customs Bureau advisory team detailed to AID has been increased from one to ten and will be expanded to twenty by February 1967. This team is working closely with the Vietnamese Customs Bureau in improving its procedures and systems.

A four-man U.S. Census Bureau team, serving with AID since August, 1966, is assisting the Vietnamese Customs Bureau and the Ministry of Finance in developing automated data processing systems to provide rapid and accurate financial and logistical information.

U.S. civilian and military port advisors are assisting the port authorities of Vietnam in improving reporting and inventory control systems. A group of port management experts is advising on port operations.

An eight member team from the International Longshoremen's Union worked with the Saigon stevedoring companies during most of 1966 to advise on techniques for increasing cargo handling capability.

In September 1966, the U.S. Army's 125th Terminal Command arrived in Vietnam to supplement the services of the AID technical advisers to the Director of the Port of Saigon and his staff. All of its 187 officers and enlisted men are assigned to the commercial area and working in scheduling of ships, unloading and warehousing procedures, importer notification, etc. The unit has set up its own documentation system, discussed in the next section, to provide checks on the existing system.

(4) *Improvement of Documentation Procedures.* When tramp ships carrying bulk commercial cargo are ready to unload, the consignee selects a stevedoring company to assume responsibility for discharging his cargo. Liners are called to berth and discharged by stevedores hired by the steamship companies. Ships carrying cargo of high value are normally discharged directly into customs controlled transit sheds in the port area. Ships containing bulk cargoes are generally moored at buoys mid-stream in the Saigon River and discharged into barges. In many cases, customs officials are able to clear such cargo as it is off-loaded, in which case the barge can take its cargo directly to the importer's warehouse. In other instances the barge becomes, in effect, a floating bonded warehouse waiting its turn to discharge the cargo into a customs transit shed for clearance. Disorderly use of barges for temporary storage is one of the major current causes of congestion in the port.

The 125th T. C. has set up a documentation system for commercial cargo parallel to the combined coverage of the four separate and distinct Vietnamese systems maintained by the Saigon Port Director, the ship's agent, the stevedore and the Customs Bureau.

When the 125th system becomes fully operational, a copy of each arriving ship's manifest will be forwarded to the unit's documentation section which will prepare a separate set of control documents for each consignment on board. These documents will then follow the goods from off-loading, through intermediate stages—e.g., a barge or a transit warehouse—to delivery to the importer. The control documents will then be returned to the documentation section. At each step checkers will have compared the quantity and condition of the goods with the notations on the document, so that a complete record of each consignment will be available.

The AID Mission's automated arrival accounting system for commercial imports, begun in July 1966, will produce reports early this year on goods cleared through customs related to records of U.S. government payments to American suppliers for the period July through December, 1966. Later in the Spring, the system will be modified to assimilate input from the 125th T. C. documentation section, and will then automatically follow CIP imports from the original license request through all intermediate steps to customs clearance.

To assist AID/Washington in advance reviews of import transactions, a system for sorting all CIP Letters of Credit opened in favor of suppliers in the U.S. or abroad, regardless of amount, is being established; the electronic sorting program is expected to be ready very soon. Thereafter, AID/Washington commodity analysts, logisticians, controllers, and economic warfare experts will have a weekly statement available (better than data now used) which shows all Letters of Credit issued, arranged by importer, supplier, and commodity involved. The review of this information in Washington prior to shipment will permit corrective action on major problems much earlier than is possible under AID's normal port audit procedures.

(5) *Tightening of Port Security.* As the efficiency of Saigon port operations declined in late 1965 and early 1966 under the great surge of military and civilian commodities, the need for more elaborate security precautions to protect incoming cargoes increased. Both the U.S. and Vietnamese Governments have taken a number of significant steps to this end.

Direct U.S. actions in the security field—principally the U.S. Customs team's inspection of 10 to 20% of the CIP consignments, the presence of several hundred U.S. military police in the port area, and the 1st Logistical Command's increased responsibility in the commercial sector of the port—have played an important role in recent months in reducing loss in the port area. In the months ahead their efforts will have an increasingly significant impact.

Four Vietnamese organizations are involved in some phase of port security—the Navy, the Military Police, the Customs Bureau and the Harbor Police.

The military police are responsible for controlling Vietnamese military personnel in the port area and the Vietnamese Navy maintains security in the shipping channel between the port of Saigon and Vung Tau at the mouth of the Saigon River.

The Customs Bureau has 1,700 employees, 1,300 of whom are working in the Saigon port. Their enforcement operations include the use of several large launches and 12 smaller assault boats provided by AID in September, 1966.

The Harbor Police, a branch of the National Police has responsibility for physical security in the port area. The force now stands at 600 men, an increase of over 100 since January, 1966. It will grow by another 100 men in the next few months. The Harbor Police has established checkpoints at a number of strategic port locations and mounts regular water patrols covering 96 kilometers of waterways containing up to 1,400 barges, junks, lighters, and other miscellaneous small boats, many of which double as homes for one or more families. Movement of craft in the port area is strictly controlled. Officers of the Harbor Police, in patrols and at checkpoints, inspect personal identity cards and movement permits, check barge cargo manifests against cargo on board, and detain the suspects whenever these inspections reveal apparent irregularities.

Harbor Police water-borne operations are conducted in four patrol boats and eighteen smaller assault boats provided by AID, an increase of sixteen in the past year. The group's new maintenance staff, advised and augmented by three expert Filipino mechanics, has tripled the effective usage of Harbor Police craft in less than a year. The boats are linked by an efficient radio communications network. The Harbor Police forces are advised by a regularly assigned AID Public Safety adviser.

The Harbor Police Director also controls the activities of a 167-man Police Field Force unit recently assigned to the An Khanh area directly across the Saigon River from the main piers.

Until recently, the Vietnamese Navy, the military police, the Customs officials and the Harbor Police operated independently. A major step was taken in September 1966 toward integrating the efforts of all of these groups and the U.S. Military Police with the establishment of joint marine and land patrols. The members of these patrols, acting together, now possess the aggregate of each of their members' limited jurisdictions.

Heightened security efforts are reflected in the fact that port area arrests for improper documentation, trespassing, theft and other offenses rose from a rate of 150 per month in early 1966 to 500 a month by end of 1966, while reports of major crimes dropped sharply.

E. Theft of commercial imports

Theft in port areas is a problem in the less congested ports of many countries at peace. High value, low bulk goods of a sort *not* financed by AID are the thieves' principal targets.

The AID Mission's best current estimate, based on re-surveys and spot-checks over the last few months and the judgment of the U.S. technical experts working with the commercial program, is that the recent rate of theft of CIP and Title I commodities from off-loading through port clearance in Saigon is between 2 and 5% of the total of all such commercial imports. The loss rate is now believed to be near the lower end of that range. This estimate is based on the following sources:

The U.S. Customs Bureau Advisory Team, whose primary assignment is advising the Vietnamese Customs Bureau, also spot-checks between 10 and 20% of all CIP cargoes. These professional inspectors estimate losses of CIP imports as no more than 2 to 5%, and believe that the more accurate current figure is closer to 2%.

The Vietnamese Insurance Agent's Association, comprising all insurance companies operating in Vietnam, reports that all-risk coverage of CIP and other commercial goods is available to Vietnamese importers for losses prior to off-loading. Premium run between 0.4 and 10.0% of the cargo's value, with the average however, close to 2.0%. Most of the companies also offer their regular customers limited coverage for a period of 30 days after off-loading (which includes a restriction of coverage to 15 days while the commodities are in barges) for an additional premium of up to 0.3%. The insurer may also agree to grant up to two further 2-week periods of coverage at double the additional premium.

Insurance coverage is fairly wide, though selective. The local banks, which finance most of the importers, insist on maximum insurance coverage and the Association itself estimates that 90 to 95% of all CIP cargoes are insured at some or all stages of their voyage. The Association reports that claims paid out by all of its members for losses during 1966 will aggregate about 1% of the value of goods insured. As noted, however, this figure is subject to qualification since coverage of high risks is limited and matters of proof often impede collection of claims.

Societe de Surveillance (Geneve) S.A., a private Swiss-international shipping inspector, experienced in Vietnam, is under contract to the AID Mission to review deliveries of several types of CIP and Title I commodities, as well as to check rice shipments arriving in the ports of Qui Nhon and Nha Trang. The goods spot-checked by the company are representative of 60% of the dollar value of AID-financed commercial imports. The company's first report, covering the period from March 1966 to October 1966, shows total shortages of "less than one percent." Technically, this is a measure of loss from time of shipment to the time the vessel arrives at the port of Saigon. However, while food supplies are normally checked in the hold of the ship, pharmaceuticals and general CIP cargo are monitored in the transit warehouse and machinery is inspected at its end-use location. Therefore, while not a comprehensive determination of total loss, this report has considerable bearing on the matter.

Officials of the Food for Peace program, the 4th Terminal Command, and others working closely with the program state that there is little theft of Title I rice.

Despite the fact that AID-financed commercial imports achieve their purposes when they have passed through customs to the market, frequent audits are conducted by the AID Mission's Financial Management Staff to determine the ultimate use made of selected commercial imports. These audits are primarily to determine whether goods are reaching the enemy, to determine the effectiveness of importing these commodities and the reliability of importers. Audits are currently in progress on the end-use of over $100 million worth of commercial imports or about 25% of total shipments. This increased auditing program has been made possible by expansion of the AID Mission audit staff from 17 to 34 since May, 1963. A survey of audits recently completed, including one on $4 million worth of textiles, indicates that over 95% of the examined AID-financed commercial imports shipped to Vietnam are properly used in the economy. The losses noted in these audits—less than 5% of the total shipped—include diversion and theft in the port as well as loss, breakage, theft and improper use after the commodities are delivered to the importer and thence to the Vietnamese economy.

The measures recently initiated should become fully effective early in 1967 and further reduce theft of commercial cargo in the ports. Our new data systems will provide more accurate measures of these losses shortly.

III. STRENGTHENING THE VIETNAMESE SOCIETY AID PROJECT ASSISTANCE

A. Growth of the program

The AID project program is a complex of many technical assistance, social development, refugee assistance, institutional development and relief activities. The great majority of these projects are planned and executed in the rural areas in direct support of the Government of Vietnam's Revolutionary Development program. Revolutionary Development is an integrated military and civil effort to liberate the people of Vietnam from Viet Cong control, provide security, initiate political, economic and social development, and win the support of the people for their government. AID's role, on the civil side, is vital to success in this "other war"—the indispensable partner of the military effort to defeat communist aggression and insurgency.

AID's support takes the form of technical advisers for the planning and execution of projects, the training of Vietnamese, and the provision of construction materials, many types of equipment, seeds, fertilizer and medical and relief supplies. These goods and services are provided under projects jointly planned and executed by both governments. They include over thirty different agricultural activities, irrigation and water management, fishery activities and forestry projects; about 50 education activities—construction of hamlet schools, provision of textbooks and other educational materials, teacher training, support of vocational and agricultural schools in the rural areas and adult training programs; a massive public health program, including the construction, equipping and staffing of provincial hospitals, a large-scale immunization program, nursing education and training and a variety of sanitation and public health programs; refugee programs to construct and equip camps, carry out educational and self-help activities within the camps, and relocate refugees or return them to their villages; the "Chieu Hoi" or "open arms" program, designed to attract defectors from the Viet Cong and North Vietnamese forces, screen, assist and reorient them, and reintegrate them as far as possible into the Vietnamese military forces or into the civil society; road building, electrification, water supply and other public works projects; programs in public administration; in labor and trade union development; and relief programs using U.S. agriculture products under Titles II and III of PL 480.

To carry out these activities, project commodities must be transported from the ports through the logistic systems of the appropriate Vietnamese Ministries to regional and provincial warehouses and then to project sites in thousands of villages and hamlets rarely reached in the past, where transportation and security are poor and the Viet Cong are near or present.

It is important for the political and social objectives of the program that the Vietnamese Government at all levels be directly involved in conducting these projects, including the distribution of supplies. It is for this reason that AID's commodity management programs are directed toward improvement of Vietnamese systems.

In fiscal year 1965, the U.S. Government obligated over $63 million for project commodities including PL 480 Title II and III supplies. Because of the necessity to expand the agriculture and education efforts in the provinces, to meet the needs of a greatly increased flow of refugees, and to extend direct medical services to all provinces the project program had to be greatly expanded. Obligations for the project program and relief commodities in fiscal year 1966 more than doubled to $135 million. Actual expenditures against shipments in calendar year 1966 were $68 million.

Along with the project program's growth, AID has sought to increase the efficiency of distribution of project commodities and to reduce loss and wastage under wartime conditions. Since many of these programs are designed to support the Revolutionary Development efforts in the countryside, where insecurity and lack of government control is greatest, the loss rates in these programs have necessarily been greater than those experienced in the Commercial Import Program.

B. Project commodity procedures and controls

1. *Improved Port Handling.* Until July 1966 project commodities and CIP cargoes were handled in the same way in the port of Saigon. The only distinction between the two lay in that project goods were consigned to a Vietnamese government agency rather than to a private importer. Importation of project commodities was therefore likewise impeded by port congestion. While steps taken to improve port facilities, handling and security mentioned in the previous chapter benefited the project program as well, further action was necessary and feasible with respect to project goods.

In July 1966 the U.S. Army's 1st Logistical Command was given operational responsibility for discharging all project commodities landed in the Saigon area (90% of the total) and moving them to ministry warehouses. The 1st Logistical Command assigned operational responsibility to the Army's 4th Terminal Command, a unit of 809 officers and men highly skilled in port operations, which also handles military cargo in the Port of Saigon.

The 4th T.C. has set up a system of tight physical and documentary controls over project cargo which have reduced losses between the port and the ministry warehouses to a documented 6-tenths of one percent during the month of November. The 4th T.C. estimates that figures for December will be just as good or lower than for November. Similar procedures are now being installed at the ports of Danang, Qui Nhon and Nha Trang, which together handle all of the project commodities not passing through Saigon.

2. *Movement from the Ports to the Provinces.* The 4th T.C. has established an extremely effective system for getting the goods to Vietnamese Government warehouses, but their movement forward from the warehouses in Saigon is handled separately by the several ministries, most of which have their own logistics systems, and directly by the AID mission. Each of these systems is described in the sections that follow. The current estimated percentage of loss is noted for each. As graphically illustrated in Chart I in the Appendix to this report, all project commodities account for only 15% of the total expenditures on commodities and each of these individual systems represents only a portion of the total project commodity program. Therefore, while the loss rate in some areas is relatively high, it is applied to only a small portion of the total program.

(a) *Public Safety.* The National Police logistics system is well conceived and run. It is monitored closely at all levels by ten AID public safety logistics advisers, an increase of two since May 1966. These logistics advisers have their office with their Vietnamese counterparts in the National Police logistics system headquarters where they are able to monitor all supply movements. AID Public Safety field advisers working with the National Police in their assigned areas actually check on the location of weapons by serial number. Movement between Saigon and the field is normally handled by air using the facilities of Air America, an airline under contract to AID.

These controls restrict loss or illegal diversion to an amount now estimated at less than 1% by AID advisers.

(b) *Public Health.* The Public Health logistics system was established under American military procedures and is closely supervised by 14 AID logistical advisers to the Ministry of Health, an increase of eight since May 1966. These advisers maintain control over the records system of the Health Ministry's central warehouse at Phu Tho near Saigon and supervise the inspection of project medical supplies from the time of their delivery by the 4th T.C. until they are shipped to the provincial hospitals. Commodities are normally transported to province hospitals and health services by Air America or by a military airlift. Contols are good in most hospitals, but petty theft occurs.

Some project medical supplies are sent to district and local health clinics which are under the direction of the Vietnamese province chief of medicine. Members of U.S. and Free World medical teams as well as AID Public Health logistical advisers stationed in the area are able to perform only occasional spot-checks on such supplies.

AID advisers estimate that about 10–15% of public health project commodities are lost. By far the greater part of this loss occurs among the medical supplies which are distributed from the provincial level to district and local health clinics. Further improvements in supply handling are expected to result from a program of regional warehouses scheduled for construction in 1967.

(c) *Public Works.* The Ministry of Public Works logistics system is reasonably efficient. Moreover, 90% of the dollar value of AID public works project assistance comes in the form of bulky heavy equipment and vehicles which AID logisticians are able to monitor by serial number. Very little theft of this equipment is reported. Losses of goods such as construction materials and spare parts, which comprise the remaining 10% of dollar value, are relatively high because they are transported in small containers to the provinces by truck, coastal vessel or other relatively insecure means and pass through many hands.

The AID Mission is adding two public works warehouse advisers to its staff and is working with the Ministry of Public Works to improve and modernize its procedures.

The Mission estimates that well under 5% of all public works project commodities are lost.

(d) *The Central Purchasing Agency.* The Vietnamese Government's Central Purchasing Agency (CPA) logistics system services the programs of the Commissariat for Refugees and the Commissariat General for Revolutionary Development. The latter agency is responsible for supporting the village-level self-help, hamlet schools, dispensary and other construction programs, as well as a variety of security and development projects. Commodities required in these programs include cement and other building materials, clothing, blankets, and food products such as bulgar wheat, cooking oil, and dehydrated milk imported under the Food for Peace program (Public Law 480, Titles II and III).

AID Logistical advisers to the CPA system report that the warehouse operation is reasonably well conceived and administered; the major area of loss is in the transportation and field distribution systems. Goods brought to the central CPA warehouse in Saigon by the 4th T.C. are called forward to replenish each provincial warehouse's stocks as the quantities on hand fall below certain predetermined stocking levels. The provincial warehouses are under direct control of the Vietnamese province chiefs, but requisitions against the Saigon warehouse must be authorized by the U.S. provincial representative as well as the province chief.

The requisition form sent to Saigon from the provinces designates a specific local use for the goods ordered and becomes the basic control document for the shipment. The designated recipient and the hauler inspect the goods on arrival, note any discrepancies on the requisition form, and return the form to CPA in Saigon.

Goods are issued out of the provincial warehouse by the province chief. However, should the U.S. provincial representative fail to concur in an issuance order he is required to report the disagreement directly to the Commissioner General for Revolutionary Development, who then requires the province chief to explain his decision.

While some of the CPA goods are transported from Saigon to the provinces by Air America or U.S. military aircraft, most are moved by truck or coastal vessel and therefore are more susceptible to V.C. seizure or other diversion. As a result, the AID Mission estimates a total loss rate of up to 20% of CPA project commodities. Welfare and relief supplies provided to the needy under AID or Food for Peace programs are sometimes exchanged for rice or other traditional foods they prefer. Such transactions are technically diversions and are included in these estimates even though the needy person has received assistance—the basic intention of the welfare program. The following innovations are now being or will shortly be instituted which are expected to reduce these losses of CPA commodities substantially:

A standard warehouse inventory and accounting procedure has been established for all province warehouses. Training sessions have been held to instruct all Vietnamese warehouse supervisors in the new system, and English translation overlays have been prepared for all warehouse records to enable U.S. personnel in the field to review them as required.

In recent months 17 new logistics advisers have been added to the 26 directly concerned with the movement and storage of CPA goods 14 more are scheduled to arrive in the near future.

Additional U.S. personnel will shortly be assigned to each provincial warehouse. They are to provide Vietnamese warehouse operators with on-the-job training in the new systems being installed and observe operations.

CPA Regional warehouses, under the control of an AID logistics adviser and a CPA official, have been set up in Regions I and II, the northern and central regions, and will shortly be established in the country's Delta region. Resultant consolidation of shipments from Saigon will, in turn, improve security and control. Convoys will be used wherever possible.

(e) *Agriculture.* The greater part of project imports for the Ministry of Agriculture consists of fertilizer which is sold to farmers at lower than market price. It is consigned to the National Agriculture Credit Organization (NACO) for distribution through 39 warehouses maintained by agricultural cooperatives or farmers' associations throughout the country. NACO deducts its operating costs and sales agents' fees from the gross proceeds of fertilizer sales, and deposits the net in a special trust fund for agricultural projects which is jointly administered by the Vietnamese and United States Governments.

There are no U.S. logistics advisers involved in this system now but three will be assigned within the next few months. The only data now available on the effectiveness of the NACO distribution system comes from its own accounting records. These records for the period March 1–October 31, 1966, indicate that cash has been received for almost 70% of the total fertilizer available for sale, about 25% of the fertilizer was in warehouses or in transit, and the remainder was used in demonstration projects or lost. These records have not yet been audited by U.S. advisers and are therefore not conclusive. Unlike all other project imports, fertilizers are not received at the Port of Saigon by the 4th TC, but are handled exclusively by NACO.

The Mission has surveyed its agricultural advisers and provincial representatives who estimate that losses or illegal sales of agricultural project commodities range from 5% to 20%. Most diverted fertilizer, comprising the bulk of these estimated agricultural commodity losses, is illegally sold, at prices above the approved government rate, to South Vietnamese farmers who use it to increase crop production. The three AID logistics advisers soon to be assigned will play a major role in determining the actual situation and recommending improvements.

(f) *Other Fields.* Of the remaining project commodities brought into the country, heavy materials handling equipment for port operations and portable warehouses represent the largest single group. These items are not easily lost or stolen; materially no losses have been reported.

Technical support commodities brought into Vietnam to support AID employees in their assignments are consigned to the AID Mission and are handled directly by Americans. Less than 5% of the goods are lost.

The remaining project commodities (for Education, Public Administration, Labor, and other miscellaneous programs) are handled in much the same manner as the Refugee and Revolutionary Development items in the CPA system and are subject to about the same rates of loss and diversion. Two logistics and warehouse advisers are scheduled to arrive in early 1967 to work with the Ministry of Education and one is expected to be assigned to supply problems in the Public Administration area.

C. The overall project commodity situation

After re-survey and re-analysis, the USAID Mission estimates that the total loss rate for all types of project commodities in recent months was 10% to 15%. This estimate will be further refined as reporting and control procedures improve.

Within the past few months, the AID Mission has assigned controllers to each of the four regions of South Vietnam. They are responsible for maintaining financial accounting records on project activities carried out in the field. In addition, auditors are being assigned for the first time to make systematic end-use checks in the provinces on project commodities. This effort will be expanded in the next few months to cover an increasingly large part of the project program. Cargo airlift capacity of Air America has increased from 1,300 metric tons per month in January, 1966 to a current level of 3,500 metric tons. This is supplemented by U.S. military airlifts. 121 new and more secure warehouses have been constructed throughout the country during the past year.

A Task Force formed by the Director of the AID Mission in Saigon in November 1966 is currently studying all of the Vietnamese project commodity logistics systems in depth. A preliminary report submitted to the Director on December 1st is now under study. The report made several recommendations, some of which have been mentioned above. Others include the development of a single Vietnamese national logistics system and the consolidation of trucking and coastal vessel contracts and improved communications networks for notifying a province official in advance of the arrival of shipments of commodities.

IV. ECONOMIC WARFARE AND GENERAL INSPECTION

Economic warfare, simply stated, means denying the enemy access to goods which he needs to sustain his war effort. However, since the enemy in Vietnam is not limited to definable territories behind a fixed front and is not readily distinguishable from other Vietnamese, the struggle to deny him supplies is as complicated and difficult as the struggle to eliminate the guerrillas themselves. The Viet Cong have so infiltrated the country that it is not possible to deny *completely* their access to AID-financed goods except by stopping the supply of these goods to the economy. But we can selectively limit their access to strategic supplies. Our techniques of selective denial include: (A) detecting and halting the activities of importers and merchants who act as procurement channels for the enemy, (B) applying strict controls to selected strategic commodities, (C) interdicting VC supply lines and restricting the movement of commodities in selected areas where VC control predominates.

A. Monitoring the import community

Both the U.S. AID Mission and the Vietnamese Ministry of Commerce have developed procedures to attempt to identify and suspend importers engaged in illicit transactions. In serious cases the Ministry may also try a person so charged for a criminal offense. U.S. personnel reviewing license applications, studying market conditions and selectively auditing the records of wholesalers and retailers include 8 commodity analysts, all newly arrived since the Spring of 1966, 34 auditors, an increase of 17 since early 1966, and 14 other specialists, an increase of 11 since March 1966.

In Washington, the office of the Special Assistant for Commodity Analysis which backstops the Office of Special Projects in Vietnam, is now staffed with five experienced specialists who review CIP transactions on a selective basis in an attempt to identify irregular importer-supplier relationships and suspicious trade patterns.

A separate office, which is to be staffed with commodity analysts and international trade advisors, is presently being established in AID/Washington. These technicians will backstop the Commercial Import Division in Saigon. They will be supplier-oriented, so as not to duplicate the work of technicians in Saigon who are importer-oriented. Commodity analysts in Washington will assure that quality standards are maintained, will engage in special intensive studies relative to type and quantity of commodity imports in Vietnam, and will supplement the prior review activities of the AID Controller in Washington.

The AID Controller now concentrates much of the efforts of his office on the Vietnam program. The Controller conducts an intensive review of CIP documents after the transaction has been completed; this review remains one of AID's most effective tools for assuring that unauthorized use of AID funds is kept to a minimum. Detailed post audits sometimes lead to criminal or civil proceedings against suppliers who have violated requirements contrary to the certifications of compliance which are prerequisites to payment by AID. Post audits also lead to refund claims against the GVN, which can in turn lead to criminal action against importers in Vietnam.

The Agency's independent investigative arm, i.e., the Management Inspection Staff (MIS), has increased its on board strength in Saigon from 2 to 6 during the calendar year. This Staff is supplemented from time to time by additional, Washington-based inspectors. These inspectors have all had extensive experience in the FBI, other Government investigative agencies or in the fields of law or accounting. Their major responsibility in Vietnam is to receive, analyze and investigate all allegations of criminal fraud or other irregularities involving AID financing. They maintain close liaison with the Office of Special Projects, the Office of the Controller and the USAID contractor, Societe de Surveillance (Geneve) S.A., mentioned above. The MIS staff in Saigon also maintains a continuing relationship with the business community, including American, throughout the Far East. These contacts greatly assist in insuring that all available information regarding irregularities in the AID program are properly received and acted upon.

Those cases which reveal prima facie evidence of criminality are referred to the U.S. Department of Justice or foreign courts for appropriate civil or criminal action. As a result of information developed by these investigations, consideration is also given by AID to such actions as suspension, debarment or prosecution by local Government agencies of importers involved in irregularities.

In addition to the USAID Mission and GVN procedures for suspending importers, AID/Washington has procedures for temporarily suspending suppliers pending further investigation which may lead to formal hearings and possible debarment or criminal action. These procedures for suspending and for debarring commodity suppliers preclude such suppliers from participating in AID-financed transactions. Several suppliers have been suspended and are no longer eligible to participate in commodity transactions financed by AID. There is, in addition a "prior review" system in which a supplier is notified that his transactions are subject to prior review by AID/Washington before they are eligible for AID financing.

B. Controlling strategic commodities

The Economic Warfare Committee of the U.S. Mission in Saigon has developed a list of goods critical to the enemy's war effort. Particular efforts are made to monitor import license applications and the movement of these commodities through the commercial community.

C. Cutting enemy supply lines

The principal force interdicting enemy supply lines is the U.S. military. As Free World Forces strike deeper into VC strongholds, bombing, shelling and overrunning VC staging areas and main supply depots, the volume of enemy goods captured and destroyed continues to mount.

The Resources Control Program of the National Police is the most effective civilian effort to frustrate the Viet Cong procurement system. About 7,000 policemen at almost 700 checkpoints on land and water monitor the flow of goods in and between cities. They seize contraband items and shipments lacking proper documentation, but without clogging the vital lines of communication. Progress during the last year can be measured by a 20% increase in the number of arrests made and an 80% increase in confiscations. The National Police have added about 1,000 men to this activity during 1966 and plan to double the number in 1967.

A new River Police Force, now 400 strong, was created in 1966. Using twelve 36-foot boats and 255 16-foot assault craft supplied through AID, they patrol the major waterways of South Vietnam, particularly in the Mekong Delta. Planned increase in strength to 2,000 men and the delivery of 70 more 40-foot boats and 707 16-foot craft will make the River Police a much more effective force in economic warfare during 1967. Members of the Vietnamese National Police also have been detailed to U.S. Navy patrol boats operating in three major rivers in order to augment the strength of the River Police during its organizational period. Since water traffic is a major means of transportation in South Vietnam's delta area, control of the waterways by an effective inspection and enforcement organization will be especially important in safeguarding and marketing rice grown in that area.

In addition to the measures outlined above, Vietnamese Navy and customs officers maintain surveillance of the country's land and sea boundaries in an attempt to control the illegal flow of goods to the enemy from outside sources. They are assisted in this effort by the U.S. Navy and Free World forces.

V. CONCLUSION

The vast majority of U.S. aid commodities provided to bolster South Vietnam's economy and improve its social structure are being put to their intended use. Losses which have occurred must be viewed in the perspective of a wartime situation. Civilian and military supply losses were heavy during wartime operations in Korea and in Europe. To a much greater degree than in these earlier, conventional wars, we are attempting to meet civil needs throughout Vietnam in a war which infects every province. Even so, substantial losses cannot be tolerated. The U.S. AID Mission and the U.S. Military Command are working with the Government of Vietnam on a very intensive program to cut these losses to an absolute minimum. We expect to be able to report further significant progress in this effort during 1967.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. ASHBROOK (at the request of Mr. GROSS), for 15 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. HOSMER (at the request of Mr. GROSS), for 10 minutes, on February 15; to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. PUCINSKI.

Mr. MADDEN to revise and extend his remarks and include extraneous material.

Mr. RARICK and to include extraneous material.

(The following Members (at the request of Mr. Gross) and to include extraneous matter:)

Mr. King of New York.

Mr. Meskill.

(The following Members (at the request of Mr. Boggs) and to include extraneous matter:)

Mr. Rivers.

Mr. Fraser.

Mr. Dorn.

SENATE CONCURRENT RESOLUTION REFERRED

A concurrent resolution of the Senate of the following title was taken from the Speaker's table, and under the rule, referred as follows:

S. Con. Res. 7. Concurrent resolution authorizing the printing for the use of the Joint Economic Committee of additional copies of its joint committee print entitled "State and Local Public Facility Needs and Financing"; to the Committee on House Administration.

ADJOURNMENT

Mr. BOGGS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 16 minutes p.m.), under its previous order, the House adjourned until Wednesday, February 15, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

362. A letter from the Under Secretary, Department of Agriculture, transmitting the report of the Federal Crop Insurance Corporation for the 1966 crop year, pursuant to the provisions of the Federal Crop Insurance Act; to the Committee on Agriculture.

363. A letter from the Administrator, Veterans' Administration, transmitting a report of a violation consisting of an overobligation of the amount permitted by agency regulations, pursuant to the provisions of section 3679 of the Revised Statutes, as amended (31 U.S.C. 665(1)(2)); to the Committee on Appropriations.

364. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting a report with respect to certain construction projects proposed to be undertaken for the Air Force Reserve at Kelly Air Force Base, Tex., pursuant to the provisions of 10 U.S.C. 2233a(1), and to authority delegated by the Secretary of Defense; to the Committee on Armed Services.

365. A letter from the Administrator, Veteran's Administration, transmitting a draft of proposed legislation to revise the provisions of title 10, United States Code, relating to the recoupment of disability severance pay under certain conditions; to the Committee on Armed Services.

366. A letter from the Deputy Chief of Naval Material (Procurement), Department of the Navy, transmitting the semiannual report of research and development procurement actions of $50,000 and over, during the period July 1 through December 31, 1966, pursuant to the provisions of 10 U.S.C. 2357; to the Committee on Armed Services.

367. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend the District of Columbia Police and Firemen's Salary Act of 1958 to increase salary rates and provide certain benefits for purposes of recruitment and retention of privates in the Metropolitan Police force, to establish the rank of master patrolman, to change the titles of certain Metropolitan Police officials, and for other purposes; to the Committee on the District of Columbia.

368. A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting a draft of proposed legislation to provide for computing the annual Federal payment authorization for the District of Columbia, and establishing a method for computing the annual borrowing authority for the general fund of the District of Columbia; to the Committee on the District of Columbia.

369. A letter from the Secretary of Labor, transmitting the fifth annual report on the administration of the Welfare and Pension Plans Disclosure Act, covering the calendar year 1966, pursuant to the provisions of section 14(b) of the act; to the Committee on Education and Labor.

370. A letter from the Chairman, National Labor Relations Board, transmitting lists containing (1) the names, salaries, and duties of all employees and officers in the employ or under the supervision of the Board, (2) cases heard and/or decided by the Board, and (3) the fiscal statement showing total obligations and expenditures for the fiscal year ended June 30, 1966, pursuant to the provisions of section 3(c) of the Labor Management Relations Act of 1947; to the Committee on Education and Labor.

371. A letter from the Executive Director, Federal Communications Commission, transmitting a report on backlog of pending applications and hearing cases, as of December 31, 1966, pursuant to the provisions of Public Law 82–554; to the Committee on Interstate and Foreign Commerce.

372. A letter from the Chairman, Federal Power Commission, transmitting the annual report of the Commission for the fiscal year July 1, 1965, to June 30, 1966; to the Committee on Interstate and Foreign Commerce.

373. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a request for the withdrawal and return to the jurisdiction of the Service a certain case involving the suspension of deportation, pursuant to the provisions of section 244(a)(1) of the Immigration and Nationality Act of 1952, as amended; to the Committee on the Judiciary.

374. A letter from the Acting Attorney General, transmitting a draft of proposed legislation to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms; to the Committee on the Judiciary.

375. A letter from the Director, Administrative Office of the U.S. Courts, transmitting a draft of proposed legislation to amend the Bankruptcy Act and the civil service retirement law with respect to the tenure and retirement benefits of referees in bankruptcy; to the Committee on the Judiciary.

376. A letter from the Acting Attorney General, transmitting a draft of proposed legislation to protect the right of privacy by prohibiting wire interception and eavesdropping, and for other purposes; to the Committee on the Judiciary.

377. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishment for the Coast Guard; to the Committee on Merchant Marine and Fisheries.

378. A letter from the Administrator, Veterans' Administration, transmitting a draft of proposed legislation to liberalize the provisions of title 38, United States Code, relating to the reinstatement and renewal of term policies of national service and U.S. Government life insurance; to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HÉBERT: Committee on Armed Services. H.R. 2. A bill to amend titles 10, 14, 32, and 37, United States Code, to strengthen the Reserve components of the Armed Forces, and clarify the status of National Guard technicians, and for other purposes (Rept. No. 13). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ABBITT:

H.R. 5302. A bill to amend the joint resolution of January 25, 1923, to require employees of Members of the House of Representatives to make certain certifications with respect to compensation received by them from clerk hire funds; to the Committee on House Administration.

H.R. 5303. A bill to amend the Fair Labor Standards Act of 1938 to exclude agricultural employees from the minimum wage provisions of that act for 2 years; to the Committee on Education and Labor.

H.R. 5304. A bill to amend the Fair Labor Standards Act of 1938 to exclude from that act's minimum wage coverage persons employed in agriculture; to the Committee on Education and Labor.

H.R. 5305. A bill to control unfair trade practices affecting producers of agricultural products and associations of such producers, and for other purposes; to the Committee on Agriculture.

By Mr. ASHMORE:

H.R. 5306. A bill to provide for the inscription in the courtroom in the U.S. Supreme Court Building of the phrase "In God We Trust"; to the Committee on Public Works.

By Mr. BARRETT:

H.R. 5307. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. BLATNIK:

H.R. 5308. A bill to provide for a comprehensive review of national water resource problems and programs, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 5309. A bill to amend the Internal Revenue Code of 1954 to authorize an incentive tax credit allowable with respect to facilities to control water and air pollution to encourage the construction of such facilities, and to permit the amortization of the cost of constructing such facilities within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. BOLAND:

H.R. 5310. A bill to provide Federal assistance to some nine cities which will demonstrate a comprehensive program leading to a solution of the Nation's crime and juvenile delinquency problem; to the Committee on the Judiciary.

By Mr. BROCK:

H.R. 5311. A bill to amend the Internal Revenue Code of 1954 to encourage the construction of facilities to control water and air pollution by allowing a tax credit for 25 percent of expenditures incurred in constructing such facilities and by permitting the amortization over a period of 60 months of the remainder of such expenditures; to the Committee on Ways and Means.

By Mr. CELLER:

H.R. 5312. A bill to provide for the appointment of U.S. marshals by the Attorney General; to the Committee on the Judiciary.

By Mr. CLARK:

H.R. 5313. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. DAVIS of Georgia:

H.R. 5314. A bill to designate the reservoir formed by Carters Dam on the Coosawattee River in the State of Georgia as Lake Richard B. Russell; to the Committee on Public Works.

H.R. 5315. A bill to amend section 7701 of the Internal Revenue Code of 1954 to clarify the tax status of certain professional associations and corporations formed under State law; to the Committee on Ways and Means.

H.R. 5316. A bill to amend the National Housing Act to facilitate sales of one- to four-family residences in locations adversely affected by airports constructed or expanded in whole or in part with Federal funds; to the Committee on Banking and Currency.

H.R. 5317. A bill to provide for a temporary suspension of the duty on paper textile cone making, paper textile cone finishing, and paper textile cone drying machines; to the Committee on Ways and Means.

H.R. 5318. A bill to authorize the Secretary of the Interior to accept donations of land for, and to construct, administer, and maintain an extension of the Blue Ridge Parkway in the States of North Carolina and Georgia, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 5319. A bill to amend the Communications Act of 1934 to prohibit the Federal Communications Commission from assessing fees or charges for services, publications, or instruments, unless specifically permitted by law; to the Committee on Interstate and Foreign Commerce.

By Mr. DINGELL:

H.R. 5320. A bill to amend the Land and Water Conservation Fund Act of 1965; to the Committee on Interior and Insular Affairs.

By Mr. EDMONDSON:

H.R. 5321. A bill to establish a Federal sabbatical program to improve the quality of teaching in the Nation's elementary or secondary schools; to the Committee on Education and Labor.

H.R. 5322. A bill to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health; to the Committee on Interstate and Foreign Commerce.

H.R. 5323. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. FARBSTEIN:

H.R. 5324. A bill to provide time off duty for Government employees to comply with religious obligations prescribed by religious denominations of which such employees are bona fide members; to the Committee on Post Office and Civil Service.

By Mr. FEIGHAN:

H.R. 5325. A bill to incorporate the Jewish War Veterans of the United States of America; to the Committee on the Judiciary.

H.R. 5326. A bill to incorporate the Catholic War Veterans of the United States of America; to the Committee on the Judiciary.

By Mr. FULTON of Pennsylvania:

H.R. 5327. A bill to amend the Antidumping Act, 1921; to the Committee on Ways and Means.

By Mr. GALLAGHER:

H.R. 5328. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. GILBERT:

H.R. 5329. A bill to provide for reimbursement of U.S. cities for a portion of expenses incurred in connection with the entertainment of foreign officials; to the Committee on Foreign Affairs.

By Mr. GRAY:

H.R. 5330. A bill to authorize the Secretary of the Interior to place a memorial tablet in Woodlawn Memorial Cemetery, Carbondale, Ill., in commemoration of the memorial ceremonies held there on April 29, 1866; to the Committee on Interior and Insular Affairs.

By Mr. KING of California:

H.R. 5331. A bill to provide credit facilities for the use of fishermen's cooperative associations through establishment of a Bank for Fishermen's Cooperative Associations, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. KIRWAN:

H.R. 5332. A bill to designate the Buck Creek Dam and Reservoir proposed for construction on Buck Creek near Springfield, Clark County, Ohio, as the Clarence J. Brown Dam and Reservoir; to the Committee on Public Works.

By Mr. MACGREGOR:

H.R. 5333. A bill to require the establishment, on the basis of the 18th and subsequent decennial censuses, of congressional districts composed of contiguous and compact territory for the election of Representatives, and for other purposes; to the Committee on the Judiciary.

By Mr. MIZE:

H.R. 5334. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. MOORE:

H.R. 5335. A bill to amend title II of the Social Security Act to eliminate the reduction in disability insurance benefits which is presently required in the case of an individual receiving workmen's compensation benefits; to the Committee on Ways and Means.

By Mr. MORRIS:

H.R. 5336. A bill to amend title 5, United States Code, to place civil service retirement survivor annuities of widowers on the same basis as survivor annuities for widows; to the Committee on Post Office and Civil Service.

H.R. 5337. A bill to provide additional readjustment assistance to veterans who served in the Armed Forces during the Vietnam era, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 5338. A bill to amend title 38 of the United States Code so as to provide pension increases for veterans of World War I, World War II, and the Korean conflict, for widows of such veterans, and for the children of such veterans who are deceased, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 5339. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

By Mr. MOSS:

H.R. 5340. A bill to amend the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. MURPHY of New York:

H.R. 5341. A bill to amend the Federal Power Act with respect to the jurisdiction of the Federal Power Commission over streams and other bodies of water the navigable portions of which lie within a single State; to the Committee on Interstate and Foreign Commerce.

H.R. 5342. A bill to amend the Federal Power Act, as amended, in respect to the jurisdiction of the Federal Power Commission over State canals, river regulating reservoirs, and facilities or power projects incidental thereto; to the Committee on Interstate and Foreign Commerce.

H.R. 5343. A bill to incorporate the Catholic War Veterans of the United States of America; to the Committee on the Judiciary.

By Mr. OLSEN:

H.R. 5344. A bill to preserve the domestic gold mining industry and to increase the domestic production of gold; to the Committee on Interior and Insular Affairs.

By Mr. PATMAN:

H.R. 5345. A bill to provide additional readjustment assistance to veterans who served in the Armed Forces during the Vietnam era, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. REINECKE:

H.R. 5346. A bill to provide for a comprehensive survey of national water resource problems and programs, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 5347. A bill to amend title II of the Social Security Act to provide an 8-percent across-the-board benefit increase, and subsequent increases based on rises in the cost of living; to the Committee on Ways and Means.

By Mr. ROGERS of Florida:

H.R. 5348. A bill to amend the Federal Power Act, as amended, in respect of the jurisdiction of the Federal Power Commission; to the Committee on Interstate and Foreign Commerce.

H.R. 5349. A bill to amend title 38 of the United States Code with respect to amounts considered as income for the purpose of determining eligibility for pension under chapter 15 of that title; to the Committee on Veterans' Affairs.

By Mr. ST. ONGE:

H.R. 5350. A bill declaring October 12 to be a legal holiday, to be known as Columbus Day; to the Committee on the Judiciary.

H.R. 5351. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. SMITH of Oklahoma:

H.R. 5352. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. TEAGUE of California:

H.R. 5353. A bill to control unfair trade practices affecting producers of agricultural products and associations of such producers, and for other purposes; to the Committee on Agriculture.

By Mr. TENZER:

H.R. 5354. A bill to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes; to the Committee on the Judiciary.

By Mr. UTT:

H.R. 5355. A bill to authorize the construction, operation, and maintenance of the Lower Colorado River Basin project, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 5356. A bill to provide for the temporary suspension of duty on stoppers of cork suitable for wine bottles; to the Committee on Ways and Means.

By Mr. WILLIS:

H.R. 5357. A bill to amend section 552 of title 5, United States Code, to codify the provisions of Public Law 89–487; to the Committee on the Judiciary.

By Mr. DAVIS of Georgia:

H.J. Res. 289. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

By Mr. ROGERS of Florida:

H.J. Res. 290. Joint resolution to establish a commission to formulate plans for a memorial to astronauts who lose their lives in line of duty in the U.S. space program; to the Committee on House Administration.

By Mr. ST. ONGE:

H.J. Res. 291. Joint resolution to authorize the President to designate October 31 of each year as National UNICEF Day; to the Committee on the Judiciary.

By Mr. SIKES:

H.J. Res. 292. Joint resolution proposing an amendment to the Constitution preserving the rights of the States with respect to public schools; to the Committee on the Judiciary.

By Mr. HOWARD:

H. Con. Res. 196. Concurrent resolution to provide early appropriations for Federal educational programs; to the Committee on Rules.

By Mr. PERKINS:

H. Res. 243. Resolution providing for the expenses incurred pursuant to House Resolution 218; to the Committee on House Administration.

By Mr. WYMAN:

H. Res. 244. Resolution to amend rule XXII of the Rules of the House of Representatives; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

13. By the SPEAKER: Memorial of the Legislature of the State of Idaho, relative to the cutback in the Federal-aid highway program; to the Committee on Ways and Means.

14. Also, memorial of the Legislature of the State of Iowa, relative to ratification of the proposed amendment to the Constitution of the United States providing for succession to the Presidency and the Vice-Presidency; to the Committee on the Judiciary.

15. Also, memorial of the Legislature of the State of Montana, relative to the careful consideration of proposed firearms legislation; to the Committee on Ways and Means.

16. Also, memorial of the Legislature of the State of Oregon, relative to ratification of the amendment to the Constitution regarding Presidential succession and disability; to the Committee on the Judiciary.

17. Also, memorial of the Legislature of the State of Nebraska, relative to the Mid-State reclamation project; to the Committee on Interior and Insular Affairs.

18. Also, memorial of the Legislature of the State of Washington, relative to the ratification of the amendment to the Constitution regarding Presidential succession and disability; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRASCO:

H.R. 5358. A bill for the relief of Winston Phillips; to the Committee on the Judiciary.

H.R. 5359. A bill for the relief of Betty Duprey; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia:

H.R. 5360. A bill for the relief of Col. and Mrs. Harvey H. Hewitt; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia (by request):

H.R. 5361. A bill for the relief of Mariam Beatrice Bedrossian; to the Committee on the Judiciary.

By Mr. BURTON of California:

H.R. 5362. A bill for the relief of Yu Sau Wah; to the Committee on the Judiciary.

H.R. 5363. A bill for the relief of Mo Lau Cheong; to the Committee on the Judiciary.

By Mr. DAVIS of Georgia:

H.R. 5364. A bill to provide for the conveyance of the interest held by the United States in certain real property situated in the State of Georgia; to the Committee on Interior and Insular Affairs.

H.R. 5365. A bill for the relief of the Brock & Blevins Co., Inc.; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 5366. A bill for the relief of Kathleen Ismena Hamilton; to the Committee on the Judiciary.

H.R. 5367. A bill for the relief of Irene Sankey; to the Committee on the Judiciary.

By Mr. HOWARD:

H.R. 5368. A bill for the relief of Joanne Marie Evans; to the Committee on the Judiciary.

By Mr. MATHIAS of Maryland:

H.R. 5369. A bill for the relief of Dionisios L. Karavias; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 5370. A bill for the relief of Deb Kumar Das; to the Committee on the Judiciary.

H.R. 5371. A bill for the relief of Miss Zaida Zapata de Dios; to the Committee on the Judiciary.

By Mr. PETTIS:

H.R. 5372. A bill for the relief of Fred A. Altstadt; to the Committee on the Judiciary.

H.R. 5373. A bill for the relief of Mrs. Janina Zawalski (nee Smietanka); to the Committee on the Judiciary.

H.R. 5374. A bill for the relief of Wah Fat Won (also known as Suey Hong Won); to the Committee on the Judiciary.

By Mr. SCHADEBERG:

H.R. 5375. A bill for the relief of Dimitrios Ioannis Tsakiris (husband), Thomae Dimitrois Tsakiris (wife), and two children, Ioannis and Athina; to the Committee on the Judiciary.

H.R. 5376. A bill for the relief of Aleksandra Grozdanic; to the Committee on the Judiciary.

H.R. 5377. A bill for the relief of Dr. Marek J. Hann; to the Committee on the Judiciary.

By Mr. VAN DEERLIN:

H.R. 5378. A bill for the relief of John Po Wen Wong; to the Committee on the Judiciary.

H.R. 5379. A bill for the relief of Julita Sidiarin Hepolo; to the Committee on the Judiciary.

H.R. 5380. A bill for the relief of Elvira Cammisa-Viggiani; to the Committee on the Judiciary.

H.R. 5381. A bill for the relief of Mrs. Carole Ann Lee; to the Committee on the Judiciary.

H.R. 5382. A bill for the relief of Hui Shoon Wot; to the Committee on the Judiciary.

H.R. 5383. A bill for the relief of Helen Belesiotis; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

26. By the SPEAKER: Petition of Henry Stoner, Portland, Oreg., relative to H.R. 4758; to the Committee on Armed Services.

27. Also, petition of Wyman C. Lowe, Atlanta, Ga., relative to the election of Congressman Fletcher Thompson; to the Committee on House Administration.

28. Also, petition of Protestant Episcopal Church of the Diocese of Washington, D.C., relative to the abolition of capital punishment; to the Committee on the Judiciary.

29. Also, petition of Vern Countryman, Cambridge, Mass., and others, relative to the abolition of the House Committee on Un-American Activities; to the Committee on Rules.

SENATE

MONDAY, FEBRUARY 13, 1967

The Senate met at 10 o'clock a.m., and was called to order by the Acting President pro tempore (Mr. METCALF).

The ACTING PRESIDENT pro tempore. The Senate, under the previous order, will now adjourn until noon Wednesday next.

ADJOURNMENT TO WEDNESDAY, FEBRUARY 15, 1967

Thereupon (at 10 o'clock and 5½ seconds a.m.) the Senate adjourned, under the order of Thursday, February 9, 1967, until Wednesday, February 15, 1967, at 12 o'clock meridian.

EXTENSIONS OF REMARKS

United Nations Organization Versus U.S.A.: A Case for Reapportionment

EXTENSION OF REMARKS

OF

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 13, 1967

Mr. RARICK. Mr. Speaker, one person, one vote. Such is the ordered equality-of-votes theory called "reapportionment" legislated into law as a progressive humanitarian reform by our Supreme Court in 1965.

Since this decision, every citizen has been swayed into equalitarianism by the constant promise of full and inflation-free voting power. State legislatures have been ordered, in the name of law and justice, to redivide and equalize their legislative bodies. Congressional districts have been reformed, altered, or enlarged, and the judicial system overfilled with suit after suit as well-meaning citizens search for the golden tomorrow of equality-of-vote power.

Truly, America of today is suffering from the neurosis of "one person-one vote"-ism. Convicts are freed, laws declared illegal, and taxes voided—all because of guideline findings of inequities in apportionment.

If you consider yourself to be an American and believe in representative government, regardless of your feelings on the reapportionment decision, consider this constitutional case for reapportionment:

The United Nations Organization has a total of 122 voting members. Using population census figures from the World Almanac, we find the 1960 population of New York City to be 7,781,984. Compare the populations of 69 voting members of the United Nations Organization with that of New York City.

(See table below.)

Thus, New York City, with a population of 7,781,984, contains more people than 69 (or over half) of the voting member nations of the United Nations Organization General Assembly. Radical discrimination against the people of New York City who have no vote. Unless we are of the opinion that the peoples of Africa and Latin America are more educated, better disciplined, and trained in the art of government and world leadership than are the folks in New York City.

Using again the World Almanac we find one of our smallest States in area, Rhode Island, with a population of 859,488. Yet, 10 members of the UNO General Assembly—with 10 votes—are each smaller in population:

1. Barbados	245,000
2. Botswana	559,000
3. Cyprus	598,000
4. Gabon	462,000
5. Gambia	330,000
6. Guyana	647,000
7. Iceland	208,000
8. Kuwait	468,000
9. Luxembourg	331,000
10. Maldive Islands	97,000

Further, the combined populations of these 10 countries together with the populations of four other UNO voters:

1. Congo (Brazzaville)	900,000
2. Lesotho	858,000
3. Trinidad and Tobago	975,000
4. Mauritania	1,000,000
Total	7,678,000

Or a total of 14 General Assembly votes does not represent the combined populations of New York City at 7,781,984. Discrimination against New York City and Rhode Island?

Rather, discrimination against all of us citizens of the United States? The 1960 population of the United States of America was 179,323,175. The total combined populations of a majority, over 51 percent, of the voting member nations of the UNO General Assembly is less than the population of the United States of America. Yet, our country, the United States of America, has but one.

And consider this. The Soviet Union has three votes in the United Nations Organization: U.S.S.R., Byelorussia, and the Ukraine—the latter two countries being Russian states—the United States of America has 50 States, but only one vote. Equal representation?

What has happened to the application of the "one person, one vote" dream? Was it a sincere application or only a tool to be used against local representative government and individual liberty? The same President is in office. Mr. Katzenbach and Mr. Kennedy are here in Washington. But rather than suggesting irregularity, inequity, discrimination, denial of human rights, they glamorize the "paper bag" monster as if it were holy or sacred. They seem to use the United Nations as a front to stymie American progress.

Arthur Goldberg—UNO's Ambassador to Washington—who has a law degree and some judicial training, was on the same Supreme Court that subjected the American people to apportionment. Now, he and his fellow judicial mechanics promote and espouse "a world ordered under the law." Whose law? Where is the law to come from? No member of the United Nations organization has ever been voted into office by any nation. No government has commissioned by its representative bodies such drivel. Could he be suggesting law enacted by an "unapportioned" United Nations General Assembly of men who have never been voted into office nor given such authority by their people? Certainly these men have heard of the failing of government usurped from people without representation. It is adequately defined in history as tyranny. The ultraleft extremists are silent, permitting the clock to be turned backward.

Although unelected by our people and approving of this gross discrimination against the people of the United States, even Mr. Goldberg, as a legally trained man, should awaken to the needs of the times and be expected to answer to reason and recognize this conspiracy against "equal rights" for his once fellow countrymen. For as a once jurist he must realize, under his rule of law, nothing enacted or considered by an unapportioned body can become a valid binding law against Americans, whether by treaty, Executive order, or otherwise. It is but a farce. To comply violates the law of our land. To enforce it, treason.

United Nations Organization Member Nations Smaller Than New York City

New York City	7,781,984
1. Albania	1,865,000
2. Austria	7,255,000
3. Barbados	245,000
4. Bolivia	3,697,000
5. Botswana[1]	559,000
6. Burundi[1]	2,600,000
7. Cambodia	6,200,000
8. Cameroon[1]	5,210,000
9. Central African Republic[1]	1,352,000
10. Chad[1]	4,000,000
11. Congo (Brazzaville)[1]	900,000
12. Costa Rica	1,433,000
13. Cuba	7,631,000
14. Cyprus	598,000
15. Dahomey[1]	2,300,000
16. Denmark	4,758,000
17. Dominican Republic	3,619,000
18. Ecuador	5,084,000
19. El Salvador	2,929,000
20. Finland	4,630,000
21. Gabon (U.N. population)[1]	462,000
22. Gambia[1]	330,000
23. Ghana[1]	7,740,000
24. Guatemala	4,438,000
25. Guinea[1]	3,500,000
26. Guyana	647,000
27. Haiti	4,600,000
28. Honduras	2,284,000
29. Iceland	208,000
30. Ireland	2,563,000
31. Israel	2,563,000
32. Ivory Coast[1]	3,750,000
33. Jamaica	1,800,000
34. Jordan	1,876,000
35. Kuwait	468,000
36. Laos	3,000,000
37. Lebanon	2,152,000
38. Lesotho[1]	858,000
39. Liberia[1]	1,066,000
40. Libya[1]	1,617,000
41. Luxembourg	331,000
42. Madagascar[1]	6,262,000
43. Malawi[1]	3,753,000
44. Maldive Islands	97,000
45. Mali[1]	4,576,000
46. Malta	319,000
47. Mauritania[1]	1,000,000
48. Mongolia	1,019,000
49. New Zealand	2,647,282
50. Nicaragua	1,655,000
51. Niger[1]	3,328,000
52. Norway	3,738,000
53. Panama	1,246,000
54. Paraguay	2,030,000
55. Rwanda[1]	3,000,000
56. Senegal[1]	3,490,000
57. Sierra Leone[1]	2,200,000
58. Singapore	1,865,000
59. Somalia[1]	2,500,000
60. Sweden	7,773,000
61. Syria	5,399,000
62. Togo[1]	1,617,000
63. Trinidad and Tobago	975,000
64. Tunisia[1]	4,675,000
65. Uganda[1]	7,551,000
66. Upper Volta[1]	4,858,000
67. Uruguay	2,845,734
68. Yemen	5,000,000
69. Zambia[1]	3,710,000

[1] Following country signifies located in Africa.

The 25th Amendment—Virginia's Continuing Contributors to the Construction of the Constitution

EXTENSION OF REMARKS

OF

HON. CARLETON J. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 13, 1967

Mr. KING of New York. Mr. Speaker, last Friday the 38th State ratified the 25th amendment to the Constitution of the United States.

Many are entitled to credit. In the House of Representatives, none deserves more than the distinguished gentleman from Virginia [Mr. Poff]. From the time of Thomas Jefferson and James Madison, Virginians have played a vital role in the constitutional drama. That played by Representative Poff in the conception and birth of the 25th amendment was in the highest tradition of statesmanship set by his Virginia predecessors.

As a mark of tribute to the work he did and the service he performed, and under leave of the House, I quote herewith the text of an article authored by Representative Poff and published in the January-February 1967 issue of Case and Comment:

Presidential Inability and the 25th Amendment

(By Hon. Richard H. Poff)

(Note.—Richard H. Poff has represented the Sixth Congressional District of Virginia in the United States House of Representatives since 1952, four years after his graduation from the University of Virginia Law School. Prior to his election to Congress, at age 29, he practiced law in Richmond from 1948–1952. In 1958 he was selected as one of the fifteen outstanding young men in American politics. He is a member of the House Judiciary Committee and the seven-man Republican leadership team in the House of Representatives.)

For more than a century, the question of Presidential Inability plagued legal scholars and students and practitioners of government. Because the issue was so complex and so controversial, the problem was neglected or deliberately ignored. Only in 1965 did the Congress undertake active consideration of what will most surely be the Twenty-Fifth Amendment to the Constitution of the United States.

Why a Constitutional amendment? Why not a statute? Some considered a statute sufficient. In recent years, the great body of legal opinion has held that so far as the question of Presidential Inability is concerned, a Constitutional amendment is not only the proper legal course but the wise course. The difference of opinion arose from the language of Article II of the U.S. Constitution, Section I, clause 5, which reads as follows:

"In case of the Removal of the President from Office, or at his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the same shall devolve on the Vice President, and the Congress may by law provide for the Case of Removal, Death, Resignation, or Inability, both of the President and Vice President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected."

That language was first brought into sharp focus in 1841 when President William Henry Harrison died in office. Because it was uncertain whether the "powers and duties" would "devolve" or the "office" would devolve, the question immediately rose, "Will Vice President Tyler become Acting President of the United States?" Tyler answered the question by taking the oath of office of President. Since then the "Tyler Precedent" has been confirmed seven times.

But Tyler's answer concerning succession following death did nothing to clarify the question of succession following inability. Indeed, it complicated that question. Death and inability both are treated in the same clause of the Constitution. Thus, it was argued that whatever should "devolve on the Vice President" on account of the President's death, would also devolve upon the Vice President on account of the President's inability; and, if what devolved in one case was the office itself, then it would have to be the office in the other case. The conclusion of this argument was that if the Vice President should assume the office of President on account of the President's inability, the displaced President could not thereafter, even if he recovered, reclaim his office. Such Constitutional scholars as Daniel Webster so declared.

In the face of such an argument, it is little wonder that Vice Presidents have been reluctant to assume the mantle of the Presidency, even in the most urgent crises. When, in 1881, President Garfield lay incapacitated from an assassin's bullet some 80 days, Vice President Arthur would not act. The same was true in 1919 when President Wilson suffered a stroke which rendered him all but helpless.

CONGRESS HAD LITTLE AUTHORITY TO ACT

In these two crises, surely Congress would have passed a statute in Presidential Inability if Congress felt it had the Constitutional authority to do so. There were those who felt that Congress had such authority. They pointed to the "necessary and proper" clause and to the language in Article II which reads that ". . . the Congress may by Law provide for the Case of Removal, Death, Resignation, or Inability . . ." But the remainder of that clause gave the Congress pause; it gave the Congress power to act only in case of the inability of "both the President and Vice President."

The implication was that Congress had no power to act by statute when only the President was disabled. This implication was tacitly acknowledged by the Congress in 1792 when it passed the first Presidential succession act. That Congress was peopled by contemporaries of the authors of the Constitution, and the statute significantly failed to provide for succession when only the President was disabled.

So far, I have dealt only with the legal justification for a Constitutional amendment. There was a *pragmatic reason* as well. So long as there was any question about the efficacy of a simple statute, such a statute would be subject to attack. Such an attack would come at a time when the nation could least afford it—when the President became disabled or when the disabled President recovered and sought to reclaim his office.

Yes, I was asked, why couldn't we *proceed by both routes?* Why couldn't we have a brief Constitutional amendment which would simply empower the Congress to pass a statute dealing with Presidential Inability? The answer was that we could, but in my judgment, we should not. I had two reasons. First, in a matter as vital to our national interests as the continuity of Presidential powers, stability and durability are important; only a Constitutional amendment could guarantee this. Second, the doctrine of separation of powers, which has served us so well for so long, would be blurred by the dual approach. Presidents and Vice Presidents are not always popular with Congress, and at a given time, one may be more popular than the other. Sometimes, the political party which controls the Congress is not the same political party which controls the White House. If a simple majority of the legislative branch had the power to make these rules one day and to change them the next, the executive branch would be subordinate instead of co-equal and the head that wore the crown would indeed be uneasy.

THE PROBLEM OF WRITTEN AGREEMENTS

Then there were those who asked why we couldn't just forget about both Constitutional amendments and statutes and deal with the problem as we had in the past by *written agreements* between the President and Vice President. There were several answers to that question. A private agreement would not have the same effect as law, and it would be questionable whether the President could in such an informal, bilateral fashion lawfully delegate powers conferred upon him by the Constitution, by treaties and Congressional statutes, to another person. The question would be serious enough to invite legal challenges to every domestic act, and every function in the field of foreign relations would be under a cloud. Moreover, such bilateral agreements have never provided, and in the nature of things could never provide, for an enforceable settlement in the event of a dispute about whether or not the President was disabled. The only real function these arguments served was to dramatize the urgency of having a definitive mechanism built into the basic law of the land where it would be visible to all and where it would remain constant from one Administration to the next.

WHEN THE PRESIDENT IS IRRATIONAL

When we speak of the problem of Presidential Inability, we are speaking of *two categories of cases*. The first is that in which the President recognizes his inability (or the imminence of his inability) and wishes voluntarily to vacate his office for a temporary period. (The classic example is when the President expects to undergo an operation.) The second category is that in which the President, by reason of physical or mental debility, is unable to perform his duties but is unable or unwilling to make a rational decision to relinquish the powers of his office, even for a temporary period.

Section 3 of the bill passed by Congress provides for the *first category*. Simply by sending a written declaration of inability to the Heads of the two Houses of Congress, the President makes it possible for the Vice President, as Acting President, to discharge his duties so long as the President feels that his inability has not terminated. When he chooses to do so, he may reclaim and reoccupy his office by sending another written declaration to Congress. Unlike the second category, his declaration of restoration is not subject to challenge by the Vice President and Cabinet. The reason for this distinction is obvious. A President would always hesitate to utilize the voluntary mechanism if he knows that a challenge could be lodged when he sought to recapture his office.

Section 4 of this bill as finally approved by Congress provides for the *second category* of cases. There are two illustrative examples. One is the case when the President by reason of some physical ailment or some sudden accident is unconscious or paralyzed and therefore unable to make or to communicate the decision to relinquish the powers of his office. The other is the case when the President, by reason of mental debility, is unable or unwilling to make any rational decision, including particularly the decision to stand aside.

It was the second category of cases which gave scholars so much concern. The problem is best defined here by a series of questions. Who would first raise the question and who would make the decision concerning inability? Should the word "inability" be defined? What procedure should be used in restoring the President to his office after his recovery? These questions and questions subsidiary to each of them were answered in Section 4 of the bill.

The original draft required the Vice President to initiate the action and required only the subsequent concurrence of the Cabinet that the President was disabled. However, the Vice President historically has been reluctant to take the first step for understandable reasons. Thus, Section 4 is in the conjunctive and places the power and responsibility jointly upon the Vice President and a majority of the Cabinet or "such other body as Congress may by law provide."

In the second step, these same people make the decision about inability and transmit that decision in writing to Congress, upon the receipt of which "the Vice President shall immediately assume the powers and duties of the office as Acting President." While others had been proposed, we decided that these were the people who should have this power and who should make the decision. The Vice President, a man of the same political party, a man originally chosen by the President, a man familiar with the President's health, a man who knows what great decisions of state are waiting to be made, and a man intended by the authors of the Constitution to be the President's heir at death or upon disability, surely should participate in a decision involving the transfer of Presidential powers. The same is true of the Cabinet whose members were appointed by the President and are closest to him physically and most loyal to him politically.

While the Vice President and Cabinet seem to be the ideal people to be entrusted with the power of decision, Section 4 recognizes that future experience may dictate the naming of "some other body" by the Congress to act with the Vice President. Presently, the Cabinet as defined in 5 U.S.C. 1 consists of 10 members. It is possible that an even-numbered Cabinet might divide evenly, thus effectively stultifying the system erected in Section 4. For this reason, or some other good reason, Congress may sometime find it necessary to name some "other body" which of course it could do simply by adding to the Cabinet as the decision-making body one non-Cabinet member.

Authors of the legislation struggled with the problem of defining the word "inability." It was decided that it would be unwise to attempt such a definition within the framework of the Constitution. To have done so would have given the definition adopted a rigidity which, in application, might sometimes be unrealistic. In my judgment, it would also have been unwise to attempt such a definition by statute. The slightest imprecision in such a definition would be the target of legal attack if and when it should become necessary to exercise the procedures of Section 4. It is highly unlikely that the responsible government officials entrusted with this great power would abuse it by declaring a President elected by the people of this country disabled when in fact he was not, especially when the Congress is given the ultimate voice in this determination.

PROCEDURES FOLLOWING RECOVERY

The procedures to be used in restoring a disabled President to his office following his recovery constituted one of the critical phases of the problem. The procedures specified in Section 4 deal with the problem in a careful deliberate manner. Herein lay the principal difference between the House bill and the bill first passed by the Senate. Under the Senate bill, the President could resume his office after his written declaration of restoration to the Congress unless within two days the Vice President and a majority of the Cabinet sent a written declaration to the Congress challenging his restoration. If under the Senate bill the Congress by a two-thirds vote upheld the Vice President's challenge, the Vice President would continue to hold the office as Acting President; otherwise, the President would resume his office. The difficulty with the Senate version was that the Congress, which might not even be in session, could delay by filibuster or deliberate inaction for an indefinite period of time, during which the Vice President would remain in office. This difficulty would be especially great if a majority of the Members of Congress (but less than two-thirds) were hostile to the President.

The House Committee felt that any delay on the part of Congress should inure to the benefit of the President rather than the Vice President. Accordingly, the House Committee adopted two consequential amendments. Under the first, the Congress, if not in session when it received the Vice President's challenge, would be required to assemble immediately. On the Floor of the House, at the request of the Speaker, I offered an amendment to this amendment which required the Congress if in recess to assemble within 48 hours. Under the Second Amendment adopted in the House Committee, the Congress would be required to act within 10 days after receipt of the Vice President's challenge. Later, the Conference Committee changed this to 21 days and the two-day period to four days. This is self-executing; if the Congress fails to act, the President will resume his office after the lapse of 21 days. In effect, the procedure as outlined under the House version, which adopted, gives the Congress three options:

First, the Congress can act and by a two-thirds vote uphold the Vice President's challenge. *Second*, the Congress can act and by one more than a one-third negative vote in either House, reject the Vice President's challenge. *Third*, the Congress can allow the 21-day period to expire wtihout acting at all.

The net effect of the second and third options is the same; the President is restored to his office. The chief merit of the House version is obvious. Circumstances may be such that the Congress by tacit agreement may want to uphold the President in some manner which will not amount to a public rebuke of the Vice President who is then Acting President. The third option furnishes the graceful vehicle. And this system renders impossible the awful stalemate which would have resulted under the Senate version from a filibuster or deliberate inaction in either House.

It will be observed that the procedure fixed in Section 4 gives the Congress no voice in the decision for the initial involuntary removal of the disabled President. As soon as Congress receives the written declaration of inability from the Vice President and a majority of the members of the Cabinet, the President is removed and the Vice President becomes Acting President. However, the President who regards himself capable and objects to the Vice President's action is not left without recourse. He has the right as soon as he is removed to send Congress his written declaration of restoration, and at that point the Vice President or Acting President has four days in which to challenge the declaration and the procedure for Congressional review becomes operative.

No one claims that this bill in its final form is foolproof or that it covers every hypothetical case which might present itself to the inventive mind. If one assumes that the Vice President and most of the members of the President's Cabinet are charlatans, revolutionaries and traitors, we were foolish to attempt any solution. Rationally, we made no such assumption. Rather, we assumed that the American form of government with its system of checks and balances is so structured; that the freedom of the American press is so secure; and, that the conscience of the American electorate is so sensitive and its power so effective, that rogues in public office are foredoomed to exposure and swift retribution. Certainly, we want a government of laws and not of men, but somewhere in the process of administration of the laws, we must commit our fate to the basic honesty of the administrators. Somewhere, sometime, somehow, we must trust somebody.

General Kosciuszko: A Patriot of Two Lands

EXTENSION OF REMARKS

OF

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, February 13, 1967

Mr. PUCINSKI. Mr. Speaker, at this time, the 221st anniversary of his birth, I should like to pay tribute to the memory of Gen. Tadeusz Kosciuszko.

Illustrious heroes of many nations of the world joined us during the Revolutionary War so that freedom could establish a beachhead on this continent. Kosciuszko was one of those brave men.

General Kosciuszko today symbolizes, throughout the world, the spirit of the indomitable Poles who for 1,000 years have toiled in defense of freedom. There is no better example of the Polish spirit and dedication to freedom than this man.

The spirit of Kosciuszko indicates that the Polish Nation will never acquiesce to the tyranny of communism. Today Polish emigrants who cannot return to their native land because of Communist domination carry on the struggle for ultimate liberation of that country. Within Poland the spirit of freedom continues to flourish, despite the presence of dogmatic communism.

Kosciuszko is the symbol of a gallant people who have for 10 centuries inspired the world in the firm belief that man was created to be free and that the dignity of the individual is the greatest force on earth.

Thaddeus Kosciuszko Birthday Ceremonies

EXTENSION OF REMARKS

OF

HON. RAY J. MADDEN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 13, 1967

Mr. MADDEN. Mr. Speaker, on yesterday, February 12, ceremonies were held honoring Gen. Thaddeus Kosciuszko here in Washington at the statue of this great Polish general in Lafayette Park.

Charles Burke, Washington representative of the Polish American Congress, was chairman of the ceremony. I had the honor of participating in the program along with former Polish Ambassador Jan Ciechanowski, Congressman Lucien Nedzi, of Michigan; and Thaddeus Drweski, president of the Polish Club of Washington. I am hereby submitting excerpts of the remarks which I made on the occasion and also the speech of former Ambassador Jan Ciechanowski.

SPEECH OF CONGRESSMAN MADDEN

Mr. Chairman, I am, indeed, happy on this occasion to participate in the annual ceremony honoring the Great soldier, statesman and Polish patriot, General Thaddeus Kosciuszko. It is fitting that on this day that he is being honored simultaneously with another great fighter for freedom and liberty—President Abraham Lincoln. It is also fitting that General Kosciuszko's statue and the ceremonies today are taking place across the street from the White House in Lafayette Park. The American people join the Polish people in commemorating the heroic deeds of this great Polish hero because he not only fought for liberty and free government in his homeland but, as a young man came to America and greatly aided our colonies during the Revolutionary War so that this new land of ours and future generations of Americans could enjoy liberty, freedom, and self-government.

General Kosciuszko was also an engineering genius, and one of the greatest masters of artillery tactics in his day. No officer serving under Washington was more vital to the success of our Revolutionary War than this son of Poland who so well exemplifies the contribution of the men and women of Polish blood to the history of our Nation.

It was he who directed the building of the military defenses at Philadelphia and at West Point before and during the war for American Independence. To him is attributed the winning of the Battle of Saratoga, the turning point of the long and painful struggle of the Colonies. Thomas Jefferson said of him; "He is as pure a son of liberty as I have known and of that liberty which is to go to all, and not to the few and rich alone."

It is well that the world is reminded of patriots like Kosciuszko, a man who fought for the independence of our Nation and his native land with dedicated zeal. The struggle for liberty is endless. Each period of history has its challenges, its own dictators, and its own despots, but this should not discourage us or lead us to despair. Instead we should draw courage and inspiration from the example of valiant men such as General Kosciuszko and rededicate ourselves again to the unfinished task to which they devoted their lives.

I wish to congratulate the Polish American Congress, the Polish Club of Washington, D.C., the Polish Combatants Association, the

Polish Falcons of America and The Polish American Art Association for the work they have done this year and in other years in reminding the people of the nation and the world and the younger generations of the great deeds and heroism of the pioneers who fought for the freedom which we all enjoy in this land of ours.

The history of Poland over the centuries has been illuminated by the valiant fight it has made for liberty and freedom regardless of the power and the military might of some of its tyrannical neighboring nations who, over the years, have made various efforts of subjugate a liberty-loving people. Poland, after World War I, during its twenty years of freedom, made more progress in the installation and practical operation of a free government, industrial expansion, educational growth, than any nation in history in such a short time. Unfortunately this great progress was interrupted by the Soviet tyrant and the Nazi War Machine. The Nazi tyranny has been eliminated and in recent years we have observed the Soviet communistic economy disintegrate. Stalin, the most ruthless of tyrants, and Khrushchev have disappeared from the scene. The Communist economy in Russia and its agricultural programs have been a failure—millions are starving in China today. Its modern economic programs have been negative, impractical and failures. Its food production has only been able to serve a fraction of its people and, in my opinion, the time is not far distant when the much-herald communist millennium will have completely disappeared from the world.

Our great Nation has been the leader in this fight for freedom and communist curtailment. After World War II we spent billions of dollars to re-build the bombed out nations in western Europe. We have aided them to become re-established and prevent the Soviet war machine from marching after they were helpless by reason of World War II bombing and destruction.

In 1951 General Eisenhower, then at the head of European defense, testified before the House Foreign Affairs Committee that if it had not been for the valiant sacrifice of our nation made during those days, "all Europe would be communist today." That was in 1951.

History will reveal after the communist international conspiracy is destroyed, that it was this free land of ours that saved the world from communist tyranny and enslavement. We can all today be grateful for the nearly seven million Polish American citizens and citizens of other captive nations who have joined in and aided our Government to fight communist expansion and curtail communist tyrannical designs to enslave mankind.

ADDRESS OF JAN CIECHANOWSKI, FORMER AMBASSADOR OF POLAND TO THE UNITED STATES

This 12th day of February marks the 221st anniversary of the birth of Tadeusz Kosciuszko.

Through the years these annual celebrations at the foot of his monument in Washington, D.C., have become traditional manifestations of American-Polish patriotism.

They are yearly reaffirmations of the fervent Polish and American love of freedom and undying devotion to national independence.

Kosciuszko will forever remain the symbol of this precious American-Polish community of ideals.

As shown by the record and the many highly laudatory testimonials of the Commander-in-Chief and other Generals under whose command he served in America from 1776 to 1783, Kosciuszko's part in the American War for Independence was both welcome and quite substantial. He contributed his considerable scientific knowledge of military engineering by planning and building fortifications and defenses at Saratoga, West Point and other strategically important localities when serving with the Army of the South.

After the war, upon the recommendation of the Commander-in-Chief and the Secretary of War, on October 13th, 1783, Congress passed the following Resolution:

"Resolved, that the Secretary of War transmit to Colonel Kosciuszko the brevet commission of Brigadier General and signify to that Officer that Congress entertain an high sense of his long faithful and meritorious service."

This annual celebration has a particular significance, not only because today is the 221st anniversary of General Kosciuszko's birth, but especially because it takes place at a time when the American nation is proving to this ultra modern world of cynical materialism and computerized thinking, not by words alone but by powerful action in distant Vietnam, its unswerving fidelity to the ideals of human freedom and the inalienable right of all nations to self-determination.

President Woodrow Wilson proclaimed this right in the following terms: "Self-determination is not a mere phrase. It is an imperative principle of action, which statesmen will henceforth ignore at their peril . . ."

This Wilsonian "imperative principle of action" is now actually being put into practice by the United States, under the High Command of President Lyndon B. Johnson.

American Armed Forces are fighting in South East Asia solely in defence of Vietnam's independence and of the right to self-determination of the Vietnamese people.

Thus, this conflict in a distant foreign country is yet another mighty American war effort, free from imperialist designs, inspired by the loftiest principles of justice for all nations.

As one stands here, facing the noble figure of Kosciuszko—gallant Polish and American fighter for freedom and independence, one realizes with sincere emotion how closely the present American war action in Vietnam accords with the time-honored fighting slogan of Poland: "For our freedom and yours" . . . "Za wolnosc nasza i wasza."

The Honorable Chet Holifield's Address to Southern Governors

EXTENSION OF REMARKS

OF

HON. W. J. BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 13, 1967

Mr. DORN. Mr. Speaker, I commend to my colleagues and to the people of our country the following timely and superb address delivered by our colleague CHET HOLIFIELD, chairman of the Joint Committee on Atomic Energy, to the Southern Governors' Conference, Gilbertsville, Ky., on September 19, 1966:

REMARKS BY CONGRESSMAN CHET HOLIFIELD, CHAIRMAN, JOINT COMMITTEE ON ATOMIC ENERGY, AT THE SOUTHERN GOVERNORS' CONFERENCE, GILBERTSVILLE, KY., ON SEPTEMBER 19, 1966

INTRODUCTION

It is an honor to participate in the program of this 32nd Annual Southern Governors' Conference. From the standpoint of nuclear energy the southern states, represented as a group, have been in the vanguard of organizing for this new era of technical progress.

The Southern Interstate Nuclear Board, which you have formed to deal with the new force of nuclear energy in our society, is being used as a model for similar regional organizations throughout the country. Last week, for example, the Western State Governors' Conference on Atomic Energy was held in San Francisco. In my message to that Conference I strongly endorsed the regional approach to nuclear energy as exemplified by your pioneering organization. Many of the problems and areas of interest to be encountered in atomic energy are regional ones and should be approached on a regional basis.

I wish to commend those present who are working toward greater cooperation in atomic energy on a regional basis and particularly those who have taken the initiative in bringing you together. Cooperation is essential, and, as is often the case, area problems are more effectively handled by those more closely concerned than at the Federal level.

I congratulate you for your foresight in establishing the Southern Interstate Nuclear Board. Getting organized while the commercial application of atomic energy is still relatively young will help you get started on the right foot. You can assist in bringing atomic energy into its own at the state level. Through coordination of regulatory and other activities it should be possible to achieve greater goals and productivity in atomic energy than would be possible were each state to act independently or, in some cases, in competition, one with the other.

Looking over the Southern Interstate Nuclear Board's report to the Governors at this Conference, it is evident that a lot has happened in the field of nuclear energy here in the South and elsewhere during the past year. A number of these activities are of such importance to the South and the entire Nation that I would like to comment on them.

GROWTH OF NUCLEAR POWER

The Southern Interstate Nuclear Board's report shows that a total of eight major nuclear power reactors have been announced by electric utilities in the South since last November. Some conception of the significance of this fact can be obtained by comparing the 6,800 megawatt capacity represented by these eight plants with the nuclear power growth figures for the whole nation. The total capacity of all civilian nuclear power plants ordered as of January 1, 1965 in the United States was only approximately 3,500 megawatts. Installed nuclear capacity as of that time amounted to about one-half of one percent of total installed generating capacity. During 1965 approximately 4,700 megawatts of nuclear generating capacity were ordered—about one-fifth of the total generating capacity ordered during this period. During the first eight months of 1966, about 16,000 megawatts were ordered—over one-half of the total capacity ordered.

These figures indicate a revolution is taking place in the energy economy of our nation. The figures for the Southern States also indicate the leadership which is being provided in this revolution by the South.

Competing energy fuels such as coal, which is the basis of an important industry in the South, have at times become unduly concerned with the entry of the atom on the energy scene. I say this because there has been a meteoric increase in the demands for energy. In the future we must satisfy an expanding market for all types of fuel. The outgoing President of the Edison Electric Institute in his June 8 speech presented the picture of increasing electrical energy demands in a very graphic way which I think bears repeating. He said:

"It is estimated that total electric energy output for the United States will probably be between 6 and 10 trillion kilowatt-hours by the year 2000.

"This means that we have less than 35 years to build the equivalent of seven additional power systems the energy size of all that is now serving the American people."

To meet this increasing demand we will

need increasing amounts of all forms of fuels—coal, oil, gas, hydro and nuclear. The suppliers of fossile fuels will be hardpressed to meet the ever-increasing demands that will be placed upon them. Fossile fuel and the atom may be competitors—but they must also be partners.

Up until now, though, nuclear power has as far as the coal industry is concerned just been a user of the electrical energy produced by coal. In fact, ten years ago the Atomic Energy Commission consumed over 10 percent of all the electrical energy generated. With the great increase in the amount of energy generated and the cutbacks in the enriched uranium producing plants, the AEC still uses nearly five percent of the electrical energy. It is about time that nuclear energy should start picking up some of the load.

POLLUTION OF OUR ENVIRONMENT

Before I take up some of the other items covered in the SINB report to the Governors, I want to talk about a problem which I consider very serious and one which demands more attention. This is pollution. Pollution has reached dangerous levels because of our burgeoning population, our industrial society and our carelessness.

In order to put the so-called population explosion in perspective, I would like to cite the following statistics pertaining thereto:

At the time of Christ the population of the Earth is estimated to have been about 250 million people. It took 1830 years for the world's population to grow to a total of one billion people. In only 100 additional years (in 1930), the population reached the two billion mark. In the year 1960, 30 years later, it reached the three billion mark; and finally in the year 2000, only 34 years from now, it is estimated that the world's population will be about six billion people.

Turning now to the U.S. statistics, in the year 1790 (166 years ago) our first U.S. census revealed a population of 3.9 million people. The present estimate of the U.S. population is about 195 million. In the year 2000, this is expected to soar to 362 million people. All of these people will need electrical power, food, water and other services which will place a heavy burden on the natural resources of this country. In addition, this means that we are faced with a new problem. For years we have relied on dilution in the atmosphere and in bodies of water to take care of disposal of waste. We can no longer do this. Our ever-increasing population is manufacturing waste at such a rapid rate that we must evolve new methods of treating or preventing waste in order to preserve the quality—even the livability—of the environment in which we must survive.

In the fall of 1965 an expert Environmental Pollution Panel of the President's Science Advisory Committee submitted a report entitled "Restoring the Quality of Our Environment." This was the result of a searching inquiry into the problem of waste disposal in our rivers and harbors, disposal of materials into our atmosphere, and many of the important aspects of the total environmental picture. I would like to quote a portion of a preface letter by President Lyndon Johnson which appears in the published report.

"Our affluence spews out vast quantities of wastes and spent products that pollute our air, poison our waters, and even impair our ability to feed ourselves.

"Pollution now is one of the most pervasive problems of our society." ". . . . our present efforts in managing pollution are barely enough to stay even, surely not enough to make the improvements that are needed."

In a talk I gave in November of last year before the Contamination Control Group on Air Pollution I stated that we are approaching a point of a possible citizen's revolt concerning pollution. I pointed out that the incentive for such a revolt is the danger to public health and welfare which stems from pollution. The individual's rights are being violated, and justifiably, restitution is being demanded. I also said in a recent statement before the Edison Electric Institute that I believe the public will be willing to pay more for various services in order to improve health and living conditions.

It is obvious that the rapid increases in population and the tendencies for concentration in metropolitan areas require that we give special attention to how we supply power for our cities without polluting our environment. One of the most promising routes to nonpolluting energy is nuclear power. Nuclear power holds the promise of solving most of our metropolitan pollution problems. Nuclear plants don't themselves release pollution to the atmosphere. The power generated by such plants could also be used to recharge power units such as batteries or fuel cells for automobiles and thereby also eliminate one of our fastest growing sources of pollution. In addition, low cost energy from nuclear power plants could be used to purify and reclaim our water supplies to alleviate our water pollution problems. Our move toward nuclear power has started as indicated by recent events.

A COMPREHENSIVE APPROACH TO THE POLLUTION PROBLEM

I for one question whether present efforts to bring environmental pollution under control as we enter the era of the megalopolis will be successful. Thus far most of the thinking on the subject has been devoted to isolating single aspects of the problem—such as air pollution resulting from the operation of automobiles, or water pollution due to industrial operations.

I do not think that it is fruitful to consider only specific types of pollution. The piecemeal approach tends to limit the consideration to only local areas of such pollution. Moreover, certain areas tend to be emphasized while others are neglected. For example, one important aspect of environmental control which I think has been neglected is the interrelation of environmental pollution factors with our over-all way of life. I think it is time now to look at complete urban centers with control of environmental pollution a fundamental factor in their design.

In many localities we are now witnessing the construction of completely new cities, sometimes through initiation of construction of large new developments, and in many cases through the wholesale redevelopment of existing urban areas. Wouldn't it be wise to seize this opportunity to take an over-all approach to the pollution problem? Let me give a few examples of what I have in mind.

The automobile is now one of the greatest contributors to atmospheric pollution. Highways and interchanges for automobiles present severe problems in the design of urban communities. It's quite possible that if we looked at these questions as related problems—that is, as part of a whole—we might find a combined solution to both of them. In other words, in lieu of setting one group of planners upon the problem of reducing pollution from the automobile and another group to solving the transportation question, why not look at these as interrelated problems? In doing so the planners might find that restricted use of the automobile and the creation of a central mass transportation system in the urban area would provide superior commuting service while eliminating both the problem of air pollution and the problem of concrete jungles. Other similar examples of the value of considering urban design from the standpoint of a complete system can readily be given.

One fundamental factor which is critical to the overall problem of urban design is the provision of energy. The availability of an adequate supply of low cost energy which in itself does not contaminate the environment will permit the elimination of many of our pollution problems. With adequate supplies of low cost energy, water can be purified, air can be filtered, automobiles can be propelled, various wastes can be converted and eliminated, and so forth. Nuclear energy, for one, may fill this bill. Perhaps, therefore, energy should be given a more central position in our urban planning.

The foregoing amply indicates, I think, that we can no longer consider piecemeal solutions to our environmental problems. We must approach the urban design problem on a broader basis. I also want to indicate that it is an urgent matter to get on with the overall system analysis approach in our attempts to achieve proper control of environmental pollution. We should also utilize our great scientific centers to give us guidance in this critical area. Our atomic energy laboratories, for example, contain a concentration of scientific and technical talent never before amassed. The accomplishments in the field of nuclear weapons and civilian applications of nuclear energy I do not believe are matched by any other scientific effort. I think it might help if I were to give a few examples to illustrate the uniqueness of this national resource and its adequacy to treat the overall system analysis approach to the urban design problem.

The Atomic Energy Commission's national laboratories are staffed by outstanding scientists in both the physical and life sciences. The concept of tracer techniques mastered and used in the atomic energy program is a fundamental tool in the analysis of our environment. The problems of nuclear weapons effects and fallout have been faced by the national laboratories on a worldwide basis using techniques directly applicable to the analysis of pollution problems. The worldwide aspect of pollution is stressed in the Report of the President's Science Advisory Panel on Pollution where they recommend that data be obtained on pollution and temperature trends in the atmosphere and stratosphere throughout the world. The same approach has been used concerning measurements in the oceans when radioactive waste disposal in the ocean was under consideration. The biological studies of the effects of radiation on ecological systems is also an area of special talent possessed by the national laboratories. The pest control work which has been achieved through the use of radiation also covers an important aspect of the environmental pollution problem. Of course, as I mentioned before, the development of nuclear power plants, which was done by our national laboratories, to supply the electrical needs of urban centers is a fundamental factor in any approach to the pollution problem. This one factor may prove to be the most effective in contributing to a solution to the pollution problem—but it must be considered in the overall analysis of our environmental pollution problem.

What I personally propose to do is to follow up on this item with the Atomic Energy Commission. What I would like to see the Atomic Energy Commission do is mobilize its resources and come up with an outline of how to approach the overall environmental pollution problem of the megalopolis. If it is agreed that the proposed attack can give us valuable assistance then we can look into how this competence can be utilized.

I firmly believe that our only hope for a satisfactory solution to the general problems of environmental pollution is the comprehensive approach. The city or the megalopolis must be considered as a whole and ways must be found to provide man with his needs without poisoning him.

EMPLOYEE RADIATION PROTECTION

Getting back to the work of the SINB in the past year, I would like to comment on radiation protection of the workmen in the nuclear industry. The work that your state organizations have been doing to educate and train workers in the control of radiation and to tie such work into the workmen's compensation programs of the various states is laudatory. The radiation protection of workers in industry received special attention in the June 22 meeting of SINB at Oak Ridge. My colleague, Senator Gore, addressed you at that meeting and did a fine job of outlining the growing number of workers in the atomic energy field.

The subject of radiation protection and workmen's compensation for radiation injuries has concerned the Joint Committee on Atomic Energy for many years. I have been advised that information developed during the hearings we held beginning in 1959 has been of assistance to the States in formulating the many improvements that have been made in workmen compensation statutes the past seven years. In many states there is still room for improvement, and it is an area in which we are constantly learning.

On August 30 and 31 the Joint Committee held hearings concerning an AEC-sponsored program to provide assistance to the states in connection with establishing and operating recordkeeping systems for atomic energy workers. There is apparently some concern with respect to the possible effect on other forms of workmen's compensation and setting of precedents with respect to the pursuit of claims for radiation injury. In response to requests from professional and industrial organizations, we have scheduled additional hearings concerning the AEC recordkeeping program for September 20, 1966. With the large number of individuals and organizations expressing an interest, we may have to continue the hearings on September 21st.

We always try to get the full information on each and every issue before acting. I look forward to the hearing on Tuesday to provide us with vital information, and I am hopeful that the testimony will help us to reach a decision with respect to the bill.

It is important in the field of workmen's compensation, particularly as it pertains to occupational exposure to radiation, to have uniformity of standards. Each of your states may have slightly different problems which may result in slightly different states' laws for compensation. It is paramount that where possible we derive these laws from a uniform code or set of standards. Your group can make a valuable contribution by sponsoring seminars which would permit the discussion and interchange of ideas relating to criteria and standards affecting workmen's compensation laws and recordkeeping.

OTHER EFFORTS OF THE SINB

Time does not permit me to comment on other important areas of interest being pursued by SINB. The efforts of the Board in education, civil defense, water desalination are a few of the other areas which stand out in importance. I want to encourage you to continue your efforts so that we continue our progress in the new era of nuclear energy in such a way as to assure the maximum benefits for mankind.

National Negro History Week

EXTENSION OF REMARKS

OF

HON. THOMAS J. MESKILL

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, February 13, 1967

Mr. MESKILL. Mr. Speaker, the city of New Britain, Conn., today begins its first community celebration of National Negro History Week. I want to join them in paying tribute to the American Negro's many accomplishments throughout the history of our country.

National Negro History Week brings to mind the many contributions of the Negro people to the history of the United States, in many fields, ranging from the natural sciences to medicine, to the arts, education, and politics.

Unquestionably, one of the greatest scientists of modern times was the Negro chemist, George Washington Carver. His contributions to the agricultural development of many products, including the peanut, the sweetpotato, and the soya bean, have placed him among the scientific leaders of the age. Dr. Carver has been honored with medals and awards too numerous to mention.

Among the outstanding surgeons of the 20th century must be listed the name of Dr. Charles Richard Drew, the late staff director and chief surgeon of Freedman's Hospital, in Washington, D.C. His single contribution to medicine in the form of preserving blood plasma for emergency transfusions during World War II earned for him the coveted Spingarn Medal. As an authority on blood plasma, Dr. Drew was in charge of collections for the armies of the United States and Great Britain.

The contribution of the American Negro to the fine arts has been notable for more than a century. Robert S. Duncanson, of Cincinnati, attained distinction as an artist in the 1840's, on an international basis. Edward M. Bannister, of Providence, was a recognized painter in the 1870's and 1880's, and organized a studio which served as the nucleus of the Rhode Island School of Design. Perhaps the greatest American artist at the turn of the century was Henry O. Tanner, a teacher at Clark University in Atlanta, the greatest painter of scriptural subjects of his age.

Among educators, the late Booker T. Washington is remembered as the man primarily responsible for introducing the industrial arts program into the American public school curriculums. Dr. Washington's accomplishments at Tuskegee Institute alone were a monument to the contribution of Negro education. Mr. Mordecai W. Johnson at Howard University, Dr. Charles S. Johnson at Fisk University, and the late John Hope of Atlanta University have done much to further the progress of higher education among Negroes.

A representative list of Negro leaders of the past few decades should include such names as Dr. Martin Luther King, president of the Southern Leadership Conference; Roy Wilkins, executive secretary of the National Association for the Advancement of Colored People; A. Philip Randolph, director of the March on Washington for Jobs and Freedom; Robert C. Weaver, Secretary of Housing and Urban Development; Dr. G. James Fleming, director of the Institute for Political Education, Morgan State College; and Whitney M. Young, Jr., executive director of the National Urban League. These are only a few of the host of Negro leaders in America currently engaged in programs designed to foster Negro recognition and further Negro contributions to the American way of life.

As a social being, the American Negro has performed with great ability. The fact is worthy of the national recognition it shall receive during National Negro History Week, 1967.

John R. Blandford: A Well-Earned Tribute to His Ability

EXTENSION OF REMARKS

OF

HON. L. MENDEL RIVERS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 13, 1967

Mr. RIVERS. Mr. Speaker, a speech entitled "Excellence in the National Public Service," was recently delivered by Secretary of the Treasury Henry H. Fowler on the occasion of the 1966 Rockefeller Public Service Awards luncheon. It gives me particular pleasure to place this speech in the RECORD because John R. Blandford, the chief counsel of my committee, is a recipient of this award.

It has been well said that no man is indispensable; however, Russ Blandford approaches this ideal so closely that I find it hard to imagine the Armed Services Committee operating without him. Certainly, its efficiency and effectiveness would be vastly diminished were he not here.

Russ Blandford, in his many years of service, has acquired an immense knowledge of our Nation's military structure. I think it is safe to say that he knows more about the armed services than anyone in the Pentagon—or anywhere else around Washington.

He has always shown a tremendous energy for his work. He has given without hesitation of what should have been his own time. His hours are long and run from dawn to dark every day. Yet, with all this burden, he never fails to find time to help every member of the committee, whether he be Democrat or Republican, senior member or freshman.

With all of this, he has remained quietly behind the scenes, often unnoticed and unrewarded while the glory went to others. Because of this, I was especially pleased to find that he was to receive a Rockefeller Public Service Award. No one deserved it more.

Secretary Fowler's speech, which further explains the principle of these awards, follows:

EXCELLENCE IN THE NATIONAL PUBLIC SERVICE

We are here today to honor five persons whose excellence in the national public service is being recognized with Rockefeller Public Service Awards.

The Rockefeller Public Service Awards are often regarded as the highest privately sustained honors bestowed on persons in the Federal career service. Each year since 1960, as you know, awards have been made to outstanding men and women in each of five categories: administration; foreign affairs or international operations; general welfare or national resources; law, legislation, or regulation; and science, technology, or engineering.

Conceived and established by John D. Rockefeller, III and administered by Princeton University, the awards are designed to strengthen the public service and improve the public image of government by recognizing distinguished career civilian public servants. The awards inspire the recipients to carry on their public service with renewed dedication and inspire others in the career service to elevate their goals and seek outstanding achievement.

It is a privilege for me to be here today and to have this opportunity to extend my sincere congratulations to these recipients. They are among the finest examples of the excellence which typifies the personnel of the United States Government.

I am particularly pleased to have this opportunity today for two reasons.

First—and I hope no one will think this is a self-serving comment—I believe that the rewards of public service in the United States are not commensurate with the importance of that service. I do not mean that in any narrow sense but rather in a very broad sense: the high quality of the men and women who serve their government and the crucial responsibilities which they carry for the rest of our nation are imperfectly recognized and understood by the nation at large.

My second reason flows from the first: it is impossible to overestimate the importance of maintaining and improving the quality of the men and women who constitute the public service of the United States. We could expose ourselves to no greater hazard than to fail to continue to attract and keep intelligent, imaginative, energetic, and courageous people in our public service.

Let me quote briefly to you from the 1965 Annual Report of the National Institute of Public Affairs:

"A people has the kind of government it earns. If the conditions of providing good government are not met, the bad government that results will be well deserved.

"The quality of government is set by many things, but none is now more important than the character of its leaders. In the large, dynamic, complex society advanced technology makes possible, these men and women are the critical factor in determining what government shall do and how well, at the same time that government, itself, necessarily assumes greater significance in shaping the common life. For better or worse, these few are charged with the well-being of the many, and the people are soundly advised to ensure the better by encouraging talent, understanding, virtue and dedication in those who lead."

Throughout its lifetime our nation has been well served by those who have entered its public service. This has been true not only of our Presidents, who have invariably emerged as forceful leaders in times of national crises, but also of the many others at every level and in every field of activity who have helped to make the wheels of government turn effectively.

But the prospect—and hence the responsibility today—is different from that of the past. The primary issue today is not of the order either of survival in and recovery from economic depression or victory in global warfare. In President Johnson's words:

"The issue for this generation is a different kind. It has to do with the obligations of power in the world for a society that strives, despite its worst flaws, always to be just and humane."

I suggest that mobilization of public leadership is the first obligation of this well motivated power in the mid-twentieth century world of rising expectations, of almost unlimited peril, and of unparalleled opportunity.

It is vital to any nation how well it performs that task, and sometimes the success or failure of a country with less than global responsibilities to bring forth high quality leadership affects the fate of other countries.

But the responsibility has fallen to the United States not only to be faithful in our pursuit of the American vision of a Great Society at the State, local and national level but also to be vigorous in extending that vision throughout the world. In a very real sense, how well we meet the requirements of leadership will determine the course of world history in the year ahead.

Uninvited as that responsibility is, we have no practical alternative but to recognize it and accept it and to carry out the obligation as best we can.

To do so, we must have a strong and effective national government.

We must also have—especially in our ever more urbanized nation—viable and capable State and local governments.

Further, we must have a vigorous private sector which serves as the foundation of all our governmental activities and is, in turn sustained by those activities.

Today, and in the years ahead, meeting those needs will require of all Americans, whatever their personal concerns and private pursuits, a very real and deep involvement in the public life and public affairs of this nation, both at home and abroad. For both the nation and the world have grown too small—and the stakes have become too high—to allow any of us to live for very long in easy and unconcerned isolation.

Issues and events that once could have been safely confined to one city, or one region, or one country, now involve us all because they now affect us all.

Inevitably, they involve all the institutions that represent our public interest and express our public will—primarily our institutions of government at all levels, in our cities and communities, in our states, and on the national level.

For as public problems have grown, so has public power—and there is no more important and imposing challenge than the prudent, intelligent, and creative use of public power in furthering our quest for the kind of society here at home and the kind of world at large in which men can best live a full and free life.

To meet that challenge will require that we engage our ablest and most imaginative minds at all levels of public service—in elective office, in the key appointive posts, and in the career administrative service.

To meet that challenge will require our colleges and universities, our secondary educational system, our parents, our leaders in public and private life—all individually and together—to ask themselves continually whether we are doing all we can to assure that we have available for public service a sufficient number of our ablest and best trained citizens.

Perhaps in the past we have seen public service too much in terms of individual opportunity and not enough in terms of broad public interest. Public service is indeed stimulating and satisfying to most of those who are deeply engaged in it. If its monetary rewards and those of recognition by fellow citizens are limited, the satisfactions of a role, however great or small, in worthwhile endeavors and sometimes great events—of being "where the action is," if you will—are frequently greater.

It is up to each individual ultimately to determine his own future and on an individual basis there has been a strong flow of talented people to public service over the years. But in our highly organized society the competition for talent is keen and grows ever keener. It is time to recognize clearly that there is a high priority public interest in strengthening the hands of government in the competition for talent and in fostering the development of technical, administrative and leadership potential in the public service to the highest degree attainable.

There is a sharpening, if imperfect, perception of this fact today at all levels of government. Yet action to meet this need has lagged. To quote again from the Annual Report of the National Institute of Public Affairs:

"In a few situations, major efforts are made to identify talented persons and systematically open to them appropriate development opportunities, ranging from rotation to new positions where they will be challenged to learn, through involvement in short-term training and educational programs, to occasions for returning to universities for substantial periods of study. On the whole, however, far too little is done even where the need is clearly seen. Limited staffs and budgets in the face of large tasks impose a stern discipline on government agencies, forcing attention to today's problems rather than tomorrow's. As with all disciplines, some of this is healthy and too much self-defeating."

I must note here that the Institute itself sponsors an excellent Career Education Award Program. Just as the awards which bring us together today recognize talent and achievement at high levels in the Federal government, the Career Education Awards recognize talent and achievement at another level and seek to foster them by providing further educational opportunities to career men and women in public service who have the potential for high-level policy and management positions.

One of the most hopeful developments in this field began with a statement by President Johnson last May at Princeton University. He said, and I quote:

"I have asked Chairman John Macy of the Civil Service Commission to head a task force which will survey Federal programs for career advancement. I have asked him to study an expanded program of graduate training which, with the help of the universities, can enlarge our efforts to develop the talents and broaden the horizons of our career officers.

"I also intend next year to recommend to Congress a program expanding opportunities for those who wish to train for the public service. . . ."

I am making no effort to catalog the proposals and attempts to sustain and improve the quality of our people in public service. I simply want to note that there has been quite a number of them, particularly in the last two decades, and to stress that there are still great gaps in our efforts.

One proposal which has been discussed for a number of years is to establish a staff college or a Federal Executive Institute for the most promising high-level civil servants. Its purpose would be to provide a continuing, federally-financed educational institution for career officials whose experience and performance indicate they are good investments.

I believe this approach to the centralized higher education of public servants after employment is more practical and more desirable than centralized training before employment at a Public Service Academy comparable to the French National School of Administration.

One of our great strengths as a nation is our diversity. Our Federal government must cover a range as great as the outside world. A single institution for specialized training before employment in the Federal service simply could not, in my opinion, satisfy the demand.

I believe that as another alternative to the single academy approach to the training of potential public servants, we should encourage a more pluralistic approach: the development of a number of rigorous programs designed to meet the nation's primary needs in several broad but interrelated areas.

Also, both the government and the private sector gain from our custom of drawing top-level public officials from outside sources, often recalling the same individual several times. This custom has served our nation well in the past and continues to provide many of our best high-level officials.

We should encourage more qualified men and women in private life to interrupt their careers to serve in government operating roles as well as consultant and advisory positions on a short term basis.

The need and the opportunity for this cross-fertilization exist at all levels of government—not only the Federal. In fact, we should encourage much more movement than currently exists between the Federal and the State and local levels.

This leads me to a very important point which needs increasing emphasis: we must not let the high priority we naturally and correctly assign to the needs of the Federal government obscure the needs of our state and local governments, which in some respects at least, must be rated as even greater than those here in Washington.

The very fine study of the Committee for Economic Development, entitled, *Modernizing Local Government*, has recently underlined this need and outlined proposals for helping to meet it.

In the words of the report, "local governments have a continuing need to attract, retain, and develop competent personnel . . . Nationwide there is a serious shortage—sometimes described as 'desperate'—of well-qualified personnel available for service at local levels."

The same could be said with equal accuracy about state governments.

The problem of high quality personnel in sufficient numbers at the state and local levels stemming from the rapid growth in their scope and responsibilities associated with rapid urbanization is intensified by one aspect of our Federal system which can easily be overlooked. This is the time honored and highly effective system of Federal and state grants. These are sometimes conditional on professional or merit-system staffing. In any case, by thrusting greater responsibility on both the state and local governments, the grant system widens the gap between supply and demand of highly qualified public servants at these levels.

Some of this need could be met with Federal assistance, and indeed there have been proposals for grant funds for that purpose, notably those by Senator Muskie in legislation he sponsored during the last session of the Congress.

I am pleased to be able to say that the Treasury has opened its training courses in tax administration to state and local personnel. We sponsored legislation in 1962 to permit state and local tax officials to enroll in the various training classes of the Internal Revenue Service. In addition, the Service provides the states with training materials and correspondence courses. A number of other Federal agencies offer training to state and local government employees.

The order of magnitude of the need of state and local governments may be seen from the Manpower Report which the President sent to the Congress last March. Federal, state, and local government personnel totalled more than 10 million in 1965. State and local government accounted for 7,667,000 of those employees.

The growth in state and local personnel from 1964 to 1965 was more than 400,000, or 5.8 percent.

The Report commented: "In the public sector, employment expanded substantially. As in most recent years, practically all of this growth (over 90 percent) was in state and local governments. Federal employment has grown only slightly during the past 5 years, rising by less than 1 percent per annum."

Let me turn briefly away from our internal needs just long enough to suggest the needs generated in the developing world by that revolution of rising expectations of which I spoke some minutes ago.

The economic demands of industrializing and urbanizing societies are rapidly making ancient political patterns obsolete. But while wants and material needs rush ahead, too often society and political structures remain stubbornly implanted in a bygone era.

A vast river system in Asia lies unutilized because the political cooperation necessary to its development is not forthcoming. And yet that river is the potential source of an entire region's advancement from a medieval to a modern economy.

Thousands of Latin Americans live out their lives in poverty and disease because their homes are inaccessible—isolated from the 20th century by lack of transportation and communication systems which we in the Northern Hemisphere take for granted.

As Secretary McNamara noted in a speech this year, over one-half the world's population by the year 1970 will live in the independent nations sweeping across the southern half of the planet. But this hungering half of the human race will by then command only one-sixth of the world's total of goods and services.

By the year 1975, the dependent children of these nations alone—children under 15 years of age—will equal the *total* population of the developed nations to the north.

These are facts which our State Department and Agency for International Development, the international financial institutions, and the United Nations must live with constantly. They meet the problems being generated in the developing world every day.

No one would suggest that these problems could be solved by qualified people alone. But the satisfaction of the future need for qualified public servants, American and international, to assist the less fortunate majority of the world's people is essential to this formidable task. The clearly discernible needs are already staggering. What may the needs be 10 years from now—or 20?

Certainly there has never been a more difficult but exciting time in history to participate in national public service. Even within the last decade we have entered new and ever more challenging fields, both nationally and internationally.

And government service is a challenge. Not only the ambitious programs we have undertaken in the 1960s but the fact that more able men and women are being attracted to national public service than ever before bear out this fact. We are attacking some of mankind's oldest problems, and we are drawing on the best talent of the nation to plan and guide our policies.

Each new venture represents a concerted effort to cope with the increasingly demanding problems of the Twentieth Century.

The mammoth problems of public administration in our urban and suburban areas involve housing, education, transportation, sanitation, motivation—all the facets of modern life. In the closely related spheres of health, education, and welfare we seek no less than the eradication of disease, ignorance, and poverty.

The economic and financial sphere encompasses both domestic and international issues. Sustaining our economic growth through appropriate fiscal and monetary policy, management of our national debt, finding solutions to our balance of payments problems and developing a viable international monetary system are just some of the major challenges we face.

We face problems of tremendous complexity and impact on the world we live in. They are some of the most significant and difficult riddles of our time. Grappling with these issues is exhilarating. The thrill and fascination of helping to weave the fabric of history is undeniable.

It is my conviction that one of the greatest attributes of public service is the privilege of being an active participant in one's times. To paraphrase a friend of mine, it is the thrill of "painting on a very large canvas," even if with "a very small brush." These days no one can question this attraction of public service.

Certainly that is one of the prime factors which lead men and women to enter public life. There are others.

The question is: are they enough? Can we insure that we will always have enough men and women of talent and initiative and courage and imagination in our public service?

Can we insure that there will always be men and women in government in sufficient numbers such as those we are honoring today?

The answer, of course, is that it is not an insurable matter. We can only try to make sure. But our recognition of the need is a beginning. If we honor our public service while we demand the best of it, we will surely not fall short of what our times—present and future—demand of us.

Co-ops and the War on Hunger

EXTENSION OF REMARKS

OF

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 13, 1967

Mr. FRASER. Mr. Speaker, it was my pleasure on February 7 to share the platform at the International Development Conference with the Secretary of Agriculture, Orville L. Freeman.

In his speech, Mr. Freeman began with a brief discussion of Presidential messages dealing with the world's food crisis. The race between food supply and population is now being lost, he pointed out. But, he added:

> There really is *no* convincing reason why the developing countries cannot increase their food and fiber production to required capacity and have enough to spare, in the years to come, to contribute—through trade and non-trade employment—to general economic development.

Then the Secretary went on to describe what cooperatives have done and can do in winning the war on hunger. He quoted a statement by the President:

> The War on Hunger is too big for governments alone. Victory cannot come unless businessmen, universities, foundations, voluntary agencies, and *cooperatives* join the battle.

Along with other speakers at the conference, Mr. Freeman commemorated the 5th anniversary of the Humphrey amendment to the Foreign Assistance Act. Vice President HUMPHREY, then the senior Senator from Minnesota, called for new emphasis on cooperatives in the organizational structure of the Agency for International Development.

I endorse the Secretary's suggestion that the anniversary is an appropriate time to assess the progress made under the Humphrey amendment. He said:

> I suggest to you then, that you consider the possibility of an international conference to explore fully, and assess fairly, the efforts to raise the living standards of two billion people overseas through private voluntary organizations modeled after the credit unions, cooperatives, and savings and loan associations of our own and other developed nations.

Mr. Speaker, the Secretary made a number of other observations that deserve the attention of every Member of this House. I include the text of his remarks in the CONGRESSIONAL RECORD:

Most of you, I'm sure, sense the same disturbing paradox I sense whenever I enjoy a meal such as this, in surroundings as pleasant as this.

Half the people in this world of more than 3 billion souls have never had a satisfying, fully nutritious meal.

This, I know everyone here agrees, is a sad commentary on civilization in this soon-to-be 21st Century.

To be sure, this is nothing new. Such has been the case throughout history. What is new is the fact that it need no longer be the case. Today, for the first time in history, we have the scientific and technological knowledge and techniques to banish hunger from the earth.

The big question is not whether we *can* mobilize and use this . . . but *will* we?

WEAPONS BEING MOBILIZED

I believe we will. I believe this because conferences such as this are being held. I believe it because all of you and many more around the world are dedicated to this cause. I believe it because the President of the United States recently made another ringing declaration of War on Hunger . . . and because, under his leadership, we are beginning to mobilize the weapons to win that war here at home and around the world.

I brought with me today two powerful and perceptive messages to the Congress from the President of the United States.

Last February, President Johnson delivered a powerful and significant *Food for Freedom* message. On Wednesday of last week, he followed this up with an inspiring call to action, a call directed to the entire world as much as it was to India, the Congress, and the American people.

I urge you to study these messages carefully . . . and to use them. They can be potent incentives in recruiting troops and supplies and material for the War on Hunger.

Let me take a few minutes to review these messages with you. Then—consistent with the special theme of this occasion—permit me to examine briefly what cooperatives have done and can do in winning this crucial war.

First of all, both Presidential messages emphasize the dimensions of the world food problem.

CLEARLY CRUCIAL PROBLEM

Moreover, the President also made the crucial nature of this problem dramatically clear in his recent State of the Union message when he declared:

"Next to the pursuit of peace, the really great challenge to the human family is the race between food supply and population increase. That race tonight is being lost."

It is being lost. And it *will* be lost unless we mobilize every tool, technique, and talent—in the developing as well as the developed world—to reverse the trend and win that race.

All of you, I'm sure, are familiar with the basic causes of the world food problem.

World food production is *not* keeping pace with the exploding demand for food triggered by population expansion and rising levels of consumer income.

While world population is increasing by more than a million people a week . . . world food output per capita is steadily falling behind.

Adding to the food-population crisis is the grim fact that the population explosion is taking place, for the most part, in the very developing countries least able to cope with it.

These nations are increasing their population by some 3 percent a year. Their population will double within a generation . . . and multiply 18 times within a century . . . unless effective control measures are instituted now.

EXPLODING FOOD DEMAND

Sheer growth in numbers of people constitutes the major cause of the exploding demand for food. But there is another. Expectations and incomes are rising at the same time—not only in the rich nations, but also in many of the poorer countries.

This combination of factors has created a demand which the world's farmers currently are failing to meet. For the past 6 years the world's people have been eating *more* than the world's farmers were producing.

The margin was provided by surplus stocks of grain built up in the preceding 8 years. But since 1961 stocks have declined about 14 million tons a year, and today there are no real surpluses of any major commodity in the world. The world has chewed up its surpluses.

In the U.S. surpluses are gone . . . today we have no more than working reserves. In a new effort to meet rising demand, we are bringing back into production about half the land that was idled during the surplus period.

Conceivably we could open the flood gates of total American food production and send additional shiploads of food aid abroad. There are two reasons, however, why this is not practical. In the first place, immediate return to full production would glut the market beyond effective *immediate* demand. This, in turn, would hurt our farmers and our whole economy. We have learned the hard way that surpluses depress farm prices and reduce farm income.

TEMPORARY EASING

In the second place, all-out production still would provide only temporary easing of the world food problem. The hard fact is that all of the production of all the acres of all the developed nations will not be able to meet world food needs much longer. In the next 15 years, the world will add another billion people. Even doing our best, we could feed only part of them.

Most of these people eventually will have to feed themselves in order to survive. This is the paramount, overriding fact which inspired President Johnson's Food for Freedom program.

This program, under which we combine food assistance with development assistance, not only asks—but expects—recipient countries to do *more*, much more, in their *own* behalf.

Incentive is built into the program for a purpose. Food for Freedom clearly states that as we help combat hunger and malnutrition and encourage economic development, we will give particular attention to those countries demonstrating a determination to improve themselves. Self-help is the key to winning the war on hunger.

But the U.S. cannot do the job alone. And this was the thrust of the President's message on India last week. He made it clear that the first obligation of the entire community of man is to provide food for all of its members . . . that no single nation could be expected to do it alone.

He pointed the way to a sustained international effort. And he made recommendations that went beyond the perimeters of the immediate Indian crisis. He said we shall continue to press for appropriate action on multilateral fronts to meet the challenge of the War on Hunger. He said we shall continue to encourage private capital and technology in this effort. He said we shall press for the early creation of the guarantee fund to encourage private investment in the agricultural industries of developing nations. And he said we stand ready to implement the application of science to the problems of food production.

NATIONAL WILL REQUIRED

But none of these steps, he concluded, can be as important as the very first requirement—a national will on the part of the hungry nations to help themselves.

In this way, the President challenged the American people, the developed nations, and the developing nations, themselves, to march together in the War on Hunger. It will be a tough war . . . a grim war. But increasing awareness of the magnitude of the problem, and continuing advances in the knowledge needed to bring forth two and three times more yield from the same land, give us reason for hope . . . and even cautious optimism.

There really is *no* convincing reason why the developing countries *cannot* increase their food and fiber production to required capacity and have enough *to spare*, in the years to come, to contribute—through trade and nontrade employment—to general economic development.

The challenge, then, is more than the physical capacity to produce food; it becomes an institutional one as well. How can we develop the pattern of relationships and social and economic institutions that will make it possible to apply in growing measure the technical and scientific skills we have today? Studies and research involving social and economic factors, political relationships and administrative organizations as they affect agricultural development are fully as important as scientific studies of plants, animals and soils. If we can learn more about what kinds of policies and programs make for greatest success under varying conditions, we can progress more rapidly toward our goal.

Here is where cooperatives come into the picture, for they are, first of all, economic institutions built by people to improve their own economic circumstances.

STRUCTURAL FIBERS

But they are much more. They are bound with the very fibers needed to weave stronger social and governmental structures. These fibers are:

Democratic organization—growing out of member control.

Leadership—emerging from the opportunities and responsibilities members and directors must assume for sound cooperative operation.

Self-reliance—built out of the opportunity *to do things for themselves as well as from* the experience of doing them.

These elements, vital to any effective association of free and independent men, are translatable from cooperatives to the task of building stronger, freer countries.

Cooperatives have another thing going for them in these countries. *They are warmly* accepted by any freedom-loving people. They form a bond between cooperatives in developed and developing nations . . . and a bridge over which social and economic benefits can pass.

Cooperatives also have a common ancestry throughout the world. They were fathered *to solve an urgent problem* . . . and meet an urgent need.

SMUGNESS UNWARRANTED

We sometimes grow a little smug about where we are today with our U.S. cooperatives. We forget what it was like earlier in this century as rural people began to build their own cooperative structures—often by trial and error and bitter experience.

Co-ops had to win a place for themselves in Government and in society. It was just 50 years ago—in 1917—that the forerunner of our cooperative credit system began with the start of the first Federal Land Bank. And it was not until 1922 that the Capper-Volstead Act made clear the rights of farmers to organize into cooperatives. Four years later, the Cooperative Marketing Act made it official that the USDA provide specific help to cooperatives—help still being provided 40 years later through the Farmer Cooperative Service.

Cooperative efforts overseas have a far briefer history.

As recently as 1961, not a single person or a specific office had an official assignment to work with cooperatives under the Federal Government's foreign assistance program. Today, the Agency for International Development in the State Department has a special International Cooperative Development Service that spearheads developing co-ops in more than 50 countries.

There are 10 organizations with major AID contracts to help generate overseas co-op development—the organizations represented in the sponsorship of this conference. The Department of Agriculture, other government agencies, and many colleges and universities also have people hard at work developing cooperatives in the far reaches of the world.

We here today know that it was the Humphrey Amendment to the Foreign Assistance Act that brought on this rapid rise in cooperative emphasis. This measure often has been called the official key that opened the door to helping the developing nations build cooperative institutions.

EMPHASIS ON CO-OPS

It was the voice of Vice President Hubert H. Humphrey, then Senator from Minnesota, that called for the adoption of this amendment. He urged a new emphasis on cooperatives in AID's organization structure, saying—"People's groups, working together through cooperatives, can be seed centers which will nourish and support democratic government."

The Humphrey Amendment is a mandate from Congress calling for the use of the resources of cooperatives, credit unions, savings and loan associations, in our foreign assistance program. Its purpose is to develop similar institutions and stimulate democratic processes in the developing countries.

Under the terms of the Humphrey Amendment, people who know and helped build our own cooperatives are working overseas to involve communities and groups of people in:

Expanding agricultural credit to small farmers.

Extending electricity to rural areas.

Organizing and operating marketing and purchasing cooperatives.

Starting housing cooperatives.

Unraveling tangled laws.

Carrying on educational work with leaders and members.

AID reports that it has been or is involved in one way or another with 40,000 cooperatives that have 16 million family members . . . and that it has committed about $50 million for technical help.

BASIC PATTERN

This cooperative program is helping people in economically barren lands build for themselves a basic, self-help institutional pattern, and from this pattern they are casting the dies for their future.

The partnership of U.S. cooperatives and Government with leadership in the developing countries is helping give hope to both the yearning and the hungering half of the human race.

But cooperatives also help develop the physical resources needed to put food in the mouths of the hungry. Seeing how it is done in this country provides ideas which others can then apply in their own lands.

In our country, many of our early co-ops started so farmers could obtain better seeds and proper fertilizer, two basic steps in multiplying yields.

And many of the early U.S. cooperatives built the marketing bridge from the farm to the consumer with a two-way benefit—a place for the farmer to sell if he produced more, and food for the consumer at the place where he could buy it.

Farmers in this country have found ways to obtain the capital they need to produce their great abundance. Among these, is the cooperative credit system. Bonds sold through this system draw on the nation's money markets for money to lend to farmers and to their cooperatives.

Concepts and ideas on this order were pioneered overseas by some of the co-op groups sponsoring this conference even before the official congressional blessing of the Humphrey Amendment.

The work of the Cooperative League in India during the 1950's is but one example. The League's men pioneered the importing of their co-op experience to cooperatives in developing countries. CUNA International long has shared its experience with the people of other countries as they develop their own credit unions.

ISLANDS OF HOPE

President Johnson has referred to cooperatives as islands of economic hope. The partnership under the Humphrey Amendment seeks to bring to the other half of the world—the hungering and yearning half—the hard-won experience of U.S. cooperative leadership in order to multiply those islands.

This is a real, working partnership; one in which the Department is proud to participate with AID and the cooperatives. Rumors of bureaucratic jurisdictional struggles have a discouraging way of popping up in news columns, while "good news" stories, stories that report solid, effective inter-agency or inter-departmental relations and cooperation frequently go unnoticed.

I'm thinking now of one such story—the story of how excellent working relations have combined resources and talents across the government to reach a common objective in the cooperative development program.

As one example, USDA provides the meeting place for a monthly luncheon for AID representatives, cooperative contractors, its own staff, and others involved in cooperative activity. This luncheon affords an excellent opportunity to exchange ideas and develop closer coordination.

AID and the Department of Agriculture together work out programs and plans to help people in developing nations use cooperatives to build their economies. AID then provides the financing to help us sent trained men overseas from the USDA, from the Land Grant colleges, and from the co-ops themselves.

We now have many such cooperative-trained people at work abroad, and soon will have even more, particularly in Vietnam and other crisis areas.

CO-OPS IN LATIN AMERICA

Let me give you an example of how we approach this part of our job. Farmer Cooperative Service, the USDA agency with a 40-year history of research and education in cooperatives, now has six men in Brazil and Paraguay, and more soon to go. One of their big jobs is to help train the co-op leaders in these countries so that they, in turn, can train others. Plans are now well along to open two training schools for cooperative management people in Brazil.

Our cooperative advisor in Paraguay, working with the Ministry of Agriculture, has helped develop a poultry cooperative and a dairy cooperative in Asuncion, the capital city of that country.

Recently, these two cooperatives agreed to establish a jointly owned feed mill. Each, working through our FCS representatives in Paraguay, is sending two representatives to the United States for special training in feed manufacturing. FCS is helping to develop this training program. When these men return to their country, our representative there will work with them to establish a sound, efficient mill operation.

The Department of Agriculture provides backup help, educational materials, and special assistance of many kinds for its own staff and for other cooperative specialists overseas. Many U.S. cooperative contractors draw on the Department for information.

Each year we welcome to the Department hundreds of people from overseas who come here to learn about cooperatives. Last year there were more than a thousand. The Farmer Cooperative Service worked with more than 700 of these people, and the Rural Electrification Administration with 300. We also helped them to schedule visits with U.S. cooperative people who counseled with them about co-ops and co-op programs.

INTERNATIONAL CO-OP TRAINING

Many of these people go to the International Cooperative Training Center in Madison, Wisconsin, to get intensive training in cooperatives.

We all know cooperatives have done great things for the United States. And we all are encouraged that strong beginnings have been made in the less developed areas of the world.

But these are but beginnings. Now it is up to us to give vigorous and determined help to these early-stage cooperatives if their members are to accomplish in 15 years what it took us 100 years to do. For 15 years, we must remember, may be all the margin we have in which to turn the tide in the War on Hunger.

Thus, we can't waste our resources. We can't waste our people. We can't waste our time. We must move swiftly, for we have much to accomplish in too few years.

HARD QUESTIONS

It is timely, then, to ask ourselves some hard questions.

Can cooperatives really act as an institutional bridge between Government agencies in developing countries and the farmers?

Will the governments need to work down from their own structure in some areas, using a kind of "prefabricated cooperative pattern" which will drop local co-ops into desired places?

Since lack of capital is one of the biggest problems in developing countries, where will the money come from to do these things?

Where do you find the people to run the co-ops? And if you can find them, how do you train them?

Do we have men knowledgeable in cooperatives located in strategic places in the developing countries?

Do we have co-op specialists in our embassies abroad?

These, I think, are some of the questions we should be asking.

And, along with these questions, we should be asking if our efforts overseas have measured up to the high hopes of the Humphrey Amendment. Have we done all we can? Have we used our funds wisely?

It occurs to me that—without pausing in our efforts to use cooperatives, credit unions, and other private, voluntary organizations to help people overseas live better lives—this fifth anniversary of the Humphrey Amendment is an appropriate time to assess our progress thus far.

But such an assessment, I would think really should include the views of the domestic leaders of these self-help ventures—the leaders of the new cooperatives in Africa, Latin America, and southeast Asia. And it should include the views of others, who, just as we, are engaged in technical assistance to these developing nations—the leaders of cooperatives in Sweden, Denmark, Switzerland, the Netherlands, and Japan.

INTERNATIONAL CONFERENCE

I suggest to you then, that you consider the possibility of an international conference to explore fully, and assess fairly, the efforts to raise the living standards of two billion people overseas through private voluntary organizations modeled after the credit unions, cooperatives, and savings and loan associations of our own and other developed nations.

This anniversary is an appropriate time to look forward to such a session.

As the race between people and food production reaches the far turn in the next few years, the developed nations will have to invest more talent, more technology, and more hard cash if this crucial race we are all engaged in is to be won.

Let us never forget that governments alone cannot win it.

President Johnson made this clear last week when he said:

"The War on Hunger is too big for governments alone. Victory cannot come unless businessmen, universities, foundations, voluntary agencies, *and cooperatives* join the battle."

There is our challenge. Cooperatives have a most important part to play in meeting it.

SENATE

WEDNESDAY, FEBRUARY 15, 1967

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father God, in whose love and wisdom lie all our hope, we thank Thee for life's loveliness that cannot be shattered nor blighted by all the venomous hate and envy which so sorely set Thy human family in contending camps. Even as today's discords bombard our ears, we are grateful for friendships which withstand all tests, for music which gives wings to our drooping spirits, for truth which breaks the shackles of error, and for human beacons of righteousness where Thou dost show sufficient of Thy light for us in the dark to rise by.

As we bow now at this shrine of Thy grace, we know in very truth that we cannot live by bread alone, and that our spirits must have an escape into that higher realm, measured not by clocks nor calendars.

Make real to us that kingdom whose radiant verities are its faith, its ideals, its visions which shine on the far horizons, and its aspirations that lay hold of God and goodness without alloy.

We lift our prayer in the name of the Perfect One who is our light. Amen.

THE JOURNAL

On request of Mr. LONG of Louisiana, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, February 9, 1967, and Monday, February 13, 1967, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries.

FIRST ANNUAL REPORT OF THE NATIONAL ENDOWMENT FOR THE ARTS—MESSAGE FROM THE PRESIDENT

The VICE PRESIDENT. The Chair lays before the Senate a message from the President of the United States, transmitting the first annual report of the National Endowment for the Arts. Without objection, the message will be printed in the RECORD, without being read, and appropriately referred.

The message was referred to the Committee on Labor and Public Welfare, as follows:

To the Congress of the United States:

I am pleased to transmit the First Annual Report of the National Endowment for the Arts.

During its first year, the endowment sponsored a great variety of projects to assist the arts in assuming their deserved place in American life.

It created new opportunities for novelists, poets, painters, sculptors, composers, and students in the arts.

It assisted 50 States in developing cultural resources, programs, and facilities. Thirty-three State agencies for the arts have been established. New methods of bringing the arts to rural communities have been explored.

Plans have also been made for programs which will permit greater assistance to a wide variety of artistic endeavor; increased artistic exchanges between Latin America and the United States, particularly in the field of creative writing; nationwide tours of the American Ballet Theater and other artistic groups which will foster greater appreciation of the arts; the development of educational programs to heighten understanding of the arts among disadvantaged children.

Much of the early success of the endowment can be traced to bipartisan support for its authorizing legislation, and to the wisdom of the Congress in requiring State and private participation in its programs.

We cannot expect massive Federal support to create great art, any more than massive defense programs can be expected to create individual courage. On signing the arts and humanities bill in 1965, I reminded its supporters that "to produce true and lasting results, our States and municipalities, our schools, and great private foundations, must join forces with us. It is in the neighborhoods of each community that a nation's art is born. In countless American towns there live thousands of obscure and unknown talents. What this bill does is to bring active support to this great national asset, to make fresher the winds of art in this great land of ours.

What the arts endowment has sought to do, in its first year, is to improve the climate in which creative talent works and to extend and inform its audience.

This report is evidence that it has begun to achieve that goal. Those who believe that the quality and appreciation of art is one test of a nation's maturity and greatness will take heart from this report. It is with pleasure that I commend it to your attention.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *February 15, 1967.*

FIRST ANNUAL REPORT OF THE NATIONAL ENDOWMENT FOR THE HUMANITIES—MESSAGE FROM THE PRESIDENT

The VICE PRESIDENT. The Chair lays before the Senate a message from the President of the United States, transmitting the First Annual Report of the National Endowment for the Humanities. Without objection, the message will be printed in the RECORD, without being read, and appropriately referred.

The message was referred to the Committee on Labor and Public Welfare, as follows:

To the Congress of the United States:

I am pleased to transmit the First Annual Report of the National Endowment for the Humanities. This report, together with the annual report of the National Endowment for the Arts, are truly significant documents. They record a pioneering Federal effort to enrich the cultural and human quality of American life.

The National Endowment for the Humanities was established to support exploration into the nature of man and his culture and to deepen understanding of the goals of human activity. The first year's activities have been devoted to developing plans to strengthen scholarship and teaching in the humanities and to foster greater public appreciation and understanding of the humanities.

These plans provide the basis for programs which will increase the number of outstanding scholars in the humanities through annual fellowship awards to some 350 individuals—both promising and established scholars; heighten public understanding of the humanities through improvements in education in the school, in the home, and in the community; support research in specific fields to expand the range to our knowledge; enable American scholars to make a greater contribution to the exchange of knowledge essential to international understanding.

More than 100 outstanding educators and scholars have advised the endowment in the development of these programs. The views of these and other great humanists will be sought as plans for subsequent years are developed.

I am satisfied that the National Endowment for the Humanities has established a firm foundation for extending the boundaries of our understanding. It is with great satisfaction that I now submit to you this record of its achievement.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *February 15, 1967.*

REPORT OF CIVIL SERVICE COMMISSION RELATING TO TRAINING OF CERTAIN GOVERNMENT EMPLOYEES—MESSAGE FROM THE PRESIDENT

The VICE PRESIDENT. The Chair lays before the Senate a message from the President of the United States transmitting a report of the Civil Service Commission relating to training of certain Government employees. Without objection, the message will be printed in the RECORD, without being read, and will be appropriately referred.

The message was referred to the Committee on Post Office and Civil Service, as follows:

To the Congress of the United States:

As required by the Government Employees Training Act of 1958 (5 U.S.C. 1308(b)), I am transmitting the report of the Civil Service Commission concerning Government employees who, during fiscal year 1966, received training in non-Government facilities for more than 120 days and Government employees who participated in training in non-Government facilities as a result of receiving an award or contribution.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *February 13, 1967*.

EXECUTIVE MESSAGES REFERRED; WITHDRAWAL OF NAMES

As in executive session,

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing the nominations of Russell G. Coster to be postmaster at West Jordan, Utah, and Robert L. McKelvey to be postmaster at Keithsburg, Ill., which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, informed the Senate that, pursuant to the provisions of section 1, Public Law 523, 78th Congress, the Speaker had appointed Mr. TEAGUE of Texas, Mr. LONG of Maryland, and Mr. DON H. CLAUSEN, of California, as members of the National Memorial Stadium Commission, on the part of the House.

The message also informed the Senate that, pursuant to the provisions of section 5, Public Law 420, 83d Congress, the Speaker had appointed Mr. CAREY, of New York, and Mr. NELSEN, of Minnesota, as members of the Board of Directors of Gallaudet College, on the part of the House.

NO LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that, during the transaction of morning business, Senators may consume such time as they may require in making statements.

The VICE PRESIDENT. Is there objection to the request of the Senator from Louisiana? The Chair hears none, and it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

Report of Federal Crop Insurance Corporation

A letter from the Under Secretary of Agriculture, transmitting, pursuant to law, a report of the Federal Crop Insurance Corporation, for the year 1966 (with an accompanying report); to the Committee on Agriculture and Forestry.

Report on Reapportionment of Appropriations

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that certain appropriations have been apportioned on a basis which indicates the necessity for supplemental estimates of appropriations (with accompanying papers); to the Committee on Appropriations.

Report on Overobligation of an Appropriation

A letter from the Administrator of Veterans' Affairs, Veterans' Administration, Washington, D.C., reporting, pursuant to law, on the overobligation of an appropriation in that Administration; to the Committee on Appropriations.

Report on Increase of Cost of Construction of Parking Apron Addition, Kelly Air Force Base, Tex.

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), reporting, pursuant to law, that there has been an increase in the estimate of cost of construction of the parking apron addition, at Kelly Air Force Base, Tex.; to the Committee on Armed Services.

Report on Research and Development Procurement Action

A letter from the Deputy Chief of Naval Material (Procurement), transmitting, pursuant to law, a report on research and development procurement actions of $50,000 and over, for the 6-month period ended December 31, 1966 (with an accompanying report); to the Committee on Armed Services.

Procurement of Vessels and Aircraft and Construction of Shore and Offshore Establishments for the Coast Guard

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard (with accompanying papers); to the Committee on Commerce.

District of Columbia Federal Payment Authorization and Borrowing Authority Act of 1967

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting a draft of proposed legislation to provide or computing the annual Federal payment authorization for the District of Columbia, and establishing a method for computing the annual borrowing authority for the general fund of the District of Columbia (with an accompanying paper); to the Committee on the District of Columbia.

Amendment of District of Columbia Police and Firemen's Salary Act of 1958

A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to amend the District of Columbia Police and Firemen's Salary Act of 1958 to increase salary rates and provide certain benefits for purposes of recruitment and retention of privates in the Metropolitan Police force, to establish the rank of master patrolman, to change the titles of certain Metropolitan Police officials, and for other purposes (with accompanying papers); to the Committee on the District of Columbia.

State Firearms Control Assistance Act of 1967

A letter from the Acting Attorney General, transmitting a draft of proposed legislation to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms (with an accompanying paper); upon request of Mr. MAGNUSON, and by unanimous consent, referred to the Committee on the Judiciary and then to the Committee on Commerce.

Audit Report of the Foundation of the Federal Bar Association

A letter from the Secretary, the Foundation of the Federal Bar Association, Washington, D.C., transmitting, pursuant to law, an audit report of that association, for the fiscal year ended September 30, 1966 (with an accompanying report); to the Committee on the Judiciary.

Appointment of Members of National Commission on Reform of Federal Criminal Laws

A letter from the Chief Justice, Supreme Court of the United States, Washington, D.C., reporting, pursuant to law, on the appointment of Federal judges to serve as members of the National Commission on Reform of Federal Criminal Laws; ordered to lie on the table.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the Legislature of the State of Nebraska; to the Committee on Interior and Insular Affairs:

"LEGISLATIVE RESOLUTION 7

"Whereas the Nebraska Legislature, in 1947 unanimously approved the Nebraska Reclamation Act which permitted the formation and organization of the 550,000 acre Nebraska Mid-State Reclamation District in Buffalo, Hall and Merrick Counties, to further develop proposals of the multipurpose Mid-State Project to utilize a portion of the water of the Platte River, now flowing unused to the Gulf of Mexico; and

"Whereas there is now pending before the 90th Congress, Bills in both the Senate and House of Representatives, which provide for authorization and construction of the Mid-State Project by the Secretary of Interior, under Federal Reclamation law, as a unit of the Missouri River Basin Project; and

"Whereas legislation for this purpose has been introduced in the Congress of the United States for several sessions.

"Now, therefore, be it *Resolved by the members of the Nebraska Legislature in seventy-seventh session assembled:*

"1. That the legislature memorializes the 90th Congress and the respective Interior Committees thereof, to support the proposals of the Bureau of Reclamation for the $84 million Mid-State Project and approve the above legislation for its authorization and construction.

"2. That copies of this resolution, suitably engrossed, be transmitted by the Clerk of the Legislature, to the U.S. Senate and House of Representatives, of the 90th Congress, to Hon. Henry Jackson, Chairman of the House Interior Committee, and to each member from Nebraska in the Senate and House of Representatives of the United States.

"JOHN E. EVERROAD,
"President of the Legislature.

"I, Hugo F. Srb, hereby certify that the foregoing is a true and correct copy of Legislative Resolution 7, which was passed by the Legislature of Nebraska in Seventy-seventh regular session on the twenty-seventh day of January, 1967.

"Hugo F. Srb,
"Clerk of the Legislature."

A joint resolution of the Legislature of the State of Iowa; to the Committee on the Judiciary:

"Senate Joint Resolution 13

"A Joint Resolution ratifying a proposed amendment to the Constitution of the United States relating to succession to the Presidency and Vice Presidency and to cases where the President is unable to discharge the powers and duties of his office

"Whereas, The Eighty-ninth (89th) Congress of the United States has passed a Joint Resolution proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice Presidency and to cases where the President is unable to discharge the powers and duties of his office; and

"Whereas, This Joint Resolution passed the Senate of the United States on June 30, 1965, passed the House of Representatives of the United States on July 6, 1965, and now has been submitted to a vote of the States and reads:

"'Joint resolution proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice Presidency and to cases where the President is unable to discharge the powers and duties of his office

"'*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein)*, That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"'"ARTICLE

"'"Section 1. In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.

"'"Sec. 2. Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress.

"'"Sec. 3. Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President.

"'"Sec. 4. Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.

"'"Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President and a majority of either the principal officers of the executive department or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is not in session, within twenty-one days after Congress is required to assemble, determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of his office, the Vice President shall continue to discharge the same as Acting President; otherwise, the President shall resume the powers and duties of his office."'

"Now, therefore be it *resolved by the General Assembly of the State of Iowa:*

"That the foregoing proposed amendment to the Constitution of the United States is hereby ratified and consented to by the State of Iowa and the General Assembly thereof; and

"Be It Further Resolved that the Governor of the State of Iowa forward certified copies of this resolution over the Seal of the State of Iowa to the Secretary of State of the United States, to the Presiding Officer of the Senate of the United States, to the Speaker of the House of Representatives of the United States, and to the administrator of General Services Administration of the United States.

"Robert D. Fulton,
"President of the Senate.

"Maurice E. Baring,
"Speaker of the House.

"I hereby certify that this joint resolution originated in the Senate and is known as Senate Joint Resolution 13, Sixty-second General Assembly.

"Al Meacham,
"Secretary of the Senate.

"Approved February 3, 1967.

"Harold E. Hughes,
"Governor."

A joint resolution of the Legislature of the State of Montana; to the Committee on the Judiciary:

"A joint resolution of the Senate and House of Representatives of the State of Montana to the Congress of the United States and the Montana congressional delegation opposing passage of the Dodd bill or any other legislation which would impair a private citizen's right to bear arms

"Whereas, the unfortunate and untimely death of President John F. Kennedy has given considerable impetus to the movement to pass the Dodd Bill relating to regulation and registration of mail order firearms sales; and

"Whereas, this bill would severely control all mail order sales of firearms to individuals and permit sales of handguns only between licensed importers, manufacturers, and dealers, and place severe and unreasonable restrictions upon reputable citizens who wish to order recreational firearms by mail; and

"Whereas, although controls are necessary because of irresponsible or criminal elements in society illegally using firearms, these controls should be the prerogative of state and local agencies of government and properly should not be a matter for federal control. This fact if acknowledged and forthrightly stated by the nation's foremost experts in government; and

"Whereas, the consensus of expertise in this field is that state and local laws imposing harsh and certain punishment for crimes committed while armed, combined with effective law enforcement, and firmly supported by no-nonsense courts and juries, provide the most certain combination for adequate control; and

"Whereas, statutory law should: Prohibit sale of firearms to felons, drug addicts, habitual drunkards, mental incompetents, and juveniles; invoke strict penalties against the possession of firearms by criminals and irresponsible persons; and permit responsible, law-abiding adults to own and use firearms for legal purposes. Statutory law should not: Require law-abiding adult citizens to register shotguns, rifles, and handguns; nor grant authority to any jurisdiction, police or otherwise, at any government level, to prohibit the purchase or ownership of firearms by law-abiding and responsible citizens; and

"Whereas, the founders of the United States in the very first amendment to the constitution provided for freedom of religion, speech, the press, and for peaceable assembly, and in the second amendment made it possible to defend these freedoms by providing that the rights of people to keep and bear arms shall not be infringed; and

"Whereas, any firearms legislation at the federal level restricting the purchase of firearms by responsible citizens would be a dangerous infringement of these articles of the Bill of Rights and could lead to administration decisions imposing such a burden on the sale, possession, and use of firearms for legitimate purposes that it would completely discourage, and eventually exclude, the private ownership of all guns; and

"Whereas, easy accessibility of firearms does not contribute significantly to the crime problem of the United States, and the target for preventative legislation should be the crime, not the tool used by perpetrators of crime; and

"Whereas, the Dodd Bill could seriously impair the recreational economy of the state and nation, infringe on the constitutional rights of United States citizens, damage essential wildlife conservation programs, and intrude further federal authority on powers reserved to the states.

"Now, therefore, be it *Resolved by the Senate and House of Representatives of the State of Montana:*

"That the ownership of firearms must not be denied reputable American citizens so long as they continue to use them for lawful purposes, and that the members of the Montana legislative assembly go on record as opposing passage of the Dodd Bill which appears to be aimed at outlawing firearms, rather than at punishing the criminal who uses them for illegal purposes.

"Be it further *Resolved*, that any proposal new regulations be carefully studied to see if they can accomplish a worthwhile purpose and not just result in further regimentation and inconvenience to responsible citizens.

"Be it further *Resolved*, that the secretary of state is instructed to send copies of this resolution to the President of the Senate and Speaker of the House of the United States Congress; to the Honorable Mike Mansfield and the Honorable Lee Metcalf, Senators from Montana, and to the Honorable James Battin and the Honorable Arnold Olsen, Representatives from Montana.

"I hereby certify that the within joint resolution originated in the House.

"Edna J. Hinman,
"Chief clerk.

"James R. Felt,
"Speaker of the House.

"Ted James,
"President of the Senate."

A resolution adopted at the annual convention of the Protestant Episcopal Church of the Diocese of Washington, D.C., favoring the abolition of capital punishment; to the Committee on the Judiciary.

A letter in the nature of a petition from the Kootenai Landowners Group of Rexford, Mont., signed by J. D. Daniel, chairman, of Libby, Mont., praying that the Congress initiate and conduct an investigation into the land acquisition program and practices of the U.S. Army Corps of Engineers pertaining to the Libby Dam project; to the Committee on Public Works.

The petition of Joseph A. Petnel, of Troy, N.Y., favoring the inscription "In God We Trust" over the chair of the Presiding Officer of the Senate; ordered to lie on the table.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BYRD of West Virginia (for himself, Mr. RANDOLPH, Mr. COOPER, Mr. MORTON, Mr. BREWSTER, and Mr. TYDINGS):

S. 955. A bill to provide for the establishment and administration of the Allegheny Parkway in the States of West Virginia and Virginia, and Kentucky, and Maryland, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. JAVITS:

S. 956. A bill for the relief of Nachman Bench; and

S. 957. A bill to amend the War Claims Act of 1948, as amended, to provide compensation for certain additional losses; to the Committee on the Judiciary.

S. 958. A bill to provide that future appointments to the Office of Commissioner of Food and Drugs, the Office of Commissioner of Vocational Rehabilitation and the Office of Commissioner of Welfare shall be made by the President, by and with the advice and consent of the Senate; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. JAVITS when he introduced the last two above-mentioned bills, which appear under separate headings.)

By Mr. JAVITS (for himself and Mr. KENNEDY of Massachusetts):

S. 959. A bill to amend section 213(a) of the War Claims Act of 1948 with respect to claims of certain nonprofit organizations; to the Committee on the Judiciary.

(See the remarks of Mr. JAVITS when he introduced the above bill, which appear under a separate heading.)

By Mr. SCOTT:

S. 960. A bill for the relief of Arlene Coats, a partnership consisting of Sidney Berkenfeld and Benjamin Prepon; to the Committee on the Judiciary.

By Mr. MCGEE:

S. 961. A bill for the relief of Miss Teruko Sasaki; to the Committee on the Judiciary.

By Mr. NELSON:

S. 962. A bill for the relief of Dr. Marcel Grdinic; to the Committee on the Judiciary.

By Mr. YARBOROUGH:

S. 963. A bill to establish the Amistad National Recreation Area in the State of Texas; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. YARBOROUGH when he introduced the above bill, which appear under a separate heading.)

By Mr. HILL:

S. 964. A bill for the relief of Roberto Perdomo; to the Committee on the Judiciary.

By Mr. PROXMIRE:

S. 965. A bill to amend the Federal Reserve Act to enable Federal Reserve banks to invest in certain obligations of foreign governments; and

S. 966. A bill to amend the Federal Reserve Act in order to enable the Federal Reserve banks to extend credit to member banks and others in accordance with current economic conditions, and for other purposes; to the Committee on Banking and Currency.

(See the remarks of Mr. PROXMIRE when he introduced the above bills, which appear under separate headings.)

By Mr. LAUSCHE:

S. 967. A bill for the relief of Olga W. Maspaitella; to the Committee on the Judiciary.

By Mr. RIBICOFF:

S. 968. A bill to regulate and foster commerce among the States by providing a system for the taxation of interstate commerce; to the Committee on Finance.

(See the remarks of Mr. RIBICOFF when he introduced the above bill, which appear under a separate heading.)

By Mr. CURTIS (for himself and Mr. HRUSKA):

S. 969. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Finance.

(See the remarks of Mr. CURTIS when he introduced the above bill, which appear under a separate heading.)

By Mr. CURTIS (for himself, Mr. HRUSKA, Mr. HICKENLOOPER, and Mr. MILLER):

S. 970. A bill to provide for an extension of Interstate Highway 29 into Nebraska, including a bridge; to the Committee on Public Works.

(See the remarks of Mr. CURTIS when he introduced the above bill, which appear under a separate heading.)

By Mr. CARLSON:

S. 971. A bill for the relief of John C. Cadwell; to the Committee on the Judiciary.

By Mr. TOWER:

S. 972. A bill for the relief of Garabed Eknoyan; to the Committee on the Judiciary.

By Mr. BROOKE:

S. 973. A bill for the relief of Nam Minh Doan Bouchard; to the Committee on the Judiciary.

By Mr. HAYDEN:

S. 974. A bill to authorize the Secretary of Agriculture to convey certain lands to the city of Glendale, Ariz.; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. HAYDEN when he introduced the above bill, which appear under a separate heading.)

By Mr. HART:

S. 975. A bill for the relief of Mitsu Blomstrom; to the Committee on the Judiciary.

By Mr. HOLLAND:

S. 976. A bill for the relief of Zofia Walasek and her daughter, Barbara Walasek; to the Committee on the Judiciary.

By Mr. SCOTT:

S. 977. A bill for the relief of Sai Ok Oh; to the Committee on the Judiciary.

By Mr. METCALF (for himself and Mr. MANSFIELD):

S. 978. A bill for the relief of Andrew White; to the Committee on Interior and Insular Affairs.

By Mr. METCALF:

S. 979. A bill to provide for certain jury trials in condemnation proceedings in district courts of the United States; to the Committee on the Judiciary.

By Mr. CASE:

S. 980. A bill for the relief of certain individuals; to the Committee on the Judiciary.

By Mr. YARBOROUGH:

S. 981. A bill to amend the International Education Act of 1966 in order to authorize grants to finance travel to international youth conferences; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. YARBOROUGH when he introduced the above bill, which appear under a separate heading.)

By Mr. DIRKSEN:

S.J. Res. 41. Joint resolution to authorize the President to designate the week of July 23 through July 29, 1967, as "Professional Photography Week"; to the Committee on the Judiciary.

CONCURRENT RESOLUTION

RESTORATION OF FEDERAL AID TO HIGHWAYS

Mr. BAYH (for himself, Mr. METCALF, Mr. CARLSON, and Mr. BYRD of West Virginia) submitted a concurrent resolution (S. Con. Res. 10) to restore Federal aid to highways, which was referred to the Committee on Public Works.

(See the above concurrent resolution printed in full when submitted by Mr. BAYH, which appears under a separate heading.)

(NOTE.—The above concurrent resolution was ordered to be held at the desk until February 24, 1967, for additional cosponsors.)

RESOLUTION

REFERENCE OF THE BILL, S. 960, TO THE COURT OF CLAIMS

Mr. SCOTT submitted the following resolution (S. Res. 82); which was referred to the Committee on the Judiciary:

S. RES. 82

Resolved, That the bill (S. 960) entitled "A bill for the relief of Arlene Coats, a partnership consisting of Sidney Berkenfeld and Benjamin Prepon", now pending in the Senate, together with all the accompanying papers, is hereby referred to the chief commissioner of the Court of Claims; and the chief commissioner shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28 of the United States Code, as amended by the Act of October 15, 1966 (80 Stat. 958), and report thereon to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States or a gratuity and the amount, if any, legally or equitably due from the United States to the claimant.

PROPOSED AMENDMENTS OF WAR CLAIMS ACT

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, two bills to amend the War Claims Act of 1948.

The first of these bills would benefit two classes of claimants who have not yet received recognition of their claims. These are, first, refugees from nazism and other tyrannies who became citizens of the United States after their property was seized; and, second, prisoners of war and internees who have personal injury claims. Both these groups of citizens suffered at the hands of our enemies and are entitled, in my judgment, to share in the war claims fund being distributed to these victims. Former Senator Douglas, of Illinois, long shared my interest in this measure and, for years, joined with me as a sponsor of this bill. We fought for it on many occasions; and, as happens so often with respect to problems which are before the Senate, some day we may win. In any case, we must continue to press the issue.

The second bill would create a preference for religious and nonprofit groups who suffered losses during the war. Under present law, only small businesses have a preference, and the purpose of my proposal is simply to put these churches and welfare organizations on the same footing as private businesses in pressing their claims. Some of the groups which would be specifically affected are Yale-in-China, B'nai B'rith, and numerous Catholic and Protestant groups.

When the original War Claims Act was passed in 1948, small businesses were given a priority in order to put them in a better position vis-a-vis big business, which had already received considerable tax benefits because of its losses. The problem of the nonprofit organization, however, was apparently neglected, and the purpose of this bill is to remedy the situation by creating equal priorities for small business and nonprofit groups. Senator **KENNEDY** of Massachusetts joins me in offering this measure.

The VICE PRESIDENT. The bills will be received and appropriately referred.

The bills, introduced by Mr. JAVITS, were received, read twice by their titles, and referred, as follows:

By Mr. JAVITS:

S. 957. A bill to amend the War Claims Act of 1948, as amended, to provide compensation for certain additional losses; to the Committee on the Judiciary.

By Mr. JAVITS (for himself, and Mr. KENNEDY of Massachusetts):

S. 959. A bill to amend section 213(a) of the War Claims Act of 1948 with respect to claims of certain nonprofit organizations; to the Committee on the Judiciary.

SENATE CONFIRMATION OF COMMISSIONER OF FOOD AND DRUGS, COMMISSIONER OF VOCATIONAL REHABILITATION AND COMMISSIONER OF WELFARE

Mr. JAVITS. Mr. President, I introduce, for appropriate reference, legislation requiring the advice and consent of the Senate before the President can appoint the Commissioner of Food and Drugs, the Commissioner of Vocational Rehabilitation and the Commissioner of Welfare.

Senate confirmation of these high-ranking HEW officials would offer the Congress an opportunity to review the major policies for which they are responsible much as is now done by the required Senate confirmation of the Assistant Secretaries of HEW and the Commissioner of Education, the Surgeon General, the Commissioner of Social Security and the Aging Commissioner who occupy parallel positions within the Department of Health, Education, and Welfare.

Illustrative of the incongruity of present practice is the Chief of the Children's Bureau is appointed with the advice and consent of the Senate while her superior, the Commissioner of Welfare, does not need this Senate confirmation.

The Food and Drug Administration is concerned with promoting purity, standard potency, and truthful and informative labeling of consumer products covered by the Federal Food, Drug, and Cosmetic Act and other major laws which it administers. As a matter of fact, 25 cents of every consumer dollar is spent for products made by FDA-regulated industries. The FDA has a fiscal year 1968 budget of $67.9 million with 5,059 employees. As FDA Commissioner Goddard has pointed out, it is "one of the hottest of the governmental hotspots." Yet present law does not require Senate confirmation of the head of this key agency.

The Welfare Administration has a fiscal year 1968 budget of $4.56 billion, the largest in the Department of Health, Education, and Welfare. Yet, here too, Senate confirmation of the head of a key agency is not required by law. The Welfare Administration is responsible for administering the programs of the Federal Government pertaining to assistance to individuals and families in need, the provision of welfare assistance and services and maternal and child health services. It has budgeted 1,301 employees for fiscal year 1968.

The programs of the Vocational Rehabilitation Administration were considerably expanded by the 89th Congress and for fiscal year 1968 it has a budget of $67.9 million. The agency is responsible for the administration of programs to increase the vocational rehabilitation of disabled persons and their greater utilization in gainful and suitable employment.

I wish to stress that my introduction of this legislation is in no way meant to reflect on the competency of the individuals now serving in the three commissionerships—this bill is a successor to legislation previously introduced. However, it does seem proper that these three commissionerships should be subject to the same Senate confirmation process as are their fellow ranking executives within HEW who occupy posts at the same level of responsibility. The bill would apply to future appointees.

While it may have been appropriate for a Commissioner of Food and Drugs to have been appointed without a Senate review when the Food and Drug Act first went into effect in 1907 or when the FDA was created in its present form in 1930, the scope of the agency's responsibilities for the public's health have so appreciably grown since that time that the opportunity for Senate advice and consent should now be afforded. Similarly the Federal Government's role in vocational rehabilitation has considerably expanded since the Vocational Rehabilitation Act of 1920 as the Federal role in welfare since the enactment of the programs of the 1930's. My bill is meant to keep pace with the tremendous growth of these agencies since they were first created.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 958) to provide that future appointments to the Office of Commissioner of Food and Drugs, the Office of Commissioner of Vocational Rehabilitation, and the Office of Commissioner of Welfare shall be made by the President, by and with the advice and consent of the Senate, introduced by Mr. JAVITS, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

AMISTAD NATIONAL RECREATION AREA BILL

Mr. YARBOROUGH. Mr. President, I introduce, for appropriate reference, a bill which will create the Amistad National Recreation Area. This recreation facility, to be developed at the Amistad Dam site on the Mexican-American boundary, near Del Rio, Tex., will provide opportunities for healthy activity for 2⅓ million people who reside within 250 miles of the dam and the more than 2 million annual visitors who are anticipated by 1972.

Since 1965 when the proposal for the Amistad recreation area was first presented, I have watched with considerable pleasure the growth of public and administrative support. It was my privilege to introduce the Amistad National Recreation legislation, S. 2168 of the 89th Congress, on June 21, 1965. Last August the Interior Department's formal report endorsing the project was received. On December 3, 1966, while speaking at the Amistad Dam construction site, President Johnson himself underscored the value of this project when he said that the dam would, "enable development of a great inland water recreational facility for the benefit of this region in two countries." So I think the time is ripe, and I hope that this session of Congress will see the enactment of this bill.

The completion of the Amistad Dam in the spring of 1969 will be another important contribution to the development of friendly Mexican-American relations—mutually advantageous to us and our southern neighbors. At a time when envy, fear, and misunderstanding are fanning the flames of hate on international boundaries around the world, we and our Mexican neighbors can be justly proud of creative and socially significant efforts like the Amistad Dam. On December 3, 1966, President Johnson at the dam construction site said:

> And looking into the future—we will see millions of farmers and townspeople on both sides of this great river enjoying the protection which this great dam will afford and the resources and recreation which this great lake will provide.

However, important as the Amistad Dam is to the economic life of several million Mexicans and Americans, its human and social value would be incomplete without the recreation area provided in the bill which I am introducing today. A dam is a design and construction achievement which uses nature for limited economic and scientific purposes. A park, on the other hand, is an expression of man's search for opportunities to serve himself spiritually and physically within scenic areas which nature has provided.

Mr. President, the Amistad Dam, a dam of friendship, will be a joint achievement of American and Mexican technology and labor. The Amistad Recreation Area which I am proposing today will be a useful monument to the happy relationship which now exists along the 2,000-mile Mexican-American boundary.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 963) to establish the Amistad National Recreation Area in the State of Texas, introduced by Mr. YARBOROUGH, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

FEDERAL RESERVE PURCHASE OF FOREIGN GOVERNMENT OBLIGATIONS

Mr. PROXMIRE. Mr. President, I have today introduced a bill to amend the Federal Reserve Act to enable Federal Reserve banks to invest in certain obligations of foreign governments.

This bill is identical with S. 1557, 89th Congress, which the Banking and Currency Committee reported favorably on August 2, 1965, and which passed the Senate on August 3, 1965. The bill did not pass the House in the 89th Congress.

This bill was recommended by the Board of Governors of the Federal Reserve System.

I ask unanimous consent to insert in the Record excerpts from Senate Report 534, 89th Congress, which describe the purpose and effect of the bill.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

S. 1557 would authorize Federal Reserve banks to invest in securities which are direct obligations of or fully guaranteed as to principal and interest by any foreign government or monetary authority and which have maturities from date of purchase not exceeding 12 months and are denominated payable in any convertible currency. This authority could be exercised with the consent or under the order and direction of the Federal Reserve Board.

From time to time the Federal Reserve banks have had occasion to engage in foreign currrency operations designed to safeguard the value of the dollar in international exchange markets. These operations have been implemented by swap arrangements between the New York Federal Reserve Bank and foreign central banks under which the New York Federal Reserve Bank acquires foreign currencies.

Under the present law amounts held by a Federal Reserve bank in an account with a foreign bank may be invested in bills of exchange and acceptances that arise out of actual commercial transactions and have maturities of not more than 90 days, or they may be placed in an interest-bearing time account with the same or some other foreign bank. However, this has not always been practicable. Under present law, such funds may not be invested in obligations of foreign governments, such as foreign treasury bills, which are more readily available under present conditions. S. 1557 would permit this.

Mr. PROXMIRE. Mr. President, I ask unanimous consent to have the bill printed in the Record at this point.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 965) to amend the Federal Reserve Act to enable Federal Reserve banks to invest in certain obligations of foreign governments, introduced by Mr. Proxmire, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the Record, as follows:

S. 965

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of subsection (e) of section 14 of the Federal Reserve Act (12 U.S.C. 358) is amended to read as follows:

"(e) To establish accounts with other Federal reserve banks for exchange purposes and, with the consent or upon the order and direction of the Board of Governors of the Federal Reserve System and under regulations to be prescribed by said board, to open and maintain accounts in foreign countries, appoint correspondents, and establish agencies in such countries wheresoever it may be deemed best for the purpose of purchasing, selling, and collecting bills of exchange, and to buy and sell, with or without its endorsement, through such correspondents or agencies, bills of exchange (or acceptances) arising out of actual commercial transactions which have not more than ninety days to run, exclusive of days of grace, and which bear the signature of two or more responsible parties, and to buy and sell any securities which are direct obligations of, or fully guaranteed as to principal and interest by, any foreign government or monetary authority, and which have maturities from date of purchase not exceeding twelve months and are denominated payable in any convertible currency; and, with the consent of the Board of Governors of the Federal Reserve System, to open and maintain banking accounts for such foreign correspondents or agencies, or for foreign banks or bankers, or for foreign states as defined in section 25(b) of this Act."

FEDERAL RESERVE SYSTEM ELIGIBLE PAPER

Mr. PROXMIRE. Mr. President, I have also today introduced a bill to amend the Federal Reserve Act in order to enable the Federal Reserve banks to extend credit to member banks and others in accordance with current economic conditions, and for other purposes.

This bill is identical with S. 1559, 89th Congress, which was reported from the Banking and Currency Committee on August 5, 1965, and passed the Senate on August 6, 1965. The bill did not pass the House in the 89th Congress.

This bill was recommended by the Board of Governors of the Federal Reserve System.

I ask unanimous consent to insert in the Record, excerpts from Senate Report 539, 89th Congress, which describe the purpose and effect of the bill.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

The proposed act would permit a member bank to borrow from a Federal Reserve bank on the security of any assets acceptable to the Reserve bank without paying a penalty rate of interest.

Differential rates of interest based on types of paper would no longer be required, as is the case under present law, but could be adopted as may be deemed necessary to accomplish the purposes set forth. The terms and conditions of any credits extended would be subject to such limitations, restrictions, and regulations as the Board of Governors of the Federal Reserve System may prescribe.

The new law would retain present general guides and standards to be observed by the Federal Reserve banks in making advances to member banks, including "the maintenance of sound credit conditions and the accommodation of commerce, industry, and agriculture." Consideration must be given to the general character and amount of loans and investments of its member banks and the uses of credit for speculative purposes. Any member bank making undue or inappropriate use of credit may, after notice, be suspended from the use of the credit facilities of the Federal Reserve System.

The bill would repeal a number of provisions of existing law setting forth in some detail the types of customers' notes of member banks that are eligible for rediscount at the Federal Reserve banks. It would thereby permit the elimination or simplification of many outstanding, but largely obsolete, regulations and rules governing eligibility for rediscount of specific types of notes.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the bill be printed in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 966) to amend the Federal Reserve Act in order to enable the Federal Reserve banks to extend credit to member banks and others in accordance with current economic conditions, and for other purposes, introduced by Mr. Proxmire, was received, read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the Record, as follows:

S. 966

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following new section is inserted in the Federal Reserve Act immediately preceding section 14:

"Sec. 13A. (a) Any Federal Reserve bank may make advances to any of its member banks on the time or demand notes of such banks secured to the satisfaction of such Federal Reserve bank, subject to such limitations, restrictions, and regulations as the Board of Governors of the Federal Reserve System may prescribe.

"(b) In making advances pursuant to this section, each Federal Reserve bank shall give due regard to the maintenance of sound credit conditions and the accommodation of commerce, industry, and agriculture. Each Federal Reserve bank shall keep itself informed of the general character and amount of the loans and investments of its member banks with a view to ascertaining whether undue or inappropriate use is being made of bank credit for the speculative carrying of or trading in securities, real estate, or commodities, or for any other purpose inconsistent with the maintenance of sound credit conditions; and, in determining whether to grant or refuse advances, the Federal Reserve bank shall give consideration to such information. Whenever the Board of Governors of the Federal Reserve System, in the light of any reports made to it by a Federal Reserve bank, determines that any member bank is making such undue or inappropriate use of bank credit, the Board may, in its discretion, after reasonable notice and an opportunity for a hearing, suspend such bank from the use of the credit facilities of the Federal Reserve System and may terminate such suspension or may renew it from time to time.

"(c) Any Federal Reserve bank may make advances to any individual, partnership, or corporation, on its promissory notes, secured by direct obligations of the United States, subject to such limitations, restrictions, and regulations as the Board of Governors of the Federal Reserve System may prescribe."

Sec. 2. The following provisions of the Federal Reserve Act are hereby repealed section 10(a) (12 U.S.C. 347a); section 10(b) (12 U.S.C. 347b); section 11(b) (12 U.S.C. 248(b)); the second, third, fourth, fifth, sixth, eighth, tenth, and thirteenth paragraphs of section 13 (12 U.S.C. 343, 344, 345, 346, 347, 361, 347c); section 13a (12 U.S.C. 348–352); and the last sentence of the third paragraph of section 24 (12 U.S.C. 371).

Sec. 3. The eighth paragraph of section 4 of the Federal Reserve Act (12 U.S.C. 301) is amended to read as follows:

"Said board of directors shall administer the affairs of said bank fairly and impartially and without discrimination in favor of or against any member bank or banks."

Sec. 4. The thirteenth paragraph of section 9 of the Federal Reserve Act (12 U.S.C. 330) is amended by changing the colon after the words "member banks" in the second sentence to a period and by striking out, commencing with the words *"Provided, however,"*, the remainder of the paragraph.

Sec. 5. In the last sentence of section 11(c) of the Federal Reserve Act (12 U.S.C. 248(c)) the words "and discount fixed by the Board of Governors of the Federal Reserve System" are changed to read "charged by the Reserve bank on advances under section 13A(a) of this Act".

Sec. 6. In the last sentence of section 11(m) of the Federal Reserve Act (12 U.S.C. 248(m)) the words "of all rediscount privileges at Federal Reserve banks" are changed to read "from the use of the credit facilities of the Federal Reserve banks."

Sec. 7. In the second paragraph of section 12 of the Federal Reserve Act (12 U.S.C. 262) the words "discount rates, rediscount business" are changed to read "advances under section 13A of this Act, rates of interest charged by the Federal Reserve banks on such advances".

Sec. 8. The first paragraph of section 14 of the Federal Reserve Act (12 U.S.C. 353) is amended to read as follows:

"Any Federal Reserve bank may, subject to the regulations of the Federal Open Market Committee, purchase and sell in the open market, at home or abroad, either from or to domestic or foreign banks, firms, corporations, or individuals, cable transfers, bankers' acceptances, and bills of exchange, with or without the indorsement of a member bank."

Sec. 9. Section 14(c) of the Federal Reserve Act (12 U.S.C. 356) is amended by striking out the words "arising out of commercial transactions, as hereinbefore defined".

Sec. 10. Section 14(d) of the Federal Reserve Act (12 U.S.C. 357) is amended to read as follows:

"(d) To establish from time to time, subject to review and determination of the Board of Governors of the Federal Reserve System, (1) rates of interest to be charged by the Federal Reserve bank on advances under section 13A(a) of this Act, which shall be fixed with a view of accommodating commerce, business, and agriculture, and of maintaining sound credit conditions; and different rates may be fixed for different classes of paper or according to such other basis or bases as may be deemed necessary in order to accomplish such purposes; but each such bank shall establish such rates every fourteen days, or oftener if deemed necessary by the Board; and (2) rates of interest to be charged by the Federal Reserve bank on advances under section 13A(c) of this Act;"

Sec. 11. The second paragraph of section 16 of the Federal Reserve Act (12 U.S.C. 412) is amended by striking out the third sentence and substituting therefor the following: "The collateral security thus offered shall be notes of member banks or others acquired under the provisions of section 13A of this Act, or bills of exchange or bankers' acceptances purchased under section 14 of this Act, or gold certificates, or direct obligations of the United States."

Sec. 12. The second sentence of the ninth paragraph of section 19 of the Federal Reserve Act (12 U.S.C. 463) is amended by changing the word "discounts" in such sentence to read "advances".

Sec. 13. The second paragraph of section 23A of the Federal Reserve Act (12 U.S.C. 371c) is amended by striking out the words "drafts," and "for rediscount or" from the clause beginning with the word "Provided,".

Sec. 14. Section 201(e) of the Act of July 21, 1932, as amended (12 U.S.C. 1148) is amended by striking out the words "various Federal reserve banks and" from that section.

THE INTERSTATE TAXATION ACT

Mr. RIBICOFF. Mr. President, I introduce, for appropriate reference, the Interstate Taxation Act, a bill to regulate and foster commerce among the States by providing a system for the taxation of interstate commerce.

The framers of our Constitution gave the Congress the power, under the Constitution, to regulate interstate commerce because they recognized the necessity for the free flow of trade between the States if this country were to develop its full potentiality as a nation. The wisdom of this principle has never been more apparent than in the tremendous economic growth of the country as a great national market in the last 20 years. The growth of modern communications, our airlines, superhighways, railroads, have tied this country together into an economic unity with a vitality unsurpassed in history.

The example has not gone unnoticed. In Europe, for example, a common market has come into being, designed to similarly spur the European economy by the creation of an integrated market. The continued growth of our own national "common market" is vital to our welfare.

But during the last 20 years, other factors have been at work which threaten our own national common market. During this time, the growth of our society has placed increasing pressures and burdens upon our States and local governments. Our growing population, the growth of our cities and towns, has placed new demands for services—for schools, roads, water systems, sewage disposal, fire and police protection. The States, in responding to these demands, have been required to look to new sources of revenue to finance these needed services.

In response to these demands, the States have enacted varied tax programs including sales taxes and complementing use taxes.

The local demands have reached the point where now counties and cities throughout the land have been compelled to enact their own sales taxes, their own income taxes. The wide variety of these taxes has created a bewildering and chaotic situation to the evergrowing number of small- and middle-size businesses, who are attempting to market their goods in many States rather than merely one State.

Thirty-eight States now have corporate income taxes—40 States have general sales and use taxes—37 have capital stock taxes—and eight have gross receipts taxes. Further, over 100 localities have corporate income taxes. Over 1,000 individual localities have gross receipt taxes—and over 2,300 State and local jurisdictions have sales taxes.

For each tax there are broad differences in the items and activities taxed, making it difficult, if not impossible, to tell whether tax liability exists for a particular firm in a particular jurisdiction.

The sales tax is collected by the seller for the State. However, when a seller sells in 40 States he is faced with an array of conflicting rules, regulations, forms, and procedures, which in many cases imposes an insuperable barrier to compliance. The cost of compliance is often many times higher than the tax reported to the individual States. Compliance may, indeed, be impossible. A toolmaker in my own State of Connecticut reported spending several hundreds of dollars in response to a $53 tax liability.

With regard to income taxes, an interstate business is required to apportion its income among the States where it is required to file returns. The apportionment is done generally on the basis of factors such as payroll, property, or sales within the State or any combination of these. But again, to comply with the many different formulas requires many forms of accounting. While big businesses may hire computers and tax experts, the small businesses face a severe problem in attempting to comply.

Thus, the present method of imposing these business taxes is notable for widespread noncompliance. The gap between what is set forth in law and what is actually collected works to the detriment of all. The States suffer—the Nation's tax morality suffers—business suffers.

In my own State of Connecticut, the problem is reaching critical proportions. I have received pleas for congressional action from many businesses of all sizes—Connecticut businesses which need help desperately. Products manufactured by small Connecticut companies—many with less than 20 or 25 employees—end up in every State and every county of the United States. But the present system of State taxation is so chaotic and unwieldy that these businesses simply do not have the ability to comply with the taxing requirements of every locality in which their goods are sold. They clearly cannot be expected to assume the role of tax collector for every State and locality into which they send their products. It is imperative that small companies in Connecticut—as well as those throughout the entire United States—be allowed to have free access to the single national market which is common to all the States. This bill will help Connecticut get on with the job of building the American economy—and free it from the morass of rules, regulations, and redtape which now threatens the freedom of interstate commerce. This bill would provide rules to strike a balance between the legitimate needs of the States and our growing national economy.

It would provide income tax rules applicable to those businesses whose average income is $1 million or less. These businesses would be subject to State income tax only in those States in which they have a business location; that is, States in which they own or lease property or have one or more employees. Having a substantial business location in the State they can be expected to comply with its particular income tax rules.

These businesses are also given the option of using a standard two-factor formula based on property and payroll for apportioning their income among the States in which they are subject to tax. Thus the smaller businesses would have relief from the proliferation of income tax rules.

The bill also provides guidelines for State sales and use taxes. No State or local government could require collection of sales or use taxes unless the seller has a business location in that State or regularly makes household deliveries in the State.

In any event, the seller is relieved from collecting sales and use taxes on sales to business purchasers who are already registered with the State to collect sales and use taxes themselves.

A gross receipts tax could be levied only on those sellers having a business in the State.

The bill would also prevent out-of-State audit charges. It would prevent geographical discrimination by the States. It would grant an amnesty of unassessed back liability where no business location was maintained in the State. Further, it would provide for an evaluation by the Congress of the progress made by the States in resolving any remaining difficulties.

Mr. President, these are reasonable and restrained commonsense rules. Each State legitimately taxes those businesses within its borders.

It should increase taxpayer compliance and thereby State revenues. By reducing the cost of compliance to our Nation's businesses, it should increase their ability to pay these State and local taxes. Dollars spent on compliance problems rather than on taxes are wasted to our society.

Commerce among our States must remain free. That is one of our basic constitutional principles. That is what has made our national economic power the wonder and the strength of the free world.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 968) to regulate and foster commerce among the States by providing a system for the taxation of interstate commerce, introduced by Mr. RIBICOFF, was received, read twice by its title, and referred to the Committee on Finance.

TAX DEDUCTIONS FOR TEACHERS

Mr. CURTIS. Mr. President, I am today introducing, for appropriate reference, a bill to clarify and nail down the tax deductions to which teachers in educational institutions throughout the United States are entitled for the expense in furthering their education. My colleague, Senator HRUSKA, joins me in sponsorship.

The Senators will remember, Mr. President, that the Internal Revenue Service last year ruled teachers could not take these deductions, but subsequently reversed this ruling by its own regulations. Many of the Members will remember receiving a great deal of mail on this subject when the status of the deductions was in doubt.

Teacher training and preparation are fundamental requirements for improving education in the local schools, as well as the colleges and universities throughout the land. This has been true through the years and it is every bit as true today.

The Nation is experiencing a critical teacher shortage. Much of the blame for this has been placed on the Federal Government in the minds of people who see our expanded Federal programs in the field of education taking topnotch educators and transferring them into administrative functions or hiring them away from the local schools for such programs as the Job Corps. We must take steps to encourage qualified teachers to improve their skills and remain in the profession. We must encourage them to work to improve their station in life and thereby the quality of the education provided for our children.

The fact that the Internal Revenue Service reversed itself last year and allowed teachers to take these deductions should not be regarded as a reason not to pass this bill. The bill is needed and many teachers, as well as spokesmen for their organizations, have told me it is needed because there is still uncertainty. Teachers who faced the dilemma while the matter was up in the air last year fear the Internal Revenue Service will change the ruling again and knock out the deductions if the deductions are not provided by law.

The Internal Revenue Service regulations which caused such great concern last year allowed money spent for education to be deducted on individual income tax returns if the expenditures were made to maintain or improve skills required in the taxpayer's job, trade, or business, or if it were required by the employer as a condition for the taxpayer to retain his or her job, salary or status.

This was interpreted by the Internal Revenue Service to mean that teachers were not entitled to the deductions if they returned to college voluntarily without being forced or required to do so. The deductions were not allowed under the regulations to teachers who went back to school merely to become better teachers or to improve their station in life or increase their salaries.

The bill I am introducing will allow teachers to deduct as business expenses all educational expenses connected with their work. It will eliminate the doubt and confusion that existed for a time last year and that still exists in the minds of many teachers who do not know when the Internal Revenue Service might change the regulations again. No longer will teachers have to live under the threat that there might be a technical slipup in reporting their income and taking their deductions for tax purposes, causing them to run afoul of the income tax collectors. No longer will they have to be threatened with the loss of their jobs before they are sure they can deduct the expenses of furthering their education in order to improve the quality of education available to the children they teach throughout the Nation.

This bill is offered in the sincere interest of improving education and spelling out tax deduction policies for teachers, Mr. President, and I hope it will have broad support.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 969) to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel, introduced by Mr. CURTIS (for himself and Mr. HRUSKA), was received, read twice by its title, and referred to the Committee on Finance.

EXTENSION OF INTERSTATE HIGHWAY 29 INTO NEBRASKA

Mr. CURTIS. Mr. President, I am introducing a bill today relating to the interstate highway and I am pleased to report that Senator HRUSKA, Senator HICKENLOOPER, and Senator MILLER are joining me in sponsorship. The bill is small from the standpoint of our National Highway System, but is extremely important to many citizens in northeast Nebraska and northwest Iowa.

The bill would extend the Interstate Highway System a very short distance to provide a new bridge across the Missouri River between South Sioux City, Nebr., and Sioux City, Iowa.

The present bridge across the river is more than 100 years old, Mr. President. It is totally inadequate to carry the traffic. Interstate Highway 29 is a north-south highway along the west edge of Iowa and the east bank of the Missouri River. This highway should be accessible to the people of northeast Nebraska because it is a national highway, 90 percent of the cost of which has been paid by Federal taxpayers.

At the present time, northeast Nebraska is for practical purposes denied access to this highway because of the inadequate, rundown condition of the present bridge. The condition of the bridge also is a hazard to a steady stream of summer tourists traveling from coast to coast along east-west Highway 20, also a Federal highway. The bill would add 2.4 miles to the Interstate System. This would permit an additional turnout from Interstate 29 on the Iowa side. The bridge would connect the interstate with U.S. Highway 77 and U.S. Highway 20. I believe this approach is thoroughly justified and absolutely necessary in order to meet the growing population and travel needs of the Nation.

At present our expensive Interstate Highway System does not serve great portions of our population. I believe that the construction of spurs, such as the one proposed by this measure, will make this National System of Interstate Highways serve a much greater portion of our population. Without this proposed spur, northeast Nebraska is denied the use of a north-south interstate highway which is being paid for by all taxpayers. In addition this bridge is needed badly to take care of the Iowa-Nebraska east-west traffic.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 970) to provide for an extension of Interstate Highway 29 into Nebraska, including a bridge, introduced by Mr. CURTIS (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Public Works.

CONVEYANCE OF TITLE TO CERTAIN REAL PROPERTY TO THE CITY OF GLENDALE, ARIZ.

Mr. HAYDEN. Mr. President, I introduce, for appropriate reference, a bill to convey to the city of Glendale, Ariz., title to certain real property which will become surplus to the needs of the U.S. Department of Agriculture after the end of the current fiscal year.

Following the discontinuation of agricultural research, the Department of Agriculture intends to phase out the poultry research project which has been conducted at this location since 1921, and to close down the station permanently.

Prior to the establishment of this station in 1921, the citizens of Glendale, through private subscriptions, raised the necessary funds to pay for the acquisition of the property and it was then deeded to the Secretary of Agriculture. Subsequently, the Department acquired an addition to this station by condemnation and a court award of $4,500 for the additional property. In view of the fact that a portion of the lands used for poultry research were donated to the Government, the bill proposes that the entire tract be made available to the city of Glendale for a public park. Further, the bill provides that the price shall be fixed by the Secretary of Agriculture in the same manner and at the same price that the Secretary of the Interior fixes the price for lands sold under section 2(a) of the act entitled "An act to authorize acquisition or use of public lands by States, counties, or municipalities for recreational purposes," approved June 14, 1926 (44 Stat. 741; 43 U.S.C. 869-1).

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 974) to authorize the Secretary of Agriculture to convey certain lands to the city of Glendale, Ariz., introduced by Mr. HAYDEN, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

SENATE EDUCATION SUBCOMMITTEE SHOULD INVESTIGATE CIA INVOLVEMENT IN AMERICAN EDUCATION

Mr. YARBOROUGH. Mr. President, all I know about the CIA is what I read in the papers. But what I have been reading lately disturbs me greatly. And as a member of the Senate subcommittee assigned the responsibility of being the Senate's authority on education, I am coming to feel that I should know more than I read in the papers.

According to press reports the CIA has for the past 15 years been subsidizing two domestic youth groups—the National Students Association and the U.S. Youth Council. In addition it has supported two student youth conferences abroad—the World Assembly of Youth in Brussels and the International Student Conference in Leyden.

These disclosures raise very disturbing questions. At the heart of the problem is the conflict between the nature of a free society and the realities of international relations in today's world. To be free, the members of a society must have access to the truth. At the same time the security of our country makes it imperative that we engage in secret intelligence-gathering activities abroad. We must also meet the propaganda offensive of the Communist nations. These activities frequently require secrecy.

What has happened with the CIA's subsidy of the NSA and the U.S. Youth Council of New York—both domestic youth organizations—is that the potential conflict between the need for truth in a free society and the need for secrecy in international intelligence gathering and propaganda activities, has become real. The CIA, purportedly for the sake of its international propaganda and intelligence activities, has secretly entered into a special relationship with two organizations that claim to represent the thinking and the freely arrived at ideals of American students. In reality, they must now to some extent represent, not only the ideas and ideals of American students, but also, or in lieu thereof, the CIA's necessary cloak-and-dagger operations.

I do not know enough about the facts of the situation to discuss in detail just what has been going on, but enough has come to light of this particular episode to indicate that it represents a threat to free American institutions in our open society. I make the following observation: our society is built upon the principles of democratic self-government, which, in order to work, require that the people know the truth. They must be able to make the great basic decisions of society upon a basis of truth and not falsehood. That truth is arrived at by open inquiry and not by secret government manipulations. In our struggles with the Communists around the world, it is democracy which we are defending. Does it make sense to defend democracy by doing things that themselves could bring about the downfall of democracy?

I have yet to see any evidence that would justify the Central Intelligence Agency in secretly subsidizing an American student organization, an organization which claims to speak for students, but which, we must now sadly assume, also speaks to some extent for the CIA.

Although the CIA certainly has justifiable claims to keeping details of its operations secret, since it could not operate any other way, I have never been able to understand why Congress should not be able to exercise reasonable oversight with regard to the CIA's activities. And now that evidence has come to light that the CIA is carrying on its operations within the borders of our country in a manner which raises important questions with regard to the nature and extent of CIA activities in educational institutions and in student organizations, it appears to me to be imperative that the Senate Subcommittee on Education ascertain the facts about what the CIA is doing to influence any and all aspects of the American educational process. The people's representatives have the right to know what this secret organization is doing to American education.

The Government has attempted to justify the NSA subsidy by arguing that it was needed so that U.S. students could attend international youth forums. I do not question the desirability of American students taking part in international youth conferences. It is in the national interest that they do so. It does seem to me, however, that there should be sources of private financing, from private nongovernmentally subsidized foundations, to finance such activities.

However, assuming that adequate private financing cannot be found, what would be the least desirable agency in the entire U.S. Government to subsidize a student organization? Answer: the CIA.

I simply cannot swallow the Government argument, as reported in the newspapers, that—

> If the financial support had been public, the credibility of NSA students would have been destroyed on the grounds that they were agents of the Government.

Are students who study abroad under Fulbright scholarships agents of the Government? Are scientists who attend international scientific conferences with all or part of their travel expenses governmentally supported agents of the Government? Are students with NDEA loans or fellowships agents of the Government? I hope not. And I assume that students from most other countries attend international youth forums with governmental financial support from their governments, so why should the United States feel that it cannot openly do the same thing?

Why could this not have been done openly, with travel subsidies from the Office of Education?

I am introducing at this time for appropriate reference a bill to amend the International Education Act of 1966 to authorize the Secretary of Health, Education, and Welfare to make grants to finance travel to international youth conferences by individuals broadly representative of the Nation's students. I hope that the Senate Education Subcommittee will give early consideration to this bill as part of what I hope will be a thorough look at the whole question of CIA involvement in American education.

I ask unanimous consent that the bill be printed in the RECORD.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, will be printed in the RECORD.

The bill (S. 981) to amend the International Education Act of 1966 in order to authorize grants to finance travel to international youth conferences, introduced by Mr. YARBOROUGH, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 981

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title I of the International Education Act of 1966 is amended by inserting at the end thereof a new section as follows:

"INTERNATIONAL YOUTH CONFERENCES

"SEC. 107. Upon the recommendation of the Secretary of State that it would strengthen international cooperative relations, the Secretary is authorized to make grants to finance travel (including related expenses) to international youth conferences by individuals broadly representative of the Nation's students."

Mr. YARBOROUGH. Mr. President, I ask unanimous consent to have several newspaper articles on this subject printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, Feb. 15, 1967]

U.S. Officials Confirm CIA Aid to Students—Secret Dealing Described by NSA Officers

(By Andrew J. Glass and Gerald Grant)

Officers of the National Student Association said yesterday that the Central Intelligence Agency recruited agents from the student organization's top echelons over a period of 14 years.

These officers, who declined to be quoted by name, also asserted the CIA placed other student leaders from their group in posts with private foundations that serve as conduits for CIA-sponsored activities.

None of the NSA sources would divulge the names of the past presidents and other high-ranking officers of the organization who had joined the CIA's ranks after one or two years' service with NSA—the largest student group in the country.

"Every year," one NSA source said, "the CIA picked out a man or two that it could trust and told them about the undercover funding" of the student organization. Some of these young men would later join the CIA, often acting as liaison agents to the student group.

In some years, according to student officers, the CIA contribution to NSA has run close to $400,000 annually—about half the student organization's budget in those years.

FEW KNEW OF ROLE

The CIA's hand-picked student leaders, all in their early 20s at the time of their recruitment, were sworn to secrecy under the CIA's charter. Since the early 1950s, when the link with the CIA was formed, fewer than 100 student leaders knew of the intelligence agency's role in a group whose ranks run in the many thousands.

Yesterday, the NSA convened an emergency meeting of its ten-member National Supervisory Board in an effort to deal with the crisis. An NSA spokesman said the group would issue no further statements until its full governing body confers here today.

In the wake of the controversy, serious consideration was being given to folding the 20-year-old NSA and to restructuring the student group under a new name and a new charter.

Some NSA officials also favored speedily removing the group from its headquarters at 2115 S st. nw., which NSA uses under a 15-year rent-free agreement through funds ultimately provided by the CIA through Boston's Independence Foundation.

PRESIDENT DISAPPEARS

The scene at NSA's national headquarters yesterday was one of total dismay that verged at times on panic. W. Eugene Groves, 23, NSA's current president, read a statement several times for the television cameras and then disappeared.

"Where's Gene?" an attractive NSA staff member attired in a miniskirt inquired at one point. "He's probably throwing up in the men's room," a youth told her.

Robert Amory Jr., who was deputy director of the CIA at the height of the agency's relationship with the student organization, acknowledged in a telephone interview that "there was support to organizations like this. It would have been nonsense for there not to be. If we hadn't done this, we could have just been run over by the Commie front organizations" during the cold war years.

Amory said the CIA had given American students "the wherewithal" to attend international student conferences such as the Helsinki World Youth Festival in 1962 and the Vienna Youth Festival in 1959. The student organization was not officially represented at either meeting. Amory stressed that he was not among the officials primarily responsible for liaison with NSA.

Paul Potter, a vice president of NSA for national affairs in 1961, said in a telephone interview from Boston that NSA officers "collaborated more and more with the State Department and the CIA and became known as people who were willing to work in some sense as covers for CIA."

Potter, who is also a former president of the left-leaning Students for a Democratic Society, said NSA's international arm was a key front in student cold war politics.

He noted that the NSA became the principal force behind the continuing Coordinating Secretariat of the International Student Conference, headquarters in Leyden, the Netherlands. The Leyden group served as the Western counterpart to the Communist-dominated International Union of Students in Prague.

Edward Garvey, a former president of NSA, went to work for the Pentagon and then resigned to serve as the top officer of Leyden group, Potter said. Garvey, currently a student at the Wisconsin Law School, could not immediately be reached for comment.

It was reported that Garvey received a $3000 scholarship from the Independence Foundation in 1962. Former NSA president Dennis Shaul and Robert Francis, a full-time employe, also received grants from the foundation, believed to be a front for the CIA.

NSA's current leadership, while stressing that the ties with the CIA have been "terminated," acknowledged that the organization's immediate past president, Philip Sherburne, had procured their present headquarters and furniture in 1965 through the CIA.

"There are a lot of people who say let's haul the filing cabinets out on the street and get out of here," Robert Kunter, NSA's chief of student exchanges, said. "We still may."

In Boston, Paul Hellmuth, the trustee for the Independence Foundation, which holds the mortgage on the four-story building, was not available for comment.

"Nobody's getting anything," his secretary at the Boston law firm of Hale & Dorr said.

Sherburne, in an interview with the Washington Post, noted that the NSA's elected supervisory board under his leadership knew nothing of the CIA's connection with the student group. Other officials said this was also true of the present board.

The former Student Association president denied that the CIA had obtained draft deferments for officers of the organization. Sherburne was expecting such charges in the forthcoming 10,000-word Ramparts article.

He pointed out that some half-dozen of the organization's full-time staff members held 1A classifications and "were in jeopardy of being drafted." In January, 1966, Sherburne recalled, he went before the Presidential Appeals Board of the Selective Service System to successfully plead that the young men be granted deferments. (Sherburne had already won his own exemption, he said.)

Sherburne said he based his appeal upon the fact that NSA's male staff and officers were all of draft age and that the group "would be destroyed" unless exemptions were granted.

One source within NSA expressed grave concern that the exposure of his group's long-standing ties to the CIA would lead to a wave of political arrests—and possibly executions—abroad. "People are going to be killed as a result of this," the source said.

He reasoned that foreign students who had been granted NSA-financed scholarships to study in the United States would now be generally accused of being espionage agents for the CIA.

NSA sources asserted that in 1957 and 1958, the CIA had financed the education of hundreds of Algerian students at American schools.

At the time, an ultimately successful guerrilla effort to drive the French out of Algeria was under way. Paris responded by expelling Algerian students from French schools. The Algerian student program is now being run openly, through NSA, by the State Department.

[From the Washington (D.C.) Post, Feb. 15, 1967]

Covert CIA Aid to Student Unit Is Confirmed—Funds Supplied for 14 Years, State Department Says

(By J. Y. Smith)

The Administration admitted yesterday that for 14 years the Central Intelligence Agency gave secret financial support to the National Student Association.

A brief statement issued by the State Department merely confirmed that the covert aid had been given, that for two years NSA officials had been trying to terminate it, and that longer ago than that Government support of the Association's international activities had been "tapering off sharply."

Asked if the support was now ended, U.S. officials referred newsmen to an NSA statement that it would not receive any funds from the CIA in 1967.

Initial Congressional reaction to the disclosure was, for widely differing reasons, critical of the CIA–NSA relationship.

INVESTIGATION URGED

In a letter to President Johnson, eight Democratic Congressmen called for an "immediate investigation at the highest level" and charged that the CIA "has compromised and corrupted the largest student organization in the largest democracy in the world."

A White House spokesman denied a report that the President had ordered the CIA to end all its covert aid programs to student groups.

U.S. officials went to elaborate length to explain the rationale behind CIA help for NSA, which was estimated in various quarters to total up to $400,000 annually since 1952, when the project began at the end of the Truman Administration.

What they said boiled down to this: during the Cold War tensions of the early 1950s, the Communists were subsidizing student delegates to international youth forums.

U.S. students lacked funds from private sources to enable them to counter this propaganda activity. So the CIA stepped in with money.

Administration officials readily conceded that if the financial support had been public, the credibility of NSA students would have been destroyed on the ground that they were agents of the Government. For this reason, officials said, the support had to be secret.

In fact, the officials maintained, NSA delegates have been wholly free of any Government influence. They said this was shown by the fact that only two NSA officers a year knew of the CIA support and that the organization's views have frequently differed sharply with those of the Government.

PAID THROUGH FRONTS

The money was paid to the NSA through at least five philanthropic organizations which were acting as fronts for the CIA. The agency is barred by law from operating within the United States, although it has done so in the past. The most notable example of this was the staging of the ill-fated Bay of Pigs invasion in 1961.

In making its brief formal announcement, the State Department gave the clear impression that it was merely acting as a spokesman in the effort to get the CIA off the hook. Administration sources said the statement had been drafted with the help of CIA officials.

Officials disclaimed any knowledge of

whether the CIA had provided secret funds for organizations besides the NSA.

Asked if the termination of the program meant that the threat of Communist subversion around the world had diminished, they said that the world has changed since the early 1950s and that the threat was possibly less acute than formerly. Moreover, they said, the NSA might now have private sources of income to finance its activities.

Officials said that Congress had been informed of the CIA–NSA hookup and that "all other segments of Government" had also been informed, presumably including the White House.

Rep. George H. Mahon (D.-Tex.), the chairman of the House Appropriations Committee, declined to comment on the disclosure. As Chairman of the Committee, Mahon is one of the few congressional leaders who has any detailed knowledge of CIA activities. It is to him and a few of his colleagues, meeting in closed sessions, that the Agency justifies its budget requests.

"I have got to be a good security risk," Mahon said.

Rep. William H. Bates (R-Mass.) another CIA watchdog in the House, said he had not read of the State Department statement and that he was about to take his wife out on the town. "It's Halloween. I mean Valentine's Day," he said.

The eight House Democrats who protested the CIA's action in a letter to President Johnson were George E. Brown Jr., Phillip Burton and Don Edwards of California; John Conyers Jr. of Michigan; John G. Dow, Benjamin S. Rosenthal and William F. Ryan of New York; and Robert W. Kastenmeier of Wisconsin.

Declaring that they were "appalled" to learn of the CIA subsidy to NSA, they said that it "represents an unconscionable extension of power by an agency of Government over institutions outside its jurisdiction. . . . It raises again basic questions concerning the adequacy of oversight of the CIA.

"This disclosure leads us and many others here and abroad to believe that the CIA can be as much a threat to American as to foreign democratic institutions . . .

"In allowing this to happen, the American Government owes an apology to the American people, and, more important, to an American generation."

Other Congressional leaders also expressed surprise at being told of the CIA-NSA relationship, but they declined to comment. They included Senate Majority Leader Mike Mansfield of Montana and Sen. George Aiken (R-Vt.)

The CIA-NSA link was roundly condemned by Rep. Donald E. ("Buz") Lukens (R-Ohio), a former National Chairman of the Young Republicans. Considering the critical positions that NSA has taken on "problems directly affecting the security of the United States," Lukens said, the CIA's support of it "is a prime example of a super-secret Government agency working against itself."

[From the Washington (D.C.) Post, Feb. 15, 1967]

STATEMENT ON CIA AID TO NSA

(Following is yesterday's State Department statement on CIA support of the National Student Association:)

We have confirmed with the Central Intelligence Agency that, as stated by the National Student Association yesterday, its leadership has been working over the past two years to terminate the financial relationship concerning the support of NSA's international activities which began in the early '50s. Even prior to that time (ed. note: two years ago), the degree of governmental support for those activities had begun tapering off sharply.

U.S. officials added these comments:

1. There was in the cold war tension of the early '50s a spread of Communist subversive activity in international youth organizations and student groups, particularly in Asia, Latin America and Africa.

2. American students, notably the National Student Association, felt the need to counteract this subversive and propaganda activity and to express effectively their own free ideas abroad. The Communist students were well financed from official sources. The American students, however, were deeply handicapped by lack of funds for overseas work.

3. Private contributions were insufficient, hence the agreement between NSA and the United States Government that the Government would help support the NSA effort.

4. Governmental support for an institution such as NSA obviously raises difficult and delicate problems. No matter how complete the freedom of decision and action retained by the students, such support is bound to raise the legitimate question of whether the purse does not influence the policy. We understand and appreciate this, but at an earlier time the alternatives were limited.

5. Overt governmental support for these NSA activities abroad would have destroyed their utility, because NSA would hence have been subjected to attacks as an instrument of government. Its credibility as a free spokesman, which in fact it consistently has been, would have been impugned at the outset. Indeed, such attack would have come precisely from those students who in fact were paid agents of Communist governments.

6. Therefore, if support were to be given at all, covert support was the only feasible alternative. The very fact that the support was covert and thus known only to two NSA officers a year guaranteed the integrity of the views expressed by the many other NSA members who participated in international sessions. But because it was covert, it also exposed the NSA and the Government to all of the associations which go inevitably with that word.

Next, it would be grossly unfair now to accuse the students of having been propagandists or agents, or to accuse the Government of attempting to influence what were independent, free decisions and views—and the NSA's decisions, policies and actions have been free—as surely is evidenced by the fact that the organization has frequently and sharply differed with the Government. The purpose of the Government support was to provide free students with the means to do the things they would have done unaided had they had the funds.

[From the New York Times, Feb. 15, 1967]

CIA AID ON CAMPUS—U.S. EFFORTS TO COUNTER INFLUENCE OF COMMUNISTS HURT BY N.S.A. DISCLOSURE

(By James Reston)

WASHINGTON, February 14.—The United States Government's efforts to counter Communist influence in the universities, press and trade unions of the world have been seriously hampered by the disclosure that the Central Intelligence Agency has been helping to finance the National Student Association since 1952. It is understood that President Johnson has instructed the C.I.A. to liquidate all secret aid programs to student groups and to review all other programs designed to combat Communist activities in other private organizations.

The controversy goes beyond the agency's financial help to the student association. It involves the relationship between the C.I.A. and private foundations that served as a cover for the agency's funds. It involves other foundations, such as the Ford Foundation, which also gave money of its own to the N.S.A.

It places in jeopardy C.I.A. programs to anti-Communist publications, radio and television stations, and labor unions. And it embarrasses a number of former officials of the student association, who knew about the secret funds to the association and are now serving in important positions in the Government.

The history of the C.I.A.'s aid to the student group helps explain both the policy and the embarrassing consequences of that policy. The first C.I.A. aid to the association was negotiated in 1952 by William Densor, then president of the student organization. He is now United States aid director in Peru.

This is one of the awkward problems of the current controversy. For present Government officials who were privy to the C.I.A.-N.S.A. financial arrangements when they were students are now likely to be identified with the Central Intelligence Agency by Communists even though these officials no longer have anything to do with the agency.

Among these former student association officials now with Government are Ralph A. Dungan, United States Ambassador to Chile and former special assistant to Presidents Kennedy and Johnson; Robert Smith, special assistant to the director of the Agency for International Development; assistant Postmaster General Richard James Murphy; and S. Douglass Cater, Jr., special assistant to President Johnson, though Mr. Cater was an official of the student group before the C.I.A. program started.

The reason for establishing C.I.A. help to the student association, however, is perfectly clear. In the years immediately after the second world war, the Soviet Union took the lead in trying to organize and propagandize the world student movement.

In 1946, when the first World Student Congress met in Prague, the Communist delegations gained control of several key positions, and imposed the Moscow delegation's agenda on the meeting.

The first Soviet vice president of the International Union of Students, for example, was Aleksandr N. Shelepin, who later became chairman of the Soviet State Security Committee.

The American delegates to the first meeting of the union of students first opposed any open break with the Communists, but after the Communist conquest of Czechoslovakia in 1948, when many students opposed the coup, the Americans finally broke away from the union of students and organized their own student association.

FINANCIAL CONTRAST

From the first, however, the American students were hampered by lack of funds, while the union of students had enough money to put on world youth festivals, world rallies, conferences and forums, and regional conferences.

All but the last two of these festivals were held in Communist countries: Prague (1947); Budapest (1949); East Berlin (1951); Bucharest (1953); Warsaw (1955); Moscow (1957); Vienna (1959) and Helsinki (1962). The ninth festival has been scheduled for Bulgaria in 1968.

The estimate here is that the Moscow festival alone, which brought students from all over the world, and especially from the underdeveloped world, cost in the neighborhood of $100-million.

Against this sort of competition, the American student leaders were in trouble. Ironically, though they were opposed by the Communist leaders of the union of students as being maliciously conservative, they were opposed at home as being too far to the left.

The students were able to raise very little money for organization or transportation, though somehow left-wing American students managed to get funds to attend student meetings abroad.

It was against this background that the N.S.A. officials approached the United States Government in 1952 and received some financial help from the Central Intelligence Agency, then under President Truman and the director, William Donovan.

In the last seven or eight years, the agency is understood to have put up an average of $200,000 a year for the student association, this amounts to about 25 per cent of the association's annual budget.

This was, of course, known to Presidents Eisenhower, Kennedy and Johnson. The Senate committee that oversees the C.I.A. was also informed about the program.

Other agencies also helped the student association in special projects. Among them were the Department of Health, Education and Welfare, the Office of Economic Opportunity, the Department of State, and the Agency for International Development.

However the disclosure by Ramparts magazine of the C.I.A. aid to the student association created a problem for President Johnson. The need for continued American participation in the world student movement still exists; Communist efforts to influence the student leaders of the developing world continues; Communist aid to labor union leaders and newspaper and radio and television organizations goes on; but secret C.I.A. aid to these organizations, particularly to university students, creates political difficulties for the President.

Mr. Johnson is already under severe criticism among some elements on the nation's campuses. Universities have been criticized for accepting special research grants from the C.I.A.

Representative Wright Patman, Democrat of Texas, has been threatening to investigate the foundations of the country for years, and these latest disclosures are not likely to discourage his efforts in this field.

This helps explain much of the activity here over the intelligence agency-student association, story in the last few days. It is understood that Michael Wood, a fund raiser for the student group last year, who was subsequently discharged, wrote a long memorandum for Ramparts magazine on the intelligence agency connection.

When officials here heard about the forthcoming publication of the Ramparts story, Allen W. Dulles, and John McCone, former C.I.A. directors, were advised. So were members of the Senate C.I.A. committee and Senators J. W. Fulbright and Eugene McCarthy.

When President Johnson was informed of the disclosure, he asked when the program had started and ordered all such programs stopped. The official word here is that the student association funding did in fact stop on Jan. 1.

The problem, however, remains. The battle to influence the student leaders of the world continues, and there are no private institutions available to finance the American leaders.

This was the problem that started the C.I.A. program in the first place, and it still exists, only without Government assistance.

[From the Washington (D.C.) Evening Star, Feb. 15, 1967]

CIA GAVE MILLIONS TO THREE ADDITIONAL WORLD YOUTH UNITS

(By Robert Walters)

At least one domestic youth group and two international organizations in addition to the U.S. National Student Association have received substantial support from the Central Intelligence Agency.

The CIA's financial aid to NSA over a 15-year period was acknowledged Monday night by officers of the country's largest student organization and confirmed yesterday by a State Department spokesman.

But CIA support of the other three groups has not previously been disclosed. They are:

The U.S. Youth Council of New York, a confederation of 36 political, religious, student and service youth groups.

The World Assembly of Youth of Brussels, Belgium, a confederation of national youth groups from 54 Western and non-aligned nations.

The International Student Conference of Leyden, the Netherlands, a similar confederation of approximately 60 national student organizations from Western and non-aligned nations.

MILLIONS OVER A DECADE

The CIA funds for those organizations, totaling millions of dollars over a period of more than a decade, were channeled to them through foundations.

The principal donor to NSA and the three newly disclosed organizations is the Foundation for Youth and Student Affairs in New York.

Despite the large contributions from the CIA, youth and student leaders from this country who have served in executive positions in all of the groups do not believe their independence of action was affected to any great degree by the convert government support.

In the case of the two international groups, a limited number of U.S. citizens have traditionally served in executive posts, and they have usually been the only ones aware of the source of the funds.

As government spokesmen said yesterday in explaining the need for covert financial support for NSA, the international organizations received the CIA funds after it became apparent that they were engaged in a bitter struggle with a pair of counterpart organizations financed by Communist governments for the allegiance of youth and student leaders in the emerging non-aligned nations of Africa, Asia and Latin America.

Although their officers have frequently been hesitant to force the international organizations they are, to a great extent, creatures of the cold war.

The two domestic groups—NSA and the Youth Council—have sizable programs aimed at increasing the political awareness and participation of students and young persons in this country as well as extensive international programs.

CONTINUING PROBLEM

But the two international groups are involved almost entirely in a continuing ideological struggle with a pair of counterpart organizations headquartered in Eastern bloc countries.

The intensity of the East-West dispute has diminished somewhat in recent years, but the concurrent development of independent youth and student groups in emerging nations has forced the international organizations involved to continue seeking the loyalty of the non-aligned nation's students and young people.

The International Student Conference competes directly with the International Union of Students, located in Prague, Czechoslovakia.

The World Assembly of Youth similarly competes with the World Federation of Democratic Youth, located in Warsaw, Poland.

NSA represents students of this country within the International Student Conference, while the Youth Council represents this nation's young persons within the World Assembly of Youth.

No U.S. organization is a member of the Eastern bloc groups, but the student and youth groups of some nonaligned nations belong to both Eastern and Western bloc international groups.

THE CIA ROLE

It is against that background that the CIA, in the early 1950s, began to take an increasingly active role in providing financial support for those groups sympathetic to Western goals.

Because NSA is by far the nation's most poltically active student or youth group, the CIA has come to rely upon it as a means of developing potential recruits.

As a result of the ties among the four principal organizations supported by the CIA, their officers have frequently engaged in a form of organizational "musical chairs," moving from one group to another.

Although funds have been channeled through a number of foundations, the Foundation for Youth and Student Affairs has been the principal donor of CIA-originated contributions.

The foundation's current director, Harry Lunn, is a former NSA president. He said yesterday his group was "not a CIA front."

Although the foundation does rely heavily on the CIA for its money, it also receives sizable contributions from a number of wealthy U.S. citizens.

AIDED 20 GROUPS

Although its donations are made to a wide variety of nonprofit groups, much of the foundation money goes to student and youth organizations throughout the world. Those close to the foundation say it has provided support for at least 20 such groups.

Although those Americans who served as officers of the two Western-oriented international organizations said their decisions were not influenced by the CIA, all served first as officials of the two domestic groups where their political judgment and expertise were evaluated by the CIA.

Within the two domestic organizations, somewhat tighter—although always covert and sometimes indirect—control was maintained by the CIA.

Officials at the Foundation for Youth and Student Affairs and other foundations, for example, would suggest projects to be undertaken with their money.

SOME INTELLIGENCE WORK

Within all four organizations, the young people also carried on a limited amount of intelligence work for the CIA. Confidential reports from overseas representatives and similar reports on foreign student or youth leaders visiting this country would be forwarded to the CIA.

The policies of all the groups involved were generally liberal, and sometimes considered radical by those of a conservative political inclination.

At the last International Student Conference during the last summer, delegates labeled this country an aggressor in both Vietnam and the Dominican Republic.

The last National Student Conference, sponsored by NSA last summer, endorsed resolutions critical of many of this country's domestic and international policies.

AMENDMENTS TO THE INTERNATIONAL CONVENTION FOR SAFETY OF LIFE AT SEA—REMOVAL OF INJUNCTION OF SECRECY

Mr. BYRD of West Virginia. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from Executive E, 90th Congress, 1st session, the amendments to the International Convention for the Safety of Life at Sea, 1960, transmitted to the Senate today by the President of the United States, and that the amendments, together with the President's message, be referred to the Committee on Foreign Relations, and that the President's message be printed in the RECORD.

The message was referred to the Committee on Foreign Relations, as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to acceptance, I transmit herewith amendments to the International Convention for the Safety of Life at Sea, 1960, which are intended to improve the fire protection of ships, especially passenger ships. These amendments are annexed to the enclosed copies of Resolution A.108 (ES.III) by which they were adopted on November 30, 1966, by the Assembly of the Intergovernmental Maritime Consultative Organization (IMCO) at its Third Extraordinary Session, held in London November 28–30, 1966.

The principal amendments were agreed upon and adopted by IMCO on the initiative of the United States. The amendments are the results of thorough and expeditious multilateral negotiations within an international organization to meet the need, a tragically demonstrated need, for better fire protection for passenger ships.

Acceptance of the amendments by two-thirds of the governments parties to the convention, including two-thirds of those represented on the IMCO Maritime Safety Committee, will incorporate in the convention fire safety requirements that are consistent in every substantive respect with those required by Public Law 89–777, which I approved November 6, 1966.

I transmit also, for the information of the Senate, the report of the Secretary of State with respect to the amendments and the accompanying report of the United States delegation to the Third Extraordinary session of the Assembly of IMCO.

I urge the Senate to give the amendments early and favorable consideration.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *February 15, 1967.*

AMENDMENTS TO SHIP SAFETY CONVENTION

Mr. BARTLETT. Mr. President, the amendments to the Convention for Safety of Life at Sea which the President has just sent to the Senate represent a major step toward safe travel for passengers on the oceans of the world.

Safety standards are established internationally under this convention, which was negotiated in 1960. Both the 1960 convention and the predecessor convention of 1948 had a basic flaw, namely that old ships which were in existence when the conventions were adopted were not required to conform to the new standards. These amendments will correct that flaw. They will require that all passenger ships be constructed in the structural parts of steel. They will also require many other improvements in keeping with modern safety standards.

We were shocked by the tragedy of the *Yarmouth Castle*. Under the new rules, there will be no more *Yarmouth Castles*. The old ships will have to be reconstructed or scrapped.

These rules will be effective around the world, and their adoption through the Intergovernmental Maritime Consultative Organization will mean major improvement in passenger ship safety levels wherever we travel.

Mr. KENNEDY of Massachusetts. Mr. President, I note with pleasure the President's proposed amendments to the Conventions for the Safety of Life at Sea, to which there are presently 64 signatory nations.

The amendments to this convention, transmitted today to the Senate, would make the convention conform to Public Law 89–777, which sets forth safety requirements for passenger vessels sailing to and from U.S. ports, and which passed the Congress last year.

One of the most dangerous of the hazards which has attended the operation of passenger ships over the years has been the tragedy of fire at sea. This was highlighted by the destruction of the *Yarmouth Castle* which burned on November 13, 1965, with a loss of 90 lives, mostly our own citizens. We also recall the subsequent loss of the *Viking Princess*, although in this case expert seamanship by the officers and crew prevented a major tragedy.

Spurred by these unhappy events, and by many others, the Congress has taken constructive action looking to the international adoption of higher safety standards to guard passenger ships against the possibility of fires at sea.

Under the direction of the President and with the full backing of both Houses of the Congress, the United States took the initiative in convening in November 1966 a special assembly of the Intergovernmental Maritime Consultative Organization, a United Nation's body. This assembly addressed itself solely to higher international standards to assure passengers that they would be as free as possible from the danger of fires at sea.

These new standards, which are amendments to the Conventions for the Safety of Life at Sea, are particularly important in that they require the upgrading of safety standards on existing passenger ships of all flags. In many cases this upgrading will require a substantial expenditure by the owners of the vessels.

Not only did the special assembly recommend to governments the adoption of these new and higher standards, but the assembly went one step further: it recommended that governments should immediately put the conditions of the proposed amendments into effect before these amendments become legally binding through the process of ratification by governments.

This recognition of the grave problem of preventing fires at sea, as evidenced not only by the amendments themselves but by the decision that there should be advance implementation, constitutes a heartening example of intelligent, dedicated, and effective international cooperation.

These amendments which are now before the Senate are of particular importance to our own citizens. The carriage of American passengers from American ports on ocean cruises has become a major industry. While the majority of the vessels engaged in this industry are under foreign registry, the vast preponderance of the passengers leaving these ports on foreign ships are American citizens. And they deserve the best possible protection.

While, as I have indicated, there is international acceptance of the principle of "advance implementation," it is clear that the earliest possible ratification of these amendments by the governments signatory to the Convention for Safety of Life at Sea is something that we should all strive for. I hope that the Senate will promptly consider and give its advice and consent to these amendments so that we may do our part in preventing any further loss of life and property through fires at sea on passenger ships.

Mr. PASTORE. Mr. President, I am pleased to hear that the President has sent to the Senate the amendments to the Convention for Safety of Life at Sea to improve the international standards for safety of passenger ships.

The burning of the *Yarmouth Castle* in November 1965 is a tragedy still very much on our minds. This catastrophe must remain vivid in our memories to prod us until the rules for passenger ship safety are raised to a level where our people can board vessels in international commerce with confidence that this sort of accident will not happen again.

These amendments, negotiated at the initiative of the United States through the Intergovernmental Maritime Consultative Organization, will go a long way toward improving safety conditions at sea. When they are adopted and become effective many of the oldest and least safe passenger ships will have to be scrapped. Many other ships will need extensive improvements.

There is a problem of time. These amendments to the convention, and the standards they require, do not become effective until after two-thirds of the governments parties to the convention have ratified them, and this may take some time. We hope it will be a very short time. But because of the time problem, I think it is important to note that representatives of the 64 countries making up the Intergovernmental Maritime Consultative Organization have unanimously recommended that the amendments should be made effective by their countries as soon as possible without waiting for the amendments to come into force in a legal sense.

These amendments will require very little of U.S.-flag vessels. Our standards are already very high. However, they will make a very significant contribution to the safety of Americans traveling on foreign-flag ships, not only from our ports, but in all parts of the world.

Senator MAGNUSON, the chairman of the Senate Commerce Committee—who has directed a thorough investigation into the circumstances surrounding the *Yarmouth Castle* disaster, is necessarily absent from the Senate this afternoon. I understand that he will speak on these amendments in the Senate tomorrow.

LEGISLATIVE REORGANIZATION ACT OF 1967—AMENDMENTS

AMENDMENTS NOS. 91 AND 92

Mr. DIRKSEN submitted two amendments (Nos. 91 and 92) intended to be proposed by him to the bill (S. 355) to improve the operation of the legislative branch of the Federal Government, and for other purposes, which were ordered to lie on the table and to be printed.

AMENDMENT NO. 93

Mr. JAVITS submitted an amendment (No. 93), intended to be proposed by him to Senate bill 355, supra, which was ordered to lie on the table and to be printed.

PROHIBITION OF ARBITRARY DISCRIMINATION IN EMPLOYMENT ON ACCOUNT OF AGE—AMENDMENT

AMENDMENT NO. 94

Mr. JAVITS submitted an amendment, intended to be proposed by him, to the bill (S. 788) to prohibit arbitrary discrimination in employment on account of age, and for other purposes, which was referred to the Committee on Labor and Public Welfare and ordered to be printed.

EXTENSION OF TIME FOR BILLS TO LIE ON THE DESK

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the bill (S. 945) to abolish the office of U.S. commissioner, to establish in place thereof within the judicial branch of the Government the office of U.S. magistrate, and for other purposes, introduced by the junior Senator from Maryland [Mr. Tydings], and now at the desk, be permitted to remain at the desk through February 27, for the addition of cosponsors.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BARTLETT. Mr. President, I ask unanimous consent that S. 850, the Navy Yard legislation and S. 923, the railroad safety legislation, lie at the desk until the close of business February 28, to permit additional Senators to become cosponsors if they so desire.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. PASTORE. Mr. President, on February 8, my colleague, Senator Pell, introduced S. 929, a bill to amend the Tariff Schedules of the United States with respect to the classification of braided rugs. The purpose of this bill, which I have cosponsored, is to preserve American jobs by eliminating an inequitable tariff classification which allows foreign-made braided rugs to flood our market. The bill was to lay on the table for cosponsorship until February 17, under a previous unanimous-consent order. Because of the Lincoln Day recess, and at the request of Senator Pell, I ask unanimous consent that S. 929 remain on the desk until February 24, for additional cosponsors.

The VICE PRESIDENT. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILLS

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the name of the junior Senator from California [Mr. Murphy], be added as a cosponsor to S. 612, the Dairy Import Act of 1967, at its next printing.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BARTLETT. Mr. President, I ask unanimous consent that at the next printing of the bill, S. 236, to amend the Government Employees' Training Act so as to extend certain benefits thereunder to officers and employees of the Senate and House of Representatives, the names of Senators Inouye and Tydings be added as cosponsors.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BARTLETT. Mr. President, I also ask unanimous consent that at the next printing of the bill, S. 681, to promote the replacement and expansion of the U.S. nonsubsidized merchant and fishing fleets the names of Senators Fong and Tydings be added as cosponsors.

The VICE PRESIDENT. Without objection it is so ordered.

Mr. CARLSON. Mr. President, I ask unanimous consent that, at the next printing of the bill (S. 734) to amend the Internal Revenue Code of 1954 to encourage the construction of facilities to control water and air pollution by allowing a tax credit for expenditures incurred in constructing such facilities and by permitting the deduction, or amortization over a period of 1 to 5 years, of such expenditures, the names of the Senator from Illinois [Mr. Percy], and the Senator from Oklahoma [Mr. Monroney], be added as cosponsors.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BAYH. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Rhode Island [Mr. Pell] and the Senator from New York [Mr. Javits] be added as cosponsors of the bill (S. 369) to amend title XVIII of the Social Security Act to eliminate the 3-day stay in hospital for extended care service.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. BAYH. Mr. President, I ask unanimous consent that, at the next printing of the bill (S. 790) to amend the Uniform Time Act in order to allow an option in the adoption of advance time in certain States, the name of the Senator from Idaho [Mr. Church] be added as a cosponsor.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. HART. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Pennsylvania [Mr. Scott] be added as a cosponsor of the bill (S. 725) to waive certain limitations upon claims under Public Law 88–519 (78 Stat. 699).

The VICE PRESIDENT. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILLS, JOINT RESOLUTION, AND RESOLUTION

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors of the following bills, joint resolution, and resolution:

Authority of January 26, 1967:

S. 681. A bill to promote the replacement and expansion of the United States nonsubsidized merchant and fishing fleets: Mr. Bayh, Mr. Dirksen, Mr. Dodd, Mr. Hart, Mr. Hill, Mr. Inouye, Mr. Kennedy of Massachusetts, Mr. Magnuson, Mr. McCarthy, Mr. McGee, Mr. Nelson, Mr. Prouty, Mr. Proxmire, Mr. Scott, and Mr. Young of Ohio.

S. 696. A bill to amend the Rural Electrification Act of 1936, as amended, to provide additional sources of financing for the rural electrification and rural telephone programs, and for other purposes: Mr. Baker, Mr. Bartlett, Mr. Bayh, Mr. Church, Mr. Clark, Mr. Curtis, Mr. Harris, Mr. Hart, Mr. Hartke, Mr. Hill, Mr. Long of Missouri, Mr. McCarthy, Mr. McGee, Mr. Monroney, Mr. Montoya, Mr. Moss, Mr. Muskie, Mr. Nelson, Mr. Sparkman, and Mr. Symington.

Authority of January 30, 1967:

S. 719. A bill to amend section 705 of the Civil Rights Act of 1964 in order to increase the membership of the Equal Employment Opportunity Commission from five members to seven members, and for other purposes: Mr. Allott.

S. Res. 73. Resolution to authorize the Committee on the Judiciary to make a study and investigation of any matter pertaining to the display and use of the flag of the United States: Mr. Pell.

Authority of January 31, 1967:

S. 734. A bill to amend the Internal Revenue Code of 1954 to encourage the construction of facilities to control water and air pollution by allowing a tax credit for expenditures incurred in constructing such facilities and by permitting the deduction, or amortization over a period of 1 to 5 years, of such expenditures: Mr. Baker, Mr. Bartlett, Mr. Brewster, Mr. Dirksen, Mr. Dodd, Mr. Ervin, Mr. Fong, Mr. Griffin, Mr. Javits, Mr. Jordan of Idaho, Mr. Kuchel, Mr. Moss, Mr. Murphy, Mr. Nelson, Mr. Pell, Mr. Randolph, Mr. Talmadge, Mr. Tower, and Mr. Tydings.

S. 735. A bill to provide for periodic review of Federal programs of grant-in-aid assistance to the States: Mr. Allott, Mr. Bennett, Mr. Cooper, Mr. Hatfield, Mr. Jordan of Idaho, Mr. Kuchel, Mr. Morton, and Mr. Prouty.

Authority of February 1, 1967:

S. 788. A bill to prohibit arbitrary discrimination in employment on account of age, and for other purposes: Mr. Allott and Mr. Kuchel.

Authority of February 2, 1967:

S. 804. A bill to amend title XVIII of the Social Security Act to provide payment for optometrists' services under the program of supplementary medical insurance benefits for the aged: Mr. Cotton, Mr. Long of Missouri, Mr. Pell, and Mr. Williams of New Jersey.

S. 824. A bill to provide assistance for the improvement of State and local law enforcement agencies through acquisition of equipment for those agencies and provision of educational opportunities to their personnel, and for other purposes: Mr. Burdick, Mr. Inouye, Mr. Kennedy of New York, Mr. Long of Missouri, Mr. Magnuson, Mr. Metcalf, Mr. Mondale, Mr. Montoya, Mr. Moss, Mr. Pell, Mr. Randolph, Mr. Smathers, and Mr. Yarborough.

S. J. Res. 26. Joint resolution designating February of each year as "American History Month": Mr. Bennett, Mr. Bible, Mr. Boggs, Mr. Case, Mr. Church, Mr. Cotton, Mr. Curtis, Mr. Dirksen, Mr. Dominick, Mr. Ervin, Mr. Fannin, Mr. Fong, Mr. Harris, Mr. Hartke, Mr. Inouye, Mr. Javits, Mr. Jordan of Idaho, Mr. Kennedy of Massachusetts, Mr. Kuchel, Mr. Lausche, Mr. Long of Missouri, Mr. Magnuson, Mr. McCarthy, Mr. McGee, Mr. Metcalf, Mr. Mondale, Mr. Morton, Mr. Murphy, Mr. Pearson, Mr. Pell, Mr. Prouty, Mr. Randolph, Mr. Scott, Mr. Thurmond, and Mr. Young of North Dakota.

Authority of February 3, 1967:

S. 830. A bill to prohibit age discrimination in employment: Mr. Bible, Mr. Cannon, Mr. Kennedy of Massachusetts, and Mr. Long of Missouri.

NOTICE OF HEARINGS ON CONSTITUTIONAL IMPLICATIONS OF MIRANDA AGAINST ARIZONA

Mr. BAYH. Mr. President, as chairman of the Senate Judiciary Subcommittee on Constitutional Amendments, I wish to announce forthcoming hearings on the effects of the Supreme Court decision of Miranda against Arizona on law enforcement agencies. Hearings will be conducted on February 16 and 17, 1967, in the Federal Building, room 390, Milwaukee, Wis., and on February 21, 1967, in the Federal Building, room 9413, Omaha, Nebr. Any persons interested in these hearings should contact the subcommittee staff in room 419 of the Senate Office Building.

NOTICE OF HEARING BY SUBCOMMITTEE ON PATENTS, TRADEMARKS, AND COPYRIGHTS

Mr. McCLELLAN. Mr. President, as chairman of the standing Subcommittee on Patents, Trademarks, and Copyrights of the Committee of the Judiciary, I wish to announce that the subcommittee has scheduled a public hearing on S. 597, the copyright revision bill. These hearings will be held on March 15, 16, 17, 20, and 21, commencing at 10 a.m. in room 3302, New Senate Office Building.

The subcommittee has already received a number of requests from those who wish to testify on this bill. Anyone else who wishes to testify should communicate immediately with the office of the subcommittee, room 349–A, Senate Office Building, Washington, D.C., telephone 225–2268.

The subcommittee consists of the Senator from Michigan [Mr. Hart], the Senator from North Dakota [Mr. Burdick], the Senator from Pennsylvania [Mr. Scott], the Senator from Hawaii [Mr. Fong], and myself.

ANNOUNCEMENT OF HEARINGS ON HUMAN RIGHTS CONVENTIONS

Mr. DODD. Mr. President, last Thursday, February 9, I announced, as chairman of the Subcommittee on Human Rights of the Committee on Foreign Relations, that the subcommittee would hold hearings on February 23 and 24 on the following three Human Rights Conventions: Convention on the Political Rights of Women—Executive J, 88th Congress, 1st session; Convention Concerning the Abolition of Forced Labor—Executive K, 88th Congress, 1st session; and Supplementary Convention on the Abolition of Slavery—Executive L, 88th Congress, 1st session.

I am now pleased to add that Ambassador Arthur J. Goldberg, the U.S. Representative to the United Nations, will be the principal administration witness on these treaties on February 23.

Due to circumstances beyond the control of the subcommittee, however, the hearing on the 24th of February will have to be postponed. The new date for taking additional testimony on the Human Rights Conventions is Wednesday, March 8, 1967.

Again I request that all persons interested in presenting their views get in touch with the chief clerk of the Committee on Foreign Relations, Mr. Arthur M. Kuhl.

Members of the subcommittee are Senator Clark, Senator Pell, Senator Hickenlooper, and Senator Cooper.

CROSS-WABASH VALLEY WATERWAY

Mr. DIRKSEN. Mr. President, I am in receipt of a letter from the secretary of state of the State of Illinois, enclosing Senate Joint Resolution No. 19, enacted by the Senate of the State of Illinois, which urges Congress to authorize a feasibility study of the development of the Cross-Wabash Valley Waterway, in accordance with a favorable report prepared by the Wabash Valley Interstate Commission. This study was financed by appropriations made by the States of Indiana and Illinois.

I ask unanimous consent that a copy of the joint resolution be printed at this point in the Record.

There being no objection, the joint resolution was ordered to be printed in the Record, as follows:

Senate Joint Resolution No. 19 Offered by Senators Peters and Merritt

Whereas, The Wabash Valley Interstate Commission, created in 1959 under the authority of the Wabash Valley Compact between the States of Indiana and Illinois and approved by the Congress of the United States, was organized for the purpose of formulating a plan for the development of the human and natural resources within the 33,100 square miles comprising the Wabash Valley in Indiana and Illinois; and

Whereas, A study conducted by the Commission to determine the economic impact of such a development, indicates that the use of the proposed waterway by the people of the States of Illinois and Indiana, as well as others, will result in a savings of in excess of $90,000,000; and

Whereas, The development of such a waterway will not only benefit industry in the States of Illinois and Indiana, but will provide ideal conditions for the development of extensive recreational facilities; will be a valuable source of water for industrial use; and will provide a substantial increase in employment opportunities for the area; and

Whereas, A further study to determine the feasibility of the development of a Cross-Wabash Valley Waterway in accordance with the published report is indicated as being highly desirable; therefore be it

Resolved, By the Senate of the Seventy-fifth General Assembly of the State of Illinois, the House of Representatives concurring herein, that the General Assembly urges the Congress of the United States to authorize the U.S. Army Corps of Engineers to make a feasibility study of the development of a Cross-Wabash Valley Waterway pursuant to and in accordance with the conclusions and recommendations prepared and published by the Wabash Valley Interstate Commission; and that the Congress fund such study; and be it further

Resolved, That copies of this resolution be forwarded by the Secretary of State to every member of the Congress of the United States from the State of Illinois.

Adopted by the Senate, February 7, 1967.

Samuel H. Shapiro,
President of the Senate.
Edward E. Fernandes,
Secretary of the Senate.

Concurred in by the House of Representatives, February 7, 1967.

——— ———,
Speaker of House of Representatives.

——— ———,
Clerk of House of Representatives.

AMERICAN LITERATURE AND THE NATIONAL ENDOWMENT FOR THE HUMANITIES

Mr. JAVITS. Mr. President, I call attention of the Senate to the National Endowment for the Humanities, which is part of the National Foundation on the Arts and the Humanities.

Mr. President, Congress, through Public Law 89–209, established the National Endowment for the Humanities to develop and encourage the pursuit of a national policy for the promotion of progress and scholarship in the humanities. In doing this, Congress recognized that the world leadership which has come to the United States cannot rest solely upon superior power, wealth, and technology, but must be solidly founded upon worldwide respect and admiration for the Nation's high qualities as a leader in the realm of ideas and of the spirit.

Recently, the Endowment has published some of the works of early American writers, Nathaniel Hawthorne, and Ralph Waldo Emerson, based on the concern that the United States should not be one of the few major nations which had not produced definitive editions of its great authors. I ask unanimous consent to have printed in the Record a letter from Hon. Barnaby C. Keeney, Chairman of the National Endowment for the Humanities, relative to this project.

There being no objection, the letter was ordered to be printed in the Record, as follows:

National Foundation on the
Arts and the Humanities,
Washington, D.C., January 12, 1967.

Hon. Jacob K. Javits,
U.S. Senate,
Washington, D.C.

Dear Senator Javits: I realized this morning that in the course of the discussion in Senator Pell's office on Tuesday, which was of course most welcome to Roger and me, I didn't have the opportunity to tell you in detail about the volumes I left with you. Since they represent the first fruits of a venture of real interest to the Endowment and the National Council on the Humanities, I thought you might wish to know something more about them.

The three volumes of Hawthorne's Novels and the seven volumes of Emerson's Early Lectures, Journals and other works are products of a unique scholarly undertaking dating from the late 1940's. At that time, a committee of the Modern Language Association, concerned that the United States was one of the few major nations which had not produced definitive editions of their great authors, proposed a concerted scholarly effort toward that goal. By 1963 a Center for Editions of American Authors had been formed to coordinate and guide the work of 140 scholars-editors in producing definitive volumes of the works of Mark Twain, Steven Crane, Ralph Waldo Emerson, Nathaniel Hawthorne, William D. Howells, Washington Irving, Henry D. Thoreau, and Walt Whitman.

Despite the importance of the project, financial support for such a major effort was difficult to secure until on July 28, 1966 the National Endowment for the Humanities granted $300,000 to the Modern Language Association in support of the Center. The volumes which you received, a limited number of which the Modern Language Association made available to the Endowment, were not produced with Endowment support, but are indicative of the volumes which that support will make possible in the future. A condition of the NEH grant was that texts of volumes edited with NEH support shall be available to responsive reprinting publishers for a reasonable fee, insuring the volumes widespread dissemination in inexpensive texts.

Thus the Act, in which you played such an important role, is rapidly bringing about a truly monumental achievement of American scholarship whose impact will be felt throughout the international scholarly community and which will bring the accurate text of great American authors to the peoples of the nation and the world.

You may find of interest the concluding remarks of the Center's Director, William M. Gibson, reporting to the Modern Language Association in December:

"As for prospects and the future. The contribution of editors of Center editions comes first: it is essential and almost incalculably great, even in terms of money. The universities at which these editors teach and edit are making a very substantial contribution, since their financial officers are in many cases, expending and keeping records of Center funds without administrative costs, or overhead. The presses and publishers have committed themselves—or are committing themselves—to unusually heavy costs in producing handsome, well-designed books, on paper that has an estimated shelf-life of 300 years, in durable bindings, with no very great chance of recovering publication costs until years have gone by. Thus, the angels of the Center include the scholar-editors themselves, their universities, and their publishers. But the Center's chief angel is of course the National Endowment for the Humanities, in the persons of Mr. Barnaby Keeney, its director, his deputy Mr. J. Saunders Redding, Director of Research, and the twenty-six members of their council. They and their Endowment represent, through the Congress, American citizens generally. We are sure they will continue to support Center editions so long as Center editors continue to fulfill their *great* responsibility to the scholarly community and the American community-at-large."

Sincerely,

BARNABY C. KEENEY,
Chairman.

NEED FOR ONE-STOP EDUCATIONAL SERVICE CENTERS

Mr. JAVITS. Mr. President, the multiplicity of Federal education aid programs administered by a variety of agencies poses a difficult problem to school administrators, especially those from poor districts with a heavy poverty impact and with meager resources of their own, as to where and how to fit in local needs, and especially how to make application. As School Boards magazine has written of the more than $9 billion in education-aid programs—

> School boards and administrators have a very serious problem in trying to maintain accurate and up-to-date information on the multitude of federal-related programs.

This difficulty is complicated by cost. For example, one commercial information service sells a notebook summary of all HEW-related programs, including monthly supplements and subscriber inquiry service, for more than $300. Other prices charged for various commercial services required by school administrators to keep abreast of Federal programs range up to as high as $500 annually. These charges are especially burdensome to the poorer school districts which need these aids the most.

In the light of this problem, I have urged the Department of Health, Education, and Welfare to establish one-stop service centers for school officials both here in Washington and in Office of Education regional offices throughout the Nation. Such centers would be able to furnish information and make appropriate references not only on programs administered by the Office of Education and other divisions of HEW but also on education programs administered by other agencies—for example, the National Science Foundation, the Office of Economic Opportunity, the Department of Labor, the Bureau of Indian Affairs, the Veterans' Administration, and the Department of Defense, to cite the principal agencies with education programs.

In responding to my inquiry, the Department of Health, Education, and Welfare indicated that HEW had established a task force "to consider the feasibility of establishing one-stop departmental information centers." However, there is no indication of the length of time that it will take from the commencement of these feasibility studies—and they have just begun—to actual fruition. I urge that the HEW act with dispatch on the important undertaking. The education programs authorized by Congress cannot attain the goals which we envisioned unless they are delivered to where they will do the most good and utilized to maximum effect.

I recall that during the Korean war, a one-stop service center was established at the Department of Commerce for small businesses seeking to sell products and services and conduct business with the myriad of offices handling contracts and Federal programs. If such a service can be supplied to the administrator of a commercial enterprise, it seems to me that it can also be supplied to the administrators of the some 25,000 school districts throughout the Nation. I hope that the Department of Health, Education, and Welfare will give priority to establishing these service centers for school boards and administrators which I have suggested.

CIVIL RIGHTS

Mr. JAVITS. Mr. President, I have a parliamentary inquiry.

I believe that a civil rights message has just come to the Senate, and I should like to inquire of the Chair whether any bill has been introduced to implement that message. If a bill has been introduced, I should like to be advised of it, as I wish to object to second reading today.

The VICE PRESIDENT. The Chair does not have any information to the effect that legislation has been introduced or that a bill has been introduced. As yet, the message has not been received.

Mr. JAVITS. In any case, I wish to give notice that I wish to object to second reading on the same day as first reading, when the bill is introduced.

I thank the Chair.

The VICE PRESIDENT. The Chair will take note of the Senator's remarks.

AMERICAN OFFICIALS DOWNGRADING SOVIET THREAT TO PEACE

Mr. BYRD of Virginia. Mr. President, during recent weeks, talks with high government officials, including the American Ambassador to the United Nations, lead me to the conclusion that our Government is misjudging the intent of the Soviet Union and its threat to world peace.

I do not question the motives of our policymakers, nor their conscientious desire to do what is best for the United States.

I do question their judgment.

In seeking to bring about a lessening in East-West tension, which all of us wish, American officials are downgrading the Soviet threat to peace.

Too often do we hear from top officials that were it not for Red China, peace could be attained in Vietnam.

This ignores a basic fact: The Soviet Union, not China, is providing the major military support for the Vietnam war. The Soviet Union is providing Mig fighter aircraft, heavy artillery weapons, antiaircraft weapons, the SAM's—surface-to-air missiles—radar equipment, a steel plant, and, most of the oil.

Thus, all of the sophisticated weapons are being supplied by the Soviet Union. China is providing small arms and food for North Vietnam.

This is important to the North Vietnamese war effort—but it does not compare with the military aid being supplied by the Soviet Union.

If China were to cease supplying the North Vietnamese and the Vietcong, the war effort of those two groups would be hurt. But if the Soviet Union were to stop supplying war materiel, that in itself would bring the war to an end in a short time.

Mr. President, I do not buy the argument being peddled around Washington and in the United Nations that the Soviet Union desires peace in Vietnam. If this were indeed a fact, peace could come quickly. Russia, not China, is the main supplier of arms.

I am convinced, Mr. President, that the Vietnam war is dragging along to the advantage of both the Soviet Union and Communist China.

Neither is losing men in Vietnam, yet U.S. casualties are running at a rate of 1,000 per week.

As to economic costs, the Soviet Union spent $2 billion in supplying equipment to the North Vietnamese during 1966. The United States, however, spent $20 billion last year and will spend an equal amount again this year.

I submit that a long war in Vietnam is advantageous to the Soviet Union and to China. It is not illogical that both desire that the United States continue to shed blood and treasure in a war in which neither is directly involved.

I am alarmed when I hear the argument that is so frequently made in official quarters that the Soviet Union would like to have peace in Vietnam but is prevented from doing so by Communist China.

No real effort is being made by the American Government to obtain effective help for the United States from the United Nations, or from individual members. In that connection this Nation has mutual defense agreements with 41 different nations and yet only three or four nations are giving support to our war effort in Vietnam. In fact, those American officials most closely connected with the United Nations state privately, if not publicly, that, of the 122 members of the world organization, perhaps less than 30 are sympathetic with the U.S. action in Vietnam.

Has not the time come, Mr. President, to remove the restrictions upon the American military commanders in Vietnam to permit air and naval bombardment of meaningful military targets in North Vietnam?

Should we continue increasing the number of American ground troops in South Vietnam yet simultaneously prevent the military commanders from hitting the important military targets in North Vietnam?

I have put this question to our military leaders: If you were ordered to conduct the war in such a way as to bring it to an early conclusion with the least possible American military casualties, would you follow present operating procedures? The answer was "No." The military commanders would remove the restrictions on air and naval bombardment of vital military targets in North Vietnam.

I submit, Mr. President, that a long war is playing directly into the hands of the Soviet Union.

I feel, Mr. President, that too many high officials are misjudging the intentions of the Soviet Union. If in fact we do make an error in this regard, it would be an error that we could not later correct.

Mr. President, today the Emperor of Ethiopia had breakfast in the Capitol. Last night he was the guest of the President at a dinner at the White House. This brings to mind 1935, and I wonder whether there is a similarity between the lack of action on the part of the League of Nations, when the freedom of Ethiopia was involved, and the lack of action today on the part of the United Nations insofar as the war in Vietnam is concerned.

If ever the United Nations is going to be an effective instrument for peace, then it seems logical it should begin where the action is—and the war today is in Vietnam. Aside from the United Nations I do believe, Mr. President, that our allies—and we have mutual defense agreements with 41 nations—must give greater support to the American war effort in Vietnam. I would hope that the executive branch of Government would give determined attention to this matter.

(At this point, Mr. Byrd of Virginia assumed the chair.)

VIETNAM—WE HAVE DISAPPOINTED THE WORLD

Mr. YOUNG of Ohio. Mr. President, it was with a profound feeling of sadness that I read the news our bombing of North Vietnam had been resumed. Premier Kosygin's plane had barely left the London airport. According to Prime Minister Wilson, peace "was almost within our grasp" last weekend. At the United Nations in New York, Secretary General U Thant expressed bitter disappointment and puzzlement that the United States did not at least allow time for Soviet Premier Kosygin to return to Moscow and report on his talks with British Prime Minister Wilson before our Nation resumed bombing. Astonishment and bafflement have been expressed by U Thant that the United States ordered resumption of bombing of North Vietnam at the precise time that the Foreign Minister of South Vietnam, Tran Van Do, told a UPI reporter in Saigon "the United States and North Vietnam may already be engaged in secret talks for peace" and "prospects are much brighter now than they were a few weeks ago for peace in Vietnam."

Our actions, according to the Vatican City newspaper, L'Osservatore Romano, causes "grave and profound grief." In addition, newspapers in Italy, Hungary, and other countries accuse President Johnson of "official hypocrisy," and the French newspaper Le Figaro asserts that "military rather than diplomatic considerations dominate U.S. actions in Vietnam." In London 100 members of Parliament petitioned the British Government "to disassociate from support of the bombing." Once again the U.S. Government has strained its credibility in the estimation of the world and has raised grave questions about the sincerity of our quest for an end to the war.

Last week in a news conference in London, Premier Kosygin stated that if the United States immediately and unconditionally ceased bombing North Vietnam, the way would be cleared for peace negotiations. State Secretary Dean Rusk's distortion of Kosygin's statement in charging that the other side is demanding "permanent" cessation of bombing was precisely pointed out by Walter Lippmann in his column in the Washington Post of February 14.

I ask that Mr. Lippmann's column be printed in the Record at this point as a part of my remarks.

There being no objection, the article was ordered to be printed in the Record as follows:

The Sticking Point

(By Walter Lippmann)

In the preliminaries to negotiation the sticking point is just what the other side means by insisting that the bombing of North Vietnam must cease before discussions can begin.

On this point Prime Minister Kosygin, who held a news conference in London last Thursday, speaks with great authority. The United States should "immediately and unconditionally cease the bombing of the Democratic Republic of Vietnam, and then the way would be cleared to the negotiating table for a discussion of all questions of the relations between Vietnam and the United States, in other words, to seek a way to a political solution of the Vietnam problem."

This would be clear enough but for what Secretary Rusk said in his press conference which was held the next day. He stated Hanoi's pre-condition to negotiation totally differently from Mr. Kosygin. "The other side," he said, "is demanding an unconditional *and permanent* (italics mine) cessation of bombing." The Rusk version of what the adversary demands inflates the demand into an absurdity—an absurdity not only wholly unacceptable to us but quite meaningless in fact.

For Secretary Rusk's version makes it appear that the adversary demands that we grant North Vietnam an absolute guarantee that no matter what they do, no matter whom they attack, they will be immune forever from any military action on our part which involves the use of bombers. Mr. Kosygin has not asked us to agree to such nonsense, and it is quite plain from his statement that it is not what he expects of us. What Mr. Kosygin asks us to do is to "stop the bombing in order that the way be cleared to the negotiating table for a discussion of all questions . . ."

The "reciprocity" which, rightly enough, we ask should be that a cease-fire in the air over North Vietnam will be followed by negotiations for "a political solution of the Vietnam problem." It is obvious that if the negotiation fails and the war is resumed, it would be resumed by the United States as well as by Hanoi.

Had Mr. Rusk paid attention to what Mr. Kosygin said the day before in London, he could not have argued that we are asked to give up something for nothing. As Mr. Rusk spoke there existed already the prediction of the Prime Minister of the Soviet Union that with the suspension of the bombing "the way would be cleared to the negotiation table." Is that something for nothing? Or is it not precisely what the President most wants to have happen?

The President has been saying since the Baltimore address of April 1965 that our objective is a political solution in Vietnam which respects the independence of South Vietnam. We have learned during the past week that the Vietcong, which is conducting the rebellion in the South, is not in favor of submission to and absorption by Hanoi. The political aims of the Vietcong, which have been reported with apparent authority by Wilfred Burchett, are not only quite compatible with our official objectives—if they are agreed to in the settlement and endorsed by Hanoi, by Moscow, and not inconceivably by Peking, the President will have nothing to complain about.

Mr. YOUNG of Ohio. Mr. President, it is evident that our tremendous bombing of military installations, bridges, railroads, and even residential sections at the edge of Hanoi has been, from the beginning, a horrendous mistake. It has utterly failed to achieve its objectives. Infiltration of troops and supplies from North Vietnam into the south through Laos or directly through the demilitarized zone has not only continued, but has increased while the bombing has been going on.

In addition our bombing seems to have stiffened the resolve of the leaders and the people of North Vietnam and has set back, rather than accelerated, the prospects for an armistice and cease-fire. Assuming enemy bombs were being dropped on the United States, would we Americans for one minute consider engaging in conversations with the enemy for an armistice and cease-fire? Or, to take an actual case, during World War II the British determination to resist German aggression was strengthened, rather than weakened, by the Luftwaffe's continuing bombing of London. We applauded the British as heroes. Should we be surprised that our bombing of Hanoi has had the similar effect of stiffening the North Vietnamese will to resist, and casting them as heroes to a large segment of world opinion, particularly in the Asiatic world? One thing should have become clear: we cannot bomb our way to peace in Vietnam.

Militarists in Washington have unduly influenced President Johnson. I consider Gen. Curtis LeMay's recent statement that we should turn our air power loose and bomb the enemy back into the stone age to be terribly dangerous. The Joint Chiefs of Staff of our Armed Forces should not be permitted to make political and policy decisions.

State Secretary Dean Rusk also continues to give President Johnson bad advice. In his recent news conference just before the President announced the decision to resume bombing, Secretary Rusk said:

> We cannot stop our military actions involving the bombing while they continue their military actions of invasion.

Secretary Rusk ignores the fact that historically there never was a North Vietnam and a South Vietnam. He ignores the fact that the Geneva accords of 1954, which Secretary John Foster Dulles approved, stated:

> The military demarcation line at the 17th parallel is provisional and should not in any way be considered as constituting a political or territorial boundary.

Secretary Rusk claims that 45,000 hard-core North Vietnamese regular soldiers have infiltrated across the demarcation line from North Vietnam into South Vietnam. But should he not add that much of this infiltration from the north began only after the United States began bombing North Vietnam in February 1965? And should he not add that the United States has brought into South Vietnam approximately 50,000 soldiers from the Republic of Korea, and 2,000 combat engineers of the Philippine Republic? This more than offset the numbers attributed to North Vietnam. Furthermore, our Government has given the Republic of South Korea more than $150 million additional aid and more than $100 million additional aid to President Marcos of the Philippine Republic. Assistance from these allies, so-called, is being obtained at American taxpayers' expense. In addition we are maintaining by our subsidies and aid the few thousand Australian and New Zealand soldiers.

Officials of the executive branch of our Government would hotly deny that the foreign soldiers we have transported, armed, and maintained to fight along with us in South Vietnam are mercenaries such as Britain used in our own Revolutionary War. In truth, the only difference is that King George III and Lord North, his Prime Minister, paid the rulers of Hesse Cassel some thousands of pounds for the Hessians to fight against the forces of liberation in the 18th century who rose up against British oppression of her 13 Colonies in America; and we are making the same sort of deal or purchase in the 20th century. It is a wise saying that "Those who fail to understand history are condemned to repeat it."

And who are the heroic men we call our allies in South Vietnam? Of the 10 generals who overthrew the Saigon civilian government in June 1965, nine fought with the French Colonial Army forces against the forces of the National Liberation Front seeking to free all Vietnam and what is now Cambodia and Laos from the French colonial oppressors. The National Liberation Front forces were then termed Vietminh, now Vietcong. Only one of the 10 fought with the rebels, or Vietminh. The remaining nine were noncommissioned officers in the French Army. Prime Minister Ky was also born and reared in Hanoi, in North Vietnam, and was also training as a pilot in the French Air Force at the time his fellow countrymen were surrounding Dienbienphu and fighting the liberation of their country. Let us face it: We are fighting to support the tories of Vietnam. We Americans, who like to consider ourselves the most revolutionary people on earth, have apparently become the most unrevolutionary.

It seems evident that Secretary Rusk has discarded the program of a peaceful solution. Thus far he has never stated clearly whether he would be willing to permit representatives of the National Liberation Front, or VC, to be represented at a conference seeking peace as independent delegates—independent of the Saigon regime of Ky and of the Hanoi regime of Ho Chi Minh. If a conference can be arranged to seek a cease-fire in Vietnam either under the authority of the International Control Commission or by reconvening the Geneva Conference of 1954 in some Asiatic city, I ask the question of Secretary Rusk: "Are you willing that the National Liberation Front, or VC, be represented by delegates of their own choice independent of the delegations of the Hanoi and Saigon regimes? Will you sit down with three NFL or VC delegates of their own choice, alongside three delegates from the United States and three delegates each from the Hanoi and Saigon regimes?"

Judging from the continuing attitude of our Secretary of State, I fear that he will advise the President against permitting the Vietcong to participate as independent delegates in any conference.

If that view prevails, then the bloodletting will continue and thousands more Vietnamese civilians, men, women, and children, will be killed, wounded, or terribly burned by our napalm bombing; and thousands more American soldiers and airmen will be killed and wounded and afflicted with the plague, malaria, and other tropical diseases.

Our stubborn refusal to admit a mistake is particularly unfortunate because other circumstances have made this an opportune moment for seeking peace. China is convulsed with inner turmoil. The Soviet leaders, as well as our allies, seem eager for peace in Vietnam.

What better moment in recent years could there be than right at this time, today, to do everything possible to bring about a conference to lead to a cease-fire and an armistice? Hanoi and the Vietcong may want peace or may not want peace, but we should at least strive to our utmost to bring them to the bargaining table. How can that be accomplished when our Secretary of State is evasive and his statements and attitude contradict the statements of our President that he will go anywhere and do anything to achieve peace?

Secretary Rusk frequently speaks about dastardly sneak attacks in the nighttime by the Vietcong. I hope he is not trying to rewrite American history. We are very proud of the Christmas night in 1776 when George Washington crossed the Delaware and, in silence, and with a small force, defeated the drunken Hessians at Trenton under the command of General Rahl and captured 950 of them, killing General Rahl. We term it a great victory and a turning point in the Revolutionary War. Perhaps Secretary Rusk would have called that a dastardly sneak attack as he so-called the Vietcong attack at Pleiku at 2 o'clock in the morning.

Mr. President, no longer do we hear the claim from Hanoi that peace negotiations must be preceded by a withdrawal of American troops. Today Hanoi's only condition for negotiations apparently is a cessation of American bombing. This is significant. Also significant was Ho Chi Minh's recent appeal to Pope Paul VI. Despite the views of State Secretary Rusk, it is clear we could move toward negotiations by stopping the bombing of North Vietnam and by announcing that it will not be resumed unless it should become evident the rulers of Hanoi and the leaders of the National Liberation Front of Vietnam do not under any circumstances agree to join us in an effort to achieve an armistice and a cease-fire.

So long as we pursue our present course, our supposed friends and allies such as De Gaulle and the people of France, West Germany, India, Japan, and other nations will continue to become increasingly hostile to us. Our European allies want no part of this war and have offered nothing but criticism. The Philippine Government has sent only token aid to us. Japan with an army of 250,000 has done nothing. On the contrary, in Japan there have been riots against the United States. Our reservoir of good will throughout the world is being poisoned by our own shortsighted involvement in a civil war in Vietnam. It is the United States rather than North Vietnam, which is being termed an aggressor nation.

Despite President Johnson's assertions of North Vietnam aggression and Dean Rusk's repetition of Communist aggression from the north, it is self-evident that this is an internal turmoil, an insurrection or civil war in a country of no strategic or economic importance to the United States.

The conflict in Vietnam is not and has never been similar to aggression by the forces of North Korea and finally by volunteers from Red China against the forces of South Korea and the United Nations. This fundamental fact must be accepted. The fact is that there is no evidence whatever of even one Chinese soldier fighting against us in Vietnam.

The truth must be accepted that we are involved in an insurrection, or a civil war, in Vietnam, and Secretary of Defense McNamara, in his recent statement before the Armed Services Committee of the Senate, referred to that conflict as an insurrection.

Under the Geneva accords, Ho Chi Minh and the rulers of Hanoi expected and wanted an election in 1956. Those pledged free elections written in the Geneva agreement were never held, due to the actions of our own CIA officials and to the fact that the then President Diem of South Vietnam called them off.

Very definitely, instead of piling one mistake on top of another, our administration leaders should disregard the on-to-victory advice of Gen. Curtis LeMay, other militarists, and Secretary Dean Rusk.

Up to this time, we have committed to the conflict in Vietnam more than one-third of our combat-ready ground forces, more than one-half of our combat-ready airpower, and the entire 7th Fleet, which is more than one-third of our naval power, and is the most powerful war fleet that has ever plied any ocean at any time in the history of the world.

Before it is too late, we should seek to extricate ourselves from a situation that is daily becoming more dangerous and intolerable. Let us work harder to try to accomplish a cease-fire. Perhaps, as a result of a conference, all of Vietnam, or all of what was the Indo-Chinese empire—North and South Vietnam, Cambodia, and Laos—could be neutralized, and could then be, as that area has always been, a barrier against aggression from China.

Let us, Mr. President, follow the advice of Gen. Matthew Ridgway and of Gen. James Gavin, the former Ambassador to France, and tell the world that we would be willing to withdraw our Armed Forces to our coastal bases. Then, when lasting peace has apparently been achieved and a stable government has apparently been established in what is now South Vietnam, we should agree to gradually bring our troops home from Vietnam, maintaining perhaps one coastal base there, and permit the people of southeast Asia to solve their own problems without interference from the most powerful Nation in the world, and achieve that freedom for which they hoped when they caused the French to give up their Indo-Chinese colonial empire by withdrawal of 240,000 troops commencing in September 1954.

With Communist China convulsed by internal turmoil, the present time and the immediate future present an opportune time to continue most earnestly efforts for peace in southeast Asia.

THE NEED FOR A STRONG MERCHANT MARINE POLICY

Mr. MAGNUSON. Mr. President, there are many issues of importance facing the Congress as we begin the 90th session. None, however, is more urgent or more demanding of immediate constructive action than the crisis presented by the deplorable state of our merchant marine. No one, I am sure, understands that any better than the distinguished occupant of the chair (Mr. HARTKE in the chair).

Mr. President, this crisis presents not only a grave danger, but an imminent serious threat to the well-being of every citizen of the United States.

It has often been said—and it is true—that the merchant marine is the fourth arm of our defense. Every time we face international problems of trouble, the American merchant marine plays an invaluable role in any effort we make overseas.

Without an adequate merchant marine the United States cannot possibly have an adequate defense. Without an adequate merchant marine, the United States cannot possibly realize its economical potential in foreign trade.

There is no dispute that our merchant marine is woefully inadequate. We are now carrying—this is a startling figure—only 8 percent of our foreign waterborne trade, a trade that amounted to $32.6 billion in 1965. According to Lloyds Register of Shipping, the United States has dropped to 10th in the world's shipbuilding statistics. While the world fleet has increased by 61 percent in the last 15 years, America's privately owned fleet has decreased by 24.5 percent.

Today only some 871 merchant ships are under the U.S. flag. Approximately only 100 can be considered modern or can sustain speeds of 20 knots or more an hour. The remainder of the ships generally are World War II ships. We are rapidly approaching block obsolescence of these ships. Have we forgotten that in the first 180 days after the United States entered World War II, there were 519 American ships sunk by enemy submarines. The submarines in the fleets of the other nations of the world today have been increasing in number and becoming more modern since that time.

We have 1,500 World War II vessels in our national defense reserve fleet. These same reserve fleet ships were described by former Secretary of Defense James Forrestal in 1947 as "makeshift jobs, using practically any kind of propulsion power."

We have had to activate 153 of these old tubs to carry supplies to Vietnam at a cost of approximately $500,000 per vessel. By 1975 most of the ships in the national defense reserve fleet will be 30 to 35 years old, clearly obsolete and in most cases practically useless.

Further, our nonsubsidized tramp fleet cannot replace its World War II built vessels at a cost that makes replacement feasible. As such, 10 years from now we may no longer have an unsubsidized tramp fleet operating even though 70 percent of its total general cargo capacity is presently in Government service carrying supplies to Vietnam.

This, Mr. President, is the sad and dangerous position of our merchant marine, at a time when the necessity of a strong fleet is made shockingly clear by the fact that 98 percent of the supplies going to Vietnam is being carried by merchant vessels.

Our Vietnam experience is absolute and indisputable proof that the requirement for a strong and modern merchant marine is as valid today as when President Franklin D. Roosevelt stated:

> War has proved to the American people that a strong Merchant Marine is as necessary to the nation as a powerful Army and Navy.

President Eisenhower concluded that—

> We were caught flat-footed in both World Wars because we relied too much upon foreign owned and operated shipping to carry our cargoes abroad and to bring critically needed supplies to this country. I consider the Merchant Marine to be our fourth arm of defense and vital to the stability and expansion of our foreign trade.

President John F. Kennedy said:

> If the domestic merchant fleet so strategic to the nation's economy and its defense is to be kept alive—and it must be—Government must lend a hand.

President Lyndon B. Johnson has stated:

> A strong merchant marine is a guarantee of national security and economic stability. . . . Even at its present level, it earns or conserves almost $1 billion of foreign exchange every year, making it a major factor in our balance of payments position.

Mr. President, it is quite clear then that our national policy as enunciated by our Presidents is one advocating a strong and adequate merchant marine. Congress, of course, expressed that policy clearly in the Shipping Act of 1916, the Merchant Marine Act of 1920, and the Merchant Marine Act of 1936. Why then, Mr. President, with such clear expressions of policy is our merchant marine on the brink of disaster?

I would suggest that the obvious reason, Mr. President, is that a strong merchant marine policy—or any policy—is only effective if it is followed by thoughtful planning, necessary financing, and full implementation.

We must plan, finance, and implement our merchant marine policy immediately—while we still have a merchant fleet. We must be prepared to pay for what we want. The budget recently proposed by the administration would allocate $143 million for the construction of 13 new vessels. I think about four times that many ships would be a more realistic program for 1 fiscal year. And the program for any one fiscal year must be part of an overall program for building a strong and adequate merchant marine and for maintaining such a fleet. We cannot continue to go from year to year appropriating a pittance for ship construction. We must devise and implement a specific and detailed multiyear revitalization program. The security of this Nation demands such action without delay.

A necessary issue for determination in any such revitalization program, Mr. President, is that of the proper location and functioning of the Maritime Administration. Last year it was excluded from the new Department of Transportation and remains within the Department of Commerce. In determining the proper role and placement of the Maritime Administration I would urge that the criteria to be followed is that it be constituted and located within the Government in that way which will best contribute to the revitalization and strengthening of our merchant marine. The Maritime Administration must be in a position to make its budgetary requirements known and appreciated. It must be able to speak with a strong and easily heard voice when national policies affecting transportation needs are being enunciated, developed, and implemented. The Maritime Administration must be in a position to successfully carry out a program that will assure the United States the strongest merchant fleet in the world.

Whether the establishment of an independent Maritime Administration is the best way to meet these needs is not certain, although many organizations and persons have taken a firm stand in support of that position. They may well be absolutely correct. I would caution, however, that the establishment of an independent agency per se is not necessarily the salvation of the merchant marine. Too often I have seen independent agencies be ineffective in competing for the budget dollar. Too often the advice and urgings of an independent agency have gone unheeded against the din of Cabinet level department demands. Further, formation of an independent Maritime Administration would mean Cabinet level planning of national transportation policies in the Department of Transportation without the maritime needs and views being represented. This could be crucial as the containerization revolution and other changes in the maritime field place increased importance upon intermodal transportation relationships.

I make these comments now not to indicate a specific preference for location of the Maritime Administration, for that is a decision that must be made after full congressional study. My purpose at this stage is merely to point out those considerations which readily indicate that we must not let our entirely justified zeal for strengthening the merchant marine delude us into thinking that an independent agency is an automatic cure-all. We must study the issue more closely to assure that we serve the best interests of the Nation and our merchant marine rather than act only in deference to expediency.

Mr. President, I have not spoken at excessive length today of the vital necessity for upgrading and strengthening our merchant marine, but I could not possibly be more concerned with the dangers to America presented by the current state of our merchant fleet. Nor could I be more sincere in my conviction that the immediate welfare of this Nation demands that Congress meet this challenge with a meaningful and effective program to assure us the world's strongest and most efficient merchant marine.

I urge all Senators to commit themselves fully on this vital issue and to work diligently to strengthen our security and sovereignty upon the seas.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. LONG of Louisiana. Mr. President, I am very happy that the Senator has spoken on this matter. I agree **wholeheartedly with the Senator** that the American merchant marine is far from adequate. The American merchant marine has been very badly neglected.

There have been many false assumptions made with regard to this matter, such as the assumption that we can safely rely upon airpower to get us to the scene of a conflagration. That assumption has proven to be totally inconsistent.

It has also been assumed that we can rely upon foreign ships to provide our needs in case of emergency, that we can rely upon the next war being no greater than the Vietnam conflict, or that we can rely upon the next war being an atomic war.

Those assumptions have all proven to be unsound.

The Senator is correct, in my judgment, when he points out that for a great many reasons, a strong merchant marine, as envisioned in earlier Congresses and in the laws that Congress has placed on the statute books, is absolutely necessary in our national interest.

I salute the chairman of the Commerce Committee for making this statement.

As one of the many Senators representing maritime States, I am extremely proud that the Senator from Washington is the chairman of the Committee on Commerce.

Mr. MAGNUSON. Mr. President, the distinguished Senator from Alaska [Mr. BARTLETT] is chairman of our Merchant Marine and Fisheries Subcommittee and chairs that subcommittee very effectively.

Mr. BARTLETT. Mr. President, if it were not for the distinguished senior Senator from Washington, the chairman of the Committee on Commerce [Mr. MAGNUSON], the American merchant marine would be in a much worse plight than it is.

Interestingly enough, there is an article entitled "World Shipbuilding Set Mark in 1966 for Third Year in Row," published the Wall Street Journal of today under a London dateline. I ask unanimous consent that the article be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. BARTLETT. The article states that Japan last year produced 47 percent of the world's total of 6,700,000 tons of shipping and compared to that figure the U.S. production was 167,000 tons of shipping.

Mr. President, I urge all those interested in the merchant marine to read the article.

EXHIBIT 1

WORLD SHIPBUILDING SET MARK IN 1966 FOR THIRD YEAR IN ROW

LONDON.—The world's shipyards set a peacetime production record in 1966 for the third consecutive year. Total launchings reached 14,307,202 tons, up 2,091,385 tons from the year-earlier total of 12,215,817 tons, according to Lloyds' annual summary.

The summary doesn't include the Soviet Union or Communist China, but East Germany's output was included for the first time.

Japan's output last year of 6,700,000 tons, representing 46.7% of the world total, was up considerably from the year-earlier 5,363,232 tons.

West Germany, the second largest shipbuilder, launched 1,184,470 tons in 1966, up from 1,023,429 tons a year earlier. The only other countries to top the 1,000,000-ton mark were Sweden, with 1,160,364, down from 1,170,048, and the United Kingdom, with 1,084,229 against 1,073,074. The U.S. launched 167,321 tons last year, off from 269,921 tons in 1965.

The five largest ships launched last year were built in Japan.

Mr. BYRD of Virginia. Mr. President, I associate myself with the remarks of the distinguished senior Senator from Washington with reference to the vital importance of a modern, well-equipped merchant marine to the defense and welfare of the United States.

The Senator from Alaska made a very apt remark a moment ago when he said that our merchant marine fleet would be in even worse condition than it is at present were it not for the distinguished chairman of the Commerce Committee, the senior Senator from Washington.

Mr. HART subsequently said: Mr. President, the Senator from Washington [Mr. MAGNUSON] has today given notice to the Senate of a very serious responsibility for all Americans.

Regardless of whether we live on the inland seas, as I do, on the Atlantic, Pacific, or gulf coasts, as so many of us do, or in Kansas or Nevada, the strength of our merchant marine affects intimately the lives of each of us. The obligation to insure that we have a strong and effective program to produce the world's most efficient merchant marine is an obligation which bears heavily on each one of us.

The Senator from Washington is again bringing to our attention the present condition of the merchant marine, reminding us of the concern which has been voiced by many Presidents of the United States in the recent past, that we not allow ourselves to depend entirely on foreign bottoms.

I would hope, as the Senator from Washington has urged us, that we will assume a responsibility to inform ourselves fully on this vital issue and work diligently to strengthen our security and sovereignty on the high seas.

The Senator from Washington asks us to do this out of the background of his many years of experience in this field, but any student of history understands, as President Eisenhower eloquently testified, that we were caught flatfooted in both World Wars because we relied on foreign-owned and operated shipping to carry our cargoes abroad and to bring critically needed supplies to this country.

As the Senator from Washington mentioned, President Eisenhower also stated—

> I consider the Merchant Marine to be our fourth arm of defense and vital to the stability and expansion of our foreign trade.

This concern has also been voiced by President Roosevelt, by President Kennedy, and by President Johnson.

Again, I thank the Senator from Washington for making high on our list the obligation—in this session of Congress—and the responsibility to respond to the as yet unmet needs of our American merchant marine.

REPUBLICAN LEADERSHIP

Mr. MORTON. Mr. President, in times of rapid war, or as some would say, revolutionary change, it is sometimes difficult to clearly identify the objectives or the players clearly without a scorecard.

Such circumstances exist today as the leadership of the United States ponders a rapidly changing world and how to update American policy to meet new challenges and opportunities.

When I first came to Congress two decades ago, Europe lay in shambles, and the twin threats of despair and aggression presented dire prospects for their, as well as our, security. Fortunately, the bipartisan leadership in Congress, led by such men as the late Senator Arthur

Vandenberg and the then Representative from Illinois, EVERETT DIRKSEN, prevailed over the voices of obstruction and isolation, and led our country into a daring era of international cooperation.

I was present in the House Chamber in 1948 when EVERETT DIRKSEN prevailed upon a group of House Republicans, 10 of whom serve under his leadership in the Senate today, to support the Marshall plan, which led to the economic and political rebirth of Western Europe.

Since that time, he has consistently urged a policy of flexibility and understanding toward our partners and our competitors in Europe. Just as consistently I have stood with him, frequently in the face of substantial opposition. Today the United States is faced with a situation in Europe that is perhaps more challenging than it was in the aftermath of World War II. For United States-European relations now demand subtle diplomacy and imaginative probing rather than simply bold thrust and counterthrust. A number of my Republican colleagues are joining in a resolution authored by the senior Senator from New York [Mr. JAVITS], designed to consider the whole fabric of U.S. policy toward Europe, and intended to stimulate the same kind of constructive nonpartisan debate that made the forward-looking American policies of the postwar period a reality.

The impetus for calling, at this time, for a reasoned dialog on our national policy toward Europe has been developing for some time. For my own part, I have addressed myself to the need for a new set of definitions and objectives in American-European relations for some time. Last April I called for a reassessment of NATO and the Atlantic Alliance, calling it "essential and overdue." Last October I suggested that the administration consider convening a NATO summit conference to examine the new requirements of the United States and Europe in the areas of expanded East-West trade, nonproliferation of nuclear weapons and coordinated aid to the underdeveloped nations.

In all these examinations and statements on foreign policy, I sought and received the encouragement of the senior Senator from Illinois, my leader in the Senate. I am sure that, with his uncommon insight into the role of the Senate in foreign policy deliberation, the minority party will make a substantial and vital contribution to the reevaluation of American policy toward Europe and the design of a new era of international cooperation that new circumstances now demand.

Mr. President, because of certain press comments that have been made in the last few days I make this statement today, rather than waiting until the resolution of the Senator from New York is submitted, which I assume will take place in a few days.

I was at home during the Lincoln recess, eating good, old Kentucky country ham, and visiting with my constituents; and, to my amazement, newspaper articles stated that I was a part of a great revolution against the Republican leadership in the Senate. I am not a part of any revolution, and neither is my colleague, the Senator from New York; and I believe it is time that the record is set straight.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MORTON. I yield.

Mr. JAVITS. Mr. President, first, permit me to confirm every word that the Senator from Kentucky has uttered. A revolt is not taking place. This is strictly an extrapolation of our beloved friends of the press, and there is no reason whatever for any such concern.

On the contrary—I state this as a fact—the first person to whom I delivered a copy of the draft of the resolution on which I have been working was our own minority leader. Indeed, I delivered a copy not only to him, but also to the ranking Republican member of the Committee on Foreign Relations, the Senator from Iowa [Mr. HICKENLOOPER] as was proper.

I join with the Senator from Kentucky in these assurances. I have the greatest desire that the leaders of our party in the Senate may join in this effort. I hope that it will not be considered presumptuous for me to say that I think it would be completely creditable to them and entirely consistent with the history of Senator DIRKSEN in the House. I served in the House, too, at precisely the same time that Senator MORTON served. There, I witnessed the leadership of EVERETT DIRKSEN in respect to the Marshall plan, which was, at that time, hailed as a very considerable change in his own policy, inasmuch as prior to that time he, like Senator Vandenberg, had had very grave doubts about the extent of international involvement in which the United States should engage.

With respect to the substance of the matter, we will submit the resolution within a day or two. I am very hopeful that the resolution may be considered in the great tradition of Senator Vandenberg, the name properly invoked by Senator MORTON, as an alternative proposition, to be debated and considered by Congress, without regard to party, although apparently it will be advanced primarily from this side of the aisle.

It is not inconsistent that some 12 members of the minority are cosponsors of the Mansfield resolution. I see nothing inconsistent in their being cosponsors of this resolution, as well.

What the Senator from Kentucky and I are pledging ourselves to is a consideration of the matter in depth, and the difference in approach which has now been widely discussed in the press is whether the United States should proceed unilaterally and pull out troops or whether the troop pullout must be an element in a much larger deliberation, negotiation, and consideration, and if so, what it shall be.

I shall address myself to that matter in connection with the resolution, and Senator MORTON—he is especially gifted in this field—and other Senators will address themselves to it, as well.

The world knows that without solid support—at least on my side of the aisle—this whole effort is relatively meaningless. It would just be an effort by one Senator, which has been made before and will be made again, but it would not have an impact such as I have in mind upon national or world policy.

I know that the Senator from Kentucky joins me in hoping that other Senators may join with us, in addition to those who have already agreed to do so, and that hope includes Senator DIRKSEN and Senator HICKENLOOPER, and other Senators.

The Senator from Kentucky has rendered a most significant and historic service in joining with me in this matter. I believe that his sponsorship and mine provide a balance to this effort and a sense of security with respect to it, in the eyes of many Senators and of many Americans.

I am grateful to the Senator. Quite apart from our personal friendship. This is a historic contribution and may lead to very historic consequences, because we all know that Europe has been sort of put on the back burner instead of being the matter of pressing interest that it should be. This resolution, juxtaposed to the Mansfield resolution, may very well be the catalyst which will enable us to crystallize United States-European policy in a much more effective way.

I thank the Senator.

Mr. MORTON. I thank the Senator from New York for his generous remarks, and I look forward to working with him in this endeavor.

CHINA STRUGGLE WILL SET BACK ECONOMY

Mr. PROXMIRE. Mr. President, the Joint Economic Committee is completing its compilation on the economy of Communist China. Our study is already in galley form and going through the final touches for publication. Meanwhile we are going ahead with plans for hearings early in April, if not before then.

It is perhaps the understatement of the week to say that some extremely important things are going on in China. And it would be a foolhardy person who would presume to understand them all. But by piecing together opinions from various experts in this country and abroad, it is possible to obtain revealing insights. For one thing, some of those who know most about the situation feel that military preparedness and the development of atomic armament is not a strain on the massive China economy. They believe that it is an undertaking that China can afford and that it could continue to grow rapidly even with heavy military expenditures. But at the same time some of the experts believe that the present turmoil between Mao and his opponents is delaying China by at least 3 years.

It is this that could slow the country's growth. China, they point out, is moving from an agricultural to an industrial country. And at that stage a nation is extremely vulnerable to massive work stoppages, transportation dislocations, and other problems created by the current turmoil. Moreover the internal disturbances are having a paralyzing effect on the factory managers and technicians. They are afraid to make any decisions for fear of being on the losing side.

In one sense the struggle in China

seems to involve resistance by technicians and managers to Mao's ideas of mass communes of workers and peasants, activated by revolutionary fervor.

After earlier economic failures, Mao was forced to abandon his "great leap" policy and to adopt more conventional economic techniques which proved more successful. But this apparently afforded no satisfaction to Mao, who sees it as a shortfall from his notions about a revolutionary China.

In the field of China-watching, as it is called, there are relatively few experts, but perhaps for that reason they are highly cooperative, and our staff is finding enthusiastic response in our search for information. We have approximately 25 experts who are now helping us in the study and in planning the hearings.

An article in the current Forbes magazine is of great interest on the current situation in China. It is entitled "Great Leap Backwards?" It is based on a telephone interview between a Forbes staff writer and several experts on China. This kind of interchange is valuable, as a means of promoting knowledge about this huge enigmatic nation. Mr. President, I ask unanimous consent that the article may be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Great Leap Backwards?—Here's the Economic Story Behind the Political Turmoil in Red China

It's not only in Communist China that chaos reigns; chaos reigns in the newspapers, too. Day after day, the headlines tell of Red Guard teenagers rampaging through China's cities, of clashes between "pro-Mao" and "anti-Mao" forces, of strikes, arrests, executions, suicides. The newspapers report every scrawl on every wall. But what does it all mean? The press seems as confused as its readers.

Reading between the lines, the editors of Forbes began to suspect that, basically, the conflict in Communist China was not only an ideological struggle but also a battle over economic policy. In checking out their surmises the editors of Forbes discovered that members of the Joint Economic Committee of the 90th Congress were thinking along the same lines. The committee, in fact, is planning to open hearings next month on the economy of Communist China.

The reasons are obvious: The Red Army can be no stronger than the economy that stands behind it. Interviewed last month by Forbes, Senate Majority Leader Mike Mansfield, himself a Far Eastern expert put it this way: "Despite the failure of the Great Leap Forward, China has continued to grow and develop economically. Her population has risen to nearly 750 million, people with intelligence, talent and pride. She has become a nuclear power, a power that today throws a shadow over all of East and South Asia."

In preparation for the hearings, the committee recently asked 25 specialists on Communist China in the universities, in private research organizations like the Rand Corp, and in the Government to submit papers on various aspects of the Chinese economy. The committee made these papers available to Forbes. After reading them, Forbes reporters interviewed several of the specialists. Among them:

Rand Corp.

Edwin F. Jones, Research Specialist, Sino-Economics.

Harvard University

Dr. Dwight Perkins, Professor of Sino-Economics.

University of Illinois

Professor Peter Schran, chairman, Department of Sino-Economics.

Brandeis University

Dr. Ta-chung Liu, Professor of Sino-Economics.

In general they agreed on these salient points:

The present disorders grew out of a division over economic policy.

This division has its roots in the experience of the Great Leap Forward, an economic policy launched by Mao Tse-tung in the late 1950s. It sought to achieve economic progress through mass action on the part of the workers and peasants, not through central planning and strict managerial controls. It was a failure.

Mao finally was forced to abandon the policy and to adopt more conventional Communist methods of running the Chinese economy. These have proved a notable success. Nevertheless, Mao wants to resume the Great Leap Forward. The anti-Mao forces insist the result will again be failure, that it will cost them the impressive but painful progress of recent years.

The Russians are praying for the anti-Mao forces to win, because they have the same economic ideas. However, they can't intervene publicly, since Mao would then be able to represent his opponents as pro-Russian and, therefore, anti-Chinese.

The turmoil already has set back China's economic progress by several years. However, regardless of the outcome, the effect on China's military capabilities will be negigible.

Here, in their own words, is what the China experts said:

Q.: *What about the economic implications and the economic forces behind the disorders in China? And are people justified in saying, "Oh, this is good, China is coming apart, this is great"?*

Perkins: I think one has to begin any discussion of the present situation with a very brief review of the last few years. First we had the years of the Great Leap Forward. In the Great Leap Forward they gave all kinds of atuhority to the individual party members who were running the factories. They allowed them to make all kinds of decisions on their own. The idea was that, somehow, with their enthusiasm, with the energy—and with the "thought of Mao," of course—it would be possible to create production miracles without real co-ordination and without real planning. The result, however, was a very serious crisis in both agriculture and industry which lasted about three years, 1959 through 1962. Since then, there has been a period of substantial recovery—we perhaps have some debate among economists in the field on this—but by 1965 China was nearing the levels achieved during 1959. Per-capita consumption in agriculture in 1966 had almost reached the levels prior to the Great Leap Forward, the levels of 1958.

In early 1966, it appeared that China was ready to move ahead with its Third Five-Year Plan; that it was ready to begin new construction of industry. China was also beginning to make some progress in agriculture, albeit very slowly. Now, what has been happening during the last few weeks, and to some extent all through 1966, has been a kind of decision-making paralysis. Production in existing factories has gone along more or less as before. Nothing very new has been done; no new investment, no new Five-Year Plan.

Jones: I would go along with the trend of thought that up through 1965 China had reached substantial recovery. And I think the indications are very strong that a Third Five-Year plan actually did exist, that they had some knowledge of the types of programs they wanted. I think that a large part of the present political problem is the objection of these people to the political-social-cultural revolution that Mao is putting forward. They object now because it was interfering with the various sectors of the economy.

Q.: *Mr. Jones, can the people opposing Mao's revolution correctly be described as technocrats, bureaucrats, interested in production, in getting things done, far more than they are in revolution, in ideology?*

Jones: I would say that would be a workable description even though it might distort the picture of the opposition into one of cautious pragmatists. I think that some of them really are probably thinking more of themselves. They just don't see what they are going to gain from Mao's agitating society and causing this upheaval.

Liu: The debate between the two factions is entirely within the context of Chinese, that is Maoist, Communist. There is a significant difference between the two groups, but it is one of degree. The pure Maoists look upon Maoism not as just a political-economic-social philosophy but as a religion which holds the solutions for everything. The anti-Maoists were dissatisfied over the failure of the Great Leap, which they believe proved many of Mao's schemes unworkable.

Q.: *Then you would say that there is a strong element here of the pragmatist versus the pure ideologue?*

Perkins: One has to be very careful, I think, in calling the opposition, the anti-Maoists, pragmatic technocrats. They are not technocrats, certainly not. These are people who were on the whole quite enthusiastic supporters of the Great Leap Forward and the commune movement. Liu Shao-chi in particular was a very active supporter of that movement. I think that you could say, however, that some people learned their lesson from the failure of the Great Leap Forward and that others did not. Or, alternatively, that others are willing to pay a much higher economic price in order to get the kind of political system they want. Presumably, the anti-Mao leaders do not want to completely disrupt the economy in order to achieve political goals, while Mao and Lin Piao probably are willing to do so.

Q.: *It's a question of emphasis?*

Jones: No. Priorities. Mao puts a very high priority on the Cultural Revolution which has been part of the China program ever since 1962. The opposition feels that if the priority of the Maoist program is too high, it must be restrained in order not to disrupt the other programs.

Q.: *Do the practical differences here involve such things as private plots for peasants, incentives or private enterprise within the economy?*

Schran: This is one of the elements: To what extent can you increase agricultural production through methods of collectivization? And to what extent can you increase it so it has an incentive effect that is recognized by the people?

Q.: *But even the anti-Mao group doesn't—*

Schran: They don't want private farms.

Q.: *They don't want to go as far toward economic incentives, say, as the Russians have already gone?*

Schran: I'm not so sure about that because it's hard to determine if Chinese agriculture ever was subjected to controls similar to those of the USSR except during very short periods. The Chinese planning apparatus, by all indications, is inferior to Soviet planning.

Perkins: I certainly would agree with the basic contention that nobody in the party on either side of the struggle wants to go back to private enterprise. The basic question is more one of whether you are going to have centralized, scientific planning or a repetition of the situation which characterized the Great Leap Forward.

Schran: Yes. The debate is over the functioning of the planning organization.

Perkins: Meanwhile, there has been this paralysis of decision-making I noted earlier.

Q.: *This paralysis, sir—is the obvious* *truth here that the middle managers don't want to do anything until they know who their boss is and what their boss is thinking?*

Perkins: Certainly. You've seen a little evidence of this in the foreign trade field. Agreements that seemed to be going through somehow got sidetracked and didn't go through when they were expected to.

Liu: There is the psychological effect of all this on the factory managers. If I were managing a factory in China today, I certainly wouldn't stick my neck out. I'd sit tight until I knew not only who my boss was but what his economic policy was before I went ahead with running the plant and with any new programs.

Q.: *Do you feel that the Chinese economy was making impressive progress before Mao put a temporary stop to it?*

Perkins: One of the real problems that anyone gets into in discussing this problem is just what is an impressive rate of growth. There is a very great difficulty in measuring the rate of growth over the last seven or eight years because we have no real statistics. We have to make do with refugee reports and other pieces of data published by the Communists and the like. But I would think that there would be some general agreement that the average rate of growth over the last eight years, in spite of all this disruption, has still been in the neighborhood of 4% a year, which is a respectable rate of growth but not spectacular. My own feeling has always been that once China recovers from the Great Leap disaster and provided she avoids comparable political disasters in the future, there is every reason to expect that, given her very talented labor force and her very high rate of investment, these two factors together could lead China to have over the future a very substantial rate of growth, say 5% to 6%—more than 5%. This, I would say, is an impressive performance for a country as poor as China.

Q.: *Might not the present disorders change this outlook?*

Liu: They could change the whole picture substantially. Even if the Cultural Revolution and its turmoil were to stop today, I think that the economic development of China would be delayed by at least three years. The point is this: China is not a peasant nation now; it gradually is becoming an industrialized one. Thus the effects, the disruption caused by the Cultural Revolution, are twofold: First, the direct effects—work stoppages, transportation disruption and so forth. Alone, that might result in a delay in China's economic growth of, say, one year. But coupled with this is the indirect effect I spoke of—the phychological effect on the factory managers. This hesitancy to make decisions, I would say, will hold back China for an additional two years. In summary then, the direct and indirect effects—even assuming that order were restored today—would delay China's development by at least three years.

Q.: *Isn't Communist China being drained by its defense production, Professor Perkins?*

Perkins: This is a matter on which there is not general agreement. . . . With the nuclear and missile programs, you're perhaps talking about a billion dollars a year. And even if you make all kinds of excessive allowances, it's still not over 2 billion dollars a year. This is a lot of money, but it's probably only 3% or 4% of China's national product. This is not a large percentage when you consider the military expenditures of many other countries.

In other words, I think this is something that China clearly can afford, that she can continue to grow fairly rapidly even with this military expenditure.

Q.: *Whom do you think the Russians would like to see win the struggle?*

Schran: Probably people who are more like them. The non-Maoist organization men.

Q.: *Do you feel that the Russians are giving or are capable of giving any support to that side of the struggle?*

Schran: I don't think so. I think that anything done by the Russians would hurt those people rather than help them.

Q.: *Would the Russians definitely have something to gain if there was a decisive win by the anti-Maoists?*

Perkins: I doubt that even if the opposition to Mao wins, the Russians will gain a great deal from this. I think that the Russians have perhaps written off the possibility of *reapproachment* with China and are now very interested in using the Cultural Revolution as a means of discrediting China.

Q.: *This, of course, brings us to the $64 question: Who is going to win? How is this going to come out?*

Jones: I don't think it's going to come to a very quick solution. If Mao should win, it will take him some time to put together an organization which could run the country and, even if he does win, there will probably be changes in how the country is run from here on out.

Liu: The outcome hinges on who has control now or may have a good chance to gain control of the three elements of Chinese society: the political organization, the economic machinery and the army. For the army, it's impossible to say with absolute certainty where it stands today, but I definitely feel, perhaps intuitively, that the Mao faction has control over the army. In the political sector, the problem of who has control is much more difficult to decide from this distance. Mao has a large, inexperienced teenage gang, but if they effectively seize control can they retain it? Are they shrewd enough, seasoned enough to build a political organization that will endure? I think that this will take more than the youngsters of the Mao faction.

Q.: *Is there any plus coming out of this, Professor Perkins, anything positive coming out of this revolution, out of all this posterwar debate?*

Perkins: May I continue with your previous question first—asking who will win? It seems to me that whoever stays in the positions of party power, in the leadership positions in the country and the party, that the Maoist ideal, over the long run, will probably be very badly damaged by the Cultural Revolution. The excesses of the Cultural Revolution will probably do more to get the Chinese fed up with Maoism, with the Maoist efforts of running the economy and the society, than anything else. I doubt if it will sell the Chinese on the virtues of the system and, that even if Mao stays in power, Mao and Lin Piao get control of the party headquarters, their ability to bring about another Great Leap Forward with the same kind of spirit, enthusiasm and dedication—at least among the party cadres (the enthusiasm of the people as a whole is probably nominal)—will be very limited if it exists at all.

Jones: I would agree and especially in light of the fact that there is no organization in sight to carry out Mao's objectives. In 1958, Mao had a party which was a ladder enabling his followers to get into the highest levels of the society; and his followers were going along with it for personal reasons as well as because they believed in his big ideas. These young teenagers are also looking for a place in society but it's a little too much to expect of them to go out and put together a concrete political organization.

Q.: *You all feel that there will be disruption in the Chinese economy for a long time no matter who wins. The question which arises out of that is: What will the effect be upon the Vietnam war?*

Perkins: I think the political preoccupation during a power struggle—although we have no precedent for this—indicates that the Chinese will most likely be concerned with what is going on in China and hence not as likely to want to get involved in what is going on in Vietnam. I don't think that the disruption of the economy itself will have any influence on their decision whether or not to enter the Vietnam war; even if somewhat disrupted, the economy will be in a position to sustain substantial Chinese effort in the Vietnam war if, for other reasons, they should find such participation desirable.

Q.: *In a previous conversation with us, you mentioned their ability to put 60 to 70 divisions in North Korea without any great strain.*

Perkins: Without any great strain is perhaps overstating it. But the fact remains, they were able to put those divisions in Korea at a time when their economy was in terrible shape. They had just gained control after 13 years of war and civil war. Their national product was perhaps half what it is today and their industrial base—I'm not sure of the exact figures—was a fifth or less of what it is today.

Q.: *Granting this, are they likely to escalate the war at the present time?*

Jones: I don't see them in this economically disrupted period, one filled with political turmoil, doing anything to provoke trouble.

Schran: I wouldn't expect any great changes in their actions regarding Vietnam now.

Perkins: One thing that I think we haven't mentioned and that is that we are all assuming that the U.S. will not change its policy in Vietnam radically. There may be circumstances that could bring China into the war if we went much further down the road of escalation. I think we have to add that qualification, given the situation we have today.

Q.: *In our earlier conversations, Professor Perkins, you mentioned that even during the very worst years of the Great Leap Forward and its aftermath that China wasn't starving; they weren't well fed enough to be healthy, but they weren't starving to death.*

Perkins: There is one thing that we haven't brought up enough perhaps, and that is the very key role of agriculture. The key problem for China is how to maintain its farm production growing at a rate to keep ahead of population. This is something she thought she could do by mass mobilization of labor and she proved she couldn't; that what she had to have was modern techniques and such things as chemical fertilizers. The crisis that came at the end of the late Fifties, which resulted from China ignoring agriculture, resulted in a severe drop in output, and I think everyone agrees that it created hardship in China and I think some disease. But at its *very bottom*—I have the figures right here in front of me—per-capita output in China probably fell to no more than the *best* levels achieved in India. . . . I think that there is every reason to believe that China can raise agricultural output fast enough to keep ahead of her population.

Jones: I think that we should be careful on this idea of starvation and whether or not it was widespread during the Great Leap Forward. There is an argument over whether the Chinese population was set back by 30 million to 60 million persons over the five-year period. But the important thing was that it was substantially set back.

Q.: *What is a population "setback," Mr. Jones? Is it people actually dying during the period in question or is it a function of deaths and a substantial segment of the population not being fit enough to procreate?*

Schran: Not being born, miscarriage, old people dying—things like that.

Jones: Now, it was true that there was none of the old kind of famine where there wasn't enough food and bodies were strung out along the roads, but there was substantial hardship and, more importantly, it had a policy effect: The government then realized they would have to face up to the population problem. This was a significant need for today's problems.

INTERDEPENDENCE OF HUMAN RIGHTS AND PEACE—COMPELLING REASON FOR RATIFICATION OF HUMAN RIGHTS CONVENTIONS

Mr. PROXMIRE. Mr. President, I am certain that many of my colleagues and I learned the same history lesson as young students: Wars were fought for the monarch, to preserve the national honor and to fulfill a nation's destiny.

While wars might once have been fought for such causes, that illusively romantic era has long since ended. If one looks about him at the strife in our world, one is forced to admit that many battles are racial, many conflicts are religious, and many clashes are ethnic.

The frontal skirmishes and armed antagonism in the Middle East, the turmoil and tragedy of both South Africa and Rhodesia, and even the seething enmity between the Buddhists and Catholics of Vietnam are all rooted deeply in religious and racial discrimination. These are wars not motivated by man's lust for land, but by man's distrust of man. It is the distrust and dislike of the different that sow the seeds of human conflicts and reap the fruits of human carnage.

We must fully comprehend the paramount important of human rights. Freedom and human rights are relatively quite recent concepts. Tyranny and despotism are much their senior; much more securely established in the history of mankind.

We must realize the interdependence of human rights and peace. The country which practices internal oppression is frequently preparing for external aggression. When nations are threatened by outside forces, almost invariably one of the first casualties suffered is the sacrifice of human rights and civil liberties.

A grim reminder of this fact has appeared in the United States twice in this century: the infamous sedition laws and their overzealous enforcement during World War I and more recently the appropriation of property and incarceration of the families of Japanese-American citizens during World War II. Due process was forgotten, human rights were trampled, civil liberties were suspended—all in the name of national defense.

History conclusively demonstrates to us this interdependence between the preservation of human rights and the promotion of world peace. Where human rights are firmly established, peace is always welcome and usually found.

Let the Senate take a giant stride toward the universal enactment and enforcement of human rights by ratifying these human rights conventions before us. Let us ratify these human rights conventions which deal with the fundamental questions of human rights and human dignity—the conventions on forced labor, slavery, political rights of women, and genocide—three of which have been in the Committee on Foreign Relations for 4 years without action, and genocide has been there for 18 years without the Senate acting upon it.

MANPOWER TRAINING PROGRAMS ARE A SOUND INVESTMENT

Mr. PROXMIRE. Mr. President, the current folklore seems to be that unemployment in this country cannot be reduced below 4 percent this year without having a serious inflationary impact on prices. I believe this so-called tradeoff theory is erroneous, and would like to call attention to the testimony on this subject by the Secretary of Labor, Mr. Wirtz, before the Joint Economic Committee.

Other witnesses, including administration witnesses—and I regret to say that Dr. Heller so testified this morning—seem to adopt the position that we cannot get below a 4-percent unemployment level without inflation. This is a notion which should be challenged vigorously. Secretary Wirtz did so.

Secretary Wirtz testified that, in his opinion, the projection of the Council of Economic Advisers for a 4-percent unemployment level this year was based on too pessimistic an evaluation of our manpower training programs. He felt that given the condition of continued strength in the economy, that these training efforts could reduce unemployment below the 4-percent mark this year. And that in the next 2 to 3 years, public and private training efforts could reduce the number of unemployed persons by three-quarters of a million. This would enable this country to lower the unemployment rate to 2½ or 3 percent. I think this testimony is extremely impressive, and I would like to underscore the importance of our manpower training effort.

There are two salient points about the manpower training programs which are too frequently ignored by those who view these efforts as nonessential. First, expenditures for the manpower programs are basically deflationary—and I stress the word "deflationary"—in the most constructive sense. They take people who are unemployable, and provide them with the training and motivation to get a job. In essence, we turn these people from welfare recipients into producers.

Second, expenditures for these programs constitute a national investment, and like investments in capital equipment return to society far more than the initial costs. As yet economic analysis of these programs in cost-benefit terms is just beginning; but initial evaluations indicate that investments in people yield a very substantial return. The Joint Economic Committee is just completing a lengthy study of the economic effects of Federal Government programs which invest in our human resources.

Statements received from the Office of Economic Opportunity and the Department of Labor give very encouraging results from their initial program studies. The Office of Economic Opportunity in an abbreviated cost-benefit analysis of the Job Corps program, showed that the incremental earnings of program graduates would equal the cost of the training in about 5 years. This analysis only indicates the return in increased earnings to the individual. However, in a more detailed study by the Labor Department, it was concluded that the benefits accruing to the Government, through reduced welfare payments and increased tax receipts, and to the economy in increased production and income, were considerably greater than for the individual. In other words more would be returned to the Government. The return to the Government per Manpower Development and Training Act trained worker was estimated at almost $8,000 in the first 10 years after training, and for the economy the total benefit for this 10-year period amounted to nearly $30,000.

It should be stressed that these conclusions are tentative and the initial studies are subject to many shortcomings. The Joint Economic Committee study discusses at length some of the problems involved in making such estimates. However, it is clear that expenditures for these programs are extremely worthwhile economically, and are in fact profitable for the Government. This is without even considering the human values and reasons for undertaking these programs.

I would, therefore, stress that expenditures for these programs should not be postponed in our zeal to reduce Government expenditures this year. Unlike reducing expenditures for public works, space-related programs, or the supersonic transport which could have a positive economic effect, expenditure reductions for these programs would have a negative effect on the economy.

Mr. President, I ask unanimous consent that relevant portions of Secretary Wirtz' statement and colloquy be included in the RECORD at this point.

There being no objection, the statement and colloquy were ordered to be printed in the RECORD, as follows:

STATEMENT OF HON. W. WILLARD WIRTZ, SECRETARY OF LABOR, ACCOMPANIED BY ARTHUR M. ROSS, COMMISSIONER, BUREAU OF LABOR STATISTICS

If there is a single point of particular emphasis in my own measurement of the condition of the economy it is this: It seems to me right to assert full employment (in the fullest sense of that term) at wages producing a decent standard of living for everyone as a first priority national purpose.

I expect there is probably no disagreement about this—except as there may be differences of judgment about the operational relationship of the means of serving this purpose to the means of serving other purpose. I recognize these differences are important.

This testimony may also reflect another possible bias which should be made clear. Respecting a strong, continuing constantly expanding economy as the most important single element in the achievement and maintenance of full employment at adequate wages, it seems to me no less necessary to center a full employment policy on that type of unemployment which will not yield to overall economic growth.

We are today at that point where the most serious remaining unemployment is more personal than economic, where there are skill shortages, and where the primary need is to develop people's abilities so as to permit their using the opportunities that are available.

If the economy were to falter, this situation would worsen immediately. Continued economic growth is the essential condition of full employment at fair wages. But it is not, alone, enough.

This is the context for the following somewhat more detailed observations.

MANPOWER PROGRAMS AND POLICIES

The Economic Report for 1967 contains this statement:

"Although precise targets cannot be set for the ultimate minimum levels of unemployment or the speed of the downward movement, it is clearly unnecessary and undesirable to accept 4 percent unemployment as a permanent objective of U.S. economic policy."

I agree with this suggestion—the first is that we must keep constantly in mind that the way we measure unemployment in this country limits it only to those who are looking for work and unable to find it. It does not include those who have given up or who are non-participants in the work force for one reason or another and does not include an undercurrent factor of which we are becoming increasingly aware and concerned.

Agreeing completely with this statement, I note three points:

First, as regards the concept of unemployment itself, a person is counted "unemployed" if he has no job and is actively seeking one. This omits significant factors of "nonparticipation in the work force," and underemployment.

Second, there is an enormous variation in the elements which are taken together to develop an "average" unemployment rate.

The rate of unemployment in the U.S. for 1966 was 3.9 per cent.

It was only 1.3 per cent for professional personnel, but 31.1 percent for Negro teenage girls.

It was only 1.9 per cent for married men as a whole, but 21.2 per cent for Negro teenage boys.

It was only 2.8 per cent for skilled workers, but 7.3 per cent for the unskilled.

The first two points preface the Third: We are developing manpower policies and programs aimed directly at hard core unemployment.

This means not waiting for the unemployed to come to us, but going out to reach them with programs which will help motivate them, enhance their employability as well as their basic education, give them occupational training, develop and place them in jobs and follow them up with support services so that whatever initial success is achieved with them "takes."

Employers are being much more active participants in the development of recruitment, referral, training, and work-training programs.

Two-thirds of the training slots available under the Manpower Development and Training Act are being allocated to the hard core unemployed. The trainee population now includes much larger proportions than before of youth, minority group members, and long-term unemployed.

The remaining third of the training opportunities under MDTA are being used to help meet particular and serious skill shortages. During this fiscal year, about 82,000 trainees out of the projected total of 235,000 are being deployed explicitly in that direction. Special training programs are being set up for hard-to-fill occupations requiring only relatively brief periods of learning, such as nurses aides and hospital orderlies, and for some of the entry jobs in the repair and mechanic fields. Refresher training is also being provided for professional personnel for whom there are large unfilled demands. For example, refresher training for 10,000 professional nurses was authorized for this fiscal year, ten times the corresponding number for last year. In 1966, more than one out of every four persons enrolled in MDTA courses (27 per cent) received training for occupations in which personnel shortages had developed.

A 1966 amendment to the MDTA which permits adequate allowances for employed persons taking part-time training should help meet these manpower demands, by enabling persons to upgrade their skills while employed.

There has been a large increase in on-the-job training, so that it now takes equal rank with institutional training. Such on-the-job training has the advantages of lower average cost per trainee, greater specificity in learning content, the earnings it offers during the learning process, and a 90 per cent job placement record.

* * * * *

Subsequently, in response to questions from the Committee, Secretary Wirtz replied as follows:

Chairman PROXMIRE. We now have 2.7 million out of work. Some of them are teenagers and I am talking about the overall picture. I want to press on you the notion that perhaps we should try to get unemployment down and we can without a risk of substantial inflation this year.

Secretary WIRTZ. You would not need to press that, Mr. Chairman. I agree completely with you on it and I want to make quite clear there are a great many unemployed today who ought to be and can be employed and that figure should go down below 4 percent to some place between 2½ to 3.

Chairman PROXMIRE. That answer seems to me has great implications for our fiscal and monetary policy.

Secretary WIRTZ. Yes, sir.

Chairman PROXMIRE. It would mean if you followed that through that we should have a tax policy of probably no tax increase this year, a policy of more expansionary fiscal policy generally and lower interest rates.

Secretary WIRTZ. No, it is a much more complicated thing than that. I am afraid I overstated it.

First, I cannot be talking in terms of a single year.

Second, I am talking in terms principally of what I think can be done by training and educating and qualifying the people who are not today trained, educated and qualified.

* * * * *

Chairman PROXMIRE. What evidence is there to indicate or measure the success of our manpower programs such as Manpower Development and Training, the Job Corps, the Neighborhood Youth Corps, and Work Experience? Can we apply PPVA aid to this?

Secretary WIRTZ. Several ways, and none of them satisfactory. It won't surprise you that I have sometimes wondered whether the Keynesians haven't taken too much credit for the gains we have made in the unemployment situation. I rather think that the manpower programs, training programs of the government as well as private training programs have contributed quite significantly to the reduction in unemployment in this country.

I would rely to some extent on those figures, the unemployment figures and that would be the net of it.

The next set of evidence has to do with the numbers who have actually gone through these programs and with their subsequent employment record and those figures are available and they are quite encouraging, but again it is hard to settle them because the argument on the other side of the things were going quite well and they would have been employed anyway. I don't know how you prove that.

I am more interested, and I know you are, too, of the problem remaining to be done rather than what we have already accomplished and here the problem of the situation is painfully clear. We know a great deal more than we did before about the number of people, who they are, where they are, what the situation is, who needed this help. I could be quite specific about that. It is an area in which it is hard to measure your gains especially if you have to argue with the economists about whether it was the economy or the program. It is very hard to measure your gains but very easy to measure the jobs that are left.

SCHOOL BREAKFAST PROGRAM OFF TO A GOOD START

Mr. PROXMIRE. Mr. President, on January 4 Secretary of Agriculture Freeman announced the inauguration of the child breakfast program authorized by the Child Nutrition Act of 1966. As one who has long supported the school lunch and special milk programs, I am delighted to say that the children of Milwaukee's St. Francis school were chosen as "the vanguard of more than 100,000 youngsters in public and private schools across the Nation whom the U.S. Department of Agriculture seeks to reach with this nutrition activity this school year." St. Francis was one of the two schools selected to open the program.

But more important, on February 3 Secretary Freeman announced that these two schools had been joined by 79 others having over 10,000 children. Three of these schools were in Keshena, Neopit, and Shawano, Wis. This speaks well for the Federal, State, and local people who worked hard to bring this pilot program to the 10,000 youngsters who had their first breakfasts at school in January, less than 3 months following enactment of and appropriations for the Child Nutrition Act. In addition to working against time, the State educational agencies were handicapped by lack of Federal funds to help pay some of the administrative costs of the new program.

The report serves to remind us of the much greater progress we must make if we are going to bring meaning to these phrases in the "Declaration of Purpose" that precedes the Child Nutrition Act of 1966:

> In recognition of the demonstrated relationship between food and good nutrition and capacity of children to develop and learn . . . it is hereby declared to be the policy of Congress . . . as a measure to safeguard the health and well-being of the Nation's children . . . to meet more effectively the nutritional needs of our children.

The Secretary's report makes it clear that this year's breakfast efforts can only be a small beginning of the 2-year pilot program authorized by the act.

But with this start, the U.S. Department of Agriculture will have the foundation for a true test of the breakfast role in our educational process. To make the pilot study meaningful in the 1967–68 school year, however, will require Federal help to pay at least part of the added administrative burden we are asking the States to undertake. And, of course, the granting of the modest food and nonfood funds that USDA needs and has requested under the Child Nutrition Act.

No one, of course, knows exactly how many youngsters across the Nation arrive at school without breakfast, and thereby spend a restless, inattentive morning in their classrooms just waiting for lunch—if they are fortunate enough to be in a school that has a lunch program.

We do know that earlier studies by USDA showed a hard-core of child malnutrition—some 1.3 million children in both rural and urban areas who need breakfast and lunch at school. Also, unknown numbers of children arrive at school hungry because they travel great distances by bus; many of them, of course, can afford to buy a reasonably-priced breakfast, if they could get it at school.

With the new Child Nutrition Act and the long-established National School Lunch Act, USDA's Consumer and Marketing Service has the legislative authority to move ahead in closing the nutrition gap for these and other children, at least during the 180 days they are in school each year.

However, money to buy food at school for the children whose parents cannot afford to pay, money to help buy equipment for the schools that are too poor to take advantage of the lunch and breakfast programs, and money to help the State education departments extend school food services to the needy is the only way that "authority" can be translated into action.

UNITED STATES-CANADA AUTOMOTIVE AGREEMENT IS IN DEFAULT

Mr. HARTKE. Mr. President, today I wish to speak on the United States and Canada automotive agreement.

In September and October of 1965 the Senate and Congress were blackjacked into approving legislation to implement an illegal and discriminatory trade agreement with Canada. Presented as a fait accompli that agreement is now in default.

The law says that the President shall submit to the Congress an annual report on the implementation of this act.

The annual report is long overdue.

On January 16, 1965, President Johnson and Prime Minister Lester Pearson signed the bilateral agreement with unilateral concession for removal of tariffs on new automobiles and parts for new vehicles traded between the United States and Canada.

Originally hailed as free trade incarnate it was not long before the United States-Canadian Automotive Agreement was shown in its true light to be a price-fixing, market-sharing arrangement, with the Canadian Government dictating expansion terms to American automobile companies and the U.S. Government compensating them for their inconveniences.

I opposed the agreement and the implementing legislation then, and I still do. It was another effort by the administration to turn our international trade program into foreign aid, and buoy the Canadian economy at the expense of our own. However, I do not propose today to relive the administration's—and the auto companies' past mistakes. Rather, I believe that we should begin now to plan for the future, since the agreement itself comes up for a comprehensive review not later than January 1, 1968.

In preparing for this review, there are many things we need to know about the operation of the agreement. Incidentally, this term—"operation of the agreement"—is a weasel-worded phrase employed in the enabling legislation to permit the administrators of the agreement to reach any result they desired, in any situation that might arise, without regard to the intent of Congress. We need to know how many U.S. cars went to Canada duty-free, and the amount of the tariff savings. We need to know how many Canadian cars came into this country duty-free and the amount of the tariff savings. We need the same sort of information for parts.

We need to know how much of this savings was passed on to consumers and how much was pocketed by the auto companies. We need to know who profited from the agreement and how much, and who has been hurt by it and how badly. We need to know where expansion has occurred as a result of the agreement and how great the rate has been. We need to know where expansion was curtailed or where business actually contracted because of the agreement. We need to know how employees have fared under the agreement both here and in that foreign country. We need to know about auto prices here and in Canada. There are many other things we must know also. And this brings me to the point of my remarks.

One provision of the 1965 enabling legislation—amended and perfected right here on this floor on a motion of the senior Senator from New York [Mr. JAVITS]—requires the President to submit to the Congress an annual report of the implementation of the agreement. Mr. President, despite the fact that the agreement has been in operation since January 18, 1965, Congress has not received a single word from the administration regarding this Canadian Auto Agreement, although an annual report is required. I point out that this agreement has been effective since January 18, 1965—more than 2 years.

The credibility gap here is astounding. It is almost as if information regarding this agreement is being purposely suppressed for fear it might show the true extent of the payoff to the automobile companies, the true extent of foreign aid to the Canadian economy, and the true extent of the misery to U.S. workers unemployed because of the agreement.

There is no other reason for withholding this information from Congress and the American people. Section 502 of the enabling statute outlines the content of the report—no administrative thought processes need be exercised thinking up what should go into it. And much information regarding the impact of the agreement has been in the public press for months. It is an open secret. I call to the attention of the Senate the stipulations of the act and the outlines of the required report:

ANNUAL REPORT

> SEC. 502. The President shall submit to the Congress an annual report on the implementation of this Act. Such report shall include information regarding new negotiations, reductions or eliminations of duties, reciprocal concessions obtained, and other information relating to activities under this Act. Such report shall also include information providing an evaluation of the Agreement and this Act in relation to the total national interest, and specifically shall include, to the extent practicable, information with respect to—
>
> (1) the production of motor vehicles and motor vehicle parts in the United States and Canada.
>
> (2) the retail prices of motor vehicles and motor vehicle parts in the United States and Canada.
>
> (3) employment in the motor vehicle industry and motor vehicle parts industry in the United States and Canada, and
>
> (4) United States and Canadian trade in motor vehicles and motor vehicle parts, particularly trade between the United States and Canada.

Mr. President, since it appears we are not going to have a report on this Canadian auto agreement from the administration, I have attempted to compile from other sources much of what the report would have shown if there had been compliance with the statute.

The remainder of my remarks are the substance of my Phantom Report on the Operation of the Canadian Auto Agreement.

THE PHANTOM REPORT

This is the first of the annual reports of the Canadian Auto Agreement, required by the first sentence of section 502 of the Automotive Products Trade Act of 1965. It comes 2 years, 1 month, and 30 days after the effective date of the agreement. It is late. By the second sentence of section 502, this report is required to include "information regarding new negotiations, reductions or eliminations of duties, reciprocal concessions obtained, and other information relating to activities under this act."

NEW NEGOTIATIONS

As for information regarding new negotiations, one need look no further than the report on Ontario in the Canadian Financial Post for October 1, 1966. There, on the first page, after pointing out that the current boom—also described in the same article as "one of the greatest bursts of economic expansion in—Canadian—history"—is due to the Canadian-United States auto pact, the writer predicts:

> Probable next step—a similar kind of pact for the production machinery industry.

Let them take warning.

And, on page 27 of the winter, 1966, issue of the automotive trade journal, Ward's Quarterly, in review of the agreement, the author states:

> Though the time is a long way off, the auto agreement might eventually serve as a model for lowering barriers, integrating facilities and "rationalizing" production in other fields as well. Though no industry is so well suited as the automotive industry for this kind of experiment, the potential exists in petroleum, mining, smelting, pulp and paper production, chemicals, farm machinery and the electrical manufacturing fields.

Finally, the Financial Times of Canada, on January 18 of this year, predicted that, as a part of the 1968 review of the agreement:

> Canada will probably seek a larger share of production for the continental market while the U.S. is believed to be preparing a case to extend the agreement to replacement parts.

Thus, it is clear that Canada likes the economic stimulation her raid on U.S. business has brought to her auto industry. And well she should—because the agreement was stacked against the United States from the very beginning. It was lopsided and unfair, but we could not stop it.

Now we are on notice that Canada intends to dictate terms to other U.S. industries and force them to expand their Canadian operations at the expense of U.S. production and jobs. The one-sided concessions in the Automobile Agreement, which we were told were there only because of the unique character of the United States-Canadian automobile industry and its part in the Canadian balance-of-payments deficit, but may well become just the first step in a gigantic shakedown of U.S. business and American jobs.

At this point, I serve notice that I shall resist future agreements of this sort with every device and weapon a U.S. Senator can command.

REDUCTIONS OR ELIMINATIONS OF DUTIES

With respect to reductions of eliminations of duties called for in the report, the following article from the Financial Times of Canada for October 17, 1966, makes obvious to us that the editors feel the United States-Canadian Automotive Agreement is a gift of a major industry—the American automotive industry—to Canada. I quote:

> The final deceptive seasoning on the three-tier western sandwich is the Canadian-U.S. automotive agreement, which old-fashioned liberals have mistaken for a harbinger of genuine free trade.
>
> We invite such hopefuls to join a Financial Times excursion to Detroit. We will provide one-way transportation (in American made buses) for any free-trader who will undertake to buy a car in Detroit and import it into Canada. By the time he has paid the U.S. price, plus the Canadian duty and sales tax, he will know how much free trade there is in automobiles.
>
> The auto pact is, in fact, an ingenious device for increasing Canadian manufacture and rationalizing the Canadian industry to serve a continental market. It was possible, in the unique conditions of the automobile industry, because the Canadian government was able (and for once willing) to induce or coerce American manufacturers into increasing their Canadian operations.
>
> The lesson of this unique arrangement is not North American free trade. It is rather the impossibility of general free trade in manufactured goods without cast-iron guarantees that a fair share of specialized manufacturing shall remain in Canada.

This is a quote from their side of the fence.

Ward's Quarterly for winter, 1966 also has something to say about this. On page 32, the commitments the U.S. auto companies had to give to qualify for tariff rebates is described as follows:

> A hedge in the free trading arrangement, therefore, was introduced in the form of "Canadian Value Added," coupled with certain production commitments by the automobile manufacturing companies, both intended to ensure continued production of automobiles and parts in Canada. * * * Each automobile manufacturer in Canada had a target he had committed himself to meet by the end of the 1968 model year. * * * Specifically the automobile manufacturers are required to—
>
> (1) Maintain Canadian Value Added in the production of motor vehicles at not less than the Canadian Value Added achieved in the 1964 model year;
>
> (2) Continue to produce motor vehicles in Canada at a ratio to sales not less than that prevailing in the 1964 model year;
>
> (3) Increase in each model year following the 1964 model year Canadian Value Added in the production of vehicles and original equipment parts by 60% of the growth in their market for automobiles sold for consumption in Canada (50% for commercial vehicles);
>
> (4) In addition to all the above, meet a production target of bogey expressed in dollars of Canadian Value Added by the end of the 1968 model year. This bogey was set at $260,000,000.
>
> This was the program designed to ensure that Canadian automobile manufacturers and parts manufacturers would continue to produce in Canada and maintain their agreed upon share of the integrated Canadian-U.S. market.

These articles tell no new tale; they recite consequences we warned of when the enabling legislation was before us in 1965. But our warnings went unheeded by the Senate, which apparently felt this level of new investment in Canada could be lost in overall expansion as the industry prepared for its best year ever.

But now with excise taxes imposed on auto sales—taxes which were not supposed to be there—and with the downturn in auto sales because of the safe car scandals, contraction of the U.S. industry has been substituted for expansion in Canada. The auto companies are becoming fearful of the agreement and of their ability to satisfy Canada's production demands without sharp cutbacks in U.S. output and jobs. And Canada shows no inclination to relax its chokehold. This is clear from the following passage reported in the Financial Times of Canada for February 6, 1967:

> Manufacturers say privately that the sales slump will make it difficult to increase the annual value of Canadian content on vehicles assembled here by $260 million by July 31st, 1968, as required by the trade pact. One possible line of relief is an extension of the deadline. If the auto makers cannot meet the existing deadline, they face heavy retroactive tariff charges on imported vehicles and parts.
>
> The Department of Industry says the government would have to seriously study any proposal to stretch out the auto pact deadline, but it has not as yet. The government feels the auto makers have been benefitting from duty-free entry of parts and cars in anticipation of hitting the Canadian content target and should not expect to get the benefits without meeting the obligations.

The automobile companies in effect got caught. The skillful U.S. Departments of State and Commerce helped them into a binding situation. They are now learning the price they must pay for their excesses in a foreign land.

RECIPROCAL CONCESSIONS

As for reciprocal concession gained by us—required by the statute to be listed in the report—there are none. I can state categorically that an American can go to Canada, purchase an automobile, and bring it back to this country duty free. But a Canadian citizen cannot take an American auto back to Canada with him without paying the full 17½ percent Canadian duty. And if he should try to buy a good used car and try to drive it home, he would find its importation is prohibited by Canadian law.

I can state categorically that only an automobile company that foolishly signed the commitments that were thrust upon it by the Canadian authorities, and lives up to them, can get a rebate of the Canadian tariff. On the other hand, the companies get the U.S. tariff savings automatically.

I can state categorically that tariffs given up by us are greater than those we got from Canada, they cover more items, including tracked vehicles and golf carts, and they are not conditional.

I can state categorically that reciprocity was never intended to be an important element in this agreement. The only concession we were able to get from the Canadians was that they would take part in a comprehensive review of the agreement in 1968.

As a matter of fact, the State Department bitterly fought a Finance Committee amendment which would have reinstated our duties if the Canadians unilaterally coerced our companies into greater commitments after the $260 million-plus conditions are satisfied. They fought this tiny bit of reciprocity for our industry so hard that the House conferees forced the amendment out of the bill.

OTHER INFORMATION

I shall have more to say about this part of my report after I have reviewed production and sales data.

The third sentence of section 502 requires that—

> The report contain information providing an evaluation of the agreement and this Act in relation to the total national interest, and specifically shall include, to the extent practicable, information with respect to—
>
> (1) auto production,
>
> (2) auto prices,
>
> (3) employment in the auto industry, and
>
> (4) trade in U.S.-Canadian autos.

I shall evaluate the agreement when I cover the other information. At this point, however, I would prefer to discuss these four features required to be in the report. Initially, let me state that neither the Commerce Department, with its vast resources, nor the Tariff Commission with acknowledged expertise, would furnish me with information regarding these four features. The staff of the Committee on Finance was also asked for data regarding these four points as they are listed in the law. On Monday of this week, the staff reported its failure to secure this data.

The shroud of secrecy surrounding the impact of this Canadian agreement is an appalling disgrace.

Since the administration is unwilling to fulfill its obligations under the act, I believe it would be wise to go to the source for this information. Accordingly, I propose to request the chairman of the Committee on Finance to set hearings and have the automobile companies come down with their own data, under subpena if necessary, so we might learn of the impact of the agreement. But let me continue.

AUTO PRODUCTION

For a look at the production of motor vehicles and motor vehicles parts in the United States and Canada, I invite attention to the January 13, 1967, Wall Street Journal article entitled "Auto Sales Fell Sharply in First 10 Days of Year."

The following table is contained in this article:

	1967	1966	Percent change
General Motors—United States	83,747	107,857	−22.4
Ford—United States	47,341	56,865	−16.7
Chrysler—United States	25,561	31,459	−18.8
American Motors—United States	3,887	6,103	−36.3

Yesterday's New York Times reported car sales in the United States for the first 10 days of February off 20 percent from 1966. I ask unanimous consent to include the article in the RECORD following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. HARTKE. Mr. President, the Financial Times of Canada Annual, page 35, January 18, 1967, reports:

> Canadian manufacturers expect a slight downturn in new car sales this year—perhaps as much as 5 percent. . . . The 1967 forecast indicates possible sales of 600,000 to 610,000 passenger cars. Truck sales are expected to remain about the same as in 1966. . . Production of cars and trucks is expected to increase over 1966 to meet expansion requirements laid down for the industry by the auto trade agreement.

Is this amazing? No.

Is it unpredictable? No.

Is it shocking? Yes.

In the comparison we see declines in U.S. auto sales—and production—ranging from 17 to 36 percent while Canada a "slight downturn of 5 percent." The reason: the agreement and the commitments required of General Motors, Ford, Chrysler, and American Motors before they could qualify for duty-free importation in Canada. These commitments guaranteed that the Canadian share of the market not only would not fall below the 1964 level, but would also be enlarged to meet expansion requirements written into the commitments.

As I have already shown, the U.S. companies are now forced to struggle in their efforts to escape the consequences to which they were committed when the business outlook was brighter.

AUTO PRICES

For information with respect to retail prices of motor vehicles and motor vehicle parts in the United States and Canada, I quote again from the Financial Times of Canada Annual, January 18, 1967:

> Pressure from Finance Minister Sharp last September forced some price adjustments in favor of Canadian car buyers. Although prices rose somewhat, they did not rise as much as in the U.S. Thus, both the government and the industry were able to claim that the price gap between Canada and the U.S. has been narrowed.

This is in sharp contrast to the unqualified boasts of the State Department that the agreement "will eventually result in lower prices to the Canadian consumer." One wonders what bearing the Canadian content requirement of 60 percent has had on those 1967 model cars sold in the United States bearing the label "assembled in Canada" and the U.S. price increases, or how much of the forced expansion was paid for by the U.S. auto buyer.

One need not wonder whether the auto agreement is being employed to bilk autobuyers—it is, as the following report, printed in the Wall Street Journal for October 27, 1966, clearly shows:

> Studebaker Canada, Ltd., in an unusual application of Canada's laws providing for free trade in automobiles and parts among manufacturers, imported 10,000 Volkswagen cars in the first half of last year, it was learned.
>
> As Volkswagens normally enter Canada subject to a 17½ percent tariff, industry sources calculate $2 million in duty charges was saved in the transaction. Studebaker and Volkswagen (Canada), Ltd., would only say that Studebaker kept most of the $2 million. But the thought that a "handsome profit" was made at the expense of Volkswagen customers, who pay duty as part of the car's price anyhow, sparked a heated debate in Canada's House of Commons.
>
> Government officials conceded that the transaction had the blessing of the National Revenue Department. They point out, however, that there is nothing in the law to stop any Canadian auto maker from importing another maker's cars duty-free as long as it meets the technical requirements of the law.
>
> One official said it was likely that the money Studebaker made helped keep its floundering automobile production going.
>
> * * *
>
> Since Studebaker Corporation [South Bend, Indiana] stopped making cars in the U.S. at the end of 1963, its Canadian subsidiary found itself with plenty of Canadian production—some of which was sold in the U.S.—but no imports. To use up its import credits under the formula, Studebaker entered into the arrangement with Volkswagen. It was able to import Volkswagens directly from Germany because Canada has extended its free-trade in autos to countries of the General Agreement on Tariffs and Trade. A member of the Canadian Parliament referred to this highly unorthodox use of the U.S.-Canadian Agreement as a "mulcting of the public treasury."

I believe it is now an established fact that the agreement has done little or nothing to lower auto prices to Canadian consumers.

For example: a six-cylinder two-door sedan prices in the United States and Canada—the Canadian price is shown in both United States and Canadian dollars.

Model introductory price—suggested retail:

	1964	1965	1966
United States	$2,060	$2,077	[1] $2,090
Canada (Canadian dollars)	2,447	2,468	[2] 2,482
U.S. dollars in Canada	2,263	2,283	2,296

[1] Includes Federal excise.

[2] Includes Canadian Federal sales tax.

EMPLOYMENT

At the time Congress acted on the implementing legislation, it was widely predicted that eventually 60,000 U.S. automotive jobs would be lost to Canada. The facts are bearing out this dire prediction.

Automotive News, December 26, 1966, in an article entitled "Auto Pact With United States Pleasing to Canada," reports:

> The federal industry department, for example, says the Canadian auto industry now employs 7,000 more workers than last year, with a total labor force of about 80,000.

And in an article entitled "Auto Pact Gives New Life to Southwestern Ontario," appearing in the Financial Post, Report on Ontario, October 1, 1966, it was said that in the regions around Windsor, Chatham, and Wallaceburg:

> Between September, 1963, and September, 1965, $150.4 million of new investment in plant and production machinery was announced, with expectations of 5,050 new jobs to be created. In the Windsor area, 63 projects valued at $78.8 million and expected to create 3,400 new jobs were announced. Although some critics suggest the area is overdependent on the automotive industry, Ontario government economists say this is not so.

A large part of this tremendous investment involves a $65 million Ford assembly plant at Talbotville, Canada.

I am somewhat amused by the report made by the Senator from Wisconsin [Mr. PROXMIRE] concerning all the money we are spending for the Manpower Development and Training Act, an act which I endorse and support. However, if we had not implemented this agreement, we could perhaps have saved many millions of dollars that we will spend to retrain automobile production employees to do something else. This practice is similar to the activities in some other departments of the Government. The right hand never knows what the left hand is doing.

Talk about unemployment, I can see why the Council of Economic Advisers possibly wants to reconcile the figure to a 4-percent unemployment rate. It is quite apparent, if we continue this practice in the automobile industry, that we will have more than a 4-percent rate. The industry will be a major contributor to overall unemployment.

While this rosy picture is being painted in Canada, what is the situation in the United States? It is far less pleasant. So far in the 25 months of the agreement seven petitions for "adjustment assistance"—known more popularly in common parlance throughout the United States as unemployment compensation—have been filed on behalf of workers who have become unemployed as a result of the operation of the agreement.

Four of these petitions, involving some 1,170 automotive employees, have been granted. I do not know what these people were earning before, but I would be much interested to find out whether they would come close to making the rate that the Automobile Workers Union has been able to obtain for its employees.

The truth is that there is quite a difference in the pay received by an automobile worker on the production line and what he might receive in another place of employment.

There is a good chance, of course, that such a worker will receive adjustment assistance and that the taxpayers will pick up the bill.

The remainder of the petitions are still in process. These seven petitions are as follows:

Workers of the Ford Motor Co., Delaware Valley Parts Depot, Pennsauken, New Jersey;

Group of workers of General Motors Corp., Fisher Body Plant No. 2, Grand Rapids, Michigan;

Group of workers of the Fram Corp., Birmingham, Alabama;

Group of workers at Maremont Corp., Gabriel Division, Cleveland, Ohio;

Group of workers at Borg-Warner Corp., Mechanics Universal Joint Division, Memphis, Tennessee;

Group of workers of Rockwell-Standard Corp., Lyon Division, Adrian, Michigan; *and*

Group of workers of Eaton, Yale & Towne, Inc. (Spring Division), Detroit, Michigan.

I should think that Senators from those States would want to reexamine the situation and determine whether they want to continue the agreement after seeing the impact that it has.

The first of these petitions involved some 200 workers of a packaging plant who crated knocked-down cars and trucks for export. Despite some people's feeling that their jobs were not truly lost because of the agreement, or that they were not automotive workers in accordance with section 302 of the act, their petition was approved at the end of March last year. In a matter of days, the Labor Department issued a press release heralding the event, and boasting that—

> For the first time in U.S. history a group of workers has been certified eligible to apply for adjustment assistance.

We are bragging, in other words, about the fact that we have put people out of work by an action of Congress.

The second petition, for 400 workers unemployed as a result of a decision by the General Motors Corp. to transfer production of interior soft trim for Chevy II's and Chevelles from Grand Rapids to Windsor, Ontario, was approved on July 28, 1966. It provided benefits of up to $70 a week for up to 52 weeks.

Some people will complain about giving these people $70 a week. However, these poor people had nothing to do with it. This action was beyond their control. It is a decision that was made in the State Department and ratified by Congress.

The people would be much better off if they could have remained in their old jobs. Every one of the people in Grand Rapids would rather be working in the plant there under the conditions which prevailed before the agreement went into effect.

The term "relocation allowances" means that most of these people are expected to move to find another job of a similar nature.

Relocation allowances provide for expenses of moving the worker and household goods, plus a lump-sum payment equal to 2½ times the average manufacturing wage stipulated by the Bureau of Labor Statistics.

The third petition granted was to 120 workers of the Fram plant in Birmingham, Ala., because the production of carburetor air filters was transferred by Fram to Chatham, Ontario. This move was from Birmingham, Ala., to Chatham, Ontario.

The fourth petition granted, which brings the total eligible for adjustment assistance because of the United States-Canadian Automotive Agreement to 1,170, was to 450 employes of the Maremont Corp.'s Gabriel division, which produces shock absorbers for automobiles.

The fifth plea for help comes from a group of workers once employed by Borg-Warner Corp., in Memphis, Tenn.

Mr. President, I digress at this point to say that the senior Senator from Tennessee [Mr. Gore] foresaw the unavoidable consequences of the gimmickry going on between Canada, the auto companies, and the U.S. Departments of State and Commerce fought diligently to prevent the agreement from going into effect. We would all be far better off if his admonitions had been heeded. The Tennessee workers were thrown out of their jobs because American Motors, which once bought their products, is now obtaining its parts from Canadian manufacturers.

The workers praying for relief in the sixth petition lost their jobs because of a decision by the Rockwell-Standard Corp., to transfer its Adrian, Mich., plant to Windsor, Ontario.

The seventh petition comes about because of a decision, I am told, by the Ford Motor Co., to manufacture its own universal joints and no longer purchase them from parts suppliers.

This litany of planned unemployment is not yet complete. It will continue so long as Canada is convinced that she can successfully force American business and the Government to yield to her will.

TRADE

Despite the wanton refusal of the executive departments to shed light on across-the-border trade in automobiles and parts, we are not at a complete loss for knowledge of how badly we have been hurt. In a Canadian magazine entitled Foreign Trade, issued January 21, 1967, the author boasts that automotive parts exports to the United States rose by 300 percent in the first half of 1966 as compared to the same period in 1965. The growth in finished vehicle shipment was even more spectacular—nearly 400 percent. The Canadian article reads in part as follows:

> Shipments of Canadian-made automotive parts (excluding tires and tubes) valued at $119.5 million (U.S. dollars) crossed the border in the first half of 1966—a 300 percent increase over auto parts shipments to the U.S. for the same period in 1965. Finished vehicle shipments rose from $21.2 million in January-June of 1965 to $194.6 million in the first half of 1966. At the same time, shipments from U.S. manufacturers also rose, but the efforts of Canadian companies to date have significantly reduced the auto trade deficit.

LEGISLATIVE REORGANIZATION ACT OF 1967

The PRESIDING OFFICER (Mr. Metcalf in the chair). The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The Legislative Clerk. A bill (S. 355) to improve the operation of the legislative branch of the Federal Government, and for other purposes.

UNITED STATES–CANADA AUTOMOTIVE AGREEMENT

Mr. HARTKE. Mr. President, I ask unanimous consent that the table may be printed at this point in the Record.

There being no objection, the table was ordered to be printed in the Record, as follows:

Table I.—*Canada-United States auto trade*

[In millions of U.S. dollars]

	1st 6 months		Total, 1965
	1966	1965	
Canadian shipments to United States:			
Passenger cars	142.0	18.6	59.8
Trucks and buses	52.6	2.6	13.1
Auto parts (excluding tires and tubes)	119.5	37.5	90.9
Total	314.1	58.7	163.8
U.S. shipments to Canada:			
Passenger cars	72.0	47.6	133.9
Trucks and buses	39.8	14.9	41.2
Automotive parts (excluding tires and tubes)	464.0	351.1	682.7
Total	575.8	413.6	857.8

Mr. HARTKE. Mr. President, although these 6 months' figures and the 1965 totals come from the Canadian publication Foreign Trade, it is possible that they were lifted from my own speech to the Senate on August 12, 1966—which were derived from U.S. Department of Commerce sources.

It is interesting to note that along with the 1966 11 months' figures, furnished me by that same agency of the Government on December 28, 1966, the 1965 totals of cars, trucks, and automotive parts show considerable "adjustments" and/or differences.

I ask unanimous consent that the figures which show this difference may be printed at this point in the Record.

There being no objection, the figures were ordered to be printed in the Record, as follows:

Total 1965 automotive products

[In millions of U.S. dollars]

	Furnished in August 1966	Furnished in December 1966
U.S. EXPORTS TO CANADA		
Passenger cars	$133.9	$113.9
Trucks and buses	41.2	47.9
Automotive parts (excluding tires and tubes)	464.0	763.9
IMPORTS FROM CANADA		
Passenger cars	59.8	84.1
Trucks and buses	13.1	17.5
Automotive parts (excluding tires and tubes)	90.9	95.7

Mr. HARTKE. Mr. President, I ask unanimous consent for the printing in the Record of the December 28, 1966, table, complete with footnotes, at the close of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. HARTKE. At the time of the August 1966, speech I showed a U.S. net exports table which Foreign Trade also picked up.

[Millions of U.S. dollars]

January–June:	
1966	261.7
1965	674.0
1964	578.4
1963	519.6
1962	390.1
1961	372.0

The December 1966 BDSA shows the net exports a little differently after adjustment, which presumably allows for changes in tariff classifications.

[Millions of U.S. dollars]

January–November:	
1966	492.5
1965	728.4
1964	571.9
1963	519.6

With all these adjustments, it is no wonder that the administration is having trouble giving us an annual report. Even these two reports do not coincide. This, of course, is subject to some gimmickry, which I will demonstrate tomorrow at the hearing on the debt limit, before the Committee on Finance.

However, I shall continue with the trade section of my own report.

Last year we had a world balance of payments deficit of $1.3 billion; this year it will be worse. Our favorable trade balance in the automotive industry has shrunk from $674 million or $728.4 million in 1965 to estimates ranging from $350 million to $500 million. This differential of $300 million represents a gift of a major industry to Canada, the peculiar ward of the Congress and the administration.

OTHER INFORMATION AND EVALUATION

In the 25-month period of the agreement we have had no annual report—it would seem to me that an annual report would come every 12 months—no news of new negotiations, or that the letters of intent have been rescinded, or that any discussion has taken place on the replacement parts inclusion in such an agreement. This much is certain—we lost jobs. We lost industry. Our favorable balance of trade in automotive products has been cut in half.

I wish to call attention to a speech which was made by one of our administration officials today. I hope he has finished the speech, because I do not wish to break the deadline. It says "For Release Upon Delivery," and it was scheduled for 12:30. I have given him an hour and a half in which to make a 40-minute speech.

We are paying unemployment compensation to our displaced workers, while Canada is enjoying the greatest plant expansion in its history. We have learned that when the State and Commerce Departments negotiate we do not give and take, we give and give.

The automobile agreement violated more than 30 years of trade agreements programs based on the simple and equitable concept of most-favored-nation treatment for everyone except the Communists. It violated the specific requirements of the Trade Expansion Act of 1962, not only with respect to most-favored-nation treatment, but also with respect to the prenegotiation procedures required to be followed in the Tariff Commission and other departments. It also violated the provisions of the Trade Expansion Act which require the special trade representative to be our principal trade negotiator, and which call for participation by congressional delegates in the negotiations.

It violates the General Agreement on Tariffs and Trade—otherwise called the GATT—by establishing a preference for Canada. This violation required us to seek special dispensation from the GATT, and I suspect the countries which gave us this dispensation will be collecting on it for years to come.

In short, the agreement violates the national conscience.

It has not worked well because of the unforeseen decline in auto sales. The auto companies are whining in Canada that they need an extension of the deadline they foolishly agreed to in their 1964 commitments. Perhaps they will get it, but if experience is any guide, the price exacted by Canada will be many more millions of dollars of lost investment in U.S. plant expansion and many more thousands of lost U.S. jobs.

Mr. President, that agreement was a bad omen for our trade policies. Its repercussions are still being felt at the Kennedy round talks on tariff cuts at Geneva. Seeing this country cringe at the thought of even a minor trade war has heartened European nations to press, criticize, coerce, and cajole this country into surrendering its American selling price valuation methods and the pitiful little bit of help our distressed industries get out of our archaic antidumping laws.

In fact, this situation became so severe that Senator RIBICOFF and other members of the Finance Committee introduced a resolution that the negotiators did not have a right to negotiate away the American selling price.

Can it be that these are the prices we must pay for our GATT violation? If it is, then we have been doubly snookered by our trade negotiators who should be jealously guarding the U.S. markets from foreign competition to assure that we get commensurate benefits in the form of reciprocal concessions.

Another item which must be included in my report at this point is the following from Ward's Quarterly for winter, 1966, page 27:

> When the pact comes up for a new look in 1968, there will have to be modifications based on results, on the state of the economy, and on the state of the world. There should also be one change which Canadians want, which American manufacturers seem to want, but which Congress is a long way from granting. It would do much to pacify Canadian fears about losing their identity, and would, at the same time, be good for business.
>
> This is not a change in the auto agreement itself, but in the United States' Trading with the Enemy Act. Under the law, a parent American corporation can be held guilty of violating the law if one of its foreign subsidiaries trades with an enemy of the United States.
>
> Canadian foreign policy not only permits but encourages trade with Red China and Cuba. But as a Canadian newsman has asked, "What happens when China wants to buy something from Canada, and the major producer is a Canadian subsidiary of an American firm?"
>
> The answer is that the subsidiary can't sell, which in turn deprives Canada of dollars or gold it needs.

Can it be that as a result of the United States-Canadian Automotive Agreement, we will exempt American companies operating in Canada from the Trading With the Enemy Act as we have exempted Canada from the Interest Equalization Act, linear reductions in tariffs under the Trade Expansion Act, and exemption from the buy-American clause of defense contracting? If there is a move, as would appear, to allow U.S. goods to be traded with China, this is certainly an item to include in my report on the agreement.

The 1968 comprehensive review offers us a chance to correct the GATT violation, to come back into conformity with the Trade Expansion Act, to get out of this bad, lopsided arrangement with Canada. Let us bring those lost jobs back home. If we are going to expand our trade let us do it fairly and honestly. Let us give and take in our negotiations, not give and give.

In closing, Mr. President, let me pose two questions: Where is the President's annual report to the Congress? Why does the administration keep the facts on the Canadian-United States Automotive Agreement from the Congress and the American people?

Mr. President, the hour is now 2:10 p.m.

Mr. President, I have before me a news release from the Treasury Department, for release upon delivery, scheduled for today, which contains remarks by Mr. John R. Petty, the Deputy Assistant Secretary for International Affairs, U.S. Treasury Department, to the Montreal Society of Financial Analysts at Hilton's Queen Elizabeth Hotel, Montreal, Quebec, Canada, Wednesday, February 15, 1967, at 12:30 p.m.

Mr. President, if this is not a traditional display of an American public servant, who is paid by American taxpayer money, going to a foreign country and bragging about how great we have been to other countries, and done at the expense of American taxpayers, then I have never seen such a flagrant disregard of America by an American.

Mr. President, I shall turn to page 8:

> Exports of certain products such as automobiles and livestock, for instance, are in effect merely re-exports of goods after a certain amount of Canadian content has been added.

Mr. President, this goes back to the point I have been demonstrating. We have been exporting items to Canada so that they can add Canadian goods to the items, and so that they can then be sent back to the United States. If they were so competitive in the first place we would not be in that position. This means that America has to pay more in the marketplace. I would think that the automobile industry should make an investigation and see how much they have added to the cost in going through this roundabout way of adding Canadian goods for reexport to America.

Mr. President, I now turn to page 8, subparagraph (3). This is an American civil servant bragging to Canadians. He wants to receive applause, and I suppose he will. He said:

> The United States, for example, has lost export markets in traditional products such as oil, automobiles, and steel. On the other hand, Canada's exports of these basic items have met with startling success.

Mr. President, he comes back to the discussion of this agreement on page 13 and says that it was successful to the United States. We have lost and the Canadians have gained. He said:

> (It) is well illustrated by recent developments in North American automotive trade. The implementation of the U.S.-Canadian automotive agreement in 1965 is creating on both sides of the border production and assembly plants with lower unit costs, cheaping sourcing of parts, and better marketing arrangements * * * I understand that Canadian auto buyers are already looking forward to lower prices.

They are looking forward, and they have been. This is 1967. They have been looking forward for 2 years and 1 month. They have been looking forward to lower prices. Our good old American Treasury Department goes up there and tells them that he understands that Canadian auto buyers are looking forward to lower prices.

He also said:

> Results show that our own trade has more than doubled from 1963 to 1966. Last year, U.S. exports to Canada of automotive products almost reached $1.2 billion. Of course, much of this is returned to the United States after further manufacture or assembly in this country.

Mr. President, this is the statement of our country.

> Your own automotive trade with us was practically two-thirds of a billion dollars—an increase of roughly 3000 percent in only three years. In 1963 U.S. imports from Canada amounted to only $21 million.

In 1963 we imported $21 million.

> The following year they were three and one-half times larger, or $76 million. This figure more than doubled again in 1965—reaching $196 million. When the 1966 figures are available they should show Canadian automobile exports sales to the U.S. of around $600 million.
>
> Furthermore, the establishment of additional automobile capacity in Canada has created the situation in which the United States imported twice as many cars from Canada as we exported to you. The phenomenal growth of this two-way movement of automotive products has been created because of the economic sense it made for the companies and because of the benefits it is bringing to consumers in both countries.

The two-way movement of automotive products means that automobiles will come back to the United States and we will export cars, Canada will put in parts and ship them back to us.

Mr. President, the benefit it has brought to the United States is a higher cost automobile. When one goes to the marketplace to buy that automobile this year ask how much additional the cost is to put in Canadian parts. It makes economic nonsense. I do not know where this man came from. I am sure he is not from Indiana. His name is John R. Petty. Mr. President, a nice man.

> Although the United States continues to have a favorable net balance on automotive products—

And this is an American saying "although we have a favorable net balance—

> it dropped by $200 million, or 30 per cent, last year—to the level of about $520 million achieved prior to the agreement in 1963. Moreover, Canadian plants are now better positioned to promote export business to third countries. There seems little doubt that the results of automotive arrangements have been particularly beneficial to Canada.

Mr. President, he could have said only of benefit to Canada and he could have said of detrimental effect to the United States.

Mr. President, I wish to demonstrate something else. He said that he knows Congress will receive the progress report on the Joint Economic Agreement. I am glad that that is coming finally. He said:

> I think its contents will be of interest to Canadians.

That is the type of interest that they make on investments; not what I am talking about. This is money. I think its contents will demonstrate the money it meant to Canada and nothing to us.

I wonder if the Secretary of the Treasury cleared this statement. I wonder whether he will demonstrate his great concern about the debt limit tomorrow morning when he says we have been shipping these goods out and the payments we have been getting. I wonder how much we have set aside in the budget and economic statement.

If I recall correctly, the first four petitions for adjustment assistance involve 1,170 men. That cost is $884,000 in taxpayers' money. That is less than $1 million. To show how we talk about Topsy growing, the budget request for fiscal 1967-68 is $4.5 million. This demonstrates how this amount is going to grow and grow. That figure is five times as large as last year.

It appears to me that somebody should take a good, hard look at what is happening in the State Department, the Treasury Department, and the Commerce Department. I believe the automobile manufacturers should come to Congress and say whether or not they want to continue with such an agreement.

EXHIBIT 1

TEN-DAY CAR SALES OFF 20 PERCENT FROM 1966—SNOW REPORTED TO CUT INTO EARLY FEBRUARY VOLUME ACROSS MUCH OF NATION—G.M. SHOWS 22.9 PERCENT DROP—FORD SUFFERS A DECLINE OF 20.6 PERCENT WHILE CHRYSLER POSTS LOSS OF 13 PERCENT

(By William D. Smith)

New-car sales fell 20.7 per cent in the first 10 days of February from the year-earlier level, according to reports received yesterday from Detroit.

The nation's four major car makers sold 170,788 new automobiles in the Feb. 1-10 period, compared with 215,266 units in the comparable period last year.

The General Motors Corporation, the nation's largest car maker, sold 85,530 cars, a 22.9 per cent decline from the 110,863 cars sold during the similar 10 days a year ago.

Sales of the Ford Motor Company dropped 20.6 per cent to 50,441 units in the period from 63,469 a year earlier.

The company's Ford division sold 41,702 units, compared with 53,533 units in the 1966 period, while the Lincoln-Mercury division sold 8,739 cars, compared with 9,936 cars a year ago.

CHRYSLER SALES OFF 13 PERCENT

The Chrysler Corporation retailed 30,272 cars during the Feb. 1-10 period, against 34,728 cars a year earlier, for a decline of 13 per cent.

The American Motors Corporation sold 4,545 cars, compared with 6,206 during the similar period last year, for a 26.8 per cent decline.

Executives of the manufacturers said the heavy snowfalls across much of the country had cut into industry sales.

For the year-to-date industry sales are running 18.2 per cent behind 1966 with 735,706 cars sold, compared with 898,622 cars in the comparable period last year.

So far this year Chrysler and Ford are gaining a greater share of the market at the expense of G.M. and American Motors.

G.M. OFF 20.5 PERCENT FOR YEAR

G.M.'s sales for the period Jan. 1 to Feb. 10 are off 20.5 per cent to 371,938 units from 467,353 units last year.

Ford's sales have fallen 14.8 per cent to 221,348 cars from 259,648 cars in 1966.

Chrysler has sold 123,767 cars so far this year for a decline of 16.1 per cent from last year's total of 147,413 cars.

American Motors sales dropped 22 per cent to 18,653 cars from 24,208 cars in the Jan. 1-to-Feb. 10 period of 1966.

EXHIBIT 2

Special tabulation—11 months, preliminary and subject to revision

[In millions of U.S. dollars]

Item	Calendar years			January-November[1]	
	1963	1964	1965	1965	1966[2]
U.S. exports[3] to Canada:					
Passenger cars	26.9	45.4	113.9	95.1	219.0
Trucks, buses, and chassis	18.4	17.6	47.9	36.8	75.9
Parts and accessories	495.6	534.8	763.9	647.0	834.4
Total exports	541.0	647.8	925.7	778.5	1,129.3

EXHIBIT 2—Continued

Special tabulation—11 months, preliminary and subject to revision—Continued
[In millions of U.S. dollars]

Item	Calendar years			January-November[1]	
	1963	1964	1965	1965	1966[2]
Imports[4] from Canada:					
Passenger cars	0.8	21.9	84.1	64.6	289.2
Trucks, buses, and chassis	1.8	4.7	17.5	9.0	109.0
Parts and accessories	18.6	49.3	95.7	82.9	238.6
Total imports	21.4	75.9	197.3	156.6	636.8
U.S. net exports[5]	519.6	571.9	728.4	621.9	492.5

[1] November statistics for the years 1965 and 1966 provisional; subject to revision.

[2] Subject to revision.

[3] Exports of U.S. merchandise. The export figures in the table are not fully comparable over the period shown. Comparability was substantially affected by the change in commodity classification to the new classification, effective Jan. 1, 1965, within the general structure of the Standard International Trade Classification, Revised.

[4] Imports for consumption. The import figures in the table are not fully comparable over the periods shown. Comparability was substantially affected by the change, beginning with September 1963 data, from the schedule A statistical classification of commodities to the classification in the Tariff Schedules of the United States Annotated (TSUSA). Changes in classification made by the Tariff Schedules Technical Amendments Act of 1965 and modifications proclaimed by the President pursuant to the Automotive Products Trade Act of 1965 have affected comparability to varying degrees in some instances.

[5] Although classes for which items are included in the figures shown in the table were selected to provide as great a degree of consistency between imports and exports and as great consistency over time as possible within classification limitations, coverage of exports and imports not identical, nor is it complete; hence the figures shown on the balance line are not exact, but are to be considered as approximations.

NOTE.—The above figures are not all-inclusive inasmuch as some automotive products as well as other items destined for automotive use are not separately delineated in U.S. trade classification system and, therefore, are not separately available in U.S. foreign trade statistics. For the import classes covered, the figures include not only original equipment but also replacement parts and other automotive imports not qualifying for duty-free treatment under the Automotive Products Trade Act of 1965. Tires and tubes are not included. Figures may not add to totals because of rounding.

Source: U.S. Department of Commerce.

THE 15TH ANNUAL PRESIDENTIAL PRAYER BREAKFAST

Mr. CARLSON. Mr. President, on Thursday morning, February 2, the 15th consecutive annual Presidential prayer breakfast was held. The breakfast was attended by the President of the United States, the Vice President of the United States, the Speaker of the House, members of the Cabinet, members of the Supreme Court, members of the diplomatic corps, Governors of various States, and members of the executive and legislative branches of the Government.

Also present were presidents of national and international labor unions, outstanding leaders in the field of industry and business, chancellors and presidents from a select number of universities and colleges, and men of distinction from the courts, from communications, and from every other phase of our economic life.

We have found this event to be very meaningful, not only to those of us who gather at the breakfast, but also to millions of citizens across this Nation.

I ask unanimous consent to have printed in the RECORD the text of the program and the proceedings.

There being no objection, the program and proceedings were ordered to be printed in the RECORD, as follows:

PROGRAM OF PRESIDENTIAL PRAYER BREAKFAST

U.S. Army Chorus, "Sweet Hour of Prayer."

Presiding, Hon. Frank Carlson, U.S. Senate.

Invocation, Dr. Abraham Vereide.

Introductory Remarks, Sen. Frank Carlson (Kans.)

Address by Rep. G. Elliott Hagan (Ga.)

Bible Reading by Rep. Wilbur D. Mills (Ark.), Chairman, House Ways and Means Committee, Deuteronomy 8: 11–20.

Address by Sen. George Murphy (Calif.)

Bible Reading by Hon. Orville L. Freeman, Secretary of Agriculture, Matthew 6: 24–33.

Prayer by John W. Macy, Jr., Chairman, Civil Service Commission.

Address by Hon. Henry H. Fowler, Secretary of the Treasury.

Address by Hon. Lyndon B. Johnson, President of the United States.

Prayer by Gen. Harold K. Johnson, Chief of Staff, United States Army.

Closing Hymn.

INTRODUCTION, SENATOR FRANK CARLSON

We are honored in having the President of the United States meet with us. It's also a pleasure to greet the Vice President, the Speaker of the House of Representatives, members of the court, members of the diplomatic corps' members of the executive branch of the Government, members of Congress, leaders in the field of business, labor, education, science, campus leaders and a host of others who represent a great cross section of our nation's life.

It's been personally rewarding to observe the growth of these prayer breakfasts since the inception of the first presidential prayer breakfast 15 years ago. As a result of this breakfast, all the States of the Union have held or are planning to hold an annual Governor's prayer breakfast. And last year leaders of hundreds of cities joined with the mayor and the city council of their community for a prayer breakfast similar to our breakfast here this morning.

Now, I know that many here this morning have participated in one or more of these events during this past year, and will agree with me that there is a growing and a widespread appreciation for the intangible values gained when leaders meet in the spirit of prayer. This meeting has grown out of the inspiration that has been received when members of the United States Senate and the House of Representatives meet weekly for discussion and prayer. And as this idea has spread, similar small weekly breakfast groups are meeting at the present time in London, Stockholm, Paris, Madrid, New Delhi, Tokyo, Ottawa, Canberra, Brasilia, San Jose and other leading cities throughout the world. Also, many countries have national prayer breakfasts where once a year the leaders of the country gather to remind themselves that righteousness exalteth the nation.

And a number of distinguished representatives from other countries are meeting with us today, displaying their deep interest and encouragement to the growth of these meetings.

Now, gatherings of this kind for breakfast have provided inspiration in otherwise most discouraging and critical circumstances. It was during the depression in 1935 that businessmen met at a breakfast in Seattle to discuss the spiritual and moral needs of that city.

It was at a critical period in World War II, in 1942, when members of the United States Senate and the House of Representatives began meetings for common discussion and prayer.

And, I am reminded that over 1,900 years ago, Jesus of Nazareth met for breakfast with weary and discouraged fishermen beside the Sea of Tiberias. With Christ's invitation came a revelation, and with the revelation came a commission, and with this commission came responsibility.

With world chaos just a failure away, we dare not be casual regarding our spiritual heritage. The peace and security of the nations, the hope of millions of people, are in the balance. We must give leadership by our lives as well as our words.

And I trust that all of us participating in this work will find inspiration and new capacity to meet the opportunities before us as we gather here this morning. As more and more we welcome men led by God, we shall be led spiritually, we shall be morally sound and we shall be adequately informed as we seek together to discharge our responsibilities to God and to our people.

It's my pleasure at this time to present those at the head table who will not participate in the program. I'm going to ask you to hold your applause until all have been introduced, and I'll ask those as they are introduced to remain standing until I have completed the list.

We're fortunate this morning to have Governors of three States present: the Honorable Hulett Smith, Governor of the State of West Virginia; the Governor of the State of Delaware, the Honorable Charles Terry; the Governor of the great State of Georgia, the Honorable Lester Maddox.

We are honored to have with us representatives from the Dominion of Canada. We have with us this morning the Solicitor General of Canada, the Honorable Robert L. Pennell. We are privileged also to have with us the Minister of Agriculture from Canada, the Honorable Jay Green.

We are pleased, of course, to have with us the acting Attorney General, the Honorable Ramsey Clark.

We are also privileged and honored to have with us this morning the dean of the diplomatic corps of our nation—in Washington, the Ambassador from Nicaragua, Dr. Guillermo Sevilla-Sacasa.

And, of course, we are greatly honored to have with us the Speaker of the House of Representatives.

We are honored to have with us the Secretary of Housing and Urban Development, the Honorable Robert Weaver.

And, the Vice President of the United States.

I have a sheaf of telegrams that I shall not read from Governors of many of the States of our Union who have sent us messages extending greetings and best wishes. But I do have one telegram that I'm going to read from a friend of ours who is absent this morning. He attended the first prayer breakfast, and I believe this is the only one he has missed in the past 14 years. It reads as follows:

"Deeply regret that a previous commitment at California Publishers' Association prevents me from attending the prayer breakfast this year. Please assure President Johnson and all other leaders of Government of my daily prayers in their behalf, that God will give them wisdom, courage and strength as they lead America during this critical period of history. God bless you all.

"BILLY GRAHAM."

ADDRESS OF REPRESENTATIVE G. ELLIOTT HAGAN

Introduction: As is known, I think, to most of you folks, we do have breakfast groups meeting in the House of Representatives and the United States Senate every week. This morning, first on the program we're going to have greetings from the House breakfast group by the Honorable G. Elliott Hagan, member of Congress.

Representative HAGAN. Mr. President, Mr. Vice President, Senator Carlson, distinguished participants in the 1967 presidential prayer breakfast, and distinguished guests:

This morning it is a great honor for me to bring you greetings from the House of Representatives prayer-breakfast group.

When I came to Congress, I was surprised to discover that under the dome of our great Capitol there was a private gathering of members of the United States House of Representatives meeting to develop their spiritual life so as to better serve their fellow man through their responsibilities in Government. I have come to know now that the impact of a group of men meeting together for prayer is far out of proportion to the size of the group. These breakfasts are just one evidence of the Christian influence found in our Government. The heritage of this country rests on faith in God, and many of our greatest statesmen down through the years have humbly confessed that without God's guidance they could not have met the challenge.

No man in public life in America had a stronger faith in God than did Abraham Lincoln. He said, "What constitutes the bulwark of our liberty and independence? It is not our frowning battlements, our bristling sea coasts, our Army or Navy. These are not our reliance against tyranny. All of those may be turned against us without making us weaker for the struggle. Our reliance is in the love of liberty which God has planted in us. Our defense is in the spirit which prized liberty as the heritage of all men in all lands everywhere. Destroy this spirit and you have planted the seeds of despotism at our doors."

So, there is a Christian testimony which we can and must give. And as we go about the everyday activities of life, there are many ways of expressing this testimony. I would urge that we all remember Corinthians II, 1:12, "For our boast is this: The testimony of our conscience that we have behaved in the world and still more toward you with holiness and godly sincerity, not by earthly wisdom, but by the grace of God."

The President of the United States has greater personal power than any other individual in the world. And we are one of the most powerful nations in the history of mankind. However, our great hope lies in the fact that our President and all of you here this morning realize and publicly recognize there is access to even greater power through faith and prayer to Almighty God through Jesus Christ, his Son.

Thank you very much.

(Old Testament reading, Deuteronomy 8:11–20, the Honorable Wilbur D. Mills.)

ADDRESS OF SENATOR GEORGE MURPHY

Introduction: At this time we are to be favored with a greeting from the Senate prayer-breakfast group by one who is a very active participant, the Honorable George L. Murphy, United States Senator from California.

Senator MURPHY. Mr. President, Mr. Vice President, distinguished guests and all my honored friends gathered here this morning:

It is, of course, a great privilege for me to be here today before this most distinguished assemblage, and a great honor to have been selected to represent and speak for those members of the United States Senate who join together each Wednesday morning in the Senate prayer breakfast. There is no politics, I assure you.

In my lengthening lifetime, I've enjoyed the privilege of association with many widely varying groups and organizations, but never have I been so sincerely impressed by a group's purity of purpose, determination of design and sense of service than I have observed in these qualities as they emerge from my colleagues at these prayer breakfasts. Each Wednesday morning, midweek in our deliberative duties, we join together at the start of the day for a common spiritual rededication to the true purpose of man's existence, for a reaffirmation of our faith, belief and our need of guidance from the God of our fathers, by whose grace and kindness we are here, and from whose eternal wisdom only can we hope to have the ability to achieve truly worthwhile and lasting goals as we pursue our duties. We gather those mornings for sometimes a simple and sometimes a complex discussion—maybe a matter of faith, ethics, history, reading of the Bible and discussion, or maybe just a simple experience in human relations. And then we close our meetings with an expression of thanks to the Almighty for His sustenance and of hope that in His kindness and wisdom He will make us equal to our tasks and able instruments of His divine will.

My participation in the Senate prayer breakfasts has provided one of the most rewarding and substantial experiences of my life. And I know that I speak honestly for all my colleagues when I say: together we thank God for it.

(New Testament reading, Matthew 6: 24–33, the Honorable Orville L. Freeman, Secretary of Agriculture.)

PRAYER OF JOHN W. MACY, JR., CHAIRMAN, CIVIL SERVICE COMMISSION

Introduction: At this time we are going to bow our heads and we are going to be led in prayer—an intercessory prayer for our national leaders—by the Honorable John W. Macy, Jr., who is Chairman of our Civil Service Commission.

Mr. MACY. Let us pray.

Our Heavenly Father, grant unto these leaders, here assembled and united Thy wisdom and grace. Endow them with Thy spirit that they may perform their awesome responsibilities with skill, dedication and justice. Guide them in their mission to achieve peace and brotherhood in our land and among the peoples of the world. Give them Thy divine purpose in their search for difficult answers to the vast and complex problems of government today and in the future. Cultivate their personal resources of talent, creativity and compassion that they may ever serve high cause in behalf of all people. Encourage them to improve the quality of life for their fellow men, to eliminate the sorrowful burdens of ignorance and hunger, injustice and hate, and to preserve the natural treasures of the earth for the enrichment of all.

Strengthen and support the men of our armed services as they bear the burden and pain of freedom's fight halfway around the world.

Extend Thy blessing, Almighty God, to the President of the United States and his associates in executive authority, to the members of the House of Representatives and the Senate, to the judges of our courts, to the Governors of our States, to the mayors of our cities and to all other men and women privileged to render leadership service in this great land at this critical time, and make them mindful of Thy precepts in their exercise of governance.

All these things, O Lord, we ask in Thy name that we may better serve Thee in our public and private thoughts and deeds to the glory of Thy name. Amen.

REMARKS OF HON. HENRY H. FOWLER, SECRETARY OF THE TREASURY

Mr. President, Mr. Vice President, Senator Carlson, Mr. Speaker, Your Excellencies, Members of the Cabinet and the Congress, Governors, Honorable Judges, Reverend Clergy, Distinguished Guests from other Nations, and Gentlemen:

As a layman, engaged in a highly secular activity concerned with that most material of elements, I arise, with deep humility, doubting my credentials to stand before you and discuss the Christian life.

Two thoughts comfort me.

One is the feeling of the stranger who walked into a church one Sunday just in time to hear those assembled intone the words of the General Confession:

"We have left undone those things which we ought to have done; and we have done those things we ought not to have done."

Slipping comfortably into a pew he said to himself, "I've found my crowd at last."

Indeed we are all grateful to those who bring us together for this period of fellowship and communion. For in so gathering we can demonstrate to each other, to the nation and to the world the validity of building friendships and ties in the spirit of Christ.

My second comforting thought is the recollection that those first chosen to bear witness to the life and teachings of Jesus were laymen—fishermen, a doctor, even a tax gatherer; men from diverse backgrounds and points of view.

My contribution this morning must be direct and simple.

It is a conviction that the need is clear and the time is ripe for a genuine spiritual reformation in leaders of nations. This must come if life is to endure on this planet, take on greater quality and meaning, and be worthy of the example and sacrifice of Jesus Christ.

In this spirit I want to share with you some observations on a challenge of overriding importance—the strengthening of the spiritual foundations of society.

In his historic message at the United Nations, His Holiness Pope Paul pointed eloquently to this vital current need. He said:

"The hour has struck for a halt, a moment of recollection, of reflection, almost of prayer. A moment to think anew of our common origin, our history, our common destiny.

"Today as never before, in our era so marked by human progress, there is need for an appeal to the moral conscience of man . . .

"To do this, such indispensable principles of superior wisdom cannot be founded, as you are aware, we believe, except upon faith in God."

Faith in God was and is the very cornerstone of this nation. Many of those who came here from many lands came not to find wealth or power, but a place in which they could be free to worship God. In the fundamental law of the nation they founded, their descendants imbedded bulwarks of that freedom.

At other prayer breakfasts we have been exalted anew to hear our leaders describe the spiritual heritage that our Founding Fathers gave us along with our Constitution.

President Johnson, then Vice President, at the Eleventh Annual Prayer Breakfast reminded us that:

"Since the United States first stood on its feet among the nations of the earth, the men who have guided her destiny have had the strength for their tasks by going to their knees."

And, so, this nation was conceived and given birth by our forefathers in greatness of spirit and courage and in an abiding faith in God and his Providence.

Today, the nation of limited numbers and space created out of the dedication of these early Americans has grown to great power and size in economic and political terms. Without our seeking it, events or maybe the ways of Providence have thrust upon those of us who live in the United States in the last half of this century an awesome responsibility. With it has come an opportunity almost without historical parallel.

If there was ever a time for Christian behavior combined with national greatness, it is now. Our responsibility and opportunity go beyond our borders. Our withdrawal in the 1920's from a world moving toward interdependence, together with a failure of leadership in the old world, led to a terrible aftermath culminating in a disastrous World War II.

And the end is not yet. The aggressor still strikes and misery, violence and disorder are rampant in many parts of the globe.

Moreover, since the 1920's the world has become increasingly interdependent as communications, ideas, and missiles make our globe an even smaller planet. There can be no longer any question but that the way we in this generation in the United States perform will, for a long time to come, shape the future for the world as well as for succeeding generations of Americans.

This does not reflect an attitude of national arrogance or self-importance.

Clearly we cannot deal effectively with world problems alone. But we can do so, with God's help and in association with brothers in Christ everywhere and other like-minded people and nations. The need is so great and so universal that men not of the Christian faith recognize and seek to satisfy it.

Saint Paul recognized this basis of universal brotherhood when he addressed the men of Athens in the Court of Areopague concerning their altar "To an unknown God" in these words:

"What you worship but do not know—this is what I now proclaim.

"The God who created the world and everything in it, and who is Lord of heaven and earth, does not live in shrines made by men. It is not because he lacks anything that he accepts service at men's hands, for he is himself the universal giver of life and breath and all else. He created every race of men of one stock, to inhabit the whole earth's surface. He fixed the epochs of their history, and the limits of their territory. They were to seek God, and, it might be touch and find him; though indeed he is not far from each of us, for in him we live and move, in him we exist; as some of your own poets have said, 'We are his offspring.'"

No, we cannot meet the challenge alone and we need not. For all over the world ministers and priests of the organized churches and religious institutions are finding their hands upheld and their work reflected in the increasing activity of laymen such as we here.

One evidence is meetings such as this one in various capitals of the world which Senator Carlson has described.

It was my privilege to attend a similar gathering in Athens only two months ago. Among many interesting and inspiring facts I found that in 1946, during and after a terrible period of national agony, more than a thousand leading men of letters and scientists of that country considered it their duty to declare publicly as well as privately their conviction. In a Declaration accompanying their Manifesto entitled "Towards a Christian Civilization" they said, among other things:

"1. The future of mankind, and that, more specifically, of our country, depends first and foremost upon the laying of true and unshakable foundations for the life of contemporary man, whereby alone it is possible for true civilization to exist.

"2. Such a foundation cannot be laid if the man of today fails to use that treasure of values which Christianity, the Christian faith and Christian ethics holds out to him . . ."

It seems to me that perhaps this morning as we pray and meditate together we can encourage this idea.

Is it too much to ask that as leaders from throughout the world meet together we should on a more frequent basis in small groups find ways to learn how to pray together, to share, and to discuss the relevance of Christ and His teachings in our political contemplations? Is it too much to believe that in these days when there is so much confusion and misunderstanding, we could see an acceptance of this concept on such a scale that small groups of responsible persons meet in capitals and key cities all over the world, bonds of friendship, trust, and confidence might develop in our civilization because of the impact of God upon our lives?

Can we not all agree that there is a need in our world of today and tomorrow for bringing from all walks of life, at all levels of society, people from many nations together in a spiritual bond of mutual confidence and love—a bond that strengthens the more superficially contrived political and economic ties which depend for sustenance on the shifting tides of force or material advantage?

We may well ask, what have we done to the simple message and this supreme life in Christ which can draw us together in love and understanding but which today seems to be only on the surface of our relationship and not its primary basis.

It is in the hope of translating this recognition of the need of greater spiritual vitality into the practical expressions of our daily, work-a-day involvement that we meet today.

The need is, as always, for the individual and personal commitment which God requires. Are there better lyrics anywhere to point up this truth than those by the prophet Ezekiel: "And I sought for a man to stand in the gap for me for the land . . ." (Ezekiel 22:30).

Through history in each generation God has sought for and found His men, men through whom He could work. Even as He, the Eternal Word, "Became flesh and dwelt amongst men" so today He comes alive in the flesh and blood of men who dare reach out beyond themselves and follow on in His way.

How does one become once again a man who is truly God's man? Many of us who count ourselves as practical men of the world ask this bold nagging question as the waves of secular life enfold us. Perhaps, an answer many be found in the words of another practical man of the world, Paul, who found the way on the road to Damascus. He formulated a prescription of Christian behavior in the twelfth chapter of the Epistle to the Romans.

In a famous passage he advises "a teacher should employ his gift in teaching, and one who has the gift of stirring speech should use it to stir his hearers." "If you give to charity, give with a free heart; if you are a leader, exert yourself to lead; if you are helping others in distress, do it unselfishly." In short, whatever you do, do it in the spirit of Christ and do it with the best that is in you.

This essay on Christian behavior concludes with a catalog of maxims which can neither be paraphrased or improved. A few are:

"Love in all sincerity, loathing evil and clinging to the good. Let love for our brotherhood breed warmth of mutual affection. Give pride of place to one another in esteem.

"With unflagging energy, in ardour of spirit serve the Lord.

"Let hope keep you joyful; in trouble stand firm; persist in prayer."

By his choice of the metaphor of the human body, calling Christians 'the body of Christ, Saint Paul made clear to the Romans that the Christian's life is a corporate life. And, having made this clear, he comes straightway to the essence of this corporate earthly life, the awareness of God's presence in loving relationship with our fellow human beings.

In closing let me recall Benjamin Franklin's words:

"He who shall introduce into public affairs the principles of primitive Christianity will change the face of the world."

ADDRESS OF THE HONORABLE LYNDON B. JOHNSON, PRESIDENT OF THE UNITED STATES

Senator Carlson, Mr. Vice President, our beloved Speaker of the House, members of the Congress, members of the Cabinet, distinguished Governors, reverend clergy, my very dear friends:

Once again we come together to affirm our faith in a Divine Being. We, the heirs and trustees of a great civilization, richer and more powerful by far than any that has gone before us, cherishing freedom and the majesty of the human spirit, ask God's mercy and blessing on us now and in all that we shall do in the years ahead.

We all know that great civilizations have risen before us and then have crumbled into dust. We all know that rich and powerful peoples have passed into the night of history, driven by pride and vain pretensions.

We know that the defense of freedom and the nourishment of the human spirit have ever been very costly enterprises. We know that at the hour of decision in public and private life, faced with the tormenting choices that are always a part of man's destiny, none of us can ever be certain that we are right.

We know, as Abraham Lincoln said in the midst of war, that "the Almighty has His own purposes, but that men must be firm in the right as God gives them to see the right."

How we shall be judged we may never know, yet we believe, as a great theologian wrote, that "the whole drama of human history is under the scrutiny of a Divine Judge who laughs at human pretensions without being hostile to human aspirations." That is the mercy of God—that, and the spirit that moves men to compassion and courage, that calls forth the best within them in the darkest hours.

I shall close this morning with a prayer that I heard in northern Australia in the town of Townsville on a Sunday morning during my trip to Asia and the Pacific last fall. And because I was then going to a council of nations meeting in Manila, and on to visit our brave and selfless men in Vietnam, to deal with the gravest questions of war and peace, this prayer had a very special and a very profound significance to me. Since I have returned home, it has not lost its power to speak to me and to speak for me.

"O God, who has bound us together in this bundle of life, give us grace to understand how our lives depend upon the courage and the industry, the honesty and the integrity of our fellow men, that we may be mindful of their needs, grateful for their faithfulness and faithful in our responsibilities to them, through Jesus Christ, our Lord. Amen."

PRAYER BY GEN. HAROLD K. JOHNSON, CHIEF OF STAFF, U.S. ARMY

Introduction: We are going to have the closing prayer by the Chief of Staff of the United States Army, General Harold K. Johnson, and that will be followed by one stanza of the hymn, "America."

General JOHNSON. Shall we bow our heads, please.

Our Heavenly Father, as our hearts are filled with Thy presence and as we depart from this gathering this morning, fill our minds with the full consciousness of the infinite strength that Thou can bestow upon each one of us in order that we may, each in his own way, conduct our daily lives and activities toward the greater glory of Thy kingdom. Let the words of our mouths and the meditations of our hearts be acceptable in Thy sight, O Lord, our strength and our Redeemer. Amen.

RESTORATION OF HIGHWAY FUNDS

Mr. BAYH. Mr. President, on November 23, 1966, the Bureau of Public Roads unexpectedly announced that it was limiting the Federal-aid highway program to $3.3 billion for fiscal 1967. The Bureau also indicated that this sharply reduced rate of obligations would be continued at least into the first quarter of fiscal 1968, and offered no assurances or predictions as to when normal funding would be resumed.

Then, on January 17, 1967, as the States were attempting the impossible task of adjusting their highway construction programs in midyear, fears were fanned by the fact that an additional deferment of $400 million was being contemplated. As of today, however, Congress remains in the dark concerning the future of the Federal-aid highway program—a program which, when it was authorized in 1956, specifically set 1972 as the date for the completion of the vital Interstate System.

Mr. President, certainly Congress does not need to be reminded that in 1956 it declared, in no uncertain terms, that it was "in the national interest to accelerate the construction of the Federal-aid highway system, including the National System of Interstate and Defense Highways." The Highway Act went on to say:

> The prompt and early completion of the National System of Interstate and Defense Highways . . . is essential to the national interest and is one of the most important objectives of this Act. [Therefore] it is the intent of Congress that the Interstate System be completed as nearly as practicable over the period of availability in the fifteen years' appropriations authorized for the purpose of expediting construction . . . through the fiscal year ending June 30, 1971.

Has Congress revised its estimate of the urgency of the highway traffic problem? Is the Interstate System no longer an essential weapon in the war against traffic deaths? I think not.

Mr. President, it should now be apparent that we will not meet the 1972 target date. In fact, as a result of the present policy, the earliest estimate for the completion of the remaining 20,000 miles of the Interstate System has been pushed back to 1974.

Before I go on to explore the so-called 17.5-percent cutback, however, I should like to take a moment to establish certain ground rules—to insure that the terms we are using have a common meaning. Mr. President, some people have mistakenly interpreted this action as cutting the highway program. Technically, that is not true. Under the provisions of the Highway Revenue Act, the funds now being withheld must eventually be returned to the trust fund. This action, therefore, is more in the nature of a deferment or suspension than it is an actual cut.

Another point that needs to be cleared up is this 17.5-percent figure. The decision to suspend a portion of the Federal-aid highway funds involved more than the mere deferment of 17.5 percent on the present apportionment. It included—and this point needs to be emphasized if we are to understand the dire consequences of this action on individual States—a "freeze" on all previously apportioned money that the States had not yet obligated. This means that approximately $1 billion in carryover funds is not being made available to the States. The actual effect of the highway cutback, therefore, varies from the incredibly high 73-percent reduction suffered by Maryland to the moderate 22-percent cut for Virginia.

Mr. President, it is obvious that this unprecedented action in reducing the fiscal year apportionment to $3.3 billion is not limited to a 17.5-percent cutback. Nevertheless, let us see how publicists arrived at this magical figure. In fiscal 1966 the Federal-aid highway program received approximately $4 billion in trust fund money. Therefore, the announced $3.3 billion for fiscal 1967 amounts to a $700 million reduction—or 17.5 percent. What impeccable logic, Mr. President.

But that is only part of the picture, as I have already explained. This deferment involves substantially more than the $700 million which has been so prominently publicized. Actually, the cutback amounts to about $1.1 billion—which figures out to a 25-percent national average reduction—because the highway trust fund would have had an estimated $4.4 billion available for new obligations in fiscal 1967.

Furthermore, it is meaningless to compare the fiscal 1967 apportionment with the 1966 amount. The 1956 Highway Revenue Act, as you know, provides that, in order to accelerate the development of the Interstate System, the money authorized for apportionment to the States is to increase each fiscal year until 1969, at which time the apportionment is to remain constant. Under the statutory provisions of the act, therefore, the normal 1967 apportionment would be larger than the 1966 figure. That being the case, it would seem more accurate to measure the reduced 1967 funds against the timetable set by Congress and against what can actually be financed out of current trust funds revenues.

National averages, however, mean very little to the individual States and reveal virtually nothing about the exact size of the deferment as it affects our own areas. Mr. President, just last week the Indiana State Highway Commission sent a representative to Washington in an effort to present to the Indiana congressional delegation all of the pertinent facts in the current highway situation. I am no alarmist but I must say that, as a result of the inequities in the November cutback, our State highway commission was confronted with the prospect of standing by, helpless, as Indiana's ambitious 1967 highway construction program would have been forced to a halt—to be continued, but nobody seemed to know when.

Briefly, let me detail how the so-called 17.5-percent cutback would have affected Indiana. For fiscal 1967 Indiana would have had available to it a total of $154 million—made up of current apportionments and previously unobligated money. As a result of the actual 17.5-percent deferment on current expenditures and the total "freeze" on accumulated funds, Indiana would have been left with a meager $72.1 million—which amounts to a cutback, or deferment, or suspension, or whatever one wants to call it of almost $82 million or more than 50 percent. In other words, Mr. President, the effective cutback for Indiana would have been three times the size of the nationally publicized 17.5-percent figure.

As a result of this action Indiana faced a crisis. The State highway commission's plans, its priorities, its schedules have all been abandoned. To completely understand the severity of the cutback and the almost insuperable burdens it has imposed, we must remember that while the decision was announced in November—almost halfway through the fiscal year—it was made retroactive to July 1, 1966. The States which will suffer the most from this action, therefore, will be the ones who have taken the initiative and accelerated their construction program—and that includes Indiana. Mr. President, we are being penalized for making progress, for attempting to do the job that needs to be done if our Nation's highways are to be avenues of travel and not death traps. But one thing is certain, Mr. President, we will be making very little progress from now on if this deferment is continued.

In 1966, with the assistance of Federal-aid highway funds, Indiana awarded a total of $163.5 million for all highway construction projects. This produced a gross payroll of $67 million, employed 14,000 men who earned an average yearly income of $4,500 and involved 142 construction firms with a total equipment inventory of $122 million.

As a result of the deferment, Indiana would have had available to it only $10 million for new construction for the first 6 months of 1967—with no idea of what will happen after September 1, 1967. If this money is divided 25 percent for A–B–C roads, which require equal matching State funds, and 75 percent for interstate, 90 percent of which is financed from the highway trust fund, the total amount of money for new construction would be approximately $14 million. During the first 6 months of 1966 the State highway commission contracted for $81.9 million. For the same period in 1967, in marked contrast, Indiana would suffer an 82-percent reduction in its highway construction program. If no other deferments are made—which is not too certain given the current speculation about an additional $400 million cutback—then over the entire fiscal year we would have experienced a crippling 41-percent slowdown.

If this 41-percent figure, which it seems to me was a modest estimate of our likely losses, is applied to all highway construction activity we can readily see the severe dislocations that would result in our State economy: highway construction payrolls would fall $27.5 million; approximately 6,500 to 7,000 construction workers would lose their jobs; production equipment worth $50 million would be forced to lay idle—and this does not include the secondary losses, which we cannot estimate. The impact of this so-called 17.5-percent cutback, therefore, would have been catastrophic.

Even more important, however, is the impact this deferment will have on highway safety in Indiana. Mr. President, Indiana can be proud of its recent advances in highway safety. In 1966, for example, Indianapolis had the lowest death rate for all cities in the 350,000 to 500,000 population class—two deaths for every 10,000 registered vehicles. This continued its first place standing established in 1964 and maintained in 1965. As a result of the reduction in Federal-aid highway funds we will not be able to continue our program of newer and safer roads—it is that simple.

Indiana's highway construction schedule calls for the expenditure of $66 million in Federal-aid highway money for the 6-month period January 1, 1967, to June 30, 1967. The recent decision deferring trust funds, however, would have left Indiana with the totally inadequate sum of $16.1 million for the January to June period—approximately $50 million short, and this shortage of Federal funds would necessitate a severe cutback in 1967 highway construction projects. In fact, it would bring our roadbuilding program to a virtual standstill. Ironically, Indiana's blueprint for progress had marked 1967 as the banner year for highway construction.

Mr. President, please notice that I have spoken of the absolutely dire consequences that "would have" resulted if Indiana had been forced to bear the full burden of the cutback and the "freeze." Just last evening, however, the Bureau of Public Roads, in cooperation with the Bureau of the Budget, confirmed the fact that it had made an "adjustment" that will permit Indiana to revise its highway construction schedules, and proceed at about half speed for the remainder of the fiscal year—in contrast to the bleak prospect of an 80-percent cut had Indiana experienced the full impact of the cutback and the suspension on obligating carryover funds. It is my understanding that similar adjustments were made for a number of other States.

This represents a substantial improvement, Mr. President, and I want to thank the Bureau of Public Roads—and, in particular, Mr. Frank Turner, the Acting Director, for his excellent cooperation in this matter.

Mr. President, I may point out that I am introducing this resolution expressing the sense of Congress that all of the deferred highway funds be restored not only out of concern for Indiana, but because I believe this is a national problem. Congress has a definite responsibility to act in this matter—and we cannot afford to shirk that responsibility—no, not with 52,500 motorists dying on our Nation's highways in 1966 and an additional 1,900,000 injured in automobile accidents. These figures are a national disgrace. And the problem of traffic safety will get worse, not better. At the end of 1966 there were 102 million licensed drivers in the United States and 96.1 million vehicles. It is estimated that in 1975, at about the time the Interstate System is going to be completed, there will be 125 million drivers and 120 million vehicles. This will represent 1.2 trillion miles of motor vehicle travel annually.

I submit the concurrent resolution, which I now send to the desk, and ask that it be kept at the desk for 9 days so that Senators who share my thoughts may join in this effort.

The ACTING PRESIDENT pro tempore. The concurrent resolution will be received, appropriately referred, and remain at the desk for 9 days as requested.

The concurrent resolution (S. Con. Res. 10) was referred to the Committee on Public Works, as follows:

S. CON. RES. 10

Whereas the decision in November to defer the expenditure of Federal-aid highway construction funds will necessarily result in serious delays in the completion of the vital Interstate System; and

Whereas the safety of the American motorist will be jeopardized by the failure to provide new and safer highways and with death toll from highway accidents having reached an alltime high of 52,500 in 1966; and

Whereas the most successful method to save lives and prevent untold human suffering and property destruction is to build safer highways for public use throughout the United States; and

Whereas the eventual cost of completing the Interstate System will be substantially higher if the postponement is continued; and

Whereas general economic conditions have changed since the deferment was first announced, with the easing of inflationary pressures; and

Whereas the efforts to economize by limiting the construction of safer roads will result in significant financial and personal loss which is false economy; and

Whereas the Highway Revenue Act of 1956 created the highway trust fund to receive specific tax revenues levied upon the users of the Nation's highways for the sole purpose of financing the Federal-aid highway program: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that such decision to defer the expenditure of Federal-aid highway construction funds be reversed, and that the States should be permitted to continue their programs of construction on Federal-aid highways in accordance with the schedules previously authorized by the Congress and as rapidly as available revenues permit.

Mr. BAYH. Without safe roads, it seems only logical to assume that more cars and more drivers will result in more accidents. In 1966, for example, traffic accidents increased 7 percent over the 1965 figure.

Mr. President, perhaps there are a few people—and I hope they are very few—who do not find this senseless loss of human life a compelling enough argument for better roads. I believe they are a small minority. To these people I say: let us look at the economics of traffic safety.

Highway accidents cost this Nation $9.8 billion in 1966—and I want to repeat that staggering figure: the total economic loss resulting from highway accidents amounted to $9.8 billion; $3.3 billion in damaged and destroyed property and $6.5 billion in lost wages, higher medical costs, and increased insurance premiums. The answer to this problem is not only safer cars and better drivers, but more and better roads, and we cannot build these safer roads on a reduced Federal-aid-to-highways program.

Indeed, I know that the present Presiding Officer [Mr. METCALF], a former member of the Public Works Committee, believes strongly in this, as I do. We are determined to do something about safe cars and better drivers, but the quickest way to reduce traffic deaths at the present time is more and safer roads.

Many of us recall that in announcing the decision to defer Federal funds, this action was described as part of the overall plan to reduce nonmilitary expenditures, thus contributing to the Vietnam effort and the program to combat inflation. Mr. President, certainly the Congress has exhibited a willingness to assist President Johnson in his efforts to restrict nonvital public expenditures with a view toward reducing the budget deficit and in the hope of easing inflationary pressures. The President should be commended for his willingness to make the difficult decision to cut many Federal programs that we know to be effective—programs which the President himself initiated.

I do not believe, however, that this deferment of highway funds serves its announced purpose. Of the $1 billion in "frozen" Federal money, it is highly unlikely that any more than $200 million will be removed from the economy in this fiscal year. The timelag between the apportionment of highway funds and the actual payment of contract awards is at least 12 to 18 months. The real effect of this cutback, therefore, will not be felt for another year—and on the basis of current economic indications, particularly in view of the recently announced layoffs in the automobile industry—it would seem that this deferment would only depress what appears to be an already gloomy forecast of economic conditions.

We do not know what the future will be. Indeed, a year from now, at a time when the effect of the cut will be the greatest, could be the wrong time, and in my judgment would be the wrong time, to pull this money out of the economy.

Furthermore, Mr. President, highway construction represents less than one-twentieth of the $84.5 billion nondefense budget. Are we looking at the trees and forgetting the forest? These figures would seem to indicate that there might very well be a number of other areas that could be cut.

Mr. President, I must confess that I simply do not see the logic of this deferment as a contribution to the war in Vietnam. The deferment of highway funds, contrary to popular opinion, does not free money for use in Vietnam. Trust fund money is earmarked and cannot be spent for any purpose other than highway construction. Of course, under section 209 of the Highway Act, the Secretary of the Treasury is authorized to invest that portion of the highway fund that is not required to meet current needs. I fear that this has been misinterpreted as a mandate to divert highway moneys to some other use. It most certainly is not.

This was not the intent of Congress in 1956, and this resolution expresses unequivocally, that it is not the intent of Congress in 1967. The Interstate System requires the expenditure of at least $4.2 billion in fiscal 1967, and that is the minimum needed to meet the completion schedule Congress set in 1956.

This deferment, therefore, is misdirected both as a remedy for current economic needs and as a means of providing more funds for the war in Vietnam.

Highway construction represents more than an investment in general economic development. It is an investment in survival. For every 5 miles of new highway we can save one life a year—and it is this saving of a human life that should be our overriding consideration in making highway funds available.

In this century there have been more than 1.5 million Americans killed in automobile accidents—or about three times as many Americans as have been lost in all our military actions. When it is completed, the Interstate Highway System will have saved at least 8,000 traffic fatalities annually. It will result in a total savings of more than $11 billion in reduced traffic costs. Can we afford not to make the necessary investment now? That is the question we must ask ourselves.

Mr. CARLSON. Mr. President, before the Senator yields the floor, will he yield to me?

Mr. BAYH. I am happy to yield to my friend the Senator from Kansas.

Mr. CARLSON. Mr. President, I wish to commend the distinguished Senator from Indiana for the statement he has made on withholding the use of highway trust funds for the continuing expansion and construction of the Interstate Highway System. I sincerely regret that the President is withholding those funds, because I agree fully with the distinguished Senator from Indiana that the effect of withholding a billion dollars at present will not be felt for at least 12 to 18 months. In view of the need for highway construction, based on the ever-increasing motorcar and truck traffic over our Nation's highways, and the need, in my opinion, to get the economy moving within the next 12 months—instead of retarding it—I think the Senator has made a most excellent statement, and if his resolution is open for cosponsorship, I should be pleased to associate myself with it.

Mr. BAYH. I thank my friend from Kansas. We are honored to have the Senator's name added to the resolution.

Sometimes we have to make difficult decisions. Indeed, I think over the past 6 months we have all had a difficult decision to make as to what steps should be taken in an effort to control the threat of inflation. And it now appears that these steps have had the desired result of easing the strain on our resources.

This short-range economy is very unwise, it seems to me, because every month that goes by, we experience additional loss of life, property damage—as well as a steady rise in the cost of highways. I think if we are really interested in efficiency, we should consider the fact that the faster we build these roads our long-range savings will be that much greater.

I certainly appreciate the support of the Senator from Kansas.

(Mr. BYRD of West Virginia assumed the chair at this point.)

Mr. METCALF. Mr. President, will the Senator from Indiana yield to me?

Mr. BAYH. I am happy to yield to the Senator from Montana.

Mr. METCALF. I, too, wish to commend the Senator from Indiana for submitting this resolution, and for the fine statement he has made.

It has been said that we pay for highways whether we build them or not. As the Senator from Indiana has indicated, if we do not build them we pay for them in deaths, injuries, and disabilities. If we refuse to use this trust fund—this money that has been set aside—for the building of highways, accidents will increase, the number of casualties will rise; and thus, as indicated by the Senator from Indiana, this is the most shortsighted policy the administration could follow. We will not, by this means, save money for the war in Vietnam. We will not save money for the taxpayers. This is a trust fund which has been set aside to build highways.

Together with the Senator from Kansas, I was privileged, when I was a Member of the House of Representatives, to have a part in the launching of this highway program. In the financing of the program it was never contemplated that the funds would ever be used for any other purpose. As the Senator from Indiana has indicated, this is a trust fund. It cannot and should not be touched for any other purpose. I hope that the President's shortsighted policy will not be approved by Congress.

Mr. BAYH. I thank the Senator from Montana. I must say that I know from firsthand experience, having sat on the Public Works Committee, of the Senator's interest in this matter. To have such distinguished colleagues as the Senator from Montana and the Senator from Kansas join in support of the resolution will be a tremendous asset.

Again, I should point out one other thing which I previously touched on briefly. I feel that if we permit this tampering with a trust fund to go unchallenged—and I do not accuse anyone of anything other than a good-faith effort—there will be established a precedent which could be utilized, at a later date. The integrity of the highway trust fund must be maintained.

Mr. METCALF. I agree with the Senator from Indiana. I trust that we will not embark on such a program, but will leave this trust fund unimpaired, and not set a precedent for the use of trust funds for other purposes.

THE 50TH ANNIVERSARY OF THE FARM CREDIT SYSTEM

Mr. CARLSON. Mr. President, I am pleased to call attention to the fact that a daylong celebration will take place March 27 at Larned, Kans., an event which quite rightfully should command the interest of every Member of Congress and, indeed, of all citizens everywhere.

It was at Larned on March 27, 1917, 50 years ago, that the first local loan association of the Federal land banks was chartered. When the Larned association began business, it signaled the start of operations of a unique system for transforming private investment into farm assets and agricultural production. This partnership of farmers, investors, and Government, known today as the farm credit system, has been responsible in large measure for the amazing advances in farm output and agricultural productivity in the United States during the past half century.

Back in those times of 50 years ago, the average farmer was far from being prosperous or from being a good producer. The major reason for this was that he had no ready access to the capital he needed to keep his land in good shape and make it productive. Since he was a low producer, compared with his fellow men in business and industry, the average farmer was generally regarded by lenders as a questionable risk.

As a consequence, what money the farmer of 1917 could borrow usually cost him an exorbitant amount of interest. So it was that agriculture in general, during the early years of this century, was trapped in a despairing cycle of low output, scarcity of capital, and punitive interest rates for what credit it could obtain.

The plight of agriculture under such circumstances, which had been of growing concern since the administration of President Theodore Roosevelt, became a matter of grave significance to the very security of our Nation as war engulfed Europe and threatened to draw the United States into the first great, worldwide conflict of history. Immense, emergency demands could easily be foreseen for food and fiber, but in face of the task ahead, American agriculture lay weak and stagnant.

Most fortunately, as matters turned out, several years of bipartisan effort culminated in the enactment of the Federal Farm Loan Act of 1916. This law was hailed as "the Magna Carta of American farm finance" and to this day it has proved to be such a charter. Its purpose was, and is, to create a simple means whereby persons seriously engaged in farming as a business could make use of credit in the manner that manufacturers utilize capital for modernization and productive efficiency.

To implement the new law, the 12 Federal land banks were established in major geographical regions of the country. The banks were authorized to raise funds for loan purposes by selling bonds to the investing community. In addition, and as a temporary measure to assure that the 12 banks would have adequate capital to commence operations, the U.S. Government subscribed a substantial amount of initial capital—which, incidentally, has long since been paid back to the Treasury by the 12 banks. The final payment was made in 1947.

Just 50 years ago from the moment that I now speak, Mr. President, the 12 land banks were in the process of formation. The Federal Land Bank of Wichita in my State of Kansas was the first to receive its charter, on March 1, 1917, and by April 3 all 12 had been chartered.

Accordingly, it was during April of 1917 that the initial farm loan was made, in the amount of $5,000, to a Larned stockman. He became the first of more than 2 million American farmers and ranchers who have since obtained long-term mortgage credit assistance through the Federal land banks. That Larned loan marked the beginning of long-term financing for American agriculture.

It is certainly no coincidence that this credit program, based on the utilization of private capital, has met with spectacular success, in terms of the number of farmers involved, the magnitude of its loan operations, and its beneficial influence on the entire agricultural credit structure of this country.

Few institutions have made greater impact on, or contributed more to their respective fields of operations than has the Federal land bank system. This is due to the fact that our predecessors in the Congress who developed the Farm Loan Act had the vision to build into it new concepts of service and the means for farmers, investors, and the Government to work together as partners in the capital formation process for farms throughout the land.

Loans made by the land banks through their local associations during the past 50 years have amounted to well in excess of $12 billion. Today the system's loans outstanding—real estate mortgages designed to modernize and increase the productivity of farms—total more than $5 billion.

This is privately invested capital, let me emphasize. Funds used in the lending operations of the land banks are obtained chiefly from sales of bonds to the financial community, insurance companies, commercial banks, trust and pension funds, foundations, and the like, as well as individuals. The bonds are secured primarily by the farm mortgages held by the land banks. Through joint and several liability of the 12 banks these securities are backed by the financial strength of the entire Federal land bank system.

In this manner the Federal land banks bridge the gap between farmers needing long-term credit and the money sources of our great cities. Over the years the land banks and associations became pioneers and innovators in the utilization of credit, and this pacesetting continues.

The Federal land banks were the first, for example, to introduce long-term amortized loans to farmers on a nationwide basis. The banks developed a future payment fund to permit farmers to build cash reserves and receive interest on those reserves. The banks pioneered the practice of permitting borrowers to pay off their loans at any time without penalty. The banks provide loan services to borrowers at cost by returning savings in the form of dividends on local association stock.

Modern appraisal standards, loans to timberland owners, assistance to part-time farmers, loans to farming corporations, the increasing of individual loan limits, and the formulating of broader purposes for which farmers may use loans—these are all other examples of how the Federal land bank system continues to innovate to anticipate the needs of a fast-moving agriculture.

The $5 billion in loans outstanding as of the present time represents approximately 20 percent of the total agricultural real estate credit now at work on the farms of America. Hence, the Federal land banks have no corner on the agricultural credit business. Yet their policies, their pioneering activities, and scope of services to borrowers exert broad and beneficial influence. As a result, most farmers who borrow from other lenders gain advantages from the existence of the land bank system.

In my opinion, Mr. President, a chief reason why this credit system has proved so successful is that the original law provided for the farmer-borrowers to become owners of the land banks. Indeed, this arrangement contains the keys to much of American agriculture's progress over the past half century and its dynamic vitality today.

The initial loan, made 50 years ago in Larned, Kans., was issued in the confidence that the farm it benefited would become a productive operation, a profitable undertaking for its owner, and an asset to the community. In addition to the cash he needed, the borrower obtained the counsel and encouragement of his neighbors.

They wanted him to make a go of it, and he had extra incentive for doing well. Under the law, each borrower was required to purchase stock in his local association, in an amount equal to 5 percent of his loan. This meant that the farmer borrowing from a land bank association automatically had—and continues to have to this day—a vested interest in the system, because he was eligible to collect dividends on his stock. Since 1917, the land bank associations have paid dividends of more than $125 million to their member-borrowers.

The farmer-member also has both a voice and a vote in determining the policies of his association, as well as the opportunity to be elected to its board of directors. In turn, the associations own the stock of their respective land banks and elect directors to district boards which govern the operations and policies of the banks. This democratic procedure carries through to the national level. Each of the 12 land bank districts submits nominations of members to be appointed by the President of the United States to the Federal Farm Credit Board, the system's top policymaking body.

The land banks enjoy considerable autonomy, being fully owned by their member-borrowers. However, policies developed for the advantage of borrowers are made applicable nationwide through supervisory functions of the Farm Credit Administration. This independent Federal agency was established to exercise general regulatory authority over the land banks and associations. Its duties include the conducting of continuous audit examinations of financial records. The Farm Credit Administration was charged by Congress with responsibility for assuring that the objectives of the Federal Farm Loan Act are achieved and the bank operations conducted in the public interest.

It is through this agency, whose operating expenses are paid by the banks and association it supervises, that Government enters the partnership of investors and farmers to strive for ever greater agricultural capability. In the intervening years since 1917, the farm credit system has been extended to include hundreds of production credit associations for supplying short-term loans, plus the 13 banks for cooperatives. All have the same objective, of facilitating the use of private credit as a modern tool of agriculture.

To my way of thinking, there is considerably more than coincidence in the fact that since this program for farm financing began in 1917, the performance and progress of American agriculture has been no less than fantastic. Reduced to its essence, here is the record of achievement which makes our Nation's agriculture the wonder and envy of the world: In 1917, one farmworker produced barely enough food and fiber to supply eight persons; in 1967, he can produce enough to meet the needs of 37.

In the same span of years, the U.S. Department of Agriculture index of farm productivity went up from 25 to 153 index points and the volume of farm output, in terms of marketing receipts, jumped from $10 billion to an estimated $40 billion this year.

Crop production is now 75 percent higher per acre than 50 years ago; output per breeding animal is running 95 percent higher, thanks to scientific use of land, the introduction of improved seeds and breeds, new technologies and types of equipment—in a word, thanks to a rural technical revolution as significant, if not more so, as the industrial revolution which transformed manufacturing from manual to machine production.

No one suggests that all this has come about as a result of the inauguration of the farm credit system. Many inventors, many scientists, many farm management specialists, economists, and countless other dedicated talents have contributed to making ours the strongest and most advanced agricultural economy in the world. Nevertheless, credit has played and will continue to play its vital part; for it is through the use of money and credit that the farmer finds it possible to exploit the new technology.

The agricultural revolution which has occurred has a direct bearing, needless to say, on the personal life and comfort of every citizen. Our Nation enjoys the greatest abundance and the widest range of food and fiber products on earth.

More importantly, we Americans pay the smallest portion of our earned income for food among all the countries of the globe. Without the productive capacity which our farmers have attained, every item we take for granted in our daily diet would cost us far more than it does, if it had been produced by the old-fashioned methods of 1917.

Recognizing that it was the farmers of America themselves, more than any other group, who made the Federal land bank system a success, just as it is the dedication and hard work of farmers which has given our national economy its sound agricultural base, the land banks are conducting their 50th anniversary observance as a tribute to all people engaged in agriculture.

The Larned celebration on March 27 will be the first major event in the year-long anniversary program, hailing America's farmers as "providers of plenty." When we consider the changes in our domestic agricultural scene during the past 50 years and the contrasts between these days of scarcity and the present, and as we realize how fortunate we are in contrast with so many other countries where hunger is people's daily companion, it is fitting that all citizens join in saluting our Nation's farmers and ranchers.

It would be fitting, also, Mr. President, to give more than passing attention to the manner in which the Federal land banks and our farm credit system serve the interests of all who produce, process or consume the products of agriculture. We see in this system a splended working model of how, under appropriate governmental supervision, private capital is put to work to vitalize and strengthen our economy.

May the next 50 years of agricultural endeavor and operations of the farm credit system prove to be as rewarding as the past 50. If so, everyone will stand to gain and our Nation will certainly be the better for it.

SUPPORT FOR CONSULAR TREATY WITH THE SOVIET UNION

Mr. HART. Mr. President, I wonder if my esteemed colleagues have been as impressed as I have with the widespread support in the press for passage of the Consular Treaty with the Soviet Union. Support for the Consular Treaty substantially outnumbers the opposition.

I commend to the attention of Senators, an editorial in last Sunday's Detroit News, "It's Not Soft on the Reds," and William S. White's column in the Washington Post, "Hard-Liners Divided."

I ask unanimous consent for their inclusion in the Record at this point.

There being no objection, the editorial and the column were ordered to be printed in the Record, as follows:

[From the Detroit News, Feb. 5, 1967]

The Consular Treaty: It's Not Soft on Reds

The new crack soon may appear in the Iron Curtain and shed new light in the United States on what is going on inside the Soviet Union.

A strong statement by President Johnson and renewed backing by former President Eisenhower have raised hopes for Senate ratification of the consular treaty with the Soviet Union which could serve as the new crack.

Unfortunately, the controversy over the consular treaty too often is degenerating into emotional argument. Various special interest groups have been playing fast and loose with the facts involved with the result that strong opposition to the treaty has arisen. Despite some of the loose talk, here are some of the factors involved:

It's nothing new for the USSR to have consulates in the United States. It had them from the time of U.S. recognition until 1948 when they were closed during the first frostbite of the cold war.

Reopening of Soviet consulates through approval of a consular treaty was suggested by President Eisenhower in 1959 and the issue has been in negotiation ever since.

Nothing in the treaty will affect the United States refusal to recognize the Soviet takeover of the Baltic states of Latvia, Estonia and Lithuania or the continued recognition by the United States of the representatives of the last free governments of those countries.

Approval of the treaty will result in the opening of only one Soviet consulate in this country with a staff of perhaps not more than 15 persons, although more consulates could be opened later.

Treaty ratification would provide new protections for the 18,000 Americans who visit the Soviet Union every year as well as U.S. employes in Russia.

What the treaty would do for the American tourist is to guarantee that if he's arrested, U.S. officials would be informed immediately and have the right to visit him within four days. Currently, American tourists can be held incommunicado—just as Soviet citizens are by their own government.

U.S. consular officials and employes in the Soviet Union would also be guaranteed protection against reprisals the USSR now often takes against them on trumped-up charges filed to offset action by the United States government against Soviet personnel engaged in espionage.

It is true that the opening of a new Russian consulate would bring another dozen to 15 Soviet citizens into the United States. But FBI Director J. Edgar Hoover, despite his concern, now has told the President that the treaty would raise no security problems which the FBI could not handle effectively and efficiently.

In this debate, as in other controversial matters, both sides tend to overstate their case. The facts are clear that the ratification will not open the United States to hordes of Soviet spies, as some critics suggest. At the same time, it is too much to expect sweetness and light, or even common courtesy, from the Russians when Americans get in trouble in the Soviet Union after the treaty goes into effect.

It is always more difficult to collect information from a closed society than it is from an open society such as our own. So the approval of the treaty would give the United States government a new window on the USSR.

Ratification could mean more than the opening of a new crack in the Iron Curtain. In the long run, it could lead to improved relations, meaningful trade, the reduction of tensions and the building of bridges of better understanding between the East and the West that Mr. Johnson has pledged to support.

[From the Washington Post, Feb. 7, 1967]

Hard-Liners Divided—Pact Opposed for Wrong Reason

(By William S. White)

The hard-liners against aggressive communism are being unhappily divided at the wrong time and for the wrong reasons in the Senate's current debate over ratification of the Consular Treaty with the Soviet Union.

Men with steadfast records on the one real and present Communist challenge to the West—the invasion of South Vietnam—are taking up opposite sides on this consular issue. They are making an unnecessary war among themselves. For national security is their common aim; and it is not some procedural question involving the Russians but rather the maintenance of an unbroken common front against the peaceniks that is both their one true problem and their one overriding need.

Those who are questioning this treaty should not be shrugged off as mere extremists. Their fear is that this minor relaxation in the bale of red tape between the United States and the Soviet Union might provide further opportunity for Soviet espionage here. It is not their motives that are wrong; it is their reasoning that is wrong.

For both President Johnson and former President Eisenhower have given their judgment that the treaty will not in fact endanger our security. Considering that there are already 452 Soviet officials in the United States and that ratification of the consular pact would perhaps bring in an additional 15, the anxieties being expressed here simply do not stand up under the smallest light of realism.

What is being proposed is actually not important in the literal sense, for it really involves only bureaucratic matters which don't come within a thousand miles of genuine security dangers. But in a fundamental sense there is something very important here. This, in simple truth, is an opportunity, at no real cost to the United States, to help widen the wedge between the Soviet Union and Communist China and thus in a prudent manner to forward the ultimate destruction of what was once a Communist monolith.

It is the symbolism that is the vital point. And this is the first opportunity Washington has had to assist the widening of the split without unacceptable risks.

The net of all this is that while there is no love lost between the United States and the Soviet Union, the towering reality remains that it is Asian Communists who are shooting at our people, not Soviet Communists, and that the Russians, though for selfish reasons, are themselves opposed to the process of Chinese Communist expansionism which the United States is resisting in Asia.

Are the Russians, then, now to be our pals? Certainly not. But this does not alter the fact that they are not now our dangerous enemies and are actually of some value to the degree that they are trying to abate China-backed aggression.

An analogy comes from World War II. The Russians had then an even more evil system than now. But they wound up all the same killing Nazis and this was in the most profound sense helpful to the West. The most notable antagonist of communism in history, Winston Churchill, understood this great reality.

When the Nazis and Soviet Communists began to tear at each other the Prime Minister was baited for accepting the Russians as allies. It was recalled by his critics that he had once said that Bolshevism should have been strangled at birth. His reply was a classic of common sense and ought to be remembered now by our present hard-liners.

"Sirs," he said to his hecklers, "I would make a pact with the devil if the devil were prepared to kill Nazis."

While the consular treaty is a most limited pact, and while the old devil Russia is by circumstances not so much of a devil now, the central point remains. Manifestly it serves the vital interests of the United States to ratify this small treaty if it clearly might make any contribution at all toward the ultimate breaking up of the old Communist monolith.

WEATHER MODIFICATION AND CONTROL

Mr. BYRD of West Virginia. Mr. President, all of us are familiar with the old saying that "Everybody talks about the weather but nobody does anything about it."

It is possible that the future may bring developments which will make that saying obsolete. The way has been paved for increased Federal impetus to scientific and technological efforts to provide the knowledge and understanding of atmospheric processes necessary for faster progress toward weather modification. The problem, fraught with controversy, covered with confusion, and ill-defined in scope, represents a prime area in need of clarification of public policy. A major step toward such determination was taken during the 89th Congress through efforts of the Senate Committee on Commerce and its distinguished chairman, the senior Senator from Washington. Its report on weather modification and control is a powerful instrument toward action to provide our Nation and the world with the benefits that weather modification can bring.

I wish to emphasize that weather modification does not merely mean altering the weather, because mankind has already done that to a great extent. Can anyone question the effects that air pollution bears on the temperature in our great urban areas?

The Sunday Star, Washington, D.C., of February 5, reported on an interview between Star Staff Writer Benjamin Forgey and Dr. Helmut E. Landsberg, former Director of the U.S. Environmental Data Service, in which Dr. Landsberg stated:

> There have been so many horrible examples of man's changing of nature, things that didn't pan out so well, the question now has become: can we do something beneficial?

In October 1957, Prof. H. G. Houghton presented a speech at the First National Conference on Applied Meteorology, at Hartford, Conn., in which he stated the same thesis:

> It would be unthinkable to embark on . . . a vast experiment before we are able to predict with some certainty what the effects would be. Without such knowledge the effects might be catastrophic or, as a lesser evil, there might be no noticeable effect after the expenditure of large sums. A much more reasonable approach lies in continuation of basic research.

A proposal for a vastly increased Federal program aimed at development of a practical means of making rain has been made public by Secretary of the Interior Stewart L. Udall, with the prospective cost stated as up to $100 million by 1975. Thus, Congress will shortly be called upon to consider the appropriations of funds to underwrite research, on an expanding scale, into problems of increasing controlled yields of water from the atmosphere.

And can there be any doubt regarding the benefits which would accrue to dry areas of our Nation if water shortages could be eliminated; or to nations such as India, where, in one of its interior states, the populace is on the verge of almost wholesale starvation from the terrible effects of prolonged drought? In my own State of West Virginia, it has unhappily been necessary for me to press for Agriculture Department assistance to drought-stricken counties through programs such as allotments of emergency livestock feed. I can also recall quite well, too, the statement late last year by Miss Sylvia Porter, the noted syndicated financial writer:

> In sum, weather has been a key—if not the biggest single factor—behind the 1965–1966 food price rises.

But, to insure that, in such critical areas as weather modification and control, the matter of public policy is clearly determined and wisely stated, Congress needs to know more of the magnitude of the problems involved. To echo the report of the Committee on Commerce, of which Senator Magnuson is chairman, national goals should be set, and "some goals may be unrealistic, others may require a massive undertaking; but until they are thought through and formulated and stated, there is lacking the focus for a national effort. Without such a focus, scientific and engineering manpower is not attracted to the field, scientific progress assumes the traditional pattern of little science, and budget estimates remain relatively static."

As a member of the Senate Appropriations Committee, I have found particular interest in an area of the Commerce Committee Report on Weather Modification and Control which pointed out that support of weather modification by Federal agencies is at a fiscal year 1966 level of about $7 million, with eight agencies participating at present. There are the Departments of Agriculture, Commerce, Army, Navy, Air Force, and Interior, the National Aeronautics and Space Administration, and the National Science Foundation. Also, the Federal Aviation Agency has been asked by the Interdepartmental Committee for Atmospheric Sciences to plan a program for the dissipation of supercooled fog at U.S. airports, while the Air Force has been asked by the National Science Foundation to plan a research program leading to the control of warm fog.

However, out of all of these efforts, according to general report, only one project has yet evolved for a clearly operational activity—the support of a facility at an annual rate of $62,000 by the National Science Foundation to provide calibration services for silver iodide generators. Already silver iodide has been significantly used for cloud seeding, so that there is now a general belief that moderate, but statistically significant, increases in annual precipitation can be caused by seeding orographic—mountain—clouds in the western part of the United States. There is also some evidence that similar results can be obtained in other parts of the United States from other types of clouds and cloud systems, although this is still in the beginning exploratory state.

Importantly, other nations are pursuing this same field of research—weather modification—and it is believed that the program in the U.S.S.R. is considerably broader than in the United States. Thus, another element in the total problem is brought into focus—that the general field of weather modification has commercial, foreign, international, legal, social, military and moral aspects. The entire subject of weather modification needs legislative study and guidance. The posture of the Federal Government should be officially determined and a program to carry forward the intent of Congress should be evolved, not in a piecemeal manner, but with full responsibility toward meeting the needs of our citizenry and mankind and toward successful adaptability to our environment in a world of unbelievably changing technology.

I believe that it would be helpful for the material which I have discussed to be published in the Record. This includes the Star article on Dr. Helmut E. Landsberg's remarks and excerpts from the Senate Report on Weather Modification and Control, prepared under the able chairmanship of Senator Magnuson of the Committee on Commerce. The excerpts taken from pages 3 through 7 of the report state the basic questions involved in Federal responsibility for weather modification programs; the status of present weather modification activity and Federal programs already existing; State, local, and commercial activities; foreign programs and international cooperation; and the legal and legislative aspects of Federal coordination.

I ask unanimous consent that these items be printed in the Record at this point.

There being no objection, the items were ordered to be printed in the Record, as follows:

[From the Washington Sunday Star, Feb. 5, 1967]

Man Already Has Altered the Climate, But Can He Change It for Good?

(By Benjamin Forgey)

Can man control the atmosphere around him, bend it to his will and adapt it to his need? Or must he remain a disgruntled and to often tragic victim of nature's random circumstances?

Big questions, these. With the idea of turning the light of science onto such troublesome terrain, a reporter recently stopped by the cuby-hole office of Helmut E. Landsberg, research professor in Maryland University's Institute of Fluid Dynamics, Dr. Landsberg, who retired last month as director of the federal government's Environmental Data Service, is one of the world's foremost climatologists.

He is one of a growing number in his field in the world who reckon time not in eons and ice ages but in centuries and decades. The past for which man has kept reliable records of changes in the weather—about 200 years in this country—and the immediate and long-range futures are what concerns these men. There is good reason for this shift in emphasis.

For one thing, Landsberg says, man has been busy altering his environment by razing forests and building cities, and these quantitative and qualitative changes in the earth's surface have had important if largely still unmeasured effects on the atmosphere.

"There have been so many horrible examples of man's changing of nature, things that didn't pan out so well," Landsberg remarks. "The question now has become: can we do something beneficial?"

PRECARIOUS POSITION

For another, he points out, changes in climate are now more than ever closely tied to questions of social, economic and even political importance. "Right now we're in such a precarious position in the world, with population growing as it is, that even a slight climate deterioration will have extremely serious repercussions. It's not a matter of scientists playing around with a bunch of figures."

Playing around with figures, albeit in a highly sophisticated way, is just what the scientists are about, however. Climatology is, as Landsberg puts it, "sort of the statistical complex" of meteorology, concerned as it is with measuring the average climatic condition on both local and worldwide scales.

Landsberg is fond of quoting Lord Kelvin's dictum that "unless you measure you do not know"—although, he notes, "that's something of an overstatement. I'd probably put it this way: unless you measure you are in doubt."

Given this orientation it is not surprising that the 60-year-old scientist views with a skeptical eye the more elaborate schemes for weather and climate control that have been popularized in the last decade or so. "What happened is that we learned something about cloud physics and this was a little handle on the problem of climate control. People began to speculate on this little handle, and they extrapolated to a degree that is just not warranted by the scientific facts."

A RUNNING BATTLE

To illustrate his point, Landsberg cites a running battle between engineers and scientists conducted in the public forum of the Soviet scientific press. The engineers wanted to change the basic circulation patterns in the polar seas by blocking off the Bering Straits with a truly gigantic dam. They reasoned that by so doing, enough warm water from the Atlantic would be attracted to melt the polar ice caps. The scientists contended that the project would be outrageously expensive and that, furthermore, the change in water temperatures would be minimal.

BALANCE OF NATURE

The scientists, apparently, won their case, and in all such conflicts, Landsberg stands four square with science and cost-analysis. In approaching the vast problems of controlling the climate, he maintains, it is necessary to look at things from a "global point of view." Changing the climate in one area, he points out, will no doubt affect the climates in other areas, and one must be sure that all the changes are desirable before setting out.

In addition, he says, one must be able to calculate in advance the myriad ecological effects of any change in climate. A weather transformation would no doubt upset the natural balance between the organic and inorganic worlds, and, he says, without adequate prior study, one would get "all kinds of effects not bargained for."

"I'm not saying it's impossible, but we're at least several decades away from doing anything practical," he says. "We're not anywhere near turning this into a technology."

But the science of climatology has changed greatly during the past few decades, and Landsberg's intelligent and lively eyes have followed these changes since the time he was a graduate student in the Germany of the 1920s. At the time of his immigration to the United States in 1934, he recalls, this country's only teaching program in meteorology was at the Massachusetts Institute of Technology. He helped to set up such programs at the Universities of Chicago and Pennsylvania and then, as he put it, did a "few small errands for Uncle Sam" during World War II as a consultant to the Air Force in both the Atlantic and Pacific Theaters.

THE COMPUTER AGE

Out of practical, military necessity, the war did much to stimulate meteorological and climatological research, and when the war ended Landsberg came to Washington with the Weather Bureau. In the past decade Landsberg worked to "see that the climate data of the country got into better shape." In effect, he supervised the transition to the computer age. The number and quality of government publications of essential meteorological data has increased greatly since the early 1950s, and the figures are made available a lot faster than they used to be.

Computers, Landsberg says fondly, "are very patient and very stupid servants—you can tell them to do all sorts of things nobody else could do." Not only are computers responsible for the great improvement in the accuracy, collection and distribution of climate information—they also make it possible for scientists to simulate climatic changes and the immense number of variables involved. Furthermore the experimenters "don't have to wait around too long" for the results.

This new capability will become increasingly important, Landsberg says, as man continues to explore space. "It's not entirely inappropriate, though it is accidental," he says, "that my office is located in the Space Sciences Building. The satellites have given us a quantum jump in information from outside the atmosphere. We've always been messed up by the damn dirty air here."

CLIMATE AND SPACE

In the future, scientists will be able to tell much more accurately, for example, just how much heat the earth loses into space; they will have much new and more reliable information on the sunspot cycle; they will be able to test the effects of clouds of cosmic dust on the earth's atmosphere.

Landsberg personally, however, seems more interested in what's happening in this "damn dirty air down here" than in what's happening climatologically in the solar system. One of his particular interests is the effects of urbanization on the climate.

Washington, for example, like all cities, is a "heat island" because of the tremendous amounts of heat generated by all the human and mechanical activity. This, incidentally, is the primary cause of the difference in temperatures at night in downtown Washington and say, Fairfax County. More importantly, all the activity contributes to pollution of the air, and all the heat complicates an already complicated problem.

A REAL QUESTION

These are not strictly climate problems, of course, but they concern Landsberg, who has to measure some of the effects. "It's a real question," he remarks, "whether we should say this soup we have over the city is air. It's a chemical brew of some sort. Of course, we may adapt ourselves to it, or at least get rid of all the people who can't adapt."

Perhaps it is predictable, then, that the balding scientist with the lively eyes doesn't often get downtown, except, occasionally, to lunch with like-minded companions at the Cosmos Club. He lives with his wife and 17-year-old son in Camp Springs, Md. Even when he was with the government, he worked in Silver Spring.

WEATHER MODIFICATION AND CONTROL

(A report prepared at the request of Hon. WARREN G. MAGNUSON, chairman, for the use of the Committee on Commerce, U.S. Senate, by the Legislative Reference Service, the Library of Congress)

THE BASIC QUESTIONS

Although weather modification has remained a small activity, in terms of the magnitude of Federal support, it serves to raise all of the questions that are implicit in multidiscipline, multiagency programs. Apart from the matter of definition, inherent throughout, these questions include:

(1) How important in fact is weather modification to the United States? Have any systematic studies been undertaken to determine the full scope of public benefit, the magnitudes of such benefit, and the priorities? Who should make such studies?

(2) Should federally supported activity in weather modification be accelerated? How should it be accelerated and by whom? Which aspects should be accelerated and which allowed to grow more gradually? Should only weather modification, however defined, be accelerated, or should emphasis be given to the entire range of atmospheric sciences? Or should support for atmospheric sciences be accelerated, while the operational aspects of weather modification are postponed until further scientific basis has been achieved?

(3) What Federal agency should be assigned the leadership in weather modification? What would such an assignment mean? Should one type of operational activity or mission—for example, to supplement water resources—be assigned to one agency, while another type—for example, the disposal of fog—is assigned to another? If the leadership in weather modification is assigned to one agency, should this agency perform the applied research and development necessary to discharge the mission responsibilities of another agency? Why? Should the user agency also support applied research and development in its area of need? In view of limited scientific and engineering manpower resources, is this a viable arrangement? Which agency should assume the major role in atmospheric sciences?

(4) How should the coordinating function be performed? Can one agency serve as an effective coordinator of the efforts of several agencies, including itself? Can a committee under the Federal Council for Science and Technology fully perform this function? As a policy level committee, making recommendations to the Federal Council, how can such a committee provide for the coordination of problems at the working level? How do the Federal Council or the Office of Science and Technology relate to the coordination of weather modification? Should the coordination of other meteorological services be related?

(5) Was Public Law 85-510, amending the National Science Foundation Act of 1950, believed at the time of its enactment to be consistent with the basic mission of the Foundation? What defects did this law contain? What was intended by this law that has not occurred during the past 7 years? If this law is defective, what would be gained by simply transferring the authority to another agency, one that has an operational mission?

(6) How should the regulatory function be performed? Can an agency with mission interests in weather modification serve also as a national licensing and regulatory authority? Is a new agency necessary for this purpose? Can the coordinating function and the regulatory function be combined in a single agency? Is it premature to undertake Federal licensing and regulation?

STATUS OF WEATHER MODIFICATION

Two reports, recently issued,[1] [2] provide a consensus concerning the status and needs in the field of weather modification. The following summarizes the situation at the present:

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[1] "Weather and Climate Modification—Problems and Prospects," vol. 1, Summary and Recommendations, National Academy of Sciences—National Research Council, Publication No. 1350, Washington, D.C., 1966.

[2] "Weather and Climate Modification," report of the Special Commission on Weather Modification, National Science Foundation, NSF 66-3, Washington, D.C., 1966.

(1) The dissipation of supercooled fogs and low stratus clouds, of the type that interfere with operations at airports in certain areas of the United States, has reached the operational stage and the engineering development of operational systems can be undertaken.

(2) There is increasing evidence that annual precipitation increases of the order of 10 percent can be achieved through seeding of winter orographic clouds with ground-based silver iodide generators. This conclusion supports the conclusion reached in 1957 by the Advisory Committee on Weather Control.

(3) Experiments of the U.S. Forest Service, Department of Agriculture, undertaken to reduce the frequency of lightning strokes by seeding with silver iodide, are showing promising results.

(4) Experiments in the United States in hail suppression by seeding with either ground-based or aircraft-borne silver iodide generators remain inconclusive. This is also true of results in France and Switzerland. Greater optimism is found in the Soviet Union where rockets and antiaircraft shells are used to distribute the silver iodide and where practical benefits are already claimed.

(5) Further research, including theoretical studies, large-scale experiments with careful statistical control, and extensive investigations in cloud physics and the mathematical modeling, using computers, of the global atmospheric circulation, is necessary before progress can be anticipated in the modification of other types of clouds or cloud systems.

(6) Extensive research is necessary on the effects of air pollution and rocket exhaust contamination on meteorological conditions. It is believed that the effect of deforestation and irrigation, and so forth, is small as compared with that of urban development.

(7) Extensive research is also needed over the entire range of social and ecological effects of climatic change.

FEDERAL PROGRAMS IN WEATHER MODIFICATION

Support of weather modification by Federal agencies is at a fiscal year 1966 level of about $7 million. Eight agencies participate at the present: the Departments of Agriculture, Commerce, Army, Navy, Air Force, and Interior, the National Aeronautics and Space Administration, and the National Science Foundation. In addition the Federal Aviation Agency has been asked by the Interdepartmental Committee for Atmospheric Sciences to plan a program for the dissipation of supercooled fog at U.S. airports, while the Air Force has been asked by the National Science Foundation to plan a research program leading to the control of warm fog.

Analysis of material submitted by the agencies in connection with this report (see p. 94), while not fully confirming the reported total dollar value of the fiscal year 1966 program, indicates that (*a*) 85 percent of the program is devoted to research and hence to atmospheric sciences, including about 47 percent for basic research; (*b*) the primary program in terms of dollar support is in the area of precipitation augmentation, due largely to the program of the Bureau of Reclamation, Department of the Interior; (*c*) the second largest activity is in the area of cloud physics; and (*d*) roughly equal support is given to hail suppression, lightning suppression, warm fog, and hurricane modification. Only one project has a clearly operational character, the support of a facility at an annual rate of $62,000 by the National Science Foundation to provide calibration services for silver iodide generators.

STATE, LOCAL, AND COMMERCIAL ACTIVITIES

A total of 79 field operations is reported for fiscal year 1965. These operations were distributed over 25 States in the continental United States and several countries of the Western Hemisphere. Operations were most numerous in California, Colorado, and Oregon. Including the fact that several of these operations had multiple purposes, 60 operations had the objective of increasing precipitation, 9 to disperse fog, 4 to reduce hail damage, and 9 were for test or experimental purposes. These operations consisted predominantly of cloud seeding with silver iodide using ground-based generators. It is not in general reported what the results of such operations are.

Effective January 1, 1966, the National Science Foundation issued a new regulation requiring advance reporting of intention to conduct cloud seeding or other weather modification operations.

FOREIGN PROGRAMS

Although statistics are not available, it is estimated that the program in the Soviet Union is two to three times as large as that in the United States. The major effort is directed toward fog dispersal, the stimulation of precipitation, and hail suppression. Other significant programs include Argentina, Australia, Canada, France, Germany, Great Britain, India, Israel, Italy, Japan, Kenya, Korea, Switzerland, and Tunisia.

INTERNATIONAL COOPERATION

Awareness within the international community of both the potential benefits and the dangers of global scale weather modification has been expressed in resolutions, reports, or activities of the General Assembly of the United Nations, UNESCO, and the World Meteorological Organization (WMO). Reports of the last organization have especially emphasized in recent years the need for extensive research, involving many scientific disciplines, and full predictive certainty before large-scale experimentation is begun. Scientific initiative in this area also rests with the nongovernmental body, the International Council of Scientific Unions, and its subsidiary organizations. There is an analogy furthermore between the growing possibility of influencing the world's climate and weather patterns, either deliberately or accidentally, and the situations involving nuclear and space developments which have led to increasing international control and cooperative activities.

FEDERAL COORDINATION

As the result of several actions that have occurred since the passage of Public Law 85–510, the mechanisms formally available for the coordination of the Federal effort in weather modification consist of at least two organizations within the Executive Office of the President, an interagency committee for international matters (although concerned principally with the World Weather Watch since its formation) with responsibility assigned to the Department of Commerce, the National Science Foundation, an annual 2-day working-level meeting, at least two nongovernmental advisory groups, and at least two principal sources of information (which have the effect of coordinating devices) concerning ongoing programs. For a program operating only at an annual rate of about $7 million, divided among eight agencies, and regarded by many of the participants as primarily a matter of basic research, questions are raised concerning the necessity, effectiveness, and mutual relationships of this multifaceted structure.

LEGAL AND LEGISLATIVE ASPECTS

The law, as it relates to weather modification, is at present a subject of controversy because of the dearth of pertinent litigation and statutory law. The unique features of the subject have caused considerable discussion by law review commentators and students in an attempt to define the rights and duties of those engaged in changing the weather, as well as the rights of those who would be affected by such changes. Applicable legislation by the several States is generally of a regulatory nature, while Federal legislation has been largely concerned with the support of research and development in weather modification by the Federal Government.

PERSEVERANCE IN VIETNAM

Mr. BYRD of West Virginia. Mr. President, the truce in Vietnam concurrent with the celebration of the Lunar New Year has ended insofar as our allied cease-fire observations are concerned. And again our Nation is finding difficulty in ascertaining a concrete answer to the question, "Is there really any hopeful sign of peace negotiations in the offing?"

Whatever may eventually evolve from the present confused situation, let us not delude ourselves that there is any real basis as yet for a lessening in our military efforts or any justification for rescinding our policy of selected bombing of military targets in North Vietnam.

In the past few days, numbers of editorials and newspaper articles have expressed this thought. Among these are the editorial "Vietnam: No Time for Wishful Thinking," in the Sunday Star, Washington, D.C., on February 12, and the column by Howard K. Smith, "The Morale Effect of Bombing of North Vietnam," published in the February 11 issue of the Evening Star.

I ask unanimous consent that these items be printed in the RECORD at this point.

There being no objection, the editorial and article were ordered to be printed in the RECORD, as follows:

[From the Washington Sunday Star, Feb. 12, 1967]

VIETNAM: NO TIME FOR WISHFUL THINKING

If, in fact, something is "stirring" in Vietnam, it is more important that the American people should keep one thing firmly in mind: There has not been the slightest indication that peace is just around the corner. On the contrary, and the President has repeatedly emphasized the point, all of us should expect that the fighting will continue for a long time. Furthermore, again in the President's words, we should prepare ourselves for "great costs" and more "agony."

This would almost certainly be true even in the unlikely event that peace talks with Hanoi were to start tomorrow. Some Americans—even some of our more notable pundits—seem to assume that talks, if they came, would produce an automatic and immediate cease-fire throughout all Vietnam. They would not. The fact is that a cease-fire in the South is almost impossible to visualize in the absence of a political settlement. American officials think it likely that the fighting in South Vietnam, in all probability, would continue while peace talks were in progress, and until an acceptable agreement on the future of the country had been hammered out. If the Korean example is any indication, under the best of circumstances that could take a very long time.

This is the first point to bear in mind. The second has to do with the current prospect for peace talks. It is all very well to engage in the popular pastime of interpreting "signals," but no one should be misled. There has not been the slightest bit of firm evidence that a serious peace negotiation is in the cards at this time. To think that anything of this sort will emerge from the current state of rumors and speculation is to believe in miracles.

What Hanoi is trying to do is to maneuver the United States into a position in which we will be obliged to agree to a "permanent and unconditional" cessation of our bombing in the North and to a permanent end to "all other acts of war" against North Vietnam. The most that has been offered in return is an almost meaningless suggestion that such a unilateral termination of military activity by us "could"—not would—persuade Ho Chi Minh to sit down and "talk."

The Communists have mounted a massive propaganda campaign in support of their goal. This campaign occassionally takes somewhat different forms and comes from different sources. The latest version came from Russian Premier Kosygin, whose comments on the subject in London were a source of some embarrassment to his British hosts. But it all comes down to the same thing—the United States must unconditionally throw in the sponge as far as any military operations in the North are concerned.

Wilfred Burchett, an Australian Communist writer, seems to have been selected by Hanoi as a preferred spokesman for its views—a conclusion which is supported by Kosygin's reference in London to the "highly constructive" interview given to Burchett by North Vietnam's Foreign Minister Nguyen Duy Trinh.

This interview was published on February 7, and presumably it echoes the authentic voice of Hanoi. If so, there is nothing hopeful in it. It spells out the end-the-bombing demand and the insistence on stopping all other acts of war against North Vietnam. With respect to what, if anything, Hanoi is willing to offer in exchange, Burchett wrote that he was told officially: "The Democratic Republic of Vietnam (Hanoi) is a sovereign state. Bombings are a violation of this sovereignty. They must cease. This is not a matter for bargaining." In other words, the United States is wasting time if it is looking for a quid pro quo from Hanoi prior to an unqualified acceptance of Ho Chi Minh's demands.

This was followed by another Burchett article which was published Friday. It dealt in the main with Hanoi's estimate of future developments in Vietnam if and when the war ends. But even if one accepts it as a factual report rather than Communist propaganda, it offered nothing to cheer about. For Burchett said that the National Liberation Front, the political arm of the Viet Cong, must be given "a decisive place and voice" in any settlement in the South, and that independence for South Vietnam "means withdrawal of all United States forces and the dismantling of bases." There is no way in which this concept of "independence" can be reconciled with our government's oft-stated objectives for the South Vietnamese—freedom from aggression and a free choice as to their own future.

In this connection, two questions stand out.

First, why have the men in Hanoi gone to such extreme lengths to pressure us into stopping the bombing? They have never admitted, although the fact is well established, that they have sent regular North Vietnamese armed units to help the Viet Cong. And they tend to belittle the military effectiveness of the bombing. So why the around-the-world propaganda campaign? The obvious answer is that they have committed significant forces in the South and that the bombing has made it very difficult if not impossible for them to maintain their rate of infiltration and to supply their troops after they reach the combat theaters.

The second question has to do with the nature of our minimum requirement for a cessation of bombing and what Hanoi in its turn would be willing to give.

It is at this point that the fog really sets in. As our officials see it, Hanoi has not indicated, either in public statements or in private contacts, any serious desire for talks or any readiness to concede anything of substance.

Our official position with respect to our minimum requirement is hardly less obscure. At this stage of the signaling, the President doubtless wants to preserve all possible options, and if so it would be a diplomatic blunder to try to spell out precisely what we would accept as a "serious response" from the Communists.

Our own feeling, and we suspect the feeling of the administration, is that there can be no permanent halt in the bombing unless and until Hanoi gives satisfactory assurances, either publicly or privately, that this would not be used by them as an opportunity to seek a significant improvement in their own military position and a corresponding impairment of ours. Certainly, the President will not call off the bombing if he thinks the only result would be interminable talks, with Hanoi using the time to reinforce, resupply and redeploy its army in South Vietnam.

This, however, according to the news from Saigon, is precisely what Hanoi has been doing during the current lunar new year truce. They cannot accomplish a great deal along this line in four days or seven days. But a no-bombing policy during talks extending over months or even years would be quite a different matter. At the very least it could mean that the American and allied troops who, at great cost, have defeated the enemy main forces might have to do the job all over again. It would be wholly out of character for Lyndon Johnson to buy any such deal as this.

So, to repeat, the end is not in sight. If we persevere, as we must, we will reach our goal—a free, independent and peaceful South Vietnam. But Americans would be well advised, meanwhile, to shun wishful thinking and buckle down to a hard, costly task. There is no easy way out.

[From the Washington (D.C.) Evening Star, Feb. 11, 1967]

The Morale Effect of Bombing North Vietnam

(By Howard K. Smith)

The Senators who sit on the Foreign Relations Committee have impressive records as legislators. But as interviewers of witnesses few of them could hold a job on the least demanding of county weeklies. They are strangers to the economy of language, using the most convoluted of orations to elicit the simplest response. They habitually permit witnesses to leave the most confusing and contradictory statements dangling without in any way requiring clarification.

Numberless examples could be cited. But one recent case was particularly ridiculous. All three of the eminent public witnesses this year indicated that our bombing of military targets in North Vietnam was a mistake; yet the Senators did not require an explanation of what was mistaken about it. When one witness volunteered the explanation that being bombed raises morale—as happened, he said, in Britain and in Germany in World War II—his argument was accepted without question. In fact, his argument is at best doubtful and at worst wrong.

In the case of Britain it is true that the Blitz saw a rise in British morale. But that purgatory lasted only a few months. It is highly doubtful that the lift would have been sustained, had the bombing been intensified and prolonged for years without hope of Allied relief.

In the case of Germany—where the bombing was intensified and prolonged for years without hope of outside relief—the argument is wrong: Bombing did not help German morale, but nearly wrecked it.

This reporter was in Germany for the first two years of World War II when the bombs began to fall. I was back in some of the most heavily bombed areas of Germany with the United States Ninth Army in the last year of the war. I spoke German as well as I speak English. My private but far-flung opinion poll of Germans elicited no "don't knows" or "undecideds"; Germans were 100 percent in accord that the bombings badly damaged their morale. They worked hard and fought hard not from inspiration but from desperation: we offered them nothing but unconditional surrender, and Dr. Goebbels retained the monopoly privilege of telling them vividly how horrible that was going to be.

The witness who cited Britain and Germany as evidence that being bombed is good for the spirit went on to say that the same lift in morale is evident now in North Vietnam: you never hear Communist slogans there any more, he said. Instead the North Vietnamese are using only nationalistic and patriotic slogans.

It is hard to see how the witness can interpret that switch as an improvement of morale. Rather, it is a sign of failing morale: Communist slogans no longer inspire under the strain, so the rulers—who alone make up the slogans—are resorting to non-communist ones to urge their people to persist.

As critics of our policy in Vietnam are increasingly reduced to criticizing the bombing of the North, and as they persistently misstate the purposes of the bombing the real case should be re-stated.

Critics repeatedly say that our purpose is to "bomb them into submission" and that the purpose is failing. In fact, the argument has never been made that bombing alone would bring submission. Instead there are four quite simple and sensible purposes.

The main purpose is military. It is simply easier and more rational to try to destroy arms and ammo while they are stacked neatly in depots and in convoys in the North, than it is to let GIs stop them with their bodies after the arms and ammo have been dispersed into the hands of the Viet Cong in the South.

Second, the morale of the South Vietnamese is a factor. It would be ridiculous to allow the enemy who is disrupting life in the South to have guaranteed sanctuary in the North.

Third, it is a bargaining counter if talks begin.

But mainly the bombing of military targets is one—and only one—factor in the wide-ranging process of attrition of enemy strength which is what changes enemy minds about conquest.

In complete contradiction of the three eminent witnesses before the Foreign Relations Committee, the available evidence suggests that the bombing is succeeding in its purpose. All decent men will pray that the time is near when it can be stopped. All the more reason not to let the bombing of North Vietnam enter history hardened into a legend of failure.

FAMILY ENROLLMENT IN SUNDAY SCHOOL

Mr. BYRD of West Virginia. Mr. President, as a former teacher of a Sunday school class in the Baptist Church in which I still hold membership in Crab Orchard, W. Va., I was very interested in the report by Betty D. Mayo, staff writer of the Christian Science Monitor, which was printed in the Friday, February 3, issue of that newspaper. This writer in her article, "Churches Fight Sunday School Drop," called adult participation in Sunday school instruction the key to successful religious guidance for the entire family. From my personal experience, this is my conviction also.

I commend her remarks to the Senate for thoughtful consideration.

I ask unanimous consent that this newspaper article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Christian Science Monitor, Feb. 3, 1967]

CHURCHES FIGHT SUNDAY SCHOOL DROP

(By Betty D. Mayo)

BOSTON.—With statistics showing a steady drop-off in Sunday-school enrollment, major American churches are making an all-out effort to provide—as never before—religious guidance for the entire family.

Millions of dollars are being spent on new or revised Sunday-school curriculums for youth.

Materials now in use are said to be the best ever.

The latest general education methods and techniques are being applied.

Protestants have traditionally emphasized Sunday school. They account for 90 percent of the total enrollment for all faiths, according to the National Council of Churches. But the council's 1967 Yearbook of American Churches indicates the reason for renewed concern.

Total Protestant enrollment for 1965 was 41,539,495 as compared with 41,653,130 in 1964 or a decline of 113,635 pupils.

ADULTS CALLED KEY

In all of this new emphasis, adults are the key. And they are the immediate concern of many Protestant denominations working on new religious-education programs.

"There is an increasing awareness that the teaching of children is ineffective no matter how good the materials are unless it is based on commitment and understanding of the faith on the part of adults," says a Methodist spokesman, Dr. Howard E. Tower of Needham, Mass.

This adult stress in the Methodist Church will come in 1967, according to Dr. Tower, executive secretary of the board of education, New England and New England Southern Conferences of the Methodist Church.

Dr. Tower says he feels the need is particularly acute in New England, "where there have not been extensive adult programs in any denomination."

In 1968, the United Presbyterian Church in the U. S. A., in cooperation with the United Church of Christ, will produce "a whole new spectrum of adult study materials," spokesmen state. Adults will be only the first phase of the new Presbyterian curriculum. Other materials are due in 1969 and 1970.

A crew of 1,200 volunteers will work locally in the field this coming year "to help [Presbyterian] churches see the need of change," it is pointed out. Of this number, 24 workers will be in New England.

The Protestant Episcopal Church and the Lutheran Church in America also are among churches which have produced adult material before new courses for children and youth.

Concern today is for the "total life of the church," says the Rev. Dr. Albert J. Chafe of Boston, religious education director of the Episcopal Diocese of Massachusetts.

Within the past year, "a real readiness to learn . . . and an interest in theology" has been demonstrated on the part of adults, the Rev. Dr. Chafe says. During the last Lenten season in Massachusetts, almost 18,000 adults under lay leadership "studied the great doctrines of our faith," he reports.

PARENTS AS TEACHERS

Taking advantage of this climate, he says "family life and parents' courses are the next frontier." There will also be greater emphasis on parent involvement, "since parents are the real teachers," he stresses.

"The new idea," he adds "is to get to the core of the Bible message in terms of life. . . . The Bible is relevant but we need to help people discover and live it."

This accent on adults in the Lutheran Church in America is seen particularly in the "Guide to Family Night" program. Parishes are expected to set aside certain nights so that parents can be exposed to newly prepared materials.

In addition to parent nights, the program calls for family devotions "once a day as a minimum," says the Rev. Gordon Hall of Dedham, Mass., assistant to the president in Christian education for the New England synod.

"The family is so splintered . . . with very little time together at any one time," he says. "We are going to have to make time to share and have dialogue, parents with children. . . . We make time to do what we want to do, so we will have to make time for sharing."

TEACHERS TRAINED

Adult emphasis in the Southern Baptist Convention includes stepped-up leadership training for teachers. A new course started a year ago puts emphasis on workers meeting regularly to plan and study.

Many Southern Baptist churches have weekly officers and teachers meetings. Part of the discussion centers around material for the coming Sunday's Bible study, according to Lynn M. Davis Jr. of the Sunday School Board, Southern Baptist Convention, Nashville, Tenn.

Roman Catholics, too, "have made a great effort to get adults to come out for courses and other learning experiences," says the Rt. Rev. Msgr. Russell Richard Novello, Boston Archdiocesan director of the Confraternity of Christian Doctrine, the church's religious-education body.

"Psychologically," Msgr. Novello says, "I believe it is not possible to make religion relevant unless our high-school youths . . . in the community see the adults . . . coming out to grow and develop in religion. . . ."

FAMILY INTEREST SPURRED

He adds, "We are following pretty much the attempts that the Protestants have made to have subject matter more relevant. For example, today there is a growing tendency to use more discussion, films, records, and other audio-visual materials.

To awaken greater religious interest in the entire family, the United Presbyterian Church is encouraging young people to attend Sunday morning church with their parents.

In so doing, it is looking forward to longer periods for Sunday or church school, probably coming at other than Sunday morning, says the Rev. William A. Morrison of Philadelphia, general secretary of the Board of Christian Education.

"The concept of longer sessions," he adds, "is related to the fact that it is high time the church did a more serious job in educating its people, and you can't do that kind of a job in snippets of time."

Spokesmen cite several reasons why times during the week are attractive for the extension of Sunday school. Among them:

Families are settled down for the week.

Children are in a learning mood after school.

Use of new general-education concepts and techniques, such as conceptual thinking and programed learning, seems natural in an after-school setting.

Evening courses for adults and young people make religious education a family affair.

WEEKDAY PROGRAMS

Main line Protestant denominations are quick to stress, however, that they are making no immediate plans to cancel Sunday morning religious classes. It is still the hour of the week that is the least preempted by other activities.

Some programs are meant specifically for weekday use, however, such as the "Through the Week Series," to be published in 1969 by the Cooperative Publication Association. Their aim is to relate the Christian perspective to students' learning experiences, starting with the subject matter being studied in public school, according to Dr. Frances Eastman of Boston, chairman. Dr. Eastman is with the United Church of Christ, one of the cooperating denominations in the group.

For the past 10 years throughout the country, the trend in Roman Catholic parishes has been away from religious-education classes on Sunday, according to Msgr. Novello. Afternoons after school and evenings are preferred times—the same hours for which many Protestant churches are pressing.

The National Council's 1967 Yearbook indicates that in 1965 a total of 4,856,653 Roman Catholic public-school children received religious instruction, compared with 4,590,227 a year earlier—an increase of 266,426 pupils.

Jewish spokesmen look on Sunday as a good period for the extension of their weekday religious-education classes. Miss Frances Levine, executive assistant of the Bureau of Jewish Education in Boston, says Sunday is a better day for Jewish children because they are more fresh and alert. Enrollments of Jewish pupils, at least in Boston, have not changed in recent years.

While spokesmen warn that statistics have many variables, the United Presbyterian Church in the U.S.A. alone notes a decline of more than 50,000 Sunday school pupils in 1965.

Southern Baptists found an over-all rise in 1965 but a decline in attendance of almost 4,000 teen-agers between 13 and 16 years of age.

By contrast, the Unitarian Universalist Association, with headquarters in Boston, reports a steady gain for the entire country since 1961. Total church-school enrollment for 1961 was 68,663; for 1966 it was 87,682.

"Relevant" is the one word that Unitarian-Universalist spokesmen stress as the reason why their education programs hold their young people.

Similar words crop up again and again as Protestant and Roman Catholic religious educators describe what they are aiming for in today's programs.

An American Baptist spokesman referring to the church's new curriculum due to be introduced in 1969, says:

"One word, perhaps, that stands out is 'relational.' We are getting away from an overheavy proportion of content and making way for teaching by relationships, using the Biblical material to fortify this kind of approach. Everything that we are doing will be life centered."

Baptists, both Southern and Northern groups, were among 16 Protestant denominations which initiated a Cooperative Curriculum Project under the aegis of the National Council of Churches in 1960.

In 1964, the project produced an 848-page volume for religious educators. The vast material has been decoded for curriculum builders. Guidelines are to be released in 1967.

American Baptists now are cooperating in developing curriculums with a smaller unit of the original 16 denominations. Among them are the Disciples of Christ, Church of the Brethren, and Church of God.

Others of the original 16 participating denominations were: Advent Christian Church, African Methodist Episcopal Church, Church of the Nazarene, Cumberland Presbyterian Church, Evangelical United Brethren Church, Mennonite Church, Presbyterian Church in Canada, Presbyterian Church in the U.S., Protestant Episcopal Church, and United Church of Canada.

IMPROVEMENTS IN SOCIAL SECURITY BENEFITS

Mr. BYRD of West Virginia. Mr. President, Sylvia Porter, the finance columnist, expressed some views on the proposed improvements in social security benefits soon to be considered by the Congress. I feel they are worthy of attention by the general public and I especially wish to call attention to Miss Porter's statement that it is imperative that we find a better way to protect the elderly against inflation. Her article, "Inflationproof Benefits for Aged" was presented as a feature of her regular column, "Your Money's Worth," in the Evening Star of Washington, D.C., on February 9.

I ask unanimous consent that this column be printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington Evening Star, Feb. 9, 1967]

"Inflationproof" Benefits for Aged

(By Sylvia Porter)

Among the conspicuous omissions in the President's massive package of proposed social security benefit improvements is any mention of automatic benefit boosts to keep benefits rising with the ever-climbing cost of living.

During the last session of Congress, no fewer than 101 members, Republicans and Democrats alike, introduced or backed bills to make social security benefits "inflationproof." And during the opening weeks of the new 90th Congress, Republicans have rushed to reintroduce similar bills.

What are the key arguments for tying social security benefits to living costs? Why did President Johnson make no move to back the bi-partisan drive to do just this?

First, here are the major points favoring the tie.

Today, both the federal civil service retirement system and the military retirement system offer automatic pension boosts as living costs rise. A growing number of industries have escalator clauses to protect employee paychecks and retiree pension checks against the impact of inflation. In many other nations, social security benefits rise automatically with living cost increases.

Why, then, say those favoring the idea, should the elderly in this country, who have no escape from inflation and no unions to bargain for them, remain the biggest victims of inflation?

A second argument is that while there have been three big social security benefit boosts since the start of 1964, the buying power of the benefit check of a worker who retired in that year actually is down 7 percent. In dollars and cents, he would need a monthly benefit of $81.70 today, instead of the actual $76 he is receiving, just to keep up with living cost rises.

And because of last year's 3.3 percent jump in consumer prices, more than half of 1965's social security benefit hike already has vanished. Price rises of the magnitude of 1966 can be disastrous to the millions of elderly citizens who already are living at or under the poverty line.

A third argument favoring automatic benefit boosts is that social security benefit levels would then be in response to the economic facts of life for elderly Americans rather than to the political factors which dominate the congressional voting on social security benefit hikes, usually in election years.

A final argument is that the tie of social security benefits to the cost of living almost surely would involve no new tax hikes for contributors, authorities say, because wage levels on average rise faster than price levels over the long term and the higher wages would produce more than enough to cover the costs of automatic benefit changes.

Why, then, did the President ignore the call for measures to "inflation proof" social security benefits?

He did so because the benefit boosts he did propose, a minimum of 19 percent and a maximum of 59 percent, would more than compensate for consumer price rises in recent years. He ignored the pressures because of his preference for using extra funds to finance other benefit improvements.

But the fundamental reason the President and so many of us still remain against an official link between social security benefits and living costs is that this would be equivalent accepting inflation as a way of life.

Even more, the move would actually speed inflation year after year, for it would pour spending money into the hands of millions at precisely the times when prices are climbing fastest and spending restraint would be most needed.

It is imperative that we find a better way to protect the elderly against inflation. But building inflation into our social security system is hardly this "better way."

THE 49TH ANNIVERSARY OF LITHUANIA'S INDEPENDENCE

Mr. SCOTT. Mr. President, this is a glorious anniversary and a time of sorrow. Forty-nine years ago today, the people of Lithuania regained their independence—an independence that had not been theirs for more than two centuries.

For 22 years from that day in 1918, the Lithuanian people lived and thrived in that light of freedom which Americans believe is the birthright of all men.

Then, in 1940, the darkness again closed in. The Soviet Union forcibly annexed this brave nation and made it part of the Communist empire.

In future centuries, historians will note the years of World War II and its aftermath as the time when the great empires of the world were dismantled—all save the Communist empire. In an era when colonialism has become a thing of the past across most of the globe, the people of Lithuania and other captive nations remain imprisoned in the grip of the Russian bear.

Today I urge the leaders of the Kremlin to reexamine their deeds and consider the millions of freedom-loving people now captive in the Soviet empire. I urge them to release all of their captives—including the 3 million Lithuanians who wait for the time when they will again enjoy the independence they won 49 years ago.

RESUMPTION OF BOMBING IN NORTH VIETNAM

Mr. McGEE. Mr. President, although all decent men wish that the time is near when the bombing of North Vietnam can be stopped, reasonableness tells us that the time is not yet here. This is no time for wishful thinking on the subject of the bombings. Clearly, Hanoi would like to see the bombing halted. But as yet, Hanoi has not stated its willingness to provide a quid pro quo. Evidence clearly shows, on the contrary, that even the recent halt to bombing occasioned by the lunar new year truce was used by the Communists to improve their position militarily to our detriment.

Nor can it be reasonably argued that the bombing bucks up the north's will to endure, to pursue the conflict. As columnist and commentator Howard K. Smith has written, out of firsthand experience, about the effect of bombing on a population, it breaks down morale, it discourages ideas of conquest.

Mr. President, Mr. Smith's observations published in the Washington Sunday Star of February 12, and the lead editorial of the Star on the same day are pertinent to our consideration of the Vietnamese situation, especially to the subject of the bombings in the north. I ask unanimous consent that they be printed in the Record, along with editorials published in last evening's Star, and this morning's Washington Post, which reiterate the responsible reasoning behind United States resumption of the bombing following the Tet truce.

There being no objection, the article and editorials were ordered to be printed in the Record, as follows:

[From the Washington Sunday Star, Feb. 12, 1967]

The Morale Effect of Bombing North Vietnam

(By Howard K. Smith)

The Senators who sit on the Foreign Relations Committee have impressive records as legislators. But as interviewers of witness few of them could hold a job on the least demanding of county weeklies. They are strangers to the economy of language, using the most convoluted of orations to elicit the simplest response. They habitually permit witnesses to leave the most confusing and contradictory statements dangling without in any way requiring clarification.

Numberless examples could be cited. But one recent case was particularly ridiculous. All three of the eminent public witnesses this year indicated that our bombing of military targets in North Vietnam was a mistake; yet the Senators did not require an explanation of what was mistaken about it. When one witness volunteered the explanation that being bombed raises morale—as happened, he said, in Britain and in Germany in World War II—his argument was accepted without question. In fact, his argument is at best doubtful and at worst wrong.

In the case of Britain it is true that the Blitz saw a rise in British morale. But that purgatory lasted only a few months. It is highly doubtful that the lift would have been sustained, had the bombing been intensified and prolonged for years without hope of Allied relief.

In the case of Germany—where the bombing was intensified and prolonged for years without hope of outside relief—the argument is wrong: Bombing did not help German morale, but nearly wrecked it.

This reporter was in Germany for the first two years of World War II when the bombs began to fall. I was back in some of the most heavily bombed areas of Germany with the United States Ninth Army in the last year of the war. I spoke German as well as I speak English. My private but far-flung opinion poll of Germans elicited no "don't knows" or "undecideds"; Germans were 100 percent in accord that the bombings badly damaged their morale. They worked hard and fought hard not from inspiration but from desperation: we offered them nothing but unconditional surrender, and Dr. Goebbels retained the monopoly privilege of telling them vividly how horrible that was going to be.

The witness who cited Britain and Germany as evidence that being bombed is good for the spirit went on to say that the same lift in morale is evident now in North Vietnam: you never hear Communist slogans there any more, he said. Instead the North Vietnamese are using only nationalistic and patriotic slogans.

It is hard to see how the witness can interpret that switch as an improvement of morale. Rather, it is a sign of falling morale: Communist slogans no longer inspire under the strain, so the rulers—who alone make up the slogans—are resorting to noncommunist ones to urge their people to persist.

As critics of our policy in Vietnam are increasingly reduced to criticizing the bombing of the North, and as they persistently misstate the purposes of the bombing, the real case should be re-stated.

Critics repeatedly say that our purpose is to "bomb them into submission" and that the purpose is failing. In fact the argument has never been made that bombing alone would bring submission. Instead there are four quite simple and sensible purposes.

The main purpose is military. It is simply easier and more rational to try to destroy arms and ammo while they are stacked neatly in depots and in convoys in the North, than it is to let GIs stop them with their bodies after the arms and ammo have been dispersed into the hands of the Viet Cong in the South.

Second, the morale of the South Vietnamese is a factor. It would be ridiculous to allow the enemy who is disrupting life in the South to have guaranteed sanctuary in the North.

Third, it is a bargaining counter if talks begin.

But mainly the bombing of military targets is one—and only one—factor in the wide-ranging process of attrition of enemy strength which is what changes enemy minds about conquest.

In complete contradiction of the three eminent witnesses before the Foreign Relations Committee, the available evidence suggests that the bombing is succeeding in its purpose. All decent men will pray that the time is near when it can be stopped. All the more reason not to let the bombing of North Vietnam enter history hardened into a legend of failure.

Vietnam—No Time for Wishful Thinking

If, in fact, something is "stirring" in Vietnam, it is more important that the American people should keep one thing firmly in mind: There has not been the slightest indication that peace is just around the corner. On the contrary, and the President has repeatedly emphasized the point, all of us should expect that the fighting will continue for a long time. Furthermore, again in the President's words, we should prepare ourselves for "great costs" and more "agony."

This would almost certainly be true even in the unlikely event that peace talks with Hanoi were to start tomorrow. Some Americans—even some of our more notable pundits—seem to assume that talks, if they came, would produce an automatic and immediate cease-fire throughout all Vietnam. They would not. The fact is that a cease-fire in the South is almost impossible to visualize in the absence of a political settlement. American officials think it likely that the fighting in South Vietnam, in all probability, would continue while peace talks were in progress, and until an acceptable agreement on the future of the country had been hammered out. If the Korean example is any indication, under the best of circumstances that could take a very long time.

This is the first point to bear in mind. The second has to do with the current prospect for peace talks. It is all very well to engage in the popular pastime of interpreting "signals," but no one should be misled. There has not been the slightest bit of firm evidence that a serious peace negotiation is in the cards at this time. To think that anything of this sort will emerge from the current spate of rumors and speculation is to believe in miracles.

What Hanoi is trying to do is to maneuver the United States into a position in which we will be obliged to agree to a "permanent and unconditional" cessation of our bombing in the North and to a permanent end to "all other acts of war" against North Vietnam. The most that has been offered in return is an almost meaningless suggestion that such a unilateral termination of military activity by us "could"—not would—persuade Ho Chi Minh to sit down and "talk."

The Communists have mounted a massive propaganda campaign in support of their goal. This campaign occasionally takes somewhat different forms and comes from different sources. The latest version came from Russian Premier Kosygin, whose comments on the subject in London were a source of some embarrassment to his British hosts. But it all comes down to the same thing—the United States must unconditionally throw in the sponge as far as any military operations in the North are concerned.

Wilfred Burchett, an Australian Communist writer, seems to have been selected by Hanoi as a preferred spokesman for its views—a conclusion which is supported by Kosygin's reference in London to the "highly constructive" interview given to Burchett by North Vietnam's Foreign Minister Nguyen Duy Trinh.

This interview was published on February 7, and presumably it echoes the authentic voice of Hanoi. If so, there is nothing hopeful in it. It spells out the end-the-bombing demand and the insistence on stopping all other acts of war against North Vietnam. With respect to what, if anything, Hanoi is willing to offer in exchange, Burchett wrote that he was told officially: "The Democratic Republic of Vietnam (Hanoi) is a sovereign state. Bombings are a violation of this sovereignty. They must cease. This is not a matter for bargaining. In other words, the United States is wasting time if it is looking for a quid pro quo from Hanoi prior to an unqualified acceptance of Ho Chi Minh's demands.

This was followed by another Burchett article which was published Friday. It dealt in the main with Hanoi's estimate of future developments in Vietnam if and when the war ends. But even if one accepts it as a factual report rather than Communist propaganda, it offered nothing to cheer about. For Burchett said that the National Liberation Front, the political arm of the Viet Cong, must be given "a decisive place and voice" in any settlement in the South, and that independence for South Vietnam "means withdrawal of all United States forces and the dismantling of bases." There is no way in which this concept of "independence" can be reconciled with our government's oft-stated objectives for the South Vietnamese—freedom from aggression and a free choice as to their own future.

In this connection, two questions stand out.

First, why have the men in Hanoi gone to such extreme lengths to pressure us into stopping the bombing? They have never admitted, although the fact is well established, that they have sent regular North Vietnamese armed units to help the Viet Cong. And they tend to belittle the military effectiveness of the bombing. So why the around-the-world propaganda campaign? The obvious answer is that they have committed significant forces in the South and that the bombing has made it very difficult if not impossible for them to maintain their rate of infiltration and to supply their troops after they reach the combat theaters.

The second question has to do with the nature of our minimum requirement for a cessation of bombing and what Hanoi in its turn would be willing to give.

It is at this point that the fog really sets in. As our officials see it, Hanoi has not indicated, either in public statements or in private contacts, any serious desire for talks or any readiness to concede anything of substance.

Our official position with respect to our minimum requirement is hardly less obscure. At this stage of the signaling, the President doubtless wants to preserve all possible options, and if so it would be a diplomatic blunder to try to spell out precisely what we would accept as a "serious response" from the Communists.

Our own feeling, and we suspect the feeling of the administration, is that there can be no permanent halt in the bombing unless and until Hanoi gives satisfactory assurances, either publicly or privately, that this would not be used by them as an opportunity to seek a significant improvement in their own military position and a corresponding impairment of ours. Certainly, the President will not call off the bombing if he thinks the only result would be interminable talks, with Hanoi using the time to reinforce, resupply and redeploy its army in South Vietnam.

This, however, according to the news from Saigon, is precisely what Hanoi has been doing during the current lunar new year truce. They cannot accomplish a great deal along this line in four days or seven days. But a no-bombing policy during talks extending over months or even years would be quite a different matter. At the very least it could mean that the American and allied troops who, at great cost, have defeated the enemy main forces, might have to do the job all over again. It would be wholly out of character for Lyndon Johnson to buy any such deal as this.

So, to repeat, the end is not in sight. If we persevere, as we must, we will reach our goal—a free, independent and peaceful South Vietnam. But Americans would be well advised, meanwhile, to shun wishful thinking and buckle down to a hard, costly task. There is no easy way out.

[From the Washington Evening Star, Feb. 14, 1967]

Back to the Bombing

A reluctant President, correctly stating that he had "no alternative," has ordered our bombers to resume their attacks on military targets in North Vietnam.

This will come as a disappointment to many people. But it certainly should not come as a surprise. For that "reciprocal de-escalation," which Secretary of State Rusk set as our fair price for a permanent end to the bombing, was not forthcoming. Quite to the contrary, the North Vietnamese used the now-ended six-day bombing lull to reinforce and resupply their troops engaged in a war of aggression in South Vietnam. Authoritative reports told of roads leading to the South being clogged with trucks and of a notable increase in coastal shipping.

All of this, far from being indicative of any peaceful purpose, clearly foreshadowed a determination on Hanoi's part to continue and if possible to increase the scale of their military operations against South Vietnam—and, of course, against our own troops stationed there. No President could responsibly permit this enemy buildup to proceed without interruption—knowing that the ultimate consequence of a continued bombing ban would be a greater loss of American lives.

Hanoi has never said it would agree to peace talks. The most that has been said is that there might be talks if the United States agreed in advance to a permanent and unconditional end to the bombing and all other warlike acts against North Vietnam. We are not going to give them any such opportunity to build up their army and continue the war in the South, while enjoying a privileged sanctuary at home. That is the reality against which a genuine search for peace can continue.

[From the Washington Post, Feb. 15, 1967]

Resuming Bombing

The United States was confronted with a clearcut choice on the decision to resume bombing. It was necessary either to resume it at once, after the Tet truce, or to defer indefinitely and without a quid pro quo, to see if suspension alone would produce negotiations.

Once the resumption was deferred the weight of world-wide propaganda would have begun to agitate relentlessly against any resumption and North Vietnam would have achieved its purpose of producing a one-sided truce without any reciprocal act on its part. The Government was on notice, by the experience of the earlier long-pause, that the very same sources urging the pause as a means of getting negotiations going, would have continued to advocate the pause when there were no negotiations forthcoming. It would have been hard to justify suspension on the basis of mere hope that something might happen.

Obviously there is ambiguity about the signals from Hanoi. A gamble could be taken on the interpretation most favorable to negotiations. But it would be a gamble that could be reproached later (if none materialized) not only as futile, but as fatally contributory to the failure to bring about negotiations, by removing the only leverage to which Hanoi seems likely to respond.

It lies within the power of Hanoi to end this doubt and ambiguity. In an instant, the North Vietnamese can lift the level of peace-making from an occult science on a par with tea leaf-reading or the Roman analysis of the viscera of domestic fowl. It can raise peace-making to the levels of a normal interchange of views. All it has to do is to propose definite negotiations, at a given time and a fixed place. That this is not done is the plainest indication that Hanoi is not ready to abandon or suspend its military designs on South Vietnam and that it does not believe the United States is ready to abandon the defense of South Vietnam.

CLARIFICATION OF MISTAKES AND MISREPRESENTATION IN MANCHESTER BOOK

Mr. TOWER. Mr. President, in accord with my past policy of presenting and preserving in the RECORD statements clarifying mistakes and misrepresentations in the Manchester book, I ask unanimous consent that there be printed in the RECORD the text of a February 8 Dallas Times-Herald article, to be followed by the text of an editorial written by the same newspaper and published in the New York Times of January 16, 1967.

The editorial originally appeared in the Dallas Times-Herald on the 8th of January.

There being no objection, the article and editorial were ordered to be printed in the RECORD, as follows:

[From the Dallas (Tex.) Times-Herald, Feb. 8, 1967]

JP SAYS MANCHESTER WRONG ABOUT DELAY AT HOSPITAL

A Garland justice of the peace who kept "a minute-by-minute account" of events at Parkland Hospital following the death of President John F. Kennedy took issue Tuesday with the third installment in Look Magazine of the William Manchester book, "The Death of a President."

Judge Theran Ward, who was summoned to Parkland shortly after Kennedy was pronounced dead on Nov. 22, 1963, said he spent "only six or eight minutes in the hospital" before releasing Kennedy's body for the flight back to Washington. Manchester says there was a delay at the hospital of more than half an hour which "nearly ended in a fistfight."

Judge Ward said the Manchester book represents "a distortion by a free-lance writer who has taken some very serious statements and multiplied them into some sort of a fantastic story.

"Immediately after I left the hospital, I came back to my office with a newspaper friend of mine and wrote what almost amounted to a minute-by-minute account," Judge Ward continued. "I think that account will show an entirely different picture than that described by Mr. Manchester."

The justice of the peace did not reveal the content of his account. Instead, he only said:

"I don't think any of us want to relive the tragedy of that day. In fact, as far as I'm concerned, I'd just as soon never hear of it again."

Judge Ward, however, did confirm the Manchester report that he was at first barred from one hospital door by Secret Service agents. He said he knew—even then—that the agent "had no way of recognizing" him, and that he could "understand and respect" the agent's position.

"I went to another entrance," the judge related. "A nurse recognized me, and I had no additional difficulty."

Judge Ward also disclosed that he had talked with Manchester on the telephone "at great length." However, he emphasized "I wouldn't have made any statement that could have been twisted to harm the people who were victims of this tragedy."

And he strongly implied that his statements—like those of many others—had been twisted.

Dr. Earl Rose, the Dallas County medical examiner who was described as "a stage heavy" in the Manchester installment currently running in Look Magazine, quietly told The Times Herald that he "had no comment" on Manchester's claims.

"I think our President (Johnson) has handled this in a very dignified fashion. I intend to follow his example. I don't propose to lend any dignity to that type of writing by commenting upon it."

The Rev. Thomas Cain, superior of the Dominican Fathers at the University of Dallas, said he "doesn't have the faintest recollection" of any disturbance or improper conduct following Kennedy's death at Parkland.

He also denied Manchester's claim that Father Cain placed his arms around Mrs. Kennedy and called her endearing names.

"I was at the hospital only a few minutes," Father Cain recalled. "I was at the University of Dallas when I learned of the President's death, and I thought it was the normal thing for a Catholic priest to go to the hospital.

"It is true," he continued, "that I did have a relic of the Cross with me. I applied it to the President's body. I asked those present to join in a prayer for the repose of the President's soul. We said the 'Our Father.' I don't think Mrs. Kennedy was in the room. She was outside, seated in a chair.

"The entire thing (the Manchester account) seems a bit out of focus to me," he stated.

U.S. District Judge Sarah T. Hughes, who Manchester described as being confused when she administered the oath to President Lyndon Johnson, also disagreed with the Manchester article.

"I wasn't the slightest bit confused," she said. "I was called by Barefoot Sanders (at that time U.S. district attorney) and he asked me to go to Love Field. He said that while I was on the way he would look up the oath and have it for me when I got there. I had made up my mind what should be contained in the oath.

"When I arrived," she continued, "I said I didn't have a copy of the oath but I could give it without a copy. In a moment, someone handed me a copy. I did not call Asst. Atty. Gen. Nicholas Katzenbach (as Manchester stated) and, at the time I was handed a copy of the oath, I wasn't aware that he had been called."

Judge Hughes said the oath, as it comes from the Constitution, does not contain the words, "so help me God."

[From the New York Times, Jan. 16, 1967]

DALLAS: CITY OF PATIENCE, DECENCY—AN EDITORIAL FROM THE DALLAS TIMES HERALD

It is time to say a few things. We, of Dallas, had believed that curing time would give understanding to fellow Americans whose arm we need.

But now we must be heard—not from rancor, not from anger, not from the shallowness of provincialism. We hope, we pray that our voices shall not be raised again.

Dallas is an American city. It is not some outpost of evil. It is people who are patient, decent and very normal. Our mistakes, like any metropolis in the great growth of this land, come into public view.

We are not cardboard creatures of political hatred. We do not bumble and destroy. We are just people who, until little more than three years ago, were known the breadth of this land as the tolerant, the compassionate, the men of believable brotherhood.

We had tragedy, deep tragedy. We prayed. We set about the next hour to gird the soul of this city. We turned to the strength of a new future. On the front page of this newspaper, a man with wet cheeks had words to write on that day:

"Terrible history has been made in Dallas, and the magnitude of our city's sorrow can only be measured against the enormity of the deed.

"John F. Kennedy, President of the United States of America, is dead. No matter what the explanation of the act, the awful reality of it overwhelms us. He died here.

"We do not know now, we may never know why it happened in Dallas. And it is no comfort to our grief that an insane chance, operating with blind destiny, brought our President's death to us.

"But this we know, that as a city we must show the world the deep unity of our grief, the depths of the stunned void that is in each of us.

"Let us go into the open churches, the cathedrals, the synagogues, and there let us pray to God to teach us love and forgiveness. In the quiet of our homes, let us search our hearts and, through the terrible cleansing power of our grief, remove any vestiges of bitterness and hate.

"What happened here could have happened in any city. But first there had to be the seeds of hate—and we must pray that Dallas can never supply the atmosphere for tragedy to grow again.

"The bullet that felled our President was molded in an unstable world. But to our great sorrow, it found its mark here."

Many days, many weeks, many months have passed since that day. But the citizens of this community have only grown stronger and the pledge above has been followed.

Now, in another chapter, we are thrust into history again—history that never shall release us.

The death of Jack Ruby has brought new arrows from the shoulder slings of our critics. Again, in the eyes of distant commentators and surface critics, we are buffoons and bumblers. We are "Co-Conspirators" who, says the Communist Russian press, might have deliberately injected cancer cells into the veins of Ruby.

We understand, and can dismiss, the venom of the Communist lie. But we can only ask forgiveness for the other critics who won't, or can't forget. We ask that they join us on the path we have set for ourselves.

In this city there is high degree of decency, respect, admiration and continuing grief. Very patiently we have labored to close a wound.

We wince only when the misinformed outsider rips the sutures.

Recent events, which again have focused attention on the City of Dallas, moved Felix McKnight, Executive Vice-President and Editor, to write this editorial for The Dallas Times Herald. It was published on Jan. 8.

JAS. F. CHAMBERS, Jr.,
President,
The Times Herald Printing Co.

JUANITA GILLEN, OF DEL MAR COLLEGE, WRITER OF BUSINESS EDUCATION IN POSTSECONDARY SCHOOLS

Mr. YARBOROUGH. Mr. President, a thoroughly perceptive editorial explaining the role played by postsecondary business education in the American education system appears in the January 1967 issue of Business Education Forum, the official journal of the National Business Education Association, a department of the National Education Association. Entitled, "Spotlighting Business Education in the Postsecondary Schools," it was written by Special Editor Juanita Gillen, of Del Mar College, Corpus Christi, Tex.

The editorial describes the various types of postsecondary business education available and notes the increased growth of business curricula in the independent business schools, community colleges, junior colleges, and 4-year colleges, stating that they all must keep pace with the expanding technological processes now inherent in careers in business.

As a member of the Committee on Labor and Public Welfare, I have seen the need for hundreds of thousands of skilled personnel to man the offices of our expanding business economy become increasingly apparent. Each year the number of qualified and competent employees prepared to enter the job market decreases in comparison with the number of job openings. These postsecondary business education institutions are helping to close that gap.

I have recently noted with interest the announcement by the U.S. Civil Service Commission of the junior Federal assistant examination which will permit graduates of postsecondary programs of business education in the independent business schools and junior colleges to enter the Federal civil service at the GS-4 level. It is my belief that this program will serve to bring highly skilled and knowledgeable young people into Government service.

I ask unanimous consent that the editorial about the important role of postsecondary business education in the American education complex be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SPOTLIGHTING BUSINESS EDUCATION IN THE POSTSECONDARY SCHOOLS

(By Juanita G. Gillen, Del Mar College, Corpus Christi, Tex.)

Never before has the nation's attention been focused so squarely on education as it is today. The need for more meaningful education on all levels of learning, the mushrooming dropout problem, and government-sponsored job training programs have created a new and challenging situation. Today's spotlight is on education beyond the secondary school. This issue of the *Forum* reviews some current thinking and programs planned around the great need for improving the scope and depth of postsecondary business education.

We live today in a business-filled environment where there is a serious shortage of qualified workers in the office occupations. Employment trends indicate a need for more education and training than ever before. Business education both within and beyond the secondary school is a related and integral part of the total education program. Curriculum practices and trends are in the process of re-evaluation to serve better the needs of a wide range of learners. Suitable aims have been established, based on job opportunities and employment requirements. Research data provide a basis for improvement of teaching methods.

Collegiate schools of business prepare graduates for positions in accounting, management, marketing, sales, advertising, finance, and other specialized areas; work with schools of education in preparing teachers of business subjects; and conduct short-term seminars and institutes to provide programs for managers. In teaching the business subjects, teachers are placing greater emphasis on analysis and problem solving than on description.

As automation and an increasingly technical society have created new jobs that make education beyond the high school a necessity, many universities have met this and other adult education needs through branch, off-campus centers. Community junior colleges are better equipped to give technical and semiprofessional programs than four-year colleges; in this respect they are not competitive but complementary to four-year higher education programs. Community college programs appeal to an ever wider range of needs of both youth and adults in increased numbers. These colleges are taking a new look at their aims and objectives and the curricula offered to meet these goals.

Independent business schools have been offering technical business preparation for more than a century. As technological innovations have been introduced, independent business schools have selected and trained competent personnel, rendering a conspicuous service to the employer and to the prospective employee. Independent business schools and junior college faculties have remained alert to changes in procedures, techniques, and processes in modern business by such practices as consulting with advisory committees, participating in business education associations and civic groups, encouraging continuing study and workshops for faculty, arranging demonstrations of equipment and materials, reviewing current literature, following up graduates, and obtaining part-time or temporary work experience.

During the past five years, the nation has suddenly become aware of the unemployment situation, caused in part by automation, which poses dangers to our economic welfare. The nationwide Manpower Development and Training Program, along with Job Corps Centers, are converting manpower, our basic resource, to the use and benefit of our business society.

Office work is the largest employment area for women; one-third of employed women are found in this category. Further, the unemployment rate for office workers is consistently less than that found in other occupational classifications. These factors must be taken into consideration as programs are developed for training persons for office occupations.

There is an exciting new shape in adult education, geared to developing decision-making skills. Streamlined adult courses and refresher courses are programed and styled to allow students to progress as rapidly as their performance allows. These are evidence of the fast-growing demand for business-oriented courses in adult education. Evening and adult education classes aid in planning and expanding postsecondary business education.

What is your school or community contributing to postsecondary education for business?

ADDRESS BY VICE PRESIDENT TO INTERNATIONAL NEWSPAPER ADVERTISING EXECUTIVES

Mr. SPONG. Mr. President, I read with interest a recent speech delivered by the Vice President to the international newspaper advertising executives in Washington, in which he explores possible roles for private enterprise in the search for solutions to pressing urban problems, and calls for serious consideration and thorough debate of revenue sharing plans.

I found the speech eloquent, thoughtful, and stimulating, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS OF VICE PRESIDENT HUBERT H. HUMPHREY, INTERNATIONAL NEWSPAPER ADVERTISING EXECUTIVES, WASHINGTON, D.C., JANUARY 26, 1967

As one of the world's all-time champion newspaper readers, I want you to know I feel at home here today. And I hope you will feel at home in the company of one of your major markets.

Someone once said that we are governed by men—and newspapers.

I know that all of us in government sometimes doubt just how much we are governing; but few of us doubt the influence of newspapers, or, for that matter, the men and women who manage and produce them. If any of you underestimate your influence, I suggest you consult with Mrs. Humphrey some morning just after I've finished reading the editorial pages—and gone storming out of our apartment.

More seriously, though, I would like today to share with you—as people who *do* have great influence in your communities—a few thoughts about where our country has been going and what we can do to make it even a better and stronger America than it is today.

The past few years, in our country, have been years of amazing technological and material progress and innovation. There has been a need for these things, and it has been met.

But we also need social inventiveness, and social innovation, and we need to create a market for them as well.

We have urgent and keenly-felt public needs, most of them coming to a focus in the great urban areas where two-thirds of us already live and an even higher proportion will live in the future.

But there has been no place, by and large, where people could go to shop for a better public school system . . . for the means of eliminating poverty and racial discrimination . . . for unsnarling our traffic jams, or for ridding our air and water of their perilous pollution.

There has been, by and large, little competition in devising means to meet these needs.

Fortunately, we are beginning to get real innovation in meeting public needs. Those of you from Philadelphia know of one splendid example in your city.

There the Reverend Leon Sullivan, with the help of other Negro ministers, organized a center for training in needed skills—the Opportunities Industrialization Center.

He has received staunch moral and financial support from the Negro community—but not from the Negro community alone.

Under the leadership of the Greater Philadelphia Chamber of Commerce, business has rallied behind the effort with both money and equipment. Labor unions have helped create job openings.

Government has helped, too, with seed money.

In its first three years, the Center has placed something like three thousand Negroes, a third of whom were formerly on the relief rolls, in decent jobs.

One lady with three children, for example, had been on relief for 12 years. Today she is earning her own way as an electronic assembler.

Ninety per cent of the Center's graduates are today holding jobs. And, as those of you from Philadelphia know, many of the Center's graduates were people who had been in trouble or were on the verge of trouble.

More than eight million dollars in new purchasing power has been added to Philadelphia's economy.

And the going slogan, as one of Reverend Sullivan's colleagues told me, is not "Burn baby, burn" but "Learn baby, learn . . . earn, baby, earn!"

This program has already spread to 65 cities across the country. Perhaps there is one getting under way, or planned, in *your* city. If so, I ask you to give it a helping hand.

This is but one example of the new and energetic partnership which is developing in our country among government, the private sector, and people.

It is a partnership which cuts across old jurisdictions and has no regard for old myths and animosities. Its only measure is—and must continue to be—this: How can we build a better and stronger America in which *all* will benefit?

I grew up in an America in which the federal government did very little to fulfill one of the major purposes for which it was created—and here I quote directly from the preamble of our Constitution—to "promote the general welfare."

This was the battle which Franklin Delano Roosevelt and his New Deal liberals fought and won—to get the federal government to assume and fulfill its share of responsibility for the general welfare of the American people.

Please note that I said "its share," for *modern* liberals recognize that it is just as wrong for the federal government to attempt to do too much as to do too little.

Most of our problems are best challenged where they arise, at the *local* level. They are best dealt with by the people who are there—who know at first hand the people and the circumstances concerned.

That means programs, policies and projects locally inspired, locally developed, and locally administered—but in the context of a broader pattern that includes state and regional development, backed and supported by federal assistance and resources.

Washington abounds today with proposals for federal revenue-sharing with states and localities. Let me say first that we already share substantial amounts of federal revenue with our state and local governments.

You might be surprised to know that state and local governments will derive about 17 per cent of their total revenue from the federal government during the coming year.

This is not to reject proposals for further revenue-sharing. But I think we must take a long and careful look at them.

I do not think, for example, that the federal government would be keeping proper faith with American taxpayers if tax revenues were to be handed over, no strings attached—as some have proposed—to state and local governments which might not be ready or able to use them effectively.

Methods of distribution would have to be devised, and, above all, problems of allocation among the states and among the various levels of government would have to be solved.

Tax-sharing is not a panacea. It should not be oversimplified, as a few people have attempted to do. However, it *is* worth serious consideration and thorough debate—and I expect that to be forthcoming in the year ahead.

But money alone is not the answer to the needs of our states and cities. Better management and organization are urgently required as well.

Many of our state constitutions—the basic legal structure which can either impede or facilitate social progress—are out of date.

Many of our city charters deny city governments the authority and the sources of revenue they need.

I ask you, when you return to your communities, to ask these questions about *your* state and local governments.

Are we organized and tooled up to meet today's responsibilities, and plan for tomorrow as well?

Are the departments and agencies of our state government prepared, by professional personnel and modern organization, to manage and administer the mix of programs required to meet the problems of an urbanizing society?

Are the committees of our state legislature equipped to analyze and oversee these same problems?

Do we need new laws, working statutes and ordinances?

Do we need reorganization and consolidation of our local government? (We have nearly 100 thousand units of local government in our country—too many by far.)

Is there regional cooperation between our community and others which share the same service area?

Yes, we need more effective and streamlined government at all levels. We need better and more efficient sources and uses of revenue. But today I want to stress some new ways that your sector of the economy—the sector of private enterprise—can contribute to the solution of national problems and the meeting of national needs.

I believe in the profit system—and I also believe that it can work even more effectively than it has in the past for the public good.

For too long, business and government entrenched themselves on opposite sides of an imaginary line—the line dividing the so-called "private sector" from the so-called "public sector"—and glowered at one another.

Some businessmen suspected government of an insatiable appetite to expand its functions, to encroach upon private enterprise, and ultimately to stifle it.

Some government officials regarded business as inherently oblivious or even antagonistic to the public interest. Some even regarded profits as actually immoral—rather than as an incentive essential to efficiency, as even the Communists are now coming to recognize.

These old suspicions are fading rapidly into history, and mutual confidence and cooperation are replacing them. I for one am glad of it. I do not believe that government has any monopoly of wisdom—or of dedication to the public good.

I think we need to draw upon the ability, the energy, and the innovative talents of *all* elements of the community in dealing with the problems which confront us.

I go further, I believe that we should seek to make meeting public needs actually *profitable* for private enterprise. We ought to create markets in meeting these needs, for which companies can compete just as they do in designing and selling automobiles or television sets.

Therefore, I am delighted that, in our war on poverty, we have given corporations the opportunity to operate Job Corps camps at a profit—and, indeed, to compete in seeing who can set up and run the best one. For I am convinced that, once business has had a real taste of helping the poor—and doing it profitably—we will have come a long way in fully unharnessing the energy and ingenuity that lies within our country.

Profit *and* morality are a hard combination to beat.

Here is another example of the way things are moving. Until quite recently, public housing and the private home-building industry seemed like Kipling's East and West—"Never the twain shall meet."

But new and imaginative adjustments in government procedures have now made it possible for home-builders to carry housing projects through from start to finish—from assembling the land to turning the keys over to the local housing authority. And, by doing this, we are getting dwelling units 15 per cent to 20 per cent cheaper, and in half the time.

We are already using this same "turnkey" system for the rehabilitation of thousands of run-down row houses. It begins to look as if we're in the process of creating a whole new industry—a home rehabilitation industry, with a huge potential market in the nearly eight million dilapidated dwelling units throughout this country.

Furthermore, we should be able to put the people in these slum areas to work in this purpose—thus acquiring what has been called a "sweat equity" in their own homes.

And we're drawing upon the innovative capacity as well as the experience of the building industry. I think, for instance, of the new techniques the U.S. Gypsum Corporation is trying out in the rehabilitation of Harlem tenements.

There has been another promising innovation in the creation of wider markets for private enterprise in the field of school construction.

Thirteen school districts in California recently got together and agreed to build 22 schools under a single contract. Rather than inviting separate bids for the buildings and for their air-conditioning, lighting, and so on, they wrapped everything up in a single package, including the actual design of the schools.

This made the package big enough and potentially profitable enough to induce interested bidders to come up with more efficient and more economical designs for the schools. The result for the school districts concerned will be first-rate, flexible schools costing about 18 per cent less than conventional schools of the same capacity.

This is a simple and effective technique which could be applied to many areas of public need. I believe cities or school districts with similar needs should not hesitate to join in creating a larger and more attractive market—one which would stimulate private enterprise to meet competition not only in price, but also in originality and effectiveness.

I make this offer today: The federal government is ready, as of now, to act as a catalyst in helping cities and other government units to identify their needs and to join with others in creating the wider markets which will attract private enterprise. When I say "catalyst" I mean not boss or dictator, but helpful partner . . . not head man, but middle man.

I see great opportunities, too, for a brand new type of business enterprise which has emerged in our times—what I call the "problem solving" corporations.

These companies first came into being to meet our requirements in defense and space, but there is no reason why they cannot become more active in other fields.

What the federal government did in the aerospace field was to set forth, in broad terms, the problems for which it needed solutions—and then turn to these new-type corporations to devise them.

What happened? These corporations developed new and highly effective management skills and methods—notably the techniques called "systems analysis."

In effect, what government did was to create in aerospace a market large enough to attract or bring into being high technology firms, and to induce them to compete in coming up with detailed designs and engineering proposals—as, for example, Boeing and Lockheed competed in the design of the proposed super-sonic transport plane.

Problem-solving corporations are already at work, in partnership with the federal government, in such new fields as the commercial development of atomic power, water desalinization, and the exploitation of the mineral resources of the ocean.

But what about other challenges—for instance, the rising cost of medical care?

Not long ago the Defense Department began to apply to the design and operation of military hospitals the creative and imaginative concepts developed in the design of new weapons systems.

Preliminary studies indicated that military hospitals, like others in the United States, had traditionally been designed to minimize construction costs, but that, within 18 to 36 months, the operating costs added up to more than the construction costs.

Clearly, such high operating costs suggested that a greater initial investment in design and construction, and particularly in laborsaving devices, might reduce the cost of hospital care. Beyond this, it was found that rapidly evolving medical technology often required major alterations in a hospital, sometimes even before it was completed.

After a preliminary competition by a number of outstanding firms, four industrial teams, led by defense companies, were awarded contracts to prepare detailed studies. These have now been completed, and are being used in formulating a program for truly modern and efficient military hospitals.

I suspect the new designs that will develop may lead the way to more efficient hospitals, and less expensive medical care, throughout the country.

But the biggest challenge of all—and the biggest opportunity—confronts us in meeting in a concerted way the whole array of problems in the slum areas of our great cities.

For many Americans, our urban ghettos seem far more remote than the most distant corner of the developing countries of Asia, Africa and Latin America.

(And I would not be surprised if some of your neighbors had been more recently to those parts of the world than they have to the core slums in their home communities.)

I believe we should approach the problems of our ghettos with no less than the methods with which we approach the problems of a developing country.

Just as we have used a wide array of weapons in the fight for a better life for the people of the poor nations—such as feasibility studies; long term low-interest loans; investment guarantees; and action teams of trained experts—so we should deploy them for the benefit of our own people in our own slums.

Just as industrialized nations join in consortia to help the needy nations, so government, business, labor, and our universities should combine and coordinate their resources and their creative capacities to meet the great over-riding need of making our cities fit places in which to live.

Please note that I cited the universities as well. Our universities have too long been sideline observers of this struggle—almost pacifist observers—when what we need is militant warriors. They will fulfill their responsibilities to the community only as they join actively in the good fight.

But today I stress the responsibility of private enterprise. I believe it should be actively encouraged to take fresh looks at all our old ways of doing things, and to come up with the proverbial "better mousetrap"—whether it be in health, in education, in transportation, in housing, in the improvement of information systems, or in the development of our human resources. And I believe this encouragement should come in the form of *profit incentive*.

When I first came to the United States Senate, someone said that Hubert Humphrey was a politician with more solutions than there were problems. And there may have been some truth in that.

Today I'd be in the first to admit we now have more problems than solutions—and that I don't have all the answers.

But I *am* sure of this: That, unless we want to go down in history as a people who could send a man to the moon, and five Coke vending machines along with him, but could not put a man on his feet right here on earth, we had better get busy in putting our public and private resources to even better use than today.

We are trying to do that here in Washington. Thousands of dedicated peope are trying to do the same in state houses, court houses and city halls around the country. I hope you will make it your business too. And I hope you will take that message back to your communities.

DENTAL CARE FOR CHILDREN

Mr. HILL. Mr. President, last week was National Children's Dental Health Week. I believe it is especially appropriate to this observance that the President's recent message on children and youth contains a recommendation regarding legislation to increase the availability of dental health services for needy children.

I have long been aware that dental care is one of the most neglected areas in the field of child health today. The alarming fact, noted by the President, that 45 percent of all children between the ages of 5 and 14 have never visited a dentist, attests to this fact.

Unhealthy teeth can lead to many problems—both physical and emotional. Aside from the needless pain caused by tooth decay, neglected teeth can result in a variety of complications. If a child's teeth are not strong, his digestion is impaired, and he may suffer nutritional deficiencies.

A child who cannot speak properly or who is ashamed of his teeth often confronts emotional problems.

From the figures quoted in the President's message it is evident that children whose parents cannot afford dental services have suffered most from dental neglect.

A program which would provide for early diagnosis of dental disorders and continuing oral care for children whose parents cannot pay for dental care certainly is a worthy goal.

Mr. President, I had the pleasure last November of participating in the annual session of the American Dental Association which was held in Dallas, Tex. At that meeting the association adopted a policy favoring the establishment of a program to make the benefits of an organized program of dental health education, preventive dentistry and dental care available to all children, particularly the needy and underprivileged.

I commended the association for this forward-looking action and told the assembled delegates that this was "a signal example of the kind of service the private health agencies of the country can render to our fellow citizens." I am pleased to note that others agree with me.

I ask unanimous consent to have printed in the Record an editorial on this subject published in a leading newspaper in Montgomery, Ala.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Montgomery (Ala.) Journal, Nov. 25, 1966]

Dental Insurance

The American Dental Association has taken a great leap forward in the fight against tooth decay by voting overwhelmingly to follow through with plans for a privately sponsored dental insurance plan for children.

The beauty of the plan for those who do not wish to see the federal government take over every facet of medical and dental care is that the Dental Association has met the federal government half way.

According to its general plan, those that can afford to pay the premiums on the insurance will do so. Those families that cannot will be aided by the federal government.

In short, public funds will not be used to provide dental care for those that can afford it themselves.

As Dr. Maynard K. Hine, president of the association pointed out, about half of all American children have never been to a dentist.

Considering the enormous wealth of this country, such a condition is unwarranted.

Also the dentists have shown they are willing to move before the tom-toms of socialized medicine begin to beat loudly on both sides of the question.

Volunteer programs with public and private cooperation, rather than antagonism, are in the best American tradition, and the nation's dentists are to be commended for their action.

FABIEN SEVITZKY

Mr. BAYH. Mr. President, many Indiana citizens mourn Fabien Sevitzky, the Russian-born conductor who guided the Indianapolis Symphony Orchestra to national prominence from 1937 to 1955, and who died after a heart attack in Athens on February 3.

The tall, bespectacled conductor, who spoke with a noticeable Russian accent, first came to this country at the age of 29, in 1922. He had begun his career in pre-Soviet Russia and was graduated with honors from the St. Petersburg Imperial Conservatory of Music in 1911.

After immigrating to the United States, he was engaged as a member by the Philadelphia Orchestra for the 1923–24 concert season. In 1925 Sevitzky organized what he claimed was the world's first permanent string orchestra, called the Philadelphia Chamber String Sinfonietta. Five years later he became the musical director and conductor of the People's Symphony Orchestra of Boston. Later he made two European tours which included appearances as guest conductor of the Paris Orchestra Symphonique, the Vienna Symphony Orchestra and the Warsaw Philharmonic Orchestra. The success of these tours prompted return engagements throughout Europe.

Assuming his duties in Indianapolis in 1937, he reorganized the symphony within a short time. During its first season under Sevitzky the orchestra presented 40 concerts in a 20-week schedule with a roster of 85 players. Within 2 years, Sevitzky had led the orchestra through 106 concerts in five Indiana cities and in Chicago, and had presented programs on each of the three major broadcasting systems—all during 20-week seasons.

Mr. Sevitzky brought an excitement to the Indianapolis musical scene which still is remembered fondly by her citizens. As a measure of his lasting respect in the State of Indiana, I ask unanimous consent that two brief articles, published in the Indianapolis News on February 4 and February 8, 1967, be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Indianapolis News, Feb. 4, 1967]

Fabien Sevitzky

It has been more than 30 years since Fabien Sevitzky came to the city and, literally, bowled over an audience in the Murat Theater.

The date was Nov. 17, 1936, a night to remember, an evening of wonderment.

What happened was that a dynamic new personality had taken over the Indianapolis Symphony Orchestra as guest conductor and in 10 days had whipped it into something entirely new. Before, it had been a semiprofessional group whose members had played competently. Sevitzky made them play as they had never played before. The program included Berlioz, Debussy, Wagner and, of course, Tschaikovsky—Symphony No. 5 to be exact.

There are still some persons who remember the excitement and magic of that night. That was the beginning of the modern Indianapolis Symphony.

Sevitzky returned in the fall of 1937 to begin an 18-year reign as conductor and musical director of the orchestra. In that post he made the orchestra one of the nation's top 10 symphonies. In his own right, he played Tschaikovsky and similar highly romantic Russian composers' music with a skill few in the world could match.

But more than that, he formed and shaped the city's musical tastes as no one person had ever done. He built not only an orchestra but an audience to hear it and appreciate it.

He was everybody's idea of what a symphony conductor should look like, of how such a person should act. Thus some of his famed temperament was for stage effect; he instinctively knew how to appeal to an audience—who will ever forget his "chats" with the audience before, during or after a concert? He recognized the appeal of his self-styled "Hoosier ox-cent" and he used it to further his musical ends.

And now he is dead. Despite the controversy that led to his departure from Indianapolis, he should have been invited to return as a guest conductor. The city owed him that much.

Fabien Sevitzky was a force in the city's musical life, through the symphony and through the symphonic choir he founded. And he was a pioneer in his espousal of the cause of American composers. He brought renown to the community.

[From the Indianapolis News, Feb. 8, 1967]

Sevitzky Made Good Promise

(By Wayne Guthrie)

The death last week in Athens, Greece, of Fabien Sevitzky, conductor of the Indianapolis Symphony Orchestra from 1937 to 1955, recalled another interesting facet of his colorful career in this city.

It began without any advance notice or warning at the convocation banquet at the Scottish Rite Cathedral Nov. 22, 1944, in honor of the class which completed its initiation that day.

Sevitzky, a member of Oriental Masonic Lodge of this city, was a member of that class.

One the the speakers on that occasion was the late Elmer F. Raschig, then an active member in Indiana for the supreme council and later the council's grand secretary general.

During his short informal talk, Raschig, mindful that Sevitzky was a member of that class, said he was surprised that Sevitzky had not come up with a proposal to organize an orchestra in the Scottish Rite.

Sevitzky was on his feet instantly with this retort:

"Mr. Raschig, you shall have one!"

No doubt many who heard that exchange felt it was only a passing gesture that would fade away. If so, they were dead wrong. Sevitzky meant what he said.

Soon thereafter the late Clifford Lounsbury, former banquet chairman for the Indianapolis valley, told James C. Gipe, then executive secretary of the valley:

"Mr. Gipe, you're going to have a visitor."

Gipe asked who, Lounsbury replied:

"Fabien Sevitzky is going to come over to talk with you about organizing a Scottish Rite orchestra."

He did. He soon set about in earnest to bring his promise to fruition.

From the beginning the membership has been and still is made up of Scottish Rite members who lived in many parts of the 52 counties embraced in the Indianapolis valley.

They are purely volunteers who play without pay and solely for the fun and fellowship they derive. They devote their time not only to recitals but to regular rehearsals. In some instances that entails many miles of travel from their homes and return.

How well the idea clicked is revealed by the orchestra's history. It developed so well and rapidly that it was invited to play during the supreme council session in Cincinnati in September, 1947—less than three years after Sevitzky had made that sudden promise to Raschig that 1944 night.

The concert in Cincinnati was a tremendous hit. Following the concert a dinner was held for the orchestra members before their return by bus to Indianapolis.

The late Dr. Melvin Maynard Johnson, then sovereign grand commander who had been impressed tremendously by the orchestra's performance, made a surprise visit to that dinner and complimented Sevitzky and the orchestra enthusiastically.

Later at that same supreme council session—after Sevitzky and the orchestra had returned to Indianapolis—Sevitzky was among those nominated to receive the 33rd degree, highest in the Scottish Rite, at the next year's supreme council session. He received that honor in September, 1948, in Boston.

Since January, 1956, the Scottish Rite orchestra has been under the baton of Robert J. Shultz, principal of Shortridge High School.

As a memorial to Sevitzky the orchestra, at its rehearsal Monday night played Bach's "Jesu, Joy of Man's Desiring" and the Rev. Ralph Graham, associate pastor of North Methodist Church, who is drummer for orchestra, gave a prayer.

Sevitzky was also a member of the York Rite and Shrine.

PLANNING, PROGRAMING, BUDGETING SYSTEMS AND THE PLANNING ROLE

Mr. SCOTT. Mr. President, I ask unanimous consent that there be printed in the Record a paper entitled "Planning, Programing, Budgeting Systems and the Planning Role," written by Harold F. Wise, a planning consultant in Washington, D.C. It was one of a series of papers discussed at the recent Fourth Biennial Government Relations and Planning Policy Conference of the American Institute of Planners in Washington, D.C.

There being no objection, the paper was ordered to be printed in the Record, as follows:

Planning, Programing, Budgeting Systems and the Planning Role

(By Harold F. Wise, AIP, Planning Consultant, Washington, D.C.)

Planning in the public sector has been a constantly growing phenomena during all of the years of the 20th Century. In the post-World War II years, governmental planning has increased in importance at a very rapid rate. The last five years have seen an even more incredible expansion of planning and, perhaps even more importantly, an expansion in the demands being made on planning and on the planning profession.

In short, we as planners have almost been deluged by the sheer quantity of the demands being made on the profession. Almost every new federal grant-in-aid program passed over the last four years or so has contained a planning requirement, either functional or comprehensive, in most cases on a multi-year basis, and in a growing number of cases, a planning requirement relating functional development to comprehensive areawide planning.

While the quantity of planning has increased, there are some very serious questions that the planning profession must face. These questions are being raised both inside the profession and, more importantly, outside of the profession. Questions like these:

There is a serious question as to the quality of the planning product. The question of quality includes the question: are we really planning the right thing, or, to put it differently, is the planning contribution significant in terms of the issues that are facing political decision makers? Do the plans drawn by planners have any real effect on the judgment of elected public officials? Is the planning profession operating in the mainstream or at the periphery?

I think it is within the context of this type of questioning coupled with a desire to improve the quality of governmental decision making that the recent planning-programming-budgeting systems approach has evolved.

While those who have conceived PPBS may have had some questions with regard to planning as we in the profession have practiced it, they certainly also have had some serious questions as to the effectiveness and the meaningful contribution of the budgeting process, as it has been practiced historically.

The term "budgeteer" connotates a tight-fisted, penny-pinching bureaucrat who is intent on counting the stamps at the end of each days work. Those that have conceived PPBS do so in the full recognition that the traditional line-item budget, concentrating on objects and character of expenses, gave little or no control over the performance of governmental functions or the achievement of the basic aims of government and governmental programs.

In fact one basic book on governmental accounting and auditing distinctly defines an "object" as follows: "As used in an expenditure classification, this term applies to the article purchased or the service obtained (as distinguished from the results obtained from expenditures.)"[1]

Hence PPBS seeks to provide a basis for the allocation of governmental resources in terms of the job to be done and the results to be expected.

In a recent paper by Harry P. Hatry of the State and Local Finances Project located at the George Washington University in Washington, DC., which project, incidentally, is sponsored by the Council of State Governments, the National Association of Counties, the National League of Cities, and the US Conference of Mayors, the following observations were made.[2]

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[1] p. 239. "Municipal Accounting and Auditing", published by The National Committee on Governmental Accounting, 1951, Chicago, Illinois.

"PPBS is a system aimed at helping management make decisions on the allocation of resources among alternative ways to attain government objectives. Its essence is the development and presentation of information, as to the full implications, the costs and benefits, of the major alternative courses of action relevant to major resource allocation decisions. It is not, of course, intended as a cure for all types of government administrative problems. Such problems as budget implementation, manpower selection, the assessment of the work-efficiency of the operating unit and cost control of current operations are generally considered to be outside the purview of PPBS. Cost accounting and non-fiscal performance reporting systems are very important in providing basic data required for PPBS analysis (as well as for fiscal accounting and managment control purposes). However, such systems are usually considered complementary to PPBS rather than being directly part of it."

Mr. Hatry also observed:

"The primary contribution of PPBS lies in the planning process, the process of making program policy decisions that lead to a specific budget and specific multi-year plans. The budget is the detailed short term resource plan for implementing the program decisions."

Thus in PPBS we basically have a process for improving on the ability of governmental policy makers to make informed judgments with regard to resource allocations to the various activities that government engages in or as one observer puts it, PPBS seeks to apply "more scientific tools for public decision making."

Starting in the Department of Defense in 1961, and by Presidential order in late 1965, extended to all federal departments and most major federal agencies, PPBS is today a matter of serious Federal policy.

The State and Local Finances Project, referred to above, seeks to extend PPBS on a pilot and demonstration basis to state and local governments. This "5-5-5 Project", as it is called, has five states, five counties, and five cities participating, including the states of: California, Michigan, New York, Vermont and Wisconsin; the counties of Dade (Florida), Davidson (Tennessee), Los Angeles (California), Nassau (New York), and Wayne (Michigan); and the cities of Dayton (Ohio), Denver (Colorado), Detroit (Michigan), New Haven (Connecticut), and San Diego (California).

Earlier developments in program budgeting, the fact of the high speed computer and the development of systems engineering and its analysis techniques have all made very major contributions to the shaping of PPBS.

In a sense, I must object to the use of the term "Planning-Programming-Budgeting System" as perhaps a piece of short cut slang useful as a selling tool but not totally intellectually honest as a description of what the process really is. The term PPBS is somewhat descriptive of what the process purports to include. I would rather call the exercise: "Public Policy Evaluation Process" because that is what PPBS really does.

I think that this distinction is an important one. The techniques of PPBS are aimed squarely at the evaluation of the public policy and this evaluation results in the allocation of resources. Public policy evaluation, the examination of policy alternatives and the development of new policy in terms of governmental aims and objectives must be the basic purpose of all of planning, and perhaps this is an area where planning, as we planners practice it, and PPBS must meet and must develop common ground.

The term "Planning" fits into the PPBS formula, because planning implies a somewhat orderly process.

"Programming" got into the act in order to clean up the vagueness and the indefiniteness often associated with planning in the past, and to convey a certain sense of reality in the planning process which otherwise might not be present. And, anyway, "programming" provides the bridge between "planning" and "budgeting."

"Budgeting" is included because it connotates a sense of reality, i.e., that all of this process finally will end up, one way or another, in the spending of public dollars.

However, if you probe the current literature on PPBS, you realize that the planning side of PPBS is not comprehensive planning as city planners have traditionally meant it, in terms of long-range, all inclusive comprehensive planning. Rather, PPBS is talking about multi-year broad, functional-area program statements, preferably up to five years, but certainly more than one. PPBS practitioners are, indeed, looking for at least a short-range approximation of program commitments, program implication, and examination of alternatives and a method of evaluation of program performance in terms of governmental program aims.

Further, the literature indicates that the budgeting end of PPBS is not the kind of budgeting practiced by almost all budget departments today. Certainly, the budget end-product comes as a final step extracted from the *PPBS analytical processes*, and while cost estimates are indeed made during the PPBS analytical phases, they need not be necessarily too precise, but rather indicative of the relative order of magnitude of things.

Nevertheless, by its highly ingenious and intellectually honest methods of developing program structures and analyzing program categories and sub-categories and activities, PPBS proposes to put a policy microscope over the aims, purposes and objectives of government.

This is an extraordinarily healthy, if not perhaps a somewhat painful exercise. It is intellectually tough, if not frustrating, to have to define program objectives in a manner that would permit the objectives of the program to be quantified and measured. But this is what the exercise calls for.

This is not the time nor the place for a detailed exposition of the mathematical side of the basically cost-benefit analysis that PPBS calls for in its examination of alternatives. However in a very recent paper prepared by John Cotton, the following comments were made:

"Systematic analysis of program alternatives is the cornerstone of the planning-programming-budgeting system (PPBS). Posed in a oversimplified form, the fundamental question addressed by PPBS is: in a governmental jurisdiction, with a given set of goals, but with scarce resources, how should the available resources be allocated among existing or potential activities so as to direct governmental policy towards its goals to the best advantage? The structural features of PPBS—the objective-oriented program structure and the multi-year display of estimated costs and accomplishments—are designed to give the decision maker an improved prospective of current programs; that is, they are visual aids that show the implications of decisions that already have been made. 'Systems analysis' is the tool the analyst uses to structure information in a way that allows the executive to make new decisions in response to a changing world."[3]

Given this kind of systematic "systems analysis" and the development of cost benefits measurements of alternative methods to accomplish governmental aims, the crux of Mr. Cotton's observation would seem to me to be where he states "in a governmental jurisdiction, *with a given set of goals*, but with scarce resources. . . ."

Here again, I think a platform is constructed where planning, as practiced by planners, and PPBS must meet. How does government create new goals or new programs or recognize new opportunities. The literature seems to indicate that this process is outside of PPBS. On the contrary, it seems to me, planning must continuously examine the existing goal structure, the existing set of aims and the ability of the existing governmental programs to effectively meet these goals and these objectives.

Now, what the planning process coupled with PPBS really should promise is simply this: focus on the determination of public policy and the development of new policy and a process for the examination of results as against objectives. These are management tools for those who are responsible for the development of programs and policies and those who are responsible for the allocation of resources and the determination of the relative importance of things.

It occurs to me that what is really needed here is a combination of comprehensive planning and PPBS. We need to devise a *structure of planning* that is long-range, comprehensive and general at one end of its spectrum and at the other end this system of planning must look to the allocation of resources and the examination of alternatives or, if you please, the application of PPBS in its multi-year context.

Let us see how far we can go in constructing a *planning system* that does *in fact* relate comprehensive planning to the PPBS system.

In Bulletin No. 66–3 of October 12, 1965, addressed to the heads of Federal executive departments and establishments, the Bureau of the Budget by authority of the President, directed the introduction of administrative planning, programming and budgeting systems in the executive branch. I would like to quote some very specific parts of this bulletin. First, consider the following: "A budget is a financial expression of a program plan".

This is a very sound observation. The bulletin then goes on to indicate that previous formal instructions and training materials on budgeting—[4]

"have stressed that setting goals, defining objectives, and developing planned programs for achieving these objectives are important integral parts of preparing and justifying a budget submission".

And then the bulletin observes:

"Under present practices, however, program review for decision making has frequently been concentrated within too short a period; objectives of agency programs and activities too often have not been specified with enough clarity and concreteness; accomplishments have not always been specified concretely; alternatives have been insufficiently presented for consideration by top management; in a number of cases the future year costs of present decisions have not been laid out systematically enough; and formalized planning and system analysis have had too little effect on budget decisions."

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[2] From "Considerations in Instituting a 'Planning-Programming-Budgeting' System (PPBS) in State or Local Governments", a paper by Harry P. Hatry. Published by State and Local Finances Project, The George Washington University, Washington, DC, October 7, 1966.

[3] From "The Application of Analysis in Planning-Programming-Budgeting Systems", a paper prepared by John Cotton. Published by State and Local Finances Project, The George Washington University, Washington, DC, November 1, 1966.

[4] Bulletin No. 66–3, Bureau of the Budget, Executive Offices of the President. October 12, 1965, subject "Planning-Programming-Budgeting"

To me, all of this indicates that there simply has not been enough planning involved in the budgetary process nor has the nature of the planning process been understood. Regretfully, the converse is true also: There has not been enough budgeting involved in the planning process to date . . . nor have planners sufficiently understood the budget process.

It seems to me that we must now define planning. Albert Waterson in his book on Development Planning has a chapter entitled, "The Many Meanings of Planning." He states:

"Anyone who has thought much about planning, recognizes it as a complex and many-sided phenomenon. Most writers, however, see planning as an organized intelligent attempt to select the best available alternatives to achieve specific goals".

He then indicates that the central core of the meaning of planning involves . . .
"the establishment of relationships between means and ends with the object of achieving the latter by the most efficient use of the former".[5]

The first thing in planning then is the establishment of a series of goals or desired end states. This is the beginning of policy determination. The next steps involve the arranging of programs and the application of resources in order to be assured that the goals will be realized.

An additional dimension to planning as a concept is contained in the book entitled "Economic Development in Perspective" by Professor John Kenneth Galbraith.

Professor Galbraith says:

"First a good plan must provide a strategy for . . . advance. In the nature of a strategy some things are central . . . that is strategic, clearly separate from that which is useful or passive. Among angels, it is known, virtue goes unnoticed. Likewise, if everything is held to be vital, the truly vital will escape attention. By way of illustration, in an industrialized country a highly efficient transportation system, a low-cost steel supply and an economic and reliable source of power are all indispensable. With these something is certain to happen; without them one can be less sure. Certainly other aspects of industrialization, if not important, are less important. Similarly in agriculture, while many things are useful, a few things are indispensable. Water, fertilizer and improved seed can revolutionize agriculture. Most other agricultural services can work only moderate change."

"Working against these strategic forces is the pressure of indivduals, departments and regions to have their favorite enterprises included in the modern plan. This pressure is great. The desire not to overlook anything is also strong. So the plan easily becomes not a plan but a list of all the things that everyone would like to have done or that anyone believes ought to be done. Specification of the things of strategic urgency is lost".[6]

Here Galbraith suggests very clearly and lucidly that planning involves matters of choice and understanding of alternative. It is imperative that inter-relationships between programs and activities be clearly understood and that the strategic elements to policy achievement be known and identified. More than that, he indicates that a plan is not merely a collection of the desires, hopes and ambitions of individual agencies, department heads or Chambers of Commerce directors.

We must develop a rational system of planning and programming. We must move from what Waterson calls the "many meanings of planning" to clear and concise definitions of planning and programming, their processes, techniques and most importantly, the products and application and use.

I think we must conceive of the planning and programming exercise in a hierarchical fashion. That is, we must look at the several products or the instruments of policy and communication that come out of planning in terms of what they are going to be used for and in terms of who's going to use them. Conceived in this fashion, *the time and detail scales* that are appropriate to the various instruments or products of the planning process would vary according to conscious design.

I would suggest that a viable planning program has four levels of output and that these levels differ in terms of detail and generality, time scale and particularity.

1. A Comprehensive Development Policies Plan is a broad statement of direction. It is appropriately the Chief Executive's plan. It, quite probably, should read more like a political platform than a Ph. D. dissertation. It is policies oriented. It provides general direction. It looks forward to a 20 to 30 years scale or at least a generation ahead. I do not see the Comprehensive Development Policies Plan as a thick or unwieldy document. But it is ordered and it relates to broad directions and its emphasis can change with changing administrations. But it is important that this part of the planning structure, this instrument of policy and communication, should be institutionalized so that an incoming administration may have an opportunity of stating specifically what its party or administration proposes to do and what they see as future opportunities and future aims. The Comprehensive Development Policies Plan, being generally directive, is concerned with the total range of governmental concerns of the jurisdiction in their broadest social, economic and physical contexts.

2. Underpinning and supporting and at the same time very definitely being directed by the Comprehensive Development Policies Plan are a series of functional plans. There may be six or eight or more such functional plans, maybe more, maybe less. They would cross program and often department lines. The easiest example is the Statewide Outdoor Recreation Plan required by the Land and Water Conservation Act of 1962. This is a functional plan in that it must, at the State level, integrate and put together program plans for parks, fish and wildlife, forestry, natural resources, highways and so forth, and in turn relate these programs to the people of the state and to the various levels of government in the state. Such a plan certainly should also be sensitive to program plans in the fields of air and water pollution and water development.

Another functional plan would be in the field of human resources: integrating and relating program plans in specific areas of education, juvenile policy, parole and penal policy, mental health and mental retardation, welfare, the war on poverty, demonstration cities and so forth.

Another example of a functional plan would be in the field of transportation. Here there would be the opportunity of integrating and relating plans for the movement of people, for highway development, mass transit policy and development and for the movement of goods by pipeline, by waterways, by truck, and so forth.

Functional plans propose goals and policies. They relate the programmatic objectives of individual programs to these goals and begin to develop a sense of balance, a sense of strategy and importance within the areas of functional plan concern.

A functional plan should be contructed to an intermediate forward time scale of say, five to fifteen years. It is more specific certainly than the Comprehensive Development Policies Plan itself. It begins to locate projects and activities and develop a sense of timing and strategy. It certainly examines alternatives and alternate program mixes in order to achieve stated objectives and goals. It begins to price out projects. A functional plan is a coordinative device.

Functional plans being coordinative in nature are accomplished at the highest policy level within the government. This coordinative activity is principally accomplished through the central planning unit located in the Chief Executive's office and certainly related and reviewed by the budget unit and those concerned with matters of fiscal policy and program development.

3. The third building block in this planning process is the program plan itself. Here there should be a plan for each program within the galaxy of the activities of the level of government where this planning process is being applied. Thus, program administrators would think through the objectives of their programs. This exercise would also permit program administrators to indicate the means, and the allocation of resources and effort necessary, to obtain these stated objectives. Program plans should be to the same general time scale as the functional plan, i.e., an intermediate scale of some five to fifteen years in the future.

The program plan would be the initial concern of the program administrator and coordinated by department heads before its being forwarded to the central planning unit for integration with the functional plans referred to under point 2 above.

4. The fourth and final part of this planning system I would call an annual development program. Here is where PPBS would be applied. This should be done on a forward one to five year basis. The development program establishes and recognizes short-run developmental goals and programmatic objectives. It says what wants to be done and what needs to be done within this year and the year following up to five years. It draws upon the functional plans and the program plans. It examines alternatives and serves to adjust functional and program plans. It establishes overall short-run strategy. It is the Chief Executive's development program. It is a document that the Chief Executive transmits to his legislative body and it indicates proposed direction for the years just ahead. His budget and fiscal policies are reflected in these strategy judgments. His legislative program, in part, is derived from the directions the development program proposes. When the legislative body has concluded its deliberations, has adopted its budget and enacted new laws and created new programs, the results become then, the development program for the succeeding years.

The annual development program not only looks where the jurisdiction wants to go but it is an aid in measuring progress towards the achievement of these stated goals; it provides the basis for post-audit of program effectiveness and helps the Chief Executive in carrying his major assignment of providing leadership and direction and coordination.

I have tried to deal with the planning process in terms of those who must use its products and in terms of the level of the decisions that must be made.

The coordination of budgeting and planning must be done at the highest executive level within each government. What we need to do is to develop institutionalized, recognizable and regularized instruments of policy and communication. We need to build planning, programming and budgeting processes in at the policy making level, within every department and within each program, and we need to conceive of a very special kind of an instrument of policy and communication which I would suggest be called the annual development program which would provide the political bridge between long term plans and shorter range actions.

It is within this context that I believe that planning, programming and budgeting can have a most happy and constructive marriage, can make their greatest contribution to orderly development and to the achievement of clearly enunciated, well thought through and analyzed goals and objectives.

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[5] Waterson. "Development Planning: Lessions of Experience (Johns Hopkins, 1965)

[6] Galbraith. "Economic Development in Perspective" (Harvard, 1962)

Harold Seidman, Assistant Director of the US Bureau of the Budget for Management and Organization spoke in August to the National Legislative Conference on the subject of "Coordination of Federal Grant-in-Aid Programs". Very sagely Mr. Seidman commented as follows:

"In ancient times alchemists believed implicity in the existence of a 'philosopher's stone' which would provide the key to the universe and, in effect, solve all of the problems of mankind. The quest for coordination is in many respects the twentieth century equivalent of the medieval search for a philosopher's stone. If only we can find the right formula for coordination, we can reconcile the irreconcilable, harmonize competing and wholly divergent interests, overcome the irrationalities in our government structures, and make the hard policy decisions.

"We are prone to forget that coordination is not neutral. To the extent that it results in mutual agreement or a decision on some policy, course of action, or inaction, inevitably it advances some interests at the expense of others, or more than others. It assumes at least some community of interests with respect to basic goals. Without such a community of interests, there can be no effective coordination. Coordination contains no more magic than the philosopher's stone. It does contain, however, a good deal of the substance with which the alchemist is concerned—the proper placement and relationship of the elements to achieve a given result."

As Mr. Seidman indicates, coordination is not neutral. There has to be a point of view. There has to be a set and series of goals and directions.

Another important observation was recently made by Leslie E. Carbert, California's State Planning Officer until the recent elections.

Carbert addressed himself to the dichotomy between technique oriented planning on the one hand and the social determinants of the political process on the other hand. He indicated:

"Studies conducted under the umbrella of the state planning process have borrowed heavily from academic experience, and more recently, from the experience of the aerospace industry, the latter case with appropriate translation to provide a bridge between the moon and man and between problems of weightlessness and problems of waste management. The techniques, in part, have been those of the model builder, the econometrician, the system engineers, the players of games (intellectual), and quantifiers of the unquantifiable. The aim has clearly been to bring order and rationality to the decision-making process without influencing the *goals* of the decision-making process. In other terms, the aim has been to develop scientific techniques which are deisgned to fit a predetermined social purpose.

"Although I am aware of the fact that the assertion is subject to violent debate, in the style of Pauling and Teller, I cannot agree that this implied separation of responsibility between narrow-conceived scientific method and social purposes is likely to be successful. On the contrary, I would express my deep intellectual commitments to the principle that the character of the scientific achievement has a profound effect on the manner in which goals are formulated and pursued. If this notion were imperfectly understood by Renaissance man, it should be no mystery to the man of the Atomic Age."

In a way I think that this is where we stand in developing communication and coordination and relating the planning and budgeting process. We planners have a great deal to learn. A concentration on techniques and scientific method is all well and good, if not essential and important. But as we engaged in these planning, programming and budgeting exercises we must keep our eye on social objectives and leave room for political direction and for the establishment of governmental goals.

In early summer, 1962, the then administrator of the Housing and Home Finance Agency and the distinguished Secretary of the Department of Housing and Urban Development, Mr. Robert C. Weaver, held a conference on the theme of urban expansion, problems and needs. The late and beloved Catherine Bauer Wurster was called upon to summarize the administrator's conference. She concluded her remarks as follows:

"We are edging towards the notion of posing alternatives for future metropolitan structure, as a practical planning research principal. Two of the most famous current planning efforts have applied this principal (of alternatives) in entirely different ways: The Penn-Jersey Transportation Study, in order to provide a framework for utilizing the most advanced model making computer techniques, and the Year 2000 plan for the Washington region, to give the public a persuasive (visual) image of what the future could be like. What may be needed is some combination of these approaches, if we are to cope with the metropolitan wilderness. Our models will be hypotheses not utopias, but they will help us to assemble the bits and pieces of knowledge in a way that are meaningful, not only for expert understanding and judgement but also for public communication and decision.

"In any case, knowledge is no substitute for positive leadership, particularly in a field where science can never be more than a limited tool to improve the quality of judgement. The fast process rushes on . . . and we must understand it as well as we can. But those who know a little more than the rest will have to be brave enough to get out in front and try to guide it."

In the coordinating of budgeting and planning and the development of a planning system we must understand that we are in the midst of an evolutionary process. We are dealing with little understood and imperfect instruments. We must allow for leadership. We must improve our analytical techniques. The essence of the job is to be dedicated to the proposition that something can and must be done, and that our successive approximations toward effective planning, programming and budgeting will find each year ahead of the last year. In the essential task of providing sound staff work for the Chief Executive, we need all the help that we can get and improved understanding and closer working relationships between the budget and planning offices, between the state and the federal governments, and between the state and the local governments and the regions within the state.

SUPPORT OF NATIONAL POLICY IN VIETNAM—RESOLUTION

Mr. TOWER. Mr. President, I ask unanimous consent that the text of a resolution passed by the official board of the First Methodist Church of Lubbock, Tex., be printed in the Record.

As Senators will see, the resolution expresses the church's support of our national policy in Vietnam.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

A Resolution

The Official Board of The First Methodist Church, Lubbock, Texas, convened in regular session makes this resolution in response to a request by certain leadership of the Methodist Church that local churches express themselves on the "Appeal to the Churches Concerning Vietnam".

"Be it resolved, therefore, that the Official Board of the First Methodist Church, Lubbock, Texas stands four-square behind the President of the United States, the Congress of the United States, and its representatives, the Department of State, and the Department of Defense, in their combined conduct of the war in Vietnam. We perceive that regardless of the errors and failures to accomplish peace the President and the Congress are diligently in search of an honorable and just solution to the conflict, and further we believe that the President and the Congress are guided by Christian ethic, equal to the ethic of their domestic critics, and a higher Christian ethic than the international detractors of our nation. We further believe that circumstances permit the President and the Congress to be vastly more qualified to determine the course of the war, and the attainment of peace than are the National Council of Churches, the Methodist Council of Bishops and the Board of Missions, and the Board of Social Concerns.

"Be it further resolved that we do not believe the Board of Missions, the Board of Social Concerns, or the Council of Bishops of the Methodist Church, or the National Council of Churches has acted wisely or prudently in making public pronouncements and official statements about the conduct of the Vietnam war that tend to embarrass the President of the United States and our duly elected Congress in the eyes of world Christendom.

"Be it further resolved that the signatories of this resolution hold firmly to the divine commission of all ordained Methodist ministers to speak what they believe to be the Will of God without fear of consequence. We heartly support the right of any ordained member of the Methodist Episcopacy to speak in public or in private about any issue, social or political, so long as that minister properly identifies his pronouncements as his own interpretations, and does not attempt to speak for the local church, or for Methodist church members in general.

"Be it further resolved that a copy of this resolution be respectfully submitted to the Reverend Eugene Slater, Bishop of the Northwest Texas Conference, with the request that he relate to the Council of Bishops, the Board of Missions, the Board of Social Concerns, and the National Council of Churches this response of the First Methodist Church of Lubbock to the 'Appeal to the Churches Concerning Vietnam'.

"Be it further resolved that a copy of this resolution be forwarded to President Johnson, Congressman Mahon, Senator Tower and Senator Yarborough."

Larry Laroe,
Secretary of Official Board of First Methodist Church.
Harold O. Harriger,
Chairman of Official Board of First Methodist Church.

WINTER SPORTS IN THE GRAND TETONS—MAJESTIC CROWN OF WYOMING

Mr. McGEE. Mr. President, the majestic crown of Wyoming mountains is the Teton Range. For decades, devoted skiers have contemplated the possibilities of a 4,000 vertical drop amid these magnificent mountains. Today, that dream is a reality, for at Teton Village, Wyo., the longest vertical drop in American skiing exists, served by an aerial tramway unequaled on our continent.

Teton Village also offers to skiers a variety of lodgings, to which additional accommodations are due to be added in the near future. What is more, Teton Village is readily accessible from the town of Jackson and from the Jackson Hole Airport, only 4 miles away.

All these facilities are there to serve one purpose. The purpose is skiing. The winter sport is at its best in the Tetons of Wyoming, and we in the State are very proud of the excellent development which has taken shape at Teton Village.

Mr. Horace Sutton has written of its attractions. I ask unanimous consent that his article, which was published in the Washington Post of Sunday, February 12, 1967, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

Wyoming Now Alps to Skiers

(By Horace Sutton)

TETON VILLAGE, WYO.—Spiffy snow people are off visiting among the grand viziers in Vail. Some, who prefer the Swiss freeze, are up in celestial St. Moritz while others are no doubt getting gstewed in Gstaad.

But the pioneers, bless their frost-bitten little beards, are skiing the mighty mountains that rise from this tiny Alpine village. It isn't really Alpine, for it is in the middle of Wyoming where the sound of the yodel is rarely heard. Its style is manufactured Swiss chalet with overtones of Austrian Tyrolean and this is its first full season.

Teton Village nestles at the foot of the towering mountains of Jackson Hole, a celebrated nest for trappers, tourists, redskins, hunters, moose, elk, and Rotarians. The admirable snowmen are something new. They inhabit the handsome lodges called the Sojourner, the Alpenhof, and one built on seven levels and called, with irrefutable logic, Seven Levels.

The Sojourner looks like a multi-storied chalet with wood balconies wrapped around a bright white building. The lobby is padded with deep chairs and squashy couches done in purples and reds. As if the colors weren't warm enough, there is a massive fireplace built to chase chilblains.

The Alpenhof, nuzzling next door, looks like two over-sized Swiss chalets welded together. It has 30 rooms all with extra long beds, individually controlled heat, and sound-proofed wood paneling. The dining room is paneled with oak, and the chef, the toastiest citizen in town, sizzles the steaks on an open, charcoal broiler.

There is an on-the-level restaurant in the Seven Levels which has blue booths in the coffee shop (which is on one level) and red and yellow and black restaurants, each of them a step or two up or down from each other. There is a fondue room, too, which can be easily found by following the nose. The Seven Levels has 22 rooms, almost any of which can be located by a person with a normal sense of direction, a compass and a trained dog.

Children can be safely stored at the establishment known as Pooh Corner located in the Sojourner. It cost $3.50 a day or $17.50 a week to hire a keeper for your child. The same hotel also shelters an Underground Theater. No revolutionary films are shown despite its name, the program usually dealing with ski movies and foreign pictures. Rates in the heavy snow season in any of the three hotels runs about $20 to $22 a day for a double room. A hotel, scheduled to be built during the 1967 season, will have four bunks to a room and cost each bunker $2.50 for a night's snore.

The big attraction, at least for the slat sliders, is the aerial tramway which leaves from the back of the hotels and slips up Rendezvous Park carrying 63 people at a time. It's a 4000-foot rise to the peak, two miles above sea level, a view ordinarily enjoyed only by eagles and angels. This ride, the nearest thing to heaven, takes only 15 minutes, and you don't even have to live right to be eligible.

There are no fancy waiters in tailcoats skating around Wyoming fetching hot mulled wine, but there are other benefits. For one thing a heated snowmobile, with room for twelve, churns off into Grand Tetons National Park.

In the more upholstered snowlands they may bundle up the guests in buffalo rugs and take them off in jingling sleds through the Currier and Ives countryside. Here the big trip is to take the horse-drawn sled into the 24,000-acre refuge where the elk are in daily convention waiting to be fed.

It's four miles to the airport with Convair service from Denver, Salt Lake City and Billings. It's 12 miles into the town of Jackson where, among other winter pleasures, cutters that evoke memories of chariots are pulled by thoroughbred horses in regular races.

WRONG ON VIETNAM

Mr. LAUSCHE. Mr. President, Gen. Earle G. Wheeler, Chairman of the Joint Chiefs of Staff, has thoroughly exposed the error of the prophets of doom who predicted some time ago that our deepening involvement in Vietnam would result in calamity.

In a recent speech General Wheeler asserted the enemy's chance for victory is gone, the North Vietnamese are suffering the toll of aggression, and the South Vietnamese can see tangible opportunities for a promising future.

The Washington Daily News states editorially that some of the doom merchants are still in business—although with criticisms of a different sort.

The Scripps-Howard newspaper's editorial supplies the answer they should have learned by now. I ask unanimous consent that it be printed in the RECORD.

There being no ojection, the editorial was ordered to be printed in the RECORD, as follows:

Wrong on Vietnam

The prophets of doom are usually quick to forget their predictions that turn out false. Those who were predicting calamity to come from deepening involvement in Vietnam a couple of years ago have just received a report card from Gen. Earle G Wheeler, Chairman of the Joint Chiefs of Staff.

In a Washington speech, he recalled the glum forecasts: American units are too cumbersome to battle in the brush against guerrillas, American equipment is too sophisticated to be useful, supply lines to Asia are too long and the logistic bases are inadequate, American troops aren't trained in counter-guerrilla tactics, we shouldn't fight on the Asian mainland, Red China is sure to intervene.

All of these predictions have proved wrong, Gen. Wheeler pointed out. The war isn't won yet, and military success is only part of the task. But in the year and a half since the American build up, he said—

"The enemy's chance for military victory is gone.

"The enemy's freedom to steal, bully and terrorize has been reduced.

"The North Vietnamese have now learned that there is an increasing toll to pay for aggression.

"The South Vietnamese now know that security is more than a dream, and tangible opportunities for a promising future have come into view."

The doom merchants, said the General, "sold short the courage, decency, ingenuity, energy, knowledge and judgment of their fellow Americans." Unfortunately, some of them are still in business, tho naturally with different criticisms of our ability to wage war, or willingness to make peace.

PROBLEMS ACROSS THE ANACOSTIA RIVER

Mr. RIBICOFF. Mr. President, some weeks ago, Mr. Haynes Johnson, of the Washington Star wrote a provocative and important series of articles called "Across the River." These articles described the problems of a section of the District of Columbia east of the Anacostia River. The conditions represented here also exist in other parts of the Nation. The articles dealt in great detail with law enforcement, the complaints of merchants, the housing situation, the schools and the youth of the area, and with neighborhood efforts underway to improve the community.

Mr. Johnson has made a valuable contribution to our knowledge of urban problems. We very much need factual reports that document the difficulties as they exist in particular locations. And we must have the courage to face these facts. For we cannot build better communities if we do not understand the problems as they actually exist.

I ask unanimous consent that Mr. Johnson's series of articles, entitled "Across the River," be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Evening Star, Jan. 16, 1967]

Across the River, 1—Fear Has Found a Home East of the Anacostia

(NOTE.—Last Dec. 7 a group of businessmen, white and Negro, came to The Star and asked for help. They were all from east of the Anacostia River and they were all, they said, being driven out of business by hoodlums who smashed their stores, intimidated their customers and terrorized their employes. They said they were fearful that law enforcement was breaking down and they saw the President's veto of the District Crime Bill several weeks earlier as the last straw for them. From that meeting developed this 5 part series reporting in depth on what is happening Across the River.)

(By Haynes Johnson)

Until a few months ago the supermarket at the corner of Kenilworth and Eastern Avenues, just inside the District of Columbia line in the Far Northeast, was doing a $5,000-a-week business. Now it is closed. The front windows have been bricked in; the side windows have been covered with plywood. Scrawled on the wood are the words, "And you better believe it because these are our men," and a list of names, each in a different hand—Nut, Hawk, Romie, Walter, Boo Boo, Mooney, Joe, Little Junior, Apple, Gary and Killer.

A few doors away is the area's only drug store. It, too, has gone out of business. So have the meat market, the milk store, the delicatessen. Their fronts are plywood masks. Around the corner in front of a small white-frame church, a misspelled sign declares:

"All that is good is undone by evil thoughts."

There are more than evil thoughts at work in this neighborhood. There is vandalism, lawlessness, anger, alienation, extortion, destruction for its own sake—and a pervasive fear.

A woman in a house near the church put it this way:

"You have a group here that all they're interested in is crime. They laughs at the police and tries to demoralize the community, rather than build it up. They knows when a stranger is in the area. They can detect him. And they even gives certain signals, certain light signals, at night when the police is coming."

Then she said, "If this going to be in the paper I going to be found dead somewhere."

Several miles away, on Wheeler Road, in the Far Southeast, plywood and bricks and wire mesh cover the windows of another group of stores. But these stores are still open; the merchants are simply trying to cut the costs of pilfering and broken glass.

This time a druggist speaks. "I have fears all the time," he says. "I have employes who have left me. I can't blame them." He closes now at 9 p.m. instead of 10, "and we're thinking of closing earlier."

Another merchant on the block was more emotional:

"We are afraid for our lives here. What I am trying to say is very important. There is no law and order in this city. There is a whole bunch of criminals out of hand here trying to terrorize this community. It's getting worse and worse and worse."

Like many others interviewed for these articles, he added:

"Look, if my name is in the paper, it would be like committing suicide."

The first row of stores is in Kenilworth, the second is in Congress Heights. Aside from the bricks and boards and fear, these two sections of Washington have something else in common: They are both across the Anacostia River and out of sight. In effect, they are removed from the rest of the city. Their isolation is both physical and psychological; their cumulative problems are probably the most severe in the city.

None of this is immediately apparent. A stranger coming to the area might notice boarded store fronts and broken windows, but he would also see middle class homes and the quiet streets inhabited by law-abiding citizens of both races who constitute by far the largest proportion of the population there.

Neither would a casual observer find the old familiar hallmarks of the American slum—the rat-infested tenements, the decaying buildings, the wide-open night places. Across the River, there is a new type of slum and a new kind of problem.

In other cities, problem areas are easily identifiable—Harlem in New York, Hough in Cleveland, Watts in Los Angeles. But Washington has no such handy labels. The area across the Anacostia covers about 16 square miles. Nobody knows just how many people live there. Estimates are unreliable because the area is growing at a faster rate than any other section of the city. There are at least 200,000 people there; there may be as many as 250,000. In any case, the area contains at least one quarter of Washington's population.

MAIN REASON—CHEAP LAND

The rapid growth is mainly due to cheap land. Cheap land is also responsible for an important fact about these articles: the area has nearly two-thirds of the public housing units in the District, serving perhaps 35,000 people, most of them young children and teen-agers, and nearly all of them Negro.

For the same reason—cheap land—the area will continue to get the largest proportion of the new public housing units as well as the new private buildings for low-income tenants. That is the way the system works, and that system is not working well. Indeed, it has virtually broken down.

According to official crime statistics, the area is not the worst in Washington. But the statistics don't tell the full story. The incidence of serious criminal acts is increasing more rapidly than population.

The area is served by two of Washington's 14 police precincts—the 14th, in the Far Northeast, and the 11th in the Southeast. Six years ago, the 14th Precinct ranked 10th in the city in crime. Today, it is eighth. In the same period, the 11th Precinct has climbed from 11th place to nearly a tie for fifth.

More revealing are the percentage increases in serious crimes during the last three years. In the 14th Precinct, adult crime has risen 54 percent. Juvenile arrests for felonies shot up 80 percent in the same period.

In the 11th Precinct, the increases are even more dramatic: Adult crime, up 110 percent; juvenile felonies, up 135 percent; auto thefts, break-ins, lootings, all up, all rising. Another statistic underscores what is taking place: The two precincts rank first and second by an overwhelming margin in the number of false fire alarms.

MORE THAN COLD FIGURES

These are more than cold figures, to be totaled, filed and forgotten. They are proof that ignoring the problems across the river hasn't worked, that they are growing day by day. It is not coincidental that the two places where Washington came closest to race riots last summer were in the center of the areas to be examined in these articles.

Despite all this, the territory across the Anacostia is no huge lawless frontier inhabited only by the troublesome and the troublemaker. Nor is it one gigantic slum. The troublemakers represent a relative few out of the total population. But the problems that do exist are so great, so deeply seated, and so complex that they affect a far wider number and area. Like the smoke that constantly rises from the notorious Kenilworth dump, they cast a wide pall.

These problems are similar to those that may be found in any low-income area of any city. But in a special sense, Washington's failure in alleviating these problems has been particularly striking, for here, in the Nation's Capital, the government itself has contributed to the difficulties. This is especially true in the field of public housing.

For example, while the National Capital Housing Authority continues to talk about the long waiting lists of more than 5,000 families for public housing, in one such housing unit alone Across the River 109 out of 350 apartments are vacant. The windows now are boarded up and the entire development is as much a slum as any group of buildings on the South Side of Chicago or the West Side of New York.

"I'm so tired of complaining and complaining," said a woman who lives in one of those buildings. "What good does it do you? I complained about the broken windows. I do believe it got worse. I tell you, if things don't get better, I'm going to move. I can't stand it."

The fact is, though, she has no place to move. The housing authorities have told her, and others like her, that all transfers are "frozen."

YOU JUST DON'T KNOW

Another mother of several children in that same development lives with vacant apartments above and beneath her. "I wish somebody would move in so I wouldn't be so scared," she said. Then she told how her children were afraid to pass by the vacant apartments. "Sometimes the door is open, and then sometimes, you see, it's shut, and you just don't know who's in there."

A National Capital Housing Authority administrative aide, Robert A. Bailey, was talking about some of these problems the other night at a meeting of parents in one of the projects, Kenilworth Courts. Only eight parents out of 422 families in the project attended.

"It's an awful thing," Bailey told his sparse audience. "We cannot do anything in this community if the parents cannot control the children. There's so much damaging and vandalizing that it seems like people who don't care are in the majority, and I know that's not true, but it seems that way, and in the meantime the community's going down, down, down."

This is a typical comment in an endless round of accusations. Everyone can point to someone else who is to blame. The merchants blame the city for not providing enough police protection. The police blame the courts and the parents for failing to do their part. The parents blame the housing, the schools, the transportation. And everyone blames the youth—who in turn blame society.

On one point, everyone will agree: There is a problem Across the River. A merchant was speaking for a large segment of those involved when he said:

"Can I do any thing about it? No. So I shut my mouth. But there comes a time when everyone says you got to stand up. Well, who stands up? I'll tell you this. They say this is the Model City and Mrs. Johnson plants those flowers downtown. Well, I'll say this: Let President and Mrs. Johnson come out here any time. Let them come out here without their Secret Service guards. Let them come out and see what Washington's really like.

"I'll tell you, some people may say that it's just our problem because we're way out here, but don't kid yourself. We are the insurance for the downtown department stores and businesses. If you don't stop what's going on out here it'll spread right to downtown. I'll tell you, they'll take over the city."

PROTECTION

There are 287 Metroplitan policemen assigned to duty in the two Washington precincts located across the Anacostia River. That represents 55 more than in 1960.

Of that number, however, only a relatively small percentage actually do street patrol work.

Six patrol cars—half with two men, the others with one man each—are on the streets at all times in the Far Northeast 14th precinct. In the 11th, in the Far Southeast, four two-man and three one-man cars are on continuous duty.

Normally, the maximum number of foot patrolmen on duty at one time is 11 or 12 for an entire precinct. They walk beats from 4 p.m., to midnight. Another group relieves them from midnight to 8 a.m. Then the regular day-time shift begins.

In the 14th precinct, patrolmen still walk their beats alone. Only one beat in the 11th is patrolled by two men, and that double team operates only from 4 p.m. to midnight.

IT'S ROUGH, BROTHER, IT'S ROUGH . . . TO LIVE UNDER FEAR

Across the River, the people most affected by the problems have a way of repeating themselves. Each sees a small part of the larger problem. Here, in their own words, is the way some of those people express their understanding of what is wrong:

"This is a box. That's what it is. There's only two ways—in and out. We've had cases here, right here, of 16-year-old girls who haven't ever seen the Capitol. Haven't ever set foot on the Monument grounds."—*D.C. Recreation Dept. youth worker.*

"As far as I can see there's nothing for the kids to do for recreation here. All they can do is go on up and hang out in the laundromat. If kids had something to do instead of sitting and thinking of a plot of who to rob next . . . I've always maintained that this is the worst place on God's earth to live."—*a mother in a public housing project.*

"If you're a nice person when you move here, you'll find that you hate everything out here as time goes on. Good people out here can't live."—*Another project mother.*

"Where is the man? Where is the Negro man? He pretends he can't find a job, and that's a lot of bunk. The Negro man's just rat-finkin' along. These are the things that happen in our race and that's the truth."—*A project mother*.

"There's a feeling of rebellion out here, and this place is turning into a slum. The feeling is that there is a great mass of us out here, and there is nothing for us here, and we are going to show you by tearing the place up."—*A public housing manager*.

"We're losing good tenants because they are afraid. The problems they have in this area cannot be exaggerated."—*A manager of a private apartment building*.

"How would you like if you was stuffed down like a top on a garbage can?"—*An 18-year-old boy*.

I'd like to see something going for us, instead of gettin' a 55-cent bottle of wine and gettin drunk. I want us young fellows to get something to do instead of snatching purses or robbing a bank."—*Another youth*.

"What we got to do but drink more and go to D.C. jail?—*A third youth*.

"I've seen nice boys and girls playing around and now where are they? Some of them are in jail and two of them are dead."—*A poverty program worker*.

"The kids today are more aggressive. They pay less attention to the old ways of the parents. They question authority at home."—*An ex-convict who served four years on a narcotics charge*.

"The kids feel the average adult's afraid to say anything to them. They know they can take just about anything they want."—*An ex-convict who served a 15-year sentence for armed robbery*.

"I thought I had all the problems, that I knew all about all the problems. But I found out when I came here that I didn't know what problems were."—*An elementary school principal*.

"The main problem is stealing. They (teen-agers) just don't have nothing else to do. A lot of the older ones are in jail or in the service now. It's a lot of smaller ones now. It's the parents' fault. They let them stay out all night."—*A high school girl*.

"When a bunch of kids come and talk jazz-talk to me, I'll talk it back to them. One boy said to me, 'Miss Rachel, what do you want from Curtis Brothers? We're going to take some furniture.' I said, 'You're crazy.' They know I'm going to stop them. These boys need jobs."—*A neighborhood worker*.

"It's a known fact that the police hate the Negro."—*Another neighborhood worker*.

"Certainly a citizen shouldn't surrender to these thugs. We can't ever surrender to these people."—*A police captain*.

"It's rough, brother, it's rough. It's a terrible thing to live under fear. If they go to the playground, they're intimidated. They stay at home and don't want to go to school. They're afraid. See these kids? Happy, jolly. In five years, when they're 10 or 11, they'll be getting in trouble. It hurts, it really hurts."—*A minister*.

[From the Washington Star, Jan. 17, 1967]

Across the River, 2—The Merchants Versus the Young Destroyers

(By Haynes Johnson)

At 9:15 o'clock on a Saturday night in November, George R. Johnson, an insurance man on his way to his home in Maryland, parked his car in front of a liquor store in the 1600 block of Kenilworth Ave. NE, not far from the Maryland line. He went inside, cashed a check, bought two cartons of cigarettes, and left.

"As I walked out there in front of the store were all kinds of kids," Johnson said later. "They all wanted money, 'Give me a nickel, give me a quarter, give me a dollar.' I said I wished I could give them some, but I couldn't.

"Then they started surrounding me, pulling at my clothes, grabbing for my wallet. They were pulling at my clothes like they were going to tear them off. They were kids from 3 feet to—well, I'm 5 feet 8—to taller than I am. They formed several rings around me, and so those on the outside ring started reaching their hands through the others. Grabbing at you. Pulling at you. But you can's see who's actually doing it, you understand.

"They hit me and beat me and knocked my glasses off. As I broke away and jumped in my car they started throwing stones as I drove off. I'll tell you, I was lucky to get away with my life. You can bet I'll never stop there again."

Johnson's experience, by no means unusual, helps explain why within a four-block area a number of merchants have closed up shop and others are threatening to close. Declining business, losses to thieves and vandals and an ever-present fear of physical harm combine to make conducting a business there less attractive every day.

The impact goes far beyond the merchants themselves. Everyone involved—most of all the people who live in the neighborhood—is paying a high price in the form of a breakdown of community services.

The smashing and pilfering of stores across the Anacostia is not a part of some criminal conspiracy. There are no organized mobs intimidating customers and then guaranteeing store owners protection for a price. Neither are there gangs, or gang leaders.

Instead, there is destruction for the sake of destruction, intimidation for the sake of intimidation, impromptu thefts and shakedowns casually planned, quickly executed.

And in most of the cases the offenders are children—children for whom trouble has become a way of life.

A visit to the Safeway store on Kenilworth Avenue in that section demonstrated one aspect of that problem. It was 2:30 p.m. on a Tuesday, and the assistant manager, Rudolph Daggett, a Negro, was on duty.

"Just wait around for half an hour and you'll see the problem," he said.

Shortly after 3 o'clock groups of children, ranging in ages from 6 to 16, began entering the store. Immediately, the manager started following them closely, telling them to move on if they stayed too long in the back of the store.

"They'll steal right in front of your eyes," Daggett said. "They'll even steal right in front of their mothers, and the mothers won't do a thing. And you know something else: They don't steal major food items; mostly they take cosmetics and candy.

"They want to prove to the other fellows that 'I can steal from Safeway and get away with it.' "

Now the Safeway store itself may go out of business, according to Russell Cool, the manager. "That is being considered at this time," he said.

Another merchant, commenting about the petty thefts, said:

"When they steal these things, it's because they want to sell them. They'll peddle this right up and down the street, everything from toothpaste to topcoats."

That group of stores in the Far Northeast lies in one of the areas studied for this series of articles. The other group of stores is on Wheeler Road in Congress Heights. Both are across the Anacostia River; both experience similar problems.

TWO TYPES OF TROUBLE

The problems of the merchants usually fall into two categories—vandalism, petty thievery and breakage by youngsters under 18, and more daring and potentially dangerous depredations by slightly older groups.

The experiences of a merchant in Congress Heights shows how the older groups work.

"They come in bunches of 10 or 11, like a football team," explained a liquor dealer. "They say, 'Give me a pint of gin.' So you give them a pint of gin. Then they say, 'Put it in a bag. So you put it in a bag. Then they throw three cents on the counter and walk out.

"I know who they are, but what can you do? Do you call this law and order? Anarchy!"

The man who recounted that incident spoke in a whisper in the back of his store.

"They already know you're here," he said. "They know." Clearly he lives his life in fear.

The police know about such incidents, but can do little about them.

"We had one store owner call us after a bunch of kids walked into his place and started grabbing merchandise," said Capt. Owen W. Davis, the Negro commander of the 11th Police Precinct. "From what he told us we had a pretty good idea of who the kids were. I told him he should keep an eye out for them and when he saw one of them to call us and we'd have him arrested.

"But this man was terrified. He wouldn't do it. What can we do? We have to rely on the citizens for help."

As the policeman pointed out, fear is a potent weapon across the Anacostia River.

"Suppose a group of kids walks into some store where they know they have a certain merchant scared," Capt. Davis said. "They just go around the place packing up bottles of whiskey. They don't use a gun; they may not even utter a single word that can be construed as a threat."

SENSELESS DESTRUCTION

Such pilfering is a problem, but a worse one is sheer, senseless destruction: Windows, doors, counters, broken time and again at night, sometimes even in broad daylight, by stones, sticks or B–B guns.

Take the experience of James Shortley, the manager of an AAMCO auto repair shop on Kenilworth Avenue.

He opened the shop a year ago in October, he said, after looking for weeks for the right place. He thought he had found it in Kenilworth. The area appeared quiet and, with the Anacostia Freeway nearby, he believed he would have a good business.

His problems began with break-ins during the first two months. Then the windows were broken out. Cars were stolen right from his parking lot. Others were stripped of batteries, tires, even motors, in daylight.

"We've got nothing but trouble here," Shortley said. "I was insured and they canceled everything—the whole shooting match. I had a new policy rewritten, but you can't get glass insurance out here; it isn't available. I've replaced all the windows out front twice. There are seven double windows, and now I've got wood in them, and they won't break that.

"God knows, I never imagined it would be this way when I started out here. And it's hard to live with, I'll tell you. For instance, when I go home for a long weekend I know something's going to happen. I just know it.

"It's been pretty rough these last couple of months, but it can't get any worse as far as I'm concerned."

Now Shortley has a vicious-sounding police dog in the shop all the time. At night, the dog roams the building unleashed. Shortley says the dog has helped to curb break-ins, but not thefts outside or smashed doors and signs.

MUTUAL ILL WILL

The merchants are not only fearful and frustrated; they are angry. It is not uncommon to hear talk of vigilante groups. Some store owners say they have purchased pistols and are prepared to use them.

In some areas the store owners have joined together to hire a private security guard to patrol their properties during the late afternoon and evening. A shopping center on Wheeler Road, in Far Southeast, has such a guard now, and while he appears to have had some success in curbing vandalism, his presence has heightened tensions.

The security guards wear blue uniforms, a badge, and sometimes a D.C. insignia, making it hard to distinguish them from regular police. But the residents know the difference, and they resent the guards even more than they resent metropolitan policemen. The guards reciprocate.

"These people are not human beings. They are animals," said a strapping Negro guard as he walked down the sidewalk on a Saturday night telling people to move on and clear the doorways.

What the people said about him cannot be printed.

The mutual ill will underscores the present state of community relations. In an area of low-income tenants, most of them Negro, tension between the merchants and customers is always a factor. That is especially true across the river.

On the surface, there seems no obvious racial pattern to the merchants' problems. Negro store owners suffer along with whites. Most of the owners, however, are white, and they are disliked the most by the Negroes of the area. It's an old attitude, and an old problem.

"The store owner is the guy who keeps them down," said one resident. "That's where they have to spend their money, and those are the people who have all the money."

MERCHANTS CRITICIZED

Another Negro, a poverty program employe working across the river, was sharply critical of the merchants.

"Maybe if the businessmen, with their knowledge and experience, used their intelligence to get better relations with the kids and the community instead of knocking them, maybe then we could solve these problems. I think the businessmen are too negative. If the businessmen would have a conference on how to improve this community instead of saying they're all no damn good, maybe we could do something.

"Sure, the kids are throwing things. Sure, there are lots with an attitude of, 'Well, I'll either steal something or throw a brick through here.'

"But the businessmen, their answer to all these problems of 'Negro violence' is they're no damn good. You would get the impression that no white kid is bad. There are many bad white kids. But it's easy to hide them behind the black children. This has been going on so long it's useless to talk about it.

"They have white kids that ride the bus to Chevy Chase and raise as much hell as Negroes going to the Far Northeast, but there's the power structure bit, the society bit, again. And so they say, 'They're just being kids and letting off steam where the Negro is being violent.' Many young Negroes are aware that they are blamed for what white kids do.

"If maybe these businessmen would give these kids a job at $1.25 an hour, maybe they wouldn't have this problem. There must be some place where they can find these people a job. I'm sure if they were employing more Negroes in their stores they wouldn't have to worry about stealing or breaking.

"I think the Negro kid of today, I don't care how bad he is, if you can convince him that you are concerned, that you care about him, that he has a chance, he won't let you down. The businessman, in his place in society, has a chance to save some of them. You know, it's not the kids' fault that they're poor any more than it's his fault that he's rich."

RESIDENTS LOSE

The eventual losers are the residents of the troubled areas, those who can least afford it. Merchants close their stores and leave when they can't take any more; the poor remain, living in an area deprived of community services.

That is what has happened on Kenilworth Avenue where the drug store, grocery store, meat market, delicatessen have closed, and the Safeway supermarket, the only remaining large store, closes early at night.

"I've got to wait until 9 the next morning or get on a bus and ride all the way down to H Street for a loaf of bread," said Mrs. Ernestine Watson, a 35-year-old mother of four who lives in the Kenilworth Courts public housing project there. "We need a drugstore and a five and dime store."

Others echo her complaint.

"I think it's really bad here because everyone needs a drugstore in case the kids get sick," said a man. "You got to walk so far to a store and there is bad transportation."

"Why, we can't even get a Bandaid out here," said a mother of five. "My finger hurts and you can't get a Bandaid."

Still another mother said:

"When the kids get sick you can't go running way over to Minnesota Avenue for a little aspirin."

One of the most poignant expressions of what is happening across the river came from Yates B. McCorkle, a former star college football player, later a semipro, and now the man in charge of the D.C. Recreation Department's Youth Center at Kenilworth Courts.

"I was going to the Safeway during the Christmas vacation to ask for a donation to the youth center," McCorkle said, "and as I got down there I saw a workman putting in new window panes. They had been broken out the night before. And I just couldn't go inside and ask that man for a donation. I just kept on walking by."

A Merchant Tells What It's Like

(Raymond W. Branch, 52, opened his carry-out shop, the Bar–20, in the 1500 block of Kenilworth Avenue NE in 1958. For a while, he prospered; then he began to experience trouble. He tells here, in a partial transcript of a tape-recorded interview, what has happened to his business since then:)

"I had a lot of adult business, but now mostly I have kids' business. Due to the harassing, I would call it, which people didn't want to be harassed, we just lost that type of business.

"You started with trouble like teenagers hanging around. The next thing was when customers come, and if they left an item, when they got back it's gone. If anybody said anything to the kids it was always, you know, a big confusion. So consequently, the customers just don't come back any more. The teenagers would threaten them if they didn't like what the customers were saying to them.

"They would say, 'Loan me a quarter.' They never seen the man before. Just walk right up to him and say, 'Loan me a quarter.' And if the man acts anyways like he resents it, then there's an argument. Then, when an argument starts with one, well, you know, it's 20 of them.

TRY TO GET THEM OUT

"You always try to get them out of the store. That's number one. You try to protect the customer. You say, 'Come on,' like you were going to walk with him to his car if they don't stop you. But they cause quite a bit of trouble this way. . . .

"Those windows were broke out about five times. And every time they were broke it was $150. So I had them broke down into 12 sections. Smaller windows in small sections. So that if just one of them were broken it would cost in the neighborhood of 18 or 20 dollars. This is providing it ain't on a Saturday or Sunday. If it's $20 on Monday, it's $30 on Sunday. It's always time-and-a-half if they have to put them in at night or Saturday or Sunday.

"It's not so much robbery or snatching here. There's robbery, too, but it's one of those things that's not hitting the people in neighborhood so much. It's the people who are in business—their customers—that's getting hit hardest.

YOU CAN FEEL TROUBLE

"Just like last Saturday night past. A man from Delaware, he stopped in. He said he'd been to Atlanta, Ga., to get some plans to build some trailers and he stopped here to get a cup of coffee at my place. I was here. And these kids was in the store, about six of them. I was in the back of the store.

"I walked to the front of the store. You can always feel when something happens, when something's going on. When I walked in the front of the store, they rushed out front and the man finished his coffee and went out right behind, about 15 or 20 seconds after. And he comes right back and says his three suits, a briefcase, and his suitcase has gone from his car. And he looked down the street and the boys was running with the suits and they drop the suitcase, but not his briefcase where he had his plans in it to build these trucks. Then he left his name and his address and told me if I get his briefcase back to give him a ring collect. He wouldn't worry about his suits, but he was worried more about his plans.

"So, ordinarily, you would lose any customer that this would happen to.

THEY STARTED YOUNG

"My feeling is it's something like they started when they were very very young, and I felt like they had no means of getting anywhere. And sometimes this is the onliest way they have means of eating. Because sometimes when they can't find anything to take that's with any value to it, they'll come in an' order a sandwich and run out without paying for it.

"In a case like that you try to catch them and talk to them—if he is one of the smaller ones—anywhere from 8 to 14 or 15. But if they are 18, 17 or 16, it's hardly any use of saying anything to 'em.

"I have actually pinpointed some of them to the police. For instance, the police caught one who had broken into the jukebox—my jukebox in my store. And the police catch him and take him to the precinct. Now when his parents come to the precinct, she says that 'The girls (who were in the store) don't know whether it was my boy or not.' So the police says, 'Well, I'm not worried about the girls; I seen him myself.' But this is just about the only thing that happens to the boy. He is released to his parents. And that's all. Over and over.

RESENT COMPLAINTS

"I have never complained to a parent yet who would agree, who didn't show some resentment, when you say it's their child doing something wrong.

"For instance, a kid threw a rock through my car windshield parked on the lot. And next day I was on my way to the shop to get the windshield put in. On my way, these kids were getting out of school, on the way home to lunch. A little, small fellow, he must have been 8 or 9 years old at most, I'm looking right at him, and he threw a rock through the side window of my car. So I backed up, catched him put him in the car. Asked him where he lived. He told me. So I took him home to his mother. She says, 'I believe he did it because I'm always after him about throwing rock.' But when his father came home, she would get her husband to get in touch with me.

"So he called that evening about 5 or 6 o'clock. Told me he was the kid's father, but he didn't like the way I manhandled his son. Said I had no right to put my hands on him. So what do you do about that? Really, it makes you so disgusted, you just don't say nothing. He couldn't have been over 8 or 9.

INSURANCE COST DOUBLES

"You pay so much for vandalism, you pay so much for thefts, you pay so much for robbery, that you get to the point where you can't even pay your bills. This is what it does to you. Sooner or later it'll put you out of business.

"All of my insurance was canceled out and rewrote at a double premium. I don't know why. Too much of a loss, I guess that's why they did it.

"It's very hard to keep help for the simple reason of the way the teen-agers come in, the way they talk to the counter girls and the girls really can't control them. The minute I leave, this is when they start. They will, maybe, wait across the street, but they will watch and the minute I leave if the girls say something to them they will get a good going-over—in language.

"Then you have the problem wherein you can't put anything within reach of a customer. Like, carry-out shops have always been one of those things where you put certain items on the counter. Like a pie or a cake or a soda machine. But there you can put nothing on the counter. And they even get to the point where they come along and ring the cash register.

NOT ENOUGH POLICE

"When the counter girl turns her back, they stands on the footstool up on the counter and they just lean over and hits the key on the register until the drawer flies open. Even like the cigarette machine, it's been broken in several times, but the place ain't closed. They'll break in it right while the girl is looking at them.

"Well, you don't have enough police, and then again sometimes you may call and they say they don't have a foot man for the beat. If you don't have a foot man for the beat, maybe a car stops by once or twice in eight hours.

"The police are doing as good a job as they can possibly do under the circumstances. Meaning, if they are lucky enough to catch one like they caught one in the jukebox, I mean nothing happens.

"The only solution that I think would be helpful is that if one of these kids gets into something, they should be punished . . . All the kids over there is not bad. Some of them is not destructive. But you have such a few that's not destructive and so many of them goes and throws that all of them seems destructive. . . .

"Now, I'm lost when you ask me what it takes to help them. All I can tell you is what's it's like, what has happened to me."

[From the Washington (D.C.) Evening Star, Jan. 18, 1967]

ACROSS THE RIVER—3: THE PUBLIC HOUSING ISLANDS OF DESPAIR

(By Haynes Johnson, Star staffwriter)

The best that can be said about the Valley Green public housing development is that it is still standing. It must also be said that it is a disgrace to Washington.

Valley Green, across the Anacostia in the Far Southeast, is a place of lawlessness and neglect, fear and hatred, destruction and looting. Its problems cannot be overstated. There, children prey upon children, adults upon adults. For the tenants there is no security, no protection and, one can only feel, no hope.

"Last Friday night there was a party in the apartment next to mine and I was afraid to go to sleep," said a mother of five children. "They started fighting inside, and then they went outside, right outside my window, and they started firing shots. I was afraid to go to the window, even. Two times they did that. They went back inside and started fighting again and then they go outside and start shooting again.

"I was scared to death, of course, and I was afraid for my kids. I'm on the ground floor and they was right outside the window and the violence was outside and it could come right in and get me.

"It's bad when you're afraid to lay down to go to sleep at night. It's like at Highlands (an adjoining public housing project) when all the apartments was catching fire and my friend's girls got burned up. It's bad to have a place you call home and you're afraid to lay down your head."

Valley Green is no special island of despair. Nearby are other housing projects, both public and private, wearing the same look—drab slabs on a drab landscape—and containing the same problems. Broken windows, looted mailboxes, smashed fixtures, terrifying sounds in the night—all these are part of the way of life in the trouble spots Across the River.

Two generalizations can be made about public housing projects studied during the preparation of these articles:

First, the people who live in them hate them—with good reason.

Second, there is something seriously wrong with the planning and administering of the units.

Public housing always has been a vexatious problem in Washington. It throws together large numbers of people, all of them poor, in areas away from the heart of the city. Many of these people reinforce each other's problems and behavioral patterns. As a group, they also form the true dispossessed of Washington.

In the projects, families without fathers are the rule. They are large families, most of them dependent on welfare for a living. Many of them have been uprooted and forced to move from other areas of the city by urban renewal or freeways. At Valley Green, for example, nearly all the 100 families who moved there when it became public housing had been displaced and were given housing priorities because relocation officials could do nothing for them. In fiscal 1966, of the 196 housing priority families needing four or five bedrooms, nearly half went to Valley Green.

Thus, that project became a focal point for problem families in an area that already had substantial housing problems.

Complicating the picture is another fact. The National Capital Housing Authority (NCHA) always has been—and still is—timid about tackling the social problems of the people it serves.

Housing officials can point to numerous difficulties in their path—lack of funds, the complications of dealing with Congress, the necessity to build a maximum number of units at the lowest price on the cheapest land available, disagreement over which public agency should be responsible for providing community services, employment, health, recreation.

They can point to their awareness of sound planning principles—and also their difficulties in applying these principles.

But what emerges most strongly from talks with these officials, and from a review of the record, is that planning for public housing over the years has been, at best, fitful. More important, there apparently has been no real recognition that the system just doesn't work in its present form.

Consider again Valley Green, a collection of four-story walk-ups stretching back from Wheeler Road SE and facing on numerous small and dreary courts. Until 1964, Valley Green was operated privately; then, over vigorous protests from integrated neighborhood groups, it was converted to 350 public housing units for large families.

The neighborhood, bounded by St. Elizabeths mental hospital, Bolling Air Force Base, the Anacostia River, and the Maryland line, already contained a large number of public and low-income private housing units. Valley Green added more.

A father—a rarity in the project—who works for the Treasury Department at night, described what has happened since then.

"It's getting worse since they made this place public housing," said Vadon McDowell, 28, a Negro. "And I say this destruction of the buildings don't make sense. I'll tell you, I can understand why the government don't have the money to help them because they tear it up. I figure it comes from the parents. If the parents can't stop it nothing can. The mothers is either afraid or don't care. Children roam the streets unsupervised as late as 2 a.m.

TRANSFERS UNAVAILABLE

"Now I went through this Korean conflict. You think I'd be afraid of these people? No sir, I'm not afraid. But it just don't make sense to live in a world like this and that's why I'm getting out."

Others interviewed over a six-week period said essentially the same thing. Many mothers want to leave, but cannot. There are no transfers available, and, because of economics, they have no other place to go.

Residents who lived there in 1964 when it was a private project claim there has been a decline in services since the government took over. Before, they say, the garbage was collected seven days a week. Now, it is only picked up twice a week. Before, there were two security guards on patrol at night, making the area safer and keeping children inside. Now there are no guards. Before, the maintenance work was better. Now it is almost impossible to get repairs.

NCHA gives a variety of answers.

On the question of security, all the housing authority personnel in that section—NCHA's Area 9—work regular daytime hours. There is no resident manager. Maintenance men might work at night on an overtime basis to make specific emergency repairs, but they are not there to serve as police.

Edward Aronov, the acting executive director of NCHA; Harvey Everett, director of management, and other officials say the authority is not budgeted to provide a place like Valley Green with adequate protection. One man estimated Valley Green alone would need at least 10 men on night-time patrols.

Thinking in terms of all the projects, Everett said, "It would probably cost several hundred thousand dollars a year."

On the question of garbage collection, there is an odd regulation that says if a project has individual heating units the city provides pickup. Where there is central heating, NCHA must pay. The procedure then is for NCHA to invite bids by private trash firms. At most projects, two pickups a week are arranged. At Valley Green, the officials maintain, it is picked up six times a week. If that is so, then the residents are wrong.

FEELING OF DESOLATION

After going to the Valley Green area day and night for the six-week period, one comes away with a feeling that no one is supervising the buildings. As only one small example, in front of one of the apartments stands a trailer truck, rusting in the rain. It has been standing there for a year, residents say. No one seems to know why it and other abandoned vehicles have not been removed.

The most vivid impression of Valley Green is its feeling of desolation. There are virtually no doors left on the entrance hallways, and on the upper landings the large glass frames have been completely broken out. At night, there are few hall lights. Then, Valley Green is dark and dangerous. In the daytime, it is merely depressing.

Out of 350 apartments 109 are vacant—the result of vandalism. By last summer, the destruction clearly was getting out of hand.

"There has been a drastic change out here," said James Wentz, the hard-working former investigator for the Department of Licenses and Inspections who took over as Area 9 manager last summer.

"The situation is now far beyond normal management and maintenance problems. This used to be a private development. The construction wasn't the best, but at least it had a good appearance. Now it has every appearance of a slum area. As recently as last summer there was glass in the first-floor front windows and there were doors. Now there is little glass and few doors.

"This problem was what to do about housing for large families. So NCHA experimented at Valley Green. Now, with the number of children in each apartment, the place has become an attraction for other young people. They come from all parts of the city, and they cause a great deal of trouble, especially at nights and on weekends.

"Now, I'm not saying all the trouble comes from outsiders. Many of the people living here have lost sight of the thought, 'This is our home.' There is a strong feeling in the air that you can do anything to hurt government property, and it is all right. And there is also the feeling in the air that the authorities are taking it easy. At night the police come out here, and they are as cautious as possible."

At Valley Green, the damage is so great, so frequent and so extensive that the maintenance men cannot really tell new breakage from old.

BUT WE ARE TRYING

"So many things are happening that we can't get to them fast enough," said Wilber Branch, the maintenance supervisor for that area. "We are trying to keep up. I think we are falling behind, but we're trying."

Wentz said conditions have reached the point where people "don't even report damage to their apartments. They are accepting it. They know what's going on, but they say if they tell us where it's coming from, they'll get their own apartments smashed."

Both men are dismayed by what's happening. Branch, in particular, seems stunned. He and the 30 men under him cannot keep up. "We thought it would get better after the summer," he said. "Instead, it has gotten worse."

It was during the summer that Branch's crews began boarding windows of vacant apartments. They went from the first floor up. By the time they got to the top floors not long ago, the boarding on the first floor had begun to disappear. Then they ran out of plywood. Three hundred sheets had been on hand in July. Now two more shipments of 72 sheets apiece have arrived and the boarding will resume.

At various times, Wentz said, he has had 50 apartments ready for occupancy, but they were damaged before families could be moved in. So the would-be tenants had to go back on the waiting list.

The oldest public housing project in the Valley Green section, Highland, was built during World War II to house naval personnel. Five years ago, the housing authority began replacing and repairing those buildings to correct fire hazards. That work was accelerated after two fires in recent years killed several children.

Today, 109 families live in Highland, while work continues on 26 buildings with nearly 100 more units. With so many vacant buildings, Highland, too, has serious vandalism problems—though not of the magnitude of Valley Green. A possible explanation might be that the families are smaller.

Another public housing project, Highland Addition, lies between Valley Green and Highland. It contains 246 units, nearly all of them occupied. While the maintenance and vandalism problems are troublesome, they are not as bad as at Valley Green.

LEASING MORE APARTMENTS

Across the street, also adjoining Valley Green, is a complex of private apartments, High Point, Barnaby Terrace and Sky Tower.

Now, the housing authority is beginning to lease apartments there for its public housing tenants. Why, when NCHA is fully aware of the over-all problems there, it adds still more tenants to a troubled area has not been satisfactorily answered.

John P. Walsh, Jr., the manager of those private apartments, says difficulties are "getting worse." As an example, he said that for the month of November he ordered 500 new window panes for the 579 units in the development.

Thefts and destruction are common, he said.

"They tear up everything. We replace the locks left and right. They swing on the pipes and break them. They tear out the panels. They take the doors off the hinges, and cut holes big enough for you to put your fist through on these hollow steel metal doors. One and a half months ago they totally destroyed 80 percent of the laundry machines. They turned them upside down and took the coin boxes off the washers and dryers."

Now the coin boxes are covered with an eighth of an inch of steel plate attached to concrete posts sunk in the floor.

Valley Green and the other housing developments stand in the midst of one of the two areas already examined in earlier articles in this series. The other section, also across the Anacostia, is in Kenilworth in the Far Northeast. There, the same general problems are evident.

Across the street from a group of boarded-up stores described earlier is Kenilworth Courts, a public housing project. A combination of row houses and four-story walk-up apartments, it contains 422 units, of which only a handful are vacant. In common with the project to the south, the families are large and there are few men.

Unlike Southeast, where the apartment projects are stacked row on row, Kenilworth Courts is a study in isolation. In the front is Kenilworth Avenue; on all the other sides are woodland, the aquatic gardens, and the Anacostia River. Behind the apartments, on the strip of open land between the woods and the river, is the Kenilworth dump.

Still, physically, Kenilworth Court appears in far better condition. The exteriors are neat, there is some grass. But inside the larger apartments the same old problems are evident.

"We have problems of window breakage, fire extinguishers disappearing, and damage to equipment in storage rooms," said Edwin Gardner, NCHA's Area 11 manager.

Damage in the last year has been greater than at any time before, Gardner said. "There seems to be a growing trend among young people to lose respect for authority."

He readily concedes that Kenilworth Court tenants, mostly the young, have been principally responsible for damage and pilferage at business establishments across the street.

As always, the tenants themselves express the most discontent.

"This is the only neighborhood where it appears the police are afraid of the children," said a 35-year-old mother of four interviewed in her sparsely furnished living room. "There's no police protection out here. Right here in my hall the kids beat up a little boy. He was beat up and had his coat taken. He was afraid to say he'd been robbed of a genuine leather coat. It just goes to show that people aren't depending on police to protect them out here."

CITES GAMBLING PROBLEM

She, like others, said that gambling is a major problem.

"Every night men gamble in the halls. The quarters hit the cement so hard that I can hear it in the last bedroom in here. Half the night in the street people are screaming at the top of their voices."

Then she said:

"I've always maintained that this is the worst place on God's earth to live."

Her words help to explain why James Wentz, the housing manager in the Southeast, is talking about "a feeling of rebellion out here."

"There are regulations, and they will have to be enforced," Wentz says. "This soft patting on the shoulder is going to have to be done away with. At the same time we're going to have to build something of a community out here. We need things like adequate recreation, but that might take two years.

"Something has to be done now."

THE COST OF VANDALISM

It is virtually impossible to determine the full cost of vandalism and destruction at Valley Green public housing project. But here are some clues:

In July, 30 boxes of large panes of glass, six sheets to a box, at $14 a box were requisitioned, as well as several dozen smaller boxes, 12 sheets to a box, at the same price. Today, only a few boxes are left. On some days, eight to 10 panes of glass are replaced. One hundred new boxes are being ordered.

In July, there are spare 500 mail box locks and 100 mail box doors on hand. They are nearly gone and 200 more locks, at a $1 apiece, and 150 doors, at $2 apiece, are being ordered.

On Sept. 13, an order was placed for 200 thermostats at $7.20 apiece. There are not many left.

Last summer, there were 1,200 hall light bulbs in supply. Another 1,200 were purchased then. A new order is being placed for 2,800 more. Maintenance men have been putting in 60 hall light bulbs a day.

About 50 wash basins are needed to replace those broken in vandalized apartments. Orders have been placed for 50 toilet seats, 50 fire alarms, and 150 fire alarm switches.

[From the Washington (D.C.) Evening Star, Jan. 19, 1967]

ACROSS THE RIVER—4: CROWDED SCHOOLS AND THE LURE OF THE STREETS

(By Haynes Johnson, Star Staff Writer)

During school hours, when the weather is fair, groups of teen-agers can be seen walking the streets Across the River. They congregate on corners, sit on cars, and move idly through the neighborhoods. If you stop and ask one what school he goes to, often the answer will be:

"I go to the twilight school."

The truth is, their school is the school of the streets. It teaches hard lessons.

Truancy is common Across the River. Take the modernistic Ballou High, in the Congress Heights section of the far Southeast, where juvenile vandalism has been examined in earlier articles. Absenteeism there runs from 15 to 20 percent of enrollment. That means 250-300 teen-agers from that school out on the streets every day.

They are unsupervised—and uneducated. Their futures are bleak. Inevitably, they are the students who finally drop out of school entirely to become the core of tomorrow's adult problems.

Like Washington in general, the schools Across the River are for the most part overcrowded and understaffed. In the far Southeast, in fact the schools are the most overcrowded in the city. They have been that way for some years. They cannot keep pace with the increasing population.

Figures from the Congress Heights section provide a quick picture of the problem. Hart Junior High School has nearly 2,000 children in classrooms designed for 1,443. Hendley Elementary School has almost 1,500 in space for 1,056 (including four classes in the auditorium). Ballou has 1,430, when it should have no more than 1,187.

In addition, the schools experience a constant turnover of pupils, another reflection of the social turmoil of the area. New families move in, others leave, adding to disruptive influences in the classrooms. In the first eight weeks of this school year, for instance, more than 700 students were affected by moves at the Hendley School alone. Two hundred fifty students left; some 500 entered.

What these figures only indicate are the problems of discipline and behavior which place tremendous burdens on teachers and pupils. The behavior of the streets carries over to the classrooms and corridors.

An incident this month at Hart Junior High was illustrative.

After class one day, a 14-year-old girl entered the lavatory there. She was accosted by five or six older girls, who took $1 and slashed her arm with a razor blade. Last October, in the same school, a 13-year-old girl was stopped on her way to class by a youth demanding money. He got none, and snapped the girl's arm. Last month, a group of teen-age boys and girls swept down 4th Street SE, knocking down every smaller child they met. One boy tells of being kicked and having his glasses smashed. Others tell of beatings.

And every day at Hart, by the pupils' own accounts, older youths shake down smaller ones for a quarter or a dime, threatening beatings if their demands are not met.

Windows are broken, lockers are looted, walls are decorated with profane "Magic Marker." graffiti.

Like the stores of the troubled neighborhoods, many schools bear the physical evidence of vandalism. Pieces of cardboard replace the broken window panes. In the fall of 1965, 280 broken window panes had to be replaced at Hart before school opened. Last fall, the figure had risen to 350, and vandalism in general is "the worst ever," according to the head custodian.

None of this means that the schools Across the River are part of some vast "Blackboard Jungle." The point must be emphasized that the troublemakers are only a very small percentage; that teachers and students are working together; that hope has not ended for today's youth. Still, the problems exist.

Teachers, understandably, single out control and discipline as key factors.

"I ask a student as nicely as possible to bring up her paper," says one teacher, "and she tells me to go to hell. And the rest of them laugh. What can I do? I can't send 37 kids to the office."

A DIFFERENT PERSPECTIVE

Students, also understandably, see it from a different perspective.

"The teachers pick on students," said a girl who attends the Roper Junior High School in the Far Northeast.

"When they know the student won't say anything, they pick on them. So the child fights the teacher and gets suspended. The principal doesn't pay any attention to the students, just to the teachers."

Such expressions of mistrust barely begin to illuminate the alienation and anger and often overwhelming sense of inadequacy felt by so many children from large, and poor, families. A psychologist may say they have no sense of identity; that, by their actions, they are craving recognition, demanding to be noticed.

In their own words, the children often express the same thought.

"You know," said one youth, when asked why fights occur, "you walking down the street with your girl or some other boys, and one of them say, 'Hey, man, I bet that little kid can beat your ——.' So, maybe you had a little drink and you don't know right then what to say, and your girl's laughing and so you gotta hit this little kid. I mean, how else you gonna show her?"

And, a girl, 13:

"Some girl, she say, 'Ain't you had your baby yet?' And all the other girls, they laugh. So she says it some more times and you gotta show her you a woman."

Students, particularly those from broken homes and low-income housing often reveal a feeling of inferiority toward their more fortunate classmates. One teacher tells of students coming to her and whispering "I haven't got a father," after she asks the pupils to invite their mothers and fathers to the school. A mother in the Valley Green public housing development, put it another way:

"My girl doesn't even want to go to McCogney (the elementary School) because they tell her, 'Your mother is on the welfare.' They go to school with the middle class and the upper income and they laugh at your coat."

And a poorly-dressed teen-age boy, when asked if he had enough warm clothes for winter, laughed, and said sharply:

"No, I don't need that damn jacket. I got two others."

Those children are still in school. Then there is someone we shall call Jimmy. That is not his real name, but his experience is all too real.

Jimmy is 18 now, an attractive looking young man. He had attended school in Congress Heights, and dropped out of junior high. When asked why, he said:

"The teacher kept throwing a whole lot of things in my face. They talk a whole lot of trash. They had to keep on talking."

On further questioning he said the teacher had threatened to tell the students "about how I got locked up, how bad I was, how I was locked up for being bad."

"Tell the truth, Jimmy," his mother interrupted, and then explained, "My husband beated me and he (Jimmy) accidentally killed him."

QUIETLY AND CASUALLY

In fact, Jimmy had stabbed the man to death. Jimmy was 13 at the time. The man was his stepfather; his own father died years ago and he has no memory of him. Now a dropout at age 18, Jimmy lives in a family of eight other children. Two of the older children are in jail—one charged with bank robbery, the other with rape. And Jimmy tells you he doesn't like to go to downtown Washington because, he says a friend of his was shot and killed by police there. Another friend, aged 16, also was shot and killed by police, Jimmy says, because "they thought he had a gun and it turned out to be a pipe."

Jimmy told his story quietly and casually, as if acts of violence were ordinary events. In his life, they have been. Yet Jimmy also says that he doesn't like hearing that Congress Heights is a bad place to live (he said that before these articles began appearing).

With a sense of pride, Jimmy says:

"Congress Heights is a nice place to live."

The schools did not fail Jimmy, but Jimmy is nevertheless a failure before he is out of his teens.

Another boy, also 18, gave this picture of his life:

"The trouble is, like I'm a young boy. If I had some place to go. Like a pool room, like downtown to play, but what we got to do but drink more and go to D.C. jail. How would you like it if you was stuffed down like a top on a garbage can?

"Like today, I goes downtown to the employment office to see about plumbing work and the woman says I got four (police) records. So I told her, 'no three of the records was beat.' 'They may be beat, but you still got four records,' she says. So everywhere you go you can't get no job."

He returned to his neighborhood Across the River, and spent the afternoon inside a laundromat with other boys and older men, "because," he explained, "it's warm." The rest of the day, he stands on the street corner waiting, he says, to be hired for odd jobs in the neighborhood.

"How you going to get a job if they run you off the corner," he remarked, after police told him and others to move on. "And you got a record. I'd like to go back to school and take up a trade, to tell you the truth."

One of the problems, nearly everyone will agree, is that the Jimmies of Washington, and other cities, have not been successfully reached by anyone—not their teachers, their counselors, and most certainly not their parents. In this situation the schools are expected to assume the responsibilities of the parents, and the community. But obviously, the schools cannot. They are doing everything that can be done, given things as they are today.

Last month, for instance, the Congress Heights principals wrote an appeal to D.C. Superintendent of Schools Carl E. Hansen requesting a full-time nurse for each elementary school, a full-time psychologist, and one or more social workers for each school.

Hansen would be only too happy to fill the request, but there one comes back to the old Washington cycle of responsibility: Money wasn't available.

After talking to many children visiting schools Across the River in preparation for these articles, one of The Star's reporters was strongly reminded of a passage in "David Copperfield," where David says, "day after day, week after week, month after month, I was coldly neglected."

TEACHERS, REPORTER MEET

The neglect is present Across the River, and what makes it worse is that it is not intentional. No one is more aware of this than the teachers. An incident yesterday sharply underscored that fact.

A teacher from one of the schools there had called The Star to say that while what was being reported was "sad but true," she would like to arrange a meeting between a reporter and other teachers. The meeting was held yesterday afternoon with eight teachers and the principal present. It was understood neither the school nor the teachers would be identified.

After an hour of discussion, several points of agreement emerged. First, everyone felt that whatever troubles existed stemmed from only a very small percentage of the children, and that these problems could be duplicated in other areas of Washington—and in every other city in the United States. What intensifies the problems, however, in such an area Across the River, is the high concentration of public housing units with so many large families.

"Do you think that a child who has been kept up all night from loud talking, or other behavior, will come to us the next morning smiling and happy?" asked one teacher.

The more they talked, the more the conversation turned to the problems lying outside the school—the problems of jobs, housing, poverty, automation, attitudes, prejudices, stereotypes, lack of communications. To illustrate, the principal told of an incident that occurred last year. The school was being painted, he said, and the painters all were white men, all from outside the area. By his account, they did a slap-dash job. While they were painting that school, Negro men were standing idle on the streets outside.

"They would have done a beautiful job," one teacher said, "because they live here, and they do have a sense of pride in their community."

She also said:

"I have taught in schools throughout Washington. I have taught the privileged, as well as the underprivileged, and I can say one thing about them all—at the age of 4 or 5, when they first come to us, they all start out the same way. They are happy, and they are full of love. It is society that changes them."

As the conference ended, and the teachers and the reporter left, the sound of lusty young voices rang through the first-floor corridors. Third-grade students, 75 of them, were singing together in their joint classroom in the school auditorium. They were singing "Washington," from the first verse down to through the chorus. They sang it twice, loudly, beginning with: "Wash-ington, the fairest city in the greatest land of all."

[From the Washington (D.C.) Evening Star, Jan. 19, 1967]

THESE PEOPLE FEEL COMPLETELY TRAPPED BY LIFE

Julia Hill is the principal of the Gladys K. McCogney Elementary School in Washington's Far Southeast. It is a new school, having opened for classes last September. It was built for a capacity enrollment of 1,050 pupils; it already has 1,400. Before coming to McCogney, Mrs. Hill had been principal of the Cleveland Elementary School in the Cardoza area of Northwest Washington. She tells here, in an interview, of her experiences Across the River.

"I thought I had had all the problems, that I knew about all the problems, but I found out when I came here that I didn't know what problems were. It's a little bit like seeing the boat beginning to sink before you can fix it up.

"Here's an example of what I mean. We are now serving from 500 to 700 children lunch every day. In some Northwest schools all children go home for lunch. At least that gives you an hour to breathe, but here from 12 to 1 is the most difficult period of the day.

"You know, it's tremendous what we're trying to do for the children in the schools, but from the standpoint of what we ought to be doing it's still not enough. Every day we have new children moving into the area, and so many of them are moving into public housing.

"These projects are terrible. I look out at those tenements and I have the feeling they are houses in a desert, and school is the oasis. You know, I've often thought that it's easier to get rid of poverty than the culture of poverty—and out there is the culture of poverty.

"Certainly, we've had problems. We have tremendous disciplinary problems and we have problems of overcrowding. Our class average is 40 pupils, and in one class there are 47 students.

"YOU HAVE TO MODULATE

"You know, it's very important how you talk to the children. It doesn't do any good to shout or raise your voice or get angry or emotional. You have to modulate your voice, and speak softer. Softer. That's the only way to speak. It's got to be one to one, just you and the pupil. You've got to get through to them.

"Something else. The community itself baffled me when I first came here. You always start trying to coordinate the positive influences in a community—the PTA, the civic associations, the churches. But out here there's nothing to coordinate. Nothing. You're just out here. It disturbed me when I first came. It really disturbed me.

"What do I do with all these children? Fourteen hundred children and not one extra penny to spend on them. I'm beginning to feel better now. I guess I'm settling down, and I've come to know some wonderful people in the community.

"You will find that the big children have no respect for you at first. Well, what do you do about that? You must be firm, but quiet. I would say to one, 'I don't like that glassy look in your eye.' But if you don't want every window broken out, you've got to be one, and you can't be tired, and you can't be frustrated, and you can't be discouraged. You've got to be satisfied with a little bit of progress.

"We could have a thousand people in here doing what's needed. A thousand people. Well, that's an exaggeration. But many, many more."

Mrs. Hill told of an incident in which a bigger boy took a quarter from a smaller one. When she talked to the older student about the incident, he answered:

"Yes, I took that quarter off him. A man stopped me in the alley and took a dollar off me, and it was my mother's, and I'm going to get it back."

PICKING A PRINCESS

Then Mrs. Hill continued:

"We work every day. We do what we can. Some we save, some we don't. Generally speaking, these people feel completely trapped by life and anything they can grab, they grab. And how do you change this?

"I'll tell you something interesting that happened in one of our classes. They were going to pick a princess for a play, and one of the girls who had dark skin and kinky hair said to the teacher, 'Oh, I can't be the princess. She's got to be the princess.' The other child, you see, had light skin and long hair, so naturally, she *had* to be the princess. Here, the teacher intervened and had the children think about the important qualities of being a princess.

"It's really amazing how many of these people feel about their race. So many have no pride in being a Negro. So we have to try to build that pride.

"We can't get to the parents. We've got to get to the children. Our job is to convince them, really to *convince* them, that they can get out of the slums, that it's a new day. And it *is* a new day—if they believe it is."

[From the Washington (D.C.) Evening Star, Jan. 20, 1967]

ACROSS THE RIVER—5: A CHALLENGE FOR BOTH SIDES OF THE RIVER

(By Haynes Johnson, Star staff writer)

Last month posters appeared on bulletin boards in public buildings throughout the far Northeast of Washington. They began dramatically—"Emergency Flash!!! Mass Meeting"—and concluded with a plea: "Let's Curb Crime, Necessity for Closing Stores, Threat to Cancel, Deny Insurance Protection and Other Causes of Blight and Wrong Image of Area."

The meeting was held the night of Dec. 14 in Kenilworth Courts, a public housing project near the Maryland line. Representatives from a broad cross-section of the community attended—the police, fire, and sanitation departments; the schools, churches, and civic associations; the District government and public housing; private businesses and public transportation. More than 60 residents of the housing project, both parents and children, also attended.

The gathering demonstrated that some of the people of at least one of the trouble spots Across the River are willing to work on the problems that beset them. But the sparce turnout made it clear that they are a long way from the kind of dynamic community action that would make a difference.

In earlier articles, The Star has pinpointed a number of serious problems in the trouble areas—vandalism, intimidation, and shakedowns; depredations by juveniles; declining community services; difficulties in public housing projects and schools. This concluding articles focuses on what is being done about those problems, and what lies ahead.

Two points should be made at the outset. The first is that the two trouble spots—centering on Kenilworth in the far Northeast and Congress Heights in the far Southeast—are by no means typical of the whole area across the Anacostia. The vast majority of the citizens Across the River are law-abiding; they live in pleasant homes in quiet neighborhoods. The second point is that there are many residents of the area who are aware of the problems and who are trying to do something about them. The Kenilworth Courts meeting is an example. It is indicative of the magnitude of the job that they have made so little progress.

Mrs. Ruth Bates Harris, executive director of the D.C. Commissioners' Council on Human Relations, was one who attended the Dec. 14 meeting. She came away struck by the "amiable" spirit there.

Also in the Northeast, an active, integrated business group meets regularly to discuss problems of the community. There is an integrated bank, the United Community National Bank, headed by Dr. William Collins, meetings are held there. Citizens and civic leaders also gather in schools and churches to explore common problems.

Mrs. Harris and others make the point that such business-community rapport is not as evident in the far Southeast. One man, a Negro merchant, put it bluntly, "There is a lack of community relations among the citizens out here."

Poverty programs are also at work in both troubled sections across the Anacostia, offering a variety of services to the communities. These programs, too, grew out of grass-roots initiative.

Less than two years ago, for example, the far Northeast Council of Civic Associations, representing 13 civic groups east of the Anacostia and north of Pennsylvania Ave. completed a study calling for aggressive community action to combat poverty. The need was urgent, the Council declared, because:

". . . we have a community which, while not totally poverty-stricken, is headed toward blight, despite strenuous and energetic action by many individuals and groups in the community."

The poverty program in the Northeast has the solid support of its community—from the PTA and the Northeast Business and Professional Association down to the 14th Precinct Crime Council. In the far Southeast, where the Southeast Neighborhood House operates the poverty program, a militant approach has produced some friction between the workers and the businessmen.

But whatever the particular community attitude may be, in both areas Across the River poverty workers are attempting to get at the basic causes of unrest and disorders. There simply have not been enough of them—and now no one is sure how much antipoverty money will be available for the programs in the future.

"They wanted us to fight a war with a pea shooter, and now they're trying to take the pea shooter away," says Ralph Fertig, the director of the Southeast Neighborhood House.

MORE POLICE ASKED

Inevitably, any discussion of the problems Across the River bogs down on one question: What can be done to change things? Many persons interviewed urged more police, better protection. Some advocated a return to the old-fashioned neighborhood foot policeman, with men assigned fulltime to beats in the housing project areas.

There were some charges of police brutality, but the police had many defenders. One recreation department worker said that "police brutality isn't the problem; police protection is the problem. Many of these kids humiliate the police." Others told of incidents when teen-agers, who have been arrested and released, come back to taunt the police to their faces.

The police have their views, too.

"The people brought their complaints to us," said Capt. Bernard E. Carroll, the commander of the 14th Precinct, referring to the mass meeting in Kenilworth last month. "But when we questioned them, it turned out that most of the blame should have been put on the courts here. The courts just aren't giving them the protection they should have.

"They call on us for help and we follow through and then nothing is done in court, and these people see the same man who threatened them or pushed them around going free. Maybe the chief judge should come to some of these citizen meetings."

Carroll then drew out a map to illustrate one of his greatest problems—the size of his precinct. His men on foot patrols—never more than 12—have huge beats to cover. They are lucky to get around once during their shift.

The former commander of that Northeast precinct, Vernon H. Culpepper, now the head of the Police Community Relations Division, was asked his opinion on the reasons for juvenile vandalism.

"I can see why a kid might rob a store, or steal a car," he said, in his southwestern Virginia drawl, "but giving false alarms, and breaking school windows—we get that constantly. When somebody does that he's just hurting himself. He might have to sit in a cold school room the next day, or his home might be the one that needs protection by the fire department. I just don't get it."

Culpepper, who is highly regarded by residents of his former precinct, made clear his conviction that problems of criminal behavior will not be solved by more men or stricter enforcement alone.

He particularly emphasized that by no means all the blame should be placed on children in public housing. Some of the best children he has known, he said, have come from the projects.

NO ONE TO LEARN FROM

Capt. Owen W. Davis, the Negro commander of the far Southeast's 11th Precinct, made the same points—but even more strongly.

No matter how many men and cars are put on the streets, he said, the social and economic causes of crime will remain. He also said he feels that jamming the poor together in large public housing projects undoubtedly decreases their chances in obtaining an education in urban living.

"They have no one to learn from," he said. "It's like the 'alley-dwelling' that they had here after the Civil War. The freed slaves came to Washington and lived in the alleys. They were out of sight of the white world. They had their own little world."

Housing comes up again and again in discussions.

Most of the problems appear to stem from the large projects—from a very few in those projects. The most notable example is the Valley Green project, on Wheeler Road.

The National Capital Housing Authority executives have been well aware of the troubles there, and have attempted to do something about them. Their largest effort so far has been to move nearly everyone involved in the authority's social service unit to full time duty at Valley Green. Of 12 staff members in the unit, 11 were stationed at Valley Green two months ago.

That unit is headed by John Staggers, former director of Howard University's Community Service Project. Staggers, who came to NCHA last spring, speaks hopefully. "It's impossible to make inroads overnight," he says, "but we're gratified at the progress we're making."

His first order of business was to conduct a "social inventory of the tenants" to determine needs. Now, he says, that data is being tabulated. The next step will be "mobilizing the resources of the community" by organizing tenants and bringing the services of other agencies into the development.

Candor compels one to say there is little evidence that the social service unit is making dramatic progress. Its "social inventory" was taken some weeks ago, and that appears to be the only contact many families have had with Staggers' staff. During six weeks of research for these articles Staggers himself had little direct contact with Valley Green. He has been busy, he said, arranging "a mammoth pageant" that will involve the participation of teen-age girls from all 40 NCHA projects. The pageant is scheduled for Feb. 10.

YOUTH WORK PLAN

Housing officials have several other ideas they want to try. One would be to hire teenagers in the projects for maintenance jobs now done only sporadically. The youngsters would work 16 hours a week, and be paid $1.25 an hour. Three or four project adults would be hired to supervise the youth work.

Such steps may help to instill pride and responsibility and provide needed income. But, as one housing official commented, "That's first aid. What Valley Green needs is surgery."

Looking further into the future, NCHA points toward two relatively new and promising programs. One involves placing tenants in rehabilitated houses in existing neighborhoods. NCHA first buys the houses, and then, on contract, has them renovated for tenants. The agency now has the authority to rehabilitate 240 of these houses. In its second program, it is currently leasing 110 units for tenants and has authority to lease 240 more.

"These units are in all quadrants of the city," said Edward Aronov, NCHA's acting director, "but there are none west of Rock Creek. We can't get any to sell or lease at a price we can afford."

There, the housing agency runs into its old dilemma of finding suitable, reasonably priced sites outside of the present concentrations of housing projects. NCHA has been offered enough land for 1,000 to 2,000 units—but the land is adjacent to existing projects.

SENSE OF ISOLATION

On one point, there can be no question—virtually without exception those interviewed in the projects Across the River express a sense of isolation and alienation. They do not feel a part of Washington. Also there was almost unanimous agreement among both parents and children that they were happier in other sections of the city.

When you ask why, the answer varies. To a boy who had lived previously in Southwest, he had "more fun." To a boy who had lived behind Union Station, he could play the pinball machines in the game rooms there. To still another who had lived on North Capitol Street, there were more lights in his old area.

The suggestion often is made that the projects do not provide enough community services—recreation, shopping, entertainment, even close schools; that future planning would dictate smaller, more homogenous units. In fact, as a general rule the behavioral problems increase with the number of the people in a single building; the row-type dwellings show far less evidence of vandalism than the four-story walkups.

One way to attack the problems on a massive scale would be to make the two areas part of Federal Demonstration Cities projects, and thus pour substantial Federal resources into the troubled communities. Officials here have indicated such a proposal might be viewed favorably.

But it would be naive to suggest that merely building better units is going to resolve the problems. Behind the mortar and bricks lie the more difficult problems of family structures, and attitudes of inferiority and hopelessness which contribute toward acts of vandalism and worse.

FRUSTRATED AMBITION

During the interviewing for these articles, the mother of a 13-year-old boy in Kenilworth spoke of only her son's experience, but his frustration is shared by many more. Her son, she said, is "very ambitious," and he was working hard at delivering papers. Then she said:

"He didn't make a penny. People just wouldn't pay him."

His frustrations, and the frustrations of others like him, signal trouble ahead—more trouble for more youths. For, as has been shown. Across the River today the problems are primarily juvenile problems. Already, a number of youths have police records. Some see arrest as a mark of distinction.

A school crossing guard, who lives with her children in one of the large projects surveyed, spoke angrily about some of the youths. But most of her scorn was directed at the parents.

"If these parents would take the time and be near the kids," she said, "there would not be as much trouble. But a lot of parents are living with stolen goods themselves. You see a boy walking around here with fine clothes, then find out where they came from. The parents know the kids don't work. Yet they walk around with fine $34 shoes. It's not only the kids' fault. The parents are involved, too. How many mothers ask their kids where they got things?"

One explanation for the behavior she described is singularly disturbing. Time and again during research for these articles, mothers have told of being physically afraid of their own children.

Out of the whole experience, that one fact remains the most vivid for this reporter.

One comes away from this study convinced that, in the long run, all other problems are secondary when placed beside the unmet needs of the youths. If real changes are to come soon, they must come through programs designed to reach the young people.

There are youth programs functioning now Across the River. There are dedicated people who devote their time and talents to helping erase the bitterness and the despair felt by the young and draw them back into the community. Many more are needed. Many more facilities were required.

This Across the River study was born last Dec. 7 when a group of businessmen from east of the Anacostia came to The Star and told of vandalism, extortion, fear and destruction.

Their troubles continue. The Kenilworth and Congress Heights areas are still beset by lawlessness, destruction and declining business.

As has been shown, the merchants do not bear these burdens alone. The entire communities involved are paying the price in the breakdown of community services and morale.

Nor is the problem something that rests with those troubled neighborhoods alone. It must be shared by the rest of Washington, which, for the people east of the Anacostia, is also Across the River.

[From the Washington (D.C.) Evening Star, Jan. 20, 1967]

Does Washington Really Know?

Robert and Maxine Boyd, who for years have been deeply involved in efforts to build a better far Northeast, met with Haynes Johnson two nights ago to discuss the past, the present, and the future for their section Across the River. Here, in a partial transcript of a tape-recorded interview, Mr. Boyd comments on The Star's series, and discusses what might be done to correct conditions:

"All of us who live out here at one time or another have admitted the facts which were reported in the articles. We did become very much concerned as to whether or not these facts, couched in the particular light in which they were reported, could possibly set a behavior pattern for the community.

"Sort of a thing that if you tell people they're lousy, they may begin to act lousy. And these youngsters have already been hurt quite a bit. We felt that the community itself had begun to make inroads into the problems of the youngsters, the problems of the poor in general, that we just kicked off, about a year and a half ago, a poverty program for the community which the community itself proposed and had built a corporation to handle, and we had just brought into that program a neighborhood youth development program designed to reach the very problems which were highlighted in the articles contained in The Star. And here, when we had just gotten started, we got the impression that we really hadn't done a thing.

"ARE THEY RECOGNIZED?

"There is no question of the difficulties of the problems faced by the people in the community. There is some question as to the recognition or understanding of the City of

Washington, as a whole of the existence of these problems.

"The only time we have really felt that the City of Washington knew that these problems existed was the time of the Benning Road bus boycott, when the maids and the government workers and the other 20-odd thousand that live out here couldn't get to work. And comments appeared in the newspapers about the reaction of mothers who couldn't get their children to school or go to work because their help hadn't arrived.

"It showed up the night of the Kenilworth riot last summer when the 70 thousand-odd cars which normally pass the Kenilworth housing projects daily and never see them, didn't even know this Kenilworth project existed, suddenly found out that it certainly did exist, because the rocks were dropped into their windshields. And all of a sudden, Washington knew about Kenilworth. Maryland did not know about Kenilworth until the cinders from the dump began to drop on Cheverly, Md.

"We who live out here have known for a long time that we had problems. We've been working at them. We've been telling the District of Columbia. We have a number of papers, reports, statements, testimony that's been made at hearings in my own knowledge, since 1951; in the history of the Northeast council, since 1932; in the history of particular civic associations in Northeast boundaries, since about 1905. We have been going down to say, 'Look you've got a community out here. It's growing an average of two to four thousand people a year. You aren't doing anything for it. You are pushing people in, and pushing them in from Southwest, and every place you clean out elsewhere, when you bring them in, you are failing to bring the services with them. We have told you repeatedly that trouble is coming.'

"I feel that when I talk to people at meetings in the city, and we suggest, 'Let's have the next meeting in the Northeast,' they say that is too far. For approximately 250,000 people in the Northeast-Southeast community, it's just as far for us in town—and we do represent more than one-fourth of the city's population. The first indication from the general citizenry who live in the Northwest section is that this area is too far to travel to.

"SOCIOLOGICAL QUESTION

"The Star and the Post, in the summer after the riots, documented very clearly the history of the Anacostia region, how it grew and what has happened to it in terms of community leadership. It's really not fair for me to comment on the Southeast area. In looking at it and preparing our own statistics on, say, the number of public housing, I think that there is perhaps half again as many public housing units in the Southeast as in the Northeast. This raises a very interesting sociological question. How much public housing can any particular community of varied economic background absorb and remain a healthy, viable community? Your article on housing describes how these people are poor, and they only see more poor people. Where are they going? How do they grow?

"I do think the relationship between here and downtown has improved in many areas.

"In schools, the problem is that the number of schools unfortunately has not kept pace with the growth of population in the community, and the types and kinds of services which should be in these schools have not kept pace. I don't think that this is a problem of planning on the part of the Board of Education.

"The Board of Education has consistently requested additional schools, and these things have been pushed back and pushed back and pushed back.

"We do feel that, had we been able to voice our needs at the polls, we might have gotten quicker redress for our needs. I would like to see a situation in which we could actually control the city leaders, have a voice in the spending of the tax dollar, have a voice in deciding where the city shall go."

On the question of The Future, he said:

"I've read the proposals of the District public works program; I've read the 1985 report, I've read the 2000 year report, I've read plans A, B, and C of community renewal—and if any of those things are followed, I see a rather bleak future in which these people, more and more, have less and less chance to survive. Because, in none of those programs were there proposals designed to attack directly the needs highlighted in your articles. . . . You don't see social programs designed to help people stand on their own two feet. If that is the path the city fathers of the District of Columbia wish to take, then I see a bleak future.

"But if you take the assumption which we have had for years out here, that you can do something, that the people are not completely helpless, that this area doesn't have to go into blight, then you begin to develop master programs—through the Demonstration Cities projects, through special education proposals . . . and then I think that a tremendous future can develop for these children—In fact for all of us."

EARLY WARNINGS

A community leader Across the River summed up much of the frustration of civic leaders there when he said "we've told you, and we've told you, and we've told you" of the problems there. Here, chronologically, are some of the things one civic group, the Far Northeast Council, has been saying to the District government over the years:

1954

"Although the juvenile delinquency problem is not as pronounced in this area as in other areas of the city, a notable increase is reported in offenses and arrests of juveniles in the area. Adequate health facilities, recreation facilities, social service, schools, and police protection can do much to prevent the upsurge of crime in this community."

1957

"It is high time that all who are concerned with the welfare of Washington, as a whole, recognize that one section of the city, as large as ours, cannot be neglected without eventually bringing harm to the city as a whole. The Far Northeast's needs are dire and immediate. They must be attended to."

1960

"The recorded history of our request for a public health center begins with the period just prior to 1954 when our minutes show increasing concern over the health problems in this area; the increasing number of public housing projects being built in the area."

1960

"Despite the excellent efforts of the staff of the 14th Precinct to control crime in this area, it must be pointed out that crime has been on the increase in this community for the last five years."

1965

"We feel, strongly . . . that community needs have become so neglected, and that the civic voice has been so ignored that it is incumbent upon us to bring these matters to the attention of the Board of Recreation."

INNER-CITY UNEMPLOYMENT

Mr. CASE. Mr. President, all of us in Congress who are concerned with the decline of our central cities will, I think, be particularly interested in the transcript I have received of the AFL–CIO program, "As We See It," carried by the American Broadcasting Co. on Sunday, January 29, when Sam Zagoria, a member of the National Labor Relations Board, was interviewed by Harry W. Flannery.

In the course of this interesting and illuminating discussion, Mr. Zagoria placed particular emphasis on the problem of inner-city unemployment as a result of the movement of industry to the suburbs. I am sure Senators will be interested in Mr. Zagoria's remarks and in his suggestions for correcting this serious problem.

I ask unanimous consent that the transcript of this radio interview be printed at this point in the Record.

There being no objection, the radio interview was ordered to be printed in the Record, as follows:

[From the AFL–CIO Public Service Program, "As We See It," Jan. 29, 1967]

FACTORY FLIGHT TO SUBURBS

Participant: Sam Zagoria, Member National Labor Relations Board.

Moderator: Harry W. Flannery.

Mr. Flannery. As We See It. The movement of factories from the cities to the suburbs and its effect on unemployment in the cities, and automation and its effect on unemployment—these two subjects are discussed by Sam Zagoria, member of the National Labor Relations Board, for this radio station of the ABC network and the AFL–CIO. The interview, by your reporter, Harry W. Flannery, was in Mr. Zagoria's office here in Washington.

Mr. Zagoria, why is a member of the National Labor Relations Board interested in automation?

Mr. Zagoria. A board, such as this, adjudicates situations in which labor and management have come to some real difference, to the point where one or the other party has applied to the National Labor Relations Board to help work out its problem by filing a complaint, which then becomes a case for us. What we are trying to do is to see these problems coming up, to spot them in advance, to identify them and bring to bear the best possible kind of thoughtful approach that we can so as to try to avoid a growth in cases. If there is anything that our board doesn't need, it's more business, more cases.

Mr. Flannery. We all know that automation has its effect on jobs, Mr. Zagoria. I think, however, your investigations have led you to a different aspect of this, especially the effect on the city.

Mr. Zagoria. Yes. One of the things that I have tried to do as a new member of the board is to get around the country and get to know the people in our 32 regional offices and also open up some dialogue with both labor and management people in these cities, get a better feel of what the problems are, of what the temper is or the industrial climate and not be limited only to what I happen to find in the course of a trial examiner's decision or an attorney's brief on one side or the other.

In the course of that, I have been very impressed with practically every city that I have been in—and I have been in a goodly number in the last year and a half. As you leave an airport and you start driving into the city, there is a whole group of new buildings ringing the city—laboratories, production plants, warehouses, distribution centers—many of them laid out in a horizontal plain so that they can get the benefit of automated processes.

These are plants, many of them, which formerly existed in the downtown area, the area where 50, 60 years ago a company established itself because it was near the transportation centers of shipping, of railroads, near a good labor supply, near a good retail market for its products.

But gradually as traffic congestion developed and they had to pay for truck drivers sitting double and triple parked, waiting to get into their loading bays and out of them, they had problems supplying parking space for their employees, for their own management, for their own customers, as they found problems in zoning and in limitations on their industrial processes in terms of noise, smoke or disposition of waste materials, they began to think about moving out to the suburbs, indeed to the rural areas where they could escape some of these problems.

As they did, they left behind them a large supply of labor that found it very difficult to get out to the new locations. Transportation from the downtown central city, way out to the suburbs is a very difficult thing for someone who lives in a Negro area, lives in a poor neighborhood. Public transportation is usually good within the city, but going way out to the suburbs is generally a car thing.

Then people say, "Well, why don't they buy a car?" There are plenty of people in America who have cars and if you look at it in terms of families, that's true. There are lots of families with two, three and even four cars, but there are an awful lot of people who live in the downtown cities who have no cars.

Now we came across this very bluntly in the Watts area problem in Los Angeles. Last summer we found there that a number of people who might have made good, hard-working men and women in a plant found that getting to that work site involved two and three hours of transportation each way. This is an additional deterrent. There are problems in getting a job altogether, but when you add to this the added burden of inadequacy of transportation you make it more difficult.

In the cities, there has been some concern about trying to find ways to redevelop the downtown cities, but as I get around I find very handsome new office buildings, very handsome new theater buildings, cultural buildings of one kind or another. These are not creating job opportunities for the kind of people, who have been left behind by a coffee plant that moved from downtown Washington out to the suburbs of Maryland, or by a soap-making plant that goes from downtown St. Louis to 10 miles outside. These are the kinds of situations that are for real, that have to be dealt with. I guess this leads to a number of questions.

Mr. FLANNERY. Well, one of them, Mr. Zagoria, is: Did you have any opportunity to meet with people who had solutions to this problem?

Mr. ZAGORIA. Well, it has been kind of interesting to find that a lot of people suddenly are becoming aware of the problem.

I was in the Midwest last week and talked with a plant manager, a very thoughtful fellow. As he took me through the plant and let me see how their automated processes worked, we talked about how this affected his labor relations. I noticed that there were a few Negro workers there and I asked where they came from and he said from the downtown city.

Then I said, "They haven't been here very long, have they?" and he agreed.

"How come?" "Well," he said, "you know we operate on a per-unit cost in the things we do. We found that when we interviewed job applicants from a certain section of the downtown city that we hired very few of them. They lacked the qualifications and of those we hired, relatively few became stable members of our workforce.

"Now, this means that on a per-worker basis, the cost of hiring was very high. So we sort of blocked out that section of the city and when applications came from there, we gave them very short shrift and concentrated on other parts of the city.

"Now we know that this is not contributing to solving the problem of the downtown city, so we are making a particular effort. We are reversing our field and even though we know it costs us more to attract, to train and to hold these people, we consider this a part of our contribution to the welfare of the community in which this plant operates and in which it prospers."

Well, it is this kind of recognition of the problem and of taking steps within the framework of the company without, in this case, any intercession by government agencies, that I'm eager to encourage. We need recognition and hopefully voluntary action by people in the suburbs to create the possibility for these people to live nearer their work and I think as we get a better balance in the downtown city, we are going to see some of these suburbanites who now make that long trek to their offices finding it attractive and desirable to move back into the city.

This is a relatively simple approach to this thing. There undoubtedly are many other ways of approaching it, but what strikes me as most important is that relatively few people are aware of the problem and that the recognition is only now coming about. Once we recognize the problem, since we have very bright people in management, in labor and government, we can do things.

Mr. FLANNERY. What about collective bargaining having some effect upon this plant movement and on other job losses that occur through automation and plant movement?

Mr. ZAGORIA. Well, I think this is a terribly important thing and I have been trying to say this in a number of appearances around the country. Collective bargaining really, when you get down to it, is just like you and me sitting across the table talking about matters of common interest and trying to apply our best good faith to efforts to resolve them.

Now certainly all of us are in favor of automation, of cybernation, whatever you choose to call it, expanding. If someone has a good idea, some better way to lift the burden off people, to get better production, to get lower costs—we want to encourage it and encourage it in every way possible. It would be almost like an abortion of a good idea to take someone's ingenuity and inventiveness and to force him to put it aside simply because it was unsettling in his labor relations.

But if we are to have this changeover take place, and this is what is happening when the plant moves from the downtown city to the suburbs there is a changeover, it is generally less manual, more automatic when they reopen in the new plant in the suburbs, we have got to have good faith discussions.

We have got to use the first step, the early warning system, of the whole operation as an opportunity for advance notice. A plant doesn't just move overnight usually. It takes many months of deciding that they want to make a move to procure a location, build a plant, order equipment, prepare the many things that are involved in this change.

Now at the same time, over the same time span, they can be equally diligent in talking with their employees, in making plans and actually carrying out retraining.

I have been amazed to find, and I think most people are unaware of it, how much retraining goes on in industry right now. In this plant I mentioned earlier, that I visited in the Midwest, one out of every five of their employees are in some form of training. Well, this training is not because they like education and just want to have people reading books and learning about new processes, it is because it is advantageous to the company and, I believe, to the workers, to keep up with new developments.

The whole thing is to sit down at the bargaining table, tell each other what your plans are and work together to make that adjustment happen in a convenient and logical way with the least pain and anguish to both sides. I think both sides profit by it that way.

Mr. FLANNERY. The Congress established and the President appointed a National Commission on Technology, Automation and Economic Progress. Did it say anything about this particular subject Mr. Zagoria?

Mr. ZAGORIA. Well, yes indeed. It was a very significant commission. It had on it some of the top industrialists of our country, some of the top labor leaders, some outstanding public citizens, some outstanding government people, and they made a report which was most comprehensive. One of the things in that report that I think is worth repeating is the statement that they made about the obligations of management and I think these are humane as well as sound obligations from the point of view of management's own objectives. Let me just read you a few quotations:

"Those displaced should be offered either a substantially equivalent or better alternative job, or the training or education required to obtain such a job. They should be guaranteed adequate financial security while searching for alternative jobs or while undertaking training. They should be given sufficient financial assistance to permit them to relocate their families whenever this becomes necessary. They should be protected against forfeiture of earned security rights such as vacation, retirement, insurance and related credits resulting from job displacement."

Now, this is a forward-looking approach and again I emphasize it comes from a tripartite commission of management, labor and public people.

Mr. FLANNERY. Thank you, Sam Zagoria, member of the National Labor Relations Board. Your reporter, Harry W. Flannery, invites you to be with us next week at this same time when "As We See It" again comes as a presentation of the AFL–CIO and ABC public affairs. This program has been brought to you by the ABC network and the affiliated station to which you are listening.

EXEMPTION OF LAW ENFORCEMENT OFFICERS FROM THE DRAFT

Mr. TOWER. Mr. President, last month I received, from the chief of police of Austin, Tex., a letter concerning legislation I had introduced last year, and reintroduced again this year, to exempt law enforcement officers from the draft.

Chief R. A. Miles writes in support of S. 718, and I want to share his views with the other Members of the Senate. I would say that his comments reflect the position taken by the heads of most of our law enforcement institutions.

Chief Miles has also kindly supplied me with a copy of an editorial which was published in the magazine the Police Chief. The editorial was written by Mr. Quinn Tamm, executive director of the International Association of Chiefs of Police.

I ask unanimous consent that the text of Chief Miles' letter and the editorial be printed at this point in the RECORD.

There being no objection, the letter and editorial were ordered to be printed in the RECORD, as follows:

CITY OF AUSTIN, TEX.,
January 9, 1967.

Hon. JOHN G. TOWER,
U.S. Senate,
Washington, D.C.

MY DEAR SENATOR: In my capacity as Chief of this Department for the past eight years, a past President of the Texas Police Association, a member of the International Association of Chiefs of Police and the Texas Chiefs of Police Association I feel that I am qualified to speak of the problems which confront the members of our profession in maintaining law and order in our Nation.

Our Nation is today facing a rapidly rising wave of crime, unparalleled in our history, which appears to threaten the very roots of our society. Our police forces are vitally essential to the health, safety and welfare of each of our communities.

To perform these tasks and yet abide by the complex system of laws which protect the rights of the individual requires that we employ only men of the highest integrity who have been afforded intensive training and are thoroughly experienced in their duties and responsibilities.

Due, however, to the comparatively meager appropriations made available by the average municipalities it becomes extremely difficult for us to offer salaries that will attract qualified men capable of discharging these duties which are so vital to the welfare of our society.

A problem of even greater urgency which constantly confronts us in the police profession is the retention of qualified officers after they have been trained and developed through years of experience.

With the starting salaries we are able to offer it is possible to recruit only those young men who are between 21 and 25 years of age.

These young men must be in excellent physical condition, of above average education and mental ability. They are, therefore, most desirable for induction into the military service.

They must successfully complete a rather extensive course of basic training in addition to being afforded close supervision in the field over a period of several years. At about the time this program is completed and they begin to reach their potential in successfully discharging the varied and complex duties required of them they are called for induction.

After these men have completed their tour of duty, however, the chances of their return to their former positions are extremely limited. As a consequence we are faced with the problem of constantly recruiting, training and affording field experience to other young men to act as replacements while still attempting to adequately discharge our sworn duties of protecting the lives and property of our citizens.

We are also faced with an additional problem in maintaining an adequate force of qualified personnel to successfully combat our rising crime rate because of the number of our men who are active members of the military reserve forces. We must remember that these young men are dedicated to serving their fellow citizens, their community and their country. It is only natural, then, that a relatively large number join a military reserve unit. Many of the key administrators and supervisors in my Department hold comparable positions in their respective reserve organizations.

Most of our municipalities have encouraged the participation of their police officers in the military reserve. They have allowed these men two weeks military leave each year with full pay in addition to allowing them to attend their weekly drill sessions. This has the effect of materially lessening the number of qualified officers available to police our communities.

This represents, in my opinion, the most critical problem facing the law enforcement profession today. If the present situation in Viet Nam worsens or similar problems arise elsewhere and it becomes necessary to call up these reserve units for active duty and, at the same time, increase our draft quotas our Nation will face a real crisis on the home front. The resultant depletion of manpower, particularly the loss of trained, experienced supervisory officers will virtually wipe out the "Thin Blue Line" which performs the first and most basic function of government—the preservation of law and order in our own country.

It is my understanding that the Universal Military Training and Service Act prohibits any exemption, group or blanket deferment, such as police officers. Any deferment at all, under the present Act, is available only in individual cases based upon the merits of such deferment in each instance. Obviously, this procedure will not solve this critical problem.

I feel quite certain that your re-introduction of your bill for a revision of our present Selective Service Act to afford blanket deferment to our police officers will be solidly supported by our citizens. Favorable action on this proposal would be hailed by them as being indicative of your concern and that of your colleagues for their safety and the preservation of law and order in their communities in the face of the wave of crime which is now sweeping our country.

May I again assure you of my sincere appreciation and that of my associates in the law enforcement profession for the splendid support you have so consistently afforded us in the past and particularly your efforts in obtaining the passage of this splendid legislation which you have proposed in our behalf.

Respectfully,

R. A. MILES,
Chief of Police.

[From the Police Chief Magazine, May 1966]

TWO WARS TO FIGHT

(By Quinn Tamm, executive director, International Association of Chiefs of Police)

Because of recent increased Selective Service draft quotas and the removal of deferments for married individuals, more men now employed as police officers are becoming subject to being drafted into the military service. Meanwhile, numerous police agencies are operating with less policemen than they should have. Recruiting of police candidates—always a difficult job due to high standards, adverse working conditions and inadequate pay—is even more difficult in this day and age due to the abuse and unwarranted criticism being heaped upon the police by certain elements of the public.

President Johnson has said that the highway safety problem is "our gravest problem next to Vietnam" and surely the other police responsibility of containing crime in this country is of equal importance.

The IACP has contacted the Selective Service System requesting that sworn members of the police service be exempt from the draft. We have been advised that the Universal Military Training and Service Act, as amended, "prohibits the exemption, group or blanket deferment, of policemen." There are provisions, however, for considering policemen for deferment on an individual case basis. The Selective Service System suggested that law enforcement agencies contact the respective state directors of Selective Service with regard to specific problems. We believe, however, that some blanket deferment for police officers should be arranged, and the IACP is currently petitioning the Selective Service System for this consideration.

It is estimated that it costs better than $10,000 to recruit, train, equip and put a state trooper on the road ready for duty. It is a difficult and costly project to keep the departments up to authorized strength. The general entrance age for the police service is 21 years of age. By the time we have an officer properly trained and operating on the job, he is now being eyed by the Draft Board. Due to his excellent physical condition, above average education and mental ability, there are no impediments to being accepted for the military service.

Police are essential to the health, safety and welfare of our communities in every-day control of traffic and suppression of crime. In natural or man-made disasters, the police are absolutely essential to the security and safety of their communities. A major portion of the Civil Defense traffic, safety and security programs depends completely upon the police organization. These most important responsibilities cannot be carried out adequately with our present limited manpower. If our ranks are depleted by the draft, we will be less able to cope with the gigantic problems that might face our Nation.

Today police personnel, especially the newer recruits, are receiving greatly improved and increased training. More stress is placed on the formal education of police personnel both in the area of operation and management. This training is providing us with an army of well-qualified, well-educated and well-equipped personnel to provide the first line of defense on behalf of the very important home front. As modern war techniques develop and the world shrinks in the face of intercontinental missiles, spies in the skies and the enemy on the moon, it is even more important than ever before that adequate measures are provided for that all-important security on the home front.

Since this vitally important situation affects virtually every member of IACP, each should make his voice heard in order that our national leaders might re-evaluate the draft as it applies to our profession. Certainly no police officer wishes to shirk his duty to his country, but when it reaches the point of deciding whether a man must fight our enemies at home or abroad, consideration should be given to the need to maintain a strong home defense by keeping trained police officers on our streets.

AIR POLLUTION ADDRESS BY VERNON G. MACKENZIE

Mr. BAYH. Mr. President, as a member of the Subcommittee on Air and Water Pollution, I have a strong interest in all measures designed for abating pollution. Certainly one of the foremost challenges has been the need for Government and industry to cooperate in solving this national problem.

I was particularly pleased that the National Limestone Institute recently invited Deputy Director Vernon G. MacKenzie of the Bureau of Disease Prevention and Environmental Control of the Public Health Service to speak at its annual convention on the topic, "Industry's Responsibility in Controlling Air Pollution." A number of Indiana businessmen, whose mining and processing of limestone contribute significantly to the economy of our State, are active members of the institute. This invitation demonstrates the intent of a major industry to obtain information for the necessary formulation of positive pollution abatement programs.

Deputy Director MacKenzie's analysis of industry responsibility is a tough-minded appraisal of the impediments which lie before the private sector of seeking practicable solutions. His recommendations for action to insure that future generations can continue to survive in a healthy environment deserve serious and widespread consideration. Therefore, Mr. President, I ask unanimous consent that his speech, which was presented on January 19, 1967, be printed in full at this point in the RECORD.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Industry's Responsibility in Controlling Air Pollution

(By Vernon G. MacKenzie, deputy director, Bureau of Disease Prevention and Environmental Control, PHS, DHEW)

It is a pleasure for me to be with you here today at this 22nd Annual Convention of the National Limestone Institute, and to discuss with you the responsibility that industry shares in controlling what is perhaps the most serious threat to our environment, the growing pollution of the air we breathe. I do not believe there is any need for me to preface my remarks with a general review of the problem—to describe the sources of air pollution, the effects of air pollution on life and property, the effectiveness of the available technology for controlling the problem, or the adequacy of our efforts to control it. I think we are all too familiar with air pollution, and I think we are aware that, in spite of the greatly expanded efforts to control the problem in the last several years, we are not keeping up with its relentless growth. We want to get on with the job of finding a solution, and the public is running out of patience.

This was the attitude that was generally expressed by the more than 3500 participants at the National Conference on Air Pollution called by Secretary Gardner in this hotel just five weeks ago. All aspects of the air pollution problem were considered at this Conference—from the technical to the social, from the economic to the legislative. The participants represented business and labor, industrial and civic organizations, the scientific disciplines and all levels of government. With all this diversity, I believe there was consensus. There was, I believe, general agreement that air pollution is a serious problem today in this country, that it not only dirties our window sills and sometimes spoils the view, it is a hazard to transportation, it is the cause of considerable economic loss in damaged crops and corroded materials, and more important than anything else, it contributes to disease and death. There was a great deal of discussion at the Conference about just what steps should be taken to expand our efforts to control air pollution, but there was no disagreement that it should be controlled now. In his concluding address to the Conference, Surgeon General Stewart had this to say about the prevailing attitude at the Conference as he observed it:

"I can summarize this Third National Conference on Air Pollution in a single word. The word is 'Go.'

"Your three full days of talking and listening, of discussing and debating, have added up to a single clear call for action now to control air pollution. The Vice President sounded it in his brilliant opening remarks, when he said, 'I'm a short-run man myself. Let's get with it.' Since then many strong voices have amplified and elaborated on that theme, but no one has changed it, or said it better.

"Today people are angry about the condition of the air they are breathing. They are shouting it loud and clear, and their numbers are growing.

"Now it is up to us. Up to now we have been serving as very effective cheerleaders. Now we've got to play the game, and win it.

"By 'we' I mean all of us. I mean governmental officials at every level, facing the fact that air pollution control is desirable, achievable, and demanded by the people to whom they are responsible. I mean industrial leaders, facing the fact that nobody accepts the Neanderthal notion of a choice between progress and pollution control. I mean leaders of public opinion, facing the fact that general public indignation now needs to be directed toward specific accomplishment."

Last week I observed much the same attitude at a different kind of conference, the New York-New Jersey interstate abatement conference which was convened by the Federal Government. As you know, under the Clean Air Act, the Secretary of Health, Education, and Welfare can take steps to abate air pollution arising in one State and adversely affecting the health or welfare in another State. Federal investigators, assisted by State and local investigators, convincingly demonstrated at last week's conference that, in the 17-county area of northern New Jersey and metropolitan New York, air pollution arising in New Jersey adversely affects the health or welfare of citizens in New York, and air pollution arising in New York adversely affects the health or welfare of citizens in New Jersey. Again, there were discussions of how the problem should be attacked, but there was no disagreement that the problem existed and that more vigorous corrective action should be mounted now. I think the most striking feature of this conference was the evidence of public pressure to get something done.

New York had just been reminded of how threatening air pollution can be. During Thanksgiving week, the greater part of the East Coast of the United States experienced a weather condition which brought on sustained high levels of air pollution. Smog here in Washington broke all previous records. In metropolitan New York, officials called an air pollution first-stage alert for the first time. New Yorkers were thankful that this episode occurred during the holiday period, when there were fewer people and automobiles in the city, when incinerators and industries were operating at low levels, and, because of unseasonably high temperature, little fuel was being used for space heating. New Yorkers were also aware that they could not always expect the fortuitous coincidence of a holiday with a temperature inversion.

I think we can all agree, then, that we are past the point of needing to be convinced that air pollution is a serious problem in this country, and that we should take whatever steps are necessary to control it.

I think to a large extent that industry has come around to this view. For a long time, as Secretary Gardner remarked at the National Conference, we attempted to justify air pollution as a necessary price of progress. I will mention only one of many examples that has placed a severe strain on the credibility of this myth.

About 20 years ago in Los Angeles, an aroused citizenry and enlightened officials embarked on the most vigorous air pollution control program in the history of the world. At the height of this campaign, in 1957, the County Air Pollution Control District was spending $4 million per year or about 75 cents per capita—more than three times the average per capita expenditure by local air pollution control agencies today. At an amortized cost of $18 million per year, the county initiated a sanitary landfill operation for the disposal of refuse. Forty-eight million dollars worth of incinerators—including backyard burners as well as commercial, industrial and municipal incinerators—were scrapped. Industry, between 1948 and 1965, spent more than $150 million for air pollution control equipment—approximately $1.40 per capita. But in spite of the imposition of very stringent controls on the stationary sources of air pollution in Los Angeles, and the consequent costs to industry and the consumer, the people of Los Angeles did not move away, nor did industry. As a matter of fact, between 1950 and 1960, population in the county increased 45.5 percent (compared to a national increase of 18.4 percent) and in 1962, Los Angeles was second among the 219 largest metropolitan areas in capital expenditures for new plants and equipment.

I think that, if we look closely at this myth that air pollution is a price we must pay for prosperity, the reason for its persistence becomes fairly obvious. In spite of the fact that the costs of the effects of air pollution run many times higher than the costs of adequate control, the user of air himself (the polluter) has no real economic incentive to avoid polluting it. Rather, the economic incentive is for the user to avoid the costs of controlling pollution. Realistically, then, we cannot expect that air pollution will be controlled voluntarily. Some form of governmental regulation is necessary.

Usually air pollution regulations take the form of emission standards which are supposed to maintain air quality above a minimum level. Alternatively, there have been proposals for government regulation through monetary payments or charges—such as grants to private parties for pollution abatement installations, rapid tax amortization allowances or tax credits for the capital costs of pollution abatement equipment, or the imposition of fees for discharge of pollutant effluents to the air. Fiscal payments, either directly or through the tax system, cannot in themselves stimulate pollution control, since they serve only to reduce an inherently unprofitable expenditure of the taxpayer; at most, such payments may reduce the resistance to public pressure for pollution control. Effluent fees, on the other hand, have *more* theoretical value as a pollution control incentive; however, no practical way has yet been developed for their use in controlling air pollution, nor is it apparent that their use would be acceptable to the public.

Consequently, if we are to make the more rapid progress in air pollution that many now consider necessary, the only mechanism immediately available for widespread use is that involving the legal enforcement of governmentally established pollutant emission standards.

If we can accept this admittedly cursory analysis of the economic incentives and disincentives for industry to control air pollution, I believe we must conclude that the real concern of industry is that all governmental jurisdictions, and particularly neighboring ones, adopt regulations of equal stringency and enforce them universally and equitably against any and all sources. For governments to do otherwise is not only neglectful of the citizen who must contend with the effects of pollution on his health and welfare, it is unfair to industry in that the competitor in a lax jurisdiction has a cost advantage over his rival in the jurisdiction having a strong air pollution regulatory program. For industry to support uniform air pollution control regulations and their vigorous enforcement may seem a novel idea to some, but it is not without precedent. Automobile manufacturers, for example, were not apparently very upset when the State of California required emission controls on new cars. But when it became apparent that other States were on the verge of establishing their own, separate standards, the potential chaos of multiple standards being imposed on the industry became apparent, and I believe I can say without contradiction that the automobile manufacturers felt that, if we were going to have automotive emission standards at all, we should have Federal standards.

At the National Conference, Vice President Humphrey described industry's posture toward pollution control in these words:

"Air pollution is a challenge to the vision and to the responsibility of private industry as well as to government. In fact, it is the private sector which makes a major contribution to the pollution of the air. Industry is the source of a great deal of air and water pollution. It has, or it should have, a very real interest in upgrading the quality of the communities in which it functions.

"The purpose of industry is to extend your life. And I think industry wants to extend your life. I happen to be one who believes that American business is highly socially conscious, that it recognizes its obligations as a working partner in community life. Industry sometimes doesn't quite know what to do, because the pattern hasn't been designed yet that would permit its operation to fit into. That is where the public official comes in, working with his private brother to find such a pattern, to find a workable formula."

And it is not only the representatives of the public who are talking about industry's responsibility in controlling air pollution. Just last month Mr. M. A. Wright, President of the Chamber of Commerce of the United States, had this advice for industry:

"We in business have only two alternatives. Either we voluntarily implement effective pollution abatement programs—at all levels of business and industry—or in the near future our actions in this area will be spelled out by Congressional legislation. Today, we still have the freedom to make a reasoned and resolute response to the problem; tomorrow our actions may be tightly controlled by government regulations. If our efforts in this area are made mandatory, not only will we be forced to take more costly and less efficient action, but we will also forfeit our claim to being a responsible segment of society. To those who say they cannot afford to take effective anti-pollution measures, I can only respond that they can't afford not to."

I said previously that I felt industry was coming around to the point of view that air pollution must be controlled and that they had a responsibility in controlling it. The fact that the National Limestone Institute is this year, for the first time, including air and water pollution as a major topic at its annual meeting, is one indication of this attitude. There are many others. The Harvard Business Review, in its September/October 1966 issue, estimated that $105 billion would be spent for air pollution control during the remainder of this Century, and that industry was missing an opportunity to take advantage of a ready-made market. I would like to mention one area of that market that may be of particular interest to this audience.

As you know, one of the most serious air pollution problems is that arising from the combustion of sulfur bearing fuels for space heating and for electric power generation. Of the estimated 26 million tons of sulfur dioxide discharged to the atmosphere of the United States last year, roughly half came from power generating plants, and about 90 percent of that half came from coal burning plants. With the demand for electric power doubling roughly every decade, control of sulfur emissions from these coal burning plants is imperative. Although we have made some progress in developing methods for removing sulfur from coal and even further progress in developing processes for removing sulfur from stack gases, the only method that is presently available on a practical basis for controlling sulfur pollution is the use of low sulfur fuels.

About 30 years ago a process was investigated in which limestone or dolomite was added to a furnace in such a way that the sulfur in coal was converted to calcium or magnesium sulfate, rather than to sulfur dioxide. The process has never been developed, although a recent study indicates that it is feasible and warrants further research and development. The development of an alkaline injection method of controlling sulfur pollution could mean new markets for as much as 40 million tons of limestone or dolomite each year. And, as an added inducement, it is possible that the flyash from such a process would be more suitable for concrete admixtures than flyash which is now used to some extent for this purpose.

I started out this afternoon by saying that we have become all too familiar with the growing problem of air pollution. Those factors which have produced the contemporary air pollution problem are an integral part of the pattern of growth and rapid change which is the hallmark of our era. These will continue to accelerate. They guarantee in advance a worsening potential for air pollution. By 1980, our urban population will increase by one-third, the number of motor vehicles by 40 percent, and our demands for energy by 50 percent. In the face of accelerating change, we must challenge all those points of view that have already become familiar and comfortable to us. If we do not, the quality of life in every part of the United States will be diminished. We may continue to enjoy more products, more labor-saving devices, more automation, more affluence. But I submit that this "progress" will not make sense in an environment that grows less wholesome and less healthful. This does not have to happen. We have the capability of controlling it. All that is needed is our will to accomplish our goals of good air quality and the willingness to devote the resources necessary to get the task done.

THE CONSULAR CONVENTION WITH THE SOVIET UNION

Mr. McGEE. Mr. President, as one who feels strongly that the United States will have gained much more than it will have given up by ratifying the proposed consular convention with the Soviet Union, I was struck by the column written by Richard Wilson and published last Friday in the Washington Evening Star. Opposition to the convention is more emotional than reasonable, as he points out in a most reasonable article. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Evening Star, Feb. 10, 1967]

CONSULAR PACT CONTAINS SYMBOLIC IMPORTANCE

(By Richard Wilson)

The flood of mail and telegrams to the capitol against Senate ratification of a consular treaty with the Soviet Union is not surprising.

This is perhaps one of the last mass protests of a minority in this country who refuse to accept the changed nature of the post-war world.

The treaty itself is not earthshaking. Ten or 15 Russians would be added in some new consulate, if such an office were in fact opened, to the 1,018 Soviet personnel already in the United States.

Some of the Russians have been in the past, and undoubtedly are now, engaged in espionage. We have President Johnson's word for it that FBI Director J. Edgar Hoover thinks his facilities would not be overtaxed in keeping an eye on the new arrivals.

The United States would gain one clear advantage through a provision requiring notification of the arrest of Americans in the Soviet Union and guaranteeing access to them in prison by U.S. officials. Since 18,000 Americans visit the Soviet Union each year, and sometimes get into scrapes, and only 900 Russians come to the United States, this part of the treaty means more to us than to Moscow.

These practical aspects are secondary to the main significance of the consular treaty, which is importantly symbolic of the changed nature of the world, as the top officials of our government see it and as the Europeans see it.

We have advanced into a new world in which the threat of Soviet aggression is no longer so urgently regarded as the imperative unifying force for the maintenance of Western security.

Certain segments of American opinion have not yet caught up with this change. If they have caught up with it, they distrust it. They remember the zigs and zags of Soviet policy, the blowing cold and blowing hot, the thaws and the subsequent freeze-ups.

This does not alter the fact that a large part of the Western world no longer feels the sharp edge of its fear of Russian aggression. France under President Charles de Gaulle, West Germany under Chancellor Kurt-Georg Kiesinger, and Britain under Prime Minister Harold Wilson are pursuing new relationships with the Soviet Union that rest primarily on the single assumption that Europe is, or can soon be, pacified and that the Cold War is over.

It is a new world in which Western defense alliances have lost their urgency because the Russians no longer appear so menacing and because the unity of the Communist bloc, if it ever existed, is a thing of the past. It can be seen clearly now that there is no unified "Communist world."

The U.S. relationship to the change is what is at issue in Senate ratification of the consular treaty. The issue divides those who wish to build bridges to the Soviet Union and those who do not. If the Senate gets across this particular bridge, it will undoubtedly build additional ones in the form of expansion of East-West trade relations, and ratification of the outer space treaty.

A great many senators are bothered that these bridges should be built while in other, more important matters, we continue to collide head-on with the Soviet Union, particularly over Vietnam. This all-or-nothing approach to our relations with the Soviet Union contains more emotion than logic. If both nations are willing to place Vietnam in a separate category, and proceed with the step-by-step building of better relations in other respects, something is said about the confidence on both sides in an eventual settlement of their major differences.

In any case, material Russian aid of large size to the government of North Vietnam is not likely to be abandoned as the price to be paid for a consular treaty with the United States. The Russians don't want the treaty that badly. But they apparently do strongly wish a recognition by the United States of the different role they play in Europe and the world today than in the immediate post-war world.

The United States will have gained more than it gives up by granting that recognition. A dozen more Russians in the United States is not likely to make much difference. The opportunity for increased spying would be reciprocal.

A consular treaty would not be a commitment to the European idea that the Soviet Union is no longer the threat it was. We could still have our fingers crossed on that point, and hope that by these small acts we would have created a structure for better relations with the Russians in a stabler world after the Vietnam war is settled, as it someday must be.

THE BILL OF RIGHTS

Mr. TOWER. Mr. President, it is regrettable that the circumstances of the timetable of the Senate preclude, each year, our paying official honor to one of history's most profound events. I refer to the anniversary of the adoption of the Bill of Rights on December 15, 1791, as the first 10 amendments to the Constitution.

These far-reaching amendments are a part of our Constitution primarily because a patriot whom Thomas Jefferson was to describe as "one of our really great men, and of the first order of greatness," refused to sign a constitution which did not specifically guarantee freedom of the press, freedom of religion, rights of accused persons, right of protection of persons and property, right of trial by jury, and other no less important rights. His name was George Mason.

George Mason was the author of the Virginia Declaration of Rights, adopted in 1776, and which later became the *pattern for the Federal Bill of Rights.* In fact, the outline of the Federal bill was also the work of Mason.

As a delegate from Virginia to the Constitutional Convention, his objection to the proposed Constitution also centered on the absence of any provision to outlaw slavery and the lack of any guarantee that would preserve the rights of both the people and the States from the assaults of Federal power.

Mason waged an impassioned battle at the Constitutional Convention of 1788 on behalf of these principles. Failing to convince his colleagues of the wisdom of his position, he retired to his home at Gunston Hall and embarked upon a personal campaign to include a bill of rights in the final document.

It is significant that Mason's greatest aid came from Thomas Jefferson, who exerted his influence by writing from France of his strong disapproval of a constitution lacking the guarantees of individual liberty which has been the rallying cry of the War for Independence.

His 4-year battle achieved victory on December 15, 1791, when, at a meeting of the first Continental Congress, in New York City, a Constitution embodying a Bill of Rights constructed for the individual—for his protection against the great and mighty power of the State—was ratified and became the law of the land.

The first amendment is in itself a monument to human liberty, providing the certainty of freedom of religion, speech, the press, peaceable assembly, and the right of petition to the National Government for a redress of grievances. The second amendment, insuring the personal right to keep and bear arms in the common defense, forever constitutes a bulwark against the threat of despotism posed by an all-powerful police-state. The third and fourth amendments, concerning the quartering of troops and search and seizure by Government agents, protect the people against acts of illegal force by the national authority which may infringe upon their personal rights.

The four amendments, five, six, seven, and eight, control legal proceeding in the Federal courts and constitute a statement of the rights of accused persons by guaranteeing to them the rule of common law.

The last two amendments in the Bill of Rights, numbered 9 and 10, form a final restraint upon the National Government and require it to be one of enumerated powers only. The 10th amendment, reserving to the States all powers not delegated, specifically, to the Federal Government, remains the cornerstone of American political philosophy.

Mason's theories of government exert a growing influence wherever liberal government is maintained. The ideas he so cogently expressed, and his words themselves, literally encircle the globe. Parts of Mason's declarations of rights, the first for Virginia, the second for the United States of America, are now incorporated into the constitutions of many nations, and I quote Amos J. Peaslee, secretary general to the International Bar Association:

> The vast majority of the ninety or more present day nations have incorporated in their written constitutions specific declarations of the basic rights of their peoples. The United Nations strongly supports efforts to effectuate these declarations.

Mason's influence may be seen in the United Nations Declaration of Human Rights. In the Virginia Declaration of Rights he wrote:

> All men are by nature equally free and independent and have certain inherent rights.

The United Nations Declaration of Human Rights says:

> All human beings are born free and equal in dignity and human rights.

We may well ask whence came these ideas of the inherent rights and dignity of the common man? We find them rooted in far antiquity, sprouting in Greece, blooming in England and at the touch of George Mason, producing the fruit which feeds the world of today, for we now "seek peace through the substitution of justice and law for force," as John Foster Dulles, former Secretary of State of the United States, once said.

Mr. President, I ask unanimous consent that the text of the Bill of Rights and of George Mason's Virginia Declaration of Rights be printed at this point in the RECORD.

There being no objection, the texts were ordered to be printed in the RECORD, as follows:

THE BILL OF RIGHTS—AS PROVIDED IN THE FIRST 10 AMENDMENTS TO THE CONSTITUTION OF THE UNITED STATES, EFFECTIVE DECEMBER 15, 1791

PREAMBLE

The conventions of a number of the States having at the time of their adopting the Constitution, expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added. And as extending the ground of public confidence in the Government, will best insure the beneficent ends of its institution.

No. 1. Right to freedom of religion, speech, press, assembly, petition

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

No. 2. Right to keep and bear arms

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

No. 3. Rights on quartering of soldiers

No soldier shall, in time of peace, be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

No. 4. Right against unreasonable search and seizure

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

No. 5. Right to protection of persons and property

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service, in time of War or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any Criminal Case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

No. 6. Rights of persons accused of crime

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which districts shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining Witnesses in his favor, and to have the Assistance of Counsel for his defense.

No. 7. Right of trial by jury

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

No. 8. Right to protection against excessive fines, bail, punishment

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted.

No. 9. Rights not enumerated retained by the people

The enumeration in the Constitution of certain rights, shall not be construed to deny or disparage others retained by the people.

No. 10. Rights reserved to the states and the people

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

VIRGINIA DECLARATION OF RIGHTS

(Drawn originally by George Mason and adopted by the Burgesses at Williamsburg, June 12, 1776.)

A Declaration of Rights made by the Representatives of the Good People of Virginia, assembled in full and free Convention; which Rights do pertain to them, and their Posterity, as the Basis and Foundation of Government.

I.

That all Men are by Nature equally free and independent, and have certain inherent Rights, of which, when they enter into a State of Society, they cannot, by any Compact, deprive or divest their Posterity; namely, the Enjoyment of Life and Liberty, with the Means of acquiring and possessing Property, and pursuing and obtaining Happiness and Safety.

II.

That all Power is vested in, and consequently derived from, the People; that Magistrates are their Trustees and Servants, and at all Times amenable to them.

III.

That Government is, or ought to be, instituted for the common Benefit, Protection, and Security, of the People, Nation, or Community; of all the various Modes and Forms of Government that is best, which is capable of producing the greatest Degree of Happiness and Safety, and is most effectually secured against the Danger of Maladministration; and that, whenever any Government shall be found inadequate or contrary to these Purposes, a Majority of the Community hath an indubitable, unalienable, and indefeasible Right, to reform, alter, or abolish it, in such Manner as shall be judged most conducive to the public Weal.

IV.

That no Man, or Set of Men, are entitled to exclusive or separate Emoluments or Privileges from the Community, but in Consideration of public Services; which, not being descendible, neither ought the Officers of Magistrate, Legislator, or Judge, to be hereditary.

V.

That the legislative and executive Powers of the State should be separate and distinct from the Judicative; and, that the Members of the two first may be restrained from Oppression, by feeling and participating the Burthens of the People, they should, at fixed Periods, be reduced to a private Station, return into that Body from which they were originally taken and the Vacancies be supplied by frequent, certain, and regular Elections, in which all, or any Part of the former. Members, to be again eligible or ineligible, as the Laws shall direct.

VI.

That Elections of Members to serve as Representatives of the People, in Assembly, ought to be free; and that all Men, having sufficient Evidence of permanent common Interest with, and Attachment to, the Community, have the Right of Suffrage, and cannot be taxed or deprived of their Property for public Uses without their own Consent or that of their Representatives so elected, nor bound by any Law to which they have not, in like Manner, assented, for the public Good.

VII.

That all Power of suspending Laws, or the Execution of Laws, by any Authority without Consent of the Representatives of the People, is injurious to their Rights, and ought not to be exercised.

VIII.

That in all capital or criminal Prosecutions a Man hath a Right to demand the Cause and Nature of his Accusation, to be confronted with the Accusers and Witnesses, to call for Evidence in his Favour, and to a speedy Trial by an impartial Jury of his Vicinage, without whose unanimous Consent he cannot be found guilty, nor can he be compelled to give Evidence against himself; that no Man be deprived of his Liberty except by the Law of the Land, or the Judgment of his Peers.

IX.

That excessive Bail ought not to be required, nor excessive Fines imposed; nor cruel and unusual Punishments inflicted.

X.

That general Warrants, whereby any Officer or Messenger may be commanded to search suspected Places without Evidence of a Fact committed, or to seize any Person or Persons not named, or whose Offence is not particularly described and supported by Evidence, are grievous and oppressive, and ought not to be granted.

XI.

That in Controversies respecting Property, and in Suits between Man and Man, the ancient Trial by Jury is preferable to any other, and ought to be held sacred.

XII.

That the Freedom of the Press is one of the greatest Bulwarks, of Liberty, and can never be restrained but by despotic Governments.

XIII.

That a well regulated Militia, composed of the Body of the People, trained to Arms, is the proper, natural, and safe Defense of a free State; that standing Armies, in Time of Peace, should be avoided, as dangerous to Liberty; and that, in all Cases, the Military should be under strict Subordination to, and governed by, the civil Power.

XIV.

That the People have a Right to uniform Government; and therefore, that no Government separate from, or independent of, the Government of *Virginia*, ought to be erected established within the Limits thereof.

XV.

That no free Government, or the Blessing of Liberty, can be preserved to any People but by a firm Adherence to Justice, Moderation, Temperance, Frugality, and Virtue, and by frequent Recurrence to fundamental Principles.

XVI.

That Religion, or the Duty which we owe to our Creator, and the Manner of discharging it, can be directed only by Reason and Conviction, not by Force or Violence; and therefore, all Men are equally entitled to the free Exercise of Religion, according to the Dictates of Conscience; and that it is the mutual Duty of all to practice Christian Forbearance, Love, and Charity, towards each other.

TEENAGERS IN THE WAR ON POVERTY

Mr. KENNEDY of Massachusetts. Mr. President, as an indication of what the war on poverty meant to the disadvantaged youth of Boston, Mass., last summer, and indeed, of what it has come to mean to nearly every large urban center, I offer for inclusion at this point in the Record an article by Ray Richard, entitled "1,150 Hub Teens Earn $177,000 Fighting War on Poverty," which appeared in the Boston Globe on September 18, 1966.

It is particularly useful, I think, to be reminded of some of the significant achievements of the poverty program at this point in the session. We would not, ordinarily, hear from the teenagers who for the first time actually worked under the auspices of one or another of the various poverty programs, and the reactions of these teenagers quoted in the article are reminders of what this program really means.

There being no objection, the article was ordered to be printed in the Record, as follows:

Summer Jobs Benefit All Concerned—1,550 Hub Teens Earn $177,000 Fighting War on Poverty

(By Ray Richard)

Boston teen-agers cashed paychecks totaling $177,000 during their school vacation this Summer by working in programs sponsored under the war on poverty. Most of them had never had a paycheck before.

A total of 1550 young men and women were employed in a variety of programs. In addition to putting money into their pockets, the programs stressed the importance of good work habits and did many jobs which public and non-profit agencies throughout the city long had wanted completed but never had the help.

A Summer work program for 14 and 15 year olds put 600 boys and girls to work.

The Neighborhood Youth Corps found work for 750 boys and girls who attend school during the regular school year, and another 200 who had dropped out of school. All were between 16 and 21 years of age.

The programs were among the scores of projects financed primarily from Federal funds and aimed at helping Boston residents of all ages in low-income families during the Summer.

It was the second Summer of operation for many of them. Few were expanded in scope over 1965 because the money, in most cases, was the same as that available the year before. But most functioned with that efficiency gained only by experience.

Numerous programs were aimed at improving the health of low-income families, which often must forego medical attention because of their financial plight. Other programs were geared to special forms of education. Still others offered recreation, an exposure to the cultural arts and social service, such as day-care for children.

Some, like the Summer Work Program, were short-term projects. Others, such as the legal service being provided for families in need and the manpower program of finding full-time jobs for the unemployed, are year-round programs.

Final reports on all projects are being prepared by directors of the Summer programs. Already, some reports are completed. Other evaluations will be made by staff analysts from Action for Boston Community Development (A.B.C.D.), the agency which directs the anti-poverty effort in Boston.

Reports already indicate glowing successes for the Summer Work Program and, again, for Head Start, which provides prekindergarten training for children.

The popularity—if not the success—of the Summer Work Program was apparent before it started. Of the 4,000 boys and girls eligible, 2,500 applied for the 600 jobs.

Reflection of the success of the program come from supervisors in the libraries, hospitals, museums, laboratories, universities, neighborhood houses and agencies such as the Massachusetts Division of the Blind where the young workers were employed.

"Three-fourths of them are eager to use boys and girls part-time if such a program could be arranged now that school classes have resumed," Robert M. Coard, director of community action for A.B.C.D. reported to the agency's executive director, George Bennett.

Other signs of success came with the selection of 14 supervisors from the Summer Work Program as fulltime staff workers for A.B.C.D.'s beefed-up manpower program. And from letters such as this, received by A.B.C.D. from a 15-year-old girl who worked in the Summer Work program:

"I have never worked in an office before and I find it very interesting. It was an opportunity I never had before. If I was not working I would be just hanging around doing nothing. This way I had the opportunity to be able to have money for my future years and be proud to say I earned it."

The second Summer of Operation Head Start was termed a "resounding success" by its director, Mrs. Rheable Edwards. This Summer 1488 children, limited to 12 pupils in a class, attended 124 classes. The total was 1560 the year before when the classes were larger.

The program here more than any in another large United States city, successfully included in its operation active, enthusiastic participation by non-professionals from low-income areas. These included a teacher-aide and a neighborhood aide for each class. The teacher aides helped the professionally-certified teacher within the classrooms. The neighborhood aides assisted outside, primarily with parents.

Organizing this community participation took time. So did the drawing up of a plan for the program to be submitted to the Office of Economic Opportunity in Washington, and study by that office before authorization was granted.

Approval did not come from Washington until Friday, July 1, the final working day before Head Start was due to begin.

"The time lag in funding," declared Mrs. Edwards, "allowed insufficient time for the pre-program activities," these included the special training for the aides.

This year, the Boston program received $360,176 for Head Start from anti-poverty funds. But other money was made available from the Elementary and Secondary Education Act and channeled through the Boston School Dept. This year, the department sponsored 80 of the 124 classes, twice as many as last year.

The joint-funding produced a clash in philosophies between anti-poverty guidelines and traditional school department policy.

Says O.E.O.: "Probably the singlemost important attribute of a good teacher is warmth. A teacher needs an easy-going quality, a relaxed, friendly manner, and a simple approachable style so that young children easily come to her."

Traditional school policy, however, stresses the importance of a college education, certification and experience for Head Start teachers.

"This difference in philosophy," says Mrs. Edwards, constitutes a "basic issue" here.

The Head Start program also includes physical examinations for the pupils, some of whom had never before seen a doctor. In 1965, all testing took place in five hospitals. This year, it was done in the classrooms, a change which was disapproved by most professional social work-affiliated with the project.

When parents were required to take their children to the hospital, the social workers point out, the parents and children gained experiences in health education they could not get when the examinations took place in the classroom.

Despite these problems, Head Start was "a success for everybody involved," adds Mrs. Edwards.

"It was rewarding," she says, "from the standpoint of services rendered. It was worth all of the frustrations to be able to do some good for these children who constitute the core of the poverty problem."

A.B.C.D.'s Summertime programs received a financial boost with the unexpected allocation by the Federal government of $40,000 for special recreational projects. The money was apportioned throughout the 10 "target areas" of the city's poverty war, and the Area Planning-Action Councils in each decided how their share was to be spent.

Special bus trips took nearly 4000 children to the U.S.S. Massachusetts, the beaches of Cape Cod, the Harold Parker Reservation in Topsfield, and other public or private recreation spots.

Supervised recreation was made possible in some neighborhoods. In South Boston and Roxbury, for example, funds from this grant enabled boys' clubs, usually closed the last two weeks of August, to remain open.

The boys' clubs assistance accounted for $3,951. Another $1,558 aided the Roxbury Y.M.C.A. in its programs.

At the request of the South End's anti-poverty agency, S.N.A.P. (South End Neighborhood Action Program), special arts and craft classes were held.

Money also was granted the Neighborhood Youth Corps for a track and field meet, basketball teams, bus trips and other events.

The program was so successful, says John Barmack, who directed it for A.B.C.D., that it should be run on a year-round basis.

Summertime health projects included physical examinations for all Head Start children, and for all those enrolled in the Neighborhood Youth Corps, Job Corps and all other training programs. This grant amounted to $126,307. A grant of $51,426 helped continue for 10 months a program of medical care for indigent children at Beth Israel Hospital. Other funds helped Project Centaum to provide medical and social services to teen-aged unmarried pregnant girls.

In every neighborhood, special Summertime projects were conducted by the Neighborhood Action-Planning Councils.

More than 300 children between 6 and 16 in the Parker-Hill-Fenway section of Roxbury benefited from education, recreation, camping and cultural activities. Daily bus trips took children to a special day camp in Stow. Thirty bus trips took children to such points of interest as Lexington, Concord, Walden Pond and George's Island Neighborhood Youth Corps and Summer Work Program workers help prepare and maintain the camp.

In the South End, SNAP sponsored an array of programs which included programs at the Lenox playground, an arts and crafts workshop, organization of a credit union.

Activity in South Boston included a day at Coach Red Auerbach's basketball clinic in Marshfield for 150 boys.

PROPOSED CIVIL RIGHTS LEGISLATION FOR 1967

Mr. DODD. Mr. President, I urge the enactment of a 1967 civil rights bill embodying President Johnson's proposals. Such legislation is an essential step in the solution of the present grave crisis that threatens to divide our Nation between black and white.

The documents of our Nation's history—from the Declaration of Independence to the Civil Rights Act of 1964—promise equal justice and freedom to all our citizens. The institutions of our government are designed to give all citizens an opportunity to participate in the process of fulfilling these promises. But the longer these promises remain unfulfilled, the greater becomes the crisis of confidence in our institutions and in law and order itself. And without that confidence we will be unable to speak to each other as fellow citizens, or work and live together as one Nation.

The measures espoused by the President deal with the just grievances of Negro Americans. Discrimination in employment is still widespread. Procedures to insure representative and unbiased juries are needed. Protection from interference with the exercise of constitutional rights is needed. And most symbolic of our present crisis is the segregation of housing, which forces an impenetrable crevice between the two races in our Nation and which forces Negro-American citizens to live and raise their families in slum ghettos, although they desire, and many of them can afford, better housing and neighborhoods. Indeed, our whole Nation pays too high a price for unnecessarily blighted lives resulting from unnecessarily blighted living.

These walls of discrimination and segregation must be broken down. We must become one Nation in fact as well as in word. For only in that way will our democracy prove capable of that degree of tolerance necessary to justify the rule of the majority by the recognition of the rights and the needs of minorities.

If we are to do justice, solve the pressing needs of all our people, and establish and maintain confidence in the viability of our great American democratic experiment, we must pass these new measures and show our fellow citizens that the processes of law and order are indeed the pathways to progress.

CONCENTRATION OF FOREIGN AID PROGRAM

Mr. HART. Mr. President, there are many reasons to applaud the President's special mesage on foreign aid. Some may like the emphasis that the President placed on self-help; others may be particularly impressed with the fact that more priority will be given to the activities in the fields of agriculture, health, and education.

I note with particular satisfaction the continuing and even heightened concentration of our economic assistance program in certain selected countries.

This means that the existence of need is not in itself enough to qualify a country for U.S. foreign aid. There must also be concrete evidence that a given country is making effective efforts to achieve economic growth and social progress.

By concentrating our foreign aid, we can insist that there be good prospects that a recipient country can itself sustain development programs within a reasonable time. This we are now doing.

This important operating policy of the Agency for International Development also means that the interests of U.S. foreign policy will be more carefully taken into account in the process of deciding how our limited foreign asistance resources shall be distributed.

The statistics—and they are important statistics—indicate just how concentrated the U.S. AID program is today.

During the current year—fiscal year 1967—88 percent of all AID's country assistance program funds are planned for 20 countries. Next year, AID similarly plans to concentrate its program—84 percent in 13 countries: In Latin America, Brazil, Chile, Colombia, Dominican Republic, and Peru will be major recipients; in the Near East and south Asia, India, Jordan, Pakistan, and Turkey head the list; and in the Far East, the program will be concentrated in Korea, Laos, Thailand, and Vietnam.

Our foreign aid programs must seek to secure the utmost in value for every dollar committed. I believe we are on the right track in the manner in which we pinpoint our assistance. I plan to support the President's proposals.

NEED FOR CONTINUING INTERSTATE AND DEFENSE HIGHWAY PROGRAM

Mr. TOWER. Mr. President, I ask unanimous consent that the text of a resolution, passed after the close of the session last year, by the Amarillo Chamber of Commerce board of directors be printed at this point in the RECORD. The resolution stresses the need of a continuing interstate and defense highway program.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION

Whereas more than fifty per cent of the 41,000-mile National System of Interstate and Defense Highways is now complete and open to traffic; and

Whereas all indications are that the remainder of the system will be completed on schedule by 1973, as only five per cent has not been advanced beyond the preliminary status; and

Whereas expert projections of motor vehicle registrations and vehicle-miles traveled indicate that a strong Federal aid highway program will be necessary after 1973 in order to provide an adequate highway system; and

Whereas the Texas Highway Department alone forecasts that its construction needs will average $450 million annually over the next twenty years, compared with $365 million spent in 1965; and

Whereas it is well known that planning, right-of-way acquisition, designing and construction of highways require several years;

Now, therefore, be it resolved, that the Amarillo, Texas Chamber of Commerce urge Congress early in its next session to establish a policy and the framework for an adequate Federal aid highway program to follow immediately after completion of the Interstate System; and

Be it further resolved, that Congress be urged to incorporate in its policy or guidelines a provision that all revenues derived from Federal highway user taxes be expended solely for highway development.

Adopted by the Amarillo Chamber of Commerce Board of Directors on November 23, 1966.

CHARLES D. LUTZ, Jr.,
President.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SPONG in the chair). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS TO 4:15 P.M.

Mr. LONG of Louisiana. Mr. President, I move that the Senate stand in recess until 4:15 p.m.

The motion was agreed to; and (at 3 o'clock and 36 minutes p.m.) the Senate took a recess until 4:15 p.m.

On the expiration of the recess, the Senate reassembled, and was called to order by the Presiding Officer (Mr. LAUSCHE in the chair).

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Jones, one of his secretaries.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

THE PRESIDENT'S CIVIL RIGHTS MESSAGE

Mr. HART. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HART. Mr. President, we have just received from the President of the United States his message to Congress in support of civil rights legislation.

Over the years, we have received many messages from President Johnson and his predecessors, most of them eloquent; but I think that history—and literary scholars in particular—will note this one to be one of the most eloquent of all, not merely because it bears on an emotionally charged issue, but because as a piece of literature it is excellent. More important, it brings before us the overriding issue within our borders, in all probability an issue affecting and concerning people all around the world.

Ours is a nation which goes to international meetings preaching the necessity for the rule of law, and insisting that 180 years ago our Founding Fathers announced the proposition that all men are created equal and that the world will be a better place to live in when other nations adopt this principle.

Mr. President, we no longer live in a world where what goes on in America is unknown to the people living in Timbuktu. What goes on here is known all over the world within an hour. Sometimes what goes on here does not jibe with what we preach, as a nation, we stand for. It does not jibe with what we seek to propose that other nations adopt as a program for themselves. It is to this problem that President Johnson has drawn our attention today. His proposal for civil rights legislation I support wholeheartedly. The proposals are designed to meet some of the pressing problems which face us today. We dare not ignore them any longer. We must meet our responsibility to secure to all our citizens the equal protection of the law.

The message describes the bill which the President will forward to Congress in a day or two. That bill will guarantee, first, that an accused will be tried by an impartial jury—a jury of his peers—and that citizens will not be denied the opportunity to serve on juries for arbitrary reasons unrelated to their qualifications.

Mr. President, it is a basic premise of a civilized society that citizens shall be free to exercise the rights granted them by the laws of the land. Yet we all know that today, in some places, this principle does not square with reality because a few lawless men have resorted to violence to deny those equal rights granted by the Constitution and the Federal laws.

The new bill which the President will send us shortly would strike at such lawlessness by providing new criminal and civil remedies against the perpetrators of violence. A basic respect for the rule of law requires, I submit, that we enact this proposal.

In 1964 Congress took a giant step toward the goal of equal opportunity to a job, to work, to be employed, and, thus, for every American to make a decent living. However, experience has shown that the need to improve the machinery for enforcement of the basic rights created by the 1964 act is a real one.

As the President describes in his message, the new civil rights bill would grant to the Equal Employment Opportunity Commission authority to issue effective orders against employment discrimination. Its current authority, limited to conciliation and negotiation, is simply not adequate.

Mr. President, I turn now to that portion of the President's message which most occupied the attention of Congress last fall; namely, the problem of housing and housing opportunities.

In short, it seeks to make the dream come true of owning a home—for which one saves his money and which he can afford—for all Americans, not just for white Americans.

Congress has not yet guaranteed the rights of minority citizens—Negroes, particularly—to buy a house or rent an apartment on the same basis as other Americans.

Discrimination in housing confines a substantial portion of our people to the ghetto. This confinement irritates and affects adversely all our racial problems—problems of education, health and welfare, employment, attitude, and aspiration.

We must break the ghetto wall if success in any of these related areas is to be possible. And we must act now, not later, to recognize the basic right of every person to live where he chooses and where he can afford.

All Americans have an identity of interest in the welfare of our country and insuring justice to all our citizens. Negro Americans have kept faith with our country.

I refer not just to newspaper pictures, not only to the daily evidence we see in Vietnam, but the whole spectrum of civic responsibility and participation.

Negro Americans have kept faith with our country; together we must act to keep faith with them. I urge, therefore, prompt enactment of the proposals for civil rights legislation which President Johnson, in his mesage of a few moments ago, urges us to adopt.

I hope we will do this after full debate, and only after full debate; that we not debate it to death, but that we permit ourselves an opportunity to vote yes or no on the proposition, the proposition that we seek to insure fair representation on juries, to insure that there are Federal sanctions which can be applied whenever someone is physically assaulted as he seeks to exercise a constitutional right or seeks to support another citizen in the exercise of his constitutional right which will eliminate a limitless task when he goes to buy a home.

I have a deep conviction that a majority of us last year felt the desirability of this legislative course, that a majority of us continue to feel that way, and I hope a majority of us will be permitted to exercise our will in this Congress.

Mr. METCALF. Mr. President, President Johnson's message on civil rights proposes a major step forward in assuring fair and constitutional selection of State juries.

The proposed legislation would prohibit the making of any distinction on account of race, color, religion, sex, national origin, or economic status in the selection of State juries. Generally speaking, however, the proposal would not affect existing jury selection practices which conform to constitutional standards and which operate to produce juries representing a fair cross section of the community.

Under the proposed law the Attorney General could bring suit in a Federal court to put a stop to discriminatory selection practices after he has notified the State officials involved, and after he has given them a reasonable time to adjust the illegal conditions. If the Federal court finds discrimination, it would be authorized to suspend any illegal qualification for jury service, require use of objective qualifications, require the keeping of records to police its decree, and, in addition, appoint a master to perform the duties of State jury officials where necessary to preserve rights secured under the new law.

The proposed law would also provide for disclosure of information relating to jury selection to facilitate determinations of whether illegal discrimination has occurred. Whenever their practices are appropriately challenged in court, the State jury officials would be required to file a written statement describing their procedures in detail. If, on the basis of evidence produced by the complaining party, the court determines that there is probable cause to believe discrimination has occurred, the State officials must produce additional evidence to the contrary or the court would sustain the claim of discrimination.

The President's proposal would assure that invidious discrimination in State court juries can be effectively countered by private litigants and the Federal Government. It should be enacted without delay.

CIVIL RIGHTS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The **PRESIDING OFFICER.** The Chair lays before the Senate a message from the President of the United States. Without objection, it will be printed in the RECORD without being read, and will be appropriately referred.

The message was referred to the Committee on the Judiciary, as follows:

To the Congress of the United States:

Almost two centuries ago the American people declared these truths to be self-evident: "That all men are created equal, that they are endowed by their Creator with certain inalienable rights, that among these are life, liberty, and the pursuit of happiness."

Seventy-five years later, a savage war tested the foundations of their democratic faith. The issue of the struggle was, as Lincoln said, whether "we shall nobly save, or meanly lose, the last, best hope on earth."

Democracy triumphed in the field in 1865. But for the Negro American, emancipation from slavery was but the first engagement in a long campaign. He had still to endure the assaults of discrimination that denied him a decent home, refused his children a good education, closed the doors of economic progress against him, turned him away at the voting booth, the jury box, at places of public accommodation, seated him apart on buses and trains, and sometimes even threatened him with violence if he did not assent to these humiliations.

In 1948 President Truman ordered the Defense Establishment to accord equal treatment to servicemen of every race. That same year the Supreme Court declared that State courts could not enforce racial covenants in the sale of houses. The Court later struck down racial discrimination in public transportation.

In 1954 segregated education was found to be inherently unequal and in violation of the 14th amendment.

In 1957 the first Civil Rights Act in 82 years passed the Congress.

Three later acts were adopted within the next decade—in 1960, 1964, and 1965. Congress prohibited interference with the right to vote—to use any hotel, restaurant, or theater—to secure a job on the basis of merits. It barred the use of Federal funds to any agency that practiced racial discrimination.

Within these 20 years, the institutions of democratic government have begun to make the ancient, self-evident truths a reality for all Americans.

Though much of our task still lies before us, it is important to measure the progress we have made in the past few years.

THE STRUGGLE AGAINST DISCRIMINATION

VOTING

Since the passage of the Voting Rights Act of 1965, the number of Negroes registered in the five States where voter discrimination was most severe has increased by 65 percent—from 715,099 to 1,174,569. The vast majority of the new voters—about 334,000—were registered by local officials, in voluntary compliance with the act.

The remainder—some 125,000—were registered by Federal examiners in 47 counties of the five States. Federal observers were present in many counties during the 1966 primary and general elections to insure that the newly registered voters were permitted to vote without interference.

In 1960, a Negro citizen complained that for 10 years he had tried without success to register to vote. Not a single Negro had been registered in his county for 60 years. In 1966, he ran for a seat on the local school board—and won.

Today, 20 Negroes serve in southern legislatures. Several important local offices, such as school boards and county commissions, now have Negro membership.

The electorate in these States has begun to change. The right to vote—the fundamental democratic right—is now exercised by men and women whose color served in years past to bar them from the polls. After centuries of silence, their voice is being heard. It will never again be stilled.

SCHOOLS

In the 1963–64 school year, 10 years after the landmark Brown decision, 1 percent of the Negro students in the 11 Southern States were in schools also attended by white students.

Then came the 1964 Civil Rights Act and its prohibition against the use of Federal funds to support racial bias.

In September 1966, 12.5 percent of the Negro students in those same States were enrolled in desegregated schools. We expect this figure to increase significantly next fall. We will proceed with the task of securing the rights of all our children.

HOSPITALS

This year, Negroes are being admitted to hospitals which barred them in the past. By January, 7,130 hospitals—more than 95 percent of the hospitals in the Nation—had agreed to provide services without discrimination. More than 1,500 of those hospitals have had to change past policies to make that commitment.

Getting rid of discriminatory practices has benefited hospital systems, as well as the people they serve.

Last year, for example, half the beds in an all-white hospital were unoccupied. Yet Negroes in the community were sent to a completely segregated and overcrowded hospital. The half-empty hospital changed its policies to admit Negroes, and it now operates at full capacity. The formerly Negro hospital will be converted into a nursing home serving both races. The effect of the change was to provide better medical care for the entire community.

PUBLIC ACCOMMODATIONS

When the 1964 Civil Rights Act was passed, prohibiting racial discrimination in places of public accommodations, fears were expressed that this sharp change in established customs would bring about serious economic loss and perhaps even violence.

Yet from the start there has been widespread voluntary compliance with the law. Thousands of restaurants, motels, and hotels have been opened to Americans of all races and colors. What was thought to be laden with danger proved generally acceptable to both races.

Because all businesses of a similar type are covered, each businessman is free, for the first time, to operate on a nondiscriminatory basis without fear of suffering a competitive disadvantage.

Now Negro families traveling through most parts of their country do not need to suffer the inconvenience of searching for a place to rest or eat where they will be accepted or the humiliating indignity of being turned away.

PROGRAMS FOR SOCIAL JUSTICE

The struggle against today's discrimination is only part of the Nation's commitment to equal justice for all Americans. The bigotry of the past has its effects in broken families, men without skills, children without learning, poor housing, and neighborhoods dominated by the fear of crime.

Because these effects are encrusted by generations of inferior opportunities and shattered hopes, they will not yield to laws against discrimination alone. Indeed there is no swift medicine, no matter how potent or massively applied, that can heal them at once. But we know some of the things we must do if the healing process is to begin—and we are doing them.

EDUCATION

Headstart has given deprived children a chance to learn in later years—instead of being merely exposed to school. Through this and other preschool programs, 2 million children have been offered better education and health care.

More than 7 million children in 70 percent of all school districts in the United States have participated in programs under title I of the 1965 Education Act. These programs have a single aim: to improve the education of disadvantaged children. The better libraries, larger professional staffs, advanced instructional equipment, and other services they provide are investments in the future of children who need them most.

In my message on America's children and youth, I asked the Congress to provide an additional $135 million to strengthen Headstart. With these funds, we will launch a Headstart follow-through program in the early grades of elementary school to maintain the momentum the child has gained and we will extend the Headstart program downward to cover more 3-year-olds.

Extraordinary help at the start of life is necessary for all disadvantaged children. It is particularly necessary for the Negro child reared in poverty and encumbered by generations of deprivation.

JOBS AND TRAINING

Thousands of job opportunities for the young have been created by the Neighborhood Youth Corps and the Job Corps. The first, active in both urban and rural areas, has enabled many young people to earn enough to remain in school, and provided employment and remedial education for dropouts.

The Job Corps—also meant to help those between 16 and 21—has offered other thousands both a change of environment and the opportunity to acquire education and job training.

The Manpower Development and Training Act gives men without jobs or skills the chance to acquire both, by combining government planning and resources with private industry. The work experience program offers welfare recipients a means of obtaining the experience they need for gainful employment.

Today's strong economy, which last year put almost 3 million more Americans on the payrolls, is also of tremendous benefit to needy persons in search of dependable employment. But for the long term, and as demand for better qualified workers grows, training and remedial education will be of even greater importance to the disadvantaged. This is particularly true for those who leave the farm and move to urban areas in search of employment, without the skills an urban society requires.

During the last 3 years, our training programs have provided the means of self-sufficiency to almost a million men and women. The value of these programs to the Negro American is especially great.

The unemployment rate for Negroes is more than double that for whites. About 650,000 Americans, more than 20 percent of all unemployed, are nonwhite.

About 213,000 of these are between 14 and 19 years of age. Job training is essential to enable them to get off the welfare rolls and to go on the tax rolls.

Our economy is also strengthened by these programs. If Negroes today had the same skills as other Americans, and if they were free from discrimination in employment, our gross national product could become $30 billion higher.

I will shortly submit recommendations to strengthen and expand these training programs. I am asking the Congress for an additional $135 million in appropriations for the Office of Economic Opportunity for a special program to open the doors of opportunity and meaningful employment to our most disadvantaged citizens.

I will call for the active assistance of private industry and organized labor to provide skills and jobs to those now confined to the welfare rolls and the slums.

THE NEED FOR PERSEVERANCE

There are those who believe this series of accomplishments is long enough. There are those who grow weary of supporting great social programs, impatient with the failures that attend them and cynical about those they are intended to help. There are those who think "equal justice" is a rhetorical phrase, intended only as an admonition to judges, not as a guiding principle for national policy.

To them I can only say: consider the consequences if the—Nation—and I as the President—were to take what appears to be the easy way out, abandon the long, hard struggle for social and economic justice and say that enough has been done.

There would be little hope of strengthening the economy of the country through the improved earning power and productive capacity of Negro Americans.

There would be little hope of avoiding massive welfare expenditures for people denied the training and jobs they need to become self-supporting.

There would be little hope of ending the chain of personal tragedies that began with ancient bigotry and continues to this hour.

There would—above all—be little hope of achieving the self-respect that comes to a nation from doing what is right.

Our task is far from over. The statistics demonstrate the magnitude of the effort required.

The life expectancy of the Negro is 5 years shorter than that of his white contemporary and the infant mortality rate for Negroes is 40 percent higher.

The adult white has had at least 3 more years of education—and has been educated in better schools—than the average adult Negro.

The unemployment rate for nonwhites aged 21—even in this time of near full employment—is double that of whites.

Negroes are characteristically more densely housed in units only 56 percent of which meet health and safety standards.

The income of the average Negro family is about 40 percent lower than that of the average white family.

The programs we have adopted in the past few years are only a beginning. We have made a good start.

But we must remember that it is only a start. We must realize that civil rights are also civil opportunities. Unless these rights are recognized as opportunities by Negro and white alike, they can achieve nothing. We must realize that training and education programs provide skills and opportunities. But only where there is both the will to seek the job and the willingness to hire the job applicant, can these programs achieve their ultimate objectives.

The next steps are harder, but they are even more important. We shall need years of trial and error—years in which children can be strengthened to grow into responsible young adults, years of better training, better jobs, better health, and better housing—before the results of what we have done so far can be seen.

Perseverance, the willingness to abandon what does not work, and the courage to keep searching for better solutions—these are the virtues the times require.

CIVIL RIGHTS LEGISLATION

Last year I proposed the enactment of important civil rights legislation. I proposed that legislation because it was right and just.

The civil rights legislation of 1966 was passed by the House of Representatives, and brought to the floor of the Senate. Most of its features commanded a strong majority in both Houses. None of its features was defeated on the merits.

Yet it did not become law. It could not be brought to a final vote in the Senate.

Some observers felt that the riots which occurred in several cities last summer prevented the passage of the bill.

Public concern over the riots was great, as it should have been. Lawlessness cannot be tolerated in a nation whose very existence depends upon respect for law. It cannot be permitted because it injures every American and tears at the very fabric of our democracy.

We want public order in America, and we shall have it. But a decent public order cannot be achieved solely at the end of a stick, nor by confining one race to self-perpetuating poverty.

Let us create the conditions for a public order based upon equal justice.

THE CIVIL RIGHTS ACT OF 1967

The act I am proposing this year is substantially the same as last year's bill. Some revisions have been incorporated to take account of useful suggestions and perfecting amendments made by the 89th Congress. I believe these revisions offer a basis for common action.

I recommend the adoption of a national policy against discrimination in housing on account of race, color, religion, or national origin. I propose the adoption of progressive steps to carry out this policy.

I recommend the clarification and strengthening of existing Federal criminal laws against interference with Federal rights.

I recommend requirements for the selection of juries in Federal courts to guard against discrimination and insure that juries are properly representative of the community.

I recommend legislation to eliminate all forms of discrimination in the selection of State court juries.

I recommend that the Civil Rights Act of 1964 be amended to authorize the Equal Employment Opportunity Commission to issue judicially enforcible cease-and-desist orders.

I recommend the extension, for an additional 5 years, of the U.S. Commission on Civil Rights.

I recommend a 90-percent increase in appropriations for the Community Relations Service.

These measures are not new. I have recommended and supported them in the past. I urge the Congress to act favorably upon them because justice and human dignity demand these protections for each American citizen.

EQUAL JUSTICE IN HOUSING

For most Americans, the availability of housing depends upon one factor—their ability to pay.

For too many, however, there are other crucial factors—the color of their skin, their religion, or their national origin.

When a Negro seeks a decent home for himself and his family, he frequently finds that the door is closed. It remains closed—though the Negro may be a serviceman who has fought for freedom.

The result of countless individual acts of discrimination is the spawning of urban ghettoes, where housing is inferior, overcrowded, and too often overpriced.

Statistics tell a part of the story. Throughout the Nation, almost twice as many nonwhites as whites occupy deteriorating or dilapidated housing. In Watts, 32.5 percent of all housing is overcrowded, compared with 11.5 percent for the Nation as a whole.

In Harlem, more than 237,000 people live in an area consisting of 3½ square miles. This is a density of 105 people per acre. Ninety percent of the buildings in Harlem are more than 30 years old, and almost half were built before the end of the 19th century.

The environment of most urban ghettoes is the same: inferior public facilities and services—street, lighting, parks; sanitation and police protection; inferior schools; and isolation from job opportunities. In every sphere of urban life the ghetto-dweller is shortchanged.

A child growing up in such an environment must overcome tremendous manmade obstacles to become a useful citizen. The misery we tolerate today multiplies the misery of tomorrow.

Many of our existing and proposed programs—though not directed simply at relieving the problems of any particular minority group—will relieve conditions found in their most acute form in the urban ghetto. These programs are necessary and they must be fully supported.

But money and assistance are not enough. Since the ratification of the 14th amendment to the Constitution, this Nation has been committed to accord every citizen the equal protection of its laws. We must strengthen that commitment as it relates to discrimination in housing—a problem that is national in scope

The legislation I recommend would ultimately apply to all housing in the United States. It would go into effect by progressive stages.

The proposed legislation would direct the Secretary of Housing and Urban Development to carry out education and conciliation measures to seek an end to discrimination in housing. He would call conferences of leaders in the housing industry, consult with State and local officials, and work with private organizations.

The prohibition against discrimination in the sale or rental of housing would become effective progressively over a 2-year period:

Immediately, to housing already covered by the Presidential order or equal opportunities in housing.

During 1968, to dwellings sold or rented by someone other than their occupant, and to dwellings for five or more families. Essentially, this stage would cover large apartment houses and real estate developments.

In 1969, the act would apply to all housing.

This act would be aimed at commercial transactions, not at the privacy of the home. It would outlaw discriminatory practices in financing housing and in providing real estate brokers' services. It would prohibit "blockbusting," by which unscrupulous dealers seek to frighten homeowners into selling quickly, out of fear that the value of their homes will decline.

In every instance, the legislation would require the Secretary of Housing and Urban Development to try to achieve a voluntary solution. Only if such a settlement could not be reached would the Secretary be authorized to hold an administrative hearing. If, after an administrative hearing, a violation of the law were found, the Secretary would be authorized to issue a judicially enforcible cease-and-desist order.

The Secretary would work with State and municipal fair housing agencies that already exist. In appropriate cases he would be authorized to rely on their enforcement of the State and city laws.

The Attorney General would be empowered to support these enforcement efforts, when he had reason to believe that a general pattern or practice of discrimination exists.

Last year the legislation I proposed to ban discrimination in housing stirred great controversy. Although a majority of both Houses in the Congress favored that legislation, it was not enacted. Some of the problems raised by its adversaries were real; most involved myths and misinformation. The summer riots in our cities did as much damage to the chances of passing that legislation as the unfounded fears of many Americans and the opposition of special interest groups.

There should be no need for laws to require men to deal fairly and decently with their fellow man. There should be no need to enact a law prohibiting discrimination in housing—just as there should have been no need to send registrars to enforce voting rights, to issue guidelines to require desegregation of our schools, to bring suits in Federal courts to insure equal access to public accommodations, and to outlaw discrimination in employment.

But the Civil Rights Act of 1957, 1960, and 1964 and the Voting Rights Act of 1965 were necessary and they have moved this country toward our goal of providing a decent life for each of our citizens.

I am proposing fair housing legislation again this year because it is decent and right. Injustice must be opposed, however difficult or unpopular the issue.

I believe that fair housing legislation must and will be enacted by the Congress of the United States. I was proud to be a Member of the Congresses that enacted the Civil Rights Acts of 1957 and 1960 and as President to sign into law the 1964 and 1965 acts. I believe that generations to come would look upon the enactment of this legislation by the 90th Congress as one of its proudest achievements. I cannot urge too strongly that the Congress act promptly on this legislation.

Today the subject of fair housing is engulfed in a cloud of misinformation and unarticulated fear. Some believe the value of their homes must decline if their neighborhoods are integrated. They fear the conversion of their communities into unsightly slums, if a family of a different color moves into a house across the street. Neither of these events need occur. In an atmosphere of reason and justice, they would not occur. In the scores of cities and States that have such laws these events have not occurred.

The task of informing the minds and enlightening the consciences of those who are subject to these fears should begin at once. Churches can help perform this task with a unique competence—and they should. So should civic organizations, public officials, human relations commissions, labor unions, and private industries. It must be done. The sooner it is done, the nearer we will come to that just America it is our purpose to achieve.

INTERFERENCE WITH RIGHTS

Another basic test of equal justice is whether all men are free to exercise rights established by the Congress and the Constitution. A right has little meaning unless it can be freely exercised. This applies in particular to Negro Americans who seek to vote, attend school, and utilize public accommodations on an equal basis.

Negro children have been abused for attending previously segregated schools. Shots have been fired into the homes of their parents. Employers who practiced nondiscrimination have been harassed. Most shocking of all are the crimes which result in loss of life. Some of the victims have been Negroes; others were whites devoted to the cause of justice.

State and local officials are primarily responsible for preventing and punishing acts of violence. In many cases, however, these officials have not been able to detect or prosecute the perpetrators of the crimes. In some, unfortunately, they have not been willing to meet their obligations. For these reasons and because violence has too often been used to deny Federal rights, there is need for Federal legislation.

Present Federal statutes are inadequate in several respects. Maximum penalties are too low for crimes which cause death or serious injury. Only in some instances do the statutes reach misconduct by private persons not acting in concert with public officials. Existing laws do not spell out clearly the Federal rights which they protect.

To remedy these deficiencies, I recommend legislation to—

Specify the activities which are protected, including voting, purchasing a home, holding a job, attending a school, obtaining service in a restaurant or other place of public accommodation.

Prohibit acts or threats of violence, by private individuals acting alone or public officials, directed against Negroes or members of other minority groups because they are or have been participating in those activities.

Authorize victims of violence to bring civil actions for damages or injunctive relief.

The penalties prescribed are graduated, depending on the gravity of the offense. When physical injury results, the maximum penalty is $10,000 and 10 years. When death occurs, the sentence may be imprisonment for any term of years or for life.

FEDERAL AND STATE JURIES

A fair jury is fundamental to our historic traditions of justice.

Fairness is most likely to result when the jury is selected from a broad cross section of the community. The exclusion of particular groups or classes from jury duty not only denies defendants their right to an impartial jury. It also denies members of the excluded group the opportunity to fulfill an important obligation of citizenship and to participate in the processes of their government.

On many occasions, I have emphasized the importance of respect for the law. Yet, creating respect for legal institutions becomes virtually impossible when parts of our judicial system operate unlawfully or give the appearance of unfairness.

Current methods of Federal court jury selection have sometimes resulted in the exclusion of Negroes and other minority groups. Often the cause lay in the method of selection.

I recommend legislation to—

Eliminate discrimination in the selection of juries in Federal courts.

Insure that juries in Federal courts are uniformly drawn from a broad cross section of the community.

To reduce to a minimum the possibility of arbitrary exclusion of certain groups, the act will spell out in detail the selection procedures to be followed in all Federal district courts. Names of prospective jurors would be obtained by random selection from voter lists—a broadly representative source in almost all parts of the country, now that the Voting Rights Act of 1965 is being implemented. Under the bill only objective standards, including basic literacy requirements found in existing law, could be used to determine the qualifications of a prospective juror.

Legislation to deal with selection of State court juries is also needed. There has been persistent, intentional discrimination in juror selection in some localities. A recent case involved jury discrimination in a county whose population in 1960 was more than 70 percent Negro. Of the persons listed on the jury rolls between 1953 and 1965, less than 2 percent were Negro. No Negro had ever served as a member of a jury in that county.

Numerous criminal convictions obtained in State courts have been set aside on the ground that Negroes were excluded from the juries. Such court decisions may assure justice in a particular case. They cannot reform the jury selection systems.

The 14th amendment establishes equality before the law and charges the Congress with enforcing that requirement. Such flagrant, persistent abuses as are revealed in many recent jury selection cases cannot be tolerated by a society which prides itself on the rule of law.

I recommend legislation to—

Prohibit discrimination on account of race, color, religion, national origin, sex, or economic status in the selection of State or local juries.

Authorize the Attorney General to sue State or local jury officials who exclude Negroes or members of other minority groups from juries.

Prescribe new remedies to make it easier to prove jury discrimination.

Authorize the courts to issue a variety of orders specially tailored to eliminate the most common methods by which jury discrimination is practiced.

EQUAL JUSTICE IN EMPLOYMENT

The Civil Rights Act of 1964 prohibited discrimination in hiring, promotion, and working conditions, as well as discrimination in the membership practices of labor organizations. The Equal Employment Opportunity Commission was created to carry out the congressional mandate.

The Commission was directed to eliminate discriminatory employment practices by informal methods of conciliation and persuasion. By the end of this fiscal year, the Commission will have have completed over 2,000 investigations and more than 500 conciliation efforts. This is hard work, but when it succeeds, case by case it opens up new opportunities to:

The minority group employees of an aircraft company, who no longer are confined to deadend jobs but now have training opportunities in 40 job classifications.

The employees of a large ship construction firm which has improved the job rights of over 5,000 Negroes.

Unlike most other Federal regulatory agencies, the Equal Employment Opportunity Commission was not given enforcement powers. If efforts to conciliate or persuade are unsuccessful, the Commission itself is powerless. For the individual discriminated against, there remains only a time-consuming and expensive lawsuit.

In considering the proper role of the Equal Employment Opportunity Commission, it is important to bear in mind that nonwhite unemployment remains disproportionately high:

In 1966, the unemployment rate was 3.3 percent for white persons. It was 7.3 percent for nonwhites.

Nonwhite unemployment in 1965 was twice the rate for whites. In 1966, the ratio rose to 2.2 to 1.

Among youth not attending school, the unemployment rate in 1966 was 8.5 percent for whites and 20.3 percent for nonwhites.

No single factor explains the differences in the unemployment rates of nonwhites and whites. But part of the disparity is clearly attributable to discrimination. For that reason, effective remedies against discrimination are essential.

I recommend legislation to give the Equal Employment Opportunity Commission authority to issue orders, after a fair hearing, to require the termination of discriminatory employment practices.

The cease-and-desist orders of the Commission would be enforceable in the Federal courts of appeal and subject to judicial review there. These powers are similar to those of other Federal regulatory agencies.

Enforcement power would harmonize the procedures of the Commission with the prevailing practice among States and cities that have had fair employment practices agencies for many years. It would reduce the burden on individual complainants and on the Federal courts. It would enhance the orderly implementation of this important national policy.

THE COMMISSION ON CIVIL RIGHTS

The U.S. Commission on Civil Rights has, since its creation in 1957, proved to be an exceptionally valuable agency. This bipartisan factfinding agency has contributed substantially to our determined effort to assure the civil rights of all Americans. Its investigations and studies have contributed to important changes in the laws and policies of the Federal Government. Publications of the Commission—in the fields of voting, housing, employment, school segregation, and equality of opportunity in Government programs—have been helpful to other Government agencies and to private groups interested in equality of opportunity.

The Commission has also served as a clearinghouse for information on civil rights matters. It has provided information on Federal laws, programs, and services to assist communities and private organizations in dealing with civil rights issues and with economic and social problems affecting race relations.

Under existing law, the term of the Commission expires on January 31, 1968. But much more remains to be done.

I recommend that the life of the Commission be extended for an additional 5 years.

COMMUNITY RELATIONS SERVICE

The Civil Rights Act of 1964 recognized the importance of providing bridges of understanding for communities across the land struggling with problems of equal justice and discrimination. Last year, I recommended, and you in the Congress approved, the transfer of the Community Relations Service to the Department of Justice to make it a more effective instrument of national policy.

This year, I recommend that the funds

for the work of the Community Relations Service be increased by 90 percent—from $1.4 million to $2.7 million.

In city after city and county after county, the men of the Community Relations Service have worked, quietly and effectively, behind the scenes, to conciliate disputes before they flared up in the courtrooms or on the streets.

I deeply believe that, under our democratic system, the work of conciliation can be brought to bear increasingly to remove many of the injustices, intentional and unintentional, which derive from prejudice. It is in this spirit and with this conviction that I request a substantial increase in the funds appropriated to the Community Relations Service.

EQUAL JUSTICE

We adopted a Constitution "to form a more perfect Union, establish Justice, insure domestic Tranquility," and "provide for the common defence."

In our wars, Americans, Negro and white, have fought side by side to defend freedom. Negro soldiers—like white soldiers—have won every medal for bravery our country bestows. The bullets of our enemies do not discriminate between Negro marines and white marines. They kill and maim whomever they strike.

The American Negro has waited long for first-class citizenship—for his right for equal justice. But he has long accepted the full responsibilities of citizenship.

If there were any doubt, one need only look to the servicemen who man our defenses. In Vietnam, 10.2 percent of our soldiers are American Negroes bearing equal responsibilities in the fight for freedom—but at home, 11 percent of our people are American Negroes struggling for equal opportunities.

The bullets at the battlefront do not discriminate—but the landlords at home do. The pack of the Negro soldier is as heavy as the white soldier's—but the burden his family at home bears is far heavier. In war, the Negro American has given this Nation his best—but this Nation has not given him equal justice.

It is time that the Negro be given equal justice. In America, the rights of citizenship are conferred by birth—not by death in battle.

It is our duty—as well as our privilege—to stand before the world as a nation dedicated to equal justice. There may be doubts about some policies or programs, but there can be no doubt about the rights of each man to stand on equal ground before his government and with his fellow man.

On June 4, 1965, at Howard University, I spoke about the challenge confronting this Nation—"to fulfill these rights." What I said then has even greater importance and meaning for every American today:

> Freedom is the right to share fully and equally in American society—to vote, to hold a job, to enter a public place, to go to school. It is the right to be treated in every part of our national life as a person equal in dignity and promise to all others.
>
> But freedom is not enough. You do not wipe away the scars of centuries by saying: Now you are free to go where you want, do as you desire, and choose the leaders you please.
>
> You do not take a person who, for years, has been hobbled by chains and liberate him, bring him up to the starting line of a race and then say, "You are free to compete with all the others," and still justly believe that you have been completely fair.
>
> Thus it is not enough just to open the gates of opportunity. All of our citizens must have the ability to walk through those gates.
>
> This is the next and more profound stage of the battle for civil rights. We seek not just freedom but opportunity—not just legal equity but human ability—not just equality as a right and a theory, but equality as a fact and as a result.
>
> For the task is to give 20 million Negroes the same chance as every other American to learn and grow, to work and share in society, to develop their abilities—physical, mental and spiritual, and to pursue their individual happiness.
>
> * * * * * *
>
> There is no single easy answer to all of these problems.
>
> Jobs are part of the answer. They bring the income which permits a man to provide for his family.
>
> Decent homes in decent surroundings, and a chance to learn—an equal chance to learn—are part of the answer.
>
> Welfare and social programs better designed to hold families together are part of the answer.
>
> Care of the sick is part of the answer.
>
> An understanding heart by all Americans is also a large part of the answer.

To all these fronts—and a dozen more—I will dedicate the expanding efforts of the Johnson administration.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *February 15, 1967.*

LEGISLATIVE REORGANIZATION ACT OF 1967

The Senate resumed the consideration of the bill (S. 355) to improve the operation of the legislative branch of the Federal Government, and for other purposes.

Mr. LONG of Louisiana. Mr. President, I send to the desk an amendment and ask that it be read.

The PRESIDING OFFICER. The clerk will state the amendment.

The legislative clerk read the amendment, as follows:

> Beginning with line 5, page 16, strike out all to and including line 8, page 18, and insert in lieu thereof the following:
>
> "(b) Each standing committee of the Senate and House of Representatives shall—
>
> "(1) conduct the reviews and studies required generally by subsection (a) of this section;
>
> "(2) analyze, appraise, and evaluate reports and other data of the Comptroller General of the United States, and of any other officer or agency of the Government, which are pertinent to reviews, studies, programs, projects, and other matters within the purview of this section;
>
> "(3) keep currently informed with respect to the regulations, procedures, practices, and policies of the Government pertaining to the application, operation, administration, and execution of the laws, and parts of laws, the subject matter of which is within the jurisdiction of the committee;
>
> "(4) conduct such activities as are necessary and appropriate to carry out the general review and study policies of the committee under this section, including reviews of programs of grants-in-aid referred to in section 252(c) of the Legislative Reorganization Act of 1967; and
>
> "(5) obtain current information regarding—
>
> "(A) the progress, status, and results of reviews, studies, programs, and projects conducted under this section,
>
> "(B) the regulations, procedures, practices, and policies of the Government referred to in subparagraph (3) of this subsection, and
>
> "(C) all other matters within the purview of this subsection.
>
> "(c) Each standing committee of the Senate and House of Representatives is entitled to employ a Review Specialist as a member of the professional staff of such committee in addition to the number of members of such professional staff to which such committee otherwise is entitled. Such Review Specialist shall be selected and appointed by the chairman of such committee, with the prior approval of the ranking minority member, on a permanent basis, without regard to political affiliation, and solely on the basis of fitness to perform the duties of the position. Such Review Specialist shall, under the joint direction and supervision of the chairman and the ranking minority member, assist the committee in the performance of its review functions under this section."

Mr. LONG of Louisiana. Mr. President, the amendment which I have offered seeks to clarify the purpose and the function of the review specialist. Some doubt has been expressed by committee staffs which have studied the matter as to just what the purpose of review specialists would be; whether they would be persons sent from downtown who would operate outside the general structure of the committee, or who would operate as a part of the committee structure. It has also been felt that the employment of a review specialist would infringe on the limited space more badly needed for other professional staff members and that no one person could do an effective oversight job on all the programs within the jurisdiction of a committee such as Finance.

It is my judgment that this amendment helps to clarify the function of the review specialist and makes clear what I believe to be the intention of the act. Such a person would operate within the overall structure of the committee staff, and would not be separate and apart from it, but would be designated to make a study and review the activities of the committee as one of the staff. The oversight functions of a committee would not necessarily rest in his hands alone and an existing professional staff member of a committee could be designated as the review specialist.

I have checked this amendment with the chairman of the committee and other members. I understand there is no objection to the amendment.

Mr. MONRONEY. Mr. President, the amendment is a clarification of what we felt was apparent when we drafted the original language of the bill. However, a great many persons who work on Capitol Hill and deal with committees, and I believe some Members of the Senate, were fearful that we were perhaps creating a situation in which the committees might lose control of the exercise of legislative oversight, as was provided for in the Reorganization Act of 1946, to someone who might be brought in from the outside to conduct, independently of the committee, a review of matters created by legislation that had passed a committee.

We think, and I am glad the majority leader [Mr. MANSFIELD] thinks, that a very important part of the duties of Congress, particularly of the Senate, is not only to look ahead to see where we are going, but to look backward to see where we have been; to see whether these programs were not only necessarily created to serve an important function of government, but also whether they are being properly and successfully administered to meet the goals and targets Congress had in mind at the time it passed the laws and created the various agencies that administer them.

There was no intention on the part of the Reorganization Committee to create any position outside each committee. In fact, it was our idea to strengthen committees in their review work by setting aside one member of the staff to follow this matter minutely as a major part of his assignment as one of the staff. This particular committee employee would receive the reports made to the committee by the General Accounting Office, by other agencies of Government, such as the Bureau of the Budget, and he would be thoroughly familiar with the details that are involved in the operation of the agencies under the committee's jurisdiction.

Many persons either feared that somebody would be sent here from the executive branch to see how the laws were being administered, or wondered whether we were trying to set up a one-man investigating agency to operate independently of the committee.

Neither could be further from the intent of the Joint Committee on Reorganization. We were merely trying to emphasize that everyone's business is no one's business. To counter this, we provide that someone serving as a staff member will have as his principal duty the carrying forward of this review function. It was our idea that this duty is so important that, more likely than not, the specialist, as is provided in the amendment of the assistant majority leader [Mr. LONG of Louisiana], would be selected by the chairman and the ranking minority member of the committee. In all probability, although not necessarily so, it would be an existing senior staff member who would be given this specific duty. This is not required, as I say, by the language of the law; but the importance of this assignment as a new means of fulfilling our supervisory capacity in connection with laws previously approved by the committee would certainly require the best talents of any staff member the committee had to follow the matter through and see to it that the activities are in line with what the committee had in mind when it approved the legislation.

For that reason, because of the uncertainty and the fact that the purpose was not properly described by the language in the bill, I think the distinguished junior Senator from Louisiana has performed a service in writing an amendment that clearly spells out the specific duty that such a person is to perform as a review specialist, and to make it crystal clear, if anyone should doubt it, that he will operate under the control of the committee itself and not be an agent independent of the committee.

Therefore, since it does amplify and make more clear what the committee had in mind when we wrote this section of the bill, and since this is a very vital part of our function of strengthening Congress, I urge that the amendment of the distinguished junior Senator from Louisiana be agreed to.

Mr. LONG of Louisiana. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. Does the Senator from Oklahoma yield back the remainder of his time?

Mr. MONRONEY. I yield back the remainder of my time.

The PRESIDING OFFICER. All remaining time having been yielded back, the question is on agreeing to the amendment of the Senator from Louisiana.

The amendment was agreed to.

Mr. LONG of Louisiana. Mr. President, I send to the desk an amendment and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

> Beginning with line 15, page 12, strike out all to and including line 25, page 12, and insert in lieu thereof the following:
>
> "(b) Each hearing conducted by each such committee shall be open to the public except when the committee determines that the testimony to be taken at that hearing may relate to a matter of national security, may tend to reflect adversely on the character or reputation of the witness or any other individual, or may divulge matters deemed confidential under other provisions of law or government regulation. Whenever any such hearing is open to the public, that hearing may be broadcast by radio or television, or both, under such rules that the committee may adopt."

Mr. LONG of Louisiana. Mr. President, this amendment changes the provisions of the bill with respect to open hearings of a committee. It relates to certain things which I believe the committee could not have foreseen when it was drafting the proposed legislation.

For example, when a Senate committee looks at tax returns, there is an injunction of secrecy, because the tax returns of a taxpayer are regarded as confidential. Therefore, the committee has no right to conduct an open hearing involving someone's tax return, or to make the information contained therein generally available to the public. This amendment makes it perfectly clear that anything which according to law is confidential would not be dealt with in open committee hearings.

From time to time a committee initiates a piece of legislation, and the executive branch proposes regulations dealing with the administration of that legislation. Such proposed regulations are sometimes not published; they are in the draft stage. The committee, by virtue of its relation to the executive branch, may have knowledge of what is being proposed, may have some doubts about the matter, and may wish to discuss it. It may not be appropriate to discuss the matter in open session at a time when the Government regulations forbid its disclosure to the public.

Under such circumstances, it should be possible for the committee to conduct a closed hearing on the subject and thus not embarrass anyone by revealing information not intended to be kept confidential from the committee, yet not at that point in time available to the public generally.

I believe that in both instances it was intended by the drafters of the bill that there could be a closed hearing. Therefore, I hope this amendment will be agreed to, as setting forth two additional situations under which a committee could appropriately hold closed hearings.

Mr. MONRONEY. Mr. President, the thrust of many of the provisions of the reorganization bill has been to open as much as possible the workings of Congress, particularly of the House and the Senate, to public view, and to conduct the public business, as much as possible, in the broad daylight of public opinion and press coverage. For that reason, we provided that each hearing conducted by such committees shall be open to the public except when the committee determines that the testimony to be taken—and these are the conditions where they may hold closed hearings—may relate to a matter of national security, or may tend to reflect adversely on the character or reputation of the witness or any other individual.

This much was in the committee recommendations. A third provision has been added in the recommendation of the distinguished junior Senator from Louisiana, which reads, "or may divulge matters deemed confidential under other provisions of law or Government regulation."

Many of our committees do deal with matters that the law prohibits being made public, and which must be held confidential, such as tax returns and matters involving the national security in relationship to atomic secrets, and many other subjects of that character.

For that reason, we feel that the proposal of the Senator from Louisiana will strengthen the bill, and will provide that when matters of this kind are taken up, as they must be by many of our committees, there will be no question about the committee being permitted to hold an executive session, and still be operating in accordance with the rules of the Senate.

I am happy to accept the amendment; I believe it improves the bill.

Mr. LONG of Louisiana. Mr. President, I yield back the remainder of my time.

Mr. MONRONEY. I yield back the remainder of my time.

The PRESIDING OFFICER. All remaining time having been yielded back, the question is on agreeing to the amendment of the Senator from Louisiana.

The amendment was agreed to.

Mr. LONG of Louisiana. Mr. President, I send to the desk an amendment and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read, as follows:

> On page 6, strike out lines 16 and 17, and insert in lieu thereof the following: "in the committee report on that measure unless previously announced by the committee, and such announcement shall include a tabulation of the votes cast in".

Mr. LONG of Louisiana. Mr. President, the purpose of this amendment is to take care of a situation in which a committee may conduct a number of votes on a measure and its amendments, but always subject to reconsideration.

In many instances a committee, during its work on a bill, will vote tentatively on a number of amendments; then, having voted on those amendments, will go back, cover the same ground and vote again on the same amendments. Or, in some instances, a Senator may vote on an amendment, have second thoughts about the matter, after he has given it further consideration and studied it in greater depth, and decide he wishes to change his mind and vote on the matter again or change his vote.

This amendment would make it possible for the committee not to have to report each vote on the day it occurs, but to wait until the bill was ready to be reported before announcing the votes.

The purpose of the amendment, therefore, is to make it possible for a committee to go forward, as the Committee on Finance and perhaps other committees do, and vote on matters as they come to them, reserving the right at the committee's option to announce the vote on a particular amendment periodically throughout or at the conclusion of executive consideration or to include the votes in the committee report when it is filed.

In any event, the purpose and the spirit of the law would be complied with and preserved, and the public would be entitled to know how Senators voted on each amendment which was subject to a rollcall vote. However, the final vote would be the vote to be included in the report if the committee did not see fit to report what an earlier vote might have been when the matter was first before the committee.

Mr. President, in my judgment the pending amendment would help to provide for better legislation. Sometimes a Senator might find that he had made a mistake and might wish to change his vote. He would find it easier to do so if the committee were not required to announce what the previous business was, so that sometime between that moment and the time the bill was reported he would have time to announce a change in his vote.

I believe, with respect to certain experiences we have had in committees on which I have served, that this would be a useful provision. Committees could proceed more expeditiously and could vote informally on a great number of matters, and Senators could reserve the right to change their positions between the time the matter was first voted upon and the time when the matter became final by report of the committee.

I know that is the position that we frequently take in the Committee on Finance when we vote on a matter. However, it is well understood that the matter will be reconsidered as many times as a Senator desires to have it reconsidered.

Therefore, it would seem to me that it should be optional with the committee whether it wants to release the earlier votes or merely the final vote at the time the committee finalizes its action.

The practice in the Ways and Means Committee, as I understand it, might perhaps be the practice that could be used in the event this amendment is not agreed to.

That practice usually is that no vote on any amendment is final until the committee decides to report the bill. Upon that basis, there is no announcement of the position of anyone on any portion of the bill until the bill is reported.

While we could perhaps change our procedure in that fashion if the committee so desired, I believe it would be best to permit the committee to proceed as I have indicated, with the option either to report the vote on a particular amendment at the time the vote is taken or to report it sometime between then and the time of reporting the bill, but no later than at the time the bill itself is reported.

I do believe that this would give more flexibility and at the same time preserve the spirit and purpose of this section.

Mr. MONRONEY. Mr. President, I yield myself such time as I may require.

Mr. President, this is illustrative of the different practices that exist in many committees. They have been practically autonomous heretofore.

We tried to provide some basic rules for the protection of the free flow of information and the recording of actions that take place as legislation is moving through the various committees.

We found that all committees do not work alike. Some have customs dating back many years. The system of voting and of considering a vote to be tentative until final approval by the committee, for example, has been established practice in certain committees for some time.

With this in mind, the committee considered seriously the amendment offered by the chairman of the Committee on Finance to try to accommodate the legislation to some of the time-honored customs of that distinguished committee. By agreement with the distinguished junior Senator from Louisiana, we tried to resolve language that would provide for a reporting of all of the votes that occur in the committee on the consideration of amendments offered to a revenue bill.

It seems to me that the pending amendment is broad enough not only to take care of the customary procedures of the Finance Committee, but also to guarantee a free and full flow of information concerning what went on during the votes on various amendments.

It is not necessary that the vote on amendments be announced from day to day under the amendment proposed by the distinguished junior Senator from Louisiana if the committee considers them to be tentative. If the committee desires to wait until all Senators have had a chance to consider the bill in toto and then, before the rollcall for the final reporting takes place, affirm the previous rollcall votes prior to final approval, with a rollcall vote in the committee where necessary, it may do so.

I think this would still preserve the guarantee of the flow of information and the action of each individual Senator on amendments as it relates to the bill. While the committee may announce the action earlier than the time of the final report on the bill and give due notice and publicity to the announcement at that time, if it desires, as a custom to announce them coincidentally with the record vote on final approval of the bill and give the votes on the individual amendments prior to the final passage at that time, that is permitted by the pending amendment, since it would not unduly impede the flow of free information on all amendments. The committee accepts the amendment of the distinguished Senator from Louisiana.

Mr. LONG of Louisiana. Mr. President, I yield back the remainder of my time.

Mr. MONRONEY. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All remaining time having been yielded back, the question is on agreeing to the amendment of the Senator from Louisiana.

The amendment was agreed to.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to offer an amendment at page 54 of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered. The amendment will be stated.

The legislative clerk read, as follows:

> On page 54, after the comma on line 23, insert the following: "except that in the case of measures affecting the revenues, such reports shall require only an estimate of the gain or loss in revenues for a one-year period."

Mr. LONG of Louisiana. Mr. President, the pending amendment seeks to meet the requirement in S. 355 on cost estimates with respect to revenue bills.

The pending bill requires a 6-year estimate of the cost measures reported to the Senate.

That makes good sense in regard to matters involving an expenditure of Government money, because Senators voting on the matter would like to know what the cost would be, not on a 1-year or 2-year basis, but further down the road. In some cases it might be desirable to have more than a 6-year estimate, so that one could see what the long-range cost of a program would be.

It has been the practice with regard to revenue estimates that we submit a 1-year estimate in most cases. That is true for a number of reasons.

In many cases an estimate of revenues gained or lost would tend to be rather constant. However, even so, the estimate could not be accurate in the future unless one could look into a crystal ball and see what would happen to business conditions in the country. If the Nation prospers and the gross national product and employment increase, there would, of course, be an increase in revenue, and the revenue measure would bring in more income. A tax cut would, perhaps, lose more revenue than one would estimate would be lost by the measure. However, depending upon the business cycle and how things work out—which none of us can really foresee with any accuracy—the gain or loss in a revenue measure varies.

Furthermore, businessmen read the tax laws. They are advised by their accountants, and they change their ways of doing business in conformance with changes in the tax laws. So when Congress passes a measure that would appear to have a certain revenue impact, we discover that it may have a completely different impact in a few years when people have changed their way of doing business, and have adjusted themselves to the new law.

Therefore, it is almost impossible to foresee what the effect of many of these revenue measures will be several years down the road. Accordingly, this amendment would make it possible for the committee to continue its present practice of generally providing a 1-year estimate of the gains or losses of revenue.

I say, in all candor, that the committee will, insofar as it has the inclination, apprise the Senate of what it believes the long-range revenue impact of the bill will be. In those cases where we are unable to do so, we would prefer to continue the existing practice of simply estimating it on a 1-year basis, which is about as far ahead as we can foresee with any accuracy what the impact of a revenue measure to raise or reduce taxes would be.

I hope that the Senate will agree to the amendment.

Mr. MONRONEY. Mr. President, this amendment has been carefully considered by the committee. When we recommended as a part of the bill the requirement for estimating the cost of the legislation for a 6-year period, we obviously were dealing with the outgo of Federal money rather than the income of Federal money.

Before embarking on new programs, we were anxious to know what the amount of appropriations was estimated to be in order to maintain and support the various agencies or various activities of government. It has been a longtime rule of the Senate to calculate carefully what each new program will cost in terms of expense. I think we did not have in mind the loss of revenue as an actual expense of the business of the Government. This is a status of a tax situation that varies greatly by the years, and it is difficult to estimate because of the varied state of the economy, the velocity of business, the trends of employment, and many other things. So, to be realistic, it would be impossible to forecast over a 6-year period—as we can forecast the level of appropriations to maintain an agency—with any reasonable degree of accuracy, the amount of income that a tax, once placed on certain items, would yield over the course of each of the succeeding 6 years.

For that reason, I believe that the amendment is quite important. It is also important that we show our hope of realization of revenue by the tax bill. Whether or not it will increase the amount of revenue that will be brought in, it is to be estimated on a 1-year basis; if there is to be a tax loss in a reduction of certain types of taxes, then it is to be shown on a 1-year basis.

As the distinguished chairman of the Committee on Finance has said, it is practically impossible to forecast with any reasonable degree of accuracy what the amount will be in the succeeding year because of the methods available to business to change its tax accounting systems and in that way influence, up or down, for the immediate tenure or for the distant future, the amount of taxes that it will have to pay.

The amendment would improve the bill and would help to make more meaningful and more accurate the estimates of the cost of future operations of Government departments, by not including in the operational cost the amount of the tax reductions where made, which sometimes run into the billions of dollars. We hope that in the future they will run into the billions of dollars. It is not fair to charge that reduction to an operational cost of Government such as would be included in the estimate of the overhead of our various departments and agencies of Government.

For that reason, I believe that it would lend considerable authenticity to our estimates for the future. As we put them through computers—as we hope will be done later as a result of the bill—we will be able to strike a more nearly accurate forecast of the Government's surpluses or deficits, as the case might be, by keeping our books accurately and separating the actual cost of doing business from the estimated loss of revenue that might occur because of tax reductions or tax modifications.

The committee is happy to ask for this amendment.

The PRESIDING OFFICER (Mr. BYRD of West Virginia in the chair). Is all time yielded back?

Mr. LONG of Louisiana. Before yielding back the remainder of my time, I wish to state that I hope that we will be able to work out some agreement with regard to the problem posed by the requirement in the bill that there be a 2-day period for members to file minority views after there has been made available to them the views of the majority of the committee. This situation could create some problems when the Senate wished to adjourn or when the Senate had before it a piece of legislation, such as one requiring an immediate increase in the debt limit to enable the government to pay its bills, or when an act such as an excise tax was to expire without an extender. Because of a delay necessitated by the 2-day rule on minority views in S. 355, the act might expire which would mean that with respect to all the transactions that occurred from the time the tax had expired until it again went into effect, a new inventory would be required of all stocks in the hands of retail merchants throughout the country, and also an inventory of all items in the warehouse. A great deal of tax loss would result because of persons taking advantage of the temporary expiration of an excise tax and moving a large amount of merchandise, with an eye to avoiding taxes in the future.

My desire to work out this problem has received sympathetic consideration from some members of the special committee. I am hopeful that we can solve this problem in such a fashion that because of situations such as I have described, waiver can be granted to the requirement that there be a 2-day period after receipt of the views of the majority before those of the minority need be filed. This need not be a partisan minority, those who are members of the minority party. It could be a member of the majority party who had voted in the minority on a particular measure.

Let me say also that it does not seem appropriate that those who oppose a measure should have the right to rebut the views of those who sponsor the measure, unless those who sponsor it are to be permitted the right to answer that rebuttal. In my judgment, it would be best that the time for filing minority views run concurrently with the time allowed for the majority to file its report.

Sometimes the writing of the majority report on a major bill might require as much as 2 weeks or a month. In that case, the minority, which in many instances is merely opposing certain sections, should be able to write its views in much less time than the majority requires because the majority report must contain a detailed description of the legislation with all its amendments being submitted and an explanation of all the sections, as well as the reasons for the committee's votes.

I hope that this matter can be resolved somewhat in line with our present practice, at the same time preserving, wherever it does not inconvenience the Senate itself, the right of the minority to have a reasonable time for filing minority views.

Furthermore, there is a provision of S. 355 which states that when a bill is reported by a committee, the bill is to lie at the desk 3 days before any votes are taken on it.

Ordinarily that would pose no problem, but in instances when the Senate is seeking to adjourn, or when the Senate wishes to act on the bill before taking a long recess, or if it is a matter of some great urgency to continue the operation of the Government, the Senate should be permitted to proceed to act, if that is the will of the Senate.

I have suggested that this matter could be resolved in a way satisfactory for all concerned if one could simply move that the 3-day rule be waived and if that motion could be decided without debate. If there is to be debate, the debate should occur before the motion to waive is made. The majority leader could give notice of his intention to waive the 3-day rule and, having done that, there could be discussion of the reasons why he proposed to do that. Then, after those who oppose the motion have expressed their views, the matter could come to a vote, and the Senate could work its will on a measure at the desk, even if it had not been there for 3 days.

These 2- and 3-day requirements unless modified give too much ammunition to a minority bent on delaying action. They could delay for 5 days a measure which is essential to the continued operation of the Government. I do not believe that the Senate wishes to put itself in such a straitjacket.

Mr. President, I concede that if a Senator wished, he could keep the Senate in session for as long as he wished to speak, and perhaps longer, by dint of hard work, such as by suggesting the absence of a quorum and using the various dilatory tactics that are available to all Senators. However, at least, he would have to work at it and make himself subject to the pressure and scorn of Senators who would resent one Senator impeding and holding up the will of an almost unanimous majority in this body.

Mr. President, as S. 355 now stands, a Senator not subjecting himself to that personality problem—that is, angering other Senators—could insist on a 2-day delay in one instance and 3 days in another instance and keep the Senate in session for 5 days, after that, he could start his one-man filibuster if he desired. I would not point the finger of scorn at anyone who wanted to do that. Every Senator can exercise every right that he has under the rules. I have done so on occasion. It may annoy a Senator to see another Senator do it, but it can be done and that is the right of every Senator under the rules.

Mr. President, I question whether under the remedies now available in the rules, the 5-day delay should be imposed.

With regard to the particular amendment, I am glad that the distinguished manager of the bill was willing to consider the amendment and help us to resolve the problem.

Mr. MONRONEY. Mr. President, will the Senator yield 3 minutes?

Mr. LONG of Louisiana. I yield.

Mr. MONRONEY. This is a very difficult problem to resolve. It would not come about except as we neared the end of a session. I feel that no one would begrudge the minority the right to have 2 days to be aware of the committee's decision or action on any bill and to prepare the minority views.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. LONG of Louisiana. It could also occur when an excise tax was about to expire. It could occur when a reciprocal trade bill was about to expire. It could occur when funds available under a debt ceiling had been used up, so that it became necessary to pass another debt limit bill in order to pay the Government's bills. Those would be three situations in which we could conceivably find ourselves pressed for time, and a minority, fully within its rights—no matter how it might irritate other Senators—could insist on the 5-day delay.

Mr. MONRONEY. The Senator is correct. I was about to mention the special instances which the Senator has outlined. There are unusual situations which we will face, but there is need for the minority to be protected. This was the hope of our bipartisan Joint Committee on the Organization of the Congress: to find the ways and means of giving proper protection to the minority to receive the proposed report on any bill coming from any of the committees, not only the Committee on Finance, and to have an opportunity to incorporate their disagreeing views, or their minority report, or individual views in the same document as the majority report in connection with the legislation.

I believe that they have a justifiable demand that their views be included. They would have to have some additional time. Two days does not seem an unusually long time, or more than a reasonable time in which to do it.

It would be hoped that the other body, which sometimes waits until the last hour to act on matters having a deadline and an expiration date, as the Senator mentioned, or which acts just before adjournment, would speed its bills to the Senate so that we would have sufficient time before adjournment to consider them.

We are trying to resolve this matter to protect minority rights. We have made attempts to find language to meet the situation. It would be foolish to rush into this matter and complete action on it tonight with insufficient information or consideration.

Mr. President, in this process we are taking a great deal of time with these amendments—the committee took 2 years on this matter, and we still find bugs in drafting legislation—and the situations in particular committees that have to be met, in order not to impose regulations that would be harmful to the regulation of their business. For that reason we are aware of the difficulty of the situation which the distinguished junior Senator from Louisiana [Mr. Long] has mentioned, and we will attempt in the next day or two with the minorities of all committees to find some solution to these problems.

Mr. President, I yield back the remainder of my time.

Mr. LONG of Louisiana. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time on this measure having been yielded back, the question is on agreeing to the amendment of the Senator from Louisiana [Mr. Long].

The amendment was agreed to.

The PRESIDING OFFICER (Mr. Long of Louisiana in the chair). The Senator from Texas [Mr. Yarborough] is recognized.

AMENDMENT NO. 62

Mr. YARBOROUGH. Mr. President, I call up my amendment No. 62, and ask that it be stated.

The PRESIDING OFFICER (Mr. Byrd of West Virginia in the chair). The amendment will be stated.

The assistant legislative clerk read, as follows:

> On page 55, line 2, strike out the period, and insert in lieu thereof a comma and the word "or".
>
> On page 55, between lines 2 and 3, insert the following new paragraph:
>
> "(3) a statement of the reasons why compliance by the committee with the requirements of paragraphs (1) and (2) is impracticable."

The PRESIDING OFFICER (Mr. Long of Louisiana in the chair). Will the Senator ask unanimous consent that he be permitted to offer an amendment to title II?

Mr. YARBOROUGH. Yes, Mr. President; I ask unanimous consent that I be entitled to offer an amendment to title II.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. YARBOROUGH. Mr. President, this amendment to section 251, which appears on page 54 of the bill, deals with "legislative committees, cost estimates."

The bill, as pending, requires that a report accompanying each bill or joint resolution reported by any committee of the House or Senate which has legislative jurisdiction shall contain:

> (1) an estimate, made by such committee, of the costs which would be incurred in carrying out such bill or joint resolution in the fiscal year in which it is reported and each of the five fiscal years following such fiscal year * * *, and
>
> (2) A comparison of the estimate of costs described in paragraph (1) made by such committee with any estimate of costs made by any Federal agency in the executive branch of the Government.

The paragraph that I propose to be added as paragraph (3) of section 251(a) would provide "or," in lieu thereof "a statement of the reasons why compliance by the committee with the requirements of paragraphs (1) and (2) is impracticable."

It might be impracticable in this instance. If in a certain instance it was impracticable to comply with the requirements of paragraphs (1) and (2), the committee would not only be required to show it was impracticable, but it would be required to give the reasons why it was impracticable.

Mr. MONRONEY. Mr. President, the committee has studied the amendment offered by the Senator from Texas. We recognize that in trying to ascertain a 6-year cost estimate we will run into difficulties with respect to intangible costs, magnitudes of programs, the number of people they will affect, the number of States in which they will operate, and other uncertainties.

I feel that Congress would be well advised not to take estimates of 6-year costs that cannot be depended upon or that cannot be taken as really the very finest cost ascertainment that could be made by auditors.

We recognize that in many fine programs—for example, farm programs, programs dealing with relief, programs dealing with military affairs, and many others—it would not be possible to place an estimate "within the ball park," so to speak, of what the actual cost would be. Yet cost is one of the important elements in the consideration of any program in which the Government is to render service, in the establishment of new agencies or the expanding of old ones. Therefore, if cost figures can be obtained, they should be. If it is impossible to ascertain, within a reasonable degree of exactness, what the cost will be, then we think it is far better for the committee to say so. The committee should then say, "We have tried our level best to find out, but we cannot at this time give a clear, accurate estimate of the cost," this would be preferable to a guess, or a poorly based estimate, of what the program might cost. I feel it would deter the passage of spending funds if the language of the committee were, "We cannot, frankly, tell you what it will cost."

I would rather have a truthful statement in considering legislation than be presented with a cost that was not related to reality or a figure that did not reflect a carefully based estimate.

Many times estimates must be based on anywhere from 50 to 100 factors, so even the ascertainment of the estimate would entail more cost in getting the estimate together than the particular expenditure which might be authorized.

For that reason, this escape clause, one might say, would be provided when there was no firm estimate or when it was not possible to provide an estimate that was acceptable.

I should like to ask the distinguished author of the amendment if the case he had in mind would not be one in which a committee sought to evade disclosure of what the cost would be, but was related instead to the impossibility of coming within the degree of accuracy required for congressional consideration, so that the cost estimate would be x dollars for each of the 6 years, or would accelerate with each of the 6 years at a certain level, so as to be included in the committee hearings or report as the full 6-year cost.

Mr. YARBOROUGH. In answer to the first part of the question of the Senator from Oklahoma, I do not think any committee would consciously try to evade the law, but I draw the parallel where there would be an impossibility of ascertaining the cost, rather than an intent to evade disclosure. I do not think any committee would try to evade it, but I refer to a situation where a committee found the situation impracticable.

I do not know whether anything is impossible in this field, if we want to spend enough money and employ enough cost accountants and industrial engineers to get an estimate. When we start a supersonic plane, can anyone tell us how much it will cost? If we are dealing with new types of weaponry in the military field, can anyone tell us how much it will cost in 5 years? Some projects that have been started have proved impracticable within 3 years and have been abandoned. I think the word used in the amendment, the word "impracticable," is the right language.

Mr. MONRONEY. I was wondering if the Senator meant by the word "impracticable" merely that it might be difficult or hard to obtain. I feel that what he has in mind is something he cited, which borders on the impossible, for example, the ascertainment of the cost of this or that space effort, or many dozens of projects the cost of which we would be charged to try to find.

I am trying to develop some legislative history in this debate, that if we do accept the amendment, as we would like to do, it would not be an excuse for the staff or others to say, "It is impracticable to try to give Congress a correct estimate." If the word "impracticable" is used, then it should be accompanied—and I should like this to be a part of the legislative history—with the reasons why it is impracticable, and not merely that it is difficult or hard to ascertain.

Mr. YARBOROUGH. The pending bill is a good example of what we are dealing with. If the amendments are adopted and if the bill before us is passed, it will be a more expensive procedure, but I think it would be impossible for the manager of the bill to say what the bill was going to cost and what the estimates should be. If he used the word "impracticable," I would agree that it would be impracticable to estimate it.

The last paragraph in the report accompanying the bill reads:

> In the opinion of the committee it is necessary to dispense with the requirements of paragraph 4 of Rule XXIX of the Standing Rules of the Senate in order to expedite the business of the Senate.

There is the report stating that the **Cordon rule should be waived.**

What we have here is a matter of flexibility on the basis of practicability. I think that the bill and what it will cost is a pretty good example of what we mean by "practicability."

Mr. MONRONEY. I am glad to have the Senator's statement, because I would not feel easy if I thought the best efforts of the committee would not be used to ascertain the cost wherever possible; but it is not desirable to give unreliable information where reliable information is not obtainable or is practically impossible of obtainment.

Mr. YARBOROUGH. It is not intended by this amendment to create something to give a committee an excuse to deceive. I do not think the committees will do that. There are committees which require a 5-year cost estimate, without any rule.

(At this point Mr. PERCY took the chair as Presiding Officer.)

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. YARBOROUGH. I yield.

Mr. LONG of Louisiana. There have been some situations involving relatively minor revenue bills in which we have asked the Treasury for an estimate of the cost of a certain measure. The Treasury would say, "Well, just as an offhand guess, $100,000. It may be twice that much, it may be three times that much, or it may be half that much, but we give this figure as an offhand guess." The Treasury would say that in order to obtain an accurate estimate it would have to go through 70 million tax returns to develop how much it would cost, and the cost of doing that would be $1 million. The cost of finding out would not justify the expense, because it would exceed the cost of the measure itself.

In such a case, I am sure we understand that would be something that is just not practicable. As a matter of fact, in discussing the same problem with the Senator from Oklahoma in a different context, I suggested that perhaps we should use the words "not practical" instead of "impracticable," because oftentimes people use the word "impracticable" rather loosely.

Mr. MONRONEY. That is what I am concerned about. I know the distinguished Senator from Texas is not trying to use words in a loose sense. He wants the facts and figures to be as accurate as possible, and he knows that every committee is going to do its dead level best to supply them.

Mr. LONG of Louisiana. But, for example, if the cost of arriving at an accurate figure of costs would be so great one might say that it would not be practicable, because of the cost, to arrive at a more accurate figure. I would take it that the Senator's amendment would permit that type of result.

Mr. MONRONEY. That is correct, and I recognize that. What I think the distinguished Senator is moving toward is a way to generalize on the authorization of military programs. For example, no one in the world can tell what the cost of producing the antiballistic missile will be. No one can tell what the cost of developing the new man-piloted supersonic bomber will be. The Senator is correct in referring to the SST—the supersonic transport. We get into all kinds of problems with space exploration. While we authorize these programs, and the committee uses its very best judgment, there are many things we simply cannot tell, such as what a trip to Mars will cost, or how much waste, frustration, or failure might be encountered in trying to achieve some of our goals.

I was merely trying to draw a line with reference to the diligence and effort the committees will go through in order to give the best possible factual evidence they can, and failing that, just to say, "We cannot possibly do it, and this is the reason why."

Mr. LONG of Louisiana. May I suggest to the manager of the bill and chairman of the committee that the amendment perhaps contemplates what we are seeking here, in saying that if one were to say it is not practicable to give an accurate estimate of the cost of a measure, he could give his reasons why it is not practicable. I think that is what the Senator has in mind.

For example, if a committee were justified in saying that the cost of arriving at the estimate would exceed the cost of the project; if one could say it would not cost a great deal of money, but the cost of arriving at an accurate estimate would exceed the cost of what we seek to do in the bill; that would be a reason why it was not practicable to do it.

Mr. YARBOROUGH. Yes, but we would not want to limit it to that. That is just one phase of the matter.

Mr. LONG of Louisiana. Yes, that is correct.

Mr. YARBOROUGH. That would not be the only phase of impracticability. It would be one.

Mr. MONRONEY. We recognize also that when a committee says it is impracticable to ascertain the cost, that is a matter that legitimately would be noticed and would have an important place in the debate, because Congress, in authorizing programs and funding them, would insist on having the best possible knowledge of the cost. If Senators are not satisfied that the best efforts have been made to give us the cost, then perhaps the House will be suffering some loss of understanding, with the Senate, as it votes on that project itself.

We have estimates by the Corps of Engineers—probably the most dedicated and experienced group of people in Government—yet they undertake vast public works programs on the basis of estimates that are not always capable of being accurate, and they correct them from year to year.

It seems to me that many things brought up in early estimates, before a program starts, are going to suffer from the inability to know what the completed cost will be, particularly in areas of rising prices, scarcity of materials, and things of that nature.

Mr. YARBOROUGH. I am not assuming, Mr. President, that any committee is going to attempt to mislead the Senate. I do not think we are making rules to deal with dishonest committees or the filing of false reports. I think the purpose of the rule is so that the committee can have expeditious hearings and be prepared to act and report to the Senate. We do not favor rules implying that one would not tell the truth.

Mr. MONRONEY. Nobody is insinuating that. The Senator knows that. What we are trying to do is define "impracticable," and to have it mean what I am sure the Senator feels it means in this case, and what the committees of Congress feel it means; that is, that it is not possible to obtain accurate figures within the limits of the committee's knowledge, capability, and understanding, and the definition of the scope of the project.

Many times, and to many people, the word "impracticable" might mean that it is just inconsistent with the time required to make the report. Certainly we feel, and I am sure the distinguished Senator from Texas feels, that all diligence is to be exercised in searching out, to the best of our ability, the composite costs that will go into the cost estimates.

Mr. YARBOROUGH. There is a great body of precedent and practice in American law—and in judicial law, as well as legislative law—as to what "impracticable" means. I merely meant it in the ordinary, accepted use of the term in legislative, legal, or governmental circles. It has a certain meaning. It is not frivolous. It does not mean troublesome. It does not mean impossible, either. Its meaning is somewhere between troublesome and impossible; it represents some halfway ground.

It means that it is impracticable to get the information under the circumstances the bill involves. Those circumstances would vary so widely on different bills that it is almost impossible to come down to an all-encompassing definition of "impracticable." There are many of them in law, and many of them worked out in legislative procedures. It depends on the facts of each particular case for the committee to determine what would be impracticable as to a given bill. Certainly, no committee would attempt to give a frivolous definition to it; it is a serious matter.

Mr. MONRONEY. Yes. I also think the definition of "impracticable" is a serious matter, because many persons do not equate the word "impracticable" with as diligent an effort as I am sure the Senator from Texas does.

Mr. YARBOROUGH. Mr. President, under this section of the pending bill, it is going to cost so much to dig up cost estimates on all those matters, I think it would be impracticable, for example, to say how much this section is going to cost. This section of this bill alone is going to cost a great deal of money. They will have to call in the executive departments, as the bill states. This section of this bill will cost a great deal of money; I think it would be impracticable to say how much now.

Mr. MONRONEY. The distinguished Senator knows that the present law requires executive agencies to furnish Congress with their best estimates on these matters.

Mr. YARBOROUGH. I know, but this is going to cost money, and I think it is impracticable. I would not ask the manager of the bill how much money it will cost, because I think it is impracticable for the committee to furnish that information.

Mr. MONRONEY. We have estimated the cost on page 12, to the best of our ability. We estimate that the bill will cost $5,016,000.

Mr. YARBOROUGH. I do not see any cost, though, of the section involving the review specialists, the increased functions of the GAO, the committee staff, legislative assistants to Senators, additional travel allowances, and the Joint Committee on Government Operations.

Mr. MONRONEY. This is the legislative cost of the legislation, and not the cost estimates of the various Government departments. Those are furnished today as a matter of course; and that does not mean there will be that additional cost.

Mr. YARBOROUGH. I am hopeful the distinguished Senator will accept this amendment.

Mr. MONRONEY. I am anxious to accept it. As I understand it, I think it is a fine amendment. I am sure the Senator would not have offered it if he did not feel it was a fine amendment.

Mr. YARBOROUGH. I say to the manager of the bill that I merely want to give a practical meaning to the word "impracticable." I do not want to say it is impossible, and it is not frivolous. It is something in between. Just what is practicable is a matter that would have to be applied to each particular bill and each particular situation by each particular committee.

Mr. MONRONEY. Would the Senator say that to apply the figures might be unduly expensive for the results to be obtained?

Mr. YARBOROUGH. Yes, but I do not wish to limit it to that. "Impracticable" is a broad term.

Mr. MONRONEY. I am trying to get a frame of reference for the impracticability.

Mr. YARBOROUGH. That is one reason why it would be impracticable to furnish it. If we have a $100,000 bill, and it would cost $125,000 to get up the figures, that would be one situation in which it would be impracticable, but that would be only one. I do not mean something merely troublesome, or involving a little irritation.

Mr. President, we are dealing with something that is impractical. This term is in common usage in legal and business circles. It has a certain meaning. It does not mean that it is impossible. It means that it is not practical under certain circumstances to act.

Mr. MONRONEY. The Senator realizes that in the absence of a firm procedure for getting all the facts for the enlightenment of the Senate in regard to the legislation, we should not agree to such procedure.

Mr. YARBOROUGH. We do not know what these bills would be. If all committees were to try to spell out the circumstances under which such a situation would prevail, it would be impossible. Twenty thousand bills would be introduced at one session of Congress. It would be impractical to try to define all of the situations in which this would apply.

That is an example of how impractical it would be to try to look into the future and see, in the case of 20,000 bills introduced at one session of Congress, where this term would apply. We would have to wait and see.

Mr. MONRONEY. I recognize that, but it is not a frivolous item to require the very best efforts on the part of those who are in charge or who will be in charge of the administration of these programs.

Mr. YARBOROUGH. I agree.

Mr. MONRONEY. They should supply figures wherever possible.

Mr. YARBOROUGH. I think that the committee will make their best efforts to comply. I agree. That is their duty under the law. This proposal is not a way to get around that.

The amendment is offered as a way to aid section 251 by making the section itself practical.

We shall be letting the tail wag the dog if we wait, if there are no circumstances under which we can move.

The distinguished manager of the bill has great knowledge of matters regarding transportation. It would be guesswork to try to say what it would cost for each year for the next 5 years.

Mr. MONRONEY. I disagree strongly. We are not charged with trying to estimate the cost of departments. We want to be sure as we improve our congressional procedures that our cost estimates, wherever obtainable, will be included in the estimates contained in the bill.

We have agreed to amendments today offered by the distinguished junior Senator from Louisiana which deal with eliminating the cost requirements on legislation dealing with finance and tax matters because of the inability to consider these as governmental expenses.

Mr. YARBOROUGH. I agree that the committees, under the bill, if the amendment is agreed to, should use their best efforts to obtain the information. This amendment is not designed to relieve them of putting forth their efforts to get that information. That is not the purpose of the amendment.

Mr. MONRONEY. This is the legislative history that I was anxious to get.

Mr. YARBOROUGH. This amendment is not intended to furnish a loophole. That is not its purpose.

Mr. MONRONEY. The Senator is correct. I am sure that the Senator would not have offered the amendment if that were the purpose of it, because he is a firm believer in getting all the facts for the enlightenment of the Senate in passing legislation.

Mr. YARBOROUGH. If it had been my purpose to emasculate and kill the section, I would have offered an amendment to strike that section from the bill.

Mr. MONRONEY. The Senator is correct. The Senator has been very helpful. The pending amendment has been offered in a desire to improve the workability of the general cost system, rather than to have an inaccurate estimate. We should say that we are unable to ascertain the proposed cost and say so at the time a bill is presented, so that Congress can debate the estimates and go into the program and decide whether the unknown cost is to be a factor.

Mr. YARBOROUGH. I thank the

Senator for the careful and patient attention he has given to the bill, for his floor leadership on the matter, and for the work done on the amendments.

We will continue to work with the manager of the bill in an effort to get a bill that we hope will expedite the procedure of the entire Senate by providing rules for each committee that will consider legislation that will come to the floor, so that the legislation will be more easily understood by Senators who are not on the committee that reports the bill.

Mr. MONRONEY. Mr. President, the Senator has been very helpful in offering amendments. His amendments have added greatly to the clarity of the bill. Because the pending amendment is offered for that purpose, the committee is glad to accept the amendment offered by the distinguished Senator from Texas.

Mr. YARBOROUGH. Mr. President, I yield back the remainder of my time.

Mr. MONRONEY. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment of the Senator from Texas.

The amendment was agreed to.

Mr. YARBOROUGH. Mr. President, we do not have enough space in our offices to operate efficiently. I have six small offices in which I try to represent 10.5 million people.

The pending bill would create another committee, a big committee. Every time a committee or a subcommittee is created, it requires additional space and adds to our problem.

We are using up space for committees and do not have sufficient room in which to do our work.

I introduced a bill in the 89th Congress to complete the New Senate Office Building. It is half built.

I am not going to ask the Senator about the matter now, but I am thinking about offering an amendment to the bill that would permit the completion of the New Senate Office Building.

We are creating an additional committee and do not have any room for the committee.

I have been seeking for years to get one additional room so that I can move some electric typewriters, mimeograph machines, and other equipment out of the room in which both staff officers and stenographers try to work.

We could abolish committees, and we would still need that space.

I may offer such an amendment, but I have not had an opportunity to talk with the distinguished Senator from Oklahoma about it. I thought I would mention that at this point. I do not ask for his opinion about it as yet, because we have had no opportunity to discuss it.

Mr. President, I yield back the remainder of my time.

ADJOURNMENT

Mr. MONRONEY. Mr. President, if there is no further business to come before the Senate, I move that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 56 minutes p.m.) the Senate adjourned until tomorrow, Thursday, February 16, 1967, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 15, 1967:

IN THE COAST GUARD

The following-named officers of the Coast Guard for promotion to the grade of rear admiral:

Paul E. C. Prins
Benjamin F. Engel
James W. Williams
Edward C. Allen, Jr.
Arthur B. Engel
Thomas R. Sargent III

The following-named officers of the Coast Guard for promotion to the grade of captain:

John R. Allums
Ottis H. Abney
William W. Richter
Robert J. Bloxsom
Paul A. Lutz
Julian E. Johansen
Lilbourn A. Pharris, Jr.
John M. Austin
Clarence R. Easter
Frank Barnett
Marion G. Shrode, Jr.
George F. Thometz, Jr.
James T. Maher
Gordon F. Hempton
William H. Boswell
Vance K. Handle, Jr.
Ricardo A. Ratti
George W. Wagner
John J. Fehrenbacher
Raymond G. Parks, Jr.
Enoch A. Poulter
Jack S. Thuma
James N. Jensen
William G. Roden
Sidney F. Hansen
Fred T. Merritt
Robert R. Pope
Albert J. Guillemette
James W. Swanson
Harry U. Potter
George L. Oakley
Milton B. Williams, Jr.
Stanley G. Putzke
Robert A. Lemmon
Henry E. Steel
Norman L. Miley
William Kesler, Jr.
Herman S. McNatt
Ralph W. Niesz
Robert B. Long, Jr.
Robert G. Schwing
Risto A. Mattila
James A. Dillian
Robert I. Price
Gerald G. Brown
Winford W. Barrow
Leslie J. Williamson
Martin W. Flesh
Eugene E. McCrory
Kevin L. Moser
Jack D. Lyon
Douglas H. Clifton
Allen C. Pearce
Abe H. Siemens
James H. B. Morton
Herbert J. Lynch
Christopher S. Changaris
Casimir S. Rojeski
James R. Iversen
Philip M. Hildebrandt
Norman L. Scherer
William A. Montgomery
Paul W. Walker

The following-named officers of the Coast Guard for promotion to the grade of lieutenant commander:

Thomas W. Finnegan
Albert D. Super
Charles W. Busby
Walter L. Martin
Gennaro S. Duca
Ralph W. H. Bartels
Jackson C. Arney
Emil Capinha
William E. Whaley, Jr.
Robert L. Armour
Donald S. MacKenzie
Charles R. Corbett
George M. O'Brien
Marvin D. Henderson
Leonard W. Garrett
Alan G. Peck
Kenneth F. Franke
Ernest Bizzozero
John B. Ekman
Joseph J. Wicks
Harry A. Rowe
Everett J. Lecourt, Jr.
Thomas R. Schiller
Cecil S. Berry
Robert E. Warakomsky
David A. Naus
Kenneth M. Roughgarden
Louis J. Albert
Larry E. Telfer
Robert C. Williams
Douglas G. Currier
Terry R. Grant
David A. White
Alan G. Dahms
Richard A. Sutherland
Frederick F. Burgess, Jr.
John C. Spence
Wayne G. Douglass
John R. Wells, Jr.
Thomas R. Cummings
Robert F. Ingraham
Wilhelm A. Wulff
Robert W. Miller
John M. Wypick
Robert D. St. Aubyn
Billy E. Murphy
Emlyn L. Jones, Jr.
Frank R. Grundman
Bert T. Potter
John C. Ikens
Richard G. Matheson
Alexander R. Larzelere
Robert S. Tuneski
Walter E. Peterson, Jr.
James O. Sullivan
James H. Costich
Ronald D. Rosie
Ira B. Jacobson
Robert S. Palmer, Jr.
Robert T. Nelson
Robert F. Bennett
Gerald K. Mohlenbrok
Jon C. Uithol
Carl A. Gruel
Stevens H. Smith
George W. Conrad
Ernest B. Acklin, Jr.
Francis F. Silvia
Walter W. McDougall
Marshall E. Gilbert
Richard T. Hess
Christopher M. Holland
Edward V. Grace
Howard E. Snow
Alfred F. Parker
James D. Martin
Melvin L. Sites
Neil F. Kendall
Robert J. Watterson
Charles E. Clarke, Jr.
Robert M. Schissler
Michael J. O'Brien
Robert F. Dugan
James Watt
Ranson K. Boyce
Peter J. Cronk
Thomas S. Mills
James D. Webb
Gerald H. Olson
William R. Bell
Richard J. Akridge, Jr.
Claud V. O'Neal
Ralph Winn
Daniel N. Sessions
Rodney D. Harder
Eugene E. E. O'Donnell
Ronald L. Herpolsheimer
Charles R. Hinrichs
Arthur J. Walsh
Duane A. Coppock
Frank H. Carman, Jr.
Benjamin E. Joyce
Martin H. Daniell, Jr.
Charles J. Kelly
Marcus W. Lonsberry
Richard G. Booth
Robert E. Whitley
Lawrence R. Montall
Lonnie L. Mixon
Ernest W. Hedgpeth
Roy E. Dash
Donald O. Weiner
Jarold C. Carlton
James M. Carpenter
Roland N. Bazajou
Max E. Zbinden
Robert D. Merritt
William R. Hudson
James E. Curry
Joseph C. Russo, Jr.
Richard B. Ramsey
Edward C. Pangrass
George M. Heinrich
Carlton F. Meredith
James L. Haas
Bobby G. Kingery
William P. Hewel
Alan B. Smith
Richard C. Walton
Paul P. Sova
Kenneth G. Allen
George A. Saunders
James F. Coen
Norman E. Fabri
Gordon L. Sims
Jerry H. Hedgecock
Thomas B. Lain
William H. Goetz
Loyal Walley
Eugene D. Freeman
Warren K. Wordsworth
Robert A. Roy
Roland E. Huggins
Emanuel Schneider
Russell A. Cahill
Seaborn W. Jones
Earl D. Johnson
Robert D. Askew
Archie Brookshire
William J. Irrig
Edward P. Lewy
Robert V. Ricard
Edwin M. Custer, Jr.
Jimmie J. Davis
Jack A. Massey
James L. Webb
Robert M. Massenburg
David H. Freeborn
Edward L. Murnane
James E. Hognestad
Horton E. Gafford III
Garret T. Bush III
Paul E. Pakos
Charles S. Loosmore
Geoffrey T. Potter
Jack C. Goldthorpe
William G. Walker
Robert R. Wells
Ronald M. Polant
Charles S. Mincks
James T. Montonye
Stephen J. T. Masse
John R. Edwards
Frank J. Iarossi
David L. Pepple
John T. Howell
Gerald R. Foster
Joseph E. Vorbach
Donald L. Hoffer
Bruce C. Skinner
Dean A. Frankenhauser
Richard H. Belter
James W. Coste, Jr.
David R. Garner
Floyd W. White, Jr.
Ralph D. Sanford
John Deck III
Peter A. Bunch
John W. Gerometta
James L. McDonald
Thomas F. Marucci
Richard L. Andrews
Gerald W. Seelman
Harold F. Norton, Jr.
Robert E. Shenkle
William B. Hewitt
William B. Howland
Bruce A. Patterson
George E. Krietemeyer
Anthony C. Beardsley
Albert J. Allison III
Robert B. Workman, Jr.
Donald L. Millroy
Robert J. Imbrie
Frank W. Olson
Gerald H. McManus
Edmond G. Case
William M. Devereaux
Ronald F. Miscavich
Peter C. F. Lauridsen, Jr.
William P. Leahy, Jr.
Edouard W. LaCroix, Jr.
Richard W. Folker
Walter S. Rich
James G. Heydenreich
John W. Klotz
Jason M. Bowen
Joel D. Sipes
Paul A. Welling
James E. Foels
Frank J. Ropiak, Jr.
Clarence C. Atkins, Jr.
William N. Schobert
James A. Chappell
Harry D. Smith
Paul J. Bouchard
Daniel C. Mania
Richard H. Hicks
Marvin N. Bromen
Bruce G. Lauther
Robert E. Potts
Robert E. Diller
Harold E. Stanley
Billy R. Mull
Leroy W. Feterson
Carl W. Snyder, Jr.
Philip M. Lebet
Edward A. Walsh
Danny M. Brown
Cameron A. Hatfield
Robert T. Morhard
Lawrence Graham
Robert D. Brown
David J. Bain
Max H. Casper
Louis R. McDowell, Jr.
Roy E. Clayton
Leo J. DeGraw
Howard W. Barkell
Robert E. Bagley
Joseph H. Martin
James F. Eckman
James A. Blake
Joseph M. Tanguay

Ronald H. Youngman
Dean L. Webster
Hubert T. Flomquist
John D. Drewer
Robert L. Barr
Jackie R. Gore
James E. Mitts
Peter D. Van Horsen
Robert V. Bouck
John T. Watson
Franklin H. Doughten
Kenneth W. Bates
William F. Hunter
Harvey R. Little
Francis J. Honke
Robert M. Terkelsen
Peter F. Sterbling, Jr.
Richard H. Hill
Cecil L. McManus
Raymond H. Spoltman
Richard C. Tims
Thomas F. Tutwiler
Elbert W. McKinney
Kenneth F. Wadman
Stewart A. Walker
Marshall H. Shytle
John H. Holmead III
Thomas E. Langmann
Stephen D. Csintyan
Paul Resnick
Martin J. Nilson
Charles E. Siegman
William E. Newland
Edward L. Stubbs
Berl R. Williams
Robert E. Phelps
Thomas C. Schafer
Earl E. Edenfield, Jr.
Normand A. Brunelle
Leon Clarizio
Donald S. Krug
David H. McCann
Gary D. Palmer
Edward F. Boulanger
Steve W. Geletka
Billie A. Campbell
Richard J. Clements
Robert F. Stoeltje
Byron T. McCullough
John A. Blanchard
Perry Christiansen

The following-named officers to be permanent commissioned officers of the Coast Guard in the grade of lieutenant:

Charles W. Busby
Walter L. Martin
Emil Capinha
William E. Whaley, Jr.
Robert L. Armour
Donald S. MacKenzie
Charles R. Corbett
George M. O'Brien
Marvin D. Henderson
Gerald H. Olson
Richard J. Akridge, Jr.
Claud V. O'Neal
Ralph Winn
Daniel N. Sessions
Rodney D. Harder
Eugene E. E. O'Donnell
Ronald L. Herpolsheimer
Charles R. Hinrichs
Arthur J. Walsh
Charles J. Kelly
Richard G. Booth
Robert E. Whitley
Lonnie L. Mixon
Ernest W. Hedgpeth
Roy E. Dash
Donald O. Weiner
James M. Carpenter
Roland H. Bazajou
Max E. Zbinden
Robert D. Merritt
William R. Hudson
James E. Curry
Joseph C. Russo, Jr.
Richard B. Ramsey
Edward C. Pangrass
George M. Heinrich
Paul P. Sova
Kenneth G. Allen
George A. Saunders
James F. Coen
Norman E. Fabri
Gordon L. Sims
Jerry H. Hedgecock
Thomas B. Lain
William H. Geotz
Loyal Walley
Eugene D. Freeman
Warren K. Wordsworth
Robert A. Roy
Roland E. Huggins
Emanuel Schneider
Russell A. Cahill
Seaborn W. Jones
Earl D. Johnson
Robert D. Askew
Archie Brookshire
William J. Irrig
Edward P. Lewy
Robert V. Ricard
Edwin M. Custer, Jr.
Jimmie J. Davis
Jack A. Massey
Richard L. Kaufman

The following-named officers to be permanent commissioned officers of the Coast Guard in the grade of lieutenant (junior grade):

Michael V. Leahy
Morris D. Newton, Jr.

The following-named officers of the Coast Guard for promotion to the grade of commander:

William R. Nodell
Jack L. Smith
Rudy Roberts
Harry A. Feigleson, Jr.
Lawrence J. Otto
Bertrand J. Ronneberg
John A. Packard
Richard S. Wohlgemuth
Lambert J. Larson
Richard O. Haughey
Myron E. Welsh
Cletus J. Walz
Robert F. Ewels
Melvin H. Eaton
Lee W. Bothell
Claude W. Jenkins
George D. Miller, Jr.
Eugene Linnemann
Carl M. Mortensen
Edmond Janczyk
Peter J. De Laat, Jr.
Robert C. Branham
Raymond H. Baetsen, Jr.
Robert S. Lucas
Robert A. Carlson
John F. Lobkovich
David J. Linde
Bruce W. Dewing
Robert B. Sims
Gilbert P. Sherburne
William J. Glass
John D. Costello
Richard B. Brooks
Donald C. Thompson
Harry A. Lessey
James R. Kelly
William S. Black
Robert F. Anderson
Peter A. Morrill
Clarence R. Gillett
Charles E. Jergens
Robert T. Platt, Jr.
John H. Byrd, Jr.
Kenneth G. Wiman
John D. Steinbacher
David F. McIntosh, Jr.
Robert V. Hackney
Gerald O. Lesperance
Robert G. Moore
Richard P. Cueroni
William Russell
Edmund L. Cope
Walter E. Paulsen
Theodore J. Wojnar
Melvin W. Hallock
Edward J. Ard
Leon D. Santman
Herbert G. Lyons
Patrick M. Jacobsen
John F. Ellis
Warren D. Andrews
Phillip M. Griebel
Rudolph E. Anderson
Donald Cobaugh
William K. Cooper
Philip R. Sherman
William R. Jenkins
Christian A. Weitzel
Gerald M. Davis
Herbert L. Johnson
Howard H. Istock
Robert J. Hanson
Edward E. Walker
John A. Dearden
Charles H. Sanders
Alfred H. Walter
Richard F. Goward
Edwin H. Daniels
Keith B. Schumacher
Ralph C. Hill
Charles E. Mathieu
Glenn F. Young
James E. Grabb
Edward C. Farmer, Jr.
Albert G. Stirling
Ernest E. Rowland, Jr.
David G. Howland
William D. Markle, Jr.
Donald C. Hintze
Bernard A. Hoyland
William E. Lehr, Jr.
Graeme Mann
Joseph M. Kelly
Hal F. Olson
Roger L. Madson
Walter W. Kohl, Jr.
James C. Irwin
Walter D. Fox
William L. King
Donald D. Garnett
Vaughan W. Driggers
Jerome V. Flanagan
Paul H. Breed
Donald W. Smith
George K. Greiner, Jr.
James H. Conrad
Paul T. Anderson

The following-named officers of the Coast Guard for promotion to the grade of lieutenant (junior grade):

Richard F. Johnson
Dennis W. Kurtz
Wayne W. Becker
David H. Amos III
John L. Ray
William M. Simpson, Jr.
John D. Spade
Thomas E. Yentsch
Anthony F. Finizio
Gary E. Johnson
Robert T. Luckritz
Thomas J. Lucey
John A. Pierson, Jr.
David K. Duffy
Norris R. Harod
Cecil W. Allison
David K. Rutherford
Robert W. Mason
Kipling E. Grassit
Eugene K. Johnson
Arcangelo V. Arecchi
William Schorr
James R. Wilburn
James S. Andrasick
Michael J. O'Connor
William H. Blanchard
Michael E. Koloski
Ronald J. Wetzel
Edward A. Chazal, Jr.
William H. Norris
Michael D. Trammell
Neil B. Johnson, Jr.
Stanley Kruszewski, Jr.
Frederick M. Hamilton
Samuel J. Dennis
William C. Riley
Thomas R. Pennington
James A. White
William C. Carr
Douglas H. Teeson
Robert M. Stephan, Jr.
Carl Josephson
Stephen L. Brundage
Raymond V. Cirirelli
Kent H. Williams
Robert C. Walker
Laurence H. Somers
Peter T. Poulos
Jerry M. Payne
Lindon A. Onstad
Russell T. Hebert
Leonard F. Sanders
Martin C. Hoppe
Gerry W. White
John W. Carbin
Glenn E. Serotsky
Michael G. Meany
Larry A. Cochrun
Richard D. Manning
Paul M. Blayney
Donald S. Jensen
Phillip R. Fuller
Joe M. Hibbs III
Peter A. Rutski
Carl H. Helman III
Ronald E. Fritz
Joseph R. Offutt, Jr.
Robert A. Brunette
Howard Newhoff
Darvy M. Cohan
James A. Sanial, Jr.
Ralph E. Anderson
Robert J. Gray
Randall D. Peterson
Terry W. Brady
Paul N. Samek
Walter S. Viglienzone
Gerald J. Zanolli
Robert W. Staton III
Roger T. Rufe, Jr.
Bartholomew J. Hennessey
Richard W. Walton
Thomas E. Omri
Anthony J. Pettit
James D. Morgan
John E. Schwartz
David T. Livingston
Jeffrey N. Hall
Richard B. Chapman
Delgene O. Phillips
Joseph P. Coleman
Andrew T. Horsey
Gene E. Bowen
Holmes M. Dillian
Roger W. Kushla
Ronald M. Gipson
James R. McDermott, Jr.
Joseph M. Rogers
Gerald A. McGill
John P. Fagg
Francis J. Wright, Jr.
Gerald J. Kane
Carl H. Pearce
Richard E. Ruhe, Jr.
Lloyd F. George
Robert W. Christiansen
William T. Sigler
Robert L. Storch, Jr.
David A. Faurot
David M. Labuda
Larry R. Greif
Robert W. Scobie
Stephen H. Cox
James O. Alexander
Rohlin D. Anderson
Marcel D. Bujarski
Darwyn D. Buettner
Donald J. Green
Johnnie C. Erikson
John R. Kallenback
Robert E. Harrington, Jr.
Richard E. Casey
John T. Potts, Jr.
Harry D. Hamilton
Harold L. Brown
Rodger G. Lockhart
Eugene C. Conway
Duane H. Gullixson
Walter N. Smith
Paul D. Litts III
Mortimer D. Hendrickson
Frank R. Brock
Carl T. Johnson
Ralph F. Lutz
Ray C. Hiner
John D. McCormack
Keith L. Indermuehle
James V. Timmerman
George D. Davis
Malcolm R. Smith
James M. Loomis
James E. Kenney
Lee F. Bellar
Richard A. Bundy
Kenneth J. Hamilton
David B. Simpson
Robert L. Neild
Everett A. Howe
Carrol D. Christianson
Harry L. Immer
Larry K. Leward
Wade A. Johnson
"W" "S" McClure

The following-named officer to be a permanent commissioned officer of the Coast Guard in the grade of captain having been recalled to active duty from the temporary disability retired list:

Leslie G. Haverland

The following-named officer to be a permanent commissioned warrant officer in the Coast Guard in the grade of chief warrant officer, W-4:

Richard A. Schnase

IN THE NAVY

Capt. Rufus J. Pearson, Jr., Medical Corps, U.S. Navy, for appointment to the grade of rear admiral pursuant to article II, section 2, clause 2 of the Constitution.

Capt. Thomas B. Owen, U.S. Navy, to be Chief of Naval Research in the Department of the Navy for a term of 3 years with the rank of rear admiral.

IN THE MARINE CORPS

Lt. Gen. Richard C. Mangrum, U.S. Marine Corps, for appointment to the grade of lieutenant general on the retired list in accordance with the provisions of title 10, United States Code, section 5233 effective from the date of his retirement.

Lt. Gen. Alpha L. Bowser, U.S. Marine Corps, for appointment to the grade of lieutenant general on the retired list in accordance with the provisions of title 10, United States Code, section 5233 effective from the date of his retirement.

The following-named officers of the Marine Corps for permanent appointment to the grade of major general:

Lewis W. Walt
Carl A. Youngdale
Ormond R. Simpson

The following-named officers of the Marine Corps for permanent appointment to the grade of brigadier general:

Gordon D. Gayle
William G. Thrash
Marion E. Carl
Arthur H. Adams
Frederick J. Karch
John W. A. Antonelli
William A. Stiles
Louis Metzger
Homer G. Hutchinson, Jr.
Robert G. Owens, Jr.
Jonas M. Platt
Clifford B. Drake
Wallace H. Robinson, Jr.
Virgil W. Banning

The following-named officers of the Marine Corps for temporary appointment to the grade of major general:

*John G. Bouker
Hugh M. Elwood
Donn J. Robertson
Lowell E. English
William G. Thrash

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* Indicates an interim appointment issued.

The following-named officers of the Marine Corps for temporary appointment to the grade of brigadier general:

*George C. Axtell, Jr.
*George D. Webster
*James A. Feeley, Jr.
*Foster C. La Hue
*Charles F. Widdecke
*Louis H. Wilson, Jr.
John N. McLaughlin
Jacob E. Glick
John E. Williams
Robert R. Fairburn
James F. Lawrence, Jr.
Homer S. Hill

IN THE ARMY

The following-named persons for reappointment in the active list of the Regular Army of the United States, from the temporary disability retired list, under the provisions of title 10, United States Code, section 1211:

To be colonel

Willoughby, William H., O30108.

To be captain, Medical Service Corps

Riordan, Michael W., Jr., O83442.

The following-named persons for appointment in the Regular Army of the United States, in the grades specified under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286, 3287, and 3288:

To be majors

Carlaw, Clinton L., O1937397.
Caton, Thomas A., O1933458.
Denison, William E., O1875876.
Joy, Jesse D., O2004863.
Kasson, Darrell D., O2265453.
Kreighbaum, Gene S., O4013543.
McConnell, H. James, O1883266.
Mitchell, Aubrey, Jr., O1882363.
Pierce, George J., O1936600.
Remppel, Henry J., Jr., O1936157.
Taylor, William D., O2262515.

To be captains

Adams, John K., O5307429.
Avant, Thomas L., O5306528.
Avera, John B., Jr., O5300909.
Bahm, Charles L., Jr., O5703888.
Barksdale, Lewis B., O5303838.
Belleville, Maurice J., O5002889.
Beyer, Eugene A., O5403262.
Bock, John E., O5207998.
Botelho, George E., O5704878.
Bradshaw, Scott W., O5508701.
Brisker, Morton S., O5300092.
Brock, Orvile L., O5312103.
Cavender, John H., O5307780.
Chapman, Donald R., O5307837.
Churchman, Robert E., O4009523.
Collins, Franklin W., O4001983.
Cotner, Henry L., Jr., O4042116.
Cross, Gerald K., O4010579.
Dale, Ronald E., O4040784.
Dambergs, Ilmars H., O4074254.
Fernandes, Virgil S., O5307328.
Fisher, Richard B., O5005943.
Foster, David H., O5006308.
Fothergill, Robert N., O5208771.
Gee, Leonard C., O5404110.
Gehler, William C., O5507149.
Golding, Willard E., O5307462.
Graham, Hanzel C., O4031306.
Harrell, Pascal B., O5704801.
Hartig, Dale L., O5503176.
Hattaway, William E., O4006571.
Humbert, David W., O5208883.
Johnson, Kenneth E., O5405248.
Kellom, Bernard K., Jr., O5405480.
Kerr, Richard L., O5975136.
Kirk, Harry G., O4024307.
Lechner, Ralph C., O5306505.
Lewis, James P., O4031688.
Mallory, James P., O5307896.
Marshall, Thomas J., O5301994.
McDonald, Edward S., O5403831.
McLaurin, Ronald O., O5300052.
McMahon, James E., O4065225.
Mendoza, Charles J., O4031090.
Miller, Jerome C., O5404147.
Miller, Stuart A., O5510377.
Minor, Thomas F., O1935569.
Miyashiro, Charles S., O5800198.
Monihan, Joseph R., O5001094.
Moore, James E., O5208015.
Munoz, Benjamin L., O5402173.
Neilson, Peter G., O4051695.
O'Malley, Dennis J., O5208212.
Owens, Ira C., O5405610.
Parham, Edward L., O5405072.
Parker, Curtis G., O5304142.
Patton, Milton K., O4058993.
Reddick, Robert R., O5701792.
Rickard, William D., O4010385.
Rubin, George R., O4037219.
Rushton, Richard T., O4063170.
Sanders, Charles R., O5405228.
Smith, Charles R., O5308155.
Smith, Horton P., O1341047.
St. Arnaud, Charles E., O5307277.
Stevens, Ray D., O4076292.
Taylor, John E., O5411084.
Terry, Thomas J., O4026261.
Thompson, Larry P., O5302[illegible]05.
Ulmer, Donald J., O5006102.
Waddell, Decatur F., Jr., O5305787.
Waddell, Robert R., O5307156.
Warren, Claude H., O5405581.
Wieduwilt, Leslie R., Jr., O5508021.
Willis, William J., O4005754.
Wills, James H., O5307422.

To be first lieutenants

Alderson, Kenneth M., O5315436.
Allard, John A., O5008727.
Amato, James D., O5013666.
Andrews, Russell W., O5314205.
Anglin, John I., III, O5011554.
Bayer, Lawrence W., O2299283.
Beddingfield, Robert E., O5316934.
Beerthuis, Mark A., O5517753.
Bellamy, Mark L., O5406128.
Blackwell, James R., O5406192.
Bliven, David H., O5010152.
Bodden, John D., O5313731.
Bolles, Donald S., O5008962.
Brown, David R., O2311079.
Brown, William C., O5413112.
Busic, Len T., O5215605.
Byers, Ronald W., O5875321.
Cabe, Lewis R., O5311871.
Cameron, Vaughn W., O2309125.
Carmignani, Anthony B., O5317460.
Carter, Norman D., O5310855.
Carter, Robert A., O5212225.
Chamberlain, Woodrow W., Jr., O5214910
Champion, John E., O5311981.
Cleveland, Russell K., O5318476.
Corso, Richard J., O5517585.
Cowan, William F., O5517941.
Cronin, Daniel P., O5212438.
Desrochers, George A., O5015536.
Dorf, Robert A., O5010014.
Ed, Robert C., O5510721.
Edgar, William F., O5512097.
Ellis, Ronan I., O5010075.
Fritz, Stanley G., O5507020.
Garrison, David C., O5415038.
Gibbs, Terrence H., O5217944.
Giddngs, Verlyn G., O5530165.
Gillan, Murrell M., O5875209.
Goldfarb, Richard M., O5009506.
Graham, Robert G., O5309943.
Greaves, John D., III, O5210936.
Grizio, Myron E., O5517832.
Hall, Donald G., O5312284.
Hamblen, John B., O5312139.
Hiltz, Harold A., O5017445.
Holmberg, Richard J., O5012366.
Holt, Norman H., Jr., O5405662.
Howard, John L., O5314183.
Humphries, James F., O5315107.
Hunsickr, Gerald E., O5009809.
Hunt, George E., O5406016.
Jess, Larry L., O5311017.
Johnson, Alex J., O5405066.
Jones, Bennet S., O5320175.
Jones, Robert E., Jr., O5413378.
Kent, George C., O5406104.
Kissman, Bridance R., O5414756.
Kistner, Thomas L., O5409512.
Krinsky, Richard P., O5011791.
Lacaze, Gene H., O5412543.
Lakey, William E., O5314362.
Lane, Joseph R., O5223508.
Lanham, Clifford W., O5314753.
Laritz, Richard E., O5408155.
Larson, Eugene J., O5510680.
Lipinski, Robert H., O5216409.
Lockett, Benny L., O5411733.
Lucas, Paul A., O5205304.
Lyons, Lawrence E., III, O5412475.
Macolly, James W., O5311849.
Mahoney, McKenna S., O5313526.
Mathes, William L., O5409469.
Miller, Stinson J., O2287242.
Mills, Walter L., O5318754.
Moeller, Alan H., O5405724.
Morrissey, Patrick D., O5515740.
Murphy, Owen J., O5414162.
Nixon, Robert A., O5219645.
Orzechowski, Richard L., O5211376.
Patterson, James A., O5531675.
Perrey, Edgar E., Jr., O5517824.
Petronis, Charles J., O5007722.
Pitcher, Rudolph A., Jr., O5008587.
Ponder, Ralph C., O5411941.
Rast, Thomas E., O5222490.
Reed, Maurice L., O5317672.
Reynolds, Robert H., O5405833.
Robertson, Jarrett J., O5531812.
Rothlisberger, Charles J., O5414420.
Rudd, Johnny R., O5218494.
Russell, John B., Jr., O5313405.
Saxton, Michael L., O2303515.
Schultz, Raymond J., O5410625.
Scott, Michael A., O5209570.
Shaler, Michael D., O5707114.
Siders, Marvin I., O5315284.
Smith, Wardell C., O5315285.
Thompson, Owen R., O5214297.
Trbovich, Tyrone M., O5315168.
Wade, James W., O5317975.
Walker, William J., Jr., O5302128.
Waller, Thomas S., O5316842.
Warner, Jerry C., O5709721.
Webb, James T., IV, O5316311.
Wharton, Richard W., O5406374.
White, Isaiah, O5412847.
Wiles, Thomas R., O4218497.
Wood, James F., O5412471.
Yedinak, Steven M., O5708305.

To be second lieutenants

August, Robert L., O5222803.
Bissey, Trevor E., O5532324.
Boley, Steven K., O5406424.
Chitester, Lester L., O5800477.
Conrey, Robert W., O5325067.
Corcoran, Charles A. P., O5321539.
DeHaven, Thomas R., O5224379.
DeWitt, Clyde H., Jr., O5325552.
Downhour, Orbra W., O5413167.
Ellis, Donald A., O2317757.
Fear, Robert G., O5323781.
Forbes, William J., O2311517.
Getz, Robert A., O5534670.
Hennessey, James T., Jr., O5228013.
Hollis, James F., O5324793.
Hufstetler, James F., Jr., O5416947.
Kasprowicz, Melvin H., O5018819.
King, George W., O5020781.
Latham, Wayne K., O5324955.
Lehrter, John B., O5226620.
Lewis, Oscar E., O5416989.
McClure, Glen E., O5322565.
Meador, Joel H., O5415806.
Moya, Manuel E., O5532778.
Niemczuk, John N., Jr., O5406614.
Nies, Gary L., O5533506.
O'Brien, William A., O5018243.
Olson, William C., O5534199.
Peters, Frederick, O5415850.
Richardson, Edwin W., Jr., O5706854.
Schaefer, Michael P., O5420000.
Smith, Leo H. H., O5417961.
Townes, Morton E., Jr., O5419588.
Tsutsui, Setsuo, O5325180.
Tudela, John A., O5416936.
Wernert, Joseph G., O5221856.
Wigdahl, Leroy C., O5531929.
Williams, Wayne L., O5326665.
Wyrick, James L., O5406704.

The following-named persons for appointment in the Regular Army of the United States, in the grades and branches specified, under the provisions of title 10, United States Code, sections 3283, 3284, 3285, 3286,

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*Indicates an interim appointment issued.

3287, 3288, 3289, 3290, 3291, 3292, 3294, and 3311:

To be captain, Army Medical Specialist Corps

Jolin, Janet P., R5407404.

To be captains, Army Nurse Corps

Allen, Nina R., N2289416.
Ammon, Kathryn J., N2299876.
Balmforth, Patricia M., R2298816.
Burrell, Jewel H., N900280.
Canfield, Margaret E., N900487.
Golobic, Frances M., N901667.
Koch, Dorothy J., N2300179.
Kulvi, Ruth L., N901409.
Longmore, Beverley I., N5407328.
Munchbach, Rose M., N901726.
Taylor, Wilma B., N901912.
Williams, Dorothy S., N5407267.

To be captains, Dental Corps

Battle, Lucius W., Jr., O5305723.
Fuqua, William C., O5208417.
Moore, Henry B., O5501442.
Platts, James L., O5501245.
Spalla, Andrew J., O5230895.
Tortorelli, Alfred F., O5004900.
Whitsett, Bernard D., O5213561.

To be captain, Judge Advocate General's Corps

Miller, John S., III, O2310102.

To be captains, Medical Corps

Armstrong, Don W., O5407506.
Callan, Thomas W., O5319753.
Chase, Norman B., O5205830.
Flaherty, Peter L., Jr., O2309557.
Garcia, Guillermo G., O5315808.
Gerkin, David G., O5708945.
Maggioli, Albert J., O5005337.
Morgenstern, Larry L., O5315857.
Pettera, Robert L., O2287433.
Stebbing, George E. T., O5220253.
Vest, Charles R., O5525700.

To be captains, Medical Service Corps

Davis, Warren L., O4068893.
Folding, Joseph F., O2289188.
Hartley, Brodes, H., Jr., O4083485.
Krawczyk, Joseph R., O4030769.
Laubscher, John W., O1889138.
Olson, Alfred E. J., O5508173.
Taylor, Martin L., O2285096.

To be first lieutenants, Army Medical Specialist Corps

Fenninger, Joanne E., M2302408.
Lavin, Jacqueline M., M2300826.

To be first lieutenants, Army Nurse Corps

Ahlschlager, Darlene M., N2308801.
Bogle, Janeth C., N5411234.
Flecha-Agosto, Maria L., N2306505.
Foley, Mary D., N2300384.
Foree, Betty M., N5411494.
Gordon, Jacqueline R., N2313304.
Kerry, Hazel, N5411300.
Keyes, Georgiana A., N5407302.
Kuhn, Patricia A., N5312622.
Lewis, Virginia M., N2313631.
Lotspeich, Angela P., N2322401.
Messerschmidt, Mary L., N2315592.
Miller, Carole A., N5411519.
Nelson, Patricia L., N5519247.
Patla, Judith A., N2306901.
Roe, Mary L., N5706242.
Wooding, Gayle E., N5470257.

To be first lieutenant, Dental Corps

Zurek, Dennis J., O5540150.

To be first lieutenant, Judge Advocate General's Corps

Mann, Richard G., O2324764.

To be first lieutenants, Medical Corps

Anderson, Daniel L., O2320753.
Armitage, David T., O2320781.
Baur, Ogden T., O5412343.
Cutting, John W., O5712019.
Hentz, Edwin C., O2316827.
Jones, Henry E., O5408624.
Kelly, Charles S., O2316862.
Konia, Harold, O5233019.
Maroun, William J., O5024553.
Mouton, David E., O5313101.
O'Loughlin, Edward P., O2316817.
Smith, Gilbert A., O5712054.
Stones, Carl, O2316740.
Sullivan, John C., O2320742.
Walter, Arthur K., O5313714.
Weeks, Duke B., O5315789.
Woodson, Drury L., Jr., O2320671.

To be first lieutenants, Medical Service Corps

Cunningham, Jerry A., O5317442.
Daubel, Karl J., O5511207.
Gilman, Wayne A., O2313502.
Hantman, Richard K., O2305808.
Hawkins, Joseph W., O2302278.
Ingrando, Dominic P., O2312856.
Lacey, Donald A., O2308601.
Momiyama, Augustine T., O2310293.
Quarles, Patrick A., O5218527.
Suit, Larry R., O5531816.
Thompson, Eugene G., O2300375.
White, David L., O2308485.
White, Miles H., O5410919.

To be first lieutenant, Veterinary Corps

Jennings, Paul B., O2317456.

To be first lieutenant, Women's Army Corps

Bennett, Mary J., L2300858.

To be second lieutenants, Army Nurse Corps

Bartels, Sandra A., N5520058.
Blye, Reuben A., N5325811.
Davenport, Mildred J., N2319753.
Krueger, Dawn A., N5417397.

To be second lieutenants, Medical Service Corps

Bazany, James L., O2316569.
Chester, Thomas M., O5323264.
Hedrick, David R., O2316568.
Leach, Paul J., O5415228.
Manning, Randolph, O2321373.
McGibony, James T., Jr., O5323322.
Redington, Bryce C., O5515626.
Stingle, Norbert A., O5530782.
Tudor, James H., III, O5226880.
Weiss, Joseph D., O5213663.
Wells, Robert A., O5218539.
Westbrook, J. B., O2316338.

To be second lieutenant, Women's Army Corps

Wood, Mary L., L2321488.

The following-named distinguished military student for appointment in the Judge Advocate General's Corps, Regular Army of the United States, in the grade of first lieutenant, under the provisions of title 10, United States Code, sections 2106, 3283, 3284, 3286, 3287, 3288 and 3292:

Corrigan, Dennis M., O5011836.

The following-named distinguished military students for appointment in the Medical Service Corps, Regular Army of the United States, in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 2106, 3283, 3284, 3286, 3287, 3288 and 3290:

Allen, Peter M.
Dunleavy, James W., O5236472.
Fox, John W.
Hilty, Michael P., O5235165.
Howard, Harold S., O5537485.
Wolcott, Barry W.

The following-named distinguished military students for appointment in the Regular Army of the United States in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 2106, 3283, 3284, 3286, 3287 and 3288:

Bell, David H., Jr.
Bell, Samuel D.
Bitting, Charles R.
Booth, Lawrence R., O5234585.
Bortner, Jerry L.
Brown, Guy C., Jr., O5713922.
Brusitus, James M.
Cless, Ralph S., III.
Cook, Sherman L., Jr., O5714407.
Esterline, William H.
Felletter, Vincent J., O5237736.
Fischer, Todd E.
Fouch, Roy E., Jr.
Ganoe, Fred J.
Garner, Jesse D., O5538231.
Garrett, George T.
Hare, James C., Jr., O5332927.
Helmuth, Donald W.
Hemphill, Douglass R., O5235587.
Henderson, Morey M., O5422686.
Henderson, Robert W., II.
Holmes, William A.
Hoover, Timothy A.
Hopson, Hal R.
Housley, George D.
Ingle, David L.
Jones, Ronald D.
Jones, Shelton J., Jr.
Kellogg, James N.
Kiekhaefer, James S.
King, Laird R.
Kirk, Larry B.
Kohls, Kenneth E.
Kuhns, Michael F.
Larson, Lee W.
Legg, George F.
Lilygren, Evan, Jr.
Lindekugel, Claude P.
Loosbrock, Gene F.
Lowrey, Robert W.
Maggio, Joseph P.
Mayer, Phillip W.
McEvoy, Thomas J.
Meyer, Donald R.
Miller, Ronald L., O5332874.
Myers, Wesley E.
Nuzzi, Norman S.
O'Keefe, James M., O5714460.
O'Keefe, Michael F.
O'Malley, William M.
Palumbo, Michael.
Pankow, Richard P., O5537908.
Perkins, John W., O5537051.
Pilcher, Michael P.
Poe, Charles E., Jr.
Poley, Robert L.
Porter, Edward N.
Porter, Lanier M.
Pouch, Richard C., O5024156.
Reddick, Thomas D.
Reymann, Louis H.
Rhue, Felix H.
Ross, Gary J.
Schleicher, Juergen H., O5714240.
Siegel, Jay H.
Snyder, Albert J., O5239615.
Stanley, Burton J.
Stengel, James M., O5537988.
Steve, Joseph A., Jr.
Stewart, Robert D., Jr.
Tatum, Joseph M., O5234444.
Taylor, William W.
Trotter, Jesse J., Jr.
Vest, Herbie D.
Waggener, Harold S., Jr.
Walters, Daniel L.
Waterbury, Irving B., III
Watkins, Richard D.
Watson, David H., Jr.
Weston, James G.
Wyma, Alden J.
Young, Rodney W.
Zimmerman, Terry L.

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3299:

To be lieutenant colonels

Abrams, Lester W., O80530.
Ackerson, Frederic, O50562.
Adamo, Pascal, O80531.
Aguilar, Arthur, O80533.
Allen, Charles W., Jr., O81940.
Allen, Richard H., O50603.
Allender, Nicholas, O80537.
Andersen, Gilbert K., O83098.
Anderson, Farrell B., O60157.
Anderson, Frank E., O80539.
Anderson, Merlin W., O50584.
Anderson, Warren S., O81947.
Arbuckle, Robert C., O80543.
Armstrong, Russell, O80544.
Askin, Henry W., O84053.
Aston, David T., O80545.

Babbitt, Bruce C., O61198.
Baer, Robert J., O50684.
Bagley, James C., O80547.
Bailey, Kenneth L., O80549.
Ball, Harry P., O50672.
Bamber, William H., O28480.
Bandy, Alva H., O63230.
Banse-Fay, Frederick V., O80553.
Barnett, David E., Jr., O28356.
Barone, Sandro A., O80556.
Bartley, Hugh J., O50621.
Becker, Arthur A., O50591.
Bell, Raymond E., O80565.
Bennett, Paul M., O83593.
Benson, James W., O76851.
Benson, Thomas E., O50691.
Berge, Einar, OF102815.
Berridge, William J., O80576.
Betit, Joseph W., O80580.
Bevins, David G., O84589.
Bielicki, Theodore, O50625.
Biles, Shelton B., Jr., O50598.
Bishop, John H., O80584.
Black, Charles S., O80585.
Black, James R., Jr., O80586.
Blackman, Edward B., O80587.
Blackwell, Roy V., O80588.
Blair, Bruce E., O80589.
Bland, George E., O50821.
Bledsoe, Thomas D., O81959.
Bleiman, Junius J., O50581.
Bletz, Donald F., O56739.
Boerger, Frank C., O50579.
Boerger, Philip T., O50618.
Bohn, William W., O80590.
Bordiga, Carl J., O94992.
Borges, Richard A., O80593.
Bovee, Warren A., O81961.
Boyle, Germain P., O63227.
Bradley, Robert W., O80600.
Bridenbaugh, Donald, O80607.
Briercheck, Raymond, O88017.
Bronson, Don H., O84593.
Brown, Kitchen N., O80614.
Brown, William D., O50828.
Brugge, Robert O., O80617.
Bullock, Baxter M., O80621.
Burch, Robert L., O80623.
Burke, Donald D., O80625.
Burner, Jean P., O50722.
Burrus, Charles C., O81970.
Burton, Donovan F., O50622.
Butler, David C., O80631.
Butler, Frank L., O80632.
Cadmus, George W., O80633.
Callan, Paul C., O50833.
Callinan, Patrick M., O80634.
Campbell, Norman J., O81971.
Capka, Theodore J., O84596.
Carroll, Edward F., O80640.
Carson, John L., O80641.
Casey, Warren C., O63233.
Cassell, John W., O80642.
Castrale, James, O80644.
Catania, Alfred J., O80645.
Causgrove, Bernard, O80647.
Chapin, Russell D., O76858.
Cheatham, Jesse R., O76859.
Child, John L., O61197.
Chrzanowski, John J., O76860.
Clark, James D., O81973.
Clark, Richard S., O84598.
Clarke, Arthur M., O78764.
Cleland, John R. D., O41361.
Coghill, William F., O50753.
Collins, Gilbert R., O80665.
Conger, William E., O50858.
Conley, Richard H., O84054.
Connolly, John E., O78769.
Cooper, William R., O80673.
Copp, Duport M., O80674.
Counts, Charles R., O61196.
Cramer, Robert G., O28199.
Cronin, William B., O50787.
Culin, John E., O50654.
Curtis, Robert T., O50634.
Dalton, Dermot P., O80686.
Davidson, Kenneth E., O50569.
Davidson, Lonnie M., O81986.
Davino, Louis, O80688.
Davis, Charles E., O80689.
Davis, John L., III, O39480.
De Byle, George A., O80693.
De Gil, Bernard F., O50794.
Deegan, Richard J., O60779.
Del Mar, Henry R., O76865.
Delistraty, John, O50706.
Deming, Donald A., O81988.
Dewhirst, Sam T., O80702.
Dexter, Donald M., Jr., O50834.
Dickerson, Roy L., O80705.
Dierauf, Frank, Jr., O83594.
Dillon, Francis H., O80706.
Dixon, Billy L., O80708.
Doeppner, Thomas W., O76869.
Doppel, Leroy, O80712.
Dunham, Jack V., O50668.
Dunlop, John, O80724.
Dupart, William L., O80727.
Duquemin, Gordon J., O50784.
Egger, James B., O50595.
Ellett, Charles C., O76872.
Ellis, Richard E., O76873.
Ellison, Paul P., Jr., O80740.
Elvington, Carl W., O78819.
Elwell, Raymond G., O80741.
Emerson, Henry E., O50868.
Ensor, John O., O80743.
Eskes, James N., O86125.
Evans, Edward S., O80746.
Faires, Hunter H., Jr., O28377.
Faith, John C., O50590.
Fehlow, Otto A., OF101988.
Fell, Joseph G., O80753.
Fell, Thomas F., O81996.
Ferguson, Thomas J., O81997.
Filby, Robert A., O80755.
Fimiani, Joseph C., O76875.
Finley, Joe W., O28599.
Flynn, Thomas B., O80763.
Foley, Francis E., O80764.
Forinash, Cecil L., O62846.
Fox, Archie C., O80771.
Fox, Thomas J., O82001.
Frame, Golden J., O80772.
Franzek, Theodore D., O80773.
Fraser, James F., O50589.
Frazier, Rawls H., O61967.
Frol, Anthony B., O80776.
Gabella, George T., O80779.
Gaddie, John G., O50710.
Gardner, Richard M., O76877.
Garland, Albert N., O82006.
Garza, Carlos M., O96971.
Gemmer, Frederick L., O82007.
Gentry, Clarence E., O80784.
Geraci, Albert J., O50786.
Gerrity, John L., O50648.
Gertie, Raymond J., O76878.
Gigliotti, Frank J., O84617.
Gill, Harvey E., O80789.
Ginikowre, George J., O80296.
Goepper, Edwin S., Jr., O82012.
Goldrick, Robert N., O80796.
Goodwin, Andrew L., O82014.
Gordinier, Ted E., O82015.
Gordner, Henry L., O80800.
Gossett, Warren R., O50676.
Goyne, Earl W., O84621.
Grant, William D., O50716.
Greene, Charles A., O99324.
Gysin, Thomas W., O80819.
Hack, Sidney, O80820.
Haig, Alexander M., O50790.
Haight, Chauncy P., O80824.
Haile, William G., O80097.
Haldane, Robert, O50742.
Hale, Albert C., O80825.
Hall, Ohio C., O80827.
Halligan, Arthur J., O83601.
Hammack, J. Y., O84624.
Haralson, Browning, O80835.
Hardin, George B., Jr., O80837.
Harrigan, Thomas Y., O80838.
Harrison, James J., O80844.
Harvey, William T., O80846.
Haskin, Milton L., O50637.
Hatch, Kenneth M., O50640.
Hauck, Wayne O., Jr., O50807.
Haugen, George L., O50643.
Hawkins, Harold M., O84627.
Hawley, George R., Jr., O80850.
Haynes, Chester H., O80854.
Hayward, Fred O., Jr., O80101.
Heiser, Rolland V., O50738.
Heisser, George D., O50805.
Henderson, John R., O80858.
Hendricson, Harold, O80859.
Hessler, Robert J., O80863.
Hill, Henry W., O50755.
Himic, Steve P., O80867.
Hisaka, Masakatsu, O80871.
Hockaday, Spencer T., O80872.
Hollander, Bennet N., O50693.
Holmes, Kenneth E., O82025.
Hon, William M., O82026.
Honeman, Donald E., O80876.
Hoover, John E., O50620.
Hornbuckle, Rodney, O93045.
Houseworth, Joseph, O28584.
Houston, Frank W., O80883.
Howland, Frederick, O76884.
Hubble, James E., O80887.
Hubble, Philip C., O82030.
Hulse, Melvin N., O94762.
Hutchison, Robert F., O76885.
Hutto, Charles L., O76886.
Ickler, Julius F., O50667.
Ivey, Ashley, O83603.
Jachens, Richard C., O80899.
Jackson, Henry T., O80902.
Jackson, Robert H., O83604.
Jacobson, Arthur J., O80904.
Jacobson, Carroll C., O50612.
Jardon, Eldo B., O80906.
Jewell, Jack F., O80908.
Jobst, John W., O80909.
Johnson, Ervin V., O80117.
Johnson, James A., O50638.
Johnson, Robert E., O84633.
Jones, Cecil R., O80912.
Jones, David L., O76888.
Jones, Donald M., O82032.
Jones, Homer H., O80915.
Jones, Murray G., O80917.
Jones, William D. C., OF105719.
Joseph, Edwin M., O28522.
Jung, Gordon C., O80920.
Karr, Guy A., Jr., O80922.
Katagiri, Taro, O80924.
Kay, Herbert J., O80926.
Keefer, Robert J., O80928.
Keet, Robert T., O80929.
Keggins, Alfred G., O85587.
Kelly, Joseph B., O63232.
Kelso, Minor L., O28745.
Kennedy, Maurice J., O80934.
Kies, Robert H., O80939.
Kilbourne, Charles, O80940.
Kimball, George E., O80942.
King, Grover C., O94096.
Kinney, John C., O63277.
Kinsey, John D. Z., O38517.
Knight, John N., O76890.
Knudson, Wade E., O80948.
Koch, Robert J., O50874.
Koenig, Paul H., O84641.
Koob, Robert A., O84866.
Kramer, David O., O80950.
Krometis, August A., O80951.
Kussmaul, Willim G., O82036.
Lambertus, Willard, O80954.
Lassetter, James D., O82037.
Lauterbach, John W., O50727.
Lavin, Peter E., O82039.
Law, William T., O82040.
Lawing, Clarence E., O84058.
Lawless, Raymond B., O80959.
Le Comte, Roger L., O80961.
Le Vant, William S., O80964.
Ledda, Daniel L., O82042.
Lee, Leonard S., O84456.
Lemberes, Alexander, O50754.
Lighthall, John A., O63739.
Linn, William E., O80975.
Linrothe, Robert N., O80976.
Little, John T., O80978.
Little, Selby F., Jr., O50860.
Littlestone, Richard A., O50653.
Loftus, Joseph F., Jr., O84645.
Loomis, Robert K., O80986.
Lowe, Laddie, L., O80988.
Luick, Alton L., O80990.
Lukens, Walter P., O50801.
Lynch, Eugene M., O76891.
Lynch, Thomas B., O82046.
Lynn, George A., O50593.
Maddox, William J., O76892.

Mader, William P., O81000.
Maher, John R., Jr., O76893.
Mahr, Warren C., O81002.
Maier, Aaron D., O50559.
Majeske, Arthur, O81003.
Mallett, Charles S., O50819.
Malone, Albert C., Jr., O63275.
Maloney, George A., O50862.
Marcum, Robert D., O83606.
Marcus, Milton S., O84457.
Marksteiner, John A., O81008.
Marnoch, Gabriel W., O81009.
Mastin, John W., O50582.
Mathews, Morgan H., O81017.
Mattern, James P., O50713.
McAdoo, Richard F., O50609.
McCaffrey, Donald, O81022.
McClung, Boniface, O81026.
McCord, Robert E., O50803.
McCue, Edward F., O28118.
McCue, Rufus G., O81029.
McGee, William G., O50855.
McGilton, Howard J., O82055.
McIntire, John E., O82057.
McIntire, Ralph W., O81032.
McKenzie, William, O81035.
McKinney, James E., O8648.
McLeod, Glenwood P., O81038.
McMahon, Leo T., Jr., O41352.
McMinn, John H., O81039.
McNeil, Robert J., O50756.
Melton, Charles A., O81042.
Mendenhall, Clarence M., 3d, O28728.
Merritt, Doyle, O28174.
Meyer, Warren J., O81046.
Midgett, Garland H., O81047.
Miller, Frederic G., O81052.
Miller, John M., O50692.
Miller, William R., O81055.
Mills, Stanley R., O82062.
Minyard, James T., O84650.
Mitchell, Erwin M., O81058.
Mize, James C., O81061.
Moeller, William H., O88843.
Montague, Robert M., O50578.
Moore, Charles E., O81065.
Moore, Ernest L., O81067.
Moore, Harold L., O81068.
Moore, Walter N., Jr., O76898.
Morgan, William, O84651.
Morley, Leonard A., O82065.
Morton, Ernest L., Jr., O82066.
Mosser, Richard B., O81078.
Murphy, Daniel J., O76900.
Murray, Stephen S., O80152.
Nairn, William W., O50720.
Nelson, Ivan C., O82069.
Nickel, Wallace E., O50695.
Nietman, Charles F., O81092.
Norris, Charles R., O76902.
Nottage, Paul E., O81097.
Oakes, Edward E., Jr., O81099.
Okawachi, Toru M., O81103.
Okazaki, Saige, O81104.
Orrick, Richard R., O81113.
Osburn, Wayne E., O81114.
Painter, Maurice, O83613.
Parker, Brandon L., O81121.
Patterson, David T., O81125.
Patterson, John A., O81126.
Payne, Francis E., O76906.
Peckham, Robert D., O50740.
Pederson, Leonard M., O82076.
Pennino, John L., O81131.
Perkins, Tom J., O50781.
Perry, Milum D., Jr., O50594.
Phaneuf, Philip E., O81135.
Phillips, Eric C., O75411.
Phinney, Jack T., O82079.
Pierce, Donald L., O93488.
Pierce, Walter R., Jr., O81139.
Pietrzyk, Mitchell, O81140.
Pope, Ralph M., O84661.
Potalivo, Patsy M., O84662.
Prather, Eugene, C., O81150.
Prewett, James F., O81152.
Pribram, Otto E., O82083.
Proudfoot, George F., O83616.
Proudfoot, Robert J., O81154.
Quigley, Calvin C., O80318.
Rachmeler, Louis, O50666.
Ramsey, Edward L., O37688.
Rantz, John R., O50826.
Rau, William A., O81163.
Rausch, Arthur R., O84880.
Ray, Charles G., O81165.
Reece, Donald P., O83618.
Reeder, John H., O84666.
Reel, Kermit D., O50682.
Reese, Alfred J., Jr., O81168.
Resendes, Daniel F., O84883.
Reynolds, Eugene F., O81173.
Richardson, Hal C., O50662.
Richardson, Lyman C., O85796.
Richie, Howard M., O84062.
Risen, Everett L., O81182.
Robbins, Phillip W., O81183.
Roberts, David R., O81184.
Roberts, Stanford, O82086.
Robinson, James R., O50588.
Robinson, Ralph C., O76912.
Rogers, Thomas E., O50785.
Rosen, Norman R., O50600.
Ruby, William F., O81193.
Russell, Carl K., O50777.
Russell, Dempsey R., O87905.
Rutledge, Walton A., O81196.
Sacra, Sam W., O76914.
Salisbury, Norman J., O50802.
Sanders, William O., O81201.
Sargent, Howard L., O50586.
Scarbrough, Hobart, O82091.
Schmidt, William T., O84465.
Schneider, Richard, O81206.
Schroy, Paul H., O61970.
Schuder, William J., O50611.
Scoggins, Ruel P., O76916,
Scott, Douglas, O85251.
Scott, Harvey, O81210.
Seibert, Richard F., O61966.
Senechal, James F., O61199.
Serbousek, George, O81211.
Sevdy, Lawrence M., O81213.
Sherman, Frederick, O81217.
Shimon, Walter W., O88929.
Short, Robert W., O50871.
Shumaker, Clarke L., O50568.
Sigholtz, Robert H., O87614.
Sinai, Samuel B., O86766.
Skapik, Richard L., O81229.
Smith, Chester R., O82093.
Smith, John A., III, O81236.
Smith, Joseph P., O81237.
Smith, Olin E., O82096.
Smith, Paul E., O81239.
Smith, Raymond H., Jr., O81240.
Smith, William, O50717.
Smith, William R., O28562.
Snodgrass, Homer G., O82099.
Snyder, Ira W., Jr., O50759.
Sparano, James W., O81249.
Spiker, Theodore S., O50774.
Spittler, Charles R., O81251.
Sprague, Francis O., O81253.
Stankovich, Albert, O81256.
Starobin, Sam D., O50601.
Steinborn, Richard, O50616.
Stephens, Travis J., O81259.
Stiefel, Lawrence E., O82103.
Stiles, Lester W., O82104.
Stilo, Frank G., O81261.
Stofflet, Lawrence, O81262.
Sullivan, John F., O81266.
Sutherland, Warren, O81268.
Sutton, Jimmy C., O81269.
Tadich, Dmitri J., O81274.
Taft, Philip H., O79116.
Taylor, Frank L., O50730.
Thomas, Roderick M., O82110.
Thomas, William H., O84678.
Thomes, George E., O81285.
Thompson, Alfred F., O81286.
Thompson, Charles M., O62993.
Thompson, Jack M., O50608.
Thompson, Robert J., O88975.
Thrush, Francis H., O82112.
Tobiason, Orville L., O76924.
Todd, Robert G., O81295.
Torrey, Clarence T., O82114.
Toulme, Clarence V., O84064.
Troy, Guy K., O28162.
Tryon, Frank H., O81302.
Turner, Leo D., O76925.
Turnmeyer, George E., O56735.
Tymchak, Michael, O82115.
Tynan, James D., O79122.
Van Deusen, Edwin R., O28425.
Veaudry, Wallace F., O50820.
Vickers, John D., O82116.
Walker, John W., O76927.
Washburn, Melburn N., O63273.
Watson, Charles L., O81320.
Weaver, Harold A., O84682.
Webb, George K., O76929.
Webb, William L., Jr., O50652.
Weible, Oscar J., O81324.
Welch, George P., O81325.
Wells, Jake, O85385.
Whalen, Thomas F., O81330.
Whipple, Howard W., O82120.
Whisler, John L., Sr., O81331.
White, John D., O81333.
Whittier, Harold W., O76932.
Wickers, Charles A., O82121.
Wildrick, Meade D., O50827.
Wilkins, Robert M., O81337.
Wilkins, Vancourt, O56768.
Wilkinson, Duryea S., O84688.
Williams, Charles C., O81339.
Williams, Howard C., O82123.
Wilson, Charles E., O81343.
Wilson, Daniel S., O81344.
Wilson, Thomas J., O87976.
Winsted, Ray H., O81351.
Wolf, Jean A., O63229.
Wolfe, Melvin M., O82127.
Woods, John O., O81353.
Woodson, Eugene A., O81354.
Wright, Charles K., O63733.
Young, Robert P., O84065.
Zolner, Charles L., O81362.

To be lieutenant colonels, Chaplain

Bragan, James M., O66610.
Day, Clayton E., O71665.
Edens, Allen C., Jr., O67567.
Heckard, Floyd L., O79683.
Hickey, John J., O80352.
Higgins, William J., O79684.
Jones, Edwin A., O66168.
Klett, Paul E., O67588.
Murphy, John J., O72394.
Riley, Frank C., O66196.
Stegman, Leonard F., O70514.

To be lieutenant colonels, Women's Army Corps

Bennett, Judith C., L529.
Harth, Elizabeth A., L533.
Niblack, Sarah F., L580.
Sinclair, Margaret, L163.

To be lieutenant colonels, Medical Corps

Allen, Samuel M., O69845.
Anderson, Robert V., O67548.
Bancroft, John E., O71314.
Burt, Glenn B., Jr., O66614.
Busch, Edwin S., O88603.
Campbell, Ralph E., O60020.
Chappell, Harold R., O88352.
Connolly, John R., O71657.
Cooke, Edwin T., O63674.
Cooper David S., O70306.
Dacquisto, Michael, O63789.
Donohoo, Albert C., O69905.
Eisen, Bruno, O69910.
Feighny, Robert E., O67568.
Foley, George P., O67572.
Fountain, Elbert B., O70090.
Franklin, Robert B., O49940.
Greenberg, Jerome H., O71350.
Hall, Robert M., O70358.
Harvey, James D., O69503.
Holzworth, Robert H., O66626.
Howard, William R., O67828.
Jacob, Jackie E., O95045.
Kitchen, Lloyd, O65466.
Krakaur, Richard B., O70204.
Leigh, Bert G., O67593.
Macomber, Peter B., O69974.
McCaleb, Foster C., O67842.
Molloy, Joseph E., O69530.
Moore, Robert C., Jr., O94493.
Onstead, Charles O., O67600.
Patow, Warren E., O72395.
Rhodes, Major W., Jr., O70226.
Scarpelli, Sabino, OF104532.
Sheehy, Thomas W., O67614.

Steinheimer, Mary E., K69575.
Sweeney, Vincent C., O67875.
Van Osdel, Lewis A., O65467.
Welch, Philip H., O70157.
West, Glenn A., O70064.
Whitten, John W., O70127.
Wright, Lloyd T., O92616.
Zerzan, Charles J., O68065.

To be lieutenant colonels, Dental Corps

Barone, Joseph J., O63732.
Bickley, Russell W., O65474.
Cassidy, James E., O67555.
Churan, Joseph S., O68794.
Clarkson, John, O61962.
Cochran, Robert I., O64984.
Daniel, Roy E., O69476.
Fadul, William G., O77983.
Fehl, Merle I., O74986.
Fischer, Willard G., O65583.
Frisch, Joe, O61193.
Fuller, George E., Jr., O63839.
Gamble, Glen S., O62994.
Hamrick, John J., O63792.
Harmon, Carlos B., O60782.
Hill, Ross H., O63797.
Hurt, William C., O67831.
Jordan, Algene G., O63790.
Kono, Tom M., O78082.
Mayer, John J., O68028.
McClure, Gammon D., O81810.
Paul, John K., O94882.
Rudy, Leon C., O63729.
Schwartz, Donald E., O70231.
Scully, Bernard R., O81829.
Sproull, Robert C., O66104.
Summers, Charles W., O70048.
Sweigart, Thomas T., O66107.
Swisher, Richard E., O62995.
Turner, Charles E., O67629.
Van Dyk, Robert F., O63796.
Vanaman, Nathan E., O62996.
Waldrep, Alfred C., O70057.
Ward, Brente L., O63794.
Woods, Virgil, O63730.
Youmans, Robert D., O65581.

To be lieutenant colonels, Veterinary Corps

Cooper, Irven R., Jr., O70307.
Dean, Edward E., O65547.
Hughes, George M., O84817.
Lampru, Paul D., O84818.
Moran, Guy G., O71708.
Murnane, Thomas O., O70445.
Powell, John J., O72379.
Tierce, Millard L., O85108.
Upham, Roy W., O65551.

To be lieutenant colonels, Medical Service Corps

Anderson, Amel, O84726.
Bailey, Robert W., O80868.
Bates, Roy L., O76800.
Benner, James H., O84825.
Brigadier, Mort B., O84729.
Brown, Dale E., O80284.
Brubaker, Luther G., O84730.
Carter, Woodus A., O84732.
Case, Vernon E., O80289.
Cennamo, Sebastian, O84314.
Coker, Larry W., O78642.
Cooney, Henry F., O76802.
DeFrates, James J., O84736.
Fisher, Cretin L., O84736.
Garza, Rene C., O80295.
Greene, Billy C., O80297.
Halladay, Theodore, O80299.
Heady, Harold T., O80300.
Hesford, Douglas, O80302.
Hunter, Donald H., O80305.
Janda, Earl J., O66027.
Johnson, Andrew J., O81870.
Jones, Ernest O., O69955.
Kilby, Albert B., O84035.
King, Cletus E., O84742.
Klitch, Richard H., O84318.
Knowlton, Homer C., O76803.
Lada, John, O80306.
Ledbetter, William, O84320.
Levardsen, Richard, O80307.
Linthicum, Seth H., O80308.
Loyd, Reginald C., O80309.
Maes, Henry E., O83555.
Meads, William J., O83556.
Mihm, Homer W., O80310.
Morgan, John G., O80311.
Nystrom, Rudolph, Jr., O80314.
O'Neill, William B., O80315.
Ostby, Wallace L., O80316.
Parker, Richard B., O84750.
Pastore, Joseph A., O84752.
Petrini, Bruno A., O80317.
Ramsey, Foster G., O80319.
Rand, Richard S., O80320.
Rogers, Robert J., O80323.
Roueche, Mossman, O81871.
Rundle, Harold D., O84834.
Shafer, James W., O84802.
Thomas, Reginald C., O84755.
Turk, Richard P., O80328.
Wallace, Jack D., O84756.
Waterfield, William, O80329.
Wheeler, Leigh F., Sr., O76805.
Witt, Gustave J., O84837.

To be majors

Garner, Kermit C., O70340.
Hahn, James R., O66963.

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3304;

To be lieutenant colonels, Army Nurse Corps

Allen, Mayna R., N2106.
Earle, Barbara E., N773.
Fowler, Mary M., N2484.
Jelinek, Leda E., N437.
Mizelle, Margaret B., N2463.

To be lieutenant colonels, Army Medical Specialist Corps

Dodds, Maryelle, J67.
Soady, Winnifred E., J65.

IN THE AIR FORCE

The following persons for appointment in the Regular Air Force, in the grades indicated, under the provisions of section 8284, title 10, United States Code, with a view to designation under the provisions of section 8067, title 10, United States Code, to perform the duties indicated, and with dates of rank to be prescribed by the Secretary of the Air Force:

To be captains (*Medical*)

Robert L. Houk, FV3125954.
David M. Hunter, FV3125887.

To be captain (*Dental*)

Thomas J. Ammerman, FV3140390.

To be first lieutenants (*Dental*)

Robert J. Carey, FV3142951.
Clark N. Foulke, FV3165287.
Wayne S. Hammer, FV3165173.
James F. Kemblowski, FV3141911.

To be captain (*Judge Advocate*)

Alfred L. Harston, FV3103054.

To be captain (*Chaplain*)

Salvatore J. D'Angelo, FV3061402.

The following Air Force officers for appointment in the Regular Air Force, in the grade of captain, under the provisions of section 8284, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

James T. Brown, Jr., FV3066557.
Benjamin D. Halsted, FV3101089.
Joel M. McKean, FV3036874.
Wayne L. Tyler, FV3094224.
Paul L. Weber, FV3008768.

The following distinguished graduates of the Air Force precommissioned schools for appointment in the Regular Air Force in the grade of second lieutenant, under the provisions of section 8284, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

Thomas R. Abel, FV3173774.
J. A. Abels, FV3177503.
William B. Ashworth, FV3180195.
Robert W. Baker, FV3183869.
Raymond E. Barber, FV3173011.
Michael L. Bouris, FV3179924.
Victor G. Bowen, FV3183877.
Edward W. Bower, FV3180051.
Paul A. Boyette, FV3177512.
Elliott R. Brown, FV3183879.
Wendell L. Brown, FV3198981.
John H. Burt, FV3180430.
Yates J. Canipe, FV3180347.
Carl W. Canter, FV3183883.
John A. Carmichael, FV3180473.
Ohlen P. Cartmell, FV3180756.
Clifford D. Chaney, FV3171384.
Ogal B. Claspell, FV3183887.
John E. Clemens, FV3180872.
William K. Cline, FV3172722.
Steven L. Coleman, FV3183889.
James E. Curran, Jr., FV3177507.
William B. Davitte, FV3180582.
Theodore E. Dodson, FV3175471.
Daniel P. Dunlevy, FV3177323.
John W. Dyck, Jr., FV3157495.
Kenneth N. Echols, FV3183900.
Robert C. Edmunds, Jr., FV3180612.
Bruce A. Eggers, FV3183858.
Freelin H. Elder, FV3180220.
Michael G. Fadden, FV3177158.
Ciro P. Farina, FV3180786.
Joseph F. Fojtasek, FV3180139.
Kent B. Foster, FV3179912.
Robert M. Gray, FV3163535.
Jack W. Gundrum, FV3198910.
Charles H. Hancock, Jr., FV3180476.
Robert A. S. Hand, FV3177162.
Carl D. Heishman, FV3171806.
Lawrence D. Hokanson, FV3180304.
William E. Holloway, FV3172543.
Colin M. Holman, FV3180309.
Joseph, R. Hopkins, FV3198918.
Charles H. Hornback, Jr., FV3172738.
Richard D. Joffee, FV3180487.
Russell A. Johnson, FV3180025.
Thomas W. Kennedy, Jr., FV3161914.
Charles A. Lancaster, FV3157233.
William R. Laurier, FV3173655.
Philip G. Lindner, FV3180452.
Dennis J. Lisack, FV3180181.
Dennis C. Lundin, FV3176219.
Joseph P. Malandrino, Jr., FV3177443.
Culberto Maldonado, FV3198932.
Jose D. L. Marquez, FV3180509.
Miles O. Martin, Jr., FV3170742.
Richard A. McClure, FV3183852.
James A. McDevitt, FV3177174.
Frederick V. Menkello, FV3179937.
Jose L. Miranda-Ortiz, FV3198937.
Donald L. Moore, FV3180593.
Forrest M. Moss, FV3198938.
William R. Neal, FV3158804.
Kenneth A. Osher, FV3180342.
Eusebio T. Paguyo, FV3180913.
James R. Parker, FV3173799.
David K. Pearson, FV3177349.
Robert K. Phillips, Jr., FV3172265.
Thomas D. Phillips, FV3198942.
Robert D. Powell, FV3180216.
Christopher Ptachik, FV3171833.
Robert F. Raggio, FV3173883.
Ronald W. Roe, FV3180015.
Thomas Scanlan, FV3198948.
David A. Schul, FV3180175.
Richard J. Schulte, FV3180072.
Robert A. Schultz, Jr., FV3117196.
Carl F. Seagren, FV3173642.
Fred W. Sheffler, Jr., FV3175341.
John F. Shiner, FV3161097.
Jerry G. Shugars, FV3157520.
Albert P. Sims, FV3171763.
Joseph E. Sims, FV3198950.
Jerrald W. Smith, FV3177532.
Ronald E. Smith, FV3171840.
David A. Spalding, FV3198953.
Carlos G. Sublett, FV3198956.
Billy E. Tolson, FV3198958.
David H. Toney, FV3175183.
James W. Tremblay, FV3198960.
Daniel C. Viney, FV3198961.
Paul R. Wade, Jr., FV3198962.
John S. Warren, Jr., FV3179978.
James D. Weidman, FV3172288.
Mark A. White, FV3198975.
Michael H. White, FV3198969.
Kart J. Woelz, FV3180047.
Phillip L. Youngblood, FV3180171.

Subject to medical qualification and subject to designation as distinguished graduates, the following students of the Air Force Reserve Officers' Training Corps for appointment in the Regular Air Force, in the grade of second lieutenant, under the provisions of section 2106, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

Stanley C. Abromaitis
John M. Adamec, Jr.
Richard B. Allen
Gary A. Andersen
Frederic M. Anderson
Alan W. Baker
John L. Baldwin
Howard D. Barnard III
Warren G. Barney
Robert J. Boucher
Gary E. Baugh
Harry G. Bayne
Mervin J. Beard
Philip C. Bechtel
Robert A. Beene
David F. Bidwell
Bruce A. Bleakley
Stanley J. Boehm
Gary D. Bohn
Marshall B. Bone, Jr.
John M. Borky
Dan L. Boulet, Jr.
James F. Bowers, Jr.
Charles L. Bragaw
Joseph E. Braswell
Edward R. Breen
George D. Brooks
Joseph J. Brooks
Dennis L. Brown
Gary E. Brown
Robert W. Buckner
Donald C. Bulloch
Duane D. Burdette
David R. W. Butts
William D. Byassee
Thomas H. Canter
John R. Carbonneau
Ronald D. Carlson
Dennis L. Carr
Wayne L. Carr
Tommy W. Casey
Robert J. Centilla
Thomas H. Clark
Edward P. Clements
Stephen A. Colello
Cleve B. Collins
David J. Confer
David A. Conrad
Lawrence W. Conrad
Ronald T. Cooper
Eugene P. Cope
Richard A. C. Cort
George D. Cranston
William A. Crowder
Larry G. Cunningham
Richard J. Davis
Michael J. Despain
Samuel Digirolamo
John P. Ditucci
Peter J. Downey
James E. Duffield
Larry H. Eblen
Kenneth E. Eickmann
Robert T. Elsberry
Robert M. Emmerichs
Ralph C. Escue
John E. Essing
James J. Falls
Richard A. Feiertag
Duane A. Fenn
William A. Flanagan
Richard J. Floyd
Richard D. Franklin
Michael A. Freiband
Douglas W. Friedman
Alan P. Frost
Larry D. Funk
Michael R. Gallagher
John D. Gaskin
John A. Gegus
Donald J. Gerber
James E. Geringer
Richard G. Gilpin
Peter J. Glenboski, Jr.
Russell D. Glenn
Lawrence C. Greene
Nile C. Greenhalgh
Richard R. Gross
Thomas R. Hanley
Arthur L. Harrell II
Lynn M. Harris
William C. Haseloff, Jr.
George W. Hawks, Jr.
Keith B. Henderman
Robert E. Hill
James W. Hoberg
Robert S. Hoffman
James T. Holder
Ruffin B. Holder II
Clinton V. Horn
Michael H. Houser
Everitt W. Howe, Jr.
Raymond P. Huot
Kenneth R. Hutcheson
James J. Hvistendahl
Douglas A. Hylton
Dennis M. Irvine
Thomas J. Jacobus
Ronald E. Janosko
Thomas E. Jenks III
Gerald P. Joering
Cecil S. Johnson
James A. Johnson, Jr.
Kenneth L. Johnson
William H. Jones
Douglas A. Joyce
Dwight H. Kelly
Ronald E. Keys
Ralph G. Koontz
John S. Koval
Robert C. Kuhlo
John V. Lambert
Frank W. Latona
John D. Lauher
Warren T. Lavery
James F. Leggett
Michael J. Leone
William T. Liddell
Patrick M. Loftus
Clarence T. Lowry
John M. Loyd, Jr.
James L. Lyle
Lester L. Lyles
Steven H. Lytle
Thomas F. McBrien
Gary L. McDowell
William R. McHargue
Harry Y. McSween, Jr.
Joseph F. Manship
Chris D. Marquart
Kenneth S. Matheis
Robert W. Mendell
Albert C. Merkel
Clarence A. Mers
Randal J. Mickey
Albert E. Mithcell, Jr.
Edwin B. Mixon, Jr.
Salvatore J. Monaco
Robert M. Mooney
Curtis S. Morris, Jr.
Claude E. Moss, Jr.
Douglas C. Moss
Harold A. Nance, Jr.
Gary A. Nelson
Philip L. Newton
John R. Niederhauser
David C. Niemoller
George W. Norwood
Richard C. Null
John L. Nystrom, Jr.
Terry L. Oldham
Michael H. Oleksuk
George E. Orr
Gary D. Owen
Wilfred L. Painter
Roy L. Parnell
Charles B. Pearman, Jr.
John R. Perry
Elvy Pettit, Jr.
James R. Pettway
Michael F. Phillips
Vincent J. Poppiti
Richard H. Pritchard
William S. Przytula
Charles L. Ranta
William J. Redman
Robert D. Reynolds
Albert P. Richards, Jr.
Don L. Riedl
James P. Riley
Walter G. Robinson
Basil E. Rooney
Charles W. Ruggles
William A. Rush
Robert L. Schaefer
John R. Schenk
Kenneth B. Schroeder
Herbert R. Schulze
John E. Scott, Jr.
William A. Seidler II
Robert E. Setchell
Thomas J. Shaw
Michael D. Sherwood
Charles J. Shidisky
Donald R. Shrader
Michael K. Shrout
Allan V. Shukle
James D. Simmons
Robert F. Simpson III
William W. Sims
Randy W. Sinclair
Harold E. Socolofsky
David P. Stocker
Roger J. Strantz
Jerald D. Stubbs
Paul F. Sullivan
Janathan D. Swift
Gerald A. Teel
William R. Teske
Michael D. Teter
Richard L. Thompson
Michael M. Tower
Kenneth N. Toy
Tyson T. Travis
Donald M. Travis
Leman H. Turrell
Oscar W. Vickery, Jr.
Robert F. Wade
William M. Wagner
Wayne T. Walker
Gary D. Wambold
Neal C. Ward
Michael R. Ware
William M. Waring
Marvin E. Watson, Jr.
John W. Weinig
Michael P. West
Roy E. Willis
Thomas M. Wilmotte
Arthur L. Witten, Jr.
Robert H. Worthy
Anthony N. Wylie
Noble C. Wyninegar, Jr.
Francis X. Zak
Alan T. F. Zane

In the Marine Corps

The following-named women officers of the Marine Corps for permanent appointment to the grade of lieutenant colonel, subject to qualification therefor as provided by law:

*Patricia A. Maas
*Virginia Caley
*Valeria F. Hilgart
*Constance Baker
*Margaret A. Brewer

The following-named women officers of the Marine Corps for permanent appointment to the grade of major, subject to qualification therefor as provided by law:

*Claire A. Pinney
*Carolyn J. Auldridge
*Elsa L. Farman
*Annie M. Trowsdale
*Vea J. Smith
*Roberta N. Roberts

The following-named women officers of the Marine Corps for permanent appointment to the grade of captain, subject to qualification therefor as provided by law:

Letty L. Whitehead
Elizabeth D. DOIze
Mary A. Pierson
Elizabeth A. Hopkins
Sharyll A. B. Plato
Judith R. Davenport

The following-named officers of the Marine Corps for temporary appointment to the grade of chief warrant officer (W-4), subject to qualification therefor as provided by law:

Terrance A. Conner
Charles I. Herriotts
Howard Holden
Paul H. Leahy
Andrew M. Olesak
Howard W. Vandoren

The following-named officers of the Marine Corps for temporary appointment to the grade of chief warrant officer (W-3), subject to qualification therefor as provided by law:

Louis Acosta
Kenneth E. Allen
Joseph L. Backo
Paul R. Baker
Walter T. Baschnagel
John W. Bishop
Eugene A. Bowen
Wallace D. Bracken
George H. Brandt, Jr.
Harry L. Brooks
Charles O. Brown
Jerry E. Bunting
Paul W. Capelle
Darl G. Capps
George W. Champion
Kenneth W. Clem
Ralston S. Clinch
Edwin J. Coyle
Alvin L. Craig
Rolland M. Dalbey
Robert G. Dietz
Bernard R. Doran
Edward A. G. Downes
Duane R. Doyle
William F. Driscoll
Emmett D. Duncan
Joe H. England
Wendel P. Fager
Robert D. Favreau
George W. Fenwick
Raymond E. Ferguson, Jr.
John B. Fetchko
Billy J. Fifer
George A. Fischer
Clyde W. Folsom
Billy K. Gabriel
Thomas R. Gardner
Antonio F. Garibay
Barry J. Georgia
Ernest L. Gibson, Jr.
Lester R. Grose
Clarence L. Guthrie, Jr.
William J. Gwaltney
Richard J. Hanna
Ronald C. Harrison
Lyle C. Hassen
Lawrence E. Harry, Jr.
Donald L. Hazlett
Joe P. Hedrick
Robert A. Heusner
Wellington A. Hiester, Jr.
James F. Hollis
Byron L. Houggard
Edmond R. Humm
Allyn A. Humphreys
Archer D. Hurd
Daniel J. Hurley
Joseph A. Johann
Dan E. Johnson
James R. Kelly
George F. Kenner
Bernard W. Keroack
Walter R. Ketring, Jr.
Frank A. Lambert
Billy B. Larue
John E. Lawrence, Jr.
Randall W. Lichty
William E. Lisenby
Charles J. Loof, Jr.
Charles B. Long
Robert W. MacFarlane
Paul B. Maguire
Leon Mattox
Robert J. McWhorter
John J. Miles
Robert D. Miller
Glenn P. Milliman
Douglas W. Montana
Roger G. Morgan
Anthony Mucci
Paul A. Myer, Jr.
Delbert L. Nelson
Ronald D. Newman
Peter W. Nicolai
William Noonan, Jr.
Henry W. Nyenbrink
Howard C. Oakley
Eugene J. Ockuly
James G. Olsen
William H. Omdahl
Charles W. Paschen
Arthur R. Pearce
Benson Peltzer, Jr.
Donald E. Pierse
Robert E. Pope
Bebe B. Porter
Sam J. Praio
Dale Raymond
Thomas E. Redican
Daniel W. Richards
Richard L. Ross
Stephen J. Rosta
Richard S. Russell II
January T. Sakert, Jr.
William C. Schlondrop
Paul S. Shank
Charles W. Smith, Jr.
John M. Steele, Jr.
Joe W. Stone, Jr.
James H. Stowell
Guy S. Stroup
Frank R. Sutherland
Charles C. Taylor
Thomas F. Taylor
Allen B. Thrailkill
Edwin D. Tidwell
Howard L. Underwood
Alan W. Waldenville
Richard E. Weatherly
David C. Weber
Louis L. White
James J. Wiese
Floyd B. Worcester
Robert L. Worley

The following-named officers of the Marine Corps for permanent appointment to the grade of chief warrant officer (W-2), subject to qualification therefor as provided by law:

Frederick Aguilar
Lloyd Allen, Jr.
John L. Arendale
Samuel M. Ballance, Jr.
Joseph F. Bates
Ralph S. Bates
Daniel L. Bayse
Harry L. Bentley
Alfred C. Berglund, Jr.
Robert M. Billick
William E. Black
Mason G. Blake
Dave E. Boatwright
Ralf R. Boedefeld
William M. Bokholt
Leonard L. Bowman
Philip A. Bream
Harry A. Brown, Jr.
John N. Bruch
Marcus L. Bunn
Johnnie D. Burtscher
Charles J. Bushey
William B. Butler, Jr.
Clarence Bytof
Charley M. Campbell
Richard L. Carey
Eugene E. Carlton
Edward E. Carmody
Alex H. Caylao, Jr.
Louis A. Chatelle, Jr.
Henry J. Cipolla
Charles M. Cline
Atilio L. Coan
Bobby D. Cole
William P. Coll
Joseph Collura
William D. Combs
Floyd R. Connell
Stephan L. Constantine
George S. Cornuet
Frank A. Cox, Jr.
Ellis L. Crews
Philip T. Cummins
Charles E. Curtis
James J. Cutshall
Carl B. Damon
Alonzo N. Daniel
James M. Darnell
Trever E. Darner
John F. Darracott
Vaughn C. Davis
Henry A. Dierker
Edward Dimaio
Ronald L. Dodge
Ronald F. Drummond
James M. Dufriend, Jr.
Harold R. Fischer
William A. Fitts
Jimmy D. Fitzpatrick
Wesley E. Flanigan
James C. Feldhaus
Fredric L. Fletcher
James E. Fortin
Billy V. Fountain
Richard E. French
William R. Fry
William A. Fyles
Frederick D. Gant, Jr.
Rhyne E. Garris
John Geiske, Jr.
Dan S. Gover
Wayne E. Grabenbauer
Bruce R. Greisen

Ralph M. Grove, Jr.
James H. Guelich, Jr.
Edward R. Haines
Richard L. Harris
Robert E. Harris
Lorell J. Haugley
Allen J. Hebert
Charles T. Hedrick
Larry G. Heitzman
Frederick P. Heller
William M. Hemlepp
Franklin R. Hennon
Comer E. Hobbs
Donald L. Howard
Carlos E. Hoyos, Jr.
Harley L. Huntley
John B. Jeremiah
Carl R. Johnson
Stanley P. Johnson
Clarence H. Jones
George E. Jones, Jr.
Morris Jones, Jr.
Reginald L. Jones
Phillip E. Jonio
Joe T. Jordan
William C. Kahle, Sr.
James T. Karr
Arthur M. Kearley
Ray A. Keith
Thomas P. Kelly
Gerald T. Kemick
Marion A. Kensler
Ben W. King
Mike Kipick
Robert T. Kirchmeier
William E. Knepp
Everett W. Krantz
Emanuel J. Kromis, Jr.
Norman F. Labounty
Donald L. Lake
Leon Lambert
Howard G. Lanis
Duane D. Larson
Eugene D. Lawler
George E. Lenhart
Samuel P. Lewis
“J” “W” Little
Curtis J. Loehr
Michael F. Logar
Boyzy C. Long
Lowell D. Long
Joel K. Lowell
Ray D. MacPherson
Jimmy L. Manion
Ronald A. Martin
Wayne B. Mason
Allen W. Massey
Layton E. Mathews
Don E. Mathis
Dale A. Mathys
Robert Mayer, Jr.
Marvin K. McAfee
Marvin L. McDonald
John J. McGraw
Thomas A. McKnight
Gene V. Messinger
Richard B. Meyers
John J. Mikulsky
Don P. Miller, Jr.
Perry A. Mobley
Henry Moore
Theodore M. Moore
William A. Morgan
James H. Mort
Donald J. Mossey
Peter B. Murphy
Michael W. Murphy
Robert D. Nelson
William H. Nelson, Jr.
Robert J. Nichols
Milford A. Oakes
George E. O'Connor
Robert H. Oetting
Tommy S. O'Shields
James D. Panknin
Jimmy R. Perry
Kenneth E. Pettit
Robert D. Pitts
Lawrence A. Pollmiller
Henry Posthuma
Robert F. Price
Walter A. Reeves
John H. Russell
Herman W. Quest
Lewis R. Quill
Arvel H. Raines
Joe D. Ramseur
Jerry L. Reed
Stanley J. Rembish, Jr.
Larry E. Rhodes
Arthur D. Richmond
Paul E. Ring
Sebastiano F. Ripa
Ronald L. Robinson
Emmett L. Robertson, Jr.
Raymond J. Roettger
Gerald H. Sampson
Eugene D. Sanford
Marion G. Satterfield
Daniel R. Savoy
Leroy A. Scheller, Jr.
Leonard L. Schlitz
James A. Shaffer
Joseph B. Shaughnessy
James J. Shea
Thomas J. Sheridan
Homer G. Sherry
Warren A. Simmons
Carroll J. Smith
Donald J. Smith
Melvin L. Smith
Fletcher B. Sojourner, Jr.
Ronald L. Sousa
James B. Southall
Donald J. Snooks
“T” “J” Stanford
Jack E. Stephenson
James N. Stewart
John A. Stockman
Donald Stokes
James M. Stoops
Walter E. Stringer, Jr.
Lawrence T. Struwe
William H. Stuckey
Charles E. Swisher
William E. Tarry
Elmer L. Thomas
Stanley B. Thomas
James G. Thompson
Joseph O. Thornton
Edgar A. Toney
Ferdinand A. Toval
Fred Tucker, Jr.
Robert B. Tucker
Lloyd H. Van Antwerp
Francine Van Curen
Joseph D. Vandermark
Donald L. Vanhoose
Richard A. Voltz
William J. Wallace, Jr.
Joseph E. Ward
Avron J. Watts
Everett A. Weare
Jerry H. Welch
Paul K. Wheeler
Edward E. Wilcoxen
Wilbur C. Williams
David C. Wilson
Billy K. White
Charles B. Whitehurst
Charles R. Wileman
Richard D. Wise
Bascom C. S. Worley
Robert C. Wright
Floyd C. Wulfeck
Clark H. Wylde

The following-named officers of the Marine Corps for permanent appointment to the grade of chief warrant officer (W-4), subject to qualification therefor as provided by law:

William O. Koontz
John T. Buron
Thomas C. Van Over
Clyde C. Lynn
James R. Hollingsworth
Wellington B. Long, Jr.
Victor Shul
Leo E. Reynolds
Billy Burks
Kenneth C. Boston
William R. Mercer
Samuel R. Clapsadl
Anthony J. Nalisnik
Frederick A. Anderson
Joseph Rypar
Steward J. Shaw, Jr.
John L. Rogers
Robert F. Hill
Elmer C. Wickstrom
Edward W. Carter, Jr.
Joseph H. Sutterley
George E. Antoine
Ernest J. Rae
Amos C. Cochran, Jr.
Chilton Murphy
William J. Sullivan
Clinton C. Waugh
Benjamin F. Peters
Joseph A. Novobilski
John E. New
Lauris W. Jackson
Thomas G. Waller
Thomas C. Crawford
Max M. Morgan
Henry A. Herrero
Ralph K. Jackson
LeRoy J. McVeigh
Franklin F. Judson
James C. Tabb
Alexander P. Ruskewitch
Martin Lachow
Joseph L. Comeau
Lawrence T. Martin
Ruth L. Wood
William C. Burrell
Robert H. Albert
Mark V. Okonek
Joseph A. Wyzykowski
Jerry W. Harris
David N. Duncan
Austin O. Gandy
Wendell A. Meek
Joe N. Tusa
Nicholas J. Miller, Jr.

The following-named officers of the Marine Corps for permanent appointment to the grade of chief warrant officer (W-3), subject to qualification therefor as provided by law:

Carl Johansen, Jr.
Frank B. Morris
Casey R. Nix
William W. McMillan, Jr.
Raymond Kulak
Jack R. Taylor
Neil E. Wynant
George O. Walls
Raymond W. Condon
Myron J. Bowen
John T. Cain
Clarence F. Griggs, Jr.
Billy D. Ivey
Lawrence E. Kozain
Charles R. Kilborn
Willie R. M. Tucker
Vernon E. Smith
Hal E. Pope
Raymond C. Wilder
Robert T. Hunt
William B. Norris
Norman E. Durfee
Edwin A. Pluger
Dante A. Massarotti
William McNamara
Henry J. Waller
Duane L. Woodson
William V. Hammons, Jr.
Stanley W. Main
John O. Crenshaw
Chris G. Stergiou
Joseph J. Karrer
John F. McGrory
James W. Jones
Doyle D. Gracey, Jr.
Richard A. Kerr
Robert M. Thacher
Robert W. Groom
Elaine G. Freeman

(Asterisk (*) indicates ad interim appointments issued.)

WITHDRAWALS

Executive nominations withdrawn from the Senate February 15, 1967:

Postmasters

The nomination sent to the Senate on February 2, 1967, of Russell G. Coster to be postmaster at West Jordan, in the State of Utah.

The nomination sent to the Senate on February 2, 1967, of Robert L. McKelvey to be postmaster at Keithsburg, in the State of Illinois.

HOUSE OF REPRESENTATIVES

Wednesday, February 15, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Blessed are the poor in spirit: for theirs is the kingdom of heaven.—Matthew 5: 3.

O God, the Creator and sustainer of mankind, the strength of those who labor and the supporter of all who put their trust in Thee, in reverence we bow before Thee this moment. Thou art ever with us and we pray that we may always be aware of Thy presence and keep our lives open to the guidance to Thy word.

By Thy spirit may we become conscious of our own sins and shortcomings, our own limitations and liabilities. May we not mistake prejudice for principle nor conceit for confidence, but in all humility depend upon Thee for guidance and grace for daily living.

Cleanse our hearts of selfishness, pettiness, and narrowness of mind. Create in us a new spirit—a new faith in Thee, a new joy in living, a new courage for life, and a new enthusiasm for good will among all our people.

In the dear Redeemer's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of Monday, February 13, 1967, was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Geisler, one of his secretaries.

ELECTION OF MEMBERS TO THE JOINT COMMITTEE ON PRINTING AND THE JOINT COMMITTEE ON THE LIBRARY

Mr. BURLESON. Mr. Speaker, I call up House Resolution 245 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 245

Resolved, That the following-named Members be, and they are hereby, elected members of the following joint committees of Congress.

Joint Committee on Printing: Mr. Burleson, Texas; Mr. Hays, Ohio; Mr. Lipscomb, California.

Joint Committee of Congress on the Library: Mr. Burleson, Texas; Mr. Jones, Missouri; Mr. Thompson, New Jersey; Mr. Lipscomb, California; Mr. Corbett, Pennsylvania.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROGRAM FOR THE BALANCE OF THE WEEK

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to proceed for 1 minute in order to ask the majority leader if he has anything to tell us about the program for the balance of the week or for next week.

The SPEAKER. Without objection, it is so ordered.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from Louisiana.

Mr. BOGGS. Mr. Speaker, the House will go over today until tomorrow. There is no program for today or for tomorrow. Tomorrow we will announce the program for next week.

Mr. ARENDS. I thank the gentleman.

HOLY ANGELS NURSERY AT BELMONT, N.C.

Mr. WHITENER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WHITENER. Mr. Speaker, one of the most humanitarian institutions in America is the Holy Angels Nursery at Belmont, N.C. This institution is the result of the concern which the Sisters of Mercy have for humanity, particularly the handicapped child for whom there is no other available place of care and attention.

The work of Sister Patrice, the founder and director of the nursery, is well known to many people throughout the Carolinas as the result of the journalistic work of my close personal friend, Kays Gary, of the Charlotte Observer. Through Mr. Gary's interest in the nursery the message of Holy Angels has been brought to the attention of the entire Nation through the famous newspaper columnist, Jim Bishop.

Messrs. Gary and Bishop have been of great assistance to the nursery in making the public aware of its existence and its magnificent work. Their unselfish contribution to the success of this fine institution through their written words entitles them to the gratitude of all of us who have an abiding concern for our fellow man.

I am proud of the Holy Angels Nursery because of the dedication of the Sisters of Mercy and laymen of all religious faiths who serve upon its board of trustees. These men and women of all religious faiths are working together in the true Christian spirit as they give of their time, talents, and resources in support of the nursery.

I have further pride in the fact that this wonderful work is taking place in my home county where the Sisters of Mercy have their mother house and headquarters.

I believe that my colleagues would be interested in reading the column of Jim Bishop, which appeared in newspapers throughout the Nation on Wednesday, February 8, 1967, as well as the column by Kays Gary, which appeared in the Charlotte, N.C., Observer on February 12, 1967. I therefore include these two columns as a part of my remarks in the RECORD for today, as follows:

[From the Charlotte (N.C.) Observer, Feb. 8, 1967]

ONLY GOD, NUNS WANT THESE "HOLY ANGELS"

(By Jim Bishop)

The babies are blind. Some have no minds. One was born with no skin and hangs suspended in a plastic bag. They are black and brown and white; they are Protestant, Catholic, Jew and atheist. Like a deck of cards with no joker. They now number 78, and they must move to a bigger nursery.

It is going to cost $250,000. The infants aren't worth a nickel apiece except for loving and the best of care. That's why they live in Holy Angels Nursery, at Belmont, North Carolina. With care, some will live to age 7. Not many. The Sisters of Mercy give them lots of attention, and something the babies never ask for—love.

Those without mothers are cuddled and kissed by those without children, I saw a blind infant, about seven months of age, lying on her side in a white crib with a pink-and-white bedspread. The nun placed her two fingers between the slats and began to walk them toward the little one. The fingers made no sound; no dent in the coverlet. And yet, in her darkness, the baby turned on a gummy grin.

She felt the warmth, the presence of those fingers, before they touched her cheek. I glanced at Kays Gary. He's a chubby, graying columnist for The Charlotte Observer. Mr. Gary is, figuratively, the daddy of all these youngsters. Eleven years ago, he heard that Sister Marie Patrice, a teacher at Sacred Heart, had met a doctor with a baby nobody wanted.

It was a girl named Maria. She was hydrocephalic. Like the drawings in Alice in Wonderland, her head was three times normal size. Her life expectancy was "a few weeks." The parents couldn't care for her and she came to Sister Patrice in a taxi. The state has no institution for babies.

Sister Patrice took the baby. Her superiors were shocked. They run schools. Sister braved the uncomprehending glances. The dying infant was placed in a crib in Sister's room. Today, after several operations, Maria sits in a wheel chair, races up and down the corridor, and tries to remember not to call Sister "Mommy."

Kays Gary wrote the story. It brought more babies. The Sisters were overwhelmed with dying misfits. They came from all over. A boy named Captain Billy came in from an abandoned somewhere. Gary, who had been pleading for old coins and old jewelry in his column, asked me to help.

The best I could do was write a story. The readers shocked me numb. They sent over $50,000 to the Bye Bye Babies. Mother Superior Benignus built a new wing to the nursery on the school campus. Doctors phoned to say: "If you will ask my help, I'll help those kids without charge." Painters worked free on their days off to put pink elephants and white rabbits on the walls.

Dr. Richard Wrenn operated on breathing vegetables who had nothing to lose. His throat constricted to a choke when he found that some of them lived. Captain Billy, paralyzed, runs between the parallel bars like a steer in a chute. Wrenn has performed as many as 11 operations on one baby.

The microcephalics appear to have huge bodies and tiny heads. The mongoloids, when happy, cuff each other and laugh. An army colonel sent one baby from Virginia by plane and helicopter. An army wife had become pregnant while her husband was overseas. The result had to be hidden somewhere.

A Baptist minister dedicated Holy Angels Nursery. A Catholic monsignor sat behind him, praying word for word. I asked the minister how he had been selected for the job. "I have a baby in there," he said. A Jewish grandmother in the Bronx sends $10 a month "for my grandchild. Pray for her; she's so desperately ill."

Every few weeks, a Holy Angel dies. Maria sits in her wheel chair, thinking about it. "Well," she says, "Anna went to heaven, and *that's good because she was very sick.*" A big sigh. "But Captain Billy, he's still here."

Now the nursery must move. The Sisters at Belmont have given Holy Angels 9½ acres on high ground. There are architects standing by waiting to draw the plans for no fee. The dietary kitchen alone will cost $75,000. X-ray machines are needed. So is a pathology laboratory and a pharmacy. Someone suggested swings and seesaws, but these can wait for a sunnier day.

A quarter of a million is a lot of money. There are healthy children—worth saving—who are starving. It costs more than $200 a month to keep one of the Holy Angels alive. The Sisters have a dizzy notion that a big personality can help. Once a day, they pray that Jackie Gleason will hear about the Holy Angels. It doesn't occur to them that he has dozens of charitable projects. I know.

Babies. The greatest joy, the deepest heartbreak.

[From the Charlotte (N.C.) Observer, Feb. 12, 1967]

COLUMN BY KAYS GARY

Columnist Jim Bishop is a pick-pocket and he doesn't fool around and that is a story.

Moreover, he will scoop you on a story while you are blinking your eyes and this is the way it happened.

A couple of weeks ago the boss let me take two days off so that I could fly to Miami on business that had nothing whatever to do with getting out a newspaper.

The business was to see Bishop, a tanned, handsome, compact little man who is 59 years old, looks 42 and works like 32.

The business? Holy Angels Nursery will have to move in something like a year or more. The babies will have to go somewhere else. How?

This is because the nursery is smack-dab in the middle of Sacred Heart College's expansion. Like Topsy it "growed" there on Sacred Heart land in two old frame buildings that were remodeled and expanded.

FROM NEW JERSEY TO OREGON

Just five years ago, to keep from being closed, perhaps forever because of state requirements for such institutional buildings, a new wing was built with old coins and scrap jewelry and cash contributed first by people of all faiths in this region and finally, in a big stroke, by Bishop's readers across the country.

They sent it in in thousands of letters. Some put the nursery on the tithing list—$2 a month, $20 a year. Like that. From New Jersey to Oregon. And it has been these funds which have kept the nursery operating despite a per-child cost almost double the amount charged.

And so now, overcrowded again, having to move. What?

Because all those people who gave to building the nursery gave to it specifically and to no other institution, the nursery board was offered a deal. In return for this public investment in the building to be abandoned the nursery would be given 10 acres of prime property off campus, free and clear. The college probably won't be able to use much of the nursery building, anyway.

So the nursery will have 10 fine acres of its own, lots of play area, garden area, the babies and furnishings from the old building. But you can't put 'em in a tent.

"I DON'T HIT AND RUN"

Almost timidly we told the story to Bishop, explored the possibility of his influence of some "name" to do a benefit, of a color film telling the Holy Angels story with narration by Bishop. In about six months we'd have to have some plans underway. In six months, maybe, we'd know everything except how to get the money. Would he mull it? Maybe help again when the time comes?

"I don't hit and run," he said. And he didn't say much more.

Last Wednesday Bishop scooped us. He must have written the column within hours after we left, interrupting two books and a magazine article and the family's plans for a night out.

On Thursday, the widow of an air line executive stopped Jim's wife, Kelly, and handed her a check for $1,000. On Thursday afternoon Matlock's Beauty Salon here sent in $200.

Friday afternoon a Mr. McPhail called from New York and said his check for $1,000 was in the mail. The Kingsley Foundation from New York held a quick pow-wow and phoned to say it would send $5,000. A local man switched a block of stock worth $3,200 into the nursery's name.

FORTY-EIGHT HOURS LATER, $11,000

In 48 hours after the Bishop column appeared in print there was $11,000 promised and in hand from comparatively few people representing phone calls and just 52 pieces of mail.

Saturday morning 251 pieces of mail swamped the nursery. It contained $2,500. On this desk, too, more than $400. More than half the Saturday total of $2,500 came in contributions of from $1 to $10.

The total in three days $14,121.

A double amputee from Duluth sent $2. A lady on Social Security sent $1. Another in Kershaw is knitting tiny clothes for the babies. An alcoholic sober for six years intends to run the string to seven "so I can help paint the new one free."

That Bishop. A pick-pocket. He doesn't even want to talk about it. But he, and you, are bound to appreciate this note which accompanied a check arriving in Saturday's mail:

"This is for your little angels in appreciation for our little devils."

And that's The Very End.

GRAHAM A. BARDEN

Mr. LENNON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include an editorial.

The **SPEAKER.** Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. LENNON. Mr. Speaker, I shall forever cherish my long and warm personal friendship with our illustrious former colleague, Graham Barden. I admired his strength of character, his devotion to the principles in which he believed, his courage to fight for conviction rather than expediency, and his dedication to service for his fellowmen and his country.

As I joined his family and friends in the historic Presbyterian Church in New Bern, N.C., for memorial rites, I recognized anew the eternal source of Hap Barden's strength. It was a treasured moment to praise God for the service, the integrity, the vision, and the unswerving devotion of a man who sought truth and right.

In a station editorial on January 30, 1967, Jesse Helms, executive vice president of WRAL–TV, who knew Hap intimately and well, gave a discerning portrayal of the measure of our beloved friend. I would like for our colleagues to have the benefit of his tribute and challenging comments, which follow:

WRAL–TV VIEWPOINT

(An editorial expression of the voice of free enterprise in Raleigh-Durham by Jesse Helms, executive vice president and vice *chairman of the board)*

Even the most admiring and the most grateful of his countrymen never quite got around to telling him so in any ceremonial way—and it is a pitiful negligence that they did not—but Hap Barden lived a life that ought to serve as a lesson to all the rest of us. His career as a public servant stands surely as an eloquent rebuke to the indifference and timidity that have become a hallmark of our time. And certainly it is an unmistakable answer to those who, when their time and effort are needed in the defense of liberty, seem always to run for cover behind the cry: "What can I, just one person, do?"

For more than a quarter of a century, Graham A. Barden stood in the halls of Congress and proved what "just one person" could do. He continued to fight when others were retreating; he stood firm while his contemporaries were compromising not merely the principles of America, but her security and stability as well.

Hap Barden understood the miracle of America. He took pride in a nation that had been built of sterner stuff than the sugar-coated gimmickry of federal aid and federal regimentation. He warned the country that it was being urged to sell its soul for a mess of pottage. But America was too busy to listen; she was out in the backyard cooking hamburgers on the grill.

When it came to the question of his country's survival as a free nation, Hap Barden unhesitatingly found the answer in the warnings of our founding fathers. He sought no popularity with the mobs demanding something for nothing. He had learned the meaning and the ingredients, and the flavor, of liberty. He was mindful of the agony out of which it had been wrought. So the truth, which has tormented men as long ago as Pontius Pilate and as recently as this morning's news, was no burden to Mr. Barden. To the contrary, his principles were fastened upon it, and he rejected the kind of politics that hides behind the mask of phony promises and political subterfuge.

That is why it fell the lot of Hap Barden to hold back, almost singlehandedly, the flood of federal controls that finally burst upon our schools and industries and social relationships. Had it not been for him, the tide would have rolled in upon us at least ten years earlier. But he stood firm. As chairman of the Education and Labor Committee of the U.S. House of Representatives, he served as a powerful roadblock against constant proposals of federal intrusion into the lives and affairs of the people and their local governments.

For this he was reviled and scorned and threatened. He was a target for defeat in election after election. But it is a credit to a sort of sixth sense of the people of his district that they realized, consciously or subconsciously, that they were being represented by a greatness of spirit in the Congress. So they kept him there until 1960 when the infirmities of the passage of time commanded that he retire.

So he came home to his pleasant abode on the banks of the Trent, near New Bern. On Sunday morning, he slipped away into an eternity which is bound to be enlivened by his good humor and his stout spirit.

His departure emphasizes an even more startling contrast between Hap Barden's sound principles and the frustrations of the men who now control the Congress where for so long he so wisely exercised his considerable powers. Adam Clayton Powell, who succeeded Mr. Barden in the chairmanship of the Education and Labor Committee, has finally fallen victim to his own arrogance and improprieties. The greed and corruption, about which Hap Barden so often warned, have left both the Congress and the country in sad disarray. The nation needs to face up to the truth that guided Hap Barden's career.

But he is gone. Maybe his taking leave of us will serve as a reminder to the rest of us that honest men need never fear the truth. It is not always easy, of course, to turn one's back on expedience and compromise. But there is no other way to fashion a life of honor. The legacy that Hap Barden has left to us is the hope that there may be some to follow him who will seek, as he did, to rekindle the principles of truth and the courage of convictions from which America was fashioned in the first place. Without them, the very survival of the nation is in peril.

PROPOSAL FOR TAX CREDIT FOR EXPENSES INCURRED IN PROVIDING HIGHER EDUCATION

Mr. MACHEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. MACHEN. Mr. Speaker, I have introduced today a bill to provide a tax credit to individuals for certain expenses incurred in providing higher education.

This legislation is aimed at the relief of the middle-income family. That is, the households made up of the average, hard-working men and women whose sole income is in fully taxable salary. These families make up 62 percent of our population and for the vast majority of them no means of financial assistance for education is readily available.

Furthermore, today there are thousands of students who are working part-time or sometimes full-time jobs to put themselves through school. Yet there is no tax relief for their highest expenses. Since this tax credit would be granted to any taxpayer who carries the expenses of higher education, the student or his spouse would also be entitled to its benefit.

We have attempted in previous years to pass this legislation, but it has met with significant opposition from certain areas. We have argued that this credit is analogous to the deduction that is permitted for medical expenses. The rebuttal has been that medical expenses are sudden and unexpected while the cost of a college education can be programed over a period of years. This may be true, but the expense of higher education is also very probably the second highest expenditure for a family, following only the purchase of their home. Nevertheless, a substantial portion of the cost of this home is deductible and the deduction is applicable throughout the life of the mortgage. Surely we can use the same logic to persuade our critics of this bill.

There is no question that scholarships, workshops, and loan programs must still be available for needy students. This bill is not intended as a substitute for these resources. It makes available a resource to a sector that previously had none.

Businessmen and farmers who choose to invest in their future production are able to do so with the benefit of a tax break. What better investment is there than the increased education of our citizens? This returns a profit not only to the individual but the entire Nation. The educational assistance provisions of the GI bills have proved that such investment provides abundant returns.

This is practical and needed legislation. I hope that we will see no more delays in its enactment.

PROPOSED AMENDMENT TO TITLE XVIII OF SOCIAL SECURITY ACT TO PERMIT PAYMENT TO INDIVIDUAL BENEFICIARIES OF CHARGES BY PHYSICIANS AND OTHERS UNDER SUPPLEMENTARY MEDICAL INSURANCE PROGRAM

Mr. VANIK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. VANIK. Mr. Speaker, I am today introducing legislation to amend title XVIII of the Social Security Act to permit payment to the individual beneficiary of the charges made by physicians and other persons providing services covered by the supplementary medical insurance program prior to payment by the beneficiary for the services involved. This legislation is vitally important to medicare beneficiaries who do not have the funds required to advance payments for medical services to those doctors who decline medicare assignments.

At present where payment under title XVIII, part B, is on a charge basis, payment will be made "on the basis of a receipt of bill, or the basis of an assignment."

The medicare patient does not understand the problem which occurs when his doctor refuses to accept a medicare assignment. He does not understand that, under these circumstances, he must pay the entire bill and then file a medicare claim for reimbursement for that portion of the expense covered by medicare. Often the patient does not have the financial means to pay the entire bill. In these circumstances, the patient should not be made the victim in the ideological dispute between the doctor and the Government. If the patient can file for his entitlement with an unpaid bill, he can pay the entire amount when he receives the medicare portion. The dignity of the doctor-patient relationship will be preserved for the benefit of both.

This proposed change in the law will permit medicare patients to receive medical services from the doctor of their choice without prepayment of that portion of the bill represented by the medicare entitlement.

SECRET SUBSIDIZING OF NATIONAL STUDENT ASSOCIATION BY CENTRAL INTELLIGENCE AGENCY

Mr. RYAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, the news that the Central Intelligence Agency has been secretly subsidizing the National Student Association once more proves the great need for thorough congressional oversight of this Agency. The CIA has done a disservice to a generation of American students.

At this very moment students of the National Student Association are frantically writing letters to student leaders all over the world trying to explain the CIA subsidy. What can they say to their colleagues in Asia, Africa, and Latin America? Most of these students did not know of the CIA participation in their affairs and no doubt would not have been involved in the National Student Association if they had. But will the plea of innocence be enough?

One can only imagine the disillusionment that students abroad will suffer from this exposure. What about our own students? At a time when more and more young people are becoming alienated from American politics, the idea of the CIA covertly paying bills for the country's largest student organization can only accelerate this unhappy process. And what about us—the Representatives of the American people? We, too, have been uninformed. We, too, must plead innocence, for the CIA is an Agency of Government over which we as a body do not have control. We are not presented with the CIA budget; we cannot inquire into its policies. In fact, the CIA at times operates as a secret government.

Today we know about its incursion into the National Student Association; tomorrow we may find that the hidden hand of the CIA has reached into other private organizations. We already know that the CIA channeled funds to NSA through an organization called the Independence Foundation of Boston. What other organizations have received or are receiving CIA funds? James Reston in today's New York Times states that the NSA disclosure "places in jeopardy CIA programs to anti-Communist publications, radio and television stations, and labor unions." Under what authority is the CIA providing funds to domestic organizations such as these? The National Security Act of 1947 certainly does not give the CIA a clear mandate for domestic activities.

Mr. Speaker, the time has come for Congress effectively to oversee the CIA. Congress has the clear responsibility to oversee the CIA as it does other agencies. In order to perform that function most effectively, a Joint Committee on Foreign Information and Intelligence must be established as soon as possible.

Today I have again introduced a bill to establish such a committee. Since 1961 I have urged this action. At that time the public was aroused by the CIA's involvement in the Bay of Pigs flasco.

The Committee on Rules held hearings on this issue on May 25, 1961, and again on April 8 and 9, 1964. Each time I testified in support of bills I had introduced, as did other Members of the House. Unfortunately, on neither occasion was a rule reported. Now I hope that the latest revelation of the CIA's secret activity will convince the House that a watchdog committee is essential.

The committee would be composed of seven Members of the Senate and seven Members of the House. The committee would study—

First, the activities of each information and intelligence agency of the United States;

Second, the problems relating to the foreign information and intelligence programs; and

Third, the problems relating to the gathering of information and intelligence affecting the national security and its coordination and utilization by the various departments, agencies, and instrumentalities of the United States.

The secret arrangement between the CIA and the National Student Association should make us all aware of the need for quick passage of this bill. Yesterday eight Congressmen wrote a letter to the President concerning this matter and raised several questions. The answers to these questions, under our democratic system, should have been known to the Congress through the traditional legislative process. I will include the letter at the end of my remarks. The answers to these and other questions concerning the CIA are not known. It is time to set up the Joint Committee on Foreign Information and Intelligence and end this ignorance.

Mr. Speaker, our letter to the President follows:

FEBRUARY 14, 1967.

DEAR MR. PRESIDENT: We were appalled to learn today that the Central Intelligence Agency has been subsidizing the National Student Association for more than a decade.

That policy has undercut the independence and freedom of those in a democracy who deserve particularly to be independent and free. It represents an unconscionable extension of power by an agency of government over institutions outside its jurisdiction. It involves the complicity of so-called independent foundations. It raises again basic questions concerning the adequacy of oversight of the CIA.

This disclosure leads us and many others here and abroad to believe that the CIA can be as much a threat to American as to foreign democratic institutions.

We believe that the program requires immediate investigation at the highest level. To what extent did this policy constitute an internal security function for the CIA in contradiction of the National Security Act of 1947? What conditions were laid down for the subsidy? Have officials of the NSA been granted special treatment, including draft deferments, not available to all other student organizations? Are there any other student organizations with similar relations with the CIA? Has the NSA–CIA relationship been effectively severed?

The question also arises whether the CIA is implicated in other supposedly independent domestic organizations. And what effective limits are placed on CIA subsidy of any domestic institution?

The Central Intelligence Agency, then, has compromised and corrupted the largest student organization in the largest democracy in the world. It has willfully involved inexperienced young men and women in that action, and thus has surely alienated further the best elements of American youth.

In allowing this to happen, the American government owes an apology to the American people, and, more important, to an American generation.

Respectfully yours,
GEORGE E. BROWN, Jr. (Calif.).
PHILLIP BURTON (Calif.).
JOHN CONYERS, Jr. (Mich.).
JOHN G. DOW (N.Y.).
DON EDWARDS (Calif.).
ROBERT W. KASTENMEIER (Wis.).
BENJAMIN S. ROSENTHAL (N.Y.).
WILLIAM F. RYAN (N.Y.).

STATEMENT ON THE PRESIDENT'S CIVIL RIGHTS PROGRAM FOR 1967

Mr. JOELSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. JOELSON. Mr. Speaker, I want to state my support again for the President's proposals to end discrimination on account of race, color, religion, or national origin in housing. The President believed that such legislation was called for last year, and he proposed it. A majority of this House agreed, and passed a bill including a title on fair housing. The 1966 bill died in the Senate, but the President considers the issue too important, and too pressing, to accept defeat. I ask this House to lend its support, too, in a second major effort to bring justice to all Americans.

I am sure that every man here has heard it said that "we are going too fast in civil rights"—that Negroes "have been given enough for awhile"—that "the country deserves a rest from agitation." But words such as "too fast," "enough," or "a rest" imply that we are far enough ahead in the race to run easier for awhile, or even to stop. The truth is to the contrary.

More Negro children are in segregated schools today than at any other time in our history and, unless we take new steps to counteract the trend, more will be in segregated schools next year than are today. The reason is that housing segregation patterns in large cities are becoming so hardened and widespread that neighborhood schools, whether legally segregated or not, are in fact becoming as uniformly of one color as their neighborhoods.

Thus, our failure to move ahead to fight inequality in housing is aggravating the inequality in our schools. And segregation in housing also contributes importantly to inequality of employment. Negro workers frequently cannot find decent homes, or any homes at all, near to places of employment where they might work.

Until all Americans have an equal opportunity to acquire a decent home, and to raise their children there, our Nation will continue to fall short of the democratic ideals upon which it was founded.

I urge us all to join the President in attacking the last major bulwark of bigotry—housing. Let us give his civil rights proposals our earliest consideration and approval.

APPALACHIAN REGIONAL DEVELOPMENT ACT OF 1965 AMENDMENTS

Mr. PERKINS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. PERKINS. Mr. Speaker, one of the most worthwhile undertakings to which Congress committed itself is the program to bring economic self-sufficiency to the Appalachian region. What has been done toward that end thus far has been a good beginning.

But, Mr. Speaker, I am fearful we have been trying to solve a large problem with small means. Unless we act on a scale large enough to meet a huge task, we will be wasting what money we already have spent on this area.

We need to build roads—four-lane and six-lane roads—to open this area not only to the tourist trade but to make it accessible for industry. We need sewer systems and water systems so that the communities of Appalachia can build college dormitories, resort hotels, and factories.

We need to provide hospitals and health centers.

To that end, Mr. Speaker, I am today introducing a bill which would provide sums much larger than those contained in the measure introduced by the gentleman from Maryland [Mr. Fallon], chairman of the Public Works Committee. I am going on the assumption that Mr. Fallon's measure represents the thinking of the administration on Appalachia.

The Fallon bill and my bill agree on the number of miles of road that should be built in Appalachia—2,700 miles—which is 350 more than was authorized in the 1965 act. Both bills call for 1,000 miles of access roads.

But whereas the Fallon bill would have the Appalachian Commission spend $1,015 million on highways over a 4-year period, my measure calls for $942 million more than that in the same period, a total of $1,957 million. The additional money in my bill would go principally to four-laning or six-laning up to 2,000 miles of highways.

My thought is that, unless we go beyond two-lane roads, we will be building, not for the present, not for the future, but for the past.

For projects other than highways, my measure calls for expenditures over a 2-year period that would be $762,350,000 larger than provided in the administration bill. Mr. Fallon asks for $263,150,000 in 2 years. I ask for $1,025,500,000.

As an example of how my bill differs from Mr. Fallon's, I cite the provision for sewage systems and water systems. The 1965 law called for $6 million in 2 years. Mr. Fallon's bill asks the same amount for the next 2 years. My bill would have the Appalachian Commission spend $100 million in 2 years on sewer systems and water systems.

Even more important than the amount of money involved is the difference in what my bill would do and what the present law and the administration bill contemplate. The 1965 act and the administration bill would allow the Commission to spend money on water and sewer systems only as part of an antipollution problem. If the Appalachian Commission wanted to lay a pipeline to carry sewage away from a community into the ocean, it could not do so under present law or Mr. Fallon's proposals.

By contrast, my bill would let the Appalachian Commission provide communities with money to build, to reconstruct, or to repair sewer systems and water systems. In other words, it would bring sanitary conditions and running water to parts of Appalachia which have no other way to obtain them. It would make possible the introduction of industry into areas which have a surplus supply of labor which could be trained readily.

Another great need which my bill seeks to meet, Mr. Speaker, is the provision of adequate hospital and health facilities. The law we passed in 1965 provided $41 million for such purposes: I propose that we authorize, during the next 2 years, the expenditure of $600 million for construction and operation of such institutions, with a ceiling of $100 million to be spent on operation.

In connection with the operation of hospitals and health centers, I want to emphasize that both my bill and the one introduced by Mr. Fallon, would permit the Appalachian Commission to spend its funds on hospitals which had not been built with funds obtained from the Commission. Thus, the Commission could make up the deficits, up to 100 percent of the cost, for hospitals already in existence, during the next 2 years. For the following 3 years, operating grants to the institutions could not exceed 50 percent of the costs.

Another difference in my bill and Mr. Fallon's is on the subject of erosion control. The administration measure asks $17 million; I ask $50 million.

To repair what strip mining has done to the face of the earth in many parts of Appalachia, the present law provides $36,500,000. Mr. Fallon asks $39,150,000. I seek $50 million.

A further difference is that my bill would repeal the current provision which allows the Commission to pay for putting out underground fires only on public land. My measure would allow putting out such fires wherever they occur.

For water resources, present law provides $5 million. The Fallon bill cuts the sum to $2 million. I ask for $25 million.

Nothing is more important to the people of Appalachia than having trained people to hold the jobs in the industries which we hope will be attracted to the region. For that reason, I am a strong supporter of vocational education.

Present law provides $16 million for vocational schools. Mr. Fallon's bill calls for $18 million. I ask that $35 million be spent during the 2 years for this important undertaking.

Another important item in both Appalachian bills is the one covering supplemental grants-in-aid for a number of worthwhile projects such as airports, water pollution work, watershed protection, and health services.

For those purposes, present law authorizes $90 million. The administration bill again calls for $90 million for 2 years. I ask $150 million for the same period.

RECREATIONAL CONSERVATION AND THE PUBLIC LANDS

Mr. HALEY. Mr. Speaker, I ask unanimous consent that the gentleman from Colorado [Mr. Aspinall] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ASPINALL. Mr. Speaker, on January 16, 1967, I inserted in the RECORD two statements of Mr. John "Jack" Buchanan, of Del Norte, Colo., expounding his views with respect to wilderness preservation in the light of national needs for outdoor recreation generally. I now have the pleasure of calling to the attention of the House a recent address to the central Rocky Mountain section of the Society of American Foresters, by Mr. Roger P. Hansen, executive director of the Colorado Open Space Foundation, with headquarters in Denver. Mr. Hansen argues strongly in favor of what he and many others refer to as "quality environment" and of preserving the opportunity for members of the public to enjoy wilderness environments with as few distractions as possible. On January 16, Mr. Speaker, I commended Mr. Buchanan's statements to the Members of the House for their consideration. I am glad to do the same today for Mr. Hansen's thoughtful statement, which follows:

RECREATIONAL CONSERVATION AND THE PUBLIC LANDS

(By Roger P. Hansen)

In a memorandum to the Advisory Council and Governor's representatives, dated September 12. 1966, Milton Pearl stated that an issue to be discussed at the Denver meeting of the Public Land Law Review Commission was: "Importance or lack of importance of consumptive use and economic development in future public land policy." Recreational conservationists represent the largest single *non-consumptive* use of the public lands. The very fact that outdoor recreation, open space, wilderness and natural beauty USE of the public lands is non-consumptive does not mean it is non-economic. Rather, it gives such use an additional *economic* dimension. Here is a use of public lands which, unlike traditional consumptive uses of mining, grazing and timber harvesting, produces an economic value with minimal consumption. Outdoor recreation use, applying the term in its broadest definition, is a sort of "perpetual use" which, with proper management, will increase and not diminish the economic product.

The economic impact of outdoor recreation, open space, scenic resources and leisure time is a subject that has been considered only recently in discussing public land policies. When it has been considered, it has been limited to a rather narrow chamber-of-commerce-type measuring of motel spaces rented, water skis sold and sales taxes collected. What I am discussing here includes tourism and mass recreation in their usual manifestations but it goes much beyond that. It concerns the broader economics of maintaining a quality environment; the economics of preserving scenic resources, not merely to attract tourists with Kodak Instamatics but to make the nation a better place in which to live; the economics of open space and natural beauty that maintains the spiritual and mental health of the nation.

The reason it is so important for the Public Land Law Review Commission to wrestle with these economic concepts, even if economists have neglected to consider them before, is because of a faulty premise given wide circulation. The premise is: that consumptive or "harvesting" uses of the public lands, e.g., mining, timbering and grazing, are the "economic uses" of public lands, while recreation-open space-natural beauty is some type of non-use; that if these uses have any economic value, it is so hard to measure as to be valueless.

At the Denver meeting of the PLLRC, Judge William Burnett outlined some economic implications of outdoor recreation, leisure time and open space. He said: "Many people seem to have the mistaken belief that there is an inherent conflict between maintaining a *quality environment* and fostering economic growth; that we must choose between beauty and bankruptcy on one hand, or ugliness and progress on the other. Some are convinced that the degradation of our landscape and the rape of our natural and scenic resources must be overlooked in favor of profits, tax receipts and what's good for business. But conservation is not merely a concern of indolent dreamers with intangible values, like beauty and order, that have no place in the real world of machines and production. It is also vitally concerned with income and jobs. There is business in beauty, economics in open space, as Colorado's $600-million-dollar-a-year tourist and recreation business attests. This figure—which I am confident more facts would disclose is extremely low—is the equivalent of 30,000 workers making $7,500 a year."

There is another "blind spot" that generally occurs in respect to the economic impact. This is the "payment in lieu of taxes" argument. It is significant that this argument receives its greatest impetus when outdoor recreation uses are considered. If public land is "used" for grazing, timbering or mining, very little is said about payments in lieu of taxes—it is assumed these uses add income and tax base. But the minute a proposal is made to establish a national park or recreation area, local counties start demanding payments in lieu of taxes. An attempt should be made to find answers to these questions: What is the effect of a major recreation area on the local tax base? What new income to a local area is derived from outdoor recreation as compared with consumptive uses of land? What is the comparison between local taxes derived from resorts, small businesses, seasonal homes, etc., as compared with local taxes derived from consumptive land uses?

Assuming, then, that recreation, scenic beauty and open space do have economic as well as esthetic, moral and spiritual values, let us examine some specific recreational conservation viewpoints:

1. *"Multiple use" must be defined in non-consumptive as well as consumptive terms.* Unfortunately, the concept of "multiple use," which should broaden the implications of public land use, has served only to narrow it—again to grazing, mining, timber and other consumptive uses. The record of the Alaska PLLRC meetings contains this observation: "Foster true multiple use. Classify for restricted use carefully." To many of the most vocal advocates of multiple use, a "restricted use" means outdoor recreation. But multiple use cannot mean simply the grazing of sheep, cattle and horses or the harvesting of spruce, fir and pine. Nor can "multiple use" intelligently mean *all* uses on *all* lands at *all* times.

An excellent definition of multiple use is contained in Section 2310.0–5(o) of the rules promulgated to implement the Classification and Multiple Use Act of 1964. It states in part: "'Multiple use' means the management of the various surface and subsurface resources so that they are utilized in the combination that will best meet the present and future needs of the American people; . . . harmonious and coordinated management of the various resources . . . with consideration being given to the relative values . . . and not *necessarily the combination of uses that will give the greatest dollar return or the greatest unit of output.*" (Emphasis added.) However, I would reiterate that under certain conditions a non-consumptive use *will* give the greatest dollar return.

It seems that many public land users have forgotten the BLM rules, if they were ever aware of them. The Colorado Open Space Coordinating Council supported these rules virtually *in their entirety* at a public hearing in Grand Junction, Colorado on April 16, 1965. Having attended that hearing, I recall that opposition to the rules came from those opposed to the classification sections which recognized "fish and wildlife development and utilization," "outdoor recreation," "wilderness," and "preservation of public values" as legitimate uses of public lands. Many of these same people enthusiastically supported real (i.e., consumptive) multiple use, such as "domestic livestock grazing," "industrial development," "mineral production," "occupancy," and "timber production." Sometimes I feel like asking the question: "Will the *real* proponents of multiple use please stand up?"

Certainly, any use of the public lands, recreational or consumptive, must consider a number of criteria: economic necessity; economic gain; economic detriment; ecological effects on the region; physical characteristics such as climate, micro-climate, vegetation, soil structure, water resources and topography; intensity of use that is compatible with other uses; types of uses that destroy the land for other uses; and capability of land to "restore" itself or be restored artificially following certain types of uses.

2. *Outdoor recreation use of the public lands must be considered in both quantitative and qualitative terms.* In the main, "multiple recreation use" problems occur because of a basic conflict between outdoor recreation philosophies—the conflict between *quantity* and *quality*. The tendency of far too many federal, state and local governmental agencies is to define outdoor recreation only in quantitative or "mass recreation" terms. This has been dramatized recently by the Bureau of Reclamation's claim that dams and reservoirs in the Grand Canyon of the Colorado would provide recreation opportunity for millions of water skiers, compared to a handful of hardy boaters who now enjoy the stretch between Lees Ferry and Grand Wash Cliffs. This mass-production, TV-rating type of outdoor recreation philosophy is prevalent in too much outdoor recreation thinking today. Studies of the Outdoor Recreation Resources Review Commission (ORRRC) established conclusively that Americans demand and need a wide *variety* of outdoor recreation experience. The Lake Powells have their place, but so do the Rocky Mountain National Parks and the Maroon Bells-Snowmass Wilderness Areas. Like restaurants, recreation experiences range from the drive-in hamburger joint to the quality super club. To believe that even most recreation appetities can be satisfied by larger reservoirs, noisier boat marinas and an abundance of water ski rental concessions is ridiculous and irresponsible over simplification. Outdoor recreation facilities and opportunities must be looked on as a *whole recreation system*, which includes intensely developed big-city neighborhood parks, city-wide parks, regional parks, state parks and recreation areas, national forests, national parks and monuments and wilderness areas. Each component of the outdoor recreation *system* fulfills a specific recreation function.

3. *Non-economic values of the public lands are a vital contribution to American society and culture.* It is a gross error to fail to take into account the economic impact of outdoor recreation, natural beauty and open space simply because that impact is often hard to measure. But it is just as erroneous to establish values and uses for the public lands

only in economic terms. There are esthetic, educational, mental, physical, psychological and spiritual values of the public lands that are indeed incapable of measurement. The propensity on the part of many members of our society to dismiss these values as meaningless because they do not succumb to the calculator or the slide rule is unfortunate. To paraphrase President Johnson in his message on Natural Beauty: a total conservation must be concerned not just with man's welfare, but the dignity of man's spirit.

4. *All road improvement and construction on public lands should be governed by precise planning policies as related to effect on the land resource as well as public convenience and necessity.* Other than some types of strip mining, road building has more physical impact on public lands than any other type of land use. Yet, much road building on public lands by numerous federal agencies seems to be governed by little if any policy at all. There are 26,000 miles of officially designated roads on the national forests in Colorado—and probably an equal mileage of "unofficial" roads that have been "created" on the same lands. A jeep track can be graded; then bladed; then graveled; then widened and surfaced into a highway. A supposed "fringe benefit" of logging roads is that they fall under that wonderful catch-all category of "recreational access." But access for whom, why or for what types of recreation is a question that usually goes unasked. Our groups are not against all roads or are we against logging roads, per se. All types of roads have legitimate and necessary uses. But indiscriminate, unplanned and careless road building is incompatible with many types of outdoor recreation use that do not require vehicular transportation.

5. *Routes or "use zones" for all motorized vehicles or other craft on or over the public lands and waters should be planned and designated with regard to compatibility or non-compatibility with other uses.* One of the most dramatic manifestations of problems created by public land use is the greatly expanding use of motorized vehicles of numerous types. The unplanned, indiscriminate and irresponsible use of motor vehicles or other craft is frequently abusive to public lands, waters, flora, wildlife and scenic resources. Legitimate attention has been given to needs for recreational access and mobility, as represented by 4-wheel drive vehicles, trail scooters, tote goats, snowmobiles and similar devices. However, the error spoken of previously—equating all recreation with mass recreation—as exemplified by the fact that vehicular travel too often dominates the whole outdoor recreation scene. D. S. Nordwall, Regional Forester in Denver, recently issued a news release in which he stated: "We have definitely not overlooked the motorbike or trail scooter user. The majority of our trails—98 per cent, in fact—are open to these vehicles." I do not advocate that Mr. Nordwall overlook the motorbike. I question somewhat the 98 per cent. But certain portions of public lands must be "planned and zoned" for increasing numbers of Americans who employ non-motorized foot and horse travel as their exclusive means of locomotion in recreation areas. Their entire outdoor recreation experience is increasingly jeopardized by the clatter, roar, cough and sputter of numerous land, water and air contrivances.

6. *Disposition or reclassification of public lands should provide for recreational access to and easements along rivers, streams, lakes and other water courses.*

Any disposition or reclassification of public lands should provide for recreational access to those lands still retained in public ownership. These statements are too self evident to merit detailed discussion.

7. *Land management laws and regulations must be consistent with the Wilderness Act of 1964 and with the establishment and perpetuation of a National Wilderness Preservation System.* Wilderness, one of the highest manifestations of "quality recreation," is the favorite target of a mass recreation philosophy that would reduce every outdoor experience to the lowest common denominator. Among chief protagonists of the look-only-at-past-user-records theory of outdoor recreation are representatives of the timber industry which opposed the Wilderness Act from the beginning and now pose as converts, at least so long as Wilderness stays within present primitive area boundaries. Timber spokesmen charge that wilderness advocates are a small and skillful group of propagandists "rushing headlong with misguided zeal to freeze vast acreages in static preservation." (CONGRESSIONAL RECORD—House, January 16, 1967). While time is too brief to offer full rebuttal, let me make these points:

(1) The charge that wilderness is a "lock up" of resources, a preservation freeze and a "single-purpose" use can be denied within the context of the law itself. Under the Wilderness Act and the Regulations pertaining thereto, wilderness has many uses: educational, scientific, historical, recreational, watershed, grazing and, for 19 years, mineral exploration. How does the prohibition against logging *alone* make it "single-purpose"? Logging, which Dr. Leslie Pengelly of the University of Montana School of Forestry calls an "irreversible" decision to alter an environment, would destroy or impair many of these *multiple* uses of wilderness.

(2) Americans who camp, picnic, drive for pleasure, hunt, fish, boat and water ski are hardly the "forgotten people" as timber industry spokesmen would have us believe. Mass recreation needs are *not* being met but they are far from ignored by governmental agencies who live by the "mass recreation" doctrine I have just attacked. While figures can be engineered to show that only 3% of National Forest visitor-days were spent in Wilderness in 1965, this does *not* prove that 97% of Americans don't want a wilderness experience. Most of them are not even aware of the opportunity. If they are, they lack the background and experience to take advantage of it today. How many Americans owned motorboats 20, 15, even 10 years ago? How big a "mass sport" was water skiing in 1950, or surfing in 1960? What has the per cent of *increase* been in back-packing, hiking, and scuba diving in the last 2 or 3 years? Skiing, a sport for a handful of the healthy-wealthy "nuts" in 1945, is a booming national pastime in 1967. The point is simply this: percentages of people using wilderness in 1967—whether 3%, 10% or no %—has no relevance whatever to demand and need for wilderness experience in 1980, 2000, 2050. Americans, with ever increasing leisure time, disposable income and educational attainment, are becoming more and more sophisticated in their recreational pursuits. I predict that by 1970 we will be seeing wilderness user-days increase by geometric proportions year after year. The real danger, from a resource management point of view, is not in having too *much* wilderness. It is in having too *little* wilderness, thereby destroying what we have by *overuse*.

CONCLUSION

Public Law 88-606 requires the Public Land Law Review Commission to make recommendations which will assure that the public lands are retained, managed or disposed of for the "maximum benefit of the general public." Trying to determine what is the "maximum benefit" is part of the Commission's continuing search. While the Commission will never find the ideal and universally accepted answer to this question, Judge William Burnett suggested some "principles for public lands" at the Denver meeting:

(1) Resolve all public land use doubts in favor of posterity.

(2) Manage all public lands by methods which are consistent with the creation and preservation of natural beauty.

(3) Retain and expand open spaces in the public domain to meet the needs of future generations.

I subscribe to these three principles for the reason that they tend to relate natural resource development to the development of the most important resource of all—man himself.

Let the testament of Isaiah be a word of warning for us: "Woe unto them that lay house to house, that lay field to field, until there be no place, that they may be placed alone in the midst of the earth."

CLEAN WATER IN LAKE ERIE

Mr. McCARTHY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. McCARTHY. Mr. Speaker, every Member of this House can take justifiable pride in the efforts he has made to purge this Nation's streams, lakes, and rivers of the curse of pollution. Unanimously, this House approved measures to escalate the fight for clean water.

And, I believe, the Johnson administration can take credit for its notable efforts to wage war on water pollution. In the last 2 years this war has grown from a minor skirmish into an all-out battle. Soon we will be spending close to a billion dollars a year in this nationwide effort.

It is because of the serious commitment of the Congress and the White House to this effort that I was shocked and distressed to learn that an arm of the Federal Government—the Army Corps of Engineers—plans to continue polluting Lake Erie in utter disregard of the unanimous and herculean efforts of virtually every other arm of the Federal Establishment to stop pollution.

Under enforcement proceedings of the U.S. Water Pollution Control Administration, States bordering Lake Erie are rushing to have pollution abatement facilities installed and in operation by New Year's Day 1970. But the U.S. Army Corps of Engineers sees fit to dredge tons of poisonous pollutants from the Buffalo River and take them out into the middle of Lake Erie and dump them there.

Were it not for the Corps of Engineers actions, those pollutants would never enter Lake Erie: they would be carried down the Niagara River and over Niagara Falls and into Lake Ontario. This is bad enough. The way the corps does it, the dredged material pollutes both Lake Erie and Lake Ontario.

The corps says it is working on the development of other methods for the disposal of the dredged material but that these will not be available this year. I believe they should inaugurate a crash program today to find another method of disposal to make sure that they do not again pollute Lake Erie this coming spring.

RICHARD E. BYRD ANTARCTIC COMMISSION

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, on February 8, I introduced H.R. 5297, a bill to provide for the creation of the Richard E. Byrd Antarctic Commission in the executive branch of our Government. For a decade or more legislation has been systematically considered by the Committee on Interior and Insular Affairs. During the 84th and succeeding Congresses I have introduced similar legislation, and my colleagues, Representatives ASPINALL, HOSMER, MORTON, and ZABLOCKI—and former colleagues O'Brien and Pillion, of New York; Duncan, of Oregon; Engle, of California; and Miller, of Nebraska—introduced bills which would have created a commission where all pertinent scientific and historical information on Antarctica would be assembled, cataloged, and made available for usage.

At the present time, information and data on Antarctica that have been compiled by reams and bales are in libraries, laboratories, museums, storerooms, attics and cellars, and all over the United States and cannot possibly be used to their fullest extent.

Although the U.S. Navy has carried the burden of exploring Antarctica, it does not have, nor should it have, the facilities for collecting and disseminating the scientific information needed in utilizing fully the resources of that great continent. The National Science Foundation, which recently has been handling most of the research projects, through contracting arrangements, was not established as an operating agency of the Government and thus far has not been able to do a satisfactory job in setting up a center for directing the necessary scientific and logistic operations relating to our South Polar expeditions. The Departments of State, Interior, Defense, and Commerce are all vitally interested in Antarctica but none has adequate facilities or staff to keep abreast of developments in the great southern continent.

Of the 12 nations, including the United States, that are signatories to the Antarctica Treaty of December 1, 1959, ours is the only one that does not have a central group or commission to provide for the administration and control of its Antarctic activities. I strongly urge that Congress fill this vacuum so that the nation that has done the most in providing leadership in Antarctica will be on a par with the other 11 nations actively participating in the affairs of the southernmost continent.

In addition to filling this vacuum, my bill would honor Rear Adm. Richard E. Byrd by naming the Commission for him. It would also provide a depository of information relating to Antarctica; handle the publication of such information, plan, and support Antarctic operations, and receive and use funds made available to it for further engaging in polar research. I would hope that my bill and H.R. 727, an identical bill introduced by Representative HOSMER, could be given favorable consideration so that the U.S. activities in Antarctica could continue the progress made over the past 20 years.

RESOLUTION TO AVOID LATE APPROPRIATIONS FOR EDUCATION PROGRAMS

Mr. PELLY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, throughout the Nation educators and State and local school officials have been confronted with a difficult—in fact almost impossible—situation in preparing their budgets and administering and planning their educational programs which are financed by congressional appropriations. Because of this problem of late funding, school and college years are far advanced before money is available. In connection with programs ranging from preschool to graduate school these funds often are not available, in fact, until months after school administrators have prepared their own budgets and in some cases, too, after the school year has begun. The result is hasty and sometimes wasteful use of Federal funds, and I hasten to add the fault lies not with these educators nor with officials of the Department of Health, Education, and Welfare, but with Congress.

Mr. Speaker, there are a number of ways in which the situation can be improved. For example, authorization legislation for major programs should be for more than 1 year, and should provide for a year of advanced planning to allow adequate preparation on the Federal, State, and local level. I think also this type of legislation should be more flexible and not limited or restricted to local administrative responsibility.

But at the heart of the problem is expediting appropriation legislation for Federal education programs. The record shows numerous instances when Congress failed to pass bills in time so the programs could be properly implemented.

Mr. Speaker, in the interest of remedying this unfortunate delay, I am joining with the gentleman from Illinois [Mr. ERLENBORN] in sponsorship of a concurrent resolution to provide for early appropriations for education. Our resolution would set May 1 of each year preceding the beginning of the fiscal year July 1 as a deadline for which all regular funds must be authorized to be appropriated. This resolution should be helpful and I am sure the House and Senate Committees on Appropriations would fully cooperate.

Following is the text of the concurrent resolution which I am introducing this week:

Resolved by the House of Representatives (the Senate concurring), That the Congress recognizes that late appropriations of funds for Federal educational programs create a severe and growing burden upon State and local school systems and institutions of higher learning and inhibit adequate planning for the wise and effective use of such funds; that in order to overcome these difficulties educational officials must have notice of the availability of Federal funds well in advance of the beginning of a new school or college year; and that the Committees on Appropriations of the House of Representatives and the Senate are hereby instructed to report to their respective bodies a bill or bills, appropriating funds for educational assistance programs, not later than May 1 of the year preceding the beginning of the fiscal year for which such funds are authorized to be appropriated.

COMMERCE DEPARTMENT ENGAGING IN BILLBOARD LOBBYING

Mr. CRAMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CRAMER. Mr. Speaker, it appears that the Department of Commerce and the Great Society have what I would call billboard schizophrenia. The syndrome is best evidenced by the Department of Commerce's erection of political billboards along Federal-aid highways at the same time that it is drafting criteria aimed at eliminating commercial outdoor advertising under the Highway Beautification Act. These are the pictures of advertising by the Economic Development Administration along highway rights-of-way, which location itself is contrary to announced policy, prompting and proposing the American people have "more jobs for America through a partnership of your community and the U.S. Department of Commerce's Economic Development Administration. Signed Lyndon B. Johnson"—in large print "Lyndon B. Johnson."

Mr. Speaker, political advertising, at the expense of the taxpayers, and the policy of spending more of the money of the taxpayers in erecting signs upon highway rights-of-way—which is probably illegal in the first instance—is clearly schizophrenia, especially when the administration advises that everyone else must stop or control advertising. But it is perfectly all right for it to do so.

And, Mr. Speaker, even in the EDA newsletter dated April 1966, which, by the way, is subsidized by the taxpayers of the United States of America, the people are advised that these signs are available—"come one, come all, make use of them and the taxpayers' money."

Mr. Speaker, is it any wonder that we have a substantial deficit? Is it any wonder that many people of this great country question the wisdom of the suggested billboard regulation, and beauty costing $385 million, under these circumstances?

Mr. Speaker, in 1965 at the insistence of the present administration, the Congress enacted the Highway Beautification Act of 1965 and the Public Works and Economic Development Act of 1965. The administration of both of these programs was placed in the Department of Commerce.

In the January 6, 1967, edition of the Washington Daily News, the following news item appeared:

> The Government ought to make up its mind about billboards. With one hand it endorses beautification and with the other it erects all over the country huge billboards that say this: "More Jobs for America—Thru A Partnership of Your Community and the U.S. Department of Commerce Economic Development Administration." The billboard also bears the blown-up signature of Lyndon Johnson, plus his name in printed, capital letters.

Since both of the programs involved in this news item were launched by bills reported by the Committee on Public Works, I began an immediate investigation to determine the facts. What I found is astounding.

In April of 1966, a publication of the Economic Development Administration issued by the U.S. Department of Commerce, announced that EDA "display panels" were then available for use on construction sites of all EDA-assisted projects.

On Thursday, December 15, 1966, the Republican Delta, a newspaper published in Buckhannon, W. Va., reported that these EDA signs were being erected "at the highway entrances to the city, instead of at construction sites." Further inquiry revealed that the city of Buckhannon, W. Va., is bisected by U.S. Route 33, by U.S. Route 119, and by State Route 4. I am informed that U.S. Route 33 is part of the Federal-aid primary system, U.S. Route 119 is part of the U.S. Federal-aid secondary system, while State Route 4 is not on a Federal-aid system. The signs in question have been erected on all of these highways. I have before me pictures of these signs which my colleagues are welcome to examine. Not only are these signs erected at locations where they cannot be missed by passing motorists, but it appears that they may be erected partially, if not entirely, upon the right-of-way of the highway.

Section 131(a) of title 23, United States Code, which was enacted as a part of the Highway Beautification Act of 1965, provides as follows:

> The Congress hereby finds and declares that the erection and maintenance of outdoor advertising signs, displays, and devices in areas adjacent to the Interstate System and the primary system should be controlled in order to protect the public investment in such highways, to promote the safety and recreational value of public travel, and to preserve natural beauty.

Mr. Speaker, as you and my colleagues know, millions of dollars of Federal funds were made available to pay the cost of removing outdoor advertising signs of the Federal-aid primary and Interstate Highway System; and at the very time that the Department of Commerce was drafting criteria and standards and preparing cost estimates for controlling outdoor advertising, another part of the Department of Commerce was erecting outdoor advertising signs blatantly political in character.

Mr. Speaker, I feel that every Member of the Congress on both sides of the aisle should be deeply concerned about this situation.

First, it demonstrates a complete lack of coordination between the activities of two constituent units of the same executive agency in the administration of two programs insisted upon by the administration.

Second, a question is raised as to the propriety, if not the legality, of expending for advertising purposes Federal funds appropriated to improve the economic situation of depressed areas. And this is particularly true at the present time, when the President has drastically cut back the extremely important highway program to provide a source from which to borrow money to finance Great Society programs, including EDA.

Third, aside from whether the Economic Development Administration of the Department of Commerce can lawfully or with propriety expend the public funds for general advertising of its activities, certainly it was not contemplated that public funds would be expended for the purpose of erecting blatant political billboards such as these.

Fourth, as noted above, it appears that the signs in question are partially or entirely upon the highway right-of-way. Certainly the pictures that I have shown clearly indicate that the billboards are very close to the paved portion of the highway. For many years the regulations of the Bureau of Public Roads, Department of Commerce, have prohibited the erection of billboards or other encroachments upon the right-of-way of highways improved with Federal funds. More important, it is recognized that any obstruction fairly close to the paved portion of a highway is a distinct hazard and can result in the death or serious injury of highway travelers who either strike the obstruction or lose control of the vehicle in an attempt to avoid it. This is particularly pertinent in view of the fact that, just a few months ago, Congress enacted the Highway Safety Act of 1966, a measure first proposed by our late, respected colleague, Congressman John Baldwin, and later urged by President Johnson.

Mr. Speaker, the signs I have been discussing are erected at the entrance of the town of Buckhannon, W. Va. I have been informed that these signs have been erected at many, many other locations in the country. I can assure you that I intend to look more fully into this matter. I sincerely hope that I will have the support of my colleagues on both sides of the aisle who share my belief that this kind of conflict in Government activities and resulting expenditure of substantial amounts of tax money is a deplorable situation.

CONGRESSMAN HORTON PAYS TRIBUTE TO FREDERICK DOUGLASS AS COMMEMORATIVE STAMP IS ISSUED

Mr. HORTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, yesterday afternoon, February 14, 1967—a bright, sunlit afternoon in Washington—scores of people from Government, private life, business, religion, and many other walks of life gathered in a small brick church not far from the Nation's Capitol to pay well-earned tribute to a man born 150 years ago this week.

That man was Frederick Douglass, the son of a slave who rose to become a statesman, orator, and diplomat and a hero of his oppressed people.

I was particularly pleased to be at Faith Tabernacle Church, almost in the shadow of the U.S. Supreme Court Building, as the ceremonies honoring this great American unfolded.

Almost since the day I was privileged to become a Member of the House of Representatives, I have worked to secure appropriate recognition for Douglass and his work. Much of Douglass' greatest work was done in the city of Rochester, N.Y., a part of which I represent. For 17 years, in issues of his newspaper, the North Star, published in Rochester, he labored for equal recognition for the Negro.

One of the ways in which I had hoped to secure recognition for Douglass was through the issuance of a stamp bearing his likeness. As long ago as August 7, 1963, I introduced a bill urging the issuance of such a stamp.

One of my constituents, Mr. Howard Coles, was also present and shared in the recognition of being one of the leaders in the movement to give Frederick Douglass his rightful recognition. Publisher of the Rochester Voice, successor to Douglass' newspaper, Mr. Coles was very instrumental in bringing my attention to the life and work of Mr. Douglass. The work which I started in the 1st session of the 88th Congress yesterday became a reality—nearly 5 years after the original introduction of my bill—H.R. 7978.

Unveiled at those ceremonies in the church yesterday was a commemorative stamp honoring Douglass. It is a 25-cent stamp, part of the Post Office Department's "Prominent Americans" series. This is a simple enough tribute. No monuments were raised, no statues unveiled. Yet, 150 years after this great American was born, it seemed fitting that the Government which he worked so hard to improve has recognized his work with a small stamp which will carry his image to all parts of this land and the world.

At this point, I should like to include a short biography of Douglass, published by the Frederick Douglass Institute of Negro Arts and History and its capable director, Mr. Warren M. Robbins. It tells much about the significance of Douglass' life and work:

FREDERICK DOUGLASS

> The life of Frederick Douglass represents one of the most remarkable stories in the history of the United States. Born a slave in 1817 on a Talbot County Maryland plantation, Douglass, through the sheer force of his own character and courage, rose to national prominence and international renown.
>
> As a child, he was aided in his self-education by the wife of his master who recognized his promise and taught him to read and write. Later he escaped via New York to Massachusetts where he was closely associated—but not always in agreement—with the abolitionist William Lloyd Garrison.

His brilliance as an orator in the cause of abolitionism brought him not only fame throughout the north, but the ever-present danger of capture and return to slavery. A lecture tour in England helped the Quakers of that country raise $750 to purchase his freedom.

Returning to the United States in 1847, he settled in Rochester, New York where for 17 years he published an abolitionist newspaper, "The North Star". He later continued his publishing career in Washington, D.C. as editor of the "New National Era".

During the Civil War, Douglass recruited 30,000 troops for the northern forces. President Lincoln once called him "the most meritorious person I have ever seen."

In the subsequent administrations of Presidents Grant through Cleveland, Douglass served in a number of appointments including Recorder of Deeds and U.S. Marshall for the District of Columbia, and first U.S. Minister to Haiti.

A prolific writer, his complete writings were published in four volumes during the years 1950–55. His autobiography, which first appeared in 1892, is a classic of American historical literature and a masterpiece of 19th century prose.

Douglass died in Washington on February 20, 1895. Today, seventy-two years later, he is regarded as the "Father of the Civil Rights Movement."

The church in which the issuance ceremonies were conducted yesterday is only a few steps from the Douglass Institute, housed in an A Street townhouse in which Douglass lived and worked for many years.

The program, arranged by Mr. Robbins, was stirring and imaginative. Much of the credit for its success must go to him.

And I am sure that many of the people who witnessed the program, as I did, were enthralled by the oration of the distinguished actor, Frederick Douglass O'Neal, who strode onto the stage clad in a wig, beard, and 19th century costume which made one feel that Douglass himself had returned to Washington for the ceremony.

Acting as an interviewer, Mr. Robbins questioned him on his life and thought. The answers, derived from speeches and writings of the great orator, are still very timely today:

Mr. ROBBINS. In recent years, historians have given us a more accurate portrayal of the development of President Lincoln's views on the institution of slavery and the Negro people. Last Sunday, President Johnson, speaking at the Lincoln Memorial, said that in his earlier years, Lincoln "accepted the received wisdom of his time"—holding that Negroes and whites should live separately. "But Lincoln's remorseless realism," he continued, "made it impossible for him to hold this view for long."

Mr. Douglass, such an appraisal of Mr. Lincoln's views was anticipated by you on April 14, 1876, when you dedicated the Lincoln Freedom Monument in Lincoln Park here on Capitol Hill.

What were some of your thoughts at that time?

ON LINCOLN

Mr. DOUGLASS (played by O'Neal). Fellow-citizens, in what we have said and done today, and in what we may say and do hereafter, we disclaim everything like arrogance and assumption. We claim for ourselves no superior devotion to the character, history, and memory of the illustrious name whose monument we have here dedicated today. We fully comprehend the relation of Abraham Lincoln both to ourselves and to the white people of the United States. Truth is proper and beautiful at all times and in all places, and it is never more proper and beautiful in any case than when speaking of a great public man whose example is likely to be commended for honor and imitation long after his departure to the solemn shades, the silent continents of eternity. It must be admitted, truth compels me to admit, even here in the presence of the monument we have erected to his memory, Abraham Lincoln was not, in the fullest sense of the word, either our man or our model.

He was ready and willing at any time during the first years of his administration to deny, postpone, and sacrifice the rights of humanity in the colored people to promote the welfare of the white people of this country. He came into the Presidential chair upon one principle alone, namely, opposition to the extension of slavery. His arguments in furtherance of this policy had their motive and mainspring in his patriotic devotion to the interests of his own race. To protect, defend, and perpetuate slavery in the states where it existed Abraham Lincoln was not less ready than any other President to draw the sword of the nation. He was ready to execute all the supposed guarantees of the United States Constitution in favor of the slave system anywhere inside the slave states. He was willing to pursue, recapture, and send back the fugitive slave to his master, and to suppress a slave rising for liberty, though his guilty master were already in arms against the Government. The race to which we belong were not the special objects of his consideration. Knowing this, I concede to you, my white fellow-citizens, a preeminence in this worship at once full and supreme. First, midst, and last, you and yours were the objects of his deepest affection and his most earnest solicitude.

Our faith in him was often taxed and strained to the uttermost, but it never failed. When he tarried long in the mountain; when he strangely told us that we were the cause of the war; when he still more strangely told us that we were to leave the land in which we were born; when he refused to employ our arms in defense of the Union; when, after accepting our services as colored soldiers, he refused to retaliate our murder and torture as colored prisoners; when he told us he would save the Union if he could with slavery; when he revoked the Proclamation of Emancipation of General Fremont; when he refused to remove the popular commander of the Army of the Potomac, in the days of its inaction and defeat, who was more zealous in his efforts to protect slavery than to suppress rebellion; when we saw all this, and more, we were at times grieved, stunned, and greatly bewildered; but our hearts believed while they ached and bled.

You are the children of Abraham Lincoln. We are at best only his stepchildren; children by adoption, children by forces of circumstances and necessity. To you it especially belongs to sound his praises, to preserve and perpetuate his memory, to multiply his statues, to hang his pictures high upon your walls, and commend his example, for to you he was a great and glorious friend and benefactor. Instead of supplanting you at his altar, we would exhort you to build high his monuments; let them be of the most costly material, of the most cunning workmanship; let their forms be symmetrical, beautiful, and perfect; let their bases be upon solid rocks, and their summits lean against the unchanging blue, overhanging sky, and let them endure forever! But while in the abundance of your wealth, and in the fullness of your just and patriotic devotion, you do all this, we entreat you to despise not the humble offering we this day unveil to view; for while Abraham Lincoln saved for you a country, he delivered us from a bondage, according to Jefferson, one hour of which was worse than ages of the oppression your fathers rose in rebellion to oppose.

ON EQUAL RIGHTS

Mr. ROBBINS. For a number of years, Mr. Douglass, many more people have joined the fight for treatment, equal opportunity, and meaningful elective franchise. In the early 1870's, what were your views on these subjects?

Mr. DOUGLASS. We certainly hope that the time will come when the colored man in America shall cease to require special efforts to guard their rights and advance their interests as a class. But that time has not yet come, and is not even at the door.

We are often cautioned against demanding too much for the colored people of this country. This cautioning is invariably accompanied with a full narration of what has already been done for our people . . . . that we should be satisfied at least long enough to allow the nation to take breath after its strenuous exertions in the accomplishments of the results so beneficial to us. To such persons, the fact that we have been oppressed, outraged and wronged for centuries seems to be no argument why the nation should hasten to undo the wrong it has sanctioned against us, now that it fully admits the evil perpetrated upon us.

The elective franchise without protection in its exercise amounts to almost nothing in the hands of a minority with a vast majority determined that no exercise of it shall be made by the minority . . . . We claim that the Thirteenth, Fourteenth, and Fifteenth amendments to the Constitution of the United States were intended to give full freedom to every person without regard to race or color in the United States; and in order that this intention should be carried out and acted upon, power for that purpose was given by conferring upon Congress the right to enforce the amendments by appropriate legislation. It cannot be denied that the violent interference with the black man to prevent him from excercising the elective franchise in accordance with his own views is an abridgement of his freedom . . . . We cannot be asking too much when we ask this Congress to carry out the intention of this Nation as expressed in the Thirteenth, Fourteenth, and Fifteenth amendments.

We cannot be free without the appropriate legislation provided for in these amendments. We say to those who think we are demanding too much that it is idle to point us to the amendments and ask us to be satisfied with them and wait until the nation is educated up to giving us something more. The amendments are excellent but they need to be enforced . . . (these) amendments to the Constitution should be cordially sustained because they are right, not merely tolerated because they are law, and should be carried out according to their spirit by appropriate legislation.

ON LABOR

Mr. ROBBINS. I know, Mr. Douglass, that you were somewhat active in the labor movement in the 1870's. Would you tell us something of your involvement?

Mr. DOUGLASS. In August, 1869, I had been the principal speaker at a meeting held in Baltimore, Maryland. Using as my subject "The Equal Right of all Men to Labor" I emphasized the necessity for establishing statewide and national organizations to fight for better conditions for urban and rural Negro workers. Stressing the importance of organizing Negro and white workers together, I warned that discrimination by labor unions because of nationality, sex, or color was suicidal, for it arrayed against each other groups which ought to be allied in the closest union. Unfortunately, very few white trade unionists understood the necessity of making common cause with Negro labor. I cited the case of my own son, Lewis. Returned home from the Union Army "somewhat broken in health, but still willing and able to work at his trade" as a printer, he could not obtain a job because members of the Rochester Typographical Union refused to work with a Negro. During the 16 years I had published my paper in Rochester, I had employed white men and apprentices. I had paid out approximately $100,000 to these men and yet here was my son, who had learned his trade while working on his father's paper, a young man of good character and yet unable to find work at his trade because of his color and race.

At the convention of the National Colored Labor Union in January, 1871, I was elected president for the coming year. Delegate after delegate stressed the fact that the immediate task confronting the Negro workers was to compel the Federal Government to take vigorous action against Ku Klux terrorism to protect the colored man's right to vote, and to force Congress to enact Sumner's Supplementary Civil Rights bill. This bill, made into law, would have opened inns, juries, schools, public conveyances, etc., to all without distinction of color. They seemed to feel that I was the man to lead in the struggle for these demands.

ON SCHOOL DESEGREGATION

Mr. ROBBINS. Mr. Douglass, our Nation today is greatly concerned with the problem of desegregation of our schools. On May 7, 1872, you wrote on the subject in your newspaper, the New National Era. What was it you said at that time?

Mr. DOUGLASS. The question of the establishment of mixed common schools in the District of Columbia in which caste prejudices will not be nurtured, is now agitating the people of the community. We hope . . . that the mad current of prejudice against the Negro may be checked; and also that the baleful influence upon the children of the colored race of being taught by separation from the whites that the whites are superior to them may be destroyed. We want mixed schools . . . not because our schools are inferior to white schools, not because colored instructors are inferior to white instructors (indeed in the county we have been assured by some of the school officials that the best conducted school is conducted by a colored teacher), but because we want to do away with a system that exalts one class and debases another. Our idea of mixed schools comprehends the employment of colored as well as white teachers, and of neither unless they are competent. Anything less than this would be fostering the very caste system of which we all complain. It is saying to the colored child you may learn and acquire an abundance of intelligence, but you must never hope to know enough to be able to teach a primary school composed of white children and colored. We look to mixed schools to teach that worth and ability are to be the criterion of manhood and not race and color.

THE DOUGLASS INSTITUTE

Mr. ROBBINS. A Douglass Institute was opened in Baltimore in October 1865. Some of the things you said on that occasion seem appropriate to the Frederick Douglass Institute here in Washington. Would you be good enough to repeat some of the remarks you made at that time?

Mr. DOUGLASS. We come here to dedicate an institution which, in my opinion, is destined to play an important part in promoting the freedom and elevation of the colored people of this city and State, and I may say of the whole Union. The occasion that brings us here this evening may be properly viewed as an indication of the rise of a people long oppressed, enslaved and bound in the chains of ignorance, to a freer and higher plane of life, manhood, usefulness and civilization.

It implies an increased knowledge of the requirements of a high civilization, and a determination to comply with them. This Institute, in character and design, in some measure represents the abilities and possibilities of our race.

I deem it fortunate that, at such a time as this, there has arisen here an Institution in which we can confront ignorance and prejudice with the light and power of positive knowledge, and array against brazen falsehood the rightful influence of accomplished facts. The very existence of this Institution is a most striking, cheering and instructive fact. It attests the progressive spirit, the sagacity, the courage, the faith, the intelligence and manly ambition of the colored people of this city and State, and reflects credit upon the colored people of the country generally.

The public, with the mass of ignorance has sternly denied the representative character of our distinguished men and women. They are treated as exceptions, individual cases, and the like. They contend that the race, as such, is destitute of the subjective original elemental condition of a high self-originating and self-sustaining civilization.

A few years ago, we met this unfavorable theory as best we could in three ways. We pointed our assailants and traducers to the ancient civilization of Northern Africa. We traced the entangled threads of history and of civilization back to their sources in Africa. We called attention to the somewhat disagreeable fact—agreeable to us, but not so to our Teutonic brethren—that the arts, appliances and blessings of civilization flourished in the very heart of Ethiopia, at a time when all Europe floundered in the depths of ignorance and barbarism. We dwelt on the grandeur, magnificence and stupendous dimensions of Egyptian architecture, and held up the fact, now generally admitted, that that race was master of mechanical forces of which the present generations of men are ignorant.

We pointed to the nautical skill, commercial enterprise and military prowess of Carthage, and justly claimed relationship with those great nations of antiquity. We are a dark people—so were they. They stood between us and the Europeans in point of complexion, as well as in point of geography. We have contended—and not illogically—that if the fact of color was no barrier to civilization in their case, it cannot be in ours.

The mission of this Institution and that of the colored race are identical. It is to develop manhood, to build up manly character among the colored people of this city and State. It is to teach them the true idea of manly independence and self-respect. It is to be a dispenser of knowledge, a radiator of light. In a word, we dedicate this institution to virtue, temperance, knowledge, truth, liberty and justice:

"In this fair hall, to Truth and Freedom given,
Pledged to the right before all earth and heaven—
A free arena for the strife of mind,
No caste, or sect, or color are confined."

We who have been long debarred the privileges of culture may assemble and have our souls thrilled with heavenly music, lifted to the skies on the wings of poetry and song. Here we can assemble and have our minds enlightened upon the whole circle of social, moral, political, and educational duties. Here we can come and learn true politenesses and refinements. Here the loftiest and best eloquence which the country has produced, whether of Anglo-Saxon or of African descent, shall flow as a river, enriching, enobling, strengthening and purifying all who will live in its waters. Here may come all who have a new and unpopular truth to unfold and enforce, against which old and respectable bars and bolts are iron gates. Here, from this broad hall, shall go forth an influence which shall at last change the current of public contempt for the oppressed, and lift the race into the popular consideration which justly belongs to their manly character and achievements.

Mr. ROBBINS. The distinguished Negro poet, Robert E. Hayden, writing in the Atlantic Monthly of February 1947, expressed the yearnings of the Negro people for full freedom and the place that Frederick Douglass occupies in this struggle. Would you read it Mr. Douglass?

Mr. DOUGLASS (reading)—

"When it is finally ours, this freedom, this liberty, this beautiful
And terrible thing, needful to man as air,
Usable as the earth; when it belongs at last to our children,
When it is truly instinct, brain matter diastole, systole,
Reflex action; when it is finally won; when it is more
Than the gaudy mumbo-jumbo of politicians:
This man, this Douglass, this former slave, this Negro
Beaten to his knees, exiled, visioning a world
Where none is lonely, none hunted, alien,
This man, superb in love and logic, this man
Shall be remembered—oh, not with statues rhetoric,
Not with legends and poems and wreaths of bronze alone,
But with the lives grown out of his life, the lives
Fleshing his dream of the needful, beautiful thing."

Mr. Speaker, Mr. Frederick S. Weaver, great-grandson of Frederick Douglass and director of public relations for the New York Urban League, next spoke for the family and descendants of Douglass, many of whom were gathered in the church for the ceremonies.

He spoke about Douglass as the father of what today is called the civil rights movement, probably the most significant social phenomenon in this country in the 20th century.

These were his words:

It was thoughtful and kind of Warren Robbins to invite a member of the Douglass family to participate for a moment in this significant ceremony. It is a privilege for me, and other members of the family who are here today, to witness the issuance of a stamp of the United States Government which honors one of its citizens 72 years after his death in 1895, and 150 years after his birth in 1817.

Historians responsible for the text books used in our schools yesterday, and to a great extent, even today, have prostituted the history of this great country in their portrayal of the American Negro. The result of which is that this generation of Negroes and whites are for the most part completely unfamiliar with the name of Frederick Douglass, and know little, if anything of his contributions.

The issuance of this stamp—and just the announcement of it, has already caused many well-meaning, intelligent people to ask, "who was Frederick Douglass." The role he played in the emancipation of the slaves 103 years ago was as important to the development of this country as was the role of those who drafted the Declaration of Independence less than 100 years earlier, and went on to free themselves from domination by the British. The swiftness with which the signers of that document were honored by the United States, on stamps and otherwise, caused one to get pneumonia from the breeze. One can only hope that once the program of "the Great Society" is in full swing, poverty in this country will have been reduced to the degree that all students of American history will have need for, and can afford to buy, a 25-cent stamp!

On the other hand, we are compelled to observe that the swiftness with which the Government today honors the name of Frederick Douglass, far exceeds the celerity with which it has implemented the things, the values, and the morals for which Mr. Douglass fought.

The speeches made by Mr. Douglass more than 100 years ago, if read today, before any forum of people interested in civil and human rights, would present the same challenge that they did many years ago.

The cry for "black power" which many think originated with Stokely Carmichael, during the Mississippi March, was issued by Frederick Douglass in 1862 at the National Convention of Colored Men held in New Orleans, La. As the permanent chairman of this convention, he urged the delegated to make full use of their black, moral and political power in righting the wrongs suffered by black men. Liberty won by white men would lose half its lustre, Mr. Douglass said. He was introduced at this meeting by P.B.S. Pinchback, the Negro Lieutenant Governor of Louisiana, himself a product of black power which came into being following the reconstruction, and which later saw him serve as Governor.

And let me remind those who would distort history, that sit-ins, lie-downs and stand-ups, as a means of forcing places of public accommodation to open their doors to Negroes did not originate with those who demonstrated on Route 40 or in the deep South. The historical fact is that the nation's first sit-in was conducted in Rochester, New York 102 years ago, by the man you honor here today, embattled though it still is, by racial strife. And not withstanding this fact, the people of Rochester, pooled their money and erected a statute to his memory in one of its public parks.

And when we speak of the "white backlash" of today, we can remember that Mr. Douglass paid his respects to it as long ago as 1894: "The pit of hell is said to be bottomless," he spoke. "The principles which we all thought to have been firmly and permanently settled by the late Civil War have been boldly assaulted and overthrown.

"Rebel rule is now nearly complete in many states, and it is gradually capturing the nation's Congress. The cause lost in the war is the cause regained in peace, and the cause gained in war is the cause lost in peace."

When white America becomes alarmed today over the violence and rioting in the big city ghettoes we give the same answer Mr. Douglass gave 100 years ago:

"Who can blame the black man if he is compelled to live in rags and wretchedness; if his wages are held down by fraud; if he is denied a fair trial when accused of crime, and as a result of which he imitates the example of other oppressed classes and invokes some terrible explosive power as a means of bringing his oppressors to their senses, and finally compels them to respect the claims of justice? Oppression makes a wise man mad!"

Whatever prompted President Lincoln to sign the Emancipation Proclamation is debatable even today. I know from my own readings that Mr. Douglass himself had serious doubts as to his motives, remarking at one time that Mr. Lincoln was not our man nor our model. We have historical knowledge however, that nothing was done by any President to obtain, or secure the rights of Negroes as guaranteed by the Constitution and the Bill of Rights until the advent of the progressive administrations of Presidents Roosevelt, Truman, Kennedy and Johnson. But despite the efforts of these four great men, we find a Congress still unwilling to pass legislation which would bring us fully into the mainstream of American life, particularly in the field of housing. There are still too many in the high seat of government, in Congress and out, who boast of having been nursed by a Negro mammy, but who protest when it comes to living in the same house with a Negro. One wonders if this nursing which they profess to have loved so well took place in the barn.

The moral of this situation is that our fight is not won. It is to America's shame that 72 years after the death of the man it today honors, a substantial portion of its citizens, and citizens of other countries whose skins are black, must face the indignities against which Mr. Douglass rebelled.

A young student visited Mr. Douglass only hours before his death. He wanted to know from Mr. Douglass what advice he had to give a dissident young, black college student facing the disadvantages in America of being black.

Mr. Douglass looked him straight in the eye and said: "Agitate! Agitate! Agitate!"

The dedication of this stamp today represents a milestone in the belated recognition by our government of the achievement of the Negro. This recognition is the result of agitations of black historians and writers like Charles Wesley, Carter Woodson, Philip Foner, Benjamin Quarles, Carl Murphy and others. It is also a tribute to the talent, dedication and resourcefulness of men such as Warren Robbins, founder and director of the Frederick Douglass Institute of Negro Arts and History, and the sponsor of this ceremony.

To the Honorable Lawrence O'Brien, Postmaster General; to the Assistant Postmaster General, Richard J. Murphy; Ira Kapenstein, Special Assistant to the Postmaster General; Timothy J. May, General Counsel, and to Ray Blozis, the family expresses its appreciation for the part all of you have played in making this occasion possible.

The family would also like to pay its respect to the stamp's designer Walter DuBois Richards, whose excellent likeness we all can purchase for 25 cents (if we have the 25 cents).

As I conclude these remarks, which have already exceeded the time allotted me, let me say that the future of race relations in this country rests on our ability to meet the challenge of despair. If we fail, integration, equality, democracy itself, will become a rubbish heap of dreams of an immoral and vicious society.

On the success of our own efforts depend the dreams and hopes of millions of the dispossessed. And so, as we leave this meeting today, let us return to our homes with renewed determination to help translate equal rights into equal opportunities; to reach the unreachables of our society; to transform America. To do this would really be honoring the memory of Frederick Douglass.

One hundred and ninety years ago, other Americans gathered in Philadelphia to formulate the creed of their revolution, just as we gather to affirm our dedication to the ideals of what might be called a second American revolution—a revolution of opportunity—the revolution for which Mr. Douglass and many who have followed him, have fought, bled and died.

Let us insist in 1967 that there be a new Emancipation—an emancipation from poverty, from prejudice, from discrimination—in housing, in employment, in education.

This, to many may be a dream. If so, it is an achievable dream. A dream of Frederick Douglass which my friend, Pauli Murray sums up in her poem, "Dark Testament," which says that "traders still trade in double talk, though they've swapped the selling block for ghetto and gun!" She concludes:

"Then let the dream linger on.
Let it be the test of nations,
Let it be the quest of all our days,
The fevered pounding of our blood,
The measure of our souls.—
That none shall rest in any land
And none return to dreamless sleep,
No heart be quieted, no tongue be stilled
Until the final man may stand in any place
And thrust his shoulders to the sky,
Friend and brother to every other man."

And finally, Mr. Speaker, a speech by the Honorable Richard J. Murphy, Assistant Postmaster General of the United States, took us deeper into the life of Douglass—through his days of bondage, fugitive slavery, and his struggles to make his newspaper a success.

Rochester can take second place to no community in the honor it has paid Douglass. As noted by Mr. Murphy, the Rochester Common Council, at Douglass' death, passed a resolution providing that his body lie in state in the city hall. As was also noted, a heroic statue of Mr. Douglass stands in one of the city's most beautiful parks, not far from the place where every spring thousands of lilacs bloom.

It was truly heartwarming to witness the manner in which the work which I have done in behalf of the memory of Mr. Douglass was culminated yesterday.

This is Mr. Murphy's speech:

How thrilled Frederick Douglass would be if he were to return today . . . to see that *some* of his dreams have come true.

I can imagine his dark eyes flashing, as that great, resonant voice, repeats words spoken in 1890.

He said then, and it is true today:

"I have seen dark hours in my life, and I have seen the darkness gradually disappearing, and the light gradually increasing. One by one, I have seen obstacles removed, errors corrected, prejudices softened, proscriptions relinquished, and my people advancing in all the elements that make up the sum total of general welfare. I remember that God reigns in eternity, and that, whatever delays, disappointments and discouragements may come, truth, justice, liberty and humanity will prevail."

Those were noble, prophetic words.

The Frederick Douglass postage stamp we are dedicating today is an honor long overdue a remarkable man. This 25-cent stamp is part of the new "Prominent Americans" series of regular stamps. In this series, Frederick Douglass will find himself in good company. For there is also to be a stamp honoring Tom Paine, another man whose writings exhorted men to struggle for liberty. Unlike our commemorative stamps, which are removed from sale after about a year, the Frederick Douglass stamp will be on sale for many years.

The rise of Frederick Douglass from a semiliterate slave to a man of high position is stranger than fiction. Horatio Alger, who wrote dime novels on the rags-to-riches theme, about a hundred years ago, would not have dared to write the story of Frederick Douglass. His readers would have found the plot too fantastic to believe.

How did Frederick Douglass, who had never been to school one day in his life, learn to write such incisive prose, how did his lips learn to deliver such eloquent utterances, how did his brain compound such irrefutable logic?

It wasn't easy. When he fled from slavery in Maryland, later to lecture before antislavery groups in the North, Douglass devoted every spare minute to self-education. He drank in knowledge as a sponge absorbs water.

In fact, after six years in the North there were some skeptics who doubted that Douglass had ever been a slave. How could a man of such commanding dignity, of such polished rhetoric have once been an ignorant slave, the skeptics asked.

A major turning point in the career of Frederick Douglass came in 1845, when he went to England. Here for the first time in his life, he was completely unshackled from prejudice. He lectured. He made friends.

Before he returned to the United States in 1847, these friends raised $710.96 to buy his freedom from his master, Hugh Auld, of Baltimore.

Frederick Douglass returned home breathing easier. He was a freedman now no longer subject to arrest and return to his master.

He was both amazed and pained, then, to discover that certain groups of Abolitionists disapproved of his being free!

By some form of cockeyed logic and harebrained sophistry, they felt that buying his freedom was a recognition of the right to buy and sell human beings. Also, they contended, Freedman Douglass on the lecture platform would be considerably less sensational than Slave Douglass on the same platform. From a cynical point of view, this was certainly true. Because every time Runaway Slave Douglass appeared publicly he was indeed putting his head in the lion's mouth. He did face arrest and return to Maryland and bondage. Douglass preferred to be a freedman and less sensational. I can't say that I blame him much.

A second major step forward in his career came just a few months after his return to America, when on December 3, 1847 he printed the first issue of "The North Star," a newspaper that was to have a heavy impact on readers, here and in England. Douglass named his paper "The North Star" for it was the north star in the sky that runaway slaves followed as a beacon of hope for freedom.

In later years Frederick Douglass rose to higher honors—minister to Haiti, marshal for the District of Columbia and its recorder of deeds—but the fact is that these next 17 years, during which he published his newspaper and magazine in Rochester, New York, comprised his greatest contribution to his country and to his people.

Douglass made this self-appraisal in later years, when he wrote in a letter: "If at any time I have said or written that which is worth remembering or repeating, I must have said such things between the years 1848 and 1860."

Until Douglass founded his newspaper, Negro publications had been pitifully unsuccessful. They began with high hopes—and little or no money in the cash box. Some of these publications discontinued after two or three issues. Others struggled for a month or so before succumbing. One lasted almost a year.

Douglass published his for 17 years. And he wrestled with finances every step of the way. In those days there were few advertisers willing to support a Negro newspaper. Readers often found it difficult to pay $2.50 for a yearly subscription.

When the "North Star's" bills piled up, Douglass took to the road to lecture, and he poured these fees into the paper. He mortgaged his home to keep the paper going. His family worked on press day, folding, wrapping and mailing the paper. Circulation was 700.

But he grew deeper and deeper in debt. Once again it was English friends who rushed to his rescue. Julia Griffiths and her sister came to Rochester to help save the paper. Both were hard workers with good heads for business. Circulation went from 700 to more than 4,000 and the paper finally showed a slight profit.

Better still, the paper was gaining a wide reputation for both the quality of writing and the clear-cut thinking that Douglass produced.

He bowed to no sacred cows.

When he disagreed with Abraham Lincoln, he was prompted to say so. (Later, Mrs. Lincoln gave to Douglass the assassinated President's favorite walking stick as a token of the respect the two men had learned to feel for each other.)

When he disagreed with certain elements of the church, he was prompt to say so. And with withering scorn! There was a group, within the church, which proposed that it distribute Bibles to the slaves. Perhaps this was an effort to put an uneasy conscience at rest.

Douglass snorted at such a wild-eyed proposal. Slaves could possess personal property, he made it clear. Slaves could not read, except in very, very rare instances. Further it was against the law to teach slaves to read and write. Three states imposed the death penalty on anyone found guilty more than two times of teaching a slave to read!

Frederick Douglass certainly was not a man with his hat in his hand. He knew what had to be done, and he set out to do it with every ounce of energy at his command.

To do what had to be done, he more than once suffered physical assault and underwent the mental agony of insult and derogation. This did not deter him. Year after year after year he worked unswervingly for a cause he knew was a just cause, a cause that he knew that many people, deep down in their hearts also recognized as a just cause. He lived a long fruitful life.

Frederick Douglass died in action.

Two evenings before, he had delivered a speech advocating home rule for the District of Columbia. He spent his last day on earth attending a long meeting. A few minutes after his death, a friend called at the Douglass home to escort him to a nearby church where he was scheduled to deliver an address that evening. Most men 81 years old feel that they have earned the right to sit idly in a chair and recall the days of yore. Frederick Douglass was not that kind of man.

Twenty-five thousand people assembled in the streets before the Metropolitan A.M.E. church, in Washington,, where memorial services were held. His body was returned for burial to Rochester, New York, where for 17 years he had published a militant and influential newspaper.

The Rochester Common Council passed a resolution, which I quote in part:

"Resolved, that the family of Mr. Douglass be requested to permit his body to lie in state in the City Hall on the day of the funeral, and further

"Resolved, that this Common Council attend the funeral service in a body."

Later a heroic statue of Frederick Douglass was to be erected in Rochester, and the dedicatory address was delivered by Theodore Roosevelt.

When Douglass died in 1895, many newspapers, here and abroad, printed editorials. May I quote briefly excerpts from some of these editorials?

From the Washington Post: "Frederick Douglass was one of the great men of the century . . ."

From the Washington Star: "Of remarkable men, this country has produced at least its quota and among those whose title to eminence may not be disputed the figure of Frederick Douglass is properly conspicuous. . . . To the masses for whom he toiled so incessantly and risked so much, the memory of Frederick Douglass should be especially precious, yet he cannot be regarded as wholly theirs; he was an American, of whom the whole people can truthfully say nothing but good and of whose friendship no human being—whatever his racial origin—could be otherwise than proud."

From the Indianapolis Journal: "Frederick Douglass was a man who compelled a reluctant people to admit that a man of African blood could be an intellectual force. . . . He will hold a place in history among the greatest of Americans."

From the Sacramento, California Bee: "One of America's great men is no more."

From the Chicago Tribune: "No man, black or white, has been better known for half a century than Frederick Douglass."

From the Boston Post: "Frederick Douglass was a truly great man, of a greatness with which his color had nothing to do."

If Frederick Douglass were to return to Earth today, he would see many things to convince him that his struggle was not in vain. He would see men of his race in high positions of public service, as high as the President's cabinet. He would see men and women who had made their marks in the professions, in politics, in the arts, entertainment and in the business world.

But he would not be seeing the entire picture. Only a small portion of an iceberg is visible above the surface. The great bulk lies underneath. The men and women who have succeeded are like the iceberg one can see. Underneath the surface, unseen, are these unpleasant statistics, to which President Johnson has called our attention:

A Negro child born in the United States today has about one-half as much chance of completing high school as a white child. He has only one-third as much chance of completing college and one-third as much chance of becoming a professional man. His life expectancy is seven years less than a white child's. His chance of becoming unemployed is twice as great. He has one-seventh as much chance of earning $10,000 a year and his prospects for total income throughout his life are only one-half as much.

The task Frederick Douglass began remains to be completed by this generation. It is our responsibility.

In facing this responsibility, I think we may be guided by the words of Frederick Douglass. He wrote in 1848:

"The white man is only superior to the black man, when he outstrips him in the race for improvement; and the black man is only inferior when he proves that he is incapable of doing what is done by his white brother. We must do just what white men do. It must be no longer white lawyer and black woodsawyer—white editor and black street cleaner; it must be no longer white, intelligent, and black, ignorant; but we must take our stand side by side with our white fellow countrymen, in all the trades, arts, professions and callings of the day.

"Man's greatness consists in his ability to do, and the proper application of his powers to things needed to be done, and not in the color of his skin."

The last sentence, I think, might well stand as Frederick Douglass' epitaph:

"Man's greatness consists in his ability to do, and the proper application of his powers to things needed to be done, and not in the color of his skin."

Thank you.

DEFENSE INFORMATION POLICIES

Mr. CONABLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include pertinent material.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CONABLE. Mr. Speaker, during the congressional hearings in recent weeks dealing with the economy, the budget, the national debt and taxes, there has been the constant glaring issue of the administration's highly erroneous representations of the cost of the war in Vietnam. As late as last fall the administration's spokesmen were telling the Congress and the Nation that the cost of the war in this 1967 fiscal year would be about $10 billion. Members of Congress charged this was a gross underestimate, but the administration held to its claim. Yet when the President submitted his new budget message to us last month the cost was estimated at $20 billion—a 100-percent increase.

During hearings before the House Ways and Means Committee and the Joint Economic Committee in recent weeks, Government witnesses have sought to explain away this 100-percent misstatement on Vietnam costs, but with little credibility. "Blame Ho Chi Minh," was the sum of their replies. Ho may be responsible for our presence in Vietnam, but he cannot be charged with the misleading statements of our war costs. These emanate from the Secretary of Defense and it is there the responsibility should be placed. There has been no dramatic shift in the nature of the conflict in the past 6 months to explain a 100-percent miscalculation of costs. It clearly was a deliberate decision to withhold the information.

False reports about the level of spending are just another example of the tremendous amount of misleading information which originates with the Secretary of Defense. We are all familiar with his periodic inaccurate assessments of the military situation in Vietnam. Recently reporters have discovered that figures on aircraft losses are being greatly understated, again about 100 percent below true figures. Increased news management by the Defense Department was recently proposed for American servicemen.

Despite this record, the Secretary only recently pointed proudly to his information policies. At a recent Pentagon ceremony, he maintained that the flow of defense information to the American people was greater than ever before. I am not in a position to judge the volume of information, but I believe we are all in a position to evaluate the quality and credibility of the statements from the Defense Department. It probably has never been poorer. With the Defense Department responsible for 55 percent of Government spending and three-quarters of the Government manpower, a policy of misinformation from the top is cause for concern in our Nation. Our decisions and actions rest on the foundation of an informed citizenry and informed representatives.

Congress should manifest increased concern about this practice. I believe the responsible committees of Congress should undertake a thorough investigation of the information policies of the Department of Defense and recommend steps to restore credibility to the administration of our national defense.

Mr. George C. Wilson, of the Washington Post, recently wrote a column on this subject entitled "Pentagon's News," and I submit this column as further evidence of the problem I have discussed:

ACCENTUATE THE POSITIVE

(By George C. Wilson)

Arthur Sylvester left as Pentagon news chief yesterday knowing better than anyone why there will be little change in what the public is officially told about the place.

For six years now, he has been implementing—and sometimes bucking—the information policies of a Defense Secretary whose credo is "accentuate the positive, eliminate the negative."

Sylvester also has put military officers in key information posts to make this philosophy easier to carry out than it would be working through civilians.

The Defense Secretary—Robert S. McNamara—came from the auto industry where public relations officers are supposed to insulate their bosses from the heat of the press.

It is all right to call in the press when we have something to put out, goes this philosophy, but let's steer away from these city hall-type give-and-take sessions where names are used.

This is the way it is supposed to work in today's Pentagon. And it does to a larger extent than ever before. The Pentagon speaks on-the-record with one voice—McNamara's—except when Congress presses military leaders for their private views. Even then the testimony is heavily censored by the time it reaches the public.

The 1966 record shows how rarely he submits to the on-the-record, give and take with the conduit to the public, the press. The Pentagon's own figures show that he held on-the-record meetings in Washington with the press nine times in 1966. But those figures are deceptive.

This rundown on those press conferences shows why:

March 2—McNamara called the conference to rebut what he called "the erroneous impression" that the U.S. was overextended militarily because of the Vietnam war. Fact sheets were distributed to strengthen his rebuttal, while the most damning of the Stennis committee reports on Army readiness is still classified. He declined to answer a question not related to the readiness issue and cut off an unfriendly questioner.

March 31—This was a meeting with only a portion of the press—not a generally announced conference. The issue was whether the Stennis committee was right in claiming McNamara had misled the Senate by saying combat divisions in the United States were ready to fight when in fact some had been turned into training divisions.

When pressed on the contradiction, McNamara refused to become specific on who was right, declaring: "We're in a war here, and what we need in this country is unity . . ."

April 14—This was a similar circumstance in which only a portion of the press attended what had been scheduled as a "backgrounder," where remarks usually cannot be attributed. McNamara put his rebuttal to Republican charges of bomb shortages on-the-record. No other subjects were covered on-the-record.

April 25—This was a staged presentation to rebut the House Armed Services Committee claim that McNamara was phasing out bombers against the advice of the Joint Chiefs of Staff. Air Force Secretary Harold Brown and Gen. Earle G. Wheeler, chairman of the Joint Chiefs, sat at his side while he combatted what he called "a shockingly distorted picture of the true situation . . ."

June 15—This was scheduled as backgrounder. The on-the-record discussion covered only U.S. forces being removed from France.

June 29—McNamara described the first bombings of North Vietnam oil depots and answered questions about them.

July 11—This was a presentation, elaborately illustrated, of how the Defense Department had saved money through its cost-reduction program. He did take questions on other subjects after making the presentation.

Sept. 22—This was scheduled as a backgrounder. The subject matter put on the record was additional aircraft purchases.

Oct. 14—This was a brief meeting with the press at the White House upon his return from Vietnam.

In summary, of the nine sessions the Pentagon claimed as on-the-record press conferences in Washington, only four were announced as such in advance. And presentations on special subjects dominated each of those four.

The Defense Secretary does have numerous interviews with individual reporters. But seldom are those put on the record.

The reader of the resulting stories therefore does not know whether the reporter is talking off the top of his head or expressing authoritative views. (The President uses the same background technique, but holds wide open news conferences as well.)

There are a number of other high officials in the Pentagon to talk to, of course, but frank discussions are discouraged through a monitoring system McNamara ordered.

Sylvester has militarized the information office under him considerably. The civilian who headed the "directorate for defense information" has been replaced by an Army general.

Military information officers—while often more knowledgeable—are also easier to control since their fitness reports are at stake. They can be transferred without fighting the machinery of civil service.

Another weapon for controlling the flow of public information is the secrecy stamp.

When asked back in 1961 why the Pentagon censored so much military testimony before it was released to the public, McNamara said: "Why should we tell Russia that Zeus developments may not be satisfactory? What we ought to be saying is that we have the most perfect anti-ICBM system that the human mind will ever devise."

The machinery for putting that "accentuate the positive" philosophy into practice is already in place. Sylvester often would go around it to help reporters. His successor—Phil G. Goulding, formerly a reporter for the Cleveland Plain Dealer—hopefully will do likewise.

But as long as Secretary McNamara remains as the real chief information officer, the changing of the guard in Sylvester's office cannot bring any basic change in the way the public is officially informed about the department which spends the most money and has the life of the Nation in its hands.

AN INTELLIGENT START

Mr. MURPHY of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MURPHY of New York. Mr. Speaker, New York City and Los Angeles are not the only cities plagued with air pollution. Virtually every city in the country, particularly those that have been privileged to live in the wide open areas, are now finding that air pollution is a difficult problem. Motor vehicle emissions coupled with industrial and home devices have contributed to this national problem.

Three recent editorials welcome the shot in the arm that the President has given to the war against air pollution.

The February 1 editorial in the Atlanta Constitution urges the "Congress to provide the tools for getting to work on the vital problem of preserving a healthy environment." It hails the President's message as an "intelligent start," and one which recognizes the national scope of the problem and the need for national standards backed by national enforcement and extensive research.

The Providence Journal echoes a similar enthusiasm in support of the President's emphasis on the dangers of air pollution. It applauds extended Federal authority as commensurate with the size of the peril we face. And it endorses the President's call for more regional initiative and local effort to purify the air we breathe.

The Harrisburg Patriot stresses the health hazards of air pollution and its heavy toll in life, illness, and property damage. It holds that the price we are paying for air pollution is already far too high when compared with the cost of effective control programs.

The three editorials will provide my colleagues with new insight into an old but growing problem. I, therefore, include them in the RECORD at this point:

[From the Patriot, Harrisburg, Pa., Feb. 2, 1967]

AIR POLLUTION—A LOCAL AND NATIONWIDE MENACE

Even the experts may not know the full toll that air pollution takes in life, illness and property damage. Nor is the problem limited to giant metropolitan areas like New York, where pollution last Thanksgiving, as President Johnson notes in his message to Congress, took at least 80 lives.

Pollution strikes closer to home.

Emphysema, the President notes, is but one of the respiratory ailments aggravated by air pollution. Just this week, Pennsylvania's new Health Secretary, Dr. Thomas Georges, reported that state deaths attributed to the lung disease, which is also caused by cigarette smoking, had risen by 400 per cent since 1955. Dr. Georges says emphysema is the fastest-growing cause of death in the Commonwealth.

In 1962, Central Pennsylvania suffered through a 12-day pollution scare because of freak weather conditions which could recur. About 100 tons of gaseous, air-polluting material are sent into Greater Harrisburg skies every day, reports Victor Sussman, director of the State Health Department's Division of Air Pollution Control.

The 1960 State Air Pollution Control Act, passed during the Lawrence Administration, launched a new Pennsylvania effort to clear the air, but state and local programs, even with the help of existing Federal programs, have not been enough to hold the line on air pollution, much less improve the situation.

The President is asking Congress to step up Federal involvement in air pollution control and research. His recommendations should be given prompt consideration:

Establishment of emission control levels for industries that contribute heavily to air pollution.

Establishment of regional air quality commission to tackle pollution problems in areas that cut across state lines.

Federal assistance for regular state inspections of the new pollution control devices due on 1968 model autos.

Improved enforcement procedures to eliminate long delays in clearing up pollution sources.

Research into the hazards posed by fuel additives.

Better understanding and control of air pollution through expanded research, including studies into alternative means of motor vehicle propulsion and possible development of sulphur-free fuels.

Details of the legislation may be debatable, but the need for a harder-hitting attack is not. As the President says, both government and business have a role to play in solving the pollution problem. Industries complain about costs of effective control programs, but the price we're paying for air pollution already is far too high.

[From the Providence (R.I.) Journal, Feb. 2, 1967]

A TOUGH PLAN FOR CHECKING AIR POLLUTION

Much interest has been focused on the deplorable condition of the air we breathe. The matter has been explained in articles, discussed at forums, and been made the subject of legislation at federal, state and local levels. The hazard of contaminated air was brought home to the millions in the New York metropolitan area over Thanksgiving when a poisonous blanket of smoke and fumes settled over the region.

Yet, as President Johnson pointed out in his message to Congress, for all the attention that has been paid to the subject and all the corrective steps that have been taken, the pollution problem is getting worse. "We are not even controlling today's level of pollution," he warned, "and we shall have lost the battle for clean air unless we strengthen our regulatory and research efforts now."

In an effort to catch up with the need, the President has proposed the Air Quality Act of 1967. The heart of the proposed act is a provision that would give the federal government authority to fix emission standards of industrial plants. The Secretary of Health, Education, and Welfare would designate "those industries in interstate commerce that are nationally significant sources of air pollution," and would fix acceptable industrywide emission levels. The states would be encouraged to adopt equivalent levels—or stricter ones. As a final resort, the federal government would step in and impose penalties against culprits in those states which had failed to adopt and enforce satisfactory standards.

This is bitter medicine. It represents an extension of the federal authority and, as such, it probably will be resisted in some quarters. But when the proposal is measured against the size of the peril we face, one must conclude that the medicine is none too strong. Those who are poisoning our air must be checked, and the President has suggested one way that this might be accomplished.

Industrial pollution, of course, is only a part of a very large and complicated problem. President Johnson has recognized that stepped-up efforts also are needed against other parts of the problem. He urges more initiative to make regional air compacts effective. He calls for more research on the problem of air pollution caused by motor vehicles. He asks industries, the universities and local governments to increase their efforts in the war against polluted air.

Much more was included in this message which the President entitled *Protecting Our National Heritage*. He spoke of highway safety, the need for more national parks, the problem of our polluted streams, the promise of oceanographic research and even of the possibilities of tapping underground hot springs as a source of useful power.

But the President's emphasis was on the hazard of air pollution, an emphasis that was entirely appropriate in the light of the growing peril we face from the air we breathe.

[From the Atlanta (Ga.) Constitution, Feb. 1, 1967]

COMBATTING A KILLER

It kills. It aggravates illness. It corrodes machinery. It defaces buildings. "It may shorten the life of whatever it touches, and it touches everything."

"It" is air pollution, which President Johnson in a special message to Congress Monday called a problem that "emerges from our success as a modern nation."

Clearly, air pollution would not be so acute a menace if this nation had not grown so large and so prosperous, if fewer automobiles were on the road, if industry were not burning so much fuel. But population continues to boom, and we hope prosperity will, too. In short, the present pollution dilemma can only grow worse if we continue our present power consumption methods uncorrected.

Air pollution need not be the ugly handmaiden of prosperity, though. Ways have been discovered to remove most hydrocarbon emissions from auto exhausts at reasonable costs, for instance. Industry is learning to reburn some of its once-wasted gases from burning fuels, and thus keep them from spewing into our atmosphere. Future research doubtless will establish new ways to reduce pollution.

A severe problem exists. Methods of treatment are known or are not far distant. The question then remains: How do we assure that the cures are applied?

President Johnson offered an intelligent start. His message to Congress recognized that clean air is a problem national in scope and thus demands national standards and federal assistance. But it encourages the states to become active partners or even take the lead in fighting pollution. And it recognizes the important contributions private industry has to make in the field.

Basically, the President's proposals fall into three categories: standards, enforcement and research.

At present, industry and other polluters in general have no well defined levels of what constitutes dangerous pollution. Local standards, where adopted, cannot be effective unless neighboring areas and states likewise have strict standards, for air movement recognizes no man-made boundaries.

Mr. Johnson recommends, then, that the Secretary of Health, Education, and Welfare designate those industries which are significant sources of air pollution, and that the Secretary promulgate industrywide safe-emission levels. States would have the opportunity to adopt these standards—or stricter ones.

The President proposed finding new ways of enforcing these standards, including regional commissions such as those helpful in the effort to control water pollution.

Finally, a widespread research effort would be begun, involving all levels of government, private enterprise and universities. Research would study effects of present fuels and look for possible alternative fuels. Industry, said the President, has an especially important role, for "It is in private laboratories, and in private board rooms, that the crucial decisions on new fuels, new control technology and new means of developing power and locomotion will be made."

Congress should provide the tools for getting to work on the vital problem of preserving a healthy environment.

THE PRESSURES OF TOO RAPID POPULATION GROWTH

Mr. CARTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include pertinent extraneous material.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. CARTER. Mr. Speaker, there is no greater obstacle to economic development and individual advancement than the pressures of too rapid population growth. What this means in the developing countries of the world like India and Pakistan is that the population doubles in between 20 to 30 years. What this means in many parts of the United States is that individual families have unwanted children beyond their capacity to care for and to educate.

In both cases the results are the same. Looking at the world picture today, the situation can already be described as dismaying. In 20 years the population of Latin America, Asia and Africa will increase by 75 percent unless present birth rates are reduced. On these continents where today people are living in poverty, despair and incipient revolution, per capita income is hardly increasing at all because offspring are coming into the world more rapidly than they can be supported, educated or usefully employed.

Since the end of the Second World War, the United States and many of the other industrial nations of the world have provided economic assistance in loans, grants and other benefits on a scale unprecedented in history. The 1960's were termed "the decade of development." Yet the results have been disappointing—disappointing to the people of the developing countries who are not better off now than they were 10 years ago, disappointing to their own governments which have not been able to fulfill promises of economic development, disappointing to the Government of the United States which had hoped for greater growth, and disappointing to the people of the United States who expected their efforts would have a real impact on conditions within the developing countries.

Almost universally, this disappointment must be traced to the unprecedented rates of population growth in the developing countries. Economists have calculated one of the most effective ways to improve conditions in the developing countries and to provide a multiplier effect on economic growth is through support for voluntary family planning programs.

A former Defense Department economist made the mathematical computations to prove that one dollar spent on population control measures is worth $100 spent on economic development. Prof. Ansley Coale, of Princeton University, one of the Nation's foremost demographers, told the State Department briefing recently:

> In the case of a developing country with a per capita annual income of $200, $5 expenditure for family planning would have the same benefit for the economic development of the country as a saving and investment of $200. It takes an annual saving and investment rate of about 9% of gross national product to produce a 3% annual increase in GNP.

These are the cold mathematical facts. This is the dollars-and-cents payoff of reducing birth rates in many countries today. But it is also the enlightened and humanitarian outlook. What mother wants to bring 10 children into the world, to go through pregnancy, childbirth, and infancy with them, only to see them crying continuously for food or other necessities which are simply not there?

As a physician I know that parents welcome sound advice and the medical supplies necessary to limit their families. It is a blessing for them. What is more, aid in family planning is not like other kinds of support which often finds its way into the pockets of corrupt officials or black marketeers. It is not like commodities or supplies that disappear from our warehouses and records. It is not like foreign exchange credits that benefit a few without trickling down to the people who need help most. It cannot be used for a bribe or a payoff. By its very nature, it is no good to anyone but the despairing mother or father who really wants to limit their family size.

What is true in many of the developing countries is also true right here in the United States. An unwanted child born into a family on welfare cuts into that family's resources and hampers the parents' ability to become self-supporting. Furthermore, it costs the taxpayers about $7,000 to support a child on welfare from birth to age 17—counting only food, clothing, shelter, and not counting education or other indirect costs. The former chairman of the Illinois Public Aid Commission estimated that up to 10,000 such births in Chicago alone might be avoided by good voluntary family planning programs for a saving of $70 million. For the country as a whole, the saving could be as much as $1 to $2 billion annually.

The director of an outstanding county birth control program in North Carolina estimated that his program using primarily oral contraceptives has resulted in a saving of $25 for every dollar spent.

But I am not just thinking of saving money by reducing the number of children on welfare. I am even more concerned to help the children's parents and their brothers and sisters and themselves to become self-supporting. A high official in the so-called war on poverty recently disclosed that family planning was one of the best ways to reduce poverty. As he said:

> We looked into the family planning with some care and were amazed to discover that here is probably the single most cost-effective antipoverty measure.

Of course, that fact should not be astonishing to any of us. It is commonsense. And it is just as true right here in the United States as it is in India or Pakistan or Brazil or anywhere else. Yet the fact remains that overseas we are spending only an infinitesimal fraction of our total foreign aid to help family planning programs and in the United States, family planning programs in the war on poverty are now being reduced in almost every State.

Mr. Speaker, self-help should be the real test of foreign aid spending and for domestic programs. One of the most important elements of self-help is self-control. Voluntary family planning programs provide the means for individual parents to control their family size and to improve their own and their children's lives. I believe these services deserve a more important share and a higher priority in our programs and I introduced legislation to promote this end, H.R. 355.

Mr. Speaker, I include the following table, indicating the natural rate of population increase by continent:

Birth rates and death rates[1] *(for period 1958–62)*

	Birth rate (per 1,000)	Death rate (per 1,000)	Percent natural rate of increase of population [2] (per year)
Africa	46	23	2.3
Asia	43	20	2.3
Latin America	41	13	2.8
United States and Canada	24	9	1.5
U.S.S.R.	22	7	1.5
Europe	19	10	.9
World average	37	17	2.0

[1] The data given are continental averages. There are great variations for individual countries within each continent.

[2] Changes in population due to emigration and immigration are added to the natural rate of population increase, but this is significant only for United States, Canada, Australia, Israel, and possibly Brazil.

Source: U.N. Demographic Yearbook, 1963.

Less developed countries: Annual growth rate of gross national products, population, and per capita gross national product

[1957–58 average to 1963–64 average]

	Annual GNP growth rate [1] (percent)	Annual population growth rate [2] (percent)	Annual per capita GNP growth rate (percent)
Latin America:			
Argentina	0.6	1.7	−1.1
Bolivia	3.5	2.3	1.2
Brazil	5.3	3.1	2.2
Chile	3.3	2.3	1.0
Colombia	4.6	2.8	1.8
Costa Rica	4.1	4.0	.1
Ecuador	4.3	3.2	1.1
El Salvador	5.7	2.9	2.8
Guatemala	4.5	3.0	1.5
Honduras	3.6	3.1	.5
Jamaica	3.9	2.0	1.9
Mexico	5.3	3.1	2.2
Nicaragua	5.3	2.9	2.4
Panama	4.9	3.0	1.9
Paraguay	2.2	2.2	0
Peru	6.4	2.3	4.1
Trinidad and Tobago	6.0	3.0	3.0
Venezuela	4.5	3.8	.7
Far East:			
China (Taiwan)	7.1	3.1	4.0
Korea	4.7	2.9	1.8
Malaya, States of	5.9	3.1	2.8
Philippines	4.9	3.2	1.7
Thailand	7.4	3.0	4.4
Vietnam	3.5	2.8	.7
Near East:			
Cyprus	3.6	1.2	2.4
Greece	6.2	.7	5.7
Iran	4.7	2.4	2.3
Israel	10.5	3.6	6.9
Jordan	9.5	2.9	6.6
Turkey	4.0	2.9	1.1
South Asia:			
Ceylon	3.5	2.5	1.0
India	4.4	2.3	2.1
Pakistan	4.5	2.5	2.0
Africa:			
Ethiopia	4.5	1.4	3.1
Ghana	5.1	2.5	2.6
Kenya	3.5	2.9	.6
Malawi	2.1	3.0	−.9
Morocco	2.0	3.1	−1.1
Nigeria	3.3	2.0	1.3
South Rhodesia	3.6	3.3	.3
Sudan	4.5	2.9	1.6
Tunisia	4.7	2.6	2.1
Uganda	3.4	2.5	.9
Zambia	4.7	2.9	1.8

[1] GNP growth rates are AID estimates based largely on official national statistics.

[2] Population growth rates are based on AID country, U.N., and other source data.

FIRST ANNUAL REPORT OF THE NATIONAL ENDOWMENT FOR THE ARTS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Education and Labor:

To the Congress of the United States:

I am pleased to transmit the first annual report of the National Endowment for the Arts.

During its first year, the Endowment sponsored a great variety of projects to assist the arts in assuming their deserved place in American life.

It created new opportunities for novelists, poets, painters, sculptors, composers, and students in the arts.

It assisted 50 States in developing cultural resources, programs, and facilities. Thirty-three State agencies for the arts have been established. New methods of bringing the arts to rural communities have been explored.

Plans have also been made for programs which will permit—

Greater assistance to a wide variety of artistic endeavor;

Increased artistic exchanges between Latin America and the United States, particularly in the field of creative writing;

Nationwide tours of the American Ballet Theatre and other artistic groups which will foster greater appreciation of the arts;

The development of educational programs to heighten understanding of the arts among disadvantaged children.

Much of the early success of the Endowment can be traced to bipartisan support for its authorizing legislation, and to the wisdom of the Congress in requiring State and private participation in its programs.

We cannot expect massive Federal support to create great art, any more than massive defense programs can be expected to create individual courage. On signing the arts and humanities bill in 1965, I reminded its supporters that "to produce true and lasting results, our States and municipalities, our schools and great private foundations, must join forces with us. It is in the neighborhoods of each community that a nation's art is born. In countless American towns there live thousands of obscure and unknown talents. What this bill does is to bring active support to this great national asset, to make fresher the winds of art in this great land of ours."

What the Arts Endowment has sought to do, in its first year, is to improve the climate in which creative talent works, and to extend and inform its audience.

This report is evidence that it has begun to achieve that goal. Those who believe that the quality and appreciation of art is one test of a nation's maturity and greatness will take heart from this report. It is with pleasure that I commend it to your attention.

Lyndon B. Johnson.

The White House, *February 15, 1967*.

FIRST ANNUAL REPORT OF THE NATIONAL ENDOWMENT FOR THE HUMANITIES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Education and Labor:

To the Congress of the United States:

I am pleased to transmit the first annual report of the National Endowment for the Humanities. This report, together with the annual report of the National Endowment for the Arts, are truly significant documents. They record a pioneering Federal effort to enrich the cultural and human quality of American life.

The National Endowment for the Humanities was established to support exploration into the nature of man and his culture and to deepen understanding of the goals of human activity. The first year's activities have been devoted to developing plans to strengthen scholarship and teaching in the humanities and to foster greater public appreciation and understanding of the humanities.

These plans provide the basis for programs which will—

Increase the number of outstanding scholars in the humanities through annual fellowship awards to some 350 individuals—both promising and established scholars;

Heighten public understanding of the humanities through improvements in education in the school, in the home, and in the community;

Support research in specific fields to expand the range of our knowledge;

Enable American scholars to make a greater contribution to the exchange of knowledge essential to international understanding.

More than 100 outstanding educators and scholars have advised the Endowment in the development of these programs. The views of these and other great humanists will be sought as plans for subsequent years are developed.

I am satisfied that the National Endowment for the Humanities has established a firm foundation for extending the boundaries of our understanding. It is with great satisfaction that I now submit to you this record of its achievement.

Lyndon B. Johnson.

The White House, *February 15, 1967*.

U.S. DELEGATION OF THE CANADA-UNITED STATES INTERPARLIAMENTARY GROUP

The SPEAKER. Pursuant to the provisions of section 1, Public Law 86-42, the Chair appoints as members of the U.S. delegation of the Canada-United States Interparliamentary Group for the meeting to be held in Ottawa, Canada, from May 10-14, 1967, the following members on the part of the House: Mr. Gallagher, of New Jersey, chairman; Mrs. Kelly, of New York; Mr. Murphy, of Illinois; Mr. Johnson, of California; Mr. St Germain, of Rhode Island; Mr. Pike, of New York; Mr. Kee, of West Virginia; Mr. Andrews, of North Dakota; Mr. Stafford, of Vermont; Mr. Thomson, of Wisconsin; Mr. Duncan, of Tennessee; Mr. Broomfield, of Michigan.

IS THE AGRICULTURE DEPARTMENT ENCOURAGING FARMERS TO INCREASE CROP PRODUCTION WITHOUT ANY PRICE ASSURANCE?

Mr. CARTER. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Langen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. LANGEN. Mr. Speaker, is the Agriculture Department encouraging farmers to increase crop production without any price assurance? I ask in reference to an Associated Press wire story of February 6 which reported that the Department was opening a "campaign to persuade more than 2 million farmers to produce more."

We recognize the world need for more food, but when the American farmer is asked by the Agriculture Department to increase production, he should at least have the assurance that his cooperative efforts do not result in a price decline.

Having first raised the subject of increased production versus farm prices last summer when the Department announced that wheat acreage would be increased, I now ask: Does this news wire service story herald another attempt to keep farm prices down? Is the Agriculture Department willing to use tactics to encourage production without assurances to farmers that the price structure will be improved?

With the most unfortunate development that farm parity recently dropped to 75 percent, I have written the Agriculture Department to obtain more information on the new farmer-persuasion campaign as reported by Associated Press, and its impact on American agriculture.

This news item also reported that those farmers ignoring Government production goals "face loss of Government subsidies."

Exactly what "subsidies" are the farmers going to lose? Does the Department view diversion payments and price supports as merely devices in its compliance effort?

THE CIA AND NSA

Mr. CARTER. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Findley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. FINDLEY. Mr. Speaker, the recent disclosure that the Central Intelligence Agency has been subsidizing various activities of the National Student Association is indeed shocking. This organization supposedly represented or purported to represent a segment of student opinion in this country on various political issues.

This is but one more indication that the CIA is obviously getting out of control. These revelations may gravely damage our national prestige. The large-scale cloak and dagger activities of the CIA and the often ridiculous extremes taken in the name of national security are clearly against the principle of an open society which we hold ourselves to be. No great power can exist without a well-organized intelligence service, and certainly not in the cold war era. But the gathering of secret information in the military, economic, and—above all—political fields is one thing. The manipulation of this country's foreign policy and the intrusion of CIA activities in legitimate functions of a university or private organization is something entirely different.

I am preparing legislation, the adoption of which I believe will greatly strengthen congressional control over the activities of this agency. I am proposing that the CIA come before the Congress each year for annual authorization in order that its activities may be more closely scrutinized. Under this procedure the Congress would have two avenues for review: first, the authorization and, second, appropriation.

At the same time the congressional "watchdog" committees for the CIA should be broadened to include by law members of the Senate Foreign Relations and the House Foreign Affairs Committee along with members of the Armed Services Committees. The CIA operation is clearly related to this country's foreign policy as well as its military posture. Indeed it may well be that the agency's influence on foreign policy is greater than it is on defense policy. It therefore seems logical that members of the committee which handle foreign policy legislation should be included on the watchdog committees.

In view of the revelations concerning CIA's financial support of what most Americans had believed to be a completely private student group it is essential that Congress bring this agency under control. The American people may reasonably wonder how much subterfuge is financed by the Government right here at home.

THE DRAFT STIMULATES YOUNG MEN TO ENLIST

Mr. CARTER. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. SCHWEIKER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. SCHWEIKER. Mr. Speaker, in connection with my proposal for draft reform, which I outlined February 7, I would like to point out that the draft stimulates young men to enlist and about one man enlists for every one actually inducted through selective service. The effect of my proposals would not be to cut enlistments, but simply to force young men to enlist sooner than they do now. They would have to decide before 18½ whether to enlist, risk being drafted, or enter college on a student deferment with liability for the draft after college.

FLAMMABLE FABRICS ACT OF 1954

Mr. CARTER. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. QUIE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. QUIE. Mr. Speaker, I have today reintroduced a bill which I believe is of vital importance to every American consumer and offers protection that is long overdue. I am referring to a measure to strengthen the Flammable Fabrics Act of 1954. The purpose of my bill is to reduce the danger of injury and loss of life by providing, on a national basis, standard methods of testing and rating the flammability of textiles and textile products for bedding use, thereby discouraging the use of any dangerously flammable bedding textiles.

Specifically, my bill prohibits the manufacture for sale, the sale, or the offering for sale in commerce, or the importation into the United States, or the introduction, delivery for introduction, transportation or causing to be transported in commerce or for the purpose of sale or delivery after sale in commerce, of any article of bedding which under conditions and in the manner prescribed in a commercial standard is so highly flammable as to be dangerous when used by individuals. All of these activities shall be deemed unlawful and shall be unfair methods of competition and unfair and deceptive acts or practices in commerce under the Federal Trade Commission Act.

The term "bedding" is defined to mean sheets, covers, blankets, comforters, pillowcases, quilts, bedspreads, mattress pads, the outer covering of pillows, mattresses, and box springs, and all other products used or intended to be used on or about a bed or other place for reclining or sleeping, but shall not include furniture.

Where the prescribed commercial standards—originally set up to test items of wearing apparel in a vertical position—are inadequate for proper testing of the flammability of bedding, provision is made for the Department of Commerce to be given full and continuing authority to revise and strengthen the current standards of flammability and to develop new standards in the interests of the reasonable safety of the consuming public.

The Flammable Fabrics Act was created in 1954 as a result of the so-called explosive sweater incidents. These sweaters were brushed viscose rayon, a very inflammable fabric, and the same fiber that is going into millions of brushed blankets today. For some strange reason, the act applied to apparel only and never covered such vital items as sheets, covers, blankets, comforters, pillowcases, quilts, bedspreads, and so forth.

At the same time this bill was passed, most of the new synthetic fibers were just in the process of being developed and introduced to the American market. This includes all of the acrylic fibers such as Orlon, Acrilan, Cresland, Zefran; the modacrylics such as Verel and Dynal; the polyesters such as Dacron and a host of other less-known synthetics. Since that time, many of these fibers which are not only quite flammable but also productive of a dangerous hot melting liquid that may result in serious or possibly fatal burns have been adapted and are in widespread use today. Especially when used for bedding, these fabrics are potentially dangerous to the user because of the speed and the intensity of flame with which they burn and their ease in ignition. Millions of homes are being filled with many fabrics of this description with no consideration to the flammable qualities. The situation is most critical because the public is generally under the impression that the Flammable Fabrics Act protects them against all significant flammable fabrics. In many cases the impression of protection is an illusion and I feel that protective legislation should be updated and made genuinely effective.

Let me cite a few examples: take the case of blankets—where millions of consumers own highly flammable viscose rayon blankets and blankets made of other types of synthetics—all of them flammable. Because of the raised or napped surface on the blanket, it will readily ignite with flames racing across the brushed surface at an incredible rate of speed. The fact that a person is either semiconscious or asleep makes it virtually impossible for him to extinguish the flame before he has sustained serious or even fatal burns. I feel that it is particularly important that bedding items be covered by the act. Smokers have a careless habit of smoking in bed and there are other dangers from electrical blankets with their cords of cheap synthetics and cotton. Of course, any sparks hitting such flammable fabrics would make for a dangerous situation. The person using these is frequently in a sleepy condition and most likely will doze off and be completely unaware that a fire may have started.

Take the case of tests which confirm that a moment's exposure of a cotton mattress to a burning cigarette will start it glowing. Once started, the flameless combustion progressed rapidly. Smoldering or glowing is incomplete or imperfect combustion which produces a great deal of smoke containing a high percentage of poisonous carbon monoxide plus other products of combustion such as carbon dioxide. This is an especially dangerous combination. Carbon dioxide acts to stimulate the rate of breathing—thereby increasing the amount of carbon monoxide taken into the lungs. The normal sleeping person exposed to such conditions will succumb frequently to the initial intoxicating or asphyxiating effect of the carbon monoxide and will not awaken. There are more people who die from the effects of gas and suffocation during a fire than those who are actually burned to death.

Our newspapers are full of accounts of fires which caused injury or death and originated in the home. It is not uncommon during a year's time for fires to cause over 10,000 deaths and 150,000 serious injuries with great human suffering and property damage. Over half of the tragedies occur in homes where the major factor is the speed with which the fire develops.

There are already many evidences of properly treated materials that are resistant to fire. Others could be made safe by the application of special finishes. Methods are now available for flameproofing. In fact, the Department of Agriculture has pioneered in the development of flameproofing chemicals and could cooperate with the textile industry in the development of commercially feasible methods for flameproofing all fabrics. Manufacturers have been reluctant to do this up to now because flameproofing is expensive and they feel that the public will not pay the added cost. It is too bad that lives are lost, people of all ages suffer, and property is destroyed for the sake of saving the money that it would take to properly and effectively flameproof fabrics used in bedding.

Last year the Congress enacted legislation to protect the buying public from deceptions in packaging and labeling. Congress also dealt firmly with the need for national standards to promote the safe engineering of motor vehicles. I feel that consumers should be further protected from the use of articles that are highly combustible. The consumer has the right to be informed and the right to be safe. The road to consumer safety, accurate information, free choice, and an adequate hearing is a never-ending one. In modern society, the consumer is constantly exposed to the winds of change. Countless new products, and new forms of other products, vie for his attention and his dollar. Services take a larger and larger share of the consumer dollar. Yet these services are often performed without established standards of safety. Too often we discover dangers in products only through serious injury to a consumer.

I think that it is time to protect the public against the innocent purchase of such dangerously combustible products. I feel that the bill that I have introduced today is a necessary step toward that end.

TAX DEDUCTION FOR HIGHER EDUCATION EXPENSES

Mr. CARTER. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. WIDNALL. Mr. Speaker, I am introducing today a bill which will help alleviate the high cost of higher education for parents and self-supporting students through the means of a tax deduction for tuition, books, fees, and supplies.

The costs of higher education continue to rise year by year. The trend seems irreversible. Each year more and more students go to college, each year a larger proportion of these students go on for graduate and professional training, and each year advanced training, especially, becomes more expensive. Meanwhile the cost of living generally is going up, and at all levels of government new and additional sources of revenue are sought. We are an affluent nation. But some families of modest income are unable to undertake the expense of college educations for all of their children, particularly if two or more children are of college age at the same time. Most families are financially strained during the college years of their children.

For years now the high cost of education has been recognized as a serious problem by members of both parties. The idea of a tax deduction to ease that problem has received wide support in and out of Congress. In a survey by the Citizens National Committee for Higher Education nearly 90 percent of the responding presidents and trustees of higher educational institutions were favorable to the basic idea of a tax break. Parents of college students and prospective college students certainly favor this approach.

The plan has received careful research and discussion. Unfortunately, in the past the Treasury Department, without equally careful thought and examination, has opposed the idea. The most serious and the most ill-founded objection is that the tax deduction is inflexible and therefore helps those who need little or no help. Far from granting an inflexible exemption to all, regardless of need, my bill provides a graduated approach. Under this arrangement families with the most modest incomes receive the greatest benefit, but benefit is not restricted to one income level. My bill provides that families with incomes of not more than $7,500 may receive a tax deduction for 100 percent of their expenditures on tuition, fees, required books, and supplies. At the other end of the scale, families with incomes in excess of $12,500 receive a tax deduction for 40 percent of these expenditures. The tax credit may be received for each child even though two or more children in a family may be pursuing higher education degrees at the same time. After all, the family incurring double or triple college expenses in any one year faces great hardship.

While my plan does not obviate the need for scholarships, loans, and fellowships, it does offer a means for supplementing those forms of assistance and does offer an opportunity for those forms of assistance to be concentrated on the most needy students.

The need for financial aid is not restricted to a few. Most families feel the pinch when they are faced with expenses for higher education concentrated in a short timespan. My bill is designed to offer assistance at the time when it is most needed and in accordance with the degree of need. The tax deduction does this without creating a new Government agency and without additional Government employees. Students and their families would be completely free in choosing a school and a curriculum. The institutions of higher learning would have no conditions to meet, no additional programs to set up.

We use the tax system for many purposes. Homeownership is a worthy goal, and can be aided by tax deductions. Families faced with sudden financial burdens, as in the case of large medical expenses, are offered tax relief. The same can be done for families faced with a sudden jump in their expenditures due to the cost of higher education. The Treasury Department has said that college expenses, unlike medical expenses, are optional. But this is entirely too casual an attitude to take toward education in today's world. The Selective Service System accommodates college attendance; the tax system could also.

Despite our many needs for college-trained persons, about 30 percent of the top quarter of high school graduates still fail to attend college. The financial burden is one reason. Among those who do enroll in college some drop out and others have their education interrupted and delayed for financial reasons. Aid can be rendered. The tax deduction for higher education is a no-strings-attached incentive for a worthy and needed purpose.

WHAT IS A COP?

Mr. CARTER. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, the other day I received a letter which contained the reprint of a speech from a television program. This speech is not very long but it says a lot. The letter was sent by Jack Webb, star of the new "Dragnet" television series.

It goes a long way toward seeing the other side: The side of the cop, the side of the man who is charged with brutality and who seems to be working much of the time for a lost cause because some courts are soft on the criminals and the side of the guy whom many people apparently despise and deride, until they need him.

Mr. Webb states:

> In view of the increasing disregard for both the law and its enforcement in our society today, it seems to me of vital importance that efforts be made to narrow the gap in understanding which exists between some segments of the public and the police—their police.
>
> In its own small way, the enclosed speech is an effort in this direction in that it attempts to portray a police officer's attitude toward his job as simply and as realistically as possible.

He goes on to state that the members of the Los Angeles Police Department who have seen the speech unanimously agree "that it is a thoroughly accurate reflection of their own feelings about police work and their jobs."

I believe that "What Is a Cop?" is well worth including in the RECORD, and ask that it be included at this point:

WHAT IS A COP?

It's awkward having a policeman around the house. Friends drop in. A man with a badge answers the door. The temperature drops twenty degrees. Throw a party and that badge gets in the way. All of a sudden there isn't a straight man in the crowd. Everybody's a comedian. "Don't drink too much," somebody says, "or the man with the badge will run you in." . . . Or, "How's it goin', Dick Tracy? How many jaywalkers did you pinch today?" . . . And there's always the one who wants to know how many apples you stole. All at once you've lost your first name. You're a "cop," a "flatfoot," a "bull," a "dick," "John Law." You're "the fuzz," "the heat," . . . you're poison, you're trouble . . . you're bad news. They call you everything, but never a policeman. It's not much of a life . . . unless you don't mind missing a Dodger game because the hotshot phone rings . . . unless you like working Saturdays, Sundays, holidays . . . at a job that doesn't pay overtime. Oh, the pay is adequate. If you count your pennies, you can put your kid through college. But you'd better plan on seeing Europe on your television set. Then there's your first night on the beat. When you try to arrest a drunken prostitute in a Main Street bar and she rips your new uniform to shreds. You'll buy another one . . . out of your own pocket. You'll rub elbows with all the elite: pimps, addicts, thieves, bums, winos, girls who can't keep an address and men who don't care. Liars, cheats, con men, the class of Skid Row. And the heartbreak: underfed kids, beaten kids, molested kids, lost kids, crying kids, homeless kids, hit-and-run kids, broken-arm kids, broken-leg kids, broken-head kids, sick kids, dying kids, dead kids. The old people that nobody wants, the reliefers, the pensioners, the ones who walk the street cold and those who tried to keep warm and died in a three-dollar room with an unvented gas heater. You'll walk the beat and pick up the pieces. Do you have real adventure in your soul? You'd better have. You'll do time in a prowl car. It'll be a thrill-a-minute when you get an "unknown trouble" call and hit a back yard at two in the morning, never knowing who you'll meet . . . a kid with a knife . . . a pill-head with a gun, or two excons with nothing to lose. And you'll have plenty of time to think. You'll draw duty in a "lonely car" . . . with nobody to talk to but your radio. Four years in uniform and you'll have the ability, the experience and maybe the desire to be a detective. If you like to fly by the seat of your pants, this is where you belong. For every crime that's committed, you've got three million suspects to choose from. Most of the time you'll have few facts and a lot of hunches. You'll run down leads that dead-end on you. You'll work all-night stakeouts that could last a week. You'll do leg work until you're sure you've talked to everybody in California . . . people who saw it happen, but really didn't. People who insist they did it, but really didn't. People who don't remember, those who try to forget. Those who tell the truth, those who lie. You'll run the files until your eyes ache. And paperwork . . . you'll fill out a report when you're right, you'll fill out a report when you're wrong, you'll fill one out when you're not sure, you'll fill one out listing your leads, you'll fill one out when you have no leads, you'll make out a report on the reports you've made. You'll write enough words in your lifetime to stock a library. You'll learn to live with doubt, anxiety, frustration, court decisions that tend to hinder rather than help you: Dorado, Morse, Escobedo, Cahan. You'll learn to live with the District Attorney, testifying in court, defense attorneys, prosecuting attorneys, judges, juries, witnesses. And sometimes you won't be happy with the outcome. But there's also this: There are over five thousand men in this city who know that being a policeman is an endless, glamorless, thankless job that must be done. I know it, too. And I'm damned glad to be one of them.

RICHARD L. BREEN and JACK WEBB.

"FREEDOM'S 11th HOUR"

Mr. CARTER. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, this Nation has always been proud of the individual responsibility of its citizens. The promise of a better life through hard work and private initiative has lured people of foreign lands to our shores. Has the momentum of our Founding Fathers' aspirations spent itself? When one reviews the various Government programs which seek to provide cradle-to-the-grave security, irrespective of personal involvement and responsibility, the above question is no idle one.

Concerned citizens are beginning to wonder where it will all end. The publication Steel, the metalworking weekly, in its editorial of January 30, 1967, is an excellent case in point. Mr. Walter J. Campbell, its editor, provides a sensible, balanced guideline in appraising this issue:

> Let's hasten to recognize society's duty and desire to care for those who cannot work or cannot produce. But let's recognize equally the dislike to encourage and perpetuate a growing army of welfare recipients who are finding it easier, and sometimes more profitable, not to work.

Time was when the ultimatum, "No work—no eat," was applied to those able but unwilling to provide for themselves. With a solicitude for those unable to provide their own personal necessities, more emphasis should again be placed on the necessity for individual responsibility where applicable.

I request that the editorial, "Freedom's 11th Hour," from Steel, be placed in the RECORD at this point:

FREEDOM'S 11TH HOUR

New welfare state proposals raise frightening threats to the future of private initiative and enterprise by both individuals and companies.

They presage further enslavement of a diminishing productive group to support the wants of a growing nonworking, nonproductive mass.

They cause us to teeter more perilously on the brink of a statist social-economic system under which freedom—so long prized by Americans—shrinks.

Viewing with alarm? Yes, but so unrealistically, we think.

Recommendations for increases in social security benefits and taxes support those fears.

The benefit bonuses would be greatest for those who contribute little or nothing to the system. The result is akin to a guaranteed income for not working. And the proposal is symptomatic of the trend toward penalizing the productive and rewarding the nonproductive.

Let's hasten to recognize society's duty and desire to care for those who cannot work or cannot produce. But let's recognize equally the dislike to encourage and perpetuate a growing army of welfare recipients who are finding it easier, and sometimes more profitable, not to work.

The burden of the scheduled increases in social security taxes is a little staggering. By 1974, the government may be collecting $1,080 for every worker earning the minimum taxable wage.

Figure out the cost to your business.

And the soaring government budget (and who can understand even the amount of the increase?) gives the federal establishment much greater power as industry's largest customer. It gives the Administration greater control over business. It lessens the options of the manager and the entrepreneur. It further drains the freedom of the individual.

More and more of us are unwillingly becoming dependent on and wards of the government.

We are facing freedom's eleventh hour.

WALTER J. CAMPBELL,
Editor.

REVISION AND REFORM OF THE CRIMINAL LAWS OF THE DISTRICT OF COLUMBIA

Mr. CARTER. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. MATHIAS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. MATHIAS of Maryland. Mr. Speaker, it is not necessary for me to reiterate the seriousness of the rapidly increasing rate of crime in the District of Columbia. The President's Commission on Crime in the District of Columbia, after more than a year of extensive and thorough study, has submitted its final report and many worthwhile recommendations. One recommendation calls for Congress to "create and support a commission to undertake revision of the District of Columbia criminal laws." Today I am introducing a bill which, if enacted, would implement this recommendation by establishing a Commission To Reform the Criminal Law and Procedure of the District of Columbia.

The inadequacy and ineffectiveness of crime control in the District today may be traced, in part, to Washington's antiquated, ambiguous, and inconsistent criminal code. The present code, which dates back to 1901, demonstrates little consistency or clarity, and makes it almost impossible for the administrators of justice to do their job effectively. The code is cluttered with many outdated provisions which outlaw such recreational activities as the flying of a kite, the playing of bandy or shindy or any other bat-and-ball games in the street. More seriously, the challenging to a duel and the use of opprobrious language in branding another as a coward for refusing to accept a challenge to a duel, are also outlawed.

As the Crime Commission noted, an overhaul of the code would offer "an opportunity to eliminate loopholes, ambiguities, and inequities and thereby make the criminal law a more effective and respected instrument of control." I would like to remind my colleagues that

Congress last year approved a bill introduced by the gentleman from Virginia [Mr. POFF], which provided for the establishment of a National Commission on Reform of Federal Criminal Law, and suggest that now it is time to direct our attention to the criminal laws of the District of Columbia.

My bill would establish a nine-man Commission to be appointed by the President of the United States. The Commission would be specifically charged with conducting a comprehensive survey and study of all the criminal laws—including case law—and procedures of the District of Columbia, with a view to recommending—

First, the necessity or desirability of restating, redefining, revising, and improving the laws relating to crimes in the District of Columbia;

Second, repeal of substantive provisions of law which are no longer useful or necessary;

Third, rearrangement of substantive provisions of law in orderly and logical groupings by subject matter and the consolidation of substantive provisions of law dealing with the same or similar subjects;

Fourth, simplification, clarification, and improvement of criminal procedures in the District of Columbia; and

Fifth, revision and adjustment of the penalty structure applicable to criminal offenders in the District of Columbia.

This bill also provides for the establishment of an Advisory Committee on Reform of the District of Columbia Law and Procedure. The Advisory Committee, to be appointed by the Commission, shall include, as recommended by the Crime Commission, local judges, representatives of the Metropolitan Police Department, Corporation Counsel, Office of the U.S. attorney, Legal Aid Agency, Neighborhood Legal Service Project, the District of Columbia Bar Association, local law faculties, Department of Corrections, the Board of Parole, and other persons competent to provide advice to the Commission.

The proposed Commission would be allowed 2 years to complete its studies, after which it would make its recommendations to the President and to Congress. An authorization of $300,000 from Federal funds is provided to support the work of the Commission.

Mr. Speaker, I urge Congress to give prompt and favorable consideration to this bill. Obviously it would not immediately alleviate the problem of crime in the District, but its long-range impact would be great. Revision of the District of Columbia code could provide the administrators of justice, in Washington, with a modern legal framework and the necessary tools with which to define criminal behavior. It would increase the deterrent and rehabilitative impact of the law.

WHAT IS A COP?

Mr. CARTER. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. HUNT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. HUNT. Mr. Speaker, I wish to call the attention of my colleagues to a highly informative piece of literature written by Richal L. Breen and Jack Webb under the caption of "What is a Cop?" Having spent a number of years in the field of law enforcement—more particularly the criminal investigation field—I feel the article is undoubtedly the truest capsule in the literary sense that I have ever seen.

Mr. Speaker, I think it behooves all of our colleagues to read this article and to call it to the attention of the people who should be interested. The court decisions which are enumerated, such as the case of Dorado, Morse, Escobedo, and Cahan, are the the actual handcuffs that today make crime on our streets the No. 1 problem of America. Unless these restrictions are removed from our law enforcement, we can never expect to have our towns, villages, and streets safe at night. The article follows:

[Excerpted from the Feb. 9, 1967 episode of "Dragnet" on NBC–TV—Sgt. Joe Friday talking to an unhappy rookie.]

WHAT IS A COP?

(By Richard L. Breen and Jack Webb)

It's awkward having a policeman around the house. Friends drop in. A man with a badge answers the door. The temperature drops twenty degrees. Throw a party and that badge gets in the way. All of a sudden there isn't a straight man in the crowd. Everybody's a comedian. "Don't drink too much," somebody says, "or the man with the badge will run you in." . . . Or, "How's it goin', Dick Tracy? How many jaywalkers did you pinch today?" . . . And there's always the one who wants to know how many apples you stole. All at once you've lost your first name. You're a "cop," a "flatfoot," a "bull," a "dick," "John Law," You're "the fuzz" "the heat," . . . you're poison, you're trouble . . . you're bad news. They call you everything, but never a policeman. It's not much of a life . . . unless you don't mind missing a Dodger game because the hotshot phone rings . . . unless you like working Saturdays, Sundays, holidays . . . at a job that doesn't pay overtime. Oh, the pay is adequate. If you count your pennies, you can put your kid through college. But you'd better plan on seeing Europe on your television set. Then there's your first night on the beat. When you try to arrest a drunken prostitute in a Main Street bar and she rips your new uniform to shreds. You'll buy another one . . . out of your own pocket. You'll rub elbows with all the elite: pimps, addicts, thieves, bums, winos, girls who can't keep an address and men who don't care. Liars, cheats, con men, the class of Skid Row. And the heartbreak: underfed kids, beaten kids, molested kids, lost kids, crying kids, homeless kids, hit-and-run kids, broken-arm kids, broken-leg kids, broken-head kids, sick kids, dying kids, dead kids. The old people that nobody wants, the reliefers, the pensioners, the ones who walk the street cold and those who tried to keep warm and died in a three-dollar room with an unvented gas heater. You'll walk the beat and pick up the pieces. Do you have real adventure in your soul? You'd better have. You'll do time in a prowl car. It'll be a thrill-a-minute when you get an "unknown trouble" call and hit a back yard at two in the morning, never knowing who you'll meet . . . a kid with a knife . . . a pill-head with a gun, or two ex-cons with nothing to lose. And you'll have plenty of time to think. You'll draw duty in a "lonely car" . . . with nobody to talk to but your radio. Four years in uniform and you'll have the ability, the experience and maybe the desire to be a detective. If you like to fly by the seat of your pants, this is where you belong. For every crime that's committed, you've got three million suspects to choose from. Most of the time you'll have few facts and a lot of hunches. You'll run down leads that dead-end on you. You'll work all-night stakeouts that could last a week. You'll do leg work until you're sure you've talked to everybody in California . . . People who saw it happen, but really didn't. People who insist they did it, but really didn't. People who don't remember, those who try to forget. Those who tell the truth, those who lie. You'll run the files until your eyes ache. And paperwork . . . you'll fill out a report when you're right, you'll fill out a report when you're wrong, you'll fill one out when you're not sure, you'll fill one out listing your leads, you'll fill one out when you have no leads, you'll make out a report on the reports you've made. You'll write enough words in your lifetime to stock a library. You'll learn to live with doubt, anxiety, frustration, court decisions that tend to hinder rather than help you: Dorado, Morse, Escobedo, Cahan. You'll learn to live with the District Attorney, testifying in court, defense attorneys, prosecuting attorneys, judges, juries, witnesses. And sometimes you won't be happy with the outcome. But there's also this: There are over five thousand men in this city who know that being a policeman is an endless, glamorless, thankless job that must be done. I know it, too. And I'm damned glad to be one of them.

THE SERBIAN REVOLT FOR INDEPENDENCE

Mr. CARTER. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. LUKENS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. LUKENS. Mr. Speaker, I realize that this time of year is usually marked off on our calendars, particularly Republican calendars, as the Lincoln's Birthday period. However, I should like to take a few minutes today to remind my colleagues that February 15 is the anniversary of Serbian revolt for independence which took place in 1804. It has a special place in the hearts of many Americans of Serbian descent. And I believe it is fitting and proper that the U.S. House of Representatives take note of the date upon which the Serbian hero, Karageorge, led his victorious revolt against the Ottoman Empire.

THE RED CHINESE DEMONSTRATIONS AROUND THE SOVIET DIPLOMATIC ESTABLISHMENTS IN RED CHINA—AND VICE VERSA

Mr. CARTER. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, we have been reading a great deal in the newspapers, and seeing and hearing a great deal on TV, about the Red Chinese *demonstrations around the Soviet diplomatic establishments in Red China—and vice versa.*

I think it entirely possible that we shall have the same sort of demonstrations within the United States in a short space of time. For if the Consular Convention between the United States and the Soviet Union is ratified, this is a logical, and almost inevitable, climax.

There are in Chicago, for instance, Poles who have had their families killed and imprisoned by the Russians. There are people from the Baltic States and other parts of Eastern Europe whose dear ones—fathers, mothers, sons, daughters, and other relatives—have suffered extermination or imprisonment from the Soviet conquerers. It would be odder if they did not demonstrate and voice their anger and bitterness in front of a Soviet consulate than if they did. Moreover, there are so many of these sufferers that there is little the police could do. At least they could do nothing without causing further harm to those who have already suffered so much.

Now Chicago is not an isolated case. The same is true in Los Angeles, Cleveland, and other American cities.

The record shows that there have been serious anti-Soviet demonstrations in Cleveland and Los Angeles in the case of Soviet visitors of prominence.

Now our present leaders have frequently cited "the danger of escalation." They did so with regard to Korea; they are doing so almost daily with respect to Vietnam.

Yet, these same officials are moving heaven and earth to get ratification of the Consular Convention which creates a clear danger of escalation. For what will be the reaction of the Soviets if rioting occurs, and probably persists, before consulates they establish in the United States? Will they choose to regard this as a casus belli? Will they break diplomatic relations?

Strictly speaking, this is a matter for the other Chamber. Yet, as a Congressman from Chicago who represents many of those who have lost dear ones to Soviet Russian terrorism, I think it pertinent to call this danger to the attention of the Congress.

This is a strange move, this drive for ratification, at a time when Soviet bullets from Soviet weapons have killed or maimed most of our over 50,000 casualties in Vietnam. It is all the stranger because the proposed convention seems to create dangers rather than to aid the cause of peace. Perhaps our authorities have not realized this or considered the dangers I have cited.

REAR ADMIRAL WHALEN IS NEW COAST GUARD CHIEF OF STAFF

Mr. CARTER. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. CONTE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. CONTE. Mr. Speaker, as at least a part-time resident of the Washington area and therefore a prospective neighbor, I want to take this opportunity to welcome back to our city the Coast Guard's new Chief of Staff, Rear Adm. Mark A. Whalen.

May I also join with his many friends and colleagues in extending him my heartiest congratulations on his new assignment. In my judgment, it is a most deserving honor for him and certainly an advantage for this old and honorable service. Admiral Whalen's service throughout his long and distinguished career has been such to earn him not only the respect but the affection of all who have known and worked with him.

Mr. Speaker, since the Congress authorized establishment of the new Department of Transportation, it has been apparent that the House Treasury-Post Office Appropriations Subcommittee, on which I am privileged to serve, would no longer consider the budgets for the U.S. Coast Guard. Under terms of the Transportation Act, this service is to be transferred from the Treasury to the new agency.

Aside from my natural interest and concern for the affairs and welfare of the Coast Guard, I have deplored the loss of this service from the purview of my subcommittee largely because it will deprive us of the great pleasure of knowing and working with gentlemen and officers of the caliber of Mark Whalen.

Recently, the pages of the Washington Post carried a brief story touching on the highlights of Admiral Whalen's fine career, noting also that he is also a native of the Nation's Capital and that his latest assignment actually brings him home.

Under unanimous-consent procedures, I now place in the RECORD the article from the Post:

DUTY HERE IS HOMETOWN JOB FOR REAR ADM. MARK WHALEN

Rear Admiral Mark A. Whalen, recently appointed Chief of Staff of the U.S. Coast Guard, is one of the few top military leaders of the nation for whom a set of orders to duty in Washington is a "hometown" assignment.

He was born on Oct. 8, 1913 near Fort McNair, not far from Coast Guard Headquarters building at 13th and E Sts., NW., where he now sits as third ranking officer of his service.

There is very little in Washington that doesn't bring back some long forgotten episode of his youth to the Admiral. Even the Coast Guard building is of special significance to him. His father, the late John T. Whalen, worked in it many years ago when it was occupied by another government agency.

The future admiral received his early education at Henry D. Cooke Elementary School on Euclid St. An all-around athlete, he was soon making a name for himself around Meridian Park. He progressed to Central High School, then called Cardoza.

During his junior year, his father was transferred to Newark, N.J. Young Whalen stayed there just long enough to graduate from East Side High School in 1930 before returning here to live with his grandparents, the late Mr. adn Mrs. Alexander Cole on Euclid St. He enrolled that fall at Georgetown University.

Whalen first became interested in the Coast Guard while watching a newsreel in the old Tivoli theater on 14th St. It showed a group of cadets drilling at the New London, Conn., Academy.

Too late to take competitive examinations for the following year's class, he enrolled at Emerson Institute. On Aug. 4, 1933, he entered the Academy as a cadet. He was graduated and commissioned as an Ensign on Sept. 21, 1937.

While a junior officer he served in the Gulf region aboard the cutters Saranac, Tampa and Nike. Later he was training officer aboard the Maritime Service Training ship, Empire State, until the start of World War II.

His later service included:

Command of the cutter Modoc on convoy escort duty in the North Atlantic.

Executive officer until July, 1946 of the Training Station at Alameda, Calif.

A tour of duty in the Office of Personnel at Headquarters in Washington.

Command of the cutter Humboldt on ocean weather patrol.

Four years as Assistant Chief, Reserve Division.

Command of the cutter Androscoggin.

A year of study at Naval War College, Newport, R.I.

Congressional Liaison officer at Headquarters, for which service he was awarded the Coast Guard Commendation Medal.

Command of the Reserve Training Center, Yorktown.

Chief of Operations in New York District.

Special Assistant to the Commandant, until his recent elevation.

The admiral's mother, Mrs. Vera L. Whalen, a life-long resident of the Washington area, now lives at 8614 Garland Ave., Tacoma Park, Md.

The Admiral resides at 5517 Bangor Dr., Kensington, Md. with Mrs. Whalen, the former Helene Josephine Roche of Old Lyme, Conn. They have two daughters, Susan Alice, now working in San Francisco, and Laura Louise, a student at Roanoke College in Salem, Va.

SUSAN B. ANTHONY

Mr. CARTER. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. CONTE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. CONTE. Mr. Speaker, on November 5, 1872, at the waking hour of 7 a.m., the first woman in American history cast a vote in a presidential election. History does not record the candidate thus favored, but we do know who this distinguished and courageous lady was.

She was, of course, Susan B. Anthony.

Miss Anthony's historic gesture landed her in jail. But the vote she cast was counted and the act became the symbol of a fight that resulted in the so-called Susan B. Anthony amendment to the Constitution ending discrimination in voting rights on the basis of sex.

Miss Anthony, by her life work and her diligent efforts on behalf of female suffrage, proved that sex was no fair basis for denial of the rights of citizenship, nor was it factor in the capacity either to judge fitness for public office or to hold public office.

We pause for a moment today to pay tribute to the life and work of this great woman on the 147th anniversary of her birth. We pause a moment to honor the memory of one who enriched not only the fabric of life in the United States, but helped so materially to fulfill the promise of America for all her citizens.

We of the First Congressional District of Massachusetts are especially proud of the memory of Susan B. Anthony, for she is one of our ancestral neighbors, having been born in the town of Adams in Berkshire County.

The house in which she was born still stands and is, in fact, still occupied as a private residence, even though Adams, in the year 1820, was little more than a frontier community.

I introduced legislation in the 89th Congress authorizing the Interior Department to acquire the property and thus establish the Susan B. Anthony National Birthplace. Because of a priority agenda of more urgent business, the bill was not acted upon.

Subsequently, however, the Congress passed, and the President signed into law, a plan—Public Law 89-665—authorizing the Interior Department to establish the historic properties preservation program. I am advised that the Interior Department is still drafting procedural regulations under Public Law 89-665 and that it is too soon to explore the possibilities of bringing the Susan B. Anthony birthplace in under this program.

I am hopeful, however, the program will provide coverage for this sort of thing, thus shortcutting the need for specific legislation and eliminating the time-consuming process of getting a bill through the Congress.

Should the Public Law 89-665 program prove inadequate, however, I will again introduce the necessary legislation and press for approval. There can be no question that Susan B. Anthony has had an impact on American history as strong and decisive as any of her male counterparts. Her memory, the recollection and reaffirmation of her great vision and courage, are a vitally important aspect of our American heritage.

THE 69TH ANNIVERSARY OF THE SINKING OF THE BATTLESHIP "MAINE"

The SPEAKER pro tempore (Mr. Hawkins). Under previous order of the House, the gentleman from Illinois [Mr. O'Hara] is recognized for 60 minutes.

Mr. WHITENER. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I am delighted to yield to my colleague.

BIRTHDAY GREETINGS

Mr. WHITENER. Mr. Speaker, I appreciate our colleague, the gentleman from Illinois, yielding. I had hoped that prior to entering upon the special orders I would have the opportunity to do that which I know my friend, the gentleman from Illinois, would want us to do and that is to extend our felicitations to our distinguished majority whip, the gentleman from Louisiana [Mr. Boggs], upon this, his birthday—his 53d birthday—and to wish for him many more happy birthdays and many more years of valuable service to his Nation such as he has given to us in the past.

Mr. O'HARA of Illinois. I thank my colleague and I am happy to join with him in extending felicitations to our beloved, our eloquent, dynamic, and great majority whip.

Mr. MATSUNAGA. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to my colleague, the distinguished gentleman from Hawaii.

Mr. MATSUNAGA. Mr. Speaker, I too wish to join in extending my felicitations to the Honorable Hale Boggs, our majority whip.

It is said that the month of February is the month when great men are born. History I am sure will record that Hale Boggs numbers among such men.

I might add that also born on this day were John Kluczynski, Congressman from Illinois; and John Anderson, also from Illinois; and Charles Wilson, of California. To them, too, I extend my felicitations for a happy birthday.

Mr. O'HARA of Illinois. I thank my colleague, the gentleman from Hawaii, and join in felicitations to two great sons of Illinois and a peerless statesman from California. May I add that Illinois is fortunate in having on its supreme court the brother of our own John Kluczynski, whose birthday we observe today. It is a great family and its contribution to Chicago, to Illinois, and to the Nation has been large.

On the very happy birthday of these great men and on the anniversary of the sinking of the battleship *Maine*, Mr. Speaker, I am doing what has been my practice ever since I came to the Congress. Each year on the anniversary of the sinking of the battleship *Maine*, I speak from the well of the House of Representatives in remembrance of the events and the people of that period.

Mr. Speaker, I bring the warm felicitations of Clay Eberhart, commander in chief of the United Spanish War Veterans, and, of Adjutant General McElroy. Commander in Chief Eberhart is a man of 89 years and he comes from the great State of Texas. Our adjutant general is 86 years old and he comes from the great State of Rhode Island. Also, do I bring felicitations from Otto Zambreny and Frederick Fridley, representing the department of the District of Columbia. Frederick Fridley is 90 years old. Veterans of the Spanish-American War are not exactly youngsters.

Ninety-three veterans of the war with Spain have served in the Congress of the United States. I am the last remaining.

I do appreciate, more than words can express, the friendship of my colleagues, who annually have joined with me every 15th of February in observing the anniversary of the sinking of the battleship *Maine*. That was a tragic event that changed the course of history. When the news came that the *Maine* had been blown up and that 266 lives had been lost, a wave of indignation and of resolution swept our country. In the spirit of 1898 America started on the path to world leadership.

Mr. Speaker, at this point in the Record I include the names of the 266 Americans who died with the *Maine*, and whose death changed all the universe and advanced the cause of freedom to new and loftier heights.

[From the Library of Congress, Legislative Reference Service]

In Memoriam—Roster of the Maine Dead

Adams, John F.; Aitken, James P.; Anderson, Alexander C.; Anderson, Charles; Anderson, Gustave; Anderson, H. A.; Anderson, John; Andrews, Frank; Angland, Bernard; Auchembach, Parry; Aufindson, Abraham.

Baum, Henry D.; Becker, Jacob; Bell, John R.; Bennett, John; Berry, John P.; Berry, Louis L.; Blumberg, Fred; Bell, Frederick; Bookbinder, John; Botting, V. H.; Boyle, James; Brinkman, Heinrich; Brofeldt, Arthur; Bresnan, George; Brown, J. F.; Bruns, Alfred C.; Burkhardt, Robert; Burns, Edward; Burns, J. R.; Butler, Frederick; Bonner, Leon.

Cain, Thomas; Cameron, Walter; Canfield, R. P. William; Carr, Herbert M.; Castrovo, William; Childs, Samuel; Ching, Luke; Christianson, Karl A.; Clark, Thomas; Cochrane, Michael; Cole, Thomas N.; Coleman, William; Conroy, Anthony; Curran, Charles.

Dahlman, Berger; Donnig, Charles; Dolen, John; Donoughe, William; Downing, N. C.; Drury, James.

Edler, George; Eismann, Charles F.; Etts, John P.

Faddie, Charles F. J.; Falk, Randolph; Faubel, George D.; Fewer, William J.; Finch, Trubie; Fisher, Alfred J.; Fisher, Frank; Flaherty, Michael; Fleishman, Louis M.; Flinn, Michael; Fougoar, John; Fountain, Barsly; Franke, Charles; Furlong, James F.

Gaffney, Patrick; Gardner, Thomas J.; Gardner, Frank; Garnett, John M.; Girnand, C. V.; Gordon, Joseph F.; Gorman, William H.; Goss, Michael; Grady, Patrick; Graham, Edward P.; Graham, James A.; Greer, William A.; Griffin, Michael, Grupp, Reinhardt.

Hallberg, John Alfred; Hamburger, William; Hamilton, Charles A.; Hamilton, John; Hanrahan, William C.; Harley, Daniel; Harris, Edward; Harris, Millar F.; Harris, Westmore; Harty, Thomas J.; Hassell, Charles; Hauck, Charles; Hawkins, Howard; Henkes, Albert B.; Herriman, Benjamin; Holm, Gustav; Horn, William J.; Hough, William L.; Hughes, Patrick.

Ishida, Otogira; Jenck, Carleton; Jenkins, Friend W.; Johanson, Peter C.; Johnson, C. E.; Johnson, George; Johnson, Charles; Johnson, John W.; Johnson, Peter; Jones, Thomas J.; Jordan, W. J.;

Kane, Michael; Kay, John A.; Keane, E. T.; Kelly, Frank; Kelly, John; Kelly, V.; Keskull, Alexander; Keys, Harry J.; Kihlstom, Fritz; Kinseller, Thomas S.; Kinsey, Frederick E.; Kitagata, Yukishi; Kensie, Frederick H.; Kranyek, Charles; Kruse, Hugo.

Laird, Charles; Lamber, William; Lanahan, Michael; Lancaster, Luther; La Pierre, George; Lawer, Edward; League, James M.; Lee, Daniel; Lee, William J.; Lees, Samuel; Lempolo, Gustav; Lewis, Daniel; Lewis, John B.; Lieber, George; Lorenson, Jorgen J.; Loska, P. A.; Louden, James W.; Lowell, Clarence E.; Lund, William; Lydon, John P.; Lynch, Berhard; Lynch, Matthew.

Maganime, Tomekishi; Malone, Michael; Marsden, Benjamin L.; Marshall, John R.; Martensen, Johann; Mason, James H.; Matias, Carl; Matts, Edward; Matza, John; McCann, Harry; McDermott, John; McConiglo, Hugo; McManus, John J.; McNioco, Francis J.; Mechan, Michael; Meilstrop, Elmer H.; Merritt, Darwin R.; Mers, Eldon H.; Merse, John; Mickey, Edward; Miller, George; Miller, William S.; Mobler, George; Monford, William; Monohan, J. P.; Moss, Corhard C.; Moss, John H.; Mounier, Louis; Mudd, Nolo T.; Murphy, Cornelius.

Newman, F. J.; Newton, C. H.; Nielson, John C.; Nielson, Sophus; Noble, William; Nolan, Charles N.

O'Connor, James; O'Hagen, Thomas J.; Ohye, Mac; O'Neil, Patrick; Ordring, Gustav C.; Oregan, Henry H.

Paige, Frederick; Palmgreen, John; Panck, John H.; Perry, Robert; Phillips, Francis C.; Pinckney, James; Powers, John; Porter, John; Price, Daniel; Quigley, Thomas J.; Quinn, Charles P.

Richter, A. H.; Rieger, William A.; Riley, Joseph; Rising, Newell; Roberts, J. H.; Robinson, William; Roos, Peter; Rushworth, William.

Salmon, Michael E.; Safford, Clarence E.; Samiette, C. H.; Schoen, Joseph; Schroeder, August; Scott, Charles A.; Scery, Joseph; Sellers, Walter S.; Shea, John J.; Shea, Patrick J.; Shea, Thomas; Sheriden, Owen; Shillington, John H.; Simmons, Alfred; Smith, Nicholas J.; Stevenson, Nicholas; Stock, H. E.; Strongman, James; Sugusaki, Isa; Sully, Joseph; Susuki, Hashotna; Sutton, Frank; Swenson, Karl.

Talbot, Frank C.; Tehan, Daniel J.; Thompson, F. G.; Thompson, George; Tiggs, Frank B.; Timphang, E. B.; Tinsman, William H.; Todoresco, Constantino; Troy, Thomas; Turkey, Martin.

Van Horn, H. A.; Wagner, Henry; Wallace, John; Wash., Joseph F.; Warren, A. V.; Warren, John; Webber, Martin D.; White, Charles D.; White, Robert; Wickstrom, John E.; Wilber, Benjamin R.; Wilber, George W.; Williams, Henry; Wilson, Albert; Wilson, Alonzo; Wilson, Robert; Williams, James; Zeigler, John H.

Source: Cook, Harry T., *Remember The Maine*.

Mr. Speaker, I now yield to one of the great orators of the House and of our country, the gentleman from Hawaii.

Mr. MATSUNAGA. Mr. Speaker, I thank the gentleman for yielding. I, too, rise to pay tribute to the veterans of the Spanish-American War, and especially to the gentleman in the well, the Honorable BARRATT O'HARA, of Illinois, who serves in this body with such distinction and who is a veteran of that war.

When, on February 15, 1898, 69 years ago today, the U.S. battleship *Maine* was destroyed in Havana Harbor, fate cast the United States in a role of world leadership and authority which from that day to this has been as unavoidable as it has been dedicated to the freedom of all peoples from tyranny and misrule. And it was with the sinking of this ship that America's nascent importance in international affairs came first to the world's attention. America emerged as a nation which, in its great power, would seek to prove in action the conviction, later expressed by Franklin D. Roosevelt, that "the only whole man is a free man."

Over 5,000 American veterans lost their lives in that war. Yet though it is fatuous to discuss the price of a war in terms of the number of men lost, I suggest that the effect—the subsequent emergence of this country as a guardian of world peace—was vaster than anyone 69 years ago could possibly have conceived. That war, now two-thirds of a century gone by, was fought in the same spirit, for the same cause, as were the greater cataclysms of the 20th century; its goal in the words of President Kennedy, when he spoke of another crisis involving that same island, "was not the victory of might, but the vindication of right; not peace at the expense of freedom, but both peace and freedom here in this hemisphere, and we hope, around the world."

Mr. Speaker, from among these honored veterans we have in our midst the Honorable BARRATT O'HARA, who at the age of 15 enlisted in the 33d Michigan Volunteer Infantry for service in the Spanish-American War. After participating in the siege of Santiago, BARRATT O'HARA was awarded the Order of Military Merit in White by the Republic of Cuba, in appreciation of his services rendered to the people of that country.

A little less than 2 years ago a monument to the veterans of the Spanish-American War was dedicated in Arlington National Cemetery. At that time, Congressman O'HARA spoke for all of us:

> The * * * casualties of the Spanish War may now, at long last, sleep in peace, because this monument has been built to them in the Nation's Capital.

Let us then remember the service that these men gave; let us remember the cause of peace to which we are committed, being not unmindful of the words of Woodrow Wilson:

> The American people * * * believe that peace should rest upon the rights of peoples, not the rights of governments—the rights of peoples great or small, weak or powerful * * * to freedom and security and self-government and to a participation upon fair terms in the economic opportunities of the world.

I commend the gentleman from Illinois for taking the special order to commemorate this great historic event.

I thank the gentleman for yielding.

Mr. O'HARA of Illinois. Mr. Speaker, I thank my dear friend from Hawaii for his splendid tribute to the veterans of the Spanish-American War. There is no friendship that is more dear to me than my friendship with the gentleman who just spoke.

Mr. Speaker, I ask unanimous consent that the remarks of my colleagues from Illinois, Mr. ANNUNZIO and Mr. KLUCZYNSKI follow the remarks of the gentleman from Hawaii.

Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ANNUNZIO] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, it is, indeed, a pleasure for me to join my distinguished friend and colleague, the Honorable BARRATT O'HARA from Illinois, in observing today the 69th anniversary of the sinking of the battleship *Maine* in Havana Harbor.

Two hundred and sixty-six American officers and men died in that tragic disaster on February 15, 1898, and as a result, the United States became involved in the Spanish-American War. In response to President McKinley's call for 125,000 volunteers, over 1 million offered their services in defense of freedom on our continent. They came from all sections of the United States, and their willingness to volunteer and fight for our country not only insured our victory, but was instrumental in uniting the factions of the North and the South that had been split by the devastating effects of the Civil War.

The gentleman from Illinois was himself a volunteer in the U.S. Army and participated in the siege of Santiago, Cuba, in 1898. He served with the 33d Volunteer Infantry of Michigan under General Duffield, and is the only Member of the House at this time who is a veteran of the Spanish-American War.

More than 6,000 American youths died in that conflict. They died for a just cause—the liberty of the people of our hemisphere. Their sacrifice insured freedom for the Cuban and Puerto Rican people and reaffirmed the principles of the Monroe Doctrine.

Moreover, our victory gave us supremacy in the Caribbean, stimulated the growth of our Navy, and made possible the opening of the Panama Canal. It marked the beginning of more than half a century of democratic development, progress, and cooperation in the Western Hemisphere. And, significantly, it changed our position from that of a continental power to one of world leadership.

The veterans of the Spanish-American War can take pride in the vital role they played in shaping the destiny of our great country. Yet, the pensions our laws provide for these patriots and their widows are small, indeed, when compared with the magnitude of their contribution to the glory of our Nation. The widows of the Spanish War veterans receive only about $65 a month in pension benefits, while the veterans themselves receive about $100 a month. Legislation is pending in the Congress to increase these amounts. I urge every Member of the House to give his support to this legislation in order that our veterans and their dependents may receive the help they need and deserve in their declining years.

On this commemorative occasion, I am proud to express my high regard for my colleague, Congressman O'HARA, and for his fellow Spanish-American War veterans to whom our Nation owes such a great debt.

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. KLUCZYNSKI] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. KLUCZYNSKI. Mr. Speaker, on January 25, 1898, the U.S. battleship *Maine* left the fleet at Key West and proceeded to Havana, Cuba. The *Maine*, rated as a battleship of the second class, carried four 10-inch guns, two in the forward and two in the after turret, six 6-inch guns, and a number of 6- and 1-pounders. Her commander was Capt. C. D. Sigsbee. There were 355 officers, sailors, and marines serving on the *Maine*.

In the harbor of Havana, Cuba, the night of February 15, 1898, was hot and sultry. The *Maine* had swung around to an unusual position at the buoy to which she had been assigned by the Spanish port officials; she had happened to take the position that she would have adopted had there been an intention to shell the harbor forts, but this was never her intention.

The chief engineer reported his department secure; the petty officers reported their storerooms secure. Eight o'clock lights and galley fires were reported out, and the ship's lieutenant commander reported to the captain that everything was secure. At 9, the officer of the deck mustered the watch, and made sure that his men knew their stations in the event of an alarm. The captain was writing in his cabin. Most of the men were asleep.

The battleship *Maine* exploded in a burst of fire and smoke at 40 minutes past 9 o'clock. The detonation shook Havana from one side to another. A rain of debris and the bodies of dead and wounded men fell back into the waters of the bay. Two hundred and sixty lives were lost; many of the wounded were crippled for life.

A Member of the U.S. House of Representatives shortly afterward spoke thus of these men:

> No foe had ever challenged them. The world can never know how brave they were. They never knew defeat; they never shall . . . Meanwhile a patient and patriotic people, enlightened by the lessons of our history, remembering the woes of war, both to the vanquished and victorious, are ready for the truth and ready for their duty.

Now, as then, Americans "remember the *Maine*." Remembered, too, are the Spanish-American War veterans in our midst who fought a war in which every man was a volunteer. Theirs is a proud tradition and we salute them today.

Mrs. HECKLER of Massachusetts. Mr. Speaker, recollection of the sinking of the *Maine*, in 1898, brings to our attention the long and steady record of our country and the struggle for freedom and self-determination on a worldwide scale.

Although seldom emphasized in the history books, it is a fact that for almost three decades preceding the Spanish-American War, American shipping was subjected to gross indignities in the Caribbean by the Spanish naval authorities. Spanish misrule in Cuba was atrocious to the point of causing revolution, and the revolutionists had the sympathy of the American people. On numerous occasions, American ships were stopped in the Caribbean by Spanish men-of-war, on suspicion of running arms to the revolutionists. In one famous instance, the Spaniards intercepted an American vessel and executed half the people on board.

To this and all other such incidents, the American Government had responded diplomatically, in behalf of world peace. But the public temper was aroused. Moreover, Spanish rule in Cuba was exceedingly harsh, and on this ground many Americans were anxious for a fight, in the interest of Cuban self-rule. The sinking of the *Maine*, in Havana harbor, February 15, 1898, triggered the American temper.

The war with Spain, which ended quickly, resulted in the abolition of foreign tyranny in Cuba, Puerto Rico, the Philippines, and Guam. In every case democracy was introduced, and with magnificent results. The boys of '98, who accomplished all this, fighting brilliantly on land and sea, not only established our country as a major political power, in the eyes of the civilized world, but also as the firm, determined ally of persons seeking self-determination everywhere.

It can be said, in all sincerity, that the boys of '98 launched an American tradition that clearly has changed the course of history, to the benefit of millions everywhere.

Mr. EDWARDS of California. Mr. Speaker, I rise to join my good friend and distinguished colleague, Representative BARRATT O'HARA, in remembering the tragic and significant sinking of the *Maine* with 266 men aboard in Havana harbor 69 years ago.

With this surprising incident, dissipating all hope for a peaceful settlement of that conflict, the United States unified behind the rhetoric and idealism of its leaders and rose magnificently to the duties which lay ahead. From this war on, the United States was launched into the role of a world power—never again were we to sit complacently shielded by our geography and by undeveloped communications and technology.

The gallantry of the troops and the brilliance of command in that campaign are qualities which come quickly to mind this anniversary day. When Congress unanimously declared war, our Army consisted of only 25,000 regulars. President McKinley's call for 125,000 men brought forth over 1 million volunteers.

One of these young men of fortitude and sacrifice stands here in this body today. At the age of 15, BARRATT O'HARA signed up for service with the 33d Michigan Volunteer Infantry—the beginning of a magnificent and dedicated career of service to his country. His compatriots, an unproved, entirely volunteer Army and Navy, succeeded in defeating the fourth most powerful nation in the world—Spain.

Today it is my honor to pay this tribute to the veterans of the Spanish-American War and to recognize the historic importance of this war to the future course of our Nation.

Mr. BUCHANAN. Mr. Speaker, today members of the Auxiliary of the United Spanish War Veterans will gather in the quiet acres of Arlington National Cemetery to lay a wreath at the foot of the memorial built to honor the memory of those who died on the battleship *Maine*. The *Maine* was lost in Havana Harbor on the night of February 15, 1898, an event that led directly to the Spanish-American War. Members of the women's division of the District of Columbia chapter of the United Spanish War Veterans will be in charge of this ceremony.

There were about 392,000 participants in the Spanish-American War. This may seem to be a small number, indeed, when compared with the 5 million Americans under arms in 1918–19 and the 16½ million of World War II. A roughly calculated ratio shows, however, that 1 in 39 died in service in the Spanish-American War compared to a ratio of 1 in 47 in World War I and 1 in 41 during World War II.

As of December 31, 1965, there were 13,982 living veterans of the Spanish-American War. The Veterans' Administration has reported that at the end of 1965 about 12,000 such veterans were carried on its rolls as disabled. As of September 30, 1965, there were 60,103 widows of Spanish-American War veterans receiving either compensation or pension payments from the VA.

The ranks of the United Spanish War veterans are thin, indeed, on this 69th anniversary of the loss of the *Maine*. Yet, all the veterans of that conflict in which the United States emerged as a world power and all of the widows and descendants of these veterans may be firmly assured that Americans still do "remember the *Maine*," those who paid the supreme sacrifice during that war, and those stalwart men of the fading ranks who, in their hearts, stand at attention at the ceremonies in Arlington today.

Mr. STRATTON. Mr. Speaker, I am glad to join in commemorating the 69th anniversary of the sinking of the battleship *Maine* in Havana Harbor.

This historic date has a special meaning to our veterans of the Spanish-American War. That tragic event which claimed 266 American lives signaled the entrance of the United States into the role of world leadership.

The valor of the Americans who served in the campaign of Santiago demonstrated to the world that a nation had come of age and that the cause of freedom had a new leader.

The gallant efforts of those who served in that war set an example that was to be followed by young Americans of generations to come in the far corners of the world. And today on the battlefields in Vietnam another generation of Americans carries on the fight for liberty and self-determination in the same noble tradition established by those who served in the Spanish-American War.

It is most appropriate that we pause today not only to renew our pledge of determination to the ideals of freedom by honoring those who by their actions demonstrated American determination and resolve so dramatically during the Spanish-American War, but that we note one of the vital moments in history that marked the emergence of the United States to its position as preeminent leader of the free world.

Mr. CORMAN. Mr. Speaker, today, February 15, 1967, is the 69th anniversary of the sinking of the battleship *Maine* in the Havana harbor, a tragic event that triggered the Spanish-American War. This war, fought triumphantly in the Atlantic and the Pacific with an Army and Navy entirely of volunteer personnel, started the United States on its way to world leadership.

For all the years since then, the United Spanish War Veterans have observed this anniversary with ceremonies throughout the Nation.

I am pleased to pay tribute to the remaining Spanish-American War veterans in my district in the San Fernando Valley, Calif. And, I salute with special affection Representative BARRATT O'HARA, of Illinois, who has the honor of being a member of that organization.

As he has, in all his years as a Member of this House, never forgotten to observe this anniversary, so I hope we will never forget to "remember the *Maine*."

Mr. FRIEDEL. Mr. Speaker, today, February 15, 1967, is the 69th anniversary of the sinking of the battleship *Maine* in Havana harbor. This act triggered an outburst of anti-Spanish feeling in this country and on April 25, Congress declared war on Spain.

Overnight, we became a naval power of great significance as our Navy successfully engaged and destroyed the enemy in two places at once—Santiago de Cuba and Manila. Theodore Roosevelt, then commander of the Rough Riders, a voluntary cavalry regiment, led a successful assault on San Juan Hill outside Santiago and won for the Cuban people the independence from Spain they had long sought. Our troops fighting in the Philippines lifted the heavy yoke of Spanish rule from those islands. As a result, our country took the first step toward world leadership.

The Spanish-American War was the first war in which we officially took action to support people desiring self-determination and this is the role we have chosen ever since—in World War I, World War II, Korea, and now in South Vietnam. The idea that small nations have a right to self-determination was first expressed by President Woodrow Wilson, and the young men of our Nation, since 1898, have been willing to give their lives for this ideal.

Today, there are approximately 11,000 veterans of the Spanish-American conflict still living. Their average age is 87.8 years. These gallant men and their fallen comrades started our Nation in her role as world leader and we are humbly grateful for their many sacrifices, freely made, to capture this eminence for the United States.

But as we pause to reflect on this page of our history, we cannot be unmindful of the willingness of all our young men, past and present, to bear arms and risk life and limb for the ideals we hold dear. We owe a great debt of gratitude to our Nation's 22 million veterans as well as to the men who now wear the uniform of our country.

So, today, on the 69th anniversary of the sinking of the *Maine*, I say let us remember our obligation to our veterans and let us give to our present servicemen the moral and materiel support they so rightly deserve from us in the current conflict in Vietnam.

Mr. GALLAGHER. Mr. Speaker, February 15, 1967, marks the 69th anniversary of the sinking of the battleship *Maine* in Havana Harbor, a naval disaster that plunged the United States into the Spanish-American War under the popular slogan "Remember the *Maine*." It is a privilege and an honor for me to join the distinguished Representative from Illinois [Mr. O'HARA] in calling to the attention of the American people both the significance and importance of this event. Mr. O'HARA himself was a member of the Army of over 18,000 regulars and volunteers who fought in Cuba in 1898. He served with the 33d Volunteer Infantry of Michigan. He is the last surviving Spanish-American War veteran in Congress, who not only served his country in this war but also in World War I.

The Spanish-American War grew out of the Cuban insurrection against Spanish rule that began in February 1865, an insurrection fought ruthlessly and ferociously on both sides. Pressures for American intervention were resisted by President Cleveland and President McKinley during the beginning of his administration. A settlement seemed in prospect when the destruction of the *Maine* led to great anti-Spanish feeling in this country. On April 25, 1898, Congress declared that a state of war had existed since April 21. This act involved the United States in its first major international conflict to protect freedom, and it signified that for the first time the United States had to be dealt with as a world power.

Some people say that America's involvement in the Spanish-American War was a false involvement. People tell us that we were implicated in that war by "yellow journalism" and by xenophobia. I do not think that is entirely true, but I do think that it is a point worth dwelling upon. We have come a long way since 1898—we have fought many wars, sought many peaces, and changed the course of history many times. Now, in 1967, we are engaged in another war. A war that is not geographically contiguous to us, as is Cuba, but one which is just as significant.

We have different weapons now, faster and more efficient, and we have a different enemy now, one whose actions are covert and indefinable and whose intentions are amorphous and intangible.

Now, the "responsible" leaders of public opinion tell us to stop the bombing, to get out of Vietnam, and to stop the war. These leaders say we are arrogant because of all the power we have, and that instead, we should disavow the use of power and force and not study war any more. These "responsible" men have forgotten the lessons that all wars teach us, and they have forgotten the message of the Spanish-American War. What is that message?

The message is that whatever else the United States is and whatever else the United States stands for, above and beyond all these things, America is and must be the bulwark behind which all the freedom-loving peoples of the world can seek freedom and be protected from aggression.

It is no more a question of "arrogance" than it is a question of "yellow journalism." These are only superficial interpretative reactions to certain underlying or basic principles upon which the order of states is built and within which all nations must act. "Arrogance" and "yellow journalism" are, if they are anything, merely precipatory events. They are not basic causes or motivating factors.

What have we learned in all the years since the Spanish-American War? We have learned that freedom of others is as important as our own freedom. That no country can pursue its own course, if that course runs counter to the accepted principles of international law. We have learned that peace is indivisible, and that if it is not defended wherever it is violated, it will never be durable.

Mr. Speaker, I would like to thank Mr. O'HARA of Illinois for calling this day to our attention. It is important for us to remember both the men who fought in this war and the principles for which they fought. We would no more forget the ideas than we would the men who thought them.

Mr. Speaker, we often talk about the "spirit of '76" in regard to America's role in world leadership. Well, there is also the "spirit of '98," another milestone in the fight for freedom. BARRATT O'HARA symbolizes that spirit, and I take this occasion to wish him many more long years of service in behalf of his country and the free world.

Mr. ZABLOCKI. Mr. Speaker, I am pleased to join our esteemed and beloved colleague, the gentleman from Illinois [Mr. O'HARA] in commemorating the 69th anniversary of the sinking of the battleship *Maine* in Havana Harbor.

How well we recall from history the electric effect which that event and the cry, "Remember the *Maine*," had on the American public. There is little doubt that the sinking of that ship was the prime cause for the Spanish-American War.

Today, as we remember the *Maine*, our appraisal of those times is sobered by time and distance. Some historians have decried the ultranationalism and the "yellow" journalism which whipped up war sentiment in the United States and made a war with Spain all but inevitable.

At the same time, however, we must not overlook the great significance which the Spanish-American War era has had for our Nation.

This period marked the emergence of the United States from its isolation to a place of international significance as a world power.

It demonstrated to the world that the American soldier and the industrial machine which backed him up were a formidable force in world politics.

As our current stand in Vietnam so amply demonstrates, the American fighting man, backed by the American ability to produce the weapons and materials he needs, continues to be a bulwark for freedom and self-determination of peoples.

Our Nation has matured since the Spanish-American War. No longer do we need the excitement of a crusade to convince us of the need for action. Our young men in military service have amply demonstrated that their courage in battle does not rely on a hyperpatriotic fervor at home.

Neither, of course, did our soldiers in the Spanish-American War. They were cast in the same mold as those brave men who proved their valiance in the Revolutionary and Civil Wars.

The gentleman from Illinois himself embodies the character and virtues of those who saw action in the Spanish-American War. As the only veteran of that conflict still serving in the Congress, he daily reminds us by his vigor and dedication of the high caliber and purpose which marked the American fighting man of the Spanish-American War era.

It is, indeed, a privilege, therefore, to have this opportunity to participate with him on this occasion as we join in remembering the *Maine*.

Mr. CUNNINGHAM. Mr. Speaker, on this day in 1898 an event which occurred in the harbor of Havana, Cuba, effected a change in the history of world events. The incident seemed unlikely enough at the time; but its ramifications were far greater than anyone could then have realized. For with the sinking of the *Maine*, the United States was brought into the war with Spain, a war which lasted less than a year and took the lives of less than 5,000 Americans. We must not forget, however, what we owe these men. For it was with the conclusion of the war which grew out of the *Maine* incident that the United States first realized the trust she has since held throughout the world—the obligation she has to uphold the rights of all men everywhere, not only of those within her own borders. Former President Eisenhower has stated that trust well:

> Today we proudly assert that the Government of the United States is still committed to the concept [that every individual is endowed with certain inalienable rights]. The purpose is Divine; the implementation is human. Our country and its government have made mistakes—human mistakes. They have been of the head—not the heart. And it is still true that the great concept of the dignity of all men, alike created in the image of the Almighty, has been the compass by which we have tried and are trying to steer our course.

Men lost their lives in battle in 1898; many more died from disease. And yet, through it all were visible "torches of humanity," which, said President McKinley, "will impress mankind for all time." He concluded:

> We seem to get a glance of the divine spark in the nobility of the men who participated in our war.

Let us not forget the sacrifices that were made; but let us also remember the liberty that was gained. For these reasons let us remember the *Maine*.

Mrs. HANSEN of Washington. Mr. Speaker, 69 years ago today the American battleship *Maine* sank in Havana Harbor, shattered by two explosions. The disaster left 260 Americans dead and led to the Spanish-American War. Upon the anniversary of this tragic event it is especially fitting that we recall the incident and pay tribute to the 11,000 surviving veterans of that war.

The U.S.S. *Maine*, a 6,682-ton vessel, was sent from Key West, Fla., to Havana Harbor under the command of Capt. Charles D. Sigsbee and was moored some 500 yards from a Spanish arsenal.

The *Maine's* arrival heightened already tense feelings between Spaniards and Americans. But it was not until February 15, 1898, that tensions flared into violence. At 9:40 that evening the first explosion, a dull muted one, convulsed the vessel. It was followed by a second, more violent blast. The explosions wrenched the powerful ship and sent men and steel bits as high as 200 feet into the air. The forecastle was asunder and the aft began to sink.

The cause of the explosions was investigated by both Spanish and American authorities, but results were inconclusive. Spaniards decided the explosions were caused by spontaneous combustion, probably in the coal bunkers, which in turn sent flames to forward magazines. Americans held the first explosion to be an external one, which ignited forward magazines.

The sinking of the *Maine* touched off anti-Spanish hostility in this country, openly expressed in certain newspapers. Before long came the slogan, "Remember the *Maine*."

Mr. Speaker, I have always felt an awareness of the Spanish-American War because my father served our country in that conflict. The 90th Congress also has a Member who took part in that war, Representative BARRATT O'HARA, from the Second Congressional District in Illinois. At the age of 15, Mr. O'HARA joined the 33d Michigan Volunteer Infantry and was in Cuba 3 days after "Teddy" Roosevelt's Rough Riders arrived. Among other engagements, Mr. O'HARA participated in the siege of Santiago. He was decorated by the Cuban Government for his part in Cuba's war of liberation.

I am pleased and proud today to join my colleague from Illinois in remembering the *Maine* and saluting those who served this Nation in the Spanish-American War. Particularly, I am proud to pay tribute to our gallant and courageous colleague, Mr. O'HARA.

Mr. MULTER. Mr. Speaker, today is the 69th anniversary of the sinking of the battleship *Maine*—the opening of the Spanish-American War. As our distinguished colleague the gentleman from Illinois [Mr. O'HARA], has pointed out, this event started the United States on its way to becoming the leader of the free world.

Before 1898 this country stayed within its borders and, following George Washington's advice, avoided entangling alliances. To be sure, we maintained diplomatic relations with most of the countries of the world but we did not tie ourselves to them with mutual defense treaties.

The world is a very different place today because of the Spanish-American War. Our country was involuntarily thrust into the affairs of the world by the sinking of the *Maine* and there is no doubt in my mind that the leadership we have provided since that time—both in war and in peace—has made it possible for most of the peoples of the world to look forward to the future with hope.

It is appropriate today that we pay tribute to those gallant men, all volunteers, who heeded the call of their country in 1898 and to call upon the young men of today to do likewise. We also pay special tribute today to our colleague, BARRATT O'HARA, a fine and dignified gentleman, who served in that war and in the First World War with honor and distinction, as he serves here in this House.

Mr. MONAGAN. Mr. Speaker, today we commemorate the sinking of the battleship U.S.S. *Maine* in Havana Harbor, on February 15, 1898.

On that tragic occasion, 266 Americans gave their lives in the mournful event that was to lead to the Spanish-American War. Following the sinking of the *Maine*, thousands of American men responded to President McKinley's call for volunteers for the armed services. Today, we join in honoring those courageous men who fought and defended the principles of freedom and democracy in the Spanish-American War. Over 5,000 Americans lost their lives in that conflict. Among those veterans who returned from the Spanish-American War, many took an active part in the founding of the Veterans of Foreign Wars of the United States, an organization which has done much to assist the veterans of all of our subsequent wars.

We are fortunate to have in this House today, a gallant and courageous veteran of that conflict, our beloved friend and colleague, the gentleman from Illinois [Mr. O'HARA]. To him and to all the survivors of the Spanish-American War, we express our gratitude and appreciation for their dedicated service to their country.

Of greatest significance in the whole Cuban history has been the U.S. attitude on the question of colonialism. In these days when we are accused of neocolonialism, it should be emphasized that similar to our action in the Philippines, we evacuated Cuba and turned that nation back to the control of its own people and with U.S. financial support.

Mr. Speaker, today we count Spain on our side in the struggle for international peace. Cuba, on the other hand, is in the hands of a dictator dedicated not only to the overthrow of other governments by force, but also to the deprivation of freedom and self-government, the very goals for which our men fought in the Spanish-American War. As we "Remember the *Maine*," let us not forget that the very site of the event that triggered the Spanish-American War is now the site of a flagrant suppression of human rights and dignity. As we salute those who defended the right of Cubans to live under a government of their choice, let us look forward to the day when the people of Cuba will once again live under a regime of self-government, and in an environment in which they can enjoy the privilege of liberty and out of which they will regain their personal dignity.

Mr. FASCELL. Mr. Speaker, "there are, and always have been as long as the race of men has existed, times and occasions of dire necessity for war," wrote John Quincy Adams in 1846. Such a time was 1898. With the sinking of the *Maine* in Havana Harbor, Cuba, 69 years ago today, this Nation entered into one of the shortest and least costly wars it has ever engaged in. And yet it is impossible to weigh the consequences that this war was to have upon world politics and U.S. policy.

In proportion to expenditure, both in terms of financial cost and human life, the measure of this war's impact upon the 20th century is great indeed. It is thus that I pay tribute, well deserved and altogether fitting, to those men, both living and dead, who gave themselves to the cause embodied in the war of 1898—the cause of universal concern for human rights and human life.

If this country gained an empire in victory, it was an empire which looked forward to the democratic process; if colonialism was forced to retreat from this hemisphere, the retreat let flow the tide of self-government. To the gallant veterans of the Spanish-American War, I offer the gratitude of a nation. For, in the words of Shakespeare, "The arms are fair, when the intent of bearing them is just."

Mr. DE LA GARZA. Mr. Speaker, I have the honor of numbering among my constituents in the 15th Congressional District of Texas the grand American gentleman who is currently serving as national commander of the Spanish-American War Veterans. He is Clay Everhard, of the city of Pharr in the Rio Grande Valley.

Mr. Everhard was in Washington recently, and at that time it was my privilege to present him to a number of my colleagues, including Congressman OLIN TEAGUE, of Texas, chairman of the House Committee on Veterans' Affairs. It was inspiring to see these two veterans together—one a volunteer in the war of 69 years ago, the other a volunteer in World War II.

Commander Everhard made a great impression on everyone he met in Washington. He is an outstanding representative of the 11,000 surviving members of the Spanish-American War Veterans—men who are living American history and who deserve the respect and esteem of all other Americans.

Mr. VAN DEERLIN. Mr. Speaker, I am pleased to join the distinguished gentleman from Illinois [Mr. O'HARA] in paying tribute to the brave American volunteers who served in the Spanish-American War.

It is only fitting that we should pause today, on the 69th anniversary of the sinking of the battleship *Maine,* to remember the contributions of the 392,000 U.S. troops who fought to free Cuba and the Philippines of a foreign domination.

Time has taken its toll of that hardy band of warriors. Of the 392,000, only 11,000 are still alive. Their ranks have been so diminished that today the total number of survivors about equals the number who died in service during the conflict.

About 100 of the 2,000 survivors who reside in California are in my own county of San Diego. I am especially proud of them.

Compared with the two great wars in this century, which saw nearly 5 million Americans under arms in 1918–19 and 16.5 million in World War II, the number of participants in the Spanish-American War seems small indeed.

But their sacrifice was just as great. It has been estimated that one out of every 39 men who signed up for the Spanish-American War died in service, compared to one in 47 in World War I and one in 41 in World War II.

We should also remember that in 1898 there was no draft law. Every one of the young men who took part in the war was a volunteer.

The explosion that shattered the *Maine* while she was anchored in Havana Harbor was a tragedy of the first order. Of her total complement of 355 officers and men, 252 either drowned or were killed outright by the blast. Another eight crewmembers died later as the result of their wounds.

But their deaths were avenged by the men who followed them to Cuba, including our colleague, the gentleman from Illinois [Mr. O'HARA], who was a lad of only 16 when he took part in the siege of Santiago. For their courageous work, the gentleman from Illinois [Mr. O'HARA] and his fellow veterans have rightfully earned our lasting gratitude.

Mr. FLOOD. Mr. Speaker, in the spring of 1898 Americans went to war with the slogan "Remember the *Maine*" on their lips. Today we observe the 69th anniversary of the sinking of the battleship *Maine* in Havana Harbor, an act of destruction and death that led directly to the Spanish-American War.

The finding of a naval court of inquiry convened by Rear Adm. Montgomery Sicard was that:

> The destruction of the *Maine* occurred at 9:40 p.m. on the 15th day of February, 1898, in the harbor of Havana, Cuba, she being at the time moored to the same buoy to which she had been taken upon her arrival. There were two explosions of a distinctly different character, with a very short but distinct interval between them, and the forward part of the ship was lifted to a marked degree at the time of the first explosion. The first explosion was more in the nature of a report like that of a gun, while the second explosion was more open, prolonged, and of greater volume. This second explosion was, in the opinion of the court, caused by the partial explosion of two or more of the forward magazines of the *Maine*.
>
> The court finds that the loss of the *Maine* on the occasion named was not in any respect due to fault or negligence on the part of the officers or members of the crew of said vessel. In the opinion of the court, the *Maine* was destroyed by the explosion of a submarine mine, which caused the partial explosion of two or more of the forward magazines. The court has been unable to obtain evidence fixing the responsibility for the destruction of the *Maine* upon any person or persons.

The Spanish Government had a very different opinion, made public on March 22, 1898, as the conclusion reached by its naval board of inquiry which had been convened by the maritime officials of Havana. This was:

> That the important facts connected with the explosion in its external appearance at every moment of its duration having been described by witnesses, and the absence of all circumstances which necessarily accompany the explosion of a torpedo having been proved by these witnesses and experts, it can only be honestly asserted that the catastrophe was due to internal causes.

The list of the *Maine* dead covers three pages printed in very small type. That tragedy 69 years ago cost the lives of 260 men; many of the wounded suffered from the effects of their injuries for the rest of their lives.

Spanish-American War veterans have cause for great pride in the heroic deaths of their comrades on the *Maine*. They have cause for great pride in their own completely voluntary service; there was no draft during their war. Their ranks have grown thin as the many long years have passed since they served their country so well as patriotic young men. On this anniversary of the loss of the *Maine* we salute the veterans of the Spanish-American War and pay our tribute to the memory of their comrades.

Each year there are fewer veterans of the Spanish War among us. Many of them have joined their fallen comrades of long ago. Today we want those members of that patriotic band of volunteers who are with us still to know that the Nation and the Congress are grateful for their performance of duty in the service of their country. They will never be forgotten.

Mr. HATHAWAY. Mr. Speaker, I am pleased to join with my distinguished colleague, the gentleman from Illinois [Mr. O'HARA] and other Members in commemorating the 69th anniversary of the sinking of the battleship *Maine* in Havana Harbor on February 15, 1898.

The tragic and historic event which we recall today has special significance for the people of my State, whose name the gallant ship *Maine* bore. Its destruction, and the agony and death of 260 of its crew shocked our Nation and precipitated the war with Spain. The shock and revulsion of the American people and their insistence that this dastardly act be avenged were expressed by the passionate exhortation, "Remember the *Maine.*"

It is completely fitting that the House of Representatives should pause today to remember the *Maine* and to honor the brave Americans who lost their lives as members of her crew. It is a credit to this body that it has commemorated each anniversary of the sinking of the *Maine* since 1898.

Mr. Speaker, I think it especially appropriate that the opportunity for Members to recall and to salute the honored dead who lost their lives in the defense of freedom when the *Maine* was sunk should be provided under a special order granted to our distinguished colleague, the gentleman from Illinois [Mr. O'HARA], the only Member of this body to have served in the Armed Forces during the Spanish-American War.

The valor and heroism of the men of the *Maine* became a symbol of courage and patriotism to be emulated by American men for all time. With the declaration of war on April 29, 1898, President McKinley called for 125,000 volunteers. More than 1 million Americans offered their services in an outpouring of idealism seldom equaled in the history of our Nation.

They fought heroically, on land and sea, under the most adverse conditions. By the war's end, our Nation had proven itself to be a formidable adversary in war and an uncompromising champion of freedom destined for a role of leadership.

Today we remember the *Maine,* with pride and reverence, knowing that she is a symbol of the good and greatness of America. Especially do we seek to express our gratitude, admiration, and respect to all those who served in the Spanish-American War, the living and the honored dead, who served their Nation so well.

Nearly seven decades have passed since the sinking of the *Maine*. Today, the average age of the veterans who walk proudly in the thinning ranks of the surviving veterans of the Spanish-American War is in the eighties. Time has taken its toll.

In past years, these veterans have observed this anniversary with appropriate ceremonies in communities throughout the Nation. Now, advancing age has compelled them to cancel many of these observances. It has therefore become especially important that special and national emphasis be given to remembrance of the valiant men who endowed the 15th of February with very special significance.

In behalf of the people of Maine, I salute the surviving veterans of the Spanish-American War and offer a silent prayer for those who lie in the eternal and peaceful sleep reserved for our Nation's heroes. Their memory will live for all time in our land. I know that their great contribution and sacrifice will be remembered every year in the House of Representatives of the Congress of the United States and every day in the hearts of succeeding generations of Americans.

The battle cry, "Remember the *Maine*," will be heard again in our land whenever our way of life is threatened, calling forth those who value their heritage to its defense; and whenever it is heard those living will recall and be inspired by the example of those to whom we humbly pay our respects today.

Mr. MAHON. Mr. Speaker, once again we are favored with the opportunity to join our good and distinguished friend, the gentleman from Illinois [Mr. O'HARA] in taking note of this 69th anniversary. The great patriot, Patrick Henry, said that he knew of no way of judging the future but by the past.

The gentleman from Illinois, and the dedicated veterans of the Spanish-American War and of the Veterans of Foreign Wars for whom he speaks today, know something firsthand of what John Quincy Adams meant when he said that posterity would never know how much it cost the present generation to preserve posterity's freedom. These Americans distinguish themselves in the forefront of great national service in promoting among our people a higher sense of patriotism and devotion to national duty.

Mr. Speaker, let us hope that the House and the Nation may continue to be favored with the leadership of the distinguished gentleman from Illinois in periodic observance of the good work of the Spanish War Veterans and the Veterans of Foreign Wars.

Mr. HORTON. Mr. Speaker, February 15, 1967, marks the 69th anniversary of the sinking of the battleship *Maine* in Havana Harbor, a naval disaster that plunged the United States into the Spanish-American War under the popular slogan "Remember the Maine."

The Spanish-American War grew out of the Cuban insurrection against Spanish rule that began in February 1895, an insurrection fought ruthlessly and ferociously by both sides. Pressures for American intervention were resisted by President Cleveland, and his successor, President McKinley, followed the same course during the beginning of his administration. A settlement seemed in prospect when the destruction of the *Maine* led to great anti-Spanish feeling in the United States. On April 11, 1898, the President sent Congress a message asking for authority to end the civil war in Cuba. On April 19, Congress passed resolutions recognizing the independence of Cuba, demanding that Spain withdraw from the island, and authorizing the President to use the Armed Forces for these purposes; another resolution disclaimed any American intention of annexing Cuba. On April 25, Congress declared that a state of war had existed from April 21.

Rescued from the *Maine* was a midshipman who later became an admiral. Writing of the sinking of the *Maine* in his memoirs, Adm. W. T. Cluverius recounted:

> Shortly after three bells, I finished my letter. As I rose from my desk, I heard a sharp sound . . . Immediately there followed a terrifying explosion.

The explosion that sank the *Maine* led to a war which diplomatic historians consider to be the beginning of the emergence of the United States as a world power.

The Spanish-American War was fought by volunteers. Over 5,000 died, many more from disease than in battle. There are very few of them left. We assure them, and the memory of their comrades of long ago, that we still "Remember the Maine." Especially do we salute the only Member of Congress who is a Spanish War veteran, the Honorable BARRATT O'HARA, of Illinois.

Mr. PUCINSKI. Mr. Speaker, throughout our history, America has responded to acts of aggression with a special courage and will to succeed which have become legendary in the annals of history.

Regardless of the strength of our adversaries, those who have challenged us have been defeated or deterred. Often, we have made allies of former enemies. And there have been individuals and governments wise enough to join in the ancient and enduring struggle for peace and liberty.

America, itself, symbolizes many things to the people of the earth. Of all these symbols, perhaps our greatest strength lies in our ability to sustain countless irresponsible acts of aggressive conduct with patience and prevailing wisdom. On occasion, however, other nations have misjudged our patience for cowardice and indecision.

Such an error in judgment led Spain into believing we would not defend our interest in the Caribbean. On February 15, 1898, the battleship *Maine* was sunk in Havana Harbor.

Before the world had time to digest the news, the United States had reacted swiftly, surely, and with great strength. Our war with Spain involved some of the bloodiest and most individually gallant sacrifices in our history, yet they were in our American tradition. In the end, our just cause prevailed.

Although 69 years have passed, we have continued to demonstrate our strength and our determination never to yield when the price is the loss of liberty for ourselves or our allies.

Those in other nations who would wish us harm had best be reminded of our willingness to bear any burden to secure liberty for all those men who seek it and who will join in fighting alongside us to obtain it.

The men who fought at San Juan Hill, at Bunker Hill, at Pork Chop Hill, and the countless hills and gulleys of the jungles of Vietnam earned us the right to live in peace with one another and the world.

We would do them a grave injustice if we failed in our historic defense of the self-determination all men seek.

On this 69th anniversary of the sinking of the *Maine*, it is an honor to stand with a veteran of this gallant action, my colleague and friend, Congressman BARRATT O'HARA, and commemorate the heroism and the devotion to liberty which made our country resolute and invincible, not only in this action, but in all conflicts since that time.

Mr. CONYERS. Mr. Speaker, I am very pleased to have the opportunity to join my colleagues in paying tribute to those Americans who fought so valiantly in the Spanish-American War. Today is the 69th anniversary of the sinking of the battleship *Maine*, the action which triggered the war which started the United States on its way to world leadership. Unfortunately on this February 15 there are few remaining veterans of this war alive to commemorate the occasion with the usual ceremonies. It is therefore most fitting that this body pause to recognize the men who fought triumphantly in the Atlantic and Pacific as part of an Army and Navy made up entirely of volunteer personnel.

I commend my esteemed colleague, the Honorable BARRATT O'HARA, of Illinois, himself a veteran of this war, for taking this special order to remind us of the more than 5,000 Americans who died in this war. More than a million volunteers answered President McKinley's call for 125,000 men to defend the freedom of our country after the sinking of the *Maine*. I am proud to say that among these volunteers were many Negro Americans, including a Conyers who was one of the Spanish-American War veterans whose passing saddened the country during the past year.

I would like to pay special tribute to all the Negro American soldiers both living and dead who, as they have on so many occasions, answered the call to defend and protect America and all its citizens. For this reason I would like to insert the following excerpt from Merle Eppse's "The Negro, Too, in American History" which briefly describes the patriotism and valor of black soldiers in the Spanish-American War:

NEGRO SOLDIERS AT EL CARNEY AND SAN JUAN HILL

The Negro citizens were as enthusiastic to volunteer as were the whites, but our national military setup provides that the National Guard be mustered in first, and since only a few states have a Negro National Guard, the Negro was enlisted later. Dispute also arose over the commissioning of colored officers. Colonel Charles Young was the only Negro graduate of West Point and the sentiment was for all officers to be white down to second lieutenant. However, volunteer Negro troops were finally accepted from Alabama, Illinois, Kansas, Ohio, and Virginia. The Third North Carolina Volunteer Negro Infantry was called out by Governor Russell and assembled at Camp Russell. James H. Young, a Negro, was the commanding colonel. The Eighth Illinois Negro Regiment was officered by Colonel John R. Marshall, a Negro. This regiment did garrison duty in the province of Santiago for some time after the war. Colonel Marshall acted as governor of San Luis for a time. The Ninth Ohio Battalion was commanded by Brevet Major Charles Young, a Negro lieutenant in the regular army. The Twenty-Third Kansas Regiment was officered by Negroes with the exception of colonel and lieutenant colonel. Company L of the Sixth Massachusetts Infantry had the distinction of being the only Negro company that was part of a white outfit.

The four Negro regiments were among the

first troops ordered to the front. Negro troops took a more conspicuous part in this war than in any previous war of the United States. At the first battle in Cuba, Las Guasimas, the Tenth Calvary distinguished itself by coming to the rescue of Theodore Roosevelt and his Rough Riders. The Twenty-Fifth Infantry took a part in the Battle of El Carney. The Ninth Cavalry, Tenth Cavalry, and the Twenty-Fourth Infantry, all Negroes, rendered heroic service in the famous Battle of San Juan Hill. The Eighth Illinois formed a part of the army of occupation and distinguished itself in policing and cleaning up Santiago.

The Negro played a most important part in the Spanish-American War. He was the first to move from the West; the first at Camp Thomas; the first at Chickamauga Park, Georgia; the first in the jungle of Cuba; among the first killed in battle; the first in the fight at El Carney; and the nearest to the enemy when they surrendered.

Two Negroes were appointed paymasters with the rank of major—ex-Congressman John R. Lynch and Major R. R. Wright, of Georgia.

GENERAL LEAVE TO EXTEND

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent that all Members who desire to join in this tribute may have 5 days in which to extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

STRENGTHENING THE FEDERAL SYSTEM—THE CASE FOR REVENUE SHARING

The SPEAKER pro tempore. Under previous order of the House the Chair recognizes the gentleman from Wisconsin [Mr. Laird] for 60 minutes.

Mr. LAIRD. Mr. Speaker, the first weeks of the 90th Congress have been particularly gratifying to those of us who advocate a strengthened and better balanced federal system.

Both in the House and in the Senate, many proposals have been introduced which fall into the broad category of revenue sharing. Whether we talk of flat percentage rebates with no Federal strings, or general bloc grants or tax credit proposals, we are talking of revenue sharing.

I have today introduced a revised and updated version of my own bill (H.R. 784), which was first introduced in 1958 and at the beginning of each Congress since then.

Some hesitation has marked my introduction of this revised revenue-sharing bill (H.R. 5450). This hesitation stems from the deep-held belief that the best possible formula for an effective and worthy revenue-sharing bill must await the full and detailed hearings that only the committees of Congress can provide.

Nevertheless, this is the second half of the 20th century. America has grown more complex; the world has grown more troubled; and the time for talk of better solutions to move our country forward has long since passed.

The growing public impatience with the ineffective "solutions" of the past 30 years demands bold new action today.

The growing public support for the principle of revenue sharing as the better way for a modern America to do things demands we move forward now.

It is for this reason that I have today introduced what I consider to be a basically sound proposal for implementing revenue sharing in this second half of the 20th century.

This new bill is similar in many respects to H.R. 4070 which was introduced recently by my distinguished colleague, the gentleman from New York [Mr. Goodell]. However, my proposal calls for returning to the States a straight 5 percent of the Federal personal income tax. The Goodell proposal escalates to 5 percent in 4 years instead of immediately. The 5 percent under the Laird bill is distributed to the States with no strings attached. An optional provision is made—similar to the Goodell proposal—for the use of 5 percent of the sum allocated to each State for improving State administrative machinery. Beyond that, in my bill no provision is made for a required passthrough to local political subdivisions. I should emphasize that this in no way applies my opposition to such a provision. It merely reflects my belief that the best distribution formula can only be devised after the legislative discussion process has heard from various representatives of different governmental levels. More will be said on this later.

The most important distinction between my bill and that introduced by the distinguished gentleman from New York is my provision for a Federal income tax credit for State and local taxes paid by individuals. This provision, which begins by permitting a 10 percent Federal income tax credit for individuals paying State and local taxes of all types, gradually and smoothly extends to 40 percent after the fourth year of the plan. As credit is extended by the Federal Government for State and local taxes paid, it will free up local resources permitting the State and local authorities to increase their tax levels to meet needed State and local problems.

With the exception of these primary distinctions, my proposal is similar to that of the gentleman from New York [Mr. Goodell].

Mr. Speaker, I hope that we will be successful in convincing a Democratic-controlled Congress to schedule hearings on the Laird bill, the Goodell bill, or some general revenue-sharing bill. I hope also that the testimony of our Governors, our mayors, our county supervisors, and representatives from other political subdivisions within our States and from the academic community will lead to perfecting amendments in the formulas and provisions suggested so far.

In my view, no one person or no committee has yet devised the best plan for sharing Federal revenues with the States. The elements involved are so complex, the ramifications so broad, that representatives from all of the affected elements within our society must be heard before a final, equitable formula is devised.

In my remarks today, Mr. Speaker, I will touch on some of the problems yet to be resolved by the appropriate committees of Congress in developing the most effective program of revenue sharing.

Let no one, however, mistake these remarks as an indication of my own uncertainty about the merits of revenue sharing.

Nothing could be further from the truth.

The measure I have introduced today, the Goodell proposal of January 30, or several other revenue-sharing measures that could be cited here—if put into effect today in place of existing Federal grant-in-aid programs—would do a far more effective job in solving America's problems than many of the specialized Federal programs operating today.

The difference is that we on this side of the aisle prefer to recognize that no individual, no party, no organization has a monopoly on good ideas or good procedures. Had this been recognized in the 89th Congress, when so many pieces of legislation were rubberstamped through a docile, undeliberative Congress, with no opportunities for perfecting amendments, the public disaffection with the operation of those programs might not exist today.

I refer, of course, to the Elementary and Secondary Education Act, to the so-called antipoverty program, to the Appalachia regional development bill, and to a host of others which could have been improved and their subsequent operation thereby enhanced.

We on this side of the aisle seek and welcome suggestions that will improve and make more effective the programs we advocate.

It is in this spirit that my remarks are intended.

Mr. Speaker, my remarks today are designed to serve several purposes. First, I hope to bring together many of the proposals that have been offered and to outline briefly the history and the great promise of revenue sharing.

Second, an attempt will be made to develop the case for early action by this Congress on revenue-sharing legislation.

Third, a brief and necessarily sketchy look will be taken at the record amassed by the operation of specialized Federal grant-in-aid programs. An attempt will be made to show why revenue sharing would be a far better way for Americans to do things than the way of the great planned society.

Fourth, appendices will be attached to my remarks which hopefully will assist academics and others who are interested in researching the various proposals and the various studies that have already appeared on this subject.

Fifth, an explanation of the Laird bill will be attached as appendix No. 1, together with the text of the Laird bill for those who might wish to study its provisions.

HISTORICAL BACKGROUND

FEDERAL LEVEL SUPPORT

Mr. Speaker, on January 30, my distinguished colleague, the gentleman from New York [Mr. Goodell] introduced a Federal Tax-Sharing Act—H.R. 4070. He was joined by 31 colleagues from our side of the aisle who introduced similar proposals.

This keen expression of interest on the part of the minority Members of this body reflects a nationwide awareness that new solutions must be found for the problems of our society and new methods of financing those solutions must supersede the old, demonstrably unworkable solutions of prior years.

In the other body, similar expressions of interest have been manifest. The House-Senate joint Republican leadership, as a significant element of the Republican coordinating committee, unanimously supported the task force report of last March endorsing revenue sharing. In addition to the support expressed by all the members of the Senate Republican leadership, the senior Senator from New York, Senator JAVITS introduced this year S. 482, while the senior Senator from Pennsylvania, Senator SCOTT, introduced another Federal revenue-sharing bill—S. 694.

Mr. Speaker, I am especially pleased to note that some members of the majority party have also recognized the wisdom of revenue sharing and the need to revitalize our State and local institutions. They have joined in endorsing revenue sharing through proposals of their own or through public statements endorsing the concept.

On January 19, for example, the distinguished gentleman from Florida [Mr. FASCELL] introduced H.R. 3127 which provides for the unconditional sharing of certain Federal tax revenues with the States.

At the conclusion of my remarks, I will include a list of all revenue-sharing legislation introduced thus far in this first session of the 90th Congress, and all measures introduced in the 89th Congress as appendix No. 2.

STATE AND LOCAL SUPPORT

At the State and local level there has also been considerable and growing interest in revenue sharing. The National Conference of State Legislative Leaders, the National Council of Mayors, and many similar organizations have spoken out. They have either endorsed revenue sharing in formal resolutions or have indicated, individually and jointly, their marked interest in this method of restoring State and local responsibility.

The National Governors' Association 2 years ago and again this year overwhelmingly supported revenue sharing in formal resolutions. If memory serves, all 50 Governors signaled their approval 2 years ago and only two failed to approve the resolution this year.

Our Republican Governors have been in the forefront of this battle in recent years. My own Governor in Wisconsin, Warren Knowles, recently reaffirmed his support for revenue sharing and stated the case for its implementation. His policy statement will be inserted as appendix No. 3. In a December, 1966, speech, and in his inaugural address last month, the new Governor of Pennsylvania, Raymond Shafer, called for a revenue-sharing program of $3 billion with no Federal strings, to be distributed among the States on the basis of population.

Various Republican groups have prepared excellent research reports on revenue sharing. I cite the following as examples and ask unanimous consent that a more detailed bibliography on revenue sharing be inserted as appendix No. 4:

"General Aid for States and Localities," a policy paper prepared by Richard P. Nathan for the Planning and Research Committee of the House Republican Conference—August 1, 1966. This report formed the basis of the Goodell proposal and major elements of my own; "Financing the Future of Federalism: the Case for Revenue-Sharing," a report issued by the Republican coordinating committee on March 28, 1966; and "Government for Tomorrow," a research report issued jointly by the Republican Governors' Association and the Ripon Society in July 1965.

In addition to general endorsement of the concept of revenue sharing and the issuance of research reports, some instances of formal action have begun at the State levels.

For example, the Iowa Legislature last month enacted a resolution in support of the Laird revenue-sharing bill. Other States have instituted action of a similar nature. The Governor of Texas, John Connally, in his 1967 inaugural address called for the Texas Legislature to initiate an amendment to the Constitution of the United States. The Connally proposal would provide for a sharing of Federal corporate and personal income taxes with the States.

All of these efforts, Mr. Speaker, indicate the growing awareness of the need for a new approach to Federal-State financial relationships.

ACADEMIC SUPPORT

Within academic circles, the battle concerning revenue sharing has been waged for a number of years. As a matter of fact, it goes back at least to the early 1950's when Prof. Roger A. Freeman—now with the Hoover Institution on War, Revolution, and Peace, at Stanford University—was affiliated with the U.S. Commission on Intergovernmental Relations—Kestnbaum Commission. In 1954–55, Dr. Freeman unsuccessfully advocated revenue sharing.

In recent years, Dr. Walter W. Heller has been credited with originating the idea shortly before he retired as Chairman of the President's Council of Economic Advisers. The Heller proposal in its original form was designed to eliminate what he called the fiscal drag which the new economics could foresee as a result of governmental income rising faster than anticipated governmental expenditures. Of course, Vietnam, coupled with the continued rapid expansion of Federal grant-in-aid programs intervened to absorb any fiscal drag which could be expected for the foreseeable future.

Heller's proposal has been modified somewhat over the years. In his most recent volume, he disavowed his earlier position that grants would be given to the States only during times of fiscal surplus. He now states that they would be given to the States whether there was a budget surplus or a deficit, or even if granting them to the States would mean creating a deficit:

> The "very nature of the proposal calls for them (the States) to be first in line for their modest share of the income tax, even if it means that the Federal government has to bear the brunt of periodic deficit financing."[1]

That the Heller plan is basically different from the Goodell and Laird proposals was reemphasized at this morning's hearings on the Economic Report of the President before the Joint Economic Committee. In those hearings, Dr. Heller reaffirmed his support of revenue sharing, but as a supplement to, rather than a substitute for, existing grant-in-aid programs.

Another academic proponent of revenue sharing is Dr. Joseph A. Pechman who chaired the special Presidential task force in the fall of 1964. The recommendations of this task force and its full report unfortunately have never been made public by the Johnson administration.

The reasons for withholding this information are difficult to understand.

Even without an official release, however, the press was able to ferret out much of the information contained in the report. Thus, in a page 1 story in the New York Times of October 28, 1964, Edwin L. Dale, Jr., announced that the task force had recommended in favor of a revenue-sharing scheme. The basic provisions of the task force recommendations were also reprinted in the Dale article.

Mr. Pechman has not changed his attitude toward Federal revenue sharing during the course of the last 2 years. Recently, before a special meeting of an advisory task force of the U.S. Chamber of Commerce, he still recommended in favor of revenue sharing. The Pechman plan, like the Heller plan, would provide revenue sharing in addition to the current grant-in-aid programs provided by the Federal Government. At this same meeting of the U.S. Chamber, Woodrow Ginsburg, the research director of the AFL–CIO's Industrial Union Department, took what was ostensibly the other side of the position; that is, he opposed Federal revenue sharing with the States. But, as Frank C. Porter pointed out in a story in the Washington Post on January 22, 1967, it seemed that Pechman had made the proposal almost palatable even to the labor union movement.

PUBLIC SUPPORT

In case anyone should believe that support for revenue sharing is not widespread among the general American public, I would call his attention to a recent Gallup Poll. The results of this poll, released on January 1, 1967, show that 70 percent of the American public favors revenue sharings, while only 18 percent oppose it. The details of the poll show that this support is overwhelming in all regions, by all age categories, by occupational groupings, and by every other meaningful measure.

Mr. Speaker, this same poll reveals that twice as many people believe that the State governments can spend the tax dollar more wisely than the Federal Government.

It is also interesting to note that the American citizenry is much more apprehensive over a possible threat from big government than from big labor or from big business.

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[1] Walter W. Heller, "New Dimensions of Political Economy," Cambridge, Mass., Harvard University Press, 1966, p. 151.

Mr. Speaker, I include the results of this poll in the RECORD at this point in my remarks:

GALLUP POLL

Tax sharing plan

[Question: "It has been suggested that 3 percent of the money which Washington collects in Federal income taxes be returned to the States and local governments to be used by these State and local governments as they see fit. Do you favor or oppose this idea?"]

[In percent]

	January 1967		
	Favor	Oppose	No opinion
National	70	18	12
Sex:			
Men	70	20	10
Women	69	16	15
Race:			
White	71	19	10
Nonwhite	X	X	X
Education:			
College	68	27	5
High school	71	18	11
Grade school	69	10	21
Occupation:			
Professional and business	69	23	8
White collar	65	24	11
Farmers	83	13	4
Manual	70	15	15
Age:			
21 to 29 years	66	20	14
30 to 49 years	70	20	10
50 and over	71	14	15
Religion:			
Protestant	72	16	12
Catholic	66	19	15
Jewish	X	X	X
Politics:			
Republican	72	20	8
Democrat	69	15	16
Independent	69	22	9
Region:			
East	64	20	16
Midwest	73	21	6
South	74	11	15
West	65	20	15
Income:			
$10,000 and over	68	25	7
$7,000 and over	70	21	9
$5,000 to $6,999	76	14	10
$3,000 to $4,999	67	15	18
Under $3,000	65	15	20
Community size:			
1,000,000 and over	57	20	23
500,000 and over	62	20	18
50,000 to 499,999	71	21	8
2,500 to 49,999	68	21	11
Under 2,500, rural	79	11	10

Government spending

[Question: "Which do you think spends the taxpayer's dollar more wisely—the State government or the Federal Government?"]

[In percent]

	January 1967			
	State	Federal	Neither	No opinion
National	49	18	17	16
Sex:				
Men	52	18	19	11
Women	47	16	16	21
Race:				
White	52	16	18	14
Nonwhite	X	X	X	X
Education:				
College	57	19	18	6
High school	51	17	16	16
Grade school	40	18	18	24
Occupation:				
Professional and business	56	15	17	12
White collar	52	20	16	12
Farmers	59	6	20	15
Manual	45	21	16	18
Age:				
21 to 29 years	49	23	14	14
30 to 49 years	49	17	17	17
50 and over	49	15	19	17
Religion:				
Protestant	52	15	16	17
Catholic	44	24	18	14
Jewish	X	X	X	X
Politics:				
Republican	60	11	17	12
Democrat	46	21	14	19
Independent	44	19	22	15
Region:				
East	37	27	19	17
Midwest	54	16	18	12
South	58	10	14	18
West	46	16	19	19
Income:				
$10,000 and over	53	18	18	11
$7,000 and over	50	18	19	13
$5,000 to $6,999	54	19	14	13
$3,000 to $4,999	44	16	16	24
Under $3,000	44	15	18	23
Community size:				
1,000,000 and over	36	24	19	21
500,000 and over	41	23	17	19
50,000 to 499,999	46	19	18	17
2,500 to 49,999	57	13	14	16
Under 2,500, rural	56	12	19	13

Biggest threat to Nation

[Question: "In your opinion which of the following do you think will be the biggest threat to the country in the future—big business, big labor, or big government?"]

[In percent]

	January 1967			
	Big business	Big labor	Big government	Don't know
National	14	21	49	16
Sex:				
Men	17	23	49	11
Women	12	20	48	20
Race:				
White	13	22	51	14
Nonwhite	X	X	X	X
Education:				
College	9	25	59	7
High school	14	22	48	16
Grade school	18	17	42	23
Occupation:				
Professional and business	10	26	55	9
White collar	11	20	58	11
Farmers	28	12	49	11
Manual	16	18	46	20
Age:				
21 to 29 years	8	16	61	15
30 to 49 years	15	23	47	15
50 and over	16	23	44	17
Religion:				
Protestant	14	18	52	16
Catholic	15	29	42	14
Jewish	X	X	X	X
Politics:				
Republican	7	23	60	10
Democrat	19	20	42	19
Independent	13	22	50	15
Region:				
East	17	28	36	19
Midwest	17	22	51	10
South	8	11	61	20
West	14	23	47	16
Income:				
$10,000 and over	11	28	50	11
$7,000 and over	14	26	49	11
$5,000 to $6,999	14	19	51	16
$3,000 to $4,999	15	18	40	27
Under $3,000	17	16	49	18
Community size:				
1,000,000 and over	17	23	38	22
500,000 and over	17	21	43	19
50,000 to 499,999	11	27	51	11
2,500 to 49,999	12	18	54	16
Under 2,500, rural	15	18	51	16

Mr. Speaker, it is obvious from this brief and sketchy history that there is no significant element of our society to whom the principle of tax sharing is unacceptable. The recent Gallup poll indicated that 70 percent of the American people approve and support the principle of revenue sharing with the States.

A great many prominent public officials from Governors to State legislative leaders to representatives of every political subdivision within our States have signaled their approval.

Many Members of Congress, a Presidential task force, and eminent economists and academicians, including Prof. Arthur Burns—former Chairman of President Eisenhower's Council of Economic Advisers—have likewise endorsed revenue sharing.

With such eminent support across the broad spectrum of our society, what better case needs to be made for early action by the 90th Congress on revenue-sharing legislation?

Certainly those who argue that the Congress should have the opportunity to vote up or down legislation that is supported by large segments of our population have seldom seen a more clear-cut example of such a bill.

THE CASE FOR REVENUE SHARING

Mr. Speaker, for the benefit of those who would like to review the arguments that have compelled such widespread support across America for revenue sharing, I will attempt to outline briefly some major elements in the case for revenue sharing.

The case for revenue sharing can be approached in two ways of course. One can look at the proposal itself on its own merits. Or one can look at the proposal as it relates to existing programs of specialized Federal aids.

A little of both will be touched upon in my remarks.

DEFINING THE PROBLEM

First, of course, we must try to define the problem.

Today, our leaders in Washington who control both the executive branch and the legislative branch have chosen two terms to describe their approach to government. One term is the "Great Society." The other is "creative federalism."

Everybody, of course, wants a "great society" in America. Most of us believe Americans have already created the greatest society in the history of mankind, though most would also agree that much remains to be done.

Both our present leaders and those of us who disagree with their approach believe that the way to the greater society is through "creative federalism."

In other words, everybody would like to see "creative federalism" work.

The problem, however, is that different proponents of different philosophies of government define "creative federalism" in different ways.

Those who presently guide our domestic and foreign destinies in Washington view creative federalism in such a way that the Federal Government, in effect, makes the ultimate judgments and establishes the governing criteria.

Advocates of the present approach see the role of the Federal Government as the ultimate problem solver of America's ills.

Another way of putting it, perhaps, is that creative federalism as viewed by its present stewards in Washington is an attempt to substitute the activity of bureaucracy for the creativity of the individual.

They seem to be saying: "You can't depend on local people to do a needed job. Rather, the Federal Government must develop, establish, and administer a Federal solution to specific problems."

I do not agree with this, and I do not think that the leaders in our legislatures and statehouses would accept this indictment of their abilities to cope with the problems they face in their respective States.

Unfortunately, however, many Americans believe that this indictment is justified. They believe that State officials have lost faith in their own abilities to cope with our increasingly complex society. This is not my belief.

To be candid, though, when one studies the problems superficially, there is much truth in the statement that local people and local or State governments cannot be depended upon to do the needed jobs.

It is certainly a fact of life that many of the ills of our society are not being solved at the local and State level. Many of our cities are in terrible shape; poverty, unemployment, and crime do run rampant in many areas; city slums are a disgrace; social problems do abound; transportation is in a mess.

Who among us needs a catalog of these ills? We are all familiar with the problems. We are all searching for the best solutions to those problems.

THE CRUCIAL QUESTION

In my view, the crucial question is not being asked today.

That question is not whether these problems are being solved at the local and State level.

The crucial question is, Why are they not being solved at the State or community level?

Proponents of the "creative federalism" I have described above believe that they remain unsolved because the States and local people cannot solve them. I disagree.

Those at the State level and those at the local and community level can very definitely solve these problems. They do not solve them largely because they lack the resources to tackle them properly.

LACK OF RESOURCES

The mayors of our cities who testified before the Ribicoff Senate subcommittee last session made this abundantly clear. Every Governor in these United States would certainly back up this claim.

The simple fact is that the resources are lacking at the State level precisely because the Federal Government has dried them up.

They can impose a sales tax, a property tax, and a very minimal income tax. But, in each case, the amount of taxes that can be collected from the citizens or the corporations of each State are the dregs of what is left over after what almost amounts to a confiscatory tax rate has been exacted by the Federal Government.

No tables are needed, no diagrams, no documentation.

There may be different and varying problems in the respective States with regard to other matters. But the Federal Government has given all States at least one thing in common: a general lack of tax revenue sources.

We can at least agree on two basics: The problems exist; the States lack the resources to tackle them effectively.

THE PRESENT SOLUTION

What then is the solution? Proponents of today's "creative federalism" seek to solve these problems with special or categorical Federal grant-in-aid programs. The Department of Health, Education, and Welfare alone put out a book containing some 527 pages. It is entitled "Grants-in-Aid and Other Financial Assistance Programs Administered by the U.S. Department of Health, Education, and Welfare."

This 527-page book merely lists and describes briefly the grant-in-aid programs administered by this single department of the Federal Government.

In all, there are 190 programs listed. They account for expenditures of some $7 billion annually which represents less than half of the more than $14 billion in annual Federal expenditures on such programs administered by the Federal Government.

Each of these programs has its own administrator and its own army or regiment or platoon of personnel. Many of the programs have field personnel in regional offices and many, of course, have personnel in every State.

Recently the Office of Education prepared a table for the use of congressional offices. This table outlines the programs available from that bureau alone. There are 112 separate grant-in-aid categories in this table. I include this table as appendix No. 5 at the conclusion of my remarks.

The simplest way I know of bringing home to the average person in practically any city in these United States just how deeply the Federal Government is involved in one way or another in his community and State is to refer him to the telephone book. The other day, I checked the telephone directory in Milwaukee and in Wausau, Wis., under the heading U.S. Government. In Milwaukee, I found 240 separate telephone listings for the Federal Government and only 166 for the State government. In Wausau the ratio was 24 Federal to 11 State listings.

Again, I would be saying nothing new if I attempted to catalog the list of Federal requirements, the redtape involved in obtaining approval, the man-years spent by State officials in connection with these programs, the interagency and intraprogram rivalries that exist among Federal programs, and so on.

In my own State of Wisconsin, it has been estimated that our taxpayers contribute $1.46 toward the cost of grant-in-aid programs for every grant-in-aid dollar they get back from the Federal Government.

A good part of that 46 cents goes for overhead and administrative costs of the Federal Government. The rest goes to the poorer States through an equalization formula.

Wisconsin would not complain, California would not complain, Illinois would not complain, Massachusetts would not complain—no State would complain if the categorical grant-in-aid programs administered by the Federal Government were accomplishing the job.

THE PROBLEM

But are they? The present approach has been tried and tested in increasing degrees for a great many years. In 10 years, Federal grant-in-aid expenditures have increased by $10 billion from approximately $4 billion in 1956 to more than $14 billion in 1966.

This approach obviously is not working.

Why? Well, one reason is the lack of adequate resources at the Federal level. Many people overlook the fact that the aggregate number of dollars needed to do an effective job in all of the areas in which the Federal Government operates would require many times the amount contained in the total annual Federal budget.

A major problem is the reluctance of this administration in particular to set any meaningful priorities among its hundreds of programs.

The result is that too few dollars chase too many goals. Revenue sharing with no strings would permit the States to select the most pressing priority problems and devote larger, more effective amounts to deal with them.

THE GRANT-IN-AID RECORD[2]

Let us look for a moment at some of the experiences under these specialized Federal aid programs.

Just a few weeks ago, the Economic Development Administration proudly announced a grant of $32,430 to rescue from poverty a seven-county Oklahoma area with 131,000 people within its boundaries. On a per capita basis, this amounts to 25 cents per person.

True, those counties which embrace the Kiamichi Mountains are economically distressed.

But the grant—not by any means unusual in amount in proportion to population—serves to illustrate that vast as the Federal grant-in-aid appropriations are, such programs cover so many objectives for so many people over so large an area that they turn out to be surprisingly inadequate in detail and often a definite deterrent to progress.

This "Kiamichi Economic Development District" grant is not conceived to be the complete answer to the economic sluggishness measured in the area. It is "planning money," a dollop of funds to enable the counties to run surveys and see what they can do to be eligible for other Federal grants-in-aid—often for further planning. And the planning usually consists largely of determining what other grants—for water and sewer systems, roads, recreational development, and so forth—may be sought.

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[2] See also MELVIN R. LAIRD, "The End of an Era," N.A.M. Reports, Feb. 20, 1967.

At this point, after the "planning grant" has been utilized—if the area's experience is typical—it will find that the agency to which it applies has more applications for dollars than it has dollars to dispense—at ratios of up to 12 to 1.

This often retards progress and impedes local initiative in the field of problem solving for a very simple and understandable reason. So long as the hope for "Federal money" exists, local politicians will find it suicidal to propose bond issues for immediately needed improvements, and they will be delayed. A share of the blame must go to these circumstances created by Federal Government programs for municipal pollution of streams and other justifiably condemned "ills" of our society.

The EDA program is typical of many. The much-heralded demonstration cities program will yield only $11 million for the rest of the 1967 fiscal year—to be passed in razor-sliced planning grants to as many as a hundred avid cities—of the 300 to 1,000 the Housing and Urban Development Department expects will apply for them.

Program after program, according to the available figures, has bitten off a bigger problem than it can chew. For example, the U.S. Conference of Mayors and the National Association of Housing & Redevelopment Officials, last summer arrived at the conclusion that 800 cities with urban renewal programs would need $7.4 billion to operate through June 30, 1969, and only about $2.3 billion would be forthcoming.

Cities and counties, States, and qualified citizens associations, all wait for such funds to solve their problems in the manner of prospective heirs anticipating the deaths of rich uncles, meanwhile ignoring other possibilities of improving their lots in life.

Federal funds are, apparently, addictive, and great cities allow projects well within their means to become stalled once Federal money is embedded in the plans and the thinking.

Currently, the magnificent arch which features St. Louis' redeveloped Mississippi riverfront is incomplete because a couple of million dollars of Federal money which was expected did not arrive. Rebukes have been conveyed to Washington in a tone which suggests that a golden arch desired by St. Louis is quite naturally a financial obligation of all U.S. taxpayers.

And the tone is a justifiable response to the expectations that have been created by such a vast proliferation of Federal grant-in-aid programs whose promises—of necessity—must always outstrip the possibilities of fulfillment.

It should be noted that if St. Louis has such an idea, it certainly did not originate there. It should also be noted that the citizens of St. Louis have paid considerable toward the ornamentation of other cities—as indeed have all taxpayers from whatever community in the United States. It is almost as if, in a variation of the old economic model, we had all agreed to pay for each other's laundry and so relieve ourselves of burden.

In some notable cases, funds that have been committed by Washington apparently have been hung up somewhere in the process of dispensing them. Governor Rockefeller, of New York, in his inaugural address took occasion to scold Washington for this.

And signs are that the Federal money will become even tighter.

Washington, D.C., recently heard details of a 9-year renewal program proposal which would cost $3 billion, and other cities have comparable ambitions. Representatives of 14,000 communities meeting in Las Vegas—the National League of Cities—in December agreed on a common goal—more Federal funds. The National Planning Association has estimated the cost of renewing all our cities at $2 trillion plus.

This, of course, is only one phase of the grant-in-aid programs. The current total—more than $15 billion a year—provides for many other kinds of programs, all of which seem to find their appropriations on the skimpy side, too.

According to U.S. News & World Report for December 5, 1966, a program for colleges brought applications from 550 schools for a total of $32 million. The agency awarded $5 million to 225 of them.

Last year, the Wall Street Journal reported that Congress appropriated $100 million for one water program, and communities promptly applied under the program for $3 billion.

In the last session my colleague, the gentleman from New York [Mr. CONABLE] noted that the Economic Development Administration had requested $326 million and received $640 million in applications, with the fiscal year far from ended. The Interior Department had $263 million for water pollution control grants, and applications for $881 million.

Many of us in Congress have cautioned local officials in our areas about the imbalance between funds requested of Federal agencies and the funds available for distribution. This we do in an effort to enable local officials to plan more realistically and to avoid serious disappointments and difficulties.

Mr. Speaker, another example centered on the question of storm sewers. In the Housing Act of 1965 a total of $200 million per year was authorized for matching—50-percent—grants for the construction of local sewer systems. This program proved to be very popular with many communities, and applications began to pour in to the Department of Housing and Urban Development.

So what did the administration do? They cut the amount appropriated under this program from $200 to $100 million. This was done, in spite of the fact that over $4 billion in applications—40 times the amount of funds available—have been received. I understand that it is now the policy of the Department of Housing and Urban Development to advise against the filing of applications for this program as it is clear that funds for new applications will not be available.

An interesting sidelight on this sewer construction program was provided in my own congressional district. An editorial in my hometown paper, the Marshfield News-Herald, recently pointed out that the Department of Housing and Urban Development in response to an inquiry indicated that the city of Stevens Point will not qualify for Federal aid for its storm sewer expansion program now or in the immediate future. It went on to say:

> While Stevens Point can't get money to separate storm from sanitary sewers, Racine County is quite certain it will qualify for Federal aid for its first county golf course.

Can anyone honestly say that the States could not run programs in the general areas of health, welfare, education, and economic development better than the Federal Government has been doing?

Mr. Speaker, the growing disillusionment with Federal specialized grants-in-aid is becoming apparent all across our land at every level of government and in every type of activity concerned with public or community problems.

It is my own strong belief that the era of the specialized grant-in-aid, conceived, designed, and administered from Washington, is coming to an end. I think these examples prove that it is a second best method of dealing with the increasingly complex problems of modern America.

Its largely unlamented end will be hastened as more and more Americans come to realize that there are better, more effective, and more efficient ways for Americans to do things in this second half of the 20th century.

NEED FOR PRIORITIES

Mr. Speaker, still another aspect of this whole question has to do with whether the Congress should devote so much of its time to these largely local issues in light of its many other major concerns.

With evolving international relationships, with our various commitments to over 100 countries abroad, with the growing threat of nuclear proliferation, with weapon sophistication which was undreamed of in former times, and with the "space race" well underway, can the Congress and the President—the only parties in the Nation who have the power to decide these issues—can they instead spend their time deciding how many million dollars should be spent for golf course construction?

Once again, I must ask: Where is our sense of priorities? Does it not make sense that those governmental bodies which are closest to the people can better decide these local questions while simultaneously relieving the Congress of much of this burden and enabling it to concentrate more of its time and attention on the pressing international issues of the age?

THE PROBLEMS INCREASE

Mr. Speaker, Americans are already aware of the sorry record amassed in the Federal grant-in-aid programs.

With more than 200 categorical grant-in-aid programs expending more than

$14 billion annually, they see our problems persist and grow:

Crime continues to rise.

Education continues to be inadequate.

Slums continue to exist and grow worse.

More Americans go on the welfare rolls.

Government services on the State and local level continue to be underfinanced and in many cases ineffective.

In short, the quality of American life across the board—despite the vast and growing Federal commitment—is deteriorating.

ANOTHER REASON

They ask why? In addition to the reasons cited above, another is that Milwaukee has different problems than San Francisco and Columbus, Ohio has different problems than Wausau, Wis. The Watts area in Los Angeles faces different problems than Harlem in New York.

In one city the unemployed—even if they have the skills—have a difficult time getting and keeping jobs because of poor transportation, as the McCone report pointed out in its study of Watts.

In another city, the problem may be lack of jobs rather than adequate transportation.

In still another city, there are plenty of jobs, but the unemployed lack the skills to fill those jobs.

And on and on.

All of these communities, as you well know, have the same general problems in the sense that there is poverty, unemployment, inadequate education and job training, perhaps, and other problems of the same general nature.

But the solution to poverty in one community may very well be a training program, but in another it might more appropriately be correction of the transportation problem.

OVERSIMPLIFIED SOLUTION

Proponents of the categorical or special Federal grant-in-aid solution may mean well—in fact, I am convinced they do—but in reality, they are merely looking at the superficial manifestation of the problems that exist.

In point of fact, they are the ones who oversimplify both the problems and their solutions.

What the proponents of special Federal aids fail to realize is that a general solution devised in Washington may very well help the situation in Milwaukee, but that same solution may compound the problem in New York. The checkered record of the antipoverty program during the past 2 years is a prime example of this.

Mr. Speaker, I am a Republican who believes in the Republican formula that the best way to attack problems is by working first through the institutions and the levels of government that are closest to the people who face these problems.

I am at the same time a realist who recognizes that this formula is unworkable in the context of today's American society with its emphasis on Federal solutions to local problems.

What we must do is alter one of the key elements in American society—not through massive change—but through a simple change.

We must rechannel our Nation's resources into a much more balanced equation that neither robs Uncle Sam of the revenues he needs for proper Federal functions nor continues to deprive State and local governments of the financial resources they need to face and meet the challenges that lie ahead.

TAX CREDITS

Another aspect of this whole idea of Federal-State fiscal relationships centers around the concept of tax credits. Tax credits differ from tax deductions in that credits are applied to an individual's net obligation, and are then treated as if they were a cash payment on the net tax obligation of the individual.

As a further encouragement to State and local governmental units, I call the attention of my colleagues to section 13 of my new bill which provides for a 40-percent tax credit for all State and local taxes paid. This means that, for every dollar of local or State tax paid by the individual, be it sales tax, State or city income tax, property tax, and so forth—in other words, any tax for which a deduction is now granted—a tax credit would be granted.

The only exception, a relatively minor one, deals with foreign taxes owed by U.S. citizens. This is excluded as it would mean renegotiating all of our present tax treaties in effect with foreign countries.

The tax credit provision of my bill begins at the 10-percent level. It then increases by 10 percent a year for the next 3 years to a maximum of 40 percent after 1970. If an individual chooses to do so, he may claim a deduction rather than a credit at any time. This graduated feature is incorporated into the program to enable the citizenry to gradually adjust to this new idea. It also will enable the State legislatures to decide exactly how they might best change their tax programs to pick up some of the slack which will be available from the reduced Federal tax burden which individuals must bear. For those who maintain that this program would seriously reduce Federal revenues, even to the detriment of national defense, I would point out that no corporate taxes are affected, and that even when the program is fully operational, only 40 percent of the Federal personal income tax will be creditable.

The most recent figures available from the Internal Revenue Service show that some $14 billion in State and local tax deductions were claimed in the 1964 tax year. Ten percent of this amounts to about $1.5 billion which might have been claimed in tax credits if section 13 had been in effect in 1964. From these figures, Mr. Speaker, it seems clear that the first year of operation under section 13 would have little or no additional impact on Federal receipts. With the war in Vietnam, it seems desirable to hold down the impact of such a provision in the first year of operation.

In summary, the main advantage of this section of my bill is that it will enable the States to alter their own tax programs however they decide to take advantage of the reduced impact of Federal taxation in future years.

While I am not going to discuss other tax credits in great detail, I would point out that they are completely consistent with the Republican philosophy of subsidiarity and of permitting as much individual choice as possible. At this time I would call the attention of my colleagues to the growing discussion of various tax credit and other "independent sector" programs.[3] These programs revolve around the concept that there are many areas of legislation in health, education, and welfare, which are being handled by Federal governmental programs simply because the field has been usurped and the resources available to the States have been taken up by the Federal Government.

Thus, with the tax credit device, it can be expected that while Federal tax obligations will decrease, local and State tax obligations will increase as these services are provided at the local level rather than the Federal level.

In this regard, I was happy to introduce legislation for the Republican Human Investment Act. This act, which was thoroughly outlined by the distinguished gentleman from Missouri [Mr. CURTIS]—page 2401, February 2, 1967[4]—provided for a tax credit to those employers who design programs to train prospective employees for jobs with a private company or retrain current employees for more demanding jobs with the company. I was pleased to join with some 130 of my colleagues in this body, and 30 Republican Senators who introduced similar legislation under the able leadership of the distinguished Senator from Vermont, Senator PROUTY.

Additional tax credit proposals have been introduced in such areas as air and water pollution by a number of my colleagues in both Houses of Congress.

I would also note that many of my colleagues on this side of the aisle have introduced tax credit legislation for educational expenses, for employers of the elderly, and for political contributions.

THE LEGISLATIVE DISCUSSION PROCESS

Mr. Speaker, as a firm believer in revenue sharing, I have introduced legislation into every Congress since 1958 to achieve a form of Federal-State fiscal balance, particularly with regard to financing education and other related activities.

I believe that when the appropriate committees of the Congress consider the revenue-sharing proposals which have been proposed, they will find that no one has, as yet devised the "best" plan for sharing Federal revenues with the States.

Clearly, a scheme that involves so many different factors must have many different elements which are worthy of consideration. This consideration will best be made during the legislative development process where witnesses from the various Federal, State, county, city, and other political subdivisions will testify.

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[3] For an illuminating discussion of this area see Richard C. Cornuelle, If I Am Elected, I Will . . ., New York City, 1966; and his Reclaiming the American Dream, New York City: Random House, 1965.

[4] All page numbers refer to the CONGRESSIONAL RECORD of the first sess. of the 90th Cong., unless otherwise indicated.

In regard to committee hearings, I am encouraged that the distinguished gentleman from North Carolina [Mr. Fountain] has announced that the Intergovernmental Relations Subcommittee of the Committee on Government Operations is undertaking a broad study of the changing patterns, revenue sources, and requirements of governmental programs at the Federal, State, and local levels—(page 3128). These hearings, together with the hearings which are presently being held under the chairmanship of the distinguished gentleman from Maine, Senator Muskie, in the other body, should give an added emphasis to many of my remarks today. Certainly, much of the testimony in the Muskie hearings has repeatedly demonstrated the disadvantages of the grant-in-aid approach.

As many Members are aware, however, not all of the testimony before that subcommittee has been favorable to the revenue-sharing concept. The objections to it appear to have been on the grounds that the States will not pass the money along to the cities but rather spend it for rural projects which are considered of lower priority.

There are several answers to this objection. The first one is—and I wish to emphasize this point—any revenue-sharing plan which is acted upon by the Congress should have a provision written into it to require that a certain amount be passed on to the political subdivisions within the States. This is a very necessary requirement, in my opinion, and should become part of the general revenue-sharing bill that Congress finally enacts after hearing from expert witnesses on this question.

Another aspect of this question, of course, centers on the recent decisions of the Supreme Court which have required reapportionment of the State legislatures on the basis of population. Certainly, as Walter Heller maintains in his recent book, this should indicate that the State legislatures are going to be more responsive to the needs of their metropolitan areas in the future than they have been in the past.

It is only through such a process that the best legislation will emerge.

Permit me to cite an example of why the legislative-development process is so necessary in evolving a truly good bill. Many of the proposals already introduced include provisions for the equalization of tax rebates to those States whose personal income is below the national median. Both the Goodell and Laird bills, for example, provide that 10 percent of the total funds allocated under the plan would be shared by those 17 States which have the lowest per capita income among the several States.

Some would argue against this method of equalization. Under these proposals, for example, only the lowest third of the States are helped. It may well be that an alternative method would do the job better. For example, one such alternative would provide that for every 1 percent by which a State's per capita income is below the U.S. average it would receive a 2-percent increase in its per capita allowance. This alternative, while more redistributive, would work more smoothly and gradually. Again, I emphasize, that these are aspects of the question which must be considered during the legislative discussion process.

Another objection that has been made to revenue sharing is that it tends to "freeze or even accentuate, existing differences" in tax collection rates.[5] This criticism has been specifically leveled at the Heller-Pechman proposal, and is inapplicable to the Goodell and Laird bills—which apportion the money partially on the basis of a "tax effort" ratio. A further comment which this same critic makes is:

> The most effective tool for aiding backward states in improving educational and social services is the familiar one of grants-in-aid by the Federal government.

This assertion by Professor Ulmer, in spite of the demonstrated grave deficiencies in the grant-in-aid approach, is unjustified. The examples of inept handling of applications for grant-in-aid funds, of the conflicts which arise at the local level, and of other complications in this method are numerous as has been pointed out above. I would further mention in this regard that many State and local officials are willing to testify before the appropriate congressional committees concerning this inept handling. I ask that a number of letters and related material from these individuals be inserted in the Record at the conclusion of my remarks as appendix No. 6.

Another proposal has been made that a National Commission on Tax Sharing be established to report back to the Congress in 2 years. [Senator Nelson, page 241, S. 92.]

It is my belief that such a commission would be unnecessary. I would like to see the major committees of the Congress conduct hearings into the various proposals which have been submitted so that the best plan can be worked out. Frankly, I believe that after any such commission were established, their recommendations would be subjected to careful congressional scrutiny, whether it would recommend in favor of, or in opposition to, revenue sharing. Thus, such a commission would really accomplish nothing that could not be covered by the respective committees of the Congress.

A further argument against the establishment of such a commission is that, when the President appointed a special task force to investigate this whole area, some two and a half years ago, the report was bottled up in the White House and has yet to be released to the Congress or the public.

Furthermore, the very nature of the legislative process, with its open hearings, with its witnesses from all levels of government, from business, labor, and the academic world, should provide an adequate forum for a full hearing for all viewpoints on the question of revenue sharing. It is my considered opinion that those who ask for a Federal commission to investigate this proposal are merely seeking to delay a measure that should be promptly considered by the Congress.

REVENUE SHARING FOR SPECIAL PURPOSES

Mr. Speaker, another aspect of this question which has been recently advanced on a number of fronts is the area of Federal revenue sharing for specific purposes, rather than for general purposes.

In this connection, I am pleased to note that the distinguished gentleman from Tennessee [Mr. Brock] introduced H.R. 308 on January 30, which would provide Federal revenue sharing for education. This particular bill, while limited to education, does not mean that the gentleman from Tennessee has withdrawn his support of the general principle of revenue sharing.[6] As he said when he introduced this bill on the floor of the House:

> I do want to make it clear that I have no desire to see this approach limited to education, and, that in no way does the introduction of this bill mean that I intend to withdraw my support from a broader and more general application of the tax-sharing principle (page 1830).

The Javits-Reid proposal is a limited revenue-sharing scheme. It would apply only to the general areas of health, welfare, and education.

Revenue-sharing proposals have also been introduced in other areas: On February 1, the gentleman from Florida [Mr. Gurney] introduced a plan for revenue sharing for law enforcement (page 2157).

The question will undoubtedly be asked by many: What is the advantage of a Federal revenue-sharing proposal which is limited to a particular area such as education or law enforcement? The answer was succinctly stated by the gentleman from Florida [Mr. Gurney] when he introduced his bill:

> The money could be used freely by the State and city law enforcement agencies, without the endless strings which are attached to the ordinary Federal grant. In this way, the States and cities could adapt these added resources to their own particular needs (page 2157).

This approach, then, is one which is certainly worthy of consideration, particularly if the Democratic majority seems unwilling to make an across-the-board Federal revenue-sharing plan realizable in this Congress.

These measures, while not as desirable, in my opinion, as an across-the-board revenue-sharing plan, are certainly steps in the right direction which deserve the whole-hearted support of all of my colleagues on both sides of the aisle.

LEGISLATIVE STRATEGY

The Republican strategy on revenue sharing during this session of the 90th Congress will revolve around several aspects of the question. We will continue to press vigorously for early enactment of a general revenue-sharing measure to replace the existing grant-in-aid programs.

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[5] M. Ulmer, Letter to the Editor, Washington Post, Jan. 29, 1967.

[6] As an early proponent of revenue sharing, Mr. Brock inserted a number of articles and related items in the daily Congressional Record on Aug. 25, 1965 (p. A4780).

If the Democratic Members of this body fail to see the wisdom of our proposal, however, we will advocate bloc grants in place of specifically tied grant-in-aid funds.

The bloc grant approach, tied with an intensive attempt to enact a general revenue-sharing plan and to implement various tax credit proposals, represents a major Republican effort in this session of the Congress. On this subject, I include a Wall Street Journal article describing in general our legislative fall-back strategy to enact revenue-sharing picemeal, if necessary, at the conclusion of my remarks as appendix No. 7.

Mr. Speaker, as an example of the strategy I would hope we will follow if no action is scheduled on a general revenue-sharing bill, I would cite title I of the Elementary and Secondary Education Act which will be up for renewal next year.

I would argue that substituting a bloc grant for title I earmarked for educational purposes but in no other way earmarked would make the program more effective, more efficient, and more likely to be utilized in ways that will attack top priority education problems within specific States.

Our States today are hamstrung in two vital ways; on the one hand, the Federal Government has largely usurped and dried up revenue raising sources. This limits drastically the commitment a State or locality can make on its own to solve its most pressing problems. On the other hand, the burgeoning Federal bureaucracy more and more is attracting top talent in specialized fields from the States and localities. This reduces still further the State's ability to solve its own problems.

Revenue sharing, at least in part, would reverse both processes.

All-important financial resources would be returned to the States for use on their most pressing problems which in Wisconsin may be totally different than the top priority problems in some other State.

At the same time, top talent which may have been attracted, say, to the Bureau of Elementary and Secondary Education in the Federal Office of Education, may be drawn back to a State Department of Public Instruction to help in developing that State's overall program in the field of education.

Mr. Speaker, such a reversal of the present trend of centering all significant problem-solving in the Federal bureaucracy would lead to a more effective utilization of Federal dollars.

To me, revenue sharing—either in the form of bloc grants earmarked for general purposes, in the form of unconditional rebates or in some other compatible form like tax credits—is an exciting and promising way to begin an effective attack on many of our major problems such as education in 20th century America.

Mr. Speaker, it continues to be my strong belief—and that of my party—that the key to solving the problems that face our society lies—as the framers of our Constitution knew so well—in decentralization of power, in decentralization of authority, in decentralization of "solution finding."

What we must do is look at our 50 States as 50 civic laboratories.

We know from scientific research that 50 different, separate efforts are better than one.

We may not come up with the best solution in all 50 laboratories, but we are sure of one thing when we decentralize: we will never come up with a single, worst solution applied to everyone.

That is the promise of revenue sharing, a program that has been a pet of mine for many years and that promises, in the not-too-distant future to go down in history as another idea whose time has come.

THE WISCONSIN PLAN

I first became aware of, and interested in, the great promise of the tax-sharing approach 20 years ago when, as a State senator in the Wisconsin Legislature, I saw tax sharing at work on the State level.

In Wisconsin, we have had a tax-sharing program for many years. Under the Wisconsin formula, 50 cents of the income tax dollar went to the community in which the taxes were raised; 10 cents went to the county in which that community is located; and the remaining 40 cents went to the State government when I was in the legislature.

As chairman of the legislative council in the late 1940's, my committee devised an equalization formula based on education factors that has worked well through the years in distributing the tax moneys in Wisconsin.

Most students of State government know that Wisconsin has a good record in good government and a good record in steady economic growth, in education, and in most of the measuring sticks that people use to judge the quality of life within the confines of a State.

I attribute a substantial percentage of the credit for the good situation we have in Wisconsin to the foresight of those who in our earlier history recognized the wisdom of revenue sharing as a viable and exciting way of running State government. Governor Knowles discusses the Wisconsin plan in his policy statement which is appendix No. 3 to my remarks.

As you know, Mr. Speaker, many of the categorical grant-in-aid programs administered by the Federal Government are set up on a matching basis. During my years in the State senate, I found, on occasion after occasion, that we were carrying on programs that were not of the highest priority in Wisconsin precisely because Federal funds were available for those lower priority programs on a matching basis but not always for the programs that should have received top priority in our State.

In 1953, I came to Congress. When the Department of Health, Education, and Welfare was created, I was appointed to the Appropriations Committee in the House that finances all of that Department's programs.

By 1958, it was even more apparent than in my days as a State senator that the categorical grant-in-aid approach was at the very most a second-best method of attacking the problems in our society at the Federal level.

It was at that point that I introduced the first tax-sharing legislation that would apply the principle of the Wisconsin plan to our country as a whole.

I remain convinced that this is one of the most promising ways out of our present dilemma.

THE BETTER WAY

Mr. Speaker, revenue-sharing is a better way for Americans to do things than the way of the "great planned society." It offers a meaningful and effective "creative federalism":

A creative federalism that recognizes the role the Federal Government must play.

A creative federalism that also recognizes that the great society of America was created through vast diversity and not narrow conformity.

A creative federalism that supplements rather than supplants the creativity of state and local people and their governments.

A creative federalism, in short, that fosters decentralization without emasculating the legitimate role of a central government in modern society.

No man in public life dismisses the agonizing problems we face as we look to the future.

But there still remains a basic disagreement between men of good will on the question of how best to attack our problems.

Proponents of the categorical, specialized Federal grant have had their day in court.

They have lost their case after a lengthy and fair hearing.

It is time now to try a new, more efficient and more promising way of moving America forward in this second half of the 20th century.

The better way is the revenue-sharing way.

Appendix No. 1

[Complete text of the Laird revenue-sharing bill]

H.R. 5450

A bill to provide appropriations for sharing of Federal taxes with States out of funds derived from a cutback in projected new expansion of grant-in-aid programs and as a substitute for portions of existing grant-in-aid expenditures and to amend the Internal Revenue Code of 1954 to permit individuals to claim a credit against Federal income tax

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Revenue Sharing Act."

APPROPRIATIONS

SEC. 2. (a) In order to provide for a sharing with the States and their political subdivisions of receipts from Federal income taxes, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to the Secretary of the Treasury (hereinafter referred to as the "Secretary") for making revenue-sharing payments under this Act an amount for the fiscal year ending June 30, 1968, and each succeeding fiscal year, equal to 5 per centum of the total receipts from individual income taxes during the preceding fiscal year.

(b) For purposes of this Act, the term "individual income taxes" means the proceeds of taxes collected from individuals under subtitle A and the taxes collected under chapter 24 of the Internal Revenue Code of 1954. Determinations under this section shall be made pursuant to regulations prescribed by the Secretary, and his determinations shall be final.

REVENUE-SHARING PAYMENTS

Sec. 3. The revenue sharing under this Act shall be carried out by the Secretary through payments under section 4 to all qualified States, and through payments under section 5 to low-income States (as defined in section 5(c)). The aggregate of such payments to a State shall be the "revenue sharing payment" for that State.

BASIC REVENUE-SHARING PAYMENTS

Sec. 4. (a) The Secretary shall each year make a payment to each State which, under section 6, is qualified for revenue-sharing payment in an amount which bears the same ratio to 90 per centum of the amount appropriated for that year under section 2 as the product of—

(1) the population of the State, and

(2) the State's tax-effort ratio (as determined under subsection (b)) bears to the sum of the corresponding products for all the States which are qualified for a revenue-sharing payment.

(b) The "tax-effort ratio" for a State shall be the ratio between the sum of all taxes *collected in the State by the State and its* political subdivisions and the total personal income for the State. Determinations under sections 4 and 5 of this Act shall be made by the Secretary on the basis of population estimates for the preceding calendar year and, in the case of other determinations, *for the most recent fiscal year for which sat*isfactory data are available. His determination shall be final.

EQUALIZATION REVENUE-SHARING PAYMENTS

Sec. 5. (a) The Secretary shall each year make a payment to each low-income State which, under section 6, is qualified for a revenue-sharing payment which bears the same ratio to 10 per centum of the amount appropriated for that year under section 2 as the product of—

(1) the population of the State, and

(2) the State's income index (as determined under subsection (b)), bears to the sum of corresponding products for all the low-income States which are qualified for a revenue-sharing payment.

(b) The "income index" for a State shall be the population of the State divided by the aggregate personal income for the State.

(c) For purposes of this section, a State shall be deemed to be a low-income State if it is one of the seventeen States which had the lowest personal income per capita during the most recent fiscal year for which satisfactory data are available.

STATE UNDERTAKINGS

Sec. 6. In order to be qualified for a revenue-sharing payment under this Act a State shall undertake—

(1) to assume the same responsibility for the fiscal control of and accountability for revenue-sharing payments as it has with respect to State funds derived from its own tax resources;

(2) to use 5 per centum of the funds granted it under section 4 for executive management improvement to meet the particular needs of the State for (A) well-staffed State budget offices, (B) qualified executive planning personnel, and (C) salary increases for top-level management personnel; but the State may use such funds for other purposes if it determines, in its sole discretion, that there are areas of greater or more urgent needs;

(3) to furnish information and data to the Secretary in accordance with the rules and regulations of the Council on Revenue Sharing.

COUNCIL ON REVENUE SHARING

Sec. 7. (a) There is hereby established a Council to be known as the Council on Revenue Sharing (hereinafter referred to as the "Council") which shall be composed of ten members appointed by the President without regard to the provisions of title 5, United States Code, governing appointments in the competitive service. Of the members of the Council, five shall be persons who are Governors of their respective States, not more than three of whom are from the same political party, and, of the remainder, not more than three shall be of the same political party. The Secretary shall designate a member of the Council as its Chairman. Six members of the Council shall constitute a quorum. Each member of the Council who is a Governor may appoint another person to act as his delegate in carrying out any of his functions under this Act.

(b)(1) It shall be the duty of the Council to prescribe by rule or regulation the information and data to be furnished by the States to the Secretary, and the manner and form in which such information and data shall be provided. In carrying out this duty the Council shall give emphasis to reducing to a minimum the administrative burden on States and their political subdivisions, consistent with the need of the Secretary and *the Council for information and data to* carry out their duties, and of the Congress to carry out periodic reviews of the general aid grant program. Reports and forms required under this Act shall be kept at an absolute minimum and in as simplified a form as is practicable.

*(2) It shall also be the duty of the Coun*cil to prescribe, by rule or regulation, the manner in which computation under sections 4 and 5 shall be made by the Secretary.

(3) It shall also be the duty of the Council to make determinations under section 8 on withholding revenue-sharing payments from States.

(c) The Council may appoint and fix the compensation of a Director and such other employees as it may find necessary to carry out its duties. Members of the Council while serving away from their homes or regular places of business may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in Government service employed intermittently.

WITHHOLDING REVENUE-SHARING PAYMENTS

Sec. 8. Whenever the Council, upon complaint of the Secretary, finds, after reasonable notice and opportunity for hearing to the Governor of a State, that there is a failure to comply substantially with any undertaking required by section 6, the Council shall notify such Governor that further payments under this Act will be withheld until it is satisfied that there will no longer be any failure to comply. Until the Council informs him that it is so satisfied, the Secretary shall make no further payments to such State under this title.

JUDICIAL REVIEW

Sec. 9. (a) If any State is dissatisfied with the Council's final action under section 8, such State may, within sixty days after notice of such action, file with the United States court of appeals for the circuit in which such State is located a petition for review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Council. The Council thereupon shall file in the court the record of the proceedings on which it based its action as provided in section 2112 of title 28, United States Code.

(b) The findings of fact by the Council, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Council to take further evidence, and the Council may thereupon make new or modified findings of fact and may modify its previous action, and shall certify to the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

(c) The court shall have jurisdiction to affirm the action of the Council or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

ADMINISTRATION

Sec. 10. (a) There shall be in the Department of the Treasury an Administrator of Revenue Sharing who shall be appointed by the President. The Administrator of Revenue Sharing shall have such duties as may be prescribed by the Secretary.

(b) The Council shall make an annual report to the President and to the Congress with respect to the operation of the revenue-sharing program provided for in this Act.

REVIEW OF REVENUE-SHARING PROGRAM

*Sec. 11. It is the intention of the Con*gress to conduct a full and complete study and review of the revenue-sharing program during the fourth year of its operation with a view to determining the need for revision therein. To assist the Congress in making such a study and review, the President *and the Council shall each submit to the* Congress a comprehensive report on the program before the end of the third fiscal year during which the program is carried on.

REDUCTIONS IN APPROPRIATIONS

Sec. 12. In any year in which an appropriation is made under authority of this Act, the Committees on Appropriations of the Senate and the House of Representatives are hereby authorized and directed to reduce the aggregate amount which would otherwise be granted to the several States for health, education, and welfare or other grant-in-aid programs by an amount which does not exceed the amount the several States would receive under this Act for such year.

CREDIT AGAINST FEDERAL TAX ON INCOME OF INDIVIDUALS FOR STATE AND LOCAL TAXES

Sec. 13. (a) General Rule.—Subpart A of part IV of chapter 1 of the Internal Revenue Code of 1954 (relating to credits against tax) is amended by renumbering section 40 as section 41 and by inserting after section 39 the following new section:

"Sec. 40. State and Local Taxes.

"(a) Allowance of Credit.—If an individual chooses to have the benefits of this section for the taxable year, there shall be allowed to such individual, as a credit against the tax imposed by this chapter for the taxable year, an amount equal to the applicable percentage of the State and local taxes paid or accrued by such individual for such taxable year. For purposes of this section—

"If the taxable year begins	The applicable percentage is:
In 1968	10 per centum.
In 1969	20 per centum.
In 1970	30 per centum.
After 1970	40 per centum.

"(b) Definitions and Special Rules.—For purposes of this section—

"(1) STATE AND LOCAL TAXES.—With respect to any taxable year, the term 'State and local taxes' means those taxes—

"(A) imposed by a State, a possession of the United States, a political subdivision of a State or of such a subdivision, or the District of Columbia, and

"(B) which, but for an election under this section, would be allowable as a deduction for such taxable year under section 164.

"(2) CHANGE OF ELECTION.—The choice as to whether an individual shall elect to have the benefits of this section for any taxable year may be made or changed at any time before the expiration of the period prescribed for making a claim for credit or refund of the tax imposed by this chapter for such taxable year.

"(3) ADJUSTMENTS ON PAYMENT OF ACCRUED TAXES.—If accrued taxes when paid differ from the amounts used by an individual as the basis for claiming a credit under this section, or if any tax paid is refunded in whole or in part, such individual shall notify the Secretary or his delegate, who shall redetermine the amount of the tax for the year or years affected. The amount of tax due on such redetermination, if any, shall be paid by such individual on notice and demand by the Secretary or his delegate, and the amount of tax overpaid, if any, shall be credited or refunded to the individual in accordance with subchapter B of chapter 66 (section 6511 and following). In such redetermination by the Secretary or his delegate of the amount of tax due from such individual for the year or years affected by a refund, the amount of the taxes refunded with respect to which credit has been allowed under this section shall be reduced by the amount of any State or local tax imposed with respect to such refund; but no credit under this section, and no deduction under section 164 (relating to deduction for taxes), shall be allowed for any *taxable year with respect to such State* or local tax imposed on the refund. No interest shall be assessed or collected on any amount of tax due on any redetermination by the Secretary or his delegate, resulting from a refund to the individual, for any period before the receipt of such refund, except to the extent interest was paid on such refund by the State or local government for such period.

"(c) CROSS REFERENCES.—

"(1) For deduction of State and local taxes, see sections 164 and 275.

"(2) For right of each partner to make election under this section, see section 703(b)."

(b) DISALLOWANCE OF DEDUCTION.—Section 275(a) of such Code (relating to certain taxes not deductible) is amended by adding at the end thereof the following new paragraph:

"(6) State and local taxes, if the individual chooses to take to any extent the benefits of section 40 (relating to State and local taxes) for the taxable year."

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) The table of sections for subpart A of part IV of subchapter A of chapter 1 of such Code is amended by striking out the item relating to section 40 and inserting in lieu thereof the following:

"Sec. 40. State and local taxes.

"Sec. 41. Overpayments of tax."

(2) Section 37(a) of such Code (relating to retirement income) is amended by striking out "and section 35 (relating to partially tax-exempt interest)" and inserting in lieu thereof "section 35 (relating to partially tax-exempt interest), and section 40 (relating to State and local taxes)."

(3) Section 46(a)(3) of such Code (relating to amount of credit) is amended—

(A) by striking out "and" at the end of subparagraph (B);

(B) by striking the period at the end of subparagraph (C) and inserting in lieu thereof ", and"; and

(C) by adding after subparagraph (C) the following new subparagraph:

"(D) section 40 (relating to State and local taxes)."

(4) Section 703(a)(2) of such Code (relating to partnership computations) is amended—

(A) by relettering subparagraphs (D), (E), and (F) as subparagraphs (E), (F), and (G); and

(B) by inserting after subparagraph (C) the following new subparagraph:

"(D) the deduction for taxes provided in section 164(a) with respect to State and local taxes,".

(5) Section 703(b) of such Code (relating to elections of the partnership) is amended by striking out "the election under section 901" and inserting in lieu thereof "the election under section 40, relating to State and local taxes, and the election under section 901".

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 1967.

DEFINITION

SEC. 14. For purposes of this Act, the term "State" includes the District of Columbia.

ANALYSIS OF LAIRD REVENUE SHARING BILL

Section 1. Title of the Bill: "Federal Revenue Sharing Act".

Section 2. Appropriations: Provides that five *percent* of the total federal *personal* income tax collected during the preceding fiscal year shall be made available for revenue sharing with the States and political subdivisions. Administration of the funds shall be by the Secretary of the Treasury.

Section 3. Revenue-sharing Payments: Provides that payments shall be made to the *states on a formula as set out in Section 4* and *Section 5.*

Section 4. Basic Revenue Sharing Payments: Provides that 90% of the funds appropriated under this act shall be distributed to the States on the following basis: the product of the population of the State and the State's "tax effort ratio," as a share of the total available to all of the States. The tax effort ratio is the ratio between the sum of all taxes collected in the State (by the State or its subdivisions) and the total personal income for the State.

Section 5. Equalization Revenue-Sharing Payments: Provides that 10% of the funds appropriated under this act shall be distributed to the seventeen States with the lowest personal per capita income among the several States. These funds shall be distributed on the basis of the product of the population of the State and the State's income index. The income index is the population of the State divided by the aggregate personal income for the State.

Section 6. State Undertakings: In order to qualify for a revenue-sharing payment, the State shall (1) assume the same responsibility for the funds appropriated under this act as it would for State funds from its own sources; (2) at its own option, use 5% of the funds granted under Section 4 to improve the administration of the State government; and (3) furnish required information to the Secretary of the Treasury.

Section 7. Council on Revenue Sharing: Provides for the establishment of a Council on Revenue Sharing to be composed of ten members, five of whom will be governors, and five private individuals. No more than three in each category shall be from the same political party. The Council will prescribe the information and data to be furnished by the States to the Secretary. This section provides a specific mandate that such reports and forms shall be kept to an absolute minimum. The Council also prescribes the manner in which the Secretary shall carry out the computations under *Sections 4* and *5,* and also has the duty to make determinations on withholding revenue-sharing payments from States.

Section 8. Withholding Revenue-Sharing Payments: Provides that the Council may, after reasonable notice and hearing, withhold funds from any State that fails to comply substantially with any undertaking required by Section 6.

Section 9. Judicial Review: Provides the States with the right of appeal from any decision of the Council under *Section 8,* to the United States court of appeals. The Court may remand the case to the Council to take further evidence. The Court shall have jurisdiction to affirm the action of the Council or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

Section 10. Administration: Provides that an Administrator of Revenue Sharing within the Department of the Treasury shall be appointed by the President. His duties shall be described by the Secretary. Also provides that the Council shall make an annual report to the President and to the Congress.

Section 11. Review of Revenue-Sharing Program: Provides for a full and complete study and review of the revenue-sharing program during the fourth year of its operation with a view to determining the need for *revision. To assist the Congress in its review,* the President and the Council shall each submit to the Congress a comprehensive report in the program before the end of the third fiscal year of operation.

Section 12. Reductions in Appropriations: Provides that the Committees on Appropriations of the Senate and the House of Representatives are authorized and directed to reduce the aggregate amount of grant-in-aid expenditures to the several States by an amount which does not exceed the amount which the States would receive under this Act.

Section 13. Credit against Federal Tax on Income of Individuals for State and Local Taxes: Provides that a federal income tax credit will be granted to individuals for all state and local taxes paid which now qualify for federal deductions. This credit would begin at 10% and increase in 10% annual increments to a total of 40% for the fourth year and thereafter. The taking of such a credit will be solely at the discretion of the individual, who will continue to have the option of taking a tax deduction for these state and local taxes.

Section 14. Definition: Defines "State" so as to include the District of Columbia.

State allocation table for Laird revenue sharing bill

	Basic grant	Supplementary grants	Total grant
Alabama (47)	$45,931,540	$24,957,240	$70,888,780
Alaska (2)	3,043,656		3,043,656
Arizona (35)	26,562,820	14,042,280	40,605,010
Arkansas (49)	26,286,120	13,183,800	39,469,920
California (8)	319,030,490		319,030,490
Colorado (19)	30,713,260		30,713,160
Connecticut (1)	35,140,390		35,140,390
Delaware (3)	6,087,310		6,087,310
District of Columbia[1]	8,854,270		8,854,270
Florida (28)	83,285,500		83,285,500
Georgia (40)	59,212,940	35,473,620	94,686,550
Hawaii (12)	11,344,540		11,344,540
Idaho (34)	11,621,230	6,132,000	17,753,230
Illinois (5)	128,940,340		128,940,340
Indiana (14)	68,343,910		68,343,910
Iowa (24)	43,994,660		43,994,660
Kansas (20)	35,693,780		35,693,780
Kentucky (43)	41,781,100	24,528,000	66,309,100
Louisiana (41)	58,106,160	27,502,020	85,608,180
Maine (37)	14,941,580	8,431,500	23,373,080

State allocation table for Laird revenue sharing bill—Continued

	Basic grant	Supplementary grants	Total grant
Maryland (10)	$44,824,750	----------	$44,824,750
Massachusetts (9)	74,431,220	----------	74,431,220
Michigan (11)	119,532,670	----------	119,532,670
Minnesota (23)	61,426,510	----------	61,426,510
Mississippi (50)	37,539,600	$13,735,680	51,275,280
Missouri (22)	53,679,020	----------	53,679,020
Montana (29)	11,067,840	----------	11,067,840
Nebraska (25)	18,815,330	----------	18,815,330
Nevada (4)	6,364,010	----------	6,364,010
New Hampshire (26)	8,577,580	----------	8,577,580
New Jersey (6)	83,562,190	----------	83,562,190
New Mexico (39)	17,155,150	8,646,120	25,801,270
New York (6)	292,744,370	----------	292,744,370
North Carolina (44)	66,960,430	37,619,820	104,580,250
North Dakota (36)	10,514,480	5,672,100	16,186,580
Ohio (16)	120,639,460	----------	120,639,460
Oklahoma (38)	35,417,090	20,971,440	56,388,530
Oregon (17)	28,222,990	----------	28,222,990
Pennsylvania (18)	148,862,450	----------	148,862,450
Rhode Island (15)	12,451,320	----------	12,451,320
South Carolina (48)	33,480,220	17,660,160	51,140,380
South Dakota (42)	12,174,620	5,457,480	17,632,100
Tennessee (46)	50,912,060	28,912,380	79,824,440
Texas (31)	138,071,300	----------	138,071,300
Utah (32)	15,771,670	----------	15,771,670
Vermont (32)	6,640,700	----------	6,640,700
Virginia (30)	52,018,850	----------	52,018,850
Washington (13)	45,654,840	----------	45,654,840
West Virginia (45)	24,349,250	13,766,340	38,115,590
Wisconsin (21)	70,834,180	----------	70,834,180
Wyoming (27)	5,257,220	----------	5,257,220

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[1] District of Columbia per capita income ($3,673) is the highest in the Nation.

NOTES

The number in parentheses indicates the State's per capita income ranking. New Jersey and New York share the same rank of 6; Vermont and Utah share the same rank of 32. In order to have the lowest rank equal to the number of States presented, the numbers 7 and 33 are omitted.

Total revenue sharing grants under Laird 5 percent formula equal $3,100,000,000.

Formula based on budget projections, fiscal 1968.

APPENDIX NO. 2

FEDERAL REVENUE SHARING PROPOSALS INTRODUCED DURING THE 89TH CONGRESS

I. BILLS PROVIDING FOR SHARING OF A CERTAIN PERCENTAGE OF FEDERAL TAX COLLECTIONS WITH THE STATES FROM WHICH DERIVED

A. On the basis of Federal income taxes

H.R. 1562. Mr. Laird; January 5, 1965 (Ways and Means).

H.R. 16947. Mr. Battin; August 10, 1966 (Ways and Means).

H.R. 18052. Mr. Wyatt; September 28, 1966 (Ways and Means).

H.R. 18252. Mr. Gubser; October 7, 1966 (Ways and Means).

State-Local Financial Assistance Act—Provides for the payment to each State of an amount equal to 5 percent of the Federal income taxes collected in such States during the preceding fiscal year. Declares it to be the purpose of the Congress that no vestige of Federal control shall attach to such funds.

H.R. 10828. Mr. Multer; September 1, 1965 (Interior and Insular Affairs).

Payments to Local Governments Act—Sets forth the purpose to provide for a comprehensive study to ascertain (1) the nature and extent of the need for Federal contributions to State governments to relieve hardship due to failure to raise sufficient revenue by local taxation and (2) ways whereby such hardship may be alleviated effectively and economically. Establishes a Federal Board for Payments to Local Governments to conduct such study. Authorizes a rebate of one-fourth of one percent of the gross amount of income taxes collected from within territories of local governments at the close of each fiscal year and sets forth application procedures.

H.R. 1078. Mr. Matthews; January 4, 1965 (Ways and Means).

Considers one percent of Federal income taxes collected on individual incomes as State revenue to be refunded to the State for educational purposes.

H.R. 1187. Mr. Teague of Texas; January 4, 1965 (Education and Labor).

Provides for the transfer of one percent of the income taxes collected in a State to such State to be used for educational purposes.

H.J. Res. 83. Mr. Poff; January 4, 1965 (Ways and Means).

H.R. 1182. Mr. Teague of Texas; January 4, 1965 (Ways and Means).

H.R. 1653. Mr. Bow; January 6, 1965 (Ways and Means).

H.R. 6651. Mr. Berry; March 23, 1965 (Ways and Means).

Provides that one percent of all income taxes collected on individual and corporate incomes under Federal statutes shall be deemed to be revenue for the State or territory within which all of it is collected, for use, for educational purposes only, without any Federal direction, control, or interference.

H.R. 5567. Mr. Derwinski: March 1, 1965 (Ways and Means).

Provides for the transfer of one percent of all Federal income taxes derived from each State to that State. Requires 50 percent of such transferred funds to be used for educational purposes and the remainder to be used for general State purposes without Federal direction, control, or interference.

S. 1011. Mr. Cotton: February 8, 1965 (Labor and Public Welfare).

H.R. 6333. Mr. Pirnie: March 16, 1965 (Education and Labor).

Federal Aid to Education Act—Gives financial assistance to the States for educational purposes by authorizing annual appropriations to each State equal to one percent of the Federal individual income taxes collected therein.

H.R. 10932. Mr. Matthews: September 9, 1965 (Ways and Means).

Returns to each State one percent of Federal income tax collected therein for use for the purpose of paying teachers' salaries.

H.R. 3914. Mr. Ashbrook: February 1, 1965 (Ways and Means).

Provides that 2 percent of all Federal individual income taxes derived from each State shall be given to that State for educational purposes free from Federal control.

H.R. 12083. Mr. Conable: January 17, 1966 (Ways and Means).

H.R. 15592. Mr. Derwinski: June 9, 1966 (Ways and Means).

H.R. 16205. Mr. Robison: July 13, 1966 (Ways and Means).

Tax Sharing for Education Act—Appropriates 2 percent of the Federal income taxes collected to pay to the States for use for educational purposes; sets forth a formula for the allocation of such funds to the States based on population and income per person (2 percent allotted to Puerto Rico, Guam, American Samoa, and the Virgin Islands).

Sets forth fiscal requirements and procedures, including judicial review, enforcement.

H.R. 14299. Mr. Bates: April 5, 1966 (Appropriations).

Tax Sharing for Education Act—Provides for the return of Federal income tax revenues amounting to 2 percent of the sum of the individual income taxes collected in a State to such State to be used exclusively for educational purposes.

H.R. 6181. Mr. Skubitz: March 11, 1965 (Ways and Means).

Authorizes 3 percent of the individual income taxes collected within a State or territory to be transferred to such State or territory to provide direct aid for educational purposes.

H.R. 16903. Mr. Berry: August 8, 1966 (Ways and Means).

Directs District directors of internal revenue to transfer to each State 4 percent of the Federal income taxes collected within each State.

H.R. 2192. Mr. Dorn: January 11, 1965 (Ways and Means).

H.R. 2859. Mr. Whitten: January 14, 1965 (Ways and Means).

Provides for the transfer of five percent of all Federal income tax collections to the State from which derived. Requires such funds to be used for educational purposes only.

H.R. 16784. Mr. Shriver; August 2, 1966 (Ways and Means).

Federal Tax-Sharing Act—Provides for the sharing of Federal taxes with the States by establishing a tax-sharing fund in the Treasury and appropriating thereto percentages of Federal income taxes paid (not including tax on self-employment income) ranging from 2 percent for fiscal 1967 to 10 percent for fiscal 1975 and each fiscal year thereafter. The Secretary of the Treasury must transfer to this fund, at least quarterly, the appropriated sums. Ninety percent of the funds appropriated for each fiscal year must be paid out to the States at least quarterly according to a fixed formula, and 10 percent shall be paid to the 15 States having the lowest per capita income according to an allotment ratio. Tax funds so shared may not be used by a State to pay its debt-service, payments in lieu of property taxes, and to provide matching in connection with any Federal grant program. Provides for equitable distribution of tax reimbursements to local governments of each State. Improper use of shared taxes by a State will result in a reduction in its future allotments. Requires each State to assure the Secretary of the Treasury it will use its funds properly and to make reports to the Secretary, Congress and the Comptroller General how the funds were used. Requires the Treasury Secretary to report annually to Congress each year of the operation of the tax-sharing fund.

B. On the basis of cigarette tax collections

H.R. 1527. Mr. Bray; January 5, 1965 (Education and Labor).

There is authorized to be appropriated for the fiscal year 1966 and for each fiscal year thereafter an amount equal to the Federal tax collected on cigarettes sold within the States during the preceding fiscal year. Such funds shall be used by the States for educational purposes only.

H.R. 1651. Mr. Bow; January 6, 1965 (Education and Labor).

There is authorized to be appropriated for the fiscal year 1966 and for each fiscal year thereafter an amount equal to 25 percent of the Federal tax collected on cigarettes sold within the States during the preceding fiscal year. Such funds shall be used by the States for educational purposes only.

C. On the basis of total Federal tax collections

S. 3405. Messrs. Miller, Allott, Fannin, and Scott; May 25, 1966 (Finance).

Federal Tax Sharing Education Act—Establishes a tax-sharing fund in the U. S. Treasury into which shall be paid an amount equal to 2 percent of the total Federal tax collected during the preceding fiscal year and from which monies shall be distributed to the States for education purposes.

D. On the basis of income, estate, and gift tax collections and customs duties

H.R. 10696. Mr. Brock; August 26, 1965 (Ways and Means).

H.R. 10717. Mr. Talcott; August 26, 1965 (Ways and Means).

H.R. 11435. Mr. Wydler; October 5, 1965 (Ways and Means).

H.R. 11441. Mr. Erlenborn; October 5, 1965 (Ways and Means).

H.R. 12259. Mr. Hall; January 24, 1966 (Ways and Means).

H.R. 12323. Mr. Edwards of Alabama; January 26, 1966 (Ways and Means).

H.R. 13066. Mr. Gurney; February 24, 1966 (Ways and Means).

H.R. 13212. Mr. Pelly; March 2, 1966 (Ways and Means).

H.R. 14926. Mr. Buchanan; May 9, 1966 (Ways and Means).

H.R. 17913. Mr. Cramer; September 22, 1966 (Ways and Means).

Tax Sharing for Education Act—Declares it to be the purpose of Congress to return to the States certain portions of Federal tax revenues, which shall be used for educational purposes.

Creates an educational assistance trust fund and annually appropriates amounts equal to specified percentages of taxes paid on incomes, estates and gifts and customs duties collected. Provides that for fiscal year 1966, one percent of all such taxes paid and customs duties collected shall be appropriated to the fund, and that the annual percentage appropriation shall increase until it reaches five percent for the fiscal year 1970. Sets forth a formula for payments to the States, based on the number of pupils enrolled in public schools, the gross personal incomes of the residents of the State, and the average amount expended for education in the State during the preceding fiscal year. Requires each State to submit a State plan to the Comptroller General, giving in detail proposed expenditures for education. Gives the Comptroller General power to disapprove any State plan and declare such State ineligible for assistance. Provides judicial review for any State which is dissatisfied with the Comptroller General's final action.

H.R. 15557. Mr. Andrews of North Dakota; June 8, 1966 (Ways and Means).

Tax Sharing for Education Act—Declares it to be the purpose of Congress to return to the States certain portions of Federal tax revenues which shall be used for educational purposes.

Creates an educational assistance trust fund and appropriates funds to it from annual amounts paid in income taxes, estate and gift taxes, and customs duty collections. Provides that for fiscal year 1967, one percent of all such taxes paid shall be appropriated to the fund and that the annual percentage appropriation shall increase until it reaches five percent for fiscal year 1971. Sets forth a formula for payments to the States, based on the number of pupils enrolled in public schools, the gross personal income of the residents of the State, and the average amount expended for education in the State during the three preceding fiscal years. Requires each State to submit a State plan to the Comptroller General, giving in detail proposed expenditures for education. Gives the Comptroller General power to disapprove any State plan and declare such State ineligible for assistance.

II. BILLS PROVIDING FOR FEDERAL TAX SHARING ON THE BASIS OF AGGREGATE TAXABLE INCOME

S. 2619. Messrs. Javits, Hartke, Scott, and Mundt; October 11, 1965 (Finance).

H.R. 11535. Mr. Reid of New York; October 12, 1965 (Ways and Means).

H.R. 11553. Mr. Lindsay; October 12, 1965 (Ways and Means).

H.R. 11586. Mr. Halpern; October 13, 1965 (Ways and Means).

H.R. 11600. Mr. Ellsworth; October 14, 1965 (Ways and Means).

H.R. 11603. Mr. Morse; October 14, 1965 (Ways and Means).

H.R. 11633. Mr. Todd; October 18, 1965 (Ways and Means).

H.R. 11690. Mr. McDade; October 20, 1965 (Ways and Means).

H.R. 11735. Mrs. Dwyer; October 21, 1965 (Ways and Means).

H.R. 11770. Mr. Donohue; October 22, 1965 (Ways and Means).

Federal Tax Sharing Act—Establishes a tax-sharing fund and appropriates for fiscal year 1968 and each year thereafter an amount equal to one percent of the aggregate taxable income reported on individual income tax returns during the preceding taxable year.

Sets forth the formula for apportioning such funds to the States, 80 percent based on population and the revenue effort ratio (revenue of the State divided by the income of individuals) and 20 percent on the basis of the 13 States with the lowest per capita income.

Sets forth certain requirements for the use of such funds and provides for annual Congressional studies of the operation of the fund and the services provided.

H.R. 12730. Mr. Gurney; February 9, 1966 (Ways and Means).

Law Enforcement Tax Sharing Act—Provides a system for the return of Federal income tax revenues to the States to be used exclusively for law enforcement purposes.

Provides for the appropriation to the law enforcement assistance account an amount which bears the same proportion to $700 million as aggregate individual taxable income for such year bears to aggregate individual taxable income for the fiscal year ending June 30, 1966.

Payments shall be made each year to States which have approved plans for expenditure and allocation shall be based on State effort and concentration of population.

III. BILLS PROVIDING FOR TAX SHARING ON THE BASIS OF INCOME TAX LIABILITY

H.R. 6470. Mr. Dowdy; March 18, 1965 (Ways and Means).

Provides for retention by District Directors of Internal Revenue in a State an amount equal to 2 percent of aggregate income tax liability less credits allowable. Sums retained shall be transferred to State Treasurers and shall be used for public education purposes only.

IV. OTHER BILLS PROVIDING ALTERNATIVE MEANS OF ASSISTING STATE AND LOCAL GOVERNMENTS

H.R. 16269. Mr. Culver; July 14, 1966 (Appropriations).

State and Local Assistance Act of 1966—Provides Federal financial assistance to State and local governments in an annual amount equal to a specified percentage ranging from one-half of one percent to two percent of the gross national product.

H.R. 17998. Mr. Fraser; September 27, 1966 (Ways and Means).

Revenue Sharing Act of 1966—Provides financial assistance to State and local governments by establishing in the U.S. Treasury a State and local assistance fund and appropriating thereto an amount equal to a specified percentage of State and local tax revenues, ranging from 6 percent for the fiscal year 1968 and increasing to 25 percent for the fiscal year 1978 and each fiscal year thereafter. Payments are authorized to be made (on the basis of population) to those States which have had a plan approved for distribution of their share among taxing jurisdictions within their boundaries.

BILLS INTRODUCED IN THE 90TH CONGRESS

REVENUE SHARING GENERAL

H.R. 453. Mr. Cunningham: 5% of total personal and corporate income tax collected is returned to same state in which collected. (Ways and Means)

H.R. 525. Mrs. Dwyer: 1% of taxable income is returned to the States. 80% on the basis of a ratio weighted 80% by population and 20% by revenue effort; the other 20% is distributed among the 13 poorest states on a population basis. (Ways and Means)

H.R. 667. Mr. Halpern: Equal to H.R. 525 (Ways and Means)

H.R. 784. Mr. Laird: Equal to H.R. 453 (Ways and Means)

H.R. 2900. Reid: 1% of taxable personal income (increasing to 1½ then to 2%) is distributed to the states. 85% on the basis of the product of the population times the revenue effort; the remaining 15% is distributed on a per capita basis among the states with per capita income below the national average. (Ways and Means)

H.R. 3127. Fascell: 3% of the personal federal income tax collected is distributed to the same states in which it was collected. (Ways and Means)

H.R. 4070. Goodell: 3% (then 4% and 5%) of the personal federal income tax collected is returned to the States. 90% of this sum is allocated to the states on the basis of population times tax effort; the remaining 10% is allocated among the 17 poorest states on a per capita basis. Specifically states that the funding shall be from a cutback in grant-in-aid programs. (Ways and Means)

H.R. 4071. Button: Equal to H.R. 4070 (Ways and Means)

H.R. 4072. Cederberg: Equal to H.R. 4070 (Ways and Means)

H.R. 4073. Cramer: Equal to H.R. 4070 (Ways and Means)

H.R. 4074. Ford, Gerald R.: Equal to H.R. 4070 (Ways and Means)

H.R. 4075. Mrs. May: Equal to H.R. 4070 (Ways and Means)

H.R. 4076. Miller: Equal to 4070 (Ways and Means)

H.R. 4077. Roudebush: Equal to H.R. 4070 (Ways and Means)

H.R. 4078. Stanton: Equal to H.R. 4070 (Ways and Means)

H.R. 4079. Wydler: Equal to H.R. 4070 (Ways and Means)

H.R. 4080. Berry: Equal to H.R. 4070 except does not specifically state that the funding shall be from a cutback in grant-in-aid programs. (Ways and Means)

H.R. 4081. Mrs. Bolton: Equal to H.R. 4080 (Ways and Means)

H.R. 4082. Broomfield: Equal to H.R. 4080 (Ways and Means)

H.R. 4083. Broyhill of Virginia: Equal to H.R. 4080 (Ways and Means)

H.R. 4084. Chamberlain: Equal to H.R. 4080 (Ways and Means)

H.R. 4085. Duncan: Equal to H.R. 4080 (Ways and Means)

H.R. 4086. Fino: Equal to H.R. 4080 (Ways and Means)

H.R. 4087. Harsha: Equal to H.R. 4080 (Ways and Means)

H.R. 4088. Keith: Equal to H.R. 4080 (Ways and Means)

H.R. 4089. Scott: Equal to H.R. 4080 (Ways and Means)

H.R. 4090. Steiger of Wisconsin: Equal to H.R. 4080 (Ways and Means)

H.R. 4091. Zion; Equal to H.R. 4080 (Ways and Means)

H.R. 4107. Donohue: Distribute 1% of taxable income to the states with 80% on the basis of population times the revenue effort ratio, and the remaining 20% distributed to the 13 states with the lowest income, on a per capita basis. (Ways and Means)

H.R. 4226. Erlenborn: Equal to H.R. 4080 (Ways and Means)

H.R. 4252. Lloyd: Equal to H.R. 4070 (Ways and Means)

H.R. 4277. Shriver: Equal to H.R. 4080 (Ways and Means)

H.R. 4286. Williams: Equal to H.R. 4070 (Ways and Means)

H.R. 4448. Rhodes: Equal to H.R. 4070 (Ways and Means)

H.R. 4700. Bray: Equal to H.R. 4070 (Ways and Means)

H.R. 4848. Brotzman: Equal to H.R. 4070 (Ways and Means)

H.R. 4858. Dellenback: Equal to H.R. 4070 (Ways and Means)

H.R. 4876. Johnson of Pennsylvania: Equal to 4070 (Ways and Means)

H.R. 4881. Kyl: Equal to H.R. 4070 (Ways and Means)

S. 482. Javits (and Baker, Carlson, Cooper, Dominick, Scott, Young, N.D.): 1% of taxable personal income (increasing to 1½ then to 2%) is distributed to the states. 85% on the basis of the product of the population times the revenue effort; the remaining 15% is distributed on a per capita basis among the states with per capita income below the national average. (Finance)

S. 673. Tydings: Provides that 1% of the federal personal income tax collected in the state will be returned on the basis of population to revenue raising effort. Also provides that grants can be made directly to metropolitan areas with populations in excess of 1.5 m. (Finance)

S. 694. Scott (and Baker, Bennett, Javits, Pearson): Returns 1% of the taxable personal income to the states on a population basis. (Finance)

S. 779. Hollings: Provides a graduated (3%–5% over five years) federal personal income tax collected. 80% of these funds are distributed on the basis of population divided by revenue effort. The other 20% is distributed to those states whose per capita income is below the average U.S. per capita income, based on the amount that the two differ, weighted by the population of the state. (Finance)

REVENUE SHARING SPECIAL PURPOSE

H.R. 198. Andrews: For education. Provides that 1% (increasing to 5%) of federal personal and corporate income taxes and customs duties are rebated to the states ½ on the basis of per capita expenditures per student, and the other ½ on the basis of the number of students. (Ways and Means)

H.R. 219. Bates: For education. Returns 2% of federal personal income tax to the same state in which it was collected. (Appropriations)

H.R. 308. Brock: Equal to H.R. 198 (Ways and Means)

H.R. 1180. Robison: For education. Provides that 2½ of federal personal income tax collected will be distributed to the states on the basis of 50%, ½ on a population basis, and ½ on the basis of per capita income. (Ways and Means)

H.R. 1334. Talcott: Equal to H.R. 198 (Ways and Means)

H.R. 1349. Teague of Texas: For education. Returns 1% of all federal income tax to the same state in which it was collected. (Ways and Means)

H.R. 2055. Buchanan: Equal to H.R. 198 (Ways and Means)

H.R. 4479. Gurney: For crime prevention. Provides that about 1% of personal federal income tax is returned to the states on a basis of population and per capita law enforcement funds.

H.J. Res. 90. Poff: For education. Returns 1% of all federal income tax to the same state in which it was collected. (Ways and Means)

APPENDIX No. 3

THE GOVERNOR'S POLICY STATEMENT ON FEDERAL LEGISLATION—A WISCONSIN POSITION TO THE WISCONSIN CONGRESSIONAL DELEGATION

This, my second formal statement to you on federal legislation, supports sharing federal revenues to the states as a long-run aim. It also supports conversion of some of the present conditional grants-in-aid to bloc grants as another way of obtaining unrestricted funds for state and local use.

My January letter on the disastrous effects in Wisconsin if the projected $25 million cut in highway funds is carried out showed an example of too much direction from Washington. There are other examples, smaller but just as flagrant.

Admittedly, expenses of the war in Viet Nam make it impossible to enact federal revenue sharing to take effect now. But there is no such bar to immediate consolidation of several related grant programs into broader, less rigidly controlled bloc grants. Possible fields to explore include Public Assistance, Water Pollution Control Aids, Education, Housing and Urban Affairs, and many more.

I. FEDERAL REVENUE SHARING

I support the return to states of a portion of federal revenue, unrestricted, to supplement existing grant-in-aid programs.

In normal times federal revenues are expected to increase by about $7 billion a year from growth in the national economy. At the same time, state and local costs of supporting education, welfare, and other vital services increase faster than the revenue available from state and local taxes.

Wisconsin has a distinguished history of creating needed aid programs, unemployment compensation, for example, and of administering them honestly and effectively. We have proven our ability to serve our people with prudence and compassion.

Opposition to federal revenue sharing comes from those who do not believe state governments will use the unrestricted money wisely. We know, on the contrary, that state government can be a dynamic partner in federalism when given a chance.

Support for tax sharing comes from those of us who believe that conditional grants-in-aid are burdened with unnecessarily detailed requirements, that they now overlap with undesirable duplication by both federal and state agencies in program offerings, and that the result is confusion to the public. The National Governors' Conference, meeting last December, supported the principle of tax sharing. Seventy percent of individuals questioned by a recent Gallup poll favor the plan.

Plans for more or less unrestricted revenue sharing are proposed by Professor Walter Heller, Joseph Pechman of the Brookings Institute, Senators Goldwater, Javits and Scott, Representatives Laird, Goodell, Reuss and others. Senator Nelson has suggested a broad-ranging study of the question. While the plans differ in detail, I believe the differences are not substantial. United support is important to get serious consideration of the general idea at this time. Representative Laird and Professor Heller have both minimized their differences and emphasized the need to unite on the principle. However, since there *are* specifics in several of the plans, I want to comment on some of them.

1. *Equalizing*. We can agree it is in the national interest to provide extra shares to 10 or 12 of the poorest states. But such equalizing aid must go only to states that tax themselves at least at the level of the average state, not to those who make little tax effort.

2. *Tax Effort*. A reward should be included for states like Wisconsin which are already taxing themselves at an above-average level. Wisconsin would, deservedly, benefit from this provision. In Goodell's plan, Wisconsin would benefit the most of any state.

3. *Share to Localities*. Wisconsin, which has always shared generously from its own revenue with the localities, needs no Congressional requirement to share. But if a certain percentage of the returned federal revenues are to be earmarked for localities, the distribution and choice of level—town, municipality, county—should be left to the state.

II. WISCONSIN REVENUE SHARING

Federal revenue sharing is consistent with Wisconsin's tradition of unrestricted revenue sharing with its local governments. In the past fiscal year—

> Wisconsin returned $454 million, two-thirds of the total $684 million, of its state collected general tax revenues to local governments to help finance local programs.
>
> Most of the tax revenues returned to localities, $267 million, were unconditionally allocated, to be applied to local government functions in whatever fashion the local jurisdiction determined.
>
> Program aids totalling $187 million were broadly allocated for education, welfare or health purposes, and local jurisdictions were able to determine themselves the thrust of the aided programs.

Wisconsin's fiscal relationship with its local governments contrasts sharply with the federal government relationship with the states. Wisconsin unconditionally shares nearly 40% of its general tax revenues with its local governments—while the federal government shares none of its revenues with the states. Wisconsin's program aids are broadly granted, with great area for local decision-making—while federal aids are often burdened with cumbersome and restrictive requirements.

III. BLOC GRANTS

Besides federal revenue sharing, another way to avoid excessively detailed grants-in-aid while aiding state and local governments is through bloc grants. Bloc grants can be enacted in more fields. A good example is the comprehensive health planning act, (P. L. 89–749) which by 1968 will replace categorical health grants by a lump sum to be spent in health areas determined by the state. Bloc grants enable each state to apply its federal aids to its most compelling problems, which may well differ from those of neighboring states.

IV. ADMINISTRATIVE RESTRICTIONS

Too low standards for building construction, making for short-run economy and long run extravagance;

Delay in federal approval of state and local project applications;

Unnecessarily detailed requirements on grant applications and on financial accounting, taking too much staff time away from program;

Withdrawal of expected funds, so that planned projects must be scrapped, or redrawn at added expenses;

Emphasis on some functions at the expense of others equally needed in an individual state;

Failure to recognize or reward a state's own creative problem-solving devices.

These are some of the problems arising as conditional grants-in-aid multiply. Conversion of groups of specific grants to bloc grants would be a helpful step the 90th Congress could reasonably enact.

V. SUMMARY

Federal revenue sharing is critically needed to ease the crushing financial burdens of state and local services.

Any federal revenue sharing plan should recognize the efforts of each state, such as Wisconsin, which seeks to provide necessary services for its citizens.

Federal revenue sharing would build on the Wisconsin tradition of unconditionally sharing state tax revenues with its local governments.

Bloc federal grants, wiping away excessively detailed grant restrictions, should be enacted whether or not a federal revenue sharing plan is implemented.

APPENDIX NO. 4

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APPENDIX NO. 5

Federal money for education: Programs administered by the U.S. Office of Education, fiscal year 1967

GROUP I: FOR CONSTRUCTION

Type of assistance	Authorization	Purpose	Appropriation	Who may apply	Where to apply
1. Public schools	School aid to federally impacted and major disaster areas (Public Law 815).	Aid school districts in providing minimum school facilities in federally impacted and disaster areas.	$22,937,000	Local school districts	OE's Division of School Assistance in Federally Affected Areas.
2. Educational television	Public Law 87–447, amending Communications Act of 1934.	Aid in the acquisition and installation of transmitting and production equipment for ETV broadcasting.	3,000,000	Nonprofit agencies, public colleges, State television agencies, education agencies.	Assistant to the Assistant Secretary (Educational Television), Dept. of HEW, Washington, D.C.
3. Community colleges, technical institutes.	Higher Education Facilities Act, title I.	Construct or improve academic facilities.	99,660,000	Public community colleges and technical institutes.	State commissions.
4. Other undergraduate facilities.	do	Construct or improve undergraduate academic facilities.	353,340,000	Colleges and universities	Do.
5. Graduate facilities	Higher Education Facilities Act. title II.	Construct or improve graduate academic facilities.	60,000,000	Public and private academic institutions, grad. center boards.	OE's Graduate Facilities Branch, Division of Graduate Programs.
6. Undergraduate and graduate facilities.	Higher Education Facilities Act, title III.	Loans to construct or improve higher education facilities.	200,000,000	Public and private nonprofit institutions, cooperative centers, boards of higher education.	OE's Division of College Facilities.
7. Vocational facilities	Appalachian Regional Development Act of 1965.	Construct vocational education facilities in the Appalachian region.	8,000,000	State education agencies in Appalachian region.	OE's Division of Vocational and Technical Education.
8. Area vocational schools	Vocational Education Act of 1963.	Construct or improve area vocational education school facilities.	(1)	Public secondary and postsecondary schools providing education in 5 or more fields.	State boards of vocational education (information from OE's Division of Vocational-Technical Education).
9. Public libraries	Library Services and Construction Act, title II.	Aid construction of public libraries.	40,000,000	State library administrative agencies.	OE's Division of Library Services and Educational Facilities.
10. Educational laboratories	Cooperative Research Act (amended by ESEA, title IV).	Construct and equip national and regional research facilities.	12,400,000	Colleges, school systems, State education departments, industry.	OE's Division of Laboratories. and Research Development.

See footnotes at end of table.

Federal money for education: Programs administered by the U.S. Office of Education, fiscal year 1967—Continued

GROUP II: FOR PROGRAMS, INSTRUCTION, AND ADMINISTRATION

Type of assistance	Authorization	Purpose	Appropriation	Who may apply	Where to apply
1. School maintenance and operation.	School aid to federally impacted and major disaster areas (Public Law 874).	Aid school districts on which Federal activities or major disasters have placed a financial burden.	$416,200,000	Local school districts	OE's Division of School Assistance in Federally Affected Areas.
2. Strengthening instruction in critical subjects in public schools.	National Defense Education Act, title III.	Strengthen instruction in science, mathematics, modern foreign languages, and other critical subjects.	79,200,000	do	State education agency.
3. Strengthening instruction in nonpublic schools.	do	Loans to private schools to improve instruction in critical subjects.	1,500,000	Nonprofit private elementary and secondary schools.	OE's Division of Plans and Supplementary Centers.
4. Strengthening instruction in arts and humanities in public schools.	National Foundation on the Arts and Humanities Act of 1965.	Improve instructional capabilities of public schools in humanities-arts fields.	440,000	Public schools	State education agency.
5. Strengthening instruction in arts and humanities in nonpublic schools.	do	Loans to private schools to improve humanities-arts instruction.	60,000	Private nonprofit schools	OE's Division of Plans and Supplementary Centers.
6. Cuban refugee program	Migration and Refugee Assistance Act.	Assist in providing education for Cuban refugee children.	8,167,000	Board of Public Instruction, Dade County, Fla.	OE's Division of School Assistance in Federally Affected Areas.
7. Programs for the disadvantaged.	Elementary and Secondary Education Act—title I.	Support educational programs in areas having high concentrations of low-income families.	1,053,410,000	State education agencies	OE's Division of Compensatory Education.
8. School library resources and instructional materials.	Elementary and Secondary Education Act, title II.	Support provision of school library resources, textbooks, and other instructional materials.	102,000,000	Local education agencies	OE's Division of Plans and Supplementary Centers.
9. Supplementary centers	Elementary and Secondary Education Act, title III.	Support supplementary educational centers and services.	135,000,000	do	Do.
10. Vocational programs	Smith-Hughes, George-Barden, Vocational Education Acts.	Maintain, extend, and improve vocational education programs; develop programs in new occupations.	255,377,455	Public schools	State boards of vocational education (information from OE's Division of Vocational Technical Eduction).
11. Captioned film loan program.	Captioned films for the deaf	Provide cultural and educational services to the deaf through films.	2,350,000	Groups of deaf persons; nondeaf groups for training.	OE's Division of Research Training and Dissemination.
12. Desegregation assistance	Civil Rights Act of 1964	Aid school boards in hiring advisers and training employees on problems incident to school desegregation.	3,350,000	School boards and other agencies responsible for public school operation.	OE's Office of Equal Educational Opportunities.
13. Guidance, counseling, and testing in public schools.	National Defense Education Act, title V-A.	Assist in establishing and maintaining guidance, counseling, and testing programs.	24,500,000	Public elementary and secondary schools, junior colleges, technical institutes.	State education agencies.
14. Testing in nonpublic schools.	do	Provide for aptitude-achievement testing of private school students.	(2)	Testing agencies	State education agency or OE's Division of Plans and Supplementary Centers.
15. Services of foreign curriculum specialists.	Mutual Educational and Cultural Exchange Act.	Provide foreign curriculum specialists to U.S. schools to strengthen language-area studies programs.	(2)	Local school agencies, State education agencies, colleges and universities.	OE's Division of Foreign Studies.
16. Pilot youth programs in science.	Science clubs (Public Law 85-875).	Encourage young people interested in science.	50,000	Colleges and universities, State education agencies.	OE's Division of Plans and Supplementary Centers.
17. Teacher institutes	National Defense Education Act, title XI.	Improve qualifications of elementary and secondary teachers and related specialists.	30,000,000	Colleges and universities	OE's Division of Educational Personnel Training.
18. Do	Civil Rights Act of 1964	Improve ability of school personnel to deal with problems incident to school desegregation.	3,185,000	do	OE's Office of Equal Educational Opportunities.
19. Teacher training (handicapped).	Mental Retardation Facilities Act, and others.	Prepare teachers and others who work in education of handicapped.	24,500,000	State education agencies, colleges and universities.	OE's Bureau of Elementary and Secondary Education.
20. Counselor institutes	National Defense Education Act, title V-B.	Improve qualifications of guidance workers in schools and colleges.	7,250,000	Public and private nonprofit colleges and universities.	OE's Division of Educational Personnel Training.
21. Teacher training (vocational).	Smith-Hughes, George-Barden, Vocational Education Acts.	Improve qualifications of teachers, supervisors, and directors of vocational education programs.	(1)	Local school districts	State boards of vocational education (information from OE's Division of Vocational-Technical Education).
22. National Teacher Corps	Higher Education Act of 1965, title V-B.	Strengthen educational opportunities of children in low-income areas.	7,500,000	Local education agencies, colleges and universities.	OE's National Teacher Corps
23. Experienced teacher fellowships.	Higher Education Act of 1965, title V-C.	Improve the quality of education of elementary and secondary teachers and related personnel.	12,500,000	Institutions of higher education offering graduate programs.	OE's Division of Educational Personnel Training.
24. Prospective teacher fellowships.	do	Improve the quality of education of persons planning careers in elementary and secondary education.	12,500,000	do	OE's Division of Graduate Programs.
25. Institutional assistance grants.	do	Develop and strengthen teacher training programs (elementary-secondary).	5,000,000	Institutions participating in fellowship programs 11-23, 11-24.	Do.
26. Librarian training	Higher Education Act of 1965, title II.	Increase opportunities for training in librarianship.	3,750,000	Colleges and universities	OE's Division of Library Services and Educational Facilities.
27. State administration of HEFA program.	Higher Education Facilities Act of 1963.	Help States administer program under HEFA, title I.	7,000,000	State commissions that administer program.	OE's Division of College Facilities.
28. Endowment of colleges of agriculture and mechanic arts.	Morrill Acts, amended	Support instruction in agriculture and mechanic arts in the land-grant colleges.	14,500,000	The 68 land-grant colleges	Do.
29. Language and area centers.	National Defense Education Act, title VI.	Improve quality of instruction in uncommon-languages-area subjects.	12,700,000	Colleges and universities	OE's Division of Foreign Studies.
30. Acquisition of educational media.	Higher Education Act of 1965, title VI-A.	Improve instruction in selected subject areas.	14,500,000	do	State commissions.

See footnotes at end of table.

Federal money for education: Programs administered by the U.S. Office of Education, fiscal year 1967—Continued

GROUP II: FOR PROGRAMS, INSTRUCTION, AND ADMINISTRATION—Continued

Type of assistance	Authorization	Purpose	Appropriation	Who may apply	Where to apply
31. Workshops, institutes in educational media.	Higher Education Act of 1965, title VI-B.	Improve capabilities of persons using educational media for undergraduate instruction.	$2,500,000	Colleges and universities	OE's Division of College Facilities.
32. Strengthening community service programs	Higher Education Act of 1965, title I.	Strengthen higher education capabilities in helping communities solve their problems.	10,000,000	do	State agency or institution designated to administer State plan.
33. Strengthening developing institutions.	Higher Education Act of 1965, title III.	Provide partial support for cooperative arrangements between developing and established institutions.	28,560,000	Accredited colleges and universities in existence at least 5 years.	OE's Division of College Support.
34. National teaching fellowships.	Higher Education Act of 1965, title IV.	Augment the teaching resources of developing institutions.	1,440,000	Developing institutions nominating prospective fellows from established institutions.	Do.
35. College library resources.	Higher Education Act of 1965, title II.	Strengthen library resources of colleges and universities.	25,000,000	Institutions of higher education and combinations thereof.	OE's Division of Library Resources and Educational Facilities.
36. Student loans—matching funds.	National Defense Education Act, title II.	Provide for loans to colleges and universities that cannot meet program's matching obligations.	2,000,000	Accredited nonprofit institutions (including business schools and technical institutes).	OE's Division of Student Financial Aid.
37. Cuban student loans	Migration and Refugee Assistance Act.	Provide a loan fund to aid Cuban refugee students.	3,600,000	Colleges and universities	Do.
38. College work-study	Higher Education Act of 1965, title IV-C.	Provide part-time employment for college students.	134,100,000	do	Do.
39. Reserve contributions to guarantee agencies.	Higher Education Act of 1965, title IV-B.	Help provide adequate loan insurance reserves to guarantee loans.	43,000,000	State or nonprofit private guarantee agencies.	Do.
40. Talent search	Higher Education Act of 1965, title IV-A.	Assist in identifying and encouraging promising high school graduates.	2,500,000	State, local education agencies, public or nonprofit organizations.	Do.
41. Educational opportunity grants.	do	Assist qualified high school graduates to go to college.	112,000,000	Colleges and universities	Do.
42. Cuban refugee professional training.	Migration and Refugee Assistance Act.	Provide refresher training programs for professional personnel.	500,000	do	OE's Division of Educational Personnel Training.
43. Foreign study	Mutual Education and Cultural Exchange Act.	Assist U.S. institutions in promoting language and area studies abroad.	500,000	do	OE's Division of Foreign Studies.
44. State statistical services	National Defense Education Act, title X.	Improve statistical services of State education agencies.	2,250,000	State education agencies	OE's Division of Data Sources and Standards.
45. Strengthening State education agencies.	Elementary and Secondary Education Act, title V.	Improve leadership resources of State education agencies.	22,000,000	State education agencies and combinations thereof.	OE's Division of State Agency Cooperation.
46. Supervision and instruction.	National Defense Education Act, title III.	Strengthen supervision and administration in State education agencies.	7,500,000	State education agencies	OE's Division of Plans and Supplementary Centers.
47. Public library services	Library Services and Construction Act, title I.	Extend and improve public library services.	35,000,000	State library administrative agencies.	OE's Division of Library Services and Educational Facilities.
48. Interlibrary cooperation	Library Services and Construction Act, title III.	Planning for establishment of cooperative networks of libraries.	375,000	do	Do.
49. State institutional library services.	Library Services Construction Act, title IV-A.	Planning for improved institutional library services.	365,000	do	Do.
50. Library services to physically handicapped.	Library Services and Construction Act, title IV-B.	Planning for improved library services to physically handicapped.	250,000	do	Do.
51. Civil defense adult education.	Federal Civil Defense Act of 1950.	Provide information on civil defense procedures to the public.	4,055,000	Chief State school officers or State agencies.	OE's Division of Adult Education Programs.
52. Adult basic education	Adult Education Act of 1966	Provide literacy programs for adults.	30,000,000	State education agencies	Do.
53. Occupational training and retraining.	Manpower Development and Training Act of 1962.	Provide training programs to equip persons for work in needed employment fields.	123,700,000	Local school authorities (public, private nonprofit).	State vocational education agency (information from OE's Division of Vocational and Technical Education).
54. Vocational guarantee reserve funds.	National Vocational Student Loan Insurance Act.	Provide adequate loan reserves for vocational student loans.	1,800,000	State and private nonprofit guarantee agencies.	OE's Division of Student Financial Aid.
55. Vocational work-study	Vocational Education Act of 1963, sec. 13.	Provide part-time employment opportunities for vocational education students.	10,000,000	High schools, colleges, vocational or technical schools.	State education agencies (information from OE's Division of Vocational and Technical Education).
56. Researcher training	Cooperative Research Act (amended by ESEA, title IV).	Develop and strengthen programs for training educational researchers.	(4)	State education agencies, institutions, and organizations.	OE's Division of Research Training and Dissemination.

GROUP III: FOR TEACHER TRAINING AND STUDENT ASSISTANCE

1. Handicapped teacher scholarships.	Mental Retardation Facilities Act, and others.	Improve training of persons responsible for the education of the handicapped.	(5)	Persons employed or preparing for employment as teachers, supervisors, etc., of handicapped.	Participating institutions (information from OE's Bureau of Elementary and Secondary Education).
2. Desegregation training grants.	Civil Rights Act of 1964	Improve ability of school personnel to deal with desegregation problems.	(6)	Teachers and other personnel of public schools.	OE's Office of Equal Educational Opportunities.
3. Experienced teacher fellowships.	Higher Education Act of 1965, Title V-C.	Improve the quality of education of elementary and secondary teachers and related personnel.	(7)	Experienced teachers planning to continue in elementary and secondary teaching careers.	Local school boards or participating institutions (information from OE's Division of Educational Personnel Training).
4. Prospective teacher fellowships.	do	Improve the quality of education of persons planning careers in elementary and secondary education.	(8)	Prospective teachers and school personnel in related professional areas.	Participating institutions (information from OE's Division of Graduate Programs).
5. Arts and humanities training grants (institutes).	National Foundation on the Arts and Humanities Act of 1965.	Strengthen the teaching of the humanities and the arts in elementary and secondary schools.	500,000	Persons engaged in or preparing to engage in teaching or supervising or training teachers.	Participating institutions (information from OE's Division of Educational Personnel Training).

See footnotes at end of table.

Federal money for education: Programs administered by the U.S. Office of Education, fiscal year 1967—Continued

GROUP III: FOR TEACHER TRAINING AND STUDENT ASSISTANCE—Continued

Type of assistance	Authorization	Purpose	Appropriation	Who may apply	Where to apply
6. National Teacher Corps.	Higher Education Act of 1965, Title V-B.	Strengthen educational opportunities of children in low-income areas.	(9)	Qualified teachers and prospective teachers.	Participating institutions (information, OE's National Teacher Corps).
7. Study abroad	Mutual Educational and Cultural Exchange Act.	Improve teacher competence and curriculums in modern foreign languages and area studies.	$721,000	Teachers and supervisors of foreign language area studies (minimum 5 years' experience).	OE's Division of Foreign Studies.
8. Summer seminars abroad.	do.	Improve quality of instruction in modern foreign languages and area studies in the United States.	178,000	Secondary school and college languages-area studies teachers (minimum 2 years' experience).	Do.
9. Counseling and guidance training grants (institutes).	National Defense Education Act, title V-A.	Improve counseling of students in schools and colleges.	(2)	Persons engaged in or preparing to engage in counseling and guidance of students.	Participating institutions (information from OE's Division of Educational Personnel Training).
10. Teacher training grants (institutes).	National Defense Education Act, title XI.	Improve the quality of teachers, school librarians, other specialists.	(10)	Teachers, teacher trainers, and supervisors in 12 areas.	Do.
11. Foreign teacher development.	Mutual Educational and Cultural Exchange Act.	Provide opportunity for foreign educators to observe U.S. methods, curriculum, organization (elementary and secondary).	420,000	Foreign educators (administrators, teachers, teacher trainers, education ministry officials).	U.S. embassies, educational commissions, foundations abroad (information from OE's International Exchange and Training Branch).
12. Teacher exchange	do.	Improve and strengthen relations between United States and foreign nations by exchange of teachers.	350,000	Elementary and secondary teachers, college instructors, and assistant professors.	OE's Teacher Exchange Section, International Exchange and Training Branch.
13. Captioned films—training grants.	Captioned films for the deaf.	Improve quality of instruction available to deaf persons.	(3)	Persons who will use captioned film equipment.	OE's Division of Research Training and Dissemination.
14. Graduate fellowships	National Defense Education Act, title IV.	Increase the number of well-qualified college teachers.	81,957,000	Prospective college teachers working toward doctoral degrees.	Participating institutions (information, OE's Division of Graduate programs).
15. College work-study	Higher Education Act of 1965, title IV.	Provide part-time employment for college students.	(11)	College students	Participating institutions (information, OE's Division of Student Financial Aid).
16. Foreign language fellowships.	National Defense Education Act, title VI.	Train college teachers of modern foreign languages and area studies.	(12)	Undergraduate, graduate, and postdoctoral students trained in modern foreign languages.	Participating institutions (information from OE's Institutional Support Branch, Division of Foreign Studies)
17. Student loans	National Defense Education Act, title II.	Provide for low-interest loans to college students.	190,000,000	College students	Participating institutions (information, OE's Division of Student Financial Aid).
18. Educational opportunity grants.	Higher Education Act of 1965, title IV-A.	Assist qualified high school graduates to go to college.	(13)	Promising high school graduates and college undergraduates of exceptional financial need.	Do.
19. Study abroad	Mutual Educational and Cultural Exchange Act.	Assist U.S. institutions in promoting language and area studies.	(14)	Professors, college, and secondary school teachers.	Participating institutions (information, OE's Division of Foreign Studies).
20. National Teaching Fellowships.	Higher Education Act of 1965, title III.	Augment the teaching resources of developing institutions.	(15)	Highly qualified graduate students or junior faculty members from established institutions.	Participating institutions (information from OE's Division of College Support).
21. Study abroad	Mutual Educational and Cultural Exchange Act.	Improve instruction programs in NDEA language and area centers.	640,000	Center faculty members	OE's Division of Foreign Studies.
22. Do	do.	Develop competence in language and area studies for graduate students preparing for college teaching.	610,000	Graduate students preparing for college teaching of non-Western language and area studies.	Do.
23. Insured loans and interest benefits.	Higher Education Act of 1965, title IV-B.	Provide student loan program through commercial lenders.	(16)	College students	Participating lenders (information, OE's Division of Student Financial Aid).
24. Educational media personnel training grants (institutes).	do.	Improve capabilities of educational media specialists and others using such media at college level.	2,500,000	Those who will use educational media for instruction at undergraduate level.	Participating institutions (information from OE's Division of College Support).
25. Technical assistance, training grants.	Act for International Development of 1961.	Provide specialist training to foreign educators and strengthen education and economy in developing nations.	3,000,000	Foreign nationals from countries with which U.S. has bilateral technical assistance agreements.	AID mission with concurrence local education ministry (information from OE's International Exchange and Training Branch).
26. Cuban student loans	Migration and Refugee Assistance Act	Aid needy Cuban refugee college students to finance their education.	(17)	Cubans who became refugees after Jan. 1, 1959.	Participating institutions (information, OE's Division of Student Financial Aid).
27. Librarian fellowships and traineeships.	Higher Education Act of 1965, title II.	Increase opportunities throughout the Nation for training in librarianship.	(18)	Fellows and others undergoing training in librarianship and related fields.	Participating institutions (information from OE's Division of Library Services and Educational Facilities).
28. Cuban professionals retraining grants.	Migration and Refugee Assistance Act.	Aid Cuban refugee teachers and other professional personnel who need assistance for further study.	(19)	Cuban refugee teachers, physicians, and other professional personnel.	Participating institutions (information from OE's Division of Educational Personnel Training).
29. Leadership and vocational training grants.	Government and relief in occupied areas.	Provide opportunities for Ryukyuans to observe and study in U.S. to improve education, economy.	21,711	Ryukyuan nationals selected by their government.	Ryukyu Island government in cooperation with High Commissioner (information from OE's International Exchange and Training Branch).
30. Vocational work-study	Vocational Education Act of 1963, sec. 13.	Provide part-time employment for young people to help them begin or continue vocational training.	(20)	Vocational education students.	Participating institutions (information from State education agencies or OE's Division of Vocational-Technical Education).
31. Occupational training and retraining.	Manpower Development and Training Act.	Train skilled workers in all sections of the Nation.	(21)	Persons referred by State employment services.	Participating institutions (information from OE's Division of Manpower Development and Training).
32. Vocational loans and interest benefits.	National Vocational Student Loan Insurance Act.	Provide loan program for vocational school students through commercial lenders.	(22)	Vocational students	Participating lenders or schools (information from OE's Division of Student Financial Aid).

See footnotes at end of table.

***Federal money for education: Programs administered by the U.S. Office of Education, fiscal year 1967*—Continued**

GROUP III: FOR TEACHER TRAINING AND STUDENT ASSISTANCE—Continued

Type of assistance	Authorization	Purpose	Appropriation	Who may apply	Where to apply
33. Vocational teacher training grants.	Smith-Hughes, George Barden, Vocational Education Acts.	Improve qualifications of vocational education teachers.	(1)	Teachers of vocational education subjects.	Participating institutions (information from State boards of vocational education or OE's Division of Vocational-Technical Education).
34. Adult basic education teacher training grants.	Adult Education Act of 1966	Improve qualifications of teachers of adult basic education courses.	(23)	Teachers and teacher trainers of adult basic education courses.	Participating institutions (information, OE's Division of Adult Education Programs).
35. Researcher training grants.	Cooperative Research Act (amended by ESEA, title IV).	Improve qualifications of educational researchers.	$6,500,000	Present and prospective researchers in education.	Participating institutions (information from OE's Division of Research Training and Dissemination).

GROUP IV: FOR RESEARCH

Type of assistance	Authorization	Purpose	Appropriation	Who may apply	Where to apply
1. Comparative education research.	Special foreign currency program (Public Law 480).	Use counterpart funds for educational research of value to the U.S. and other nations.	$500,000	Ministries of education and colleges and universities abroad.	OE's Division of Higher Education Research.
2. Curriculum research (general) (arts and humanities).	Cooperative Research Act	Support research on the improvement of curriculum, including arts and humanities at all levels.	16,085,000	Colleges, universities, State education agencies, private or public groups, or individuals.	OE's Division of Elementary and Secondary Research (Arts-Humanities: Division of Laboratories and Research Development).
3. Curriculum research (demonstration and development).	do	Support research—demonstration and development—on school curriculum improvement.	3,000,000	(Same as IV-2)	OE's Division of Elementary and Secondary Research.
4. Curriculum research (dissemination).	do	Support dissemination of research to improve curriculum.	2,415,000	do	Do.
5. Deaf education research	Captioned films for the deaf	Research and demonstration; includes film production.	450,000	Colleges, universities, foundations, agencies, organizations.	OE's Division of Research Training and Dissemination.
6. Educational media research.	National Defense Education Act, title VII.	Support research on educational uses of television, radio, motion pictures, other media.	4,400,000	Grants: Public or nonprofit institutions, individuals; contracts: public agencies, individuals.	Do.
7. Foreign language research.	National Defense Education Act, title VI.	Support research on improved instruction in modern foreign languages and teaching methods.	3,100,000	Colleges, universities, professional associations, public school systems, and individuals.	OE's Division of Higher Education Research.
8. Handicapped research and demonstrations.	Mental Retardation Facilities Act, and others.	Promote research and demonstration on education of the handicapped.	6,100,000	State education agencies, local school districts, nonprofit private organizations, public groups.	OE's Division of Elementary and Secondary Research.
9. Library research and demonstration.	Higher Education Act of 1965, title II-B.	Research and demonstrations on libraries and library personnel training.	3,550,000	Colleges and universities, agencies, and organizations.	OE's Division of Research Training and Dissemination.
10. Research and Development Centers.	Cooperative Research Act (amended by ESEA, title IV).	Support research on the major problems of education.	29,600,000	do	OE's Division of Laboratories and Research Development.
11. Vocational research	Vocational Education Act of 1963, sec. 4(c).	Develop research and training, experimental and pilot programs for special vocational needs.	10,000,000	State education agencies, colleges, and universities, local education agencies.	OE's Division of Adult and Vocational Research.

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[1] See II-10.
[2] See II-13.
[3] See III-11.
[4] See III-35.
[5] See II-19.
[6] See II-12.
[7] See II-23.
[8] See II-24.
[9] See II-22.
[10] See II-17.
[11] See II-38.
[12] See IV-7.
[13] See II-41.
[14] See II-43.
[15] See II-34.
[16] See II-39.
[17] See II-37.
[18] See II-26.
[19] See II-42.
[20] See II-55.
[21] See II-53.
[22] See II-54.
[23] See II-52.

NOTE.—Discrimination prohibited: Title VI of the Civil Rights Act of 1964 states: "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance." All programs cited herein, like every other program or activity receiving financial assistance from the Department of Health, Education, and Welfare, operate in compliance with this law.

APPENDIX NO. 6

THE STATE OF WISCONSIN,
DEPARTMENT OF PUBLIC INSTRUCTION,
Madison, January 30, 1967.

Congressman MELVIN LAIRD,
House of Representatives,
U.S. Congress, Washington, D.C.

DEAR CONGRESSMAN LAIRD: We were very encouraged by the basic philosophy on federal aids which you expressed at the annual convention of the Wisconsin Association of School Boards at Milwaukee last week. We at the state level continue to be concerned about the multiplicity of detail which has tended to be connected with the federal grant-in-aid program over the past several years. We are beginning to see some evidences of local school districts which either fail or reluctantly make application for resources which involve detailed administrative processes even though such districts could well use the financial aids in their operation.

On December 8, 1966 we were privileged to appear before Edith Green's Subcommittee hearing at Chicago and presented the information on our Position Paper as of that date. A copy of this presentation is enclosed for your information, as well as a copy of our 1967-69 biennial budget request to the legislature. We have also proposed a state program to stimulate education for disadvantaged children on a comprehensive planning basis. We feel that our proposal maintains some of the guarantee that is needed and yet provides a far more flexible method for administration than the processes under Title I of the Elementary and Secondary Education Act.

If we can be of any assistance in any way to you on your proposals for tax sharing, please do not hesitate to advise us.

Sincerely yours,
ARCHIE A. BUCHMILLER,
Deputy State Superintendent.

SPRING VALLEY, WIS.,
January 27, 1967.

Hon. MELVIN R. LAIRD,
Representative in Congress, the Seventh District, Marshfield, Wis.

DEAR HONORABLE LAIRD: I was not at the School Board's convention in Milwaukee this past week, but I have been told by several of the men in attendance that you gave some of your views on the Title Programs, and your views evidently were well received.

It would seem to me that it is necessary to clear some of the intricate maneuvers and second guessing in securing acceptance and funding for many of the school projects as are now planned. I am under the impression you addressed yourself to this very aspect of the total program and that you proposed these funds be awarded to schools on a sort of aid basis.

I would be interested in hearing your views on this if you care to share them without too much of an intrusion on your time.

Sincerely yours,

ALLEN A. ANDERSON,
Village President.

ARCADIA PUBLIC SCHOOLS,
Arcadia, Wis., January 23, 1967.

MELVIN R. LAIRD,
House Office Building,
Washington, D.C.

DEAR SIR: I had the pleasure of hearing your address given to the Convention of the Wisconsin Association of School Boards. I endorse your proposal to seek legislation which would result in a plan for sharing federal tax monies with the states.

Such a plan has been in operation in Wisconsin on the state level for some time and functions well. I see no reason why it should not likewise perform well on the federal level.

I am sending copies of this letter to Vernon W. Thompson, Senator Proxmire, and Senator Nelson to solicit their support of this proposal.

Very truly yours,

W. B. GAUTSCH,
Superintendent of Schools.

MONROE PUBLIC SCHOOLS,
Monroe, Wis., January 27, 1967.

Hon. MELVIN LAIRD,
Washington, D.C.

DEAR MR. LAIRD: I appreciated your address to our Milwaukee convention of school boards and school administrators. I would be very happy to support your position if it would help at all.

I work in a good stable conservative farming community. We received less than the average under state equalization formula and less than most under the federal project, Title I. I recognize that some federal aid is inevitable if the federal government continues to take an increasing bite in personal and corporate income tax, but why create all the agencies and bureaus and additional jobs.

Our school equalization aid formula while not perfect is the best devised to date. State aids are based on $40,000 equalized valuation per average daily membership. The federal government could just increase the base to $42,000 or $43,000, and the state apply the formula and distribute the funds. Impose some restrictions if you wish, but not to the point where a director of federal projects is needed. How can we ever extricate ourselves from the growing burden of reports and bureaus which take more of our time and much of the funds allotted.

Yours very truly,

D. J. HUENINK,
Superintendent.

UNIVERSITY OF IDAHO,
Moscow, Idaho, February 2, 1967.

Representative LAIRD,
House of Representatives.

DEAR REPRESENTATIVE LAIRD: On about Thursday, September 22, I had the privilege of watching you on the "Today" show. I was very happy to hear your suggestions as to aid to school districts that they might use to meet their needs. They certainly would do a better job for the majority of school districts throughout the country than the types of federal aid programs which we have at present. There is only one thing that I would suggest that I'm certain you would include in your thinking, and that is that the school districts, before being able to qualify for such aid, should show that they are making the maximum of local effort for throughout the nation today we have a large number of school systems who are not making all the local effort which they could be making.

Thanks for your continued interest in and support of public education.

Sincerely,

ROBERT H. SHREVE,
Professor of Education.

VALDERS PUBLIC SCHOOL,
Valders, Wis., January 31, 1967.

Representative MELVIN LAIRD,
U.S. House of Representatives,
U.S. Capitol Building,
Washington, D.C.

DEAR SIR: I would like to take this opportunity to express a very personal opinion in regard to the Elementary and Secondary Education Act of 1965—Title 1.

This is the second year under which we are functioning under the Act. The first year one could understand the delays and the mountains of paper work and red tape. Now, as we enter the second semester of the 1966–67 school year, we once again experience the same delay. No materials or equipment have been or may be ordered. No allocations have been made. The many hours of planning for an adequate program have been wasted. It is virtually impossible, at this date, to even approach an adequate program. Materials cannot be delivered before the end of the school year and projects find great difficulty in functioning without equipment and materials.

The number of people added to our State Department to administer the program was intended to increase efficiency. Such, however, is not the case. This was the unanimous opinion expressed by the twenty school superintendents at a formal meeting of C.E.S.A. #10 comprising Manitowoc, Sheboygan and Calumet Counties.

We sincerely believe that federal aids to education need a complete revision in form and kind. Wisconsin's program in shared aids seem to be most efficient with the least red tape.

Perhaps the greatest surprise is to read the Sunday paper and hear of the programs and projects sponsored under E.S.E.A.—Title 1. Not a single project has received approval for this year in the State of Wisconsin. This seems to be a contradiction.

Sincerely,

A. B. STUEBBE,
Administrator.

PARTIAL TEXT OF PROPOSALS ON EDUCATIONAL LEGISLATION RECOMMENDED FOR CONSIDERATION BY THE PRESIDENT AND THE CONGRESS IN 1967 BY A LEGISLATIVE CONFERENCE OF NATIONAL ORGANIZATIONS

A legislative conference of national organizations, representing the following groups: American Association of School Administrators, Council of Chief State School Officers, National Association of State Boards of Education, National Congress of Parents and Teachers, National Education Association, National School Boards Association, met in Washington, D.C., on January 16–17, 1967. The Conference considered a comprehensive agenda of items relating to federal policy and legislation, developments in the administration of various federally related school programs, and the needs and problems reported from school systems throughout the country. As a result of its deliberations the Conference unanimously makes the following recommendations for the consideration of the President and the Congress.

1. TIMING OF FEDERAL AUTHORIZATIONS, APPROPRIATIONS, REGULATIONS, ALLOCATIONS, PAYMENTS AND REPORTS

One of the most crucial problems resulting from the increased participation of the federal government in the financing of education is the incompatibility of the legislative year and the school year as it affects planning and financing of school programs. The problem results primarily from the fact that federal funds become available beyond the time when planning for their use can be effective.

We propose that Congress study this problem and recommend a solution which would provide local school districts with the information on available funds at a time when they can use it most effectively. . . .

3. TRANSFER OF HEAD START TO THE OFFICE OF EDUCATION

We recommend the transfer of the Head Start program from the Office of Economic Opportunity to the Office of Education, retaining the elements of the program which emphasize health, social services, parent education, and parent participation. . . .

6. AMENDMENTS TO TEACHER CORPS LAW

We recommend that the National Teacher Corps be continued as a pilot program for a period of three (3) years with an appropriation level of approximately:

a. $10 million for the fisal year ending June 30, 1968;

b. $20 million for the fiscal year ending June 30, 1969;

c. $30 million for the fiscal year ending June 30, 1970.

We further recommend that the National Teacher Corps Act be amended to:

a. Provide for the allocation of funds through state departments of education, and for state approval of Corps members and their training;

b. Provide grant authority for contracts with local school districts and universities for a two-year period of service;

c. Set the compensation for teacher-internes at the prevailing rate for graduate students of $75 per week plus $15 per week for each dependent;

d. Provide that initiative for project proposals shall rest with the local school districts and cooperating institutions of higher education with approval of the state department of education. . . .

9. GENERAL FEDERAL SUPPORT OF PUBLIC EDUCATION

We recommend federal participation in the financing of public education through substantial general support, with minimum limitations on its use, rather than through fragmentary categorical grants. . . .

11. MANPOWER DEVELOPMENT AND TRAINING ACT

We recommend that the administration of the Manpower Development and Training programs be transferred from the Department of Labor to the Department of Health, Education, and Welfare. . . .

17. REGIONAL OFFICE OF THE U.S. OFFICE OF EDUCATION

We oppose expansion of the regional offices of the U.S. Office of Education and recommend that wherever possible educational functions and authority be vested in state departments of education.

APPENDIX No. 7

[From the Wall Street Journal, Jan. 19, 1967]

BUILDING AN ISSUE: GOP WILL FIGHT FOR IDEA OF TAX-SHARING THOUGH IT'S SURE TO LOSE—NOW—PARTY THINKS PLAN WILL HAVE BIG APPEAL IN '68 CAMPAIGN, AIMS FOR "POSITIVE" IMAGE—"BLOCK GRANTS" FOR THE STATES

(By Norman C. Miller, Staff Reporter of the Wall Street Journal)

WASHINGTON.—The most important battle in the 90th Congress may well be about new legislation that everyone on Capitol Hill knows can't be enacted now: The proposal to give states a fixed share of Federal tax revenues.

For resurgent Republicans think a GOP tax-sharing plan, which will be emphasized by party Congressional leaders Gerald Ford and Everett Dirksen in tonight's "Republican State of the Union" message, can be parlayed into the major domestic issue in the 1968 Presidential campaign. Meantime, GOP leaders believe, stressing the party's commitment to tax-sharing will give Republicans an opportunity to project the positive party image they deem vital to success in 1968, while still opposing Great Society programs.

Thus tonight's Republican pledge to press for tax-sharing, while doomed to immediate legislature failure by the Administration's present opposition, will launch a major GOP political offensive. And many Democrats fear they are vulnerable to the attack.

A "PIECEMEAL" CAMPAIGN

While the Republicans fully recognize that Democrats can bottle up any comprehensive tax-sharing scheme in committee, House GOP Conference Chairman Melvin Laird and other party activists intend to press a "piecemeal" campaign for tax-sharing.

As various Federal programs offering grants to states for specific purposes come up for a vote, Republicans will urge that stringent Federal ground rules—requiring states to put up matching funds among other things—be dropped in favor of no-strings "block grants."

"This would establish the principle of tax-sharing," Mr. Laird says.

The tax-sharing concept—first advocated, ironically, by former Democratic Presidential adviser Walter Heller—has the earmarks of a popular cause. Not only is it widely endorsed by governors and mayors of both parties, but a recent Gallup Poll reported that 70% of the public favors the idea of turning over a fixed portion of the Federal tax take to states to use as they see fit—for education or health or almost anything else; advocates of the plan expect that states would channel a good deal of the money to local governments.

CRITICISM OF CONCEPT

The basic tax-sharing idea, of course, is to give the states and local governments the means to develop their own programs to cope with today's urban-suburban problems, and thus reduce the trend to Washington-controlled programs.

With this aim in mind, Republican Sen. Jacob Javits of New York, along with six other GOP Senators, yesterday introduced a broad revenue-sharing proposal in the Senate. It calls for turning over to the states 1% of total income subject to Federal tax the first year, 1½% the second year and 2% annually thereafter. Of these amounts 85% would be distributed on the basis of population and the rest on the basis of lower per-capita incomes in certain states. There would be a minimum of Federal controls on the spending of these funds by state and local governments.

The whole idea of sharing has evoked strong opposition from the Federal bureaucracies threatened with loss of their fund-allocating power and from liberals who argue that the states cannot be trusted to use new revenues wisely when they bear no responsibility for raising the money. These reasons, plus the demands of the Vietnam war, account for the Administration's current opposition to tax sharing.

Yet considering the concept's broad appeal, many Democrats believe it would be risky indeed to forfeit the idea to the Republicans. Anticipating the Republican tax-sharing campaign, they are filling the air with counterproposals aimed at putting the issue on ice until after the 1968 elections.

Democratic Sens. Edmund Muskie of Maine and Gaylord Nelson of Wisconsin, for instance, are urging establishment of a national commission to study tax-sharing and report its findings to Congress in 1969. That's the sensible course, Sen. Nelson argues, because much time is needed to work out complex details. Talk of starting tax-sharing while the Vietnam war strains the Federal budget is mere "political window-dressing" that could result in reckless action, he charges.

Actually, the Johnson Administration is giving hard study to the idea of loosening Federal strings on some grant programs and it may attempt to deflate GOP criticism by recommending some block grants on its initiative. But Administration officials say they must move slowly toward the block grant concept because fast changes might disrupt present programs.

SUPPLANTING SPENDING PROGRAMS

But Republicans vow they will not be put off so easily. Politically they see tax-sharing as the ideal "positive" counterweight to the attention that will be focused on their budgetcutting talk, which risks getting the party pinned with a negative label. Moreover, it is one of the few issues on which all GOP factions can unite; at least as to basic theory.

Republicans insist that it isn't inconsistent to talk about domestic budget cuts, on the one hand, while pressing for their tax-sharing plan on the other. Nor do the budget demands of Vietnam preclude a start on tax-sharing, they argue. The key to this argument is that GOP Congressional leaders advocate tax-sharing basically as a way to supplant present Federal spending programs rather than as a way to channel big new sums into the states.

It is on this point that the Republicans differ fundamentally from those Democrats who also favor the idea. The Democrats look on it as a way to add substantially to present Federal aid to states, and that is why Democratic tax-sharing enthusiasts in Congress see little chance of swinging the Administration to their side at this time of budget strain.

In Republican minds, the tax-sharing campaign has a short-range tactical importance to the party of equal significance to the long-range strategy of turning it into a major issue in 1968. GOP leaders reason that arguing for block grants as an immediate substitute for traditional grant-in-aid programs will allow them to oppose many Administration bills in a "positive" way. "At last we have a chance not to be in a purely negative position," says a House Republican strategist. "We can make motions to recommit (defeat) Administration bills with instructions to substitute block grants as the better way to do the job."

The exact Federal grant-in-aid programs the Republicans will try to transform into block grant programs haven't been selected yet. But party leaders say attempts will be made when some of the more than 100 grant programs currently offered by the Health, Education and Welfare Department come up for renewal in this Congressional session. Another prime target probably will be President Johnson's new proposal for Federal grants to help state and local police departments.

Under the President's plan, which sets formulas typical in present grant programs, the Federal Government would pay 90% of the cost of developing state and local plans to combat crime, 60% of the cost of training new police tactical units and providing modern crime-detection equipment, and 50% of the cost of crime laboratories and special police training academies.

"Why saddle states and cities with all these inflexible formulas?" argues one House Republican. "It would be better to just give them money without strings to fight crime and let them use it as it best suits their local needs."

Whether Republicans, still in the minority in both houses of Congress, will win their battles for block grants this year or next is highly doubtful. Already, some Democrats are striking at the GOP theory that savings resulting from elimination of Federal administrative costs might allow immediate reductions, or at least prevent a total increase, in Federal funds channeled to states.

"What they're really talking about is cutting these programs," charges House Democratic Whip Hale Boggs.

Even if House Republicans mustered enough votes to pass new block grant programs, there's only a remote chance of approval in the Senate, where Democrats still hold almost a two-to-one majority. Also, though Senate Minority Leader Dirksen pays lip service to the tax-sharing plan of fellow-Republicans, his private opinion is less than enthusiastic. "He feels they haven't thought it through," says one close Dirksen associate.

But the GOP enthusiasts actually care little if they win the immediate legislative fights. Their prime objective is to build up tax sharing as a "positive Republican alternative" and keep the issue alive in those terms so it can be exploited by the party's Presidential candidate.

"If we can get a real clash going in Congress," declares a GOP strategist, "we will be ready in 1968 for a basic confrontation with Johnson over the best way to deal with commonly recognized problems."

VIETNAM

The SPEAKER pro tempore. Under previous order of the House, the Chair recognizes the gentleman from Iowa [Mr. GROSS] for 30 minutes.

Mr. GROSS. Mr. Speaker, the latest published casualty figures for the war in Vietnam show that nearly 9,000 Americans have been killed in combat, almost 42,000 wounded, and 503 are missing in action.

With at least $2 billion being expended each month, the costs of this grisly war, in terms of lives and money, is overwhelming and the end is not yet.

As a cold, irrefutable, and tragic fact, vital areas of North Vietnam have for all practical purposes been designated sanctuaries by President Johnson and Secretary of Defense Robert S. McNamara.

Just as U.S. military forces were denied the opportunity for victory in the Korean war when President Truman prohibited bombing of the Communist troop marshaling and supply areas north of the Yalu River, so President Johnson has diabolically shackled our fighting men in Vietnam.

Some 35,000 Americans died in combat in Korea, another 130,000 were wounded, and hundreds missing. Some are still missing.

In Vietnam today, as in Korea a few years ago, thousands of Americans might have been saved from being killed or maimed had our troops been free to fight an effective war, even though limited to conventional weapons and tactics.

It is time the citizens of this country were made to understand that they and their fighting men have been made the victims of a betrayal to international politics and intrigue.

Long have citizens known that through the North Vietnam seaport of Haiphong have poured millions of tons of supplies for the North Vietnamese Communists; that American pilots have been prohibited from destroying that source of supply. Long have our citizens known that American pilots have been prohibited from bombing Hanoi, capital of

North Vietnam and nerve center of the Communist war effort.

But what most citizens do not know is that our aviators are prohibited from bombing steel, cement, and powerplants in North Vietnam as well as Communist military installations that may be within a specific radius of these plants and cities.

American pilots are also handcuffed and prohibited from attacking North Vietnam's airfields from which Russian MIGs take the air to do battle with Americans. Nor can our pilots destroy the dams holding back the waters, which, if unleashed, would flood wide areas of North Vietnam's food production.

Equally as incredible is the fact that warships of the Seventh Fleet are prohibited from firing on land targets in North Vietnam. As strange as was Harry Truman's conduct of the war in Korea, the no-win tactics of Lyndon Johnson in Vietnam are incredibly weird.

Last October 1966, U.S. News & World Report published excerpts from a letter written by Navy Lt. Norde Wilson to our colleague, the Honorable William E. Minshall, of Ohio. It is entitled "Combat Pilot's Plea: 'Give Us Half a Chance To Win.'" Thereafter follows this introductory note:

> From a naval aviator comes a scathing indictment of the way the U.S. is waging the air war in Viet Nam. He charges there are bomb shortages, useless sacrifice of lives, a pattern of deception by American officials.

I submit for printing with my remarks at this point the excerpts from the letter written by Lt. Norde Wilson, who was on duty in Vietnam at the time he expressed these views:

> I was in the war zone, and there definitely was a bomb shortage. Morale was low enough among the aviators and loading crews who had to send a plane off the catapult carrying only one sixth of its capacity, and then on top of that we had to read each day of the deceptions, denials and prevarications being handed to the American people by the Defense Department, in direct contradiction to the true situation.
>
> Many times we were launched on a combat mission with only four small, 250-pound bombs, when the F–4B, the Navy's version of the Phantom, could carry 24 of these bombs. This was done for a higher sortie count. Many missions were launched into the darkness of night over that unmentionable territory [Laos] that, until recently, we had denied that we were bombing. We were instructed to use flares to spot targets, none prebriefed, or to bomb convoys whose headlights we might spot.
>
> These missions were flatly ineffective and, for the risk involved in dive-bombing at night into mountainous and unfamiliar terrain, should never have been flown. One such mission cost us the lives of our squadron skipper and his radar officer in December, 1965, as they crashed into a mountainside pulling out of a dive. But it counted for another sortie. Both of these men were professionals doing their job to the best of their abilities, but they would much rather have lost their lives pulling off a bomb run on Phuc Yen Airfield or the docks at Haiphong or the oil dumps in Hanoi.
>
> All of the above targets are worth the risk of lives and equipment. These are strategic targets that, if hit, could save the lives of many of our men in Vietnam. However, we read daily of Washington's concern over making enemies of the North Vietnamese populace—and world opinion. There was no voiced concern of the number of American lives being lost unnecessarily because of the indecisions and restraints being placed upon them, while the enemy continues at full force, killing in any way possible, without concern of world opinion.
>
> Plane parts and supplies of a critical nature were unobtainable for unreasonably long periods. Whether or not this can be attributable to poor logistics is debatable. . . .
>
> These snake-eye fins [on a certain kind of bomb] are an expensive fin for a special purpose, and have proved unusable over North Vietnam due to the unfavorable casualty statistics involved in low-level delivery. Yet these continue to arrive by the shipload, and are fitted to bombs, carried to targets, dropped from dive-bomb profiles, and wasted when the much less-expensive fin could have done the job just as well. . . .
>
> I have seen these men, including myself, go into the combat area willfully, aggressively and with a fine patriotic attitude, only to be stifled in his desires to finally be able to deliver a sound blow at Communism for his country.
>
> This includes endless briefings on don'ts: restrictions handed down from Washington, not in the interest of making our already-difficult job easier, but seemingly more for the purpose of creating and maintaining their own favorable image, both at home and abroad. Days and months of anticipation of, "Surely they are going to turn us loose soon and let us win this thing," only to lapse into a quasi-state of apathy and the attitude of, "Oh well, a few more weeks and we will be home and can forget this fiasco."
>
> Even our military leaders are developing this attitude of, "Play it safe; this target isn't worth any one of our lives or planes. If Washington is going to drag this thing out, we may as well plan to stay alive until they give us something worth shooting at." I have heard these general words remarked a number of times by flight leaders of the O–4 and O–5 level [lieutenant commanders and commanders]. These are all dedicated men who are humiliated and weary of bombing foot bridges, haystacks and mythical VC [Viet Cong] concentrations. I recall one mission of three aircraft on which we were directed to make three passes each, to destroy two small water wheels on a stream in the middle of nowhere. Ten million dollars in equipment and six highly skilled aviators being utilized for a valueless target of this nature! As an example, this statistic might be reported in the States as one irrigation plant destroyed. . . .
>
> When a man is kept at sea for nine months, often for periods of 30, 45 and 60 days without an in-port call, he feels that it is unnecessary for the little effect he is having on the enemy. This man would much rather carry devastation to the enemy, end the conflict, and return home to his family and friends. He is not interested in being utilized for setting records of on-station time, number of sorties, and continuous hours of operation merely to improve the image of his commanders. . . .
>
> All of these men are intelligent and highly dedicated individuals who want more than anything to serve their country and defeat the Communists. I know from my own feelings that they are extremely patriotic. They are, on the other hand, growing tired of this war that Washington will not admit; tired of having the war run by uninformed potential voters who want a quiet war, one that will not make hardships for them at home. Your true patriots are there trying to fight a war. There is no other name for it, and the men fighting there want to be given half a chance to win.
>
> The enemy in Hanoi capitalizes on our weak wills in Washington. We give them concessions that kill our soldiers. These men in Vietnam know what the situation is there. In its present state, they can take only so much of the blundering. . . . The politics of it all has made them sick, and the services are facing a critical shortage for good men. It will get worse!

Mr. Speaker, only last Sunday Gen. Curtis LeMay, retired chief of the U.S. Air Force, called for the complete destruction of North Vietnam's warmaking potential.

"The way to end the war in Vietnam is to win it," said LeMay, adding that the United States must "destroy the ability of the North Vietnamese to make war and then, if necessary, their entire productive capacity."

The highly respected General, former boss of the Strategic Air Command, asserted the United States must be willing, if necessary, to continue bombing until "every work of man in North Vietnam is destroyed."

Mr. Speaker, it is utterly beyond belief that President Johnson or any other official of this Government would permit, much less order the creation of privileged sanctuaries in North Vietnam. That is exactly what he has done in prohibiting our pilots from bombing a multiplicity of vital areas, and prohibiting our naval forces from shelling mainland targets. What manner of war is this when a specialty of those now conducting our foreign relations is the extension of privileged sanctuaries to our enemies; when they refuse to halt the shipping to North Vietnam which carries Soviet arms and ammunition to our enemies; when they refuse to save American lives by destroying the North Vietnamese economy and the support it gives to the making of war?

The excuse for the privileged sanctuaries in the Korean war and now in North Vietnam, has been the alleged danger of "escalation" of those wars. The failure to win anything but an uneasy, uncertain military truce in Korea led directly to the war in Vietnam. Without massive help from the Red Chinese and the arsenal of Soviet Russia, the North Koreans could not have waged war. The same is true of the North Vietnamese. Implicit in our massive buildup in Vietnam and contiguous areas has been "escalation," yet strangely after months of sanguinary warfare neither Soviet Russia nor Red China has felt enough provocation to oppose with their land forces our deployment on the continent of Asia.

The truth of the matter is that by draining the blood of Americans in Vietnam and the pocketbooks of Americans in this country they are accomplishing the results they seek. These vultures live for the day when they can pick the bones of a prostrate United States.

The first concern of those who have been entrusted with the conduct of this war should be the winning of it in the shortest possible time, and that timetable does not permit of a single sanctuary in North Vietnam that makes a contribution to prolonging the fighting.

Meanwhile, President Johnson and the State Department would be well advised to abandon immediately the drive for the establishment of Communist sanctuaries in this country in the form of Russian consulates. The specious argument is made in behalf of ratification of the pending consular treaty that it will give us "windows" in Russia through which we can look out upon the headquarters of communism; that it will somehow provide protection for the 12,000 to 15,000 Americans who visit the Soviet Union each year. The proposed treaty does not even guarantee a trial, much less a fair trial, for an American tourist who finds trouble in Russia.

Yet, under the excuse that any consular personnel we send into Russia must have immunity we propose to grant Soviet personnel in the consulates in this country immunity from criminal prosecution.

And this consular treaty is proposed while Soviet ammunition, fired from almost all types of Russian-made guns, is killing and maiming Americans in Vietnam. Commonsense and loyalty to our fighting forces, if nothing else, should dictate out-of-hand rejection of this dangerous treaty at this time.

On this subject, Mr. Speaker, I offer for printing in the RECORD an excellent editorial from the February 12, 1967, issue of the Waterloo, Iowa, Daily Courier:

CONSULAR TREATY IS DANGEROUS

Back in 1964 the administration negotiated a treaty with Soviet Russia which provided unusual immunities for the staffs of newly-established consulates.

Under existing treaties and practices, only the top diplomatic officials are granted complete immunity from prosecution for a crime in the countries where they are stationed. The officials of a consulate are sometimes given immunity from prosecution for misdemeanors, such as traffic tickets, but they have not been exempt from prosecution for felonies.

The new treaty, however, would grant full diplomatic immunity not only to the chief officials of a newly-established consulate but also to all employees. Thus a Russian consulate could employ an American Communist as a cook and he would be exempt from all prosecution under American law. The United States, however, would have the authority to expel as "persona non grata" any Russian citizen.

Moreover, experience has indicated that a percentage of all Russians entering this country on diplomatic passports are official espionage agents and this requires surveillance of their activities. The greater the number of such people permitted in the country the greater the cost of the surveillance and the greater the chance that essential defense information will be leaked to the Soviet government.

This has prevented submission of the new treaty to the Senate which would in the past have rejected it. But the administration considers the treaty important and has convinced some senators that the dangers cited above are not great. Moreover, the treaty also contains some provisions for the protection of tourists which would be important if the Russians obey them.

There may be something in the argument that the United States is an open society with few secrets and that this country would gain more than it losses by being able to open new consulates in Russia with a staff having the immunities described.

But we know of no evidence that the Russians have abandoned the propagation of Communism throughout the world as a major goal. They will use any new instrument put in their hands for that purpose.

In conclusion, Mr. Speaker, let me reiterate that President Johnson's conduct of the war in Vietnam is suspect in the minds of the American people. They want assurance now of an early end to this gory, merciless fighting. They cannot understand why the military might of this Nation is bogged down in swamps and jungles thousands of miles from our shores.

They will not tolerate the creation out of fear of sanctuaries from which our enemies deliver their lethal cargoes to decimate the ranks of American fighting men.

They are tired of being hoodwinked by such as Secretary of Defense Robert S. McNamara and others who glibly provide all manner of excuses and alibis for failure to destroy in North Vietnam the ability to make war.

And President Johnson should have heard the clear message from the American people last fall that they want no interminable war in Asia. They want this war won now and then they insist that we get out of Asia. Nor do they want the stage set for another war on the continent of Africa.

Mr. HOSMER. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I am glad to yield to my friend, the gentleman from California.

Mr. HOSMER. Mr. Speaker, I would like to compliment the gentleman on taking up the most difficult but vital duty of giving a warning to the American people not only relative to the matter of international treaties but as to the conduct of the war. I think the gentleman well realizes that in the past America has relied upon its professional military people to issue just such warnings on military matters and particularly on those involved in the conduct of an armed conflict.

Mr. Speaker, since the Secretary of Defense, Mr. McNamara, over a half a decade ago, commenced his duties as custodian of the Pentagon, there has been an increased muzzling of the military, to the extent that today men in uniform—unless they want to resign—cannot express a warning with reference to policies which may be detrimental to the national security and to the American people.

Therefore, Mr. Speaker, it is incumbent upon us, those of us who serve in this body, to try to take up this slack.

Moreover, Mr. Speaker, it is my opinion that a point which has not been noticed is that not only have the traditionally public servants been muzzled, but they have been stricken with anonymity. No longer do we have a Patton or an Eisenhower or a MacArthur, known to the public, in charge of any important military operation.

Mr. Speaker, 999 out of 1,000 people cannot even tell us who is the chairman of the Joint Chiefs of the U.S. military forces, let alone the names of the other Joint Chiefs who serve with him.

This type of politics, this kind of suppression of the facts has indeed been irresponsible and diametrically opposed to those actions which have been responsible for the survival of this nation.

Mr. Speaker, the policies of this administration have deceived the people of this country.

The American people are entitled to the advice and wisdom of its best citizens, whether they serve in uniform or whether they happen to agree with the somewhat odd and often questionable policies of the top echelon of the military leaders of our country. It is my opinion that it is time these muzzles be laid aside and that these people be allowed to speak.

Further, Mr. Speaker, it is my opinion that it is time the American people be permitted to hear about various operations now being conducted in Vietnam, and they should be permitted to hear from personages such as General Westmoreland, the commander of our forces in Vietnam.

However, Mr. Speaker, the general who is in charge of the overall operations of all military forces in Vietnam cannot speak, and neither can the Chairman of the Joint Chiefs of Staff speak freely. No man in the uniform of the United States of America can speak without fear of penalty in behalf of the situations which vitally affect the national survival of the United States of America.

Mr. GROSS. Mr. Speaker, as the gentleman from California [Mr. HOSMER] and I well know, some of these active duty admirals and generals have spoken up in the past. Invariably, if they served in the Department of the Army, they were "cashiered" or forced to resign under pressure. If they served in the Department of the Navy, they were made to "walk the plank."

Mr. Speaker, I thoroughly agree with the sentiments which have been expressed by the distinguished gentleman from California [Mr. HOSMER]. It is long past time when the fighting of the war in Vietnam should have been turned over to the military leaders, to those we have trained to lead us in our military operations in time of war.

THE NONPROLIFERATION TREATY HOAX

The SPEAKER pro tempore. Under previous order of the House, the gentleman from California [Mr. HOSMER] is recognized for 10 minutes.

Mr. HOSMER. Mr. Speaker, next Tuesday the 18-Nation Disarmament Conference reconvenes in Geneva under instructions of a U.N. General Assembly resolution quickly to negotiate a nonproliferation treaty.

President Johnson has described the achievement of such a treaty as a matter of highest priority. According to Senator ROBERT KENNEDY, without it the existence of mankind beyond the 20th century is in grave doubt. A parade of administration Cabinet officials, including Dean Rusk and Robert McNamara, have spoken of a vast need for the proposed treaty. Only last week even a peaceful underground nuclear experiment, Cabriolet, was canceled on the excuse it might interfere with negotiations. Over $2.5 million had been spent in preparation for Cabriolet. To hear all these people talk one would think the peace of the world and the lives of every one of us hinges on a nonproliferation treaty.

This is an outrageous hoax.

Five countries now possess nuclear weapons: the United States of America, U.S.S.R., United Kingdom, France, and Red China. The latter two will boycott the treaty anyway. They are the nuclear bad guys in today's scenario of international affairs. They will refuse to sign its pledge to refrain from giving nuclear weapons to nonnuclear countries. The treaty will be useless as to them. The other three nuclear powers evidence no intention of establishing giveaway bomb policies in any event. The treaty will be useless as to them.

As to some 100 or more nonnuclear countries who might pledge not to go nuclear on their own, all but a handful have no scientific capability or industrial resources to do so anyway. The treaty will be useless as to them. Promises not to go nuclear by Upper Volta, Honduras, Malaysia, and around 97 more countries like them are laughable exercises in "give-up-nothingmanship." Then there are about 18 nonnuclear countries who could, if they wanted to, go nuclear on their own. Most of these have no reason for or intention of doing so anyway. The treaty will be useless as to them. The remaining four or five which do have reason to do so cannot reasonably be expected to refrain from it on the basis of useless promises from others. The treaty will be useless as to them.

In short, all this nonproliferation treaty tear jerking and hand wringing is an outrageously contrived hoax over a lot of useless nothing. It is a gigantic balloon full of political hot air. If the Johnson administration seriously regards the treaty as a genuine peace move or pays a nickel more for it than the price of the paper it is written on, it deserves a booby prize, not a peace prize.

REREFERRAL OF EXECUTIVE COMMUNICATION

Mr. DULSKI. Mr. Speaker, I ask unanimous consent that the Committee on Post Office and Civil Service be discharged from consideration of executive communication No. 353 and that it be re-referred to the Committee on Government Operations.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

CREATING A REDWOOD NATIONAL PARK

Mr. CARTER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. REID] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. REID of New York. Mr. Speaker, I am introducing today a bill to create a Redwood National Park, containing some 90,000 acres of land, in the State of California. This is the same bill that was introduced earlier this year and in the 89th Congress by the distinguished ranking member of the Interior Committee, JOHN SAYLOR.

This bill would establish a national park near Redwood Creek and it would authorize the expenditure of up to $100 million by the United States for acquisition and improvement of the land as well as an additional $50 million in matching funds.

In my judgment, we must act now to preserve as many redwood trees as possible while there is still time. These magnificent trees are part of the heritage of all Americans and we must see to it that they are still standing in their proud glory for our children and for our children's children. The redwood forests are unique and irreplaceable, and to delay action any longer will mean a continuing reduction in their size and grandeur.

The Redwood National Park that this bill proposes would include some 18 miles of coastland, 11 miles of usable beach, and 12 miles of river frontage—as well as a mere fraction more of the 200,000 acres of redwood trees that are up to 2,200 years old.

Mr. Speaker, I am hopeful that the Interior Committee will hold hearings as soon as possible and that the House will give this legislation early consideration.

REAL PROPERTY TAX REIMBURSEMENT TO THE STATES

Mr. CARTER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. REID] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. REID of New York. Mr. Speaker, I am introducing today a bill to provide that the United States shall reimburse the States and their political subdivisions for real property taxes not collected on real property owned by a foreign government and therefore exempt from taxation.

Many municipalities, especially those surrounding New York City, are the proud hosts of a number of diplomats representing their governments at the United Nations. At the same time, however, these cities are forced to assume the burden for unpaid taxes that rightfully should be shared by the entire Nation.

In my own congressional district, for example, the city of New Rochelle has property occupied by the ambassadors of four foreign governments accredited to the U.N. which has an assessed value of approximately $300,000, resulting in unpaid taxes of about $150,000. With tightened municipal budgets and rising tax rates, it is my judgment that the entire country should share the increased tax burden placed on the residents of these affected cities.

PROHIBITING ARBITRARY DISCRIMINATION IN EMPLOYMENT ON ACCOUNT OF AGE

Mr. CARTER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. REID] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. REID of New York. Mr. Speaker, I am introducing today a bill that would prohibit arbitrary discrimination in employment on account of age.

This bill, which amends the Fair Labor Standards Act, would prohibit employers with more than 50 employees, employment agencies and placement services, and labor organizations from discriminating against persons age 45 or older "when such an age distinction is not a bona fide occupational qualification reasonably necessary to the normal operation of that particular business or enterprise."

The intent of this legislation, as introduced initially by the distinguished Senator from New York, Senator JAVITS, is much the same as that of the administration bill, H.R. 3651. Both bills bar age discrimination against those over 45; they both allow an exemption for cases involving a "bona fide occupational qualification"; they both provide for conciliation, and, if necessary, enforcement by court order.

However, there are a number of significant differences between the two measures which, I believe, indicate certain weaknesses in the administration bill that are to some extent corrected in the bill developed by Senator JAVITS.

First, our bill places responsibility for enforcement with the Wage and Hour Division of the Department of Labor. The administration bill specifies only the Department of Labor and fails to recognize that the Wage and Hour Division already has the staff and expertise necessary to carry out this legislation. In fact, this Division presently supervises the age provisions concerning child labor.

Second, while the administration bill provides for an administrative hearing followed by enforcement in the courts, if necessary, our bill permits the Secretary of Labor to move directly to the U.S. district courts, following such informal conciliation procedures as it may be appropriate to employ. This is the system presently in use under the Fair Labor Standards Act and has worked well.

Finally, my bill provides only civil remedies, in contrast to the administration bill which also makes provision for criminal penalties. Criminal sanctions would require a higher burden of proof and give rise to the possibility of witnesses in age discrimination cases refusing to testify under fifth amendment privileges. It seems to me that the desired objectives can be achieved without this added difficulty.

Mr. Speaker, Americans over 45 comprise some 27 percent of the unemployed. Their talents and experience can be put to productive use in our communities. Those willing to work should not be discouraged because of potential discrimination on account of their age. I am hopeful that legislation to bar such discrimination will be enacted this year on a Federal level, to supplement and shore up the 20 State laws now banning discrimination because of age, but hampered because of lack of funds and staff. I am hopeful that these two somewhat different approaches to the same problem will lead to bipartisan discussion on a high level that will result in meaningful, significant legislation.

INTERGOVERNMENTAL COOPERATION ACT OF 1967

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. Fountain] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. FOUNTAIN. Mr. Speaker, I am pleased to introduce, for appropriate reference, a bill whose purposes are best conveyed by its citation—the Intergovernmental Cooperation Act of 1967. This bill is designed to strengthen intergovernmental relations by improving cooperation and the coordination of federally aided activities among the levels of government—Federal, State, and local. It is intended to help our federal system more effectively meet the needs of a growing and dynamic American society.

I am pleased to be joined in the introduction of bills for this important purpose by five distinguished colleagues: the gentlewoman from New Jersey [Mrs. Dwyer], the gentleman from Florida [Mr. Fascell], the gentleman from Wisconsin [Mr. Reuss], the gentleman from Maryland [Mr. Machen], and the gentleman from Oregon [Mr. Ullman]. A similar bill has been introduced in the other body by the distinguished junior Senator from Maine, Senator Muskie, and a bipartisan group of cosponsors.

This bill seeks to harmonize the many independently administered Federal assistance programs for their more effective and coordinated implementation at the State and local levels where these programs are actually translated into projects and services for the benefit of our people. While dealing principally with improving the use of Federal grants-in-aid, the proposed legislation is directed to other intergovernmental problems as well.

The grant-in-aid has over the years proved a valuable instrument for forging cooperative effort among the levels of government in solving common problems of national concern. As a cooperative device, the grant has contributed greatly to the vitality of our federal system. Without the grant device, the pressure for public services might well have produced a much greater centralization of government in this country, thereby further weakening or destroying the equilibrium of our federal system which constitutes so essential a bulwark for the preservation of our democratic institutions. A federal structure is also a practical necessity for governing a nation with an area as large and a population as varied as ours.

While the grant has been a valuable instrument for facilitating intergovernmental cooperation, it has, nevertheless, created difficult problems for State and local governments. Problems have resulted from the rapidly accelerating trend in recent years toward the enactment of a great many new and varied grant programs. We presently have over 220 Federal grant programs administered by no fewer than 16 Federal departments and agencies. Problems have also resulted from a lack of effective coordination of these activities at the Federal level, and with respect to their impact on local communities and on the structure of State government.

Mr. Speaker, the Intergovernmental Relations Subcommittee, which I have had the privilege of chairing for the past 12 years, has concerned itself with many of these problems and has, from time to time, recommended steps for dealing with them. And the improvement of Federal-State-local relations has been the goal of the Advisory Commission on Intergovernmental Relations ever since the Congress created this important body in 1959. It is from the scholarly studies and practical recommendations of the Advisory Commission that the provisions contained in this bill are largely derived.

My bill is intended to accomplish eight major objectives, as follows:

First. Provide that Governors and State legislatures be fully informed, upon request, about all Federal grants made to their States, and that grant funds be more uniformly and efficiently administered.

Second. Permit State and local governments to contract with Federal agencies for specialized technical assistance and training which the State and local governments themselves cannot economically provide. However, Federal agencies would not perform these services if they are reasonably and expeditiously available through ordinary business channels.

Third. Establish a coordinated intergovernmental policy on the administration of grants for urban development, with Federal agencies taking into account all viewpoints—local, regional, State, and National—in the formulation and evaluation of programs and projects. Cities, counties, and towns would be favored as recipients of Federal urban development assistance in preference to special purpose units of local government which are not directly responsible to the voters.

Fourth. Provide for periodic congressional review of new Federal grant-in-aid programs to insure that such programs are examined in a systematic fashion and are reconsidered in the light of changing conditions.

Fifth. Authorize the President to submit plans to the Congress for the consolidation of individual categorical grants within broad functional areas, subject to the same kind of congressional veto procedures that apply to executive reorganization plans. The purpose of this provision is to help control the proliferation of separate grants and to provide greater flexibility to the States in the use of grant funds.

Sixth. Require that the Federal Government, to the extent possible, acquire, use and dispose of urban land in a way that is consistent with local planning objectives.

Seventh. Establish a uniform policy for fair and equitable treatment of owners, tenants, and other persons forced to relocate as a result of the acquisition of real property for Federal and federally aided public improvement programs; and

Eighth. Establish a uniform policy for the acquisition of real property by Federal agencies and by State agencies using Federal funds for public improvement programs.

Mr. Speaker, this bill is a composite of a number of provisions introduced in the last Congress and some new proposals which we believe promising for securing the improved management of intergovernmental programs. Many of these provisions were contained in a bill unanimously passed by the other body in 1965, while a companion bill was approved by the Committee on Government Operations too late last year for House action.

The Congress has authorized the expenditure of vast amounts of public funds for a multitude of Federal assistance programs. Now is the time to deal with the problems created by those programs.

Mr. Speaker, implementation of the proposed legislation would cost relatively little, but the gains we can expect in improved administration of Federal grant programs and in the smoother functioning of our federal system could be very great. I hope that it will receive speedy consideration by the Congress.

INTERGOVERNMENTAL COOPERATION ACT

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Fascell] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. FASCELL. Mr. Speaker, the time has come for firm action if we are to achieve the goal of a truly "creative federalism." The bill which I am today introducing, the Intergovernmental Cooperation Act, provides a new and far-reaching approach to improving relations between Federal, State, and local government. Indeed, if we are to preserve State and local governments as truly independent forces and give them the resources they need to do their job, it is imperative that we initiate certain basic reforms now.

The paramount prerequisite for any improvement in intergovernmental relations is improved basic administration. That is the goal of this legislation.

The need for sensible solutions to the pressing problems of improved public administration is obvious. In the last 3 years alone, Congress, in an effort to meet the needs of our cities, counties, and States, has enacted some 55 new grant-in-aid programs which account for some 5 billion Federal dollars each year.

Since 1964, the total amount of Federal aid to State and local governments from Federal programs has amounted to some $40 billion.

Many of these aid programs rely heavily on the State and localities to implement them. We have deliberately sought to avoid undue centralizing of these activities in the Federal Government. But we now know that the job of implementing all of these Federal programs and others initiated by the States and localities has placed very heavy burdens on our traditional federal system.

Good intentions and legislative action, whether here, in a State capitol, or a locality, are not enough. We must have sound and effective management and this requires the new approaches embodied in the Intergovernmental Cooperation Act.

Most of the Intergovernmental Cooperation Act's provisions have been endorsed by the Advisory Commission on Intergovernmental Relations, the Council of State Governments, the Governors' Conference, the National Association of Counties, the National League of Cities, the U.S. Conference of Mayors, and other public interest groups.

Much has been said and written about the crisis in American federalism during the past year and while the descriptions of the dilemma have been lengthy, realistic proposals for concrete reform have been few. The Intergovernmental Cooperation Act constitutes such a proposal. It merits the attention and support of all who are genuinely interested in strengthening the system that has served us so well for the past 180 years. I urge early congressional consideration and enactment of this measure so that the country will know that we—in Washington—are prepared not only to debate the future of American federalism, but can take decisive steps to strengthen it.

INTERGOVERNMENTAL COOPERATION ACT OF 1967

Mr. CARTER. Mr. Speaker, I ask unanimous consent that the gentlewoman from New Jersey [Mrs. Dwyer] may extend her remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mrs. DWYER. Mr. Speaker, sometimes the most constructive legislation is the least dramatic—a fact which may hinder or enhance, depending on other factors, its progress toward enactment into law. This fact has been notably true in regard to the Intergovernmental Cooperation Act, a somewhat revised form of which I have introduced today together with the gentleman from North Carolina [Mr. Fountain] and others of our colleagues.

This bill represents the distillation of a great deal of practical experience at all levels of government in the administration of Government programs. As the product, in large measure, of the recommendations of the Advisory Commission on Intergovernmental Relations, it reflects the bipartisan character of the Commission, the breadth of background of members who are also Cabinet officers, Congressmen, Senators, Governors, mayors, State legislators, county officials, and private citizens, and the encouraging extent to which their views have been harmonized.

Yet, the bill is not dramatic. It proposes no radical departures from established practices. It inaugurates no expensive new programs. Instead, it is based firmly on reality. It is designed to correct and improve procedures which have hindered the successful operation of our federal system. It builds on the sometimes harsh experience we have had with programs which should function more effectively. It emphasizes the need for greater uniformity, flexibility, coordination, consistency, and cooperation, at a time when the lack of these qualities combined with the proliferation of grant-in-aid programs has needlessly complicated the structure of intergovernmental relations.

The need for the legislation we propose, Mr. Speaker, becomes even more apparent from a review of its major provisions. Among those provisions are the following:

It would require that the appropriate committees of the Congress review Federal grant programs on a regular basis, at periodic intervals, so as to determine systematically which programs should be continued or expanded, which should be revised in the light of changing needs, and which should be eliminated after they have served their purposes.

It would increase the flow of information, allow for greater flexibility of organization, and improve the uniformity of procedures at the State level in connection with the administration of Federal grant programs.

It would allow Federal agencies to provide specialized and technical services to State and local governments, on a voluntary and reimbursable basis, when such services are not readily available from private sources.

It would provide for a coordinated, governmentwide policy for the administration of Federal programs for urban development and would give States and local governments a greater voice in the formulation and evaluation of Federal programs and a more meaningful role in the planning process.

It would authorize the President to take effective steps to end waste and duplication in grant-in-aid programs by submitting to Congress, subject to veto, plans for the consolidation of individual programs within broad functional areas.

It would establish uniform policies and procedures governing the acqusition, use, and disposition of urban land by the Federal Government both to assure consistency with local zoning and land use practices and equitable treatment for owners.

It would also establish a uniform policy for the fair and equitable treatment of persons displaced by the acquisition of real property under various Federal programs and assure the displaced that they will receive adequate relocation payments and effective advisory assistance and that standard relocation housing will be available.

In the past 3 or 4 years, Mr. Speaker, Congress has enacted volumes of legislation creating new Federal grant programs and expanding others. For fiscal year 1968, the President has requested $17.4 billion for these programs—approximately 400 percent more than the budget provided 10 years ago. The proliferation of these programs has exceeded the capacity of present administrative procedures and organizational arrangements and has imposed unexpected burdens on State and local administrators and on the very people these programs were intended to help.

The proposals we have incorporated into the Intergovernmental Cooperation Act of 1967 can help to bring order and coordination out of the present confusion and complexity. They can help to end the waste, delay, and frustration which have inhibited the full effectiveness of many grant programs and of the grant-in-aid device itself.

I remind our colleagues, Mr. Speaker, that this bill is an improved version of legislation which passed the Senate in 1965 and was reported favorably in the House in 1966, though time did not allow for final action. I have every hope that this new bill will attract the widespread support it deserves from both sides of the aisle and that we can enact it into law this year and get about the business of efficient and economical operation of the Government.

INTERGOVERNMENTAL COOPERATION ACT OF 1967

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. Reuss] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. REUSS. Mr. Speaker, I am today introducing a bill designed to achieve the fullest cooperation and coordination of activities among the levels of government in order to improve the operation of our federal system in an increasingly complex society.

This measure, the proposed Intergovernmental Cooperation Act of 1967, complements the State and Local Government Modernization Act of 1967, H.R. 1166, which I introduced on January 10. The latter focuses on the need for State and local structural and administrative reform, and on the fiscal hurdles facing these jurisdictions. The legislation I introduce today underscores the equally pressing need to eliminate many sources of conflict in existing intergovernmental relations and to improve administrative relationships between the levels of government.

One theme dominates both these bills. Improved public administration is as critical to better Federal-State-local relations as improved intergovernmental finances. American federalism today faces a management crisis. During the past 3 years, Congress and the administration have mounted a vigorous attack on more than half a hundred fronts to help meet critical needs of our citizens, our cities, and our States. Future historians will describe many of these as landmark pieces of legislation.

In nearly all instances, a collaborative Federal-State-local approach to program implementation was adopted and direct Federal action rejected. This devotion to the partnership ideal and its implicit faith in strong States and strong localities produced 55 new grants-in-aid from 1964 to 1966, covered by more than 160 separate authorizations, and budgeted at $17.4 billion for fiscal year 1968—

more than a third greater than the 1964 figure.

Ironically, this historic record of legislative performance has increased the administrative burdens of an already hard-pressed intergovernmental system. Some of this simply relates to the usual problem of launching new programs. Some of it stems from the tendency to define grants narrowly and restrictively. Some of it results from the failure to interrelate old and new programs. Some of it flows from the fact that not all of our States and localities possess the administrative capability that permits effective use of these grant programs. For these and many other reasons, we face a major management problem.

The proposed Intergovernmental Cooperation Act of 1967 will not eliminate all of the stresses and suspicions that impede cooperative and effective interlevel administrative relations. But it does deal with several concrete problems and in a very concrete way. It goes far toward implementing the President's idea of a new, more productive partnership between the levels of government—described so eloquently in his state of the Union message. Equally important, many of its provisions came under close congressional scrutiny during the last session of Congress.

How does the proposed legislation come to grips with some of the here-and-now difficulties that hinder the effective Federal-State relations?

First. It simplifies and makes more flexible regulations governing disbursement of Federal grants to the States.

Second. It permits Federal departments and agencies to render technical or specialized services to State and local governments on a reimbursable basis. Adequate provision is made here to protect the Government's policy of relying on private enterprise for those services that are reasonably and expeditiously available through ordinary business channels.

Third. The act promulgates a coordinated intergovernmental policy for the administration of urban development grants. The President is authorized to frame governmentwide guides for the development and assessment of Federal urban programs. This title also provides, as a matter of congressional policy, that the agencies involved, to the maximum extent possible, consider all viewpoints—National, State, regional, and local—in the formulation and evaluation of these programs and projects. Further, it stipulates that where a Federal law makes both special purpose units for local government and general units of local government—such as cities, counties, and towns—eligible to receive urban development loans and grants, Federal agencies will favor the latter, in the absence of substantial reasons to the contrary.

Fourth. The bill seeks to extend the consolidation approach of the Partnership in Health Act of 1966 by authorizing the President to submit to Congress plans for combining separate, but related, categorical grants. This authority would be subject to the kind of congressional veto that now applies to executive reorganization plans.

Fifth. Title VI prescribes a uniform policy and procedures relating to the acquisition, use, and disposition of urban land by the General Services Administration. The basic goal of these provisions is to assure that such transactions will be consistent—to the greatest practicable extent—with the zoning and planning objectives of the local governments involved.

Sixth. The proposed legislation establishes a uniform policy for equitable and consistent treatment of persons and business displaced by the acquisition of real property by Federal and federally assisted development programs. Uniform relocation payments, a program of advisory assistance, assurance of availability of standard housing, and Federal reimbursement for relocation payments under federally assisted programs—these are the crucial features of this title. The inconsistencies and injustices that characterize the maze of existing relocation programs is a basic source of popular criticism of many, much-needed development efforts. These provisions correct this condition.

Finally, the legislation also establishes a uniform policy on land acquisition practices for Federal and federally assisted development programs. Such policies are promulgated to encourage the acquisition of real property by amicable agreements with owners, to assure consistent treatment of owners in eminent domain proceedings, and to relieve court congestion.

Greater simplicity, flexibility, coordination, and equity—in grant-in-aid and land acquisition programs—these are the hallmarks of the proposed Intergovernmental Cooperation Act of 1967. And these are administrative norms that contemporary Federal-State-local relations desperately need.

The Advisory Commission on Intergovernmental Relations, practically all of the associations of public officials, and the Bureau of the Budget have specifically endorsed several of the bill's provisions. But the emphatic support of all who are serious about strengthening our federal system will be required if this measure is to become law.

INTERGOVERNMENTAL COOPERATION ACT OF 1967

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. RARICK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. MACHEN. Mr. Speaker, I am pleased to join the gentleman from North Carolina, the Honorable L. H. FOUNTAIN and my other colleagues today, in introducing the Intergovernmental Cooperation Act of 1967. More than ever before, there is a need for enactment of this legislation.

We who have made careers of serving the public in government have learned the lesson that it is not necessarily a fact that as government grows at each level—local, State, and national—cooperation and coordination among the various levels and within each of them grows at the same rate.

And, as I stated last year on similar legislation, it is entirely appropriate for the Congress, the legislative branch of government, to provide the leadership in the field of intergovernmental relations by enacting this measure. It is our elected representatives—those who must deal with government at all levels on a daily basis—who are more aware of the deficiencies, the discrepancies, and the duplications than perhaps any other government officials at any level.

We all realize that as each day passes the need and the justification for enactment of the legislation increases greatly. It is not sufficient enough to provide more and more responsibilities for government at all levels without providing the machinery to guarantee order out of what could otherwise be chaos.

The timing of the enactment of this legislation by this Congress can be a boon to many States which are discarding outmoded and ancient constitutions in favor of up-to-date documents which will provide for progressive State government in tune with the times. In my own State of Maryland plans are being made for a constitutional convention for the purpose of giving Maryland a modern and efficient instrument of government. Clearly those States which will be holding such conventions to moderinze their governments should be able to avail themselves of the services provided for in this legislation and make the necessary provisions to carry out the mandate for more closely coordinated governmental functions at all levels.

Passage of this act can have a dramatic effect on intergovernmental relations in my State, as it will in all States, and it would certainly be hailed as a major step forward toward the goal of modern and efficient government at all levels in order to insure the maximum use of all our resources for a better way of life.

Mr. Speaker, at this point I would like to pay tribute to the Advisory Commission on Intergovernmental Relations and its hard-working staff, to L. H. FOUNTAIN for his leadership in the field of intergovernmental relations and to all my colleagues who are supporting this legislation.

AIR POLLUTION

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. FARBSTEIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. FARBSTEIN. Mr. Speaker, recognizing the effects of air pollution, not alone upon the people in my congressional district in New York City, but also the entire New York metropolitan area and, in fact, throughout the entire Nation, I communicated with the Federal Power Commission seeking some action from them in whatever manner is permitted to them by law to help in alleviating the situation. I submit herewith the contents of the letter which I addressed to Mr. Lee White, Chairman of the Federal Power Commission:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., January 26, 1967.

Hon. LEE WHITE,
Chairman, Federal Power Commission,
Washington, D.C.

DEAR MR. CHAIRMAN: Pollution of our air in the metropolitan area of Greater New York assumes increasingly great proportions, transcends the ability of any local government to control, and demands Federal action. Air pollution is truly an interstate problem. For example, in my district in Manhattan Island, we have stack emissions carried from New Jersey across the Hudson River by the normal westerly winds. Your Commission was created by the Congress to act to alleviate such interstate problems.

When Congress passed the Federal Power Act and the Natural Gas Act, it made your Commission responsible in these areas: the Federal Government, through your Commission, regulates the gas supply available to fuel users in the Greater New York area and is responsible for assuring, at least to the extent that it can procure voluntary compliance, that the electric utilities provide an abundant supply of electric energy not only with the greatest possible economy but also "with regard to the proper utilization and conservation of natural resources." If the Federal Government, through its agencies, is unable to obtain voluntary compliance, I shall await your recommendations insofar as corrective legislation is concerned. The air we breathe, Mr. Chairman, is among the most precious of our natural resources. Air quality conservation, therefore, is a paramount responsibility assigned by Congress to your Commission.

Accordingly, I ask that your Commission take immediate action to adopt the three points spelled out below, including whatever hearings and other procedures are required to give effect to this program:

1. To immediately call in all companies operating electric utility generating installations in and around the Greater New York area of New York, New Jersey and, possibly, Connecticut, for the purpose of developing air pollution control programs for these utilities. The programs should assure that all future generating installations would be designed to conform to the strictest air pollution standards through the use of nuclear energy, natural gas or strict pollution control of other fuels. At the same time, the program should cover all existing generating installations which affect the area and should provide for prompt elimination of air pollution including, if necessary, closing down existing installations.

2. To announce immediately the policies which your Commission will follow in authorizing the additional service of natural gas for apartment houses and industries in the Greater New York area. A clear statement of Federal policy is essential to permit informed progress by the local air pollution control authorities. The policy statement should indicate the general economic terms upon which additional natural gas service would be authorized to permit conversion from high sulphur fuels to low sulphur natural gas.

3. To investigate immediately the extent to which the natural gas pipeline companies and distribution companies serving the Greater New York area can increase their deliveries to permit additional natural gas service to apartment houses and industries; the steps they can take to promote and accelerate such conversions; and the time and economic arrangements required to expand their natural gas capacity in order to satisfy the need which would arise in case of a total conversion of apartment houses and industries to low sulphur fuels.

The New York, New Jersey Interstate Air Pollution Abatement Conference recently held in the City of New York, called by the Department of Health, Education, and Welfare, disclosed that there is a violation of the standards set by the City and State of New York to control levels of sulphur dioxide in the atmosphere in the metropolitan area. The Conference participants, in their recommendations, agreed that the air quality level stipulated by the State of New York for the metropolitan area be used as a basis for the entire interstate region.

Incidentally, I trust that the metropolitan area will not be denied the necessary natural gas to assure our people that the air they breathe now and in the future will not be polluted.

I hope you will enlist the full support of other government agencies in carrying out this request. If, as aforesaid, you believe that additional Federal legislation is necessary, I would appreciate having your suggestions.

With kind regards, I am,
Sincerely yours,
LEONARD FARBSTEIN,
Member of Congress.

VICE PRESIDENT HUBERT H. HUMPHREY SPEAKS AT ALL-AMERICA TRIBUTE TO ARCHBISHOP IAKOVOS

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. BRADEMAS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BRADEMAS. Mr. Speaker, in Chicago on January 15, 1967, it was my privilege to join in tribute to His Eminence, Archbishop Iakovos, one of the most distinguished citizens of our country and one of the world's outstanding religious leaders. This all-America tribute was given by the Greek Star and the Greek Press and was chaired by Greek Star-Greek Press President A. Thomas Tsoumas, one of the most active civic leaders in Chicago.

It has been my good fortune to know His Eminence for a number of years and, like all Americans of Greek origin, I take great pride in the respect with which the Archbishop of the Greek Orthodox Church of North and South America is held by all who have come in contact with him.

Among the many distinguished figures who attended this tribute were the Most Reverend John P. Cody, Archbishop of Chicago; His Excellency Alexander A. Matsas, Ambassador of Greece; Illinois Governor Otto Kerner; Senator EVERETT M. DIRKSEN; and Chicago Mayor Richard J. Daley.

Also in attendance were three newly elected public officials of Greek descent: Maryland Governor Spiro T. Agnew and two of my colleagues in the House of Representatives, Congressman NICHOLAS GALIFIANAKIS, of North Carolina, and Congressman PETER KYROS, of Maine.

The keynote address at this all-America tribute to Archbishop Iakovos was delivered by Vice President HUBERT H. HUMPHREY. I insert this significant address in the RECORD at this point:

REMARKS OF VICE PRESIDENT HUBERT HUMPHREY AT THE ALL-AMERICA TRIBUTE TO ARCHBISHOP IAKOVOS, CHICAGO, ILL., JANUARY 15, 1967

It is a high and valued privilege for me to participate tonight in this "All-America Tribute" to Archbishop Iakovos—and to the great church which he represents in the two Americas, North and South.

For almost two thousand years, your ancient church has inspired and sustained the Greek people in all their tribulations and wanderings. It was with and through your church that Greek art and learning flourished during the many centuries when Byzantium was a shining beacon of civilization amidst a gathering darkness.

In all the sorrows which befell the Greek people after the fall of that great metropolis, the Greek Orthodox Church was a pillar of strength for them, and an emblem of hope for better times to come.

More recently, the church contributed mightily to the victory of the Greek people over communism—a victory to which all Americans are proud and happy to have given timely aid. In the light of this experience, I am not surprised—although I am deeply gratified—that Archbishop Iakovos has declared forthrightly that the American presence in Vietnam is imperative and justified.

All nations would do well to examine the Greek example: An example of steadfast support of democracy.

Democracy sometimes extracts a high price of those who cherish it. Democracy requires self-discipline. It requires patience and compromise and respect for the opinions of others.

Yet, despite its demands, democracy also offers the priceless gift of freedom.

The Greek nation *has* paid a high price over the years to preserve her precious democracy.

We, as citizens of the American democracy, are especially obligated and tied to Greece.

We hail the efforts of the Greek people toward economic and social betterment. We hail their steadfast support of NATO and of resistance to aggression throughout the world. We hail, above all, their existence as free men and women over the centuries.

And we commit ourselves to the preservation of the warm and close bonds between our nations.

Ever since the Homeric voyages of Odysseus, the Greek people have crossed the seven seas and established themselves in every part of the world. Wherever they have gone, they have carried with them things more precious than silver and gold—of which, often, they had little or none. Instead, they have brought with them—and dedicated to the service of their new countries—their keen and questioning minds, their talents and skills, their tireless industry, and above all, their deep religious faith.

It is just a little over a century since the first Greek Orthodox Church was established in the United States. As an American of Norwegian descent—and proud of it—I am happy to say tonight how much all of us have benefited from having you among us.

Fortunately, the time has long passed when people liked to regard the United States as some kind of melting pot, taking men and women from every part of the world and converting them into standardized, homogenized Americans.

We are, I think, much more mature and wise today. Just as we welcome a world of diversity, so we glory in an America of diversity—an America all the richer for the many different and distinctive strands of which it is woven.

So I am happy to pay tribute tonight to Americans of Greek descent, and to their church. And I am particularly happy to pay tribute to the man who represents it with such high distinction—Archbishop Iakovos.

He is a man for all times, and yet a man very much for our times as well. He is a citizen of the world—but also, in a very real sense, a citizen of this nation.

He is a scholar, a linguist, an eloquent preacher, a gifted author, a learned theologian, a good and devoted shepherd of his flock—but not of his flock alone.

For, while the ancients spoke of mankind as divided between "the cities of the Greeks and of the barbarians," Archbishop Iakovos is inspired by a deep belief in the wholeness of the family of man.

Matching his creed with deed, he has worked tirelessly over the years for the unity of all Christians. He is a leader of the great ecumenical movement—one of the truly hopeful portents of this turbulent and tormented century.

As such, he has ably represented his church at the headquarters of the World Council of Churches in Geneva. As such, he is presently among the elected leaders of the World Council and also of our own National Council of Churches.

In these eloquent words he welcomed in 1965 the Declaration of Religious Liberty of the Second Vatican Council.

"This Declaration, we pray and hope, will help to establish more securely the unalienable rights of all men, and will initiate a new era of closer understanding among all Churches, and between them and the sincere believers of every God-fearing faith."

It was in this spirit that he appealed that same year "to the leaders and the people of the Soviet Union, so many of whom are our Christian Orthodox brethren, to allow the devout Jews in their midst to practice their ancient beliefs and customs without curtailment."

In fulfilling his great responsibilities, Archbishop Iakovos travels many thousands of miles every year, to many parts of the world. Yet I venture to think that the most significant of all his journeys was one he took in 1965 right here in the United States—to Selma, Alabama.

By his very presence, he gave visible authority and dignity—visible throughout our nation and the world—of the commitment of many millions of Americans of all faiths to the cause of racial justice and humanity in this country.

And he made clear the position of his church when he declared:

"The Greek Orthodox Church is against racial segregation, and believes in the full equality of all races and peoples . . . Christian love is not a semantic symbol. It is a commandment to which we must conform our actions as Christians and strive in every way to make a reality, consistent with the will of God which was expressed by His Son Jesus Christ when He said: "Love ye one another."

And in a special message to his clergy, he has said:

"It is our duty, the duty of the Clergy, to enlighten and try to convince the Christians we serve that the enforcement of this law (the Civil Rights Law of 1964) is their sacred obligation . . . As descendants of Hellas, which first among all nations in the world fought for freedom against every manner of segregation and discrimination, we are charged with the responsibility of promoting and advancing the cause of equality and thus identifying ourselves as true believers and perpetuators of our Hellenic-Christian tradition of democracy and justice."

These are words of transcendent truth, well and truly spoken. They bring to bear on the challenges and necessities of our own time and place a timeless wisdom and a timeless faith.

It is because, with grace and dignity and eloquence, Archbishop Iakovos has spoken and acted in the highest traditions of religious life that I take pride in joining in this great tribute to him tonight.

PRESIDENT'S CIVIL RIGHTS MESSAGE

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentlewoman from Hawaii [Mrs. MINK] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mrs. MINK. Mr. Speaker, I rise to urge support for the President's civil rights proposals, particularly that part of the bill which would strengthen present means of combating employment discrimination by conferring authority on the Equal Employment Opportunity Commission to issue enforceable orders. This part of the act is a perfecting amendment to title VII of the 1964 Civil Rights Act and will provide more effective machinery for enforcement of the right to get and hold a job without regard to race, religion, national origin, or sex.

In the last Congress, the House passed a bill—H.R. 10065—similar to the present proposal by a vote of 299–94. Unfortunately, that measure never came to a vote in the Senate. The experience of the Equal Employment Opportunity Commission since that time has served to confirm that it should be endowed with cease-and-desist enforcement power. Not only would compliance with the act be generally improved, but the Commission's present efforts to achieve such compliance voluntarily and informally would be more successful. As the first Chairman of the Commission, Franklin D. Roosevelt, Jr., has stated:

> Education, conciliation, and enforcement should not be viewed as alternative means of effecting compliance; they serve to complement each other.

Invidious discrimination in employment lies at the heart of our present difficulties. The proposed act offers a reasonable and effective answer to this problem.

TEACHERS CORPS

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentlewoman from Hawaii [Mrs. MINK] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mrs. MINK. Mr. Speaker, an excellent series of articles on the National Teachers Corps, written by Jane Evinger, was recently featured in the Honolulu Advertiser, and I would like to share with my colleagues this account of the small but promising successes made in my State by only five corpsmen.

As encouraging as these reports are, what they indicate most clearly is that a handful of individuals in a large school district can play only a minimal role with the great numbers of students who could benefit from this program.

A narrative like this clearly points the way we should move in funding the Teachers Corps this year. After a token appropriation of $7.5 million in fiscal 1967 barely kept the corps alive, I am encouraged by the news that the President will seek a $12.5 million supplemental appropriation this year to expand the corps and $36 million for fiscal 1968, which will hopefully swell the ranks to nearly 6,000 teaching personnel. Enough evidence has been brought forward to justify the removal of this program from the experimental category and to give it our full support as a vital adjunct to the schools in the areas where it has been in operation. I hope that we will see fit to provide maximum funding for the Teachers Corps this year so that it may continue its work so ably begun.

[From the Honolulu Advertiser, Dec. 8, 1966]

TEACHER CORPS HOPES TO SAVE THE PUPIL DOOMED TO FAILURE

NOTE.—Millions of American children cannot cope with school life because they simply aren't equipped to do so—a failing that generally stems from a deficiency in their homes. The Federally backed National Teacher Corps has been created to help such children. This is the first of a series dealing with experimental National Teacher Corps programs in Honolulu Schools.

(By Jane Evinger)

Twenty per cent of American children virtually are doomed to failure from the first day they enter a classroom.

Although school for most youngsters is a natural and generally pleasant part of growing up, for one in five it is a challenge they can't meet—not because of lack of mental ability or effort, but because they just aren't equipped.

These are the chidlren from "culturally different" homes—where values, attitudes and treatment of kids are drastically different from the standard middle-class pattern accepted as "normal."

By the time they begin kindergarten, they are two years behind the majority of 5-year-olds in their ability to cope with the society of the classroom.

They can't reason as most children their age do. They don't know how to make choices because they've never had the chance to practice making them.

Their reaction to an unfamiliar situation often is to lash out with a blow, because this is what they've learned at home.

Often completely unused to praise or to the love most children find at home, they have unreasonably low estimates of their own worth and ability.

They often don't see and hear as well as most children, because no one at home has taught them to use their eyes and ears.

Most of them are permanently lost to society as a result of their difficulties, and millions more will continue to be lost each year unless a way can be found to help them.

One hope lies in the National Teacher Corps, a Federal program established last summer to find ways of dealing with the children and to train teachers to work with them.

Teams of four intensively trained teachers, plus a "master teacher," are working in school districts throughout the nation to tackle the problem.

Thirty thousand persons applied for the corps. The selection process was so stiff that by the time the applicants were weeded out before and during 72-hour-a-week summer training, only 900 were accepted.

The program, financed through June by a $7.5 million Federal appropriation, may receive additional congressional appropriations next year so it can be continued.

In Honolulu, teachers are working at four schools selected for the experiment by the State Department of Education.

The group is headed by Tom Goodman, an experienced teacher from New Jersey who serves as the "master teacher."

The four other team members are all in their early 20s and hold bachelor's degrees in fields other than education.

"The program was deliberately set up this way by the U.S. Office of Education," Goodman said.

"The idea was to get college graduates who weren't from teachers' colleges, so that they would be more willing to try new things.

"They don't know what it means to be a middle-class conformist teacher, because they've never been taught how to be one. They have no idea that the textbooks say it's wrong to do something, so they just do it."

The theory is that the textbook approaches don't work for culturally deprived kids, as shown in past experience, and that the answer lies in completely new approaches.

The Federal government picks up 90 per cent of the tab for the teams' salaries, and the school districts in which they work pay the other 10 per cent. Team members are paid whatever regular teachers with the same education and experience make in the district.

The young teachers combine college work with their jobs in the schools, and at the end of their two-year assignments as team members receive master's degrees.

In Honolulu, the team members have been assigned to schools in low-income areas, because culturally different children are encountered most often in poverty pockets

Half or more of the students in the schools come from homes where the family income is less than $4,000 a year.

Team members here are trying a variety of approaches, under the close supervision of Goodman, who divides his time between the four schools.

At Linapuni School, a young business administration graduate who is the only man on the faculty provides a much-needed "male image" for the great numbers of children in dramatics and physical education, trying to show children who are always defeated that they can succeed.

At Fern and Kaewai schools, a husband-wife team with college majors in social sciences and nursing conducts group and individual discussions aimed at improving childrens self-confidence, in hopes that they'll then start trying harder in their regular classrooms.

At Central Intermediate, a young man with a degree in biology is taking the first steps toward what may become a "halfway house" to give chronic truants the tools they need to cope with normal school programs.

The cost of pilot programs which will provide services good enough to get some of the culturally deprived youngsters back into regular classes is an extra $100 to $200 a year per student.

Experience in New York has shown that the cost of the programs can be cut in half after a year or two of operation, Goodman said.

But though even Goodman admits these costs are high, they are nothing compared to what it costs taxpayers in welfare payments or keeping a man in jail.

It costs $3,000 a year to keep a man in Hawaii State Prison and $5,200 a year to keep a teenager in the State youth correctional facilities.

More than 90 per cent of those in the prison here did not finish high school, and 85 per cent of the youths in the correctional facilities are drop-outs or students who were on indefinite suspensions from school because of behavior problems.

Goodman's varied job includes speaking to private school students whose school administrators fear may be ignorant of problems faced by those less fortunate.

He and the younger teachers on the team also have talked to audiences of public school classroom teachers eager to learn how to help the culturally deprived.

All the team members praise Island teachers for trying to tackle the problem.

"I know I disrupt classes for the teachers in my school, because they have to send some of their students to me and then help them with what they've missed when I send them back," said one.

"But in spite of this, it's amazing how many will ask me for suggestions."

Another team member reported finding teachers in his school far more dedicated, genuinely concerned about such children, and willing to try new solutions than are teachers in many other parts of the country.

"It isn't the teachers' fault that they don't succeed with these kids, because the U.S. teachers' colleges don't teach them how to deal with them," Goodman said.

"I've never gone to talk to a group of teachers here that didn't stay long after the meeting was supposed to end. They're eager to learn, and full of questions.

"In the Mainland schools I've been in, it didn't make any difference who the speaker was or what the subject—when the meeting was supposed to end, everybody left!"

If the National Teacher Corps is funded for another year, Goodman would very much like to see summer training programs at the University of Hawaii next year for five or six teams of teachers.

The interest is here, and so is the need, according to Goodman.

"In size, it's nothing like Harlem or Watts, but the problem is every bit as devastating to every kid who has it here as it is there," he said.

[From the Honolulu Advertiser, Dec. 8, 1966]

TEACHER CORPS' ISLE HEAD BACKS TALK WITH ACTION

(By Jane Evinger)

Tom Goodman does not fit the stereotyped idea many people have of teachers.

He zips from school to school on a bright blue motorcycle.

At 35, he's husky and healthy enough in appearance to be taken for an East Coast stevedore or a pro football player, an impression which is apt to be strengthened when he begins to speak.

The accent sounds slightly tough to ears accustomed to the somewhat softer speech of the Islands, and the sentences are punctuated liberally with slang.

Goodman talks like a person, not like someone carefully choosing words because of self-consciously being aware of the need for an "educator" to be well-spoken.

Like the majority of the population he says "kids" and not "children" or "students." Words like "clobber" and "blast" and "cat" come naturally to him.

They crop up frequently as he explains, with the zeal of a missionary, how great is the need to reach what he calls the "culturally different" kids who make up 20 per cent of the U.S. school population and almost 100 per cent of school drop-outs.

And Goodman backs his talk with action.

He took a $1,000-a-year pay cut and moved his pregnant wife and three children to Honolulu (the Goodmans now also want to adopt a Vietnamese child) because it meant a chance to head a National Teacher Corps team assigned here to find new ways of tackling the problems of such kids.

Hawaii's problem is not nearly so large as that of cities like New York and Washington, where 80 to 90 per cent of those of school age are culturally different, says Goodman.

But he estimates that "although Hawaii may have less than the national average, I'd still guess that at least 15 per cent would fall into this category."

This would mean 30,000 of the 200,000 school-age children in the State.

Goodman's devotion to culturally deprived kids who need such help stems from the fact that he was one of them.

"I lived in a very nice white middle-class area, in Cranford, N.J., but my father was raised in a slum as one of 16 kids and in my home were certain ideas taken from the slum area," he explains.

One was that fighting is good—a lesson Goodman learned from his father when a bigger boy stole his hat.

"In a middle-class home they tell you to knock on the boy's door and ask for your hat. But my father took me up to the door and told me to take my hat away and if the kid's father gave us any trouble he'd beat up on him himself.

"I said, 'But Daddy, the boy's bigger than I am,' and my father told me that if I didn't beat him up, my father would beat me up. It took three tries, but I got my hat back from the kid.

"So right there I got the idea that fighting is good. Then I get to school and a teacher says one day that fighting is bad, and I'm wondering who's right, whom I should listen to—my father or my teacher."

As happens with many children facing such conflicts, Goodman had trouble all the way through school.

"I never was held back, but I barely passed from grade to grade. I got Cs, Ds and a lot of Fs, and I graduated in the bottom quarter of my class."

He went into the Coast Guard as a seaman recruit and emerged four years later as a bosun's mate first class, an impressively fast rise in rank.

"I don't know what happened, although I've often tried to figure it out," he says. "But I was a tugboat captain on the East River, and one day, all of a sudden things changed.

"I got an idea that education was important after all; but perhaps most important, I suddenly began to think something of me. If I was commanding 30 or 40 men, maybe I wasn't so bad.

"And I learned to stop fighting with people and to try to see their side of things instead."

He entered New Jersey's Monmouth College, was on the dean's list all the time, was president of his class and vice president of the student body, graduated 13th in his class of 400, and won the general excellence award given to the graduate judged the outstanding student in his class.

Goodman got his first teaching job not on the basis of his outstanding college record, but because of his tugboat and Shore Patrol experience in the Coast Guard.

"The principal said that if I'd been in the Shore Patrol, I must be able to handle myself, and that was what he needed," he recalls.

"They needed a shop teacher and couldn't get one because nobody could handle the kids. They put all the kids they couldn't do anything with into shop, and the kids were actually making knives and guns—guns!—in the school shop."

Before Goodman signed on, the principal took him to see the situation.

"There was a peephole in the door, and we looked through it and all the kids were throwing knives at the ceiling! I asked where the teacher was, and the principal said it wasn't safe in there. The teacher was in the janitor's room.

"I said, 'Well, let's go in there and stop it!' and the principal said, 'Now, now, let's not do anything hasty—if you think I'm going in there, you're crazy!"

Goodman took the job.

"During the year I was there, there was never a tool stolen, never a fight, the kids were cutting their hair and wearing gray flannels, they made lots of nice projects—the works!"

His success came about this way:

"Right after school started I caught one kid making brass knuckles in class. I told him I didn't care if he made them, but if he was going to make brass knuckles, he'd have to make the best brass knuckles there are, because what I care about was quality."

Then Goodman astounded the class by announcing that if this trial pair of brass knuckles satisfied Goodman and satisfied the boy who made them, everybody could make all the brass knuckles they liked in class.

"The kid worked two months on the brass knuckles. Every time he'd bring them over for me to see I'd find a scratch or something and say they were no good and he'd have to go back to work on them," he recalls.

"Finally one day I couldn't find anything else wrong with them and I said I was satisfied—was he satisfied? The kid said, 'Of course I'm satisfied, whaddaya mean? You're satisfied, why shouldn't I be satisfied?"

"The catch was that I knew that brass knuckles have metal fitted between the fingers, as well as the bar across the back of the hand, so that when you hit something, the shock goes out through the metal and not into your hand. The kid didn't.

"So I told him I didn't see how he could be satisfied with them if he hadn't tried them out. He said that was right, he'd try them out on some kid he was on the outs with at the moment.

"I said no, that was no way to do it—go blast that stone wall over there, because with good brass knuckles, you can pound a stone wall all you want to and it won't hurt you.

"So this 175-pound kid hit that wall with everything he had, and of course it hurt and his hand swelled up so much we had to take the brass knuckles off with pliers.

"He was bawling and I asked if he were satisfied with the knuckles, and he said no. I told the class that I was satisfied with them, but since he wasn't, it was no deal, and nobody else could make brass knuckles in class.

"The kids all thought I was such a clever cat to have done this that I had no more trouble after that, and many of them became good friends and I still hear from them 10 years later."

For Goodman, success with such students is what makes life worthwhile.

"I would not teach in a middle-class school under any conditions," he says.

"The real thing is when a kid comes up to you at the beginning of the year and says, 'You're not going to teach me anything, because I don't want to learn!' and yet by the time the year ends, has a whole new concept.

"That's where the gratification is for a teacher."

Goodman applied for the National Teacher Corps because it seemed to him that "maybe this was a way of attacking a problem that I was well aware existed in my town most flagrantly.

"I began reading, and I realized there was a whole new science and concept in education, where people who were both sociologists and teachers would be needed, and it intrigued me.

"Like most teachers, I knew I was inadequate—we can't reach all the kids. Nationally, 20 per cent of our kids are culturally different to the point where it cripples them in the classroom.

"Cultural differences can cripple a child's learning processes as seriously and as distinctly as emotional disturbance or mental retardation, for which many schools now have separate classes.

"I don't think we should ever have separate classrooms for the culturally different.

"They should be in classrooms with middle-class society children or they'll never be helped. But this means that the teacher has got to modify the curriculum and find ways to help them succeed.

"That's what we're trying to do."

[From the Honolulu Advertiser, Dec. 9, 1966]

Teacher Corpsman Shows Them Someone Cares—Culturally Deprived Children Find Encouragement

(By Jane Evinger)

Barry Davidson stood before the class of 25 second and third graders who were eagerly competing for his attention.

They were playing a version of "Twenty Questions" in which each child was to color in a block on his paper if the answer to Davidson's question applied to him, or leave it blank if it didn't.

"Now, sometimes somebody asks you a question that you think is none of his business, so to make it fair, you can ask me any question I ask you," Davidson explained.

"And if something is true, don't be afraid to say 'Yes' because you think I'll think it's bad—I used to beat up on my brother sometimes myself, for instance."

The kids nodded eagerly and twisted in their seats in their excitement.

They looked like a typical class of Hawaii's kids, their skins running the gamut from the palest of tints to deepest brown, their hair styles ranging from towhead crew cuts to waist-length black waves.

Their answers to the questions often were typical, too.

Everyone colored in his block when Davidson asked: "How many of you like vanilla ice cream?"

But when he got to "How many have a daddy who lives with you in your house?" the pattern changed. Nine of the 25 youngsters left their blocks blank.

When he asked, "How many of you get kissed goodnight by your mommy or daddy?" five did not color their blocks.

When he asked, "How many of you sometimes feel like running away from home?" nine colored blocks to indicate they do.

"How many would rather be poor than rich?" drew coloring from several children, who held up their hands to explain why.

"My brother would steal my money," one said. "People would want to borrow money from you," came from another.

Then the kids really got into the spirit of things and asked Davidson questions.

"Do you like to fight?" one wanted to know.

Davidson said, "No, I don't like to. To tell you the truth, sometimes I get into a fight, but I don't like to."

One wanted to know if he was ever scared.

"Sure I'm scared sometimes," he said.

A dozen hands were flapping for attention as the bell rang signaling at the end of the 45-minute period. The kids would have happily continued the dialogue for another hour, but the schedule wouldn't permit it.

"How many liked this today? If you didn't like it, raise your hand and we won't do it again," Davidson said.

The kids set up a clamor of protest at that idea.

"No, let's do it again," they called.

Davidson, 23, walked into the hall of Linapuni School, which draws all of its students from the Kuhio Park Terrace low-income housing project.

"That may have looked easy, but I'm exhausted," he grinned.

As he made his way to an office, kids appeared from all directions to grab his arm and walk along with him—or, if they arrived too late for that, to trail closely behind.

From all over the playground came calls of "Hi, Mr. Davidson"—and occasionally, of "Hello, Mrs. Davidson."

"Some of them are so used to seeing only mothers that they get mixed up," he explained. More than 40 per cent of the kids in Kuhio Park Terrace come from homes where there is only one parent—usually a mother.

The situation is so common, in fact, that one of the reasons Davidson was assigned to Linapuni School was to provide a "male image" for the kids. Except for two janitors, he is the only male staff member at the school.

The rest of his assignment, as a member of the National Teacher Corps, is to try to help the kids achieve some sucecss in coping with the world in general, despite the handicaps that, for many, started with their birth.

Part of the experiment involves classes in creative dramatics. Davidson may play the part of a noisy, unruly student and lets one of the kids take the role of teacher, to see how the child would handle the situation.

With younger children, he may tell them the story of Sinbad the Sailor, then play some music and get the kids to walk around pretending to be sailors.

"Some of them fight because that's the image they have of sailors, and others stand up and salute because their dad was in the Navy," he said.

He also spends a lot of the school day on the playground, taking off his shoes and playing ball with the kids in the khakis and shirts with rolled-back cuffs that are his standard school attire.

Neither Davidson nor anybody else thinks that pretending to be sailors or playing ball in itself is going to neatly solve all the problems of culturally deprived children.

But it may help change the attitudes which end up defeating such kids.

At 23, Davidson is sure of little except that the solution lies in an area he describes with a word most people his age seem afraid to use—"love."

When he talks about it, he exudes sincerity as other people do the odor of garlic, or of Chanel No. 5.

"Too many of these kids get no encouragement at all at home," he said. "The way they get treated is rough. There's a lack of love in the true sense of 'love.' This isn't true of all the kids, but it is far too many."

Davidson said recently a fatherless boy he was very fond of ran away from home. Davidson, worried, talked with the boy's mother.

"She was really happy to see that I cared. I was honestly and sincerely worried about the boy, and she was too. It shows that if you really care enough about people, you can work together regardless of circumstances."

[From the Hononlulu Advertiser, Dec. 10, 1966]

"Halfway House" for School-Shy Kids—Teacher Corpsman Tries To Help Out the Truant

(By Jane Evinger)

Brooklyn-born David Turansky, at 22 a stocky and likable guy with warm eyes and a puckish grin, walked into the apartment where eight kids who should have been in school were whiling away an afternoon.

He knew only one of them—the boy who lived there. The boy introduced Turansky to his friends, then let him alone.

Some of the boys played cards. Others watched TV. A couple were busy drawing.

"It was a pretty shaky experience," Turansky recalls. "There I was, this haole from the school. I didn't know what to do—I couldn't do a tap dance to get attention!"

What he did was just wander around from boy to boy, seeing what they were doing, offering a comment here about a drawing and there about a card game. Before he left, he also got what he'd come for—each boy's agreement to join Turansky and the others soon on a field trip.

It may seem like a small thing, but hopefully it's one of the first steps toward establishing a sort of "halfway house" aimed at getting chronic truants back to school and helping them cope with classroom life.

The program is the brainchild of Honolulu District Superintendent Stephen Kanda, Turansky says, and has the enthusiastic backing of Tom Goodman, head of the National Teacher Corps team working in here.

"Not one kid in a million walking the streets really wants to be out of school," Goodman says.

"Young people want to be in school more than anything else, because up to age 18, school occupies such a large part of the day for almost all of them.

"So even the kids who are chronic truants really want to be there, but they aren't because they can't operate in school without some help."

As a member of the Teacher Corps, Turansky, is assigned to work out of Central Intermediate School— which, like a number of other Honolulu schools, has its problems with truants.

One student on the rolls has been in school only three days this year. Another has been absent 40 consecutive days.

Even if brought back to school by force, such kids usually walk right back out the school door as soon as a policeman leaves, because they find themselves thrown back into the same classroom situations they rejected earlier—situations in which they cannot succeed.

"A lot of these kids are very sharp," Turansky says.

"The only thing they need is a big dose of self-confidence. They're so used to failure that they give up before they start."

The project he is working on begins with getting acquainted with some of the boys.

Turansky spends a lot of time at Palama Settlement, where his wife works as an arts-and-crafts volunteer aid and where "most of these kids end up at one time or another."

He lucked into another contact when "a neighborhood cop took me to a boy's apartment in Mayor Wright Housing, where a group of truants hang out," he says.

"The cop said, 'Hey, you kids, get home,' and they all came out the doors and windows and ran on through the alleys. The only one left was the kid who lived there.

"I told him I was from the school and that the school was very concerned, and asked if it would be okay if I just came over and talked to him sometimes."

Turansky describes the youth as "a good boy—very pleasant. It would be hard to dislike him. He's quiet, but I think a friendship is developing between us. There are little hints in the way he reacts—he looks glad to see me."

Things have progressed to the point where Turansky and the boy have taken a trip to the airport at the suggestion of Kanda, who recalled how much he had enjoyed visiting the airport in earlier years.

And the boy has introduced Turansky to his friends, who have agreed to go on some field trips.

"We'll try to go to places that will stimulate their interest, but yet are educationally sound," Turansky says. He's thinking about spots like Bishop Museum and its Kilolani Planetarium, and the University of Hawaii.

"I noticed when we went to the airport that I kept watching the planes, but that the boy was interested mostly in people and what they were doing," Turansky says.

"So I hope the group can see a wide spectrum of occupations and jobs that are not beyond their reach. They should see what kind of people are involved, and what kind of training is needed, what the hours are, and what the pay is."

On each trip, Turansky will take slides. Later, he hopes that the entire group will come back to school just to see the slides and talk about what they've seen. After that, they'll probably leave the school grounds.

Turansky hopes that "as time progresses we can get more and more academically oriented, so that they can get used to being successful, to being in a school situation with a teacher without the usual anxiety, fear and pressures they feel in school."

As the kids gain self-confidence, hopefully they can attend regular classes in only the subject areas that interest them, such as shop, or physical education, or social studies. The rest of the time they'd spend in their special classroom.

Hopefully, they'll end up being able to cope full-time in regular classes and won't become part of the statistics on school dropouts.

"Most of these kids spend the whole day watching TV or playing cards," Turansky says.

"All I want to do is show them that there's a world outside, that there are things that are more interesting than TV.

"If you put these kids back into a regular classroom without preparing them to cope with it, and without an intermediary kind of class, they'll just reject school once more."

Turansky sympathizes with the problem of the overloaded classroom teacher, who is too busy to provide special help for such students.

"There would have to be a few changes made in a school to receive these kids," he says. "You have to have an intermediate class, because it is just too difficult for the regular teacher to handle the problem.

"These kids make up no more than 5 per cent of the school population. And without help, the regular teacher, who faces 100 to 150 students a day, just can't give them the attention they need, or set up a special program for them, or try to integrate them into a classroom. The teacher has got to concentrate on the other 95 per cent."

Turansky admits that a lot of his work is "drudgery." But his face lights up as he also notes that "little things happen that are nice—maybe a kid you've been beating your brains out to get to turns around and gives you a big smile and says good-bye!

"If you can get a kid to come out of his shell and surprise you, maybe you can get him to surprise himself."

[From the Honolulu Advertiser]

"Role-Playing" Helps Bring Students Out

(By Jane Evinger)

The seven sixth-graders engrossed in their game of "role-playing" were creating the drama of "the policeman vs. the glue-sniffer."

As one portrayed the policeman and the drama progressed, the kids began to realize that a policeman, too, has his problems—that he's paid so much a week to do a certain job, and that he has a boss to see that he does it.

Later, the discussion turned to the supposed benefits of sniffing glue. One student reported that his sister said she liked it because it made her feel good.

The young teacher, instead of denouncing the report, mentioned current newspaper accounts of a youth hospitalized and near death from harmful side effects of glue-sniffing.

The kids ended up reaching their own conclusion that actually there aren't any benefits to be derived from the fad.

"I think that a year ago, if I'd have heard of sixth graders, who are supposed to be all innocent, taking part in a discussion of glue-sniffing, I'd have been aghast," Rick Page, the teacher, said later.

"But these children know all about it, and know how it's done. A lot of time you can see 50 students in a field adjacent to the school, and glue-sniffing is going on in a very pronounced manner.

"When school gets out, I've seen some of my students going down there to join older kids. I don't know whether they've actually sniffed glue—probably not everybody in the group does—but no one can find out, because when a policeman or a school administrator comes into sight, everybody runs.

"Whether I like it or not, glue-sniffing is a part of life for these kids, and I think less harm was done by discussing it than by ignoring it."

A reporter and photographer walking through the field and along the stream which borders it found half a dozen glue-stiffened rags which had been useed in past sniffing parties.

NINETY-THREE ARRESTS

Honolulu police report 93 arrests for glue-sniffing in the first nine months of this year, and those caught and arrested represent only a small proportion of the offenders.

Page's class discussion of the problem was a small part of the job he is trying to do as a National Teacher Corps staff member assigned to Kaewai School. He and his wife, Nancy, who works at Fern School, are two of the five-member corps team assigned to Hawaii.

They are trying to help strengthen the self-images of the kids in their schools who most need such help, in addition to giving them the chance to talk out their problems and realize they are not alone in their difficulties.

Married two years, the Pages are from a small town in Maine and hold bachelor's degrees from the University of Maine. Their romance dates back to fifth grade, when Rick played "Prince Charming" to Nancy's "Cinderella" in a school operetta.

Now 24, they hope to get their master's degrees in elementary school counseling here and return eventually to Maine to work in the state's many pockets of rural poverty.

After graduation from college, Nancy worked two years as a pediatrics nurse and Page, who has a B.A. in history and government, was with a major New England department store.

"I had always wanted to be a teacher, but the money end of it sort of pushed retail trade into the number one spot," he said. However, he found business "very vacuous, with a lot of backbiting and underhanded tactics that just didn't fit in with my personality."

He decided to go into education, and Nancy joined him because "I'd always loved school."

"I guess the money angle seems most important in college," Page says. "Once you get out, somehow other aspects seem to take on more importance, and kind of overshadow it."

Nancy adds: "Neither of us are people to be dedicated to any cause, but realizing that so much of Maine is a rural slum, we found we'd like to do something about it. It's kind of a new feeling of patriotism."

MEETS INDIVIDUALLY

At Fern, Nancy meets an hour each week with each of three groups of eight children in grades four, five and six. She also sees each child individually for a half hour every two weeks.

In the individual sessions, the kids are encouraged to talk about anything that is bothering them.

One little girl confided that she was in Hawaii with her mother and three brothers and sisters, but that her father who is in the western Pacific, was threatening to divorce her mother if she did not send the girl and her elder brother back to live with him.

"It sometimes does wonders for a child like this to be able to talk about it," Nancy says. It also can help teachers better understand the pressures facing the child, so that they can provide better assistance in the classroom.

Many of the kids are totally lacking in self-confidence, and with a boost, can work better in their regular classes.

"If you ask a lot of these kids where they live, they answer Kuhio Park Terrace," Nancy says. "If you ask if they like it, they say, 'No, it's a terrible place.' "

"When you ask why, they say because there's a lot of fighting between the parents and the kids, or that there's a lot of glue-sniffing. One child said that a friend told on some glue-sniffers and the older kids threw him in the stream, so they say they're scared of the glue-sniffers."

Nancy said that the effects extend to a child's impression of himself.

"One of the handsomest boys in the whole group thinks he is ugly, and when you ask the same boy whether he ever plays with other children, he'll say, 'No'."

Even when such children do well in something, they don't get the praise other youngsters would.

"One boy is the despair of his mother and most other adults because all he does is draw," Nancy says. "Yet in a draw-a-man standardized test, he was in the top 1 per cent in art ability."

CREATIVE CHILDREN

She finds many of the children do exceptionally well in music and art, probably because "there is almost nothing you can do wrong in either of these fields."

Nancy is suggesting to mothers of some of these children that they give them sketchbooks for Christmas, and hopes to take a group of them to visit a Honolulu artist, so that he can talk with them and mention how he finished high school himself.

"I try to spark any interest I can find," she says. "One boy was a star football player in the sixth grade, so Rick and I went to a game one day and cheered for him.

"I hope I can show him that if he really likes to play, he'll have to stay in school, and maybe show him how great it would be to be a high school football player.

"For children who are never praised, it helps to know that even one adult, one teacher, thinks he's really good at something."

At an evening meeting, parents of 14 of the 24 students came to talk about whatever was bothering them, she said, and 11 were so interested in the chance to discuss things that they stayed to continue after the formal meeting was adjourned.

Race relations occupied a big part of the discussion. A Negro mother complained that her child was being called "burnt toast" and "brown sugar" at school, and that it was hurting his learning ability.

Haoles, in the minority at the school, complained of being called "haole crabs" and being ostracized.

A Portuguese woman reported that one of her two daughters, who looks entirely Portuguese, had no problems, but that the other, who looks entirely non-Portuguese, was completely unaccepted—solely because of her haole appearance.

Nancy and Page often encounter similar problems at their two schools, and exchange ideas for programs.

Page plans to go into individual counseling next semester, but now is meeting a half-hour weekly with 10 groups of seven students each. He use a variety of techniques in addition to role-playing.

PUBLIC INTERVIEW

One is the "public interview."

Rick writes 10 categories on the board—words like love, hate, school, mother—chooses a topic, and lets each of the seven kids ask him one question about it. Then each of the children chooses a topic and is questioned by the others.

Nobody, teacher or student, need answer any questions they don't want to discuss.

The kids at first ask very unsophisticated questions. One would ask, "Do you love your sister?" and the next would ask, "Do you like your sister?"

But lately both questions and answers have been getting more thoughtful. One girl was asked, "If the girl who lives next door to you—your friend—kicked you and made you cry, would you still love her?"

The answer was, "I'd kick her back and then I'd love her."

A big boy was asked how he'd feel if he were beaten up by a smaller boy. The boy thought awhile, then answered that he would probably cry, and then go find somebody his own size to beat up.

"They may not necessarily be the 'right' answers, but they are thought out, and they show some insight," Rick says.

He tries very hard to avoid saying "anything judgmental," feeling that the important thing is to "get all this out in the open," and then go on from there.

The biggest gratification he's found in the job, he says, is the children's acceptance of him.

"I'm a haole, I'm an adult, I'm a teacher, and yet they're around me," he says.

Other teachers at the school also have told him that their students seem to accept him more than had been expected during the weekly visits.

FAIR PACKAGING AND LABELING ACT OF 1966

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. DINGELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. DINGELL. Mr. Speaker, the Fair Packaging and Labeling Act, Public Law 89–755, was signed by President Johnson on November 3, 1966. On that occasion, the President observed that the American housewife should not need a scale, a yardstick, or a slide rule when she shops. The housewife should not have to worry which is bigger, "the full jumbo quart" or the "giant economy quart." President Johnson also said:

> The great majority of American manufacturers will welcome this law. It protects the honest manufacturer against dishonest competitors. It encourages fair competition, competition based on quality, value, and price. It reflects our strong belief that American producers can meet—and want to meet—the test of truth.

I agree with the President. This is a good bill. In the Interstate and Foreign Commerce Committee, we worked long and hard to get a constructive and useful bill. Achieving that goal was not easy. It required cooperation, careful consideration, and compromise. There was often speculation that the committee would vote to kill the bill. In the end, the committee refused to be misled, it reported out a good bill, and the House voted 300 to 8 for this legislation.

I am proud that we achieved our goal, against such odds. As the President said of this law:

> Its purpose is to uphold truth. Its target is labels that lie—packages that confuse—practices that too often deny the consumer a fair test and a clear choice in the shopping place. This is a strong and simple law. It requires the manufacturer to tell the shopper—clearly and understandably—exactly what is in a package. Who made it. How much it contains. How much it costs.

I note that Acting Secretary of Commerce Alexander B. Trowbridge has called a meeting to be held in Washington on February 28 to discuss the act. I am pleased that the Department is seeking industry's cooperation 5 months before the bill goes into effect. Manufacturers, distributors, business associations, consumer groups, individuals—in fact, anyone who has an interest in the subject—may attend this meeting and make his views known.

The Fair Packaging and Labeling Act of 1966 will do, in this era of prepackaged everything, what honest scales in the butcher shop accomplished a generation ago. It will give confidence and assurance to the housewife. It will reduce confusion and proliferation in the marketplace. It will help balance the householder's budget. It will help all of us to fight inflation by assuring full and fair value for our money.

PEOPLES DRUG STORES

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. EVERETT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. EVERETT. Mr. Speaker, we in west Tennessee, especially in Obion County, are certainly proud of Peoples Drug Stores, Inc. This tremendous chain of drugstores was started by Dr. Malcolm G. Gibbs in 1905.

The leadership of this fine organization throughout the years has been composed of some of the finest individuals in this Nation. The present president and chairman of the board is G. B. Burrus, whose family have been friends of our family for over half a century in Obion County, our home county.

Mr. Burrus and others in this fine organization have done everything humanly possible throughout the years to render an outstanding service to the customers and stockholders of the Peoples Drug Stores, Inc. Due to the crime wave in this area, a total of $116,257.75 has been taken at gunpoint in burglaries by hoodlums and criminals who choose this way to make a living rather than by an honest day's work.

Mr. Burrus has written a letter to President Lyndon Johnson expressing the wholehearted cooperation of his organization to assist in passage of legislation to prevent this criminal element from taking over this area, as apparently they are trying to do at the present time. The letter is so outstanding that I feel it should be brought to the attention of the Congress, and I certainly hope that the District Committees of the House and Senate will soon report legislation dealing with this situation, and that we can enact it in a short time and send the bill to President Johnson for his signature.

The letter and a chronological list of these criminal acts and the amount of money that is involved follows:

PEOPLES DRUG STORES, INC.,
Washington, D.C., February 9, 1967.

The PRESIDENT,
The White House,
Washington, D.C.

MY DEAR MR. PRESIDENT: I should like to endorse the letter sent to you recently by the District of Columbia Clearing House Association respecting crime in the District of Columbia.

There can hardly be any dispute as to the magnitude of the problem. The overall statistics on incidence of crime in the District tells the story accurately, but it is possible that the appalling significance of those statistics may be blurred by their generality.

As I realize only too keenly, "robberies per thousand population" translates into actual robbers in actual stores jeopardizing the lives of actual men and women. I attach a list of the robberies and burglaries committed in my company's stores in the District of Columbia metropolitan area since January 1, 1966. As you will see, in the past 56 weeks Peoples Drug Stores in this area have been the scene of 31 armed robberies and 62 burglaries, and the pace of these crimes is accelerating rather than abating.

The dollar loss to Peoples Drug Stores during this period—$116,000, none of it insured—is obviously heavy. But the threat to the lives and well being of our employees and customers is of a much more serious order. Every crime listed in the attachment carried the seeds of grave human tragedy, and in some instances violence did indeed occur.

Just this past week the assistant manager of one of our stores was kidnapped at his Maryland home, pistol-whipped, and bound and gagged by four criminals who forced him to return to our District store so that they could gain entry to the store and the safe and secure cash and narcotics. They left him, still bound and gagged, in his car. The very next day at another of our stores armed robbers, at 8:40 in the morning, forced 7 of our employees and 20 customers to lie on the floor and robbed the store of cash and narcotics.

Or consider our experience at a single store. On November 6, 1966, that store was robbed of $6,910.93. On January 8, 1967, the manager of the store was accosted at gun point by three robbers, forced to re-enter the store, open the safe, and turn over cash and narcotics. Upon leaving, the criminals knocked him unconscious. On January 22, 1967, this same manager, upon opening the store, was again faced by armed robbers who forced him to open the safe and to turn over cash and narcotics. Finally, on January 25, 1967, the police apprehended five persons burglarizing the store. The manager and all employees tendered their resignations and it was necessary to close the store permanently.

I cite these figures not because they are unusual, but because I have no reason to think they are not representative. Indeed, the burden of crime has not fallen as heavily upon my company as upon others in our community. We have been spared loss of life, but there are families whose breadwinner has been cut down by robbers. We are a large company, but there are small merchants to whom robbery and burglary has meant financial ruin.

I, and those who share my anxiety, are greatly heartened by your demonstrated concern about crime, both nationally and in the District, where the federal government has a special responsibility. While I do not pretend to be equipped to evaluate the particulars of your legislative proposals or the recommendations of the District of Columbia Crime Commission, certainly your policy of a two-pronged attack upon both the sources and the effects of crime should command widespread support. If disagreements arise over particular ingredients of an anti-crime program, it is my hope that in any event those disagreements will not prevent the Congress and the community from uniting in unstinting support of those measures as to which there can be no reasonable dispute. The urgency of the problem surely demands no less.

I am confident that the stockholders, employees and customers of Peoples Drug Stores join me in pledging our cooperation in your efforts to give meaning in our community to the principle that, as you put it to the Congress, "public order is the first business of government."

Very truly yours,

G. B. BURRUS,
President and Chairman of the Board.

Peoples Drug Stores, Inc.—Losses due to burglaries and armed robberies in the Metropolitan Washington area

Store No.	Burglary or robbery	Date	Total
	JANUARY 1966		
165	Burglary	Jan. 2	$213.90
1	do	Jan. 3	130.80
70	do	Jan. 4	120.00
1	do	Jan. 9	51.25
5	Robbery	Jan. 21	80.00
27	Burglary	Jan. 26	119.46
3	do	Jan. 27	192.89
40	Robbery	Jan. 28	3,363.86
24	Burglary	Jan. 31	2,283.67
	FEBRUARY 1966		
126	Burglary	Feb. 13	$536.40
103	do	do	4,584.56
	MARCH 1966: NONE		
	APRIL 1966		
130	Burglary	Apr. 10	$250.74
233	do	Apr. 12	252.87
	MAY 1966		
191	Burglary	May 2	$1,614.37
151	do	May 4	2,743.39
27	do	do	405.47
249	do	May 5	1,793.61
27	do	May 11	25.80
233	do	May 27	881.72
	JUNE 1966		
126	Burglary	June 12	$2,219.42
217	do	do	3,531.57
5	do	June 24	490.39
	JULY 1966		
18	Burglary	July 1	$25.75
75	Robbery	do	339.00
89	do	July 3	5,750.53
133	do	July 5	202.62
25	do	July 6	174.00
88	Burglary	July 8	99.00
74	do	July 9	707.94
191	do	July 14	90.24
161	Robbery	July 15	630.00
18	Burglary	July 20	243.11
161	do	July 28	4,020.81
	AUGUST 1966		
25	Robbery	Aug. 8	$1,913.86
90	Burglary	do	180.29
42	do	do	82.93
10	do	Aug. 25	1,506.82
107	do	Aug. 27	674.47
155	do	Aug. 28	776.55
89	do	do	611.47
146	do	do	794.82
	SEPTEMBER 1966		
255	Burglary	Sept. 2	$16.00
236	do	Sept. 6	645.65
1	do	Sept. 8	240.00
107	do	Sept. 9	369.01
90	do	Sept. 16	283.00
158	Robbery	Sept. 19	2,405.31
11	Burglary	Sept. 20	1,057.00
237	Robbery	Sept. 23	50.00
233	Burglary	Sept. 24	1,484.15
200	do	Sept. 25	924.56
73	do	Sept. 26	71.18
	OCTOBER 1966		
15	Robbery	Oct. 1	$1,012.52
3	Burglary	Oct. 5	1,003.35
90	do	Oct. 12	283.00
233	do	Oct. 13	149.51
27	do	Oct. 17	160.23
133	Robbery	Oct. 25	5,800.00
	NOVEMBER 1966		
77	Robbery	Nov. 6	$6,910.93
10	Burglary	Nov. 9	2,148.82
15	do	Nov. 15	2,446.98
245	Robbery	Nov. 21	2,538.76
42	Burglary	Nov. 23	485.92
27	do	do	955.68
	DECEMBER 1966		
150	Robbery	Dec. 3	$3,749.30
27	Burglary	Dec. 5	567.24
19	Robbery	Dec. 11	149.41
15	do	Dec. 16	585.55
42	Burglary	Dec. 22	668.94
2	Robbery	Dec. 23	1,045.77
120	Burglary	Dec. 29	388.40
27	do	Dec. 30	100.00
237	do	do	2,111.00
75	do	Dec. 31	2,600.00
	Total, 1966		88,117.52
	JANUARY 1967		
42	Robbery	Jan. 3	$6,035.04
75	do	do	60.00
24	do	do	2,600.00
9	do	Jan. 4	380.00
27	Burglary	Jan. 5	57.48
(1)	do	Jan. 7	349.18
77	Robbery	Jan. 8	2,366.72
82	do	Jan. 19	1,188.22
237	do	Jan. 20	99.00
114	do	do	2,291.85
201	Burglary	Jan. 21	171.34
77	Robbery	Jan. 22	4,047.65
75	do	Jan. 23	380.00
237	Burglary	Jan. 24	47.38
77	do	Jan. 25	10.31
90	do	Jan. 27	52.78
17	Robbery	Jan. 29	3,003.28
	FEBRUARY 1967		
133	Robbery	Feb. 2	$3,000.00
25	do	Feb. 3	2,000.00
	Total, 1966–67		116,257.75

[1] Food warehouse.

PRESIDENT'S CRIME MESSAGE

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentlewoman from Washington [Mrs. HANSEN] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mrs. HANSEN of Washington. Mr. Speaker, the President's crime message urges Congress to commit the Federal Government to a strong supporting role in the fight against crime—a fight now being carried on primarily by the State and local governments.

I am very much in agreement with the President's proposal of Federal help without Federal domination. The increasing cost of providing public protection cannot be met by the States and cities alone.

The recommended plan is sound. First, before any money is spent on specific programs to modernize law enforcement and correction systems, studies would be conducted to pinpoint problem areas. The proposed Safe Streets and Crime Control Act would provide money to help cities and States undertake these studies. Such studies, conducted by qualified personnel and based on recommended standards, would provide the facts required to develop a list of needs and priorities. At the same time, the Federal Government would support universities and other organizations proposing basic research into crime and its causes.

The second part of the proposal—specific remedial action—would be undertaken after approved local studies were carried out and comprehensive plans were drawn to meet the disclosed problems. A newly created agency—the Office of Law Enforcement and Criminal Justice Assistance—would give qualifying communities 60 percent of the funds needed to operate actual programs and provide new equipment. Eligible programs could also receive construction funds to build new types of approved facilities.

With proper equipment, manpower and technical facilities, our police agencies could carry out a coordinated attack on crime.

Therefore, I urge that this Congress, this session, act swiftly on the President's proposal, so that we may begin a coordinated program to bring public order to the streets of America.

JOB CORPS GRADS WIN EMPLOYMENT

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentlewoman from Washington [Mrs. HANSEN] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mrs. HANSEN of Washington. Mr. Speaker, since there has been much discussion about the results of the Job Corps, I am submitting the following article which describes a highly successful Job Corps training program in Washington State:

JOB CORPS GRADS WIN EMPLOYMENT

RANDLE.—Eighteen corpsmen at the Cispus Job Corps Conservation Center here in the Gifford Pinchot National Forest have obtained jobs as welders after completing an intensive three-month course that included over 240 hours of industrial welding, it was announced today.

Nine of the graduates have accepted jobs at the Bremerton Naval Shipyard, according to Center Director Larry A. Fellows, and nine others have lined up welding jobs in their home towns. Four others in the class of 22 have elected to remain at the center to complete their education programs or learn additional vocational skills.

Fellows said he considered this to be proof of the Jobs Corps program's basic premise that "some young men will respond to the challenge and opportunity of career training."

Fellows also pointed out that more than half of the members in the class were eligible to go home last Christmas on leave, but they voted unanimously to remain at the center and complete their welding training without interruption.

The graduates were instructed by Harold E. Deutschman in a Job Corps welding shopmobile, which travels throughout the nation from one Job Corps facility to another, under a contract between the American Institute of Engineering and Technology and the federal Office of Economic Opportunity.

THE FUTURE FARMERS OF AMERICA PROVIDE FOR TOMORROW

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. NATCHER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. NATCHER. Mr. Speaker, the Future Farmers of America will observe their national week from February 18 through February 25 and once again, the American public will be given the opportunity to learn more about this outstanding group of vocational agriculture students. And there is much to learn, for each year presents more and varied challenges to those who are interested in the pursuits of agriculture.

The members of the Future Farmers are young and it is with the eagerness of youth that they accept these challenges, study new methods, and adopt better ways of farming. This enthusiasm, however, is coupled with and nurtured by a fundamental love of the land and soil that has been characteristic of American farmers since the very birth of our Republic. The Second Congressional District of Kentucky has long been an agricultural area. Our roots are implanted in our native soil. And how fortunate we are. The farm, whether large or small, is the heart of America and from such a wellspring have come men of position—men of leadership. This is as true now as it was in the days when we were a young, struggling nation and one gallant young farmer stepped forward and assumed his role in history. The young farmer was our first President, George Washington.

In Kentucky, there are almost 15,000 members of the Future Farmers in approximately 150 local chapters. I know, first hand, of the important part these youths have played in the betterment of their communities, their homes, and their schools. I know, too, of the high respect they have earned by their industry and seriousness of purpose. No small amount of credit should go to the county agents and the vocational agriculture teachers who stand by with advice and encouragement, all the while instilling the young farmer with self-confidence and a determination to work out his own solutions. Theirs is a partnership in learning by doing.

In this age of machines and computers, it may surprise some to find that agriculture is still the Nation's largest industry. Forty percent of our working people are busily engaged in the production, processing, and distribution of agricultural products or in providing supplies and services for farmers. Nowhere in the world can we find the rich abundance that is America's and it is to the Future Farmers that we look for the assurance of this abundance for tomorrow. In training today, they are the providers of the future.

Cato wrote of the dignity of farming and what greater dignity can be had, what greater sense of pride can be felt, than that of knowing that you have been a part of that most humane of all experiences, that of providing for your fellow man. The Future Farmers stress this and other like values, knowing that when all else is exhausted and spent, the handiworks of nature will remain.

To my young friends in the Future Farmers of America I extend my proud salute and my best wishes for their continued success.

FINANCING PRIVATE INDUSTRY BY TAX-FREE MUNICIPAL BONDS SHOULD BE HALTED

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. REUSS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. REUSS. Mr. Speaker, the gentleman from Wisconsin [Mr. ZABLOCKI] and I have today introduced H.R. 5484, H.R. 5485, H.R. 5519 and H.R. 5520.

For over 15 years State and local governments have been abusing the privilege given them by the Federal Government to issue tax-exempt bonds. Though intended as a Federal subsidy for much-needed public facilities, like schools, hospitals, roads, and sewers, tax-exempt bond issues have been floated with ever-growing frequency by counties, cities, towns, and hamlets across the Nation to finance commercial and industrial facilities of private profitmaking corporations.

This year close to a billion dollars of these tax-exempt bonds are likely to be issued for the direct benefit of private industry. To lure industry into its locality, any county, city, town, or hamlet in 34 States can now issue municipal industrial development bonds. Single bond issues this past year have run as high as $70 million.

Giving birth to a municipal industrial development bond issue is painless. The town council need only to agree to issue the town's bonds to pay for an industrial plant which a corporation plans to build. The corporation then builds the plant in the town's name. The plant is paid for with the proceeds of the town's issue. The town then sells or leases the plant to the corporation for an amount sufficient to cover its principal, interest, and underwriting costs.

Since these bonds are obligations of a municipality, the holders of the bonds need not pay Federal income taxes on the interest which the town pays on the bonds. Because the interest is tax free, these bonds sell at a lower interest rate than the bonds which the most creditworthy corporation could issue. The saving in interest charges is the subsidy which the town uses to lure the corporation into locating there.

Most bonds issued for industrial development are backed solely by the credit of the corporation which will purchase or lease the plant from the municipality. Consequently, even the smallest hamlet can issue large amounts of these bonds. Its credit need not be pledged; when it issues revenue bonds—bonds which are paid off from the revenues of the facility being financed.

And revenue bonds are usually not included in State-imposed limitations upon the amount of local borrowing. So the town does not limit its ability to borrow to meet legitimate public needs.

By this neat financial sleight-of-hand, both town and corporation make out well. The town has attracted a new industry; the corporation has financed a new plant at lower tax-exempt bond rates. On a $20 million, 20-year bond issue, a corporation might well save $5 million by this legerdemain. And if the corporation buys the town's bonds, as many do, it receives tax-free income besides.

The U.S. Treasury, however, loses big. Instead of bondholders receiving $21 million of taxable income from this corporate bond issue, they receive $16 million dollars of tax-exempt income. If the average tax bracket of these taxpayers is 30 percent, on this one issue alone, the Treasury would lose $6.3 million of tax receipts over the bond's 20-year life.

A second victim is the community losing the plant which was pirated away by this federally financed subsidy. We first became interested in municipal industrial development financing when, in March 1964, Cutler-Hammer Corp., of Milwaukee, announced that it would pull up stakes and move a part of its operations to Bowling Green, Ky. Bowling Green built Cutler-Hammer a new plant with the proceeds of a $6.5 million bond issue. And Milwaukee lost 750 skilled labor jobs as a result—an annual payroll of over $5 million.

A competing manufacturer also suffers when its competitor has a new plant financed at a cost substantially below costs in the conventional corporate bond market. To make up for the competitive disadvantage, competitors must themselves seek municipal industrial bond financing.

All municipalities suffer by use of the tax-exemption privilege to finance private corporations. By greatly increasing the total amounts of tax-exempt bonds outstanding, interest rates go up; and the costs of financing needed schools, hospitals, roads, waste treatment facilities are substantially increased.

In fact, in the long run only the corporations will ultimately benefit, for in this murky Alice-in-Wonderland financial world, where Champ, Mo., a town of 14 qualified voters last year sold nearly $13 million of tax-exempt bonds, each locality seeking to attract industry will have to run faster just to stay in the same place. As more towns offer the tax-exempt financing lure, it becomes an accepted part of the package which a corporation on the move expects to receive. So, like fried chicken, what once was a special Sunday dinner menu becomes an everyday meal.

This tax loophole should be closed immediately. The practice is snowballing. Before 1951, only Mississippi and Kentucky authorized the issuance by localities of municipal industrial development bonds. In this early period only $6 million of these bonds were issued.

By 1960, 12 States had authorized these bonds to be issued, and their volume had increased to $47 million annually.

The race was then on. At the end of 1963, 14 more States had passed legislation authorizing their use, and $144 million of bonds were issued.

Today, municipal industrial development bonds can be issued in 34 States. Pennsylvania, North Carolina, and South Carolina are preparing authorizing legislation. Florida and Texas barely escaped joining the fray in their last legislative sessions. In Florida, the question is now being considered by the legislature; the issue will undoubtedly be renewed in Texas. In Minnesota, the chamber of commerce supports authorizing legislation.

In 1966, according to the conservative tally of the Investment Bankers Association, municipal industrial development bond issues totaled $504 million dollars. The actual figure may be as high as $1 billion.

In 1966, 127 separate municipal industrial development bond issues were recorded by the IBA. Individual issues ranged from a low of $60,000 to a high of $70 million. Approximately 45 percent of the issues exceeded $1 million, 30 percent fell between $500,000 and $1 million, and the remaining 25 percent were less than $500,000.

In dollar amount, however, $334 million of the $504 million of bonds sold, 66 percent, were accounted for by the eight largest bond issues, all of which exceeded $20 million.

Of the eight localities benefiting from these large bond issues, only two were in areas in which unemployment was greater than 6 percent and median family income was below $2,264—the criteria for qualification for Federal aid from the Economic Development Administration. Of the nine corporations which are being subsidized—Skelly Oil Co., American Can Co., United Fruit Co., Phoenix Steel Corp., Air Reduction Corp., Armco Steel Corp., Nekoosa-Edwards Paper Co., Rockwell-Standard Corp., and Hercules Corp.—seven are listed on the New York Stock Exchange and one on the American Stock Exchange. Only one corporation is not listed on either of these two major exchanges.

Municipal industrial development financing is dominated by multimillion-dollar issues for the benefit of industrial giants which are in most cases not locating in areas of high unemployment and low income.

The time has long since passed when the 50 States, locked in fierce competition for job and revenue—providing industry, can ignore this powerful industrial lure.

According to the director of the Conservation and Development Department of North Carolina, where the pros and cons of municipal industrial development bond financing are being heatedly debated, in 1966, eight industrial prospects were lost to the State because this financing could not be offered them. If the companies had located there, their investment would have totaled nearly $120 million. Not many State legislatures will reject authorizing legislation in the face of such statistics.

In self-defense heavily industrialized Northern States are entering this field.

In 1966, Michigan, Maryland, Delaware, Iowa, Missouri, and Kansas recorded municipal industrial development bond issues.

In early June, New York City formed a public development corporation, headed by Gen. Lucius D. Clay. General Clay presumably was called upon to prevent the attrition of embattled New York as he saved embattled Berlin 17 years ago. The city is fighting back to curtail the net average annual loss of 10,000 jobs which it has experienced since 1950. Of course, municipal industrial development bonds are a prime weapon in General Clay's arsenal.

Clearly as a measure of self-defense, Governor Shafer, of Pennsylvania, is seeking legislation to permit his State to enter the municipal industrial development bond competition. At the same time the Governor has asked President Johnson to initiate Federal action to eliminate these bonds by March 1, before action has been taken by the Pennsylvania Legislature.

The time is rapidly approaching when all States will be offering this lure. At that point no one wins.

The time for Federal action has manifestly arrived. The States individually cannot come to grips with the problem. As in other areas of fierce competition among the States, the prize goes to the swiftest, and devil take the hindmost. Any State which prohibits or responsibly restricts the issuance of municipal industrial development bonds is simply asking for its industry to be raided.

The gentleman from Wisconsin [Mr. ZABLOCKI] and I are today reintroducing two bills to abolish this financing—bills which we have previously introduced in the 88th and 89th Congresses.

One bill would abolish these bond issues by indirection. It provides that whenever proceeds from a tax-exempt bond issue are used to construct facilities for sale or lease to private profitmaking corporations, these corporations may not deduct rental payments for the use of these facilities in figuring their Federal income tax.

The second bill takes the direct approach. It would remove the tax exemption from State and local bonds to the extent that the proceeds are used to construct industrial or commercial facilities for sale or lease to private profitmaking corporations. Purchasers of such bonds can be assured of the extent to which tax exemption applies through a certification procedure provided for in the bill. The bill states explicitly that the removal of tax exemption in no way encroaches upon the general privilege of States and localities to issue tax-exempt bonds.

We express no strong preferences for

either approach; each has strengths that the alternative does not. We do, however, believe that the Congress must act.

Why has action not been taken long before now? Responsible opinion has long been lined up against the abuse by local governments of the Federal tax-exemption privilege to subsidize private businesses.

Opposition to the tax-exemption abuse, or warnings against the practice, have been expressed by the Investment Bankers Association, the AFL–CIO, the National Association of Counties, the Mortgage Bankers Association, the American Bar Association, the Municipal Finance Officers Association, and the Securities and Exchange Commission. Barron's and the Bond Buyer have condemned the practice in strong editorials.

The Area Redevelopment Administration, which before its demise was charged with the duty of increasing industrial employment in depressed local communities, opposed the practice of offering tax-exempt financing to lure industries to those areas. Mr. Victor Roterus, economic adviser to the ARA Administrator, said in his April 20, 1964, speech to the State fiscal officers' convention in Atlanta:

> ARA is definitely against the use of the device. Growing usage of this device—particularly its adoption by relatively prosperous urban areas—can result only in non-productive raiding of industries at the outset, and ultimately in a more or less equalized competitive situation among the areas. In such a situation, no one benefits and, indeed, everyone suffers because public tax revenues have been sacrificed and normal taxing and tax burden patterns have become disorganized.
>
> Factory raiding by one area at the expense of another by and large merely creates a new economic problem in the attempt to solve an old one. The practice, from the national viewpoint, is largely nonproductive and disrupting, and tends to provoke rancor among the various sections of the country.
>
> The effect of the bond device on the relations between various areas is no less disquieting. The use of tax-exempt bonds to build factories puts an unwarranted strain on Federal practices to equalize educational opportunities and other public services, and tends to distort these patterns to the point where compensating adjustments in policy may be occasioned.

In an appearance before the House Banking and Currency Committee on February 9, 1965, then Treasury Secretary Dillon said that, in his opinion, the use of tax-exempt bonds for industrial purposes was "a dangerous practice, and it would be wise for Congress to put an end to it." The Secretary said that the area development and the Appalachia programs are the proper ways to bring new industry into depressed areas and not "indiscriminate use of the tax system." He agreed that unless the issuance of tax-exempt bonds for industrial development were curtailed by congressional action, "sooner or later, it is perfectly inevitable that practically every State will adopt this procedure." He went on to say that this competition among States would result in a "substantial erosion of Federal revenues."

Chairman Gardiner Ackley, of the President's Council of Economic Advisers, stated to the Joint Economic Committee on February 19, 1965:

> I think it does appear to be a problem and I would—if it is feasible, it sounds to me as though Secretary Dillon is on the right track in suggesting that this is a problem which may require legislation.

The Budget Director Kermit Gordon, in response to a question during Joint Economic Committee hearings on February 23, 1965, replied:

> I must say that it strikes me as an individual that this may well be a quite questionable use of the tax exemption authority and there is a question in my mind as to whether the whole purpose of tax exemption was meant to extend to this kind of borrowing.

The Council of Economic Advisers had this to say in its recent 1967 annual report:

> Of immediate concern is the use of so-called industrial development bonds. Through the use of these bonds, localities have passed to private industries the benefit of the exemption of their interest from Federal tax, in many cases without assuming any real obligation for repayment of the bonds. This questionable practice is becoming increasingly widespread, and the lack of any obligation by the locality authorizing the bonds permits proliferation without limit. The use of the Federal tax code in this fashion is inefficient and inappropriate.

Why, then, have we not seen progress in the past 2 years?

On March 20, 1965, the Ways and Means Committee requested a report from the Treasury on our bills. The Treasury did not report on these bills.

On June 16, 1966, Treasury Secretary Henry H. Fowler, speaking to the White House Conference of State Legislative Leaders, voiced his growing concern over this abuse of the municipal bond tax-exemption privilege. He said:

> One area that has raised doubts and discussion over the years has been the use of industrial development bonds. This practice has been defended on the ground that it helps to bring industry to low-income labor-surplus areas. Thoughtful critics, however, have prophesied that the practice would eventually become self-defeating. Recent experience appears to support their view, since the use of this type of bonding is growing and the advantage to any State or municipality decreases as more States and localities enter the field. This practice merits careful attention and is currently under study.
>
> The Federal Government is sympathetic with the need of States and municipalities to meet their financial problems. But we cannot condone extension of the tax exemption to these new financial arrangements as a means of accomplishing those objectives at the expense of the Nation's taxpayers.
>
> If legislation is enacted, or if administrative measures are adopted, which exclude these arrangements from the benefits of the exemption, I hope no one will be misled into thinking that we are launching an attack on the basic interest exemption for State and local borrowing. Quite the contrary, as with any exemption, curtailment of uses which cannot be condoned is a condition necessary for preservation of the exemption for its intended uses.

But still no Treasury report on our legislation has been forthcoming.

We can only hope that the Treasury will soon take its long-awaited stand.

In any event, Congress should not be a party to further delay. It should make the abolition of municipal industrial development bonds a prompt order of business.

The text of the bills is as follows:

H.R. 5485

[By Mr. Reuss]

A bill to amend the Internal Revenue Code of 1954 to curb the tax-exempt financing of industrial or commercial facilities used for private profitmaking purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) part IX of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to items not deductible) is amended by adding at the end thereof the following new section:

"Sec. 276. Certain Payments to Issuer of Tax-Exempt Obligations.

"(a) General Rule.—No deduction shall be allowed for any amount paid or accrued (including interest on a mortgage and taxes) to a State, the District of Columbia, a possession of the United States, or any political subdivision or instrumentality of any of the foregoing, relating to the use or occupancy of an industrial or commercial facility acquired, constructed, or improved (in whole or in part) out of the proceeds of industrial development obligations.

"(b) Definitions.—For purposes of this section—

"(1) Industrial or commercial facility.—The term 'industrial or commercial facility' means any building or equipment—

"(A) which is or will be used primarily for the mining, manufacturing, assembling, fabricating, storing, processing, or sale of articles or commodities (including any building or equipment the use of which is incidental to such mining, manufacturing, assembling, fabricating, storing, processing, or sale), and

"(B) a substantial portion of which has been or will be sold or leased to nonpublic enterprises.

Such term does not include land (or interests in land).

"(2) Industrial development obligation.—The term 'industrial development obligation' means any obligation which is issued (whether before or after the acquisition, construction, or improvement of the industrial or commercial facility involved) by a State, the District of Columbia, a possession of the United States, or any political subdivision or instrumentality of any of the foregoing, to finance directly or indirectly the acquisition, construction, or improvement of an industrial or commercial facility, and the interest on which is wholly exempt from the taxes imposed by this subtitle. For purposes of the preceding sentence, where a State or other governmental unit borrows money through a bank loan or otherwise, such governmental unit shall be treated as having issued an obligation at the time of such borrowing.

(b) The table of sections for part IX of subchapter B of chapter 1 of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new item:

"Sec. 276. Certain payments to issuer of tax-exempt obligations."

Sec. 2. The amendments made by the first section of this Act shall apply only with respect to taxable years ending after the date of the enactment of this Act, and only in the case of amounts paid or accrued with respect to the use or occupancy of an industrial plant acquired, constructed, or improved with the proceeds of industrial development obligations issued after the date of the enactment of this Act.

H.R. 5519

[By Mr. Zablocki]

A bill to amend the Internal Revenue Code of 1954 to curb the tax-exempt financing of industrial or commercial facilities used for private profitmaking purposes

Be it enacted by the Senate and House of Representatives of the United States of

America in Congress assembled, That (a) part IX of subchapter B of chapter 1 of the Internal Revenue Code of 1954 (relating to items not deductible) is amended by adding at the end thereof the following new section:

"Sec. 276. Certain Payments to Issuer of Tax-Exempt Obligations.

"(a) General Rule.—No deduction shall be allowed for any amount paid or accrued (including interest on a mortgage and taxes) to a State, the District of Columbia, a possession of the United States, or any political subdivision or instrumentality of any of the foregoing, relating to the use or occupancy of an industrial or commercial facility acquired, constructed, or improved (in whole or in part) out of the proceeds of industrial development obligations.

"(b) Definitions.—For purposes of this section—

"(1) Industrial or commercial facility.—The term 'industrial or commercial facility' means any building or equipment—

"(A) which is or will be used primarily for the mining, manufacturing, assembling, fabricating, storing, processing, or sale of articles of commodities (including any building or equipment the use of which is incidental to such mining, manufacturing, assembling, fabricating, storing, processing, or sale), and

"(B) a substantial portion of which has been or will be sold or leased to nonpublic enterprises.

Such term does not include land (or interests in land).

"(2) Industrial development obligation.—The term 'industrial development obligation' means any obligation which is issued (whether before or after the acquisition, construction, or improvement of the industrial or commercial facility involved) by a State, the District of Columbia, a possession of the United States, or any political subdivision or instrumentality of any of the foregoing, to finance directly or indirectly the acquisition, construction, or improvement of an industrial or commercial facility, and the interest on which is wholly exempt from the taxes imposed by this subtitle. For purposes of the proceeding sentence, where a State or other governmental unit borrows money through a bank loan or otherwise, such governmental unit shall be treated as having issued an obligation at the time of such borrowing."

(b) The table of sections for part IX of subchapter B of chapter 1 of the Internal Revenue Code of 1954 is amended by adding at the end thereof the following new item:

"Sec. 276. Certain payments to issuer of tax-exempt obligations."

Sec. 2. The amendments made by the first section of this Act shall apply only with respect to taxable years ending after the date of the enactment of this Act, and only in the case of amounts paid or accrued with respect to the use or occupancy of an industrial plant acquired, constructed, or improved with the proceeds of industrial development obligations issued after the date of the enactment of this Act.

H.R. 5484

[By Mr. Reuss]

A bill to amend section 103 of the Internal Revenue Code of 1954 to remove the tax exemption for interest on State or local obligations issued to finance industrial or commercial facilities to be sold or leased to private profitmaking enterprises

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is hereby declared to be the policy of Congress and the purpose of this legislation—

(1) to encroach in no way whatsoever upon the rights of the States and local governments to issue for any purpose which may be a public purpose obligation the interest on which is wholly exempt from Federal income taxation, but

(2) to provide that a similar exemption will not continue to be available for subsidizing the financing of industrial and commercial facilities to be sold or leased to private profitmaking enterprises.

Sec. 2. Section 103 of the Internal Revenue Code of 1954 (relating to interest on certain governmental obligations) is amended by redesignating subsection (c) as subsection (d) and by inserting after subsection (b) the following new subsection:

"(c) Obligations To Finance Industrial or Commercial Facilities.—

"(1) Inclusion in income.—Notwithstanding subsection (a)(1), where part or all of the amount which the issuing authority receives from the issuance of an obligation described in subsection (a)(1) is to be used for industrial development purposes, a like percentage of each interest installment on such obligation shall be included in gross income. For purposes of the preceding sentence, where a State or other governmental unit borrows money through a bank loan or otherwise, such governmental unit shall be treated as having issued an obligation at the time of such borrowing.

"(2) Certification by issuing authority to be final.—For purposes of this subsection, a certification by the issuing authority—

"(A) that no part of the amount received from the issuance of an obligation is to be used for industrial development purposes, or

"(B) specifying the percentage of the amount received from the issuance of an obligation which is to be used for industrial development purposes,

shall be final and conclusive.

"(3) Use for industrial development purposes.—

"(A) For purposes of this subsection, an amount is to be used for industrial development purposes to the extent it is to be used to finance directly or indirectly the acquisition, construction, or improvement (whether occurring before or after the issuance of the obligation) of one or more industrial or commercial facilities.

"(B) For purposes of subparagraph (A), the term 'industrial or commercial facility' means any building or equipment—

"(i) which is or will be used primarily for the mining, manufacturing, assembling, fabricating, storing, processing, or sale of articles or commodities (including any building or equipment the use of which is incidental to such mining, manufacturing, assembling, fabricating, storing, processing, or sale), and

"(ii) a substantial portion of which has been or will be sold or leased to nonpublic enterprises.

Such term does not include land (or interests in land)."

Sec. 3. The amendment made by section 2 of this Act shall apply only to obligations issued after the date of the enactment of this Act.

H.R. 5520

[By Mr. Zablocki]

A bill to amend section 103 of the Internal Revenue Code of 1954 to remove the tax exemption for interest on State or local obligations issued to finance industrial or commercial facilities to be sold or leased to private profitmaking enterprises

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it is hereby declared to be the policy of Congress and the purpose of this legislation—

(1) to encroach in no way whatsoever upon the rights of the States and local governments to issue for any purpose which may be a public purpose obligation the interest on which is wholly exempt from Federal income taxation, but

(2) to provide that a similar exemption will not continue to be available for subsidizing the financing of industrial and commercial facilities to be sold or leased to private profitmaking enterprises.

Sec. 2. Section 103 of the Internal Revenue Code of 1954 (relating to interest on certain governmental obligations) is amended by redesignating subsection (c) as subsection (d) and by inserting after subsection (b) the following new subsection:

"(c) Obligations To Finance Industrial or Commercial Facilities.—

"(1) Inclusion in income.—Notwithstanding subsection (a)(1), where part or all of the amount which the issuing authority receives from the issuance of an obligation described in subsection (a)(1) is to be used for industrial development purposes, a like percentage of each interest installment on such obligation shall be included in gross income. For purposes of the preceding sentence, where a State or other governmental unit borrows money through a bank loan or otherwise, such governmental unit shall be treated as having issued an obligation at the time of such borrowing.

"(2) Certification by issuing authority to be final.—For purposes of this subsection, a certification by the issuing authority—

"(A) that no part of the amount received from the issuance of an obligation is to be used for industrial development purposes, or

"(B) specifying the percentage of the amount received from the issuance of an obligation which is to be used for industrial development purposes,

shall be final and conclusive.

"(3) Use for industrial development purposes.—

"(A) For purposes of this subsection, an amount is to be used for industrial development purposes to the extent it is to be used to finance directly or indirectly the acquisition, construction, or improvement (whether occurring before or after the issuance of the obligation) of one or more industrial or commercial facilities.

"(B) For purposes of subparagraph (A), the term 'industrial or commercial facility' means any building or equipment—

"(i) which is or will be used primarily for the mining, manufacturing, assembling, fabricating, storing, processing, or sale of articles or commodities (including any building or equipment the use of which is incidental to such mining, manufacturing, assembling, fabricating, storing, processing, or sale), and

"(ii) a substantial portion of which has been or will be sold or leased to nonpublic enterprises.

Such term does not include land (or interests in land)."

Sec. 3. The amendment made by section 2 of this Act shall apply only to obligations issued after the date of the enactment of this Act.

A TRULY GREAT LEADER

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Fuqua] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. FUQUA. Mr. Speaker, it was nearly 40 years ago that a congressional district in Boston, Mass., sent a young man to Washington to serve as its representative.

Many Members in the House today, including myself, had not been born when John W. McCormack took his seat in the U.S. House of Representatives on November 6, 1928, in the 70th Congress.

Little did I realize, when I read about him while in high school, that one day

I would have the privilege and the honor of serving with him.

Recently I have been somewhat irritated to read certain news accounts which have accused the gentleman from Massachusetts [Mr. McCormack] of a lack of leadership as the Speaker of the House. I vigorously disagree with such assertions, and submit that they have no basis in fact.

When I first came to Washington as a newly elected Representative, Mr. McCormack talked with me about his plans and his views. He asked me to assist him if I could in many of those plans, and where I could not because of philosophical differences, he understood.

Because of this understanding attitude, he has a real friend and follower.

I believe that he has exerted tremendous leadership in a trying period, and that the record is abundantly clear that he has been both an outstanding and an understanding leader.

He followed Speaker Rayburn, a dynamic individual who placed his personal imprint on history. When the gentleman from Massachusetts [Mr. McCormack] assumed the role of Speaker, he naturally brought to the office his own personality, opinion, direction, and dedication.

There are those in the House, and in the Nation, that demand the Speaker use the cudgel and force on those who disagree with their position. They would have punishment meted out to those who arrive at conclusions other than their own.

I have never agreed with a philosophy of having to go along to get along. My people did not send me here to be a rubberstamp; they sent me here to exercise judgment and to vote my honest convictions in representing them in the Congress.

It is easy to be a dictator; it is difficult to be a leader.

The thing that makes John McCormack a great Speaker is his respect for each Member of the House, his determination to lead through persuasion rather than threat.

During the course of a political campaign, we often are called upon to take a position, and it would be the worst form of hypocrisy to be elected on that basis, and then to vote against those convictions or promises.

Our party suffered losses in the November election. I am certain that the new ratio of membership will create new problems for the leadership of the House.

I support Speaker McCormack, not to curry favor, but because I know that his course of action is, in the long run, the best for this Nation. It is the best for Members of the House. Under his leadership, we can each feel free to exercise the dictates of our conscience.

John W. McCormack has written as distinguished a record as any man who has ever served as Speaker. If he were not to serve another day, his place in history would be assured.

If America could know this man as I feel I know him, there is no question that there would be an overwhelming and dramatic support for Mr. McCormack, regardless of region or place. Most of us ask only fairness, reason, dignity, and respect for our particular view. These he gives in abundant number.

I have never served under another man as Speaker. But I know this: If those Speakers in years to come measure up to the shoes of John McCormack, this country can be proud.

ACTION WAS NECESSARY

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Fuqua] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. FUQUA. Mr. Speaker, I support the action of the President in resumption of the bombing in North Vietnam.

We had no choice but to resume the bombing.

The so-called peace gestures we heard about were as phony as the contention of the Communists that this is a civil war. During the truce period, the Communists reinforced their positions and moved in supplies.

I particularly find the comments of U Thant absurd when he stated that he believed meaningful talks could take place within a few weeks if we would not resume the bombing. When will these people learn?

Every truce we have honored has been used by the Communists to bolster their forces. The evidence is concrete that this war is directed from Hanoi. Ho Chi Minh agreed when North and South Vietnam were created, to let the South Vietnamese live in peace.

He had no such intention then, and no such intention now.

I hate war as much as any man. But once this Nation commits itself to conflict we must take those actions necessary to win the war, and to protect the lives of the American fighting men we have called on to defend freedom in the East.

THE GLAD TIDINGS MENNONITE CHURCH MAKES LIVING A LITTLE BIT EASIER FOR POOR

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Scheuer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. SCHEUER. Mr. Speaker, I take great pleasure in introducing into the Congressional Record an article which appeared in Christian Living, a national publication of the Mennonite Church.

This article describes a project undertaken by the Glad Tidings Mennonite Church in my district. It demonstrates the ingenuity which men of the cloth can bring to the problems of poor neighborhoods to make living a little bit easier.

The article follows:

Four Hundred "Heroes" a Day

(By Loren Lind)

At six o'clock every weekday morning a Krusty Bakery truck pulls up to an ordinary-looking storefront at 344 Brook Avenue, the Bronx, and drops off 100 loaves of Italian bread. Esther Petersheim, a robust woman who came to the city 12 years ago for Voluntary Service, stacks these loaves behind an L-shaped glass counter and turns on the coffee percolator. She has been up an hour already and opened the door to Glad Tidings Sandwich Shop.

By the time the coffee is hot, her first customers have arrived. They are eight or nine Negro men who hope to find jobs for the day driving trucks for Gaudio Carting Corporation nearby. Some mornings they have work; other mornings they don't. But every morning they report on duty just in case, warming themselves first over a cup of coffee.

At eight o'clock Newton Beiler, a former I-W man, comes downstairs from the fifth-floor apartment next door and begins making sandwiches. The first shift at Public School 30 around the corner is about to begin. Pasty-eyed third graders, in little jabbering clusters, have darted into the shop to stuff pockets with penny candy before trudging off to school. Newton serves them silently, then continues making sandwiches. He and the staff have 400 to make before 11:40 a.m., when Alexander Berger Junior High School across the street dismisses for lunch.

The next group of customers is made up of teachers from Alexander Berger, who saunter in for doughnuts and coffee. The teachers soon leave and Newton goes on making sandwiches, ranging in size from moderate 15-centers to 25-centers. A 25-center, I can say from experience, makes a full meal. The crusty Italian loaf, split down the center and stuffed with spiced ham, cheese, tomato, lettuce, and mustard if you wish, is what New Yorkers call a hero. Other places in the country they are variously called hoagies or submarines. Whatever their name, Newton has probably made more heroes in the past year than he would care to count, but he takes the mundane work along with the more exciting.

THE MEAT CLEAVER

An example of the latter occurred last year when Newton was new on the job. One day he let slip a careless boast that he could beat up a boy named Davey if he had to. Davey (not his actual name) had been a general troublemaker about the shop, a genius at skipping school, and a typical budding delinquent. In this New York City ghetto, such a remark to anyone is apt to draw blood. Davey burst into the shop a few minutes later and grabbed the meat cleaver. Lifting it, he did not notice that it was chained to the cutting block and drew his hand along the blade, cutting a deep gash. Newton helped the boy wrap his hand in rags, but Davey refused any more help. The feud was not over.

Weeks later, Davey approached Newton on the apartment doorstep, flashed a knife in his face, and threatened to kill him. Newton backed away and refused to fight, and Davey began to understand that Newton was apparently a different kind of human. Newton, who told me this story, commented afterward: "Something like this brought all of us at the shop a lot closer together. And Davey—he's actually come a long way from what he used to be around here."

By 11:40 in the morning, five or six clerks stand behind the counter ready for the midday swarm. On any one day the clerks might include Paul Burkholder, pastor of Glad Tidings Mennonite Church; his wife, Miriam; Mrs. Rose Rodriguez, a housewife and Glad Tidings church member; VS-ers Jeanette Hershey and Jerry Meck; and Esther Petersheim and Newton Beiler.

In front of them, on the customer's side of the glass counter, 50 to 75 Negro and Puerto Rican children mill about, shouting hero and Coke orders. The walls of the shop are painted bright orange and on one wall hangs an oddly out-of-place print of a gondola being poled down a Venetian canal. It is a very ordinary sandwich shop in the Bronx—the children probably think so too, except for certain extraordinary features. The people behind the counter charge for everything, but they are not there to make money. (As a matter of fact, they don't make money.) And the difference from the ordinary shows in their tone of voice after the rush hour is over and there is time for fun. About two dozen pupils, mostly girls, stand about the shop in mobile circles.

"Where's the girl who wanted a 15-cent sandwich?" asks Paul Burkholder.

"Over here," a girl shouts.

"Oh, Diane," Paul counters, "you didn't want any." And then, a little later, "There's a garbage can right back of you, Diane. Watch out for the garbage can."

"Before I fall in there, you're going in headfirst," she replies.

Such banter will go on and on until the shop finally closes that evening. The Sandwich Shop is open from 6:00 a.m. to 6:30 p.m. on Monday, Wednesday, and Thursday nights. It is open till 9:30 p.m. on Tuesday and Friday. Saturday and Sunday the shop is closed.

THE IDEA BEGINS

Glad Tidings Mennonite Church, a congregation of 41 persons meeting next door to the Sandwich Shop every Sunday, is the shop's sole owner and operator. The members started it in November 1964, as a way to get in touch with the neighborhood. Beforehand, however, they visited the Church of the Saviour's Potters House in Washington, D.C. Coffee shops like this one, where an indirect witness is maintained by Christian hosts over coffee cups, have sprung up across the country as an attempt at relevance in Christian outreach. But Glad Tidings had a special problem. It was located in a community hardly suited for drawing intellectuals to sip coffee while admiring abstracts or watching avant-garde plays. Here was a Puerto Rican ghetto, fast becoming a Negro ghetto, where people shared tenements with rats and children still grew up malnourished and illiterate.

So the Glad Tidings people turned this little Spanish grocery store into a sandwich shop for schoolchildren. It occupied most of the ground floor of a five-story building owned by Paul Burkholder, pastor of the church. Earlier Paul had thought of making it a bookstore, then a laundromat, but after reading *Call to Commitment* by Elton Trueblood, a book about the Church of the Saviour, he and his congregation settled on the shop idea.

Paul then leased the shop to the congregation for $110 a month and they were in business. Financially, the venture has been touch and go, but Sandwich Shop treasurer Donald Hertzler now says the business is looking up. Don gives his spare time to both the church and the shop, working regular hours as assistant office manager for Bronx Eye and Ear Infirmary, a 50-bed hospital across town.

Financial loans by members of the congregation themselves enabled them to stock the shelves with the minimum essentials—sandwich meat, cheese, candies, and all brands of cola. A congregational "love fund" contributed $800, and then Newton Beiler secured a $500 loan from the New Holland bank back home. But even with these contributions, the little shop was $240 in the red by the end of the first full year. Until last January it took a $100 monthly contribution from the congregation to keep it going, but since then the shop has paid its way.

It is some relief to the congregation that their enterprise is finally making it, but they had always been less concerned about the money it made than about the friendships. Esther Petersheim, who works with a quiet, businesslike manner but can speak perceptively when spoken to, leaves no doubt about its success.

"As far as I can see it, business is secondary," she told me one afternoon. "In the initial step in opening the place, the object was to meet the community. If it has done nothing else, it has done this. I was living here and worked at the Francis Delafield Hospital in Manhattan as a therapy technician. And I walked up the street and people were so cold, and it was always a long walk up to the subway. It's so different now. I can hardly walk in any direction without meeting someone I know. I feel a part of the community. I live here."

She told about a family with four children notorious for stealing. "At first, we called them thieves," she said. But gradually the workers discovered that the children simply had to steal to survive. Now the staff is doing all it can to help the family. Esther commented: "I don't know how else we would be able to find out about situations like this in the community if it weren't for the store."

PRIVATE TUTORING

One permanent outgrowth of the Sandwich Shop is an informal tutoring program conducted at certain times during the year by seven Glad Tidings members. The program became increasingly important after the workers realized their shop had become a favorite hangout for hooky players. But although the children appeared to despise school, they showed a surprising curiosity about reading and writing. "Basically, they want to learn," Esther declared. "They'll put on a big front about how often they play hooky, but basically they wish they could read."

A natural person in the congregation to lead any remedial reading program was Evelyn Hertzler, Don's wife, who graduated in 1960 with an elementary teaching degree from Eastern Mennonite College and had taught three years at a grade school in downtown Manhattan. When I talked to her and Don last winter, eight members were tutoring 15 children in their homes one hour twice a week. Seven other children had their names on a waiting list.

For some of these pupils, Evelyn admitted, the chances of ever learning to read properly are slim. But other hidden attractions bring the children back week after week. "It isn't so much that they want reading and arithmetic, but the companionship of being with someone who likes them," Evelyn said.

Last summer, as the two summers before, Glad Tidings Mennonite Church held a "Bible Day Camp" in the church building for about 30 children. Last summer a Voluntary Service team of six girls came to the city to help out, with Evelyn and Ramona Horst from Ohio in charge. In the morning they held classes in Bible, arts, crafts, and games. In the afternoon, the teachers would invite one or two pupils to stay for review of reading and arithmetic or the teachers would visit their homes. Once a week they took a trip to a zoo or another such place, and sometimes they went swimming. The teachers shunned prepared materials, using Bible stories instead with crafts to supplement the stories. Their groups, never larger than five pupils each, were small enough for individual attention.

The Sandwich Shop drew children who were selected for the Bible camp. Last summer there was a waiting list. In a part of the city teeming with children, this kind of attention given to only 30 may seem inadequate, and it certainly is. But the Glad Tidings workers long ago decided it is better to give personal care to a few than impersonal care to many. Evelyn said, "I myself am quite excited about this whole approach to the needs of these children—especially that we are able to give so much individual attention to each child."

POOL-TABLE FELLOWSHIP

Another activity stemming from the Sandwich Shop occurs on Tuesday and Friday nights when Newton Beiler turns a pool table right side up in a small room behind the shop and invites boys in to play. Newton told me about his program as we sat one afternoon in his flat next door to the shop. The door was barred with a half-inch metal rod, as are nearly all apartment doors in this part of town, and the room had the look of bachelors' quarters. Newton was staying with five other fellows, all of them in I–W or VS, he said. A 23-year-old from Bareville, Pennsylvania, Newton had started working at the shop in June, 1965, after finishing an I–W job at New York University Hospital. Now he puts in ten-hour days at the Sandwich Shop for $75 a week.

I asked him what about this job makes him stay with it. "Well, I don't know," he answered, searching for words. "It just seemed that this was very interesting and challenging to me and it just seemed to be where the Lord wanted me. . . . I like it here in the city." He explained that he had signed up for seven months in June, 1965, but when January came and there was nobody to take his place, he stayed on.

A core group of eight to ten teenage boys comes to his makeshift recreation room twice a week, Newton said. They do little but play pool and stand around talking, but in the process relationships can develop. During the summertime he takes them on a weekend camping trip or uptown to watch the Yankees. His group illustrates the changing composition of the community around Brook Avenue. "At first," he said, "our group was almost all Puerto Rican, then the Negroes started coming and the Puerto Ricans just sort of faded away."

Every Tuesday night between ten and eleven o'clock the Sandwich Shop workers meet in this back room or an apartment next door to "share what Christ might be doing to us that day," as Newton put it. Paul usually leads this discussion followed by a 15-minute prayer session. Here is where the workers decide in their minds what the Sandwich Shop is all about, Newton told me. "This has kept us trying and kept the store going more than anything else that we have done."

The test of any service must be made, not in watching the workers at work, but by watching the community responding to it. My stay was not long enough to do this, so I cannot presume to say. But if the Sandwich Shop was started to get the Glad Tidings people out of the church routines and into the community, there can be little doubt that it has succeeded.

THE CLUTTERED HARBOR

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. BOGGS] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BOGGS. Mr. Speaker, several days ago I called to the attention of our colleagues the congested situation which exists at the Port of Saigon. Mrs. Helen Delich Bentley, writing in the Baltimore Sun, has now elaborated on this situation in a series of articles which I am including herewith. I commend their reading to my colleagues:

[From the Baltimore (Md.) Sun, Feb. 6, 1967]

THE CLUTTERED HARBOR: PORT SNARL IMPERILS VIET ECONOMY—FUTURE OF KY'S REGIME MAY HINGE UPON HIS SUCCESS IN RESOLVING PROBLEM—PART I

Mrs. Bentley is surveying the shipping situation in Asia. The following is the first of a series on port congestion in South Vietnam.

(By Helen Delich Bentley)

SAIGON, Feb. 5.—The eyes of the entire trading world are focused on the port of Saigon because of the tremendous volume of American-financed goods flowing through its channels and the resulting chaos which has slowed commerce to a snail's pace.

Disentanglement of the mess could be vital to the economic success of the Government of Premier Nguyen Cao Ky, who thus far has failed to respond to pleas from both Vietnamese and Americans to "do something."

VERY IMPORTANT QUESTION

Two of the most important questions being asked throughout the Saigon—and Washington, New York, London, and San Francisco—business world now are whether the congestion will ever be squared away without just dumping all of the cargo, and who is going to be held liable for the accruing $100,000,000 to $150,000,000 involved.

Only Ky's Government can answer the two questions. Brussels conventions and court decisions carry little weight in a nation controlled by government decree.

Which direction the South Vietnamese Government pulls the dangling string will determine whether its business men, Uncle Sam, or American-flag steamship companies and American insurance companies are going to have to pay through the nose.

Government-by-decree makes it difficult for anyone to determine exactly what the existing law is (it might change in the next hour), whether there even is an existing law, and if so, what enforcement there is behind it.

For instance, when one begins checking up on the "law," one finds that there have been several decrees issued requiring removal of commercial cargoes from warehouses and barges within three to five days, from barges within 30 days and others which have 30 to 60 day clauses in them. Which one is on the books at the present time remains uncertain. None has been enforced except, perhaps, in a cursory fashion for a day or two.

Because of this uncertainty and the general confusion involved in an economy where a giant nation like the United States pours billions of dollars into a small underdeveloped nation like Vietnam almost over night, it is difficult to ascertain the facts. The situation wriggles almost minute by minute like an eel. What it is depends on with whom you talked during the last hour.

If you ask how much cargo is bogged down in the assemblage of hundreds of unpainted wooden hull floating craft throughout the harbor, the Directorate-General of the Ports of Vietnam says 120,000 tons, the director of the Port of Saigon says 60,000 tons and the Saigon Chamber of Commerce says 120,000. One American steamship company alone estimates it has 75,000 tons in the harbor.

KEY TO BIG PICTURE

Early this week, the "official" amount of cargo quoted as waiting to be picked up by consignees—described by many as being the whole key in the Saigon "big picture"—was 270,000 tons.

However, all Vietnamese and Americans agree on one fact—namely, that the port situation in Saigon is a mess and must be straightened out.

And this is how it appears today:

1. The American insurance underwriters in Vietnam refuse to grant any coverage to cargoes entering this port. They underwrite theft and losses on freight discharged directly onto the pier for only 30 days and for no time at all if it is discharged offshore into floating craft.

2. American-flag steamship companies have been subjected to tremendous financial losses, and are at the complete mercy of the local operators, agents and consignees—and United States Government officials—because of the "guests in this country" policy.

3. There are about 1,000 barges, junks, and sampans—every estuary of the Saigon river is clogged with them—laden with imports that date back as far as last April, with their owners collecting rentals they never dreamed of.

4. Middle men or brokers on the floating equipment are reaping unexpected profits from the chaos.

FEED BLACK MARKET

5. The barges are ideal ground for feeding the black market flourishing here ever since the Americans began converging on the country and will continue to flourish as it does in every inflationary economy as well as in almost every Oriental country.

There are indications that some of this has been deliberate to persuade the American-flag operators to get out of this trade so the Vietnamese can take Uncle Sam's money and pay it out in freight rates to foreign-flag operators while pocketing the difference.

Just this past week, the C–3 American-flag S.S. Almeria Lykes was forced to leave its berth by United States military officials even though she had only 650 tons of cargo remaining to be worked. That meant about one day remaining for discharging the portion of her cargo which was commercial because it took a little longer than expected. Under the system here, the 10,000 ton freighter had to go back to Vung Tau and await reassignment to this port at a cost of about $5,000 a day for approximately two and a half weeks.

The only alternative was to discharge the balance into more barges and lighters down at Nha Be and take the chance of untangling the cargo many more weeks hence. The company decided to take the small balance back to Manila and place it on another freighter.

On the other hand, the Greek-flag *Appollonio* has occupied a berth in both the military and commercial areas of this port—with the full approval of the American military officers—since January 24. Since then, there were four days when only a total of 300 tons of flour were discharged from the foreign-flag bottom because the consignees were not interested in accepting the cargo due to market conditions.

The excuse given is that she has some pipe in her lower hold and the flour must be discharged first—regardless of how long it takes—to get the pipe for construction in this area. Even though there was some consideration given during the four days of inactivity of making the *Appollonio* go down and await her turn to come back, nothing was done about it.

GANGS OF THIEVES

6. The well-organized gangs of thieves and the Viet Cong have easier access to the goods on the floating craft than they would on the piers. Many are moored on the side of the river controlled by the Viet Cong.

7. Skilled longshoremen are in short supply due to the military draft.

8. The going production rate for discharging commercial general cargo is quoted as low as six tons per gang hour primarily due to the lack of space in the port for placing the discharged cargo. A ship's master or owner's representative feels lucky if more than 400 tons of general cargo is removed from his ship in a full working day—eight to sixteen hours. This is compared to 2,000 tons per day when this port was operated by the French or at a normal port in the United States or elsewhere in the world.

UNABLE TO FINANCE

9. The consignees either do not want their cargoes—they claim much of it was forced upon them because of the excess of funds made available by the United States to the Vietnamese Government—or they are unable to finance their removal.

10. The financial structure of many of the local banks is rather shaky because they have some 28,000,000,000 piasters laid out in credit on the clogged, congested commodities. Their funds are low.

11. United States military cargo is being unloaded rapidly at six berths adjacent to twelve transit sheds through which a steady flow is possible since only the military is involved.

The bogging down is at the other six berths and eleven transit sheds allocated to the commercial operations.

As a result, Saigon, considered the principal economic asset of South Vietnam, faces commercial strangulation unless drastic measures are taken.

[From the Baltimore (Md.) Sun, Feb. 7, 1967]

THE CLUTTERED HARBOR: CONGESTION, CORRUPTION STRANGLE SAIGON—PART II

(By Helen Delich Bentley)

SAIGON, Feb. 6.—Bribery, collusion, corruption, lack of a national economic policy, black market manipulation, carelessness and ineptness plus mountains of cargo are causes behind the strangulation of Saigon.

Saigon has become the victim of congestion and chicanery because the United States has endeavored to push enormous volume—wanted and unwanted—through the narrow funnel.

Lack of a functioning distribution and warehousing system should have made the authorities realize that they cannot pour commodities into Saigon the same way that they handle them in the United States. Yet, the overwhelming supply of goods continues to arrive.

The Agency for International Development of the United States Department of State is much to blame. Initially, AID assigned people incapable of handling or advising on port operations. Then AID topped this error with a continuing refusal to parcel out commodities, like fertilizer, so that they could be used by the country. Instead, they rushed 50,000 60,000 and 100,000-ton purchases into Saigon simultaneously.

Local business interests have complained that they have been forced at times to "buy" commodities in which they had no interest simply because Uncle Sam, through AID, made the money available to the South Vietnamese Government, which wanted the money spent.

Both Vietnamese and United States governmental officials—the Vietnamese undoubtedly more so—have been involved in corruption and collusion over the past sixteen months.

Premier Nguyen Cao Ky, when he looked at the sad plight at Saigon port last October, remarked:

"It appears that a den of thieves is operating here."

In recent weeks, Ky has made some changes in top port personnel. It is hoped that the "den of thieves" has been wiped out.

Hundreds of thousands of tons of cargo have been shoved into this sleepy East Asian port almost overnight and have provided a lucrative setting for congestion, thievery, and general maritime problems.

Saigon initially was located about 44 miles up the river from the South China Sea and designed to handle the annual exportation of 600,000 tons of bagged rice and a little rubber.

It imported a relatively small amount of luxury items for the French who dominated the city.

COMPARED WITH SHANGHAI

Last year alone, however, nearly 4,000,000 tons of general cargo, both military and commercial, was imported through this same port.

Old China experts, looking at the harbor of Saigon today, see a strong similarity to the humming atmosphere of Shanghai, at one time the world's busiest port for ship arrivals and departures.

It soon became evident, as the voluminous mass began flowing into Saigon, that money could be made. No one here will talk freely about the corruption, but by listening long enough and picking up hints and remarks here and there, facts fall in place and suspicions are confirmed.

GENERAL BUSINESS MEN

Eager Vietnamese generals set themselves up in business with stevedore companies, or they become importers.

Port officials accepted bribes for manipulating the arrival dates of ships waiting their turns at Cap St. Jacques.

Local shipping interests—and everything must be handled through them because Americans are here only as high-paying "guests"—seized on the opportunity of the massive cargo overflow to gobble up every barge, junk, and sampan in the area.

The harbor craft are extended the full length of the Saigon River and requests are sent for craft from Cambodia. However, some Vietnamese Government officials have become conscientious enough to prevent Cambodians from profiteering in this manner.

FIFTY-PERCENT PROFIT

The business men pay the barge owners from 20 to 30 piasters per ton per day, the "ton" to be stipulated by the owner. In turn, the middle men bill their customers from 30 to 50 piasters per day; making a 50 per cent profit or more without lifting a finger.

When these operations started, however, no one thought that perhaps the commodity market would become so glutted with the goods being hustled into the floating craft that the consignees would not want their merchandise or would be unable to purchase them. Their refusal or inability to accept them skyrocketed the volume of floating craft in the area. The entanglement on the piers then spread to the wooden-hulled, unpainted barges. Cargo was dropped aboard; it didn't matter how.

Some of this has been staged with considerable deliberation, in cooperation with organized gangs of thieves—referred to as both the Oriental Mafia and the Viet Cong—so that the goods could be made available to the black market without paying customs fees or full costs of purchase, or to the guerrillas for nothing.

ANOTHER BLACK MARKET

In addition to profits made in this manner, there is another black market—that of foreign exchange. Many local business men still hope to collect enough American dollars from steamship lines and Government agencies to make an enormous profit from both the commodities and barge rentals. The extra money then would be available to convert into piasters.

The official rate of exchange is 80 to 1, while the "accommodation rate" is 118 to 1.

After the Fourth Military Command of the United States Army succeeded in straightening out the flow of military cargo, weird obstacles were thrown in their way.

MORE ROADBLOCKS

Every time a rumor is circulated that both the military and commercial operations of the port are to be turned over to Uncle Sam's Army, more roadblocks originating from Chinese merchants and financiers headquartered in Cholon loom up.

When an officially-appointed Vietnamese Government commission made up of persons from the Chamber of Commerce and the Government appear close to establishing a program whereby the commodities clogging Saigon would be confiscated as provided in "official" decrees, Premier Ky dissolved the commission. No explanation has ever been given.

The blacklisting and license seizure of importers who fail to take their goods have not been enforced.

THE CLUTTERED HARBOR: SHIPPER THREATENS TO LOAD "UNWANTED" CARGO IN SAIGON—PART III

(By Helen Delich Bentley)

SAIGON, Feb 7.—America's largest steamship operator has threatened to bring an empty cargo ship into Saigon and load up all of the "unwanted" United States Government-financed freight lying around the harbor for which the company may still be liable.

This warning was issued last weekend to Roy Wehrlen, economic counselor to Henry Cabot Lodge, United States ambassador to Vietnam and the No. 2 man in the mission of the Agency for International Development.

GIVEN LITTLE CHOICE

Faced with the possibility of some $1,800,000 in storage charges, which are accruing at $8,400 a day on commodities for which no one will now bear responsibility, Capt. Frank James, Vietnam representative for Lykes Brothers Steamship Company, said the Government has given him little choice in the matter.

A disturbed Wehrlen is supposed to give James a possible formula on how AID might be able to break the logjam in this port. However, it has been only since this threat of reloading the freight that any high embassy official has even indicated they might look into the critical situation created by overzealous AID theorists and which is now costing American steamship companies and others tens of millions of dollars.

The principal goal of AID has been to flood the market with commodities—any kind it seems—so that there was volume on hand to keep prices down.

The fact that the importers were not removing the cargo from the port because it was not desired, not salable, or not needed made no difference. Pressure continued to keep floating it in and congest the port.

PRICES UP 35 PERCENT

As was pointed out before, AID has consistently refused to phase out the importation of a shipment of 50,000 to 100,000 tons of fertilizer, for example. Instead, all of it is scheduled to arrive within a very short period of time.

However, at the same time, someone in the same agency has failed to insist that adequate supplies of such a common commodity as rice—the staff of life of all orientals—be on hand at all times. Stocks of rice are lower than they have been in years, resulting in substantial rises in prices—35 per cent in the last two months.

One of the reasons cited today for the stocks' depletion is that the Vietnamese have purchased rice from the United States, but had chartered foreign-flag bottoms in such poor condition that the ships have broken down en route and have failed to arrive as scheduled.

Ironically, however, the fertilizer ships have reached the South China Sea area and are running up increasing costs on a cargo that nobody wants now.

In an effort to break the deadlock on fertilizer, AID has removed a great deal of the cargo from the commercial import program to the counterinsurgency or government-to-government program—anything to flood the country with fertilizer.

"It sounds good in Washington when AID officials say that they are bringing large quantities of fertilizer to Vietnam," one embassy-linked man commented today. "There is something about fertilizer that helps put over any program an agency like AID wants to."

Notwithstanding are the facts that the fertilizer has helped create chaos in this port, that the Vietnamese do not want it, and that basics like rice are more sorely needed.

SODA ASH SITS

Some 2,500 tons of soda ash—a caustic soda used to make soap—is among the commodities which Lykes is threatening to carry back to the United States. That soda ash has been sitting on barges in this harbor for more than 200 days with the "storage" costs spiraling.

Yet AID is still financing the importation of more soda ash to add to the congestion although no one apparently wants what already is here. It would seem that the natural thing to do would be to halt the importation of any more and try to phase out or move that which is here.

It is no secret in Saigon that the two previous heads of the Vietnam AID mission—the largest for the agency—fell by the wayside because of the failure both of the AID civic programs and the port. The bottleneck that is choking Saigon's commerce is the reason Charles Mann was removed from this area.

Donald G. MacDonald, the incumbent and fifth director in five years, would certainly like to have removed as far as possible from him the onus and stigma of the port of Saigon.

As recently as within the past three weeks, a top AID official here held a background press briefing on port conditions in an effort to offset some of the charges made two days earlier by the Saigon Chamber of Commerce against the agency.

The chamber in hard-hitting words placed the blame for all of the congestion right on AID's shoulders and accused AID vis-a-vis the Vietnamese Government of forcing the importers to buy commodities they did not want and could not afford.

WE NEED A METRIC SYSTEM STUDY

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. OTTINGER. Mr. Speaker, I have today introduced a bill authorizing the Department of Commerce to undertake a thorough study to determine whether it is practicable for the United States to adopt the metric system of weights and measures.

It is vital that the 90th Congress approve this legislation. Now that the United Kingdom has decided to convert to the metric system, the United States is the only major nation in the world yet to make the changeover. There has been an increasing trend over the past few years in many countries, not only to make the metric system the legal system, but also to prohibit use of any other system. France, Venezuela, and India are among those countries.

These international trends may have a profound effect on American industry and on our foreign trade. An official of the Department of Commerce has released statistics of international trade showing the relationships between international trade patterns and measurement systems and it is significant that U.S. exports to 16 metric systems countries declined by 2 percent between 1957 and 1963. Although it would not be proper to declare the metric system directly responsible for this, it is obvious that differences in systems of weights and measures can have an important impact on foreign commerce.

In view of this, it not only is proper but absolutely essential for the Federal

Government to determine whether we can expect to maintain our balance of trade without converting to the metric system, and such a determination is a major aspect of the legislation I have introduced today.

In addition, my bill directs the Department of Commerce to not only list the advantages and disadvantages of conversion to the metric system, but to undertake a systematic analysis of the areas of impact on business and industrial procedures and products. The results of such an analysis should be reported as a summary of those items having major economic significance and an estimate of the annual cost of changeover during the years this is taking place.

It is my intention that under section 3 of this bill the Secretary of Commerce will make proposals for each major impacted area with regard to how changeover may best be carried out. Such proposals should outline a workable and economically feasible approach to dealing with the problems of each impacted area, taking account of training and indoctrination, duplication, and proliferation of inventories, redesign engineering, and accelerated obsolescence of tools and durable goods.

It is obvious that many American industries are concerned over the possible costs involved in converting to the metric system, and that these costs will vary widely from industry to industry. My bill recognizes this by directing the Secretary of Commerce to make a full report of his findings along with recommendations in the public interest.

However, I urge my colleagues to remember that first and foremost, the thrust of this legislation is to amass the facts necessary to make a decision whether to convert to the metric system. Should we determine that changeover is both feasible and in the national interest, it will then be our task to devise an equitable and economical plan of action.

Mr. Speaker, legislation authorizing a study of conversion to the metric system was approved by the other body last year and by the House Committee on Science and Astronautics under the sponsorship and able leadership of its distinguished chairman, the gentleman from California [Mr. Miller]. It was, indeed, unfortunate that the House did not take final and favorable action last year.

In strongly urging early and favorable consideration of this legislation, I would remind my colleagues of the words of this Nation's first President, George Washington, who in his third annual message to Congress stated:

> A uniformity in the weights and measures of the country is among the important objects submitted to you by the Constitution and if it can be derived from a standard at once invariable and universal, must be no less honorable to the public councils than conducive to the public convenience.

NEED TO REVISE SELECTIVE SERVICE LAW—XIX

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. Kastenmeier] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, in 1966 approximately 4.8 million selective service registrants were classified I-Y, that is to say, qualified only in war or national emergency, or IV-F, not qualified for any military service.

The rate of draft rejection steadily rose from the time of the Korean war until 1964. Col. George H. Walton, a retired planning officer in the Selective Service System, presented the following picture in his book "The Wasted Generation," published in 1965.

> From the end of the war through 1961 the rate of rejection rose to 49 percent. For 1962 it was 54 percent. When, in May, 1962, the rejection rate reached 56 percent, the figure was considered a freak. But the average rejection rate in 1963 was 56.1 percent. In 1964, the rate rose still more and reached an all time high with a yearly disqualification rate of 57.9 percent.

The 1965 results of the preinduction examinations indicated a substantial decrease in the total disqualification rate. It declined to 44 percent during that year. On a month-by-month basis, the disqualification rate decreased from 50.6 percent in January to 39.2 percent in December 1965.

Colonel Walton deplored what he considered to be a situation wherein "one in every four draftees examined is rejected for illiteracy. Three out of four of the illiterates had finished the eighth grade, half had completed nine and a half years of school, 20 percent actually had been graduated from high school and a few had been graduated from colleges." It is odd that these registrants should have been declared "illiterate," considering that the Census Bureau estimates the national illiteracy rate to be only 0.6 percent within the age bracket 14 to 24. There is another reason why these registrants performed as they did.

The main objectives of the mental tests are as follows:

> The evaluation of the examinees in regard to their mental qualification for military service is not a psychiatric evaluation—the latter being an integral part of the medical examination. This mental evaluation is based on a series of mental tests, designed to (a) measure the examinee's general mental ability to absorb military training within a reasonable length of time, so as to eliminate those who do not possess such ability—a prescreening (or qualification) device; and (b) provide a uniform measure of the examinee's potential general usefulness in the service, if qualified on the tests—a classification device. It is specifically intended to predict potential success in general military training and performance ("military trainability"). Technically speaking, it has been validated for that purpose.
>
> The tests have been planned not to be excessively dependent on the amount of formal education—particularly as it concerns the minimum required for passing the tests. In general, however, there is a positive association between the mental scores and education. The average high school graduate will ordinarily score higher on the mental tests than the average youth of a lower educational level, although there are some high school graduates who fail the tests. On the other hand, there are also youths with less formal education who score relatively high on these mental tests.
>
> The examinee's score on the tests depends on several factors: on the level of his educational attainment; on the quality of his education (quality of the school facilities); and on the knowledge he gained from his educational training or otherwise, in and outside of school. These are interrelated factors, which obviously vary with the youth's socio-economic and cultural environment, in addition to his innate ability to learn—commonly understood as I.Q. Hence, the results of these mental tests are not to be considered as measures of I.Q., nor are they to be translated in terms of I.Q. (ref. 1).

For years, the Defense Department has been juggling around the scores necessary to pass the Armed Forces qualification test. In the past, a percentile score of 31 on the tests was the level of acceptance. That is to say, it was designed that 30 percent of those taking the AFQT automatically failed if this system functioned perfectly. In November 1965, the Defense Department revised its test requirements to make acceptable for the draft those high school graduates who scored in the 16th percentile or higher. This action, however, was illogical since a 30 percentile score by a non-high-school graduate was deemed unacceptable—as opposed to an acceptable high school graduate who scored in the 16th percentile—for service in the military and a 31 percentile score was still required for a high school graduate who desired to enlist. Since registrants without a high school education had less than a 50-percent chance of being drafted, the AFQT standards may have encouraged some of them to drop out of school to avoid the draft.

New lower draft standards, the fourth downward revision since the Vietnam war buildup began, became effective on December 1, 1966. This change applied to high school graduates and nongraduates who received scores ranging from the 16th to 30th percentile on the AFQT. Instead of having to numerically score 90 percent on two of the seven tests comprising the AFQT, high school nongraduates will have to score 90 percent on only one examination. Another change applies to men who scored between the 10th and 15th percentile. High school graduates in this category will be accepted automatically.

The preinduction medical examination is also a rather haphazard operation. The problems involved in this area can best be described through a U.S. News & World Report interview with General Hershey:

> Q Who runs the induction stations?
>
> A The Department of Defense, with the Army as its agent.
>
> Q Are they efficiently run?
>
> A They're doing their best. The trouble is, how do you go from handling 4,000 men a month to 40,000—just like that?
>
> Of course, their people said: "Go out and hire more doctors." All right, they hire doctors. Whom do they get?
>
> Two kinds: One is the doctor from the service, who is the boy who was an intern last year, and he's doing his two years of compulsory duty in uniform. So he goes down to the induction station and he's in charge; a kid who's learned a little about disease but doesn't know much about what a well man looks like. But he's supposed to be picking out the "wells," not the sick.

Then he has to hire somebody to help him. Usually, all you can get is part-time doctors. Generally, that means the ones who have a little spare time and these are the ones who haven't got many patients.

You also need clerks. "Well," you say, "why worry about clerks?"

I'm worrying a great deal, because when a doctor goes down a line of 60 naked men saying what's wrong with each one of them, and a clerk is coming along behind him copying down what the doctor says, and when he gets through that, the clerk doesn't know what he's written down—maybe he can't read what he's written, or he doesn't understand all the terms—then the poor doctor sits down and says, "I wonder what I could have said there about that man."

Nobody ever thinks about those little things, but they are things that are important.

The determination of what constitutes acceptable mental standards for service in the Armed Forces has been bounced around by the Defense Department for several years. The fact that it has been necessary to revise these mental standards four times since the buildup in Vietnam indicates that an investigation of this inconsistent practice is necessary.

Results of preinduction examination of draftees, by Army area, State, and territory, 1965

Area and State	Number									Percent							
	Examined	Found acceptable	Disqualified by disqualifying cause							Found acceptable	Disqualified by disqualifying cause						
			Total	Administrative reasons	Failed mental requirements only			Mentally and medically disqualified	Medically disqualified only		Total	Administrative reasons	Failed mental requirements only			Mentally and medically disqualified	Medically disqualified only
					Total	Failed mental tests	Trainability limited						Total	Failed mental tests	Trainability limited		
Total United States.	1,228,976	688,631	540,345	15,516	227,809	131,268	96,541	28,786	268,234	56.0	44.0	1.3	18.6	10.7	7.9	2.3	21.8
Zone of Interior	1,201,213	678,384	522,829	15,374	214,632	120,303	94,329	27,514	265,309	56.5	43.5	1.3	17.9	10.0	7.9	2.3	22.0
1st Army area	233,478	129,254	104,224	3,264	36,427	24,722	11,705	5,615	58,918	55.4	44.6	1.4	15.6	10.6	5.0	2.4	25.2
Connecticut	16,598	10,734	5,864	65	2,286	1,176	1,110	501	3,012	64.7	35.3	.4	13.8	7.1	6.7	3.0	18.1
Maine	7,042	3,294	3,748	482	1,009.	736	273	277	1,980	46.8	53.2	6.8	14.4	10.5	3.9	3.9	28.1
Massachusetts	28,323	14,267	14,056	455	2,913	1,424	1,489	740	9,948	50.4	49.6	1.6	10.3	5.0	5.3	2.6	35.1
New Hampshire	3,209	1,970	1,239	114	205	102	103	99	821	61.4	38.6	3.6	6.4	3.2	3.2	3.1	25.5
New Jersey	39,690	24,586	15,104	526	6,244	4,225	2,019	313	8,021	61.9	38.1	1.3	15.7	10.6	5.1	.8	20.3
New York	131,054	69,775	61,279	1,570	23,183	16,769	6,414	3,544	32,982	53.2	46.8	1.2	17.7	12.8	4.9	2.7	25.2
Rhode Island	5,375	3,360	2,015	5	412	211	201	68	1,530	62.5	37.5	.1	7.6	3.9	3.7	1.3	28.5
Vermont	2,187	1,268	919	47	175	79	96	73	624	58.0	42.0	2.1	8.0	3.6	4.4	3.3	28.6
2d Army area	242,165	137,043	105,122	2,918	39,557	20,190	19,367	8,294	54,353	56.6	43.4	1.2	16.3	8.3	8.0	3.4	22.5
Delaware	2,899	1,746	1,153	20	540	249	291	95	498	60.2	39.8	.7	18.6	8.6	10.0	3.3	17.2
District of Columbia	7,469	3,135	4,334	258	2,152	1,173	979	397	1,527	42.0	58.0	3.5	28.8	15.7	13.1	5.3	20.4
Kentucky	20,681	11,029	9,652	112	4,441	2,441	2,000	1,034	4,065	53.3	46.7	.5	21.5	11.8	9.7	5.0	19.7
Maryland	24,228	11,599	12,669	860	4,870	2,576	2,294	970	5,969	47.7	52.3	3.5	20.1	10.6	9.5	4.0	24.7
Ohio	61,354	36,865	24,489	776	7,102	2,907	4,195	1,523	15,088	60.1	39.9	1.3	11.5	4.7	6.8	2.5	24.6
Pennsylvania	75,668	46,775	28,893	614	8,855	3,499	5,356	1,644	17,780	61.8	38.2	.8	11.7	4.6	7.1	2.2	23.5
Virginia	33,479	17,866	15,613	238	7,962	5,540	2,422	1,721	5,692	53.4	46.6	.7	23.8	16.6	7.2	5.1	17.0
West Virginia	16,387	8,068	8,319	40	3,635	1,805	1,830	910	3,734	49.2	50.8	.2	22.2	11.0	11.2	5.6	22.8
3d Army area	189,766	87,281	102,485	927	63,378	40,896	22,482	6,220	31,960	46.0	54.0	.5	33.4	21.6	11.8	3.3	16.8
Alabama	19,305	7,838	11,467	25	6,629	3,879	2,750	813	4,000	40.6	59.4	.1	34.3	20.1	14.2	4.2	20.8
Florida	37,542	19,357	18,185	426	8,917	4,991	3,926	629	8,213	51.6	48.4	1.1	23.8	13.3	10.5	1.7	21.8
Georgia	31,341	13,654	17,687	244	11,221	8,666	2,555	1,680	4,542	43.6	56.4	.8	35.8	27.6	8.2	5.4	14.4
Mississippi	9,335	4,359	4,976	31	3,172	2,260	912	273	1,500	46.7	53.3	.3	34.1	24.3	9.8	2.9	16.0
North Carolina	39,559	18,301	21,258	62	15,097	9,632	5,465	1,187	4,912	46.3	53.7	.2	38.1	24.3	13.8	3.0	12.4
South Carolina	19,826	7,973	11,853	23	9,037	6,658	2,379	496	2,297	40.2	59.8	.1	45.7	33.7	12.0	2.5	11.5
Tennessee	32,858	15,799	17,059	116	9,305	4,810	4,495	1,142	6,496	48.1	51.9	.4	28.3	14.6	13.7	3.5	19.7
4th Army Area	109,079	58,442	50,637	914	25,338	13,734	11,604	2,867	21,518	53.6	46.4	.8	23.2	12.6	10.6	2.6	19.8
Arkansas	13,650	7,679	5,971	--------	3,171	2,086	1,085	282	2,518	56.3	43.7	--------	23.2	15.3	7.9	2.1	18.4
Louisiana	26,457	11,623	14,834	113	8,392	5,386	3,006	1,165	5,164	43.9	56.1	.4	31.8	20.4	11.4	4.4	19.5
New Mexico	5,974	3,169	2,805	16	1,330	617	713	174	1,285	53.0	47.0	.3	22.2	10.3	11.9	2.9	21.6
Oklahoma	11,297	7,634	3,663	2	1,587	610	977	277	1,797	67.6	32.4	(1)	14.0	5.4	8.6	2.5	15.9
Texas	51,701	28,337	23,364	783	10,858	5,035	5,823	969	10,754	54.8	45.2	1.5	21.0	9.7	11.3	1.9	20.8
5th Army Area	261,009	168,097	92,912	3,214	30,386	12,756	17,630	2,392	56,920	64.4	35.6	1.2	11.7	4.9	6.8	.9	21.8
Colorado	9,903	6,163	3,740	130	1,246	418	828	124	2,240	62.2	37.8	1.3	12.6	4.2	8.4	1.3	22.6
Illinois	65,847	41,506	24,341	1,099	10,013	4,817	5,196	545	12,684	63.0	37.0	1.7	15.2	7.3	7.9	.8	19.3
Indiana	16,786	11,439	5,347	193	1,669	763	906	147	3,338	68.1	31.9	1.1	9.9	4.5	5.4	.9	20.0
Iowa	16,358	12,082	4,276	201	733	286	447	115	3,227	73.9	26.1	1.2	4.4	1.7	2.7	.7	19.8
Kansas	8,853	5,672	3,181	172	821	271	550	76	2,112	64.1	35.9	1.9	9.3	3.1	6.2	.9	23.8
Michigan	53,258	33,351	19,907	370	7,089	3,006	4,083	442	12,006	62.6	37.4	.7	13.3	5.6	7.7	.8	22.6
Minnesota	22,628	14,984	7,644	330	1,590	394	1,196	129	5,595	66.2	33.8	1.5	7.0	1.7	5.3	.6	24.7
Missouri	22,770	14,299	8,471	181	3,536	1,583	1,953	339	4,415	62.8	37.2	.8	15.6	7.0	8.6	1.5	19.3
Nebraska	7,503	4,982	2,521	40	614	219	395	39	1,828	66.4	33.6	.4	8.2	2.9	5.3	.5	24.4
North Dakota	3,774	2,549	1,225	59	311	117	194	57	798	67.5	32.5	1.6	8.2	3.1	5.1	1.5	21.2
South Dakota	3,255	1,989	1,266	73	263	71	192	77	853	61.1	38.9	2.2	8.1	2.2	5.9	2.4	26.2
Wisconsin	28,207	17,853	10,354	336	2,343	766	1,577	288	7,387	63.3	36.7	1.2	8.3	2.7	5.6	1.0	26.2
Wyoming	1,867	1,228	639	30	158	45	113	14	437	65.8	34.2	1.6	8.5	2.4	6.1	.7	23.4
6th Army area	165,716	98,267	67,449	4,137	19,546	8,005	11,541	2,126	41,640	59.3	40.7	2.5	11.8	4.8	7.0	1.3	25.1
Arizona	8,489	4,294	4,195	126	1,533	606	927	187	2,349	50.6	49.4	1.5	18.0	7.1	10.9	2.2	27.7
California	111,420	64,575	46,845	3,504	15,099	6,481	8,618	1,495	26,747	58.0	42.0	3.1	13.5	5.8	7.7	1.3	24.1
Idaho	3,409	2,111	1,298	10	244	70	174	28	1,016	61.9	38.1	.3	7.2	2.1	5.1	.8	29.8
Montana	2,988	2,070	918	7	171	54	117	14	726	69.3	30.7	.2	5.7	1.8	3.9	.5	24.3
Nevada	2,180	1,222	958	30	280	135	145	37	611	56.1	43.9	1.4	12.8	6.2	6.6	1.7	28.0
Oregon	10,214	6,137	4,077	185	579	137	442	135	3,178	60.1	39.9	1.8	5.6	1.3	4.3	1.3	31.2
Utah	6,499	4,426	2,073	59	394	120	274	37	1,583	68.1	31.9	.9	6.0	1.8	4.2	.6	24.4
Washington	20,517	13,432	7,085	216	1,246	402	844	193	5,430	65.4	34.6	1.1	6.1	2.0	4.1	.9	26.5
Outside Zone of Interior	27,763	10,247	17,516	142	13,177	10,965	2,212	1,272	2,925	36.9	63.1	.5	47.5	39.5	8.0	4.6	10.5
Alaska	1,149	718	431	4	108	29	79	51	268	62.5	37.5	.3	9.4	2.5	6.9	4.4	23.4
Hawaii	4,766	2,364	2,402	58	946	302	644	152	1,246	49.6	50.4	1.2	19.8	6.3	13.5	3.2	26.2
Guam [2]	631	311	320	--------	239	83	156	17	64	49.3	50.7	--------	37.9	13.2	24.7	2.7	10.1
Puerto Rico [3]	21,217	6,854	14,363	80	11,884	10,551	1,333	1,052	1,347	32.3	67.7	.4	56.0	49.7	6.3	5.0	6.3

[1] Denotes less than 0.05; no cases reported.

[2] Includes the Mariana Islands.

[3] Includes the Panama Canal Zone and the Virgin Islands.

Source: "Summary of Registrant Examinations for Induction," DA form 316 (reports control symbol MED-66).

SUPPORT PRESIDENT JOHNSON—NOW

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. Monagan] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. MONAGAN. Mr. Speaker, at this critical time it is important that the Nation give firm support to the President of the United States. This is particularly true in Vietnam where we appear to be approaching a time of delicate negotiations that will have broad significance for the future of this country and the world.

It is a time when we should give considered backing to our Chief Executive as he takes action in accord with policies which have been reached after long and prayerful consideration in the belief that they are in the best interest of the people of the United States.

In support of this contention, the New Haven Register on February 7, 1967, carried an eloquent and pertinent editorial which pointed out the need for support at this important juncture in our national history.

I am pleased to include this editorial following my remarks and to underline with approval its request that the President be given a chance to work out a solution with a stubborn and unpredictable enemy and that in this task we give him our support and understanding.

The editorial follows:

[From the New Haven Register, Feb. 7, 1967]

Support President Johnson—Now!

We believe it's time to give President Johnson and his Administration a chance to end the Vietnam war in an honorable way.

For the first time since the War became a real one during the term of the late President Kennedy, there now appears to be such an opportunity. It may be tenuous. It may be remote. And it most assuredly will be difficult. But now there is a chance.

The Vietnam War is one of the most frustrating this country has ever fought—mostly because it lacks great public support. In the first place this nation was not attacked. Secondly, we have engaged upon a land war in Asia, tens of thousands of miles away from our homeland, in a campaign tremendously difficult to man and to support with materials of war, and largely against the better judgment, or the historic principles, of all our military men. Finally, the war is clearly the most unpopular in our history; a substantial number of Americans are simply not convinced of its desirability or necessity.

It is now—and suddenly—a matter of record that the Johnson Administration has an opportunity for some kind of communication with the enemy. But this communication cannot succeed in a goldfish bowl with all the uninformed and the misinformed putting their oar publicly into extremely sensitive negotiations, whether they now exist or are about to deveolp.

If ever there was a time, therefore, for the bluff, bluster and bully boys to shut up, it most assuredly is now. However sincere their beliefs, their talk at this delicate stage is a gross disservice. And we refer to all those misguided professorial theorists, draft-card burners, and political opportunists reaching, without exception, right into the United States Senate.

No big business contracts or arrangements are—or can be—negotiated in a goldfish bowl. No big industrial strikes are ever settled under klieg lights. Even the Korean War, which it took a new President to end, has seen the close of hostilities, the signing of an armistice, but has not yet seen a peace treaty 12 years after the combat is over!

The Register opposed the election of President Johnson. It gains nothing at this stage of history to ponder the fact that most of what he has done in the Vietnam War was advocated in the campaign by his political opponent. As a member of the loyal opposition we are proud of the fact that we have consistently supported the President, as the leader of our Nation, in his conduct of the war.

We believe that there is not a person in the entire country who more fervently seeks an honorable way out of the Asian mess than President Johnson. He is a patriot, a parent, a practical political leader with a keen concern for declining public support—and he is a probable candidate for re-election. On each account there is hardly a person among the 190 million of us who has a more sincere, more devoted, more responsible desire to end the mess that was not of his making.

If he fails to produce a solution, he must expect to explain the failure to the American public. If he produces a solution, it will be subject to debate and to ultimate approval or rejection. But at the moment, he is the only man who can lead the way—and he deserves a clear approach.

One of the most vocal, if subtle, of the critics of the Johnson conduct of the war has been Sen. Robert Kennedy. In the current delicate situation he is also the man who first let the cat out of the bag by announcing from Europe that the time was ripe for "big developments." He heads the Kennedy wing of the Democratic party which has been substantially unsympathetic, if not openly hostile to the conduct of the war in Vietnam by President Johnson.

We think it's time for Bobby Kennedy to keep quiet for awhile—since it was during the four years his late brother was President that a long-extended Vietnam scuffle with no combat became a raging war, and especially since the Senator from New York was his brother's Number 1 and closest adviser during those very years.

Let's have faith in our President. Let's give him a chance to work out a solution with a stubborn and unpredictable enemy. Let's give our support and understanding to President Johnson.

IN COMMEMORATION OF THE 69TH ANNIVERSARY OF THE SINKING OF THE BATTLESHIP "MAINE"

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Rodino] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. RODINO. Mr. Speaker, I rise at this time to commemorate the 69th anniversary of the sinking of the battleship *Maine*. This word—*Maine*—constitutes in the minds of all Americans a tragedy of misunderstanding and irresponsibility; a time when man's inhumanity to man resulted, as it unfortunately often has, in the spilling of human blood. And yet, we cannot be ungrateful for the consequences of that war in 1898; for out of the deception which precipitated that war arose a new United States—a nation of world influence which devoted its power to liberation rather than to occupation. Then, as now, the belief of this Government was that of Abraham Lincoln—that:

> While man exists it is his duty to improve not only his own condition, but to assist in ameliorating mankind.

Out of this seemingly tragic event grew a new confidence in the national purpose, a new pledge in support of the ideals on which the Founding Fathers established the machinery of democracy. The veterans of that short war, while they were not engaged in defending our shores against an aggressive tyranny, performed, nevertheless, an inestimable service toward the mitigation of misrule everywhere. They fought a disease-ridden war for a humanitarian cause. That war was a harbinger of the 20th century, which, however brutal, has witnessed in much of the world the triumph of democracy.

"The ideals of yesterday are the truths of today," said President McKinley in 1901. Indeed, we may say that same thing today. To the veterans of the Spanish-American War we offer our humble gratitude.

VICE PRESIDENT HUMPHREY ADVOCATES THE STUDY OF NEGRO HISTORY BY ALL AMERICANS

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Conyers] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. CONYERS. Mr. Speaker, today marks the middle of Negro History Week, an observance which has long been very meaningful to many Negro Americans. Members of the Negro community have always tried to instill in their children a sense of the richness of the heritage of the Negro in America in their homes, churches, and clandestinely in the schools.

This approach was necessary because the history of the Negro people was systematically excluded from the formal social science curriculums in most schools. It has only been recently that educators have begun to take note of the contributions made to America by black men since the discovery of the New World. Just this past December the American Federation of Teachers held a conference here in Washington on the teaching of Negro history. The conference, "Racism in Education: Correcting America's Image of the Past," was one of the most significant events of the year in both education and civil rights.

Many school systems in the United States are now beginning to introduce the teaching of Negro history as a part of the regular study of social science. I would like to recommend to my colleagues an article by a very outstanding former teacher, Vice President Hubert Humphrey, which appears in the current issue of the Negro Digest. The Vice President, who has always been an advocate of equality for all Americans, strongly urges the teaching of Negro history to all Americans so that every child can learn the complete history of our country. Perhaps sooner than we realize, a special observance of Negro History Week will no longer be necessary because every American will have been exposed to the contributions of outstanding Negroes and will have come to be as proud of this important part of American history as I am today.

The article referred to follows:

Closing America's History Gap

(By Vice President Hubert H. Humphrey)

"The shared pride in Negro history and achievement is a solid foundation upon which to build a new and healthy climate of mutual respect and understanding among all elements of society . . ."

An eight-year old Negro girl flipped the pages of her new, third grade social studies book. As she came to the last page, she seemed puzzled. She re-read the book's cover, and began a more deliberate inspection of its contents. After scanning the book a second time, the little girl raised her hand, and asked her teacher:

"Where am *I* in this book?"

Undoubtedly a similar question has run across the minds of millions of Negro youngsters. From whence have I come in America's history and who am I and where do I fit in American society. This is not a new feeling.

Seventy-six years ago, Edward A. Johnson, noted Negro historian and educator wrote of how: ". . . the little colored child feels when he has completed the assigned course of United States history and in it found not one word of credit, not one word of favorable comment for even one among the millions of his foreparents who have lived through nearly three centuries of his country's history . . ."

The unfortunate and tragic fact is that generations of Negro children have grown up with a warped attitude toward themselves, their parents and grandparents.

Inside the American classroom, they have not found anything to give them a sense of dignity and self-worth. They have searched vainly through pure white books for some positive recognition of their race's contribution to the civilization of man.

Outside the classroom, these Negro youngsters and their parents have been subjected to the severe hardships, the unending frustrations and humiliations of discrimination and segregation. They have become a people robbed of their rich history and culture by historians, through omissions, neglect, and the perpetuation of racial stereotypes and myths.

This has been a great American tragedy. We have no way of knowing how many Negro youths have become frustrated, discouraged, and bitter over their feeling of "nobodyness." We have no way of knowing how many potential Negro scientists, scholars, doctors, teachers, and businessmen have been swept into the ditch of oblivion by the psychological backlash from the Negro history gap.

Dr. Charles H. Wesley, educator, author and historian who currently serves as executive director of the Association for the Study of Negro Life and History, has written: ". . . History is not the story of men and women of one race or color and the neglect and omission of the men and women of another race and color. It is neither the glorification of white people nor black people, but it is the story of people irrespective of race or color. It should deal with people in all times and places and should present the contribution of all the people to civilization. When a part of the people has been neglected or given subordinate places, history, in order to be truthful, must be *reconstructed."*

I agree with Dr. Wesley.

Let us reconstruct American history as it really happened. Let the full facts be known, the real story told of the remarkable contributions of Negroes to America's growth and greatness.

Let all our children, Negro and white, learn the complete history of our country.

Let them learn that Negroes were here as far back as the days when Columbus discovered the Western Hemisphere; that Negroes accompanied the Spanish and Portuguese explorers of the New World; 26 Negroes were among the 44 settlers who founded Los Angeles; explorer Jean Baptiste Point Du Sable, a French-educated Negro trader founded our country's second city—Chicago, in 1772; surveyor Benjamin Banneker helped Moa Pierre L'Enfant plan and lay out the city of Washington.

Inventor Elijah McCoy devised the self-lubricating machine; Matthew Henson was the first man to set foot on the North Pole—45 minutes ahead of his chief, Admiral Perry.

Let our boys and girls learn about slave-poetess Phillis Wheatley who began the tradition of Negro literature in America; about Frederick Douglass, a great American orator and statesman who played a significant role in the outcome of the Civil War.

Let the education of both youths and adults include proper recognition of the nameless black masses whose toil helped build American cities.

Let all of us understand and appreciate the true role of the Negro in this country's struggle for freedom and justice.

Let every American know that the very first man to lose his life in the cause of American independence was Crispus Attucks, shot down by the British in the Boston Massacre of 1770.

. . . Five thousand Negroes fought in the forces of General George Washington in our War for Independence; 36,000 gave their lives to the North from among 200,000 in the Union Armies and Navy.

. . . Negro troops charged up San Juan Hill with Teddy Roosevelt's Rough Riders. They fought and died for their country in World Wars I and II.

Throughout the truth of Negro history runs a nobility in the face of adversity, an epic faith over pain and travail, a courage which exalts character.

The Negro's past is America's past, as is his present and future. He is an integral part of the warp and woof of the varied American fabric.

America has made a start in closing its history gap. But much work remains to be done.

In recent years, boards of education have written and published their own supplementary texts on Negro history. Some textbook publishers have revised and updated their materials on the Negro in American history. Professional organizations in recent months have sponsored national conferences on the treatment of minorities in textbooks. This is a good beginning.

All segments of our society must work together in bridging our history gap. For the shared pride in Negro history and achievement is a solid foundation upon which to build a new and healthy climate of mutual respect and understanding among all elements of society.

In the words of Frederick Douglass, "(This is a time) when the American people are once more being urged to do from necessity what they should have done from a sense of right, and of sound statesmanship . . ."

CIA INCIDENT

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Rosenthal] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. ROSENTHAL. Mr. Speaker, yesterday's disclosure that the CIA has been subsidizing the National Student Association for more than a decade dramatizes, once again, the urgent need for continuous congressional review of CIA activities.

The latest CIA incident indicates that such oversight is essential. In protesting the CIA's covert involvement with the National Student Association, I joined seven other Members yesterday in sending a letter to the President fully describing our view of the situation. I include the text of that letter:

Dear Mr. President: "We were appalled to learn today that the Central Intelligence Agency has been subsidizing the National Student Association for more than a decade.

That policy has undercut the independence and freedom of those in a democracy who deserve particularly to be independent and free. It represents an unconscionable extension of power by an agency of government over institutions outside its jurisdiction. It involves the complicity of so-called independent foundations. It raises again basic questions concerning the adequacy of oversight of the CIA.

This disclosure leads us and many others here and abroad to believe that the CIA can be as much a threat to American as to foreign democratic institutions.

We believe that the program requires immediate investigation at the highest level. To what extent did this policy constitute an internal security function for the CIA in contradiction of the National Security Act of 1947? What conditions were laid down for the subsidy? Have officials of the NSA been granted special treatment, including draft deferments, not available to all other student organizations? Are there any other student organizations with similar relations with the CIA? Has the NSA–CIA relationship been effectively severed?

The question also arises whether the CIA is implicated in other supposedly independent domestic organizations. And what effective limits are placed on CIA subsidy of any domestic institution?

The Central Intelligence Agency, then, has compromised and corrupted the largest student organization in the largest democracy in the world. It has willfully involved inexperienced young men and women in that action, and thus has surely alienated further the best elements of American youth.

In allowing this to happen, the American government owes an apology to the American people, and, more important, to an American generation.

Respectfully yours,

George S. Brown, Jr., California; Phillip Burton, California; John Conyers, Jr., Michigan; John G. Dow, New York; Don Edwards, California; Robert W. Kastenmeier, Wisconsin; Benjamin S. Rosenthal, New York; William F. Ryan, New York.

It is intolerable that intelligence activities of the Central Intelligence Agency and other organizations be free from rigorous democratic review. And this is clearly the case now.

Since the outset of the cold war, and the growth of the intelligence community, individual public servants and special expert commissions have urged the establishment of a Joint Congressional Committee on Central Intelligence. The Hoover Commission, for example, put the case strongly over 10 years ago. The report stated:

> The task force is concerned over the absence of satisfactory machinery for surveillance of the stewardship of the CIA. It is making recommendations which it believes will provide the proper type of "watchdog" commission as a means of reestablishing that relationship between the CIA and the Congress so essential and characteristic of our democratic form of government, but which was abrogated by the enactment of Public Law 110 and other statutes relating to the Agency. It would include Representatives of both Houses of Congress and of the Chief Executive. Its duties would embrace a review of the operations and effectiveness, not only of the CIA, but also of all other intelligence agencies.

The report continued:

> Although the task force has discovered no indication of abuses of powers by the CIA or other Intelligence Agencies, it nevertheless is firmly convinced, as a matter of future insurance, that some reliable, systematic review of all the agencies and their operations should be provided by congressional action as a checkrein to assure both the Congress and the people that this hub of the intelligence effort is functioning in an efficient, effective, and reasonably economical manner.

From time to time, special study commissions have been assigned to overlook the general structure of the intelligence community. Thus, after the Bay of Pigs, President Kennedy established machinery for extensive review of the CIA. Temporary oversight, however, is not the answer, particularly when it is forced to operate in an atmosphere of disquiet and crisis. What is needed is deliberate, calm, and most important, continuous review of our intelligence activities. In short, a congressional committee.

No one need be reminded of the significance of intelligence in foreign affairs. Nor should it be necessary to remind ourselves that the oversight of administration and executive operations is a crucial function of the legislative branch. These two points, supplemented by extensive evidence of disorder in the intelligence community, provide an airtight argument for the establishment of a Joint Congressional Committee on Central Intelligence.

I am today submitting legislation designed to meet such a goal. Congress long ago recognized the peculiar importance of atomic energy policy, and therefore established the Joint Committee on Atomic Energy, which has been remarkably effective and vigilant. The Joint Committee on Central Intelligence should be patterned after this success. It would be composed of seven Members of the House of Representatives and seven Members of the Senate, selected by the Speaker of the House and by the President of the Senate on a bipartisan basis. The committee would be instructed to initiate continuing studies and review of intelligence activities, and would require the CIA and similar organizations to keep it currently and adequately apprised of American policy and operations.

The case of such action is unimpeachable. Past events have dramatized the admissibility of oversight. Democratic theory and practice oblige it. The performances of congressional Committees on Foreign Affairs and Armed Services are evidence of legislative responsibility in the national security sphere. A Joint Committee on Central Intelligence should be established forthwith.

HOSPITAL CARE FOR VETERANS IN NON-VETERANS' ADMINISTRATION FACILITIES

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. White] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WHITE. Mr. Speaker, the Congress of the United States has long accepted the propriety of providing hospital and medical care to our veterans who have faithfully served our country and defended the principles of our Nation. The system of Veterans' Administration hospitals is designed to care for our American veterans in times of medical crisis.

As a practical matter, however, our veterans who reside in rural areas and other areas located great distances from Veterans' Administration hospitals do not have veterans hospital care and treatment available in times of a medical crisis. Traveling, in many cases hundreds of miles, to a Veterans' Administration facility is not possible during a medical emergency. In such instances the veteran who is otherwise eligible for Veterans' Administration-financed care must pay for his own hospital care and medical treatment.

This inequity of financing care of our veterans, based on location of residence alone, is a great hardship on our veterans and should be corrected.

This is my purpose today in introducing legislation for consideration of the Congress. My bill provides that the Administrator of the Veterans' Administration shall pay the hospital and medical expenses of eligible veterans hospitalized in cases of emergency in nonveterans hospitals, if that veteran resides more than 250 miles from any Veterans' Administration hospital, and would suffer hazard to his health and safety by transport to a veterans hospital.

Under the provisions of my bill the Veterans' Administrator would designate one or more doctors in each county of the United States to certify danger to the veteran's health in transporting him to a veterans facility. The designated physician would also certify when the veteran can be safely moved to an established veterans facility.

The inconvenience and suffering or the financial hardship presently endured by our otherwise eligible veterans under the present system of hospitalization, I am hopeful, will be eliminated by this legislation. I urge early consideration of these provisions.

Thank you.

CONGRESS URGED TO SUPPORT PRESIDENT'S PROPOSALS ON CIVIL RIGHTS

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. Jacobs] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. JACOBS. Mr. Speaker, the President's message on civil rights is a timely and necessary challenge to us to come to grips with the greatest problem and the noblest opportunities of our era. It is fitting that this challenge comes only a few days after the anniversary of the birth of the President who both freed the slaves and unified our Nation.

The challenge today is still the challenge of freedom and unity. We have embarked upon a great project to assure justice to minorities too long subjected to exploitation and subordination.

At the same time, we are reaching a crisis in the unity of our country. It is impossible for all of our citizens to live and work together, to feel the genuine unity of interest that all of us have in the welfare of our country, unless it is demonstrated that the promises of justice can and will be fulfilled in the processes of a democratic experiment as awesome as the great and historical movement for racial justice.

This is a challenge to democracy to provide impartial justice in the selection of juries, to meet the problems of slums and ghetto housing, to assure protection of persons exercising their constitutional rights; and, in doing these things, to confirm a greater confidence in democracy itself.

This challenge comes directly to us as a Congress, as representatives of all the people of our Nation. In the words of Abraham Lincoln:

> We, even we here, hold the power and bear the responsibility.

I stress the need for the Congress to fulfill this responsibility by supporting and enacting the President's proposals on civil rights.

BRIEF OF AMICI IN THE MATTER OF THE RIGHT OF ADAM CLAYTON POWELL TO A SEAT IN THE 90TH CONGRESS

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Multer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. MULTER. Mr. Speaker, the American Civil Liberties Union and the New York Civil Liberties Union have submitted to the Select Committee considering the Powell matter, a brief of amici, which clearly demonstrates that the right of Congressman Powell to his

seat is indivisible from the rights of the voters of his district to be represented.

I commend the brief to the attention of our colleagues:

In the Matter of the Right of Adam Clayton Powell, Jr., to a Seat as the Representative From the Eighteenth Congressional District, New York, New York—Brief of Amici, American Civil Liberties Union and New York Civil Liberties Union

To Select Committee, House of Representatives, Congress of the United States, 90th Congress, First Session.

INTEREST OF AMICI

The American Civil Liberties Union and its New York affiliate, the New York Civil Liberties Union, are organizations committed to the protection of constitutional rights and individual liberty. Concerned solely with constitutional principle, *amici* have traditionally defended the rights of citizens of every persuasion in and through the courts, the legislatures, and the executive departments of government.

The right to representation in legislative bodies in accordance with the mandate of the voters is among the most basic principles of a democratic republic. When so intrinsic a right is challenged, concern is occasioned for our most precious institutions.

The right of Adam Clayton Powell, Jr. to assume the seat to which he was elected in the House of Representatives is therefore an issue of pressing public concern, for it is indivisible from the rights of the voters of his district to be represented. Indeed, it is necessarily the concern of the national electorate. In the public interest therefore, the American Civil Liberties Union and the New York Civil Liberties Union seek permission to intervene in these proceedings as *amici* in support of the right of Mr. Powell to assume his seat in the House of Representatives after qualifying pursuant to the requirements enumerated in Article I, Section 2, Clause 2 of the Constitution.[1]

STATEMENT OF THE CASE

The House of Representatives refused to administer the oath of office to Adam Clayton Powell, Jr. on January 10, 1967, the opening day of the 90th Congress, p. 27. Although the Members who spoke during the debate expressed varying reasons for desiring Mr. Powell to stand aside,[2] Rep. Gerald R. Ford, the author of the resolution that passed the House, was of the view that "the issue . . . is exclusively the question of the qualifications of one of our members elected November 8 to sit as a Member of the House of Representatives" p. 18.

A resolution offered by Rep. Morris K. Udall would have referred "the question of the final right of Adam Clayton Powell to a seat . . . to a select committee," thereby erecting no immediate bar to seating Mr. Powell, p. 15. Upon the defeat of his resolution, Mr. Udall endorsed the Ford resolution because "the motion to seat [Mr. Powell] will not pass. . . . [I]f there is any chance for him to prove his case, to have a hearing to get his seat, we should pass the substitute resolution and have the committee appointed," p. 27.[3]

On January 19, 1967 a Select Committee of nine Congressmen was appointed to determine "the question of the right" of Mr. Powell to be sworn as well as his final right to be seated. By the terms of the approved resolution, the Committee must report to the House within five weeks of its appointment, p. 15.

ARGUMENT

The most basic democratic principles and the plain requirements of the Constitution compel a determination that elected representatives who meet the express constitutional qualifications for membership in the House must be seated.

Article 1, Section 2, Clause 2 sets down the qualifications [4] for membership in the House of Representatives: "No person shall be a Representative who shall not have attained the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of the State in which he shall be chosen."

The enumeration of qualifications is immediately significant, because it is inclusive and limited.[5] It provides a plain standard for Congressional judgment.[6] But the specifications in Article I Section 2 Clause 2 have intrinsic importance beyond the commonly accepted rule of law that enumerated instances are meant to be comprehensive. In their substance the required qualifications are objective leaving only the most minimum discretion to the House.

No other rule for seating Congressmen would be compatible with democratic elections and government. With broader discretion to judge the qualifications of its members, Congress would have the power of final approval of elected representatives. This power is denied Congress, since there can be no proper exercise of a power to review a decision which in a democracy belongs exclusively to the electorate.[7]

Moreover, such power is constitutionally denied because its exercise is fraught with possibilities for bias. On the occasion of the challenge to Senator Reed Smoot, Senator Knox reminded his colleagues of the way in which the enumerated qualifications facilitate objectivity of judgment in the seating of Congressmen:

"The simple constitutional regulations of qualification do not in any way involve the moral qualifications of the man; they relate to facts outside the realm of ethical considerations and are regulations of fact easily established. Properly enough, therefore, as no sectional, partisan, or religious feeling could attach itself to an issue as to whether or not a man is thirty years of age, had been a citizen of the United States and an inhabitant of a State for the periods prescribed, the decision as to their existence rests with the majority of the Senate." [8]

The authors of the Constitution were intensely aware of the ramifications of the limitation on qualifications. Madison regarded a Congressional power to establish qualifications as "an improper and dangerous power in the Legislature." [9] In his authoritative work, *The Making of Our Constitution* (1928), Professor Charles Warren further reports of Madison the view that:

"If the Legislature could regulate them [qualifications], "it can by degrees subvert the Constitution . . . by limiting the number capable of being elected . . . Qualifications founded on artificial distinctions may be devised by the stronger, in order to keep out partisans of a weaker faction." He also pointed out "the British Parliament possessed the power of regulating the qualifications . . . of the elected and the abuse they had made of it was a lesson worthy of our attention." They had made changes in qualifications "subservient to their own views or to the views of political or religious parties." The Convention evidently concurred in these views; for it defeated the proposal to give to Congress power to establish qualifications in general, by a vote of seven States to four. . . ." (p. 420).

In Number 68 of the Federalist Papers, Hamilton too was without doubt that the requirements for Congressional office "are defined and fixed in the Constitution; and are unalterable by the Legislature."

To its credit, Congress has with few exceptions—all arising in times of special stress—been faithful to the Constitutional mandate and the intent of the Constitutional fathers. In modern cases, Congressional adherence to constitutional principle has been striking. Senator William Langer was seated in 1942 despite a challenge involving "charges [that] were numerous . . . chiefly involv[ing] moral turpitude," including kickbacks, conversion and bribery.[10] Rep. Francis Shoemaker was seated by the House in 1933, though convicted of a crime and sentenced.[11]

The modern Congressional practice of strict adherence to the constitutional qualifications repeats the interpretation developed in the very first cases. In the first fully debated House case, *William McCreery*, 10th Cong., 1807, I Hinds ¶ 414, the House voted in favor of seating McCreery on the principle, as put by Rep. Findley, Chairman of the Committee on Elections, that Congress is "not authorized to *prescribe* the qualifications of their own members, but they are authorized to *judge* of their qualifications; in doing so, however, they must be governed by the rules prescribed the Federal Constitution." (Emphasis added) Only this term the Supreme Court appeared to approve this view in *Bond v. Floyd*, 35 Law Week 4038 (December 5, 1966). Though disapproving the exclusion of Bond on free speech grounds, the unanimous Court noted the views of Madison and Hamilton on the exclusiveness of the enumerated qualifications. 35 Law Week at 4043, n. 13. See also the case of *Humphrey Marshall:* S. Jour., 4th Cong. 1st Sess., pp. 194, et seq (Senate refused to consider charges of "gross fraud" and perjury because not among qualifications for which Congress could exclude); compare *Bond v. Floyd*, 251 F. Supp. 333, 345 (Judge Tuttle dissenting) (N.D. Ga. 1966).[12]

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[1] Inasmuch as no present record of evidence exists in this case, amici, are without any basis to determine whether Mr. Powell in fact meets the constitutional qualfications of age, citizenship and inhabitancy. However, amici urge that no other qualifications may properly be considered and that any hearings must be confined to these questions.

[2] See generally pp. 15–27. References throughout the Statement of the Case are to the Congressional Record, 113 Congressional Record pp. 11–27 (Jan. 10, 1967).

[3] Without debate on the same day, the House voted to administer the oath to Benjamin B. Blackburn of Georgia, referring the question of his final right to a seat in a contested election to the Committee on House Administration, pp. 27–28.

[4] The challenge of five Mississippi Congressmen in the 89th Congress (1965) by Negroes claiming to have been disenfranchised by the State of Mississippi affords a recent example of a constitutionally proper challenge. There the challenge was to the elections, which may constitutionally be examined by Congress under its power to "be the judge of the elections, returns, and qualifications of its own members." Article 1, section 5, clause 1.

[5] No less an authority than Mr. Justice Story regarded the enumeration as dispositive: "It would seem but fair reasoning, upon the plainest principles of interpretation, that when the Constitution established certain qualifications as necessary for office, it meant to exclude all others as prerequisites. From the very nature of such a provision, the affirmance of these qualifications would seem to imply a negation of all others." *Story on the Constitution*, ¶625. See also Cooley, *Constitutional Limitations* 78; Cushing, *Law and Practice of Legislative Assemblies* 27 (2nd ed.). Foster, *Treatise on the Constitution* 367; McCrary, *Law of Elections*, ¶312. Paschal, *Annotated Constitution* 305 (2nd ed.). Tucker, *Treatise on the Constitution* 394.

[6] For cases directly involving the enumerated qualifications, see *John Young Brown*, 1 Hinds ¶418 (excluded for age); *John Bailey*, 1 Hinds ¶434 (excluded for non-inhabitancy); *Jennings Piggott*, 1 Hinds ¶369 (excluded for non-inhabitancy).

[7] See generally Brief filed by Special Committee of the Association of the Bar of the City of New York (Hon. Charles Evans Hughes, chairman) supporting the right of five elected Socialists to seats in the New York State Assembly *In the Matter of Louis Waldman, August Claessens, Samuel A. DeWitt, Samuel Orr* and *Charles Solomon* (January 21, 1920).

[8] *Id.* at 14.

[9] Quoted in Warren. *The Making of Our Constitution* 420 (1928).

[10] See *Senate Election, Expulsion & Censure Cases* 141.

[11] The crime was not a felony under Minnesota law, but a resolution was offered to have Mr. Shoemaker stand aside. A motion allowing him to be seated won approval. 77 Cong. Rec. 73–74 (1933).

Despite its laudable record, Congress has in rare instances of extreme political tension wavered from its usual judicious adherence to constitutional principle and precedent.[13] These deviations occurred in three categories of cases reflecting anti-Mormon,[14] anti-Confederate,[15] and anti-radical[16] feeling. We urge the repudiation of what little life may be left in precedents which reflect the anachronistic prejudices of prior eras.

CONCLUSION

The prescribed limitations in Article 1, Section 2, Clause 2 were designed to free the question of eligibility for Congressional membership from any relationship to transient political moods or tensions. If so late in our history, Congress should decide to venture beyond the constitutionally enumerated qualifications, it would resurrect a long discredited view of the Constitution and choose as its model periods bespeaking furor instead of fairness.

It would appear from the debates on the approved resolution that some Members consider Mr. Powell's conduct relevant to his eligibility to be seated. We strongly urge this Committee to declare that Mr. Powell's conduct in no way bears upon his qualifications and that no evidence pertaining to that conduct may be considered by this Committee. Both the Constitution and the great weight of precedent demand that the Committee limit its inquiry solely to the enumerated qualifications of age, citizenship, and inhabitancy.

Respectfully submitted.

Ernest Angell; Osmond K. Fraenkel; Edward J. Ennis; Nanette Dembitz; John de J. Pemberton, Jr.; Marvin M. Karpatkin; Eleanor Holmes Norton; Alan H. Levine; in care of American Civil Liberties Union, 156 Fifth Avenue, New York, N.Y.; Lawrence Speiser, in care of American Civil Liberties, Union 1424 16th Street, NW., Washington, D.C., attorneys for amici.

Dated January 25, 1967.

LEGISLATION TO PROVIDE A NEW SYSTEM OF OVERTIME COMPENSATION FOR POSTAL FIELD SERVICE EMPLOYEES

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. DANIELS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. DANIELS. Mr. Speaker, I am today introducing legislation to correct many of the controversial workweek scheduling and overtime compensation problems adversely affecting postal employees as a result of the enactment of Public Law 89–301 in 1965.

In the first session of the 89th Congress I introduced H.R. 2798 which is similar to the legislation I am introducing today. If my original bill had been enacted into law, I am confident most of the controversial rescheduling of career annual rate regular postal clerks and other employees by the Post Office Department, as well as other serious employee grievance complaints since the enactment of Public Law 89–301, would never have occurred.

You will recall that we in the House, unfortunately, had very little choice but to accept the Senate amended version of the legislation which ultimately became Public Law 89–301 during the closing hours of the first session of the 89th Congress in October 1965. Even though this legislation originated here in the House of Representatives, if we had not accepted the other body's final draft, there would have been no salary or overtime law of any kind enacted in that year.

The act, as finally approved, left much to be desired in the way of establishing permanent employee basic standard workweek schedules and improved overtime compensation for the Nation's postal workers comparable with the practices and policies prevailing in the private sector.

I have since been advised by postal workers and their reputable and responsible leaders that the Post Office Department insists that it has the arbitrary prerogative to unilaterally change established employee daily and weekly schedules with only a few days' notice. These changes are made by the Department, even though its postmasters previously have determined that the need of such establishment workweeks and schedules were consistent with the best interests of the postal service and the patrons.

It was certainly my intention, and I am confident that of the overwhelming majority of my colleagues of the 89th Congress, that even the legislation as amended by the Senate in 1965 would completely eliminate the outdated practice of the Post Office Department granting compensatory time off without extra pay to postal employees for work performed on Saturdays and/or Sundays when in addition to their regularly established 5-day, Monday through Friday workweeks.

However unfortunately, in far, far too many instances, practically the same type of compensatory time in lieu of cash payment is still in existence in the postal service and continues to plague postal clerks and other employees. The new practice is simply a variation of the old compensatory time arrangement as postmasters are continuing to change previously established, bid, and assigned regular work schedules, regardless of the language and intent of Public Law 89–301, and the Congress in approving this legislation.

I understand because of the implementation of the scheduling and overtime provisions of this public law by the Post Office Department that postal employees are still being required to work 6, 7, 8, 9, or 10 consecutive days without payment of cash overtime which certainly appears to be in conflict with my understanding of the objectives and the intent of Public Law 89–301.

Therefore, for these reasons and many others whch I am sure will be effectively and convincingly explained to this Congress when hearings are scheduled by the Committees on Post Office and Civil Service in both branches of the Congress, I am today introducing my bill which would establish basic standard workweeks of Monday through Friday, and a better system of overtime compensation for employees in the postal service.

My bill would accomplish the following objectives which, I believe, would be more consistent with practices in private enterprise, and would make the intent of Congress certain and beyond any possible doubt in the protection of the employees and the postal service:

First. Establish a Monday through Friday basic workweek for employees in the postal service.

Second. Each employee—including substitute employees—shall be paid for all work in excess of 8 hours in 1 day at the rate of 150 per centum of his hourly basic compensation.

Third. Each employee who performs work on Saturdays shall be paid at the rate of 150 per centum of his hourly basic compensation.

Fourth. Each employee who performs work on Sunday or on a day referred to as holiday, or on a day designated by Executive order as a holiday for Federal employees generally shall be paid at the rate of 220 per centum of his hourly basic compensation.

It is my sincere hope that this Congress will act promptly to consider the legislation which I am introducing today and speedily enact it into law during this first session of the 90th Congress.

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[12] See also *Turney* v. *Marshall*, 1 Hinds 385; *Woods* v. *Peters*, 1 Hinds 387; *Beanjamin Stark*, 1 Hinds 433, 435; *Fouke* v. *Trumbull*, 1 Hinds 384; *Ames* and *Brooks*, 2 Hinds 866.

[13] Indeed it would be unusual if so political a body as the Congress were to have had a perfect record in such cases throughout our history. As Chafee wisely notes:

"The precedents rarely afford a satisfactory formulation of the principle on which the House acted, which can be automatically applied in subsequent cases after the manner of court decisions. A legislature is not by nature a judicial body. Its members are chosen and organized for carrying out policies, and not, like judges, for the sole purpose of thinking together. . . . Moreover, the basis of legislative discussion is often obscure because of the number of persons who join in debate." Chafee, *Freedom of Speech*, 343–344 (1920).

The non-judicial nature of Congressional precedent renders even more necessary strong adherence to constitutional language by this Committee.

[14] Case of *Brigham Roberts*, 56 Cong., 1899, 1 Hinds 474. But see case of *Reed Smoot*, 58th Cong., 1903; 1 Hinds 481–484 (Mormon subsequently seated by Senate).

[15] Cases of *Kentucky Members*, 40th Cong., 1867. But see Sec. 3 of the 14th Amendment, enacted subsequently, which expressly disqualified former active Confederates from serving in Congress.

[16] Case of *Victor Berger*, 66th Cong., 58th Cong. (1919). But see *Bond v. Floyd*, 35 Law Week 4038 (Dec. 5, 1966).

PROVIDING COVERAGE FOR COST OF PRESCRIBED DRUGS UNDER MEDICARE

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. DANIELS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. DANIELS. Mr. Speaker, I have introduced today a bill to amend title XVIII of the Social Security Act to provide coverage toward the cost of prescribed drugs under the medicare program.

The purpose of my bill is to assist medicare recipients in obtaining drugs prescribed outside of a nursing home or hospital. Under my bill, a schedule of allowances toward the cost of covered drugs will be established by a high-level formulary committee. This committee will base the allowance for particular drugs on the lowest priced version of the drug which is of acceptable quality, plus a factor representing a professional fee for the services of the pharmacist.

Mr. Speaker, the medicare program is essentially a good one but we are learning through experience, as is the case will all new programs, that there are ways it can be improved. As we all know, the program was set up to provide a basic minimum health standard for our senior citizens. Quite obviously this intent is negated if our senior citizens cannot afford to pay for prescribed drugs. Thus my bill will allow senior citizens to be reimbursed for all expenses incurred in purchasing drugs after the first $25 in a calendar year.

Mr. Speaker, I urge all Members to join with me in support of this worthy measure.

BIRTHDAY OF TADEUSZ KOSCIUSZKO

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. ROONEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. ROONEY of New York. Mr. Speaker, over this past weekend Americans of Polish descent paid honor to a great hero of the American Revolution—Tadeusz Kosciuszko. It is very fitting that the celebration of the 221st anniversary of the birth of Kosciuszko occurred the same weekend the country was honoring another great hero—Abraham Lincoln. The country owes much to these two men.

We owe a debt of gratitude, too, to the great Polish-American societies which do so much to keep the spirit of Kosciuszko alive. For men like Kosciuszko are very much a part of our heritage and it is good that we remember the high price paid by some that we today can live in freedom.

From the very beginning Kosciuszko, the soldier, brought to his trade a brilliance for organization and leadership that could not be denied. After losing his beloved father at 13, Kosciuszko prepared for admission and obtained a scholarship to the famous military academy in Mezieres, France. He compiled a record there so brilliant that he was graduated with the rank of captain of engineering and artillery.

In 1776, while Kosciuszko was in Paris, the American Revolution became a fighting fact and the struggle for independence captured the heart of the Polish soldier. Landing in Philadelphia in August of that year, he immediately applied for and was accepted into the American military service. His career from that point on was one of constant devotion and leadership. As a result of the plans he drew for the fortification of the Delaware River he was made a colonel of engineers in the Continental Army and then moved to the Northern Army where he directed the impregnable fortification at West Point. His accomplishments were not limited to the planning board as he proved nobly by displaying his courage and valor on the field in the battle of Charleston, S.C.

By 1783, Kosciuszko was a brigadier general and preparing to dedicate his life to the military needs of his adopted Nation. But his people called and he returned to Poland to lead a gallant, albeit futile, fight to free that nation. Overwhelmed by the manpower of the enemy, Kosciuszko fell wounded on the historic battlefield of Maciejowice and was imprisoned in Russia. The brilliant strategist, planner, and patriot died later in exile in Switzerland—a man broken in the struggle for liberty.

But we do not remember the defeat and disappointment of his later years. We remember him as the young Polish officer willing to give his life if necessary to help a people who would be free of tyranny. We remember the skill, leadership, and morale he brought to an army that could hardly be called that at the time. And we remember what he and so many of his countrymen, then and now, have meant to the success of our great Nation. It is no wonder then, Mr. Speaker, that we here feel such a bond with Poles everywhere and heartily join them in saluting and praising the deeds of Tadeusz Kosciuszko, an American and Polish patriot.

BOMBING RESUMPTION PRAISED

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. FASCELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. FASCELL. Mr. Speaker, I strongly support the President's decision to resume the bombing of North Vietnam.

PEACE DRIVE FRUSTRATED

This country for more than 2 years has spared no effort to bring about negotiations aimed at a peaceful settlement of the war in Vietnam. In the last few weeks we have again done all in our power to show that we are willing and prepared to end this war.

In response to the promptings of men of good will around the globe and the urgings of our closest allies, the United States again took the first step toward a peaceful solution of the war by suspending bombing of North Vietnam both before the recent Vietnamese New Year's truce and for almost 2 days following that truce.

Mr. Speaker, all the hopes we in this Chamber and millions around the world shared during the last few weeks have now again been dashed. Not only has North Vietnam shown no sign of willingness to end the war, she has not even shown a sign of willingness to talk about ending the war.

The United States, in the words of President Johnson, had "no alternative" to resuming the bombing. The world waited for the slightest flicker of response from Hanoi but none came. Instead of sending out a "signal for peace" Hanoi sent more troops, more equipment, and more supplies southward to support the war of aggression against the south. The President reluctantly drew the only possible conclusion, that North Vietnam is not willing to negotiate because she is unwilling to halt her vicious and blatant aggression.

STRONG STAND BRIGHTENS ASIA OUTLOOK

While the outlook for a peaceful solution to the Vietnam war has dimmed considerably because of Hanoi's intransigence, the outlook for an allied military victory in South Vietnam now seems all but assured. The tide of war has turned. In action after action, the allied forces are victorious. We no longer have to fear an enemy victory but can begin to help consolidate South Vietnamese control of areas of the country which long have been centers of Communist guerrilla activity.

President Johnson's skillful and carefully controlled use of military, diplomatic, and economic power in a graduated response to Hanoi's steadily increasing aggression against South Vietnam has produced an entirely new situation, not only in Vietnam, but throughout Asia.

The strength of our commitment to defend freedom in the Far East and to oppose Communist aggression whether overt or covert has brought to Asia's leaders a new vision of the future. American power has successfully intervened to prevent a Communist takeover in South Vietnam and shattered Chinese plans to dominate Asia. Because of this, free Asians no longer must base their plans for the future on the fear of an all but irresistible Chinese monolith. Instead, they can turn their attention to the creation of stable and dynamic societies of their own.

Mr. Speaker, on February 4, the Washington Evening Star's noted foreign affairs analyst, Crosby Noyes, reported on this consequence of our stand in Vietnam in a dispatch from Bangkok. He points out that there are enormous opportunities ahead in Asia. This prospect alone places the struggle in Vietnam in a larger and brighter prospective and I am certain that many will find the article interesting and thought provoking:

[From the Washington (D.C.) Evening Star, Feb. 4, 1967]

FUNDAMENTAL OBJECTIVE IN VIETNAM ACHIEVED

(By Crosby S. Noyes)

BANGKOK.—It is time and past time that Americans lifted their eyes from the frustrations and ambiguities of the war in Vietnam and began to look at the conflict there in the perspective of Asia as a whole.

In Vietnam the picture is still filled with uncertainties.

Although the military defeat of the Communist forces now seems inevitable the job of pacifying the country still looks long and hard. And although hopeful progress is being made toward political and economic reforms, the old power structure is still strongly entrenched and bitterly resistant to change.

Painless solutions and tidy formulas for perfection are not part of the picture. In this war as in others there will be winners and losers. The idea that a compromise can be found that will satisfy everyone is an absurdity. At this point, the chances of any formal negotiation to end the fighting are close to zero.

Yet with all the problems that remain, the fundamental objective in Vietnam has been achieved. The threat of Chinese hegemony, which has weighed like a dark cloud on the free nations of Southeast Asia, has now been dispersed. And the consequences that flow from this fact are certain to mark a decisive turning-point for every nation in this part of the world.

This is as true for the countries that are sitting out the war as for those who offer their support. The implications of what happens in Vietnam are every bit as real for the Indians, Burmese and Indonesians as they are for those closer to the firing line. Policies that have been based on the assumption that China ultimately would become the dominant power in Asia are being revised in many capitals—sometimes dramatically.

The implications for China itself are especially serious.

No one, of course, can say with any precision what forces were responsible for setting off the upheaval which is now shaking the world's largest Communist country. But there are many experts who believe that the failures and frustrations of China's foreign ambitions played a significant part. And certainly the fact that in Vietnam techniques have been found to cope with a Communist-inspired "war of national liberation" has put a large crimp in China's plans, not only in Asia but in Africa and Latin America as well.

What is true throughout Asia is particularly true for those countries which have felt themselves most immediately menaced by the Chinese threat.

In the arc that runs from Korea in the northeast through Japan and the Philippines to Malaysia and Thailand in the west, a new surge of confidence has gained momentum in the last year. Patterns of regional cooperation are beginning to take effective form. And a new spirit of political cohesion, replacing the traditional attitude of every man for himself, is beginning to emerge.

These countries, furthermore, recognize the vital importance of the stand in Vietnam to their continuing sense of security. Korea and the Philippines, Austrialia, New Zealand and now Thailand are making substantial military contributions. Malaysia has trained thousands of Vietnamese policemen in anti-guerrilla techniques.

Nor, it seems is this response the result of American pressure on the governments involved or a decision made without regard for public sentiment. The Thai government, which recently sent out a call for 1,000 volunteers for duty in Vietnam, netted 100,000 applicants in the first few days of recruiting. If anything, the indications here are that the people understand the significance of Vietnam as well as their leaders—and rather better than a good many Americans have.

This does not mean, of course, that the Thais are motivated by a love of Americans, any more than Koreans or Filipinos are. Asians, like most people, are motivated by a lively consciousness of their own self-interest.

Over a large part of Asia this self-interest today dictates cooperation with the United States in varying degrees and varying forms. Westerners certainly cannot be expected to deal with the new Asian countries on the same terms as in the past. But given the associations that already exist, the pessimistic notion that the West is finished in Asia for years to come is being more conclusively disproved as time goes on.

Indeed, there are those who see enormous opportunities ahead. Our ambassador in Bangkok, Graham Martin, subscribes to the idea that American policy in Asia and the Pacific is on the verge of a success as great as that in Europe in the 50s. A prospect, in short, which places the struggle in Vietnam in a larger and brighter perspective.

TAX SHARING

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. TUNNEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. TUNNEY. Mr. Speaker, I am today introducing legislation to establish a system for the sharing of certain Federal tax receipts with the States.

The bill establishes in the Treasury of the United States a fund to be known as the tax-sharing fund. There would be appropriated to the tax-sharing fund, out of money in the Treasury, for the fiscal year beginning July 1, 1967, and for each fiscal year thereafter, an amount equal to 2 percent of the aggregate taxable income reported on individual income tax returns during the preceding calendar year.

The Secretary of the Treasury shall, during the fiscal year beginning July 1, 1968, and during each fiscal year thereafter, pay to each State, from the tax-sharing fund on the basis of the following formula:

First. Eighty-five percent of the tax-sharing fund shall be paid to the States on the basis of population.

Second. Fifteen percent of the tax-sharing fund shall be allotted to the 17 States with the lowest per capita income.

Payments may be made by the Secretary to the States in installments periodically during any fiscal year, but not less often than quarterly. The funds paid out of the tax-sharing fund shall be the sole and exclusive property of the States.

Mr. Speaker, there are few programs which offer such hopeful prospects for the improvement of our federal system of government than the tax-sharing concept. I believe that State and local governments should be given the opportunity to formulate their own programs to deal with their own unique problems and thus reduce their growing dependence on Washington.

State and local governments are in dire need of new sources of revenue. In my own State of California, the local property tax has become a heavy burden on homeowners, especially those living on a fixed income. Since 1947 the national debt has grown less than 30 percent, while private debt has risen 550 percent and that of State and local governments about 700 percent. It is becoming increasingly difficult for State and local governments to continue to support programs vital to the well-being of their citizens.

I believe that tax sharing offers an opportunity to foster efficiency, diversity and imagination in local and State governments and decrease the growing tendency toward an increasingly centralized Federal Government. Many programs now administered in Washington could be performed at the State and local level where there is a greater familiarity with their own needs and problems. Tax sharing will also serve to relieve Federal officials from the maze of details and redtape required in administering existing grant-in-aid programs. They will be allowed to focus more attention on pressing national problems.

I know that in the 38th District of California, which I represent, as well as in the State of California, there are many able and dedicated public officials. I am sure this is true in a great many other districts and States. Through the use of tax-sharing funds new and imaginative programs will be developed to solve social and economic problems. Tax sharing will help to unleash energy and imagination at the State and local level. It will be an important step in saving and rejuvenating our federal system of government.

RECREATIONAL PROGRAM OF RIVERSIDE COUNTY, CALIF.

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. TUNNEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. TUNNEY. Mr. Speaker, I am introducing legislation to authorize the Secretary of the Interior to waive the acreage limitations in section 1(b) of the act of June 14, 1926, as amended, with respect to public lands that Riverside County, Calif., wishes to purchase for public recreational purposes.

Riverside County has applied for the purchase of Federal land for recreational purposes. However, under present Federal law, it can only purchase 640 acres of Federal land annually. In order to complete its recreational program, Riverside County must purchase Federal land in excess of 640 acres per year.

I believe that one of the most pressing issues in our Nation today is a lack of adequate recreational facilities. If a county is able to and wishes to purchase additional Federal land for which there is no present or anticipated use to establish a recreational program, they should be allowed to do so. My bill would amend present Federal law thereby removing a major obstacle toward the improvement of the recreational program of Riverside County.

OKLAHOMA STATE UNIVERSITY AGRICULTURAL EDUCATION IN ETHIOPIA

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from Oklahoma [Mr. Steed] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. STEED. Mr. Speaker, Oklahoma State University has since 1952 assisted the sovereign Empire of Ethiopia in the establishment and operation of an institution of agricultural education. Financing has been provided principally by the Agency for International Development with essential supplemental assistance from the Rockefeller Foundation.

During the annual Ethiopia Day on the OSU campus, Dr. Luther H. Brannon addressed a banquet audience and gave a review of the university's educational role in that country. Dr. Brannon is Director of the OSU Ethiopian program, and has achieved a distinguished record there and earlier as Oklahoma State Extension Director. His remarks follow:

It is a genuine pleasure to have the opportunity of appearing before the Ethiopian fraternity. Practically everyone present has had some association with the Oklahoma State University program in Ethiopia during its fourteen years of operation. Some of you have spent one, two, three or more years in the wonderland of Sheba. Others whose associations with the program have been confined to the home campus have provided invaluable back-stopping support in the administrative and technical areas.

At this particular point in time, it seems appropriate to review some of the history of our Ethiopian undertaking. One chapter has been completed and the record has been written. We are now entering into another phase. But more about this new chapter subsequently.

Perhaps the logical starting point, as we attempt to sketch on a large canvas with broad strokes of the brush, begins with the visit to Ethiopia of the late and beloved president of this institution, Dr. Bennett.* He went, at the request of His Imperial Majesty Haile Selassie, to survey the educational situation and to recommend a program geared to the needs of a developing nation. Dr. Bennett's report set forth a national plan for agricultural education which encompassed resident teaching, research and extension. In short, his proposal embodied the principles of the land-grant college concept of education. When the fourth point of President Truman's inaugural address came into being as the Technical Cooperation Administration, Dr. Bennett became the first Administrator. His last official trip in that capacity before his untimely death, was to Ethiopia to complete arrangements for translating the plan into action.

It was at this particular juncture that I became personally involved in the Ethiopian undertaking. My assignment with the Marshall Plan had been completed and on January 1, 1952, I had rejoined the college staff. Some two or three months later a call came from the president's office requesting that I put in an appearance there as soon as convenient. Calls from the president's office are not to be taken lightly and this euphemism of "convenience" tends to take on the meaning of "post haste." Be that as it may, I proceeded immediately to Dr. Willham's † office, meanwhile trying to decide whether this summons was the result of omission or commission on my part and realizing full well that it could be either. So, with a certain amount of trepidation, I entered the president's domain hoping for the best and partially prepared for the worst!

Dr. Willham, in his inimitable way, proceeded to set me at ease by inquiring about the health of the family, the progress of the work and other disarming topics. Just as I was getting relaxed, he said to me, "How would you like to go to Ethiopia?" There had been certain vague rumors floating around, as rumors have a tendency to do on university campuses, but I was totally unprepared for such a direct question. Eventually, my wits were sufficiently collected for me to say, "Whatever for?" It was at this point that I learned that OSU was negotiating with the U.S. Point 4 Agency to carry out certain educational activities in Ethiopia.

Dr. Willham, as you all know, was always most considerate and was never one to apply pressure. As might be expected, he said, "Now Luther, this is a very important matter and I want you to regard it as such. You go home and talk it over with Pauline. Take all the time you need and let me have your decision in the next day or two." Actually a little more time than that elapsed before the phone rang and the president inquired if we had reached a decision. Meanwhile, we had done some home work and learned that Ethiopia was in Africa—that it was also a long way removed from Oklahoma. My response was that we left Paris to return to OSU and Ethiopia did not sound nearly as attractive as Paris. There was a long silence on the phone and then the suggestion followed that I come to the office and "talk it over." Presidents have a way about them. We talked it over and permission was granted for me to go to Ethiopia.

I inquired as to the composition of the team and was told that this was my responsibility—that I could have a free hand in selecting personnel needed to do the job. In due time, I found myself back in the president's office to discuss personnel. My first request was for Professor Angerer who was then Head of the Department of Agricultural Education. The president flinched as if he had been struck and exclaimed, "We just couldn't spare Dutch. He is right in the midst of building up this department and we need him here. Who else do you have in mind?" "Well, I want Professor Staten to represent the plant science section." If possible, the expression on the president's face became more pained. "We just couldn't possibly spare Hi. He is in charge of our grass research program with work going on all over the state and we must keep him here. Who else do you have in mind?" There really did not appear to be much reason to go any further with the roll call since the others were equally outstanding in their capacities. I took a deep breath, reflected quickly on the probability of reduced future job prospects at the institution, and said, "Mr. President, it is already established that you can spare me—but the university will not be proud of the results obtained if it sends only the people it can spare. This job calls for the first team. If the university accepts this responsibility, it must be prepared to make some temporary sacrifices to achieve some long-time gains." Again there was that long pause. Then the president said, "Luther, your point is well taken. This university will live up to its commitment. You can have anyone that you can persuade to go.

This incident is related to emphasize one of the factors essential to the success of a contractual program. Our university policy has been that any faculty member willing to accept an assignment in Ethiopia could do so with full assurance that he would accrue all of the rights and benefits just as he would if he remained on the home campus. The OSU Ethiopian project has been regarded by the administration as an integral part of the total university program. The human resources of the University were carefully evaluated as contract staff needs arose; off-campus recruitment was used only after it was determined that the particular competencies required could thus be secured. The majority of personnel connected with the agricultural education segment of the program had a previous direct association with Oklahoma State University. This, in itself, made for excellent esprit de corps and a strong feeling of responsibility to the home institution. Continuity of contract administration both here and abroad has also been an important factor.

The contract was signed with TCA and the first group of OSU personnel consisting of Professor Staten, Professor Angerer, Mr. Jeffrey, Dr. Darlow, Dr. Little, and myself arrived in Addis Ababa late in August 1952. It has been said that the team should have received more orientation on purposes and objectives prior to departure. In retrospect, the wisdom of such an indoctrination would be debatable. Had the team really understood the magnitude of the undertaking and the problems that would have to be faced, it might have decided the job was impossible. There are times when enthusiasm is preferable to experience and too much advance knowledge may be a liability.

The basic assignment was to locate a site, construct a physical plant, develop a curriculum, recruit a staff, secure students and establish and operate an Ethiopian prototype of land grant college. A second assignment was to staff and operate an agricultural secondary school at Jimma. The Italian occupation ended in 1941; it was not until after the close of the war that Ethiopia could set about the task of rebuilding its economy. By 1952, although education was receiving major governmental support, personnel with training in technical agriculture was practically non-existent. We were unable to locate within the Empire a single national with the equivalent of a bachelor of science degree in *any* phase of agriculture. Not one. Only a very few had technical training to the diploma level. Likewise, the number of students being graduated annually from the few high schools then in operation was exceedingly small. Obviously, the operation of an agricultural secondary school was a prerequisite to obtaining students for the forthcoming College of Agriculture. Work in both sectors proceeded simultaneously.

The first contingent of the staff for Jimma arrived in early September. Staff and students repaired and renovated an abandoned set of buildings while classes were being conducted under temporary makeshift arrangements. Students were so delighted to be admitted that the primitive facilities were accepted without complaint. To secure students, the announcement of the opening of the school was made throughout the Empire, using the rather limited communication media available. Eighty students could be accepted; more than five-hundred applicants, all clamoring for admission, came to Addis Ababa on the appointed day. Educational opportunities were very limited; admission was a privilege and not a right. Competition for the few available spaces was keen—previous school records were fragmentary or non-existent, so there was no real basis for evaluation. Since there were to be four classes, the successful applicants were somewhat arbitrarily assigned as freshmen, sophomores, etc. It was a most subjective approach based on little more than value judgments of the interviewers. It is interesting to note that some of those who did submit some documentary evidence later availed themselves of the offer at graduation time to supply their *correct* names for their diplomas. Recently, a survey was made to ascertain the accomplishments of these eighty students. Fifty, after graduating from Jimma, completed the requirements for a B.S. degree at Alemaya. Of this number, 26 have received M.S. degrees from U.S. institutions, and 16 either have already or are in the process of completing doctoral programs. It is hoped that the more sophisticated methods of tests and measurements now used as a basis for selection of students will be equally as accurate.

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*Dr. Henry G. Bennett, President of Oklahoma State University 1928–1951.

†Dr. Oliver S. Willham, President of Oklahoma State University 1951–1966.

Twelve classes have been graduated from Jimma for a total of approximately 550. The school has maintained a solid academic curriculum with an agricultural flavor—similar to the programs of vocational agriculture in our Oklahoma high schools. The ability of the Jimma graduates to enter institutions of higher learning and compete successfully with students from other secondary schools is indicative of the type of instruction received. Dr. Everett D. Edington's recent survey of Jimma graduates showed that 94 percent were in agriculturally oriented activities and only 6 percent were engaged in occupations not related to agriculture.

With the graduation of the 1966 class, the phase-out of American technicians was completed. There will be no contract personnel at Jimma this school year. The future of Jimma is somewhat in question. The announced plan is to set up a two-year junior college program but specific details as to staff, curriculum and other pertinent factors are not available. Jimma has made an outstanding contribution to the program. In the beginning, without it, the College of Agriculture would have experienced difficulty in progressing beyond the brick and mortar stage. Likewise, the basis for a comprehensive program of coffee improvement in Ethiopia came from research and demonstrations conducted by the school. The change in the quality of Ethiopian coffee is one of the more spectacular stories. The Jimma school has given handsome returns for the U.S. human and material resources invested. However, it must be admitted that the school water problem remains unsolved!

Concurrent with the operation of the agricultural secondary school at Jimma, the establishment of the Imperial Ethiopian College of Agriculture and Mechanical Arts at Alemaya was taking place. Some four years were devoted to site selection, land surveys, title acquisition, blue prints and specifications, contracts and the innumerable details involved in the construction of a physical plant. Suffice it to say that students were transferred to the college in 1956 and the first graduating class was that of 1957. As most of you know, Alemaya is on the escarpment between Dire Dawa and Harar. That road is now hard-surfaced and the dust-free trip from the college to Dire Dawa requires a leisurely forty-five minutes.

For the information of some who may not have had the opportunity of keeping closely in touch with the program, the Haile Selassie I University System came into being in 1963. Lij Kassa Wolde Mariam, as the University President, is providing capable and enlightened leadership. The various colleges were brought into the system and the institution at Alemaya became the College of Agriculture, HSIU. Shortly thereafter, agricultural extension was transferred to the Ministry of Agriculture.

At the 1966 graduation exercises at HSIU, 58 B.S. degrees in agriculture were conferred. This was the largest of any of the colleges and was approximately 27 percent of the total degrees awarded by the university. Since its inception, the college has conferred 296 degrees. Included in the graduates are students from Malawi, Kenya, Tanzania, Uganda and other African nations, so the college has taken on added international significance. Heads of state of most of the African countries have visited the institution which possibly accounts for the enrollment of students from outside the Empire. The Emperor has also provided some scholarships for foreign students.

As might be expected, the graduates are to be found in positions of importance throughout the various agencies of government and in private industry. Some are currently enrolled in American universities in graduate programs at the master's or doctor's level. Some have completed their graduate programs and are now faculty members at Alemaya—with graduate degrees from such institutions as Purdue, Cornell, Rutgers, Ohio State, Arizona, Rhode Island, Nebraska, Oklahoma State, Hawaii, Florida, and Michigan State—just to mention a few. Institutional in-breeding is not a problem!

Commercial concerns, at first skeptical of employing graduates, are now competing for the services of the Alemaya products. Interviewers came to the campus to contact the graduating seniors. This is a capsuled account of what has happened in the academic area since 1952.

Meanwhile, agricultural research has been receiving major emphasis. The Central Experiment Station at Bishoftu (now Debre Zeit) is devoting its efforts primarily to cereals, horticultural crops and poultry. The technical staff is now entirely Ethiopian. A comprehensive research program is underway at Alamaya. Some 65 manuscripts prepared by U.S. and Ethiopian staff members have been published.

The college began with a faculty that was entirely U.S. There has been a continuous program of AID participant training to prepare Ethiopians for faculty positions. The Rockefeller Foundation has been of invaluable assistance through its support of a graduate program at the doctoral level. There has been an infusion of nationals into the faculty, slow in the beginning, but accelerating with each passing year. At the present time the composition of the staff is approximately 50–50, but the scales will tip quite heavily to the Ethiopian side this year.

In addition to the work at Jimma and Alemya, contractural services have included agricultural projects other than college (entomology, livestock improvement, veterinary, farm machinery, resettlement, etc.) as well as language education, arts and crafts, technical education, water resources and public administration. All of these activities have been concluded.

Unfortunately, time will not permit more than a passing reference to some really spectacular progress in the public service sector. A joint venture organized by Alemaya graduates is providing the Addis market with a steady supply of top grade poultry and livestock products. Some 1,200 dozen No. 1 eggs are sold each week. The Alemaya farmers vegetable marketing cooperative has a contract to supply fresh vegetables to French Somaliland. The annual individual incomes have increased as much as three or four times, and the college stands high in the esteem of the community. *There is an old saying that if you loan a man a dollar you make an enemy; if you show him how to make a dollar you gain a friend.* This is a basic concept of technical assistance.

Mention was made earlier of the completion of one chapter. Dr. Clyde R. Kindell has completed his tour as president, and, with his departure, the responsibility for operations was assumed by an Ethiopian. The position of President of the College of Agriculture has been eliminated. In accordance with university policy, the top college administrative position is now that of dean. Dr. Makonnen Kebret has been designated for this assignment. Makonnen was a member of the first graduating class at Jimma, was graduated from Alemaya, earned the M.S. degree at the University of Illinois, was Director of the Agricultural Secondary School at Ambo for two years, received a doctoral dergee from Cornell and joined the faculty at Alemaya in 1964. Dr. Makonnen's background of training and association with the program makes him the obvious choice for this most important responsibility.

The basic goal of training Ethiopians to take over the operation of the college came about in less time than was originally contemplated. At this point the OSU role in the College af Agriculture changes from operational to advisory. The two years remaining can be made most productive by assisting our Ethiopian colleagues in meeting their responsibilities—by helping them analyze the problems, and suggesting alternative courses of action—in short to help them become familiar with the basic steps in the decision making process. Dr. Leonard Miller is now in Ethiopia as the administrative advisor. Teaching and research assistance is being supplied in the more critical areas.

The process of institutional building is something that evolves over time. Brick and mortar, concrete and steel are cold and inanimate; *an institution becomes live and dynamic only as its human resources become imbued with a national purpose consistent with the goals of the society.* How soon and to what extent this fledgling institution can approximate its potential can only be conjectured. The Ethiopians joining the faculty are technically competent and are a top quality group. But formal training cannot substitute for experience. Leadership ability and administrative sensitivity develops over time from contact with real-life situations. It is unrealistic to assume that this young staff will have acquired upon completion of an academic program, the knowledge, the insight and the experience necessary to keep the institution moving forward—without some outside assistance.

This assumption by USAID has encouraged an accelerated phase-out schedule and it can be said that it has pursued it with both enthusiasm and vigor. There is mounting evidence that the schedule is premature and ill advised. Phase-out can be a mechanical operation controlled by the budgetary process; on the other hand, the phase-in is much less amenable to those carefully prepared time tables. Those unpredictable human factors have a habit of upsetting the best laid plans. In our zeal to close out a project at the earliest possible date (and turn to something new) we may negate the basic objective—*that of leaving behind an institution adequately prepared to assume an important role in the nation's economic and social development.*

For this to become an actuality, the College of Agriculture will need some continuing American advisory help after OSU has completed its assignment in 1968. The term American advisory help is used advisedly because I cannot subscribe to the idea that this assistance should come from other than U.S. sources. Such a development could very likely lie detrimental to our long range interests.

It has been my most unusual privilege to have been associated with this venture during the formative years. The opportunity to rejoin the program after a lapse of eight years provided an entirely different vantage point. It has been a rich and rewarding experience augmented by the excellent support of the AID Mission, and especially that of the director and the chief education advisor.

The progress that has been made is nothing short of phenomenal and it is due to the dedicated team effort of the literally hundreds of men and women who have been connected with the program. There were some rough periods when it was touch and go and grit was required to stick it out. The enthusiasm and the backing of the wives was of inestimable value. Recently one of our terminating staff members said, "I've given this program my best. I've put everything I had into it and I haven't spared the horses. But, in spite of this, I feel that I am taking with me far more than I am leaving behind!" No doubt, you share this same feeling.

Our university was one of the first to become involved in an overseas educational program—to recognize that as a great institution of higher learning it had a responsibility for public service than transcended state and national boundaries. There is now on this campus a vast reservoir of know how acquired from educational activities in Ethiopia, Pakistan and Guatemala. Maximum use of these special resources should be made. Let us always be aware that the real struggle in the world today is the battle for the minds of men. Make no mistake about this—the stakes are high, and we are playing for keeps. I do not doubt that our university will continue to assume a major international role in this struggle both on campus and abroad. *Our Ethiopian adventure will soon be history.* But there are greater challenges and greater opportunities for service ahead. What is past is prologue. The curtain rises. We can all be proud that our university has chosen to light a candle rather than to curse the darkness.

EULOGY TO SIDNEY ZAGRI, LABOR LAWYER

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from Hawaii [Mr. Matsunaga] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, I rise to express my deep regret over the untimely passing last week of Sidney Zagri, who had served ably and well in his capacity as legislative director for the International Brotherhood of Teamsters, Chauffeurs, Warehousemen, and Helpers.

Mr. Zagri lost his life in the Montgomery, Ala., restaurant fire which occurred on the night of February 7, 1967.

This 18-year veteran in the field of labor law won the confidence of the 1.7 million members of the International Brotherhood of Teamsters and the respect of those with whom he dealt while representing his organization. He came to his tasks with adequate academic preparation.

A native of California, Mr. Zagri was graduated from the University of California at Los Angeles in 1935 and from there went on to the Harvard Law School for 2 years. The depression of the thirties caused him to resign from Harvard because of financial difficulties, thus forcing a 2-year delay before he was able to earn his bachelor of laws degree.

His professional experience included a period of service as assistant to the chief trial examiner for the National Labor Relations Board, and later as chairman in the labor dispute section of the National War Labor Board. He was in private practice a number of years after resigning from Government work.

Mr. Zagri first joined the Teamsters in 1955, and began to attract attention when he authored Local 688's community action plan. Four years later he came to work in Washington.

I was furnished many opportunities to observe and to hear Mr. Zagri in the committee hearing room. It is my judgment that not only the Teamsters, but labor organizations generally have lost an effective and persuasive spokesman.

I extend my deepest sympathy to Mrs. Zagri and the other members of the family in their great sorrow.

LEGISLATION PROVIDING RECOGNITION FOR OUR MEN IN VIETNAM

Mr. RARICK. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Byrne] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BYRNE of Pennsylvania. Mr. Speaker, recognition of our fighting men in Vietnam and the tremendous sacrifices that they are making every day is one of our major items of business this year. The President sent a message to Congress January 31, asking that we enact the Vietnam Servicemens and Veterans Act of 1967. It embodies legislation which will provide the recognition of the efforts and devotion of our brave men in Vietnam.

We have been favored with an almost unanimous consent of the people of this Nation for such legislation. This is reflected in the fine editorial comment which has appeared across the land in the press.

From my own State, I am happy to read of this fine support for this much-needed legislation. The Sunday Bulletin of Philadelphia used its editorial columns on February 5 to make favorable comment on the President's proposals, and the suggested study of benefits. I am happy to have the opportunity to call this fine editorial to the attention of my colleagues:

[From the Philadelphia (Pa.) Sunday Bulletin, Feb. 5, 1967]

Veterans' Benefits

As President Johnson said in asking Congress for added veterans' benefits, it is essential to show America's fighting men "our full recognition and gratitude for their services in Vietnam and in other troubled areas of the world."

Certainly it is essential to remove all inequities in treatment of Vietnam veterans as contrasted with those extended to those of other wars, with respect to special medical care benefits for disabled veterans, disability compensation and pensions.

An expansion of GI educational benefits, which have proved to be one of the most rewarding of soldier benefits, both to the individual and to the country, can be greeted with satisfaction. So can raising the limits of service life insurance.

And given the nature of the war in Vietnam—a war without front lines—it is just that the hazardous service of American civilians there be suitably recognized in the benefit program.

Let it be remembered, however, that veterans' legislation generally has a far-reaching impact beyond the men in combat zones. It reaches back to touch veterans of past wars and ahead to new generations. It involves many who never hear a shot fired in anger in a population in which ex-GIs constitute a vast and growing segment of the population.

A price tag of $250 million has been placed on the first full year of the additional benefits Mr. Johnson proposes. Much of this would go to veterans of past wars or their families. The total appropriation he asks for veterans in the fiscal year ahead is $6.7 billion.

When the subject of veterans' benefits is introduced, especially in wartime, the congressional advocates of economy are conspicuous by their silence, and understandably so. But the President says that he is directing the administrator of Veterans' Affairs, in consultation with the leading veterans' groups, to conduct a "comprehensive study" of the system and to recommend "proposals to assure that our tax dollars are being utilized most wisely and that our government is meeting fully its responsibilities to all those to whom we owe so much."

It is uncertain just what Mr. Johnson has in mind, but millions of veterans, outside as well as in "leading veterans' groups," have an enormous stake as citizen-taxpayers in truly equitable and well-administered programs.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. Cahill (at the request of Mr. Gerald R. Ford), on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Howard, for 1 hour, on February 21.

(The following Members (at the request of Mr. Carter) to revise and extend their remarks and include extraneous matter:)

Mr. Ashbrook, for 15 minutes, today.

Mrs. Bolton, for 1 hour, February 28.

Mr. Hosmer, for 10 minutes, on Monday next.

Mr. Hosmer, for 10 minutes, tomorrow.

(The following Members (at the request of Mr. Rarick) to revise and extend their remarks and include extraneous matter:)

Mr. Cohelan, for 60 minutes, on February 16.

Mr. Reuss, for 10 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Madden.

Mr. Joelson.

Mr. Fino.

Mr. Sikes.

Mr. Tenzer.

Mr. Moss.

Mr. O'Hara of Illinois to revise and extend his remarks during his special order and include extraneous matter and tables.

(The following Members (at the request of Mr. CARTER) and to include extraneous matter:)

Mr. McCLORY.
Mr. ZWACH.
Mr. WINN.

(The following Members (at the request of Mr. RARICK) and to include extraneous matter:)

Mr. RIVERS.
Mr. KEE.
Mr. JOHNSON of California.
Mr. CELLER.

ADJOURNMENT

Mr. RARICK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 3 minutes p.m.), the House adjourned until tomorrow, Thursday, February 16, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

379. A letter from the Assistant Executive, OASA (R. & D.), Department of the Army, transmitting the report on Department of the Army research and development contracts, for the period July 1, 1966, through December 31, 1966, pursuant to the provisions of Public Law 82–557; to the Committee on Armed Services.

380. A letter from the Secretary, Foundation of the Federal Bar Association, Washington, D.C., transmitting the annual audit report of the foundation for the fiscal year ending September 30, 1966, pursuant to the provisions of Public Law 83–662; to the Committee on the District of Columbia.

381. A letter from the Administrator, National Aeronautics and Space Administration, transmitting a report on the disposal of certain foreign excess property, pursuant to the provisions of section 402 of the Federal Property Administrative Services Act (63 Stat. 398) (40 U.S.C. 512); to the Committee on Government Operations.

382. A letter from the Comptroller General of the United States, transmitting a report of need for strengthening procedures to insure salary comparability for State employment security agencies, State of Georgia Employment Security Agency, Bureau of Employment Security, Department of Labor; to the Committee on Government Operations.

383. A letter from the Comptroller General of the United States, transmitting a report of survey of reviews by the Defense Contract Audit Agency of contractors' price proposals subject to Public Law 87–653, Department of Defense; to the Committee on Government Operations.

384. A letter from the Assistant Secretary for Congressional Relations, Department of State, transmitting a report of claims settled by the Department during the calendar year 1966, pursuant to the provisions of section 3(e) of the Military Personnel and Civilian Employees' Claims Act of 1964; to the Committee on the Judiciary.

385. A letter from the Administrator, Veterans' Administration, transmitting a draft of proposed legislation to amend section 902 of title 38, United States Code, to eliminate certain duplications in Federal benefits now payable for the same, or similar, purpose; to the Committee on Veterans' Affairs.

386. A letter from the Administrator, Veterans' Administration, transmitting a draft of proposed legislation to include railroad retirement benefits as income of veterans for Veterans' Administration pension; to the Committee on Veterans' Affairs.

387. A letter from the Administrator, Veterans' Administration, transmitting a draft of proposed legislation to modify the provisions of title 38, United States Code, relating to the payment of disability compensation for arrested tuberculosis; to the Committee on Veterans' Affairs.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CELLER:

H.R. 5384. A bill to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms; to the Committee on the Judiciary.

H.R. 5385. A bill to provide for the establishment of a Federal Judicial Center; to the Committee on the Judiciary.

H.R. 5386. A bill to protect the right of privacy by prohibiting wire interception and eavesdropping, and for other purposes; to the Committee on the Judiciary.

By Mr. ABERNETHY:

H.R. 5387. A bill to amend title 18, United States Code, to provide penalties for the false accusation of any law enforcement officer of violating the civil rights of any person; to the Committee on the Judiciary.

By Mr. ADAMS:

H.R. 5388. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. BELL:

H.R. 5389. A bill to provide for a more effective and equitable draft system by amending the Universal Military Training and Service Act; to the Committee on Armed Services.

H.R. 5390. A bill to provide an elected mayor, city council, and nonvoting Delegate to the House of Representatives for the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

H.R. 5391. A bill to provide for an Administrative Counsel of the Congress; to the Committee on House Administration.

H.R. 5392. A bill to provide for the compensation of persons injured by certain criminal acts; to the Committee on the Judiciary.

H.R. 5393. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

H.R. 5394. A bill to provide a percentage deduction for certain expenses paid for the higher education of the taxpayer, his spouse, and his dependents; to the Committee on Ways and Means.

H.R. 5395. A bill to amend the Internal Revenue Code of 1954 so as to allow an additional income exemption of $1,200 for a taxpayer or spouse who is a student at an institution of higher education; to the Committee on Ways and Means.

By Mr. BOGGS:

H.R. 5396. A bill consenting to an extension and renewal of the interstate compact to conserve oil and gas; to the Committee on Interstate and Foreign Commerce.

By Mr. BROWN of California:

H.R. 5397. A bill to establish a Joint Congressional Committee on American Manpower and National Security; to the Committee on Rules.

By Mr. BUTTON:

H.R. 5398. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. BYRNE of Pennsylvania:

H.R. 5399. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. CAHILL:

H.R. 5400. A bill to incorporate the Catholic War Veterans of the United States of America; to the Committee on the Judiciary.

By Mr. CLARK:

H.R. 5401. A bill to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard; to the Committee on Merchant Marine and Fisheries.

H.R. 5402. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. CORMAN:

H.R. 5403. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DADDARIO:

H.R. 5404. A bill to amend the National Science Foundation Act of 1950 to make changes and improvements in the organization and operation of the Foundation, and for other purposes; to the Committee on Science and Astronautics.

By Mr. DANIELS:

H.R. 5405. A bill to amend the Railroad Retirement Act of 1937 to provide a 20-percent across-the-board benefit increase (with a minimum retirement annuity of $70 a month) and subsequent increases based on rises in the cost of living, and to finance the cost of these changes out of the general revenues; to the Committee on Interstate and Foreign Commerce.

H.R. 5406. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 5407. A bill to amend title 39, United States Code, to provide a new system of overtime compensation for postal field service employees, to eliminate compensatory time in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 5408. A bill to amend title XVIII of the Social Security Act to provide coverage, under the program of supplementary medical insurance benefits established by part B thereof, of certain expenses incurred by an individual in obtaining certain drugs; to the Committee on Ways and Means.

By Mr. DOLE:

H.R. 5409. A bill concerning Federal tax fairness; to the Committee on Ways and Means.

By Mr. FARBSTEIN:

H.R. 5410. A bill to authorize the issuance of cost-of-living savings bonds; to the Committee on Ways and Means.

By Mr. FINO:

H.R. 5411. A bill to amend the Bank Holding Company Act of 1956 and the Federal Deposit Insurance Act with respect to certain transactions involving nonresidents, and for other purposes; to the Committee on Banking and Currency.

H.R. 5412. A bill to amend section 8332, title 5, United States Code, to provide for the inclusion in the computation of accredited services of certain periods of service rendered States or instrumentalities of States, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 5413. A bill relating to rates of postage on third-class matter mailed by certain nonprofit organizations; to the Committee on Post Office and Civil Service.

By Mr. FINO (by request):

H.R. 5414. A bill to amend chapter 15 of title 38, United States Code, to provide that the award of pension to any person which has been in effect for 10 or more years shall not thereafter be revoked on the basis that the individual did not have the length of service required to qualify therefor, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. FISHER:

H.R. 5415. A bill to amend title 18 of the United States Code to make it a Federal crime to transport stolen sheep or goats in interstate or foreign commerce, and for other purposes; to the Committee on the Judiciary.

H.R. 5416. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. FOLEY:

H.R. 5417. A bill to authorize the Secretary of the Interior to determine that certain costs of operating and maintaining Banks Lake on the Columbia Basin project for recreational purposes are nonreimbursable; to the Committee on Interior and Insular Affairs.

H.R. 5418. A bill to preserve the domestic gold mining industry and to increase the domestic production of gold; to the Committee on Interior and Insular Affairs.

By Mr. GERALD R. FORD:

H.R. 5419. A bill to revise the Federal election laws, and for other purposes; to the Committee on House Administration.

By Mr. FULTON of Pennsylvania:

H.R. 5420. A bill to establish a nationwide system of trails, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 5421. A bill to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health; to the Committee on Interstate and Foreign Commerce.

H.R. 5422. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a deduction from gross income for tuition and other expenses paid by him for his education or the education of his spouse or any of his dependents; to the Committee on Ways and Means.

By Mr. FUQUA:

H.R. 5423. A bill to amend title II of the Social Security Act to increase from $1,200 to $2,400 (or $3,600 in the case of a widow with minor children) the amount of outside earnings permitted each year without deductions from benefits thereunder; to the Committee on Ways and Means.

By Mr. GARMATZ:

H.R. 5424. A bill to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard; to the Committee on Merchant Marine and Fisheries.

By Mr. GILBERT:

H.R. 5425. A bill to amend section 209 of the Merchant Marine Act, 1936, so as to require future authorization of funds for certain programs of the Maritime Administration; to the Committee on Merchant Marine and Fisheries.

H.R. 5426. A bill to promote and foster the development of a modern merchant marine by encouraging the orderly replacement and modernization of merchant vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 5427. A bill to prevent vessels built or rebuilt outside the United States or documented under foreign registry from carrying cargoes restricted to vessels of the United States; to the Committee on Merchant Marine and Fisheries.

H.R. 5428. A bill to amend the Merchant Marine Act, 1936, as amended, by inserting a new title X to authorize aid in developing, constructing, and operating privately owned nuclear-powered merchant ships; to the Committee on Merchant Marine and Fisheries.

H.R. 5429. A bill to amend title V of the Social Security Act so as to extend and improve the Federal-State program of child welfare services; to the Committee on Ways and Means.

By Mr. HALPERN:

H.R. 5430. A bill to amend title 38 of the United States Code so as to increase the educational assistance allowances under the veterans' educational assistance program and to provide special educational assistance under that program to educationally disadvantaged veterans; to the Committee on Veterans' Affairs.

H.R. 5431. A bill to amend title 38 of the United States Code so as to extend to persons who served in the Armed Forces of the United States on or after August 5, 1964, the date of the Gulf of Tonkin incident, the same range of veterans' benefits heretofore provided veterans of other wars; to the Committee on Veterans' Affairs.

H.R. 5432. A bill to amend title 38 of the United States Code so as to provide for increases in maximum coverage under, and otherwise liberalize the provisions of, the servicemen's group life insurance program; to the Committee on Veterans' Affairs.

H.R. 5433. A bill to amend title 38 of the United States Code so as to provide pension increases for veterans of World War I, World War II, and the Korean conflict, for widows of such veterans, and for the children of such veterans who are deceased, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HARRISON:

H.R. 5434. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $900 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemptions for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. HATHAWAY:

H.R. 5435. A bill to amend the Internal Revenue Code of 1954 with respect to the income tax treatment of business development corporations; to the Committee on Ways and Means.

By Mr. HELSTOSKI:

H.R. 5436. A bill to establish a Federal sabbatical program to improve the quality of teaching in the Nation's elementary or secondary schools; to the Committee on Education and Labor.

H.R. 5437. A bill to establish a U.S. Committee on Human Rights to prepare for participation by the United States in the observance of the year 1968 as International Human Rights Year, and for other purposes; to the Committee on Foreign Affairs.

H.R. 5438. A bill to establish a nationwide system of trails, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 5439. A bill to establish an emergency program of direct Federal assistance in the form of direct grants and loans to certain hospitals in critical need of new facilities in order to meet increasing demands for service; to the Committee on Interstate and Foreign Commerce.

H.R. 5440. A bill to amend title 38 of the United States Code in order to establish in the Veterans' Administration a national veterans' cemetery system consisting of all cemeteries of the United States in which veterans of any war or conflict are or may be buried; to the Committee on Interior and Insular Affairs.

H.R. 5441. A bill for the establishment of a Civilian Aviation Academy; to the Committee on Interstate and Foreign Commerce.

H.R. 5442. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. HOLLAND:

H.R. 5443. A bill to improve the safety of railroad transportation under the jurisdiction of the Department of Transportation; to the Committee on Interstate and Foreign Commerce.

By Mr. HORTON:

H.R. 5444. A bill to make certain expenditures made by the village of Fairport, N.Y., eligible as local grants-in-aid for the purpose of title I of the Housing Act of 1949; to the Committee on Banking and Currency.

By Mr. HOWARD:

H.R. 5445. A bill to amend title 5, United States Code, to require Government contributions toward health benefits plans equal to 50 percent of rate charges; to the Committee on Post Office and Civil Service.

By Mr. HUNT:

H.R. 5446. A bill to provide appropriations for sharing of Federal taxes with States and their political subdivisions out of funds derived from a cutback in projected new expansion of grant-in-aid programs and as a substitute for portions of existing grant-in-aid expenditures; to the Committee on Ways and Means.

By Mr. JOELSON:

H.R. 5447. A bill to amend title II of the Social Security Act to provide for the payment of child's insurance benefits to a disabled child over 18, if otherwise qualified, without regard to whether the disability began before or after the child attained such age; to the Committee on Ways and Means.

By Mr. KARTH:

H.R. 5448. A bill to extend for 2 years the period for which payments in lieu of taxes may be made with respect to certain real property transferred by the Reconstruction Finance Corporation and its subsidiaries to other Government departments; to the Committee on Government Operations.

By Mr. KLEPPE:

H.R. 5449. A bill to control unfair trade practices affecting producers of agricultural products and associations of such producers, and for other purposes; to the Committee on Agriculture.

By Mr. LAIRD:

H.R. 5450. A bill to provide appropriations for sharing the Federal taxes with States out of funds derived from a cutback in projected new expansion of grant-in-aid programs and as a substitute for portions of existing grant-in-aid expenditures and to amend the Internal Revenue Code of 1954 to permit individuals to claim a credit against Federal income tax; to the Committee on Ways and Means.

By Mr. LENNON:

H.R. 5451. A bill to authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard; to the Committee on Merchant Marine and Fisheries.

By Mr. McCARTHY:

H.R. 5452. A bill to amend the Federal Aviation Act of 1958 to authorize aircraft noise abatement research and regulation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MACHEN:

H.R. 5453. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. MATHIAS of Maryland:

H.R. 5454. A bill to establish a commission to reform the criminal law and procedure of the District of Columbia; to the Committee on the District of Columbia.

By Mr. MATSUNAGA:

H.R. 5455. A bill to provide assistance to students pursuing programs of higher education in the fields of law enforcement and of correctional treatment of law violators; to the Committee on Education and Labor.

H.R. 5456. A bill to establish an emergency program of direct Federal assistance in the form of direct grants and loans to certain hospitals in critical need of new facilities in order to meet increasing demands for service; to the Committee on Interstate and Foreign Commerce.

By Mr. MILLER of California:

H.R. 5457. A bill to establish the Channel Islands National Park, in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MINISH:

H.R. 5458. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses of academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

By Mr. MULTER:

H.R. 5459. A bill to amend the Small Business Act to provide that a small-business concern may not be denied assistance thereunder solely because of the type of business in which it is engaged, if such business is lawful in the community where such concern is located; to the Committee on Banking and Currency.

H.R. 5460. A bill to provide for reimbursement of U.S. cities for a portion of expenses incurred in connection with the entertainment of foreign officials; to the Committee on Foreign Affairs.

H.R. 5461. A bill to amend the Federal Aviation Act of 1958 in order to provide for research to determine criteria and means for abating objectionable aircraft noise; to the Committee on Interstate and Foreign Commerce.

H.R. 5462. A bill to establish a Commission on Trading Stamp Practices to provide for the regulation of trading stamp companies and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 5463. A bill to amend the Federal Firearms Act and the National Firearms Act; to the Committee on Ways and Means.

By Mr. MURPHY of Illinois:

H.R. 5464. A bill to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health; to the Committee on Interstate and Foreign Commerce.

By Mr. MURPHY of New York:

H.R. 5465. A bill to amend the act of September 2, 1958, to further strengthen scientific accomplishments in our Nation; to the Committee on Education and Labor.

By Mr. O'NEILL of Massachusetts:

H.R. 5466. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. OTTINGER:

H.R. 5467. A bill to provide for posting information in post offices with respect to registration and voting, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 5468. A bill requiring the disclosure of financial interests of Members, officers, and certain employees of the House of Representatives and prohibiting financial transactions with groups seeking to influence legislation or to do business with the Federal Government; to the Committee on Rules.

H.R. 5469. A bill to authorize the Secretary of Commerce to make a study to determine the advantages and disadvantages of increased use of the metric system in the United States; to the Committee on Science and Astronautics.

By Mr. PEPPER:

H.R. 5470. A bill to protect the right of privacy by prohibiting wire interception and eavesdropping, and for other purposes; to the Committee on the Judiciary.

By Mr. PERKINS:

H.R. 5471. A bill to extend for 2 additional years the provisions of certain education acts which would otherwise expire; to the Committee on Education and Labor.

H.R. 5472. A bill to amend the Appalachian Regional Development Act of 1965 to expand certain provisions and to authorize appropriations for an additional 2-year period; to the Committee on Public Works.

By Mr. PETTIS:

H.R. 5473. A bill to provide for the establishment of a national cemetery in San Bernardino County in the State of California; to the Committee on Interior and Insular Affairs.

By Mr. QUIE:

H.R. 5474. A bill to make bedding subject to the provisions of the Flammable Fabrics Act; to the Committee on Interstate and Foreign Commerce.

H.R. 5475. A bill to provide that the city of Hastings, Minn., shall be reimbursed for construction of a flood protection dike along the Vermillion River; to the Committee on Public Works.

H.R. 5476. A bill to amend the Internal Revenue Code of 1954 so as to allow as additional income tax exemption for a dependent who is mentally retarded; to the Committee on Ways and Means.

By Mr. RANDALL:

H.R. 5477. A bill to amend the Uniform Time Act of 1966 in order to change the period during which daylight saving time shall be in effect in the United States to the period from Memorial Day to Labor Day of each year; to the Committee on Interstate and Foreign Commerce.

By Mr. RARICK:

H.R. 5478. A bill to control unfair trade practices affecting producers of agricultural products and associations of such producers, and for other purposes; to the Committee on Agriculture.

H.R. 5479. A bill to amend section 5 of the United Nations Participation Act of 1945 to require approval by the Congress of orders, rules, and regulations issued by the President to implement certain decisions of the Security Council of the United Nations; to the Committee on Foreign Affairs.

H.R. 5480. A bill to amend title II of the Social Security Act to provide that farmers may drop out an additional 2 years of low earnings in the computation of their benefits under the old-age, survivors, and disability insurance system; to the Committee on Ways and Means.

By Mr. REID of New York:

H.R. 5481. A bill to prohibit arbitrary discrimination in employment on account of age, and for other purposes; to the Committee on Education and Labor.

H.R. 5482. A bill to provide that the United States shall reimburse the States and their political subdivisions for real property taxes not collected on real property owned by a foreign government and therefore exempt from taxation; to the Committee on Foreign Affairs.

H.R. 5483. A bill to establish a Redwood National Park in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. REUSS:

H.R. 5484. A bill to amend section 103 of the Internal Revenue Code of 1954 to remove the tax exemption for interest on State and local obligations issued to finance industrial or commercial facilities to be sold or leased to private profitmaking enterprises; to the Committee on Ways and Means.

H.R. 5485. A bill to amend the Internal Revenue Code of 1954 to curb the tax-exempt financing of industrial or commercial facilities used for private profitmaking purposes; to the Committee on Ways and Means.

By Mr. RHODES of Pennsylvania:

H.R. 5486. A bill to improve the safety of railroad transportation under the jurisdiction of the Department of Transportation; to the Committee on Interstate and Foreign Commerce.

By Mr. ROGERS of Colorado:

H.R. 5487. A bill to provide for improved employee-management relations in the Federal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. ROONEY of Pennsylvania:

H.R. 5488. A bill to establish a Federal sabbatical program to improve the quality of teaching in the Nation's elementary or secondary schools; to the Committee on Education and Labor.

H.R. 5489. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

H.R. 5490. A bill to amend the Internal Revenue Code of 1954 to reduce the highway use tax in the case of certain motor vehicles used primarily to haul carnival, circus, and allied outdoor show business equipment, materials, and personnel; to the Committee on Ways and Means.

H.R. 5491. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

By Mr. RUPPE:

H.R. 5492. A bill granting the consent of Congress to a Great Lakes Basin compact, and for other purposes; to the Committee on Foreign Affairs.

By Mr. SAYLOR:

H.R. 5493. A bill to establish a nationwide system of trails, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 5494. A bill to designate the San Rafael Wilderness, Los Padres National Forest, in the State of California; to the Committee on Interior and Insular Affairs.

By Mr. SCOTT:

H.R. 5495. A bill to control unfair trade practices affecting producers of agricultural products and associations of such producers, and for other purposes; to the Committee on Agriculture.

By Mr. SIKES:

H.R. 5496. A bill providing for the leasing of family housing at or in support of military installations or activities; to the Committee on Armed Services.

H.R. 5497. A bill to amend title 10 of the United States Code to provide that the Chief of the Bureau of Yards and Docks of the Department of the Navy shall have the rank of vice admiral; to the Committee on Armed Services.

H.R. 5498. A bill to exclude certain State employees from the application of the Fair Labor Standards Act of 1938; to the Committee on Education and Labor.

H.R. 5499. A bill for the relief of the living descendants of the Creek Nation of 1814; to the Committee on Interior and Insular Affairs.

By Mr. TEAGUE of Texas:

H.R. 5500. A bill to amend title 38 of the United States Code in order to clarify the duties of the Administrator of Veterans' Affairs with respect to the training of health service personnel; to the Committee on Veterans' Affairs.

By Mr. TENZER:

H.R. 5501. A bill to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health; to the Committee on Interstate and Foreign Commerce.

H.R. 5502. A bill to abolish the office of U.S. Commissioner, to establish in place thereof within the judicial branch of the Government the office of U.S. Magistrate, and for other purposes; to the Committee on the Judiciary.

By Mr. THOMPSON of Georgia:

H.R. 5503. A bill to provide for the appointment of postmasters and rural carriers in the postal field service on a merit basis, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. THOMSON of Wisconsin:

H.R. 5504. A bill to increase to 5 years the maximum term for which broadcasting station licenses may be granted; to the Committee on Interstate and Foreign Commerce.

H.R. 5505. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. TUNNEY:

H.R. 5506. A bill to authorize the Secretary of the Interior to waive the acreage limitations in section 1(b) of the act of June 14, 1926, as amended, with respect to public lands that Riverside County, Calif., wishes to purchase for public recreational purposes; to the Committee on Interior and Insular Affairs.

H.R. 5507. A bill to establish a system for the sharing of certain Federal tax receipts with the States; to the Committee on Ways and Means.

By Mr. ULLMAN:

H.R. 5508. A bill for the relief of the city of Albany, Oreg.; to the Committee on the Judiciary.

By Mr. VANIK:

H.R. 5509. A bill to amend title XVIII of the Social Security Act to permit payment to an individual for the charges made by physicians and other person providing services covered by the supplementary medical insurance program prior to such individual's own payment of the bill for the services involved; to the Committee on Ways and Means.

By Mr. VIGORITO:

H.R. 5510. A bill to amend section 48 of the Internal Revenue Code of 1954 to provide that the suspension period for the investment credit shall end on June 30, 1967, in the case of railroad rolling stock; to the Committee on Ways and Means.

By Mr. WAGGONNER:

H.R. 5511. A bill to amend title 38 of the United States Code so as to extend to persons who served in the Armed Forces of the United States on or after August 5, 1964, the date of the Gulf of Tonkin incident, the same range of veterans' benefits heretofore provided veterans of other wars; to the Committee on Veterans' Affairs.

H.R. 5512. A bill to amend title 38 of the United States Code so as to increase the educational assistance allowances under the veterans' educational assistance program and to provide special educational assistance under that program to educationally disadvantaged veterans; to the Committee on Veterans' Affairs.

H.R. 5513. A bill to amend title 38 of the United States Code so as to provide pension increases for veterans of World War I, World War II, and the Korean conflict, for widows of such veterans, and for the children of such veterans who are deceased; and for other purposes; to the Committee on Veterans' Affairs.

H.R. 5514. A bill to amend title 38 of the United States Code so as to provide for increases in maximum coverage under, and otherwise liberalize the provisions of, the servicemen's group life insurance program; to the Committee on Veterans' Affairs.

By Mr. WHITE:

H.R. 5515. A bill to amend title 38 of the United States Code to provide that the United States shall pay the hospital expenses of certain veterans hospitalized under certain circumstances in non-Veterans' Administration hospitals, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WHITTEN:

H.R. 5516. A bill to provide for the designation of a highway from Chattanooga, Tenn., to Memphis, Tenn., as a part of the National System of Interstate and Defense Highways; to the Committee on Public Works.

By Mr. WIDNALL:

H.R. 5517. A bill to provide a percentage deduction for certain expenses paid for the higher education of the taxpayer, his spouse, and his dependents; to the Committee on Ways and Means.

By Mr. WYATT:

H.R. 5518. A bill to provide for appointment by the Postmaster General of postmasters at first-, second-, and third-class post offices; to the Committee on Post Office and Civil Service.

By Mr. ZABLOCKI:

H.R. 5519. A bill to amend the Internal Revenue Code of 1954 to curb the tax-exempt financing of industrial or commercial facilities used for private profitmaking purposes; to the Committee on Ways and Means.

H.R. 5520. A bill to amend section 103 of the Internal Revenue Code of 1954 to remove the tax exemption for interest on State and local obligations issued to finance industrial or commercial facilities to be sold or leased to private profitmaking enterprises; to the Committee on Ways and Means.

By Mr. ZWACH:

H.R. 5521. A bill to clarify the authority of the Secretary of Agriculture to require reasonable bonds from packers in connection with their livestock purchasing operations; to the Committee on Agriculture.

By Mr. FOUNTAIN:

H.R. 5522. A bill to achieve the fullest cooperation and coordination of activities among the levels of government in order to improve the operation of our Federal system in an increasingly complex society, to improve the administration of grants-in-aid to the States, to provide for periodic congressional review of Federal grants-in-aid, to permit provision of certain reimbursable technical services to State and local government, to establish coordinated intergovernmental policy and administration of grants and loans for urban development, to authorize the consolidation of certain grant-in-aid programs, to provide for the acquisition, use, and disposition of land within urban areas by Federal agencies in conformity with local government programs, to establish a uniform relocation assistance policy, to establish a uniform land acquisition policy for Federal and federally aided programs, and for other purposes; to the Committee on Government Operations.

By Mrs. DWYER:

H.R. 5523. A bill to achieve the fullest cooperation and coordination of activities among the levels of government in order to improve the operation of our Federal system in an increasingly complex society, to improve the administration of grants-in-aid to the States, to provide for periodic congressional review of Federal grants-in-aid, to permit provision of certain reimbursable technical services to State and local government, to establish coordinated intergovernmental policy and administration of grants and loans for urban development, to authorize the consolidation of certain grant-in-aid programs, to provide for the acquisition, use, and disposition of land within urban areas by Federal agencies in conformity with local government programs, to establish a uniform relocation assistance policy, to establish a uniform land acquisition policy for Federal and federally aided programs, and for other purposes; to the Committee on Government Operations.

By Mr. FASCELL:

H.R. 5524. A bill to achieve the fullest cooperation and coordination of activities among the levels of government in order to improve the operation of our Federal system in an increasingly complex society, to improve the administration of grants-in-aid to the States, to provide for periodic congressional review of Federal grants-in-aid, to permit provision of certain reimbursable technical services to State and local government, to establish coordinated intergovernmental policy and administration of grants and loans for urban development, to authorize the consolidation of certain grant-in-aid programs, to provide for the acquisition, use, and disposition of land within urban areas by Federal agencies in conformity with local government programs, to establish a uniform relocation assistance policy, to establish a uniform land acquisition policy for Federal and federally aided programs, and for other purposes; to the Committee on Government Operations.

By Mr. REUSS:

H.R. 5525. A bill to achieve the fullest cooperation and coordination of activities among the levels of government in order to improve the operation of our Federal system in an increasingly complex society, to improve the administration of grants-in-aid to the States, to permit provision of certain reimbursable technical services to State and local government, to establish coordinated intergovernmental policy and administration of grants and loans for urban development, to authorize the consolidation of certain grant-in-aid programs, to provide for the acquisition, use, and disposition of land within urban areas by Federal agencies in conformity with local government programs, to establish a uniform relocation assistance policy, to establish a uniform land acquisition policy for Federal and federally aided programs, and for other purposes; to the Committee on Government Operations.

By Mr. MACHEN:

H.R. 5526. A bill to achieve the fullest cooperation and coordination of activities among the levels of government in order to improve the operation of our Federal system in an increasingly complex society, to improve the administration of grants-in-aid to the States, to provide for periodic congressional review of Federal grants-in-aid, to permit provision of certain reimbursable technical services to State and local government, to establish coordinated intergovernmental policy and administration of grants and loans for urban development, to authorize the consolidation of certain grant-in-aid programs, to provide for the acquisition, use, and disposition of land within urban areas by Federal agencies in conformity with local government programs, to establish a uniform relocation assistance policy, to establish a uniform land acquisition policy for Federal and federally aided programs, and for other purposes; to the Committee on Government Operations.

By Mr. ULLMAN:

H.R. 5527. A bill to achieve the fullest cooperation and coordination of activities among the levels of government in order to improve the operation of our Federal system in an increasingly complex society, to improve the administration of grants-in-aid to the States, to provide for periodic congressional review of Federal grants-in-aid, to permit provision of certain reimbursable technical services to State and local government, to establish coordinated intergovernmental policy and administration of grants and loans for urban development, to authorize the consolidation of certain grant-in-aid programs, to provide for the acquisition, use, and disposition of land within urban areas by Federal agencies in conformity with local government programs, to establish a uniform relocation assistance policy, to establish a uniform land acquisition policy for Federal and federally aided programs, and for other purposes; to the Committee on Government Operations.

By Mr. FOUNTAIN:

H.R. 5528. A bill to provide for uniform, fair, and equitable treatment of persons, businesses, or farms displaced by Federal and federally assisted programs; to the Committee on Public Works.

By Mr. PATMAN:

H.J. Res. 293. Joint resolution to amend the National Housing Act, and other laws relating to housing and urban development, to correct certain obsolete references; to the Committee on Banking and Currency.

By Mr. BARRETT:

H.J. Res. 294. Joint resolution to amend the National Housing Act, and other laws relating to housing and urban development, to correct certain obsolete references; to the Committee on Banking and Currency.

By Mr. BELL:

H.J. Res. 295. Joint resolution to require Members of Congress to file at the beginning of each regular session of each Congress a financial statement and a statement of business dealings with the Federal Government; to the Committee on Rules.

By Mr. CASEY:

H.J. Res. 296. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. FISHER:

H.J. Res. 297. Joint resolution to change the name of Twin Buttes Dam and Twin Buttes Reservoir on the San Angelo project, Texas, to Bryant Dam and Bryant Reservoir; to the Committee on Interior and Insular Affairs.

By Mr. HALEY:

H.J. Res. 298. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. HOWARD:

H.J. Res. 299. Joint resolution concerning a national education policy; to the Committee on Education and Labor.

By Mr. LEGGETT:

H.J. Res. 300. Joint resolution to authorize the President to proclaim annually National Improved Order of Red Men Week; to the Committee on the Judiciary.

By Mr. McCLORY:

H.J. Res. 301. Joint resolution providing for the observance of Memorial Day and Independence Day on days other than those now fixed by law; to the Committee on Judiciary.

By Mr. OTTINGER:

H.J. Res. 302. Joint resolution to revise the laws relating to political contributions in connection with Federal elections, and for other purposes; to the Committee on Ways and Means.

By Mr. RARICK:

H.J. Res. 303. Joint resolution proposing an amendment to the Constitution of the United States with respect to the offering of prayer in public buildings; to the Committee on Judiciary.

By Mr. ROONEY of Pennsylvania:

H.J. Res. 304. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. RYAN:

H.J. Res. 305. Joint resolution to establish a Joint Committee on Foreign Information and Intelligence; to the Committee on Rules.

By Mr. SIKES:

H.J. Res. 306. Joint resolution proposing an amendment to the Constitution of the United States to permit the offering of prayer in public schools; to the Committee on the Judiciary.

By Mr. STEED:

H.J. Res. 307. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. BELL:

H. Con. Res. 197. Concurrent resolution condemning persecution by the Soviet Union of persons because of their religion; to the Committee on Foreign Affairs.

H. Con. Res. 198. Concurrent resolution expressing the sense of Congress that the President should instruct the U.S. mission to the United Nations to bring the Baltic States question before that body with a view to obtaining the withdrawal of Soviet troops from Lithuania, Latvia, and Estonia; the return of exiles from these nations from slave-labor camps in the Soviet Union; and the conduct of free elections in these nations; to the Committee on Foreign Affairs.

By Mr. CABELL:

H. Con. Res. 199. Concurrent resolution to provide early appropriations for Federal educational programs; to the Committee on Rules.

By Mr. CELLER:

H. Con. Res. 200. Concurrent resolution to print as a House document the Constitution of the United States; to the Committee on House Administration.

By Mr. CONYERS:

H. Con. Res. 201. Concurrent resolution reaffirming the support of the Congress for United Nations' peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. JOELSON:

H. Con. Res. 202. Concurrent resolution to establish a Joint Committee on Ethics in the legislative branch of Government; to the Committee on Rules.

By Mr. MATSUNAGA:

H. Con. Res. 203. Concurrent resolution to provide early appropriations for Federal educational programs; to the Committee on Rules.

By Mr. NATCHER:

H. Con. Res. 204. Concurrent resolution marking the 175th anniversary of the admission of Kentucky to the Union; to the Committee on the Judiciary.

By Mr. PELLY:

H. Con. Res. 205. Concurrent resolution to provide early appropriations for Federal educational programs; to the Committee on Rules.

By Mr. QUILLEN:

H. Con. Res. 206. Concurrent resolution expressing the sense of the Congress with respect to recent decisions of the Supreme Court weakening the attempts of State and local governments to guard against the employment of members of subversive organizations; to the Committee on the Judiciary.

By Mr. ROSENTHAL:

H. Con. Res. 207. Concurrent resolution to establish a Joint Committee on Central Intelligence; to the Committee on Rules.

By Mr. WAMPLER:

H. Con. Res. 208. Concurrent resolution expressing the sense of the Congress with respect to recent decisions of the Supreme Court weakening the attempts of State and local governments to guard against the employment of members of subversive organizations; to the Committee on the Judiciary.

By Mr. ZWACH:

H. Con. Res. 209. Concurrent resolution concerning early Federal-aid payments; to the Committee on Rules.

By Mr. CONYERS:

H. Res. 246. Resolution authorizing Members of the House of Representatives to employ during each summer one student congressional intern; to the Committee on House Administration.

By Mr. CONTE:

H. Res. 247. Resolution amending the Rules of the House of Representatives to permit the presentation and recognition in the Hall of the House of holders of the Congressional Medal of Honor, and for other purposes; to the Committee on Rules.

By Mr. FALLON:

H. Res. 248. Resolution to provide funds for the expenses of the studies, investigations, and inquiries authorized by House Resolution 203; to the Committee on House Administration.

By Mr. GERALD R. FORD:

H. Res. 249. Resolution creating a Select Committee on Standards and Conduct; to the Committee on Rules.

By Mr. HUNT:

H. Res. 250. Resolution amending the Rules of the House of Representatives to permit the presentation and recognition in the Hall of the House of holders of the Congressional Medal of Honor, and for other purposes; to the Committee on Rules.

By Mr. JOELSON:

H. Res. 251. Resolution relating to the seating of Members of the House of Representatives; to the Committee on House Administration.

By Mr. McCLORY:

H. Res. 252. Resolution amending the Rules of the House of Representatives to allow televising and broadcasting of proceedings before committees of the House; to the Committee on Rules.

H. Res. 253. Resolution authorizing Members of the House of Representatives to employ during each summer one student congressional intern; to the Committee on House Administration.

H. Res. 254. Resolution amending the rules of the House of Representatives to allow televising and broadcasting of proceedings in the Hall of the House; to the Committee on Rules.

By Mr. OTTINGER:

H. Res. 255. Resolution creating a Select Committee on Standards and Conduct; to the Committee on Rules.

By Mr. ROGERS of Florida:

H. Res. 256. Resolution creating a Select Committee on Standards and Conduct; to the Committee on Rules.

By Mr. WYMAN:

H. Res. 257. Resolution creating a Select Committee to conduct an investigation and study of the administration, operation, and enforcement of the Export Control Act of 1949, and related acts; to the Committee on Rules.

By Mr. FALLON:

H. Res. 258. Resolution to grant additional travel authority to the Committee on Public Works; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

19. By Mr. HARRISON: Memorial of the 39th session of the State Legislature of the State of Wyoming memorializing the Congress of the United States to authorize the Post Office Department to authorize a postage stamp recognizing the Territorial Centennial of Wyoming in 1969; to the Committee on Post Office and Civil Service.

20. Also, memorial of the 39th session of the State legislature of the State of Wyoming memorializing the Postmaster General of the United States and the congressional delegation of the State of Wyoming in favor of the issuance of a postage stamp, in 1969, commemorating woman suffrage in Wyoming and honoring Esther Hobart Morris; to the Committee on Post Office and Civil Service.

21. By the SPEAKER: Memorial of the Legislature of the State of California, relative to naming the forebay dam and reservoir of the San Luis Dam and Reservoir in honor of J. E. O'Neill; to the Committee on Interior and Insular Affairs.

22. Also, memorial of the Legislature of the State of Wyoming, relative to the year-round maintenance of certain highways; to the Committee on Public Works.

23. Also, memorial of the Legislature of the State of Wyoming, relative to the issuance of a commemorative stamp recognizing the Territorial Centennial of Wyoming in 1969; to the Committee on Post Office and Civil Service.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 5529. A bill for the relief of Louis Adler; to the Committee on the Judiciary.

H.R. 5530. A bill for the relief of Kalman Rubinstein; to the Committee on the Judiciary.

H.R. 5531. A bill for the relief of Olivia Violet Tennyson; to the Committee on the Judiciary.

By Mr. ANNUNZIO:

H.R. 5532. A bill for the relief of Catlina Chien Hsia; to the Committee on the Judiciary.

By Mr. BELL:

H.R. 5533. A bill for the relief of Clyde Bruce Aitchison, Jr.; to the Committee on the Judiciary.

H.R. 5534. A bill for the relief of Gruja Apostolovic and his spouse, Desanka Apostolovic; to the Committee on the Judiciary.

H.R. 5535. A bill for the relief of Leonard Alfred Brownrigg; to the Committee on the Judiciary.

H.R. 5536. A bill for the relief of Mrs. Kornelia Pari-rokh Afshar-Djarfari; to the Committee on the Judiciary.

H.R. 5537. A bill for the relief of Miss Eleni Spanopulo; to the Committee on the Judiciary.

By Mr. CASEY:

H.R. 5538. A bill for the relief of Tony Law, also known as Kam Mon Law; to the Committee on the Judiciary.

By Mr. CONYERS:

H.R. 5539. A bill for the relief of Dr. Andres Parras; to the Committee on the Judiciary.

By Mr. DANIELS:

H.R. 5540. A bill for the relief of Ilias Venetis and family (wife, Catherine Venetis and child, Panagiotis); to the Committee on the Judiciary.

H.R. 5541. A bill for the relief of Antonio Parisi; to the Committee on the Judiciary.

By Mr. DONOHUE:

H.R. 5542. A bill for the relief of Guglielmo Fabrizi; to the Committee on the Judiciary.

H.R. 5543. A bill for the relief of Ifigenia Mitrokostas; to the Committee on the Judiciary.

H.R. 5544. A bill for the relief of Yanina Opielowska; to the Committee on the Judiciary.

H.R. 5545. A bill for the relief of Janina Podgorska; to the Committee on the Judiciary.

By Mr. FASCELL:

H.R. 5546. A bill for the relief of Roger Robert Baudry; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 5547. A bill for the relief of Baingio and Sabina Arrica; to the Committee on the Judiciary.

H.R. 5548. A bill for the relief of Mrs. Vera Cvetkovic; to the Committee on the Judiciary.

H.R. 5549. A bill for the relief of Barrington Ferguson and Mildred Evett Ferguson; to the Committee on the Judiciary.

H.R. 5550. A bill for the relief of Vincenzo Gallina; to the Committee on the Judiciary.

H.R. 5551. A bill for the relief of Vito Gissara and Gaetano Gissara; to the Committee on the Judiciary.

H.R. 5552. A bill for the relief of Stephen O. K. Chen and Ching Nun Ho; to the Committee on the Judiciary.

H.R. 5553. A bill for the relief of Giovanni Tamburello; to the Committee on the Judiciary.

H.R. 5554. A bill for the relief of Ascenzio Undari; to the Committee on the Judiciary.

By Mr. FOLEY:

H.R. 5555. A bill for the relief of Eduard Samuel Farag; to the Committee on the Judiciary.

By Mr. GRAY:

H.R. 5556. A bill for the relief of Mrs. Elda Martin; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 5557. A bill for the relief of Athanasia Liakokos; to the Committee on the Judiciary.

By Mr. HATHAWAY:

H.R. 5558. A bill to authorize an exchange of lands at Acadia National Park, Maine; to the Committee on Interior and Insular Affairs.

By Mr. MONTGOMERY:

H.R. 5559. A bill for the relief of W. J. B. Daniel; to the Committee on the Judiciary.

By Mr. MOSS:

H.R. 5560. A bill for the relief of Wong Kam Foon, also known as Yee Kam Foon and Hom Ngau Nui; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 5561. A bill for the relief of Francesco Vultaggio; to the Committee on the Judiciary.

By Mr. O'HARA of Illinois:

H.R. 5562. A bill for the relief of Diamantis Thomas; to the Committee on the Judiciary.

By Mr. OTTINGER:

H.R. 5563. A bill for the relief of Kevin Mandel; to the Committee on the Judiciary.

By Mr. REES:

H.R. 5564. A bill for the relief of Poorandokht Rashti Broumand; to the Committee on the Judiciary.

By Mr. REID of New York:

H.R. 5565. A bill for the relief of Mrs. Maud A. Provoost; to the Committee on the Judiciary.

By Mr. REUSS:

H.R. 5566. A bill to provide for the relief of the trustee of the bondholders of the Bankers Joint Stock Land Bank of Milwaukee, Wis.; to the Committee on the Judiciary.

By Mr. ROONEY of New York:

H.R. 5567. A bill for the relief of Mr. and Mrs. Mario Buraglia and their children, Concetta and Giuseppe Buraglia; to the Committee on the Judiciary.

By Mr. ROSENTHAL:

H.R. 5568. A bill for the relief of Nasser Shahoulian; to the Committee on the Judiciary.

H.R. 5569. A bill for the relief of Mrs. York Wong Chin Shun; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 5570. A bill for the relief of Rita Castillo; to the Committee on the Judiciary.

By Mr. ST. ONGE:

H.R. 5571. A bill for the relief of Dr. Romeo Puruganan; to the Committee on the Judiciary.

By Mr. SMITH of Iowa:

H.R. 5572. A bill for the relief of Dr. Violeta Poblacion; to the Committee on the Judiciary.

By Mr. THOMPSON of Georgia:

H.R. 5573. A bill for the relief of Dr. Rajaram Krishna Prabhudesai; to the Committee on the Judiciary.

By Mr. TUNNEY:

H.R. 5574. A bill for the relief of Jesus del Castillo Sanchez-Canete; to the Committee on the Judiciary.

By Mr. ULLMAN:

H.R. 5575. A bill for the relief of Panagiotis Basil Paulus; to the Committee on the Judiciary.

By Mr. VAN DEERLIN:

H.R. 5576. A bill for the relief of the widow of Joseph H. Belcher; to the Committee on the Judiciary.

H.R. 5577. A bill for the relief of Guiseppe Roberto Franco; to the Committee on the Judiciary.

By Mr. YOUNGER:

H.R. 5578. A bill for the relief of Kathryn Sanders; to the Committee on the Judiciary.

H.R. 5579. A bill for the relief of Bruna Venturi; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

30. By the SPEAKER: Petition of Douglas Mattern, Palto Alto, Calif., and others, relative to the use of napalm in Vietnam; to the Committee on Armed Services.

31. By Mr. COHELAN: Petition of members and friends of the Berkeley Fellowship of Unitarians, Berkeley, Calif., pertaining to moral issues of the war in Vietnam; to the Committee on Foreign Affairs.

32. By the SPEAKER: Petition of Household goods Forwarders Association of America, Inc., Washington, D.C., relative to the review of charges for the diversion of overseas household goods shipments at points in the continental United States; to the Committee on Government Operations.

EXTENSIONS OF REMARKS

Tribute to the American Sokol Movement

EXTENSION OF REMARKS

OF

HON. CHARLES S. JOELSON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 1967

Mr. JOELSON. Mr. Speaker, the American Sokol movement has recently observed a 101st anniversary. Its founders came mainly from Bohemia, an area now familiar to us as a part of Czechoslovakia. The durable organization which they began has always had as its purposes the physical, mental, and cultural training of its members.

Those members now number over 250,000 Americans. Their splendid organization is entirely self-supporting. With the dues it collects and the donations it receives it builds and staffs gymnasia, foreign language schools, libraries, summer camps, and many other physical and cultural programs and activities.

It has a magnificent motto: "For neither profit nor glory." That motto conveys the stress laid on independence, initiative, and self-discipline by the Sokol movement.

Some of its members are as young as 6, some are over 60, but boys and girls, men and women, all share in the benefits of an athletic and recreational program that is second to none in this country. Think of the value to children and teenagers of an organized program like Sokol's. The approach taken by Sokol is the one that avoids juvenile idleness and juvenile delinquency, that builds health through physical fitness, that inculcates a democratic spirit by team play, and that makes tomorrow's leaders of today's children.

Federal Juries

EXTENSION OF REMARKS

OF

HON. JOHN E. MOSS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 1967

Mr. MOSS. Mr. Speaker, I wish to discuss at least one very important provision of the proposed Civil Rights Act of 1967.

That portion of the act which deals with the selection of jurors in Federal courts. This statute is designed to insure that each Federal jury will be properly representative of the community. To this end, the bill prohibits discrimination in jury selection on account of race, color, religion, sex, national origin, or economic status.

Other provisions specify the procedures which are to be used to select jurors for Federal district courts. The names of potential jurors are to be obtained by random selection from voter-registration lists. If voter rolls are not sufficiently representative in a particular area, the judicial council of the circuit is to designate supplementary sources.

With respect to qualifications for jury service, only objective criteria such as age, citizenship, and literacy are to be used. This will eliminate the possibility of abuse which is present when subjective standards such as "character" and "intelligence" are applied, a practice currently followed in some districts and which usually leads to underrepresentation of members of minority groups and persons of low income. The evidence shows that members of all racial and economic groups are equally capable of performing jury service.

The basic features of the proposed statute—use of voter registration lists, random selection, and objective qualifications—will lead to juries which represent a broad cross section of the community. I support this and each of the other portions of the Civil Rights Act of 1967.

The Vietnam Conflict Servicemen and Veterans Act of 1967

EXTENSION OF REMARKS

OF

HON. L. MENDEL RIVERS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 1967

Mr. RIVERS. Mr. Speaker, over 11,000 miles away from their native homeland, over 400,000 Americans are involved in protecting the lives of approximately 15 million South Vietnamese and other Asians threatened with subjugation or death by communism from outside their own country. These valiant American soldiers are defending freedom, not just for those Asians, but for all free peoples.

Several hundred thousand other Americans have already fought the "good fight" in the cause of freedom on that foreign soil.

These Americans—the essence of the finest of American youth—are fighting the continuing battle for freedom over 65,000 square miles. For, within every rice paddy, within every delta, the specter of the subversive Vietcong lurks.

Aided by the communistic regime of North Vietnam, these Vietcong torture, pillage, destroy, and murder the populace. Their intimidation knows no bounds because of the designation "civilian." Their ruthless attempt to conquer these free peoples has been answered with the might of this Nation. Our young men have taken up the fight, and their sacrifices compare with those of men from our past wars.

Our fighting men do not know the term "retreat." Here in America these men deserve our every consideration. We must not retreat, either, and must act in their behalf. We must provide for these men when they have fought the fight and return home to receive the plaudits of a grateful Nation, just as all of our other veterans.

The call to duty—the same call that has gone out to millions before them—was answered by these young men. Today, they bear arms in the name of this Nation.

On January 31 the President sent us a message dealing with veterans benefits for these brave young men. He called the proposed legislation the Vietnam Conflict Servicemen and Veterans Act of 1967.

I am wholeheartedly behind any actions this body may take to rectify the inequities which now exist for our servicemen who are fighting in Vietnam.

Baker University Celebrates Its 109th Anniversary

EXTENSION OF REMARKS

OF

HON. LARRY WINN, JR.

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 1967

Mr. WINN. Mr. Speaker, on this past Sunday, February 12, 1967, Baker University of Baldwin, Kans., celebrated the 109th anniversary of its founding. Baker, the oldest college in Kansas, is controlled and maintained by the Kansas Conference of the Methodist Church. It was founded by the Kansas-Nebraska Conference of the Methodist Church and named in honor of the conference founder, Bishop Osmon C. Baker.

The school received its charter on February 12, 1858, and under the leadership of its first president, the Reverend Werter R. Davis, began its work of instruction on November 22, 1858, only 4½ years after the opening of the Kansas Territory to white settlers. From that date to the present the college's record of service has been unbroken.

In just the past year, Baker University has shown astounding growth. Seventeen new professors and part-time instructors have joined the staff of the school. The most recent is Dr. Arthur W. Davidson, former chairman of the University of Kansas Department of Chemistry and author of two college chemistry textbooks. He comes as Baker's first visiting distinguished professor.

One of the most exciting programs which Baker is undertaking is the building of a sister college in the country of Botswana in Africa. This summer 12 Baker professors and 18 students will go to Botswana to work in that country for 4 weeks and assist it in building the college. In addition, Bishop Ralph Dodge of Rhodesia will join the Baker faculty in 1968 to head the new African studies program.

With the advent of these new and exciting programs Baker University can look to the future with the same confidence which allows it to build on the solid foundations of its past.

Fino Introduces Second Bill To Regulate Foreign Banking Operations on Basis of Reciprocity

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 1967

Mr. FINO. Mr. Speaker, today I am introducing a bill to amend the Bank Merger and Bank Holding Company Acts so as to require that mergers and holding company acquisitions involving foreign-controlled banks and bank holding companies shall be judged—by the appropriate regulatory agencies under the several acts—by an additional standard in addition to the competitive criteria already on the books. The new criteria by which such transactions are to be measured is simply reciprocity: whether or not the home nation of the foreign-controlled bank or bank holding company allows U.S.-controlled banks or bank holding companies to undertake similar transactions.

The bill I am introducing today is a companion to my bill, H.R. 570, which is identical to the Javits bill introduced last August. H.R. 570, designed to centralize power over foreign bank branches, agencies, and subsidiaries within the United States in the hands of the Comptroller of the Currency, does not affect merger or holding company transactions.

Under H.R. 570, a foreign banking corporation desirous of establishing a branch, agency, or subsidiary within the United States—except a state prohibiting foreign banking operations—would apply to the Comptroller of the Currency. Existing branches, agencies, and subsidiaries would apply within 1 year. The Comptroller would assess applications by taking a number of factors into consideration; among other things, he would consult with the Department of State. Under H.R. 570, the Comptroller would have the power to deny applications of foreign banking corporations where the homeland of those corporations does not grant similar opportunities to U.S. banks.

I believe that reciprocity must be an essential part of any Federal foreign bank regulatory bill. I say this because any Federal regulatory system would supersede State regulation, and the leading foreign banking State, New York, already has a reciprocity requirement blocking branches of banks of nations—that is, Canada—which do not allow U.S. bank branches. Certainly we do not want to pass legislation which would knock out the New York State reciprocity requirement without setting up another. That would reward Canada for financial chauvinism. Clearly, reciprocity is essential.

Because H.R. 570 does not extend to merger and holding company transactions—or to stock acquisitions by foreign nonbanking corporations—I am today moving to fill that gap. I believe that we ought to set up new reciprocity standards for regulated merger and bank holding company transactions where foreign enterprise is on the move to take over U.S. banks.

Last year, the California-Canadian Bank of San Francisco merged with—acquired—the Northern California Bank of San Mateo. The first—acquiring—bank is a subsidiary of a Canadian bank. At the time the California-Canadian Bank applied to the Federal Deposit Insurance Corporation for merger approval, Canada was considering legislation to further restrict American banking in Canada. Yet for want of authority to judge the proposed merger by standards of reciprocity, Chairman Randall of the FDIC was not authorized to deny the proposed merger. He reluctantly approved it, although noting both the unfriendly attitude of Canada and the fact that the proposed merger would expand Canadian banking activities in the United States.

Mr. Speaker, Canada has bigger banking interests in the United States than any other foreign nation. Canada has bank agencies in New York and California, subsidiaries in both States, and considerable operations in Oregon, Puerto Rico, and the Virgin Islands. These operations have assets, I believe, of about $5 billion. Five billion dollars, Mr. Speaker, and Canada expects us to take things lying down when U.S. banks, which are already denied agency and branching privileges in Canada, are to be kept from owning more than a certain percentage of Canadian banks.

I hope that Congress will give my foreign bank regulatory legislation full consideration. I particularly urge Congress to insist that any such legislation contain reciprocity provisions.

Agricultural Marketing Act of 1967

EXTENSION OF REMARKS

OF

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 1967

Mr. ZWACH. Mr. Speaker, last week I introduced a bill which will guarantee farmers certain rights in marketing their products. The bill, H.R. 5275, would assure farmers the right to belong to a marketing or bargaining association, or any other organization, without fear of discrimination by processors, buying agents, and handlers. It would, likewise, prohibit these groups from intimidating farmers from belonging to such organizations.

I believe this legislation is important—probably more important today than ever before. It is the desire of all of us to move in the direction of less government involvement in the marketing and price mechanism of agriculture. But I strongly feel that if we are to realize this goal for farmers, new institutions, owned, operated, and controlled by farmers, must move into the picture to take over a portion of the role which government has played in recent years.

Farmers must band together in associations which will be able to sit down with buyers, packers, and processors to negotiate price structures, contract conditions, and other factors necessary to guarantee an adequate supply of food for consumers at a fair price to farmers.

To be sure this can be accomplished, this type of legislation needs to be provided. We are not suggesting that there have been great abuses of marketing rights in the past. We are suggesting that there could be in the future as farmers move to strengthen their position in our private competitive system.

Congress has the responsibility of establishing the rules which guide our system of self-government. H.R. 5275 merely adds another rule which guarantees our farmers a "fair shake" in their attempts to carry on their role in our society. Several of my colleagues have also introduced this legislation. I hope more will do so soon. I commend you all to study this legislation and lend your support to it.

Kiewit Computer Center Dedicated on Dartmouth Campus

EXTENSION OF REMARKS

OF

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 1967

Mr. McCLORY. Mr. Speaker, the utility of automatic data processing is gaining greater recognition every day. Recently on the campus of my alma mater, Dartmouth College, Hanover, N.H., a new computer center was dedicated. This facility established at a cost of several million dollars was made possible, in large part, through the generosity of a fellow alumnus, Peter D. Kiewit. Mr. Kiewit is a member of the class of 1922 and a successful businessman in Omaha, Nebr.

The Kiewit Computer Center will house a new $2½ million General Electric 265 computer. The impact of computers on knowledge, education, the university, and society were highlighted in a panel discussion presented by an impressive group of educators and automatic data processing specialists. The panel discussion followed addresses by Frances Keppel, former U.S. Commissioner of Education, who is now chairman of the board of General Learning Corp., and Hershner Cross, vice president and group executive of the General Electric Co.

Nearly 200 persons from the educational, scientific, business, and publishing worlds attended the 2-day conference. In his remarks on "The Future Impact of Computers," Mr. Kiewit observed that "during the last half century we have experienced probably the greatest scientific advance that will ever happen in the history of mankind. And this computer center that we are dedicating here today is symbolic of this great progress. The computers now installed, and the vastly improved models that will inevitably follow, will have capabilities far beyond the most optimistic dreams of anyone who was in college when I was."

Mr. Speaker, the values of automatic data processing to our educational institutions, to our modern industrial community, as well as to our governmental functions, are becoming more apparent daily. It is certainly timely for the Congress of the United States to authorize establishment in the Library of Congress of an automatic data processing facility that can serve the needs of the Members of this House as well as of the other body. Many of my colleagues have joined me in introducing legislation which will provide this authority. I am hopeful that just as the Kiewit Computer Center has become a reality on the Dartmouth College campus, so a computer center in the Library of Congress can become a reality to benefit directly the elected representatives of the people and thereby benefit indirectly the Nation itself.

The Kee Report: Budget Cutting

EXTENSION OF REMARKS

OF

HON. JAMES KEE

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 1967

Mr. KEE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include this week's public service television and radio newscast, "The Kee Report." The subject discussed is "Budget Cutting."

The report follows:

THE KEE REPORT: BUDGET CUTTING

This is Jim Kee, bringing you the Kee Report.

Each year, shortly after Congress assembles, a lively discussion breaks out about the greatest fiscal operation on Earth. This operation is better known as the Federal Budget, meaning the President's estimate of how much money the Government will take in during the year ahead and how much it will cost to run the Government during the same period.

Budget talk is rather complicated even for advanced students of economics. The difficulty is increased by the fact that the Government's fiscal year begins on July 1, and ends 12 months later. In other words, Congress is now considering the estimates for the year 1968.

There is no disagreement, however, about calling this the world's largest fiscal operation. The budget in no other country equals that of the United States. The money spent by Uncle Sam supports a host of activities that are essential to you, both at home and abroad. There is another very important aspect to this operation. The money spent by Uncle Sam provides a strong underpinning for the national economy, which is now at a record level. Financial experts agree that too deep a slash in Federal spending could bring on a serious business recession.

The budget recently submitted to Congress by the President calls for record expenditures and strong demands have been made that the Congress should economize. The public has a right, a duty, to demand the prudent use of its tax money and the elimination of waste in Federal spending.

Until the House Appropriations Committee completes its study of budget estimates, it will be impossible to say what spending can be cut without endangering national interests. However, a few essential facts should be borne in mind in considering the Federal Budget.

In some of the main areas of spending, it is impossible to reduce expenditures without endangering national security, or violating the sacred pledge of our Government to its citizens.

The first area of spending is national defense. Direct military expenditures for the next fiscal year will exceed 74 billion dollars. Indirect defense spending for the atomic program and the space program will add millions more. During our lifetime, more than 20 nations have lost their liberty, because they lacked the military capacity to defend themselves. We do not want that to happen to our nation.

Interest on the National Debt will reach about 14 billion dollars. There is no way to escape this obligation. The budget estimates call for $6 billion to operate the Veterans Administration. We certainly do not want to escape the debt we owe our exservicemen and women and their dependents.

During the next few years the Government will spend huge sums to abate the dangers of air pollution and water pollution. This is a new area of Federal spending. However, it could be avoided only at extreme peril to public health.

I believe Congress can and will cut spending in non-vital areas. But care will be taken to avoid harm to the national wellbeing.

Thank you for listening.

Help for Our Gold Mining Industry

EXTENSION OF REMARKS

OF

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 1967

Mr. JOHNSON of California. Mr. Speaker, I want to call to the attention of my colleagues remarks made by Congressman ARNOLD OLSEN of Montana at the Seventh Annual Mining Conference and Exhibition in Denver, Colo., February 11.

I share Congressman OLSEN's concern for the state of our disappearing gold-mining industry. Yesterday he introduced a bill in the House calling for assistance to encourage increased production of gold, and I request that his remarks in Denver be inserted in the CONGRESSIONAL RECORD at this time:

GOLD SUBSIDY BILL

I was eager to accept the invitation to come to Denver today to visit with you briefly about the dwindling production of gold; a problem which, unless solved, could very soon seriously threaten our already weakened gold reserve.

All of us who lived through the difficult years of the late twenties and early thirties, when our Nation was afflicted by the greatest depression the World has ever known, know it would be absurd to ask any citizen to exist now on what it cost him to live then. It is equally absurd to ask the gold mining industry to attempt to survive with the same income it received 35 years ago.

Yet this is exactly what the current Government policy relating to gold producers demands. Over the years our Government has asked the domestic gold-mining industry to attempt to survive in the face of rising costs and regulations fixing the price of its product.

It is a matter of record that production costs in every industry have increased over the years and, as you all know, the gold industry is no exception. And the absurdity of existing regulations are supported by the fact that, while there is plenty of gold in our hills, the production of gold has become more and more a "by-product enterprise."

Unfortunately, our Government sometimes doesn't patch the hole in the henhouse door until all the hens have gotten away. Action should have been taken sooner, and much of the damage is already done, but I think it is time to patch the hole in the door while we still have a hen or two left.

Right now we have only one major producer of gold in this country, the Carlin Gold Mining Company of Elko, Nevada. Only twenty-five producers supply 94 percent of all our domestic production of gold. Actually three firms represent approximately two-thirds of our national production and much of the gold mined in this nation is a by-product of a base-metal mining operation.

Many mines have closed down and their works are in varying degrees of decay. Experts predict that unless something is done immediately gold mining will disappear as an industry by 1970.

The seriousness of this situation is accentuated by other considerations. First, our gold reserve has been gradually reduced over the last several years, and, second, there has been a spectacular increase in the consumption of gold in the arts and industry. The use of gold by the arts and industry has exceeded our domestic production of gold every year since 1957, and in the last four years it has doubled. For the first time in modern monetary history, all newly mined gold is going into private hands.

Our gold production continues to decrease at a startling rate and the call for gold for commercial purposes is skyrocketing at even a greater rate with growing demands in such areas as our space and defense needs. We are becoming more and more dependent upon the import of gold and the major gold reserves outside the United States are found in the troubled Republic of South Africa and in Communist bloc nations.

We have ore reserves within our boundaries. It is imperative that we take advantage of them.

These two factors—dwindling production and increased demand—work together. They could spell disaster. During the first nine months of 1966 the Treasury released $105 million for domestic consumption, and in 1965 it released $118 million.

And we have the added consideration that some of our friends in the world family of nations are converting large dollar holdings into gold. France, alone, has converted $2.9 billion to gold since 1962. This is another aspect to the problem which demands its own solution. I think action should be taken to discourage this outflow of gold, but it would take too much time to dwell on that here.

It will not be easy to revive this Nation as a major producer of gold. It is always more difficult to recover if a situation is allowed to deteriorate too far and the empty, rotting gold mines scattered throughout our western states testify to the fact that such deterioration has taken place.

Monday I will introduce a bill in the House of Representatives calling for subsidy payments by the Gold Mines Assistance Commission to miners of gold to maintain the rate of gold production from operating mines and to stimulate increased production through the reopening of mines which have been forced to close.

The Treasury Department has expressed its fear that the world might view such legislation with uncertainty. The Department thinks such action could be considered a first step toward increasing the price of gold and payments which recognize the increased costs of producing gold since the 1930's could be interpreted to imply the acceptance by the United States of prices for gold which are higher than the official rate of $35 per ounce.

First, let me say that the legislation I will introduce includes a clause stating flatly "that financial assistance payments to domestic gold producers hereunder shall have no effect upon the monetary price of gold paid by the Treasury Department of the United States."

Secondly, when the gold coverage of deposits of the Federal Reserve banks was removed in 1964 there was no rush to convert dollars to gold in the Central Banks of Europe. Surely this step taken by the Treasury could have been interpreted as a move in the direction of demonetizing gold—a move toward the devaluation of the dollar. European banking officials are not stupid; they understood the logical reasoning behind the Treasury's decision in 1964 and I know they would see the logic in establishing a subsidy intended to revitalize the gold mining industry in the United States. Our intention is to strengthen, not to weaken the dollar.

Last year the House Committee on Interior and Insular Affairs recommended the enactment of legislation similar to that which I have introduced. I will do everything in my power to urge my colleagues on this important Committee to attack this problem with renewed vigor in the 90th Congress. If we all work together, I am optimistic that we can achieve the goal for which we have been working over the years.

Arab Refugees and the Palestine Liberation Army

EXTENSION OF REMARKS

OF

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 1967

Mr. CELLER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include a statement by me at the annual B'nai Zion Order Day Dinner in New York this past Sunday:

It often seems to me that many in the position of leadership and trust are like children playing with matches. We gaze with amazement as some men, presumably adults, use a topsy-turvy logic, if such it can be called, that would lead any reputable psychiatrist to conclude that this was the behavior of the emotionally unstable. I have particular reference to the Arab refugee problem from whence has sprung that particularly noxious band of men called the Palestine Liberation Organization headed by

Ahmed Shukairi, its self-styled leader or fulminator, if you please.

Seventeen years ago the United Nations formed the United Nations Relief and Works Administration. Its mandate: to terminate not later than December 31, 1950, unless otherwise directed by the Assembly and to take "constructive measures . . . at an early date with a view to termination of international systems for relief". Seventeen years later the end is not yet in sight. Who are these refugees today? How many are there? Who were these refugees seventeen years ago? And how many were they? How many have been rehabilitated? How many absorbed? A few figures are in order at this point. An early report for the period July 1, 1963 to June 30, 1964, and by this I mean the report of UNRWA itself, showed 1,280,000 Arab refugees were being maintained by UNRWA, 256,000 were already self-supporting and no longer needed UNRWA's help. In the 1965–66 report of UNRWA we read that of the 1,317,749 refugees under United Nations care only 861,122 were registered for rations. Of the remaining 456,627, apparently did not need them. Yet of this number at least 150,000 are admittedly dead, absent, or ineligible. Thus more than half a million among the 1,317,949 who are taken care of by UNRWA are no longer refugees as we understand the term, but whom UNRWA still calls "the uprooted Arab refugee". Senators Gore and McGee, in making a tour of the Middle East reported to the State Department that the ration cards "had become chattel for sale, for rent or bargaining by any Jordanian, whether refugees or not, needy or wealthy. These cards are used as security for loans from many lenders, for credit from merchants, almost as negotiable instruments". Further, the figures show, and this is not a quote from the Senators, that between July, 1950 and June, 1966, the UNRWA rolls showed a total of 570,785 births, and only 112,275 deaths, a most incredible figure as any health statistician can tell you. The pretense of rehabilitating the Arab refugee has been dropped. Now he is merely fed with a ration card, a commodity of barter or bribe. It is perfectly clear that the Arab Governments are exploiting the plight of refugees (I am talking of those who are genuinely in need) for their anti-Israel crusade. The UAR, Jordan, Syria, and Lebanon, the host governments of the refugees have frustrated every effort toward a solution of the problem.

At this point nobody seems to make an effort to remember that the refugee problem was brought on by the Arab war against Israel in 1948. At that time the British survey of Palestine established that on December 31, 1944, a total of 640,000 Arabs were living in the present area of Israel; the natural increase during the following forty months, that is until May 1948, the Declaration of the Independence of the State of Israel and the month of the Arab war against Israel, would amount to about 56,000, making a total of 696,000. Of these, about 142,000 remained; 35,000 were subsequently permitted to return to Israel to be reunited with their families. This makes 519,000 refugees who could have gone into "exile". My, how they have grown. Now, as I have said before, 1,317,749 as of June 30, 1966. I say without fear of contradiction that those heads of government, and I mean particularly the host governments, the United Arab Republic, Jordan, Syria, and Lebanon have played an indefensible game using human beings as political pawns. I state flatly that UNRWA is a failure, that the reason for its existence has been perverted, and the United Nations has acted less than honorably in not ordering a thorough and objective investigation of this situation to determine the true facts and to determine the composition of UNRWA, its employees, its salaries, so that a conclusion may be reached why UNRWA has failed. Beyond that, the United Nations owes a duty not only to clean house within UNRWA but to stop forthwith the fulmination of such agitators as Ahmed Shukairi. The refugees themselves have been cruelly deceived and the peace in the Middle East stymied.

The Commissioner General of the United Nations, Mr. Michelmore, in a report to the United Nations, stated:

"According to a declaration of September 1964 by the Council of Kings and Heads of State of the League of Arab States, the [Palestine Liberation] organization was established 'to consolidate the Palestine entity, and as a vanguard for the collective Arab struggle for the liberation of Palestine.' "

We all know that the military arm of the Palestine Liberation is the Palestine Liberation Army. It has a budget which has supported recruiting and training facilities and the training itself is carried out in the Gaza Strip under the Egyptian Army as well as in the Sinai Desert, and in Syria and Iraq. The New York Times reports that there are some 6,000 Palestine Army recruits in the area and that armed penetration into Israel has already commenced. This recruiting is done, mark this, from the ranks of the Arab refugees for which refugees the United Nations has already spent $535,397,505, and the United States pays 70% of that fund. Is it any wonder then that strenuous objection has been raised to permitting authorized funds to be spent for Arab refugees who are members of the Palestine Liberation Army? The excuse was offered that members of the Palestine Liberation Army could not be identified. This is utterly absurd. The conscription of the Palestine Liberation Army applies to the age group between 1937–1944 and the duration of the military service is now two years. It is easy enough to withhold ration cards from this age group and place the burden upon persons of that age group to establish that they are not members of the Palestine Liberation Army. It would appear that this is a clear-cut case. Why should the United Nations appropriate money to an organized group with assistance from governments in direct violation of a non-intervention U.N. resolution which reads:

". . . no State shall organize, assist, foment, finance, incite or tolerate subversive, terrorist or armed activities directed towards the violent overthrow of the regime of another State".

To consider that there may be two sides to this story reminds me of the time a writer complained to a magazine, which shall remain nameless, that it was publishing a number of anti-Semitic stories. The magazine replied by stating that it attempted to publish both sides of any story, as if there could be two sides to anti-Semitism. It is time to explode the Shibboleth that every story has two sides.

Sadly enough, though the United States objected to contributions made to members of the Liberation Party, it acceded to what is to my mind, a shabby compromise. The Commissioner General reported that, since there is a difference of opinion between contributing countries and host countries about the agencies issuing rations to young men in military training by the Palestine Liberation Organization, it has added a special donation to the amount of $150,000 which would be used as rations for young men in the Palestine Liberation Army. Well, if you can identify those who are to receive the benefits of the "donated" $150,000, certainly you can identify them for the portions of any contributions made by the UN itself. The donations come from, not presumably but definitely, the Arab States. Yet this "donation" will be administered by UNRWA, a United Nations child, the compromise agreed to by the UN, and as a result you find by a very simple equation that in so doing the UN by indirection gives aid and comfort to the Palestine Liberation Army.

I do not intend to let this matter rest. The House Foreign Affairs Committee has already shown its dismay and has made cuts in the United States contributions, but the matter should not be laid aside. You may well believe me that it will not.

The Federal Magistrates Act of 1967

EXTENSION OF REMARKS
OF

HON. HERBERT TENZER

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 15, 1967

Mr. TENZER. Mr. Speaker, I have today introduced a bill to abolish the U.S. commissioner system and establish in its place a system of U.S. magistrates. This legislation was originally sponsored in the Senate by the distinguished Senator from Maryland, the Honorable JOSEPH TYDINGS, and has been the subject of hearings before the Senate Subcommittee on Improvement in Judicial Machinery.

The need for legislation in this field has been recognized by leading jurists and the bill introduced today has been endorsed by the American Bar Association and the Judicial Conference of the United States.

Our present system of U.S. commissioners has been the subject of frequent criticism, because while their services require a knowledge of the law, nearly one-third of the present 700 commissioners are not members of the bar. Commissioners are paid on a fee basis raising serious constitutional questions because of the possibility that a commissioner may have a pecuniary interest in cases brought before him. The responsibilities and functions of a commissioner are not clearly spelled out. There is disagreement on the scope and purpose of preliminary hearings in our Federal judicial system. Finally it has been charged that many cases are sent to commissioners for trial as petty offenses when in fact they should be tried by Federal judges as misdemeanors or felonies.

In place of the present system, the legislation introduced today upgrades the commissioner and creates a magistrate system. The basic features of the bill are as follows:

The fee system is replaced by a sliding scale salary system. The highest paid full-time U.S. magistrates would receive $22,500 per year, and part-time magistrates would receive from $100 to $11,000 per year.

All magistrates must be lawyers except in the case of part-time magistrates where the appointing court and the judicial conference determine that no qualified attorney is available to serve at a specific location.

The term of the full-time magistrate is 8 years. The term of the present commissioners is 4 years.

Magistrates can be removed only for cause.

The name has been changed from commissioner to magistrate to emphasize the judicial nature of the duties and responsibilities of the magistrate.

Preliminary hearings or grand jury proceedings must be held within 10 days after presentment, or 20 days after presentment for those released under bail or other conditions. These are only outer limits, since earlier disposition may be possible, extensions may be granted only with defendant's consent except where a U.S. judge finds that extraordinary circumstances exist and that a continuance is indispensable to the interests of justice.

Mr. Speaker, I believe these proposals will strengthen our judicial system and help relieve Federal court congestion by upgrading the present commissioners and expanding their responsibilities. I commend Senator TYDINGS for his work in this important area and urge my colleagues to support this legislation when it comes before the House.

Commemorating Lithuania's Independence

EXTENSION OF REMARKS

OF

HON. RAY J. MADDEN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 1967

Mr. MADDEN. Mr. Speaker, February 16 marks the 49th anniversary of the independence of Lithuania. It is very fitting that the Congress of the United States devote time to commend the Lithuanian people and to remind the world that Lithuania and its people will continue to fight for the reestablishment of complete independence and self-government.

Lithuania's valiant wars for liberty and independence are not of recent origin but the pages of her history are emblazoned with heroic battles for liberty since the 12th century. During the 16th century, Lithuania battled against the same Russian tyranny which envelops it today. In the 18th century, this country suffered a decline which brought about complete Russian domination. This tyrannical yoke was inflicted for 120 years, but during that period five major revolts took place against its conqueror.

The people of this nation, during intervals of time in the 19th century, enjoyed the opportunity to exist as a free and independent people. World War I brought about an international situation which gave Lithuania a long-awaited opportunity to proclaim to the world that it is a free and independent nation. For more than 20 years as a free country, no nation has ever demonstrated its capacity and ability for self-government more than Lithuania. Its civic leaders brought about long-needed land reformation, created and expanded industry, established an adequate transportation system, and enacted social legislation and an educational policy which could well be copied by other nations throughout the world. This great progress by a free nation continued up until World War II when Lithuania again became the victim of a powerful aggressor nation who succeeded in enslaving its people.

I have spoken on former occasions on the floor of the House outlining the infiltration duplicity and force used by the Communists to submerge Lithuania and I shall not repeat those sordid facts today.

Stalin, the most ruthless of tyrants, and Khrushchev have disappeared from the scene. The Communist economy in Russia and its agricultural programs have been a failure—millions are starving in China today. Its modern economic programs have been negative, impractical, and failures. Its food production has only been able to serve a fraction of its people and, in my opinion, the time is not far distant when the much-heralded Communist millennium will have completely disappeared from the world.

Our great Nation has been the leader in this fight for freedom and Communist curtailment. After World War II, we spent billions of dollars to rebuild the bombed-out nations in Western Europe. We have aided them to become reestablished and prevent the Soviet war machine from marching after they were helpless by reason of World War II bombing and destruction.

In 1951, General Eisenhower, then at the head of European defense, testified before the House Foreign Affairs Committee that if it had not been for the valiant sacrifice of our Nation made during those days, "all Europe would be Communist today." That was in 1951.

History will reveal after the Communist international conspiracy is destroyed, that it was this free land of ours that saved the world from Communist tyranny and enslavement. We can all today be grateful to the Lithuanian-American citizens and citizens of other captive nations who have joined in and aided our Government to fight Communist expansion and curtail Communist tyrannical designs to enslave mankind.

Preserving the Rights of the States With Respect to Public Schools

EXTENSION OF REMARKS

OF

HON. ROBERT L. F. SIKES

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 1967

Mr. SIKES. Mr. Speaker, I introduced House Joint Resolution 292 on February 13. It has a very simple purpose—to prevent untimely interference by Federal officials with legitimate local school programs and make it impossible for the same officials to take away Federal funds from needed educational programs in deserving communities at the stroke of a pen.

The resolution follows:

H.J. RES. 292

Joint resolution proposing an amendment to the Constitution preserving the rights of the States with respect to public schools

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the States:

"ARTICLES—

"SECTION 1. The right of each State to determine the curriculum of, the facilities provided for, and the qualifications of the personnel in, the public schools of that State shall not be abridged either directly or indirectly by the United States.

"SEC. 2. This article shall not be construed to prohibit Federal finanical support for education, nor be construed so as to abridge the rights of persons protected by the fourteenth amendment.

"SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the States within seven years from the date of its submission to the States by the Congress."

Mr. Speaker, the case for this resolution is clearly spelled out in a booklet written by Drs. Myron L. Ashmore and Charles R. Forman, of the Board of Public Instruction of Broward County, Fla. It is entitled "You Say It Can't Happen Here." This booklet should be very carefully read by Members of Congress and I submit it for reprinting in the RECORD:

YOU SAY IT CAN'T HAPPEN HERE?—IT IS HAPPENING HERE[1]

Shall the doctrine of academic freedom remain viable? Shall education progress?

Shall regulatory agencies usurp the authority of Congress and the Federal Judiciary?

Shall regulatory agencies interpret, amend, and rewrite Congressional legislation by contracts secured by using our tax money as "the consideration for" signing?

Shall Federal regulatory agencies use this contract mechanism to usurp state and local legislative, judicial and administrative functions?

Shall our children be educated; or shall they be indoctrinated with one national philosophy of education?

A Clearly Stated, Specifically Worded Amendment to the Constitution is Urgently Needed to Prevent Federal Control of Education.

Unfortunately, one who raises a question involved with civil rights is frequently prejudged to be a hypocrite and a bigot, and his question automatically ignored. We can no longer afford to do this.

The administration of the Civil Rights Act by the Department of Health, Education, and Welfare has raised questions which must be looked squarely in the face; questions which free men must recognize for what they are; questions which must be satisfactorily answered if men are to remain free, if education is to continue to progress, and if the doctrine of academic freedom is to remain viable.

These questions transcend personal background and section consideration. They transcend whether one is a Democrat or a Republican.

When caught up in the fervor of any great revolutionary movement people are prone to succumb to mob psychology—to excuse and endorse almost any means to secure its goals.

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[1] In support of this statement, carefully read: (1) Titles four, five, and six of the Civil Rights Act of 1964; (2) HEW Regulation pursuant thereto (45 CFR Part 80); (3) HEW General Statement of Policies thereto, 1965; (4) HEW Revised Statement of Policies thereto, 1966; (5) HEW form 441; (6) HEW form 441-B; (7) HEW written and oral statements to local school boards.

Since they are only human, judges also get caught up in the maelstrom, and at times judicial perspectives get out of focus.

We must pause and take another look at some of the actions we are taking to expedite our respective interpretations of civil rights. If the Civil Rights Act of 1964 needs to be amended, it should be amended by proper congressional procedure—not by administrative action, and not by court interpretation.

We shall call attention to a number of issues involved in the HEW administration of the Civil Rights Act of 1964. Some of these issues are of grave national importance because they have wide general application to education and government. Others are primarily concerned with the administration of the Civil Rights Act itself.

Unfortunately, and with tragic implications for the future of this nation and that of free men everywhere, these issues are being confused, overlooked and ignored by the overzealous and unreasoning civil rights steamroller. Neither wishfully ignoring these issues nor bypassing them in order to expedite civil rights objectives will cause these issues and their consequences to disappear. The practices, procedures, and precedents established by the civil rights juggernaut will remain to haunt us.

If federal bureaucratic preemption and extension of authority by contract continues to be used to achieve civil rights objectives, it can be used to secure other objectives.

If subterfuge, threat, harassment and duress are condoned to secure civil rights objectives, as they have been, they can be employed to secure other objectives. Having used the tremendous leverage of deferral, refusal, and termination of federal aid for educational programs as a combination bribe, chain and whip to expedite civil rights objectives, there will always be temptation to those administrators in control to use this money leverage to secure whatever their objective of the moment might be.

If significant federal aid to education is not to inevitably lead to one national system of federally controlled education, Congress must somehow figure out how to write and enforce adequate safeguards in all federal aid to education legislation. These safeguards must effectively prevent federal administrative agencies from directing or controlling state and local educational policies and philosophy by contract or by any other means.

The prevention of federal control of education is a paramount issue that must be solved. Those who are quietly, ardently, and continuously working toward the goal of federally controlled education have been having a field day using civil rights as a lever.

A dictatorship—whether it be Stalin's communism or Hitler's fascism—must have nationally-controlled education in order to maintain itself. In a nation as large and as complex as ours, it is axiomatic to say that free men and a free society cannot expect to long exist with federal control of education—nor can academic freedom. Federal direction of school lunch programs is one thing; federal direction of children's thinking and control of their education is an entirely different sort of thing. This must be prohibited. History teaches us that when a mechanism for exerting influence such as this exists, men in positions of authority will eventually use it.

It should be self-evident that one dominant national philosophy of education would stymie educational progress.

Federal aid for education is largely the result of the work of professional educators concerned about inappropriate financial support for education at the local level. Professional educators now need to become concerned about preserving their right to independent educational thinking—a right that has been instrumental in making this country great.

A clearly understandable, very specifically worded constitutional amendment must be passed to insure the effective preservation of state and local control of educational policies, philosophies, and operation. This is needed to aid and reinforce appropriate legislation by Congress. (This must not contain integration overtones. Integration is not the issue here. Racial overtones would prevent adoption of this needed amendment.)

A major issue is involved—one that should be of grave concern to every thinking person regardless of his race, regardless of personal financial circumstances, regardless of the possibility of current personal or racial benefit. At issue is the usurpation of federal, state, and local legislative, administrative, and judicial processes and authority by bureaucratic agencies of the federal government by the use of contractual agreement entered into "for and in consideration of" the federal aid requested. This issue is as simple as it is dangerous and far-reaching in its potential. The issue is unauthorized legally enforceable legislation by contract by administrative personnel. These contracts, using our tax money for leverage, are drafted, interpreted, administered and enforced by individuals who have no responsibility to the voter. This is patently wrong and dangerous. Furthermore, these administrators and their successors feel free to subsequently change and augment the initial interpretations.

This practice of legislation by contract was the cause of our Board's problem with HEW. This was why we refused to sign without protective qualifications either form 441 or 441-B. These are legally enforceable contracts which would result in obligations not required by, and to obligations in direct contradiction to, the Civil Rights Act of 1964 and to specific prohibitions therein.

Congress must write specific prohibitions into all federal aid to education legislation which would effectively prevent the use of contract by federal administrators to either increase their authority or modify or influence the educational direction of the programs administered by them.

Blatant misrepresentation and duress have been involved in getting school boards to sign the contracts 441 and 441-B with HEW. If the issue were not clouded or overridden by the emotional desegregation factors, most 441 and 441-B contracts should and would be voided by the courts on the ground that they were signed under duress and deliberate misrepresentation.

Both oral and official HEW printed presentations to local school authorities unequivocally and most emphatically stated, and continue to state, that unless a school system is operating under a federal court order for desegregation, the school system must sign either the 441 or 441-B assurance form in order to receive federal aid. This edict applies to both old and new federal aid programs. Faced with this ultimatum from presumably reliable and knowledgeable federal officials—threatened with the loss of federal support for established programs of long duration, and for supplies and equipment which the community had come to rely on—faced with the unforeseen difficulty or inability of meeting financial commitments previously made to the personnel involved in these programs—confronted with the pressures for additionally needed programs—most school boards automatically signed these assurance forms relying on "good faith presentation" by HEW.

These assurance forms 441 and 441-B are contracts wherein "for, and in consideration of" the aid requested, the Board agrees that it will comply with all requirements imposed by or pursuant to the "Regulation" of HEW and its policies, and further agrees to the judicial enforcement of this contract on the Board, its successors, transferees and assignees. As pointed out before, the HEW regulation and policies now appear intended to amend and to negate certain sections of the Civil Rights Act.

The truth is that the Civil Rights Act of 1964 does not authorize HEW to require school officials to sign any contract for the consideration of receiving federal aid. It only authorized HEW to promulgate rules, regulations and orders. The propriety and the legality of such rules, regulations, and orders and their interpretations would then be subject to appeal via all normal channels, including the courts. However, once these contracts 441 and 441-B are signed, the Board loses its usual rights of appeal concerning these rules, and the rules then become subject to arbitrary judicial enforcement regardless of what their status would have been under the Civil Rights Act of 1964. (Most actions brought against school boards that have come to our attention are for breach of 441 or 441-B and not for failure to comply with the Civil Rights Act.)

Harassment and threat of harassment through excessive reports, deferral of project approval, litigation, audit and investigation can all make responsible school administration trying and difficult. The complaint of any individual can result in unwarranted, costly, time consuming investigation of the school system and its programs at any time.

This unit of HEW, and many of the individuals involved with the interpretation, administration and enforcement of Title VI, have operated with little concern for any of the multitude of other factors which vitally affect education, and whose closely interrelated workings must be carefully considered, adjusted, and coordinated in order to provide a sound educational program for each child. Wherever this is the case, this branch of HEW should be restaffed with people knowledgeable of and concerned for quality education.

This is of special importance and of grave significance for those charged with the responsibility for approving and reviewing the operations of the individual school systems. Expert educational judgment must be exercised at this level or major damage to the academic integrity of educational programs may result in inferior education for children at all levels.

Interacting factors which determine the quality of educational programs vary greatly between school systems. The present tendency to ignore this fact and to use arbitrary standardized criteria for the convenience of officials, instead of specific analytical judgment in evaluating school systems is injurious and inexcusable. It must inevitably cause marked damage to the academic integrity of many school programs, and poorer education for many of our children—including those whom we are specifically trying to help. A youngster only goes through the third grade one time. Haste is not so important and no official (and no judge) is so busy that he should not take whatever time is necessary to reasonably evaluate any program that directly affects the education of thousands of children. In good conscience, and in order to try to provide the best possible education for each child, judges and administrators must reconsider this abdication of responsibility to our children by wholesale use of standardized arbitrary criteria.

In addition to their inherent tendency to corrupt, influence the direction of, and dictate state and local education thinking and philosophy, the current methods of providing federal aid to education are inefficient and very wasteful of both tax money and educational manpower that is sorely needed at the local level. We could tremendously expedite the progress of (and improve the operational efficiency of) most educational programs supported by federal aid—greatly reduce their cost—markedly increase the amount of money available to improve education at the local classroom level (estimated by at least a third)—return the talented federal educational manpower to depleted state and local service where it is so desperately needed to improve current educational programs and to adequately implement new ones—by simply using the federal government as a tax collecting agency for this purpose.

Federal support to education can best be accomplished by Congress "earmarking" certain tax money to be distributed directly to the states and local areas as needed and for the purposes needed. This would mitigate against all four of the above defects now inherent in our federal aid programs.

We are now drafting a proposed amendment to the Constitution which we hope will largely prevent federal teacher standards or certification of teachers; federal direction, regulation or accreditation of educational program, regulation or approval of curriculum, and textbooks, etc. The following tentative proposal for such an amendment has been suggested: "The right of the several States to determine the content of the curriculum and the educational qualifications of teachers in public schools shall not be abridged by the United States." We will greatly appreciate your reaction to this proposal and your suggestions.

(When we use the term "federal direction of," we do not mean "direction" in the sense of federal support for specific disciplines such as science or vocational education, as long as the recipients of this aid are entirely free to prepare and select their educational materials, curriculum, texts, methods of teaching, etc., without any actual or implied federal recommendations. We do not mean "direction" in the sense of federal support for educational research, or for the evaluation of or development of educational programs, equipment, and facilities as long as the educators involved are free to exercise their individual professional judgment as to the direction the studies shall take and how this shall be done, and are free to analyze, interpret and report their findings without any actual or implied federal suggestions in these matters.)

Thank you for bearing with us, and for your consideration.

Sincerely yours,

MYRON L. ASHMORE, Ed. D.[2]
CHARLES R. FORMAN, D.V.M.[3]

HOUSE OF REPRESENTATIVES

THURSDAY, FEBRUARY 16, 1967

The House met at 12 o'clock noon.

The Right Reverend Monsignor John A. Kucingis, pastor of St. Casimir's Lithuanian Catholic Church, Los Angeles, Calif., offered the following prayer:

Heavenly Father, we invoke Your special blessing today upon this House of Representatives, our Nation, our President, and upon tiny Lithuania, indeed small in possessions, but great in spirit, which together with other suppressed nations of the world, cries for freedom and help on her 49th anniversary of independence.

Help us who hold positions of responsibility and authority to do all within our power to make our age one that will receive Your divine commendation.

Help us, O Lord, not to take for granted the wonderful possessions we have: our liberties, our rights, and our privileges as free citizens of a nation where final authority rests with the people.

Grant that we may so speak, act, and live, that the precious heritage of freedom which is ours may be protected and preserved, not only here, but in the whole world, wherever slavery and tyranny still exist.

Grant us the power to prove equal to our task. Grant us the wisdom to discern Your answers despite conflicting voices that come to our ears.

Grant us the perseverance to carry forth Your banner of righteousness in the face of all obstacles.

Help us, O Lord, that we may give ourselves without reservation to the building of a world where the thunder of war is never heard, where tyranny and misery no longer stalk the earth, but where all men and nations live in the holy light of liberty and peace. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Geisler, one of his secretaries.

REPUBLICAN ASSIGNMENTS TO THE OBJECTOR COMMITTEES

Mr. GERALD R. FORD. Mr. Speaker, at this time I want to announce the assignments to the objector committees on our side of the aisle.

On the Consent Calendar the objectors will be the gentleman from Washington [Mr. PELLY], the gentleman from Missouri [Mr. HALL], and the gentleman from Pennsylvania [Mr. JOHNSON].

On the Private Calendar the following Members will serve as objectors: the gentleman from Massachusetts [Mr. CONTE], the gentleman from California [Mr. TALCOTT], and the gentleman from Alabama [Mr. EDWARDS].

PROGRAM FOR THE WEEK OF FEBRUARY 20, 1967

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I take this time for the purpose of asking the distinguished acting majority leader, the gentleman from Louisiana, the program for next week.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Louisiana.

Mr. BOGGS. In response to the request of the distinguished gentleman from Michigan, the minority leader, the program for next week is as follows:

On Monday the Consent Calendar, followed by H.R. 2, which is commonly known as the Reserve bill of rights, and which will be called up under suspension of the rules. It is probable that there will be a rollcall vote on that bill.

Tuesday the Private Calendar, but so far there are no bills scheduled.

Wednesday is a holiday, which will be observed by the usual reading of George Washington's Farewell Address.

Any further legislative business will be announced later. It is my intention that when the House adjourns today, it adjourn to meet on Monday.

ADJOURNMENT TO MONDAY FEBRUARY 20, 1967

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

Mr. GROSS. Mr. Speaker, reserving the right to object—and I shall not object—with respect to the resolutions presently pending before the Rules Committee, if those resolutions are discharged from the Rules Committee would it be the gentleman's intention to take those up next week?

Mr. BOGGS. I would hope to take up any that are not controversial, but some may be controversial, and in view of the fact that George Washington's birthday occurs on Wednesday, I would suggest that the controversial ones may go over to the following week. I understand there are many resolutions before the committee.

The SPEAKER. Without objection, the request of the gentleman from Louisiana is granted.

DISPENSING WITH BUSINESS IN ORDER UNDER THE CALENDAR WEDNESDAY RULE ON WEDNESDAY NEXT

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER. Is there objection to

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[2] Superintendent of Public Schools, Broward County, Florida (90,000 students, 1–12 plus, 5,000 students at the Junior College of Broward County); Incorporating Trustee and Secretary of the Board of Trustees of Nova University; Incorporator and Trustee of the South Florida Education Center; Vice President, State Superintendents' Association; Commission on Colleges for the Southern Association of Colleges and Schools, Past Member, Governor's Advisory Committee on Vocational Technical Education; State Steering Committee for N.D.E.A. Funds; Director, State Secondary Principals; etc.

[3] Vice Chairman, Board of Public Instruction, Broward County, Florida; Incorporating Trustee and Vice President, South Florida Education Center; Past Member, Board of Control for Florida University System; Incorporator and Past Trustee, Nova University.

the request of the gentleman from Louisiana?

There was no objection.

SELECT COMMITTEE ESTABLISHED PURSUANT TO HOUSE RESOLUTION 1

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the select committee established pursuant to House Resolution 1 may be permitted to sit while the House is in session today.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

EXPLOSION AT MUNITIONS PLANT IN TEXARKANA, TEX.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, the Nation is shocked and grieved to hear that at 10:30 last night an explosion occurred at the Lone Star Ammunition Plant at Texarkana, Tex., an installation wholly owned by the U.S. Army. Early reports are that 11 civilian employees have been killed and 20 or more injured by this tragic accident.

I am sure that I reflect the sentiments of the entire Congress in expressing my deep and heartfelt sympathy to the families and friends of the dead and injured. We do not at this time know the precise cause of this terrible accident, but it is a challenge for all Americans to do everything possible to prevent such explosions resulting in death and injury in the future. We must redouble our efforts for safety and make sure that every possible precaution and safety measure is used to protect our people, particularly in these dangerous occupations made necessary at this time by our involvement in the Vietnamese conflict.

The injured and the loved ones of all who have been killed or injured in this catastrophe must receive special consideration by their Government so far as it is possible in an earthly way to compensate for losses that are by their nature irreparable, for nothing can be placed in the balance against the loss of life and physical impairment. I trust and hope that the Congress and the executive departments will do everything within their power to alleviate the great suffering caused by this dreadful disaster.

CIA FUNDS SEND U.S. COLLEGE STUDENTS TO WORLD STUDENT CONFERENCES

Mr. SIKES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, the CIA has provided funds to send U.S. college students to world student conferences.

So what?

How else would it have been possible for them to attend conferences heavily packed with Soviet youth? Is it not important that an American viewpoint be presented at such meetings? Is it not important that free world opinion be expressed at these meetings?

Would the membership of the Congress prefer to have only Communist representation at these meetings? The Communists do not hesitate to send their young people to youth conferences throughout the world. Included in their groups are U.S. citizens.

Why does someone not criticize this?

Everybody knows the Communists are concentrating their efforts to reach and influence the minds of young people. The West does little enough to counter these efforts. Let us not back off and leave the field entirely open to them.

Someone wants to investigate the CIA. Why not investigate Communist activities on the campuses of America? This is a much more fertile field.

NAMING OF THE POLARIS-TYPE SUBMARINE

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BROOKS. Mr. Speaker, during the past two decades the world has witnessed one of the truly remarkable achievements of this Nation's inventive and productive genius. The vast potentials of nuclear propulsion and advanced missile design were blended to give America and the free world a revolutionary new defense system—the Polaris submarine.

Countless advanced and previously untested processes, novel techniques, and seemingly impossible standards of design and manufacture were united into a single concept. From this concept emerged America's growing fleet of Polaris submarines. These ships, which routinely patrol in the oceans of the world, are our most effective deterrent to aggression. They are a vital striking force for peace.

Development of our Polaris submarines reflects credit upon the many thousands of individuals in Government and private industry who contributed to the exacting and complex task of designing and building them. And, there are those individuals of past decades who brought to perfection many of the systems and designs that constitute an integral part of these submarines. Yet full recognition of these contributions, both past and contemporary, does not diminish the debt we owe to one individual whose genius, perseverance, and capacity for hard work were principally responsible for the success of our Polaris submarine program. I speak of Adm. Hyman G. Rickover.

As so often in the past, our Nation has benefited by the leadership of the right man at the right place at the right time, dedicated to the task before him and wholly unswayed and undeterred by any possible hindrance.

It is in recognition of this concept that the U.S. Navy at the time our first Polaris submarine, the U.S.S. *George Washington*, was launched, adopted the policy of naming these ships in honor of individuals who have contributed significantly to the betterment of this Nation.

With two score of Polaris submarines now in our active fleet, their names constitute a rollcall of the most notable individuals in our history. The lives of these men—their words, their actions, and their deeds—reflect the full spectrum of American tradition. Their actions at times of crisis are the clearest manifestation of the true value of responsible and effective leadership to a free people.

As our Polaris submarines have been commissioned, Admiral Rickover has studied the lives of the famous Americans whose names they bear. In this effort, he has applied the same care and resourcefulness as in the design and development of the submarines themselves. At the time each submarine was commissioned, he used this as an occasion to address letters to our public leaders and Members of Congress outlining the principal contributions of the individual in whose honor the particular submarine was named. These letters are of potential interest to many thousands of Americans who have not had the opportunity to read them. Moreover, they reflect the valuable lessons of history, the continuing need for sacrifice in defense of liberty and independence. They reflect the real meaning of patriotism—not in some abstract form but as individual Americans in time of public need have actually reacted to the benefit of this Nation.

In keeping with the value of these letters and the interest many thousands of Americans have in them, I am introducing today a House concurrent resolution providing that they be printed as a House Document; which follows:

H. CON. RES. 213

Resolved by the House of Representatives (*the Senate concurring*), That there be printed as a House document the letters of Vice Admiral Hyman G. Rickover, United States Navy, to the Speaker of the House of Representatives relating to the distinguished Americans in whose honor the United States Navy Polaris nuclear submarines were named. The copy for such House document shall be prepared under the supervision of the Joint Committee on Printing.

SEC. 2. In addition to the usual number, there shall be printed 10,000 additional copies of such House document, of which 4,000 copies shall be for the use of the Senate, and 6,000 copies shall be for the use of the House of Representatives.

TAX DEDUCTION FOR POLLUTION-CONTROL FACILITIES

Mr. POOL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to

the request of the gentleman from Texas?

There was no objection.

Mr. POOL. Mr. Speaker, today I have introduced a bill to amend the Internal Revenue Code of 1954 to encourage the construction of pollution control facilities by permitting the deduction of expenditures for this purpose in the year the expense is incurred. At present, the tax code only permits a depreciation deduction to be taken over a period of time based on the estimated useful life of the facility. My bill would provide an alternative method of deduction, and the taxpayer would have the option of selecting the method he prefers.

The reason for my tax incentive proposal is the urgency of pollution-control measures. This legislation would include deduction of expenditures for the construction, erection, installation, or acquisition of air and water pollution-control facilities which meet standards set forth by the Government.

I believe that private industry must be given a greater incentive to play voluntarily a leading role in air and water pollution prevention. Through my tax incentive proposal, business and industry will be encouraged to commence their pollution-control measures right away, and less tax money will be needed to clean up the air and public waters, which are becoming a dangerous health hazard. The benefits to our public health and the national economy will be considerable.

It is my hope that Congress will see fit to approve my tax proposal this session so that these advantages to all will be realized to some extent in 1967.

LEGISLATION TO PROTECT SMALL BUSINESSMEN FROM CRIMINAL ACTS INTRODUCED BY CONGRESSMAN ANNUNZIO

Mr. ANNUNZIO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, today I have introduced a bill designed to protect small businessmen from robberies, burglaries, and other similar crimes, including destruction and looting from riots and demonstrations. The legislation directs the Administrator of the Small Business Administration to conduct a study to determine the best methods that small businessmen can use to protect themselves from criminal acts. A sum not to exceed $300,000 would be authorized for the study, which would be completed not later than 1 year from the date of enactment of this legislation. The money in part would be used to pay outside consultants and for whatever private services that would be needed in the study. The legislation also provides that the Administrator of the Small Business Administration can call upon any Government agency for assistance in conducting this study, particularly the Federal law enforcement agencies.

A PUBLIC APATHY

A casual glance at any newspaper in a large city will quickly show the need for this legislation. Burglaries, holdups, and other criminal acts committed against small businessmen, particularly those in the retail store business, are commonplace in our papers. Our society has become so accustomed to such stories that they pay little attention to them, except for perhaps a casual glance at the headline. The holdup of the neighborhood store no longer is a news story of great importance; but to the neighborhood storeowner, the event is highly significant and financially—if not physically—painful.

This is not to suggest that big business has been spared by the criminals; only that big business is better equipped to protect itself from criminal acts. This is borne out in the annual crime report of the Washington, D.C., Police Department. For the fiscal year ending June 30, 1966, there were 579 robberies of commercial business houses with a property loss of $133,428. This classification does not include gasoline stations, chainstores, or financial institutions. The commercial business category, for the most part, is made up of small businesses.

During the same period, however, there were only 40 robberies of chain stores, with a loss of only $25,166. The large chainstores can hire private security guards, install elaborate shoplifting safeguards, such as closed circuit television, hidden cameras, and other security measures. The small businessman does not have the money for such protection. In some cases, the storeowner may keep a gun under the counter for protection, but how many times have we read of robberies in which the robber took the storeowner's gun away from him and shot the storeowner with his own gun.

Watchdogs have been tried, but their success has not been overwhelming and, in some cases, customers have been reluctant to shop at a store where they are not certain if the watchdog is friendly or not.

The increase in chainstores, particularly in the grocery field, has also increased the small businessman's susceptibility to criminal acts. Most small grocers find that to make a profit they must stay open longer hours than the chainstores to attract the "extra-quart-of-milk or loaf-of-bread trade." It is not uncommon to find many of these small stores open well into the night, thus making themselves highly vulnerable targets for criminals.

INSURANCE PROBLEMS

While it is true that many of the shopowners have insurance against criminal acts, this insurance is costly and in some cases storeowners who have been repeated targets of criminals find they are unable to purchase insurance.

It is time that we consider a program of criminal insurance for small businessmen. We presently have Government insurance on homes, bank, and savings and loan deposits, crops, and a plan is presently being formulated for a Federal flood insurance program. There is no reason why the Federal Government, perhaps working with the insurance industry, cannot come up with a workable insurance program for small businessmen who are victims of criminal acts. I sincerely hope that the insurance need, and possibly the need of Federal insurance, will receive a high priority in the SBA study.

There is also a problem for small businessmen in obtaining adequate insurance to cover losses causes by riots or demonstrations, such as those which have taken place in Watts, Chicago, and New York.

I do not contend that my bill would end criminal acts against small businessmen, but I am confident that the study authorized in this bill would enable all small businessmen to protect themselves better against criminals.

The crimes committed against small retail storeowners are, for the most part, committed by amateur criminals. Many of the crimes are committed by persons who are in desperate need of money, including those who need cash for purchases of narcotics. Most of the shoplifting committed in small business establishments is committed by strictly amateurs, many of them teenagers. It is not uncommon for a group of teenagers to enter a store, ask the proprietor for an item in the back of the store and, while his back is turned, others in the group steal items from the front of the store.

The storeowner who is lucky enough to thwart a criminal act may find that his good fortune will return to haunt him. Because of the strict interpretation that our courts have placed on criminal matters in recent years, the storeowner may find that the alleged criminal is turned loose by the court and may seek revenge by throwing a brick through the store's window or committing some other act of vandalism. Even if the criminal is found guilty, his friends may "try to get even" with the storeowner for bringing charges. Of course, in all these instances, the storeowner must take a day away from his work in order to appear in court; and if the case is held over on several occasions, the storeowner may lose interest in prosecuting the matter because he cannot afford to leave the store for a long period.

CONGRESS MUST HELP

Newspapers throughout the country have spotlighted the problem that small businessmen face in dealing with criminals, but little has been done to correct the situation. It is time that Congress steps into the picture to protect the small businessman and enable him to conduct his business without threat of burglary, robbery, or other criminal acts.

As part of this study, I am asking the Small Business Administration to give special consideration to making low-cost loans available to small businessmen for purchases of security equipment. It is my hope that these loans could be made with a minimum of redtape and at an interest rate below the level of regular SBA business loans. I would hope that the agency would not dwell too much on the small businessman's financial capabilities when considering these loans, but rather the need for protection.

In addition, I am asking that the Small Business Administration consider making disaster loans available to small businessmen who have been victimized by criminal acts. It is as much a disaster for a small businessman to lose a large portion of his profits through a robbery as it is for a flood to damage his store. Certainly, if one type of disaster qualifies for SBA assistance, so should the other.

It is my hope that the SBA would look closely into the area of better protection education for small businessmen. In many cases it is found that the small businessman invites burglaries and robberies because he fails to use even the basic security measures.

One of the most successful programs of the Small Business Administration has been its nationwide small business workshops, which are established to assist small businesses in such areas as bookkeeping, advertising, and related activities. Perhaps special sessions should be established which cover criminal protection arrangements. While such conferences would be of invaluable help, they would have one drawback which could be overcome. Most small businessmen cannot take time off to attend these conferences. Thus, we may have to take the criminal protection program to the small businessman. This could be done through the use of mobile display units, which would visit small businesses periodically, as well as personal visits from SBA personnel to check not only the security features of the small businessman's operation, but also to suggest methods for improving them.

It is my hope that the study would pay special attention to businesses that have been repeated victims of criminals. It is not unusual to read newspaper accounts of a merchant who has been robbed or had his store burglarized periodically over a period of years. We must find out why such stores are prime targets and develop methods for decreasing their susceptibility to crime.

I am certain that there are hundreds of other ways that can be developed to aid small businessmen in this problem. I realize this is a big task but I feel that under the guidance of SBA Administrator Bernard Boutin, the agency is capable of performing an outstanding job. I know of no one in this Nation who is more interested in protecting small businessmen than Mr. Boutin.

The funds for the study called for in my bill are a small but important investment in the future of small business in our Nation. This is an investment that can—and must be made.

CIVIL RIGHTS ACT OF 1964 PROVES EQUAL TREATMENT—STRENGTHENS THE NATION

Mr. MEEDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. MEEDS. Mr. Speaker, during the past 2 years I have observed how the long debated and hard fought Civil Rights Act of 1964 actually has worked and I think we can all say it has worked well. Title VI of that act seeks to see that Federal funds which come from all people—white and Negro—go only to those institutions which will serve all those people equally.

I have seen and heard of hospitals in all parts of this country changing practices and policies which in the past might have discriminated against people because of race, color, or national origin. These practices and policies were changed with a great deal less clamour and commotion than had been predicted. Thousands of hospitals made significant changes so that today millions of our fellow citizens are receiving, fairly and without discrimination, the health care for which they pay.

One of the significant results of ending discrimination in hospitals has been the elimination of costly and unfair practices which serve no useful purposes. In the past 2 years thousands of hospitals have been opened to Negro patients for the first time so that they did not have to travel long distances to receive hospital care, but could receive it in their home communities. Thousands of hospitals admitted Negro physicians to their staffs for the first time relieving what in some cases were crucial shortages of physicians. Thousands of hospitals, for the first time, began routinely to assign patients to hospital beds without regard to race thus making better use of the facilities that are now available. In hospital after hospital, where patients had formerly been placed in beds in hallways because no beds were available in one wing while beds were available in others, ending discrimination has also ended this bad medical practice.

What the hospitals in the medical community have accomplished in removing discrimination stands as a monument to good sense and reason which I hope we will apply to the problems that are contained in the President's farsighted message of the Civil Rights Act.

Today, because of title VI of the Civil Rights Act of 1964, the doors of thousands of nursing homes are open to all people without discrimination. More than 97 percent of all nursing homes that have applied for medicare meet the requirements of title VI.

Where just a short 6 months ago we felt that there was a dual standard in evaluating the health needs of people in this country—a dual standard based on nothing more than race—today a vast change has taken place to make nursing home care available to all people.

This change, which took place quietly and calmly without the glare of publicity, should be a highly significant one in raising the health standards in our country. No longer will a person be turned away from the doors of a skilled nursing home simply because of his race. His admission will be guided by such significant factors as his medical condition and history, and his need for these facilities.

Approximately 2,000 nursing homes were asked to establish open-door policies or publicize an already established policy. These skilled nursing facilities had no trouble meeting the requirements of the Federal law, and each week since the start of medicare, extended-care programs apply for participation in this program.

Surely these institutions would not apply for participation in Federal programs if they believed the requirements of the law would unduly hamper their operation. These institutions have decided, from the basis of the experience of their fellow administrators, to extend their services to all persons without discrimination.

Our experience in seeing how well this law has worked should lead us to consider further needed advances in the field of civil rights legislation with some confidence that equal treatment in all fields will strengthen our country.

LOURDES ACADEMY: COMMITMENT TO EXCELLENCE

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. FEIGHAN. Mr. Speaker, our schools rank high among the most important institutions contributing to the progress of America. One school which has made an outstanding contribution to its community and the Nation is Lourdes Academy, in my home city of Cleveland.

This week, this fine school is celebrating its 75th anniversary under the theme of "Lourdes Academy: Commitment to Excellence."

I would like to take advantage of this anniversary to pay tribute to all the splendid teachers who for three-quarters of a century have successfully molded the minds of 4,000 graduates.

Many times, during my service in Congress, it has been my pleasure to welcome Lourdes students on visits to Washington. They had come here to receive various national awards for public speaking and science competitions. These honors were certainly recognition of the excellence of this school, as well as of the students' personal achievements.

Since its founding in 1892, Lourdes Academy has been operated by the Sisters of the Holy Humility of Mary. My own education included attending Saint James grade school in Lakewood, Ohio, which is also operated by the Holy Humility of Mary Sisters. I am proud that my own sister has for many years been a member of the Lourdes Academy faculty.

I believe that Joseph Glasser, a Cleveland newspaper editor, eloquently expressed the sentiments of the entire community in the following editorial which was published in the West Side News and the West Parker:

Lourdes Has 75th Birthday

Lourdes Academy, a West Side private high school for girls, will mark an important milestone this month—the 75th anniversary of its founding in 1892.

Lourdes is the pioneer of Catholic secondary education in Cleveland. Its more than 4,000 graduates must be scattered throughout the world.

No matter where they are or what their state may be, we are certain their lives have been enriched and their goals heightened by attending Lourdes Academy.

The diamond anniversary theme, "Lourdes Academy: Commitment to Excellence," exemplifies the past, present and future of the school.

Lourdes Academy has been a tower of strength in community betterment and those who entered its classrooms received more than an education.

They were taught how to be better citizens. They were schooled in the advantage of leading exemplary lives.

We salute the faculty and those who presently administer the school's affairs and commend their counterparts of the past three-quarters of a century.

Their dedication and inspiration have been major factors in shaping the lives of the thousands whose alma mater is Lourdes Academy.

The entire community should be proud of the accomplishments of this respected institution of learning.

Graduates of Lourdes' glorious past have lighted paths on which they have trod to the four corners of the earth.

It is our hope they will be followed by still more thousands of Lourdes' lovely ladies.

COMMITTEE ON RULES

Mr. COLMER. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

INCONSISTENCY IN PROCEDURES OF THE DEMOCRATIC PARTY

Mr. JONES of North Carolina. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. JONES of North Carolina. Mr. Speaker, as one interested in the present image as well as the future of the Democratic Party, I feel compelled to raise a question regarding the action of the National Democratic Executive Committee.

A few days ago, a majority of the Democratic members of this 90th Congress, but not including my vote, saw fit to continue strong, punitive action against the Honorable John Bell Williams of Mississippi, as a result of his political "sin" of failing to support the National Democratic ticket in November of 1964.

Yet, in recent hours it has been announced that another branch of our Democratic Party, the National Executive Committee, has employed a former Member of this Congress, the Honorable Charles Weltner, of Georgia, for the purpose of attracting the young voters and solidifying the party. Yet, this same gentleman, sometime last October, vigorously refused to vote for or support the Democratic nominee for Governor of Georgia, and carried his protest so far as to even resign as a Member of the U.S. Congress.

There are those who will say that these actions are independent, and were taken by two entirely different groups; yet, I submit that one segment of the party is responsible to all other segments of the Democratic Party. And so I can only conclude that there is a great amount of inconsistency in procedures of our great party in recent days. Nothing in these remarks is to be construed as a personal criticism of the individual, but it simply seems to me that on the one hand we penalize severely, and on the other, with the identical, same position of failing to support the party, we apparently reward with high positions.

EAST-WEST TRADE: BUILDING BRIDGES OF UNDERSTANDING

Mr. REES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. REES. Mr. Speaker, last December I had the opportunity to visit the countries of Eastern Europe as a member of the International Trade Subcommittee of the House Banking and Currency Committee. We were looking generally at the possibilities of increased East-West trade, and particularly at a proposal by Fiat of Italy to construct an automobile plant in the Soviet Union. Fiat would be purchasing some of the equipment for the plant in the United States.

In 2 weeks we visited Yugoslavia, Hungary, Czechoslovakia, and the Soviet Union. During that time we spoke with the top government officials in the fields of foreign trade and banking. At all times we were briefed by our own excellent embassy staffs.

The most important eye opener was that there is no such animal as monolithic communism. The countries in Eastern Europe are, of course, Communist and are under the Soviet yoke in many ways and in varying degrees. But the differences between the individual countries, both in their political and economical structures, are great. Each country is in a state of flux and appears to be moving away from the rigid, centralized Communist economy of the past.

Yugoslavia has moved the furthest. The economy is fast becoming decentralized. More autonomy is being given to the state or regional government and, at the national level, to the legislative branch of government. Business and industry are asserting themselves to a greater extent and appear to be very much market oriented: The businesses—which are referred to as enterprises—are managed with many of the same concepts as businesses in the West; that is, primary attention to meeting the market demand, making a profit, and expanding where the market dictates.

This is in great contrast to the Soviet Union where the demands of the marketplace—the consumer—have meant little, production being dictated by centralized planning committees. Yugoslavia also has a different concept of business ownership. Ownership is in the hands of the workers, who in turn elect their management. The workers, desiring greater profits, tend to elect competent managers who can do the most for the enterprise.

Financing of each enterprise is accomplished by means of its own reserves together with bank loans. The borrowing of money from the bank entails the same economic justification demanded by bankers or lenders in this country. Again, this is in sharp contrast to Soviet enterprises which are owned by the state and are financed out of the central budget—scant attention is given to profit and loss statements.

The Yugoslavs broke away from the Soviet yoke in 1948 and since then have taken a very pragmatic view toward their problems. Their progress in the development of their economy has been of great influence in the other Iron Curtain countries which are beginning to find that overcentralized dictation, unrealistic national quotas, and a slavish following of preconceived Marxist theories are not producing the desired results.

Due partly to the results of the Yugoslav experiment and partly to internal changes in their own countries, the other Iron Curtain nations are also beginning to experiment with decentralized, market-oriented economies. The new experiment differs from country to country as they each have to deal with their own economic realties and their own local brand of communism.

All is not peace and light in this process of trying to discover the magic of the market economy. In fervent opposition are the old-line Communist bureaucrats who have the almost impossible task of moving away from their entrenched, preconceived concepts of "that old-time" Marxism, and who also see a threat to their status and security under the proposed changes in the system. They look hopefully for the "chink in the armor," the fatal mistake, that will enable them to brush this new wave under their ideological rug and return to the past security that only conformity can provide.

The trip left me optimistic about the eventual outcome of East-West affairs. I firmly believe that East-West trade presents the most practical road to peaceful relations among our countries. This is not to say there are no differences at present between East and West. There are differences and they are great. But trade builds bridges of understanding and in this crucial year of 1967 we need many more bridges.

MORE ACTS OF PIRACY ON THE HIGH SEAS

Mr. PELLY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, I have just learned that Ecuador has again committed an act of piracy on the high seas and a violation of international law. This act occurred through the seizure of three more American tuna fish boats, the *Ronnie S*, the *Ranger*, and the *Determined*, which were some 25 to 30 miles off the coast of South America. According to first reports Ecuadoran guards were placed aboard these vessels and they were taken to Port Salinas.

Mr. Speaker, may I again call to the

attention of the Members of the House of Representatives that our Government policy with regard to illegal acts against our fishermen is wrong. Our State Department pays the fines illegally imposed by foreign countries on our fish boats. Then the Government files a claim for refund which these Latin American countries never honor. The system is a joke and encourages more and more seizures.

I have requested an early hearing on my bill, H.R. 4451, which provides that where these claims for repayment are not honored the President must cut off all foreign aid to such nation.

Mr. Speaker, the U.S. Constitution guarantees protection of American citizens on the high seas. They are not getting it.

THE PRESIDENT'S CRIME MESSAGE

Mr. WATSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. WATSON. Mr. Speaker, after carefully analyzing the President's message on crime in this country, I feel that his proposals are woefully inadequate to effectively reduce the alarming growth of crime.

I had hoped that his message would contain specific proposals on how to best counter recent decisions by the courts which have encouraged rather than deterred crime. Unfortunately, instead of containing strong language in this regard, the message was nothing more than a rerun of the tired old cliches that we have come to expect from this administration. The only cure for society's ills, according to the recommendation of the President, is the Federal handout. If we accept the reasoning of the administration, sociological factors alone are the major cause of crime. They are attempting to justify the crime without making the criminal pay for its commission. Obviously they are more interested in justification than in justice.

But, ask any law-enforcement officer in this country today why crime is on the increase and I venture to say, in 90 percent of the answers, they will cite as reasons the modern view by our courts that the criminal is only a victim of social or economic circumstances. The old view that a crime is a crime and should be dealt with by swift, certain, and impartial justice is completely alien to many judges serving on the bench today. In all too many instances, the courts are pampering the criminal at the expense of the victim. In my view, once wrongdoers are convinced that lawlessness will not be tolerated and that they will be called upon to account for their misdeeds, then and only then will crime decrease.

In the court's anxious desire not to offend the criminal, several ridiculous situations have developed, including some areas where arresting officers are required to present a card to the apprehended criminal, virtually suggesting that he remain silent. It must seem disillusioning for a policeman to risk his life to capture a criminal, and then have an accomplice to the crime escape because of such requirements. Justifiably, many officers are more apprehensive about resulting charges against them in making an arrest than the danger of apprehending the criminal.

Of course this deplorable situation has resulted from decisions by the Supreme Court including the infamous Miranda against Arizona case which stripped law enforcement officers from any advantage that they might have in dealing with the criminal through immediate interrogation. I had always believed that the law under the Bill of Rights was designed to protect the innocent. But, in the Miranda decision, the innocent victim is left on his own while, to the detriment of law and order, the guilty can remain silent and—in all too many instances—go free without paying his debt to society. This means that the criminal on mere legal technicalities can return to society to inflict more wrong on the innocent. Only recently, a national study pointed out that 85 percent of those apprehended for crime were repeat offenders.

This situation handcuffs the law enforcement officer and is resulting in a serious blow to police morale, which is reported to be at an alltime low, especially in the Nation's Capital. Such a condition is built to order for the hardened criminal, and yet no effort is being made either by the administration or the courts to relieve this critical problem.

In my opinion, one way to boost the lot of the policemen and to curtail the rising crime rate is by legislation to restrict the court from throwing out voluntary confessions by criminals. Today I am introducing a House joint resolution which sets forth an amendment to the Constitution relative to reversal or modification of a criminal action by a Federal court when the decision of the trial court was based either wholly or in part on voluntary confession. I believe that such a bill is a step in the right direction toward law and order and I extend to my colleagues an invitation to join me in sponsoring this legislation.

SETTING THE RECORD STRAIGHT

Mr. CHAMBERLAIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CHAMBERLAIN. Mr. Speaker, the Washington Merry-Go-Round by Drew Pearson appearing in the Washington Post this morning made reference to the briefing for Members of the House at the White House last Wednesday night and to the questions asked by some of those present. His column states, among other things, that—

> Charles Chamberlain of Lansing, Mich., a GOP oldtimer, wanted to know why we hadn't gone in and used every bomb in the arsenal against every target available.

Mr. Speaker, it is true that I was invited to the White House by the President and I did attend the briefing last Wednesday. Further, the President accorded to me the opportunity to ask the very first question of the evening. However, I asked no question of Secretary McNamara as Mr. Pearson infers. Nor did I ask any question relating to bombing. The reference contained in Mr. Pearson's column of this date as it relates to me is totally inaccurate. I will be pleased to yield at this time to any of my colleagues who were present at the White House briefing last week who might wish to take exception in any way to what I have just said.

In view of this inaccurate report regarding my participation in this briefing session, I would like to take this occasion to set the record straight. When asked by the President if I had any questions, I stated that I had long been concerned with free world shipping to North Vietnam and commended the effort that had been made to reduce this traffic from 256 vessels in 1965 to 74 in 1966. I then went on to state that I was disturbed that 6 vessels flying free world flags had sailed to the port of Haiphong in January 1967 and I asked specifically what was being done to stop this shipping, particularly in view of the fact that the cargoes carried by these vessels was classified secret.

Mr. Speaker, it has been my understanding that the briefings at the White House for Members of Congress were an off the record type and for that reason I have made no statements to the press or any news sources as to what transpired. It is regrettable such distortions flow from these gatherings for they cannot help but inhibit a free exchange of ideas with respect to great problems that are of crucial importance to our country and to the world.

AN IMMEDIATE INVESTIGATION OF THE RELATIONSHIPS BETWEEN THE CENTRAL INTELLIGENCE AGENCY AND THE U.S. NATIONAL STUDENT ASSOCIATION SHOULD BE CONDUCTED BY CONGRESS

Mr. UTT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. UTT. Mr. Speaker, I rise to address the House today on a matter of substantial concern to me. I refer to the highly questionable relationships between the Central Intelligence Agency and the National Student Association—NSA—which were disclosed this week. I am confident that my concern is shared by many, if not most Members and by a multitude of concerned American citizens.

On July 26 of last year, I addressed the House on the relationships between the Department of State and NSA. At that time I never anticipated the shocking announcements of this week that NSA was being financially backed by the CIA to the tune of as much as $400,000.

So that the record will be clear as to the issues which I raised last year concerning NSA's relations with the Federal Government and so that the background on this matter is known to all, I include, under unanimous consent, the full text of my remarks last July 26 at this point in my remarks today. Those remarks follow:

Department of State Funds to National Student Association Should Be Investigated

(Mr. Utt asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. Utt. Mr. Speaker, the activities of the U.S. National Student Association—NSA—have disturbed many Members of Congress over the past several years. Despite NSA's tax exempt status, it has persistently participated in blatantly political activities. During the past several years, NSA has become increasingly critical of a strong American foreign policy, especially in southeast Asia.

NSA has passed resolutions which call for the abolition of the House Committee on Un-American Activities; which call for the United States to sponsor the admission of Red China to the United Nations; which call for a halt to United States bombing of North Vietnam; which call for the inclusion of the Vietcong—National Liberation Front—in any negotiations for a ceasefire; which call for an end to all U.S. "aggressive military action" in Vietnam; which oppose the McCarran Act—the Internal Security Act of 1950; which support the free speech movement at the University of California at Berkeley—a movement which California legislative investigating committees and the Federal Bureau of Investigation have deemed as infiltrated by radical left-wing elements; and which have called for a myriad of other extremist positions.

NSA has consistently refused to adhere to its constitution which specifically prohibits its participation in partisan political activity. It has refused to abide by the provisions of section 501(c)(3) of the Internal Revenue Code of 1954 under which NSA has obtained its tax exemption status. That section of the code allows tax exemptions for "corporations organized and operated exclusively for educational purposes, no substantial part of which is carrying on propaganda, or otherwise attempting to influence legislation, and which does not participate, or intervene in—including the publishing or distributing of statements—any political campaign."

Despite these two restrictions, NSA continues with its political activity, much of which is an effort to influence legislation before the Congress. Their recent participation in activities which will undermine a strong policy in Vietnam is even more disturbing.

Mr. Speaker, as I have indicated, NSA has adopted resolutions calling for a halt to U.S. bombing raids of Communist North Vietnam, calling for the inclusion of the Vietcong in any negotiations for a ceasefire, and calling for an end to all U.S. "aggressive military action" in Vietnam.

Three particular items have come to my attention recently, and I feel that these items may warrant a close examination by the appropriate committees of the Congress when the appropriations for the Department of State are considered for oncoming fiscal years.

We have seen that NSA has consistently opposed the position of a strong effort in Vietnam. They are trying to undercut any efforts, whether by the Congress or by the President, to strengthen the U.S. position in southeast Asia.

The first item which came to my attention was an article in the Washington Post, Saturday, May 21, 1966, which article stated in part:

"NSA is subsidized with about $600,000 a year from the Ford, Field and Rockefeller Foundations, the AFL–CIO, the Department of State and other well-heeled organizations."

This article clearly states that part of NSA's funds are received from the Department of State, the very Department which is charged with the responsibility for conducting our foreign policy and carrying out the programs of the administration in southeast Asia, policies and programs which NSA has consistently opposed. Of course, if NSA is engaged in political activity, and it thereby loses its tax exemption, it will place those other tax exempt organizations, such as the Ford, Field, and Rockefeller Foundations, in danger of losing their tax exempt statuses or seriously jeopardizing them.

The second item which came to my attention was the article by Henry Raymont in the New York Times, May 23, 1966, which stated, in part:

"The leadership of the largest American student organization has given . . . a bleak and discouraging account of political unrest and the prospects of the war in South Vietnam.

"A report circulated by the National Student Association predicted that there would be no internal peace in South Vietnam until the United Buddhist Church assumes an active role in a constitutional government. It scored the U.S. for continuing to support the military junta.

"It also urged that American policies, no matter how well intentioned, had hopelessly alienated most of the civilian population, had created suspicions about the United States "domination" and had generally failed to achieve meaningful goals in economic and social assistance.

"The 4,250 word document is a journal of a two-week visit to South Vietnam last month by Philip Sherburne, N.S.A. president, and two other officers, Malcolm Kovacs and Gregory Delin.

"Mr. Sherburne, a 23-year-old graduate of the University of Oregon, disclosed yesterday that the delegation had made the trip at the expense of the State Department."

Now, Mr. Speaker, we see that the Department of State, according to NSA's president, is financing the travel of the officers of NSA to South Vietnam who promptly return home and blast away at American foreign policy there. What kind of a ridiculous effort is the Department of State making with NSA and its officials?

As if these two items are not bad enough, I now learn that NSA has been actively supporting the Student Nonviolent Coordinating Committee—SNCC—the militant black nationalist student organization and the originator of the term "black power," for some time, and may even now be financing some of their activities, directly and indirectly. This raises grave problems indeed. If SNCC is being financed, to some extent, by NSA and NSA is being financed to some extent, by the Department of State, then serious problems arise concerning the funding of the organizations. Not only has SNCC taken an active role in highly disruptive protest demonstrations against the war in Vietnam, but it boycotted the recent White House Conference on Civil Rights because it is opposed to the war in Vietnam and views it as a "class weapon" to draft Negroes for the armed services.

NSA's association with SNCC is a matter of record. Delegates to the 14th National Student Congress of NSA adopted a resolution declaring NSA's approval of the objectives and programs of SNCC. SNCC's membership in the new left, its involvement in the Vietnam protest demonstrations, its demonstrations against the House Committee on Un-American Activities, and its preachings of "black power" inciting class hatred in America do not seem to have affected, in the least, NSA's relationship with SNCC. As recently as January 1966, SNCC issued a policy statement concerning U.S. involvement in Vietnam which was according to SNCC chairman at that time, John Lewis, approved by the entire national staff of SNCC without dissent. The SNCC statement urged draft-age Americans to deliberately avoid military service in Vietnam. The policy statement said, in part:

"We maintain that our country's cry of 'preserve freedom in the world' is a hypocritical mask behind which it squashes liberation movements which are not bound, and refuse to be bound, by the expediencies of the United States cold war policies."

Mr. Speaker, these three items which I have cited today raise serious problems for the Department of State. I surely hope that the Department is not supporting the activities of NSA when it must know that NSA has in the past, is now, and undoubtedly will continue to be an organization opposed to the policies of the United States in southeast Asia, so long as those policies are anything other than withdrawal, but it does appear that way.

Mr. Speaker, the Committee on Foreign Affairs should consider interrogating the Department on these important items. The Committee on Appropriations and its subcommittee on the Department of State appropriations should consider investigating these charges and should consider requiring the Department to cease its support of this radical student organization which is subverting American foreign policy.

Mr. Speaker, I was at that time, and still am, greatly concerned that NSA, an organization that has consistently opposed any strong anti-Communist U.S. foreign policy, has been financed by the instrumentality of our Government charged with the responsibility for carrying out our foreign policy—the Department of State. As I outlined in my July 26 remarks, NSA, while being supported by tax dollars through the Department of State, was making every attempt possible to undermine our Government's announced policy to win the war in Vietnam, a policy that the Department of State was supposedly supporting to the very maximum extent of its efforts.

In my remarks of July 26 I called upon the Committee on Foreign Affairs and the Committee on Appropriations or its subcommittee charged with the responsibility of handling appropriations for the Department of State to investigate fully the matters which I raised in my floor remarks. In the press for adjournment during the closing weeks of the last session, such hearings were not held. To the best of my knowledge, no official of NSA or the Department of State was officially interrogated by any congressional committee on the matters raised in my remarks.

NSA RECEIVING OVER $400,000 A YEAR FROM THE CIA

Mr. Speaker, I was very distressed to read in several nationally circulated newspapers yesterday—Tuesday, February 14—that the Central Intelligence Agency has been financing the operations of NSA "since the early 1950's" to a tune of around $400,000 a year some years. Some comments have placed the total figure of CIA financing of NSA at approximately $3 million over the past 17 years.

For the benefit of the Members, an article on this matter in the Washington Star of Tuesday, February 14, stated, in part:

The Central Intelligence Agency has been supplying financial assistance for the international operations of the National Student Association for the last 17 years, U.S. officials said today.

The government's statement followed a statement by officials of the student organiza-

> tion that they have been receiving heavy government financial aid.
>
> * * * * *
>
> As much as $400,000 in CIA funds was channeled to NSA annually through foundations in the early 1960's, when the CIA paid between 50 and 85 percent of NSA's yearly budget.
>
> But present NSA officers said last night that for the last two years the student organization has worked to end the "covert relationship" with the CIA, and only 5 percent of its current $1 million annual budget comes from the intelligence agency.

IMPORTANT QUESTIONS RAISED

There are many important questions which arise from this article.

First, what influence did the CIA have on NSA's official policies when it was supplying 50 and 85 percent of NSA's yearly budget?

Second, if NSA officials did not like the relationship, then why was it tolerated and the CIA's money accepted for 17 years?

Third, if NSA's official positions reflected the wishes of the CIA, then what is the CIA doing having the NSA annual Congresses adopt resolutions in almost total opposition to U.S. foreign policy?

Fourth, despite comments from the Department of State, which is acting as the spokesman of the Federal Government on this matter, that the money was supplied to help American students offset student organizations of Communist-bloc countries who are heavily financed by their governments, what are all the purposes for which NSA expended tax dollars from the CIA?

I find it hard to believe that NSA could have spent 85 percent of a million dollar a year budget on sending students to international conferences. To me, it just is not practicable that NSA could have spent $850,000 to help American students at international conferences and then spend only the remaining $150,000 on the multitude of other undertakings of the organization.

Furthermore, if NSA has cut off its financial relationships with the CIA during the past 2 years, as NSA's spokesman said yesterday—David Brinkley said 1965 last night—then why have the latest articles reported that NSA has received "5 percent of its current $1 million annual budget from the intelligence agency"—$50,000. I repeat, $50,000, for its current budget operations.

I just cannot imagine the CIA giving NSA 85 percent of NSA's annual budget without dictating the terms, at least the general terms, for its uses.

NSA WORKING AGAINST U.S. FOREIGN POLICY

At the same time that NSA's operations was being financed by the CIA and the Department of State it first, passed a resolution calling for the abolition of the House Committee on Un-American Activities; second, passed a resolution calling for the United States to sponsor the admission of Red China to the United Nations—something clearly in opposition to announced U.S. foreign policy; third, passed a resolution calling for the inclusion of the National Liberation Front—the Vietcong front outfit—in any negotiations for a ceasefire in Vietnam—something clearly out of line with our overtures for a ceasefire; fourth, passed a resolution which called for an end to all U.S. "aggressive military action" in Vietnam—something which smacks our sincere efforts in Vietnam in the face and, fifth, passed a resolution which called for the weakening of our internal security acts.

Why did not the CIA and the Department of State cut off NSA's funds when NSA opposed so vigorously and tried to undermine so extensively our foreign policy efforts? Is it the policy of the instrumentalities of the Federal Government charged with carrying out our foreign policy to finance organizations working to undermine that foreign policy? That seems to be the case in this instance.

CLANDESTINE FINANCING OF NSA

According to the newspaper articles, the CIA has been giving money to Boston located front-foundations who in turn have been giving the funds to NSA. It raises some questions as to whether or not the CIA was not knowingly financing the activities of an organization—NSA—which has consistently worked to undermine our foreign policy.

NSA, CIA, AND PUBLIC POLICIES

Mr. Speaker, it is highly questionable—if not outright dangerous—to have Federal funds going toward the influencing of public policy. It was discouraging to learn that the Department of State was financing NSA at a time when NSA official position—adopted at its national congresses—was in opposition to a strong policy of winning the war in Vietnam, our major foreign policy matter. It is more distressing to learn that NSA's activities—and those activities include supposedly speaking for the thousands of college students on American college campuses—are being financed by a Federal instrumentality to a much greater extent than the Department of State would have ever dared to do. It raises grave questions as to whether or not NSA in calling for the many questionable things which it has called for was speaking for the American college students or one of its principal financial sponsors—the CIA. Surely $100,000 a year comprised a significant percentage of their total operating funds, surely enough to make them think twice before speaking out on a matter which would raise the ire of their financial backer—the CIA. Perhaps NSA's declarations that American college students do not support winning the war in Vietnam is not really the voice of the American college community.

NSA VIOLATIONS OF FEDERAL LOBBYING ACTS?

Mr. Speaker, I think this is the appropriate place to point out that there are Federal laws against using Federal funds for lobbying activities. NSA's many appearances before congressional committees in attempts to influence legislation and its financial backing by the CIA—with Federal tax dollars—raises grave questions. NSA officials may be guilty of having violated Federal law.

Mr. Speaker, NSA officials have appeared many times before the committees of Congress to speak out on certain legislation. Not only does this raise questions about NSA's tax-exemption status with respect to overt attempts to influence legislation, but it now raises additional questions about the use of Federal moneys in connection with their appearances. It looks to me like Federal funds were possibly being used to put these student voices on the record before the committees to supposedly speak for the students of America. This also raises grave questions about the use of Federal funds for what actually amounts to lobbying. Has NSA been lobbying before Congress with Federal funds? This is a question which should be answered on the record.

NSA'S DESTRUCTION OF CONFIDENCE IN ITS PURPOSES

Mr. Speaker, insofar as I am concerned, this one incident alone could destroy NSA—and perhaps, in light of the evidence, it should. NSA, while supposedly speaking for American college students, appears to have been speaking for someone else. I cannot personally see how any student body that belongs to NSA could remain in the organization after these recent developments. The NSA national organization can no longer guarantee to them that it is speaking for the college students of America. It can no longer guarantee to them that it is free from outside control. It can no longer guarantee to them that they are getting their money's worth for belonging to it. It can no longer guarantee to them that their voices will be the ones which prevail as the American student consensus rather than the voices of their financial sponsors.

To me, NSA is destroyed as an official voice for the college students of the United States. It could never again represent American college students at international meetings with any prestige. NSA can never again be a trusted organization.

NSA VIOLATING FEDERAL TAX LAWS?

Mr. Speaker, the Internal Revenue Service should conduct an immediate investigation into NSA's tax-exemption status, and particularly into its reporting of income during the past 15 years. Although all the information on their tax reporting which I have been able to round up, to this point, is unofficial, it appears as if NSA has not been accurately reporting the amount or the sources of its total income during recent years.

Yesterday afternoon, Young Americans for Freedom, Inc., the Nation's largest conservative youth organization and one of great respectability, issued a special notice to the Washington press corps that they have available for inspection by all press representatives the complete Federal tax returns, form 990–A, for the years 1952 through 1964, filed by the National Student Association.

While these tax forms show numerous contributions to NSA from foundations labeled in the press as CIA fronts, as well as massive contributions from other obscure groups, they also indicate that income from the CIA fronts was not reported as required by law.

Mr. Speaker, NSA's flagrant violation of Federal laws—with respect to lobbying, with respect to tax reporting, and perhaps even with respect to many other matters—is not a matter to be easily dismissed as "politics." This organization—NSA—has acted outside the law, or at a minimum, serious questions have been raised about the legality of many of their actions.

AMERICAN STUDENTS TURNING THUMBS DOWN ON NSA

Mr. Speaker, the American student community is already reacting sharply against NSA on this matter. Representative of this growing antagonism toward NSA and its clandestine relationships with the CIA is yesterday's announcement by Young Americans for Freedom. At this point in my remarks, under unanimous consent, I include the text of their announcement yesterday.

YAF's announcement follows:

FEBRUARY 14, 1967.

YAF CALLS FOR CONGRESSIONAL INVESTIGATION OF NSA FUNDING BY THE CIA

Young Americans for Freedom, the nation's largest conservative youth group, has called for an immediate Congressional investigation of the relationship between the Central Intelligence Agency and the National Student Association (NSA).

Newspaper reports yesterday said that C.I.A. has been subsidizing the National Student Association at the rate of $200,000 annually since the early 1950's.

YAF announced that it is contacting the 45 Congressional members of its National Advisory Board, asking them to join in a call for a special investigation to determine:

1) The amount by which the Central Intelligence Agency subsidizes the National Student Association, and *why* it has subsidized a left-wing group with consistently radical positions;

2) Whether there has been a violation by NSA of the federal law prohibiting tax-exempt groups from seeking to influence legislation before Congress; and

3) Whether the C.I.A. subsidy amounts to a violation of the federal law prohibiting the use of federal funds to influence legislation before Congress.

The National Vice Chairman of YAF, Alan MacKay of Boston, Mass., said in a statement issued in Washington that the National Student Association consistently has taken far-left positions, often agreeing with Communists on major issues. MacKay cited NSA policy statements which call for an immediate halt to all bombing by the U.S. in Viet Nam, participation of the National Liberation Front—the political front of the Viet Cong—in a South Vietnamese coalition government, condemning U.S. aid to the Dominican Republic when the Communists threatened to take over by force, urging admission of Communist China to the United Nations, supporting the Berkeley students responsible for the disorders there, praising Fidel Castro, and opposing the House Committee on Un-American Activities.

"There can be no justification," McKay said, "for the use of American taxpayers' money to support this kind of radical left-wing group. The Congress has a duty to see that those responsible for this policy in the C.I.A. are removed and that such subsidies are ended."

McKay noted that YAF has in the past repeatedly called for an investigation of NSA's tax-exempt status, since such groups are forbidden by federal law from seeking to influence legislation before Congress.

"NSA has directly violated this law," McKay charged, "and on many occasions NSA officials have appeared before Congressional Committees and led national campaigns to influence legislation."

"Since CIA subsidy funds were routed through such tax-exempt foundations into NSA hands," he added, "these foundations, as well as NSA, should be investigated by the Internal Revenue Service."

McKay also noted that it is against federal law to use federal funds to influence legislation before Congress. He said that any CIA funds given to NSA and used for NSA lobbying activities would be another violation of the law.

The YAF Vice Chairman noted that last summer NSA officials had their expenses paid for a trip to Viet Nam by the U.S. State Department, then returned home and publicly criticized American policy on the Viet Nam war. He also said that NSA has admitted receiving funds from other federal government agencies, such as the Office of Economic Opportunity. McKay charged that this money went in part to foment civil disorder in Southern states, where NSA operatives joined radical civil rights protesters such as SNCC (the Student Non-violent Coordinating Committee).

Summing up, MacKay stated that "Young Americans for Freedom is deeply shocked that the CIA should secretly attempt to influence student opinion. But we are absolutely astounded to discover that federal funds in huge amounts have been placed in the hands of irresponsible leftists who do not represent American students. We call for an immediate and full Congressional investigation of this matter, as well as an Internal Revenue Service review of the tax-exempt status of NSA."

HEARINGS NEEDED NOW

Mr. Speaker, an investigation of the matters which I have raised last year and today is needed at once. These and other pertinent questions should be answered before a congressional committee with the Department of State, the CIA, the Internal Revenue Service, and representatives of NSA being called as witnesses. This should be done at the earliest possible date. This incident cannot go unnoticed by the Congress. It must be subjected to detailed congressional investigation.

SATURDAY, FEBRUARY 18, WENDELL L. WILLKIE WOULD HAVE BEEN 75 YEARS OLD

Mr. KUPFERMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KUPFERMAN. Mr. Speaker, I would like to call to the attention of my colleagues the fact that a great American, Wendell L. Willkie, would have been 75 years old on Saturday, February 18.

In the way that time seems to pass, he has been gone so long that he now ranks as legend with Abraham Lincoln and Theodore Roosevelt, but the concept of "One World," which he gave us, is as current as today's newspaper and the supersonic jet that fulfills his prophecy.

We all, of course, recall his 1940 candidacy for President on the Republican ticket, and I am proud that Freedom House in my district bears his name.

His widow, Edith, resides in my district where his son Phillip is in frequent attendance from the family home in Rushville, Ind.

As time goes by, the figure of Wendell Willkie will loom larger on our historical horizon, and on his 100th birthday, February 18, 1992, we will want to declare a national holiday.

DEMONSTRATORS AT THE PENTAGON

Mr. DORN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, the demonstrators at the Pentagon and those here in the Halls of Congress yesterday do not speak for the young people of our country. They do not speak for the patriotic mothers of America, nor do they speak for the academic community.

The great majority of American students, both high school and college, scorn such emotionalism. The great majority of American students know that this violent manifestation of disunity only encourages the ruthless aggressor to commit more aggression and to kill and wound more American boys.

Mr. Speaker, colleges and high schools all over the United States including the Southern Association of High School Student Councils, unanimously adopted resolutions supporting our efforts to oppose aggression in Vietnam.

Night before last, when these "peaceniks" were planning their assault upon the Pentagon and upon the National Government on Capitol Hill, a young high school student in my district sat down in the quiet of her own home and wrote me an encouraging and patriotic letter, very vividly portraying why we must remain in South Vietnam.

Mr. Speaker, my colleagues in Congress, and my fellow Americans, I share with you this timely and superb letter of this young teenager, Miss Martha Sue Hudgens, an 11th-grade student at Easley Senior High School, Easley, S.C., expressing why our Government must stand guard on the ramparts of freedom in South Vietnam.

DEAR SIR: I am an eleventh grader at Easley Senior High School where you gave a speech yesterday. I was moved by the speech you gave to us, and I want to say that I am behind our guys in Viet Nam one hundred per cent. I believe that the only solution to ending the war is to send those of our generation who are able to fight. So many people argue this point because many of our citizens are killed. I know how it is to lose a loved one in Viet Nam, because my boyfriend was killed there three months ago. But I have the satisfaction of knowing that Billy, my boyfriend, died for his country, which should be the most important thing to all of us who call ourselves United States citizens.

Those who demonstrate for peace throughout our nation should wake up to the fact that if we do not stand up to the Communists in Viet Nam, we may lose the freedoms we have today. If people would not take their freedoms for granted, and would stop to think what life would be like without them, maybe they would stop those demonstrations against the war.

People say that America is the land of life, liberty, and happiness, but how long can this last if we do not continue our fight against oppression in every part of the world? Eventually America could corrupt beneath our feet. Why can't people see this? Why don't they look into the future of America? Maybe then they could see the necessity of having American men in Viet Nam.

As I sit here in my home and realize how little I am doing for the future freedom of America, it frightens me. But I realize that the war cannot be won by one individual—all Americans must stick together. I wish I could do more than pray, hope, and support our boys in Viet Nam, but each time I try, I am told that I am too young. However, in a year or two I will be of age to join the Armed Services, and if the Lord is willing, I will. Then I can devote my life to the service of my country.

When you go to our schools in each county, please try to make the teenagers understand that our generation is the future of the world, and that they are needed to help by backing our guys in Viet Nam. Also assure them that even though some are killed, those who are will be fighting for their country and if they are like Billy, they will die doing the most important thing in their lives. Billy wrote and told me that if anything happened to him, he would know that his death would soon lead to freedom for the entire nation.

You are the main person that teenagers will listen to, and you and other government officials must try to make them understand why we must fight in Viet Nam.

Thank you again for visiting our school. I just hope it means as much to others as it did to me.

Sincerely,

MARTHA SUE HUDGENS.

CIVIL RIGHTS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 56)

The SPEAKER laid before the House the following message from the President of the United States, which was read and referred to the Committee on the Judiciary, and ordered to be printed:

To the Congress of the United States:

Almost two centuries ago, the American people declared these truths to be self-evident:

> That all men are created equal, that they are endowed by their Creator with certain inalienable rights, that among these are life, liberty and the pursuit of happiness.

Seventy-five years later, a savage war tested the foundations of their democratic faith. The issue of the struggle was, as Lincoln said, whether "we shall nobly save, or meanly lose, the last, best hope on earth."

Democracy triumphed in the field in 1865. But for the Negro American, emancipation from slavery was but the first engagement in a long campaign. He had still to endure the assaults of discrimination that denied him a decent home, refused his children a good education, closed the doors of economic progress against him, turned him away at the voting booth, the jury box, at places of public accommodation, seated him apart on buses and trains, and sometimes even threatened him with violence if he did not assent to these humiliations.

In 1948 President Truman ordered the Defense Establishment to accord equal treatment to servicemen of every race. That same year, the Supreme Court declared that State courts could not enforce racial covenants in the sale of houses. The Court later struck down racial discrimination in public transportation.

In 1954 segregated education was found to be inherently unequal and in violation of the 14th amendment.

In 1957, the first civil rights act in 82 years passed the Congress.

Three later acts were adopted within the next decade—in 1960, 1964, and 1965. Congress prohibited interference with the right to vote—to use any hotel, restaurant, or theater—to secure a job on the basis of merit. It barred the use of Federal funds to any agency that practiced racial discrimination.

Within these 20 years, the institutions of democratic government have begun to make the ancient, self-evident truths a reality for all Americans.

Though much of our task still lies before us, it is important to measure the progress we have made in the past few years.

THE STRUGGLE AGAINST DISCRIMINATION

VOTING

Since the passage of the Voting Rights Act of 1965, the number of Negroes registered in the five States where voter discrimination was most severe has increased by 64 percent—from 715,099 to 1,174,569. The vast majority of the new voters—about 334,000—were registered by local officials, in voluntary compliance with the act.

The remainder—some 125,000—were registered by Federal examiners in 47 counties of the five States. Federal observers were present in many counties during the 1966 primary and general elections to insure that the newly registered voters were permitted to vote without interference.

In 1960, a Negro citizen complained that for 10 years he had tried without success to register to vote. Not a single Negro had been registered in his county for 60 years. In 1966, he ran for a seat on the local school board—and won.

Today, 20 Negroes serve in southern legislatures. Several important local offices, such as school boards and county commissions, now have Negro membership.

The electorate in these States has begun to change. The right to vote—the fundamental democratic right—is now exercised by men and women whose color served in years past to bar them from the polls. After centuries of silence, their voice is being heard. It will never again be stilled.

SCHOOLS

In the 1963–64 school year, 10 years after the landmark Brown decision, 1 percent of the Negro students in the 11 Southern States were in schools also attended by white students.

Then came the 1964 Civil Rights Act and its prohibition against the use of Federal funds to support racial bias.

In September 1966, 12.5 percent of the Negro students in those same States we enrolled in desegregated schools. We expect this figure to increase significantly next fall. We will proceed with the task of securing the rights of all our children.

HOSPITALS

This year Negroes are being admitted to hospitals which barred them in the past. By January, 7,130 hospitals—more than 95 percent of the hospitals in the Nation—had agreed to provide services without discrimination. More than 1,500 of those hospitals have had to change past policies to make that commitment.

Getting rid of discriminatory practices has benefited hospital systems, as well as the people they serve.

Last year, for example, half the beds in an all-white hospital were unoccupied. Yet Negroes in the community were sent to a completely segregated and overcrowded hospital. The half-empty hospital changed its policies to admit Negroes, and it now operates at full capacity. The formerly Negro hospital will be converted into a nursing home serving both races. The effect of the change was to provide better medical care for the entire community.

PUBLIC ACCOMMODATIONS

When the 1964 Civil Rights Act was passed, prohibiting racial discrimination in places of public accommodation, fears were expressed that this sharp change in established customs would bring about serious economic loss and perhaps even violence.

Yet from the start there has been widespread voluntary compliance with the law. Thousands of restaurants, motels, and hotels have been opened to Americans of all races and colors. What was thought to be laden with danger proved generally acceptable to both races.

Because all businesses of a similar type are covered, each businessman is free, for the first time, to operate on a nondiscriminatory basis without fear of suffering a competitive disadvantage.

Now Negro families traveling through most parts of their country do not need to suffer the inconvenience of searching for a place to rest or eat where they will be accepted or the humiliating indignity of being turned away.

PROGRAMS FOR SOCIAL JUSTICE

The struggle against today's discrimination is only part of the Nation's commitment to equal justice for all Americans. The bigotry of the past has its effects in broken families, men without skills, children without learning, poor housing, and neighborhoods dominated by the fear of crime.

Because these effects are encrusted by generations of inferior opportunities and shattered hopes, they will not yield to laws against discrimination alone. Indeed there is no swift medicine, no matter how potent or massively applied, that can heal them at once. But we know some of the things we must do if the healing process is to begin—and we are doing them.

EDUCATION

Headstart has given deprived children a chance to learn in later years—instead of being merely exposed to school. Through this and other preschool programs, 2 million children have been offered better education and health care.

More than 7 million children in 70 percent of all school districts in the United States have participated in programs under title I of the 1965 Education Act. These programs have a single aim: to improve the education of disadvantaged children. The better libraries, larger professional staffs, advanced instructional equipment, and other services they provide are investments in the future of children who need them most.

In my message on America's children and youth, I asked the Congress to provide an additional $135 million to strengthen Headstart. With these funds, we will launch a Headstart follow-through program in the early grades of elementary school to maintain the momentum the child has gained and we will extend the Headstart program downward to cover more 3-year-olds.

Extraordinary help at the start of life is necessary for all disadvantaged children. It is particularly necessary for the Negro child reared in poverty and encumbered by generations of deprivation.

JOBS AND TRAINING

Thousands of job opportunities for the young have been created by the Neighborhood Youth Corps and the Job Corps. The first, active in both urban and rural areas, has enabled many young people to earn enough to remain in school, and provided employment and remedial education for dropouts.

The Job Corps—also meant to help those between 16 and 21—has offered other thousands both a change of environment and the opportunity to acquire education and job training.

The Manpower Development and Training Act gives men without jobs or skills the chance to acquire both, by combining Government planning and resources with private industry. The work experience program offers welfare recipients a means of obtaining the experience they need for gainful employment.

Today's strong economy, which last year put almost 3 million more Americans on the payrolls, is also of tremendous benefit to needy persons in search of dependable employment. But for the long term, and as demand for better qualified workers grows, training and remedial education will be of even greater importance to the disadvantaged. This is particularly true for those who leave the farm and move to urban areas in search of employment, without the skills an urban society requires.

During the last 3 years, our training programs have provided the means of self-sufficiency to almost a million men and women. The value of these programs to the Negro American is especially great.

The unemployment rate for Negroes is more than double that for whites. About 650,000 Americans, more than 20 percent of all unemployed, are nonwhite. About 213,000 of these are between 14 and 19 years of age. Job training is essential to enable them to get off the welfare rolls and to go on the tax rolls.

Our economy is also strengthened by these programs. If Negroes today had the same skills as other Americans, and if they were free from discrimination in employment, our gross national product could become $30 billion higher.

I will shortly submit recommendations to strengthen and expand these training programs. I am asking the Congress for an additional $135 million in appropriations for the Office of Economic Opportunity for a special program to open the doors of opportunity and meaningful employment to our most disadvantaged citizens.

I will call for the active assistance of private industry and organized labor to provide skills and jobs to those now confined to the welfare rolls and the slums.

THE NEED FOR PERSEVERANCE

There are those who believe this series of accomplishments is long enough. There are those who grow weary of supporting great social programs, impatient with the failures that attend them and cynical about those they are intended to help. There are those who think "equal justice" is a rhetorical phrase, intended only as an admonition to judges, not as a guiding principle for national policy.

To them I can only say: Consider the consequences if the Nation—and I as the President—were to take what appears to be the easy way out, abandon the long, hard struggle for social and economic justice and say that enough has been done.

There would be little hope of strengthening the economy of the country through the improved earning power and productive capacity of Negro Americans.

There would be little hope of avoiding massive welfare expenditures for people denied the training and jobs they need to become self-supporting.

There would be little hope of ending the chain of personal tragedies that began with ancient bigotry and continues to this hour.

There would—above all—be little hope of achieving the self-respect that comes to a nation from doing what is right.

Our task is far from over. The statistics demonstrate the magnitude of the effort required.

The life expectancy of the Negro is 5 years shorter than that of his white contemporary and the infant mortality rate for Negroes is 40 percent higher.

The adult white has had at least 3 more years of education—and has been educated in better schools—than the average adult Negro.

The unemployment rate for nonwhites aged 21—even in this time of near-full employment—is double that of whites.

Negroes are characteristically more densely housed in units only 56 percent of which meet health and safety standards.

The income of the average Negro family is about 40 percent lower than that of the average white family.

The programs we have adopted in the past few years are only a beginning. We have made a good start.

But we must remember that it is only a start. We must realize that civil rights are also civil opportunities. Unless these rights are recognized as opportunities by Negro and white alike, they can achieve nothing. We must realize that training and education programs provide skills and opportunities. But only where there is both the will to seek the job and the willingness to hire the job applicant, can these programs achieve their ultimate objectives.

The next steps are harder, but they are even more important. We shall need years of trial and error—years in which children can be strengthened to grow into responsible young adults, years of better training, better jobs, better health, and better housing—before the results of what we have done so far can be seen.

Perseverance, the willingness to abandon what does not work, and the courage to keep searching for better solutions—these are the virtues the times require.

CIVIL RIGHTS LEGISLATION

Last year I proposed the enactment of important civil rights legislation. I proposed that legislation because it was right and just.

The civil rights legislation of 1966 was passed by the House of Representatives, and brought to the floor of the Senate. Most of its features commanded a strong majority in both Houses. None of its features was defeated on the merits.

Yet it did not become law. It could not be brought to a final vote in the Senate.

Some observers felt that the riots which occurred in several cities last summer prevented the passage of the bill.

Public concern over the riots was great, as it should have been. Lawlessness cannot be tolerated in a nation whose very existence depends upon respect for law. It cannot be permitted because it injures every American and tears at the very fabric of our democracy.

We want public order in America, and we shall have it. But a decent public order cannot be achieved solely at the end of a stick, nor by confining one race to self-perpetuating poverty.

Let us create the conditions for a public order based upon equal justice.

THE CIVIL RIGHTS ACT OF 1967

The act I am proposing this year is substantially the same as last year's bill. Some revisions have been incorporated to take account of useful suggestions and perfecting amendments made by the 89th Congress. I believe these revisions offer a basis for common action.

I recommend the adoption of a national policy against discrimination in housing on account of race, color, religion, or national origin. I propose the adoption of progressive steps to carry out this policy.

I recommend the clarification and strengthening of existing Federal criminal laws against interference with Federal rights.

I recommend requirements for the selection of juries in Federal courts to guard against discrimination and insure that juries are properly representative of the community.

I recommend legislation to eliminate all forms of discrimination in the selection of State court juries.

I recommend that the Civil Rights Act of 1964 be amended to authorize the Equal Employment Opportunity Commission to issue judicially enforceable cease-and-desist orders.

I recommend the extension, for an additional 5 years, of the U.S. Commission on Civil Rights.

I recommend a 90-percent increase in appropriations for the Community Relations Service.

These measures are not new. I have recommended and supported them in the past. I urge the Congress to act favorably upon them because justice and human dignity demand these protections for each American citizen.

EQUAL JUSTICE IN HOUSING

For most Americans, the availability of housing depends upon one factor—their ability to pay.

For too many, however, there are other crucial factors—the color of their skin, their religion, or their national origin.

When a Negro seeks a decent home for himself and his family, he frequently finds that the door is closed. It remains closed—though the Negro may be a serviceman who has fought for freedom.

The result of countless individual acts of discrimination is the spawning of urban ghettoes, where housing is inferior, overcrowded, and too often overpriced.

Statistics tell a part of the story. Throughout the Nation, almost twice as many nonwhites as whites occupy deteriorating or dilapidated housing. In Watts, 32.5 percent of all housing is overcrowded, compared with 11.5 percent for the Nation as a whole.

In Harlem, more than 237,000 people live in an area consisting of 3½ square miles. This is a density of 105 people per acre. Ninety percent of the buildings in Harlem are more than 30 years old, and almost half were built before the end of the 19th century.

The environment of most urban ghettoes is the same: inferior public facilities and services—streets, lighting, parks; sanitation and police protection; inferior schools; and isolation from job opportunities. In every sphere of urban life the ghetto dweller is shortchanged.

A child growing up in such an environment must overcome tremendous manmade obstacles to become a useful citizen. The misery we tolerate today multiplies the misery of tomorrow.

Many of our existing and proposed programs—though not directed simply at relieving the problems of any particular minority group—will relieve conditions found in their most acute form in the urban ghetto. These programs are necessary and they must be fully supported.

But money and assistance are not enough. Since the ratification of the 14th amendment to the Constitution, this Nation has been committed to accord every citizen the equal protection of its laws. We must strengthen that commitment as it relates to discrimination in housing—a problem that is national in scope.

The legislation I recommend would ultimately apply to all housing in the United States. It would go into effect by progressive stages.

The proposed legislation would direct the Secretary of Housing and Urban Development to carry out education and conciliation measures to seek an end to discrimination in housing. He would call conferences of leaders in the housing industry, consult with State and local officials, and work with private organizations.

The prohibition against discrimination in the sale or rental of housing would become effective progressively over a 2-year period:

Immediately, to housing already covered by the Presidential order on equal opportunities in housing.

During 1968, to dwellings sold or rented by someone other than their occupant, and to dwellings for five or more families. Essentially, this stage would cover large apartment houses and real estate developments.

In 1969, the act would apply to all housing.

This act would be aimed at commercial transactions, not at the privacy of the home. It would outlaw discriminatory practices in financing housing and in providing real estate brokers' services. It would prohibit blockbusting, by which unscrupulous dealers seek to frighten homeowners into selling quickly, out of fear that the value of their homes will decline.

In every instance, the legislation would require the Secretary of Housing and Urban Development to try to achieve a voluntary solution. Only if such a settlement could not be reached would the Secretary be authorized to hold an administrative hearing. If, after an administrative hearing, a violation of the law were found, the Secretary would be authorized to issue a judicially enforceable cease-and-desist order.

The Secretary would work with State and municipal fair housing agencies that already exist. In appropriate cases he would be authorized to rely on their enforcement of the State and city laws.

The Attorney General would be empowered to support these enforcement efforts, when he had reason to believe that a general pattern or practice of discrimination exists.

Last year the legislation I proposed to ban discrimination in housing stirred great controversy. Although a majority of both Houses in the Congress favored that legislation, it was not enacted. Some of the problems raised by its adversaries were real; most involved myths and misinformation. The summer riots in our cities did as much damage to the chances of passing that legislation as the unfounded fears of many Americans and the opposition of special interest groups.

There should be no need for laws to require men to deal fairly and decently with their fellow man. There should be no need to enact a law prohibiting discrimination in housing—just as there should have been no need to send registrars to enforce voting rights, to issue guidelines to require desegregation of our schools, to bring suits in Federal courts to insure equal access to public accommodations, and to outlaw discrimination in employment.

But the Civil Rights Acts of 1957, 1960, and 1964 and the Voting Rights Act of 1965 were necessary and they have moved this country toward our goal of providing a decent life for each of our citizens.

I am proposing fair housing legislation again this year because it is decent and right. Injustice must be opposed, however difficult or unpopular the issue.

I believe that fair housing legislation must and will be enacted by the Congress of the United States. I was proud to be a Member of the Congresses that enacted the Civil Rights Acts of 1957 and 1960 and as President to sign into law the 1964 and 1965 acts. I believe that generations to come would look upon the enactment of this legislation by the 90th Congress as one of its proudest achievements. I cannot urge too strongly that the Congress act promptly on this legislation.

Today the subject of fair housing is engulfed in a cloud of misinformation and unarticulated fear. Some believe the value of their homes must decline if their neighborhoods are integrated. They fear the conversion of their communities into unsightly slums, if a family of a different color moves into a house across the street. Neither of these events need occur. In an atmosphere of reason and justice, they would not occur. In the scores of cities and States that have such laws these events have not occurred.

The task of informing the minds and enlightening the consciences of those who are subject to these fears should begin at once. Churches can help perform this task with a unique competence—and they should. So should civic organizations, public officials, human relations commissions, labor unions, and private industries. It must be done. The sooner it is done, the nearer we will come to that just America it is our purpose to achieve.

INTERFERENCE WITH RIGHTS

Another basic test of equal justice is whether all men are free to exercise rights established by the Congress and the Constitution. A right has little meaning unless it can be freely exercised. This applies in particular to Negro Americans who seek to vote, attend school, and utilize public accommodations on an equal basis.

Negro children have been abused for attending previously segregated schools. Shots have been fired into the homes of their parents. Employers who practiced nondiscrimination have been harassed. Most shocking of all are the crimes which result in loss of life. Some of the victims have been Negroes; others were whites devoted to the cause of justice.

State and local officials are primarily responsible for preventing and punishing acts of violence. In many cases, however, these officials have not been able to detect or prosecute the perpetrators of the crimes. In some, unfortunately, they have not been willing to meet their obligations. For these reasons and because violence has too often been used to deny Federal rights, there is need for Federal legislation.

Present Federal statutes are inadequate in several respects. Maximum penalties are too low for crimes which cause death or serious injury. Only in some instances do the statutes reach misconduct by private persons not acting in concert with public officials. Existing laws do not spell out clearly the Federal rights which they protect.

To remedy these deficiencies, I recommend legislation to:

Specify the activities which are protected, including voting, purchasing a home, holding a job, attending a school, obtaining service in a restaurant or other place of public accommodation.

Prohibit acts or threats of violence, by private individuals acting alone or public officials, directed against Negroes or members of other minority groups because they are or have been participating in those activities.

Authorize victims of violence to bring civil actions for damages or injunctive relief.

The penalties prescribed are graduated, depending on the gravity of the offense. When physical injury results, the maximum penalty is $10,000 and 10 years. When death occurs, the sentence may be imprisonment for any term of years or for life.

FEDERAL AND STATE JURIES

A fair jury is fundamental to our historic traditions of justice.

Fairness is most likely to result when the jury is selected from a broad cross section of the community. The exclusion of particular groups or classes from jury duty not only denies defendants their right to an impartial jury, it also denies members of the excluded group the opportunity to fulfill an important obligation of citizenship and to participate in the processes of their government.

On many occasions, I have emphasized the importance of respect for the law. Yet, creating respect for legal institutions becomes virtually impossible when parts of our judicial system operate unlawfully or give the appearance of unfairness.

Current methods of Federal court jury selection have sometimes resulted in the exclusion of Negroes and other minority groups. Often the cause lay in the method of selection.

I recommend legislation to:

Eliminate discrimination in the selection of juries in Federal courts.

Insure that juries in Federal courts are uniformly drawn from a broad cross section of the community.

To reduce to a minimum the possibility of arbitrary exclusion of certain groups, the act will spell out in detail the selection procedures to be followed in all Federal district courts. Names of prospective jurors would be obtained by random selection from voter lists—a broadly representative source in almost all parts of the country, now that the Voting Rights Act of 1965 is being implemented. Under the bill only objective standards, including basic literacy requirements found in existing law, could be used to determine the qualifications of a prospective juror.

Legislation to deal with selection of State court juries is also needed. There has been persistent, intentional discrimination in juror selection in some localities. A recent case involved jury discrimination in a county whose population in 1960 was more than 70-percent Negro. Of the persons listed on the jury rolls between 1953 and 1965, less than 2 percent were Negro. No Negro had ever served as a member of a jury in that county.

Numerous criminal convictions obtained in State courts have been set aside on the ground that Negroes were excluded from the juries. Such court decisions may assure justice in a particular case. They cannot reform the jury selection systems.

The 14th amendment establishes equality before the law and charges the Congress with enforcing that requirement. Such flagrant, persistent abuses as are revealed in many recent jury selection cases cannot be tolerated by a society which prides itself on the rule of law.

I recommend legislation to:

Prohibit discrimination on account of race, color, religion, national origin, sex, or economic status in the selection of State or local juries.

Authorize the Attorney General to sue State or local jury officials who exclude Negroes or members of other minority groups from juries.

Prescribe new remedies to make it easier to prove jury discrimination.

Authorize the courts to issue a variety of orders specially tailored to eliminate the most common methods by which jury discrimination is practiced.

EQUAL JUSTICE IN EMPLOYMENT

The Civil Rights Act of 1964 prohibited discrimination in hiring, promotion, and working conditions, as well as discrimination in the membership practices of labor organizations. The Equal Employment Opportunity Commission was created to carry out the congressional mandate.

The Commission was directed to eliminate discriminatory employment practices by informal methods of conciliation and persuasion. By the end of this fiscal year, the Commission will have completed over 2,000 investigations and more than 500 conciliation efforts. This is hard work, but when it succeeds, case by case it opens up new opportunities to:

The minority group employees of an aircraft company, who no longer are confined to dead end jobs but now have training opportunities in 40 job classifications.

The employees of a large ship construction firm which has improved the job rights of over 5,000 Negroes.

Unlike most other Federal regulatory agencies, the Equal Employment Opportunity Commission was not given enforcement powers. If efforts to conciliate or persuade are unsuccessful, the Commission itself is powerless. For the individual discriminated against, there remains only a time-consuming and expensive lawsuit.

In considering the proper role of the Equal Employment Opportunity Commission, it is important to bear in mind that nonwhite unemployment remains disproportionately high:

In 1966, the unemployment rate was 3.3 percent for white persons. It was 7.3 percent for nonwhites.

Nonwhite unemployment in 1965 was twice the rate for whites. In 1966, the ratio rose to 2.2 to 1.

Among youth not attending school, the unemployment rate in 1966 was 8.5 percent for whites and 20.3 percent for nonwhites.

No single factor explains the differences in the unemployment rates of nonwhites and whites. But part of the disparity is clearly attributable to discrimination. For that reason, effective remedies against discrimination are essential.

I recommend legislation to give the Equal Employment Opportunity Commission authority to issue orders, after a fair hearing, to require the termination of discriminatory employment practices.

The cease-and-desist orders of the Commission will be enforceable in the Federal courts of appeal and subject to judicial review there. These powers are similar to those of other Federal regulatory agencies.

Enforcement power would harmonize the procedures of the Commission with the prevailing practice among States and cities that have had fair employment practices agencies for many years. It would reduce the burden on individual complainants and on the Federal courts. It would enhance the orderly implementation of this important national policy.

THE COMMISSION ON CIVIL RIGHTS

The U.S. Commission on Civil Rights has, since its creation in 1957, proved to be an exceptionally valuable agency. This bipartisan factfinding agency has contributed substantially to our determined effort to assure the civil rights of all Americans. Its investigations and studies have contributed to important changes in the laws and policies of the Federal Government. Publications of the Commission—in the fields of voting, housing, employment, school segregation, and equality of opportunity in Government programs—have been helpful to other Government agencies and to private groups interested in equality of opportunity.

The Commission has also served as a clearinghouse for information on civil rights matters. It has provided information on Federal laws, programs, and services to assist communities and private organizations in dealing with civil rights issues and with economic and social problems affecting race relations.

Under existing law, the term of the Commission expires on January 31, 1968. But much more remains to be done.

I recommend that the life of the Commission be extended for an additional 5 years.

COMMUNITY RELATIONS SERVICE

The Civil Rights Act of 1964 recognized the importance of providing bridges of understanding for communities across the land struggling with problems of equal justice and discrimination. Last year, I recommended, and you in the Congress approved, the transfer of the Community Relations Service to the Department of Justice to make it a more effective instrument of national policy.

This year, I recommend that the funds for the work of the Community Relations Service be increased by 90 percent—from $1.4 million to $2.7 million.

In city after city and county after county, the men of the Community Relations Service have worked, quietly and effectively, behind the scenes, to conciliate disputes before they flared up in the courtrooms or on the streets.

I deeply believe that, under our democratic system, the work of conciliation can be brought to bear increasingly to remove many of the injustices, intentional and unintentional, which derive from prejudice. It is in this spirit and with this conviction that I request a substantial increase in the funds appropriated to the Community Relations Service.

EQUAL JUSTICE

We adopted a constitution "to form a more perfect union, establish justice, insure the domestic tranquillity," and "provide for the common defense."

In our wars Americans, Negro and white, have fought side by side to defend freedom. Negro soldiers—like white soldiers—have won every medal for bravery our country bestows. The bullets of our enemies do not discriminate between Negro marines and white marines. They kill and maim whomever they strike.

The American Negro has waited long for first-class citizenship—for his right for equal justice. But he has long accepted the full responsibilities of citizenship.

If there were any doubt, one need only look to the servicemen who man our defenses. In Vietnam, 10.2 percent of our soldiers are American Negroes bearing equal responsibilities in the fight for freedom—but at home, 11 percent of our people are American Negroes struggling for equal opportunities.

The bullets at the battlefront do not discriminate—but the landlords at home do. The pack of the Negro soldier is as heavy as the white soldier's—but the burden his family at home bears is far heavier. In war, the Negro American has given this Nation his best—but this Nation has not given him equal justice.

It is time that the Negro be given equal justice. In America, the rights of citizenship are conferred by birth—not by death in battle.

It is our duty—as well as our privilege—to stand before the world as a nation dedicated to equal justice. There may be doubts about some policies or programs, but there can be no doubt about the rights of each man to stand on equal ground before his government and with his fellow man.

On June 4, 1965, at Howard University, I spoke about the challenge confronting this Nation—"to fulfill these rights." What I said then has even greater importance and meaning for every American today:

> Freedom is the right to share fully and equally in American society—to vote, to hold a job, to enter a public place, to go to school. It is the right to be treated in every part of our national life as a person equal in dignity and promise to all others.
>
> But freedom is not enough. You do not wipe away the scars of centuries by saying: Now you are free to go where you want, do as you desire, and choose the leaders you please.
>
> You do not take a person who, for years, has been hobbled by chains and liberate him, bring him up to the starting line of a race and then say, "You are free to compete with all the others," and still justly believe that you have been completely fair.
>
> Thus it is not enough just to open the gates of opportunity. All of our citizens must have the ability to walk through those gates.
>
> *This is the next and more profound state* of the battle for civil rights. We seek not just freedom but opportunity—not just legal equity but human ability—not just equality as a right and a theory, but equality as a fact and as a result.
>
> For the task is to give 20 million Negroes the same chance as every other American to learn and grow, to work and share in society, to develop their abilities—physical, mental and spiritual, and to pursue their individual happiness.

* * * * *

There is no single easy answer to all of these problems.

Jobs are part of the answer. They bring the income which permits a man to provide for his family.

Decent homes in decent surroundings, and a chance to learn—an equal chance to learn—are part of the answer.

Welfare and social programs better designed to hold families together are part of the answer.

Care of the sick is part of the answer.

An understanding heart by all Americans is also a large part of the answer.

To all these fronts—and a dozen more—I will dedicate the expanding efforts of the Johnson Administration.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *February 15, 1967.*

THE PRESIDENT'S CIVIL RIGHTS PROGRAM FOR 1967

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ROGERS of Colorado. Mr. Speaker, I heartily endorse the legislation recommended by the President to eliminate discrimination in residential housing on account of race, color, religion, or national origin.

I believe that this kind of discrimination, no less than discrimination in education, in employment, or in public accommodations, is profoundly inconsistent with the American ideal of equal opportunity for all of our citizens. The time has come, I believe, to recognize that the right of a person to obtain housing without discrimination must prevail.

Experience has taught us that the deprivation of opportunity suffered by Negroes and by other groups in this country is not the result of any single discriminatory practice. Rather, it is the result of a number of discriminatory practices which reinforce each other and perpetuate the cycle of deprivation. In order to correct the situation, it is therefore necessary to move on a number of fronts simultaneously.

For instance, equal opportunity in employment cannot be fully realized if there is not also equal opportunity in education. As long as the ideal of the neighborhood school prevails equal opportunity in education is likely to depend on elimination of discriminatory practices in residential housing. The President's new proposal for a fair housing act thus is a valuable reinforcement of the purposes expressed in all legislation that strikes against discrimination.

This legislation would also have the advantage of stabilizing property values and of discouraging unscrupulous speculation in the real estate field. We are all familiar with so-called blockbusting tactics which are designed to convince white property owners that their neighborhoods will soon be filled with Negroes, in order to frighten them into selling their homes at a loss and moving elsewhere while their houses are resold to Negroes at great profit. The proposed legislation will attack such tactics directly.

It has often been said that racial and religious prejudices depend upon the absence of sufficient contact between different racial and religious groups. In their mutual isolation, persons of different backgrounds are likely to entertain false or distorted ideas about one another. By helping to break down the barriers of isolation that perpetuate this sort of ignorance. A fair housing act such as the President has proposed would be a major step toward improving the moral atmosphere of our society.

Mr. ADAMS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. ADAMS. Mr. Speaker, the President's proposal to give enforcement power to the Equal Employment Opportunity Commission is a necessary measure, and there should be little dispute concerning it. In 1964 this body affirmed the principle of equal employment opportunity. Title VII of the Civil Rights Act of 1964 prohibited discrimination on account of race, color, religion, national origin, or sex in hiring, promotion, working conditions, apprenticeship training, and the practices of labor organizations. However, the enforcement scheme provided in the 1964 act was not a strong one. Indeed, it has proved to be inadequate.

Now, 3 years later, it is our duty to call upon the experience derived from subsequent congressional committee hearings, from State and local fair employment practice agencies, and from the Equal Employment Opportunity Commission to perfect that scheme.

The main change effected by the proposed act is to vest in the Equal Employment Opportunity Commission the power to issue cease-and-desist orders for the enforcement of present rights. This power, no different from that possessed by regulatory agencies such as the National Labor Relations Board, the Federal Trade Commission, and the Federal Power Commission, is surrounded by appropriate safeguards including a fair hearing and judicial review. Such a power would serve to effectuate the Commission's attempts to achieve voluntary compliance, which remains the basic thrust under the act. Enforcement power in the Commission is also desirable in order to achieve uniform nationwide standards, speed of enforcement, reduced costs to the parties, and to lessen the burden on the Federal district courts.

Such policy considerations demonstrate the advisability of the President's proposal. More fundamentally, the needs of the country demand its enactment.

Mr. MATSUNAGA. Mr. Speaker, I rise in support of the views expressed by our President with reference to the need for the proposed Civil Rights Act of 1967.

The field of human rights has offered challenges which the Congress in recent years has met with wisdom, courage, and conviction. If we are to witness continued progress in this area of our national life, it is necessary that each Congress seriously consider and provide needed supporting legislation to strengthen and expand the gains which have already been achieved.

The Civil Rights Act of 1967 is necessary and timely and I urge its swift enactment. The racial injustice of past decades has inflicted a heavy toll upon its victims and the Nation. The cost in freedom to these people, particularly to those in the Negro community, is incalculable. They have been caught in what President Johnson has called a seamless web of discrimination, a web that frustrates all efforts to escape from poverty, discrimination, and despair. In order to allow them to liberate themselves the entire structure of discrimination must be dismantled.

The Civil Rights Act of 1964 and the Voting Rights Act of 1965 have resulted in encouraging progress; however, too much of the age-old structure of discrimination remains. The Civil Rights Act of 1967 addresses itself to problems of racial injustice which demand congressional action—discrimination in jury selection, housing, and employment. The act also provides effective new deterrents to crimes of racial violence.

Mr. Speaker, I strongly urge that we meet our continuing responsibilities by early passage of the Civil Rights Act of 1967.

Mr. REUSS. Mr. Speaker, we must strive to make real for every American our ideals of equal justice and equal opportunity. I urge the prompt enactment of the proposed Civil Rights Act of 1967.

An important part of the act would reform the system for selecting juries in the Federal courts. The Congress has a responsibility to make the Federal judicial system a model one in every respect. This means that the manner of selecting juries in the Federal district courts must be free from the face or appearance of unfairness.

At present, the district courts utilize a variety of methods of selection. Many use the "keyman" system, under which the jury officials ask prominent members of the community, the so-called keymen, to supply names of persons they consider to be suited for jury duty. The keymen tend to choose persons from their own social and economic classes. Frequently, the result is that less prosperous citizens and members of minority groups are not adequately represented on jury panels.

A jury which does not represent a fair cross section of the community is inconsistent with the traditional concept of jury impartiality and with the fundamental theme underlying American jurisprudence—the equal protection of the laws. To make sure that Federal jury *panels are truly representative, nation*wide reform of Federal jury selection is necessary. The Civil Rights Act of 1967 will achieve that goal.

Mr. HATHAWAY. Mr. Speaker, I congratulate the President on his civil rights message and add my support in particular to his renewed proposal for legislation to bar discrimination in the sale or rental of housing.

The nationwide scope of the problem needs no proof. In city after city, the Negro is confined to limited areas, unable to escape overcrowding or inferior housing even when he can afford to better his circumstances.

As the President pointed out in his message, it is not only the Negro who suffers from these conditions. The community at large is harmed as well. Poor housing invariably is accompanied by poor schools, unemployment, the deterioration of family life and a substantial welfare burden. Racial discrimination is the common factor in all these ills.

The ghetto can no longer be ignored. Its effect on those trapped within it and on those outside is too great and too serious.

The President responded wisely to this need with comprehensive legislation. We must enact a law that bans discrimination in real estate transactions across the board, in sales, in financing, and in rentals. Government, whether at the national, State, or local level, can and should take the lead.

Federal legislation in this field is, after all, no novelty. In 1866, Congress enacted a statute which provides that all citizens in every State and territory shall have the same right to buy and rent real property that is enjoyed by white persons. That law is still on the books—section 1982 of title 42, United States Code—but it needs companion legislation to give it teeth. That is what we must now provide.

After Congress made it unlawful for anyone to discriminate in public accommodations in 1964, we saw a broad, heartening tide of voluntary compliance with the requirements of that law. All the dire predictions of disruption and resistance came to nought. It is fair to say that hotel and restaurant operators today have an easier—and more profitable—time of it than before that act, because they can now relax and freely serve every proper customer.

I believe we will witness the same result by putting a fair housing statute into effect.

Once the law lays down a uniform obligation, the myth of financial loss from the desegregation of a neighborhood will be laid to rest once and for all. And once that occurs, the time will be near when America has removed from the windows of every citizen's home the imprisoning bars of bigotry and bias.

I urge the Congress to carry out the President's recommendation and to do so promptly.

Mr. CORMAN. Mr. Speaker, I rise *to endorse the civil rights* proposals offered today by President Johnson. The proposed bill is addressed to the most serious problems which now confront members of racial minorities, and, in a larger sense, all Americans.

It is true that the civil rights measures passed in 1964 and 1965 have made significant dents in the wall of prejudice; however, the wall still stands in many places, and will no doubt remain standing until Congress acts. We must insure that there is justice in our courts, equal opportunity in employment, equal opportunity for all Americans to occupy decent housing without discrimination, and protection against acts of racial violence.

The last Congress made an unsuccessful attempt to translate these noble objectives into accomplishments. The 90th Congress can and must accomplish what the 89th did not.

Mr. COHELAN. Mr. Speaker, I want to state my strong support for the Civil Rights Act of 1967 proposed by the President today. This proposal responds to urgent problems that together represent the most important domestic issue of today—the need to assure social justice and equality of opportunity for all American citizens.

The proposed act would reform the present Federal jury selection system to assure that Federal juries are drawn from a cross-section of the community and that no person is excluded from consideration as a prospective juror on account of race, color, religion, sex, national origin, or economic status. It lays down detailed selection requirements to achieve these objectives.

The act deals with discrimination in State court juries. It would forbid State jury officials to make any distinction in the qualification or selection of jurors for State and local grand or petit juries on grounds of race, color, religion, sex, national origin, or economic status.

The act would amend the Civil Rights Act of 1964 to confer on the Equal Employment Opportunity Commission needed powers to hold hearings and issue orders enforceable in the courts against discrimination in employment. It is modeled on the enforcement powers of other Federal regulatory agencies, such as the National Labor Relations Board, the Federal Trade Commission, and the Securities and Exchange Commission.

Experience has shown that efforts to conciliate employment discrimination disputes are much more likely to be successful where the agency has the power to initiate enforcement proceedings against recalcitrant persons engaged in unlawful discrimination. Since economic factors have been shown to be especially critical in moving toward genuine equality for all Americans, it is essentially important for us to provide the Commission with the tools it needs to help eradicate discrimination in employment.

The serious and persistent employment problems confronting minority group members, and Negroes in particular, will not, of course, be resolved solely or even primarily through commissions such as this, no matter how effective they may be. We desperately need to concentrate on creating more jobs, on providing better education and on developing more broadly based job training programs. But equal employment opportunity commissions are important if new and better training are not to be thwarted at the *employment office*.

The act seeks to end discrimination in residential housing. It would prohibit housing discrimination on grounds of race, color, religion, or national origin, and it would confer enforcement powers on the Secretary of the Department of Housing and Urban Development. Generally, the enforcement scheme is similar to that which the bill would create in the Equal Employment Opportunity Commission with respect to employment discrimination.

One of the traditional rights of an American is that of freely selecting a home in which to live, subject only to what his means permit. Today, however, that right does not exist for many Negroes. Ghetto living is their common fate.

We can and we must do better, and title IV of this act, although it can and should be strengthened, would make that progress possible.

The act also addresses itself to the problem of racial violence. It would prohibit forcible interference with participation in a specified group of activities in which discrimination is already prohibited by Federal law. Appropriately, severe graduated penalties are provided if a violation results in serious injury or death.

Mr. Speaker, these protections are reasonable and long overdue. I urge the House to give them early consideration, to strengthen them where appropriate and possible, and to take a further major step to insure that equality of opportunity is the practice as well as the principle of this land.

Mr. GILBERT. Mr. Speaker, I rise to urge the speedy consideration and enactment of the legislative proposals included in the President's message on civil rights. As the President so eloquently pointed out, there are pressing needs still to be met. Indeed, in some areas, notably education and housing, the Nation may be worse off today than it was a year ago, and becoming even worse. This House responded dramatically to the Nation's needs for equality of opportunity in voting and public accommodations and in other areas; let us now continue to fulfill our commitment to eliminate bigotry and prejudice wherever they can be found. Much, unfortunately, remains to be done.

We have yet to act to prevent the widespread exclusion of most Negro citizens from good housing. Some years ago the Civil Rights Commission pointed out that housing seemed to be the one commodity not available to all who could afford to pay. The effects of these exclusionary practices are manifold—they perpetuate slums, contribute to crime and delinquency, to the breakdown of the family, to poor health, to inferior schooling. They exacerbate racial tensions. They isolate our Negro and white citizens from each other at a time when citizens ought to live together in harmony.

Federal legislation is the only adequate answer to the problem. It would prohibit discriminatory practices in every aspect of the sale, rental, and financing of housing. It would outlaw blockbusting. It would reach real estate brokers and others who exercise effective control over the housing market.

Fair housing laws are already on the books in a number of States and cities. Indeed, the District of Columbia has such a law promulgated by the District Commissioners. Experience has shown, however, that local laws cannot cope with a problem which is national in scope.

I urge the Congress to act with dispatch to enact a Federal fair housing bill into law.

Mr. ST. ONGE. Mr. Speaker, we pride ourselves on having a government of laws. Respect for the law is essential for the survival of our Nation. Just as we demand such respect from all citizens, those of us in government must insure that our legal institutions function in accord with our ideals.

One ideal is trial by an impartial jury. The surest way to achieve impartiality is to have juries which fairly represent a cross section of the community. No group should be subjected to arbitrary exclusion. Now, in too many instances, juries are not as representative as they could and should be. This can mean, or appear to mean, that the jury selection process is infected by discrimination. I submit that we, as a nation, can afford neither the fact nor the appearance of discrimination in this vital element of our judicial system.

The proposed Civil Rights Act of 1967 will remedy the problem of jury discrimination in both State and Federal courts. A detailed procedure is set forth for selecting Federal jurors. The proposed system is a workable one, and it will mean that, in all Federal district courts, juries will be properly representative. Adoption of this needed reform will bring us to the goal of impartial juries.

Mr. LEGGETT. Mr. Speaker, I rise to endorse the President's proposal to outlaw racially motivated acts of violence. We are all too familiar with the brutal acts committed against Negroes and civil rights workers in the recent past. The shooting of James Meredith on a Mississippi highway last summer and the beatings of Negro children who attempted to attend recently integrated schools in Grenada, Miss., last fall underscore the need for congressional action.

Of course, the major responsibility for prosecuting acts of violence rests in local law enforcement authorities. In most places local authorities enforce the law vigorously and evenhandedly. In such places there is little need for Federal prosecutions. However, in a few places, where resistence to equal rights for Negroes is acute, local officials have sometimes not carried out their responsibilities in protecting Negroes who attempt to assert their rights. In such places Federal prosecution is imperative to protect the rights and the physical security of Negroes and their supporters.

In addition, when the violence is intended to prevent the exercise of affirmative Federal rights, the will of Congress is being flouted. When this occurs a crime is being committed against the National Government, the prosecution of which should be lodged, where necessary, in the Federal Government and courts.

The existing Federal penal statutes against crimes of racial violence are inadequate because they cover only actions by public officials or conspiracies in which public officials are somehow involved. Also because these statutes are worded in general terms, they do not always give clear warning of what kinds of conduct are prohibited and impose an unnecessarily heavy burden on the prosecutor to prove a violation.

The administration's bill will remedy these defects in the existing Federal criminal law by clearly reaching private acts of violence and by specifically enumerating the kinds of activities which will be protected.

We cannot allow acts of racial violence to go unpunished. To do so encourages criminal elements to try to impose segregation upon Negro citizens by lawlessness. The Attorney General must have effective means to prevent and punish such acts of violence. The legislation proposed by the President meets the need and I urge its prompt enactment.

Mr. HAWKINS. Mr. Speaker, I rise to support the civil rights message and recommendations of the President. If adopted, they will move us another milestone toward our declared goal of equality of opportunity and justice for all citizens. Some will, of course, attack these efforts to continue the 100-year-old quest for full citizenship as demanding too much and in too short a time. If it appears to include too much, it is because we have left undone in the past too much unfinished business which denied to some of our citizens those things others have enjoyed from the beginning of our Nation. Actually, if people acted as they should no legislation would be needed.

As to the question of what speed we should use in bestowing full citizenship on our citizens, it should be remembered that the first civil rights law, later emasculated, was enacted in 1866. This marked the beginning of a long, slow, and tortuous effort to do what we are still trying to do in this proposal. It has been almost 200 years since we declared to the world: "We hold these truths to be self-evident, that all men are created equal." It is sure that in the world of international tensions and scientific development today, time is no longer on our side.

In terms of world history, the United States lagged behind in freeing its slaves. England did so in 1838, as had most other European nations by this time. Most of the newly created independent South American countries acted before 1854. Today, as the leader of the free peoples of the world, can we afford to lag in the fulfillment of our national purposes which are so vital to our survival and continued preeminence?

Civil rights today have mistakenly become identified with violence in the streets. We condemn this violence as self-defeating, and repugnant to our way of life. But at the same time let us condemn and act to remove the causes that have led ordinary and unorganized people to turn to such outlets to express their frustrations with and their alienation from American society.

I represent the area which has been incorrectly referred to as "Watts" which was the scene of serious disorders in August 1965. This is one of America's largest segregated ghettos containing over 300,000 Negroes, half of who live at or below the poverty level. Since 1960 the median income has fallen by $400. Property has become more delapidated while rents have risen. Unemployment is over 10 percent in a labor market area that is boasting of a 4.5 percent rate. Thirty-one men out of every 100 are not even counted as unemployed or in the labor force because they have given up looking for jobs that do not exist for them. Since August 1965, welfare cases have risen. And education in our community schools, upon which we depend for great hope to achieve employment and to mold the character of our people, has become more segregated and worse since 1954.

Add other factors to this situation: bad transportation, inadequate health facilities, racial discrimination, and archaic welfare laws, and a feeling of hopelessness, disappointment and anger—and you have the profile for disorders which can erupt into violence and spread to the larger community.

Especially important in the civil rights message is the President's proposal to strengthen the Equal Employment Opportunity Commission. When title VII was added to the Civil Rights Act in 1964, the Commission was given little more than conciliation authority on a case-by-case basis. The Federal law is substantially weaker than two-thirds of those now existing in 35 States, the District of Columbia, and Puerto Rico, in which the power to issue cease-and-desist orders is included.

Without equal employment opportunities which a strong Commission can help to assure, millions of our fellow citizens will continue to exist without decent housing, decent education, and human dignity. And potential for explosive situations will continue to exist in our major cities throughout America.

I firmly believe all decent Americans, if properly told the facts, will support the President's courageous stand and approach to bringing order out of the chaos that has recently existed in race relations in America, for his approach recognizes the essential dignity of individuals to earn a living, to live in a decent environment, and to achieve their full potential in life. If Americans cannot stand for this, the hope of the world for security and peace is, indeed, a sad illusion.

This, the 90th Congress, can renew our hope in equality, not that which is merely proclaimed in oratory, but an equality of opportunity for achievement available to every citizen proud to be an American.

Mr. THOMPSON of New Jersey. Mr. Speaker, I would like to express my enthusiastic support for the President's message to Congress on civil rights. At a time when various commentators have claimed that the President cannot expect to get any legislation through Congress and should, therefore, aim a little lower, the President with this message has emphasized his desire not to compromise with principle.

The President's decision to perserve in the drive for social justice for Negro Americans comes at an important moment in history. At a time when some people have discounted the importance of domestic programs and appropriations, maintaining the expenditures for Vietnam preclude answering our problems at home, the President has reemphasized the need to continue the drive for true freedom for all Americans.

In a 1965 speech at Howard University, the President spoke of the challenge confronting this country—to fulfill its citizens' rights:

> Freedom is the right to share fully and equally in American society—to vote, to hold a job, to enter a public place, to go to school. It is the right to be treated in every part of our national life as a person equal in dignity and promise to all others.

With his message to Congress on civil rights, the President has placed before the American people a specific proposal that will go a long way toward bringing to fruition the drive for freedom for all Americans. His message hopefully will receive the full support of Congress.

Mr. ROSENTHAL. Mr. Speaker, it is gratifying to hear the President proposing so strong a package of civil rights proposals.

Although some of these were explored by the 89th Congress and contained in the bill which passed the House, they failed of enactment and require further consideration by the current Congress.

I should like to comment today on two elements of the President's proposal.

First, I am pleased that he has included fair housing legislation.

Today, more than ever, housing is one commodity which is not freely available to everyone who can afford to pay for it. Much of the housing market throughout the country is closed to large groups of citizens, chiefly Negroes, for reasons unrelated to their character, education, position in life, or ability to pay and care for property.

The result is an ever-increasing concentration of racial ghettos—rundown, depressed areas deprived of adequate schools, recreation centers, health facilities—all sources of high crime, high disease, high tension.

These housing inequalities have already been with us much too long, unfortunate byproducts of a prejudice which has no place in this land. It is time to end these discriminatory practices—and the legislation the President is proposing can lead the way for the Nation.

In protecting the right of all citizens regardless of race, religion, or national background to purchase or rent newly constructed or existing housing anywhere, the proposed bill does no more than justice requires.

There are many citizens who do not want to participate in these discriminatory practices but are the victims of various pressures they cannot resist. This measure will give them the protection they seek.

There are others who prefer to exploit the situation for personal greed and other reasons. This measure will give such persons the prodding they merit.

I am particularly gratified that the President has recommended legislation pertaining to the selection of juries in Federal and State courts. I had sponsored similar legislation in the 89th Congress.

The Federal district courts now use a variety of methods of picking jurors. Too often, the means of selection tend to exclude members of minority groups and persons of low income. This is true in all parts of the United States; the problem of nonrepresentative jury rolls is not restricted to one section of the country.

In a number of cases, the Federal appellate courts have dealt with the matter of jury discrimination. It seems clear, though, that what is needed is overall reform of Federal jury selection and that this can best be achieved by legislation. Of necessity, judicial decisions pertain to individual cases, to limited aspects of jury selection, and to particular areas.

It is shocking to learn that in some States women are excluded from jury service. It is equally disturbing that women in other States are either excluded from jury duty unless they volunteer or are given an absolute right to be excused because of their sex. Such State laws result in a disproportionately small number of women serving on juries in those States.

It seems to me that women are entitled to serve on juries on an equal basis with men and have an equal responsibility. I recognize, of course, that motherhood must necessarily be considered as grounds for being excused on occasion.

In short, I look forward to the opportunity to study the details of the President's proposals and would hope they will receive congressional consideration promptly.

Mr. FARBSTEIN. Mr. Speaker, I rise to urge enactment of the President's civil rights proposals. This much needed legislation will help to make a reality the equal rights and opportunities to which every American citizen is entitled.

I wish to direct special attention to the proposal for criminal legislation dealing with racial violence. Such legislation will put an end to acts of racial terrorism that have too long gone unpunished and have too often deterred the exercise of Federal rights. While it is true that apprehension and punishment of those who perpetrate crimes of violence is ordinarily a matter for local authorities, when effective protection and prosecution is absent, and Federal rights are denied, Federal intervention is warranted.

I think it might be useful to try to place the new proposal in its historic context. Apart from section 11(b) of the Voting Rights Act of last year, it will be, when enacted, the first Federal criminal law adopted to deal with civil rights problems since 1875. The last statute enacted to deal with racial violence—section 241 of title 18—dates back to 1870. The general statute making official misconduct a Federal crime—section 242—originated in the first Civil Rights Act of 1866.

These old laws were designed to deal with problems similar to those which confront us today. In the post-Civil War era the great promise of the 14th amendment—taking a giant step from the older notion that all men are created equal to the radical idea that they must be treated equally—was broken in large part by acts of terror and violence perpetrated by the Klan and others. The Federal Government attempted to deal with this threat—which was nothing less than lynch law, although through the haze of history some have tried to paint a more honorable picture of that era. But the criminal statutes proved largely ineffective—some were declared void by the Supreme Court, others were construed grudgingly, and many were ultimately repealed in post-reconstruction days when the American conscience seems to have failed utterly.

Oddly enough, when a renewed effort was made in the 1940's and early 1950's to breathe life into these statutes, they were again viewed narrowly by the courts, as in the Screws case in 1945 and the Williams case in 1951. Then came Brown against Board of Education in 1954, the park, theater, and other public facility cases following it, and the acts of Congress of 1957, 1960, 1964, and 1965, which greatly expanded or gave meaning to the rights which Negroes were entitled to assert. The response to this legal revolution harked back to the old days of reconstruction. Again, men took up the gun and the club and sought to preserve the caste system by violence. The newly won rights of Negro Americans are once more threatened by the Klan and other night riders.

The proposed new criminal legislation is our answer to this new challenge. It imposes criminal sanctions upon private individuals or public officials who, by force or threat of force, injure, intimidate, or otherwise interfere with any person because of his race, color, religion, or national origin and because he seeks to engage in any of nine specified kinds of activities. The areas of activity protected are voting, public education, public services and facilities, employment, housing, jury service, use of common carriers, participation in federally assisted programs, and public accommodations.

The bill is designed to meet the needs of the time, and to avoid the limitations which render the existing laws so difficult to enforce. This law should make clear our commitment to law and order and the free exercise of Federal rights.

Mr. MULTER. Mr. Speaker, the President's message calling for new civil rights legislation is timely and to the point. I am certain that the Congress will give it early, earnest, and thorough consideration.

New Federal legislation is particularly necessary to deal with the problem of crime and racial violence.

Where those who administer and enforce the laws do so without regard to race, color, religion, or national origin, perpetrators of racial crimes will ordinarily be apprehended by local police and appropriately punished by local courts. But as we are all painfully aware, in some communities, this is the exception rather than the rule. Where this is so, Federal action is necessary to guarantee the free exercise of Federal rights.

However, Federal legislation against racial violence is not required merely because local officials have failed at times in their responsibilities. Recent experience shows that racial violence has often been resorted to in order to prevent the exercise of affirmative Federal rights. In those instances, the crime is against the National Government, and the prosecution and punishment of those so engaged should be entrusted to Federal prosecutors and courts and not to local officials alone.

Prompt enactment of the administration's proposals is needed if we are to progress toward equality and justice for all Americans.

But that is only half the story. Every right requires a reciprocal duty. That duty is to abide by and obey the law. Performance of this duty is a positive aid to proper and expeditious law enforcement.

It is the duty of all decent citizens to participate in law enforcement. Instead of turning our backs on the crimes we witness, we must give every possible assistance to the police and other law enforcement officers.

We complain too frequently about the laxity of law enforcement but do nothing to improve the situation.

Here, too, we must be colorblind. None have a right to demand anything but equal treatment by the law and before the law. Peaceful petition and demonstration has its place and useful purpose in our democracy.

Riotous and violent demands and demonstrations have no place in our society and must be prosecuted as vigorously as every other crime.

Mr. GONZALEZ. Mr. Speaker, every fairminded American should take his hat off to President Lyndon Johnson today for the strength of character, the consistency, and the firm belief in equal justice that the President has expressed in his message on equal justice. The detractors and the critics are always quick to look for defects and flaws. Thus there were many who doubted, after Congress' failure to enact a fair housing bill last year and the recent elections, that the President would follow through with his pledge to achieve equal justice for all Americans, regardless of race, religion, or national origin. The President's message proves how wrong the critics were.

Congress should now act speedily and affirmatively on the President's recommendations. To do less is to default on our own pledges and our responsibilities.

I endorse President Johnson's proposals on civil rights contained in his message.

We began in 1964 to deal with racial discrimination on a broad front. With the passage of the 1964 and 1965 Civil Rights Acts there were advances. But the efforts initiated by those acts must continue.

The Civil Rights Act of 1964 was only a beginning; a start down the road toward equal opportunities for all Americans. We could not expect that one act of Congress to remedy all the problems which need legislative attention. There is much to be done.

The promise of equality of opportunity was made with the ratification of the 14th amendment. Under section 2 of that amendment we are given the responsibility of enforcing its mandate and making its promise a reality to millions of Americans. We would be derelict in our duty if we ignored this responsibility or satisfied ourselves by meeting it halfway. I wholeheartedly support the President's commitment toward achieving the goals that were envisaged by the framers of that amendment and look forward toward enacting the President's proposals.

Mr. TENZER. Mr. Speaker, I am happy to support the President's civil rights proposals for 1967. Too often it has been said by a few that the movement to guarantee to a minority of Americans the rights engaged by most other Americans has gone too fast or too far. The contrary is true. Progress in civil rights has not been fast enough. These needs of our society have waited too long for fulfillment. It is especially true in the civil rights area that justice delayed is justice denied.

So long as there is widespread discrimination in the opportunity to obtain jobs, or to receive equal treatment on the job commensurate with each worker's ability, or a general denial of a man's right to compete in the housing market on the basis of his financial ability and so be able to raise his children out of the narrow and corrupting atmosphere of the slums, then there is a need for progress in civil rights. So long as no Federal law protects men, women, and children from violence and harassment for exercising their constitutional rights, or so long as there is room for procedures that will further guarantee fairness and justice in the selection of juries, then there is need for civil rights legislation. This bill deals with these problems and offers solutions to them. Solutions must be provided, and that is why I urge the Congress to enact the President's proposals into law.

Mr. RODINO. Mr. Speaker, I want to take this opportunity to heartily endorse the President's proposals in the field of civil rights.

Under the present system, jurors for the Federal district courts are selected in a variety of ways which often results in the exclusion of members of minority groups and persons of low income. This, unfortunately, is true in all sections of the country. I agree with the administration that there is a need for the reform of procedures for Federal jury selection. The proposed reforms will, I believe, resolve this inequity.

Likewise, in the States there is a need to eliminate all forms of discrimination in the selection of jurors to serve the State courts. The proposal of the administration does not establish detailed procedures for jury selections, as has been done with respect to Federal courts, but it sets forth certain standards prohibiting discrimination in State jury selection on account of race, color, religion, national origin, sex, or economic status. Failure of a State to meet these standards could result in injunction proceedings against State jury officials.

Another important provision of the civil rights legislation would be to afford protection to all citizens who seek to engage in any lawful enumerated activity such as voting, public education, public service, and so forth. It would impose criminal sanctions upon anyone who, by force or threat of force, intimidates or interferes with such activity.

One of the proposals would also authorize the Equal Employment Opportunity Commission to issue judicially enforceable cease-and-desist orders which would eliminate a time-consuming and expensive lawsuit by the individual who has been discriminated against.

The Civil Rights Commission, which has done yeoman service as a factfinding agency and, unless extended by this Congress, expires on January 31, 1968. I am in complete agreement that the

Commission's activities should be extended for an additional 5 years.

I urge that my fellow Congressmen act promptly on these measures.

Mr. ADDABBO. Mr. Speaker, the President's civil rights proposals for 1967 begin where past legislation left off and continue the constant struggle to expand the frontiers of freedom and justice.

Past legislation has given us effective means to deal with voting discrimination, school desegregation, and discrimination in public accommodations. While these problems are not altogether solved, legislation has brought solutions much closer to reality. But we are still confronted with problems for which we have provided no legislative solution or for which our past efforts have proved inadequate. Our experience with discrimination in voting shows that past legislative efforts must sometimes be improved. Our experience in the field of public accommodations shows that a comprehensive law against discrimination in commercial transactions is especially effective in enlarging equality for all citizens.

The President has proposed means to begin solving the threat to our moral and physical strength posed by unhealthy slums and ghettos which in turn are caused by segregated housing and unequal job opportunities. The President also proposes more effective means for dealing with violence and harassment of persons exercising constitutional rights, and new procedures for guaranteeing fair and unbiased juries in accordance with constitutional requirements. All of our knowledge and experience in the field of civil rights legislation shows the need for and workability of President Johnson's proposals for this year. I urge that the Congress act promptly to adopt these measures.

Mr. RYAN. Mr. Speaker, I congratulate the President on his thoughtful message on civil rights. The President again has set an agenda for equality before the Congress. His proposed civil rights bill is similar to the civil rights bill of 1966 which we passed. The House exercised its responsibility only to find the bill killed in the Senate. So once again we have the responsibility to pass meaningful civil rights legislation.

I hope that the new political complexion of the House will not deter us from this purpose. For, as the President's message in quoting his eloquent remarks at Howard University points out:

> This is the next and more profound stage of the battle for civil rights. We seek not just freedom but opportunity—not just legal equality as a right and a theory, but equality as a fact and as a result.

Civil rights legislation which abolishes discrimination in housing, provides for nondiscriminatory jury selection, protects those exercising their constitutional rights, would take us another step down the road to full equality for all our citizens. Whispers of backlash and memories of riots must not stand as roadblocks in this journey.

I am sure that the Judiciary Committee of the House under its able and dedicated chairman will examine the President's proposal with its usual care. I hope the committee will consider improvements. There is no bill that cannot be improved.

On the opening day of this Congress I again introduced a number of civil rights bills concerning discrimination in housing, intimidation of those exercising their civil rights, jury selection, and the powers of the Attorney General to intervene in civil rights cases. I believe that on several points these bills provide a more effective means of combating racial discrimination. I hope that the committee will study these and the proposals of other Members when they consider the administration bill.

Mr. Speaker, we have the opportunity to make another significant contribution to racial justice. I urge Members of both parties in both Houses of Congress to join with the President and take this opportunity—not only for those who have been denied their rights, but for the entire Nation.

Mr. CONYERS. Mr. Speaker, 100 years ago the Congress enacted the Civil Rights Act of 1866, which provided that:

> Citizens of the United States . . . without regard to any previous condition of slavery or involuntary servitude, . . . shall have the same right, in every State and Territory in the United States, . . . to inherit, purchase, lease, sell, hold and convey real and personal property.

That promise, unfortunately, never became a reality. It is therefore with a sense of rededication that I join the President in support of his new and revised proposals to outlaw discrimination in housing.

The right to buy or rent a home is a fundamental and significant freedom. On it may depend the ability to live in a safe and secure place and to raise one's children in a wholesome environment or send them to a good school. The unrelieved crowding of racial ghettos is denying decent living conditions to their inhabitants at almost any price, and it creates a shortage of living space that encourages exorbitant rents and sloppy maintenance so that the dwellers there must, in fact, pay an unfairly high price for the inadequate housing they obtain. A Federal program to prevent discrimination in housing will be an important step toward eliminating such injustices. It will insure to every American what so far has been the privilege of only some: the right to move to as good a home and neighborhood as one's finances and personal situation permit.

I am very pleased to note that the proposed open housing legislation will include enforcement provisions similar to those which I included in my amendment to the 1966 civil rights bill. That amendment which proposed the establishment of a Fair Housing Board similar to the National Labor Relations Board was the only strengthening amendment accepted as a part of the bill which the House passed during the 89th Congress.

Of equal importance to the outlawing of discrimination in housing, and in some respects of even greater importance, is the need to insure equal opportunity in employment. Title VII of the 1964 Civil Rights Act constituted a major step toward assuring equal employment in many segments of our economy. However, in view of the experiences of the last 2½ years it has become obvious that the equal employment provisions of that act require stronger enforcement procedures to back them.

I am pleased at the President's proposal to put additional teeth in the equal employment provisions of the Civil Rights Act for I am convinced that in large measure good schooling, good housing, and so many of the other advantages of life are directly dependent upon a person's ability to obtain and hold a good job. This being so, every citizen must be given equal opportunity to compete for available work.

The President's seven-point civil rights program is most encouraging and significant. Many Negro Americans had begun to despair at the failure of the 1966 civil rights bill and the apparent waning interest of the country in the continuing battle for equality for all Americans. The President has reinforced his commitment to guaranteeing the rights of every American citizen in today's message; I only hope that the 90th Congress will be equally committed in its efforts to enact these proposals into law.

Mr. FRASER. Mr. Speaker, President Johnson now has fastened our attention on the greatest piece of unfinished business in the field of civil rights ending racial discrimination in housing.

Adequate housing, like food, is a prime necessity of life, not only for every individual, but also for the development of sound families and sound communities. Furthermore, as a practical matter, equal opportunity for access to good housing is usually necessary to provide equal access to good schools or good jobs.

The nonwhite citizen who is denied the opportunity to buy or rent a home for his family that other citizens with simliar incomes can easily obtain may suffer triple injuries.

His family cannot live in a community with better schools.

He cannot live near places of possible employment for which he may be qualified.

He is forced to pay a higher price for the inferior housing to which he does have access. These are burdens an American citizen should not have to endure.

Ending discrimination in housing would mean that any family, rich or poor, would be able to buy or rent whatever housing it could afford to pay for, without regard to race.

To most Americans, this is no revolutionary right. It is perhaps the most basic and important right of all.

Let us therefore act now in this last major area of legal reform while the focus of public and world attention is still on our national record in civil rights, to complete the job and assure its success.

TO PROTECT THE AMERICAN CONSUMER—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 57)

The **SPEAKER** laid before the House the following message from the President of the United States, which was read and referred to the Committee of the Whole

House on the State of the Union and ordered to be printed:

To the Congress of the United States:

Almost 100 years ago the 42d Congress enacted and President Grant signed the first consumer protection law—to prohibit the fraudulent use of the mails.

We have passed many milestones since then on the road to consumer protection. One landmark was the Pure Food and Drug Act of 1906. Shortly after its enactment, President Theodore Roosevelt wrote:

> The work thus begun must be unflinchingly carried forward in the interest both of the public and of the great body of . . . producers who are engaged in honest business.

Congresses and Presidents have "unflinchingly carried forward" in the public interest—from the Federal Trade Commission Act passed during Woodrow Wilson's day and the Securities Act under Franklin Roosevelt, to the Truth-in-Packaging Act under the 89th Congress last year.

The consumer has also benefited from wise Government policies to promote and stabilize prosperity. The American consumer today enjoys the highest standard of living ever experienced in the world. And it has risen rapidly in recent years. During the past 3 years, the consumer has reaped the harvest of a vigorous prosperity:

Nearly 6 million more Americans are at work, contributing to production and collecting growing paychecks;

Real income after taxes has advanced 13 percent for the average American, a gain as large as in the preceding 8 years;

The net financial wealth of American families has risen $150 billion.

We were concerned with the rise in prices last year, even though the incomes of most families outpaced the price level. Over the past several months, price increases have waned in intensity. And there is clear and welcome evidence that interest rates have been moving down. We must take whatever steps are necessary to continue these trends.

With the cooperation of business, labor, and the consumer, Government policies will be working this year to improve our record on prices and interest rates, and to continue the steady growth of family incomes.

The rising incomes of prosperity have brought new vigor to the marketplace. American business has responded with matchless ingenuity and enterprise to produce the widest range of quality products ever offered for sale.

But the march of technology that has brought unparalleled abundance and opportunity to the consumer has also exposed him to new complexities and hazards. It has made his choices more difficult. It has made many of our laws obsolete and has created the need for new legal remedies and safeguards. In short, we are faced with new problems of prosperity.

Most of these problems are resolved in the free competitive market through the energies of private enterprise. It is remarkable how well the free enterprise system does its job. The Government does not and will not tell business what to produce or labor where to work. Nor will it tell the consumer what to buy.

By comparison with the scope of the market, the task of the Government is relatively small. Nonetheless, that task is vital and must be executed fully and faithfully. It must be kept up to date with the realities of modern life and a sophisticated marketplace.

The Government must work to make consumer choice fully effective. The consumer must be protected against unsafe products, against misleading information, and against the deceitful practices of a few businessmen that can undermine confidence in the vast majority of diligent and reputable firms.

The 89th Congress fulfilled these responsibilities. It will surely go down in history as a consumer's Congress. I proposed, and you in the Congress enacted, series of measures designed to protect the consumer in the modern supermarket, on the new high-speed turnpikes of America, and in our growing banking and savings institutions:

The Truth-in-Packaging Act has launched a system to tell the buyer just what he is purchasing, how much it weighs, and who made it.

The Traffic and Highway Safety Acts have begun the first comprehensive national attack on the mounting toll of death and destruction on the highways.

The Child Protection Act is safeguarding our youngsters against needless tragedy from hazardous toys.

Additional insurance protection has been afforded to the millions of Americans who place their savings on deposit.

I now call upon the 90th Congress, in Theodore Roosevelt's words, to carry forward unflinchingly in the public interest, and to build on the record of progress of the 89th Congress. For there is important unfinished and new business on the agenda to—

Provide consumers with accurate and clear information on the cost of credit.

Give our investors better protection in their purchases of undeveloped land, their interests in private pension and welfare plans, and their holdings of mutual funds.

Insure that medical devices and laboratories designed to aid health do not instead intensify illness.

Close the gaps in our system of meat inspection.

Reshape our laws dealing with hazardous household products.

Improve our shameful record of losses of life and property through fires.

Minimize the likelihood of massive electric power failures.

Insure the safety of natural gas pipelines.

I have submitted many proposals at this session to benefit the poor and the disadvantaged of our land. The recommendations I am making today will help all Americans. Most of all, they will help middle income families—the vast majority of Americans who can afford to enjoy the abundance of the marketplace, but who can ill afford the high cost of deceit, misinformation, and confusion.

TRUTH IN LENDING

Consumer credit has become an essential feature of the American way of life. It permits families with secure and growing incomes to plan ahead and to enjoy fully and promptly the ownership of automobiles and modern household appliances. It finances higher education for many who otherwise could not afford it. To families struck by serious illness or other financial setbacks, the opportunity to borrow eases the burden by spreading the payments over time.

Because of these benefits, consumers rely heavily on credit. Outstanding consumer credit today totals $95 billion; $75 billion takes the form of installment credit. The interest costs on consumer credit alone amounted to nearly $13 billion in 1966.

The consumer has the right to know the cost of this key item in his budget just as much as the price of any other commodity he buys. If consumers are to plan prudently and to shop wisely for credit, they must know what it really costs.

In many instances today, consumers do not know the costs of credit. Charges are often stated in confusing or misleading terms. They are complicated by "add-ons" and discounts and unfamiliar gimmicks. The consumer should not have to be an actuary or a mathematician to understand the rate of interest that is being charged.

As a matter of fairplay to the consumer, the cost of credit should be disclosed fully, simply, and clearly.

Now that the right of consumers to be fully informed is protected when they shop in the supermarkets, the time has come to protect that right for shoppers who seek credit.

I recommend the Truth-in-Lending Act of 1967 to assure that, when the consumer shops for credit, he will be presented with a price tag that will tell him the percentage rate per year that is being charged on his borrowing.

We can make an important advance by incorporating the wisdom of past discussions on how the costs of credit can best be expressed. As a result of these discussions, I recommend legislation to assure full and accurate information to the borrower, and simple and routine calculations for the lender.

This legislation is urgently needed to close an important gap in consumer information; protect legitimate lenders against competitors who misrepresent credit costs.

The Truth-in-Lending Act of 1967 would strengthen the efficiency of our credit markets, without restraining them. It would allow the cost of credit to be freely determined by informed borrowers and responsible lenders. It would permit the volume of consumer credit to be fully responsive to the growing needs, ability to pay, and aspirations of the American consumer.

THE INVESTING PUBLIC

With savings derived from an abundant economy, America has become a nation of investors.

The landmark securities laws enacted during President Franklin Roosevelt's first term have provided important safeguards over the last three decades to the millions of Americans who invest in stock. The deposit insurance laws of the New Deal safeguard our checking and savings accounts.

Today new efforts are needed to assure that Federal protection of the investor keeps pace with the changing needs and growing wealth of the American economy. There are three areas of rapidly expanding investment that require the attention of the Congress in 1967—interstate land sales, private pension and welfare plans, and mutual funds.

1. INTERSTATE LAND SALES

Many investors—particularly older Americans—are attracted to advertisements offering inexpensive retirement homesites. The interstate mail-order sales of such land runs into many millions of dollars each year.

Most buyers get what they pay for. But, according to evidence obtained by the Senate Subcommittee on Frauds and Misrepresentations Affecting the Elderly, "slippery language and omission of important facts" have given too many buyers grossly distorted impressions of the land they later purchased.

Some of our senior citizens have become victims of subtle and sharp sales practices. They have wasted much of their life savings on a useless piece of desert or a swampland.

A number of States have enacted legislation to deal with these abuses. But only the Federal Government can have effective authority over interstate mail order sales. Only the exercise of such authority can protect the buyer and legitimate seller alike against loss and injury.

I recommend the Interstate Land Sales Full Disclosure Act of 1967 to afford the public greater safeguards against sharp and unscrupulous practices.

Under the act, developers engaged in interstate commerce, who offer to sell unimproved subdivided lots, would be required to disclose to potential buyers fully, simply, and clearly all of the material facts needed for an informed choice. This can be assured—without burdening the legitimate developer—through a Securities and Exchange Commission registration procedure. The procedure would be similar to the proven and effective disclosure technique used for public offerings of corporate stock.

2. PENSION AND WELFARE PLANS

More than 40 million workers on the payroll of American industry are now participating in private welfare and pension plans.

These plans are of vital importance to the worker and his family. They are a source of retirement income. They help meet the bills when illness or disability strikes. In combination with the Federal social security system, they provide a framework of protection for the American worker in his old age.

These private plans have grown sharply. Today, they account for assets of $90 billion. The very size of these plans makes it essential that they be soundly administered in the public interest. Because employer and worker alike rely upon them so heavily, they must be operated with unquestioned prudence and integrity.

The vast majority of welfare and pension plans are managed wisely by able officials, who follow the strictest code of fair dealing.

Yet our goal must be to guarantee to every American worker that the steward of his particular plan, just as any other trustee, follows the highest standards of responsibility. Federal law provides a number of safeguards—but there are serious gaps which must be closed.

The law, for example, does not bar conflicts of interest between the plan and its employer company. Nor does it now adequately prohibit a conflict between the private or personal interests of the plan's manager and the larger interests of the beneficiaries. There have even been cases where managers have obtained loans for themselves and their personal friends.

In some cases, serious abuses of trust have not been reached by the law. In other instances, a timely audit could have prevented fraudulent activity. But the law requires no such independent check.

I recommend the Welfare and Pension Plan Protection Act of 1967, to extend additional protection to the American worker, his family, and his employer.

Under this act:

Time-tested standards of responsibility and fair dealing will be required of plan administrators.

Yearly independent audits of welfare and pension plans will be conducted by certified or licensed public accountants.

Disclosure of the plan's financial activities will be made more complete.

Maximum limits will be placed on the portion of the plan that may be invested in stock of the employer company.

The enforcement and investigatory powers of the Secretary of Labor will be expanded.

Legal remedies will be available to recover losses to the beneficiary resulting from breaches of faith by administrators of the plan.

This law will not interfere with the discretion of plan managers in making legitimate investment decisions. It will, however, insure the worker and his family that their welfare and pension plans will be administered fairly and honestly.

3. MUTUAL FUNDS

In 1940, President Roosevelt signed the Investment Company Act—and for the first time direct protection was extended to the investor in a mutual fund.

At that time, about 300,000 Americans held mutual fund shares worth $450 million. Today mutual fund investors number more than 3.5 million. Their holdings are worth over $38 billion. Many of these investors are families of modest means.

The spectacular growth of the mutual fund industry is an indication of its popularity and of the important role it plays in the economy. Through these funds the small investor can obtain professional management and an interest in a diversified portfolio of securities. He expects to and is willing to pay reasonable fees for these services.

The vast expansion of mutual funds, particularly in the last decade, has brought to the fore new issues which were either nonexistent or of secondary importance when the Investment Company Act was passed over a quarter of a century ago. A wise and forward-looking Congress in 1940 authorized the Securities and Exchange Commission to conduct a study of mutual funds if any substantial further increase in the size of investment companies creates any problem involving the protection of investors or the public interest.

Acting under this mandate, the Securities and Exchange Commission has made periodic studies of the mutual fund industry. Two months ago, the Commission submitted to the Congress a thoughtful and exhaustive 346-page analysis, "Public Policy Implications of Investment Company Growth."

The SEC report reaffirms the diligent manner in which the funds are managed and cites the proud record of the industry. However, it raises a number of serious questions when it states that:

The great economies of size resulting from the growth of funds have brought vast profits to fund managers. But these economies have not been shared adequately with the investor.

Sales charges for mutual funds may often be unnecessarily high.

Investors of modest means have purchased "front end load" plans under which as much as 50 percent of their payments during the first year are deducted as sales commissions. They may face a substantial loss if financial difficulties force them to withdraw from the plan at an early date. In many cases the consumer is unaware of other forms of mutual fund investment which may be available at lower cost.

The Commission's study concludes that mutual fund shareholders need additional safeguards in the areas mentioned above and that protections under present law should be extended.

I urge the Congress to give careful consideration to the report and recommendations of the Securities and Exchange Commission. In my judgment, they provide a sound basis for measures which will be beneficial to the investing public and promote the health and stability of the industry itself.

PROTECTING THE PUBLIC'S HEALTH

Today, we have a network of safeguards protecting the public's health.

In 1938 the Congress strengthened the Food, Drug, and Cosmetic Act to require that the safety of drugs be cleared prior to marketing. In 1962, the law was further reinforced to require that the effectiveness of drugs also be cleared prior to marketing.

The value of these laws is beyond question. Nonetheless, important gaps in the law remain which should be closed now.

1. INSURING THE SAFETY AND EFFECTIVENESS OF MEDICAL DEVICES

Under present law, dangerous and worthless devices may be marketed until the Government—sometimes by chance, sometimes by complaint—discovers them and gathers the necessary evidence to establish that they are hazardous or ineffective. This is a laborious process. It requires many months. It is costly.

In the meantime, the elderly and the seriously ill suffer most. Improper treatment with worthless devices can be the cruelest hoax of all.

We want to foster continued research and development of lifesaving devices. But we must be sure they have been adequately tested before they are put on the market. We cannot be sure today.

Congressional testimony has revealed

that defective nails and screws for bone repair have required repeated operations to correct the damage. Some artificial eyes have resulted in serious infection. Useless heating and vibrating devices have caused the ill to squander their money and delay the pursuit of effective treatment. X-ray machines, which could have been properly safeguarded at little cost, emitted excessive doses of radiation.

I recommend the Medical Device Safety Act of 1967.

Under this act, the Food and Drug Administration would be required to preclear certain therapeutic materials—such as artificial organ transplants—used mainly on or in the body. In addition, the FDA will establish standards to assure the safety and performance of certain classes of widely used devices—bone pins, catheters, X-ray equipment, and diathermy machines.

In every case, the rights of the parties will be protected by fair hearings.

This new law will not apply to simple and ordinary patient care items which have withstood the test of time and are generally recognized as safe and reliable. It will not apply to an item specially ordered or designed by a surgeon or physician. Nor will it inhibit the research and development essential to the advancement of the medical arts. It will, however, protect physician and patient alike from devices which are dangerous and unreliable.

2. IMPROVING OUR CLINICAL LABORATORIES

Most clinical laboratories render outstanding and dedicated services to patients and doctors. But the substandard clinical laboratory remains outside the reach of the law. There have been deeply disturbing revelations of inaccurate medical tests performed by some of these laboratories. These tests have caused serious harm to the health and have threatened the lives of patients.

Consider the following:

Expert studies indicate that one out of every four diagnostic tests conducted by clinical laboratories may be inaccurate.

Mismatched blood transfusions have caused serious injury or death.

Falsely low hemoglobin readings have resulted in transfusions patients did not need.

Inaccurate tests have resulted in the needless prescription of highly toxic drugs.

False tests have resulted in cruel anxiety to the patient and his family.

I recommend the Clinical Laboratories Improvement Act of 1967.

Under this act, clinical laboratories engaged in interstate commerce would be licensed by the U.S. Surgeon General and required to comply with minimum performance standards set by him.

We will also provide, under the Partnership for Health Act, a series of flexible matching grants to State and city health departments to strengthen their procedures for evaluating the skill and performance of clinical laboratories not in interstate commerce.

ASSURING WHOLESOME MEAT

For 60 years, the Federal meat inspection program has removed unwholesome and adulterated products from the Nation's meat counters. The American housewife knows she can count on the quality of inspected meat. Indeed, she may expect that all the meat she buys deserves her confidence.

Yet, millions of tons of meat are not subjected to these high standards of inspection. Nearly 15 percent of the fresh meat supply and almost 25 percent of processed meat products do not enter into interstate commerce and are therefore not inspected under the Federal program. Although some of this meat is inspected under State and local programs, most of it receives no inspection at all.

It should be our goal to provide full assurance of the wholesomeness of all meat products offered for sale to the housewife. The assurance can best be developed through a Federal-State partnership for consumer protection.

I recommend the Wholesome Meat Act of 1967.

This legislation would modernize the present Federal Meat Inspection Act, a law which has been amended only once since its enactment in 1907. Under the strengthened legislation, the Secretary of Agriculture would be authorized to: Enter into cooperative agreements with States seeking to raise their standards of meat inspection, and furnish these cooperating States with up to half of the administrative cost of the inspection program and a major share of the cost of training personnel to man the program.

This legislation would greatly enhance the wholesomeness of our total meat supply.

PROTECTIONS AGAINST HAZARDS IN THE HOME

Time and again during the 20th century, Congress has enacted new legislation to protect the health and safety of consumers. Our lawmakers have responded to changing needs and circumstances. Often they have been spurred by particular tragedies or specific disclosures.

News stories about young girls burned by flaming sweaters brought swift congressional action in 1953 to deal with certain flammable wearing apparel. The tragic deaths of children by suffocation in refrigerators led to the Refrigerator Safety Act.

It is right and gratifying that the national conscience responds vigorously to such events. But the result is a patchwork of frequently uncoordinated laws, incomplete and uneven in coverage, often containing loopholes and gaps unknown and unrecognized by the general public. The time has come to take an overall look at our national safety legislation and to determine how it can best be streamlined to meet the needs of today.

1. NATIONAL COMMISSION ON PRODUCT SAFETY

It is particularly urgent to review our safeguards against hazardous household products. Recent estimates indicate that over 400,000 accidents a year can be attributed to powermowers, washing machines, power tools, and cooking utensils.

Consumers must, of course, exercise proper caution in using equipment which inherently has some risk. But consumers should not be exposed to unnecessary risks resulting from improper design or defective manufacture. Today, too often, the consumer cannot be sure where such hazards lie.

The time has come for a comprehensive review of the scope and potential of voluntary industry efforts to develop safety standards and to engage in self-regulation; relationship among Federal, State, and local laws and regulations; proper identification of products which present undue and unreasonable hazards to the health and safety of consumers, and question of responsibility and enforcement, particularly of manufacturers' liability for injuries caused by hazardous products.

When we have the answers to these questions, we can move from a patchwork of regulation to the comprehensive network of safeguards the American consumer deserves.

I recommend that the Congress enact legislation establishing a national commission on product safety to insure prompt study of these questions by America's outstanding experts.

The entire Nation would look forward to a full report from the Commission, including proposals to establish uniform, comprehensive, and effective safeguards in the area of household products.

2. STRENGTHENING THE FLAMMABLE FABRICS ACT

There is one gap, however, in existing legislation which is so glaring that action should not be delayed. The Flammable Fabrics Act of 1953 has done much to keep extremely flammable clothing out of the Nation's stores.

But the standard of flammability established under that act is deficient. The act does not cover many articles of clothing which can be consumed by fire almost instantaneously. It is narrowly restricted to certain wearing apparel. It does not extend to such every day items as baby blankets, drapes, carpets, and upholstery fabrics.

I recommend legislation to broaden and strengthen the Flammable Fabrics Act to close these gaps in the law.

3. FIRE SAFETY ACT

The strengthening of the Flammable Fabrics Act should be one early step in a major national effort to reduce our shameful loss of life and property resulting from fires. In 1965, some 12,000 lives and $1.75 billion worth of property were lost to fire. Our per capita death rate through fire was about four times as great as that of the United Kingdom and over six times as great as that of Japan. We can do better, and we must.

We must begin by developing improved information about the number and causes of fires and their costs in terms of property, lives, and injuries.

The Federal Government must also begin to support and supplement private research efforts on firefighting and fire prevention. It should work to expand public education about fire prevention. It should extend a helping hand to communities willing to innovate and experiment in the field of fire control and prevention.

I recommend the Fire Safety Act of 1967.

This act will authorize and support the: Collection, analysis, and dissemination of comprehensive, detailed fire information. Initiation of a fire safety research program. Improve education for those who prevent and control fire. Educational programs to inform the public of its opportunities and responsibilities for fire prevention. Pilot projects to improve and upgrade the efficiency of firefighting professions and to promote more effective application of fire safety principles in construction.

INCREASED ELECTRIC POWER RELIABILITY

The electric power industry, consisting of over 3,000 separately owned systems—public, private, and cooperative—supplies a great and growing share of America's energy requirements. Electric power consumption in this country doubles every decade.

Electricity has helped to fulfill the promise of modern America. The electric power industry has provided this Nation with the most dependable and widespread electric service enjoyed by any people. Utilities have joined together to create systems that span thousands of miles and operate at efficient and economical extra high voltages.

We have become almost totally reliant on electric power and on the systems that carry it to our homes, offices, factories, and farms. The Northeast blackout in November 1965—affecting 30 million people in six States and Canada—was a spectacular reminder of how vital an uninterrupted flow of electric power is to our safety, defense, health, and convenience. Subsequent power failures of lesser magnitude elsewhere in the country have intensified the concern of every citizen. The Nation's dependence on electric power requires further efforts to assure that service becomes even more reliable in the future.

Government and industry experts are now completing their assessment of the lessons of the Northeast power blackout. It is becoming increasingly clear that greater coordination is needed among the various utilities to reap the benefits of reliability and economy inherent in huge generating units and extra high voltage transmission lines.

It is also becoming evident that power systems must be carefully planned, coordinated, and strengthened to protect the consumer against cascading power failures. Much of this effort is already being voluntarily undertaken by America's great electric power industry. For example, in recognition of the importance of coordination 23 utilities in an eight-State area recently announced the formation of a regional council.

But more must be done. The final report of the Federal Power Commission on the Northeast blackout is now being completed. Recommendations for legislation will be carefully reviewed by the executive branch.

On the basis of this report and our review we shall recommend legislation to strengthen coordination among the electric power utilities. This coordination will promote the growth of an electric power supply system to provide an even higher quality of electric service to the American consumer.

NATURAL GAS PIPELINE SAFETY

Nearly 800,000 miles of pipeline reach out across a continent, linking the Nation's natural gas producing fields to the consumer. This gas brings heat and convenience to millions of American homes. It is used increasingly in industrial processes.

The safe transmission and distribution of natural gas is essential to all of us.

The natural gas industry is among the most safety conscious in the Nation. But natural gas is inherently dangerous when it is being transmitted. It travels through pipelines at enormous pressures. It is highly inflammable. When it burns, it can reach temperatures as high as 2,500° F. In March 1965, a tragic pipeline failure near Natchitoches, La., killed 17 persons. The recent blaze in Jamaica, N.Y., dramatically underscored how serious a gas pipeline failure can be.

As pipelines age and as more and more of the system lies under areas of high population density, the hazards of pipeline failures—and explosions—increase. Yet 22 States have no safety regulations. Many of the remaining 28 States have weak or outmoded provisions. Although the gas industry has developed safety standards, they are not binding and in some instances not adequate. There is no Federal jurisdiction whatsoever over 80 percent of the Nation's gas pipeline mileage and no clear authority to set minimum safety standards for the remaining 20 percent.

With the creation of the Department of Transportation, one agency now has responsibility for Federal safety regulation of air, water and land transportation, and oil pipelines. It is time to complete this comprehensive system of safety by giving the Secretary of Transportation authority to prescribe minimum safety standards for the movement of natural gas by pipeline.

I recommend the Natural Gas Pipeline Safety Act of 1967.

Under the act, the Secretary of Transportation will develop minimum safety standards in consultation with the industry, the States, the Federal Power Commission, and other Government agencies.

These standards will cover the design, installation, operation, and maintenance of existing and proposed pipeline facilities, both interstate and intrastate, when the facilities are involved in the gathering, transmission, or distribution of natural gas moving in interstate commerce. I am confident that the public can expect the full support of the industry for strengthened safety standards.

The Secretary of Transportation will also be given authority to investigate and determine the cause of accidents involving gas pipelines.

If we act now—in the public interest—we can reduce significantly the possibility of tragedy later on.

TO PROTECT THE AMERICAN CONSUMER

In this, my third message to the Congress on advancing the consumer interest, I speak in behalf of 200 million Americans.

I have set forth a series of demanding legislative proposals. They will require careful and deliberate consideration by the Congress and diligent efforts by the executive branch once they are enacted.

The cost to taxpayers of carrying out these proposals is very small. The savings to them as consumers will be great—in dollars, in safety, and in peace of mind.

These proposals call for the united support of business, labor, and consumers.

Their purpose is to provide the greatest good for the greatest number.

They serve the objectives I set forth 6 years ago, almost to the day, before the National Industrial Conference Board:

> This administration seeks no cold wars with—or among—those it serves; not with business or labor, not among producer and consumer . . . With all—and among all—we seek warm and respectful alliances, so that in common purpose and joint effort we may assure success for freedom's cause.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *February 16, 1967*.

CONSUMER PROTECTION

Mr. MOSS. Mr. Speaker, President Johnson has done the Nation a great service by focusing situation on the problems that confront the American consumer, even in our present age of abundance. I believe that the 90th Congress can perform no more useful task than addressing itself to these issues and hammering out constructive solutions. In particular, I believe that we must act, and act soon, to safeguard the reliability of our Nation's electric power systems. We have seen, in the past few years, technological advances in the power industry that few would have believed possible 20 years ago. Generators have grown to vast sizes, transmission line voltages have greatly increased, and many miles of interconnections have been installed. The key to the rapid technological and economic advance in electric power has been EHV—extra-high-voltage transmission. EHV makes possible the inexpensive transportation of vast amounts of power, so that generating plants can be located near fuel supplies rather than at load centers, and so that reliability can be promoted by emergency assistance over high-capacity interconnections between utility systems.

I have long advocated legislation which would permit the Federal Power Commission to take a more active role in promoting the dependability of electric power systems. In the 88th Congress I introduced H.R. 12181, in the 89th Congress H.R. 2072, and in the present Congress H.R. 2311—bills which would require the certification of new extra-high-voltage lines as being in the public interest. The Federal Power Commission has endorsed the basic principle of these bills. Chairman White, testifying before the Senate Commerce Committee last summer, stated that:

> When it comes to reliability of service, the public should not have to rely exclusively upon independent managements—regardless of their efficiency and their desire to provide their own customers the best possible service—to voluntarily consider the needs of neighboring systems * * *. By the same token, it is appropriate that the public through its government should assume a share of the responsibility for the safety and reliability of interstate EHV electric transmission systems.

EHV transmission, as the President's consumer message makes clear, can be a national blessing. But the technology can lead to abuses unless planning and construction of EHV lines is regulated in the public interest. Regulation is essential if all power distributors, and the consumers they serve, are to enjoy access to the potential benefits. Regulation is essential to assure that all utility systems have an opportunity to participate in creating a transmission system best adapted to achieve reliable service for all.

The Congress has made a beginning, in that it has assembled much useful information regarding the Northeast blackout of November 1965. I urge my colleagues to put this knowledge to work by developing a legislative framework for the continuing improvement of electric service to consumers and industries in every part of our country.

Mr. RODINO. Mr. Speaker, today the President has sent to the Congress a truly sweeping and comprehensive consumer program designed to offer protection in areas of activity that cumulatively affect 195 million Americans—the whole consuming public. Let no one say that this administration, and this Democratic Congress, will fail to meet and responsibly carry out our constitutional mandate to provide for the general welfare.

The President's program demonstrates clearly the Government's recognition of the right of the consumer to be protected from those who, for profit and advantage, would prejudice the health and welfare of the American people. The Government's role in comparison with the scope of our free enterprise market may be a limited one, but I echo the President's promise that the task is nonetheless vital, and must be executed fully and faithfully.

During the next few days I look forward to introducing and cosponsoring many of the President's programs, beginning with the long-sought, long-needed, basic reform of truth in lending. Firm leadership and direction from the President is clear and evident. I only hope that our response in Congress will result in full consumer protection.

Mr. MOSS. Mr. Speaker, by commenting on the recent report of the Securities and Exchange Commission on the "Public Policy Implications of Investment Company Growth," and calling for careful consideration of that document, President Johnson has focused attention on some important unfinished business in the vital area of investor protection.

It is true that investment companies are already subject to a comprehensive regulatory statute, the Investment Company Act of 1940. And it is also true that the other Federal securities statutes bear significantly on the way in which the companies do business. But the phenomenal growth of investment companies—especially those of the mutual fund type—raises basic questions as to the present adequacy of a regulatory pattern that focuses primarily on protecting investors from outright dishonesty, and from the hazards presented by certain types of speculative activity. Because they make professional investment management available to a mass public, investment companies play an increasingly important role in a free enterprise economy which relies on saving and investment by private individuals as a primary road to economic progress.

Since millions of Americans—a great many of them, as the Commission points out, persons of modest means—have entrusted and will entrust their savings to investment companies, the question of the costs borne by those who use the companies' services is significant. By presenting a carefully considered program for changes in the law to provide economies for investors without impairing the quality of the services that investors receive, the Commission has done its part. The Congress must now proceed to do its part by giving the Commission's proposals the painstaking and detailed study that they deserve.

Mr. ADDABBO. Mr. Speaker, a fire resulting from a failure in a natural gas pipeline reaches a temperature of 2,500° F.—but that is nothing compared to the heat that Congress will feel if we do not meet the opportunity to prevent such disasters.

I welcome the chance to consider a bill to establish greater safety for natural gas pipelines.

It is only human nature to wait for a problem to reach disaster proportions before we seek to eliminate the precipitating dangers. Sometimes this is a difficult task. For instance, it would be very hard to prescribe safety standards that would have kept Chicago's Mrs. O'Leary from setting her lantern too close to her cow.

Fortunately, this is not the case with natural gas pipelines. Safety standards can be adopted that will prevent fires and explosions. Now is the time to take action.

The 64 deaths and 222 injuries caused by gas line failures in the last 15 years are not so astounding as to incur the wrath of a nation. But these incidents, coupled with the tremendous size of the natural gas industry, alert us to the fact that dangers are present.

Today, more than 9 trillion cubic feet of gas per year is piped through three-quarters of a million miles of natural gas lines in the United States. This gas is carried at a pressure varying from 700 to 1,000 pounds per square inch or at a rate of 10 to 25 miles per hour. These figures alone give us an idea of the quality of the pipelines that must be maintained for safe and efficient use.

And the fact is, not all pipelines are maintained to the necessary standards. I am sure most of you recall the Jamaica, N.Y., gas fire last month that left 19 families homeless and nearly four residential blocks in ruin. That fire started as a result of gas leaking from a pipeline drip, a device used to collect moisture accumulated in the pipeline.

The drip was installed in 1931 when manufactured gas was carried in the lines. This drip and main were not installed as deeply below the surface as normal because the company had to offset the line to accommodate a sewerline. Ordinarily, the drip would be located about 2½ feet below ground level.

In 1952 the company changed to the dryer natural gas, which dries out the yarn or jute packing used to seal bell and spigot joints. Consequently, the company undertook a program to install clamps over these joints to stop the leakage. Now, 15 years later, clamps have been installed on few, if any, of the New York company's drip lids. The company's system includes 1,836 drips on its Brooklyn and Queens intermediate pressure system.

This one incident points up at least three discrepancies that probably would have been corrected had Federal safety standards been in effect. But more than that, it illustrates that existing pipeline must be modernized; that new coating processes must be applied to old lines; that inspections are not enough; and that repairs must be made.

In just interstate pipeline failure reports between 1950 and 1965, about 20 percent involved pipe installed before Lindbergh flew the Atlantic. Several failures were reported on pipe installed during the first administration of President Grover Cleveland and the first session of 49th Congress—though I'm sure no one would blame either that great President or that great Congress.

One company last year reported that a pipe which ruptured in Kentucky had corroded to the extent where the pipe wall in the vicinity of the failure was reduced to 25 to 40 percent of its original thickness.

The industry should be credited with development of a code for use by pipeline companies. This is the American standard code for pressure piping—ASA. The ASA code was designed as a guide to the pipeline industry and is widely used as such. It was not intended as a legislative prescription of mandatory, minimum safety standards.

A particularly significant limitation of the ASA code is that even though its requirements are upgraded from time to time, the revised requirements do not apply to pipe already in the ground.

Other safety gaps exist. Even now, 22 States, representing approximately 60 percent of the transmission pipeline mileage, have adopted no safety regulations at all. Five of the twenty-seven States with safety regulations do not apply them to interstate lines.

Approximately 90 percent of the present pipeline mileage in the Nation was designed, fabricated, and constructed before the State in which it is located had adopted safety regulations.

Technology is improving in all fields of industrial endeavor, but the public's interest requires a governmental involvement in insuring that we take all reasonable steps to reduce the danger from an unsafe segment of gas pipeline just as we do with an unsafe motor vehicle, unsafe airplane, an unsafe train, or an unsafe oil pipeline.

I greet new Federal safety standards for gas pipelines as a welcome step in protecting the welfare of the public.

Mr. STAGGERS. Mr. Speaker, the President's message on consumer protection is released at noon today. It gives assurance that the President does not intend to permit foreign problems to interrupt progress on the domestic front.

What the President has in mind is quite clear. He wants to protect the consumer—which means all of us—against unfair practices and misleading representations in all business dealings. He would do it by extending and strengthening the legislation that is presently on the statute books, and which is designed to curb consumer exploitation.

Legislation of this type began back in 1906 with the Pure Food and Drug Act. President Theodore Roosevelt is quoted as saying:

> The work thus begun must be unflinchingly carried forward in the interest both of the public and of the great body of . . . producers who are engaged in honest business.

The 89th Congress took up this job of protecting the public with a vigor that has not been possible in recent years. As a result of Government assistance in fixing marketing policies, the President reminds us that—

> The consumer has also benefited from wise government policies to promote and stabilize prosperity. The American consumer today enjoys the highest standard of living ever experienced in the world.

Mr. Johnson might have added that business interests of an amazing variety have profited richly from fair dealing with a public that is able and willing to spend freely. American business has responded with matchless ingenuity and enterprise to produce the widest range of quality products ever offered for sale.

Buttressing his position by arguments of this nature, the President lists the areas where, in his opinion, extended or remedial legislation is needed. The wide range of the President's interest and concern should be very gratifying to a public which is demanding action. There is a prevailing tendency for the consumer to become as intolerant of fair and fancy promises from the Government as he is of unscrupulous business practices.

Specific proposals carrying out the President's suggestions will undoubtedly be submitted to the Congress shortly, and referred to the various committees having an interest in consumer legislation. I am confident that each and every proposal will receive careful and conscientious consideration from the Members of Congress. I am also sure that every individual and organization, whether producer oriented or consumer oriented, having a legitimate interest in a proposal will be given full opportunity to present pertinent views. If this is done fairly and fully, we may expect legislation that will stand the test of experience and time, and thus promote and stabilize prosperity. I know of no way by which a Member of Congress can serve his constitutents more acceptably and helpfully than by unbiased consideration of consumer legislation.

Mr. PEPPER. Mr. Speaker, in his message, to protect the American consumer, sent to the Congress today, President Johnson has asked for two needed laws to protect the public health. The program to improve our clinical laboratories and the Medical Device Safety Act are essential steps forward in our continuing effort to improve our health environment.

Both laws will remedy situations too long left untouched by reasonable regulation.

Doctors, nurses—all health professionals—have a right to know that the medical devices they are using in their daily work conform to some recognized standards and have been produced under some clearance procedures. We have allowed this process to develop in the case of drugs and we see that it has been a very useful and fair process. It has benefited medicine, it has benefited the general public, and it has benefited those who produce the drugs for commercial sale.

All health professionals should have the assurance that the result of vital work done in clinical laboratories is accurate. Yet every year thousands of unnecessary and frequently harmful blood transfusions are given because of faulty hemoglobin determination. In fact, many clinical laboratories in this country are showing faulty findings in more than 25 percent of their tests. These shocking facts demand action.

I ask each Member of this body to consider this situation of human life hanging in the balance, dependent upon the reliability of a machine, dependent upon the proper functioning of a sophisticated medical device, and dependent upon the results of analyses in clinical laboratories. And I, therefore, ask each distinguished Member of this House to join me in supporting the proposals for health legislation put forth by the President today.

Mr. VANIK. Mr. Speaker, I wish to join my colleagues in expressing interest in considering the administration's bill on this important matter of natural gas pipeline safety.

There are about three-quarters of a million miles of natural gas pipelines in the United States. The question of whether this represents an adequately safe container or just one long fuse to disaster will be before Congress shortly.

I believe that it is imperative to establish and enforce minimum safety standards for the installation, operation, and maintenance of these vital arteries in a key industry of this country.

Some of the interstate gas pipelines now in use have been in the ground since 1886. The more vast and complex system of distribution gas mains, which lie under our cities and growing suburbs, is literally a big question mark as to condition and date of installation. Some of the technical hardware on that system was installed to serve an entirely different kind of gas which has not been used in most areas, for many years—manufactured gas. Yet, few, if any, changes have been made to adapt to the demands of the newer natural gas.

We, of course, can wait until the loss of life and property reaches epidemic proportions, or we can act to prevent potential disasters. We will shortly have before us a bill which would enable us to take the latter and wiser course. I welcome the opportunity to consider such a bill which would insure the safety of the public with regards to a vital utility of the Nation.

The natural evolution of the pipeline industry is emitting the same danger signals you might witness when the fuses in your home begin to blow. You would not stick your finger in the socket to see if the current is flowing, and likewise, we should not have to smell the gas to detect a pipeline failure. Unfortunately, however, this has too often been the case.

Thousand of Americans in the last decade have experienced untold prosperity. With it has come new television sets, electric toothbrushes, and the discovery that many homes simply were not wired to carry the load.

The miles of interstate natural gas lines are carrying 25 billion cubic feet of gas daily to the American public. This gas travels at a speed of from 10 to 25 miles per hour at from 700 to 1,000 pounds pressure per square inch.

Like electric wiring, it stands to reason that pipeline constructed several decades ago was not built for the load it is required to carry today. One pipeline failure reported last year indicated corrosion had diminished the thickness of the pipe from 25 to 40 percent.

Many new technological advances have been made by industry in the last few years in pipeline construction and maintenance. Better coatings and cathodic protection have been devised. New welding techniques provide stronger joints. Radiographic inspection aids in detecting potential pipeline failures. The catch is, however, these new developments have not always been applied to pipe already in the ground.

The more than 1,260 pipeline failures in the last 15 years indicate the seriousness of the situation. It only takes the smallest gas leak to cause the largest explosion or fire. In the 1965 gas explosion in Natchitoches, La., a pilot light in a very innocent-looking cooking stove was enough to ignite the gases. Seventeen people died, five homes were demolished, and the 2,500-degree heat melted cars and even rocks.

The industry's American standard code for pressure piping has been beneficial in prescribing new and better safety measures. But they do not apply to already buried pipeline.

The industry is now in the difficult dual role of judge and jury of its own safety practices. However, where the lives of people are concerned, and where the possible destruction from a pipeline accident depends so greatly on the adequacy of safety standards, it is only reasonable that the public should have the last word in setting reasonable minimum safety standards.

I am confident that Federal safety standards would provoke the finest talent in both Government and industry to provide the highest standards of natural gas pipeline safety.

I welcome the opportunity to consider the administration's bill which would enable action to be taken now.

Mr. RESNICK. Mr. Speaker, the Congress has received today a message from the President requesting legislation to effect truth in lending.

Truth in lending denotes exactly what the title implies; namely, that those who loan money to individuals or institutions should be required to make absolutely clear and as specific as possible the approximate annual rate of interest being paid on that loan.

It would seem that such a simple and forthright requirement would be unnecessary because it is difficult to believe that lending would take place on any other basis. But, unfortunately, this is not the case. Mr. Speaker, unfortunately, some lending institutions today practice an evil and insidious practice that obscures, to the unwitting as well as the sophisticated, the actual charge levied on loans. The essence of the problem is not the amount of the charge or the terms of repayment but the absence of knowledge in the mind of the borrower of the rate of interest he paid.

The failure to provide a reasonably accurate percentage rate is widespread to a degree that is shocking. This practice is so firmly ensconced in the very fabric of our money system that it is incumbent on us all to support and vote for S. 5, the truth-in-lending bill.

We have had for many years truth in the securities market; we now have truth in packaging; we have required the advertising industry to discipline itself in its practices by requiring more truthful conduct of its affairs; and the Federal Drug Administration under the admirable direction of Dr. Goddard has moved the drug industry a long way toward veracity in its claims of remedial prowess. The truth-in-lending bill is similar to action and precedents set in these other important areas of American life. The need for action in the lending area is equally as important as past legislation in these other areas, because finance is, by its very nature, a complicated and baffling mechanical system. The individual is at the mercy of a complex and potentially deceptive system. Protection is needed and warranted.

A very simple example of a problem will illustrate strongly the reason for positive attention to the truth-in-lending bill, so eloquently supported by the President's message. Let us suppose that a man borrows $1,000 for 1 year at a stated rate of interest of 5 percent. Because this is likely to be an installment loan, he will be required to repay the $1,000, plus interest in a series of 12 equal monthly installments. With respect to the principal, at the end of 6 months he will have repaid $500. But there is no reduction to account for this prepayment of principal in the calculation of the interest paid on the entire loan. The lending institutions make no provision for the fact that $500 of the original loan is no longer owed. Five percent on $1,000 amounts to $50 a year. Fifty dollars a year is owed if the $1,000 is borrowed for an entire year, but in this example that I have set forth, $1,000 is not outstanding for an entire year because part of it is gradually paid off. The point here is that this $500 which is repaid in the first 6 months is treated as part of the outstanding loan for the last 6 months of the year in spite of the fact that it is no longer owed. This illustration boils down to the fact that on a $1,000 loan repayable in 12 equal monthly installments, there will be an average of $500 outstanding throughout the entire year. Five percent interest on an average of $500 outstanding amounts to $25 in interest charges. The lending institutions however charge 5 percent on $1,000 or $50 in interest charges. The net result is that, although the stated rate of interest is 5 percent advertised and noted to the borrower, 5 percent on an installment loan, as in this case, simply is not true.

The approximate of "true" rate of interest is somewhat more than double 5 percent, somewhere between 10 and 12 percent, depending on the terms.

Mr. Speaker, this is not a very easy thing for the average borrower to understand. Since Americans have taken out $74.7 billion in some sort of installment credit in 1966 and are innocent of the fact that in the vast majority of cases they are paying an interest load more than double the load they think they are paying, something must be done. Since the lending institutions have not seen fit to take the opportunity themselves to inject a sense of discipline and self-imposed integrity, it is incumbent upon the Congress of the United States to do this for them. A continuation of the current practice is intolerable. There is special need for action now since the explosion of credit both in total amount and in total number of people using credit makes this kind of situation dangerous.

The positive advantages of action on our part will find many expressions. For one, it should help institutions prevent losses resulting from the fact that a number of loans which are intrinsically bad may not be made when a truer rate of interest is known by the borrower. More effective competition by the lending institutions should result in many cases. Some lending organizations have been more scrupulous than others in the use of the lending charge. Some have chosen to bury the actual load in complicated discounts and varying payment scheduled while others have been more equitable and conscientious about their lending activities. This legislation will ferret out many of the abuses and place all these institutions on an equal footing, thereby supporting a freer and more competitive lending market.

The average borrowing consumer should benefit from this legislation because the resulting increased competition should be reflected in lower average interest rates. Finally, we will have a more effective built-in barrier to excessive demand expressing itself in unrealistic debt loads on the shoulders of our fellow American citizens. This should make less likely violent swings in economic cyclicality as there becomes less need for periodic liquidation of these unrealistic debts. In the final analysis, we will be relying on the individual consumer to regulate his own debt-carrying capability.

To those who would argue that this is yet another government control, we answer, you are correct, but no attempt to regulate interest rates. Regulation should be left with the States. Rather, this is Government control of an abuse. It is the elimination of the subterfuge, a clever and unscrupulous deception of the American citizen.

If the approximate annual rate of interest is such an embarrassment to the lender, if the real interest charge borders on the usurious, let the public know it. If these men are operating under the guise of integrity, stability, and respect and this is not the case, let the public know it. If there is an untruth involved here, and I submit that this practice is an untruth, let the public know it.

I endorse the President's consumer message which calls for the passage of a truth-in-lending bill and I exhort my colleagues to contribute their support, their efforts, and their votes for passage.

Mr. ROSTENKOWSKI. Mr. Speaker, in his state of the Union message, President Johnson said:

> I hope this Congress will try to help me do more for the consumer.

The President's consumer message is his blueprint for constructing an environment of greater safety and equity for all Americans.

The message, and the proposals it puts forth, will go down in history as the broadest, fairest, and best coordinated effort to give to the American people the protection they need in the complex technological and economic world of today. No group in our national life—the family, the worker, the farmer, the businessman—will fail to benefit from the protection contemplated in this landmark message.

Physical safety—to enjoy the comforts of modern technology in his home. Economic equity—to enable people to participate fruitfully in the great marketplace of our economy. In my judgment, the climate of opinion in this Congress is ideally receptive to new efforts to help the American people in their daily lives.

In the field of physical safety, there are three proposals which merit special attention. First, the establishment of a National Commission on Product Safety. Second, the establishment of a national fire safety program. Third, a broadening amendment to the Flammable Fabrics Act of 1953.

Anyone who questions the necessity for a National Commission on Product Safety need only look at the fact that accidents occurring in and around the home result in thousands of fatalities and millions of injuries every year throughout this country. The deaths alone amount to almost half the number of fatalities suffered on the Nation's highways each year.

A joint resolution to establish a National Commission on Product Safety has been introduced in the Senate by Senator MAGNUSON and Senator COTTON and in the House by Congressman Moss. As presently envisioned, the Commission would consist of seven members, chosen for their training and experience in this field, and appointed by the President.

The Commission would conduct a study of the protection consumers now have against the hazards of household products. The study would identify specific products which are determined to present hazards, examine the extent to which self-regulation by industry is working, look at the protection afforded by common law in the States, and review Federal, State, and local laws aimed at consumer protection in this area. In the course of the study, proprietary information would not be disclosed. The Commission would make a report to the

President and the Congress within 18 months, including any recommendations for action. Certain products which have undergone recent congressional scrutiny would be excluded from consideration by the Commission. These items would include motor vehicles, products under the food and drug laws, products under the Hazardous Substances Labeling Act, and Federal Cigarette Labeling and Advertising Act, and the Federal Insecticide and Fungicide Act.

I would like to point out that the benefits of such a Commission are twofold: The users of products would benefit by being physically protected against the hazards of some of the products of modern technology. Manufacturers and businessmen, at the same time, could look forward to some assurance that they would not be subjected to a great variety of different State and local safety regulations, which might make mass production for mass markets almost impossible.

A national fire safety program, the second item I mentioned in the area of physical safety, could do much to reduce the yearly toll in human and material loss suffered as a result of fires. I would like to point out that what is contemplated is an expansion of existing public and private programs, wherever possible.

The proposed fire safety program would have four major elements. First. Factfinding and research on the causes, the frequency, and the severity of fires. Second. Education of the public on fire hazards, and education of firemen on techniques for fighting fires. There would also be included development of fire safety curriculums and courses for those who must cope with fires. Third. An information and data service on all aspects of fire safety. Fourth. Support for demonstration projects on improved methods for prevention and control, rehabilitation of people and property affected by fires, and improved fire services.

The third item in physical safety is an amendment to the Flammable Fabrics Act of 1953. The original act was passed in the aftermath of a spate of newspaper stories about torch sweaters, and other similar highly flammable items. The act accomplished its limited objective, but it did not affect the marketing of items of wearing apparel. At the present time, about 3,000 people a year die from burns involving clothing fires.

The amendments would authorize the Secretary of Commerce to revise the standards of flammability for wearing apparel. Flammability standards would also be issued for interior furnishings if such action was determined to be necessary. In addition, the Commerce Department, together with the Department of Health, Education, and Welfare, would study the causes of deaths, injuries and property losses resulting from accidental burning of furnishings and wearing apparel. Research would be conducted into the flammability of furnishings, fabrics, and materials.

Enactment of the great public-interest proposals outlined in the President's message will help cement the growing partnership of all segments of our population for the benefit of the entire Nation.

APPOINTMENT OF MEMBERS TO THE BOARD OF VISITORS TO THE U.S. COAST GUARD ACADEMY FOR 1967

The **SPEAKER** laid before the House the following communication from the chairman of the Committee on Merchant Marine and Fisheries:

House of Representatives,
U.S. Committee on Merchant
Marine and Fisheries,
Washington, D.C., February 15, 1967.
Hon. John W. McCormack,
The Speaker,
House of Representatives,
Washington, D.C.

Dear Mr. Speaker: Pursuant to section 194 of title 14 of the United States Code, I have appointed the following members of the Committee on Merchant Marine and Fisheries to serve as members of the Board of Visitors to the United States Coast Guard Academy for the year 1967: Hon. Frank M. Clark, of Pennsylvania; Hon. Alton Lennon, of North Carolina; Hon. James R. Grover, Jr., of New York.

As chairman of the Committee on Merchant Marine and Fisheries, I am authorized to serve as an ex officio member of the Board.

Sincerely,

Edward A. Garmatz,
Chairman.

APPOINTMENT OF MEMBERS TO THE BOARD OF VISITORS TO THE MERCHANT MARINE ACADEMY FOR 1967

The **SPEAKER** laid before the House the following communication from the chairman of the Committee on Merchant Marine and Fisheries:

House of Representatives,
U.S. Committee on Merchant
Marine and Fisheries,
Washington, D.C., February 15, 1967.
Hon. John W. McCormack,
The Speaker,
House of Representatives,
Washington, D.C.

Dear Mr. Speaker: Pursuant to Public Law 301 of the 78th Congress, I have appointed the following members of the Committee on Merchant Marine and Fisheries to serve as members of the Board of Visitors to the U.S. Merchant Marine Academy for the year 1967: Hon. Thomas N. Downing, of Virginia; Hon. John M. Murphy, of New York; Hon. Charles A. Mosher, of Ohio.

As chairman of the Committee on Merchant Marine and Fisheries, I am authorized to serve as an ex officio member of the Board.

Sincerely,

Edward A. Garmatz,
Chairman.

PREVENTING AIRLINE STRIKE CRISES

Mr. **PICKLE**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. **PICKLE** Mr. Speaker, I am today introducing a bill designed to prevent the type of crisis we experienced last year during the airline strike.

Few of us can forget the extent to which that strike disrupted the lives and livelihood of millions of our countrymen. I believe that now is the time to consider the issues and the means of preventing such a disabling occurrence. I think that if we approach this situation with calmness and candor we can safeguard the sanctity of collective bargaining, and at the same time provide a workable solution to the situation that exists.

The bill I am introducing amends section 10 of the Railroad Labor Act, as amended (45 U.S.C. 160). It preserves the present process up to and including the Mediation Board. The Mediation Board, however, is further empowered to give notification to the President if a dispute between a carrier and its employees is not adjusted under earlier provisions of the act, and if, in the judgment of the Mediation Board, such dispute threatens substantially to interrupt interstate or foreign commerce to a degree such as to deprive any section of the country of essential transportation service.

Once the President has received this notification, he may thereupon make a choice of appointing an emergency board, or expressing his intent to establish a special board.

If, at this stage, the President elects to appoint an emergency board, he may then proceed to appoint as many disinterested individuals to the Emergency Board as he deems desirable. The President may also, in his discretion, charge the Emergency Board with the responsibility to make a statement of the facts of the dispute, and to make recommendations for the settlement of any or all of the matters in dispute.

Within 60 days after the appointment of the Emergency Board, or such later date as he may specify—but not to exceed 60 days—if the dispute has not been settled, the Board shall report to the President, and for 30 days after this report is made, there will be no change, except by agreement, by the parties to the controversy in the working conditions out of which the dispute arose.

After this 30-day cooling-off period, the President may exercise any or all of three alternatives:

First. He may transmit the report of the emergency board to Congress for such action as is appropriate.

Second. If the report includes recommendations for settlement, the President may provide by Executive order that these recommendations shall serve as the working conditions for a period not to exceed 120 days.

Third. He may notify the parties of his intention to establish a special board.

I may note at this point that the special board I just mentioned can be initiated by the President immediately after the notification by the Mediation Board, or after the emergency board has performed its functions.

At any rate, at whichever point the President announces his intent to establish a special board, the parties have 10 days from the announcement to select members of a special board which will have authority to make a final and binding determination of matters in dispute. The parties may also establish procedures for the board, and ascertain the matters in dispute which shall be determined by the board. Whenever possible, I feel it is best to have the parties select the members of this board themselves; this will work to encourage a voluntary settlement, and will certainly lend acceptability to any decision which may be rendered by the board.

If the parties fail to establish the special board, the President shall appoint three members of the board, one member shall be appointed by the representatives of the employees, and one by the carriers involved. In reaching its determination, the special board may, in its discretion, adopt the recommendations, if any, of the emergency board, and shall take into consideration all relevant information surrounding the dispute.

The special board shall make and publish its determination within 60 days after its appointment except that the President may, in his discretion, extend such period for not more than an additional 60 days. With certain exceptions, the determination of a special board shall be final and binding upon the parties for the period prescribed by the special board, but in no event shall such period exceed 2 years from the date of the determination of the special board. The decision of the special board shall be enforceabe by proceedings in the U.S. District Court for the District of Columbia, the U.S. district court for any district in which proceedings of the special board were held, or the U.S. district court for any district in which any party to the proceeding before the special board is doing business.

The determination of a special board may be set aside only by application of a party to the board proceedings, and only on the grounds that the determination was based on fraud or corruption, or not in accordance with section 10 of the act or with the Constitution of the United States. In no event shall the reviewing court have jurisdiction to review or set aside a determination of a special board on the ground that rates of pay, rules, or working conditions prescribed therein are not just and reasonable.

Mr. Speaker, I know there is not an easy answer to wage problems or labor disputes between employees and employers. Each side bargains for what they believe is right. But there is an overriding interest of the public that essential transportation service not tie up an entire organization or section of the country. Unless there is found a better way than we now have, I fear that collective bargaining might be seriously weakened, or some other form of compulsory arbitration be forced on both parties. The public has the paramount interest—and this measure I have offered is an attempt to find a better bargaining solution to the normal processes we have. Last year we saw one organization tie up a major part of the entire airline industry and practically immobilize whole sections of the country. At times we had reason to believe that one of the parties was not bargaining in good faith—at least every reasonable offer was turned down. It almost resulted in congressional action that some would have said was hasty. Now there is no major transportation dispute in any part of the country, that I know of, and perhaps now this measure can be debated calmly and wisely and in the public interest.

Mr. Speaker, I feel that this bill will go far in solving this ever-present threat. At this point, I include an outline in the RECORD:

"CHOICE OF PROCEDURES" APPROACH FOR DEALING WITH CRITICAL WORK STOPPAGES IN THE TRANSPORTATION INDUSTRY

I. Current Railway Labor Act procedure would be followed up to Section 10 (45 U.S.C. 160).

II. Section 10 would be amended to provide that when the National Mediation Board notifies the President of an unresolved dispute which threatens substantially to deprive any section of the country of essential transportation service, the President is authorized:

A. To create an Emergency Board to investigate the facts and report within 60 days, with or without power to recommend terms of settlement, as the President may specify; or

B. To establish a Special Board after giving the parties 10 days in which to create their own, with power to make a final determination of disputed issues binding on the parties for not to exceed two years.

III. Upon submission of an Emergency Board report, a 30-day "cooling off" period is provided, after which the President may take one or more of the following steps:

A. Transmit the report to Congress with his recommendations;

B. If the report includes a recommended settlement, provide by Executive order that such recommendations shall govern for a temporary period not to exceed 120 days; or

C. Notify the parties of his intention to establish a Special Board, if they fail to do so within 10 days, to make a final and binding determination.

IV. Strikes and lock-outs would be unlawful during the term of an agreement and until the new procedures are exhausted.

V. Court appeals from the award of a Special Board would be permitted for fraud and corruption or if the determination was not in accord with amended Section 10 or the Constitution, but not on grounds the awarded rates of pay, rules, or working conditions were not just and reasonable.

VI. Penalties and enforcement procedures, including suits for injunctions and damages, would be provided.

IMPROVEMENT OF MEDICAL CARE THROUGH TITLE VI OF THE MEDICARE ACT

Mr. HICKS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HICKS. Mr. Speaker, there has been tremendous change in the availability of improved medical services to all our citizens during the past year. The medical advances encouraged by medicare and the constitutional requirements furthered by the administration of title VI have both contributed to this achievement. Under title VI dramatic changes have been made even in those communities previously hostile to desegregation. The impetus provided by title VI enabled the Federal Government to join with responsible hospital administrators, community leaders, and medical professional groups to assure that medical treatment would be provided without regard to race, color or national origin.

Today, nonwhites are being admitted to hundreds of hospitals previously closed to them; patients are being given equal treatment under equal conditions; Negro doctors are able to practice in formerly closed hospitals, and thereby provide their patients with needed care; young Negroes are being admitted to medical training programs which will eventually enable them to render service to all needy citizens, regardless of race.

On February 1, 1967, more than 7,100 medical facilities—more than 95 percent of all such facilities in the Nation—were officially committed to provide all services without discrimination. More than 3,000 of these hospitals had to make changes—sometimes sweeping—in order to alter existing policies and practices to meet the nondiscrimination requirements of title VI. At least 1,000 of these facilities made these changes after agreeing to come into compliance voluntarily.

The effort to assure that adequate medical facilities would be available under medicare has been eminently successful.

The determination to fairly and firmly enforce the constitutional requirements of title VI of the Civil Rights Act of 1964 has led to a visible improvement in the provision of medical services to all American citizens. Many of us fail to realize that by improving the lot of needy nonwhite citizens, we have witnessed a general improvement of medical conditions for thousands of patients, young and old, white and nonwhite.

The pace and extent of change in hospitals was greatly aided by the active cooperation of the American Hospital Association, its State affiliates, other professional organizations, and the Department of Health, Education, and Welfare. These professional groups have confirmed that the elimination of costly dual hospital services and discriminatory practices has produced more efficient and effective medical care for all communities involved.

There can be no question that this administration has contributed greatly to the improvement of medical care for all Americans by its administration of title VI.

LITHUANIAN INDEPENDENCE DAY—49 YEARS OF RESISTANCE

The **SPEAKER.** Under previous order of the House, the gentleman from Pennsylvania [Mr. FLOOD] is recognized for 60 minutes.

Mr. FLOOD. Mr. Speaker, I ask unanimous consent that certain of my colleagues be permitted to insert their remarks on this subject following my remarks here today.

The **SPEAKER.** Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

GENERAL LEAVE

Mr. FLOOD. Mr. Speaker, I ask unanimous consent that all Members may be permitted to revise and extend their marks on this subject within 5 legislative days and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FLOOD. Mr. Speaker, today is the 49th anniversary of the declaration of independence of the Lithuanian people. On November 15, 1917, the Soviet Government under Lenin declared that all the nations of Russia had the right of self-determination, including independence and the formation of sovereign governments. On February 16, 1918, the Lithuanian Council, speaking for all of the people of Lithuania, declared the nation an independent, democratically ordered state. But Lithuania is still not free.

The roots of the Lithuanian independent spirit reach deep into the history of this Baltic nation. During the second half of the 14th century, vast empires were being built by powerful lords who conquered great expanses of land and established dynasties. By the mid-15th century, the Lithuanian empire extended over 300,000 square miles, stretching south from the Baltic Sea to the Black Sea and east almost to Moscow, an area larger than any country in modern Europe. The ruling classes managed to control this vast territory because of their unquestionable political talent and their spirit of religious tolerance. Lithuania at that time was a proud and powerful multinational state and the Baltic peoples who inhabited the land were intensely nationalistic, proud of their religion, language, and customs.

The struggle of these proud peoples to maintain their freedom began in the 16th century when the Russian rulers in Moscow proclaimed themselves czars of all the Russias and began to sweep across the surrounding nations. Russian invasions of Lithuania began in the 17th century and continued for over 100 years, culminating finally in the fall of Vilnius, the capital, during the second invasion in 1721. Her gallant citizens had fought vehemently, but finally, the Russian Empire proved the stronger. Thus, the inherent right of mankind to liberty and with it man's sense of human dignity were shut in darkness. For the 120 years of the czarist occupation, endless attempts were made to break down the nationalistic spirit of the Lithuanian people in favor of a stronger feeling of oneness with the Russian Empire. During these dark times, Lithuanian schools were closed; the land was seized and put in the hands of Russian landlords; Lithuanian language and literature were outlawed; the press became Russian dominated, its principal purpose to spread Russian nationalist propaganda throughout the land; the people's religion was persecuted, and even the name of this once proud state was abolished, the Russians referring to their newest colony as the "territory of the Northwest."

In 1917, Woodrow Wilson's words expressing the right of all peoples to self-determination gave voice to the hopes of the Lithuanians, and the demand for independence, for liberty, flared anew. Throughout the horrors of the German occupation and World War I, Lithuanian statesmen strove for independence, leading delegation after delegation first to Berlin, later to Moscow demanding the right of self-government. On February 16, 1918, at Vilnius, the people of Lithuania declared themselves free.

It was necessary at once for the fledgling government to prove its mettle, for Bolshevik and German eyes were upon Lithuanian soil as fat enrichment of their empires. However, the peoples had savored the sweet joy of liberty and intended to make it last. In 1921, the country took a proud place as member of the League of Nations in status equal to every other European country, and by 1922, she had been recognized as a sovereign state by all of the major powers of the world. Lithuania was to enjoy 22 years of growth, prosperity, and freedom.

During this consummate period in Lithuanian history, the citizens proved what an energetic and dedicated people they are, for they put themselves to work building the government structure and attacking the problems which must be surmounted to make a sovereign state a great nation. Much had to be done to erase the Russian foundations set up during the 120 years' colonization. Lithuanian spirit ardently burst forth across the land, patriotically, eager to rebuild the Lithuanian homeland. Various social reforms were initiated, new elementary and secondary schools were established as well as vocational schools and many fine colleges. Existing networks of transportation were improved and new ones constructed, and attempts were made to augment industry. As a major step toward a flourishing economy, the people made the most of their greatest asset, the fertile soil, by inaugurating land reforms, establishing new farms, and teaching improved farming techniques. Agricultural exports increased rapidly and the Lithuanian economy began to boom.

Suddenly across the landscape of this rapidly growing and thriving country fell the shadow of the terrifying specter of imperialism. In 1939, the European nations began to comprehend that a massive militant German state, ready to march on sovereign nations, was threatening their liberty. At this time, the Soviet Union began embroiling the Lithuanian Government in complicated diplomatic maneuvers and mutual assistance pacts with hidden strings attached. Soviet armed forces were sent to occupy the country for the purpose of thwarting the Nazi invaders and "protecting" the naive Lithuanian nation. Germany attacked the Soviet Union in 1941 and hapless Lithuania fell to the Nazis.

Then followed the bloodiest period in Lithuanian history. Freemen will never fully understand the torments which the terrified people endured during the Nazi invasion and the ensuing Soviet occupation. Under the Soviets, hundreds of thousands of people were rounded up and deported to Soviet camps in Siberia. Thousands more were murdered as political enemies. Hitler's policy of conquering and colonizing resulted in more mass executions and inconceivable abuses to the Lithuanian people. As the Nazi onslaught subsided and the German armies fell back, the Soviet Army moved in to occupy Lithuanian territory again, this time under the noble pretense of freeing the worker and the peasant. Soviet subversion begun in 1939 now showed its strength. The Lithuanian people, who had been terrorized by Nazi power and confused by Soviet pressures for union in complex assistance treaties, had been the victims of skilled subversive tactics. Under the guise of protecting the country against the Nazi invaders, the Soviets had managed to implant Communist rule in every corner of Lithuania, and their lethal subterfuge had undermined the structure of the Lithuanian state. Expulsion of the Soviets after World War II was hopeless. Thus, the gallant citizens once more fell under the yoke of oppression.

The story does not end here; indeed, the courageous resistance of the Lithuanians to Sovietization goes on today in the same way it did during the first Russian occupation under the czars. The people of Lithuania living today have known freedom; although they have suffered the bitterness of Russian tyranny, they have also tasted the sweet fruits of liberty. Remembrance of their great history and their once proud moment of independence has kept alive their hope of self-determination. Every effort is made to instill in the youth this same feeling of pride in the past and determination to achieve liberty in the future. Freedom's spirit endures.

On this 49th anniversary of the declaration of Lithuanian independence, as we pause to honor the brave Lithuanians, let us consider the words of Nadas Rastenis, Lithuanian-born poet and now U.S. citizen:

> For brutal brawls and wicked wars,
> All men are blamable, of course.
> No king, no ruler, ever could
> Disrupt the tranquil brotherhood
> Of men and nations on this Sphere,
> If mortals, honest and sincere—
> The men who think, the men who slave,
> Would rise united, peaceful, brave . . .

Mr. Speaker, the people of Lithuania will again be free.

Mr. KUPFERMAN. Mr. Speaker, will the gentleman yield?

Mr. FLOOD. I yield to the gentleman.

Mr. KUPFERMAN. Mr. Speaker, I want to commend the gentlemen from Pennsylvania for taking this special order to bring to the attention of the country the plight of Lithuania and the other captive countries.

On Sunday, February 19, at the invitation of Mr. Budreckis, chairman of the Lithuanian American Council of Greater New York, I shall also add my voice at a New York City convention of the Lithuanian people in honor of the 49th anniversary of Lithuania's rebirth of independence.

Mr. FLOOD. I thank the gentleman for this contribution.

Mr LIPSCOMB. Mr. Speaker, will the gentleman yield?

Mr. FLOOD. I yield to the distinguished gentleman from California.

Mr. LIPSCOMB. Mr. Speaker, I want to join the gentleman from Pennsylvania and commend him for his talk today.

The gentleman from Pennsylvania has been a leader and a great spokesman for the people of the Baltic States. What he has done in their behalf has been very worthwhile.

Mr. Speaker, I have a double pleasure today because of the fact that Msgr. John A. Kucingis is here and gave the prayer today. He is from Los Angeles, Calif., and is a distinguished citizen of that State. Not only does he work with the Lithuanian people, but he does a great many things for the people of Los Angeles. It is a real privilege and a pleasure to have Father John, as he is affectionately known, here in the Chamber of the House of Representatives today.

Mr. Speaker, the Lithuanians are among the most stalwart and gallant fighters for freedom in all Eastern Europe. But realization of this ideal has been denied to them for centuries. Except for the brief period of the interwar years of two decades, they had the misfortune to suffer under alien rulers during most of their modern history in their homeland. Then, toward the end of World War I, when the oppressive czarist regime over them was shattered by the Russian Revolution in 1917, they saw their chance for freedom, seized upon it, and on February 16, 1918, proclaimed their independence.

That historic day marked a new day for the Lithuanian people. It ushered in a new era for them. Thenceforth they joined hands and worked diligently at the task of rebuilding their devastated country, reestablishing democratic institutions there, and safeguarding their newly won freedom. In all these difficult tasks they made great progress, and in time Lithuania became a progressive, prosperous country. They were justly proud of their achievements, and happy in their homeland. For two decades they enjoyed the fruits of their accomplishments. Then came the last war. That war swept away all their achievements, robbing them of their hard-won freedom. Their country was invaded by the Red army early in that war, and then made part of the Soviet Union in 1940.

At the end of the war they were not given their freedom. Instead, they were saddled with a Communist regime, imposed upon them by the Kremlin. Today they are prisoners in their homeland, but they still cherish their national ideal, freedom and independence. On the 49th anniversary of Lithuanian Independence Day we hope for the attainment of their goal, national freedom.

The 89th Congress approved a resolution, House Concurrent Resolution 416, aimed at helping to establish freedom for the peoples of Lithuania, Latvia, and Estonia.

The Baltic States resolution, House Concurrent Resolution 416, states that the peoples of Lithuania, Estonia, and Latvia were forcibly deprived of their rights by the U.S.S.R. and calls on the President of the United States to direct the attention of world opinion at the United Nations and other forums to the denial of the rights of self-determination for the peoples of Estonia, Latvia, and Lithuania and to bring the force of world opinion to bear on behalf of the restoration of these rights to the Baltic people.

I would respectfully urge the President to do everything reasonably possible to carry out the expression of Congress contained in this resolution.

For the information of the House, I include the text of House Concurrent Resolution 416 at this point in my remarks:

H. CON. RES. 416

Whereas the subjection of peoples to alien subjugation, domination, and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations, and is an impediment to the promotion of world peace and cooperation; and

Whereas all people have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social, cultural, and religious development; and

Whereas the Baltic peoples of Estonia, Latvia, and Lithuania have been forcibly deprived of these rights by the Government of the Soviet Union; and

Whereas the Government of the Soviet Union, through a program of deportations and resettlement of peoples, continues in its effort to change the ethnic character of the populations of the Baltic States; and

Whereas it has been the firm and consistent policy of the Government of the United States to support the aspirations of Baltic peoples for self-determination and national independence; and

Whereas there exist many historical, cultural, and family ties between the peoples of the Baltic States and the American people: Be it

Resolved by the House of Representatives (*the Senate concurring*), That the House of Representatives of the United States urge the President of the United States—

(a) to direct the attention of world opinion at the United Nations and at other appropriate international forums and by such means as he deems appropriate, to the denial of the rights of self-determination for the peoples of Estonia, Latvia, and Lithuania; and

(b) to bring the force of world opinion to bear on behalf of the restoration of these rights to the Baltic peoples.

Mr. Speaker, I again commend our colleague, the gentleman from Pennsylvania.

Mr. FLOOD. Mr. Speaker, the gentleman from California is very kind and I appreciate the contribution that he makes. As a matter of fact, I am sure the gentleman would like to know that when I met the monsignor in the office of the distinguished Speaker of the House just before the House convened, the gentleman from California was the first person the monsignor inquired about. So obviously you are good friends.

Mr. McCORMACK. Mr. Speaker, toward the end of the First World War, and soon after the overthrow of the czarist regime in Russia, the Lithuanians were among the first of many subject nationality groups in the Russian Empire to proclaim their national independence. That historic event of 49 years ago marked the culmination of their long-cherished dream, the regaining of their freedom, and ushered in a new era for them.

The Lithuanians are one of the oldest known nationalities inhabiting northeastern Europe, and the once forested, marshy country on the northeastern shores of the Baltic Sea has been their homeland for at least 1,000 years. As a distinct national entity, they date their written history back for centuries. Then they seem to have led a rather simple life under a number of independent chiefs. But threats from neighboring tribes on the north, east, and south forced them to unite under one ruler, thus forming a unified state. This unity was achieved in the middle of the 13th century. At that time the pressure of the Livonian Knights from the north had become a real menace to them. To combat and forestall such a serious threat, the chiefs of Lithuania united under an outstanding leader named Mindaugas. In 1250 he was baptized, and 2 years later received his crown from Pope Innocent IV as King of Lithuania.

Even under one strong king the threat to Lithuania did not cease, neighboring peoples proved serious foes. In the course of several decades their leaders succeeded in holding their own against their foes, and before the end of the 14th century Lithuania had become an empire, extending as far south as the Black Sea. In 1386 a prince named Jagiello ascended the throne. He married the queen of Poland and brought about the union of Lithuania and Poland. This union had its advantages through the centuries while their independence could be maintained. But in the 18th century the expanding Russian Empire succeeded in absorbing most of Poland, and with it Lithuania. That was the end of the Lithuanian state.

Under the autocratic czarist regime the Lithuanians suffered much, but in all the misery and misfortune they were spiritually unscathed. The inefficient and unwieldy government of the czars could not stamp out Lithuanian national feelings and their love for freedom; the autocratic agents of the czars could not suppress effectively the Lithuanian national spirit. Courageously they held their own against the overwhelming power of the czars, and repeatedly they defied Russian authorities whenever attempts were made to Russianize them. They were ready to sacrifice their worldly possessions, and, if necessary, submit to imprisonment and exile, but were unwilling to give up their beliefs and their national ideals. They clung to these ideals tenaciously and steadfastly, and when the time came in 1918 to assert their freedom, they took advantage of the opportunity and proclaimed the birth of Independent Lithuania, the Lithuanian Republic. That was done on February 16, 1918.

Thenceforth for many years they went through great difficulties. The war-ravaged country had to be built, the hungry people had to be fed, the needy had to be cared for, and the governmental machinery just instituted had to be put into efficient working order. Perhaps the most important and crucial of all was the organization of the country's defense forces for the maintenance of its newly won freedom. In due time these difficulties were overcome, many problems were solved, and Lithuania's independence assured. Then Lithuania became a member of the League of Nations, and played her part honorably in world affairs. In the course of two decades, during the uncertain and uneasy interwar years, Lithuania was regarded as a prosperous and progressive country in which the Lithuanians lived perfectly content and were happy. Unfortunately this happy period did not last long; Lithuania's powerful and aggressive neighbors did not want it to last. From the outset Lithuania's deadliest foe was the Soviet Union, and the masters of the Kremlin seemed determined to eliminate Lithuania as a free and independent state. After the outbreak of the Second World War, Lithuania was doomed, as also were the two other Baltic states. Early in 1940, under a flimsy pretext, Stalin's Red army invaded and occupied the country, and in July of that year the country was annexed to the Soviet Union.

During the war years Lithuanians suffered under both the Soviet regime and under the Nazis. While the Soviets were in occupation of the country tens of thousands Lithuanians were exiled to distant parts of the Soviet Union, and those remaining in their homeland were forced to work under slave conditions for their Communist overlords. Then for about 2 years the country was taken over by the Nazis, but the change hardly improved the sad lot of its inhabitants. Toward the end of the war the Communists returned once more, this time with more fury and ferocity. Since then, for more than two decades, the fate of the Lithuanian people has been in the hands of the men in the Kremlin who imposed ruthless conditions.

Today's Lithuania, with its some 3 million inhabitants, is a mere province of the Soviet Union. It is ruled by Communist totalitarian dictatorship, supported and maintained by the Kremlin. Until the death of Stalin they were driven to work under wretchedly miserable conditions for their Communist masters, and their country was a large prison for them. They were deprived of all forms of freedom, and the country was practically sealed off from the free world. Even under such abominable conditions they did not give up their traditional and national ideals of freedom.

On the 49th anniversary of their Independence Day I join them in echoing their genuine patriotic sentiment, their love of freedom and national independence, and the early reestablishment of their country as a free and independent nation.

Mr. GERALD R. FORD. Mr. Speaker, this day commemorates the 49th anniversary of Lithuanian independence, and it is befitting that all Members of this great House solemnly acknowledge the significance and magnitude of the suffering being endured by the Lithuanian people.

These brave and noble Lithuanians, with a proud Baltic heritage of almost a thousand years, are now the victims of illegal and unjust Soviet oppression.

The merciless yoke of communism was forced upon Lithuania by sheer military might when in June 1940, the Russians demanded an immediate formation of a friendly government and Soviet military occupation of this sovereign, democratic nation.

Thousands of loyal and courageous Lithuanians have been deported from their native country. Political freedom has been abolished. Land has been forcibly collectivized and industry nationalized without choice. Personal liberties have been virtually denied, and yet, the heroic Lithuanian people do not yield to the threats and pressures of their Communist overlords.

May God grant continued strength and perseverance to all Lithuanians who have so gallantly refused to alter their basic ideology that mankind must live in a free society.

Every American, indeed, all freemen everywhere, are well aware of the overwhelming sacrifice that has been made by our Lithuanian brothers in the cause of freedom. These same freemen are dedicated to a man that Communist brutality will be crushed wherever it exists.

Lithuania will emerge with freedom and dignity.

Mr. ROONEY of Pennsylvania. Mr. Speaker, on this 49th anniversary of Lithuania's rebirth of independence it is indeed appropriate that we as Americans who have fought to win, maintain, and defend freedom here and around the world should recognize the courage and determination of the Lithuanian people who most certainly have demonstrated that they share in these ideals.

These brave people, even though their homeland has been under the brutal occupation of Nazi and Communist oppressors, have never forsaken their determination to win back their freedom. It therefore behooves us as Americans to continue to take note of their plight and to continue to make known to the world the terrible oppression and injustice under which they have been forced to live during recent years.

If we do, and if the great courage of these people remains, as I am sure it will, the day is bound to come when Lithuania will once again regain her freedom, and the walls of enslavement will be torn down forever.

It is upon such courage and hope that great free nations are built and survive. And there is no doubt in my mind that once again, and hopefully soon, Lithuania will be a great and a free nation.

Mrs. REID of Illinois. Mr. Speaker, today it falls to us to commemorate another anniversary of Lithuanian Independence Day, and I again wish to join with my colleagues in the Congress in paying tribute to the gallant people of that proud and once free nation.

I think it is most appropriate that we in the United States who are dedicated to the principle of sovereign independence for all peoples of the world pause on this occasion to send heartfelt greetings to those who cannot openly celebrate this meaningful day of national glory. Certainly we are all mindful of the invaluable contributions which the Lithuanian people have made to our Western civilization throughout the ages, and we in my own State of Illinois will always be grateful for the rich contributions we have received through our citizens of Lithuanian descent.

Although this year represents still another year of sadness for those who so earnestly yearn for freedom, it also still remains a day of hope. I join with Americans everywhere in expressing the hope that one day February 16 will once again be truly a day of rejoicing for this valiant nation. As long as freedom exists anywhere in the world, and as long as we in the free world continue to give them encouragement, I know that the people of Lithuania will not abandon their dream of liberation.

Mrs. GRIFFITHS. Mr. Speaker, the commemoration of the 49th anniversary of the establishment of the Lithuanian Republic, today, reminds all men of the blessings of freedom and national independence. The Lithuanian story is told in the sorrows and hopes of a brave people and their unwavering struggle for self-determination.

The tragic fate of Lithuania and its 3 million people under Communist domination is a deep concern to Congress. The 89th Congress called attention to the Baltic States question with passage of House Concurrent Resolution 416, urging the President of the United States, first "To direct the attention of world opinion at the United Nations and at other appropriate international forums and by such means as he deems appropriate, to the denial of the rights of self-determination for the peoples of Estonia, Latvia, and Lithuania; and, second, to bring the force of world opinion to bear on behalf of the restoration of these rights to the Baltic peoples." Today, I feel it is fitting, in this new 90th Congress, to reaffirm our dedication to the principles expressed in this resolution.

Mr. RUMSFELD. Mr. Speaker, on this 49th anniversary of the establishment of Lithuania as a democratic and sovereign state, we pay honor and tribute to a gallant people who have won wide respect and admiration. It was 49 years ago that the people of Lithuania proclaimed the restoration of their independence after centuries of Russian rule. During their 22 years of liberty, they made great advances, politically, economically, and socially, and lived in harmony with the free nations of the world.

It was on June 15, 1940, when Soviet troops occupied the land, that Lithuania was forcibly incorporated into the Soviet empire and her people subjugated to Communist control. Despite efforts to suppress the national traditions of these proud people, their spirit and their devotion to the principles of freedom and democracy have endured. The passing years have not weakened their desire for liberty and self-determination.

Today, we join with these people and their friends throughout the world in commemorating this anniversary of the independence of Lithuania. Our heritage, our beliefs, and our interests are deeply involved with the Lithuanian people. We share the universal hope of Lithuanians that their nation will again take its place in the family of free nations. We rededicate ourselves to the protection of the liberties which man has cherished and for which he has fought throughout the centuries and to the winning of freedom for all people.

Mr. CRAMER. Mr. Speaker, today all Americans once again join with freedom-loving Lithuanians and those of Lithuanian descent to commemorate that very special day, 49 years ago, when Lithuania declared herself an independent Republic, returning to her age-old traditions of statehood, liberty, and culture. For more than 20 years, this small Republic maintained her national sovereignty.

Those were outstanding years for Lithuania and her people; years of economic reforms, of social and educational improvement, years of growth and of progress, and, most important of all, years of freedom. They were good years, made all the sweeter because they came after more than a century of dark, oppressive, and bitter times under Russian domination, and the hard, ruinous days of World War I. During that time, the Lithuanian people had sustained themselves with a remembrance of better days, and a deep-rooted national dream to determine her own destiny.

But, national sovereignty and democracy, so clearly the devices resulting in amazing progress in Lithuania's domestic programs, were not strong enough vehicles of government for this small state to withstand the predatory force of her more powerful neighbor. In 1940, Lithuania was again invaded by Russia—a ruthless, Communist Russia—which used strong-arm methods to take over military and political control of this and other small Eastern European nations in violation of their legal constitutions, and incorporated them as provinces. This incorporation was an act of unprovoked aggression—an act which the United States and other free nations of the world have not recognized.

This Russian conquest of Lithuania was particularly ruthless. Thousands died, thousands of others were deported, the economy was shattered, and every effort was made to destroy the Lithuanian culture and language.

But we know the fight for freedom continues in Lithuania, that the millions of people trapped behind the Communist Iron Curtain have still the courage and determination to, one day, turn their great dream for independence into reality.

We must not, for a minute, forget the fate of this and other nations who have contributed so much to civilization and whose right to self-government has so brutally been taken from them. This 49th anniversary of Lithuania's rebirth of independence is an opportune occasion to remind the world that the flame of freedom simmers in the hearts of all men and that so long as this flame remains kindled, the freedom of Lithuania and other captive nations will some day be restored.

Mr. MURPHY of Illinois. Mr. Speaker, 49 years ago today, the Lithuanians proclaimed themselves a free people. For the citizens of this Baltic nation, their declaration of independence was the culmination of long years of political suffering and uncertainty during which these gentle people were victims of mighty aggressors to the East and to the West, each bent on absorbing the country and extinguishing forever the spirit of Lithuanian nationalism. German empire builders of the First World War, spurred on by early successes at conquering the weaker nations around them, had decided that Lithuania would make a fine German colony and began sending thousands of German families to settle the cities and the peaceful Lithuanian countryside. Russia, long strongly tied ethnically to the Russian peoples, had been determined since the czars proclaimed themselves rulers of all the Russians in the 16th century to make the people forget that they were Lithuanians and to instill in them a feeling of oneness with Mother Russia.

The people of Lithuania stoutly defended their nationalism, and acceptance of Russian ideals was only superficial. Each of these brave citizens guarded in his heart his proud heritage. In the Middle Ages, the Lithuanian empire stretched hundreds of thousands of square miles, covering an area larger than any country of modern day Europe. Her rulers were able to govern all of the peoples within their boundaries because of their noted political talent and their spirit of religious freedom. This kind of freedom and nationalist spirit was the heritage of the Lithuanians and they were not to forget it.

On February 16, 1918, Lithuania became a sovereign state. In 1921, she took a rightful place as member of the League of Nations, and by 1922, she had been recognized as an independent nation by every major government of the globe. For 22 years, her people enjoyed the fruits of liberty, and the country grew prosperous.

The Lithuanians are a peace-loving people. During the years of their freedom, they busied themselves with all of the work needed to enrich their country and make it thrive. The people made the most of their rich soil and devoted themselves to bettering their country's economy. It is no wonder that when Hitler's Nazi forces began to move, the Lithuanians were almost helpless to repel them. The Soviet Union, gathering forces on Lithuania's eastern side, went to battle the Nazi aggressors to the West and became themselves aggressors, moving easily onto Lithuanian soil. Again, the hapless Lithuanian people were in a steel trap, watching their hard-won independence flee before the specter of tyranny and conquest.

The German armies retreated, the Soviet armies took their place, firmly entrenching the government of the People's Republic in every corner of Lithuania. But history has not ended the story of a free Lithuania. A people who once built an empire, a people who have cherished and preserved their ancient language, customs, and religion, a people who fought bravely to repel aggression each time it threatened their freedom, a people who maintained their individualism over Russian domination once and lived to see themselves free, will not allow their identity to be swallowed up by the Soviet menace.

Today, Mr. Speaker, we salute the Lithuanians, and we know the right of human dignity and of self-government will triumph.

Mr. BELL. Mr. Speaker, I wish to join my colleagues today in paying tribute to the many dedicated Lithuanians in this country who are commemorating the 49th anniversary of the declaration of their independence. It is a matter of deep dismay to us all that that hard-earned sovereignty was so blatantly and ruthlessly disrespected by the forces of communism.

In an undisguised violation of all precepts of international justice, Soviet troops overran Lithuania in 1940 and again in 1944 when the Nazis were no longer able to sustain their grip on the Baltics. The record of this barbarous seizure of an autonomous state is not a pleasant one. The leaders of free Lithuania were arrested and deported to Siberia, as were many eminent members of the intellectual community. During the two periods of Red penetration, it is estimated that more than a quarter of a million people were removed from their homeland. Thousands met their death by execution, and those who survived extermination or deportation were subjected to harsh measures of recrimination and the inescapable degradation of a life under slavery.

To this day Lithuania remains a captive nation, and those who have been fortunate enough to escape report a continuing lack of freedom in a land where freedom has been held so dear. It is fitting that we here today extend our full support to those who toil for the speedy return of this historic country to the family of democratic states. Our confidence in their success is unwavering.

Mr. HOWARD. Mr. Speaker, today we celebrate the 49th anniversary of the independence of the small nation of Lithuania. Forty-nine years ago today the forces of nationalism and self-determination combined to spark a birth of freedom in a small corner of eastern Europe. Kindled by the dedication and industriousness of its people, Lithuania, surrounded by hostile neighbors in an era of depression, progressed measurably and proved what successes a country rooted in liberty and freedom can accomplish.

But in 20 short years the inhabitants of Lithuania were to watch the dissolution of their autonomy at the hands of the Nazi and Soviet tyrants. As a result of secret pacts between the two large powers, the Soviet Union absorbed Lithuania as a constituent republic in August 1940.

Today the Soviet oppressors are attempting to Russify the Lithuanian people through cultural strangulation. Their native tongue is being replaced with the Russian language and the cultural and artistic fields are controlled by the ruthless conqueror. But the brave spirit of the Lithuanian people endures and inspires the entire world. I am proud, Mr. Speaker, that it has been the firm policy of our Government not to officially recognize the forceful incorporation of Lithuania and the enslavement of its people. As Americans we could never tolerate the unlawful occupation of a country and the subjugation of its populace as occurred in Lithuania in 1940 and which the Communists are attempting to do even today in other parts of the world.

Let us hope that as we mark the golden anniversary year of Lithuanian independence next year at this time, we will see the realization of the dreams of millions of Lithuanian people. May their 50th year of independence be celebrated on the free soil of their homeland and may it bring to fulfillment the aspirations of this brave people.

Mr. WILLIAMS of Pennsylvania. Mr. Speaker, today, February 16, marks the 49th anniversary of the declaration of Lithuanian independence in 1918. We commemorate it today because this anniversary symbolizes the noble struggle for liberty in the past, the threat to national independence in the present, and the undying aspirations of all people for a future of freedom. On this day we honor the citizens of Lithuanian origin or ancestry who have contributed so much to America, and we send a message of friendship to the Lithuanian people who cannot now enjoy the blessings of independence.

The attainment of independence by Lithuania during the First World War culminated a long and persistent struggle. During the Middle Ages Lithuania had been a great nation, and a union with Poland had continued this influential period into the 18th century. During the third partition of Poland in 1795, however, Lithuania was annexed by Russia, and resistance to foreign tyranny began. In the First World War Lithuania suffered under both German and Russian occupation, but it emerged independent once again and became a member of the League of Nations.

Unfortunately, as we know, the Second World War resulted in an end to the independence that had been won in the First World War. Once again buffeted between the German and Russian armies, the end of the war found Lithuania occupied by Soviet troops able to enforce the incorporation of Lithuania into the Soviet Union. The status for Lithuania as a constituent republic of the U.S.S.R. had been declared by the supreme Soviet in Moscow on August 3, 1940.

It is in this status that Lithuania remains today. With dozens of new nations emerging out of former colonies the world over, this proud country, whose roots date far back into history, is not a sovereign state. Nevertheless we can be sure that the people of Lithuania and their love of freedom have not changed. To them we send our good wishes and our hopes that some day all people will live in freedom.

Mr. BOLAND. Mr. Speaker, it gives me great pleasure to join with my colleagues today as we commemorate the independence day of a great and gallant people. Forty-nine years ago today, on February 16, 1918, the beautiful land of Lithuania took its rightful place among the sovereign nations of the world.

The era of independence ushered in on that February day heralded 20 years of freedom and progress for the young republic. The economy flourished as industrialization was pursued and agriculture improved. The Lithuanian people also made great strides on the social front. In 1922 they adopted a democratic constitution. Education was free, and all children were required by the law to attend school. Inspired by the great economic and social progress, Lithuanian artists urged a great cultural rebirth upon their land. Freed at last from hundreds of years of oppression, painters, poets, sculptors, writers, musicians, all sought to revive their great cultural heritage. They poured forth a great, heartfelt burst of praise for their history, colorful folklore, and great literature.

Yet the magnificent achievements of those 20 years of independence were brought to a close with the shadow of World War II. One of the greatest tragedies of that conflict was that Lithuania emerged chained once again to the Soviet Union. For the past 23 years Lithuanians have endured Russian oppression. Yet throughout the long night of tyranny, these valiant people have never lost their courage in the face of adversity and their ability to persevere through any hardship. Their indomitable spirit and their continuing fight for liberty stand as an inspiration to all peoples everywhere.

On this, the anniversary of one of their most glorious days, we extend our congratulations and warmest best wishes to a great people.

Mr. FRIEDEL. Mr. Speaker, during the month of February, our Nation celebrates the birthdays of two great American Presidents—Washington and Lincoln—men who were dedicated to freedom, liberty, and justice.

Our Nation was born in opposition to tyranny and oppression and our own heritage makes us sympathetic to the aspirations of freedom-loving people everywhere. So it is that today we join our fellow Americans of Lithuanian descent in celebrating Lithuania's independence.

In 1918, the Lithuanian people received their independence but in 1940, Soviet soldiers marched across this nation deporting to slave labor camps in Siberia all who dared resist Soviet aggression or who would not accept atheistic communism. Although Lithuania enjoyed her independence for only a brief 22 years, these indomitable people have steadfastly kept the torch of freedom burning, looking to that day in the not-too-distant future when they shall again become a free and independent nation.

In this connection, we should recall the words of the late President Kennedy who said:

> We must never . . . at any summit, in any treaty declaration, in our words, or even in our minds . . . recognize Soviet domination of Eastern Europe.

In commemorating this day, I should like to invite the attention of my colleagues in the Congress to an interesting and enlightening editorial entitled "Death of a Language" brilliantly written by E. M. Budelis. It appeared in the Times, of Baltimore County, on February 10, 1966, under the caption "Viewpoints." Because of the timeliness of the subject, I include it in the pages of the CONGRESSIONAL RECORD. It is as follows:

DEATH OF A LANGUAGE—FEBRUARY 16, 1966: A SMALL NATION'S INDEPENDENCE DAY—OR THE WAKE OF A LANGUAGE?

(By E. M. Budelis)

A phenomenon is occurring with but little notice by the world in general: the extermination of a language. Mercantile mergers occur, and a staid old trust company's name or a glamourous railroad's symbols vanish. These are sentimental tears; but these tears are a social process compared to the trauma of those in a culture being strangulated.

In point is the Lithuanian language. Presently it is the oldest living language—a gem of philology. It belonged to a highly self-responsible, economically self-sustaining people, politically calm and controlled neighbors in the community of European nations. Their language is a mirror of the restraint and dignity—the gentility—of the ancient people. It is a philological match for the kaleidoscope of their customs and mores. In their modern resurgence as a nation, Lithuanians established a respectable economic and educational system until extended Russian terroristic denomination sent tens of thousands of these Lithuanians seeking safety in the free world in preference to a one way trip to Siberia. So after the genocide of 40,000 and exodus of 60,000, today, twenty years later, the world has one nearly completed generation of Russian Lithuanians. It is with ease that one gives credibility to reports by a recent visitor to Vilnius, Lithuania, that only Russian is heard about town. Administrative civilian and military matters and legal activity being directed from Moscow, the reverse (that Russian were not used) would be less believable.

The echoes of this language that is the cousin to Sanskrit and that has outlived Latin and Classical Greek reverberates from many corners of the world. One can hear it in the environs of Baltimore, in South America, in Canada, in Italy; in many lands. But will it survive the next twenty years? Will Lithuania, one of the abandoned nations, experience the last phase of its extermination—the removal of its tongue? At the wake, who will weep worse: those who love a language for a language's sake and hereby be losing a precious linguistic stone or those who are incised by an independent nation's complete annihilation?

Mr. HELSTOSKI. Mr. Speaker, nearly two centuries ago the United States achieved its independence, and since that time the threats to her sovereignty have been minimal. This country is blessed with a geographical advantage; namely, its isolation from the tinderbox of traditional European conflict with its savage warlords. Americans were allowed to build their nation unimpeded by the constant fear of sudden attack. Today, on the occasion of the 49th anniversary of the declaration of Lithuanian independence, we pause to pay tribute to a people whose fortune has not been so blessed. Indeed, Lithuania has suffered time and again the abominable fate of external oppression. The tragic plight of this subjugated people has not gone unnoticed by those who revere liberty. This very body passed a resolution on June 12, 1965, urging the President to focus attention on the enslavement of the people of Estonia, Latvia, and Lithuania, and to rally world opinion in support of the restoration of their freedom.

U.S. policy has remained firm in support of this cause. In a letter last year to the Lithuanian chargé d'affaires in Washington, Secretary of State Dean Rusk confirmed that policy by declaring that:

> Our country has consistently espoused the principle that all peoples have the right to determine the form of their national existence. In Lithuania's case, we have applied this principle by refusing to recognize the forcible incorporation of that country into the Soviet Union.

It is truly vital that this position never be compromised in order that the day may be hastened when the banner of liberty flies freely and proudly over that historic nation.

It is most unfortunate that the cruel facts of Lithuania's suppression are not more widely known. For only then can there be a full awareness of the great suffering that her citizens have been compelled to endure. Today, I should briefly like to recount a part of that distressing story in the hope that public concern might be more fully extended and intensified.

Lithuania in the Middle Ages was a formidable power, whose influence was greatly enhanced in 1386 as a result of a union with Poland. At its height, the nation comprised an area as large as present day France and Germany combined. The defeat of the Teutonic Order in 1410 near Tannenberg marked the Lithuanians' most impressive military conquest. Under the leadership of Vytautas the Great, the country proceeded along a steady course of westernization and Christianization which continued into modern times. Describing her role in that early period, one historian has noted that the Lithuanians "blessed their subjects with more human freedoms than in the neighboring countries. They encouraged education and toleration, and they played their part in the general development of European civilization."

This glorious era in the country's history came to an end in the late eighteenth century with the ascendancy of Russian power. During the third partition of Poland in 1795, Lithuania was completely devoured by the tsarist government and remained a captive state for the following 120 years.

These long years were not, however, characterized by submission and acquiescent servitude on the part of the Lithuanian citizenry. No less than five major revolts broke out against the merciless captors and they were not easily quelled. Indeed, the fourth of these, in 1863–64, lasted for a period of 18 months. But all such valiant efforts were doomed to fail, and the consequence of these uprisings was the bitter infliction of atrocious reprisals against the Lithuanian patriots. An attempt was made by the Russians to root out all vestiges of the national culture, including language, schools, and religion. Many people lost their lives by hanging or were exiled to the cold Siberian wilderness. The insuppressible quality of the Lithuanian national spirit is clearly attested to by the fact that the policy of enforced Russification had to be abandoned in 1905, following the final major rebellion.

World War I imposed new hardships upon the Lithuanians and their resources. The country was overrun by German armies in 1915 and this occupation continued until the war's end. Despite immense pressure by the Germans and Russians, the Lithuanians saw an opportunity to seize their liberty again. On February 16, 1918, the Lithuanian National Council proclaimed "the reestablishment of an independent Lithuania on a democratic basis, with Vilnius as capital and the severance of all political ties which have linked it with other nations." Following the German evacuation in 1918, Soviet troops amassed at her borders, intent on restoring the land to its previous condition of Russian vassalage. On January 5, 1919 they occupied the city of Vilnius. This flagrant act of aggression was justified by the Communists as a necessary move to protect the Soviet Lithuanian Government against a civil insurrection. The provisional national government, now reestablished in Kaunas, quickly organized a Lithuanian army which, after a series of hard-fought battles, succeeded in driving the Bolshevik forces from Lithuanian soil. In 1920, a peace treaty was signed in Moscow in which the Soviet Government declared that it "voluntarily and forever renounces all sovereign rights possessed by Russia over the Lithuanian people and territory."

The new era of independence signaled a notable victory for those who had fought so hard, resisted so long, and sacrificed so much for their precious homeland. It was an hour of rejoicing and a time of promise. Recognition by the great nations of the world was forthcoming after the signing of the peace treaty, and admittance to the League of Nations was won in 1921.

Lithuania was fully deserving of the new respect which it was gaining in the international community. The country quickly embarked upon a program designed to make use of all of its resources—social, agricultural, and industrial. The results were nothing short of incredible. Land was distributed to thousands of families, agricultural methods were improved, social legislation was enacted, and education was improved and expanded. A system of railroads and highways was constructed, and industrial output soared. But not all of the progress made during this period can be easily measured. The spirit of freedom inspired authors, poets, and composers, and the national folklore of Lithuania was rediscovered. A traditionally cultured people was concerned not only with material, but also esthetic advancement. Free Lithuania contributed much to civilization in the 20th century.

Liberty, however, could not endure in a world where military despots were bent on conquering the whole of Europe. Soon a new war was raging on the continent and Lithuania was powerless against its mighty aggressors. Its geographic position consigned it to a role much like a pawn in a chess game. Beginning with the secret protocol between Germany and the Soviet Union in 1939, the country's future was in serious jeopardy. The Communists forced upon her a mutual assistance pact which was quickly followed in 1940 by a total occupation. They attempted to legalize their position by staging a rigged election in Lithuania which produced a congressional request that she be incorporated into the Soviet Union. Thus the nation again became a Russian possession.

Soviet domination was interrupted after Germany invaded Russia in June of 1941. The Nazi forces replaced Russian troops in Lithuania and remained there until the tide of the war turned against them. During that time they succeeded in exterminating nearly every Jew in the country. On July 13, 1944, Vilnius was retaken by the Soviet Army and by the end of the year the entire country again was in Communist hands.

Mr. Speaker, these tragic pages from history must shock and trouble us deeply. Today, our Lithuanian friends are still struggling for the liberation of their precious homeland, and we must emphasize our complete support for their noble cause. We must rededicate ourselves to the principle of freedom for all of mankind, and never cease to work for the realization of this worthy goal. Today we pay tribute to a great people whose tireless endeavors in behalf of that principle must serve to inspire us all. For Lithuania, the dawn of a new day of freedom must surely be close at hand.

Mr. GREEN of Pennsylvania. Mr. Speaker—

> And I say to you—you shall be able to live in happiness only when the Muscovite shall have been removed from your necks.

A young Lithuanian patriot, Kalinauskis, died in a Russian prison leaving those words behind as his epitaph. Today, as we commemorate the 49th anniversary of Lithuanian independence, we would do well to recall what constitutes "happiness" for the Lithuanian people, what it is they seek, what makes them persist in their efforts.

A Lithuanian desires what every man of the free world takes for granted. He wants to walk the earth as a free man; he yearns for an independent country; he battles for a government which will be representative of the Lithuanian nation and not of an outside, alien power.

This quest is simple to understand but difficult to attain. The history of Lithuania is marked by an uphill struggle. Once a flourishing nation, with such outstanding rulers as Jagiello and Vytautas the Great, Lithuania first began to feel the growing might of its eastern neighbor in the 16th century. A political union with Poland in 1569 did not succeed in thwarting Russian aggrandizement and by 1795, the Muscovite Empire enveloped the Lithuanian state.

Domination and Russification ensued for the next 120 years, but it could not alter the Lithuanian character. Within the circumstances of World War I, Lithuania realized its cherished goal of independence, which was officially proclaimed on February 18, 1918.

During the next 22 years, the Lithuanian people were able to concentrate their efforts on constructing and fortifying their nation. Noteworthy strides were made in agriculture, industry, and education. On the political level, a permanent Constitution was adopted, insuring freedom of speech, assembly, religion, and communication. On September 22, 1921, Lithuania was admitted as a member into the League of Nations.

Independence, however, was to be a short-lived joy for the Lithuanian nation. World War II saw Lithuania occupied by both Soviet Russia and Nazi Germany, and on July 21, 1940, the Soviet Union incorporated the Lithuanian state as one of its "republics." Foreign Minister Molotov explained the situation to the Lithuanian Deputy Prime Minister Kreve-Mickevicius in these terms:

> You must take a good look at reality and understand that in the future small nations

> will have to disappear. Your Lithuania along with other Baltic nations . . . will have to join the glorious family of the Soviet Union.

A Soviet-dictated government soon took over the reigns of power, installed the Communist Party, and "voted" Lithuania a part of the U.S.S.R.

Deportation, purges, and suffering followed, but the struggle for independence has not been squelched to this day. A Lithuanian spirit still resides within those barricaded walls and cannot be destroyed by the Russian overseer. As Americans who know and understand what liberty means, we salute the courage of the Lithuanian people on this 49th anniversary of Lithuanian independence; we join with all Lithuanian-Americans in extending sympathy and compassion to those behind the Iron Curtain, and we are united in the belief that one day Lithuania will take its rightful place among the free nations of the world.

Mr. BYRNE of Pennsylvania. Mr. Speaker, the celebration of Lithuanian Independence Day on February 16 is a timely one for American participation. In the United States the spirit of independence is ever fresh; but in the month of February, more than any other month except July, we have powerful reminders that set the mood for sharing a day of dedication to independence of spirit and individual freedom.

February 16 for Lithuanians the world over recalls that day in 1918 when Lithuania as a country proclaimed its freedom from Russian bondage. That day the long-stifled independence of the Lithuanian people became again a reality, and another milestone was erected in the age-old struggle of the forces of liberty against the tyranny of might.

How fitting it is, then, for the people of the United States to share in the celebration of that day which falls so closely between our own February anniversaries significant for national dedication to freedom—February 12, Lincoln's Birthday, and February 22, Washington's Birthday. These are the days when we in Amercia pay special, grateful tribute to Lincoln, the Great Emancipator, who was martyred in the cause for individual freedom, and Washington, the Father of His Country and beloved leader for the struggle for liberty from which it was born. In commemoration of their birthdays the mood is set for a rededication to man's eternal effort to free himself and his fellows from the bonds of tyranny.

Lithuania typifies such an effort. Down through the centuries, since the Middle Ages, the Lithuanian people have maintained their identity, their homogeniety, their independence as a group, in spite of repeated ravagings by their rapacious neighbors. Cherishing the memory of their once extensive nation, its partial restoration, and the hope of its eventual reemergence, the Lithuanians are unconquered in spirit, steadfast in their faith that right will conquer might. We hail the anniversary of their Independence Day.

Mr. ST GERMAIN. Mr. Speaker, on February 16 the Lithuanian-Americans in my State and across the Nation will celebrate the 49th anniversary of Lithuania's declaration of independence. But as they pause to remember the beginning of Lithuania's freedom, they will also be saddened by the realization that Lithuania enjoyed her new-found freedom for little more than 20 years. During the Second World War, Lithuania was occupied by the Red army. On August 3, 1940, it was forced to become a constituent republic of the U.S.S.R. On June 27, 1941, the Germans replaced the Russians, only to be expelled by the Russians on July 13, 1944.

The Lithuanian people have not forgotten their years of freedom. They have never accepted the Soviet imperialist conquest of their homeland. In August of 1958 the Lithuanian World Congress met under the auspices of the American-Lithuanian community. The Congress adopted a resolution which declared that "Lithuanians continue fiercely resisting the alien rule" of the Soviet Union and which asserted that Lithuanians "have never accepted and never will accept Soviet slavery." The resolution asked the free nations to "reaffirm on every suitable occasion the inalienable rights of the Lithuanian people to national independence and individual freedom." The resolution also asked that the free nations "not be party to any agreement or treaty that would confirm or prolong the subordination of the formerly sovereign Lithuanian state."

Mr. Speaker, Lithuanian-Americans are one of the many freedom-loving peoples who have helped to build and preserve our own precious liberties, and it is their ardent wish and hope that these liberties may also prevail in their homeland.

We cannot abandon the cause of the Lithuanians, for it is the cause of freedom; the cause of free peoples everywhere. On this, the anniversary of their independence, may the Congress of these United States assure the Lithuanians throughout the world that every effort will continue to be made to gain independence for their homeland once again.

Mr. DANIELS. Mr. Speaker, on February 16, 1967, we commemorate the 49th anniversary of the declaration of Lithuanian independence. Unfortunately, the last half century has not been a happy period for the people of this ancient land. During much of this period, the proud Lithuanian nation has been subjugated by the tyranny of Nazi Germany and Soviet Russia.

Yet the spirit of these brave people remains and no conqueror has ever found a way to destroy the national spirit of the people of Lithuania.

Mr. Speaker, I insert at this point in the RECORD a resolution commemorating the 49th anniversary of Lithuanian independence which was adopted by the Lithuanian Council of New Jersey at a meeting in St. George's Hall, Newark, N.J., on February 12, 1967:

> We, American Lithuanians of Newark, New Jersey and vicinity, gathered in a meeting on February 12, 1967, at St. George's Lithuanian Hall, to commemorate the 49th anniversary of the February 16, 1918 Declaration of Independence of Lithuania, did unanimously adopt the following resolution:
>
> "Whereas the Lithuanian people are strongly opposed to foreign domination and are determined to restore their freedom and sovereignty, and
>
> "Whereas the Soviet Union has by force and arms suppressed the freedom of the people of Lithuania and has continued to deny these people the right of self-determination: Now, therefore, be it
>
> "*Resolved,* That the Soviets show their sincerity by liberating the Baltic Countries of Lithuania, Latvia, and Estonia; and be it further
>
> "*Resolved,* To urge the President of the United States to instruct the United States Mission to the United Nations to request that the abolishment of the Soviet rule in the Baltic States be included in the agenda of the General Assembly of the United Nations; and be it further
>
> "*Resolved,* That the Soviet consular treaty must be unconditionally rejected and any endorsement of it is an endorsement of a Soviet aggression; and be it further
>
> "*Resolved,* That we send this Resolution to the President of the United States, the Secretary of State, the United States Ambassador to the United Nations, all Senators and Representatives from the State of New Jersey, the Governor of New Jersey, and the Press."
>
> Done at Newark, N.J., this 12th day of February 1967.
>
> VALENTINAS MELINIS,
> *President, Lithuanian Council of New Jersey.*
>
> ALBIN S. TRECIOKAS,
> *Secretary.*

Mr. STRATTON. Mr. Speaker, I am honored once again to take part in the observation of the anniversary of Lithuanian independence. The courageous people of this small and proud nation have always been an inspiration to all freedom-loving people everywhere.

For little more than two decades the people of Lithuania breathed the fresh air of freedom and their country prospered. But after 22 years their independence gained by throwing off 120 years of czarist tyranny, was suddenly taken away. The new Russian Government violated its agreements and the people of Lithuania fell under the yoke of Communist tyranny.

But the ruthlessness of Joseph Stalin and succeeding Russian dictators have never extinguished the spark of Lithuanian freedom. The courage of the people of Lithuania has endured through the years and their determination to regain their freedom remains as strong today as ever.

On their anniversary then we have another opportunity to renew our pledge to the people of Lithuania, and to their friends and relatives here in the United States, as well as to those who deny Lithuania her freedom, that we share this determination. Let it be clear to all that we in the United States realize our own freedom cannot be fully enjoyed while nations and peoples anywhere are denied their right of self-determination.

During the last Congress we passed the Baltic States resolution directing world opinion toward the plight of these captive nations. I was proud to be one of the sponsors of this resolution which helped to focus attention on the tragic situation existing in these countries.

However, I believe more must be done. I have introduced legislation again in this Congress to establish a Committee on Captive Nations. This committee could serve an important role in developing and pursuing policies that will lead to the independence of the peoples of the captive nations.

Each year, in my hometown of Amsterdam, N.Y., Lithuanian Independence Day is observed with a moving and colorful ceremony. Several times I have had the privilege to attend these ceremonies. The enthusiasm of the people and the colorful Lithuanian costumes make everyone present feel a part of the heritage of this proud nation. Anyone attending these ceremonies leaves feeling a part of the cause of Lithuanian independence and impressed with the strong bonds between Lithuanians here in the United States and their relatives in Lithuania; and even more important, their deep commitment to the common cause of Lithuanian independence.

It is to the everlasting credit of Lithuanian-American organizations that they have kept these bonds intact. These bonds will not be broken by Communist deceptions or by the frustrations of years of denial of freedom to our Lithuanian friends. On the contrary, this denial will only strengthen the determination of our two peoples that one day every man will be the master of his own destiny and every government will be the servant of its own people.

Mr. ROONEY of New York. Mr. Speaker, February 16 is celebrated by Lithuanians everywhere as the day that country threw off 123 years of Russian czarist oppression—everywhere that is except in Lithuania. In Lithuania, the day is marked well, but it is a day of silent tears. For once again that tiny country, along with her sister republics of Estonia and Latvia, is under the heel of the Russian oppressor. For more than 25 years the Russians have looted these countries of their traditions, religious beliefs, and culture while exclaiming to the world that the people of the Baltic States were indeed part of Russia and happy to have it that way.

Mr. Speaker, nothing could be further from the truth. All one has to do is look at the rapidity with which the people of Lithuania proclaimed their independence after the fall of the czar to see how they longed for freedom. All one had to do was to be in New York a little more than a year ago when 15,000 people jammed Madison Square Garden to give the lie to the Russian claim that the people of the Baltic States were a part of Russia by choice.

The occupation of Lithuania by Russia was exactly that—occupation. Armed aggression, if you will. It was no different than the aggression practiced by Russia around the world in a score of countries since the end of World War II.

In 1939, Russia gobbled up the Baltic States on the pretext of getting permission to garrison troops there to face the oncoming Nazis. There was little doubt what the Russian action would have been had any of the three tiny states refused their mighty neighbor. And so three republics which just two decades before had escaped from the talons of the czars disappeared into the Red abyss.

But what of the people? As the German, Schiller, said:

> Man is created free, and he remains free even in chains.

This is why, Mr. Speaker, we so wholeheartedly join with our Lithuanian friends as they mark this day. We salute their grim determination to regain freedom for their homeland. We salute their devotion to a hope which, after 25 years, must seem dimmer and dimmer. Today as we celebrate the Independence Day of Lithuania, we here should rededicate ourselves not only to bringing freedom to Lithuania but to men everywhere who are threatened by Communist or other oppression.

Mr. BURKE of Massachusetts. Mr. Speaker, I am proud to join with my colleagues and with over 1 million Americans of Lithuanian descent in observing the 49th anniversary of Lithuania's declaration of independence. As we all know, this occasion is not one for celebrations or rejoicing. For over 25 years now, the once independent nation of Lithuania has formed part of the vast Soviet empire—an empire into which proud peoples have been incorporated against their will, an empire held together only by force. But if this occasion is not one for rejoicing, it is not one for resignation either. The United States and other nations of the free world have never recognized Soviet absorption of the small Baltic republics. Americans, whether of Lithuanian descent or not, continue to believe firmly that Lithuania must one day be free to resume its place in the community of democratic and independent nations. And the people of Lithuania have not relinquished hope. They have not forgotten their enormous achievements during the 22 years of progressive government that they enjoyed following their declaration of independence on February 16, 1918. They have resisted in every way they knew how persistent Soviet efforts to stamp out their national traditions and to break their spirit. They have remained courageous, and in their hearts, unyielding, in the face of the worst kind of terror and exploitation. Today, therefore, as we observe an anniversary of the highest significance to the people of Lithuania and freedom-loving people everywhere, we not only reaffirm our faith in Lithuania's vocation for independence; we also express our profound admiration for a people who have shown consistent bravery and resilience in the face of a tyranny that one day must come to an end.

Mr. O'HARA of Illinois. Mr. Speaker, it is with pleasure and a sense of appreciation of the thoughtfulness of my esteemed and distinguished friend from Pennsylvania [Mr. FLOOD] in arranging this time that I join in the observance of Lithuanian Independence Day here in the House of Representatives of the Congress of the United States.

It is a sad and too little remembered fact of today's world tnat despite the great movements toward independence and nationhood on the continents of Asia and Africa, the forces of imperialism and colonialism are still very much with us. These forces are nowhere more apparent than in the small Baltic nation of Lithuania. Lithuania was once a proud and independent country, conscious of its glorious history, and confident in its future. Today, by virtue of occupation by Soviet forces and of forcible incorporation in the Soviet Union, Lithuania is a so-called Soviet Socialist Republic, its independence ruthlessly stamped out by its mighty neighbor.

For centuries, Mr. Speaker, Lithuania was a powerful and respected kingdom in eastern Europe. Her rulers were noted for their progressive outlook and Western ways, and for their determination to stand firm against barbarian pressures from the East. Then, in the late 18th century, Lithuania fell victim to the intrigues of the great powers, and came under the domination of the Russian czars. For over a century, Lithuanians struggled to regain their liberty. Their chance finally came toward the end of World War I. On February 16, 1918, they declared their independence and rejoined the community of free nations.

The next 22 years, Mr. Speaker, proved to be one of the most fruitful periods in Lithuania's history. A democratic constitution was promulgated. The ravages left by years of war and occupation were speedily removed. Progressive economic and social measures were enacted. Freed of the oppressive restraints of Russian czardom, Lithuanian cultural life flourished. This period of growth and prosperity was brought to a brutal end, however, in 1940. In June of that year, the Soviet Union, in direct violation of treaty agreements, occupied Lithuania and the other Baltic countries.

Since 1940, Mr. Speaker, the people of Lithuania have been subjected to the worst excesses of totalitarian government and colonial exploitation. Hundreds of thousands of their friends and relatives have been deported to the far reaches of the Soviet Union or executed for resistance to Soviet agents. Their flourishing small farms have been subjected to collectivization. Their resources have been diverted to the support of the Soviet economy. Their culture, their religion, and their language have been debased by Soviet assimilation policies.

Yet despite sustained Soviet efforts to make Lithuanians forget their independent past, despite terror and exploitation, there is much evidence, Mr. Speaker, that Lithuanian patriotism is still alive, that the spirit of Lithuanians has not been and cannot be broken. Today, on the 49th anniversary of Lithuanian independence, it is our duty to salute the indomitable spirit of the Lithuanian people, to recognize that their cause and our cause are one, and to reaffirm our intention not to relax our efforts until the forces of imperialism and colonialism have been finally vanquished.

Mr. DONOHUE. Mr. Speaker, I am very pleased, indeed, to join with the distinguished gentleman from Pennsylvania in commemorating the 49th anniversary of the declaration of Lithuanian independence.

This is an occasion when all Americans and all free peoples everywhere should pay special tribute to a great and gallant people.

Lithuanians are a people who have suffered much but they are also a people who have achieved much.

All of Western civilization is the richer for Lithuania and we have the duty to express gratitude for its great and effective contributions. Certainly the United States is a more blessed and progressive nation for receiving the continuing benefits of the culture and the skill and the industry of the gifted and dedicated Lithuanian people.

In recalling her independence day of February 16, 1918, we have the opportunity to express the outraged feelings of our people for the oppressed people in Lithuania.

We must constantly remind ourselves and the world that the Communist government brazenly broke solemn treaties and pledges when their armed forces invaded Lithuania in June of 1940.

Following that treacherous invasion Lithuania was unwillingly incorporated into the Soviet Union. Mass murders, mass deportations, and mass enforcement into slave labor camps were barbarously visited upon the patriotic people of Lithuania.

The torture and the terror and the persecution of the Lithuanian people constitute the blackest pages in world history. And on this 49th anniversary of Lithuanian independence we, and all the free world, would do well to dwell upon the cruel fate the Communists have forced upon the brave and God-fearing people and nation of Lithuania. Atheistic communism in Lithuania yesterday and today means barbarous tyranny and oppression and inhuman treatment and it can mean the same thing for us and all the free world tomorrow unless we continue to do everything within our resources to free Lithuania from Communist subjugation.

The terrible persecutions and sufferings Lithuanians have experienced would have broken the spirit of a lesser people.

But I know as, indeed, you all well know, that however oppressive may be the burdens of Communist domination, however uncertain may be the prospects for happiness in the future, however distressing may be their sorrows, the heroic people of Lithuania will forever resist; they will survive as a great nation; they will live on; they will preserve the glorious ideal of nationhood that is the soul and the substance of Lithuania.

May God grant that our combined efforts to help Lithuania regain her rightful freedom and independence will soon be successful.

Mr. MINISH. Mr. Speaker, today it is our privilege to observe the 49th anniversary of Lithuanian independence. It is a poignant occasion, marking as it does another year of suffering under Communist tyranny, but we can take solace and pride in the knowledge that the valiant Lithuanian people have lost neither their courage nor their determination to win their freedom and independence.

The community of free nations salutes the historic struggle of Lithuanians for liberty and self-determination and looks forward with hope and confidence to the day of their liberation.

All Americans join their fellow citizens of Lithuanian descent in extending our sympathy and friendship to the more than 3 million people who are in Lithuania on this, their independence day.

I should like to call to the attention of the Congress a resolution which was adopted by the esteemed Lithuanian Council of New Jersey, at a mass meeting on February 12, 1967, at St. George's Hall, Newark, N.J., commemorating this memorable event. The text of the resolution follows in full:

> We, American Lithuanians of Newark, New Jersey, and vicinity, gathered at a Mass Meeting on February 12, 1967, at Saint George's Hall, to commemorate the 49th Anniversary of the February 16, 1918, Declaration of Independence of Lithuania, did unanimously adopt the following resolution:
>
> "Whereas, the Lithuanian people are strongly opposed to foreign domination and are determined to restore their freedom and sovereignty and,
>
> "Whereas, the Soviet Union has by force of arms suppressed the freedom of the people of Lithuania and has continued to deny these people the right of self determination, Now therefore be it
>
> "*Resolved*, That the Soviets show their sincerity of liberating the Baltic Countries of Lithuania, Latvia and Estonia, and be it further
>
> "*Resolved*, To urge the President of the United States to instruct the United States Mission to the United Nations to request that the abolishment of the Soviet rule in the Baltic States be included in the agenda of its General Assembly of the United Nations, and be it further
>
> "*Resolved*, That the Soviet consular must be unconditionally rejected and any endorsement of it is an endorsement of a Soviet aggression, and be it further
>
> "*Resolved*, That we send this Resolution to the President of the United States, the Secretary of State, the United States Ambassador to the United Nations, all Senators and Representatives from the State of New Jersey, the Governor of New Jersey, and to the Press.
>
> "VALENTINAS MELINIS,
> "*President*.
> "ALBIN S. TRECIOKAS,
> "*Secretary*."

Mr. RODINO. Mr. Speaker, the annals of history reveal few sadder chapters than that which depicts the plight of Lithuania's long struggle for sovereignty. In the past nearly two centuries, this distinguished nation has enjoyed the fruits of liberty for less than 25 years. Today, we pay tribute to the immense character of the Lithuanian people and commemorate the anniversary of their independence. It was on February 16, 1918, that they successfully liberated their land from the insidious disease of external intervention. This was not an illusory, but a real victory which culminated years of determined resistance to the heavy manacles of Russian domination. Once attained, it demanded diligent and unwavering protection. The price of freedom was not easily paid, but it was dear to the Lithuanians and fully deserving of the great sacrifices required to secure it.

Nonetheless, the respite from tyranny was tragically brief. Weary of the consequences of aggression, Lithuania attempted to remain free of the bitter conflict that was sweeping Europe in the 1930's. It was a futile cause. An axiom of war is that to the victor belong the spoils, and both Russia and Germany had their sights set on Lithuanian soil. The light of liberty flickered low in this land in 1940 as Lithuania passed into the hands of the conqueror. With appalled dismay, her citizens recalled that the Soviet Union and Lithuania had concluded a treaty of nonaggression in 1926. The irony is not lost to history.

The compulsory Sovietization of Lithuania was not a peaceful process. Stalin is not remembered for his compassion toward resisting peoples. Severe dislocations occurred as thousands of loyal Lithuanians were deported to Siberia or ruthlessly exterminated. Families were separated, property destroyed, and collectivization forced upon farmers and industrial workers. Religious persecution was thorough in a country of devoted Christian heritage. The protection of laws was shamelessly flouted as the plunderer seized upon his prey.

It is not uncommon in history to find that a people long subjected to the throes of oppression will, in the end, succumb to cynicism, lethargy, and resignation. But the Lithuanians are not a common people. Indeed, their valor, dedication to democracy, and spiritual and cultural attributes are of the highest order. It is for this reason that freedom-loving peoples everywhere retain the conviction that Lithuania is destined to achieve again the glory that is freedom. Today we reaffirm that faith.

Mr. McDADE. Mr. Speaker, we are observing today the 49th anniversary of Lithuania's brief moment of independence in modern times. It is a day of profound sorrow, because that independence has disappeared. But it is also a day of hope, because that independence may yet be regained.

I will not go into the long and honored history of Lithuania. It is one well known to all of us here today. I will, however, make some observations on the present plight of Lithuania which might contribute to a thoughtful consideration of the whole problem.

In a recent interview for national television, Willy Brandt, Vice Chancellor and Foreign Minister of the West German Republic, speculated on the future of Germany and the chances of her reunification. He observed that there seemed little likelihood of reunifying a partitioned Germany at this particular time, because it seemed in the greater interests of the Soviet Union to keep Germany partitioned. He speculated, however, that the gradual increase of trade and other forms of commerce between West Germany and the Soviet Union might well bring about a day when the reunification of Germany might seem a small price for the Soviets to pay to continue the friendship and to develop it further. At that time, he thought, Germany might well be reunified.

In precisely the same manner, the liberation of Lithuania must be evaluated in terms of Soviet self-interest. Let us be realistic about it. That is the only element that will ever bring about the liberation of Lithuania, and her sister states of Latvia and Estonia.

But realistically speaking, is it in the self-interest of the Soviet Union to liberate these three states? I frankly believe it is. There was a time, and it was not long ago, when the Soviet Union could look with satisfaction on a monolithic Eastern Europe, encompassing herself, Poland, East Germany, Czechoslovakia, Hungary, Rumania, Bulgaria, Yugoslavia, and Albania. In that time, Lithuania and the other Baltic States were hidden islands in the great sea of European communism. But that is no longer the status of Europe. The inevitable pull of national self-interest has demolished the monolithic nature of the bloc, starting with the defection of Yugoslavia, and most dramatically pictured today in the very nationalistic governments of Rumania and Hungary. Today Lithuania is not an island. She is the Western frontier of the Soviet Union, and she is a most unhappy province. Would it not be a far better thing for the Soviet Union to give up this small piece of territory, to give Lithuania, Latvia, and Estonia their independence, and thereby lose a thorn while gaining a friend?

The world would applaud the action of the Soviet Union in restoring the independence. It would create no problems with the Soviet Union, irrespective of the form of government chosen by the liberated peoples. The Soviet Union has learned to live with Finland on her flank, and there is a careful mutual exchange of ideas between countries which has preserved a state of tranquillity over the many years since the Second World War.

Surely the same relationship could be established between Lithuania and the Soviet Union. Lithuania would be in no position to damage the Soviet Union militarily. Her trade would naturally flow to the East just as easily as it might flow to the West. Her people, long known for their industry, would earn great sums of convertible currency which would flow toward the Soviet Union in the form of commerce and tourism.

Above all, the moral correctness of the action could not help but impress the world. It ill befits Mr. Kosygin to speak of Americans pulling out of Vietnam—where we are present at the invitation of the Government—while his own troops occupy these Baltic nations. It would be an overwhelming gesture of friendship to the whole free world if the Soviet Union were to withdraw her troops and grant these people their freedom. It would certainly be the greatest possible proof that a detente is real and is meaningful.

I call upon the leaders of the Soviet Union to think about this. They have much to gain and little to lose by granting independence. And they might think of one other thing. They have been loudest in their denunciation of colonialism. They have denounced nearly every nation in the free world over imperialism and colonialism. Do they want to go down in history as the last of the imperialists in the 20th century? What an irony that would be.

Mr. BUCHANAN. Mr. Speaker, contemporary America must reacquaint itself with the eternal truth that "freedom is not free." Of all nations, we are the most fully accustomed to the many privileges and benefits accompanying freedom. Is it a fact that we take these so much for granted that we find it difficult to envision life under any system other than the democratic form which produces them? Few of us have ever been subjected to an existence under the iron hand of tyranny. So remote is this prospect to us that we often fail to comprehend the grim immediacy of such a dilemma to virtually millions of people around the world. This problem is not shared by many of our Lithuanian friends in this country who need not to be reminded of the priceless character of liberty. They have seen their homeland on more than one occasion stripped of its sovereignty, and forced to exist as a mere appendage of a tyrannical empire.

This month we commemorate the anniversary of that significant day in 1918 when Lithuania declared the reestablishment of her autonomy and resolved to chart a course of democratic progress. She had suffered mercilessly at the hands of the Russian czars and German occupation troops, but the long and dedicated struggle to shed the yoke of suppression finally achieved fruition.

For two decades the emancipated nation drove steadily ahead, revitalized by the refreshing winds of liberty. Her independence was recognized by almost every country in the world, including the Government of Soviet Russia, which signed a peace treaty with Lithuania on July 12, 1920, recognizing "without any reserve, the sovereignty and independence of the State of Lithuania." But dark clouds hovered over Europe in 1939 and soon unleashed a severe assault upon the defenseless Lithuanian people. The secret Hitler-Moscow Pact of August 23, 1939, permitted the Nazis to attack Poland, thus starting World War II, while giving the Soviets an almost free hand in the Baltic. The Nazi war machine crashed into Poland September 1. Soon the Soviet Union handed the three Baltic States mutual assistance pacts with the alternative—sign or be invaded. Within hours after they had been signed on October 10, General Serov signed the infamous secret NKVD Order No. 001223 which involved deportation of the anti-Soviet elements from Lithuania, Latvia, and Estonia.

Believing that the subversive activities of its agents, who had gained access under the mutual assistance pacts, had paved the way for conquest, the U.S.S.R. delivered an ultimatum June 14, 1940, charging the three Baltic States with conspiracy against the Soviet Union. Troops swept in, legal governments were dissolved, and top government posts were occupied by Communists or pro-Communists. "Elections" were set for July 14. In at least one instance, the Moscow news agency reported the results 12 hours before the polls had closed.

By July 2, Molotov could tell Lithuania's Deputy Prime Minister:

> You must take a good look at reality and understand that in the future small nations will have to disappear. Your Lithuania, along with other Baltic nations, including Finland, will have to join the glorious family of the Soviet Union. Therefore, you should begin now to initiate your people into the Soviet system which in the future shall reign everywhere.

Thus, both German and Russian forces vaunted their military potency and actively used the Baltics as a playground for their deadly warfare. Following the Allied victory, Lithuanian hopes were bitterly dashed when the Communists reoccupied that country in 1944. And now, 23 years later, it remains a Soviet prison. The United States has maintained an unswerving policy of refusing to recognize the illegal Communist incorporation of Lithuania into the Soviet Union. The restoration of self-determination for the Lithuanian people is a goal which must never be compromised, lest the principle of freedom itself be imperiled. It is a goal worthy of the fullest support of all Americans.

Mr. COLLIER. Mr. Speaker, I want to join my distinguished colleague from Pennsylvania in observing the 49th anniversary of the independence of Lithuania. It was February 16, 1918, while World War I was still being fought, that Lithuania became free.

Actually this was a reestablishment of independence, as the nation was simply regaining something that it had previously enjoyed for over seven centuries. Lithuania was founded in 1251. Occupation by Russia, which began in 1795, continued until 1918.

The freedom that the small nation regained was short-lived, as it was again absorbed by the Russian Empire in 1940. While the earlier occupation by the czars was oppressive, the occupation by the commissars, which has now lasted for more than a quarter of a century, has been even more oppressive.

There are 3 million people living in Lithuania today. Twenty-three of the 61 nations that have gained their freedom since World War II have smaller populations.

The present area of Lithuania is 25,213 square miles. Fourteen of the abovementioned new countries are smaller in size.

We have heard so much from the Soviet Union about its opposition to imperialism and colonialism. The Soviet empire can demonstrate its sincere opposition to both in an eloquent fashion by restoring independence to Lithuania. What better way can there be to observe the forthcoming golden anniversary of the great event that occurred on February 16, 1918?

Mr. JOELSON. Mr. Speaker, there is a type of small nation which strives to maintain its identity, no matter what the odds. Such a nation is Lithuania, which at one time ruled a large empire in Eastern Europe, but which eventually fell victim to inherently more powerful foes. Throughout their foreign domination, Lithuanians worked, agitated and fought for their independence. With the collapse of czarist Russia, that day came, and on February 16, 1918, the Lithuanian Council, or Taryba, proclaimed an independent Lithuanian state. Patriotic rejoicing was short lived, as the Red army swarmed back, but out of the confused fighting of the period following the First World War an independent Lithuania again emerged.

Through two decades this little country flourished. It made a decent life for its citizens, and it behaved as a law-abiding member of the international community. However, in 1939 the Soviet Union forced Lithuania to sign a treaty compelling the admittance of Soviet garrisons on Lithuanian soil, and the construction of air bases on her territory. The following year elections were held and on August 3, 1940, Lithuania became a constituent republic of the U.S.S.R.

Less than a year later the Germans attacked the Soviet Union, and within a few days all of Lithuania was in their hands. But they proved to be oppressive overlords. The Lithuanian people chafed under this tyranny, and remembered how Lithuanian and Polish power broke the Teutonic knights centuries before.

In 1944, the Red army swept back into Lithuania, in the continuing offensive that kept it advancing on one sector or another until the war in the East was won. All chance of independence seemed to have vanished.

Nevertheless, the brave people of Lithuania have never given up hope. Nor have they been stamped in the Soviet mold. It is a rare traveler who sees that part of the U.S.S.R. these days, but those who do often remark on the spirit and western orientation of Lithuania's people.

This is Lithuania's unique contribution, that of a small nation which does not accept defeat, which is not content to be simply a component of the Soviet empire. This is the spirit which made Lithuania an independent nation against great odds once before. It is a spirit we honor here today.

Mr. Speaker, at this point I should like to introduce into the CONGRESSIONAL RECORD a resolution adopted by the Lithuanian Council of New Jersey to commemorate the 49th anniversary of Lithuanian independence:

We, American Lithuanians of Newark, New Jersey and vicinity, gathered in a meeting on February 12th, 1967, at Saint George's Lithuanian Hall, to commemorate the 49th Anniversary of February 16th, 1918, Declaration of Independence of Lithuania, did unanimously adopt the following resolution:

"Whereas the Lithuanian people are strongly opposed to foreign domination and are determined to restore their freedom and sovereignty, and;

"Whereas the Soviet Union has by force of arms suppressed the freedom of the people of Lithuania and has continued to deny these people the right of self determination, NOW Therefore, Be It

"*Resolved,* That the Soviets show their sincerity by liberating the Baltic Countries of Lithuania, Latvia and Estonia, and Be It Further

"*Resolved,* To urge the President of the United States to instruct the United States Mission to the United Nations to request that the abolishment of the Soviet rule in the Baltic States be included in the agenda of its General Assembly of the United Nations, and Be It Further

"*Resolved,* That the Soviet consular treaty must be unconditionally rejected and any endorsement of it is an endorsement of Soviet aggression, and Be It Further

"*Resolved,* That we send this Resolution to the President of the United States, the Secretary of State, the United States Ambassador to the United Nations, all Senators and Representatives from the State of New Jersey, the Governor of New Jersey, and the Press."

"VALENTINAS MELINIS,
"*President.*
"ALBIN S. TRECIOKAS,
"*Secretary.*"

Mr. RYAN. Mr. Speaker, in this House we are called upon to memorialize the national days of many countries, some of them thriving and independent, others under foreign domination. No country is more worthy of our tributes than Lithuania. I am pleased to join our distinguished colleague, Congressman FLOOD, in this tribute.

Lithuania has a proud history. Although not a particularly numerous people, Lithuanians ruled a vast kingdom in Eastern Europe at one time, only to fall to nations inherently more powerful. In modern times they have been chiefly under the domination of Russia, first the Russia of the czars, and then the Russia of the commissars. On February 16, 1918, it seemed there would be an end to all that. Lithuania stood once again as an independent nation. Although briefly occupied by the Red army, she became an independent, democratic state in the decades between the wars.

Like so many others, Lithuania was caught in the grip of forces beyond her control when the rivalry of great powers was leading the world down the road to World War II. The Soviet Union forced Lithuania to accept Soviet troops and Soviet airbases in 1939, and the following year absorbed Lithuania into the U.S.S.R.

From that day forward the life of the Lithuanian people has been one of oppression but they have not yielded up their national consciousness. For all oppressed people, everywhere, Lithuanian tenacity remains a symbol of hope.

Mr. IRWIN. Mr. Speaker, on this, the 49th anniversary of Lithuania's rebirth of independence, I think it is essential that we remember one thing.

For 22 years after February 16, 1918, the Lithuanian people knew, enjoyed, and made remarkable progress as a free and independent nation.

The Lithuanian people knew freedom and no one who has ever drawn a breath as a freeman will ever be content to live forever under the heel of an oppressor.

During those 22 years, the Lithuanians were able to devote their energies to building their nation rather than to resisting a foreign oppressor.

And remarkable results were achieved during that period. Political stability was realized; agricultural reform was carried out; industry was given new attention; an educational system to serve all the people was successfully launched.

This was a goal for which the Lithuanian people had been striving throughout a long period of Russian domination dating back to 1795.

But in 1940, Lithuania again fell under Russian domination when it was occupied by the Red army in the Second World War.

And Lithuania, which had known the joys of freedom, now was forced to suffer an oppressive and imperialistic occupation at the hands of the Soviet Union.

Subsequently, Lithuania was made a republic of the Soviet socialist state.

The spark of freedom has never died out in Lithuania, however. It still flickers and grows brighter with the passing years and I have every confidence that one day in the not too distant future—perhaps much sooner than one has a right to expect—the breath of freedom will once more engulf the liberty-starved people of Lithuania.

It hasn't been an easy occupation for the Lithuanians. Their attempts to resist absorption by the Soviet Union were ruthlessly suppressed. Thousands were deported and many more thousands were killed.

Even in the very recent past, Lithuanian freedom forces were snuffed out and compelled to abandon active resistance.

There are in the United States today well over 1 million Americans of Lithuanian descent—fine, outstanding, hardstock, and loyal citizens of this great Nation of ours.

These are Lithuanians, either of birth, naturalization, or descent who enjoy the freedoms of America. They love and thrive and prosper on this freedom, but still ache in their hearts for the millions of their people living behind the Iron Curtain.

They look forward to that great day that is bound to come—the day when Lithuania once more sees its flag waving over a free nation.

The story of Lithuania's oppression by the Soviet Union has been told and retold many times. We all know it, for the occupation of Lithuania has followed the pattern of all Soviet occupation moves.

It is fitting, of course, that we recall the sufferings endured by the Lithuanian people these many years, but it is even more fitting that we rededicate ourselves once more to the determination that we will do everything in our power to restore freedom to them.

Nor should we ever forget that we, as a nation, stand behind the principles of freedom and democracy not only as they apply in our country, but for the people of all the captive nations as well.

We must remember, too, the words of Secretary of State Dean Rusk when he said:

> Our country has consistently espoused the principle that all peoples have the right to determine the form of their national existence.
>
> In Lithuania's case, we have applied this principle by refusing to recognize the forcible incorporation of that country into the Soviet Union.
>
> We fully support Lithuania's continuing efforts to marshal world public opinion and to bring it to bear on the issue of self-determination for the people of Lithuania.
>
> In view of the courage and the fortitude shown by the Lithuanian people during these years of foreign domination, I am confident that their just aspirations for freedom and national independence will ultimately be realized.

The fight against communism and the enslavement of Lithuania must go on until once more the people of Lithuania can be counted among those who have known freedom.

Mr. DELANEY. Mr. Speaker, shortly after the overthrow of Russia's oppressive czarist regime during World War I, a number of oppressed nationalities declared their political independence. Among these were the great Lithuanian people, who proclaimed their freedom and established the Lithuanian Republic.

For about two decades these freedom-loving people enjoyed their richly earned independence. They rebuilt their war-ravaged nation, strengthened their democratic institutions, revived their venerated traditions, and lived content with themselves and their neighbors. And then the tragic outbreak of World War II saw freedom wrenched from the peaceful Lithuanian people as their nation was invaded and occupied by the brutal Red army in 1940.

Since that time these dynamic people have been ruled by the Communist dictatorship of the Kremlin. Although virtual prisoners in their homeland, they are sustained by a spirit of freedom and the knowledge that justice will ultimately prevail. On this anniversary I am pleased to join my colleagues in pledging our dedication to the ultimate goal of freedom for these noble people, and all victims of Communist tyranny.

Mr. ROSTENKOWSKI. Mr. Speaker, I welcome this opportunity to join my colleagues in paying tribute to the people of Lithuania, who will observe the 49th year of their declaration of independence, but who, today, are bound by the chains of tyranny. It was a gallant band of people who brought about the establishment of an independent state in Lithuania on February 16, 1918, but, then, gallantry is the key to independence, as we, in America, know from our experiences in achieving the right of self-determination. Democracy is not easy to attain, but it is much more difficult to retain because it is constantly under attack by advocates of despotism, who yearn to control the minds, bodies, and souls of human beings.

Thus was the fate of the people of Lithuania, who, in 1939, seeking to preserve the independence they enjoyed for 22 years by allying themselves with a stronger nation to repulse Hitler and his forces, agreed to mutual assistance pacts with their neighbor to the east, the U.S.S.R. But they were deceived by the Communists with false promises of continued self-determination, and they found themselves subservient to the demands of Communist tyranny. The turn of events in World War II, when Allied forces defeated the Nazi armies, found Lithuania overrun by Communist troops of the U.S.S.R., who have refused to withdraw and return Lithuania back to its people. So, today, the poor people of Lithuania are again struggling to regain their right as an independent nation.

Today, the free people in the world face their biggest struggle ever in the history of mankind, in seeking to retain their God-given right to self-determination. We are fully aware of the deceitful and aggressive tactics of Communists in their moves to rule the world and its people. Unless we continue to meet this attack head on, there can be no hope for a free world. The United States is the symbol of that hope for we possess the power to deter Communist agrgession. But the power to repulse and destroy is not the answer to winning the battle. The answer lies with the people themselves. It is individual courage to attain freedom that will ultimately bring victory. And as the model of democracy the United States must continue to encourage the oppressed to work for their independence. We are the star by which they steer their course.

The fate of Lithuania today is not the result of lack of courage on the part of her people, for they display the kind of courage that is everlasting. It is instilled in the hearts and minds of their youth, and with each passing generation it gains strength, so that eventually, in the course of time, democracy will return to Lithuania, and it will resume its place among the free nations of the world. Therefore, it is most fitting and proper that we, the elected representatives in a democracy, publicly state our support of an independent Lithuania and encourage its people to realize their unconditional goal of a free, independent, democratic Lithuania.

May this observance of Lithuanian Independence Day be the last one for them under Communist rule, and that next year the celebration will have the meaning for which it is intended—that is, independence.

Mrs. KELLY. Mr. Speaker, today we commemorate the 49th anniversary of the declaration of Lithuanian independence. On February 16, 1918, after more than a century of Russian domination, this distinguished nation rejoined the council of free nations and embarked upon the road to moral and material progress. Despite the persistence of external pressures, the proud people of Lithuania upheld their sovereignty and gained admission to the League of Nations in 1922.

The significant accomplishments realized during Lithuania's modern era of independence attest to the vital importance of liberty in motivating a nation to utilize its highest potential. Free of the iniquitous burden of oppression, this industrious and resolute people successfully undertook to improve their agricultural and educational systems, their commerce and industry. In an atmosphere conducive to individual enterprise, music and literature flourished. It was a time of hope in a land long accustomed to the humiliation of tyranny.

But circumstances of history were to repeat themselves in a cruel and fateful manner. The coming of the Second World War saw Lithuania once again innocently victimized by the ignominious ambitions of large, power-hungry states. In 1939, the Soviet Union forced upon her weaker neighbor a mutual assistance pact which soon led to the virtual destruction of Lithuanian autonomy. Nazi Germany replaced Russia as the oppressor for a short time, but with the Allied victory the Communists reasserted their domination of the Baltics and Lithuania became an occupied country. It remains so today.

The United States, which recognized independent Lithuania in 1921, has never recognized the forced incorporation of that country into the Soviet Union. Neither the passage of time nor the distraction of other events can assuage our indignation at the contemptuousness of this violation of human rights. Even now, as we seek to repulse in Asia the forces of merciless depotism, we recall with pride and respect the untiring efforts of our courageous Lithuanian allies, whose elusive quest for liberty has spanned centuries and has yet to become a reality.

Mr. MESKILL. Mr. Speaker, 49 years ago this month, Lithuania gained independence after more than a century of domination by foreign powers. But her taste of freedom was fleeting. Lithuania, during World War II, found herself again under German occupation, once more a battlefield. In 1944 the Soviet Union, repeating earlier history, began its reign of oppressive dominion which to this day deprives over 3 million Lithuanians of autonomy.

We who so cherish our own freedom can only reiterate our support for their self-determination by refusing to recognize the incorporation of Lithuania into the Soviet Union, and by joining freemen the world around in hopes and prayers that our Baltic neighbors may soon again enjoy the fruits of liberty that are now only a poignant memory.

Mr. ST. ONGE. Mr. Speaker, at times the propaganda machinery of the Soviet Union and its satellites becomes so all-pervasive that it wears down even the most sophisticated among those who are exposed to its fantasies. When the recipients of this type of information are the less informed or the gullible, the result may not only be neutrality of thought, but even a positive acceptance of the distorted message. This is, of course, the ultimate goal of the propagandist, and the proof of his total effectiveness.

A serious example where Communist propaganda has diverted attention away from its own wrongdoing is in the occupation of the country of Lithuania. The world has been so long subjected to Communist flailings at a "dying" Western colonialism that it has neglected to appreciate the true nature of a very much alive and growing Soviet colonial system. This new imperialism has none of the enlightenment of the old colonial system, and amounts to little more than blatant holding by force of the sovereign territory of another nation.

Lithuania has a long and proud history of independence, and February 16 marks the 49th anniversary of the rebirth of this independence which was extinguished when Russian soldiers occupied its land in 1940. The United States has refused, as part of its foreign policy, to recognize the incorporation of Lithuania into the Soviet Union. Mr. Speaker, I believe that it is of utmost importance that the record be accurate for all the world to see. The continued denial of freedom to the Lithuanian nation should be pointed out as giving lie to the outrageous claims of piety on the part of the Communist imperialists, and their simultaneous attempts to direct attention away from their own misdeeds.

Most important we must never forget the longing for liberty of the noble citizens of Lithuania, and we must continuously feed the flame of hope which burns within each of them. It is not unreasonable to anticipate that in time their Soviet masters will recognize that the desire of all men to be free to choose their own destinies can never be extinguished. Thus the trend for the assertion of national independence, which is already so apparent in the Soviet bloc, will extend also to Lithuania. Let us hope it will once again take its place as a free nation living in harmony with its neighbors.

Let us therefore mark this anniversary of Lithuanian independence by encouraging the continuing struggle for freedom and by dedicating ourselves to its eventual realization.

Mr. WYDLER. Mr. Speaker, February 16 marks the 49th anniversary of the independence of Lithuania and serves to remind us of the plight of that tiny country and her sister states, Latvia and Estonia. In 1918 the Lithuanian people found that they had to fight to attain and preserve their freedom. For over 2 years, they struggled against the armies of the Russian Whites and Russian Bolsheviks who both sought to restore Russian rule over the gallant nation. By 1921 Lithuania had firmly established her independence.

For a time during the postwar period, it appeared as though Lithuania was assured of a separate national existence. She entered into diplomatic relations with the major European powers in the spirit of friendship and cooperation. Domestically, the country experienced economic difficulties but maintained relative political stability.

The rise of Nazi Germany in the 1930's once again spelled danger to Lithuania. Adolph Hitler had clear designs in Eastern Europe, and these included the Baltic States. In addition, the Soviet Union revived its hope of communizing that area. Lithuania was, indeed, caught between the hammer and the anvil.

The years 1939 and 1940 sealed the country's fate. In July of the former year, the Germans seized Memel. One month later, Germany and the Soviet Union entered into their infamous nonaggression pact. This agreement, as is now known, contained secret clauses giving Stalin a free hand to deal with the Baltic States as he pleased. Stalin soon proved himself capable of exercising this free hand. Early in 1940, the Soviets put severe diplomatic pressure on Lithuania, Latvia, and Estonia to allow the stationing of Red troops on their soil. With no hope of outside assistance, the tiny republics capitulated to Moscow's demands. Then, in July 1940, when all eyes were focused upon the fall of France, the Red army invaded the Baltic States and incorporated them into the Soviet Union.

Lithuania's struggle for freedom continued, however. When the Germans invaded the Soviet Union on June 22, 1941, the people of Kaunas, the capital city, rose up and drove out the Red occupation forces. When the Germans reached Kaunas, they found, to their amazement, a provisional Lithuanian Government exercising authority. Unfortunately, the Reich's policy differed only slightly from that of the Kremlin. Occupation officials immediately removed the provisional government, and 3 years of Nazi oppression began.

Late in 1944, the Red Army reoccupied Lithuania, and the Communists resumed the reign of terror which they had initiated in 1940. Following the end of the war, news leaked out to the West describing the mass deportation of Lithuanian citizens from their homeland. Thousands of others fled by boat across the Baltic Sea to safety in the West.

The tragedy of Lithuania and her sister republics stands out as one of the darkest pages of World War II. If any nation is owed a debt by the world, it is Lithuania. By looking at the misery she had endured, we may gain a higher appreciation of our own freedom. In this spirit and in the hope that a new light of freedom will one day shine down upon this valiant nation, we pay tribute to Lithuania on her independence day.

Mr. STANTON. Mr. Speaker, there are 3 million people living in a province of the Soviet Union that once was the proud independent nation of Lithuania. Now reduced to a position of vassalage and subject to the whim of their tyrannical masters, the Lithuanians remember with sadness their lost freedom and recall that in times past they were entitled to the respect and consideration due to a sovereign country. As we celebrate the anniversary of Lithuanian Independence Day we wonder if the people of Lithuania realize our concern for their welfare and we wish that they could share with us our heartfelt desire for their return to the assemblage of free nations.

But, Mr. Speaker, we do not forsake all hope of their eventual emancipation. At times in their history, the Lithuanians have overcome their conquerors and regained the freedom they cherish. The anniversary we celebrate on February 16 depicts the Lithuanian story only too well. Lithuanians had waited a century for the reestablishment of the nation after succumbing to the power of czarist Russia. The new-found freedom was lost in 1940 and we can be assured that the Lithuanians are waiting for the opportunity to declare their independence anew. We join with our Lithuanian friends around the world in remembering the anniversary of Lithuanian Independence Day.

Mr. WOLFF. Mr. Speaker, the American people feel very deeply about the subjugation of any people. I rise to assure the people of Lithuania that we have not forgotten the desire of her people for freedom. The United States properly maintains a policy which recognizes the right of Lithuanians to self-determination. As we greatly prize our own freedom, we are fully aware of the importance of freedom for others. I feel certain that my colleagues persist in their concern for the 3 million people of that ancient country who were incorporated into the Soviet Union against their will.

I wish to congratulate the Lithuanian American organizations for keeping fresh in our minds the fate of these people, so that the world will not forget their cause.

The following is a letter from the president of the Lithuanian American Council, Inc:

LITHUANIAN AMERICAN COUNCIL, INC.,
Chicago, Ill., February 2, 1967.

DEAR CONGRESSMAN: February 16, 1967, is the 49th anniversary of Lithuania's rebirth of independence. For many years, Congressman Daniel J. Flood of Pennsylvania, initiated in the House of Representatives, a commemorative ceremony on this day, leading with a discussion of Lithuania's oppression by the communist government of Russia.

Through the years we have found that our Congressmen are familiar with communist expansion around the world and the tactics used by the Soviets. We have noted your true American stand that the principles of freedom and democracy apply not only in our country, but for the people of captive nations as well.

Mr. Congressman, we kindly request your help in our fight against communism and enslavement of the country of Lithuania. We ask your support of Congressman Flood's opening remarks on February 16, 1967, with your own extension of remarks on the unlawful occupation of Lithuania by Soviet aggressors, and by the insertion of your comments into the CONGRESSIONAL RECORD. The nonrecognition of the incorporation of Lithuania into Russia is the official position of the U.S. Government, as stated in U.S. Dept. of State publication, "Status of the World's Nations", pages one and nine.

We extend our deepest appreciation and respect and are grateful for all you have done in the past to keep the hope of freedom alive for Lithuania and other subjugated peoples.

Sincerely yours,
LITHUANIAN AMERICAN COUNCIL, INC.,
ANTHONY J. RUDIS, President.

Mr. BARRETT. Mr. Speaker, we citizens of the United States know what a precious essence liberty is. We have but to recall the dramatic accounts in our history books of the courage, determination and self-sacrifice of the American

Revolutionary Forces. We realize the great price these early patriots paid in physical suffering and mental anguish to set us free. Freedom of the individual is a basic tenet of our American Government. Thomas Jefferson called it an inalienable right. Woodrow Wilson restated this idea in his speeches expounding the right of all people to self-determination.

History was kind to the Americans. The years following our liberation found us isolated from would-be aggressors and free to direct our energies toward building a strong and unified nation. This has not been true for the people of Lithuania. Their proclamation declaring themselves an independent state was permitted to stand only 22 short years before German and Soviet aggressors besieged Lithuania's eastern and western boundaries. Although the stalwart Lithuanians had repelled attempts at colonization many times, these courageous people could not defend their country against a major onslaught by two mighty countries. The defeat of Hitler's forces left the struggling Lithuanians in Soviet hands. The clever Soviets, who had employed their covert subversive tactics to undermine the independent structure of the Lithuanian Government since Russian troops had entered Lithuania in 1939, were quick to absorb the ill-fated citizens. Without deference to the Lithuanian sovereign state, the Soviets moved in and engulfed the free territory.

Soviet domination has endured for 23 years. Propaganda from the U.S.S.R. would assure the West that the Lithuanian people are delighted with their satellite status; that Soviet methods of farming and industrial techniques have brought about economic growth never dreamed of in Lithuanian history. Soviet educational systems and social reforms have fostered a cheerful and grateful Lithuanian people, we are told. Citizens of the free world know that this is a sham. We know that the people of this once proud land are struggling in bondage, yearning to be free. The spirit of Lithuanian independence is not dead, nor even does it lie dormant. It exists as an indestructible flame in the hearts of its people. Mr. Speaker, today we pause to honor and to salute these brave people, with the hope that they will again know the indefinable joy of human liberty.

Mr. PRICE of Illinois. Mr. Speaker, for those of us who embrace the ideals of freedom and protection of human rights, February 16 holds a special place. On that day, 49 years ago, the independence of Lithuania was proclaimed. A nation whose history traced back to the 11th century, Lithuania had been thwarted time and time again from functioning as an independent state. Finally breaking the czarist shackle, Lithuania embarked on its role as a free nation, full of hope and promise.

For 21 years the people of Lithuania controlled their own destiny. Then Lithuania found herself in the middle of a power struggle, a situation so prevalent in European history, between the Nazis and the Soviet Union. In 1939 with the Hitler-Stalin pact consummated and the partition of Poland agreed upon, Lithuania was confronted with the threat of invasion despite repeated Soviet pronouncements of nonintervention. On October 10, 1939, Lithuanian representatives signed a mutual assistance pact with the Soviet Union at a time when Soviet troops had massed on the Lithuanian frontier, which sealed the fate of that brave nation as a cog of the Kremlin wheel of expansion.

Following the brutal fighting waged on Lithuanian soil during World War II, Soviet reoccupation of Lithuania was firmly established in 1944. Since that time Lithuania has not known independence.

A victim of Soviet territorial aggrandizement, Lithuania's independence was brief; yet, the history of that nation is marked with noteworthy social progress. Lithuania, for example, implemented the first land reform program of modern Europe, and it developed an education program which reduced illiteracy among its people to 15 percent after generations of foreign rule had left two-thirds of them unable to read and write.

These examples of responsible action by a legitimate government demonstrated that Lithuania could well function as a nation that would meet its people's needs, a nation that had sufficient compassion for its people to see that they would play meaningful roles in the affairs of state. Yet, Lithuania has been denied its existence.

It is clearly understandable, Mr. Speaker, as I mentioned at the outset, why the anniversary of Lithuanian independence is regarded by us a special day in the annals of man's quest for freedom. Our expressions today carry with them a recognition of that fact and a feeling of hope for the future for the captive Lithuanian people. It is to our credit that our Government does not recognize the Soviet takeover of Lithuania.

Mr. CUNNINGHAM. Mr. Speaker, we Americans cannot console in any way or in any words a valiant nation that has lost its freedom to the forces of tyranny. But, Mr. Speaker, we can and do extend our deepest gratitude to the people of Lithuania for the magnificent example they have set for us and for other freemen the world over.

This example has many parts stretching across the centuries. Unified in 1253, annexed by Russia in 1790, proclaimed free again in 1918, and shackled by Soviet communism in 1940, by Nazi terrorism in 1941, and once more by Soviet communism in 1944, the Lithuanian nation does not cry out from anguish and almost unbelievable suffering nearly as much as it sings joyfully a ringing truth: freemen are always free in their hearts and spirit and hope.

From this truth all people of good will take rich nourishment by the use of which they can support human liberty, and all tyrants and tyrannies take warning of their own ultimate demise.

Thus, Mr. Speaker, let Americans pause reflectively and determinedly to commemorate 1967, the 714th anniversary of Lithuanian national unity, and February 16, 1967, the 49th anniversary of the founding of the Lithuanian Republic.

Mr. BRASCO. Mr. Speaker, Lithuania has been a state for more than 715 years. For the past 26 years she has struggled bravely to regain the freedom she lost in 1940, when German armies invaded her, and the Soviet Government forcibly annexed her territory.

It was 49 years ago, on February 16, 1918, that Lithuania gained independence following subjugation by Russia, and the occupying German armies, during World War I, for more than 120 years. Her freedom was almost immediately challenged by the Soviet Union. She lost some territory to the Soviet, but by her heroic resistance she forced them to recognize Lithuania as a sovereign state in 1920.

Again, during World War II, she found herself occupied by German armies and, repeating earlier history, the Soviet Union resumed a reign of oppressive occupation, which still continues.

There was an all too brief period—22 years—following her declaration of independence in 1918 when it appeared she could continue as an independent nation. She entered into diplomatic relations with the major European powers, and demonstrated a capacity, and ability, for self-government. Many social reforms took place in Lithuania during this period, as well as improved transportation, education, and land reforms. Great strides forward were taken, only to end once more in disappointment and sorrow.

We must never forget the fight waged by the Lithuanian people to reestablish their complete independence. As Americans we enjoy the blessings of freedom, and we shall continue to strive for the same blessings for all men. I extend my warmest wishes to my many Lithuanian friends here in the United States that the day will come soon again when their friends and families in Lithuania can be, as we are, freemen.

Mr. O'NEILL of Massachusetts. Mr. Speaker, on February 16, 1918, Lithuania succeeded in casting off the fetters of external domination which had plagued her for more than a century. Throughout that protracted and painful period, Lithuanians had steadfastly resisted Russian efforts to destroy their spiritual and cultural heritage. Thus, when a democratic system of government was finally achieved, the country found itself readily able to adapt to the difficult requirements exacted by such a system.

The lack of justice in our world is no more clearly illustrated than by the callous and inhumane manner in which Lithuania was once again, in 1939, stripped of its sovereignty by the evil ambitions of avaricious dictators.

The intense devotion to liberty which has always characterized the Lithuanian people has been in no way diminished by the grim fortune that has befallen their homeland. Those of us who cherish freedom eagerly await the joyous day when their country is returned at last to a rewarding destiny of peace and liberty.

Mr. ADDABBO. Mr. Speaker, it gives me pleasure to join with my colleagues today in remarks commemorating the 49th anniversary of the rebirth of independence of Lithuania. We have never recognized the incorporation of Lithuania into the U.S.S.R., and we should not. This small nation, however, lives under the oppression of the Communist government of Russia, but her people keep their identity and believe in freedom. I believe that one day they will be free again.

We who enjoy freedom should take time out and reflect upon the tragedy of the millions of fellow human beings who are not so fortunate as we. We must keep the torch of freedom alive for them, looking toward the day when they may carry the torch again.

I have many constituents who came from Lithuania and I am privileged to count great numbers of them as my friends. I know how they feel about their homeland and their loved ones who remain behind. To them and to all Americans I say "we will not forget nor abandon them."

PROLIFERATION CONSEQUENCES EXAGGERATED

The SPEAKER pro tempore (Mr. HANNA). Under previous order of the House, the gentleman from California [Mr. HOSMER] is recognized for 10 minutes.

Mr. HOSMER. Mr. Speaker, deadly serious negotiations start next Tuesday in Geneva on a nonproliferation treaty which supposedly, the people at the State Department and the Arms Control Agency tell us, is about the only thing standing between humanity and a nuclear holocaust.

Yesterday I pointed out that this notion is a hoax. There are well over 100 countries in the world. Only five have nuclear bombs and they are not about to give them away. Ninety-five percent of the rest of the countries have not the resources to go nuclear. Most of the rest would not do so on a bet. The remaining few who could and might go nuclear will do so despite a treaty if they believe their survival is involved. The treaty will accomplish absolutely nothing despite its glory-hallelujah advance billing.

Next, I want to dispose of the false but highly advertised notion that Armageddon is upon us and everyone ought to head for the hills if one or more of the four or five countries who conceivably might go nuclear do so. About the only serious candidates in this regard are India, with Red China on its border, and Israel and Egypt, who have been at each others' throats in a conventional fashion for two decades.

Nuclear weapons in these hands would be troublesome, but how much more troublesome and risky to the world in general than present circumstances is quite debatable. As pointed out recently by a Rand Corp. expert, they would pose no direct threat to the world's superpowers, the United States and the U.S.S.R. The achievable nuclear capability of such countries is strictly limited. Nor would the machinations between such as Israel and Egypt or India and Pakistan, carried off on a primitive nuclear scale, pose much larger or unsurmountable problems to their neighbors, to the U.N., to the United States, to the U.S.S.R., and to other interested parties than the same machinations carried on intensely on a conventional scale. Not even the most hopeless pessimist can make a credible case that leaders of the United States, the U.S.S.R., or other countries would be so inept and stupid as to permit squabbles like these to trigger worldwide nuclear war. As a matter of fact, a primitive capability on the part of India to threaten atomic retaliation against Red China might have some sobering effect in that part of the world.

It is not to be forgotten that the nuclear superpowers awe of their own capabilities for destruction have deterred the United States and the Soviet Union from atomic war with each other during a long period in which several serious provocations have occurred. It is not unreasonable to suppose that countries who may acquire nuclear capability in the future may be similarly deterred—either by each other or by the possibility of swift disciplinary action by one or the other or both of the superpowers. Merely because the latter already have patiently put up with a lot of nonsense from ragtag troublemakers on several continents is neither reason nor promise they will continue doing so indefinitely.

PUBLIC LAW 78—MASS IMPORTATION OF FOREIGN AGRICULTURAL WORKERS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from California [Mr. COHELAN] is recognized for 60 minutes.

Mr. COHELAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include data, tables, and statistical materials.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. COHELAN. Mr. Speaker, 2 years ago, Public Law 78—the bracero law—came to an end. This was the result of a wise decision by Congress to end the mass importation of foreign agricultural workers.

At that time, as you will recall, many critics of this action viewed this decision with alarm. Many said that American farmworkers would not do "stoop" labor; that braceros were necessary if American farmers were to harvest their crops; that crops would rot in the fields without Public Law 78.

These and other prophesies of doom, I am pleased to say, have not been fulfilled. In the last 2 years we have made unprecedented progress on the agricultural front, much of it possible, I might add, because Public Law 78 was allowed to come to a long overdue end.

Today, a little over 2 years since Congress decision went into effect I would like to take a few minutes to review the farm labor situation in the United States, to see what progress has been made, and to note what tasks still lie ahead.

I hope, among other things, that this discussion will prove to the few doubters who might remain—in or out of Congress—that the entire country has benefited from the increased reliance on domestic farmworkers. And I hope it will make clear that we still have a great deal left to do if American farmworkers are fully to attain first-class citizenship.

Mr. Speaker, the practice of importing foreign laborers to harvest fruit and vegetable crops in the United States continued for most of a century. As recently as 1959, some 400,000 were imported in a single year.

In 1964, the last year in the 14-year life of Public Law 78, more than 200,000 foreign workers were admitted into the United States for temporary agricultural work.

The practice of importing foreign laborers often led to exploitation, to feeding off the poverty of other countries and depressing wages and working conditions in seasonal farm employment here at home.

These foreign workers were brought in when there were labor shortages in the United States—a practice which may have had some justification—but it was continued even in times of high domestic unemployment, a practice which clearly had no moral or economic justification at all.

As John Steinbeck observed in "The Grapes of Wrath":

> Now farming became industry, and the owners followed Rome, although they did not know it. They imported slaves, although they did not call them slaves: Chinese, Japanese, Mexicans, Filipinos. They live on rice and beans, the businessmen said. They don't need much. They wouldn't know what to do with good wages. Why, look how they live. Why, look what they eat. And if they get funny—deport them.

It was nearly 30 years ago that the Nobel Prize wining author made this observation. But the impact of the practice he referred to is still being felt in American agricultural economics.

Too often, the rationale behind the importation practice was the false assumption that Americans "won't do stoop labor." We know now they will not do stoop labor for stoop wages.

This lesson we learned in 2 short years. For, since 1965, with the virtual end of foreign importation and with somewhat improved wages and working conditions, domestic workers have brought in our crops.

And the record of these past 2 years clearly demonstrates they have done a remarkably efficient harvest job.

On several occasions during the last 2 years I have reviewed the overall success story in agriculture in 1965, the first year of transition to the exclusive use of domestic farmworkers.

As a result, I will concentrate, in this discussion, on the even greater and more dramatic record of agricultural progress written in 1966.

THE RECORD IN 1966—FARM INCOME

First, it was a banner year for American farmers as net farm income soared to nearly a 20-year high of an estimated $16.2 billion—$2 billion more than in 1965 and almost $4 billion over the average of 1960–64.

Furthermore, the production of most crops was up in 1966, with the Department of Agriculture's production index showing 112—the second highest figure on record and three points over 1964's index of 109.

In fact, production in most crops that formerly employed foreign workers was up over both 1965 and the average of the last 5 bracero years, 1960–64. These crops include lettuce, celery, processing tomatoes, apples, and oranges.

The value of 1966 production, when compared with that of both last year and the average for 1960–64, was impressive in crops formerly using foreign labor. For example:

The value of asparagus production was $58,489,000—$10,429,000 more than the 1960–64 average.

The value of strawberry production was $104,894,000—$9,061,000 more than the 1960–64 average.

The value of lettuce production was $221,019,000—$67,476,000 more than the 1960–64 average.

The value of celery production was $70,79,000—$14,883,000 more than the 1960–64 average.

The value of processing tomatoes production was $165,238,000—$38,586,000 more than the 1960–64 average.

The value of apple production was $290,764,000—$51,009,000 more than the 1960–64 average.

The value of orange production was $421,384,000—$1,834,000 more than the 1960–64 average.

EMPLOYMENT AND WAGES

Second, while the long-term decline in agricultural employment continued, a dramatic reduction in the number of foreign laborers imported has favored domestic farmworkers.

It has given Americans the first—and, in most cases, the only—crack at farm jobs, and it has helped push agricultural wages to alltime peaks, though still far below wages in other industries.

In 1966, only 23,524 foreign workers were admitted in the United States for temporary farmwork, compared with a staggering 200,022—nearly 10 times that number—just 2 years before. These alien workers accounted for only 61,000 man-months of employment last year, a 90.4 percent reduction from 1964, the last year for Public Law 78. Incidentally, in both 1960 and 1961, foreign field hands accounted for more than a million man-months of farm employment.

As for pay, hourly wage rates, according to the Department of Agriculture, pushed up to $1.23 in 1966. This was 9 cents an hour more than just a year ago and 21 cents higher than the 1960–64 average. The hourly farm wage rate in California was $1.54 last year, $1.42 in 1965 and $1.35 in 1964. So the drastic cutback in bracero employment played a major part in improving farm wages over the past 2 years.

Significantly, the unemployment rate among farmworkers declined sharply in 1965 and 1966 after jumping from 8.9 to 9.3 percent between 1963 and 1964. The annual average unemployment rate for agricultural workers was 6.5 percent last year and 7.3 percent in 1965, both well below the deplorable 8.7 percent average for the last 5 bracero years.

In sum, the events of the past 2 years clearly indicate that foreign farmworkers not are needed to harvest this country's crops. They buried the old and cleverly nurtured myth that domestic workers cannot or will not do "stoop" labor. They proved that American farmworkers are available if they are paid decent wages, treated fairly, and fed well.

PRICES

Third, prices of agricultural products, contrary to a few alarmist claims, have remained remarkably stable in 1965 and 1966. The same cannot be said for the last year in the life of Public Law 78.

In fact, the annual average wholesale price index for fresh and dried fruit and vegetables, at 102.5 in 1966, was lower than the figure for 1964. The annual average for the last bracero year was 103.2, after a rise of more than seven points from 1963, the heftiest over-the-year increase in the past 6 years. The 1965 index—at 101.8—was also lower than the figure registered in 1964.

Consequently, the humane end of the mass importation of foreign farm workers has not triggered higher produce prices, as some panicmongers and special interest groups contended it would. Admittedly, the annual average consumer price index of fresh fruits and vegetables has moved up in the past 2 years, as it has without failure for a number of years. But the reasons for this almost inevitable rise cannot be traced back to the farm, as is indicated by the actual decline of wholesale prices between 1964 and 1966.

It should be noted that the annual average consumer price index for fresh fruits and vegetables has advanced more moderately in the past 2 years than it did in 1964. Between 1963 and 1964, the index rose by 6.6 points, compared with 2.5- and 2.2-point increases between 1964 and 1965, and 1965 and 1966, respectively.

BALANCE OF PAYMENTS

Fourth, the replacement of large numbers of foreign workers with domestic workers has been a boon to the U.S. economy, figuring importantly in the balance-of-payments picture. As a result of the new policy, millions of dollars that otherwise would have been taken home by foreign workers are remaining in the country.

The Department of Commerce estimates, for example, that only $2 million flowed out of the United States to Mexico in 1966 as a result of the use of Mexican agricultural laborers. In 1964, that figure was $47 million and, for each of the years between 1955 and 1961, there was an outflow of more than $100 million, hitting a peak of $130 million in 1959.

Taking all of these factors, and others, into account, Mr. Speaker, it is inconceivable that anyone would doubt the progress we have made in this important area since Congress decided that the mass importation of foreign farmworkers should be halted. In very blunt terms, the termination of the bracero program was a necessary precondition to improving the life of the farmworkers.

At this point I include several tables which speak directly to a number of the points I have discussed. I believe that Members who are interested in this subject will find them most revealing of the progress that has been made. The tables follow:

TABLE 1.—*Gross and net farm income, 1960–66*

Year	United States				California			
	Cash receipts from farm marketings	Gross income [1]	Farm production expenses	Realized net farm income	Cash receipts from farm marketings	Gross income [1]	Farm production expenses	Realized net farm income
	Billions	*Billions*	*Billions*	*Billions*	*Millions*	*Millions*	*Millions*	*Millions*
1960	$34.2	$37.9	$26.2	$11.7	$3,189.0	$3,328.9	$2,378.5	$950.4
1961	35.1	39.6	27.0	12.6	3,239.6	3,394.4	2,471.9	922.5
1962	36.4	41.1	28.5	12.6	3,426.7	3,586.6	2,666.6	920.1
1963	37.4	42.1	29.6	12.5	3,526.7	3,696.4	2,786.1	910.4
1964	37.1	42.3	29.4	12.9	3,676.3	3,857.1	2,823.3	1,033.8
1965	39.4	44.9	30.7	14.2	3,710.0	3,911.3	3,049.2	862.1
1966	[2] 42.5	[2] 49.0	[2] 32.8	[2] 16.2	(3)	(3)	(3)	(3)

[1] Includes cash receipts from farm marketings, Government payments, value of home consumption, and gross rental value of farm dwellings.

[2] Seasonally adjusted annual rate based on 1st 3 quarters of year.

[3] Data not yet available. During the 1st 9 months of 1966, cash receipts from farm marketings were $2,609,000,000 compared with $2,465,000,000 in 1st 9 months of 1965, per U.S. Department of Agriculture. The California Department of Agriculture estimates that farm marketings for all of 1966 were $3,950,000,000.

Source: U.S. Department of Labor.

TABLE 2.—*Acreage, production, and value of production, selected crops and States, 1960–66*

Crop and State	Harvested acreage			Production			Value of production		
	1960–64	1965	1966	1960–64	1965	1966	1960–64	1965	1966
	Acres			1,000 hundredweight			1,000 dollars		
Asparagus, United States	148,210	134,140	130,860	3,694	3,405	3,426	48,060	49,410	58,489
California	67,480	54,900	51,900	1,953	1,647	1,713	25,680	24,118	30,449
Strawberries, United States	90,710	79,200	79,100	513,033	463,340	469,145	95,833	96,986	104,894
California	10,500	8,300	7,800	209,534	200,860	177,840	50,916	49,397	52,294
Lettuce, United States	213,800	215,480	219,065	38,520	40,894	42,197	153,543	188,962	221,019
California	117,600	115,600	121,300	22,576	23,851	26,340	81,627	96,443	137,168
Arizona	56,300	55,400	55,500	9,749	10,015	9,241	45,664	54,226	44,950
Celery, United States	32,180	31,350	33,080	14,557	14,265	14,573	55,393	62,883	70,279
California	14,880	13,800	15,200	7,943	7,491	7,959	29,893	33,747	36,814
Florida	10,860	11,600	12,200	4,385	4,678	4,945	16,874	19,462	23,615
				Tons					
Tomatoes for processing, United States	285,630	255,160	291,930	4,459,900	4,482,240	4,637,870	126,652	163,330	165,238
California	145,200	122,800	156,000	2,650,580	2,468,300	3,120,000	73,565	102,681	112,320
				1,000 bushels					
Apples, United States	----------	----------	----------	125,115	136,050	129,680	239,755	270,096	290,764
New York	----------	----------	----------	21,160	23,000	23,000	27,898	41,548	65,490
Virginia	----------	----------	----------	9,870	10,500	4,700	18,410	17,510	10,120
West Virginia	----------	----------	----------	5,140	5,000	2,600	9,636	8,967	4,888
Maine	----------	----------	----------	1,814	2,200	1,950	4,440	5,165	5,460
New Hampshire	----------	----------	----------	1,290	1,370	1,230	3,040	3,305	3,230
Vermont	----------	----------	----------	1,020	900	910	2,535	2,202	2,627
Rhode Island	----------	----------	----------	166	200	160	405	510	464
Massachusetts	----------	----------	----------	2,780	3,150	2,500	6,509	6,726	6,743
Connecticut	----------	----------	----------	1,270	1,370	1,050	3,216	3,363	2,977
Michigan	----------	----------	----------	13,760	16,000	16,000	23,184	25,120	26,600
				1,000 boxes					
Oranges, United States	----------	----------	----------	114,730	141,150	180,300	419,550	339,148	421,384
Florida	----------	----------	----------	83,820	100,400	142,400	298,216	220,792	310,080
California	----------	----------	----------	27,620	36,850	33,000	110,644	108,832	99,450
				Tons					
Grapes, United States	----------	----------	----------	3,319,976	4,351,660	3,733,220	192,728	202,356	186,425
California	----------	----------	----------	3,014,200	3,975,000	3,400,000	157,043	163,171	147,812
	1,000 acres			1,000 bushels					
Wheat, United States	48,481	49,560	49,843	1,221,844	1,315,613	1,310,642	2,144,792	1,774,537	2,151,804
	1,000 acres			1,000 hundredweight					
Potatoes, United States	1,382.0	1,402.8	1,479.1	265,773	289,783	300,940	526,856	730,628	663,316
Maine	145.8	148.0	158.0	37,425	35,224	38,710	66,770	83,129	85,162

Source: U.S. Department of Agriculture.

TABLE 3.—*Number of foreign workers admitted for temporary employment in U.S. agriculture, and man-months of employment*

Year	Number	Man-months (thousands)
1960	334,729	1,480
1961	310,375	1,278
1962	217,010	848
1963	209,218	678
1964	200,022	634
1965	35,871	109
1966	23,524	61

Source: U.S. Immigration Service

TABLE 4.—*Peak employment*[1] *of foreign workers in major States, 1964, 1965, and 1966*

State	1966	1965	1964
United States	12,200	23,700	92,800
California	7,850	17,200	63,900
Florida	8,800	14,100	13,300
Texas	0	0	15,600
Michigan	0	0	12,800
Arizona	0	0	7,200
Maine	3,000	3,900	7,000
Colorado	0	0	6,000
Arkansas	0	0	4,000
Connecticut	50	600	1,400
Virginia	400	800	1,000
New York	700	300	000
West Virginia	200	300	400

[1] An unduplicated count of foreign-worker admissions by State is not available.

Source: U.S. Department of Labor.

TABLE 5.—*Hourly farm wage rate without room or board*

[Annual average]

Year	United States	California	Florida
1960	$0.97	$1.23	$0.81
1961	.99	1.27	.86
1962	1.01	1.29	.85
1963	1.05	1.32	.86
1964	1.08	1.35	.94
1965	1.14	1.42	.99
1966	1.23	1.54	1.07

Source: U.S. Department of Agriculture.

TABLE 6.—*Estimated outflow of dollars from United States to Mexico for Mexican Agriculture labor, 1951–65*

Year:	*Millions*
1966	$2
1965	6
1964	47
1963	51
1962	72
1961	107
1960	112
1959	130
1958	117
1957	120
1956	129
1955	105
1954	75
1953	64
1952	43
1951	39

Source: U.S. Department of Commerce, Office of Business Economics, Balance of Payments Division.

TABLE 7.—*Annual average unemployment rate among farm workers, 1960–66*

	Percent
1960	8.0
1961	9.3
1962	7.3

TABLE 7.—*Annual average unemployment rate among farm workers, 1960–66*—Con.

	Percent
1963	8.9
1964	9.3
1965	7.3
1966	6.5

Source: U.S. Department of Labor.

TABLE 8.—*Annual average consumer price index for fresh fruits and vegetables, 1960–66*

1960	105.2
1961	103.5
1962	106.3
1963	112.6
1964	119.2
1965	121.7
1966	123.9

Source: U.S. Department of Labor.

TABLE 9.—*Annual average wholesale price index for fresh and dried fruits and vegetables, 1960–66*

1960	100.6
1961	93.7
1962	97.7
1963	96.1
1964	103.2
1965	101.8
1966	102.5

Source: U.S. Department of Labor.

SOME GROWERS ASK FOR NEW SUBSIDY

Mr. Speaker, it seems ironical to me that some of those growers who had protested most vigorously that American agriculture would collapse without the heavy use of foreign farmworkers—which was a form of employment subsidy—are now clamoring for another kind of subsidy because of a bumper crop. A Florida citrus industry group reportedly has appealed to the Federal Government to buy several million gallons of orange juice to help bolster orange prices. It is estimated that the Florida orange crop for the current season will produce more than 142 million boxes, compared with an average of only 83,820,000 for the 1960–64 period and over 100 million in the 1965–66 season.

This season's estimated bumper crop, among other things, points strongly to an adequate labor supply. It also indicates that if some growers cannot get their subsidy one way, they will get it in another.

WETBACK PROBLEM

There are, of course, those who will say, and justifiably so, that the drastic reduction in foreign farmworkers has been accompanied by a substantial rise in the number of so-called wetbacks illegally entering the United States. In fiscal year 1966, 24,000 Mexican nationals—not all of them wetbacks—were found working illegally in U.S. agriculture—a rise over both 1964 and 1965.

As a result of this increase, some persons are contending that the only way to stem the tide of illegal entrants is to reinstate the bracero program. I say this is a lot of nonsense. While this is basically an enforcement problem, what we might consider doing to help reduce it is to enact legislation that would make it unlawful for any employer—in agriculture as well as in other industries—to hire an alien who is in this country illegally. This would be an added and a practical protection for domestic workers.

ATTENTION TO FARMWORKERS

All of us are aware, Mr. Speaker, that problems did arise after termination of Public Law 78. As a result of the heavy reliance on foreign farmworkers, the economics of American agriculture was badly out of kilter. But I think it is indisputable that we have come a long distance during the past 2 years to correct these problems and to bring American agriculture into the mainstream of the Nation's economic affairs after so many years outside.

All too often, discussions of the transition of the past 2 years have centered solely around the world of the grower; to the question of just how the change affected him. I think it is high time that we pay a great deal more attention to that forgotten worker at the very bottom of the employment ladder, the migrant worker.

It is time that we recognize that some progress for improving the lives of seasonal farmworkers has been made but that this has been only a necessary first step, in the words of Secretary of Labor W. Willard Wirtz, "toward cleansing the whole migrant worker sore on the American body politic."

Now is the time for us to do everything within our power to insure that the migrant worker, and his family, have an opportunity to share in the abundance that blesses most Americans. In short, the time is long overdue for us to extend to farmworkers the basic protections that other workers, in other industries, have traditionally enjoyed.

For let us be very clear that to date there has been a conscious and a largely successful effort to exclude domestic farmworkers from much of the social legislation enacted during the 1930's and since.

As Thomas Pitts, secretary-treasury of the California Labor Federation, pointed out in testimony last month to the National Advisory Commission on Rural Poverty:

> The events of the last few years suggest that domestic farm workers are likely to remain second-class citizens in an affluent economy unless the social economic legislation applicable to most of the nation's workers is extended to them.

LEGISLATION RECOMMENDED—COLLECTIVE BARGAINING

As a first order of business, Mr. Speaker, we need legislation which would amend the Fair Labor Standards Act to extend collective bargaining rights to agricultural workers.

At present, farm workers cannot achieve a collective-bargaining relationship with an employer except to the extent that the employer is willing to enter into such an agreement. Collective bargaining may occur, then, only in those cases where farmworkers, through strikes, boycotts, and other such means, are able to force employers to bargain.

Again quoting from Mr. Pitts' testimony:

> Ironically, it is a failure to provide farm workers coverage under the NLRA which causes harvest time strikes. When there is no legal machinery to peaceably resolve questions of union recognition, there will be strikes, bitterness and divided communities. The fact is that where labor-management relations exist under collective bargaining, strikes are the exception not the rule.

Farmworkers should have the same rights to negotiate their terms of employment that workers in other industries have long enjoyed. Clearly, they cannot enter the mainstream of the American working force without this basic employment protection.

CHILD LABOR

Second, we need legislation that would amend the Fair Labor Standards Act to provide reasonable limitations on child labor in agriculture outside of school hours and when school is not in session.

Such legislation would permit a child to work during these periods, first, if he is at least 14 years old; or second if he is between 12 and 14 years of age, commutes not more than 25 miles daily from his permanent residence and has the written consent of a parent, or a parent is employed on the same farm. Children working for their parents on a home farm would be exempt.

According to the Senate Subcommittee on Migratory Labor, farmwork is the second most dangerous occupation in the Nation. I think it is most important that we take notice of this.

At the present time, the employment of children in agriculture is regulated only during school hours and when the Secretary of Labor deems the work to be particularly hazardous. If the laws protecting children are to have any real meaning they must be extended to prevent children from being employed at any time and in any work that could be detrimental to their health or general well being.

NATIONAL ADVISORY COUNCIL

Third, we need legislation that would establish a National Advisory Council on Migratory Labor.

This Council would not duplicate agencies or services already provided. Rather, it would offer an independent forum to examine conditions, needs, and long-range problems in the migratory farm labor field.

Despite our gains, serious gaps and inadequacies continue to plague our farm labor sector. This Council, taking a broad range view, could be helpful in advancing their solution.

HOUSING

Fourth, we need legislation that would amend the Internal Revenue Code of 1954 to provide a tax incentive for constructing or refurbishing farm labor housing.

This tax benefit which would be available to farmers and others building such housing, would be in the form of a rapid amortization of construction costs over a period of 5 years. This contrasts with the present law which provides that construction costs must be depreciated over the useful life of the facility, which may be as long as 40 years.

Adequate housing, and particularly adequate family housing, is one of the most pressing problems facing both farmowners and farmworkers. This tax incentive, relying on the private sector of our economy, could go a long way toward insuring decent housing that both can afford.

Mr. Speaker, I believe that these four proposals, which I have introduced in the form of legislation today, represent minimal national actions which are essential if we are to insure American farmworkers a more equitable position in the life of their country. I believe they are reasonable proposals that would strengthen the fabric of our society, and I hope that they will be given early consideration.

VOTING

In addition, I hope we can give early attention to the problem of insuring that migrant farmworkers are not deprived of the right to vote in presidential or congressional elections.

The fact is that today, because of the nature of their work, many if not most migrants do not reside in any one State long enough to meet the residence requirements, or they are working out of State at the time of elections without any opportunity to vote by means of absentee ballot.

If the right to vote is the cornerstone of our democracy, if we truly believe that the ballot should belong in the hands of all American citizens, then surely we must devise ways to insure that this present practice of exclusion is not continued.

UNEMPLOYMENT COMPENSATION

Action is necessary, Mr. Speaker, to provide unemployment compensation coverage for farmworkers and to improve upon the first hopeful steps taken by Congress last year to give farmworkers minimum wage protection.

The U.S. Department of Labor has reported that farm employment provides the average migratory farmworker with less than 150 days of work a year. Consequently, the lack of unemployment compensation coverage denies to those who are most in need the esential purpose of this insurance.

I urge the administration to again recommend coverage for farmworkers under the Federal-State unemployment compensation program. And I would urge that this proposal for coverage be expanded to cover the great majority of farmworkers.

The present practice of exclusion is discriminatory, wasteful, and inefficient. It forces farmworkers and their families to cut corners on health and safety, to exhaust meager savings and to depend upon community charity. Surely we can do better.

MINIMUM WAGE

Mr. Speaker, I would also like to encourage the Committee on Education and Labor to give early consideration to increasing the number of farmworkers protected by the minimum wage laws and to bring this protection into line with that accorded other covered workers.

A hopeful beginning was made a year ago when the first minimum wage protection was extended to some farmworkers. But many farmworkers still are not extended this basic protection and even those that are do not enjoy the same minimum guarantees as workers in the industrial areas.

There is no justification for this practice. Certainly the labor of farmworkers is no less arduous than those who are employed in a factory. Clearly it is no less important.

CONCLUSION

On this question, as on the others I have raised, the only real issue is whether or not America's hired farmworkers should continue to be excluded from the protections which are available to most other working men and women in this country. Is there any economic or social or moral criteria which suggests that they should be treated differently from other workers who have the same needs and problem?

The answer, I think, Mr. Speaker, is that if the hired farmworkers of the country are ever to achieve the dignity to which all workers engaged in honest labor are entitled, then they must be afforded the same treatment as other workers.

If farm employment is to be regarded as a respectable job and not one that a man is ashamed to be working in, then again farmworkers must be accorded the same treatment as other workers.

The record of the last 2 years indicates that we have made progress, that a start has been made. Let us now take these next logical and reasonable steps which can do so much to bring long overdue security to farmwork and increased stability to the farm labor force.

TRADE CARRIED ON BY FREE-WORLD-FLAG SHIPS WITH NORTH VIETNAM

The SPEAKER pro tempore (Mr. HANNA). Under a previous order of the House, the gentleman from Michigan [Mr. CHAMBERLAIN] is recognized for 30 minutes.

Mr. CHAMBERLAIN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter and tables.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CHAMBERLAIN. Mr. Speaker, because of my deep concern over the flow of supplies to the enemies of South Vietnam, I have been for many months seeking to spotlight the trade carried on by free-world-flag ships with North Vietnam. Today I wish to take this occasion to again report on the status of this traffic to my colleagues and to the American people.

What I have to report today is simply this: that while there has been some encouraging progress made during the past year toward reducing the level of free world traffic with the Hanoi regime there is alarming new evidence that demonstrates why this aid and comfort to the enemy should and must be eliminated entirely. According to the most recent information I have received from the Department of Defense during the month of January, six vessels flying the British flag docked at North Vietnamese ports. While as usual exact data on the nature of the cargoes carried is classified "secret" I can tell you that some of it, according to information made available to me, was definitely "strategic" in character.

The problem of free world trade with North Vietnam has been a matter of great interest to the Congress since it was first brought to light in early 1965. Despite administration insistence that the Congress do nothing, success was finally achieved last year in writing into the foreign aid and food-for-peace laws much tighter prohibition against providing any U.S. aid to countries whose merchant flag vessels carry goods to North Vietnam.

Without doubt this strong congressional concern has put teeth into our diplomatic efforts to reduce this trade.

I am satisfied, as well, there would today be no blacklist denying U.S. Government business to ships which have visited North Vietnamese ports had there been no protests made by Members of this body.

Just as certainly without the probing and prodding of Congress the administration would still be releasing to the American people only half the truth about the level of this traffic. That particular "credibility gap" was finally closed less than a year ago, but only after repeated efforts to get the true facts to the American people.

Regrettably the steps that have been taken to discourage this trade cannot be fully effective because of certain loopholes, and due to the administration's apparent lack of interest in enforcing these prohibitions to the full letter of the law. As the gentleman from Illinois [Mr. FINDLEY] informed the House on February 6, 1967, the Comptroller General of the United States has ruled that the decision of the administration to proceed with a transaction involving vegetable oil valued at over $9 million at subsidized credit terms to Yugoslavia under Public Law 480 is in violation of legislation passed last session prohibiting such trade agreements with any country that permits trade with North Vietnam. We need only recall that the Secretary of Agriculture characterized this effort to stop aiding our so-called friends who trade with the enemy as "an effort to demagog an emotional issue as we approach an election."

Our boys in Vietnam, I feel certain, look upon this legislation from a rather different point of view, as I am sure, a majority of Members of this House do also.

Similarly, the so-called blacklist announced belatedly by the administration a year ago on February 11, 1966, leaves much to be desired. For while its purpose is to bar ships which have visited North Vietnamese ports from carrying U.S. Government-financed cargoes, there is no legal prohibition against these same vessels coming to our ports and making profit on regular commercial cargoes. For that matter, the owners of blacklisted ships are not legally prohibited from having other ships under their control barred from accepting U.S. Government business. The most recent issue of this blacklist, based on information received through January 27, 1967, lists a total of 31 different vessels, 17 of which are of Polish registry. The full list is as follows:

[Department of Commerce, Maritime Administration, Report No. 10]

LIST OF FOREIGN-FLAG VESSELS ARRIVING IN NORTH VIETNAM ON OR AFTER JANUARY 25, 1966

Section 1. The President has approved a policy of denying United States Government-financed cargoes shipped from the United States to foreign flag vessels which called at North Vietnam ports on or after January 25, 1966.

The Maritime Administration is making available to the appropriate United States

Government Departments the following list of such vessels which arrived in North Vietnam ports on or after January 25, 1966, based on information received through January 27, 1967. This list does not include vessels under the registration of countries, including the Soviet Union and Communist China, which normally do not have vessels calling at United States ports.

Flag of registry, name of ship, and gross tonnage

British (9 ships):	
Ardgroom	7,051
Ardrowan	7,300
Ardtara (now *Hyperion*, British)	5,795
Greenford	2,964
Hyperion (trip to North Vietnam under ex-name, *Ardtara*, British).	
Isabel Erica	7,105
Milford	1,889
Santa Granda	7,229
Shienfoon	7,127
Shirley Christine	6,724
Cypriot (4 ships):	
Acme	7,173
Agenor (trips to North Vietnam, Greek).	
Alkon (trips to North Vietnam, Greek).	
Amfitriti	7,147
Amon	7,229
Antonia II	7,303
Greek (2 ships):	
Agenor (now Cypriot)	7,139
Alkon (now Cypriot)	7,150
Maltese (1 ship): *Amalia*	7,304
Polish (17 ships):	
Andrzej Strug	6,919
Beniowski	10,443
Djakarta	6,915
General Sikorski	6,785
Hanka Sawicka	6,944
Hugo Kollataj	3,755
Jan Matejko	6,748
Jozef Conrad	8,730
Kapitan Kosko	6,629
Kochanowski	8,231
Lelewel	7,817
Marceli Nowotko	6,660
Marian Buczek	7,053
Norwid	5,512
Stefan Okrzeja	6,620
Wieniawski	9,190
Wladyslaw Broniewski	6,919

Mr. Speaker, in 1965 I joined in sponsoring legislation to completely close U.S. ports to such Hanoi traders, and urged other Members to do the same. The administration opposed such legislation. Nonetheless, I have reintroduced this bill as H.R. 365, and again commend it to the consideration of my colleagues.

This bill provides that:

> No article shall be transported in commerce aboard vessels of any foreign shipping interest which allows vessels owned or controlled by such interests to be used * * * in trade with Communist North Vietnam.

Now it is particularly to be noted that while the blacklist was originally intended to include free-world-flag vessels only, the names of Polish vessels have been added on the grounds that they might possibly enter U.S. ports. This is certainly a safe assumption. For example, according to information provided me by the Maritime Administration, between January 1, 1965, and June 30, 1966, Polish vessels stopped at U.S. ports a total of 56 times.

Polish-flag vessels operating in U.S. trade, calendar year 1965 and first 6 months 1966—all Polish-flag service by Polish Ocean Line

ATLANTIC SERVICE

Vessel	Inbound				Outbound			
	Date	Port	Cargo (tons)	Passengers	Date	Port	Cargo (tons)	Passengers
Batory [1]	Dec. 29, 1965	Boston	----	848	Dec. 30, 1965	Boston	----	125
Domeyko	Jan. 19, 1965	New York	3,236	12	Mar. 3, 1965	Norfolk	2,936	11
Do	Apr. 9, 1965	do	3,320	12	Apr. 23, 1965	New York	2,396	10
Do	June 8, 1965	do	4,112	12	June 25, 1965	do	2,993	12
Do	Aug. 11, 1965	do	3,904	12	Aug. 27, 1965	do	2,091	11
Do	Oct. 10, 1965	do	3,086	12	Oct. 26, 1965	do	2,375	12
Do	Dec. 14, 1965	do	4,043	12	Jan. 5, 1966	do	2,800	5
Do	Feb. 20, 1966	do	4,173	11	Mar. 10, 1966	do	2,492	11
Do	May 17, 1966	do	3,646	11	May 28, 1966	do	1,430	12
Do	June 18, 1966	do	(2)	----	----	----	----	----
Heweliusz	Feb. 4, 1965	do	,309	12	Mar. 19, 1965	New York	4,681	11
Do	May 7, 1965	do	2,201	12	June 4, 1965	do	2,508	12
Do	July 26, 1965	do	3,155	12	Aug. 13, 1965	Norfolk	[3] 5,506	10
Do	Sept. 27, 1965	do	2,955	12	Oct. 15, 1965	New York	2,922	12
Do	Nov. 27, 1965	do	3,913	12	Dec. 17, 1965	do	3,017	12
Do	Jan. 31, 1966	do	2,982	12	Feb. 18, 1966	do	3,212	12
Do	Apr. 4, 1966	do	4,398	12	Apr. 22, 1966	do	2,865	12
Do	June 4, 1966	do	3,552	11	June 20, 1966	do	(2)	----
K. I. Galczynski	Sept. 8, 1965	do	3,408	12	Sept. 25, 1965	do	4,051	10
Do	Nov. 8, 1965	do	3,754	11	Nov. 26, 1965	do	3,607	11
Do	Feb. 7, 1966	do	[4] 4,315	12	Apr. 5, 1966	do	2,148	12
Do	May 21, 1966	do	2,569	10	June 16, 1966	do	[5] 3,306	12
Romer	Feb. 8, 1965	Boston	2,439	12	Mar. 10, 1965	Norfolk	2,412	9
Do	Apr. 20, 1965	New York	2,966	12	May 7, 1965	New York	4,023	11
Do	June 22, 1965	do	4,085	13	July 9, 1965	do	1,839	12
Do	Aug. 23, 1965	do	4,539	12	Sept. 10, 1965	do	3,675	12
Do	Oct. 26, 1965	do	4,121	12	Nov. 12, 1965	do	3,111	10
Do	Dec. 27, 1965	do	3,780	12	Jan. 14, 1966	do	2,366	8
Do	Mar. 15, 1966	do	4,398	12	Mar. 24, 1966	do	1,703	12
Do	Apr. 30, 1966	do	2,125	8	May 20, 1966	do	[6] 5,528	12
Sienkiewicz	Mar. 25, 1965	do	3,898	12	Apr. 15, 1965	do	3,433	7
Sniadecki	Mar. 17, 1965	do	4,097	12	Apr. 9, 1965	do	4,288	9
Do	May 24, 1965	do	3,001	12	June 11, 1965	do	1,613	12
Do	July 26, 1965	do	3,290	12	Aug. 13, 1965	do	2,126	12
Do	Sept. 21, 1965	do	3,211	12	Oct. 8, 1965	do	4,094	12
Do	Nov. 19, 1965	do	2,792	12	Dec. 7, 1965	do	2,812	9
Do	Jan. 21, 1966	do	2,547	12	Feb. 7, 1966	do	2,808	12
Do	Mar. 19, 1966	do	3,631	12	Apr. 1, 1966	do	962	9
Do	May 15, 1966	do	4,162	12	June 3, 1966	do	2,076	12
Staszic	Feb. 25, 1965	do	4,209	12	Mar. 26, 1965	do	4,036	11
Do	May 11, 1965	do	3,706	12	May 21, 1965	Norfolk	2,235	12
Do	July 6, 1965	do	3,306	12	July 23, 1965	New York	3,789	12

GULF SERVICE

Vessel	Inbound				Outbound			
	Date	Port	Cargo (tons)	Passengers	Date	Port	Cargo (tons)	Passengers
Krynica	Feb. 10, 1965	Houston	4,089	3	Mar. 27, 1965	Houston	3,920	1
Do	June 9, 1965	New Orleans	4,139	12	June 28, 1965	New Orleans	2,783	----
Do	Aug. 31, 1965	do	3,450	2	Sept. 13, 1965	Galveston	2,717	2
Do	Dec. 4, 1965	do	2,235	6	Dec. 22, 1965	Houston	3,845	----
Do	Feb. 22, 1966	do	1,225	----	Mar. 8, 1966	Galveston	3,140	----
Do	May 2, 1966	Houston	1,067	----	May 20, 1966	New Orleans	3,762	----
Polanica	Feb. 9, 1965	New Orleans	2,084	----	Mar. 12, 1965	do	3,500	2
Do	May 10, 1965	Houston	4,061	----	May 29, 1965	Galveston	3,593	----
Do	July 23, 1965	New Orleans	3,866	8	Aug. 13, 1965	New Orleans	[7] 4,170	----
Do	Nov. 8, 1965	Houston	4,005	2	Nov. 21, 1965	do	3,639	----
Do	Jan. 13, 1966	New Orleans	2,712	----	Feb. 5, 1966	Galveston	4,282	----
Do	Apr. 1, 1966	do	3,570	2	Apr. 21, 1966	Houston	2,352	----
Do	June 8, 1966	do	3,794	2	June 27, 1966	do	3,480	1
Stefan Okrzeja	Jan. 12, 1965	Galveston	(8)	----	Jan. 15, 1965	Galveston	(8)	----

[1] Passenger ship—Boston/Copenhagen, Gdynia.
[2] Not available.
[3] Including soybean meal, 5,296 tons.
[4] Delayed for repairs.
[5] *Including soybean meal, 1,969 tons.*
[6] Including soybean meal, 3,386 tons.
[7] Including soybean meal, 1,114 tons.
[8] No cargo discharged or loaded due to strike.

NOTES

Ports on Atlantic service—U.S. ports: New York, Philadelphia, Baltimore, Norfolk. *Foreign ports: Rotterdam, Antwerp, Bremen, Hamburg, Gdynia (inbound via Le Harve).*

Ports on gulf service—U.S. ports: New Orleans, Galveston, Houston. Foreign ports: Rotterdam, Antwerp, Bremen, Hamburg, Gdynia.

In other words, the Polish Government enjoys making profits from both sides with our full cooperation so long as a particular Polish ship which has been in North Vietnam does not seek to carry a U.S. Government-financed cargo out of a U.S. port. This situation, however, is being looked upon with less and less favor apparently by our longshoremen, according to a recent article by the columnist Victor Riesel. Unfortunately our own Government does not appear to share the concern of these patriotic longshoremen. In fact the State Department has even proposed that the Gomulka government be permitted to pay for a $26 million debt for food shipments in past years in Polish currency rather than hard U.S. dollars. This is nothing more than a foreign aid gratuity to a country that is making a major contribution to aiding the enemies of South Vietnam. After the Soviet and Chinese shipping, Polish vessels provide the most important seaborne supply source to North Vietnam. Clearly then, such a debt-forgiveness deal is in direct violation of the spirit if not the letter of the law passed by Congress last session to prohibit aid to those who trade with North Vietnam.

Mr. Speaker, according to the Department of Defense the number of free world ship arrivals in North Vietnam during 1966 is as follows:

Free world ships arriving North Vietnam, 1966

Month	United Kingdom (British)	Greece	Italy	Cyprus	Malta	Total
January	13	3	1	1	--------	18
February	11	1	--------	--------	--------	12
March	5	--------	--------	1	--------	6
April	4	1	--------	1	1	7
May	4	1	--------	1	--------	6
June	1	1	--------	2	1	5
July	1	--------	--------	--------	--------	1
August	1	--------	--------	1	1	3
September	2	--------	--------	2	--------	4
October	--------	--------	--------	1	1	2
November	5	--------	--------	1	--------	6
December	3	--------	--------	1	--------	4
Total	50	7		12	4	74

Compared with the 256 free world ship arrivals during 1965, during 1966 there has been encouraging progress toward eliminating this aid and comfort to the enemy. Nonetheless, the fact remains that last year 74 calls were made at the ports of Haiphong, Hon Gay, and Campha by vessels flying flags of free world countries.

What is the present attitude of the administration on the continued existence of this traffic?

In a letter dated December 22, 1966, Douglas MacArthur II, Assistant Secretary for Congressional Relations, Department of State, informed me as follows with respect to British-flag vessels which made up 50 of these 74 arrivals during 1966:

> The few ships that still remain in the trade are now at a practically irreducible minimum. As we have indicated in previous letters, they comprise small coastal vessels, which in most cases are owned and registered in Hong Kong by Chinese Communist operators; the goods they carry are non-strategic and of insignificant value to North Viet-Nam. We shall nevertheless continue to watch this situation closely.

I submit, Mr. Speaker, that our Government should be doing more than just watching this situation.

I do not at all agree that the cargoes carried on these 74 free world arrivals are of insignificant value to a country on a wartime economy. It will be recalled that the State Department used the same depreciating excuse the previous year when there were 256 such arrivals; and yet they now readily admit that the reduction of this trade to the present level is of great importance and significance.

Nor do I share the State Department's *seeming confident knowledge as to the* exact nature of these cargoes. Time and time again as I have read the reports supplied by the Department of Defense, I have come across the phrase "cargo unknown". We apparently simply do not know what all is going to North Vietnam in these ships.

Of the items that we do know I have seen some which under the circumstances I would consider of strategic value, and, as I previously noted, during January of this year strategic cargoes were definitely delivered. In any case, the fact that North Vietnam can use free world ships simply means that it takes the pressure off other transportation facilities which can then be devoted to carrying war goods.

Similarly I cannot accept the information that British-flag vessels currently engaged in traffic with North Vietnam "in most cases are owned and registered in Hong Kong by Chinese Communist operators," as sufficient reason to tolerate this continued trade. I do not question that the British may be faced with difficulties in attempting to deal with this situation. I simply submit that ways should and must be found to deal with them.

By way of conclusion, Mr. Speaker, I simply stress again, while progress has been made the battle has not yet been won and that we cannot succeed in stopping the flow of supplies from North to South Vietnam unless we use every opportunity to stop the flow of goods into North Vietnam from the outside.

It should be remembered that our own supply ships en route to Saigon Harbor do not enjoy the immunity that we grant to ships entering North Vietnamese ports. Two of our ships have in fact *been mined and sunk, and in one case* seven U.S. merchant seamen were killed. Just yesterday, we learned that one Navy minesweeper had been sunk and two others severely damaged. Nevertheless, with the full might of the U.S. Navy controlling the seas we do not impede in any way the ocean traffic into Haiphong. We only watch it go by. It seems to me that we should be seeking more effective ways to frustrate the flow of these supplies rather than accepting and trying to justify the status quo.

I say that this free world traffic should be eliminated entirely to place further pressure on the Communist supply system; to show Ho Chi Minh, so long as he is unwilling to stop infiltrating the south and seek peace, that we are willing to concede him nothing in our efforts to deny to the enemy the sinews of war that are prolonging the struggle. This we must do to keep faith with the more than 410,000 American servicemen who deserve the unrelenting efforts of their Government to stop the flow of the supplies to the enemy.

I say we should be doing more than just watching this situation.

The article referred to is as follows:

[From the Jackson (Mich.) Citizen Patriot, Jan. 30, 1967]

RED SHIPS MAY DRAW BOYCOTT

(By Victor Riesel)

NEW YORK.—Some of the Eastern European peoples' republics literally may need a physical bridge to the United States if irate American longshoremen transform their anger into a boycott of Communist freighters now heaving regularly into this and other harbors along the Atlantic coast.

Traditionally, United States dockwallopers have a low boiling point and the heat's up now that they've learned from their union chiefs that European Communist labor organizations have been urging such unions as the International Longshoremen's Association (ILA, AFL–CIO) to cripple shipments of war material and food to South Vietnam.

This waterfront still is tough territory. If there are to be any strikes and boycotts these will hit Communist lines which put in here regularly, are serviced, unloaded, loaded and turned around although their owners also feed the North Vietnamese forces through the port of Haiphong.

One such two-front operator is the Polish government. It operates here through the state-owned, Polish Ocean Lines on Battery Place from which, on any clear day, can be seen the Statue of Liberty. It's a fine money raiser, what with regular calls here with heavy cargoes—especially the famed Polish hams.

Polish Ocean Lines also put in at other Atlantic Coast ports. Thus far the longshoremen have handled the ships, through their leaders, through association with the anti-Communist International Transport Federation. Workers have learned that Poland has dispatched at least 15 freighters to Haiphong in recent months.

Except for the Soviet Union and mainland China, the Polish shipments to North Vietnam are the heaviest of any maritime nation. The tonnage of these Polish freighters, and their names have been learned. A check now is being made by Brooklyn longshoremen to learn whether any of these 15 vessels have put into New York.

The Brooklyn locals are involved because the Polish line uses Pier Eight there.

Furthermore, the expert Polish shipbuilding yards at Gdansk and Gdynia are building a huge cargo fleet for the Soviets—Ho Chi Minh's main supplier of military equipment and fuel. *Obviously the Soviets are* highly "satisfied with the work being turned out since Poland now has a Soviet order for delivery between 1966 and 1970 of 175 ships totalling 1.5 million tons" says a Congressional report by eyewitnesses. In this order are 20,000 tankers as well as fast 12,000 ton freighters.

In addition to the Poles, described to me by an American ambassador in Europe as the most bitterly anti-United States of all Communist bloc nations, the other Eastern Communist lands also send craft into American harbors.

This commerce is a source of considerable United States hard currency now so badly needed in "the bloc." Typical is the arrival here in mid-January of a huge shipment of Russian vodka. There also are furs to which, incidentally, the fur workers' union objects.

Virtually all of the time the cargoes are unloaded. But the pressure on American longshoremen, especially from French labor as well as from others affiliated with the World Federation of Trade Unions (headquartered in Prague) may boomerang and slash East-West trade.

Typical of the letters flowing into the offices of American unions is one received by the ILA leaders recently. It was from "Federation Nationale Des Ports et Docks" of 213 Rue Lafayette, Paris.

Written by one of its leaders, D. Brest, it said in effect, that during the "war between the French and Vietnam, the French dockers intensified strike action against every shipment, especially military ones going to Vietnam."

The ILA reply was polite but tough and blunt. The longshoremen made it clear that they backed America's policy. There would be no boycott of American shipping in American ports.

But Polish and other Communist craft docking in these waters might make another kind of game.

THE COSSACKS FIGHT FOR INDEPENDENCE

Mr. MIZE. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, on February 16, 1918, the Don Cossacks declared their independence, but these courageous people were subjugated by the Red armies, as were the Kuban Cossacks who proclaimed their freedom on May 5, 1918, in the second step toward the creation of Cossackia.

The concept of an independent Cossack nation is an old one which can be found in the history of the 18th century. It is a matter which is deserving of considerable study by Americans interested in the national groups now forcibly incorporated into the Soviet Union.

The Cossacks, whose traditions of self-government and nationalism are well known, were among the most valiant fighters against Russian imperialism. In one of the greatest tragedies of postwar history, the whole Cossack military force, along with wives and children, was slaughtered by the Russians. Thus, the Cossack nation has been partly annihilated by Soviet might, but the brave Cossacks who survive are still defiant of Communist attempts to abolish them as a separate people.

It is just such examples of imperialist totalitarian slavery as the barbarous treatment inflicted on the Cossacks by the Soviet Union that make it so imperative that a Special House Committee on Captive Nations be established in this session of Congress to assemble and publicize the truth about the captive nations. In this way we in the Congress can give concrete evidence of our vigorous support of freedom for Cossackia and other captive peoples who are now the victims of the international Communist conspiracy.

LITHUANIAN INDEPENDENCE DAY

Mr. MIZE. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, today we commemorate the 49th anniversary of the declaration of independence of Lithuania, that brave nation which has suffered under Russian control for so many years but whose people have never ceased to strive for freedom.

On February 16, 1918, after 123 years of occupation by czarist Russian forces, the Lithuanian people declared their independence and instituted a democratic republic which flourished for 22 years before they were again cruelly oppressed by the Communists and Lithuania was made part of the Soviet Union.

Mr. Speaker, we in the Congress should take positive action to show the courageous people of Lithuania that we support their longing for independence. I have again this session introduced a resolution requesting the President of the United States to instruct our Ambassador to the United Nations to place the Baltic States question on the U.N. agenda and to have the United Nations request the Soviets to withdraw their troops and controls from Lithuania, Latvia, and Estonia. This resolution would also call upon the U.N. to conduct and supervise free elections in these three Baltic nations so that the historic principle of self-determination of peoples would be legitimately applied there. I urge that this resolution be acted upon during this session.

Mr. Speaker, we must take practical steps on behalf of the oppressed people of Lithuania. Neither the Voice of America nor Radio Free Europe is doing an effective job of broadcasting behind the Iron Curtain. Both are preaching the coexistence line of the present administration. We must take practical steps to see that a margin of trust rather than appeasement of communism is beamed to the patient people of Lithuania so that they realize that one day their hopes for freedom will bear fruition.

SERBIAN FIGHT FOR INDEPENDENCE

Mr. MIZE. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, February 15 was the anniversary of the Serbian revolt for independence from the Turks which was led by their famed leader, Karageorge. Unfortunately, the Serbian people are now captives of communism, and this great holiday is forbidden in their homeland by their present dictator, Tito.

On this historic day we must rededicate ourselves to our efforts to see that freedom is restored to the brave people of Serbia and all the other captives of communism.

The great Serbian leader Karageorge offered his life and fortune to rid Serbia of the oppressive rule of the Turks and the Serbians were victorious in their fight for independence and freedom. King Peter II, legitimate sovereign of Yugoslavia—now exiled—is a direct descendent of Karageorge. Serbia achieved international recognition when the Treaty of Bucharest was signed in 1812 and secured a limited autonomy.

Mr. Speaker, we must observe historic events such as the Serbian fight for independence in deeds as well as in words. I urge, therefore, that a Special House Committee on Captive Nations be established to study the present condition of oppression under which the Serbians and other captive peoples are suffering.

Furthermore, the "Voice of America" should provide more effective and lengthier broadcasts to pierce the wall of Communist propaganda and deliver the truth to the brave people of Serbia. In recent years, Mr. Speaker, the "Voice of America" has been reducing both its hours of broadcasts in the Serbian language and in the nature of these broadcasts. The "Voice of America" gives only straight news and under present administration policy, is fearful of offending the Soviet Union. However, the brave Serbian people deserve the truth, and the "Voice of America" should give it to them in order that their resistance to communism be strengthened.

ARMENIANS CAPTIVES OF COMMUNISM

Mr. MIZE. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, on Saturday, February 18, we join the Armenian people in the 46th anniversary of their revolt against the Soviet Union. Despite their heroism during the revolt they were overcome by force of arms of the overwhelming manpower of the Communist forces and remain to this day captives of communism.

The Armenian uprising was especially tragic in that Soviet control of the area was reasserted just 2 months earlier under the pretext of providing freedom and protection.

In this day and age when colonialism is still a major issue on the U.N. agenda, we must reemphasize that the only major colonial power existing today is the U.S.S.R.

We must further reemphasize that the Armenian people and other captive nations of communism must be free if the principle of self-determination of peoples is to be effectively honored.

Mr. Speaker, we must take practical steps on behalf of the oppressed people of Armenia and other captives within the U.S.S.R. Neither the Voice of America nor Radio Free Europe is doing an effective job of broadcasting behind the Iron Curtain. Both are preaching the coexistence line of the present administration. We must take practical steps to see that a margin of trust rather than appeasement of communism is beamed to the patient people of Armenia so that they realize that one day their hopes for freedom will bear fruition.

SUBSIDIZED CREDIT TERMS FOR YUGOSLAVIA?

Mr. MIZE. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. FINDLEY. Mr. Speaker, the executive branch has chosen to ignore an opinion of the Comptroller General of the United States in order to offer subsidized credit terms worth several million dollars to Yugoslavia under Public Law 480.

This disturbing news came to my desk today in a letter from the State Department, and it immediately raises the fundamental question of separation of powers. When the Executive ignores a legislative restriction, what can Congress do about it?

This should be a matter of deep concern for every Member of Congress, and for my part I intend to do all I can to find the answer.

Among the possibilities is an injunction in Federal court under which the executive branch would be ordered not to use appropriated funds for any purpose connected with the transaction. I am exploring that possibility.

To me, this is a question with importance far beyond the dollar advantage to a Communist regime which aids our enemy in Vietnam. It goes to the heart of our governmental system.

The action the Executive says it will take is squarely at odds with the will of Congress as interpreted by the Comptroller General, an official expressly charged by law with determining whether congressional intent regarding appropriations is fulfilled by the Executive. The contemplated action would make a mockery of the legislative process.

The case at hand is a proposed $9 million shipment of vegetable oil to Yugoslavia under an agreement under Public Law 480 signed last April 11. The Comptroller General in an opinion written to the Secretary of Agriculture on February 2, stated that appropriated funds could not properly be used for that purpose.

The State Department now announces its intention to go ahead anyway. Here is the text of the State Department's letter:

> Hon. PAUL FINDLEY,
> House of Representatives,
> Washington, D.C.
>
> DEAR CONGRESSMAN FINDLEY: The Secretary has asked me to reply to your letter of February 6, 1967, about the sale of vegetable oil to Yugoslavia under Title IV of PL-480.
>
> The Department of State has reviewed the letter from the Comptroller General to the Secretary of Agriculture to which you refer. The Departments of State, Justice, and Agriculture consider that that letter does not raise any points not previously considered. Accordingly, purchase authorizations will be issued when requested by the Government of Yugoslavia.
>
> As you note, the Comptroller General's letter deals only with the use of appropriated funds under the Agriculture Appropriation Act, 1967; as the Secretary pointed out in his letter to you of February 2, 1967, the Food for Peace Act, 1966, is not involved since no new sales agreement is being made.
>
> Sincerely yours,
> DOUGLAS MACARTHUR II,
> Assistant Secretary for Congressional Relations.

Ambassador MacArthur's references to the Food for Peace Act of 1966 are completely beside the point. The Comptroller General's opinion has nothing to do with that act. His opinion was based entirely on the legislative history of the Findley amendment, a proviso in the Appropriation Act for Agriculture and Related Agencies enacted in 1966.

The only pertinent part of the Ambassador's letter in this sentence:

> The Departments of State, Justice, and Agriculture consider that that letter does not raise any points not previously considered.

This was all the Executive chose to say in explaining why it would not conform to the Comptroller General's opinion. Perhaps it was all that could be said by way of rebuttal.

The letter from Ambassador MacArthur stated that the letter from the General Accounting Office did not "raise any points not previously considered" by State, Justice, and Agriculture. Someone may have misinformed the Ambassador. It was not necessary for the GAO to raise new points in order for its position to be reconsidered. Rather, it was for State, Justice, and Agriculture to reconsider their position after the General Accounting Office had ruled that expenditure of funds to support this sale would be illegal.

Members of Congress know, and I am sure the State Department also is aware, that by law, the decisions of the Comptroller General are final and conclusive upon the executive branch of Government. I do believe that Congress is entitled to a fuller explanation as to why the State Department is overriding the General Accounting Office.

An important issue is involved here. The General Accounting Office has said flatly and unequivocally that expenditure of appropriated funds for this sale violate a law passed by Congress and which the Secretary of State, in a letter to the Speaker of the House, dated September 27, 1966, said would be enforced.

At a minimum, the salaries of all officials and other Government employees who would be involved with preparing and issuing a purchase authorization, approval of the terms of the purchase, or other details of the transaction would be from appropriated funds.

Therefore, a more detailed explanation from the Executive is in order.

The full text of the Comptroller General's decision together with related correspondence was published in the CONGRESSIONAL RECORD of February 6, 1967, beginning on page 2555.

THE DETERIORATION OF FRENCH-AMERICAN RELATIONS, 1960-66

Mr. MIZE. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. FINDLEY. Mr. Speaker, for several years many Members of the Congress, including myself, have viewed with alarm the deterioration of relations with our oldest ally, France. For that reason I am placing in the RECORD today one of the most perceptive essays on this problem that I have read. This statement was prepared by Nicholas R. Lang, a senior at Williams College. During the summer of 1966, Mr. Lang was an intern for the House Republican conference, and prepared this excellent paper.

His central theme is that French foreign policy is a national policy based on the belief that the French nation must play an independent role in world affairs. However, it is not a nationalism of the 19th century variety. Whatever its faults may be, French "nationalism" is not inward looking, but is an extremely creative policy of independence, whose chief characteristics are cooperation between nations and extensive foreign aid and trade.

The French are not anti-American, but are genuinely concerned over the status of the United States as a world power and avowedly willing to defend Europe. Regarding our differences with President de Gaulle, Mr. Lang urges that we in the United States should examine our differences with the French leader on specific issues.

Among the issues that presently split us is the fact that the NATO's structure still reflects Europe's 1949 position of almost total dependence upon American military might. France is willing to assume a greater share of the defense burden for Europe and we should be willing to share leadership responsibilities with her and our other NATO partners.

While the French have been alarmed over NATO as an organization, they are steadfast in their determination to preserve the Atlantic Alliance itself, as Mr. Lang clearly shows. That the Atlantic Alliance is needed today is not in question, but the paper argues that its structure needs to be altered. Many members have stated, correctly in my opinion, that the current crisis in NATO would not be a crisis at all if the United States had approached the problems of the Alliance in a creative, realistic, and flexible manner.

I agree with Mr. Lang that one of the reasons why the French are determined in their desire to be given a greater degree of responsibility within NATO or any other Atlantic Alliance is that they feel they have not been consulted on matters vital to their security. The test ban treaty and the hotline agreements with the Soviet Union are two examples Mr. Lang cites as notable example of the lack of consultation between allies.

The control of nuclear weapons has been the issue over which the United States and France are most sharply divided. France maintains that the European nations must possess and control their own nuclear deterrent. Mr. Lang argues in his essay that De Gaulle would not have left NATO had the United States not shifted from a policy of unlimited nuclear response in the event of European war, to a somewhat fuzzy policy of "flexible response."

Regarding Franco-German relations, Mr. Lang argues that the United States may have played a significant role in undermining a reconciliation between the two countries.

He pinpoints three areas where President de Gaulle has dissented from U.S. policies. These are in Latin America, the United Nations, and Vietnam. The major differences between France and the United States in the U.N. has been France's refusal to pay some of her peacekeeping debts and the issue of the admission of Communist China. France was critical of our intervention in the Dominican Republic.

While I cannot agree with every point Mr. Lang has made, on the whole I believe his analysis is a superior interpretation of the present status of our relations with France. Because of the timeliness of his essay I ask that it be made a part of my remarks.

FRENCH IMBROGLIO: 1966 THE DETERIORATION OF FRENCH-AMERICAN RELATIONS, 1960–1966

(By Nicholas R. Lang)

INTRODUCTION

The following report has been written in the belief that the United States, like all states everywhere and at all times in history, is capable of making mistakes and must bear a share of the guilt for the consequences arising from them. The current "crisis" in the North Atlantic Treaty Organization is no exception to the rule. It is a simple task, in the course of rejecting initiatives by others that are ahead of their times, to go the other way and let events pass us by. If we are to remain abreast of the times, if we ourselves are to take valuable initiatives in this area and indeed in all areas of our foreign policy, we must take note of our mistakes and correct them.

France has chosen to withdraw from the military side of NATO, and for her decision she is being vigorously condemned by policymakers in Washington. She is in fact being so strongly criticized for her action that an unsuspecting American public might be led to believe that she has not at all been influenced by American policy. American leaders are treating her as a heretic, an outcast. France has effectively been told that NATO will not change according to her wishes, and that no change will even be contemplated. The United States has, however, been gracious enough to "keep the door open" for France's return to the Organization when General de Gaulle has passed from the scene.

The American reaction to France's initiative is based upon several assumptions. First, it is assumed that France's policy is based upon a philosophy that envisages a return to the narrow nationalism of the nineteenth century. Second, it is assumed that the present organization of NATO is the precondition of a viable Atlantic Alliance. Third, it is assumed that little or no European support exists for the French move. The statements of American officials are colored by a self-righteous optimism; the assumptions are translated into axioms, and those who criticize the present NATO framework are labeled heretics.

Unfortunately, these assumptions have never been proven to be facts, and a close examination of the actual situation shows that they are at best only partially true. American policy-makers are today confronted with a clear choice: to hold to a set of policies that are unrealistic, discourteous to our allies, and outdated, or to formulate some new ideas about France and the Atlantic Alliance. The simple definitions no longer suffice; issues will have to be reexamined one by one. American as well as French mistakes will have to be brought into the light. It may be discovered that the Atlantic Nations will have to grope for some time to come for a new way to organize their alliance; it is possible that no clearly defined formulas will emerge. The future may be clouded by frustration and hesitancy as we attempt to adjust the Atlantic Alliance to modern conditions.

All the frustration and hesitancy in the world, however, are worth it—if the United States will realize that its picture of NATO at the present time, its picture of France, and its picture of the French-American relationship do not correspond exactly with the actual situation. If that realization can be accomplished, the United States might again begin to pursue policies that are not only more up to date but which will restore the spirit of respect and confidence that is needed to maintain a friendship as old as America itself.

NATIONALISM IN GAULLIST FRANCE

American criticism of French foreign policy centers around the basic theory that Gaullism is an essentially nationalistic doctrine. This theory takes as evidence for its validity the fact that De Gaulle and his followers believe in a "Europe of States," rather than the dream of federation that motivated Jean Monnet and Robert Chuman, the principal architects of the European Economic Community. The theory goes on to state that De Gaulle is trying to resurrect some kind of *grandeur* for France, in order to place her once again at the head of the European nations.

When one examines the statements of French leaders on this subject, however, one discovers that French and American ideas about nationalism differ markedly. While American critics of French foreign policy are evoking memories of the nationalism of Louis XIV and Clemenceau, the French tone is in fact quite different. French leaders have gone out of their way to disavow any pretension to nationalism in this sense. Charles Lucet, French Ambassador to the United States, maintains that nationalism involves territorial expansion, and is inherently inward-looking. He asserts that French policy has, on the contrary, espoused the paths of cooperation and solidarity.

"A new, dynamic and generous country, France has no intention, moreover, of being inward-looking. She feels that she is a nation molded by centuries of history and intends to remain so, but the path that she intends to follow is that of cooperation, not of isolation, that of solidarity, and certainly not of hegemony. What does the word 'nationalism' mean when it is applied to a country that precisely has no claim on any of its neighbors and whose aim is precisely to build Europe through the free consent of all parties?" [1]

Premier Georges Pompidou has stated that it is unrealistic to assume that nations do not have vital interests that they will preserve at all costs. He believes that protection of these vital interests does not constitute nationalism.

"What some call our 'nationalism—' and what is only a refusal to sacrifice vital French interests—was never the obstacle. It is true that in the Brussels discussions, we vigorously defended the interests of French farmers, for example. But our partners defended their own interests at least as vigorously . . ." [2]

French Foreign Minister Couve de Murville has stated that nationalism necessarily involves a revanchist policy, a policy of territorial expansion. France, he notes, could not be less involved in this sort of activity.

". . . Then what is this famous French nationalism? Is our country lodging national revindications against any one of its neighbors? Is it in any way demonstrating, inside or outside Europe, the slightest desire for adventure or domination? Does anyone think that France is a risk, however minimum, to the general peace?" [3]

The statements just cited follow a general pattern, which, if understood, says a great deal about the character of French nationalism. The statements of Lucet and Pompidou are consistent in maintaining that France desires to build Europe by the free consent of all parties, and that before any stable ties can be created within the European Community the vital national interests of each country in the Community will have to be safeguarded.

All three speeches vigorously deny that France is isolationist or that she has expansionist ambitions. It may further be said that all these traits are characteristics of nineteenth century nationalism; therefore, unless American critics of France can produce better evidence to back up their claim that De Gaulle is a nineteenth century nationalist, it is best that they abandon their accusations.

French foreign policy is, however, a national policy; General de Gaulle has stressed the fact that the French nation must play an independent role in world affairs. If the American definition of nationalism does not fit the French situation today, we must discover precisely what is involved in the French "national" policy. We can proceed far in that direction if we understand the distinction made by General de Gaulle between "states" and "nations."

". . . it is true that the nation is a human and sentimental element, whereas Europe can only be built on the basis of active, authoritative and responsible elements. What elements? The States, of course; for, in this respect, it is only the States that are valid, legitimate, and capable of achievement. I have already said, and I repeat, that at the present time there cannot be any other Europe than a Europe of States, apart, of course, from myths, stories, and parades."[4] The nation is thus pictured as an emotional creation, and the state as the organ of effective action.

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[1] Charles Lucet, Speech before the Yale Political Union in New Haven, April 26, 1966. Ambassade de France, Service de Presse et d'Information, page 3.

[2] Georges Pompidou, speech before the French National Assembly, Paris, June 17, 1965. In the *Atlantic Community Quarterly*, Fall 1965, Vol. 3, #3, page 326.

[3] Maurice Couve de Murville, Speech before the French National Assembly, June 16, 1965. Ambassade de France, Service de Presse et d'Information, page 8.

As Edmond Taylor has pointed out, De Gaulle has made the transition from a strictly inward-looking, nationalistic point of view to an espousal of what might be called "bloc nationalism."[5] The *grandeur* he now talks about is not the grandeur of Louis *XIV*, but rather the *grandeur* of Europe. He does wish France to be a leader in this movement, but only because he feels, along with many others, that this is France's "natural position."[6]

We have seen thus far that French "nationalism," whatever its faults may be, is not inward-looking in the tradition of nineteenth century nationalism. It is, moreover, an extremely creative policy of independence, whose chief characteristics are cooperation between states and extensive foreign aid and trade. Former French Ambassador Herve Alphand feels that, in espousing the principles of international cooperation, France has turned forever from narrow nationalism and has embraced a policy of internationalism.

". . . Is it proof of old-fashioned nationalism to want to be reconciled with our oldest enemy, to accept the sacrifices imposed by the creation of a European Community, to give their independence to more than twenty nations in Africa, in the Middle East, in Asia, while at the same time remaining their friends? What other country, which other government, which other parliament in the world has more deliberately turned its back to the past, and faces with more lucid eyes the realities of this century in which we live?"[7]

To reinforce this claim that France is following a policy of cooperation between states, De Gaulle refers to French foreign aid, which, in proportion to national wealth, is greater than that of any other nation.[8]

The fact remains, however, that the Gaullist policy is distinctly national, and represents a policy of independence. The question seems to be, independence from what? An answer to this question appears in the writing of Hans Kohn, a prominent student of nationalism. Kohn states that there has been a revival of nationalism in Eastern and Western Europe, taking the form of dissatisfaction with the bloc mentality that has dominated the Cold War.

"This change—a reassertion and reintensification of nationalism in the West and in NATO—corresponds to a similar reassertion of nationalism in the communist countries, where it is not, as Lenin expected, the dictatorial state that is withering away but the international ideology. . . .

"The one fact that seems certain . . . is that neither the North Atlantic peoples nor the communist countries or the "uncommitted" nations will accept the undisputed leadership of any one nation. The authoritarian primacy will be more and more replaced by emphasis on equality."[9]

The only two nations in the world today who would even be in a position to claim "undisputed leadership" are the United States and the Soviet Union, and only the United States could ever have exercised such leadership over France. In the area of defense, an area of strong dispute between the two nations today, the United States did at one time exercise that kind of leadership; during the immediate postwar years, the Fourth French Republic depended upon American defenses and submitted as a matter of course to American policy. Hence the origin of De Gaulle's references to American "hegemony" and to the "subordination" of France. In addition to the defense sphere, De Gaulle also fears the economic hegemony of the United States. As Philip Ben has observed, ". . . one cannot understand French diplomacy today without taking into account De Gaulle's basic conviction that the United States is misusing its tremendous economic strength to establish American dominance throughout the world, under the pretext of a mission to halt communism."[10]

It can be seen, then, that, especially from the French standpoint, the major thrust of Western anti-bloc nationalism would be directed at the United States, and would form the backbone of any French policy of independence. Michel Gordey has stated that "The almost constant criticism of 'American hegemony' in the military, political, and economic fields is the basis of De Gaulle's foreign policy."[11]

We have thus far given the simple definition for De Gaulle's policies of independence from the United States, although it provides no small part of the explanation for France's national policies. If France's foreign policy is anti-American, the fact that America leads one of the two disintegrating world blocs is only part of the answer. Other factors are involved, not the least of which is the fact that General de Gaulle and two of his closest and most powerful ministers, Couve de Murville and Defense Minister Messmer, have reason to be suspicious of the motives of the United States. De Gaulle's suspicion of the "Anglo-Saxons" stems from his World War II experience. As the leader of the Free French, he was constantly ignored by President Roosevelt, often in favor of the Vichy regime and its leader Petain. Couve de Murville was dismissed from his post of Minister of Finance for the Free French through the intercession of Henry Morgenthau. Messmer was imprisoned in North Vietnam in 1945, and American liaison officers with the Viet-Minh refused to get him out. These personal grudges do not form French opinion of the United States and its motives, but they color it.[12]

Many of De Gaulle's critics, foreign and domestic, have seized upon the issue of his anti-American point of view. Gaston Defferre, a French socialist leader and at one time a leading candidate for the French Presidency, has observed that rather than attempting to correct the errors of American foreign policy (of which Defferre himself is highly critical), De Gaulle seems to rejoice at American errors.

". . . Whoever knows Americans knows that one can ask them to change their policy, and perhaps even persuade them to do so, provided the request is based not on antiquated nationalism but on moral values, the political principles which are the foundation of Western Civilization, and which we share. General de Gaulle, locking himself in his ivory tower, stands no chance of persuading the Americans to change their policy. It is likely that he does not even want to do so, and rejoices in the mistakes they may make."[13]

Christian Herter has stated that De Gaulle has attempted to create anti-American opinion in France. Talking about French opinion of the United States, he said:

"I think there is a certain manifestation of dislike for the American presence and the American power, but I think this has been very carefully fostered by the De Gaulle administration. General de Gaulle has kept harping on it so often and some of it is certain to wear off on the French people, particularly when one plays up to the nationalistic sentiments of the people themselves and their own independence and their own glory."[14]

Andre Francois-Poncet, an outspoken critic of the De Gaulle Administration, has stated that French statements have been calculated to annoy the Americans, and warns that the United States may become alienated as a result.

"Of our relations with the United States the least that can be said is that they are bad and near the breaking point: That is certainly the direction in which our whole series of discourteous, if not deliberately annoying, gestures are tending, those gestures by which we have been and are expressing determination to shake off an allegedly unsupportable guardianship and proclaim total independence."[15]

At least one Congressional Grouping has found Poncet's claim to be true. Senator Jackson, in his preliminary remarks in an Issue Study put out by his subcommittee of the Committee on Government Operations, states that France's provocations of the United States have not been ineffectual.

"To date, the French have talked about NATO in such abstract, ambiguous, and theoretical terms as 'vassalage,' 'subordination,' and 'integration,' and the discussion has not been put on what Secretary General Brosio calls 'a practical footing'. . . .

"The French President now deliberately displays a policy of independence from allies while accepting the benefits of the American nuclear umbrella. He is playing a very risky game-counting on the American commitment regardless of what he does or what happens to the Atlantic Alliance. The risks include a real possibility of alienating the United States."[16]

We have determined that French foreign policy is anti-American to a significant extent, and that it represents a new form of nationalism. But it is the anti-American slant, or accent, to De Gaulle's words and actions, and not his policies *per se*, that has caused many Europeans to reject them, leaving him isolated in Europe. As Arnaud de Borchgrave has observed:

"Had it not been for his virulent anti-Americanism, which even many Gaullists find objectionable and which utterly alienated Bonn, Europe would probably by now have found the 'distinct' personality and policy that he seeks to give it."[17]

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[4] Charles De Gaulle, Sixth Press Conference, Paris, May 15, 1962. In *De Gaulle, Speeches and Press Conferences, 1958–1964*, page 176.

[5] Edmond Taylor, *This Long NATO Crisis*, in the *Reporter*, April 21, 1966, page 18.

[6] See *Ibid*.

[7] Herve Alphand, Speech at University of Texas, February 5, 1965. Ambassade de France, Service de Presse et d'Information, page 4.

[8] De Gaulle, Ninth Press Conference, Paris, January 31, 1964, *op. cit.*, 251.

[9] Hans Kohn, *Nationalism in the Atlantic Community*, January 1965, University of Pennsylvania Foreign Policy Research Institute, Monograph Series No. 3, page 1.

[10] Philip Ben, *Ami, Go Home*, in the *New Republic*, April 9, 1966, page 11.

[11] Michel Gordey, *Don't Expect de Gaulle to Change*, in the *New Republic*, December 18, 1965, page 17.

[12] Bernard Fall, *Why the French Mistrust Us*, in the *New York Times Magazine*, September 6, 1964, page 6.

[13] Gaston Defferre, *De Gaulle and After*, in *Foreign Affairs*, vol. 44, No. 3, April, 1966, page 444.

[14] Christian Herter, testimony before the Jackson Subcommittee of the Senate Committee on Government Operations, page 54.

[15] Andre Francois-Poncet, *To Have Many Friends*, in *The Atlantic Community Quarterly*, Fall 1965, Vol. 3, No. 3, page 333.

[16] Committee Print, *The Atlantic Alliance-Basic Issues*, study submitted by the Subcommittee on National Security and International Operations to the Committee on Government Operations, U.S.S. February 18, 1966, pages 8–9.

[17] Arnaud de Borchgrave, in *Newsweek* Magazine, December 13, 1965, page 47.

As we will show, anti-Americanism as an emotional phenomenon is more present in the manner of De Gaulle's diplomacy than in its substance. The anti-American character of his statements on some issues is largely a consequence of his tone and gestures, and his timing. Senator Fulbright has observed that the General's statements have the quality of "Olympian pronouncements."[18]

We may be frustrated by these attitudes, but we must not let ourselves make the easy identification between European criticism of De Gaulle's manners and their criticism of his substantive claims. According to several reliable commentators, the General enjoys a great deal of popular support, both in France and in Europe as a whole. John M. Leddy, Assistant Secretary of State for European Affairs, has stated that French support for De Gaulle is strong. In his testimony before the House Foreign Affairs Subcommittee on Europe, Leddy said: "I think that as a French leader and a Frenchman for France that he enjoys strong popular support in France. . . ."[19] Congressman Morse observed that in Germany, Britain and Belgium, De Gaulle had massed much opinion on his side.[20] Zbigniew Brzezinski, during hearings before the same subcommittee, warned against the assumption that De Gaulle did not enjoy much European support.

"In my view we haven't adjusted our perspective sufficiently to the new European mood. General de Gaulle has practically no power, but in a curious and perhaps even negative way, he has a great deal of influence."[21]

Lester Markel has stated that De Gaulle enjoys the strong support of the French people.

"De Gaulle indubitably has the support of the people. And even an anti-Gaullist editor who attacks the General as a dictator nevertheless defends him in his actions and attitudes toward us."[22]

Hans Kohn has observed that the French press, while not censored by the government, has adopted an attitude almost of self-censorship.[23]

As far as minority opinion in France is concerned, its strength should not be overrated. While Defferre, Mitterand, Poncet and Lecanuet remain vocal opponents of Gaullist policies, the fact remains that the anti-Gaullists in the *Parlement Nationale* failed to mass a vote of censure against the General's NATO policy. The vote was even less potent than expected.[24]

Disregarding this weighty testimony, American policymakers have operated on the assumption that De Gaulle enjoys little or no support throughout Europe, and even in France. They have followed the advice of Dr. Robert Strausz-Hupe, director of the Foreign Policy Research Institute of the University of Pennsylvania, who has suggested that "We have to address ourselves to his [De Gaulle's] constituency."[25] According to some sources, this approach to anti-De Gaulle opinion in France and in Europe as a whole has not been carried out in a diplomatic way; these sources maintain that the United States is currently conducting a propaganda offensive against France.

As Edmund Taylor put it: ". . . the main U.S. diplomatic missions in Western Europe are unmistakably inspiring a vindictive anti-Gaullist press campaign and stirring up increased hostility to de Gaulle among pro-Western political elements in France and throughout Europe."[26]

In the April 25, 1966 issue of *Newsweek* Magazine, the Weintal report declared:

"The anti-de Gaulle offensive is being conducted in secret through diplomatic channels and in public through all available news media. Having decided that no compromise with the general is possible and that the only way to influence him is by going over his head, Washington policy planners hope to appeal directly to dissident French deputies, generals, and voters—the aim being to bring about an anti-Gaullist vote in next year's parlimentary election."[27]

This kind of policy will only further alienate De Gaulle. Furthermore, any attempt to influence the outcome of national elections in France represents a definite attempt on our part to exercise hegemony over France and reveals an attitude inconsistent with that of a close ally. It lends support, in the eyes of most Europeans, to the worst of the General's anti-American statements.

The wide measure of popular support for De Gualle in France and throughout Europe, as we have mentioned, does not reflect support for his manner, but for his position on certain issues. Instead of assuming that our point of view is necessarily valid, we in the United States would do well to examine our differences with the General on these issues, for on most of them our policies are outmoded and wanting in credibility.

THE NORTH ATLANTIC TREATY ORGANIZATION

The French Government has long been dissatisfied with the integrated command structure of NATO. There are three principal reasons for its dissent. In the first place, General de Gaulle feels that while the European nations are now in a position where they can and should bear more of the defense burden, the Alliance's structure still reflects Europe's 1949 position of almost total dependence upon American military might. Furthermore, France does not accept Secretary of Defense McNamara's idea that to bear more of the defense burden simply involves an increase in European conventional ground strength. General de Gaulle believes that increased burdens imply increased responsibility, and that increased responsibility involves a share in decisionmaking. Congressman Findley has observed that within the entire NATO command structure the French hold only one subordinate post.[28] It is inconsistent to insist that France bear a greater share of defense burdens and to exclude her at the same time from the command structure. A Staff Study of the Senate Foreign Relations Committee stated that ". . . although Americans have spoken much of interdependence and equal partnership, U.S. policies have not yet contemplated—not visibly, at least—a partnership in which parity would be available to Europe at every level of the relationship. Thus, to many Europeans, Atlantic partnership is a device designed primarily to solve the U.S. balance-of-payments problem."[29]

In the second place, *De Gaulle maintains that the European nations must possess and control their own nuclear deterrent.* The reason for his position on this issue is that when the Soviet Union ended the American nuclear monopoly in 1953, the cold war reached a stalemate where both great powers were capable of totally destroying each other. De Gaulle feels that, given this new set of circumstances, which is not reflected by the present NATO structure, the United States will be less and less willing to resort to nuclear weapons in its defense of Europe. As we shall see later, American nuclear policy has followed this trend.

Lastly, the General feels that although American interests extend beyond the province of NATO, those interests may ultimately involve the fate of Europe. He would therefore like to see discussion and debate within NATO widened so as to include areas outside the European continent.

In raising these objections to the present NATO structure and in citing the prevailing situation as evidence of American "hegemony," *the French have nevertheless made a distinction between the Organization of the North Atlantic Alliance, NATO and the Alliance itself. The former, for the reasons just mentioned, is considered outmoded,* while the latter is considered necessary and desirable. Couve de Murville has taken great pains to make this distinction.

". . . in our view the Atlantic Alliance should continue to exist, and to do so doubtless for a long time still. This is because it remains, in a still troubled world, a factor of equilibrium and consequently of peace."[30]

While France has announced her decision to no longer take part in the present military structure of NATO, she remains firmly attached to the Alliance.

"Such is the first conclusion that France has made known to her associates, by officially and publicly stating to them that she had no intention of availing herself of the clause that permits each partner, in 1969, insofar as it is concerned, to terminate the alliance; that she intended, on the contrary, to stay in it so long as that appeared necessary. What I have just said shows that this is a question of long-term perspectives."[31]

Couve de Murville then goes on to make the crucial distinction between Alliance and Organization and accuses the United States of making them synonymous.

"But what holds true for the alliance does not hold true for the Organization. That is quite another thing . . . through an ambiguity perhaps intentionally maintained, the term 'NATO' covers both the alliance and the organization."[32]

Ambassador Lucet and former Ambassador Alphand have made the same distinction.[33]

The United States can and must abandon the idea that these two concepts, Alliance and Organization, are identical. In addition to the French sources just cited, a considerable body of Congressional opinion in favor of organizational reform has been expressed. Senator Clark has observed that the "essence of the treaty" can only be preserved through organizational reform. He also notes that the attitude of American policy-makers has tended to adhere rigidly to the present structure.

"The search, in my judgment, should be begun at once, and without panic or rancor, for a further evolution in the organizational structure which will preserve the essence of the treaty.

". . . it is obvious that Europe is in a position to take much better care of its own general defense than a few years ago. In an economic sense, the situation is drastically changed for the better for Western Europe. . . .

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[18] J. W. Fulbright, *Old Myths and New Realities*, page 3.

[19] John M. Leddy, testimony before the Kelly Subcommittee of the House Foreign Affairs Committee, March 22, 1966, page 24.

[20] Congressman Morse, during hearings before the Kelly Subcommittee, March 22, 1966, page 27.

[21] Zbigniew Brzezinski, testimony before the Kelly Subcommittee, April 28, 1966, page 77.

[22] Lester Markel, *The case Pro and Con de Gaulle*, in the *New York Times Magazine*, January 10, 1965, page 69.

[23] Kohn, *op. cit.*, page 18.

[24] See Newsweek Magazine, May 2, 1966.

[25] Robert Strausz-Hupe, testimony before the Kelly Subcommittee, May 12, 1966, page 157.

[26] Taylor, *op. cit.*, page 21.

[27] Weintal Report, *Newsweek* Magazine, April 25, 1966, page 39.

[28] Congressman Findley, CONGRESSIONAL RECORD, vol. 111, pt. 12, p. 16451.

[29] *Problems and Trends in Atlantic Partnership II*, Staff Study, prepared for the use of the Committee on Foreign Relations, U.S.S., June 17, 1963, page 7.

[30] Couve de Murville, speech before the French National Assembly, April 14, 1966. Service de Presse et d'Information, Ambassade de France, page 2.

[31] *Ibid.*

[32] *Ibid.*

[33] Lucet and Alphand, *op. cit.*, 3,3.

"I would hope that the State Department is giving active and prayerful consideration to the change in our situation in Western Europe. I would have some fear that it is not. In all too many instances in the recent past, the attitude has been frozen, despite the fact that the situation itself is fluid and flexible."[34]

Congressman Horton has observed that in our rigid adhering to the *status quo*, we have attempted to preserve what exists without even suspecting that the physical situation in Europe, like all physical situations at all times, might have passed us by.

"For too long now, it seems to me, our government has allowed affairs in the Atlantic world to drift. It is almost as if we took the North Atlantic Treaty Organization for granted, confident that problems in relations between Europe and the United States would take care of themselves in the long run. Our policies have been narrowly conceived to preserve what exists; they have lacked the boldness and imagination that should be displayed by the most powerful nation of the North Atlantic Alliance. Above all, we have been overcautious in defining future goals toward which the Atlantic nations could work.

"One consequence of our policies has been to leave the initiative to others."[35]

Congressman Halpern has noted that the NATO organizational structure is not "an end in itself."

"We must recognize that the NATO structure is not an end in itself. As a great power, we cannot afford the expensive liability of assuming every international contract to be a timeless cure.

"We must learn to live with shifts of allegiance and the processes of change. . . . I do not think that the situation in Europe has reached the point where the alliance is unnecessary and therefore a handicap. But it would be foolhardy to maintain NATO as it now operates if the member states lack faith in its purpose and see its integrated status as an obstacle to the achievement of a more stable continental peace."[36]

Congressman Frelinghuysen has stated that if we can make changes in the Alliance according to Gaullist wishes without dismembering it, then we should do so. Mr. Frelinghuysen believes that what has come to pass, that is, an impasse between the two nations, is to a certain extent the fault of the United States.

"I don't see why we should be unwilling to admit that the alliance might be more European that it has been. In other words, if that is his [De Gaulle's] point, we ought to recognize it and even welcome it, so long as it doesn't lead to a dismembering of the alliance. Obviously we are not going to be able to meet a threat which still continues by going it alone. . . .

"The situation, it seems to me, is partly our own fault. We have seen the proposals of the French shaping up for years, yet we have not taken any steps to avoid the consequences which may well develop."[37]

Senators Church, Morse, and Randolph have repeatedly stated that the European nations should be given more responsibility within the Alliance.[38]

All these statements lead to the same conclusion. The accuracy of the French criticisms of our policy is not the issue; the crucial observation that has been made is that some criticisms of a 17 year-old system will have to be made in order to preserve its essence. *That the Alliance is needed today is not in question; it is certain, however, that its structure needs to be altered. The current crisis in NATO would not be a crisis at all if the United States had approached the problems of the Alliance in a flexible manner.* To stifle debate within the Alliance is to destroy it. As the most powerful member of NATO, the United States must begin to contribute effectively to that debate. Until now, American officials have maintained that the present structure of the organization is inviolate, and that the French have not presented any *specific* proposals for NATO reform. As Under Secretary of State George Ball has said:

"The organization of the North Atlantic Treaty and its integrated commands are the means that make it possible for the alliance to operate. . . .

"During the last 3 years we have repeatedly stated to the French Government that we would welcome any proposals that it might make to us. We have stated that we did not consider NATO to be a perfect or unalterable organization and the times and conditions had changed, which fact could make changes in the form or structure of the organization necessary."[39]

Our actions belie these words. If our policymakers continue to say "no" to any and all general proposals for organizational reform, as long as the debate remains a monologue, those who advocate reform will not see any need to delve into specifics. As Couve de Murville has said:

"We certainly have ideas on the way in which NATO should be altered in the spirit I mentioned. But we don't think it is realistic to make proposals as long as we French are the only ones in Europe who believe what we believe."[40]

One of the reasons why the French insist they be given a wider share of responsibility within the military alliance is that they feel they have not been consulted on matters vital to their security. The Test-Ban treaty and the Hot-Line agreements with the Soviet Union serve as notable examples of this lack of consultation between allies. In each case, the final agreement was presented to the French as a *fait accompli*. The United States has been highly critical of the French for their determination to go it alone; we have been vocal in our condemnation of bilateral treaties as a means of reaching European unity. At the same time, we are not consulting our allies on vital security matters. In our own way, by telling our allies to do as we say but not as we do, we are indeed acting in a paternalistic fashion.

John M. Leddy has stated that there is a definite need for improving consultative procedures within the Alliance.[41] This recognition has been late in coming. A number of critics of United States NATO policy have made the same point. Edmond Taylor has expressed the belief that our failure to consult with our allies has been of paramount importance in bringing about the present difficulties with France.[42] Congressman Gerald R. Ford has maintained that the United States has consistently failed to recognize the strength of our European allies in NATO; he notes that the Johnson Administration is "perplexed" by this relatively new state of affairs, and remains insensitive to the need for us to consult with our allies.

"The United States has refused to recognize the dynamic transformation of Western Europe which has brought our NATO partners to unprecedented levels of strength. Instead, while demanding unilateral controls inside the alliance we have often ignored NATO to seek unilateral agreements with the common enemy without consulting our friends."[43]

General Lauris Norstad, former Supreme Allied Commander, stated during hearings before the Kelly Subcommittee on NATO that during the years 1961–1962 the United States failed to consult sufficiently with its allies.

It is an open question whether the damage dealt to the alliance by our failure to consult our allies on matters vital to their security can be repaired. In our determination to go it alone in dealing with the Communist bloc, we may have contributed significantly to the French decision to make a bilateral appeal to the Soviet Union and to the nations of Eastern Europe.

THE CONTROVERSY OVER CONTROL OF NUCLEAR WEAPONS

The control of nuclear weapons has been the issue over which the United States and France are the most divided. This issue may be subdivided for purposes of clarity into two parts, both of which have had their effect in separating the two nations. They are the alteration of United States nuclear policy *vis a vis* Europe and the French decision to develop an independent nuclear striking force.

There has been increasing speculation that De Gaulle's decision to leave the present NATO structure would never have been implemented had the United States not shifted from a policy of unlimited nuclear response in the event of European war, to a policy of "flexible response." Coupled with this change in policy has been the shift to a "no cities" policy, which involves the determination to limit counterattack to bases and not to Russian cities.

The change involved here essentially involves a complete reversal of policy. In 1961, at the time when Europe was in a state of crisis over the Berlin situation, President Kennedy announced that he would defend Europe with whatever means were necessary, including limited nuclear war.[44] On February 16 of that year Secretary of State Rusk stated that the United States was making an intensive study of proposals to strengthen NATO.[45] On October 4, 1962, President Kennedy signed a resolution authorizing the United States to train French military personnel in the use of and defense against atomic weapons.[46] Transferred to France under this agreement were non-nuclear parts of atomic weapons systems. As late as June 20, 1962, Secretary Rusk and French foreign minister Couve de Murville reportedly conferred on the possibility of coordinating an independent French nuclear force with a proposed European striking force.[47] The proposal did not involve the integration of French atomic forces into the larger combined force; it merely coordinated the two forces. The implication of these explicit proposals by the American President and Secretary of State was that the United States had recognized the inevitability of an independently nuclear-armed France.

The situation abruptly changed when Secretary McNamara, in his now celebrated Ann Arbor speech of June 16, 1962, announced the new policy of "flexible response."

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[34] Senator Clark, CONGRESSIONAL RECORD, vol. 112, pt. 5, p. 5898.

[35] Congressman Horton, CONGRESSIONAL RECORD, vol. 112, pt. 6, p. 7697.

[36] Congressman Halpern, CONGRESSIONAL RECORD, vol. 112, pt. 6, p. 7801.

[37] Congressman Frelinghuysen, during testimony before the Kelly Subcommittee, March 22, 1966, page 20.

[38] See CONGRESSIONAL RECORD, vol. 111, pt. 12, p. 16451, and vol. 109, pt. 1, pp. 426 and 633.

[39] George Ball, the *Le Monde* interview, in the *State Department Bulletin,* April 18, 1966, pages 614, 616.

[40] Couve de Murville, Interview in *U.S. News & World Report*, March 16, 1964, page 73.

[41] Leddy, testimony cited, page 23.

[42] Taylor, *Op. cit.*, page 16.

[43] Congressman Gerald R. Ford, CONGRESSIONAL RECORD, vol. 110, pt. 12, p. 15283.

[44] Facts on File, 1961, 190.

[45] *Ibid.*, 41C3.

[46] *Ibid*, 379E1.

[47] Facts on File, 1961, 190.

This speech was actually a reiteration of President Kennedy's explanation of the new policy in his May 17 news conference. Kennedy had stated that "flexible response" involved:

"(1) The maintenance of American bomber strength.

"(2) A substantial increase in European *conventional* forces.

"(3) The decision not to order the use of nuclear weapons unless the conventional attack was stronger than anticipated."[48]

The validity of the new policy is not here in question. The fact remains that it represented a radical reorganization of the NATO system; it was instituted with a minimum (this may be an exaggeration) of consultation with the nations it was going to affect, among them France. We would speculate that it does not so much matter how many troops we have stationed in Europe, or whether we guarantee only conventional response against attack if that is deemed the wisest policy by our military experts. The point to be made, on the contrary, is that in all too many cases we send or withdraw troops, alter and change policies, without consulting our allies; the change in our nuclear policy is a case in point.

Given the abrupt change in American thinking, General de Gaulle decided to accelerate France's nuclear weapons program. The word "accelerate" should be used because the program was instituted under the Fourth Republic and will be in operation even if De Gaulle and his policies lose their present influence. The decision to develop a *force de frappe* did not spring full blown from either the General's dissatisfaction with American nuclear policy or because of his "anti-American nationalism." Come what may, the French nation has wanted to develop a nuclear weapons system for some time now and will ultimately possess it. As a Senate Foreign Relations Committee Staff study reported:

"Some Americans have felt that France's nuclear ambitions would disappear with General de Gaulle's departure. A more persuasive point of view suggests that this is wishful thinking. The French program predates de Gaulle. It contains a number of vested interests, including the military. A gaseous diffusion plant for producing enriched uranium 235 for nuclear weapons is underway and is expected to cost about $900 million. It too, predates de Gaulle."[49]

Despite this determination on the part of France, the United States has consistently opposed attempts to develop independent nuclear forces, and particularly French nuclear forces. The effect of our opposition has been to alienate France; our opposition has had no effect on France's effort. We have nevertheless gone out of our way to discredit the French program. President Kennedy explicitly stated that independent nuclear forces were a threat to world peace.

"We do not believe in a series of [atomic] deterrents. We believe that the NATO deterrent provides adequate protection. Once you begin, nation after nation . . . feeling that it is necessary as an element of independence to develop a separate deterrence, it seems to me that you are moving into an increasingly dangrous situation. First you have France and then another country and then another, until a very solid and, I think, effective defense alliance may be weakened."[50]

From the French point of view, a statement like this, coming from the leader of a nation that had taken the world several times to the brink of atomic war, was rather peculiar.

Secretary McNamara, during his Ann Arbor speech, maintained that independent nuclear forces were unreliable deterrents.

". . . the general strategy I have summarized magnifies the importance of unity of planning, concentration of executive authority, and central direction. There must not be competing strategies to meet the contingency of nuclear war."[51]

Later on, McNamara clarified this statement so as to exclude Britain. The French concluded, and rightly so, that the United States had gone out of its way to vilify their nation. The statement also reinforced De Gaulle's suspicions regarding the existence of an "Anglo-Saxon" coalition against the aspirations of France to play an independent role in Europe. De Gaulle was suspicious when America and Britain objected to proposed nuclear testing in the Sahara by the French and voiced those objections through the United Nations political committee.

". . . the emotion which now appears to have seized a large number of its members [the political committee] at the idea of an explosion—in itself inoffensive—which has been planned for the heart of the Sahara—this emotion which some are affecting appears to me to be so excessive and artificial that I cannot view it as anything other than an arbitrary maneuver against my country."[52]

That statement was made on November 10, 1959. The United States should have been aware then of the General's almost paranoid distrust of any accord between the United States and Great Britain which went against French wishes. It seems, however, that this country will not profit from its mistakes in this regard, for in 1962 came the abandoning of the Skybolt program and the Nassau conference between Britain and the United States. Many critics of American policy hold up this incident as the point at which the real break came between the two countries. They may not be too wide of the mark. The Nassau agreements struck a blow at independent nuclear deterrents in general but gave the British the right to use American-lent nuclear weapons in the event of grave national crisis. While the French were offered Polaris missiles, they were to be a part of a European "integrated" force; no similar guarantee of independent national action was given to them as it had been given to Britain. We should have realized that it was for this purpose, namely, for the capacity to strike at an aggressor should American aid not be forthcoming, that France decided to build a nuclear force in the first place.

According to Hans Kohn, while the General was enraged by the Nassau Conference, it merely confirmed his decision that France should have an independent defense.[53] It is certainly true that when De Gaulle was asked about the Nassau agreements, he merely stated that France intended to have an independent nuclear capability.[54] The point to make here, however, is that the Nassau conference offended De Gaulle; as usual, his resentment was aroused when we aggravated a long-standing suspicion of which we should have been aware.

A more serious consequence of the Nassau Conference, where Britain meekly submitted to the scuttling of the Skybolt program, was the effect it had on the then pending admission of Great Britain to the European Common Market. The Senate Foreign Relations Committee Staff study of 1963 has indicated that the French decision to veto Britain's entry into the EEC could have been reached as a result of the Nassau agreements.

". . . . . the Nassau agreement, the offspring of the Skybolt decision, offended De Gaulle and provided a convenient weapon with which to assault these same Anglo-Saxons who had so complicated his life during the war."[55]

Georges Pompidou stated that the Nassau agreements indicated that Britain was turning more toward the United States than toward Europe.

". . . . . it is quite certain that the Nassau accord reflects on the part of Great Britain, in a capital and even vital domain, that of defense, the concern to remain turned for the most part toward the United States of America . . . . . for the time being, the United States of America is not in Europe and to the extent that we speak of Europe, the close ties with America are not European ties."[56]

Two facts are clear. First, France has gone ahead and has developed an independent nuclear capability. By September 1966, after a series of Pacific tests, to be attended by General de Gaulle, France will be well on the road toward a hydrogen bomb. Second, the United States has to this day supported the idea of "non-proliferation." That is obviously an idea that the French cannot accept. Furthermore, France is so close now to having thermonuclear weapons that non-proliferation arguments can hardly be applied to her.

Nevertheless, the United States has made every possible effort to illustrate its displeasure with the French nuclear program. We cite two examples of United States action in this regard.

"(1) The United States, during the French series of atomic tests in April of this year, refused to allow the French to fly over American territory. While this move did not halt the tests, it was an annoyance.

"(2) John L. Hess, in the New York Times of April 20, 1966, notes that the United States, in apparent violation of a 1959 treaty, has refused to sell the French uranium for use as fuel in nuclear submarines. The reason given for this refusal was that France had decided to give her submarines an offensive as well as a defensive capacity."[57]

This impasse over nuclear weapons seems rather ridiculous in 1966, when the French have obviously developed a nuclear capability. As the Republican Task Force on NATO has consistently declared, it is time that the United States realize that France is a nuclear power and treat her as such. If she does not, as Congressman Findley has observed, the French might well turn to the Soviet Union as a nuclear ally.

"France's nuclear research will be done in close collaboration with the Soviet Union. Both have much to gain. France gains access to advanced nuclear technology long denied it by U.S. policy. The Soviets get the use of unique French scientific achievements, but more important, may gain a way to circumvent the test-ban treaty."[58]

Mr. Findley is correct; if the United States does not treat France as a nuclear ally and share nuclear secrets with her, then the French will not be to blame for turning away from the Alliance, when that Alliance is outmoded, governed as it is by an outdated American nuclear policy.

FRANCE AND GERMANY

A study of Franco-German relations under the influence of De Gaulle tends to show that the United States may have played a significant role in undermining a reconciliation between the two countries. In 1963 De Gaulle and Adenauer signed the historic Franco-German Treaty, by which the two nations arrived at accords in the economic and even the military sphere. In 1964, however, the United States and Germany concluded a military agreement, which in the eyes of the General undermined his treaty with the Federal Republic. He saw in it a German role as an American protectorate for at least a decade. As Arnaud de Borchgrave puts it:

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[48] Facts on File, 1961, 174BCD2.

[49] Senate Foreign Relations Committee Staff Study No. 1, September 14, 1962, 35.

[50] Facts on File, 1962, 215G2–A3.

[51] *Ibid.*, 216A2.

[52] De Gaulle, 1st Press Conference, March 5, 1959, *op. cit.*, 60.

[53] Kohn, *op. cit.*, 7.

[54] De Gaulle, 10th Press Conference, July 23, 1964, Ambassade de France, Service de Presse et d'Information, 6.

[55] Senate Foreign Relations Committee Staff Study II, June 17, 1963, 2.

[56] Pompidou, Speech at luncheon given by the diplomatic press, Paris, February 5, 1963, Ambassade de France, Service de Presse et d'Information.

[57] John L. Hess, in the *New York Times*, April 20, 1966.

[58] Congressman Findley, testimony before the Kelly Subcommittee, June 1, 1966, 228.

". . . In effect, as de Gaulle sees it, Germany agreed under the pact ('64 military agreement with the United States) to remain a U.S. client state for the next decade. The General had vetoed Britain's bid to enter the Common Market for less and now West Germany was replacing Britain as the American Trojan Horse in Europe."[59]

According to Philip Ben, De Gaulle is sure that the United States has undermined his effort to achieve a Franco-German *rapprochment.*

". . . He is firmly convinced that the U.S., first under Kennedy and now under Johnson, has ruined his 'masterpiece,' a Franco-German reconciliation which he had hoped would permit France to become the leader of that partnership and to regain in that way the status of a world power."[60]

According to de Borchgrave, De Gaulle's anti-Americanism has hurt him in the eyes of Germans, who actually support many of his policies. While this speculation is by no means certain, it has not been proven false; we must remain alive to the possibility that it is the case.

De Gaulle still believes, according to some sources, that the defense of Europe must still be governed by a balance of power system. Couve de Murville's statement that France's nuclear power provides a sort of equilibrium in Europe tends to support this theory.[61] According to Duroselle, De Gaulle believes in a system of "traditional alliances." He feels that alliances with Britain and Russia are best for France's security.

"De Gaulle still thinks in terms of a balance-of-power system in Europe, and France, traditionally, has balanced off a dynamic, powerful Germany through alliances with Russia and Britain."[62]

It would seem that De Gaulle's effort to reconcile France with Germany represents a departure from this outmoded philosophy; the United States may have driven him back to it.

GAULLIST DISSENTS FROM AMERICAN POLICIES AROUND THE WORLD

A major reason for Gaullist pronouncements concerning Latin America, the United Nations, and Vietnam spring from the General's desire to give France an "independent" voice in world affairs. Even if it means placing his country at cross-purposes with the United States, he wants France to be involved wherever possible in the decision-making process, particularly in negotiations, and in trade. Hence a major reason for France's recognition of Communist China; De Gaulle hopes to serve as intermediary in what he feels are inevitable American-Chinese negotiations concerning Southeast Asia.

As we go over the major differences that have marked these statements *vis a vis* United States policy, one fact becomes clear. The United States has consistently reacted too strongly, almost childishly, to French statements that really affected her very little. The language used by the French has been provocative; it could have been hoped, however, that the United States could have exercised some diplomacy in return.

THE UNITED NATIONS

The major difference between France and the United States in the United Nations has been France's refusal to pay some of her peacekeeping debts, particularly for the U.N. action in the Congo in 1961.

Another difference between the two countries within the United Nations has been the issue of the admission of Communist China. France voted in the General Assembly to admit the Chinese, while the United States leads the bloc opposing admission. It is interesting, however, that France as opposed to Britain has been singled out for criticism by the United States for advocating admission. Few Americans realize that Great Britain has recognized Communist China; the probable reason for this ignorance has been the barrage of anti-French statements we have made on the subject.

THE DOMINICAN INTERVENTION

The United States has always felt that the Caribbean, not to mention the whole of Latin America, was an area where its influence was more strongly felt than that of any other nation, and where it exercised a higher degree of responsibility than any other nation. American foreign policymakers have therefore assumed that our allies should be willing to follow American foreign policy moves in this area. Until very recently, our European allies have indeed supported us, or at least have remained silent, when we intervened in Latin America. General de Gaulle made no comment about the abortive Bay of Pigs invasion attempt in 1961, and stood by President Kennedy during the Missile Crisis in 1962. His attitude changed, however, concerning the Dominican intervention of 1965. The General stated that he opposed "intervention" in the affairs of other states and expressed hope that American troops would be withdrawn.

As Lester Markel has observed, American foreign policy tends to be motivated by the belief that we stand for the good and hence should be supported without question.

"There is no need to set out in detail our criticisms of France because they are so direct, so simple, so emotional. These are some of the prime counts in the indictment and the asumptions on which they are based.

Assumption No. 1—We are a good-doing people and when we act we act only from the highest motives. Therefore, anyone who refuses to go along with us is wrong-headed and even immoral. De Gaulle is such."[63]

This belief, that our allies should let us carry the ball and go it alone in Latin America, has in all its naivete been supported by the Johnson Administration. It is quite probable that our loud reactions to French criticisms of our Dominican policy annoyed De Gaulle more than the policy itself.

VIETNAM

The interchange between the United States and France over the Vietnamese War marks yet another instance where the United States has overreacted to French statements and initiatives. It is unreasonable to suppose that France, the country that fought against the Viet-Minh for almost nine years, does not have an interest in Vietnam. It is furthermore unreasonable to suppose that France desires the defeat of American forces in Vietnam; General de Gaulle has taken great pains to condemn totalitarian regimes wherever they exist.[64]

The French point of view on Vietnam may be summarized as follows: Vietnam cannot reach a state of peace and stability unless the nations that have intervened in her history since World War II sign an accord pledging that they will not do so in the future. The French have repeatedly asked for a summoning of the signatories of the Geneva Convention, as well as Communist China and the United States, in order to sign such a treaty.[65] As we have noted, General de Gaulle would like to make the French role in this settlement as large as possible.

There has been speculation that the French feel that America has no chance of winning in Vietnam. As Ambassador Bohlen has suggested, "the French feel they have tried it out and failed, and therefore they think that the Americans can't do what they didn't do."[66]

Nevertheless, it is an exaggeration to say that France desires our military defeat in Vietnam. Far closer to the truth is the speculation that France is afraid that the United States has involved itself in an open-ended war that may escalate into a world conflict. The following statement by General de Gaulle leads us to support this idea.

". . . while the prospects of a world war breaking out on account of Europe are dissipating, conflicts in which America engages in other parts of the world—as the day before yesterday in Korea, yesterday in Cuba, today in Vietnam—risk, by virtue of that famous escalation, being extended so that the result could be a general conflagration. In that case Europe—whose strategy is, within NATO, that of America, would automatically be involved in the struggle, even when it would not have so desired."[67]

In general, it may be said that the French feel that Vietnam can only achieve peace if she is neutral and left alone. France has therefore espoused a policy of nonintervention.

While French offers to mediate in the dispute may be politely refused by the United States if our policymakers feel them to be not in our interest, we should never give the impression that French help is unwanted or that we feel that France has no interest and responsibility in Vietnam. We are far more to blame for the manner in which we have conducted our policy *vis a vis* France on this issue than for the policies we have followed in Vietnam. As Bernard Fall points out, France has 17,000 citizens and an immobile investment of some $500 million in South Vietnam.[68] On February 22, 1965, the State Department said that the United States had refused to give France a "mandate" to mediate in Vietnam, and stated that we were not interested in any international conference at the time.[69] On June 24, South Vietnam broke diplomatic relations with France, claiming that the De Gaulle Government "has always directly or indirectly helped our enemies."[70] These incidents offended De Gaulle, not only because his initiatives had been rejected, but also because similar overtures from other states, particularly from Great Britain, had been welcomed.

". . . . . The issue is perhaps world peace, for China and America, whatever may be said, are at grips there. Do not all these great problems vitally concern a country like ours? Does it therefore not have a contribution to make? Moreover, was the British Foreign Secretary not seen going to the House of Commons several days ago, without causing any scandal, to recommend as a solution the same negotiation for establishing in Vietnam a strict system of neutrality and nonintervention which we have been advocating for three years now?"[71]

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[59] De Borchgrave, *op. cit.*, 47.

[60] Philip Ben, *op. cit.*, 11.

[61] Jean-Baptiste Duroselle, interview by Frederick C. Painton, in *U.S. News and World Report*, May 10, 1965, 44.

[62] Couve de Murville, Speech on Occasion of Budgetary Debate, October 20, 1965.

[63] Markel, *op. cit.* 69.

[64] See De Gaulle, Radio and T.V. Address of July 12, 1961, *op. cit.*, 138.

[65] See De Gaulle, 10th Press Conference, July 23, 1964, 11.

[66] Charles Bohlen, before the Kelly Subcommittee, March 17, 1966, 8.

[67] De Gaulle, 13th Press Conference, Paris, February 21, 1966, Ambassade de France, Service de Presse et d'Information, 8–9.

[68] Fall, op. cit., 34.

[69] Facts on File, 1965, 66E3.

[70] *Ibid.*, 180D2.

The two incidents we have mentioned here may or may not have been connected; what is important to realize, however, is that a nation with a definite, established interest in Vietnam was told that the whole conflict was none of its business. French policies *vis a vis* Vietnam may not be correct, but they certainly deserve a hearing, and a courteous hearing. The lesser treatment that France has received at our hands is hardly that of a close ally.

One final point should be made. French criticisms of our involvement in Vietnam, as indicated by the cited excerpts from General de Gaulle, are rather loud and discourteous to the United States. Once again, it is important that we realize that provocative language is one the General's trademarks. We might expect, however, that we should be more amenable to criticism if that criticism were less brash and less public.

CONCLUSIONS

It should be emphasized at the outset that any recommendations made here concerning the resolution of French-American differences are only tentative first steps toward that resolution. The problems today facing the North Atlantic Alliance are complex; there is no simple formula which, if applied, will make them vanish tomorrow. On the other hand, to refuse to act is to allow the present situation to deteriorate to the point where it is beyond repair. With these thoughts in mind, the following suggestions should be considered by the United States.

(1) With regard to NATO, a more equitable partnership should be formed. Consultative procedures should be regularized. Our allies should be consulted on all major military decisions. In addition, the recommendation of the Republican Factfinding Mission to NATO concerning the formation of a top-level planning conference of the 15 NATO members should be immediately implemented.

(2) American nuclear policy should be immediately clarified. Our policymakers should repeatedly state that this country will defend Europe by whatever means are necessary in the event of attack, including nuclear weapons. The credibility of our commitment will have be strengthened.

(3) We must recognize that, for better or worse, France is a nuclear power. We must seek effective ways for the French force to be coordinated with NATO, while recognizing the right of France to have independent control of her arsenal to cope with situations where her interests and ours do not precisely coincide.

(4) We must avoid any manifestation of favoritism toward Great Britain regarding military cooperation and offers to mediate in Vietnam.

(5) Immediate consideration should be given to the possibilities of an approach toward Eastern Europe through the NATO structure.

American relations with France have deteriorated to a dangerous extent in the last five years. Provocative language on the part of General de Gaulle has elicited provocative responses; mannerisms have been mistaken for substantive claims. In the long run, however, the French imbroglio of 1966 has been marked by few substantive differences between the two countries, and we are certainly capable of resolving them. The real crisis in our relations with France concerns what Bernard Fall calls "mutual respect." To restore the French-American friendship to its former vitality, both sides will have to respect each other's claims, recognizing their sources. The use of inflammatory language in an attempt to assess blame for our current divisions is a futile pursuit.

CODE OF ETHICS FOR THE CONGRESS

Mr. MIZE. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. WIDNALL. Mr. Speaker, it is a matter of concern to all of us that public confidence in Congress has been lessened by highly publicized allegations of misconduct on the part of a few. A recent poll indicates that 60 percent of the public believe that misuse of funds by Congressmen is fairly common. Such misconceptions need to be counteracted. Confidence in Congress needs to be restored. Charges that all or most Members misuse their authority need to be met with a positive response. For these reasons, I am introducing today a resolution to provide for a bipartisan Committee on Standards and Conduct.

Establishment of such a committee is only the first of several steps which are now in order. The committee should proceed immediately to investigate charges, in addition to those already under formal consideration, levelled against any Member of Congress or any congressional employee. Let those who maintain that congressional misconduct is widespread present their evidence and make their case. When there is established a continuing mechanism for hearing any and all cases, many of these loose charges will cease to be made. Attention cannot then be diverted from actual misdeeds.

While some types of actions are clearly proscribed by existing regulations, other types fall into a gray area, not forbidden by law but also not entirely free of suspicion. There is need for a Standards and Conduct Committee to hold hearings on a congressional code of ethics. Hopefully such hearings would not only draw upon the experience and wisdom of Congress but would also seek the advice of others. Those in the academic world, in the business and labor communities, in the legal professions and in other professions should have an opportunity to speak openly and directly to us on standards of congressional conduct. Hearings should be extensive for matters of ethics are sometimes difficult and complex. It is likely that standards should go beyond that which is narrowly and technically proper to make sure that behavior will not encourage even the suspicion of violation of public trust. Thus much more will be involved than the uses to which individual and committee funds are put. The whole matter of conflict of interest needs to be resolved.

When all matters have been considered carefully, the Conduct and Standards Committee should propose a code of ethics and other appropriate regulations. We can avoid frivolous restrictions and unnecessary invasions of privacy at the same time that we set high standards of honesty, impartiality, and independence. It is urgent that we act now. Public concern extends far beyond any individual case. The disposition of a particular case will not allay public fears. Respect for Congress as an institution is at stake. Every effort should be made to reassure the public that their representatives conduct the Nation's legislative business with integrity.

LITHUANIAN INDEPENDENCE

Mr. MIZE. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. WIDNALL. Mr. Speaker, today marks the 49th anniversary of the day that the independence of the Lithuanian nation was declared. The Lithuanian people's independence did not long endure. Twenty-four years after that first Lithuanian Independence Day the nation's independence became a thing of the past. In 1940 Lithuania was occupied by Nazi troops and later became engulfed in the brutal tide of Communist conquest.

We shall not forget that the citizens of Lithuania still possess the spirit of freedom and self-determination they so boldly displayed in 1918. It is fitting, therefore, that we pause to commend the Lithuanian people on their struggle to resist Communist domination. We again express our hope that at a future day these people will be able to exercise their love for freedom and the inherent dignity of man.

Mr. Speaker, at this point I include a resolution which was adopted recently by the Lithuanian Council of New Jersey in commemoration of the 49th anniversary of Lithuanian independence:

RESOLUTION

We, American Lithuanians of Newark, New Jersey and vicinity, gathered in a meeting on February 12th, 1967 at Saint George's Lithuanian Hall, to commemorate the 49th Anniversary of February 16th, 1918, Declaration of Independence of Lithuania, did unanimously adopt the following resolution:

"Whereas: the Lithuanian people are strongly opposed to foreign domination and are determined to restore their freedom and sovereignty, and;

"Whereas: the Soviet Union has by force of arms suppressed the freedom of the people of Lithuania and had continued to deny these people the right of self determination, NOW Therefore, Be It

"*Resolved* That the Soviets show their sincerity by liberating the Baltic Countries of Lithuania, Latvia and Estonia, and Be It Further

"*Resolved* To urge the President of the United States to instruct the United States Mission to United Nations to request that the abolishment of the Soviet rule in the Baltic States be included in the agenda of its General Assembly of the United Nations, and Be It Further

"*Resolved* That the Soviet consular treaty must be unconditionally rejected and any endorsement of it is an endorsement of Soviet aggression, and Be It Further

"*Resolved* That we send this Resolution to the President of the United States, the Secretary of State, the United States Ambassador to the United Nations, all Senators and Rep-

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[71] Couve de Murville, Speech of October 20, 1965, 10.

representatives from the State of New Jersey, the Governor of New Jersey, and the Press.

"Lithuanian Council of New Jersey,
"Valentinas Melinis, *President*.
"Albin S. Trecickas, *Secretary*.
"Newark, N.J., *February 12, 1967*."

MORE ON THE W. E. B. DuBOIS CLUBS OF AMERICA

Mr. MIZE. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashbrook] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, an episode at the University of Illinois recently concerning a DuBois Club has created quite a stir in both Illinois political and educational circles.

The board of trustees of the university recently, by a vote of six to three, voted to recognize an Urbana student organization of the W. E. B. DuBois Clubs which has been cited at various times by J. Edgar Hoover, Director of the Federal Bureau of Investigation. For instance, in his anual report on the FBI for 1965, Mr. Hoover stated:

> During 1965, the Communist Party's year-old youth front, the W.E.B. DuBois Clubs of America consolidated its resources and became more ambitious in its efforts to expand its influence among the youth of the Nation. Volunteer recruits, who were trained at a Communist Party cadre training school were sent into the Midwest area during the summer of 1965 to bolster the midwest region of the DuBois Clubs.
>
> Two DuBois Clubs' leaders recently openly announced their affiliation with the Communist Party and the DuBois Clubs national president has issued a public statement that the organization welcomes Communists as members.

Evidently, those volunteer recruits or their coworkers referred to above by Mr. Hoover as being dispatched to the Midwest are meeting with success as indicated by the University of Illinois development.

The position of the trustees voting for the recognition of the DuBois Club is justified, they say, because the Subversive Activities Control Board hearing on the W.E.B. DuBois Clubs has not been resolved at the present time. This is a matter of judgment, of course, but the prudence of the six trustees is certainly open to question. Mr. Hoover has previously stated, on a number of occasions, that this organization was founded by the Communist Party of the United States to infiltrate and influence youth groups in our Nation. It is especially ironic that Mr. Hoover's word of caution was ignored for he has singled out this group as a warning for educational circles to consider.

It is doubly ironic that Mr. Hoover has stressed the Midwest as a target area for the DuBois Clubs. In February 1966, before a House appropriations subcommittee, Mr. Hoover warned:

> A primary task of the students who attended this school was the recruitment of minority youth for the party's year-old front group, the W.E.B. DuBois Clubs of America. During the summer of 1965, this organization launched an ambitious program aimed at bolstering its Midwest region which had been beset by factional disputes, lack of organization, and adverse publicity. Participants in this program spoke of this "summer project" in glowing terms at a conference of national coordinators of the DuBois Clubs held over the Labor Day weekend in Chicago.

If the man most responsible for the internal security of this Nation, the Director of the FBI, is not to be heeded, then our security is most certainly in jeopardy. It would be interesting to learn to what extent the students of the University of Illinois are apprised of Communist philosophy, tactics and strategy through responsible courses on this subject based on authoritative sources such as congressional committee reports and reports of other Federal agencies. The Hoover statements are a case in point. These are public statements available to anyone who is interested. Material such as this is a must for courses on the Communist menace. Perhaps the University of Illinois is fortunate to have such instruction for its students. If so, I would suggest that the six trustees who voted to recognize the W.E.B. DuBois Club submit to such instruction.

I place three articles from the Chicago Tribune for February 10, 15, and 16 in the Record at this point:

[From the Chicago Tribune, Feb. 10, 1967]

DuBois Club Voted University of Illinois Recognition—Trustees Accept Urbana Unit, 6 to 3

(By Thomas Buck)

The board of trustees of the University of Illinois was besieged yesterday by student demands for greater political activity on the Chicago and Urbana campuses and for repeal of a state law banning speakers of subversive organizations.

In one instance, the U. of I. trustees, meeting at the Chicago Circle campus, voted 6 to 3 to recognize an Urbana student organization of the W. E. B. DuBois club, which at the national level has been termed a communist front group by the United States attorney general's office.

NOT CALLED SEDITIOUS

The majority of the U. of I. board acted on grounds that the DuBois club has not yet been designated as seditious by the subversive activities control board of the federal government. At the same time, the trustees affirmed a policy not to recognize proven subversive groups.

In another instance, the U. of I. trustees received petitions from student leaders at both the Chicago Circle and Urbana campuses with a two-fold request:

1. That the U. of I. rescind a "general rule" which long has limited political speaking appearances on campuses to candidates for office on a nation-wide or state-wide basis. For campaign speeches, this rule now prohibits campus appearances by such candidates as those for the House of Representatives, the state legislature, aldermen, and mayors.

ASK CLABAUGH ACT REPEAL

2. That the U. of I. trustees ask the state legislature to repeal the 1947 Clabaugh act, which prohibits the university from making its facilities and campuses available to members of subversive organizations espousing their causes.

Student leaders who made this request also carried a letter from Adlai E. Stevenson III, the Democratic state treasurer, supporting them on these two demands.

The six trustees voting to recognize the DuBois club at this time included Wayne A. Johnston, Flossmoor, chairman of the general policies committee; Howard W. Clement, Des Plaines, board of trustee president; Theodore A. Jones, Chicago; Irving Dilliard, Collinsville; Mrs. Frances B. Watkins, Chicago; and Kenney E. Williamson, Peoria.

THREE SPEAK STRONGLY

Voting "no" were Earl M. Hughes, Woodstock; Harold Pogue, Decatur, and Timothy W. Swain, Peoria. All spoke strongly against the move, Swain pointed out that the DuBois club also had been designated as subversive by J. Edgar Hoover, director of the Federal Bureau of Investigation.

A report by the general policy committee, presented by Johnston, the chairman, pointed out that the Urbana group of the DuBois club had denied any affiliation with the national organization. Swain and Pogue also had cast dissenting votes in the committee action recommending recognition of the Urbana group.

The committee recommendation carried this final stipulation: "However, at any time that the W. E. B. DuBois club or any other student group can be proved to be subversive, seditious, or dedicated to the violent overthrow of the government of Illinois or of the United States, the trustees will expect the administration of the university to deny to that group the privileges and ties of association with the university that are allowed to recognized student groups."

CLUB MEMBERS FEW

John Schmadeke, editor of the Daily Illini, the Urbana student newspaper, said "no more than five or six students" were members of the DuBois club there. The matter, however, became a major issue after many faculty members voiced opposition to the question being taken to the U. of I. board instead of being left in "normal channels" with Stanton Millet, the dean of students. Millet said he now will grant the club official recognition.

More than 40 Chicago Circle students jammed the trustee meeting room to hear Richard King, 21, chairman of a student committee on academic freedom, present the demands for greater political activity and for repeal of the Calbaugh act. The board of trustees referred these demands to the general policy committee.

[From the Chicago Tribune, Feb. 15, 1967]

Peters Assails University of Illinois Recognition of DuBois Club

(By Robert Howard)

Springfield, Ill., Feb. 14—Trustees of the University of Illinois were criticized in legislative halls today for recognizing an Urbana campus offshoot of a national communist front organization, the W. E. B. DuBois club.

Sen. Everett R. Peters [R., St. Joseph] announced that he is preparing a resolution criticizing the board. He said he hopes for a vote tomorrow on the resolution, which will be co-sponsored by Sen. Robert W. Mitchler [R., Oswego].

"The trustees ought to reverse themselves at their next meeting," said Peters, who lives 10 miles from the campus and for 20 years has been the university's chief spokesman in the legislature.

OPPOSED BY PAGE

The trustees, on a 6-to-3 vote last week, yielded to pressure from a small student group by recognizing the DuBois club. Nationally it has been classified as a communist front organization by the United States attorney general's office.

Ray Page, state superintendent of public instruction, told a reporter that he would have voted against recognition if he had attended the board meeting last week. He is an ex-officio trustee.

Rep. Charles W. Clabaugh [R., Champaign], another university spokesman, said he had telephoned a protest to the office of Dr. David D. Henry, university president. Clabaugh said he regarded the vote as unnecessary and in bad faith.

CONFER ON BUDGET

The university's biennial appropriation bills have not been introduced. Peters and Clabaugh have been participating in high-level conferences to determine whether record-breaking spending requests are justified.

In separate interviews, Page and Clabaugh noted that three of the votes for recognizing the DuBois club were cast by lame-duck Democrats who did not run for reelection or were defeated last Nov. 8. The three Republicans who replaced them will be inducted at the board's annual meeting March 14.

BACKED BY ADLAI

Plans to introduce a bill to repeal the Clabaugh law, which prohibits use of University of Illinois facilities by any subversive, seditious, or un-American group, were announced by Rep. Anthony Scariano [D., Park Forest].

The repealer, which is supported by Treasurer Adlai E. Stevenson II, was one of the demands submitted to the university trustees by some students from the Urbana and Chicago Circle campuses. They also demanded greater political activity on university grounds.

The trustees recognized the DuBois club on the theory that it has not been designated as seditious by the Federal subversive activities control board. They affirmed a policy of not recognizing proved communist groups.

[From the Chicago Tribune, Feb. 16, 1967]

Senate Tells University of Illinois To Bar DuBois Club

(By Robert Howard)

Springfield, Ill., Feb. 15.—The Senate today asked the University of Illinois trustees to rescind the recognition on the Urbana campus of the W. E. B. DuBois club, which in a series of speeches was identified as a communist-front organization.

In the debate on a resolution criticizing the trustees, fear was expressed that lenient policies might result in the state university becoming a hotbed of campus demonstrations like the University of California.

CALLED GRAVE ERROR

Lt. Gov. Samuel H. Shapiro put the question to a vote and announced its adoption so quickly that no opposing votes were heard.

Three retiring Democratic trustees were held responsible for last week's action in a speech by Sen. Everett R. Peters [R., St. Joseph], who for two decades has been the university's chief legislative spokesman.

Peters called recognition of the club a "grave error." He said the request for campus approval had been pending two years and was not considered until the last meeting before the induction, scheduled for March 14, of three Republicans elected Nov. 8. The vote for recognition was six to three, with five Democrats and one Republican favoring the action.

THREE DEMOCRATS COSPONSORS

Sen. Robert W. Mitchler [R., Oswego] and Peters were chief sponsors of the resolution, which asked trustees to refuse to permit the DuBois club to begin organization work on the campus.

Among co-sponsors were three Democrats—James H. Donnewald of Breese and Thad L. Kusibab and Zygmunt A. Sokolnicki, both of Chicago.

Only Republicans spoke for the resolution. Dennis J. Collins [R., De Kalb] praised Gov. Reagan of California for firm policies regarding the University of California. He and Hudson R. Sours of Peoria recalled that the troubles at Berkeley, Cal., began with a small group of students.

Sen. Paul Simon [D. Troy] said that the DuBois club at Urbana involves only six students who need publicity.

BROYLES QUOTES HOOVER

Sen. Paul W. Broyles [R., Mount Vernon] made the major speech identifying the DuBois club as a communist front among young people. He quoted extensively from the writings of J. Edgar Hoover, director of the Federal Bureau of Investigation.

Creation of a special commission to investigate homosexuality was asked by Sen. G. William Horsley [R., Springfield]. He said homosexual activity is widespread. Horsley's resolution was referred to the executive committee after Minority Whip Alan J. Dixon [D., Belleville] said the legislature had fully considered the subject when the 1963 criminal code was adopted.

WENDELL L. WILLKIE

Mr. MIZE. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Gerald R. Ford] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, this Saturday, February 18, would have been the 75th birthday of that exciting and colorful champion of all men's rights, Wendell L. Willkie. A Hoosier of whom his home State is justifiably proud, Mr. Willkie captured the imagination with his unorthodox political style and his genuine appeal to those Americans who admire humility, honesty, and the ideal of equal justice.

In New York City, there is a constant reminder of the intrepid spirit of this unusual American and the ideals for which Wendell Willkie fought. It is Freedom House, formed in 1941 with Wendell Willkie as one of its founders. Established to advance the objectives of a free society, Freedom House is in the Wendell Willkie Memorial Building on West 40th Street.

Mr. Speaker, there is no better way to pay tribute to the indomitable courage that was Wendell Willkie's than to ponder the message on a table in the lobby of the Wendell Willkie Memorial Building. Taken from one of Mr. Willkie's speeches, the message reads:

> We must establish beyond any doubt the equality of man.

SELF-DETERMINATION FOR CAPTIVE PEOPLES

Mr. MIZE. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. Schadeberg] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. SCHADEBERG. Mr. Speaker, today I have introduced a concurrent resolution that would authorize and request the President to instruct our Ambassador to the United Nations to demand that the United Nations enforce its charter provisions which guarantee self-determination to all peoples, by placing on the agenda of the General Assembly at the next regular session convening in the fall of 1967 any measure which would guarantee internationally supervised free elections by secret ballot for the peoples held captive by the world Communist movement and by pressing for early approval of such measure.

I urge my colleagues to consider the import of this resolution for the peace of the world and the future of our children who deserve the right to grow up in freedom.

To paraphrase Abraham Lincoln, the world cannot exist half slave, half free. There is a direct threat to our freedom as long as the Communists deny freedom to the peoples of the U.S.S.R., Poland, Czechoslovakia, Lithuania, Hungary, Litvia, Estonia, Rumania, East Germany, Bulgaria, mainland China and Tibet, North Korea, Albania, North Vietnam, and Cuba.

TRADE WITH COMMUNIST COUNTRIES

Mr. MIZE. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. Schadeberg] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. SCHADEBERG. Mr. Speaker, I rise in support of the concurrent resolution, introduced today by my colleague, the distinguished gentleman from Wisconsin.

This resolution puts the world at large on notice that further expansions of trade, educational and cultural exchanges with the Soviet Union and its satellites in Eastern Europe will be supported by the U.S. Congress only when there is demonstrable evidence that these countries have redirected their actions and policies with regard to Vietnam toward peace and an honorable settlement. It expresses the sense of Congress that these Iron Curtain countries must demonstrate that they have abandoned their policies of support for wars of national liberation before the United States will consider further trade agreements and exchanges.

Gentlemen, our deep involvement in Vietnam cannot be measured in statistics. The dollars—the billions of dollars—which are being spent to fight this war are of no consequence compared to the lives of our young men which are being snuffed out daily in increasingly greater numbers. The inexplicable tragedy of this situation, however, is our continuing aid to and trade with the very nations which are furnishing the backup support to our enemies. We have the opportunity now to go on record decisively in opposition to implementing further this regrettable policy.

I urge my colleagues in this body to join with me in seeking early action on this legislation and to ally themselves with the cause of freedom and human dignity in support of this resolution.

THE GREAT SWAMP OF NEW JERSEY

Mr. MIZE. Mr. Speaker, I ask unanimous consent that the gentlewoman from New Jersey [Mrs. DWYER] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mrs. DWYER. Mr. Speaker, an event of special significance to the people of New Jersey and of the entire New York-New Jersey metropolitan area will take place tomorrow at the Morris County Nature Center in Chatham Township, N.J. The Bureau of Sport Fisheries and Wildlife of the Department of the Interior will hold a public hearing to help determine whether a 2,400-acre portion of the Great Swamp National Wildlife Refuge qualifies for designation as a permanent wilderness area.

I am sure I speak for the great majority of my constituents, Mr. Speaker, when I say that designation of the Great Swamp as a wilderness area is devoutly to be wished. Though the area is physically located within the congressional district represented by our distinguished colleague from New Jersey [Mr. FRELINGHUYSEN], it borders on my own district, and my constituents and I share the same intense desire to protect and preserve the Great Swamp in its uniquely beautiful and naturally wild condition. It is a masterpiece of nature in the heart of the world's most heavily populated megalopolis. For all of us, the Great Swamp is nothing less than a priceless treasure, the sole remaining unspoiled heritage of nature anywhere in the metropolitan area, and the thought of its disposition as anything other than what it is could not be more incomprehensible.

The devotion of our people, Mr. Speaker, to the preservation of the Great Swamp area was dramatically illustrated when the Port of New York Authority in 1959 proposed to develop it as a major jet airport for the metropolitan region. Led by our colleague, with whom I was proud to join, the opposition was overwhelming, and to date we have been successful. Among the principal reasons for success was the remarkable effort of the people of the area in raising $1.5 million to buy 3,000 acres of the Great Swamp which they then turned over to the U.S. Fish and Wildlife Service for management as the Great Swamp National Wildlife Refuge.

As a result of tomorrow's hearing and subsequent study, we are hopeful that the Secretary of the Interior will recommend to the President, and the President propose to the Congress, that a part of the Great Swamp be designated a wilderness area.

Since legislation will be required, it is my purpose today to inform our colleagues in the House of the facts of this proposal and of the great importance with which we view it. Both the facts and our feelings, Mr. Speaker, are persuasively set forth in an editorial published in the February 15 issue of the Independent Press of Berkeley Heights and New Providence and in an article by Brooks Atkinson published in the New York Times Sunday Magazine of February 12, which I include as a part of my remarks:

[From the Independent Press, Feb. 15, 1967]

CRUCIAL!

Those who cherish natural beauty, those who are conservationists—and those who like a good night's sleep have a date with destiny.

On Friday, February 17, at 9 a.m., the U.S. Bureau of Sport Fisheries and Wildlife will conduct a public hearing to determine if a 2400-acre portion of the Great Swamp National Wildlife Refuge, known as the M. Hartley Dodge Unit qualifies as a permanent wilderness study area. The hearing will take place at the Morris County Nature Center at the end of Jay Road in Chatham Township.

All testimony will be forwarded to Secretary of Interior Stewart L. Udall, who will recommend a course of action to President Lyndon Johnson. An Act of Congress is necessary to make the Great Swamp a Wilderness Area. Under such an act the Bureau of Sport Fisheries and Wildlife would be responsible for these lands as a reservation-recreation-nature study area. This Act gives maximum protection to the Great Swamp in terms of its use as a jetport. It does not mean that it is impossible for a jetport to be located in this beautiful swamp—but it would make it more difficult.

Residents in this region should not conclude that there is small chance of the Great Swamp becoming a nestling place for huge jets instead of an Atlantic flyway for water fowl during the migratory season. Plans for its use as a jetport are still on the drawing boards. Many state officials hedge when questioned as to their position on the use of the Great Swamp as a jetport. Its major advantages as a site for a jetport become enhanced with each passing year. Proximity to New York and Newark increases with the completion of each new link in our maze of federal and state highways; less and less vacant land remains for development; politicians become more and more aware of the economic lift the location of such a huge complex in the Garden State would mean.

The concept of a jetport in the Great Swamp is not dead. Placement of this 2400-acre area under the protection of the Wilderness Act would give region residents some reassurance that it will not suddently happen . . . that we will have time to organize, present alternates, etc.

So those who like jet plane free nights, and those who revel in long distance views with waving swamp grass, trees partially submerged in water, flocks of birds sweeping up into the sky, the remains of an old farm building rotting away. . . . For all this and much more so typical of our Great Swamp—you have an appointment: Friday, February 17th at 9a.m. Be there.

—HVL.

[From the New York Times magazine, Feb. 12, 1967]

GREAT SWAMP IS GOOD FOR NOTHING—BUT LIFE, KNOWLEDGE, PEACE AND HOPE

(By Brooks Atkinson [1])

After ten or eleven thousand years, another winter has seized Great Swamp in Morris County, New Jersey. The trees are bare, the snow is crusted, the marshes are frozen and little silvers of ice cling to the edges of brooks. In comparison with the life of the other seasons there is not much to see except tree sparrows, in the bushes or among the weeds; titmice; a mocking bird puffed out against the cold; a pheasant; Canada geese; a barred owl, and a few indolent white-tailed deer. Winter has locked up this ancient reservoir of life.

Although the difference between ten and eleven thousand years is stupendous by the standards of human life, it is trifling in geological terms. The exact date when the Wisconsin ice sheet melted into the north and left the physical structure of Great Swamp is not a matter of disturbing consequence. All that concerns the residents of the region today is that the retreating glacier left a wild swamp that has remained autonomous to this day, and puts a solid foundation under modern life.

It is a natural masterpiece, only 30 miles west of Times Square. When the air is clear you can see the peak of the Empire State Building from the ridges of geological till that surround the swamp. The contrasts are dramatic. Thirty million people live in big and small houses in the surrounding terrain; automobiles and trucks choke the cement highways that sweep around the swamp; railroads cut by on both the north and the south. Great Swamp is so centrally located to business and industrial institutions that the Port Authority would like to tear it apart and make it into a jet airport.

But for many thousands of years Great Swamp has retained its independence and preserves in the midst of megalopolis a living patch—seven miles long and three miles wide—of primitive America. "Progress" has stopped where Great Swamp begins. In New Jersey the density of the population is 833 people to a square mile. But no one lives in the interior of Great Swamp. Even in 1967 some parts of it are impenetrable because of quicksand and thick vegetation.

There was a time, not more than a half-century ago, when the word "swamp" was the equivalent of "waste" or "danger." Swamps occupied wasteland that most people thought should be developed into real estate. Swamps harbored snakes and vermin. Swamps held stagnant water that was suspected of breeding agues and diseases. Escaped slaves hid in swamps; escaped prisoners disappeared there. In most respects swamps were regarded as blights in the community.

But swamps are now regarded as essential links in the chain of life. When, in 1959, the Port Authority first proposed to debase Great Swamp into a jet airport, people in the surrounding communities organized into local units and raised $1.5-million to buy 3,000 acres, which they turned over to the U.S. Fish and Wildlife Service to be managed as the Great Swamp National Wildlife Refuge. By 1965 the donors assumed that they had succeeded in preserving Great Swamp. The basic motive was no doubt to spare the community the bedlam of an airport; and the nonprofessional campaign to raise money was widely recognized as an admirable instance of voluntary civic action.

Exclusion of an airport was not the only motive. Ever since the Morris County Park Commission built a nature center for classes and lectures, and the Fish and Wildlife Service built a boardwalk into one part of the swamp, and the Garden Clubs of Summit and Somerset Hills built an observation tower in another wild area, thousands of visitors have been going to Great Swamp to see the splendor of the laurel blooms in the spring, the calla lilies, marsh marigolds and pink lady's-slippers, the wood ducks, the herons and bitterns as well as the deer and the fox.

For many years professional and amateur naturalists have realized that Great Swamp teems with multitudinous forms of life. It has become a classroom for schoolchildren. For students at nearby Drew University, at the College of St. Elizabeth and at Fairleigh-Dickinson it serves as a field laboratory. James W. Hand Jr. of Green Village, a former president of the Summit Nature Club, compiled a list of 178 species of birds seen in Great Swamp from September, 1949, to March 1964. More than half of them nest in the swamp. Woodcock, snipe, grouse and pheasants are abundant, either as migrants or residents. Dr. Robert K. Zuck and Mrs. Zuck of the botany department of Drew are collecting the plants of Great Swamp. In previous lists the plants had been estimated at about 85. The Zucks have already collected more than 600 and expect to collect more than 1,000 before they are finished.

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[1] Brooks Atkinson, for 30 years The Times drama critic, then critic at large, and now retired, has written eight books, all of which testify to his knowledge of and fondness for nature. His first was "Skyline Promenade," published in the mid-twenties; his most recent, "Brief Chronicles," published last year.

The deer population of Great Swamp is thought to be about 200. Other mammals include muskrats, weasels, mink, raccoons, striped skunks, red and gray foxes, opossums, woodchucks and cottontails. Their tracks are everywhere. In Great Brook and the Passaic River, which gets about half of its water from Great Swamp, bass, white perch, catfish, sunfish and carp can be taken. Primrose Brook, which is a branch of Great Brook, is stocked with trout.

Every swamp is unique. But those who explore Great Swamp regard it as unique because its contains both northern and southern species of trees, and because little islands throughout the swamp retain trees that are of virgin growth. In addition to sweet gum, sour gum, tulip trees, black and yellow birch, pin oak, black oak and red oak, the swamp contains some white oaks of prodigious size. One of them stands 95 feet high and has a diameter of 4 feet 9 inches. Some of the beeches are also enormous; one has a trunk 14 feet in circumference. Some of these massive trees are thought to be from 300 to 500 years old—in other words, dating from colonial days, or possibly from several years before Columbus sighted San Salvador Island. An oblong bowl of lowlands that used to be regarded as worthless is now recognized as a museum of thousands of years of natural history and a rich storehouse of wildlife of today.

Although the Port Authority can destroy Great Swamp expeditiously, no organization of human beings and inhuman machines could have built it. The structure is too vast in scale. In point of fact, it began 185 million years ago when the red shale on which Great Swamp rests was laid down. Ten million years later the Watchung Mountains, now covered with suburban houses, boiled out of the ground in the form of volcanic lava. Fifty thousand years ago (recent history in the timetable of geology) the Wisconsin glacier started creeping south; it reached its southern limit about 12,000 years ago. When it started to melt it left walls of gravel and sediment that contained a lake 160 to 240 feet deep, 30 miles long and 8 to 10 miles wide. It existed for about 1,000 years.

People who live in new houses on the hills surrounding Great Swamp can blame their steep driveways on the Wisconsin glacier. It left a terminal moraine not well suited to constructing level lawns or roads. The trouble caused by icy driveways this winter began thousands of years ago. Traces of the sediment left by the glacier can still be found on the slopes of the Watchung Mountains and Long Hill, which were islands. Before Lake Passaic drained out through the Little Falls gap near Paterson, it lasted long enough to lay down a solid clay deposit 60 to 80 feet deep that today keeps the ground water flowing through a gravel and sand aquifer beneath. Surface water hardly penetrates the clay bottom of Great Swamp. Surface water nourishes the vegetation and transpires into the atmosphere; and since the swamp slopes 17 feet, surface water slowly moves through the marshes and three-quarters of it eventually flows into the Passaic River. Between the time of the advance of the glacier and the time it retreated, about 4,000 years elapsed. That is a tremendous investment of time in the shallow bowl of forest and marshes that now constitutes a unique entity. Modern bulldozers, draglines and dump trucks could reshape into it the form of an airfield in three or four years.

Man has had a long history in the swamp. In 1965, a member of the Archaeological Society of New Jersey found a stone javelin estimated to be about nine thousand years old. That was the period of nomadic hunters. Members of the chapter who have dug on the perimeter of the swamp have discovered 37 Indian sites of much more recent origin—3,000 years, perhaps. In modern history the records of deeds show that William Penn and two of his sons owned 6,000 acres of Great Swamp in 1667. Men have been picking away at it ever since. During the American Revolution trees were cut to make charcoal for smelting iron. Brick and potash industries were begun. In the nineteenth century the forests were ransacked for ships' timbers and railroad ties. A factory that made fruit baskets depended on the swamp for raw materials. Swamp meadows still produce what is termed "foul" hay. There have been farming and grazing projects on fields that stand above the waterline.

People still live as close to the swamp as possible, paying for their proximity with wet cellars and roads that are occasionally flooded and impassable. Attempts have been made to drain the swamp. But Great Swamp is essentially impregnable. The energy of every attempt to tame the swamp eventually succumbs to the swamp's indomitable character. It can be imposed on; some kinds of compromise can be made with it. But so far it has not been absorbed into the fabric of civilization.

This coming Friday the U.S. Fish and Wildlife Service will hold hearings in the Morris County Nature Center, at the end of Jay Road in Chatham Township, on a proposal to designate part of the area now managed by the service as a Wilderness Area. If the proposal is accepted, a section named for the late M. Hartley Dodge, one of the pioneers in saving the swamp, will be maintained as a wild area, with trails and roads restricted to foot travel. Meantime, the Government continues to buy additional tracts of land in the roadless area of unspoiled swamp and wooded knolls. It now owns about 4,500 acres (including the 3,000 it was given) and this figure may rise to 6,000 by the end of the year.

To people in love with the life and lore of the swamp and its sequestered beauty, the dynamic signs of the Bureau of Fish and Wildlife are gratifying. The design of the flying goose on signs posted everywhere means that a large part of Great Swamp is already under professional management. It means that the wildlife will be preserved and the public invited in. It means that hunting will be supervised and controlled.

Apart from the wood ducks, bluewinged teal and other water fowl that nest in the swamp, millions of land and water birds migrate twice a year through Great Swamp, which is only 25 miles from the mouth of the Hudson River and is part of the great Atlantic Flyway. At present the refuge produces about 275 newly hatched ducks a year. The Wildlife Service expects to increase production to 1,500 young ducks and 150 young geese each season. By building low dikes that will stabilize the level of the water, the service will also make the swamp more useful for migrating birds. It will plant about 300 acres of the small grains that water birds feed on. Eventually, the agency hopes to make the refuge the sort of habitat it was 100 years ago.

No man is an island, as John Donne declared; and in ecology no species, including man, can destroy the environment and survive. Great Swamp is a spiritual resource. In the midst of a dense tangle of people, facilities and factories it provides an enclave of about 10,000 acres where people can find solitude. Anyone who travels from Hoboken to Morris County can see how urgent it is to conserve an open retreat against the bedlam and ugliness of an industrial jungle. Across the Jersey marshes the landscape looks frantic. The scramble of bridges, tracks, highways and power lines, the hodgepodge of billboards, storage tanks and junkyards are not only dreary. They look desperate. They debase the landscape. They are symbols of a shrill, competitive, nervous disorder that has destroyed much of the beauty of America and much of the joy of being alive. The pace is fast, but the blight is permanent.

Since the climate has not been uniform during the last ten or eleven thousand years, we cannot assume that all the winters at Great Swamp have been identical with this one. Some have been colder; some have been warmer. But this shallow bowl of water, marsh, meadow and forest preserves in the midst of a harsh metropolitan area a harmonious part of the America that has always been. In Great Swamp nothing essential has changed since the mammoth glacier receded. The rhythms of life through the seasons and through the ages continue their mysterious dance. In the winter the woods are virtually silent. There are no sounds except the detached tap of a woodpecker or the chance cry of a bluejay. Under the pale sky the marsh ice looks gray, with occasional spots of gold where the sun falls on it.

All around Great Swamp property values rise because the population is increasing and the supply of land remains the same. In Great Swamp the property values are low because the land is good for nothing except life, knowledge, peace and hope.

A BILL TO PROTECT THE CONSTITUTIONAL RIGHTS OF THE ALLEGED MENTALLY INCOMPETENT

Mr. MIZE. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. CURTIS. Mr. Speaker, I am pleased to join with my distinguished colleague from Missouri, the Honorable Durward G. Hall, M.D., in again introducing a bill to protect the rights of mentally incompetent persons committed thereunder, and for other purposes. The subject matter has been of great concern to both the American Medical Association and the American Bar Association for years. The actual legislation has received the endorsement of the U.S. Judicial Conference, the New York City Bar Association, and several other local bar associations familiar with the problems of the mentally incompetent. The matter of providing better procedures both to help the truly mentally ill get proper and timely treatment and for the protection to all individuals who might be alleged to be mentally ill standing trial is under active consideration by the American Law Institute, the American Bar Association, and the American Medical Association.

Most unfortunately, the administration and civil rights groups have given very little attention to this important problem. As I pointed out in my remarks in the last session of Congress, as did

Congressman HALL in introducing his bill—H.R. 2537—on January 17, 1967, this bill might appropriately be called the Civil Rights Act of 1967. It should receive the warm support of all civil rights groups and leaders in both the political parties.

It is important that we do not lose sight of the entire spectrum of civil rights. As a strong central government grows it becomes increasingly important to safeguard those areas of personal liberty which history and current events demonstrate come under attack. Differences of opinion within a society are healthy and necessary. Yet strong central governments have a tendency to treat dissent as arising from intransigence and stupidity on the part of the dissenter rather than the limitation of human knowledge—or indeed the limitation of the knowledge of those in power. It is a temptation to zealots to transgress the dimly lit border to interpret intransigence as mental illness, to point up the less sinister actions of those holding concentrated power within a society.

Two widely publicized events within the past few years have provided evidence that the convenient way of stilling dissenting views through incarceration in a mental institution can happen even in our open society. One involved the case of a Federal employee who gave testimony deleterious to the objectives of the current administration who was then sent to a mental institution under very questionable circumstances. The other case involved a retired military general who was on the scene of a serious civil rights demonstration at the University of Mississippi and was removed from the scene and sent to a Federal mental institution, again under very questionable circumstances.

A third incident, not publicized, came to my attention in processing the caseload of my constituents. One of my constituents had imprudently impuned the motives of the President in writing and on Government stationery. Perhaps his actions required some kind of discipline. Instead of orderly discipline, however, his action began a chain of events which culminated in his dismissal for mental incompetency. Throughout the caseload of my constituency I find instances where mental incompetence becomes the issue and yet there seems to be no orderly procedures for determining with some certainty what the professional medical judgment would be.

I point to these examples, not to minimize the importance of treating mental illness when it occurs but to illustrate the fact that without great care coercion of a sinister nature can occur even in America if we do not establish and maintain proper procedures. Alarming as it is that Federal officials in the United States may have acted in this fashion, it is even more alarming to find an apathetic public reaction to them.

Mental illness is, of course, a reality and it is necessary for the welfare of the mentally sick person as well as for the protection of society in certain instances to place them under restraining medical care. However, there needs to be at all times laws carefully written and carefully administered to assist in the proper identification and treatment of these illnesses and to be certain that improperly motivated persons not just in public life but in the many instances in private relations who may have a nefarious interest in having a person declared insane be unable to pursue their designs.

This bill would help to establish just such needed tools and safeguards. The bill would require the following amendments with respect to mentally incompetent persons.

First. Require that a preliminary motion for a judicial determination of the mental competency of the accused to stand trial be supported by a sworn written statement based on personal observation by a responsible adult as to the mental condition of the accused;

Second. Require a hearing on the preliminary motion at which the accused and his attorney should be present;

Third. Authorize a psychiatric examination or temporary commitment for such examination only upon an initial determination by the court that there is reasonable cause to doubt the mental competency of the accused;

Fourth. Limit the commitment, if commitment is ordered, for a reasonable period, not to exceed 30 days, as the court may determine;

Fifth. Require a further hearing on the issue of mental competency to stand trial if the initial report of the physician indicates a state of present mental incompetency.

Sixth. Guarantee to an accused found mentally incompetent, and committed pursuant to the provisions of the statute, the right to a periodic reexamination, not more frequently than every 6 months, on the application of his attorney, legal guardian, spouse, parent, or nearest adult relative.

This is an important matter, Mr. Speaker, dealing with very fundamental rights and liberties. I hope that the statutes regarding mental competency to stand trial receive the updating they so badly need.

THE EDUCATIONAL TAX ADJUSTMENT ACT OF 1967

Mr. MIZE. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. CURTIS. Mr. Speaker, it is my belief that our present educational system is by far the best educational system that any society has ever developed. We are educating more people for longer periods of time than any society past or present. We are the first society to get on top of the problem of mass education—the quantity problem. And so best able to move forward in perfecting quality of education. The best course of action to follow in the future to solve the problems of improved quality and the remaining quantity problems, largely in the poverty areas, is to look to our past experience and to apply the knowledge we have gained there.

In the past session of Congress no one questioned, on either side of the aisle, the need for continually increasing the amounts of money spent in our society on education. The question, however, was raised over the proper means to effectively do this with an emphasis on how money can be spent intelligently. Regrettably the President's message failed to relate his proposal of an enormous aid program to be administered by the Office of Education of the Department of HEW to solution already currently being undertaken, what was done in the immediate past, and plans in being in the future. If any study of these relationships were undertaken and debated in the Congress, I submit that the President's proposal would not have been passed inasmuch as it is premised on the theory that education has been less than satisfactory because the Federal Government has been unable to more closely regulate and supervise the funds. The facts show quite the contrary. We have made tremendous progress in education and many of the problems we now have to solve are the result of progress, not of lethargy.

The administration's propaganda would have us believe that the unprecedented increase in school enrollments resulting from the war baby boom which put a great burden on the educational facilities of this country could have been met only by the beneficent hand of the Federal Government, and that now, more than ever we need the Federal Government to step in and assume some of the costs. However, a review of the statistics reveals that we have coped with the quantity problem at its peak and that since 1958 the birth rate has been on a steady decline. The following table from the Office of Education publication, "Statistics of State School Systems 1961–62" gives the proper context:

Sources of income for school purposes, table G, public school revenue receipts from Federal, State, and local resources, for United States, 1919–20 to 1961–62

[Dollars in thousands]

School year	Federal contribution		States		Local and other	
	Dollars	Percent	Dollars	Percent	Dollars	Percent
1953–54	355,237	4.5	2,944,105	37.4	4,567,512	58.1
1955–56	441,442	4.6	3,828,886	39.5	5,416,350	55.9
1957–58	486,484	4.0	4,800,368	39.4	6,894,661	56.6
1959–60	651,639	4.4	5,768,047	39.1	8,326,932	56.5
1961–62	760,975	4.3	6,789,190	38.7	9,977,542	56.9
1963–64	----------	3.5	----------	40.1	----------	56.4

Furthermore, it is open to question whether the direct intervention of the Federal Government into the area of expenditures for education has increased the total amount our society spends for education. From my studies in the field of international economics I have advanced a corollary to Gresham's law, i.e., bad money drives out good money. This corollary states that Government money drives out private money. I am now finding that the Curtis corollary extends beyond the area of international economics as well. I wonder whether it does not operate in the field of education, and whether there is not a further refinement to the Curtis corollary which states that Federal money drives out State, and local governmental money, as well as private money.

I fully appreciate the pump-priming theory upon which Government money was spent to produce an economic upturn in the depression of the 1930's. To the extent that our Federal governmental grants-in-aid programs were on a matching fund basis there seemed to be some reason for accepting the pump-priming theory, and arguing that it would prevent the Curtis corollary from operating, and that total spending would be increased. However with the Federal matching formulas increasingly becoming more regressive with the Federal Government taking over the large proportions, and the State and local governments taking over the small proportions, I suspect that the Curtis corollary may be in full swing. Certainly, matching formulas like 90 percent Federal, and 10 percent local as we have seen in the Federal highway programs, produce little pump priming effect. The primer is bigger than the well.

One of the loudest cries for increased Federal Government participation is that the State and local governments are so hard pressed financially that they cannot assume the increased costs of education and the increased expenditures our society must continue to make in this area. This is a very peculiar, but nonetheless prevalent, theory. It is peculiar because there is ultimately one source of taxation and that is the individual citizen. The great variety of taxes which we have at the Federal, State, and local level are all borne by him, and the Federal, State and local governments are only tax collectors of the revenue from the one source—the people. Applying proper criteria, the Federal Government is not a very efficient tax collector for educational expenditures. It is not even an efficient tax collector per se of minimizing the economic costs of the collection aspects. The Federal Government is merely efficient in hiding the economic cost of collecting the Federal income tax because it passes the main burden of bookkeeping, accounting, and collecting over to the private sector—to the individuals and businesses. This hardly is a savings to society as a whole. The most efficient tax to collect is the real estate property tax, a tax on wealth rather than income. All it requires is an assessment periodically and an annual billing. It is almost all done by mail. In addition, the Federal Government, not being the sector of government charged with spending the education dollar, has the costly job of transferring the revenue collected to the appropriate local government agencies. This round trip journey to Washington cannot help but result in more inefficiencies and waste.

The theory is nonetheless prevalent because of the desire to use the Federal mechanism to equalize the disbursement of revenues between the allegedly rich and poor States. This desire is laudable, but the premise on which it is based and the means chosen to carry it out are unsound. There is no need for the Government to get into the business of Federal equalization laws; although there is a need for State and local equalization laws and a constant need for them to be updated. The unsoundness lies in the fact that this is an attempt to make the Federal income tax laws do a job that it need not do and that it cannot do efficiently. The mechanism of the Federal income tax need not be used for the purpose of providing increased revenues for educational expenses because of the availability of the neglected, but potentially valuable, property tax.

Intelligent State application of the property tax can provide the needed revenues for increased educational expenses. There are not really any poor States in the United States. The States so often cited as poor are those having poorly developed and poorly enforced property taxes, where there is a considerable amount of absentee ownership, where the assessment on real estate hardly matches the true value of the land and structures particularly when owned by commercial agriculture, business, utility, industry and other private institutions.

I would like to continue to extoll the values of the property tax but think it more expedient at this time to refer interested Members to my remarks, placed in the RECORD on January 23, delivered before the Tax Institute of America's symposium on that subject held in Chicago last November. My purpose today is to offer bills designed to reform the Federal tax law to bring it into harmony with State and local governmental and private efforts to improve education. This reform is in accordance with classic American tax theory; namely, that we do not tax money which is being spent for a social purpose which if it were not so spent we would call upon the Government to spend. In the context of educational expenditures the classical theory encourages expenditures by other sectors of society than the Federal Government by removing tax impediments, and has the added value of disposing of the many problems encountered when we attempt to finance education through the bureaucratic process. For example, under the classical theory there is no problem of church versus state.

Following are analyses of my proposals to reduce the Federal income tax burden to individuals and families paying local and State taxes for elementary and secondary education, paying tuition and fees for higher education, and supporting institutions of higher education through contributions.

The basic provisions of my proposal to encourage State and local financing to meet the rising costs of education are:

Part A would permit a taxpayer to credit one-half of the school taxes he pays, up to a maximum of $100, against his Federal income tax. Those renting, such as apartment dwellers, would be allowed a proportionate credit for taxes paid as a part of rent.

Part B would give a taxpayer the option of claiming a $50 credit per elementary and secondary school child against his Federal income tax, up to a maximum of $200. To those unable to claim a credit against their Federal income tax, the Secretary of HEW would be authorized to make a direct cash payment equal to one-half the school taxes paid by them, up to a maximum of $100.

My proposal to remove the tax burden on individuals and families financing higher education costs takes the following form:

Section-by-Section Analysis and Text of Tuition Credit Bill

SECTION 39—TUITION AND FEES PAID TO INSTITUTIONS OF HIGHER EDUCATION

(a) Taxpayer is allowed to take as credit against his final tax the amount of tuition and fees paid by him during the taxable year to one or more college or institution of higher education for himself or for any other individual for whom he can claim an exemption.

(b) (1) Credit for tuition and fees shall be allowed on the following schedule: (a) 100 percent of the first $100; (b) 30 percent of the next $400; (c) 20 percent of the next $1,000.

For example, a parent pays $1,350 in tuition and fees to a college on behalf of his son. Thus the parent would be entitled to a credit of $390 as follows:

(a) 100 percent of first $100	$100
(b) 30 percent of next $400	120
(c) 20 percent of next $850	170
Total	390

The maximum credit allowance under this provision would be $420.

(b) (2) Where more than one taxpayer pays the tuition and fees the credit allowance shall be prorated among the taxpayers. For example, a parent pays $500 and his son pays $1,000 in tuition and fees to a college. The credit allowance would be $420, of which the parent would be entitled to one-third or $140, and the son would be entitled to two-thirds or $280. NOTE.—The application of this subsection would be very limited inasmuch as each taxpayer must be able to claim an exemption for the individual for whom tuition and fees are paid. In the case cited above, the parent could continue to claim his son as an exemption even though the son is himself a taxpayer provided that the parent contributes more than one-half of his son's support while the son is a student.

(c) (1) Defines "tuition" and "fees" as those required for enrollment or attendance or required for courses of instruction at an institution of higher education. It excludes amounts paid for meals, lodgings and other personal, living or family expenses. If the tuition and fees include an amount for meals, lodging, etc., not separately stated, the portion of the amount attributable to meals, lodging, etc., shall be determined by the Secretary of the Treasury.

(c) (2) Defines "institution of higher education" as one which: (1) normally maintains a regular faculty and curriculum; (2) normally has a regularly organized student body in attendance where the educational activities are carried on (thereby excluding correspondence schools): (3) offer education at a level above 12th grade; and, (4) gifts made to it constitute charitable contributions within the meaning of the code.

(d)(1) If an individual receives a scholarship or fellowship grant (which are not included in gross income) or receives an education and training allowance under the Korean GI bill or War Orphans' Educational Assistance Act, the amount of such grant or allowance is deducted from the amount paid for tuition and fees in determining the credit allowance. Thus, if the amount paid for tuition and fees is $1,500 and the individual receives a grant or allowance of $800, then the credit allowance is based on $700, and not $1,500.

(d)(2) In the case of an individual who is a candidate for a college degree, credit allowance will be given only for tuition and fees paid for courses for which credit is allowed for a college degree. In the case of an individual not a candidate for a degree, credit allowance will be given for tuition and fees paid for courses required for the attainment of an educational, professional, or vocational objective. For example, a Foreign Service officer, transferred to a new post, may take a limited course of instruction in the language, culture, and history of the country to which he has been assigned, or a lawyer may wish to enroll in several graduate law courses to upgrade and enlarge his legal skills. Under both examples, it is intended that credit for tuition and fees paid would be allowed. On the other hand, a certified public accountant who enrolls in a course in Shakespeare merely for his own enlightenment and entertainment would not be entitled to a credit for tuition and fees paid, since the course in Shakespeare would not be part of an educational, professional, or vocational objective.

(d)(3) Provides that the credit allowance cannot exceed the amount of tax owed by the taxpayer. If the credit allowance is $420 and the amount the taxpayer owes is $400, then the credit allowance is reduced to $400. Simply a technical amendment to prevent a claim by the taxpayer that the Government owes him $20 or the amount in excess of his tax.

(e) If a taxpayer is entitled to a deduction under section 162 (relating to trade or business expenses) for tuition and fees paid, he may continue to claim the deduction and the credit allowance as well. However, the deduction and the credit together cannot exceed the amount actually paid for tuition and fees. For example, a taxpayer in the 30-percent bracket pays $150 in tuition and fees. He reduces his tax by $45 (30 percent of $150) by way of the deduction and is entitled to $115 as a credit. Since the total amount of the credit and the deduction is $160, the credit is thereby reduced to $105.

(f) Secretary of the Treasury is given authority to prescribe regulations to carry out this provision.

By removing the tax impediment to individuals contributing to institutions of higher education, a stimulus is provided for increasing contributions to our colleges and universities some of which are in serious financial straits and having great difficulty increasing faculty salaries, expanding facilities, and sponsoring more research. This provision will alleviate to a considerable extent the plight of those institutions that do not have a large endowment fund, or other similar means by which the costs of education are absorbed. The specific provisions are as follows:

SECTION 40—CONTRIBUTIONS TO INSTITUTIONS OF HIGHER EDUCATION

(a) Provides a credit against his final tax for an individual for the amount of his contributions to one or more institutions of higher education during the taxable year.

(b) The credit cannot exceed $100 in the case of an individual or $10,000 in the case of a corporation.

(c) Such credit will apply only if the contribution to or for the use of an institution of higher education is deductible as a charitable contribution. Where the contribution is made not to a college or university but to an agency, foundation or institution, such contribution may be only used by the agency for the same purposes that a college or university may use its funds.

(d) Definition of "institution of higher education" same as section 39(c)(2).

(e) Same as section 39(d)(3).

(f) Permits taxpayer to continue to take a deduction for charitable contributions as well as the credit provided by this section. In no event shall the deduction and the credit together exceed the actual amount of the contribution. Similar to the example set forth in section 39(e)(2).

(g) Secretary of the Treasury authorized to issue regulations to carry out provisions of this bill.

(h) Technical amendment—renumbering of code sections.

One further point concerning the arguments being used against the tax credit approach to assist with the increased costs of education. The Federal administration has opposed the tax credit theory on many grounds, not one of which stands the test of examination. One current argument still being advanced is that Federal income tax credits will only help the wealthier families and will do nothing for the lowest income groups. I have given the answer to this many times. Here it is. Who are the lowest income groups? The poverty class, families with incomes of $3,000 or less? Well, families of over $2,000 pay Federal income taxes, so even some of the so-called poverty families will benefit. With a tax credit all taxpayers, high income or low income, get exactly the same dollar amount—which, of course, means percentagewise a great deal more to the lower income group. Furthermore, these families not paying Federal income tax are only 15 percent of all families, so 85 percent of all our families do benefit. However, if we go further into the pertinent statistics we find that the families with incomes of $3,000 or less are predominantly where the head of the family is in the age brackets of 20 to 30. There are few children of school age in these families and practically none as high as secondary school. Of course, we find the lower income families in the age brackets of 20 to 30. These are the young people first starting out. We also find the lower income families predominantly in the over 65 age bracket. In these families there are practically no children at all to educate. Of course, this is so. These are the grandparents, the people on retirement. When we zero in on the problem we find less than 5 percent of the families headed by persons in the age brackets of 30 to 65 among the low-income groups where the school population exists. In other words, 95 percent of the families with children to educate are Federal income taxpayers and the income tax credit approach will assist them materially and will assist the local communities to collect property taxes without further burdening these very same people who as taxpayers are paying education taxes and as parents are paying the cost of raising the children who are being educated.

Since when is a program which benefits 95 percent of our people undesirable on the basis that it will not help the 5 percent? I would observe that the 5 percent are not neglected, but they come under a different program. Helping the 5 percent is legitimately and traditionally the area for direct Government expenditures, whether for education or just plain housing, health care, clothes, and proper diet, the necessities of life. The answer is that, of course, the Government at all levels—local, State, and Federal—is engaged in assisting these people on all their living costs, including education; and so are our private institutions, our churches, and community chest agencies. We tend to forget this.

I conclude from the series of shifting and unconvincing arguments advanced by the opponents of the education tax credit, which is in the nature of further Federal income tax reform and Federal tax reduction to lower the tax on money spent on education, that their real purpose is not, as they say, to get our society to spend more on education, but rather to try to redirect that which is already being spent.

I, too, want to raise the standards of education in our society. If that is the real aim in the minds of these honorable opponents and that is what the redirection of spending is designed to achieve, then let us move the dialog into this area. I will debate them on this issue as well as the issues I have been discussing. However, it is a different line of argument than that which they have been advancing. The question here lies in whether we raise our educational standards best by the utilization of our local school boards and school trustees to make the decisions or through the process of political bureaucratic judgment at the Federal level, then to be disseminated through the society. I personally believe there are places where the Federal political decisionmaking can be beneficial in the field of education but they are few in number. I would argue it is really only after the local groups have expressed a desire for assistance in somewhat of a consensus that the machinery of the Federal Government should be employed, not until then. Government is the servant of the people, not their copartner, certainly not their master.

THE FEDERAL BUDGET NEEDS REFORM

Mr. MIZE. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. CURTIS. Mr. Speaker, for some time it has been clear to those who study the budget of the United States that its form is archaic and not in accord with sound accounting principles. This fact has been carefully documented in an article by Maurice H. Stans, a former

Director of the Budget, in the November 1966 issue of the Journal of Accountancy.

In this article, Mr. Stans suggests that a nonpartisan commission on budget reform is needed to study the entire budget document and establish consistent, sound principles to be followed in compiling and presenting the budget.

It is encouraging to see that President Johnson has responded to this article by stating in his budget message that he will appoint a "bipartisan group of informed individuals with a background in budgetary matters."

In this respect, it is important to note that the President implies that bipartisanship will be an important feature in making up this group. Mr. Stans, on the other hand, specifies nonpartisanship and professional competence should be the criteria for selection of the commission.

The distinction is important, and should be noted. Certainly the two approaches are not incompatible. The important thing is that the job be done, and done with as much promptness as is compatible with thoroughness, fairness, and competence.

The criticism and suggestions which are made in Mr. Stans' article deserve the close attention of the new commission when it is appointed, and the close attention of all Members of the Congress now, and until the needed complete overhaul of this document is accomplished.

Particularly, it should be noted that at present, the budget document presents three different sets of figures, all purporting to be a budget. This is both confusing and in many respects deceptive. Mr. Stans' article emphasizes this point and the fact that there are many inconsistencies in the treatment of identical or similar items and transactions.

These practices have made the budget of the United States almost impossible to understand.

At this point, Mr. Speaker, I should like to insert in the CONGRESSIONAL RECORD "The Federal Budget Needs Reform," by Maurice H. Stans.

[From the Journal of Accountancy, November 1966]

THE FEDERAL BUDGET NEEDS REFORM

(By Maurice H. Stans [1])

(NOTE.—The author, a Director of the Budget under President Eisenhower and a prominent Republican, gives his personal analysis of what is wrong with the form of the federal budget. While the views expressed are his own, and not necessarily those of *The Journal,* the subject is one in which all accountants should interest themselves.)

It is clearly time to reform the budget of the United States, I am now speaking not of the figures in the budget, but of the way in which the budget is compiled and presented. Proof of the need for reform was supplied by the reactions of editors and commentators when the 1967 budget was sent to the Congress by the President last January.

The budget usually draws criticism from the press, but this year the criticism was unduly severe, and the integrity of the figures was seriously challenged.

Columnist Joseph Alsop referred to it as "Jiggery-pokery." *Time* in an elaborate critique called it a "labyrinth [of] booby traps," and said it employed "every trick of legerdemain." The Akron *Beacon Journal* said that the budget "grossly—and we think deliberately—underestimated expenditures" and characterized proposed spending cuts as "phony." The *Wall Street Journal* said that the proposed deficit reduction hinged "heavily on gimmickry." *The Journal of Commerce* called it "sleight-of-hand." These are typical of press skepticism and distrust across the country.

It is both deplorable and destructive when the principal financial document in the nation is so cynically described. Unless the integrity of the budget is restored and accepted, the financial structure of the country can be permanently damaged. Confidence in the financial management of our government is the backing of our money at home and abroad.

And surely the taxpayer is entitled to a clear-cut, unconfused account of the way in which his money is to be spent!

It is not difficult to find the reasons why so much cynicism now exists. Some of it is based on a mere misunderstanding of details in a complex document. Some of it springs from the proliferation of overlapping programs throughout the government. Some of it stems from outmoded accounting treatments that originated years ago, usually to follow provisions in laws that are often inconsistent with each other on similar subjects. Some of it grows out of innovations introduced or practices expanded in the last year or so. Some of it comes from the obvious efforts in the 1967 budget to embrace conflicting forces of frugality and lavishness at the same time.

Here are some factors that add to budgetary confusion:

1. To begin with, there are three budgets, each of a different magnitude, each for a different purpose, and each producing a different result. The Administrative Budget for 1967 proposes revenues of $111 billion and ends up $1.8 billion in the red. The Cash Budget shows receipts of $146 billion and a surplus of $.5 billion. The National Income Accounts Budget shows income of $142 billion and a deficit of $.5 billion.

2. The budget is not a forecast (except as to revenues), but a Presidential program for government operation. Thus, it may contain proposals for spending or saving that the Congress will not approve, for political or other reasons, and in that sense the budget may not be realistic.

3. There are many inconsistencies of accounting in the budget, by which a type of item is treated one way in one instance and another way in a substantially similar case.

4. Compounding all the weaknesses of earlier budgets, the 1967 budget employs a wide variety of new devices, or enlargements of old ones, to make it seem to be less spendthrift than it is. Some of these are of doubtful validity.

TRUST FUNDS

The difficulties of presenting an intelligible budget are compounded by the fact that Congress has in the past designated certain revenues as "trust funds." These trust funds make up a major part of the difference between the Administrative Budget and the Cash Budget. Most of these so-called trust funds are not such at all, but merely collections of taxes or charges by the government that are earmarked to be disbursed in a specific way.

The major trust funds in the budget are:

1. *Social Security Funds.* At the outset of the social security system, its tax collections from employees and employers were intended to be accumulated over the years in a fund equal to the accrued future benefits promised under the program. But this concept has long since been abandoned. The present balance of $19 billion in the Old-Age and Survivors Insurance Trust Fund is less than one year's payout for benefits. The amount that would have to be in the fund for it to be actuarially adequate to meet its obligations is estimated at about $350 to $400 billion. Thus, the present "trust fund" is in essence merely an account in which one year's tax collections are earmarked to be paid out the next year as benefits. Any impression that an individual's tax payments are accumulated in trust for his own insured benefit is wholly fallacious. Each beneficiary relies really on future tax collections for his future payments.

The same is generally true of the so-called "trust funds" for disability insurance and hospital insurance; they are merely earmarked taxes.

2. *Highway Trust Fund.* This fund collects about $4 billion a year in gasoline and automobile taxes and applies these amounts to highway purposes, largely to the interstate program. The amounts received are almost entirely paid out in the same year and the fund carries forward only a small balance. The receipts are merely earmarked taxes, and, except for the fact that the law calls them so, there are few normal elements of a trust involved.

3. *Unemployment Trust Fund.* This fund collects about $4 billion a year, pays part of this to the states to administer their unemployment benefit plans, and credits the accumulated balance to the states to be drawn down by them as needed to pay benefits. In most years, receipts exceed expenditures and the fund has accumulated almost $9 billion as a reserve for future needs.

The other "trust funds" are smaller. Monies of the District of Columbia government flow through the budget as trust funds. The railroad retirement system is a small private counterpart of the social security system and has accumulated $4 billion with the government as trustee. The civil service retirement fund for government employees collects almost $3 billion a year, pays out $2 billion and has an accumulated balance of $17 billion for future payments. Veterans' life insurance funds have an accumulated reserve of $7 billion. Almost $1 billion a year of foreign aid funds flow in and out of trust fund accounts.

The carried-over balances in the various "trust funds," totaling $65 billion, are invested in United States government obligations, *so in the final analysis all these reserves* rest on the faith and credit of the government, supported by its taxing power.

INCONSISTENCIES

The number of inconsistent treatments that have been built into the budget through the years is almost legion. They break down into these general groupings, with examples given for each.

Deposit reserves. Payments made by savings and loan associations to the Federal Savings and Loan Insurance Corporation to build a fund to guarantee their savings deposits are treated as an offset to government *expenditures in the Administrative Budget;* similar payments made by banks to the Federal Deposit Insurance Corporation to build their deposit guarantee fund are considered a trust fund credit and thereby appear only in the Cash Budget.

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[1] MAURICE H. STANS, CPA, is president of the investment banking firm of Glore Forgan, Wm. R. Staats Inc., New York City. He was formerly Director of the Bureau of the Budget (1958–61) and Deputy Postmaster General of the U.S. (1955–57) and is still active in Republican politics. Mr. Stans has been an active participant in American Institute affairs; he was president in 1954–55, vice president in 1949–50, and a member of Council for seven consecutive years. In addition, he has served on many Institute committees and was both the chairman of the committee on the CPA Handbook and one of the contributing authors. In 1954 he received the AICPA's award for outstanding service to the profession and in 1960 he was elected to The Ohio State University Accounting Hall of Fame. In 1961 he received the Great Living American Award of the United States Chamber of Commerce.

Earmarked collections. Earmarked revenues from sales of timber on government lands are taken into receipts, and the proportions of such revenues which the government has agreed by law to pay to the states appear as an expenditure, both in the Administrative Budget; earmarked taxes on gasoline and on auto and truck parts go into and out of "trust fund" receipts, and thus appear only in the Cash Budget.

Pensions. Retirement benefits to military personnel appears as an expenditure in the Administrative Budget each year. Retirement benefits to civilian employees of the government are partially financed by deductions from their pay and partly by government contributions through the Administrative Budget into a trust fund. Retirement benefits to railroad employees are provided from taxes on employer and employee that are wholly put into and paid out of a trust fund.

The methods of funding may vary. No fund of any kind has been accumulated for retirement benefits to the military. A fund of $17 billion has been built up for retirement benefits to civilian employees, but this equals only about one-third of the accrued liability. The Railroad Retirement Trust Fund has been carefully built up to be actuarially adequate.

Loan collections. If the government gets a repayment on a loan made to a Rural Electrification Administration co-operative or on a loan for college facilities, the amount goes into revenues; but, if it gets a collection on a loan made to a small business or a small business investment company or to a farmer to improve his farm, it is shown as a reduction in expenditures.

Business-type activities. The money the Treasury collects from sales by Bonneville Power and other power administrations appears as revenue and the expenses of these agencies appear as expenditures; in contrast, the power sales of the Tennessee Valley Authority are used to reduce its operating expenses and only the net amount of its outgo appears in the budget. Revenues of the Washington airport go directly into government revenues, and the cost of the services appears in appropriated expenditures; but the Post Office spends $6 billion a year to deliver the mails and only its net loss of $800 million appears in the budget totals for expenditures.

Admissions and fees. Fees received by the Patent Office and the Passport Office are turned over to the Treasury as receipts; but amounts proposed to be charged to packers for meat inspection are applied to reduce costs of the Department of Agriculture; and fees of Agriculture for certain other inspection and grading services are treated as a trust fund and appear only in the Cash Budget.

Sales of assets. Sales of government civilian property go into government receipts, but sales of military equipment are credited against Department of Defense expenditures. Sales from the strategic stockpile go into revenues, but *sales of metals and supplies* bought under the Defense Production Act appear as a deduction from other budget expenditures; and sales of fertilizer by TVA are credited against costs of running that agency. Sales of government domain land go into a conservation fund and are respent from it.

Appropriations. If General Services Administration, the government's housekeeper, wants to build a new office building or Federal Courthouse, the full cost is funded at one time in the budget; but if the Corps of Engineers builds a dam or straightens a river it can start with $1 million in the budget and come back year after year for more money.

Excluded agencies. The Federal Reserve banking system and several agencies in the Treasury Department are excluded entirely from the budget figures. Earnings from the Federal Reserve System, which in fiscal 1967 will amount to $1.8 billion, are taken into budget receipts without detail or explanation.

Housing loans. If Federal National Mortgage Association lends money to a home owner, through its special assistance programs, the transaction appears in the Administrative Budget; if it buys similar mortgages in the secondary market the expenditures appear only in the Cash Budget.

Public debt. If the Treasury borrows money to finance government spending, the obligation appears as part of the public debt; if a government agency like Tennessee Valley Authority or Federal National Mortgage Association borrows money, it does not.

Subsidies. Some subsidies of the government, like those to farmers, to public housing, or to shipowners, are clearly identified, costed and separately appropriated; other large subsidies, such as low interest rates on rural electrification loans and on other government lending programs, are not identified or priced in the budget.

This hodgepodge of irrelevancies and inconsistencies exists because of the lack of guiding accounting principles as to what is revenue, what is a government enterprise, what is a trust fund, what is a subsidy, when should revolving funds be used, and similar determinations. The form dictated by a maze of inconsistent statutes has taken precedence over substance, and the result is confusion.

BUDGET PROPOSALS, 1967

In addition to all of these inherited deficiencies, the 1967 budget carries a large number of proposals that have drawn fire from opponents and critics. None is improper, but all add to doubts about the realism of the budget.

1. *Reductions in politically sacred programs.* The budget proposed cuts of $82 million for school milk, $19 million for school lunches, $191 million for aid to local schools affected by federal installations and $12 million for aid to land-grant colleges. There are others, too, and the budgetmakers must have known from experience that the Congress would not accept them.

2. *Bookkeeping "cuts."* There are proposals to reduce expenditures in the Administrative Budget by changing the bookkeeping for them, like transferring the cost of highways on government lands and the cost of highway beautification against the gasoline tax money in the Highway Trust Funds.

3. *Nonrecurring items.* There are one-time cuts in expenses that can be spotted only by reading the fine print, like a "saving" of $150 million in public assistance costs by shifting the dates of payment.

4. *Hopeless causes.* There are proposals to raise money or to cut expenses in ways which the Congress has many times refused to approve. One is by charging $66 million to processors of meat and poultry for the costs of government inspection.

5. *Sales of assets.* One of the major devices used to make expenses of the government *seem less than they are is the sale of* almost $5 billion of government loans and mortgages, using the proceeds, in the President's own language, "to reduce 1967 expenditures from what they would have been otherwise."

There are other items, large and small, in which 1967 reductions or savings in government costs are merely window dressing, such as:

1. Reductions of $7 million in the cost of defense, and about $24 million in other agencies, by spending government-owned foreign currencies without including them in the budget; in previous budgets, foreign currency spending was included in expenditures at its dollar equivalent.

2. A saving in the cost of the Food Stamp Program by a bookkeeping transfer of $135 million from funds required by law to be used to purchase surplus agricultural products.

3. A serious understatement in costs of military personnel. The budget was based on beginning the fiscal year 1967 with armed forces of 2,987,300 on July 1; actually the Vietnam buildup had brought the total to almost 3,100,000 by that date, creating a deficiency of $569 million in the budget year, which the Congress had to appropriate on its own initiative.

THE FICTION OF LOAN PARTICIPATION SALES

An extreme example of budgetary license, for size and character, is the proposal in the 1966 and 1967 budgets for $7 billion in sales to the public of participation units in pools of loans owned by the government. In accounting substance, these "sales" actually represent borrowings by the government that conveniently circumvent the debt limit and the legal ceiling on long-term interest rates the government can pay. Since the proceeds of these loans are shown not as borrowings, but as a reduction of funds spent, they result in understating the cost of government and the budget deficit. For 1967 alone, the proposed sales of participation certificates amount to $4.2 billion. If these certificates are properly classified as a liability, instead of as a reduction of government expenditures, the projected budget deficit for the year is correctly $6.0 billion instead of the $1.8 billion shown.

In legal form, the transactions are arranged by grouping a large number of government-owned mortgages or loans into a pool and selling "participations" in the pool to outside investors. In effect, the transactions are quite different: title to a share of the pooled loans does not pass to the buyer; the government continues to hold and service them at its expense; interest paid the buyer is subsidized at a rate higher than the interest on the pooled loans; the government puts in the pool up to 50 percent more loans than the amount of participation sold; the interest and principal are guaranteed by the government's Federal National Mortgage Association (which has the right to tap the Treasury at any time to make good on the guarantee) and the principal is due in fixed payments on fixed dates not related to the collection of the pooled loans.

ABNORMAL BUDGET REVENUES

The revenues forecast for 1967 are abnormally enlarged in the budget by the inclusion of nonrecurring items of considerable size. However proper, such one-time revenues overstate the level of government fiscal capacity and distort economic analyses.

The principal such items in 1967 are:

1. A nonrecurring increase of $3.6 billion in tax collections from corporations and individuals by requiring them to accelerate payments and thus pay more than one year's taxes within the year.

2. Abnormal "income" of almost $1.6 billion from seignorage, the profit recorded by making quarter-dollars for 3 cents and putting them into circulation at 25 cents.

3. Abnormal rents and royalties of $400 million on Outer Continental Shelf lands released from escrow after years of litigation.

Altogether, it can be estimated that revenues in the aggregate are about $5 billion above normal as a result of such noncontinuing or unusual items.

The budget of the Department of Agriculture shows how a variety of budgetary practices are used. A first view of the totals shows that expenditures are reduced a net amount of $1,090.3 million from the 1966 budget to 1967, thus indicating a commendable degree of frugality to justify (as is done *in the budget) significant increases in Great* Society programs. But when the accounts are broken down, these turn out to be the minuses:

	Millions
Proposal to charge fees for meat and chicken inspection, which Congress *has regularly refused to do*	$66.2
Reduction in school milk and school lunch programs, which the Congress would not accept	70.0
Reduction in cost of removing surplus agricultural commodities, a permanent appropriation, which is used instead to finance the food stamp program by a bookkeeping transfer	135.2
Reduction in cost of Commodity Credit Corporation farm price supports and foreign aid food programs "due to lower wheat and cotton prices," etc	317.6
Sales of participations in farmers' home loans	549.1
Increased collections on rural housing loans	5.9
Increased sales of loans from Agricultural Credit Insurance Fund	104.7
Total	1,248.7
Less increases in—	
Cropland adjustment program, net	131.5
Food stamp program	43.9
Total	175.4
Total	1,073.3
Leaving actual net savings in small items	17.0

Thus, the actual net amount of controlled economies which are included in the budget "saving" of $1.1 billion turns out to be only $17 million. The difference is achieved mostly by bookkeeping and borrowing.

RECOMMENDATION

To bring order into this accounting chaos, I believe the President should appoint a high quality nonpartisan Commission for Budget Reform, consisting of professional accountants, bankers and business finance officers, to conduct a detailed study of budget policies and applications, and to make recommendations for improvement. Such a Commission could make an inestimable contribution to public understanding of government finances by laying down guidelines to govern the classification and presentation of items within the budget, and for the inclusion of additional important data. An independent Commission is necessary for this task because the Bureau of the Budget has neither the freedom of action nor the resources to accomplish the desired results.

Here are some of the questions which the Commission should resolve, and the answers which I would presume to propose to these questions:

1. How many budgets should there be?

One. The Administrative Budget and so-called Trust Funds should be combined into one set of consolidated figures approximately equivalent to the present Cash Budget. The final net result of the receipts and disbursements should then be broken into two figures: (a) an amount representing accumulations in reserve cash funds to be disbursed later to specific beneficiaries of those funds and (b) the balance, which then represents the deficit (or surplus) for the year.

2. Is the budget primarily an accounting document or an economic document?

The budget is essentially a fiscal accounting document of the money flow of the government, reflecting the President's program for the year. It has interpretive values to economists, lenders, businessmen, labor and others, but these are secondary. The "national income accounts" are not a budget at all; they should be demoted to a place with other analyses now subsidiary to the budget itself, and not allowed to confuse the results.

3. How should disbursements of earmarked taxes and revenues that by law are shared directly with states or political subdivisions be shown in the budget?

They should be grouped and deducted *from the totals of receipts; they should not* be included in expenditures because that overstates the cost of government.

4. How should government enterprises be shown?

An authorized business-type enterprise of the government should be shown in the budget at its net cash income or net cost to operate, as the Post Office is now shown. Activities such as the Washington airports, the government power agencies and similar enterprises should be shown at what they cost or earn for the taxpayers, net, instead of appearing on both sides of the budget. The Congress can and should still retain control over the level of such activities through the appropriations process.

5. How should the sales of participation certificates in government assets be shown?

As part of government debt, because such transactions do not represent transfers of title to the assets involved. They are borrowings, not sales, and should not be used as deductions to understate the cost of government or to reduce artificially the budget deficit.

6. Should revolving funds be used for government loan programs?

Why not? The net outgo in any year, after deducting collections, is the cost of the program to the government for that year. The Congress can keep control over such funds by authorizing the level of loans it wishes made in each year.

7. How should subsidies be dealt with?

Subsidies voted by the Congress for the benefit of any one segment of the public at the expense of all others should be clearly identified in the budget and priced out. This should be done not only with respect to services or funds provided directly without cost but also with those provided on a "bargain" basis less than cost. Interest rates on government loans at less than the cost of money to the government are subsidies that should be disclosed.

8. How should abnormalities and nonrecurring items be shown?

By applying the same standards of disclosure as are required by the Securities and Exchange Commission in business financial statements. Such items should be clearly identified as unusual by appropriate footnotes or other designations, and should be aggregated in summary figures, so that the regular costs and revenues are clearly apparent.

9. Should the government's "profit" on replacing quarters and other coins at face value, greatly above cost, be considered revenue?

No. There is no profit on the issuance of paper money, either. Such coinage is a liability of the government.

10. What about the government's pension liabilities?

The inconsistencies between various actuarial methods of reserving for retirement benefits, and the failure in some cases to provide any reserve, should be resolved in favor of a uniform formula for computing funding and reporting such liabilities. The budget document should clearly disclose any actuarial deficiencies in such funds.

11. How can the public know where the level of the budget is headed?

There should be a five-year projection of costs for each agency in a form identical to the current budget. These projections should be presented as part of the budget document, for individual agencies and in the aggregate.

12. How can the taxpayer be further protected against extravagant government?

By requiring that the proponents of each proposed new program state in the budget its costs for the next five or ten years ahead. The law now requires that projected costs be given in advance by the proposers of a new program but the Congress is not insisting upon it.

13. How can the public be helped in understanding the financial condition of the federal government?

By the publication of a balance sheet (statement of assets and liabilities) of the government at least once a year, possibly as part of the annual budget. Every large business in the country is required to publish its condition in this form; why shouldn't the government? If such a financial statement is accompanied by five-year projections of both revenues and expenditures under going programs, the public and the Congress will have a far better basis upon which to evaluate the feasibility of adding new programs.

14. What about the debts of the government?

The national debt is now measured only by the government's direct borrowings (bills, certificates, notes and bonds). In addition, it owes massive amounts for unfunded obligations, a large part of these for past services. Obligations for social security benefits, retired pay of the civilian and military employees of the government, commitments for veterans' compensation and benefits, and similar accruals, should be computed on an actuarial basis and included in the balance sheet.

The government has enormous contingent liabilities as well; as in the case of a business statement, these should be estimated and footnoted. Included would be deposit guarantees of banks and other savings institutions, guarantees of housing loans and export loans, the unfunded costs to complete construction in progress, long-term commitments for housing subsidies, ship subsidies and similar items, and funds appropriated in the past but not yet spent.

Altogether, the total of all these direct and contingent items, including the interest bearing national debt, ranges somewhere between $1,000 billion and $1,500 billion. These are amounts that cannot be blithely ignored in fiscal planning.

15. Are government accounting procedures adequate for all fiscal and budgetary purposes?

No. The government's Financial Management Improvement Program has been lagging for some time. Although the law has required for about 15 years that all departments of the government must bring their accounting procedures to the point where the Controller General is able to give them his approval, only one-third of the accounting systems have met the requirements and not one Cabinet Department of the government has fully qualified.

While the proposed Commission for Budget Reform is dealing with these and many other important questions, it should also look into the procedures for permanent appropriations that renew automatically year after year; the technique of "partial funding" of large construction projects; the use of backdoor funds, by which money is made available to government agencies without being appropriated; and other weaknesses in budgetary procedures in the Executive Branch and in the Congress. It should also consider anew the recommendations of the last Hoover Commission for expenditure limitations; although the Congress adopted this principle by enacting it into law, it has ever since been ignored by the Congress and resisted by most of the executive agencies.

CONCLUSION

The budget of the United States is a document of vital significance to everyone in the nation. It affects every citizen's well being, his environment, and his taxes. It is used by economists to project the direction of the economy and to evaluate the soundness of national fiscal and monetary policy. It is studied by foreign nations who judge from it our strength of character and our power to meet international monetary and military situations.

For all these reasons, the federal budget must be impeccably sound in its accounting principles and presentations, and beyond reproach in its integrity. Its standards should be no lower than those which professional accountants apply in their practices or which the SEC requires American business to observe in financial reports.

U.S. TRADE POLICY—WARS OF NATIONAL LIBERATION

Mr. MIZE. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. Laird] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. LAIRD. Mr. Speaker, the Soviet Union holds the key to peace in Vietnam. House Concurrent Resolution 210, which I have introduced today, urges our country, through this Congress, to recognize that trade can also be an effective weapon for bringing about peace in Vietnam.

House Concurrent Resolution 210 declares it to be the sense of Congress that—

> The Government of the United States should only consider further expansions of trade, educational and cultural exchanges, and other related agreements with the Soviet Union and its East European satellites when there is demonstrable evidence that their actions and policies with regard to Vietnam have been redirected toward peace and an honorable settlement and when there is demonstrable evidence that they have abandoned their policy of support for so-called "wars of national liberation."

The Soviet Union holds the key to peace in Vietnam because it and its East European satellites are now providing more than 80 percent of the strategic war materials furnished to North Vietnam.

Of all the military strategy approaches available to the United States for bringing about an honorable and successful conclusion to the war in Vietnam only two have been utilized. Thus far, the ineffective bombing of various installations in North Vietnam, and a steady and massive escalation of American troops in South Vietnam have not resulted in a settlement of this war.

It is difficult to understand why the administration is willing to escalate the war by bombing in the north but is unwilling to escalate through the much more humane method of utilizing trade as a weapon of war.

It is my hope that the administration will support and implement legislation introduced by Congressman Glenard Lipscomb, of California, and me, to establish a Select House Committee on Export Control. Trade with Communist nations is often less in consumer goods than it is in machine tools, computers, and other advanced technology which enables those governments to support North Vietnam directly.

The facts prove that the Soviets and their satellites—presently supporting North Vietnam to the tune of better than $1 billion annually—are far more involved in this struggle than are the Chinese.

I would hope that the Johnson administration would finally take the American people into their confidence and admit that the Soviets are the main props of North Vietnam, not the Chinese.

While the Communist nations of Eastern Europe and the Soviet Union persist in their direct support of so-called wars of national liberation, such as the war in Vietnam, it makes no sense for the United States to consider further trade and other related agreements with them. Let us build our bridges after this bloody jungle war of "national liberation" in Vietnam is settled and the Soviet Union shows a desire to live in a world at peace.

The resolution follows:

House Concurrent Resolution 210

Whereas it is the policy of the Congress and the desire of the people of the United States that an honorable peace be secured in Vietnam; and

Whereas the Soviet Union supported by its East European satellites holds the ultimate key to such a peace as the principal supporter of the Communist war effort now providing more than 80 percent of the strategic war materials furnished to North Vietnam; and

Whereas the Soviet Union and its satellites are making positive overtures to governmental and private leaders of the United States to effect a further increase in trade and an expansion of credit between the respective countries; and

Whereas the Soviet Union and its satellites support the regime of North Vietnam at relatively low cost to themselves, particularly when compared to the mental and moral anguish and physical and economic cost which the people of the United States are forced to bear in support of a free and independent South Vietnam; and

Whereas, of all the military strategy approaches available to the United States for bringing about an honorable and successful conclusion to the war in Vietnam, only two have been utilized thus far: ineffective bombing of various installations in North Vietnam, and a steady and massive escalation of American troops in South Vietnam; and

Whereas trade and cultural and educational exchanges are powerful tools not only for promoting international peace and goodwill, but also as recognized weapons for preventing or prosecuting war: Now therefore be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the Government of the United States should only consider further expansions of trade, educational and cultural exchanges, and other related agreements with the Soviet Union and its East European satellites when there is demonstrable evidence that their actions and policies with regard to Vietnam have been redirected toward peace and an honorable settlement and when there is demonstrable evidence that they have abandoned their policy of support for so-called wars of national liberation.

McNAMARA HEADED ON COLLISION COURSE ON MERCHANT MARINE

Mr. MIZE. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Reinecke] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. REINECKE. Mr. Speaker, I believe that the Secretary of Defense, the Honorable Robert McNamara has gotten himself lost in the fog on the issue of Vietnam shipping problems. In fact, the statements he made last year, and the statements he is making this year are headed for direct collision.

Last year, on March 16, a letter from Secretary McNamara to the Secretary of Commerce was made a part of the record of the hearings on "Vietnam-Shipping Policy Review" before the House Merchant Marine Subcommittee. In the letter, recorded in part on page 271 of part two of the hearings, Secretary McNamara said:

> From our (Defense) point of view, the reserve fleet plus the vessels in service, plus the construction program that has previously been outlined as a tentative program, appear adequate to our need.

This year, on January 23, in his presentation before the joint session of Senate Armed Services Committee and Defense Appropriations Subcommittee, Defense Secretary McNamara dealt at great length with what he termed "the dolorous state of the American shipbuilding industry." He scores the shipbuilding industry for failing to meet the needs of the war in Vietnam.

Last year our fleets were "adequate to our need." This year, it is all the fault of the shipbuilding industry, that we do not have enough shipping capacity to meet the demands of the war.

Mr. McNamara shows his vast ignorance of the merchant marine situation when he blames the shipping lines for trying to maintain their regular operations and profits.

The Merchant Marine Act clearly states that the Government has the responsibility to encourage the development of a merchant marine fleet that is adequate to both current commercial demands, and to emergency wartime needs.

A month ago, on January 10, the Nation sat glued to the television set listening to President Johnson's state of the Union address. I listened carefully, too, but did not hear one single word about the "national maritime policy" which was promised to us in his state of the Union address a year ago.

With the Secretary of Defense lost in the fog of his own contradictions, and no captain at the helm of national policy, it is little wonder that our Nation's merchant marine fleet is headed for the reefs.

I insert in the Record at this point some newspaper articles related to this subject:

[From the New York Times, Jan. 30, 1967]

McNamara Chides Ship Operators—Says Subsidized Lines Are Slow To Aid War Effort

Washington, Jan. 29.—Secretary of Defense Robert S. McNamara is unhappy with the performance of the heavily subsidized American-flag merchant marine and has expressed his irritation in closed Senate hearings.

Urgent demands for rushing soldiers and military supplies to Vietnam have found both shipbuilders and subsidized operators wanting, Mr. McNamara testified in hearings by the Armed Services Committee and an Appropriations Defense Subcommittee.

"Not only does it cost twice as much to build a ship in this country, it also takes twice as long," he said in censored testimony made public after the secret sessions.

Secretary McNamara said the American-flag merchant marine "is subsidized by the taxpayer, directly or indirectly, to the tune of nearly three quarters of a billion dollars a year, on the premise that this shipping is required for potential national security needs."

But when emergency tonnage had to be moved to Vietnam rapidly, he said these subsidized lines preferred to maintain their regular operations and profits.

"Fortunately, in the present situation, we have been able to obtain the needed sealift without recourse to requisitioning," he added.

TRAMP AND RESERVE SHIPS

This was done principally through the use of the "unsubsidized United States tramp fleet and through reactivations from the reserve fleet," he explained.

The reserve ships, often called the "mothball fleet," include hundreds of World War II vessels, scores of which have been refitted and put back into active service.

At the start of this year, Mr. McNamara said most of the increased shipping to Vietnam "came from these sources." These included "73 privately owned ships, representing about 70 per cent of the total general cargo capacity of the nation's tramp fleet, and 153 Government-owned ships" from the mothball fleet and now under private operation.

But, he said, these ships may not be available in another 10 years because most of the mothball fleet then will be 30 to 35 years old and too costly to convert. And the tramp fleet probably will disappear "because its aging World War II vessels cannot be replaced at an economical price," he said.

TO OFFSET FOREIGN COSTS

For many years Congress has been voting multimillion-dollar subsidies for building and operating certain kinds of ships to offset lower wages paid by foreign shipbuilders and operators. Despite these subsidies, Mr. McNamara said the American shipbuilding industry was in "a dolorous condition."

"The American shipbuilding industry is generally technically obsolescent compared to those of Western Europe and Japan," he said. "This is a starting development in view of the fact that the United States is the most highly industrialized nation in the world."

The Secretary said European and Japanese shipbuilders had applied, "on a massive scale, United States automobile and aircraft manufacturing technology," and American operators want to buy these foreign ships but would lose their subsidies under present laws if they did.

"Obviously, the solution is to revitalize the American shipbuilding industry," he said. "There is no reason why the American shipbuilding industry should not be, in a technical sense, as good as the best any other country has to offer."

[From the New York Times, Feb. 8, 1967]

STEAMSHIP LINES DEFEND THEIR VIETNAM WAR ROLE

(By Edward A. Morrow)

The Committee of American Steamship Lines yesterday challenged Secretary of Defense Robert S. McNamara's criticism of the role United States merchant shipping was playing in the Vietnam conflict.

Frank A. Nemec, chairman of the group that represents 13 of the nation's 14 subsidized ship operators, made public a letter to Senator Richard B. Russell, Georgia Democrat who is chairman of the Senate Armed Services Committee. In essence it constituted a rebuttal to statements made before the committee by Mr. McNamara that were made public Jan. 26.

In general, Mr. McNamara expressed dissatisfaction with merchant fleet support for the Vietnam conflict.

Mr. Nemec said that his group could find "substantial" areas of agreement with the Secretary's testimony but added that it led "to misleading conclusions and omits important facts."

MERCHANT FLEET DEFENSE

Mr. Nemec pointed out that Mr. McNamara had testified that the sealift capability furnished by the subsidized lines has aggregated only 8 per cent of the subsidized fleet.

"This does not meet the issue squarely," Mr. Nemec said. He explained:

"In addition to 35 vessels directly chartered to the Military Sea Transportation Service, which represent 24 per cent of all privately owned general cargo ships under charter, the subsidized lines have in their regular cargo liner operations to Southeast Asia provided extensive berth capacity for military as well as other essential Government cargoes in addition to 80 additional subsidized ships.

"All of the new fast cargo liners under charter to M.S.T.S have been supplied by the subsidized lines. And these ships, because of the greater speed and size, have almost twice the capacity of the older ships. These same companies operate under general agency contracts 71, or almost half the National Reserve Fleet in the Vietnam sealift."

FINDS HELP OVERLOOKED

The steamship executive, who is president of the Lykes Bros. Steamship Company, declared that the Secretary "has not fully portrayed" the importance of the cargo liner's role in a limited war.

He said the Secretary had overlooked the contribution the ships were making to the Administration's export expansion program and to the nation's balance of payments situation.

"Under limited war circumstances such as the present," he wrote, "the economic weapons are as important to a nation's survival as its defense establishment. At this critical juncture in our international balance of payments, the subsidized lines either earned or conserved almost half a billion dollars a year in foreign exchange."

He noted that since 1958 subsidized companies had built or had put under construction some 150 new ships that represent a corporate expenditure in excess of $1 billion.

[From the Journal of Commerce, Feb. 8, 1967]

U.S. POSITION ON SHIP FLEET UNDER FIRE

(By Robert F. Morison)

WASHINGTON, Feb. 7.—The administration and its defense secretary have come under critical fire for actions and attitudes on the merchant marine.

A key senator is mightily displeased at the forthcoming layup of the nuclear ship Savannah and the Committee of American Steamship Lines, representing 13 of the 14 subsidized berth operators, has advised the Senate Armed Services and Appropriations Committees that it believes Defense Secretary Robert S. McNamara "has not fully portrayed . . . the importance of the role played by the cargo liner companies" in Vietnam. Mr. McNamara's position was laid down in a 200 page statement to those committees Jan. 26.

CASL STATEMENT

The CASL companies, through their president, Frank A. Nemec, who is also president of Lykes Bros. Steamship Co., flatly denied that the costs to the government of shipping services were "inordinately high." He also said that the 21 World War II vintage ships the subsidized lines have chartered to Navy for Vietnam went at rates "exactly the same" as were paid for ships offered by nonsubsidized companies. The other 14 vessels of subsidized companies represented the only "newfast cargo" ships the Navy chartered, CASL said.

Mr. McNamara neglected to mention, CASL said, the continued role played by the merchant fleet in serving the regular trades and preventing further balance of payments losses while shifting vessels to the Far East. Without the subsidized replacement program, Mr. Nemec noted, the United States "would probably now be deficient in its sealift requirement" for Vietnam, "or would be forced to further deplete the important cargo liner trades to meet the military requirements."

Although the subsidized lines have made available only about 8 per cent of their tonnage for the Vietnam supply line, according to Mr. McNamara's reckoning, Mr. Nemec said that "did not meet the issue squarely." That was so, he said, because the subsidized lines in their regular commercial services have "provided extensive berth capacity for military as well as essential government cargoes in 80 additional subsidized ships."

Also, the "hazards and risks" of hauling "cargoes necessary to support the civilian economy" of Vietnam has "not been adequately appreciated," he said, and "are equally important to the over-all requirements of the United States effort in this area as are direct military cargoes." These were carried "at costs to the government which were substantially less than the commercial tariffs, nor were these tariffs increased when a tight market developed by reason of the Vietnam conflict," he added.

To Mr. McNamara's recent assertion that "The subsidized lines will not make their ships available unless the operators are assured a good profit and that this makes them . . . very costly form of sealift for the Defense Department to hire," Mr. Nemec countered that between 1960 and 1965 the subsidized lines have had a net return of 4.8 per cent on their total investment, putting them at the bottom of a sizeable, 102-industry group.

Meanwhile, Sen Warren G. Magnuson (D-Wash.), chairman of the Senate Commerce Committee and a normally staunch administration supporter, took the administration to task for the economy dictated move to lay up "Savannah."

The decision, he said, came when the merchant fleet is already overextended and "is an indication that the United States has buried its head in the sand so far as realizing the importance of the peaceful development of nuclear energy. . . ."

CLARIFICATION OF IRS REGULATIONS PERTAINING TO TEACHER'S EDUCATIONAL EXPENSE IS NEEDED

Mr. MIZE. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. SHRIVER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. SHRIVER. Mr. Speaker, today, I am again introducing a bill in the House of Representatives, which would amend the Internal Revenue Code so that provisions would be included for deduction of educational expenses and certain educational travel from the gross income of teachers.

This legislation would retain all deductions now available to teachers and at the same time provide language in the Internal Revenue Code for a uniform method of proving entitlement to such deductions. In all fairness, I think that teachers should be allowed the same exemptions in their profession as businessmen and self-employed professionals by the Internal Revenue Service. They are employed in the capacity of public servants by nonprofit institutions.

When teachers return to college either to take supplemental courses, seek a higher degree, meet school board requirements, update their knowledge, or return for personal reasons, in which case the end result might mean a promotion or salary increase, the personal expense they bear for these relevant courses should absolutely and totally be tax deductible from their gross income.

Teachers should be encouraged to increase their knowledge which in turn is imparted to our youth. In my estimation, one of the keys to winning the war on poverty may well be the passage of this legislation which would require the Internal Revenue Service and the administration to acknowledge the prominent position teachers play in this "Great Society." In order for the educational institutions to accommodate the increasing number of students—elementary school through graduate school—the quality of education must continually be improved and updated, and there must be a nationally recognized policy that will encourage people to enter, remain, and advance in the teaching profession.

I should like to quote the words of the Legislative Commission of the National Education Association:

> The best way to achieve this objective without the slightest vestige of Federal control, is by encouraging those who teach to continue to upgrade their competency through individual effort. We sincerely believe it is in the national interest to use the tax authority of Congress in this manner.

I have received numerous letters from citizens directly and indirectly related to the teaching profession—superintendents, counselors, housewives, parents are all vitally concerned with the needs of educators and they urge the passage of such legislation. On May 14, 1962, the NEA Research Division reported that most of the correspondence received concerning the IRS rulings was from my State of Kansas, Ohio, and Pennsylvania. We have been playing "the old waiting game" with the IRS and the administration for too long. Now is the time to act, with the beginning of 1967 only shortly removed so that summer travel, workshops, seminars, and courses will be filled to the brim with teachers eager to improve themselves, their profession, our children, and the whole American society.

NOTED AUTHOR REPORTS ONLY CENSORSHIP IN VIETNAM IS SELF-IMPOSED

Mr. MIZE. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. TALCOTT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. TALCOTT. Mr. Speaker, the famous author, John Steinbeck, is a native of Salinas, Calif., my home. Recently he has been visiting and observing in southeast Asia and particularly, Vietnam. Mr. Steinbeck is not reputed to be a rightwing extremist nor an apologist for the present administration. His credentials for independent reporting are unimpeachable. His skill as a writer and his facility as a describer of places, events, conditions, and persons is seldom matched. His series of reports about the war in South Vietnam should be read by every U.S. citizen who seriously wants to learn about this unhappy, chaotic land.

The last report, from the Monterey Peninsula Herald, Monterey, Calif., deserves the attention of Members, so I include it now:

[From the Monterey (Calif.) Peninsula Herald, Feb. 8, 1967]

STEINBECK SAYS ARMY DOES NOT SLANT NEWS

(By John Steinbeck)

BANGKOK.—I've tried to tell you about as much of Vietnam as I have seen and about as much of the war there as I have seen and heard and felt. I want to tell you very clearly, and without leaving any loopholes for misquotation or misinterpretation, that I have been given every facility for seeing every aspect of the country and the war.

The United States Armed Forces and the American civilian organizations, as well as the government and army of South Vietnam have taken me where I wanted to go, have let me see everything I wished to see and have placed no restrictions or censorship on what I wanted to write. And this has not been special to me.

Any reporter, from any country, can have the same facility of movement so long as he represents a newspaper or papers. If any reporter says that he has been restricted, I am inclined to believe that he didn't want to go. Those who stay safely and comfortably in their apartments in Saigon, reporting only the official reports and briefings available at five o'clock every day, do so because that is what they want to do.

On the other hand, there are a goodly number of newsmen who cover the fighting areas personally and bravely, and these should not be forgotten. The armed forces do us a further honor. They do not protect us in life and limb beyond the care they have for their own men. Any newsman is free to move about, to talk to anyone he wishes, and to report as he sees fit.

There are some things I have not told you, but the censorship has been my own. I have gone in with certain operations which I have not reported for the reason that the moves have not been completed and that to tell plans, tactics and objectives at the present time might endanger first the men and second the operation, and that I am not about to do. But, I repeat, the censorship has been my own.

If there is criticism of the news about this area, it must be aimed at (1) those correspondents who do not wish to report it at first hand, and (2) the editors and publishers who, by cutting and changing the material that comes to them, warp the news to their liking or limit it to the spectacular, the bloody and the shocking.

All war is those things by its nature, but there are other sides to it—the helping, the rebuilding, the saving. It is true, as it has always been true, that civilians are injured and killed.

In other wars there has not been as much care taken to avoid this as I have seen here. And there is much coverage of these civilian casualties, but little attention is paid to hospitals where they are treated, to the doctors who work to save and repair both the accidents of war and the civilian Vietnamese wounded by the terror tactics of the VC who claim to be trying to free them.

I, myself, cannot see how any kind of liberation can come from a time bomb planted in a food market, or simple people coldly shot down by snipers. Yes, war is a sad and savage thing, and many people get hurt. But I have yet to hear of Americans or their allies slaughtering prisoners when they have to retreat, as was done by the VC in the Delta only last week.

You remember when I came out here, I told you that I wanted first to see the war in Vietnam, and afterwards to visit the countries on the periphery; Laos, Cambodia, Thailand, where it is reported there is an attempt to spread the plague; and then to make a wider circle to those countries where the Communist method has failed, Malaysia, Indonesia, Korea, the Philippines, and last, to see the places where it has not yet struck, New Zealand, Australia.

INVOLVEMENT

All of these countries are deeply involved in the great plan which has been frustrated and staggered, and largely because our soldiers and those of our allies have been in Korea and in South Vietnam.

Had we not been, I would not even now be able to visit the countries of Southeast Asia. Their borders would be closed, their plans secret, their produce subject not to economic law but to ideologic whim and as a prop for a personality cult. And if our soldiers and our government draw diatribes and foaming insults from certain sources, it is not because we have failed but because we are succeeding. The screams are of frustration. And they thought they had it made.

Yesterday in the mail, I received a translation of Komsomolskaya Pravda's latest attack on my letters to you. No, I shall not answer it. The article is almost hysterical and sounds very like the denunciations during the time of the, sigh! sob!, personality cult.

However, I would like to warn Youth Truth not to burn all the bridges and to save some adjectives for the future. Yesterday an editorial in The Peoples Daily, quoted by the New China News Agency, referred to your nation, my dear Youth Truth, as "filthy, revisionist swine." The editorial could almost have been written in your office about me.

A MEMORY

I know you do not value my opinion or you would not devote so much space to refuting it. However, I am moved to offer, if not advice, at least a memory.

When Stalin misjudged and misinterpreted the German intention, made an alliance with Hitler and then found himself and his country invaded, he suffered the further inconvenience of having murdered the best of his general staff for one reason or another. Remember that then the Russian people put up a heroic resistance, but it was badly inhibited by errors and misjudgments of the past.

It then became necessary for your government to ask our help in replacing equipment lost in the opening days of the campaign or never manufactured at all. You needed time to regroup and to re-equip, for your people to organize defense and a new and dynamic military leadership to develop.

And we sent that help. Remember the solid line of trucks that moved up the Baku road to replace your transport? Remember the swarms of C47s we sent you, some of which you are still using? Remember the convoys that ran through the submarine wolf packs to carry supplies to you through Murmansk? You do remember that, don't you?

COMMON ENEMY

Well, we didn't do it out of stupid philanthropy. Your enemy was our enemy. In supporting you we supported ourselves.

What I am getting at is this. In the light not only of your being "atrocious, bloody, filthy, revisionist swine," but also remembering that you have a border with China 3,000 miles long; in addition, bring in China's demand for the eastern republics, roughly one-third of the Soviet Union; sum it up with your built-in memory of invasion and occupation from the east, and I might suggest that you keep a small corridor open in your minds.

For in China's paroxysm of fermenting trial and error, made frightening by atomic and nuclear playthings, you might find that far from being murderers and so forth, that we are, as before, defending your rear against a dangerous and an increasing Fascist experiment. Do you see no parallel between the Red Guards and the Hitler Youth? So leave a door ajar, Pravda; let some bridges be unburned. If you will do that, you won't have to rewrite history after the fact.

THE LATE JOSEPH W. McINTYRE

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks on the passing of my dearly beloved and esteemed friend, Mr. Joseph W. McIntyre, administrative assistant to the Honorable EDWARD M. KENNEDY, the senior U.S. Senator from Massachusetts.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PHILBIN. Mr. Speaker, it is with a sense of deep personal grief that I rise at this time to bring officially to the attention of the House the passing of my good and dear friend, Joseph W. McIntyre, of my hometown of Clinton, Mass., who for more than 30 years on both sides of the Capitol served as a devoted, faithful, and conscientious congressional aid.

Mr. McIntyre served three U.S. Senators and one former Member of this House as administrative assistant. At the time of his sudden and unexpected death on December 11, Mr. McIntyre was serving as administrative assistant to the Honorable EDWARD M. KENNEDY, now the senior Senator from the State of Massachusetts.

Always friendly, helpful, and considerate of others, Mr. McIntyre enjoyed the high esteem and the affection of Members of the Senate and the House, particularly the members of the Massachusetts delegation in Congress.

Joe McIntyre was outstanding in every respect and during his many years on Capitol Hill, he established a memorable record of dedicated and faithful public service as a congressional secretary and administrative assistant.

As secretary to the late distinguished U.S. Senator, David I. Walsh, of Massachusetts, Mr. McIntyre came to Washington as a young man to begin a truly enviable career as a devoted congressional staff aid and leader. Capable and loyal, and completely dedicated to his work, Mr. McIntyre, under the guidance of the great Senator Walsh gained a tremendous knowledge of Federal and State affairs.

Mr. McIntyre's service as aid to Senator Walsh was interrupted by World War II in 1943 when he joined the Navy. He served with great distinction in the Pacific theater, where he saw considerable combat action and won several military decorations. At the time of his death, he was a commander in the U.S. Naval Reserve.

Upon his return to civilian life, Mr. McIntyre rejoined the staff of Senator Walsh, resuming his duties as his administrative aid.

When Senator Walsh departed from the Senate, Joe McIntyre later served in several high posts in various Federal agencies, including the U.S. Department of Labor and as an aid to the late, much beloved, dynamic young leader, Hon. Maurice J. Tobin, Secretary of that great Department, former Governor of Massachusetts, and mayor of Boston, and also in the Reconstruction Finance Corporation as assistant to the then Chairman, the Honorable C. Edward Rowe, of Athol, Mass., a very distinguished lawyer, jurist, and businessman of our great State.

He returned to the Capitol in 1951 to become administrative assistant to the brilliant and famous Honorable James G. Donovan, of New York, who was born in Clinton and was a classmate and dear friend of mine at Clinton High School, college, and law school. Congressman Donovan, who, having accomplished one of the great political upsets of our times in being elected to Congress in a very controversial election, served in this House from 1951 to 1957 with great distinction. Congressman Donovan, a most talented, spirited, and aggressive leader, was one of the most gifted and unusual men who ever served in this body, and Joe McIntyre's association with him was not only a great experience, but gave him the opportunity for additional, exceptional service to the Congress and the American people.

In 1961 Mr. McIntyre became administrative assistant to the very able and distinguished Senator Benjamin A. Smith II, who was named to the U.S. Senate to fill out part of the unexpired term of the late President Kennedy.

When our great and very distinguished friend, Senator EDWARD M. KENNEDY assumed office in January of 1963, he continued Mr. McIntyre as administrative assistant.

Many of us in the House, particularly those of us in the Massachusetts congressional delegation, well know the effective and helpful work accomplished by Joe McIntyre in serving his State and the Nation so faithfully and well.

During his many years of outstanding service on Capitol Hill, he made a host of friends in and out of public life in the country and the world. He not only enjoyed the respect and esteem of his associates, but also had the affection of innumerable friends in every walk of life—people who knew and loved him as a man of great ability, warm personal charm, and magnanimous heart.

At this time of deepest sorrow and grief, I extend to his devoted wife, Dorothy, his lovely children, his beloved brother, Rev. Richard McIntyre, an esteemed, religious leader, and his beloved sister, Ellen, a gifted and well-known educator, and all of his family and friends, my most heartfelt sympathy for the truly irreparable loss that they, and all of us who knew and loved him, have sustained.

I have personally been very deeply moved by the shocking and unexpected and tragic passing of this very dear friend and fellow townsman from my native town of Clinton, Mass.

Joe McIntyre and his family have been lifelong friends of mine and there never was a finer, more wonderful family. On both sides of their family, they inherited admirable traits of character, ability and personality, profound spiritual faith, strong patriotism, unswerving loyalty and zeal for lofty citizenship and eagerness to contribute, each in his or her distinctive way, to community, State, and Nation.

Joe was possessed of a keen, well-stocked mind; his background was excellent. He brought to his high position of duty highest qualifications of training, education, and eagerness to serve. He was a warmhearted and generous man, and he gave of himself very unselfishly to his work, never sparing himself for a moment, always in the thick of the battle, so to speak, tireless and irrevocably committed to his ideals and to his friends.

He was a young man of great personal warmth, sympathy, and understanding who always did his best to serve the people. He was an expert in governmental, administrative affairs, and there was no one on the Hill who excelled him. Indeed, there were few who could come up to him in his know-how, his awareness and enlightened performance, his marvelous efficiency, his ability to get along with the large numbers of political figures, leaders, administrative heads, and members of the rank and file that he met in his daily life.

This wonderful young leader and friend was in the prime of his powers; vigorous, hearty, vibrant and filled with the zeal of working and living. He was, in fact, a human dynamo, working around the clock and never seemed to tire, possessed as he was, with great energy and irrepressible spirit.

His personal loyalty to those for whom and with whom he served was a characteristic that marked his entire career. He swore by the great men that he served—first, Senator Walsh, a close friend of his father and mother and family, as well as a neighbor in Clinton and a great statesman, patriot and world-famed leader, who saw earlier in this fine, young man the brilliance and promise that were destined to bring him to such an important post in our Congress, and in the Government of the United States and subsequently, Congressman Donovan, Senator Smith, and Senator KENNEDY, truly great leaders whom he served with unceasing devotion and efficiency.

My heart goes out to Joe McIntyre's family in their sorrow all the more, because to such a great extent, their sorrow is my sorrow also, because I felt toward Joe as though he were really a member of my own family, and we worked together with many of the same people and for many of the same great causes.

Of course, we shall never be able to replace such a dear friend and such a great public servant and great American because he was of that select group that is known as the very best, and because we admired and loved him for the great qualities of heart and mind that were his.

It is a time of deep sorrow for his family and friends and I hope that his sorely bereaved family will be given the strength, courage, will, and the heart to bear their deep sorrow in that true spirit of reconciliation that comes from their strong faith.

Our prayers will be with them, and we pray that Joe McIntyre, a great Christian gentleman and one of God's noblemen, will find eternal peace and rest in his heavenly home.

Mr. Speaker, as part of my remarks I include two news articles, appearing in the Worcester Telegram on Mr. McIntyre's passing, in the CONGRESSIONAL RECORD:

[From the Worcester (Mass.) Daily Telegram, Dec. 13, 1966]

J. W. MCINTYRE, AT AGE 56, AID TO SENATOR TED KENNEDY

WASHINGTON, D.C.—Joseph Walter McIntyre, 56, of Clinton, administrative assistant to Sen. Edward M. Kennedy, D-Mass., died suddenly here Sunday night.

Sen. Kennedy's top staff member, McIntyre was stricken at his home in Kensington, Md. A local police rescue squad was summoned, but efforts to revive the victim were futile.

McIntyre was born in Clinton and his family maintains a home at 33 Church St. in that town. His sister, Miss Ellen McIntyre, head of the French Department at Clinton High School, resides at that address.

HOLY CROSS GRADUATE

A graduate of Holy Cross College in 1932, McIntyre came to Washington and took a job with the late Sen. David I. Walsh, D-Mass.

He joined the Navy in 1943, serving in the Pacific theater until the end of World War II. McIntyre, who at his death was a commander in the Navy Reserves, saw considerable combat and won several military decorations.

Following the war, he returned to the office of Sen. Walsh and served until the senator's defeat in 1946.

POSTS HELD

Thereafter McIntyre held posts at the Labor Department and the Merchant Marine Institute. He later returned to Capitol Hill, serving in several congressional offices before being named administrative assistant to Sen. Benjamin Smith, D-Mass., in 1961.

When Sen. Kennedy succeeded Sen. Smith in January 1963, McIntyre began service in the same key position, overseeing all office work for the Bay State senator.

McIntyre was Kennedy's most experienced assistant and was obviously a valuable asset when the 30-year-old new legislator took office in 1963.

He thereafter seemed to operate almost autonomously, caring for most senatorial affairs relating directly to problems of Massachusetts constituents.

SURVIVORS

Besides his sister, he leaves his widow, the former Dorothy Smith; two daughters, Sharon, 20, a junior at Trinity College here, and Rosemary, 9, and two sons, Richard, 6, and Peter, 12, all living in Kensington, Md., and a brother, the Rev. Richard McIntyre of St. Thomas Church, Huntington.

Funeral arrangements are being made by the Pumphrey Funeral Home, 7557 Wisconsin Ave., Bethesda, Md.

A Mass will be celebrated Wednesday at 9 a.m. in Holy Redeemer Church, 9701 Cable Drive, Kensington, Md., next door to McIntyre's home.

Graveside services will be held at 3 p.m. Wednesday in St. John's Cemetery, Lancaster, Mass.

Arrangements are in charge of the Philbin Funeral Home, Clinton, Mass.

PHILBIN'S TRIBUTE

U.S. Rep. Philip J. Philbin of Clinton said last night "his passing came with shocking suddenness. He was a lifelong very dear friend of mine and I've never known him to be sick a day in his life.

"I've lost a cherished friend, the town of Clinton, one of its most distinguished sons, and the federal government, a brilliant and outstanding public servant."

"I join his family his dear ones, and many friends and admirers in mourning his passing, and with very heavy heart extend most sincere sympathy to his bereaved family."

SENATOR FEELS PERSONAL LOSS IN DEATH OF TOP ASSISTANT

(By Matthew V. Storin)

He was not from the Ivy league. He was not young. He was not, in short, typical of what the contemporary political world knows as a "Kennedy aide."

But Sen. Edward M. Kennedy, D-Mass., will surely be hard put to replace his administrative assistant, Joseph W. McIntyre, who died suddenly Sunday night at age 56.

Aside from executive secretary William R. Evans, "Joe Mac" was the last of Sen. Kennedy's original assistants from when he took office in January, 1963.

At 30 the Senate's youngest member, Kennedy relied on McIntyre to organize his office. McIntyre's experience on Capitol Hill nearly matched the sum of Sen. Kennedy's entire life.

NATIVE OF CLINTON

A native of Clinton, McIntyre went to work for the late Sen. David I. Walsh, D-Mass., shortly after graduating from Holy Cross College in 1932.

Except for the years of his naval service in World War II and some years in the executive branch of the government, McIntyre had always worked on Capitol Hill.

He was one of the "professionals" that every new senator or House member needs on his staff. McIntyre worked for Sen. Benjamin Smith, D-Mass., interim holder of the Kennedy Senate seat, and stayed on at Ted Kennedy's request.

He was the senator's top-ranking staff member—and the highest-paid, at more than $20,000 a year.

DISPENSED PATRONAGE

In a sense, his duties were carried on almost autonomously. He oversaw the casework—thousands of problems which constituents lay at a senator's doorstep each year—and dispensed Kennedy's allotted patronage.

His girls, the staff workers who were directly under his comand, were stunned Monday. Mrs. Margaret Stalcup, one of them, had worked with "Joe Mac" in the offices of Sens. Walsh and Smith as well.

"He was a charger," she said. "He was always on the phone, with two or three calls waiting."

His personal secretary, Rosalie Helm, recalled that McIntyre never forgot a face, name, or telephone number. "He'd say, 'call so-and-so in Leominster,' and he'd know the number, even if we hadn't called the man in three years."

Sen. Kennedy, from Boston, told of his own "Personal loss" and noted, "thousands of people benefited from his service, for no matter was too small for his personal attention."

The relationship between Kennedy and the assistant who was 22 years his senior was unique, friends said Monday.

William Rourke, secretary to Rep. Harold D. Donohue, D-Worchester, said McIntyre had the highest admiration for the young senator, even from the earliest Senate years when Kennedy had virtually no political experience.

Rourke, a close friend who had lunch with McIntyre last Thursday afternoon, recalled traveling to Boston with "Joe Mac" just before this year's election.

"FOUND LOST FRIEND"

"We went to the rally at the armory on Nov. 4, the Friday before the election. The senator didn't know that Joe was coming up that night. When Sen. Kennedy saw Joe in the crowd afterward, he looked like he found a long, lost friend."

"I never saw a face light up so, as the senator's did. And Mrs. (Joan) Kennedy leaned over two or three people to give him a kiss on the cheek," Rourke recalled.

As a Capitol Hill professional himself, Rourke was thrilled by what he saw as Kennedy's appreciation for McIntyre.

This appreciation is likely to be enhanced when Kennedy looks for a new administrative assistant. "He seems irreplaceable," one of the Kennedy staff said Monday.

Mr. BURKE of Massachusetts. Mr. Speaker, we from Massachusetts are deeply saddened by the loss of one of her finest sons, Joseph W. McIntyre. A familiar figure in the Capitol, he has for most of his years assisted Senators of the Commonwealth. Upon graduating from Holy Cross College in 1932, he left his home in Clinton to take a position with the late Senator David I. Walsh. Taking time out during the war to serve in the Pacific with the Navy, he returned to Washington after the war. He held posts in the Labor Department and the Merchant Marine Institute, and further broadened his experience in several congressional offices before being named administrative assistant to Senator Benjamin Smith, of Massachusetts, in 1961. When Senator EDWARD M. KENNEDY succeeded Senator Smith in January of 1963, McIntyre maintained this key position, overseeing all office work for the new Senator.

Although he did not himself hold office, Joe McIntyre was as much a representative of the Commonwealth as any of our elected delegates. And, as a "staff man"—one of those unsung heroes of the Congress—his devoted labors in behalf of its citizens were ever performed in another's name. None outside of the Capitol can truly appreciate the full value of such service, for only we know how rare and how indispensable are men like Joe McIntyre.

Those of us who were privileged to know him personally, and to work with him, will always recall the extraordinary qualities and abilities which left their mark on all that he did. With buoyant spirit and infinite energy, he tackled a hundred tasks every day, and I never knew him to lose track of a single detail. On any problem, Joe McIntyre had the information.

Above all, his kindness and personal warmth were given freely to all those—great and small—who came within his sphere. A genuinely compassionate man, he was the comfort and reassurance of countless constituents who came through his office during the many years he spent on the Hill. Each of them, I am sure, came to think of him as a friend, for he consistently gave more than was expected of him. These whom he has helped join us in mourning the loss of Joe McIntyre, a great individual.

So many men of varying talents come and go here, but very few may be paid the ultimate tribute of being missed. Joe McIntyre was an exponent of that most colorful tradition sometimes referred to as the "old school," and will be sorely missed by all of us.

Our hearts and prayers go out at this time to his beloved wife, Dorothy, and to all of his family.

Mr. McCORMACK. Mr. Speaker, an able and patriotic son of Massachusetts has passed to his eternal reward. Joseph W. McIntyre, who died on December 11, 1966, was for many years an outstanding staff assistant to Members of the House and Senate from Massachusetts, and for all of those years he was a dear friend of mine, one whose energy was boundless, whose good will was endless, whose competence was unquestionable, and whose loyalty to those for whom he labored was unshakable.

He was a native of Clinton, and his first job after his graduation from Holy Cross was with Clinton's best known citizen, U.S. Senator David I. Walsh, of Massachusetts. Leaving the Senator's employ for active service in the Navy, Joe McIntyre served in the Pacific theater of operations until the end of World War II. He had long combat service and several decorations to his credit when he returned to the Halls of Congress where he served several Members of the House before he was named in 1961 to be administrative assistant to Senator Benjamin Smith, of Massachusetts.

When Senator EDWARD KENNEDY succeeded Senator Smith at the beginning of the 88th Congress, Joe McIntyre continued at his post as administrative assistant where he did a superb job.

He was a credit to Congress and to the men who were proud and happy to have him work for them. He was one of the top performers in the ranks of congressional staff members. I mourn his loss and extend my deepest sympathies to the bereaved members of his family.

Mr. BOLAND. Mr. Speaker, I rise to join my colleagues from Massachusetts in paying tribute to the late Joseph W. McIntyre, administrative assistant to Senator EDWARD M. KENNEDY, who died suddenly last December 11.

Joe McIntyre had served three U.S. Senators from Massachusetts for more than 30 years on Capitol Hill. A graduate of Holy Cross College in 1932, he came to Washington shortly thereafter to work for the late Senator David I. Walsh. He entered the Navy in 1943 and served in the Pacific Theater of Operations until the end of World War II. He was in several combat engagements and won several military decorations. At the time of his death, he was a commander in the Naval Reserve.

After the war, Joe returned to Capitol Hill in Senator Walsh's office. He later held positions in the Department of Labor, the Reconstruction Finance Corporation, and the Merchant Marine Institute, and for a few years was administrative assistant to Congressman James G. Donovan, of New York, who was a native of Joe McIntyre's hometown, Clinton, Mass.

In 1961, Joe became administrative assistant to Senator Benjamin Smith, of Massachusetts, who succeeded to a portion of the unexpired 6-year Senate term of our late beloved President John Fitzgerald Kennedy. When Senator EDWARD M. KENNEDY was elected in 1962 to serve out the remaining 2 years of the Senate term, the new junior Senator from Massachusetts asked Joe to remain with him as his administrative assistant.

Joe McIntyre was loved, respected, and admired by all who knew him. He was an efficient, skilled, and knowledgeable legislative employee, who served the Senators and the people of Massachusetts with the utmost of dedication. A soft-spoken and warm-hearted man, he shunned the public limelight, but his presence was felt by the thousands of people who benefited from his service, for no problem was too small for his personal attention.

His death is a great loss to his many friends, the people of Massachusetts, and to Senator KENNEDY. I join with my colleagues in mourning the loss of Joe McIntyre and extend his widow and children my profound sympathy.

Mr. DONOHUE. Mr. Speaker, the news, early last December, of the sudden and untimely death of my long and dear friend, Joseph W. McIntyre, administrative assistant to Senator EDWARD M. KENNEDY, visited a very keen and deep sense of sorrow upon me and every person who knew him.

His passing also caused the irreplaceable loss of his long and substantial contribution of exceptional service to the people of this country, of our Massachusetts Commonwealth, and his employer.

Throughout practically the whole of his mature life, Joe Mac, as he was affectionately called, was a uniquely effective assistant to those occupying the highest offices of national legislative responsibility.

He was neither awed by nor did he envy such personages of great station and stature. He knew their human limitations; he sympathized with their responsibilities; he shared in their duties; he cooperated in their concerns; better than most men he understood the heavy burdens of public office. He provided these officers with unswerving loyalty, wise counsel, prudent guidance through the technical maze of legislative procedures and he gave them heartening personal encouragement in their most trying hours. Joe Mac was not an aesthetic viewer or an idealistic theorist. He was a self-disciplined realist; he was a doer of the job; he knew there was work to be done and he did his work beyond compare.

In his personal and professional life, Joe Mac lived in rigid accord with the biblical admonition:

> And if I have prophecy and know all mysteries and all knowledge, and if I have all faith so as to remove mountains, yet do not have charity, I am nothing.

He disliked pretense and avoided the pompous but he had a boundless compassion, unlimited patience, and an eternity of time for every individual who had legitimate need of his specialized assistance.

With resolute faith and tremendous courage, he endured his own full share of grievous disappointment and discouraging adversity. He experienced professional recognition and promotion with quiet humility, being mostly gratified because of the larger opportunities such advancement meant to his loved ones. He knew and readily accepted the great personal sacrifices affecting his home and family that the extraordinary nature of his position required.

The monumental mark of Joe Mac's life was that he had an uncommon interest in and love of all God's images, especially "the little people," and his multitudinous friends, who remain saddened by his loss, are yet comforted by knowledge that the good Lord certainly recognizes and will eternally reward such love.

As we pray that perpetual light will shine upon him, we extend our heartfelt sympathy to his beloved wife, his wonderful children, his courageous sister, and his bereaved brother. May the special grace of resignation to God's mysterious will be granted to them in their sorrow.

Mr. BATES. Mr. Speaker, I wish to commend my distinguished colleague, the gentleman from Massachusetts [Mr. PHILBIN] on the well-deserved tribute he has paid to the esteemed Joseph W. McIntyre, whose sudden death at the age of 56 on December 11, 1966, was a great shock to all of us. Joe McIntyre, administrative assistant to Senator EDWARD M. KENNEDY of Massachusetts, was one of the ablest and most admired veterans of Capitol Hill service.

It had been my privilege to know him for most of the years since I first came here in my present capacity. Joe was a World War II veteran and, at the time of his passing, a commander in the Naval Reserve; and during the years when we both were members of the former reserve unit on the Hill, he was always an active and interested participant in our weekly meetings and contributed much to our program.

But Joe McIntyre will naturally be more widely remembered for his service with Senator KENNEDY and, before that, with former Senator Benjamin A. Smith II, also of Massachusetts. His Washington career started as assistant to his fellow resident of Clinton, Mass., the late Senator David I. Walsh and, after a period of outstanding service in other areas of government and private employment, resumed in 1951 when he returned as administrative assistant to another Clinton native, former Congressman James G. Donovan, of New York.

A warm and personable man of marked ability and accomplishment, Joe McIntyre held the respect of people in all walks of life and on both sides of the political aisle. I am grateful for having known him, and my heartfelt sympathy is with his fine family and friends on his untimely departure from our midst.

Mr. O'NEILL of Massachusetts. Mr. Speaker, the work of our Government depends on many people and institutions. Elected representatives and appointed officials, the executive, the legislative, and the judicial branches all contribute to the democratic process of government. We all know that no one man is indispensable, but there are a few men who are irreplaceable. Joseph W. McIntyre was such a man. "Joe Mac" was a career man; he made a career of service.

He was not a man in the public eye. He worked for other men and for their constituents. He served three U.S. Senators from Massachusetts, Senator David I. Walsh, Senator Benjamin Smith, and Senator EDWARD M. KENNEDY, helping to solve the problems of the people of Massachusetts. He brought with him years of experience, the element of compassion, and a real understanding of the legislative process.

I extend my heartfelt sympathy to his family and friends and join with his many admirers in mourning the loss of a good man and an outstanding public servant.

Mr. CONTE. Mr. Speaker, it is rare indeed in the history of this or any legislative body, that a subordinate staff person is so possessed of the qualities of excellence that he commands the respect and admiration not only of those for whom he works, but of all who come in daily contact with him.

Yet, such a man was the late Joseph McIntyre of Massachusetts who, at the time of his sudden and untimely passing in December, was administrative assistant to the senior Senator from Massachusetts, Senator EDWARD M. KENNEDY.

Such were Joe McIntyre's talents and capacities that he is mourned by all who shared in the dedication, the deep and unwavering commitment, and the energies that were flagged only in death. He is mourned by men of both bodies and both parties and his passing has diminished the arsenal of weapons with which this Congress seeks to battle the problems of our time.

It is with a heavy heart indeed that I add my own voice to those of my distinguished colleagues who are privileged to serve the great Commonwealth of Massachusetts to express my own personal sense of loss and to extend my deepest sympathies to the surviving family.

Joe was a true professional in every sense of the word. Although he contributed distinguished service in other areas of Government from time to time, his career was focused primarily in the Senate and always among members of the Massachusetts delegation. He began in 1932 on the staff of the late Senator David I. Walsh. He had worked for Senator Benjamin Smith prior to the election of Senator KENNEDY in 1962.

In spite of differing political affiliations, Joe was always able to discern the need for close cooperation in certain areas and his helpfulness and understanding at such times were invaluable. His service, in the highest traditions of any public office, were first and foremost to the people of his beloved Commonwealth. Certainly I had more than one occasion to value his judgment as well as his generous cooperation.

The Commonwealth of Massachusetts, and the entire United States, has indeed lost a valued and esteemed public servant.

GENERAL LEAVE TO EXTEND

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks concerning the passing of the late Joseph W. McIntyre.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

CREATION OF CONSERVATION IN THE UNITED STATES

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. SAYLOR. Mr. Speaker, 60 years ago, two dedicated and determined Americans were in the midst of a crusade whose value has appreciated with each passing year, and will never cease to multiply. Gifford Pinchot and Theodore Roosevelt not only instituted programs to impede the scandalous waste of natural resources and set standards for making the most of what nature provided; they established the course that has led to many of our latter-day conservation policies.

The current Colorado Outdoors describes how, as a young man, Pinchot set his sights on protecting the Nation's forests from both greed and fire; how he found a close ally in the Republican President who had the courage and foresight to initiate conservation measures vital to the preservation of the character of vast acres of the Nation's countryside.

It was Pinchot who applied the word, "conservation," to the effort that has come to include proper management of land, water, and air resources. Throughout his life, including two terms as Republican Governor of Pennsylvania, Gifford Pinchot devoted knowledge, experience, and time to advancing the principles and methods which, thanks to him and Teddy Roosevelt, remain symbols of what can and must be done in the cause of conservation.

I include the article, "Gifford Pinchot Named It 'Conservation'," edited by Russell McKee and reprinted from Michigan Conservation, in the RECORD at this point:

GIFFORD PINCHOT NAMED IT "CONSERVATION"

(By Russell McKee)

(Sixty years ago, one man's struggle of conscience over resource waste produced the modern conservation movement.)

"In 1891, the common word for our forests was 'inexhaustible.' To waste timber was a virtue, not a crime. There would always be plenty of timber and everything else in America for everybody, world without end.

"The lumbermen, whose industry was then the third greatest in this country, regarded forest devastation as normal and second growth as a delusion of fools, whom they cursed on the rare occasion when they happened to think of them. And as for sustained yield, no such idea had ever entered their heads."

So wrote Gifford Pinchot, a gangling young man of 26 who, in that dawn of the Gay and Wasteful Nineties, was just shedding the cocoon of college life to proclaim himself a forester.

At that date, he said, there were no other foresters in this country. The subject as we know it today was virtually unknown. There was no U.S. Forest Service, no National Forest System, and above all else, no conservation movement.

Nineteen hectic years later, when Pinchot left government service, the U.S. Forest Service had been formed and was one of the best-run, high-morale agencies in the nation. A total of 194 million acres of public land had been set aside in "Forest Reserves" and sound forestry practices were required whenever cutting took place. The Reclamation Service had been founded. The first Governor's Conference on Conservation had been held. Vast mineral resources, formerly available to all takers, were under public control for the first time, a fact which angered supporters of the Taft administration to such a degree that they finally got Pinchot fired. He had been head of the Forest Service since its beginning and although he lost his job on that occasion, he won the war. The mineral lands are still in public ownership.

But above all else, as Gifford Pinchot left federal service, he looked back on the creation, out of whole cloth, of what has come to be the American conservation movement.

Who was the man who stood central to all these events? Gifford Pinchot was born in 1865 at Milford, Pennsylvania. His family was wealthy and young Pinchot might have taken up the life of a young business executive had it not been for his father. "How would you like to be a forester?" his father asked one day after prep school. Pinchot didn't even know what the word meant. But he went to Yale and got a few courses that seemed close to forestry, then traveled to Europe to view the forests of France, Germany, Switzerland and Russia. There he saw forests laid out with gridwork of precision, managed by trained teams of woods workers employed by the state. Faggots down to the size of pencils were gathered, bundled and sold as firewood. "Cutting a tree," Pinchot wrote his father, "is an event." He later noted that while a casual survey of American forest fire losses for 1891 showed that about 12 million acres had burned nationally, that same year, German foresters were still talking about a 6,000-acre fire that had swept one of their forests 90 years earlier.

But Pinchot was sage enough to see that such European precision forestry would not be accepted in America for many generations. He realized he would have to forge his own brand of forestry, designed to save as much forest as possible, yet workable within the framework of American life. It is a tribute to his easy decisiveness that we are still using most of the principles of forest use and protection that he created.

When Pinchot returned to America in 1890, he began to travel over, study about and lecture on American forests. His notion was that forests must be managed like any farm crop. "Forestry is tree farming," he wrote. "Forestry is handling trees so that one crop follows another. To grow trees as a crop is forestry." Planting and careful management would pay the landowner, he knew, more than the practice of clearcutting then in vogue.

In 1898, he accepted a post as head of the old Forestry Division, a tiny, dead-on-its-feet agency in the Interior Department. He kicked out the political appointees, brought in some trained foresters and set to work. Within a short time he wrangled more budget and more authority from Congress. When Theodore Roosevelt became President in 1901, the two men became close friends. Pinchot was bubbling with ideas for the better management of public lands, waters and forests. He was disgusted by the habits of the great financial barons who, as he said, stole, plundered and captured public resources like they were parts of a chess game.

So Pinchot put Roosevelt's great prestige and political power to work. It was just what Roosevelt wanted. The Rough Rider and former rancher found the lanky, rugged Pinchot a great companion. They talked daily. When Roosevelt wanted to test the abilities of some prospective appointee, he and Pinchot would start out cross-country from the Capitol. The puffing job candidate would have to keep up or lose his appointment. These walks became famous, clattering along over stony ridges and along high narrow ledges of local quarries. Occasionally they wound up swimming some local river, and once they swam the Potomac. On that occasion, Roosevelt was testing the new French Ambassador, Jusserand. They stripped down to their birthday suits and started to wade into the river. The French ambassador was still wearing his gloves. "Why do you wear gloves?" asked Roosevelt. "Ah," said the Frenchman, "we might meet ladies!"

Out of such capers, and because of his fight for our natural resources, Pinchot gained tremendous influence and national stature as a champion of public rights. Sometimes he and Roosevelt had to twist arms, or stretch a point of law, or get a new law passed in order to achieve their ends. The founding of the conservative movement provides an example:

Pinchot recalls in his autobiography, *Breaking New Ground,* that in 1907 he had been troubled for some time by the scattered approach to natural resource problems then prevailing in this country. The federal government was allowing public lands, waters and minerals to be gobbled up piecemeal because there was no central authority in control. On one occasion, forest grabbers waited till Pinchot was on a western trip to apply to the U.S. Geological Survey for mineral rights to lands Pinchot had set aside in the Olympic National Forest. The Survey authorized use of the lands, without thinking to consult the Forest Service. The lands immediately fell into the hands of cut-and-run lumbermen and were lost to public use. The Forest Service itself was in the U.S. Department of Agriculture but control of the land remained in the Interior Department. Many such confusing situations had occurred.

So Pinchot pondered and gradually began to realize that there was a single core of meaning and purpose to the work of all the agencies, bureaus and departments involved in the use or management of public lands, waters and forests. That purpose, as Pinchot later expressed it, was the use of resources "for the greatest good of the greatest number for the longest time." But let Pinchot tell how it happened that spring of 1907:

"Very soon after my own mind was clear enough to state my proposition with confidence, I took it to T. R. and T. R., as I expected, understood, accepted and adopted it without the smallest hesitation. It was directly in line with everything he had been thinking and doing. It became the heart of his administration.

"Launching the Conservation movement was the most significant achievement of the T. R. Administration, as he himself believed. It seems altogether probable that it will also be the achievement for which he will be longest and most gratefully remembered.

"Having just been born, the new arrival was without a name. There had to be a name to call it by before we could even attempt to make it known, much less give it a permanent place in the public mind. What should we call it?

"Both Overton (Overton Price, Pinchot's second-in-command in the Forest Service) and I knew that large organized areas of government forest lands in British India were named Conservancies and the foresters in charge of them Conservators. After many other suggestions and long discussions, either Price or I (I'm not sure which and it doesn't matter) proposed that we apply a new meaning to a word already in the dictionary, and christen the new policy Conservation.

"During one of our rides I put that name up to T. R., and he approved it instantly. So the child was named."

It was certainly true that Conservation became the cornerstone of the Roosevelt Administration. During the period from 1903 to 1909, Roosevelt increased the size of the "Forest Reserves"—later to become the present U.S. National Forest system—from 60 million acres to 194 million acres.

One story will show Roosevelt's determination to keep public land in public ownership: In those days, the President had the power to proclaim a tract of land as Forest Reserve if it measured up to certain standards. Once a Forest Reserve was established, the land grabbers were ruled out. Certain western Congressmen were angry at Roosevelt for his proclamations for those years and succeeded in tacking an amendment on a money bill that prevented him from proclaiming any more reserves in Oregon, Washington, Idaho, Montana, Colorado and Wyoming. Roosevelt had to sign the bill because the money was needed to run the government. But by law, ten days could elapse before he had to sign the bill. The Westerner's amendment was a clear attempt to cheat the public out of large areas of choice forest land. As soon as the bill was passed, however, Roosevelt and Pinchot went to work. They assigned every available man to the task of drawing up Forest Reserve areas in those six states. From long field work, Pinchot knew exactly what was needed, and as work on each plan was completed, he took it to Roosevelt for signing. By the end of the ten-day period, they had successfully reserved 16 million acres, an area about the size of the Upper Peninsula. "Then and only then, did Roosevelt sign the bill that killed his proclamation power," wrote Pinchot. The Westerners were mad as hornets, but the proclamations stood and those lands are still public today.

Pinchot was forced from office after Taft took over the Presidency. Taft had been hand-picked by Roosevelt as his successor, but soon proved unwilling to carry on the T. R. program of Conservation. Pinchot, still in the Forest Service, did what he could to rescue the Roosevelt policies, but finally had to come out in open conflict against Richard Ballinger, Secretary of the Interior, who courted various Western development interests. A Congressional investigation of an attempted land deal by Ballinger, disclosed by Pinchot, forced Ballinger to resign within a year, wedged a split in the Republican Party, and led directly to the Presidential victory of Woodrow Wilson in 1912. Pinchot, however, was fired for his disclosure.

Pinchot later served two terms as governor of Pennsylvania from 1923 to 1927, and again from 1931 to 1935. But his best work for the nation as a whole came during those turbulent years after the turn of the century, when the conservation movement was just coming to life and much of what we know today as national forests, parks and other public lands was open to abuse by any man of means who could hire loggers or dig mines or graze cattle. Gifford Pinchot was our first national forester, but he was also much, much more.

RACIAL VIOLENCE

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MILLER of California. Mr. Speaker, the newly won rights of Negro Americans, Mexican Americans, and other minorities are threatened by those who resort to violence and intimidation to prevent their free exercise. President Johnson has proposed new legislation that would give the Federal Government as effective means to punish and deter those who resort to violence in order to maintain second-class citizenship for members of minority groups.

Existing statutory authority in this area, primarily sections 241 and 242 of the Federal Criminal Code, is inadequate. There is now no Federal statute which clearly prohibits a violent assault by a private individual on a Negro child seeking to attend a desegregated school or a Negro citizen seeking to use a public facility without discrimination on account of his race. This is an intolerable situation.

The administration measure would fill unwarranted gaps in the Federal criminal laws. The Congress should enact it without delay.

VII REUNION PARLIAMENTARIA MEXICO-ESTADOS UNIDOS

The SPEAKER pro tempore (Mr. HANNA). Under previous order of the House, the gentleman from Texas [Mr. GONZALEZ] is recognized for 20 minutes.

Mr. GONZALEZ. Mr. Speaker, in reference to the remarks just made by the distinguished gentleman from California [Mr. MILLER], I wish to adhere 100 percent to the thoughts he has just expressed.

Mr. Speaker, I also endorse the President's declarations as announced to us today on this very important and perhaps the No. 1 issue confronting the Nation for sometime now.

Mr. Speaker, my purpose in seeking this very valuable privilege this afternoon to address my colleagues is to report to the House of Representatives with respect to the Seventh Mexico-United States Interparliamentary meeting which I attended as one of the American delegates and which I feel was one of the most valuable conferences of this kind we have held.

I have been privileged to belong to this group for the past 2½ years. I attended my first Mexico-United States Interparliamentary meeting 2 years ago when we had a beautiful experience in traveling from the capital city of Chihuahua over this most interesting and glamorous railroad that the Mexican Government recently completed from the Mexican-Texas border clear to the Pacific at Los Mochis, Sinaloa, in Mexico on the Pacific.

It is a trip of grandeur—probably in the most picturesque and panoramic landscape in the North American Continent.

This railroad is a genuine engineering achievement. The Mexican Government has pioneered in the 20th century in the development of railroad transportation.

It is interesting to note in this connection, and I will say so parenthetically, it is the only new railroad line of greater length than 10 miles on the North American Continent in the 20th century. It connects with the Texas border on Oaxaca and Presidio, Tex.

We met our colleagues there in Mexico and traveled overland and over the mountains on this railroad to Los Mochis. Then from there we went to Mazatlan for about two-thirds of 1 day and from there we went to the Territory of Baja California, or lower California, where we had the formal conference at La Paz.

This year the American contingent traveled from Washington to Mexico City. There we changed over to a smaller aircraft and went to the beautiful and historic city of Oaxaca, capital city of the State of Oaxaca in south central Mexico.

I was assigned to the discussion group or the committee dealing with matters of social concern.

The groups were divided into three discussion groups—political, economic, and social.

These meetings are of tremendous significance. They give us a chance to meet with our counterparts who are members of the Mexican Congress.

We are always honored to have the leaders of the Mexican Congress as an integral part of these Interparliamentary Conferences. Also the President of Mexico, as a traditional gesture, receives us at the Mexican counterpart of the White House known as Los Pinos, and we have an opportunity to report to him, to converse with him, and to have a visit with him.

Mexico as a whole has made tremendous economic progress in the last 10 years. However, it is also a country like ours, beset with very serious problems. Therefore, it is a tremendous experience to have an interchange with frank, forthright, and candid conversational suggestions, and in an atmosphere of complete liberty, to discuss those problems that are of immediate and particular concern to the two neighbors.

In a world in which we stand suspended, or at least if not in a state of suspension, with a terrible feeling that we are on the edge of an abyss in which countries are in a state of hostility, and to those of us who have also had the experience of visiting the areas of tension and division such as the wall in Berlin, the highly tense border section of Czechoslovakia and Germany, the Cactus Curtain in Cuba at Guantanamo Bay and other areas, must indeed be thankful that this 2,000-mile continuous border between the Republic of Mexico and the United States does not require armed guards in a state and in feeling of beligerency, distrust, and hostility.

In fact, I might add also parenthetically that it will be my honor this coming Saturday to take part in the traditional George Washington birthday celebrations in the city of Laredo, Tex., in which both the city of Laredo and the city of Nuevo Laredo will participate as they have for many years.

Contingents representing the Mexican Armed Forces will cross the border and participate in a most colorful parade in Laredo, Tex. The citizens and the leaders of the communities will meet. They will come to Laredo, Tex., and in a fraternal and friendly atmosphere will share the blessings of peace and good will that exist between our nations.

This feeling of good will is not accidental, and it is because such meetings as this Seventh Interparliamentary Conference have been held and because both the Congresses of these countries have been willing and have seen fit to sponsor and to provide these very profitable and educational exchanges.

For example, in our particular panel we discussed among other things the Mexican-United States question of tourism development, the prospects for the future, and the 1968 Olympics next year in Mexico. It gave me a chance as a native of San Antonio, Tex., and as the initiator of what we call the HemisFair, which will be the great special category world exposition to take place next year in my city of San Antonio from April 6 to October 6, to tell our neighbors about it and to encourage them to participate.

We discovered in our discussions that the contribution of the Mexican tourist to the United States trade is most substantial, and particularly in these neighboring areas in which some of us live—the States of Texas, New Mexico, Arizona, and California most particularly.

At this time I submit a report by the Mexican Congressman who gave us the position paper on the development of tourism:

VII MEXICO-UNITED STATES INTERPARLIAMENTARY MEETING—III COMMITTEE—SOCIAL AFFAIRS

February 9, 1967

TOPIC I: MEXICO-NORTHAMERICAN TOURISM—DEVELOPMENT: PROJECTIONS

Among the social phenomena of our time, one which strikingly calls our attention is, undoubtedly, tourism, not only because of the increasing volume of travelers from one country to the other, but because of its worldwide scope.

We consider as a tourist any person traveling to a different region from his own with the sole purpose of recreation or amusement and, mainly, he who visits a foreign country.

Tourism business or trade has become a very important part of the economies of many countries.

That is how Spain and Italy recovered during the last quarter of century as a result, in not a small proportion, of the money spent in those countries by foreign visitors. This business provides work to half a million Spaniards and its is the most important line of the Italian trade balance.

Tourism helps countries in development process to its growth.

The global expenditure by tourists during 1965, throughout the world, as per data obtained from the International Union of Tourism Official Organisms, was of nearly 57 thousand million dollars, and a yearly increase of 12 percent is estimated for the future.

In this manner tourism has become the largest business, individually speaking, of world trade.

Its highest meaning is the value it represents as a means of bringing all people together for a better understanding and comprehension.

When we travel to other countries we enjoy all the different things: scenery, architecture, ancient or modern, ways of living, folklore, music and other art expressions. But, at the same time, we can see for ourselves that its inhabitants are basically the same as we are.

We all covet better living standards, we long for a world without resentment or hate presided by peace, where our children may lead a life plenty of health, culture and progress.

This knowledge, born from the direct contact among men of different countries, gives us a better understanding of human nature and respect for the rest of the countries.

Nothing more dangerous for the world's firmness than ignorance of people among themselves.

Thanks to tourism Mexico and the United States of America have improved their relationship.

Day by day tourism traffic increases in both senses, between our two countries.

In 1964, our country was visited by 1,077,625 tourists, out of which 944,859 came from the United States.

In 1965 the figures rised to 1,199,455, out of which 1,048,732 were Northamericans, and it is estimated for 1966 an amount of 1,313,000 visitors will come again to our country.

The above mentioned figures do not include the border visitors which remain less than 24 hours in our country.

Mexico receives from the touristic expenditure including that of the border visitors, approximately ten thousand million pesos; and our country buys, instead, twelve thousand five hundred million pesos. A good percentage of these purchases are destined to industrial needs which, at the same time, produce wealth.

The number of Mexicans that visited the United States as tourists during the years of 1964 and 1965, as per the Trade Department of the United States statistics, was as follows: 1964, 324,693; 1965, 383,771.

In order to have a figure that may compare to the relative importance of Mexican tourism to the United States and Northamerican tourism to Mexico, the following analysis is made, corresponding to 1965, with duly confronted data.

National income

In Mexico: 219,600 million Mexican pesos.

United States: 6,987,500 million Mexican pesos.

Both quantities are given in Mexican pesos and refer to average prices of 1965.

Making a comparison of the number of Northamerican tourists which visited Mexico during 1965 with the national income of said country and comparing the relationship between the number of Mexican tourists who visited the United States and the national income of Mexico during the same year, the following figures are obtained:

Mexico sent to the United States for each million pesos of national income: 1,746 tourists.

The United States sent to Mexico for each million pesos of national income: 150 tourists.

The above shows that in terms of indexes of the specified touristic density with respect to economic capacity of each country, Mexico is sending 11.63 more times tourists to the United States of America, than those we receive from said country.

That is how we come to see that tourism may favor the fact that friendly countries increase their trade, in mutual benefit.

From the above we realize the importance that countries should give, at, the present time, to preserving the freedom for traveling, as one of the basic principles of right of man, as contained in Article 13 of the Universal Declaration of Rights of Man of 1948, and which respects the biggest part of civilized countries.

Freedom for traveling is an essential value in the mind of the free man. That is why Mexico has always supported this principle in all international fora.

Any restriction to this freedom is not only a barrier to all trade negotiations, but a mortal strike against the causes of human understanding and world peace.

In conclusion, we should make efforts to avoid the imposition of obstacles to international traveling.

Mexico has already simplified many of those steps that our visitors had to take before and has never limited its nationals' freedom for traveling.

The year of 1967, at the request of the International Union of Tourism Official Organisms and the American Association for Traveling Agencies, has been declared by the U.N.O., "Tourism International Year", and it is expected that all statistical traveling figures be exceeded.

But even this international promotion may seem small if we take into account the volume of passengers that the Jumbo and Supersonic planes will carry, which not only will reduce the necessary time to make a trip, but principally, the cost per kilometer-passenger.

Not only will the transportation cost be reduced, but also the persons will have more free time, more extended vacations, they will be retired or pensioned off at an earlier age and will have better credit terms.

These reasonable predictions lead us to confirm that we shall see international tourism grow, during the next decade, at such proportions that may seem exaggerated.

Mexico is getting prepared for this touristic increase. It is constructing highways and airports, it is providing with electricity and water all those towns which had never had these before, and is favoring investment in hotels and other services in order to give the proper attention that our visitors deserve. To this effect, mention should be made of the fact that in 1963 we had 3,132 boarding houses, with 92,650 rooms, and in 1966, the increase has been of 3,757 and 107,563, respectively.

We think that Mexico has particular aspects which are worth considering. We are a country whose men and whose culture emerged from the impact or alliance of two racial vigorous origins: Indian and Spanish.

So, together with the big expressions of the autochthonous spirit, stamped with ideals for the course of the centuries as demonstrated by the artistic and marvelous expression of Matla and Monte Alban, we find the sober and majestic forms carved in the Santo Domingo unperishable quarry, which shelters and offers us warm hospitality.

In Mexico City, also, we find, as an example, gathered at the Plaza of the Three Cultures, the Indian expressions at the Tlaltelolco Pyramid the Spaniard at the old convent and temple of Santiago, and the plenty and contemporaneous Mexican, in a big residential multiple building, presided by the new Palace of Foreign Relations.

If we combine the admiration for the architectural treasures with the folklore of our people, which has multiple expressions in music, dances, costumes, painting, sculpture, etc., to the warm hospitality of the Mexican, worth of being visited, not only because of the history of our past, but besides, because of the extraordinary efforts that our Mexican governmental authorities make so that our people may enjoy plentiful the social justice they deserve.

The Mexican Government, with full knowledge of the importance that tourism has for us, both in the economical order and human relations, is promoting and orienting a series of activities that will make tourism become a source of physical and spiritual wealth.

Among the most important services, is that of Radio-Patrol and Touristic Help, established by the Tourism Department and which gives the following services, among others, to all traveling persons: First Aid; Mechanical First Aid; Protection; Intercommunication by Radio-telephonic Net; Supplies; Trackage; Fixing and change of tires; Tourist Information.

These services are given absolutely free, except in the case of furnishing accessories, fuel or oil, in which case they are sold at cost price.

To conclude, I would like to express the thought of Mr. Gustavo Diaz Ordaz, President of my Country, when he took over his high-ranking position:

"Mexico will always have a tending hand for all countries of the Continent and of the World"; I try to understand this thought as expressing: Mexico will always welcome, warmingly, all its visitors.

We also discussed cultural exchanges, the question of exchanges between students and others, and in that connection had a special report from the eminent representative from the Federal District of Mexico, Representative Alexandro Carrillo Flores, concerning the Texas Intercollegiate Student Association meetings that pioneered in this effort 2 years ago when San Antonio, Tex., hosted a group of Mexican students and this year had the second meeting in Austin, Tex.

He praised highly these efforts and asked that we pass a resolution endorsing the continuation of these efforts.

We also discussed the technical assistance in agricultural development as in the famous Mexican Chapingo plan, where American aid has played an instrumental part in the development of techniques that have permitted Mexico to transform itself from a deficiency production country in such things as wheat to a surplus country that now exports wheat.

This, I believe, is a testimonial to the meaningful aid that the United States has given in a most constructive manner to such neighbors as Mexico. So often we hear that foreign aid is a sheer waste. We hear the demagogs who have found it politically profitable to harangue against foreign aid, but, in my opinion, that is done in a harmful way and against the interests of the United States. They recommend we do away with all that is labeled foreign aid. However, such projects as these are a part of foreign aid.

I have witnessed the tremendous creative good this has done, the kind of good that yields intangible results, that means the raising of living standards rather than the raising of armies, such as require an outpouring of money from our treasury to inundate Latin America and other countries with hardware calculated to kill. Very little criticism of that is forthcoming from the same demagogs who blindly seek to have people in America believe that foreign aid in its entirety is a waste.

We also discussed the question of desalinization which has been a continuing problem in the past, but which has now been solved. Here again is a demonstration to the world of America's real mission.

This was also proved last year when the Presidents of our two countries met to celebrate the signing of the Chamizal Treaty, which was accomplished 2 years ago. This was proof to all detractors of our country that we are far from being an imperialist nation.

This was a matter that had been in the craw of both nations for over 50 years, something that fate had caused by the willy-nilly course of the Rio Grande, which had changed. But that was resolved an was done in a way that shows the passion for justice and fair treatment on the part of the greatest and strongest nation of the world. It was done with respect to a weaker nation. Certainly this would never have occurred, would never have been true were we the imperialists that the enemy have declared our nation to be and which our enemies seek to have the world believe.

These are things which I would like to have more of my colleagues and our citizens of this country be aware of in order that we can continue to capitalize on the creative and good things.

We discussed the tremendous housing problem that confronts our neighbor. Here is a potentially explosive matter. More than 50 percent of the families of Mexico live in inadequate, substandard housing. I am sure that in our discussions we talked of plans that will ultimately materialize and will enable us to be helpful to this neighbor in resolving this problem.

(Mr. GONZALEZ asked and was given permission to revise and extend his remarks and include extraneous matter, at this point in the RECORD.)

The matter referred to follows:

THE XIX OLYMPIADE IN MEXICO

(Representative Martha Andrade de Del Rosal)

Mexico will be honored to host the forthcoming Olympic Games, an international responsibility which will be carried out with the same dignity and decorum as all our Country's other commitments.

This important event will have unique characteristics, especially when compared to other similar events that have taken place during this century.

The basic difference will be that the 1968 Olympic Games will regain the spiritual importance intended by their initiators; besides being a sports competition, it will be an important occasion for fraternization of Man in the fields of art and cutlure.

Mexico's Presidente, Dr. Gustavo Diaz Ordaz, who is the sponsor of the XIX Olympic Games, has issued instructions to the effect that the investments made for this event eliminate any expenses that are not amply justified by their later social benefit, since for a country going through a stage of development it would be unreasonable to make permanent investments in installations that will only be useful for a two-weeks' period.

Our Government and the International Olympic Committee have repeatedly expressed their concern over the total cost of the Games. The Organizing Committee is aware of its responsibility in setting up the Olympic Games in such a manner that they are not financially burdensome to the Country, thus avoiding any cause for alarm to the cities that might aspire to be the site of the Olympic Games in the future.

The Organizing Committee of the Olympic Games, presided by Arch. Pedro Ramirez Vazquez, with the approval of the International Olympic Committee, has already started the important program of events and artistic, cultural and sports activities preliminary to the 1968 Olympics.

Sports competitions are a practical manner to bring youth together, but the original Olympic ideal lies in the stimulation of mutual knowledge, respect, fraternity and friendship.

One of our Country's traditional ideals is the harmonious coexistence of the peoples and Mexicans are wholeheartedly identified with the high ideals of the Olympiade.

While in the field of sports competition some countries are more prominent than others, in the sphere of culture all participants are equally valuable and it is here where equality of all men is evident.

Simultaneous with the sports program, consisting of twenty types of competition, another program has been prepared that comprises twenty cultural events. The purpose of this is to incorporate cultural aspects in the Olympic Games that can be enjoyed by the city's population, visitors and participants in sports events alike. All participant countries will contribute valuable artistic and cultural events.

The XIX Olympiade will be the first one to be televised in color. This will enhance its interest, but at the same time will pose new problems in regard to illumination and require a more complex organization of the different companies who will transmit this event throughout the world.

Requirements and conditions have been established for television transmission to the United States, Canada and Western and Eastern Europe. Studies are under way to work out the problems inherent to transmission to Latin America, Japan and Australia.

Maximum facilities will be given to insure efficiency in this aspect, as television has made it possible to greatly increase the number of spectators who watch the Olympic Games. While these were previously limited to the capacity of a given stadium, nowadays their number has soared to a conservatively estimated 400 million throughout the world.

Another important item is the education program. This is already under way and its purpose is to disseminate information locally, so that the Mexican public can understand and appreciate the 1968 Olympic Games.

The people of Mexico are traditionally hospitable and friendly. However, it has been considered necessary to inform the population about the meaning of the Olympic Games, so as to prepare it to properly welcome and take care of the visitors that will arrive from all parts of the world, athletes and spectators alike. Three important publicity programs have been developed to this effect:

"What the Olympic Games in Mexico Will Be".

"The Heritage of the 1968 Olympic Games"

"Divulgation of the Olympic Sports"

To further illustrate this paper, we have attached Olympic Letter No. 1, in Spanish and in English, which is a summarized report of the International Committee's Executive Council meeting and an abstract of the general program of the President of the Organizing Committee. Also attached is the January 1967 issue of a news bulletin in English and No. 1 Graphic report on the Second International Sports Week in Spanish and in English.

We consider, gentlemen delegates, that you as good friends of Mexico and excellent collaborators of ours, will be the best publicizers of the Olympic Games that will take place in our Country in 1968.

We are sure that due to our geographic nearness and the friendship and understanding that unites us, thousands of American visitors, as well as a numerous athletic delegation from your prosperous country will visit us. To all of them, and to you especially, our heartfelt welcome, and together with the other visitors of the world, through culture and sport, may we attain the peace, progress and well-being which humanity has a right to enjoy.

MEXICO CITY, *February 1967*

THE THIRD COMMITTEE ON SOCIAL AFFAIRS "CULTURAL EXCHANGE"

(Congresswoman Hilda Anderson)

Considering that two subjects of the third committee on social affairs are intimately related in the initiative: A. Scholarship; B. Exchanges between cultural institutions. Of which I shall henceforth relate, some points of interest to be taken into consideration relating to the subject of scholarships. The international relations of my country, have always taken into consideration understanding among nations. And have been inspired by sentiments of hemispheric solidarity.

For that reason Mexico as well as the United States should intensify the exchange between cultural institutions, government to government by way of the Autonimouse University Of Mexico.

The Board of Education.

The National Politechnical Institute.

The National School Of Teachers.

The Schools of Grafic Arts.

The National Institute of Fine Arts.

As well as private institutions, such as labor organizations, and of the many groups that function In both countrys In the folkloric arts., etc. In this manner of peoples exchange, be It scholarships, proffetionalists, or technitians, or by way of established formulas made by institutions, keeping In mind what relates to music, grafic arts, conferences, or books. We can achieve A greater understanding between our nations and we will have closer ties.

Technical assistance ((Such as scholarships to experts)). And cultural exchange with the United States. Agreede to within jurize prudence. Since the year 1936, at the convention for the promotion on inter American relations. So signed In In Buenos Aires, on Dicember 23 1936. By way of the committee of cultural exchange Mexico United States, an internationl institute brought about as A result of correspondance between the governments of Mexico and the United States.

With the end In mind of establishing the viachels that unite both peoples, by way of exchange and the development of their cultural relations. Public as well as private, other systems of exchange have been established, of scholarships between both nations. This became A reality, around 1951, In A recipicall scholarship exchange of 12 scholarships granted by the government of the United States. By way of what corresponds to the scholarships granted by Mexico to the United States In recipicall exchange of 12 scholarships of the committee of cultural exchange are granted at $1,250.00 for Io months. The 12 scholarships of the agreement of the committee of cultural cooperations are granted to graduate students of U.S. citizenship, who wish to study In Mexico.

The Mexican board of education takes on to itself the duty of selecting the grantees, to make the information of the scholarship, and the explanation and extension of payment, for school inscription. And all expenses relating to the studies cover the monthly expenses and make all travel arrangements of a migratory nature. However, travel expenses must be paid for by the grantee.

By way of auspices of the United States state department, since July 1963 developments have been brought about, such as four seminars for the purpose of the exchange of experiences, dedicated to Mexican professors, administrators of the grantees, high school and trade school teachers. This is one of the projects of the cultural exchange program, of a unilateral nature by way of the United States.

That is brought about with the collaboration of the Center of Interamerican Studies at New York State University, in Albany, New York. Every time that our country is invited to participate, about 40 professors selected from within the entire nation from all the educational institutes take part. The government of the United States makes a head allotment of 12 dollars per day to each participant for a period that is about one month. As well as travel expenses.

There exists also in a unilateral program of cultural exchange between Mexico and the United States, a seminar that is held in San Juan, Puerto Rico. In order to assist these seminars the government of the United States grants 4 scholarships per year, at an expense account of 12 dollars every day to each grantee. As well as all travel expenses from Mexico City to San Juan.

Also to a variety of cities in the United States for about 14 days all expenses paid, as well as payment of the return trip to Mexico. The seminars are organized by the University of San Juan, Puerto Rico. By recommendation of the office of public education of the government of the United States. And with the backing of the governor of the free associated state of Puerto Rico.

The seminars have a special interest in presenting to those who participate a program of education in North America in the second half of the 20th century. And the transplanting of such into some Latin American community, such as Puerto Rico. And the results of such, in that society. As well as exchange of experiences between administrators, inspectors of grammar schools and trade schools in Latin America.

We consider that all affairs relating to technical assistance and cultural exchange between both countries, come about by way of the proper official channels or government agencies. As such as may be able to hold at once a centralizing factor and be able to propose any needed information, in a hurry. With the end in mind that such will bring about responsible benefits for the needs and interests in education and culture of each one of the countries.

CHAPINGO PLAN

Mexico's population has been growing at the pace of more than 3%, yearly. We need, therefore, to increase rapidly our veterinarian production in order to be able to face the nutritional needs of our people and the constant demands of our industry, and foreign market (exports).

We are dedicated to making our agriculture modern through technical advances; and we have obtained, in this manner, an increase of our agricultural production at the rate of 6%, yearly.

During the last years we have obtained an increase in the beans yield of 74%, wheat's 55%, and corn and rice 30%, and also in other growing crops. Our live stock is also being improved.

In order to be able to achieve that modernization of our veterinarian economy, the country needs to have a bigger number of technicians and professionals in Agriculture Engineering and Zootechnics, which may teach and give advice of the new technique aspects to all the rural population.

This increasing demand for technicians, better prepared each time, has created the need for the organization of the Chapingo Plan, giving birth to the National Center of Teaching, Investigation and Agricultural Extension, where the National School of Agriculture and its Postgraduates College have coordinated and gathered, together with the National Institute for Agricultural Investigations and the Extension Service in charge of spreading technical advice among agriculture, live stock and forestry men.

In the above mentioned Center, the three technical aspects which constitute the basis for the national agricultural development will be coordinated, at national level.

In Teaching, the preparation of professionals in charge of carrying out veterinarian production programs which the country needs and the capability of professors for Superior Agricultural Teaching, up to postgraduate level and career investigators.

In Agricultural Investigation, the obtention of better species for different ecological regions of Mexico, through a net of Investigation Centers and Experimental Fields distributed throughout the country and covering all types of climate. The proper and efficient technology of crop growing fertilization and the correct use of water. The protection of crops against plagues and sicknesses. The economical production technique and the agricultural diversification in order to obtain a more firm economy.

Through Agricultural Extension, investigation results must be able to reach the country, whose social, technical and economical functions, otherwise, will not contribute in an ample way to the general improvement of the national economy, and to the producers standard of living rise.

The coordination of the three above mentioned activities constitute a big contribution to the nation, which still depends on its agriculture for progress.

Besides, the Chapingo Plan unfolds its arms to all Latin American countries and all those for which it may be useful in the preparation for technicians and in its agricultural development.

The idea of rendering all these services contributed to the obtention of international economical cooperation, when the Plan was created.

Initial cost was of 117.5 million pesos.

The Mexican Government absorbed 70% of said cost as follows:

	Percent
Directly from its budget	27
Loan from the Interamerican Development Bank	22
Loan from the Interamerican Development Agency	21
Total	70

The remaining 30% was obtained by donations, as follows:

	Percent
Donation from Rockefeller Foundation	15
Donation from Ford Foundation	12
Donation from Special Fund of the United Nations	3
Total	30

That is why the Chapingo Plan is considered as a progressive idea which becomes a reality in the spirit of the Alliance for Progress; and we consider its brilliant accomplishment as a success of impartial international cooperation.

It is in this feeling that we have the honor of presenting the above information to the H. Northamerican Parliamentary Representation, and it is with utmost pleasure that we offer Chapingo as an Institution which is open, fraternally, to any scientists or students of other countries which may take advantage of same.

We would be most satisfied if our illustrious guests would honor us with a visit to Chapingo.

LERMA PLAN

The Lerma Plan is a governmental program for the study of the economical and social development of the Lerma-Santiago Basin, which covers an area of 130,000 square kilometers (6% of México's total area), comprising portions of nine federative entities, with a population of 8,000,000 inhabitants (20% of Mexico's total population).

This Lerma Plan handles a Committee where the Ministries of Public Treasury, Agriculture and Hydraulic Resources are represented, together with the Lerma-Chapala Commission; said Committee has been in operation for three years with a five million dollar fund, 1.2 million dollars of which are contributed by the Mexican Government, and 3.8 million dollars are furnished through a credit of the Interamerican Development Bank.

The Lerma Plan investigates, plans, programs and elaborates specific projects for immediate investment, aiding all those persons or organisms which may request so. Nacional Financiera, S. A. acts as fiduciary of the international contract.

Up to date, all investigation, analysis, diagnosis and programing tasks are almost finished, and those of projection, evaluation and promotion to carry out works through specific projects, quite advanced.

Under the Lerma Plan works are being projected (some are being carried out at present) for irrigation purposes, works for the potable water supply for rural population centers, neighboring roads and plans for the industrialization of veterinary products.

At the same time, agricultural and live stock development plans for specific zones, to which all the necessary technical assistance will be given, are being created.

With technology applied to the veterinarian development, production may be largely increased, thus bearing an increment in economical potentiality, through technical assistance and on the basis of social justice; by improving Mexico's economy, the standards of living of a large population economically weak, namely farmers, will be raised.

These projects, made through the intervention of organisms of the public sector of Mexico, tend to promote activities of the private sector, so that this in turn may cooperate in the big task of population's development.

Through the State action, private enterprise and foreign help, as the B.I.D. must concur granting credits for investment on the basis: 50% Government and 50% Bank, a great task has begun for Mexico, through international cooperation. It is quite satisfactory for the Mexican Representation to inform the H. Northamerican Representation, of this effort of our country, hoping to have your sympathy so that the Lerma Plan may obtain, without difficulty, the Northamerican cooperation in the form of credits for financing the necessary investments, on the basis of mutual participation.

C.I.A.N.O.—NORTHEAST AGRICULTURAL INVESTIGATIONS CENTER

One of the Agricultural Investigations Center linked to the "Plan Chapingo" (Chapingo Plan) is that of the Northeast, in the state of Sonora.

In the same manner as other regions of the country, this Center has been basic and decisive in the agricultural development of an important region which, at present, produces practically 50% of the total wheat crop of Mexico.

Its contributions, which have resulted from the agricultural investigation programs entrusted by the Ministry of Agriculture and Live Stock, have greatly helped the agricultural, economical and social development of several Northeast States, but particularly, the states of Sonora and Sinaloa.

The fact that the agricultural producer himself considers as essential, not only the functioning of the Center, but constant improvement both in the aspect of technical personnel and working facilities, has also been achieved. In such a manner, the Northeast agriculture man has added his economical contributions to that of the Federal Government, this fact being an evident technical betterment of the producer himself, as he now considers as essential to depend on a better source of seeds and more exact information, that may permit production with more economical efficiency.

Undoubtedly, mutual benefit relations have been established, therefore, making sure the constant technical improvement of production in that important agricultural region of the country.

All this not only has been beneficial to Mexico, but also an important contributing factor as far as seeds and training to brother countries of Latin America and the Near and Middle East, is concerned.

Technical men have been trained at the C.I.A.N.O. from Guatemala, Colombia, Ecuador, Chile, Brazil, Bolivia, Peru, India, Pakistan, Syria, Afghanistan, Iraq, and others, particularly in the wheat growing field.

Through this collaboration, Mexico has contributed to training of technical experts which have, later on, assumed responsibilities in investigation programs for the agricultural fostering in those countries, and has exported, for the first time in its history life, more than eight thousand tons of improved seed for the wheat production increase in India and Pakistan.

Contributions from agriculture men for investigation programs, and the functioning of small auxiliary experimental fields in Caborca, Costa de Hermosillo, Valle de Guaymas and Valle del Mayo, amount to approximately $2,000,000 annually.

Contributions from the Agriculture Ministry for functioning purposes amount to approximately $1,500,000 annually. As far as Sinaloa is concerned, $2,000,000 are contributed also by the organized agriculture men, annually.

Through more ample availabilities of fellowships for interested countries, Mexico will continue to put their own experiences, its technical men and it working facilities, at the disposal of countries requiring same for the training of a larger number of technicians in an impartial way and for the benefit of mankind. The C.I.A.N.O. deserves the sympathy and economical help of international organisms such as the F.A.O. and the B.I.D.

COMMISSION OF POLITICAL AFFAIRS

The Third Extraordinary Conference of the Organization of American States that will take place in Buenos Aires beginning on the 15th of this month, will discuss the proposed modifications of the Charter of Bogotá. These modifications were determined, as to their political aspects, in the Conference that took place in Rio de Janeiro on November 1965 and, as to their concrete drafting, by the Preparatory Commission in its sessions of Panama and Washington.

As to the policy of Mexico in the Conference of Rio, Presidente Días Ordaz, in his Report to Congress of September 1st., said:

"Mexico has clearly expressed that, although it is now, and has always been, willing to cooperate in order that the standards that govern the co-existence among American States be modified in order to make them better and more efficient, it considers that the basic principles included in the Charter must not be changed, since they contain ideals for which the people of Mexico have fought throughout its history, and especially those that establish the right of peoples to their auto-determination and the obligation of all States to abstain from interfering individually or collectively, in the internal or foreign affairs of other countries.

"The Mexican point of view was shared by all the States that took part in the Conference and thus, in the Charter of Rio de Janeiro,—the most important of the documents approved there—each and every one of these cardinal principles were reaffirmed, and only changes of a structural nature were approved."

Mexico presented the proposal for the establishment of the Inter American Fund for Emergency Conditions that was approved.

The Economic and Social Charter of Rio de Janeiro was accepted. It contains the most important aspirations of Latin America, those that have been embodied with great hardship during the last decade, and that deal with the economic integration of this area as well as with the planification of economic development, with the changes that bring social structures up to date—especially as refers to land holding, to mutual cooperation in financial matters and to the absolute need that foreign trade, mainly that of basic products, be ruled by those principles of order and justice that permit not only the stability of prices and markets, but also make it possible for developing countries, through their own effort, to reach higher levels of productivity, which is the only way of increasing the living standards of the majority.

In Buenos Aires, Mexico's policy will be very clear and very simple: it will support and vote for those texts that were prepared and unanimously accepted in Rio de Janeiro, Panama and Washington.

In the same way, our country has declared that no matter should be presented in Buenos Aires without being previously screened in the same careful manner which was decided upon in Rio for the preparation of reforms to the Charter.

Besides, it is to be expected that the spirit that prevailed in the discussions at Rio will be maintained in Buenos Aires; that is, that there be included in the Chart such new rulings as may reflect the unanimous consensus of our countries; only those principles that unite them, not those norms that divide them.

For we must not forget that as an organisation of countries that have faith in democracy, it is only natural that there be matters on which our countries hold different criteria. These matters, naturally, must not be permanently evaded. There are numerous forums in which they can be discussed. But the constitutional framework of the Organization must include only such principles and norms about which our countries agree. Fortunately there are many.

Furthermore, we are sure that on the basis of the fundamental principles that inspire the Charter of Bogotá—non-intervention, auto-determination, peaceful solution of controversies—it will be possible to improve the structure and functioning of the Organization of American States so that it will be increasingly efficient as a regulating center for a fruitful and cordial co-existence of our peoples.

Housing Development

(Representative Vicente Fuentes Díaz)

The housing problem in Mexico is quite serious. Statistical data from the last Population Census of 1960 shows that more than 50% of the Mexican families lack proper living quarters with the minimum of comfort and hygiene that modern times require. Another important percentage, approximately 30% of the total population, lives in houses that lack, in many cases, the essential sanitary services, therefore turning out to be highly inadequate.

Consequently, this problem has deepened in the large urban areas such as Mexico City.

A survey made in 1963 by the Mexican Institute of Social Security, shows that out of 874,383 houses in Mexico City, 162,992, that is, 75.8% are inadequate and nonfunctional.

Lack of housing with a minimum of comfort and hygiene is particularly felt in the so-called fringe areas, inhabited by poor families. In Mexico City itself, there were 200 areas—which in 1950 covered approximately 25% of the city's total area.

At present, the number of this type of areas has increased to 400, covering 35% of the metropolitan area, and including around 2,000,000 people. The general problem of housing has seriously worried the Governments of the Mexican Revolution, which have devoted ever increasing sums of social investment to its solution. During 1962–64, for example, 26.5% of the Government's and other Official Institution's expense for social works was devoted to housing. (It is quite a considerable percentage if you consider that 49% was destined to other important public services).

In order to solve such an urgent question, which is constantly being complicated by the demographic explosion in Mexico, our Governments have made great efforts to join the resources from both the official and the private sectors for the construction of popular housing. An important result of such a policy is the constitution of the FOVI (Operation Fund and Banking Discount for Housing), which operates as a Federal Government's trust at the Bank of Mexico, and makes loans to several Institutions interested in taking part in the Housing Construction Program.

The above mentioned Fund has been constituted with the participation of the Federal Government and with foreign credits that amount to 30,000,000 dollars, ($20,000,000 of which were contributed by the AID—International Agency for Development—and $10,000,000 by the BID—Inter-American Bank for Development). Of this total, 6.5 million dollars had already been utilized by November 30, 1966.

We, Mexican Congressmen, greatly value the financial help from the above mentioned Institutions and firmly hope that the financial support will continue in the future so that the Mexican Government may do more to solve such a vital problem as Housing, which must be considered as an important part of the Social Justice Program inspired and put into effect by the Mexican Revolution.

CORRECTION OF INEQUITY IN TITLE XVIII, SOCIAL SECURITY ACT

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Holifield] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HOLIFIELD. Mr. Speaker, today I am introducing a bill to correct an inequity in title XVIII of the Social Security Act. It is a simple amendment which will correct a grave injustice to the optometrists of this country and their patients. It will neither add to nor take away from the benefits provided.

My immediate interest in eye problems stems from my wife's recent operation for a torn retina. I am happy to report to many of my colleagues and friends that my wife is making good progress to recovery. Having a member of the family come down with some ailment or medical crisis always opens one's interest in the general concerns of many others who may have similar circumstances.

More than 60 million Americans last year went to optometrists for eye care. Most older people have vision problems—whether they are older than 40, 50, or 65—the ratio goes up steadily. Of these older people, at least 75 percent rely on optometrists to determine if they have eye diseases which require medical treatment.

At the time my wife's problem first became acute, I turned to the services of my good friend and optometrist, Dr. Harry Shepherd, of Montebello, for the initial examination. As a result of his professional examination and opinion that the retina was damaged, I sought further diagnosis from a longtime personal friend and distinguished ophthalmologist, Dr. Herman Weiss. He concurred with Dr. Shepherd in diagnosing the condition as a torn retina. After further diagnosis in the University of California Medical Center, I was advised to seek the services of a famous optical surgeon at Johns Hopkins, Dr. Harrell Pierce. Dr. Pierce's special skill is in the field of retina surgery.

I recount this procedure to emphasize the fact that a responsible optometrist, a responsible ophthalmologist, and a distinguished optical surgeon concurred in examination and diagnosis of the eye condition. The original discovery of the torn retina was made by a skilled optometrist who referred me to other skilled specialists in ophthalmology and optical surgery.

Although the Social Security Act specifically excludes from coverage "routine physical checkups, eyeglasses, or eye examinations for the purpose of prescribing, fitting, or changing eyeglasses"—section 1862(a)(7)—and the exclusion is applicable whether such services are performed by a medical or optometric doctor, many of the services of an optometrist which do not come within this statutory exclusion are being provided under medicare.

Under title XVIII the beneficiary is required to seek services from only three kinds of practitioners—medical, osteopathic, and dental. Thus, services which are regularly provided by optometrists can only be obtained from doctors of medicine and osteopathy—both limited sources as far as vision care is concerned. The limited number of doctors who are ophthalmologists makes it almost impossible for medicare beneficiaries to receive all the vision care that is available to them under the act.

The administration has found only one loophole in the exclusion of optometrists from participation under medicare. They will reimburse optometric patients for lenses following surgery for cataracts and the necessary services connected therewith, because, under the law these are services and supplies furnished as an incident to a physician's professional service. Even within this coverage, the optometric patient or optometrist cannot be reimbursed unless the patient has first obtained the certification of a medical doctor that the service is necessary.

In effect, such a stipulation says that if some medical doctor sends a patient to an optometrist, or if he approves the services rendered by an optometrist, only then can the optometric patient be reimbursed for services of his optometrist under the act. This requirement that says optometric services will be paid by medicare only when countersigned by a medical doctor is grossly unfair to the patient. It also discriminates against some 17,000 practicing optometrists and interferes with the well-recognized relationship which exists between this group of practitioners and their patients.

It is simple commonsense to say that if a patient of an optometrist can be reimbursed for his optometrist's services in connection with his provision of cataract lenses that he should also be able to obtain repayment for the other optometric services, appropriate under State laws, which are provided under medicare.

The optometrist is the only person exclusively educated and specifically licensed and examined in every State to serve that most priceless human possession—our eyesight.

I do not believe that the 89th Congress intended, when it passed the historic medicare legislation, to upset the traditional relationship between the optometrist and his patient. The act itself states:

> Any individual entitled to insurance benefits under this title may obtain health services from any institution, agency, or person qualified to participate under this title if such institution, agency, or person undertakes to provide him such services.

However, under the law, as it is being applied, there is discrimination against optometrists—and freedom of choice by persons who depend upon optometrists for their eye care is denied.

The amendment I propose seeks to correct the existing problem and return to the people their traditional freedom of choice of health care practitioners while also making it possible to provide the public with the best available vision care. It provides that the definition of "physician" under section 1861(r) of title XVIII be amended by adding before the period at the end thereof the following: "or (3) a doctor of optometry, but only with respect to functions which he is legally authorized to perform by the State in which he performs them."

I believe this is a just amendment and deserves the full support of this Congress. Its simple intent is to remove the present requirement that a medical or osteopathic doctor must certify that the services to be provided are necessary before an optometrist can be reimbursed for his authorized service. It will also correct an injustice to a fine, independent profession which has always provided the public with the highest standard of skilled visual care services.

I have also added a clause which would make the effective date of this amendment January 1, 1968, to correspond with what I understand to be the administration's effective date for other proposed amendments to the Social Security Act. I have discussed this amendment with officials and counsel for the American Optometric Association, the Department of Health, Education, and Welfare, and the chairman of the Committee on Ways and Means.

Mr. Speaker, I commend this proposed amendment to my colleagues for its good sense and simplicity of purpose. This is the year in which we should take time to smooth the wrinkles in the medicare rug.

WAR ON CRIME

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. FRIEDEL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FRIEDEL. Mr. Speaker, President Johnson has outlined a strategy for the war on crime that is both bold and broad.

The Baltimore Sun finds that the President's crime message contains much that is imaginative and points out many of the new directions the Nation's crime fighters must take.

The newspaper, in an editorial which I now offer for the RECORD, also observes that the President is under no illusion that the program he recommends will cause a sudden decline in the reported crime rate. Ultimately, it says, the streets will be made safe only when citizens are determined to make them so.

That is the administration's purpose: to stimulate this determination on the part of every American and to offer new and effective ways of carrying it out.

I insert this editorial in the RECORD:

[From the Baltimore Sun, Feb. 8, 1967]

THE WAR ON CRIME

Those who are anxious to rid the streets of crime no matter what it takes—even if it means the abandonment of traditional guarantees against high-handed police tactics—may not find everything in President Johnson's anti-crime program to their liking. But the message he delivered to Congress this week contains much that is imaginative and points out many of the new directions the nation's crime fighters can and must take. And with it all the President urged speedy enactment of bills to ban wiretapping and regulate the sale of firearms.

If his message had a central theme it was his insistence that local law enforcement agencies must continue to bear the main burden of crime detection. If it had a keynote it was his obvious belief that the public has lost confidence in what he called "the system of criminal justice."

The two points are related. To win back public confidence and seek its cooperation law officers must subject their work to "profound self analysis" and must show a "willingness to change." Only by doing so can they become eligible for the Federal grants which the proposed legislation would provide. Money would flow to those localities which take the initiative in developing new crime fighting techniques and which increase "their own expenditures by an annual increment of 5 per cent."

The program parallels in some respects the anti-crime bill which Senator Tydings introduced last week. It does of course go much further. But as comprehensive as it is, the President is under no illusion that it will "bring about a sudden decline in the reported crime rate." Ultimately the streets will be made safe only when citizens are determined to have them so.

FEEDING MANKIND

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. BYRNE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BYRNE of Pennsylvania. Mr. Speaker, in a nation of plenty, it is difficult to conceive of famine as a specter confronting half the people of the world.

But the threat of famine is a frightening fact.

President Johnson emphasized the emergency in his message on food for India. Food is scarce. Nowhere is there a surplus. To deal with the threat, the President proposed that all nations make the challenge of aiding India the occasion to start a worldwide campaign against hunger.

His message has been greeted with widespread approval, as indicated by newspaper comments which I propose to place in the RECORD. In sum, they praise this approach to a global dilemma and hail it as an act of national generosity combined with international leadership.

The editorials appeared in the Philadelphia Inquirer, Philadelphia Evening Bulletin, Scripps-Howard's Washington Daily News, and the Baltimore Sun. They follow:

[From the Philadelphia Inquirer, Feb. 4, 1967]

FOOD FOR INDIA—AND ELSEWHERE

The somber special message on food aid to India, sent to Congress Thursday by the President, should be evidence enough to convince the most skeptical that the tenuous balance between world food supply and the hungry mouths it must feed is really beginning to fail.

Last year we were able to send to India 10 million tons of grain. This year, the President said, India will need 10 million tons again (and that could be an underestimate); we can send only 6.6 million. Other nations able to provide food simply must join in or there will be starvation there, not only because of the rising population but also because of year after year of drought in critical production areas and too slowly improving agricultural methods.

The President reported that he was making an emergency allocation of two million tons because of the desperate situation immediately facing India. But he also noted:

"India is not alone in facing the specter of near famine. One-half the world's people confront this same problem . . . The bleak facts require a sustained international effort on a greater scale. Today I propose that all nations make the new Indian emergency the occasion to start a continuing worldwide campaign against hunger."

The President emphasized again that self-help is of the essence, and, obviously, he did not mean in India alone. It is strange that, in a matter so basic, prodigious efforts toward self-sufficiency are not the rule everywhere.

What Mr. Johnson has proposed to Congress is simply that this Nation join in whatever efforts toward world food sufficiency are made—a proposal we have no doubt will win favorable action—up to the limit of our capacity. What we and others must realize, of course, is that the fabled American capacity does have limits—and those limits have just about been reached.

The problem far transcends politics, either domestic or international; it is co-operation or famine. And, although the focus is now on India, there will be many others in need before a solution is found.

[From the Philadelphia Evening Bulletin, Feb. 4, 1967]

THE MATHEMATICS OF HUNGER

Although it may not at once appear so significant to a quarreling world, President Johnson's message to Congress on food to India may in time take on historic importance. Inevitably what the President calls the "cruel mathematics of hunger" is creating a new order of priorities, demanding new initiatives for survival and security in a human community half of whose inhabitants face, in his words, "the specter of near-famine."

Mr. Johnson is proposing huge new shipments of American food to India in the context of harsh new facts that should be everywhere understood. One of them is that even the United States, mighty agricultural producer though it is, has reached a limit. It is no longer in that period when, to help its own farmers and for humanitarian reasons, its chief concern was to dispose of food surpluses in any way it could.

"Food is scarce," he told Congress. "Nowhere is there a surplus. Food aid must be allocated according to the same priorities that govern other development assistance." Food, in short, is out of the easy give-away category. Just to meet India's shortages alone has proved to be a job requiring help from many nations.

Many consequences flow from this for ourselves and others. They involve for us taking a necessarily tougher attitude in our dealings with hungry, overpopulated countries. For them it is a matter of demonstrated self-help and putting first things first.

"Agriculture," said Mr. Johnson, "must receive a much higher priority in development plans and programs. The developing nations can no longer take food supplies for granted, while they concentrate on industrial development alone, or spend vitally needed resources on unnecessary military equipment." The revolution in agriculture that is called for, he also makes plain, must be accompanied by a curb on exploding populations to be effective in meeting food needs.

There is a hopeful byproduct possible from the effort the President endorses and asks Congress to approve. He emphasizes multinational cooperation, of which the 10-nation India aid consortium is an example. And beyond this, he stresses the obligation to feed the world's population as a common one involving all nations and peoples and overriding political differences and differences in social systems. Perhaps some weapons can eventually be laid aside if hands are joined in this undertaking.

It may be said, of course, that the President in turning to Congress with this detailed exposition on aid to India and the world food situation is seeking to make easier the legislative path for a forthcoming foreign aid bill stressing agricultural development. Nonetheless, in asking that Congress endorse his India aid policies, he is also asking it to set its seal of approval on what could be a new point of departure in efforts to resolve a global dilemma.

[From the Washington Daily News, Feb. 6, 1967]

Feeding the Community of Man

Some people, not only abroad but at home, see the United States as a big brute, wielding power with arrogance, contemptuous of the weaker nations of the world. Such people will have a hard time explaining the "food for India" program President Johnson announced last week.

It was an act of national generosity combined with international leadership that we haven't noticed any other nation, large or small, match lately.

It had two parts. First, the President announced an immediate consignment of 2 million tons of good grains to India. This will keep the food pipeline to India full until May, that is, past the coming lean months. It will save tens of millions of Indians from the slower terror of starvation.

Secondly, the President asked the Congress to approve sending another 3 million tons of grain, provided it is matched—in food, fertilizer, seed, pesticides or money—by other countries.

"The first obligation of the community of man is to provide food for all its members," said the President. "This obligation overrides political differences and differences in social systems."

We hope that appeal will find a response in word and deed in Moscow, Paris, London, Bonn, Tokyo, Ottawa, Canberra, Bucharest, Buenos Aires and other capitals that can and should help share the burden.

Above all, we hope India will take this new commitment of aid as fresh incentive to pursue, more diligently than heretofore, its own efforts.

[From the Baltimore Sun, Feb. 4, 1967]

Help for India

President Johnson's allocation of another 2,000,000 tons of grain to India will be gratefully welcomed there, and should be welcomed here not only on humanitarian grounds but also as a continued recognition of how important to a stable world is the sustaining of free societies in South Asia. The action is further noteworthy as meaning that in the Administration's opinion, after careful study, India is trying to comply with two of the President's conditions: that recipients of aid give highest priority to food production, including private participation, and that nations with food deficits earnestly undertake programs of voluntary family planning.

There is a third condition: that developed nations other than the United States assume a fair share of the burden of helping the underdeveloped. In the case of India, Canada and Australia are already contributing substantially. For this year Mr. Johnson seeks a sharing at the rate of a total of 6,600,000 tons of grain from the United States and 3,400,000 tons from elsewhere. It is a reasonable, even a generous, proposal for what the President calls an attempt to bring into world balance "our most basic account," food.

It is true that the situation in India right now amounts to an emergency (and additionally to assist India through it Mr. Johnson recommends the distribution of $25,000,000 in food commodities in the drought-stricken areas of Bihar and Uttar Pradesh). But it is true, too, that other emergencies will arise, in India and in other places, and that the United States, whose own resources though vast are not unlimited, cannot be expected now or later to carry the whole load.

NURSING HOME STANDARDS

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Clark] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CLARK. Mr. Speaker, Mr. Charles S. Brown, of Sarver, Pa., in my district, and president of the Pennsylvania Association of Nursing & Convalescent Homes, called on me last week regarding nursing homes in connection with title XIX of the Social Security Act as amended.

I enclose a copy of my letter to Mr. Gardner and copy of letter sent to him from the General Counsel of the American Nursing Home Association, Mr. John K. Pickens, so that other Members and State welfare departments will be advised of the situation:

Congress of the United States,
House of Representatives,
Washington, D.C., February 13, 1967.

Hon. John Gardner,
Secretary, Department of Health, Education, and Welfare, Washington, D.C.

Dear Mr. Secretary: The Pennsylvania Association of Nursing and Convalescent Homes has forwarded me a copy of a letter to you dated January 16, 1967, from Mr. John K. Pickens, General Counsel of the American Nursing Home Association. Such letter questions the authority of your Department to set standards for nursing homes under Title XIX of the Social Security Act as amended.

I have read this seven page letter carefully, and the view set forth therein is in accord with my understanding of Section 1902(A) (1) through (22) and the legislative history surrounding it.

Whereas express authority is granted your Department in Section 1861(j)(10) to promulgate regulations in regard to the health and safety of Medicare patients, Title XIX provides that the state agency shall set the standards.

I am informed by the nursing home administrators in my district that even if Congress had given your Department such authority, the Title XIX regulations in the Supplement D Handbook are so unrealistic that their enforcement in Pennsylvania would result in additional state appropriations of over $20,000,000.00 unless the state were willing to see that fifty percent of its Welfare patients were denied any type of needed nursing home care.

I understand that you are relying on your right to define "skilled nursing home care" (which has been in the Act since 1960 undefined by you) as authority to promulgate these detailed standards which Section 1902 (a)(9) and (22) prohibits you from doing. I would appreciate your views on the matter and that you reconsider so that the indigent patients in Pennsylvania will be denied needed care.

Sincerely yours,
Frank M. Clark,
Member of Congress.

January 16, 1967.

Hon. John Gardner,
Secretary, Department of Health, Education, and Welfare, Washington, D.C.

My Dear Mr. Secretary: I am writing you on behalf of, and as General Counsel of, the American Nursing Home Association in connection with the Regulations issued by your Department under Title XIX of the Social Security Act, as amended (Public Law 89–97). These Regulations are commonly referred to as Supplement D (Handbook of Public Assistance Administration) and were issued June 17, 1966.

While they purport to be instructions to the Welfare Commissioners of the various states (or other agency designated pursuant to Title XIX by the Governor as the Agency responsible for the development and administration of the "State Plan") they are nothing more or less than detailed regulations and standards for nursing homes which wish to participate in Title XIX. In fact, the Commissioner of the Bureau of Family Services and other representatives of your department have taken the position that they are nursing home regulations.

The Department at D–5141, p. 2, purports to define a "skilled nursing home" as follows:

"4.1 SKILLED NURSING HOME

"A 'skilled nursing home' is defined as a facility, or a distinct part of a facility, which (a) is licensed, or formally approved, as a nursing home by an officially designated State standard-setting authority and, effective January 1, 1967, (b) *is qualified to participate as an extended care facility under Title XVIII of the Social Security Act;* or is determined currently to meet the requirements for such participation; except that clause (b) shall not become effective until January 1, 1968 with respect to facilities which do not currently meet the requirements of clause (b) but which show reasonable expectation of meeting the requirements of clause (b) by January 1, 1968."

In using part (b) above as a device or vehicle, specifically, requiring compliance with conditions of participation under Title XVIII, your department has undertaken to write detailed regulations for Title XIX and in doing so has usurped the authority Congress specifically stated should be left to the states in formulating "state plans."

The term "nursing home service" has been in the Social Security Act since 1960 (Public Law 86–778) and has been re-enacted by the Congress several times. The Department of Health, Education and Welfare has never seized on it as providing any authority to establish standards of care in nursing homes. Congress defined "extended care services" and "extended care facility" in great detail in subsections 1861(h) and (j) of Title XVIII, whereas the term "nursing home service" remained unchanged. If Congress had wanted a "skilled nursing home" under Title XIX to be the same as an "extended care facility" under Title XVIII it would have so provided. Although Title XIX is a new title, the specific language found therein is the same language previously found in the various prior titles. Thus, in effect, what the Congress has done is to re-enact this language several times without changing the term "skilled nursing home service" nor at any time during these reenactments did the Congress indicate any intention to change or expand its meaning. Likewise your department administered the term "skilled nursing home service" through all these reenactments without further definition. If Congress had intended that your Department be given complete rule making authority under Title XIX as is provided in Title XVIII, the Congress would have also specifically included such authority in Title XIX. In fact, it provided the very opposite. The Congress provided the very opposite in such strong language that it is difficult to understand how the Department could choose to ignore it.

Section 1902(a)(9) provides that "A State Plan for medical assistance must provide for the establishment or designation of a State authority or authorities which shall be responsible for establishing and maintaining standards for private or public institutions in which recipients of medical assistance under the plan may receive care or services."

This provision clearly gives such authority to the State and precludes its exercise by your department. This section was amended by the Senate Finance Committee and adopted as amended. Although the language of this section is clear and unambiguous, the Report of the Senate Finance Committee (Calendar No. 389, 89th Congress, 1st Session, Report 404, part 1, page 75) *galvanizes* the words in Section 1902(a)(9). It states as follows:

"The committee's bill would add a requirement that the State plan include a description of the standards, methods, and administrative arrangements which affect quality of medical care that a State will use in administering medical assistance. *This amendment would give no authority to the Department of Health, Education and Welfare with respect to the content of such standards and methods.*[*] In this respect it is somewhat analogous to the requirement, which has been in the public assistance titles since 1950 and which is included in the new Title XIX, requiring States to have an authority or authorities responsible for establishing and maintaining standards for private or public institutions in which recipients may receive care or services."

The Report continues on the next page as follows:

"*Current provisions of law requiring States to have an agency or agencies responsible for establishing and maintaining standards for the types of institutions included under the State plan have been continued under the bill.* Your committee expects that these provisions will be used to bring about progressive improvement in the level of institutional care and services provided to recipients of medical assistance. Standards of care in many medical institutions are not now at a satisfactory level and *it is hoped that current standards applicable to medical institutions will be improved by the State's standard-setting agency and that these standards will be enforced by the appropriate State body.*"

The identical language is contained in the Report of the House Ways and Means Committee on H.R. 6675 (89th Congress, 1st Session, House Report No. 213, p. 66). If regulations in regard to standards under Title XIX are left to the states and your Department is precluded from setting standards, the incorporation by reference of standards tailored for an entirely different program (Title XVIII) does not validate this otherwise void action.

Of particular significance is the fact that the Senate Finance Committee attempted to give you limited authority to issue fire and safety regulations after June 30, 1967. Even this failed to pass. That Committee added an amendment (Subsection 1902(a)(9)(B), Senate Numbered Amendment No. 254) to Section 1902(a)(9) which was as follows:

"(B) provide that, after June 30, 1967, the requirements under the standards established and maintained by such authority or authorities shall include any requirements which may be contained in standards established by the Secretary relating to protection against fire and other hazards to the health and safety of individuals in such private or public institutions; * * *".

The Senate Finance Committee Report has the following to say in regard to this amendment:

"The committee also added an amendment to require that, after June 30, 1967, private and public medical institutions must meet standards (which may be in addition to the standards prescribed by the State) relating to protection against fire and other hazards to the health and safety of individuals, which are established by the Secretary of Health, Education and Welfare. The committee assumes that the standards prescribed by many States at the present time will meet or exceed those prescribed by the Secretary."

However, the Senate-House Conference Committee receded from this amendment and the Senate adopted the Conference Report (89th Congress, 1st Session, House Report 682—Senate Numbered Amendment No. 254 at p. 50–51). There could be no clearer indication than this that the Congress advisedly refused to give you any authority to set any federal standards whatsoever under Title XIX.

Supplement D purports to set forth all types of criteria for the administration of state plans. This field is clearly left to the states. The drafters of Supplement D have deluded themselves by quoting parts of subsections of Title XIX out of context (in the Supplement) which entirely distorts the meaning of the Title.

Such Section 1902(a)(4) states that a state plan must:

"(4) provide such methods of administration (*including methods relating to the establishment and maintenance of personnel standards on a merit basis,* except that the Secretary shall exercise no authority with respect to the selection, tenure of office and compensation of any individual employed in accordance with such methods, *and including provisions for utilization of professional medical personnel in the administration and, where administered locally, supervision of administration of the plan*) as are found by the Secretary to be necessary for the proper and efficient operation of the plan."

This subsection (4) is quoted throughout Supplement D (See D–5000) as follows:

"(4) provide such methods of administration * * * *as are found by the Secretary to* be necessary for the proper and efficient operation of the plan * * *".

The difference between the original subsection (4) and the emasculated version is considerable. The Senate Finance Committee Report explains this subsection as follows:

"*The bill contains a provision found in the other public assistance titles of the Social Security Act* that the State plan must include such methods of administration as are found by the Secretary to be necessary for the proper and efficient operation of the plan, with the addition of the requirement that such methods must include provisions for utilization of professional medical personnel in the administration of the plan. It is important that States utilize a sufficient number of trained and qualified personnel in the administration of the program including both medical and other professional staff."

The entire scheme of Title XIX is to define specifically and to limit sharply your powers to issue regulations implementing that Title. The Congress was very solicitous of the powers of the States as demonstrated throughout the language of the Title as well as the Senate and House Reports. Its scheme is diametrically opposed to that of Title XVIII in this regard.

Subsection 1902(a)(22) reiterates and further supports the intention of Congress that the States and not the Department of Health, Education, and Welfare were to fix standards for hospitals and nursing homes, among other agencies.

That section provides:

"(22) include descriptions of (A) the kinds and numbers of professional medical personnel and supporting staff that will be used in the administration of the plan and of the responsibilities they will have, (B) *the standards for private or public institutions in which recipients of medical assistance under the plan may receive care or services, that will be utilized by the State authority or authorities responsible for establishing and maintaining such standards,* (C) the cooperative arrangements with State health agencies and State vocational rehabilitation agencies entered into with a view to maximum utilization of and coordination of the provision of medical assistance with the services administered or supervised by such agencies, and (D) *other standards and methods that the State will use to assure that medical or remedial care and services provided to recipients of medical assistance are of high quality.*"

The report of the Senate Special Committee on Aging (89th Congress, 2d Session, Report No. 1073—Development in Aging, 1965) states on page 4, footnote 1, that "An extended care facility is one which provides post acute convalescent care immediately following hospitalization. The term 'extended care facility' *should* not be considered as referring to nursing homes in general." Subsection 1902(a)(21) provides that if the State Plan includes medical assistance for those over 65 years of age in public institutions for mental diseases, it must show that the state is making satisfactory progress toward developing and implementing a comprehensive mental health program including the utilization of "Community mental health centers, *nursing homes* and other alternatives to care in public institutions for mental diseases." I call your attention to the use of the words "nursing home" and the absence of the use of the words "extended care facility."

A 1961 survey by the Public Health Service entitled "Characteristics of Nursing Homes and Related Facilities" states on page 18 as follows:

"The term 'nursing home' has a rather general connotation in the licensure laws of many States. Depending on the licensure designation in the various States, nursing homes may provide comprehensive nursing care, limited nursing care, or simply residential care. However, the majority of the 11,251 nursing or convalescent homes reported in the study provide skilled nursing care as their primary function (see table 5). About one-sixth of the facilities (16.8 percent) have personal care as their primary function. Only 127 'nursing home' facilities were reported as primarily residential in nature."

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[*] Italics used for emphasis in each instance herein.

TABLE 5.—*Type of care provided in nursing home, 1961* [1]

Primary type of care provided	Homes		Beds	
	Number	Percent	Number	Percent
Total reported	11,251	100.0	353,285	100.0
Skilled nursing care	9,235	82.1	304,863	86.3
Personal care with skilled nursing	539	4.8	18,439	5.2
Personal care without skilled nursing	1,350	12.0	25,337	7.2
Residential care with skilled nursing	54	.5	3,139	.9
Residential care without skilled nursing	73	.6	1,407	.4

[1] Excludes nursing home units in hospitals. See also "A Comparative Study of 40 Nursing Homes (Their Design and Use)," Public Health Service Publication 930-0-17 (1965) pp. 4 and 5.

Under the guise of issuing regulations, your representatives in Supplement D purport to outlaw all supplementation or supplementary payments to nursing homes in any form within one year. One-third to one-half of the States allow supplementary payments by the family or friends in some form. In states where welfare payments are $100 to $150 a month—without supplementary payments the better nursing homes could not afford to take welfare patients. We were told by your representatives that since every state legislature would meet in 1967, this provision was to serve notice on state legislatures in states having low payments that they have to raise their welfare payments this year since supplementary payments would be outlawed after January 1, 1968.

These people know not what they propose. Congress held no hearings on outlawing supplementation. Neither the Senate nor House committees concerned made any proposal touching on supplementation. Congress did outlaw family responsibility laws and similar practices. It had ample opportunity to outlaw supplementation. Had it done so, I am certain it would have not taken the seemingly cavalier and calloused attitude which your representatives apparently have. They have made no provision for the patient or the nursing home in the event the State Legislature does not raise its state welfare rates. If these invalid regulations remain in force, many welfare patients will go without nursing home care and many nursing homes will deteriorate or cease to operate. Your representatives have attempted by regulation to legislate in a field from which Congress intentionally excluded them and made no attempt to legislate itself.

Representatives of the American Nursing Home Association have discussed with representatives of your Department in great detail the lack of authority for what the Department has done. We have attempted to cooperate in every way all without avail.

We wish to give you an opportunity to rescind Supplement D before taking further action. However, if Supplement D is not rescinded in the immediate future or its effective date not suspended indefinitely, we will be required to comply with the mandate of the Association and commence appropriate action in the United States District Court to enjoin permanently the enforcement of Supplement D or any part thereof.

Respectfully yours,
JOHN K. PICKENS,
General Counsel, American Nursing Home Association.

MONOPOLY AND THE HIGH COST OF LIVING

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. HOLLAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HOLLAND. Mr. Speaker, in the February 1967 edition of the Communications Workers of America News there appeared an editorial pointing out one of the most serious problems confronting the country today—the trend toward greater and greater concentration of economic power in an ever-dwindling number of corporate hands. According to this editorial, which got its facts from a financial consulting firm that "specializes in corporate acquisitions," there were 2,377 corporate mergers last year, with banks, insurance companies, and similar financial institutions leading the list. The food industry was close behind. I think it is significant that the industries which lead the list in the trend toward monopoly are precisely those industries where the public is being the hardest hit by price rises. High interest rates and inflated food costs are, very possibly, the price the public is being asked to pay for the gradual strangling of competition in these two industries.

I concur wholly in the demand which this editorial makes for a congressional investigation of these trends, and of their relationship to the ever-higher cost of living. I have communicated my views to the chairmen of the committees involved.

The editorial follows:

DANGER SIGN

Can nothing be done to stop the growth toward corporate giantism? That question was raised anew by latest figures showing that business mergers hit an all-time record in 1966. These figures came from W. T. Grimm & Co., a Chicago financial consulting firm which specializes in corporate acquisitions.

Grimm revealed that last year 2,377 corporate mergers occurred, up 252 from the previous all-time high set in 1965. The greatest number, 232, took place in the finance-bank-insurance field. Next was the food industry with 195 and third electronics, with 110.

Newspapers, in reporting the Grimm study, pointed out that "despite tight money, lower stock prices and a more watchful government, merger activity in 1966 soared to an all-time peak."

Moreover, 61 per cent of the 1966 merger deals were for cash, 35 per cent for stock and 4 per cent, a combination of both.

This steady rise in mergers, despite antitrust laws and a reported government policy to discourage monopoly and oligopoly, should flash a warning signal on Capitol Hill. A new congressional investigation of this ominous trend would seem to be in order.

SAN DIEGO TUNA BOATS DETAINED

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. HANNA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HANNA. Mr. Speaker, last night Ecuadorian gunboats detained three American fishing vessels. The American vessels were tuna clippers from San Diego.

When the fishing boats were detained they were 35 to 40 miles off the nearest shore, and clearly in international waters. In fact, the captains of the three boats have maintained that the nearest shore was Peru, not Ecuador.

Mr. Speaker, I ask my colleagues to join with me in deploring such conduct evidenced by the Ecuadorian Government. Surely, these boats were within their rights in fishing in international waters.

What we are witnessing is one nation unilaterally determining the extent of its territorial waters. It is time, Mr. Speaker, that an international conference was convened to resolve this continually perplexing issue of what is to be considered territorial waters, and what will be considered international.

I urge the State Department to vigorously protest the unilateral action of the Ecuadorian Government toward these three San Diego tuna clippers. I also urge the State Department and other appropriate government agencies to begin immediately setting in motion the necessary machinery that will lead toward the resolution of the larger problem—the problem of the determination of territorial waters.

WALT DISNEY—A DAY OF APPRECIATION

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. HANNA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HANNA. Mr. Speaker, just a few short months ago the entire world joined in mourning the passing of Walt Disney. What Walt Disney represented, however, has not died, nor will it ever.

I am introducing a resolution today that asks the President of the United States to declare July 17 of 1967, and every year thereafter, as Walt Disney Appreciation Day.

The idea of observing such a day originated with the City Council of Anaheim, Cal. July 17 was selected for that was the day that Disneyland opened its gates to show this rather serious world that the values of love, humor, and joy were still part of man's spirit.

Mr. Speaker, it will be a most refreshing experience to 1 day each year observe those ideas and ideals that endeared Walt Disney to all the peoples of the world.

At this point in the RECORD, *I place the Anaheim's City Council's resolution entitled a "Day of Appreciation to Walt Disney."*

DAY OF APPRECIATION TO WALT DISNEY

In appreciation to an artist whose genius in all fields of the fine arts and in every means of communications has inspired in all men for all time a personal dream of self-achievement and undying hopes for a better world,

And in appreciation to a builder who fashioned out of dreams and imagination a living domain that will forever live in the hearts of men as real evidence that all good things remain in the realm of the possible,

And in appreciation to a world leader who created in all a new inspiration on the values of his country and the freedom of men everywhere; who established a permanent beacon of world peace through his motives and ideals, and freely exchanged his views with visiting kings and queens, and heads of state of all nations, and all the people who came to him,

And in appreciation to a man, a warm human being whose personal contributions have made a better world for all children of every age.

Now, therefore, be it resolved, That the City Council of the City of Anaheim invites all people of every community, city, state and nation of the world to join with us in observing July 17, in the year 1967, and every year forever after as Walt Disney Appreciation Day.

FRED T. KREIN,
Mayor.
CALVIN L. PEBLEY,
Mayor pro tempore.
JACK C. DUTTON,
Councilman.
A. J. SCHUTTE,
Councilman.
ODRA L. CHANDLER,
Councilman.

SUBSIDIZING OF THE NATIONAL STUDENT ASSOCIATION BY THE CIA

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Virginia [Mr. ABBITT] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ABBITT. Mr. Speaker, last Tuesday, February 14, the Washington Post carried an article which disclosed that the CIA has been subsidizing the National Student Association since the early 1950's. According to the article, the CIA payments to NSA "have in the past exceeded $100,000" but "has declined to less than $50,000 annually." Ramparts magazine, in announcing its exposé to be published in the March issue, claimed that "the CIA has infiltrated and subverted the world of American student leaders over the past 15 years" and that "it has used students to spy."

I wish very strongly that the CIA could have "subverted" some of the NSA members to work in behalf of American interests and national policy. Although the vast majority of NSA membership is not Communist nor even sympathetic to Communist positions, a significant influence by Communist-oriented students on NSA policy is beyond question. These students have promoted themselves into positions of influence, especially at the annual conventions where the great majority of NSA members across the country have no idea of what takes place. The conventions have gone on record as supporting the admission of Red China to the United Nations and have seemed to support the North Vietnamese more than our own country. Following the disgraceful riots on the Berkeley campus—instigated and managed largely by nonstudents and by admitted Communists—the NSA national convention voted a $100 symbolic contribution to the rioters who were arrested. The list of irresponsible and extreme left-wing positions taken by the NSA in the past make one wonder at what the CIA was trying to achieve or what the American taxpayer got for his investment of hundreds of thousands, perhaps millions, of dollars in this organization. NSA president W. Eugene Groves denies that his organization "carried out intelligence functions" or that any information of a "sensitive nature" had been furnished to our Government.

I believe that the CIA can serve our country well, but the use of the people's money to subsidize an organization with a record like that of the National Student Association raises serious doubts as to the competency and purposes of some of the decisionmakers in the Agency.

While continuing to spend money on an organization which has openly and repeatedly attacked American interests, the CIA might have inquired as to why so many American colleges were either rejecting or withdrawing from NSA. If students on campuses of many of our leading colleges were able to determine the true nature of NSA and effect withdrawal, why then could not the CIA find out a few of the same things.

Insofar as the charge of using students to spy is concerned, is there some reason why students should have less interest in and obligation to serve their country than adults? Although he was a schoolteacher rather than a student, I have never thought of Nathan Hale as a villain or as having been subverted by the intelligence service of George Washington. I certainly am not advocating that all students become agents of the CIA, but I do not like the implication that a student is being subverted or misused when he obtains information for the benefit of his country.

I appear to be both defending and criticizing the CIA, or at least, I hope that I am. I defend the CIA's right and obligation to gather information about and from students which may promote the security and interests of our country. At the same time, I criticize the year-after-year expenditure of large sums of tax funds on an organization such as the National Student Association which was so visibly a bad investment. If the CIA wishes to maintain its relatively free hand in spending money secretly, it must better improve its performance, or Congress will rightly demand greater scrutiny of where the appropriations go.

TO COMBAT THE ARAB BOYCOTT

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BINGHAM] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BINGHAM. Mr. Speaker, for many years now, members of the League of Arab States have been waging an intensive campaign—political, economic, and occasionally military—against the state of Israel. One of the chief weapons in their arsenal has been the use of an international trade boycott against any business concern or individual conducting substantial business operations in Israel.

Naturally, this boycott has also been imposed against American firms since they are a major source of trade with Israel. Some of our largest and most successful corporations have been pressured by the Arab League to either give up existing contacts with Israel, or abandon plans to invest or open plants there. Included on this list of corporate giants are Ford Motor Corp., Chase Manhattan Bank, and the Coca-Cola Corp. Heavy pressures have also been exerted against many lesser known business firms which are far less able to protest or protect themselves because of their small size.

This is an intolerable situation for American firms which are faced with the unfair economic choice of trading with Israel or the Arab League countries. U.S. policy has long opposed restrictive trade practices of this type.

During the 89th Congress, a number of Members of the House, including myself, as well as Senators WILLIAMS and JAVITS on the Senate side, became convinced that the State Department policy to quietly and discreetly intervene on behalf of firms which were threatened by the Arab League Boycott Conference, had proved inadequate. We introduced legislation H.R. 4360, spelling out U.S. opposition to trade boycotts of this type and forbidding American firms to further or support them in any way. The Secretary of Commerce was given authority, under the Export Control Act, to implement this congressional mandate by promulgating appropriate rules and regulations.

After much testimony and parliamentary maneuvering on both the House and Senate sides, compromise legislation was passed as Public Law 89–63, which contained a strong declaration of congressional policy opposing international boycotts. While American business firms were only encouraged and requested to refuse any actions in support of the boycott, they were required to report to the Secretary of Commerce any actions, such as the furnishing of information or the signing of agreements, in furtherance of these restrictive trade practices.

At the time of passage, I voiced my own concern about the effectiveness of the compromise we had passed and indicated that I would carefully watch future developments to see if there was any lessening of Arab pressure on American firms and if the mandatory reporting requirements served any useful purpose. I have concluded, unhappily, that Public Law 89–63 has not done the job.

Many newspaper articles, especially a revealing number of stories in the New York Times in October and November 1966, have detailed the pressure exerted on American corporations to choose between Arabian or Israeli markets as outlets for their products. Moreover the former Secretary of Commerce, John Connor, in response to a direct inquiry about the effectiveness of the legislation, commented that "an underlying purpose of the amendment—that of eliminating or markedly reducing the effect on U.S. firms of certain restrictive trade practices and boycotts—has not been achieved to any appreciable degree."

Faced with this much direct evidence of the continued harassment of American firms, I think we have a duty to thoroughly reexamine the legislation we enacted and, if necessary, adopt stronger language this year. I, for one, am fairly well convinced that mandatory language is needed if the pressures of the Arab League Boycott Conference are to be resisted by American business, and I am introducing a bill today, similar to the one originally introduced as H.R. 4360, to flatly prohibit American firms from taking actions which would support or further the boycott. I hope that it will be possible to hold full hearings within the near future in the Banking and Currency Committee on the existing legislation as well as the new bill I am introducing today.

REPORTS OF HARRISON SALISBURY OF THE NEW YORK TIMES

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. HÉBERT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HÉBERT. Mr. Speaker, I have been very much disturbed ever since the reports of Mr. Harrison Salisbury, of the New York Times, were reported in this country from Hanoi.

I always respect and always will respect the ingenuity of any reporter to get the facts. But at the same time, there is a difference between ingenuity and getting the facts and reporting according to the ground rules laid down by the enemy. I do not think anybody is so naive as to believe for 1 minute that Ho Chi Minh would have allowed an unfriendly correspondent to go into Hanoi without restriction or without laying down the rules of the game.

Mr. Salisbury's reports, in my opinion, did a disservice to his country.

Again, who among us is so naive that we do not realize civilians in a war zone are subject to being bombed and killed? Nobody wants civilians killed. But since wars began, civilians have been killed and will continue to be killed.

Mr. Salisbury's reports indicated, although they did not actually say so, that the killing of civilians by American bombers was deliberate. Nothing could be farther from the truth. The results of Mr. Salisbury's stories played right into the hands of the enemy who were handed a good propaganda weapon and could point out the fact that the story was written by a representative of a reputable newspaper.

Somehow or other, I had recalled that Mr. Salisbury had been in a similar position before. So I decided to do a little research on the matter to find out if this was something new with him or some expedient action of the moment.

The kindest thing that I can say is that Mr. Salisbury is obviously adaptable to censorship. Time magazine, under date of April 13, 1953, had this to say:

> The New York Times, the only non-Communist newspaper in the free world with a staff correspondent in Moscow, sometimes gives as distorted a picture of Russia as the traveling U.S. journalists . . . Though its correspondent, Harrison E. Salisbury, files only closely censored stories, the Times prints his dispatches as it gets them, assumes that the paper's readers are "intelligent enough" to know they may be reading Communist propaganda. It tries to keep Salisbury's picture of Russia in focus with separate interpretative articles and editorials.

In October 1954, Time magazine had this to say:

> In five years as a Moscow correspondent for the New York Times, Harrison Salisbury has worked under a double handicap. In Moscow Russian censors never passed a word of his copy that did not fit the Communist line; in New York the Times usually ran Salisbury's dispatches with no warning that the stories had been passed by the world's most iron-handed censorship. As a result, his reports often read more like Red propaganda than accounts of what was really going on inside Russia. Salisbury himself was even accused of being pro-Soviet or a fellow traveler.
>
> Last week, back in Manhattan at his own request for reassignment to the Times's city staff, Salisbury was able to answer his critics by "writing for the first time . . . without the restriction of censorship or the fear of it." His 14-part series was not only a well-written, fresh firsthand report on Russian Communism. It also demonstrated how misleading many of his censored Times stories were.

Salisbury's adaptability to his environment, Time noted, was highlighted upon his return to the United States by his revelations about forced labor. Time said:

> Salisbury's grim description of Russian forced labor around Yakutsk was all the more startling in light of a "Picture Report on Siberia" that ran in the Times barely three months ago, when Salisbury was still in Russia. "The correspondent," said the text accompanying the pictures, "was particularly impressed by the city's cultural institutions" and "excellent" schools. The captions also mentioned the "well-carpentered" houses, city library, and a nursery "somewhat comparable to a U.S. nursery." Nowhere did the picture story mention that the area Salisbury was describing was in the heartland of what he now calls a "horrible stain on the fact of the Russian soil and an indictment of the Russian conscience."

In view of this background, Mr. Salisbury went to Hanoi and sent in a dispatch on civilian casualties which to say the least, was straight out of a Communist propaganda tract.

This appeared in the New York Times as if it were a personally verified report from a correspondent. Given the standing of that great newspaper, the article had considerable impact.

Later, before the Senate Foreign Relations Committee, Salisbury according to the Times of February 3, 1967: "acknowledged the error in the reports he filed from North Vietnam, but generally he defended them. The mistake, he said, was in an article that did not attribute civilian casualty figures to North Vietnamese officials.

"This was an error on my part, a simple journalistic error," Mr. Salisbury said.

Again, let me repeat, I am accusing Mr. Salisbury of bad journalism, not of any political sins. For this was not a "simple journalistic error." It was a colossal error for which the Times would undoubtedly fire a cub reporter in 10 minutes flat.

I am constrained to bring this matter to the attention of the House and to the attention of the American public because reports have it Mr. Salisbury will be nominated for the Pulitzer Prize as a result of his Hanoi "factual reporting." Of course, nomination is not victory, nor does nomination for the Pulitzer Prize mean he will get it. As a matter of fact, I do not see how the Pulitzer Prize could be awarded him if the basis is factual reporting. But of course, that is a matter for the people who award the Pulitzer Prize to decide.

I hope it will be handled properly. For that matter, speaking as a former city editor of a metropolitan newspaper which received many awards for courage in journalism, I could not have Mr. Salisbury work for me.

CIA SUBVERSION OF NATIONAL STUDENT ASSOCIATION IS IMMORAL AND ILLEGAL

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. REUSS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. REUSS. Mr. Speaker, yesterday and today we have read a tale of the subversion of a highly reputable domestic organization. However, the subversion I speak of was not carried out by a covert enemy seeking to infiltrate into this organization. Rather the infiltration and subversion I have reference to was undertaken by our own Central Intelligence Agency. The organization thus infiltrated was the U.S. National Student Association.

The National Student Association was founded some 20 years ago on the campus of the University of Wisconsin at Madison, Wis. It was founded by a group of young idealistic men and women who believed that the responsibilities of citizenship could be developed through college student participation in student government activities on college and university campuses throughout the country. Spearheading the drive to found this organization was a group of young veterans of the Second World War. It was their conviction that democracy in action in the form of student government activities would prove a significant contribution in developing an informed citizenry.

It is ironic that the NSA, which has been in the forefront for liberal causes such as the civil rights struggle and the preservation of academic freedom, which in its early days had to fight the label "Communist front" organization that rightwing groups attempted to impose on it, should now be revealed as a captive of the Central Intelligence Agency.

At the present time, over 300 American college and university student governments, representing approximately 1½ million students, are affiliated with the National Student Association.

The newspaper reports indicate that since the early 1950's the CIA has been making cash contributions to the National Student Association through CIA-front organizations. Literally hundreds of thousands of taxpayer dollars, perhaps even millions, have been expended by the CIA in this irresponsible and unsupervised manner. While it is alleged that the CIA funds were used in connection with the association's international activities, the fact of the matter is that a domestic organization was infiltrated, subverted, and exploited contrary to the spirit of the act of Congress establishing the CIA. Under the laws of this country the CIA has no internal security function. The CIA's infiltration of the National Student Association is in my view unwarranted by its legislative mandate and constitutes an immoral interference in the activities of a domestic organization.

While I am shocked by this inexcusable behavior, I also believe that this incident indicates our failure to fulfill our responsibilities in the supervision of the activities of the CIA. Since most of us tend to regard the business of espionage as a dirty and shabby affair, we have been content in the past to delegate our responsibilities over the intelligence gathering activities to the executive branch of Government, content to ignore our own duties under the guise that greater supervision would jeopardize our "security." However, if our "security" has been jeopardized, we see now that the threat to democratic institutions, such as the NSA, has come from permitting this misguided infiltration by the CIA. Certainly, the value of the National Student Association as a democratic institution has been severely jeopardized by this episode. I do not know whether it will survive these revelations. I do not know whether the students of America will ever again deposit their confidence and trust in this organization. However, we have an obligation to remove the cloud not only cast directly upon the NSA but also upon the Peace Corps and upon private domestic organizations presently engaged in international activities. If the valuable work that these organizations perform is not to be destroyed, then we must initiate an immediate house cleaning.

I urge the President to review the activities of the CIA in infiltrating domestic organizations and in establishing domestic front groups. In my view, such activity is outside both the letter and the spirit of the law creating the CIA. If there is any doubt about this interpretation of the law, I would urge the President to so inform the Congress, so that appropriate legislative steps may be taken.

It is apparent that the National Student Association fell into the CIA's web of conspiracy because of an extreme shortage of funds. The student association was apparently desperate to obtain funds in order to carry on its programs. Therefore, as the second point in a program reviewing this miserable affair, consideration should be given to the development of legitimate means for the financing of the programs of the NSA and other similar organizations. Nonprofit foundations could perform yeoman service in funding such programs. We in Congress must give consideration to whether it is possible to establish "stringless" trust funds for assisting in these activities. In an open society, such activities should be carried on openly rather than under the arm of the Intelligence Agency.

It is essential that firm and resolute action follow swiftly these disclosures of the CIA's subversion of the National Student Association. If we hesitate to act decisively the value of other organizations and activities upon which the shadow of distrust has been cast by these events will be destroyed.

NEED TO REVISE SELECTIVE SERVICE LAW—XX—THE NEGRO AND THE DRAFT

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. KASTENMEIER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, the great shame and tragedy of our Nation has been its treatment of its Negro citizens. Although freed from bondage by the Emancipation Proclamation, the Negro population had been forced to accept the humiliating and degrading role, that of a second-class citizen existing within the framework of our democratic society. Today, despite the several civil rights laws and the voting rights law, the Negro is still the victim of the most blatant kind of discrimination. He must still tolerate segregated school systems, as well as bias in employment, housing, health services, and in the administration of justice.

To add to this intolerable situation are the allegations that the draft discriminates against the Negro. It is because of these allegations then, that I shall address myself, in my forthcoming remarks, to the subject of the Negro and the draft.

DAIRY IMPORTS, THE SUPPORT PROGRAM, AND THE DAIRY ECONOMY

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. KASTENMEIER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, it has been apparent for some time that one of the largest single factors affecting the economy of dairy farmers is the import of dairy products not expressly covered by import quotas set by the Tariff Commission. The fact of the dramatic increase in these imports is well documented.

Imports of "Colby" cheese, a form of Cheddar cheese, that has been distinguished for import purposes from Cheddar cheese, have increased from approximately 14 million pounds in 1965 to over 46 million pounds in 1966.

Imports of Junex, a combination of cream and sugar, have increased from 3.5 million pounds in 1965 to over 103 million pounds in 1966. The butterfat content of the 1966 Junex imports exceeded 46 million pounds. USDA estimates of future imports reveal this is just a beginning and that imports of all dairy products could total as high as 4 billion pounds milk equivalent in 1947.

The impact of these imports can be measured in various ways. It is estimated, for example, that prices received by producers of milk for manufacturing purposes would be about 32 cents a hundred higher now if dairy imports were at normal levels.

Another indication is that the USDA purchased 68 million pounds of butter and 34 million pounds of cheese since April 1966. This is the equivalent of the amount of cheese and butterfat imported as "Colby" cheese and Junex in 1966.

Since these figures demonstrate so clearly that the imports are not only affecting the Government's purchases under support programs but equal and are largely responsible for these purchases, it is clear the Department of Agriculture is authorized to take—and according to my information, is considering taking—action under section 22 of the Agricultural Adjustment Act.

Section 22 authorizes the Secretary to request import quotas be established by the Tariff Commission for commodities affecting Government purchases under support programs.

In view of this authority in the law for the Secretary to take action, without the need of further and time-consuming legislative efforts by Congress, I have this week sent the following letter to Secretary Freeman urging him to take this action immediately.

FEBRUARY 13, 1967.

Secretary ORVILLE FREEMAN,
Department of Agriculture,
Washington, D.C.

DEAR SECRETARY FREEMAN: As you know, your action last summer and fall in raising the price support level for milk and extending its effectiveness for another year had a significant effect on the outlook for dairy farmers. I publicly commended your action then, and I want to take this opportunity to commend you for it again. It also serves as an example of the type of federal action needed to sustain confidence among dairy farmers in the face of a variety of economic threats.

Uncontrolled dairy imports, high interest rates and rising operating costs, as reflected in the 3% increase in the cost of living in 1966, are seriously eroding that confidence and place in jeopardy that dairy production that you sought to stabilize with the price support decisions.

Of these three, the unrestricted imports of "Colby" cheese, Junex and other fabrications of butterfat and compatible commodities are the most dangerous for the dairy economy. It is significant that the imports of these two dairy products in 1966, 46 million pounds of Colby and Junex containing over 46 million pounds of butterfat, are almost the precise equivalent of the butter and cheese the Department has purchased between last October and February 3 of this year. Since they are affecting the government purchase program so directly, your immediate action in requesting the Tariff Commission to hold hearings on import quotas for these dairy products would serve to renew the dairy farmers' confidence in the future and the Department's interest in the dairy industry.

Unless you do, Congress will have no alternative but to impose import restrictions to maintain the integrity of the support program and the health of the dairy economy. To underscore my own strong views that action in the immediate future is absolutely necessary, I am this week introducing the bill to establish import limitations on all dairy products and intend to follow developments in this area on a day-to-day basis.

In view of other economic threats that dairy farmers face from rising costs, consideration should be given also to raising support levels to the legal 90% of parity or approximately $4.16 for manufacturing milk.

Further, your support of my proposal for assisting young farmers to enter and continue farming through expanded and liberalized land acquisition and operating loans would be widely favored in the agricultural community.

Sincerely,

ROBERT W. KASTENMEIER,
Member of Congress.

What action the Secretary takes in this matter will be up to him, the Department and perhaps the President. I feel strongly that action is needed now before a further deterioration occurs in the dairy economy.

As a further indication of my strong support for action in this area, I am today introducing the Dairy Import Act of 1967—originally sponsored in the other body by the senior Senator from Wisconsin [Mr. PROXMIRE]. It is my hope and expectation that the committees of the House and Senate will give this measure high priority so that the loopholes in the import quota system will be closed before more serious damage is done.

While it seems clear that legislation would provide a more comprehensive remedy, I do believe that the Department of Agriculture could and should be expected to take the action under section 22 called for by law. Congress should know now what action the Department is likely to take. I intend to keep in touch with the Department on a day-by-day basis as to its intentions in this matter. I also believe it is in the interest of all concerned with these imports that the Department be required to indicate its intentions now rather than waiting to take action at some later time which might tend to defer the progress of legislation to remedy this problem in Congress.

Let me emphasize in conclusion that the need for some control of these imports extends beyond the need of the dairy industry alone. What is at stake here is the availability of dairy products for the future and, thus, the prices consumers will pay in the future.

A University of Wisconsin dairy economist, Truman Graf, recently predicted that the number of dairy farmers will drop from the present 600,000 to 200,000 by 1980 at the present rate of decline.

The significance of these estimates is that with this decline will come a shortage of dairy products and increased prices. The unlimited import of dairy products has the effect, therefore, of accelerating the trend away from dairy herdsmanship and, rather than benefiting consumers, will mean increased prices for shorter supplies of dairy products in the future.

Accordingly, this is a subject which should and must be dealt with in this Congress.

FREE LITHUANIA

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. MONAGAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MONAGAN. Mr. Speaker, today we mark the 49th year of celebration of Lithuanian Independence Day. Independence Day to Lithuanians, however, is not the same as Independence Day to Americans, for Lithuania is neither independent nor free. Since 1939 Lithuania has been subjugated to external control and is now a Russian colony.

The fact that the desire to be free and the hope for independence still burn within the hearts of Lithuanians in 1967 is a tribute to the strength, courage, and determination of these noble people.

In the 89th Congress, I successfully sponsored House Concurrent Resolution 416, directing world attention to the denial of the rights of self-determination to the peoples of Lithuania and other Baltic nations. The passage of this resolution represents a commitment of the American people to the goal of freedom and self-determination of these countries. In it the Congress of the United States called upon the nations of the world to resist the tyrannical control of the Baltic peoples. We renew that call today.

We can build bridges to improve East-West relations, and we should not flag in this purpose, but the fact remains that until some walls are torn down and chains removed, a true and effective rapproachement can never be established. We cannot, indeed we should not, disregard the status of a nation half slave and half free. The rights set forth in the charter of the United Nations should be made real for these people who know the meaning of democratic institutions.

Communism may hold Lithuanians captive in its system but their spirit remains free.

THE VETERANS' ADMINISTRATION BUDGET FORWARD LOOKING

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. FUQUA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FUQUA. Mr. Speaker, I now have the privilege of representing the Lake City Veterans' Administration Hospital in the Congress. This is an honor I am justly proud of, for I consider this to be one of the finest institutions in the entire VA.

This hospital has the support of the people of Lake City, and I have been pleased at the excellent service which has been rendered to veterans through its operation. Particularly do I appreciate the way their fine staff has assisted me in my service in the Congress.

I think that the recent proposals sent to Congress by President Johnson were so encompassing, and without question, definitely needed, that they overshadowed the budget request for the Veterans' Administration sent to us earlier in the month.

But while the proposals of the President are without question of great importance, it is also noteworthy that we consider the great concern of this administration for the veterans as reflected in the 1968 budget request.

With the exception of the 2 years following World War II, this is one of the largest requests for veterans benefits ever submitted to Congress. I think that this request exemplifies the concern of this Nation for the men and women who have defended our freedom. It is evidence that we have no intention of forgetting our debt of gratitude to these men.

To summarize the Veterans' Administration budget, I am inserting in the RECORD this news release, printed in the Lake City Reporter of Lake City, Fla., on February 9:

VA BUDGET REQUEST SAID "MOST FORWARD LOOKING"

The 1968 Veterans Administration Budget request sent to Congress Tuesday by President Johnson has been described as the "Most forward looking" in the history of the agency. Administrator William J. Driver advised Dr. Thomas L. Harvey, director of the local VA Hospital, this week.

The proposed $6.651-billion budget provides an additional $692-million over the original 1967 request. Supplements granted during the year brought the 1967 budget total to $6.478-billion. The 1968 request is up $179.9-million over this total.

Driver cited these highlights to Dr. Harvey:

$66.4-million increase for medical care and research, largest increase in ten years.

Compensation and pension up $44-million.

$147-million to be obligated for construction of medical facilities.

$59-million for educational benefits.

Provisions for over 4,000 new personnel for improved hospital service.

768,000 patients to be treated—a new high.

$2.2-million more for medical research.

$4-million available for State grants for nursing care homes.

Since the establishment of the VA in 1930, only the budget requests for years 1947 and 1948 have exceeded President Johnson's request for VA programs in the past three years.

TO ESTABLISH A NATIONAL CEMETERY IN RHODE ISLAND

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. ST GERMAIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, last year at hearings held by the Committee on Veterans' Affairs on the national cemetery policy, I stated:

> Each year, we, who seek proper burial facilities for our honored veterans, hear the same statement voiced: that with the exception of Arlington National Cemetery further expansion of the cemetery system is inadvisable. However, each year I also hear the vociferous plea from innumerable constitutents and state veterans organizations for proper burial facilities in our home State of Rhode Island.

Well, Mr. Speaker, another year has passed and the voices asking for national burial facilities continue to increase in number and volume. Though our pleas for a change in policy to permit additional cemeteries appear to have fallen on deaf ears in the past, I trust that this will not be so in this 90th Congress. I trust that the dissatisfaction with our existing policy expressed by many Members during the 89th Congress coupled with renewed pleas for action will not permit this Congress to remain idle in regard to this matter.

We have stood idle long enough. What is now needed is effectual action to assure that adequate and proper national burial facilities are provided for our honored, departed veterans.

Looking across the Nation, we note that the Department of the Army, which with 118 installations has the largest number of burial facilities, has only 62 installations with uncommitted burial space. All of the grave sites in the remaining cemeteries and plots are either reserved or occupied.

Thus, adequate and proper burial facilities for veterans are badly needed across the Nation. But in Rhode Island the need should be most apparent for there are no national burial facilities whatsoever. In fact, there are no national burial facilities in all of New England.

From the Civil War until 1899, 81 national cemeteries were established. Since 1900, 17 national cemeteries have been established. Yet in New England, which gave birth to this Nation, we are deprived of national facilities for the burial of our honored veterans. And Rhode Island, which though the smallest of States is one of the most densely populated, still remains without any national burial facilities.

In New England we have approximately one and a half million veterans but no national cemetery. Whereas in the south Atlantic region, which has a little over two and a half million veterans, there are 24 national cemeteries or one national cemetery for every 124,000 veterans.

In every region of the country there are at least four national cemeteries while New England remains deprived of any national cemetery. Why must New England and especially Rhode Island, which is one of the 13 original States, remain without a national cemetery?

Though Rhode Island shares this problem of no national cemetery with some other States, it does not share the problem of a lack of government-owned land suitable for a national cemetery that these other States may have. In Rhode Island we have available to us a federally owned parcel of land containing more than 90 acres that could be used for a national cemetery.

Mr. Speaker, at this time I would like to introduce a bill directing the Secretary of the Army to establish a national cemetery in George Washington Park in the town of Glocester, R.I.

I call upon my colleagues to assist me in removing an inequity by providing the veterans of Rhode Island with a national cemetery. It is both intolerable and disgraceful that such a historically rich State as Rhode Island, which has contributed so much to the greatness and security of this Nation, should be denied a national cemetery.

NATIONAL INSTITUTE FOR CRIMINAL JUSTICE

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. SCHEUER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SCHEUER. Mr. Speaker, I am introducing today a revised bill to create a National Institute for Criminal Justice. This bill is identical to the bill being introduced in the Senate today by Senator EDWARD M. KENNEDY, of Massachusetts. I am delighted to cosponsor this bill with the senior Senator from Massachusetts as I feel his interest dramatizes the need for research in the crime area. Senator KENNEDY's recent article in the Saturday Evening Post has helped bring attention to the need for a National Crime Institute, and I am confident that the report of the President's Crime Commission will draw further attention to the need for Federal support and coordination in the crime research field.

The bill which I am introducing today clarifies and delineates H.R. 3998, which I introduced earlier in this session of Congress. The first addition to the new bill provides the National Institute for Criminal Justice with the authority to evaluate and disseminate research findings related to the crime area which stems from projects carried out in other Federal agencies. Agencies like the FBI, the Office of Juvenile Delinquency and Youth Control, and the Office of Correctional Rehabilitation are already carrying out relatively small but significant research projects which are directly related to our search for knowledge about crime, and this additional section would give the Institute the authority to evaluate and disseminate findings which are applicable to the law-enforcement process.

The second addition to this bill gives the National Crime Institute the authority to establish an extension service which would furnish demonstrations and practical instruction to local law-enforcement personnel through consultants and field agents similar to those of the Agriculture Extension Services. This additional authority would provide a valuable service to our State and local law-enforcement agencies and would insure the rapid and expert transfer of new developments in crime prevention and control to those who are directly involved in the maintenance of law and order on a daily basis.

Mr. Speaker, the Federal Government is currently supporting the work of nearly 300,000 research scientists and engineers to protect the security of this country against foreign enemies, but we can count on our fingers the number of research professionals supported by the Federal Government to insure the future of our internal security against this country's spiraling crime rate. Virtually every industry in the United States makes a significant investment in its future by spending 10 to 15 percent of its budget on research and development. Approximately 15 percent of the Defense Department's annual budget is allocated to research, yet far less than 1 percent of the Federal budget for crime control is spent on research activities.

The National Crime Institute can have a major impact on the current unfortunate state of affairs in crime prevention and control. Only the Federal Government can provide the research tools, the funds, and the expertise to apply this country's highly sophisticated space-age technology to the violent crimes in our streets and our neighborhoods.

It was Federal resources and coordination which gave us a Manhattan project, an atomic submarine, and a supersonic transport, and it will have to be the Federal Government which provides us with the research capabilities to once again make our streets safe for all Americans. Communities across the Nation are looking to the Federal Government to provide substantial Federal funds and strong Federal leadership to this important national problem.

ALLIANCE FOR PROGRESS

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, it has often been said that what our country needs to resolve is whether to raise armies or raise the standards of living of underdeveloped countries.

I want to submit a report from the Alliance for Progress which I have received from Mr. David Bronheim, the able Deputy U.S. Coordinator for this great program, which I feel gives credence and substance to the claim that we are raising the standard of living in a number of countries.

I salute the AID Administrator William F. Gaud and such men as the former Administrator David E. Bell, as well as Mr. Bronheim and the able congressional liaison officer, Harry Ackerman.

Following is the report:

Year-End Report of the Alliance for Progress, 1966

In 1966 the Alliance for Progress—Latin America's struggle for self-improvement—entered its sixth year with abundant proof of accomplishments and a considerable amount of unfinished business.

Assessing these events in retrospect, Lincoln Gordon, U.S. Coordinator of the Alliance, called 1966 ". . . a year of sober reappraisal of Latin America's development prospects and needs.

"In August," he went on, "we passed the halfway point in the Alliance for Progress as originally conceived. In September the foreign ministers of the hemisphere agreed that we should work toward an early inter-American Summit Meeting of the Presidents to take political decisions at the highest level required to give our national and cooperative efforts a new impetus.

"A group of nine distinguished Latin American international civil servants has been working together to develop specific proposals for the consideration of governments and presentation to the projected Presidential conference.

"Broadly speaking the experience of the past five years shows substantial overall economic growth, especially in 1964 and 1965 when on the average it passed the minimum target of 2½ percent per capita. That level may not be reached for 1966, mainly because bad weather reduced the agricultural output in several countries. Gross inflows of capital to Latin America from abroad have also increased, even though levels of private foreign investment are still disappointing.

"Internally, much has been done to improve tax structures and tax administration, to fight inflation, and to strengthen institutions required for more productive private enterprise. A start has been made in many countries on agricultural reform and modernization. Savings and loan institutions have been established to mobilize funds for new housing. Everywhere there is a new drive for expansion in educational and public health services.

"Externally, some headway has been made toward diversification of Latin America's exports, but foreign exchange earnings are still far from sufficient to support self-sustaining growth at an adequate rate.

"There is a long hard road ahead, but we are moving along that road and we have every reason for confidence that it leads in the right direction."

President Johnson left no doubt about his confidence in the Alliance when, earlier in 1966, he declared, "It will take time, faith, and stubborn effort to achieve together the goals that we set ourselves in the Charter of Punta del Este . . . but this we must do. This we will do. There is no other way, in our time and in this hemisphere, to show what free men and what free nations can do working together."

In 1966 these free nations and free men harnessed even more of the Hemisphere's manpower, explored and developed even more vast reserves of natural resources, producing new wealth and creating countless structures in steel, stone, and timber.

The people of the Americas contributed money, labor and time to the new institutions . . . to the highways, power, water and fuel lines which now lace the countryside. . . . The clocks have moved ahead, from midnight to dawn.

Here are a few items which held the Alliance spotlight in 1966—

In a convincing demonstration of self-help, thousands of small farmers in El Salvador learned how to double, triple and quadruple crop production with primitive tools.

Doctors found the physical health of Latin Americans—individually and collectively—at an all-time high.

The private savings of individuals and families topped all records.

Private citizens in 16 Alliance republics have formed alliances of mutual assistance, within the Alliance for Progress, with other private citizen groups in 30 U.S. States.

Engineering construction—from dams to airports—reached new levels.

Progress in 1966 toward achieving the goals set at Punta del Este is covered in the following reviews:

ECONOMIC HIGHLIGHTS, 1966—INTEGRATION, FOREIGN DEBT, COMMODITIES

Summary

The year in which the Alliance for Progress passed its fifth anniversary was marked by both favorable and unfavorable economic developments.

Economic integration gained both in the Latin American Free Trade Association (LAFTA) and in the Central American Common Market (CACM), encouraging a trend toward the formation of a Latin American Common Market.

Deterioration in the foreign debt position has been stopped, reflecting a large inflow of long-term development capital.

Commodity prices showed only spotty improvement in coffee and cocoa. Sugar prices in the world market weakened while prices received for Latin American sugar in the U.S. market strengthened.

Integration

In mid-1966 trade restrictions expired on 93.6 percent of the items in the Central American Common Market Tariff Schedule. With this development, an estimated 95 percent of intra-Central American trade was liberated from border duties, quotas, and other restrictions. By the end of 1965 intra-Central American market trade had increased to a level equal to 15.5 percent of the total regional trade, against 7.5 percent in 1961.

The five republics plan to free the remaining restricted items in the tariff schedule They are also continuing to discuss with Panama the possibilities of its membership.

In August, the Presidents of Colombia, Chile, Venezuela, along with representatives of the Presidents of Ecuador and Peru, met and issued the "Declaration of Bogota". This set forth suggestions for the Presidential Summit Conference early in 1967 and emphasized the need for accelerating hemispheric economic unification.

Subsequently Colombia's President Lleras issued a formal proposal to the members of the Central American Common Market, inviting their active partnership in a Latin American Common Market. The proposal was issued on behalf of the LAFTA countries.

In June 1966, the Council of the Organization of American States proposed an article amendment to the OAS Charter calling on member states to accelerate the establishment of a Latin American Common Market.

In August the Inter-American Development Bank created a $16.5 million Pre-Investment Fund for Latin American Integration. These resources will be used to finance feasibility studies of multi-national or regional development projects. The direct U.S. contribution to the fund was $1.5 million.

Foreign debt position

Latin America's deteriorating debt position has been halted, and to some extent reversed, under the impetus of Alliance for Progress.

This favorable development reflects the large inflows of long-term development capital, replacing the shorter-term commercial credits which Latin America was relying on to a great extent in earlier years.

While Latin America's outstanding public debt doubled between 1960 and 1966, this was offset by advantageous long-term borrowing at low interest rates.

Since 1960, the growth in Latin America's gross national product has paralleled the increase in debt-service payments—amortization and interest; however, the increase in export earnings has exceeded the increase in debt service payments. This trend is expected to continue.

Coffee

The International Coffee Agreement (ICA) now in its third year—has been successful in raising and stabilizing coffee prices. For instance, Colombian-type coffee which fetched 37 cents a pound in 1963, now brings 45 cents a pound.

ICA has not, however, achieved a corollary success in bringing coffee production into line with the demand a higher-priced product. Mounting surpluses have given rise to an evasion of export quotas.

Important steps were taken in 1966 to close loopholes in the ICA, in cooperation with exporting and importing countries. Plans are under way to establish a Diversification Fund, to help countries shift from coffee production into commodities which enjoy a better market.

1967 could be a crucial year for the Coffee Agreement. The downward price trend can only be reversed by a united effort to limit exports and cut production. The problem is aggravated by surplus stocks of some 65 million bags.

Cocoa

Cocoa prices are above 20 cents a pound after a drop to 13.5 cents in 1965. Under UN auspices the United States in 1966 participated in negotiations for developing a cocoa agreement. Major points of difference remain between producing and consuming countries but the U.S. is hopeful that a basis can be found for a realistic and workable settlement.

Sugar

World market sugar prices have dropped to the lowest level since depression days—1.43 cents a pound currently.

However, the U.S. market for Latin American sugar continues to expand. The current price, 7.1 cents per pound, is more than four times the world market rate.

In 1966, Latin American sugar sales to the U.S. market are estimated at 2.3 million tons, valued at $284 million. This represents a 30 percent increase in sales volume over 1965, and an income gain for Latin America of about $75 million.

U.S. ASSISTANCE TO THE ALLIANCE FOR PROGRESS

A new level of loan authorizations and disbursements in support of the Alliance for Progress highlighted AID's assistance activities in 1966.

Authorized development and program loans totaled about $500 million, against $300 million in 1965, according to the Agency for International Development.

The total U.S. assistance to the Alliance for Progress in 1966, according to preliminary estimates, exceeded one billion dollars, roughly equivalent to U.S. assistance in previous years. Total assistance includes AID loans and grants; Export-Import Bank loans; Food-for-Peace sales and contributions; Social Progress Trust Fund loans and other U.S. assistance administered by the Inter-American Development Bank.

The year was marked by increased emphasis on food and agriculture, health, education, housing and community development. This trend is expected to continue.

Part of AID's $79 million assistance to the agricultural sector was a $14.8 million development loan toward financing a $70 million chemical fertilizer plant in Santos, Brazil. The loan was coupled with an AID investment guaranty. This project is considered a major break-through in the struggle to boost Brazil's food and fiber production.

1966 was also marked by an increased tempo of disbursements in implementing currently-active loans. An estimated $400 million was disbursed for project execution in 1966, against approximately $300 million in 1965.

PRIVATE U.S. CAPITAL INVESTMENTS IN LATIN AMERICA

The flow of new private U.S. capital to Latin America in 1966 continued an upward trend that started modestly several years ago.

During three Alliance for Progress years the annual capital outflow increased from $70 million in 1963 to $143 million in 1964; and in 1965 the direct outflow to Latin America reached $171 million.

U.S. Department of Commerce data now available for the first nine months of 1966 show a rise of $60 million in private U.S. investments over the corresponding period in 1965, indicating a substantal gain for all of 1966.

U.S. investments in Latin American manufacturing enterprises are particularly active. The capital flow to U.S. manufacturing affiliates in 1965 exceeded $200 million, offsetting small net inflows from mining and petroleum enterprises; this upward trend continued in 1966.

Company reports on planned expenditures in the Latin American republics for plants and equipment suggest a further rise in private U.S. investment activity in 1967.

In connection with the growing investor interest in Latin America, the Agency for International Development concluded Pre-Investment Survey Agreements with 29 U.S. firms in 1966.

The prospective investors will assume the full cost of their field surveys if they decide to make investments in the projects; if they decide against, AID will pay one-half the survey costs and make the survey data available to other prospective investors.

During 1966, eight surveys resulted in decisions to invest $11.2 million in five countries. The new business ventures range from animal feeds to truck bodies.

INDUSTRIAL DEVELOPMENT

In a close partnership with public agencies, Latin America's private sector laid the groundwork in 1966 for a large expansion of its industries and the auxiliary technical and financial support necessary to modern industrial development.

During the year the Agency for International Development authorized the establishment of an Inter-American Investment Promotion Center in the U.S. as a clearing house for investment opportunities in Latin America.

Scheduled to begin operations in the Spring of 1967, the Center will be staffed by U.S. private consulting firms, affording a face-to-face presentation of investment projects developed by Latin American industrial development organizations.

Through its Private Enterprise Promotion Program, AID helped to establish local, regional and national organizations which carry on programs for developing a country's income-producing potentials. AID stimulated the creation of about 50 such organizations in Colombia, Brazil, Bolivia, El Salvador, Nicaragua and Costa Rica. Many others are in the planning stage.

As an example of results achieved through self-help promotional efforts, the Ecuadorean Industrial Development Bank and the National Industrial Development Center assisted 31 firms in 22 industries in the four-year period ending June 30, 1966. This involved new investments totaling $70 million and 9971 new job openings. Altogether it represented a 40 percent increase in private investments in Ecuadorean industry.

Largely through self-help measures, Peru has stepped up her industrial production, sparked by chemicals and automotive assembly. Late in 1966 the Government opened a new industrial park near Arequipa with 37 factory sites sold, of which 22 represented new industrial starts.

Peru's private sector is also active in expanding exports and in new capital formation. Rapid growth of the fishing and mining industries led to a 54 percent increase in exports in the 1960–1965 period. Figures for 1966 are not yet available.

In August 1966 Panama's private sector sponsored a continental conference which was attended by 200 business leaders from 15 Latin American republics. Main theme of the conferees was the role of the private sector in national planning. Panamanian businessmen told of their collaboration with the national government in development planning under the Alliance for Progress.

To stimulate private enterprise, AID has assisted 12 Alliance countries in establishing industrial development and productivity centers. These centers identify and promote investment opportunities, give guidance in obtaining low-interest credits, and provide technical advisory services and training to supervisors and managers.

Undergraduate and graduate schools and management groups in 14 countries benefitted from AID training assistance in 1966. School of business administration in Brazil, Peru, Argentina, Colombia, Mexico and the Central American republics received various types of assistance. Special instruction was given to some 25,000 Colombian managers during the past five years. Up to the present, almost 1,000 selected Latin Americans have been the beneficiaries of industrial development training grants.

AID has provided technical and loan assistance to Latin America public and private development institutions for relending to private-sector entrepreneurs. To date AID has made 23 loans of this type, totaling about $172 million.

The Agency has up to the present given technical assistance to eight Alliance countries in the field of export promotion and development.

AGRICULTURAL DEVELOPMENTS UNDER THE ALLIANCE

Crop failures, a soaring population, and increased food imports have focused new attention on Latin America's agricultural sector.

Alliance planners are giving deep thought to ways and means of reversing an unfavorable trend in food production. More soil and plant research, an expanded use of fertilizer, and improved seed offer possibilities. Agrarian reform is another positive factor but it is considered only a partial answer to the immediate situation.

All the Alliance republics have adopted land reform legislation, which is being implemented in a majority of the countries. Mexico and Venezuela have scored the most notable advances; but the land reform movement still faces problems which will require considerable time to solve.

In 1966 applied crop research produced some important discoveries and lent an encouraging note to Latin America's agricultural development under the Alliance.

Evaluation of Mass Fertilizer Demonstrations in El Salvador—to take the example of one country—indicate that with improved fertilizer, seed and modern techniques it is possible to boost crop production on small and medium-size farms by large percentages.

These self-help demonstrations—jointly sponsored by El Salvador's private sector and the Government's agricultural extension service, with technical and financial support from AID—were carried out in cooperation with thousands of Salvadoran farmers who performed all the operations according to procedures and directions from Dr. Benjamin J. Birdsall, AID agricultural specialist.

The pre-acre yield of corn grown in hundreds of small farm plots showed a four to six-fold increase over past experience. Lesser, but still substantial, increases were scored in the cultivation of beans, rice and other commodities. The 1966 results, which bettered the initial 1965 record, included rice demonstrations on 530 farms, bean demonstrations on 720 farms, grain sorghum demonstrations on 1340 farms and corn demonstrations on 3420 farms.

El Salvador's private sector contributed the fertilizer, insecticide and seed. The Ministry of Agriculture contributed labor, transportation, and administrative support. AID contributed the services of Dr. Birdsall, materials, supplies and about $2500 for the year.

The 1966 program produced results even better than those in 1965. Crop yields, with very few exceptions, were very good. The projected 1967 program calls for 2500 demonstration plots on corn, 1400 on sorghum, 400 on rice, 500 on beans, 300 on bananas and 150 on sesame.

Thousands of small farmers have now acquired the "know-how" for doubling, tripling and quadrupling their annual crop production with a corresponding increase in family income and purchasing power. Oddly enough, these increases are possible through the use of ox-drawn plows and other primitive tools and hand-labor. Moreover, if a farmer can raise his production from 10 bushels of corn per acre without fertilizer to 40 to 80 bushels per acre with fertilizer and other improved practices, his increased income makes him a vital factor in the national economy.

The demonstrations in El Salvador indicate that the productivity of tropical agriculture has scarcely been tapped; a wider application of the methods and materials used in El Salvador is expected to have a direct bearing on one of Latin America's biggest problems—food production.

Crop research somewhat related to that in El Salvador was carried out in Brazil through the joint efforts of USAID, Purdue University, and Brazilian hybrid seed breeders. These experiments point the way to a possible breakthrough in reducing protein deficiencies in human and animal diets.

Farm demonstrations showed that the protein quality of corn can be stepped up through the genetic transfer of genes into a variety of corn that is well-adapted to Central Brazil.

Corn's importance to Latin America is shown by the fact that it provides 62 percent of the proteins and 75 percent of the calories consumed by human beings.

Since protein deficiencies are common in Latin America and other developing areas, the Brazilian demonstrations may help to achieve greater resistance to prevailing dietary diseases.

In the general drive to boost Brazil's agricultural production, AID in 1966 gave loan and investment guaranty assistance to the private owners of a new fertilizer complex, Ultrafertil, S.A. to be built at Santos.

At the outset, Ultrafertil will have to depend largely upon imported raw materials, but a recent AID-sponsored study by the U.S. Geological Survey declared that South America's deopsits of phosphate, potash and sulphur are ample to support an expanded fertilizer industry.

In general Latin America's food and agricultural picture was clouded by the demands of a growing population. Despite production increases in Argentina, Uruguay, Colombia, Ecuador and Venezuela, the total 1966 output dropped 3 to 5 percent below 1965, largely the result of hurricanes, floods and drought.

CIAP COORDINATES HEMISPHERE DEVELOPMENT DRIVE

The third annual reviews of the social and economic development programs for 14 Latin American republics were completed in 1966, the Inter-American Committee on the Alliance for Progress (CIAP) announced at year-end.

The updated development plans of Haiti, Colombia, Ecuador, and Dominican Republic and Argentina are scheduled for review in January 1967, completing the third cycle of country reviews. Also during 1967, CIAP experts plan to make their first regional review of the Central American Common Market.

CIAP is the Alliance coordinating group and executive arm established by the Inter-American Economic and Social Council to implement the Charter of Punta del Este, the document signed in 1961 by the 20 republics supporting the Alliance for Progress.

CIAP's main functions are—

To assess the requirements for and availability of internal and external financial resources and to recommend their allocations.

To promote the Alliance as a multilateral effort based on self-help, mutual assistance, and external cooperation.

During the past year CIAP worked closely with the Inter-American Development Bank (IDB), the Agency for International Development, the International Monetary Fund, UN specialized agencies and regional organizations in coordinating and reviewing Alliance country programs.

Also in 1966—

IDB acted favorably on CIAP's proposal to create a Pre-Investment Fund to finance selected feasibility studies of multi-national, or regional, development projects in Latin America. With initial resources of $15 million, the Fund became operative in July.

CIAP gave high priority to Latin America's economic integration movement. It participated in inter-agency talks bearing on economic proposals to be placed before the OAS foreign ministers.

CIAP proposed a unified system of Latin American fertilizer production and continued its efforts to reduce livestock losses through measures to control aftosa (hoof and mouth disease).

The Committee drafted other proposals concerning the incorporation of the Alliance for Progress into the Charter of the Organization of American States.

During the year the U.S. Congress gave further recognition to CIAP's role as the coordinating agency of the Alliance effort. It stipulated, in the Fulbright Amendment to the Foreign Assistance Act of 1966, that U.S. development loans to Alliance countries should be in harmony with CIAP's findings and recommendations.

Under a mandate from the OAS Economic and Social Council, CIAP began studies of a proposed inter-American export promotion agency and of the trade potential of processed foods produced in Latin America.

CIAP gave increased attention to a greater sharing by private management and labor in the development planning and execution process; and to the further participation by European governments and private enterprise in Latin America's development. European Common Market countries have now joined OAS in more than a score of technical assistance projects in Latin America.

DEVELOPMENTS IN THE ORGANIZATION OF AMERICAN STATES

From a political point of view 1966 was one of the most important years in the history of the Organization of American States (OAS).

The peace-keeping functions of the OAS were tested during the crisis preceding the election of Joaquin Balaguer as president of the Dominican Republic. The continued presence of the Inter-American Peace Force (IAPF) helped assure the necessary climate of peace and stability. Forty-one OAS observers certified the free and democratic character of the election. The IAPF was withdrawn within 90 days following Balaguer's inauguration.

After President Balaguer's inauguration, the OAS, AID, the Inter-American Development Bank and other agencies began to assist the new government to re-activate the development programs initiated under the Alliance for Progress.

During the last months of 1966 OAS laid the groundwork for a formal adoption into the OAS Charter of various amendments, based upon guidelines approved at the Second Special Inter-American Conference at Rio de Janeiro in November 1965 and prepared by a Special OAS Committee in Panama, February–March 1966. The amendments will incorporate into the Charter the principles and objectives of the Alliance for Progress, will improve inter-American machinery for the pacific settlement of disputes and will make various changes and improvements in the structure of the OAS.

The proposed amendments will be submitted to the Third Special Inter-American Conference in February 1967 in Buenos Aires, where the delegates are expected to complete the work of Charter reform.

At year-end the OAS Council began planning for a hemisphere conference of the Presidents of the American Republics, to be held in 1967.

In March 1966, the Inter-American Economic and Social Council, meeting in Buenos Aires, reviewed and evaluated the first five years of the Alliance for Progress. The review brought to light many positive achievements of the Alliance; it also disclosed that political decisions at the highest level were needed to solve key problems in economic integration, external finance, agricultural production and education.

HOUSING INVESTMENT GUARANTIES AND URBAN DEVELOPMENT

A grand total of $340 million in Latin American housing guaranties, out of the $450 million ceiling authorized by Congress, are in various stages of execution, ranging from project reviews to finished houses. The program is administered by AID's Housing and Urban Development Division, Latin American Bureau.

During the last 12 months, ten housing project contracts involving $60 million in AID guaranties were signed, bringing to $123 million the total of guaranty contracts concluded since the inception of this Alliance for Progress program.

Another ten projects involving $59 million in housing guaranties were approved in 1966, but contract negotiations are still underway. The total of contracts signed and contracts in active negotiation amounts to $200 million.

Proposals for guaranties covering an additional 13 housing projects, involving some $40 million, are in advanced stages of review and processing.

Applications for Latin American guaranties received in 1966 under the second phase of AID's Housing Investment Guaranty Program totaled $600 million. To stay within balance of payments limitations, just $100 million of the additional $150 million authorized by Congress in 1965 will be approved; the selection process is now underway.

Urban development activities

During 1966 AID extended loans totaling $10.1 million to Panama and the Dominican Republic in support of slum clearance and newly-organized savings and loan systems. This brought to $164 million the five-year total of AID dollar loan assistance for housing projects under the Alliance for Progress. An additional $3.7 million loan in support of cooperative housing and a savings and loan system was approved for Nicaragua.

In the same year US-AID missions in Argentina, Brazil, El Salvador and Panama were authorized to develop recommendations for other housing projects totaling $42 million. These resources will help to fund savings and loan associations, housing cooperatives and slum clearance programs.

In Colombia AID approved a 15-million peso loan (about $2,431,000) to a Federation of Housing Cooperatives; technical assistance will also be provided.

During 1966 AID further recognized the importance of housing in social and economic development by establishing housing positions within the missions assigned to Bolivia, Brazil and Panama. Teams of U.S. consultants visited eight Latin American republics and conferred with local officials on problems relating to large-scale housing projects, slum clearance, savings and loan programs, cooperatives, and urban development.

THE INVESTMENT GUARANTY PROGRAM

A broad spectrum of Latin America's agriculture and industry came under the protection of guaranties afforded to private U.S. investors by the Agency for International Development in 1966.

Nearly all the Alliance countries are now participating in AID's Investment Guaranty Program. Nicaragua, Honduras, and Paraguay executed amendments to their original guaranty agreements to include the specific guaranty against possible loss from war, revolution, insurrection and the extended "all-risk" guaranty. Nicaragua and Paraguay have yet to ratify their respective amendments. Early in 1966, British Honduras signed an agreement covering the full range of guaranties.

Through the first nine months of 1966, private U.S. investors received guaranties against specific risks in 15 Latin American countries, involving a total of 68 projects. The combined value of these guaranties approximated $327 million and the total investment amounted to about $100 million. In Brazil where only four guaranties had been issued prior to 1966, a total of 16 had been issued by September 30, 1966.

The overall trend of applications for guaranties for the first nine months of 1966 was slightly downward, but the last quarter may alter this trend. Also the value of guaranties issued through September 30 dropped to $326.6 million from $472 million for the corresponding period in 1965. It should be noted however that the dollar value of guaranties issued in 1965 was unusually large because it included guaranties amounting to $178 million which were issued to the International Telephone and Telegraph Co. in connection with the expansion of Chile's telephone system.

Figures alone do not tell the whole story of AID's specific risk guaranty program. A new combined contract covering the risks of expropriation and damage from war, revolution and insurrection was introduced in 1966. Under the terms of the combined contract, a single maximum guaranty amount is selected by the investor, and this coverage may be invoked after a loss either from expropriation or war damage. Thus when the combined contract is used, the total protection afforded, as well as the premium, are reduced. This innovation has proved popular with investors and accounts to a certain extent for the lower guaranty coverage in the first three-quarters of 1966.

EXPORT-IMPORT BANK LOANS

During 1966 the Export-Import Bank of Washington continued its credit operations in support of the Alliance for Progress, enabling buyers in Latin America to purchase U.S. goods and services on deferred payment terms.

In the year ending June 30, 1966, total Eximbank authorizations of long and medium-term loans, medium-term guaranties and insurance, and short-term insurance for exports to Latin American totaled $615.5 million dollars—more than double the figure of just three years earlier.

For the balance of 1966, the figures, when available, are expected to show a comparable level of lending activity. Every dollar of this credit assistance will be spent on goods and services needed to further the Alliance for Progress.

A continuing problem for Eximbank in extending credit to developing countries in Latin America, as well as in other developing countries, is the ability of the borrowing nations to assume additional debt. However 1966 was, generally-speaking, a year of economic progress in Latin America, so that the prospect of continued Eximbank assistance remains reasonably hopeful. It will continue to examine closely each undertaking in which it participates to determine that Eximbank financing is used in the most effective way.

Alliance for Progress loans authorized by Eximbank during 1966 included:

$3.2 million to enable a tire factory to be built in Costa Rica. The new plant will mean substantial foreign exchange savings through not having to import tires.

$25 million to finance the purchase of navigation equipment for 39 Mexican airports.

$25 million to Argentina to finance the purchase of new aircraft to be used on the national flag carrier, Aerolineas Argentinas.

$1.26 million to enable a Brazilian firm to improve its production of styrene monomer, used in a wide range of chemical processes.

$2 million for a Venezuelan steel mill to expand its product lines.

In each of these authorizations, Eximbank satisfied itself that the specific undertaking will enhance the economic viability of the country of the borrower.

A NEW ERA IN TAX ADMINISTRATION

At the close of 1966 sixteen republics were receiving technical assistance in tax administration under an Alliance for Progress program jointly-sponsored by the participating countries, the Agency for International Development and the U.S. Internal Revenue Service.

The number of long-term U.S. tax advisers to the Alliance republics increased to 65, against 53 for the previous year-end.

Data on tax revenue collection during 1966 continue to reflect, in general, an improving and encouraging trend throughout Latin America. Several Alliance countries are expected to show net tax revenue increases over 1965 in the range of 15 to 20 percent.

Improved tax administration in 1964 and 1965 produced tangible benefits for the participating countries. In Panama, tax receipts rose by 256 percent. In the corresponding period, Ecuador's tax revenues increased by 116 percent, Nicaragua's by 26 percent, and Peru's by 34 percent.

During the past year, 147 high-level Latin American tax officials participated in a broad range of training and orientation courses offered in Spanish by the Internal Revenue Service. Highlighting the courses for 1966 was a spring seminar in Washington for 27 tax commissioners from 17 Latin American countries. Subsequently the visiting tax officials formed the Inter-American Center of Tax Administrators, a permanent organization for promoting the inter-change of ideas for the improvement of tax administration.

Additional training at various localities was given to personnel specializing in tax auditing and collections.

EDUCATIONAL ACTIVITIES UNDER THE ALLIANCE

Public and private education in Latin America moved ahead during 1966 in a concerted effort to meet the goals of the Alliance for Progress.

The Inter-American Economic and Social Council announced the results of a study showing that since 1961, the birth year of the Alliance, the total enrollment in Latin America's primary schools had risen by 23 percent; in secondary schools, by 50 percent, and in universities by 39 percent.

Offsetting this encouraging news was a reminder from the UN Educational, Scientific & Cultural Organization (UNESCO) that illiterate adults in Latin America exceed 50 million! Additionally, there are uncounted millions of illiterate school-age children.

The educational priority is, in effect, a cornerstone of the Alliance for Progress, lending emphasis to President Johnson's remark before the Ambassadors to the Organization of American States: "Education must become the passion of us all."

To appreciate the scope of the challenge to governments and educators, if the present rate of increase continues, Latin America's population will soar to 650 million by the year 2000; and the school-age segment of that population will number about 250 million, or three times the present level.

Such facts underscore the importance of teachers and the need for more education at all age levels. They also focus attention on more effective measures for expanding the anti-illiteracy crusade.

Significantly Latin American educators have assumed a larger role in the strategy of social, economic and political development. This strategy prepares people to meet complex problems and to accept higher responsibilities in democratic societies.

In the areas of human resource development, leading Latin American educators in 1966 laid stress on—

Planning and evaluating national education programs.

Improving the organization and administration of school systems.

Providing more opportunities for advanced teacher-training.

Utilizing new teaching techniques

Improving the production and distribution of books and other materials.

The following activities illustrate how this program was implemented in 1966:

In cooperation with numerous public and private educational institutions and foundations in the U.S. and with support from the Agency for International Development, the republics were building new institutions and adopting new methods as the principal vehicles for deevloping untapped human resources.

In Colombia, University of California researchers and Colombian educators collaborated on planning improvements in Colombia's higher education system.

In Peru a team from Columbia Teachers College assisted educators in developing improvements in the administrative procedures of the Ministry of Education.

In Ecuador, Ohio State University is conducting nationwide manpower surveys for the National Planning Board. In Bolivia, Ohio State is analyzing the educational system, the manpower situation and related subjects bearing on a long-term human resources plan.

Selected Latin American students from 40 educational institutions in nine countries received scholarships under a Latin American Scholarship Program sponsored by U.S. universities. The trainees were enrolled in 100 U.S. colleges. This university-to-university collaboration aims to develop more effective higher education by providing specially-trained instructors.

An example of a university partnership which produced tangible benefits is that between the Catholic University of Cordoba, Argentina, and Bucknell University of Pennsylvania. Recently the Kaiser automobile plant in Cordoba consulted the local university about a problem which had forced a recall on an entire line of auto production. The problem was solved by an analog computer provided Cordoba under an AID contract, with assistance from a mechanical engineer who had received his graduate degree under the same contract. Kaiser has since requested a permanent consulting arrangement with Cordoba University.

In Ecuador and Brazil the University of Houston has provided technical assistance in a reorganization of faculties, teaching methods and administration within the University of Guayaquil and the University of Rio de Janeiro.

During 1966 the National Education Association, an AID contractor, sent 29 U.S. teachers to conduct teacher training workshops in four Latin American countries.

In Venezuela the University of Wisconsin exchanged educational leaders for advanced teacher-training with the Ministry of Education.

In two Western Hemisphere countries the tempo of educational TV reached new peaks. Jamaica's educational broadcast service now serves an estimated audience of 250,000 students. Colombia, with assistance from AID and the Peace Corps, has developed the largest educational TV system in the Hemisphere.

About 70 Peace Corps volunteers working chiefly as "teachers of teachers," helped the Colombian authorities to utilize the national TV network facilities to reach daily classes of 400,000 children in grades one through five. Some 2000 teachers participated in this undertaking which is now considered past the experimental stage. The TV system of education was recently extended to reach adult classes in health, nutrition, and physical improvement.

Also during 1966 the Inter-American Center of Loyola University, in New Orleans, initiated Leadership Training Seminars for youths from Central America, Panama and the Dominican Republic. Each seminar includes instruction in socio-economic problems and group dynamics along with field trips to observe American living and to meet professional and technical colleagues. Of 301 graduates to date, about ten percent were women. A majority of the student participants work in education and government.

The Regional Technical AID Center (RTAC) in Mexico City, gave special emphasis in 1966 to the production of new Spanish and Portuguese language textbooks at minimum prices. To serve the needs of low-income students, RTAC established textbook rental libraries in the National University of Mexico and the Dominican Republic.

FREE LABOR AND THE ALLIANCE FOR PROGRESS

Free labor in Latin America has voiced its support of the Alliance for Progress and its goals.

The American Institute for Free Labor Development (AIFLD) lends impetus to these goals by sponsoring related social welfare and educational activities in virtually all the Latin American countries. AIFLD was created in 1962 as a non-profit organization funded by U.S. management and labor organizations.

Latin American labor groups affiliated with AIFLD have a combined membership of about 29 million.

During 1966 AIFLD organized and sponsored education seminars of from one to 12 weeks for more than 10,000 unionists. They inquired into the mechanics of trade union and cooperative operations, and the theory and practice of democracy. During the year AIFLD also conducted special campesino seminars to instill leadership incentives.

AIFLD continued to place special emphasis on low-cost housing for worker families by organizing housing cooperatives and by preparing technical studies for presentation to various lending organizations.

Largest of the labor-sponsored projects is a 3,104 dwelling unit complex in Mexico City. Another project in Argentina calls for 2,400 dwelling units; and one in Colombia is programmed for 900 units.

In the social service area AIFLD has created a Workers' Housing Bank in Peru and is considering the establishment of similar banks in other countries. In Brazil, it has provided three meeting and recreational centers for campesinos.

AIFLD's Impact Project Program, supported by $150,000 in assistance from AFL-CIO and additional AID funds, enables AIFLD to provide low-interest loans and grants of from $100 to $5,000 to help worker groups finance small self-help projects.

Typical 1966 projects involved a loan to help a fishermen's cooperative to buy outboard motors and increase their sea catch; another loan helped to finance the construction of a teachers' union community center.

The Agency for International Development assists in labor development by providing funds for training in the U.S. for key personnel in the labor and social welfare ministries of various Latin American countries.

ENGINEERING WORKS CHANGE THE FACE OF LATIN AMERICA

Alliance for Progress engineering works and construction are changing the Latin American landscape on an unprecedented scale.

Rivers are dammed, bridged and diverted . . . swamps are drained . . . jungles cleared . . . forests planted . . . lakes created . . . mountains blasted, and roads are driven deep into the heartland of the continent.

As evidence of stepped-up activity, more than 30 large-scale Alliance engineering project contracts were concluded in 1966, and the volume of construction in progress exceeds anything heretofore known.

Bulldozers made in the USA "sail" upstream on barges from the Atlantic Ocean to the headwaters of the Amazon River where they disembark under their own power. Their job is to push new highways across the backbone of the Peruvian Andes and open vast virgin areas for settlement and exploitation.

About 90 percent of South America's population live along the coastal areas. New Alliance roads will shift large numbers of these people to interior areas where a better, albeit rugged at first, life can be had.

One of this century's most dramatic sights is the trans-migration of families from the arid, inhospitable or mountainous areas of Peru, Bolivia, Colombia and Ecuador to friendlier climates in colonization areas along the eastern slopes of the Andes. These 20th century pioneers, many of them traveling on foot, will carve new empires from the wilderness.

Alliance roadbuilding

Four republics—Peru, Ecuador, Colombia, and Bolivia—are co-sponsors of an ambitious 3500-mile Alliance road project, the Carretera Marginal de la Selva, which is planned to run north-south along the eastern slopes of the Andes. The basic survey of the Carretera route was financed with U.S. funds disbursed through the Social Progress Trust Fund. Some segments of the Carretera are in use; other parts are in planning or construction, but the completion date for the whole is in the uncertain future.

Road-building, improvement, and maintenance, a basic goal of the Alliance, has absorbed an important share of U.S. assistance to Latin America.

Through 1966 AID and its predecessor agencies had made road construction and improvement loans amounting to some $294 million. About $240 million of this sum helped to finance 4,630 miles of road construction.

In 1966 alone, AID authorized $42.3 million for road work. During the same year about 610 miles of new Alliance roads principally financed by AID were completed.

AID highway maintenance equipment loans account for $62.4 million, of which $25 million was obligated in 1966. Under the various equipment loans about $35 million worth of machinery has been or will be purchased in the U.S., of which $15 million worth were purchased in 1966.

The above figures do not include the substantial Alliance for Progress loan assistance provided for road work and equipment by the Inter-American Development Bank from the Social Progress Trust Fund and the Fund for Special Operations. The United States provided all the resources in the Trust Fund and most of the resources in the Fund for Special Operations.

Electric power

Power development and electrification provide the muscle which moves many Alliance programs forward. Hence new power and electrification projects hold a high priority on the lists of Alliance planning agencies; and they are likely to do so for many years to come.

Brazil leads the parade in new electrification works and is now overcoming the power shortages that have crippled the economy of the northeastern states and retarded industrialization in the Sao Paulo-Rio de Janeiro region.

AID assistance has been important in financing Brazilian hydroelectric projects such as the 108,000 KW Boa Esperanca hydroelectric project and other comparable power projects like Chesf, Cemig, Cemat, Furnas and Copel; also in the extension of power lines to major cities from power plants on the Rio Grande.

The cumulative total of U.S. financial and technical assistance for electric power development in Brazil—through AID and the Inter-American Development Bank—amounts to more than $200 million.

Direct U.S. assistance for Latin American power development in 1966 amounted to $19.65 million, distributed as follows:

A $13.3 million loan to assist in the construction of Brazil's Mascarenhas hydroelectric project in the State of Espirito Santo.

A $1.6 million loan to help finance the Montaro Valley rural electric co-op in Peru and related services to the Peruvian Government.

A $4.75 million loan for a new 10,000 KW generating plant and related facilities in and near Santa Cruz, Bolivia.

Meanwhile construction continued during 1966 on other Alliance power projects authorized in previous years for Brazil, Nicaragua, Chile and Ecuador.

AID feasibility studies were completed in 1966 for 14 small hydroelectric projects in Peru and for a water-power site in Ecuador with a potential capacity of 750,000 KW.

Industrial plants

New plants and extensions to old plants are receiving technical and financial assistance from AID. Many manufacturing firms receive financial assistance through AID-financed private industrial development banks in Central and South America.

Under construction at Cato, Pernambuco, Brazil, is a plant to produce carbon black, used in tire manufacture. Expansion projects in Brazil concern additions to the giant Volta Redondo steel mill; to cast iron pipe production at the Barbara Metallurgical Co. plant at Barra Mansa; to paper production at the Olinkraft paper mill at Lajes, Santa Catarina, and to a fiber-board plant at Salto Sao Paulo.

The latest AID-assisted project in Brazil is the $70 million Ultrafertil fertilizer complex at Santos.

School building

The construction of new schools and related facilities, a major Alliance goal, continues to hold a priority status.

In Panama a primary school construction program involving 66 schools with 538 classrooms nears completion. An additional 78 self-help rural schools have been built with AID assistance.

El Salvador's primary school construction program, involving 1600 classrooms for 64,000 children, nears completion.

Mexico, with U.S. public and private assistance, is adding new facilities to the country's leading agricultural school at Chapingo.

Water and sewerage

In 1966 good progress was made in extending and improving water distribution and sewerage collection systems in Lima, Peru, and Panama City, Panama.

Plans for a new water supply system in San Jose, Costa Rica, were completed; the rehabilitation of the existing distribution system nears completion.

Feasibility studies for an aqueduct system to carry water to the southeastern provinces of Argentina, that may require about 2700 miles of aqueduct, have been authorized.

Airports

Chile's new international airport at Santiago, built with an AID loan of $10.5 million, was dedicated in December 1966. Construction is continuing at the new airport at Concepcion, Chile.

Improvements to Las Mercedes Airport, in Managua, Nicaragua, giving it jet capability, were completed in December.

Installation of the remaining facilities at El Alto Airport, near La Paz, Bolivia, continued. This, the highest of all commercial jet airports, was built with AID technical and financial assistance.

An AID loan to finance improvements to Paraguay's International Airport at Asuncion, was authorized late in 1966. Another loan will rehabilitate the airport at Georgetown, Guyana.

Technical surveys

A cadastral survey, including an aerial survey, to improve the property tax system is underway in Costa Rica. Loans have been made to Nicaragua and Panama for tax improvement surveys and an inventory of natural resources.

With AID's help, the U.S. Geological Survey and a private engineering firm are assisting Colombia in preparing an inventory and map of the country's mineral resources.

LATIN AMERICAN COOPERATIVES IN A NEW GROWTH STAGE

In 1966 Latin America's cooperative movement expanded on a broad front and touched the lives of many more thousands of people.

Various cooperative enterprises received technical and financial assistance from the United States. In Chile a Bank for Cooperatives was organized with $3.65 million in loan assistance from the Agency for International Development. Other cooperatively-owned banks in Ecuador and Argentina received technical assistance from AID.

About 300 new credit unions were establishing during the year bringing the total to 2,200 with a membership of 540,000 in 12 countries. Combined savings of credit union members amounted to about $38 million at year-end.

During the year the credit unions disbursed about $35 million in interest-bearing loans for farm tools, fertilizer, seed, land and other productive items, as well as for education, doctor bills and consumer goods.

Rural electric cooperatives in eleven republics continued to grow in numbers, memberships and service areas.

In Nicaragua the first section of a newly-energized power line began to serve rural subscribers in the vicinity of Zambrama and Tisma.

An AID project loan of $4.75 million for Bolivia and another loan of $1.6 million for Peru were allocated to financing rural electric cooperatives. This brought to $15.1 million AID's loan assistance toward the organization and construction of rural electric cooperatives in Latin America. Local interests have contributed another $9.4 million to these projects.

In 1966 new cooperatives were formed in the fields of transportation, housing, farm supply and marketing, retail consumer stores and other areas of need.

There are now more than 17,000 cooperatives in Latin America with a total membership of about 7 million people.

THE STATE OF LATIN AMERICA'S HEALTH

Public health services in Latin America during 1966 attained a new level of effectiveness and health authorities were cautiously forecasting that the goals set at Punta del Este were within the realm of realization—but not soon.

Community water supply

At year-end the Alliance republics and international lending agencies had appropriated more than $830 million toward water and sewerage programs since Punta del Este. This includes about $340 million in Alliance for Progress loan assistance from AID and the Inter-American Development Bank.

Seventy percent of Latin America's urban population now has the benefit of piped water supplies—an all-time high.

The goal of water service for 50 percent of the rural population is much more difficult to attain. Only two countries have achieved it.

Communicable diseases

Eradication programs for small-pox, malaria, yaws and the mosquito carrier of yellow fever are well-advanced. Small-pox cases reported have been cut to a fraction of the number in former years.

In 1966 the mosquito carrier of urban yellow fever, "Aedes aegypti", was declared "eradicated" in 15 countries.

More than one-half of the 104 million Latin Americans who had lived in malarious areas five years ago are now protected.

Up to the present, slight reductions in the mortality rate for whooping cough and tuberculosis have been reported. The current vaccination program is expected to be an effective deterrent.

AID has financed the major part of the malaria funds of the Pan American Health Organization and, in addition, has provided about $21 million for malaria eradication on a bi-lateral basis.

Nutrition

Latin America's net per capita production of food remains only slightly above the 1954 level. This is a by-product of the population explosion which has reached a record growth of about 3 percent per year.

The Food-for-Peace Program is attempting to fill the food supply gaps. Local manufacturers are giving more attention to the production of "Incaparina", a low-cost high-protein food whose production is being industrialized. With such aids and with more protein crop production, several countries have managed to improve the levels of human nutrition.

Rural health

AID supports, through technical and loan assistance, the mobile rural health services which extend beyond the major towns and cities. Sixty mobile health units operating in Chile and six Central American countries provide professional health care and counsel to about one million people within the frame-work of community development programs. The mobile units are staffed by nationals of the respective countries.

Health summary

Latin America's overall health is improving under the cooperative programs of the Alliance, but some serious situations remain.

About 30 percent of the urban population and more than 50 percent of the rural population are still without piped water.

Infant mortality remains high. Forty-one percent of all deaths are among children under five years, against only seven percent in North America.

Fifty million people still live in malarious areas. Nursing and hospital services are in short supply. Basic health services are inadequate, especially in rural areas.

POPULATION AND FAMILY PLANNING

The Agency for International Development in 1966 responded to various requests from Latin American countries for assistance in developing population programs. These included technical training, demographic research, and family planning services.

During 1966 it was reported that four countries—Chile, Barbados, Jamaica, and Honduras—have adopted national population policies.

Under an official decree, President Belaunde of Peru created a national population research center.

Studies of family structure and fertility were inaugurated in Argentina, Brazil, Colombia, Chile, Costa Rica, Ecuador, Mexico, Panama, Peru and Venezuela. Population study units, in-service training courses in family planning, and clinical courses have been established in various countries.

The family planning movement gained support from more than 20 privately-organized associations which have been established in Latin America with technical assistance from university medical schools and hospitals.

FOOD-FOR-PEACE PROMOTES THE ALLIANCE FOR PROGRESS

The Food-for-Peace program is adding new strength to the Alliance for Progress by renewing and restoring the energy and productivity of 17 million children and about 12 million adults.

At the same time, it spurs the recipients to "help themselves"—to build more livestock herds, to cultivate more land, to build farm-to-market roads, to practice better nutrition and to give underprivileged children an incentive to attend school and to rise above the level of illiteracy.

The essence of this far-reaching program is reflected in the recently-enacted Food-for-Peace Act which clearly states the primary U.S. concern for these areas of activity.

Of the $62 million worth of U.S. commodities approved by the Agency for International Development for shipment to Latin America in 1966, under the donations program, by far the largest amount went for school lunches or for maternal and child-feeding programs.

The total U.S. food aid to Latin America in 1966 is estimated at $155 million, of which $91 million worth was sold for local currencies, compared with $43 million in 1965. An important part of the local currency proceeds from these sales was applied to local economic development projects whose goal is the eventual elimination of the need for food aid.

Again in 1966 Brazil was the principal recipient of food aid, accounting for $114 million of the total $155 million approved for all Latin American sales and donation programs. Colombia, Chile, Peru, Ecuador and the Dominican Republic also received considerable Food for Peace supplies.

Brazil's school lunch program exceeds similar programs in Latin America. Six and one-half million children receive milk at school, and 1.2 million of these get hot lunches. In 1966 the Brazilian Government increased its budgeted contribution for school lunches to $3 million, against $227,000 in 1964. State and local governments also support the program.

A growing number of school-sponsored vegetable and fruit gardens contribute supplies. Both children and parents work the gardens.

Brazil's commitment to the program is considered adequate to ensure its continuation after U.S. aid is phased out. Two Brazilian officials recently visited the U.S. to observe the school lunch program at first-hand.

A successful livestock feeding project in Brazil is an example of practical U.S. assistance to help other nations build their protein food supplies to meet an ever-mounting demand. Some 50,000 farmers in eight Brazilian states participate in this project and thirty-one farmer cooperatives are its co-sponsors.

In addition to making U.S. feed grains available to cooperative members at cost and on credit, the local Food for Peace sponsors give regular demonstrations on poultry raising and on the uses of fertilizer and forage crops.

PARTNERS OF THE ALLIANCE—THE ALLIANCE FOR PROGRESS AT THE GRASS ROOTS LEVEL

An alliance of private citizens within the Alliance for Progress expanded its membership and scope of operations in 1966 to include 30 U.S. states and 16 Latin American republics.

The "Partners of the Alliance" concept, less than three years old, sprang from a desire to involve private citizens in an action program of mutual assistance.

In September, 250 Partners' delegates attending their second hemispheric union in Rio de Janeiro, received greetings from heads of state, including President Johnson. The delegates represented thousands of their fellow citizens who had organized 62 Partners of the Alliance committees in the American republics—with encouragement from the Agency for International Development.

Members include educators and students, business leaders and trade unionists, doctors and nurses, and the representatives of many other professions and community organizations. At their local, regional and international reunions they exchange ideas and collaborate on projects which will promote the aims and spread the benefits of the alliance within the Alliance.

Since its founding, the program has provided a flow of three to five million dollars worth of technical and material assistance within the partnership. This exchange takes in such diverse items as high-school and university scholarships, agricultural and electrical equipment and tools.

A major share of the U.S. partners' attention has been focused on the shipment of hospital equipment to Latin America's rural areas and the implementation of impact-type projects in community development. But most important is the growing understanding of attitudes and problems which have developed into firm friendships on a working basis. In November the Texas Partners held an investment conference in Austin, Texas, with visiting partners from Peru; the event was co-sponsored by the Texas Industrial Commission. The Michigan Partners plan a similar conference early in 1967.

In late 1966 the U.S. partners formed a national association and elected their first national president—Edward Marcus, civic leader and executive vice president of Neiman-Marcus.

A private sector Alliance partnership exists between citizens of the following U.S. states and corresponding areas in Latin America:

Alabama and Guatemala. Arizona and El Salvador. Arkansas and Bolivia. California and Mexico. Colorado and Minas Gerais (Brazil). Connecticut and Paraiba (Brazil). Delaware and Panama. District of Columbia and Brasilia Federal District (Brazil). Florida and Colombia. Idaho and Eduador. Illinois and Sao Paulo (Brazil). Iowa and Mexico. Indiana and Rio Grande do Sul (Brazil). Kentucky and Ecuador. Maryland and Rio de Janeiro (Brazil). Massachusetts and Colombia. Michigan and British Honduras (Belize). Minnesota and Uruguay.

Missouri and Para (Brazil). New Jersey and Alagoas (Brazil). North Carolina and Cochabamba (Bolivia). Ohio and Parana (Brazil). Oklahoma and Mexico. Oregon and Costa Rica. Pennsylvania and Bahia (Brazil). Tennessee and Venezuela. Texas and Peru. Utah and Bolivia. Vermont and Honduras. Wisconsin and Nicaragua. Wyoming and Goias (Brazil).

HEMISFAIR 1968

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, I want to again thank the Members of this House for passing in 1965 my bill to recognize and study San Antonio's HemisFair 1968, and for appropriating last year $6.75 million for the Federal exhibit and pavilion.

It is a reassuring reflection of the wisdom of this House for me to report that on Wednesday Gov. John Connally signed the appropriation measure increasing the participation of the State of Texas in HemisFair to $10 million. The State's exhibit will be the "Institute of Texan Cultures."

And last Friday, the city of San Antonio received to its account $5.5 million to build the theme structure of HemisFair, called the Tower of the Americas. Construction began the same afternoon. This loan is a result of the bond issue which the citizens of San Antonio approved in December by a 2-to-1 margin.

The satisfaction and gratitude of the people of San Antonio is accurately reflected in the front page editorial which I insert here from the San Antonio Express.

EXPRESS EDITORIAL

Much is owed to many. Five years after HemisFair was started as an idea with informal support, all of its numerous obstacles have been cleared except the inexorable one of time. The "go" signal came Tuesday from both Washington and Austin, the latter for an expanded state exhibit.

Thus, all financial and legal problems have been satisfactorily solved.

It has taken much work. The cooperation of Governor Connally, the leadership and members of the State Senate and House have been invaluable bellwethers for the entire project. Congressman Henry Gonzalez did yeoman service in Washington. Local underwriting and planning was a precedent-making experience in San Antonio.

The Tower of the Americas has been started. The Institute of Texan Cultures will be started soon. Preliminary agreements have been reached for the federal pavilion. This community and the state of Texas owe much to many people for seeing an idea become reality.

Five years ago I visualized a trade fair to emphasize San Antonio's position as the gateway to Latin America. It is with personal gratitude, and pride in my city, State, and the Congress, that I am able to say now that the pieces have all fallen into place.

HemisFair 1968 has official sanction from the Bureau of International Expositions in Paris as a 6-month World's Fair.

My fiesta city of San Antonio will be celebrating the 250th anniversary of its founding.

Ten foreign countries have to date signed on as participants, including the non-Latin American countries of Canada and Switzerland.

Preparation of the 92-acre site in downtown San Antonio is well underway. Purchase of this site was from part of the $30 million bond issue voted by San Antonians in 1964.

Operational and planning funds secured by about $8 million in pledges from businesses, unions, and individuals in San Antonio is being used expeditiously.

A host of "happenings" with a pan-American flavor are planned for the tourists. Their transportation alone will be met by waterway and lake vessels, a skyride, minirails scooting to every point, and rickshaws—all as a supplement to easy walkability.

Ground has been broken on the 622-foot Tower of the Americas, a fitting symbol of the theme of HemisFair 1968, "the confluence of civilizations of the Americas." The tower will have several observation levels and a revolving restaurant. It will be visible from Austin, 80 miles away.

The Institute of Texan Cultures, now completely appropriated by the Texas Legislature, will be an imaginative, many-sided museum.

The design for the Federal pavilion has been recently announced by the Commerce Department. Construction bids will be invited soon, and plans are proceeding in accordance with the instructions of Congress. The six-story building will house the Federal exhibits and the Confluence Theater, for which a three-part film will be produced on the fair's theme. The pavilion, as planned and structured, will permit many residual uses.

Five years ago I was privileged to be able to bring together the necessary elements to begin HemisFair, and after much hard work, not only by many in San Antonio but also by many on the State and Federal scene, I feel that the success of HemisFair is now assured. I am sure that the tourism produced by HemisFair will boost the economy of San Antonio, which has the lowest per capita income of the larger U.S. cities. I am sure that HemisFair will show how attractive our city is for industry of many kinds. But I trust that the most profound effect of HemisFair will not close when it does in October 1968. I am speaking of the experience of local, State, and Federal cooperation. I am speaking above all of the example of San Antonio mobilized and acting in concert to plan and work for a more attractive, prosperous future. President Lyndon Johnson has truly said:

> HemisFair 1968 is San Antonio's way of telling the world that progress is the wave of its future.

LITHUANIA—A NATION UNDER SIEGE

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. DINGELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DINGELL. Mr. Speaker, on February 16, 1918, Lithuanian patriots declared the independence of the Lithuanian state. This was the culmination of years of planning and hoping, of years of agitation and struggle. Lithuania, once a powerful state whose confines spread far beyond the Baltic littoral, was triumphantly reborn. The triumph at first was short, for in the period following World War I armies marched and countermarched across Eastern Europe. The Red Army briefly took control, but when the dust finally had settled an independent Lithuania took her place among the nations of the world.

The years of the twenties and thirties were happy and prosperous for the Lithuanian people. But when the shadows of World War II lengthened over Europe Lithuania, along with so many other small nations, was an early casualty. In 1939 Lithuania agreed to admit Soviet troops and to permit the building of Soviet airbases on her territory. Under duress, she had little choice. In true totalitarian fashion, the U.S.S.R. then engineered a fixed election, and on August 3, 1940, absorbed Lithuania.

The Germans drove the Russians out, but to Lithuanians it made no difference. They simply exchanged one master for another. The Soviet Union reconquered the country in 1944. From that day forward Lithuania has been part of the Soviet Union.

The Soviet Union likes to proclaim to the world that subject nationalities, such as the Lithuanians, are free to be themselves under the aegis of communism. But we know better. We know that Soviet policy bends all available energies to recast its subject peoples in the Russian Soviet mold. Lithuanians, like all non-Russians in the U.S.S.R. are subject to relentless pressure to give up their language, their culture, and their religion. Indeed, the pressure is so great that over half the churches in Lithuania, historically a Roman Catholic nation, have been closed down, and the other half are falling into extreme disrepair. In short, Lithuania is a nation under siege. The goal of the U.S.S.R. is nothing less than complete extinction of the Lithuanian nation, not by extermination, but by the most severe and persistent pressure.

We are confident that the Soviet Union will not achieve its goal. The people of Lithuania have too much spirit, too much faith in their national destiny. We can be sure that on this Lithuanian Independence Day, independence still lives in the heart of Lithuanians everywhere.

THE 49TH ANNIVERSARY OF THE FORMAL DECLARATION OF LITHUANIA AS A FREE NATION

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. GALLAGHER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, today we call to the attention of the American people the 49th anniversary of the declaration of independence of the Lithuanian people. It is a just recognition by us of the many wrongs done to these brave people throughout their history.

Recent international events have brought in their train tragic consequences. It is significant that we also celebrate this week the 22d anniversary of the signing of the Yalta Agreement. The last World War has, instead of freeing oppressed peoples, actually caused the eradication of freedom in many lands, and has extended the reign of terror over many former free countries, thus depriving tens of millions of peoples of their freedom and independence. Three million Lithuanians are among these people.

These people enjoyed a short but enthusiastic period of freedom. They regained their independence in 1918, and after a mere 23 years it was stolen from them by the Soviet Union in 1941. Soon after the country became part of the Soviet Union, and its courageous but helpless inhabitants shipped to Communist labor camps, the world realized that there was no freedom under the Communist flag. During the course of the war their condition grew worse, but they lived from day to day, from year to year, hoping that at the end of the war they would at last be free. Then, when the war came to an end they found that there was no freedom for them. The war thus proved to be their national tragedy.

Today, these courageous and brave people still cling to the hope and idea of freedom and independence. I am glad to join the loyal Americans of Lithuania descent in the celebration of Lithuanian Independence Day and with them hope for the freedom of the Lithuania people and their homeland.

REPORT OF PRESIDENT JOHNSON'S COMMISSION ON THE PATENT SYSTEM

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. Boggs] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BOGGS. Mr. Speaker, one of the less heralded problems facing us is that of insuring that our patent system is serving the public interest.

Mr. Speaker, the inventiveness and ingenuity of its people is one of the hallmarks of this Nation's progress and one of its greatest assets.

Unless we can continue to provide incentives for research, development, and innovation, the Nation will lose this great asset which has made it great.

President Johnson is well aware of this problem. In an effort to preserve our lead in developing new systems and techniques, and to encourage the many talented and creative people in the Nation, the President created a Commission in April 1965, to study and recommend steps to insure that the patent system becomes more effective and serves the public interest.

On January 20, 1967, Mr. Speaker, the Aerospace Industries Association held a meeting in New Orleans and heard an excellent discussion of the report which the President's Commission has made on the patent system.

The Assistant General Counsel of the Small Business Administration, Eugene J. Davidson, addressed the Aerospace Industries Association meeting. Mr. Davidson is a veteran in the field of patent law.

The Small Business Administration is vitally interested in this particular subject, Mr. Speaker, since many of the best known of our inventions are products of small firms rather than our large corporations. The SBA is interested in assuring that small business not only is protected in the area of patents but obtains the benefit of new technology. I might add that I believe SBA is doing an outstanding job in this regard and in all of the other services it makes available to the Nation's small firms.

I insert Mr. Davidson's remarks at this point in the Record together with a report of his address which appeared in the New Orleans States-Item:

REMARKS OF EUGENE J. DAVIDSON, ASSISTANT GENERAL COUNSEL, SMALL BUSINESS ADMINISTRATION, BEFORE THE AEROSPACE INDUSTRIES ASSOCIATION, NEW ORLEANS, LA., JANUARY 20, 1967

I appreciate this opportunity to discuss with you the Report of President Johnson's Commission on the Patent System.

As you know, the Founding Fathers were cognizant of the need to stimulate the Nation's inventive capabilities. They expressly provided in the Constitution that the Congress shall have the power to "promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries." This Constitutional grant was exercised by the First Congress in 1790. On July 31 of that year, the first patent was signed by President George Washington, his Secretary of State, Thomas Jefferson and his Attorney General, Edmund Randolph.

We have become the greatest industrial nation in the world, and our patent system has played a major role in this achievement. However, pattern of our present patent system is not too different from that which was adopted in 1836. There have been numerous amendments to that 1836 statute which has been rewritten twice, but its general character has remained substantially unchanged for these 130 years.

While the pattern has remained somewhat constant, the world has not. Our society—socially—economically—industrially—technologically—and even politically—is dramatically different than it was in 1836 when Andrew Jackson was President. Things are just not what they used to be. The gossip columns may talk of their jet age society, but to our industrial and scientific community, even the jet age is old hat. Resources in amounts undreamed of 25 years ago are being devoted by the Government and by private sources to R&D. Although the independent inventor and scientist still are essential contributors to the development of new processes and new products, organized R&D is carrying a growing share of the task. As a result, inventions have increased in number, in sophistication, and in complexity to a degree undreamed of a few short years ago. These changes require updating our patent system if it is to continue to be a stimulus to creativity and innovations.

President Johnson recognized this need. On April 8, 1965, by Executive Order No. 11215, he created a Commission to "recommend to the President steps to insure that the patent system will be more effective in serving the public interest." The Commission was to direct its efforts toward:

(1) Ascertaining the degree to which our patent system currently serves our national needs and international goals.

(2) Identifying any aspects of the system which may need change,

(3) Revising possible improvements in the system, and

(4) Recommending any legislation deemed essential to strengthen the United States patent system.

The Commission was composed of 10 members from the private sector and 4 from Government, including some of the Nation's most distinguished business executives, educators, inventors and lawyers. Dr. H. Huntt Ransom, Chancellor of the University of Texas, and former Judge Simon Rifkind of New York were co-chairmen. They, together with Mr. Charles B. Thornton of Litton Industries, Mr. James Birkenstock of IBM, Mr. Bernard Oliver of Hewlett-Packard, Mr. Howard Nason of Monsanto Research, Mr. John Bardeen, the Nobel Prize winner and educator, Dr. Guilford Stever, President of Carnegie Institute of Technology and Mr. Sidney Neuman and Mr. Howard Clement, patent lawyers from Chicago were the non-government members.

The Secretary of Defense, the Secretary of Commerce, the Director of the National Science Foundation and the Administrator of the Small Business Administration were the Government members. They were represented by designees, some of whom are well known to this Association. The Deputy Assistant Secretary of Defense for Procurement, Mr. J. M. Malloy, and the Commissioner of Patents, Mr. Edward Brenner, were designees for the Secretaries of Defense and Commerce, respectively. Mr. Charles Brown was the designee of the Director of the National Science Foundation and I was similarly honored by Mr. Bernard L. Boutin, Administrator of SBA.

Soon after its inception, the Commission invited the public to submit suggestions, criticisms and comments. The response was most gratifying. I would like to pay tribute to those organizations and individuals who responded so well. Their communications aided the Commission immeasurably.

The Commission concluded that the Patent System could continue to provide an incentive to research, development and innovation, but in order to do so, there was a need to:

(1) raise the quality and reliability of the U.S. patent,

(2) shorten the period of pendency of a patent application from filing to final disposition,

(3) accelerate public disclosure of technological advances,

(4) reduce the expense of obtaining and litigating a patent,

(5) make U.S. patent practice more compatible with that of other major countries, wherever consistent with the objectives of the U.S. patent system, and

(6) prepare the patent system to cope with the continued expansion of technology foreseeable in the decades ahead.

Unless these objectives are attained, the American inventor, the American business community, both large and small, the American farmer, the American consumer—in short, the entire American public—will be the loser.

Also clearly defined was the interrelation of these problems and the essentially of a total or systems approach. Individual changes would only mean patchwork, and patchwork is not what President Johnson directed. This system approach—so familiar to you—but relatively unique in the area of public policy—is the key to the Commission's recommendations.

The Commission's first recommendation, quite logically relates to determining who is to receive the patent. Presently, the first inventor, unless he has waived his right, prevails. Not infrequently, disputes over who is first arise. Interference proceedings, of which there has been so much complaint, are the handmaidens of this dispute. A byproduct of the first to invent approach is the delay in filing applications. There is little urgency to file when you can achieve your priority even if you are not the earliest filer.

To correct these deficiencies and to establish a precise and, yet, inexpensive method for determining priority, the Commission recommended that the *first to file* should receive the patent. The first to take the step toward public disclosure would be rewarded; the procrastinator would not be.

As a concomitant to this first to file, the Commission proposed a new type of application designated as a preliminary application to secure the filing date. The existing 12-month grace period would be eliminated. The preliminary application need not be a formal document or contain the familiar patent claims. A copy of a speech or a report containing a technical description would suffice. The applicant would have 12 months after the filing of the preliminary application in which to file the complete application.

For those who have an international patent position, this preliminary application will secure a period for foreign filing.

Much of the problem associated with the present requirement that, with certain exceptions, the inventor must sign the application would be eliminated by the proposal that either the inventor or the assignee may sign and file the preliminary and complete applications. Thus, filing would not be delayed because of uncertainty of the inventor's identity or his unwillingness to cooperate. The Commission, mindful of the interests of the inventor, would require a declaration of originality and a specific assignment to be filed before the processing of the application is completed.

Thus, the filing of at least a preliminary application as soon as the nature and scope of the invention becomes apparent would be encouraged. Interference proceedings would be eliminated. Discussion at professional meetings and in journals would be stimulated since the invention could not be usurped.

To improve the quality of the patent system, the Commission would provide that prior publication, public use or other public disclosure anywhere in the world, would be a bar to patentability. However, to protect the innocent inventor against loss of the fruits of his discovery because of an unauthorized public disclosure by another, the Commission recommended that when such unauthorized disclosure occurs, the inventor or his assignee be permitted six months to file his complete application. I would emphasize that this size months grace period applies only to the time to file. The unauthorized disclosure date could not be claimed as the effective filing date and an intervening, untainted public disclosure would constitute prior art against him. Provision is also made to exempt demonstrations at officially recognized international exhibitions from constituting prior art.

Another significant proposal to improve the quality of the U.S. patents and to accelerate public disclosure of technological advances relates to the publication of pending applications. Many claim that the present law, by keeping pending applications secret and by having the patent term run from issuance encourages delay in prosecution. Some even talk of the "game"—how long can an applicant keep the application in the Patent Office. The players in this "game" may profit but at the public's expense. The Patent Office's burdens are increased while scientists spend valuable time and effort and concerns devote scarce brainpower, research facilities and money to discover something that is pending in the Patent Office. The advance of technology is slowed by the inability to build on the information hidden during the pendency of the application.

The Commission would correct all this by requiring the application to be published not later than 18 to 24 months after the effective filing date or promptly after allowance or appeal, whichever came first. The patent term would start with such filing and run for 20 years. The patent owner would be permitted to recover damages from those who would use his invention in the period between publication and patent issuance by serving notice on such users.

At any time within six months after the publication which gave notice of the allowance or appeal, the public can cite patents or publications for the Patent Office's consideration. This new procedure should increase the quality of the examination process and reduce the number of patents later contested because of pertinent references which existed, but were not known to the Patent Office examiner. The identity of the citer would be confidential.

In addition to being able to cite prior art before patent issuance, the public, for three years after patent issuance, could inform the Patent Office of such prior art. The Patent Office, if it determines that the patent should not have issued because of this prior art, would institute an *ex parte* cancellation proceeding. Of course, the patent owner would be given a full opportunity to defend his claim.

To some, this cancellation proceeding may suggest an opportunity to harass the patent owner. The Commission would meet this possibility by imposing a relatively high fee for the privilege of citing prior art after the patent has issued. In addition, the citer, if unsuccessful, would be required to pay the patent owner's expenses in defending the patent. To insure such payment, the citer would have to file a payment bond.

Administrative cancellation of patents improvidently issued is, of course, much less costly than judicial proceedings. However, court litigation at times is inevitable. Today, the burden of litigation is such that a suit can be used as a sword to harass the innocent and a shield behind which the infringer can flaunt the sanctity of the patent. The Commission's opinion of the vexatious nature of the problem is best described in the words of the Report itself. "As a consequence, the high cost of patent litigation results in good and valid patents being defied and going unenforced, invalid patents being kept from court scrutiny, and finally, compromises settlements and licensing arrangements whose only justification is an economic one; e.g., the avoidance of enormous litigation expense."

The proposed remedies are:

(1) A judicial decree of invalidity would be in *in rem* determination and the invalidated claims would be treated as cancelled;

(2) An Office of Civil Commissioners would be created in the U.S. District Courts. The Commissioners would supervise and simplify the pretrial phases of the litigation; and,

(3) An optional expedited adjudication procedure—a small claims court so to speak—would be available.

The Commission members were not in complete accord on the optional deferred examination procedure which would be new to this country. There are pros and cons for a deferred system. Not all applications have the same value; not all applicants are certain that they really wish to prosecute to issuance or rejection. The immediate examination requirement compels the Patent Office to handle these applications exactly as it handles those which the applicant really desires to prosecute. It also imposes the burden, as well as expense of full examination, on the applicant who is not sure which way his best interests lie. A deferred system, so say its proponents, will help the Patent Office solve its examination volume problem and ease the applicant's dilemma. They would start the system on a pilot basis immediately.

Others are not so sanguine about the curative powers of this system. They observe that the situation in the countries in which deferred examination exists are not truly comparable to that in the United States. Thus, they say, there is no experience bank on which we can draw. Recognizing there may be merit to the proposal and, therefore, unwilling to slam the door shut, this latter group would permit use of the deferred examination system only when an advisory body, of which I will speak shortly, finds that the Patent Office cannot continue a high quality immediate examination system.

Because of this divergence, the recommendations that "standby statutory authority should be provided for optional deferred examination," reflects only a consensus of the Commission. As the Report states, the deferred system should include provisions whereby:

(1) the examination shall be deferred at the option of the applicant, exercised by his election not to accompany the complete application with an examination fee, (Request for examination, accompanied by payment of an examination fee, may be made anytime within five years from the effective filing date of the application).

(2) a deferred application shall be promptly inspected for formal matters and then published,

(3) any party, without being required to disclose his identity, may provoke an examination upon request and payment of the fee,

(4) unless made special upon the request of any party, an application initially deferred shall be inserted in the queue of applications set for examination in an order based on the date of payment of the examination fee, and,

(5) examination of pending parent or continuing applications shall not be deferred beyond the time when examination is requested of any of the parent or continuing applications.

Two other points bear noting. First, the Commission recommended positive protection against importation of products made abroad by methods which infringe on a process patented in the United States. The only protection which our laws presently provide is the application of the Tariff Act of 1930. However, this requires proof that the importation will cause substantial injury to an efficiently and economically operated domestic industry—a requirement which frequently cancels out the use of this protective device. By making the importation an act of infringement, protection would be given to the American patent owner and to those domestic concerns which are lawfully using the process patent against piracy from abroad.

Second, the Commission would create an Advisory Council to evaluate, on a continuing basis, the state of the patent system. A public report would be made quadrennially. I believe the merits of this proposal are self-evident.

These are a few of the high points of the Report. No doubt some will feel that important areas have been overlooked. The limited period of the Commission's existence precluded reviewing every nook and cranny. The Commission had to take into account its composition, studies underway by other executive and legislative groups, and the potential contribution it could make in any given area. For these reasons, it did not address itself to the question of the ownership of patents resulting from Government-financed R & D—a subject of interest to many of you.

Some of the individual recommendations may displease and provoke opposition. This is to be expected. As the Greeks told us: "To seek to please all is to please none."

Some of the individual recommendations may create problems of their own. The Report does not claim to guarantee a foolproof system. Neither does the Commission lay claim to superior wisdom. It would be naive to expect that in an era of exploding technology, a panacea could be devised to cure all possible problems. The Commission sought to create a system under which the significance of the resulting problems and their drag on the Nation's growth are minimal.

I would recall that there are those who see little, if any, good in the idea of granting a limited monopoly to inventors. They endorse the position that the problems of the patent system stem from the inability to apply the conceptions of a by-gone era to the contemporary conditions under which technical knowledge is produced.

The Commission did not accept this thesis. Rather, it concluded that the patent system can be made to cope with contemporary conditions. The Report is ample evidence that this multi-faceted group, composed of representatives of almost all segments of our society, believes the patent system is worth saving and can be made to operate effectively.

President Johnson declared our patent system has been an integral part of America's development—increased productivity; stimulated economic growth; enhanced the standard of living for all our citizens; and strengthened the competitiveness of our products in world markets. But, he also cautioned that "we are living in an age of vast technological advances. We must be sure that our patent system is up to date."

The Commission's recommendations are designed to achieve this goal, to make the patent system responsive to this technological growth. They would modernize the structure of a system of proven worth so that it can meet the needs of today and the challenges of tomorrow.

But, all this can be done only by a total or systems approach. That is why I urge you to read the Report in its entirety; to evaluate the recommendations, not on the effect they would have on an individual problem, but on how well the total interrelated plan achieves the Presidential directive.

[From the New Orleans (La.) States & Item, Jan. 20, 1967]

SBA Attorney Speaks Here: "First-to-File" Approach Urged for Patent Office

(By James Hearty)

The "first-to-file" approach has been recommended to President Lyndon B. Johnson as the best method of determining priority in the issuance of patents.

"The first to take the step toward public disclosure would be rewarded; the procrastinator would not be," said Eugene J. Davidson, Falls Church, Va., assistant general counsel of the Small Business Administration, today at a luncheon session of the Aerospace Industries Association at the Roosevelt Hotel.

Davidson said most frequently the first inventor, unless he has waived his right, prevails, but very often disputes arise over who is first-to-file.

"Interference proceedings, of which there has been so much complaint, are the handmaidens of this dispute," said Davidson, a veteran government attorney and former counsel for the National Labor Relations Board.

"A by-product of the first-to-invent approach is the delay in filing applications," he said. "There is little urgency to file when you can achieve your priority even if you are not the earliest filer."

As a concomitant to this first-to-file, the commission proposed a new type of application designated as a preliminary application to secure the filing date.

"The preliminary application need not be a formal document or contain the familiar patent claims," said Davidson. "A copy of a speech or a report containing a technical description would suffice.

"The applicant would have 12 months after the filing of the preliminary application in which to file the complete application," he added.

Davidson said President Johnson cautioned that "we are living in an age of vast technological advances. We must be sure that our patent system is up to date," and Davidson said the commission's goal is to make the patent system responsive to this technical growth.

"They would modernize the structure of a system of proven worth so that it can meet the needs of today and the challenges of tomorrow," he said.

"But all this can be done only by a total or systems approach. That is why I urge you to read the report in its entirety, to evaluate the recommendations."

HOUSE CONCURRENT RESOLUTION 3—CIA

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentlewoman from New York [Mrs. Kelly] may extend her remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mrs. KELLY. Mr. Speaker, on July 20, 1953, I introduced House Concurrent Resolution 168, which has become the famous CIA resolution, to establish a Joint Committee on Intelligence Matters. I was the first to introduce such a resolution and I have continued to press for its adoption in each succeeding Congress. My resolution in the 90th Congress is numbered House Concurrent Resolution 3.

After I had introduced House Concurrent Resolution 168 in the 83d Congress, I persuaded my good friend, Congressman Clement J. Zablocki to sponsor a similar resolution. We then obtained the support of former Representative Walter Judd, and he too sponsored the creation of a Joint Committee on Intelligence Matters. Since that time, well over 100 of my colleagues have introduced similar resolutions.

However, at that time we were unsuccessful in being able to induce even one Member of the other body to join us in our efforts. In 1954, Senator Mike Mansfield introduced a similar resolution in the other body. Thereafter, Senator Eugene McCarthy and other of his colleagues introduced similar resolutions.

In 1955, the House Committee on Rules held hearings on this resolution and no action was taken. During the 84th Congress, the Senate Committee on Rules and Administration favorably reported a similar resolution but no action was taken. Finally, in 1961, the House Committee on Rules held hearings on my resolution but, despite events of history and the pleas of numerous Members of Congress, no action was taken.

While many hearings have been held on this resolution and while certain members of the House Committee on Rules individually see its merit and favor its enactment, the executive branch of our Government and the chairmen of the ad hoc Committees for Supervision of Intelligence Matters of the Armed Services Committees oppose it so strongly that it has never been reported to the House.

My resolution does not comprehend that the proposed committee review the day-to-day intelligence operations of the various agencies of our Government. It does, however, envision a cooperative relationship between the executive branch and the Congress, under which the Congress would exercise its traditional review of broad and long-term policy. The purpose of the joint committee would be to make continuing studies of the intelligence activities and problems relating to the gathering of intelligence affecting the national security and of its coordination and utilization by the various departments, agencies, and instrumentalities of the Government.

I expressed my detailed views in this regard to the House Committee on Rules on March 1, 1961, and append my statement of that date.

Due to the recent disclosures in the press and the various questions raised thereby, I have again requested the House Committee on Rules to give immediate consideration to my resolution and to take favorable action thereon. I do not believe that the best interests of the Congress and of the United States would be served by an investigation of the Central Intelligence Agency, especially if such investigation were to be conducted by those in Congress who have had jurisdiction over the activities of that agency since its creation. The answer is the passage of House Concurrent Resolution 3 and the creation of a Joint Committee on Intelligence Matters.

I respectfully urge those of my colleagues who are of a similar mind to make their views known to the House Committee on Rules.

Statement by Hon. Edna F. Kelly, in Support of House Concurrent Resolution 3 To Establish a Joint Committee on Intelligence Matters Before the Committee on Rules, House of Representatives, March 1, 1961

Mr. Chairman and distinguished members of this committee. I am grateful to the committee for its invitation to appear here today and give testimony in support of House Concurrent Resolution 3 which I introduced.

Perhaps it is somewhat appropriate that this matter was originally scheduled for hearing before this committee on the anniversary of the birthday of our first President. This coincidence prompts me to look back to the principle upon which our country was founded and upon which our Constitution is based. I, therefore, urge each of the members of the committee, bear in mind when considering my resolution, the constitutional system of checks and balances between the executive and legislative branches of this Government.

While hindsight is infinitely clearer than foresight, when discussing House Concurrent Resolution 3, I cannot help but reflect and think that had this resolution been adopted 8 years ago, when I first introduced it in the 83d Congress, many unfortunate incidents involving the security and prestige of the United States might have been avoided.

I cannot emphasize too strongly, however, the continuing need for the establishment of a Joint Congressional Committee on Intelligence Matters. With the high degree of world tensions, with the farflung scope of our foreign policy and other activities, when a single miscalculation may bring disaster, such a committee, as an arm of the Congress, is urgently required. The resolution calls for a continuing study, by such committee, of our Government's intelligence activities "and problems relating to the gathering of intelligence affecting the national security and of its coordination and utilization by the various departments, agencies, and instrumentalities of the Government."

As you know under the present system, the Central Intelligence Agency, which was created in 1947 is responsible only to the National Security Council. There is no supervision or control by the legislative branch. The extent of its independence is demonstrated by the lack of review of the agency's expenditures by the Congress. In short, CIA makes its own policy and procedures, spends as much money as it may require, reviews its own errors if its conscience so dictates, and selects such remedies as it deems proper to correct its errors and to improve its operations. In this system the errors are never admitted while others which must be or are obvious may, after proper preparation, be presented as premature or unexpected.

While the need for secrecy in our intelligence activities is obvious, I feel, as many of my colleagues, that until a Joint Committee on Intelligence is created, there will be no way of determining what defects in the CIA may be covered by the veil of secrecy with which it is shrouded. Our success with the Joint Committee on Atomic Energy certainly justifies the present undertaking.

Lest the committee or the public consider this proposal to be quickly conceived or inspired by the recent U–2 incident, I consider it important to explore the background of this resolution.

Late in 1950, while serving on the committee which was responsible for the enactment of the Mutual Defense Assistance Control Act of 1951 (Battle Act), I came to realize the tremendous lack of knowledge, on the part of the Congress, of intelligence matters. After 2 years of periodic consultations with Members of the House, Members of the other body, and legal counsel, I introduced House Concurrent Resolution 168 in the 83d Congress. While I endeavored to convince many other Members of the House to cosponsor my resolution, my success was limited to my distinguished colleagues Mr. Zablocki (H. Con. Res. 169, 83d Cong.) and Mr. Judd (H. Con. Res. 170, 83d Cong.).

Thereafter, I continued to press for the adoption of this resolution in each succeeding Congress (84th Cong., H. Con. Res. 29; 85th Cong., H. Con. Res. 3; 86th Cong., H. Con. Res. 3; 87th Cong., H. Con. Res. 3). As time passed, other of my colleagues either introduced similar resolutions or voiced their approval.

In 1954 a similar proposal was introduced in the other body. In 1955 this committee held hearings on this same resolution and referred the matter to a subcommittee for study. Thereafter, an additional hearing was held but no further action was taken.

During the 84th Congress, the Senate Committee on Rules and Administration considered a similar resolution sponsored by 36 Members of the Senate, and reported it favorably. (S. Rept. 1570, 84th Cong., 2d sess.). In its report the committee included several germane comments of the task force of the Second Hoover Commission.

The report stated:

"The task force is concerned over the absence of satisfactory machinery for surveillance of the stewardship of the CIA. It is making recommendations which it believes will provide the proper type of 'watchdog' commission as a means of reestablishing that relationship between the CIA and the Congress so essential and characteristic of our democratic form of government, but which was abrogated by the enactment of Public Law 110 and other statutes relating to the Agency. It would include Representatives of both Houses of Congress and of the Chief Executive. Its duties would embrace a review of the operations and effectiveness, not only of the CIA, but also of all other intelligence agencies."

The report continued:

"Although the task force has discovered no indication of abuses of powers by the CIA or other Intelligence Agencies, it nevertheless is firmly convinced, as a matter of future insurance, that some reliable, systematic review of all the agencies and their operations should be provided by congressional action as a checkrein to assure both the Congress and the people that this hub of the Intelligence effort is functioning in an efficient, effective, and reasonably economical manner."

The future insurance was not provided.

If it had, would we have been stabbed in the back by the shipment of arms by Russia to Egypt during the then pending 1955 Foreign Ministers Conference? Would we have been informed on the Hungarian Revolution; the downgrading of Stalin; Iraq; the sputniks and the Cuban situation? Because we lack information these questions must be left unanswered.

All of this does not mean that I want to see the Congress go into the intelligence business. What I desire is proper and legitimate congressional control over such activities. The Hoover Commission Task Force outlined the areas of congressional interest as follows:

1. Conduct comprehensive studies of foreign intelligence activities of the United States;
2. Look for overlapping and duplication;
3. Determine whether expenditures are within budget authorizations and in keeping with the expressed intent of Congress; and
4. Consider whether any of the activities are in conflict with the foreign policy aims and programs of the United States.

With these tools the Congress would reassume its constitutional authority and in no way jeopardize intelligence activities.

One of the principal arguments advanced against my resolution is that no other nation permits legislative control of its intelligence activities. Such system is practical for the Soviet dictatorship and even for Great Britain where the administration is a part of and responsible to Parliament. Under our Constitution, however, with delicate system of check and balances, dislocations as in the case of CIA cannot be tolerated.

Therefore, Mr. Chairman, I respectfully urge that this committee do favorably report House Concurrent Resolution 3 for action by the House.

PROTECTION FOR THE AMERICAN CONSUMER—AMENDMENT OF FLAMMABLE FABRICS ACT OF 1953

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from West Virginia [Mr. STAGGERS] may extend his remarks in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. STAGGERS. Mr. Speaker, President Johnson proposed a number of important steps to help assure the safety and equity of our citizens in their homes, as they go about their daily lives, and as they make economic decisions in the marketplace.

One of these proposals calls for a series of amendments to the Flammable Fabrics Act of 1953. That act was designed to remove from the market certain highly flammable items of wearing apparel, such as the so-called torch sweaters. The act did accomplish those limited objectives. However, there remain on the market other products which present an unreasonable and unacceptable threat to people's safety. It is estimated, for example, that about one-quarter of a million injuries are suffered each year as a result of clothing fires. Worse yet, most of the victims are either the very young or the very old. And of all injuries, burns are one of the most difficult medical problems to treat, in terms of time, care, and expense.

I am, therefore, introducing a bill to amend the Flammable Fabrics Act of 1953, to broaden the protection of this bill and bring it up to the point where it can meet the needs of today. I am pleased to note that a similar bill has been introduced in the Senate today by the distinguished chairman of the Senate Commerce Committee, Senator MAGNUSON.

The amendments to the Flammable Fabrics Act of 1953 would authorize the Secretary of Commerce to revise the existing flammability standards for wearing apparel in order to help reduce the present toll of deaths and injuries arising from clothing fires. The act would also be broadened to include standards for interior furnishings, such as draperies, rugs, upholstery, and foam padding, if it is determined that standards are needed for these materials. In collaboration with the Department of Health, Education, and Welfare, the Commerce Department would conduct a study of deaths, injuries, and property losses caused by fires originating in wearing apparel and interior furnishings. Finally, the amendments would authorize the Commerce Department to conduct research into the flammability of furnishings, fabrics, and materials.

We would not pretend to issue a guarantee that the amendments will absolutely and automatically eliminate the loss in life and limb caused by clothing and household material fires. But we do believe that much of the loss can be prevented. In the face of this, it is incumbent upon us to take action; to apply our best intentions, our best thinking, and our best efforts.

I would not like to face the prospects of more deaths, greater suffering, and property losses without feeling that we have done everything reasonable men can do to help solve this problem.

President Johnson has laid the problem clearly before us. He has outlined a sensible approach to the problem. We must now demonstrate that we are equally responsive to the needs of the people. I urge your thoughtful consideration of this bill. Its enactment into law would go a long way toward making the lives of our people safer and more secure.

LEGISLATION TO AMEND THE FEDERAL POWER ACT WITH RESPECT TO THE JURISDICTION OF THE FEDERAL POWER COMMISSION

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Pepper] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PEPPER. Mr. Speaker, I have today joined the gentleman from Florida [Mr. Rogers] in cointroduction of his bill, H.R. 5348. In explanation of this measure I would like to insert in the Record a letter from Mr. Myer Feldman, former special counsel to the President, to the president of the Florida Power & Light Co. in which he explains this bill and distinguishes it from bills of similar character which were introduced in the 89th Congress:

Ginsburg & Feldman,
Washington, D.C., January 18, 1967.

Mr. Robert H. Fite,
President, Florida Power & Light Co.,
Miami, Fla.

Dear Mr. Fite: At your request last year, I reviewed S. 1459, a bill introduced in the 89th Congress to clarify the exemption of a limited number of intrastate electric utility companies from the Federal Power Act, which, as you know, was designed to regulate interstate operations. It appeared to me that S. 1459 required some modification—particularly in view of the objections to the legislation offered by the former chairman of the Federal Power Commission, Mr. Swidler.

It seemed to me that there could be no question concerning: (1) the intention of the Act to regulate only interstate operations, (2) the merit of local management, control and regulation, and (3) the value to the consumer of low rates resulting from low overhead.

Accordingly, I have drafted a bill which I believe takes into account all of these objectives, and meets all of the legitimate objections thus far voiced by the Federal Power Commission.

It is my opinion that, as a matter of statutory interpretation, the Federal Power Act should be construed so that the jurisdiction of the Federal Power Commission is not extended to include wholly intrastate companies. The comment by Senator Pastore in the Senate Hearings last year when the President of the Home Light & Power Company of Colorado was testifying before him expresses my own conclusions. Senator Pastore expressed some surprise that there would be any question concerning the exemption of that company from Federal jurisdiction. I understand that the Commission subsequently wrote to the Home Light & Power Company advising it "that Home is not being required to take any present action which might be necessary to bring its books of account into compliance with the Commission's Uniform System of Accounts and is excused from the requirement thereof for the filing of reclassification and original cost studies of electric plant."

The Commission today merely requires Home to file informational reports in accordance with Section 311 of the Federal Power Act, which expressly applies to all the electric utilities in the United States.

Wholly apart from the technical question of statutory interpretation, however, it seems manifestly in the public interest to permit Florida Power & Light Company to continue to operate under state rather than Federal regulation. No public purpose would be served by transferring jurisdiction to the Federal Power Commission. On the contrary, the public would have to pay for unnecessary duplicate surveillance, electric bills would go up instead of down, expenses would increase substantially, and the Company, its customers, and its investors would be prejudiced.

This is clear from the history of the Company. Over the past decade there have been nine rate reductions, almost one every year. If the original rates, prior to the reductions, had been in effect last year, consumers would be paying over $100 million more for their electricity. This is a tribute to both the Florida commission and the Company. Federal jurisdiction would reverse this trend, for the Company would, by its estimates, have to pay between $500,000 to $600,000 a year more to meet the accounting requirements of the Federal government. This cost would necessarily be passed to the consumer.

The bill I have drafted has a very limited application. Very few companies would qualify for the exemption. I believe it reflects the Congressional purpose when the Federal Power Act was passed. I am certain it reflects the thinking of those members of Congress who considered similar legislation last year. I have tried not to leave any loopholes which would permit companies in interstate commerce to qualify for the exemption.

Sincerely,

Myer Feldman.

Explanatory Memorandum Re Proposed Bill To Clarify Exemption of Certain Intrastate Electric Utilities From Federal Regulation

(Prepared by Ginsburg & Feldman, Jan. 16, 1967)

In recent years various bills have been introduced in Congress designed to clarify the exemption from Federal Power Commission jurisdiction that the Federal Power Act has long provided for wholly intrastate electric energy facilities. The Act provides, in this regard, that the Commission "shall not have jurisdiction . . . over facilities used for the generation of electric energy or over facilities used in local distribution or only for the transmission of energy in intrastate commerce" (Section 201(b)). Section 201(c) defines "electric energy . . . transmitted in intrastate commerce" as energy that is "transmitted from a State and consumed at any point outside thereof. . . ."

One bill dealing with the above matter that passed the Senate in the 89th Congress was S. 1459 (89th Cong., 1st Sess.). See Tab A hereto. This bill was objected to by the Federal Power Commission, whose views in opposition were expressed in an October 1, 1965 letter of then Chairman Swidler to the House of Representatives Committee on Intrastate and Foreign Commerce. See Tab B.

In order to accommodate the Commission's views, one of the major intrastate electric utilities, the Florida Power & Light Company, proposed major revisions and modifications in S. 1459 and submitted a new proposed bill in mid-1966 for consideration by the Congress. See Tab C. The Federal Power Commission, by letter of October 12, 1966, continued to oppose even this far more narrow measure. See Tab D.

This memorandum explains the scope and application of the new bill, undertakes to dispose of the Federal Power Commission's remaining objections to the proposed legislation, and makes clear that the bill, if enacted, will have an extremely narrow effect in confining the Commission's regulatory authority. It will exempt from the Commission's reach only those very few electric utility companies that function wholly intrastate, that do not transmit or receive any electric energy in interstate commerce, and whose operations should justifiably be free of federal regulation.

1. *The type of electric energy system the proposed bill would exempt from federal regulation.* Florida Power & Light Company's system best exemplifies the type of system that the proposed bill would exempt from the Federal Power Commission's regulation. The Company's facilities are situated entirely within the State of Florida. The Company neither purchases nor sells power from or to any entity outside the state. Nor does the Company purchase or sell power from or to any entity within the state as part of any pool or other contractual arrangement to transmit or receive power to or from any facilities outside the State. Finally, the Company receives or transmits no power whatsoever by direct connection across a state line.

Florida Power & Light, like other electric utilities that operate solely intrastate, is closely and intensively regulated by the state's regulatory commission. This regulation embraces supervision of the company's books, system of accounts, rate structure and level of rates. With regard to rates, the state regulatory commission has directed the company to reduce its charges to customers nine times during the past decade. The Florida Commission has compelled annual rate reductions during this period totalling $46 million. In view of the Company's expansion of power sales during the past decade these rate reductions saved the consumers over $100 million last year alone. The Company's current charge per kilowatt hour of electricity for residential use is some 12.5% below the national average and is the fourth lowest of the twenty largest investor-owned electric utilities in the United States. Florida Power & Light's customers, it is evident, are being fully, adequately and economically served by the Company.

2. *The proposed bill is far more narrow than S. 1459 and satisfies substantially all of the Federal Power Commission's technical and legal objections to S. 1459.* Considerable confusion and misunderstanding about the proper and intended scope of S. 1459 had arisen when Congress was considering this measure. This resulted in part from S. 1459's complexities of language. The proposed new bill (Tab C hereto) should dispel all of the following major areas of uncertainty and confusion.

A. *"Partial" vs. "total" facilities "intrastate."* The Federal Power Commission's October 1, 1965 letter (Tab B, appendix pp. 1-4) discussed in detail the possibility that S. 1459 might exempt parts of a company's "facilities" from Commission regulation while other parts of its system—that do transmit or receive interstate power—would remain subject to regulation. This split was of course not intended by the drafters of S. 1459. The new proposed bill makes clear that a company's entire electric system must be intrastate (i.e., its "facilities are [entirely] situated in a single state") before there can be any exemption at all. See Tab C, p. 2, lines 21–22.

B. *"Indirect" sales in interstate commerce.* The Commission expressed concern that the inclusion of the words "by direct connection" in S. 1459 (p. 3, line 12) would enable companies whose facilities are entirely intrastate to transmit or receive firm interstate power indirectly through intermediary companies. In this way, "wheeling" of power—

the sale or purchase of power under contract to or from a company in another state by transmission through an intermediary company—could be accomplished even by a wholly "intrastate" company.

Florida Power & Light intended that this possibility be precluded in any legislation enacted. The proposed bill accomplishes this aim by making the exemption from regulation applicable only to companies no part of whose facilities is used "to transmit or receive energy under contract with" a utility in another state.

The Commission's October 12, 1966, letter commenting on the proposed bill contended that the foregoing language would preserve a slight possibility of "indirect" sales of energy in interstate commerce by or to a utility that the bill would exempt from federal regulation. An intrastate utility, the Commission suggested, could receive or transmit energy from or to an out-of-state utility by contracting to pay only another intrastate utility having a direct interstate connection over whose lines the first utility would indirectly receive or transmit that out-of-state energy. (Tab D, p. 2).

The Commission overlooks, however, that the in-state utility with whom such a contract would be made must itself contract with the out-of-state utility under the arrangement the Commission postulates. The rates set in this separate contract would clearly come within the Commission's jurisdiction because the interstate transmission or receipt of energy would necessarily be involved. For example, if, contrary to any existing or past arrangements, Florida Power & Light contracted with Florida Power Corporation (a utility operating wholly within the state but that connects directly to a Georgia utility) for the latter's transmission of energy generated by Florida Power & Light to the Georgia utility, Florida Power Corporation's contract rates to Georgia would be subject to Commission scrutiny. Moreover, the contract between the two Florida utilities would be subject, as to rates and terms, to regulation by the Florida Public Service Commission. Accordingly, the proposed bill, contrary to the Commission's assertion, does in fact "eliminate the possibility" of unregulated "indirect" interstate sales.

C. *Other disputed aspects of S. 1459 are disposed of by the proposed new bill.*

(i) *Energy flows "resulting from accidents, etc."* The proposed new bill accepts the Commission's view (October 1 memo, pp. 6-8) that this portion of S. 1459 (Tab A, p. 3, lines 15-21) was unduly complex and was phrased in vague and uncertain terms. The new bill thus rests exemption under the Act not upon whether or not "accidental" energy flows across state lines occur but upon the existence of a direct connection and a contract for the sale or purchase of power with a utility in another state.

(ii) *Exemption for hydroelectric licensees.* In response to the Commission's objection that S. 1459 opened a "gap in the regulation of energy generated by hydroelectric licensees" (Tab B, p. 11 and appendix p. 1), the proposed new bill deletes the portion of S. 1459 that would have exempted such companies from the regulation provided by Sections 19 and 20 of Part 1 of the Federal Power Act.

3. *The remaining Commission objections to the proposed new bill are insubstantial and lack merit as a basis for objections to the enactment of the legislation.*

A. Contrary to what the Commission states (Tab D, p. 2), the proposed bill by no means offers "complete exemption" from accounting, conflict-of-interest and corporate regulation for the few utilities to which it will apply. The accounting practices of these utilities will continue to be adequately and completely regulated by their respective state or municipal regulatory bodies. Duplicate accounting regulation by the Commission will merely increase these companies' costs substantially without any gain for their customers.

The Commission has repeatedly challenged, but with no substantiation by fact or argument, Florida Power & Light's position, which is supported by considerable evidence, that the initial cost of making required property valuations and setting up new accounting techniques to comply with the Commission's rules would be very substantial. The Company adduced such documentary and testimonial evidence in the recent Commission proceeding that inquired into whether the Company is engaged in the transmission of electric energy in interstate commerce. (FPC Docket No. E-7210.) No attempt was made by the Commission's staff or its witnesses to refute Florida Power & Light's evidence showing the high initial costs involved ($4-6 million) and the continuing annual cost of $600,000. The Commission's October 12, 1966, letter (Tab D, p. 3) merely suggests that the Company's estimates of the costs of compliance with the Commission's accounting regulations "are contested as inaccurate."

Nor would enactment of the proposed new bill free the utilities involved from "conflict-of-interest" or other corporate regulatory controls. Officers, directors and other "insiders" of these utilities are subject to all the provisions of the securities laws that control the purchases and sales of company securities by such persons. Moreover, all sales of new securities by Florida Power & Light and comparable utilities are subject to registration and clearance by the Securities and Exchange Commission and the appropriate state securities commissions.

B. The Commission's suggestion that the transmission of electric energy occurs by reason of a utility's "participation in interstate, inter-connected networks of electric systems" (Tab D, p. 2) is sharply disputed by Florida Power & Light and other utilities that operate wholly intrastate systems. The Commission's view, which totally ignores the physical concepts that inhere in the key statutory term "transmission," has never been tested on judicial review. Congress, in using the term "transmission of electric energy," never intended the mere "participation" by a utility in an interstate network without more to serve as a basis for bringing that intrastate utility within the scope of the Federal Power Act. Rather, some actual, substantial interstate "transmission" of energy must be involved before the Commission may take jurisdiction.

C. We fail to understand the relevance of the Commission's reference to the "Northeast blackout" (Tab D, p. 2) to the subject matter of the proposed bill or to the propriety of Commission regulation of wholly intrastate utilities. Although it is by no means clear, the Commission seems to be saying that the disruption of the Boston Edison system, to which it specifically refers, would have been in some way aggravated by the provisions of the proposed bill.

In fact, the proposed bill has nothing at all to do with the blackout situation and would not affect any of the utilities involved from that standpoint. The truth is that there would have been no blackout in Boston, or indeed in New York, had the respective company's dispatchers in these cities ordered the inter-connections between the various companies to be opened. Each company involved had sufficient generating power to carry its own load and they had ample time to open the switches and thereby save their own systems from failing.

NATURAL GAS PIPELINE SAFETY

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Resnick] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. RESNICK. Mr. Speaker, minimum Federal safety standards for natural gas pipelines are being proposed by the administration. Passage of the legislation cannot be soon enough. Especially for the 19 families left homeless after last month's gas fire in Jamaica, N.Y. And for the 64 dead and 222 injured in the last 15 years from interstate transmission pipeline failures.

But the prospects for future deaths, unless immediate measures are taken, are even more disturbing. Nearly three-quarters of a million miles of interstate pipelines deliver natural gas to the American public. Approximately 54,000 miles of transmission pipe was in the ground prior to 1931. And there the problem lies. Pipes have become corroded and dangerously thin. Distribution systems have become buried under commercial and residential dwellings. While technological advances have constantly improved the quality of new pipelines, corrosion, increased pressure in the systems, and earth-moving equipment are constantly weakening the old ones.

One of the basic assumptions of safety responsibility by government is that it is unfair to expect a private company, which after all is in business to render a service and make a profit, to serve as the sole or final judge of what safety precautions and measures it will adopt. The natural gas safety standards provide an excellent opportunity for government to answer the crying need for more safety responsibility.

Much of the problem, ironically, is a result of this Nation's growth and prosperity. Most of the high pressure transmission lines were built years ago according to prevailing standards of use and locational factors. Today, there are more consumers. The pressure required to feed gas to these people is necessarily much greater. Pipelines originally built to rural standards are no longer in rural areas.

The keys to safety, then, are uniformity and foresight not only in constructing new pipelines but in repairing and upgrading existing ones. In my opinion, the best way to do this is through minimum safety standards developed by the best minds in both Government and industry. We should put those minds to work as soon as possible.

BENEFITS OF TECHNOLOGY IN A CHANGING AGRICULTURE WORLD

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Leggett] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. LEGGETT. Mr. Speaker, last week it was my pleasure to introduce on two separate occasions in my home district of California the distinguished Administrator of the Federal Extension Service of the U.S. Department of Agriculture, Dr. Lloyd H. Davis.

The occasion was the 2d Annual Orchard Equipment Fair in Colusa County which was pioneered by Mr. Tom Aldrich, farm adviser of the Agricultural Extension Service and Mr. Robert Bisho, manager of the Colusa County Fair and their committee.

Record attendance was recorded for 3 days of the fair which is the primary agriculture equipment and machinery technology exhibition in the entire country.

In appropriate remarks delivered at the Colusa County Rotary Club Luncheon, Dr. Davis focused on the benefits of technology in a changing agriculture world very appropriately as follows:

THE FARMER AND THE STORK [1]

A farmer with a bag of grain on his back was walking down a road to market his food when he saw coming toward him a stork carrying a large bundle of babies. Now, the farmer being a betting man said to himself, "I think I'll challenge the stork to a race into town for I'm sure I can beat him for he has such a large load." When he met Mr. Stork he said, "I'll bet you my life's savings against yours that I can beat you into the market place carrying my bundle and you carrying yours." "It's a bet" said the stork. Away went the farmer running and soon was far ahead of the stork for his load was much lighter. Now, the stork was laden down with many babies and was already tired from the long trip. As the stork started down the road flying, he stopped at each little house along the way and deposited one of his babies. As he flew from house to house, his load became lighter and lighter, and soon he flew past the farmer, who was still running with his bag of grain on his back. As the farmer was moving down the road, people in the houses would stop him saying, "We would like to buy some of your grain for we have a new addition in our house and we need something to eat." Now, being a man with an eye directed toward profit, he began selling his grain and soon his bag was empty. He too could move much faster than he did before and soon he came running into the village. There in the center of the village stood Mr. Stork with another great big bundle of babies which he had meanwhile picked up. "Where's your bundle of grain?" said the stork to the farmer. "I am here with my bundle and have been waiting for you a long, long time. I won and now you must pay me all that you have." The farmer, with great sorrow, paid the stork all that he had.

No, this is not a fable of Aesop, nor am I sure of the moral of the story, except to say that there is a race between population and food production. In such races population generally wins the race, and the terrible toll is poverty and death.

WORLD POPULATION GROWTH

Two-thirds of the world is undernourished. Thousands of persons die each day as the result of malnutrition. The specter of famine and mass starvation, in the near years ahead, hangs over great areas of the world where populations are exploding. Hunger blocks the path to world peace.

In 13 years, by 1980, present population trends indicate an increase in world population of 1 billion people. By the beginning of the 21st century, only 33 years from now, world population is expected to double. In Latin America, Asia and Africa, the growth rate is much more rapid, and in a number of countries in these areas, their population will double within 20 years.

In 1850 (116 years ago) there were 750 million people in the world; in 1900 there were 1.5 billion; in 1960 there were 3 billion. In 2000, if present trends continue, there will be 7.5 billion.

Continuation of present trends in India would mean a population increase from 432.7 million in 1960 to 1,233.5 million by the year 2000 (in other words, nearly triple). If India's birth rate is *cut in half,* her population by the year 2000 is expected to *more than double to* 908 million.

Even if the birth rate levels off in decades ahead, as some demographers believe, due to increasing knowledge in birth control and the desire of developing nations to become more economically independent, the problem of an imbalance in population and food will be with us well into the 21st century.

WHAT CAN BE DONE?

American agriculture is the greatest success story in all the world. Our farmers have mastered the arts of production. One farmer feeds himself and 36 other persons. In many parts of the world one farmer cannot produce sufficient food for himself and his family.

While other peoples are underfed, America's problem has been overabundance.

We now have 60 million acres of farmland in retirement, bedded down under various farm programs. These programs came into being as a means of preventing our agriculture from suffocation under an avalanche of surplus food and fiber.

In an all-out world war on hunger we may bring these acres out of retirement to produce enough food, if it could be delivered to the underdeveloped countries, to drive hunger and starvation out of the free world while these countries are building up their own agricultural production. We already have expanded our 1967 wheat acreage, in the largest increase in projected peacetime production of a major crop since 1933.

While we are expanding our acreage to produce food to be sold in nations with a deficit food supply, we also are expanding our donations of food to countries beset by disasters. Since 1954, when P.L. 480 was begun, the U.S. has donated over 3 billion dollars for disaster relief, community development, school feeding and other economic development programs. For example, in 1965 the U.S. provided food assistance to victims of various disasters such as: volcanic eruption in the Philippines; a cyclone in Pakistan; an earthquake in El Salvador; droughts in Chile, Ethiopia, Kenya, Rwanda, Mali and Somali Republic; floods in Korea, and civil strife in Iraq and the Dominican Republic

Voluntary relief organizations have participated with the U.S. government in distributing and donating food. Such organizations are: CARE, Catholic Relief Service, Church World Service, UNICEF, Lutheran World Relief, and a host of other organizations have distributed over 5 billion pounds of wheat. 9.3 billion pounds of flour, over 1 million pounds of bulgur, and a number of other commodities.

We must continue to carry on this splendid work if we are to meet the food crisis.

But we cannot, in the long run produce enough food to feed the expanding world population of hungry people—even if the American taxpayer were willing and able to pay the cost. The only solution is for the people in food-deficit nations to develop the ability to produce more for their own needs.

These countries must be willing to establish policies that will encourage private enterprises to invest their resources and personnel in helping them fight agricultural battles in their countries.

Our farmers have mastered the arts of abundance. This was done primarily by applying scientific technology to the production and distribution of food. Food-deficit nations desperately need agricultural technical assistance, if they are to feed their people. We must extend to the world our agricultural "know-how" if we are to win the war on hunger.

Last year the Congress passed an historic piece of legislation concerned with this problem—The Food for Peace Act. Your Congressman, Bob Leggett, then on the House Agriculture Committee, was very active in developing this legislation.

The new Food for Peace Act, signed by President Johnson on November 11, 1966, sets in motion a policy and a program which in times to come may be heralded as one of history's greatest steps forward.

This Act declares it our nation's policy to use our capacity to produce food as a weapon for peace. It also strengthens our policy of helping food-deficit nations with their self-help programs.

This is a world war on hunger.

Its aim is to deal with the oldest and severest agony of mankind. Victory would save more lives than have been lost in all the wars of history. It is a war in which all nations and all peoples may join.

The new food aid program (P.L. 89–808) will continue along the lines of the old food aid program, P.L. 480, selling and donating food to needy nations.

This Act differs from the old one, however, in that it emphasizes self-help agricultural development. To qualify for U.S. food aid, developing countries must be working toward the goal of increasing their own food production. In other words, food aid in developing countries is now coupled with programs of self-help.

One of the new self-help measures is found in Section 109 of the Food for Peace Act which stipulates that, "Before entering into agreements with developing countries for the sale of U.S. agricultural commodities on whatever terms, the President shall consider the extent to which the recipient country is undertaking wherever practicable self-help measures to increase per capita production and improve the means for storage and distribution of agricultural commodities. This includes: land reform measures; use of agricultural chemicals, equipment and technology; encouraging private enterprises to invest in agriculture, training and instructing farmers; constructing storage facilities; improving marketing and distribution; establishing and maintaining Government policy; insuring incentives to produce, establish and adopt agricultural research; and allocating sufficient national budget to agricultural development.

These nations will need professional advice if they are to help themselves to improve their food production, and if they are to meet the guidelines laid down in Section 109.

Another section of the Food for Peace Act dealing with self-help measures is an Agricultural Corps type of program commonly referred to as the Farmer to Farmer Program. The language is found in Title IV, Section 406 and reads in part: "In order to further assist friendly developing countries to become self-sufficient in food production, the Secretary of Agriculture is authorized notwithstanding any other provision of law—(1) To establish and administer through existing agencies of the Department of Agriculture a program of farmer-to-farmer assistance by the U.S. and such countries to help farmers in such countries in the practical aspects of increasing food production and distribution and improving the effectiveness of their farming operations, and (2) To enter into contracts or other cooperative agreements with, or make grants to, land-grant colleges and universities and other institutions of higher learning in the United States to recruit persons who by reason of training, education, or practical experience are knowledgeable in the practical arts and sciences of agriculture and home economics, and to train such persons in the practical techniques of transmitting to farmers in such countries improved practices in agriculture, and to participate in carrying out the program in such countries including, where desirable, additional courses for training or retraining in such countries."

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[1] Talk by Lloyd H. Davis, Administrator, Federal Extension Service, U.S. Department of Agriculture, Washington, D.C. before the Colusa County Rotary Club's Annual Rural-Urban Luncheon, Colusa Golf and Country Club, Colusa, California, February 7, 1967.

Congress, the President, and the Secretary of Agriculture are very serious about having developing nations help themselves to improve their food production. This nation is being called upon to lead the fight in the war on hunger. We will need many troops to fight the battles. The need for agricultural experts will increase in the coming decades. The call is being sounded now to go to developing nations to assist these people to get about the business of solving the problems that have precipitated the crises.

We will need, in the coming years, a mighty corps of professional and technically trained agriculturalists who will volunteer for service overseas to assist developing nations in their food problems.

CONCLUSION

A hungry world is a dangerous world.

It is a world fruitful to communism. But communism cannot feed the people it enslaves. Communism can offer the underdeveloped world only hunger and starvation. The genius of America's farmers and the American system of free enterprise can save mankind from famine and mass starvation, if implanted and accepted in the far corners of the earth.

We are planning a new war, a new kind of war.

The President has said there should be only victors, no vanquished.

In this undertaking it will be well to remind from time to time the recipient governments and peoples of the United States of America, that not many years ago as measured by the span of time, this underdeveloped land has become the most prosperous and most powerful Nation on earth.

One witness during the Committee's public hearings on Food for Peace Act recalled that in the early history of our country 1 million American Indians lived marginally, in mean circumstances, on the land embraced in the continental United States, while today almost 200 million Americans eat well from the same land, and have food to share with others throughout the world. This is a success story and a blessing in our day.

We have explored some of the causes which motivate us as a Nation and as individuals to fight the war on hunger. We cannot overlook the cause rooted in the Christian ethical concept of helping others. This cause is set forth clearly for us in the Book of Matthew when Christ says, "Feed Thy Brother." This admonition applies today as much as if not more than when spoken. We can and should feed those who are hungry from our abundance of food and through our agricultural know-how. We need to be concerned for those who need our food.

We have much to do in the closing third of this century. Let us get about the business of meeting head-on the War on Hunger while there is yet time.

FLORISSANT FOSSIL BEDS NATIONAL MONUMENT

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from Colorado [Mr. EVANS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. EVANS of Colorado. Mr. Speaker, I am today reintroducing in the Congress a bill to provide for the establishment of the Florissant Fossil Beds National Monument. This bill is similar in all basic respects to H.R. 8031 which I introduced during the 89th Congress.

I think it is appropriate at this time to call the attention of Congress to the importance of this legislation as well as to point out the unusually wide support it has both in Colorado and the rest of the country.

The proposed national monument lies in a beautiful mountain valley 35 miles west of Colorado Springs near the town of Florissant, Colo. It is at the foot of the western slope of Pikes Peak. This is now ranching country, but unless we act soon, there is imminent danger that it will be developed for cabin sites.

The valley is the bed of a prehistoric lake, and because of the fossils found in shale deposits there, it is one of the most important paleontological resources in the world. During the Oligocene period, 25 to 40 million years ago, fine volcanic ash spewing from nearby volcanoes settled layer by layer in the lake. As it settled, the ash encased and preserved the various flora and fauna which lived around the lake. Today, just a few inches below the sod, you can find beautiful fossils ranging from delicate butterflies and tiny spiders to the leaves and massive trunks of giant redwood trees. The unique process of fossilization which took place at Florissant preserved many forms of life which are almost never seen in fossil form elsewhere.

Paleontologists say that the Florissant beds have supplied them with more fossils of insects and plants than any other single location in the world. The 60,000 insect specimens taken from the site include a thousand species.

Scientific authorities and conservationists are unanimous in their views on the necessity of preserving this great natural treasure.

The original National Park Service report on the fossil beds, made in April of 1962, says:

> The insect fossils at Florissant are of primary significance. They represent the evolution and modernization of insects better than any other known site in America. In addition, the fossil flora, emphasized dramatically by the petrified tree stumps and in more subtle tones by the great variety of leaf fossils, greatly adds to the primary values. The site itself has great significance in being a classic location known to many scientists—it has historic significance to the geologist, the paleontologist, the entomologist, the botanist; it is the home source for the numerous fossil insects and leaves that grace the exhibition halls and the research rooms of so many institutions of learning.

A letter I received from Dr. Edwin H. Colbert, chairman and curator of the Department of Vertebrate Paleontology at the American Museum of Natural History, says:

> The Florissant fossil beds represent one of the most famous collecting localities in the world for the recovery of fossil insects and plants. The locality is cited in many publications, not only in this country, but in foreign lands as well, and the significance of the fossils that have been found in the Florissant beds can hardly be overestimated. Therefore, I think it is extremely important that the Florissant locality be incorporated into a National Monument for permanent preservation. Such action would maintain for the benefit of future generations a region of unusual importance to the understanding of earth history and the development of life on the earth. Every effort should be bent in this direction for the future benefit of citizens not only of the State of Colorado, but also of the Nation and of the World.

One of his associates at the American Museum of Natural History, Dr. Norman D. Newell, chairman and curator of the Department of Fossil Invertebrates, stated in a letter to me:

> A comparatively small area of incomparable scientific value for fossilized leaves and insects and petrified stumps of trees has been the source of scientific monographs illuminating some of the very ancient history of central Colorado. . . . I most urgently suggest that you take the necessary steps to see that this property comes into the public domain and be regarded as a national treasure.

I would also like to quote from an article entitled "The Fossil Beds of Florissant" by Eleanor E. Gamer which appeared in National Parks magazine in 1965:

> It has been estimated that of 150 localities containing fossil insects, only the Baltic amber has yielded a greater number of specimens than have the little lake beds of Florissant.
>
> It would make a perfect companion area to Petrified Forest National Park of Arizona, with its magnificent silicified tree trunks, and to Dinosaur National Monument in Utah and Colorado, with its huge vertebrate fossils.

A New York Times article dated July 17, 1966, says:

> The Fossils at Florissant show the evolution and modernization of insects perhaps better than any other known site in America. The remarkable abundance of the fossils, and the perfection with which even the smallest details are preserved, makes these fields especially significant.

The Colorado Open Space Coordinating Council, a group which is most interested in this proposal, has called the Florissant Fossil Beds "one of the world's outstanding natural museums of historic plant and animal life."

The statements of these authorities strengthen my belief that the Florissant fossil beds must be set aside for the use of the scientific community.

The recreational value of this proposed National Monument is self-evident. It will be a beautiful museum with the clear blue sky for its ceiling. Here in one place is a zoological and botanical garden of beautiful specimens that last lived 25 million years ago.

Scientific and conservationist authorities are not alone in their enthusiasm for preserving the fossil beds in a national monument. I have received hundreds of expressions of support from both organizations and the public-at-large. I have yet to see signs of any opposition at all.

Among the groups endorsing the legislation are: the Colorado Historical Society, the commissioners of Teller County, the town council of Woodland Park, Colo., the Teller County Redevelopment Board, the Colorado Open Space Coordinating Committee, the American Museum of Natural History, the Colorado Mountain Club, the Sierra Club, the Aiken Ornithological Society, the Colorado Federation of Women's Clubs, the Isaac Walton League, the Regional Parks Association, and the League of Women Voters.

This legislation has been strongly endorsed by the newspapers in this area many times. In a recent editorial favoring the bill the Denver Post referred to the fossil beds as a "superb treasure trove of fossils," adding that "the strange thing is that there seems to be little if any opposition" to making the area a national monument. Last year the Colorado Springs Free Press endorsed the bill and called Florissant "one of the world's outstanding natural museums of prehistoric plant and animal life." Endorsements have also been made by the Rocky Mountain News of Denver and the Cripple Creek Gold Rush.

The National Park Service has carefully investigated the feelings of the people most directly affected by the proposed national monument. It reports that most of the 13 landowners in the area to be acquired favor the proposal and that none of them opposes it strongly. Though it would entail the loss of tax revenues, the monument is strongly endorsed by the Teller County Commissioners.

My proposal for the establishment of a national monument at the Florissant fossil beds can hardly be considered hasty or ill-prepared. The original recommendation was made in 1952 by Mr. Edmund Rogers, a former superintendent of Yellowstone Park. In 1959 the area was one of those recommended for inclusion in the Colorado park system. The extensive National Park Service survey which was completed in April 1962 resulted in a favorable recommendation. The National Park Service is now completing a resurvey of the proposal with the expectation of again reporting favorably on it. Legislation to establish the national monument was also introduced in the 88th and 89th Congresses.

The evidence is here. If this beautiful mountain valley and the treasure of its floor are to be preserved, it must be done soon. A national monument at the Florissant fossil beds is vital for the conservation of one of the Nation's most unusual and irreplaceable scientific and recreational resources.

The preservation of our prehistorical heritage is no less a noble act than the preservation of our historical heritage.

MAIL USERS COUNCILS FORUMS OF THE POST OFFICE DEPARTMENT

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Dulski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DULSKI. Mr. Speaker, recently 25 corporate presidents and 66 vice presidents met with about 350 other top executives in an unusual gathering at the Waldorf-Astoria in New York City.

This was the first Mail Users Councils regional forum of the New York region of the Post Office Department, attended at their own expense by representatives of organizations working closely with the Department to achieve improvements and economies in postal services.

Between January 17 and 27, all of the Department's 15 regions over the Nation held these forums, bringing together 3,500 top people from business, industry, and Government, selected by members of 344 councils representing 19,700 organizations enlisted in this mutual effort to improve the quality of the public service. Each of the regional forums featured participation by a member of the Department's top staff from Washington.

Ten outstanding citizens from the Buffalo Mail Users Council joined Postmaster Myron F. Blakeney in attending the first forum at New York on January 17.

These forums represented one of the most enterprising and intensive efforts ever undertaken by a Federal department to give citizens an opportunity to participate directly in development of the services that so vitally affect them.

The Mail Users Councils were set up for such activities at local levels several years ago. But Postmaster General Lawrence F. O'Brien has provided a whole new dimension by broadening the program to provide meaningful meetings of importance to mailers in entire geographic regions.

Mr. O'Brien informs me he plans next to have a national forum here in Washington later this year.

Historically, postal management once went mostly its own way, seldom worrying about whether the interests of its customers laid in another direction.

The Mail Users Councils and the acceleration of this unique citizen-representation activity by the Postmaster General is, it seems to me, an imaginative and progressive change in an aloof attitude of "don't do as I do, do as I say" which has marked postal management in years past.

It is a healthy change, bringing to the Government benefits of much of the nuts-and-bolts experience of the private sector often ignored in Government in the past.

The reaction of mailer representatives to the Mail Users Council program has been highly favorable. Representatives of the mailing and advertising industries particularly applauded the development, and also as a long-desired opportunity to assist Federal managers is avoiding an ivory-tower approach to decisions which may involve considerable cost and inconvenience to the mailers who are most directly concerned.

Even more important, I feel Mr. O'Brien's accelerated Mail Users Council activities will be reflected in service improvements for every citizen, regardless of whether he mails one letter or a million letters a month.

Most Members of this House have one or more Mail Users Councils in their home districts. I would like to commend their activities to you as well worth your interest and full support.

In Buffalo, we have an outstanding council, and I am gratified by the participation of many of our leading citizens in this unusual public service activity.

As chairman of the House Post Office Committee, I want to commend Postmaster General O'Brien for this creative contribution toward better postal service for all.

BROTHERHOOD WEEK

The SPEAKER pro tempore (Mr. Sisk). Under a previous order of the House, the gentleman from New York [Mr. Farbstein] is recognized for 10 minutes.

Mr. FARBSTEIN. Mr. Speaker, the annual observance of Brotherhood Week has become a national institution. Sponsored by the National Conference of Christian and Jews, this week was proposed 34 years ago as a special occasion for all Americans to focus their attention on how to live together in good will and mutual understanding.

Such a week serves as an appropriate opportunity for evaluating our own principles, to see if we accept and consent to those ideals of brotherhood that are so often eloquently expressed, and to reconfirm our belief in brotherhood as more than simply a glib phrase.

All of us have attended public meetings and ceremonies where carefully worded speeches are given so as to not offend any listener. But open verbal abuse is of little consequence when compared to human behavior. Personal actions are more a true indicator of our prejudices and thinking than are public pronouncements.

We all like to think that we are personally free of any closed discrimination against another person regardless of race, color, or creed. But, are individual observances against outward gestures of discrimination enough? It is easy to fall back, after momentary association with those of other color or creeds, to an unthinking acceptance of a way of life which includes discrimination.

It is easy not to speak or act to correct discrimination in our social clubs, in our neighborhoods, in the stores and offices where we do business. How many of us notice what the hiring or promotion policies are in businesses we trade with, in social organizations we frequent, and among individuals we hold in respect?

It is one thing to protest unfair practices when we are adversely affected by a form of discrimination. It is another thing to protest policies which do not affect us personally, except in our belief in the ideal of individual respect.

Brotherhood Week is a time to develop greater awareness toward our fellow man. It should be a time devoted to a thorough self-examination of our own relationships. It should also be a time when we renew our pledge to narrow the gap that exists between principles and practices. For it is the responsibility of each of us, according to our ability and position, to help close this gap.

We, as Members of Congress, have the responsibility of taking the principle of brotherhood into account as we consider legislation, as we conduct investigations, and as we bring the influence of our position to bear on neighborhood, national, and international affairs. For inescapably, we each have influence. Inaction will not make our influence inoperative, but may make it an effective force working against public understanding. If we act, we can exert a positive force on the spirit of brotherhood through our laws. If we do not act, we are helping to pull America away from the greatness and honor that should be hers.

For the essence of America lies precisely in this, that this Nation was founded in the spirit of individual liberty and equality of opportunity. This is the principle of political brotherhood, and the ideal of brotherhood that has always guided our national development.

We have not yet attained the reality of brotherhood. Perhaps it is a principle not attainable in absolute terms. But, it is our duty as individuals and citizens to strive to attain this end. It is the privilege and responsibility of each of us, separately and collectively to rededicate ourselves to making this principle a living reality.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. CHAMBERLAIN, for 30 minutes today.

Mr. GONZALEZ, for 20 minutes, today.

(The following Members (at the request of Mr. MIZE) and to revise and extend their remarks and include extraneous material:)

Mr. ASHBROOK, for 15 minutes, today.

Mr. KUPFERMAN, for 30 minutes, on Monday, February 20.

Mr. HOSMER, for 10 minutes, on Tuesday, February 21; for 10 minutes, on Wednesday, February 22; and for 10 minutes on Thursday, February 23.

Mr. FARBSTEIN (at the request of Mr. GONZALEZ), for 10 minutes, today; and to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Appendix of the RECORD, or to revise and extend remarks was granted to:

At the request of Mr. FLOOD all Members were given 5 legislative days in which to extend their remarks in the body of the RECORD following the President's messages on civil rights and the protection of the American consumer.

Mr. FINO in two instances and to include extraneous matter.

(The following Members (at the request of Mr. MIZE) and to include extraneous matter:)

Mr. SCHWENGEL.

Mr. PELLY.

Mr. CLEVELAND.

(The following Members (at the request of Mr. GONZALEZ) and to include extraneous matter:)

Mr. HOWARD.

Mr. MCCARTHY in two instances.

Mr. ADDABBO.

Mr. JOHNSON of California.

Mr. RARICK.

Mr. HARDY.

ADJOURNMENT

Mr. GONZALEZ. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 57 minutes p.m.) under its previous order, the House adjourned until Monday, February 20, 1967, at 12 o'clock noon.

COMMITTEE EMPLOYEES

FEBRUARY 1, 1967.

COMMITTEE ON AGRICULTURE

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1966, to December 31, 1966, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Heimburger, John J	General counsel	$12,945.00
Gallagher, Christine S	Clerk	12,945.00
Lemay, Francis M	Staff consultant	12,945.00
Murray, Hyde H	Assistant clerk	11,703.62
Missibeck, George F	Printing editor	6,733.58
Vacin, Lydia	Staff assistant	6,066.30
Prezioso, Betty M	do	6,066.30
Hannah, Martha S	do	6,066.30
Lamm, Peggy Jean	do	5,055.25
Wojcik, Jane C	do	5,394.18
Investigative staff:		
Baxley, Mildred P	do	5,394.18
Berkeley, Carolyn Windsor.	do	3,218.76
Bernhardt, Catherine L.	do	3,481.62
High, Larry Allison, Jr.	do	841.14
Johnson, Marjorie B	do	4,748.34
Kirk, Grig	do	841.14
West, Fowler C	do	4,851.38
Benton, Fred M. Jr	do	420.57
Timmony, Ruth I	do	3,441.56
Stanton, Harker	Counsel	5,825.20
Harrison, George	Messenger	668.78
Paul, Allen	Staff assistant	2,671.44
Valentine, Milton Ernest, Jr.	do	1,047.86

Funds authorized or appropriated for committee expenditures	$150,000.00
Amount of expenditures previously reported	57,678.63
Amount expended from July 1, to Dec. 31, 1966	$42,800.73
Total amount expended from Jan. 1, 1965 to Dec. 31, 1966	100,479.52
Balance unexpended as of Dec. 31, 1966	49,524.17

W. R. POAGE.
Chairman.

JANUARY 15, 1967.

COMMITTEE ON APPROPRIATIONS

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1966, to December 31, 1966, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Kenneth Sprankle	Clerk and staff director.	$12,230.34
Paul M. Wilson	Assistant clerk and staff director.	12,230.34
Robert M. Moyer	Staff assistant	11,889.30
Jay B. Howe	do	11,889.30
Ross P. Pope	do	11,889.30
Frank Sanders	do	11,889.30
G. Homer Skarin	do	11,889.30
Eugene B. Wilhelm	do	11,889.30
Robert L. Michaels	do	11,889.30
Aubrey A. Gunnels	do	10,974.96
George E. Evans	do	9,613.50
Francis G. Merrill	do	9,613.50
Samuel R. Preston	do	9,613.50
Earl C. Silsby	do	9,169.70
Lawrence C. Miller	Editor	8,292.18
Keith F. Mainland	Staff assistant	7,829.10
John M. Garrity	do	7,474.38
Gerald J. Bova	Staff assistant	6,887.76
Paul V. Farmer	Assistant editor	5,910.36
George A. Urian	Staff assistant	5,780.40
Robert C. Nicholas III	do	5,342.70
Dempsey B. Mizelle	do	5,342.70
Milton B. Meredith	do	5,342.70
James E. Moore	Administrative assistant.	3,561.80
Austin G. Smith	Clerical assistant	4,911.84
Naomi A. Rich	do	3,104.40
Donald E. Richbourg	Staff assistant	2,651.89
Francis W. Sady	Clerical assistant	3,729.06
Howard E. Knox	Administrative assistant.	4,039.78
Gerard J. Chouinard	Clerical assistant	3,050.30
Randolph Thomas	Messenger	3,381.72
Dale M. Shulaw	Clerical assistant	594.95
Alan R. Henry	Clerk-stenographer	1,637.28
Patrick M. Hayes	do	4,911.84
Mary L. Hudson	do	2,932.95
Rosalind E. McGovern.	do	4,911.84
William J. Neary	do	4,911.84
Mary C. Nesbitt	do	4,093.20
Mary H. Smallwood	do	4,911.84
Dorothy W. Rawls	do	4,347.79
John A. Ringwald	do	4,234.98
Helen C. Hampson	do	808.00
Iva E. Heath	do	818.64
Robert C. Gresham	Clerk to minority	11,889.30
Stephen T. Adams	Clerk-stenographer	3,855.54
Alex Coffin	do	4,656.60
Peggy C. Cooke	do	4,234.98
Charles H. Fritzel	do	4,911.84
Raymond L. Gooch	do	4,911.84
Patricia E. Hutchinson.	do	4,911.84
Larry H. Jose	do	3,982.02
Thomas M. McMurray.	do	4,911.84
Neta C. Messersmith	do	4,554.48
Ann L. Obrokta	do	4,784.22
Frankie C. Ramage	do	4,911.84
Michael D. Wilkinson	do	4,775.40

Amount expended from July 1, 1966 to Dec. 31, 1966	$349,710.90
Total amount expended from July 1, 1966, to Dec. 31, 1966	349,710.90

GEO. MAHON,
Chairman.

JANUARY 15, 1967.

COMMITTEE ON APPROPRIATIONS (INVESTIGATIONS STAFF)

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1966, to December 31, 1966, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Charles Bolz	Director, surveys and investigations staff.	$9,904.20
Edward J. Hayes	Assistant director, surveys and investigations staff.	9,879.42
Robert G. Kunkel	do	10,016.04
Lillian M. Mackie	Stenographer	5,110.86
Mary A. Sauer	do	4,803.36

REIMBURSEMENTS TO GOVERNMENT AGENCIES

Name of employee	Profession	Total gross salary during 6-month period
Agriculture, Department of:		
Goffus, R. C	Investigator	$4,073.99
Army Audit Agency:		
Boone, M. W	do	898.81
Atomic Energy Commission:		
Ciminello, V. J	do	3,102.89
Somers, R. B	do	3,932.14
Commerce, Department of:		
Sharp, J. C	do	2,426.54
Federal Bureau of Investigation:		
Bennett, C. L	do	8,698.56
Bosko, A. P	do	3,076.80
Byrnes, R. C	do	8,698.56
Carson, W. D	do	8,799.36
Currall, W. G	do	8,468.08
Franklin, R. M	do	8,017.52
Groover, L. C., Jr	do	2,662.00
Ivy, C. M	do	8,248.00
Keblusek, E. R	do	7,440.80
Lanphear, R. L	do	3,559.60
Magee, E. H	do	8,698.56
McGahey, H. B	do	8,679.28
Michalski, J. E	do	3,467.20
Mohr, P. J	do	5,028.00
Murphy, P. J., Jr	do	8,017.52
Poptanich, Alesko	do	3,676.80
Shanley, J. F	do	2,720.00
Shannon, A. J	do	8,698.56
Szoka, C. E	do	3,370.40
Sullivan, J. V	do	8,698.56
Tierney, J. R	do	8,698.56
Torrence, R. E	do	8,348.80
Van Wagoner, R. L	do	6,704.16
Welch, W. H., Jr	do	8,918.64
Wood, H. B	do	8,698.56
Health benefits		1,051.41
Life insurance		537.17
Retirement fund		10,225.78
General Services Administration:		
Tait, J. I	Investigator	3,033.92
National Aeronautics and Space Administration:		
Carey, B	do	8,397.52
National Bureau of Standards:		
Rowland, W. R	do	750.00
Tennessee Valley Authority:		
Keaton, H. G	do	2,573.20
U.S. Tariff Commission:		
Taylor, J. A	do	2,252.15
Travel and miscellaneous expense.		47,445.67

Funds authorized or appropriated for committee expenditures	$725,000.00
Total amount expended from July 1 to Dec. 31, 1966	$300,507.95
Balance unexpended as of Dec. 31, 1966	424,492.05

GEORGE MAHON,
Chairman.

JANUARY 10, 1967.

COMMITTEE ON ARMED SERVICES

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1966, to January 4, 1967, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Salaries to Jan. 1, 1967:		
John R. Blandford	Chief counsel	$12,945.00
Philip W. Kelleher	Counsel	12,760.74
Frank M. Slatinshek.	do	12,760.74
Earl J. Morgan	Professional staff member.	12,169.44
William H. Cook	Counsel	11,779.74
Ralph Marshall	Professional staff member.	10,289.22
John J. Ford	do	10,289.22
George Norris	Counsel	8,784.30
Oneta L. Stockstill	Executive secretary	7,554.72
Berniece Kalinowski.	Secretary	6,624.96
L. Louise Ellis	do	6,624.96
Edna E. Johnson	do	6,624.96
Dorothy R. Britton	do	6,624.96
Doris L. Scott	do	5,555.44
Innis E. McDonald	do	4,733.16
Shelley J. Pyle	do	4,083.18
Patricia S. Scott	do	4,375.80
Alma B. Moore	Secretary (from July 18).	3,260.22
James A. Deakins	Clerical staff assistant.	5,040.00
Benjamin Frasier, Jr.	Messenger	3,143.58

SUBCOMMITTEE FOR SPECIAL INVESTIGATIONS (PURSUANT TO H. RES. 118, 119, AND 526, 89TH CONG.)

Name of employee	Profession	Total gross salary during 6-month period
Salaries to Jan. 4, 1967:		
John T. M. Reddan	Counsel	$12,902.53
Walton Woods	Investigator	10,403.54
Richard Ransom	Professional staff member.	8,033.11
Phyllis Seymour	Secretary	6,698.57
William B. Short, Jr.	Clerical staff assistant.	5,532.25
Leslie M. Berman	do	5,096.00
Joan F. Webb	Secretary (from Sept. 19, 1966).	2,026.27
Adeline Tolerton	Clerk	4,103.01
R. D. Young	Consultant	2,325.00
Frank J. Jervey	do	2,429.60
Dennis D. Nicholson.	do	600.00

Funds authorized or appropriated for committee expenditures: H. Res. 119 and H. Res. 526	$250,000.00
Amount of expenditures previously reported	143,842.04
Amount expended from July 1, 1966, to Jan. 1, 1967	63,920.35
Total amount expended from Jan. 1, 1965, to Jan. 1, 1967	207,762.39
Balance unexpended as of Jan. 3, 1967	42,237.61

L. MENDEL RIVERS,
Chairman.

JANUARY 11, 1967.

COMMITTEE ON BANKING AND CURRENCY

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the "Legislative Reorganization Act of 1946," Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1966, to December 31, 1966, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Standing committee staff:		
Paul Nelson	Clerk and staff director.	$12,945.00
Orman S. Fink	Minority professional staff member.	12,803.70
Norman Leonard Holmes.	Counsel	10,879.08
Charles B. Holstein	Professional staff member.	12,230.34
Alvin Lee Morse	Counsel	10,939.02
Curtis A. Prins	Chief investigator	10,903.08
Benet David Gellman.	Investigative counsel.	9,861.09
Jane M. Deem	Administrative assistant.	7,257.78
Mary W. Layton	Secretary to minority.	6,737.58
Donald G. Vaughn	Assistant clerk	6,124.80
Total		100,681.47
Investigating staff (pursuant to H. Res. 133, 134, 517, and 716, 89th Cong.):		
Walter Bassano III	Research assistant	1,286.33
A. Webb Baird	do	1,286.33
Timothy Allan Colcord.	Professional staff member.	11,115.12
Dorothy F. Councill.	Administrative secretary.	6,737.58
Jane N. D'Arista	Research assistant	2,427.21
James Henry Davis	do	1,286.33
John Paul Delaney	Investigator	4,117.84
Dolores K. Dougherty.	Assistant clerk	5,040.00
Dana Dowd	Secretary	773.55
James T. Entrekin	Assistant clerk	4,324.74
Helen C. Hitz	do	5,580.96
Janice L. Johnson	Secretary	4,688.46
Carolyn V. Lees	do	3,608.94
Arthur Marc Levin	Research assistant	2,271.02
Gerald R. McMurray.	Research analyst	4,363.02
Bruce E. Mason	Assistant clerk	3,212.52
Mildred S. Mitchell	do	5,889.67
V. Everard Munsey, Jr.	Professional staff member.	1,643.60
Margaret L. Rayhawk.	Research secretary	4,382.16
Robert O. Terry, Jr.	Professional staff member.	8,218.00
Mark H. Willes	Research Economist.	3,861.90
Total		86,115.28

Funds authorized or appropriated for committee expenditures: H. Res. 134, $225,000; H. Res. 517, $60,000; H. Res. 716, $150,000	$435,000.00
Amount of expenditures previously reported	219,403.93
Amount expended from July 1 to December 31, 1966	98,423.76
Amount expended from July 1 to Dec. 31, 1966	98,423.76
Total amount expended from Jan 3, 1965 to Dec. 31, 1966	317,827.69
Balance unexpended as of Dec. 31, 1966	117,172.31

WRIGHT PATMAN,
Chairman.

JANUARY 11, 1967.

SUBCOMMITTEE ON HOUSING, HOUSE BANKING AND CURRENCY COMMITTEE

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1966, to December 31, 1966, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Anita F. Allison	Secretary	$3,933.55
Kenneth W. Burrows	Deputy staff director.	12,625.68
Richard K. Cook	Minority staff investigator.	10,447.92
David Glick	Counsel	9,071.76
Casey Ireland	Minority staff member.	11,834.52
Margaret J. Leary	Secretary	6,124.80
John J. McEwan, Jr.	Staff director	12,920.34
Wilhelmina C. Proctor.	Secretary	4,000.98
Alicia F. Shoemaker	Minority staff secretary.	6,737.58
Patricia A. Taylor	Assistant clerk	2,667.60
Doris M. Young	do	4,911.84
Total		85,276.57

Funds authorized or appropriated for committee expenditures (H. Res. 247, $150,000; H. Res. 516, $97,000; H. Res. 717, $130,000)	$377,000.00
Amount of expenditures previously reported	231,882.89
Amount expended from July 1 to Dec. 31, 1966	87,883.56
Total amount expended from Jan. 3, 1965 to Dec. 31, 1966	319,766.45
Balance unexpended as of Dec. 31, 1966	57,233.55

Wright Patman,
Chairman.

JANUARY 15, 1967.

COMMITTEE ON THE DISTRICT OF COLUMBIA

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the "Legislative Reorganization Act of 1946," Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1966, to January 2, 1967, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Standing committee:		
Hayden S. Garber	Counsel	$10,974.96
Clayton D. Gasque	Assistant clerk	8,714.28
Donald J. Tubridy	Minority clerk	7,944.84
Leonard O. Hilder	Investigator	7,829.10
James T. Clark	Clerk	12,230.34
Ellen M. Coxeter	Assistant clerk	5,600.28
Peggy L. Thornton	do	4,870.83
Jean Quarles	do	4,733.16
Sara Anna Watson	Assistant counsel	1,889.82
Leslie Ann Smith	Stenographer	3,199.98
Kay Martin	Stenographer for June, July, and August.	1,080.45

Funds authorized or appropriated for committee expenditures	$50,000.00
Amount of expenditures previously reported	19,950.66
Amount expended from July 1 to Dec. 31, 1966	[1]11,369.99
Total amount expended from Jan. 1 to Jan. 2, 1967	200.76
Balance unexpended as of Jan. 3, 1967	18,478.59

[1] Spent in clerical, stenographic, typing, investigators, in connection with crime legislation, tax legislation, and other investigations.

John L. McMillan,
Chairman.

JANUARY 15, 1967.

COMMITTEE ON EDUCATION AND LABOR

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the "Legislative Reorganization Act of 1946," Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1966, to December 31, 1966, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6 month period
Louise Maxienne Dargans.	Chief clerk	$12,945.00
Russell C. Derrickson	Staff director	12,945.00
Eunice S. Matthew	Chief of education	12,945.00
C. Sumner Stone	Special assistant to the chairman.	12,945.00
Leon Abramson	Chief counsel for labor management.	12,797.58
John R. Kramer	Assistant chief of education (to Aug. 31, 1966).	2,402.42
Michael Schwartz	Assistant counsel (from Sept. 1, 1966).	4,804.84
Odell Clark	Chief investigator	9,230.76
Teresa Calabrese	Administrative assistant.	8,234.28
MINORITY		
Michael J. Bernstein	Minority clerk	12,945.00
Charles W. Radcliffe	Minority counsel for education.	10,289.22

Amount of expenditures previously reported	$311,070.29
Amount expended from July 1 to Dec. 31, 1966	112,484.10
Total amount expended from Jan. 3, 1965 to Dec. 31, 1966	423,554.39

INVESTIGATIVE STAFF

Name of employee	Profession	Total gross salary during 6-month period
Majority:		
Goldie A. Baldwin	Administrative assistant.	$4,253.56
Donald F. Berens	do	5,864.88
Thomas M. Burke	Counsel	7,719.12
Betty D. Ellison	Secretary (to Sept. 30, 1966).	1,869.64
Adrienne Fields	Administrative assistant.	4,816.20
Dolores A. Gillespie	Secretary	4,201.89
Sylvia J. Givens	Assistant clerk (to Sept. 16, 1966).	420.89
Hohn H; Harmon	Assistant counsel (effective Aug. 23, 1966).	3,043.58
Walter B. Huber, Jr.	Clerk-typist	3,192.00
Cleomine B. Lewis	Secretary	4,358.75
Paula Odellas	Clerk-typist (to Aug. 31, 1966).	618.84
Mary L. Shuler	Administrative assistant.	4,535.34
Jeanne E. Thomson	do	6,176.76
John Everett Warren.	Assistant clerk (to July 13, 1966 and from Dec. 1, 1966).	658.29
Pamela E. Williams	Assistant clerk (to Aug. 31, 1966).	721.10
Louise M. Wright	Administrative assistant.	5,864.88
Theresa M. Zapert	Secretary	2,545.42
Minority:		
Dixie Anne Barger	Secretary (to Sept. 30, 1966).	1,543.59
John Raymond Buckley.	Chief of staff (to Sept. 30, 1966).	4,797.93
Patricia A. Goldman.	Investigator (to Nov. 14, 1966).	3,376.31
Crawford C. Heerlein.	Minority clerk (to Oct. 30, 1966).	5,342.88
Will Henderson	Assistant minority clerk (to Oct. 30, 1966).	2,145.84
Minority—Continued:		
Sarah M. Jones	Clerical assistant (to July 31, 1966).	$335.21
Louise W. Finke	Secretary (effective Nov. 1, 1966).	1,340.00
Emory W. Reisinger III.	Assistant clerk (effective Nov. 1, 1966).	1,667.12
Paul G. Roberts	Administrative assistant (to July 31, 1966).	335.21

Amount expended from July 1 through Dec. 31, 1966:	
Salaries	$81,745.23
Other expenses	5,627.63
Total	87,372.86
Funds authorized or appropriated for committee expenditures	364,000.00
Amount of expenditures previously reported	252,101.12
Amount expended from July 1 to Dec. 31, 1966	87,372.86
Total amount expended from Jan. 3, 1965 to Dec. 31, 1966	339,473.98
Balance unexpended as of Dec. 31, 1966	24,526.02

JANUARY 15, 1967.

GENERAL SUBCOMMITTEE ON EDUCATION NO. 1

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1966, to December 31, 1966, inclusive, together with total funds authorized or appropriated and expended by it:

GENERAL SUBCOMMITTEE ON EDUCATION NO. 1, REPRESENTATIVE CARL D. PERKINS, CHAIRMAN

Name of employee	Profession	Total gross salary during 6 month period
Elizabeth A. Cornett	Clerk	$4,550.20
Hartwell Duvall Reed.	Counsel	12,945.00

Amount expended from July 1 through Dec. 31, 1966:	
Salaries	$17,495.20
Other expenses	248.26
Total	17,743.46
Funds authorized or appropriated for committee expenditures	71,000.00
Amount of expenditures previously reported	45,409.17
Amount expended from July 1 to Dec. 31, 1966	17,743.46
Total amount expended from Jan. 3, 1965 to Dec. 31, 1966	63,152.63
Balance unexpended as of Dec 31, 1966	7,847.37

Adam C. Powell,
Chairman.

JANUARY 15, 1967.

COMMITTEE ON EDUCATION AND LABOR

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1966, to December 31, 1966, inclusive,

together with total funds authorized or appropriated and expended by it:

GENERAL SUBCOMMITTEE ON LABOR NO. 2, REPRESENTATIVE JOHN H. DENT, CHAIRMAN

Name of employee	Profession	Total gross salary during 6-month period
Carol L. Barbero	Assistant clerk (to Sept. 30, 1966).	$928.26
Joyce G. Gongaware	Assistant clerk (from Aug. 16 to Aug. 31, 1966).	154.71
Richard J. Hunger, Jr.	Assistant clerk (to Sept. 23, 1966).	856.06
Rhoda Mae Kachillo	Assistant clerk (effective Sept. 12, 1966).	1,820.15
Rolly Leddel	Assistant clerk (effective Nov. 1, 1966).	983.10
Dennis K. McGrath	Assistant clerk (effective Oct. 1, 1966).	480.18
Lynn Carole Myers	Assistant clerk (to Aug. 31, 1966).	618.84
Carol J. Pensky	Clerk	3,087.18
Robert E. Vagley	Director	10,355.36

Amount expended from July 1 through Dec. 31, 1966:	
Salaries	$19,263.84
Other Expenses	1,148.26
Total	20,412.10
Funds authorized or appropriated for committee expenditures	71,000.00
Amount of expenditures previously reported	40,666.38
Amount expended from July 1 to Dec. 31, 1966	20,412.10
Total amount expended from Jan. 3, 1965 to Dec. 31, 1966	61,078.48
Balance unexpended as of Dec. 31, 1966	9,921.52

ADAM C. POWELL,
Chairman.

JANUARY 15, 1967.

COMMITTEE ON EDUCATION AND LABOR

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1966, to December 31, 1966, inclusive, together with total funds authorized or appropriated and expended by it:

SPECIAL SUBCOMMITTEE ON EDUCATION NO. 3, REPRESENTATIVE EDITH GREEN, CHAIRMAN

Name of employee	Profession	Total gross salary during 6-month period
William F. Gaul	Counsel	$10,289.22
Helen W. Philipsborn	Clerk	3,779.64
Linda Sullivan	do	3,319.02

Amount expended from July 1, 1966, through Dec. 31, 1966:	
Salaries	$17,387.88
Other expenses	737.71
Total	18,125.59
Funds authorized or appropriated for committee expenditures	71,000.00
Amount of expenditures previously reported	45,924.74
Amount expended from July 1, to Dec. 31, 1966	18,125.59
Total amount expended from Jan. 3, 1965, to Dec. 31, 1966	64,050.33
Balance unexpended as of Dec. 31, 1966	6,949.67

ADAM C. POWELL,
Chairman.

JANUARY 15, 1967.

COMMITTEE ON EDUCATION AND LABOR

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1966, to December 31, 1966, inclusive, together with total funds authorized or appropriated and expended by it:

SPECIAL SUBCOMMITTEE ON EDUCATION, EDUCATION STUDY (AUTHORIZED BY H. RES. 614 APPROVED MAR. 30, 1966) REPRESENTATIVE EDITH GREEN, CHAIRMAN

Name of employee	Profession	Total gross salary during 6-month period
Janet Sue Anderson	Secretary	$3,130.80
Jon C. Bednerik	Assistant clerk (to Aug. 31, 1966).	997.72
Beverly J. Blair	Clerk (effective Dec. 1, 1966).	553.17
Michael W. Field	Assistant clerk (effective Sept. 12, 1966).	1,812.52
Charles Ireland Foltz	Research assistant, minority.	9,974.46
Maurice K. Heartfield.	Research assistant	8,562.45
Patrick H. Maney	Research assistant	8,574.12

Amount expended from July 1 to Dec. 31, 1966:	
Salaries	$33,605.24
Other expenses	2,161.91
Total	35,767.15
Funds authorized or appropriated for committee expenditures	50,000.00
Amount of expenditures previously reported	4,295.23
Amount expended from July 1 to Dec. 31, 1966	35,767.15
Total amount expended from Jan. 3, 1965 to Dec. 31, 1966	40,062.38
Balance unexpended as of Dec. 31, 1966	9,937.62

ADAM C. POWELL,
Chairman.

JANUARY 15, 1967.

COMMITTEE ON EDUCATION AND LABOR

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1966, to December 31, 1966, inclusive, together with total funds authorized or appropriated and expended by it.

ADAM C. POWELL,
Chairman.

SPECIAL SUBCOMMITTEE ON LABOR NO. 4, REPRESENTATIVE FRANK THOMPSON, JR., CHAIRMAN

Name of employee	Profession	Total gross salary during 6-month period
Robert E. McCord	Director	$10,033.86
Lelia W. Troup	Secretary	3,049.56
Hal R. Levshon	Assistant clerk (to July 31, 1966).	258.00
Christopher Katzenbach.	Assistant clerk (to Aug. 31, 1966).	412.20
Basil W. Henderson	Assistant clerk (effective Sept. 1, 1966).	1,298.32
Paula M. Derosa	Assistant clerk (effective Oct. 1, 1966).	331.80

Amount expended from July 1 to Dec. 31, 1966:	
Salaries	$15,383.74
Other expenses	223.28
Total	15,607.02
Funds authorized or appropriated for committee expenditures	71,000.00
Amount of expenditures previously reported	50,768.12
Amount expended from July 1 to Dec. 31, 1966	15,607.02
Total amount expended from Jan. 3, 1965 to Dec. 31, 1966	66,375.14
Balance unexpended as of Dec. 31, 1966	4,624.86

SELECT SUBCOMMITTEE ON EDUCATION NO. 5, REPRESENTATIVE ROMAN C. PUCINSKI, CHAIRMAN

Name of employee	Profession	Total gross salary during 6-month period
Kathryn M. Fitch	Clerk-typist (to Sept. 15, 1966).	$773.55
Jay H. Foreman	Counsel (to Oct. 22, 1966).	5,249.36
Thomas J. Gerber	Assistant counsel (effective Sept. 1, 1966).	1,322.71
Catherine Lightner	Assistant clerk (effective Aug. 1, 1966; terminated Sept. 15, 1966).	526.11
Neil J. McMullen	Assistant clerk (to Oct. 31, 1966).	859.72
Mattie L. Maynard	Clerk	3,643.18
Rita A. Montrose	Clerk-typist (terminated Sept. 15, 1966).	773.55
Margaret B. Sugg	Staff assistant	4,939.64
Joseph Robert Comella.	Counsel (effective Nov. 1, 1966).	2,750.54

Amount expended from July 1 1966, through Dec. 31 1966:	
Salaries	$20,838.36
Other expenses	470.68
Total	21,309.04
Funds authorized or appropriated for committee expenditures	71,000.00
Amount previously reported	44,263.32
Amount expended from July 1, to Dec. 31, 1966	21,309.04
Amount expended from Jan. 3, 1965, to Dec. 31, 1966	65,572.36
Balance as of Dec. 31, 1966	5,478.26

ADAM C. POWELL,
Chairman.

JANUARY 15, 1967.

COMMITTEE ON EDUCATION AND LABOR

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1966, to December 31, 1966, inclusive, together with total funds authorized or appropriated and expended by it:

SELECT SUBCOMMITTEE ON LABOR NO. 6, REPRESENTATIVE ELMER J. HOLLAND, CHAIRMAN

Name of employee	Profession	Total gross salary during 6-month period
James B. Harrison	Assistant director	$9,260.16
Susan M. Parry	Clerk	4,216.02
William A. Hoveland, Jr.	do	650.40
Walter James Graham, Jr.	Assistant clerk	2,949.30
Nancy J. Tyler	Assistant clerk (effective Nov. 1, 1966).	451.94

Amount expended from July 1, through Dec. 31, 1966:	
Salaries	$17,527.82
Other expenses	411.11
Total	17,938.93
Funds authorized or appropriated for committee expenditures	71,000.00
Amount of expenditures previously reported	42,579.33
Amount expended from July 1, to Dec. 31, 1966	17,938.93
Total amount expended from Jan. 3, to Dec. 31, 1966	60,518.26
Balance unexpended as of Dec. 31, 1966	10,481.74

ADAM C. POWELL,
Chairman.

JANUARY 15, 1967.

Committee on Education and Labor

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1966, to December 31, 1966, inclusive, together with total funds authorized or appropriated and expended by it:

AD HOC SUBCOMMITTEE ON POVERTY NO. 7, REPRESENTATIVE ADAM C. POWELL, CHAIRMAN

Name of employee	Profession	Total gross salary during 6-month period
Wellington C. Beal	Investigator (to Sept. 5, 1966).	$2,408.16
Helen Hayden	Secretary (effective Sept. 16, 1966).	2,333.90
Dorothy W. Himes	Administrative assistant.	5,615.33
James E. McCarthy	Investigator	7,996.92
Juliet G. McCoy	Secretary (to Aug. 31, 1966).	1,259.88
Helen B. Prillaman	Secretary (to Oct. 15, 1966).	2,204.79
Michael Schwartz	Assistant counsel (to Aug. 31, 1966).	2,058.92
Emma T. Swann	Receptionist	3,590.39

Amount expended from July 1 through Dec. 31, 1966:	
Salaries	$27,468.29
Other expenses	4,391.24
Total	31,859.53
Funds authorized or appropriated for committee expenditures	250,000.00
Amount of expenditures previously reported	211,054.07
Amount expended from July 1 to Dec. 31, 1966	31,859.53
Total amount expended from Jan. 3, 1965, to Dec. 31, 1966	242,913.60
Balance unexpended as of Dec. 31, 1966	7,086.40

ADAM C. POWELL,
Chairman.

TASK FORCE ON INTERNATIONAL EDUCATION, NO. 8, REPRESENTATIVE JOHN BRADEMAS, CHAIRMAN

Name of employee	Profession	Total gross salary during 6-month period
Peter N. Gillingham	Counsel (to July 31, 1966).	$1,092.69
Paul G. Roberts	Administrative assistant (to July 31, 1966).	335.21
Rebecca F. Sanford	do	335.21

Amount expended from July 1 to December 31, 1966:	
Salaries	$1,763.11
Other expenses	179.30
Total	1,942.41
Funds appropriated for committee expenditures	$15,000.00
Amount of expenditures previously reported	5,565.18
Amount expended from July 1 to December 31, 1966	1,942.41
Amount expended from January 3, 1965 to December 31, 1966	7,507.59
Balance unexpended as of December 31, 1966	7,492.41

ADAM C. POWELL,
Chairman.

JANUARY 15, 1967.

Committee on Education and Labor

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the "Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946," as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1966, to December 31, 1966, inclusive, together with total funds authorized or appropriated and expended by it:

AD HOC SUBCOMMITTEE ON HANDICAPPED CHILDREN, NO. 9, REPRESENTATIVE HUGH CAREY, CHAIRMAN

Name of employee	Profession	Total gross salary during 6-month period
Loretta B. Backus	Administrative assistant.	$6,308.32
Julia A. Carosella	Investigator (effective Dec. 1, 1966).	866.83
Frances P. Connor	do	866.83
Betty Ann Crawley	Secretary (effective Dec. 1, 1966).	866.83
Carl Fenichel	Investigator (effective Dec. 1, 1966).	866.83
Elena D. Gall	do	866.83
Wesley T. Hargrett, Jr.	Investigator (from July 1, 1966 to Oct. 31, 1966 and from Dec. 1, 1966).	3,127.04
Will Henderson	Assistant clerk, minority (effective Nov. 1, 1966).	1,072.92
Benny N. A. Kendrick.	Clerk (to Sept. 15, 1966).	773.55
Rosemarie King	Secretary (effective Sept. 1, 1966).	4,032.15
Edwin W. Martin, Jr.	Director	11,254.60
Peter N. Salmon	Investigator (effective Dec. 1, 1966).	866.83
Joseph F. Seminara	do	1,084.35

Amount expended from July 1 to Dec. 31, 1966:	
Salaries	$32,853.91
Other expenses	200.50
Total	33,054.41
Funds authorized or appropriated for committee expenditures	45,000.00
Amount of expenditures previously reported	4,080.26
Amount expended from July 1 to Dec. 31, 1966	33,054.51
Total amount expended from Jan 3, 1965 to Dec. 31, 1966	37,134.67
Balance unexpended as of Dec. 31 1966	7,865.33

ADAM C. POWELL,
Chairman.

JANUARY 16, 1966.

Committee on Foreign Affairs

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the "Legislative Reorganization Act of 1946," Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1966, to December 31, 1966, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Boyd Crawford	Staff administrator	$12,945.00
Roy J. Bullock	Senior staff consultant	12,945.00
Albert C. F. Westphal.	Staff consultant	12,945.00
Franklin J. Schupp	do	12,502.86
Robert F. Brandt	do	12,376.44
Harry C. Cromer	do	12,260.76
Philip B. Billings	do	9,613.50
Marian A. Czarnecki	do	12,230.24
Melvin O. Benson	do	10,513.80
June Nigh	Senior staff assistant	9,383.82
Helen C. Mattas	Staff assistant	7,910.10
Helen L. Hashagen	do	7,742.28
Mary Louise O'Brien	do	7,554.72
Mary M. Lalos	do	5,155.92
Doris B. McCracken	do	6,300.18
Jean E. Smith	do	4,624.68
Robert J. Bowen	Clerical assistant	5,007.78

Funds authorized or appropriated for committee expenditures	$193,250.00
Amount of expenditures previously reported	110,324.60
Amount expended from July 1 to Dec. 31, 1966	49,908.04
Total amount expended from Jan. 1, 1965, to Dec. 31, 1966	160,232.64
Balance unexpended as of Dec. 31, 1966	33,017.36

THOMAS E. MORGAN,
Chairman.

JANUARY 15, 1967.

Committee on Government Operations

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the "Legislative Reorganization Act of 1946," Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1966, to January 2, 1967, inclusive, together with total funds authorized or appropriated and expended by it:

Expenses, July 1, 1966, to Jan. 2, 1967:	
Full committee expenses (travel, publications, telephone, stationery, supplies, etc., July 1–Dec. 31, 1966)	$2,100.43
Executive and Legislative Reorganization Subcommittee	52,357.16
Military Operations Subcommittee	43,424.28
Government Activities Subcommittee	26,977.74
Intergovernmental Relations Subcommittee	47,236.89
Natural Resources and Power Subcommittee	45,076.80
Foreign Operations and Government Information Subcommittee	56,666.44
Legal and Monetary Affairs Subcommittee	34,657.46
Research and Technical Programs Subcommittee	35,046.23
Total	343,543.43

EXECUTIVE AND LEGISLATIVE REORGANIZATION SUBCOMMITTEE (HON. WILLIAM L. DAWSON, CHAIRMAN)

Name of employee	Profession	Total gross salary during 6-month period
Elmer W. Henderson	Counsel	$11,537.83
Louis I. Freed	Investigator	10,672.97
Peter S. Barash	Legal assistant	6,245.39
Jerome D. Sollins	do	6,245.39
Veronica B. Johnson	Clerk	5,141.56
Mabel C. Baker	Stenographer (Sept. 1, 1966 to Jan. 2, 1967).	3,073.95
John L. Dodson	Clerical staff	3,463.64
John J. Mitchell	Special counsel (July 1–Sept. 11, 1966).	3,981.21
Expenses		1,995.22
Total		52,357.16

MILITARY OPERATIONS SUBCOMMITTEE (HON. CHET HOLIFIELD, CHAIRMAN)

Herbert Roback	Staff administrator	$13,088.83
Douglas G. Dahlin	Staff attorney	7,786.18
John Paul Ridgely	Investigator	7,615.43
Joseph C. Luman	Defense analyst (Sept. 1, 1966 to Jan. 2, 1967)	4,067.56
Catherine L. Koeberlein.	Research assistant	5,506.23
Mollie Jo Hughes	Clerk-stenographer	5,141.56
Expenses		218.49
Total		43,424.28

SALARIES, FULL COMMITTEE, JULY 1 TO DEC. 31, 1966

Christine Ray Davis	Staff director	$12,945.00
James A. Lanigan	General counsel	12,945.00
Miles Q. Romney	Associate general counsel.	10,974.96
Earle J. Wade	Staff member	8,696.76
Dolores L. Fel'Dotto	do	5,702.46
Ann E. McLachlan	do	5,587.38
Patricia M. Maheux	do	5,587.38
Charlotte C. Bickett	do	5,085.06
J. Philip Carlson	Minority counsel (July 1 to Oct. 22, 1966).	6,224.81
William H. Copenhaver.	Minority staff member.	8,696.76

GOVERNMENT ACTIVITIES SUBCOMMITTEE (HON. JACK BROOKS, CHAIRMAN)

Ernest O. Baynard	Staff administrator	$11,096.90
Joseph L. Gibson	Counsel (Dec. 1, 1966 to Jan. 2, 1967).	917.75
Irma Reel	Clerk	5,141.56
Lynne Higginbotham	Clerk-stenographer	4,682.50
William M. Jones	Counsel (July 1 to Nov. 30, 1966).	4,446.85
Expenses		692.18
Total		26,977.74

INTERGOVERNMENTAL RELATIONS SUBCOMMITTEE (HON. L. H. FOUNTAIN, CHAIRMAN)

James R. Naughton	Counsel	$11,096.90
Delphis C. Goldberg	Professional staff member.	11,096.90
George O. Serini	Investigator	7,997.99
William Donald Gray	Research analyst	7,822.42
Bebe B. Terry	Clerk-stenographer	4,837.38
Lexine Rollins	do	4,128.55
Expenses	do	256.75
Total		47,236.89

NATURAL RESOURCES AND POWER SUBCOMMITTEE (HON. ROBERT E. JONES, CHAIRMAN)

Phineas Indritz	Counsel	$11,096.90
Harry V. Lerner	Assistant counsel (July 1 to Dec. 31, 1966).	9,077.64
Jack Tait	Professional staff member.	6,370.18
Catherine L. Hartke	Stenographer	5,141.56
Josephine Scheiber	Research analyst	5,141.56
Francine Shacter	Clerk-stenographer	4,128.55
Expenses		4,120.41
Total		45,076.80

FOREIGN OPERATIONS AND GOVERNMENT INFORMATION SUBCOMMITTEE

(HON. JOHN E. MOSS, CHAIRMAN)

Norman G. Cornish	Staff administrator	$11,096.90
Vincent J. Augliere	Chief, foreign operations.	11,096.90
Samuel J. Archibald	Consultant	504.26
Jack Matteson	Chief investigator	10,043.25
Michael A. Taylor	Legal analyst	6,245.39
Johan T. Benson	Investigator	5,174.14
Marcia Bresee	Clerk (Nov. 1, 1966, to Jan. 2, 1967).	1,378.12
Elizabeth Jayne Bodecker.	Secretary	3,904.81
Betty W. Baldwin	Secretary (July 1-Nov. 30, 1966).	3,566.70
Sharon Dennis	Stenographer (Sept. 6-30, 1966).	468.81
Expenses		3,187.16
Total		56,666.44

LEGAL AND MONETARY AFFAIRS SUBCOMMITTEE (HON. DANTE B. FASCELL, CHAIRMAN)

M. Joseph Matan	Staff administrator	$10,672.97
Charles Rothenberg	Counsel	9,839.10
Clara Katherine Armstrong.	Clerical staff	5,141.56
Millicent Y. Myers	Stenographer	4,708.34
Pearl H. Sigel	do	3,860.04
Expenses		435.45
Total		34,657.46

RESEARCH AND TECHNICAL PROGRAMS SUBCOMMITTEE (HON. HENRY S. REUSS, CHAIRMAN)

Edna Gass	Staff administrator	$10,497.40
Richard L. Chapman	Chief adviser (Aug. 15, 1966, to Jan. 2, 1967).	6,326.24
Catherine S. Cash	Secretary	4,166.95
Carol Flanagan	do	3,649.04
Allen I. Polsby	Assistant counsel (July-Aug. 15, 1966).	1,364.65
Expenses		9,041.95
Total		35,046.23

Funds authorized or appropriated for committee expenditures (H. Res. 109-633, 89th Cong.)	$1,450,000.00
Amount of expenditures previously reported	969,159.24
Amount expended from Jan. 3, 1965, to June 30, 1966	969,159.24
Total amount expended from July 1, 1966, to Jan. 2, 1967	343,543.43
Balance unexpended as of Jan. 2, 1967	137,297.33

WILLIAM L. DAWSON,
Chairman.

JANUARY 17, 1967.

COMMITTEE ON HOUSE ADMINISTRATION

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1966, to December 31, 1966, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Julian P. Langston	Chief clerk	$12,945.00
David S. Wolman	Personnel analyst	10,289.19
Louis Silverman	Assistant clerk	6,987.88
Vivian M. Robinson	do	4,528.94
Mary F. Stolle	do	4,528.94
Gurney S. Jaynes	do	3,381.70
Judith E. Rogers	Clerical	331.34
Rebecca E. Martin	Assistant clerk	766.88

Funds authorized or appropriated for committee expenditures	$30,000.00
Amount of expenditures previously reported	1,089.48
Amount expended from July 1 to Dec. 31, 1966	17,766.15
Total amount expended from Jan. 3, 1965, to Dec. 31, 1966	18,855.63
Balance unexpended as of Dec. 31, 1966	11,144.37

OMAR BURLESON,
Chairman.

JANUARY 17, 1967.

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1966, to December 31, 1966, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Sidney L. McFarland	Professional staff director and engineering consultant.	$12,552.00
T. Richard Witmer	Counsel and consultant on national parks and recreation.	12,084.18
John L. Taylor	Consultant on territorial and Indian affairs.	12,084.18
William L. Shafer	Consultant on Mining, minerals, and public lands.	11,332.50
Nancy J. Arnold	Chief clerk	10,735.38
Dixie S. Barton	Clerk	5,439.24
Patricia Ann Murray	do	5,439.24
Virginia E. Bedsole	do	5,188.14
Patricia B. Freeman	do	5,085.06
Susan A. Whitener	do	4,796.94

SALARIES PAID PURSUANT TO H. RES. 137 AND H. RES. 667, 89TH CONG.

Charles Leppert, Jr	Assistant counsel	$7,251.42
Lee McElvain	do	5,394.18
Kathleen Vance	Clerk	4,159.08
Edward Gaddis	Messenger	2,949.30

Funds authorized or appropriated for committee expenditures	$150,000.00
Amount of expenditures previously reported	84,129.24
Amount expended from July 1 to Dec. 31, 1966	27,036.86
Total amount expended from Jan. 3, 1965, to Dec. 31, 1966	111,166.10
Balance unexpended as of Dec. 31, 1966	38,833.90

WAYNE N. ASPINALL,
Chairman.

JANUARY 17, 1967.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the "Legislative Reorganization Act of 1946," Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1966, to December 31, 1966, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Clerical staff:		
W. E. Williamson	Clerk	$12,945.00
Kenneth J. Painter	First assistant clerk	10,627.57
Marcella Fencl	Assistant clerk	6,487.32
Glenn L. Johnson	Printing editor	8,176.39
Joanne C. Neuland	Clerical assistant (to close of business Dec. 30, 1966).	5,133.68
Mary Ryan	Clerical assistant	5,162.36
Mildred H. Lang	do	5,162.36
Elsie M. Karpowich	do	5,162.36
Edwin Earl Thomas.	Staff assistant	4,592.75
Marion M. Burson	Staff assistant (minority).	10,627.57

Name of employee	Profession	Total gross salary during 6 month period
Professional staff:		
Andrew Stevenson	Professional staff coordinator.	$12,945.00
Kurt Borchardt	Legal counsel (to close of business Dec. 30, 1966).	12,873.08
William J. Dixon	Professional staff member.	12,945.00
James M. Menger	do	12,945.00
Additional temporary employees under H. Res. 35 and H. Res. 697:		
Lewis E. Berry, Jr.	Minority counsel	12,805.82
Helen M. Dubino	Staff assistant (minority).	9,610.00
Barbara L. Bullard	Clerical assistant (minority).	3,855.55
Regina M. Acree	Clerical assistant	3,778.66
Julia Ann Atkinson	Clerical assistant (minority).	3,444.37
John I. Burton	Staff assistant	4,848.02
Robert H. Dooley	Staff assistant (to close of business Aug. 15, 1966).	618.20
Douglas R. Nobles, Jr.	Messenger (to Sept. 15, 1966, and from Nov. 1, 1966).	731.13
John M. Kerwin	Special counsel	8,772.65
Hazel J. Collie	Professional staff secretary (from Nov. 8, 1966).	1,900.73
Special subcommittee on investigations:		
Robert W. Lishman	Chief counsel	12,945.00
Jonathan W. Sloat	Special counsel (to close of business Oct. 31, 1966).	8,104.84
Daniel J. Manelli	Staff attorney (to close of business Sept. 30, 1966).	3,859.56
James R. Connor	Staff assistant	7,719.10
Sanford L. Mervis	Attorney	8,049.05
Norman E. Holly	Economic analyst (to close of business Sept. 30, 1966).	4,266.62
Linda E. Spirt	Clerk-stenographer (to close of business Sept. 30, 1966).	1,921.44
Elizabeth G. Paola	Clerical assistant	4,848.02
Victoria Williams	Clerical assistant (to close of business Sept. 30, 1966).	2,232.57
Celia M. Dupree	Clerical assistant (from Oct. 27, 1966).	1,612.43
Thomas D. Hart	Legislative assistant (from Sept. 1, 1966).	4,703.84
Louis Sangiorgio	Staff attorney (Oct. 1-31, 1966).	1,175.96

Funds authorized or appropriated for committee expenditures	$607,000.00
Amount of expenditures previously reported	304,559.10
Amount expended from July 1 to Dec. 31, 1966	114,345.38
Total amount expended from Jan. 3, 1965, to Dec. 31, 1966	418,904.48
Balance unexpended as of Jan. 1, 1967	188,095.52

HARLEY O. STAGGERS,
Chairman.

JANUARY 15, 1967.

COMMITTEE ON THE JUDICIARY

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the "Legislative Reorganization Act of 1946," Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1966, to December 31, 1966, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Bess E. Dick	Staff director	$12,945.10
William R. Foley	General counsel	12,945.00
Benjamin L. Zelenko	Counsel	9,790.32
Garner J. Cline	Assistant counsel	9,030.54
Martin R. Hoffmann	do	6,512.34
Carrie Lou Allen	Clerical staff	5,600.28
Lorraine W. Beland	do	5,557.35
Gertrude Clara Burak	do	5,910.36
Jane C. Caldwell	do	6,560.38
Frances Christy	do	7,175.70

SALARIES PAID PURSUANT TO H. RES. 19, H. RES. 88, H. RES. 638, AND H. RES. 1038, 89TH CONG.

Appel, Leonard	Assistant counsel	$10,163.30
Beatson, Robert J.	Legislative assistant	6,473.25
Benn, Donald G.	Associate counsel	7,830.17
Breslow, Jerome W.	Assistant counsel (through Nov. 11, 1966).	4,808.70
Dean, John Wesley, III.	Associate counsel	3,981.76
Eisenberg, Roberta E.	Clerical	5,070.45
Haardt, Alma B.	do	4,579.24
Hansen, Walter D.	Special counsel	13,088.83
Harkins, Kenneth R.	Chief counsel, Antitrust Subcommittee.	12,366.23
Hunter, Jane Ward	Clerical	3,615.91
James, Raymond J.	Clerical (through Nov. 11, 1966).	3,984.58
Jett, R. Frederick	Counsel	10,163.30
Jones, Thomas O.	Clerical (through Aug. 31, 1966).	647.38
Kelemonick, Michael	Clerical	4,837.38
Kiernan, Patricia Elizabeth.	Clerical (from Oct. 24, 1966).	648.52
Lee, Charles R.	Messenger	3,765.76
McGrady, Florence T.	Clerical	4,282.04
McGrath, James P.	Clerical (through Nov. 11, 1966).	3,247.06
Martz, Uzal H., Jr.	Legislative assistant	7,545.84
Meekins, Elizabeth G.	Clerical	5,576.65
Resweber, Harold J., Jr.	Clerical (through July 31, 1966).	498.86
Sourwine, Mary G.	Clerical	3,898.38
Sutherland, David A.	Counsel (through Nov. 11, 1966).	7,566.91
Zeifman, Jerome M.	Counsel	8,899.24

Funds authorized or appropriated for committee expenditures	$570,000.00
Amount of expenditures previously reported	352,801.04
Amount expended from July 31, 1966, to Jan. 2, 1967	146,864.37
Total amount expended from Jan. 3, 1965, to Jan. 2, 1967	499,665.41
Balance unexpended as of Jan. 2, 1967	70,334.59

FUNDS FOR PREPARATION OF UNITED STATES CODE, DISTRICT OF COLUMBIA CODE, AND REVISION OF THE LAWS

A. Preparation of new edition of United States Code (no year):	
Unexpended balance, June 30, 1966	$36,432.40
Legislative Appropriation Act, 1967	150,000.00
Total	186,432.40
Expended July 1 to Dec. 31, 1966	22,162.50
Balance, Dec. 31, 1966	164,269.90
B. Preparation of new edition of District of Columbia Code:	
Unexpended balance, June 30, 1966	17,744.02
Legislative Appropriation Act, 1967	100,000.00
Total	117,744.02
Expended July 1 to Dec. 31, 1966	23,890.38
Balance, Dec. 31, 1966	93,853.64
C. Revision of the laws, 1967:	
Legislative Appropriation Act, 1967	28,000.00
Expended July 1 to Dec. 31, 1966	13,111.19
Balance, Dec. 31, 1966	14,888.81

EMANUEL CELLER,
Chairman.

DECEMBER 31, 1966.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1966, to December 31, 1966, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
John M. Drewry	Chief counsel	$12,945.80
Bernard J. Zincke	Counsel	12,376.44
Ned P. Everett	do	10,663.50
Arthur Pankopf, Jr.	Minority counsel	9,360.30
Robert J. McElroy	Chief clerk	10,268.94
Frances P. Still	Assistant clerk	6,662.52
Ruth E. Brookshire	do	5,471.46
Edith W. Gordon	Secretary	5,471.46
Vera A. Barker	do	5,471.46
Virginia L. Noah	do	5,471.46
Investigating staff:		
Gus Bakas	Counsel	6,518.37
W. B. Winfield	Clerk	8,504.10
Donald A. Watt	Editor	6,447.96
Albert J. Dennis	Investigator	5,193.70
Norman M. Barnes	do	2,199.13

Funds authorized or appropriated for committee expenditures	$135,000.00
Amount of expenditures previously reported	69,546.31
Amount expended from July 1 to Dec. 31, 1966	39,288.22
Total amount expended from Jan. 1, 1, 1965 to Dec. 31, 1966	108,834.53
Balance unexpended as of Dec. 31, 1966	26,165.47

EDWARD A. GARMATZ,
Chairman.

JANUARY 13, 1967.

COMMITTEE ON POST OFFICE AND CIVIL SERVICE

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1966, to December 31, 1966, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Standing committee staff:		
Johnson, Charles E.	Staff director	$12,945.00
Bray, B. Benton	Associate staff director.	12,772.98
Martiny, John H.	Counsel	12,772.98
Irvine, William A.	Assistant staff director.	12,772.98
Kazy, Theodore James.	Senior staff assistant.	10,289.22
Thornton, Elsie E.	Executive secretary	6,487.32
Wells, Barbara M.	Secretary	5,780.40
Simons, Blanche M.	do	5,600.28
Snipes, Justine P.	do	5,213.88
Berner, Joan H.	do	4,911.84

INVESTIGATIVE STAFF, PURUSANT TO H. RES. 245, H. RES. 246, H. RES. 511, AND H. RES. 696, 89TH CONG., 2D SESS.

Barton, Richard	Staff assistant	$6,925.32
Bates, Kathryn E	Secretary	4,382.16
Bova, Joyce C	Clerk-stenographer	3,735.42
Braun, Debbie Ann	Stenographer	1,163.70
Brome, Harrison C	Staff assistant	1,075.76
Conly, Helen F	Clerk-typist (to Dec. 31, 1966).	2,145.10
Davis, Stewart A	Staff assistant	6,176.76
Devlin, Ralph J	Staff member	8,539.14
Fleming, Lynn K	Clerk-typist (to Aug. 31, 1966).	1,029.06
Green, Thelma R	Stenographer	4,911.84
Hagen, Audrey L	Secretary	1,202.98
Keating, Michael M	Staff assistant	4,643.82
Kennedy, Thomas R	do	6,235.26
MacKay, John W	do	6,454.56
Mann, Lawrence	do	6,235.26
Matchett, Francis T	Investigator	4,657.08
Monahan, Jean	Clerk-stenographer (to Nov. 30, 1966).	3,774.10
Pendleton, Maria R	Stenographer	4,911.84
Peters, Dorothy L	do	4,656.60
Potts, Marjorie E	Clerk-stenographer (to Oct. 31, 1966).	2,405.96
Powell, John W	Staff assistant	4,822.50
Price, John B	Assistant clerk	10,289.22
Richards, James Walsh.	Staff assistant	3,735.42
Tansill, Helen C	Stenographer	3,183.42
Townsend, Richard H.	Staff assistant (to Nov. 30, 1966).	5,378.80
Vaughn, Evelyn F	Clerk-typist	2,058.12
Waltman, Cynthia M	Typist (to Aug. 31, 1966).	618.84
Ward, Ella R	Staff assistant	6,454.56
Wilton, Patricia J	Clerk-stenographer (to Sept. 25, 1966).	1,626.50
Young, Richard E	Clerk (to Aug. 31, 1966).	581.22

Funds authorized or appropriated for committee expenditures	$269,906.57
Amount of expenditures previously reported	133,942.72
Amount expended from July 1 to Dec. 31, 1966	129,586.52
Total amount expended from Jan. 3 to Dec. 31, 1966	263,529.24
Balance unexpended as of Dec. 31, 1966	6,377.33

TOM MURRAY,
Chairman.

JANUARY 14, 1967.

COMMITTEE ON PUBLIC WORKS

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the "Legislative Reorganization Act of 1946," Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1966, to December 31, 1966, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Standing committee:		
Richard J. Sullivan	Chief counsel	$12,945.00
Joseph R. Brennan	Engineer-consultant	12,945.00
Clifton W. Enfield	Minority counsel	12,047.64
Stephen V. Feeley	Subcommittee clerk	8,292.18
Audrey G. Warren	Subcommittee clerk (through Aug. 31, 1966).	2,100.06
Dorothy A. Beam	Staff assistant	7,462.92
Meriam R. Buckley	do	5,663.46
Sterlyn B. Carroll	do	4,720.38
Anne C. Kennedy	do	4,159.08
Investigating staff—Salaries paid July 1 through Dec. 31, 1966, pursuant to H. Res. 142, H. Res. 514, and H. Res. 711.		
Maurice B. Tobin	Subcommittee clerk	8,292.18
John A. O'Connor, Jr.	do	6,300.18
Augusta B. Peters	do	6,300.18
Robert F. Spence	do	6,300.18
Investigating staff—Continued		
Erla S. Youmans	Minority staff assistant.	$5,819.40
Audrey G. Warren	Subcommittee clerk (as of Sept. 1, 1966).	4,975.28
Randal C. Teague	Minority staff assistant.	4,803.36
Jeannine A. Marcoux.	Staff assistant	4,159.08
Gerard F. Schiappa	Minority staff assistant.	3,735.42
Florence S. Spaulding.	Minority staff assistant (as of Aug. 1, 1966).	3,344.70
Judy Ann Marshall	Clerical assistant	3,218.76
Mary C. W. Loux	Staff assistant (as of Nov. 1, 1966).	999.82
Harvey C. Simms, Jr.	Clerical assistant (through Aug. 31, 1966).	681.86
R. Frederica Booth	Minority staff assistant (through July 31, 1966).	668.94

Funds authorized or appropriated for committee expenditures: H. Res. 142, $150,000; H. Res. 514, $115,000; H. Res. 711, $90,000	$355,000.00
Amount of expenditures previously reported, $163,376.48: With addition of telephone bill in amount of $47.85	163,424.33
Amount expended from July 1 to Dec. 31, 1966	62,071.52
Total amount expended from Jan. 1, 1965, to Dec. 31, 1966	225,495.85
Balance unexpended as of Dec. 31, 1966	129,504.15
Less	28,677.43
Balance unexpended as of Dec. 31, 1966	100,826.72

GEORGE H. FALLON,
Chairman.

JANUARY 14, 1967.

SPECIAL SUBCOMMITTEE ON THE FEDERAL-AID HIGHWAY PROGRAM

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1966, to December 31, 1966, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Walter R. May	Chief counsel	$12,230.34
John P. Constandy	Assistant chief counsel.	11,338.56
Robert L. May	Minority counsel	11,260.02
George H. Martin	Administrative assistant.	10,194.18
Salvatore J. D'Amico	Associate counsel	8,597.52
John P. O'Hara	do	8,597.52
Carl J. Lorenz, Jr	do	7,858.02
Robert G. Lawrence	do	7,497.66
George M. Kopecky	Chief investigator	10,711.44
Sherman S. Willse	Professional staff member.	8,597.52
Paul R. S. Yates	Minority professional staff member.	8,445.72
Kathryn M. Keeney	Chief clerk	5,702.46
Stuart M. Harrison	Staff assistant	6,402.12
Mildred E. Rupert	do	4,662.96
Agnes M. Ga Nun	do	4,503.42
Shirley R. Knighten	do	3,842.88
Sylvia Reppert	Minority staff assistant.	4,420.44

H. Res. 142	$300,000.00
H. Res. 514	15,000.00
H. Res. 711	252,000.00
Funds authorized or appropriated for committee expenditures	567,000.00
Amount of expenditures previously reported	451,760.03
Amount expended from July 1 to Dec. 31, 1966	143,917.40
Total amount expended from Jan. 1, 1965, to Dec. 31, 1966	595,677.43
Balance overexpended as of Dec. 31, 1966	28,677.43

GEORGE H. FALLON,
Chairman.

JANUARY 17, 1967.

COMMITTEE ON RULES

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the "Legislative Reorganization Act of 1946," Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1966, to December 31, 1966, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Laurie C. Battle	Counsel, standing committee (P).	$12,945.00
Mary Spencer Forrest	Assistant counsel (P).	6,987.90
Robert D. Hynes, Jr	Minority counsel (P).	7,682.52
Winifred L. Watts	Secretary (C)	3,855.54
Sarah G. Zimmerman	Clerk (C) (July 1–31, 1966.	642.59

HOWARD W. SMITH,
Chairman for the period covered.

JANUARY 30, 1967.

COMMITTEE ON SCIENCE AND ASTRONAUTICS

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1966, to December 31, 1966, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Charles F. Ducander	Executive director and chief counsel.	$12,945.00
John A. Carstarphen, Jr.	Chief clerk and counsel.	12,230.34
Philip B. Yeager	Counsel	12,230.34
W. H. Boone	Chief technical consultant.	12,230.34
Frank R. Hammill, Jr.	Counsel	11,791.92
Mary Ann Robert	Secretary	5,052.90
Emily Dodson	do	4,835.28
Carol F. Rodgers	do	4,714.02
June C. Stafford	do	4,714.02
Virginia Robison	do	4,714.02

Name of employee	Profession	Total gross salary during 6-month period
Investigative staff:		
Richard P. Hines	Staff consultant	$11,302.32
James E. Wilson, Jr.	Technical consultant.	11,302.32
Peter A. Gerardi	do	11,302.32
Harold A. Gould	do	11,302.32
Philip P. Dickinson	do	9,855.66
Katherine V. Flanigan.	Assistant clerk (to Aug. 15, 1966).	1,477.64
Joseph M. Felton	Counsel	6,434.88
Frank J. Giroux	Clerk	5,858.40
Elizabeth S. Kernan.	Scientific research assistant.	5,702.46
Denis C. Quigley	Publications clerk	4,280.04
Kieran U. Cashman	Secretary	3,868.20
Joseph A. O'Connell.	Assistant publications clerk (from Sept. 1, 1966).	1,869.44
Walter B. Huber	Special consultant (from Oct. 23, 1966).	3,631.77

Funds authorized or appropriated for committee expenditures	$500,000.00
Amount of expenditures previously reported	322,900.05
Amount expended from July 1 to Dec. 31, 1966	133,031.94
Total amount expended from Jan. 3, 1965, to Dec. 31, 1966	455,931.99
Balance unexpended as of Dec. 31, 1966	44,068.01

GEORGE P. MILLER,
Chairman.

JANUARY 17, 1967.

COMMITTEE ON UN-AMERICAN ACTIVITIES

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1966, to December 31, 1966, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Standing committee:		
Appell, Donale T	Chief investigator	$10,152.60
Gittings, Helen M	Research analyst	6,235.26
Hitz, William B	Chief counsel	12,945.00
Joray, Juliette P	Recording clerk	7,417.02
McNamara, Francis J.	Director	12,065.55
Nagel, Isabel B	Secretary to counsel.	5,163.54
Turner, Anne D	Chief of files and reference section (resigned Dec. 30, 1966).	7,474.38
Valente, Mary Myers.	Administrative secretary.	6,553.13
Veley, Lorraine N	Secretary to investigators.	4,869.30
Wheeler, William A	Investigator	9,495.72
Investigating committee:		
Baldwin, Beatrice P	Clerk-typist	3,319.02
Buglio, Theresa J	do	2,915.94
Butler, Daniel	do	3,231.30
Butler, Eve C	Clerk-stenographer	3,519.54
Chapman, Mary Jo	do	2,433.12
Collins, William R	Editor (resigned Sept. 30, 1966).	2,357.01
Cunningham, Anniel	Information analyst.	5,285.41
Curll, Jean W	Secretary to director	4,280.04
Dechary, Lynn J	Clerk-typist (resigned Aug. 9, 1966).	577.98
Investigating committee—Continued		
Doyle, Florence B	Clerk-stenographer	$3,099.72
Duross, David J	Clerk-typist (resigned Sept. 9, 1966).	1,022.58
Edinger, Elizabeth L.	Chief editor	5,605.67
Ellsweig, Rochelle J.	Clerk-typist	2,332.14
Francis, Emily R	Information analyst	3,387.96
Gaffney, Metje	Clerk-typist	2,568.60
Galagher, James L	Information analyst	6,001.32
Haugh, Karl D	Clerk-typist (resigned Sept. 2, 1966).	918.84
Huber, Walter B	Consultant (resigned Oct. 22, 1966).	5,981.73
James, Mildred V	Clerk-typist	2,332.14
Kelly, M. Patricia	Information analyst	4,057.92
McConnon, Raymond Jr.	Investigator	6,402.12
McLaughlin, Carol E.	Clerk-typist	2,611.74
Manuel, Philip A	Investigator	8,234.28
Martin, Howard W	Clerk-typist (Sept. 1–30, 1966).	491.55
Masumian, Alberta	Secretary	5,807.00
Mehaffey, Robert H.	Research consultant (appointed Sept. 1, 1966).	5,002.04
Montelaro, James	Clerk-typist (resigned Aug. 31, 1966).	983.10
Moreland, Artie	Secretary to general counsel.	4,603.90
Muffey, David E., Jr.	Clerk-typist	3,560.70
Nittle, Alfred M	Counsel	9,778.44
Pfaff, Alma D	Research analyst	3,735.42
Phillips, Katharine	Switchboard operator.	3,162.36
Poole, William T	Clerk-typist	2,711.04
Randolph, Josephine S.	Research clerk	3,956.76
Romerstein, Herbert.	Investigator	4,812.50
Russell, Louis J	do	7,646.52
Salathe, Doris R	Information analyst	3,080.94
Smith, Chester D	General counsel (appointed Dec. 4, 1966).	1,801.66
Stiles, Lela Mae	Information analyst	3,779.64
Svendson, Marie T	Clerk-typist	2,667.60
Sweany, Donald I., Jr.	Research analyst	5,780.40
Sweeny, Barbara C	Clerk-stenographer	3,199.98
Thomas, Lawrence Martin	Clerk-typist	2,332.14
Wetterman, Neil E	Investigator	6,661.91
Wheeler, Billie	Clerk-stenographer	2,433.12

Funds authorized or appropriated for committee expenditures	$845,000.00
Amount of expenditures previously reported	625,244.86
Amount expended from July 1, 1966, to Jan. 1, 1967	190,527.51
Total amount expended from Jan. 3, 1965, to Jan. 1, 1967	815,772.37
Balance unexpended as of Jan. 1, 1967	29,227.63

E. E. WILLIS,
Chairman.

JANUARY 16, 1967.

COMMITTEE ON VETERANS' AFFAIRS

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1966, to December 31, 1966, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Full committee:		
Oliver E. Meadows	Staff director	$12,230.34
Edwin B. Patterson	Counsel	12,230.34
John R. Holden	Professional staff member.	10,045.68
Billy E. Kirby	Professional aid	8,597.52
George W. Fisher	Chief clerk	12,230.34
Helen A. Biondi	Assistant clerk	6,681.30
Alice V. Matthews	Clerk-stenographer	5,471.46
George J. Turner	Assistant clerk	5,471.46
Wilma Jean Johnson	Clerk-stenographer	5,085.06
Morvie Ann Colby	do	5,007.78
Investigative staff:		
Adin M. Downer	Staff member	8,930.34
Marjorie J. Kidd	Clerk-stenographer	4,007.34
Barbara E. Ehrman	do	4,007.34
Audrey A. Powelson	do	3,779.64
Mark L. Davis	Clerk-typist	2,172.54
Sharon L. Wright	Clerk-stenographer	158.43
Marc S. Carpenter	Clerk-messenger	1,022.58
William J. Driver, Jr	do	888.90
Leila W. Osborne	Clerk-stenographer	2,372.97
Dane Lee Tubergen	Clerk-messenger	1,022.58
Thomas R. Link	Clerk-typist	385.32

Funds authorized or appropriated for committee expenditures	$160,000.00
Amount of expenditures previously reported	112,856.19
Amount expended from July 1 to Dec. 31, 1966	41,160.46
Total amount expended from Jan. 1, 1965, to Dec. 31, 1966	154,016.65
Balance unexpended as of Dec. 31, 1966	5,983.35

OLIN TEAGUE,
Chairman.

JANUARY 18, 1967.

COMMITTEE ON WAYS AND MEANS

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1966, to December 31, 1966, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Leo H. Irwin	Chief counsel (C)	$12,945.00
William H. Quealy	Minority counsel (P).	12,945.00
John M. Martin, Jr	Assistant chief counsel (P).	12,772.98
John P. Baker	Professional assistant (P).	10,087.28
Thomas P. Kerester	Professional assistant (P) (to Oct. 31, 1966).	6,263.76
Florence Burkett	Staff assistant (C)	4,573.62
Virginia Butler	do	6,033.84
William C. Byrd	do	3,185.88
Grace Kagan	do	6,033.84
June Kendall	do	6,543.60
Max Mehlburger	Staff assistant (C) (from Sept. 6, 1966).	2,628.94
Elizabeth Price	Staff assistant (C)	4,089.54
Jean Ratliff	Staff assistant (C) (from Sept. 1, 1966).	1,663.48
Dolores Rogers	Staff assistant (C)	4,516.20
Gloria Shaver	do	5,523.00
Eileen Sonnett	do	5,059.32
Susan Taylor	do	6,862.74
Irene Wade	Staff assistant (C) (to Aug. 31, 1966).	1,858.16
Richard Wilbur	Staff assistant (C)	7,160.40
Hughlon Greene	Document clerk	4,190.70
Walter Little	do	4,190.70

Funds authorized or appropriated for committee expenditures	$35,000.00
Amount of expenditures previously reported	19,274.12
Amount expended from July 1 to Dec. 31, 1966	2,564.74
Total amount expended from Jan. 1, to Dec. 31, 1966	21,838.86
Balance unexpended as of Dec. 31, 1966	13,161.14

W. D. MILLS,
Chairman.

JANUARY 24, 1967.

JOINT COMMITTEE ON DEFENSE PRODUCTION

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1966, to December 31, 1966, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Harold J. Warren	Clerk and counsel	$10,974.96
Joseph C. Lewis	Professional staff member.	10,289.22
George T. Ault	do	7,646.52
C. Oral Lambert, Jr.	do	1,608.72
Franklin R. Silbey	do	311.19
Richard L. Still	do	4,499.20
Mattie I. Echols	Secretary	22.22

Funds authorized or appropriated for committee expenditures	$85,000.00
Amount of expenditures previously reported	
Amount expended from July 1 to Dec. 31, 1966	35,352.03
Balance unexpended as of Jan. 1, 1967	49,647.97

WRIGHT PATMAN,
Chairman.

JANUARY 24, 1967.

JOINT COMMITTEE ON IMMIGRATION AND NATIONALITY POLICY

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1966, to December 31, 1966, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Edward M. O'Connor		$6,194.04
Della M. Doss		485.99
Leona M. Vogt		1,720.66

Funds authorized or appropriated for committee expenditures	$24,755.00
Amount of expenditures previously reported	12,013.39
Amount expended from July 1 to Dec. 31, 1966	8,400.69
Total amount expended from Jan. 1 to Dec. 31, 1966	20,414.08
Balance unexpended as of Dec. 31, 1966	4,340.92

MICHAEL A. FEIGHAN,
Chairman.

JANUARY 23, 1967.

JOINT COMMITTEE ON INTERNAL REVENUE TAXATION

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the Legislative Reorganization Act of 1946, Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1966, to January 1, 1967, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
L. N. Woodworth	Chief of staff	$12,999.96
Lincoln Arnold	Assistant chief of staff.	12,963.32
Nicholas Tomasulo	Legislation counsel	11,556.12
Robert R. Smyers	Refund counsel	11,368.74
James H. Symons	Statistical analyst	11,072.82
Alan P. Murray	Economist	11,072.82
Albert Buckberg	do	4,919.28
Grace T. Gunn	Statistical analyst	10,543.74
Earl V. Willetts	Attorney, legislative.	9,825.96
James M. LaMarche	Administrative assistant.	8,755.14
Harrison B. McCawley.	Attorney, refund	8,474.88
Carl A. Nordberg	Attorney, legislative.	8,245.86
Herbert L. Chabot	do	7,991.16
Joseph E. Fink	Statistical clerk	7,382.58
Anastasia F. Connaughton.	do	7,382.59
Michael E. Fox	Attorney, legislative.	5,929.86
James McBride	Attorney, refund	2,632.71
Joanne B. McDermott.	Secretary, legislative.	4,911.84
Gerard L. Ouellette	Attorney, refund	4,886.34
Cleo H. Fonelli	Secretary, legislative.	4,720.38
Jacqueline S. Pfeiffer	do	4,426.86
Blanche F. Nagro	Secretary, refund	4,222.32
L. E. Forgy, Jr	Attorney, legislative.	4,159.08
Linda Savage	Secretary, legislative.	3,880.86
Blanche Schwartz	do	3,908.25
Carolyn A. Easter	do	3,855.54
June Matthews	do	3,494.52
Jamie L. Daley	do	3,294.00
Mildred Feldt	do	3,275.16
Cecilia J. Grimm	Secretary, refund	3,137.28
Janmarie Spangler	Secretary, legislative.	959.71
Linda L. Buckley	do	845.07
Ellen Camner	do	2,095.72
Total salaries		209,220.46
CONTRACT EMPLOYEES		
P. W. Meekins	Tax consultant	2,250.00
David Weaver	do	4,254.57
Total salaries and contract payments.		215,725.03

Funds authorized or appropriated for committee expenditures	$458,000.00
Amount of expenditures previously reported	[1] 202,022.40
Amount expended from July 1, 1966, to Jan. 1, 1967	215,725.03
Total amount expended from Jan. 1, 1966, to Jan. 1, 1967	417,747.43
Balance unexpended as of Jan. 1, 1967	40,252.57

[1] Reported for period Jan. 1, 1966, to July 1, 1966.

W. D. MILLS,
Chairman.

JANUARY 31, 1967.

SELECT COMMITTEE ON SMALL BUSINESS

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the "Legislative Reorganization Act of 1946," Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from July 1, 1966, to January 2, 1967, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
Richard L. Mitchell	General counsel	$13,088.83
Charles E. O'Connor	Counsel	11,490.68
Myrtle Ruth Foutch	Clerk	5,662.51
William M. Reddig	Research analyst	6,749.23
Henry A. Robinson	Counsel	10,955.16
Beth S. Russell	Secretary	3,904.81
Harry A. Olsher	Consultant	11,684.34
Kay Marie Abell	Secretary	3,088.44
Gregg R. Potvin	Counsel	11,684.34
Sylvia U. Keel	Secretary	4,605.87
Justinus Gould	Counsel	11,096.90
Gertrude Maxine Dean.	Secretary	3,680.95
William A. Keel, Jr	Research analyst	10,069.60
Bryan H. Jacques	Staff director	13,088.83
Patricia Anne Baker	Secretary	2,686.13
Niel R. Phillips	do	951.28
B. Robert Megill	Staff assistant	485.99
John J. Williams	Minority counsel	8,628.07
Maxine M. Porter	Secretary, minority	2,634.45
John R. Barth	Assistant minority counsel	570.68
Beverly B. Denbo	Secretary, minority	1,896.41
Ronald Gene Pearson	Minority staff assistant.	1,202.98
Ann Eichelkraut	Secretary, minority	721.10

Funds authorized or appropriated for committee expenditures	$635,000.00
Amount of expenditures previously reported	434,721.28
Amount expended from July 1, to Jan. 2, 1967	148,120.80
Total amount expended from Jan. 3, 1965, to Jan. 2, 1967	582,842.08
Balance unexpended as of Jan. 2, 1967	52,157.92

JOE L. EVINS,
Chairman.

FEBRUARY 9, 1967.

SPECIAL COMMITTEE TO INVESTIGATE CAMPAIGN EXPENDITURES, 1966

To the CLERK OF THE HOUSE:

The above-mentioned committee or subcommittee, pursuant to section 134(b) of the "Legislative Reorganization Act of 1946," Public Law 601, 79th Congress, approved August 2, 1946, as amended, submits the following report showing the name, profession, and total salary of each person employed by it during the 6-month period from August 11, 1966, to January 3, 1967, inclusive, together with total funds authorized or appropriated and expended by it:

Name of employee	Profession	Total gross salary during 6-month period
John Warren McGarry.	Chief counsel	$10,284.00
David H. Bodiker	Minority counsel	7,500.00
F. X. McLaughlin	Attorney for committee.	4,500.00
Daniel Mercuri	Counsel	1,700.00
Thomas Mahoney	Consultant	1,000.00
Terry Segal	Investigator	624.71
Patricia Gies	Secretary	2,385.47
Aileen Foley	do	2,385.47
Total		30,379.65

Funds authorized or appropriated for committee expenditures	$55,000.00
Amount of expenditures previously reported	0
Amount expended from Aug. 11, 1966, to Jan. 3, 1967	34,925.99
Total amount expended from Aug. 11, 1966, to Jan. 3, 1967	34,925.99
Balance unexpended as of Jan. 3, 1967	20,074.01

THOMAS P. O'NEILL, JR.,
Chairman.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

388. A letter from the Secretary of Labor, transmitting a report pertaining to fair labor standards in employments in and affecting interstate commerce, for January 1967, pursuant to the provisions of section 4(d) of the Fair Labor Standards Act of 1938, as amended; to the Committee on Education and Labor.

389. A letter from the Comptroller General of the United States, transmitting a report of potential savings available through establishment of gasoline outlets at certain postal installations, Post Office Department; to the Committee on Government Operations.

390. A letter from the Chairman, Federal Power Commission, transmitting a copy of a publication entitled "Steam-Electric Plant Construction Cost and Annual Production Expenses, 1965"; to the Committee on Interstate and Foreign Commerce.

391. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions approved, according certain beneficiaries third preference and sixth preference classification, pursuant to the provisions of section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MATSUNAGA: Committee on Rules. House Resolution 19. Resolution authorizing the Committee on Merchant Marine and Fisheries to conduct certain studies and investigations; with an amendment (Rept. No. 14). Referred to the House Calendar.

Mr. O'NEILL of Massachusetts: Committee on Rules. House Resolution 40. Resolution authorizing the Committee on the Judiciary to conduct studies and investigations relating to certain matters within its jurisdiction (Rept. No. 15). Referred to the House Calendar.

Mr. YOUNG: Committee on Rules. House Resolution 83. Resolution authorizing the Committee on Agriculture to make studies and investigations within its jurisdiction; with amendments (Rept. No. 16). Referred to the House Calendar.

Mr. MADDEN: Committee on Rules. House Resolution 179. Resolution authorizing the Committee on Foreign Affairs to conduct a full and complete investigation of matters relating to the laws, regulations, directives, and policies including personnel pertaining to the Department of State and such other departments and agencies engaged primarily in the implementation of U.S. foreign policy and the oversea operations, personnel, and facilities of departments and agencies of the United States which participate in the development and execution of such policy; with an amendment (Rept. No. 17). Referred to the House Calendar.

Mr. BOLLING: Committee on Rules. House Resolution 209. Resolution authorizing the Committee on Post Office and Civil Service to conduct studies and investigations within its jurisdiction (Rept. No. 18). Referred to the House Calendar.

Mr. SISK: Committee on Rules. House Resolution 68. Resolution to authorize the Committee on the District of Columbia to conduct an investigation and study of the organization, management, operation, and administration of departments and agencies of the government of the District of Columbia; with an amendment (Rept. No. 19). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ABBITT:

H.R. 5580. A bill to authorize the establishment of piece rates for agricultural operations in lieu of minimum hourly rate requirements of the Fair Labor Standards Act; to the Committee on Education and Labor.

H.R. 5581. A bill to amend the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. ADAIR:

H.R. 5582. A bill granting the consent of Congress to a Great Lakes Basin compact, and for other purposes; to the Committee on Foreign Affairs.

H.R. 5583. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. ANNUNZIO:

H.R. 5584. A bill to authorize a special study by the Small Business Administration of ways in which small business concerns may best protect themselves against robbery, burglary, shoplifting, vandalism, and other criminal acts; to the Committee on Banking and Currency.

By Mr. ASHBROOK:

H.R. 5585. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,200 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. BERRY:

H.R. 5586. A bill to provide that no further appropriations for the purpose of furnishing foreign aid shall be deemed to be authorized by the Congress until an adequate antimissile defense system for the United States has been constructed; to the Committee on Foreign Affairs.

By Mr. BINGHAM:

H.R. 5587. A bill to amend the Export Control Act of 1949; to the Committee on Banking and Currency.

By Mr. BOLAND:

H.R. 5588. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 5589. A bill to amend title II of the Social Security Act to provide disability insurance benefits thereunder for any individual who is blind and has at least six quarters of coverage, and for other purposes; to the Committee on Ways and Means.

H.R. 5590. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. BYRNE of Pennsylvania:

H.R. 5591. A bill to amend title V of the Social Security Act so as to extend and improve the Federal-State program of child welfare services; to the Committee on Ways and Means.

By Mr. CARTER:

H.R. 5592. A bill to amend title II of the Social Security Act to eliminate the reduction in disability insurance benefits which is presently required in the case of an individual receiving workmen's compensation benefits; to the Committee on Ways and Means.

By Mr. COHELAN:

H.R. 5593. A bill to amend the Fair Labor Standards Act of 1938 to extend the child labor provisions thereof to certain children employed in agriculture, and for other purposes; to the Committee on Education and Labor.

H.R. 5594. A bill to amend the National Labor Relations Act, as amended, so as to make its provisions applicable to agriculture; to the Committee on Education and Labor.

H.R. 5595. A bill to provide for the establishment of a council to be known as the "National Advisory Council on Migratory Labor"; to the Committee on Education and Labor.

H.R. 5596. A bill to amend the Internal Revenue Code of 1954 to encourage the construction of housing facilities for agricultural workers by permitting the amortization over a 60-month period of the cost, or a portion of the cost, of constructing such facilities; to the Committee on Ways and Means.

By Mr. CURTIS:

H.R. 5597. A bill to amend title 18 of the United States Code to protect the constitutional rights of mentally incompetent persons committed thereunder, and for other purposes; to the Committee on the Judiciary.

H.R. 5598. A bill to strengthen and improve the educational opportunities of educationally deprived children, and to provide additional revenue sources for States, school districts, and educational institutions by means of tax credits and payments to individuals who must meet the costs of education; to the Committee on Ways and Means.

By Mr. DERWINSKI:

H.R. 5599. A bill to provide appropriations for sharing of Federal taxes with States out of funds derived from a cutback in projected new expansion of grant-in-aid programs and as a substitute for portions of existing grant-in-aid expenditures and to amend the Internal Revenue Code of 1954 to permit individuals to claim a credit against Federal income tax; to the Committee on Ways and Means.

By Mr. DORN:

H.R. 5600. A bill to amend part B of title XVIII of the Social Security Act to include prescribed drugs among the items and services covered under the supplementary medical insurance program for the aged; to the Committee on Ways and Means.

By Mr. DOW:

H.R. 5601. A bill to amend titles 10, 14, 32, and 37, United States Code, to strengthen the Reserve components of the Armed Forces, and clarify the status of National Guard technicians, and for other purposes; to the Committee on Armed Services.

H.R. 5602. A bill to establish a commission on trading stamp practices to provide for the regulation of trading stamp companies and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 5603. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. ESHLEMAN:

H.R. 5604. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. EVANS of Colorado:

H.R. 5605. A bill to provide for the establishment of the Florissant Fossil Beds National Monument in the State of Colorado; to the Committee on Interior and Insular Affairs.

By Mr. FINO:

H.R. 5606. A bill to amend title 38 of the United States Code so as to increase the rates of pension payable to certain veterans and their widows, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 5607. A bill to amend title XVIII of the Social Security Act to provide payment for physical therapists' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

H.R. 5608. A bill to amend title XVIII of the Social Security Act to provide payment for chiropractors' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. GERALD R. FORD:

H.R. 5609. A bill to amend the Uniform Time Act of 1966 in order to permit certain States to determine the standard time which shall be observed within their boundaries; to the Committee on Interstate and Foreign Commerce.

By Mr. FULTON of Tennessee:

H.R. 5610. A bill to provide for the exclusion of sick-pay benefits from gross income of employees until such time as they are not expected to work because, for example, they have reached the age for compulsory retirement, and for other purposes; to the Committee on Ways and Means.

By Mr. GIAIMO:

H.R. 5611. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GILBERT:

H.R. 5612. A bill to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes; to the Committee on the Judiciary.

H.R. 5613. A bill to assist in combating crime by creating the U.S. Corrections Service, and for other purposes; to the Committee on the Judiciary.

By Mr. GOODLING:

H.R. 5614. A bill to amend title II of the Social Security Act to increase to $3,000 the annual amount individuals are permitted to earn without suffering deduction from the monthly insurance benefits payable to them under such title; to the Committee on Ways and Means.

By Mrs. GRIFFITHS:

H.R. 5615. A bill to continue until the close of June 30, 1969, the existing suspension of duties for metal scrap; to the Committee on Ways and Means.

By Mr. HARRISON:

H.R. 5616. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. HARVEY:

H.R. 5617. A bill to amend the Uniform Time Act of 1966 in order to permit certain States to determine the standard time which shall be observed within their boundaries; to the Committee on Interstate and Foreign Commerce.

H.R. 5618. A bill to provide appropriations for sharing of Federal taxes with States and their political subdivisions out of funds derived from a cutback in projected new expansion of grant-in-aid programs and as a substitute for portions of existing grant-in-aid expenditures; to the Committee on Ways and Means.

By Mr. HATHAWAY:

H.R. 5619. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. HELSTOSKI:

H.R. 5620. A bill to provide that the Secretary of the Army shall acquire additional land for the Beverly National Cemetery, N.J.; to the Committee on Interior and Insular Affairs.

By Mr. HOLIFIELD:

H.R. 5621. A bill to amend title XVIII of the Social Security Act to provide payment for optometrists' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. IRWIN:

H.R. 5622. A bill to authorize the release of certain quantities of nickel from the national stockpile; to the Committee on Armed Services.

By Mr. KASTENMEIER:

H.R. 5623. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. KUPFERMAN:

H.R. 5624. A bill to amend title II of the Social Security Act to provide monthly insurance benefits for dependent or surviving sisters of certain insured individuals; to the Committee on Ways and Means.

By Mr. LEGGETT:

H.R. 5625. A bill to authorize the construction, operation, and maintenance of the Colorado River Basin project, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 5626. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. McFALL:

H.R. 5627. A bill to amend title 38 of the United States Code to provide a special pension for veterans of World War I and their widows; to the Committee on Veterans' Affairs.

By Mr. MATHIAS of California:

H.R. 5628. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. MATSUNAGA:

H.R. 5629. A bill to establish an Academy of Criminal Justice and to provide for the establishment of such other Academies of Criminal Justice as the Congress may hereafter authorize; to the Committee on the Judiciary.

H.R. 5630. A bill to provide for improved employee-management relations in the Federal service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PATMAN:

H.R. 5631. A bill to modify the existing project, Cypress Bayou and Waterway, between Jefferson, Tex., and Shreveport, La., and the proposed work of improvement on the Red River below Fulton, Ark., and for other purposes; to the Committee on Public Works.

H.R. 5632. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. PATTEN:

H.R. 5633. A bill to amend title 38 of the United States Code so as to increase the educational assistance allowances under the veterans' educational assistance program and to provide special educational assistance under that program to educationally disadvantaged veterans; to the Committee on Veterans' Affairs.

H.R. 5634. A bill to amend title 38 of the United States Code so as to extend to persons who served in the Armed Forces of the United States on or after August 5, 1964, the date of the Gulf of Tonkin incident, the same range of veterans' benefits heretofore provided veterans of other wars; to the Committee on Veterans' Affairs.

H.R. 5635. A bill to amend title 38 of the United States Code so as to provide for increases in maximum coverage under, and otherwise liberalize the provisions of the servicemen's group life insurance program; to the Committee on Veterans' Affairs.

H.R. 5636. A bill to amend title 38 of the United States Code so as to provide pension increases for veterans of World War I, World War II, and the Korean conflict, for widows of such veterans, and for the children of such veterans who are deceased; and for other purposes; to the Committee on Veterans' Affairs.

By Mr. PEPPER:

H.R. 5637. A bill to amend the Federal Power Act, as amended, in respect of the jurisdiction of the Federal Power Commission; to the Committee on Interstate and Foreign Commerce.

By Mr. PICKLE:

H.R. 5638. A bill to amend section 10 of the Railway Labor Act to settle emergency transportation labor disputes; to the Committee on Interstate and Foreign Commerce.

By Mr. POOL:

H.R. 5639. A bill to amend the Internal Revenue Code of 1954 to encourage the construction of pollution control facilities by permitting the deduction of expenditures for the construction, erection, installation, or acquisition of such facilities; to the Committee on Ways and Means.

By Mr. PRICE of Illinois:

H.R. 5640. A bill to amend title 38 of the United States Code so as to make widows of veterans of World War II, the Korean conflict, or the Vietnam era eligible for educational assistance; to the Committee on Veterans' Affairs.

H.R. 5641. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. RARICK:

H.R. 5642. A bill to amend title 38 of the United States Code so as to provide that monthly social security benefit payments shall not be included as income for the purposes of determining eligibility for a pension under that title; to the Committee on Veterans' Affairs.

By Mr. RESNICK:

H.R. 5643. A bill to establish a Federal sabbatical program to improve the quality of teaching in the Nation's elementary or secondary schools; to the Committee on Education and Labor.

By Mr. RHODES of Arizona:

H.R. 5644. A bill to amend chapter 61 of title 18, United States Code, relating to lotteries to exempt deer hunting contests; to the Committee on the Judiciary.

By Mr. RIVERS:

H.R. 5645. A bill to revise the provisions of title 10, United States Code, relating to the recoupment of disability severance pay under certain conditions; to the Committee on Armed Services.

By Mr. ROGERS of Florida:

H.R. 5646. A bill to authorize the establishment of the Biscayne National Monument in the State of Florida, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. RUPPE:

H.R. 5647. A bill to amend the Uniform Time Act of 1966 in order to permit certain States to determine the standard time which shall be observed within their boundaries; to the Committee on Interstate and Foreign Commerce.

By Mr. RYAN:

H.R. 5648. A bill to amend title II of the War Claims Act of 1948 to authorize compensation for losses of intangible personal property; to the Commitee on Interstate and Foreign Commerce.

By Mr. ST GERMAIN:

H.R. 5649. A bill to provide for the establishment of a national cemetery in the town of Glocester, R.I.; to the Committee on Interior and Insular Affairs.

By Mr. ST. ONGE:

H.R. 5650. A bill for the general revision of the copyright law, title 17 of the United States Code, and for other purposes; to the Committee on the Judiciary.

By Mr. SAYLOR:

H.R. 5651. A bill to amend the tariff schedules of the United States with respect to the rate of duty on paper industries machinery; to the Committee on Ways and Means.

By Mr. SCHEUER:

H.R. 5652. A bill to establish a National

Institute of Criminal Justice; to the Committee on the Judiciary.

By Mr. SHRIVER:

H.R. 5653. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel, and to provide a uniform method of proving entitlement to such deduction; to the Committee on Ways and Means.

By Mr. STAGGERS:

H.R. 5654. A bill to amend the Flammable Fabrics Act to increase the protection afforded consumers against injurious flammable fabrics; to the Committee on Interstate and Foreign Commerce.

By Mr. STEIGER of Wisconsin:

H.R. 5655. A bill to establish a National Commission on Public Management, and for other purposes; to the Committee on Government Operations.

By Mr. STUBBLEFIELD:

H.R. 5656. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. WILLIAMS of Pennsylvania:

H.R. 5657. A bill to provide for an orderly expansion of the national cemetery system; to the Committee on Interior and Insular Affairs.

By Mr. WINN:

H.R. 5658. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

By Mr. ABBITT:

H.J. Res. 308. Joint resolution to provide for the resumption of trade with Rhodesia; to the Committee on Foreign Affairs.

By Mr. FULTON of Tennessee:

H.J. Res. 309. Joint resolution concerning a national education policy; to the Committee on Education and Labor.

By Mr. HANNA:

H.J. Res. 310. Joint resolution to designate the 17th day of July of each year as Walt Disney Day; to the Committee on Judiciary.

By Mr. REINECKE:

H.J. Res. 311. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. ROGERS of Florida:

H.J. Res. 312. Joint resolution proposing an amendment to the Constitution preserving the rights of the States with respect to public schools; to the Committee on the Judiciary.

By Mr. WATSON:

H.J. Res. 313. Joint resolution proposing an amendment to the Constitution relating to the power of courts of the United States to review convictions in criminal actions; to the Committee on the Judiciary.

By Mr. LAIRD:

H. Con. Res. 210. Concurrent resolution expressing the sense of Congress that in the interest of peace in Vietnam the Government of the United States should only consider further expansions of trade, educational, and cultural exchanges, and other related agreements with the Soviet Union and its East European satellites when there is demonstrable evidence that their actions and policies with regard to Vietnam have been redirected toward peace and an honorable settlement and when there is demonstrable evidence that they have abandoned their policy of support for so-called wars of national liberation; to the Committee on Foreign Affairs.

By Mr. FINO:

H. Con. Res. 211. Concurrent resolution expressing the sense of Congress that in the interest of peace in Vietnam the Government of the United States should only consider further expansions of trade, educational, and cultural exchanges, and other related agreements with the Soviet Union and its East European satellites when there is demonstrable evidence that their actions and policies with regard to Vietnam have been redirected toward peace and an honorable settlement and when there is demonstrable evidence that they have abandoned their policy of support for so-called wars of national liberation; to the Committee on Foreign Affairs.

By Mr. PRICE of Texas:

H. Con. Res. 212. Concurrent resolution expressing the sense of Congress that in the interest of peace in Vietnam the Government of the United States should only consider further expansions of trade, educational and cultural exchanges, and other related agreements with the Soviet Union and its East European satellites when there is demonstrable evidence that their actions and policies with regard to Vietnam have been redirected toward peace and an honorable settlement and when there is demonstrable evidence that they have abandoned their policy of support for so-called wars of national liberation; to the Committee on Foreign Affairs.

By Mr. BROOKS:

H. Con. Res. 213. Concurrent resolution authorizing the printing as a House document of the letters of Vice Adm. Hyman G. Rickover relating to the distinguished Americans in whose honor the U.S. Navy Polaris nuclear submarines were named; to the Committee on House Administration.

By Mr. CARTER:

H. Con. Res. 214. Concurrent resolution to provide early appropriations for Federal educational programs; to the Committee on Rules.

By Mr. SCHADEBERG:

H. Con. Res. 215. Concurrent resolution authorizing and requesting the President to take such steps as may be necessary to have placed on the agenda of the General Assembly of the United Nations at the next regular session, the issue of self-determination for all nations enslaved by Communist imperialism; to the Committee on Foreign Affairs.

By Mr. HARVEY:

H. Res. 259. Resolution creating a Select Committee on Standards and Conduct; to the Committee on Rules.

By Mr. MORGAN:

H. Res. 260. Resolution providing for expenses of conducting studies and investigations authorized by House Resolution 179; to the Committee on House Administration.

By Mr. SAYLOR:

H. Res. 261. Resolution to amend rule XI of the Rules of the House of Representatives; to the Committee on Rules.

By Mr. WIDNALL:

H. Res. 262. Resolution creating a Select Committee on Standards and Conduct; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

24. The SPEAKER presented a memorial of the Legislature of the State of Minnesota, relative to ratification of the amendment to the Constitution of the United States regarding Presidential succession and disability, which was referred to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 5659. A bill for the relief of Hazel Marjorie Leason; to the Committee on the Judiciary.

By Mr. BRADEMAS:

H.R. 5660. A bill for the relief of John Asimakopulos; to the Committee on the Judiciary.

H.R. 5661. A bill for the relief of Andreas Eliopoulos; to the Committee on the Judiciary.

H.R. 5662. A bill for the relief of Michel Kessissoglou; to the Committee on the Judiciary.

H.R. 5663. A bill for the relief of Ioannes Panagiotis Tsagaris; to the Committee on the Judiciary.

By Mr. CELLER:

H.R. 5664. A bill for the relief of Miriam Agatha Benn; to the Committee on the Judiciary.

By Mr. COHELAN:

H.R. 5665. A bill for the relief of Timon Taylor; to the Committee on the Judiciary.

By Mr. FALLON:

H.R. 5666. A bill for the relief of Van Vo Tuong; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 5667. A bill for the relief of Silvestre Bommarito; to the Committee on the Judiciary.

H.R. 5668. A bill for the relief of Yaffa Cazes; to the Committee on the Judiciary.

H.R. 5669. A bill for the relief of Jadwiga Cieciuch Korszun; to the Committee on the Judiciary.

H.R. 5670. A bill for the relief of Mario Raljevic; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 5671. A bill for the relief of Mrs. Nettie Anabel James; to the Committee on the Judiciary.

H.R. 5672. A bill for the relief of Gilbert Che Fee Lai; to the Committee on the Judiciary.

H.R. 5673. A bill for the relief of Gerlando Sottile, Giuseppa Sottile and Pasqualina Sottile; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 5674. A bill for the relief of Mr. Theodore Bien-Aime; to the Committee on the Judiciary.

By Mrs. GRIFFITHS:

H.R. 5675. A bill for the relief of Ben S. Chinitz; to the Committee on the Judiciary.

By Mr. GUDE:

H.R. 5676. A bill for the relief of Steven Balogh; to the Committee on the Judiciary.

By Mr. HARRISON:

H.R. 5677. A bill for the relief of Robert L. Miller and Mildred M. Miller; to the Committee on the Judiciary.

By Mr. KEITH:

H.R. 5678. A bill for the relief of Jane Velsa Smith; to the Committee on the Judiciary.

By Mr. KUPFERMAN:

H.R. 5679. A bill for the relief of Agnes Erdelyi; to the Committee on the Judiciary.

H.R. 5680. A bill for the relief of Maria Silberman Gardos; to the Committee on the Judiciary.

H.R. 5681. A bill for the relief of Giuseppe Truncali; to the Committee on the Judiciary.

H.R. 5682. A bill for the relief of Soultana Tselidou; to the Committee on the Judiciary.

By Mr. LEGGETT:

H.R. 5683. A bill for the relief of Tara Singh Brar; to the Committee on the Judiciary.

By Mr. MULTER:

H.R. 5684. A bill for the relief of Marie Tavil; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 5685. A bill for the relief of Karlheinz Nellen; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 5686. A bill for the relief of Beatriz Martins Gouveia; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 5687. A bill for the relief of Jai-Poong Cho; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 5688. A bill for the relief of Georgia Giannakopoulos; to the Committee on the Judiciary.

H.R. 5689. A bill for the relief of Demetrios Matarangas; to the Committee on the Judiciary.

H.R. 5690. A bill for the relief of Ioannis Panoussis; to the Committee on the Judiciary.

H.R. 5691. A bill for the relief of Dr. Martha F. Vasquez; to the Committee on the Judiciary.

By Mr. ROONEY of New York:

H.R. 5692. A bill for the relief of Giuseppe Sebastino Saglimbeni; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 5693. A bill for the relief of Georgios Dimitrios Sevastelis and his wife, Efstahia; to the Committee on the Judiciary.

By Mr. TEAGUE of Texas:

H.R. 5694. A bill for the relief of Dimitrios and Lena Arvanitis; to the Committee on the Judiciary.

By Mr. WOLFF:

H.R. 5695. A bill for the relief of Antonio Carollo; to the Committee on the Judiciary.

H.R. 5696. A bill for the relief of Thalia Simos; to the Committee on the Judiciary.

By Mr. WOLFF (by request):

H.R. 5697. A bill for the relief of Alice Bondfield; to the Committee on the Judiciary.

By Mr. YOUNGER:

H.R. 5698. A bill for the relief of Bienvenido A. Cruz and Genina P. Cruz; to the Committee on the Judiciary.

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SENATE

THURSDAY, FEBRUARY 16, 1967

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

Rev. Paul Dilys, pastor, Lithuanian Presbyterian Church, Chicago, Ill., offered the following prayer:

Almighty God, our Father in Heaven, Creator and Ruler of mankind, Thou art the beginning and the end of our life. Thou art the defender of truth and peace with justice. Thou didst create large and small nations; Thou didst love them and lead them through the centuries. We bow our heads before Thee, and we thank Thee for the spiritual gift that Thou didst grant this great America: the gift to live in freedom and in the understanding of the dignity of man.

We pray Thee to bless our President and to give him wisdom, strength, and courage to defend this and other nations from injustice, terror, and slavery. Endow the Senate and the House of Representatives with the responsibility for the future of our Nation; let Thy spirit lead them in their decisions.

We pray to Thee on the 49th anniversary of Lithuania's independence to give her strength to endure the time of sadness and oppression. Send her Thy power and Thy help.

We strongly believe that Thou art the truth and love; therefore, we hope that Thou wilt send justice, peace, and freedom to all nations. Let Thy spirit direct our thoughts and actions. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, February 15, 1967, was dispensed with.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Jones, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, informed the Senate that Mr. BURLESON of Texas, Mr. HAYS of Ohio, and Mr. LIPSCOMB of California, had been elected members of the Joint Committee on Printing, on the part of the House; and that Mr. BURLESON of Texas, Mr. JONES of Missouri, Mr. THOMPSON of New Jersey, Mr. LIPSCOMB of California, and Mr. CORBETT of Pennsylvania, had been elected members of the Joint Committee of Congress on the Library, on the part of the House.

The message also informed the Senate that, pursuant to the provisions of section 1, Public Law 86–42, the Speaker had appointed Mr. GALLAGHER of New Jersey (Chairman), Mrs. KELLY of New York, Mr. MURPHY of Illinois, Mr. JOHNSON of California, Mr. ST GERMAIN of Rhode Island, Mr. PIKE of New York, Mr. KEE of West Virginia, Mr. ANDREWS of North Dakota, Mr. STAFFORD of Vermont, Mr. THOMSON of Wisconsin, Mr. DUNCAN of Tennessee, and Mr. BROOMFIELD of Michigan, as members of the U.S. delegation of the Canada-United States Interparliamentary Group for the meeting to be held in Ottawa, Canada, from May 10 to 14, 1967, on the part of the House.

LIMITATION ON STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. MANSFIELD, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Subcommittee on Government Research of the Committee on Government Operations was authorized to meet during the session of the Senate today.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

NOTICE OF CONSIDERATION OF RESOLUTIONS PROVIDING FUNDS FOR COMMITTEES

Mr. MANSFIELD. Mr. President, for the information of the Senate, after consultation with the distinguished minority leader, the many resolutions providing funds for the various committees, now on the calendar, will be taken up tomorrow.

EXECUTIVE COMMUNICATIONS, *ETC.*

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON DEPARTMENT OF THE ARMY RESEARCH AND DEVELOPMENT CONTRACTS

A letter from the Assistant Executive, Office of the Assistant Secretary of the Army, Research and Development, transmitting, pursuant to law, a report on Department of the Army research and development contracts, for $50,000 or more, awarded during the 6-month period ended December 31, 1966 (with an accompanying report); to the Committee on Armed Services.

INCLUSION OF RAILROAD RETIREMENT BENEFITS AS INCOME OF VETERANS FOR VETERANS' ADMINISTRATION PENSION

A letter from the Administrator of Veterans' Affairs, Veterans' Administration, Washington, D.C., transmitting a draft of proposed legislation to include railroad retirement benefits as income of veterans for Veterans' Administration pension (with an accompanying paper); to the Committee on Finance.

REPORT ON DISPOSAL OF CERTAIN FOREIGN EXCESS PROPERTY

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on the disposal of certain foreign excess property; to the Committee on Government Operations.

REPORTS OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on need for strengthening procedures to ensure salary comparability for State Employment Security Agencies, State of Georgia Employment Security Agency, Bureau of Employment Security, Department of Labor, dated February 1967 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on survey of reviews by the Defense Contract Audit Agency of contractors' price proposals subject to Public Law 87–653, Department of Defense, dated February 1967 (with an accompanying report); to the Committee on Government Operations.

REVIEW OF CHARGES FOR THE DIVERSION OF OVERSEAS HOUSEHOLD GOODS SHIPMENTS AT POINTS IN THE CONTINENTAL UNITED STATES

A letter from the Executive Director, Household Goods Forwarders Association of America, Incorporated, Washington, D.C., reviewing a report of the Comptroller General of the United States, relating to charges for the diversion of overseas household goods shipments at points in the continental United States (with accompanying papers); to the Committee on Government Operations.

REPORT ON MILITARY PERSONNEL AND CIVILIAN EMPLOYEES' CLAIMS

A letter from the Assistant Secretary for Congressional Relations, Department of State, transmitting, pursuant to law, a report on military personnel and civilian employees' claims paid by that Department during the calendar year 1966 (with an accompanying report); to the Committee on the Judiciary.

Report on Fair Labor Standards in Employments in and Affecting Interstate Commerce

A letter from the Secretary of Labor, transmitting, pursuant to law, a report on fair labor standards in employments in and affecting interstate commerce, dated January 1967 (with an accompanying report); to the Committee on Labor and Public Welfare.

Report of National Labor Relations Board

A letter from the Chairman, National Labor Relations Board, Washington, D.C., transmitting, pursuant to law, a report of that Board, for the fiscal year ended June 30, 1966 (with an accompanying report); to the Committee on Labor and Public Welfare.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented and referred as indicated:

By the **PRESIDENT** pro tempore:

A resolution of the Legislature of the State of Nebraska; to the Committee on Interior and Insular Affairs:

"Legislative Resolution 11

"Whereas, the Nebraska Legislature, in 1947 unanimously approved the Nebraska Reclamation Act which permitted the formation and organization of the 550,000 acre Nebraska Mid-State Reclamation District in Buffalo, Hall and Merrick Counties, to further develop proposals of the multipurpose Mid-State Project, to utilize a portion of the water of the Platte River, now flowing unused to the Gulf of Mexico; and

"Whereas, there is now pending before the 90th Congress, Bills in both the Senate and House of Representatives, which provide for authorization and construction of the Mid-State Project by the Secretary of Interior, under Federal Reclamation Law, as a unit of the Missouri River Basin Project; and

"Whereas, legislation for this purpose has been introduced in the Congress of the United States for several sessions.

"Now, therefore, be it resolved by the members of the Nebraska Legislature in Seventy-seventh session assembled:

"1. That the legislature memorializes the 90th Congress and the respective Interior Committees thereof, to support the proposals of the Bureau of Reclamation for the $84 million Mid-State Project and approve the above legislation for its authorization and construction.

"2. That copies of this resolution, suitably engrossed, be transmitted by the Clerk of the Legislature, to the U.S. Senate and House of Representatives, of the 90th Congress, to Hon. Henry Jackson, chairman of the Senate Interior Committee and Hon. Wayne Aspinall, chairman of the House Interior Committee and to each member from Nebraska in the Senate and House of Representatives of the United States.

"John E. Everroad,
"President of the Legislature.

"I, Hugo F. Srb, hereby certify that the foregoing is a true and correct copy of Legislative Resolution 11, which was passed by the Legislature of Nebraska in Seventy-seventh regular session on the eighth day of February, 1967.

"Hugo F. Srb,
"Clerk of the Legislature."

A joint resolution of the Legislature of the State of Minnesota; to the Committee on the Judiciary:

"Resolution 1

"A resolution ratifying a proposed amendment to the Constitution of the United States of America relating to succession to the Presidency and Vice Presidency

"Whereas, both Houses of the Congress of the United States by a Joint Resolution proposed an amendment to the Constitution of the United States which reads as follows:

"'*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled* (*two-thirds of each House concurring therein*), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"'"Article —

"'"*Section* 1. In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.

"'"Sec. 2. Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress.

"'"Sec. 3. Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President.

"'"Sec. 4. Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.

"'"Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President and a majority of either the principal officers of the executive department or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is not in session, within twenty-one days after Congress is required to assemble, determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of his office, the Vice President shall continue to discharge the same as Acting President; otherwise, the President shall resume the powers and duties of his office'."

"Now, therefore, be it resolved by the Legislature of the State of Minnesota that the proposed amendment to the Constitution of the United States is hereby ratified by the Legislature of the State of Minnesota.

"Be it further resolved that the Secretary of State of the State of Minnesota is directed to forward copies of this resolution to the administrator of the General Services Administration, to the presiding officer of the Senate of the United States and the speaker of the House of Representatives of the United States and transmit an official notice of this resolution to the Secretary of State of the United States as provided by the law of this state.

"L. L. Duxbury,
"Speaker of the House of Representatives.
"James B. Goetz,
"President of the Senate."

A joint resolution of the Legislature of the State of Oregon; to the Committee on the Judiciary:

"House Joint Resolution 2

"Whereas the Eighty-ninth Congress of the United States of America, at the first session begun and held at the City of Washington on January 4, 1965, by a constitutional two-thirds vote in both Houses adopted a Joint Resolution proposing an amendment to the Constitution of the United States, as follows:

"'Article —

"'Section 1. In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.

"'Sec. 2. Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress.

"'Sec. 3. Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President.

"'Sec. 4. Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.

"'Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President and a majority of either the principal officers of the executive department or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is not in session, within twenty-one days after Congress is required to assemble, determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of his office, the Vice President shall continue to discharge the same as Acting President; otherwise, the President shall resume the powers and duties of his office.'

"Whereas the proposed amendment shall be valid to all intents and purposes as part of the Constitution of the United States when ratified by the legislatures of three-fourths of the several states within seven years from the date of its submission by the Congress; now, therefore,

"Be It Resolved by the Legislative Assembly of the State of Oregon:

"(1) The proposed amendment to the Constitution of the United States, relating to succession to the Presidency and Vice Presidency and to cases where the President is unable to discharge the powers and duties of his office, as set forth in this resolution, hereby is ratified.

"(2) The Secretary of State shall send certified copies of this resolution to the Administrator of General Services of the United States, to the presiding officer of the United States Senate and to the Speaker of the House of Representatives of the United States.

"Adopted by House, January 20, 1967.

"——— ———,
"Chief Clerk of House.
"F. F. MONTGOMERY,
"Speaker of House.

"Adopted by Senate February 2, 1967.

"E. D. 'DOBBS' POTTS,
"President of Senate."

A joint resolution of the Legislature of the State of Washington; to the Committee on the Judiciary:

"SENATE JOINT RESOLUTION 7

"Whereas, the Eighty-ninth Congress of the United States of America, at the first session begun and held at the City of Washington on Monday, the fourth day of January, one thousand nine hundred and sixty-five, by a constitutional two-thirds vote in both Houses adopted a Joint Resolution proposing an amendment to the Constitution of the United States, to wit: Joint Resolution proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice Presidency and to cases where the President is unable to discharge the powers and duties of his office.

"'*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled* (*two-thirds of each House concurring therein*), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:

"'"ARTICLE —

"'"SECTION 1. In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.

"'"SEC. 2. Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress.

"'"SEC. 3. Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President.

"'"SEC. 4. Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.

"'"Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President and a majority of either the principal officers of the executive department or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is not in session, within twenty-one days after Congress is required to assemble, determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of his office, the Vice President shall continue to discharge the same as Acting President; otherwise, the President shall resume the powers and duties of his office'."

"Therefore be it resolved, by the Senate and the House of Representatives of the State of Washington, in legislative session assembled; That the said proposed amendment to the Constitution of the United States of America, be and the same is hereby ratified by the Legislature of the State of Washington; and

"Be it further resolved, That certified copies of this resolution shall be forwarded by the secretary of state to the Administrator of General Services, Washington, D.C., to the President of the Senate, and to the Speaker of the House of Representatives of the Congress of the United States.

"Passed the Senate January 13, 1967.

"JOHN A. CHERBERG,
"President of the Senate.

"Passed the House January 26, 1967.

"DON ELDRIDGE,
"Speaker of the House."

A joint resolution of the Legislature of the State of Wyoming; to the Committee on Post Office and Civil Service:

"ENROLLED JOINT MEMORIAL NO. 1

"A joint memorial memorializing the Congress of the United States to authorize the Post Office Department to authorize a postage stamp recognizing the Territorial Centennial of Wyoming in 1969

"Be it resolved by the Legislature of the State of Wyoming:

"Whereas, the year 1969 marks the Territorial Centennial of the State of Wyoming.

"Whereas, it is customary for the Post Office Department to issue memorial stamps in recognition of the territorial centennials of the various states.

"Now, therefore, be it resolved by the House of Representatives of the Thirty-ninth Legislature of the State of Wyoming, the Senate concurring, that the President of the United States and the Congress be memorialized to authorize the Post Office Department to issue a Wyoming Territorial Centennial stamp in 1969.

"Be it further resolved that duly attested copies hereof be transmitted to the President and Vice President of the United States, the Speaker of the House of Representatives of said Congress, and to Senators Gale McGee, Clifford P. Hansen, and Representative William H. Harrison.

"RICHARD R. JONES,
"President of the Senate.
"WILLIAM F. SWANTON,
"Speaker of the House.
"STAN HATHAWAY,
"Governor."

A joint resolution of the Legislature of the State of Wyoming; to the Committee on Public Works:

"ENROLLED JOINT MEMORIAL NO. 2

"A joint memorial, memorializing the Congress of these United States of America to extend the present limited seasonal maintenance and public use, to year-round maintenance and supervision for public safety and welfare, of U.S. Highways 89, 14 and 20 within the confines of Teton National Park and Yellowstone National Park, and to terminate the winter closure of this highway during the winter season

"Be it resolved by the Legislature of the State of Wyoming:

"Whereas, the present National Park Service practice of closing the public access of U.S. Highways 89, 14 and 20 through Grand Teton National Park and Yellowstone National Park during the winter months inhibits the free flow of traffic; and

"Whereas, this unusual and discriminatory winter closure constitutes the only single and unique impediment to main arterial public traffic; and

"Whereas, this limited, restricted and seasonal maintenance can seriously and adversely affect the continuing important growth of Wyoming's third largest industry, tourism; and

"Whereas, the general public is refused access to Grand Teton National Park and Yellowstone National Park, two of the most unusual and breathtakingly beautiful scenic areas during the winter season; and

"Whereas, the National Park Service is already voluntarily maintaining and supervising much of this federal highway system within the borders of the aforementioned national parks; and

"Whereas, a realistic and current federal study pertaining to the winter opening of the aforementioned sections of U.S. Highways 89, 14 and 20 is urgently needed to determine actual costs of maintenance and traffic supervision on a year-round basis, as compared with the present seasonal maintenance and supervision together with the exhorbitant additional costs of the present spring snow removal and general opening work to make the highway ready for seasonal traffic; and

"Whereas, the winter closing of U.S. Highways 89, 14 and 20 in the aforementioned national parks constitutes a restriction to the movement of national defense traffic during times of national emergency; and

"Whereas, Grand Teton National Park and the overwhelming majority of Yellowstone National Park are within the political and geographical boundaries of the State of Wyoming;

"Now, therefore, be it resolved, by the House of Representatives of the Thirty-ninth Legislature of the State of Wyoming, the Senate of such Legislature concurring, that the President, Vice-President and Congress of the United States of America be and are hereby memorialized and respectfully and urgently solicited to effect year-round public vehicular use of U.S. Highways 89, 14 and 20 within the boundaries of Grand Teton National Park and Yellowstone National Park for the important and necessary improvement of our national highway system for national defense and public convenience. and to offer the people of these United States of America the additional recreational and scenic wonders of the aforementioned national parks on a year-round basis, all of which privileges have been heretofore denied them.

"Be it further resolved, that attested true copies hereof be promptly transmitted to the President and Vice-President of the United States, the Speaker of the House of Representatives of its Congress, President of the United States Senate, United States Senators Gale McGee and Clifford P. Hansen, Representative in Congress William Henry Harrison, Director of the National Park Service, Secretary of Commerce, and the National Highway Administrator.

"RICHARD R. JONES,
"President of the Senate.
"WILLIAM F. SWANTON,
"Speaker of the House.
"STANLEY HATHAWAY,
"Governor."

A Joint resolution of the Legislature of the State of California; to the Committee on Interior and Insular Affairs:

"SENATE JOINT RESOLUTION 1"

"Joint resolution relative to naming the forebay dam and reservoir of the San Luis Dam and Reservoir in honor of J. E. O'Neill

"WHEREAS, The Sun Luis Dam and Reservoir under construction as a joint federal-state project as part of the San Luis Unit of the Central Valley Project and as part of the State Water Facilities is of vital importance to the State of California; and

"WHEREAS, The late J. E. O'Neill, the first President of the Board of Directors of Westlands Water District, was dedicated to the early authorization and construction of the San Luis Unit for the benefit of all of the people; and

"WHEREAS, Without the dedicated leadership and efforts of J. E. O'Neill over a period of some 20 years, the San Luis Unit would not now be under construction; and

"WHEREAS, J. E. O'Neill contributed to the general welfare of the San Joaquin Valley and the State of California through his active and aggressive civic efforts in other fields and areas; and

"WHEREAS, It is not possible to describe all of the great efforts and benefits conferred by this dedicated public benefactor; and

"WHEREAS, It is fitting and proper that a memorial be dedicated to J. E. O'Neill and that his name especially be identified in some permanent fashion with the San Luis Unit to which he contributed so much; and

"WHEREAS, The City of Los Banos, the Los Banos Rotary Club, the Los Banos Lions Club, the Los Banos Chamber of Commerce, and the County of Merced's board of supervisors have all adopted resolutions indicating their support of the proposal to name the forebay dam and reservoir of the San Luis Dam and Reservoir in honor of J. E. O'Neill; now, therefore, be it

"Resolved by the Senate and Assembly of the State of California, jointly, That the Legislature of the State of California respectfully requests the Secretary of the Interior and the Director of Water Resources to take the necessary steps toward naming the forebay dam and reservoir of the San Luis Dam and Reservoir in honor of J. E. O'Neill; and be it further

"Resolved, That the Secretary of the Senate be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, to the Secretary of the Interior, and to the Director of Water Resources."

CONSUMER INTEREST—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 57)

The PRESIDING OFFICER (Mr. BYRD of West Virginia in the chair). The Chair lays before the Senate a message from the President of the United States on consumer interest. Without objection, the message will be printed in the RECORD without being read.

The message from the President is as follows:

To the Congress of the United States:

Almost 100 years ago the 42d Congress enacted and President Grant signed the first consumer protection law—to prohibit the fraudulent use of the mails.

We have passed many milestones since then on the road to consumer protection. One landmark was the Pure Food and Drug Act of 1906. Shortly after its enactment, President Theodore Roosevelt wrote:

> The work thus begun must be unflinchingly carried forward in the interest both of the public and of the great body of . . . producers who are engaged in honest business.

Congresses and Presidents have "unflinchingly carried forward" in the public interest—from the Federal Trade Commission Act passed during Woodrow Wilson's day and the Securities Act under Franklin Roosevelt, to the Truth-in-Packaging Act under the 89th Congress last year.

The consumer has also benefited from wise Government policies to promote and stabilize prosperity. The American consumer today enjoys the highest standard of living ever experienced in the world. And it has risen rapidly in recent years. During the past 3 years, the consumer has reaped the harvest of a vigorous prosperity:

Nearly 6 million more Americans are at work, contributing to production and collecting growing paychecks;

Real income after taxes has advanced 13 percent for the average American, a gain as large as in the preceding 8 years;

The net financial wealth of American families has risen $150 billion.

We were concerned with the rise in prices last year, even though the incomes of most families outpaced the price level. Over the past several months, price increases have waned in intensity. And there is clear and welcome evidence that interest rates have been moving down. We must take whatever steps are necessary to continue these trends.

With the cooperation of business, labor, and the consumer, Government policies will be working this year to improve our record on prices and interest rates, and to continue the steady growth of family incomes.

The rising incomes of prosperity have brought new vigor to the marketplace. American business has responded with matchless ingenuity and enterprise to produce the widest range of quality products ever offered for sale.

But the march of technology that has brought unparalleled abundance and opportunity to the consumer has also exposed him to new complexities and hazards. It has made his choices more difficult. It has made many of our laws obsolete and has created the need for new legal remedies and safeguards. In short, we are faced with new problems of prosperity.

Most of these problems are resolved in the free competitive market through the energies of private enterprise. It is remarkable how well the free enterprise system does its job. The Government does not and will not tell business what to produce or labor where to work. Nor will it tell the consumer what to buy.

By comparison with the scope of the market, the task of the Government is relatively small. Nonetheless, that task is vital and must be executed fully and faithfully. It must be kept up to date with the realities of modern life and a sophisticated marketplace.

The Government must work to make consumer choice fully effective. The consumer must be protected against unsafe products, against misleading information, and against the deceitful practices of a few businessmen that can undermine confidence in the vast majority of diligent and reputable firms.

The 89th Congress fulfilled these responsibilities. It will surely go down in history as a consumer's Congress. I proposed and you in the Congress enacted a series of measures designed to protect the consumer in the modern supermarket, on the new high-speed turnpikes of America and in our growing banking and savings institutions:

The Truth-in-Packaging Act has launched a system to tell the buyer just what he is purchasing, how much it weighs, and who made it.

The Traffic and Highway Safety Acts have begun the first comprehensive national attack on the mounting toll of death and destruction on the highways.

The Child Protection Act is safeguarding our youngsters against needless tragedy from hazardous toys.

Additional insurance protection has been afforded to the millions of Americans who place their savings on deposit.

I now call upon the 90th Congress, in Theodore Roosevelt's words, to carry forward unflinchingly in the public interest, and to build on the record of progress of the 89th Congress. For there is important unfinished and new business on the agenda to:

Provide consumers with accurate and clear information on the cost of credit.

Give our investors better protection in their purchases of undeveloped land, their interests in private pension and welfare plans and their holdings of mutual funds.

Insure that medical devices and laboratories designed to aid health do not instead intensify illness.

Close the gaps in our system of meat inspection.

Reshape our laws dealing with hazardous household products.

Improve our shameful record of losses of life and property through fires.

Minimize the likelihood of massive electric power failures.

Insure the safety of natural gas pipelines.

I have submitted many proposals at this session to benefit the poor and the disadvantaged of our land. The recommendations I am making today will help all Americans. Most of all, they will help middle-income families—the vast majority of Americans who can afford to enjoy the abundance of the marketplace but who can ill afford the high cost of deceit, misinformation and confusion.

TRUTH IN LENDING

Consumer credit has become an essential feature of the American way of life. It permits families with secure and growing incomes to plan ahead and to enjoy fully and promptly the ownership of automobiles and modern household appliances. It finances higher education for many who otherwise could not afford it. To families struck by serious illness or other financial setbacks, the opportunity to borrow eases the burden by spreading the payments over time.

Because of these benefits, consumers rely heavily on credit. Outstanding consumer credit today totals $95 billion. Seventy five billion dollars takes the form of installment credit. The interest costs on consumer credit alone amounted to nearly $13 billion in 1966.

The consumer has the right to know the cost of this key item in his budget just as much as the price of any other commodity he buys. If consumers are to plan prudently and to shop wisely for credit, they must know what it really costs.

In many instances today, consumers do not know the costs of credit. Charges are often stated in confusing or misleading terms. They are complicated by "add-ons" and discounts and unfamiliar gimmicks. The consumer should not have to be an actuary or a mathematician to understand the rate of interest that is being charged.

As a matter of fairplay to the consumer, the cost of credit should be disclosed fully, simply, and clearly.

Now that the right of consumers to be fully informed is protected when they shop in the supermarkets, the time has come to protect that right for shoppers who seek credit.

I recommend the Truth-in-Lending Act of 1967 to assure that, when the consumer shops for credit, he will be presented with a price tag that will tell him the percentage rate per year that is being charged on his borrowing.

We can make an important advance by incorporating the wisdom of past discussions on how the costs of credit can best be expressed. As a result of these discussions, I recommend legislation to assure full and accurate information to the borrower, and simple and routine calculations for the lender.

This legislation is urgently needed to close an important gap in consumer information, protect legitimate lenders against competitors who misrepresent credit costs.

The Truth-in-Lending Act of 1967 would strengthen the efficiency of our credit markets, without restraining them. It would allow the cost of credit to be freely determined by informed borrowers and responsible lenders. It would permit the volume of consumer credit to be fully responsive to the growing needs, ability to pay, and aspirations of the American consumer.

THE INVESTING PUBLIC

With savings derived from an abundant economy, America has become a nation of investors.

The landmark securities laws enacted during President Franklin Roosevelt's first term have provided important safeguards over the last three decades to the millions of Americans who invest in stock. The deposit insurance laws of the New Deal safeguard our checking and savings accounts.

Today new efforts are needed to assure that Federal protection of the investor keeps pace with the changing needs and growing wealth of the American economy. There are three areas of rapidly expanding investment that require the attention of the Congress in 1967—interstate land sales, private pension and welfare plans, and mutual funds.

1. INTERSTATE LAND SALES

Many investors—particularly older Americans—are attracted to advertisements offering inexpensive retirement homesites. The interstate mail-order sales of such land runs into many millions of dollars each year.

Most buyers get what they pay for. But, according to evidence obtained by the Senate Subcommittee on Frauds and Misrepresentations Affecting the Elderly, "slippery language and omission of important facts" have given too many buyers grossly distorted impressions of the land they later purchased.

Some of our senior citizens have become victims of subtle and sharp sales practices. They have wasted much of their life savings on a useless piece of desert or a swampland.

A number of States have enacted legislation to deal with these abuses. But only the Federal Government can have effective authority over interstate mail-order sales. Only the exercise of such authority can protect the buyer and legitimate seller alike against loss and injury.

I recommend the Interstate Land Sales Full Disclosure Act of 1967 to afford the public greater safeguards against sharp and unscrupulous practices.

Under the act, developers engaged in interstate commerce, who offer to sell unimproved subdivided lots, would be required to disclose to potential buyers fully, simply, and clearly all of the material facts needed for an informed choice. This can be assured—without burdening the legitimate developer—through a Securities and Exchange Commission registration procedure. The procedure would be similar to the proven and effective disclosure technique used for public offerings of corporate stock.

2. PENSION AND WELFARE PLANS

More than 40 million workers on the payroll of American industry are now participating in private welfare and pension plans.

These plans are of vital importance to the worker and his family. They are a source of retirement income. They help meet the bills when illness or disability strikes. In combination with the Federal social security system, they provide a framework of protection for the American worker in his old age.

These private plans have grown sharply. Today, they account for assets of $90 billion. The very size of these plans make it essential that they be soundly administered in the public interest. Because employer and worker alike rely upon them so heavily, they must be operated with unquestioned prudence and integrity.

The vast majority of welfare and pension plans are managed wisely by able officials, who follow the strictest code of fair dealing.

Yet our goal must be to guarantee to every American worker that the steward of his particular plan, just as any other trustee, follows the highest standards of responsibility. Federal law provides a number of safeguards—but there are serious gaps which must be closed.

The law, for example, does not bar conflicts of interest between the plan and its employer company. Nor does it now adequately prohibit a conflict between the private or personal interests of the plan's manager and the larger interests of the beneficiaries. There have even been cases where managers have obtained loans for themselves and their personal friends.

In some cases, serious abuses of trust have not been reached by the law. In other instances, a timely audit could have prevented fraudulent activity. But the law requires no such independent check.

I recommend the Welfare and Pension Plan Protection Act of 1967 to extend additional protection to the American worker, his family, and his employer.

Under this act—

Time-tested standards of responsibility and fair dealing will be required of plan administrators.

Yearly independent audits of welfare and pension plans will be conducted by certified or licensed public accounts.

Disclosure of the plan's financial activities will be made more complete.

Maximum limits will be placed on the portion of the plan that may be invested in stock of the employer company.

The enforcement and investigatory powers of the Secretary of Labor will be expanded.

Legal remedies will be available to recover losses to the beneficiary resulting from breaches of faith by administrators of the plan.

This law will not interfere with the discretion of plan managers in making legitimate investment decisions. It will, however, insure the worker and his family that their welfare and pension plans will be administered fairly and honestly.

3. MUTUAL FUNDS

In 1940, President Roosevelt signed the Investment Company Act—and for the first time, direct protection was extended to the investor in a mutual fund.

At that time, about 300,000 Americans held mutual fund shares, worth $450 million. Today, mutual fund investors number more than 3.5 million. Their holdings are worth over $38 billion. Many of these investors are families of modest means.

The spectacular growth of the mutual fund industry is an indication of its popularity and of the important role it plays in the economy. Through these funds, the small investor can obtain professional management and an interest in a diversified portfolio of securities. He expects to and is willing to pay reasonable fees for these services.

The vast expansion of mutual funds, particularly in the last decade, has brought to the fore new issues which were either nonexistent or of secondary importance when the Investment Company Act was passed over a quarter of a century ago. A wise and forward-looking Congress in 1940 authorized the Securities and Exchange Commission to conduct a study of mutual funds if "any substantial further increase in the size of investment companies creates any problem involving the protection of investors or the public interest."

Acting under this mandate, the Securities and Exchange Commission has made periodic studies of the mutual fund industry. Two months ago, the Commission submitted to the Congress a thoughtful and exhaustive 346-page analysis, "Public Policy Implications of Investment Company Growth."

The SEC report reaffirms the diligent manner in which the funds are managed and cites the proud record of the industry. However, it raises a number of serious questions when it states that—

The great economies of size resulting from the growth of funds have brought vast profits to fund managers. But these economies have not been shared adequately with the investor.

Sales charges for mutual funds may often be unnecessarily high.

Investors of modest means have purchased "front end load" plans under which as much as 50 percent of their payments during the first year are deducted as sales commissions. They may face a substantial loss if financial difficulties force them to withdraw from the plan at an early date. In many cases the consumer is unaware of other forms of mutual fund investment which may be available at lower cost.

The Commission's study concludes that mutual fund shareholders need additional safeguards in the areas mentioned above and that protections under present law should be extended.

I urge the Congress to give careful consideration to the report and recommendations of the Securities and Exchange Commission. In my judgment, they provide a sound basis for measures which will be beneficial to the investing public and promote the health and stability of the industry itself.

PROTECTING THE PUBLIC'S HEALTH

Today, we have a network of safeguards protecting the public's health.

In 1938 the Congress strengthened the Food, Drug and Cosmetics Act to require that the safety of drugs be cleared prior to marketing. In 1962, the law was further reinforced to require that the effectiveness of drugs also be cleared prior to marketing.

The value of these laws is beyond question. Nonetheless, important gaps in the law remain which should be closed now.

1. INSURING THE SAFETY AND EFFECTIVENESS OF MEDICAL DEVICES

Under present law, dangerous and worthless devices may be marketed until the Government—sometimes by chance, sometimes by complaint—discovers them and gathers the necessary evidence to establish that they are hazardous or ineffective. This is a laborious process. It requires many months. It is costly.

In the meantime, the elderly and the seriously ill suffer most. Improper treatment with worthless devices can be the cruelest hoax of all.

We want to foster continued research and development of lifesaving devices. But we must be sure they have been adequately tested before they are put on the market. We cannot be sure today.

Congressional testimony has revealed that—

Defective nails and screws for bone repair have required repeated operations to correct the damage.

Some artificial eyes have resulted in serious infection.

Useless heating and vibrating devices have caused the ill to squander their money and delay the pursuit of effective treatment.

X-ray machines, which could have been properly safeguarded at little cost, emitted excessive doses of radiation.

I recommend the Medical Device Safety Act of 1967.

Under this act, the Food and Drug Administration would be required to preclear certain therapeutic materials—such as artificial organ transplants—used mainly on or in the body. In addition, the FDA will establish standards to assure the safety and performance of certain classes of widely used devices—bone pins, catheters, X-ray equipment, and diathermy machines.

In every case, the rights of the parties will be protected by fair hearings.

This new law will not apply to simple and ordinary patient care items which have withstood the test of time and are generally recognized as safe and reliable. It will not apply to an item specially ordered or designed by a surgeon or physician. Nor will it inhibit the research and development essential to the advancement of the medical arts. It will, however, protect physician and patient alike from devices which are dangerous and unreliable.

2. IMPROVING OUR CLINICAL LABORATORIES

Most clinical laboratories render outstanding and dedicated services to patients and doctors. But the substandard clinical laboratory remains outside the reach of the law. There have been deeply disturbing revelations of inaccurate medical tests performed by some of these laboratories. These tests have caused serious harm to the health and have threatened the lives of patients.

Consider the following:

Expert studies indicate that one out of every four diagnostic tests conducted by clinical laboratories may be inaccurate.

Mismatched blood transfusions have caused serious injury or death.

Falsely low hemoglobin readings have resulted in transfusions patients did not need.

Inaccurate tests have resulted in the needless prescription of highly toxic drugs.

False tests have resulted in cruel anxiety to the patient and his family.

I recommend the Clinical Laboratories Improvement Act of 1967.

Under this act, clinical laboratories engaged in interstate commerce would be licensed by the U.S. Surgeon General and required to comply with minimum performance standards set by him.

We will also provide, under the "Partnership for Health Act," a series of flexible matching grants to State and city health departments to strengthen their procedures for evaluating the skill and performance of clinical laboratories not in interstate commerce.

ASSURING WHOLESOME MEAT

For 60 years, the Federal meat inspection program has removed unwholesome and adulterated products from the Nation's meat counters. The American housewife knows she can count on the quality of inspected meat. Indeed, she may expect that all the meat she buys deserves her confidence.

Yet, millions of tons of meat are not subjected to these high standards of inspection. Nearly 15 percent of the fresh meat supply and almost 25 percent of processed meat products do not enter into interstate commerce and are therefore not inspected under the Federal program. Although some of this meat is inspected under State and local programs, most of it receives no inspection at all.

It should be our goal to provide full assurance of the wholesomeness of all meat products offered for sale to the housewife. This assurance can best be developed through a Federal-State partnership for consumer protection.

I recommend the Wholesome Meat Act of 1967.

This legislation would modernize the present Federal Meat Inspection Act, a law which has been amended only once since its enactment in 1907. Under the strengthened legislation, the Secretary of Agriculture would be authorized to—

Enter into cooperative agreements with States seeking to raise their standards of meat inspection.

Furnish these cooperating States with up to half of the administrative cost of the inspection program and a major share of the cost of training personnel to man the program.

This legislation would greatly enhance the wholesomeness of our total meat supply.

PROTECTION AGAINST HAZARDS IN THE HOME

Time and again during the 20th century, Congress has enacted new legislation to protect the health and safety of consumers. Our lawmakers have responded to changing needs and circumstances. Often they have been spurred by particular tragedies or specific disclosures.

News stories about young girls burned by flaming sweaters brought swift congressional action in 1953 to deal with certain flammable wearing apparel. The tragic deaths of children by suffocation in refrigerators led to the Refrigerator Safety Act.

It is right and gratifying that the national conscience responds vigorously to such events. But the result is a patchwork of frequently uncoordinated laws, incomplete and uneven in coverage, often containing loopholes and gaps unknown and unrecognized by the general public. The time has come to take an overall look at our national safety legislation and to determine how it can best be streamlined to meet the needs of today.

1. NATIONAL COMMISSION ON PRODUCT SAFETY

It is particularly urgent to review our safeguards against hazardous household products. Recent estimates indicate that over 400,000 accidents a year can be attributed to power mowers, washing machines, power tools, and cooking utensils.

Consumers must, of course, exercise

proper caution in using equipment which inherently has some risk. But consumers should not be exposed to unnecessary risks resulting from improper design or defective manufacture. Today, too often, the consumer cannot be sure where such hazards lie.

The time has come for a comprehensive review of the scope and potential of voluntary industry efforts to develop safety standards and to engage in self-regulation; relationship among Federal, State, and local laws and regulations; proper identification of products which present undue and unreasonable hazards to the health and safety of consumers; question of responsibility and enforcement, particularly of manufacturers' liability for injuries caused by hazardous products.

When we have the answers to these questions, we can move from a patchwork of regulation to the comprehensive network of safeguards the American consumer deserves.

I recommend that the Congress enact legislation establishing a National Commission on Product Safety to insure prompt study of these questions by America's outstanding experts.

The entire Nation would look forward to a full report from the Commission, including proposals to establish uniform, comprehensive, and effective safeguards in the area of household products.

2. STRENGTHENING THE FLAMMABLE FABRICS ACT

There is one gap, however, in existing legislation which is so glaring that action should not be delayed. The Flammable Fabrics Act of 1953 has done much to keep extremely flammable clothing out of the Nation's stores.

But the standard of flammability established under that act is deficient. The act does not cover many articles of clothing which can be consumed by fire almost instantaneously. It is narrowly restricted to certain wearing apparel. It does not extend to such everyday items as baby blankets, drapes, carpets, and upholstery fabrics.

I recommend legislation to broaden and strengthen the Flammable Fabrics Act to close these gaps in the law.

3. FIRE SAFETY ACT

The strengthening of the Flammable Fabrics Act should be one early step in a major national effort to reduce our shameful loss of life and property resulting from fires. In 1965, some 12,000 lives and $1.75 billion worth of property were lost to fire. Our per capita death rate through fire was about four times as great as that of the United Kingdom and over six times as great as that of Japan. We can do better, and we must.

We must begin by developing improved information about the number and causes of fires and their costs in terms of property, lives, and injuries.

The Federal Government must also begin to support and supplement private research efforts on firefighting and fire prevention. It should work to expand public education about fire prevention. It should extend a helping hand to communities willing to innovate and experiment in the field of fire control and prevention.

I recommend the Fire Safety Act of 1967.

This act will authorize and support the collection, analysis, and dissemination of comprehensive, detailed fire information; initiation of a fire safety research program; improved education for those who prevent and control fire; educational programs to inform the public of its opportunities and responsibilities for fire prevention; pilot projects to improve and upgrade the efficiency of firefighting professions and to promote more effective application of fire safety principles in construction.

INCREASED ELECTRIC POWER RELIABILITY

The electric power industry, consisting of over 3,000 separately owned systems—public, private, and cooperative—supplies a great and growing share of America's energy requirements. Electric power consumption in this country doubles every decade.

Electricity has helped to fulfill the promise of modern America. The electric power industry has provided this Nation with the most dependable and widespread electric service enjoyed by any people. Utilities have joined together to create systems that span thousands of miles and operate at efficient and economical extra high voltages.

We have become almost totally reliant on electric power and on the systems that carry it to our homes, offices, factories, and farms. The Northeast blackout in November 1965—affecting 30 million people in six States and Canada—was a spectacular reminder of how vital an uninterrupted flow of electric power is to our safety, defense, health, and convenience. Subsequent power failures of lesser magnitude elsewhere in the country have intensified the concern of every citizen. The Nation's dependence on electric power requires further efforts to assure that service becomes even more reliable in the future.

Government and industry experts are now completing their assessment of the lessons of the Northeast power blackout. It is becoming increasingly clear that greater coordination is needed among the various utilities to reap the benefits of reliability and economy inherent in huge generating units and extra-high-voltage transmission lines.

It is also becoming evident that power systems must be carefully planned, coordinated, and strengthened to protect the consumer against cascading power failures. Much of this effort is already being voluntarily undertaken by America's great electric power industry. For example, in recognition of the importance of coordination, 23 utilities in an eight-State area recently announced the formation of a regional council.

But more must be done. The final report of the Federal Power Commission on the Northeast blackout is now being completed. Recommendations for legislation will be carefully reviewed by the executive branch.

On the basis of this report and our review we shall recommend legislation to strengthen coordination among the electric power utilities. This coordination will promote the growth of an electric power supply system to provide an even higher quality of electric service to the American consumer.

NATURAL GAS PIPELINE SAFETY

Nearly 800,000 miles of pipeline reach out across a continent, linking the Nation's natural gas producing fields to the consumer. This gas brings heat and convenience to millions of American homes. It is used increasingly in industrial processes.

The safe transmission and distribution of natural gas is essential to all of us.

The natural gas industry is among the most safety conscious in the Nation. But natural gas is inherently dangerous when it is being transmitted. It travels through pipelines at enormous pressures. It is highly inflammable. When it burns, it can reach temperatures as high as 2,500° F. In March 1965, a tragic pipeline failure near Natchitoches, La., killed 17 persons. The recent blaze in Jamaica, N.Y., dramatically underscored how serious a gas pipeline failure can be.

As pipelines age and as more and more of the system lies under areas of high population density, the hazards of pipeline failures—and explosions—increase. Yet 22 States have no safety regulations; many of the remaining 28 States have weak or outmoded provisions; although the gas industry has developed safety standards, they are not binding and in some instances not adequate; there is no Federal jurisdiction whatsoever over 80 percent of the Nation's gas pipeline mileage and no clear authority to set minimum safety standards for the remaining 20 percent.

With the creation of the Department of Transportation, one agency now has responsibility for Federal safety regulation of air, water, and land transportation, and oil pipelines. It is time to complete this comprehensive system of safety by giving the Secretary of Transportation authority to prescribe minimum safety standards for the movement of natural gas by pipeline.

I recommend the Natural Gas Pipeline Safety Act of 1967.

Under the act, the Secretary of Transportation will develop minimum safety standards in consultation with the industry, the States, the Federal Power Commission, and other Government agencies.

These standards will cover the design, installation, operation, and maintenance of existing and proposed pipeline facilities, both interstate and intrastate, when the facilities are involved in the gathering, transmission, or distribution of natural gas moving in interstate commerce. I am confident that the public can expect the full support of the industry for strengthened safety standards.

The Secretary of Transportation will also be given authority to investigate and determine the cause of accidents involving gas pipelines.

If we act now—in the public interest—we can reduce significantly the possibility of tragedy later on.

TO PROTECT THE AMERICAN CONSUMER

In this, my third message to the Congress on advancing the consumer interest, I speak in behalf of 200 million Americans.

I have set forth a series of demanding legislative proposals. They will require careful and deliberate consideration by the Congress and diligent efforts by the executive branch once they are enacted.

The cost to taxpayers of carrying out these proposals is very small. The savings to them as consumers will be great—in dollars, in safety, and in peace of mind.

These proposals call for the united support of business, labor, and consumers.

Their purpose is to provide the greatest good for the greatest number.

They serve the objectives I set forth 6 years ago, almost to the day, before the National Industrial Conference Board:

> This Administration seeks no cold wars with—or among—those it serves; not with business or labor, not among producer and consumer. . . . With all—and among all—we seek warm and respectful alliances, so that in common purpose and joint effort we may assure success for freedom's cause.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *February 16, 1967.*

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the message from the President on consumer interest be referred jointly to the Committees on Agriculture and Forestry, Banking and Currency, Commerce, and Labor and Public Welfare.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HART. Mr. President, this is clearly a "consumer's year" and I am delighted.

The President's message just received, "To Protect the American Consumer," is eloquent, timely, and comprehensive. It is the most extensive consumer message any President has sent us. Of course, they have been growing each year—reflecting, no doubt, the increased awareness by the President and Congress—and even industry—that the consumer does have special class problems which can and should be eased.

Those of us who were deeply involved in the first investigation in 1961 which led to the enactment last year of truth in packaging recall all too well the frustration consumers expressed in those days. No one, it seemed to them, cared about their problems. And industry insisted consumers had no problems.

Today many persons in Government—and President Johnson in particular—have demonstrated that they care a great deal for consumers. And industry spokesmen, I am happy to note, are beginning to use "let's help the consumer" as a speech theme. This is great.

But we cannot rest on our laurels, for much remains to be done. In this message President Johnson has charted a course which if implemented should put the first floor on the strong foundation already laid.

Each of the President's proposals is aimed at correcting a vital area of consumer activity. But three things particularly please me: his call for truth in lending, for a Clinical Laboratories Improvement Act, and for new laws on pension plans.

Congress has been wringing its hands and agonizing long enough over truth in lending. It is indeed time that the consumer knows the cost of credit just as much as the price of any other commodity he buys.

My only concern here is whether truth in lending goes far enough. As a matter of fact, the Senate Antitrust and Monopoly Subcommittee this year will investigate whether a lack of competition in the credit industry is resulting in excessive credit charges.

As for Federal licensing and inspection of clinical laboratories—the Senate Antitrust and Monopoly Subcommittee last week heard devastating statistics on the quality of work being done in laboratories. One study, we were told, demonstrated that 25 percent of the tests were inaccurate. The President cites this figure in his message.

Surely a country which licenses barbers, barkeepers, and vendors is almost criminally negligent not to assure standards too for medical laboratories.

New law is indeed needed to cover pensions. We in Michigan—where thousands are covered by these plans—are well aware how often a man foregoes a wage increase for the security of pension coverage only to find that coverage is a sham.

In summary, there are three consumer rights—truth, clarity, and fairplay. This is what our President is talking about—and that is why I subscribe wholeheartedly to his entire consumer program, and volunteer to help in any way to see it fully implemented.

Mr. WILLIAMS of New Jersey. Mr. President, the President's endorsement of the Interstate Land Sales Full Disclosure Act is, of course, welcome indeed. As the President pointed out, the Subcommittee on Frauds and Misrepresentations Affecting the Elderly of the Senate Special Committee on Aging, during its investigations in 1964 and 1965 made a very strong case for the passage of this bill. The bill was approved at the subcommittee level last year, and the Securities Subcommittee of the Banking and Currency Committee is scheduled to begin hearings on this measure on February 28.

Every year thousands of our fellow citizens are victimized by being sold worthless land. In some cases, promoters of these land-sale frauds ran afoul of the postal laws and are convicted. But this is of little help to the honest people who have lost their money to these unscrupulous promoters.

As the author of this bill, I am convinced that, first, our elder citizens, in particular, vitally need protection when buying retirement homesites, sight unseen; and, second, disclosure to the Securities and Exchange Commission and to the prospective buyer of all the pertinent information about the property is the best way to go about providing that protection.

The bill is designed to put a stop to the fraudulent practices engaged in by developers in interstate sale of unimproved lots in land subdivisions by applying the same full disclosure techniques which have been so successful in connection with public sales of securities. In the absence of effective regulation, unimproved land in distant areas is being sold by unscrupulous promoters through the mails by means of sharp practices and misleading sales techniques. In many instances, a grossly distorted impression of the land sold was conveyed to the purchaser, who frequently paid over his hard-earned savings for a lot which he intended to use for retirement, but which was completely unsuitable for that purpose.

My bill will require developers to furnish purchasers with a prospectus which states all revelant facts concerning the land being sold at least 48 hours before a binding commitment is entered into. Regulation will be facilitated by the fact that an agency which has had long and successful experience with the full disclosure technique will be administering the legislation.

The American people deserve and can be given better protection against fraudulent land sales than they are getting under our present laws. With the President's endorsement, I am confident that this bill, offering those protections, will be enacted into law during this session of Congress.

I also welcome the President's attention to the problem of defective or useless medical devices. As the President has indicated, this really breaks down into two different problems:

First. The defectively designed or manufactured device which is inserted into the human body and causes irritation, infection, or other difficulties.

Second. The expensive but useless device for which great therapeutic powers are claimed. These bilk elderly people, in particular, of millions of dollars while delaying the start of effective treatment.

And, I believe the President has spoken wisely when he urges careful consideration by Congress of the report and recommendations of the Securities Exchange Commission on mutual funds.

I would echo the President's statement that they "provide a sound basis for measures which will be beneficial to the investing public and promote the health and stability of the industry itself."

Congress should give prompt attention, too, to the proposal to strengthen the Flammable Fabrics Act. The Subcommittee on Consumer Interests of the Elderly in the Senate Special Committee on Aging has learned that 27 percent of all victims of fire in the United States are 65 or over—they are especially vulnerable to one of life's most terrible hazards. Here is a strong argument indeed for the proposed legislation, especially since our present law does not extend to beds, sheets, and other items of special importance to the bedridden and others confined primarily to their living quarters.

AMENDMENT OF NATIONAL HOUSING ACT, AND LAWS RELATING TO HOUSING AND URBAN DEVELOPMENT—REPORT OF A COMMITTEE (S. REPT. NO. 56)

Mr. SPARKMAN, from the Committee on Banking and Currency, reported an original joint resolution (S.J. Res.

42) to amend the National Housing Act, and other laws relating to housing and urban development, to correct certain obsolete references, and submitted a report thereon; which joint resolution was read twice by its title, and ordered to be placed on the calendar, and the report was ordered to be printed.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. SPARKMAN, from the Committee of Banking and Currency:

Thomas C. McGrath, Jr., of New Jersey, to be General Counsel of the Department of Housing and Urban Development.

By Mr. YOUNG of Ohio, from the Committee on Armed Services:

Phil G. Goulding, of Maryland, to be an Assistant Secretary of Defense.

EXECUTIVE REPORTS OF COMMITTEE ON ARMED SERVICES

Mr. MILLER. Mr. President, from the Committee on Armed Services, I report favorably the nominations of 95 flag and general officers in the Army, Navy, Marine Corps, and Air Force. I ask that these nominations be placed on the Executive Calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations, ordered to be placed on the Executive Calendar, are as follows:

Maj. Gen. Gordon T. Gould, Jr. (brigadier general, Regular Air Force), U.S. Air Force, and sundry other officers, for appointment in the Regular Air Force;

Vice Adm. Arnold F. Schade, U.S. Navy, for commands and other duties determined by the President, for appointment to the grade of vice admiral while so serving;

Adm. John S. Thach, U.S. Navy, for appointment to the grade of admiral, when retired;

Vice Adm. Glynn R. Donaho, and Rear Adm. Howard A. Yeager, U.S. Navy, for appointment to the grade of vice admirals, when retired;

Lt. Gen. Theodore John Conway, Army of the United States (major general, U.S. Army), to be assigned to positions of importance and responsibility designated by the President, for appointment to the grade of general while so serving;

Maj. Gen. Arthur Sylvester Collins, Jr., Army of the United States (brigadier general, U.S. Army), to be assigned to positions of importance and responsibility designated by the President, for appointment to the grade of lieutenant general while so serving;

Maj. Gen. George Stafford Eckhardt, Army of the United States (brigadier general, U.S. Army), and sundry other officers, for appointment in the Regular Army of the United States;

Douglas J. Peacher, Marine Corps Reserve, for temporary appointment to the grade of major general;

John R. Blandford, and William J. Weinstein, Marine Corps Reserve, for temporary appointment to the grade of brigadier general;

Rear Adm. John M. Lee, U.S. Navy, for commands and other duties determined by the President, for appointment to the grade of vice admiral while so serving;

Lt. Gen. David Wade (major general, Regular Air Force), U.S. Air Force, and Lt. Gen. Waymond A. Davis (major general, Regular Air Force), U.S. Air Force, to be placed on the retired list, in the grade of lieutenants general;

Maj. Gen. Theodore R. Milton, Regular Air Force, Maj. Gen. William B. Kieffer, Regular Air Force, and Maj. Gen. Charles H. Terhune, Jr., Regular Air Force, to be assigned to positions of importance and responsibility designated by the President, for appointment to the grade of lieutenants general while so serving; and

Brig. Gen. Walter P. Leber, U.S. Army, to be Governor of the Canal Zone.

Mr. MILLER. Mr. President, in addition, I report favorably 681 promotions in the Army in the grade of colonel and below, 152 appointments in the Marine Corps in the grade of second lieutenant, and 5,169 appointments and promotions in the Air Force in the grade of major and below. Since these names have already appeared in the Congressional Record, in order to save the expense of printing on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations, ordered to lie on the desk, are as follows:

Blair P. Conway, and Charles Yaghoobian, Jr., Army Reserve Officer Training Corps, for permanent appointment in the Marine Corps;

Peter A. Acly, and sundry other Naval Reserve Officer Training Corps officers, for permanent appointment in the Marine Corps;

Thomas V. Bruton, and sundry other Air Force officers, for appointment in the Regular Air Force;

Francis E. Abrino, and sundry other officers, for promotion in the Regular Army of the United States; and

Kenneth L. Abney, and sundry other officers, for promotion in the Regular Air Force.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MANSFIELD:

S. 982. A bill for the relief of Mr. and Mrs. Charles H. Vonada; to the Committee on the Judiciary.

By Mr. HOLLAND (by request):

S. 983. A bill providing for the leasing of facilities for housing bachelor military personnel; and

S. 984. A bill to authorize family housing units at or in support of military installations or activities to be leased for periods of up to 10 years; to the Committee on Armed Services.

By Mr. TALMADGE:

S. 985. A bill for the relief of Warren F. Coleman, Jr.; and

S. 986. A bill for the relief of Edward L. Pickren; to the Committee on the Judiciary.

By Mr. BURDICK:

S. 987. A bill to amend title 38, United States Code, to provide that the dependency and indemnity compensation of a dependent parent under chapter 13 of such title and the pension benefits of a veteran or widow under chapter 15 of such title will not be decreased as the result of any increase in monthly insurance benefits under the Social Security Act; to the Committee on Finance.

S. 988. A bill to officially designate as Garrison Dam the dam on the Missouri River in North Dakota commonly referred to by that name, and to change the name of the reservoir above such dam to Lake Sakakawea; to the Committee on Public Works.

By Mr. TYDINGS:

S. 989. A bill to provide improved judicial machinery for the selection of Federal juries, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. Tydings when he introduced the above bill, which appear under a separate heading.)

By Mr. CLARK (for himself, Mr. Brewster, Mr. Hart, Mr. McCarthy, Mr. Morse, Mr. Randolph, Mr. Proxmire, Mr. Scott, Mr. Tydings, Mr. Young of Ohio, and Mr. Moss):

S. 990. A bill to establish a U.S. Committee on Human Rights to prepare for participation by the United States in the observance of the year 1968 as International Human Rights Year, and for other purposes; to the Committee on Foreign Relations.

(See the remarks of Mr. Clark when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk until February 23, 1967, for additional cosponsors.)

By Mr. KENNEDY of Massachusetts:

S. 991. A bill to amend title VII of the Housing and Urban Development Act of 1965 to authorize financial assistance for the provision of street lighting facilities in aid of the prevention or reduction of crime; to the Committee on Banking and Currency.

S. 992. A bill to establish a National Institute of Criminal Justice; to the Committee on the Judiciary.

S. 993. A bill to provide grants for the establishment and operation of Regional Academies of Criminal Justice; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Kennedy of Massachusetts when he introduced the above bills, which appear under separate headings.)

(Note.—The above bills were ordered to be held at the desk until February 27, 1967, for additional cosponsors.)

By Mr. YARBOROUGH:

S. 994. A bill for the relief of Mrs. Jessie R. Morgan; to the Committee on the Judiciary.

By Mr. BARTLETT (for himself, Mr. Gruening, Mr. Inouye, and Mr. Fong):

S. 995. A bill to amend section 601 of title 38, United States Code, with respect to the definition of the term "Veterans' Administration facilities"; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Bartlett when he introduced the above bill, which appear under a separate heading.)

By Mr. HOLLAND:

S. 996. A bill for the relief of Dr. Esther Yolanda Lauzardo; to the Committee on the Judiciary.

By Mr. MAGNUSON (by request):

S. 997. A bill to promote and support representation of U.S. interests in voluntary international commercial standards activities, to establish a clearinghouse for commercial and procurement standards, and for other purposes; and

S. 998. A bill to provide for the collection, compilation, critical evaluation, publication, and sale of standard reference data; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bills, which appear under separate headings.)

By Mr. MOSS:

S. 999. A bill for the relief of Sin Min Leo;

S. 1000. A bill for the relief of Jack Nam Yee; and

S. 1001. A bill for the relief of Chung York Wong; to the Committee on the Judiciary.

S. 1002. A bill to amend the Retired Federal Employees Health Benefits Act; to the Committee on Post Office and Civil Service.

By Mr. MAGNUSON (for himself and Mr. Williams of New Jersey):

S. 1003. A bill to amend the Flammable Fabrics Act to increase the protection afforded consumers against injurious flammable fabrics; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bill, which appear under a separate heading.)

By Mr. HAYDEN (for himself, Mr. Fannin, and Mr. Jackson):

S. 1004. A bill to authorize the construction, operation, and maintenance of the Central Arizona project, Arizona-New Mexico, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Hayden when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk until February 27, 1967, for additional cosponsors.)

By Mr. YOUNG of Ohio:

S. 1005. A bill to establish a joint congressional committee to make a continuing study and investigation of the activities and operations of the Central Intelligence Agency; to the Committee on Armed Services.

By Mr. NELSON:

S. 1006. A bill to provide for the control and prevention of erosion damages to the roadbeds and rights-of-way of existing State, county, and other rural roads and highways, and for other purposes; to the Committee on Public Works.

(See the remarks of Mr. Nelson when he introduced the above bill, which appear under a separate heading.)

(Note.—The above bill was ordered to be held at the desk until February 23, 1967, for additional cosponsors.)

By Mr. TYDINGS (for himself and Mr. Morse):

S. 1007. A bill to amend chapter 313, title 18, United States Code, to provide for the commitment of certain individuals acquitted of offenses against the United States solely on the ground of insanity; to the Committee on the Judiciary.

(See the remarks of Mr. Tydings when he introduced the above bill, which appear under a separate heading.)

By Mr. SPARKMAN:

S. 1008. A bill to repeal the prohibition against mint marks on coins of the United States; to the Committee on Banking and Currency.

(See the remarks of Mr. Sparkman when he introduced the above bill, which appear under a separate heading.)

By Mr. KENNEDY of New York (for himself, Mr. Clark, Mr. Hart, Mr. Kennedy of Massachusetts, Mr. McGovern, Mr. Metcalf, Mr. Montoya, Mr. Morse, Mr. Prouty, Mr. Williams of New Jersey, and Mr. Yarborough):

S. 1009. A bill to amend title II of the Social Security Act to increase the amount of the monthly benefits payable thereunder, to raise the wage base, to provide for cost-of-living increases in such benefits, to increase the amount of the benefits payable to widows, to provide for contributions to the social security trust funds from the general revenues to otherwise extend and improve the insurance *system established by such* title, and for other purposes; to the Committee on Finance.

(See the remarks of Mr. Kennedy of New York when he introduced the above bill, which appear under a separate heading.)

By Mr. SPARKMAN:

S.J. Res. 42. Joint resolution to amend the National Housing Act, and other law relating to housing and urban development, to correct certain obsolete references; placed on the calendar.

(See reference to the above joint resolution when reported by Mr. Sparkman, which appears under the heading "Reports of Committees.")

RESOLUTION

STUDY AND REEVALUATION OF UNITED STATES-EUROPEAN RELATIONS

Mr. JAVITS (for himself, Mr. Morton, Mr. Brooke, Mr. Griffin, Mr. Jordan of Idaho, Mr. Scott, and Mr. Tower) submitted a resolution (S. Res. 83) providing for study and reevaluation of United States-European relations, which, by unanimous consent, was referred to the Committees on Armed Services and Foreign Relations, jointly.

(See the above resolution printed in full when submitted by Mr. Javits, which appears under a separate heading.)

(Note.—The above resolution was ordered to be held at the desk until February 22, 1967, for additional cosponsors.)

IMPROVEMENT OF FEDERAL JURY SELECTION MACHINERY

Mr. TYDINGS. Mr. President, the Subcommittee on Improvements in Judicial Machinery will soon hold hearings on proposals to modify the process by which Federal jurors are selected. As chairman of the subcommittee, I have previously introduced five such proposals representing a variety of approaches to this important problem. Today I introduce a sixth bill that is receiving the serious attention of the Committee on the Operation of the Jury System of the Judicial Conference of the United States. *Our hearings would surely be incomplete* without full consideration of this proposal. I therefore introduce the bill for appropriate reference and ask unanimous consent that it be printed at this point in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 989) to provide improved judicial machinery for the selection of Federal juries, and for other purposes, introduced by Mr. Tydings, was received, read *twice by its title, referred* to the Committee on the Judiciary, and ordered to be printed in the Record, as follows:

S. 989

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Jury Selection and Service Act of 1967".

Sec. 101. The analysis and sections 1861 through 1869 of chapter 121 of title 28, United States Code, are amended to read as follows:

"CHAPTER 121—JURIES; TRIAL BY JURY

"Sec.
"1861. Declaration of policy.
"1862. Discrimination prohibited.
"1863. Plan for random jury selection.
"1864. Drawing of names from the master jury wheel.
"1865. Qualifications for jury service.
"1866. Selection and summoning of jury panels.
"1867. Challenging compliance with selection procedures.
"1868. Maintenance and inspection of records.
"1869. Definitions.
"1870. Challenges.
"1871. Fees.
"1872. Issues of fact in Supreme Court.
"1873. Admiralty and maritime cases.
"1874. Actions on bonds and specialties.

"§1861. Declaration of policy

"It is the policy of the United States that all litigants in Federal courts entitled to trial by jury shall have the right to a jury venire selected at random from a cross section of the community in the district or division wherein the court convenes. It is further the policy of the United States that all qualified citizens shall have the opportunity to be considered for service on grand and petit juries in the district courts of the United States and shall have an obligation to serve as jurors when summoned for that purpose.

"§1862. Discrimination prohibited

"No citizen shall be excluded from service as grand or petit juror in the district courts of the United States on account of race, color, religion, sex, national origin, or economic status.

"§ 1863. Plan for random jury selection

"(a) Each United States district court, with the approval of the judicial council of the circuit, shall adopt and place into operation a written plan for random selection of grand and petit jurors, which plan shall be designed to achieve the objectives of §§ 1861–1862 of this title. Separate plans may be adopted for each division or combination of divisions within a judicial district. The district court may modify a plan at any time with the approval of the judicial council of the circuit; it shall modify the plan when so directed by the judicial council of the circuit. The district court shall promptly notify the judicial council, the Administrative Office of the United States Courts, and the Attorney General of the initial adoption and future modifications of the plan by filing copies therewith. *No plan or modification* thereof shall be effective without prior approval of the judicial council. Each district court shall submit a report on the jury selection process within its jurisdiction to the Administrative Office of the United States Courts in such form and at such times as the Judicial Conference of the United States may specify. The Judicial Conference of the United States may, from time to time, adopt rules and regulations governing the provisions and the operation of the plans formulated under this Act.

"(b) Among other things, such plan shall:

"(1) Either establish a jury commission, or authorize the clerk of the court, to manage the juror selection process. If the plan establishes a jury commission, the district court shall appoint one citizen to serve with the clerk of the court as the jury commission, provided however, that the plan for the District of Columbia may establish a jury commission consisting of three private citizens. The citizen jury commissioner shall not belong to the same political party as the clerk serving with him. The jury commission shall act under the supervision of the chief judge of the district, or such other judge of the district court as the plan may provide. Each jury commissioner shall, during his tenure in office, reside in the judicial district or division for which appointed. Each jury commissioner shall receive compensation to be fixed by the district court plan at a rate not to exceed $50 per day for each day necessarily employed in the performance of his duties, plus reimbursement for travel, subsistence, and other necessary expenses incurred by him in the performance of such duties. The Judicial Conference of the United States may establish standards for allowance of travel, subsistence and other necessary expenses incurred by jury commissioners. If the plan authorizes the clerk of the court to manage the jury selection process and does not establish a jury commission, all administrative duties in jury selection shall be performed by the clerk of the district court who shall act under the supervision and control of the chief judge of the district, or such other judge of the district court as the plan may provide.

"(2) Specify whether the names of prospective jurors shall be selected from (i) voter registration lists, or (ii) lists of actual voters, or (iii) other official lists of eligible voters, of the political subdivisions within the district or division. The plan shall prescribe some other sources or sources of names in addition to the voter lists where necessary to foster the policy and protect the rights secured by sections 1861–1862 of this title. The plan for the District of Columbia may require the names of prospective jurors to be selected from the city directory rather than from voting lists. The plans for the Districts of Puerto Rico and the Canal Zone may prescribe some other source or sources of names of prospective jurors in lieu of voter lists the use of which shall be consistent with the policies declared and rights secured by sections 1861 and 1862 of this title.

"(3) Specify detailed procedures to be followed by the jury commission or clerk in selecting names from the sources specified in (2). These procedures shall be designed to insure that the names are selected at random. They shall insure that names of persons residing in each of the counties, parishes or similar political subdivisions within the district or division shall be placed in a master jury wheel; and shall insure that each county, parish or similar political subdivision within a judicial district or division is substantially proportionally represented in the master jury wheel for that judicial district, division or combination of divisions. For the purposes of determining proportional representation in the master jury wheel either the number of actual voters at the last general election in each county or parish, or the number of registered voters if registration of voters is uniformly required throughout the district or division, may be used.

"(4) Provide for a master jury wheel (or a device similar in purpose and function) into which the names of those so randomly selected (and procured from other sources, if prescribed) shall be placed. The plan shall fix a minimum number of names to be initially placed in the master jury wheel, which shall be at least one-half of 1 per centum of the total number of persons on the lists used as a source of names for the district or division; but if this number of names is believed to be too numerous, cumbersome and unnecessary, the plan may fix a smaller number of names to be placed in the master wheel, but in no event less than one thousand. The chief judge of the district, or such other district court judge as the plan may provide, may order additional names to be placed in the master jury wheel from time to time as necessary. The plan shall provide for periodic emptying and refilling of the master jury wheel at specified times.

"(5) Fix the number of names that shall be publicly drawn at random either periodically or as needed from the master jury wheel. The plan shall authorize either a judge of the district court, the jury commission, or the clerk to make the drawing.

"(6) Specify those occupational classes or groups of persons whose members may, on individual request therefor, be excused from jury service. No such occupational class or group of persons shall be excused unless the district court finds, and the plan states, that jury service by each such class or group would entail undue hardship or extreme inconvenience to the members thereof, and excuse of members thereof would not be inconsistent with sections 1861 and 1862 of title 28, United States Code.

"(7) Specify those occupational classes or groups of persons whose members shall be exempt from jury service. Such groups or classes shall be exempted only if the district court finds, and the plan states, that their exemption is in the public interest and would not be inconsistent with section 1861 and 1862 of title 28, United States Code. The plan shall provide for exemption of the following persons: (i) members in active service in the Armed Forces of the United States; (ii) members of the fire or police departments of any State, district, territory, possession, or subdivision thereof; (iii) public officers in the executive, legislative, or judicial branches of the Government of the United States, or any State, district, territory, or possession or subdivision thereof who are actively engaged in the performance of official duties.

"(8) Fix the distance from each place of holding court beyond which prospective jurors residing may claim excuse from jury service on the ground of undue hardship in traveling to the place where court is held.

"(9) Fix the time when the names drawn from the qualified jury wheel shall be disclosed to parties and to the public. If the plan permits these names to be made public, it may nevertheless permit the chief judge of the district or such other district court judge as the plan may provide, to keep these names confidential in any case or cases when the interests of justice so require.

"(c) The initial plan shall be adopted by each district court and transmitted to the judicial council of the circuit on or before September 1, 1967. The judicial council shall approve or modify each plan so submitted within 60 days thereafter. Each plan shall become effective immediately after approval or modification by the judicial council.

"(d) State, local, and Federal officials having custody, possession, or control of voter registration lists or other appropriate records shall make such lists and records available to the jury commission or clerk for inspection, reproduction, and copying at all reasonable times as the commission or clerk may deem necessary and proper for the performance of its duties under this title. The district courts shall have jurisdiction upon application by the Attorney General to compel compliance with this subsection by appropriate process.

"§1864. Drawing of names from the master jury wheel

"(a) From time to time as directed by the district court, the clerk or district judge, in the presence of the jury commission, if any, shall publicly draw at random from the master jury wheel the names of as many persons as may be required for jury service. The clerk or jury commission, if any, shall prepare an alphabetical list of the names drawn, which list shall not be disclosed to any person except pursuant to the district court plan and to sections 1867 and 1868 of this title. The clerk or jury commission shall mail to every person whose name is drawn from the master wheel a juror qualification form with instructions to fill out and return the form duly signed to the clerk or jury commission by mail within ten days. Any person who fails to return a juror qualification form as instructed shall be summoned by the clerk or jury commission forthwith to appear before the clerk or jury commission to fill out a juror qualification form: *Provided*, That any person who returns an executed juror qualification form by mail, and who is subsequently summoned for jury service may be required by the clerk or jury commission or the court to fill out another juror qualification form. A person summoned to appear for that purpose who personally appears and executes a juror qualification form before the clerk or jury commission shall, except where his prior failure to execute and mail such form was because of willfull neglect, be entitled to receive for such appearance the same fees and travel allowances paid to jurors under section 1871, title 28, United States Code, as amended by section 102(a) of this Act.

"(b) Any person summoned pursuant to subsection (a) of this section who fails to appear as directed shall be ordered by the court forthwith to appear and show cause for his failure to comply with the summons. Any person who fails to appear pursuant to such order or who fails to show good cause for noncompliance with the summons may be fined not more than $100 or imprisoned not more than three days, or both. Any person who willfully misrepresents a material fact concerning his exemption from jury service or concerning his qualifications for jury service on a juror qualification form for the purpose of avoiding service as a juror may be fined not more than $100 or imprisoned not more than three days, or both.

"§ 1865. Qualifications for jury service

"(a) The chief judge, or such other district court judge as the plan may provide, on his initiative or upon recommendation or with the advice of the clerk or jury commission, if any, shall determine on the basis of information provided on the juror qualification form whether a person is qualified for, exempt from, or excused from jury service, provided that, with respect to the qualifications set forth in subparagraphs (1), (3), and (4) of subsection (b) hereof, other objective evidence may be used. The clerk shall enter such determination in the space provided on the juror qualification form and the alphabetical list of names drawn from the master jury wheel. If a person did not appear in response to a summons, such fact shall be noted on said list. Whenever a person is determined to be not qualified for jury service, the clerk shall note on the space provided on the juror qualification form the specific ground of disqualification.

"(b) In making such determination the chief judge, or such other district court judge as the plan may provide, shall deem any person qualified to serve on grand and petit juries in the district court unless he—

"(1) is not a citizen of the United States twenty-one years old who has resided for a period of one year within the judicial district;

"(2) is unable to read, write, speak, and understand the English language;

"(3) is incapable, by reason of mental or physical infirmity, to render efficient jury service; or

"(4) has a charge pending against him for the commission of, or has been convicted in a State or Federal court of record of a crime punishable by imprisonment for more than one year and his civil rights have not been restored by pardon or amnesty.

"(c) Only objective criteria may be used to determine whether any person has satisfied any qualification for jury service or whether a basis exists for exempting or excusing any person from jury service.

"§ 1866. Selection and summoning of jury panels

"(a) The jury commission, or in the absence thereof the clerk, shall maintain a qualified juror wheel and shall place in such wheel names of all persons drawn from the master jury wheel who are determined to be qualified as jurors. From time to time, the jury commission or clerk shall publicly draw at random from the qualified juror wheels such number of names of persons as may be required for assignment to grand and petit jury panels. The jury commission or in the absence thereof the clerk shall prepare a separate list of names of persons assigned to each grand and petit jury panel.

"(b) When the court orders a grand or petit jury to be drawn the clerk or jury commission shall issue summons for the required number of jurors and deliver them to the marshal for service.

"Each person drawn for jury service may be served personally or by registered or certified mail addressed to such person at his usual residence or business address.

"Such service shall be made by the marshal who shall attach to his return the addressee's receipt for the registered or certified summons, where service is made by mail.

"(c) Except as provided in section 1865(b) of this title or in any jury selection plan provision adopted pursuant to subparagraphs (6), (7) or (8) of section 1863(b) of this title, no person or class of persons shall be excluded, excused or exempt from service as jurors: *Provided,* That any person summoned for jury service may be (1) excused by the court for not more than six months at a time upon a showing of undue hardship or extreme inconvenience, or (2) excluded by the court upon a finding that such person may be unable to render impartial jury service or that his service as a juror would disrupt the proceedings, or (3) excluded upon peremptory challenge as provided by law, or (4) upon a challenge by any party for good cause shown, or (5) upon determination by the court upon challenge by a party or sua sponte that such person is unable for causes other than physical infirmities, to fill out a juror qualification form or is otherwise not qualified for jury service pursuant to sections 1863, 1864, 1865 and 1866. Whenever a person is excused or excluded from jury service, the jury commission or clerk shall note in the space provided on his juror qualification form the specific ground of excuse or exclusion, provided that, if such person is excluded pursuant to subdivisions (3) or (4) of this subsection, the jury commission or clerk may note such ground of exclusion on the jurors' card drawn from the qualified jury wheel.

"(d) In any two-year period, no person shall be required to (1) serve as a petit juror for a total of more than thirty days, except when necessary to complete service in a particular case, or (2) serve on more than one grand jury or (3) serve as both a grand and petit juror.

"(e) When there is an unanticipated shortage of available petit jurors drawn from the qualified jury wheel, the court may require the marshal to summon a sufficient number of petit jurors selected at random from the voter registration lists or lists of actual voters of the city, county, or parish in which court is held in a manner ordered by the court consistent with sections 1861–1862 of this Act.

"§ 1867. Challenging compliance with selection procedures

"(a) In a criminal case, before the voir dire examination begins, or within seven days after the defendant discovered or could have discovered the grounds therefor by exercise of diligence, whichever is earlier, the defendant may move to dismiss the indictment or stay the proceedings against him on the ground of substantial failure to comply with sections 1863, 1864, 1865 and 1866 of this title. The defendant shall be entitled to present in support of such motion the testimony of the jury commission or clerk if available together with other evidence and, where there is evidence that there has been a failure to comply with sections 1863, 1864, 1865, and 1866, any relevant records and papers used by the jury commission or clerk in the performance of its duties which are not public or otherwise available. If the court determines that there has been a substantial failure to comply with sections 1863, 1864, 1865, and 1866, the court shall dismiss the indictment or shall stay the proceedings pending the selection of a petit jury in conformity with this title.

"(b) In criminal cases, before the voir dire examination begins or within seven days after the Attorney General discovered or could have discovered the grounds therefor by the exercise of diligence, whichever is earlier, the Attorney General may move to stay the proceedings on the ground of substantial failure to comply with sections 1863, 1864, 1865, and 1866 of this title on the selection of the petit jury panel. The Attorney General shall be entitled to present in support of such motion the testimony of the jury commission or clerk if available, together with other evidence and, where there is evidence that there has been a failure to comply with sections 1863, 1864, 1865, and 1866, any relevant records and papers used by the jury commission or clerk in the performance of its duties which are not public or otherwise available. If the court determines that there has been a substantial failure to comply with sections 1863, 1864, 1865, and 1866, in the selection of the petit jury panel the court shall stay the proceedings pending the selection of a petit jury in conformity with this title.

"(c) In civil cases, before the voir dire examination begins, or within seven days after the party discovered or could have discovered the grounds therefor by the exercise of diligence, whichever is earlier, any party may move to stay the proceedings on the ground of substantial failure to comply with sections 1863, 1864, 1865, and 1866 of this title in the selection of the petit jury panel. The moving party shall be entitled to present in support of such motion the testimony of the jury commission or clerk, if available, together with other evidence and, where there is evidence that there has been a failure to comply with sections 1863, 1864, 1865, and 1866, any relevant records and papers used by the jury commission or clerk in the performance of its duties which are not public or otherwise available. If the court determines that there has been a substantial failure to comply with sections 1863, 1864, 1865, and 1866 in the selection of the petit jury panel, the court shall stay the proceedings pending the selection of a petit jury in conformity with this title.

"(d) The procedures prescribed by this section shall be the exclusive means by which a person accused of a Federal crime, the Attorney General or a party in a civil case may challenge any jury in his case on the ground that such jury was not selected in conformity with sections 1863, 1864, 1865, and 1866 of this title. Nothing in this section shall preclude any person or the United States from pursuing any other remedy, civil or criminal, which may be available for the vindication or enforcement of any law prohibiting discrimination on account of race, color, religion, sex, national origin, or economic status in the selection of persons for service on grand or petit juries.

"(e) The contents of any records or papers produced pursuant to subsections (a), (b), or (c) of this section, not previously made public, shall not be disclosed, except as may be necessary in the preparation or presentation of the case, until after the master jury wheel has been emptied and refilled pursuant to section 1863(b)(4) of this title, and all persons selected to serve as jurors before the master wheel was emptied have completed such service: *Provided,* That the parties in a case shall be allowed to inspect, reproduce and copy such records or papers at all reasonable times during the pendency of the case. Any person who discloses the contents of any record or paper in violation of this subsection may be fined not more than $1,000 or imprisoned not more than one year, or both.

"§ 1868. Maintenance and inspection of records

"After the master jury wheel is emptied and refilled pursuant to section 1863(b)(4) of this title, and after all persons selected to serve as jurors before the master wheel was emptied have completed such service, all of the records and papers compiled and maintained by the jury commission or clerk before the master wheel was emptied, shall be preserved in the custody of the clerk for four years or for such longer period as may be odered by a court and shall be available for public inspection.

"§1869. Definitions

"For purposes of this chapter—

"(a) 'clerk' and 'clerk of the court' shall mean the clerk of the United States district court or any authorized deputy clerk.

"(b) 'chief judge' shall mean the chief judge of any district court of the United States.

"(c) 'voter registration lists' shall mean the official records maintained by State or local election officials of persons registered to vote in the most recent general election for candidates for Federal office, or in the case of a State or political subdivision thereof, which does not require registration as a prerequisite to voting, such other official lists of persons qualified to vote in such election. The term shall also include the list of eligible voters maintained by any Federal examiner pursuant to the Voting Rights Act of 1965 where the names on such list have not been included on the official registration lists or other official lists maintained by the appropriate State or local officials. With respect to the district courts for the Districts of Guam and and the Virgin Islands, 'voter registration lists' shall mean the official records maintained by territorial election officials of persons registered to vote in the most recent territorial general election.

"(d) 'actual voting lists' shall mean the official list of persons actually voting at the last general election.

"(e) 'division' shall mean one or more divisions of a judicial district established by statute, and, in judicial districts where no divisions are established by statute, shall mean such counties, parishes, or similar political subdivisions surrounding the places where court is held as the district court plan shall determine, provided that each county or parish is in some such division.

"(f) 'district court of the United States', 'district court', and 'court' shall mean courts constituted under chapter 5 of title 28, United States Code, section 22 of the Organic Act of Guam, as amended (64 Stat. 389; 48 U.S.C. 1424), section 21 of the Revised Organic Act of the Virgin Islands (68 Stat. 506; 48 U.S.C. 1611), and section 1 of title 3, Canal Zone Code: *Provided,* That for purposes of sections 1861, 1862, 1866 (c) and (d), and 1867 of this chapter, these terms shall include the District of Columbia Court of General Sessions and the Juvenile Court of the District of Columbia.

"(g) 'jury wheel' shall include any device or system similar in purpose or function, such as a properly programmed electronic data processing system or device.

"(h) 'juror qualification form' shall mean a form prescribed by the Administrative Office of the United States Courts and approved by the Judicial Conference of the United States, which shall elicit the name, address, age, sex, education, race, occupation, length of residence within the judicial district, distance from residence to place of holding court, prior jury service, and citizenship of a potential juror, and whether he should be excused or exempted from jury service, has any physical or mental infirmity impairing his capacity to serve as a juror, is able to read, write, speak, and understand the English language, has pending against him any charge for the commission of a State or Federal criminal offense punishable by imprisonment for more than a year, or has been convicted in any State or Federal court of record of a crime punishable by imprisonment for more than one year and has not had his civil rights restored by pardon or amnesty, and any other matter not inconsistent with the provisions of this Act and required by the district court plan in the interests of the sound administration of justice."

FEES

Sec. 102. (a) Section 1871 of title 28, United States Code, is amended by substituting "$20" for "$10" and "$25" for "$14" in the second paragraph, "$16" for "$10" in the third paragraph and "$20" for "$10" in the fourth paragraph.

Section 1871 of title 28, United States Code, is amended by substituting in the third paragraph "10 cents per mile, plus the amount expended for tolls for toll roads and toll bridges" for "10 cents per mile," in the two instances such language occurs, and by adding a new paragraph as follows: "Grand and petit jurors in the district courts for the districts of Guam and the Canal Zone shall receive the same fees and allowances provided in this section for grand and petit jurors in other district courts of the United States."

(b) Section 1821 of title 28, United States Code, is amended by substituting "$20" for "$4", "10 cents" for "8 cents" and "$16" for "$8", and by adding a new paragraph as follows: "Witnesses in the district courts for the districts of the Canal Zone, Guam and the Virgin Islands shall receive the same fees and allowances provided in this section for witnesses in other district courts of the United States."

AMENDMENT AND REPEAL

Sec. 103. (a) Sections 13–701, 11–2301 through 2305 (except the last paragraph of section 11–2302), 11–2307 through 2312 and 7–213a of the District of Columbia Code are repealed.

(b) Except for the last paragraph of subsection (a), section 11–2306 of the District of Columbia Code is repealed and a new subsection (b) is added to the section as follows: "(b) The jury commission for the district court for the District of Columbia shall draw from the qualified jury wheel from time to time as may be required the names of persons to serve as jurors in the District of Columbia Court of General Sessions and the Juvenile Court of the District of Columbia and such persons shall be assigned to jury panels in the General Sessions and Juvenile Courts as those courts shall direct."

(c) Section 7–318 of the District of Columbia Code is amended by striking out the words "and $5 per day for each juror for services of each when actually employed".

(d) Section 16–1312 of the District of Columbia Code is amended by substituting "section 1865 of title 28, United States Code" for "section 11–2301, and who, in addition, are owners of real property in the District" in subsection (a)(1) and by substituting "chapter 121 of title 28, United States Code," for "chapter 23 of title 11" in subsection (c).

(e) Section 16–1357 of the District of Columbia Code is amended by striking out the phrase "are real property holders in the District and".

(f) Section 22–1414 of the District of Columbia Code is amended by inserting the words "or wheel" immediately following the word "box" each time it appears therein.

(g) Section 44 of the Act of March 2, 1917, to provide a civil government for Puerto Rico (39 Stat. 966; 48 U.S.C. 867) and sections 471 and 472(b) of title 3, section 452, 453 and 2562(a) of title 5, and section 4093 through 4106 and 4108 through 4117 of title 6, Canal Zone Code, are repealed. Subsections (b), (c), and (d) of section 2562 of title 5, Canal Zone Code, are redesignated as subsections (a), (b), and (c) thereof.

EFFECTIVE DATE

Sec. 104. Sections 101 and 103 of this title shall become effective ——— days after the date of enactment: *Provided,* That such sections shall not apply in any case in which an indictment has been returned or petit jury empaneled prior to such effective date.

ESTABLISHMENT OF UNITED NATIONS COMMITTEE ON HUMAN RIGHTS

Mr. CLARK. Mr. President, on behalf of myself and the following Senators: Brewster, Hart, McCarthy, Morse, Moss, Proxmire, Randolph, Scott, Tydings, and Young of Ohio, I send to the desk a bill to establish a U.S. Committee on Human Rights to prepare for participation by the United States in the observance of the year 1968 as International Human Rights Year.

This bill is virtually identical with S. 3101, which was passed by the Senate last year. Unfortunately in the end of the session rush it was not brought to the floor of the other body, and so it expired with the adjournment sine die of the 89th Congress. As a result, it has been necessary to revise the bill to postpone the date for the submission of the committee's report from February 1, 1967 to September 1, 1967.

I ask unanimous consent that excerpts from the report of the Committee on Foreign Relations on S. 3101, 89th Congress, appear in the Record at this point in my remarks.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

The Committee on Foreign Relations, to which was referred the bill (S. 3101) to establish a U.S. Committee on Human Rights to prepare for participation by the United States in the observance of the year 1968 as "International Human Rights Year," and for other purposes, having considered the same, reports favorably thereon with amendments and recommends that the bill as amended do pass.

PURPOSE OF THE BILL

S. 3101, as amended by the committee, provides for the creation of an advisory committee to formulate plans for participation by the United States in the United Nations sponsored International Human Rights Year in 1968. The Committee would be made up of 11 members—2 from the House of Representatives (1 from each party), appointed by the Speaker of the House; 2 from the Senate (1 from each party), appointed by the President of the Senate; and 7 members appointed by the President.

The Committee's duties would include conducting studies and seminars to provide for effective U.S. participation in observance of Human Rights Year; exploring the role of the United States in the application of human rights principles, both at home and abroad; reviewing past and present policies in this field; and taking any other action deemed appropriate to provide a basis for the observance by the United States of International Human Rights Year.

A chairman is to be designated by the President. The Committee is authorized to appoint an executive secretary and staff without regard to the civil service laws.

The Committee is required to submit a report to the President by April 1, 1967, for transmittal to the Congress, which would describe the Committee's activities and offer recommendations as to the most effective manner by which the United States could contribute to the observance of the International Human Rights Year. After filing its report and during 1968, the Committee is to continue as a coordinating center for U.S. activities in this endeavor. The Committee shall cease to exist on December 31, 1968.

Appropriation is authorized of a sum not to exceed $300,000, and the Committee is authorized to accept donations of money, property, and personal services in carrying out the provisions of this legislation.

BACKGROUND

The General Assembly of the United Nations, in December 1963, designated 1968 as International Year for Human Rights. At that time, it invited the specialized agencies and member states to participate with the United Nations Committee on Human Rights in a variety of activities to be undertaken during that year to call attention to the celebration of the 20th anniversary of the Universal Declaration on Human Rights.

S. 3101 is designed to implement a recommendation made by the Citizen's Committee on Human Rights at the White House Conference on International Cooperation, November 29–December 1, 1965.

At that time, it was suggested that a representative body be created to enable the United States to carry through programs at the National, State, and local level, with the goal of promoting the protection of human rights throughout the world against all forms of tyranny, injustice, and discrimination.

COMMITTEE ACTION

The Committee on Foreign Relations considered S. 3101 in executive session on several occasions. On October 11, 1966, the committee voted to report the bill favorably with amendments included in the description above.

A letter from the Department of State, stating its position on this legislation, with a recommendation of the National Citizen's Committee on Human Rights, is printed below. The amendments suggested by the Department of State have been incorporated in the bill as reported by the committee.

DEPARTMENTAL REPORT

Department of State,
Washington, May 12, 1966.

Hon. J. W. Fulbright,
Chairman, Committee on Foreign Relations,
U.S. Senate.

Dear Mr. Chairman: I refer to your letter of March 22, 1966, to the Secretary, which I acknowledged on March 23, asking for the Department's comments on the bill S. 3101, to establish a U.S. Committee on Human Rights to prepare for participation by the United States in the observance of the year 1968 as International Human Rights Year, and for other purposes.

The Department of State supports this proposed legislation.

This proposal is responsive to action in the General Assembly of the United Nations, which decided in 1963 to designate 1968 as International Human Rights Year and invited all member states to observe it as the 20th anniversary of the adoption of the Universal Declaration of Human Rights. The proposal also demonstrates the continuing concern of the United States for U.N. efforts to advance human rights, in line with our support for the universal declaration in 1948. Mrs. Eleanor Roosevelt was then the U.S. representative in the U.N. Human Rights Commission, and much of the success of the universal declaration is attributed to her leadership.

At the recent White House Conference on International Cooperation, the National Citizens' Committee on Human Rights proposed the establishment of a national committee to further U.S. participation in International Human Rights Year. A copy of its recommendation is enclosed, together with a list of its members.

A committee established by act of Congress will attract immediate support and cooperation from the many U.S. organizations and institutions already interested in advancing human rights. The U.N. resolution designating 1968 as International Human Rights Year urges intensification of domestic efforts and educational programs. Many Government agencies, universities, law schools, and other institutions are likewise concerned.

The Bureau of the Budget advises that from the standpoint of the administration's program there is no objection to the submission of this report, and has suggested the enclosed perfecting amendments. These perfecting amendments have the endorsement of the Department of State.

Sincerely,

Douglas MacArthur II,
Assistant Secretary for Congressional Relations.

Mr. CLARK. Mr. President, I ask unanimous consent that the bill be held at the desk for 1 week for additional cosponsorship.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be held at the desk, as requested by the Senator from Pennsylvania.

The bill (S. 990) to establish a U.S. Committee on Human Rights to prepare for participation by the United States in the observance of the year 1968 as International Human Rights Year, and for other purposes, introduced by Mr. Clark, was received, read twice by its title, and referred to the Committee on Foreign Relations.

Mr. CLARK. Mr. President, I ask unanimous consent that the name of the Senator from Utah [Mr. Moss] be added as a cosponsor of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

VETERANS CARE IN ALASKA AND HAWAII

Mr. BARTLETT. Mr. President, I introduce today in behalf of the Senators from Hawaii [Mr. Fong and Mr. Inouye], and in behalf of my colleague from Alaska [Mr. Gruening], a bill to amend section 601 of title 38, United States Code, with respect to the definition of the term Veterans' Administration facilities.

This bill is designed to clarify a clause of existing law and to provide for review of the merits of this change in 10 years' time. My colleagues and I believe a review at the end of 10 years is a desirable feature as conditions and circumstances in our two States may have changed by then.

Chapter 17 of title 38 of the United States Code deals with hospital, domiciliary, and medical care for veterans. Section 601 defines the terms used in chapter 17.

Subsection 601(4) of existing law reads as follows:

> (4) The term "Veterans' Administration facilities" means—
>
> (A) facilities over which the Administrator has direct and exclusive jurisdiction;
>
> (B) Government facilities for which the Administrator contracts; and
>
> (C) private facilities for which the Administrator contracts in order to provide hospital care (i) in emergency cases for persons suffering from service-connected disabilities or from disabilities for which such persons were discharged or released from the active military, naval, or air service; (ii) for women veterans of any war; or (iii) for veterans of any war in a Territory, Commonwealth, or possession of the United States.

Mr. President, before Alaska and Hawaii became the 49th and 50th States of the United States, clause (iii) of section 601(4)(C) included Alaska and Hawaii private facilities in the term "Veterans' Administration facilities" by virtue of their being U.S. territories.

Now statehood for Alaska and Hawaii has not changed their noncontiguity. Nor has it altered the fact that there are no Veterans' Administration hospitals within or in proximity to Alaska or Hawaii.

Nevertheless, because clause (iii) does not apply to non-contiguous States, as it does apply to any territory, Commonwealth, or possession of the United States, statehood for Alaska and Hawaii brought with it a cutoff of authority in the Veterans' Administrator to contract with private facilities to provide hospital care for Alaska and Hawaii veterans.

Mr. President, the Administrator's authority to contract was never specifically revoked. Rather the revocation came about inadvertently. My colleagues from Hawaii and Alaska feel the authority should be restored.

The text of our bill reads as follows:

> That clause (iii) of section 601(4)(C) is amended to read as follows: "(iii) for veterans of any war in a State, Territory, Commonwealth, or possession of the United States not contiguous to the forty-eight contiguous States, but authority under this clause (iii) shall expire on December 31, 1975."

Last year the Senate acted favorably upon S. 562, which included a provision identical to the bill I introduce today. The other body ran short of time to consider S. 562. My colleagues and I hope that our bill will receive early and favorable action by the Senate this year so that the House will have adequate time to act.

We are confident that if the other body has the necessary time to consider the merits of our bill, they will be persuaded to pass it.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 995) to amend section 601 of title 38, United States Code, with respect to the definition of the term "Veterans' Administration facilities," introduced by Mr. Bartlett (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

Mr. GRUENING. Mr. President, I am pleased to cosponsor the bill, S. 995, which my able colleague from Alaska [Mr. Bartlett] is again introducing today, which will clarify the definition of the term "Veterans' Administration facilities," and include within that term all of the States and the veterans who live in those States. The services of the Veterans' Administration are intended to be uniform. States which are noncontiguous and those which are contiguous should be served equally. The present law written when there were only 48 and not 50 States, deprives veterans in Hawaii and Alaska from certain hospital care because neither State is included under the contract authority provisions which apply only to noncontiguous territories, Commonwealths, and possessions of the United States.

The bill my colleague is introducing would enable the Administrator of the Veterans' Administration to enter into contract with private facilities to provide hospital care when Federal facilities are not available for veterans with non-service-connected disabilities. This proposed legislation would correct certain inequities which exist in both Alaska and Hawaii, as a result of statehood. The Senators from Hawaii [Mr. Inouye and Mr. Fong] are cosponsors of this bill and we welcome their support.

REPRESENTATION OF U.S. INTERESTS IN VOLUNTARY INTERNATIONAL COMMERCIAL STANDARDS ACTIVITIES

Mr. MAGNUSON. Mr. President, I introduce, at the request of the Acting Secretary of Commerce, a bill to promote and support representation of U.S. interests in voluntary international commercial standards activities, to establish a clearinghouse for commercial and procurement standards, and for other purposes. I ask unanimous consent that the text of the bill and a letter from the Acting Secretary of Commerce, together with a statement of purpose and need prepared by him, be printed in the Record.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill, letter, and statement of purpose and need for the bill will be printed in the Record.

The bill (S. 997) to promote and support representation of U.S. interests in voluntary international commercial standards activities, to establish a clearinghouse for commercial and procurement standards, and for other purposes, introduced by Mr. Magnuson, by request, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the Record, as follows:

S. 997

A bill to promote and support representation of United States interests in voluntary international commercial standards activities, to establish a clearinghouse for commercial and procurement standards, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

DECLARATION OF PURPOSE

Section 1. That Congress finds that voluntary standardization of products, with appropriate participation in the international commercial standardization process, by producers, distributors, users, and consumers promotes the beneficial exchange of goods and services of high quality, internationally and domestically, all to the benefit of the general public. The Congress, therefore, declares that the purpose of this Act is to promote and support adequate representation for United States interests in voluntary international commercial standardization activities and to authorize the establishment and support of appropriate central information clearinghouses for commercial or procurement standards and standards activities for the benefit of producers, distributors, users, consumers, and the general public.

Sec. 2. The Secretary of Commerce is authorized, in cooperation with private United States standards organizations or bodies, and appropriate Federal and State agencies, and others—

(a) to promote, develop, support, and improve United States participation in the international commercial standardization of products, processes, test methods, and performance characteristics of products and processes, including cooperation with foreign standardsmaking bodies in developing standards, through any appropriate international organizations or bodies or with the standards organizations or bodies of any country, for the purpose of issuing international commercial standards for products, processes, test methods, and performance characteristics of products and processes.

(b) to establish and maintain a clearinghouse service for the benefit of producers, distributors, users, consumers, and the general public, for the collection and dissemination of engineering or product standards and Federal, State, or local procurement standards and information pertaining to such standards from whatever sources, foreign and domestic, that may be available; to collect, translate, catalog, classify, coordinate, and integrate such standards and information pertaining thereto; and to make such standards and the information pertaining thereto available to producers, distributors, users, consumers, and the general public.

SEC. 3. The Secretary of Commerce shall have the authority, within the limits of available appropriations, to do all things necessary to carry out the functions described in section 2 of this Act, including, but without being limited thereto, the authority—

(a) to make grants, or modifications thereof, with any private, nonprofit standards organization or body which he determines represents the general interests of producers, distributors, users, and consumers within a specific industry or in commerce and industry throughout the country generally and which he deems has established adequate procedures to permit participation in the organization by these interests;

(b) to enter into contracts or cooperative arrangements, or modifications thereof, with any public or private organizations, institutions, firms, or persons deemed by the Secretary to be qualified to carry out any or all of the functions authorized herein without regard to any other provision of law; and

(c) to establish such policies, criteria, and procedures and to prescribe such rules and regulations as he may deem necessary for the administration of this Act and to carry out the functions authorized thereunder, including the fixing of reasonable prices, fees, or charges for information furnished or services rendered under section 2(b) hereof, notwithstanding the provisions of section 1 of the Act of May 11, 1922 (ch. 189, 42 Stat. 541; 44 U.S.C. 72, as amended); and section 307 of the Act of June 30, 1932 (ch. 314, 47 Stat. 409; 44 U.S.C. 72a); and the amounts received shall be subject to the Act of March 3, 1901 (ch. 872, 31 Stat. 1449; 15 U.S.C. 271–278e), as amended, and the functions authorized herein shall be considered to be authorized by such Act. To the extent feasible and appropriate, such prices shall reflect the cost of collection, translation, cataloging, classification, coordination, integration, and dissemination of the information and services provided, including administrative costs.

SEC. 4. There are authorized to be appropriated, without fiscal year limitation, such amounts as may be necessary for the purposes of this Act.

SEC. 5. (a) Each recipient of financial assistance under this Act shall keep such records as the Secretary of Commerce shall prescribe, including records which fully disclose the amount and disposition of such financial assistance; the total cost of the related approved program; the amount and nature of the cost of the program supplied by other sources; and such other records as will facilitate an effective audit.

(b) The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access to any books, documents, papers, and records of the recipient that are pertinent to amounts paid under this Act.

The letter and statement, presented by Mr. MAGNUSON, are as follows:

THE SECRETARY OF COMMERCE,
Washington, D.C., February 6, 1967.
Hon. HUBERT H. HUMPHREY,
President of the Senate,
U.S. Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There are enclosed four copies of a draft bill to promote and support representation of United States interests in voluntary international commercial standards activities, to establish a clearinghouse for commercial and procurement standards, and for other purposes, and four copies of a statement of purpose and need in support thereof.

We are advised by the Bureau of the Budget that, from the standpoint of the Administration's program, there would be no objection to the submission of this proposed legislation to the Congress.

Sincerely yours,
H. B. TROWBRIDGE,
Acting Secretary of Commerce.

STATEMENT OF PURPOSE AND NEED

INTRODUCTION

The National Bureau of Standards of the Department of Commerce has traditionally provided technical support to the activity of U.S. industry in voluntarily developing domestic standards for the United States. The proposed legislation is needed to clarify the authority of the Department through its National Bureau of Standards to promote and participate similarly in voluntary international standardization activities on behalf of U.S. interests.

Since 1921 the National Bureau of Standards has provided industry and commerce of the United States with substantial technical and administrative assistance in the development and publication of standards for products and commodities and of simplified practices directed to the reduction of sizes and styles. Professional personnel of the Bureau have served on technical committees of many domestic standardization bodies and a limited number of international committees and have led in the development of technically competent engineering standards oriented principally to the performance criteria. The National Bureau of Standards publishes product standards covering many items, particularly when standardization of these items cannot reasonably be accomplished through private standardization organizations.

II. The role of Standards in Commerce

Standards are the language of commerce. The seller is encouraged to market new products, confident that by meeting compatible, reliable and accepted standards they will be bought by consumers. The buyer is encouraged to buy because he is assured of a product that meets his requirements and specifications. The establishment of a standard permits, what would otherwise be virtually a hopeless task, the interchangeability of parts. Indeed the whole concept of mass production is based on such a capability.

Interchangeability permits decentralization of manufacturing plants, locating them most advantageously with respect to energy sources, raw materials, labor force, or proximity to market. It permits the greatest number of companies, large and small, to share in the industrial activity. It fosters innovation and the establishment of new businesses by assuring both the entrepreneur and the customer that the new product meets commonly accepted standards. It allows specialization of labor, with all the efficiencies which that brings. Finally, it facilitates control and automation of production processes. It is evident that an excellent system of standards in the United States, therefore, has significantly stimulated the growth of the American economy and the achievement of the highest standards of living in the world. The development of an international system of standards similar to the national system of this country would—

Provide the atmosphere in which the United States could compete in world markets on an equal footing with other nations, not handicapped by standards that are incompatible with our own.

Stimulate the economy of all nations, and thereby our own.

Facilitate the maturing of the underdeveloped nations, thereby increasing trade opportunities for all nations and reducing the need for foreign support programs.

An effective system of international standards, therefore, will tend to do for all countries what U.S. standards do for us. All nations will be able to exploit their special skills and technologies so as to participate more fully in world economic activity, benefitting not only themselves but other nations as well. It is an economic axiom that a thriving economy in one region depends on a thriving economy in all regions.

III. Current situation and need in standards development

A. Development and Acceptance of International Standards

Standards activity in the United States is basically a voluntary activity with the Federal Government, primarily the National Bureau of Standards, providing technical support.

Likewise, in the field of international standards, involving sovereign nations, standards activity is voluntary because there must be agreement among participating countries to develop and accept a given set of standards. Agreement in connection with international commercial or engineering standards is brought about chiefly through the efforts of such groups as the Organization for International Standardization (ISO), International Electrotechnical Commission (IEC), and Pan American Standards Commission (COPANT). The United States of America Standards Institute (USASI) represents the United States unofficially in ISO, IEC, and other international standards organizations, and enlists the technical assistance of both industry and the Federal Government in its international committee activities.

B. Participation in International Standardization Activities

Participation by U.S. industry in international standardization activities through USASI has been strong in some fields, such as photography, electronics and automatic data processing, but other fields such as rubber goods, packaging, cast iron pipe, and electrical instruments have received little support. Generally, the U.S. has not participated in international standards work at a level commensurate with American interest and capabilities. In some areas American interests have been at a disadvantage in international markets from lack of active participation in the development of an international standard.

Where U.S. industry cannot or does not choose to participate actively in international standards work, USASI looks to other organizations and the Federal Government for technical or financial assistance and support. Reasons for limited industry participation in international standards activities are generally due to a lack of understanding or interest in international standards activities; consideration of short-term gains in special areas rather than the long-range potential impact on the economic welfare of the U.S. as a whole; and the relatively high cost of financing delegates, secretariats and chairmanships.

C. Effect of Inadequate Participation

Inadequate U.S. participation has on occasion resulted in the adoption of standards which put American goods and services at a disadvantage in world trade. For example, some years ago when the Swiss Government placed a ban on the use of American sealed beam headlights because they were deemed ineffective on the sharp-turned, steep-graded Swiss roads, ISO distributed the Swiss standard to other nations which would have prohibited the use of United States' sealed beam headlights. Before the ISO recommendation was adopted, however, U.S. industry decided to participate in the ISO project and the recommendation which was ultimately approved enabled the United States to continue the export of headlights in the world market. Similarly, prior to World War II Germany translated an existing American standard for 16 mm sound film but placed the sound track on the side of the film opposite to U.S. practice. Germany promoted the adoption of the translated standard in its own and various European countries, thus, effectively blocking exports of American equipment involving the photographic and motion picture film industries. Here again U.S. efforts through USASI were successful in removing the export barrier. The USASI standard remains in effect today as an ISO standard.

However, not all such situations have been so favorably resolved. For example, at the present time there are differences between European and American standards in the depth and thread of lamp socket and lamp base which reduce U.S. exports for these items. Also draft standards on leather and cement and on color television currently under consideration as international standards, which are different than American standards, may if adopted, become barriers to U.S. export expansion. The absence of an international standard for a system of symbols for marking textiles makes it necessary for U.S. manufacturers to mark shipments in accord with the symbol system of each country, an expense that may make continued trade in this sector in the world market uneconomical.

D. Need for proposed legislation

The proposed legislation is needed to clarify the authority of the Department of Commerce, through its National Bureau of Standards, to promote and participate in voluntary international standardization activities on behalf of United States interests. It is necessary also to provide authority for the issuance of grants to qualified private nonprofit organizations for the promotion and development of international standards in association with foreign standards-making bodies. Finally, it is needed to provide the authority to issue grants to qualified private non-profit organizations for establishment and maintenance of a clearinghouse and clearinghouse services for the collection and dissemination of private and public engineering or product standards.

As may be seen from the examples of the effect of inadequate participation given above, there is a compelling need for a program of more adequate participation by the Federal Government in international standardization activities in order to provide—

Support for international standards work in the national interest where industry for some reason is reluctant or unable to participate.

Technical support, committee leadership, and coordinated standards development by Federal agencies, such as the National Bureau of Standards, where unique or outstanding competence exists.

An objective, long-range approach to international standards development, especially in instances where the goals to be reached are public as well as private, as in cases where it would be desirable to coordinate standards development with foreign aid programs.

Cooperation with foreign standards-making bodies, particularly in underdeveloped countries, to assure the best possible standards systems. This serves two ends—it makes the countries involved more self-sufficient, and it assures United States industry of an equal opportunity to compete for trade rather than to be faced with standards set up by other, more aggressive nations which weaken the U.S. position.

The translation, publication, and distribution of U.S. standards, and the support of standards libraries in countries where standards work is starting to grow. Again, this would tend to put United States industry on a more equal footing with that of such nations as the United Kingdom and West Germany, which have tended to move quickly into a newly developing area to set up a preferred position with respect to standards.

Development of international standards is considerably complicated by the fact that there are different systems of measurement and standards—metric, English, and others.

With the rest of the world moving in the direction of adopting the metric system, the United States is put at a disadvantage that can be minimized only by greater participation in international standards activities.

A larger role by the Federal Government in stimulating development of compatible international standards is necessary if barriers to the interchange of goods and services are to be minimized and a competitive free economy in the world market maintained. An effort to increase common or compatible international standards, to reconcile standards differences, and to help develop as broad a trade base as possible in international markets is essential. The proposed legislation is aimed at supporting the development of a strong and growing trade in present markets and markets of tomorrow through early and effective participation in international standards activities, on the part of U.S. industry, professional organizations and the Federal Government.

Industrially developed nations, such as those in Western Europe, have recognized the direct relationship between their export trade in world commerce and the standards generated in new or less industrialized nations. These European nations thus have moved quickly to assist standards-making bodies of other nations develop their standards and standards-related activities.

The proposed legislation will enable the Federal Government to protect and improve the economic position of American industry by increasing U.S. participation and cooperation with foreign standards-making bodies in their standards activities. Its purpose, therefore, by such means of cooperation and participation, is to encourage and promote the generation or adoption of standards common or compatible with American standards. Appropriate U.S. activities in this connection would include supporting missions to provide consultative and technical advice on training, organizing, managing, and developing commercial or engineering standards systems and activities, including demonstration laboratories; supporting studies of regional or national standards efforts, including recommendations as to what future steps to take; and providing new and less industrialized nations copies of U.S.A. standards or translations.

IV. Standards clearinghouse

A. Current Situation

A great inhibitor to progress in the development and use of standards, both domestic and international, is the lack of communication among the many organizations and agencies that issue standards, as well as the users of standards. All standards-producing bodies have developed some way of publishing and distributing information concerning their standards. However, the systems used by standards-producing bodies vary.

System differences in nomenclature, format, classification of subject matter, and lack of coordination with modern current data retrieval systems, lead to widespread difficulty in locating, understanding and applying standards to current operations. Indeed, government and industry frequently find it difficult to determine whether a standard even exists. No central focal point is presently available to provide a potential user of a standard with a uniform, comprehensive catalog of standards.

Under the circumstances adequate use of a standard, in its own or technologically related fields, cannot be made. Duplicative standards cannot be eliminated. Appropriate revisions of outmoded standards cannot, without great difficulty, be undertaken.

B. The Need—A Clearinghouse

There is need for a Clearinghouse for commercial and procurement standards which will have the following functions:

1. Development of an improved library of standards and government specifications. This will serve as a central source of information on standards and standardizing efforts.

2. Providing a central focal point to which a potential industrial, institutional or governmental user of a standard can refer in order to become aware of the existence of the standard.

3. Development and maintenance of a catalog of existing standards. Such a catalog will go far in eliminating differences in nomenclature, format, etc., which make the present information so unsatisfactory.

4. Development of a central retrieval system to provide a quick and inexpensive route to the information contained in this comprehensive catalog. This would make available to subscribers information on such items as titles, numbers, subject matter, technical societies, trade associations, and committee activities on domestic and international levels.

In sum, it should be realized that international standards are very much a part of world trade and that foreign standards-making bodies are constantly at work with programs aimed at the improvement and broader application of those standards. Thus, while it may well be argued that international standards do not encompass the depth and breadth of American standards, it nevertheless behooves the United States to step-up its patricipation in international standardization activities, not merely to combat competition being waged in foreign countries against American products and services but to expand hitherto undeveloped markets for American industry and commerce. The essentiality of our participation in this area therefore, stated in its most simple terms, is to achieve compatibility for our products based on standards deemed acceptable to foreign methods of operations and systems as well as our own so as to stem the reduction or prevent the exclusion of our sales to foreign markets.

Finally, our cooperation with the emerging nations in developing and improving their commercial standards, which are likely to result in standards patterned largely after our own, will make American products more accessible to their markets, thereby enhancing our economy. More significantly perhaps, such service may reasonably be expected to rally support from such nations for our efforts with foreign standards-making bodies to adopt, whenever possible, American standards as international standards. Such adoption would provide further markets for American industry. This then is the purpose and design of the proposed legislation, whose goal hopefully may be realized from its enactment.

V. Section-by-section summary of the bill

Section 1 of the legislation shows a recognition by Congress that voluntary standardization of products, both on a national and international basis, promotes the exchange of goods of high quality to the benefit of the general public. The bill states as its purpose in support of this Congressional finding, the promotion and support of representation for United States interests in voluntary international commercial standardization activities and the establishment of information clearinghouses for commercial or procurement standards for the benefit of all concerned.

Section 2 of the bill would authorize the Secretary of Commerce, in cooperation with other interested private and governmental agencies, to promote and support United States participation in the international commercial standardization of products, processes and test methods, through appropriate international organizations, for the purpose of promulgating international commercial standards for products, processes and test methods. He would also be authorized to establish a clearinghouse service for the benefit of producers, distributors, users, consumers and the public. The clearinghouse would collect and disseminate engineering or product standards and governmental procurement standards and information relating to those standards from whatever sources that might be available. This data would then be provided to all those having a desire or need for it.

Section 3 would enable the Secretary to carry out the functions described in section 2 by authorizing him to make grants or contracts with any private non-profit standards organization which he determines represents the interests of those groups which this bill is designed to benefit and which permit participation in the organization by such interests.

Also he would be permitted to enter into contracts or cooperative arrangements with anyone whom he thought qualified to carry out the functions authorized under the Act. Finally, he would be authorized to establish procedures and issue rules and regulations necessary to administer the Act and carry out its designated functions. This latter authority would include the right to fix prices and set fees for the information furnished or services rendered in connection with clearinghouse activities without regard to any other law under which Government sales are permitted. Such a practice is deemed consistent with Congressional and executive policy to recover from the special users of the clearinghouse information and services, a substantial portion of the cost of obtaining and producing the data. The Secretary would be authorized to use the working capital fund of the National Bureau of Standards in administering the Act.

Section 4 of the bill would authorize appropriations, without fiscal year limitation, of such sums as may be deemed necessary for the purposes of the Act.

Section 5 requires that those who receive financial assistance under the proposed legislation keep such records as may be necessary for the purposes of audit and examination relating to the receipt and disposition of funds provided under the Act.

COLLECTION, COMPILATION, CRITICAL EVALUATION, PUBLICATION, AND SALE OF STANDARD REFERENCE DATA

Mr. MAGNUSON. Mr. President, I introduce, at the request of the Acting Secretary of Commerce, a bill to provide for the collection, compilation, critical evaluation, publication, and sale of standard reference data. I ask unanimous consent that the text of the bill and a letter from the Acting Secretary of Commerce, together with a statement of purpose and need and a section-by-section analysis prepared by him, be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill, letter, statement of purpose and need, and section-by-section analysis will be printed in the RECORD .

The bill (S. 998) to provide for the collection, compilation, critical evaluation, publication, and sale of standard reference data; introduced by Mr. MAGNUSON, by request, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 998

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

DECLARATION OF POLICY

SECTION 1. The Congress hereby finds and declares that reliable standardized scientific and technical reference data are of vital importance to the progress of the Nation's science and technology. It is therefore the policy of the Congress to make critically evaluated reference data readily available to scientists, engineers, and the general public. It is the purpose of this Act to strengthen and enhance this policy.

DEFINITIONS

SEC. 2. For the purpose of this Act—

(a) The term "standard reference data" means quantitative information, related to a measurable physical or chemical property of a substance or system of substances of known composition and structure, which is critically evaluated as to its reliability under section 3 of this Act.

(b) The term "Secretary" means the Secretary of Commerce.

SEC. 3. The Secretary is authorized and directed to provide or arrange for the collection, compilation, critical evaluation, publication, and dissemination of standard reference data. In carrying out this program, the Secretary shall, to the maximum extent practicable, utilize the reference data services and facilities of other agencies and instrumentalities of the Federal Government and of State and local governments, persons, firms, institutions, and associations, with their consent and in such a manner as to avoid duplication of these services and facilities. All agencies and instrumentalities of the Federal Government are encouraged to exercise their duties and functions in such manner as will assist in carrying out the purpose of this Act. This section shall be deemed complementary to existing authority, and nothing herein is intended to repeal, supersede, or diminish existing authority or responsibility of any agency or instrumentality of the Federal Government.

SEC. 4. To provide for more effective integration and coordination of standard reference data activities, the Secretary, in consultation with other interested Federal agencies, shall prescribe and publish in the Federal Register such standards, criteria, and procedures for the preparation and publication of standard reference data as may be necessary to carry out the provisions of this Act.

SEC. 5. Standard reference data conforming to standards established by the Secretary may be made available and sold by the Secretary or by a person or agency designated by him. To the extent practicable and appropriate, the prices established for such data may reflect the cost of collection, compilation, evaluation, publication, and dissemination of the data, including administrative expenses; and the amounts received shall be subject to the Act of March 3, 1901, as amended (15 U.S.C. 271–278e).

SEC. 6. (a) Notwithstanding the limitations contained in sec. 8 of Title 17 of the United States Code, the Secretary may secure copyright and renewal thereof on behalf of the United States as author or proprietor in all or any part of any standard reference data which he prepares or makes available under this Act, and may authorize the reproduction and publication thereof by others.

(b) The publication or republication by the Government under this Act, either separately or in a public document, or any material in which copyright is subsisting shall not be taken to cause any abridgment or annulment of the copyright or to authorize any use or appropriation of such material without the consent of the copyright proprietor.

SEC. 7. There are authorized to be appropriated such amounts may be needed for the purpose of this Act.

SEC. 8. This Act may be cited as the "Standard Reference Data Act."

The letter, statement, and section-by-section analysis, presented by Mr. MAGNUSON, are as follows:

THE SECRETARY OF COMMERCE,
Washington, D.C., February 6, 1967.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
U.S. Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There are enclosed herewith four copies of a draft bill to provide for the collection, compilation, critical evaluation, publication, and sale of standard reference data, and four copies each of a statement of purpose and need in support thereof, and a section-by-section analysis.

The Bureau of the Budget advises that enactment of this legislation would be consistent with the Administration's objectives.

Sincerely yours,

A. B. TROWBRIDGE,
Acting Secretary of Commerce.

STATEMENT OF PURPOSE AND NEED

THE STANDARD REFERENCE DATA ACT

Background

The Federal Council for Science and Technology announced in 1963 a policy that there should be established a National Standard Reference Data System to provide on a national basis critically evaluated data in the physical sciences. The Department of Commerce, through the National Bureau of Standards, established a program to assist in furthering this policy. The basic objective of that action was to make critically evaluated quantitative data on the properties of substances readily available to Federal technical agencies and this country's scientists and engineers.

The proposed legislation is needed in order to provide the legal framework for a program to produce compilations of critically evaluated data on the properties of substances and their interactions, gathered from research reports throughout the world, evaluated by experts, and disseminated to the technical community. Through this legislation the voluntary and cooperative activities of all those concerned with the reference data program could be fitted into a coherent and comprehensive pattern so as to assure maximum benefit to the entire governmental and non-governmental community. The bill would allow the Secretary of Commerce to obtain a copyright on behalf of the United States as author or proprietor in the standard reference data which he prepares or makes available and would permit him to allow others to reproduce and publish such data.

Compilations carried out other than by the National Bureau of Standards may become a part of the standard reference data system through the voluntary efforts of the agencies and if they meet the standards prescribed by the Secretary of Commerce through the National Bureau of Standards. Through this voluntary cooperative arrangement and the activities of the National Bureau of Standards, it will be possible to provide to the technical community critically evaluated data which will lead to substantial savings in time, effort and money.

Need for standard reference data

The significance of the standard reference data operation can best be understood by a look at the process by which measurements of the properties of substances are made available to scientists and engineers. Property measurements are produced as a result of the research done by millions of scientists and engineers all over the world. The data are published in various scientific journals, reports, handbooks, and so forth. Therefore while these data are available to anyone who is prepared to search the literature to find them, it is quite often difficult to locate a specific number or value in the millions of pages of scientific literature. Of equal importance is the fact that once the number or value is located, it is difficult to determine just how reliable such information is. A complicating factor is that often more than one researcher works in the same field, each developing his own number or value for the same property. Only a specialist in the field can tell which is most likely to be correct. Accordingly, the standard reference data system has as its purpose three main functions:

1. Extract the necessary data from the literature;
2. Determine the data's accuracy and reliability through a process of critical evaluation; and
3. Make the evaluated data readily available to users.

The data are called "reference" because scientists and engineers repeatedly refer to the data in their work. They are called "standard" because differing values are critically evaluated by the most competent scientists in the field who then select and certify a single value or range of values as the best or "standard" one. The data may then be used with maximum confidence, for rather than having to make independent measurements of physical and chemical characteristics of materials, scientists and engineers would be able to refer to the standard reference data and depend upon the reliability of the measurements which have already been made and critically evaluated.

Technical scope of the standard reference data system

The products of the system are compilations of critically evaluated data on the properties of substances, critical review of the state of knowledge of the measurable properties of substances, and computations of useful functions derived from properties of substances.

The technical scope of the system embraces only physical and chemical properties and their interactions. Only substances of well-defined composition and structure are considered appropriate, and only intrinsic properties of the substances or systems under consideration are to be included.

These limitations can be described by use of a few examples. The free energy of formation of sodium chloride is a well-defined property of a pure substance of known structure and composition; therefore, numerical data for this property are appropriate. Critically evaluated data of this type are in the compilation entitled "Selected Values of Chemical Thermodynamic Properties" (NBS Circular 500) which is considered to be "standard reference data." The atomic energy levels of the silicon atom similarly are well-defined properties of a well-defined substance and such data are appropriate. Critically evaluated data of this type are in the series entitled "Selected Values of Atomic Spectra" (NSRDS–NBS–3); this compilation is also considered to be "standard reference data." On the other hand, the thermal conductivity of fire brick is a well-defined property of a substance of poorly defined composition and structure. Therefore, such data are not within the scope of the standard reference data system. Similarly, the hardness of tool steel is a poorly defined property of a substance of poorly defined composition and structure. Again such data are not within the scope of the program.

Operational data on components, devices, and other manufactured or assembled systems are well outside the scope of activity for the program, as are maps, navigation charts, weather data, and similar information.

Participation in the standard reference data system

A. National Bureau of Standards

In assuming leadership for planning and operating a coordinated program of reference data compilations to meet the needs of the scientific and technological community, the responsibilities of the National Bureau of Standards would include the establishment of an interagency mechanism with representation from agencies participating in the standard reference data system in order to obtain guidance in the establishment of policies and priorities; determining, in cooperation with others, the needs for standard reference data and compilations; and maintaining a central registry of reference data compilation activities throughout the United States. Other responsibilities would include consulting with appropriate specialists to establish standards and criteria for the various products of the program; managing the data compilation projects funded directly by the National Bureau of Standards and such other projects financially supported by other agencies as may by mutual agreement be placed under the management of the National Bureau of Standards; monitoring and advising on the performance of the various components of the program in meeting objectives; and developing and operating mechanisms for coordination of data compilation activities throughout the United States. In addition, it would involve the maintenance of a central file of reference data compilations containing the output of data compilation projects and the development and operation of dissemination services designed to ensure that the products of the program are readily available to users.

B. Other Federal Agencies

Participation of other Federal agencies in the standard reference data system would be entirely voluntary. It would include participation in the interagency mechanism, which would be established to provide guidance on standard reference data system policies and priorities, and in the planning of a coordinated reference data program; sponsoring reference data activities which are necessary for the effective discharge of their responsibilities and which have a technical scope of interest primarily within the mission of their own agency; cooperating with the National Bureau of Standards in the operation of those reference data activities which support the missions of several agencies and the scientific and technological communities at large; and participation in activities with the National Bureau of Standards which would be designed to determine national needs for compilations of critically evaluated data and to establish technical scope, nature of output, and standards of quality for all data activities within the standard reference data system. Finally, such participation would include ensuring that products of data activities under the sponsorship of such agencies are made adequately available to technical users, either by direct distribution or through the mechanisms of the National Bureau of Standards; and to the extent practical and consistent with immediate mission objectives, endeavoring to meet standards of quality and format established for products of their data activities through the initiative of the National Bureau of Standards.

SECTION-BY-SECTION ANALYSIS OF BILL

Section 1 declares it to be a Congressional policy to make critically evaluated reference data readily available to scientists and engineers.

Section 2 defines various terms that appear in the bill, including that of "standard reference data."

Section 3 of the bill would authorize the Secretary of Commerce to arrange for the collection, compilation, critical evaluation, publication and dissemination of standard reference data. In exercising this authority, the Secretary would be required to utilize the reference data services and facilities of other agencies at the Federal, State and local government level, with their consent, so as to avoid duplication of the same services and facilities. The section also explicitly states that nothing in the Act is intended to repeal or in any way affect existing authority or responsibility of any Federal Government agency.

Section 4 of the bill would authorize the Secretary, in consultation with other interested Federal agencies, to prescribe and publish in the Federal Register such standards, criteria and procedures for the preparation and publication of standard reference data as may be necessary to carry out the purpose of the Act.

Section 5 of the proposed legislation would enable the Secretary to make available and sell standard reference data conforming to standards established by him. The prices established for such data may reflect the cost of collection, compilation, evaluation, publication and dissemination of the data, including administrative expenses. This section is consistent with Congressional and executive policy in that it seeks to recover from the special users of the standard reference data the cost of producing the data which is of special benefit to these users.

Section 6 of the bill would authorize the Secretary to obtain copyright on behalf of the United States as author or proprietor in the standard reference data which he prepares or makes available and would permit him to allow others to reproduce and publish such data.

Section 7 of the bill would authorize the appropriation of such amounts as may be needed for the purpose of the Act.

Section 8 sets out the short title of the bill as the "Standard Reference Data Act."

COMMITTEE ON COMMERCE

[Reimbursement of Expenses and Per Diem Incident to Official Travel]

Date: ________________________________
Name of Senator ____________________

Field hearing or other committee business on which you were engaged when these expenses were incurred:

Travel expense

[Please include all travel, whether paid by you or not; if prepurchased for you by committee, write "prepaid" under "Amount claimed" in last column. Attach all transportation ticket stubs, whether purchased by you or by the committee]

Mode of travel (train, plane, bus, private automobile)	Date (month and day)	Points of travel		Rate per mile	Amount claimed
		From—	To—		

Total, travel expense .... $.........

Miscellaneous expense

Date 19....	Type of expenditure (taxi, telephone, clerical assistance, etc.)	Amount claimed

Total, miscellaneous expense .... $.........

Per diem claimed

[Please list date and hour of departure and arrival]

From—	To (inclusive)—	Number of days	Rate per day	Amount claimed

Total, per diem .... $.........

Grand total ....

Sign here ....

FLAMMABLE FABRICS ACT AMENDMENTS OF 1967

Mr. MAGNUSON. Mr. President, on January 16, in a statement outlining the prospective work of the Consumer Subcommittee, I promised to introduce legislation to transform the limited terms of the Flammable Fabrics Act into a comprehensive fire safety law for all household and personal fabrics.

I now send to the desk for appropriate reference on behalf of myself and the Senator from New Jersey [Mr. WILLIAMS], the Flammable Fabrics Act Amendments of 1967. I am gratified to report that this bill has been developed in close cooperation with the distinguished chairman of the House Interstate and Foreign Commerce Committee, Mr. STAGGERS, and the administration.

The hazards caused by the flammability of clothing and other household fabrics have long been known to the medical profession and fire protection agencies. Unfortunately, the general public does not fully comprehend the extent of the hazard—only the victim, his parents, and friends fully understand the painful, scarring consequences of human burns.

Burns from ignition of clothing and other household fabrics clearly constitute an extremely serious health problem in the United States. Thousands of men, women, and children are burned, many fatally, when their clothing accidently catches fire. According to a Public Health Service estimate, 150,000 persons in this country are burned each year in clothing fires. Thousands more are burned from bedding and other fabric fires. Because of their slow reactions, an unusually high proportion of burns occur amongst children, the elderly, and the infirm.

Statistics on numbers burned, however, do not begin to reveal the magnitude of the problem. Injuries from burns impose tremendous costs on the victims. The economic costs alone are exorbitant but the intangible costs in terms of human suffering are many times scarcely bearable.

Dr. George F. Crikelair, professor of surgery and director of Plastic Surgery Service, Columbia-Presbyterian Medical Center, New York City, aptly stated the tragic consequences of a serious burn:

> It is painful, debilitating, the morbidity is extreme, the mortality high, and the time, cost, and work involved unbelievable. Given a patient who is seriously burned, the initial hospital time may be five to six months involving numerous operations, countless hours of nursing and medical care, and astronomical supplies of blood, intravenous *liquids, dressings and drugs.* Reconstructive work may go on for three or four years.

The tragedy of burns, of course, does not end here. As Dr. Crikelair noted:

> And we know that even when burn victims survive, our techniques for the reconstruction of damaged hands and deeply scarred ears and noses are still less perfect than we'd like. The answer is obviously prevention.

The Flammable Fabrics Act, enacted in 1953, represented the reaction of Congress to a series of shocking news stories which appeared at the time, of young girls burned by sweaters so highly flammable that they exploded into flames in the presence of a lighted match or cigarette.

This act has served adequately to rid the country of so-called explosive clothing. However, there is disturbing evidence of the widespread distribution of dangerously flammable fabrics which are beyond the reach of this law.

The Flammable Fabrics Act now incorporates a specific standard to be utilized in measuring the flammability of wearing apparel. Neither the Federal Trade Commission nor the Department of Commerce, through its standards procedures, are authorized to amend the standard.

The degree of protection offered by the present standard is ofttimes inadequate. In many cases the impression of protection is an illusion. A prominent Washington reporter, whose daughter was tragically and cruelly burned when her flannel pajamas were suddenly consumed by fire, took the charred remains of the pajamas to the Textile Bureau of the Federal Trade Commission for prosecution. The Trade Commission was powerless. The pajamas were not flammable under the standard established by the Flammable Fabrics Act.

The standard promulgated in 1953 may no longer provide the American public with a sufficient degree of protection. The consumer has a right to be protected not only from explosive fabrics, but also from those which burn at an unreasonably rapid rate. As technology advances it is mandatory that a mechanism be provided by which technical standards of flammability can be improved and upgraded.

The amendment proposed today would provide that mechanism—it would give the Secretary of Commerce the authority to raise and strengthen standards whenever he finds that such standards are inadequate for the protection of the public interest.

A comprehensive Flammable Fabrics Act, however, requires more than the broadening of standards. Equally important is an extension of the scope of the Act. The coverage of the present Flammable Fabrics Act is limited to wearing apparel. This rigid limitation has resulted in many anomalies. For example, the Trade Commission determined that it had the power to halt the sale of flammable bridal veils but not flammable baby blankets. And, a fabric which can be banned from use in a sweater can be sold without restriction as a drape or carpet, upholstery fabric, or blanket.

It is indisputable that many household fabrics constitute fire hazards. Thousands are burned each year from bedding and home furnishing fires. In addition to wearing apparel, the consumer surely deserves protection from dangerously flammable drapes, bedding, rugs, *and other fabrics. The proposed amend*ment would provide this protection by extending the scope of the act to include all fabrics and related products.

A major obstacle in our efforts to upgrade flammability standards has been the lack of reliable statistics on injuries and deaths caused by flammable fabrics. None of the public or private agencies concerned with fire hazards can say with certainty how many victims there are of fabric burnings. And there is no central clearinghouse where information from various agencies can be combined and analyzed.

Under the proposed amendment, the Secretary of Commerce may establish standards for fabrics other than wearing apparel if he determines that an unreasonable hazard exists. The need for a standard, however, cannot be determined in a vacuum. Reliable statistics are needed to identify those products or fabrics which constitute a significant health hazard.

The Department of Health, Education, and Welfare is best equipped to fulfill this information-gathering function. Under the proposed amendment, the Secretary of HEW, in cooperation with the Department of Commerce, would be directed to conduct a comprehensive and continuing investigation of the deaths, injuries, and economic losses resulting from accidental burns.

The legislation proposed today would not eliminate all risks of flammability, for most fabrics, in varying degrees, are flammable. Rather, the thrust of the legislation is to bar from the marketplace those fabrics which are unreasonably hazardous.

The future, however, presents a bright hope for reducing the risks even further. During the past decade significant technological progress has been achieved in developing flame-retardant clothing and other fabrics. Fabrics treated with flame-retardant chemicals either do not burn or burn so slowly that they will not cause burns under ordinary conditions.

Unfortunately, except for wool, which is naturally fire resistant, few fabrics of this kind are available for consumer use in the United States. According to industry representatives, the cost and quality of chemically-treated fabrics have been barriers to widespread use.

It appears likely, however, that these obstacles will soon be overcome. A conference on burns and flame retardant fabrics, recently held in New York, spotlighted recent developments. Attending were representatives of the Government, the medical and health professions, private industry, and the consumer public. The final result of the meeting was the establishment of a broadly based permanent organization dedicated to first, the development of improved flame-retardant fabrics; second, the education and protection of the consumer public; and *third, the exchange of knowledge among* all groups concerned.

The formation of this association is a most encouraging sign. I am delighted that industry and other private organizations have recognized the hazards posed by flammable fabrics and are tak*ing active steps to reduce these hazards.* Under the legislation proposed today, the Secretary of Commerce will be in a position to cooperate with and assist these organizations in their developmental work.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1003) to amend the Flammable Fabrics Act to increase the protection afforded consumers against injurious flammable fabrics, introduced by Mr. MAGNUSON (for himself and Mr. WILLIAMS of New Jersey), was received, read twice by its title, and referred to the Committee on Commerce.

CONSTRUCTION OF THE CENTRAL ARIZONA PROJECT

Mr. HAYDEN. Mr. President, I introduce for myself, Senator FANNIN, and Senator JACKSON, of Washington, a bill to construct the central Arizona project which will provide Arizona with the water it must have to augment a rapidly diminishing underground water supply.

Arizona has a desperate need for water and we have attempted to develop a workable plan that answers this overriding need. I have introduced similar legislation in years past but I feel that our present proposal has an excellent chance of winning the support necessary to pass Congress.

The bill authorizes construction of an aqueduct capable of carrying Arizona's share of Colorado River water from Lake Havasu into central Arizona.

Arizonans have fought for a long time to replenish their diminishing supply of water. Now we feel that through this workable compromise, based on our experiences and needs, Arizonans can count on help from our many friends throughout the country.

I now yield to the Senator from Washington [Mr. JACKSON].

Mr. JACKSON. Mr. President, it is a great pleasure for me to join with the distinguished senior Senator from Arizona in cosponsoring the legislation he has introduced today to authorize the construction of the central Arizona project. Other Members of the Senate are aware that I have supported the central Arizona project in the past so that Arizona can receive water to which it is legally entitled. Bills authorizing the project were passed by the Senate during the 81st and 82d Congresses. More recently, in 1964 the Senate Interior and Insular Affairs Committee reported a bill which would have authorized the central Arizona project.

It is my understanding that within the next few days the administration will also be submitting a bill to authorize a development program for the lower Colorado River and the central Arizona project. The major provisions of this bill were outlined at a news conference *held by Secretary Udall on February 1.* At that time I commented that the program described by Secretary Udall appeared to be "a sound basis for agreement in the Congress and a program which can go forward without the disputes between States and regions which *have plagued the previous proposals."* As chairman of the Senate Interior and Insular Affairs Committee, I will introduce the bill requested by the administration when it is submitted.

I am hopeful that following public hearings and diligent consideration of the pertinent bills before the committee, we will be able to report to the Senate a bill which will meet the legitimate needs of Arizona and the country.

The Nation as a whole and especially those of us who have had the privilege to serve in the Senate with CARL HAYDEN have reason to be grateful to him for his dedicated service to the country during his long and distinguished career in Congress. I am confident that his many friends will wish to join with him in supporting this important and needed legislation.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1004) to authorize the construction, operation, and maintenance of the central Arizona project, Arizona-New Mexico, and for other purposes, introduced by Mr. HAYDEN (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

Mr. JACKSON. Mr. President, I ask unanimous consent, if it has not already been granted, that the bill just introduced by the senior Senator from Arizona may lie at the desk for 10 days for cosponsors.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

COMMITMENT PROCEDURE FOR PERSONS FOUND NOT GUILTY BY REASON OF INSANITY

Mr. TYDINGS. Mr. President, I introduce, for myself and Senator MORSE, for appropriate reference, a bill to create the verdict of not guilty by reason of insanity in Federal criminal procedure and to establish a procedure for the commitment of persons so adjudged if after such verdict they are determined to be dangerous, because of their mental condition, to themselves or other persons. This bill is, in large part, the same as S. 3753, which I introduced during the second session of the 89th Congress.

Mr. President, there is at the present time a serious void in Federal criminal procedure. I became acutely aware of this loophole while serving as the U.S. district attorney for the district of Maryland. The gap in Federal procedure was exposed by the activities of a young man who had an unquenchable urge to fly airplanes, although he had neither a pilot's license nor his own plane.

From time to time, whenever he would pass an airport, he would have an irrepressible desire to fly planes; and, with the aid of a Popular Mechanics Manual, he proceeded to fly them. Fortunately, he generally landed the aircraft in one piece without inflicting injury either to himself or to innocent persons, but usually some damage was inflicted to the aircraft. On one occasion, to satisfy his desire to fly, he stole an airplane and managed to pilot it between two States.

When he was tried in the district court on a charge of wrongful interstate transportation of the aircraft, he won acquittal after psychiatric testimony disclosed that the theft occurred while the young man was acting under an irresistible impulse. It was at this point that the void in Federal criminal procedure became evident for all to see. Upon the verdict of not guilty, the young man walked from the courtroom a free man, although the testifying psychiatrists were relatively certain that his penchant for flying would soon lead to another illegal flight in a stolen aircraft. In fact, within a matter of months, the young man was again apprehended after stealing an aircraft. The danger that such activity of a mentally irresponsible person posed for the community is readily apparent.

The gap in Federal criminal law develops because there is no verdict of not guilty by reason of insanity. Federal procedure, outside the District of Columbia, merely requires the jury to find a defendant in a criminal case either guilty or not guilty. In a case where the defendant produces evidence of his insanity at the time of the alleged act, the jury is instructed on the defense of insanity but its verdict does not reflect whether it believed the defendant not guilty because the evidence against him did not establish beyond a reasonable doubt that he did in fact commit the act alleged or because the jury believed he lacked the mental capacity to commit a crime. The reason underlying the jury's verdict is unclear. Moreover, a man who has committed an antisocial act while insane is allowed to walk out of the courtroom a free man. There is no assurance to society that the mental illness that produced the act for which he was brought into a Federal court has been treated and sufficiently arrested to create a reasonable belief that the illness will not again produce a criminal act. Furthermore, there is no assurance that a mentally ill person will receive psychiatric help.

Mr. President, there is a need for a verdict of not guilty by reason of insanity in Federal practice, comparable to existing practice in the several States. When such a verdict is returned, there should be a determination of the acquitted person's mental condition at the time of acquittal. Any person whose mental illness has not been sufficiently arrested to assure society that further criminal behavior will not result from the illness should be committed to a mental institution, both to protect society and to assure help for the individual in his quest for sanity.

The bill I introduce today seeks to achieve these objectives by establishing the verdict of not guilty by reason of insanity as one possible verdict the trier of fact can return after the issue of insanity is raised in a Federal criminal trial. A verdict of not guilty by reason of insanity will trigger the institution of committment proceedings against the person so acquitted.

The bill allows the institution of the commitment proceedings by either the U.S. attorney or the district judge who heard the criminal case. Ultimately, the commitment proceedings will culminate in a hearing to determine if the person acquitted because of insanity is at the time of the commitment hearing dangerous to himself or others. But, prior to that hearing, the district court is given the discretionary power to commit the person for psychiatric observation for a period of not to exceed 60 days. This prehearing commitment is framed in discretionary rather than mandatory terms in the bill because it is believed that in most cases where the insanity defense has been raised the person's mental condition will have been subjected to a good deal of scrutiny at the trial of the criminal charges. In most of these cases the criminal defendant will have undergone extensive examination and may even have been subjected to lengthy pretrial commitment either for examination or to insure that he was competent to assist his counsel in the defense of his case and thus competent to stand trial. Reported cases show as much as 2¾ years' treatment between arrest and trial. See, for example, *Fielding* v. *United States*, 251 F. 2d 878 (D.C. Cir. 1957).

The discretionary prehearing commitment will allow hospitalization where the court believes there has not been sufficient scrutiny of the person's present mental condition prior to and during the criminal trial. It will also allow the district judge to have the benefit of a thorough examination of the person's mental condition immediately before the hearing to determine his present dangerousness.

The bill further provides that if, after a hearing at which the person shall have the assistance of counsel, the court determines that, because of his insanity, he would constitute a present danger to himself or others if released from custody, the court shall commit the person to the custody of the Attorney General who shall hospitalize him in a suitable mental institution. This remission to the custody of the Attorney General is patterned after the provisions of existing law. Today, the Attorney General is charged with the custody of persons subjected to pretrial commitment—title 18, United States Code, section 4244—as well as with the custody of those Federal prisoners who suffer mental illness during the term of their sentences—title 18, United States Code, section 4247.

The Attorney General also will be authorized by the bill to contract with State and private institutions for the hospitalization and care of the person who is still considered dangerous because of his mental condition. This provision is designed to allow the committed person to be restrained in the general vicinity of his home and relatives, rather than at a remote Federal facility.

The bill also insures that a person committee under its provisions will not be held beyond the time when he is a threat to society or to himself because of mental illness. This is achieved by preserving the right of habeas corpus, and by requiring the mental institution in which the person is maintained to make an annual report to the court which ordered the commitment on the condition of the person committed. These reports will allow the court to observe the progress of the person and to order his release if the court concludes that the danger to the community or to himself has been sufficiently arrested. The annual reports will make the committing court aware of the gravity of such commitment and will provide a basis for future consideration of the need and value of the commitment. The bill also allows the person to be released if the medical authorities certify his improved mental condition or if the Attorney General or his representative transmits such certification to the court.

The bill, I believe, effectively fills the void that now exists in Federal criminal procedure. It attempts to strike an appropriate balance between the interests of society and the rights of the individual defendant. If it, or some modification of it which allows commitment of persons found not guilty by reason of insanity, is enacted, Federal courts will not need to be timid in adopting some modern thinking on the insanity defense. There is some evidence that the absence of an adequate commitment procedure to protect society from the automatic release of a person acquitted after the interposition of the insanity defense has been a deterrent to the adoption of a more liberal rule of criminal insanity than the M'Naghten rule. See *Wion* v. *United States*, 325 F. 2d 420, 428 (10th Cir. 1963); *Sauer* v. *United States*, 241 F. 2d 650 et seq. (9th Cir. 1957). The latter opinion candidly discusses this problem. In preserving the M'Naghten rule the court stated forthrightly that, if Federal commitment procedures were available to "confine" a person acquitted on insanity grounds, "this court might be disposed to alter its current views—on the proper insanity test." Moreover, as the circuits adopt more liberal rules relating to the insanity defense, as in *United States* v. *Currens*, 290 F. 2d 751 (3d Cir. 1961) and *United States* v. *Freeman*, 357 F. 2d 606 (2d Cir. 1966), the need for an adequate commitment procedure will become all the more pressing. Indeed, in the Freeman opinion, Judge Kaufman stated:

> Effective procedures for institutionalization and treatment of criminally irresponsible are vital as an implementation of (our) decision. Id. at 626.

After introducing S. 3753 in the 89th Congress, I received over 200 letters from Federal judges, district attorneys, private attorneys, and law professors. The vast majority of these communications favored the concept and content of that bill. In addition, the nature of the problem now confronting the Federal courts was well documented.

At the present time, if the U.S. attorney becomes aware of the probability that a person accused of Federal crime will be acquitted because of insanity, the Federal prosecutor will attempt to have the State authorities assume responsibility for the individual and institute civil commitment proceedings against him either after acquittal or in lieu of Federal prosecution. In many instances, the States willingly cooperate. However, where relations between the Federal prosecutor and State authorities are not harmonious, or where the problem individual has no established residence within the State, the Federal authorities are left without a means of restraining one acquitted of Federal charges because of insanity.

A U.S. attorney from the Midwest stated the problem thusly in a letter to me commenting on S. 3753:

> Many of the persons who are charged with crimes in the Federal Courts . . . have no residence or domicile within any particular state. (There have been instances) where we have sought to divert the mentally incompetent to a state institution. Very often we cannot find a state that will take them.

This same problem was the theme of remarks by a district judge:

> I am keenly aware of the defect in the law which this bill is designed to remedy. On more than one occasion I have had an accused acquitted in my court by a general "not guilty" verdict where the sole defense has been that of insanity and where it has appeared obvious that there should be an investigation made to see whether the defendant was presently insane so as to constitute a danger to himself or the public. While I have wondered whether it has been my duty to go this far, on occasion I have made informal representations to state authorities with the thought that some proceedings should be initiated to determine the problem under state law. These representations have been unsuccessful because the defendants happened to be non-residents and it was thought that their being committed to a state hospital might be irregular or impractical.

A district judge from the west coast also graphically noted the difficulties inherent in present procedure.

> I enthusiastically endorse what you are attempting to do. Although I have been on the Federal Bench only five years, I have experienced during that period on at least three occasions the rather frustrating problem of what to do with a defendant that could not be convicted because of insanity, but over whom I had no control once he walked out of the courtroom. One of such persons later jumped off the Oakland Bay Bridge and miraculously survived; the others are presently at liberty, but each day I read our newspapers with fear that they will carry the account of a repetition of the crime for which the defendant was originally charged and for which, because of his mental condition, could not be found guilty.
>
> I recall another defendant who probably would have been found not guilty because of his insanity but who committed suicide in jail two or three days prior to coming to court for trial.

The present difficulties were also recounted by a U.S. attorney who referred to a specific case:

> (Defendant) was charged with first-degree murder on an Indian reservation for the fatal shooting of an Indian police officer who had tried to arrest him for driving under the influence of alcohol. * * * (We) obtained an order for mental examination at the Medical Center for Federal Prisoners at Springfield, Missouri. The defendant was found competent to stand trial but insane. . . .
>
> About thirty years ago (defendant) had been convicted of murder in the State of Oklahoma and received a life sentence. He had been released from the institution on leave and had not gone back. Instead he had gone to Wyoming, where he had actually run for Sheriff, but was not elected.
>
> We were able to resolve (this) problem by letting Oklahoma take him back and then dismissing our charge. However, if there had been no detainer from Oklahoma, we would have had no solution and no doubt would have been unsuccessful in the murder trial.

A system of Federal justice that relies on such fortuitous circumstances to protect society and assure that persons suffering from mental diseases receive adequate care can hardly be worthy of great public esteem.

I believe that we cannot continue to rely on fortune to solve the problems posed by a person being found not guilty of Federal criminal charges after the introduction of insanity evidence. I believe we must act to close the gap presently existing in Federal criminal procedure. I, therefore, commend the bill I introduce today to the earnest consideration of my colleagues.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1007) to amend chapter 313, title 18, United States Code, to provide for the commitment of certain individuals acquitted of offenses against the United States solely on the ground of insanity introduced by Mr. TYDINGS (for himself and Mr. MORSE), was received, read twice by its title, and referred to the Committee on the Judiciary.

MINT MARKS ON OUR COINS

Mr. SPARKMAN. Mr. President, the last sentence of section 3157 of the Revised Statutes, as amended by the Coinage Act of 1965, reads as follows:

> No mint mark may be inscribed on any coins during the 5-year period beginning on the date of enactment of the Coinage Act of 1965, except that coins struck at the Denver mint as authorized by law prior to such date may continue to be inscribed with that mint mark.

This provision was considered necessary because of the extreme shortage of coins at that time which made it desirable to limit as far as possible the number of coins which might be taken out of circulation by collectors. In addition, the conversion to the new coins introduced an additional element of uncertainty into the coinage picture which made it desirable to simplify our coinage arrangements as much as possible.

Now, however, the coin shortage appears to be a thing of the past. The mints are producing hundreds of millions of coins a month—more than 600 million coins in January, more than 830 million coins in December, almost 900 million coins in November, and more than 1 billion coins in October—and the Federal Reserve banks are building up a substantial reserve supply of coins.

In addition, it is my understanding that the mint is at times handicapped in identifying the source of defective coins by the absence of mint marks—though, of course, defective coins are extremely rare, particularly in the light of the incredible volume of coins being issued.

Under these circumstances it seems to me that it would be appropriate to consider legislation to authorize the mint to return to the practice of using mint marks. I have, therefore, introduced a bill which would repeal the present prohibition of mint marks. Under my bill the mint can decide when to return to the practice of using mint marks and can decide what coins should or should not have mint marks.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1008) to repeal the prohibition against mint marks on coins of the United States, introduced by Mr. SPARKMAN, was received, read twice by its title, and referred to the Committee on Banking and Currency.

PROPOSED SOCIAL SECURITY LEGISLATION

Mr. KENNEDY of New York. Mr. President, last year, along with 11 other Senators of both parties, I introduced legislation to increase retirement benefits under social security by an average of about 50 percent. Today, on behalf of the same group of Senators, with the exception of Senator Neuberger, I reintroduce that legislation.

Social security and the problems of our senior citizens generally promise to be a matter for considerable debate, and, hopefully, constructive action this year. President Johnson has already transmitted his message on older Americans to Congress, which contained a variety of proposals that would help insure our elderly citizens a secure and dignified life in retirement. Congressional leaders in both parties have indicated their interest in full-scale discussion and action concerning the problems and aspirations of our older citizens.

The bill which I introduce today, on behalf of myself, Senator CLARK, Senator HART, Senator KENNEDY of Massachusetts, Senator MCGOVERN, Senator METCALF, Senator MONTOYA, Senator MORSE, Senator PROUTY, Senator WILLIAMS of New Jersey, and Senator YARBOROUGH, adds three critical elements to the upcoming discussion:

First, the bill is premised on the belief that it is essential now to plan for the introduction of general-revenue financing into the social security system if we are to provide benefits of meaningful scope.

Second, it stands for the proposition that the present levels of benefits, which average $84 a month for individuals and $142 for couples, are wholly inadequate. A minimum benefit of $100 a month is a realistic floor of protection in retirement. In addition, significant benefit increases are in order for all beneficiaries, including increases of the magnitude of 50 percent for lower income beneficiaries.

Third, the bill provides for automatic adjustment of benefits geared to the cost of living. Social security should be inflationproof, and congressional energy should not be expended on enacting benefit increases which do no more than make up for ground lost to rises in the cost of living.

The bill contains a number of other proposals to liberalize retirement and survivorship and disability benefits, but these three principles are of overriding significance, and should be fundamental topics in the entire discussion of social security in Congress this year.

The bill which I introduce today differs from last year's proposal in a number of respects, all of which stem from one fact which has developed since the bill was introduced last year: the social security trust fund accounts are in much better financial condition than was previously believed. It turns out, for example, that a benefit increase of 8 percent across the board could be enacted without any increase in payroll taxes or any other additional financing.

In any event, because of what we now know about the social security trust fund accounts, it is possible, with the same financing as was in the bill last year, to propose a number of changes in benefits which were not in last year's bill. I shall discuss these in a few moments.

Let me turn first to the case for a substantial increase in benefits.

Social security was enacted over 30 years ago to help assure a decent, dignified retirement to our Nation's elderly. Since 1935, we have relied on this system of contributory insurance to provide a measure of economic protection against the loss of wages that retirement brings. It is the primary source of support for millions of older Americans.

But it is no longer adequate. Social security benefits have not kept pace with the times, and the result is that more and more of our elderly simply cannot make ends meet on their pension checks. We have amended the original 1935 act to broaden coverage and to create new kinds of benefits. But we have failed up to now to undertake the basic overhaul of our benefit structure that is needed to lift millions of older Americans out of poverty and into a retirement of dignity and self respect.

Each change has been of critical importance—survivorship provisions in 1939, payments to the permanently and totally disabled in 1956, and medicare in 1965. And since 1950, there has been a series of extensions to new groups of workers and accompanying liberalizations in eligibility requirements. About 95 million people are now insured under social security. Some 21 million, or one out of every nine Americans, are recipients of monthly benefits, including 14 million retired workers and their dependents. Nevertheless, one crucial fact stands out—some 5 to 7 million retired Americans still live in poverty.

Indeed, the paradox of abject poverty amidst our Nation's staggering affluence is nowhere more clearly observable than among our elderly. The aged constitute between one-fifth and one-fourth of all the poor in the United States. The Bureau of Labor Statistics estimates that it costs about $3,000 annually for a retired couple to live at a modest but adequate level in a big city and $2,500 in a smaller community. But in 1964, two out of five aged couples in this country had incomes of less than $3,000. One out of four had incomes of less than $2,000.

For these elderly people, social security has still not lived up to its original promise to avert economic insecurity in retirement. We must now keep that promise. We must now provide adequate benefits, and we can do so with fiscal soundness, to all who are insured. We must explore the full potential of the social security system to serve as a guarantor of the retired years of our people.

The present level of social security benefits has much to do with the widespread poverty among retired Americans. Social security is virtually the sole source of income for about half of its beneficiaries and the major source for just about all. The adequacy of benefits, therefore, is critical in determining how well people will be able to get along in retirement. But in 1966, the benefits paid to retired single individuals averaged $84 a month—just $1,000 a year. Benefits for aged couples averaged $142 monthly—$1,704 annually. Those millions who depend on social security for their entire support live in poverty.

In fact, the increases in benefits provided by past amendments have barely kept up with increases in the cost of living. For example, the 7-percent increase in cash benefits enacted in 1965 actually fell short of restoring the 1954 purchasing power of benefits. In terms of real purchasing power, the 1965 recipient was therefore less well off than his counterpart 11 years earlier. And a 15-percent increase for all beneficiaries this year would be about half taken up by making up for ground lost to price increases since 1954. Thus, a 15-percent increase now on top of the two 7-percent increases in 1958 and 1965 would give beneficiaries only a 7-percent real increase in benefits over the 1954 level of benefits. Wages, by contrast, have risen about 50 percent since 1954. And I am sure I need not add that not only have social security beneficiaries failed to share in the increased wealth of our society, but benefits were already inadequate in 1954.

In my judgment, these figures compel a thorough reevaluation by Congress of the benefit structure of the social security system. The bill which I introduce today is based on an extensive look at the present structure. It would raise benefits by an average of about 50 percent in 1968, and it would finance these increases by a limited use of general revenue financing. Increases of this magnitude will make a critical difference to millions of older citizens who must now scrape to make ends meet, or who have had to turn to public assistance for help.

This bill is a beginning—a good beginning—a fiscally sound proposal which can serve as the focal point for congressional discussion of the entire problem. It provides, what are in my judgment, the minimum improvements in social security benefits that are necessary now to respond to the needs of our elderly.

The bill would accomplish the following fundamental changes in the structure of social security benefits, all effective January 1, 1968:

First. It would more than double the minimum benefit payable. Every American who worked enough in his lifetime to qualify for coverage—and whose average monthly earnings were $106 a month or less—could now count on a retirement floor income of $100 a month—$1,200 a year—instead of the present $44 minimum. If his wife qualifies for marital benefits, they will receive $150 a month—$1,800 a year—as a couple. Thus the floor for individual benefits will exceed the present average—$100 a month as against $84—and the floor for couples will also exceed the present average—$150 as against $142. Average benefits will rise to $133 per month for individuals, and $220 for couples—increases of 58 percent and 55 percent, respectively. These are notable advances toward assuring the poorest of retired Americans a significant measure of income that they will receive as a matter of right, based at least partly on their own contributions. It is, correspondingly, a significant step away from reliance on local and State welfare and public assistance, which are already heavily burdened. The bill as introduced last year raised the minimum benefit to $90 a month. The present condition of the social security trust fund permits a proposal of a $100 minimum without financing beyond what I proposed last year.

Second. For those whose lifetime earnings averaged between $1,200 and $3,000 a year, the bill provides a 50-percent increase in benefits. What this will do for the person who earned $3,000 annually—the generally accepted poverty level—is a particularly good example of the improvements which the bill would make in the structure of benefits. The $3,000 a year earner now receives $1,200 annually in benefits, $1,830 if his wife is over 65. Under this bill, he would receive $1,840.30, more than 60 percent of what he received in wages during his productive years.

If his wife qualifies for marital benefits, they will receive $2,761, or more than 90 percent of his average earnings as a worker. As with the increase in the minimum benefit, these increases for the family which skirted poverty throughout the husband's working years will provide a substantial pension to which the retiree has contributed over the years, and an assurance that local welfare and public assistance will have to be resorted to less often during the years after retirement.

Third. The bill provides slightly smaller benefit increases for those who earned more during their working years—45 percent for the man who earned $4,000 annually, 40 percent for the man who earned $5,000, 39 percent for the man who earned $6,000. In absolute terms, the $4,000 earner would receive $2,090 instead of $1,440; the $5,000 earner, $2,384 instead of $1,692; the $6,000 earner, $2,617 instead of $1,884. If the wife of each qualifies for marital benefits, the new benefits for the couple would be $3,100, almost $3,600, and $3,925 annually respectively.

Fourth. The bill provides for automatic adjustment of benefits geared to the cost of living. As I have indicated, social security benefits have actually fallen in real value because increases have not even kept up with increases in the cost of living. Under the bill, benefits will rise 1 percent each time the consumer price index goes up 1 percent. This will help make social security inflation-proof for the first time, and will insure that future benefit increases granted by Congress will do more than just make up for lost ground. Civil service and military retirement systems already contain cost-of-living adjustment features. It is time that the social security system did likewise.

The bill does not exhaust the possibilities for automatic changes in benefits based on economic change. It does not, for example, provide means for giving social security beneficiaries the benefit of increases in real income that others in the economy receive when productivity rises. This concept—of automatic adjustments to enable the elderly to participate in the increase in the community's standard of living—is a long-accepted feature of other social insurance programs. I trust, therefore, that the Senate—and particularly members of the Finance Committee—will carefully consider the merits of such a provision when undertaking the general review of benefits that I believe should accompany consideration of my bill.

Fifth. The bill remedies a longstanding defect in the benefit structure by entitling the widow of a beneficiary to receive the same pension as her husband received. Present law cuts the survivorship pension to 82½ percent of the husband's retirement benefit, and thereby leaves thousands of widows in straitened circumstances every year.

Sixth. The bill provides an alternative method of calculating benefits which reflects more accurately a beneficiary's earning power during his lifetime. It allows benefits to be based upon the average earnings during the 10-consecutive-year period when earnings were highest. Present law requires that the average be based on the entire working life, leaving out only the 5 lowest years. This alternative method will insure that benefits will bear the closest possible relation to productivity during the working years. It will have a significant effect on the amount of benefits payable, especially for the steady worker who realized constantly increased earnings during his working years.

Seventh. The bill remedies another creeping deterioration in protection that has accelerated with the years, a deterioration that has been unfair to above-average wage earners. The $3,000 contribution and benefit base that was in effect in 1938 covered all of the earnings of 97 percent of those in the program. Thus, almost every worker's pension was based on everything he had earned while working. The increases in the contribution and benefit base that have been enacted recently have not kept pace with rising wages, with the result that many workers receive benefits based on only part of their earnings. The bill increases the base to $10,000, effective January 1, 1968, and to $15,000, effective January 1, 1971. For the first time in many years, nearly every worker will have social insurance protection that is calculated by reference to his entire earnings.

These are the major features of the bill as it was introduced last year.

The bill this year contains a number of additional features, made possible, as I pointed out earlier, by the surplus in the social security trust fund accounts.

In addition to the $100 minimum monthly benefit instead of the $90 minimum which I proposed last year, the bill contains the following provisions:

First, the bill provides that the lump-sum benefit be equal to the highest monthly amount payable to a family or to three times the primary insurance amount, whichever is lower. The present dollar limit of $255 on the lump-sum death payment has been in effect since 1952 and has become increasingly outdated. This provision would substantially increase the amount payable to help meet the special expenses connected with a worker's death and, at the same time, assure that the lump-sum benefit will not fall behind the other types of social security benefits. Since 1952 the average cost of an adult's funeral has gone up some 30 percent or more while the Consumer Price Index has risen by about 19 percent. Although the lump-sum benefit is not intended to meet the full cost of the expenses of a funeral, there is no good reason why it should not be kept up to date along with other benefits under the program. Under the change the maximum lump-sum payment would be $833.20, equal to the maximum family benefit provided by the bill—more than the average cost of an adult funeral, which was $757 in 1964.

Second, in addition to increasing the benefits available to those under social security, the bill will assure beneficiaries a greater opportunity to supplement their benefits through earnings from part-time or intermittent work. The amount that a beneficiary can earn and still receive full benefits is now $1,500. If a beneficiary's earnings exceed $1,500, $1 in benefits is withheld for each $2 in earnings between $1,500 and $2,700 and for each $1 of earnings above $2,700. Under the bill, this $1,500 exempt amount will be raised to $1,800 and the limit on the $1-for-$2 span to $3,000. Regardless of the amount of his annual earnings, a beneficiary will still be able to get full benefits for any month in which he earns less than $150. A worker reaching age 65 and retiring in January 1968—when the proposal would become effective—with a monthly benefit of $207 could earn $4,000 in a year, and he would still get over $800—nearly one-third of his benefits for the year. A couple with a monthly benefit of $310.50 and earnings of $4,000 in a year would still get over $2,000—more than half their benefits for the year. This provision will enable people to increase their income without losing benefits, thus enabling them to attain a more comfortable life after reaching retirement age as well as to continue their membership in the work force. The elderly should be encouraged to work as long as their health permits. Aside from their contribution to the economy, the satisfaction they gain from filling a useful position in society cannot be overlooked.

Third, the bill will provide important and urgently needed improvements in the protection afforded disabled people under the social security program. A major improvement is the extension of health insurance protection under social security to people who are getting disability benefits. People who suffer severe disability are exposed to the same sharp drop in income and at least as great an increase in the cost of health care as retired workers, and the disabled worker may be less well prepared for the financial shock than is the retired worker. In addition, he generally has great difficulty in getting health insurance coverage—perhaps even more difficulty than the aged person has. The considerations that prompted us to provide health insurance for the aged under social security last year apply with equal force to the disabled.

Fourth, the bill would close a further gap in the protection against disability. Many young people are disabled after age 18, but before they have actually become regular workers and while they are, in fact, still dependent on their parents. These young people cannot receive childhood disability benefits under present law, which requires that the disability must have begun before age 18. Present law does, on the other hand, give recognition to the fact that children attending school are generally still dependent on their parents by providing that child's insurance benefits can be paid in this situation until age 22. The bill provides childhood disability benefits on the basis of disability that occurs before age 22 and thereby significantly improves social security disability protection for young people. The provision for extending health insurance to the disabled would of course include people getting benefits on the basis of a disability that began before age 22.

Fifth, the bill will provide benefits for totally disabled widows, in cases where the widow became disabled before her husband's death or, in the case of a young widow, before the end of her entitlement to benefits on the basis of having a child in her care, or within 7 years after either of these events. This is a period during which the widow may not have had sufficient opportunity to work so that she could become insured for disability protection on the basis of her own earnings. Since these widows would be paid disability benefits, they would qualify for health insurance protection to all people getting disability benefits. Disabled widows need to have this protection.

Sixth, the bill will provide benefits for the dependent sisters and disabled dependent brothers of retired, disabled, or deceased workers. Social security protection for dependents of covered workers needs to be extended. It is not uncommon that a woman has not gained social security protection because she has been living with her brother or sister, acting perhaps in the capacity of housekeeper. There are also situations in which a disabled man is dependent on his brother or sister and has not had the opportunity to secure his own social security protection.

Seventh, the special payments made to certain people who were already old and who could not meet the regular work requirements for social security will be raised from $35 to $50 for a single person and from $52.50 to $75 for a couple. Their payments will still be less than the benefits payable to people who qualify for regular benefits under the program.

Eighth, the bill will fill serious gaps in the survivor, disability, and retirement protection of large numbers of Federal employees and their families. In the many cases where workers have Federal service under the civil service or the foreign service retirement systems but are not protected under one of those systems at the time they retire, become disabled, or die, the bill will provide social security protection by transferring credit for Federal employment to social security. The transfer-of-credit provisions are similar to a recommendation of the 1965 Advisory Council on Social Security, to a plan which was supported in a 1965 joint report of the Social Security Administration and the Civil Service Commission to the House Committee on Ways and Means, and to one of the recommendations of the President's Cabinet Committee on Federal Staff Retirement Systems. It is a less expensive approach than one involving direct Social Security coverage because, unlike a coverage plan, which would generally involve payment of benefits under both Social Security and the staff retirement system, it will not go beyond the objective of filling gaps in protection. Also, the transfer-of-credits approach requires no reduction of benefit amounts payable under the staff-retirement systems, and thus avoids an important objection that has been raised by organizations of Federal employees against coverage under social security.

Ninth, the bill liberalizes the entitlement of young people to survivorship benefits. Under present law, marriage terminates such benefits. However, the marriage of a young man or a young woman while they are in school often makes their economic situation more difficult rather than easier. Therefore, the bill provides that marriage will not terminate the survivorship benefit of a young man if he is a full-time student, or of a young lady if she is a full-time student and is married to a full-time student.

These, then, are the major provisions of the legislation which I propose today. It will not solve all the problems of the aging in our Nation. There are other grave needs which will require our serious attention and commitment. Special effort is still required to bring better housing to the elderly and to involve them in the process of providing community services, and even in gainful employment.

And in the area of income maintenance, there will still be a role, though somewhat diminished, for welfare and public assistance programs. The bill will not provide all of our elderly with all of the income they need to avoid hardship in retirement, and some will, therefore, still be forced to turn to old-age assistance for help. But this reliance will be less needed under my bill. The significance of this process is illustrated by what has happened to old-age assistance since the process of liberalization of social security began in 1950. Since that time the percentage of the older population receiving old-age assistance has been cut in half, dropping from 22 to 11 percent.

But the bill does achieve the necessary first step. It will insure a generally adequate level of benefits to all those who subsist on social security. We should have done at least this much long ago.

Nor should the role of private pension plans be minimized. There is general agreement that the best overall retirement system is dual in character, involving both social security and supplemental private pension arrangements. Unfortunately, the scope of private pensions has been too limited in our Nation so far. In general, only the higher income and better organized participate at present. Private pension plans could make a much more significant contribution to the economic security of our Nation's retirees. The policy underlying a fully developed combination of a liberalized social security system and effective private pension programs is clear: the former would provide a floor of basic economic protection for the elderly; the latter would operate to meet the demands of those who want additional economic security. We must do what we can to encourage private pension plans to develop so as to complement the basic protection which social security affords.

What will be the costs of this legislation? The immediate approximately 50-percent average increase in benefits provided by the bill would cause a considerable increase in the payments out of the trust fund during 1968, the year in which the bill would go into effect. It is important to understand, however, that the bill does not contemplate—nor does actuarial soundness require—that this increase in benefits would be entirely paid for immediately. The trust fund would be replenished over a period of time. This creates no difficulty. The Social Security Administration has told me that the proposed program as a whole is in close actuarial balance.

The Social Security Administration adds—

> The temporary declines in the . . . trust funds are not . . . significant in terms of the financial soundness of the program over the long run.

Thus the costs of the program will be spread over a period of years. This is both actuarially sound and fiscally wise.

It is possible that unforeseen fiscal demands may dictate some changes in the scope of this proposal as it is considered by the Senate. I certainly do not intend the introduction of this bill to commit its sponsors to support a system of financing for the bill which, though fiscally sound on present projections, turns out to be unfeasible due to unexpected events. On the other hand, all of us hope that some resources now being applied elsewhere will soon be available for domestic use.

The important thing is that we do what we can now toward making social security benefits truly adequate. To do that, in my judgment, we must be prepared to rely partially on general revenues. The general revenue contribution is the major new aspect of this bill. But that does not mean that we could not add general revenues to social security financing on a more gradual basis than the 9-year schedule which the bill provides. And, if it becomes necessary, the proposed benefit increases could be adopted in steps rather than all at once, although I believe that would be less desirable.

In the light of present projections about the economy and about competing demands for resources, I believe my proposal is fiscally sound. Most of the benefit increase would be financed initially by a moderate rise in the payroll tax. The remainder would be accomplished by a gradual limited use of general revenue financing, which will end up paying for about 35 percent of the retirement system by fiscal 1977. In 1968, the Government contribution would be about $650 million, and in 1969, it would rise to about $3 billion. This intended reliance upon general revenues is fiscally sound as well as actuarially sound. At our present annual economic growth rate of 3.5 percent, additional revenues are being generated at a conservatively estimated rate of nearly $8 billion annually.

Thus, by the time the general revenue contribution reaches its intended level of slightly over 35 percent of the social security system in 1977, general revenues, at today's tax rates, will be close to $100 billion more than they are today. Our gross national product will be nearly a trillion and a half dollars by that time. I believe we can afford to assign enough of this to financing social security to support the level of benefits that I propose today.

The National Commission on Technology, Automation, and Economic Progress, which included businessmen like Dr. Edwin Land, of Polaroid; Philip Sporn, of American Electric Power Co.; Thomas J. Watson, Jr., of IBM; and Patrick E. Haggerty, of Texas Instruments, reflected the same conclusion when, in discussing income maintenance in general and social security in particular, it said:

> We are convinced that rising productivity has brought this country to the point at last when all citizens may have a decent standard of living at a cost in resources the economy can easily bear.

The fact that we could afford to do more as a nation is dramatically illustrated by reference to experience in other countries. The Tax Foundation last year published an interesting study called "Economic Aspects of the Social Security Tax." Four tables in an appendix to that study contained some very revealing figures. Five other countries in the world spend more per capita on social insurance programs than does the United States. Fourteen other countries spend more on social insurance when measured as a percent of gross national product. Sixteen other countries have benefits which exceed those in the United States when the level of benefits is measured as a percent of total consumption in the country. These figures demonstrate more dramatically than any other method I have yet seen how badly the richest nation in the world is doing in providing for its less-fortunate citizens. I ask unanimous consent, Mr. President, that the four tables to which I have referred be printed in the RECORD at the close of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1, pp. 3662–3663.)

Mr. KENNEDY of New York. Mr. President, in considering the costs of this proposal, we must also bear in mind the savings in welfare costs that it will bring. This is not just a matter of money, although the money alone will help substantially in meeting the costs of an adequate social security system. It is a matter of the dignity of the elderly person who has had to ask his community for its assistance when he could not make ends meet. It is a matter of the self-respect of the individual who will now as a matter of right, based partly on his own contributions, receive a floor of income protection against the burdens of old age. It is a matter of the quality of life in the ghetto where welfare programs have contributed to the disintegration of the family and the deterioration of purpose and meaning.

It is a matter of the administration of State and local government, which have been heavily burdened by welfare costs, and will be aided substantially by any relief from that burden. And it is a matter of the burden on individual taxpayers, who have had to contribute through regressive local real estate and sales taxes to finance the non-Federal part of the cost of public assistance.

Finally, the partial turn to general revenues, together with the proposed increase in the earnings base, would permit a slight decrease in the payroll tax from the ultimate level now scheduled in present law. Present law contemplates an OASDI payroll tax of 4.85 percent each on employer and employee, and a health insurance payroll tax of 0.8 percent. Under my bill the OASDI tax would rise to 5 percent, but the health insurance tax would be held at 0.5 percent, so that the total ultimate payroll tax would be 0.15 percent less each on employer and employee than what is now scheduled in the law.

In addition, the financing structure of the bill permits the payroll tax on the self-employed to be held at a ceiling of 6 percent.

The turn to general revenue financing is well supported by considerations of history and policy.

First, as a practical matter, it is difficult to see how the payroll tax can be raised too much further. The payroll tax is highly regressive, and for low-wage employees particularly, a required contribution beyond what is contemplated in this bill would be very burdensome.

And the justification for total payroll tax financing over the years has been that the payroll tax is a contribution that each employee makes to finance his own benefits. In general, the original purpose was that the wage earner would be paid, during his years of retirement, what he had put in during his working years. But this original purpose has been modified somewhat in practice. Considerations of social justice have caused us to create some benefits which are not totally contributory, and these have been financed out of the contributions of others. We have provided benefits, for example, to poor and more irregularly employed workers; to widows and orphans; and to those disabled by injury or illness.

Second, it is essential to recall that Congress provided in the original Social Security Act for full-rate benefits even for those persons who were too old to be in the work force long enough to contribute fully for their benefits. The cost of these benefits is still being financed by the contributions of those who have followed. As Social Security Commissioner Ball has pointed out:

> Since society as a whole benefits from a national social security system, it can be argued that the cost of the benefits for people already too old when the social security program went into effect should be borne by the general revenues rather than by the social security tax.

Third, the general revenue approach has been considered and discussed since the inception of social security. The first Presidentially appointed Council of Economic Security, whose report preceded the enactment of the Social Security Act, said that Government contributions to the system would eventually be needed, adding prophetically that, "it will not be necessary to have actual Government contribution until after the system has been in operation for 30 years."

The 1938 Advisory Council made the same recommendation, giving as its reason that "the Nation as a whole, independent of the beneficiaries of the system, will derive a benefit from the old-age security program." The Council also said, pertinently, that "with the broadening of the scope of the protection afforded, governmental participation in meeting the costs of the program is all the more justified." The 1938 Council stated the principle to be one of "distributing the eventual cost of the old-age insurance system by means of approximately equal contributions by employers, employees, and the Government." This, of course, is what my bill will do by the ninth year after its provisions go into effect.

The Social Security Board itself in 1939 called it "sound public policy to pay part of the eventual cost of the benefits proposed out of taxes other than payroll taxes, preferably taxes such as income and inheritance taxes levied according to ability to pay."

The Board added that "the wider the coverage, the more extensive this contribution from other tax sources might properly be."

In 1946, the House Ways and Means Committee's technical staff recommended a continuing Federal subsidy up to a third of the year's total of benefit and expense payments. The 1948 Advisory Council called a Government contribution "a recognition of the interest of the Nation as a whole in the welfare of the aged and of widows and children of survivors."

Even now, partial financing for medicare for those over 65 comes from general revenues, as it does for the transitional coverage under social security enacted last year for persons over 72 who are not presently covered.

Just in the last year there have been some important expressions of opinion regarding general-revenue financing. The Automation Commission's report had the following observations:

> We recommend that Congress undertake a detailed review of the entire system, including both its coverage and its financing. There is danger, in our view, that reliance on a narrow payroll tax base makes the system more and more regressive as incomes rise and other taxes are reduced.

The Advisory Council on Public Welfare reported to HEW Secretary Gardner that "consideration must be given to a substantial contribution from general revenues."

The sixth constitutional convention of the AFL-CIO called on Congress to provide for the payment of contributions to the social security trust funds from general revenues.

In summary, then, this bill is neither a radical proposal when viewed in light of the clear needs of the Nation's elderly, nor a revolutionary departure from past social security theory. It is a fiscally responsible change in the present inadequate structure. And the partial general revenue financing which it contemplates means that the noncontributory aspects of social security will now be financed out of the progressive Federal income tax rather than the regressive payroll tax. Thus, while substantial new benefits are made available by the bill, the relative tax burden on the middle and lower income wage earner will be eased, as will the burden on the local property taxpayer.

Mr. President, this legislation is long overdue. I urge the Senate to give the entire matter its earliest attention. So that Senators may examine the bill and the changes in benefits which it proposes in detail, I ask unanimous consent that the text of the bill, including the tables of proposed benefits, be printed in the RECORD at the close of my remarks. I ask unanimous consent as well that an outline summary of the bill which I prepared be included in the RECORD and that the Social Security Administration's study of the costs and actuarial soundness of the bill be included as well.

(See exhibits 2 and 3, pp. 3663–3664.)

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1009) to amend title II of the Social Security Act to increase the amount of the monthly benefits payable thereunder, to raise the wage base, to provide for cost-of-living increases in such benefits, to increase the amount of the benefits payable to widows, to provide for contributions to the social security trust funds from the general revenues, to otherwise extend and improve the insurance system established by such title, and for other purposes, introduced by Mr. KENNEDY of New York (for himself and other Senators), was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 1009

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Social Security Amendments of 1967".

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INCREASE IN BENEFIT PAYMENTS

SEC. 1. (a) Effective with respect to monthly benefits under title II of the Social Security Act for months ofter 1967 and with respect to lump-sum death payments under such title in case of deaths occurring after such year, section 215(a) of the Social Security Act is amended by striking out the table and inserting in lieu thereof the following:

"*Table for determining primary insurance amount and maximum family benefits*

"I (Primary insurance benefit under 1939 act, as modified)		II (Primary insurance amount under 1965 act, as modified)	III (Average monthly wage)		IV (Primary insurance amount)	V (Maximum family benefits)
If an individual's primary insurance benefit (as determined under subsec. (d)) is—		Or his primary insurance amount (as determined under subsec. (c)) is—	Or his average monthly wage (as determined under subsec. (b)) is—		The amount referred to in the preceding paragraphs of this subsection shall be—	And the maximum amount of benefits payable (as provided in sec. 203(a)) on the basis of his wages and self-employment income shall be—
At least—	But not more than—		At least—	But not more than—		
-----	$25.48	[1] $66.40	---	$106	$100.00	$150.00
$25.49	25.92	67.50	$107	107	100.40	150.60
25.93	26.40	68.50	108	109	101.10	151.70
26.41	26.94	69.60	110	113	102.60	153.90
26.95	27.46	70.70	114	118	104.40	156.60
27.47	28.00	71.70	119	122	105.80	158.70
28.01	28.68	72.80	123	127	107.70	161.60
28.69	29.25	73.90	128	132	109.50	164.30
29.26	29.68	74.90	133	136	111.00	166.50
29.69	30.36	76.00	137	141	112.80	169.20
30.37	30.92	77.10	142	146	114.60	171.90
30.93	31.36	78.20	147	150	116.10	174.20
31.37	32.00	79.20	151	155	117.90	176.90
32.01	32.60	80.30	156	160	119.70	179.60
32.61	33.20	81.40	161	164	121.20	181.80
33.21	33.88	82.40	165	169	123.00	184.50
33.89	34.50	83.50	170	174	124.80	187.20
34.51	35.00	84.60	175	178	126.30	189.50
35.01	35.80	85.60	179	183	128.10	192.20
35.81	36.40	86.70	184	188	129.90	194.90
36.41	37.08	87.80	189	193	131.80	197.70
37.09	37.60	88.90	194	197	133.20	199.80
37.61	38.20	89.90	198	202	135.00	202.50
38.21	39.12	91.00	203	207	136.90	205.40
39.13	39.68	92.10	208	211	138.30	207.50
39.69	40.33	93.10	212	216	140.20	210.30
40.34	41.12	94.20	217	221	142.00	213.00
41.13	41.76	95.30	222	225	143.40	215.10
41.77	42.44	96.30	226	230	145.30	218.00
42.45	43.20	97.40	231	235	147.10	220.70
43.21	43.76	98.50	236	239	148.60	222.90
43.77	44.44	99.60	240	244	150.40	225.60
44.45	44.88	100.60	245	249	152.20	228.30
44.89	45.60	101.70	250	253	153.40	230.10
		102.80	254	258	154.70	232.10
		103.80	259	263	156.00	234.00
		104.90	264	267	157.00	235.50
		106.00	268	272	158.30	237.50
		107.00	273	277	159.60	239.40
		108.10	278	281	160.70	240.10
		109.20	282	286	162.00	243.00
		110.30	287	291	163.30	245.00
		111.30	292	295	164.30	246.50
		112.40	296	300	165.60	248.40
		113.50	301	305	166.90	250.40
		114.50	306	309	168.00	252.00
		115.60	310	314	169.30	254.00
		116.70	315	319	170.60	255.90
		117.70	320	323	171.60	258.40
		118.80	324	328	172.90	262.40
		119.90	329	333	174.20	266.40
		121.00	334	337	175.30	269.60
		122.00	338	342	176.60	273.60
		123.10	343	347	177.90	277.60
		124.20	348	351	178.90	280.80
		125.20	352	356	180.20	284.80
		126.30	357	361	181.50	288.80
		127.40	362	365	182.60	292.00
		128.40	366	370	183.90	299.90
		129.50	371	375	185.20	300.00
		$130.60	$376	$379	$186.20	$303.20
		131.70	380	381	187.50	307.20
		132.70	385	389	188.80	311.20
		133.80	390	393	189.90	314.40
		134.90	391	398	191.20	318.40
		135.90	399	403	192.50	322.40
		137.00	401	407	193.50	325.60
		138.00	403	412	194.80	329.00
		139.00	413	417	196.20	333.60
		140.00	418	421	197.20	336.80
		141.00	422	426	198.50	319.80
		142.00	427	431	199.80	344.80
		143.00	432	436	201.10	318.80
		144.00	437	440	202.20	352.00
		145.00	441	445	203.50	356.00
		146.00	446	450	204.80	360.60
		147.00	451	454	205.80	363.20
		148.00	455	459	207.10	367.20
		149.00	460	464	208.40	371.20
		150.00	465	468	209.50	374.49
		151.00	469	473	210.80	378.40
		152.00	474	478	212.10	382.40
		153.00	479	482	213.10	385.00
		154.00	483	487	214.40	382.00
		155.00	488	492	215.70	393.00
		156.00	493	496	216.80	396.80
		157.00	497	501	218.10	400.80
		158.00	502	506	219.40	401.80
		159.00	507	510	220.40	408.00
		160.00	511	515	221.70	412.00
		161.00	516	520	223.00	416.00
		162.00	521	524	224.10	419.20
		163.00	525	529	225.40	423.20
		164.00	530	534	226.70	427.20
		165.00	535	538	227.70	430.40
		166.00	539	543	229.00	431.40
		167.00	544	543	230.30	438.40
		168.00	549	552	231.30	441.60
			553	557	233.00	445.60
			558	562	230.00	447.60
			563	566	235.00	449.20
			567	571	236.00	451.20
			572	576	237.00	453.20
			577	580	238.00	454.80
			581	585	239.00	456.80
			586	590	240.00	458.80
			591	594	241.00	460.40
			595	699	242.00	462.40
			600	604	243.00	461.40
			605	608	244.00	466.00
			609	613	245.00	468.00
			614	618	246.00	470.00
			619	622	247,00	471.00
			623	627	248.00	473.60
			628	632	249.00	475.60
			633	636	250.00	477.20
			637	641	251.00	479.20
			642	646	252.00	481.20
			647	650	253.00	482.80
			651	655	254.00	484.80

See footnote at end of table.

"*Table for determining primary insurance amount and maximum family benefits*—Continued

"I		II	III		IV	V
(Primary insurance benefit under 1939 act, as modified)		(Primary insurance amount under 1965 act, as modified)	(Average monthly wage)		(Primary insurance amount)	(Maximum family benefits)
If an individual's primary insurance benefit as determined under subsec. (d)) is—		Or his primary insurance amount (as determined under subsec. (c)) is—	Or his average monthly wage (as determined under subsec. (b)) is—		The amount referred to in the preceding paragraphs of this subsection shall be—	And the maximum amount of benefits payable (as provided in sec. 203(a)) on the basis of his wages and self-employment income shall be—
At least—	But not more than—		At least—	But not more than—		
			$656	$660	$255.00	$486.80
			661	664	256.00	488.40
			665	669	257.00	490.40
			670	674	258.00	492.40
			675	678	259.00	494.00
			679	683	260.00	496.00
			684	688	261.00	498.00
			689	693	262 00	500.00
			694	697	263.00	501.60
			698	702	264.00	503.60
			703	707	265.00	505.60
			708	711	266.00	507.20
			712	716	267.00	509.20
			717	721	268.00	511.20
			722	725	269.00	512.80
			726	730	270.00	514.80
			731	735	271.00	516.80
			736	739	272.00	518.40
			740	744	273.00	520.40
			$745	$749	$274.00	$522.40
			750	753	275.00	524.00
			754	758	276.00	526.00
			759	763	277.00	528.00
			764	767	278.00	529.60
			768	772	279.00	531.60
			773	777	280.00	533.60
			778	781	281.00	535.20
			782	786	282.00	537.20
			787	791	283.00	539.20
			792	795	284.00	540.80
			796	800	285.00	542.80
			801	805	286.00	544.80
			806	809	287.00	546.40
			810	814	288.00	548.40
			815	819	289.00	550 40
			820	823	290.00	552.00
			824	828	291.00	554.00
			829	833	292.00	556.00"

[1] Or less.

(b) Effective with respect to monthly benefits under title II of the Social Security Act for months after 1970 and with respect to lump-sum death payments under such title in the case of deaths occurring after such year, the table in section 215(a) of such Act (as amended by subsection (a) of this section) is amended by striking out all figures in columns III, IV, and V beginning with the line which reads:

| | | "558 | 562 | 234.00 |447.60"

and down through the line which reads:

| | | "820 | 833 | 202.00 |656.00"

and inserting in lieu thereof the following:

			$558	$563	$234.60	$449.60
			563	568	235.00	452.80
			567	571	236.00	456.80
			572	576	237.00	460.80
			577	580	238.00	464.00
			581	585	239.00	468.00
			586	590	240.00	472.00
			591	594	241.00	476.20
			591	599	242.00	479.20
			600	604	243.00	483.20
			605	608	244.00	486.40
			609	613	245.00	490.40
			614	618	246.00	494.40
			619	622	247.00	497.60
			623	627	248.00	501.60
			628	632	249.00	505.60
			633	636	250.00	508.80
			637	641	251.00	512.80
			642	646	252.00	516.80
			647	650	253.00	520.00
			651	655	254.00	524.00
			656	660	255.00	528.00
			661	664	256.00	531.20
			665	669	257.00	535.20
			670	674	258.00	539.20
			675	678	259.00	542.40
			579	683	260.00	546.40
			684	688	261.00	550.40
			689	693	262.00	554.40
			694	697	263.00	557.60
			698	702	264.00	561.60
			703	707	265.00	565.60
			708	711	266.00	568.80
			712	716	267.00	572.80
			717	721	268.00	576.80
			722	725	269.00	580.00
			726	730	270.00	584.00
			731	735	271.00	588.00
			736	739	272.00	594.20
			740	744	273.00	595.20
			745	749	274.00	599.20
			750	753	275.00	602.40
			754	758	276.00	606.40
			759	763	277.00	610.40
			764	767	278.00	613.60
			768	772	279.00	617.60
			773	777	280.00	621.60
			778	781	281.00	624.80
			782	786	282.00	628.80
			787	791	283.00	632.80
			792	795	284.00	636 00
			796	800	285.00	640.00
			801	805	286 00	644.00
			806	809	287 00	647.20
			810	814	288.00	651.20
			815	819	289.00	655.20
			$820	$823	$290.00	$658.40
			824	828	291.00	662.40
			829	833	292.00	666.40
			834	837	293.00	668.00
			838	842	294.00	670.00
			843	847	295.00	672.00
			848	851	296.00	673.60
			852	856	297.00	675.60
			857	861	298.00	677.60
			862	865	299.00	679.20
			866	870	300 00	681.20
			871	875	301 00	683.20
			876	879	302.00	681.80
			880	884	303.00	686.80
			885	889	304.00	688.80
			890	893	305.00	690.40
			894	898	306.00	692.40
			899	903	307.00	694.40
			904	907	308.00	696.00
			908	912	309.00	698.00
			913	917	310 00	700.00
			918	921	311.00	701.60
			922	926	312.00	703.60
			927	931	313.00	705.60
			932	936	314.00	707.60
			937	940	315.00	709.20
			941	945	316.00	711.20
			946	950	317.00	713.20
			951	954	318.00	714.80
			955	959	319.00	716.80
			960	964	320.00	718.80
			965	968	321.00	720.40
			969	973	322.00	722.40
			974	978	323.00	724.40
			979	982	324.00	726.00
			983	987	325.00	728.00
			988	992	326.00	730.00
			993	996	327.00	731.60
			997	1,001	328.00	733.60
			1,002	1,006	329.00	735.60
			1,007	1,010	330.00	737.20
			1,011	1,015	331.00	739.20
			1,016	1,020	332.00	741.20
			1,021	1,024	333.00	742.80
			1,025	1,029	334.00	744.80
			1,030	1,034	335.00	746.80
			1,035	1,038	336.00	748.40
			1,039	1,043	337.00	750.40
			1,044	1,048	338.00	752.40
			1,049	1,052	339.00	754.00
			1,053	1,057	340.00	756.00
			1,058	1,062	341.00	758.00
			1,063	1,066	342.00	759.60
			1,067	1,071	343.00	761.60
			1,072	1,076	344.00	763.60
			1,077	1,080	345.00	765.20

		1,081	1,085	346.00	767.20
		1,086	1,090	347.00	769.20
		1,091	1,094	348.00	770.80
		1,095	1,099	349.00	772.80
		1,100	1,104	350.00	774.80
		1,105	1,108	351.00	776.40
		1,109	1,113	352.00	778.40
		1,114	1,118	353.00	780.40
		1,119	1,122	354.00	782.00
		1,123	1,127	355.00	784.00
		1,128	1,132	356.00	786.00
		1,133	1,136	357.00	787.60
		1,137	1,141	358.00	789.60
		1,142	1,146	359.00	791.60
		1,147	1,150	360.00	793.20
		1,151	1,155	361.00	795.20
		1,156	1,160	362.00	797.20
		1,161	1,164	363.00	798.80
		1,165	1,169	364.00	800.80
		1,170	1,174	365.00	802.80
		1,175	1,178	366.00	804.40
		1,179	1,183	367.00	806.40
		1,184	1,188	368.00	808.40
		1,189	1,193	369.00	810.40
		1,194	1,197	370.00	812.00
		1,198	1,202	371.00	814.00
		1,203	1,207	372.00	816.00
		1,208	1,211	373.00	817.60
		1,212	1,216	374.00	819.60
		1,217	1,221	375.00	821.60
		1,222	1,225	376.00	823.20
		1,226	1,230	377.00	825.20
		1,231	1,235	378.00	827.20
		1,236	1,239	379.00	828.80
		1,240	1,244	380.00	830.80
		1,245	1,249	381.00	832.80
		1,250	1,250	382.00	833.20"

COMPUTATION OF PRIMARY INSURANCE AMOUNT—ALTERNATIVE METHOD

SEC. 2. (a) Section 215(b)(1) of the Social Security Act is amended to read as follows:

"(1) For the purposes of column III of the table appearing in subsection (a) of this section, an individual's 'average monthly wage' shall be the quotient obtained—

"(A) by dividing (i) the total of his wages paid in and self-employment income credited to his 'benefit computation years' (determined under paragraph (2)), by (ii) the number of months in such years, or

"(B) if a higher 'average monthly wage' would result therefrom, by dividing (i) the total of his wages paid in and self-employment income credited to him during the ten-consecutive-calendar-year period for which his wages and self-employment income are the highest, by (ii) 120."

(b) Section 215(a) of such Act is amended by striking out the period at the end thereof and inserting in lieu thereof the following: "; except that any primary insurance amount so determined which is based on average monthly earnings computed in accordance with the provisions in subparagraph (B) of section 215(b), shall be adjusted as follows:

"(5) If the individual's primary insurance amount, as determined under the preceding sentence, is based on average monthly earnings computed under section 215(b)(1)(B), such primary insurance amounts shall be adjusted to an amount equal to the product of such primary insurance amount times the ratio of—

"(A) the number of the worker's benefit computation years (as defined in section 215(b)) plus the number of years for which the worker is credited with $400 or more in earnings (but not more than such number of such benefit computation years), to

"(B) twice the number of the worker's benefit computation years."

(c) The amendments made by subsection (a) shall be applicable only in the case of monthly benefits under title II of the Social Security Act for months after December 1967.

AUTOMATIC ADJUSTMENT OF BENEFITS

SEC. 3. (a) Section 215 of such Act is further amended by adding at the end thereof the following new subsection:

"COST-OF-LIVING INCREASES IN BENEFITS

"(i)(1) For purposes of this subsection—

"(A) The term 'base quarter' shall mean the third quarter of a calendar year; and

"(i) in the case of the first base quarter, such term shall mean the third quarter of the first calendar year after 1967 in which the monthly average of the Consumer Price Index of the Bureau of Labor Statistics exceeds, by not less than 1 per centum, the monthly average of such Index for the third calendar quarter of 1967; and,

"(ii) in the case of any subsequent base quarter, such term shall mean the third such quarter of the first subsequent calendar year in which the monthly average of such Consumer Price Index exceeds, by not less than one per centum, the monthly average of such Index for the last prior base quarter.

"(B) An individual's primary insurance amount for the month of September of a base quarter as determined under this section (without the application of section 203(j)(1) and section 223(b)) shall be increased, effective with the month of January of the calendar year following the year in which such base quarter occurs, by the same per centum (rounded to the nearest one-tenth of 1 per centum) as the monthly average of the Consumer Price Index for such base quarter exceeds the monthly average of such Index for the later of the third calendar quarter of 1967 or the most recent prior base quarter.

"(2) The term "primary insurance amount" shall mean, not only an amount determined under section 215(a) but an amount so determined and increased under the provisions of this subsection.

"(3) An increase provided by this subsection shall be applicable to—

"(A) The monthly benefits to which an individual is entitled under sections 202 or 223 (after the application of section 203(a) and 202(q) but without the application of section 222(b), and subsections (b), (c), (d), of section 203) in or before September of the year in which the base quarter occurred, and

"(B) The primary insurance amount of an individual who was entitled to an old-age insurance benefit or a disability insurance benefit or who died in or before such September.

"(4) In the case of an individual to whom the provisions of section 202(q) apply paragraph (3) of such subsection shall not be applicable to an increase determined under this section."

(b) Section 203(a) of the Social Security Act is amended by adding at the end thereof the following new paragraph:

"(4) When two or more persons are entitled (without the application of section 202(j)(1) and section 223(b), to monthly benefits under section 202 or 223 for March of a year in which a base quarter (as defined in section 215(i)(1)) occurs, that are based on a primary insurance amount to which the provisions of section 215(i) are applicable, such total of benefits for months beginning with the effective month of an adjustment of such primary insurance amount under such section shall not be reduced to less than the product of (A) the maximum amount determined under this section for the month before such effective month on the basis of the wages and self-employment income of the individual for whom such primary insurance amount was determined, and (B) the same per centum increase by which such individual's primary insurance amount is increased beginning with such effective month. The maximum amount so determined shall be effective until a larger maximum amount is determined under this title, but in any case to which section 202(k)(2)(A) was applicable, such maximum shall cease to apply for any month for and after the month in which such section ceases to apply, and in any such case the maximum amount shall be redetermined under the provisions of this section for each such month as though the provisions of section 202(k)(2)(A) had not been applicable for any such month."

INCREASE IN BENEFITS FOR CERTAIN INDIVIDUALS AGE 72

SEC. 4. (a)(1) Section 227(a) of the Social Security Act is amended by striking out "$35" and inserting in lieu thereof "$50", and by striking out "$17.50" and inserting in lieu thereof "$25".

(2) Section 227(b) of such Act is amended by striking out in the second sentence "$35" and inserting in lieu thereof "$50".

(b)(1) Section 228(b)(1) of such Act is amended by striking out "$35" and inserting in lieu thereof "$50".

(2) Section 228(b)(2) of such Act is amended by striking out "$35" and inserting in lieu thereof "$50", and by striking out "$17.50" and inserting in lieu thereof "$25".

(3) Section 228(c)(2) of such Act is amended by striking out "$17.50" and inserting in lieu thereof "$25".

(4) Section 228(c)(3)(A) of such Act is amended by striking out "$35" and inserting in lieu thereof "$50".

(5) Section 228(c)(3)(B) of such Act is amended by striking out "$17.50" and inserting in lieu thereof "$25".

(c) The amendment made by subsections (a) and (b) shall apply with respect to monthly benefits under title II of the Social Security Act for months after May 1967.

INCREASE THE MAXIMUM LUMP-SUM DEATH PAYMENT

SEC. 5. (a) Section 202(i) of the Social Security Act is amended by striking out "$255" and inserting in lieu thereof "the largest amount appearing in column V of the table in section 215(a) or, in the case of an individual whose primary insurance amount is in excess of the largest amount appearing in column IV of such table, an amount equal to one and one-half times such individual's primary insurance amount".

(b) The amendment made by subsection (a) shall apply with respect to deaths occurring after December 31, 1967.

INCREASE IN AMOUNT AN INDIVIDUAL IS PERMITTED TO EARN WITHOUT SUFFERING FULL DEDUCTIONS FROM BENEFITS

SEC. 6. (a)(1) Paragraphs (1), (3), and (4)(D) of subsection (f) of section 203 of the Social Security Act are each amended by striking out "$125" wherever it appears therein and inserting in lieu thereof "$150".

(2) Paragraph (1)(A) of subsection (h) of section 203 of such Act is amended by striking out "$125" and inserting in lieu thereof "$150".

(b) The amendments made by subsection (a) shall apply with respect to taxable years ending after December 31, 1967.

INCREASE IN AMOUNT OF WIDOW'S BENEFITS

SEC. 7. (a) Section 202(e) (1) and (2) of the Social Security Act is amended by striking out "82½ per centum" wherever it appears therein and inserting in lieu thereof "100 per centum".

(b) The amendments made by this section shall apply with respect to monthly benefits under section 202 of the Social Security Act for months beginning after December 31, 1967.

WIDOW'S BENEFITS TO DISABLED WIDOWS UNDER AGE 62

SEC. 8. (a)(1) Paragraph (1)(B) of section 202(e) of the Social Security Act is amended to read as follows:

"(B)(i) has attained age 60 or (ii) is under a disability (as defined in section 223(c)(2)) which began before the end of the period specified in paragraph (5),".

(2) So much of section 202(e)(1) of such Act as follows subparagraph (E) is amended to read as follows: "shall be entitled to a widow's insurance benefit for each month, beginning with—

"(F) if she is entitled on the basis of having attained age 60, the first month in which she becomes so entitled to such insurance benefits, or

"(G) if she is entitled on the basis of being under a disability, (i) the first month after her waiting period (as defined in paragraph (6)) in which she becomes so entitled to such insurance benefits, or (ii) the first month during all of which she is under a disability and in which she becomes so entitled to such insurance benefits, but only if such first month occurs (I) in the period specified in paragraph (5) and (II) after the month in which her previous entitlement to insurance benefits under this subsection on the basis of being under a disability terminated

and ending with the month preceding the first month in which any of the following occurs: she remarries, dies, becomes entitled to an old-age insurance benefit equal to or exceeding 100 percent of the primary insurance amount of such deceased individual, or the third month following the month in which her disability ceases (unless she attains age 62 on or before the last day of such third month)."

(3) Section 202(e)(1) of such Act is further amended by adding at the end thereof the following sentence: "No payment under this paragraph may be made to a widow or surviving divorced wife entitled to benefits on the basis of being under a disability who would not meet the definition of disability in section 223(c)(2) except for subparagraph (B) thereof for any month in which she engages in substantial gainful activity."

(4) Section 202(e) of such Act is further amended by adding after paragraph (4) thereof the following new paragraphs:

"(5) The period referred to in paragraph (1)(B)(ii) means, in the case of any widow or surviving divorced wife, the period beginning with whichever of the following is the latest:

"(A) the month in which the fully insured individual referred to in paragraph (1) died, or

"(B) the last month for which she was entitled to mother's insurance benefits on the basis of the wages and self-employment income of such individual, or

"(C) the month in which her previous entitlement to widow's insurance benefits on the basis of such wages and self-employment income terminated because her disability had ceased,

and ending with the month before the month she attains age 62, or, if earlier, the close of the eighty-fourth month following the month with which such period began.

"(6) The waiting period referred to in subsection (e)(1) means, in the case of any widow or surviving divorced wife, the earliest period of six consecutive calendar months—

"(A) throughout which the applicant for widow's insurance benefits has been under a disability, and

"(B) which begins not earlier than with whichever of the following is the later: (i) the first day of the eighteenth month before the month in which such application is filed, or (ii) the first day of the sixth month before the month in which the period specified in paragraph (5) begins."

(5) Section 202(q)(5) of such Act is amended by adding at the end thereof the following new subparagraph:

"(E) A widow's insurance benefit, reduced as provided in paragraph (1), for a month in which she is entitled to such benefits on the basis of being under a disability (if such month occurs before the month in which she attains age 62) which began before the end of the period specified in subsection (e)(5) shall be reduced by the amount such widow's insurance benefit would be reduced under such paragraph had such individual attained age 62 in the first month in which she was entitled to such benefits on the basis of being under such disability."

(6) Section 202(q)(9) of such Act is amended to read as follows:

"(9)(A) For purposes of this subsection, the term "retirement age" means age 65 with respect to an old-age, wife's, or husband's insurance benefit and age 62 with respect to a widow's insurance benefit.

"(B) For purposes of this subsection, an individual entitled to benefits under section 202(e) on the basis of being under a disability will be deemed to have attained age 62 in the month in which she became so entitled."

(b)(1) Section 203(c) of such Act is amended by striking out in the third sentence "or any subsequent month." and inserting in lieu thereof "or any subsequent month; nor shall any deduction be made under this subsection from any widow's insurance benefit for the month in which the widow or surviving divorced wife has not attained age 62 and is entitled to such benefits on the basis of being under a disability.".

(2) The third sentence of section 203(f)(1) of such Act is amended by striking out "or (D)" and inserting in lieu thereof the following: "(D) prior to the month such individual attains age 62, if such individual is entitled to widow's insurance benefits for such month on the basis of being under a disability, or (E)".

(3) Section 203(f)(2) of such Act is amended by striking out "and (D)" and inserting in lieu thereof "(D), and (E)".

(4) Section 203(f)(4) of such Act is amended by striking out "(D)" and inserting in lieu thereof "(E)".

(c) Section 216(i)(1) of such Act is amended by inserting "202(e)," after "202(D),".

(d)(1) Section 222(a) of such Act is amended by inserting "disabled individuals under age 62 who are entitled to widow's insurance benefits" after "determination of disability,".

(2) Section 222(b)(1) of such Act is amended by striking out "child's insurance benefits or if" and inserting in lieu thereof "child's insurance benefits, a widow or surviving divorced wife who has not attained age 62 and is entitled to widow's insurance benefits on the basis of being under a disability, or".

(e)(1) Section 222(c)(1) of such Act is amended by striking out "or 202(d)" and inserting in lieu thereof ", 202(d), or 202(e)".

(2) The first sentence of section 222(c)(3) of such Act is amended to read as follows: "A period of trial work for any individual shall begin (i) in the case of an individual entitled to disability insurance benefits, with the month in which he becomes entitled to such benefits, (ii) in the case of a widow or surviving divorced wife who has not attained age 62 and who is entitled to widow's insurance benefits on the basis of being under a disability, with the month in which she becomes entitled to such benefits, or (iii) in the case of an individual who has attained age 18 and is entitled to benefits under section 202(d) (and is under a disability), with the month in which he becomes entitled to such benefits, or the month in which he attains age 18, whichever is later."

(f)(1) Section 222(d)(1) of such Act is amended by striking out in subparagraph (B) "(and are under a disability)" and inserting in lieu thereof the following: "(and are under a disability), or

"(C) entitled to widow's insurance benefits under section 202(e) before having attained age 62 (and are under a disability)".

(2) Section 222(d)(1) of such Act is further amended by striking out in the first sentence "who have attained age 18 and are under a disability," and inserting in lieu thereof the following: "who have attained age 18 and are under a disability, the benefits under section 202(e) for widows and surviving divorced wives who have not attained age 62 and are under a disability,".

(g)(1) Section 225 of such Act is amended by inserting in the first sentence after "under section 202(d)," the following: "or that a widow or surviving divorced wife who has not attained age 62 and is entitled to benefits under section 202(e) on the basis of being under a disability,".

(2) Section 225 of such Act is further amended by striking out in the first sentence "223 or 202(d)" and inserting in lieu thereof "202(d), 202(e), or 223".

(h) The amendments made by this section shall apply only with respect to monthly insurance benefits under title II of the Social Security Act for and after the second month following the month in which this Act is enacted, but only on the basis of applications for such benefits filed in or after the month in which this Act is enacted.

ELIGIBILITY OF A DISABLED CHILD TO MONTHLY BENEFITS

SEC. 9. (a)(1) Subparagraph (B)(ii) of section 202(d)(1) of the Social Security Act is amended by striking out "the age of 18," and inserting in lieu thereof "age 22,".

(2) Subparagraphs (F) and (G) of section 202(d)(1) of such Act are amended to read as follows:

"(F) if such child was not under a disability (as so defined) at the time he attained age 18, the earlier of (i) the first month during no part of which he is a full-time student, or (ii) the month in which he attains age 22, but only if he was not under a disability (as so defined) in such earlier month; or

"(G) if such child was under a disability (as so defined) at the time he attained age 18, or if he was not under a disability (as so defined) at such time, but was under a disability (as so defined) prior to the month he attained (or would attain) age 22, the third month following the month in which he ceases to be under such disability or (if later) the earlier of (i) the first month during no part of which he is a full-time student, or (ii) the month in which he attains age 22, but only if he was not under a disability (as so defined) in such earlier month.

(3) Section 202(d)(1) of such Act is amended by adding at the end thereof the following sentence: "No payment under this paragraph may be made to a child entitled to benefits on the basis of being under a disability who would not meet the definition of disability in section 223(c)(2) except for subparagraph (B) thereof for any month in which he engages in substantial gainful activity."

(4) Paragraph (7) of section 202(d) of such Act is amended by striking out in the first sentence "in which he is a full-time student and has not attained the age of 22 if he has filed application for such reentitlement." and inserting in lieu thereof "in which—

"(A)(i) he is a full-time student or (ii) he is under a disability (as defined in section 223(c)(2), and

"(B) he has not attained age 22, but only if he has filed application for such reentitlement."

(5) The second sentence of paragraph (7) of section 202(d) of such Act is amended to read as follows: "Such reentitlement shall end with the month preceding whichever of the following first occurs:

"(C) the first month in which an event specified in paragraph (1) (D) occurs; or

"(D) the earlier of (i) the first month during no part of which he is a full-time student or (ii) the month in which he attains age 22, but only if he is not under a disability (as so defined) in such earlier month; or

"(E) if he was under a disability (as so defined), the third month following the month he ceases to be under such disability or (if later) the earlier of—

"(i) the first month during no part of which he is a full-time student, or

"(ii) the month in which he attains age 22."

(b) (1) Paragraph (1) of section 202(a) of such Act is amended by striking out "such age" and inserting in lieu thereof "age 22".

(2) Paragraph (2) of section 202(a) of such Act is amended by striking out "the age of 18" and inserting in lieu thereof "age 18, or (if such disability did not begin before he attained such age) was under a disability (as so defined) which began before he attained age 22,".

(3) Paragraph (3) of section 202(a) of such Act is amended by striking out "the age of 18" and inserting in lieu thereof "age 18, or (if such disability did not begin before he attained such age) was under a disability (as so defined) which began before he attained age 22".

(c) The amendments made by subsection (a) and (b) shall apply only with respect to monthly benefits under section 202 of the Social Security Act for months after the first month following the month in which this Act is enacted, except that in the case of an individual who was not entitled to a monthly benefit under such section for the month in which this Act is enacted, such amendments shall apply only on the basis of an application filed in or after the month in which this Act is enacted.

HEALTH INSURANCE FOR THE DISABLED

SEC. 10. (a) (1) Section 226(a) of the Social Security Act is amended to read as follows:

"(a) (1) Every individual who—

"(A) has attained age 65, and

"(B) is entitled to monthly insurance benefits under section 202 or is a qualified railroad retirement beneficiary,

shall be entitled to hospital insurance benefits under part A of title XVIII for each month for which he meets the condition specified in subparagraph (B), beginning with the first month after June 1966 for which he meets the conditions specified in subparagraphs (A) and (B).

"(2) Every individual who—

"(A) has not attained age 65, but

"(B) (i) is entitled to disability insurance benefits under section 223, or (ii) has attained the age of 18 and is entitled to child's insurance benefits under section 202(d) and is under a disability (as defined in section 223(c)) which began before he attained age 22 and was under such disability for six consecutive calendar months, or (iii) has not attained age 62 and is entitled to widow's insurance benefits on the basis of being under a disability (as so defined, or (iv) is a qualified railroad retirement beneficiary,

shall be entitled to hospital insurance benefits under part A of title XVIII for each month beginning with the later of (a) January 1968 or (b) the first month for which he satisfies the applicable conditions of subparagraph (B), and ending with the 11th month after the first month in which he ceases to meet the applicable conditions of subparagraph (B) or, if earlier, with the month before the month in which he attains age 65. Notwithstanding clause (iii) of subparagraph (B), a widow or surviving divorced wife who has attained age 62 and has been under a disability for six consecutive calendar months shall be deemed to have satisfied the applicable conditions of such subparagraph (B) [in] any month in which (i) she is entitled to benefits under section 202(e) on the basis of being under a disability (as defined in section 223 (c)) or would be entitled to such benefits had the period, specified in section 202(e) (5), ended in the month she attains 65, instead of the month she attains 62, and if section 202(e) (1) (E) did not operate; and the first month in which she shall be deemed not to have satisfied such applicable conditions shall be the eleventh month following the first month in which she ceases to meet the applicable conditions of subparagraph (B), or, if earlier, the month before the month in which she attains age 65."

(2) Section 226(b) of such Act is amended by striking out "occurred after June 30, 1966, or on or after the first day of the month in which he attains age 65, whichever is later" and inserting in lieu thereof "occurred (i) after June 30, 1966, or on or after the first day of the month in which he attains age 65, whichever is later, or (ii) if he was entitled to hospital insurance benefits pursuant to paragraph (2) of subsection (a), at a time when he was so entitled (but only if there has been no intervening termination of such entitlement)".

(3) Section 1836 of such Act is amended to read as follows:

"ELIGIBLE INDIVIDUALS

"SEC. 1836. Every individual who—

"(1) is entitled to hospital insurance benefits under part A, or

"(2) has attained age 65 and is a resident of the United States, and is either (A) a citizen or (B) an alien lawfully admitted for permanent residence who has resided in the United States continuously during the 5 years immediately preceding the month in which he applies for enrollment under this part,

is eligible to enroll in the insurance program established by this part."

(4) (A) Section 1837(b) (1) of such Act is amended to read as follows:

"(1) No individual may enroll for the first time (in any continuous period of eligibility) under this part more than 3 years after the close of the first enrollment period (in such 'continuous period of eligibility' is the period which he could have enrolled under this part."

(B) The first sentence of section 1837(b) (2) of such Act is amended by inserting "(during any continuous period of eligibility)" after "may not enroll".

(C) The last sentence of section 1837(b) (2) of such Act is amended by inserting before the period at the end thereof the following: "(during any continuous period of eligibility)".

(D) Section 1837(b) of such Act is further amended by adding at the end thereof the following new paragraph:

"(3) For purposes of paragraphs (1) and (2) (and section 1839(c)), an individual's 'continuous period of eligibility' is the period beginning with the first day on which he is eligible to enroll under section 1836 and ending with his death; except that any period during all of which an individual satisfied paragraph (1) of section 1836 and which terminated in or before the month preceding the month in which he attained age 65 shall be a separate 'continuous period of eligibility' with respect to such individual (and each such period which terminates shall be deemed not to have existed for purposes of subsequently applying this section or section 1839(c))."

(E) The first sentence of section 1837(c) of such Act is amended by striking out "paragraphs (1) and (2)" and inserting in lieu thereof "paragraph (1) or (2)."

(F) The second sentence of section 1837 (c) of such Act is amended to read as follows: "For purposes of this subsection and subsection (d), an individual who has attained age 65 and who satisfies paragraph (1) of section 1836 but not paragraph (2) of such section shall be treated as satisfying such paragraph (1) on the first day on which he is (or on filing application would have been) entitled to hospital insurance benefits under part A."

(G) Section 1837(c) of such Act is further amended by adding at the end thereof the following new sentence: "In the case of an individual who has not attained age 65 and who first satisfies paragraph (1) of section 1836 before August 1967, the initial enrollment period shall begin on June 1, 1967, and shall end on October 31, 1967."

(H) Section 1837(d) of such Act is amended to read as follows:

"(d) In the case of an individual who, with respect to the period beginning with the month in which he attains age sixty-five, first satisfies paragraph (1) or (2) of section 1836 on or after March 1, 1966, his initial enrollment period shall begin on the first day of the third month before the month in which he first satisfies such paragraph and shall end seven months later. The initial enrollment period of an individual who has not attained age sixty-five and who first satisfies paragraph (1) of section 1836 after July 1967 shall begin on the day such individual—

(1) files application for disability insurance benefits under section 223, or

(2) files application for child's insurance benefits under section 202(d) after attaining age twenty-two on the basis of being under a disability (as defined in section 223(c)), or

(3) if such individual is a widow (as defined in section 216(c)) or surviving divorced wife (as defined in section 216(d)) files application for benefits under section 202 and requests a determination of disability, and shall end at the close of the fourth month following the month in which he is mailed notice of a final disability determination. In the case of a child entitled to child's insurance benefits before attaining age eighteen, such initial enrollment period shall begin on the first day of the sixth month preceding the month he attains such age but only if a determination is made that such child is under a disability (as so defined) which began before he attained age eighteen."

(I) Section 1837 of such Act is further amended by adding at the end thereof the following new subsection:

"(f) For purposes of subsections (b), (c), and (d) of this section (and for purposes of sections 1838(a) and 1839(c)), any enrollment under this part which terminates in the manner described in section 1838(c) shall thereafter be deemed not to have existed."

(5) (A) Section 1838(a) of such Act is amended—

(i) by striking out "July 1, 1966" in paragraph (1) and inserting in lieu thereof "July 1, 1966, or (in the case of an individual who has not attained age sixty-five) January 1, 1968";

(ii) by striking out in paragraph (2) (A) "paragraphs (1) and (2)" and inserting in lieu thereof "paragraph (1) or (2)", and by inserting "(who has attained age sixty-five)" after "individual",

(iii) by striking out "such paragraphs" each place it appears in subparagraphs (B), (C), and (D) of paragraph (2) and inserting in lieu thereof "such paragraph", and by inserting after "individual" each place it appears in such subparagraphs the following: "(who has attained age sixty-five)",

(iv) by redesignating subparagraph (E) to read paragraph (4) and by inserting after subparagraph (D) the following new paragraph:

"(3)(A) in the case of an individual who has not attained age 65 and who enrolls pursuant to subsection (d) of 1837 in a month prior to the month in which he is mailed notice of a final determination of disability, the first day of the month in which he is mailed such notice, or

"(B) in the case of an individual who has not attained age 65 and who enrolls pursuant to subsection (d) of 1837 in the month in which he is mailed such notice or in the first month after such notice is mailed, the first day of the month following the month in which he so enrolls, or

"(C) in the case of an individual who has not attained age 65 and who enrolls pursuant to subsection (d) of 1837 in the second month following the month in which he is mailed such notice, the first day of the second month following the month in which he so enrolls, or

"(D) in the case of an individual who has not attained age 65 and who enrolls pursuant to subsection (d) of 1837 more than two months following the month in which he is mailed such notice, the first day of the third month following the month in which he so enrolls."

(B) Section 1838 of such Act is further amended by redesignating subsection (c) as subsection (d), and by inserting after subsection (b) the following new subsection:

"(c) In the case of an individual satisfying paragraph (1) of section 1836 whose entitlement to hospital insurance benefits under part A is based on a disability rather than on his having attained the age of 65, his coverage period (and his enrollment under this part) shall be terminated as of the close of the last month for which he is entitled to hospital insurance benefits."

(6) Section 1839(c) of such Act is amended—

(A) by inserting "(in the same continuous period of eligibility)" after "for each full twelve months"; and

(B) by adding at the end thereof the following new sentence: "Any increase in an individual's monthly premium under the first sentence of this subsection with respect to a particular continuous period of eligibility shall not be applicable with respect to any other continuous period of eligibility which such individual may have."

(7)(A) Section 1840(a)(1) of such Act is amended by striking out "section 202" and inserting in lieu thereof "section 202 or 223".

(B) Section 1840(a)(2) of such Act is amended by striking out "section 202" and inserting in lieu thereof "section 202 or 223".

(C) Section 1840(c) of such Act is amended by striking out "section 202" and inserting in lieu thereof "section 202 or 223".

(b) The Railroad Retirement Act of 1937 is amended by adding after section 21 the following new section:

"HOSPITAL INSURANCE BENEFITS FOR THE DISABLED

"Sec. 22. Individuals under age sixty-five who are entitled to annuities under paragraph 4 or 5 of section 2(a) or are entitled to annuities under section 5(c) (or who have been or would be considered in applying the provisions of section 3(c)(3)) and have attained the age of eighteen and have a disability (within the meaning of section 5(j)(1)(ii)) and who are in a "period of disability" (as this term in described in section 3(c)) and, with respect to individuals entitled to annuities under paragraph 4 or 5 of section 2(a), are not in a "waiting period" (as defined in section 223(c)(3) of the Social Security Act) shall be certified by the Board under section 21 in the same manner, for the same purposes, and subject to the same conditions, restrictions, and other provisions as individuals specifically described in such section 21, and also subject to the same conditions, restrictions, and other provisions as are disability beneficiaries under title II of the Social Security Act in connection with their eligibility for hospital insurance benefits under part A of title XVIII of such Act and their eligibility to enroll under part B of such title XVIII; and for the purposes of this Act and title XVIII of the Social Security Act, individuals certified as provided in this section shall be considered individuals described in and certified under such section 21."

SISTER'S AND BROTHER'S INSURANCE BENEFITS

Sec. 11. (a) Section 202 of the Social Security Act is amended by adding after section 202(v) the following new heading and subsection:

Sister's and Brother's Insurance Benefits

"(w)(1) Every sister or brother (as defined in this subsection) of an individual entitled to old-age or disability insurance benefits, or of an individual who died a fully insured individual, if such brother or sister—

"(A) has attained age 62,

"(B) was receiving at least one-half of his or her support, as determined in accordance with regulation prescribed by the Secretary, from such deceased or insured individual and, in the case of a brother, was under a disability (as defined in section 223(c)(2))—

"(i) if such individual is living, at the time such individual became entitled to old-age or disability benefits,

"(ii) if such individual has died, at the time of such death, or

"(iii) if such individual has a period of disability which continued until he became entitled to old-age or disability benefits, or (if he has died) until the month of his death, at the beginning of such period of disability or at the time of such death,

and has filed proof of such support within two years after the month in which such individual filed application with respect to such period of disability, became entitled to such benefits, or died, as the case may be,

"(C) is not entitled to old-age or disability insurance benefits, or is entitled to such benefits, each of which is (i) based on a primary insurance amount which is less than 50 percent of the primary insurance amount of such individual if he is entitled to old-age or disability insurance benefits, or (ii) less than 82½ percent of the primary insurance amount of such individual if he is deceased if the amount of the sister's or brother's insurance benefit is determinable under paragraph (2)(A) (or 75 percent of such primary insurance amount in any other case),

"(D) has not married since the time as of which the Secretary determines, under subparagraph (B) of this paragraph, that such sister or brother is receiving at least one-half of his or her support from such individual,

"(E) has filed application for sister's or brother's insurance benefits,

shall be entitled to a sister's or a brother's insurance benefit for each month, beginning with the first month he or she becomes so entitled to such insurance benefits and ending with the month preceding the first month in which any of the following occurs—

"(F) such sister or brother dies or marries, or

"(G)(i) if such individual is entitled to old-age insurance benefits or disability insurance benefits, such sister or brother becomes entitled to an old-age insurance benefit or a disability insurance benefit based on a primary insurance amount which is equal to or exceeds one-half of the primary insurance amount of such individual, or (ii) if such individual has died, such sister or brother becomes entitled to an old-age insurance benefit or a disability insurance benefit which is equal to or exceeds 82½ percent of the primary insurance amount of such individual if the sister's or brother's insurance amount is determinable under paragraph (2)(A) (or 75 percent of such primary insurance amount in any other case), or

"(H) Such individual is alive and is not entitled to disability insurance benefits and is not entitled to old-age insurance benefits.

"(2)(A) Except as provided in subsection (q) of this section and except as provided in subparagraphs (B) and (C) of this subsection, such sister's and such brother's insurance benefit for each month shall be equal to—

"(i) if the individual on the basis of whose wages and self-employment income the sister or brother is entitled to such benefit has not died prior to the end of such month, one-half of the primary insurance amount of such individual for such month, or

"(ii) if such individual has died in or prior to such month, 82½ percent of the primary insurance amount of such individual;

"(B) For any month for which more than one sister or brother is entitled to sister's or brother's insurance benefits on the basis of the wages and self-employment income of an individual who died in or prior to such month, such benefit for each such sister or brother for each such month shall (except as provided in subparagraph (C)) be equal to 75 percent of the primary insurance amount of such insured individual.

"(C) In any case in which—

"(i) any sister or brother is entitled to a sister's or a brother's insurance benefit for a month on the basis of the wages and self-employment income of an individual who died in or prior to such month, and

"(ii) another sister or brother of such individual is entitled to sister's or brother's insurance benefits for such month on the basis of such wages and self-employment income, and on the basis of an application filed after such month and after the month in which the application for the sister's or brother's insurance benefits referred to in clause (i) is filed,

the amount of the sister's or brother's insurance benefit of the sister or brother referred to in clause (i) for the month referred to in such clause shall be determined under subparagraph (A) instead of subparagraph (B) and the amount of the sister's or brother's insurance benefit of the sister or brother referred to in clause (ii) for such month shall be equal to 150 percent of the primary insurance amount of such individual minus the amount (before the application of section 203(a) of the benefit for such month of the sister or brother referred to in clause (i).

"(3) As used in this subsection—

"(A) the term sister means a sister by the wholeblood, a sister by the halfblood, a stepsister by a marriage contracted before the sister attained age 18, or an adopted sister by an adoption that took place before the sister attained age 18;

"(B) the term "brother" means a brother by the wholeblood, a brother by the halfblood, a stepbrother by a marriage contracted before the brother attained age 18, or an adopted brother by an adoption that took place before the brother attained age 18.

"(4) In the case of a sister or brother who marries—

"(A) an individual entitled to benefits under this subsection or subsections (b), (c), (e), (f), (g), or (h), or

"(B) an individual who attained the age of 18 and is entitled to benefits under subsection (d),

such sister's or brother's entitlement to benefits under this subsection shall, notwithstanding the provisions of paragraph (1) but subject to subsection (s), not be terminated by reason of such marriage; except that, in the case of such a marriage to an individual entitled to benefits under subsection (d), the preceding provisions of this paragraph shall not apply with respect to benefits for months after the last month during all of which such individual was under a disability (as defined in section 223(c)) unless he ceases to be so entitled by reason of his death."

(b) Section 201(h) of such Act is amended by striking out "or (d))" and inserting in lieu thereof "(d), or (w)".

(c) Section 202(q) of such Act is amended by—

(1) inserting in the heading after "Husband's," the following: "Sister's, Brother's,";

(2) inserting in paragraph (1) after "husband's," the following: "sister's, brother's," and by striking out in such paragraph (1) "or husband's" and inserting in lieu thereof ", husband's, sister's, brother's, or";

(3) Inserting in paragraph (3) after "husband's" wherever it appears the following: "sister's or brother's" and by striking out in such paragraph (3) "or husband's" wherever it appears and inserting in lieu thereof ", husband's, sister's, or brother's";

(4) inserting in paragraph (6) after "husband's," wherever it appears the following: "sister's, brother's";

(5) inserting in paragraph (7) after "husband's" the following:: "sister's, brother's"; and by striking out "or husband's" and inserting in lieu thereof ", huband's, sister's, or brother's"; and by striking out "spouse" and inserting in lieu thereof "individual";

(6) adding in paragraph (7) at the end of (A) the following: "and, in the case of sisters or brothers, any month in which such benefit was subject to deductions under section 203(a)"; and

(7) striking out in paragraph (9) "or husband's" and inserting in lieu thereof "husband's, sister's, or brother's"; and

(8) by adding at the end thereof the following new paragraph:

"(10) For purposes of this subsection, 'sister's and brother's insurance benefit' means benefits payable under section 202(w) on the basis of the wages and self-employment income of an individual entitled to old-age insurance benefits or disability insurance benefits."

(d) Section 202(r) of such Act is amended by—

(1) striking out the heading "or Husband's" and inserting in lieu thereof ", Husband's, Sister's, or Brother's"; and

(2) inserting in paragraph (1) after the phrase "or husband's insurance benefit" the following: "or a sister's or a brother's insurance benefit on the basis of the wages and self-employment income of a living individual,"; and

(3) striking out in paragraph (2) "or husbands" and inserting in lieu thereof ", husband's, sister's, or brother's".

(e)(1) section 202(b)(3)(A) of such Act is amended by striking out "or (h)" and inserting in lieu thereof ", (h), or (w)".

(2) section 202(c)(2)(A) of such Act is amended by striking out "or (h)" and inserting in lieu thereof ", (h), or (w)".

(3) section 202(d)(6)(A) of such Act is amended by striking out "or (h)" and inserting in lieu thereof ", (h), or (w)".

(4) section 202(e)(3)(A) of such Act is amended by striking out "or (h)" and inserting in lieu thereof ", (h), or (w)".

(5) section 202(f)(2)(A) of such Act is amended by inserting immediately before the semicolon "or (w)".

(6) section 202(f)(4)(A) of such Act is amended by striking out "or (h)" and inserting in lieu thereof ", (h), or (w)".

(7) section 202(g)(3)(A) of such Act is amended by striking out "or (h)" and inserting in lieu thereof ", (h), or (w)".

(8) section 202(h)(4)(A) of such Act is amended by striking out "or (h)" and inserting in lieu thereof ", (h), or (w)".

(9) section 202(j)(1) of such Act is amended by striking out "or (h)" and inserting in lieu thereof ", (h), or (w)".

(10) section 202(o) of such Act is amended by striking out "or (h)" each place that it appears and inserting in lieu thereof "(h), or (w)".

(11) section 202(s) is amended by striking out "and (h)(4)" each place it appears and inserting in lieu thereof "(h)(4) and (w)(4)".

(12) section 216(b)(3)(A) of such Act is amended by striking out "or (h)" and inserting in lieu thereof ", (h), or (w)".

(13) section 216(c)(6)(A) of such Act is amended by striking out "or (h)" and inserting in lieu thereof ", (h), or (w)".

(14) section 216(f)(3)(A) of such Act is amended by striking out "or (h)" and inserting in lieu thereof ", (h), or (w)".

(15) section 216(g)(6)(A) of such Act is amended by striking out "or (h)" and inserting in lieu thereof ", (h), or (w)".

(f) The last sentence of section 203(a) of such Act is amended to read as follows: "Whenever a reduction is made under this subsection in the total of monthly benefits for any such month, each benefit, other than the old-age insurance benefit or disability insurance benefit shall be proportionally decreased, except that the reduction shall be applied first to reduce (but not below zero) any benefit or proportionately any benefits under section 202(w) that are included in such total of monthly benefits for any month."

(g) Section 203(d)(1) of such Act is amended by striking out "or child's" wherever it appears and inserting in lieu thereof "child's, sister's, or brother's" and by striking out "or child" and inserting in lieu thereof "child, sister, or brother".

(h) The amendments made by this section shall apply only with respect to monthly insurance benefits under title II of the Social Security Act for the second month following the month in which this Act is enacted on the basis of applications filed in or after the month in which this Act is enacted.

(i) The requirement in section 202(w)(1)(B) of this Act that proof of support be filed within two years after a specified date in order to establish eligibility for sister's or brother's insurance benefit shall not be applicable if such proof of support is filed within two years after the date of enactment of this Act.

MARRIAGE NOT TO TERMINATE CHILD'S BENEFITS OF CERTAIN CHILDREN WHO ARE FULL-TIME STUDENTS

SEC. 12. (a) Section 202(d) of the Social Security Act is amended by adding at the end thereof the following new paragraph:

"(11)(A) Notwithstanding the provisions of paragraph (1)(D), the entitlement of a child to benefits under this subsection shall not be terminated by reason of the marriage of such child for any period during which such child is a full-time student, and (in case such child is a female) her husband is also a full-time student.

"(B) A child whose entitlement to child's insurance benefits on the basis of the wages and self-employment income of an insured individual is terminated by reason of the marriage of such child may again become entitled to such benefits for any period—

"(i) during which he is a full-time student, and (in the case such child is a female) her husband is also a full-time student, and

"(ii) with respect to which such child would (except for such marriage) have otherwise been entitled to such benefits;

except that no such child shall become reentitled to such benefits unless he has filed application for reentitlement thereto."

(b) The amendments made by subsection (a) shall apply only with respect to monthly benefits under section 202(d) of the Social Security Act for months after the first month following the month in which this Act is enacted, and, in the case of an individual who was not entitled to a monthly benefit under such section for the month in which this Act is enacted, only on the basis of an application filed in or after the month in which this Act is enacted.

TRANSFER OF FEDERAL CREDITS

SEC. 13. (a) Section 205 of the Social Security Act is amended by adding to the end thereof the following new subsection:

"CREDITING OF PAY OR SALARY UNDER CIVIL SERVICE RETIREMENT OR TITLE VIII OF FOREIGN SERVICE ACT OF 1946

"(q)(1) Notwithstanding paragraphs (5) and (6) of section 210(a)—

"(A) the basic pay (as defined in section 8331(3) of title 5, United States Code) of an individual attributable to service (other than service described in section 8331(14) of title 5, United States Code) to which Civil Service Retirement (ch. 83, subch. III of title 5, United States Code) applies and which is performed after June 30, 1966, or

"(B) the basic salary (as determined by the Secretary of State pursuant to regulations) of an individual attributable to service to which title VIII of the Foreign Service Act of 1946 applies and which is performed after June 30, 1966,

shall constitute remuneration for employment under this title, if, after December 31, 1967, such individual is separated by reason of death, disability, transfer (other than transfer to service to which such Civil Service Retirement or such Foreign Service Act of 1946, or the Central Intelligence Agency Retirement Act of 1964 for Certain Employees applies), or otherwise, from service to which such Civil Service Retirement or such Foreign Service Act of 1946 applies and neither such individual nor any of his survivors is entitled to an annuity (deferred or otherwise) under such Civil Service Retirement or such Foreign Service Act of 1946 on the basis of such individual's service. The preceding provisions of this paragraph shall not apply with respect to remuneration for (i) any period of service that terminated before the second month following the month of enactment of the Social Security Amendments of 1967 and (ii) service performed outside of the United States by an individual who is not a citizen or national of the United States.

"(2) The Chairman of the Civil Service Commission or the Secretary of State, as the case may be, shall, at the request of the Secretary of Health, Education, and Welfare, furnish him a record of such individual's service, basic pay and basic salary, together with a certification that such individual meets the requirements of paragraph (1). Such report and certification shall be final and conclusive upon the Secretary of Health, Education, and Welfare. Pay or salary paid to any individual in any calendar year and included in any such report shall, in the absence of evidence to the contrary, be presumed to have been paid in equal proportions with respect to all months in such year in which such individual performed service for such pay or salary, as the case may be."

(b) Section 201 of the Social Security Act is amended by adding at the end thereof the following new subsection:

"(i)(1) The Secretary of the Treasury shall transfer from the Civil Service Retirement and Disability Fund to the Federal Old-Age and Survivors Insurance Trust Fund, the Federal Disability Insurance Trust Fund, and the Federal Hospital Insurance Trust Fund, within the 6-month period after the close of the fiscal year ending June 30, 1968, and within the 6-month period after the close of each fiscal year thereafter, an amount determined by the Secretary of Health, Education, and Welfare to be equal to—

"(A) the total of the proportionate costs, attributable to the basic pay or salary for Federal service credited pursuant to section 205(q), of the benefits of all individuals paid at any time during such fiscal year out of each of such Trust Funds (taking into account adjustments required by overpayments or underpayments made with respect to prior years and benefits paid indirectly through the financial interchange provisions of section 5(k)(2) of the Railroad Retirement Act of 1937); and

"(B) the interest on the amount determined under subparagraph (A) from the date of payment of such benefits from such Trust Fund to the date of such transfer. The rate of such interest for each of such Trust Funds shall be the same as the average rate of interest earned during such fiscal year on investments made for such Trust Fund during such fiscal year under subsection (d) of this section.

"(2) For purposes of paragraph (1), the proportionate cost of the benefits of an individual which is attributable to the basic pay or salary for his Federal service credited pursuant to section 205(q), and with respect to which a tax equivalent has been withheld from his lump-sum credit under Civil Service Retirement or the Foreign Service Act of 1946, shall be the amount of benefits paid (either directly from such Trust Fund or indirectly through the financial interchange provisions of section 5(k)(2) of the Railroad Retirement Act of 1937) on the basis of the wages and self-employment income of such individual multiplied by the fraction—

"(A) the numerator of which is the dollar amount of the basic pay or salary taken into account in determining such tax equivalent for such individual, and

"(B) the denominator of which is the sum of (i) the amount determined under subparagraph (A), plus (ii) the dollar amount of such individual's wages and self-employment income (computed without regard to the basic pay or salary referred to in subparagraph (A)), plus (iii) the dollar amount of compensation of such individual under the Railroad Retirement Act of 1937 which would have been included as wages under the Social Security Act if service as an employee under the Railroad Retirement Act of 1937 after December 31, 1967, had been included in the term "employment" as defined in the Social Security Act and in the Federal Insurance Contributions Act."

FEDERAL CONTRIBUTIONS TO TRUST FUNDS

Sec. 17. (a)(1) The third sentence of section 201(a) of the Social Security Act is amended—

(A) by striking out (in the matter preceding clause (1) thereof) "amounts equivalent to 100 per centum of ——", and inserting in lieu thereof "amounts equivalent to ——";

(B) by striking out (in clauses (1), (2), (3), and (4) thereof) the term "the taxes" the first place it appears in each of such clauses, and by inserting in lieu thereof "100 per centum of the taxes";

(C) by striking out the period at the end of clause (4) thereof and inserting in lieu of such period a semicolon followed by the word "and"; and

(D) by adding after clause (4) thereof the following new clause:

"(5) for the fiscal year ending June 30, 1969, an amount equal to 3.75 per centum of the aggregate of the amounts appropriated pursuant to paragraphs (3) and (4) for such year; for the fiscal year ending June 30, 1970, an amount equal to 7.5 per centum of the aggregate so appropriated for such year; for the fiscal year ending June 30, 1971, an amount equal to 15 per centum of the aggregate so appropriated for such year; for the fiscal year ending June 30, 1972, an amount equal to 22.5 per centum of the aggregate so appropriated for such year; for the fiscal year ending June 30, 1973, an amount equal to 30 per centum of the aggregate so appropriated for such year; for the fiscal year ending June 30, 1974, an amount equal to 37.5 per centum of the aggregate so appropriated for such year; for the fiscal year ending June 30, 1975, an amount equal to 45 per centum of the aggregate so appropriated for such year; for the fiscal year ending June 30, 1976, an amount equal to 52.5 per centum of the aggregate so appropriated for such year; for the fiscal year ending June 30, 1977, and for each fiscal year thereafter an amount equal to 60 per centum of the aggregate so appropriated for such year; except that the amount appropriated pursuant to this clause for any fiscal year shall be reduced by an amount equal to the amount specified with respect to such year in clause (3) of subsection (b) of this section."

(2) The fourth sentence of section 201(a) of such Act is amended by striking out "clauses (3) and (4)" the first place it appears therein, and by inserting in lieu thereof "clauses (3), (4), and (5)".

(b) (1) The third sentence of section 201 (b) of such Act is amended—

(A) by striking out (in the matter preceding clause (1) thereof) "amounts equivalent to 100 per centum of ——" and inserting in lieu thereof "amounts equivalent to ——";

(B) by striking out the period at the end of clause (2) thereof and inserting in lieu of such period a semicolon followed by the word "and"; and

(C) by adding after clause (2) thereof the following new clause:

"(3) for the fiscal year ending June 30, 1968, an amount equal to 3.75 per centum of the aggregate of the amounts appropriated pursuant to clauses (1) and (2) for such year; for the fiscal year ending June 30, 1970, an amount equal to 7.5 per centum of the aggregate so appropriated for such year; for the fiscal year ending June 30, 1971, an amount equal to 15 per centum of the aggregate so appropriated for such year; for the fiscal year ending June 30, 1972, an amount equal to 22.5 per centum of the aggregate so appropriated for such year; for the fiscal year ending June 30, 1973, an amount equal to 30 per centum of the aggregate so appropriated for such year; for the fiscal year ending June 30, 1974, an amount equal to 37.5 per centum of the aggregate so appropriated for such year; for the fiscal year ending June 30, 1975, an amount equal to 45 percentum of the aggregate so appropriated for such fiscal year; for the fiscal year ending June 30, 1976, an amount equal to 52.5 per centum of the aggregate so appropriated for such fiscal year; and for the fiscal year ending June 30, 1977, and for each fiscal year thereafter, an amount equal to 60 per centum of the aggregate so appropriated for such year."

(2) The fourth sentence of section 201(a) of such Act (as amended by subsection (a) (2) of this section) is further amended by striking out "clauses (1) and (2)" and inserting in lieu thereof "clauses (1), (2), and (3)".

INCREASE OF EARNINGS COUNTED FOR BENEFIT AND TAX PURPOSES

Sec. 15. (a)(1)(A) Section 209(a)(4) of the Social Security Act is amended by inserting "and prior to 1968" after "1965".

(B) Section 209(a) of such Act is further amended by adding at the end thereof the following new paragraphs:

"(5) That part of remuneration which, after remuneration (other than remuneration referred to in the succeeding subsections of this section) equal to $10,000 with respect to employment has been paid to an individual during any calendar year after 1967 and prior to 1971, is paid to such individual during such calendar year;

"(6) That part of remuneration which, after remuneration (other than remuneration referred to in the succeeding subsections of this section) equal to $15,000 with respect to employment has been paid to an individual during the taxable year; and 1970. is paid to such individual during such calendar year;".

(2)(A) Section 211(b)(1)(D) of such Act is amended by inserting "and prior to 1968" after "1965", and by striking out "; or" and inserting in lieu thereof "; and".

(B) Section 211(b)(1) of such Act is further amended by adding at the end thereof the following new subparagraphs:

"(E) For any taxable year ending after 1967 and prior to 1971, (i) $10,000, minus (ii) the amount of the wages paid to such individual during the taxable year; and

"(F) For any taxable year ending after 1970, (i) $15,000, minus (ii) the amount of the wages paid to such individual during the taxable year; or"

(3)(A) Section 213(a)(2)(ii) of such Act is amended by striking out "after 1965" and inserting in lieu thereof "after 1965 and before 1968, or $10,000 in the case of a calendar year after 1967 and before 1971, or $15,000 in the case of a calendar year after 1970".

(B) Section 213(a)(2)(iii) of such Act is amended by striking out "after 1965" and inserting in lieu thereof "after 1965 and before 1968, or $10,000 in the case of a taxable year ending after 1967 and before 1971, or $15,000 in the case of a taxable year ending after 1970".

(4) Section 215(c)(1) of such Act is amended by striking out "and the excess over $6,000 in the case of any calendar year after 1965" and inserting in lieu thereof "the excess over $6,000 in the case of any calendar year after 1965 and before 1968, the excess over $10,000 in the case of any calendar year after 1967 and before 1971, and the excess over $15,000 in the case of any calendar year after 1970".

(b)(1)(A) Section 1402(b)(1)(D) of the Internal Revenue Code of 1954 (relating to the definition of self-employment income) is amended by inserting "and before 1968" after "1965", and by striking out "; or" and inserting in lieu thereof "; and".

(B) Section 1402(b)(1) of such Code is further amended by adding at the end thereof the following new subparagraphs:

"(E) for any taxable year ending after 1967 and before 1971, (i) $10,000, minus (ii) the amount of the wages paid to such individual during such taxable year; and

"(F) for any taxable year ending after 1970, (i) $15,000, minus (ii) the amount of the wages paid to such individual during the taxable year; or".

(2) Section 3121(a)(1) of such Code (relating to definition of wages) is amended by striking out "$6,600" each place it appears and inserting in lieu thereof "$10,000, in the case of any calendar year after 1967 and before 1971, or $15,000, in the case of any calendar year after 1970,".

(3) The second sentence of section 3122 of such Code (relating to the Federal service) is amended by striking out "$6,600" and inserting in lieu thereof "the dollar".

(4) Section 3125 of such Code (relating to returns in the case of governmental employees in Guam, American Samoa, and the District of Columbia) is amended by striking out "$6,600" and inserting in lieu thereof "the dollar".

(5) Section 6413(c)(1) of such Code (relating to special refunds of employment taxes), is amended—

(A) by inserting "and prior to the calendar year 1968" after "the calendar year 1965";

(B) by inserting after "exceed $6,600,"

the following: "or (D) during any calendar year after the calendar year 1967 and prior to the calendar year 1971, the wages received by him during such year exceed $10,000, or (E) during any calendar year after the calendar year 1970, the wages received by him during such year exceed $15,000,"; and

(C) by inserting before the period at the end thereof the following: "and before 1968, or which exceeds the tax with respect to the first $10,000 of such wages received in such calendar year after 1967 and before 1971, or which exceeds the tax with respect to the first $15,000 of such wages received in such calendar year after 1970".

(6) Section 6413(c)(2)(A) of such Code (relating to refunds of employment taxes in the case of Federal employees) is amended by striking out "or $6,600 for any calendar year after 1965" and inserting in lieu thereof "$6,600 for the calendar year 1966 or 1967, $10,000 for the calendar year 1968, 1969, or 1970, or $15,000 for any calendar year after 1970."

(c) The amendments made by subsections (a)1 and (a)(3)(A), and the amendments made by subsection (b) (except paragraph (1) thereof), shall apply only with respect to remuneration paid after December 1967. The amendments made by subsections (a)(2), (a)(3)(B), and (b)(7) shall apply only with respect to taxable years ending after 1967. The amendment made by subsection (a)(4) shall apply only with respect to calendar years after 1967.

SEC. 16. (a) Section 1401 of the Internal Revenue Code of 1954 (relating to rate of tax under the Self-Employment Contributions Act) is amended to read as follows:

"SEC. 1401. RATE OF TAX.

"(a) Old-Age, Survivors, and Disability Insurance—In addition to other taxes, there shall be imposed for each taxable year beginning after December 31, 1967, on the self-employment income of every individual, a tax equal to 6.0 percent of the amount of the self-employment income for such taxable year.

"(b) Hospital Insurance—In addition to the tax imposed by the preceding subsection, there shall be imposed for each taxable year beginning after December 31, 1967, on the self-employment income of every individual, a tax equal to 0.50 percent of the amount of the self-employment income for such taxable year. For purposes of the tax imposed by this subsection, the exclusion of employee representatives by section 1402(c)(3) shall not apply."

(b) Section 3101 of the Internal Revenue Code of 1954 (relating to rate of tax on employees under the Federal Insurance Contributions Act) is amended to read as follows:

"SEC. 3101. RATE OF TAX.

"(a) Old-Age, Survivors, and Disability Insurance—In addition to other taxes, there is hereby imposed on the income of every individual a tax equal to the following percentages of the wages (as defined in section 3121(a)) received by him with respect to employment (as defined in section 3121(b))—

"(1) with respect to wages received during the calendar years 1968 and 1969, the rate shall be 4.5 percent; and

"(2) with respect to wages received after December 31, 1969, the rate shall be 5.0 percent.

"(b) Hospital Insurance—In addition to the tax imposed by the preceding subsection, there is hereby imposed on the income of every individual a tax equal to 0.50 percent of the wages (as defined in section 3121(a)) received by him after December 31, 1967, with respect to employment (as defined in section 3121(b)), but without regard to the provisions of paragraph (9) thereof insofar as it relates to employees."

(c) Section 3111 of the Internal Revenue Code of 1954 (relating to rate of tax on employers under the Federal Insurance Contributions Act) is amended to read as follows:

"SEC. 3111. RATE OF TAX.

"(a) Old-Age, Survivors, and Disability Insurance—In addition to other taxes, there is hereby imposed on every employer an excise tax, with respect to having individuals in his employ, equal to the following percentages of the wages (as defined in section 3121(a)) paid by him with respect to employment (as defined in section 3121(b))—

"(1) with respect to wages paid during the calendar years 1968 and 1969, the rate shall be 4.5 percent; and

"(2) with respect to wages paid after December 31, 1969, the rate shall be 5.0 percent.

"(b) Hospital Insurance—In addition to the tax imposed by the preceding subsection, there is hereby imposed on every employer an excise tax, with respect to having individuals in his employ, equal to 0.50 percent of the wages (as defined in section 3121(a)) paid by him after December 31, 1967 with respect to employment (as defined in section 3121(b)), but without regard to the provisions of paragraph (9) thereof insofar as it relates to employees."

(d) The amendments made by subsection (a) shall apply only with respect to taxable years beginning after December 31, 1967. The amendments made by subsections (b) and (c) shall apply only with respect to remuneration paid after December 31, 1967.

The exhibits presented by Mr. KENNEDY of New York are as follows:

EXHIBIT 1

TABLE A-1.—*Average annual social security expenditures per capital selected countries, 1960*

	Per capita expenditures[1] *(in U.S. dollars)*
Australia	$124
Canada	183
China-Taiwan	2
Congo-Brazzaville	4
Czechoslovakia	NA
Denmark	134
Finland	96
France	177
Germany-Federal Republic	195
Ghana	3
Guatemala	6
India	1
Israel	67
Italy	80
Japan	22
Luxembourg	221
Netherlands	107
Norway	120
Philippines	2
Poland	NA
South Africa	17
Spain	13
Sweden	204
Switzerland	121
Turkey	3
U.S.S.R.	NA
United Arab Republic	2
United Kingdom	148
United States	172
Venezuela	27
Vietnam	2
Yugoslavia	57

[1] Includes expenditures for social insurance, family allowances, public health services, public assistance, programs for public employees, benefits for war victims, and administration.

Source: "The Cost of Social Security." Geneva, International Labour Office, 1964, pp. 250, 291.

TABLE A-2.—*Social security receipts and expenditures as a percent of gross national product, selected countries, 1960*

Country	Receipts		Expenditures	
	Total,[1] as percent of GNP	Social insurance as percent of GNP	Total,[1] as percent of GNP	Social insurance as percent of GNP
Australia	8.5	5.3	7.9	5.1
Canada	9.5	3.2	8.9	3.4
China, Taiwan	1.2	.2	1.2	.1
Congo, Brazzaville	(2)	(2)	(2)	(2)
Czechoslovakia	15.3	(2)	15.3	(2)
Denmark	11.1	5.9	11.1	5.8
Finland	10.4	3.8	9.6	3.1
France	14.0	6.4	13.9	6.3
Germany, Federal Republic	17.0	12.5	16.1	11.6
Ghana	1.4	-------	1.3	-------
Guatemala	3.1	1.2	3.0	1.1
India	1.9	(2)	1.4	(2)
Israel	8.1	5.3	7.1	4.2
Italy	14.7	8.9	12.7	7.5
Japan	6.6	3.8	5.2	2.7
Luxembourg	16.8	11.1	14.2	8.5
Netherlands	12.9	8.5	11.0	7.4
Norway	10.9	6.5	10.3	5.9
Philippines	2.2	.4	1.1	.1
Poland	9.2	(2)	9.0	(2)
South Africa	4.7	1.3	3.8	1.3
Spain	4.5	4.3	4.2	4.0
Sweden	12.6	6.4	12.4	6.2
Switzerland	10.2	6.0	7.7	4.3
Turkey	2.5	1.1	1.3	.5
U.S.S.R	(2)	(2)	(2)	(2)
United Arab Republic	(2)	(2)	(2)	(2)
United Kingdom	11.1	4.3	11.0	4.3
United States	7.0	3.8	6.3	3.6
Venzuela	2.9	.9	2.8	.9
Vietnam	(2)	(2)	(2)	(2)
Yugoslavia	10.2	9.5	11.0	7.8

[1] Total includes family allowances, public health, public assistance, programs for public employees, benefits for war victims, and administration.

[2] Not available.

Source: Derived from The Cost of Social Security, Geneva, International Labor Office, 1964, pp. 35-224, 243, 291.

TABLE A-3.—*Benefit expenditures as a percent of total consumption expenditure, selected countries, 1960*

	Percent
Germany (Federal Republic)	21.2
Luxembourg	20.0
Czechoslovakia	19.0
France	16.6
Sweden	16.1
Italy	15.8
Yugoslavia	15.8
Netherlands	14.8
Denmark	13.7
Finland	13.1
Norway	12.7
United Kingdom	12.6
Poland	11.7
Canada	11.0
Australia	10.9
Japan	7.5
United States	7.0
Israel	6.9
Spain	4.5
South Africa	4.4
Venezuela	3.2
Guatemala	3.0
China-Taiwan	1.4
Ghana	1.4
Turkey	1.3
Philippines	1.1
Congo-Brazzaville	NA
India	NA
Switzerland	NA
United Arab Republic	NA
U.S.S.R.	NA
Vietnam	NA

Source: "The Cost of Social Security," Geneva, International Labour Office, 1964, p. 249.

TABLE A-4.—*Receipts for social insurance and assimilated schemes, selected countries, by source, 1960*

Country	Percentage of receipts		
	From employer	From employee	From other taxes, etc.
Australia [1]	11.1	7.7	81.2
Canada [1]	23.5	12.9	63.6
China, Taiwan	45.2	28.8	26.0
Congo, Brazzaville	98.7	--------	1.3
Czechoslovakia	--------	--------	--------
Denmark [1]	5.5	26.0	68.5
Finland	32.9	24.4	42.7
France	62.2	24.8	13.0
Germany, Federal Republic	36.5	35.6	27.8
Ghana [1]	100.0	--------	--------
Guatemala [1]	58.0	30.9	11.1
India [1]	47.5	47.9	4.5
Israel [1]	42.2	44.1	13.7
Italy	56.0	15.2	28.8
Japan [1]	38.6	35.2	26.2
Luxembourg	34.0	30.4	35.6
Netherlands	28.0	57.1	14.8
Norway [1]	29.3	43.5	27.2
Philippines [1]	55.7	36.5	7.9
Poland	98.5	--------	1.5
South Africa [1]	26.7	3.9	69.5
Spain	63.3	20.0	16.7
Sweden	11.0	40.4	48.6
Switzerland	26.1	48.9	25.1
Turkey	56.0	36.4	7.6
U.S.S.R.	41.6	--------	58.4
United Arab Republic	59.2	23.7	17.1
United Kingdom [1]	37.5	37.2	25.2
United States [1]	55.2	35.2	9.6
Venezuela [1]	52.6	27.5	19.9
Vietnam	100.0	--------	--------
Yugoslavia	95.4	--------	4.6

[1] Fiscal year.

Source: Derived from "Pt. I, Basic Tables," The Cost of Social Security, Geneva, International Labor Office, 1964, pp. 35–224.

EXHIBIT 2

SUMMARY OF PROVISIONS OF ROBERT F. KENNEDY SOCIAL SECURITY BILL

The proposal of Senator Kennedy of New York to revise Social Security benefits and to adopt a system of partial general revenue financing of Social Security contains the following basic provisions:

I. BENEFITS

A. Effective January 1, 1968, the bill increases retirement benefits by an average of slightly over 50 percent. The new average benefits will be $133 a month for individuals and $220 for couples, as opposed to the present figures of $84 and $142, respectively.

B. The minimum monthly benefit payable is raised from the present $44 to $100, effective January 1, 1968. This means that all those whose lifetime wages have averaged $106 a month or less will receive $100 in benefits, or $150 a month if there is a wife who is 65 and therefore qualifies for marital benefits. Thus, for many, benefits will be more than doubled.

C. Persons whose lifetime earnings averaged from $95 a month to $250 a month ($3,000 a year) will receive a 50 percent increase in benefits. Thus, a person who earned $200 a month in his working life, formerly the recipient of $90 a month, will now receive $135 a month in benefits (about ⅔ of his average wages) and $202.50 (slightly more than his average wages) if his wife qualifies for marital benefits. The man who earned $3,000 a year ($250 a month), who formerly received $1,220 a year, will receive $1,840.80 which is over 60 percent of his previous average wage. If his wife qualifies for marital benefits, their total benefits will be $2,671 a year, or 92 percent of his average lifetime wages.

D. The increase in benefits will be slightly less for people whose earnings were higher during their lifetimes.

1. The man who earned $4,000 a year during his life will receive a 45 percent increase in benefits. His annual benefits will be increased from $1,440 to $2,090, or over 50 percent of what he earned during his lifetime. If his wife qualifies for marital benefits, they will receive over $3,100 as a family, or about 75 percent of his earnings as a worker.

2. The man who earned $5,000 a year ($425 a month) during his lifetime will receive a 40 percent increase in benefits, from $141 a month to $198.50 a month, or $2,384 a year. If his wife qualifies for marital benefits, they will receive almost $3,600.

3. The man who earned $6,000 a year ($500 a month) during his lifetime will receive an increase of just under 40 percent, from $157 a month to $218.10 a month, or $2,617 a year. If his wife qualifies for marital benefits, they will receive $3,925 annually.

4. The lowest benefit increase under the bill is 37.7 percent, for the man who earned $6,600 a year.

E. The bill will raise widow's benefits from the present level of 82½ percent of the deceased husband's benefits to 100 percent.

F. The bill provides for a cost of living increase in benefits. Each time a consumer price index rises by 1 percent, benefits will go up 1 percent automatically.

G. The bill provides an alternative method of computing benefits which will increase the monthly pension check of millions of beneficiaries. Benefits are now computed on the basis of a man's average monthly wage throughout his working lifetime, less a few of his worst years. The alternative method which the bill provides would base benefits on a man's average monthly earnings during his ten highest consecutive years of working, so that benefits will more realistically be tied to a man's productivity during his prime working life.

H. The bill provides an increase in the maximum lump-sum death payment from $255 under present law to an amount equal to the maximum family benefit ($833.20 under the bill).

I. The bill provides an increase from $1,500 under present law to $1,800 in the amount a beneficiary can earn in a year and still get full benefits for the year, and an increase from $2,700 to $3,000 in the amount which can be earned before each dollar of income causes the loss of a dollar in benefits.

J. The bill provides an increase from $35 to $50 in the amount of the special payments made to certain people age 72 and older who do not qualify for regular benefits.

K. The bill provides for payment of cash benefits to widows under age 62 who are severely disabled.

L. The bill provides for payment of childhood disability benefits on the basis of disability beginning before age 22 rather than before age 18 as under present law.

M. The bill extends health insurance protection to people getting disability insurance benefits.

N. The bill provides for transfer to social security of the credits for the Federal service of employees covered under the civil service retirement system when the employees and their families are not protected under the system at the time they retire, become disabled, or die.

O. The bill provides payments for dependent *sisters and disabled dependent* brothers of beneficiaries.

P. The bill provides that a young man receiving survivorship benefits will not lose them by getting married if he is a full-time student, and a young lady will retain her benefits under those circumstances if she is a full-time student and marries a full-time student.

II. FINANCING

A. The OASDI payroll tax will be increased from its present level to 5 percent each on the employer and the employee in a series of step increases during the coming years. However, the tax on self-employed persons will be held at a ceiling of 6 percent, and, due, to the increases in the earnings and benefits base (See B below), the health insurance payroll tax will be held at 0.5 percent each on employer and employee, instead of the .8 percent scheduled under present law. Thus, the overall payroll tax will ultimately be .15 percent less each for the employer and employee than is now scheduled under existing law.

B. The earnings and benefits base will be raised to $10,000 in 1967, and $15,000 in 1970.

C. In addition, benefits will for the first time be financed partly out of general tax revenues. The bill provides a formula whereby contributions will be made out of general revenues on a gradually increasing basis beginning in fiscal 1969 until, at the end of nine years, an amount equal to 6 percent of the payroll tax base will be contributed out of general revenues. Thus, by 1977 the Social Security system will be financed about 35 percent out of general revenues.

D. The Social Security Administration has examined the program and states that it is actuarially sound.

EXHIBIT 3

U.S. GOVERNMENT MEMORANDUM

FEBRUARY 9, 1967.

To: Mr. Alvin M. David, Assistant Commissioner, OPEP.

From: Robert J. Myers, Chief Actuary, SSA.

Subject: Cost Estimates for Revised Legislative Package for Senator Kennedy (Your Memorandum of February 1).

You requested cost estimates for the proposals listed below, which Senator Robert F. Kennedy intends to introduce in the near future.

1. Average 51% long-range benefit increase, with a $100 minimum benefit.

2. Average monthly wages computed on the basis of the highest 10 consecutive years of earnings, with a length-of-service factor.

3. Lump-sum death payment equal to 3 times the primary insurance amount or an amount equal to the maximum family benefit, whichever is lower.

4. Increase from $1,500 to $1,800 in the annual exempt amount under the earnings test, with benefits reduced by $1 for each $2 of earnings between $1,800 and $3,000 and for each $1 of earnings above $3,000.

5. Increase in the transitional insured payments from $35 to $50 for a single person aged 72 or over, and from $17.50 to $25 for a wife.

6. Widow's benefits (at age 62) equal to 100% of the PIA.

7. Disabled widow's benefits (100% of the PIA).

8. Benefits for children disabled since before age 22.

9. Transfer of credits for Federal civil service employment.

10. Benefits would be provided for dependent sisters and disabled dependent brothers of retired, disabled, or deceased workers.

11. Automatic adjustment of cash benefits to increases in the cost of living.

12. Earnings base of $10,000 in 1968 and 1969 and $15,000 in 1970 and thereafter.

13. Employer-employee contribution rate for cash benefits of 9% for 1968 and 1969 and 10% for 1970 and after; a *self-employed* rate for cash benefits of 6% in 1968 and after.

14. The Government contribution would begin in fiscal year 1969 at 3¾% of the combined employee, employer, and self-employment taxes and increase to 7½% in fiscal year 1970, and then by 7½% each year until reaching the ultimate level of 60% for fiscal year 1977 and thereafter. The Government contribution would be payable continuously throughout the year.

It is assumed that the benefit changes are effective as of January 1, 1968. There would be a positive actuarial balance of .11% of taxable payroll in the OASDI program.

The health insurance program would be extended to disabled beneficiaries, including disabled workers, disabled widows, and people getting childhood disability benefits on the basis of a disability which began before age 22. If the hospital insurance tax rates are held at the present 0.50% with the proposed increases in the maximum taxable earnings base, the HI program would have a positive actuarial balance of .01% of taxable payroll.

At this time, we do not have available estimates of trust-fund income (broken down to show the amounts paid by employees, employers, the self-employed and the Government) and outgo for the early years of operation.

Robert J. Myers.

U.S. Government Memorandum

February 10, 1967.

To: Mr. Alvin M. David, Assistant Commissioner, OPEP.
From: Robert J. Myers, Chief Actuary.
Subject: Cost Estimates for Revised Legislative Package for Senator Kennedy (Continued).

This supplements my memorandum of February 9 on the above subject. The attached table gives long-range actuarial cost data for both the present law and the proposal and shows that the latter is in close actuarial balance for both the OASDI and HI programs.

As to short-range cost information for the OASDI system, I have been able to develop approximate data on the relationship of benefit payments to contribution income (including in the latter the proposed Government contributions, which are assumed to be spread out uniformly during the fiscal year). In 1967, contribution income would exceed benefit disbursements by $3.8 billion. In calendar year 1968, when the proposal would first become effective as to benefit changes, benefit disbursements would exceed contribution income by $4.7 billion. In calendar year 1969, benefit disbursements would again exceed contribution income—namely, by $4.6 billion. However, in calendar year 1970, the situation would reverse and contribution income would exceed benefit disbursements by $3.7 billion. Similarly, for calendar year 1971, contribution income would exceed benefit disbursements by $4.2 billion. In summary then, the excesses of benefit disbursements over contribution income under the proposal in calendar years 1968 and 1969 would be largely offset by the excesses of contribution income over benefit outgo in 1967 and 1970, with the excess of contribution income over benefit outgo in 1971 more than making up any deficit in the preceding 4 years.

Robert J. Meyers.

Long-range actuarial cost data for present law and for proposal

[All figures in percent of taxable payroll]

Item	Present law	Proposal
OASDI PROGRAM		
Level cost of benefits [1]	8.77	14.78
Level equivalent of contributions	9.51	14.89
Net balance	+.74	+.11
HEALTH INSURANCE PROGRAM		
Level cost of benefits [1]	1.23	.99
Level equivalent of contributions	1.23	1.00
Net balance	0	+.01

[1] Including net effect of such items as administrative expenses and interest on the existing trust fund.

NATIONAL COMMISSION ON FEDERAL TAX SHARING—AMENDMENT

AMENDMENT NO. 95

Mr. NELSON submitted an amendment (No. 95), intended to be proposed by him to the bill (S. 92) to establish a National Commission on Federal Tax Sharing, which was referred to the Committee on Finance, and ordered to be printed.

EXTENSION OF TIME FOR BILL TO LIE ON THE DESK

Mr. GRUENING. Mr. President, I ask unanimous consent that S. 876 be held at the desk through the close of business February 24 to allow any of my colleagues who wish to do so to be cosponsors. The bill would remove an existing limitation on the use of Federal funds by the Bureau of Indian Affairs for the education of Indians in institutions of higher learning or in vocational schools.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILLS

Mr. DIRKSEN. Mr. President, I ask unanimous consent that, at the next printing of the bill (S. 515) to prohibit desecration of the flag, the name of the Senator from Ohio [Mr. Lausche] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MUSKIE. Mr. President, I ask unanimous consent that the name of the Senator from Oregon [Mr. Hatfield] be added as a cosponsor of the bill (S. 698), the Intergovernmental Cooperation Act of 1967, at the next printing of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MUSKIE. Mr. President, I also ask unanimous consent that the name of the Senator from Iowa [Mr. Miller] be added as a cosponsor of the aforementioned bill, S. 698, at its next printing.

The PRESIDING OFFICER. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, informed the Senate that, pursuant to the provisions of Public Law 301, 78th Congress, the chairman of the Merchant Marine and Fisheries Committee had appointed Mr. Downing, of Virginia, Mr. Murphy of New York, and Mr. Mosher, of Ohio, to serve as members of the Board of Visitors to the U.S. Merchant Marine Academy; and that Mr. Garmatz, chairman, Committee on Merchant Marine and Fisheries, is authorized to serve as an ex officio member of the Board.

The message also informed the Senate that, pursuant to the provisions of section 194, title 14, United States Code, the chairman of the Merchant Marine and Fisheries Committee had appointed Mr. Clark, of Pennsylvania; Mr. Lennon, of North Carolina; and Mr. Grover, of New York, to serve as members of the Board of Visitors to the U.S. Coast Guard Academy; and that Mr. Garmatz, chairman, Committee on Merchant Marine and Fisheries, is authorized to serve as an ex officio member of the Board.

A POEM OF SUPPLICATION FOR THE MEN IN VIETNAM

Mr. DIRKSEN. Mr. President, I ask unanimous consent to have printed in the Record the poem by one Joseph N. Nathanson which was messaged to me by Carrie Wilbur Wood, minister of the gospel, and identified as "The Country Parson" with WNLK radio station, Norwalk, Conn. It is a poem of supplication for the men in Vietnam.

The PRESIDING OFFICER. Without objection, the poem will be printed in the Record.

The poem is as follows:

SUPPLICATION

"Lord God of Hosts, be with us yet
Lest we forget—lest we forget.
—Rudyard Kipling."

Lord God of Hosts, take in Thy hands
Our fighting men in distant lands.
Help them, Father, we pray to Thee
In the air and on land and sea.

From sniper's bullets; hand grenades;
An enemy who strikes and fades;
From buried mines and booby traps,
God Lord, guide and divert their steps.

From filth and mud and monsoon rains
Which wilt the flesh and numb the brains;
From every grief, pain and woe;
From capture by a cruel foe;

From noon-day heat and chill of night
Protect them, Master, by Thy might;
From faithless friends who tempt and drag;
From false heroics, boast and brag;

From jungle pests which bite and sting
Go in Thy mercy respite bring.
Hasten, we beg, Thy peace to come,
And lead our young men safely home.
Amen.

—Joseph N. Nathanson.

MINORITY VIEWS OF SUBCOMMITTEE ON ANTITRUST AND MONOPOLY ON THE ANTITRUST ASPECTS OF THE FUNERAL INDUSTRY

Mr. DIRKSEN. Mr. President, yesterday there was delivered to me a committee print of views—not a report—of the Subcommittee on Antitrust and Monopoly on the antitrust aspects of the funeral industry. This morning I received from Senator Philip A. Hart a press release which clearly indicated that the nine members of the subcommittee could not come into an agreement on a report, but that there were five separate views filed by Senators individually, with no view receiving a majority or plurality. The press release took some quotes from the views filed by Senator Roman L. Hruska and me, but I believe that anyone who reads our views beginning on page 53 through 68 will note that we did not mince any words in stating our views. I wish to take one quote from the press release issued by Senator Hart:

> In their views, Senators Dirksen and Hruska were strongly critical not only of the conclusions of the committee chairman but of the conduct of the hearings:
>
> "It would be impossible for even the most conscientious of students to gain from the printed hearings or from the Hart views any true conception of the actual facts concerning the funeral profession."

> Eleven pages are spent by Senators Dirksen and Hruska in criticizing both the Hart views (concurred in by Senators Dodd and Kennedy) and the hearing.

Mr. President, we were critical of both the Hart views and the hearings, and I believe I can cite an example from the Hart press release to prove my point:

> Is the high cost of dying a fact? Well, from 1936 to 1962 the number of deaths increased by 18.3 percent. The amount spent for funerals increased by 224.7 percent.

But let us look at this subject in proper perspective. If in 1936 a funeral cost $100, then in 1962 that funeral, if it had exactly the same services, would be 2¼ times the $100 1936 funeral. However, the record shows that in these years of an affluent society, the families are spending more for funerals because they are contracting for funeral services for which people did not contract during the days of the no-money depression. One could buy a tailored-made suit in 1936 for $25. Today, that suit, from the same company, would cost a minimum of $125, which is five times the 1936 price. Take food, rent, the price of a home in 1936 as compared to today's price, and one will find that in every instance the ratio is more than 2¼ times the funeral cost which the press release uses as its basis.

Obviously, as the purchasing power and the well-being and the disposable income of our people increases, so here, as elsewhere, you get an increase in cost. You are bound to get those increases, and I think that particular point must be made.

Our minority report at page 55 states:

> The Federal and State agencies record very few complaints against funeral practices and there is no proof of the "high cost of dying"; rather, the Commerce Department figures show that while the Consumer Price Index of each consumer dollar in many categories increased the total funeral and burial expenditures have dropped from 0.775 percent (three-fourths of 1 percent) of the total personal consumption expenditures in 1936 to 0.479 percent (one-half of 1 percent) in 1962, or a 50-percent drop.

Mr. President, I believe that this illustration speaks for itself and substantiates our criticisms of the funeral hearings and the funeral report.

COMPLETE CIVIL LIBERTIES AND CIVIL RIGHTS FOR ALL AMERICANS

Mr. YOUNG of Ohio. Mr. President, a distinguished American, the late Judge Learned Hand, once said:

> If we are to keep our democracy, there must be one commandment. Thou shalt not ration justice.

The proposals advanced in President Johnson's civil rights message are designed to fulfill this urgent commandment. They are not panaceas, but rather much-needed steps in the long and sometimes painful process of assuring that every American citizen is entitled to live with dignity, freedom, and justice, enjoying complete civil rights and civil liberties for all, regardless of race, color, or creed.

The proposal to outlaw racial violence should be our answer to those who seek to interfere by force with this process. Some might question the power of Congress to legislate as far as the President asks, which is no further than the situation requires. In my judgment, there is no doubt that we have the power to reach all kinds of racially motivated forcible interference with the exercise of Federal rights, whether by public officials or private individuals.

The proposal would not rest upon any single constitutional basis for congressional action. The source of power is dependent upon the nature of the activity with respect to which forcible interference is prohibited. Perhaps most significantly, the measure would reach purely private interference with the enjoyment of 14th and 15th amendment rights. Any doubt of the constitutionality of such legislation was laid to rest by the opinions of Mr. Justice Clark and Mr. Justice Brennan—speaking for six of the nine Justices—in United States against Guest, an opinion handed down last year. They stated that there is no doubt that Congress has the authority to enact laws to punish private interference with rights guaranteed under the 14th amendment. The same reasoning, of course, applies to the 15th amendment rights.

We must insure the continued vitality of our democracy. I urge prompt enactment of this new criminal law, as well as the other proposals in the President's message.

ANTIWAR DEMONSTRATION AT PENTAGON

Mr. STENNIS. Mr. President, the unruly demonstration at the Pentagon yesterday by an antiwar group calling itself "Women Strike for Peace" disturbs and concerns me greatly.

Even conceding the sincerity of these demonstrators, the best that can be said for them is that they are badly misguided and uninformed. Otherwise they would not have mounted such a demonstration, which inevitably plays into the hands of and provides tremendous propaganda ammunition for our enemies.

The ugly scenes yesterday were recorded in full by the cameras of the news media. These photographs will be quickly disseminated and will be repeatedly shown all over the world. The Communists, being masters at the art of propaganda, will certainly use them to their maximum advantage as a convincing tool to demonstrate that our fighting men in Vietnam do not have the support of their people at home.

This will bolster our Communist adversaries in their one great hope which is that we will become discouraged and war-weary and that they will win the war in the forum of public opinion in Washington. In addition, it can only serve to puzzle and undermine the morale of our valiant men on the battlefield.

Every right-thinking American wants this war to come to an end and no one wants this more than I. It is obvious, however, that despite our repeated and strenuous efforts, the enemy is not yet willing to conclude a peace on honorable terms. Under the circumstances, we must fight this war to win and anything which undermines our resolution and will to do this is a distinct disservice to our country. A failure to fight to win will permit this war to drag on and on and, in the long run, will be most costly to us in lives and treasure.

Before I conclude, Mr. President, I must add the thought that the ugly and unfortunate demonstration which occurred yesterday, and other demonstrations of the same kind, make it clear that the American people are not being told enough about this war, the issues involved in it, why our military forces are in Vietnam, and why it is essential that we persevere and fight it through. Until this is done I fear that we will witness other public incidents in which those whose duty it is to support their country and their Government instead attack and malign them.

EMPLOYMENT

Mr. CLARK. Mr. President, I support the President's proposal to confer enforcement power on the Equal Employment Opportunity Commission. The Congress in 1964 addressed itself to the urgent need for eliminating arbitrary discrimination in employment. The continued prevalence of this problem and the severe impact which employment discrimination has upon the Nation as a whole demand effective implementation of this national policy. The proposed bill would amend the 1964 act to achieve that goal.

Negro unemployment remains disproportionately high, and this is particularly true of young people. For persons between ages 16 and 20 not attending school, the unemployment rate in 1966 was 8.6 for whites and 20.7 for Negroes. Almost half of the Nation's white workers held "white collar" positions in 1966 while only one-fifth of the nonwhites where in that category. These disparities are due in large part to arbitrary discrimination.

The most important change which would be effected by the President's proposal would be the granting of enforcement power to the Equal Employment Opportunity Commission. Under the existing statute, the Commission's role is limited to conciliation. The experience of State fair employment practice commissions, the vast majority of which have enforcement powers, indicates that the existence of such powers greatly enhances efforts to achieve voluntary compliance. Education, conciliation, and enforcement serve to complement each other. An efficient and effective administration of our equal employment policy requires that the Federal agency be able to engage in all of these processes.

We should back up our commitment to equality in employment by enacting the President's proposal without delay.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, as I will have to leave the Chamber later this afternoon for a previously made commitment, I would like to make a few remarks at this time.

REDUCTION OF TROOPS IN EUROPE

Mr. MANSFIELD. Mr. President, it was with great interest and pleasure that I read of the introduction last Thursday by the senior Senator from Connecticut [Mr. DODD] of a resolution calling for a study of the U.S. involvement on the European Continent.

It was with similar interest and pleasure that I read in the New York Times last Monday, as well as in an article by Joseph Kraft which appeared in the Washington Post yesterday morning, that Senator JAVITS had proposed a similar resolution calling for a similar study seeking reevaluation of our commitment in Europe.

I received late yesterday in my office a copy of the remarks which the distinguished Senator from New York [Mr. JAVITS] will make today. I look forward to the submission of the resolution in the Senate. I am delighted that further interest is being generated to restudy the changing situation in Europe. I am hopeful that the interest and energies of the senior Senator from Connecticut [Mr. DODD] and the senior Senator from New York [Mr. JAVITS] will be added to the 44 Senators who have introduced Senate Resolution 49. I hope that they will add further weight and contribute to the dialog of the 44 Senators who have expressed a need for such a study and reevaluation of the way in which the United States shall implement its commitment in Europe.

I am delighted that Senators JAVITS and DODD by their resolutions do not oppose the principle of a possible troop reduction in Europe. I personally have advocated such a reduction as a matter of principle for over a decade. The demands of Vietnam and the outflow of our gold reserves are recent additions to the dialog on the U.S. deployment of troops in Europe. But the propriety of a troop reduction, in my opinion, would not be diminished if these factors were absent.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may proceed for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. While Senate Resolution 49, which is presently cosponsored by 44 Senators proposes a substantial reduction, it leaves to the President to determine what reduction is to be made.

Personally, I am in accord with the views expressed in the past by President Eisenhower that the deployment of two U.S. divisions in Europe is sufficient at this time.

I do not believe in the permanent deployment of troops in Europe as some of our colleagues seem to advocate; I do not believe the American people believe in such a principle either.

It would seem that some who were vitally interested in the American participation and involvement in European affairs 20 years ago still have that interest in Europe today. My reference is not directed to any Member in this Chamber but to the discussions I have had since last fall with several people who have exhibited such an interest in the retention of the present troop deployment. Their advocacy has been vigorous but to me the validity of the principle of a troop reduction has not been shaken.

I do not believe the stories in the press that the resolution to be introduced by Senator JAVITS has the backing of the administration, but even if it did, I should think that the Senate would want to decide what the sense of the Senate might be on its own.

So I welcome the contributions of Senators JAVITS and DODD and again reiterate my delight that they are not against the principle of a reduction of our troop deployment in Europe.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. CLARK. I wish to commend the Senator from Montana for the forthright statement he has made.

I was unwilling to cosponsor the original Democratic policy committee resolution for reasons which the Senator well knows; namely, that I believe it should be coupled with serious negotiation with the Soviet Union to see if we could not use as a card in the reduction the possibility of getting a comparable Soviet reduction of their troops in Europe.

I notice that the Soviets have already unilaterally reduced some troops in East Germany, and they may have under consideration the withdrawal of one or more of their divisions in Poland.

On the other hand, I am equally unwilling to cosponsor the Javits-Dodd resolution because it seems to me we have had enough inquiries in this matter to demonstrate that the Senator from Montana is on the right track; that we should move forward and get these troops substantially reduced in Europe, if we can take advantage of the reduction in tension in the East, which I observed firsthand when I was in that area last fall, to see if we can use this as an opportunity to start thinning out our troops and those of the Soviet Union. Since I am fully in accord with the ultimate objectives of the Senator from Montana, I thought it would be worthwhile to make this somewhat cautious reservation.

Mr. MANSFIELD. I deeply appreciate what the distinguished Senator from Pennsylvania has said. I am hopeful that this matter will not develop into something which can be considered partisan, because it is not a partisan matter. In my opinion, it is a matter of principle. After 20 long years, we are the only country which has consistently fulfilled its commitments to NATO and I think we should take another look at the extent of our involvement in Europe. We should recognize that changes have occurred. We should be aware of the fact that all the countries of Western Europe have recovered economically and are able to maintain a greater share of the burden of defending their own countries.

One factor should always be kept in mind, and that is that even if a reduction of U.S. forces in Europe does take place, we are still committed as solidly as ever to the North Atlantic Treaty and the commitments which we made when NATO was created. That treaty, signed two decades ago, still holds as solidly today as it did then.

RECOGNITION OF SENATOR JAVITS AT CONCLUSION OF MORNING BUSINESS

Mr. JAVITS. Mr. President, with the permission of the majority and minority leaders, I ask unanimous consent that I may be recognized at the conclusion of the morning hour.

The PRESIDING OFFICER. The Senator has in mind the conclusion of the morning hour and not conclusion of morning business?

Mr. JAVITS. I mean at the conclusion of morning business, Mr. President.

The PRESIDING OFFICER. Without objection, the Senator from New York will be recognized at the conclusion of morning business.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MILLER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENTS TO SHIP SAFETY CONVENTION

Mr. MAGNUSON. Mr. President, we are happy to have received from the White House the amendments to the Safety of Life at Sea Convention of 1960, relating to fire safety standards for passenger ships. These amendments were adopted by the Assembly of the Intergovernmental Maritime Consultative Organization at a special session convened last November for the sole purpose of upgrading these standards to assure passengers of the greatest possible freedom from the hazards of fire at sea.

This subject has been much on the minds of Congress since the tragic fire aboard the *Yarmouth Castle* in November 1965.

While the administration sought these amendments on the international level, the Senate Committee on Commerce considered legislation which would supplement the international agreements which are found in these amendments. That legislation has now become Public Law 89–777. By that law, Congress provided for notification to passengers of the safety standards with which a particular passenger vessel complies. In addition, under Public Law 89–777, passenger vessels calling at U.S. ports will be required to satisfy the Federal Maritime Commission as to their financial responsibility for any liability due to death or injury, and for indemnification of passengers if the vessel is unable to perform the contracted voyage. We feel that this congressional action, togther with the effective work of the administration, guided by the President, in helping to formulate the new standards and with the cooperation and understanding of foreign governments, has brought about a result which will be of real benefit to ocean passengers.

The necessity for these amendments to the 1960 Safety of Life at Sea Convention is clear. The 1960 convention, like its predecessor, the 1948 Safety of Life at Sea Convention, exempts ships built before the effective date of the convention. Thus, a large number of older passenger vessels can be found on the high seas which are not completely subject to modern-day safety regulations. These vessels have correctly been referred to as "grandfathered" out of the safety convention.

The upgrading of the "grandfather" clause vessels is the heart of the new standards. When these amendments become effective many passenger vessels will be required to undergo extensive upgrading, in many cases at very substantial expense to their owners. The fact that these standards have been considered and approved by the representatives of all the major nations operating passenger ships is an indication both of the international concern with this important problem of fire safety, and a demonstration of speedy and effective action through international cooperation.

The overwhelming preponderance of passengers leaving American ports on cruise ships are our own citizens. The majority of them embark on foreign-flag vessels. When these amendments to the safety convention become effective our citizens can have confidence that the standards of the ships on which they are sailing, regardless of flag, reflect the careful and constructive thought of experts in ship construction from many countries who have dealt honestly and effectively with one of the oldest and most dangerous of recurrent tragedies, fire at sea.

We have already begun, through the U.S. Coast Guard and the Federal Maritime Commission to implement our own safety legislation. I would hope that the Senate will promptly consider and give its advice and consent to these convention amendments.

CRIME IN THE DISTRICT OF COLUMBIA

Mr. LAUSCHE. Mr. President, a few days ago I received a letter written to President Johnson by G. B. Burrus, president and chairman of the board of the Peoples Drug Stores of the District of Columbia area. In his letter, Mr. Burrus pointed out that in the last 56 weeks, the Peoples Drug Stores suffered 31 armed robberies and 62 burglaries, involving the loss of property and money of the value of $116,000.

In the letter, Mr. Burrus expressed his support of the President's program, which, if, and when carried into effect, will better equip the law-enforcement officials of our country in their fight against crime. No one within my knowledge is in a better position to speak about lawlessness than Mr. Burrus, having in mind the many robberies and burglaries which have been perpetrated against his enterprise.

The spending of money by the Federal Government toward better law enforcement will be of help. However, it seems to me that if progress is to be made in law enforcement, it will have to come primarily from the courts, by requiring them to give more recognition to the innocent victims than they give to the building of insurmountable barriers to protect the culprits in the courts.

In any event, Mr. President, I ask unanimous consent that there be printed in the RECORD the letter written by Mr. Burrus to the President of the United States and a tabulation of the burglaries and robberies suffered by the Peoples Drug Stores.

There being no objection, the letter and tabulation were ordered to be printed in the RECORD, as follows:

PEOPLES DRUG STORES,
Washington, D.C., February 9, 1967.

THE PRESIDENT,
The White House,
Washington, D.C.

MY DEAR MR. PRESIDENT: I should like to endorse the letter sent to you recently by the District of Columbia Clearing House Association respecting crime in the District of Columbia.

There can hardly be any dispute as to the magnitude of the problem. The overall statistics on incidence of crime in the District tell the story accurately, but it is possible that the appalling significance of those statistics may be blurred by their generality.

As I realize only too keenly, "robberies per thousand population" translates into actual robbers in actual stores jeopardizing the lives of actual men and women. I attach a list of the robberies and burglaries committed in my company's stores in the District of Columbia metropolitan area since January 1, 1966. As you will see, in the past 56 weeks Peoples Drug Stores in this area have been the scene of 31 armed robberies and 62 burglaries, and the pace of these crimes is accelerating rather than abating.

The dollar loss to Peoples Drug Stores during this period—$116,000, none of it insured—is obviously heavy. But the threat to the lives and well being of our employees and customers is of a much more serious order. Every crime listed in the attachment carried the seeds of grave human tragedy, and in some instances violence did, indeed, occur.

Just this past week the assistant manager of one of our stores was kidnapped at his Maryland home, pistol-whipped, and bound and gagged by four criminals who forced him to return to our District store so that they could gain entry to the store and the safe and secure cash and narcotics. They left him, still bound and gagged, in his car. The very next day at another of our stores armed robbers, at 8:40 in the morning, forced 7 of our employees and 20 customers to lie on the floor and robbed the store of cash and narcotics.

Or consider our experience at a single store. On November 6, 1966, that store was robbed of $6,910.93. On January 8, 1967, the manager of the store was accosted at gun point by three robbers, forced to re-enter the store, open the safe, and turn over cash and narcotics. Upon leaving, the criminals knocked him unconscious. On January 22, 1967, this same manager, upon opening the store, was again faced by armed robbers who forced him to open the safe and to turn over cash and narcotics. Finally, on January 25, 1967, the police apprehended five persons burglarizing the store. The manager and all employees tendered their resignations and it was necessary to close the store permanently.

I cite these figures not because they are unusual, but because I have no reason to think they are not representative. Indeed, the burden of crime has not fallen as heavily upon my company as upon others in our community. We have been spared loss of life, but there are families whose breadwinner has been cut down by robbers. We are a large company, but there are small merchants to whom robbery and burglary has meant financial ruin.

I, and those who share my anxiety, are greatly heartened by your demonstrated concern about crime, both nationally and in the District, where the federal government has a special responsibility. While I do not pretend to be equipped to evaluate the particulars of your legislative proposals or the recommendations of the District of Columbia Crime Commission, certainly your policy of a two-pronged attack upon both the sources and the effects of crime should command widespread support. If disagreements arise over particular ingredients of an anti-crime program, it is my hope that in any event those disagreements will not prevent the Congress and the community from uniting in unstinting support of those measures as to which there can be no reasonable dispute. The urgency of the problem surely demands no less.

I am confident that the stockholders, employees and customers of Peoples Drug Stores join me in pledging our cooperation in your efforts to give meaning in our community to the principle that, as you put it to the Congress, "public order is the first business of government."

Very truly yours,

G. B. BURRUS,
President and Chairman of the Board.

Peoples Drug Stores, Inc.—Losses due to burglaries and armed robberies in the Metropolitan Washington area

JANUARY 1966

Store No.	Burglary or robbery	Date	Total
165	Burglary	Jan. 2	$213.90
1	do	Jan. 3	130.80
70	do	Jan. 4	120.00
1	do	Jan. 9	51.25
5	Robbery	Jan. 21	80.00
27	Burglary	Jan. 26	119.46
3	do	Jan. 27	192.89
40	Robbery	Jan. 28	3,363.86
24	Burglary	Jan. 31	2,283.67
FEBRUARY 1966			
126	Burglary	Feb. 13	$536.40
103	do	do	4,584.56
MARCH 1966: NONE			
APRIL 1966			
130	Burglary	Apr. 10	$250.74
233	do	Apr. 12	252.87
MAY 1966			
191	Burglary	May 2	$1,614.37
151	do	May 4	2,743.39
27	do	do	405.47
249	do	May 5	1,793.61
27	do	May 11	25.80
233	do	May 27	881.72
JUNE 1966			
126	Burglary	June 12	$2,219.42
217	do	do	3,531.57
5	do	June 24	490.39
JULY 1966			
18	Burglary	July 1	$25.75
75	Robbery	do	339.00
89	do	July 3	5,750.53
133	do	July 5	202.62
25	do	July 6	174.00
88	Burglary	July 8	99.00
74	do	July 9	707.94
191	do	July 14	90.24
161	Robbery	July 15	630.00
18	Burglary	July 20	243.11
161	do	July 28	4,020.81
AUGUST 1966			
25	Robbery	Aug. 8	$1,913.86
90	Burglary	do	180.29
42	do	do	82.93
10	do	Aug. 25	1,506.82
107	do	Aug. 27	674.47
155	do	Aug. 28	776.55
89	do	do	611.47
146	do	do	794.82

Peoples Drug Stores, Inc.—Losses due to burglaries and armed robberies in the Metropolitan Washington area—Continued

Store No.	Burglary or robbery	Date	Total
	SEPTEMBER 1966		
255	Burglary	Sept. 2	$16.00
236	do	Sept. 6	645.65
1	do	Sept. 8	240.00
107	do	Sept. 9	369.01
90	do	Sept. 16	283.00
158	Robbery	Sept. 19	2,405.31
11	Burglary	Sept. 20	1,057.00
237	Robbery	Sept. 23	50.00
233	Burglary	Sept. 24	1,484.15
200	do	Sept. 25	924.56
73	do	Sept. 26	71.18
	OCTOBER 1966		
15	Robbery	Oct. 1	$1,012.52
3	Burglary	Oct. 5	1,003.35
90	do	Oct. 12	283.00
233	do	Oct. 13	149.51
27	do	Oct. 17	160.23
133	Robbery	Oct. 25	5,800.00
	NOVEMBER 1966		
77	Robbery	Nov. 6	$6,910.93
10	Burglary	Nov. 9	2,148.82
15	do	Nov. 15	2,446.98
245	Robbery	Nov. 21	2,538.76
42	Burglary	Nov. 23	485.92
27	do	do	955.68
	DECEMBER 1966		
150	Robbery	Dec. 3	$3,749.30
27	Burglary	Dec. 5	567.24
19	Robbery	Dec. 11	149.41
15	do	Dec. 16	585.55
42	Burglary	Dec. 22	668.94
2	Robbery	Dec. 23	1,045.77
120	Burglary	Dec. 29	388.40
27	do	Dec. 30	100.00
237	do	do	2,111.00
75	do	Dec. 31	2,600.00
	1966 Total		88,117.52
	JANUARY 1967		
42	Robbery	Jan. 3	$6,035.04
75	do	do	60.00
24	do	do	2,600.00
9	do	Jan. 4	380.00
27	Burglary	Jan. 5	57.48
(1)	do	Jan. 7	349.18
77	Robbery	Jan. 8	2,366.72
82	do	Jtn. 19	1,188.22
237	do	Jan. 20	99.00
114	do	do	2,291.85
201	Burglary	Jan. 21	171.34
77	Robbery	Jan. 22	4,047.65
75	do	Jan. 23	380.00
237	Burglary	Jan. 24	47.38
77	do	Jan. 25	10.31
90	do	Jan. 27	52.78
17	Robbery	Jan. 29	3,003.28
	FEBRUARY 1967		
133	Robbery	Feb. 2	$3,000.00
25	do	Feb. 3	2,000.00
	1966-67 Total		116,257.75

[1] Food warehouse.

THE U.S. BUDGET—A GOVERNMENT AND A FAMILY APPRAISAL

Mr. CURTIS. Mr. President, on February 2, 1967, the distinguished senior Senator from Illinois [Mr. DIRKSEN] and Representative FORD, of Michigan, following a Republican leadership of Congress meeting, issued to the press statements under the title "The U.S. Budget—A Government and a Family Appraisal." I ask unanimous consent that the statements be printed in the RECORD.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

THE U.S. BUDGET—A GOVERNMENT AND A FAMILY APPRAISAL

(Issued following a meeting of the Republican leadership of the Congress, February 2, 1967)

STATEMENT BY SENATOR DIRKSEN

Every American family knows the meaning of the word "budget". Every American family knows what it is to try to make ends meet—especially these days. Every American family knows that, while it can perhaps for a little while live beyond its means, it cannot do so for very long without finding itself on the short and rocky road to the poor house.

A government—any government—is no exception for a government is, after all, nothing more nor less than a collection of families. Like a family, a government cannot rely on hoped-for income nor can it endure economically for very long if needless expenditures which it can't afford are permitted. I suggest, therefore, that rather than dealing in countless billions of dollars and confusing ourselves with endless strings of zeros, we think hereafter of the operation of this government in family terms.

As has been emphasized already by the news media throughout the country and as has been emphasized already by members of the Congress, this Administration's budget for the coming fiscal year is difficult to comprehend. It contains sums that are astronomical. It contains, to be sure, provision for necessities—especially as regards the fearful conflict in Viet Nam—but it contains also a large number of absolutely non-essential items which, in aggregate, can and should and *will* be eliminated if the still-heavy Democratic majorities in the Congress will cooperate with us.

The budget of the United States, as submitted to the Congress by the Johnson-Humphrey Administration, is as big as a metropolitan telephone directory and every page contains print just as small. The Republican members of the Congress will, without exception, in the days immediately ahead, be examining every line and item of this budget with clear and knowledgeable eyes. We are determined to vote to retain every item of necessity both in domestic and defense programs but are equally determined, if the Democrat majorities in the Congress can be so persuaded, to eliminate every single item, large, middling or small, that should be cut. Our recommendations in the days ahead will be specific, clear and unmistakable. In this area of non-essential expenditures, we are prepared to wield a swinging meat-cleaver or use a delicate scalpel as the operation may require.

From our school-day reading we have ever more occasion to recall, from Dicken's "David Copperfield", the timeless and timely lesson in budgeteering given young Copperfield by the seasoned and sensible Mr. Micawber: "Annual income twenty pounds, annual expenditure nineteen nineteen six, result happiness. Annual income twenty pounds, annual expenditure twenty pounds ought and six, result misery. The blossom is blighted, the leaf is withered, the God of day goes down upon the dreary scene and you are, in short, flat."

If the Johnson-Humphrey Administration and its still dominant Democrat majorities in the Congress persist in the course they have now mapped out for the American people we too will be "in short, flat". This the Republican members of the Congress will do everything within their minority power to prevent. Let those in the seats of majority and authority be advised.

STATEMENT BY REPRESENTATIVE FORD

The "Big If" budget of the United States for the coming fiscal year, as presented to this Congress by the Johnson-Humphrey Administration, is a *bad* budget. It should be returned to the President by the Congress immediately, with the demand that it be reviewed and revised into a document that makes sense to the Congress and to the American people.

This budget is misleading. We don't believe in it. The people don't believe in it. At a time when the living costs of every American family have never been higher—at a time when family income just can't keep up—at a time when we are fighting the third largest war in our history—this budget tries to provide for both guns and butter. It actually contains a great deal of lard.

The American people will not tolerate such fiscal manipulation. They will no longer permit such insults to their intelligence and raids on their pocketbooks. The budget is agonizing table-talk in every American home. The press is already echoing the same angry feeling. One illustration—shown here from a recent column in the Washington Daily News—makes the point dramtically. By any estimate hundreds of dollars will be added to each family's burden.

This budget should be labelled the "Big If" budget. It is the biggest and the "iffest" in American history: *If* the Administration's estimate of the cost of Vietnam is anywhere near accurate; *if* the Congress votes a postal fee increase; *if* the Congress approves an income tax increase; *if* the Congress approves the various tax measures the Administration recommends; *if* the program cutbacks promised actually occur; *if* the economy, despite the Administration's manipulations, proves healthy.

We cannot as a people, gamble on so many and such big "ifs".

If a business were operated with a budget like this, it would go bankrupt in a week. If a family budget depended on any such reasoning, the family would be cold, hungry and without a roof almost overnight.

What *must* be done *can* be done by this Congress to make this bad budget a good one. What *must* be done *can* be done by the Congress if the Democrat majorities in the Congress will heed the people's demand for economy. The Republican minorities in the Congress are determined to act. Let the Democrat leadership take heed.

BAYH-RANDOLPH AMENDMENT TO FOREIGN AID APPROPRIATIONS BILL SHOWS ITS WORTH IN SAVINGS AND BETTER MATERIALS FOR VIETNAM IRON AND STEEL CONSTRUCTION

Mr. RANDOLPH. Mr. President, last year the distinguished junior Senator from Indiana [Mr. BAYH] and I cosponsored an amendment to the Foreign Assistance Act to provide that 90 percent of the components of iron and steel products purchased by AID for Vietnam should be of U.S. origin. While our amendment, which was adopted by the Senate, was dropped from that bill in conference, we were successful in having it accepted and retained on a later appropriation bill.

I have received a letter from my capable colleague [Mr. BAYAH] which I desire to share with Senators at this time, since it shows the effect of this provision on our country's efforts in Vietnam and also indicates the savings in tax dollars which have resulted.

Mr. President, I ask unanimous consent that the letter be printed at this point in the RECORD.

There being no objection, the letter

was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, D.C., February 14, 1967.
Hon. JENNINGS RANDOLPH,
U.S. Senator,
Washington, D.C.

DEAR JENNINGS: Last summer you supported an amendment which I offered, with you as co-sponsor, to the Foreign Assistance Act which provided that iron and steel products purchased by AID for Vietnam should be purchased on a 90% U.S. component basis. The amendment was intended to provide a better steel product to the Vietnamese and end the profiteering of Korean and Japanese suppliers. Although the amendment to the authorization bill was lost in conference, it was eventually accepted as a rider on the appropriations act.

The first procurement of steel made since the amendment became effective has proven the value of our position. AID bought 20,000 tons of various sizes of galvanized steel for Vietnam on January 2 at a savings of approximately $15.00 per ton compared with prices they were paying for similar sizes from Korean-Japanese sources last year. The steel purchased in this procurement will meet all American standards and provide a lifespan estimate at 5 to 10 *years* in contrast to the 6–12 *month* lifespan of the product previously purchased.

This one procurement will fill approximately 10% of the predicted requirements for galvanized steel this year so that if similar savings are experienced in follow-up purchases the savings can accrue to $3–5 million during this fiscal year.

I thought you would be interested in knowing of the savings experienced as a result of our action. Thank you for your support.

Sincerely,

BIRCH BAYH.

MESSAGE TO THE LEGISLATURE BY STANLEY K. HATHAWAY, GOVERNOR OF WYOMING

Mr. HANSEN. Mr. President, I invite the attention of Senators to the first message to the legislature by the new Governor of Wyoming, Hon. Stanley K. Hathaway.

Speaking January 11 to the 39th legislative assembly, Governor Hathaway demonstrated that he is a chief executive who is cognizant of what is perhaps the most vital of all governmental balances—that which exists between the States and the Federal Government.

As Governor Hathaway pointed out:

> The positive way to avoid even greater centralization of government in Washington is by providing better government in Wyoming.

This is a sentiment to which I thoroughly subscribe, having been Stan Hathaway's predecessor as Governor of Wyoming.

Governor Hathaway continued by pointing out that:

> The Federal Government is our Government. Many Federal activities are essential, constructive, desirable and beneficial. But the overbalance of Federal activity in the States will ultimately destroy the States' government.

The Governor articulated a broad program of legislative betterment for Wyoming—a program which could be studied with benefit by the chief executives of other States in our Nation.

Governor Hathaway expressed also the feelings of all the people of Wyoming, in both parties, when he told Wyoming's lawmakers:

> This is also a war-time legislature, and a war-time administration. Nearly a half-million Americans, including men of Wyoming, are engaged in combat and combat-supported operations in Southeast Asia. The demands of war, spreading into all phases of our life and government, may during our time in public office come to the point where it will not be feasible to have either business or government as usual. To say that we will do our part is to state the obvious.

Mr. President, I ask unanimous consent that the message of Wyoming's Governor Hathaway to the 39th Legislative Assembly of the State of Wyoming be printed in the RECORD.

There being no objection, the message was ordered to be printed in the RECORD, as follows:

MESSAGE TO THE 39TH WYOMING STATE LEGISLATURE, BY GOV. STANLEY K. HATHAWAY, JANUARY 11, 1967

Ladies and Gentlemen of the 39th Wyoming Legislature: Welcome.

It is a pleasure to be here, as your Governor, and at a time highlighting the historic fact that this, as a legal fact resulting from court-imposed reapportionment, is in truth a new Legislature.

The uniqueness, shared only by our first legislature at the advent of statehood 76 years ago, is found in the circumstance by which every seat in the House and Senate was filled at the election of last November.

There is sorrow in the moment. We meaningfully recognize the tragic loss, within the last year, of three of our most distinguished legislators—Walter Phelan of Laramie County, Robert Murphy of Natrona County, and John Sullivan of Albany County.

The Legislature should be the basic abode of truly representative government in service to the whole people of a state.

History will indeed judge, and dispassionately so, if we are capable of leadership; if we are dedicated to courage and compassion; if we do know the difference between right and wrong; if we refuse to embrace what we condemn.

The hours ring with challenge.

Challenge to assure a state government with equality for all, marked by concern and assistance for those who, because of unfortunate circumstance, are unable to fully enjoy its blessings.

Challenge to pursue evolution of our thinking. If we are to build and enhance the economy of Wyoming, and thereby sustain and create jobs and business and industry in the private sector, we must do this ourselves within the State of Wyoming.

Challenge is inherent in the fact that problems do not go away. They are solved or they worsen. We must come to grips with them, because their solution is vital to the preservation of state government.

And what of the challenge to respect the fact that the federal government intervenes in state affairs when a vacuum is created by state neglect? The positive way to avoid even greater centralization of government in Washington is by providing better government in Wyoming.

The federal government is our government. Many federal activities are essential, constructive, desirable and beneficial. But the over-balance of federal activity in a state will ultimately destroy that state's government.

Over half of the entire activity of Wyoming government—in all of its divisions and programs—is intimately involved with and financially vulnerable to federal aid, federal grants, federal loans, federal fiat, federally-drawn policy concerning the most vital resources—human and otherwise—of Wyoming.

You know that federal power follows the federal purse, surely and inevitably. Let us try to re-evaluate state needs on a basis other than availability of federal projects and ideas. Why not be architects of our own future!

I believe you will stand with me in the effort I will make to try to keep decision-making in the hands of individuals, best expressed by state government.

I need your help to support freedom of choice for the individual, which is surely the bedrock of freedom.

Give me your assistance in the advocacy I have for free enterprise, which has made this nation the marvel of history. Business and industry thrive only in the absence of punitive, unfair and discriminatory legislation.

SUBDISTRICTING

It would seem to me that truly representative government, if it is to have any meaning, would require that we subdistrict our Legislature in order that all citizens will have an opportunity to vote for those with whom they have some familiarity; for those who have an understanding of particular local problems; for those who, ultimately, are answerable to the people whom they are elected to represent. I recommend subdistricting of our State Legislature, and hope that you will discharge this obligation to the people.

EDUCATION: THE PUBLIC SCHOOLS

It is incumbent upon this legislature to implement constitutional Amendment No. 5 which was approved by the voters last November.

I recommend that the classroom unit value under the Foundation Program be increased to $8,000.

EDUCATION: COMMUNITY COLLEGES

Let me note that the median number of years of schooling completed by Wyoming residents is 12.1 years, well ahead of the national average of 10.6 years. I believe this is largely attributable to the availability of institutions of higher learning throughout Wyoming. Our community colleges afford many young men and women an opportunity to acquire additional training and education—young men and women who might not otherwise be able to afford the ever-increasing cost of furthering their educations at institutions distant from their homes. Accordingly, I recommend continued assistance by the State. My Budgetary recommendation, which will be delivered to you shortly, will take into consideration the establishment of a new community college in Fremont County, together with increased needs and costs of the other five community colleges.

EDUCATION: UNIVERSITY OF WYOMING

Enrollment projections for the University of Wyoming for the biennium indicate that the existing physical facilities will be adequate to accommodate anticipated increases. My budgetary recommendations will request increased appropriations for operating expenses of the University.

The University is playing an important role in the economic development of Wyoming, and will play a more vital and expanding role in helping develop the full potential of the State.

EDUCATION: VOCATIONAL AND TECHNICAL TRAINING

I believe it is incumbent upon us to offer young people not academically oriented the opportunity to acquire a skill, and to offer retraining to those whose skills have become obsolete in our technological society. At the present time, there is a variety of programs designed to provide vocational or technical training. Unfortunately, there is no cohesive plan of vocational education. I will soon establish a Governor's Committee on Vocational Education in cooperation with the Superintendent of Public Instruction to inventory our present vocational and technical training facilities, devise a plan with continuity, and report its findings and recommendations.

EDUCATION: THE STATE BOARD

We need an independent State Board of Education. I recommend legislation to change the method of its appointment.

EDUCATION: AN INTERSTATE COMPACT

There is great merit in Wyoming entering into the Interstate Compact for Education. Such a compact will provide the states with a unified voice in the formulation of national educational policy. I recommend legislation entering Wyoming into the Interstate Compact.

EDUCATION: EDUCATIONAL TELEVISION

Wyoming is one of only three states which have not yet taken advantage of one of the most significant educational tools of this century, an education television system. A distinguished committee appointed by Governor Hansen raised funds of its own and with those funds prepared engineering feasibility studies and operating plans. The plan envisioned by the committee will provide educational television programming to the homes and classrooms of Wyoming at a price less than the cost of a single textbook per student per year. A delay in devising a program may mean the loss of matching funds allocated to the State and a loss of channels currently available for programming. It has been estimated that it will require 5 years to make educational television fully a reality in Wyoming. Thus, it is incumbent that we begin now.

MEDICAL CARE FOR WYOMING'S POOR

Under Title XIX of the Social Security Act of 1965, a program of medical care for indigents was designed. The program is one of matching participation by the State and federal governments, and is administered by the State. Unless Wyoming devises a program by 1970, we face the loss of other federal matching funds for established programs of welfare. I should note, at this time, that the Congress may substantially modify Title XIX, and so it is incumbent upon us to legislate cautiously until we have the benefit of greater experience. The program offers us the opportunity to administer a program of medical care at the State level of government, and establish criteria best suited for our own particular needs. I recommend to you the enactment of an initially-modest plan which will replace the Kerr-Mills program.

LABOR: A FAIR MINIMUM WAGE

In the last session of the legislature, the minimum wage was raised from 75¢ to $1.00 per hour. Still, it seems to me to be of questionable value to ignore the minimum wage for a number of years, then suddenly enact substantial increases in order to compensate for years of neglect. A more realistic proposal, in my view, would be to enact legislation which increases the minimum wage gradually over the years to compensate for increases in the cost of living.

LABOR: A SAFETY CODE

Wyoming's accidental death rate is approximately twice as high as the national average. Our State also has the highest on-the-job death rate. Industrial safety legislation has the endorsement of both political parties. I urge you to enact a strong bill. If you are unable to agree on appropriate safety legislation, I ask that you appoint an interim committee to study safety legislation, conduct hearings, and return two years hence with appropriate recommendations.

LABOR: OTHER BILLS

Labor bills which have my endorsement will be offered relating to the establishment of prevailing wage legislation, collection of wages, a preference for Wyoming workingmen on public works projects, mediation and conciliation, preference and priority of wages in cases of insolvency, and increasing the non-resident employer's wage bond.

UNEMPLOYMENT COMPENSATION

The Unemployment Compensation fund, nearly depleted in 1963, now is stabilized. Bills will be offered to liberalize certain provisions of the law. One relates to the qualifying weeks of work during the base period. I recommend a reduction from 26 weeks to 20 with base earnings of $800. I also recommend elimination of the provision which limits interstate claimants to 75% of the benefits to which they could otherwise be entitled.

WORKMEN'S COMPENSATION

Legislation will be offered which will liberalize workmen's compensation benefits. I particularly recommend an amendment to provide modest increase in benefits for temporary total disability. Such an amendment is justified by the increased cost of living.

WYOMING'S WATER RESOURCES

Our most valuable natural resource is our water. Downstream states are enjoying population expansions at a much faster rate than that of Wyoming. As a consequence, continuing demands will be imposed upon us for our waters. Unless the State initiates a long-range plan to implement the use of its water, we face a continuing danger of losing our reserve resources to other states. I recommend an appropriation of $200,000 for the purpose of designing and implementing a cohesive program to assure beneficial use of our water.

I also recommend modification of our existing laws relating to appropriation of water to provide that recreation shall be considered a beneficial use.

AIR POLLUTION

Wyoming's priceless heritage is the purity of the atmosphere in which we live. I can conceive of no greater legacy this Legislature could pass on to succeeding generations than the enactment of legislation designed to protect the quality of Wyoming's environment. The experience of other states in the area of air pollution lends credence to the old saw that an ounce of prevention is worth a pound of cure. Accordingly, a bill relating to air pollution will be offered for your consideration. I urge its passage.

GOVERNMENTAL REORGANIZATION

Wyoming must continually cast a reappraising eye upon its State government to make certain that it is functioning in the most efficient manner. Some of our agencies and departments could function with greater efficiency and economy if consolidated. Others could function more capably if severed from other agencies.

You will receive a bill to establish a Department of Recreation. This will be a consolidation of the State Parks Commission, the Historical Sites and the Land and Water Conservation Commission. The joining of these agencies in a new department will provide more efficient planning and coordination, and open the door to proper financing.

Another bill, which I recommend to you, will completely separate the Public Service Commission from the Board of Equalization.

Both of the above changes are designed to streamline the functioning of our State government in order to better serve the people.

HIGHWAY AND TRAFFIC SAFETY

Wyoming must make substantial changes in its laws relating to highway and traffic in order to be in accord with the requirements of the National Highway Safety Act of 1966. I recommend the following:

(1) Periodic inspection of motor vehicles.

(2) A Drivers License Compact. At the present time, 11 of the 13 Western states have entered into such a compact. Wyoming has been cooperating with the compact states, although not a member.

(3) A uniform traffic citation form which would measurably improve our research in the field of highway and traffic safety.

(4) A limited immunity for medical personnel who, by law, are charged with the responsibility of blood-sampling principals in traffic accidents.

(5) Legislation placing the responsibility for the administration of the Federal Highway Safety Act of 1966 upon the Governor as required by the Federal Act.

(6) A statute to permit chemical tests in alleged cases of accidents involving intoxicating liquor, otherwise known as "implied consent legislation."

In addition, other bills will be tendered designed to modify and improve our Motor Vehicle Code.

STATE ARTS COUNCIL

I am of the opinion that State government can serve as legitimate a function in the field of the creative arts as in the field of education. Each is designed to broaden man's understanding, appreciation and awareness of the world in which he lives.

A common interest in the creative arts can provide new communication, unity, and in the face of constant structural and social change, a new and vibrant local identity. I recommend establishment of a State Arts Council.

BUSINESS: THE INVENTORY TAX

The State and its subdivisions currently raise almost $1.5 million annually from taxation of business inventories. Still, the tax remains inequitable and discriminatory in many respects. I have stated my conviction that if the inequities of the tax cannot be resolved through administrative or legislative action, the State should give serious consideration to a gradual phase-out of the tax. The latter remark presumes, of course, that we first make good faith efforts to resolve those inequities.

After conferring with the Board of Equalization, we have concluded that business inventories should be assessed at 25% of value instead of the current 30%. Administrative action to implement this determination of the Board is presently underway. During the interim between this session and the next, a study of the tax will be conducted to determine if inventories can be more equitably taxed. The results of that study, with recommendations, will be before this body at its next session.

BUSINESS: AN INDUSTRIAL DEVELOPMENT AUTHORITY

Increasing demands are being imposed upon the State to devise means to assist small business with venture capital. Generally, I do not favor the State's competition in areas best left to the private sector of our economy. Happily, there is somewhat of an alternate solution. The establishment of a private, non-profit industrial development corporation, staffed on a voluntary basis by dedicated Wyomingites, will shortly be announced. The corporation will be entitled to certain funds available from the Small Business Administration for loaning venture capital to small business, if so authorized by the Legislature. I recommend legislation enabling the corporation to accept and utilize federal loans.

BUSINESS: THE FEDERATION OF ROCKY MOUNTAIN STATES, INC.

In the fall of 1965, the Governors of the Rocky Mountain States held the first Economic Development Conference in Denver. As a consequence of that meeting, the Governors concluded that there was great merit in a unified effort to build a strong regional economy and the Federation of Rocky Mountain States was established.

The budget of the Federation for the coming biennium has been established at

$450,000, which funds are to be raised from federal, State, and private sources. Since contributions are prorated on the basis of population, Wyoming's assessment is $10,000. I recommend an appropriation of that amount to the Federation.

REVENUE BONDS LAW

The constitutionality of the Revenue Bond Law of 1963 is in question. I commend for your consideration clarifying amendments which will be offered to make the law a more effective tool for industrial development.

BUSINESS: THE NATURAL RESOURCE BOARD AND THE TRAVEL COMMISSION

The State's two principal promotional agencies, insofar as attracting business and tourists to Wyoming are concerned, are the Natural Resource Board and the Travel Commission. We face new challenges from our sister states in seeking economic expansion and the tourist dollar. If we are to remain competitive, it is essential to provide our promotional agencies with the tools to adequately discharge their functions. My budgetary message will reflect my conviction that increased appropriations to those agencies are necessary.

INITIATIVE AND REFERENDUM

The citizens of Wyoming are entitled to make a decision on Initiative and Referendum. I ask you to give the people the chance to say with their ballots if the Wyoming Constitution should be amended in this respect.

History has shown the wisdom of requiring careful and deliberate procedures for amending the Constitution. So should it be with respect to initiative and referendum. If the number of petitioners required for initiating a law is sufficiently high, the ballot in any given election need not be cluttered with confusing propositions.

I emphasize the fact that Initiative and Referendum has bi-partisan support.

TEACHER AND EMPLOYEE RETIREMENT

Retirement benefits provided under current statutes for our public school teachers and State employees who have given long years of service are woefully inadequate. Increasing the matching contribution to the retirement fund from the 3% now authorized by law to at least 4% would help substantially to improve our retirement system, and I recommend this increase. I further recommend that the statutory limitation on salaries as it applies to contributions to the retirement fund be adjusted.

HEALTH INSURANCE

Health insurance programs are common and widespread in both private industry and government, and in these days of high costs for hospital treatment and care it might be said that, from the standpoint of his economic well-being, health insurance for the individual is almost mandatory. Health insurance plans should be offered to State employees at their option, and I favor participation by State government in a health insurance program to the extent of a contribution of $7 per month per employee for those electing to participate.

PUBLIC WELFARE

Wyoming provides, as it should, welfare assistance in various categories to those persons and families who require it. This assistance, exclusive of federal monies, runs to approximately $3,423,254 per year. As noted earlier, additional money will be required as we put into effect the "Medicaid" program which will provide medical care for welfare recipients. I would now recommend to you legislation through which able-bodied applicants or recipients of general welfare—as a condition of rectifying welfare grants—be made eligible to perform labor or services for a county, city, town, or school district.

ECONOMIC DEVELOPMENT

I should like, at this time, to deviate from the form of previous messages and discuss a few brief topics relating to economic development of Wyoming. First, I should like to note that the Wyoming Technical Assistance Program at the University is well underway. At the present time, the University is attempting to inventory the technical resources of the State which are available to industry. Second, it is my intention to take an active role in expanding our economy. As a part of my personal program, I intend to initiate Trade Tours to which business leaders from across the nation will be invited—tours designed to acquaint the nation's business leaders with Wyoming's challenging opportunities for business growth. Third, I intend to establish a Transportation Council. This group will seek expert research and advice from members of the various transportation industries, relating to freight rates. The goal is to make Wyoming competitive. Fourth, I intend to explore with the State Superintendent of Public Instruction, in cooperation with the University and our Community Colleges, the possibility of conducting regional small business clinics, to assist our small businessmen and provide consultation on financial, organizational and technical problems. These are matters which require, I trust, no legislation. I have digressed here merely to inform you that Wyoming's State government will dedicate itself to creating a congenial environment for business growth.

THE LEGISLATURE

It is in the public interest to amend the Constitution to rearrange the time for the regular sessions of the legislature.

I suggest 30 to 60 days later than prevailing circumstance, in which the legislature begins its deliberations within a day to a week following inauguration of the governor.

I seek a more orderly process of State government; the opportunity to increase efficiency, in the legislature and in the administration of the governor's office.

In the change, I also recommend that the joint Ways and Means Committee be empowered to begin deliberations in advance of the general session.

THE GOVERNOR-ELECT

There is a span of about two months between the election and inauguration of the governor.

During that time, the governor-elect is called upon to perform many functions relating to State government. Yet he is encumbered by the fact that he is without staff. If he is of modest means, the financial burden can be severe.

I recommend that succeeding governor-elect—of course excepting reelected governors, who would have a functioning staff—be given an appropriation sufficient to conduct affairs of state in the interim between election and inauguration.

CONCLUSION

This is also a wartime Legislature, and a wartime administration.

Nearly a half-million Americans, including men of Wyoming, are engaged in combat and combat-support operations in Southeast Asia.

The demands of war, spreading into all phases of our life and government, may during our time in public office come to the point where it will not be possible to have either business or government as usual.

To say that we will do our part is to state the obvious.

Other concluding thoughts include the necessity to stand for law and order, to respect the law and demand that all citizens look to their own behavior. The processes of law, if firmly and fairly and courageously applied and administered, are sufficient to protect and sustain the rights of all. Government should be petitioned, but society can be destroyed by unruly, disorderly, and illegal demonstration.

As Wyomingites, we are proud of our earned label as the "Equality State." The maintenance and enhancement of the rights of women will indeed form an important part of your deliberations over the ensuing 40 days.

It is good to have you here. I commend each of you for the effort you made to remain in or rise to public office.

We hold our commissions as the result of our partisan political system. I have no desire for a moratorium on partisanship. To the contrary, the creative tension between the parties is indeed in the public interest. In the process of constructive and critical debate we fashion a progressive future.

And as a practical note, I might observe that we do not have to be told that the electorate, which dispenses political power, most abruptly gives it and takes it away.

Thank you for listening.

APPENDIX

CONSUMER PROTECTION LEGISLATION

I recommend the enactment of legislation designed to protect consumers from unfair trade practices.

CONSERVATION OF ENDANGERED WILDLIFE SPECIES

Two mammals of historical significance are in danger of extinction in Wyoming. I recommend at least a five-year moratorium on the hunting of grizzly bears. I further recommend enactment of proper legislation prohibiting the hunting of non-domesticated buffalo. There are, in isolated regions of the State, a few remaining buffalo. At the present time, no law prohibits the hunting of this species, and they will soon be a thing of the past unless appropriate legislative measures are taken.

FAIR EMPLOYMENT PRACTICES COMMISSION

At the present time the Fair Employment Practices Commission is composed of three members—the Commissioner of Labor and two at-large members who are appointed by the Governor with the approval of the Senate. I recommend the Commission be expanded to five members in order to provide minority representation thereon.

COMMISSION ON THE STATUS OF WOMEN

In keeping with Wyoming's tradition as the equality State, I recommend that the Governor's Committee on the Status of Women be made a permanent commission.

TAXATION OF CAMPERS

I recommend appropriate legislation to provide a more equitable means of taxation of pickup campers.

LIQUOR IMPORTATION LAW

I recommend legislation designed to impose restrictions upon the importation of liquor into the State.

STATE ARCHEOLOGIST

I recommend the establishment of the position of State Archeologist.

COUNTY ZONING

I recommend enabling legislation to permit counties to enter into the area of countywide zoning and planning.

NON-COAL MINE SAFETY

I recommend enabling legislation for the implementation of the Federal Non-Coal Safety Act.

FREEDOM OF THE PRESS

I recommend legislation to make public records, except for juvenile court and adoption proceedings, open for citizen inspection; also, legislation to require that meetings of state and local governing bodies, boards, bureaus and commissions be public meetings.

SMALL BUSINESS LOANS

Mr. LAUSCHE. Mr. President, on Friday, February 3, 1967, I placed in the Record a copy of a letter written by Mr. Ed Wimmer, of Cincinnati, Ohio, to the Honorable Bernard L. Boutin, Administrator of the Small Business Administration, in which he set forth objections to certain activities of the Small Business Administration, claiming that those activities were destroying instead of aiding small businesses.

On February 6, Mr. Boutin answered the letter of Mr. Wimmer and sent me a copy.

Inasmuch as Mr. Boutin took exceptions to certain views expressed by Mr. Wimmer, and in order to have both views set forth in the Record, I ask unanimous consent that the record of this item, which appears in the Congressional Record of Friday, February 3, and the letter of Mr. Boutin, dated February 6, be printed in the Record.

There being no objection, the items were ordered to be printed in the Record, as follows:

Small Business Loans

Mr. Lausche. Mr. President, on January 26, 1967, Ed Wimmer, of Cincinnati, persident of Forward America, Inc., wrote a letter to Hon. Bernard L. Boutin, Administrator of the Small Business Administration, setting forth his views about certain weaknesses in the making of small-business loans that eventually in fact destroy small business.

In his letter, Mr. Wimmer points out that there is now a $5 million limit on loans that may be made to small business. It is contemplated expanding the limitation of $5 million to a larger amount.

Mr. Wimmer says that if that expansion is made, instead of genuinely small-business houses being preserved, they will be destroyed. He goes on to point out certain other weaknesses in the program.

I think the letter contains arguments that are sound and worthy of consideration by Members of the Senate. I therefore ask unanimous consent that Mr. Wimmer's letter be printed verbatim in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

January 26, 1967.

Hon. Bernard L. Boutin,
Administrator, Small Business Administration, Washington, D.C.

Dear Mr. Boutin: This is not my first letter protesting S.B.A. guaranteed rental payment for small businesses entering a shopping center and a raising of loan ceilings to the proposed $5 million limit.

In the first instance, the big lenders and insurance companies should not have been allowed to stipulate 70 to 80 per cent chain occupation of a center.

Secondly, there are no grounds whatsoever for a government agency to guarantee a small businessman rental obligations, unless the guarantee covers all small businessmen wherever they may locate.

Thirdly, the Small Business Administration was created to serve the greatest possible number of small businesses, which means that concentration should be on spreading the funds.

A $5 million loan to some hot-shot super market operator would knock out from ten to fifty small merchants before he got through, depriving the city, state and federal government of taxes; depriving people of jobs and the economy of some more capitalists.

(I would not have used this example except that the National Association of Retail Grocers has asked for the ceiling lift, and for who else would they be appealing?)

I urge the S.B.A. and the House and Senate Small Business Committees to give a lot of thought to these matters before taking any of the proposed steps.

Consider, also, Gentlemen, that when federal funds are granted for urban renewal scores or hundreds of smalls are bulldozed out of existence and are replaced by a shopping center with no provisions, the displaced should get first chance to return to the modernized area.

It is the same with the federally financed highways: out go the smalls and at nearly all the best exits of the expressways are more and more of the giants.

The whole policy has been to mow down independent business with taxes, bookkeeping for the government, more fringe benefits to carry, plus no real legislation to prohibit monopolistic practices and predatory competition that has degenerated in competitive cannibalism. Oh yes, there have been some really great victories, but it has been similar tc sinking a few submarines while the others sink the fleet.

No one boosts the S.B.A., Federal Trade Commission, Department of Justice, Congressional committees, et cetera, more than the writer. But Gentlemen, for every step forward we have taken two backward.

It is time to change the pace, and 1967 is the year to do it. I know you all are trying.

With every good wish.

Sincerely yours,

Ed Wimmer.

Small Business Administration,
Washington, D.C., February 6, 1967.

Mr. Edward Wimmer,
Public Relations, National Federation of Independent Business, Covington, Ky.

Dear Mr. Wimmer: This is in reply to your letter of January 26, 1967, in which you protest government sponsored lease guarantees, oppose "a proposed $5 million limit" on SBA loan ceilings, and deplore the adverse impact of urban renewal and highway construction on the small business community. There are a number of misconceptions in your letter upon which I should like to comment.

Section 316(a) of the Housing and Urban Development Act of 1965 gave the Small Business Administration authority to guarantee commercial and industrial leases for those small businesses which were eligible for loans under the Agency's Displaced Business Loan Program and Economic Opportunity Loan Program. Five million dollars was authorized to be transferred from the SBA revolving fund to capitalize the program, and a maximum guarantee fee of 2½ percent was prescribed.

The legislation sanctions an admittedly innovative program, but the several restrictions mentioned above considerably limit its application. The restrained tone of the legislation is further emphasized by the lease guarantee program being referred to by Congress as a kind of pilot operation; one that would afford opportunity to evaluate the feasibility and effectiveness of such aid to small firms at modest cost and on a small scale. It was not stipulated that lease guarantees should be limited to nor designed specifically for shopping center space.

SBA is presently framing a lease guarantee plan based on this legislation that is intended to meet the desires of the Congress. Experts from various fields, in and out of government, are being called upon for help in creating a useful and beneficial program. The introduction of our Lease Guarantee Program is imminent, and will be undertaken on a pilot basis.

Regarding loan ceilings, I should like to point out that by law SBA cannot make direct loans in excess of $350,000, or make participation loans in which our share would exceed that amount. Administratively, our direct loans are presently limited to $100,000 and immediate participation loans to $150,000, SBA share, with only our guaranteed loans maintaining the legislative maximum of $350,000. There is, however, a change about to be made in our size standards regulations applying to retail grocers which has doubtless been discussed in the small business community, and may account for your evident misunderstanding on this point.

At the present time, we cannot approve a loan to a retail grocer whose sales exceeds $2 million per year. Recently, however, a study was made of the growth in the size of businesses primarily engaged in operating retail grocery stores. It was found that as a group, the firms operating one to five stores were continuing to lose a portion of their market to the larger retail grocery concerns. Most firms in this losing group have annual sales of $5 million or less, while the large and dominant chains gross many times this amount. In the light of this, the $2 million maximum seemed outmoded, and excluded comparatively small operators from SBA assistance. Many factors have contributed to the increase in the size of retail grocery firms. These include an increase in the population, the improvement of the diets of our people, the sale of nonfood items, the increase in prices since 1954 when the $2 million annual sales size standard was first established, the acquisition of some smaller firms by retail grocery chains, and the competitive strength of the leading food retailers.

All these factors were weighed and it was felt that the size standards for retail grocers should be changed.

We realize, of course, the injury caused many small firms by federally-aided urban renewal and highway programs. Our Displaced Business Loan Program has so far been the vehicle for assisting more than 800 displaced small firms with long term, low rate loans totaling over $50 million. Because of our close coordination with both the Department of Housing and Urban Development and the Bureau of Public Roads, we expect such assistance to increase substantially in the future.

We hope we have helped clarify these SBA activities which are of concern to both of us. If you have other questions, please write. We shall make every attempt to give you clear and forthright answers, as well as the full background for our position.

Sincerely yours,

Bernard L. Boutin,
Administrator.

SCHAPIRO FOUNDATION DONATES $400,000 TO BALTIMORE BOY SCOUTS

Mr. TYDINGS. Mr. President, during the Senate recess in honor of Lincoln's birthday, the United States celebrated National Boy Scout Week.

In commemorating the contribution boy scouting makes to our country, we should also be mindful that scouting depends in part for its finances on the generosity of local communities. The degree of local support determines how broad and effective a Boy Scout program a community will have.

I am proud to be able to say that in Maryland, local support for scouting is very generous. In fact, a recent gift to the Baltimore Boy Scouts is an example to every community of the kind of support which the Boy Scouts deserve.

In Baltimore, just 3 weeks ago, the Baltimore Area Council of the Boy Scouts of America received a gift of $400,000 from the Morris Schapiro and Family Foundation of Baltimore.

The gift was presented by John D. Schapiro, Baltimore businessman and civic leader and chairman of the Morris

Schapiro and Family Foundation, in honor of his father, Morris Schapiro, who has had a lifelong interest in the work of the Boy Scouts.

The gift is believed to be the largest ever made by a single donor to scouting activities in the Baltimore area.

The funds will be used for the construction of a new Boy Scout Service Center for the more than 15,000 adult leaders involved in scouting programs in the Baltimore metropolitan area and five contiguous counties.

No site for the new center has yet been selected, but an examination of several possible sites inside Baltimore City is being carried on with the expectation that a site will be selected and announced soon.

In announcing the gift, Mr. Schapiro noted it is "tangible evidence of our faith in scouting as a character builder and of our belief, that, more than ever in this changing world, scouting continues to be an effective vehicle for bringing stable and positive values to the youth of our urban areas."

The gift is also evidence—

Mr. Schapiro continued—

of our confidence in the total revitalization of Baltimore City as a place where human expectations are fulfilled.

Representatives of the Morris Schapiro and Family Foundation and of the Baltimore Area Council have already discussed the design of the new building with John Carl Warnecke, noted national architect who is the architect for the Lafayette Square project in Washington, D.C. In the opinion of Mr. Schapiro, the Boy Scout Service Center can and should be an architectural gem in which not only people involved in scouting but the community at large will take justifiable pride.

Frederick A. Saffran, president of the Baltimore Area Council and assistant to the president of Baltimore Federal Savings & Loan Association, said:

> Never in the Council's history has it received more encouragement and momentum than will be achieved as a result of the Morris Schapiro and Family Foundation gift.

L. Robert Kilmer, Scout executive for the Baltimore Area Council, said the gift comes as a "great stimulus to the cause of scouting in the Baltimore area." It will provide, he explained, a center from which the men and women actively involved as adult leaders in scouting can go forth with greater understanding of the mission of the Boy Scouts.

The new structure will be designed for adult use, the Scout executive emphasized. Cub Scouts, Boy Scouts, and Explorer Scouts will continue to meet in their regular sponsoring institutions, in homes, or wherever their activities take them.

Both John Schapiro and his father were honored by the Baltimore Area Council on the occasion of the presentation of their gift. Both received the Silver Beaver Award, symbolic of extensive and dedicated service to scouting and to the community.

Morris Schapiro, chairman of the board of the Boston Metals Co., Baltimore, and the National Metal & Steel Corp., Los Angeles, was cited for his civic activity and for his "unselfish generosity to many organizations, associations and charities." An earlier gift from Mr. Schapiro made possible the Broad Creek Memorial Boy Scout Camp in Harford County.

John Schapiro, who serves as vice president of the Baltimore Area Council, was cited for his "immeasurable contribution to the complete program of scouting and to the lives of individual boys." The younger Mr. Schapiro is president of the Boston Metals Co., vice president of the National Metals Co., and director of the Maryland Ship Building & Drydock Co. He also is president of the Laurel Race Course and was named Racing's Man of the Year in 1960 by Sports Illustrated magazine.

Mr. Kilmer said that the new buildings made possible by the Schapiro gift will be not only of practical but of symbolic use.

It will serve as a reminder—

He stated—

of the permanence of the scouting movement and of its efforts to help boys become successful men and responsible citizens.

Mr. President, this large and unselfish gift by the Schapiro family of Baltimore will also serve both a practical and a symbolic use. It will not only provide new, needed, and splendid facilities for Baltimore Scouts, but will also symbolize for our entire country the kind of local support scouting should have.

ALLIANCE OF COURAGE

Mr. BOGGS. Mr. President, there are many programs through which the United States seeks to encourage understanding and friendly relations with other countries.

In talking about these programs we sometimes overlook that at some point or another they must involve citizens of the United States dealing directly with citizens of foreign lands.

Every once in a while there comes to public attention a specific instance of a warm personal contact which contributes greatly to international understanding yet is not likely to show up in the formal reports of the program itself.

Such an instance happened recently in Wilmington, Del., involving former Dodger catcher Roy Campanella and Julio Lucin, a young man from Ecuador who shares with Roy Campanella the tremendous burden of being a quadriplegic.

The excellent story of the meeting of these two, written by Karl Feldner of the Wilmington Evening Journal was brought to my attention by Mrs. Robert R. Warner, whose son was also involved through his work as a Peace Corps volunteer in Ecuador.

In the interest of calling wider attention to this heart-warming incident, I ask unanimous consent that Mrs. Warner's letter to me, as well as the newspaper story, be printed at this point in the RECORD.

There being no objection, the letter and article were ordered to be printed in the RECORD, as follows:

WILMINGTON, DEL.,
February 6, 1967.

Hon. J. CALEB BOGGS,
Senate Office Building,
Washington, D.C.

MY DEAR SENATOR: Mr. David Carrasco, of the Peace Corps staff in Ecuador, has asked me to send you the inclosed clipping, since he feels you will be interested in the heart-warming story described. I wish the names of the many people who gave invaluable support to our efforts might have been included—among them, Mr. Carrasco, himself; the President of the Guayas Sports Federation in Ecuador, Mr. Alberto Vallarino; and many greathearted, patient, tireless shortwave radio "hams," without whom none of it would have been possible.

I am sure you will be glad to know that Jon was one of four of our sons fortunate in belonging to Explorer Post 99, of Covenant Church, considered one of the best in the country. He was president of the post in 1961, when they made a goodwill tour to Puerto Rico. He feels that this experience, plus fine training of many types he received in the post, led directly to his Peace Corps career, and his satisfaction with it.

The boy Julio is improving rapidly under the superb care of Dr. Arthur Heather, of the Eugene du Pont Memorial Hospital. He has been most responsive to the spiritual support offered him by those two heroic figures, Roy Campanella and Brian Sternberg. We are very proud of our countrymen—and of our son!

Sincerely,

FRANCES M. WARNER.

[From the Wilmington (Del.) Evening Journal, Feb. 3, 1967]

CAMPY, LATIN FORGE ALLIANCE OF COURAGE

(By Karl Feldner)

Every year the United States spends billions on foreign aid, trying to win friends and influence people.

But there is much money can't buy. Sometimes just the little things, like a simple act of kindness, can better bridge the gap toward brotherhood and understanding than Uncle Sam's dollars.

What Roy Campanella did last night, for instance, was one of these little things. A small favor. A mere act of kindness.

The former Dodger catcher, in town for the St. Anthony's Catholic Club sports banquet, took time to visit a young man from Ecuador at Eugene du Pont Memorial Hospital.

That in itself was no big deal. You couldn't begin to measure it against a $2 or $3 million farm implement loan.

But the fact that Campanella showed his concern for 25-year-old Julio Lucin meant much to the man and, especially when word of the visit drifts back to Ecuador, may help knit that certain bond of fellowship and good will between countries which no amount of hard cash can purchase.

The two men have a great deal in common.

Campanella, three times the National League's most valuable player, was struck down by a paralyzing injury in January 1958.

And last December, almost nine years later, Lucin who had been the national diving champion of the South American country, was exercising on a trampoline, took a bad fall and suffered a fracture of the seventh and eighth vertabrae.

Now he, too, is a quadriplegic, with only limited use of his arms.

He will probably never walk again. Just as Campanella, he will have to live in a wheelchair—at best. The kind words of Campy, in similar straits, may help ease the burden and give purpose to his life.

"I talked to him not as a medical man but as someone who is like me," Campanella said.

"I told him that life would be tough, but no tougher than what he wanted to make it. I taught myself to live in a wheelchair and I told him he could, too."

Julio speaks limited English but Campy, after years of winter leagues in Puerto Rico, Cuba, and all over South America, is fluent in Spanish and was able to get his message of hope across.

"Junius Kellogg, the former Manhattan College basketball player, who is also crippled like we are, came to me after I was hurt," Campanella said. "If Julio got as much out of my visit as I got from Kellogg's I am happy. I will have accomplished something.

"After I was injured I promised myself that if God would ever let me sit in a wheelchair, I would try to help others."

There is more to this story than just Campanella, however.

So many people have been so kind and have gone to great lengths to help Julio Lucin pick up the shattered threads of his existence.

There have been doctors, ham radio operators, ambulance drivers, Peace Corp workers, the parents of one of these Peace Corps volunteers and his friends.

It started with Jon Warner, 23, a former co-captain of the Mount Pleasant High track team and 1966 graduate of Denison University, who has been serving with the Peace Corps in Guayaquil, Ecuador, since October.

Warner coaches track in that South American country and became fast friends with Lucin, who was a swimming coach and lifeguard.

The bond was strong and, when Lucin suffered his crippling accident, Warner was there to help in any way he could.

The immediate prognosis was not good. Three days after the accident it was feared Julio would die unless he could be brought to the United States and given the most advanced medical treatment.

But how? Julio Lucin was poor. He had no relatives, save for a distant cousin, also poor.

Warner quickly initiated a letter-writing campaign, turning to the Red Cross, doctors, hospitals, medical schools, the Fellowship of Christian Athletes. Can anybody help? Does anybody care?

Warner got in touch with his parents, Mr. and Mrs. Robert R. Warner of Forest Hills Park by short-wave radio. Warner's parents picked up the ball. After tracking down many leads they found that Eugene du Pont Memorial Hospital had a bed for Julio and that Dr. Arthur Heather would be there to treat him.

The Warners also got in touch with Campanella and arranged for his visit when he arrived here for last night's banquet.

The Sports Federation of Ecuador picked up the transportation tab and Julio, accompanied by Dr. Solamon Quintero, arrived by plane in New York on Tuesday. Two Talleyville ambulance drivers met the plane and ferried Julio and the doctor to Wilmington.

Lucin will be at the hospital for several months. Doctors hope they'll be able to get him into a wheelchair and that he'll be able to train for some sort of job.

"Everyone has done so much and Roy Campanella's visit was especially helpful," Mrs. Warner said today. "Baseball is immensely popular in Ecuador and Campanella was always a big hero. You could see Julio's face light up when he was wheeled into the hospital room. One member of the Peace Corps told us that when word of his visit gets back to Ecuador it will mean much to those people."

There was another athlete who may have helped Julio pass a crisis. Brian Sternberg, the former pole vault champion from Washington. A trampoline accident crippled him, too, some years ago. He was only 19.

Sternberg, when he learned of the injury to the young man from Ecuador, took time to write.

Here are excerpts from that letter.

"Shortly after my injury, I made a firm decision as to how I would face my circumstance . . . My choice was that I must place my entire life—including my recovery—solely in the hands of God. The medical profession's God-given knowledge most definitely was responsible for the saving of my life; but man's knowledge at this time is insufficient to put me back on my feet—where I know God wants me.

"It is my belief that God wants you there also, Julio. It is inconceivable to me that He gave us our bodies to be used as burdensome encumbrances. God is our Maker; I think then He must also be our most qualified Mechanic.

"Yet there is something more, Julio, which is extremely difficult for one in our place to understand: More than anything else, God wants your love. He showed us His love through Jesus Christ, and by accepting Jesus as His Son we can completely return that Love.

"Do what your doctors tell you, Julio, but do also what God tells you. Know that we will be praying for you."

Campanella's visit. Sternberg's letter. The help of the Warners and all the others. Julio Lucin knows he is not alone.

NATIONAL ASSOCIATION OF STATE APPROVING AGENCIES SUPPORT PROVISIONS OF REVISED GI BILL

Mr. YARBOROUGH. Mr. President, on January 11 I introduced S. 9, a bill to improve the cold war GI bill passed last year. This bill, cosponsored by 51 of my colleagues, would insure that Vietnam and cold war veterans receive readjustment educational assistance benefits equivalent to those granted Korean war veterans.

These improvements in the cold war GI bill are needed, not only to do equity, but because they provide needed and meritorious educational benefits for apprenticeship and on-the-job training and flight training, among other provisions. The need for these programs is recognized by the National Association of State Approving Agencies, the group most familiar with the accomplishments and needs of our veterans training programs.

In their convention last August, the National Association of State Approving Agencies passed three significant resolutions endorsing three provisions of S. 9: for apprenticeship and on-the-job training, for flight training, and for payment of reimbursement for administrative costs to educational institutions. I ask unanimous consent that these three convincing resolutions by the NASAA be printed at this point in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

Whereas, Apprenticeship and other On-the-Job Training were provided for Veterans of World War II and the Korean Conflict, and

Whereas, the "Veterans Readjustment Benefits Act of 1966" does not provide for Apprenticeship and other On-the-Job Training, and

Whereas, Apprenticeship and other On-the-Job Training would provide training opportunities in the locality of the veterans' home, and

Whereas, Apprenticeship and other On-the-Job Training would provide veterans an opportunity to further vocational training received while serving in the Armed Forces of the United States, and

Whereas, Apprenticeship and other On-the-Job Training would provide employment for veterans in the position for which they would be trained, and

Whereas, some veterans do not have the aptitude, inclination or desire to continue their education and training through educational institutions,

Now therefore be it resolved, that the National Association of State Approval Agencies, in annual conference assembled in San Francisco, California, August 14 through 17, 1966, urgently requests the Congress of the United States at an early date to enact appropriate legislation to provide Apprenticeship and other On-the-Job Training assistance for Post-Korean Conflict Veterans.

Be it further resolved that copies of this Resolution be sent to Chairmen of the appropriate Congressional Committees, to each member of said Committees, and to other interested groups and individuals.

Whereas Flight training is not adequately provided for in Title 38, U.S. Code, and

Whereas the National emergency dictates an immediate need for trained personnel in aviation, and

Whereas the unprecedented demand for trained aviation personnel is not being met at present, and

Whereas veterans of military service constitute a reservoir which can be drawn on to fill the need of the aviation industry.

Now therefore be it resolved, the National Association of State Approval Agencies in National Conference assembled in San Francisco, California, August 14 through 17, 1966, respectfully request that the Congress of the United States enact legislation to provide for flight training for veterans under Title 38, U.S. Code.

Be it further resolved that a copy of this resolution be forwarded to each member of the Senate Sub-Committee on Veterans Affairs, to each member of the House Committee on Veterans Affairs, and to the Senate and House Majority Leaders.

Whereas, The influx of veterans under the Veterans Readjustment Benefits Act of 1966 places an additional burden on educational institutions, over and above that resulting from the enrollment of non-veterans, and

Whereas, educational institutions are held liable for over-payments under the above named law, unless such over payment is recovered from the veterans, and

Whereas, it is impossible under the present monthly reporting procedure for institutions of higher learning, particularly, to know when a veteran reduces or increases his academic load, and

Whereas, the provision for payment to institutions of $1.00 for submission of necessary forms relative to enrollment, instruction and reporting is no longer paid under Title 38, U.S. Code or the Veterans Readjustment Benefits Act of 1966, and

Whereas, past history of costs for submission of necessary forms has, in fact, been found to be more than the $1.00 allowed, and

Whereas, procedures until Title 38 and the Veterans Readjustment Benefits Act of 1966 relative to enrollment, instruction and reporting are inadequate and need to be remedied,

Now therefore be it resolved by the National Association of State Approval Agencies in Conference assembled in San Francisco, California, August 14 through 17, 1966 that:

The Veterans Administration be requested to reinstate the payment of $1.00 to schools for submission of necessary forms and reports as was done under previous laws.

Be it further resolved that a copy of this resolution be forwarded to the Administration of Veterans Affairs and to each member of the Senate Subcommittee on Veterans Affairs and the House Committee on Veterans Affairs.

THE CONSERVATION ISSUES OF 1967

Mr. LAUSCHE. Mr. President, from February 5 through 9 the National Association of Soil and Water Conservation Districts held their 21st annual convention in Cincinnati, Ohio. The national president of this organization is a constituent of mine, Sam Studebaker, of Tipp City, Ohio.

In addressing the convention Mr. Studebaker outlined the conservation issues of 1967. He summarized these issues in the following words:

> These, then, are four major challenges facing Districts in 1967; gearing up to meet the potential conservation hazards of increased agricultural production, accelerating the small watershed program, expanding District services aimed at water quality improvement, and strengthening the legislative and policy framework under which Districts. . . . . and those who assist them. . . . . work.

Mr. President, these same challenges face the U.S. Senate. Every colleague should be aware of them. I, therefore, ask unanimous consent that Mr. Studebaker's full address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE CONSERVATION ISSUES OF 1967

Charles Dickens wrote a novel of the French Revolution. It was called "A Tale of Two Cities." He began with these words: "It was the best of times, it was the worst of times, it was the age of wisdom, it was the age of foolishness, it was the epoch of incredulity, it was the season of Light, it was the season of Darkness, it was the spring of hope, it was the winter of despair, we had everything before us, we had nothing before us, we were all going direct to Heaven, we were all going direct the other way . . . ."

He was describing the incredible ferment of the age. The old order was falling to pieces, and the only certainty was change.

Today, later, we also live in an age of revolutionary change. With less violence, but with a shattering swiftness, the entire fabric of our political, social, and economic life is being rewoven . . . . . and rewoven again. It is a subtle and continuing revolution, and tends to escape our notice.

This modern revolution is the child of growth and invention. Our population once fed by immigration of those fleeing poverty and oppression, now reproduces itself. And with the growth of industrialization, we have become a nation of cities. Even the spaces between cities are now filling up. Whole states of the Union are becoming continuous metropolitan areas.

It is uncertain whether or not we shall double our population in the next 33 years, as predicted by the reports. But we shall probably come very close.

Twice as many people! Wealthier people, released from labor in large proportion by the marvels of technology . . . younger people on the average, and better educated . . . people with greater appetites for the goods and services that private initiative, public investment, and a richness of natural resources have combined to make possible.

Our revolution is leading us to new styles of life, a greater variety of choices, and more leisure time. Concurrently, improvements in transportation, and in the rapid transmission of facts and ideas, are bringing us and our neighbors of the world closer together. And as we discover the ties that involve us with humanity everywhere on the planet, we are stretching forth beyond Earth itself toward the moon, beyond the solar system, and toward the universe.

A future of great promise lies before us, made possible by the discoveries of science. Yet, we are stalked by the dangers of nuclear holocaust, waste, and famine. Our revolution has created vast new opportunities. But it has also laid upon us an awesome burden of responsibility. The ease with which we can destroy ourselves has grown even faster than our achievements.

Never has the repair, preservation, and wise use of our natural resources been more important. Never has our task of conserving and developing the land, water, wood, and wildlife that underlies all progress been more significant.

You are Soil and Water Conservation Districts supervisors, directors, and commissioners; and you are witnesses to the changes occurring across the continent. You have seen the challenges of conservation grow and become more complex. You have seen agriculture become mechanized, the cities sprawl beyond their borders, and the open space for beauty and refreshment disappear. You have seen the wounds in the land, and have watched a new generation grow up . . . a generation that never felt the soil between its fingers or saw the warmth of spring set loose the rivers torrents.

You have observed the changes taking place, and have noted their course. We have all seen conservation take on new urgency, but the essential resource problems have not changed. Conservation remains the wise use of natural resources in the best interests of the majority of the people over the long run.

Peoples' needs may change, and our desires as well. But it will still take the use of land, water, and timber to realize our goals. And in constructing our evermore artificial world, the blessings of nature and the out-of-doors can only be foregone at our own hazard.

As District officials, acting under state law, we are responsible for caring for these resources. As we survey the changing scene, where are the needs most severe? What are the issues that we have to grapple with in 1967 and the years directly ahead?

One major concern, I would suggest, is the protection and wise use development of America's agricultural lands in view of the oncoming demands that will be made upon them. Foresters often point out that whatever use we wish to make of timber lands, preservation of the resource itself deserves the highest priority. In forestry terms, fire is the most prominent danger, and its prevention receives maximum attention. In terms of land, erosion and waste are the twin enemies, and their prevention is essential.

Soil erosion in the United States is far from being conquered. Thirty years of dedicated work have reduced its toll. But water and wind erosion still destroy the possibility of cultivated crop production on 400,000 acres of land each year.

Waste, as well as erosion, also strikes at our store of high quality land. Over the past decade, two million acres of rural land have been shifted each year from agriculture and forestry to airports, shopping centers, housing developments, roads, and commercial uses. Much was prime farm land upon which crops can be grown most economically. Insofar as other lands, not as suitable for agriculture, were available for these uses, this was . . . and continues to be . . . a serious waste of a crucial national resource.

Today, these considerations take on new urgency as the nation moves away from efforts to reduce farm output by retiring land from production. The emphasis now is on stimulating production. The reduction of surpluses at home, and an impending food crisis abroad, have already lead to an increased easing of production controls on wheat and feed grains.

Nobody knows how much land will be affected by actions of this kind. Nobody knows which kinds of land will receive the brunt of increased production, or what damages to the land resources are likely to occur. Good prices for soybeans are already leading farmers to divert land now in protective grass and tree cover to crop production . . . and marginal lands are being exposed to the dangers of overintensive use.

What price shall we place upon our American land? We have not made certain of its worth. We have inventoried less than half of its extent. To be sure, 900 million acres of our soils have been surveyed. But a billion and a third more acres await scientific analysis . . . the realistic basis for determining the capability of soils for various human uses.

More facts are needed . . . about our soils, about the projected impact of higher farm production on land and related resources, and about the coming conversion of rich agricultural land to other purposes. Seeing that these facts are obtained . . . and taking appropriate action based upon them . . . cannot help but be a prime task of Soil and Water Conservation Districts in 1967.

Let us examine a second major challenge facing districts this year. This is the development of our nation's upstream watersheds at a pace adequate to meet demonstrated needs. Unfortunately, a serious road-block to progress already stands in our way. This is the constitutional stalemate between the executive and legislative branches of the federal government over the manner in which plans for Public Law 566 projects are reviewed and approved.

The Congress has made it clear that it intends to follow the provisions of the Watershed Protection and Flood Prevention Act which gives the Public Works and Agriculture Committees authority to approve these projects. On the other hand, the Budget Bureau has said that this provision, along with similar ones in other federal laws is unconstitutional. And they have stated that no more watershed plans will be submitted to Congress until the law changed.

I do not believe that Soil and Water Conservation Districts should presume to argue the merits of this constitutional question. Various proposals are already circulating between the two parties, and we are certain that the issue will be resolved. But we do urge that the matter be settled as soon as possible. Further delays in the approval of projects, such as those experienced last year, can only disrupt carefully worked-out plans at every level of government, endanger state and local appropriations in support of projects, and deny communities needed protection and precious water supplies.

The constitutional issue, we trust, is a temporary problem. We have a more serious concern in that the watershed program is slipping further and further behind the need and public demand. Across the country there are over 8,000 small watersheds needing treatment. An outstanding effort over the past 12½ years has resulted in 800 watershed projects being brought to the construction stage. But this is clearly not enough.

Upstream flood losses alone amount to over a billion dollars a year. There are mounting demands for water storage and conservation measures on the land that will enhance recreation, improve hunting and fishing, provide water to towns and industries, and create sorely-needed jobs in some rural areas.

The recent passage of the Water Resources Planning Act will put additional strains on funds and services available to Districts and other local sponsors. Under this legislation, river basin planning commissions can be created and financed. They will be responsible for planning water resource development in large river systems. Experience so far indicates that upstream watershed projects will be required in very large numbers if such comprehensive river basin planning is to be achieved.

There is real cause for concern here. As encouraging as progress in the 566 area has been, we are moving too slowly. Only about half of the applications received each year can be allocated planning assistance. The rest are placed in the steadily-increasing backlog, which I am told has now reached a total of 1,400 projects. It should be noted that the situation would be far worse if the state and local governments had not substantially increased their contribution of funds and services to this program.

The nation's watershed program needs a fresh appraisal. It needs to be examined first in terms of its adequacy in meeting current and prospective water and land treatment needs. Second, it needs to be appraised in terms of what is needed to ensure that proper attention is paid to upstream development in major river basin planning.

Amendments to Public Law 566 may be required to achieve these goals. Or entirely new legislation may be necessary. Whichever is the case, the improvement of the small watershed program is one of the paramount issues facing Soil and Water Conservation Districts in 1967.

A third significant issue this year is the need to strengthen District action in water quality improvement and pollution control. In large part, this will involve accelerated programs aimed at preventing sedimentation of streams, lakes, and harbors.

It is increasingly recognized that silt and sediment are major pollutants of water. Eroded material damages fish and wildlife habitat, raises water purification costs, and impairs natural beauty.

What is not as widely recognized is the diversity of sources which contribute to the problem. Erosion from farm and ranch lands . . . which Districts fight continuously . . . is one source. But in areas where urbanization is taking place, lands cleared for residential and commercial construction are often the major source of sediment pollution. In such areas, erosion rates are often 10 times as high as those on farm and ranch lands.

In addition, there are countless thousands of miles of untreated highway and road banks across the country which spill soil into the nation's streams. There are thousands of miles of eroding creek and river banks. And there is serious erosion on much of the three-and-one-quarter million acres of lands that have been strip-mined for coal, metal, and minerals throughout the United States.

Many Soil and Water Conservation Districts have developed outstanding programs to control erosion in areas undergoing urban development. Many of you have developed special arrangements under which you cooperate with state and local highway departments to assure proper treatment of areas disturbed during road construction. And in an increasing number of states, you are providing direct assistance to landowners and operators to help renovate and reclaim strip-mined lands. This is good, yet, all these efforts need acceleration.

Other District services can help in the fight against water pollution. Many of you are already cooperating with planning and zoning agencies, health officials, and landowners to reduce pollution from human and animal wastes. Such efforts may include furnishing information about soils, flood plains, and land characteristics to appropriate agencies. Or you may provide technical assistance in planning and constructing needed private and public waste disposal facilities. In some cases, such as those involving P. L. 566, reservoirs used for water supplies, recreation, and irrigation, you have an even more direct interest in water quality control.

It is commonplace today to speak of the ever-broadening and expanding role of Soil and Water Conservation Districts. No better evidence of this trend exists than the manner in which the Districts are contributing to the efforts to clean up the nation's streams.

The trend toward broader District programs brings me to the fourth issue which deserves our close consideration in the year ahead. This is the need for fundamental action to strengthen the organizational capacity of Districts . . . and their supporting state and federal agencies . . . to meet the challenges ahead.

Last year at this time, the report of the NACD Special Committee on District Outlook was approved. In my view, the work of this committee was extremely useful. It focused our attention on the significant problems facing Districts everywhere, and the various and imaginative ways that District leaders are responding to these problems.

The District Outlook report not only stimulated spirited discussion. But it did more . . . it stimulated action and renewed dedication to the cause of conservation, development, and self-government.

Even before its publication, several states acted to strengthen their state enabling legislation, conferring broader powers and responsibilities on Districts. Other states acted following the report, and several are hard at work right now in their state legislatures seeking improvements in the laws governing their Districts work.

Some plan to extend District boundaries to include non-farm lands. Others seek to include the representation of major community interests on their governing boards. Still others ask for an increase of state and local appropriations to Districts, so that staff members may be employed to carry out District policies, to facilitate District management of small watershed and economic improvement projects. Many hope to strengthen their State Soil and Water Conservation Agency, and to secure the cooperation of other state agencies. There is a growing realization that much can still be done under existing authorities to strengthen and improve their services, to work with greater number of people, and to encourage wider participation by all citizens in the work of conservation and resource development.

This effort must continue in 1967. Every District and State Association needs to consider carefully whether basic changes are needed in policies and legislation to enable the achievement of today's conservation goals. District Outlook is not a one-time effort. It is a long-range and continuing process.

These, then, are four major challenges facing Districts in 1967; gearing up to meet the potential conservation hazards of increased agricultural production, accelerating the small watershed program, expanding District services aimed at water quality improvement, and strengthening the legislative and policy framework under which Districts . . . and those who assist them . . . work.

I could easily have raised a number of other significant issues. For example, what can be done to stimulate a greater cooperation between Districts and county and municipal governments? How can we work more closely with water improvement and other special-purpose districts? What devices further will be useful in knitting together our efforts with those of all the state and federal agencies with conservation responsibilities? And how can we encourage the education of our young people in natural resources and their role in America's future?

In a recent article by J. Kenneth Stearn, President of the American Institute of Cooperation, he said the following and I quote:

"We have seen cooperatives bring tremendous changes to rural America. These changes have led to the enrichment of rural living. But changes never stop.

Succeeding generations see as many new opportunities as those before them. New links in progress must therefore be continually forged.

Knowing what to change . . . planning for the future . . . is of critical importance.

Someone has said: No horse gets anywhere until it is harnessed.

No steam or gas ever drives anything until it is confined.

No Niagara is ever turned into useful power until it is tunnelled.

No life is ever great until it is . . . focused . . . dedicated . . . disciplined.

Rugged individualism is good up to a point.

It has been said that all it takes for the forces of evil to win in this country and in our world is for good people to do nothing."

There is a striking similarity between cooperatives and Soil and Water Conservation Districts. Both are striving to build a better America. We are working with almost the same group of people. And, after all, is said and done, people are the real difficulty. Why? Because they are the decision makers and starting with ourselves, motivation is the word.

Soil and Water conservation does not really start with land treatment. It starts in the mind of the landowner or occupier. What you do in the coming days to motivate a greater effort on their part is of extreme importance.

A supervisor at the recent Colorado meeting said, "A satisfied District amounts to nothing."

Paul in his second letter said: "The point is this: he who sows sparingly will also reap sparingly and he who sows bountifully will also reap bountifully.

Each one must do as he makes up his mind, not reluctantly or under compulsion for God loves a cheerful giver."

We all are as lazy as we dare be!

EXPANDING CITIZEN INVOLVEMENT IN CONSERVATION

Mr. MONRONEY. Mr. President, on February 8, Mrs. William S. Morgan, of Norman, Okla., addressed the 21st Annual Convention of the National Association of Soil and Water Conservation Districts. Mrs. Morgan, a constituent of mine, is national director of the League of Women Voters. The subject of her address was "Expanding Citizen Involvement in Conservation."

Mrs. Morgan challenged soil conservation districts to broaden their horizons. She said:

> Soil and Water Conservation Districts—you who are spiritually dedicated to the land—should be expanding your interests, increasing your scope and participation, serving suburban and exurban citizens—even urban people—as well as farmers and ranchers. Let's face it: if the land is going to be preserved, it cannot be done by farmers and ranchers alone, because there are fewer and fewer of you. The population movement out of the farm arena into broader areas is increasing. There is a shrinking agricultural base and this base will not again increase.
>
> Faced with this situation, how do you forward your objectives? Very simply, you must enlarge your troops by strengthening your alliances with non-rural groups which have the same interests in whole or in part, as your interests.

Mr. President, I commend Mrs. Morgan for this challenging address and ask unanimous consent that it be printed in the RECORD for all Senators to read.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

EXPANDING CITIZEN INVOLVEMENT IN CONSERVATION

In preparing for this experience I have learned a great deal about the Soil and Water Conservation movement since the 1930s and I like what I have learned. I discovered that you learned an important fact of life about increasing citizen commitment at the very beginning of your existence, when you found that the Demonstration Projects of the mid-1930s had very little carry-over after the landowners' contracts expired. You learned that the whole process of soil conservation was much too complicated for the farmer to continue improvements under his own steam at the end of his contract—that he didn't become permanently committed, simply through observing and carrying out instructions. You were 30 years ahead of your time in realizing that you had really to involve people—the people doing the job—before conservation and resource development would be continuing and successful.

My organization, the League of Women Voters, has had somewhat the same history. We too learned early that people-involvement is the key to dynamic citizen action. The Peace Corps and VISTA and the Community Action Programs in OEO certainly are based on this same idea—the idea that those who carry out a program should be involved in deciding what that program is to be.

But even with this insight, often we are inclined to take a short cut. Because we feel we are more experienced, we want to tell others how to do the job. This is true in the League of Women Voters. It may even be true of you. Let me illustrate what I mean. A couple of years ago, our Education Fund received a grant from the Sears Roebuck Foundation to run some pilot projects in large cities to see what could be done working for effective citizen education in the ghetto areas. Because we felt that something tangible was needed as a starter, the first projects concentrated on registration and get-out-the-vote drives.

Goodness we learned a lot! We learned that what motivates a suburban housewife and her husband to go to the polls was a far cry from what motivates a slum-dweller citizen in an inner city. Never having experienced what could be achieved through the vote, these people simply couldn't make the connection between the issues in which they were interested and going to the polls to make their voices heard. In beginning to work with them and their neighborhood leaders, we found our League materials could not be understood; we found our motives were suspect; we found out all sorts of things. But gradually we are making headway. We have proven once again what we suspected all along—that our ideas, fine though we think they are, simply cannot be superimposed and gratefully accepted by our friends in the inner city. Sometimes painfully, always slowly, we and they came to realize that central city residents are more likely to become interested and aware of their citizen power when they are personally involved at the earliest planning stages.

For instance, we learned that voting registrars coming in from outside the neighborhood wouldn't do; registrars from the neighborhood itself would have to be trained to do the work, often at night when they were home from their regular jobs.

We learned that the Go Vote flyers and posters and radio announcements which appeal to suburbia had to be cast aside, and other materials developed, either by or with the careful advice of inner-city leaders—materials which would relate directly to needs and hopes of the inner-city residents. We learned that instead of using words to tell a story, we should use cartoons and stick drawings and pictures in bright colors.

But perhaps the most important discovery was this—and here I quote from a report of a League actually involved in such a project. They said, "We held a number of planning meetings (with the inner-city residents) before we ever swung into action. The meetings started in the summer, continued all through the fall and winter, and our registration drive didn't begin until January. We were meeting so often, doing so much talking, and there was so little action that our League women were beginning to feel very doubtful about the whole project.

"We didn't realize at the time that the real value of all these meetings was that we were getting to know each other on a very basic level. There was some hostility and I'm sure widespread doubt on the part of the Negro members of the committee as to the motives of the white committee members. Some of the meetings deteriorated into bull sessions, but in the process a lot of chips got knocked off shoulders and were replaced by a much more realistic understanding of the motives and attitudes of committee members.

"As a result of this 'getting to know you' business, a Negro member is now serving on the board of the Community Welfare Council, and the League of Women Voters has been asked by Negro leaders to serve on committees sponsored by the Negro community."

I have dwelt on this successful attempt at communication and involvement at some length, because it strikes a hopeful note and I believe it holds great relevance for what is to follow.

I have learned so much about you in preparing for this meeting. I know that your Districts are run by local people and that you work with others who share your interest in conservation. I found that, in the thirties, pioneers in your movement made great efforts to communicate personally and directly with farm people in order to bring them into soil conservation Districts. The growth and strength of your Districts displayed in this meeting of your National Association demonstrates how well you succeeded in mastering the techniques of communication with those of like occupation.

Of course similar ways of earning a living always make it easy for people to communicate. They have a lot of things to talk about that interest them even if they are only casually acquainted. Having learned to work with like groups perhaps now is the time to seek out areas of mutual interest with those whose background and environment you feel to be quite different.

Actually differences between rural and urban residents have become less in recent years. Rapid communication, by road and automobile, by radio and TV, by telephone and newspaper, expose rural and urban people to the same influences at the same time. We are growing more alike every year.

In reaching out to the people in new areas you will want to maintain an adequate agricultural base to be sure, but because of your unique structure and purpose, your organization is specially suited to spearhead a broader development.

Soil and Water Conservation Districts—you who are spiritually dedicated to the land—should be expanding your interests, increasing your scope and participation, serving suburban and exurban citizens—even urban people—as well as farmers and ranchers. Let's face it: if the land is going to be preserved, it cannot be done by farmers and ranchers alone, because there are fewer and fewer of you. The population movement out of the farm arena into broader areas is increasing. There is a shrinking agricultural base and this base will not again increase.

Rurbanization—that brand new dictionary word which begins with an R and which connotes the spectacular phenomena where urban developments spill over into rural farmlands—is a reality.

Faced with this situation, how do you forward your objectives? Very simply, you must enlarge your troops by strengthening your alliances with non-rural groups which have the same interests in whole or in part, as your interests.

And this is a matter of communication. It may be a matter of broadening your purpose and choice of people who serve on state and local commissions. It well may be a matter of compromise, as you begin to seek wider solutions to resource management in the months to come.

Now I am quite aware that this approach may be disturbing to many of you. You are good stewards of the land and water and naturally you feel safer in retaining planning and implementation in your own hands. But it is possible that the healthy continuance of the Districts, and of the values you wish to preserve, will depend on your willingness to enlarge your circle and your willingness to change.

I repeat, successful advancement of an organization's ideas today, particularly in fields like yours and mine requires working with other organizations and people of other types who share some of our interests. In a large and diverse country, with a wide spread of concerns, where everyone is a plural man, a multiple-faceted man, small and single-purpose blocs don't get very far. Except, that is, as they develop natural allies on whom they can depend, and/or have contacts with larger groups from whom they draw support less regularly.

I believe there are enormous values to be gained when Soil and Water Conservation District leaders expand their communication with non-farm people. In the first place, we need a continuing dialog between farm and non-farm people. Why shouldn't that dialog be carried on in Soil and Water Conservation Districts? Secondly, I firmly believe your qualities of self-development, self-improvement, independent operator self-reliance should not be lost. These assets WILL be lost by isolation! I believe it is important to America that these qualities should be passed on to others by teaching and training them in your methods. Urban people can profit by contact with you; farm and ranch people can profit by the cross-fertilization of ideas from their urban friends.

The nation needs the help of Soil and Water Conservation Districts. These are government enterprises that should work, especially in this day when emphasis is put on focusing on a problem, *all* governmental programs that will help solve the problem, no matter what their bureaucratic position. This is the new phrase: the systems analysis approach. Soil and Water Conservation Districts could be the valuable coordinating mechanism, but not only for rurally-focused programs. If you do not rise to the challenge, to the opportunity for greater service, some other arrangement—without, alas, SWCD experience—will have to be used.

Turning inward is the way to atrophy; turning outward is the way to life.

Now, having had the temerity to suggest you should raise your sights and expand your objectives—that indeed you have the ideal structure and technical experience and legal base to qualify as a spearheading group in expanded citizen involvement in conservation—I should like to speak on spreading conservation effectiveness from two points of view: that of one who tries to be a communicator and to encourage citizen involvement, and that of one who is part of another national organization and thus on the receiving end of a great many appeals for cooperation. As a person on the sending end, I have some pet principles to offer. As a person on the receiving end, I have some advice. I should like to share both with you.

A few months ago, our national League president was preparing a talk for a meeting of deans and counselors of young people. While doing her homework, she came upon a statement by Dr. Daniel C. Fullmer from the state of Oregon, which has profound implications for all of us concerned with expanding citizen participation. Dr. Fullmer said "We professionals have been playing with the word 'motivation' for years. We have been treating it as an antecedent (as something which comes before participation). Motivation," said Dr. Fullmer, "is not an antecedent; it is a consequence. I am motivated because of experiences I have had; I am not motivated to have experiences."

Now I suppose that in a general way we knew that was true, but it had never been articulated in quite such clear terms. We have tested this idea in the League of Women Voters and it makes good sense. The group of inner city residents I mentioned earlier were motivated AFTER they shared the experience of working long months with their new friends from the suburbs. The idea that motivation is a consequence of experience and not an antecedent has great relevance to the question of expanding citizen interests in conservation also.

We are working into an important principle of opinion-building—the identification principle: to accept an idea or point of view, the people we are trying to reach must see clearly that it affects their personal desires, their hopes, or their interests. The principle of identification has to do with self-interest. The problems which concern us must be made meaningful to others, in ways that are observable and measurable from the point of view of *their* lives, in ways they will understand, and which will cause them to act.

How do we do this? Mainly it requires the ability to see things as others see them. We project ourselves into the minds of other individuals or persons belonging to other organizations whose background and points of view may be quite different from our own. This requires understanding and imagination, but you are imaginative people, and this ability for pinpointing the attitudes and emotions of others often makes the differences in bridging the communications gaps which concern us now.

There are two other principles for creating favorable public opinion which are equally important. The first is the principle of trust. The receiver of the ideas or opinions or points of view—the person we hope to motivate—is not likely to listen or to believe us, unless he has confidence in the source. This is the principle of familiarity and trust.

And another principle is the action principle. People do not buy ideas separated from action—either action by the sponsors of the idea, or action which people themselves can conveniently take to prove the merit of an idea. Unless a means of action is provided, people tend to shrug off appeals to do things.

Identification, trust, and action—how would you rate yourselves on these in your relationships, farm organization to non-farm public, rural to rurban to urban citizens? Are there keys here, to help us help more people identify with conservation concerns?

Just what are the conservation interests and worries of the non-farm citizens in your locality? In my community, a small city near a metropolitan area, we are worried about pollution in our new Lake Thunderbird, which has just become our main source of water supply. We worry about land use and erosion from new housing developments and highways. We are concerned about precious open space in the urban areas being spoiled by unsightly junk yards and taverns. We fought to keep a state highway from slicing through a wildlife refuge.

Your neighbors in the towns and suburbs have serious conservation problems too. What can we do to help one another? If you believe there is hope for melding our interests, then my first suggestion is that you must provide the experience which will bring about the motivation. You must attract attention.

In my organization, we are great exponents of the go-see trip. In our study of water resources, we often go see for ourselves the sources of our water supply, the way in which a watershed is managed locally, what the park and recreation assets are in the area and even the inner workings of the local sewage disposal plant. I suggest that the leaders of your nearby towns and cities would be pleased and flattered with an invitation, on an early spring Saturday, to go-see what you have done in your county. The tour should end with a get-together where the dialog can be continued over coffee; you want a chance to hear what their conservation problems are too!

Next, you should start now to get rurban and urban representation on your boards. Or if that is impossible under your present state laws, you might start with an advisory committee of non-farm citizens. Invite your non-farm power structure to an experience few of them have had in a decade—a fried chicken dinner in the country—and begin the dialog with them at the same time.

But make no mistake about—there must be give and take. Too often "communication" has been a euphemistic way of saying influence, and influence in one direction only. Let's admit that there are tensions and that the problem is to understand what other groups have in mind and that solutions are often compromise, not just smoothing over differences or riding roughshod over the opposition. And here I think you have to keep in mind that the more support you seek, the more compromise is required. As you broaden your base of support, to include those whose aims are not identical with yours, the more adjustment is necessary to accommodate to different points of view. Differences of opinion and the tensions that inevitably arise should not be shunted aside but be utilized.

I'm sure you know that civic organizations provide one of the most important channels through which information reaches the public, is discussed, and crystallizes into support. There are many ways to reach urban and suburban organizations, with or without interests similar to yours. Dozens of organizations in your nearby towns are looking for lively programs. You can send them a speaker, preferably armed with a few colored slides to show and tell what is going on in the county. If you have inexpensive flyers or fact sheets about the work you are doing, send along enough copies for every listener to take one when he leaves. You want to provide an interesting experience, but you strengthen the chance for motivation when you offer a small pamphlet for later quiet reading.

And, of course, once you have aroused the interest of a group in what you are doing through a go-see, or a speaker, you have a logical reason for sending follow-up reports, or your newsletter, or a group invitation to a workshop or upcoming election.

In gathering information from a few of our League Water Resources Chairmen for this visit with you, one said she is devoted to the Soil and Water Conservation District people in her county. She said you have all sorts of wonderful things to offer organizations and schools, but, she said, "you really have to seek them out and ask for what you would like!" For example, she said you have splendid programs on soil erosion to present to schools.

Recently the state president of the League of Women Voters of Ohio discovered you too! She sent a memo to all the Ohio Leagues telling them about you.

"In each county is a Soil Conservation District providing the technical services of engineers, soil scientists, field biologists and foresters, *free* to public and private landowners upon request. Many school and laboratories have begun to take advantage of this opportunity. Enclosed is a list of Conservationists and a map of the Districts of Ohio. Locate yours and contact at once for all kinds of valuable information and help for your community."

Our two organizations combined forces in Fairfax County, Virginia, in an excellent example of cooperation between the League and the Soil and Water Conservation District. It all grew out of a League study of county planning policies and their implementation. Part of the League concern in this rapidly changing area was in bad land usage which resulted in erosion and siltation. Early in their study, they discovered that the Soil and Water Conservation District had similar concerns. And so they toured the county to study erosion problems first hand, with many of your people serving as their tour guides.

They say you provided the League with many of the slides which were used in a speech-and-slide presentation which the League presented before the Fairfax City Council, before heads of public agencies convened by the Fairfax Board of County Supervisors, and to 51 interested groups in the county. As a result of this educational work and ensuing citizen action effective ordinances were passed—laws with teeth but not so many teeth that enforcement is impossible.

Examples of this budding love affair between the League of Women Voters and your Districts would not be complete without telling you about Westchester County, New York. Here the several Leagues of the county, after long study and discussion and group decision, agreed to support the creation of a Westchester County Soil and Water Conservation District. They reported:

"The Soil and Water Conservation District was seen by the Leagues as the quickest and most efficient way (1) to obtain comprehensive, multi-purpose flood control plans for the small streams in the County, under Public Law 566, and (2) to meet the growing need for sediment detention, for the preservation of the marshes, swamps and open space, and for flood plain zoning. The soil survey, Leagues agreed, would aid planning commissions; help in the control of polluted water from septic systems and in the protection of well water supplies; help check soil erosion throughout the County; aid in the development of the County's wildlife and recreational resources before it is too late in our rapidly growing County."

In implementing this decision, they first initiated an all out educational program which included educating local and county officials. They explained what a SWCD was, what it could do for the county and areas within it, how only those areas requesting help would receive it, the negligible cost to the county and the variety of benefits that could be received.

Leagues have been working in planning and zoning and water resources for all these years, and frankly it is a disappointment to us that more have not established warm associations with you people in the Soil and Water Conservation Districts. Now that you know how our interests dovetail, I hope you will be more aggressive in letting Leagues know how you can help them. We can share our concerns. Has your State held public hearings yet, on water quality standards? Were you represented? And did you make a statement? All of us must keep watching this in our States; we will strengthen our organizations by learning to use effectively the force of public concern.

You may recall my reminder that most individuals are plural, and the obvious way to use pluralism is to find the members of your organization who are members of other organizations. If influence is to be felt, it is far better—even essential—that it come from within rather than from without. In other words, your own members are links with the special audiences you hope to reach.

Perhaps the other organization will have only a casual, courteous interest in the conservation problems which means so much to you. If this turns out to be true, be not dismayed. You can offer a good program at least, with plenty of opportunity for member discussion and feedback. Just remember that we take ideas and information to people where they are, geared to their interests, their concerns, in their language if possible and in a way in which they will enjoy the experience and open their minds to the problems. Always include possibilities for action by individuals, if you find that the organization as a whole is not to cooperate, for you recall that people do not buy ideas separated from action. You never know when a spark will be struck which will fire another individual to far-reaching conservation interests.

But if, as I like to think you will find, the other organization turns out to be a dedicated partner in your efforts, these final, gentle hints are in order:

First, include them in your planning from the first stages. I don't konw of many groups worth their salt which will take on a cooperative effort without expecting they will have an important role in general planning and strategy. In this sophisticated day, we simply cannot superimpose ideas and have them joyfully accepted. The League has earned a Purple Heart or two, learning that the hard way.

Next, try to include cooperating organizations in all your promotion plans—in feature newspaper stories, in panels on radio and TV, in manning the speakers bureau, in co-sponsoring a public seminar or other special event. You should even welcome controversy among cooperating groups, for conflict is not only a way to get an issue talked about and understood, but the compromise that almost inevitably follows the talking out of an issue usually results in moving ahead. A certain intellectual humility involving a willingness to respect other persons and interests as legitimate can actually help others who are seeking to determine the shape of public policy.

And third, see to it that the other groups and their leaders get the giant share of the accolades and credit when success comes.

You can see I offer no easy, simple way for building a favorable climate or opinion toward the worthwhile goals which mean so much to us. Two generations ago, the task undoubtedly was much easier. Life was less complex; there were fewer associations seeking the ears and commitment and the action of other citizens. In the olden days, we tended to idealize our role as motivators: we believed that it was enough to inform ourselves and our members, and then, by some magic, we thought little ripples would emanate outward which eventually would touch the hearts and minds of hundreds of others, to bring about the understanding or changes we were seeking.

In the latter half of the 1960s, faced with highly skilled competition from hundreds of other persuaders, who are equally convinced *their* objectives are all-important, we now know that we cannot be very effective unless we maximize our efforts at communicating.

Which brings us back, once again, to our motivating role. Our message must be given in terms that will touch the personal interests of the receivers . . . who will be influenced by, or adopt, only those points of view extended by those in whom they have confidence. And a means of action must accompany the ideas, or the appeal will be shrugged off.

From this, I hope we have recognized citizen cooperation and effectiveness requires more than an announcement of our meetings in the local newspaper. It is more than gathering together a few like-minded friends to agree once again that we are on the side of the angels. Cooperation is even more than a wonderful speech to the Rotary about your record in Soil Stewardship.

Real motivation and effectiveness occurs when through person-to-person involvement, more will be able to think through, weigh choices, find agreement and become committed to the goals all deem important, and have opportunity to act. It is up to us to create a climate, in which more individuals can make up their minds and act. Turning outward may cause a few of your District's muscles to creak, but therein lies your future.

PROTECTION OF CONSUMERS

Mr. McGEE. Mr. President, today the President has sent one of the most significant and important messages which will be presented to the 90th Congress. I am referring to his consumer message, in which he urges measures to protect American consumers. The President has urged the adoption of S. 5, introduced by the Senator from Wisconsin [Mr. PROXMIRE], a bill which would require the disclosure of interest costs at an approximate annual rate, thereby enabling the consumer to ascertain how much it will cost him to borrow money or purchase goods on an installment basis.

The President's message has great significance because consumer credit has become a major element of American business and economic activity. Because of consumer credit, our economy has been stimulated, and more people can enjoy the benefits of our productive capacity. Truth-in-lending, as embodied in S. 5, will make the consumer credit segment of our economy perform even better than it is presently doing, and it will help more people to enjoy a better life.

Consumers now pay approximately $12 billion per year in interest and finance charges on their debt, which is an amount substantially larger than the interest on our national debt. It is a problem of magnitude and one which requires a great deal of study. The great former Senator Paul Douglas has for many years studied the problem of consumer credit and has given it his devoted attention. Senator Douglas concluded that legislation was needed to require the disclosure of the actual cost of credit so that the consumer can make an intelligent choice, just as he compares the prices of meat at various grocery stores.

Other States, including the Commonwealth of Massachusetts, have enacted legislation in the field of truth in lending. The Massachusetts law, which is a good law, goes farther than the law requested by the President in his consumer message, as now set forth in S. 5. S. 5 recognizes that some consumer financial transactions are complex and that it may be difficult to arrive at the exact interest rates. Thus, S. 5 uses the actuarial method and simple tables, and insures a degree of accuracy which will allow the consumer to make the comparison in the consumer credit area which he can make when he compares the prices of merchandise, and it will not be burdensome on the lender or shopkeeper.

Although it is true that the great majority of lenders in this country are honest and forthright, we are all aware of abuses, and all of us have received complaints from constituents who have felt cheated and deceived in a credit transaction. It has always been the policy in our great Nation to attempt to protect all people, and so long as deceptive practices are used, although in a small element of the economy, legislation must be enacted to curb the abuses.

Even where deceptive practices are not used, however, it is quite frequent for a lender or seller utilizing the installment sale procedure to eliminate or not use at all any rate of finance charge or interest. This is the easiest way to obscure the cost of credit. Very few individuals can translate the number of payments into an interest rate, and the concept of truth in lending will place the burden on the seller or the lender to disclose to the buyer or borrower the approximate rate at the time the transaction is entered into. It is more frequent for the lender or seller to set forth the actual debt cost of a loan. Although this is somewhat more accurate than no disclosure at all, it does not disclose an actual percentage rate and gives the consumer no basis for comparison.

The concept of truth in lending is a good one. It is one which would create equality among all financial institutions and business establishments extending credit. It is not an attempt to regulate rates, but rather an attempt to create a free enterprise system by eliminating deceptive and misleading practices, and practices which do not fully advise or inform the consumer. Through competition, as we all well know, our Nation has become great, and the citizens of our Nation have been able to share in its greatness. I commend to all Senators a reading of the President's consumer message, which urges the adoption of S. 5, and I urge each and every one to lend his support to and to vote for S. 5—truth in lending—to make a better America for all Americans.

MEMORIAL TO GUS GRISSOM

Mr. HARTKE. Mr. President, I wish to commend to Senators the laudable efforts of the people of Mitchell, Ind., in erecting a memorial to Gus Grissom who was born and reared in their community. Spearheading the project is the Mitchell Chamber of Commerce.

The outstanding record of Indiana's space pioneer need not be reiterated; it is known to every American. The memorial will preserve the memory of that record for future generations who might otherwise lose sight of the spectacular achievements of the few individuals who made the first forays into space.

This memorial is to be built from the voluntary contributions of those who were inspired by this man's courage and contribution to his Nation. It is appropriate that his home community which watched him grow in stature, should initiate this tribute. I know that the people of Mitchell would welcome the assistance of other Americans who wish to join in this effort on behalf of Gus Grissom.

HUMAN RIGHTS HAVE PRECEDENCE OVER "GREEN GOLDFISH"—SENATE MUST RATIFY HUMAN RIGHTS CONVENTIONS

Mr. PROXMIRE. Mr. President, once again, today, I rise to urge the Committee on Foreign Relations to report and the full Senate to ratify the Human

Rights Conventions on Forced Labor, Genocide, Political Rights of Women, and Slavery.

Since the Genocide Convention was transmitted to the Senate in 1949 by President Truman, the Foreign Relations Committee has held hearings on and reported well over 100 treaties. During this same period, the Senate has given its advice and consent to over 100 treaties.

A random sampling of the treaties, of questionable historical import, which the Senate has ratified during the past 18 years, is both interesting and revealing. Included among the hundred-plus treaties are a Tuna Convention with Costa Rica, a bridge across the Rainy River, a Halibut Convention with Canada, a Road Traffic Convention allowing licensed American drivers to drive on European highways, a Shrimp Convention with Cuba, a Commercial Samples Convention to facilitate the importation of commercial samples and advertising materials, a treaty of amity with Muscat and Oman, and even a most colorful and appetizing treaty entitled the "Pink Salmon Protocol."

I do not mean to suggest that any of these treaties should not have been ratified by the Senate. I am confident that they were all in the national interest and were probably quite necessary.

But every one of these treaties has as its objective—the promotion of either profit or pleasure. I fail to understand why treaties concerned with reconciling commercial disputes or easing the burdens of international travelers should be given precedence over human rights.

These conventions do not deal with profit or pleasure. They deal with people. Surely before the Senate considers another treaty on "green goldfish" or an equally momentous covenant, we will find the time to consider and ratify the Human Rights Conventions on Forced Labor, Genocide, Political Rights of Women, and Slavery.

THE 25TH AMENDMENT

Mr. HANSEN. Mr. President, Wyoming was privileged on January 31, 1967, to become the 33d State to ratify the newest amendment to the U.S. Constitution, an amendment which clears up numerous ambiguities relating to presidential succession.

Due notice of Wyoming's ratification of the 25th amendment was contained in the RECORD of February 8, 1967, and I wish only to add my enthusiastic praise for the legislature's action.

Had I been a Member of this distinguished body during the 89th Congress, I would have been among Senators who supported the amendment.

I congratulate the distinguished junior Senator from Indiana [Mr. BAYH], under whose primary sponsorship the amendment was passed. Through his enthusiastic and effective championing of this amendment, a serious deficiency in the Constitution has been corrected, and there will now be a more orderly transition of powers in the event a President of the United States is incapacitated.

To her near neighbor, the State of Nevada, Wyoming doffs her Stetson, for it was Nevada, as the 38th ratifying State, that made the 25th amendment a part of the U.S. Constitution.

BEAUMONT, TEX., ENTERPRISE ENDORSES BIG THICKET PARK

Mr. YARBOROUGH. Mr. President, since the introduction of my proposal to create a national park in the Big Thicket area of Texas, I have found widespread and growing support for, and interest in this conservation effort. There is no doubt that the encroachments of modern civilization have set a time limit on the existence of the Big Thicket as a unique biological area; the Big Thicket will be gone within our lifetime unless appropriate conservation efforts are taken soon. Many conservation groups are acutely aware of the need for prompt action; on January 16, 1967, the Texas House of Representatives has endorsed unanimously the goal of my bill—S. 4—by resolution.

The leading daily newspaper in the area of the Big Thicket, the Beaumont Enterprise, has stated in referring to the introduction of my bill and other efforts:

> With acceleration of that public interest, something is bound to happen.

I certainly share their hope that progress toward the preservation of a Big Thicket Park can be made.

I ask unanimous consent that an editorial entitled "Big Thicket in Spotlight," published in the Beaumont Enterprise of January 13, be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

BIG THICKET IN SPOTLIGHT

U.S. Sen. Ralph Yarborough, in reintroducing his bill to create a Big Thicket national park, stressed the all-important need to focus public attention on the preservation movement until there is a meeting of minds on the best way to carry it to conclusion.

Although the lawmaker thinks the area is of sufficient national importance to justify federal recognition and assistance in the preservation effort, he emphasizes that his proposal in no way would foreclose efforts by Texas to establish a state park in the Big Thicket.

Actually, the Yarborough measure is not a detailed proposal, but it tentatively sets the size of the proposed park at 75,000 acres.

The Texas Parks and Wildlife Commission has recommmended a park, and the National Park Service has surveyed the area, indicating that specific recommendations will be made.

As Sen. Yarborough pointed out, "there is substantial agreement in all quarters that some form of preservation of the Big Thicket is needed."

With acceleration of that public interest, something is bound to happen. Leaders in the years-long preservation movement feel encouraged. They have good reason.

MILWAUKEE JOURNAL EDITORIAL COMMENT ON MILITARY AND DIPLOMATIC POLICIES

Mr. NELSON. Mr. President, Wisconsin is very fortunate in having one of the truly great newspapers in the country. The Milwaukee Journal has consistently been the voice of reason in national and international affairs. As my son Happy says, "They always keep their cool." Recently the Journal published several editorials which I feel are worthy of appearing in the CONGRESSIONAL RECORD.

The first, on January 23, indicates that Secretary McNamara is correct when he states that the best defense lies in a massive offense, and that we should not get involved in an antimissile arms race.

The second reaffirms the position of many individuals that it is worth a risk now to slow down the war, cease bombing for an indefinite period, and thus challenge the Communists to come to the peace table.

The third editorial advocates better relations with the Soviet Union through ratification of the much abused Consular Convention. The writer goes on to say that this is a matter of foreign, not of domestic, policy, and that it involves the President and the Secretary of State, not the head of the FBI.

Their most recent editorial, dated February 10, again regarding the value of the Consular Convention, states clearly a point that few people consider and probably do not now know: that is, that the President does not need a treaty to allow the opening of a consulate in this country. He has that power now. The real purpose of the treaty, the editorial writer says, is to agree on rules to extend the doctrine of diplomatic immunity and to give access to citizens accused of crimes.

As about 18 Americans visit the Soviet Union for every Soviet citizen who visits this country, the advantage is clearly with us.

I ask unanimous consent that the editorials be printed in the RECORD

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Milwaukee Journal, Jan. 23, 1967]

FORTY BILLION DOLLARS FOR ANTIMISSILES

President Johnson's appeal to the Soviet Union for a mutual moratorium on deployment of antimissile systems is calculated to head off what could become another dangerous and expensive spiral in the arms race.

Ever since disclosures that the Soviet Union may be ringing Moscow and Leningrad with a limited antimissile defense, pressure has been mounting in Washington to promote the long discussed Nike X system from the research stage into active development. This is a staggeringly costly endeavor, involving ultimate expenditures of up to $40 billion. And even this would not give the nation an absolutely foolproof shield against nuclear attack. Nike X, at best, would be only about 90% effective.

Defense Secretary McNamara is against taking this step. He still feels the nation's best defense lies in a massive offense. The president apparently agrees, although pressure at home and decisions in Moscow could change his mind.

The United States and the Soviet Union have a common interest in seeking greater security through disarmament—or at least through a cessation in the current arms race—rather than through increased military expenditures. Any stepup in the race would only lead to a further diversion of resources that could better be expended elsewhere—and neither side would have gained real security.

[From the Milwaukee Journal, Jan 25, 1967]

HALT IN THE BOMBING

Diplomats at the United Nations who have been working on the problem of peace in Vietnam are increasingly of the opinion that an American cessation of bombing over North Vietnam is a basic requisite. U Thant secretary general, has stated this emphatically. The international control commission has indicated the same thing. Harrison Salisbury, New York Times reporter just back from Vietnam, along with other western and Japanese reporters, says that a bombing pause is vital. The Communist world has been saying it, too.

In Hanoi the other day Ho Chi Minh gave a secondhand invitation to President Johnson to visit and talk peace. The president won't, of course. But the suggestion may be additional indication that possibilities for peace are in the air.

At the UN diplomats say that China's weakness because of internal troubles and Russia's eagerness to co-operate if it can without losing face bolster the opportunity for peace.

There is no certainty that a bombing pause would bring negotiations. But there is less likelihood that talks will come without it. And it is worth listening to and heeding world opinion by pursuing every path in the effort to bring an end to a war that is causing divisiveness at home and abroad.

There is counter pressure on the president to widen the bombing. Highly placed but unidentified spokesmen are quoted as saying that the president may soon order 75 more targets in the north attacked, including four MIG bases. This, of course, would be escalation, and escalation is not the road to peace.

It is worth a risk now to slow down the war, stop the bombing for an indefinite period and challenge the Communists to come to the peace table.

[From the Milwaukee Journal, Jan. 30, 1967]

INEXCUSABLE INTERFERENCE

The president is advocating better relations with the Soviet Union and eastern Europe. As part of that effort he is asking the senate to approve a new consular treaty with Russia. Secretary of State Rusk and Undersecretary of State Katzenbach, former attorney general, have urged the foreign relations committee to approve the pact. FBI Director J. Edgar Hoover has warned the committee that the pact would increase the danger of Soviet espionage.

In a most unusual letter Rusk wrote Hoover in a conciliatory manner and suggested that perhaps the FBI chief did not mean his warning as a bar to the treaty. Hoover responded perfunctorily and almost rudely, and the next day warned again.

Until 1948 the United States had a consular treaty with Russia. Two things are to be gained from renewing it. First, it would be another step toward better relations. Second, with such a treaty it would be easier to protect the interests of American tourists in Russia. The state department argues that the risks of espionage are "small and controllable" and that the FBI has the capacity to deal with them.

This is a matter of foreign and not domestic policy. It is a matter for the president and the secretary of state and not the police chief to handle. Hoover should not be allowed to stymie this national policy.

[From the Milwaukee Journal, Feb. 10, 1967]

CONSULAR TREATY VALUE

Few of those in the senate who oppose a consular treaty with the Soviet Union are paying attention to the facts of the case. Their basic argument is that if the Soviet Union is allowed to open a consulate in Chicago or San Francisco or somewhere else, there will be 12 to 15 more Russians who might do some spying in this country.

The president doesn't need a treaty to allow the opening of a consulate. He has that power now. As to spying, consulates of all nations have been used for that purpose at one time or another. Russians at the United Nations and at the Washington embassy can travel now, into some areas without prior permission, into others with permission, and into some areas not at all. In the latter case it involves reciprocal bans imposed by us because the Russians keep some of their territory closed to our travelers. We have large areas of jackrabbit country out of bounds for Russians at the moment.

The real purpose of the treaty—which was drawn up from negotiations started in the Eisenhower administration—is to agree on rules extending the doctrine of diplomatic immunity and giving access to citizens arrested and accused of crimes.

The important thing gained would be the agreement that our consulate officials would be told within two days of the arrest of any American in Russia and be granted the right to see him within four days. Now some of our nationals have been arrested and held incommunicado for months. The treaty would provide some assurance that our officials can take steps to protect our travelers. Consulates also increase opportunities for trade.

As about 18 Americans visit the Soviet Union for every Soviet citizen who visits this country, the advantage is clearly with us.

THE TREATY ON OUTER SPACE

Mr. METCALF. Mr. President, on February 7 President Johnson sent to the Senate for ratification the proposed Treaty on Outer Space. The President pointed out that 10 years ago, as a Member of the U.S. Senate, he was chairman of the Senate committee to set legislative policy for outer space and to determine what this Nation could and should do in the conquest of outer space. I was privileged to sit upon a like committee in the House of Representatives, whose chairman was the distinguished majority leader, JOHN W. MCCORMACK, now the Speaker of the House of Representatives. I can recall, as President Johnson recalls, the awe and the wonder that came over the members of the committee as the testimony developed and the scientists testified as to the possibilities of outer space.

Those possibilities are now accepted and almost universally recognized. We have advanced to greater dreams in the short decade that has elapsed. But the work of those two committees, one in the House and one in the Senate, has brought about this miracle. NASA has been created, astronaut is a common word, heroic men have achieved great things. Mathematicians and biologists and physicists have accomplished miracles. Many of our accomplishments in space have been paralleled by Russia. Soon other nations will be involved.

So now, in the first flush of triumph over the obstacles of space, is the time to leave behind our terrestrial ambitions, disputes, and claims of sovereignty, and look to new ground rules for peace and cooperation in space. The treaty says the exploration of space "shall be carried out for the benefit and in the interest of all countries—and shall be the province of all mankind."

We are resolved that outer space shall not be contaminated as we have contaminated our earth's atmosphere, we are pledged that the stationing of weapons of destruction or mass annihilation in outer space will not be permitted.

In this virgin area we have an opportunity that has not been given to us on this earth. The rivalries, the contentions, and the conflicts that have been our earthly heritage may be abandoned as we jointly and cooperatively launch ourselves into this great adventure in space. It may be that as a result we will achieve a greater cooperative spirit on earth and as a result international confidence and international understanding will grow out of extra terrestrial achievements.

RONALD REAGAN

Mr. MURPHY. Mr. President, there has been much controversy and confusion about our newly elected Governor of California and his early attempts to carry out the promises which brought him a plurality of nearly 1 million votes in last November's election.

The true picture of Governor Reagan is captured well by a column written by one of California's outstanding editors and publishers, Virgil Pinkley. I ask unanimous consent that Mr. Pinkley's column, "A Close Look at Ronald Reagan," be included in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Indio (Calif.) Daily News, Feb. 7, 1967]

FOR YOUR INFORMATION: A CLOSE LOOK AT RONALD REAGAN

(By Virgil Pinkley, editor and publisher)

SACRAMENTO.—The Governor looks up from a stack of papers, smiles, offers his hand and calls the visitor by his first name.

He appears younger than when on television or in his photographs. He is taller too and has the look of a finely trained athlete.

He enters easily into conversation. There is nothing dramatic about his direct statements. The tone is quiet. When he addresses the Legislature to present his first state budget he does not orate. His text is read in a calm voice, accompanied by few gestures. He ad libs once—when the ink on the paper makes reading difficult. His reading glasses are taken from an outside coat pocket.

It is Governor Ronald Reagan.

Soon, he says, he will be working from a small back private office. "Nancy," his wife, "is furnishing and fixing the room for me as a birthday gift. All expenses are being paid personally so it will not cost the state a cent," the Governor says.

PRESSURES CITED

The state's Chief Executive readily admits that he is under growing pressures to abandon some of his economy ideas and putting the state on a really sound fiscal basis. He knows these pressures come especially from some educational groups and leaders, including the Board of Regents.

The thing that surprises Reagan is that people profess to be amazed today because he is saying and doing what he promised repeatedly during a long and difficult political campaign. He spoke out then clearly and positively.

One quickly gains the impression Ronald Reagan means exactly what he says—no more and no less. He may choose the wrong word or expression such as "looting," but he does not renege on basic statements and promises. He feels strongly that they should be fulfilled.

Many times Reagan pledged to cut expenses, trim costs, hold the line on new and higher budgets, try to save enough to eliminate the necessity for new taxes, streamline state operations and to reduce expenditures by an average of 10 per cent, or an amount near that figure.

He expressed dissatisfaction about the atmosphere at the University of California at Berkeley and its affiliated campuses.

He said sit-down or sit-in strikes, mob action, riots, leftist demonstrations and violence were wrong and should be prohibited.

Frequently Reagan has proposed modest tuition fees for University of California students and those at state colleges but accompanied by numerous scholarships, loan funds and other aid to students who cannot afford even low tuition fees.

COSTS SOAR

The Governor knows that enrollment in such schools has gone up 118 per cent in ten years, but that budgets and costs have soared during the same period 213 per cent.

Reagan has studied the matter of state university budgets and tuitions closely. He knows that most states charge tuition and some quite high fees. A study shows that in California state schools of higher learning roughly two-thirds of the students come from middle class, upper middle class and wealthy families, not poor ones.

The governor himself paid tuition and worked most of his way through college. He feels it was a worthwhile experience and gave him a running start on life and making his own living.

"You really are in the middle of a hornet's nest and some elements, including a number of newspapers, are trying to thrust you into a meat grinder," I said.

"Yes, I know there is growing pressure," Reagan replied, "but I am determined to do the job I took on and pledged to accomplish."

Asked why he entered public life, Reagan responded, "for several years I made speeches all over the state and nation setting forth my views on government, rising taxes, lowered morality, growing crime rates and questionable patriotism. Finally, friends and supporters said, 'put up or shut up.' I decided to make the plunge. I knew it would not be an easy way of life to come to Sacramento. It would be much more pleasant to stay on my ranch and ride horses and have more time for my family. But I felt I owed much to our society, to this state and our great nation. So, I'm here regardless of the pressures and attacks. I plan to follow my program and to keep my promises."

NO RANCOR

Here again the caller is impressed by his lack of bitterness or rancor.

Apparently the governor is not worrying about his re-election four years hence. He has a job to do now. This holds his concern.

There is a deep strain of the crusader in Ronald Reagan. The men closest to him say repeatedly on and off the record that Reagan will not back down on positions firmly taken. They insist he will not play politics in supporting or opposing vital issues involving morals, high ideals, sound fiscal practices, constitutional requirements or lasting values.

Reagan is ready to fight for his objectives. He will not hesitate to employ the veto if the Legislature attempts to thwart his economy moves or plans to hold governmental costs in line.

High up on the Reagan agenda is the securing of good and capable men and and women to take on responsible state jobs. He is turning to business and the private individual in his drives for better state government.

The Governor expects to secure much help from private business and foundations in training and financing programs which will provide the jobs and personnel needed in our expanding state economy. Each year we need to have 200 to 300 thousand new jobs to prevent unemployment and a swelling of our welfare rolls. Should these occur more taxes constantly will be demanded from overburdened taxpayers.

Reagan is determined that people physically fit should work for their livelihood and not remain forever on relief rolls. Handouts, he contends, are not good for individuals, states, or nations.

TIME NEEDED

I came away from our meeting impressed and with renewed respect for Ronald Reagan, coupled with the hope that Californians will give him some time and support in the tremendous undertaking he has assumed.

Some of those who supported him most vigorously for the governorship have now turned on him and are snipping away. Some media against him in the campaign have been even more so since he went into office only a month ago. Their opposition is bitterly partisan and not necessarily based on the record. They are just against Reagan in any shape or form. Their stories and editorials are biased.

As the months pass many Californians will be aware of the sound policies and acts of Reagan. While he is in Sacramento they will know who the governor is and his program. He is a man of vigor and candor. Dynamic action will feature his administration.

THE TEACHER CORPS

Mr. NELSON. Mr. President, Mr. Fred Hechinger, one of the most distinguished education reporters in the country, has written a most interesting article in last Sunday's New York Times on the National Teachers Corps.

The Times article describes the success achieved by the Teacher Corps in its first year of operation. The vital work being done by the dedicated young Teacher Corps interns has had a tremendous impact on local educational systems throughout the Nation.

I ask unanimous consent that the article be inserted at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Feb. 12, 1967]

EDUCATION: UPHILL FIGHT FOR TEACHER CORPS

(By Fred M. Hechinger)

"The Teacher Corps has brought a much-needed infusion of genuine commitment and imaginative talent to the schools of New York City. I would count it a serious setback to the cause of quality education . . . if the Teacher Corps were not to be allowed to continue and expand its work in New York and across the country."

So wrote New York's Mayor John V. Lindsay last month in a letter to John W. Gardner, Secretary of Health, Education and Welfare. Apparently, Mr. Lindsay's praise of the National Teacher Corps is shared by observers across the country. But shared, too, is his uneasiness about the experiment's future.

Ever since President Johnson in 1965 proposed the creation of a substantial force of idealistic young men and women who would, Peace Corps style, spend two years supplementing the teaching staffs of rural and urban slum schools, the idea has been widely hailed as a way of harnessing youthful commitment. At a time when the slum schools suffer most from the teacher shortage, the prospect of getting enthusiastic and expertly supervised interns, fresh out of college, seemed like a promise of rain during a drought.

Since the young teachers in addition would be attached to universities for professional training, it was reasonable to hope that many of them would be lured into teaching as a career—perhaps even specialized teaching in slums.

Although rarely had so much been promised for so little money, Congress has treated the National Teacher Corps as a legislative stepchild.

The reason for this coolness was never totally clear.

In part, it may have been the result of an almost pathological fear of Federal control of education, even though the Corps teachers are under the control of local school districts.

In part, too, conservative spokesmen for the education establishment, especially in its teacher training segment, may have infected some members of Congress with lack of enthusiasm for a scheme that placed premium on innovation rather than the status quo.

In part, the politically conservative sections of the country may fear Corps teachers as "outside agitators."

In part, finally, Congress may have used this fiscally relatively minor program as a means of getting back at the President for having his way with so many other proposals.

The plan called for 4,000 teachers during the current school year, but the program was put through successive wringers until only 1,227—262 veteran "master" teachers and 965 Corpsmen—could be put in the field. New York City, which hoped for several hundred, has only 93 corpsmen in 16 of its 860 schools.

Even more serious was the fact that the last Congress gave the N.T.C. only $7.5-million, just enough to see it through the current academic year. Since each contract is supposed to be for a two-year period, these young men and women are in the dark about whether they can continue their work next September. Meanwhile, they are under pressure to sign up for jobs or more graduate work.

Many of those entering the corps for the two-year service period are college graduates who want to serve the community before going on to other careers.

President Johnson last month said that he would propose legislation to "extend and enlarge the Teacher Corps." Secretary Gardner added that H.E.W. has requested $12.5-million in supplemental appropriations for 1967 and $36-million for the program in 1967–68. This would permit a total of 3,700 corpsmen in September and a subsequent increase to a total of almost 6,000.

Unless recruiting can begin almost immediately for the next school year and contracts with some 50 universities for pre-service summer training can be let soon, the N.T.C. is likely to expire just as laudatory reports on the initial round are coming in.

"It is a little program that is making a big difference in our system," said John W. Ambrose, Acting Superintendent of the Lexington, Ky., schools.

A school official in Pontiac, Mich., called it one of the most useful innovations sponsored by Washington.

Perhaps the most important testimony about the program's potential, however, comes from young corps members themselves. A group of young women, serving in slum schools in New York agreed last week that they are "reaching" many of the youngsters mainly because they have the time and opportunity to work with small groups, a luxury most regular teachers cannot afford.

Ann Schrand, a veteran of the Peace Corps in Colombia who is now an N.T.C. member in Junior High School 45 at 120th St. and First Ave., said: "This is like going into another country, too."

Wilease Fields, a young Negro corps member from Maryland, now atached to Public School 19 in Corona, Queens, said her team was offering physical education, which previously had not been provided at all, and art and science, of which there had been too little.

"We can spend a lot of time on research and preparation which the regular teachers simply can't," she added.

As many of the young people tell of their experiences, an even more important aspect of the program becomes clear. Speaking confidentially, they tell about how they had to persuade the regular teachers and school administrators "diplomatically" not to treat them as ordinary student teachers, who are often used mainly to observe and clean the blackboards. They talk about the resistance to such unconventional approaches as home visits. They express disappointment about the conservatism of existing teacher training.

While the universities' special summer programs were given high marks, the overly theoretical courses in the regular education departments during the school year frequently seemed irrelevant.

"I feel the universities have copped out and are taking only a token interest," one corps member said, and others agreed.

Such criticism underlines the potential value of the N.T.C. It could force a re-thinking of the existing teacher training procedures. It raises questions about the traditional ways of student teaching and about the need to switch boldly to a system of true internship and on-the-job training. It might make possible new patterns of liaison with the community and with the homes of deprived children. Neither the standard professional concepts nor the economics of routine school staffing has permitted such patterns to evolve.

This should not imply that the corps is magic that will solve the problems of the slums. Despite their enthusiasm, these young recruits quickly admitted that the problems of poverty, of fatherless homes and of ominipresent groups of disruptive and unresponsive children, who should not be in regular schools, cannot be solved by the schools alone.

They sympathize with the regular school staff and admire its competent members. But they also recognize more clearly—perhaps because they are not part of the establishment—the flaws of defensiveness and insecurity of too many school people.

"The good teachers leave first when a principal fails to respond to the real problems, just to avoid trouble with his superiors," said one young corps member.

"You're really in the trenches," said one young woman, not to complain, but to tell why she valued the experience. It is ironic that in the face of widespread criticism of the lack of commitment among today's young people, it remains far from certain whether Congress will keep and reinforce the Teacher Corps in its domestic trenches.

EDUCATIONAL COSTS IN NATION'S ELEMENTARY AND SECONDARY SCHOOLS

Mr. MORSE. Mr. President, the January 1967 issue of School Management, which is devoted to an analysis of educational costs in the Nation's elementary and secondary schools, contains a short and provocative article entitled, "Federal Aid: Can You Be Bought For $8 Per Pupil?" The article, in my judgment, brings into sharp focus the answer to the charge of Federal control that is sometimes and, in my view, mistakenly leveled against our educational efforts through legislation of the past few years.

Appended to the article is a table which sets forth how Federal aid affected spending patterns within the school system during 1965–66. I feel sure that the information can be most helpful to all Senators. I therefore ask unanimous consent that the article and table be printed at this point in the RECORD.

There being no objection, the article and table were ordered to be printed in the RECORD, as follows:

FEDERAL AID: CAN YOU BE BOUGHT FOR $8 PER PUPIL?

(NOTE.—This comparison of what school districts expected to spend last year, before federal aid became a reality, and what they actually did spend gives a good indication of how federal aid affects school spending.)

Federal aid to education was one of the big news stories of the year. But how much impact has federal aid had on the public schools? What spending patterns were affected and how?

How real is the specter of federal control of local schools?

This magazine, through the Cost of Education Index, is in a unique position to provide quick answers to some of these questions.

Little more than a year ago, CEI forms (for 1965–66) were sent out to school districts on the CEI panel. At that time, those districts provided *estimates* of their spending for the 1965–66 school year. The estimates were printed, a year ago, in SCHOOL MANAGEMENT. The median district, they showed, was planning to spend almost $395 per EPU for Net Current Expenditures.

For the most part, when these forms were filled out, federal aid was a certainty—but few districts were counting on it very heavily. The Elementary and Secondary Education Act (ESEA) had been passed, but guidelines were not yet out and nobody knew exactly how much money would be received—or how it would (or could) be spent. It was *not* included in the estimates.

Last summer, the CEI forms for 1966–67 were sent to the same districts. But this time the forms asked for *actual spending during 1965–66*, as well as estimates for 1966–67. These figures were fed into SCHOOL MANAGEMENT'S computers in an effort to find out precisely how federal aid to education actually affected school spending last year.

Here are the results:

The median district in the United States raised its over-all Net Current Expenditures in 1965–66 by $6.80—from an estimated $394.70 to an actual $401.50. For the most part (*see table*), this increase went into salaries for teachers ($3.85), health services ($.20), teaching materials ($.80) and textbooks ($.60).

In addition, there was a sharp increase in spending for capital outlay ($2.70), transportation ($.65) and building ($2.10).

Actually, not all of the total $12 increase was a direct result of federal aid. Altogether, federal income is indicated to have risen to $8.90 per elementary pupil in the median district from an original estimate of only $3.40—a $5.50 increase. The rest of the increase is attributable to budget adjustments and to the "pump-priming" effect of federal aid. Obviously, many programs started with federal funds were supplemented by other district monies.

During the current school year (1966–67), median districts *expect* about $8.60 per elementary pupil in income from the federal government.

What about federal control? If the impact of federal aid on school spending is so considerable, where does this ultimately lead?

Actually, the answer to this question is really quite simple. The actual amount of federal dollars in education is very low in comparison to total district budgets—less than 2 percent. While federal spending has a general pump-priming effect, it is hardly a sufficiently large amount to raise valid fears of "a federal takeover."

What it really boils down to is this: Any school district that can be bought—or "controlled"—for $8 per pupil, is in pretty bad shape in the first place.

HOW FEDERAL AID AFFECTED SPENDING IN 1965–66

Here's a close look at how much money school districts expected to spend per pupil last year—before federal aid became a reality—compared to the amount they actually did spend, once federal aid programs became a going (and growing) operation. Federal aid is not directly accountable for all of the increases indicated, but its impact is obvious:

	1965–66			
	Estimated dollars	Actual dollars	Estimated percent	Actual percent
Administration	15.40	15.45	3.9	3.9
Professional salaries	7.60	7.60	1.9	1.9
Clerks and secretaries	4.40	4.40	1.1	1.1
Other expenditures	3.40	3.45	.9	.9
Instruction	311.15	317.10	78.8	79.0
Classroom teachers	256.55	260.40	65.0	64.9
Other professionals	27.75	28.10	7.0	7.0
Clerks and secretaries	6.05	6.40	1.5	1.6
Textbooks	4.30	4.90	1.1	1.2
Other teaching materials	11.00	11.80	2.8	2.9
Other expenditures	5.50	5.50	1.4	1.4
Health	2.30	2.50	.6	.6
Professional salaries	1.95	2.15	.5	.5
Other expenditures	.35	.35	.1	.1
Operation	38.25	38.25	9.7	9.5
Custodial salaries	20.90	20.90	5.3	5.2
Heat	5.70	5.70	1.4	1.4
Utilities other than heat	7.35	7.35	1.9	1.8
Other expenditures	4.30	4.30	1.1	1.1
Maintenance	12.50	12.50	3.2	3.1
Maintenance salaries	4.15	4.15	1.1	1.0
Other expenditures	8.35	8.35	2.1	2.1

	1965-66			
	Estimated dollars	Actual dollars	Estimated percent	Actual percent
Fixed charges	15.00	15.60	3.8	3.9
Retirement funds	8.95	9.55	2.3	2.4
Other expenditures	6.05	6.05	1.5	1.5
Other services	.10	.10		
Net current expenditures	394.70	401.50	100.0	100.0
Transportation	18.15	18.80	4.6	4.7
Capital outlay	9.30	12.00	2.4	3.0
Debt service	40.55	42.65	10.3	10.6
Total expenditures	462.70	474.95		

LOCAL GOVERNMENT FISCAL POLICY

Mr. MUSKIE. Mr. President, many groups are looking at the complex problems that surround State and local government financing. Last November the Municipal Finance Officers Association of the United States and Canada sponsored a National Conference on Local Government Fiscal Policy. Among the score of cosponsors and participating organizations was the Advisory Commission on Intergovernmental Relations, the Council of State Governments, and various groups representing local governments, business, labor, and private citizens. The invited participants, numbering about 100, were drawn from those organizations.

The report resulting from the 4-day conference supports many of the recommendations of the Advisory Commission in Intergovernmental Relations in the field of taxation and finance. As a member of the Advisory Commission, together with Senator ERVIN and Senator MUNDT, I am particularly pleased that such a diversified group finds so much in the commission's program with which it can agree.

Mr. President, I ask unanimous consent that the text of the report of the National Conference on Local Government Fiscal Policy be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

REPORT OF THE NATIONAL CONFERENCE ON LOCAL GOVERNMENT FISCAL POLICY, WASHINGTON, D.C., NOVEMBER 16–19, 1966

Sponsor: Municipal Finance Officers Association of the United States and Canada.

Cosponsors: Advisory Commission on Intergovernmental Relations, American Public Works Association, American Society of Planning Officials, Council of State Governments, Federation of Tax Administrators, International Association of Assessing Officers, International City Managers' Association, National Association of Counties, National Association of Housing and Redevelopment Officials, National Institute of Municipal Law Officers, National League of Cities, and the United States Conference of Mayors.

Participating organizations: American Association of School Administrators. the American Bankers Association, American Bar Association—Section of Local Government Law, American Federation of Labor-Congress of Industrial Organizations, American Society of Public Administration, Committee for Economic Development, Investment Bankers Association of America, National Association of Manufacturers, and the Chamber of Commerce of the United States.

PREFACE

A four day Conference on Local Government Fiscal Policy was held November 16–19, 1966, in Washington, D.C., sponsored by the Municipal Finance Officers Association of the United States and Canada and joined by twelve national public service groups as cosponsors and nine other nationally known participating organizations. One hundred eight public officials and others participated.

The purpose was to explore the status of local government finances with relation to the States and the Federal government and to discover, if possible, acceptable new approaches in four broad critical areas of fiscal policy: Taxation, Debt and Financial Management, Interlocal Relations (including State, Local Relations) and Federal-State-Local Relations. It is hoped the recommendations developed by the participants will offer useful guidelines for consideration by policy makers of local, state and the federal government and their agencies.

On the first day the participants met informally. During the next two days at four general sessions nationally known speakers delivered papers on the four programmed subjects. Each general session was followed by four concurrent small group sessions to develop points or recommendations to be acted upon by the entire conference group on the fourth day at a Plenary Session. The five moderators at the concurrent and plenary sessions, the concurrent sessions reporters, and others, drafted the recommendations which are presented in this publication.

It was clearly understood that recommendations as developed by the conferees are not binding on the sponsor, the cosponsors and the participating organizations, and that those participating do not necessarily concur in all conclusions.

The four who presented formal papers and their subjects are: William G. Colman, *Taxation;* David M. Ellinwood, *Debt and Financial Management;* Allen D. Manvel, *Interlocal Relations;* and Norman Beckman, *Federal-State-Local Relations*. These individuals are further identified elsewhere in this report.

The five who were the Moderators are: Dr. John E. Bebout, Dr. James R. Brown, Bert W. Johnson, Dr. James L. Sundquist, and Dr. Mabel Walker. They also are further identified in this report. Fred L. Schneider, President of MFOA, was the Conference Chairman.

The eight persons who accepted the role of Reporters are listed herein.

The Municipal Finance Officers Association gratefully acknowledges the time and effort displayed by the Conference Chairman, the Speakers, Moderators and Reporters in making the conference a success.

The February 1966 edition of *Municipal Finance* will be devoted to the Conference Proceedings and will carry the formal papers delivered by the speakers named above.

The Canadian members of the Municipal Finance Officers Association did not participate in this conference and the recommendations do not apply to Canada.

The participants in the Conference on Local Government Fiscal Policy sponsored by the Municipal Finance Officers Association of the United States and Canada at a plenary session held on November 19, 1966, reached general agreement on the recommendations contained in this report. It should not be assumed, however, that every participant subscribes to every recommendation because participants were not asked to sign the statement. Furthermore, the recommendations are not to be considered as necessarily reflecting the views of any of the organizations or governmental agencies with which the participants are affiliated.

Local governments are the foundation of our federal system. These governments stand in closest proximity to the hopes and aspirations of all Americans. It is primarily at the local level that public needs are translated into effective public action. Because of their direct involvement in the daily lives of individuals, local governments must be able to respond to these needs. The response is inevitably conditioned upon local government's fiscal vitality.

Preservation of local fiscal vitality, however, is not solely a matter of local action. States hold the legal reins over local government authority. The national government possesses the most effective and responsive sources of revenue. Thus, local governments must not only exert their own effort to sustain and expand their traditional and necessary role, but also must look to the State capitals and to Washington for assistance and forbearance in fulfilling their heavy responsibilities.

Local governments are currently responsible for a $60 billion package of public services, half of the total expenditures for civilian domestic purposes in the United States. These governments now raise from their own revenue sources $42 billion, about two-thirds of the revenue required to finance local expenditures. One feature of the America of tomorrow is crystal clear: larger expenditures by local governments, if already identified problems are to be solved and new demands from the public met. This is therefore a decisive moment for shaping local government fiscal policies for the years ahead.

Local governments are nowhere exactly alike. Their social and economic settings differ, as do their political systems. Significant disparities prevail among them because of variations in relative needs and resources. These disparities frequently represent the free choices we make in a system of decentralized political decision making. In the interest of preserving such freedom of choice by local governments, within the context of national societal goals, we offer the following recommendations as policy guides to assure their continued fiscal integrity and vitality.

TAXATION

1. Although many local governments urgently need supplementary revenue sources, and in the case of the larger jurisdictions local sales and income taxes hold substantial potential, most local governments, of necessity, will continue to depend very heavily on the property tax. This prospect lends major importance to reforming property assessment administration to rid it of its glaring weaknesses.

2. The assessment function should be performed by professionally trained assessors meeting clearly specified professional qualifications.

3. Assessment areas should be large enough to permit efficient and economical operation. In many cases, administration on a county basis meets this requirement; where counties are not large enough, joint assessment administration by two or more is indicated. Overlapping assessment districts should be abolished to eliminate wasteful duplication of work.

4. Taxpayers should be provided with full information on assessment ground rules

within their jurisdictions so that they are fairly treated. And where they believe themselves to be aggrieved, they should have prompt and economical access to appeal for relief.

5. Local governments should not be shackled by State-imposed constitutional and/or statutory tax rate limitations.

6. There is need for State involvement in the assessment process. This should be achieved by providing training and technical assistance to local units, special assistance in assessing properties of a complex nature, and general oversight to insure compliance with prescribed rules of fair and equitable assessment.

7. The level of assessment for real property should be market value unless a lower level is specified by State law. Whatever level of assessment is specified by law it should be uniformly enforced by the State in all jurisdictions.

8. Exemptions from the property tax should not be used as an instrument of social policy. Where the State mandates exemptions from the real property tax for such purposes (veterans, homesteads, indigent aged), the resulting revenue cost to local governments should be borne by the State.

9. Each State should take a hard, critical look at its property tax law and rid it of all features that are impossible to administer as written, whose effective administration would be economically intolerable, which force administrators to condone evasion and which encourage taxpayer dishonesty. To protect the integrity of its tax system, no State should *retain* in its property tax base any component that it is unwilling or unable to administer with competence.

10. States should encourage local governments to supplement property tax revenues with other revenue sources. In the case of some large municipalities and in some metropolitan areas, sales and income taxes hold most promise, particularly where they can be piggy-backed on State-imposed taxes with attendant economies of collection. To minimize taxpayer inconvenience, the rules governing the structure and administration of such taxes should be uniform for all jurisdictions and State assistance should be made available in their administration.

11. Revenues derived from user charges can play a role, but for the most part new demands on those local governments that have made full use of their local taxing powers will have to be financed by the State and national governments.

DEBT AND FINANCIAL MANAGEMENT

1. Local government should be granted maximum latitude in the issuance of bonds subject to procedural rules of uniform application. To this end, constitutional and statutory provisions limiting local government debt in terms of assessed valuation of property should be eliminated. Debt limitations, if imposed, should be in terms either of equalized full market value or another measure of the local government's relevant economic capacity to incur indebtedness.

2. There is need to update the array of conditions frequently prescribed by State legislation with respect to detailed provisions of bond offerings to bring them into better accord with current bond market conditions.

3. States should make financial advisory assistance available to local governments in bond issuance and debt management.

4. The use of tax-exempt municipal industrial aid bonds for financing the development of commercial and industrial plants for private use should be discontinued.

5. Local governments should be free and encouraged to invest or deposit, at interest, funds in excess of immediate expenditure needs.

6. State governments should make available to their local units technical assistance with respect to the investment of idle funds.

7. Local governments should be afforded maximum latitude to permit the pooling of separate funds for cash management and investment purposes, to the extent consistent with the requirements of sound financial management.

INTERLOCAL RELATIONS

1. States should examine critically their present constitutional and statutory provisions governing annexation of territory to municipalities, and should act promptly to eliminate or amend—at least with regard to metropolitan areas—provisions that now hamper the orderly and equitable extension of municipal boundaries so as to embrace unincorporated territory in which urban development is underway or in prospect. A State or regional agency should be charged with local boundary adjustments and with the application of State standards to such adjustments.

2. The States should enact legislation authorizing two or more units of local government to exercise jointly or cooperatively any power possessed by one or more of the units concerned and to contract with one another for the rendering of governmental services. To this end the States should provide some financial incentives. Arrangements across State lines should be possible.

3. States should enact legislation authorizing local units of government within metropolitan areas to establish multi-purpose service corporations for the performance of governmental services requiring area-wide handling, such corporations to have appropriate revenue bonding power, with the initial establishment and any subsequent broadening of functions and responsibilities being subject to voter approval.

4. The States should enact legislation authorizing the legislative bodies of municipalities and counties to take mutual and coordinate action to transfer responsibility for specified governmental services from one unit of government to the other.

5. States should enact legislation authorizing the establishment of metropolitan area commissions on local government structure and services, for the purpose of developing proposals for revising and improving local government structure and services in the metropolitan areas concerned. The enabling legislation should contain provisions designed to assure that the membership of such commissions is balanced in such a way as to provide general equity of representation to the population groups and governmental constituencies making up the metropolitan area as a whole.

6. States should enact legislation authorizing the establishment of metropolitan area bodies for comprehensive planning. They should include representatives from the political subdivisions of the metropolitan area.

7. Where effective county planning, zoning and subdivision regulation do not exist in the fringe area, States should enact legislation making extraterritorial planning, zoning, and subdivision regulation of unincorporated fringe areas available to their municipalities, with provision for the residents of the unincorporated areas to have a voice in the imposition of the regulations.

8. The States should facilitate the formation of voluntary councils of elected officials by enacting legislation authorizing the making of interlocal agreements, supplemented by whatever special provisions may be required in the particular instance in according legal entity status to voluntary councils desirous of such status.

9. Each State should examine its present system of grants, shared taxes, and authorization for local taxes, and remove all features that aggravate differences in local fiscal capacity to deal with service requirements in local areas, and that encourage or support the proliferation of local governments within such areas. States should also make judicious use of fiscal incentives to encourage local governmental reorganization.

STATE-LOCAL RELATIONS

1. The States should enact legislation to establish (or adapt) an agency of the State government for continuing attention, review, and assistance to local governments with respect to their problems of planning, structure, organization, and finance, and to assist in the coordination of Federal, State, and local programs.

2. The States should provide by legislation or administrative action financial and technical assistance to local governments in such fields as urban planning, urban renewal, building code modernization, local government organization, water pollution, mass transportation, and finance.

3. The State is responsible for insuring that each local government is financially able to provide essential government services and where necessary should make grants to local governments to achieve this end. Such grants should be based on formulas designed to measure as accurately as possible local tax effort and diverse community requirements (by taking into account relatively higher needs in economically disadvantaged areas), and to reflect such measurements in the allocation of grant funds.

4. Counties, if properly organized, may be used with advantage in many areas to perform and support functions that have outgrown the capacities of smaller local governments.

FEDERAL-STATE-LOCAL RELATIONS

1. The Congress should give thorough consideration to Federal general purpose grants and to Federal tax credits for State and local income tax payments as potential vehicles for channeling additional financial aid to State and local governments.

2. The executive and legislative branches of the national government should take steps to bring into better coordination and interrelationship the various Federal programs that have impact upon orderly planning and development within local communities.

3. The Congress and the appropriate executive agencies should take legislative and administrative action to remove from Federal aid programs for community development all organizational limitations which require or promote special purpose units of local government. Other factors being equal, general purpose units of government (i.e., municipalities, towns, and counties) should be favored as Federal aid recipients. Special purpose recipients should be required to coordinate their aided activities with general purpose governments.

4. Where the State provides appropriate administrative machinery to carry out relevant responsibilities and makes a significant financial contribution to the program, Federal grants to local governments for community development should be administered by the State.

5. The States and Federal government should develop meaningful research and data processing systems for determining the relative program needs of the several jurisdictions and for apportioning tax resources and appropriated funds among eligible jurisdictions.

6. In some circumstances, the effectiveness of local governments is restricted by the lack of trained personnel. Federal and State governments should help local governments to improve their competitive position in the manpower market.

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SENATOR ROBERT KENNEDY: CHINA POLICY CONSIDERATIONS

Mr. McGOVERN. Mr. President, in a major address delivered last week at the University of Chicago the distinguished Senator from New York [Mr. KENNEDY] made a significant contribution to the growing dialog on the need to reevaluate our Asian policy in terms of our national interest and changing world conditions.

I believe Senator KENNEDY expressed it very well when he said:

> What is most troublesome is not what we do not know about China; it is what we do

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[1] Delivered formal paper.

[2] Moderator.

[3] Reporter.

not know about ourselves—about our own goals, our own policies, our own conception of our national interest in Asia.

Because I believe that the address of the Senator from New York will be of considerable interest to Members of Congress and the American public, I ask unanimous consent that it be printed in its entirety at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY SENATOR ROBERT F. KENNEDY AT THE CHINA CONFERENCE, UNIVERSITY OF CHICAGO, FEBRUARY 8, 1967

"Finality", said Disraeli, "is not the language of politics". Seldom have we been more forcefully reminded of this fact than by the recent course of Chinese history and our relations with her. And seldom have we been more in need of that reminder—as we begin, after fifteen years, the search for a new China policy.

America is beginning to rediscover China—for all the world as if it were a new, strange planet found by our astronauts. For over fifteen years China has not been a significant factor in American political or intellectual life. Once we fought her armies on the Korean battlefield; twice, in the 1950's, by the testimony of our then Secretary of State, we came to the brink of nuclear war; and for a brief moment, two offshore islands became an issue in a Presidential campaign.

But for the most part, China has been ignored. Partly this is because the main thread of the Cold War was our relationship with the Soviet Union—not only a far more powerful adversary, armed with advanced nuclear weapons, but also the acknowledged leader of the world Communist movement, and hence China's senior partner. Our energies were primarily focused on the security and reconstruction of Europe.

A second reason was the isolation of Communist China—refused admittance to the United Nations, unrecognized by us and many other countries of the world, a China moreover, which deliberately increased its isolation by eliminating foreign influence and excluding foreigners from her territory.

Now all this has begun to change. Easing relations with the Soviet Union, the Sino-Soviet split, China's own accession to nu- forced our attention to the Far East—and clear power, and the war in Viet Nam have to our relations with a nation unlike any other: in its size, its problems, its outlook on the world, and the acerbity of its relations with the United States. It is safe to say that there is no aspect of American foreign policy so important and yet uncertain—no country so seemingly menacing about which we know so little—as China.

I do not intend to review or assess the full range of our China policy. We know too little—and events are too quickly changing what little we know. The excellent book which resulted from the first stages of this conference is already out of date in some respects—for example, it supports a statement about Chinese military doctrine by citing the views of Lo Jui-Ching, who, in the meantime, has been purged and his death by suicide announced, perhaps for the expression of those very views. Nevertheless, some salient points can and should be made—and it is those I would discuss with you tonight.

The first—and overriding consideration—is that this is a time of unique opportunity. The Great Proletarian Cultural Revolution, whatever else it has done, ensures that China will wish to focus her attention on internal affairs for at least the immediate future. As is apparent from her diplomacy—or lack of it—all over the world, China seems to have little present wish for contact or change in her foreign policy. For us, therefore, this is a chance above all to *think*—to review the past, to analyze the present, to plan for the future course of relations between our nations. This is a chance which rarely comes to scholars or statesmen or nations, in this time of constant challenge and swirling change. We could do no better than to begin that assessment now.

We might well begin with an effort to recapture history, to remind ourselves of the past roots of present problems: not to reopen old wounds; not to find in past injustice to China a present justification for Chinese injustice to others; but simply to understand, to make informed judgments in the service of policy. Memories of China have faded during these fifteen years of isolation; and perhaps our understanding was never great. China was the greatest of civilizations before the birth of Christ; yet we of the West, when we first came into extended contact with China in the 19th century, saw only a society of inferior technology whose basic premises and social structure were shaken or destroyed by those first contacts. We did not share and probably cannot appreciate, the full agony of the century, from 1839 to 1949, which brought to this proudest of peoples only constant war and revolution, humiliation by the western powers and armed invasion by Japan; which brought to every household insecurity and death, flood and famine; which saw every Western system—militarism, republicanism, fascism, democracy—tried, for a few years or a few decades, as an organizing system to rebuild China, only to founder in corruption and inefficiency and weakness.

Out of those long years emerged the China we see today—a China suffering from all the monstrous injustices and corruptions which a Communist system inevitably imposes; a China merging the nationalism and traditions of three millenia with a Western revolutionary ideology, making great sacrifices to achieve the economic development which is the base of power; a nation to which all on its borders—from Japan around a great arc through Southeast Asia and India to the Soviet Union, its closest ally—look with uneasy speculation and concern for the future.

This new China has already made strides which few would have predicted when the Nationalist regime collapsed in 1949. Its rate of growth under the first five-year plan was 11 percent, until the serious setbacks of the Great Leap Forward. It demonstrated in Korea that it could at least resist Western offensives with determination. Considerably mentary nuclear capability, and is moving earlier than predicted, it has acquired a rudi- toward the acquisition of significant missile strength. Whatever the duration or consequences of the present internal struggle, China has shown that its people have the skill and drive which make it a potential world power.

China, however, blends strength and weakness, limitations and possibilities for the future. In examining China, it is necessary not only to know more, but also to have calm and dispassionate public discussion.

Ever since the Korean war, the American public has heard estimates of China's aggressive potential that were often wildly exaggerated. Each new population figure (the total now seems something less than 700 million) seemed a further warning of the danger of Chinese hordes sweeping over the world, or into India, or into the fertile valleys of Southeast Asia.

However, China is, after all, a poor nation, supporting her population only through prodigies of effort and hardship. Her per person annual income of perhaps $85 (the estimates vary from $75 to $90) is one of the lowest in the world, lower even than India's; her national budget of about $17 billion is about the same as that of France, which has one-fourteenth of China's population, and a far more productive private sector.

China's menacing nuclear capability will increase, probably rapidly, but she remains without the transport and supply capability, the air or naval forces, to engage readily in prolonged aggressive conquest. Once the Soviet Union supplied many of these needs, as in Korea, but that day is gone. And even her land army is far smaller, in comparison to China's population, than is our own, and in fact is little larger than ours in numbers. We both have total armed forces of about three million, and our fire power is incomparably greater.

If our common understanding of Chinese capabilities has been exaggerated, so has our common understanding of her potential as a source of revolution elsewhere. China's revolutionary experience is unique; and it is clear also that the revolutionary credo which accompanied it is not readily transferable to other nations. In Cuba, in Indonesia, in Algeria, in Africa, men have made clear that they would design and control their own national revolutions. There are sometimes attempts to portray Viet Nam as a Chinese-inspired conflict, and China is assisting the North Vietnamese. But Viet Nam's Communism is basically a native growth, with its own revolutionary traditions, and dynamism. There is always a potential danger to which we must be alert, but as of now not one example, anywhere in the world, of Chinese-inspired or directed revolution has had any lasting success. Only the Malayan revolt had even the most minimal success, before being crushed, and that was carried out by ethnic Chinese, not Malayans.

The record of Chinese effort to export revolution has been one of consistent dramatic failure. And it is perhaps natural that China, a nation whose principal word for foreigners is the approximate equivalent of "barbarians," should have a Foreign Minister capable of publicly calling for armed revolution in the presence of the African Head of State who was his host at the time.

All this is not to say that China is helpless—a "paper tiger" as her leaders once called the United States—or that China can be ignored as a force in the world. China's millions, now and in the future, can be expected to exert considerable power in Asia and to make efforts elsewhere. China's revolution can still serve as an example and encouragement to others. She can, as she has in the past and as she will in the future, actively and dangerously assist others in so-called wars of national liberation. Nor can we ignore the possibility that Chinese efforts to assist and even dominate Communist movements in other countries may ultimately meet with occasional triumphs—though our expectations should be tempered by the knowledge that in North Korea, where China left almost a million dead, her troops were withdrawn and the North Koreans have strongly declared their independence if not their hostility.

Thus, we will ignore China, or think of her as weak, only at great danger to ourselves. But we will never have a sound policy, if we assess Chinese power in anything but realistic terms. And we should not, in order to arouse others to a real threat, exaggerate that threat to a point where our statements are simply not credible to those whom we wish to influence.

Mutual misunderstanding and ignorance have often led us to wrongly estimate the danger of China, and have often distorted the Chinese view of our attitude and intentions.

Because we did not understand the deep Chinese roots of Chinese Communism, we underestimated and ignored. for several years, the fact and significance of the Sino-Soviet split.

Because we forget so easily the last century of history, some of us underestimate Chinese hostility to the West, or fail to understand that in their eyes we stand as the inheritors of the Japanese—even as the physical inheritors of their bases.

But even this misunderstanding, the miscalculations and ignorance, are not the most serious consequence of these past years. What is most troublesome is not what we do not know about China; it is what we do not know about ourselves—about our own goals, our own policies, our own conception of our national interest in Asia.

For more than twenty years we have been the strongest power in Asia. Our aid and our armed forces, bases, and the flow of commerce give us greater influence in Asia than any other nation. And across the vast sweep of that continent in which we are so deeply involved, China looms more importantly and dangerously than any other. Indeed, it was the fact of Chinese Communist power which led us, through treaty and the movement of forces to assume, over the last decade, the position we hold today. Yet, for many years we have disposed our forces, made commitments, and conducted our enterprises, virtually without conscious policy and direction, unaware of what we seek and the price we are prepared to pay.

We have striven to isolate China from the world and treated it with unremitting hostility. That, however, is not a policy. It is an attitude founded upon fear and passion and wishful hopes. In Korea, the Formosa Straits, and India we responded to immediate situations of danger; those actions were necessary, but they were designed to protect the present rather than to prepare for the future.

I want to make it clear that these responses, these actions, this lack of knowledge and consistent policy are not the failures of any one Administration or any one political party. Indeed, there has been more growth in our awareness and knowledge of the problem in the past year than in the past decade. But there are still needs.

The first need is a policy. And the time to at least begin to develop one is now. Political passions have dimmed; understanding and concern are rising, as you are demonstrating in such an important way. The Cold War in the West is calmed, allowing us to divert some energy and thought to this part of the world. Most importantly, as danger grows and the war in Viet Nam unveils the tragic possibility of recurring and draining conflict, necessity—the midwife of foreign policy—crowds in upon us.

We shall grope on our way toward a new China policy: limited knowledge, present uncertainty, and the random obscurity of the future require us to be at least that realistic. Such a policy will emerge, not as a sudden revelation, but slowly out of discussion and danger, from shifting events and painful battles. It will not, however, come of itself.

We must make active efforts to think and plan, learn, decide, and act. This process is now beginning, and your conference is part of it.

I would not, therefore, pretend to detail a China and Asia policy. But we can discuss what a policy is, and begin to glimpse some general direction for the policy that must come. At the outset, let us say what a policy is not.

First, a position which pleases us without a reasonable chance of acceptance or accomplishment is not a policy. Thus the liberation of the Mainland by the Nationalist Chinese was at best empty rhetoric and at worst a dangerous illusion.

Second, faith in the ultimate goodness of human nature or the ameliorating impact of progress is not a policy. We cannot await with confidence the day when material wealth and a better understanding of economic reality will "bring China (or a new generation of Chinese leaders) to their senses". The history of our time gives ample proof that advanced, cultured, and self-confident nations are fully capable of dark disorder, violence, and aggression. It was not Stalin, but Khrushchev who, in the 40th year of the Russian revolution, crushed Hungary, and seven years later came to the brink of nuclear war in his Cuban adventure. It was a Germany "advanced" far beyond the distant goals of China which half destroyed a continent and slaughtered millions. Moreover, nuclear weapons today can give a country a capacity to destroy far greater than its real power or wealth. And that fact, by itself, will undoubtedly influence Chinese leaders in a dangerous although still unpredictable way. Certainly, for instance, the conflict in Viet Nam would be quite different if China had the capacity to destroy Chicago or New York with nuclear missiles. China may or may not become less aggressive and dangerous as it progresses—as the Soviet Union may, as Germany or Japan may, as we ourselves may. It is praiseworthy to hope and work for Chinese moderation; but to look upon moderation as the certain fruit of time, and act accordingly, is to tempt fatal danger.

Third, the desire for reconciliation or the hope of friendship is not a policy. Hostility springs from the clash of interests and ambitions, and their resolution or compromise is at the heart of accommodation. This mutual acceptance of legitimate claims and interests must precede reconciliation. Thus policy is the determination of terms on which reconciliation can and will be carried out.

Fourth, faith in the certainty of our historical judgment is not a policy. We cannot act as if we know China will certainly try to expand by force or that it will never try. We cannot assume that Communist expansion in Asia will inevitably be swallowed up by the nationalisms of Asian states; nor should we assume that all revolutions will be captured by communists, or that all who call themselves communists will come under the dominion and control of Peking. Rather, we must prepare for all contingencies which threaten the clear national interests of the United States.

A policy is none of these; just as it is not fear or hostility or wish. Policy is the establishment of goals and of a course of action rationally calculated to achieve those goals. It must be ready to yield to the overriding logic of events, yet striving to shape circumstances rather than belatedly reacting to them. We do not have such a policy toward China. We have acted often, and these actions are supported by reasons of varying wisdom and persuasion. Yet rarely have our stated reasons and goals been pursued with the consistency and sustained application which would raise them to the dignity of policy. Thus they have often become justifications for particular acts rather than expressions of consistent national purpose.

It has been suggested, for example, that we are pursuing strategic interests in Asia, denying the control of other land and resources to Asian communism. Yet less than two years ago we were quite prepared to accept the spread of Communism to Indonesia—a nation of one-hundred million people, incomparably rich in resources, standing over the critical Straits of Malacca and flanking the Philippines. Of course, we want to prevent the expansion, the acquisition of vast new resources, by powers deeply hostile to the United States. That statement, however, is only the beginning of thought. How do we discriminate between Chinese expansion and autonomous revolt? Where and under what circumstances can we bring our power effectively to bear? Where and under what circumstances should we limit ourselves to helping others, without hazarding large-scale combat or major war? These are not easy questions to answer. But until we at least begin to discuss and debate them we will be unable to develop any kind of long range planning, let alone policy. And let me add that even then the application of that policy in any given situation may be painfully difficult.

More corrupting, if less dangerous, is the self-righteous assertion of sweeping moral principles as a substitute for policy, though we are willing to ignore those principles when our conception of national interest demands it. We proclaim our intention to assure self-determination, with American lives if necessary. Yet we support and defend a Formosa whose indigenous people have no voice in Government. We do not even raise our voice in protest against this most flagrant and outrageous situation. We are told that "nations must learn to leave their neighbors alone". Yet we do not always leave our neighbors in this hemisphere alone. Nor can we righteously announce that "we seek only freedom and human decency throughout the world", when we have supported, for what we felt was good cause, repressive and corrupt governments in every continent of the globe.

I do not quarrel with the necessity of some of the actions which were inconsistent with these principles. But those actions do teach us that blanket moral statements cannot determine all strategic judgments, and that their enunciation is not a substitute for policy. It may well be that greater consistency with the moral principles upon which this nation rests might, in the long run, lead to a sounder policy and greater protection for the interests of the United States. I believe this to be so. Yet if we solemnly pronounce principles which will not or cannot be consistently applied, we delude ourselves and invite serious charges of hypocrisy from others.

In Africa, I have tried to answer the question: If the United States is fighting for self-determination in Viet Nam, then how can it not support the independence struggle of Angola and Mozambique? For those questioners, it is less our intention than our pretension which is objectionable. To this there is no answer. Thus does false principle destroy the credibility in our wisdom and purpose which is the true foundation of influence as a world power.

The same is true of another kind of blanket formulation—that we must keep our commitments or meet our obligations. Of course, we must keep our commitments and obligations. But by what standards, and toward what ends, are those commitments made? How deeply do they extend, and what means will be used to fulfill them? Thus it is one thing to defend a commitment in Viet Nam; yet it is something else indeed to fulfill that commitment by extending military operations to Thailand, in return making a new commitment to that nation as well. And what is to govern the form of the commitment—whether it is to be a commitment to help others help themselves, or a commitment to ensure victory whether they help themselves or not? And when we make the first, do we slowly and inexorably and almost automatically accept the latter?

None of these—sweeping statements, pious hopes, grandiose commitments—constitute a China policy for the future. That policy must be based on the reality and diversity of today's Asia, and on a discriminating evaluation of our own interests, capacities, and limitations. And it will be formed out of an evaluation of the dangers and capacities, the capabilities and desires of other nations. We are not alone with China in Asia. There is also India, the second most populous nation in the world, in itself a great civilization; Japan, soon to become the third leading industrial power on the globe; Indonesia, with its resources and commanding strategic position.

In the long run, the vision and commitment of these great Asian nations will determine in large part the course of affairs on their continent—just as it is Great Britain, West Germany, France, and Italy which now set the primary thrust of development in Western Europe. Thus our policy must be shaped, our actions undertaken, in full understanding of the interests and actions of these nations—and with a consciousness that we do not act as a substitute for but rather as a supplement to their policy.

Further, and of great importance, we must understand that our policy toward China must be a major factor in determining our policy toward those countries which border on China—indeed all of Asia—in the economic, military, political, and diplomatic fields. We are now working in a vacuum. Thus, if a strong and free India is considered vital to our national security, the level of our economic and military assistance should reflect that priority.

If the lives of thousands of Americans are lost and billions of dollars committed on the theory that Viet Nam is essential to us, how can we refuse to assist others on the border of China whose demands may be less but whose strategic importance and vulnerability to external or internal Communist dominion may be greater?

So we see that this discussion is not just of a policy toward China, but necessarily toward all those along her borders, including the Soviet Union.

If we choose to remain an Asian power, surely we have learned that a failure to act can have the greatest consequences. We must be prepared to pay the cost in economic assistance, for example, even if that cost is—as it must be—many times greater than we are now paying, in order to avoid the price in blood and treasure we pay today.

Although we can have only minimal effect on China itself today, we can have a major effect on the future of Asia, and thus lessen the danger of Chinese expansion, to the extent that we pursue these important programs of strengthening other Asian countries. Although it is not precisely analogous, it must be remembered that it was the Marshall Plan which served more to contain Soviet expansion than the troops on her border. This group could surely apply your experiences and knowledge of Asia to develop and recommend this kind of program and policy.

Our China policy will be formed out of paradox and complexity. It will recognize that Asia in 1967 is not the Europe of 1949 where a grand alliance, constructed against one great threat, served as the framework of all policy. Thus the Soviet Union—our principal adversary and competitor in the post War world—is, at least for the time being, China's violent ideological opponent, with what often seems a very different vision of the Asian future. Her mediation in the India-Pakistan war was only one dramatic illustration of this difference. Thus also Japan—our former enemy and present ally; China's historical rival and imitator, invader and economic partner—today at once contracts with the Soviet Union to develop the resources of Siberia, conducts a large investment compaign in China—proposing, among other things, to develop China's petro-chemical industry—serves as a major U.S. base, and contributes the first $200 million to the Asian development bank. And thus also, at the same time our officials were warning of a Chinese threat to NATO, travellers reported that Peiking hotel space was impossible to get because of the number of trade missions there from NATO countries.

China policy must be formed against the probability that when present convulsions subside, we will still face a hostile China. We still have to refuse the temptation of assuming that any acts or gestures on our part will significantly improve relations. Yet hostile words and proclamations are not wars. They do not prevent us from having contact, or from reaching agreements on matters of mutual interest. They do not prevent us from having contacts which could lead us to know more about China, and they about us and thus prevent the miscalculations of intentions which could lead to a world wide holocaust.

We should not discourage contact of any kind, by ourselves or other nations whether economic or diplomatic—even tourism—for a rational or informed China will be far easier to deal with than an irrational and ignorant one.

Our policy must rest on the knowledge that we cannot predict the possibility of Chinese military expansion. Therefore, we must be prepared to help others defend themselves, while refusing to base our actions and policies on the assumption that armed clash is inevitable. For we must realize that every extension of Chinese influence does not menace us. We must be able to discriminate between armed attack and internal revolution, between Chinese direction of revolutionary forces and Chinese exhortation. Where Chinese force is not directly involved or borders crossed, we must ask whether we should be willing to rely above all on the strength and vitality of the desire for national independence. After all, it is that powerful desire, and not our military force, which ousted the Chinese from central Africa and Algeria and Indonesia and which is steadily eroding the Soviet empire.

Policy demands a conscious and open recognition that we live in the same world and move in the same continent with China—with its dangers and possibility, strengths and terrible frustrations. Only when we accept this reality can we work toward our central task—to bring about Chinese acceptance of the fact that it too must live with us and the other nations of the world. These are, admittedly, general considerations rather than guides to specific action. Yet it will make a great difference to our acts and policies if we treat China as a potential danger and a possible opportunity rather than as a certain enemy and a lost cause.

Of course, the shadow of the Viet Nam war hovers over all these deliberations. That is itself an immense and complex subject, requiring full and special treatment. Still the resolution of that war will not resolve the problems of Asia, although the resolution must depend in large part on our attitude and policy toward China. Nor, despite Viet Nam's intimate relationship with our China policy, will the war's solution remove the urgent necessity of the larger problem.

The future of our relations with China may lie beyond our vision, but it is not completely beyond our control. It is the shaping impulse of America that neither fate nor nature nor the irresistible tides of history, but the work of our own hands, matched to reason and principle, which will determine destiny. There is pride in that, even arrogance, but there is also experience and truth. In any event, it is the only way we can live.

All our intentions and labor may ultimately dissolve in violence and bloodshed. But there is another possibility. Perhaps some day an American diplomat may go to China, carrying with him the same instructions Daniel Webster gave to Caleb Cushing in 1843: to tell the people of China "that your mission is entirely pacific . . . that you are a messenger of peace, sent from the greatest power in America to the greatest in Asia, to offer respect and good will and to establish the means of friendly intercourse".

YEAR-ROUND TRAVEL IN YELLOWSTONE NATIONAL PARK

Mr. HANSEN. Mr. President, the Grand Teton and Yellowstone National Parks in Wyoming, Idaho, and Montana are two of the most beautiful spots in the Nation. These national parks have been described as "a traveler's paradise" and they attract millions of visitors from around the world every year. Unfortunately, these parks can now be visited only in the summertime. For in the winter the parks are covered with deep snow and the roads remain closed.

It is most unfortunate that snow removal equipment has not been provided which would allow travelers to go through these parks in the wintertime. During the winter the parks have taken on a new look and they are indeed a winter wonderland to behold. Imagine the steam and resulting hoarfrost as Old Faithful erupts from underneath a blanket of new-fallen snow. It was just such a sight which met the eyes of John Colter, that early trapper, explorer, and mountainman, who was the first known white man to come into these beautiful mountain areas. From the fragments of history that we can pull together we believe that John Colter traveled through the geyser basins of Yellowstone with a small pack containing his "possibles" and his long rifle. John Colter made this trip alone and he made it on snowshoes, for it was the dead of winter.

We know that tourism is the third largest industry in the State of Wyoming and, of course, to close the roads into our great national parks during 6 months of the year greatly reduces the benefits of that industry. To close those roads also denies access to fast transcontinental routes across the country. Finally, it has created an impediment to the development of winter recreation areas within these parks.

Mr. President, my worthy predecessor in the Senate, Milward Simpson, led the fight to have the roads into Yellowstone Park opened year round. He was joined in this by my colleague from Wyoming [Mr. McGEE] and myself when I served as Governor of the State of Wyoming. At that time we took up the question with the Department of the Interior, the National Park Service, and the Bureau of Public Roads, the Department of Commerce, and many other concerned authorities. The National Park Service agreed that it was technically feasible and possible to keep the park roads open during the winter.

Mr. President, I invite the attention of this body to the Joint Memorial No. 2 of the House of Representatives of the State of Wyoming urging the President, the Vice President, and Congress to effect year-round public vehicular use of U.S. Highways 14, 20, and 89 within the boundaries of the Grand Teton and Yellowstone National Parks for the important and necessary improvement of our national highway system, for national defense, and public convenience, and to offer the people of the United States of America the additional recreational and scenic wonders of these parks on a year-round basis. I fully agree with and heartily support the views expressed in that joint memorial. I think it is high time now that we should look into this important problem involving such a marvelous wonderland now being held in trust for the benefit of the entire public.

I ask unanimous consent to have the joint memorial printed in the Record.

There being no objection, the joint memorial was ordered to be printed in the Record, as follows:

Enrolled Joint Memorial No. 2

A joint memorial, memorializing the Congress of these United States of America to extend the present limited seasonal maintenance and public use, to year-round maintenance and supervision for public safety and welfare, of U.S. Highways 89, 14 and 20 within the confines of Teton National Park and Yellowstone National Park, *and to terminate the winter closure of this* highway during the winter season

Be it resolved by the Legislature of the State of Wyoming:

Whereas, the present National Park Service practice of closing the public access of U.S. Highways 89, 14 and 20 through Grand Teton National Park and Yellowstone National Park during the winter months inhibits the free flow of traffic; and

Whereas, this unusual and discriminatory winter closure constitutes the only single and unique impediment to main arterial public traffic; and

Whereas, this limited, restricted and seasonal maintenance can seriously and adversely affect the continuing important growth of Wyoming's third largest industry, tourism; and

Whereas, the general public is refused access to Grand Teton National Park and Yellowstone National Park, two of the most unusual and breathtakingly beautiful scenic areas during the winter season; and

Whereas, the National Park Service is already voluntarily maintaining and supervising much of this federal highway system within the borders of the aforementioned national parks; and

Whereas, a realistic and current federal study pertaining to the winter opening of the aforementioned sections of U.S. Highways 89, 14 and 20 is urgently needed to determine actual costs of maintenance and traffic supervision on a year-round basis, as compared with the present seasonal maintenance and supervision together with the exhorbitant additional costs of the present spring snow removal and general opening work to make the highway ready for seasonal traffic; and

Whereas, the winter closing of U.S. Highways 89, 14 and 20 in the aforementioned national parks constitutes a restriction to the movement of national defense traffic during times of national emergency; and

Whereas, Grand Teton National Park and the overwhelming majority of Yellowstone National Park are within the political and geographical boundaries of the State of Wyoming;

Now, therefore, be it resolved, by the House of Representatives of the Thirty-ninth Legislature of the State of Wyoming, the Senate of such Legislature concurring, that the President, Vice-President and Congress of the United States of America be and are hereby memorialized and respectfully and urgently solicited to effect year-round public vehicular use of U.S. Highways 89, 14 and 20 within the boundaries of Grand Teton National Park and Yellowstone National Park for the important and necessary improvement of our national highway system for national defense and public convenience, and to offer the people of these United States of America the additional recreational and scenic wonders of the aforementioned national parks on a year-round basis, all of which privileges have been heretofore denied them.

Be it further resolved, That attested true copies hereof be promptly transmitted to the President and Vice-President of the United States, the Speaker of the House of Representatives of its Congress, President of the *United States Senate, United States Senators* Gale McGee *and* Clifford P. Hansen, Representative in Congress William Henry Harrison, Director of the National Park Service, Secretary of Commerce, and the National Highway Administrator.

GRANTSMANSHIP

Mr. MUSKIE. Mr. President, I believe that every Member of the Senate is aware of the problems of local officials in preparing applications for financial assistance under the many Federal grant *programs. They not only have difficulty* in identifying the appropriate Federal program for the particular local need, but often they cannot "write" an application that is complete or descriptive enough to justify approval by the administering agency.

Because some communities do not have the staff and cannot afford to retain persons skilled in grantsmanship, they may fail to obtain aid for much needed facilities and services. On the other hand, some communities with talented grantsmen have obtained more funds for a project than could be spent wisely.

The Wall Street Journal of November 22, 1966, carried an interesting account by Staff Reporter Lewis Phelps on the role of the specialist in writing and rewriting grant applications. After reading this article, one wonders whether the receipt of a grant may depend more upon the cleverness of the person preparing the application than upon real needs.

No community should be at a disadvantage in securing needed assistance merely because of inability to prepare a high-powered application. I believe that State governments have major responsibilities and great opportunities to assist in such matters; and some States, most notably those with offices of local or urban affairs, have already made progress in this direction. States which have not yet begun to gear up for an active role in working with local units of government to solve community problems should give serious attention to the admonition, now often repeated, that it is this kind of activist role that affords the greatest opportunity for their maintaining a meaningful position in the federal system.

Mr. President, I ask unanimous consent that the article on grantsmanship, published in the Wall Street Journal, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Grantsmanship: New Specialists Help Communities, Others Win Funds for Projects—"Grantsman" Jones Salvages a Shaky Plea in Oklahoma; Too Good for Public Good?—The Fine Art of Rewriting

(By Lewis Phelps)

Mickey Mantle gave the town of Picher, Okla., (Pop. 2,556) a source of civic pride by learning to play baseball there as a boy. But it was for Robert Jones that Picher reserved the title of Honorary Mayor, and the has never even lived there.

Mr. Jones isn't a baseball player, either, but he has been in there pitching. In 1964 he converted an apparently doomed request by the town fathers of Picher into a $71,000 grant from the Federal Office of Economic Opportunity.

Mr. Jones is a "grantsman," one of a growing *breed of specialists with lengthy titles*—such as Coordinator of Technical Assistance—who help communities and others obtain funds for projects. The war on poverty has created a big demand for the grantsmen's services and has all but eliminated any poverty they themselves might ever have felt.

So far, at least, grantors, grantees and grantsmen all praise the trend toward hiring professional grant-seekers. "It's almost impossible for anyone to get money from us—at least without a great deal of delay and frustration—if they don't have professional technical help," says a Midwest official of the Office of Economic Opportunity, or *OEO. Adds a San Francisco OEO man:* "The little indigenous committees in poor areas just don't understand the forms."

ARE THEY TOO GOOD?

Indeed, the only controversy seems to be over whether the grantsmen are doing too good a job. Some critics of the poverty program claim the abilities of the grantsmen rather than the needs of communities are determining where the Federal money is going. They also contend the grantsmen are creating a superabundance of aid on each coast, close to big research-conscious universities whose professors serve as part-time grantsmen for lucrative fees.

They point to, among other places, Contra Costa County, Calif., a generally well-to-do area west of Oakland. Moving swiftly, the county, with the help of a grantsman, grabbed $3 million in Federal poverty funds. "That's more money than they can possibly know what to do with," says a planning official in a nearby area. "I seriously question whether they have enough trained personnel to run all the projects properly."

Contra Costa County officials, of course, disagree. Richard Sax, who heads a county agency set up to coordinate fund getting, says that even though the county's average family income is among the highest in the U.S. there are serious pockets of poverty in the county.

He concedes, though, that speed played an important part in the getting of the grant. "We had our application in Washington practically before the ink dried on President Johnson's signature" in 1964, he says.

FUNDS FOR THE GRANTSMEN

If grantsmen do well for their clients, they don't do badly for themselves, either. Two years ago, a typical grantsmen could make about $75 a day. Now, it's up to about $100 a day, with some making as much as $125 a day. OEO rules allow consultants to take up to 3 percent of the grant, though grantsmen seldom take that much. Mr. Jones was making $17,800 a year as coordinator of poverty fund grant-getting in Oklahoma when he helped out Picher. Now, he makes $25,000 a year as director of community mobilization for Urban America Inc., a private, nonprofit concern in New York that provides consulting and other services on many phases of urban affairs. Some college professors regularly make $15,000 to $20,000 a year as part-time grantsmen.

But the clients say the fees are usually worth it. Consider the history of the Picher grant.

Situated in a depressed mining district—the town's old lead-zinc slag heaps rise so high they're officially listed as navigational aids for pilots—Picher had no writers or lawyers to draw up an application for Federal aid, a local citizen recalls. "Their original application would have been a joke except it was so pathetic," says an OEO administrator. "It was done very sketchily and they wanted exorbitant amounts of money." The town had requested $250,000, much of it for renovating city facilities and funding lavish welfare programs.

Mr. Jones, a University of Oklahoma urban renewal expert before taking his state post, also received a copy of the application. He drove to the town, talked the city fathers into lowering their sights to $133,000 and rewrote the request to stress social and health services for the citizens. He also proposed to house the program in an existing building, rather than asking for new construction. The OEO cut the program further, then granted $71,000.

THE ART OF REWRITE

Rewriting is often the key. When the San Francisco OEO office received a rather vague request for "purposeful investment in manpower development," it said "no." But when another request for much the same program came in offering to "prepare unskilled, uneducated low-income groups to perform duties heretofore considered to be the sole province of the professional" and listing tasks to be assigned to 15 low-income workers, the OEO swiftly parted with $62,000.

"Once upon a time the bleeding heart outfits could say 'Give us money to do good,' but it doesn't work that way any more," says Harry Specht, a grant consultant in Richmond, Calif.

As in any profession, reputation can have a lot to do with a grantsman's success. "You begin to know which ones write the sound proposals," says Thomas Cutler, an OEO field representative in New York City. One grantsman with a sound reputation is Mitchell Sviridoff, until recently the $25,000-a-year director of New Haven, Conn.'s Community Progress Inc. and now head of the Human Resources Administration in New York City.

In his four years in New Haven, Mr. Sviridoff was credited with obtaining $5 million from the Ford Foundation, $6 million from the Office of Economic Opportunity, $2 million from the Labor Department and $2 million from other sources, all for New Haven projects. That, plus another $6 million that went directly to the city instead of to his agency—but which he helped grab—brought the total to $21 million, or $125 for every resident of New Haven. "Money," says Mr. Sviridoff, "is no longer a problem for us."

"Since we have the reputation for delivering the goods with every grant we've gotten so far, agencies actually come to us if they have money they want to spend," says a staff member of the New Haven organization.

Mr. Sviridoff never went to college. He picked up experience as a fund-raiser in his posts as officer of a labor union, president of the Connecticut state CIO, president of the New Haven Board of Education and administrator in the Alliance for Progress program of aid for Latin America.

Most fund-raisers, however—and there now are more than 400 in their year-and-a-half-old professional society, with the number expected to double by next year—are college graduates. Many are former college teachers. Some started out as social workers. Most have some experience in working with community problems.

Mr. Jones, now 33 years old, majored in business administration at Hofstra University in Hempstead, N.Y., then became an assistant director of the Cleveland Development Foundation, a group of business leaders interested in city planning. From there he moved into a University of Oklahoma urban renewal study project, then was picked by the state to be its first coordinator of fund raising in the war on poverty. He stayed in that post one year.

While many grantsmen are salaried professionals employed by the group or agency seeking funds, in some cases they have organized research groups to free-lance their services. One is Social Sciences Research & Development Corp., El Cerrito, Calif. With its 14 full-time social scientists plus a clerical and writing staff, the group writes applications for other poverty-fighting agencies and even gets grants itself. Social Sciences Research now is administrating a $15 million Commerce Department study to improve employment conditions in Oakland.

"Given a problem to solve—say juvenile delinquency among seventh grade Negro students—we let all our staff members take a crack at it," says Floyd Hunter, director of Social Sciences Research. "They figure out what kind of personnel would be needed and what the program should be. Then they decide how much money is needed and what agency in Washington is most likely to provide it."

CLINICAL LABORATORIES; THE NEED FOR IMPROVEMENTS

Mr. YARBOROUGH. Mr. President, I support the President's proposal for the improvement of clinical laboratories, contained in his message "to protect the American consumer."

Good medical practice today depends greatly on accurate laboratory findings. Poorly controlled and obsolete laboratory tests can and do prolong illness, lead to unnecessary hospitalization and even kill. In addition to needless human suffering, there is the economic waste which can be measured in the hundreds of millions of dollars. Unfortunately, the Nation's clinical laboratories have not been able to keep pace with the advance of scientific development, particularly in small laboratories where there is a shortage of personnel, a lack of training and experience among the overworked staff.

There is striking evidence to show just how serious the situation is. Recent studies demonstrate that false results were obtained in more than 25 percent of all tests analyzed. In a variety of simple chemical tests, this error was shown to be from 30 to 50 percent. The seriousness of this situation can be appreciated when one realizes that some of the powerful modern drugs, such as those used in treating heart conditions, can only be given safely under careful supervision based on frequent and accurate laboratory testing.

It is estimated that there are between 13,000 and 14,000 clinical laboratories in the Nation. No information is available on the quantity or the quality of laboratory examinations which are performed in physicians' offices, in their clinics and in independent laboratories. Most of the communities in which these tests are made allow the laboratories to operate without so much as a business license.

National leadership and national standards are essential to bring about the improvements necessary to avoid the tragic consequences of erroneous diagnosis. Most laboratories want to provide the best possible service; most physicians want their patients to have the best possible care. A beginning step to assure that these conditions are met will be Federal licensure of laboratories that deal in interstate commerce. By this measure, standards will be met that other laboratories can follow.

I do not believe that the Federal Government can do the entire job, nor do I believe it should. Across-the-board improvement in laboratory services depends in large measure upon the local communities. The States must also develop programs that will improve laboratories in their jurisdictions. Federal support to State health agencies will serve as a stimulus to raising the quality of laboratory testings and thus improve the medical care of the Nation's citizens.

PETE BRANDT, A GREAT REPORTER RETIRES

Mr. MANSFIELD. Mr. President, Raymond P. "Pete" Brandt has retired after serving nearly half a century as a political reporter on the Washington scene. Pete Brandt is known to all of us—not only as an outstanding newsman—a reporter and editor of unmatched ability—but as one of the most respected members of the press corps. I have always cherished and shall continue to cherish his friendship and counsel.

Though I deeply regret his announced retirement, I was most happy to note from a February 8 editorial in the St. Louis Post-Dispatch that Pete will continue to offer his lucid, objective, and independent judgment to the reading public by way of occasional articles on such matters as politics and economics—areas where his expertise and broad understanding have been valued so highly.

So well does he understand and articulate the most transcendent issues of the day that his counsel was often sought by Presidents. And just as he has been a respected adviser to Presidents, so has he been a trusted and valuable adviser to most of us here in the Senate. His judgment has been consistently sound, his thoughtfulness and courtesy greatly appreciated. One of the great journalists—I wish Pete well in his retirement. But I know Pete Brandt will continue to contribute his valued thoughts and judgment, and for this we may all be grateful.

Mr. President, I ask unanimous consent that the Post-Dispatch editorial of February 8, concerning Pete Brandt, be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Mr. Brandt Retires

Raymond P. Brandt's long and distinguished career as a member of the *Post-Dispatch* staff comes to a virtual close with his retirement as contributing editor. Fortunately, he will continue to write occasional articles on politics and economics, the fields in which he has specialized for most of his working lifetime.

Since 1923 "Pete" Brandt has represented this newspaper in Washington, where his keen insight, honesty and sound judgment made him perhaps the most respected figure in Capital journalism. Over the years, many a statesman sought Mr. Brandt's advice; he knew more about the Federal Government than most of the politicians and bureaucrats and judges—and Presidents—on whose activities he reported.

Mr. Brandt brought to his work the qualities young reporters are taught to admire—accuracy, scholarship, objectivity, integrity, intellectual curiosity, industry, and an aggressive determination to get to the heart of the matter—the qualities, in short, that were insisted upon by Joseph Pulitzer.

In his biography in Who's who, Mr. Brandt lists himself as a "newspaperman," a designation of which he was proud and which reflects his devotion to the profession on which his career cast so much credit.

MEDICAL DEVICES AND CLINICAL LABORATORIES

Mr. KENNEDY of Massachusetts. Mr. President, we are in an age of medical miracles, an age of technology which has ushered in a wide variety of new medical devices. Surgical implants, contact lenses, and artificial kidneys are but a few examples.

We are in an age that requires the highest competence and skill on the part of those who administer to the health of our citizens. Yet, today, we have no assurance that medical devices, vital to the health of those who are ill, meet even minimum standards.

For these reasons, Mr. President, I welcome the President's health proposal contained in his message, "to protect the American consumer."

The President has called for the Medical Device Safety Act of 1967. This act will require the premarket clearance of certain medical devices, particularly those used in or on the body. The bill will also establish standards for such items as diathermy machines, bone pins, and X-ray machines.

The President also has suggested a program of improvement for clinical laboratories. Licensing requirements would upgrade the performance of clinical laboratories, and the status of technicians, technologists, and senior-level professional staff. The Surgeon General would assert leadership by licensing laboratories that deal in interstate commerce, thereby furnishing the States with standards that they, in turn, can use with Federal support to improve laboratory services in their own jurisdictions.

These proposals represent a sound and reasonable approach to improving the medical care offered the citizens of our Nation. The hopes of so many people—and, indeed, very often the lives—depend upon reliable medical devices and accurate clinical information. Any steps to improve the quality of these devices and of the information which are open to us, we must, in conscience, take.

DEVELOPMENT LOANS

Mr. MORSE. Mr. President, I desire to draw attention to the press reports of a letter which the chairman of the Foreign Relations Committee has sent to the President regarding the President's determination that the number of nations receiving development loans should be increased from 10 to 29.

I have seen that letter. I participated in the meeting with AID Administrator Gaud when he attempted to justify ignoring a congressional mandate that development loans be limited to 10 nations, plus loans to Latin America.

We have here a classic case of the way in which the administration treats the Congress and the laws we pass. Let me review this record briefly.

Last year during consideration of the foreign aid bill the administration told the Committee on Foreign Relations that 10 countries would be eligible for development loans during this fiscal year. In the presentation to the committee, the administration witnesses said that an additional three countries might become eligible during the year.

After careful consideration, the Committee on Foreign Relations included in the bill a numerical limitation stating the development loans should not be extended to more than 10 countries. The committee considered whether or not to put the limit at 13 countries, thus including those countries which the administration thought might become eligible. We decided to keep the figure at 10, hoping thus to discourage the administration from spreading our resources far and wide on the theory that everyone should get something. We wanted the administration to concentrate its efforts on development and not to use development loans for political purposes in a large number of countries. We believed that the thin spreading of largesse does not serve the interests of the United States.

Naturally the administration did not like this 10-country limitation. It fought the committee restriction in the conference. Finally, as a gesture to help get the bill adopted, the Senate conferees accepted a compromise. We agreed to keep the 10-country limitation in the act but to provide that if the President found it in the national interest he could increase the number of development-loan recipients above the figure 10, provided only that he give the appropriate committeees 30 days' notice of his intention to do so.

The purpose of the 30-day notice was to give the committees an opportunity to explore the feasibility of any proposed increases in the number of development-loan recipients.

Within 4 months after the passage of the Foreign Assistance Act, AID proposed to the President that the number of development-loan recipients be increased not by one or two, not doubled, but nearly tripled. AID proposed to the President that the number of recipients be increased from 10 to 29.

If the AID administration thought the Committee on Foreign Relations would stand quietly while the development loan program was saddled with 29 countries instead of 10, it knows very little about horses.

When Mr. Gaud reported that this increase in the number of AID recipients was already in the works, he ran into trouble with the Committee on Foreign Relations. Members from both sides objected most vigorously.

It is an understatement to suggest that most of us thought we had been duped. We have here a clear case in which congressional intent was not only ignored, it was kicked in the teeth. I have long since become convinced that any time we provide one of these Presidential escape clauses, we are going to be treated in bad faith, and that is exactly how we were treated. The administration never had any intention of observing a restriction. Even while we were talking about it, AID was negotiating more loan commitments, unknown to us.

It is becoming accepted practice for AID, State, Defense, and CIA to tell us not what they are doing, but only what they want us to know.

The issue here is broader than a little disagreement between the Foreign Relations Committee and the administration. This is the same issue almost every committee of the Congress encounters at one time or another. It is part of the trouble this administration is having and will have with this Congress.

I may say that as far as I am concerned, the committee should not have relied upon a polite letter from the chairman to the President protesting this matter. We should have reported forthwith a resolution amending the basic legislation.

Employees of the executive branch seem too often to forget that they are not elected representatives of the people. They act as if their judgment were a substitute for democratic government.

Under these circumstances it is absolutely essential that elected Members of Congress be ready to take off their gloves to fight for the policy decisions which they have embodied in law. Failure to react to usurpations of legislative power will gradually destroy our system. I am not going to become a party to that process.

There is a saying which holds: "Fool me once, your fault. Fool me twice, my fault." Congress has been fooled not once or twice but over and over again in what has become an annual shell game over the AID program. We try to guess which shell the pea is under and no matter which one we pick, the pea is always somewhere else. That is why so many of us remain unimpressed by the advertising for the new aid message. That is why so many of us are beginning to conclude that there are no reasonable guidelines that can be written into the program. Objectives are not enough. The law must be ironclad or we are better off with no law at all. That is my conclusion from this latest episode in which the clear objective of Congress was totally ignored.

The chairman of the Committee on Foreign Relations has sent to the President a letter expressing the concern of the Committee on Foreign Relations at the decision to increase the number of countries receiving development loans. The letter is unclassified. Copies were sent to each member of the committee.

I ask unanimous consent that the letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS,
February 8, 1967.

The PRESIDENT,
The White House.

DEAR MR. PRESIDENT: This letter concerns your determinations of January 5, 1967, received by the Committee on Foreign Relations on January 17, increasing the number of countries eligible for development loans from ten to twenty-nine and for technical assistance and cooperation grants from forty to forty-eight.

The Committee has heard Mr. William Gaud's justification of the action. Unfortunately, because of the press of other business there has not been an opportunity for the Committee to meet to take formal action since his presentation. With the Lincoln Day recess now upon us, the thirty day waiting period will be over before the Committee can consider the matter further. In view of this, I feel that I am obligated to advise you that I personally deplore this action and I believe that many members on both sides of the aisle are also seriously concerned.

Sincerely yours,

J. W. FULBRIGHT,
Chairman.

NEW YORK TIMES ENDORSES PRINCIPLE OF S. 981, TO PROVIDE FUNDS THROUGH THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE FOR TRAVEL TO INTERNATIONAL YOUTH CONFERENCES

Mr. YARBOROUGH. Mr. President, among other consequences of the revelations of CIA involvement in domestic youth groups, it is imperative that there be a thorough house cleaning of the activities of the Federal Government concerning travel subsidies for those attending international conferences in fields such as science and education, activities in which the search for truth is paramount and in which CIA involvement makes a sickening perversion of the educational or scientific aims. These conferences contribute to international understanding and to the advancement of science and education, and it would be a tragedy if Federal support for such activities were to be permanently clouded because of the events of the past few days.

Two things are clear: First, Federal support for travel to these conferences is important. Second, the credibility of Federal support must be established beyond the shadow of a doubt. Credibility in this case means that when a man goes to an international education conference on a Government travel grant, he goes for the purpose of education and not as a spy.

Yesterday I introduced S. 981, a bill to amend the International Education Act of 1966 to authorize the Secretary of Health, Education, and Welfare to make grants to finance travel to international youth conferences by individuals broadly representative of the Nation's students.

I am glad to see that today's New York Times has endorsed the principle of my bill in an editorial which states:

> It is nonsense to suggest that, because they arouse suspicion abroad, public subsidies should not be offered. Virtually all nations offer such subsidy. The point at issue is how to provide the funds, without perverting the purpose.
>
> A first step should be to speed the divorce, already suggested under the International Education Act of 1966, of international educational affairs from the foreign policy branches of the Government. The Department of Health, Education and Welfare is far better suited to sponsor educational exchanges than the State Department, let alone the C.I.A.

I ask unanimous consent that the editorial from the February 16 New York Times, entitled "Infiltrating the Campus," be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

INFILTRATING THE CAMPUS

The impropriety and folly of permitting the Central Intelligence Agency to subsidize the National Student Association cannot be mitigated by post-mortem rationalizing. It is absurd to suggest that, because the student organization was too impoverished to take part in international meetings, the C.I.A. merely assumed the role of a benevolent patron of youth.

It is not the business or the habit of intelligence services to underwrite indigent good causes unless the beneficiary can be expected to pay off the debt, directly or indirectly. It was more reprehensible for Washington to let its intelligence service jeopardize a representative voice of the nation's college youth than it was for a few student leaders, in secret agreement, to succumb to the temptation.

At least as serious has been the breach of public faith by private foundations acting as go-betweens. The very existence of foundations is a privilege granted by the taxpaying public. The mandate that goes with this tax exemption is to provide nongovernmental support for worthy causes, not to serve as a cover for clandestine Government operations.

The sordid episode has dealt another serious blow to the credibility of American students and scholars abroad. Faith in their detachment already had been damaged by earlier disclosures of secret links between the C.I.A. and some American universities. A total ban on all C.I.A. underwriting of collegiate activity is plainly long overdue.

It will be tragic if the present effect is an undermining of the National Student Association's total record. Often under fire from the right, it has usually represented courageous liberalism. To discredit the organization because of the secret indiscretion of a few of its leaders would sap the strength of elected student governments across the country and endow New Left extremists with unwarranted power just when their hold on students is crumbling.

More is needed now than a halt in C.I.A. subsidies to the N.S.A. or other academic organizations. All such groups should open their books and sources of funds to their own membership and to public scrutiny. To permit a few student leaders to make far-reaching policy decisions without consent of the membership exposes them to pressures and temptations far beyond the scope of their political experience.

As for foundation activities, the penalties for engaging in undercover activities should be clearly established. The Patman investigations long ago made clear the need for reforms, and the President has promised to send to Congress this year proposals for stamping out abuses in foundation practices.

Most important, explicit guidelines should be laid down to regulate all policies of Government support of international activities of students and scholars. It is nonsense to suggest that, because they arouse suspicion abroad, public subsidies should not be offered. Virtually all nations offer such subsidy. The point at issue is how to provide the funds, without perverting the purpose.

A first step should be to speed the divorce, already suggested under the International Education Act of 1966, of international educational affairs from the foreign policy branches of the Government. The Department of Health, Education and Welfare is far better suited to sponsor educational exchanges than the State Department, let alone the C.I.A.

Beyond specific action, it is imperative to understand that academic freedom may be as severely threatened by secret covenants as by overt political coercion. Democratic institutions never thrive by using totalitarian devices to combat totalitarianism.

"RESPONSIBILITY AND RESPONSE"—BOOK BY GEN. MAXWELL D. TAYLOR

Mr. NELSON. Mr. President, I note that Gen. Maxwell D. Taylor, now retired, has had published and released a new book called "Responsibility and Response." I look forward to reading it in entirety. Perhaps it has some answers to the terrible problems facing us in Vietnam.

General Taylor was a former Chairman of the Joint Chiefs of Staff, Ambassador to Vietnam, and a chief politico-military strategist of both the Kennedy and Johnson administrations.

I hesitate to quote General Taylor out of context, but several statements in his book caught my eye. One in particular I wish to bring to the attention of the Senate. General Taylor observes:

> Suppose everything of value in the North were destroyed; we would still have over 200,000 armed guerrillas in South Viet Nam who would have to be accounted for in some way. For food they could live off the land without supplies from the North. If they avoided contact with large military forces, they could husband their weapons and ammunition stocks and maintain for a long time a low level of sustained depredations and terrorist activity. If they were determined to carry on the war, if their morale did not collapse at this disaster in the North, they could conceivably remain in action for the next ten years, or in the next twenty years, and we might still be tied down by this vast guerrilla force.

I make a point of quoting the general at length, because many persons in this country write to me and tell me that we should use every weapon at our disposal to "win the war." I do not know exactly what they mean, but I assume they are speaking of unrelenting bombing and invasion to say the least, and atomic warfare to say the most.

I do not think, and I believe General Taylor does not either, that we can win the war that easily. We will eventually have to negotiate.

FUNDS FOR MENTAL HEALTH CENTERS

Mr. KENNEDY of Massachusetts. Mr. President, I noticed in the letters-to-the-editor column of today's New York Times a letter from Frank Leonard, a graduate student at the Columbia University School of Social Work.

His letter deserves the attention of all of us in the Congress.

He points out, for example, that about 2,000 students seeking grants from the National Institute of Mental Health for training in the mental health field were denied grants because of inadequate funds. This one statistic alone should shock us: We know of the tremendous need for more and better trained mental health personnel, we know of the needs of the mentally retarded and mentally ill for these personnel—yet 1,840 students seeking training in mental health were in 1965 denied the financial assistance they need for the training. We must, when the opportunity is afforded us this year, increase the appropriations available to the National Institute of Mental Health for the training of students who desire to enter this field.

An article in the December 1966 issue of Psychiatric News, by Michael Gorman, executive director of the Association Against Mental Illness, describes the needs in mental health manpower training, and describes the inadequacy of funding for pursuit of this training.

Another point made in Mr. Leonard's letter is the seriousness of the lack of funds for construction of community mental health centers. About 2,000 community mental health centers are projected for construction across the United

States by 1975, at a cost conservatively estimated at $5 billion. Yet we have appropriated less than $60 million annually to meet this need. It should be clear that without increased appropriations, we simply cannot hope to meet the goal of 2,000 community mental health centers.

Massachusetts, for example, has planned for the establishment of 38 community mental health centers throughout the State. These centers will diagnose and treat the mentally ill and the mentally retarded where they should be diagnosed and treated—in their own communities. For 36 of the 38 centers planned in Massachusetts, program planning has already begun. But, again, the financial burden on the State is too great for it to bear, unless increased Federal financial assistance is made available.

Let me say in closing, Mr. President, that though the National Institute of Mental Health is doing a superb job, we in Congress have not given it the full box of tools it needs. Mental illness and mental retardation are tragedies, as I pointed out on the floor of the Senate 2 weeks ago, and we must do all we can to ease the pain these tragedies bring to individuals and families.

Mr. President, I ask that the letter in the New York Times and the article in Psychiatric News, to which I have referred, be included at this point in the Record.

There being no objection, the letter and article were ordered to be printed in the Record, as follows:

Mental Health Centers

To the Editor:

News stories about the 2,000 community mental health centers that are "projected" for completion throughout the nation by 1975, and the 23 centers that are currently "planned" for New York City, can create a false feeling of optimism about the progress of mental health programs.

Five billion dollars is a conservative estimate of the cost of construction of the 2,000 centers, and $1.5 billion is a conservative estimate of the annual cost of staff salaries—presuming that the 100,000 psychiatric nurses and 40,000 other professionals could be recruited and trained to staff the centers.

Clearly, the Federal Government must meet most of the costs of implementing the community mental health center idea. The 1961 report of the Joint Commission on Mental Health and Illness, Action for Mental Health, said Federal contributions for mental health should double in five years (reaching $940 million annually) and triple in ten years (reaching $1.75 billion annually).

Only contributions of this magnitude can make community mental health a reality. The much-touted 1963 and 1965 Federal laws make available less than $100 million annually for a limited number of years.

In addition, last year 2,000 students seeking National Institute of Mental Health grants to obtain training in this field were denied them because of lack of funds.

This year's New York City Community Mental Health Board capital budget for construction of mental health centers was cut from a requested $38.6 million to $4.6 million—the greatest cut by far of any city department. At this rate, it would take New York City 31 years to complete 23 centers—half the number required. The pace elsewhere is even slower.

Frank Leonard.

February, 9, 1967.

[From Psychiatric News, December 1966]

Hard-Working Congress Did Well by Mental Health

(By Mike Gorman)

The 89th Congress, which worked harder and met over a far longer span than most of its predecessors, is now fair game for historians, archivists, and other ex post facto pundits. The recently elected 90th Congress, which will open shop on Jan. 10, will be much more conservative in outlook. For one thing, heavy Democratic majorities in important Committees in the House will be sharply reduced.

Those of us who were in almost daily contact with the 89th Congress know that its actions in the field of mental health alone have earned it the approbation of all who are interested in replacing custodial care of the mentally ill in large mental institutions with early, intensive care in easily accessible community facilities.

The major contribution of the 89th Congress was the passage of an amendment to the 1963 Community Mental Health Centers Act authorizing $224 million in federal matching monies over seven years to help support the personnel and other operating costs of new community mental health centers.

Despite the predictions of some entrenched prophets of gloom and doom, the community mental health centers program has really gotten off to a most impressive start. As of Nov. 1, 1966, federal matching grants had been awarded for the construction and/or staffing of more than 140 community mental health centers in 44 states. Since many state plans were not approved until earlier this year, all indications point to a flood of applications during 1967. However, the current fiscal year is the last one of the mental health center construction authorization. The National Institute of Mental Health, with the approval of the Department of Health, Education, and Welfare, is now pushing for a five-year, $500 million renewal of the mental health center construction act. This will be the toughest task during the 90th Congress, and a particularly severe test for a hopefully revitalized National Association for Mental Health.

A second amendment to the 1963 act, often overlooked, provides for enormous expansion in training teachers of the handicapped. It authorizes $120 million in federal monies over a four-year period for these teachers of the handicapped, with particular emphasis in both House and Senate reports upon the development of teachers for emotionally disturbed children. This is a crucial need right now, since the Office of Education estimates that there are fewer than 3000 teachers specifically qualified to work with emotionally disturbed children as against a nationally estimated need of 100,000 teachers.

Contemplative historians of the future—not the instant historians of today—may single out legislation on behalf of children as the most significant contribution of the recently deceased Congress. It authorized one million dollars in support of a Joint Commission on Mental Health of Children, charged with the task of studying the extent of mental illness among children and specific proposals to reduce it. As readers of this publication know, the Commission is incorporated, there are more than 25 organizations represented in its membership, and six task forces have been formed to gather data preliminary to preparing a final report to the Congress. This is an enormous opportunity to do something for four to five million children, and those of us who are associated with this Commission are determined that its initial somewhat fumbling pace will soon be transformed by the sense of urgency that its vital task demands.

The pace of the second session of the 89th Congress was somewhat slower. Its major accomplishment, which passed in the last week of the session, was a bill abolishing the old categorical disease grants and putting them all under the umbrella of a comprehensive health grant to state health and state mental health authorities.

The stress in this legislation is upon planning money, with $9 million provided in fiscal 1967 and $15 million in fiscal 1968 for all kinds of state, metropolitan, and regional planning to bring flexible unity out of the present rigidly categorical diversity.

As finally passed, P.L. 89–749 provides for one year of actual grant money in fiscal 1968 at a level not much higher than the sum of the present categorical grant monies. However, mental health gets a good shake in all of the major components of the legislation. First of all, it gets 15 per cent of the total grant money, and certain ceilings on mental health clinic and community service programs have been removed.

$62.5 MILLION FOR GRANTS

Furthermore, the bill provides $62.5 million in fiscal 1968 for project and demonstration grants in important health areas. These project grants will be awarded on a competitive basis, and mental health should do well. It is singled out for special mention in both the House and Senate reports; the Senate report particularly insists on broad programs in alcoholism, drug addiction, childhood mental illness, suicide prevention, etc.

The legislation is really important only as a start. Realizing this, Chairman Harley Staggers of the House Interstate Commerce Committee has told some of us that hearings to expand this legislation will be the first priority business of his Committee in 1967. The fate of the legislation, which was cut $2 billion—repeat billion—below the Administration estimates by the 1966 Congress, will depend largely upon what the Administration does next year. It will have to do a lot better than it did in 1966, when it failed for months to push, and then woke up in October and got what it deserved—a bargain basement version of its original proposal.

Outside of the staffing legislation, I regard nothing that came out of this past year as more important than the intelligent, informed commitment of the Congress to increased appropriations for all types of mental health personnel. Traveling in a number of states the past two months, I have heard a lot of discussion about the puny comprehensive health bill, but very little about the extraordinary actions of the Congress in mandating a greatly increased national investment in mental health manpower training.

For example, the House Appropriations Committee ordered the National Institute of Mental Health to prepare "a fresh assessment of the requirements for mental health personnel, by professional and sub-professional categories, five years hence and a realistic plan, including estimates of the funds required, for meeting these requirements."

Such a plan has been prepared by the NIMH, and it was approved by the National Mental Health Advisory Council at its November meeting. The plan calls for sharp yearly increases in training funds from the $94 million appropriated in fiscal 1967 to a projected goal of $187 million in fiscal 1972.

The Senate also was sharply critical of the inadequate training sums proposed by the Administration this year. It noted that a previous NIMH survey projected the need for 125,000 professionals in the major mental health disciplines by 1975, as against the 65,000 we have at the present time. Noting that the Administration had proposed only an additional $3 million for training this year, the Senate pointed out the need of an annual increment of $15 million to keep up with minimal mental health manpower goals. It further noted that 2000 qualified applicants seeking training in the four core mental health disciplines had been turned down the previous year for lack of money, and provided an additional $5 million over the budget so that more than half of these qualified applicants could be brought into training programs.

One final comment: In light of the Vietnam war and continuing pronouncements from President Johnson threatening those who exceeded his budget requests with excommunication, it is truly remarkable that Sen. Lister Hill, Rep. John Fogarty, and their colleagues in the House and Senate added $11 million for the National Institute of Mental Health over the Johnson request.

I do not know whether it is seemly in this kind of a legislative summary, but may I plead with everyone who has had the patience to read through this litany to write Rep. Fogarty at the House Office Building, and Sen. Hill at the Senate Office Building, thanking them for their deep understanding of, and support for, greatly enlarged mental health training programs. I suggest this because I know that we will fall short of all of our projected goals—in the community mental health centers program, in health insurance coverage, in Title 18, in Title 19, in alcoholism, in childhood mental illness, etc.—if we do not begin to accelerate now the training of professionals and subprofessionals who will staff these programs in the years to come.

SOMETHING NEW UNDER THE EARTH AND UNDER THE SEA

Mr. GRUENING. Mr. President, on a number of occasions, I have spoken in this body on the importance of enacting legislation to make it possible for gold miners to operate profitably. During the past two sessions of Congress I have introduced legislation to revitalize the gold mining industry, which has been reported by the Committee on Interior and Insular Affairs but which did not receive action by the Senate. On January 11, I introduced this legislation, S. 49, again, and held a hearing on the measure on Thursday, February 2. The Subcommittee on Minerals, Materials, and Fuels, of which I am chairman, has now ordered S. 49 reported to the full committee, where I hope it will shortly be approved for action by the Senate.

Our once great gold mining industry has been the subject of unique discrimination not practiced by the Federal Government against any other sector of the economy. Required to operate at a price fixed by Executive fiat in 1934, the gold miner in the United States has been faced with an impossible situation. The price of everything required to mine gold—labor, equipment, transportation, taxes, all other expenses of business—has increased by more than 125 percent since 1940, the year in which domestic gold miners produced the record quantity of gold known by the United States. Despite the increase in the cost of mining gold, the Federal Government has never been willing to change the price at which it must be sold, which is $35 an ounce. A gold miner cannot mine gold at this price. Consequently, the once industrious gold miner has virtually disappeared from the American economy.

Not only have the gold miners been continually frustrated by the failure to achieve an increase in the price at which they may sell their product to the only buyer—the U.S. Treasury Department—but, also, they were the victims of an exceedingly arbitrary and unjust order of the War Production Board during World War II which completely shut down all the gold mines.

Numerous legislative efforts have been made to overcome the damage inflicted by the shocking and unprecedented action of the Federal Government. Legislation has been introduced to increase the price of gold; to allow the free marketing of gold for purposes other than monetary; and to compensate miners for differences between costs of production and the price of sale. Unfortunately, so far, we have never been able to enact this legislation because of the fanciful apprehensions of the Treasury Department that such legislation would, in some mysterious way, cause international monetary panic. I have never believed in this mumbo jumbo. Neither have my colleagues from gold mining States. Therefore, we will continue to press for enactment of legislation that will aid those who wish to mine gold and make it possible for them to do so profitably.

Although efforts to enact legislation which would aid directly American gold miners has not, so far, succeeded, I am gratified to note that the Department of the Interior has come to recognize the great importance of the gold mining industry and is exerting its efforts to find gold and assure its production.

While the world has been watching with fascination the voyages of America's astronauts into the mysteries of outer space, another project of exploration and discovery has been going on in the depths of the planet earth which may prove to be of greater significance to the mining industry than anything the Federal Government has undertaken in many years and which will supply the space program as well as defense and domestic needs with essential raw materials now in short supply.

Under the leadership of Assistant Secretary of Interior for Mineral Resources, Cordell Moore; Geological Survey Director, William T. Pecora; and Director of the Bureau of Mines, Dr. Walter Hibbard, an imaginative program of intensified domestic exploration for valuable minerals has been proceeding with vigor and determination. Teams of geologists are searching the earth, and, off the coast of Alaska, under the sea, for deposits of gold, silver, platinum, mercury, bismuth, antimony, tantalum, and other heavy metals. When promising prospects are found by the Geological Survey, the Bureau of Mines is equipped to apply its expertise to the development of new techniques and equipment for mining to make development of deposits economically feasible and assure a profitable return to the operator.

The two agencies work together—the Geological Survey using the most advanced techniques of discovery while the Bureau of Mines perfects new methods of sampling and delineating deposits of minerals and new equipment and methods to facilitate mining deposits found. Under the new heavy metals program, authorized less than a year ago, the Geological Survey has undertaken widely ranging field and laboratory studies to improve our knowledge of the geology and geochemistry of gold and the other heavy metals; programs for identification and evaluation of new resources of the metals; and the identification of areas or "targets" favorable for the occurrence of heavy metals where private industry may explore and develop the resource. The Bureau of Mines, working along side the survey, analyzes methods and machinery needed for mining operations and engineers new equipment to meet specialized situations and reduce costs of production.

Under this new program the Department of the Interior is not only exploring new fields of minerals and new ways of mining but is exploring a new kind of service for the mining industry which may, in the long run, be equivalent in value to that of the new techniques and methods discovered in the course of its scientific investigations.

For many years various segments of American industry have been greatly benefited, indeed, subsidized, by advanced research conducted at the expense of the Federal Government. The aircraft industry and the shipbuilding industry, for example, have long been the beneficiaries of research and development programs undertaken by the Federal Aviation Agency and the Maritime Administration; the case of the aircraft industry, the development of new military airplanes by the Air Force has often been the forerunner of new equipment for commercial operation. The farmers of America have had not only subsidies for crops produced at a cost in excess of the market price of their product but, also, have had the tremendous benefit of wide scale programs of research in better techniques and methods of farming and processing by the superbly equipped research agencies of the Department of Agriculture.

Research programs of the Bureau of Standards, the Department of Commerce, and other specialized agencies of the Government have long provided technical assistance of substantial value to many sectors of the business community and to American society.

The mining industry, meanwhile, has been consistently neglected and repeatedly overlooked when Federal programs of aid and technical assistance have been under consideration. Nothing has been advanced for fostering the progress of the mining industry on anything like the scale of Federal aids to other segments of the economy.

Now, at last, we see a program developing in the Interior Department of great potential benefit to the long bypassed mining industry.

Perhaps the most dramatic example of the projects now underway in this modern day search for gold—and other minerals—is the operation of the Department of the Interior off the coast of Nome, in my State of Alaska. The beaches of Nome where gold was first discovered in Alaska yielded great treasure to those who came there and were successful in staking and holding a claim and contributed much to the lore and history of the region. Before World War II, when gold mining became impossible under the War Production Board order of 1942 prohibiting all mining for gold, the Seward Peninsula, where Nome is located, produced more than a hundred million dollars of gold and was among the most productive areas of Alaska for the precious metal. Now that interest is stirring again in the importance of gold to the United States the old locations are being reexamined for deposits left unmined or overlooked during the feverish days of the gold rush. One of the places the modern geologists are looking is the Seward Peninsula. Here, the outlook is for discovery of deposits of gold, silver, and other metals in the tidelands off Nome's beaches of sufficient value to merit substantial investment of money by the Government and by private industry to bring the precious metals to the surface and process them for use.

The idea that gold deposits lie under the waters of the Bering Sea is not new. More than 25 years ago, in March 1941, the magazine Mining World reported the unique activity of Mr. Joseph T. Sullivan, who was even then mining for gold under the waters bordering the Seward Peninsula. Mr. Sullivan, who located a claim on Daniels Creek in 1899, mined it with a partner until further effort seemed unprofitable. He sold his property in 1907. In the report of his work in the March 1941 issue of Mining World, Mr. Sullivan explained:

> Later on, I got interested in the creek again and set out to learn where the bedrock was, and if there were values on it. By employing a modern drill, we found bedrock and pay under about 20′ of barren gravel. We went to work on this ground in 1931 with a dragline scraper—not a dragline shovel—and worked it down to the tide line.
>
> I had become convinced that at one time the Daniels Creek gulch had continued further. The pay was still there right into the sea, and the shape of the bedrock convinced me that at one time the gulch, and the values, had continued; and that the creek had later been drowned by the sea.
>
> I got a Kirk Hillman Placer King drill, set it up on the sea ice, and drilled a lot of holes. With this drilling we were able to trace the creek bottom well out to sea from the present beach, and to establish the fact that there were values in a well defined streak. There was only one paystreak there, however, and it was on bedrock.
>
> I think it's easy to see what happened. We know the coast at Nome was elevated at one time, establishing the inland beaches. I think the coast at Bluff settled, drowning a large part of the original Daniels Creek gulch. After it was drowned, there was continued erosion, which laid down barren gravel above bedrock on the No. 1 claim above the present beach. Then later erosion again deposited gold, which made up the second paystreak encountered on the creek.
>
> Out under the sea ice we have only one paystreak, and it is on bedrock. This theory of the history at Bluff is supported further by the fact that after the strike at Nome rich beach placers were found at Bluff, where the wave action had scattered the values brought down and deposited by Daniels Creek.

Having become sure of his theory that the golden treasure he was seeking lay under the sea, Mr. Sullivan then proceeded to devise an ingenious rig to recover it. Due to the rough seas prevalent in the waters underlain by the gold deposits it was decided the most productive season for operation in the Arctic was during the winter when 5 and 6 feet of ice keep the waters still despite gales above. The work was difficult, dangerous, and, with relatively primitive equipment, scarcely profitable. With the coming of the Second World War and the general closure of gold mines throughout the Nation, Mr. Sullivan again suspended his operations at Nome.

Now, in a new day of discovery, the efforts of Mr. Sullivan give strong impetus to exciting new developments in mining history and technology.

The Bureau of Mines is outfitting its own navy to sail on a voyage of discovery for gold entirely unlike those of the Spanish conquistadors who sought their El Dorado, but very likely to make new history. At the Tiburon, Calif., Marine Minerals Technology Center, the Bureau is preparing the R/V *Virginia City* to sail in late May or early June for Alaska where drill rigs will explore and especially trained technicians will operate a shipboard laboratory for onsite analysis of material found on the ocean floor and below. Sister ships of the *Virginia City*—the *Grass Valley* and the *Cripple Creek*—are also being equipped at Tiburon for undersea exploration for minerals.

Another pioneer in the field of underwater mining is the Martin Dredging Co., of Nome, which has developed and experimented with a hydraulic mining dredge that has proved the feasibility of marine mining for heavy metals. Ken R. Martin, Jr., president of the company, is confident that the efforts he has made, together with the kind of assistance that can be rendered now by the Department of the Interior, could make the undersea deposits of Alaskan gold a 20th-century bonanza.

Alaska will watch with interest the events of the coming summer off the beaches of the Seward Peninsula. Our interest will be mingled with the hope that now, at long last, the Department of the Interior is embarked on a program that will restore mining in Alaska to prosperity again.

In Alaska, the work of the heavy metals program of the Department of the Interior is not limited to that being done off the coast of the Seward Peninsula. Throughout the State Uncle Sam is prospecting for the minerals the country needs to meet our domestic requirements. The Lost River tin district, where significant deposits of beryllium were discovered in 1962, is being continually studied. Last summer the result of this search was the discovery of a system of veins containing tin as well as zinc, copper, and lead on which further exploration will be undertaken in coming seasons. The Fairbanks region, where more than 35 percent of Alaska's gold production has been found, will be the target of intensified work on both placer and lode deposits next year. On the Alaska Peninsula areas of mineralization in the Talkeetna Mountains have been found which will also be the focus of study.

East of the Seward Peninsula preliminary sampling has been made of gold deposits in the Shungnak-Hughes area and more exploration will be done. In the Gulf of Alaska and southeastern Alaska study of near-shore placers of heavy metals will be accomplished under contract with the University of Alaska, using the research vessel *Acona*. In Glacier Bay National Monument where Alaskans hope to prove that parks and mining can go together with the creation of a great new national park, the Geological Survey continues to examine deposits to provide advice on how the park should be established to make this possible. Finally, in the central Alaska Range, in the Nyac region around McGrath preliminary sampling of deposits continues.

The importance of all this activity in Alaska cannot be underestimated. For many years, Alaskans have known that great deposits of mineral wealth lie beneath the surface of the land of the State. However, as in so many other areas of Federal Government responsibility, very little has been done by the Government to explore and develop this potential source of prosperity. Now, at last, we may be seeing the culmination of many of our hopes and dreams when the Government attacks energetically the task of uncovering and making an inventory of the mineral deposits of Alaska.

In other parts of the United States the Bureau of Mines and the Geological Survey have been working, too.

In Nevada, discovery of the great deposit of gold which led to the establishment of the fabulous Carlin Mine, has been followed by discoveries of great significance near Cortez and in the Ely Mining District of White Pine County, Nev.

In Colorado, one of the great gold producing States of the past, special attention has been given to one of the most famous gold mining areas of the old west, Cripple Creek. Here, the Bureau of Mines reports an engineering and economic study of a hypothetical open pit operation which features the application of advanced methods of economic analysis to determine the feasibility of profitable production of minerals discovered. A detailed analysis of costs, including taxation levels, varying levels of output, assumed grades of ore and other factors affecting the feasibility of a mining operation are programed on a computer and the result is a reliable estimate of the chances of success. The implications of this approach are very important to the mining industry. The possibility exists of making informed judgments of the likelihood of realizing a return on investment in a mining operation and escaping the unhappy experience of failure which has many times attended these ventures.

Nor have other States been neglected. Mineral deposits are being explored in South Carolina, Alabama, Utah, California, Washington, and wherever the possibility exists of discovery of valuable mineral deposits.

The reason for all this commendable activity in the field of mining was explained at the outset of the heavy metals program last year. At that time Director Hibbard of the Bureau of Mines emphasized that heavy metals, including gold, silver, platinum, mercury, bismuth, antimony, tantalum, and tin "are in short supply, and are being consumed at a rate far exceeding production." Assistant Secretary of Interior Cordell Moore pointed out:

> Consumption is outpacing production . . . 30 to 1 in the case of platinum metals, four to one for mercury, three to one for gold and silver exclusive of monetary needs.

Recognizing the need for increasing our supplies of these important metals, the decision was made to undertake the program now under way.

Uncle Sam has taken over the role of prospector, adviser, and friend of those who would develop the great resources yet to be found and made available to the people of the Nation. Hopefully, the mining industry will take full advantage of the assistance now available from the Government and take over where the Government's job is done. If this happens on the scale it should, we may see a new day of prosperity for the miners of America.

All of this, of course, is very encouraging to the mining industry. However, I believe we would be derelict in our duty to overlook the importance of effective assistance to the individual gold miners who strive to employ their resources of strength and energy to develop the mineral resources of the earth. To this end, I will continue to work for the enactment of my bill, S. 49, which would provide the assistance needed.

REPORT OF THE CLACKAMAS COUNTY ECONOMIC OPPORTUNITY AUTHORITY COMMUNITY ACTION AGENCY

Mr. MORSE. Mr. President, upon my return from service with the Interparliamentary Conference in Mexico, I found that I had missed an opportunity to talk with Mr. Paul Ackerman, superintendent of the Canby Elementary School District 86 in Oregon, who desired to bring to my attention the activities of the Clackamas County Economic Opportunity Authority upon which he serves as a member of the board of directors.

He very thoughtfully left with me, however, a report of that organization which comments upon the activities being carried on in the Clackamas County area. In my judgment, this is an excellent report and one which testifies to the value of the programs funded under the economic opportunity authorities. I, therefore, ask unanimous consent that the report, together with a letter of February 9, 1967, be printed at this point in my remarks.

There being no objection, the letter and report were ordered to be printed in the RECORD, as follows:

FEBRUARY 9, 1967.

Hon. WAYNE L. MORSE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORSE: The enclosed document is a brief description of the activities of the Clackamas County Economic Opportunity Authority, Inc. and their proposals for the coming year.

Those of us who have worked actively on the Board of Directors feel that great strides have been made in our County in helping break the cycle of poverty through these activities.

If you wish any additional information concerning our program, I would be pleased to talk with you or members of your staff. I can be reached at 223-9400, ext. 455, or at 578-4480 (D.C.) through February 10.

Yours truly,

PAUL ACKERMAN,
Superintendent, Camby Elementary School District 86, Camby, Oreg.; Member, Board of Directors, Clackamas County Economic Opportunity Authority, Inc., Oregon City, Oreg.

REPORT OF CLACKAMAS COUNTY ECONOMIC OPPORTUNITY AUTHORITY, INC., COMMUNITY ACTION AGENCY, OREGON CITY, OREG., FOR SENATOR WAYNE MORSE

BOARD OF DIRECTORS

Name and Field

Mr. Paul Ackerman, education.
Mr. James Adamson, education.
Rev. Dr. George Ashwood, clergy.
Mr. John Borden, health.
Dr. John Cleland, medical.
Dr. William Creighton, dental.
Mr. Harley Crockett, union.
Mr. Robert Elkins, farmer.
Mr. Ralph Erlandson, attorney.
Mrs. Sandra Herron, aid to disabled.
Mr. Clarence Jolly, elder retired, low income.
Mr. Wayne LaFarge, county treasurer.
Mrs. Ruth McCoy, welfare.
Mr. Neil Puckett, employment.
Mrs. Marilyn Reeder, low income.
Mrs. Ruth Ruhnke, district vocational director.
Mr. Wallace M. Telford, housing.
Miss Bernice Thomas, welfare administrator.
Mr. Hubert Weeks, welfare recipient.
Mr. Afton Zundel, county agent.

STAFF

Name and position

Howard N. Steward, Jr., executive director.
Virginia Brown, project director.
Jeanette Holt, secretary.
Alyce Warburton,[1] clerk.
Roberta Huffman, clerk.
LaVelle Newman,[2] team captain.
Jessie White,[1] team captain.
William Baty,[1] aide.
Irene Bourn,[2] aide.
Betty Brewer,[2] aide.
Donna Coliron,[2] aide.
Alice Keller,[2] aide.
Dorothy Lewis,[2] aide.
Jacklyn Lewis,[2] aide.
Vernelle Shafer,[2] aide.
Mary Lou Somerville,[1] aide.

PROJECTS TO DATE

1. 1966: Head Start, approved grant for, $23,500.

	Students
Molalla	30
Canby	47

2. 1966: Grass Roots, approved grant for, $49,155.

(a) 60% for Survey, 20% for Community Organization, 20% for Rendering of Services—Expended to date: $19,016.

(b) Numbers of homes visited for survey:

Boring	228
Brightwood	11
Clackamas	72
Estacada, Dodge, Eagle Creek	387
Gladstone	121
Milwaukee, Portland	317
Molalla, Mulino	280
Oregon City	904
Total	2,320

Survey summary

[In percent]

Topic	Estacada, 402 residents	Gladstone, 121 residents	Molalla, 232 residents	Oregon City, 904 residents
Personal needs:				
Medical	17.3	6.6	14.1	17.5
Financial relief	18.1	85.0	72.0	48.0
Civil improvement:				
Educational improvements	28.3	16.6	29.1	20.7
Municipal, county, and State services	30.2	9.0	15.0	12.4
Rehabilitation and retraining and placement	9.1	25.6	14.1	16.3
Enlargement of service provided by local business	11.2	6.9	15.2	2.5
Community recreation programs	60.0	42.0	39.0	26.1
Civil improvement with direct benefit to individual:				
Educational and training programs	12.0	32.9	27.1	18.5
Occupational assistance	6.1	17.0	7.1	10.1
Medical and/or professional services	37.1	18.0	61.0	23.3
Improved public utilities	20.2	14.2	10.0	21.1
Miscellaneous items	1.2	6.6	7.1	2.2

3. Manpower Action Committee:

Bureau of Apprenticeship (U.S. Dept. of Labor).

Community Action Agency (Office of Economic Opportunity).

County Extension Office (Oregon State Department of Agriculture).

Division of Vocational Rehabilitation (Oregon State Department of Education).

Education (Clackamas County Schools).

Labor (AFL-CIO).

Oregon State Apprenticeship Council (Oregon State Employment Service).

Public Welfare (Clackamas County Public Welfare Commission).

Valley Migrant League (Office of Economic Opportunity).

4. Cooperative Working Relationship Established:

Department of Employment.
Education Office.
Extension Service.
Health Service.
Housing Authority.
Welfare Department.

Currently continuing building relationship with other agencies and offices both public and private.

PLAN OF APPROACH

1. Education:

Eight (8) weeks summer Head Start: 165 children.

Application in process.

Total Estimated Cost of Component: $68,295.00.

2. Assist in Employment: $13,589.74.

Manpower Coordinator to bring specific cases of unemployed and unemployable before Committee to find solution to problem.

3. Neighborhood Multi-Service Centers: $18,856.50.

Estacada-Sandy-Milwaukie (82nd Area).

4. 70 Neighborhood Councils—7 Area Councils: $36,701.03.

Two Team Captains and five Community Organizer Aides to serve as resource person for councils, to meet with them and be the direct contact person of Community Action Agency with Low Income, to refer to needed services, to make aware of community concerns, to assist in referral of unemployed and untrained to the Manpower Action Coordinator, and thereby directly assist in securing training and employment.

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[1] Low income persons.
[2] Former welfare recipients.

5. Legal Aid Services Component: $15,000.00.

To be prepared in conjunction with Washington County Community Action Agency and the Bar Associations of both Counties.

6. Administration of Community Action Agency: $29,261.00.

Supervision and coordination of all programs coming under this office and working with other agencies concerned with poverty, with the schools, and the public sector to coordinate a combined strategy for the elimination of poverty within the County.

FINANCIAL SUMMARY

Total cost of Clackamas County OEO programs from June 2, 1966, to January 31, 1968, inclusive:

Headstart, 1966	$23, 638. 00
Headstart, 1967	68, 295. 00
Program development	11, 819. 00
Operation Grassroots	43, 044. 00
Manpower action coordinator	13, 589. 00
Three neighborhood centers	18, 856. 50
Community organization	36, 701. 03
Administration, coordination, and program development	29, 261. 00
Legal aid services	15, 000. 00
Social workers (Headstart)	19, 407. 00
Total cost of program	279, 610. 53
Cash cost to Clackamas County (to date)	2, 000. 00
Request this action	8, 965. 00
Total	10, 965. 00

Estimated savings in welfare grants realized by employment of low income unemployed persons: $15,174,50.

In addition to the above indicated savings of tax dollars, nine of the employees of the Community Action Office, who otherwise might have been Welfare recipients have paid $4,980 in Federal and State withholding tax by January 31, 1968.

COUNTY OF CLACKAMAS,
TREASURER'S OFFICE,
Oregon City, Oreg.

I Wayne H. LaFarge have on January 17, 1967 examined the ledger and cash books in the Office of Economic Opportunity at the Oregon City office, 709 Monroe Street, Oregon City, Oregon. I have found them adequate for public fund accounting.

The Clackamas County Treasurer is serving as the bank for receipts and expenditures for Clackamas County.

WAYNE H. LAFARGE,
Treasurer.

COMPONENT 7–3

Conduct and administration

The intent of the Conduct and Administration Component is:

(1) To continue to serve as the office under which the various components and projects are administered, coordinated and interrelated to other efforts, both public and private, in Clackamas County to aggressively wage war on poverty. Such efforts will be made in keeping with O.E.O. regulations and standards, and the policies established by the Clackamas County Economic Opportunity Authority, Inc.

(2) To conceive and develop additional programs which have both the potential and promise of breaking the cycle of poverty in the County.

(3) To establish criteria for, and evaluate the effectiveness of programs in eliminating the causes of poverty.

(4) To receive, hold and disburse all funds as designated in approved grants.

(5) To be responsible for personnel selection, their administration and supervision in accordance with the personnel policy standard adopted by the Community Action Board.

(6) To work with the various public and private agencies in securing coordination of efforts, sharing of financial resources (city, county, federal, foundation, private and state) and further the development of programs to execute the war on poverty.

(7) To oversee and be responsible for the successful carrying out of the Head Start Component, the Community Services and Neighborhood Centers Components and the Manpower Action Component.

Achievement to date

It is our belief that these objectives are realistic for under our initial grants (PD 7–1 GR 7–2) we have been able to:

(a) Organize both Neighborhood Councils and Area Councils.

(b) Enlist Inter-agency support and cooperation as well as initial steps toward coordinating the efforts of such public agencies as Employment, Health, Welfare and numbers of School Districts.

(c) Make numerous referrals of youth (drop outs), adults (employment, mental health, vocational counseling, surplus foods, welfare department et al.). We have secured referral slips for use by aides. If we find persons in need and referred are not following through and making contact with agency, our aides will make a second contact *and go with the person to the appropriate agency.*

(d) A working relationship has been established with Department of Employment where, when a school drop out does not respond to their letters of invitation to come in for counseling and vocational guidance, one of our aides will contact the person to achieve the contact.

(e) A working relationship has been established with the Valley Migrant League whereby Adult Basic Education classes conducted under their auspices for Migrant Farm Workers has opening, persons referred by our Community Action Agency have first priority of consideration.

(f) Under auspices of our Community Action Agency, there is a Manpower Action Committee composed of the following agencies: Bureau of Apprenticeship (U.S. Department of Labor); Community Action Agency (Office of Economic Opportunity); County Extension Office (Oregon State Department of Agriculture); Division of Vocational Rehabilitation (Oregon State Department of Education); Education (Clackamas County Schools); Labor (AFL–CIO); Oregon State Apprenticeship Council (Oregon State Employment Service) Public Welfare (Clackamas County Public Welfare Commission); and the Valley Migrant League (Office of Economic Opportunity). The stated purpose of MAC is: "To establish and maintain communications between agencies involved in manpower rehabilitation, education, training, and employment, in order to strategically plan for the maximum use of available resources." This group meets twice monthly for the sole purpose of determining means of assisting the maximum number of persons to be trained, placed, and served under the various acts, including Title V.

COMPONENT 7–4

Community services multiservice centers

This Component will include three Neighborhood Multi-Service Centers, up to seventy Neighborhood Councils and seven Area Councils, all of which will be administered by the Service Coordinator of the Community Action Agency. Through the membership of Public and Private Agency personnel on our Community Action Board, through the developing rapport without our Community Action Board, through the developing liaison between our Community Action Agency and the various segments of the community concerned with services to people in need, and through the Manpower Action Committee and its constituent organizations, we propose to achieve the maximum feasible degree of coordination among available services of all types to those who are our concern.

To oversee this component, supervise personnel, coordinate efforts and programs, insure relatedness of this component with the various other components of the Community Action Program and similar efforts of both private and public agencies, we are requesting an administrative person whose title will be Service Coordinator. That he might be as free as possible of administrative trivia and function effectively, we also request a Clerk for him.

In addition to the Service Coordinator and Clerk, we request two Social Workers, to be assigned the follow-up of families of Head Start children. These workers would be funded from Head Start allocation and stationed in two of the Neighborhood Centers.

Clerks for all but the Service Coordinator will be requested on "out of school" N Y C grants. As additional staff, we will need two Team Captains, and five Community Organizer Aides, who together will be responsible for the particular Neighborhood Councils and the Area Council in the geographic area of the County to which they are assigned.

The survey conducted by community Aides under the Grass Roots grant has indicated a restrained latent interest in becoming involved in Community Action. In all of the rural areas of the County, concern has been expressed over the lack of an adequate means of expression of their concerns, needs, and corporate problems. Thus to the extent that we can overcome the traditional rural reluctance to identify with organizations, and to the degree we can help these persons find satisfaction as they venture forth to participate in Neighborhood Councils, we can serve effectively as a catalyst whereby some of the causes of poverty may be lessened or eliminated.

The Team Captains and Aides will be responsible for the following:

(a) Oversee existing Neighborhood and Area Councils.

(b) Service the needs of said Neighborhood and Area Councils.

(c) Organize additional Neighborhood and Area Councils.

(d) Continue to make direct contact with all persons of low income in their assigned areas and make referrals to the agencies where persons in need can secure needed services.

(e) To follow-up on referrals to ascertain if the individual availed himself of the service in question, to determine if appropriate service was rendered, and where either is found to be lacking, to strive to get the person to the needed service through an alternate method (i.e., some public and private agency which can provide the service) if the regular channel is non-productive.

The aforementioned Councils are to be structured as follows:

(1) Ultimately to develop 75–100 Neighborhood Councils of at least 10 members each, at least one-half of the persons composing each Neighborhood Council to be of low income.

(2) To develop seven Area Councils each *composed of one representative from each of* the Neighborhood Councils within the designated geographic area.

(3) To insure each of the Area Councils have two duly elected representatives to actively participate and serve on the Board of Directors of the Clackamas County Economic Opportunity Authority, Inc.

(4) To encourage membership of Neighborhood Councils to attend Community Action Board meetings, etc.

(5) Through elected representatives to Neighborhood Councils and Area Councils, to develop, expand and maintain a two-way line of communication from the Neighborhood Councils to the Community Action Board and from the Community Action Board to the Neighborhood Councils.

(6) To give expression of the concerns, desires, frustrations, hopes and needs of the low income segment of each area within the County to the appropriate groups in the "Establishment" who have within their

power the potential of assisting such persons break the "cycle of poverty."

(7) Where the voice of low income persons is either not heard or ignored, it shall be the purpose of our Agency to serve as an intermediary agent in their behalf, and if this fails, to seek other means of achieving the necessary objective and service.

Another thrust to assist the target population is the establishing of Neighborhood Multi-Service Centers. To date contact has been made with the Employment Service, the Health Department, and the Welfare Commission offices of Clackamas County. Acceptance of the basic need of the Neighborhood Multi-Service Centers was enthusiastic! Actually it has been demonstrated repeatedly in the Grass Roots survey that the available services are too often not reaching the target population. This breakdown in service is for several reasons: Often the needy individual or family lacks information of the available service, and/or the distance (both physical and psychological) from the place of residence to the office of the agency is such as to appear to the needy to be an insurmountable obstacle. Thus there is common agreement that the establishment of multi-service Neighborhood Centers would be of value.

It is currently our intention to establish one center in the City of Estacada—an isolated logging community of 1,000 persons (Center of Population Research and Census, Portland State College, December 15, 1965.) Yet the combined elementary and secondary school enrollment of the Estacada Schools totals 2,138 (Country School Superintendent's Office January 6, 1967). The combined elementary-secondary enrollment for the little cross-roads community of Colton is 667. Thus these two areas have a school census of 2,805 students. The total area experiences a high level of unemployment during the winter months. Industry, other than logging and agriculture, is non-existent. The fact that no county agency maintains figures on other than a county-wide basis makes documentation of need difficult. The fact that our survey was taken before the seasonal lay-off makes it difficult for this office to document need. These two limitations do not lessen the incidence or severity of the problem. The spirit of the community, as indicated on the survey is indicative of the spirit of the persons who compose the target group in the area. It is the desire of Welfare to outstation a Social Worker in the Centers. It is the intent of the Employment Service to use such facilities for services of their office to persons living in the area. The Health Department has assured us of their cooperation and is currently exploring the implementation of a Planned Parenthood Unit to be funded by funds other than O.E.O. This and other health services could be made available through the Neighborhood Centers. Competent counselors (family, financial, vocational) will be available through the volunteer efforts of qualified clergy, empathetic business men, and the employment service. The services offered will not be confined to the list suggested here, nor will they be selected by this office, but by the Area Councils in which the Neighborhood Service Center is placed.

In the Sandy Community—a service center for all the area to the north of Estacada along Highway 26, would boast a population of 8,500. The Valley Migrant League (OEO Title III B) has an Opportunity Center in Sandy. Yet their intent is often frustrated by eligibility limitation to migrant farm laborers and their families. Negotiations are under way to develop an agreement whereby both our CAA and their Opportunity Center can operate under one roof and thereby serve all of the target population. While an agreement is yet to be finalized, conversations to date would suggest each would pay rent and heat costs on a pro-rated basis for actual square feet of office usage. It would be our plan to place one Team Captain in the facility. Our costs would be minimal, but the service increase to the Sandy, Boring, Damascus area would be multiplied many times over. The relationship would be harmonized by a joint board with representation from our CAA and their VML including the target population on the coordinating board.

The Milwaukie area along 82nd Avenue includes some of the blighted area of residential Portland. A Low Cost Housing Development is located here. Our survey indicates unmet need here to be acute. Certainly this, too, is one other area of obvious need for a Community Multi-Service Neighborhood Center. The person in charge would be the Social Worker funded with Head Start allocations. In addition to the follow-up of families from the summer Head Start, could also oversee the program and activities of the Neighborhood Center as given direction and guidance by the Area Council and the Community Action Board.

As one of the most frequent recurring calls for help from the target population rests in the areas of money management and adequate nutritional provision for children on minimal income we do request a Home Economist to work with the Community Aides and Neighborhood Councils to assist in Budgeting, Nutrition, Management of Home Responsibilities, Child development, Consumer education (food-clothing-household good). The Home Economist would be related to, work out of, and teach in, the Community Neighborhood Centers.

While initially it might appear that the inclusion of an Home Economist is a duplication of services offered by the Extension Service, we call attention to the fact that this inclusion was suggested by the Extension Service as they are well aware, painfully aware, that their best efforts to reach the economically deprived are not successful. It is our belief that if such a service were offered through our office, it has the possibility of reaching the target population by virtue of the fact that it is not related to established structure. Currently Extension Service budget prohibits their providing this service. This approach has been tried unsuccessfully. Should this effort be successful, and we believe it could be, numbers of low income persons could become part of existing extension groups—or formed into extension groups of their own who would then be serviced by Extension. This objective is viewed as valid, not to further the organizational efforts of another agency, but to afford the deprived rural persons an on-going vehicle which can render a continuing supportive up-grading, self-help service which could benefit not only the direct recipients, but their entire peer group as well.

MANPOWER COORDINATION

In the Grass Roots Survey, numbers of unemployed and unskilled persons have been interviewed. Often these persons have made feeble attempts to contact appropriate agencies to secure employment. Because there was no particular opening at that time for which the applicant was qualified and/or the assigned number of training slots available in Clackamas County were already used, a suitable placement was not achieved. The applicant became discouraged, and in time tended to give up.

Under the leadership of Mr. Neil Puckett, manager of the Oregon City Employment Service Office, and a member of our Community Action Board, a Manpower Action Committee has been formed. This committee, known as MAC, is affiliated with our Community Action Agency. Membership includes the following:

Bureau of Apprenticeship (U.S. Department of Labor)

Community Action Agency (Office of Economic Opportunity)

County Extension Office (Oregon State Department of Agriculture)

Division of Vocational Rehabilitation (Oregon State Department of Education)

Education (Clackamas County Schools)

Labor (AFL–CIO)

Oregon State Apprenticeship Council (Oregon State Employment Service)

Public Welfare (Clackamas County Public Welfare Commission)

Valley Migrant League (Office of Economic Opportunity)

It is our studied belief that if persons who have been frustrated in their attempts to find training and/or placement can be brought to the attention of MAC, that ways will be found to place numbers of such persons in gainful employment. To achieve this objective involves first the Community Aide who will make contact with the unemployed individual. This contact may come directly through the Neighborhood Council, or indirectly by referral of one of the members of the Neighborhood Council advising the Aide of the need of a particular resident. The Aide would contact the unemployed person, collect background information, including schooling, work experience, and notation of any unusual circumstances. This then would be presented to MAC by the Manpower Coordinator. Then MAC would in turn make recommendation of the best manner to handle the case in question whereby the unemployed needy person might ultimately find suitable placement. The Manpower Coordinator would be responsible to see that the person in need was contacted by the Aide, referred to the proper Agency, enrolled in the proper program, and effectively channeled down the appropriate line. It would further be the responsibility of the Manpower Coordinator to work in conjunction with MAC to cut any red tape which might thwart the progress of the individual in need and thereby prevent the fulfillment of the objective of gainful satisfying employment.

It will further be the responsibility of the Manpower Coordinator to make follow-up contacts with the trainee or employee (as the case might be) to ascertain the individual's degree of satisfaction with his new position, and to make similar contacts with the employer to determine the degree of satisfactory performance on the job. To accomplish this responsibility satisfactorily, the Manpower Coordinator would need a full time clerk.

This narrative has been prepared in consultation with the Manager of the local Employment Service Office. Given demonstrated achievement of this concept during the first six months of operation, the Manager of the Employment Service Office has expressed his willingness to propose to his superiors that the Department of Employment pick up the cost of this position of Manpower Coordinator the following year. The possibility of sharing the cost during the current year was explored. It was decided that the greater degree of freedom from regulation made possible by identification with O.E.O., and the initial identification with this office would greatly enhance the effectiveness of the Manpower Coordinator. Thus the full cost of this position is included in this component.

LITHUANIAN INDEPENDENCE DAY

Mr. LAUSCHE. Mr. President, it is with real pleasure that I join with Senators as we commemorate an outstanding event in the rich history of a proud and courageous people. Today we observe the anniversary of Lithuanian Independence Day, February 16, 1918, a date which marked the culmination of hopes and prayers for freedom which Lithuanians had cherished for hundreds of years.

Upon achieving independence, the Lithuanian people entered upon a period of unparalleled social, economic, and political progress. For the next 20 years they were free to make great strides toward their national goals. Yet World War II brought to a tragic close their wonderful, productive era of independence. The beautiful little land, though striving to maintain a policy of absolute neutrality, was soon engulfed by the warring forces. In the face of a German ultimatum, Klaipeda—Memel—was yielded to the Germans. The Soviet Union, on October 10, 1939, forced a mutual assistance treaty upon Lithuania. The following June, the Russians demanded the immediate formation of a "friendly" government in Lithuania and occupied the country. And, on August 3, 1940, the Supreme Soviet declared Lithuania to be a constituent republic of the U.S.S.R. German occupation troops superseded the Russian soldiers on June 27, 1941, only to be replaced on July 13, 1944, by the Russian forces. Since that terrible day the Lithuanian people have existed under the shadow of the Communist hammer and sickle.

Yet, Mr. President, we in America have not forgotten the plight of the Lithuanian people, and indeed of all captive peoples. I am proud to say that I was among the Senators who, on October 6, 1966, voted for House Concurrent Resolution 416, requesting the President of the United States to urge certain actions for relieving the deprived peoples of Estonia, Latvia, and Lithuania.

No, Mr. President, we of the free world who enjoy the blessings of freedom have not forgotten those who still languish in the shadow of tyranny and oppression. On this Lithuanian Independence Day, we rededicate ourselves to the glorious cause of freedom for all men. Today, I extend my warmest best wishes to our Lithuanian friends everywhere—in my own State of Ohio, throughout this great land of ours, and throughout the world.

Mr. CASE. Mr. President, I am glad to join Senators today in marking the 49th anniversary of the independence of Lithuania—an independence won from Russia in 1918 only to be lost when the Soviet Union reoccupied the Baltic States in 1940.

As one who worked to secure Senate approval last year of House Concurrent Resolution 416, I believe that the United States must continue, on this and similar occasions, to express its unwavering support for restoring to the Baltic peoples their right to freedom and self-determination.

In that connection, the Supreme Committee for Liberation of Lithuania has made a significant and useful statement on the consequences of independence, which I should like to quote:

> Is a call for Lithuania's freedom an appeal for "balkanization", as some have suggested? Not true. A free Lithuania would gladly join a large European, supranational structure. The world today is not restricted to a simplistic choice between encouraging "balkanization" and condoning oppression.
>
> To demand self-determination for Lithuania, is it equivalent to being "anti-Russian," as others have whispered? Not true, again. Imperialistic oppression and exploitation degrades not only the victim but also the oppressor nation. To suggest that Russian people have Balts as friendly neighbors, instead of absorbing them as hostile subjects, means to be "pro-Russian" in the truest sense of the word.

Mr. MURPHY. Mr. President, in June 1940, the Soviet Government annexed the young Republic of Lithuania, suppressing the freedom of the people. Since that day, 26 years ago, the brave people of this land and its neighbors—Estonia and Latvia—have struggled to regain independence. For that reason, I am glad that during the last session of Congress, House Concurrent Resolution 416 was adopted. I ask unanimous consent that the resolution be printed in full so that Senators will be reminded that by approving the resolution we have taken a firm and unanimous stand to assure the people of these Baltic States and the inhabitants of all nations subjected to domination and exploitation, and that we will seek to cause world opinion to engender the restoration of the rights possessed by the free nations of the world.

This week, as Lithuania celebrates its 716th anniversary as a state, we should endeavor to assure her that her future anniversaries will be held in a climate of joy and peace for her people, unshackled by the bonds of tyranny.

We should join the people of Lithuanian descent in our country who have valiantly fought to espouse the cause of freedom and liberty for their people at home since 1940. To help them to be heard throughout the world community, we must keep our Nation as a source of light to those countries who have been placed in the shadows of unwanted Communist oppression.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

CONCURRENT RESOLUTION

Whereas the subjection of peoples to alien subjugation, domination, and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations, and is an impediment to the promotion of world peace and cooperation; and

Whereas all peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social, cultural, and religious development; and

Whereas the Baltic peoples of Estonia, Latvia, and Lithuania have been forcibly deprived of these rights by the Government of the Soviet Union; and

Whereas the Government of the Soviet Union through a program of deportations and resettlement of peoples, continues in its effort to change the ethnic character of the populations of the Baltic States; and

Whereas it has been the firm and consistent policy of the Government of the United States to support the aspirations of Baltic peoples for self-determination and national independence; and

Whereas there exist many historical, cultural, and family ties between the peoples of the Baltic States and the American people: Be it

Resolved by the House of Representatives (*the Senate concurring*), That the House of Representatives of the United States urge the President of the United States—

(a) to direct the attention of world opinion at the United Nations and at other appropriate international forums and by such means as he deems appropriate, to the denial of the rights of self-determination for the peoples of Estonia, Latvia, and Lithuania, and

(b) to bring the force of world opinion to bear on behalf of the restoration of these rights to the Baltic peoples.

Passed the House of Representatives June 21, 1965.

House Concurrent Resolution 416 was adopted by the House of Representatives by a record vote of 298 yeas to no nays on June 21, 1965, and unanimously passed by the United States Senate on October 22, 1966.

Mr. JAVITS. Mr. President, today marks the 49th year since the declaration of Lithuanian independence in 1918. This nation has been the site of a continued struggle for independence by its courageous people. Held in Communist tyranny for so many years, the Lithuanians have still retained a strong sense of their lost liberty. Simply to recount briefly the history of their struggle in this century is to show the world a people firmly dedicated to freedom and self-determination in the face of overwhelming odds.

After 120 years of subjugation to Russia, and occupation by the Germans during the First World War, the Lithuanian people declared the "establishment of an independent Lithuania" on February 16, 1918. Yet by the end of that same year, the Soviet Union had invaded the country. Lithuania fought back and, though stripped of part of its territory, succeeded in gaining recognition from the Soviet Union as a sovereign state in 1920.

But the hard-won independence of the Lithuanian people was short lived. In 1940, Soviet troops occupied the country and annexed it to the Soviet Union. When the war broke out between Germany and the Soviet Union the following year, Lithuania fell under German administration until, as the Nazi occupation collapsed in 1944, Lithuania was again crushed by the Soviet army.

For 7 years, Mr. President, the Lithuanian people struggled to liberate their land. During that struggle, 30,000 Lithuanians died for their cause, and hundreds of thousands were deported to the Soviet Union, where they died wholesale in forced labor camps.

But the Lithuanian people continue to yearn for freedom from their oppressors and the establishment of a truly independent Lithuanian state. Mr. President, we in the United States, who have consistently supported the principle of self-determination, add our voices to the commemoration of the 49th anniversary of the declaration of Lithuanian independence, to demonstrate our sincere hope that liberty, so long suppressed in Lithuania, will possibly rise again.

ADDITIONAL PAYMENT FOR WHEAT PRODUCED FOR EXPORT

Mr. BURDICK. Mr. President, I want to share with you today mail I have received from my friends on the farm in North Dakota, because I want to point out very emphatically to you what the people who have produced the food you are eating today, are saying and thinking.

I recently put before you gentlemen of the Senate, a bill which would guarantee farmers an additional 25 cents for each bushel of wheat sold abroad—25 cents for each bushel that is sold abroad either for dollars that help slow the drain of gold, or which attack hunger among the people of the poor nations of the world under the food-for-peace program.

I want to share the things our farmers are saying with you today not because the response to my proposal has been favorable, which it has, but because these letters reflect so clearly the fact that the wheat farmers of this Nation are at a great crossroads. These are not the comments of a public relations department or a paid advocate, but the heartfelt expressions of the men and women who till the soil, and the people in our farm communities who live and work with them.

The crossroads that I speak of have been created by the fact that our Nation's reserve stocks of wheat have been reduced to the lowest level in recent history. Our farmers, without the bitterness that has been associated with many such changes in other areas of our economy, have reduced the number of acres of wheat that they plant to a fraction of what it was a few years ago. They have done this because they have been told that the past huge surpluses have forced down the price of their wheat crops. The implicit promise in this is that prices will go up when the surplus is down.

But during the last decade and a half, when this national policy has been in effect, we have realized that wheat and other foods play a much more important role in our national policy. We have recognized that the world's population is quickly pressing in on the available land space, and that only a minority of the world's people will eat as well as you and I do today. We have also realized the strategic importance to our defense preparations that an adequate national reserve of food means.

Because of these concerns, Secretary Freeman, of the Department of Agriculture, has asked our farmers to plant 31 percent more wheat, and this should be an opportunity for our farmers to recover some of the past sacrifices in acreage that they have made.

But the truth is that the increased acreage they plant will be harvested and sold at a lower guaranteed price, and their hopes for doing better at the cash price are being dashed by declines in the cash price. In addition to a guarantee of $1.25 per bushel of value through the Commodity Credit Corporation, wheat farmers are guaranteed an additional certificate payment on the portion of their crop which would be consumed within our country. This additional certificate applied to 45 percent of our crop in 1966, but will be applicable to only about 35 percent of this year's expanded crop. Even though there is some question as to how good portions of the winter wheat crop already planted will be, market observers attribute recent price declines in the market for wheat to an uneasiness among the professionals that a record crop harvested from greater acreage will force the price down.

This is one very strong theme which I found among the many people who have taken the time and trouble not just to answer a poll, but to write me a letter. They have pointed out, in effect, that we recognize the share of our wheat crop which we eat and use in our own Nation as a part of national policy with the domestic certificate. They say that the wheat we sell abroad is also part of our national policy, and there should also be a certificate attached to it so that the producers are assured a fair return for their efforts.

This business of a fair return is a second strong theme among the comments my friends have made to me. Though they do not have the statistics at hand, they can feel in their pocketbooks the fact that average farm prices have consistently declined the past few months, and that the prices farmers must pay for the goods and services they need to grow crops have consistently risen.

The third strong theme which I have observed among these people, some of whom have shared their innermost thoughts and feelings with me, is that they are becoming disillusioned, and this is particularly true of the younger farmers who are the ones who must be counted on to produce the food your children will be eating tomorrow.

These people are not threatening to give up their necessary occupation to crowd into the cities, but their talk about it reflects the restlessness of our farm community today. I point these remarks to you only because I believe you gentlemen should be aware of this feeling.

The proposal which I have made, for a 25-cent certificate payment on each bushel of wheat produced for export, is a modest one. Its cost this year would be something over $300 million, compared to the requests for something over $30 billion which are now before us from President Johnson to carry on the war in Vietnam.

Some have expressed reservations that 25 cents on the export share of the wheat crop is not enough to bail them out of the financial bind they are in, but many of them recognize this as a realistic goal in this session of Congress. Others have written to me asking Congress for some help with their economic plight.

To save you time in sharing the thoughts of North Dakota's people, I have randomly selected portions of some letters which are representative of much of their thinking. I also want to give you the names of the many others who have been kind enough to write to me.

Here are paragraphs from some of their letters:

Edwin Hintz, Elgin, N. Dak.:

> I feel that by the increase of wheat acres that this will depress the market and that the farmer will need some insurance for a fair return for his production. I feel that no farmer would be able to produce wheat at the present support level.

John Toman, Jr., Flasher, N. Dak.:

> I am and so are the neighboring farmers, much in favor of the 25¢ export certificate, it would mean more income to us farmers improving the economy.

Eugene L. Norheim, Rocklake, N. Dak.:

> The wheat farmer is asked, if not required, to produce a high quality food product for the benefit of the consumer at less than a bargain price. This inflation continually increases his risks and whittles away at his returns for investment, labor and management. No other group in the nation is asked to accept such terms these days.

Evert Nelson, Washburn, N. Dak.:

> As you know the price of new machinery has gone up since November 1, 1966. I talked to a machine dealer in Underwood, which is our hometown. The price on an 806 International Harvester tractor has gone up $470 since Nov. 1, 1966. With the high interest rates and the increase in machinery prices, we are asked to increase wheat acreage 32 per cent in 1967. Also the land prices in the last 20 years have increased about 30 to 50 per cent. It is almost impossible to get hired help . . . and the high operating costs and increase in taxes.

Walter Podoll, Edgeley, N. Dak.:

> Such an amendment is long overdue and would help achieve parity for agriculture which is so vital and necessary to keep the family farmer on the land, therefore I strongly urge its passage.

Oscar Rau, Ashley, N. Dak.:

> Both presidents have promised parity in the 1960's, but they are nearly over and the parity is nowhere in sight. Even in a partial wartime economy farm produce is low in price as compared to things farmers buy. This situation is being aggravated further by the price increase by manufacturers of farm machinery in Nov. 1966, who enjoy a high percentage of net profit after taxes.

Leif Ringsruds, Mayville, N. Dak.:

> The farmer is in dire need of better prices for products he produces.

Vernon Porth, Ambrose, N. Dak:

> I feel that wheat shipped overseas for Food for Peace and to supply food for needy nations is a benefit to all of the people of our country and not only farmers and that wheat farmers should not subsidize our country to our own economic deficit.

Roy Eman, Kramer, N. Dak.:

> We need more of this thinking if we are going to stay in this farming business.

Gaylord Olson, young farmer from Buxton, N. Dak.:

> Few people realize that the lack of effective export demand for wheat, and the subsequent low world wheat price, would be much different if the nations who need wheat could afford it. In other words, there is need for wheat by many foreign consumers, yet only a few of them can support their needs. We seldom question efforts to fulfill the need, however, there is a lack of consideration about a fair price to provide for the need. The result is that U.S. farmers are subsidizing, through a lower price, the foreign aid programs of our country. This is totally unfair to the farmer and your bill proposing an export certificate would reduce the inequity. Much has been said, too, about the cost-price squeeze. In my opinion, the low wheat price, and higher costs are forcing resources away from food production. The inputs in wheat production, must of necessity be very limited. If the future world food needs are as critical as the population growth would predict, it should be in the public interest to increase farmers' wheat income.

Dale Riedesel, Cathay, N. Dak.:

> I would like more.

Daniel Gust, Durbin, N. Dak.:

> I am certain that most farmers are expecting some export certificate of some kind. Personally, I would like to see a blend price of $2.25 a bushel for wheat. Working with farmers explaining the wheat program for the Agricultural Stabilization and Conservation Service (U.S.D.A.), many questions are asked why farmers are expected to increase their wheat plantings at present returns.

M. Hodnefield, elevator manager, Church's Ferry, N. Dak.:

> I am sure you have 80 to 90 per cent support from farmers on this, in this area.

Mr. and Mrs. George Evans, Doyon, N. Dak.:

It is maybe not enough, but I can remember when that 25 cents is all we got for wheat and we had to try to make it go around. At that time even one cent more a bushel was a lot of money. However, I'm sure that the people who sell guns and munitions to the government are not selling at a reduced rate, neither are they who supply materials for the space program. Certainly the people who transport materials are not backing up a single cent, so why should the farmers produce more food and fiber for export at the low world price. The land has carried the load of charity long enough. The North Dakota farmers are a loyal group of people and they have always thought of the nation first, but they are better educated now, and they can see that it never did them any good in any way to be way out of line with the rest of the productive economy. When they were satisfied to take less they always dragged the rest of the economy down. The young farmers of today are thinking, "If we have to get down to starvation prices, to carry on a war, a space program and feed the world, it just isn't worth it".

Art Dale, Adrian, N. Dak.:

I feel that it was a direct insult to the American farmer to ask him for a 32 percent increase in wheat production and set the loan price at $1.25 per bushel, or 50 percent of what it cost to produce the wheat.

In the first place setting the support price at such a drastically low price has a tendency to hold the cash price down also. Certainly the least they should expect to get the wheat for is the cost of production. Then as an inducement to increased production they could offer their certificate plan. I don't know what methods we have to use to convince the Agriculture Department that the farmers are up against a wall out here.

We *can* you know, we can also pledge not to seed any wheat this spring. This would be a national calamity and I hope we won't have to take these steps, but I just wonder what it takes to make the Administration see that we must have cost of production to keep the farm economy healthy.

Fred Sund, Cleveland, N. Dak.:

I would say at the present price here now, which is $1.63 on market for No. 1 Dark Northern Spring, you add a dollar to this and you would have almost the cost of producing it. But if we can not get more, lets take 25¢, its better than nothing.

Melvin S. Siverson, Wheelock, N. Dak.:

Twenty-five cents per bushel on export wheat will not bring the blend price up to parity nor will the wheat producer receive parity of income but certainly it will help to keep many farmers in business so they can continue to hope for something better.

Mrs. William Dissette, Rollette, N. Dak.:

I'm in favor of this and we should be getting $3 a bushel according to the high prices we have to pay for things we have to buy.

Artlin T. Moum, Newburg, N. Dak.: elevator manager:

I believe this will help the farmer get somewhat a fair share, which could be more.

Edward A. Seel, Rugby, N. Dak.:

The blended price that a farmer is now getting for his wheat would be laughable if it wasn't so serious to him and his family. What today's prices really amounts to is that the farmer is actually subsidizing the consumers and they just can't make it any longer.

Albert Widme, Crystal, N. Dak.:

. . . Though I really think it should be more than 25¢ per bushel.

Frank R. Whitman, Lake Williams, N. Dak., grain dealer:

We feel that a support of $1.25 per bushel for wheat amounts to no support at all. In our locality this price for wheat would not even pay production costs let alone leave any profit.

Robert A. Busch, Manvel, N. Dak., elevator manager:

I would be very much in favor of it as it would help alleviate the pressure in the difference in the return the farmer gets from his crop and the ever rising price of his machinery and repairs. Something has to be done in this nature for him to survive.

R. G. Hefta, Mayville, N. Dak., elevator manager:

There is one thing we know for sure, and that is that if the farmer can make an extra buck, he will spend it either in new equipment improving his farm home or give his family a better education. This all adds to the prosperity of our country.

Fred Bergenheier, Reeder, N. Dak., elevator manager:

I wouldn't know of anybody that lives in North Dakota that could possibly be against this. I am all for it and know I speak for all my patrons also.

W. G. Abrahamson, Minot, N. Dak., elevator manager:

Senate Bill 273 is a step in the right direction and while many feel that the 25¢ per bushel is too low, a higher figure would be almost impossible to get through Congress.

Paul G. Schadewald, Sykeston, N. Dak., elevator manager:

I feel that your bill is a good start in the right direction. If the American farmer is expected to help feed the world he certainly should receive a price for his wheat that will give him some assurance that he can remain in business.

Joe Diemert, Edgeley, N. Dak.:

The only fault I find with S. 273 is that the 25 cents isn't enough. Farmers have already lost 25 cents per bushel on all bushels after the announcing of bigger wheat acreages. Twenty-five cents per bushel is surely better than nothing however.

Randolph Moen, Hunter, N. Dak.:

Twenty five cents for export marketing will help. It is not enough, but it looks like all we can expect.

J. G. Fair, Langdon, N. Dak.:

Bill 273 is long over due. We request its passage.

Julian Haugen, Wheelock, N. Dak.:

In reference to the bill to authorize export marketing certificates on wheat it is imperative that the blend price of wheat be raised to keep the family farmer on the land. This would help to off-set the added cost of increased production for the hungry world.

Vernon Baszler, president of Southwest Graindealers Association, Mott, N. Dak.:

. . . It appears like a step in the right direction. I don't mean to say they (the farmers) are starving to death, but their product is not in line with other things when it comes to selling.

Mrs. Vernon Christianson, Devils Lake, N. Dak.:

Far be it from me to complain about our high standards of living but I seriously wish there was some way we could enjoy a fair wage for our work on the farm.

Robert Nagel, Montpelier, N. Dak.:

This should be passed, if the farmer has to strengthen the foreign policy of the United States with food, we should not have to do it at a loss.

Mr. and Mrs. Henry Weddel, Minot, N. Dak.:

It is an improvement. However, we are hoping for parity."

Henry Lundene, Adams, N. Dak.:

It is doubtful whether farmers can produce wheat even at the $1.50 level, it surely helps to have the floor pushed up 25c per bushel.

Emil W. Baranko, Belfield, N. Dak.:

Everyone seemed very pleased with it.

Reuel E. Harrison, Edmunds, N. Dak.:

With farm income around 80 per cent of parity (77 per cent at the present I believe), this will not bring the parity up to where it should be, but it will be a help and with the Department of Agriculture predicting a 5 per cent drop in net income for farmers next year in spite of the increased acreage of wheat, there is no incentive to increase production if you lower your net thereby. So export certificates may be what it takes to prevent any drop in net income.

William Larson, Page, N. Dak.:

I know consumers are complaining about high food prices, but services and other products are higher too.

Charles Sipma, Hettinger, N. Dak.:

A young farmer figuring his income tax for the year said, "Net worth at end of 1966, minus $307.00. This does not include interest on investment. I have not finished my income tax but can safely say I will only have to pay Social Security.

Earl Bassingthwaite, Sarles, N. Dak.:

. . . (A) bsolutely necessary if wheat farmers are to survive in face of increased production costs.

Mr. and Mrs. Elling Ellingson, Alexander, N. Dak.:

We heartily approve . . . We farmers do need the income. We realize you can't get everything you would like . . .

Mrs. Ellen Foley, Grafton, N. Dak.:

Can you do nothing to help us? Our situation is desperate. We have our backs to the wall and there is no door in this wall.

Bill and Leona Meyer, Monango, N. Dak.:

Without any additional incentive, the extra wheat is not going to get planted. One of these days we're going to find ourselves in a real bind for the wheat that will not be planted this year because at present it isn't worth it. When will Washington learn that we can't raise wheat in December? Or overnight?

Raymond Muhs, Langdon, N. Dak.:

Farmers are supposed to be great humanitarians and produce food for much less than cost, while the industrial and financial segment of our economy continue to bask in a cost plus, a very lush profit atmosphere. I am sure the manufacture of the implements of war would stop immediately if they had to produce at less than cost.

Mrs. Clarence Church, York, N. Dak.:

Farm prices are much too low that is certain and the only reason we have been able to hang onto our farms is the fact that we have been able to raise real good crops.

One or two crop failures would put us so far behind we would never be able to crawl out.

Arvid Swenson, Aneta, N. Dak.:

I farm 1440 acres and have 30 beef cows. My net profit on my investment was 4.5 percent and *nothing* for wages for myself and family.

Allan Tweten, Oberon, N. Dak.:

I believe it is high time that we farmers get paid a fair price on our wheat for export. I believe that if we ship our wheat to needy countries we will accomplish more in our quest for peace.

Alton R. Rau, Linton, N. Dak.—Fuel and oil dealer:

These definitely are needed, Senator, my main dealings are with farmers, and 90 per cent state that if only the price of wheat (grain) etc., was somewhat higher.

Here are the names of others who have written to me supporting the 25-cent additional payment on each bushel of wheat produced for export:

Mr. Robert Huffman, Regent, North Dakota.
Mr. Bill Bosse, Cogswell, North Dakota.
Mr. and Mrs. Paul Stoltz, Dickinson, North Dakota.
Mr. L. C. Overlander, Alfred, North Dakota.
Mr. John Loe, Bisbee, North Dakota.
Mr. and Mrs. Adrian McCormack, Des Lacs, North Dakota.
Mr. Harold Williams, Wing, North Dakota.
Mr. Reuben Zacher, Leith, North Dakota.
Mr. Henning Jacobson, Esmond, North Dakota.
Mrs. Rudolph Nelson, Brockett, North Dakota.
Mr. Edwin Holmquist, Reeder, North Dakota.
Mr. Vernon Davidson, Portland, North Dakota.
Mr. Ellis Sigloh, Kenmare, North Dakota.
Mr. Charles Shepherd, Hazelton, North Dakota.
Mr. Roy Gullicks, Sharon, North Dakota.
Mr. Raymond Reiner, Hazen, North Dakota.
Mr. Cecil Legacie, Lawton, North Dakota.
Mr. A. T. Skarsgard, Makoti, North Dakota.
Mr. Joe Amb, Portland, North Dakota.
Mr. Oscar Gilbertson, Hickson, North Dakota.
Mr. E. F. LaCroix, Dunseith, North Dakota.
Mr. J. Remboldt, Jr., Gackle, North Dakota.
Mr. C. J. Dalzell, Walhalla, North Dakota.
Mr. Don DeMersseman, Jamestown, North Dakota.
Mr. and Mrs. Albert Martel, Rolette, North Dakota.
Mr. and Mrs. Frank Lenzmeier, Wahpeton, North Dakota.
Mr. Richard Muse, Grenora, North Dakota.
Mr. Francis J. Phelan, Grafton, North Dakota.
Mrs. Lynn Kyser, Erie, North Dakota.
Mr. Milton Erickson, Esmond, North Dakota.
Mr. William Voegle, Bismarck, North Dakota.
Mr. John Jakubousky, Belfield, North Dakota.
Mr. Carl Sanda, Williston, North Dakota.
Mr. Clarence Jensen, Edgeley, North Dakota.
Mr. Morris Kruckenberg, Stanton, North Dakota.
Mr. R. J. Dinwoodie, New Town, North Dakota.
Mr. Anton J. Hoffert, Wolford, North Dakota.
Mrs. Alvin Bomstad, Lignite, North Dakota.
Mr. Jacob Fagerland, Noonan, North Dakota.
Mr. John H. Karlberg, Alamo, North Dakota.
Mr. Wilbur Miller, Bottineau, North Dakota.
Mrs. Spencer Lund, Belcourt, North Dakota.
Mr. D. A. Schmaltze, Balta, North Dakota.
Mr. Carl E. Carlson, Regent, North Dakota.
Mr. Lloyd Horner, Mohall, North Dakota.
Mr. Mike Howiatow, Ft. Rice, North Dakota.
Mrs. Floyd Fredrickson, Battleview, North Dakota.
Mr. and Mrs. Ben Krueger, Niagara, North Dakota.
Mr. Joe Leiphon, Devils Lake, North Dakota.
Mr. Fred Boger, Turtle Lake, North Dakota.
Mr. Walter Bohlin, Braddock, North Dakota.
Mr. and Mrs. J. C. Zaharee, Max, North Dakota.
Mr. Leonard M. Nelson, Kathryn, North Dakota.
Mr. Ralph Ust, Clifford, North Dakota.
Mr. Milton V. Shelver, Enderlin, North Dakota.
Mr. Gary Walhaug, Minot, North Dakota.
Mr. Jack Kautzman, Solen, North Dakota.
Mr. Gary Mitchell, Whitman, North Dakota.
Mr. Merrill R. Willson, Leal, North Dakota.
Mr. Sheldon Fisher, Richardton, North Dakota.

Here are the names of others who have written me of their concern about the farmers' economic plight:

Mr. Herman Schmitz, Williston, North Dakota.
Mr. Don J. Sondrol, Turtle Lake, North Dakota.
Mr. Maynard Boeder, Hope, North Dakota.
Mr. Clarence Sorenson, Ross, North Dakota.
Mrs. Gordon Eichele, Lake Williams, North Dakota.
Mr. Leland Gessner, Penn, North Dakota.
Mr. Arthur Gratton, Langdon, North Dakota.

CONCLUSION OF MORNING BUSINESS

Mr. MANSFIELD. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If there be no further morning business, morning business is concluded.

LEGISLATIVE REORGANIZATION ACT OF 1967

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. The clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (S. 355) to improve the operation of the legislative branch of the Federal Government, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate resumed the consideration of the bill.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, in addition to the previous consent request granted to the distinguished senior Senator from New York [Mr. JAVITS], I ask unanimous consent that the distinguished senior Senator from Massachusetts [Mr. KENNEDY] now be recognized for 20 minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

CRIME PREVENTION AND LAW ENFORCEMENT

Mr. KENNEDY of Massachusetts. Mr. President, I would like to discuss at this time a subject which I know is of increasing concern to all of us: Crime prevention and crime control in the United States.

I believe the 90th Congress has a unique opportunity to make a major national breakthrough in the field of law enforcement and criminal justice. The eyes of the Nation are on this Congress, for it faces the immense challenge of providing the citizens of our country with the best in crime control, law enforcement, court administration, and criminal rehabilitation.

I need not illustrate here that crime is a national problem. I have expressed my own thoughts on this subject, and we have heard many of our colleagues outline their views in this Chamber. The problem is apparent; now we must find the answer.

For much of that answer we can look to President Johnson's crime message. The President has pledged the resources and the energies of the executive branch to a program which would reach into every State and every city of the country. He has proposed carefully designed plans of action in areas where we are ready to act, and he has recognized the need in many fields for continuing the pioneering work of the National Crime Commission—the study, research, and planning on which action must be based.

Although the Crime Commission report has not yet been made public, we can judge from the eminence of its members and the distinction of its staff of experts that the report will be a major work in the field of crime. I am sure that it will provide fertile ground for further action and research in law enforcement and the administration of justice. But clearly the priority matters for our consideration will be the proposals made by the President in his crime message.

I want to express my firm support for the President's program. I think the measures he proposes are vital, timely, and effective. But I believe that the President's program can be made even more effective if Congress expresses its particular support for specific dimensions of his plan. I therefore urge today the passage of three measures which I have suggested in the past and which serve that purpose.

First, I propose the establishment of a National Institute of Criminal Justice, to serve as a center for our countrywide efforts in criminal justice research and innovation.

Second, I propose a system of regional criminal justice academies to provide impetus for regional research efforts, advanced academic training in criminal justice professions and concentrated in-service training for those who run the criminal justice systems.

Third, I again urge the earmarking of Federal funds to assist States and localities in a program of safe streets through street lighting.

The keystone of the administration's program is the Safe Streets and Crime Control Act of 1967, and I ask at this time that my name be added to the list of cosponsors of that measure.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **KENNEDY** of Massachusetts. Mr. President, the Safe Streets Act creates the framework through which States, regions, and localities can take the kinds of initiatives which the Crime Commission will recommend. This act will enable every community, operating as a financial partner of the Federal Government, but stressing the non-Federal responsibilities for law and order, to assess its goals and to plan a rational and effective system of law enforcement, court administration, and corrections. When these communities have drawn up their plans, they will have access to Federal funds which will assist them in many new programs. They will be able to improve the training of their law enforcement and correctional personnel to provide new techniques and equipment, to experiment with new methods, and to adopt programs which have proved successful elsewhere. At the same time, they will have Federal assistance in building new physical facilities to support these efforts.

I cannot think of a measure which would constitute a better response to our needs in these areas. In the short history of the Law Enforcement Assistance Act of 1965, it has become clear that a lack of money is the major barrier to comprehensive planning, innovation, and the improvement of physical facilities in all fields of law enforcement. I support this measure wholeheartedly. My chief concern is that it may not go far enough if it is limited to $50 million the first year and $300 million the second.

During its brief life the Office of Law Enforcement Assistance has already received requests for some $50 million under its existing regulations, which excluded support for construction of facilities and for major contributions to salaries. Without these exclusions the amounts requested would have been many, many times as great. I agree that comprehensive planning should come before funds are granted. But I feel we should not delay even for one year the start of programs for which the need is apparent and the justification is obvious.

For example, as the President pointed out, good relations between the police and the community are basic to successful law enforcement. Without the support and understanding of the community, the police cannot do their job. The need for assistance in this area is so pressing that it may be worth the sacrificing of some amount or planning to speed up the institution of police-community relations training programs. The size of the requests for these training programs to the Office of Law Enforcement Assistance has run from $100,000 to $1 million per city. Assuming that there are at least 50 cities which would request such programs at an average cost of $500,000, $25 million could be consumed in the first year for this purpose alone. I am sure that there are other efforts of this type which should be started in the fiscal year 1968 and which should not require the full completion of a comprehensive plan before they are undertaken.

Another example, also cited by the President, is street lighting. Last year I entered a bill, S. 3856, to authorize Federal funds to help communities provide better street lighting to prevent or reduce crime. This bill would have authorized the Secretary of the Department of Housing and Urban Development to provide two-thirds of the cost for street lighting facilities or up to three-fourths of the cost in redevelopment areas. There may be a need for further discussion of the exact effects of street lighting, but there can be no doubt of one fact: Lighted streets are safer streets. I still believe that such types of assistance should receive immediate Federal support, and that funds should be directly earmarked for this purpose without having to compete with other demands for limited amounts of funds. I am, therefore, reintroducing this bill, and I send it to the desk for appropriate reference. I ask that the full text of the bill be included in the Record at the conclusion of my remarks.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record as requested.

The bill (S. 991) to amend title VII of the Housing and Urban Development Act of 1965 to authorize financial assistance for the provision of street lighting facilities in aid of the prevention or reduction of crime, introduced by Mr. Kennedy of Massachusetts, was read twice by its title, referred to the Committee on Banking and Currency, and ordered to be printed in the Record.

(See exhibit 1.)

Mr. **KENNEDY** of Massachusetts. Mr. President, the work of the Crime Commission has obviously impressed the President, as I am sure it will impress all of us, with the need for a continuing program of research into the causes, prevention, control and reduction of crime. In his message, he suggests substantial Federal support for research and education projects of regional or national importance, and for the establishment of national or regional institutions for research and education in law enforcement and criminal justice.

I share the President's convictions, and I support the concepts which he outlines. But I also believe that we need a legislative framework for such an effort. It would be a national tragedy if the momentum provided by the National Crime Commission, and the exhaustive and expert work it has produced were to be dissipated. During its brief life the Commission has filled a huge void in research in the field of law enforcement, courts, and correction. We have our law schools and our schools of police science; we have pioneering, but limited, efforts at a few universities in cross-discipline endeavors within the general scope of the criminal justice system. But nowhere do we have a well-staffed, highly competent, neutral, nonpolitical institution which could serve as a marketplace of ideas and a repository of information, a seeker of truth and a stimulator of progress, without day-to-day responsibility for teaching, or for administering major grant-in-aid programs.

Despite its limited means the Commission was called upon to satisfy this national need, and did so, if only temporarily and partially. I have previously suggested that this function be carried on through a National Institute of Criminal Justice, a concept which Congressman Scheuer is supporting in the House. I now send to the desk for appropriate reference, and for printing in the Record at the end of my remarks, a bill to establish as a separate entity under the general aegis of the Attorney General, a National Institute of Criminal Justice.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 992) to establish a National Institute of Criminal Justice, introduced by Mr. Kennedy of Massachusetts, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the Record.

(See exhibit 2.)

Mr. **KENNEDY** of Massachusetts. As I envision the Institute, it would be analogous to the National Institute of Mental Health. It would be headed by a Director, appointed by the President, with the advice and consent of the Senate, holding a rank equivalent to an Assistant Attorney General. The Institute would conduct research and development projects in crime prevention and control, the administration of justice and the rehabilitation of offenders. It would seek new ways to strengthen and implement the Federal-State partnership in these areas. It would look into the causes of crime, the means of preventing it, and the theories and techniques for correction and rehabilitation. Working very closely with the Office of Law Enforcement and Criminal Justice, it would administer the Federal funds available for research and demonstration projects in educational institutions and in State and local agencies.

The Institute would undertake a program of fellowships through which professionals in fields relating to criminal justice would be able to spend time at the Institute, working on research projects and employing their experience and their insights. The Institute would also conduct workshops at which experts from different backgrounds and different parts of the country could meet and gain experience from the experiences of others. It would provide field assistance to police departments, courts, correctional agencies, universities, and other agencies through an extension service. It would gather information and results from efforts touching on criminal justice which are being carried on in the Federal Government and elsewhere throughout the Nation, and would synthesize this information and disseminate it both for professional use and for use in schools and by the general public.

It would also establish a program evaluation and assessment capability now lacking in the executive branch. Any agency of the Federal Government issuing grants or contracts relating to law enforcement and the administration of justice would be able to call upon the Institute to assess and evaluate the programs the agency was conducting, as well as to correlate and disseminate the results.

The Director of the Institute and his staff would be assisted and guided by a National Advisory Committee appointed by the Attorney General. This Committee would consist of leading experts from all the disciplines relating to the administration of justice, as well as respected national figures and civic leaders.

The National Crime Commission has borne only a small part of these responsibilities and has had considerable cooperation from Federal agencies. But I am sure it could easily have spent far more than its modest budget of $1 million.

Thus I would suggest that the proposed National Institute of Criminal Justice should have $10 million to begin its work, $30 million during its second year, and probably $60 million thereafter.

I recognize that this proposal falls within the items mentioned by the President as meriting possible Federal grant support under the Safe Streets and Crime Control Act. However, this need is so urgent and so clear that it should not be left to chance or to the discretion of the Attorney General, nor should Congress fail to make clear its specific support for this proposal.

I should note at this point that the President has also suggested one related proposal, the creation of a Federal Judicial Center. I support this concept and I ask that my name be added to the list of cosponsors of this bill. I would suppose that this Center would serve primarily as a secretariat for the Judicial Conference of the United States, and as a systems analysis, or PPBS unit for the Federal judiciary. While it might guide, initiate, and coordinate a certain amount of the research on judicial matters, and especially on court logistics and the problems of civil litigation, I would envision that in the field of crime justice as it affects the judiciary, most of the long-term and broad-range research would be conducted by the proposed National Institute of Criminal Justice.

I have also proposed that a system of regional criminal justice academies be established in cooperation with leading universities throughout the country. I first introduced this legislation in 1965, based on concepts suggested by an eminent constituent of mine, Prof. Sheldon Glueck. Since then, events have made plain the desperate need for institutions which could become the regional focus for criminal justice research and could bring advanced training in the latest techniques of law enforcement, judicial procedures, and corrections to the many thousands of people who manage and guide our police departments, our courts, and our correctional institutions and parole and probation officers.

Most of our greatest universities have touched only the periphery of research in criminal justice. Many of them have almost totally ignored what has become one of the principal concerns of life today—crime prevention and control. And yet universities have a great opportunity in this field. I can best illustrate this by an example close to my home and my heart, Harvard University. Harvard devotes a substantial part of its resources to training lawyers, engineers, businessmen, clergymen, and doctors. Its business school, for example, is the leading institution of its kind. It not only teaches graduate students; it also carries on postgraduate programs for business executives, and invites them to attend intensive seminars lasting several weeks to keep their management techniques up to date and to provide an exchange of opinions and ideas.

Early last year Harvard University was approached to see whether it could conduct a similar program for 40 of the leading police executives in the Nation. The Department of Justice thought that if the leaders of our great corporations could benefit from new directions in business techniques, surely the chief administrators of the law enforcement agencies of our cities could benefit also. There had never been a program like this before. But following in its tradition of public service, Harvard took on the challenge to create a 3-week seminar on management techniques in police administration. Professors from the law school, from the business school, and from the arts and sciences faculty participated in this project. They worked and talked and studied and even ate with the police chiefs during 3 weeks in the summer in Massachusetts.

When the seminars ended the enthusiasm was unanimous, with the police chiefs and with the professors as well. For the police chiefs, it was perhaps the first time they had been treated with the respect and the attention they deserve. They knew more about the day-to-day operations of a police department than any of their instructors did, and the instructors acted accordingly. The chiefs were not lectured; they were simply exposed to techniques which great American corporations have found useful in their operations. It was left to the chiefs to decide whether these techniques were applicable to their problems. They heard law professors discussing legal trends, and sociologists raising social questions in terms which were relevant to police work. The police chiefs had the chance to broaden themselves both as law-enforcement officers and as individual members of society.

But it was perhaps the professors themselves who were the most enthusiastic about the program. Here was virgin territory for the application of their skills. They left the seminar talking about how it could be improved and what they wanted to do next year. They gained new experience in the problems of cities and a new realization of the contributions their knowledge could make in solving one basic problem of the cities—crime.

If I had had any doubts about the need for criminal justice academies before last summer, the Harvard experience would have removed them. For it demonstrated beyond a doubt the potential value of regional centers which could amass and focus the immense resources of our universities in the fight against crime. We must have academies where our police chiefs and our court clerks and our chief probation officers and our halfway house directors and all the other administrators and managers of our criminal justice system can go—not only to find out what is happening elsewhere in the country in their fields; not only to find out what is happening in other phases of the criminal justice system; but also to learn what is happening in the legal world, in the business world, in the world of sociology and psychology, in the worlds of engineering and science, and in all the fields which may suggest answers to criminal justice problems.

I believe that the establishment of criminal justice academies would be a very valuable tool in our work in the criminal justice field. I am, therefore, proposing, in addition to the legislation which would set up a National Institute of Criminal Justice, a bill to provide grants for the establishment and operation of academies of criminal justice in six regions of the United States. This bill is a revision of S. 1288, which I introduced in the 89th Congress. I send this bill to the desk for appropriate reference, and ask that it be printed in full at the conclusion of my remarks.

The **PRESIDING OFFICER**. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 993) to provide grants for the establishment and operation of regional academies of criminal justice, introduced by Mr. KENNEDY of Massachusetts, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD.

(See exhibit 3.)

Mr. **KENNEDY** of Massachusetts. I envision the National Institute and the regional criminal justice academies as part of a threefold educational program in the field of criminal justice. At the first level are the police academies and colleges of police science. These can supply the basic education and training for those entering law-enforcement professions. We would also expect that with Federal assistance, State and local training institutions would be established for the operating personnel in the corrections field. These institutions would have the closest day-to-day contact with criminal justice agencies, but they would have inadequate resources for research and planning, and for more advanced management training.

The regional criminal justice academies would provide this second level capacity. They would conduct research in criminal justice fields, emphasizing problems peculiar to their regions. They would provide nondegree training in management and administration techniques, and might offer advanced degrees in fields relating to criminal justice, drawing upon the great resources and talents available from universities in their regions. They would be a place to teach the teachers who staff the basic training institutions, the police academies, and the colleges of police science.

Beyond these—beyond the day-to-day

training at the police academies, and the long-range education at the criminal justice academies—would be, at the third level, the National Institute of Criminal Justice, performing on a national scale and with a national perspective, the research, coordination, and stimulation functions I have described.

I am convinced that Federal support for institutions at all three of these levels is an immediate necessity. I believe that the President's message indicates that he and the Crime Commission would agree. Again may I say that my concern is that Congress place itself on record as supporting this concept, so that the executive branch will have a firm mandate to proceed on this course with all deliberate speed.

I would also like to turn for a moment to another field of crime prevention in which I think that immediate action by Congress is essential. I refer to gun control.

In his message President Johnson emphasized that any effective crime-control program requires the enactment of firearms legislation. I cannot understand how anyone can disagree with this conclusion.

We are all very well aware that nearly 5,000 Americans died in Vietnam last year. What many people fail to appreciate is that more than three times that many people were killed by firearms in the United States during the same period. Although all these deaths cannot be attributed to the criminal use of firearms, the number of instances in which firearms were used in support of crime exceeded 100,000.

The FBI reported that in 1965 there were 9,850 willful killings. The murder weapon in more than 5,600 of these killings was a gun. In the same year there were 34,700 aggravated assaults with a gun and more than 68,400 armed robberies. During the first 9 months of 1966 the number of aggravated assaults rose by 22 percent. In 1965, 53 police officers were murdered in the line of duty. Fifty-two were killed by firearms. Since 1960, 96 percent of the police officers murdered in the line of duty have been killed by firearms. Each year some 600 children under the age of 14 die in firearms accidents. Each year 10,000 people commit suicide by means of a gun.

Surely these statistics should cause us to pause, to see whether this senseless slaughter can be curbed. It has been said that people, not guns, are responsible for the deaths and the injuries from bullets, and that as long as there are people, there will be crime. If this is true it is equally true that many serious crimes and much of the slaughter could be avoided if there were barriers to prevent the unstable, the embittered, and the hostile from obtaining guns.

Last week Senator Dodd introduced, as an amendment to S. 1, the administration's bill dealing with firearms. The legislation is designed to minimize firearms abuses by making it more difficult for minors and those with criminal or unstable backgrounds to obtain firearms. *It should be emphasized that the* bill is not intended to, nor will it, place undue restrictions or burdens on responsible citizens who wish to acquire, possess, transport, or use firearms for lawful activities. It is not intended to interfere with gun collectors or hunters in the pursuit of their hobby or sport.

Perhaps the most important purpose of both the original and the substitute S. 1 is that they would put teeth in the State laws regulating the acquisition of firearms. Many States have already decided for themselves that stringent firearms regulation is necessary. And whatever the exact meaning of the results may be, these results have been notable. For example, during 1965 a firearm was used in 38 percent of the willful killings in the Northeastern States where firearms regulations are more common. By way of contrast, 66 percent of the killings in the Southern States, where regulations are minimal, were by means of a gun.

Yet even in those States which have enacted strong gun laws the regulations can too easily be circumvented by out of State or mail order purchases. Nowhere is this more evident than in my home State of Massachusetts. Although Massachusetts has enacted strong gun laws, the purposes of the statutes are being frustrated. Massachusetts State Police have discovered that many people who would fail to qualify for handgun ownership under Massachusetts law have been able to purchase handguns in the neighboring States. The consequences have been serious—six of seven police officers recently killed or wounded by criminals in Massachusetts were victims of guns purchased in other States.

State laws are also circumvented by mail order purchases. Scores of weapons are purchased each day by mail by persons who should not, either because of age, competency, or criminal record, lawfully possess them. During a 3-year period in Chicago a check indicated that nearly 25 percent of the purchasers of mail order weapons had criminal records. In Philadelphia, a spot check of 300 guns arriving in the city by mail order showed that 54 of the gun recipients had police records. Fifteen of the 54 had been arrested previously for crimes involving the use of firearms.

As amended, S. 1 would prohibit the interstate mail order sale of handguns, rifles, and shotguns to individuals. It would close much of the rest of the out-of-State purchase loopholes by restricting the over-the-counter sale of handguns to residents of the State where the licensed seller is doing business.

There were 191 gun murders in Chicago in 1964. Forty-one of those murders were committed by juveniles. In January of 1965 in Baltimore a 15-year-old youngster shot and killed his father, mother, and sister with a foreign made .38 caliber revolver he purchased. The 1965 report of the FBI disclosed that 120 *youths under the age of 15 were arrested* for murder or non-negligent manslaughter. More than 3,000 under the age of 15 were arrested for the unlawful possession of weapons.

Although the bill does not address itself to the use of guns by minors, leaving *the question of use permits to the judgment* of the respective States, it prohibits direct sales of handguns to persons under 21 and sales of rifles and shotguns to persons under 18. This provision should reduce some of the slaughter that has been the unfortunate result of inexperience and lack of judgment combined with easy access to firearms.

One of the major provisions of the bill is concerned with the importation of military surplus weapons. From 1959 to 1963, between 5 and 7 million foreign weapons poured into the United States from abroad. During 1963 and 1964 nearly 2½ million firearms were imported from England, France, Germany, Italy, and Spain. Advertisements in magazines encourage the purchase of mortars, bazookas and other weapons that are not suited to sporting purposes. One advertisement that recently came to my attention suggested the purchase of "the acme of all German ordnance, the original bazooka used by German troops to smack American-British Forces all over Europe." The use to which such imports have been put is frightening. In September of 1964, the FBI seized four Russian Army *tokarev* semiautomatic rifles, which had been shipped into an area of racial tension in Mississippi. In December of that year a German World War II mortar was used in the attempted shelling of the United Nations Building.

As amended, S. 1 would prohibit the importation of all military surplus handguns, regulate the importation of all other imported firearms, and provide the stringent controls that are necessary to deal with mortars, bazookas and weapons of a similar nature.

I agree with Senator Dodd that no further hearings should be necessary, unless some of those who, perhaps out of a misunderstanding of the proposals, opposed last year's legislation, wish to change their position this year and do so publicly. Extensive public hearings were held during the last session of Congress and the need for Federal legislation is abundantly clear. The legislation has the support of the President, the Attorney General, the American Bar Association and the National Association of Police Chiefs. Polls have consistently shown that over two-thirds of all Americans want some form of control over the gun trade.

The bill is not a panacea. But it will, without interfering with the interests of hunters and collectors, reduce the slaughter that has characterized the absence of Federal regulation. It will prevent the circumvention of meaningful State laws designed to protect citizens from crime and violence. It will afford those with unstable backgrounds some protection against themselves.

It is my hope that the American people will express their support for the proposed legislation and that it will be enacted into law during this session of Congress.

Mr. President, we have a challenging session ahead if we are to meet our responsibilities in the field of law enforcement and the administration of justice. We have a set of priority proposals set forth by President Johnson—the safe streets bill, the firearms bill, the Federal *Judicial Center, the measures to* strengthen prosecutions against organized crime, the unified correctional system. I have suggested three additional measures which might be called earmarking proposals—programs which should receive specific and immediate support from Congress but which fall within the outlines of the administration program: The National Institute of Criminal Justice, the regional criminal justice academies, and street lighting for street safety. When we have read the Crime Commission's report, I am sure we will find a vast and fertile field from which we will harvest many more legislative programs. And probably more important, we will find new attitudes, new concepts, new methods which are not appropriate subjects for Federal legislation, but which need to be radiated out from Washington and into every town and county and city of the Nation.

Each of us will have the opportunity and the responsibility to participate in this important task of national education. Our legislative task is vital, but our role as the major line of communication between Washington and the nation's citizens can be equally important. If we are successful in fulfilling both of these functions, 1967 will be remembered as the year the Nation faced up to the challenge of crime.

EXHIBIT No. 1

S. 991

A bill to amend title VII of the Housing and Urban Development Act of 1965 to authorize financial assistance for the provision of street lighting facilities in aid of the prevention or reduction of crime

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) title VII of the Housing and Urban Development Act of 1965 is amended by redesignating sections 705–708 as sections 706–709, respectively, and by inserting after section 704 a new section as follows:

"GRANTS FOR STREET LIGHTING FACILITIES

"SEC. 705. The Secretary of Housing and Urban Development is authorized to make grants to any local public body or agency to assist in financing specific projects to provide lighting facilities for streets, alleys, parks, or other public areas. The amount of any such grant shall not exceed 66⅔ per centum of the cost of carrying out the project for which the grant is made (or 75 per centum of such cost in the case of a project located in an area which at the time the grant is made is designated a redevelopment area under the Area Redevelopment Act or the Public Works and Economic Development Act of 1965). No grant shall be made under this section for any project unless the Secretary determines that the project is designed and needed for the prevention or reduction of crime on thoroughfares or other public areas in the locality."

(b) Section 701 of such Act is amended by striking out "and (3)" and inserting in lieu thereof "(3)", and by striking out the period and inserting in lieu thereof ", and (4) to provide lighting facilities for streets, alleys, parks, or other public areas in order to prevent or reduce the occurrence of crime on such thoroughfares or in such areas."

(c) Section 708 of such Act (as redesignated by subsection (a) of this section) is amended by striking out "and 703" and inserting in lieu thereof ", 703, and 705".

(d) Section 709(a) of such Act (as redesignated by subsection (a) of this section) is amended by striking out "and (3)" and inserting in lieu thereof "(3)", and by striking out the period and inserting in lieu thereof ", and (4) $5,000,000 for grants under section 705."

EXHIBIT 2

S. 992

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is hereby established in the Department of Justice a National Institute of Criminal Justice (referred to hereafter in this Act as the "Institute").

(b) The Institute shall be headed by a Director appointed by the President, by and with the advice and consent of the Senate, who shall be compensated at the rate provided for an Assistant Attorney General.

SEC. 2. (a) For the purpose of assisting State and local law enforcement agencies, courts, and correctional institutions in the prevention and control of crime, the administration of justice, and the rehabilitation of offenders the Institute shall—

(1) carry out a program of research in, and development of, new or improved approaches, methods, techniques, and devices for the prevention and control of crime, the administration of justice, and the rehabilitation of offenders;

(2) undertake systematic research into what the nature and extent of an appropriate program of Federal assistance to States, local law enforcement agencies, the courts and other agencies concerned with the administration of justice, and correctional institutions should be;

(3) carry out a program of behavioral research designed to provide more accurate information on the causes of crime and the effectiveness of various means of preventing it, and to evaluate the relationship between correctional procedures and the successful rehabilitation of convicted offenders into society;

(4) provide grants-in-aid to States, local governments, police departments, judicial agencies, correctional institutions, and educational institutions for the purpose of creating and maintaining demonstration and research programs relating to improving the approaches, methods, techniques, and devices for the prevention and control of crime, the administration of justice, and the rehabilitation of offenders, and for developing new career opportunities in these fields;

(5) carry out a program of fellowships and instructional assistance consisting of—

(A) long-term research and training fellowships in the development of new or improved approaches, methods, techniques, or devices in accordance with paragraph (1) of this subsection, and

(B) short-term workshops for the dissemination of information and knowledge resulting from research authorized by this Act,

for such terms, and with such stipends and allowances for travel and dependents, as the Director may prescribe;

(6) carry out a program of collection and dissemination of information obtained by the Institute, Federal agencies, and other public or private institutions engaged in research or demonstration projects under this Act which relates to such approaches, methods, techniques, and devices and which may be useful in the prevention and control of crime, the administration of justice, and the rehabilitation of offenders;

(7) undertake, upon request from other Federal agencies, the evaluation and assessment of and dissemination of publications and results arising from grants and contracts initiated by such other agencies in the fields of prevention and control of crime, the administration of justice, and the rehabilitation of offenders; and

(8) provide an extension service to furnish demonstrations and practical instruction through consultants, field agents or in any other manner determined appropriate by the Attorney General, to personnel of State and local law enforcement agencies, the courts and other agencies concerned with the administration of justice, and correctional institutions.

(b) The Institute shall establish such laboratories and research facilities as may be necessary to carry out the programs described in subsection (a). The Institute may conduct programs authorized by this Act by grant or contract with individuals, and with public or private agencies or organizations.

(c) The Institute shall make available for the benefit of the States and local law enforcement agencies, courts and other agencies concerned with the administration of justice, correctional institutions and the public, information and publications concerning the results of programs conducted under this Act, and innovative or advanced approaches, methods, techniques and devices for the prevention and control of crime, the administration of justice, and the rehabilitation of offenders.

SEC. 3. (a) The Attorney General shall appoint a national advisory committee to advise him in connection with the administration of this Act.

(b) Members of such committee not otherwise in the employ of the United States, while attending meetings of their committee, shall be entitled to receive compensation at a rate to be fixed by the Attorney General, but not exceeding $50 per diem, including travel time, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons in the Government service employed intermittently.

SEC. 4. To carry out this Act there is authorized to be appropriated (1) for the fiscal year ending June 30, 1968, the sum of $10,000,000, (2) for the fiscal year ending June 30, 1969, the sum of $30,000,000, (3) for the fiscal year ending June 30, 1970, the sum of $60,000,000, and (4) for each fiscal year thereafter, such sum as may be necessary.

SEC. 5. Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the organization, administration, or personnel of any State or local police force or other law enforcement agency, court, or correctional institution.

EXHIBIT 3

S. 993

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Regional Academies of Criminal Justice Act".

FINDINGS AND STATEMENT OF PURPOSE

SEC. 2. (a) The Congress finds that there is a lack of interest in the administration of criminal law which is detrimental to the national welfare; that there is a scarcity of qualified persons in the fields of the prevention and control of crime, the administration of justice and the rehabilitation of criminal offenders; that outmoded concepts and techniques are often used in the prevention of criminal behavior, the protection of the criminally accused, and the rehabilitation of criminal offenders; and that the resulting increase in criminal behavior and the loss to the Nation of the services of the unrehabilitated have led to a waste of national resources and to a deterioration in moral standards detrimental to the economic, political, and social welfare of the Nation.

(b) It is therefore the purpose of this Act to provide grants for the establishment and operation of Regional Academies of Criminal Justice to educate students dedicated to criminal justice, to conduct certain research, and to awaken the Nation to the importance of modern techniques for the prevention of crime and the treatment of criminals.

AUTHORIZATION OF APPROPRIATION

SEC. 3. For the purpose of making grants under this Act, there is authorized to be appropriated the sum of $6,000,000 for the fiscal year ending June 30, 1968, $18,000,000 for the fiscal year ending June 30, 1969, and $30,000,000 for the fiscal year ending June 30, 1970.

PROGRAM FOR ESTABLISHING REGIONAL ACADEMIES OF CRIMINAL JUSTICE

SEC. 4. (a) From sums appropriated pursuant to the preceding section the Attorney General is authorized to make grants to institutions of higher education or any combination of such institutions to pay the Federal share of the cost of establishing, maintaining, and operating not more than six regional Academies of Criminal Justice.

(b) A grant may be made under this section only upon application to the Attorney General at such time or times and containing such information as he deems necessary. Each such application shall—

(1) set forth a program for the establishment, maintenance, and operation of an Academy of Criminal Justice which offers—

(A) graduate level courses designed to improve the qualifications of persons engaging in or preparing to enter the fields of the prevention or control of crime, the administration of justice, or the rehabilitation of criminal offenders;

(B) courses of study for such persons leading to a degree of doctor of philosophy or an equivalent degree;

(C) programs for research fellowships, teaching fellowships and lectureships for such persons;

(D) special instructional programs for executive, management, or command personnel of State and local law enforcement agencies, the courts and other agencies concerned with the administration of justice, and correctional institutions; and

(E) opportunities for research in criminal justice and related fields with emphasis upon the solution of regional problems;

(2) set forth the means by which the institution or institutions of higher education applying under this section will meet the non-Federal share of the cost of such Academy;

(3) set forth the proposed corporate or other structure of the Academy and the methods by which its board of trustees or other governing body will be selected;

(4) provide for the use of the most modern techniques in the courses of study offered and, where appropriate, the use of several disciplines in each course of study in order to broaden the perspective of the participating students;

(5) provide for a scholarship and loan program designed to assist a substantial number of the students participating in the courses and services offered at each such Academy;

(6) provide (A) for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement and accounting of Federal funds paid to such institution, and (B) for the making of such reports, in such form and containing such information as the Attorney General may reasonably require.

FEDERAL SHARE AND PAYMENT

SEC. 5. (a) The Federal share of the cost of any program for the establishment, maintenance and operation of any Academy of Criminal Justice approved by him under section 4 shall be 90 per centum for the period ending June 30, 1969, and 50 per centum for the fiscal years thereafter.

(b) Payment under this Act may be made in installments and in advance or by way of reimbursement with necessary adjustment on account of overpayments or underpayments.

ADVISORY COUNCIL ON REGIONAL ACADEMIES OF CRIMINAL JUSTICE

SEC. 6. (a) The Attorney General shall appoint an Advisory Council on Regional Academies of Criminal Justice composed of persons selected solely on the basis of fitness to perform the duties of the Council under this Act.

(b) The Council shall advise the Attorney General with respect to (1) the preparation of plans for the establishment of such Academies under this Act, (2) review the administration of this Act, and (3) make such recommendations for the improvement of the Academies established and operated pursuant to this Act as it deems advisable.

(c) Members of the Council who are not regular full-time employees of the United States shall, while serving on business of the Council, be entitled to receive compensation at rates fixed by the President, but not exceeding $50 per day, including traveltime; and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5 of the United States Code for persons in Government service employed intermittently.

PROHIBITION

SEC. 7. Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the organization, administration, or personnel of (1) any institution of higher education, or (2) any State or local police force or other law enforcement agency, court, or correctional institution.

DEFINITION

SEC. 8. As used in this Act, the term "institution of higher education" means an educational institution in any State which (1) admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate, (2) is legally authorized within such State to provide a program of education beyond secondary education, (3) provides an educational program for which it awards a degree of doctor of philosophy or its equivalent in at least two of the following subject areas: business administration, criminology, economics, education, engineering, medicine, psychology, public administration, and any other fields designated by the Attorney General, (4) has an accredited law school, or in the case of an application by a combination of such institutions at least one such institution has an accredited law school; (5) is a public or other nonprofit institution, and (6) is accredited by a nationally recognized accrediting agency or association.

Mr. MONRONEY subsequently said: Mr. President, on behalf of the Senator from Massachusetts [Mr. KENNEDY], I ask unanimous consent that three bills which he has introduced be permitted to lie at the desk for 10 days, for cosponsorship.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HART subsequently said: Mr. President, leadership has been outlined for all of us in the able presentation made by the distinguished senior Senator from Massachusetts [Mr. KENNEDY], who brings to this area of concern a broad background and much study, and who has voiced both the concerns and the hopes we all share in our attack on crime in this country.

I think it may be appropriate, and I would hope useful, that at this point in the RECORD there appear an article which was written by the able Senator from Massachusetts, entitled "A Plan of Action." The article appears in the Saturday Evening Post of February 13.

Just one passing comment. The Senator from Massachusetts indicates in this article that there are some actions which are available in the fight against crime which are not dramatic in their statement, but which can be enormously effective in their consequences, and which on occasion may not require extraordinary expenditures of money, either.

Those who read the article by the Senator from Massachusetts will note this passage:

> Sometimes even such a simple thing as increased street lighting can be very effective.

On Tuesday, February 14, in a front-page story in the Detroit News, written by Berl Falbaum, a report is made of a dramatic reduction in crime that followed improved street lighting in selected areas in Detroit. The police commissioner of that city, Commissioner Girardin, said that in 1959 certain areas were selected by the police department for improved lighting tests. In the first year of the test a decline in crime of 18 percent was noted. He adds that street crimes have been reduced as much as 55 percent in the improved lighted areas in subsequent years.

Mr. President, again I thank the Senator from Massachusetts for his magnificent address on a subject which, because of its emotional overtones and its intimate relationship with all of our citizens, is not the easiest one to manage. I think he has presented it in a constructive, useful fashion, and we are all in his debt.

I ask unanimous consent that the article by the Senator from Massachusetts and the news article by Mr. Falbaum be printed in the RECORD at this point.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

THE CRIMINAL AND THE LAW: A PLAN OF ACTION

(By Senator EDWARD M. KENNEDY)

Day after day, newspaper headlines attest to the bitter truth of what every American knows: that crime in this country is increasing. Despite our wealth, our technological advances, our enlightened social legislation, we are failing to meet the first responsibility of government—the maintenance of law and order and of personal security. Today fear is a part of the daily lives of many Americans—whether they are walking alone on a dark street, or working in a shop, or driving a cab, or even sitting in their own homes.

If we are to make progress in combating crime, we must stop talking about it as if it were one simple problem, which we could solve with one simple solution. We must recognize that crime has many faces.

Crime is the 17-year-old boy who was thrown out of school for being rowdy, then refused a job because he couldn't read, and finally turned to rolling drunks and snatching purses.

Crime is the anti-Semite who bombs a synagogue, or the white man who breaks a Negro schoolboy's leg in defense of segregation.

Crime is the drug addict who steals to finance his demanding habit.

Crime is the rioter, the arsonist or the looter—products of a ghetto's racial explosion.

And crime is the habitual criminal whom prison has failed to rehabilitate.

Each of these examples represents a different type of social problem. If we are to deal effectively with crime, therefore, we must reject pat answers and instead seek a program of crime control—a blueprint for action—that gives special attention to each different problem.

Consider, for example, the very special problem of drug addiction. For far too long we have treated addicts as if they were ordinary criminals, rather than victims of a serious disease. Because of our ignorance and indifference, we have failed both ourselves and the addicts, while their numbers have multiplied until there are today an estimated 100,000 addicts in the United States.

A new approach to this growing malignancy has long been required. Following California's pioneer program initiated in 1961, Congress passed legislation last session which would permit addicts in federal cases to be placed under medical treatment rather than sent to prison. Because about half of those committed under the California program have subsequently returned to their communities and have not gone back to narcotics, there is good reason to believe that this federal program will return many addicts to a normal life. If other states will follow this lead, medical treatment for addicts could make a significant contribution to our national fight against crime.

An equally significant part of any anticrime program, I feel, must be legislation to control the sale of firearms. Our Senate Juvenile Delinquency Subcommittee heard testimony indicating overwhelmingly that the present mail-order business in guns makes it ridiculously easy for juveniles, criminals, even lunatics to obtain firearms for less than the price of a pair of shoes. I know of no other country where it is as easy for dangerous and misguided members of society to obtain firearms as it is in the U.S. Each year about a million weapons are sold by mail order, thousands to persons with criminal records. J. Edgar Hoover has stated that the "easy accessibility of firearms is a significant factor in the murders committed in the United States today." Nothing could testify more vividly to the truth of this warning than the example of Charles Joseph Whitman, who stood on top of the Texas University tower one horrible day last summer and shot 15 people to death, wounding 31 others.

In the aftermath of that terrible tragedy some voices were heard calling for an end to easy accessibility of guns. But the outcry was short-lived, and without strong public support the proposed federal legislation did not pass. Those of us in the Congress who are concerned about the need for effective gun controls require the active support of the American people, if we are ever to realize this goal, and I urge all Americans to demand effective new laws.

Our failure to fight crime successfuly can be attributed only in part to such factors as the absence of gun controls and the lack of effective treatment programs for drug addiction. There is a much larger failure: Despite the dedicated efforts of many thousands of individuals, the traditional processes of our criminal justice system—the police, the courts, the correctional agencies, the probation and parole services—simply are not performing adequately.

Almost everyone will agree that the job of the policeman is more difficult today than it has been at any other time in our history. Even as the crime rate continues to grow, our concern for the protection of individual rights increasingly restrains the policeman's freedom of action. Unfair charges of police brutality are often made, and in many communities the policeman is treated abusively and contemptuously. In addition he is now often called upon not merely for police duties but also for the dangerous and strenuous job of riot control. Yet the sad fact is that police departments almost everywhere are understaffed and ill-equipped, and the low pay levels fail to attract enough of the high-quality personnel we need.

If this diagnosis is correct, then the prescription seems obvious: Devote the resources and attention necessary to hire more policemen, attract highly qualified men to police work, develop new techniques of police administration, apply the advances of modern science and technology to crime prevention and crime detection, and improve public understanding and support of our law-enforcement agencies.

There is every indication that, if we follow this prescription, we can make significant progress in combating crime. Take, for example, the experience of Chicago over the last six years under the outstanding leadership of Police Chief O. W. Wilson. Chief Wilson is a perfect example of the kind of man we must attract to police work in greater numbers. A former dean of the school of criminology at Berkeley, he is the author of *Police Administration,* the classic work in the field. When Mayor Daley brought Chief Wilson to Chicago in 1960, criminal activity was rising sharply in Chicago as it was in most large American cities. But whereas the trend has continued upward elsewhere, it has been on the downgrade in Chicago since Wilson took over.

How did he do it? To begin with, he had the unqualified support of the mayor and the city. With this kind of backing, both financial and political, Wilson introduced business-administration techniques and modern computer technology to police work. The computer system gives Chicago police almost instantaneous access to a vast range of important information on wanted persons and stolen property, and also keeps track of the kind and amount of crime going on in various parts of the city so that more policemen can be allocated to the areas most in need of protection.

This kind of information system made it possible for Wilson to implement his theory of aggressive preventive patrol, which actually minimizes the opportunity for crime by making police patrols as frequent and as conspicuous as possible, particularly in the areas of highest criminal activity.

In addition Wilson raised pay scales and substituted civilians in a host of office jobs, thus releasing over a thousand policemen for patrol work. He also encouraged Negro recruitment, stressed community-relations training, and impressed upon Chicagoans the fact that, if the police are to be successful in combating crime, they need the aid of the average citizen.

On April 13, 1964, he launched "Operation Crime Stop." The program is keyed to a card which reminds the holder that the police need the eyes and the ears of private citizens, provides a central number to call if a suspicious person or incident is seen, and indicates the information the police will need to respond effectively. The program has been remarkably successful. Some 7,600 offenders have been arrested by the Chicago police as a result of Crime Stop calls.

I believe this kind of program should be adopted in cities throughout the country; it would remind Americans that crime prevention is not solely the responsibility of the police, and it would serve to refute the notion, which I dispute, that Americans are not willing to involve themselves in the safety of others. Programs like Operation Crime Stop demonstrate that, though the problems of crime are massive and complex, citizens and communities can play an effective part in solving them.

Sometimes even such a simple thing as increased street lighting can be very effective. All available evidence indicates that better street and park lighting deters crime by reducing opportunities for criminal activities. Yet many of our communities simply do not have adequate street lighting. For this reason I have proposed legislation to provide federal assistance to communities desiring to improve their lighting facilities. Such money would be well spent. As one police chief put it, "A good street light is as valuable as a good policeman and a lot cheaper."

Chief Wilson's success in Chicago proves that good men and good ideas can greatly improve the quality of law enforcement. Wilson's kind of operation is expensive (Chicago's police budget has gone up almost 45 percent in the last six years), but considering that crime costs run into billions of dollars annually—more than we are spending on Vietnam—money spent on effective crime prevention is definitely money well spent.

The same sort of diagnosis and the same sort of prescription can be made for our state prison systems. These systems have been too long ignored and denied the resources they need to modernize and attract high quality personnel. A correctional system cannot live up to its name unless it can rehabilitate as well as confine. Criminal correction should be viewed as a process, beginning as soon as the lawbreaker is apprehended, which treats a criminal as an individual, teaches him the skills of a trade and the duties of citizenship and assists him materially in finding a job and returning to his community. To do this effectively requires large numbers of skilled personnel working in the field of correctional rehabilitation. It also requires construction of new kinds of facilities and emphasis on programs which seek rehabilitation through skill-training and participation in community life.

For the most part our present correctional systems are ill-equipped to accomplish these tasks. A national survey recently completed by the President's Crime Commission indicates how badly the existing jails and prisons fall down on their job of rehabilitation. It shows there is an appalling shortage of skilled personnel in this field. Of the 20,000 employees in local correction institutions, only about five percent are involved in training and treatment—the vast majority of personnel are capable of performing only custodial functions. Thirty percent of the state-operated adult institutions provide no vocational training.

I do not cite these statistics because I favor the "coddling" of criminals; I cite them because I believe our generally impoverished state and local correctional systems are not contributing enough to our war against crime, and I think the facts bear me out. One third of all those paroled revert to crime, and almost one half of our present prison population of over a million will go on to commit further crimes after they are released.

As in the area of law enforcement, however, there are some places where progress is being made. Available evidence indicates that the longer you keep a man in prison, the more likely he is to revert to crime when he is released. So several states and communities are experimenting with ways to return the individual to community life earlier. In New England, both Vermont and the federal prison at Danbury, Conn., have instituted successful programs which release prisoners into the community for work, under careful supervision; Wisconsin, North Carolina and California have pioneered similar techniques.

And in California, Richard McGee, who heads the state's Youth and Adult Correction Agency, has demonstrated that imaginative thinking, coupled with additional resources and personnel, can help enormously in our war against crime. When McGee came to California in 1944, the state's prison system comprised little more than several maximum-security prisons, such as San Quentin and Folsom, run by their wardens as independent empires. The emphasis was on custody, not on treatment. McGee has changed things dramatically. Now there is a whole range of facilities, from maximum-security prisons to open institutions like the California Institution for Men at Chino, where inmates live on an honor system without the constraints of prison walls.

Recognizing the importance of building bridges between inmates and community, McGee also set up trade-advisory councils, whose members are representatives of business and labor in those occupations for which inmates are being trained. These representatives visit correctional institutions, advise on the type of equipment, training facilities and programs needed, and assist the inmates in getting jobs after they are released.

Another California experiment involved paroling youthful offenders immediately upon conviction under careful community supervision. In an effort to test the project's effectiveness, a control group of delinquents similar to those returned to the community was sent through the conventional process. The behavior of each group following discharge was watched closely. The amazing finding: The boys treated in the experimental project have returned to the criminal activity at a rate almost 50 percent lower than that of the boys treated by the more conventional methods. I think, however, that the real significance of this project is California's determination to actually test these new methods—to find out what works and what does not work. This kind of willingness to search for new and better techniques and to test their effectiveness has not been the hallmark of our criminal justice system.

The United States has developed the most advanced and sophisticated techniques of market research in the world—when it comes to selling soap. But we have failed miserably at the job of research into crime. The reason, I believe, is that until now we have not given the problem of crime the priority attention it deserves.

I recommend that we establish a National Institute for Crime Research, providing in the field of criminal justice—as the National Institute of Mental Health provides in the Mental-health field—a center where national crime problems, such as the rising rate of juvenile crime and the continued success of organized crime, can be identified and studied, where people from all over the country can come to work and to seek advice and to plan programs for our war on crime.

I also recommend that this institute operate a criminal justice extension service to make available to all American communities, as our agriculture extension service makes information available to the farmer, the best techniques thus far developed by police departments, courts and correctional agencies, and the fruits of future research.

Finally, I recommend that we establish grant programs in selected universities around the country to foster training and research—criminal justice academies, I call them in the legislation I have introduced. This idea is the brainchild of Sheldon Glueck, the eminent Harvard criminologist, and in my judgment it makes good sense. The establishment of such regional centers would help show the nation the importance we place on work in this field; it would raise the status of our nation's effort to combat crime; and it would attract more people to careers in criminal justice.

In addition to these specific anti-crime programs, we must intensify our attack on the roots of crime—poverty, neglect, ignorance and social injustice. For the mainstream of criminal activity flows from the deprivation, alienation and discontent of wasted lives—of lives lived without family guidance, without education, without jobs and, most terrible of all, without hope.

If we are seriously concerned about crime, we must acknowledge our responsibility to do something about the crumbling slum schools and poor housing, and the shocking unemployment rates for the young Negroes, Puerto Ricans and Mexican Americans. Indeed, with crime most prevalent among young people, every community must focus special attention on its youth, particularly the disadvantaged. Today's delinquents will be tomorrow's criminals—unless the community, through education, job training and treatment programs, prepares these youngsters for the productive tasks of adulthood.

Most of us who share in the good life of our rich nation are law-abiding citizens. The promise of America is that someday all may share. In our work to fulfill that promise lies one of our most effective weapons against crime.

Crime Cut by Lights—Police Report How Brighter Streets Help

(By Berl Falbaum)

Street lights send the prospective criminal into the shadows.

He prefers darkened streets and alleys.

The fact that crime decreases in areas where Detroit has improved its street and alley lighting is substantiated by statistics compiled by the Police Department and the Public Lighting Commission (PLC).

Police Commissioner Ray Girardin said:

"In 1959, this department selected certain areas for an improved lighting test of both streets and alleys. A decline of 18 percent (in crime) was noted during the first year of the test.

"As a result of this study, our efforts for improved lighting have been considerably expanded since that time.

"Presently, the Public Lighting Commission conducts the lighting program based on monthly area crime reports furnished by our department.

"Street crimes have been reduced as much as 55 percent in the improved lighted areas."

Figures compiled by the PLC show similar results.

"We have done month-by-month studies," said Claude H. Bradford, PLC senior associate electrical engineer in charge of the street lighting program. "We have found a reduction of crime from 37 to 55 percent in areas where we've improved our lighting."

Then what is the city doing now to improve the lighting which—if the pattern continues—could dramatically reduce crime in the city?

Bradford said the city is in the midst of a 10-year master plan lighting program which calls for the installation of 36,000 new lights in all parts of the city.

The need for this is evident. An evaluation conducted by the Illuminating Engineering Society, a national organization, said that 40 percent of Detroit's streets are below its lighting code standards.

"We are spending about $1 million a year for new lights," said Bradford. "Each year we install about 3,600 new ones."

So far the city has been concentrating on neighborhood conservation areas.

Five programs in neighborhoods, where crime reportedly has decreased, have been completed. These are Jefferson-Chalmers area; Jefferson-Mack; Vernor-Springwells; Kiefer-Ford hospitals area; and the College Park area bounded by Six Mile, Livernois, Fenkell and the Highland Park border.

Bradford said the next major installation is planned for an area bounded by Fenkell, Livernois, Six Mile and Wyoming. Also scheduled for improved lighting is the neighborhood around the Tiger Stadium, bounded by Bagley, Myrtle, Wabash and Sixth.

In addition to the master plan program, Bradford said, the PLC receives about 1,200 requests a year for more lights from neighborhood organizations.

"We installed about 1,000 additional lights for these groups last year," he added.

More emphasis also is being placed on lighting up public housing projects such as the Jeffries and Brewster-Douglass facilities.

PRESIDENT ENDORSES PROXMIRE TRUTH-IN-LENDING BILL

Mr. PROXMIRE. Mr. President, will the Senator yield to me on his time?

Mr. KENNEDY of Massachusetts. I yield to the Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, I commend and applaud President Johnson for his excellent consumer message. The President's proposals are well conceived and will go a long way to safeguard the interests of the average American family. I believe the 90th Congress stands a good chance of becoming known as the Consumer Congress. Certainly the great strides made by Congress last year on auto safety, truth in packaging, and cigarette labeling are evidence of a new responsiveness to consumer legislation. The momentum generated by these measures is likely to reach full steam in the present Congress. The leadership shown by our able colleague from Washington, Senator MAGNUSON, is likely to produce significant results for consumer legislation. The organization of a new Subcommittee on Consumer Affairs of the Senate Commerce Committee will provide a forum for considering many consumer issues.

I also believe the war in Vietnam and the President's record budget for 1968 will cause the Congress to be reluctant to enact new spending programs requiring large sums of money. Thus measures which do not cost much, and most consumer legislation falls in this category, should receive an increasing amount of attention by the Congress.

For all of these reasons, I believe the outlook for consumer legislation in the 90th Congress is extremely favorable.

I believe the outlook for S. 5, the truth-in-lending bill, which I and 22 cosponsors introduced on January 11, is particularly favorable. I am delighted the President has specifically endorsed my truth-in-lending bill. Although previous Presidential messages have favored the general principle of truth in lending, this is the first time a specific bill has received a direct endorsement from the President. This marks a significant new measure of administration support and is certainly encouraging to the sponsors of the bill. As a result of this increased administration support, I predict that Congress will enact the truth-in-lending bill in 1967.

I believe much of the renewed interest and support for truth in lending is due to the modifications in the present bill which make full disclosure more workable to the credit industry. Earlier versions of the bill had required lenders to disclose the "simple annual rate" which they charged for credit. Many had argued the term "simple annual rate" was not at all simple and that no two professors of mathematics could agree upon what it was. We have dropped the term "simple annual rate" and have made it clear that the intent of the bill is to require only an approximate annual rate. The bill also specifies a specific procedure for determining the approximate annual rate, so there can be no disagreements over its meaning.

Thus, the indicators pointing to success on truth in lending are numerous—the renewed interest in consumer legislation; the momentum generated by consumer bills last year; the strengthened administration support for truth in lending; the modifications to insure workability; and the changed composition of the Banking and Currency Committee. I predict the Congress will enact an effective truth-in-lending bill in 1967. Congressional polls show that this is the most popular proposal before the Congress. I plan to redouble my efforts to pass a truth-in-lending bill this year.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the unanimous-consent agreement under which the Senator from Massachusetts was permitted to speak be extended for an additional 5 minutes.

Mr. JAVITS. Mr. President, reserving the right to object, the floor is supposed to be mine. I am willing to indulge the Senators, but let us not have a unanimous-consent agreement to extend the time originally granted to the Senator from Massachusetts.

Mr. President, I ask unanimous consent that I may yield to the Senator from Wisconsin [Mr. PROXMIRE], the Senator from Wyoming [Mr. MCGEE], and the Senator from Delaware [Mr. WILLIAMS], without losing my right to the floor, such time as they desire. I ask the Senator from Wisconsin if he will, in the face of that request, withdraw his request.

Mr. PROXMIRE. Mr. President, I am delighted to do so, and I understand the purpose of the request of the Senator from New York.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New York? The Chair hears none, and it is so ordered.

The Senator from Wisconsin is recognized.

WHAT THE TRUTH-IN-LENDING BILL DOES

Mr. PROXMIRE. Mr. President, the truth-in-lending bill is merely a full disclosure bill. It requires creditors to list all finance charges when providing credit and to express these charges both in dollars and as an annual rate. This will give the American consumer a simple yardstick to compare alternative sources of credit. It will permit him to shop effectively for the best credit buy.

The bill does not regulate interest rates or other charges. Instead, it relies upon the market system to determine rates by providing full disclosure to the consumer.

There are a bewildering variety of methods which creditors presently use for stating finance charges. Some convey little or no information at all. Others quote rates, but use a variety of different methods for computing these rates. Unless he is a trained mathematician, the average consumer is utterly confused and is unable to determine which credit plan is the best buy.

As a result, most people do not really know what they are paying for credit. One study asked a sample of 800 families to estimate the rate of interest they were paying on their debt. The average estimate was 8.3 percent. The actual rate was nearly three times higher, or 23.2 percent.

Such a situation also permits a few unscrupulous creditors to lend at exorbitant rates. Testimony before the Banking and Currency Committee revealed cases of 200 percent a year and more.

Enactment of the bill will enable the average consumer to make wiser use of credit and to compare different credit plans; it will discourage lenders from charging truly exorbitant rates; and it will strengthen competition in the credit industry and protect the average businessman from unfair competition based upon deception and sharp credit practices.

PRESIDENT'S MESSAGE ON TRUTH IN LENDING

Mr. President, I ask unanimous consent that the truth in lending portion of the President's message be inserted in the RECORD, at this point.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

Consumer credit has become an essential feature of the American way of life. It permits families with secure and growing incomes to plan ahead and to enjoy fully and promptly the ownership of automobiles and modern household appliances. It finances higher education for many who otherwise could not afford it. To families struck by serious illness or other financial setbacks, the opportunity to borrow eases the burden by spreading the payments over time.

Because of these benefits, consumers rely heavily on credit. Outstanding consumer credit today totals $95 billion; $75 billion takes the form of installment credit. The interest costs on consumer credit alone amounted to nearly $13 billion in 1966.

The consumer has the right to know the cost of this key item in his budget just as much as the price of any other commodity he buys. If consumers are to plan prudently and to shop wisely for credit, they must know what it really costs.

In many instances today, consumers do not know the costs of credit. Charges are often stated in confusing or misleading terms. They are complicated by "add-ons" and discounts and unfamiliar gimmicks. The consumer should not have to be an actuary or a mathematician to understand the rate of interest that is being charged.

As a matter of fair play to the consumer, the cost of credit should be disclosed fully, simply, and clearly.

Now that the right of consumers to be fully informed is protected when they shop in the supermarkets, the time has come to protect that right for shoppers who seek credit.

I recommend the Truth-in-Lending Act of 1967 to assure that, when the consumer shops for credit, he will be presented with a price tag that will tell him the percentage rate per year that is being charged on his borrowing.

We can make an important advance by incorporating the wisdom of past discussions on how the costs of credit can best be expressed. As a result of these discussions, I recommend legislation to assure: Full and accurate information to the borrower, and simple and routine calculations for the lender.

This legislation is urgently needed to close an important gap in consumer information and protect legitimate lenders against competitors who misrepresent credit costs.

The Truth-in-Lending Act of 1967 would strengthen the efficiency of our credit markets, without restraining them. It would allow the cost of credit to be freely determined by informed borrowers and responsible lenders. It would permit the volume of consumer credit to be fully responsive to the growing needs, ability to pay, and aspirations of the American consumer.

Mr. PROXMIRE. Mr. President, I thank the distinguished Senator from New York for graciously allowing me the time in which to make my statement.

THE NATIONAL STUDENT ASSOCIATION AND CIA

Mr. McGEE. Mr. President, I address my very brief remarks to the controversy raging between the Central Intelligence Agency and the National Student Association.

It is my impression that a good deal of the criticism currently being leveled against the Central Intelligence Agency is prompted by those who wish to "get the CIA" for any reason, any excuse. As a result, we are faced with the very real prospect of throwing the baby out with the bath water.

In their continued attempts to discredit our chief intelligence-gathering apparatus, individual and organizational critics of the Central Intelligence Agency have now seized upon a much-needed and shrewd program, it seems to me—a program from which this country has benefited greatly—and once again these attacks seem to be only a measure for venting their frustrations over "secrecy" and their sentiments against the Central Intelligence Agency.

It is a mystery to me how we can hope to have a useful intelligence operation in America if it must conduct its operations under the klieg lights of a TV studio or on the floor of the U.S. Senate.

Instead of popping off and reflecting later, we ought to ask ourselves three questions.

The first question ought to be: Has academic freedom or intellectual integrity been perverted?

The second question ought to be: Is there a need for some program of financial assistance to American youth groups overseas—the program that is now the subject of much controversy? Do we need to subsidize American students overseas?

The third question ought to be: Is there a better way to do the job that has to be done?

The answer to those questions ought

to enable us to place the entire issue in perspective.

The answer to the first question is already a matter of record, it seems to me. The overwhelming numbers of students who have received these funds have said that at the time they knew of no connection in any way with the Central Intelligence Agency.

Mr. President, the point that that statement makes is an eloquent one; namely, that there were no strings attached, that there was no conscious or deliberate effort made to warp or prejudice the minds of these young people.

In regard to the second question, the need which provoked the beginning of the program still exists. It is a matter of record that youth congresses and world youth activities are frankly subsidized by the Soviet Union. And may I interject that the Soviet Union naturally considers that it ought to do this, given the precepts that they have and the beliefs that they say they believe in, if they are going to achieve their goals around the world. We have it as a matter of record that they have spent as much as $100 million on a single World Youth Congress.

But the point for us in the United States is this: Do we forfeit this field, or do we attempt to go to work on the problem that it poses? Do we ignore the effectiveness of youth group activities around the globe, or is it to our national interest to plunge into this field as well and as discreetly and as wisely as we can? It seems to me that the answer is obvious.

In addition, at this moment in the world, new nations and new peoples are looking for young ideas and young faces. In my opinion, the youth groups of our country, if permitted to operate overseas, and if it is made possible for them to operate overseas, put forth one of the strongest American images for which we can hope.

In fact, the American groups that I have observed in the Soviet Union, in Eastern Europe, and in Asia have conducted themselves in effective ways and suggest to me that they were among our finest ambassadors.

In regard to the third question, how we best go about doing this kind of job, I am willing to concede that perhaps there is a better agency that should do it. In the situation that faced us after the war, the CIA was the obvious Agency. We may decide that it still is the best Agency. Perhaps the executive branch ought to do the job, out of the contingent moneys of the President. Perhaps a new group should be created for this purpose.

But one of the aspects of this situation that we have to keep in mind is that there are many sensitive areas on the domestic political level elsewhere in the world where overt U.S. participation of this sort could become a serious political boomerang, and that we have to live with the facts of international life. We are striving for survival in what, in fact, remains a jungle world, with no holds barred; and strictly open and overt action cannot effectively cope with this kind of problem when we are dealing with those with whom we must contend in a no-holds-barred kind of operation. Thus, the need will continue for covert operations as well.

The point is that the program is a good one and that it should be continued, and in my judgment it should be continued consistent with the national interest uppermost in our minds.

So I ask, what is all the fuss about? It seems to me that the problem resolves itself to a political question, not a substantive question at all. Political difficulties are generally the consequences of those pressures that plague politicians. The obvious conclusion to draw from the situation is for the politicians—meaning American politicians—to come of age. In these times, our country can ill afford the types of political shenanigans that incidents of this kind always seem to provoke.

Mr. President, I ask unanimous consent that I may include, following my remarks, a very objective report on this question from James Reston of the New York Times.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CIA AID ON CAMPUS—U.S. EFFORTS TO COUNTER INFLUENCE OF COMMUNISTS HURT BY NSA DISCLOSURE

(By James Reston)

WASHINGTON, Feb. 14.—The United States Government's efforts to counter Communist influence in the universities, press and trade unions of the world have been seriously hampered by the disclosure that the Central Intelligence Agency has been helping to finance the National Student Association since 1952. It is understood that President Johnson has instructed the C.I.A. to liquidate all secret aid programs to student groups and to review all other programs designed to combat Communist activities in other private organizations.

The controversy goes beyond the agency's financial help to the student association. It involves the relationship between the C.I.A. and private foundations that served as a cover for the agency's funds. It involves other foundations, such as the Ford Foundation, which also gave money of its own to the N.S.A.

It places in jeopardy C.I.A. prorgams to anti-Communist publications, radio and television stations, and labor unions. And it embarrasses a number of former officials of the student association, who knew about the secret funds to the association and are now serving in important positions in the Government.

The history of the C.I.A.'s aid to the student group helps explain both the policy and the embarrassing consequences of that policy. The first C.I.A. aid to the association was negotiated in 1952 by William Densor, then president of the student organization. He is now United States aid director in Peru.

This is one of the awkward problems of the current controversy. For present Government officials who were privy to the C.I.A.-N.S.A. financial arrangements when they were students are now likely to be identified with the Central Intelligence Agency by Communists even though these officials no longer have anything to do with the agency.

Among these former student association officials now with Government are Ralph A. Dungan, United States Ambassador to Chile and former special assistant to Presidents Kennedy and Johnson; Robert Smith, special assistant to the director of the Agency for International Development; assistant Postmaster General Richard James Murphy; and S. Douglass Cater Jr., special assistant to President Johnson, though Mr. Cater was an official of the student group before the C.I.A. program started.

The reason for establishing C.I.A. help to the student association, however, is perfectly clear. In the years immediately after the second world war, the Soviet Union took the lead in trying to organize and propagandize the world student movement.

In 1946, when the first World Student Congress met in Prague, the Communist delegations gained control of several key positions, and imposed the Moscow delegation's agenda on the meeting.

The first Soviet vice president of the International Union of Students, for example, was Aleksandr N. Shelepin, who later became chairman of the Soviet State Security Committee.

The American delegates to the first meeting of the union of students first opposed any open break with the Communists, but after the Communist conquest of Czechoslovakia in 1948, when many students opposed the coup, the Americans finally broke away from the union of students and organized their own student association.

FINANCIAL CONTRAST

From the first, however, the American students were hampered by lack of funds, while the union of students had enough money to put on world youth festivals, world rallies, conferences and forums, and regional conferences.

All but the last two of these festivals were held in Communist countries: Prague (1947); Budapest (1949); East Berlin (1951); Bucharest (1953); Warsaw (1955); Moscow (1957); Vienna (1959) and Helsinki (1962). The ninth festival has been scheduled for Bulgaria in 1968.

The estimate here is that the Moscow festival alone, which brought students from all over the world, and especially from the underdeveloped world, cost in the neighborhood of $100 million.

Against this sort of competition, the American student leaders were in trouble. Ironically, though they were opposed by the Communist leaders of the union of students as being maliciously conservative, they were opposed at home as being too far to the left.

The students were able to raise very little money for organization or transportation, though somehow left-wing American students managed to get funds to attend student meetings abroad.

It was against this background that the N.S.A. officials approached the United States Government in 1952 and received some financial help from the Central Intelligence Agency, then under President Truman and the director, William Donovan.

In the last 7 or 8 years, the agency is understood to have put up an average of $200,000 a year for the student association, this amounts to about 25 per cent of the association's annual budget.

This was, of course, known to Presidents Eisenhower, Kennedy and Johnson. The Senate committee that oversees the CIA was also informed about the program.

Other agencies also helped the student association in special projects. Among them were the Department of Health, Education and Welfare, the Office of Economic Opportunity, the Department of State, and the Agency for International Development.

However the disclosure by Ramparts magazine of the C.I.A. aid to the student association created a problem for President Johnson. The need for continued American participation in the world student movement still exists; Communist efforts to influence the student leaders of the developing world continues; Communist aid to labor union leaders and newspaper and radio and television organizations goes no; but secret C.I.A. aid to these organizations, particularly to university students, creates political difficulties for the President.

Mr. Johnson is already under severe criticism among some elements on the nation's campuses. Universities have been criticized for accepting special research grants from the C.I.A.

Representative Wright Patman, Democrat of Texas, has been threatening to investigate the foundations of the country for years, and these latest disclosures are not likely to discourage his efforts in this field.

This helps explain much of the activity here over the intelligence agency-student association, story in the last few days. It is understood that Michael Wood, a fund raiser for the student group last year, who was subsequently discharged, wrote a long memorandum for Ramparts magazine on the intelligence agency connection.

When officials here heard about the forthcoming publication of the Ramparts story, Allen W. Dulles, and John McCone, former C.I.A. directors were advised. So were members of the Senate's C.I.A. committee and Senators J. W. Fulbright and Eugene McCarthy.

When President Johnson was informed of the disclosure, he asked when the program had started and ordered all such programs stopped. The official word here is that the student association funding did in fact stop on Jan. 1.

The problem, however, remains. The battle to influence the student leaders of the world continues, and there are no private institutions available to finance the American leaders.

This was the problem that started the C.I.A. program in the first place, and it still exists, only without Government assistance.

ORDER OF BUSINESS

Mr. JAVITS. Mr. President, I ask unanimous consent to yield to the Senator from Delaware, without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

FRINGE BENEFITS EXTENDED TO CRIMINALS

Mr. WILLIAMS of Delaware. Mr. President, last week I called the attention of the Senate to a series of fringe benefits which this administration has granted to those serving prison sentences—CONGRESSIONAL RECORD of February 9, pages 3207–3208.

Today I call attention to a special ruling issued by the Treasury Department which further extends these fringe benefits and makes crime a little more attractive.

Under existing law embezzled funds are taxable as income. In cases involving embezzlements of large sums during a short period this automatically results in projecting the embezzler into a substantially higher income tax bracket with a corresponding increase in taxes.

Apparently the Great Society considered this a hardship on the embezzler so under a recent ruling the Treasury Department decided to extend to him the right of averaging his embezzled income over a period of 5 years, thereby reducing his tax liability.

I repeat—this new ruling extends to the embezzler the right to spread the impact of the tax liability on these ill-gotten gains over a period of 5 years.

For example: Suppose Mr. X while drawing a $10,000 salary embezzled $500,000 in one taxable year. Rather than have his income tax computed on the basis of $510,000, thereby projecting him into a much higher tax bracket, he can now under this new ruling average this income over a 5-year period by reporting $100,000 of the embezzled funds in each of the 5 years. This would substantially reduce his tax liability on the stolen funds.

I quote this ruling as appearing on page 7 of Internal Revenue Bulletin No. 1966–42, dated October 17, 1966.

SECTION 1302.—DEFINITION OF AVERAGABLE INCOME; RELATED DEFINITIONS

26 CFR 1.1302–2: Adjusted taxable income.
Rev. Rul. 66–306

Embezzled funds will be taken into account if a taxpayer chooses the benefits of the income averaging provisions of sections 1301 through 1305 of the Internal Revenue Code of 1954, provided he otherwise qualifies for the benefits of those sections.

I next quote the Department's explanation as to why this ruling was issued.

Advise has been requested as to the applicability of the income averaging provisions of sections 1301 through 1305 of the Internal Revenue Code of 1954 to embezzled funds.

The taxpayer in the instant case operated a fraudulent conversion scheme whereby he collected certain State sales tax moneys on the sale of cars and did not remit all of these funds to the proper State authorities. During the taxable year 1965, the taxpayer misappropriated for his personal use the funds not remitted.

Section 232 of the Revenue Act of 1964, Public Law 88–272, C.B. 1964–1 (part 2), 6, at 75, deleted the then existing spreadback provisions and replaced them with an averaging device of general application. The purpose of the new provision was to treat all taxpayers as nearly equally for tax purposes as possible, without regard to fluctuations in their income and without regard to the source of income involved. See, House Report 749, 88th Congress C.B. 1964–1 (part 2), 125, at 234; Senate Report 830, 88th Congress, C.B. 1964–1 (part 2), 505, at 644.

Embezzled funds constitute gross income to the embezzler in the year of embezzlement. James v. United States, 366 U.S. 213 (1961); Rev. Rul. 61–185, C.B. 1961–2, 9. The only items of income which are specifically denied the benefits of the income averaging provisions are enumerated under section 1302(b) of the Code. Embezzled funds are not included in this enumeration.

Accordingly, embezzled funds will be taken into account if a taxpayer chooses the benefits of the income averaging provisions of sections 1301 through 1305 of the Code, provided he otherwise qualifies for the benefits of those sections.

As one member of the Senate Finance Committee I state most emphatically that it was never intended by the Congress that any benefits under this section of the Internal Revenue Code should be extended to any type of illegal income, including embezzlements.

Mr. President, I repeat what I said last Thursday—it is about time that this so-called Great Society stop coddling these criminals and recognize the rights of the 190 million Americans who as taxpayers must underwrite the cost of these fringe benefits. It is rather ironic to find this Great Society extending to criminals these benefits, including unemployment compensation, increased pensions, and now a special tax concession, while at the same time advocating an across-the-board 6-percent tax increase.

STUDY AND REEVALUATION OF UNITED STATES-EUROPEAN RELATIONS

Mr. JAVITS. Mr. President, on behalf of myself and the Senator from Kentucky [Mr. MORTON], and with Senators BROOKE, GRIFFIN, SCOTT, TOWER, and JORDAN of Idaho, as additional cosponsors, I send a resolution to the desk, and ask unanimous consent that it may lie at the desk for additional cosponsors until the close of business on Wednesday next.

The PRESIDING OFFICER. The resolution will be received and appropriately referred; and, without objection, the resolution will lie at the desk as requested.

The resolution (S. Res. 83) was referred to the Committee on Foreign Relations, and the Committee on Armed Services, as follows:

S. RES. 83

Whereas the foreign policy and military strength of the United States are dedicated to the protection of our national security, the preservation of the liberties of the American people, and the maintenance of world peace; and

Whereas this security also depends on the nations of Western Europe and continuing close relations with them, as embodied in the NATO treaty; and

Whereas there has been a change in the political and diplomatic situation resulting in a feeling of diminished tension as to the affairs of Europe between the NATO and Warsaw Pact countries; and

Whereas the United States and its NATO partners have evinced a continuing desire to encourage this reduction of tension in Europe and the mutual pullback of forces, consistent with security; and

Whereas the countries of Western Europe have rebuilt their economies, but have not yet adequately translated this economic power into increased contribution to the collective defense efforts; and

Whereas the United States has and will continue to increase its logistical capability to transport troops and supplies quickly over long distances; and

Whereas the United States has a balance-of-payments problem, which has been made even more acute by the financial policies of one of the great powers benefiting from the NATO Treaty and by resistance to international monetary reform, and which requires, consistent with security, the reduction of gold outflow from the United States: Now therefore be it

Resolved by the Senate, That—

(a) the security of the United States requires that we continue to maintain substantial and effective combat forces in Europe to meet any continuing military threat; and

(b) the European partners of NATO be urged to make a greater contribution to the collective security of the NATO area in accordance with their renewed economic strength; and

(c) efforts be supported to increase consultation and cooperation in NATO in order to modernize NATO; and

(d) the President continue efforts to improve East-West relations, consistent with security, and to bring about a settlement of the outstanding European problems; and

(e) taking account of the changing political situation between East and West considering the strengthened Western European economies, the balance-of-payments difficulties of the United States, and improvements in the United States logistical capability, redeployment of some of the United States forces now in Western Europe is properly an item for determination in consultation with our NATO Allies, without adversely affecting the political situation in Western Europe or the security of the NATO area.

SEC. 2. Senate Resolution 99, adopted in the Senate April 4, 1951, is amended to contain the provisions of this resolution and, where the resolution may conflict, the present resolution is controlling as to the sense of the Senate.

Mr. JAVITS. Mr. President, I must express my tremendous debt of gratitude to the Senator from Kentucky [Mr. MORTON], who saw in this resolution what I did, and joined with me in a really unusual way in backing it, and in the endeavor to get others to see it as he did.

I think that if it gets anywhere, and I rather believe it will, we will all owe the Senator from Kentucky [Mr. MORTON] a great debt of gratitude for his espousal of this proposition and his refusal to be scared away from it by the ridiculous suggestion—and I do not say that in an insulting way, but it is ridiculous because it had no substance—that it had something to do with leadership as far as the minority in the Senate is concerned. I think that the facts have blown that suggestion out of the water, and we have made clear our purpose and intention in that regard.

Indeed, in introducing the resolution on our behalf and our cosponsors, I express the hope that this resolution and its fundamental concept may be espoused by a great many members of the minority; so many that it will become the minority position, and that includes the Senator from Illinois [Mr. DIRKSEN], the Senator from Iowa [Mr. HICKENLOOPER], who is the ranking minority member on the Committee on Foreign Relations. Nothing would please me more. I know that the Senator from Kentucky [Mr. MORTON] feels the same way and that other cosponsors will feel the same way if this resolution should become the resolution of our side of the aisle as a contribution to the bipartisan foreign policy debate.

Indeed, we would have been very pleased if that contribution could have taken place now, but we still hope that will be the situation, and I desire very much to bring it about.

The purpose of the resolution is, hopefully, to bring about another great debate, comparable to the one in 1951, on United States-European relations, which resulted in the adoption of a Senate resolution on sending troops to Europe.

Mr. President, the statement made by the majority leader this morning is very encouraging in that regard in that he welcomes this alternative as an alternative and, at the same time, expressed a similar sentiment with respect to the resolution of the Senator from Connecticut [Mr. DODD] which was introduced last week, all of which will undoubtedly bring about discussion, debate, and hearings before the special committee now contemplated by the Committee on Foreign Relations and the Committee on Armed Services, which will probably initiate hearings on this entire question next month.

Such a debate should include the need to modernize NATO, the new attitudes and economic strength of Western Europe, and our changing relations with the Soviet Union and Eastern Europe. In the flush of our involvement in Vietnam, we have been diverted from the single most vital area of the world, from Europe. While the crisis in Vietnam has deepened and while Communist China has cast a nuclear pall on the future, Europe has been, for policy purposes, pushed into the background. In 2 years, under article 13 of the NATO Treaty, any member may with a year's notice opt out of the alliance. We must take steps now to see that the alliance remains meaningful enough to all its members to make unlikely any membership withdrawal. We must also see that modernization is consistent with security requirements. We must have a vision of the kind of Europe we desire and the kind of Europe the Europeans themselves want.

If the Senate is to have a meaningful impact on a vital issue in foreign affairs, it must do so before the issue becomes a crisis. Vietnam is a clear demonstration of this point. Once it reached crisis proportions, many decisions were virtually taken out of our hands. If we are to make our thinking felt on European affairs, we have to do it now.

The U.S. Senate and the American people should consider and judge the overall policy with respect to these present day relations and circumstances. The focus should be on overall policy and not just on a specific question like U.S. troop reductions in Western Europe.

There is no denying that times have changed in Europe since 1951 and are still changing. It would not be in the best interest of a sound United States-European posture if we were to concentrate on only one piece of the puzzle. We must look at the whole picture before we can offer sensible advice to the President on specific matters such as troop levels, or the balance-of-payments problem, or other like matters. We should not tamper with the part—troop reduction—unless we first understand the whole.

As one Senator, I could not make a considered judgment on the specific issue of troop reductions until I was satisfied as to how such reductions would affect our NATO partners, our collective military preparedness and the present Soviet military capability.

For example, we hear many rumors that somehow the Russians are withdrawing troops from Eastern Europe. They are rumors and there is nothing to substantiate them right now.

Let me emphasize, in this respect, that it is not enough simply to say that times have changed, that people think differently, that Western Europe is strong and wants more independence, or even that Soviet intentions have been moderated. It is one thing to make broad qualitative statements, but it is another to sharpen these judgments to be useful for policy purposes. Before the Senate passed Senate Resolution 99 in 1951, it debated the issue of U.S. involvement and commitment in Europe for well over a month, preceded by lengthy deliberations in committee. Witnesses were called from the administration, from the academic world, and from all relevant walks of life. Testimony was scrutinized and evaluated with care and deliberation. The stakes could not have been higher. The Senate was setting about to support a long-term U.S. troop commitment in Europe, the integration of U.S. Armed Forces into NATO, the risks of war with the Soviet Union—all this to be done in peacetime—an entirely new precedent. There was no argument left unexplored before the Senate took action.

Now there are many here and abroad, including myself, who want an updating of those deliberations and the policies which flowed from them. The stakes are as high now as they were then. Before we in the Senate set about to undo those policies and respond to present-day circumstances, intentions, and capabilities, we should follow the example of our predecessors in the first session of the 82d Congress. This must all be accomplished, let me emphasize, in conjunction with the executive branch, for it is, after all, the President who has primary constitutional responsibility for the conduct of U.S. foreign affairs.

II. EXPLANATION OF RESOLUTION

The first part of the resolution represents the thinking of the sponsors on what Europe looks like today, the present character of the Soviet Union's relations with the West, and a judgment as to current U.S. interest and capabilities in that area.

The resolution states that U.S. policy and strength are still dedicated to our own security and liberty and to peace in the world. It reiterates the important fact that our policy and security are intimately meshed with Western Europe in NATO.

The resolution, however, does emphasize the fact of the feeling of diminished tension between the NATO and Warsaw Pact countries. This fact as embodied in the partial test ban treaty, in the United States-Soviet Union Consular Convention, in the United States-Soviet Union civil air agreement, in the U.N. Outer Space Treaty, in increasing political contacts and talks by all, and by growing East-West trade is vital to any consideration of a U.S. posture toward Europe and the Soviet Union. We and our allies have encouraged this trend, including military counterparts such as a reciprocal withdrawal of forces from central Europe and the nuclear nonproliferation treaty.

The resolution emphasizes the new Western Europe, with strong economies and with the attendant demand for a bigger political role. Yet, it also points to the fact that our West European partners have not translated this new economic power into increased collective defense efforts. The failure on their parts to do so has always, and still does, cause much concern on the part of the American people.

The United States is in a much improved condition with respect to its logistical capabilities to defend Europe in case of attack. Operation Big Lift demonstrated that we can transport a whole division with prepositioned supplies, back to Europe in a matter of days.

We have even increased this capability, and the resolution takes note of this.

Finally, the United States does have a balance-of-payments problem, and it is the desire of the American people that some action be taken by our Government to stem the outflow of gold from the United States.

The operative part of the resolution points to the direction in which U.S. policy ought to go.

First, there is no denying that at present we and our partners still need to maintain substantial and effective combat forces in Western Europe to meet any continuing Soviet military threat. The Soviet Union still maintains about 500,000 troops in eastern and central Europe. Its firepower has increased manifold. The Soviet capability is great. We cannot afford to base our policy solely on unknowable Soviet intentions; our prime concern must be Soviet capability, and this is strong and growing. At this juncture, therefore, even with reports circulating about some Soviet troop pullback in Eastern Europe, it is premature to talk about substantial U.S. troop reductions in Europe.

Second, the resolution also points to the fact that our NATO allies have not met their obligations on troop levels and should be urged to make a greater contribution to Western security. Everyone accepts the fact of Western European economic strength. Our European partners are asking for a greater voice in alliance affairs on the basis of that renewed economic strength. Yet, before political consultative arrangements can be adjusted within the alliance, our European partners should first make their proper contribution on the military side. The American people do not want to leave our European partners in the lurch, but they do want to be assured that the Europeans are not shirking on their end of the bargain.

Third, NATO has come a long way since its inception in 1948. Efforts have been made from time to time by all the partners to see that the bases of NATO were never outstripped by the purposes the alliance was designed to meet. Sometimes adjustments within the alliance were slow to materialize, and at other times the adjustments did not go far enough. A major effort to modernize the alliance is needed now—before some of its members begin to feel that the alliance is not responsive to their individual needs and desires. Simply to call for more consultation is not a sufficient answer. The consultation must be more effective in the sense of taking the various positions of the alliance members into account.

Fourth, the Senate ought to encourage the President to continue efforts to improve East-West relations, consistent with security, in order to bring about a settlement of outstanding European problems. The overwhelming fact about the post-World War II world is the extent to which the problems created by the war persist. The key to improving East-West relations and settling these problems has always resided in Moscow. At times, Moscow seemed willing to settle certain issues, as in the exemple of agreements over Austria in 1955. Most of the time, however, they have continued to resist Western proposals and continued pressures of the cold war. This alternation in their policy may be changing, but we are not sure. The Soviet Union may have reached a stage of political maturity and domestic stability whereby it would feel more comfortable and secure in seeking to put relations with the West on a firmer base. I have already given a number of examples to confirm this. The total impact of recent treaties and agreements is to put our contacts with the Soviet Union on a much higher plane. Instead of just propaganda, maneuver, and pressure, ties are being regularized under provisions of international law. Of course many of our interests still conflict with Moscow's interests, but neither can it be denied that Moscow may be seeing greater rationale behind the interests we do have in common. As the two major industrial powers of the world, as the two nuclear super powers, and as leaders in our respective parts of the world, there is much to say for easing tensions with the Soviet Union.

In our debates here in the Senate, we should carefully explore all of these possibilities, all of these contacts, and see where they lead. We must not put the bases of our combined Western security into jeopardy, but neither should we miss opportunities to lessen the risks inherent in hostile confrontation in a nuclear world.

Finally, we must see in our debate what policy deductions can be made from changed circumstances. One vital area for determination is U.S. troop strength in Europe. It may well be that, given our increased technological and logistical capability to return our troops to the European Continent on short notice, we can reduce the total manpower presently deployed on the Continent. But—and this cannot be emphasized often enough—such a question is properly one to be determined in full consultation with our NATO partners. We are, after all, a member of an alliance, and if this obligation is to mean more than words, if we are to avoid sounding a disruptive chord, if we are to avoid the same acts which we criticize in others, like President de Gaulle, we must deal with this problem on an alliance-wide basis.

I invite close attention to this resolution, Mr. President, as contrasted with the resolution introduced by the Senator from Montana [Mr. MANSFIELD].

In that respect I wish to emphasize two points. The essential thrust of the resolution of the Senator from Montana [Mr. MANSFIELD] is contained in the following statement:

> A substantial reduction of the U.S. forces permanently stationed in Europe can be made without adversely affecting either our resolve or ability to meet our commitment under the NATO Treaty.

Mr. President, this is a conclusion, and the President, therefore, is asked by the Senate to make "a substantial reduction in U.S. forces permanently stationed in Europe."

In the resolution which we are submitting, we too contemplate a reduction of our troops in Europe, but we say this reduction must be a part of negotiation between us and our NATO allies, part of an effort to modernize the NATO structure, taking into account balance-of-payments problems, taking into account nuclear capability, and taking into account a new concept of airlift, which enables us to take a division to Europe in a short time.

We do not contemplate that the European powers in that negotiation can veto what we want to do. But we contemplate the troop reduction, when made, would be as a part of an arrangement with them which they first have every chance to make with us, which cements them to an established function and participation in the entire NATO alliance.

Neither our resolution nor the Mansfield resolution specifically mention troops of the Soviet Union. But, the idea that there shall be some mutuality in a pullout is a very real one and should not be thrown away by a unilateral declaration that we want a troop pullout—as implied in Senator MANSFIELD's resolution.

In a sense, our resolution would have a far more inclusive effect than Senator MANSFIELD's resolution because if the latter's statement of January 19, 1967, is read, when the Senator introduced his resolution, we will find that he offers little definition of the word "substantial." Although, on the other hand, the word implies a great deal.

No one underestimates the powerhouse that the Mansfield resolution is. It was introduced by every member of the Democratic policy committee, plus 30 other Senators—a total of 44 sponsors. The Senator from Montana stated today that the resolution represents a formidable aggregation of power.

We do not know yet, and we have no secret information, notwithstanding newspaper reports, what the administration thinks. We certainly believe that the administration should think much more the way we do than the way Senator MANSFIELD's resolution reads; but we have no idea about that until they actually testify.

However, I point out that we are dealing with a formidable resolution in terms of its support. Therefore, the spirit and the wisdom which we exercise in support of the alternative thesis becomes a matter of very great importance to the country. In the absence of this kind of alternative, it is almost a foregone conclusion that Senator MANSFIELD's resolution would have been passed.

Mr. President, there are a number of aspects of Senate Resolution 49—which is Senator MANSFIELD's resolution—which are to be commended. It does state that the security of the Western World still remains interwoven as between the United States, Canada, and our European Allies.

Senator MANSFIELD's resolution does call attention to the revitalized economic strength in Western Europe, while noting the fact that our partners have lagged behind in their contributions to the collective defense effort. On the issue of East-West relations, Senator

MANSFIELD's resolution does call attention to improving relations between East and West.

Yet, while these general statements, as generalities, are in line with the thoughts of the sponsors of our resolution, as used in Senate Resolution 49 they are likely to stifle and prejudge debate rather than promote it. For these general statements in Senator MANSFIELD's resolution are not designed to open the question, but rather to support the basic conclusion contained in that resolution that the United States should make substantial troop cuts in Europe now.

It seems to me, on the other hand, that these sweeping statements need to be examined on their merits before they can be used to support the conclusion of the Mansfield resolution. We must develop the factual situation with more precision before we can draw deductions from these facts about troop reductions. I favor some troop reduction, but I want to make my judgment in the larger context.

There are, moreover, a number of assumptions behind Senate Resolution 49 which are debatable and require debate. In the first place, Senate Resolution 49 implies that the breakdown of the Soviet monolith in Eastern Europe is virtually complete, and that this means the Soviet challenge to the West is virtually abated. But, what is the actual state of Soviet predominance in Eastern Europe? Might not Soviet influence still be very substantial in certain areas such as defense, despite occasional signs of economic independence? Has the Soviet Union attempted to mitigate the military capability of nations in Central Europe in any way? If communism is no longer a monolithic enterprise, nor so decentralized as the Western World, what is it? What implications does it have on our policy, economic and political as well as military?

Second, the resolution assumes that our European partners no longer desire such a substantial U.S. troop commitment in Europe, or that by withdrawing substantial numbers of our troops we will somehow pressure these partners into greater effort on their own behalf. Both of these assumptions are open to serious doubt and question. All evidence I have seen indicates that, with the exception of President de Gaulle, our European allies still desire meaningful U.S. troop presence on the Continent.

For example, on June 4, 1965, the White House issued a joint statement by President Johnson and Chancellor Erhard which, in part, said:

> The Chancellor welcomed the President's assurance that the United States would maintain its force in Europe, backed by nuclear power, so long as they were wanted and needed for the peace and security of Europe.

This statement has been reaffirmed repeatedly on both sides. I believe that it is representative of European opinion today. Indeed, just as one reference, I invite the attention of Senators to the statement made by President Johnson on September 8, 1966, at his press conference, in which he said, in part:

> We think the best course for the United States to follow would be for us in collaboration with our allies to first try to realize what strength is necessary, how to equitably apportion it, and to arrive at a joint agreement.

Then the President goes on to say:

> It is not a question of desire. It is a question of necessity. We feel that this will be more wisely handled in a NATO discussion. Every step we take we want to take with the knowledge of our allies, and we would hope with their approval.

That is much more like our resolution than it is like the Mansfield resolution and is, I think, the right policy for the United States, considering what is at stake.

Neither am I convinced by the argument that our troop reductions will prompt our partners into making a greater contribution. I am prepared to subscribe at once to the fact that we have, on the whole, honored our commitments in NATO far more than the other members. I pay tribute to our ally Britain, who has acted probably far better than the others.

But the best way to convince other nations to meet their obligations is for us to meet our own. That is always the best example. If we, as the leader of the alliance, were to pull out three or four of our divisions, which would really be a substantial number, it could lead to European panic and disarray. Rather than getting Western Europe countries to do more, they may well feel compelled to make concessions to Moscow that they would later regret.

This is not to say that we must keep our troops at the beck and call of our European partners. It is to say that we must move gradually and cautiously, laying the groundwork for our actions in consultation with our allies.

A parenthetical statement again: Much as I appreciate the pressure on President Truman to pull our troops out of Europe at the end of World War II, let us realize that there is no such pressure on the American people about NATO. We can only speculate on the difference in terms of Soviet control of central Europe, in terms of the isolation of Berlin, in terms of the whole postwar legacy of trouble and difficulty, which might conceivably have been avoided had we not been in such a sweat to pull out of Europe immediately after World War II.

My third point is that the Mansfield resolution assumes that a substantial U.S. troop reduction would further the policy of detente with the East. I have seen no arguments advanced that would justify such an assumption except the flat statement. While it is hard to speculate on what makes Moscow cooperative or aggressive—whether it is their own internal political and economic pressures, coexistence proposals by us, or Western strength—we do know that the Soviet Union respects power. The Soviets respected our power during the Berlin airlift, and they respected it in Cuba during the missile crisis.

If we were to withdraw both the substance and the symbol of the U.S. commitment to the defense of Europe—and make no mistake, pulling back three or four divisions at this time would do just that—the Kremlin could well change its colors on very short notice. Might it not be more advisable to gage our reductions to more hard and fast agreements with the Soviet Union rather than on assumptions which may prove untenable?

What combination of Western strength and firmness and efforts to compromise is best designed to promote a detente built upon substance and not shadows?

I think our resolution, rather than the Mansfield resolution, is the best road for it.

Finally, the proponents of Senate Resolution 49 may be making too much of the connection between our troop presence and our balance-of-payments problems. The balance-of-payments cost of maintaining U.S. troops in Europe is estimated at $700 million in 1966, $600 million in 1965, and $684 million in 1964, after such offset items as military sales and the repayment of loans for military sales are taken into account.

Let us remember that the total expenses for our troops in Europe amount to about $3 billion, but a great deal of that is in wages and salaries which go to U.S. troops, which are reflected mainly in transmittals here, and also a good deal is offset by the military purchases made by the various European countries involved.

While I do not believe that the decision to keep our forces in Europe at present levels should be made on the basis of balance-of-payments considerations, it would be good to keep in mind that except for 1966, when we ran an estimated $500 million deficit, in the past 6 years we ran substantial surpluses on goods and services with Western Europe—$1.6 billion in 1965, $2.3 billion in 1964, for example. Also, the reasons for our balance-of-payments deficits and gold losses are very complex and not simply the result of keeping U.S. troops in Europe. For one, they reflect our role as the world's banker and as the principal source of international reserves. For another, they reflect the deficits we incurred as a result of our tourists spending far more abroad—something over $2 billion a year—than foreign tourists spend in the United States. I ask our people "Can we weigh security in terms of what we ought to do about troops in Europe against tourist travel, the major factor of the spending of dollars and the imbalance in the balance of payments, far above the cost of maintenance of troops in Europe?"

These broad gage considerations must be fully developed before we pull back troops in order to effect what may be illusory or insubstantial balance-of-payment savings.

In concluding my discussion of the Mansfield resolution, I would like to submit a number of statements by the foreign policy makers of our own Government—President Johnson, Secretary McNamara, and Secretary Rusk—which, I believe, are implicitly and explicitly critical of the approach taken in the Mansfield resolution, and would seem to indicate that our proposal is far more in the mainstream of American foreign policy than is the Mansfield resolution.

The total impact of these statements is to the effect that we have to do a lot more hard thinking, and probably hard negotiating, on European policy as a whole before we can make proposals for substantial U.S. troop cuts in Europe. There is much more to gain for the United States and for security and peace if these proposals are considered as a factor, not an accomplished fact.

Mr. President, I ask unanimous consent that various statements, to which I have referred, be made a part of my remarks at this time; and I also ask unanimous consent that sundry editorials, news stories, news analyses of the resolution which we are proposing be made a part of my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Joint Statement Issued After Meeting of Chancellor Erhard and President Johnson, June 4, 1965, in Washington

President Johnson and Chancellor Erhard met today at the White House with their senior advisers.

The President and the Chancellor expressed their satisfaction with the close and cooperative relations between their two countries and the political, economic, and military strength of the Atlantic Alliance. The President and the Chancellor also agreed on the continuing importance of maintaining an intimate and dynamic Alliance.

The Chancellor welcomed the President's assurance that the United States would maintain its forces in Europe, backed by nuclear power, so long as they were wanted and needed for the peace and security of Europe.

The Chancellor emphasized Germany's vital interest in the continued progress of European unity. And the President, in turn, agreed that European unity was an important factor in the strengthening of the Alliance. The President also expressed his appreciation for the Federal Government's efforts to further European economic integration and to contribute to the development of increasingly closer economic ties between Europe and America and the rest of the world.

The Chancellor told the President of his appreciation for the President's strong support to efforts to resolve the German problem. The President and the Chancellor agreed that their governments, together with the other responsible powers, must continue to seek all available means to end the unjust division of Germany as soon as possible.

They agreed too that improvements in relations with the countries of Eastern Europe would help to contribute to peace and security and that a common allied policy would contribute to this end.

The President and the Chancellor also discussed the serious threats to peace and stability in a number of other areas of the world, and especially in Southeast Asia. In this connection, the Chancellor emphasized the importance of mutual solidarity in dealing with communist aggression. He told the President his support for the American determination to turn back aggression in Viet Nam and welcomed the United States Government's efforts to bring about a peaceful settlement of that conflict. The Chancellor also told the President of his interest in the projected Asian Development Bank and the German Government's desire to participate in it and also provide economic assistance which would contribute to the establishment of political and economic stability in this area of the world.

The President and the Chancellor also expressed their hope for continuing progress in the Dominican Republic, leading to the restoration of peace and representative government there.

Finally the President and the Chancellor reaffirmed the strong and close friendship of their peoples and governments, working together for peace and freedom in the future as they have in the past. For this reason, they agreed to meet regularly and to discuss questions of common interest.

Statement by President Johnson, October 7, 1966

We seek a stable military situation in Europe—one in which we hope that tensions can be lowered.

To this end, the United States will continue to play its part in effective Western deterrence. To weaken that deterrence might now create temptations and could endanger peace.

The Atlantic allies will, of course, continue together to study what strength NATO needs, in light of the changing technology and the current threat.

Reduction of Soviet forces in Central Europe would, of course, affect the extent of that threat.

If changing circumstances should lead to a gradual and balanced revision in force levels on both sides, the revision could—together with the other steps that I have mentioned—help gradually to shape an entirely new political environment.

The building of true peace and reconciliation in Europe, of course, will be a very long process.

The bonds between the United States and its Atlantic partners provide the strength on which the entire security of this world depends. Our interdependence, there, is complete.

Our goal, in Europe and elsewhere, is, first of all—always—a just and secure peace. It can most surely be achieved by common action. To this end, I pledge my country's best efforts: to achieve new thrust for the alliance; to support movement toward Western European unity; to bring about a far-reaching improvement in relations between the East and the West.

Our object is to end the bitter legacy of World War II.

Let all of those who wish us well, and all others also, know that our guard will be up but our hand will always be out.

The American people love peace and they hate war. We do not believe that might makes right. So in pursuit of peace, history is aware of our commitments—the Marshall Plan, the Truman Doctrine, to NATO, and to SEATO. We have been tested in Berlin and in Korea, in the Dominican Republic, and our brave men are being tested at this hour in Viet-Nam.

In every instance, our purpose has been peace, never war; self-determination instead of selfish aggression. We believe that moral agreements are much to be preferred to military means; the conference table instead of the battlefield. But Americans will never close their eyes to reality. We back our word with dedication, and we also back it with the united resolve of a patient, of a determined, of a freedom-loving and a peaceful people. Together we shall never fail.

Quotation From Address by President Johnson, March 23, 1966

Some say that new circumstances in the world today call for the dismantling of this great organization. Of course NATO should adapt to the changing needs of the times, but we believe just as firmly that such change must be wrought by the member nations working with one another within the alliance. Consultation, not isolation, is the route to reform. We must not forget either in success or abundance the lessons that we have learned in danger and in isolation: that whatever the issue that we share, we have one common danger—division; and one common safety—unity.

Statement of President Johnson, September 8, 1966, Press Conference

"I think my Administration's position has been made clear. I stated to Senator Mansfield and I have stated it publicly. My Press Secretary has, also. We told Senator Mansfield that there are going to be conversations with regard to NATO and its many problems, its strengths and its forces.

"We think that the best course for the United States to follow would be for us in collaboration with our allies to first try to realize what strength is necessary, how to equitably apportion it, and to arrive at a joint agreement.

"We do not think that this involves problems that can be solved by a Senate resolution. I already know the sense of the Senate, and certainly the sponsors, and I think of most Senators. That is that we would like to have every boy home that we can possibly have home—that our security would permit us to have home.

"It is not a question of desire. It is a question of necessity. We feel that this will be more wisely handled in the NATO discussions. Every step we take we want to take with the knowledge of our allies, and we would hope with their approval."

Excerpts From President's Lancaster Speech, August 1966

"We may have differing viewpoints and differing interests, but we are not alone in understanding that vigilance and courage and cooperation are the price of freedom and the pillars of a safe world order in which men can improve the quality of their lives without fear of violence.

That is why fourteen members of NATO work together to preserve what we have built with such long and patient labor. In time it may be that reduced Soviet forces in East Germany or new military technology will permit some of our forces committed to European defense to be transferred. But this is a decision all of us in NATO must arrive at together. We shall not carelessly weaken the proven instrument of security for the 500 million people in the Atlantic world."

From Johnson-Erhard Communique, September 1966

President Johnson and Chancellor Erhard discussed fully the problems of Atlantic Security. They agreed that tension in Europe is less acute. Yet a basic threat to security persists and the Atlantic Alliance continues to be the vital condition of peace and freedom. They reaffirmed the determination of the two governments to maintain the strength of the Alliance and its integrated defense and to adjust it to the requirements it will face in the coming years. They agreed that a searching reappraisal should be undertaken of the threat to security and, taking into account changes in military technology and mobility, of the forces required to maintain adequate deterrence and defense. This review should also address the question of equitable sharing of the defense and other comparable burdens, and the impact of troop deployment and force levels on the balance of payments of the United States and United Kingdom, and take into account the effect on the German economic and budgetary situation of measures designed to ameliorate balance of payments problems.

The President and Chancellor agreed that it would be desirable to have conversations in which the United Kingdom would be invited to participate along with the Federal Republic and the United States, to examine these questions, in the consideration of which all the NATO allies will wish to participate.

The President and Chancellor worked on the problems which have arisen under the existing offset arrangements between the Federal Republic and the United States. The Chancellor assured the President that the Federal Republic would make every effort fully to meet the current offset agreement insofar as financial arrangements affecting the balance of payments are involved. The Chancellor explained to the President that the Federal Republic would not in the future be able fully to offset the foreign exchange costs associated with the stationing of U.S forces in Germany by the purchasing of military equipment. It was agreed that that question would be one of the problems to be considered in the tripartite conversations.

STATEMENT OF SECRETARY RUSK TO THE JACKSON SUBCOMMITTEE, JUNE 16, 1966

In the (June 8, 1966) NATO Communique I point to a very short paragraph in which all 15 members of NATO including France joined in the statement that:

"In view of the basic aims of the Soviet Union, the level of its armed forces, and its continuing allocation of a high proportion of economic and technological resources for military purposes, the Ministers concluded that it is imperative for the West to maintain adequate forces for deterrence and defense."

I think, sir, that a real answer to your question has to recall some of the things that have happened before. In 1945 the West disarmed on a massive scale and so precipitately that by 1946 we did not have, as you will recall, a division in the Army ready for combat or an air group in the Air Force rated ready for combat.

We dropped our defense budget down rapidly toward the $10 billion level. We ourselves went into the United Nations just 20 years ago today—day before yesterday—to propose through the Baruch proposals that all nations forgo the use of nuclear weapons and use nuclear energy only for peaceful purposes.

Now, that rapid demobilization may very well have subjected Mr. Stalin to intolerable temptation. In any event he began to put pressures on the West. There was the guerrilla action in Greece, the blockade of Berlin, seizure of Czechoslovakia by Communist troops, and other items of that sort.

It became necessary for the West to rebuild its defenses. Now, part of the reason why there is a sense of some diminished threat is the prudence which comes from the recognition that the use of military force will not succeed; and so we are not yet in a position to say or to be able to recommend that the West once again unilaterally begin to cut down its forces.

After all, there are more than 20 Soviet divisions still in Germany. There is some speculation as to whether they will maintain their forces at that level, but they are there. There are powerful forces associated with them: air, missiles and so forth.

We believe that NATO should follow closely, and indeed the ministers at Brussels took that decision to follow closely, the nature and scale of the threat in order to be able to determine what effort is required by the NATO countries themselves.

Without pointing fingers at any particular country, I would report to you gentlemen that we did make the point that we should not develop a double standard in NATO. When we talk to other members of NATO about the scale of effort required by them to meet their part of agreed NATO defense arrangements we are likely to run in some countries into a sense of detente, the feeling that the threat is diminished. When it comes to the U.S. forces, we encounter the second standard; that is, that our forces must be based on the sense of confrontation, threat, and danger. These two points of view must be brought together for a common determination by all of the NATO governments in order that we can all move together and in the same attitude with respect to the threat.

I do not believe, Mr. Chairman, that it would be appropriate for us to take up the question of reduction of major forces of the United States in Europe at the present time. What the long run will hold will depend upon what Eastern Europe does, how East-West relations progress, the deployment of Soviet and other forces, and the agreed judgment of all of the NATO countries on the nature of the threat and the nature of the measures needed to reduce the threat.

I do believe, myself, sir, that if there is an element of prudence in Eastern Europe it is not unconnected with the fact that since 1947 the NATO countries have spent more than a trillion dollars on their defense budgets.

We should be very careful about repeating our experience of 1945, when rapid and unilateral demobilization invited pressures from the East.

SUBSEQUENT STATEMENT, JUNE 16 HEARINGS

I think, sir, we have to recall that NATO was organized in order to strengthen the defense of the West against pressures from the East. From the point of view of the military requirements of NATO, this necessarily is related to the state of military organization and deployments on the other side. We don't know whether there could be some changes on the other side in this matter. There has been some press speculation in the last few days that some of the meetings held on the other side might have something to do with this question.

The Defense Ministers of the Warsaw Pact apparently met. There is a meeting of high military officials of the so-called northern tier countries of the Warsaw Pact in Berlin. It may be that these questions are being looked at on their side. But the important problem is that the NATO forces seem to be close to the minimum level that prudence requires, given the size of deployment of forces on the other side.

If we resolve some of these outstanding political issues, such as the reunification of Germany, or get on with more far-reaching disarmament measures, this could affect such questions. I do believe that the NATO Council ought to look again, as we asked them to at the last meeting, at the nature of the threat, and consider again what would be prudent for the NATO countries to do with respect to whatever that threat is, in order that we have a single view of that—try to have a coordinated view—rather than independent speculations by each government on its own.

STATEMENTS OF SECRETARY OF DEFENSE ROBERT S. MCNAMARA TO JACKSON SUBCOMMITTEE, JUNE 21, 1966

There are indeed many pressures for reducing the size of these forces, a size which was determined in earlier years under different conditions. There is the fact that our Western European friends have recovered their prosperity, their strength and their consequent ability to put into the field larger forces than in the past.

The continuing adverse effect on our balance of payments of maintaining more than 200,000 men in Germany cannot be ignored.

There is, also, the rapidly increasing airlift and sealift capacity of the US defense establishment, requiring us to revise our traditional ideas about the time and effort required to put major combat forces into the field at widely different places around the globe. There is the recognition by our potential adversaries of the solid strength of the alliance.

All these pressures for the reduction of the current level of US forces in Europe are legitimate. They must be seriously considered, as a matter of joint responsibility within the alliance as well as a matter of US policy. However, these pressures must be weighed against the political and military security needs of the United States and its allies, and it should be clearly understood that the US has no plans to diminish its combat capability in Europe or to remove major units from the Seventh Army in the present circumstances.

ADDITIONAL STATEMENT, JUNE 21 HEARINGS

I said categorically and I wish to emphasize again, it would be unwise for our nation to reduce its combat capability in Western Europe. I distinguish between combat capability on the one hand and personnel strength and financial expenditures on the other.

At the present time we have in France and Germany about a million and a half tons of supplies, roughly split half and half between France and Germany. We think as a result of a very substantial modernization program in the 7th Army in the last two or three years in which we have almost re-equipped that Army with modern equipment, the most modern in the world, that we will have out of that million and a half tons of stock about 300,000 tons that represent excess, obsolete, surplus equipment, that we can effectively take out of those inventories and move into some other inventories in Europe for military assistance programs or back to this country or simply dispose of on the spot as salvage, after mutilating the equipment so that it can't be used for military purposes.

The withdrawal of 300,000 tons will not reduce the combat capability of Western Europe. It may reduce the number of people we require to tend the stock. Hopefully it will reduce the cost of maintaining the stock. But it will not reduce the combat capability. I emphasize this because sometimes there is a misunderstanding between combat capability on the one hand and dollars of expenditures or tons of equipment or numbers of men on the other.

Additional statements, June 21 hearings

In fiscal 1961 the foreign exchange expenditures by the United States for military operations abroad approximated $3 billion. Offset against that were receipts from the sale of U.S. produced military equipment of about $300 million. Therefore, there was a net foreign exchange cost for military operations approximating $2.7 billion.

That was reduced by a billion dollars between fiscal '61 and fiscal '63. In 1963 therefore the foreign exchange cost of defense operations abroad, net of receipts for military equipment sales, was $1.7 billion. That was reduced still further, to about $1,400,000,000, if I recall the figure correctly, in fiscal '65 prior to the time of the rapid expansion of the Southeast Asia operations.

Now the reduction was the result of two programs: one to hold expenditures down despite rising price levels abroad, and the other to obtain increased receipts in foreign exchange from the sale of U.S. military equipment. In particular, an agreement was negotiated and remains in effect with Western Germany, under the terms of which she has agreed to procure from the United States military equipment in quantities sufficient to offset the foreign exchange cost of U.S. operations, military operations, in the Federal Republic. Under the terms of that agreement, she has agreed to buy $1,350,000,000 worth of equipment in the two-year period ending 31 December 1966.

We have similar relationships, not as formal, but with somewhat the same results, with the United Kingdom and Italy. Under the terms of those, we are selling to them quantities of goods and services which tend to offset the foreign exchange expenditures by the U.S. for military operations in those nations. We expect that over a period of years these offsets will occur. In fiscal 1965, '66 and '67—I am going to use those three years, because there are certain abnormalities and irregularities among them—the total foreign exchange cost, net of receipts, for U.S. operations in NATO Europe will average approximately $375 million per year. We expect that to drop in subsequent years, assuming a continuation of the agreement with the Federal Republic as sales to certain other NATO nations increase, sales already made, but deliveries of which have not yet been consummated.

GOP SEEKS SHIFT ON EUROPE POLICY—HAS WHITE HOUSE SUPPORT IN EFFORT TO TAKE INITIATIVE IN SENATE FROM DEMOCRATS

(By John W. Finney)

WASHINGTON, Feb. 12.—With the tacit support of the Administration, a group of Senate Republicans will attempt this week to seize the initiative from the Senate Democratic leadership by proposing a broad re-examination of United States policy toward Europe.

The move, which is drawing support from the liberal and conservative wings of the party in the Senate, centers on a resolution being drafted by Senator Jacob K. Javits of New York.

The resolution, to be introduced Wednesday, ostensibly lays down a legislative mandate for future United States troop commitments in Europe. But the political purposes of the resolution extend far beyond its specific language.

REAFFIRMATION IS GOAL

With the resolution, the Republicans hope to initiate a debate on United States European policy similar to the one 16 years ago when the Senate, after weeks of debate, passed a resolution approving the Truman Administration's decision to station six divisions in Europe as the United States contribution to the North Atlantic Treaty Organization.

The Republicans are not seeking to challenge this decision of 1951, which has been the cornerstone of United States policy toward Europe. Rather, they are seeking to reaffirm, but modify, the decision to reflect changing political, technological and military conditions.

In the process, they hope to cast their party in a more positive role on foreign policy, particularly by challenging a move by the Senate Democratic leadership to reduce the United States military commitment in Europe.

The Republican resolution is being offered as an alternative to a resolution reintroduced last month by Senator Mike Mansfield of Montana, the Senate Democratic leader, with the support of most of the Senate Democratic Policy Committee.

While both are designed as amendments to the resolution of 1951, the Mansfield and Republican resolutions differ radically in tone and substance.

The Mansfield resolution calls for the United States to make "a substantial reduction" unilaterally in its forces in Western Europe. The Republican resolution reaffirms the necessity of maintaining "substantial and effective" combat forces in Europe, while suggesting that "redeployment of some" of the forces could be worked out in consultation with the NATO allies.

The Mansfield resolution focuses on the military reasons, such as improvements in weapons and transportation, for a troop reduction.

The Republican resolution goes beyond the military considerations in suggesting that United States troop commitments should also be based on the changing political situation between East and West, the strengthened economies of Western European countries, the balance of payments difficulties of the United States and improvements in United States logistical capabilities to deploy troops to Europe.

The argument being used by Senator Javits in rallying Republican support for his resolution is that the Mansfield resolution is too narrow in focusing only on the military issue of a substantial troop reduction.

The Republican resolution is deliberately given a broader focus to include the political, technical and economic as well as military factors in the hope that a "full-dress Senate debate" will be stimulated into all aspects of future United States policy toward Europe.

Like the Mansfield resolution, the Javits resolution is expected to be referred to a joint subcommittee being formed by the Senate Foreign Relations Committee and the Armed Services Committee to examine future United States troop strength in Europe.

The plans for the subcommitee are still indefinite, but the hope of the Republicans is that enough support can be gathered for the Javits resolution to force hearings with a broader focus than originally contemplated for the Mansfield resolution.

In drafting his resolution, Senator Javits was reliably reported to have been in consultation with high ranking Administration officials and to have received their tacit support in his move.

The Administration has indicated its opposition to the Mansfield amendment on the ground that future United States troop strength in Europe was a matter that should be decided in consultation with the NATO allies rather than in a unilateral manner by the Senate.

GOP APPROACH FAVORED

Administration officials were understood to have made clear that they favored the approach embodied in the Javits amendment, although they could not commit themselves publicly because to do so would have them favoring a Republican resolution over one sponsored by Democrats.

The Javits amendment has already received the co-sponsorship of three Republican Senators—Thruston B. Morton of Kentucky, who has played a major behind-the-scenes role in drafting the amendment and gathering support from conservative factions of the party; Hugh Scott of Pennsylvania and Robert P. Griffin of Michigan.

By the time the resolution is introduced, it is expected to have the co-sponsorship of at least six other Republican Senators.

PLAN FOR RESTUDY OF NATO APPROVED—MEMBERS TENTATIVELY BACK SEARCH FOR MODERNIZATION

(By Henry Tanner)

PARIS, Feb. 15.—Representatives of 15 Western nations, including France, tentatively approved today a procedural plan for an ambitious study of the ways in which the Atlantic alliance could be modernized.

The procedure was proposed to the Permanent Council of the alliance by Foreign Minister Pierre Harmel of Belgium.

It calls for the creation of a commission consisting of high officials from all member countries meeting under the chairmanship of Manlio Brosio, Secretary General of the North Atlantic Treaty Organization.

The commission, with the help of outside experts, will analyze such questions as the respective roles of the United States and Europe within the alliance and the basic long-range improvement in relations with the Communist bloc. It will then draw conclusions on how the aims, methods and possibly the structure of the alliance should be changed.

RATIFICATION EXPECTED

Today's council decision is expected to be ratified by the member governments during the coming week. It is regarded as significant because it constitutes the first practical step toward what most diplomatic observers here believe will eventually be a fundamental transformation of the alliance.

The Brosio commission's first report will be submitted to the foreign ministers of the 15 member countries at their meeting in June.

Mr. Harmel's proposal for a basic reappraisal of the alliance was first discussed and approved in general terms by the foreign ministers at their meeting here in December.

At that time, the majority of the European governments expressed the conviction that the threat of Communist military aggression no longer existed, or at least had been drastically diminished, and that the military role of the alliance therefore should be reduced in favor of political and economic activities.

BELGIAN PROPOSAL

The Belgians at the time also revived the idea that the European members be linked in a special close "partnership." Such a partnership, they argued, would strengthen the influence of Europe in the alliance and thus would reduce, to some extent, the dominating role of the United States.

The special European partnership was mentioned by Mr. Harmel again today as one prospect that should be studied by the new commission.

French diplomats feel that the process of self-appraisal by the Atlantic alliance is traceable to the initiatives of President de Gaulle.

They regard it as a justification of Gaullist policies and say that while the French President was standing alone a year ago, representatives of more and more member governments now sound like him when they call for overtures to the East, for reduction of NATO's military role and for a correction of the imbalance between Europe and the United States.

A Belgian official, speaking privately today, said, "One need not be Gaullist" to see that Europe and the United States have been playing vastly unequal roles in the alliance.

The United States has consistently taken the position that it would be a good thing if the European members played a greater role and if the impression that the alliance is dominated by the United States is corrected. This position was stated again today.

REPUBLICANS ON THE GO

(By Joseph Kraft)

The Republicans return to Congress from their Lincoln Day exercises with intimations of great things to come.

For if the Republican moderates can only stop reaching for the headlines, there will be opening up a way to envelop the undiscriminating anticommunism that from Harding to Goldwater has served as the political base of the Republican backwoodsmen.

The instrument for this change is a resolution originally prepared by Sen. Jacob Javits of New York and then taken up by Sen. Thruston Morton of Kentucky. Ostensibly, and this is its beauty, the Javits-Morton Resolution isn't about communism at all. It deals with the subject of American troops in Europe.

To be more specific, it is a Republican counterpart to a resolution sponsored by Democratic Majority Leader Mike Mansfield of Montana. The Mansfield Resolution was introduced last summer, and referred last month for consideration in joint sessions of the Military Affairs and Foreign Relations Committees. It provides for "substantial reduction" in the force of six American divisions now being maintained in Europe as part of the NATO commitment.

The Javits-Morton resolution also raises the prospect of a reduction in the American military presence on the Continent. But it does so against a far wider background than the Mansfield Resolution.

For one thing, the Javits-Morton Resolution is set in the context of the economic recovery of Western Europe. It asks for more cooperation from the Europeans especially if they are relying on American defense assistance, in easing this country's balance-of-payments problem.

More important still, the Javits-Morton

Resolution is set against the background of East-West relations. It fixes troop reduction as one of many elements in a general move towards detente. It indicates, in particular, the desirability of a mutual winding down and thinning out of the military confrontation in the center of the Continent.

Indeed, the reach of the Resolution is so broad that some of the enthusiasts in the Javits office believe that it will touch off a replay of the "Great Debate" precipitated in the Senate 15 years ago by the resolution which authorized the dispatch of the six divisions to the Continent. I am inclined to doubt that—if only because the country has become so accustomed to having troops abroad.

But is clear to me that the Javits-Morton Resolution represents a thoughtful approach to a difficult problem. For that reason it can command the support of the most sophisticated Republican Senators—and notably the six freshmen who have shown so well.

It is also clear that the Javits-Morton Resolution is an improvement on the Mansfield Resolution. It represents a potential Republican product manifestly superior to the present Democratic product. And if the claims advanced over the weekend for Sen. Javits' authorship can be softened to appease the conservative Republicans, the Resolution could perhaps be sold to all the Senate Republicans as a party position.

Even if that happened, to be sure, there would be no moratorium on sterile anti-communism in the Republican ranks. But the Republicans would have officially endorsed a process leading toward international detente. They would have at least accepted the possibility of an easing of cold war tensions—or coexistence.

With that principle legitimized, taboos on such matters as East-West trade and the consular convention with Russia would fall away. Most important of all, a deliberate policy of seeking a settlement in Vietnam would become acceptable. The Republican Party would be in transition toward the flexible stance it needs for the 1968 elections.

JAVITS TO ASK REVIEW BEFORE EUROPE CUTBACK

Sen. Jacob K. Javits and a team of Republican associates are preparing to introduce a resolution seeking a broad study of U.S. policy in Europe before any troop cuts are ordered.

The New York senator now has three Republican cosponsors for the measure he plans to introduce Wednesday and is seeking more.

His resolution would align its backers against the position taken by the Senate Democratic leadership, which supports a resolution seeking a substantial, unilateral reduction in American forces stationed in Europe.

"This is aimed pretty directly against the (Senate Democratic leader Mike) Mansfield, resolution," a Javits aide said.

Javits is hopeful of enlisting Senate Republican Leader Everett M. Dirksen as a cosponsor of his resolution.

Javits has conferred with administration officials on the measure he is about to offer. But he is not claiming administration backing.

However, his associates contend the White House would prefer the Javits proposal, with its call for a broad review of U.S. policy, to the Mansfield resolution, suggesting an immediate troop cutback.

At the same time, Javits considers his resolution an opportunity for a new, united Republican initiative in the foreign policy field.

The wording of his lengthy resolution still is being revised in an effort to attract additional sponsors.

But its basic intent is to put the Senate on record as favoring a restudy of the political, diplomatic and economic situation in Europe—as well as the military picture.

Javits contends the Mansfield resolution aims only at the military aspect of a complex situation.

The Republican proposal would insist on the presence of substantial, effective U.S. forces in Europe, but would declare that some American troops "could be redeployed on consultation with Allies."

Javits cosponsors now include Thruston B. Morton of Kentucky, Hugh Scott of Pennsylvania, and Robert P. Griffin of Michigan.

[From the Washington Post, Feb. 15, 1967]

HOW GREAT A DEBATE?

Somehow, the time never seems to be quite right for doing anything about the Western Alliance, which is why nothing much more than talking has been done in the last decade or so to bring obsolete institutions and outmoded strategy up to date. Always, somebody is having an election or an economic crisis or something that makes it inconvenient to act.

Now, the irony is that diverse and delicate forces are actually conspiring to bring about constructive reform, perhaps on a grand scale, and along comes a group of Republican Senators with a draft resolution on Europe and the firm intent of generating a Great Debate.

On the face of it, the timing of Senators Javits, Morton and other rebel elements, in challenging their own party chieftains as well as the Democratic leadership on the European issue, could hardly be worse. A year ago, when President de Gaulle of France was shaking the North Atlantic Treaty Organization to its foundations, by expelling its headquarters and all American troops, might have been more appropriate. Since then, Senate Majority Leader Mansfield and leading Democrats have put forth a resolution calling for a "substantial" and unilateral withdrawal of U.S. forces in Europe and former President Eisenhower has suggested that the withdrawal could include all but two of the six American divisions now based in West Germany. The Administration, meantime, has quietly been trying to work out a much more orderly and thoughtful NATO overhaul, based on a careful reappraisal of the Soviet threat and on an expert analysis of how improved technology might enable the allies to meet the problem with less money and fewer men. The United States has yet to reach its own conclusions on this score, let alone work out a common position with its allies.

Moreover, the next few months will probably bring decisive results from the Kennedy Round of tariff negotiations, from Britain's Common Market membership bid, and from negotiations with the Russians on a nuclear nonproliferation pact, which will profoundly affect the political and economic climate in Western Europe, as well as relations between East and West. All this, in turn, will go a long way to determine what the West should do by itself—or might be able to work out in concert with the Soviets—in the way of enhancing European security. With so many unknowns, the time would hardly seem ripe for extensive, partisan debate.

Yet nobody would begrudge the world's greatest deliberative body its right to deliberate. Still less should moderate Republican elements be discouraged from staking out a realistic position on Europe, even at the risk of finding themselves in alliance with the President against his own Senate leadership.

If the debate, like the Javits resolution, is limited largely to broad consideration of the European defense issue, in all its political, economic and psychological aspects, it could crystallize Republican Party policy constructively, reinforce the Government's determination to push hard for Alliance reform, and refocus attention on a problem too long overshadowed by Vietnam. The debate, in that case, because of the sheer uncertainties existing at this time, may turn out to be something less than great, but no one will be greatly disappointed.

FIGHT LOOMS ON RECALLING GI'S FROM EUROPE

(By Gerry Greene)

WASHINGTON, Feb. 15.—The strangest political battle of the Congressional season is set to open on the Senate floor tomorrow with a band of Republicans challenging Democratic leaders who want to bring the troops home from Europe in a hurry.

Sen. Jacob Javits (R-N.Y.), who has strong Administration "encouragement," is leader of the GOP group which will launch an attack on a resolution by Sen. Mike Mansfield (D-Mont.), the majority leader, demanding an immediate "substantial reduction" in American forces based in West Germany.

With the support of such colleagues as Sen. Thruston Morton (R-Ky.), Edward Brooke (R-Mass.) and Robert Griffin (R-Mich.), Javits will introduce a counter-resolution affirming the requirement that the U.S. maintain "substantial and effective combat forces" in Europe. The Javits measure stipulates that any reduction should be made only after consultation with Nato allies.

This fight is a lot more important than it might first appear. The outcome will have a telling effect on the 1968 elections, for it will serve to sharpen the lines on foreign policy debate.

What the Javits crew has in mind is to start an argument over the question and to needle Mansfield and Chairman J. W. Fulbright (D-Ark.) of the Foreign Relations Committee into a full-blown foreign policy fight right now. They just might be successful, since the Senate hasn't done and isn't doing anything of consequence, anyhow.

The entangled partisan aspects of the fray make it particularly juicy.

Mansfield reached somewhere in outer space last year to find the troop-reduction idea and spring it on the Johnson Administration, which wanted no part of this gratuitous piece of help in management of foreign policy. The cutback of forces in Europe was no new idea. It has been under discussion for years, with an assortment of reasons given, all of which had merit.

The annoying thing to the Administration about the Mansfield resolution, which drew sponsorship from the entire Democratic Policy Committee, was the intrusion into an executive operation. That, and the timing.

Nato affairs were in a sorrier state than usual at the time. French President Charles de Gaulle was at his most difficult over the removal of American bases from his hallowed soil (where thousands of Americans who died for it lie buried), and the question of a changing government in West Germany was most troublesome. Additionally, the U.S. had barely quieted the howl of alarm which sounded when the Pentagon pulled a few seasoned experts out of Germany for Vietnam training and duty.

MANSFIELD RESOLUTION GOES ON SHELF

The session was late and lingering when Mansfield acted; his resolution went on the shelf without inquiry or further noise, to be revived promptly last month.

Javits has been sore about the Mansfield thing from the outset. It isn't that he is opposed to removal of Americans who have been standing sentry duty in West Germany for two decades, but that he thinks any withdrawal should come after careful Nato evaluation of security, economic and political factors and not before.

Apart from what else it might do to Nato, the heavy cutback in American forces now would in reality throw the whole weight of Western European defense on West Germany, a state of affairs which is desired by nobody, particularly the Germans.

President Johnson, with Secretary of State Rusk and Defense Secretary McNamara, have worked overtime in recent months trying to keep the Nato framework together, despite de Gaulle's mischief. Committees are engaged in a reevaluation of force levels and strength requirements which admittedly are obsolescent and out of balance:

Senate advice and consent for shifts in forces may be desirable and even legally necessary, but Senate leadership in directing the changes is a very smelly thing around the White House.

On the face of it, the maintenance of a finely honed American field army in Europe for 20 years after World War II supposedly ended is purely ridiculous.

SIX DIVISIONS IN WEST GERMANY

The U.S. has three mechanized infantry and two other army divisions in West Germany, plus enough strength in smaller units to equal a sixth division. Perhaps none is of more importance than the comparatively small force attached to the Berlin command. For if these men were ever pulled out, few of the experts doubt that it would be long before the East Germans, with a touch of Soviet help, would suddenly move the Berlin Wall to the westward outskirts of the city some dark night.

Javits and the Republicans now coming to the support of the Administration against the onslaught of the Democratic leadership in the Senate are mindful as well that Russia is keeping 26 war-strength divisions in East Germany, Poland and Czechoslovakia. This is an expensive deal for the Soviets and restrictive politically. Those troops might well be needed one of these days along the China frontier.

What makes this pot of political stew really interesting is the fact that the State Department, hearing of the Javits plan, asked to see a copy of his bill and passed along the word it was in substantive agreement with what he was trying to do.

The Democratic leaders seem destined to wind up on a sticky spot. And they won't get any White House help in climbing off this one.

Mr. JAVITS. Mr. President, I have explained the differences between the Javits-Morton resolution and the Mansfield resolution. Also, for the information of Members of the Senate, I would like to state the essential differences between our resolution—what I would like to see called the Javits-Morton resolution, although the press will give it its own name—and the Dodd amendment to the Mansfield resolution. These explanations may be helpful to Members of the Senate and the committee in studying the matter.

A short list of some of the differences would include the following items:

First. The Dodd amendment to the Mansfield resolution makes no mention of the feeling of diminished tension of the West and the Soviet Union. Our resolution not only does this, but it encourages the President to continue his efforts with respect to building the substance of an East-West detente.

Second. The Dodd amendments do not indicate the renewed West European economic strength, and the fact that these Western European partners are asking for a larger voice in a consultative arrangement of NATO.

Third. There is no mention of the balance-of-payments problem.

More generally, while the Dodd resolution does call for a studying of our European relations, it does not offer progressive guidelines for such a study and reevaluation.

My discussion up to this point, even though it has touched on a dozen or so aspects of United States-European relations, still does not exhaust the full range of issues that need to be examined. I would just like to give a sampling of the other issues that require debate.

First, what effect would U.S. troop reductions in Europe, especially during the Vietnam crisis, have on our European partners? Would it indicate to them that we have given top priority to Asia and not to Europe? Would it convince them that President de Gaulle has been right all along, that the United States is no longer prepared to take the necessary risks with its European allies?

And that, as the press is given to say so often, is topic A, because it is a big question in Europe.

I think I have had pretty good experience in Europe in manifold areas of service there. It is a big question in Europe whether De Gaulle is speaking for De Gaulle or for Europe. It is very much in the interest of the United States that we get into a situation of our own making, where we might make it clear whether De Gaulle is speaking for Europe, and not merely for himself or for France.

Second, how would West Germany be affected by troop reductions? West Germany is going through a vital experiment in coalition government, an experiment I applaud, and this coalition has made apparent its desire to cast off many shibboleths of past Germany rigidity on foreign affairs.

For example, it is in the process of abandoning the Hallstein Doctrine, which was satisfactory when it began, but has become unduly restrictive on Germany.

It wants to strengthen its ties and relations with France and it has other tremendous problems arising as a result of a defeated Germany; for example, the problem of acceptance or rejection of the Oder-Neisse line between Poland and Germany.

It wants to strengthen its ties with France and to ease its situation in Eastern Europe and with the Soviet Union. By its own economic strength and military contribution and by virtue of its central position in the cold war, the West German Government will be seeking and should receive a high place in alliance councils and consultations.

Might not any substantial troop withdrawals, at this time, cause the German Federal Republic to feel that we are cutting ourselves off from them, and that they are being set to fend for themselves? During this vital transitional phase in West German policy, does it seem wise to do anything that might dilute their feeling for integration into the Western World? German leaders themselves recognize the fact that German acceptance in the world is intimately tied to its integration in the West.

Third, Mr. President, we must consider the effect of troop reductions on the balance of military forces within NATO. Massive U.S. withdrawals would leave West Germany as the preponderant military power in the alliance. The destabilizing effect of such an eventuality would be enormous. It would undoubtedly influence the behavior of our other European allies.

It would certainly materially influence the behavior of the U.S.S.R. and the central European countries which stand to this very day in mortal fear of Germany—even a truncated Germany. Mr. President, the German leaders themselves do not want to be subjected to such pressures. They hardly want to appear as a major military force, nor do we want them to.

Fourth, we should carefully study the relationship between NATO force levels and our military strategy of flexible and controlled response. Could we maintain that flexibility and avoid the early use of the nuclear option, without the maintenance of effective U.S. forces on the Continent? I ask that as a question.

Fifth, the policies of France under President de Gaulle should have a prominent place in our deliberations. I have called it topic A before, and I mean it. While most of us deplore his tactics, highhanded manner, and the attendant disruption in NATO, we have to look at the substance and spirit of what he says as well. President de Gaulle may well be representative of a European-wide desire for more influence in common policies. We should not allow his voice to become the counsel of alliance fragmentation. We, the United States, should take the lead in making NATO the focal point for the elaboration and coordination of initiatives aimed at achieving reconciliation with Eastern Europe and the Soviet Union, consistent with security, and, I add, in enlarging the European role for other members of NATO themselves.

These and other matters should be the substance of an overall debate in the Senate on United States-European relations. We cannot continue to relegate European problems to the back burner of U.S. interests and attention. Unless we in the Senate act now, we may find that decisions and events have passed us by.

The last thing I wish to say, Mr. President, is that I have seen some editorializers who say we are moving too soon on this matter, that there is no real crisis in Europe. Mr. President, I most humbly express complete disagreement with that idea. The NATO alliance, Mr. President, has undergone a tremendous strain with the pullout of French forces and the transfer of its activities outside of France. We have had a herculean task, Mr. President, to keep the other 14 countries, including ourselves, together.

NATO resolutions expressing unity, Mr. President, as everybody knowledgeable in international affairs knows, are but the tiniest point of the iceberg.

It is what takes place underneath the surface that really will count, in the days ahead. I can think of nothing that will pull the plug on 14-nation cooperation more effectively than the adoption of a resolution by the U.S. Senate saying, "Mr. President, pull out a substantial number of our troops in Europe," thereby showing that we really pay only lipservice to alliance consultation.

Mr. President, I feel it a solemn duty, for myself, Senator Morton, and our cosponsors, to stand in the breach here until power can assemble itself in the Senate adequately responsive to the 44 Senators—and that is a powerhouse—who have sponsored the Mansfield resolution, in the interests of our Nation, so that balance may be restored to this debate.

As someone has said, those who overlook the lessons of history will only relive them. That is what I think we are in deep conscience, seeking to avoid.

Mr. LAUSCHE. Mr. President, will the gentleman yield?

Mr. JAVITS. Mr. President, may I say to the Senator from Ohio that the Senator from Kentucky [Mr. MORTON] is my prime cosponsor, and will wish me to yield to him. However, he has indicated that he is willing that I yield to the Senator from Ohio. I yield.

Mr. LAUSCHE. I was not present during the early part of the presentation of the Senator from New York. I understand that he is proposing a certain mode of approaching the problem of NATO, whatever that problem may be. I should like to ask him briefly to restate the objective of the resolution that is being offered by the Senator from Kentucky and the Senator from New York.

Mr. JAVITS. I think the fundamental objective can be stated in one sentence—Senator MORTON will correct me or supplement my statement if I do not state it properly. I believe the fundamental objective is to achieve consideration in the Senate of a resolution for troop reduction which will be premised upon the review of the whole European picture, including consultations with our NATO Allies, their contributions to the alliance, the balance of payments, U.S. logistical capability, military strategy, and consideration of whether such substantial reduction should properly be an element in an East-West detente rather than stand by itself.

It is our purpose to juxtapose our resolution to the Mansfield resolution, which we believe concludes the affirmative of all of these questions, and directs, insofar as the Senate is concerned, the President to pull out a substantial number of U.S. troops from Europe.

Mr. LAUSCHE. Will the Senator yield further?

Mr. JAVITS. I yield.

Mr. LAUSCHE. I subscribe to the idea that whatever is done should be the result of consultation and discussion with our allies in Europe. We should not act impulsively and unilaterally; the problem is entirely too grave to be approached without complete consultation and an analysis of the tensions that have disappeared and the dangers that are still in existence.

I believe that we can withdraw troops out of Europe, and in that respect lighten the burden we are suffering through the flow of gold into foreign coffers. I shall wish to read what the Senator from New York has said. I think I can subscribe, on the basis of what has thus far been stated, to the general objectives he advocates.

Mr. JAVITS. I am certainly very grateful to the Senator.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. CARLSON. I have just heard the plainest statement yet made by the distinguished Senator from New York in regard to this resolution.

As a cosponsor of the Mansfield resolution, as I heard the discussion here on the floor, I can see where both of these resolutions really lead into the same situation—the need for a thorough discussion of this problem, which concerns not only our own citizens, but those of the NATO countries.

I agree fully that hearings should be held, and that we should have consultations with all the countries in NATO and consider their problems in addition to our own.

On the other hand, I agree with the Senator from Ohio. I personally feel that the time has arrived for us to move some of these troops out of Europe. The Foreign Relations Committee and the Armed Services Committee, I believe, will hold joint hearings on this matter.

As a member of the Committee on Foreign Relations, I assure the Senator that I shall approach the subject with an open mind in the hope that we can work out something which will get some of these troops back from Europe.

I do not believe the need for these troops exists there as it did years ago. The Senator has rendered a great service.

Mr. JAVITS. Mr. President, that is solely the purpose of the Senator from Kentucky and myself, to render a service.

We hope that this legislation will be found acceptable on the Republican side.

I tell the Senator very frankly that in our eyes there is no particular inconsistency in a Senator sponsoring both resolutions. I hope that the Senator will look at it from that point of view.

We think it is a question of doing something that is the very best thing to do for our Nation and for the world. We feel that the moment is timely and that such action is needed.

We felt it necessary to offer an alternative because we think the world generally regards the thrust of the Mansfield resolution, in effect, as being too naked in terms of relationship to our NATO allies and to an East-West detente.

We have tried to supply that element.

I am delighted that the Senator feels our effort is constructive.

The distinguished Senator from Montana [Mr. MANSFIELD] made a statement this morning in which he said much the same thing.

We look forward to the opening of this debate before the joint subcommittee.

Mr. CARLSON. Mr. President, I concur heartily with the thought that these resolutions might well be considered together. I think the resolution that has been offered by the Senator from New York and the Senator from Kentucky calls attention to the fact that we should give serious consideration to a problem that affects this Nation and our allies.

I again get back to the fact that we are going to give this matter much consideration. The committee will give thorough and careful consideration to the proposal, and when we reach an agreement, I think that it will be accepted by the country and by our allies.

Mr. MORTON. Mr. President, I have been associated in many legislative subjects with the distinguished senior Senator from New York. In either 1948 or 1949, the Senator and I, as Members of the House of Representatives, worked up a health program for which we got no political credit, but which ultimately became medicare.

We have worked together these 20 years, and I appreciate very much his including me in the effort and project which he now places before the Senate.

Mr. President, I am proud to join today in submitting a resolution that calls for a reappraisal of the policies that have guided United States-European relations since 1951.

I am no Johnny-come-lately to this subject. I spoke out on it several times last year.

I recognize the political fact that Vietnam is the principal issue in the minds of the people of this country. I can understand that, and anyone else can understand it when every city in the country is receiving casualty lists. However, at the same time we cannot as Members of Congress overlook the fact that basically our destiny lies in our allies and our association with Europe, particularly Western Europe.

The time has long since come to recognize the fact that, vis-a-vis Europe, we are now in an entirely different ball game than that which began nearly a generation ago. We must also recognize that the time has come to devise a new set of ground rules.

Two decades ago, Europe lay in shambles, her people suffering the ravages of war and her governments in fear of domestic upheaval and foreign aggression. In this crisis, bipartisan American leadership came forth with a policy of mutual security and economic development that weathered the storm. More than that, our initiative and bold action led to a period of unprecedented European progress and prosperity.

The role of the U.S. Senate in developing the strategy for success, at that time can justifiably be called our finest hour. The deliberations on the floor of the Senate provided a vital underpinning for national policy, and were the major factor in the gradual acceptance of this policy by the American people.

I observe the distinguished senior Senator from Ohio [Mr. LAUSCHE] in the Chamber. One of his predecessors in the Senate contributed to that great debate, and effectually so, I might say.

We face the same sort of challenge and, indeed, responsibility today. While the American people, and sometimes their leaders, are slow to adapt to abrupt departures from traditional positions, once these positions are established, we tend to cling to them long after they have served their purpose.

I am convinced that our policies toward Europe and our alliances there, toward Russia and her eastern European neighbors, and toward a prosperous Europe and the less developed continents have become so accepted, so stagnant, and so solid that they no longer move with the times. Make no mistake about it, it will take an all-out reassessment of these policies and of the mass psychology that has formed in support of them, if our national leaders are to be able to bring the United States once again into the position of free world preeminence that we have held for two decades.

It is encouraging to note that efforts are now being made to take another look at the structure and objectives of the North Atlantic Treaty Organization. The United States is currently discussing military commitments and financial responsibilities with representatives of Great Britain and Germany. Yesterday, in Paris, the NATO organization itself proposed that a broad study be made of the ways in which the Atlantic Alliance can be modernized.

But these talks and studies are limited in their scope, and will be limited in their effect. The range of American and European interests far transcends levels of troops and balance of payments. In fact, they go far beyond the structure and intent of NATO itself.

I believe it is essential that the Senate soon consider some of the basic issues of our European policy, including the strong evidence that we are overcommitted in our troop strength there. At the same time, I believe that we can only reach a meaningful decision on military policy after we have carefully examined the whole fabric of American involvement in Europe, where it has taken us, and where we go from here.

I believe it is essential that we address ourselves to some of the problems that now face the peoples of Europe and America, problems and opportunities that will have a far greater impact than military alliances.

Among the subjects that must be discussed in the Senate are the expansion of East-West trade, nonproliferation of nuclear weapons, and a coordinated American-European effort to assist the underdeveloped nations. If this resolution, and others, can lead to intelligent, constructive, and bipartisan—and I emphasize "bipartisan"—discussion of the major issues that will profoundly affect the future of our relations with Europe, and our joint relations with the rest of the world, then our national interest will have been well served.

I salute my friend, the senior Senator from New York. I commend him. I am sure that in the last two days we have made it abundantly clear that we are trying to do something positive and are not trying to start any internecine warfare in our own party.

Mr. JAVITS. Mr. President, I am grateful to my colleague, the Senator from Kentucky. I think that we have a real going policy confrontation. Without him, it would have been just one Senator with a point of view. This is all the difference between day and night.

Also, Mr. President, in summing up our discussion, I should like to say that we should sail between the Scylla of a sterile anticommunism, which neither of us is for, and the Charybdis of unilateral action by the United States. We should not make our decision out of exasperation, or because the NATO powers have not come through, or because the shoe pinches in some other way.

Mr. President, I will count it a signal service to our country if, on the anvil of debate beginning before the joint subcommittee, we can come to a solution that is fair to the young people of America, for whom we are the trustees in terms of policy. We cannot possibly see the end of these policies, certainly not in my lifetime and probably not in the lifetime of most of the others in the Chamber; but we can be honorable trustees, ready to shape our policy to the times, not just the immediate times but also the road ahead, as we see it. It is in that sense that I feel we have acted today.

SENATOR SCOTT JOINS IN RESOLUTION TO OPEN DEBATE ON UNITED STATES-EUROPE POLICY

Mr. SCOTT. Mr. President, I am joining other Senators in introducing this resolution in the hope of initiating a broad-gaged Senate debate on U.S. policy toward Europe.

In supporting this resolution, I want to emphasize my opposition to the proposition that there can be a "substantial reduction" of U.S. troop strength in Europe "without adversely affecting either our resolve or ability to meet our commitment under the North Atlantic Treaty." That proposition is embodied in Senate Resolution 49 which is sponsored by an imposing array of Senators led by the distinguished and beloved majority leader.

Let me make clear that I appreciate the sincerity of the motives which inspired the majority leader to introduce his proposal—first last summer and again last month. I share his concern with our balance-of-payments difficulties, with which, may I say, the Johnson administration regrettably has failed to come to grips. I also share his view that it is entirely proper for the Senate, in its constitutionally mandated role as adviser to the President on foreign policy, to express its views on the matter of the size and disposition of U.S. military forces in Europe.

I oppose Senate Resolution 49, however, for two reasons: First, a substantial reduction of U.S. troop strength in Europe at this time would be unwise; indeed, it would be dangerous; and secondly, the question of the size and deployment of U.S. military forces in Europe is in and of itself too narrow.

I am fully aware of the changes which have occurred in Europe since the signing of the North Atlantic Treaty 18 years ago. Fantastic developments in weapons technology undoubtedly have altered the requirements for the defense of the North Atlantic Treaty area. The more civil behavior of the Soviet Union and the growing interchange of persons and goods between East and West have undoubtedly encouraged a mood of lessened tensions in Europe.

But mood and reality do not always coincide, Mr. President. I suggest that there is a close correlation between the successful deterrent posture of NATO and the circumspect behavior of the Soviet Union in recent years. The Soviet Government has acquired a healthy respect for NATO's defense capability and our willingness to employ it if necessary. The success of NATO in accomplishing its mission so far is a tribute to the vision and wisdom of such men as Harry Truman, Arthur Vandenberg, Dean Acheson, and Christian Herter.

Despite NATO's success—and it has been successful despite some difficulties of recent years—this is no time to relax. The leopard, while toning down his formerly truculent attitude, has not changed his spots. We must be ever mindful of the fact that the Soviet Government has not renounced its expansionist ambitions. It covets the North Atlantic region as the prize of the cold war. It still seeks the disintegration of NATO, the bulwark of Western Europe's and our security, because NATO remains the obstacle blocking the path to Soviet hegemony over all Europe.

I perceive no change whatever in the fundamental purpose and position of the Soviet Union with respect to Europe. Accordingly, the withdrawal of a substantial portion of U.S. forces presently stationed in Europe would be dangerous. Our balance of payments problem may be serious, but it soon would be overshadowed by the grave and immediate threat to our security resulting from what, under present circumstances, would amount to a unilateral U.S. withdrawal from Europe.

This is not to say that the matter of U.S. troop strength in Europe is not a proper subject of debate. Indeed, our resolution states that it "is properly an item for determination, in consultation with our NATO allies." At the very least, however, any significant reduction of U.S. troop strength in Europe must be accompanied by a reciprocal withdrawal of Soviet forces from East-Central Europe with appropriate safeguards, including inspection.

Postulated in this manner, the question of the size and deployment of U.S. forces in Europe can be considered only in a broader framework alongside other issues. Accordingly, the Senate should more appropriately focus its attention on the North Atlantic Treaty Organization, but as an agency charged with the defense of Western Europe and the rest of the North Atlantic region and as an agency in which its members can forge a common policy with respect to the future of Europe—politically and economically as well as militarily. This is what our resolution seeks to encourage, and on that basis I urge its early consideration.

Mr. JAVITS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRUENING. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNITED STATES-U.S.S.R. CONSULAR CONVENTION SHOULD BE RATIFIED

Mr. BARTLETT. Mr. President, breaks, in the Iron Curtain which has separated the Communist and free worlds for more than 20 years, have been rare indeed. When they do occur, I for one, favor sticking in a wedge to assure that they do not close. I firmly believe that the key to the survival of mankind lies in our ability to penetrate the curtain of fear, suspicion, and hostility which has divided not just our country and the Soviet Union but much of the world into warring camps in an undeclared war. The delicate balance of terror and power upon which the fate of man has depended since the end of World War II is intolerable.

A break in the Iron Curtain occurred in 1964 when representatives of the United States and Soviet Governments, after lengthy negotiations begun during the Eisenhower administration, finally decided upon a consular convention. In that convention, the Soviet Union expressed its willingness to make what are for it unprecedented concessions—concessions important for the safety of U.S. consular personnel in the Soviet Union and for the increasing thousands of Americans who visit that country each year.

During the 2½ years which have elapsed since the treaty was negotiated, it has awaited the consent of this body to its ratification. In that time, charges have been made that our country is being sold down the river; that the President, the Secretary of State, and others have become the unwitting dupes of the Communist conspiracy; and that this convention will, in effect, release hoards of Soviet spies and saboteurs among us. Those charges disturbed even some of us whose initial reaction had been that this treaty was the kind of break in the Iron Curtain for which we had been waiting. Two and a half years have passed, and still we have not acted on this treaty. The issue is persistent, however, and once again at this, the beginning of the 90th Congress, it comes before us, and once again, we are called upon to make up our minds.

Mr. President, with this rather lengthy introduction, I rise today to express my support for the proposed consular convention, to expound my reasons for doing so, and to urge my fellow Senators to join me in supporting the convention. Although the treaty consists of 30 articles, and at first glance, has a somewhat formidable appearance, its basic provisions actually are few and relatively simple.

First, the convention obligates the Soviet Union to inform American authorities within 3 days of the arrest or detention of an American national. Second, it permits American authorities to visit and communicate with such American citizens within 4 days of their arrest or detention, and permits such access on a continuing basis. Finally, unlike other consular conventions, this *one grants full immunity from the criminal jurisdiction of the receiving state to consular officials and employees of the sending state. This means that American consular personnel serving in Russia need not live there under the fear of being arrested on charges, real or manufactured. It means also, of course, that* Soviet consular personnel in this country would enjoy similar immunity.

To clear some of the confusion surrounding this proposed treaty, let me mention one important thing which it *does not authorize. It neither proposes* nor authorizes the establishment of any consulates in the United States or in Russia. Under our Constitution, it has always been the prerogative of the President to enter into agreements with foreign countries for the reciprocal establishment of consulates. With or without the treaty, the President could agree tomorrow to the establishment of Russian consulates in this country and American ones in Russia. Without this treaty, however, American consular officials would be subject to Soviet law and thus could be arrested at any time as espionage agents or for the commission or purported commission of any other act which Soviet law defines as criminal.

With the treaty, this threat would be lifted.

It has been stated that granting immunity to our criminal laws to Soviet consular officials would turn loose hoards of Soviet spies in our cities and would make the activities of the FBI against such espionage much more difficult. If we assume that all Soviet consular officials are also spies what is the magnitude of the problem which would confront us?

Let us say that the President were to agree to the opening of one Soviet consular office in this country in exchange for one in the Soviet Union. Each office would have a staff of no more than 10 to 15 people, and the impact of these additional people upon our national security would seem to me negligible. There are now 1,018 Soviet citizens in the United States. Of these, 452 are with either the United Nations or the Soviet Embassy in Washington and have diplomatic immunity. Whether we add 10 or 15 people to the 452 who have immunity or to the remaining 566 who do not, would depend entirely upon whether this treaty is ratified. In terms of national security, it seems almost inconsequential to which group they are added. The risk we assume would be identical. The lack of diplomatic immunity is not likely to deter Soviet espionage or lessen the job of those Federal officials responsible for keeping tabs on Soviets in this country. While granting immunity would take from us the power to punish for violations of our laws, it seems unlikely that it will make espionage any easier.

I am sure that a group as sophisticated in the ways of the world as we are need not be reminded that the Soviet Union has no monopoly on espionage. Reluctant though some of us may be to admit it, this country too has its espionage agents. They are in Russia, as they are elsewhere in the world. They come in a variety of guises. Although not ordinarily regarded as espionage, part of the job of consular and diplomatic personnel is to keep their eyes and ears open for bits of information which might prove useful to their country. The receiving country, be it the Soviet Union or the United States, is equally conscientious in its attempts to assure that no infor*mation vital to its security comes into* the hands of foreign agents. It is a kind of international game, a game with unusually high stakes, however.

Fundamental differences in the character of the societies of the two countries *make it more advantageous for us to* have consular officials in the Soviet Union with diplomatic immunity than for the Soviet Union to acquire such immunity for their consular people here. Ours is an open, free society in which an abundance of information useful to a potential enemy is readily available through a variety of public and private sources. Maps, for example, pinpointing the locations of powerplants, major industries, railroad lines, bridges, military bases, and airfields can be obtained upon request at minimal cost by anyone who wants them.

In the Soviet Union, a basically closed society, access to such information is not ordinarily available. In addition, many other acts which an American would believe to be perfectly innocent might assume a sinister character if performed in the Soviet Union. The chances of an American being arrested for alleged subversive activity become proportionately greater, therefore. It is a matter of record how many Americans have been arrested on charges of espionage against the Soviet Union and have been held incommunicado for exceedingly long periods. How many cases could be cited of Americans who having been held for such long periods and having had confessions extracted, are then brought to trial and summary justice before a Soviet tribunal? Could it be clearer than that this consular convention will provide greatly needed protection for our consular personnel in the Soviet Union? Could it not be equally clear that the provisions of the convention which would affect American visitors to the Soviet Union are just as crucially needed, since tourists are just as vulnerable?

In view of the risks they run, opponents of this treaty have suggested that Americans simply not be permitted to visit the Soviet Union. Some few have also suggested that there is something disloyal about an American who visits the Soviet Union and that any who choose to do so deserve whatever happens to them. The second suggestion is not worthy of comment; to the first I could not subscribe, since I firmly believe that restrictions such as it would impose are inimical to our free society.

Built into the convention are provisions which should provide some protection against subversion by Soviet consular officials. First, the United States would have the right to declare consular officers persona non grata and consular employees unacceptable. Second, although they would be immune from prosecution under our criminal laws, consular personnel would be obliged to respect our laws and regulations—even traffic regulations—and, failing to do so, could be expelled. Third, officers and employees of a Soviet consulate would be subject to the same visa screening and entry controls as officers and employees of the Soviet Embassy. Fourth, if there were general abuse of the convention's provisions, the treaty could be terminated by either party on 6 months' *notice.*

I am not so naive as to believe that these provisions would inhibit Soviet attempts to use consular personnel for subversive activities. What I do suggest is that the provisions of the treaty would *make this considerably more difficult* and offer adequate recourse in the event that consulates were to be used for that purpose.

Despite these safeguards, it is conceivable that Soviet consular personnel will attempt to engage in subversive activities. I cannot imagine, however, that keeping track of the whereabouts and activities of a relatively small number of Soviet officials whose identities are known would post any insuperable problem for any agency with the enormous capabilities of the FBI. The FBI has handled vastly more difficult problems in a magnificent manner. Much more of a problem, it would seem, are the Soviet agents whose presence we suspect but whose identities are unknown.

As against some 700 or 800 Soviet citizens traveling in this country, approximately 18,000 Americans traveled to the Soviet Union last year. Just this great difference in numbers makes it all the more imperative that we consent to the ratification of this treaty which will bring greater safety to those travelers. Clearly, the balance falls in our favor.

Mr. President, I submit that we in the United States must do all we reasonably can to relieve the tension, fear, mistrust, and hostility which have characterized this aspect of our international relations. I think that the consular convention will help do that, and to that end, I intend to vote in favor of ratification.

NOTICE OF EXPECTATION TO CONSIDER DEBT LIMIT BILL NEXT TUESDAY

Mr. MANSFIELD. Mr. President, after consultation with the minority leader, the distinguished Senator from Illinois [Mr. DIRKSEN], I wish to announce that if, as anticipated, the debt limit bill is reported this week, it will be taken up by the Senate on Tuesday next.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE REORGANIZATION ACT OF 1967

The Senate resumed the consideration of the bill (S. 355) to improve the operation of the legislative branch of the Federal Government, and for other purposes.

Mr. DIRKSEN. Mr. President, I call up my amendment No. 84 and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 30, after line 10, insert the following:

"SEC. 123. Amend rule XIV, paragraph 1, by adding at the end thereof the following:

"'All bills and resolutions shall be introduced by a single Senator and no Senator may join him as a coauthor or cosponsor except in the case of bills and resolutions of local interest (affecting only one State or providing for interstate compacts) and for private relief'."

Mr. DIRKSEN. Mr. President, on this amendment I ask for the yeas and nays.

There being a sufficient second, the yeas and nays were ordered.

Mr. DIRKSEN. Mr. President, in a word, what this amendment would do would be to put an end to the practice of so-called dual sponsorship of Senate bills. It makes an exception in the case of both Senators from the same State, or in the case of interstate compacts, or in the case of local matters in which both Senators may be interested. But beyond that, it would stop the practice.

Mr. President, I have observed this practice for a long time. I made some effort to stop it years ago, and frankly did not succeed. But I have come to the conclusion that it is not only a nuisance, but an unfair practice. It has become a propaganda device. It is a rather open door to outside pressure; and it is a kind of polite deception. Furthermore, I regard it as lobbying at its very worst.

When I say it is a nuisance, Mr. President, I call attention to measures that are at the desk. Here is a list of bills now being held for cosponsors:

Upper Niobrara River Compact.
Planning and Coordination Act '67.
White House Conf. on Indian Affairs.
To promote the public welfare.
Washington Navy Yard.
Land Conservation & Utilization.
Indian education.
Amend Clayton Act.
Dept. of Natural Resources Act '67.
Lincoln's Birthday Holiday.
Interstate Land Sales.
Amend Interstate Commerce Act.
Railroad Safety.
Amend Interstate Commerce Act.
Prohibit wiretapping.
Tariff classification of braided rugs.
Parking facilities in D.C.
Federal Magistrates Act.
Judicial Service Commission.
Encourage abatement water & air pollution.
Older Americans Act Amendments of '67.
Commission for astronauts memorial.
Joint Committee on Urban Affairs.
Amending S. 1, re firearms control.
Restore Federal-Aid to Highways.

Mr. President, all those bills are on the desk, and they are asked to be kept there for additional sponsorship. The Senate personnel at the desk have to hold them. They have to wait until a Senator asks that another sponsor be added, and then, at long last, the bills are released.

Mr. President, those personnel have a difficult enough time keeping the RECORD and the Journal of the Senate, and making sure that the CONGRESSIONAL RECORD properly reflects the proceedings on the Senate floor.

But that is not all. The following bills, to be held for additional sponsors, are being printed tonight:

Investment credit for pollution control.
San Rafael Wilderness, California.
Amend Social Security Act.
Federal Judicial Center.
U.S. Corrections Service.
Safe Streets & Crime Control Act.

And before the day is over, I apprehend that there will be others on the desk as well, waiting for sponsors.

So it becomes a regular nuisance so far as our personnel are concerned, and the marvel is that an accurate record can be kept at all.

I regard it as something of an unfair practice—and I have done it myself; I speak very impersonally about it—because once you look for cosponsors, you have to assign an office clerk to start doing the job, either calling up or getting out letters. There are half a dozen letters on my desk every morning: "Please call my office if you wish to cosponsor bill XYZ."

That takes time. We have to assign stenographic help to it, and when that does not do the job, if there is adequate interest, we must send one of our clerks who has floor privileges over here, and let him go about buttonholing Senators with the plea, "Couldn't you possibly go up to the desk and add your name to our bill?"

Probably you do not know what is in it, to begin with, but as a personal favor, you go up and add your name.

That is an unfair practice, to say the least. Moreover, it is becoming, as I say, a kind of propaganda device. First of all, it is taking unfair advantage of a Senator to buttonhole him and say, "I have a bill up there; I wish, as a favor, you would go up and lend your name to that bill."

The bill may be 50 pages long, and I will not know what is in it from the enacting clause to the last period. But I do not wish to affront a Senator, and if he gives me a sufficient sales talk, I am likely to say, "All right, go ahead and add my name."

Then, when we finally get around to it, I discover at long last what I actually put my name to. Perhaps I will not like it. But how do you get out from under it? Because my name is there, notwithstanding. I could at some point take it off, but one does not wish to affront a fellow Senator by doing that.

That, of course, is a kind of propaganda, when one lets his name be used with no real knowledge of the bill. Not only that, but it is the open door to pressure. This week I have had telephone calls, letters, and telegrams from people in whose behalf bills have been introduced, "Can't you go up to the desk and put your name on this bill? Tomorrow is the last day. Day after tomorrow is the last day. Day after the day after tomorrow is the last day. Here is your last chance to get right with the Lord, and get on our side."

If that is not destructive advice, I do not know what it is. I hate to make an invidious comparison, Mr. President, but sometime ago I picked up what I regard as one of the most interesting brochures I have seen in a long time. It was compiled by the secretary of the Communist Party in Czechoslovakia. He was asked to sketch out the techniques as to how they went about taking over, over there.

The process was very simple: Get a little core, get a little group within the government structure itself, and let them start propagandizing some particular piece of reform, some legislation. And when one has done that, he can then go on the outside and get a pressure organization to start working so that they are working both inside and outside of the government. What can be proved against that sort of business if the pressures on the outside are strong enough?

There is not a Member of the Senate who has not undergone that pressure before, mainly because there is always the veiled threat that one can read between the lines in a telegram or letter and know that it might just as well be set out: "You had better do it or else, because there is another election day coming."

Whenever we get to the point that they are going to scare this body and other bodies because another election day is coming, that is the day to look for this Republic to cash in its chips. It becomes a dangerous practice, to say the least.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. LONG of Louisiana. Perhaps the Senator has had the experience that I have had on occasion. I have had people write and ask me to cosponsor a bill. They have sometimes even gone to the extent of holding a meeting to pass a resolution censoring and chastising me because I had not cosponsored a particular bill.

The legislative process usually would be that someone who thought that the idea was a very fine one would introduce a bill and explain it. After the committee has had a chance to study the matter, the committee would report the bill, and we would have the benefit of debating the measure and hearing both sides. We would then vote for or against the measure. However, the cosponsoring practice leads to people judging us concerning the merits of a bill which we have not had an occasion to study.

Mr. DIRKSEN. And how does one feel when there are 3,000, 4,000, or 5,000 bills here alone? How could one keep abreast of it? It would be impossible. It is hard enough to take care of the bills coming before a Senator's particular committee, but to try to range over the legislative spectrum is an absolute impossibility.

Mr. LONG of Louisiana. We have one other problem, and that is that a Senator will see a proposed bill and sometimes because he feels kindly toward the particular author of the bill and would like to do him a favor, or because the bill looks, at first blush, like a good bill, he puts his name on it.

When the bill comes to a vote, the person hears the arguments against the bill for the first time and then feels that he should vote against the measure. However, he feels that because he cosponsored the measure, he cannot vote against it.

If the person does what his conscience dictates after knowing all the facts, he is accused of being a double-crosser, having cosponsored the bill and then voted against it.

Mr. DIRKSEN. Exactly. I have in mind a Senator who is no longer a Member of the Senate. After he had heard the discussion on the bill, he called me to the back of the Chamber and said: "My God, I didn't know that was in the bill." He found himself voting against a bill he had cosponsored.

It is a polite deception. A person goes along with it. Once we have a number, the number is there and the names of the cosponsors are there.

By the time the bill gets through the committee and the proceedings on the Senate floor, neither the author nor the cosponsors even recognize their own child. However, the name is there and the number is there. They cannot escape the responsibility.

I object to that practice also, and I think it is a case of polite deception.

Mr. MORTON. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MORTON. Mr. President, I was a former lobbyist in this body, when I was with the Department of State.

Mr. DIRKSEN. But that was polite lobbying.

Mr. MORTON. It was nice. However, I remember one morning when the late John Foster Dulles, my boss, put that size 12 shoe down on the floor. I knew what that meant. I ran up and said, "What is it, sir?"

He said, "Go up and kill that resolution."

The resolution had 64 sponsors. The Foreign Relations Committee was meeting that day. It was a sense-of-the-Senate resolution. There were 64 sponsors led by the ranking Republican member. That was not an easy thing to do.

The late Walter George was the chairman of the committee at that time. I always had the privilege of sitting in on the committee deliberations to try to get the point of view of the Department across.

The argument was: "There are 64 sponsors for this measure. You are crazy if you think you can stop this."

The late great leader of this body was then a Member of the U.S. Senate, Senator Barkley, of Kentucky. He had been Vice President and come back and the majority had put him back on the Foreign Relations Committee.

He realized my unhappy dilemma and said, "I just want to tell you something. If you started somebody walking down the Illinois Central Railroad tracks from Paducah south with a petition at daylight, by darkness that man would have enough signatures to hang me."

That is what I think of cosponsorship. I think that Senator Barkley was exactly right, and I think that the point that the Senator makes is a good one.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MILLER. Mr. President, if I interpret the argument of my friend, the Senator from Louisiana, correctly, he would advocate that we provide in this bill that no Senator could be a cosponsor on a bill until he had read the bill.

I think that Senators are mature enough to know that if they blindly add their name to a bill without reading it, they do so at their peril. If they are unhappy because of their action, they have nobody to blame but themselves.

I do not think that argument supports the pending amendment.

What gives me deep concern is that if the measure is passed, and if the bill ultimately becomes the rule of the Senate, this will forevermore destroy bipartisan legislation. Let me give an example.

Two years ago the junior Senator from Indiana [Mr. BAYH] and I sat down with our staffs and diligently worked together to draft a disaster relief bill which would be much more encompassing than the legislation then proposed.

We introduced our measure as a cosponsored bill, a bipartisan bill, by a Democrat and a Republican. We got the names of other Senators on the bill as cosponsors. It was a completely bipartisan bill. After all, what is partisan about a disaster relief measure?

The measure passed the Senate and is now the present law. I think that is a good thing. Most of our work here of a major character is bipartisan anyhow.

I think that if we can continue this bipartisanship through cosponsorship, it would be a very healthy thing.

Mr. DIRKSEN. There is exactly no validity whatsoever to that argument.

A Democrat can introduce a bill and a Republican can introduce the same bill, and we would still have bipartisanship without dual sponsorship.

It is how one is recorded on a vote that counts, rather than what is introduced. There is nothing to keep any Senator or either side from voting so as to give the appearance that it is a bipartisanship measure. It is the vote that counts.

Mr. MILLER. The Senator has just raised the second point of my argument, that, if this measure is passed, we will see a tremendous proliferation of bills and printing costs in the Senate.

I can assure my colleague, the Senator from Illinois, that if, after drafting the legislation on the disaster relief, it was then decided that the Senator from Indiana should be the one to introduce the bill, I would have introduced an identical bill. The bill was rather long. Other bills, also identical, would be introduced by the cosponsors. This would reach fantastic proportions.

While it is true that the rollcall vote is the important thing, it must be remembered that quite often these measures never get out of committee. Quite often the only record one can make concerns what kind of legislation he has supported. There is only one way to do that, and that is to introduce a bill. If only one name can go on that bill, many other Senators will introduce an identical bill.

The Senator from Illinois has introduced a bill to establish a Veterans' Committee. I assure the Senator that I feel as strongly in favor of a Veterans' Committee as does the Senator from Illinois. I believe there are 30 or 40 sponsors on that bill. If the name of only one Senator could be on that bill, we would probably have 20 or 30 identical bills on that subject so that all Senators would be on record in the event that the legislation never gets out of committee. We would all be on record as being in support of the bill.

Mr. DIRKSEN. Let us examine that argument. There are four times as many Members of the body at the other end of the Capitol as there are here.

They have no dual sponsorship in the House. Perhaps sometimes 100 bills, all identical, are introduced. I have never yet heard them raise the expense item in the House. For a dozen clerks that you could spare in the executive branch, that is about the equivalent of the printing cost that would be involved. The question of cost should not be raised when we would be eliminating an absolutely irresponsible Senate nuisance. But they do not quarrel about that matter in the House, and they have single sponsorship.

I served in the House for 16 years, and we never had any difficulty, in season and out, under Democratic administrations and a Republican Congress, in doing the right thing legislatively, and everyone received proper credit.

As for having so many names on a bill, I think there is a little more pride in sending my own bill out to people in my own constituency, and taking the credit for what I have done, instead of having a host of names on the bill, and then people will wonder who should have credit for it.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MILLER. I do not believe that we should necessarily be persuaded by what the House does, in connection with what we do in the Senate. While they may not have been talking about the expense of their printing bills in the House, I think they might be quite vulnerable on that subject.

I think that my beloved colleague's main thrust is that he does not like to have bills lying at the desk, days on end, for additional cosponsors. If that is his point, let him modify his amendment to provide that a bill cannot lie at the desk for cosponsors or that it cannot lie at the desk for more than two days for cosponsors, and I think that the main problem that the Senator from Illinois is talking about will be solved. I suggest that the Senator from Illinois is going much too far in his amendment, in order for that problem to be satisfied.

Mr. DIRKSEN. Mr. President, a bill cannot be enacted into law without going through both bodies. If we have had 50 names on a bill in the Senate and one name on the identical bill in the House, we have never heard the Members of the House quarrel about it. The bill becomes law notwithstanding, with one name on it from the House. Maybe they displace a Senate bill. So, after long experience, we have never had any difficulty with single cosponsorship.

Because of the insane fear and the political fear of not being identified with something, they want cosponsors, and the more the merrier. I think that the acme of the situation was reached with one bill last year that had 83 cosponsors. Why even bring it up? Why not send it right to the White House for signature and be done with it?

Mr. MILLER. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MILLER. If it is a matter of the number of cosponsors on the bill, why could not the Senator from Illinois provide not only that no bills can lie at the desk for cosponsorship—or that they cannot lie at the desk more than 48 hours—but also, that not more than, let us say, 49 names can be on a bill, or not more than 20 names?

Mr. DIRKSEN. That is less than half of it.

Mr. MILLER. Let us be reasonable about the fact that most of us are not in deadly fear that our name will not be on a bill. I have no fear about not being on the bill that I drafted with the Senator from Indiana. I wanted to be on that bill, and I deserved to be on that bill, because I had helped draft the bill; and the Senator from Indiana wanted me on the bill because he wanted it to be a bipartisan bill.

I believe that the bipartisanship of legislation in the Senate is very precious, and I would be unhappy to see anything done that would detract from the bipartisan approach that much of our legislation has, and which it should have.

Mr. DIRKSEN. That argument has absolutely no validity, Mr. President. You can get all the bipartisanship you want, enough to fill this Chamber, because nobody is interdicted in the introduction of any bill. And if somebody on the other side of the aisle introduces a bill, we can simply strike off the cover page and put our own names on it and introduce the same bill, and then we would have bipartisanship.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. LONG of Louisiana. Mr. President, while I recognize that there are good arguments on both sides of the issue, the aspect that appeals to me more than anything else is that it is desirable that a Senator should not become committed on a matter until he has heard both sides of an argument.

Many times when a Senator joins as a cosponsor, he simply hears the idea explained to him. It sounds good, it is sponsored by someone in whom he has some confidence, and he puts his name on a bill. But a Senator often feels committed to a bill because he has put his name on it.

I am frank to say that in some instances Senators have said to me: "I think you are right about that, but I signed as a cosponsor on the bill, and I believe in being consistent. I think people ought to rely on my word, and people will feel that I am not a man of my word if I don't vote for the bill, since I put my name on it."

Senators tell me that, saying, "I am sorry I did. I think I made a mistake."

When a lobbying group or a pressure group asks a Senator to put his name on a bill, it is one thing to simply say, "Yes, you can tell the sponsor to put my name on it." It is another thing for him to draft a bill himself and put it in under his own name, which means that he is the author of that bill and he stands behind it and he believes that it should be law.

As a practical matter, with regard to pressure groups who seek to commit a Senator to something when he has not studied the subject and is not particularly interested in it, it is much easier for a Senator to avoid committing himself to something and to say: "Senator Jones introduced the bill, and I will study. I will consider it. I am waiting with interest to hear what he thinks of it. Knowing what I know now, I would vote for it; but of course please understand that I want to hear the debate before I vote on it."

It is easier for a Senator to avoid making an unwise commitment in that way than it is when the bill is at the desk and it has been there for a month, and it has 65 cosponsors, and he is asked, "Will you please add your name?"

A Senator can avoid the embarrassment that we had several years ago when we had the Bricker amendment before us. All of the people thought we should vote for it. At the time it came to a final vote it was not the same proposal which was introduced because it had been amended. It was embarrassing for a number of Senators to explain why they had not voted for it after debate when they had agreed to sponsor the general idea. Most of the Senators had put their names on that proposal thinking that the idea was good.

Mr. DIRKSEN. Is that not the same thing that happened in connection with the Tonkin Gulf resolution? We were on the other side. The pressure was enormous. They could not get enough names on it. They wanted to line up support. Once your name is on it you have made your commitment.

How in good grace can a Senator back down except to stand here and confess your sins in open public and say, "I made a mistake in that regard." Constituents would have the right to say, "One more mistake like that and you had better come back home."

Mr. SYMINGTON. Mr. President, I was interested in the mention that was made by the assistant majority leader of the Bricker amendment. I had been in the Senate for only 2 hours when a good friend called me and asked me to cosponsor a proposal which became the Bricker amendment. Although that person was sincere and accurate in what he had told me, later on I found that things were different than I thought them to be.

Mr. President, I get a dozen letters a day urging me to cosponsor a bill. A Senator gives those letters to his staff and if after a study it is decided that it is a good bill a Senator may suport it. If a Senator does not have the time to get all of the details he might find that he is supporting something that could be much changed when it reaches the floor of the Senate. It seems to me that this situation may have gotten out of hand. New Senators come to the Senate and older Senators say, "We are glad to see you here. Will you support the ideas we have in this bill?" The implications of a bill are not always readily apparent.

I hope that the amendment of the able minority leader is supported in the Senate.

Mr. DIRKSEN. Mr. President, I wish to implement this argument.

In 1900, the New York Herald Tribune held a seminar. They would pick people such as the president of Cornell; Jay Gould; and Arthur Twining Hadley. They were supposed to give opinions as to what was going to happen in this country in the next 50 years. The only man in that entourage who was right was Arthur Twining Hadley. He said:

> I foresee the time when there will be a rise of economic groups in this country who will put group interest above national interest, and then we will be in trouble.

Mr. President, that is what we are getting. Look at the diversity of interests that there are today.

All we have to do is to get somebody to introduce a bill and they will start doing the rest, using telephone calls and every pressure device that I know.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. SYMINGTON. Today I had quite a few letters on one bill. Somebody has written to these groups and said, "We are not sure where Senator Symington stands. You write him a letter and tell him you would like him to cosponsor this particular bill."

I notice that some of the older Members of this body are the most difficult to get as cosponsors. I went through that on the Bob Hope Medal. They would not cosponsor that. They said, "We have had it with cosponsorship."

I hope that the amendment is agreed to.

Mr. DIRKSEN. They learned the hard way and they learned longer.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MILLER. I thank the distinguished minority leader. I wish to make this observation with respect to the comments made by the Senator from New Hampshire [Mr. Cotton], that a Senator might prefer to have his own bill to mail to the people in his State. I wish to point out that he has that privilege now. There is no need to have the Dirksen amendment to have that privilege. If he does not want to exercise that privilege he can send out a multisponsored bill now. The Senator from Iowa has done this on frequent occasions. I hope that the Senate will not agree to the Dirksen amendment because they fear the pressure that is building up on them which forces them to go up and add their names as cosponsors, and they feel that because they have not read the bill they might discover some day that it is not a good bill, and that they cannot vote for it.

Mr. President, Senators are supposed to make that determination before putting their names on measures. If they do not want to take the trouble to do that, that is another matter.

The main thrust of the argument here is that the staff at the desk is tied up because of these bills which are waiting at the desk. I would have no objection to doing something about that, but to try to take care of that problem by destroying the possibility of having bipartisan sponsored legislation is going quite far.

Mr. DIRKSEN. The Senator is grossly in error when he thinks that the main thrust of this amendment is with respect to what happens at the front desk. I pointed out why I thought the practice was a nuisance. It is an unfair practice. It opens the door to pressure from the outside. It is a polite kind of deception. I have pointed out that in my judgment it is the worst form of lobbying and should stop.

Now that the yeas and nays have been ordered Senators can vote as they please, but I think the time has come to test the Senate and see whether or not they want to continue with this practice of fooling people and getting themselves in difficulty.

Mr. MONRONEY. Mr. President, I yield myself such time as I may require.

Mr. President, I can well understand that the very distinguished, well-known, and nationally recognized minority leader is perhaps troubled 10 to 15 or 20 times as much as the average Senator, because the name "Dirksen," when the minority leader cosponsors, is equal to many names of the rank-and-file Senators, such as the senior Senator from Oklahoma.

Naturally there is much pressure to see the name "Dirksen" in neon lights across the top of a bill as one of the bill's sponsors. The average Senator does not have that problem, but if he did, there is a simple and easy answer to it.

When the presiding officer of the Senate, be he the Vice President or the distinguished senior Senator from Virginia [Mr. Byrd], who is occupying the chair at the present time, raps his gavel and says, "Is there objection to the unanimous-consent request of the Senator from Washington to have the bill lie at the desk for 10 days," all that a Senator has to do is get up and say that little two-word phrase, "I object," or "I do not agree." Thereupon the entire accomplishment would be achieved by the denial of the unanimous-consent request of anyone asking for a measure to lie at the desk.

Instead, the distinguished senior Senator from Illinois [Mr. Dirksen] is asking us to breach what was an order of the Senate in creating the Joint Committee on the Organization of Congress: we were not to take up rules dealing with floor procedures and the Standing Rules of the Senate.

I made a mistake in getting amendment No. 91 of the distinguished Senator from Illinois. This amendment, interestingly enough, dovetails rather indirectly with the amendment to the standing rules which the Senator from Illinois asks us to vote upon, in which he says:

> No motion, amendment, or resolution shall be in order to amend any of the Standing Rules of the Senate until the said motion, amendment, or resolution has been referred to the Committee on Rules and Administration and a report thereon has been filed with the Senate.

Mr. President, if we had passed this amendment, it would have become a prohibition against taking up the proposal of the distinguished Senator in his other amendment, to pass on the floor the amendment which would change the Standing Rules of the Senate permitting joint sponsors.

Mr. DIRKSEN. My sweet and noble friend forgets the most important thing. I am anticipating that our distinguished colleague, the Senator from Pennsylvania [Mr. Clark] is going to offer his rule XXII.

This has been introduced for only one purpose. It will be offered as a substitute for rule XXII, so that we will have to go back to the Rules Committee. We have to be a little selective about the weapons we employ. This is just a weapon.

Mr. MONRONEY. But if the amendment should be adopted, it would deny the likelihood, again, of proposing on the floor of the Senate that the Standing Rules of the Senate be changed.

Mr. PASTORE. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. I yield.

Mr. PASTORE. So far as I am concerned, I can take it or leave it; but talking about cosponsorship, the regret of the Senator from Rhode Island is that he is not a cosponsor of that beautiful record that was cut by the distinguished Senator from Illinois, because that is a best seller, at the top of the hit parade.

Mr. DIRKSEN. It is almost up to a million now.

Mr. PASTORE. I well know that.

Mr. DIRKSEN. I wanted the Senator from Rhode Island to be a cosponsor to the prayer amendment. I do not know whether the Senator was on that list of cosponsors.

Mr. PASTORE. I am. I know that the Senator asked me to be.

Mr. DIRKSEN. Good. I did. I did my noble best, so long as that is the practice.

Mr. MONRONEY. The means are at hand for the distinguished minority leader to work this out, as I say, by denying a unanimous-consent request for a bill to lie on the table for 10 days for additional cosponsorship. Then there is the policy followed by some Senators—I often follow it, as a general rule—merely to say that I do not like to cosponsor legislation which I have not prepared. This is easy to do. It seems to me that the pending amendment is seeking to protect Senators from themselves, from our inability to say no.

Mr. DIRKSEN. We need to be protected.

Mr. MONRONEY. I hope it is not an inability on the part of Senators to recognize good legislation when they see it, at which time they will put their names on as an individual or as a cosponsor.

Mr. DIRKSEN. Mr. President, when Alben Barkley, the distinguished parliamentarian from Kentucky was the majority leader of this body, he made every effort over the years to get this dual sponsorship business dumped in the ashcan.

He knew it was a nuisance, that it was a mistake, but he never quite succeeded. As a parliamentarian, he knew that as a device it was absolutely wrong and had no place on the Senate floor.

Mr. MONRONEY. That is very interesting. Alben Barkley was a great parliamentarian. Incidentally, we had a good deal of testimony from House Members urging that we put into this bill the same provisions for the House on cosponsorship that we have in the Senate. Thus, the system in use in the House is by no means unanimously favored. Many Members writhe under many degrees of unfairness which are occasioned by the fact that they cannot join other Members who simultaneously introduce a bill or associate themselves with the passage of a bill of keen national interest. It is especially difficult to try to keep track of 50 or 100 bills on the same subject matter introduced under different names. It clutters up the Calendar. It clutters up the recordkeeping. It clutters up the files of committees and confuses the public in the fact that one bill, doing exactly and identically the same thing, may be found under 25, 50, or even 100 names.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. MONRONEY. I am happy to yield to the distinguished Senator from from West Virginia.

Mr. RANDOLPH. I am grateful that the able Senator from Oklahoma gives me this opportunity to make a brief observation in reference to the pending amendment.

I think it is very important for us to to realize that when we consponsor legislation we do not necessarily, by that cosponsorship, pledge ourselves to the measure as introduced. We pledge ourselves to the purpose of the proposed rather than the exact language of the introduced bill as sent to the desk. It is the intent, rather than each provision, we endorse.

This procedure is understood by Senators. We realize, as we hold subcommittee hearings, as we take action within the full committee, that there comes from those hearings and from those considerations, refinements and improvements to the basic purpose or premise of the bill. This matter of study is in the interest of mutual agreement.

Thus, I feel very keenly that the amendment offered, frankly, does not, I think, meet the requirements of the Senate in expressing its purpose on legislation by cosponsorship, with the understanding that by that cosponsorship no Member of this body is straitjacketed to the language or all the provisions of the bill as initially presented.

Mr. MONRONEY. I thank the distinguished colleague for his observations. I have introduced bills myself which, by the time they went through committee, floor debate, and amendments on the floor, I did not particularly want to vote for. It is quite the nature of the legislative process that when a bill is amended, the purpose and direction originally intended by the author of the bill is amended accordingly.

Mr. MAGNUSON. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. I am happy to yield to my distinguished colleague, the Senator from Washington.

Mr. MAGNUSON. What bothers me a little bit about the removal of cosponsorship is that there are so many things that many Senators would, in concert, be interested in, that we would have seven bills in a committee, or 10 bills, all with different names for the same subject. Then we go through hearings to discuss the bill, and the chairman will have to pick out one bill so that it can be properly named. It could end up, I suppose, that the author of the bill could be left in the background, even though he introduced it. There are many cases like that.

Mr. MONRONEY. The Senator is correct. It happens in the House where there can be as many as 15 or 50 Members introducing an identical bil. The chairman may have introduced the 49th bill on that subject, but if it comes before his committee, in order to alleviate any confusion, the chairman may say, "I will take the Monroney bill," in order not to have any question about choice; so that a Member who originated the bill may linger in the background, yet he may have done most of the work on it.

Mr. MAGNUSON. He may have introduced it first then there will be a big scramble to see who can introduce the bill first, datewise, and then they will say, "My bill was introduced. Bring this one up," or "Give me an opportunity to change the bill and make it a little bit different." I served in the House for 8 years on the Naval Affairs Committee and I do not recall ever having seen a bill that was not called the Vinson bill.

Mr. MONRONEY. It is generally the case that for want of one of the better names, the chairman will name the bill.

Mr. MAGNUSON. We did that. There might have been 20 bills in front of the chairman.

Mr. MONRONEY. The point is, the minority leader, or any Senator, can say no to a unanimous-consent request, or he can simply decline the invitation to join in cosponsoring legislation. Many colleagues have a definite policy of declining to cosponsor bills.

Mr. RANDOLPH. I make a further observation, with reference to what the Senators from Washington and Oklahoma have highlighted, there are cases of after the fact, or "Johnny-Come-Lately's" have had their bills passed, yet other persons identified at the outset with a particular kind of legislation were lost in the shuffle.

Mr. MAGNUSON. The Senator from West Virginia got lost in the shuffle.

Mr. RANDOLPH. Senators do get lost in the shuffle. This is a realism which I shall recall as I vote today on the pending amendment. I shall not detail before my colleagues what I had in mind at this time, but it was a vital subject on which I initiated a bill, but later it turned out that something happened. "On the way to the forum"—or the House floor to be exact—my pioneering measure was presented by another Member—a chairman.

Mr. MONRONEY. "A rose by any other name would smell as sweet." It is discouraging to the author of a bill, however, after having spent many months, perhaps, working out the necessary language, the reasons, and the logic behind the intent of the piece of legislation, to see the bill reported and passed under another Member's name.

Mr. MAGNUSON. There is no question that the chairman of the committee, who is a very fine man, authored a bill which had been pending long before by another colleague.

Mr. MONRONEY. That is correct. We could have a good bill introduced late in one session which did not pass and see it introduced in the next session by someone who had only casually read the bill but thought it was a good idea.

Thus, the stimulus for the origination of good legislation is greatly diminished by the failure to announce as coauthor or cosponsor of the bill.

Mr. HOLLAND. Mr. President, may I have 5 minutes?

Mr. MONRONEY. I yield 5 minutes to the distinguished Senator from Florida.

Mr. HOLLAND. Mr. President, I shall oppose this amendment, not because I have not been swayed by the dulcet tones of the minority leader, whom I respect so highly and with whom I have joined so frequently in offering bills he has introduced—for instance, the Dirksen amendment on reapportionment and the Dirksen amendment on prayers in schools, and other matters, which will occur to us all. But, in the first place, I want to remind the Senate that for the past 2 weeks we have been voting to defeat or to lay on the table all amendments which propose to amend the Standing Rules of the Senate because we gave instructions to the special committee not to include them.

Sometimes I have voted against amendments, by voting to lay them on the table, which were very appealing to me. I am thinking of three so-called Bobby Baker amendments offered by the Senator from Pennsylvania [Mr. CLARK] and a similar amendment offered by the Senator from Delaware [Mr. WILLIAMS], though I was against the practices sought to be knocked out by these amendments. But we were following a precedent laid down by the Senate, a mandate to the committee, that this bill should not include any provisions amending the Standing Rules of the Senate, and we have voted to defeat all action on amendments of that kind.

As far as I am concerned, I am going to stand by the mandate given to the Committee on Reorganization 2 years ago when we instructed it not to amend the Standing Rules of the Senate or cover them in its recommendations.

However, I have a better reason than that for opposing the amendment. I remember the other day we passed a very fine bill, by unanimous consent, offered by 73 Senators, led by the Senator from New Mexico [Mr. MONTOYA] which placed veterans of the Vietnam conflict on terms of equality with veterans of other wars with respect to the GI bill of rights. We were all for it: 73 Senators joined in it. The bill was passed by consent.

Mr. President, we pass about nine-tenths of all legislation by consent. If we did not do that, I wonder how many speeches would have been made on the floor of the Senate, taking up the time of the Senate, and calling for additional expense of printing in the CONGRESSIONAL RECORD. We want to make sure for the record that, for instance, the Senator from Florida was backing up the philosophy in the bill so ably offered by the Senator from New Mexico. My guess is there would have been 73 speeches made on the floor of the Senate if there had been no cosponsorship, and perhaps a rollcall vote.

I wonder how many additional rollcalls we would have if we were asked to be recorded on matters that we strongly support, and on which we are now protected by being listed as cosponsors?

I know the practice has been abused. I do not think I am showing a discourtesy when I write back to a fellow Senator and say that I am sorry I cannot cosponsor a particular bill he is offering.

This is a device which cuts down the number of bills offered in the Senate and cuts down the time of speaking on the part of Senators. It makes it easy for us to answer letters of our constituents when they write about certain legislation. For example, I can easily answer, "I was happy to cosponsor the bill of the Senator from New Mexico which recognizes the rights of the Vietnam veterans."

Mr. President, I think we would be making a great mistake by not following the practice that we have followed for 2 weeks in this debate by voting to lay proposed amendments on the table, and we would be making a great mistake by adopting this amendment without more study.

I would say the Senate saves more by the practice of multiple sponsorship of bills and saves more for the country by way of expense by this practice than if the practice did not exist.

I hope we will back up the Senator from Oklahoma and defeat this proposed amendment, appealing as it is, coming from a source that I have felt honored to follow on the Dirksen amendment on reapportionment and the Dirksen amendment on school prayers, and to join as a cosponsor on many matters.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The **PRESIDING OFFICER.** The Senator will state it.

Mr. DIRKSEN. A bill cannot be left at the desk for cosponsors except by unanimous consent. Is that correct?

The **PRESIDING OFFICER.** That is correct.

Mr. DIRKSEN. So any objection to leaving a bill at the desk for that purpose at least invalidates that part of the practice. Is that correct?

The **PRESIDING OFFICER.** That is correct.

Mr. PASTORE. Mr. President, will the Senator yield me 1 minute?

Mr. MONRONEY. I yield 1 minute to the Senator from Rhode Island.

The **PRESIDING OFFICER.** The Chair will say to the Senator from Illinois that there can be cosponsors on a bill when it is introduced.

Mr. DIRKSEN. Yes; but it cannot be left on the desk for cosponsors if there is objection.

The **PRESIDING OFFICER.** The Senator is correct.

Mr. MONRONEY. I yield 1 minute to the Senator from Rhode Island.

Mr. PASTORE. Mr. President, as I said a short time ago, I can take this or leave it, but it strikes me I should refer to one argument which has been made, and that is the question of pressures being put on Members of the Senate. As long as one is in public life, and I have been in it for 31 years, there are always going to be pressures, no matter what one does.

I think the only answer to this question is, "Do you believe in the bill or do you not believe in it?" If a Senator does not believe in a bill, all he has to say is, "I am sorry; I won't cosponsor it." If I believe in it, I will say, "I shall cosponsor it."

I think the whole question comes down to the integrity, courage, and will of the individual. If a Senator believes in a bill, he should cosponsor it; if he does not, then he should show intellectual honesty and courage and say, "I am sorry; I cannot be a cosponsor."

I know, as a matter of fact, that the senior Senator from Georgia [Mr. RUSSELL] has made it a policy never to cosponsor bills. A Senator could introduce a bill that represented the Ten Commandments, and I think he could not get the Senator from Georgia to cosponsor it. He would not be a cosponsor. It is a practice he has followed for years.

On my part, I have cosponsored many bills. I have refused to cosponsor bills when I did not know what was in them or did not know what the provisions of the bills meant. To me the answer is simple. If a Senator is for it, say, "I am for it." If he is not, say, "I am not for it." It does not make any difference what he is going to be able to say to people back home. The question of whether he is going to be defeated is a risk he runs, on the minute, every minute of the time he is in office.

Mr. MONRONEY. Mr. President, I feel, as the senior Senator from Rhode Island feels, that this is an unnecessary amendment; that it is within the control of a Senator to object to having a bill lie on the table for 10 days for additional cosponsorship.

We have had a parliamentary interpretation that if Members of the Senate wish to cosponsor a bill, they may join at the time the bill is introduced and be a part of the sponsorship at that time, but that a Senator may object to having a bill lie at the table for additional time for additional cosponsors.

Any Senator who is asked to cosponsor a bill need not join in sponsorship if he does not believe in the bill. I believe there is more to be served in having a common objective in legislation and draftsmanship which would result from cosponsorship than there would be in having half a dozen bills or a dozen bills, seeking to describe, in a half dozen or dozen ways, the legislative objective in different language. Authors of a measure can agree on reaching a common goal, but having a dozen bills would result in having different language in draftsmanship in each one of them.

Certainly Senators who join together in cosponsorship of legislation should understand, and should be willing to take the consequences for, the legislation that they cosponsor. For that reason, I very strongly urge that the Senate not, as the distinguished senior Senator from Florida has stated, undertake to write, on the floor, a change in the Standing Rules of the U.S. Senate. The committee felt compelled, having been given jurisdiction to report only legislation that would not change such floor procedures, not to support or bring in legislation of that kind.

The distinguished Senator from Wisconsin [Mr. NELSON] wishes me to yield briefly to him, for the purpose of introducing a bill.

ROADBANK EROSION CONTROL ACT

Mr. NELSON. Mr. President, I introduce, for appropriate reference, the Roadbank Erosion Control Act, a bill which would give the Secretary of Agriculture authority to cooperate with States, counties, and local public agencies in furnishing financial and technical assistance in planning and installing erosion control measures on State, county, and local roads.

There are many sources of water pollution in this country today. The purpose of much of my water pollution legislation is to direct action toward specific individual causes of pollution. Bills already introduced in this session have been aimed at industrial and municipal pollution, pollution by vessels and ships, and pollution of our rivers and streams with sediment eroded from the banks of those rivers and streams. This bill addresses itself to another major problem; namely, erosion from the banks of 60 percent of our Nation's highways.

Roadside soil erosion, and the resulting water pollution, are serious problems today along thousands of miles of our highway system. This needless erosion destroys valuable land and defaces the landscape, causes excessive highway maintenance costs and makes travel dangerous in some areas. Further, it pollutes many of our rivers and streams, impairs water quality, and threatens fish and wildlife. There is no reason why we should continue to allow this pollution of our environment and addition to our tax bill.

Roadside erosion control on the 875,000 miles of highways in the Federal-aid system is handled by the U.S. Bureau of Public Roads. Another half million miles of city streets and roads are maintained by municipalities.

This leaves some 2,125,000 miles of existing State and secondary roads—60 percent of the entire U.S. highway system—without adequate protection against roadbank erosion. It is with this major portion of our existing roads that I am concerned in the bill I am introducing.

The extent and seriousness of erosion on highway rights-of-way can be seen in my own State. Studies show that silt losses run as high as 356 tons per acre per year in parts of Wisconsin. Further, an estimated 15 percent of the silt polluting waters in Wisconsin comes from this source. The repercussions of this fact are many, including lost land, impaired water quality and damage to water-based recreation, which is an important industry in Wisconsin.

Nor do the losses stop there. A study of Vernon County, Wis., some years ago before we began erosion control on any of our roads showed that erosion and flood damage was responsible for up to 40 percent of the annual highway maintenance cost.

Similar studies in other parts of the country confirm these wasteful figures. A 1960 report on unprotected secondary roadsides in Georgia showed losses of 382 tons of soil per acre per year.

The Federal Interdepartmental Task Force on the Potomac, recognizing the seriousness of the problem on the 13,300 miles of secondary roads in the Potomac Basin, has estimated that road stabilization alone will cause significant reductions in the sediment load of the Potomac.

These land losses, the water pollution,

and the countryside disfigurations need not occur at anywhere near the present rate. We know the problem, we have the technical means to control it, and we are finding that the reduced cost of road maintenance alone makes the cost-benefit ratio very favorable.

The roadbank erosion control legislation which I am proposing will not replace or duplicate any existing program. It will provide technical and financial assistance to State, county, and local public agencies to help in dealing with erosion, where necessary, on the 60 percent of our existing highway system now in State, county, and local highways.

Under the bill, the Secretary of Agriculture would be authorized to cooperate with States, counties, and local public agencies in furnishing financial and technical help in planning and installing erosion control measures. These agencies would bear at least one-quarter of the cost of control measures, except engineering costs. They also would provide land, easements, or rights-of-way needed for the purpose and would be responsible for maintenance of the roadside measures.

It is the intent of the legislation that the Soil Conservation Service would be assigned administrative responsibility for leadership within the Department of Agriculture. Their experience in cooperating with local soil and water conservation districts and in administering the upstream watershed protection program provides them with the necessary background.

The Soil Conservation Service, through the Public Law 566 watershed protection and flood prevention program, already provides limited cost sharing for treating high-sediment sources on secondary roads within project areas. This benefits the area concerned, but this represents only a very small part of the total roadbank erosion problem.

Roadbank erosion on our secondary roads can be stopped and should be stopped in the interest of both our land and our people. I feel that this bill will provide necessary new authority so that Federal, State, and local agencies, working together, can get on with the job.

I ask unanimous consent that the bill, the Roadbank Erosion Control Act, lie on the desk for 1 week so that those Senators who wish to do so may join me in cosponsoring it and that the text of the bill be printed in the RECORD at this point in my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk and be printed in the RECORD, as requested by the Senator from Wisconsin.

The bill (S. 1006) to provide for the control and prevention of erosion damages to the roadbeds and rights-of-way of existing State, county, and other rural roads and highways, and for other purposes, introduced by Mr. NELSON, was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

S. 1006

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That erosion damages to the roadbeds of State, county, and other rural roads and highways heretofore constructed, and to areas within or directly affecting their rights-of-way, causing excessive deposition of sediment in and along rivers and streams and the pollution of streamflows by silt, and resulting in the deterioration of water quality and in damages to property and to fish and wildlife and recreation resources, constitute an irreparable loss to the Nation's natural resources and a detriment to the national welfare; and that it is the sense of Congress that the Federal Government should cooperate with States, counties, and local public agencies in order to prevent or control such erosion damages and thereby to preserve water and land resources and maintain the quality of water supplies, protect fish and wildlife habitat and recreation values, beautify the natural landscape, contribute to the safety of roads and highways, and improve and strengthen the economy of rural areas.

SEC. 2. In order to assist States, counties, and local public agencies in carrying out the foregoing purposes, the Secretary of Agriculture, hereinafter referred to as the Secretary, is authorized to cooperate with, and to furnish financial and other assistance to, States, counties, and local public agencies in the planning and installation of works and measures needed to control or prevent erosion damages to the roadbeds of existing State, county, and other rural roads and highways, and to areas within or related to their rights-of-way, including borrow areas connected with such roads and highways, and adjacent areas contributing directly to such erosion damages, and the Secretary is authorized, in furnishing such assistance, to enter into agreements for periods not exceeding ten years with any such State, county, or local public agency.

SEC. 3. The Secretary shall require as a condition to providing Federal assistance for the installation of works and measures hereunder that cooperating States, counties, and local public agencies shall—

(1) bear not less than twenty-five per centum of the costs (excluding engineering costs) of installing any works or measures involving Federal assistance;

(2) acquire, or provide assurances satisfactory to the Secretary that they will acquire, without cost to the Federal Government from funds appropriated for the purposes of this Act, such land, easements, or rights-of-way as will be needed in connection with any such works or measures; and

(3) make arrangements satisfactory to the Secretary for defraying the costs of operating and maintaining any such works or measures.

SEC. 4. The Secretary is authorized to prescribe such rules and regulations as he deems necessary or desirable to carry out the provisions of this Act or to facilitate the practical administration of the program provided for herein.

SEC. 5. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act, such sums to remain available until expended.

Mr. MONRONEY. I point out that one objection from any opponent could have prevented the bill from remaining at the desk. We thus have in our own hands the means for preventing the practice, if we wish to do so.

LEGISLATIVE REORGANIZATION ACT OF 1967

The Senate resumed the consideration of the bill (S. 355) to improve the operation of the legislative branch of the Federal Government, and for other purposes.

Mr. MONRONEY. Mr. President, I have no further requests for time; and if the minority does not seek further time, I yield back the remainder of my time. I believe the yeas and nays have been ordered.

The PRESIDING OFFICER. Does the Senator from Illinois yield back the remainder of his time?

Mr. DIRKSEN. I yield back the remainder of my time.

The PRESIDING OFFICER. All remaining time having been yielded back, the question is on agreeing to the amendment of the Senator from Illinois. On this question, the yeas and nays have been ordered, and the clerk will call the role.

The assistant legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Indiana [Mr. BAYH], the Senator from Nevada [Mr. BIBLE], the Senator from Maryland [Mr. BREWSTER], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Montana [Mr. MANSFIELD], the Senator from Minnesota [Mr. McCARTHY], and the Senator from Florida [Mr. SMATHERS], are absent on official business.

I also announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Nevada [Mr. CANNON], the Senator from Idaho [Mr. CHURCH], the Senator from Pennsylvania [Mr. CLARK], the Senator from Connecticut [Mr. DODD], the Senator from North Carolina [Mr. ERVIN], the Senator from Tennessee [Mr. GORE], the Senator from Hawaii [Mr. INOUYE], the Senator from North Carolina [Mr. JORDAN], the Senator from New Hampshire [Mr. McINTYRE], the Senator from Minnesota [Mr. MONDALE], the Senator from Rhode Island [Mr. PELL], the Senator from Connecticut [Mr. RIBICOFF], and the Senator from Georgia [Mr. TALMADGE], are necessarily absent.

I further announce that, if present and voting, the Senator from Indiana [Mr. BAYH], the Senator from Maryland [Mr. BREWSTER], the Senator from Nevada [Mr. CANNON], and the Senator from Florida [Mr. SMATHERS], would each vote "nay."

Mr. DIRKSEN. I announce that the Senator from Colorado [Mr. ALLOTT], the Senator from Michigan [Mr. GRIFFIN], the Senator from Nebraska [Mr. HRUSKA], the Senator from Iowa [Mr. HICKENLOOPER], and the Senator from Kansas [Mr. PEARSON] are absent on official business.

The Senator from Vermont [Mr. AIKEN], the Senator from Massachusetts [Mr. BROOKE], the Senator from Kentucky [Mr. COOPER], the Senator from Colorado [Mr. DOMINICK], the Senator from Hawaii [Mr. FONG], the Senator from California [Mr. KUCHEL], the Senator from Vermont [Mr. PROUTY], and the Senator from Arizona [Mr. FANNIN] are necessarily absent.

If present and voting, the Senators from Colorado [Mr. ALLOTT and Mr. DOMINICK], the Senator from Massachusetts [Mr. BROOKE], the Senator from Kansas [Mr. PEARSON], and the Senator from Arizona [Mr. FANNIN] would each vote "nay."

The result was announced—yeas 18, nays 48, as follows:

[No. 27 Leg.]

YEAS—18

Baker
Bartlett
Bennett
Carlson
Cotton
Curtis
Dirksen
Ellender
Hansen
Lausche
Long, La.
Morton
Percy
Russell
Smith
Symington
Thurmond
Williams, Del.

NAYS—48

Boggs
Burdick
Byrd, Va.
Byrd, W. Va.
Case
Eastland
Gruening
Harris
Hart
Hartke
Hatfield
Hayden
Hill
Holland
Hollings
Jackson
Javits
Jordan, Idaho
Kennedy, Mass.
Kennedy, N.Y.
Long, Mo.
Magnuson
McClellan
McGee
McGovern
Metcalf
Miller
Monroney
Montoya
Morse
Moss
Mundt
Murphy
Muskie
Nelson
Pastore
Proxmire
Randolph
Scott
Sparkman
Spong
Stennis
Tower
Tydings
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

NOT VOTING—34

Aiken
Allott
Anderson
Bayh
Bible
Brewster
Brooke
Cannon
Church
Clark
Cooper
Dodd
Dominick
Ervin
Fannin
Fong
Fulbright
Gore
Griffin
Hickenlooper
Hruska
Inouye
Jordan, N.C.
Kuchel
Mansfield
McCarthy
McIntyre
Mondale
Pearson
Pell
Prouty
Ribicoff
Smathers
Talmadge

So Mr. DIRKSEN's amendment was rejected.

Mr. DIRKSEN. Mr. President, if I may have the attention of the Senate, I want to let the Senators know that this is not the last they will hear of dual sponsorship. There will be objection on every occasion when a bill is left on that table for sponsors.

I hope that Senators will take heed and respect the notice.

If I am not present on the floor, Senators may take advantage of me by leaving bills at the desk if they want to do so. I will see that the floor is monitored and there will be no more bills left on the desk to plague the clerks of the Senate by leaving bills there for days and weeks to get sponsors and thus make every Senator a target for these outside pressures.

I hope that Senators will remember and object when such a request is made.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MONRONEY. That would not affect the right of individual Senators to sign a bill before it is introduced.

Mr. DIRKSEN. Oh, no.

Mr. MONRONEY. So they do have the privilege of cosponsorship prior to introduction.

Mr. DIRKSEN. The Senator is correct.

Mr. MONRONEY. This would eliminate a great deal of the abuse that the Senator has sought to avoid by his amendment.

Mr. DIRKSEN. The Senator is correct.

Mr. MUSKIE. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MUSKIE. Mr. President, I have a request to make, and I wonder whether the Senator's objection would apply in this case.

I have been asked by a Senator to be a cosponsor to a bill already filed.

Mr. DIRKSEN. Is the bill on the desk?

Mr. MUSKIE. It is not. It is a request to add the name of a Senator as a cosponsor of a bill at its next printing.

Mr. DIRKSEN. I have no objection. There were, however, five or six bills that went to the printer today. When those bills come back there, there will be objection.

AMENDMENT NO. 63

Mr. SCOTT. Mr. President, I call up my amendment No. 63 and send to the desk a modified version thereof. I ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read the amendment, as modified, as follows:

> On page 75, line 19, immediately after the period, insert the following new sentence:
>
> "In order to facilitate its performance of any function specified in this section, the Legislative Research Service may—
>
> "(1) prepare information for machine processing,
>
> "(2) process information by machine by performing mathematical or logical operations thereon, selective retrieval, integration, or other machine operations, and
>
> "(3) prepare for presentation or other use information processed by machine. The Service may acquire automatic data processing equipment and retain personnel needed for any activity authorized by this subsection."

AUTHORIZATION FOR BILL TO LIE AT THE DESK FOR ADDITIONAL COSPONSORS—OBJECTION

Mr. BYRD of West Virginia. Mr. President, on behalf of the senior Senator from Washington [Mr. MAGNUSON], I ask unanimous consent that the bill, S. 927, which is now at the desk, remain at the desk through February 25, 1967, for additional cosponsors.

Mr. SCOTT. Mr. President, I am temporarily vested with the minority leadership, and I am constrained to object, and apologize to the Senator from West Virginia.

The PRESIDING OFFICER. Objection is heard.

The Senator from Pennsylvania has the floor.

LEGISLATIVE REORGANIZATION ACT OF 1967

The Senate resumed the consideration of the bill (S. 355) to improve the operation of the legislative branch of the Federal Government, and for other purposes.

Mr. SCOTT. The purpose of this amendment is to strengthen the information and research resources of the Congress. It is my belief that the logical place for the establishment of an automatic data processing facility to support the Congress is in the Library of Congress, the center of vast knowledge in the form of written source materials and experienced research staff. The requirements of this age—reflected in the board spectrum of issues facing Congress—can be coped with only by the utilization of all available human and technological resources.

The purpose and wording of this amendment are similar to legislative measures introduced in the House of Representatives by the Honorable ROBERT MCCLORY, of Illinois, and a bipartisan group of supporters. In introducing his bill (H.R. 21), Congressman MCCLORY underscored the basic intention of the proposed legislation: "to provide the Congress with an identified capability, based on automatic data processing devices and procedures, to retrieve selected information that is of priority value to the Members and committees."

We in the legislative branch are hard pressed to turn our attention to the multitude of public and private bills and resolutions which demand our attention and require decisions. In the 89th Congress, more than 26,000 measures were introduced in the two Chambers. It becomes increasingly difficult for a legislator to remain even passingly knowledgeable about more than a few key issues. The technology which has been developed within our society, when applied to clearly identified problems, can do much to aid the busy policymaker, his staff, and those who perform research for him.

The Joint Committee on the Organization of the Congress recognized the value of employing automatic data processing—ADP—in supporting the legislative and housekeeping functions of Congress. The committee listened to expert testimony and endorsing comments by representatives from industry, the academic world, and government. Among the potential applications for ADP identified by the joint committee in its final report were:

> (1) Establishment of a central committee meeting scheduling service; . . . (2) application to various business-type operations of the Congress; (3) bill drafting service, as an aid to the legislative counsel in both Houses; and (4) daily bill status service.

While stressing the necessity for flexibility in the initial configuration of this support facility, Representative MCCLORY noted several other areas for the immediate application of ADP. Included in these were the preparation of legislative histories of bills, a requirement specifically identified in the recommendations of the joint committee. Sharing certain common elements of information with the legislative history of a bill would be a synopsis of the bill, which could be handled in machineable form for inclusion in the Digest of Public General Bills and Selected Resolutions. Other applications which would benefit the individual Members and committees would be: current information on issues up for vote, histories of committee action, information on Federal contract awards, and a selective dissemination of information—SDI—capability to furnish the Congressmen and their staffs with vital research in areas of key importance to them.

The requirements for research support of Congress are ever growing, and have reached immense proportions. One small segment of its needs—whether Member, committee, or constituent—is handled by the Legislative Reference Service which, in 1966, received more than 117,000 congressional requests for support. Among these was a discernible increase in requests from Members and committees for that type of information which might best be provided with the assistance of ADP. Many repetitive requests have been received over a span of several years which involve the computation and interpretation of election and questionnaire information. These tasks lend themselves to machine processing.

As the pressures of time and number of tasks reduce the effectiveness of the Member and his staff, measures must be taken to supplement the human resources. Vice President HUMPHREY, in a memorable speech on the role of automatic data processing in a decision-making environment, said:

> The legislative branch should, itself, take the lead. Few groups of men and women in the world need more, better or more varied information than the 535 elected Representatives and Senators. Congress' committees and subcommittees and Members need push-button, preferably display-type access, to specialized "banks" of information. Each major "bank" should serve the interested committees—Agriculture, Appropriations, Armed Services, Banking and Currency, Foreign Relations, Interior—and so on, down the alphabetic line.

The electronic computer and the systems techniques associated with its use are simply tools for use by the decision-maker. They are designed to help provide that information which is necessary to make balance, accurate decisions.

The need to provide the busy Congressman with every possible tool and technique is now. The feasibility of these devices and techniques has been proven. I believe that this amendment will help to enhance the ability of Members of Congress to exercise their collective judgment on the issues that come before them.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. SCOTT. I yield.

Mr. MONRONEY. I am very interested in the amendment of the junior Senator from Pennsylvania. In fact, we provide in the legislation for the beginning of a data processing system and the acquisition, through lease or purchase, of various automatic data processing equipment.

In listening to the statement of the distinguished junior Senator from Pennsylvania, I do not believe that the amendment would interfere with establishing a data processing system for accounts that are the same for all Government agencies and a general category of accounts in which we would be guided by the establishment of this common accounting system and numbering of accounts by the General Accounting Office.

As I listened to the distinguished Senator describe his amendment, its purpose would be for information retrieval primarily.

Mr. SCOTT. The Senator is correct.

Mr. MONRONEY. And in research, and not especially zeroed in on the field of accounting, such as is provided for in the bill itself, to work with the General Accounting Office in prescribing such a system.

Mr. SCOTT. That is my understanding.

Mr. MONRONEY. We have talked to various members of the committee with reference to the amendment of the distinguished Senator. He has agreed to strike out the dollar authorization and leave to the judgment of the Appropriations Committee the funding and the extent and rapidity of the growth necessary to carry out this system.

Mr. President, I am happy to accept the amendment of the distinguished Senator from Pennsylvania.

Mr. SCOTT. I thank the Senator.

Mr. MONRONEY. Mr. President, may we have a voice vote?

Mr. SCOTT. Mr. President, I ask for a voice vote.

The PRESIDING OFFICER. Do Senators yield back the remainder of their time?

Mr. SCOTT. Mr. President, I yield back the remainder of my time.

Mr. MONRONEY. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All remaining time having been yielded back, the question is on agreeing to the amendment of the Senator from Pennsylvania [Mr. SCOTT]. [Putting the question.]

The amendment was agreed to.

Mr. SCOTT. I thank the Senator from Oklahoma.

Mr. MONRONEY. Mr. President, apparently we have no further amendments that Members wish to call up at this time. In connection with some amendments that we hoped could have been brought up, the authors of these amendments have asked to bring them up on Monday because some of the sponsors are not here. For that reason, we have no further requests for discussion at this time.

REQUEST FOR EXTENSION OF TIME FOR BILL TO LIE AT THE DESK

Mr. BYRD of West Virginia. Mr. President, on behalf of the senior Senator from Washington [Mr. MAGNUSON], I ask unanimous consent that the bill S. 927, which is now at the desk, remain at the desk until February 25.

The PRESIDING OFFICER. Is there objection?

Mr. CURTIS. Mr. President, I object on behalf of the minority leader.

The PRESIDING OFFICER. Objection is heard.

PROGRESSIVE FARMER MAN-OF-THE-YEAR AWARD

Mr. BYRD of West Virginia. Mr. President, Mr. Gus R. Douglass, Commissioner, State Department of Agriculture, in West Virginia, has been recently honored by the Progressive Farmer through selection for one of that magazine's Men of the Year Awards for 1966.

Commissioner Douglass, a resident of Grimms Landing in Mason County, W. Va., has the responsibility, as commissioner of agriculture for the State, of carrying out activities in order to promote agriculture and encourage acts designed to protect the general welfare of the people of West Virginia. An official description of his duties says that among these acts are lending assistance in the production, processing, and marketing of farm commodities; establishing official standard grades for fruits, vegetables, livestock, eggs, poultry, and processed foods; controlling and eradicating communicable diseases in livestock, poultry, and plants, and controlling insect crop pests and diseases of trees; registering and examining agricultural seeds, feeds, and fertilizers; administering agricultural laws requiring the issuance of permits and licenses; encouraging the location within the State of industries which provide markets for farm products; and generally, disseminating information concerning the resources of the State with the object of advancing its best interests.

Now this is a big assignment for any man; but there is testimony that Mr. Douglass discharges his duties effectively—his selection as the recipient of a Man of the Year Award by the Progressive Farmer—and the account given in the magazine reports it well.

I ask unanimous consent that the article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GUS R. DOUGLASS OF WEST VIRGINIA

At the conference table, in his office, and in the legislative chambers, Gus R. Douglass has the welfare of West Virginia farmers uppermost in his mind. Since becoming commissioner of agriculture in 1964, he has vastly improved and expanded the services his department renders to farmers.

Managers of the department's farmers' markets are now regional development specialists who help growers sell produce even if it's not delivered to one of the state markets. To stimulate greater production on individual farms, Douglass has inaugurated new commission rates that are tied closely to actual costs and volumes. Last year, the farmers' markets sold more than $800,000 worth of farm produce for 3,000 cooperators.

In 1964 Commissioner Douglass divided the Department of Agriculture into two branches—service and law enforcement. Both of these units work closely with West Virginia University to make it possible for farmers to realize greater incomes from land, labor, and capital. Last year Douglass entered into a cost-sharing agreement with the U.S. Forest Service to make aerial surveys of forest insect and disease infestations and damage. The new service will help ground crews in control and eradication work. And Douglass will distribute a weekly forest pest newsletter.

In recent sessions of the West Virginia Legislature, Commissioner Douglass spearheaded drives which resulted in the passage of a new meat inspection law and an egg law. Both laws strengthen the position of West Virginia producers in local and out-of-state markets.

Since becoming commissioner, Douglass has worked closely with the Department of Commerce to create a better climate for agribusiness in West Virginia. His efforts have been fruitful.

For these contributions and many others, and for his genuine interest in the welfare of farmers, we name Commissioner Gus R. Douglass our 1966 Man of the Year in Service to West Virginia Agriculture.

REQUEST FOR EXTENSION OF TIME FOR BILL TO LIE AT THE DESK—OBJECTION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the bill (S. 927) remain at the desk through February 25 for additional cosponsors.

The PRESIDING OFFICER. Is there objection?

Mr. WILLIAMS of Delaware. Mr. President, there will be objection. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that further proceedings under the quorum call be dispensed with.

Mr. WILLIAMS of Delaware. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

The legislative clerk resumed the calling of the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. WILLIAMS of Delaware. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard. The clerk will continue to call the roll.

The legislative clerk resumed the calling of the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. WILLIAMS of Delaware. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

The clerk resumed the call of the roll and the following Senators answered to their names:

[No. 28 Leg.]

Bartlett
Burdick
Byrd, Va.
Byrd, W. Va.
Carlson
Dirksen
Eastland
Hartke
Hill
Holland
Javits
Kennedy, Mass.
Long, La.
Magnuson
McGee
Monroney
Morse
Mundt
Murphy
Percy
Russell
Smith
Sparkman
Symington
Tydings
Williams, Del.
Yarborough

The PRESIDING OFFICER. A quorum is not present.

Mr. BYRD of West Virginia. Mr. President, I move that the Sergeant at Arms be directed to request the presence of absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from West Virginia. [Putting the question.]

The motion is agreed to, and the Sergeant at Arms is directed to execute the order of the Senate.

After a little delay the following Senators entered the Chamber and answered to their names:

Boggs
Clark
Gruening
Hollings
Jackson
Kennedy, N.Y.
Long, Mo.
McGovern
Metcalf
Montoya
Moss
Nelson
Pastore
Randolph
Stennis
Williams, N.J.

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, in accordance with the order previously entered, I move that the Senate stand in adjournment.

The motion was agreed to; and (at 5 o'clock and 2 minutes p.m.) the Senate adjourned until tomorrow, Friday, February 17, 1967, at 12 o'clock meridian.

EXTENSIONS OF REMARKS

Veterans' Pension Payments

EXTENSION OF REMARKS
OF
HON. PAUL A. FINO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 16, 1967

Mr. FINO. Mr. Speaker, during the 89th Congress, more than 180 veterans' pension bills were introduced in the House of Representatives and referred to the Committee on Veterans' Affairs. All of these measures would have liberalized the pension program in some manner. Some were extremely generous, some were modest and some were extremely conservative. Some were completely unrealistic, while others were quite practical and contained sound proposals. The merits of any of these proposals, however, became a moot question in the eyes of the administration, because their designated spokesman informed the Committee on Veterans' Affairs that they did not support any liberalization of a pension program at that time.

Despite this attitude of the administration with respect to veterans' pension proposals, the Committee on Veterans' Affairs unanimously reported and the House passed H.R. 17488, a bill that would have provided cost-of-living increases to approximately 1.9 million war veterans, widows, and children. Unfortunately, the administration's opposition to this proposal continued and the bill did not pass the Senate prior to the adjournment of the 89th Congress.

Now, it appears that the administration has finally recognized the necessity of increasing veterans' pension payments. The President's message on servicemen and veterans received in the House of Representatives January 31 recommends some increases in the pension program. It is regrettable, however, that the President's recommendations on pension are not as generous as the provisions of the bill passed by the House of Representatives last year. I am, therefore, introducing today a pension bill containing all of the provisions of the bill that passed the House plus an additional provision increasing the income limitations of existing law by 20 percent. This additional feature is necessary if we are to prevent the proposed increase in social security benefits from having an adverse effect upon the veterans' pension program. The new income limitations contained in my bill will permit veterans to receive the increased social security payments each month without affecting their continued pension entitlement.

I am hopeful that our committee will soon be able to report this or a similar bill to the House of Representatives as soon as possible.

SBA Loans Boost Local Economy

EXTENSION OF REMARKS
OF
HON. RICHARD D. McCARTHY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 16, 1967

Mr. McCARTHY. Mr. Speaker, 6 years ago the Small Business Administration made a loan of $500,000 to the Hercules Packing Corp. of Alden, N.Y. Since that time, the company has added 100 new employees and more than doubled its plant facilities and sales. It has also been able to acquire a rubber products plant in Conneaut, Ohio, with more than 100 employees. Now the firm is among the top 10 in its field of packing materials, seals, bearing, ring, and other products.

I think this is a fine example of the SBA's cooperation with the private business sector. It has helped the Alden community, produced new jobs and strengthened the economy.

Hercules' loan was made by the Midland Capital Corp. under the SBA's small business investment company—SBIC—program in 1961. The firm is just one of an increasing number in the United States that are finding out that their chances for success can be greatly enhanced by the use of programs under the SBA.

Many small firms need assistance in one or several parts of their operations. SBA can give these firms management guidance, technical guidance, subcontractual opportunities—as well as financial assistance.

Often, the SBA has brought a sliding business to its feet again. Often, it has taught a small business to expand to a large business. I would like to take this opportunity to commend the Small Business Administration—for each small business aided by the SBA represents a significant boost in the overall national economy.

Marine Organisms—Widely Diversified Study—22-Year Effort

EXTENSION OF REMARKS
OF
HON. JOSEPH P. ADDABBO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 16, 1967

Mr. ADDABBO. Mr. Speaker, I have recently had occasion to hear expert viewpoints of an Air Force sponsored monograph which will certainly be hailed as a scientific milestone. This is the first edition of a proposed three-volume monograph which is being published by the U.S. Air Force. It was developed and written by Bruce W. Halstead, M.D., of the World Life Research Institute, Colton, Calif., under a Department of Defense contract. This tremendous and wonderful work, which is the result of over 22 years of effort, is the most comprehensive collection of data in this area of marine biology ever written. The release of the first volume has received overwhelming acclaim and acceptance from world leaders in the field. Because of the unique problems involved in graphically portraying its contents only the very best materials and production techniques available are being used by the U.S. Government Printing Office in its manufacture.

Although the publication is directly concerned with the toxicity of marine organisms in the broadest possible sense, the application of much of the data that is represented has far-reaching implications to such widely diverse subjects as medicine, marine biology, natural history, fisheries, public health, economic development, pharmacology, biochemistry, sport fishing, scuba diving, pharmaceutical, industry, and military operations. I was also informed that fish, sponges, jellyfish, sea snakes, corals, worms, starfish, sea urchins, marine turtles, sea cucumbers, marine mammals, et al., are described from the standpoint of their historical, geographical, pharmacological, nomenclatorial, biological, clinical, therapeutic, preventative, pathological, and chemical natures. The work has an exhaustive bibliography with thousands of references covering world literature from 3000 B.C. to the present. Many of them were taken from ancient oriental manuscripts and rare technical publications. There will be over 1,000 illustrations by the finest biological illustrators of Japan and the United States.

I am confident that by the successful completion of this project, which is scheduled for early 1968, the United States will open a new horizon of organic chemistry and marine pharmacology and make a vast contribution to man's understanding of the complex ecological and biochemical aspects of "Inner-Space"—The Sea.

Fino Introduces Bills To Put Chiropractic and Physical Therapist Treatment Under Medicare

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 1967

Mr. FINO. Mr. Speaker, today I am introducing legislation to provide payment for physical therapist's services and chiropractor's services under medicare.

Each year, millions of Americans, young and old alike, use the services of chiropractors and physical therapists. Many of these people are elderly persons who are otherwise covered by medicare. Many of them are pensioners. They do not have money to spend on virtual medical services which ought to be provided for under the medicare program.

Therefore, I am introducing two bills to put chiropractor's and physical therapist's services under medicare. If Congress passes these bills, many of our senior citizens will be helped greatly.

Special Category on Physically Handicapped Is Urged for 1970 National Census

EXTENSION OF REMARKS

OF

HON. JAMES C. CLEVELAND

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 1967

Mr. CLEVELAND. Mr. Speaker, last year I introduced a bill, H.R. 12321, to have information on the physically handicapped included in a special category of the 1970 national census.

The bill received widespread attention and approval from those concerned with treating the physically handicapped and conducting research into the numerous causes of handicapping afflictions.

The 89th Congress did pass a related proposal which I introduced, which was enacted into law, extending to all physically handicapped persons the facilities of the Federal talking books for the blind program run by the Library of Congress.

The bill for a special category in the census, which I am reintroducing, will serve as a focus for the needed, extra study of physical handicaps, and I am sure all difficulties can be overcome. All acquainted with the field agree that more information on the physically handicapped is needed in order to devise the best programs for helping them.

We need to know exactly how many persons are physically handicapped and to what degree. We need more "raw" information on the causes of these handicaps. We need to know how many are employed, or could be employed, and at what kind of work. We need to know how much money is needed to provide income replacement, medical care, rehabilitation, training and other needs.

Although precise figures are not available, the President Committee on the Employment of the Handicapped has estimated that the total annual expenditure by public and voluntary agencies for these benefits and services is about $20 to $25 billion a year. Statistics which could be developed from my census proposal would provide for more efficient use of this enormous sum.

It is unfortunate that presently available figures on the handicapped are no more than a loose collection of data based on isolated surveys, the interpretations of vested interests and casual observations by many Government agencies and voluntary organizations.

When we know who the handicapped are by disability, location, education, income level, sex, and skills, we will be able to facilitate for many, their entry or return to the labor force through rehabilitation, job promotion, and other services. We will be better able to turn what are, in some cases, national liabilities, into national assets.

Herbert J. Waters: An Aggressive Fighter in International War on Hunger

EXTENSION OF REMARKS

OF

HON. HAROLD T. JOHNSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 1967

Mr. JOHNSON of California. Mr. Speaker, I have just been advised that an old friend and a fine administrator, Herbert J. Waters, has been designated by the Honorable William S. Gaud, Administrator of the Agency for International Development, to take charge of this Nation's international war-on-hunger program.

The new head of the war-on-hunger program in AID is a rare combination of superb planner and activist. In the days stemming from his experience with Secretary of Agriculture Brannan in 1949 to 1952 and subsequently with the then Senator HUMPHREY, Waters has always been known as a man who was not only an innovator but a man of action. Waters' far-sightedness is perhaps best demonstrated by his efforts in working with Senator HUMPHREY to redesign the Public Law 480 program into the Food for Peace Act.

Waters feels very strongly that Nations should develop primarily through their own efforts. He believes that our programs can only be supplements not substitutions for self-help. He was one of the strong advocates to eliminate the "surplus" concept in the Public Law 480 program and replace it with self-help requirements.

Believing that self-help is the lifeblood of economic development and believing that no progress is sustained without it, Waters pushed hard for the elimination of the "dole" type of relief to food-for-work programs. He has been active in formulating programs which provide U.S. food and fiber to stimulate greater productivity in the aid-recipient countries. He has been highly instrumental in working out practical self-help measures to be taken by the developing countries to improve their own capacity to provide food for their people.

Waters' responsibilities as Assistant Administrator for Material Resources in AID cut across a large spectrum of responsibilities, using the Nation's agricultural and industrial and transportation resources in fulfilling our foreign assistance objectives. He has been responsible for the encouragement and participation of the U.S. small business in the supply activities of the agency and for activating congressional mandates for more functional use of voluntary agencies and cooperatives to support AID's objectives.

However, his interest and activities in the food-for-peace program in which

AID has always had a major role led to a number of important contributions. He was in the forefront in focusing attention to the need to combat child malnutrition, sounding a battle cry nearly 2 years ago in a major address in Brazil that led to new policy initiatives. He was largely responsible for the major shift from the hand-out type of relief to food-for-work programs and new impetus to child feeding programs such as the Operations Ninos program in Latin America.

Waters has been a moving spirit pressing AID to revamp its programs and policies to give the highest functional priority to food and agriculture. Waters has always emphasized the long-run impact of high level farm production at home to meet world food needs. He has stressed the successful economic development abroad will build U.S. markets for farm products. He has been more than mindful of the necessity for sound population programs which are vital to meeting the food crisis. He has constantly pushed for greater flexibility to use food aid to further our national security objectives.

In his new reorganization of AID, it is Administrator Guad's aim to have Waters concentrate solely on war-on-hunger activities. In undertaking this new assignment, he has indicated his conviction that the food-population crisis can only be won by maximum involvement of private enterprise. There is no doubt that the underdeveloped countries cannot do the job of conquering and overcoming the threat of famine unless the world's private and governmental resources are mobilized soon and effectively.

Noisy Aircraft

EXTENSION OF REMARKS

OF

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 1967

Mr. McCARTHY. Mr. Speaker, yesterday I introduced a bill to help cope with the problem of noisy aircraft. The bill, originally proposed by Representative CLEMENT J. ZABLOCKI, of Wisconsin, would constitute an amendment to the Federal Aviation Act of 1958.

It would see that the Federal Government takes over part of the responsibility for alleviating noise pollution. It would also authorize an intensive national research program to cope with the matter of noisy aircraft. It would require the cooperation of aircraft manufacturers and designers.

The problem of aircraft noise has become so acute a social blight in the areas surrounding our cities that something definite must be done to fight this now. First of all, we need a centralized office to serve as a national spokesman for airport neighbors, in my own area in Cheektowaga, Clarence, Lancaster, and Amherst, N.Y.—and across the country.

We need an intensive national program that would devote its time to the progressive silencing of aircraft noise. The bill by Mr. ZABLOCKI would do this. It would authorize the Federal Aviation Administration to see that the proper research programs were carried out. It would place the FAA Administrator in charge of overseeing new programs and changing old ones to bring about a remedy for the noise.

More than 15 million persons in this country are affected by aircraft noise. It can shake houses, break dishes, interrupt sleep, and cause frazzled nerves.

In the past, aircraft neighbors were asked to put up with noise. This should no longer be necessary. Every American has the right to quietude.

This is an issue that has concerned me for some time now. In August 1966, I supported the creation of an Office of Aircraft Noise Control and Abatement, according to an amendment offered by Representative ROSENTHAL, of New York.

At that time, I said that little had been done by the Government to meet its responsibility in the area of noise pollution. Today the situation is still unchanged. It is time for definite action in the matter and I believe this bill, if passed, would provide the stimulus needed to effect a gradual stoppage of aircraft noise.

Kilmer Job Corps Center Celebrates Second Anniversary

EXTENSION OF REMARKS

OF

HON. JAMES J. HOWARD

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 1967

Mr. HOWARD. Mr. Speaker, it gives me a great deal of personal pleasure to join my distinguished colleague from New Jersey [Mr. PATTEN], by inserting in the CONGRESSIONAL RECORD some of my observations on the Kilmer Job Corps Center in New Jersey which celebrated its second anniversary on Saturday, February 11, 1967.

I hope to attend a special second anniversary program at the center with Mr. PATTEN and another distinguished colleague from New Jersey [Mr. WIDNALL], on March 11, 1967.

I have taken the opportunity to visit Camp Kilmer, tour the center, speak to the corpsmen, staff members, and Director D. L. Webber. I had the distinct pleasure of addressing the November 23, 1966, graduating class of more than 150 corpsmen who had completed their training there and were about to go out and make it on their own in society.

As a professional educator, former teacher and school principal, and as one who came back to high school to complete my secondary education after interrupting it to serve in the U.S. Navy during World War II, I could detect the eagerness of these young men who had completed their training to go out into the world and do something with their recently acquired skills.

Kilmer, the second Men's Urban Center to be funded and begin fighting this Nation's announced war on poverty, has not had it as easy as some suspect. This was a brandnew concept, of moving in on poverty at its roots, in the ghettoes, and reaching out with a new ladder of hope to the young men and women who have dropped out of school and cannot qualify for a decent job.

Naturally, there were failures for, before they joined the Job Corps, each one of these trainees was a failure, a dropout who did not have much of a future before him. The fact that there were so few failures, perhaps 30 percent of all those enrolled at Kilmer since its inception 2 years ago, is a great credit to the Center, the Job Corps, and to these fine young people.

Then there were neighborhood hostilities to overcome as Kilmer, which had a glorious history during World War II as a major Army port of embarkation, and later as a haven for victims of the 1956 Hungarian uprising, opened its gates for a third time.

This time it was to provide a training ground for as many as 2,100 corpsmen at one time. These young men, 16 to 21 years old, were considered by many as delinquents. Some of them proved their critics were right, but the vast majority of them not only completed their vocational and academic training at the Center, but went out into the community spreading good will wherever they could.

They could be counted on to provide manpower for worthy projects when needed; they could be called on in a minute's notice to donate blood to a complete stranger when an emergency arose; they could be counted on to produce more than 450 Explorer Scouts and 250 student government representatives during the past 2 years.

They have made it. They are now welcome in the community. When they walk the streets in neighboring towns they hold their heads high. They are proud to be Job Corpsmen—and their neighbors are proud to have them in the community.

Pelly Calls Tuna Boat Seizures Acts of Piracy

EXTENSION OF REMARKS

OF

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 1967

Mr. PELLY. Mr. Speaker, earlier today I announced to the House the seizure by an Ecuadorian vessel of three American tuna fish boats. I am now in receipt of further details which I include for printing in the RECORD following these short remarks. I will also include a copy of a letter I have dispatched to Secretary of State Dean Rusk, protesting this act of piracy.

Need I repeat, Mr. Speaker, as I said in the letter to Secretary Rusk, the prestige of our Government throughout the world has hit a new low when we allow former American naval and Coast Guard vessels to be used by foreign government to illegally seize the persons and property of American citizens on the high seas. As I said in addressing the House earlier today, the policy of paying fines illegally imposed on American vessels and then filing claims which are ignored only encourages these reprehensible acts.

Following is a summary of pertinent facts together with information received by radio by Mr. August Felando, of the American Tunaboat Association, and likewise a copy of my letter to the Secretary of State:

FEBRUARY 16, 1967.

Yesterday afternoon Mr. August Felando received a high seas radio call from Mr. Tom Santos, Master and part owner of the tuna vessel Ronnie S. He reported that around noon Ecuador time, an Ecuador naval vessel, the Quayaquil, designated #LC 72 and recognized as a former U.S. Coast Guard cutter, grey steel hull, about 95′ in length, intercepted, stopped and seized three vessels, the Ronnie S and the Ranger of San Diego, and the Determined of San Pedro. Location of the seizure was approximately 24 to 28 miles off the coast. The coordinates, as provided by the navigator of the Ronnie S and confirmed by the skippers of the other two vessels, gave position as 81 degrees 03 minutes W. Longitude, 03 degrees, 27 minutes S. Latitude. In addition to taking sights, Mr. Santos took radar bearings from the coast. According to their findings, they were located approximately 24 to 28 miles off the Peruvian coast. The Master of the Ecuador naval vessel claimed that the vessels were seized off Ecuador coast, approximately 10 miles above the imaginary line that separates Ecuador and Peru.

The vessels were clearly far beyond the 12-mile limit—there is no dispute about this. Dispute is as to whether they were off the Ecuador coast or off Peru, according to designation of the boundary line.

The Master of the Ecuador naval vessel attempted to persuade Tom Santos to sign a paper admitting that they were seized off Ecuador coast. Mr. Santos refused to sign the paper. We think the same thing happened with skippers of the other vessels. Armed guards were placed aboard all three vessels. The Ronnie S was having main engine difficulty, so the Ecuador naval vessel proceeded to escort the Ranger and Determined to the port of Salinas, ordering the Ronnie S to follow as soon as possible. At the time Mr. Santos was talking to Mr. Felando, he was under orders by the two armed guards aboard his vessel, a Lieutenant and a sailor both armed with 45's, that he was not to use the radio to contact San Diego. He told the armed guards that regardless of the consequences he was going to use the radio.

We don't expect to hear from Mr. Santos unless he is permitted to use the radio when he arrives in Salinas. Everyone aboard is okay. All vessels expected to arrive in Salinas about 3 a.m. Thursday (today).

There were seven other vessels in the vicinity. Mr. Santos was unable to give a clear explanation as to why the others were not seized. All three of those seized had gone into the port of Talura and had purchased Peruvian licenses. At the time of the seizure, Ronnie S was in a set (fishing), as were the other two.

The expected fine, or total amount of money required to be paid Ecuador for the release of all three vessels, will be approximately $32,000. If the formula provided in Ecuador is applied, the fine will be equal to $48 times the net tonnage of each vessel as indicated in the ship's marine document. In addition, each vessel will be required to pay another $12 a net ton for the purchase of a license as a further condition of release of the vessel. The total net tonnage of all three vessels is 547 net tons. If they did not have matriculas, they will have to pay an additional $200 each.

CONGRESS OF THE
UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., February 16, 1967.

Hon. DEAN RUSK,
Secretary of State,
Department of State,
Washington, D.C.

DEAR MR. SECRETARY: I am informed that a high-seas radio report came through from Mr. Tom Santos, master and part owner of the fishing vessel Ronnie–S. He reported that the Equadorian naval vessel Quayaquil, formerly a U.S. Coast Guard cutter, intercepted and stopped three fishing vessels, the Ronnie–S, the Ranger, and the Determined. The location of the seizure was approximately twenty-four to twenty-eight miles off the coast of Peru.

I strongly protest this illegal seizure and am requesting that the House Subcommittee on Fisheries be fully informed of any action taken by the State Department on this matter. I think that this act of piracy indicates the futility of our American policy of paying fines to foreign governments and following up by filing a claim which is ignored. The fact that our own former Coast Guard and Naval vessels are being used to apprehend U.S. fish boats on the high seas indicates also that the loans of any such vessels should cease. The Constitution provides that citizens on the high seas are entitled to protection and I think that the Administration and State Department should review their so-called good neighbor policy which has brought American prestige throughout the world to a new low.

Awaiting an early reply, I am,

Your very truly,

THOMAS M. PELLY,
Representative in Congress.

Remarks of the Honorable Paul Findley at Joint Session of the Illinois Legislature

EXTENSION OF REMARKS
OF
HON. FRED SCHWENGEL
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Thursday, February 16, 1967

Mr. SCHWENGEL. Mr. Speaker, last Monday a high honor came to a colleague of ours when Representative PAUL FINDLEY responded to the invitation to speak to a joint session of the Illinois Legislature when they paused to pay honor to the man in our history whom I call the most American American of all patriots. I want to take this opportunity to place a reminder of that occasion in the RECORD because of what Congressman FINDLEY said to this legislative body and through them to the people of Illinois. What he said is pertinent and appropriate and important for us to know and hopefully for us to respond to as we in this area of legislation ponder and decide questions of great moment.

It was appropriate for the Illinois Legislature to invite our distinguished colleague not only because he is a noted, avid student of Lincoln, but one who tries hard to live what he reads and knows about Lincoln when he served in the Congress of the United States for one term and when he served as Chief Executive of the United States. It is my hope that my fellow colleagues and those who subscribe to the RECORD will read and find assurance in these eloquent remarks on a great emancipator.

The speech follows:

REPRESENTATIVE PAUL FINDLEY: SPEECH TO ILLINOIS GENERAL ASSEMBLY, FEBRUARY 14, 1967

Mr. Speaker, Mr. President, Members of the Senate, Members of the House of Representatives, My Fellow Citizens:

This is a proud and happy moment for me. The opportunity to address a joint meeting of the Illinois Legislature is one of the very rarest of privileges and certainly one which I never expected to come my way. For it, I am most grateful to you, Mr. Speaker, and to all of you who by your presence make this a great occasion.

This is the most important governmental center of the greatest state in the Union. I am aware of the heavy load you carry, the mountain of legislation awaiting disposition, and the inexorable movement of the calendar toward the required day of adjournment. All of this makes me deeply conscious of the unique and highly prized opportunity which these moments provide and I thank you.

The work of the Illinois legislature affects vitally the day-by-day lives of every citizen of this state. The cities, villages and all other subdivisions of government are the offspring of the legislature—deriving their authority and duties, indeed their very existence from actions of this body.

What you do also has tremendous impact on the federal structure of our nation. By guarding carefully your prerogatives, meeting thoroughly the problems of Illinois citizens, you help to stay the natural but powerful trend toward centralization of decision-making in Washington. Thus, through both forward action and protection, you safeguard the very genius of our system which is the dispersal of governmental power.

In this the Illinois legislature is outstanding. I congratulate you for doing a superior job and look confidently to you for continued leadership.

No citizen of the United States can be unmindful of the contributions Illinois has made over the years to the success of the American system of government, and of course the name foremost in this galaxy of statesmen is the one whose birthday anniversary we honor at this time.

Abraham Lincoln once remarked to a friend that his most valuable political training came from service in the Illinois General Assembly. There he learned to respect political organization, to maneuver and compromise on detail without sacrificing principle. Perhaps most important of all he came to honor parliamentary procedure as a great shield of liberty, a protection for the minority—yes, even the minority of one—against vengeful or passionate acts by the majority.

I was invited here of course because the area I represent in the United States House of Representatives is known as the Lincoln District. Much of the same area was in the district Lincoln served in Washington 120 years ago.

His service in Springfield as a legislator, his term in Congress, his campaign for the Senate and his service as President, brings to my mind three of the principles by which he lived.

First, his dedication to individual liberty—the right of free expression.

As Congressman and as President he guarded jealously the right of dissent—even in time of war. He both practiced it and protected it.

As Congressman he brought upon his own head national scorn by criticizing America's role in the war with Mexico which was then in progress. He questioned whether Mexico was guilty of any aggression and put the blame instead on the United States. For it he was editorially labeled a traitor, a second Benedict Arnold.

As President he protected the right of

free expression even in the darkest hours of the war. He himself was much abused and villified by cartoonists, writers and speakers, but he protected nonetheless their right to criticize.

Second, his opposition to slavery.

In the same hall where he had earlier served in the Illinois legislature, he warned that a house divided half slave and half free cannot permanently endure. He predicted it will become all one thing or all the other.

As a candidate for the Senate and later as President he viewed slavery as a moral issue. In this he was unlike most prominent figures of his time, who saw slavery primarily as a property or economic issue. He felt that no one is completely free until all are free.

He defined national defense—a topic of much discussion and much expense these days—in a unique way. He said, "Our defense is the preservation of that spirit which prizes liberty as the heritage of all men in all lands everywhere."

This was one more way in which Lincoln expressed his conviction that slavery and freedom are mutually exclusive and cannot long stand side by side.

Third, his willingness to act boldly and with imagination.

He was not tied blindly to past traditions. He said, "The dogmas of the quiet past are inadequate to the stormy present. The occasion is piled high with difficulty and we must rise with the occasion. As our case is now, so we must think anew and act anew. We must disenthrall ourselves."

These three principles seem especially appropriate for today.

In this new time of national testing we are engaged in a strange and disturbing war in distant jungles. Prominent voices criticize the bombing, indeed our whole war policies, and try to portray the United States as a cruel aggressor.

The temptation naturally rises to stifle dissent, and to excoriate those who would speak up with an unpopular view. The temptation must be overcome, because liberty—the right of free expression is really what the warfare is all about. We are in Vietnam to help stop the modern-day forces of slavery.

In the formulation of our policies with Eastern Europe, the Soviet Union and other areas controlled by dictatorship, we will wisely keep in mind Lincoln's dictum that a house divided half slave and half free cannot stand.

The enslavement of people by rulers controlling great military power is a real and present danger to our own freedom.

The effort to prevent the expansion of slavery to the rice paddies of South Vietnam is somewhat akin to Lincoln's attempts to block it from wheat fields of Kansas. He knew that in the struggle against slavery to surrender anywhere—whether it be abolition of slavery in the District of Columbia or the freedom of the city of Berlin—is to invite defeat everywhere. We have learned the bitter lesson of experience that wise compromise with slavery is not possible, whether it is phrased in the compromise of 1850 or the Geneva Convention of 1954.

Our goals and aspirations as a nation which Abraham Lincoln set for us over 100 years ago are the same that the American people recognize today in our relations with other countries. As a people we seek a world free from slavery.

A world in which the personal freedoms essential to the dignity of man are secure.

A world of equal rights and equal opportunities for all men.

That Lincoln is regarded as the greatest of U.S. Presidents because he ended slavery and preserved the Union is proof that he met the test. Because he succeeded, he is remembered and revered by men of both parties, but remembering his words is not enough. We honor most appropriately the memory of Abraham Lincoln in perpetuating his principles. While we preserve monuments associated with his career, let us also preserve his achievements and build on them for an even greater future.

The responsibility is challenging. Conditions today are different than yesterday. The problems of people in urban society are different than on the farm of yesterday. Technology has made the world smaller in many respects today than Illinois was when Lincoln was born. Forces of tyranny are more menacing.

The entire scope of human problems must be restudied in light of changed conditions.

As Lincoln said:

"We must think anew and act anew. We must disenthrall ourselves."

They Must Be Doing Something Right

EXTENSION OF REMARKS

OF

HON. PORTER HARDY, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 1967

Mr. HARDY. Mr. Speaker, the distinguished chairman of the Armed Services Committee, the gentleman from South Carolina, L. Mendel Rivers, recently answered a series of questions on the military exchanges and commissary system for the Exchange and Commissary News.

I think my colleagues will find this article very helpful to them in understanding the military resale system and in appreciating the importance of the exchanges and commissaries to the members of the Armed Forces and their families. They will also find it useful in answering questions from constituents.

I would point out, Mr. Speaker, that Chairman Rivers in the accompanying article is addressing himself to the exchange and commissary system as it affects the consumer, the individual service family. It may be that there is room for improvement in the procurement and personnel policies of the system and it may be that the Congress will have to look into this area. I want the Members of the House to know that the committee has not neglected this side of the picture and that we will continue to monitor the operation of the system.

The article, which was prepared by Mr. John Neubauer, the astute managing editor of Exchange and Commissary News, follows:

THEY MUST BE DOING SOMETHING RIGHT—A FRANK DISCUSSION OF THE MILITARY RESALE SYSTEM BY ITS NO. 1 CHAMPION

Representative L. Mendel Rivers, the powerful Chairman of the House Armed Services Committee, recently answered a series of questions put to him by E&C News on major issues concerning exchanges and commissaries. Rivers, our readers will remember, is the man who said if any commissaries are closed it would be "over my battered body." In this report, provided exclusively to E&C News readers, the chairman speaks frankly about current criticism and future problems of the commissary and exchange systems.)

Mr. Chairman, we know you get an enormous amount of mail from military families. Do you receive a great many complaints about the commissary and exchange systems?

Rep. Rivers. Not really. We don't get nearly the volume of mail we do on other problems such as assignments, family separations, promotions, etc. We get very few complaints about the exchange and commissary systems as a whole. Most of the mail comes from overseas and concerns the failure to stock various items in individual exchanges. Occasionally we get complaints concerning prices.

What is your answer to those who complain about prices going up and those who say commissaries and exchanges have lost their value?

Rep. Rivers. The proof of the pudding is in the eating. If they did not provide a significant saving exchanges and commissaries wouldn't be so heavily patronized—and I wouldn't be receiving complaints from those who cannot get to the stores. I think it was your own paper that first pointed out the commissaries have now passed $1 billion a year in combined sales. Exchange and commissary business keeps going up, so they must be doing something right.

You will always find somebody who found something selling cheaper in a commercial establishment than in an exchange, particularly in areas where you have discount stores and no state price maintenance laws. But generally speaking the average costs are going to run less in military stores. I suppose it depends a little bit on one's talents as a shopper. But I'm convinced the military family that shops regularly and conscientiously in the military stores saves money. And I think the military wives know this.

The markup on items in the commissary, as you know, is about three percent, enough to cover transportation and handling costs. It doesn't cover the cost of the staffing of the stores and it doesn't provide a profit. How could commercial establishments consistently compete pricewise?

The markup in exchanges is more, of course, varying with the item. But it must be remembered the exchanges provide another benefit for service personnel—by providing funds for the operation of welfare and recreation activities. I don't know the exact figure, but in 1966 the exchanges provided something like $80 million for welfare and recreation funds. Exchange revenues must also cover the operating costs, including salaries of employees.

Would it be fair to say, Mr. Chairman, that when the cost of everything is going up and wholesale prices are going up, commissary prices will go up, too, but in your opinion commissaries retain their relative value?

Rep. Rivers. Yes, if you mean the value of commissary shopping as compared with commercial stores.

I think you might statistically make a case for the idea that the value of commissaries as a fringe benefit increases in time of inflationary pressure. That is to say, in time of inflation everyone spends a greater percentage of his income on basic foodstuffs. So the comparative saving is more important in terms of his total family economy. We are now reaching the outer limit of my knowledge of economic theory.

At this time do you foresee any hearings in the coming session of Congress looking to changes in the commissary and exchange systems?

Rep. Rivers. No.

Do you feel you have the support of the whole Congress in your defense of the commissaries and exchanges?

Rep. Rivers. Congress is well aware of how the commissaries and exchanges operate and what they do and Congress has made no change in the systems in a good many years, so I think you have to assume this fringe benefit for military personnel has Congressional support.

But some members in Congress seem to regularly launch criticisms of the commissaries.

Rep. Rivers. Congress has many members who look at various things differently. I think it is important to remember that the committees which have been delegated jurisdiction by Congress in this area—the Armed Services and Appropriations Committees—continue to support the commissary and exchange operations. I regret the criticism from other sources which sometimes has a bad effect on morale.

There are also various retail groups that periodically surface and attack the commissary and exchange privileges. Do you see a likelihood of these attacks tapering off?

RIVERS: IN DEFENSE OF THE RESALE SYSTEM

Rep. RIVERS. I would be surprised if they did. Human nature hasn't changed very much in more than 2,000 years of recorded history. When you have a $4 billion market there will always be a lot of fellows trying to get a slice of it.

Are there any plans to cut retirees out of the commissary privilege?

Rep. RIVERS. I know of no plans to exclude retirees from commissaries and I would oppose such a move. It is one of the things they were led to expect.

We all know the size of the retired rolls are growing rapidly. Could the very size of the retired population in time cause problems?

Rep. RIVERS. I suppose it would depend on how the retired population near commissaries increases and the use retirees make of the stores. I know of no plans to prohibit retirees from using the commissaries. On the other hand Congress probably wouldn't authorize the expanding of commissaries for the purpose of serving retirees.

As you know, the Congress appropriates the money that pays the people who staff the commissaries. And the commissaries are limited in the number of hours they can operate. I don't think Congress would be willing to enlarge the staff and stretch the hours of operation just to serve retirees.

Mr. Chairman, you said they would only close the commissaries over your "battered body." We might observe that so far at least you don't appear to have been battered too much.

Rep. RIVERS. I never felt better.

Parable of the Wolf, or, a Believability Gap

EXTENSION OF REMARKS

OF

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 16, 1967

Mr. RARICK. Mr. Speaker, the worker-taxpayer and patriotic-minded citizen also cherished Abe Lincoln's birthday, remembering "you can fool part of the people all of the time and all of the people part of the time, but—"

In view of the intended program to be presented to Congress asking for an anticrime program, I am asking that there be inserted in the RECORD at this point the remarks of Vice President HUMPHREY which appeared in the Evening Star here in Washington on February 15, 1967.

The article follows:

HUMPHREY PLEDGES AID TO DRIVE AGAINST CRIME

(By Shirley Elder)

Vice President Hubert H. Humphrey responded to pleas from distraught crime-plagued District businessmen yesterday with a firm pledge of support and said they, too, must do their share.

The vice president urged business leaders to form an "action group" to help the administration lobby on Capitol Hill for more money to fight the ever-increasing crime rate here.

"I want you to know," Humphrey said, "that I will do all that I can to obtain from the Congress the funds necessary to establish effective law enforcement in the District and to establish it now.

"We need the backing of every group and interest in the District on behalf of this effort. The time is at hand for business, labor, religious and civic groups to act under the mandate for action which has been spelled out by the President—and to go to the Congress in person to obtain the financial support necessary."

The Humphrey statement came in letters to Richard H. Sinclair, president of the D.C. Savings and Loan League, and G. B. Burrus, president and chairman of the board of Peoples Drug Stores.

Another call for an increase in the war on crime came from the Washington D.C. Retail Liquor Dealers Association, which demanded "strong remedial legislation" to curb the rising tide of robberies.

Hilliard Schulberg, association executive director, said that since 1965 more than 250 holdups and four murders have occurred in stores operated by members of the association.

In a letter to President Johnson, Schulberg urged that suspects charged with violent crime who have prior criminal records not be released on bail before trial. He also called for an increase in police manpower.

Humphrey also released a copy of a letter written last week to another concerned businessman, chairman Robert Baker of the D.C. Clearing House.

"You have performed an important service . . ." Humphrey told Baker. "I hope that you are encouraged, as I am, by President Johnson's strong recommendation (to Congress) . . . When the President says that 'public order is the first business of government,' I think you can take that to mean we are going to see action."

TIME FOR ACTION

However, "action in this case means money." Humphrey listed these problems in the District:

"Police and prosecutors' offices all are understaffed and underpaid. District police should be better trained and better equipped; racial bars should be dropped, and police-community relations should be more pleasant."

Ideally, Humphrey continued, police precinct stations should be centers of "positive community education for law enforcement." And the District should have the "best technical facilities money can buy."

Humphrey also put in a plug for a law to restrict the easy traffic in hand guns.

MUST "PAY THE PRICE"

In an obvious reference to the charge that recent court decisions have weakened law enforcement, Humphrey said it is possible to protect the majority and still guarantee individual rights; "We can do both, but we must be willing to pay the price."

The protesting letters have been published as full-page newspaper ads to dramatize the businessman's anxiety. On behalf of People's, for instance, Burrus printed a list of 62 burglaries and 31 armed robberies suffered by the chain's stores in the last 56 weeks.

Burrus said the dollar loss was $116,000 and warned that "every crime listed carried the seeds of grave human tragedy . . ." The pace of these crimes, he wrote, is "accelerating rather than abating."

Mr. Speaker, for some strange reason this national leader feels that crime can only be controlled if we, the American people, are able to "pay the price." This provokes a question as to why the responsible taxpayer-citizen who has suffered through the breakdown of law and order should be now saddled with another deduction from his paycheck to bail out the same leaders who have in the past encouraged disrespect for local law and order. Since many of our people have short memories, I am asking that the article covering a speech by the Honorable Charles E. Whittaker, former Supreme Court Justice, which appeared in the Washington Evening Star under date of February 15, be inserted at this point to refresh their memories on the events of a year ago.

The article follows:

CIVIL DISOBEDIENCE ENCOURAGED, WHITTAKER SAYS

A former Supreme Court justice last night accused President Johnson, Vice President Humphrey, Secretary of State Dean Rusk and American church leaders of encouraging violation of the law by civil rights demonstrators.

The attack came from Charles E. Whittaker, who retired in 1962, in the opening lecture of a three-part seminar on law, order and civil disobedience sponsored by the American Enterprise Institute, a conservatively oriented nonpartisan educational institution. The seminar is being held at George Washington University.

Whittaker cited a 1964 statement by Rusk: "If I were a Negro, I too would demonstrate."

Then he cited a statement by Humphrey last year that if he had to live in the slums "you'd have more trouble than you have had already, because I've got enough spark left in me to lead a mighty good revolt under those conditions."

Finally, he quoted the President's remarks in August 1965, to demonstrators at the White House: "I am proud this morning to salute you as fellow revolutionaries. Neither you nor I are willing to accept the tryanny of poverty. . . . I hope that you . . . will go out into the hinterland and rouse the masses and blow the bugles and tell them that the hour has arrived and their day is here. . . ."

Reasonable minds cannot doubt, Whittaker said, that such statements constituted an endorsement of civil disobedience, even though not intended as such.

Alluding to support of Negro civil rights movements in the South by "Northern whites," including ministers and other church people, Whittaker said their support of demonstrations vocally, physically or financially put them in a position where they "cannot now escape a measure of responsibility" for the results of the demonstrations.

Whittaker said he was sure that "a large majority of American Negroes are law-abiding citizens of good sense and do not subscribe to, and will have no truck with, the preachments of some self-appointed Negro leaders that have exhorted and incited Negroes to violate our laws. . . . My criticisms are of those misguided and irresponsible self-appointed Negro leaders who have exhorted and incited others to violate our laws, and of the relatively small percentage of our Negroes—usually the poorest and least educated ones—who have fallen under the spell of these leaders and have been carrying out their exhortations."

Mr. Speaker, in my humble opinion, it would appear no additional money is needed on a Federal level, no more judges or peace officers must immediately be recruited. Rather, government should let the dedicated jurists and lawmen alone and, under the eye of society in their own backyard, if permitted to proceed unhampered I am convinced they will restore law and order, and deter crime.

In lieu of pleas and leadership against the taxpayer I feel we should encourage those in high places to turn their pleas toward the beatniks and the street legions and the preacherniks, and talk to them—reason with them—in the terms of dignity, honor, loyalty, thrift, and respect for law and order, certainly the result could but stop the confusion in our land, diminish crime with the desired effect of restoring the greatest achievement of our Government; peace of mind and there would be no need for the additional taxes to set up a Federal machine to control crime.

SENATE

FRIDAY, FEBRUARY 17, 1967

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

Hon. WALLACE F. BENNETT, a Senator from the State of Utah, offered the following prayer:

Our Father in Heaven, in these times of great need of Thy assistance, we pray that we may never lose our sense of our relationship to Thee, which should be based on true humility.

Help us always to realize that the problems of the world—yes, the problems of every man in the world—are too great for us to solve. Help us to realize that the easy solutions are neither permanent nor wise. Help us to realize that we cannot solve spiritual problems with material means or devices.

Help us to continue to realize our dependence on Thee, and then give us strength to do the best we can with the problems we face from day to day, not with the hope of solving them, but in the hope that they may be lessened and made manageable.

This we ask in the name of Thy Son, Jesus Christ. Amen.

CALL OF THE ROLL

The VICE PRESIDENT. The Senate having adjourned in the absence of a quorum, the clerk will call the roll to ascertain the presence of a quorum.

The legislative clerk called the roll, and the following Senators answered to their names:

[No. 29 Leg.]

Allott
Bartlett
Bennett
Boggs
Burdick
Byrd, Va.
Byrd, W. Va.
Carlson
Case
Dodd
Ellender
Hansen
Hart
Hatfield
Hayden
Hill
Holland
Hollings
Long, Mo.
Long, La.
McGee
McGovern
McIntyre
Metcalf
Monroney
Montoya
Morton
Murphy
Muskie
Pastore
Randolph
Ribicoff
Scott
Smith
Sparkman
Symington
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, Ohio

Mr. LONG of Louisiana. I announce that the Senator from Indiana [Mr. BAYH], the Senator from Nevada [Mr. BIBLE], the Senator from Maryland [Mr. BREWSTER], the Senator from Idaho [Mr. CHURCH], the Senator from Pennsylvania [Mr. CLARK], the Senator from Alaska [Mr. GRUENING], the Senator from Hawaii [Mr. INOUYE], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Montana [Mr. MANSFIELD], and the Senator from Florida [Mr. SMATHERS] are absent on official business.

I also announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Nevada [Mr. CANNON], the Senator from North Carolina [Mr. ERVIN], the Senator from Tennessee [Mr. GORE], the Senator from North Carolina [Mr. JORDAN], the Senator from New York [Mr. KENNEDY], the Senator from Minnesota [Mr. MONDALE], the Senator from Oregon [Mr. MORSE], the Senator from Utah [Mr. MOSS], the Senator from Rhode Island [Mr. PELL], and the Senator from Georgia [Mr. TALMADGE] are necessarily absent.

Mr. YOUNG of North Dakota. I announce that the Senators from Vermont [Mr. AIKEN and Mr. PROUTY], the Senator from Tennessee [Mr. BAKER], the Senator from Massachusetts [Mr. BROOKE], the Senator from Kentucky [Mr. COOPER], the Senator from Colorado [Mr. DOMINICK], the Senator from Arizona [Mr. FANNIN], the Senator from Hawaii [Mr. FONG], the Senator from New York [Mr. JAVITS], and the Senator from California [Mr. KUCHEL] are necessarily absent.

The Senator from Michigan [Mr. GRIFFIN], the Senator from Iowa [Mr. HICKENLOOPER], the Senator from Nebraska [Mr. HRUSKA], and the Senator from Kansas [Mr. PEARSON] are absent on official business.

The Senator from Illinois [Mr. DIRKSEN] is detained on official business.

The VICE PRESIDENT. A quorum is not present.

Mr. BYRD of West Virginia. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to.

The VICE PRESIDENT. The Sergeant at Arms will execute the order of the Senate.

After a little delay, the following Senators entered the Chamber and answered to their names:

Cotton
Curtis
Eastland
Fulbright
Harris
Hartke
Jackson
Jordan, Idaho
Lausche
Magnuson
McCarthy
McClellan
Miller
Mundt
Nelson
Percy
Proxmire
Russell
Spong
Stennis
Thurmond
Tower
Young, N. Dak.

The VICE PRESIDENT. A quorum is present.

THE JOURNAL

On request of Mr. BYRD of West Virginia, and by unanimous consent, the reading of the Journal for Thursday, February 16, 1967, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries.

REPORT OF ARMS CONTROL AND DISARMAMENT AGENCY—MESSAGE FROM THE PRESIDENT

The VICE PRESIDENT. The Chair lays before the Senate a message from the President of the United States, transmitting the Sixth Annual Report of the Arms Control and Disarmament Agency, which, without being read, will be printed in the RECORD, and appropriately referred.

The message was referred to the Committee on Foreign Relations, as follows:

To the Congress of the United States:

I am transmitting herewith the Sixth Annual Report of the Arms Control and Disarmament Agency. I do so with considerable satisfaction, since this year has seen significant progress in this Nation's 20-year effort to bring under control the armaments which are the product of man's 20th-century ingenuity.

In 1966 a significant link was added to the still slender chain of arms control agreements—a treaty banning weapons of mass destruction in outer space and on celestial bodies. Its significance will grow as our mastery of space grows, and our children will remark the wisdom of this agreement to a greater degree than the present state of our own knowledge quite permits today.

The past year has also brought us close to another agreement, one of even greater immediacy—a treaty to prevent the further spread of nuclear weapons here on earth. Our hopes are high that this long effort will soon be crowned with success.

The United States has been trying to prevent the proliferation of nuclear weapons since 1946. At that time Bernard Baruch, speaking for the United States at the United Nations, said:

> If we fail we have damned every man to be the slave of fear.

It is true that we failed then, but we did not become the "slaves of fear"; instead we persisted. In the Arms Control and Disarmament Act of 1961, Congress decreed that the search for ways to save succeeding generations from the scourge of war should become a matter of first emphasis for the U.S. Government. The establishment of an independent Agency to work out ways to bring the arms race under control was the act of a rational people who refused to submit to the fearful implications of the nuclear age.

Several things are evident from a reading of this report. The first is that we are succeeding, after a few short years, in developing an integrated and highly expert attack on the problem of arms control and disarmament. Our security has two faces—strength and restraint; arms and arms control. We have come to the point where our thinking about weapons is paralleled by our thinking about how to control them. The Arms Control and Disarmament Agency plays a central role in this development.

The second is that despite the magnitude and complexity of armament imposed on the world by the cold war, the problem can be made to yield to imagination and determination, so that now we might legitimately begin to count up the score: we have cut down the danger of accidental war with the hot line, curtailed the injection of radioactive waste into the atmosphere with the limited test ban treaty, and joined in strengthening the system of safeguards designed by the International Atomic Energy Agency to close one of the doors to nuclear weapons.

The United States has anticipated the future by putting all of Antarctica, and more recently outer space, off limits to weapons of mass destruction. Nonarmament is easier than disarmament, and in these terms alone, the value of these latter treaties cannot be overestimated. In addition, however, we should not overlook the significance of this approach to the problems in arms control we face right now. A treaty to prevent the proliferation of nuclear weapons will have this same preventive element—without it we face the prospect of a world in which more than a dozen nations will possess nuclear weapons. If our hopes for success in a treaty are realized, the chances for still further agreements will be greatly enhanced. These next steps will also be more difficult, because they must involve the weapons we might otherwise add to our arsenals, or even those now on hand.

This brings me to my last observation, which is that this report reveals the sobering reality of the immensity of the task we have undertaken. Read in the context of recent developments in the Soviet Union—the buildup of their strategic forces and the deployment of an anti-ballistic-missile system around Moscow—we are reminded that our hard-won accomplishments can be swept away overnight by still another costly and futile escalation of the arms race.

It is my belief that the United States and the Soviet Union have reached a watershed in the dispiriting history of our arms competition. Decisions may be made on both sides which will trigger another upward spiral. The paradox is that this should be happening at a time when there is abundant evidence that our mutual antagonism is beginning to ease. I am determined to use all the resources at my command to encourage the reduction in tension that is in our mutual interest, and to avoid further, mutually defeating buildup. The work of the Arms Control and Disarmament Agency will continue to be of invaluable assistance in this urgent task.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *February 17, 1967.*

TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the period for the transaction of routine morning business be confined to 15 minutes.

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). Is there objection? The Chair hears no objection, and it is so ordered.

LIMITATION OF STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that statements made during the transaction of routine morning business be limited to 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 12 o'clock noon, Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSOR

Mr. McCLELLAN. Mr. President, I ask that the name of the senior Senator from Massachusetts [Mr. KENNEDY] be added as a cosponsor of Senate bills, S. 915, to provide for the establishment of a Federal Judicial Center; S. 916, to assist in combating crime by creating the U.S. Corrections Service, and for other purposes; and S. 917, to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes, at their next printing.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS

Mr. HOLLAND. Mr. President, I ask unanimous consent, with reference to Senate Joint Resolution 30, to establish a Memorial Commission to Astronauts, which had lain on the desk until yesterday, that the names of five Senators who failed to get their names on it yesterday be added as cosponsors at the next printing of the joint resolution. They are the Senator from Utah [Mr. BENNETT], the Senator from Maryland [Mr. TYDINGS], the Senator from Alaska [Mr. BARTLETT], the Senator from West Virginia [Mr. RANDOLPH], and the Senator from Arkansas [Mr. McCLELLAN].

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS—S. 734

Mr. CARLSON. Mr. President, I ask unanimous consent that at the next printing of the bill, S. 734, a bill to amend the Internal Revenue Code of 1954 to encourage construction of facilities to control water and air pollution by allowing tax credit for expenditures incurred in constructing such facilities and permitting amortization over a period of 1 to 5 years, the name of the Senator from Wyoming [Mr. HANSEN] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LONG of Louisiana, from the Committee on Finance, with amendments:

H.R. 4573. An act to provide, for the period ending on June 30, 1967, a temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act (Rept. No. 57).

By Mr. RUSSELL, from the Committee on Armed Services, without amendment:

S. 665. A bill to authorize appropriations during the fiscal year 1967 for procurement of aircraft, missiles, and tracked combat vehicles, and research, development, test, evaluation, and military construction for the Armed Forces, and for other purposes (Rept. No. 58).

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. METCALF (for himself and Mr. MANSFIELD):

S. 1010. A bill to provide for the modification of the excess land provisions of the Federal reclamation laws as they apply to irrigable lands within the Flathead Indian irrigation project, Montana; to the Committee on Interior and Insular Affairs.

By Mr. BOGGS (for himself and Mr. CLARK):

S. 1011. A bill to amend the Internal Revenue Code of 1954 to exempt from income tax the interest on certain obligations of volunteer fire departments; to the Committee on Finance.

By Mr. McCARTHY:

S. 1012. A bill to amend the Internal Revenue Code of 1954; to the Committee on Finance.

(See the remarks of Mr. MCCARTHY when he introduced the above bill, which appear under a separate heading.)

By Mr. JACKSON (by request):

S. 1013. A bill to authorize the construction, operation, and maintenance of the central Arizona project, Arizona-New Mexico, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. JACKSON when he introduced the above bill, which appear under a separate heading.)

By Mr. HOLLINGS:

S. 1014. A bill to provide for payment of postage at local zone rates on certain parcels mailed by or for delivery to members of the U.S. Armed Forces in combat zones; to the Committee on Post Office and Civil Service.

By Mr. EASTLAND:

S. 1015. A bill for the relief of Andrew L. Malone; to the Committee on the Judiciary.

By Mr. HARTKE:

S. 1016. A bill for the relief of John Lee Adams and the estates of his wife, Althela J. Adams, and of his sons, David John Adams and Mark Edward Adams; to the Committee on the Judiciary.

By Mr. LAUSCHE:

S.J. Res. 43. Joint resolution providing that the 17th day of September in each year shall be known as "Constitution Day," and for other purposes; to the Committee on the Judiciary.

By Mr. RIBICOFF:

S.J. Res. 44. Joint resolution to amend the joint resolution entitled "Joint resolution to establish the first week in October of each year as National Employ the Physically Handicapped Week," approved August 11, 1945 (59 Stat. 530), so as to broaden the applicability of such resolution to all handicapped workers; to the Committee on the Judiciary.

CONCURRENT RESOLUTION

NATIONAL AMERICAN INDIAN AND ALASKA NATIVES POLICY

Mr. McGOVERN (for himself, Mr. Anderson, Mr. Bartlett, Mr. Burdick, Mr. Fannin, Mr. Gruening, Mr. Harris, Mr. Kennedy of New York, Mr. Mansfield, Mr. Metcalf, Mr. Moss, Mr. McGee, Mr. Nelson, Mr. Young of North Dakota, Mr. Mundt, and Mr. Montoya) submitted a concurrent resolution (S. Con. Res. 11) National American Indian and Alaska Natives Policy Resolution, which was referred to the Committee on Interior and Insular Affairs.

(See the above concurrent resolution printed in full when submitted by Mr. McGovern, which appears under a separate heading.)

RESOLUTION

INCREASE OF NUMBER OF PRINTED COPIES OF THE EXECUTIVE JOURNAL

Mr. HAYDEN submitted a resolution (S. Res. 84) increasing the number of printed copies of the Executive Journal, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. Hayden, which appears under a separate heading.)

TAX STATUS OF REIMBURSEMENTS FOR CERTAIN MOVING EXPENSES

Mr. McCARTHY. Mr. President, I introduce for appropriate reference a bill relating to the tax status of reimbursements for certain moving expenses made to an employee by his employer.

This bill is the same, except for its effective date, as S. 3181, which I introduced in the 89th Congress and which was sponsored by more than 20 Senators. I understand there is objection to unanimous consent that any bill remain at the desk for cosponsors. I ask unanimous consent, therefore, that the names of the Senators who were cosponsors of my bill last year be printed in the Record at this point, simply for the purpose of indicating that they were cosponsors last year.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the Senator's request will be complied with.

The bill (S. 1012) to amend the Internal Revenue Code of 1954, introduced by Mr. McCarthy, was received, read twice by its title, and referred to the Committee on Finance.

The list of cosponsors presented by Mr. McCarthy is as follows:

By Mr. McCarthy (for himself, Mr. Bible, Mr. Cannon, Mr. Carlson, Mr. Curtis, Mr. Dirksen, Mr. Hart, Mr. Holland, Mr. Javits, Mr. Morton, Mr. Mundt, Mr. Murphy, Mr. Pearson, Mr. Ribicoff, Mr. Russell of South Carolina, Mr. Talmadge, Mr. Tower, and Mr. Young of North Dakota).

Mr. McCARTHY. The purpose of the bill is to exclude from taxable income of a taxpayer amounts paid by his employer to cover certain expenses of moving. It applies only to those taxpayers who have been employed by the same employer for the previous 12 months and whose moving expenses are incurred because the employer has transferred him to a new principal place of work which is at least 20 miles farther from his former residence than was his former principal place of work.

In the Revenue Act of 1964 we made the following three categories of moving expenses tax deductible for all employees: transportation expenses for moving the employee and his family; for moving the personal and household effects of the employee; and expense of meals and lodging for the employee and his family while en route to their new location.

A number of other expenses are incurred in moving but we did not take action on their tax status in 1964, preferring to leave this question to judicial interpretation. The report of the Senate Committee on Finance makes this clear:

> No inference should be drawn from this, however, that moving expense exclusions under existing law are necessarily limited to these 3 categories of expenses. However, since by administrative ruling, these categories are clearly excludable in the case of existing employees who are reimbursed, it is believed that deductions for such expenses should also be made available to new employees and nonreimbursed employees as well. The question of whether the exclusion for existing employees extends beyond these 3 categories is left for judicial interpretation. [Senate Report No. 830, 88th Congress.]

In 1964 the Senate also provided an adjustment in the tax treatment of a sale of residence by an employee for the amount received by transferred employees from their employers in reimbursement of losses, selling commissions, and certain legal fees related to the sale of a residence, but this amendment was not accepted by the conference committee.

I mention the legislative history only to indicate that in the Finance Committee we did not intend that these three categories were to be considered the exclusive list of moving expenses to be excludable from tax, and also that in the committee we did take account of the additional question of an employee who is reimbursed by the employer for losses and other costs of selling his residence when he was transferred. In retrospect one might argue that it would have been better if we had not left anything to judicial interpretation but had gone ahead and clearly defined those reimbursed costs of moving which an employee would be permitted to exclude from taxable income.

The court cases and the legal aspects of the question are complicated and are still not fully resolved. It appears that on the basis of a decision by one court of appeals—the England case—the Internal Revenue Service has issued a ruling that employees report as taxable income any reimbursement by employers for such expenses as temporary living allowances and out-of-pocket costs related to the sale of the old residence of a taxpayer who had to move.

On the other hand the Tax Court in a decision last September found that certain reimbursements by the employer for expenses incidental to the petitioner's transfer did not constitute taxable income. It is my understanding that the Government may seek a review of this decision by the court of appeals for the 10th circuit. If that occurs a final decision on the case, which involves the petitioner's Federal income tax for 1962, will again be put off for some time. Even then, the final decision in this case will not resolve all the questions since the case is based on particular circumstances and does not include all the types of moving expenses for which employers reimburse their employees.

We have, then, a situation in which litigation and uncertainty could go on for years. It is sound tax policy to make the law as clear as possible, and this is a place where the Congress can easily clarify the law by designating what types of reimbursed moving expenses are excludable from taxable income.

Mr. President, I ask unanimous consent that the opinion and the dissenting opinion of the recent Tax Court decision be printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. McCARTHY. Mr. President, there is a second reason why we should take action on this problem. In the last session we enacted H.R. 10607. This bill amended the Administrative Expenses Act of 1946 to provide reimbursement of a number of moving and storage expenses of Federal employees when transferred from one official duty station to another in the interest of the Government. This bill provides reimbursements for several types of moving costs, including one round trip to the new location for the employee and his spouse for the purpose of obtaining a place to live; payment of certain real estate transactions resulting from the employee's sale or purchase of residence, or lease settlement of rented quarters, resulting from transfer from the old to the new station; the payment of a cash allowance up to $632 to cover miscellaneous expenses of the Government employee who has been transferred; the subsistence expenses of the Federal employee and his immediate family for a period of 30 days while occupying temporary quarters, subject to certain restrictions.

In their report the members of the Senate Government Operations Committee noted that they had considered an amendment which would have exempted the allowances and benefits authorized by this law from taxation. They recognized that such an amendment might raise a jurisdictional question and did not include the amendment. However, the committee report states:

> The committee is of the view, however, that the general purpose and effect of H.R.

10607 would be seriously diluted if the benefits and allowances authorized thereunder are deemed taxable as income. In this regard the committee is in full accord with the following testimony given on this matter by John W. Macy, Chairman of the Civil Service Commission before the House Committee:

> * * * the basic philosophy behind this legislation would indicate that this is not compensation, this is not additional income. This is reimbursement, and therefore, should not be taxable.

The bill I am introducing today permits reimbursements for moving expenses along similar lines as those provided in Public Law 89–516—H.R. 10607. It would remove income tax liability for employees whether reimbursed for these moving expenses by the Government or by private corporations for: one house hunting trip if the old and new location are both in the United States; temporary living expenses at the place of new employment for not more than 30 days, except the period shall be for up to 60 days for moving to or from an overseas location; expenses incident to the sale or exchange of the taxpayer's former residence or settlement of an unexpired lease; expenses incident to the purchase of a residence in the area of the new principal place of work; and for other miscellaneous items directly attributable to the transfer, subject to a limit of 2 weeks, the taxpayer's regular weekly wages or $1,000, whichever is the lesser, for a taxpayer with a family, and 1 week's wages or $500 for a single taxpayer. As I stated at the beginning of my remarks, the provisions apply only for an employee who for at least 1 year has been an employee of the employer and who is transferred so he can continue to perform services for that employer.

We are dealing with a situation in which both the Federal Government and private corporations are reimbursing these old employees who move in the employer's interest. The reimbursement is not wages. It is not regular income for work performed. It is payment for expenses which the employee would not otherwise have had except to accommodate the employer. It is my view that we should move in this session to clarify the tax status of such payments.

EXHIBIT 1

[CCH DEC. 28,112] HOMER H. STARR AND MINNIDELL M. STARR *v.* COMMISSIONER

Docket No. 342–65. 46 TC —, No. 78. Filed September 26, 1966.

[*1954 Code Sec. 61(a)*]

[Gross income: Expenses incidental to transfer: Reimbursement.] Petitioner, employed by the U.S. Steel Corporation at San Francisco, California, was permanently transferred at the sole behest of his employer to its new plant at Lander, Wyoming. *Held*, the amount of the reimbursement received from his employer, for expenses incidental to petitioner's transfer, did not constitute taxable income to petitioner under sec. 61(a), I. R. C. 1954.

Homer H. Starr, 320 Parks St., Lander, Wyo., for the petitioners. Roger A. Pott, for the respondent.

OPINION

FAY, Judge: Respondent determined a deficiency in petitioners' Federal income tax for the year 1962 in the amount of $185.48.

The issues presented for decision are: (1) Whether the reimbursement received by Homer H. Starr (hereinafter referred to as petitioner) from his employer, for living expenses incurred subsequent to his arrival at his new post of duty, was includable in petitioner's gross income under section 61(a) of the Internal Revenue Code of 1954;[1] and (2) if so, whether the various expenditures of petitioner were deductible as ordinary and necessary business expenses within the meaning of section 162.[2]

All of the facts have been stipulated, and the stipulation of facts, together with the exhibits attached thereto, incorporated herein by this reference.

Petitioner and Minnidell M. Starr, husband and wife, were residents of Lander, Wyoming. They filed a joint income tax return for the year 1962 on the cash basis with the district director of internal revenue, Cheyenne, Wyoming.

Petitioner had been employed continuously by the United States Steel Corporation (hereinafter referred to as U.S. Steel) from April 1937 to December 1, 1961, in various capacities and at various locations. On December 1, 1961, he was permanently transferred by U.S. Steel from his duty post at San Francisco, California, to a new post near Lander, Wyoming, where his employer had recently constructed a new plant. Petitioner arrived in Lander on December 4, 1961. The transfer was not requested by petitioner but was made solely at the behest of his employer. In fact, the transfer involved a demotion in petitioner's salary grade level, resulting in an annual salary reduction of approximately $3,300.

Upon his arrival in Lander, petitioner began to look for a residence for himself and his family. Because of the construction of the new steel plant and the transfer of many employees to the new location, there existed a significant housing shortage. On or about December 20, 1961, petitioner entered into a contract to purchase a family residence. This residence was unavailable for occupancy until January 20, 1962. Petitioner did not actually move into the residence until January 29, 1962.

From the time of his arrival on December 4, 1961, and for some 43 days thereafter, petitioner resided at the Noble Hotel in Lander while his family remained in California.

Petitioner, from his own funds, continued to pay the rent and maintenance of his family in California during the months of December 1961 and January 1962. The payments represented the normal cost of petitioner's maintaining his family except for the reduction in costs occasioned by his absence. Petitioner was not reimbursed by his employer for any part of these expenditures.

In addition to certain amounts not here relevant, petitioner was reimbursed by his employer for his own meals, lodging, and incidental expenses while at Lander prior to the arrival of his family. The reimbursement totaled $718.54.

Petitioner did not include any part of this amount in his gross income for the taxable year 1962. Respondent in his statutory notice of deficiency determined that such amount was properly includable in gross income under section 61(a) and that the expenditures were not allowable as deductions because of the provisions of section 262.[3]

The first issue for determination is whether the amount of the reimbursement should be included in petitioner's gross income. Petitioner maintains that the reimbursement was for expenditures incurred primarily in the interest of his employer and, therefore, was not compensatory in nature. Respondent, on the other hand, contends that the concept "interest of the employer" does not extend beyond actual transportation costs (direct moving expenses). He concludes that, because the reimbursement in the present case was for postarrival expenses (indirect moving expenses), the amount of the reimbursement is includable in gross income under section 61(a).

We agree with petitioner.

Though it is no longer open to serious question that the concept of "gross income" embodied in section 61(a) is "all inclusive," *Commissioner v. Glenshaw Glass Co.* [55–1 USTC ¶ 9308], 348 U.S. 426, 432 (1955), it is a well established principle that a reimbursement of costs incurred by an existing employee primarily for the benefit of the employer is not compensatory in nature and is excludable from the employee's gross income. *John E. Cavanagh* [Dec. 24,841] 36 T.C. 300 (1961).[4] More precisely, therefore, the question before us centers on the limits of the concept "interest or benefit of the employer."

It is necessary, in order to define these limits, to consider the development of the law in the areas of employees' moving expenses and their reimbursement by the employer. Prior to the enactment by Congress of section 217, which allowed a deduction for direct moving expenses incurred after December 31, 1963, it had been consistently held that all moving expenses, direct or indirect, were nondeductible, personal expenses under section 262. See *Koons v. United States* [63–1 USTC ¶ 9379], 315 F. 2d 542 (C. A. 9, 1963); *Light v. Commissioner* [62–2 USTC ¶ 9846], 310 F. 2d 716 (C. A. 5, 1962), affirming per curiam a Memorandum Opinion of this Court [Dec. 25,068(M)]; and *United States v. Woodall* [58–2 USTC ¶ 9547], 255 F. 2d 370 (C. A. 10, 1958). If, however, direct moving expenses were reimbursed by the employer, the reimbursement was held not to be includable in the income of the employee on the rationale that the expenses were incurred primarily in the interest of the employer. *John E. Cavanagh, supra.* From the status of the law in the area, it is obvious that the criteria used to determine whether a reimbursement is compensatory are in no way dependent upon considerations relevant to the issue of the deductibility of the expense by the employee. See statement of existing law in H. Rept. No. 749, 88th Cong., 1st Sess., pp. 58–59 (1963), 1964–1 *C. B.* Part 2, pp. 125, 182–183.

The Internal Revenue Service in *Rev. Rul.* 65–158, 1965–1 *C. B.* 34, and *Rev. Rul.* 54–429, 1954–2 *C. B.* 53, takes the position that the exclusion of reimbursed expenses from gross income is limited to the reimbursement of costs for the actual transportation of the employee, his family, his personal and household effects, and his meals and lodging en route. This Court has also allowed the exclusion in the case of extraordinary living costs incurred by the employee after his arrival at the new post of duty. *John E. Cavanagh, supra.* Congress took note of this confusion with reference to the excludability of moving expense reimbursement in its investigation of the area relevant to the enactment of section 217. It was concluded that, while the deduction for moving expenses allowed under section 217 would be limited to the present Internal Revenue Service categories—

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[1] SEC. 61. GROSS INCOME DEFINED.

(a) General Definition.—Except as otherwise provided in this subtitle, gross income means all income from whatever source derived * * *

[2] Unless otherwise indicated, all section references are to the Internal Revenue Code of 1954.

[3] SEC. 262. PERSONAL, LIVING, AND FAMILY EXPENSES.

Except as otherwise expressly provided in this chapter, no deduction shall be allowed for personal, living, or family expenses.

[4] This position has long been conceded by the Commissioner. See *Rev. Rul.* 65–158, dealing with section 61(a), 1965–1 *C. B.* 34; and *Rev. Rul.* 54–429, dealing with section 22 (a) of the Internal Revenue Code of 1939, 1954–2 *C. B.* 53.

> "[n]o inference should be drawn from this, however, that moving expense exclusions under existing law are necessarily limited to these * * * categories * * *. The question of whether the exclusion for existing employees extends beyond these * * * categories is left for judicial interpretation. [H. Rept. No. 749, *supra*, at p. 59; S. Rept. No. 830, 88th Cong., 2d Sess., pp. 71–72 (1964), 1964–1 *C. B.* Part 2, pp. 505, 575–576]"

In keeping with the intent of Congress, herein expressed, we must determine, in these situations, what is "the interest of the employer" which will merit an exclusion from gross income of the amount of reimbursed moving expenses.

The present Service dichotomy between a reimbursement for direct moving expenses (excludable) and for indirect moving expenses (includable), viewed in relation to determining the interest of the employer, is the result of an administrative determination and not of any innate logical distinction between them. The respondent supports this distinction by reliance on the following propositions: (1) that to look into the facts of each case would be too heavy an administrative and judicial burden and (2) that the indirect expenses depend upon the employee's personal taste and the employer's generosity, so that, even though incurred solely as a result of a transfer required by the employer, the expenses cannot be regarded as primarily for the employer's benefit. With reference to the former ground, the fact that an inquiry into the circumstances of each case will be more demanding on both respondent and the judiciary, though perhaps relevant, is not decisive. The latter ground is a conclusion the basic presupposition of which must be carefully considered. Respondent contends that the indirect expenses were not incurred primarily for the benefit of the employer because they depend upon the employee's personal taste and the largess of the employer. This rationale would seem to be more appropriate to a discussion of the reasonableness of the amount of the expenditure rather than to the preliminary determination of the nature of the expense. The enticing simplicity of respondent's statement is also misleading in that it connotes an employer underwriting the whims of its employees whenever their presence is required at a new job site. Such a "picture" does not square with reality. In the current business market, the mobility of skilled labor is a business necessity. The expansion of business into new geographical areas requires the ready availability of a skilled and mobile labor force. It is to insure such availability that many employers have adopted a policy of reimbursement for expenses incurred in connection with an existing employee's transfer to a new duty post.

Respondent concedes that direct moving expenses inure primarily to the benefit of the employer. It is our opinion that his unqualified statement that indirect moving expenses cannot, under any circumstances, be said also to inure primarily to the benefit of the employer, ignores the economic realities of the situation. The fact that petitioner was forced, due to a housing shortage, to accept temporary quarters for himself in Lander, while maintaining his family in California, can hardly be said to be the result of petitioner's personal preference or taste. In addition, the fact that numerous employers, as a matter of course, reimburse such expenses adds credence to the conclusion that such expenses are incurred primarily for their benefit.

In a situation where the transfer of an existing employee is solely at the behest of the employer and where the cause of the temporary expenditure is outside the control of the employee, the expenses are incurred primarily for the benefit of the employer. In such a case, the concept of the "interest of the employer" covers those costs which are actually incurred to effect the change in location, including those temporary living costs directly related to and caused by the circumstances in existence at the new post of duty. In so holding, we do not feel that we have opened an avenue for unwarranted advantages. In this regard, it should be noted that the case before us is that of an ordinary corporate employee, in a large publicly owned corporation, who was transferred to a new plant in a community which did not possess adequate housing to meet the demands of its recent industrial growth. It involves an employee who acquired and occupied permanent quarters at the earliest possible time. The record reveals that the petitioner received reimbursement for expenses incurred over a period of less than two months, during which time permanent quarters were unavailable. There is no question before us involving the reasonableness and necessity of the amount of the expenditures.

In reaching our determination, namely, that the reimbursement was not includable in petitioner's gross income, we do not feel that we are in conflict with the authorities relied on by respondent, with the exception of the case of ***England* v. *United States*** [65–1 USTC ¶ 9392], 345 F. 2d 414 (C. A. 7, 1965), certiorari denied 382 U.S. 986 (1965). Respondent relies on the decisions in *United States v. Woodall, supra* and *Koons v. United States, supra,* both of which held that a reimbursement to a *newly hired* employee for *direct* expenses incurred in the transportation of such employee to his new post of duty was includable in his gross income. The rationale of the Tenth Circuit in *United States v. Woodall, supra,* at 372, was that in the case of a newly hired employee the payment of *even direct moving expenses* "was in the nature of a cash bonus as an inducement to accept employment." This rationale is without application to the present situation which involves an existing ("old") employee. See *John E. Cavanagh, supra.* Respondent also relies on *Light v. Commissioner, supra;* and *Commissioner v. Mendel* 65–2 USTC ¶ 9698], 351 F. 2d 580 (C. A. 4, 1965), reversing and remanding [Dec. 26,349] 41 T. C. 32 (1963). Both of these cases dealt solely with the availability of a deduction to the employee. We pointed out earlier in this opinion that the criteria for allowing a deduction are not relevant to the issue of whether the reimbursement of such expenses is to be included in gross income.

Finally, respondent cites *England v. United States, supra.* In that case, on facts sufficiently similar, but extending beyond those before us,[5] the Seventh Circuit held that the position of the Internal Revenue Service, limiting exclusions from gross income to reimbursements for direct moving expenses, was a permissible interpretation of the Internal Revenue Code's definition of gross income. The Court of Appeals stated at p. 416 that—

> "the cost of meals, lodgings, and expenses incidental to securing housing at the post are personal living expenses of the employee, and if they are provided by the employer, income is realized thereby. * * *"

The Court concluded by stating that the decision of the Eighth Circuit in the case of *Cockrell v. Commissioner* 63–2 USTC ¶ 9674], 321 F. 2d 504 (C. A. 8, 1963), affirming [Dec. 25,562] 38 T. C. 470 (1962), had already resolved the gross income question in favor of the Internal Revenue Service. In *Cockrell* both this Court and the Eighth Circuit confined their rationale to the question of the availability of a deduction, though they did nominally dispose of the gross income issue. An extended discussion of the gross income issue was unnecessary because the taxpayer in the *Cockrell* case appeared to concede the issue except on the very limited ground that it was excludable under the Armed Services Procurement Regulations. In disposing of the issue, the *Cockrell* opinion merely notes the opinion of this Court in *Darrell Spear Courtney* [Dec. 23,588], 32 T. C. 334, 341 (1959), where, by way of dicta, we made the general observation that "[a] cash allowance for food, lodging, and similar items, in addition to wages, is income."

It is our opinion that in none of the cases relied on by the Seventh Circuit in the *England* case did the respective courts have an opportunity to consider fully this precise issue. We must, therefore, disagree with the conclusion reached in the *England* case that these earlier determinations precluded further consideration of the issue. With all due deference to the Seventh Circuit's decision in the *England* case, we feel that the better view is that expenses, incurred by an employee after arrival at the new post of duty, may, as under the present circumstances, represent amounts paid by the employee primarily on behalf of, or in the interest of his employer. See *John E. Cavanagh, supra.* Consequently, we hold that on the record before us, the reimbursement of petitioner's postarrival expenditures was excludable from his gross income.

In light of our holding that these reimbursements were properly excludable from gross income, we find it unnecessary to consider the issue of the deductibility of the expenses by the employee.

Reviewed by the Court.

Decision will be entered for the petitioners.

HOYT, Judge, dissents.

CONCURRING OPINION

DAWSON, Judge, concurring: I concur in the result reached in the majority opinion. However, I would decide the case for the petitioner solely on the issue of deductibility. Granted that the concepts of "home" are mixed and sometimes confusing, it seems to me that this petitioner should be permitted, under these particular facts and circumstances, to deduct his expenses for meals and lodging at Lander. See sections 62(2)(B) and 162(a)(2), Internal Revenue Code of 1954. I would treat San Francisco as his "home" during the short period of time (December and January) that his family remained there and allow him to deduct his "away from home" expenses at Lander. I think this is justified primarily because the petitioner incurred during those two months substantial continuing and duplicitous living expenses at his permanent place of residence, *i.e.*, San Francisco. *Cf. James v. United States* [62–2 USTC ¶ 9735], 308 F. 2d 204 (C. A. 9, 1962).

DISSENTING OPINION

SCOTT, Judge, dissenting: I agree with the conclusion of the majority that the facts in the present case bring it within the principle of *John E. Cavanagh* [Dec. 24,841], 36 T.C. 300 (1961). That case involved reimbursement to the taxpayer of "his excess cost for food and lodging of his family while his household effects were in transit" which we referred to as "extraordinary expenses." The reimbursement to the taxpayer in the instant case was for his ordinary living expenses at Lander, his new post of duty. Ordinary living expenses of a taxpayer at a permanent place of employment, even though his family is living elsewhere, are personal expenses. In accordance with holdings in *Leo C. Cockrell* [Dec. 25,562], 38 T.C. 470 (1962), affd. [63–2 USTC ¶ 9674], 321 F. 2d 504 (C.A. 8, 1963), and

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[5] In addition to the employee's meals, lodgings, and sundries while awaiting permanent quarters, he also received reimbursement for the costs incurred for a trip by his wife to inspect the new residence, the cost of a title search, revenue stamps, advertisements and telegrams regarding the sale of the prior residence, and the cost of boarding of the employee's dog and cat.

Doyle v. Commissioner [66–1 USTC ¶ 9162], 354 F. 2d 480 (C.A. 9, 1966), affirming a Memorandum Opinion of this Court [Dec. 26,766 (M)], I would hold that the reimbursement received by petitioner is includable in his taxable income. In my view, the instant case is indistinguishable from *Light* v. *Commissioner* [62–2 USTC ¶ 9846], 310 F. 2d 716 (C.A. 5, 1962), affirming a Memorandum Opinion of this Court [Dec. 25,068(M)]. The majority opinion disposes of the *Light* case by stating that it is inapplicable in that it dealt with the availability of a deduction to the employee. The facts in *Light v. Commissioner, supra,* are that the taxpayer was transferred by his old employer from New Orleans to Newark, where he occupied a hotel room prior to moving his family to Newark. By prearrangement that taxpayer was reimbursed by his employer "for the cost incurred for meals and rooms in Newark prior to being joined by his family and for the hotel and meals for himself and his family for the few days between their arrival in Newark and their occupancy of a dwelling at that place." Although the *Light* case dealt with the deductibility of the cost incurred by the taxpayer for meals and lodging in Newark, that issue would not have arisen except for the inclusion by the taxpayer in his income of the amount of the reimbursement received from his employer. Technically the case dealt with a claimed deduction, but inherent in the decision is the conclusion that the reimbursement constituted income to the taxpayer.

However, even if the facts in the present case should be considered to bring this case within our holding in *John E. Cavanagh, supra,* I would nevertheless disagree with the conclusion reached by the majority. In my view we should accept and follow the Circuit Court's Opinion in *England v. United States* [65–1 USTC ¶ 9392], 345 F. 2d 414 (C. A. 7, 1965), certiorari denied 382 U.S. 986 (1965), holding *Cavanagh* to be incorrectly decided.

In *H. Willis Nichols Jr.* [Dec. 17,307], 13 T. C. 916 (1949), we held moving expenses for an old employee to be personal expenses. It follows that reimbursement of such personal expenses constitutes income. As pointed out in *Commissioner v. Mendel* [65–2 USTC ¶ 9698], 351 F. 2d 580, 582 (C. A. 4, 1965), reversing [Dec. 26,349] 41 T. C. 32 (1963), "* * * Ordinarily, reimbursement for moving expense to an existing employee would constitute gross income under the comprehensive definition in Section 61(a) of the Revenue Code of 1954 * * *" but "*Revenue Ruling* 54–429, *supra,* [1954–2 *C. B.* 53] sought to alleviate the rigors of the application of the statutory definition of gross income to reimbursement for moving expenses to an existing employee." Whether the Commissioner should, by ruling, exclude from income that which by statute is includable therein, is not before us here, nor has it been before this Court or the other Courts in other cases decided since *Revenue Ruling* 54–429, 1954–2 *C. B.* 53, became effective. The Commissioner has permitted the exclusion from income of reimbursement of moving costs in accordance with his ruling. Whether we approve of the ruling or not (see Judge Opper's concurring opinion in *Willis B. Ferebee* [Dec. 25,958], 39 T. C. 801, 804 (1963), involving reimbursement of moving expenses to a new employee), the time has come to cease attempting to follow it to its logical conclusion in deciding cases involving claimed deductions or reimbursements to which it does not grant exclusion from income. In accordance with *Light v. Commissioner, supra,* and *England v. United States, supra,* I would hold that the reimbursement here in issue constitutes income to petitioner and that the amounts of the expenses for which the reimbursement was received are not deductible. *Cf. United States v. Woodall* [58–2 USTC ¶ 9547], 255 F. 2d 370 (C. A. 10, 1958).

TIETJENS, BRUCE, PIERCE and ATKINS, Judges, agree with this dissent.

CONSTRUCTION OF CENTRAL ARIZONA PROJECT, ARIZONA-NEW MEXICO

Mr. JACKSON. Mr. President, I introduce, by request, a bill submitted and recommended by the Secretary of the Interior to authorize the construction, operation, and maintenance of the central Arizona project, Arizona-New Mexico, and for other purposes.

Yesterday the senior Senator from Arizona [Mr. HAYDEN] introduced similar legislation which I was privileged to cosponsor. The bill which I introduce today encompasses the administration's recommendations for the development of the water resources of the Lower Colorado River.

I ask unanimous consent that the letter from the Secretary of the Interior to the President of the Senate, which accompanied the legislation and explains it, be printed at this point in my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 1013) to authorize the construction, operation, and maintenance of the central Arizona project, Arizona-New Mexico, and for other purposes, introduced by Mr. JACKSON, by request, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The letter presented by Mr. JACKSON is as follows:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., February 15, 1967.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed is a draft of a proposed bill "To authorize the construction, operation and maintenance of the central Arizona project, Arizona-New Mexico, and for other purposes."

We recommend that this bill be referred to the appropriate Committee for consideration, and we recommend its enactment.

The draft bill would give effect to certain of the Administration's recommendations for a lower Colorado River development program.

Specifically, the draft bill would:

1. Authorize the Central Arizona project (including Hooker Dam in New Mexico) with provision for assistance in meeting repayment requirements in Arizona through (a) a $10 per acre-foot average canal-side irrigation rate, (b) a $50 per acre-foot municipal and industrial water rate, (c) a small addition to the municipal and industrial water rate, or an ad valorem tax, or a combination of the two;

2. Make provision for low-cost pumping power for the Central Arizona project through prepayment for the requisite capacity and associated transmission facilities in a large, efficient thermal plant to be constructed in the southwest area by a combination of public and private utilities associated with Western Energy Supply and Transmission Associates (WEST);

3. Encompass programs for water salvage and recovery of ground water along and adjacent to the main stream of the lower Colorado River;

4. Remove the Hualapai (Bridge Canyon) and Marble Canyon sites from the operation of Part I of the Federal Power Act.

In addition the Administration makes the following recommendations:

a. Expansion of the Grand Canyon National Park to include the Marble Canyon site and the elimination of the latter development from the program;

b. Deferral of action on the Hualapai (Bridge Canyon) project at this time, reserving the question of disposition of the Hualapai site for future consideration by the Congress;

c. Establishment of the National Water Commission to re-examine the nation's critical water supply problems, including the Colorado River Basin, as heretofore recommended by the Administration.

The Administration is committed to the authorization of the Central Arizona project. If the State of Arizona is to put to use its entitlement of Colorado River water as adjudicated by the Supreme Court in *Arizona* v. *California, et al.,* 373 U.S. 546 (1963), this project must be built. The Central Arizona project should be undertaken now in order to slow the pace at which ground water resources in the Central Arizona area are being exhausted.

Similarly, we are in agreement that studies of the long-range water supply problems of the Colorado River Basin should now be initiated in order that proposed solutions may be evolved and considered in a timely fashion.

The foregoing program will, we believe, provide the authorization necessary to meet the most immediate water development needs in the lower Colorado River Basin area. At the same time, the studies of the National Water Commission will provide a background of information and advice against which long-range solutions to the region's water supply problems can be effectively evolved.

The segments of the lower Colorado River that would be inundated by the Hualapai and Marble Canyon developments possess major scenic and wilderness values. Whether the benefits to be derived from construction of these projects are of sufficient importance to outweigh the retention of these areas in their present state has been one of the most vexing issues that has emerged in connection with consideration of Colorado River resource problems. After further consideration of all aspects of the matter, we have concluded that the highest and best use of the Marble Canyon site is to retain it in its natural state as an addition to the existing Grand Canyon National Park. Studies regarding the boundaries of the proposed addition to the park will be completed shortly and, as soon as possible, we shall transmit for the Congress' consideration a draft of a bill to carry out this recommendation. Pending action on it, we believe that legislation authorizing the Central Arizona project should also remove the Marble Canyon site, along with the Hualapai site hereafter discussed, from the operation of Part I of the Federal Power Act. If the necessary determinations can be completed in time, there would be no objection to including the park extension in the proposed legislation transmitted herewith.

Whether hydroelectric development of the Hualapai site should also be precluded permanently need not be decided at this time. Deferment of this decision need not affect construction of the Central Arizona project since, under our recommendations, the Central Arizona unit will not depend upon a main stream Colorado River hydroelectric power development as a source of pumping power and financial assistance.

We, therefore, reiterate the recommendation made in our report of May 17, 1965, on H.R. 4671 and by the Bureau of the Budget in its report of May 10, 1965, on S. 75 and S. 1019, that consideration of the Hualapai site be deferred by the Congress pending evaluation of the issue by the National Water Commission.

In order to preserve Congressional freedom of action with respect to Hualapai, Part I of the Federal Power Act should be made inapplicable to it.

We believe that the National Water Commission should be authorized separately as provided by S. 20 which was passed by the Senate on February 6 and is now before the House Committee on Interior and Insular Affairs.

We believe the Commission is the appropriate entity to undertake an evaluation of basic issues relative to Colorado River water supply problems. The Commission would be directed by section 3(a) of the Senate-passed bill to:

(1) review present and anticipated national water resource problems, making such projections of water requirements as may be necessary and identifying alternative ways of meeting these requirements—giving consideration, among other things, to conservation and more efficient use of existing supplies, increased usability by reduction of pollution, innovations to encourage the highest economic use of water, interbasin transfers, and technological advances including, but not limited to desalting, weather modification and waste water purification and reuse; (2) consider economic and social consequences of water resource development, including, for example, the impact of water resource development on regional economic growth, on institutional arrangements, and on esthetic values affecting the quality of life of the American people; and (3) advise on such specific water resource matters as may be referred to it by the President and the Water Resources Council.

Advice and guidance on these matters, all relevant to the Colorado Basin's water problems, by a disinterested and objective Commission composed of outstanding citizens should provide background of great assistance in the formulation of specific proposals. The Commission can be expected to give prompt consideration to the problems of the Colorado River Basin. As President Johnson said in his message to the Congress on "Protecting our Natural Heritage" of January 30, 1967, in renewing his recommendation for the establishment of the Commission, "We must thoroughly explore every means for assuring an adequate supply of pure water to arid areas like the Southwest."

Under the previously proposed plan for the Central Arizona project, which envisioned provision of pumping power and financial assistance from main stream hydroelectric power developments, all reimbursable costs would have been returned through financial assistance from power sales and average rates of $10 and $50 per acre-foot for irrigation and municipal and industrial water, respectively. This $50 M&I rate included a component for irrigation assistance. Federal financing of a portion of a nonfederally owned thermal plant through prepayment for project power requirements would provide low-cost pumping power and would eliminate the necessity for financial assistance from main stream Colorado River hydroelectric projects.

Using the previously proposed average water rates, our studies estimate that under such a situation, the project cost would be repaid either by increasing the M&I rate to $56.00 per acre-foot or by assessing the project service area in Arizona with an annual ad valorem tax levy which would come to 0.6 mills per dollar of assessed valuation if Pinal, Maricopa, and Pima Countries are included. The economic benefits of the project should manifest themselves in an increase in the area's wealth which, in turn, would be reflected in a growth of the tax base. All things considered, the increase in taxes would seem to be relatively modest.

Obviously, various combinations of the two alternatives of the municipal and industrial water charge and the ad valorem levy are possible. Decisions on the actual mix should be taken only in closet consultation with the State and local people concerned. The legislation we are suggesting will provide the requisite flexibility. The average $10 per acre-foot canal-side irrigation water rate, which results in an average rate of $16 per acre-foot at the farmer's headgate, however, is not capable of substantial adjustment. It represents the average repayment ability of the water users, given other necessary costs, reasonable profit allowances and maintenance of the type of agriculture consistent with the objectives of the Federal reclamation program. Among the factors which restrict an upward thrust of the average irrigation water rate for the Central Arizona project are the restraints proposed upon the expansion of irrigation and the lack of an assurance of a continuing water supply. Consequently, we contemplate retention of the $10 rate, on the basis of current price levels.

This plan adheres to all present reclamation repayment policies. There are precedents for the use of a small M&I surcharge or ad valorem tax for irrigation repayment assistance. The Central Valley Project in California is an example of the former. The Colorado River Storage Project and the Fryingpan-Arkansas Project, both upper Colorado River Basin projects, are among the latter, as is the Garrison Diversion Project in North Dakota.

While the prepaid purchase of pumping power from a non-Federal steam-electric plant would be a departure in reclamation history, the provision of pumping power for project use is, itself, customary. There are indications that Bureau of Reclamation cooperation in a non-Federal steamplant would be acceptable to the public and private generating utilities in the WEST organization.

Sections 1–7 of the enclosed draft of bill (Attachment A) would give effect to the foregoing recommendations.

Colorado River legislation considered in the 89th Congress would have granted California a priority for the consumptive use of 4,400,000 acre-feet of water as against diversions for the Central Arizona project in any year in which there is less than 7,500,000 acre-feet of main stream Colorado River water available for consumptive use in the three lower basin States of Arizona, California, and Nevada. In such event, diversions for the Central Arizona project would also be curtailed in favor of existing users in Arizona and Nevada. This priority would persist until works are in operation capable of augmenting the flow of the main stream of the Colorado River below Lee Ferry by not less than 2,500,000 acre-feet annually. This interstate priority was arrived at by agreement of the States involved. Earlier, the Senate Interior and Insular Affairs Committee, in favorably reporting S. 1658 in the 88th Congress, provided a similar California priority as against the Central Arizona project, but terminating in 25 years.

We believe the questions of whether there should be a statutory priority and of its terms are primarily for resolution by the States involved and the Congress. If agreement can be reached upon an interstate priority, the Administration would offer no objection. The Bureau of Reclamation water supply studies, financial analysis and feasibility determination for the Central Arizona project have been made in the light of a priority of 4,400,000 acre-feet per annum for California uses and for existing rights and uses in Nevada and Arizona.

Payout assistance from a lower Colorado River Basin fund would not be necessary under our proposal. However, if the Congress deems it appropriate to establish such fund at this time to provide financial assistance for other future water developments for the lower basin, we perceive no objection thereto. Presumably, such a fund would include post-amortization revenues from the existing Hoover and Parker-Davis projects, the Central Arizona project, and such other Federal dams as may be subsequently constructed in the lower basin. The most recent step by the Congress in this direction was the establishment of a Columbia Basin account by section 2 of P.L. 89–448 of June 14, 1966. In the event the Congress concludes that lower Colorado River Basin development fund should be established at this time, we also transmit such a provision (Attachment B) for consideration.

The following table compares the construction cost of the lower Colorado program we recommend be authorized with the cost of the construction authorizations contained in Title III of S. 861, now before the Committee on Interior and Insular Affairs of the Senate, and of H.R. 3300, pending before the House Committee:

	Administration recommendation	Title III, S. 861 and H.R. 3300
Hualapai (including Coconino silt retention dam)		$529,000,000
Paria silt retention dam		11,000,000
Central Arizona project	$580,000,000	580,000,000
Thermal prepay	92,000,000	
Water salvage	42,000,000	42,000,000
Fish and wildlife	5,000,000	5,000,000
Total	719,000,000	1,167,000,000

S. 861 would also authorize five participating projects under the Colorado River Storage Project Act, Animas-La Plata, Colorado-New Mexico and Dolores, Dallas Creek, West Divide and San Miguel in Colorado. Similar authorizations are contained in H.R. 3300.

In transmitting the planning reports on these projects to the Congress, the Animas-La Plata and Dolores projects were recommended for immediate authorization. Deferral, pending the establishment and completion of review by the National Water Commission of related water problems, was proposed for the others. This proposed legislation would seem to be the appropriate vehicle to authorize the Animas-La Plata and Dolores projects. This could be accomplished by inclusion therein of a provision along the lines of Section 501 of S. 861. In that event subsections (a) and (c) would be modified to omit the Dallas Creek, West Divide and San Miguel projects. We would also propose to eliminate what is now subsection (d) of Section 501 of S. 861 for the reasons stated last year in Commissioner Dominy's testimony before the House Committee on Interior and Insular Affairs on H.R. 4671. (See pp. 1343–1344, Serial 89–17 Part II, Hearings before House Committee on Interior and Insular Affairs on "Lower Colorado River Basin Project.") We would offer no objection to the inclusion of provisions like Sections 501 (b) and (e) of S. 861. Nor would there be objection to applying the "Class 1 equivalency" concept to acreage limitations for the Animas-La Plata, Dolores and Seedskadee projects (Sec. 501(c), S. 861), in view of the high altitude and relatively short growing seasons of the areas involved.

In addition to the foregoing authorization of participating projects under the Colorado River Storage Project Act, S. 861 includes a number of provisions affecting upper and lower Colorado River Basin relationships. These provisions have largely been arrived at in the course of interbasin discussions and Congressional consideration of earlier Colorado River bills. There is no objection to inclusion of the substance of these provisions in this legislation and the attached draft bill so provides, commencing with Section 8.

The Bureau of the Budget advises that the enactment of the legislation to authorize the Central Arizona project as herein proposed is in accord with the program of the President.

Sincerely yours,

Stewart L. Udall,
Secretary of the Interior.

INDIAN POLICY RESOLUTION

Mr. McGOVERN. Mr. President, last October in the closing days of the 89th Congress I submitted Senate Concurrent Resolution 114 calling upon the Congress to reappraise and reassess its policy toward American Indians. In my remarks at that time, I pointed out that not since 1953 had the Congress of the United States offered a definitive statement regarding our policy toward the first native Americans.

Since 1953, the lot of the American Indian has improved in some respects—in other areas little progress has been made. In any event, I felt that there was a distinct need for us to redefine our position.

In the 90th Congress I have assumed the chairmanship of the Subcommittee on Indian Affairs of the Committee on Interior and Insular Affairs. As chairman of this subcommittee I intend to devote considerable effort to the needs of our Indian people. This concurrent resolution, which I resubmit today, could help set the course of Indian affairs in the direction of social and economic equality with other citizens. I am happy to announce that the following Senators have joined as cosponsors of my resolution: Senators Anderson of New Mexico; Bartlett of Alaska; Burdick of North Dakota; Mundt of South Dakota; Fannin of Arizona; Gruening of Alaska; Harris of Oklahoma; Kennedy of New York; Mansfield of Montana; Metcalf of Montana; Moss of Utah; McGee of Wyoming; Nelson of Wisconsin; Young of North Dakota; and Montoya of New Mexico.

I ask unanimous consent that the text of the concurrent resolution be printed at this point in the Record, and appropriately referred.

The PRESIDING OFFICER. The concurrent resolution will be received and appropriately referred.

The concurent resolution (S. Con. Res. 11) was referred to the Committee on Interior and Insular Affairs, as follows:

S. Con. Res. 11

Whereas it is recognized by Congress that American Indians and Alaska natives (Eskimos, Indians, and Aleuts) suffer from adverse economic, health, education, and social conditions which prevent them from sharing equally in the great social and economic advancements achieved by our Nation; and

Whereas it is the understanding of Congress that periodic reversals in our Government's Indian policy throughout the years have ruled against full development of the human and economic potential of Indian communities, thus prolonging the aforementioned deplorable conditions; and

Whereas improved and expanded services in Indian communities in recent years through direct Federal Indian service programs and a wide variety of other services have begun accomplishing encouraging breakthroughs: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that—

(1) the deplorable conditions of American Indians and Alaska natives can only be alleviated through a sustained, positive, and dynamic Indian policy with the necessary constructive programs and services directed to the governing bodies of these groups for application in their respective communities, offering self-determination and self-help features for the people involved; and that our Government's concern for its Indian citizens be formalized in a new national Indian policy so that beneficial effects may be continued until the day when the Nation's moral and legal obligations to its first citizens—the American Indians—are fulfilled.

(2) modern day needs of Indian people are no longer responsive to the programs and services of the two major Federal Indian service agencies alone (the Bureau of Indian Affairs and the Division of Indian Health), but the complete solution of Indian problems will require new and innovative services for the full development of Indian and Alaska native people and their communities, and that the Bureau of Indian Affairs, because of its traditional role in the Indian field, access to important records, and direct relationships with tribal officials, should be charged with the important responsibility of coordinating the wide range of Federal, State, and local resources.

(3) Indian and Alaska native governing bodies should be recognized as having the full authority to determine the extent and manner of utilizing all available resources for their communities.

(4) American Indian and Alaska native property will be protected; that Indian culture and identity will be respected; that the necessary technical guidance and assistance will be given to insure future economic independence; that continued efforts will be directed to maximum development of natural resources; that inadequate and substandard housing and sanitation will be corrected; that a comprehensive health program incorporating and assuring curative and preventive physical and mental health will be further developed for Indian and Alaska Natives; and that a long-term general, vocational, technical, and professional education program will be encouraged and developed for both old and young American Indians and Alaska natives so that they may share fully in our society;

(5) the Secretary of the Interior should periodically review all the activities of the Commissioner and Bureau of Indian Affairs to assure Congress of maximum utilization of Federal, State, and local resources for Indian and Alaska native well-being; and that the Secretary should submit an annual report with necessary legislative recommendations to Congress to indicate the manner in which the intent of this resolution is being carried out; and

(6) American Indian and Alaska native communities should be given the freedom and encouragement to develop their maximum potential; and that Congress will support a policy of developing the necessary programs and services to bring Indians and Alaska natives to a desirable social and economic level of full participating citizens.

ADDITIONAL COSPONSOR OF BILL

Mr. McCLELLAN. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Pennsylvania [Mr. Clark] be added as a cosponsor of the bill (S. 917) to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILLS

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors of the following bills:

Authority of January 31, 1967:

S. 760. A bill to increase the investment credit allowable with respect to facilities to control water and air pollution: Mr. Allott, Mr. Baker, Mr. Bayh, Mr. Boggs, Mr. Fong, Mr. Gruening, Mr. Javits, Mr. Kuchel, Mr. Long of Missouri, Mr. Pearson, Mr. Scott, and Mr. Tydings.

Authority of February 7, 1967:

S. 861. A bill to authorize the construction, operation, and maintenance of the Colorado River Basin project, and for other purposes: Mr. Moss.

Authority of February 8, 1967:

S. 889. A bill to designate the San Rafael Wilderness, Los Padres National Forest, in the State of California: Mr. Church, Mr. Gruening, Mr. McGovern, Mr. Metcalf, and Mr. Nelson.

NOTICE OF HEARINGS ON S. 510, FULL DISCLOSURE IN CORPORATE TAKEOVER BIDS

Mr. WILLIAMS of New Jersey. Mr. President, I announce that the Subcommittee on Securities of the Committee on Banking and Currency will hold hearings on March 21 and 22 and April 4 and 5 on the bill, S. 510, to provide for full disclosure of corporate equity ownership of securities under the Securities Exchange Act of 1934. The hearings will commence at 10 a.m. in room 5302, New Senate Office Building.

Persons desiring to testify or to submit written statements in connection with this bill should notify Mr. Stephen J. Paradise, assistant counsel, Senate Committee on Banking and Currency, room 5300, New Senate Office Building, Washington, D.C. 20510, telephone 225-3921.

NOTICE OF HEARINGS ON DEVELOPMENT OF ELECTRIC VEHICLES

Mr. MAGNUSON. Mr. President, I am pleased to announce that the Commerce Committee and the Air and Water Pollution Subcommittee of the Public Works Committee will hold joint hearings on S. 451 and S. 453, bills to promote the development of electric vehicles and other alternatives to the internal combustion engine.

Senator Muskie, long a leader in the battle for clean air, and chairman of the Public Works Subcommittee on Air and Water Pollution, and I, wish to invite all Senators to inspect the several electric vehicles which will be made available on March 13 on Capitol Hill, and to attend the hearings which will begin on March 14.

DIRKSEN—MAN FOR HISTORY

Mr. CARLSON. Mr. President, in the Illinois State Journal for February 10, 1967, there appears an article by William H. Rentschler on our minority leader [Mr. Dirksen]. Those of us who have the privilege of serving with our distinguished minority leader will fully appreciate Mr. Rentschler's glowing description of his performance. The article is an excellent and well-deserved tribute to the Senator from Illinois, and I ask unanimous consent that it be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Illinois State Journal, Feb. 10, 1967]

DIRKSEN—MAN FOR HISTORY

(By William H. Rentschler)

A tall man, now bent with the weight of years, walks with measured gait along the flat, fruited plains of Illinois toward the yellowed pages of history.

You know somehow where he is going.

And you know he senses and relishes his fated role as mover and philosopher, as one around whom legends will grow, as one whose memory will linger.

This man is Everett McKinley Dirksen, steadfast helmsman for that little crew of Republicans in the United States Senate.

They honored him in Chicago one late April evening in 1966, when the biting wind belied the promise of spring, at one of those big, glossy, often deadly dull $100-a-plate dinners.

Without a note or scrap of paper before him, he "preached" for one solid hour and twenty-two minutes more, surely long enough to bore stiff most anyone except perhaps his forgiving family.

Yet from the moment Everett Dirksen set free from deep in his innards that first velvety syllable, those sated, affluent diners—1,800 in all—leaned toward him and strained to hear every word as if life itself depended on his next one.

Before Dirksen rose, the bony young minister from the little frame church in Pekin spoke reverently of the Senator as "one who stands among us, but towers above us."

That set the stage. Then Everett Dirksen shuffled to the lectern, blinking in seeming surprise at the glare of TV lights he contends with almost daily.

The celebrated silvery locks were tangled and awry. A huge carnation made a white splotch on his black suit. The massive head, the sagging face were thrust forward, and tired, watery eyes peered over horn-rimmed spectacles into the sea of admirers. He looked for all the world like the fabled cowardly lion from cinema's Land of Oz.

There was in the great ballroom the perfect silence of expectancy, for most of them had savored Dirksenian thunder before.

Then the words began to come, resonant, rolling, soft and almost inaudible at first. He told a gnarled old story about a grateful cow, one of his oft-repeated favorites. Half the crowd had heard him tell it before, yet they wandered almost gleefully alongside him to the punch-line, and then roared with laughter, feeling he had permitted them to share with him an intimate moment.

What he said was not new. Some would brand it corny or trite, the same old cliches about God and motherhood and freedom and all that. The empty sophisticates might dismiss him as out of touch with these frenetic times.

But you know somehow this man is not shallow or calculating or emotionless. You can see an incandescent glow in those tired eyes when he talks of freedom.

A medical curiosity with an impressive catalogue of ailments, he suffers not from the limiting myopia which afflicts and restricts so many of his colleagues and contemporaries. His mind scans the ages with a certain graceful sweep. It searches the archives and draws easily on the great books and fine minds of human history.

There is an element of grandeur, a certain homely wisdom about this righteous, earthy plainsman. His is a dying breed, towering like the shaggy mammoths above the gray flannel prodigies who are guided by polls, surrounded by faceless aides, preoccupied with the cosmetics of image.

"No, you can't eat freedom," Dirksen purred, "or buy anything with it. You can't hock it downtown for the things you need. When a baby curls a chubby arm around your neck, you can't eat that feeling either, or buy anything with it. But what in this life means more to you than that feeling, or your freedom?"

They called him the Wizard of Ooze, and once they said it in derision, but now they recall it with affection and awe born of respect.

For Everett McKinley Dirksen will be around awhile, stalking the marble corridors with the ghosts of Clay and Webster, Taft and Borah, long after most of his colleagues—and we—are gone and forgotten.

STATE DEPARTMENT CREDIBILITY GAP

Mrs. SMITH. Mr. President, on February 9, 1967, there was delivered to the office of the Secretary of State a letter of mine asking the Secretary of State if he would give me assurance that, if the consular treaty was ratified, it would not be put into effect until the fighting had ceased in Vietnam.

This afternoon I received a reply from Douglas MacArthur II, Assistant Secretary of State for Congressional Relations, stating that such assurance would not be given. He stated specifically:

> Secretary Rusk has asked me to thank you for your thoughtful letter of February 8, 1967 concerning the U.S.–U.S.S.R. Consular Convention. We have carefully considered your suggestion of an assurance that the treaty not be put into effect until a permanent cease fire has been obtained in Viet Nam. Our conclusion is that postponement of the effective date of the convention would not be in the best interest of the United States, but rather that interest would be best served by the earliest possible entry into force.

I am disappointed with this reply. But more important than my disappointment with the reply itself is what would appear to be its inconsistency with reports that I have received subsequent to sending my letter to the Secretary of State and within the last 2 days.

Yesterday I talked with another Senator about my inquiry and request to the Secretary of State and this Senator told me that he had already been told by the State Department that the consular treaty, if ratified, would not be put into effect until after a cease-fire had been obtained in Vietnam.

Again today I was informed through the office of another Senator that the Secretary of State had told the members of the Senate Foreign Relations Committee that in all probability the treaty would not go into effect until after the fighting had stopped in Vietnam.

In neither instance was such information given to me in confidence. But I shall not embarrass either the Senator or the office of the second Senator through whom this information came.

Mr. President, with an experience as this, it is no wonder that a credibility gap of the administration exists. It is widened and expanded by such contradictions as this.

I ask unanimous consent to place in the RECORD at this point a copy of my letter of February 8, 1967, to the Secretary of State and the reply of the Assistant Secretary of State of today.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

FEBRUARY 8, 1967.

The SECRETARY OF STATE,
Department of State,
Washington, D.C.

MY DEAR MR. SECRETARY: The consular treaty is a matter of very serious concern to those who have to vote to ratify or reject it. In the past, I have viewed the treaty with considerable reservations because of Russia's long history of broken treaties and its unrelenting subversive activities in this country.

I have been considerably concerned about the subversive risks of the consular treaty because of J. Edgar Hoover's past opposition, in his position as Director of the Federal Bureau of Investigation, to the treaty. However, his letter to you has removed such opposition.

I do recognize the fact that the treaty offers another step in the thawing of relations between the United States and Russia and the value of such a step toward the ultimate objective of real peace without appeasement. In the background of the growing division between Russia and Red China, there is the added dimension of significance in the development of more friendly relations between the United States and Russia.

But also in that very same context is the very factor that troubles me the most about the consular treaty. This is the fact that Russia is aiding the enemy in the Viet Nam War and providing material and means with which American service personnel are being killed and injured in Viet Nam.

I find it difficult to rationalize making a consular treaty with a nation that is helping the enemy kill American service personnel. This situation is completely contrary to the alleged treaty goal of the development of more friendly relations between the United States and Russia.

Certainly I might find the treaty more palatable if the Senate were given assurances by you and the President that if the treaty is ratified it will not be put into effect until a permanent cease fire has been obtained in Viet Nam.

I believe that such assurances would not only enhance the chances of ratification of the treaty by the Senate but would also give an added incentive to Russia to stop aiding our enemy in Viet Nam, which in turn would give additional incentive for North Viet Nam officials to be willing to stop fighting and come to the peace table.

Will you give me assurance that if the treaty is ratified it will not be put into effect until the fighting has ceased in Viet Nam?

Sincerely yours,

MARGARET CHASE SMITH,
U.S. Senator.

DEPARTMENT OF STATE,
Washington, February 17, 1967.

Hon. MARGARET CHASE SMITH,
U.S. Senate,
Washington, D.C.

DEAR SENATOR SMITH: Secretary Rusk has asked me to thank you for your thoughtful letter of February 8, 1967 concerning the US–USSR Consular Convention. We have carefully considered your suggestion of an assurance that the treaty not be put into effect until a permanent cease fire has been obtained in Viet Nam. Our conclusion is that postponement of the effective date of the convention would not be in the best interest of the United States, but rather that interest would be best served by the earliest possible entry into force. Our reasons are the following:

The main purpose of the Consular Convention is to help us to protect Americans who might be arrested in the USSR. Despite the war in Viet-Nam, the number of Americans who travel to the Soviet Union increases every year. The total has now reached some 18,000 annually. We need this treaty—now—to secure rights for them which even Soviet citizens do not have. Under present Soviet law arrested persons can be held incommunicado for nine months or more during investigation of a criminal charge. The Consular Convention contains major concessions by the USSR. It specifies that U.S. officials will be notified immediately (within 1-3 days) when an American citizen is arrested or detained in the USSR, and it stipulates that these officials will be allowed to visit the American without delay (within 2-4 days) and on a continuing basis thereafter. These provisions will significantly improve our ability to protect Americans in the USSR effectively; without them Americans have often been isolated in Soviet prisons for long periods without our knowing about it or being able to visit them. Soviet citizens here automatically enjoy the protections afforded by the treaty by reason of our constitutional system and democratic society.

As soon as this treaty is ratified and enters into force diplomatic officers now attached to our Embassy in Moscow who are notified to the Soviet Government as consular officers will enjoy these important rights of notification and access *whether or not consulates are eventually opened as the result of separate negotiations.* It would be difficult to justify to an American in a Soviet jail—or his family or his Congressman—a decision to defer accepting this Soviet concession by delaying the deposit of the instruments of ratification and, hence, the entry into force of the treaty.

On the other hand I can assure you that there are no formal proposals or plans pending for the opening of a U.S. consulate in the USSR or a Soviet consulate in the U.S. The ratification of this treaty *would not* automatically lead to the separate negotiations for the reciprocal opening of consulates. Secretary Rusk has undertaken to consult the Senate Foreign Relations Committee before proposing any such negotiations to the Soviet Government—though neither such consultation nor a consular treaty is required before the President can exercise his Constitutional power to permit foreign consulates in the U.S. or establish U.S. consulates abroad. Obviously, one of the major factors which Secretary Rusk—and, presumably, the Foreign Relations Committee—would take into account in considering the exchange of consulates would be the international environment, including the situation in Viet-Nam.

I am sure you agree that Americans who are arrested in the Soviet Union need all the protection they can get—especially when US-Soviet relations are strained over Viet-Nam. I believe that we would be rash to reject the real concessions which the Soviets made in this regard over three years ago when our bilateral relations were better. I would urge you to weigh carefully the importance of these considerations in arriving at a decision.

If you have further questions please let me know. I would be glad to discuss them with you in person if you like.

Sincerely yours,

DOUGLAS MACARTHUR II,
Assistant Secretary for Congressional Relations.

AMBASSADOR GOLDBERG TO TESTIFY IN FAVOR OF HUMAN RIGHTS CONVENTIONS

Mr. PROXMIRE. Mr. President, today there is an emerging optimism among the supporters of U.S. ratification of the Human Rights Conventions. On next Thursday, February 23, Ambassador Arthur Goldberg will testify before the Foreign Relations Ad Hoc Subcommittee on Human Rights Conventions.

Ambassador Goldberg will be the chief administration witness in favor of U.S. ratification. The supporters of ratification could have no more able, distinguish, or knowledgeable advocate. Here is a former Justice of the Supreme Court whose legal acumen is renowned. Here is an exceptionally gifted former Secretary of Labor, acutely aware of the problems of forced labor and slavery as they are daily practiced in the world. Here also is our own Ambassador to the United Nations who can authoritatively apprise the Senate of the grievous damage to both the United States and the United Nations by our failure to ratify.

The decision of Ambassador Goldberg to appear as a witness is a real tribute, not only to his own belief in the wisdom of U.S. ratification, it also puts the Johnson administration squarely on record—for all to see—in full support of this Nation's ratification of the conventions on forced labor, political rights of women, and slavery.

The supporters of U.S. ratification are both grateful and encouraged. However, the bright picture is still somewhat blighted. The Convention on Genocide lies in some dark, musty pigeonhole of the committee—ignored for 18 long years.

It is my hope that this Ad Hoc Subcommittee on the Human Rights Conventions will be authorized to consider the Genocide Convention. The distinguished chairman of the ad hoc subcommittee, the senior Senator from Connecticut [Mr. DODD], himself, testified as a private witness in 1950 in favor of ratification of the Genocide Convention. His case for ratification was both persuasive and compelling. I commend it to all my colleagues for a greater understanding of the Genocide Convention.

Let the Senate complete the whole job in the human rights field. Let the committee report and the Senate ratify all the human rights conventions—forced labor, genocide, political rights of women, and slavery.

INPUT-OUTPUT CONFERENCE FIRST STEP IN NEW LOOK AT WISCONSIN'S INDUSTRIAL PROBLEMS

Mr. PROXMIRE. Mr. President, our Nation's hectic pace of change has created problems for us as legislators. It means that we must constantly be reevaluating the role government plays in our free enterprise economy and adjusting the legislative tools which enable the Federal Government to perform effectively.

The increasingly accelerated changes which characterize modern America have also created problems for the private sector—great problems but, at the same time, great opportunities. Many businesses have the experience and the know-how to grasp these opportunities. Unfortunately many others, especially smaller businesses, do not.

At a superficial glance, Wisconsin's business community seems to have been equal to advances in industrial technology. However, much of Wisconsin's loudly heralded prosperity is a result of national growth. Serious imbalances still plague our State.

In some areas of the State we have counties with very low family income and high unemployment, while nearby metropolitan complexes are crying for labor. In Milwaukee, Wausau, and other cities homebuilding is slumping while neighboring communities are in desperate need of developers who can provide housing to attract and hold much-needed labor. Recent layoffs in Kenosha illustrate the problems created in a one-industry town when that industry is having difficulties requiring substantial labor cutbacks—these layoffs point up the need for industry diversification.

Although these maladjustments are notable, they fade in comparison with the major challenges facing the people of Wisconsin and the Midwest in the years ahead. For example, our prosperity is built in part on the automobile industry. In Wisconsin we design and manufacture parts for this industry ranging from mufflers, brake castings, and frames to motor components and batteries. These industries, without a doubt, will be affected by the transition to the electric automobile. And few who have read or heard the excellent speeches on this subject by my distinguished colleagues from Maine and Washington, Senators MUSKIE and MAGNUSON, can doubt that this transition will soon be upon us. Planning must begin soon. In a few years we shall be faced with the fact that continuing air pollution problems, together with the perfection of a lithium, metal-air, silver-oxide, or other such battery has made the electric car essential as well as practicable. Our industries must carefully follow such developments so that agressive managements may prepare for the change—not only to protect against a decline in present product lines, but also to take advantage of new sales vistas created by change.

As chairman of the congressional Joint Economic Committee I have an opportunity not only to study the economic impact and meaning of the Nation's advancing technology, but also to examine the role the Federal Government can play in making sure that industry—both business and labor—shares in the fruits of technological progress.

As a first step in making Federal technical know-how available to Wisconsin's businesses I will sponsor this spring an input-output conference in Milwaukee. This conference will be, in effect, a guide to market strategy for Wisconsin's business community. Industrial leadership will be enlisted to translate the deliberations of this conference into data useful to our State's businesses, large and small.

The conference will focus on a technique initiated by the Department of Commerce to fully explore the flow of goods among industries at all levels of production. This input-output approach will tell buyers where they can purchase, and sellers where they can sell, industrial products. It should result in lower costs to buyers and higher sales to sellers.

While the input-output approach is in

its infancy, it promises to be a powerful tool for analyzing interactions and results of economic changes. Coupled with other approaches, this system can help industry to meet today's needs and plan for the uncertainties that always lie ahead. I hope that by bringing it to the local level we can give businessmen an opportunity to critically examine it and apply it to their own problems.

The conference will bring together technicians, educators, market analysts, consultants, and businessmen with representatives of the Department of Commerce and other Federal agencies. It will not, however, be a one-shot approach.

It will, rather, be the opening gun in an intensified market awareness program—MAP—that I hope will act as a pilot program for the Midwest and the Nation. This will require regional meetings, seminars, personal plant visits, and other efforts by the Federal Government to place valuable tools and techniques in the hands of all interested businessmen, regardless of size or net worth.

Working together, Government and business can meet the challenges of American capitalism. Although Federal assistance will be essential, without the cooperation of chambers of commerce, trade and market associations, consultants, and educators the job will be impossible. I will request the complete cooperation of all of these groups to insure the success of this coordinated attack on the business problems of our State. The task is great, but so are the rewards.

COMMEMORATION OF LITHUANIAN INDEPENDENCE DAY

Mr. PROXMIRE. Mr. President, yesterday was the 49th anniversary of Lithuanian independence. Our hearts go out to the sorrowful people of that captive land. They had only 22 years to nurture their sovereign state before the Communists violated Lithuanian borders, implanting subversive elements in every corner of this peaceful land. On the pretense of defending the people against Nazi invaders, the Soviets cleverly installed themselves in every sector of Lithuanian life. Soviet occupation and Communist infiltration forced the destruction of the Lithuanian national state.

The Soviets would have us believe glowing reports coming from behind the Iron Curtain asserting that the people of Lithuania and the other satellite nations are becoming increasingly content and prosperous under Communist rule. They affirm that communization has proved the savior of the people, and the economy and spirit of the Lithuanian people have never been better.

We of the free world know that this is outrageous propaganda. The one essential element of human happiness and dignity—liberty—is missing. Dominated by the Soviets, these people are forced to live by the tenets of the Communist doctrine. They are not free to choose their ideals or their separate way of life. Their way must be the Communist way.

Mr. President, it is the fervent wish of the self-governing citizens of the United States that the courageous Lithuanians can break the bonds of Soviet oppression and once more unite in an independent nation to prosper as only a free people can.

POSSIBILITIES OF PEACE

Mr. HART. Mr. President, to insist that the world is static is to abide in the past and forsake the present.

In essence, this is the point the Scripps-Howard's Washington Daily News has made in suggesting that we ought to keep probing and testing all the avenues of improved relations in Europe.

And this, of course, is President Johnson's point in attempting to build bridges of understanding between the United States and Eastern Europe.

The Washington newspaper refers to the recent testimony of George F. Kennan in his support of the consular treaty with the Soviet Union and of the administration's proposal to lower the barriers to trade with Eastern European nations. Its message is the same:

We ought not view relationships among the Communist nations as we did 20 years ago. We must be forever vigilant. But we should act with flexibility and confidence as we exploit the possibilities of peace.

Mr. President, I ask unanimous consent to have printed in the RECORD an editorial entitled "20 Years Later," published in the Washington Daily News of February 7, 1967.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

TWENTY YEARS LATER

George F. Kennan, ex-Ambassador to Moscow and Belgrade and a lifelong Russian historian, has a record of sound judgment and insight on the subject of communism. In 1947 he was instrumental in jarring the United States out of its naive, postwar optimism about Soviet "desires" for peace and friendship and shoving us into the cold realization the Kremlin was bent on expansion. The "containment" of communism was his phrase and his policy.

So, what is Professor Kennan saying today? In effect, that 20 years is a long time, and things are no longer the same. Before the Senate Foreign Relations Committee last week he made these two main points:

"The unity of the communist bloc is a matter of the past; and it will not be restored. The Humpty Dumpty will not and cannot be reassembled."

Since the death of Stalin, there are changes in the Soviet outlook that are more encouraging than menacing for the prospects of world stability.

The evidence of these two development are on the front page: the Chinese and the Russians, erstwhile comrades, screaming at each other along a 5000-mile border; the Eastern European communists pulling away from Moscow and scrapping among themselves over exchanging diplomatic relations with West Germany; Soviet Premier Kosygin visiting London this week (after recent visits to Paris and Rome) in an effort to patch up things on his European flank and step up the kind of trade that will perk up the lagging Russian consumer industries.

Prof. Kennan's advice is that it's high time we cast off the "abnormal sensitivities and reflexes" that we developed in the most fearful days of the Cold War, and act instead toward individual communist nations with a flexibility and a confidence that the situation now warrants.

That means trying to reduce the barriers of confrontation and broaden the areas of cooperation, in such matters of arms, nuclear controls, diplomatic exchanges and trade.

This doesn't mean we should come full circle back to the naive days after World War II. As Professor Kennan said, there still are in the Soviet Union old habits of thought, prejudices and preconceptions that are "hostile and dangerous" to the world stability we seek. "These merit our continued vigorous and vigilant resistance." We are resisting communist expansion in Vietnam; we still need a policy of "containment" in Southeast Asia.

But we ought nonetheless to keep probing and testing all the avenues of improved relations in Europe. After the long postwar years of conflict and tension, we owe it to ourselves to exploit the possibilities of peace. We owe it not only to ourselves—we owe it to our children.

EXECUTIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to consider executive business.

The **PRESIDING OFFICER.** Is there objection to the request of the Senator from West Virginia?

There being no objection, the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED—WITHDRAWAL OF NOMINATION

The **PRESIDING OFFICER** laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing the nomination of Gilbert L. Hambleton to be postmaster at Hampton Falls, N.H., which nominating messages were referred to the Committee on Armed Services.

(For nominations this day received, see the end of Senate proceedings.)

The **PRESIDING OFFICER.** If there be no reports of committees, the clerk will state the nominations on the Executive Calendar.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

The legislative clerk read the nomination of Thomas C. McGrath, Jr., of New Jersey, to be General Counsel of the Department of Housing and Urban Development.

The **PRESIDING OFFICER.** Without objection, the nomination is confirmed.

CANAL ZONE

The legislative clerk read the nomination of Brig. Gen. Walter P. Leber to be Governor of the Panama Canal Zone.

The **PRESIDING OFFICER.** Without objection, the nomination is confirmed.

DEPARTMENT OF DEFENSE

The legislative clerk read the nomination of Phil G. Goulding, of Maryland, to be an Assistant Secretary of Defense.

The **PRESIDING OFFICER.** Without objection, the nomination is confirmed.

U.S. AIR FORCE

The legislative clerk proceeded to read sundry nominations in the U.S. Air Force.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

U.S. NAVY

The legislative clerk proceeded to read sundry nominations in the U.S. Navy.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

U.S. ARMY

The legislative clerk proceeded to read sundry nominations in the U.S. Army.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

U.S. MARINE CORPS

The legislative clerk proceeded to read sundry nominations in the U.S. Marine Corps.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

NOMINATIONS PLACED ON THE SECRETARY'S DESK

The legislative clerk proceeded to read sundry nominations in the military services which had been placed on the Secretary's desk.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the President be notified immediately of the confirmation of these nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

On request of Mr. BYRD of West Virginia, and by unanimous consent, the Senate resumed the consideration of legislative business.

THE CENTRAL ARIZONA PROJECT

Mr. HAYDEN. Mr. President, I ask unanimous consent that the text of the measure which I introduced yesterday (S. 1004), to authorize the construction, operation, and maintenance of the central Arizona project, Arizona-New Mexico, and for other purposes, be printed in the body of today's RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1004

A bill to authorize the construction, operation, and maintenance of the central Arizona project, Arizona-New Mexico, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SEC. 1. That this Act may be cited as the "Central Arizona Project Act."

SEC. 2. (a) For the purposes of furnishing irrigation water and municipal water supplies to the water deficient areas of Arizona and western New Mexico through direct diversion or exchange of water, generation of electric power and energy, control of floods, conservation and development of fish and wildlife resources, enhancement of recreation opportunities, and for other purposes, the Secretary of the Interior (hereinafter referred to as the "Secretary") shall construct, operate, and maintain the central Arizona project, consisting of the following principal works: (1) a system of main conduits and canals, including a main canal and pumping plants (Granite Reef aqueduct and pumping plants), for diverting and carrying water from Lake Havasu to Orme Dam or suitable alternative, which system shall have a capacity of not less than three thousand cubic feet per second; (2) Orme Dam and Reservoir and power-pumping plant or suitable alternative; (3) Buttes Dam and Reservoir, which shall be so operated as to not prejudice the rights of any user in and to the waters of the Gila River as those rights are set forth in the decree entered by the United States District Court for the District of Arizona on June 29, 1935, in United States against Gila Valley Irrigation District and others (Globe Equity Number 59); (4) Hooker Dam and Reservoir which shall be constructed to an initial capacity of ninety-eight thousand acre-feet and in such a manner as to permit subsequent enlargement of the structure (to give effect to the provisions of subsection (i) of this section; (5) Charleston Dam and Reservoir; (6) Tucson aqueducts and pumping plants; (7) Salt-Gila aqueduct; (8) canals, regulating facilities, hydroelectric power plants, and electrical transmission facilities; (9) related water distribution and drainage works; and (10) appurtenant works.

(b)(1) The Secretary may enter into an agreement with non-Federal interests proposing to construct a thermal generating power plant whereby the United States shall acquire the right to such portion of the capacity of such plant, including delivery of power and energy over appurtenant transmission facilities to mutually agreed upon delivery points, as he determines is required in connection with the central Arizona project. Power and energy acquired thereunder may be disposed of intermittently by the Secretary when not required in connection with the central Arizona project. The agreement shall provide, among other thing, that—

(i) The United States shall pay not more than that portion of the total construction cost, exclusive of interest during construction, of the powerplant, and of any switchyards and transmission facilities serving the United States, as is represented by the ratios of the respective capacities to be provided for the United States therein to the total capacities of such facilities. The Secretary shall make the Federal portion of such costs available to the non-Federal interests during the construction period, including the period of preparation of designs and specifications, in such installments as will facilitate a timely construction schedule;

(ii) Annual operation and maintenance costs, including provision for depreciation (except as to depreciation on the pro-rata share of construction cost borne by the United States in accordance with the foregoing subdivision (i)) shall be prorated between the United States and the non-Federal interests on the basis of the ratios determined in accordance with the foregoing subdivision (i);

(iii) The United States shall be given appropriate credit for any interests in Federal lands administered by the Department of the Interior that are made available for the powerplant and appurtenances.

(c) Unless and until otherwise provided by Congress, water from the central Arizona project shall not be made available directly or indirectly for the irrigation of lands not having a recent irrigation history as determined by the Secretary, except in the case of Indian lands, national wildlife refuges, and, with the approval of the Secretary, State-administered wildlife management areas.

(d)(1) Irrigation and municipal and industrial water supply under the central Arizona project within the State of Arizona may, in the event the Secretary determines that it is necessary to effect repayment, be pursuant to master contracts with organizations which have power to levy assessments against all taxable real property within their boundaries. The terms and conditions of contracts or other arrangements whereby each such organization makes water from the central Arizona project available to users within its boundaries shall be subject to the Secretary's approval and the United States shall, if the Secretary determines such action is desirable to facilitate carrying out the provisions of this Act, have the right to require that it be a party to such contracts or that contracts subsidiary to the master contracts be entered into between the United States and any user. The provisions of this subparagraph (1) shall not apply to the supplying of water to an Indian tribe for use within the boundaries of an Indian reservation.

(2) Any obligation assumed pursuant to section 9(d) of the Reclamation Project Act of 1939 (43 U.S.C. 485h(d)) with respect to any project contract unit or irrigation block shall be repaid over a basic period of not more than fifty years; any water service provided pursuant to section 9(e) of the Reclamation Project Act of 1939 (43 U.S.C. 485(e)) may be on the basis of delivery of water for a period of fifty years and for the delivery of such water at an identical price per acre-foot for water of the same class at the several points of delivery from the main canals and conduits and from such other points of delivery as the Secretary may designate; and long-term contracts relating to irrigation water supply shal provide that water made availalbe thereunder may be made available by the Secretary for municipal or industrial purposes if and to the extent that such water is not required by the contractor for irrigation purposes.

(3) Contracts relating to municipal and industrial water supply under the central Arizona project may be made without regard to the limitations of the last sentence of section 9(c) of the Reclamation Project Act of 1939 (43 U.S.C. 485h(c)); may provide for the delivery of such water at an identical price per acre-foot for water of the same class at the several points of delivery from the main canals and conduits; and may provide for repayment over a period of fifty years if made pursuant to clause (1) of said section and for the delivery of water over a period of fifty years if made pursuant to clause (2) thereof.

(e) Each contract under which water is provided under the central Arizona project shall require that (1) there be in effect measures, adequate in the judgment of the Secretary, to control expansion of irrigation from aquifers affected by irrigation in the contract service area; (2) the canals and distribution systems through which water is conveyed after its delivery by the United States to the contractors shall be provided and maintained with linings, adequate in his judgment to prevent excessive conveyance losses; (3) neither the contractor nor the Secretary shall pump or permit others to pump ground water from lands located within the exterior boundaries of any Federal reclamation project or irrigation district receiving water from the central Arizona project for any use outside such Federal reclamation project or irrigation district, unless the Secretary and the agency or organization operating and maintaining such Federal reclamation project or irrigation district shall agree or shall have previously agreed that a surplus of ground water exists and that drainage is or was required; and (4) all agricultural, municipal and industrial waste water, return flow, seepage, sewage effluent and ground water located in or flowing from contractor's service area originating or resulting from (i) waters contracted for from the central Arizona project or (ii) waters stored or developed by any Federal reclamation project are reserved for the use and benefit of the United States as a source of supply for the service area of the central Arizona project or for the service area of the Federal reclamation project, as the case may be: *Provided*, That notwithstanding the provisions of clause (3) of this subsection, the agricultural, municipal and industrial waste water, return flow, seepage, sewage effluent and ground water in or from any such Federal reclamation project, may also be pumped or diverted for use and delivery by the United States elsewhere in the service area of the central Arizona project, if not needed for use or reuse in such Federal reclamation project.

(f) The Secretary may require in any contract under which water is provided from the central Arizona project that the contractor agree to accept main stream water in exchange for or in replacement of existing supplies from sources other than the main stream. The Secretary shall so require in the case of users in Arizona who also use water from the Gila River system, to the extent necessary to make available to users of water from the Gila River system in New Mexico additional quantities of water as provided in and under the conditions specified in subsection (i) of this section: *Provided*, That such exchanges and replacements shall be accomplished without economic injury or cost to such Arizona contractors.

(g) In times of shortage or reduction of main stream Colorado River water for the central Arizona project, as determined by the Secretary, users which have yielded water from other sources in exchange for mainstream water supplied by that project shall have a first priority to receive main stream water, as against other users supplied by that unit which have not so yielded water from other sources, but only in quantities adequate to replace the water so yielded.

(h) In the operation of the central Arizona project, the Secretary shall offer to contract with water users in New Mexico for water from the Gila River, its tributaries and underground water sources, in amounts that will permit consumptive use of water in New Mexico not to exceed an annual average in any period of ten consecutive years of eighteen thousand acre-feet, including reservoir evaporation, over and above the consumptive uses provided for by article IV of the decree of the Supreme Court of the United States in Arizona against California (376 U.S. 340). Such increased consumptive uses shall not begin until and shall continue only so long as delivery of Colorado River water to downstream Gila River users in Arizona is being accomplished in accordance with this Act, in quantities sufficient to replace any diminution of their supply resulting from such diversions from the Gila River, its tributaries and underground water sources. In determining the amount required for this purpose full consideration shall be given to any differences in the quality of the waters involved. All additional consumptive uses provided for in this subsection shall be subject to all rights in New Mexico and Arizona as established by the decree entered by the United States District Court for the District of Arizona on June 29, 1935, in United States against Gila Valley Irrigation District and others (Globe Equity Number 59) and to all other rights existing on the effective date of this Act in New Mexico and Arizona to water from the Gila River, its tributaries and underground water sources, and shall be junior thereto and shall be made only to the extent possible without economic injury or cost to the holders of such rights.

Sec. 3. The conservation and development of the fish and wildlife resources and the enhancement of recreation opportunities in connection with the central Arizona project works authorized pursuant to this Act shall be in accordance with the provisions of the Federal Water Project Recreation Act (79 Stat. 213).

Sec. 4. The Secretary shall determine the repayment capability of Indian lands within, under, or served by the central Arizona project. Construction costs allocated to irrigation of Indian lands (including provision of water for incidental domestic and stock water uses) and within the repayment capability of such lands shall be subject to the Act of July 1, 1932 (47 Stat. 464), and such costs as are beyond repayment capability of such lands shall be nonreimburseable.

Sec. 5. The interest rate applicable to those portions of the reimburseable costs of the central Arizona project which are properly allocated to commercial power development and municipal and industrial water supply shall be determined by the Secretary of the Treasury, as of the beginning of the fiscal year in which the first advance is made for initiating construction of such project, on the basis of the computed average interest rate payable by the Treasury upon its outstanding marketable public obligations which are neither due nor callable for redemption for fifteen years from the date of issue.

Sec. 6. The Secretary may undertake programs for water salvage along and adjacent to the main stream of the Colorado River and for ground water recovery. Such programs shall be consistent with maintenance of a reasonable degree of undisturbed habitat for fish and wildlife in the area, as determined by the Secretary.

Sec. 7. The Upper Colorado River Basin fund established under section 5 of the Act of April 11, 1956 (70 Stat. 107), shall be reimbursed from the Colorado River development fund established by section 2 of the Boulder Canyon Project Adjustment Act (54 Stat. 755), for all expenditures heretofore or hereafter made from the Upper Colorado River Basin fund to meet deficiencies in generation at Hoover Dam during the filling period of reservoirs of storage units of the Colorado River storage project pursuant to the criteria for the filling of Glen Canyon Reservoir (27 Fed. Reg. 6851, July 19, 1962). For this purpose $500,000 for each year of operation of Hoover Dam and powerplant, commencing with the enactment of this Act, shall be transferred from the Colorado River development fund to the Upper Colorado River Basin fund, in lieu of application of said amounts to the purposes stated in section 2(d) of the Boulder Canyon Project Adjustment Act, until such reimbursement is accomplished. To the extent that any deficiency in such reimbursement remains as of June 1, 1987, the amount of the remaining deficiency shall then be transferred to the Upper Colorado River Basin fund from net revenues derived from the sale of electric energy generated at Hoover Dam.

Sec. 8. Nothing in this Act shall be construed to alter, amend, repeal, modify, or be in conflict with the provisions of the Colorado River Compact (45 Stat. 1057), the Upper Colorado River Basin Compact (63 Stat. 31), the Water Treaty of 1944 with the United Mexican States (Treaty Series 994), the decree entered by the Supreme Court of the United States in Arizona against California, and others (376 U.S. 340), or, except as otherwise provided herein, the Boulder Canyon Project Act (45 Stat. 1057), the Boulder Canyon Project Adjustment Act (54 Stat. 774) or the Colorado River Storage Project Act (70 Stat. 105).

Sec. 9. The Secretary is directed to—

(a) make reports as to the annual consumptive uses and losses of water from the Colorado River system after each successive five-year period, beginning with the five-year period starting on October 1, 1965. Such reports shall be prepared in consultation with the States of the lower basin individually and with the Upper Colorado River Commission, and shall be transmitted to the President, the Congress, and to the Governors of each State signatory to the Colorado River Compact.

(b) condition all contracts for the delivery of water originating in the drainage basin of the Colorado River system upon the availability of water under the Colorado River Compact.

Sec. 10. (a) The Secretary shall propose criteria for the coordinated long-range operation of the reservoirs constructed and operated under the authority of the Colorado River Storage Project Act and the Boulder Canyon Project Act, consistent with the provisions of those statutes, the Boulder Canyon Project Adjustment Act, the Colorado River Compact, the Upper Colorado River Compact and the Mexican Water Treaty. To effect in part the purposes expressed in this paragraph, the criteria shall make provision for the storage of water in storage units of the Colorado River Storage Project and releases of water from Lake Powell in the following listed order of priority:

(1) Release to supply one-half the deficiency described in article III(c) of the Colorado River Compact, if any such deficiency exists and is chargeable to the States of the upper division.

(2) Releases to comply with article III(d) of the Colorado River Compact.

(3) Storage of water not required for the releases specified in clauses (1) and (2) of this subsection to the extent that the Secretary, after consultation with the Upper Colorado River Commission and representatives of the three lower division States and taking into consideration all relevant factors (including, but not limited to, historic streamflows, the most critical period of record, and probabilities of water supply), shall find to be reasonably necessary to assure deliveries under clauses (1) and (2) without impairment of annual consumptive uses in the upper basin pursuant to the Colorado River Compact: *Provided*, That water not so required to be stored shall be released from Lake Powell: (i) to the extent it can be reasonably applied in the States of the lower division to the uses specified in article III(e) of the Colorado River Compact, but no such releases shall be made when the active storage in Lake Powell is less than the active storage in Lake Mead, (ii) to maintain, as nearly as practicable, active storage in Lake Mead equal to the active storage in Lake Powell, and (iii) to avoid anticipated spills from Lake Powell.

(b) Not later than July 1, 1968, the criteria proposed in accordance with the foregoing subsection (a) of this section shall be submitted to the Governors of the seven Colorado River Basin States and to such other parties and agencies as the Secretary may deem appropriate for their review and comment. After receipt of comments on the proposed criteria, but not later than January 1, 1969, the Secretary shall adopt appropriate criteria in accordance with this section and publish the same in the Federal Register. Beginning January 1, 1970, and yearly thereafter, the Secretary shall transmit to the Congress and to the Governors of the Colorado River Basin States a report describing the actual operation under the adopted criteria for the preceding compact water year and the projected operation for the current year. As a result of actual operating experience or unforeseen circumstances, the Secretary may thereafter modify the criteria to better achieve the purposes specified in subsection (a) of this section, but only after correspondence with the Governors of the seven Colorado River Basin States and appropriate consultation with such state representatives as each governor may designate.

(c) Section 7 of the Colorado River Storage Project Act shall be administered in accordance with the foregoing criteria.

Sec. 11. (a) Rights of the upper basin to the consumptive use of water apportioned to that basin from the Colorado River system by the Colorado River Compact shall not be reduced or prejudiced by any use of such water in the lower basin.

(b) Nothing in this Act shall be construed so as to impair, conflict with or otherwise change the duties and powers of the Upper Colorado River Commission.

Sec. 12. Except as otherwise provided in this Act, in constructing, operating, and maintaining the central Arizona project, the Secretary shall be governed by the Federal reclamation laws (Act of June 17, 1902; 32 Stat. 388 and Acts amendatory thereof or supplementary thereto) to which laws this Act shall be deemed a supplement.

Sec. 13. (a) All terms used in this Act which are defined in the Colorado River Compact shall have the meanings there defined.

(b) "Main stream" means the main stream of the Colorado River downstream from Lee Ferry within the United States, including the reservoirs thereon.

(c) "User" or "water user" in relation to main stream water in the lower basin means the United States, or any person or legal entity, entitled under the decree of the Supreme Court of the United States in Arizona against California, and others (376 U.S. 340), to use main stream water when available thereunder.

(d) "Active storage" means that amount of water in reservoir storage, exclusive of bank storage, which can be released through the existing reservoir outlet works.

(e) "Colorado River Basin States" means the States of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming.

Sec. 14. There is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, such sums as may be required to carry out the purposes of this Act.

USE OF CENTRAL INTELLIGENCE AGENCY FUNDS

Mr. YOUNG of North Dakota. Mr. President, it is understandable that there would be concern and controversy over recent disclosures that Central Intelligence Agency funds were being used to help to pay the costs of the National Student Association representatives at student conferences all over the world.

One of the best explanations and justifications for this use of funds is contained in a column entitled "The CIA-Students Controversy," written by David Lawrence and published in the Washington Evening Star of February 16, 1967.

I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The CIA-Students Controversy

(By David Lawrence)

The United States is today at war with Communist enemies. The gathering of intelligence is an important factor in the conflicts that are arising throughout the world. Yet when the Central Intelligence Agency endeavors to collect information by enlisting the co-operation of American student organizations, a hullabaloo is raised and members of Congress start talking about derogatory investigations that could frustrate America's information-gathering in foreign countries.

Both the Russians and the Red Chinese have infiltrated student organizations in the United States which are fomenting discord and starting demonstrations to help turn public opinion against the American government. The U.S. Central Intelligence Agency has by no means engaged in any such activities abroad, but has merely sought the cooperation of American students visiting foreign lands so as to help the government here to keep abreast of what is going on in various countries.

While the United States government ever since 1952 has spent approximately $300,000 a year to pay expenses of the information-gathering operation by American students, the Soviet Union has been furnishing at least $10 million to $20 million a year to student organizations that do not just gather information but actually engage in subversive activities in other countries.

The CIA drew the line—it did not ask any student to participate in subversive activities of any sort abroad, but merely to let the United States government know what was happening in student circles which could affect the United States. This is important because of the international scope of the student associations which reach into virtually every part of Europe, Asia, Africa and Latin America.

Again and again, the United States has been confronted by "student demonstrations" that have been hostile to American officials, including ambassadors and ministers. To find out how these activities are organized is important to the government here so that steps can be taken to anticipate and to thwart such moves if possible

The Federal Bureau of Investigation operates within the United States, while the CIA carries on its work only in foreign countries. The FBI has repeatedly told members of Congress about the activities of students inside this country who are members of the Communist party or who are affiliated with groups financed by the Soviet Government.

If there are to be investigations in Congress of what the CIA has done to gather information, it would be logical to expect a thoroughgoing inquiry also into the leadership and financing of certain student groups within the United States. Some of them have been in contact with members of Congress and have submitted demands that are really in the interest of Communist governments abroad.

The CIA has had nothing to do with the operations of student organizations within the United States itself. Whatever financial help it has given has been to officers of student associations who have been in charge of matters related to trips of American students abroad, particularly to Communist countries.

Many an American businessman and other travelers have been interviewed by the CIA after their return from Communist lands, and there is no impropriety in giving one's own government any information that might be useful to it in the war against communism.

The FBI undoubtedly has plenty of evidence of the activities of the Soviet government inside the United States among student organizations. A comprehensive inquiry into the "student demonstrations" in recent months would expose to public view what the United States is up against in foreign lands as well as inside America.

It is amazing to find that some members of Congress are so unfamiliar with the perplexing problems of gathering intelligence in other countries that they are preparing unwittingly to handicap the United States government in its efforts to learn what is being done to damage American interests throughout the world.

RANDOLPH CITES U.S. CHAMBER OF COMMERCE POSITION IN SUPPORT OF CIVIL EQUALITY FOR ALL AMERICANS

Mr. RANDOLPH. Mr. President, as a cosponsor of the bill introduced by my capable colleague from Michigan [Mr. Hart] to implement the President's message on civil rights, I bring to the attention of Senators, excerpts from the third report of the Task Force on Economic Growth and Opportunity, of the Chamber of Commerce of the United States. These constitute cogent comment.

I ask unanimous consent to have this material printed at this point in the Record.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

Excerpts From Introduction to "The Disadvantaged Poor: Education and Employment"; Third Report, Task Force on Economic Growth and Opportunity; Chamber of Commerce of the United States

First, the moral and political principles of this nation are predicated upon a belief in equality of opportunity for all Americans. Second, we are proud of our competitive society. Competition is basic to an efficient and free economy and opportunity is fundamental to competition. The systematic exclusion of any ethnic group from full participation is not only morally and politically wrong, but economically wasteful as well.

* * * * *

What sense does it make to ignore or minimize the potential contribution of 24 million Americans? What enterprise would squander more than ten percent of its potential labor force, its future management, or its budding researchers and technicians? Yet this is the consequence of persistently denying minority Americans equality of opportunity in education and employment. In fact, the consequences are more costly for a society than for an individual enterprise. An enterprise incurs only the penalty of lost profits through squandered resources. A society incurs far greater costs because less-than-equal opportunity breeds economic waste through paternalism, unemployment, poverty, and unnecessary social and political unrest.

Freedom of entry—freedom of competitive opportunity—is a key element in the successful operation of any free market. A society makes the most of its endowment, human and material, only when its resources are free to flow to their most productive uses. This economic truism is the pragmatic justification for ensuring all citizens equal access to jobs, education, and public facilities. And in it also lies the key to the argument for access to private goods unhampered by artificial restraints, for in a free society, private goods are a major incentive. They are the rewards earned on the basis of achievement by those who have contributed to prosperity. Public goods and private goods differ, and the appropriate criteria for "equal" access to each differ also, but they are two sides of the same coin. We diminish our productive capacities by arbitrarily limiting access to either.

* * * * *

The opportunity to secure private goods and services is one of the chief motivations used by an enterprise economy to extract maximum effort from its participants. Rewards for productive and useful effort come in the form of the ability to satisfy personal or family wants—in other words, in money. We have equal access to private goods and services only insofar as we can bid equally for them, up to the limits set by the amount of money we have.

Discrimination destroys this "equal" opportunity to gain for oneself an amount of material satisfaction commensurate with the reward earned. It in effect establishes a second incentive structure for the disadvantaged—one which does not adequately reward achievement. For even if money wages paid a minority worker are equal to those paid his nonminority colleagues, he is more restricted than they in the amount of satisfaction his wages can purchase. He may most wish to purchase a suburban house or send his child to a fine private school. If he cannot, he must settle for second best. His money buys "less," in that he cannot get maximum satisfaction per dollar. His incentive to earn by contributing to production is seriously diminished, and the entire society pays the price in lost output.

To operate at peak economic and social efficiency, it is necessary to remedy this economic impediment. But private consumption is too intimately entwined with personal liberty, involving as it does the economic determination of an individual's life style, that we must make sure that the "cure" does not merely compound the disease. Every effort should be made to secure cooperation by all citizens in ending discrimination. Where minor discomfort will attend the major gains to be secured by eliminating discrimination in access to private goods or where the "private" goods or services in question are publicly supported or subsidized in part by public funds or by tax concessions, then the balance must be struck in favor of eliminating the discrimination by law, if all else fails. Equity forbids the use of funds derived in part from minority groups to support institutions which disadvantage them, and common sense militates against the use of public funds to support practices which diminish the wealth of the society.

TRADE BARRIERS TO CALIFORNIA WINE

Mr. MURPHY. Mr. President, after weathering their experience under the Articles of the Confederation, our forefathers rightfully deemed it undesirable, unwise, and downright foolish to permit individual States to erect artificial trade barriers to products coming from other States. As a result of this experience, the power to regulate commerce between the States was granted to the Federal Government in the Federal Constitution. Fifty individual States have thus been molded into one viable and common national market. Trade in commerce moves freely between the States. The wisdom of such a policy is self-evident. This Nation has grown and has created for its people prosperity unparalleled in the history of mankind.

In my State, agriculture is our leading industry. It is an industry of over $3 billion annually. The wine industry plays a major part in California's great agriculture. California wine accounts for approximately 85 percent of all wine produced in the United States. It has received national and international acclaim.

Because this is such an important industry in my State, I am naturally concerned about discriminatory trade barriers that some States have erected against California wines.

I do not believe it was the intention of the 21st amendment to the Constitution to create trade barriers that restrict the free movement of products between the States. I therefore heartily endorse the action of the California State Legislature in focusing the country's attention on this serious matter.

Consistent with the Nation's philosophy on free trade among the States, the farmers and vintners deserve fair and equal treatment at the hands of all their sister States.

Accordingly, I urge the speedy elimination of discriminatory trade barriers against California.

Mr. President, I ask unanimous consent that two resolutions on this subject, adopted by the California Legislature, be printed in full in the RECORD.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

ASSEMBLY JOINT RESOLUTION NO. 2

Joint resolution relative to discriminatory trade barriers against California wines

Whereas, Grapes and wine constitute one of the major agricultural industries of the State of California, and California produces approximately 85 percent of all wine produced in the United States; and

Whereas, The grape and wine and allied industries also enhance the economic welfare of the state by the employment of many thousands of people; and

Whereas, The Constitution of the United States sets forth basic principles which seek to make the United States a single union and to set up a single national economy and to assure the products of every lawful industry access to the markets of all states; and

Whereas, The United States has also declared a foreign policy to foster the elimination of trade barriers by reducing tariffs in cooperation with the European Common Market countries and others; and

Whereas, The states of the United States cannot constitutionally erect discriminatory barriers against the free movement of products of other states in interstate commerce, except in the case of wines and alcoholic beverages; and

Whereas, Many states have by legislation and regulation erected discriminatory barriers against California wines which include the levying of higher taxes on California wines than are placed upon local wines and the imposition of restrictions on distribution and marketing of California wines which are not imposed upon local wines, so that the entrance of California wine into their markets and the distribution thereof are severely restricted; and

Whereas, Congressional discussions clearly indicate that by the adoption of the 21st Amendment it was intended not to permit discriminatory treatment by one state of the products of another state, but only to protect the integrity of each state in the matter of regulating the importation and sale of alcoholic beverages by such states; and

Whereas, The United States is founded on the principle of free commerce among the states, and citizens of each state should be free to select the products they desire to purchase, at fair prices and under reasonable conditions, without undue favoritism for local products; and

Whereas, Unless relief is given from the present and ever increasing trade barriers being erected by several of the states, the grape and wine industry of California and the economy of the State of California will suffer great and irreparable harm; now, therefore, be it

Resolved by the Assembly and Senate of the State of California, jointly, That the Legislature of the State of California respectfully requests the Congress of the United States to take cognizance of these discriminatory practices by the several states and proceed in such a manner as it may deem appropriate to cause the elimination of trade barriers by the several states of the Union against California wines; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives of the United States, and to each Senator and Representative from California in the Congress of the United States.

ASSEMBLY CONCURRENT RESOLUTION NO. 20

Concurrent resolution relative to discriminatory trade barriers against California wines

Whereas, Grapes and wine constitute one of the major agricultural industries of the State of California, and California produces approximately 85 percent of all wine produced in the United States; and

Whereas, The grape and wine and allied industries employ many thousands of people; and

Whereas, The Constitution of the United States sets forth basic principles which seek to make the United States a single union and to set up a single national economy and to assure the products of every lawful industry access to the market of each of the states; and

Whereas, The United States has also declared a foreign policy to foster the elimination of trade barriers by reducing tariffs in cooperation with the European Common Market countries and others; and

Whereas, the states of the United States cannot constitutionally erect discriminatory barriers against the free movement of products of other states in interstate commerce, except in the case of wines and alcoholic beverages; and

Whereas, Many states have by legislation and regulation erected discriminatory barriers against California wines which include the levying of higher taxes on California wines than are placed upon local wines, and the imposition of restrictions on distribution and marketing of California wines which are not imposed upon local wines, so that the entrance of California wine into their markets and the distribution thereof are severely restricted; and

Whereas, The United States is founded on the principle of free commerce among the states, and citizens of each state should be free to select the products they desire to purchase, at fair prices and under reasonable conditions, without undue favoritism for local products; and

Whereas, the State of California, its political subdivisions, its industries and its citizens expend many millions of dollars for goods produced in other states; and

Whereas, In consonance with the basic principles upon which this country was founded, other states should afford nondiscriminatory treatment to California products; and

Whereas, Unless relief is given from the present and ever-increasing trade barriers being erected by several of the states, the grape and wine industry and economy of the State of California will suffer great and irreparable harm; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature of the State of California respectfully urges the governors and legislatures of the states, which by statute or regulation discriminate in favor of their own wine industries in tax levies and by discriminatory restrictions on distribution, initiate early action to eliminate such discriminations; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit copies of this resolution to the governors and legislatures of the states which practice the discriminations referred to in this resolution.

RESIDENTIAL CARE FOR THE AGING

Mr. RIBICOFF. Mr. President, Mother M. Bernadette de Lourdes is the excellent administrator of St. Joseph's Manor, Trumbull, Conn., an outstanding residence for retired persons. She currently serves as president of the Connecticut Association of Nonprofit Homes and Hospitals for the Aged. She also serves on the Connecticut Commission of Services for Elderly Persons.

The Catholic Transcript of Friday, November 18, 1966, published a projection of residential care for aging in 1973, written by Mother M. Bernadette. I ask unanimous consent that the article be printed in the RECORD so that Senators may have the benefit of the observations of this highly qualified and experienced authority.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

RESIDENTIAL CARE FOR AGING IN 1973: A PROJECTION

(By Mother M. Bernadette, O. Carm.)

When I started thinking seriously about the organization pattern of a home for the aging in 1973, I decided to take a look at the present meaning of organization according to the most recent edition of the Britannica World Language Dictionary. There I learned that organization means the act of organizing, the state of being organized and that which is organized.

The purpose of this article is to do some crystal gazing and, in a practical and efficient manner, foresee the unmet needs of our aging citizens years from today. With clear vision and foresight we should endeavor to anticipate these needs and use this advanced thinking in the planning and organization of residential care facilities for our 1973 retiring citizens.

Three areas need our careful consideration: location, construction, and operation.

I shall take it for granted that a study or a survey has indicated the need for this particular kind of residence for the elderly. I am also assuming that funds are available for the construction of the building and that architects, contractors and consultants are working closely with the administrator so that the design of the building will be such that it will function efficiently in providing the particular kinds of service which will be made available for the elderly who will make this facility their home for a prolonged period of time.

In this article it is not possible to cover all the details of the organization of a home for the aging. However, what I hope to do is to indicate trends in homes for the aging, new concepts of care, changing needs, the importance of keeping programs flexible, the age group we are planning for, and the fact that, according to the Bureau of the Census, in 1973 we will have about 20 million in the age group usually classified as senior citizens.

When we consider organization of a home for the aging our thoughts immediately turn to the board of directors and the administrators. Since the administrators will be responsible for the total operation of the home he or she should be in the picture very early in the planning.

There is no other single person who has a greater concern and can contribute more to the total planning of the new and up-to-date home in which we want to include the most current thinking and knowledge. Through experience, education and training the administrator knows what services will be needed and how these services should be provided. I would also suggest that persons with experience in the various departments be brought in as consultants. Their specific knowledge and experience can be very valuable in planning for the efficient functioning of the various departments.

Of necessity the building may have to be designed to suit the particular site. There is however quite a difference of opinion about the design and location of homes for the aging. Some feel they should be high rise, others one story. There is now a trend to round buildings.

Just as we take central heating for granted today the other person in 1973 will expect to find the home for the aged—air conditioned. And, since we do not want our new home to be obsolete before it has even been used let us carefully consider the inclusion of air conditioning.

I already mentioned that the importance of flexibility but I should like once again to emphasize it. Persons entering homes for the aging in the next few decades will expect to find certain conveniences which many of the elderly entering homes today do not insist on. Today, more and more people are accustomed to plenty of bathrooms in their homes. In the 1973 home for the aging the elderly in that decade will expect to find in the well equipped modern home for the aging bedrooms which will include private baths.

Appearance is an important factor in the life of the modern man or woman and therefore, since an extensive wardrobe plays an important part in personal appearance, the older persons entering a home 10 years hence will expect to find plenty of storage space for his or her clothing and other treasured items.

Rooms should be large enough to be comfortably furnished with the usual bedroom furniture and over and above this space for a television set, a radio, and personal accessories. Since many may need to use wheel chairs the room should be so designed that the older person can reach everything easily, using the wheel chair as a means of transportation.

Since an older person spends many hours in his or her room, great care should be taken in planning it for maximum comfort. You will notice that I am speaking only of single-occupancy rooms. It seems that the great majority of elderly people prefer single rooms. If my crystal ball is showing me a clear picture of the future I believe that all our elderly ladies and gentlemen will expect to find that the modern home for the aging will offer them at least this minimum degree of independence and privacy. The only advantage I can see in semi-private rooms is that the bed cost for construction is less.

Based on the experience of the past three decades which the writer has lived in a residence for the elderly, I shall try to project what the future home for the aging should plan for.

Persons requesting admission to homes for the aging are at a more advanced age each year. Our present average age is 80. It seems to me that this will continue to be the situation. Those who desire to enter usually need care, varying of course in degree. Even those who are ambulatory and seem to be quite well, if we judge by appearance only, are usually very far from well. A physical examination frequently reveals a diagnosis of one or more diseases.

Rapidly changing needs in our older people make it absolutely necessary to include certain services. Through the inclusion of these services for total care when the need does arise, the older person can get the care he needs. If the home for the aging is to offer the older person long-term care and some degree of security it must plan in advance to make available the needed health and related services when needed. If we do not have the facilities needed for health services then the older person has to change to another facility at the very time when any kind of change is most difficult and when he or she really needs security, reassurance, love and care.

In homes for the aging today we find those older people who require care varying of course in degree. We find those who can take care of most of their personal needs but do require certain services and need to be involved in suitable preventive health activities; those who because of some physical or mental limitation require some nursing care and other health services which have a therapeutic value; those who are quite ill physically and require mort intensive nursing care and other services; and those who are ill physically and mentally and require a great amount of nursing care and related services.

A desirable and practically organized home for the aging would have under the same administration facilities to meet the needs of each of these groups of older people. In this way each group could get the required care. As their physical or mental condition changed a transfer could easily be arranged. There could be some degree of physical separation so that the elderly who are apparently well would not have to share the same facilities as those who are ill physically or mentally or who have a severe physical disability. Some older people who are very alert mentally find it quite disturbing emotionally to be in close association with those who are seriously ill, physically or mentally. In designing our 1973 home we should keep this general idea of separate grouping in mind.

Some common facilities could be shared such as diagnostic services, dental services, podiatrist services, the departments of rehabilitation, occupational therapy and creative activities, medical and special clinics. All of the health services could be located in one area and residents could go there for treatments by appointment. In this way these services could be shared by all

For religious services, entertainments and various recreational programs the residents could be brought together.

Dining is another important nutritional and social event, and some degree of separation is desirable. All those who are apparently well could eat in the same dining room. Small dining rooms could be provided for those who need considerable assistance at table, but are not confined to bed. It is much more pleasant when at all possible for this group to eat in a dining room with others. Those who are temporarily or permanently too ill to go to the dining room will of course have tray service.

Transportation of residents who use wheel chairs to reach the dining rooms should be planned for very carefully. Older people do not like to wait for elevators and since all like to be in the dining rooms at the same time this can present a traffic problem. Elevator service should be planned in such a way that each group will use the elevator that leads directly to their section of the building. In this way the so-called well-aged will not be brought in contact so frequently with those who are physically or mentally ill.

If present trends guide our thinking and planning it seems to me that any facility for the elderly, by whatever name it may be identified—a geriatric hospital, an extended care facility, a home for the aging, a nursing home, a club, a hotel, retirement housing or any other kind of long-term care facility—will need to include departments for those services and programs needed for the comprehensive care of the elderly.

This no doubt will be done somewhat according to the general plan I have already mentioned by having separate buildings or separate sections and providing in each building or section the facilities for the special care needed by each group. According to this plan rates would be based on services rendered and those who did not require much care would not have to pay as high rates as those who needed many services.

This plan has been used to some extent in some of our modern homes for the aging and, it seems to be a method of care that is gradually becoming more acceptable. A somewhat similar plan has been introduced in some hospitals and this is now known as progressive care.

In summary I would say that the 1973 modern home for the aging should be an acceptable and satisfactory substitute for the older person's own home. It should make available all the diagnostic, medical, rehabilitative, occupational, recreative, social, nutritional, educational, personal and spiritual services needed. An adequate number of qualified and trained personnel should be available to render these services. The environment should be comfortable, inviting and conducive to enjoyable living. Residents should be encouraged, stimulated and motivated to participate in activities and to take an active part in all civic, community and political events.

The home for the aging in 1973 hopefully will be recognized and accepted as an institution rendering a valuable service to the community. Such evident progress will be made and standards of care will be such that the stigma associated with homes for the aged of bygone days will be erased from the memory of the elderly who remember the poem by Will M. Carleton, "Over the Hill to the Poorhouse," written in 1871 just about a century ago.

New concepts of care, new sources of income such as Medicare and Title 19, an increasing appreciation of the worth of the individual and a recognition of the significance of his or her past contributions to our society compel us to show respect and gratitude to our older citizens. The respect and love we manifest for them will be so evident that it will alleviate any fears they may experience because of their present physical and mental limitations.

May 1973 see all our older citizens truly enjoying the blessings that should accompany a long life and may this decade offer them the variety, quality, quantity and degree of services they need in modern homes for the aging.

HIGH PRAISE FOR GEORGE BURGER

Mr. BARTLETT. Mr. President, I take this opportunity to say a word in behalf of my good friend George Burger, vice president of the National Federation of Independent Business. I can call George a good friend because he has been working for legislation in Congress as long as I have been a Member and maybe a little longer.

Recently, in a story carried by 10 publications in the Fairchild News Service, George Burger was described as "a dean among lobbyists," "a fixture in the hallways of Congress." And Rubber World, a leading spokesman for the tire industry stated:

> There is no more experienced lobbyist on Capitol Hill than George J. Burger of the National Federation of Independent Business.

Mr. President, these two articles very accurately describe George Burger. Both Congress and the National Federation of Independent Business benefit from George Burger's presence in these Capitol hallways.

CRIME CONDITIONS IN WASHINGTON, D.C.

Mr. THURMOND. Mr. President, last November, when President Johnson vetoed the District of Columbia crime bill passed by the 89th Congress, I urged that the 90th Congress once again would have to pass an omnibus anticrime bill for the District of Columbia. At that time, I said of the President's action:

> He stripped the law enforcement officials of the tools they need to effectively combat the criminal element in the District of Columbia. The constructive, thoughtful attempt on the part of Congress and the thinking citizens of the District of Columbia to strengthen the arm of law enforcement in the Nation's Capital went for naught because of the President's veto.

Today, the moment for action is even more pressing. On February 13, a single issue of the Washington Evening Star contained a total of five articles and advertisements dramatically illustrating the need for anticrime legislation, and the concern of District of Columbia citizens and officials.

I invite particular attention to the open letters published as paid advertisements by Peoples Drug Stores and the D.C. Savings & Loan League detailing the robberies and burglaries committed against their employees and premises. The list of crimes against a single business, Peoples Drug Stores, is striking in its cumulative effect upon the reader. The significance of such crimes is frequently lost in isolated, day-by-day news items.

Mr. President, I ask unanimous consent that the advertisements by Peoples Drug Stores and the D.C. Savings & Loan League, the article entitled "Peoples, S. & L.'s Back Plea for Crime War," the editorial entitled "Sagging Police Morale," and the column by David Lawrence entitled, "Severe Blows to Law Enforcement" be printed in the RECORD following my remarks. All these items are from the February 13 issue of the Washington Evening Star.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

PEOPLES DRUG STORES, INC.,
Washington, D.C., February 9, 1967.

The PRESIDENT
The White House,
Washington, D.C.

MY DEAR MR. PRESIDENT: I should like to endorse the letter sent to you recently by the District of Columbia Clearing House Association respecting crime in the District of Columbia.

There can hardly be any dispute as to the magnitude of the problem. The overall statistics on incidence of crime in the District tell the story accurately, but it is possible that the appalling significance of those statistics may be blurred by their generality.

As I realize only too keenly, "robberies per thousand population" translates into actual robbers in actual stores jeopardizing the lives of actual men and women. I attach a list of the robberies and burglaries committed in my company's stores in the District of Columbia metropolitan area since January 1, 1966. As you will see, in the past 56 weeks Peoples Drug Stores in this area have been the scene of 31 armed robberies and 62 burglaries, and the pace of these crimes is accelerating rather than abating.

The dollar loss to Peoples Drug Stores during this period—$116,000, none of it insured—is obviously heavy. But the threat to the lives and well being of our employees and customers is of a much more serious order. Every crime listed in the attachment carried the seeds of grave human tragedy, and in some instances violence did indeed occur.

Just this past week the assistant manager of one of our stores was kidnapped at his Maryland home, pistol-whipped, and bound and gagged by four criminals who forced him to return to our District store so that they could gain entry to the store and the safe and secure cash and narcotics. They left him, still bound and gagged, in his car. The very next day at another of our stores armed robbers, at 8:40 in the morning, forced 7 of our employees and 20 customers to lie on the floor and robbed the store of cash and narcotics.

Or consider our experience at a single store. On November 6, 1966, that store was robbed of $6,910.93. On January 8, 1967, the manager of the store was accosted at gun point by three robbers, forced to re-enter the store, open the safe, and turn over cash and narcotics. Upon leaving, the criminals knocked him unconscious. On January 22, 1967, this same manager, upon opening the store, was again faced by armed robbers who forced him to open the safe and to turn over cash and narcotics. Finally, on January 25, 1967, the police apprehended five persons burglarizing the store. The manager and all employees tendered their resignations and it was necessary to close the store permanently.

I cite these figures not because they are unusual, but because I have no reason to think they are not representative. Indeed, the burden of crime has not fallen as heavily upon my company as upon others in our community. We have been spared loss of life, but there are families whose breadwinner has been cut down by robbers. We are a large company, but there are small merchants to whom robbery and burglary has meant financial ruin.

I, and those who share my anxiety, are greatly heartened by your demonstrated concern about crime, both nationally and in the District, where the federal government has a special responsibility. While I do not pretend to be equipped to evaluate the particulars of your legislative proposals or the recommendations of the District of Columbia Crime Commission, certainly your policy of a two-pronged attack upon both the sources and the effects of crime should command widespread support. If disagreements arise over particular ingredients of an anti-crime program, it is my hope that in any event those disagreements will not prevent the Congress and the community from uniting in unstinting support of those measures as to which there can be no reasonable dispute. The urgency of the problem surely demands no less.

I am confident that the stockholders, employees and customers of Peoples Drug Stores join me in pledging our cooperation in your efforts to give meaning in our community to the principle that, as you put it to the

Congress, "public order is the first business of government."

Very truly yours,

G. B. Burrus,

President and Chairman of the Board.

Peoples Drug Stores—Losses due to burglaries and armed robberies in the Metropolitan Washington area

Store No.	Burglary or robbery	Date	Total
JANUARY 1966			
165	Burglary	Jan. 2	$213.90
1	do	Jan. 3	130.80
70	do	Jan. 4	120.00
1	do	Jan. 9	51.25
5	Robbery	Jan. 21	80.00
27	Burglary	Jan. 26	119.46
3	do	Jan. 27	192.89
40	Robbery	Jan. 28	3,363.86
24	Burglary	Jan. 31	2,283.67
FEBRUARY 1966			
126	Burglary	Feb. 13	$536.40
103	do	do	4,584.56
MARCH 1966: NONE			
APRIL 1966			
130	Burglary	Apr. 10	$250.74
233	do	Apr. 12	252.87
MAY 1966			
191	Burglary	May 2	$1,614.37
151	do	May 4	2,743.39
27	do	do	405.47
249	do	May 5	1,793.61
27	do	May 11	25.80
233	do	May 27	881.72
JUNE 1966			
126	Burglary	June 12	$2,219.42
217	do	do	3,531.57
5	do	June 24	490.39
JULY 1966			
18	Burglary	July 1	$25.75
75	Robbery	do	339.00
89	do	July 3	5,750.53
133	do	July 5	202.62
25	do	July 6	174.00
88	Burglary	July 8	99.00
74	do	July 9	707.94
191	do	July 14	90.24
161	Robbery	July 15	630.00
18	Burglary	July 20	243.11
161	do	July 28	4,020.81
AUGUST 1966			
25	Robbery	Aug. 8	$1,913.86
90	Burglary	do	180.29
42	do	do	82.93
10	do	Aug. 25	1,506.82
107	do	Aug. 27	674.47
155	do	Aug. 28	776.55
89	do	do	611.47
146	do	do	794.82
SEPTEMBER 1966			
255	Burglary	Sept. 2	$16.00
236	do	Sept. 6	645.65
1	do	Sept. 8	240.00
107	do	Sept. 9	369.01
90	do	Sept. 16	283.00
158	Robbery	Sept. 19	2,405.31
11	Burglary	Sept. 20	1,057.00
237	Robbery	Sept. 23	50.00
233	Burglary	Sept. 24	1,484.15
200	do	Sept. 25	924.56
73	do	Sept. 26	71.18
OCTOBER 1966			
15	Robbery	Oct. 1	$1,012.52
3	Burglary	Oct. 5	1,003.35
90	do	Oct. 12	283.00
233	do	Oct. 13	149.51
27	do	Oct. 17	160.23
133	Robbery	Oct. 25	5,800.00
NOVEMBER 1966			
77	Robbery	Nov. 6	$6,910.93
10	Burglary	Nov. 9	2,148.82
15	do	Nov. 15	2,446.98
245	Robbery	Nov. 21	2,538.76
42	Burglary	Nov. 23	485.92
27	do	do	955.68
DECEMBER 1966			
150	Robbery	Dec. 3	$3,749.30
27	Burglary	Dec. 5	567.24
19	Robbery	Dec. 11	149.41
15	do	Dec. 16	585.55
42	Burglary	Dec. 22	668.94
2	Robbery	Dec. 23	1,045.77
120	Burglary	Dec. 29	388.40
27	do	Dec. 30	100.00
237	do	do	2,111.00
75	do	Dec. 31	2,600.00
	Total, 1966		88,117.52
JANUARY 1967			
42	Robbery	Jan. 3	$6,035.04
75	do	do	60.00
24	do	do	2,600.00
9	do	Jan. 4	380.00
27	Burglary	Jan. 5	57.48
(1)	do	Jan. 7	349.18
77	Robbery	Jan. 8	2,366.72
82	do	Jan. 19	1,188.22
237	do	Jan. 20	99.00
114	do	do	2,291.85
201	Burglary	Jan. 21	171.34
77	Robbery	Jan. 22	4,047.65
75	do	Jan. 23	380.00
237	Burglary	Jan. 24	47.38
77	do	Jan. 25	10.31
90	do	Jan. 27	52.78
17	Robbery	Jan. 29	3,003.28
FEBRUARY 1967			
133	Robbery	Feb. 2	$3,000.00
25	do	Feb. 3	2,000.00
	Total, 1966–67		116,257.75

(1) Warehouse.

Peoples, S. & L.'s Back Plea for Crime War

The District Savings and Loan League and the Peoples Drug Stores have joined in the mounting demand to President Johnson that something be done about rising crime here.

Richard H. Sinclair, president of the Savings and Loan League, and G. B. Burrus, president and board chairman of Peoples, wrote similar letters to the President last week and publicized them in newspaper advertisements today.

Both endorsed the call of the D.C. Clearing House Assn.—the city's banks—for anticrime legislation.

Burrus said he was sure the stockholders, employes and customers of Peoples, the biggest drug here, "join me in pledging our cooperation in your efforts to give meaning in our community to the principle that, as you put it to the Congress, public order is the first business of government."

And Sinclair urged "the effective employment of the facilities of your Executive Offices and your own great prestige toward a timely solution."

"Argument as to the pros and cons of suggested causes or reasons for the present state of affairs contribute nothing to the immediate problem," Sinclair added.

And Burrus said he hoped that any disagreements over "particular ingredients of an anticrime program . . . will not prevent the Congress and the community from uniting in unstinting support of those measures as to which there can be no reasonable dispute.

"While I do not pretend to be equipped to evaluate the particulars of your legislative proposals or the recommendations of the District of Columbia Crime Commission," Burrus said, "certainly your policy of a two-pronged attack on both the sources and the effects of crime should command widespread support."

Both men enclosed data showing the rising incidence of robbery at their facilities.

At Peoples stores in this area, 31 armed robberies and 62 burglaries were committed between Jan. 2, 1966 and Feb. 3, 1967, Burrus said, "and the pace of these crimes is accelerating rather than abating."

The "dollar loss" during this period was $116,000—"none of it insured," Burrus said.

"But the threat to the lives and well being of our employes and customers is of a much more serious order," he said.

He noted that one store, in Hillcrest Heights, finally closed at the end of January in the wake of numerous holdups and the beating of the manager.

"Indeed, the burden of crime has not fallen as heavily upon my company as upon others in the community," Burrus said.

"We have been spared loss of life, but there are families whose breadwinner has been cut down by robbers.

"We are a large company, but there are small merchants to whom robbery and burglary has meant financial ruin," he said.

Sinclair said 19 robberies were committed against savings and loan associations in Washington in 1966, and five holdups in the first six weeks of 1967.

Severe Blows to Law Enforcement

(By David Lawrence)

Although President Johnson sent to Congress a lengthy message last week proposing the expenditure of federal funds to deal with crime prevention and law enforcement in states and cities, no attention was given by the President to the harmful effects of court decisions which provide criminals with technicalities enabling them to go free.

The District of Columbia, for example—which is under direct supervision of the federal government—has today perhaps the worst crime record in the country. This has developed since the famous "Mallory" decision was rendered in 1957 by the Supreme Court of the United States, and after subsequent rulings.

Rep. John L. McMillan, Democrat of South Carolina, chairman of the House Committee on the District of Columbia, replied recently to a letter from Washington bankers, written to the President and other government officials, complaining about the crime problem. He says:

"Beginning in 1958, the trends in crime in the District of Columbia reversed. From that date to the present, the volume of crime has increased nearly 300 percent, a far greater increase than in any other comparable city in the nation."

McMillan refers to cases in which persons convicted in lower courts have been released, and adds that "the criminal mind is alert to court decisions which provide a means of escape from conviction."

He declares also that members of the House District Committee spent "thousands of hours" during the last six years in hearings, studies and conferences to draft effective legislation against crime in the District. The measure, known as the omnibus crime bill, passed the House by a two-to-one majority in three successive congresses. Last year the bill reached the point of conference between the House and Senate for the first time, and was passed by both houses in the closing days of the session, only to be vetoed by President Johnson after Congress had adjourned. Thus no opportunity was afforded to override the veto or revise the legislation.

McMillan says that while improvement in the police system and the provision of extra funds for law enforcement are decidedly helpful, all this will be of little avail unless the courts are cooperative in battling crime. He continues:

"Nationwide, it appears that we may have been concentrating on the wrong answers to crime for many years. Forty years ago, we had more poverty, more slums, poorer schools, lower educational achievement, but a crime rate which was significantly lower than today.

"In the meantime, we have tried to reduce crime through expenditures for education, housing programs and slum clearance, counselors and psychiatrists for our juveniles, indeterminate sentences, probation, parole, and rehabilitation for criminals, only to find a rapid acceleration in the crime rate.

"A recent national study indicated that 85 percent of those persons apprehended for crimes were repeat offenders."

Unfavorable sociological conditions alone are not to blame for the situation here, as McMillan points out that the operating expenses per pupil in schools in the District of Columbia are probably the highest of any comparable city. Welfare and public health expenditures have been doubled within recent years, while large sums have been spent for slum clearance and public housing. McMillan mentions also that this city has one of the lowest unemployment rates of any city in the nation and that the per capita income levels are high. He adds:

"Despite these facts, the crime rate has increased almost 300 percent in 10 years, about double the national average rate, and crime clearance here has dropped from 57 percent to 25 percent. During the same time the District of Columbia prison population at Lorton has dropped from approximately 2,200 to about 1,100. Such results are not primarily because of any basic defect in organization, inefficiency, or inadequacy of facilities of the Metropolitan Police Department."

For some undisclosed reason, the administration has ignored the severe blows to law enforcement that have come from the Supreme Court in recent years.

THE WONDERFUL WORLD OF UTAH

Mr. BENNETT. Mr. President, the spectacular scenery of Utah has again attracted national recognition. The New York Times in its travel section this past Sunday featured the breathtaking, snow-covered parks and canyons of southern Utah.

The article, written by the well-known Utah New York Times writer, Jack Goodman, is entitled "Canyon Snowscapes in the Redrock Cliff Country." It describes this largely unknown area of nature's finest handiwork. In a series of inspiring photographs, it shows winter scenes in the gigantic red-hued stone mountains, sharp jagged cliffs, and endless wind-carved canyons.

The article features the rugged beauty of Zion National Park and Arches National Monument. It emphasizes that located right in the heart of America is some of the world's most remarkable sightseeing, yet Americans search the world for new and exciting viewing without many of them first visiting this wonder-filled area.

The southern Utah landscape provides remarkably varied scenery, ranging from towering snow-capped mountain peaks, pine-covered slopes, and startling wind-shaped canyons, to the contrasting world far below of flat-topped plateaus, rolling sand dunes, and ancient Indian dwellings. Displayed are samples of the world's most intricate carving, where massive sandstone arches span rushing rivers and deep, steep-walled canyons, and where wind-carved stone monuments populate the deserts, like a silent race of giants.

To add to the comfort of the visitors to this area, many large and modern motels have been conveniently located. And new national park visitors' centers offer a multiple of services, including lectures on the geology of the area, evening fireside discussions, and nature walks led by experts in their fields of nature study. Excellent roadways connect the major areas. These are kept open year round, often better than city streets, so that the tourist can visit during the winter season.

I have long pursued the dream of having a Golden Circle National Recreation Area established, with roads that would connect the national parks, monuments, and recreational areas of southern Utah, northern Arizona, northwestern New Mexico, and southwestern Colorado. Centered in this region are more than 40 outstanding scenic and recreational attractions. This plan would allow visitors to have easy access to all of the many sites on modern well-kept roads. It would open great new opportunities to millions of tourists each year.

In recent months great interest has been expressed in this plan, and I shall soon reintroduce my bill to this effect. I feel confident that in the near future we will see positive steps taken toward developing this virtually unseen area so that all Americans can share in the wonder of this strange and beautiful world, no matter what the season of the year.

Mr. President, I cordially invite Members of the Senate and other readers of the CONGRESSIONAL RECORD to take advantage of the Utah snowscapes in the redrock cliff country and pay us a visit. I guarantee that the trip will be well worth while.

Mr. President, because Jack Goodman's article on the Utah canyon country merits special review, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Feb. 12, 1967]

CANYON SNOWSCAPES IN THE REDROCK CLIFF COUNTRY

(By Jack Goodman)

MOAB, UTAH.—Only a dozen or so years ago, it was considered foolhardy to set out, in the wake of a snowstorm, through the redrock country of southern Utah. Nowadays, however, the roads are paved, plowed and used daily by school buses, traveling salesmen, rangers and ranchers.

As a result, the ambitious winter vacationist is able to enjoy the spectacle of canyon snowscapes, a spectacle far different from the equally inspiring but rather parched view encountered in the summertime. Motorists heading for Phoenix, Las Vegas, Palm Springs and other sectors of the Southwest have a choice of all-weather routes passing through, or coming within easy reach of, this redrock cliff country.

A series of recent storms deposited fully six inches of snow on this part of Utah, and a cold spell, which followed close behind, helped to preserve the white mantle. The extent of the precipitation also holds out the promise of an unusually profuse growth of blooms on high-country wildflowers and cactus when warmer weather sets in.

Precipitation in this region is largely determined by elevation. Three Utah mountain ranges—the La Sal, the Henry and the Abajo, all of which are visible from Arches National Monument at Moab—rear crests 11,000 feet or more above sea level. They receive upward of 40 inches of snow annually.

Canyon bottoms in Zion National Park usually receive no snowfall, but this winter the snow blanket spreads across the low-lying orchards adjacent to Capitol Reef National Monument.

In addition, there is powder snow on the piñon and the sage at Arches, where the elevation is 4,000 feet above sea level at the Visitor Center. Too, a heavy snow mantle covers such 8,000-foot-high overlooks as Dead Horse Point, near Moab; Rainbow Point in Bryce Canyon National Park and Point Supreme, above Cedar Breaks National Monument.

What will the wintertime visitor see in the canyon country during the off season? To begin with, crowds are conspicuous by their absence, thus enabling the tourist to have a few hundred-thousand parkland acres to himself.

In addition, the National Park Service Visitor Centers, which are virtual museums of geology, history and wildlife lore, remain open all year at Arches, Capitol Reef, Zion and Bryce. Rangers and ranger-naturalists are almost pathetically eager to chat with visitors, show them displays or accompany them on walks to major viewpoints.

TOP RANGER

In fact, the ranger on duty, whose name is posted at the Visitor Center information desk, is likely to be the park or monument superintendent himself—the most knowledgeable person in the region and acquainted with every deer, rock, Indian pictograph and cedar bush. A guided tour of a western park or monument with the superintendent is somewhat akin to touring the United Nations buildings with Ambassador Arthur J. Goldberg.

In Arches National Monument, after an unhurried stroll through the headquarters museum and a chat with the rangers, winter vacationists will find that the paved highways leading to Courthouse Towers, Park Avenue, Double Arch and North and South Windows are kept clearer of snow than most suburban streets.

WINTER BONUS

Oddly enough, unpaved routes, such as the one leading toward Delicate Arch, also in Arches National Monument, are more comfortably driven in winter than in summer. These upland desert dirt roads freeze hard, and little or no dust is stirred up as vehicles pass over them.

A similar situation prevails across Moab Canyon from Arches National Monument. A 20-mile road leading to Dead Horse Point, from which motorists can view the deep gorges cut by the Colorado and the Green Rivers, includes a 12-mile paved portion that is kept clear. The ensuing eight miles or so of dirt road will usually be free of snow because of the upland winds and free of dust or mud because of the hard freeze.

Roads in Capitol Reef, Bryce and Zion are also no problem, since the major arteries are paved, plowed and patrolled by rangers.

More important than uncrowded Visitor Centers and clear roads, however, is the winter look of the canyon parklands. At Arches, for example, the visitor puzzled by the manner in which nature carves an arch can easily see and understand how erosion has brought about such lengthy spans as the 291-foot-long Landscape Arch or the free-standing Delicate Arch.

Journeying through the monument, winter vacationists see that the 300-foot-thick, red-hued Entrada sandstone topping the countryside contains both vertical and horizontal cracks, usually crossing at right angles. At this season, snow and ice clearly outline such cracks.

FROM CLIFFS TO "FINS"

Occasionally, rangers can point out spots where slabs of sandstone have recently fallen or spots that are likely to come down because of successive freezing and thawing. Some of the sandstone cliffs visible in the Park Avenue area are becoming "fins," ready to be formed into arches by blowing sand or blowing snow.

In contrast, at Capitol Reef, where Hickman Natural Bridge is an easy hike from the main highway, the visitor learns that a natural "bridge" is just that—a passageway carved by a stream through a sandstone obstruction.

Aside from the amateur geologist, the winter visitor to this plateau country finds it a landscape-lover's haven. Cliffs, arches, bridges and mesas take on a burnished look in the clear desert sunshine, their red hues set off in wondrous fashion by the glinting white snow, the dark green cedars and the silvery sage.

The gorges of the Colorado or the Green, glimpsed from Dead Horse Point, from Grandview Point in Canyonlands National Park or from similar overlooks, are also viewed with increased clarity at this season. This is partly because of the lack of warm-weather haze and partly because snow makes it easier to pick out the strata and layering of hard and soft stone through which the rivers have cut their channels.

Each level cut by the Colorado, which is now 3,000 feet below its rimrock, is emphasized sharply and clearly by its banding of snow, just as each of the half-dozen peaks of the lofty La Sal Mountains, 30 miles east of the river, stands out etched in white against the deep-blue winter sky.

In addition to the heightened, snow-limned quality of the landscape at this time of year, the region's wildlife can be more readily seen and appreciated. Deer tracks appear frequently and are easily followed in the snow, even by an amateur scout.

BIRDS ON THE WING

The photographer is far more likely to wind up with a good snapshot of a band of deer than he is in midsummer. Bluejays are especially easy to spot as they forage for berries, and magpies, hawks and eagles circle the snowcapped pinnacles and mesas.

Accommodations, while almost totally lacking in the parks and monuments in winter, are easily found in nearby towns. At Moab, the best motel room with wall-to-wall carpeting and television rents for $8 a night, and no reservations are needed. The swimming pool, however, will most likely be ice-caked.

Motels can also be found in Kanab, south of Bryce; in Cedar City, near Zion, and in Monticello, near Canyonlands National Park.

It is even possible to reach the redrock country by air during the snow season. Frontier, which flies turboprop planes, links the Canyonland Airport at Moab with Salt Lake City and Denver. It also offers connecting flights to Tucson and Phoenix.

STOP EN ROUTE

Bonanza, a local service airline using DC–9 jets and turboprops, flies Zion and Bryce sightseers to Cedar City on its route between Salt Lake City and Phoenix. Connections are also available to Las Vegas and Palm Springs.

At all the airports near the parks, rental cars are available in both winter and summer.

DALLAS NEWS EDITORIALIZES ON COMPENSATION TO INNOCENT VICTIMS OF CRIME

Mr. YARBOROUGH. Mr. President, on January 25 I introduced a bill which would provide compensation for the innocent victims of crimes committed in the District of Columbia and other limited areas of Federal jurisdiction. In a January 28 editorial entitled "Ounce of Prevention," the Dallas Morning News reminded us that most victim compensation is inadequate when it is measured against long-term losses to the injured individual and society. Our primary legislative and public goal, the editors reasoned, should be crime prevention because all victim compensation is patently inadequate.

Mr. President, I do not believe that crime prevention and victim compensation are mutually exclusive public policy goals. We can and should do both. I commend the editors of the Dallas Morning News for their interest in victim compensation and ask unanimous consent to have their editorial printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Dallas Morning News, Jan. 28, 1967]

OUNCE OF PREVENTION

Sen. Ralph Yarborough's new bill for compensation of crime victims urges a measure that enjoys a great deal of public support. His argument that the victim "has been denied the protection of the laws in a very real sense" has validity.

But as the recent slaying of a brilliant young science student underlines, there are some crimes that cause losses the entire treasury could not compensate.

The loss to the victim's family is irretrievable. The same is true of the loss of the scientific discoveries that the victim, a winner at the state science fair, might have made had he lived.

Any crime that inflicts pain, grief or loss of life causes damage that is beyond repair by dollars. Payment of medical bills or other expenses caused by crime is simply not enough, though it may be helpful to the surviving victims or their families.

In the case of crime, an ounce of prevention is worth more than a ton of compensation. The crime that could have been prevented is doubly a crime. If the criminal's parents failed to give him a respect for the rights and property of others; if the courts, given the chance, failed to put him out of circulation; if the parole board failed to keep him there until he was rehabilitated; if the voters failed to insist on strong law enforcement, all of these share some responsibility for a resulting act that deprives a victim of life, health or property.

There are good arguments for compensating the victims of crime. There are even better arguments for reducing their number by preventing crime.

FINANCIAL REPORT FOR 1966 BY SENATOR CLIFFORD P. CASE

Mr. CASE. Mr. President, I ask unanimous consent to have printed in the RECORD a combined statement by my wife and myself of our assets and liabilities at the end of 1966 and our income for the year.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Financial report for 1966 by Senator Clifford P. Case

ASSETS

Cash in checking and savings accounts (after provision for Federal income tax for 1966) and U.S. bonds (approximately)	$55, 000
Life insurance policies with the following insurers (currently providing for death benefits totaling $145,959): U.S. Group Life Insurance, Aetna Life Insurance Co., Connecticut Life Insurance Co., Connecticut Mutual Life Insurance Co., Continental Assurance Co., Equitable Life Assurance Society, Provident Mutual Life Insurance Co. of Philadelphia, Travelers Insurance Co.	
Cash surrender value and accumulated dividends	60, 848
Retirement contract with Federal Employees Retirement System (providing for single life annuity effective Jan. 3, 1973 of $19,932 per annum). Senator CASE's own contributions to the fund total, without interest	26, 741
Annuity contracts with Teachers Insurance and Annuity Association and College Retirement Equities Fund. As at Dec. 31, 1965 these contracts (estimated to provide an annuity beginning at age 65 of $1,045) had an accumulation value of	10, 563
Stocks as listed on schedule A	244, 455
Real estate: consisting of residence building lot on Elm Avenue, Rahway, N.J., and house in Washington, D.C. (original cost plus capital expenditures, $71,400, less mortgage on Washington property, $18,741)	52, 659
Tangible personal property in Rahway apartment and Washington house, estimated	10, 000
Contingent interest in a small trust fund of which Chase Manhattan Bank of New York is trustee. Income from this was approximately $27 in 1966.	

LIABILITIES

None except mortgage above listed.

INCOME IN 1966

Senate salary and allowance, $31,009, less estimated expenses allowable as income tax deductions of $6,640 (actual expenses considerably exceed this figure)	$24, 369
Dividends and interest on above securities and accounts	12, 220
Lectures and speaking engagements: Brookings Institute, B'nai B'rith—Anti-Defamation League, University of Wisconsin	1, 450
Miscellaneous—Chase Manhattan Bank, trustee	27

FEBRUARY 17, 1967.

CLIFFORD P. CASE.

Schedule A

STOCKS (COMMON, UNLESS OTHERWISE NOTED)

Corporation	*No. of shares*
American Electric Power Co	896
American Natural Gas Co	548
American Tel. & Tel. Co	200
Cities Service Co	104
Consolidated Edison Co., of New York	400

Financial report for 1966 by Senator Clifford P. Case—Continued

Schedule A—Continued

STOCKS (COMMON, UNLESS OTHERWISE NOTED)

Corporation	*No. of shares*
Consolidated Edison Co., of New York $5 pfd	50
Detroit Edison Co	100
General Electric Co	100
General Motors Corp	150
Household Finance Corp. $4.40 cumulative convertible preferred	100
International Business Machines Corp.	47
Investors Mutual, Inc	2,352.313
Madison Gas & Electric Co	275
Marine Midland Corp	563
Merck & Co., Inc	200
Tri-Continental Corp	1,200
Union County (N.J.) Trust Co	233
Warner-Lambert Pharmaceutical Co.	200

THE WILDERNESS SYSTEM

Mr. **JACKSON**. Mr. President, I share with the other sponsors of the Wilderness Act of 1964 a deep and continuing interest in the implementation of this landmark law under which the remaining wild areas of our federally owned forests, parks, and wildlife refuges are to be assured maximum protection from the encroachment of commercial development or other intrusions that sacrifice their natural wild beauty.

Those of us in Congress who helped to frame this legislation, together with all others who are interested in preserving our natural heritage, have taken particular interest in the series of agency hearings being held by the Departments of Agriculture and the Interior pursuant to the wilderness act. These public meetings have brought out more than ever before the value of citizen participation in Government action. People from Maine to California have been turning out in great numbers in support of citizen-conservation organization proposals, which were offered as the result of field study and review of the areas themselves, by both agency personnel and interested citizens.

I submit that this active effort on the part of the American people to inform themselves and to take action within the framework of our democratic processes of open public discussion has had no equal in the history of the conservation movement that I can recall.

Senators will join me, I know, in welcoming the first results of this process, the administration's proposal to add the San Rafael Wilderness in California to the national wilderness preservation system, which was recently submitted to Congress by the President. Legislation introduced by the senior Senator from California [Mr. Kuchel] is now pending before my Committee on Interior and Insular Affairs to implement this proposal.

An editorial published in the New York Times on January 7, 1967, discussed the significance of the wilderness hearings. Because the editorial is typical of many others throughout the country, and because it captures the importance of the Wilderness Act as applied to individual areas and islands throughout the country, I desire to bring it to the attention of other Members of the Senate.

I ask unanimous consent that the editorial be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the New York Times, Jan. 7, 1967]

The Wilderness Hearings

It is a small island separated by a shallow stretch of water from the "elbow" of Cape Cod. Dependent upon the rough mercies of the Atlantic and the restless probing of the sea wind, it varies in width from a few hundred yards to a mile.

Its name is Monomoy Island. Although a few vacationers still retain cottages there, it is permanent home for no human beings. It belongs to the yellowlegs, plovers, sanderlings and other shorebirds, to the Canada geese and the black ducks, to the warblers and the terns. Over 300 species of birds have been observed on this ornithological wonderland.

On Jan. 11 a public hearing will be held in Chatham, Mass., on a proposal of the Federal Bureau of Sport Fisheries and Wildlife to classify Monomoy as wilderness. The bureau proposes no dramatic change in the island's character. It will continue to be managed as a national wildlife refuge as it has been since 1944. The Massachusetts Audubon Society will continue to operate the old lighthouse as a center for research and education. Visitors will still be able to land their boats and to fish, stroll, watch birds, collect shells, and picnic.

Yet despite the fact that nothing much will change on Monomoy, the hearing next week is important. If the preliminary proposal is ultimately approved by Congress, the island will be permanently protected against any plans to build an automobile causeway to the mainland, or to construct a yacht harbor, or to permit unrestricted use of beach vehicles. It will be "forever wild."

This proposal by the Bureau of Sport Fisheries and Wildlife is the first the agency has made under the historic Wilderness Act of 1964. Similar proposals are being developed by the Forest Service for all of what are now called "primitive areas" within the national forests and by the Interior Department for every roadless area of 5,000 acres or more—and every roadless island such as Monomoy—within the national parks, wildlife refuges, and game ranges. Since there are more than 150 such areas and the law requires that at least one-third of them be reviewed within three years, the deadline for the first fifty hearings is next September. As a result, people across the country this year are testifying at wilderness hearings. Probably never before has there been such an upsurge of citizen interest and participation in determining the uses to which the American land is devoted.

MEMBERSHIP OF DEMOCRATIC SENATORIAL CAMPAIGN COMMITTEE

Mr. **MUSKIE**. Mr. President, for the information of Senators, I wish to announce the membership of the Democratic Senatorial Campaign Committee:

Mr. Muskie, of Maine, chairman; Mr. Tydings, of Maryland, vice chairman; Mr. Anderson, of New Mexico; Mr. Bartlett, of Alaska; Mr. Harris, of Oklahoma; Mr. Jackson, of Washington; Mr. McGee, of Wyoming; Mr. McIntyre, of New Hampshire; Mr. Mondale, of Minnesota; Mr. Proxmire, of Wisconsin; Mr. Sparkman, of Alabama; and Mr. Symington, of Missouri.

At this time I wish to pay tribute to the leadership and effective service which the distinguished Senator from Washington [Mr. Magnuson], retiring chairman of the committee, and the distinguished Senator from Hawaii [Mr. Inouye], retiring vice chairman of the committee, and their colleagues have provided for Senators on this side of the aisle. They have set a high standard for us to follow.

DO ARTHRITIC PATIENTS SUFFER NEEDLESSLY?

Mr. **LONG** of Missouri. Mr. President, my Subcommittee on Administrative Practice and Procedure has been looking into the subject of bureaucratic abuse by Federal agencies. One such agency is the Food and Drug Administration.

In particular, we have been concerned with abuse by the FDA of its enormous powers over all medical research. Last October, I placed in the Congressional Record a long statement and an article entitled "Is the Food and Drug Administration Hamstringing Cancer Research?" with respect to cancer research and the double standards used by the FDA. In time, we hope to have a full set of hearings on this subject.

Meanwhile, because of the knowledge of our investigation, we have received innumerable letters from persons who have been deprived of the use of experimental drugs, even when prescribed by doctors of the highest standing in the medical profession.

One drug, popularly known as DMSO, was giving relief to a large number of arthritis sufferers who had been unable to obtain relief from any other drug. The FDA originally outlawed all use of this drug and still continues to clamp down on it for most uses, including experimental use for doctors for arthritic patients. As a result, we have been inundated with letters seeking our help. A number of such sufferers have left the country in an effort to obtain DMSO abroad. Most are not in a position to do so.

I shall burden the Record with but a single letter which sums up, in a most poignant way, the dilemma faced by these people because of the FDA's rigid attitude. Although the letter contains a signature and an address, I believe it would be better for the writer to remain anonymous, as we have discovered that Federal agencies are very good at harassing people who complain to their legislators about bureaucratic abuse.

I ask unanimous consent that this brief letter be printed at this point in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Senator Edward Long,
Senate Building,
Washington, D.C.

Dear Senator Long: I am writing to ask if there is any way you could assist me in obtaining the drug D.M.S.O. which the F.D.A. has released for some specified cases.

I was one of the first rheumatoid arthritis cases to start using this drug through Dr. Rosenbaum of Portland, Oregon and the Oregon Medical School. It was extremely beneficial to me, and my monthly blood tests showed absolutely no toxicity involved.

Since it has not been available I have been growing steadily more crippled. It is becoming more difficult for me to walk, and my hands are now becoming very misshapen and stiff.

I am completely dependent on my job for a living, and am very much afraid that I will not be able to continue much longer without the help that this would give me. Since I am an office manager and accountant, you can see how important it is that my hands will function normally.

I will do *anything* to obtain this. Have been making inquiries, and will go the black market route if necessary, although I would certainly prefer to use it under a competent doctor's care.

I would certainly appreciate anything you could do in my behalf on this most important matter.

Yours very truly,

——— ———.

Mr. LONG of Missouri. Mr. President, I also ask unanimous consent that a letter received from Dr. Douglas A. Liddicoat, ophthalmologist, from Watsonville, Calif., with respect to FDA's handling of the drug "Mydriacyl," which was taken off the market and then apparently restored, be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WATSONVILLE, CALIF.,
January 6, 1967.

Senator EDWARD LONG,
Senate Office Building,
Washington, D.C.

DEAR SENATOR LONG: I was very pleased to read that your subcommittee will soon be holding an investigation into the activities of the Food and Drug Administration. I, and every other physician I know, have been very much disturbed by the apparent harassment of the drug industry by FDA since it was recently given expanded powers of control. In my own instance as an eye specialist a basic drug used in the refraction of eyes, Mydriacyl, was suddenly removed from the market approximately two months ago as a result of a few complaints which seemed to me to be utterly insignificant. This is a drug that has been used on tens of thousands of people over the past six to seven years without any complaints. This is of course only a single isolated instance and I can fully apreciate the great responsibility placed upon Dr. Goddard and his associates at FDA especially after the tremendous publicity attending upon the Thalidomide tragedy. I would hope that you can focus the public's attention on the great potential suffering and needless loss of life which can occur if new drug development is unreasonably discouraged or delayed. In my opinion this is happening right now.

I have absolutely no pecuniary interest in any drug company, wholesale or retail.

Very sincerely,

DOUGLAS A. LIDDICOAT, M.D.

LAND AND WATER CONSERVATION PLANNING IN CONNECTICUT

Mr. RIBICOFF. Mr. President, Richard B. Erickson, executive director of the Southeastern Connecticut Regional Planning Agency, Norwich, Conn., and Robert E. Laramy, Jr., assistant State conservationist of the Soil Conservation Service, Storrs, Conn., have well portrayed in the January 1967, issue of Soil Conservation how Connecticut plans for more people.

Their excellent article explains the unique way a small State with limited amounts of land and water and a rapidly expanding population prepares for the future.

I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PLANS FOR MORE PEOPLE: TOWNS IN CONNECTICUT MAP FUTURE RESOURCE USE WITHIN FRAMEWORK OF REGIONAL GOALS

(By Richard B. Erickson and Robert E. Laramy, Jr.)

Can a State expecting a population of more than 1,000 persons for every square mile provide a high-quality living environment for its people?

Resource planners throughout Connecticut are facing this question today and devising new approaches to meet the problems it will pose.

Connecticut is the fourth most densely populated State in the Nation, with an average population density of more than 500 persons per square mile. By the end of the century, the population is expected to double.

To prepare for the problems ahead, Connecticut has evolved a unique planning structure that provides conservation districts and the Soil Conservation Service opportunity to participate at regional as well as local levels.

Statewide planning is coordinated through the Connecticut Interregional Planning Program—a joint effort of the Connecticut Development Commission and the Departments of Agriculture and Natural Resources, Highways, and Finance.

Regional planning is not imposed by the State Government but is initiated by the communities in 15 planning regions defined by the Connecticut Development Commission after careful study of physical, social, and economic factors. There is no county government in Connecticut.

Since 1958, when the first regional planning agency was created, the citizens in 10 regions have voted to form agencies. These now serve 90 percent of the State's population. Each agency is managed by representatives appointed or elected by its member municipalities. Being midway between the local and State levels, the regional agencies are well placed to serve as coordinators of the overall program.

At the local level, municipal and town planning and conservation commissions define local needs and plan natural resource development. The SCS works through soil and water conservation districts to help integrate soil and water conservation into the planning process.

Information provided by SCS on resources helps to answer the question: "How can our limited amounts of land and water best be used to serve the needs of an expanding population?"

Information about the soils and their potentials for different uses was supplied by the SCS through soil conservation districts. Soil maps and interpretations were used to determine the location and extent of prime agricultural land, potential open space and recreation sites, future residential and industrial areas, and for identifying areas that would present problems in onsite sewage disposal, flooding, hillside slippage, and the like. These data are used in analyzing present land use problems and projecting potential land use to meet future population needs.

Through text and maps, the regional plan inidcates the type of environment the people are striving for and points to ways of achieving the desired objectives. Basically, the plan seeks a sound pattern of land use that minimizes conflicts within communities or between different activities and that provides adequate facilities, such as highways, parks, water supply, and sewage disposal systems.

Within this broad framework, a community can prepare its own plan with understanding of how it fits into the larger region.

Specific projects, whether concerned with urban development or natural resources, can be more closely focused on the area's needs.

For instance, current planning for a watershed-protection project on the flood-prone Yantic River is being closely related to land use and resource proposals of the southeastern regional plan.

On a broader scale, regional planning has led to an application for a Resource Conservation and Development Project for the State's three eastern planning regions, about 900,000 acres.

Activities in North Stonington, 1 of the 17 communities in the Southeastern Region, illustrate the role of SCS and the districts.

Within the framework of the regional plan, the North Stonington Town Planning Commission is preparing its own comprehensive plan for urban growth and natural resource development, with the help of a private consultant financed by a Federal urban planning assistance grant. SCS provides soils information and other technical assistance through the New London County Soil and Water Conservation District.

Based on five main soil and landscape patterns, the town area was divided into units meaningful in land use and natural resource planning. The delineations are shown on a transparent overlay for use with various planning maps.

A system of stream belts, totaling about 6,500 acres, was delineated on the basis of the watercourses, adjacent wet lands, soils subject to overflow, adjoining areas with severe limitations for urban uses, areas of high open space potential, water-resource development sites, and areas with pollution hazard if developed for urban use. Sixteen water-impoundment sites of regional concern were identified.

About 16 percent of North Stonington consists of very poorly drained soils and marshes. These wet lands present serious limitations for urban development but have many conservation and open space values. As part of the resource planning, the location and acreage of the significant wet lands were shown and an evaluation made of their value and potential for wildlife habitat.

Plans for multiple use of the woodlands that make up three-fourths of the area are considered in North Stonington's plan. Other conservation needs considered include farmland conservation, watershed protection, a system of hiking and riding trails, historic and scenic sites, and public recreation sites. The town conservation commission has embarked on a program to promote conservation among landowners who control most of the area.

Beginning with a nucleus of 10 cooperators in 1965, the conservation district increased the number of its cooperators to 75 by the fall of 1966. Both farm and nonfarm properties are involved, and the conservation plans cover cropland, grassland, woodland, wildlife, and recreational land uses.

In Connecticut, broad plans for the State, the regions, and the towns provide the framework for integrated resource development and use. However, the individual property is still considered the basic unit on which conservation must be done.

MRS. FAGAN DICKSON: A TRUE PATRONESS OF THE ARTS

Mr. YARBOROUGH. Mr. President, at the time of the passage of the Arts and Humanities Act it was remarked that the legislation would, in addition to its direct effect of providing increased support for the arts, have an additional impact through encouraging increased financial support from nongovernmental sources. Substantial and increased private support is essential to the healthy growth of drama, music, the dance, and other forms of artistic expression. In our country, Government assistance would best be a supplement to private support for the arts, and greatly increased private support, it is to be hoped.

One of the outstanding patronesses of the arts in Texas is Mrs. Fagan Dickson, of Austin. Austin has a fine ballet movement underway through the leadership of the Austin Ballet Society and its talented choreographer, Barbara Carson. Mrs. Dickson, who has been a benefactor of the ballet society for many years, recently donated to the society a large lot and a fine studio. Mrs. Dickson is a wonderful lady and her contribution to the cultural life of Austin will be enjoyed by many people for a long time to come.

Her thoughtful act was recently unanimously commended by the Texas Senate. I ask unanimous consent that Senate Resolution 54, sponsored by Senator Charles Herring, commending Mrs. Dickson for her generous gift and congratulating the Austin Ballet Society as it begins another decade of service to the people of Texas, be printed at this point in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

SENATE RESOLUTION NO. 54

Whereas, The State of Texas encourages the Fine Arts; and

Whereas, The Governor in his message to the Joint Session of the Texas Legislature on January 18 recommended an increase of state support for the Fine Arts; and

Whereas, The Austin Ballet Society has been a chartered nonprofit educational and cultural corporation organized under the laws of Texas since 1956; and

Whereas, The Austin Ballet Society has had a notably successful record under the artistic leadership of the talented choreographer, Barbara Carson; and

Whereas, The Austin Ballet Society has acquired a large lot and a fine building as a gift of one of its past presidents, Mrs. Fagan Dickson; and

Whereas, This "Ballet Barn" now meets a need of the Society for a place to sew costumes, construct scenery, and to store the property of the Society; and

Whereas, The philanthropy of Mrs. Dickson and other patrons of the Fine Arts should be properly acknowledged; now, therefore, be it

Resolved, By the Senate of Texas that Mrs. Fagan Dickson be commended for her generous gift and that the Austin Ballet Society be congratulated as it begins another decade of service to the people of Texas.

PRESTON SMITH,
Lieutenant Governor, President of Senate.

I hereby certify that the above Resolution was adopted by the Senate on January 26, 1967.

CHARLES SCHNABEL,
Secretary of the Senate.

FASTER MAIL SERVICE

Mr. MONRONEY. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial concerning the discontinuance of railway mail service between Providence and Newport, published in the Providence, R.I., Journal of February 7, 1967.

The editorial is an excellent and, I regret, unusual example of journalistic responsibility. The public needs to be informed about the real reasons for the discontinuance of rail transportation for mail. The Post Office Department too often gets the blame when passenger-train service is discontinued. In many instances, the railroads have used the Department as the whipping boy and excuse for their own decisions to discontinue nonprofitable passenger service.

The Journal editorial places blame and responsibility where it truly should lie.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Providence (R.I.) Journal, Feb. 7, 1967]

WHO BEST CAN CARRY THE MAIL?

Daniel P. Loomis, president of the American Association of American Railroads, has just pronounced a cause-and-effect relationship that can only be described as bizarre.

The present policy of the Post Office Department to divert mail from the railroads," says Mr. Loomis, "has been and continues to be one of the major causes for abandonment of railroad passenger service."

Mr. Loomis has his causes and effects twisted. Mail trains once carried the mail between Providence and Newport. That mail service now is trucked over the road. But this change wasn't initiated by the Post Office Department. On the contrary, it was the railroad that stopped running the trains, thus forcing the Post Office Department to find other means of transport.

The pattern has been repeated over and over again across the country. As the railroads have abandoned some lines and reduced frequency of service on others, the Post Office Department has had to find other ways to move the mail. Post Office records indicate that the number of mail-carrying trains has dwindled from 2,627 back in 1955 to only 923 last year.

In some instances, to be sure, the rail service has been so poor that the Post Office has switched to more expeditious service by truck. But in more than two-thirds of the cases, the records show, the railroads lost the mail contracts because they had voluntarily abandoned the rail service.

It always has been the policy of the Post Office Department to try to move the mails by the most efficient and expeditious means available—whether by boat, by wagon, by rail, by truck, or by other form of transport. Currently under study is a plan to move all long-haul first-class mail by air. This would mean that a letter from Providence to St. Louis, or from Providence to Sacramento, would ride most of the way by air even though it didn't carry the special air mail stamp.

The airlines are enthusiastically in favor of the plan. The mail would help to fill the capacious cargo bins in their big jet airliners, and the extra revenue in postal contracts would swell their total revenues.

But the railroads, quite understandably, are opposed. For them, it would mean a loss of the profitable long-haul mail business and some reduction in the 300 million dollars a year they get from their postal contracts.

Perhaps Mr. Loomis was worried by this prospect when he took his swipe at the Post Office Department. Perhaps he was so worried that he lost his sense of proportion and produced his bizarre statement.

In any case, it is ridiculous to argue that the Post Office Department is responsible for the plight of the railroads, and it is equally ridiculous to expect that the mail should continue to be carried by railroads if other modes of transport can handle it better.

THE PRICE OF BREAD

Mr. McGOVERN. Mr. President, I think I owe it to my wheat-producing constituents to draw attention to a paragraph in the Department of Agriculture's marketing and transportation report which has just been released, reporting on bread prices.

Last summer, I protested very vigorously against efforts to blame bread price increases on farmers when a major part of the increase was being taken out somewhere between the farmer and the consumer.

The marketing and transportation report, covering the calendar year 1966, states that retail bread prices in the last quarter of the year were 2 cents per 1-pound loaf over the same quarter in 1965. Of the 2 cents, or 20 mills, farmers were getting just 3 mills. The marketing spread was nearly six times that amount—5⅔ to be exact—or 17 mills.

I ask unanimous consent to have presented in the RECORD, the marketing and transportation situation report on the bread price-spread situation.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

[From the Transportation and Marketing Situation Report, February 1967]

MARKETING SPREADS FOR BREAD INCREASE MORE THAN RETURNS TO FARMERS

Rising bread prices attracted much attention in 1966, particularly during the summer and early fall. The retail price for a 1-pound loaf of white bread averaged 22.9 cents in the fourth quarter—2.0 cents higher than a year earlier. The farm value of wheat and other farm ingredients averaged 3.7 cents, 0.3 cents less than in the previous quarter, but 0.3 cent more than a year earlier. Marketing spreads in the fourth quarter averaged 0.7 cent wider than in the preceding quarter and 1.7 cents wider than a year earlier. In 1966, the largest rise in the farm value came in June when the price of wheat rose sharply. The average retail price changed little after August.

THE PROPOSED CONSULAR CONVENTION WITH THE SOVIET UNION

Mr. CURTIS. Mr. President, an excellent scholarly analysis of the proposed United States-Soviet Union Consular Convention has come to my attention. It is the statement made by Richard V. Allen before the Committee on Foreign Relations today. I have studied it in detail, and I find it answers many of the questions that people in Nebraska have been raising in their conversations with me and in their letters to me. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THE PROPOSED UNITED STATES-U.S.S.R. CONSULAR CONVENTION

(Statement of Richard V. Allen, senior staff member, editor, "Yearbook on International Communist Affairs," Hoover Institution on War, Revolution and Peace, Stanford University, Stanford, Calif., before the Committee on Foreign Relations, U.S. Senate, New Senate Office Building, Washington, D.C., February 17, 1967)

Mr. Chairman, it seems clear that if the proposed consular convention between the

United States and the Soviet Union had come before the Senate as an isolated agreement, and had the international situation been more stable, it would be confronted with far fewer difficulties and would have attracted considerably less attention. Given at least the *appearance* of better conditions generally, this convention could, I think, quite easily receive the approval of the Senate.

But it has become quite obvious that it is not an isolated agreement. On the contrary, it is part of a package of proposals, the bulk of which—and, I might add, the most difficult of which—are yet to come. That this is the case is abundantly clear from the statements of both Administration and Senate spokesmen, not to mention those of the President himself. In his January "State of the Union" message, Mr. Johnson linked in the same sentence an appeal for approval of the consular convention and a call to the Congress "to help our foreign and commercial trade policies by passing an East-West trade bill." A few paragraphs earlier in that same message, the President topped his list of recent steps designed "not to continue the cold war, but to end it" by citing the United Nations agreement on the "peaceful uses of outer space."

And what of present conditions, international and domestic? At a time when we are confronted with a direct military challenge of Communist origin in Southeast Asia, the Senate is asked to give its approval to agreements negotiated with the principal patron and ally of the source of that challenge. It is not surprising that substantial public opposition to the measure has surfaced and is now being communicated to individual members of the Senate and the House of Representatives. What is surprising are the methods which some proponents of the consular convention use to rebuff, and in some instances even discredit, those who oppose it.

I must say that I consider degrading and insulting any attempt to group all the opponents of the consular convention under one single heading as "right-wing extremists and fanatics." Equally reprehensible are the attempts to group proponents in the categories of "appeasers," "pro-Communists," and "fellow travelers." Anyone who believes that low-level polemics of this kind serve to clarify the issues involved is badly mistaken.

It is certainly within the prerogatives of an informed citizen to support or oppose any measure on the basis of information available to him. I believe that sterile "anti-Communism" as a goal in itself has impeded our comprehension of the over-all Communist challenge. But opposition to Communism, which is sometimes unfortunately equated with "anti-Communism," is, in my opinion, completely justified on the basis of our historical experience, including that of the present day.

The real crux of the matter in the consideration of this convention and in other measures related to it is this: Has the Communist movement undergone a process of disintegration, and has it given up its demands for a world reorganized according to the dictates of its ideology? Is the Soviet Union prepared to assume a more moderate role in world affairs, and will it now begin to conduct its affairs, especially its affairs with the United States, on the basis of candor, mutual respect, and non-intervention? In short, have things changed fundamentally, and are agreements such as the one now before the Senate a reflection of these changes? Before pursuing these questions, Mr. Chairman, I should like to comment specifically on the convention itself.

It is my impression that major emphasis has been given to the provisions relating to protection of United States citizens who travel in the Soviet Union. Since some 18,000 Americans currently visit the Soviet Union every year, and less than 1,000 Soviet citizens come to the United States, it is argued that the mathematical probability for more effective protection of our own citizens yields to us the greater advantage. Some have pointed out that, under the proposed convention, United States citizens would enjoy rights which Soviet citizens do not enjoy. That is not a very persuasive justification for approval of the measure.

However, some are apparently under the impression that the protocol to the treaty defining the rights of access to arrested nationals also provides for their *release* within the same time period. This is not the case at all. The convention stipulates only that consular officials will have access to a detained national within two to four days of the arrest or detention, and that access to the detained national "shall be accorded on a continuing basis." It is worth pointing out that the provision for access "on a continuing basis" is in itself defective, because the wording is not clear. What does "continuing basis" mean? Once a day, once a week, once a month? As a matter of record, we have been imprecise in treaties before, and have regretted the imprecision at a later date. The provisions relating to access to detained nationals will certainly not, in my judgment, serve as a deterrent to arrests by the Soviet police and security agencies.

Perhaps you will recall the case of Professor Frederick Barghoorn of Yale University. Professor Barghoorn was arrested on an espionage charge in Moscow on October 31, 1963. He was accosted by Soviet security agents in the vicinity of the Metropole Hotel after an unidentified person passed a sheaf of papers to him. It was not until November 12, thirteen days later, that an official announcement of the arrest was made. And, although he was arrested in the presence of the chauffeur of the American Embassy, the chauffeur (a Soviet citizen) apparently chose not to report the incident to U.S. officials. Upon his release, Professor Barghoorn made the interesting remark that "under Soviet law one can be accused of conducting intelligence activity merely by walking down the street, especially if one has hostile intentions against the Soviet State—hostile, that is, in the opinion of the appropriate authorities."

It was only after President Kennedy ordered the postponement of a new cultural exchange agreement and stated publicly that the incident might affect the sale of wheat to the Soviet Union that Soviet authorities released him. Similarly, in the more recent Kazan-Komarek case, the Czechs effected the release of a United States citizen only after visas were denied Czechs wishing to visit the United States, and only after it was hinted that credits for purchases in this country would not be extended by the Export-Import Bank.

By the same token, we should not overlook the complicity of the Soviet Government in the Kazan-Komarek case. It was the Soviet Union which diverted a scheduled international aircraft to facilitate the seizure of an American citizen. Did the Soviet Union pause to consider that such an action might damage the case of the consular convention which it knew would shortly be before the U.S. Senate? Apparently not.

The point is that this convention is not going to deter Communist governments from falsely arresting U.S. citizens on trumped-up "espionage charges." Professor Barghoorn was arrested in Moscow, where we have a fully-staffed embassy capable of dealing with such incidents. He was released because of pressure from Washington and a threat to postpone or cancel certain things which the Soviets wanted. Likewise, Mr. Kazan-Komarek was arrested in Prague, where we also have an embassy, and was released only because the Czechs feared that we would actually go ahead with our threat to cancel commercial credits.

Now, far more attention has been given to the possibilities that this convention will enhance Soviet intelligence capabilities in this country. I do not think there is any question that Soviet intelligence operations will benefit if consulates are established, and I base this conclusion on what is generally known about the intelligence apparatus of the U.S.S.R. Nor do I have reason to doubt that the presence of some U.S consular officials in a Soviet city will add to our own knowledge of current Soviet affairs. But I suspect that, given the nature of Soviet society—that is to say, a police state which has always maintained an extremely strict internal security apparatus aimed as much at its own citizens as at foreigners—we will benefit less from such an arrangement than will the Soviets. The argument that ours will be the greater advantage assumes that American consular agents and other officials will have approximately the same access to Soviet citizens and their sources of information as Soviet agents presumably will have to U.S. citizens. That assumption is patently unrealistic.

However, I do not claim competence to discuss in great detail the question of internal security in the United States. The record of Soviet performance throughout the world is generally known, and has recently been described in a book known as *The Penkovskiy Papers*.

One Senator has pointed out quite correctly on the floor of the Senate that real espionage agents—i.e., deep-cover agents—do not operate openly from diplomatic and consular establishments. But we should not fail to consider the question of whether the presence of one or more Soviet consulates would increase the organizational efficiency of the Soviet espionage apparatus.

In the end it will be for our own internal security officials to decide whether the expansion of Soviet intelligence operations constitutes a manageable problem. It is my understanding that this issue is still under consideration.

Another point of interest relating to the convention is the provision of Article 2, Paragraph 2 stipulating that consular officers shall be entitled to further the development of commercial, economic, cultural and scientific relations. Would this include the right for us to establish libraries and dissemination centers for books, articles, pamphlets and other printed information pertaining to life in the United States? Would an interested Soviet citizen be able to read U. S. newspapers at an American consulate? And if he were able to do so, would he be discouraged from doing it regularly? What would be within the rights of Soviet consular officials in the United States in this respect? What would they be allowed to distribute?

With your permission, Mr. Chairman, before concluding my statement, I would like to return to the broader considerations governing my views of the instrument now before this Committee

There is a widespread opinion that the Soviet Union is now embroiled in overwhelming domestic and foreign problems, and that these problems have gradually forced the Soviet leaders to steer a "more realistic and pragmatic" path in dealings with their own people and with the world. Many hold that the Cuban missile crisis of October 1962 was the great watershed of American-Soviet relations.

It is argued that the dispute between the Soviet Union and Communist China, coupled with the "polycentric" process in Eastern Europe has caused the Soviet leaders to make new assumptions about the West in general, and about the United States in particular. Some, observing certain readjustments and reorganizations in the Soviet and East European Communist states, go so far as to argue that these countries are "becoming capitalistic." There are even some who go beyond these positions to argue that the United States and the Soviet Union are on a "convergence footing," and that it is only a matter of time before the two nations will perceive that commonly held interests will "force" them to act together to preserve world peace.

It is certainly true that the form of the Soviet threat to the United States and, for that matter, to Western Europe, has changed. But it is, in my judgment, an error to say that its nature has changed. It is also true that there have been changes within the Soviet Union, and that on first glance they appear to constitute "liberalization." In fact, there have not yet been introduced in the Soviet Union (or in the "polycentric" East European States) *institutional guarantees* for a real liberalization. Any student of democracy would agree that such guarantees must be made permanent before one can speak of true liberalism.

While we in the West speak of conciliation with, and change within, the Soviet Union, the Soviet leadership constantly reaffirms that the goals of the two "opposed systems" are absolutely irreconcilable. Typical of this constant reaffirmation is the statement made by Leonid Brezhnev just two weeks ago on the "Current Tasks of the Young Communist League." He said:

"We must not overlook the fact that we are living at a time of bitter class struggle of two worlds—the world of socialism and the world of capitalism. In the field of ideology, as in other fields of our relations with the world of capitalism, socialism is in a state of historic offensive, capitalism [is] on the defensive. The ideological influence of socialism, the impact of our Marxist-Leninist ideoloy, of our successes in the upbuilding of a new society upon the minds of the masses in the capitalist countries is tremendous. This influence is mounting day after day, eroding the pillars of capitalism from within."

He also said: "We regard ourselves part and parcel of the world system of socialism, a detachment of the world army of fighters for freedom . . . [and] for the victory of socialism and communism all over the world."

As one who observes the activities of the international Communist movement, I find this statement in accord with the traditional foreign policy of the Soviet Union, and in accord with its historical and oft-repeated goals. It is a matter of record that the Soviet Union has shifted, but intensified, its strategic operations directed against the United States, which is regarded as the principal "enemy." It is also a matter of record that the Communist movement itself has expanded rather than contracted. There are some 90 Communist Parties in the world today, with a membership of approximately 50 million. Fourteen Communist states exercise governmental power, forty operate clandestinely, and thirty-six function "legally." The *overwhelming majority* of these Communist Parties, it should be noted, support the Soviet Union and its policies.

In the past ten years, and despite the differences between the Soviets and the Chinese, the Communist movement has undergone a degree of consolidation, and the strategic emphasis has shifted to the underdeveloped world. Most striking evidence for this statement is the so-called Tricontinental Movement established in Havana in January 1966. It has been a source of astonishment to me that virtually no official attention has been given to the Tricontinental Movement. These developments are of direct concern to this Committee and to both branches of Congress. They relate to the consideration of our over-all foreign policy, as well as to the consideration of pacts such as the consular convention.

The available evidence shows that the Soviet Union is making a substantial commitment in Latin America through this Havana-based organization. That commitment is to a broad-based revolutionary struggle, including armed struggle. As the *Pravda* editorial of December 7, 1966 put it:

"It has been shown that the securing of a peaceful international atmosphere increases the opportunity for the victorious development of the class struggle by the proletariat and the struggle by the oppressed peoples for their social and national liberation in any form, including through national liberation wars."

If we ignore the standard Communist clichés in this statement, we will see that the Soviet Union clearly sides with the program for subversion and armed insurrection which comes under the heading of "national liberation warfare," and which is the essence of the "Tricontinental Movement."

It was in this spirit that the Vietcong representative in Havana, Nguyen Duc Van, said in an interview on January 5 of this year: "Within a short time there will be not just one Vietnam, but many Vietnams, and the Yankees will not be able to handle so many attacks at the same time."

Thus, when we speak of the "dialogue" with the Communist world, we should keep in mind that the Communists, including the Soviet Union, have one language for the industrialized West and another for the rest of the world. Which of these diametrically opposed approaches should we take as genuine and sincere?

The assumptions underlying the process of bridge-building to the East are, in my view, not in accord with present realities. The record shows that the Soviet Union and its allies do not enter into agreements, such as the one before this Committee, on the basis of good faith. Instead of genuine bridges with a two-way traffic, the Soviet Union seeks a temporary escape hatch which will provide a measure of security and stability while it achieves certain other goals—most notably an expansion of its power and influence, hopefully with Western assistance.

The consular convention, as a part of the "package" of agreements which form the basis for "building bridges" is, under present conditions, clearly premature.

BISHOP PIKE'S DISSERVICE TO CHRISTIAN RELIGION

Mr. THURMOND. Mr. President, according to an Associated Press article published in the Washington Evening Star of February 8, 1967, Bishop James A. Pike has urged the young men of this country to disobey the legally constituted authority invested in the President and refuse to enter the Armed Forces. I should like to point out several aspects of this extraordinary suggestion by the Bishop:

First, Bishop Pike is urging our youth to act on a mass basis, instead of on the basis of individual decision.

Second, his statement that "Johnson is not willing to negotiate" is in direct contradiction of every pronouncement the President and his top officials have made on the subject, and is an imputation of dishonesty.

Third, he characterizes the moral duty of men to obey their lawful superiors under lawful rules of war as "murder," a tendentious term to say the least.

All of this I find deeply disturbing in a man who sets himself up as an arbiter of ethics. Moral science requires the utmost detachment and objectivity. Moral problems cannot be solved in the midst of emotion-laden controversy. Bishop Pike does himself a disservice, and a disservice to the Christian religion which he claims to represent.

Moreover, the position which he urges is highly undemocratic, in contradiction of what one would suppose to be the principles of the organization for which he works, the Center for the Study of Democratic Institutions. The procedures which Bishop Pike urges are not the principles of democracy as it is understood in our American Republic.

Mr. President, Bishop Pike turns the basic right of dissent into pure anarchy. When he proposes dissent on a mass basis he is urging mob action, and the overturning of the fundamental assumptions of free government. He sets up his own whims as the rule of popular action. He deliberately seeks to short-circuit the democratic process.

I, myself, have often dissented from actions and policies pursued by the President. It is entirely possible that I may dissent from them in the future. But for dissent to be democratic, it must remain within the rules of government. The genius of the American system is that it provides procedures for a wide variety of free expression, and offers orderly methods for minority opinions to leaven the quality of government. Neither the tyranny of the minority nor the tyranny of the majority holds sway in the United States. Both minority and majority have opportunity not only to be heard, but to affect directly the course of legislation and executive action. The rights of both are protected by order.

But free government assumes that all citizens must abide by the decisions of the democratic process. For that process, as I have just pointed out, is not simply majority rule, but a rule in which all can affect government to some extent. When Bishop Pike calls for mass dissent from the democratic process, he is placing an intolerable burden upon the organs of the state. It is a burden which will lead to the collapse of order, and to the collapse of freedom. For this reason, Bishop Pike's proposal is subversive of this Nation's self-interest and survival. And when American youth are dying to assure that survival, Bishop Pike's proposal is tantamount to treason.

Mr. President, I ask unanimous consent to have printed in the RECORD an article entitled "Pike Suggests Youth Refuse To Go to War," published in the Washington Evening Star of February 8, 1967.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PIKE SUGGESTS YOUTHS REFUSE TO GO TO WAR

GETTYSBURG, PA.—Bishop James A. Pike says that if President Johnson refuses to negotiate for peace in Vietnam, the young men in this country, "as a last resort," should refuse to go into the armed forces.

"Peace in Vietnam depends on Johnson's willingness to negotiate," the former Episcopal bishop of California said yesterday at a news conference on the Gettysburg College campus. "What's holding us up is that Johnson is not willing to negotiate.

"As a last resort, we would give serious consideration to conscientious objection on a mass basis. The boys should stick together in refusing to go in.

"The alternative of being put into a penitentiary is better than having to murder people."

Bishop Pike said that although he faked an eye test to join the Navy in World War II he could not in good conscience go to Vietnam.

"I do not believe it is just war," he said. He added however, that he is opposed to the United States pulling out of Vietnam because it would leave that country "in a chaotic state." He said we should stay there and negotiate, but that the bombing should be stopped.

Bishop Pike, who resigned as bishop of California last year to join the Center for the Study of Democratic Institutions at Santa Barbara, came to Gettysburg Monday to deliver a two-day series of lectures.

LADIES GARMENT WORKERS PRAISE RAISE IN MINI-WAGE

Mr. YARBOROUGH. Mr. President, I commend to the attention of Senators, a resolution of the International Ladies Garment Workers' Union commending President Johnson and Congress for their unstinting efforts in the last Congress to amend the minimum wage Act. The 1966 Fair Labor Standards Act amendments, beginning February 1, will provide millions of American citizens increased wages and the dignity that comes with a fair wage.

I consider it highly significant that the ILGWU, which was born in strife and has fought long and hard to see that every working man and woman is able to earn a living wage, considers this legislation a "pillar of progress."

While citing the rapid advances in social legislation in recent years, the union properly reminds us of the "still unfinished business before the Nation, including expansion of social security and unemployment insurance programs." In urging swift passage of this important legislation by the Congress, the ladies garment workers' union calls upon its own 442,318 members, all labor and the community to work toward that accomplishment.

The text of the resolution addressed to President Johnson reads:

In America's continuing war against poverty, the minimum wage of $1.40 an hour that goes into effect February 1, 1967 represents a major advance. It lifts earnings for millions of low income families, spurs economic growth, provides greater employment opportunity and raises the standard of living for the entire Nation.

This giant step forward is a dramatic reminder of the rapid and real advance we have made toward the goals of the Great Society. In two years, the Johnson-Humphrey administration has brought greater Civil Rights to minorities, better education to the poor, more medical care for the aged and the needy, job training for the unemployed—hope to those once without hope.

This administration has demonstrated that there is still unfinished business before the nation with the President's proposed further extending of Great Society goals including expansion of social security and unemployment insurance programs.

We urge the Congress of the United States to act speedily on these proposals. We call upon our members to join with other forces in the labor movement and the community to urge speedy passage upon their Congressional representatives.

We call upon our affiliates to keep members informed on vital legislation before Congress, on voting records of Congressmen and on the need to give active grass roots support to the Administration in its battle to realize the Great Society. This campaign in which we seek to join with all labor and liberal elements is not merely to realize present legislation but also to prepare for the crucial Presidential and Congressional elections of 1968.

In thanking you for your foresight and determination in this battle, we wish to enroll in your army for the continuing crusade to win the objectives of the Great Society. You have not failed the people of this Nation, we will not fail you.

LOUIS STULBERT,
President, International Ladies Garment Workers' Union.

STRATEGIC BALANCE OF POWER BETWEEN THE UNITED STATES AND THE SOVIET UNION

Mr. THURMOND. Mr. President, one of the most critical issues facing our Nation today is the strategic balance of power between the United States and the Soviet Union. In this regard, the controversy over the production and deployment of an anti-ballistic-missile system is of prime importance. In my judgment, Congress should take action similar to that which it took last year in providing funds for preproduction engineering and development for our own antiballistic system.

The February issue of Triumph magazine, which is a Catholic journal of news and opinion, contains an article entitled "Soviet Missile Power: 'A Credible Threat' Now." The article was written by an individual who is identified only as Xenophon and is an illuminating discussion of recent Soviet developments in the field of ballistic missile defensives. The individual who wrote the article is obviously quite knowledgeable in this field and makes an irrefutable argument in favor of the U.S. production and deployment of an anti-ballistic-missile system.

The article has been reprinted in the current issue of U.S. News & World Report. The facts contained in the article bear heavily on the decision which will be facing Congress on this question. Therefore, I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SOVIET MISSILE POWER: "A CREDIBLE THREAT" NOW

(By Xenophon)

The United States is again at a crossroads in its efforts to deter a major nuclear war. The present crisis is traceable primarily to our lag in the development and deployment of an anti-ballistic missile system capable of effective defense against an attack by the Soviet Union. Secretary of Defense McNamara recently acknowledged our inadequacy when he admitted that the Soviet Union is already engaged in the deployment of an advanced ABM system.

The crisis is heightened by apparent advances in the Soviets' offensive capability, notably in the area of multiple warhead technology. The urgency of the situation is evident not only to U.S. military experts and intelligence officials, but also to our Western European allies, who look to us for the technology and weapons needed for their own protection.

So far the Johnson Administration has reacted to the Soviet challenge by again postponing the deployment of an ABM system, hoping that diplomacy, possibly resulting in a new nuclear treaty, will persuade the U.S.S.R. not to exploit its present lead.

THE BACKGROUND

The dilemma confronting and threatening us has a history starting in the late 1940's. It may be better understood by tracing the major developments affecting U.S. missile strategy since then.

President Truman's 1949 decision to develop the super bomb established the basis of U.S. strategic policy for the next fifteen years. In view of the almost simultaneous development of a thermonuclear weapon by the U.S.S.R., his decision came none too soon. The hydrogen bomb not only multiplied the potential striking power of U.S. manned strategic bombers, but by reducing warhead weight paved the way for favorable reconsideration of a previous decision to refuse approval for the development of ballistic missiles.

U.S. strategic policy soon adapted to the technical advances of the missile age. The concept of balanced offensive and defensive forces that had prevailed when our principal strategic weapon was manned aircraft faded into obscurity. It was replaced by the strategy of deterrence based on retaliation with massive strikes by nulcear weapons. With the perfection of solid propellants for ballistic missiles, which made possible the development of the Polaris missile, for underwater launch, and of ICBM's, which could be launched from underground silos, U.S. policy shifted farther still from defensive concepts. More recently, there has been a concentration on those offensive forces capable of a "second strike"—forces, that is, that can survive a nuclear first strike by an enemy and retaliate with a counterstrike. The threat of wholesale nuclear destruction, therefore, came to be regarded as an adequate deterrent to a nuclear first strike against the nation, which it has so far proved to be.

Early proposals to work out a plan of defense against ballistic missiles met with widespread skepticism in political, military and scientific circles. A group of military personnel and scientists in the Army, however, believed that an effective defense system utilizing missiles to intercept missiles could be constructed. It was not until 1958 that the Army was authorized to go ahead with research on such a system. Initially, the project was thought of as a highly refined follow-up to the Army's Nike series of anti-aircraft systems, and was called the Nike-Zeus, "Zeus" being the name of the proposed interceptor missile.

Nike-Zeus used two radar systems separately operated: one for acquisition of the incoming, or target, missile; the other for tracking the target missile and guiding the intercepting missile. By the early 1960's the Army had proved through tests that ballistic missiles could be intercepted with missiles for a radiation "kill" on the incoming warhead within the necessary radius.

These tests failed to satisfy skeptics who pointed out that in the Army's interception tests the operators had prior knowledge of the approximate time of launch and the trajectory of the target missile. In addition, experiments with missile-borne "decoys" had already provided proof of their feasibility. Radar at that stage had little discrimination capability to distinguish between actual warheads and decoys other than the operator's limited capacity to differentiate "blips" on his screen.

Despite these objections, the Army team working on the project was sufficiently encouraged by the success of the initial experiments to seek funds for "pre-production engineering" for the system. Since the experimenters had adopted a "point" defense system, its deployment required the mass production of radar equipment and missiles for each designated point to be defended (key cities presumably). Production of the components of the system was expected to take some years. This "lead time" could be reduced by pre-production engineering—that is, by designing the machinery to produce the system's basic components concurrently with the development of the more refined components of the system.

The Army's request for pre-production engineering funds was first rejected in the last year of the Eisenhower Administration. The request has been made repeatedly since then, but despite continued improvements in the Nike-Zeus system, the Kennedy and Johnson administrations have consistently turned it down.

By 1963 the total investment in research and development of the Nike-Zeus system had passed $1.5 billion. It had demonstrated by performance that it was equal to the Soviet system (according to Intelligence information on the latter) in its ability to defend selected points against nuclear missile forces. Improvements in radar, moreover, had made it possible to distinguish warheads from decoys with fair reliability.

FIRST SOVIET DEPLOYMENT

The Army's request in 1963 for pre-production engineering funds—to be included in the fiscal year 1964 appropriation—gained impetus from the by then certain knowledge that the Soviet Union was hard at work on an anti-ballistic missile and had, in fact, deployed ABM equipment in the vicinity of Leningrad.

The Army estimated that the total cost of protecting some twenty-five U.S. cities would run to $15 billion; the Department of Defense predicted it would come to more than $20 billion. Both estimates included the $1.5 billion already spent on research and development. They covered a deployment and operation period of ten years, with maximum expenditure in a given year of approximately $3 billion. The immediate need for pre-production engineering funds, however, amounted to only $200 million. But to have granted that request would, as before, have amounted to a commitment to deploy an ABM system.

The Administration, through Secretary of Defense McNamara, countered with a proposal to undertake development of another, more sophisticated, system, the Nike-X. This proposal called for the use of a new missile, the Sprint, and an advanced radar system, which would incorporate and integrate the radar functions of acquisition, evaluation and tracking of the target warheads. The Sprint missile, it was claimed, would utilize far higher acceleration capabilities and intercept targets at lower altitudes than the Zeus missile, although the latter would still be employed to make initial interceptions at greater distances. Sprint's capabilities were designed to improve radar's ability to distinguish between actual warheads and decoys by allowing more time for evaluation of the incoming targets in a dense atmospheric environment.

By now close observers began to notice inconsistencies in the Administration's opposition to ABM deployment. At the same time the Administration was urging the Congress to appropriate some $600 million for research and development of the advanced Nike-X system, President Kennedy advised a news conference that he doubted that any workable ballistic missile system was technically feasible. Indeed, Mr. Kennedy's scientific adviser at the time, Dr. Jerome Wiesner, asserted in a paper read later at the 1964 Pugwash Conference that such a system could not be perfected, and if it could, should not be deployed by any nation.

Nevertheless, grave concern over the continued delays in an administrative decision for deployment was expressed by the Senate Armed Services Committee's approval of appropriation of funds for pre-production engineering of Nike-Zeus over the adamant objection of the Secretary of Defense. However, the Senate overruled the committee's action and merely approved funds for the development of the Nike-X project.

Even before acting on appropriations for the fiscal year 1964 the Senate had been confronted with a new factor in the ABM controversy. This factor emerged when the Senate's consent was asked during the summer of 1963 to the partial nuclear Test Ban Treaty.

By the time the treaty was negotiated and signed by the U.S., the Army had completed its design for ABM missiles and satisfactorily tested and proved the warheads to be used. The Administration stressed this point as part of its argument that no further testing was needed. However, opponents of the treaty maintained that it would inhibit the ABM project and place the U.S. at a relative disadvantage to the U.S.S.R. in this field. They based their position on reports of U.S. Intelligence that the Soviet Union had tested an ABM system in a nuclear environment, whereas we had not. As a result of these tests the Soviet Union could be assumed to know whether, and to what extent, its ABM radar would operate in the presence of nuclear radiation. The treaty, opponents argued, would preclude U.S. testing of an ABM system in a nuclear environment and thus prevent us from ascertaining its reliability with any degree of certainty.

The issue of whether a nuclear test ban might cripple the U.S. in the ABM field was never really joined during the Senate hearings. True, there was some testimony suggesting the possibility of adducing whether an ABM system would function in a nuclear environment from data extrapolated from the underground nuclear tests that the treaty did permit. But the idea was never seriously urged as an adequate answer to the problem. One reason is that underground tests could hardly determine whether radar can "see through" the radiation caused by the detonation of the warhead of an interceptor missile, so as to be able to acquire, evaluate an track a "follow-on" target missile.

Curiously, in this connection—or it may not be so curious—the official and semi-official arguments advanced over the past three years to justify the continuing opposition of the Kennedy and Johnson administrations to the deployment of an ABM system have never included as a reason for inaction, have not even hinted at, this obviously critical difficulty: that the U.S. does not know whether the best ABM system it is now able to build will operate reliably in a nuclear environment. This explanation would probably strike many as more convincing than the anti-deployment arguments that have actually been offered, for instance, that the system costs too much; yet it would amount to a stunning admission of potential weakness, and inevitably raise the question of whether those primarily responsible for the country's security have prudently discharged their duties in permitting this apparent disparity with Soviet technology to arise.

Despite the denial of funds for pre-production engineering, the Nike-X system has enjoyed a relatively high level of expenditure for research and development since 1963, and has progressed beyond the hopes of its most ardent supporters. Not only has the high acceleration Sprint missile been developed successfully; but the Zeus missile itself has been improved, particularly through increased range. Moreover, radical improvements in ABM radar have made feasible the utilization of the Zeus at increased ranges. Multifunction array radar, which can perform the functions of the several types previously used with enormously increased effectiveness, has proved the ABM concept highly reliable in this particular, and at the same time revealed the possibility of deploying the system on a broader scale and at lower costs than previously deemed possible.

Indeed, had the present capability of the Nike-X system existed in 1963, the opponents of ABM deployment would have had far greater difficulty in preventing appropriations for pre-production engineering.

Since that time, however, new factors have entered the equation that both increase the urgency of the problem and further complicate it.

In 1965 (when requesting funds for fiscal 1966) the Joint Chiefs of Staff unanimously recommended an appropriation for ABM pre-production engineering and a commitment for deployment of the system. In 1966 the Joint Chiefs were again unanimous in this recommendation; and for fiscal 1967 the Congress for the first time authorized and appropriated funds for pre-production engineering on the Nike-X system, despite the Administration's opposition. Yet to date, with more than half of fiscal 1967 passed, the Administration has not released the appropriated funds for expenditure.

The previously unobtainable unanimity of the military and Congress' reversal of its own position were not without cause. During the period of the formulation of the military budget for fiscal 1966 the Joint Chiefs became aware from U.S. Intelligence that the Soviets had begun serious deployment of an advanced ABM system. In 1966, more than a year later, this information was communicated to the Congress.

THE TIME EQUATION

The U.S.S.R., at this point, had progressed well beyond the deployment of ABM's around a major city or several cities; it had developed a comprehensive, advanced and expensive system. Even more important, the Soviet system is evidently not a "point" defense system, but an "area" defense system. It is geared, that is to say, not only to defend cities and concentrations of weaponry, but to protect military installations that have already been widely dispersed as a means of blunting the effectiveness of an enemy attack. Although U.S. Intelligence is aware of the deployment of the Soviet system, it is not able to assess confidently the system's operational capability. The measure of Soviet confidence in its system is indicated, however, by the large commitment of resources to its installations—substantial allotments of money and materials, as well as scientific and technical talent.

Time factors are particularly crucial in the deployment of a major weapons system of this kind. The deployment of an American ABM system is estimated to require five years at a minimum, starting with the moment of the decision to deploy. The Soviets, having productive facilities substantially inferior to ours, will in all probability require an even longer period for complete deployment. The extent of the U.S.S.R.'s present lead depends on when the decision for deployment of its advanced system was made and production begun.

THE SHIFTING BALANCE

The effect of Soviet ABM deployment on America's capacity to deter nuclear war—in the absence of any such defensive system in this country—is dramatic and profound.

Such a development raises doubts, at the very least, as to whether U.S. retaliatory strikes can destroy the Soviet Union, assuming the Soviets strike first. Therefore, if the Soviets have confidence in the capability of their ABM system, the completed deployment of the system could be the factor that tips the balance in favor of a Soviet decision to risk a nuclear strike. (The odds favoring such a decision would be affected, of course, by the nature of the man or group that holds power in Moscow at the moment; while any Soviet leadership must be assumed to be willing to make the strike if the odds are right, the enemy estimate as to whether the odds *are* right will necessarily reflect human and political factors not strictly connected with the military equation.)

A further consideration must be kept in mind. Even should the U.S.S.R.'s confidence in the capacity of its ABM system prove unfounded—i.e., should the Soviets attack, and then discover that their ABM system has failed—it remains that the U.S. objective of deterrence would also have failed. The effectiveness of a deterrent depends not on whether retaliation *will* inflict unsupportable damage on a potential attacker, but on whether the attacker *thinks* he will incur such damage.

This is an important part of the reason why proponents of immediate deployment of the Nike-X system are approaching the problem with such urgency. They believe that nothing less than actual deployment by the U.S. will offset the all-too-subjective factors in the equation of deterrence.

But the issue no longer remains this clear-cut. New developments outside the ABM field have further complicated the issue for U.S. policymakers.

In the past, objections of various administrations to deployment of the best available ABM system—notably as expressed by Secretary McNamara, who has borne the burden of the case against deployment—have been based primarily on doubts as to the effectiveness of such systems, doubts framed in terms of their "cost-effectiveness" as compared with the cost-effectiveness of improved offensive forces. Mr. McNamara has also insisted that deployment of an ABM system cannot be justified, unless accompanied by an extensive shelter program. Moreover, he has questioned whether an ABM system can be effective against a massive attack of sophisticated missiles. It should be noted in this latter regard, however, that until very recently McNamara has attributed to the Soviet Union an offensive missile capability considerably smaller than that required for a very large sophisticated attack.

All of these considerations have been affected by recent breakthroughs in weapons—but not only in the ABM field. Comparable advances have been made in offensive systems. The potential significance of these latter developments, together with Soviet ABM deployment, would seem to require a complete reassessment of U.S. deterrent capabilities and deterrence policies.

Recently, the U.S. has cautiously disclosed that the employment of multiple warheads on a single missile is not only theoretically feasible, but within the competence of the existing art of weaponry. Now, there would be little advantage to landing several small warheads, instead of one large one, on a single target. Therefore the significance of the multiple warhead development obviously lies in the capacity of such weaponry to direct the several warheads carried by one missile to individual targets separated by substantial distances. The Soviets *may* be less advanced in this area, but they are certainly close abreast of U.S. multiple warhead technology.

The full importance of this comparatively new development becomes apparent only when contemporary multiple warhead technology is viewed in the light of the Soviets' long-held advantage in the thrust capacity of ballistic missiles. The U.S., as the testimony on the nuclear Test Ban Treaty clearly revealed, has considered infeasible the development of large-yield warheads, or of missiles with the thrust necessary to lift such warheads. The Soviets, by contrast, have emphasized larger warheads, as well as the missile delivery capability to lift them to target.

Several factors account for these different trends in missile development. On the one hand, the superior U.S. productive capacity lends itself to the acquisition of a large number of missiles. On the other, U.S. industry and population are significantly more concentrated than the industry and population of the U.S.S.R. It is not surprising, therefore, that the U.S. has emphasized a larger number of missiles, with smaller warheads, designed to cover a greater number of targets; while the Soviets have emphasized fewer missiles, with larger warheads, designed to cover the comparatively fewer American targets.

The reasons for this disparity in weapons system strategy help explain why the development of a multiple warhead capability—assuming the level of development on each side is the same—gives a heavy *relative* advantage to the U.S.S.R. The Soviets can offset their inferior capacity to produce missiles in large numbers by equipping their fewer large-thrust missiles with the multiple warheads made available by the new technology. By comparison with this gain on the Soviet side, the addition of multiple warheads to our weaponry adds relatively little to the U.S. offensive capability.

The importance of this relative advantage may be grasped by considering a single aspect of the U.S.-U.S.S.R. nuclear balance. Advances in multiple warhead technology now raise the possibility that the Soviet Union, having substantially fewer missiles than the U.S., but missiles equipped with multiple warheads, can consider feasible an effective first strike, not only against U.S. cities, but against U.S. retaliatory forces.

The far-reaching effect of this development can be seen by calculating its potential impact on the existing U.S. numerical superiority in strategic missiles. According to released Defense Department figures, the U.S. has about 1,054 ICBM's and some 650 Polaris missiles, a total of approximately 1,700. U.S. Intelligence has assessed the strength of Soviet ICBM's at less than 400, giving the U.S. a numerical superiority in strategic missile delivery vehicles of between 4 and 5 to 1. (Such a wide disparity has been considered an essential element of U.S. deterrent strategy because of the initial advantage that automatically accrues to the side that strikes the first blow.)

Yet this further factor must be taken into account. The average lift capability of U.S. strategic missiles is a weight equivalent to one megaton. Few of the Soviet ICBM's have a lift capability of less than 7 megatons, and most are 10 megatons or more.

It follows that if both the U.S. and the U.S.S.R. converted the lift capability of their strategic missiles to multiple warheads of approximately one-third megaton size, the U.S. would multiply the number of its deliverable warheads by a factor of three, while the Soviets would multiply the number of their deliverable warsheads by a factor of 21 to 30.

Worse still: if the Soviets do indeed manage to deploy (as they may be on the brink of doing) an ICBM capable of lifting the weight of their 100 megaton warhead, the U.S.S.R.—with as few as twenty such missiles equipped with multiple warheads of one megaton each—could acquire the capability of striking 2,000 targets, more than the entire existing U.S. strategic missile arsenal can now cover.

This potential diminution of the U.S. deterrent capability resulting from probable Soviet gains in offensive weaponry makes clear why the issue of ABM deployment is so critical. If the Soviet offensive capability is relatively increased; if the U.S.S.R. is able to defend itself against such missiles in the U.S. retaliatory force as might survive a Soviet first strike (our Polaris missiles, for instance); and if the U.S. continues to postpone the deployment of any ABM system—then the danger is very grave indeed.

It is also clear that the ABM issue is no longer simply "to deploy or not to deploy." In the light of our Intelligence estimates of advances in Soviet defensive capability, the U.S. must decide if the Nike-X system, even if deployed, would be adequate. For Nike-X, even with its extended range and improved capability, remains essentially a "point" defense system—feasible for defense of a city, but hardly practical, particularly from a cost standpoint, for defending the deliberately wide geographical disbursement of the U.S. ICBM force. Therefore, the U.S. must consider whether to initiate development of an area-type ABM system. A possible alternative is to concentrate our ICBM's and deploy the Nike-X system to defend offensive missile concentrations as well as cities.

It goes without saying that whatever decision the United States makes regarding ABM deployment must take into account the emergence of Red China as a nuclear power and its prospective entry into the ranks of nations possessing delivery vehicles of intercontinental range—possibly within the period required for complete deployment of an American ABM system.

POLITICAL MISJUDGMENTS

ABM deployment by the U.S. would also have a major impact on NATO and Western Europe, particularly Germany. Inhibiting the spread of nuclear weapons has been a prime objective of U.S. policy. A pressing concern of the Soviets, on the other hand, is the possibility that West Germany may acquire nuclear weapons. A tacit bargain in these matters is the principal U.S. hope for obtaining a treaty banning the proliferation of nuclear weapons. To this end, the U.S. has denied to West Germany even a substantial voice in the control of NATO's nuclear weapons, a policy that has been responsible in no small part for the deterioration of NATO as an effective defensive force.

Yet West Germany, and indeed all of Western Europe, are targeted by hundreds of Soviet short- and medium-range nuclear missiles, a matter of greater concern by far to Western Europeans that the threat of Russian and satellite armies. Therefore, should the U.S. deploy an ABM system for its own protection, we must anticipate serious demands by our Western European allies to build a similar system—possibly as an alternative to maintaining large numbers of U.S. troops in Europe. Moreover, a denial of such purely defensive nuclear weapons for our NATO allies would prove hard to justify.

And therein the dilemma: the deployment of an ABM system by West Germany, although it would substantially neutralize the Communist military threat to Western Europe, would almost surely end whatever Soviet interests now exist in a non-proliferation agreement.

In fine, the gravity of the decision now facing U.S. policymakers is the result of a series of political misjudgments—above all, misjudgments of the intentions of the Soviet Union. The partial Test Ban Treaty, signed in 1963, was publicly interpreted by the Administration, and by much of the communications media, as a signal that the Soviet Union had learned a lesson and had abandoned efforts to achieve nuclear superiority. U.S. Intelligence has accumulated voluminous evidence indicating a quite different disposition on the part of the Soviets, but the public impression of a genuine nuclear detente between the U.S. and U.S.S.R. has been permitted to persist.

Even as the Test Ban Treaty was consummated, the Soviets were launching a broadscale research and development program for qualitative breakthroughs in strategic weaponry. The Soviet attempt to develop new ICBM's was pressed on an unprecedented scale, and has even been publicized to a degree by displays in military parades. Of still greater significance, the U.S. has been aware of the U.S.S.R.'s effort to increase its capacity to produce weapons-grade nuclear material.

By contrast, the American effort in the field of strategic weaponry has steadily diminished since the signing of the Test Ban Treaty. In fiscal 1962 U.S. expenditures for strategic forces totaled more than $11 billion. Since then U.S. expenditures for strategic forces have declined each year; in fiscal 1967 they reached a low of $6.5 billion.

To the charge of procrastination and failure to meet the challenge of Soviet strategic weaponry developments, Secretary McNamara has consistently replied that the U.S., through continuing research, was "keeping the options open," on various strategic systems. But it is now clear that the option time is running out. Unless decisions are made soon, the danger of nuclear war could vastly increase to say nothing of the danger of successful nuclear blackmail.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

THE CALENDAR

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of items on the calendar in sequence, beginning with Calendar No. 15, Senate Resolution 21.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL FUNDS FOR THE COMMITTEE ON FINANCE

The Senate proceeded to consider the resolution (S. Res. 21) to provide additional funds for the Committee on Finance.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGE OF THE FLOOR

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that members of the staff of the pertinent committees be given the privilege of the floor today during the consideration of the money resolutions on the calendar.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSOR FOR SENATE RESOLUTION 16

Mr. BYRD of West Virginia. Mr. President, due to a clerical error, the name of the distinguished junior Senator from Kansas [Mr. PEARSON] was not included in the list of cosponsors of a resolution introduced by my distinguished colleague, the senior Senator from West Virginia [Mr. RANDOLPH], Senate Resolution 16, to create a standing Committee on Veterans' Affairs, while it was being held at the desk.

Therefore, at Senator RANDOLPH's request, I ask unanimous consent that the name of the Senator from Kansas [Mr. PEARSON] be added at the next printing of Senate Resolution 16.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

ADDITIONAL COSPONSOR OF BILL

Mr. BYRD of West Virginia. Mr. President, because of a clerical error, the name of the Senator from West Virginia [Mr. RANDOLPH] was omitted from the list of cosponsors of S. 917, the Safe Streets and Crime Control Act of 1967. I ask unanimous consent that Senator RANDOLPH's name be added to this bill at its next printing.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. PASTORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROPOSALS IN THE PRESIDENT'S CONSUMER MESSAGE POINT THE WAY

Mr. PASTORE. Mr. President, President Johnson, in his consumer message, sounded a new note in our national life. The President has served notice that the American people can and we must be protected in our homes, our daily lives, our economic decisions, and in this complicated and interdependent world in which we live.

Life, in the age of the caveman, had its dangers. Man developed means to cope with them. Life today also has its dangers, its risks, its hazards, its uncertainties. We cannot eliminate these elements of life. We can take steps to help a prudent man to face these factors and learn how to live with them. The reasonable and farsighted proposals set out in President Johnson's consumer message point the way.

The proposals extend virtually to every facet of modern living. They each deserve our most serious consideration but at this time I would like to discuss three of them.

The National Commission on Product Safety is important to every home in America. Who among us is not aware of the hazards which lurk in the technology-crammed houses of the country today? The National Commission on Product Safety should provide the users of products with some assurance of safety. The Commission should provide manufacturers of products with assurance that their mass-production techniques for giant markets will not be thrown into chaos because of differing and conflicting State and local laws aimed at assuring product safety. A joint resolution to establish such a Commission has been introduced in the Senate by Senators MAGNUSON and COTTON, and in the House by Congressman Moss.

Amending the Flammable Fabrics Act of 1953 should go far toward reducing the 3,000 deaths per year caused by burns from clothing fires. The act will also be broadened to include interior furnishings, such as upholstery, foam padding, draperies, and rugs.

Any nation which suffers more than 12,000 deaths each year and more than $1¾ billion in property losses due to fires, clearly needs a national fire safety program. There is no simpler argument for it. I cannot imagine any rational argument against it. But we are not creating a new bureaucracy here. The rationale behind the proposal envisions support and expansion of existing programs, wherever possible.

It may be argued that no message is perfect, and no draft legislation is ideal. One thing, however, is clear. This message from President Johnson, and the legislative proposals contained in it cannot be ignored. The needs of people, babies, growing children, housewives, working men and women, businessmen, are displayed before us here and now.

The rest, of course, is up to the legislative process. It is my fervent hope that the President's proposal will be given speedy consideration, rapid direction, and ultimate success by Members of the Senate.

Mr. President, I yield the floor.

URBAN REHABILITATION

Mr. SPARKMAN. Mr. President, in the February 1967 issue of the Practical Builder magazine a very fine and thought-provoking article is published, entitled "A Realistic Look at Rehabilitation."

I ask unanimous consent to have this article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A REALISTIC LOOK AT REHABILITATION

Rehabilitation offers the biggest single area of expansion for the building business today.

To the ill-prepared, it also offers plenty of pitfalls that have left many builders with a very bad after-taste and vows of "never again."

However, the growing number of success stories and the slump in housing starts are making rehabilitation attractive to many builders.

Few builders can ignore the increasing number of programs directed towards pumping vast sums of money into our cities' worst slums.

Despite the actual dollars or units involved, "rehabilitation is a job of massive financial and human investment that can best be accomplished by the private sector," according to David Rockefeller, president of the Chase Manhattan Bank of New York City.

What, exactly, is rehabilitation?

If you ask one hundred experts you get one hundred different answers.

The Department of Housing and Urban Development has never clearly defined rehabilitation.

"Rehabilitation is not a program of tinkering with a ranch house in the suburbs, nor is it splashing a little paint over the cracked plaster of a rundown tenement," says HUD Secretary Robert C. Weaver. "To do a rehabilitation job across the nation of enough size and quickly enough to avoid creating less housing than becomes obsolete, rehabilitation must become a major new industry."

James Henderson, rehabilitation director of the Oklahoma City Urban Renewal Authority, says, "remodelers who have been doing rehab say that home builders are the ones who should be."

Rehabilitation is not remodeling warmed over and called by a new name. It is a whole new industry.

"The great step forward is urban rehabilitation," says builder Phillip Lindy of Philadelphia. "It's a different world, but the potential is great. It starts people moving in rather than out."

Rehabilitation involves the conversion, deconversion and reconversion of dwelling units and non-residential buildings. It starts with buildings that have become uninhabitable by acceptable standards of decent, safe and sanitary housing.

The normal goal of rehabilitation is to bring these buildings up to minimum standards prescribed in the building code. But most often, when rehab work gets started, the end result is a quality standard much higher than the minimum. While the exact size of the rehab market may never be known, many experts, including HUD Secretary Robert C. Weaver, estimate it at between eight and nine million dwelling units. This does not include the non-residential rehab market, which is estimated to exceed $10 billion.

According to Larry Blackmon, past president of NAHB, our national housing goals should include an annual volume of 500,000 rehabilitated dwelling units.

At this rate, it would take at least eight years to rehabilitate the homes and apartments of four million urban families now living in substandard housing, providing no additional units sank below the line.

According to recent figures from the Department of Housing and Urban Development, there are $12 million in rehab projects in progress and another $30 million reserved under various FHA programs in New York, Chicago and Pittsburgh.

In addition, there are $9 million in rehab projects under way in New York and Chicago under various public housing programs, with another $6.5 million reserved for future projects.

In Philadelphia, a joint public housing-private enterprise experimental program to rehabilitate about 1500 vacant, single-family rowhouses nears completion.

However, the rehab market is not limited to the major cities. For example, a recently-announced urban renewal project in Evansdale, Iowa, calls for the rehabilitation of 750 homes and apartments.

A similar project in Georgetown, Tex., will require the rehabilitation of over 200 dwelling units.

In Lorain, Ohio, over 500 buildings, mostly residential, but with some light commercial, will be rehabilitated under a new urban renewal program.

HOW TO TAP THE MARKET

There are several ways a builder can get into the rehab market. He can *bid for or* negotiate contracts with any of the numerous public, quasi-public and private bodies which are sponsoring rehab projects.

Some cities, such as New Haven, Conn., maintain lists of approved rehab contractors, which are distributed to residents of federally-designated urban renewal or code enforcement areas.

In many instances, the builder buys, rehabilitates and resells homes and apartment buildings. He may do this on his own or as part of a sponsoring group, to take advantage of federal programs for rehab.

Briefly, these programs include:

Section 220—*Loans for rehabilitation of* homes and apartment structures in federally-designated urban renewal and code enforcement areas, insured by FHA at a 6% interest rate.

Section 221(d)(3)—Loans to non-profit and limited dividend sponsors for rehabilitation in cities with federally-certified workable programs for community improvement. Loans are insured by FHA at both 3% and market interest rates.

Section 221(d)(4)—Loans to sponsors, with no limitations on profit, anywhere in the nation, insured by FHA at market rate.

Section 213—Loans for rehabilitation and conversion of rental apartments to cooperative units anywhere in the nation, insured by FHA at market rate.

Section 231—Loans for rehabilitation of housing for the elderly, insured by FHA at market rate. Both 90% and 100% loans are available, depending on the type of sponsor.

Section 115—Direct loans up to $10,000 and direct grants up to $1500 to property owners in designated renewal and code enforcement areas for rehabilitation. These loans and grants are made directly to property owners, not to builders.

The details of these programs are not nearly as important as understanding rehabilitation financing.

FEASIBILITY STUDIES ARE AVAILABLE

If the builder plans to participate in a specific project area, feasibility studies and market research reports are generally available. Much of the success of Denver's Larimer Square project, a commercial-residential rehabilitation job involving a whole city block, can be traced to the comprehensive market analysis prepared before work on the project was started.

Not only will these reports indicate chances for success or failure, but they are also useful in convincing owners and lenders of the soundness of the area.

Once feasibility and marketability have been established, the next major problem is acquisition cost, according to Alvin Zelitzky, manager of the insured loan division of Salk, Ward & Salk, a nation-wide mortgage banking firm with considerable rehab experience.

Many buildings have been rehabilitated at a loss because cost of acquisition and direct and indirect costs of rehabilitation exceeded the value of the rehabilitated building. In apartment buildings, there may be an actual loss of income through rehab because code requirements reduce the number of units.

"The 'as is' value of a multi-family building with excess income due to code violations can be estimated by determining the value of the building as if brought up to code standards, then subtracting the cost to meet those standards," according to Philip M. Johnson, a regional rehabilitation loan officer with the Urban Renewal Administration in Decatur, Ga.

In Baltimore and Philadelphia, the problem of acquisition cost to builders was overcome by having the city buy the buildings to be rehabilitated. The cities then write down the costs, and resell the buildings at the reduced cost to private builders. No matter whether the builder is involved in rehab as a contractor or as a principal, he will discover that he has to deal with a new set of *"people problems."*

Of course there is the wide range of governmental officials on local, county, state and federal levels who may be familiar to the builder. However, the builder will also have to become familiar with many new persons and groups if he is going to undertake a successful rehab venture.

Anyone who has driven through a rehabilitation area knows that the customers for rehabilitated dwellings are not the Sunday subdivision crowd. After one look at a transient rooming house, which was to be rehabilitated as a three-bedroom townhouse, one Chicago builder said, "I couldn't get my *crews to come down to this neighborhood,* much less to work here."

Although many publicly and privately sponsored rehab projects are in older, middle-class areas of cities, the bulk of rehabilitation is taking place in the slum, tenement districts near the central city core.

Builders operating in these areas have two immediate problems: (1) scheduling to minimize relocation problems of occupied buildings and (2) the suspiciousness of area residents regarding "outsiders," no matter who they are or what they are doing. Many of these tenement residents have been victimized by the blue suede shoe "remodelers," so winning their confidence may be difficult.

In areas under city sponsorship, the builder may find himself being called "the tool of City Hall," and blamed for many grievances beyond his control.

A HELP OR HINDRANCE

In some communities where rehabilitation is in progress, the builder may find himself faced with Tenants Unions or community improvement associations. Depending on their past experience and the builder's approach, they may be a decided help or a hindrance.

In Charleston, S.C., the Historic Charlestown Foundation is a driving force behind rehabilitation. In 1957, the foundation raised a $100,000 revolving fund to buy, rehab and resell older houses in the city.

From this "seed money" the foundation rehabilitated 53 buildings and generated over $2 million in rehab and historic restoration. All of the work has been done by local builders and contractors.

In New Orleans, the 100-block area known as the Vieux Carre has experienced nearly $5 million in rehabilitation under the watchful eye of the Vieux Carre Commission, a quasi-public organization chartered by the city and state to administer rehab in the area.

The success of the commission is in its use of very strict architectural controls, which cover even such details as gutter and downspout design and placement.

In Columbus, the German Village Society and Commission, without city or federal aid, began a successful program of rehabilitation of homes, apartments and stores with the help of the Ohio Home Builders and remodeling specialist Sam Shamansky.

On the other hand, rehabilitation of the 11-building Old Town Gardens apartment complex in Chicago is being delayed until the sponsors, the Community Renewal Foundation, come to terms with the Tenants Action Council, which represents most of the residents.

Builders have also found many problems in working with or for the various sponsors of rehabilitation ventures. Federal legislation encourages church groups, fraternal orders, unions, and other not-for-profit organizations to become sponsors.

Whether the builder has such an organization as a partner in a jointly sponsored venture, *or if he is just working as a contractor,* he soon discovers that most members of these organizations are well-meaning amateurs lacking any real knowledge of rehabilitation.

Another group of sponsors, the large corporations, has recently emerged for a variety of reasons. In New York City, for example, *U.S. Gypsum and U.S. Steel are only two such* firms who are sponsoring rehab projects, with an eye towards developing markets for their products.

FACTORY MONEY FOR REHAB

In Philadelphia, Smith, Kline & French, a pharmaceutical firm, provides loans to cover interest costs on construction loans for the *rehabilitation of buildings surrounding the* firm's factory.

In Akron, Ohio, B. F. Goodrich has put up $3.5 million to aid the rehabilitation of the 400-acre area surrounding its national headquarters.

In addition to these various sponsors, the builder will find himself dealing with a variety of technicians. Many of them, the architects, engineers, planners, attorneys, accountants and mortgage bankers, will be familiar. However, a new type of technical consultant known as a "packager" has emerged in recent years. Packagers specialize in putting together rehab application packages for projects to be financed under the many FHA programs.

The packagers' expertise in dealing with the governmental agencies and coordinating the many facets of a rehab venture make them valuable aids to the builder unfamiliar with rehabilitation. Perhaps the biggest single problem in rehabilitation is finding qualified builders and contractors to undertake the massive amount of work to be done.

Jack Taylor, a rehab specialist with the Oakland, Calif., building department said that in Oakland there are only 40 approved rehab contractors.

Although Taylor's department issued permits for $5 million worth of rehabilitation last year, he said that few of the 40 builders had enough knowledge in the field to take advantage of this growing market.

Many builders have tried rehab and were "burned"; many others have corrected past mistakes and gone on to make substantial profits.

"What you don't know about rehab won't hurt you, it will kill you," cautions Edgar Ewing, a rehab pioneer in Baltimore.

As has been indicated, the builder getting into rehab is immediately faced with problems of financing and working with new people. However, there are many more problems he will have to face.

BIGGEST PROBLEM IS DELAY

One of the problems is delay. Unforeseen delays can wipe the profit right out of a rehab job. The smart builder should anticipate the possible sources of delay.

Initial delays usually come in getting plans and specifications approved by the many parties involved. If the project is to be financed under one of the FHA programs, the builder may wait from three months to a year on a large project, just for FHA processing of the loan application.

Relocation of residents is another source of delay. Crews must be scheduled around apartment vacancies. Families must be moved to temporary quarters. This type of delay is normally beyond the builder's control.

Vandalism is an ever-present threat to rehab ventures. Materials and tools are stolen. Half-finished work is damaged and must be done over. This is both a source of delay and a loss of profit.

In New York and Columbus, Ohio, the problems of vandalism were minimized by the existing community organizations, which had developed a sense of pride in their rehab projects. In Baltimore's Harlem Park, however, looters ignored locks and boarded windows until police protection was substantially increased.

Builders are also faced with the problem of meeting owner and tenant desires and bringing a building up to standards on a limited budget.

Lewis Hill, Chicago's urban renewal commissioner, places the problem of establishing priorities as to what must be done as one of the major concerns.

Rarely can a home owner have a $2,000 bathroom in a $10,000 home and still replace the electrical, plumbing and heating systems, and resurface the walls and ceilings on the type of loan his income will support.

Construction-related problems are often the hardest to overcome. Estimates and bids must be accurate enough to provide a profit for the builder, yet reasonable enough to make rehab economically feasible.

"How can you walk into a 90-year-old townhouse where the walls are sagging wood lath covered by a mixture of lime, sand and horsehair, and held up by three layers of wallpaper—how can you walk in and make an accurate estimate as to the cost of refinishing the walls?", asks architect Bernard Harrington.

Patch plastering may not be enough, and the cost of gutting the building and starting all over with just the structural frame is exorbitant. Costs of rehabilitating 66 one- to seven-unit buildings in Baltimore's Harlem Park rehab area ranged from $700 to $14,500.

James P. Cain, a housing specialist with Pittsburgh's ACTION-Housing Inc., has said that a $25 difference in cost per unit may decide success or failure in a rehab venture.

Cain cited the example of a recent ACTION-Housing rehab venture in Pittsburgh, where his organization purchased 22 two-story brick rowhouses built in 1905 for $87,000 from three different absentee landlords.

Direct rehab costs of $118,000 included shoring and remortaring brickwork, new kitchens with refrigerators and ranges, new plumbing and fixtures, new wiring and electrical fixtures, replacement of deteriorated doors and windows, provision of central heating system, and repair of porches.

The indirect costs of $24,000 included financing charges, interim interest, transfer taxes, and architects and legal fees.

"After we had completed the plans and specifications, we invited bids—some of which were twice our final cost figures," said Cain.

While such solutions as New York City's instant rehab demonstration (see pages 82–83) may reduce costs in cities where there are several thousand buildings of similar construction, in cities like Denver and Oakland, Calif., there are rarely two similar buildings, which makes systemization nearly impossible. One building in Denver's Larimer Square had to be jacked up so a foundation could be poured beneath it. For some reason, the building had been built without one. The many problems of rehabilitation are not without solutions. Partly because of the size of the market and the emphasis of federal and local programs, and partly because of the ingenuity of the many builders in rehabilitation—fresh innovations and new approaches to these problems are being developed in nearly every city in the nation.

In Chattanooga, the Home Builders Association and the local housing authority, working through the Highland Park Neighborhood Improvement Association, have set up a plan to avoid some of the problems of financing.

Applications for federal loans and grants will be made by the association in the name of the family who will be using the funds. As soon as the check arrives, it is endorsed over to the association's escrow account which in turn, sends a check to the builder to compensate him for his work.

HBAC executive director, Ray Atkinson, is using this guaranteed payment plan to sell local builders on the rehab potential in the area. An interesting side benefit is that about 100 vacant houses and apartment sites are available to builders who could build and sell in a rehabilitated area that was formerly neglected.

CONSIDER WHAT FHA REFUSES

In Fresno, Calif., the HBA of San Joaquin Valley is supporting another solution to the problem of financing. The city is creating a Municipal Mortgage Insurance Corp. that will insure mortgages like FHA, but in areas that even FHA refuses to consider for loans.

The problem of an adequate supply of building tradesmen with rehabilitation skills is the subject of a unique experiment in Cincinnati.

The local urban renewal department is working with the federal labor department on a pre-apprenticeship training program, which allows unskilled youths to work under union foremen on rehab jobs. The youths are taught the basics of carpentry, plastering, painting and papering, cement work and electrical work on actual rehab jobs.

The youths work for $1.25 an hour, which substantially lowers the actual costs of rehab in the city's Avondale-Corryville project.

DEVELOP CEILING SYSTEMS

Builders in several cities have developed low cost suspended ceiling systems that can be installed for less than the cost of refinishing the existing ceiling. Since these ceilings increase the insulation and reduce the height of the existing ceiling, heating cost can be reduced by as much as 10%.

Not all of the solutions have come from builders. Manufacturers, seeking new markets for their products, have made some significant contributions to lowering the costs of rehabilitation, which every builder should investigate thoroughly to determine whether they will solve a particular problem for him.

Rusco Industries Inc., Cleveland, is testing an adjustable window assembly in an experiment in New York City's lower east side. This prefinished unit can be inserted in various sized openings and adjusted to fit without being cut or shimmed at the site.

Motorola Inc. is developing a low cost closed circuit TV system for increased tenant security, a highly important factor in tenant satisfaction in the slums.

Timber Engineering Co. (TECO) is developing an adjustable metal clip that will considerably speed up the process of leveling and installing new wood floors over the sagging existing ones.

The Southeastern Forest Experiment Station has developed a "Fur-Lok" system for applying prefinished plywood panels to existing walls without nailing. This system uses beveled furring strips attached to the back of the panels.

The first time this system was used, two carpenters finished an 8′ x 17′ room in 3½ hours.

Some of the most exciting rehab methods developed so far are those used by U.S. Gypsum Co. The company invested $1,250,000 in rehabilitating six tenement apartment buildings in New York City's East Harlem district.

Existing steam heating systems were removed in favor of the firms's radiant heat wallboard panels. The panels were applied to furring below the existing ceiling. The space betwen the new and old ceilings was used as an electrical-mechanical raceway to run the new plumbing and wiring. This further reduced costs.

STRIPPED TO BARE BRICK

Hallways were stripped down to bare brick, sprayed with plaster, then sprayed with two coats of epoxy enamel, which is expected to reduce maintenance costs to a considerable degree.

The company's approach to sagging floors was to shore them up from below, which eliminated about 80% of the sag.

The next step was to patch extremely bad places with scrap lumber covered with hardware cloth. A coat of chemical binder was then spread over the entire floor to seal it. The floor is finally leveled with a high-strength gypsum cement compound with an asphalt emulsion and sand, which is troweled smooth after an hour.

According to the firm, finished flooring can be applied directly to this surface within 12 to 16 hours after it is laid.

All of these solutions will not work for every builder, nor for every rehab venture, nor in every city—and they were not intended to. Building codes, union work rules and supplier availability will limit their usefulness. However, these solutions do indicate that rehab is not a hopeless muddle of problems.

In rehabilitation, as in anything else, success is measured by results. It is not enough to say that rehabilitation is a vast, untapped market waiting for the builder who can operate virtually without competition.

"Sure, you have to know what you are doing," says Herbert A. DeCosta Jr., who heads the family building business in Charleston, S.C. "But rehabilitation jobs are a large part of our work—and they are good business," he adds.

New York contractor Howard Biltman, of Biltman Construction Co., puts it another way. "The contractor has a wonderful opportunity to increase volume in rehabilitation, to develop work to make a profit. Actually, a contractor must have a love for this sort of thing, he must have a feel for rehabilitation."

SOLD FOR 10 PERCENT RETURN ON INVESTMENT

U.S. Gypsum did not get into rehabilitation to be a landlord. When the firm has completed its six buildings in New York, they will be sold for an expected 8% to 10% return on investment.

There is "a good likelihood" that the firm will then turn to other cities for more rehab demonstrations, according to USG president Graham J. Morgan.

There are other dimensions of success and other important results in rehabilitation. In New Haven, Conn., for example, 8400 dwelling units have been rehabilitated in the last five years as part of an overall redevelopment program that increased the city's total assessed valuation by 17.7%.

In Pittsburgh, ACTION-Housing's rehabilitation of 22 rowhouses resulted in a rent reduction for tenants from an average of $100 a month to an average of $96, with a profit to the contractor.

THE ESTIMATE—OPTION PLAN

In Philadelphia, 25 builders and contractors are working with the local public housing authority to rehabilitate 1000 dilapidated rowhouses on sites scattered over some 600 city blocks.

The builder finds the building he wants to rehabilitate and gets an option on it. He then estimates costs and presents the deal to the housing authority. The housing authority checks his figures, and if they are acceptable, it agrees to buy the finished house from the builder at a negotiated price.

After the builder has the sales contract, he buys the house, rehabilitates it and sells it back to the housing authority, which uses the houses for public housing.

Philadelphia builders like this arrangement because it eliminates their selling costs and guarantees them a profit if they have estimated correctly. In addition, the builder can put up the sales contract to get a construction loan, and he does not bother about mortgage financing.

Builders participating in the program point out that estimating errors can be made, but that at an annual volume of 50 to 200 units, the errors tend to average out to no loss. The housing authority allows the builders 15% for overhead and profit.

One additional result of the Philadelphia "Used House" program, is that it has successfully lowered the costs of public housing by 25%, compared to new construction.

Maurice Hertzfeld, whose firm has 60 units underway in addition to his custom homes, apartment building and commercial work in Philadelphia, told PB, "we're in this because we think it has a future. It's the first intelligent approach to slum improvement."

RUNS TWO-THIRDS THE COST OF NEW CONSTRUCTION

Dana Crawford, president of Larimer Square Inc., Denver, said that rehabilitation of Larimer Square is running about two-thirds of the cost of new commercial construction.

When completed, Larimer Square will have 50 apartments, a 40-room hotel, 35 shops and restaurants, and office space.

In less than two years, the Chicago Dwellings Association, a quasi-public organization using private contractors, has rehabilitated 70 buildings containing 869 units, and is currently working on 17 buildings with 173 units.

Properly approached, rehabilitation is profitable. To the builder interested in investment, it offers a good return and excellent tax shelter. To the builder interested in growth and cash flow, it offers many opportunities. And to the builder interested in meeting a challenge, it offers a complex set of problems for which he must find solutions.

CITY DECAY POINTS TO SUBURBS

If building new homes in the suburbs is necessary, then rehabilitation of our cities is vital. For the decay of the cities means the eventual decay of the suburbs they support.

The actual long-range results of rehabilitation can not be fully seen. The rows of attractively refinished houses and apartments, offices and stores can be seen. The profits and investment yields can be counted. But the revitalization of the cities, the elimination of slums and their attendant high tax bills can neither be clearly seen nor accurately reckoned.

Regardless of motives or desires, rehabilitation presents too great a market opportunity to be ignored by home builders.

URBAN PROBLEMS

Mr. SPARKMAN. Mr. President, on February 1 of this year, our colleague, the Honorable Edmund Muskie, the Senator from Maine, delivered a speech to the conference of Governors representatives on urban problems at Airlie House, Warrenton, Va.

I ask unanimous consent to have his speech printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Remarks by U.S. Senator Edmund S. Muskie, of Maine, to the Conference of Governors Representatives on Urban Problems, Airlie House, Warrenton, Va., Wednesday, February 1, 1967

I was honored and pleased by Secretary Weaver's invitation to be with you, today. As an alumnus of the Governors' conference I am glad to have a gubernatorial staff for a captive audience once again. In addition, I was intrigued by the opportunity to come to a meeting in this bucolic setting where the lions and the lambs of our federal system have been brought together—I won't venture to suggest which of you is which.

In a sense, your endeavor is a new venture in intergovernmental cooperation. In another sense, your task is as old as our Republic, that is, making our democratic government work as an instrument of freedom and opportunity.

The underlying assumption of the Founding Fathers was that our society would achieve fulfillment as society made it possible for the individual to achieve fulfillment.

Today, then, when we speak of the Great Society, we really have in mind a continuation of the work which was begun over 180 years ago

When we speak of a creative federalism, we are concerned, as were the founders, that the means by which we organize our common efforts will adapt to the new and larger challenges which we face.

We must acknowledge that the Constitution of 1786 has been a remarkable success, surviving national and international crises for over 175 years. It has met the test of a civil war.

It has accommodated great territorial expansion. It has provided a governmental environment for unparalleled economic growth and social advance.

It has enabled us to assemble a great potential force for good in the affairs of man—here and abroad.

And yet, its future potential is challenged. Why? Because apart from the obvious question as to our capacity to use this force wisely, there is the question whether we are organized to use it effectively.

We all know that one of the most serious tests we face is whether this Nation has the will and the stamina to rescue, to preserve, and to improve the quality of life in our cities.

For nearly a century, we have been a nation in transition—from an agricultural society to an urban society. And today, nearly three-fourths of our population lives in urban areas.

Some have come there out of choice, and some out of necessity. But all of them have come because the city remains man's best invention for satisfying his needs for employment, commerce, education, housing, cultural enrichment, amusement and entertainment.

And yet, the blessings of our cities are not unmixed. In every part of the Nation, our urban areas have grown so large and so fast that they now find themselves unable to cope with the staggering burdens that have been placed upon them. Theirs is the struggle with growing concentrations of poverty and unemployment in their midst, with traffic strangling the streets, with houses decaying at the cores or sprawling aimlessly at the fringes, with smog and fog fouling the air, with waste and pollution and soiling the waters.

They must struggle to provide basic facilities such as water and sewer systems for populations growing and shifting faster than these facilities can be built. They must have the foresight to provide the open spaces, the parks and the playgrounds that cities must have to be habitable. And some of them must overcome the cruel fact that invariably the largest and oldest city centers have the oldest schools, the fewest parks and open spaces, and the most festering poverty.

It is not surprising that where many men cannot find work, where many children do not receive adequate education, where many families are confined and restricted to living in blighted ghettos, violence and disorder will emerge from despair.

In short, the number of people in our country, their concentration in urban centers, and the influence of rapid technological change have created problems which sometimes appear too great for us to solve.

In a recent speech to the National Industrial Conference board symposium on "The Challenge of Technology," Dr. Jerome B. Wiesner put it this way: "There is a frightening suspicion that man becomes increasingly helpless to control his destiny as his power to control nature grows and society becomes increasingly complex:"

And this fact has serious implications for our democracy.

In 1835, the French observer Alexis de Tocqueville observed that our "federal system was created with the intention of combining the different advantages which result from the magnitude and the littleness of nations." He also wrote that "great wealth and extreme poverty, capital cities of large size, a lax morality, selfishness and antagonisms of interests are the dangers which almost invariably arise from the magnitude of states."

When De Tocqueville examined the American federal system, it was still working well. I wonder what he would say today?

The question which troubles us is: Has our country grown too large, have the problems of our society grown too complex for our federal system to work?

As a general rule, the various levels of government in America today are not effectively organized by any test.

As a result, human needs are unmet and human aspirations unfulfilled, with deteriorating prospects for a brighter future.

And when this happens, in any society, under any system of government, history teaches us a lesson—often bitterly learned—

that discontent, unrest, instability, and ultimately disorder and violence will follow.

Surely, we have the resources in this country to make it possible for every member of our society to develop his own potential.

As a matter of fact, I think it is reasonably accurate to say that in every metropolitan area there are the resources to make this possible for every human being who is a resident of the area. But we are not effectively applying our resources to the problems of our people. We are not moving our undoubtedly great resources from where they are to where they are needed. And governmental organization has a great deal to do with it.

It was a similar frustration which led to the establishment of the federal system in the first instance.

In the first years following independence, we learned that liberty, without an effective means for working together, could be self-destructive.

We learned that self-government required the establishment of a government responsive continually to the will of the whole society and equipped with the authority to attend to the public business.

We have learned since that time that government can, indeed, be a source of good; that it can be our servant, not our master; that, indeed, it can perform a vital function in preserving and sustaining freedom itself.

And what is the public business of a free people?

We believe that government has a proper function, in partnership with private enterprise, in stimulating the pace of economic activity.

We believe that our success in achieving this goal is basic to the expansion of our capacity to provide needed public services.

We believe that the conservation and the intelligent use of our natural resources calls for enlightened measures designed to preserve them for the long years and the generations ahead.

We believe that our future, as well as that of our young people, depends upon our equipping them, by education and training, to realize to the full their potential in material, intellectual and spiritual satisfactions.

We believe that the unfortunate among us, institutionalized and otherwise, who because of economic, physical, moral or mental disabilities, cannot advance themselves from their own resources, have a legitimate claim upon our compassion.

We believe that the machinery of government should be so designed and so organized as to be readily responsive to the will of our people and to render the services required of it sufficiently, effectively, and economically.

And so, we have, up to this point, made freedom work. "We have demonstrated on this continent," in the words of Jefferson, "that a government so constituted as to rest continually upon the will of the whole society is a practicable government."

The great question which faces us now is whether we are so organized as to continue that demonstration into the future.

The great challenge to that organization is the concentration of great masses of people in circumstances which place them beyond the capacity of existing governmental institutions to serve their essential public needs effectively.

There are those who say that the federal system is outmoded; that state and local governments are obsolete; that their administrative departments are non-professional and weak; that their legislatures and councils are irresponsible, unresponsive and parochial; that their resources are inadequate; and that their constitutions and charters are irrelevant relics of a distant past.

There is some truth in these criticisms; and they cannot be brushed aside if the system is to work.

They reflect real obstacles to achievement of the following objectives in our governmental structure:

1. Preservation of liberty by avoiding overconcentration of authority;
2. Maximum participation of a free people in their own government by maintaining viable, policy-making governments at the state and local levels;
3. Responsiveness to the emerging needs of a changing society; and
4. Effective allocation of our great national resources to meet those needs.

From the middle of the 19th century, the Federal Government has supplemented the unequal resources of the different States in an attempt to move our resources from where they are to where they are needed. One of the most significant techniques devised to do this task, and one which has helped make it work effectively thus far, is the Federal grant-in-aid.

This device, under hundreds of programs, has supplemented State and local resources in education, highways, hospitals, health, economic development, pollution control, and welfare, among others. These have been major pressure areas of need.

These programs will grow, because the need is growing.

But their growth itself has posed a challenge to all three levels of the Federal system. The number of programs has risen from 70 to 220 since 1958, administered by 21 Federal departments and agencies and serving the needs of 50 State governments and 91,000 local units of government.

During the past 3 years, the States and local governments have received about $40 billion in grants-in-aid.

In 1967 alone, 70 percent of all Federal expenditures for domestic programs will be distributed to State and local governments.

These Federal grant-in-aid programs have succeeded in supplementing State and local resources. But as they have grown, we have tended to overlook the organizational morass which was developing.

And so, a device which has been useful in providing essential flexibility to the Federal system is itself becoming inflexible and ineffective.

If we are to renew the flexibility and effectiveness of the Federal Government to meet the urgent needs of State and local governments, we must act now.

If we are to succeed in preventing a crisis in our Federal system, we must take the following steps:

1. Make it easier for State and local governments to use and apply Federal programs. This includes broadening grant categories and criteria in order to give State and local administrators more discretion.
2. Supplement the tools available to State and local governments. We should consider increased technical assistance, better personnel training and management, and more comprehensive and coordinated information on Federal assistance.
3. Encourage State and local governments to modernize and improve their own governmental institutions, including State constitutions, fiscal structures, and the quality of personnel.
4. Continue to supplement State and local fiscal resources.

The Federal Government has already taken several steps to give greater flexibility to grant-in-aid programs and to encourage greater coordination of State and local activity to meet areawide needs. One step was the enactment of the comprehensive health planning and public health services amendments of 1966. This act broadened the application of health grants to give States more discretion in using them to meet their own needs.

Another step was the Demonstration Cities and Metropolitan Development Act of 1966, which you are exploring during this conference.

Beyond this, there is also a need to restructure the National Government to insure that our aims at increasing the flexibility and maximum effectiveness of Federal programs are carried out. In doing so, we will need to consider and use one or more of the following approaches:

1. Rationalizing and combining the overlapping and duplicating grant-in-aid programs by legislative action;
2. Reducing the number of departments and agencies involved in particular program fields, by the reorganization of departments and agencies; and
3. Establishing a coordinating mechanism, preferably, in my judgment, in the Executive Office of the President.

Last week I reintroduced three bills which are designed to meet these aims. They are the Intergovernmental Cooperation Act, the Intergovernmental Personnel Act, and an act to establish a National Intergovernmental Affairs Council in the Executive Office of the President. The Subcommittee on Intergovernmental Relations is currently holding hearings on the legislation. We hope our labors will result in substantial improvements in the National Government.

The great organizational and improvement challenge, however, rests at the State and local levels.

Many State and executive leaders recognize the challenge. Many public and private local leaders recognize the need for action—as I am sure you do. You know that if the States and local governments do not take up the challenge of urban blight, metropolitan sprawl, social unrest and riots, pollution and smog, State and local governments can claim only a junior partnership in our Federal system.

The answer to this problem does not lie in the words and ideas of government scholars and critics. The answer rests with the voters.

They have the ultimate power to reorganize State and local government machinery, to modernize public management and manpower, and to seek more productive ways to finance their development.

They can also make their voices heard in Congress, to seek a streamlining of Federal aid and a more effective coordination of Federal programs. It is the apathy of the American voter—an apathy born perhaps more of bewilderment than indifference—that can destroy the search for a new and creative federalism.

But where does the voter start on his quest for better government?

He can start where the problems of federalism are the most severe—with his own local and State governments, their structure, their manpower competence, their ability to tap all available resources, and their effective application of revenues to meet real needs.

You occupy a strategic position in this quest—by government reform and by encouragement of more imagination in State and local programs. This will require courage, courage to assess problems and courage to offer solutions.

From time to time you may wonder whether you are making a dent in the problem. Your own contribution may seem a small fragment.

But as Dr. Rene Dubos has written:

"Concern for the future is the mark and the glory of the human condition. Men come and go, but however limited their individual strength, small their contribution, and short their lifespan, their efforts are never in vain because, like the runners in a race, they hand on the torch of life."

ADDITIONAL FUNDS FOR THE COMMITTEE ON FINANCE

The Senate resumed the consideration of the resolution (S. Res. 21) to provide additional funds for the Committee on Finance.

Mr. ELLENDER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Louisiana will state it.

Mr. ELLENDER. What is the pending business?

The PRESIDING OFFICER. The pending business is Calendar No. 15, Senate Resolution 21, to provide additional funds for the Committee on Finance.

ADDITIONAL COPIES OF EXECUTIVE JOURNAL

Mr. BYRD of West Virginia. I ask unanimous consent that the distinguished senior Senator from Arizona [Mr. HAYDEN] send to the desk Senate Resolution 84, and ask that it be stated.

The PRESIDING OFFICER. The resolution will be stated by title for the information of the Senate.

The ASSISTANT LEGISLATIVE CLERK. The Senator from Arizona [Mr. HAYDEN], proposes a resolution increasing the number of printed copies of the Executive Journal.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to, as follows:

S. RES. 84

Resolved, That, beginning with the First Session, Ninetieth Congress, the Secretary of the Senate is authorized to have printed not more than one hundred and fifty copies of the Executive Journal for a session of the Congress.

ADDITIONAL FUNDS FOR THE COMMITTEE ON FINANCE—ORDER OF BUSINESS

The Senate resumed the consideration of Senate Resolution 21.

Mr. ELLENDER. Mr. President, I will ask the indulgence of Senators—the few who are in the Chamber—to listen to some observations I have—before we actually consider the pending resolution—on the bill which has been pending before this body for the past 2 weeks.

In that connection, I ask unanimous consent that I may be permitted to proceed at length.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Louisiana for an indefinite length of time to speak?

Mr. PASTORE. Mr. President, reserving the right to object, is this a waiver of the so-called Pastore rule?

The PRESIDING OFFICER. This is merely to waive the provision of the 5-minute limitation on each speech during the consideration of measures on the call of the calendar.

Mr. PASTORE. Mr. President, I have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ELLENDER. Mr. President, for the past 2 weeks or more, the Senate has been considering the so-called Reorganization Act, which purports to make it possible for the Senate—in fact, Congress—to do a better job than is presently being done.

The further employment of men and women to work on committees in the Senate will not cure existing evils. More money will not do it, either. As all of us know, the Reorganization Act of 1946 was amended in 1948 and provided for a limitation on the number of employees to be hired by each standing committee. Prior to the Reorganization Act, there were 40-some-odd committees in this body. The Reorganization Act of 1946 cut the number of standing committees to 15.

It was further provided that each standing committee would have four professionals and six clerical employees, and that was the limitation imposed.

Now aside from that, the Reorganization Act created a Legislative Reference Service so that all members of the various committees, as well as all Senators, would have a central source from which information could be obtained.

In my humble judgment, the provision for the Legislative Reference Service was the reason for the limitation on the number of employees for each committee.

Before that, it was up to committee members, up to employees on the committees, to seek information and perform research in the Library of Congress. But today we have the Legislative Reference Service with a force of 304 employees to serve Congress in that capacity.

The amount of money required each year to pay for the employees of this Legislative Reference Service is $3,428,000.

Mr. LAUSCHE. Will the Senator kindly repeat that figure?

Mr. ELLENDER. It is $3,428,000.

Now, in addition to that, in order to relieve the work of the Finance Committee of the Senate and the Ways and Means Committee of the House, the Joint Committee on Internal Revenue Taxation was created. On that committee today there are 33 employees, and it cost the Government, for 1966, $417,747.43 to maintain the Joint Committee on Internal Revenue Taxation.

What do we have before us today with respect to the first resolution we are considering? Last year the Senate provided for six additional professionals on the Finance Committee. That, Mr. President, was in addition to the four that were previously provided for. This resolution adds six clericals to match, from what I can understand, the professionals that were provided for under the resolution adopted last year, and which gave to the Finance Committee for the first time additional professionals over and above what was originally provided for in the act of 1946.

Mr. LAUSCHE. Mr. President, will the Senator yield at that point?

Mr. ELLENDER. I yield.

Mr. LAUSCHE. Prior to 1946 was there in existence a Legislative Reference Service?

Mr. ELLENDER. No.

Mr. LAUSCHE. And that Legislative Reference Service, established in 1946, which has grown to have 304 employees today, at a cost of $3,428,000, was created to supply the services needed and which seemed to be required because there was a limitation put on the number of employees a standing committee might have?

Mr. ELLENDER. That is what I understood it to mean. That was the reason for creating the Legislative Reference Service.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. WILLIAMS of Delaware. As the Senator has just pointed out, last year the Senate expanded the staff of the Finance Committee by six additional professionals. I did not think it was necessary since we already had a Joint Committee on Internal Taxation which was properly staffed and whose staff was available to the members of the Ways and Means Committee of the House and the members of the Finance Committee of the Senate as well as to any other Members of Congress.

I join the Senator in his remarks. I speak as one who has served on the Finance Committee for about 16 years. I took the position last year, when this proposal was before the Senate, that we did not need the staff. We had all the staff necessary to supply the information we needed. We had the most competent staffs in existence, the staff of the Joint Committee on Internal Revenue Taxation and the staff of the Finance Committee.

I regretted that the Senate saw fit, unnecessarily in my opinion, to expand that staff of the Finance Committee, of which I was a member.

I join the Senator today in the statement that those extra employees are not needed, that we have an adequate staff.

The statement I have made is applicable to many other staffs as well.

I emphasize that I think committees should be adequately staffed. I am sure the Senator from Louisiana will agree with me that if there are too many staff members less work gets done than if the committee has the appropriate number.

Mr. ELLENDER. In the course of my statement I intend to show just that.

In addition to the Finance Committee, permanent professional positions have been created in six other standing committees.

Mr. METCALF. Mr. President, will the Senator yield to me for a moment?

Mr. ELLENDER. I yield for a question.

Mr. METCALF. I am one of the newest members of the Finance Committee. I feel privileged to serve and I enjoy serving on the Finance Committee. I served on the Ways and Means Committee of the House before I came to this body. I have made use of the magnificent staff of the joint committee that the Senator from Louisiana mentioned.

I differ with my friend, the Senator from Delaware [Mr. WILLIAMS] when he says that the joint committee staff has served for the entire purpose of and were available to the new members, who have not had the experience he has had, or who are not at the top in seniority on the committee. We must go to our own staff members rather than depend on the joint committee staff, the members of which, half the time, are either working for or are appearing before the Ways and Means Committee.

I pay tribute to the new members of the staff who helped me last year and helped some of the new members of the committee in accomplishing our purposes on that committee.

Mr. ELLENDER. I am sure the distinguished Senator from Montana is correct, but he could have gotten that information from the Legislative Reference Service, which we spoke of. He could have gotten it from the joint committee, as well, through his own administrative assistant. That was the purpose of creating the Legislative Reference Service.

Mr. METCALF. When I was privileged to serve on the House Ways and Means Committee, and since I became a member of the Finance Committee, I have found some of the representatives of the Legislative Reference Service, who are specialists on social security legislation and on fundamental tax legislation, to be superb advisers; but many times when I have called for information they have been in the other body or were appearing before the Joint Committee on Internal Revenue Taxation, and I have had to rely on the new staff members.

Mr. ELLENDER. The point is that since the creation of the Finance Committee and until last year, that committee functioned well. I never heard any criticism of its functioning; yet that committee operated with the four professionals and the six clericals that were originally provided.

I am not trying to throw bouquets in my direction, but I believe the Committee on Agriculture and Forestry is as well operated as any committee on the Hill. It is true that we do not have the immense amount of work that the Judiciary Committee has or that, let us say, the Foreign Relations Committee has heaped on itself lately. But since I became chairman of the committee, I have employed only two professionals—one good lawyer and one good economist. When I go to the lawyer for advice, he provides it on his own; he does not have to have a partner to consult with. The economist who serves that committee serves all the members of the committee; he does not try to, and cannot, pass the buck.

It is my considered judgment that, no matter how many persons we employ on these committees, or how much money we supply, we are simply adding to our woes. That is what we are doing.

To go back to the committees that have permanent professionals and permanent clericals other than those provided under the original act, as amended in 1948, the Finance Committee has six professionals.

The Foreign Relations Committee, in addition to the four that were provided beyond the original act, now has three professionals on a permanent basis and three clericals on a permanent basis.

The Committee on Government Operations has one additional professional aside from the four provided for in the original act.

These, as I say, are permanent positions, and are to be considered separate and apart from other positions that will be created or have been created, and for which funds are being requested today.

The Committee on the Judiciary, aside from its regular four professionals, now has two additional professionals and three additional clericals on a permanent basis. That committee does not have to come before the Senate every year to obtain more funds for those positions.

The Committee on Labor and Public Welfare has one additional professional.

The Committee on Post Office and Civil Service has one additional clerical.

The Committee on Rules and Administration has one additional professional on a permanent basis.

Mr. President, I have made a little summary of the number of additional employees who have been provided on a permanent basis. Now I shall proceed to state the number of additional employees provided for by these resolutions. Let us take first the Committee on Aeronautical and Space Sciences, a new committee.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. LAUSCHE. How many did that committee have originally?

Mr. ELLENDER. Originally that committee had four professionals and six clericals. Today the committee is asking for a budget of $50,000. I shall point out when the Senate proceeds to consider that resolution the number of additional employees that will entail.

The Committee on Agriculture and Forestry, of which I am chairman, has had authorized from the beginning four professionals and six clericals. That committee is using today, and has been using ever since I became chairman, only two professionals and five clericals.

The Committee on Armed Services has 20 employees authorized. The number of professionals will be 10 and the number of clericals will be 10.

The Committee on Banking and Currency will have 29 employees on its staff—18 professionals, or 12 more than provided under the original law, and 11 clericals.

The Committee on Commerce will have, if the resolution is agreed to—and I am pretty sure it will be—44 employees. Twenty-two of them will be professionals, and 22 will be clericals, at an additional cost to the Government of $475,000.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield.

Mr. LAUSCHE. I invite the Senator's attention to the Committee on Commerce. A resolution to authorize four professionals was adopted in 1948. Is that correct?

Mr. ELLENDER. In 1946.

Mr. LAUSCHE. In 1946. At that time, it was declared that there would be a limitation on the permanent number of professional and clerical workers?

Mr. ELLENDER. That was provided in the law; yes. The limitation was fixed at that number.

Mr. LAUSCHE. At the same time, it was said that to make certain that adequate informational service was provided, the Legislative Reference Service should be created.

Mr. ELLENDER. That, in effect, was the reason for the additional employees.

Mr. LAUSCHE. And also the Joint Advisory Committee on Economics, or whatever its name was?

Mr. ELLENDER. The Joint Committee on Taxation.

Mr. LAUSCHE. In 1946, how many employees were authorized for the Committee on Commerce?

Mr. ELLENDER. Four professionals and six clerical; a total of 10.

Mr. LAUSCHE. How many employees does that committee have today?

Mr. ELLENDER. Forty-four.

Mr. LAUSCHE. How are the 44 divided?

Mr. ELLENDER. Twenty-two professionals and 22 clericals

Mr. LAUSCHE. I am a member of that committee, and as such I know of an instance when special funds were requested for the performance of a special service for a 1-year period; employees were hired to perform that special service, the year came to an end, and the employees were retained on a rather permanent basis.

Mr. ELLENDER. I say to my good friend from Ohio that that has been the case with most of the subcommittees. Additional employees were hired to do a certain job. For instance, the Subcommittee on Juvenile Delinquency was created about 15 years ago, and the amount of money that was to be spent for that service was stated by the former Senator from New Jersey who was the author of the resolutions. The record will show his exact statement, but as I remember it, he said:

> We can complete this job with from $75,000 to $150,000.

But, Mr. President, that subcommittee is still in operation. It is coming before the Senate, requesting money in a fixed resolution; and the amount of money we have spent to retain that subcommittee is not $150,000, but has now reached more than $1.3 million.

Mr. LAUSCHE. But to point up the issue——

Mr. ELLENDER. The point is that there is nothing more permanent than a temporary committee. That is what is happening to all of these so-called temporary committees.

Mr. LAUSCHE. When was that "temporary" Subcommittee on Juvenile Delinquency, of which the Senator has just spoken, created? About 15 years ago?

Mr. ELLENDER. At least 15 or 17 years ago.

Mr. LAUSCHE. What was it declared to be at that time, a temporary committee for 1 year?

Mr. ELLENDER. Yes; as were all of these except for a few.

Mr. LAUSCHE. This is 1967, and that subcommittee is still in existence?

Mr. ELLENDER. It is still in existence. Mark my word, after a while the distinguished Senator from Connecticut [Mr. DODD] will come before the Senate to show what he has done during the past year. All of the chairmen come here to show what they have done.

Mr. President, I wish more Senators were present to listen to and to take part in this debate, because I am here to tell the Senate that today on the Senate committee payrolls are 615 employees—465 more than were originally provided for when the Reorganization Act was passed in 1946. This is continuing to increase.

We are confronted today, as I shall point out in a few minutes, with another reorganization act, a measure that seeks to improve upon the Reorganization Act of 1946. I shall show that it aggravates the situation rather than improves it—at least, I shall try to do so.

The Committee on the District of Columbia has not asked for any additional employees.

The Committee on Finance, as I have just indicated, has 22 employees at present—10 professional and 12 clerical employees. That committee asks for six additional clerical employees.

The Committee on Government Operations has 75 employees at present—40 professional and 35 clerical employees.

Mr. President, I believe that quite a few of these committees are necessary. Some of these committees should have increases, but the practice of increasing the number of employees on these committees has simply snowballed. That is why I have interested myself every year in trying to keep up with the matter.

The Committee on Interior and Insular Affairs has 18 employees—eight professional and 10 clerical employees.

The Committee on the Judiciary has 198 employees—106 professional and 92 clerical employees.

Mr. President, the amount of money spent by the Committee on the Judiciary will be in excess of $2.5 million over and above the amount provided for each committee.

The Committee on Labor and Public Welfare has 50 employees—24 professional and 26 clerical employees.

The Committee on Post Office and Civil Service has 25 employees—12 professional and 13 clerical employees.

The Committee on Public Works has 18 employees—eight professional and 10 clerical employees.

The Committee on Rules and Administration has 23 employees—11 professional and 12 clerical employees.

The Select Committee on Small Business is headed by my good friend, the Senator from Alabama [Mr. SPARKMAN]. This is a select committee. It is not one of the regular committees formed under the Reorganization Act of 1946.

The Select Committee on Small Business is entitled to all of the prerogatives of a regular committee. It was provided that that committee would have four professional and six clerical employees. And they have that many.

The Special Committee on Aging has 14 employees—seven professional and seven clerical employees.

Mr. President, if we were to add the wage cost for the additional people provided for in these resolutions, the total would be an authorization of $6,653,732.50.

Let us not forget that each standing committee has $179,506 with which to pay for these four professional and six clerical employees. That is what my committee has. That is what the Committee on Finance has. That is what the Committee on Armed Services has That amount is in addition to the amount that would be provided by the resolutions.

We should also add to that the amount of money necessary to pay for the permanent professional and clerical employees on some of these committees.

The Committee on Appropriations has $592,000 to spend, and each of the 15 standing committees has an expense account of $10,000 for printing and other expenditures. That alone amounts to $150,000.

If we were to add all that up—the amount that would be provided by these resolutions plus the amount set aside for the 15 standing committees and the $10,000 expense account for each standing committee—the total would aggregate $10,088,322.50.

Mr. President, it is not the amount of money that I am worried about, but it is my considered judgment that with so many employees on these committees we are bound to have a lot of waste. We are bound to have a lot of buckpassing from one employee to another.

I know that would happen in my committee if I saw fit to employ all of the employees that I would be able to employ under the reorganization bill.

Mr. President, considering what I have said, let us look at what the pending bill would do.

The Reorganization Act that we are now considering does not in any manner affect or try to stop the creation of these special committees. The practice of retaining these committees and adding new ones will not be affected in any manner.

If the pending reorganization bill is enacted into law, for each standing, select, and joint committee of the Senate—paid from the contingency fund of the Senate—there would be one additional position at a salary not to exceed $23,244.66, and two positions each at a salary not to exceed $22,230.

The reorganization bill adds employees to those authorized by virtue of the present law and those authorized by these resolutions.

For each standing committee of the House, we are adding three positions. That is being done on what basis? It is not being done on the basis of $23,244.66, as provided by the Senate, but at $25,890. The House of Representatives is able today to pay its committee employees more than the Senate can afford. That, Mr. President, has led to a little pirating, and I have had personal experience with that situation.

The lawyer who serves on the Committee on Agriculture and Forestry is a good lawyer. We have worked together for quite some time. At the time, I thought I was paying him all I was able to pay, but I found out that I was not.

He said:

> Senator, I cannot stay with you. I can get more from the House.

I said:

> Just a moment. I did not know that I was not paying you the full amount. I am willing to pay you the full amount. You should have brought it to my attention before.

He said:

> Senator, even though you paid me the full amount that you can pay, under the House rules I can get 1,400 and some odd dollars more than you can pay me.

So, what happened? I said:

> Do what you please.

He decided to go to the House for this additional pay.

Mr. President, I do not think it is right, I do not think it is fair, for the House to be able to pay more than the Senate can pay to people doing the same job. If that situation is permitted to exist, all the people we train here, and with whom we work, will seek greener fields and more pay. We will have a great deal of pirating.

Mr. METCALF Mr. President, will the Senator yield?

Mr. ELLENDER. I yield to the Senator from Montana.

Mr. METCALF. I should like to call the attention of the Senator from Louisiana to an amendment that I have to S. 355, the reorganization bill, which would in part—and in part only—take care of this inequity between the House and the Senate, and would provide a statutory permission for the Committee on Appropriations to allow some of our chief staff members to achieve equality with the House staff members.

Mr. ELLENDER. But the salaries of all the Senate staff members would have to be raised in order to accomplish that.

Mr. METCALF. No.

Mr. ELLENDER. If the intention is to put them on a par, they all would have to receive a raise.

Mr. METCALF. In the House, as I understand, they are paid on the basis of a civil service grade of GS-18, and everybody on a House committee can receive the same pay, if the Committee on Appropriations will permit it. But my amendment provides that only certain staff members be permitted to be paid on an equal basis, although we have based it on the senatorial staff salary.

But this is not the only case. Every committee in the Senate has had a similar experience of raiding and pirating on the part of the House; so that staff employees who are important and significant to us, in the Senate, have gone over to the House, because of the greater opportunity for higher salaries.

Mr. ELLENDER. We are aggravating the situation by providing in this bill that, for each standing committee of the House—remember, for each standing committee—not only one of the three new employees can get $25,890, but all three of them can get it. In our case, we have only one that can get a total of only $23,244.66 and we have another one that can get about $1,000 less, and so on. Our salary provision is more or less graduated. But in the House, each standing committee worker, no matter what he does—these three additional employees—if the chairman directs and if the money is available can receive the $25,890, without any "ifs" or "ands."

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. McCLELLAN. I am in accord with the views of the Senator from Louisiana with regard to this issue.

I see on the floor the author of the bill, the chairman of the committee that reported the pending reorganization bill.

Does the pending reorganization bill contain any provision which would correct this inequity?

Mr. ELLENDER. No, indeed. What the bill does is to agree to the situation. It is as if to say, "All right, let the House have employees at such a salary and us at a lower salary."

Mr. McCLELLAN. I believe that the time has come to correct this condition. The condition of which the Senator speaks is a reality; it is not an imaginative situation.

Mr. ELLENDER. The Senator is correct.

Mr. McCLELLAN. It is a difficulty that we face in the Senate. The pending reorganization bill should deal with the problem. Instead of perpetuating the inequity, I think that the bill should correct it. We should, by provision of law in this Reorganization Act, remedy the condition about which we are now complaining.

Mr. ELLENDER. Mr. President, as I have indicated, I am bringing up these points in connection with these resolutions because I do not believe that many Senators are acquainted with what the pending bill provides. In my opinion, it aggravates the situation that now prevails.

In my opinion, the pending bill would make it more difficult for committees to function; because it would provide much more help, and there is enough help now, if the committee chairman and the people under his supervision use the facilities that are provided under the original Reorganization Act. As I have said, we are spending over $3 million to provide that service to the Members of Congress, and it ought to be used.

It is my considered judgment that much of the information that is needed by many of these committees which are especially formed could be obtained by the Senators' own force, or, if he is chairman of the committee, through the professionals and the clericals who are provided for by the 15 standing committees.

Mr. METCALF. Mr. President, will the Senator yield for a moment?

Mr. ELLENDER. I yield.

Mr. METCALF. Amendment No. 33 to S. 355 would do in part, what the Senator from Arkansas [Mr. McCLELLAN] suggested; that is, equalize the salaries between the House and the Senate, and thus help to eliminate inequities.

Mr. ELLENDER. Why do it in part? Why not do it through and through?

Mr. METCALF. Because the Senator from Louisiana has stated that under the House provision every individual member of a House committee could be paid the full amount.

Mr. ELLENDER. Surely.

Mr. METCALF. Under my amendment, only certain top staff officials could be paid the full amount. I do not believe there should be even an authorization to pay clerical workers $25,000 or $26,000 a year. I do not think the Senator from Louisiana believes that. So we have merely tried to eliminate simple inequities and inequalities among our top staff officials.

Mr. LAUSCHE. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield.

Mr. LAUSCHE. How does the Senator determine whether an employee is a specialist or a professional peculiarly gifted with knowledge for a certain position?

Mr. ELLENDER. If the Senator from Ohio will read the resolution, he will see that a certain number of lawyers are requested. They are considered professionals. "Clericals" would mean typists and men and women who take shorthand and transcribe it.

Mr. LAUSCHE. The Senator says that under the bill one new position as a professional and two new positions as clericals would be created.

Mr. ELLENDER. No; for each standing committee. That is the first category. For each Senate standing or select committee and for each joint committee paid from the contingent fund of the Senate there would be three positions as proposed in the reorganization bill: One position would pay $23,244.66; two positions would pay not to exceed $22,230.09. They would be in addition to those now provided in the law and are now provided for in these resolutions.

As to the House, for each House standing committee, the reorganization bill does not say that one new position would pay $23,000-plus and the other $22,000-plus. We say that each of the new three positions could be funded at $25,890. That is what we say.

Mr. President, in addition to these employees to whom I have just referred, we have a new Committee on Congressional Operations created in this bill. I have not been able to find out the purpose of that committee. That Joint Committee on Congressional Operations will be able to obtain 12 positions at salaries not to exceed $25,890 each. Senators will see that we follow the pattern of the House of Representatives when there is a joint committee.

Mr. LAUSCHE. Does the Senator mean that there is a ceiling which is put on the salaries but not a floor?

Mr. ELLENDER. The Senator is correct.

Mr. LAUSCHE. It would be up to the committee to determine how close to the $25,000 it shall go?

Mr. ELLENDER. The Senator is correct. That is my understanding.

There is provision for an additional number of employees as shall be needed to carry out section 46, and not to exceed $25,890 each. That is the same committee.

In other words, Mr. President, if 12 employees are not sufficient and more employees are needed, they can be employed. Then, there is provision for unlimited temporary or intermittent employment at not to exceed $100 a day. That is provided for in the reorganization bill.

Mr. LAUSCHE. Who is to pay for this?

Mr. ELLENDER. You. The taxpayers.

Then, there is one director of the Office of Placement and Management appointed by the joint committee at not to exceed $25,890. That is another position being created. Then, there is the additional staff of the Office of Placement and Management at compensation fixed by the director subject to the approval of the joint committee. That, Senators, is included in the bill that is now before the Senate and that we have been considering now for 2 weeks.

In addition to all of those items, Mr. President, there is provision for an additional position for the office of each Senator, at a salary not to exceed $23,244.66. Whether he needs it or not, there it is.

Then, for the joint committee——

Mr. LAUSCHE. Please do not go on. That is too much.

Mr. ELLENDER. I am not finished yet. I wish to read two more.

For the Joint Committee on the Library, there is provision for three positions not to exceed $25,890. Listen to this: For the General Accounting Office, 13 positions at not to exceed $200 per day.

Mr. President, all of that is in this bill. I repeat that it will aggravate the conditions which now exist. We will simply have so many people that they will not know what to do. There will be a lot of buckpassing from one person to the other. I am very hopeful that we can have enough Senators present when the bill is voted upon so that this matter can be thrashed out.

Mr. LAUSCHE. Do not let me stop the Senator. Please go on.

(At this point Mr. HARRIS assumed the chair.)

Mr. ELLENDER. Mr. President, there is another little quirk in this bill and I do not know why it was included. It would give to the minority the right to obtain a certain number of positions. However, if those positions are asked for and there is no vacancy the committee would be compelled to hire those persons if the majority of the minority should say that they want them.

In other words, if on any standing committee the slots have been filled, if they are already filled, and the majority of the minority should say, "We want two of these six employees. We have no need of those two employees, but we insist."

Mr. President, under this bill they could be employed whether they were needed or not and would be in addition to the six positions already filled. I do not know how such language got into the bill. I am only trying to lay bare this matter before the Senate.

I know that I am very unpopular among some of these workers around here. They think that I am after them. As a matter of fact I might be after some of them to some extent.

Mr. President, if this new bill is enacted we will have to build a new Senate office building. There is no doubt about it. We are filled up now, and we are providing for many, many more positions under this new bill. I am very hopeful that the Senate will take note of the many provisions of this bill before it is too late.

Mr. President, there are other things about this bill that I would like to discuss, but I understand that a few Senators are desirous of leaving this afternoon and I do not want to take too much more time. However, Mr. President, I have been trying for the past 15 years to keep up with the creation of these new committees. I concede, Mr. President, that in some instances there is a necessity for such work and I would refer to the committee which is handled by my good friend from Arkansas. As he knows I have never taken serious issue with his committee. However, there are many committees, for instance, in the Committee on the Judiciary, that we could consolidate. In the Committee on the Judiciary it seems as though it is necessary that each member of the committee must head a subcommittee.

I do not know whether all of them have a subcommittee but, as I shall show shortly when the resolutions come up, there seem to be 14 or 15 subcommittees on the Judiciary Committee. No wonder Senators complain that they are unable to get their work done. So many of them are occupied, I presume, in keeping tabs on the employees in their subcommittees, giving them work, and things like that.

It is my judgment that providing this additional help for all Senators—I am not objecting where it is needed—is unnecessary. Much of the information which is needed by a Senator, if not known by him will be known by his committee staff, or his administrative assistant.

Mr. HOLLAND. Mr. President, will the Senator from Louisiana yield?

Mr ELLENDER. I yield.

Mr. HOLLAND. I find myself in general accord with the distinguished Senator from Louisiana. He knows, of course, that I have been the chairman of a subcommittee on his Committee on Agriculture and Forestry for a great many years and that I have never asked for any additional employees.

I commend the Senator from Louisiana for getting along with that principal committee without additional employees.

I also have a Subcommittee on Appropriations, of which the Senator knows, and I have not asked for additional employees there.

However, in the absence of the Senator from New Mexico [Mr. ANDERSON], I want to say a word in behalf of Calendar No. 20, Senate Resolution 51, which I ask the Senator to look at for a moment. That is a resolution to provide $50,000 a year additional money for the Committee on Aeronautical and Space Sciences. We have no subcommittees. We have found that the employment of high-level professional employees, of the kind which can really go into the facts in this new field of science and give Senators the much-needed help they seek has required this additional money.

Likewise, we have found it advisable to assign some of these employees to the minority members of the committee, headed by the distinguished Senator from Maine [Mrs. SMITH]. The Senator will remember that at one time, in 1961, as I recall, it had an extra assignment, which necessitated $135,000 a year, and which was later cut to $50,000 a year. We are asking now for an extension of that amount of money for 1968.

In addition to the problems I have already mentioned, the Senator, I believe, knows that we have to get highly trained staff employees, going well above the level of staff employees on some other committees in their knowledge of scientific matters to serve on that committee; but, in addition, we have asked for a great deal of assistance from the Library of Congress. In effect, I understand we are underwriting an employee over there to keep us informed on space developments.

Without being able to plead with the full knowledge that the Senator from New Mexico [Mr. ANDERSON] would have, if he were here—and he is detained necessarily from the Senate on other matters—I would hope that the Senator from Louisiana would take note of the particular situation in that committee. Although I have not yet had occasion to ask for any additional funds on the subcommittees on which I serve as chairman, I believe the request made by the Senator from New Mexico and the Senator from Maine is completely justified. They are supported in that request by all members of the committee because we know of the particular difficulties in that field.

I should add that we are now confronted with the necessity of trying to decide what will be the appropriate space activities after the moon shot, for which we should be making preparations now. These matters are, of course, of particular scientific depth—if I may use that word—and I do not think we could get the kind of employees to serve—and whom we want to carry on there—without some additional help, as would be provided by Senate Resolution 51.

I ask the Senator's attention to that now. I do not know what his expectation is, but I hope that he will not object to this resolution, because it is merely carrying on this activity which is highly specialized and does require great help from the Library of Congress and the underwriting of some of their employees over there.

I also hope that the Senator will make an exception, if he is going to make exceptions anywhere, with reference to this subject.

I make this statement without any personal or selfish interest in it at all. I think that the Senator from New Mexico and the Senator from Maine are stating the matter just as it is, when they request the extension of this $50,000 a year, which was cut down, as I have already said, from $135,000 extra a year several years ago.

Mr. ELLENDER. May I ask the Senator this question: Under the law, four professionals are already provided for. What kind of work do they do? Why could not a committee such as the Committee on Aeronautical and Space Sciences do away with its lawyer, let us say, and hire a specialist in aeronautics, instead of getting an economist or a lawyer to do the work?

Mr. HOLLAND. We not only have one specialist, but also a whole group of specialists there. The Senator knows, of course, that the field it covers is not only space, but also aeronautics, including a study of both, in which fields advances are being made all the time.

My feeling is that this particular request is fully justified, as I have already said.

I sympathize with the objectives of the Senator from Louisiana, which I think I have shown by my own unwillingness to ask for any further help in any subcommittee of which I am the head.

I think that this request is justified, and I hope that the distinguished Senator from Louisiana will look carefully into the question before he makes any attack on it, because I should be required to oppose it.

Mr. ELLENDER. The Senator well knows that in the past 15 or 20 years since I have been bringing this matter to the attention of the Senate, I have had very little success on the Senate floor—except in two or three instances—even to cut back on some of the requests made.

Mr. HOLLAND. The Senator will agree that he has received no requests from me for increases on the subcommittees on which I have served.

Mr. ELLENDER. No.

Mr. HOLLAND. Or on the committee on which the Senator from Louisiana was the senior member.

Mr. ELLENDER. No, sir; not at all. But the Senator knows that the people working on our committee obtain their information when necessary from the Legislative Reference Service in the Library of Congress. That is where all the information should come from.

I am saying that instead of having six professionals—as is projected—we could probably do with the present four and curtail some authorized by these resolutions. That is what I have been striving to do for quite some time but, so far, to no avail.

I want to say this, Mr. President, that the Committee on Rules has, for the first time since I have been opposing—and exposing—these resolutions, cut back on the requests made almost $500,000——

Mr. BYRD of West Virginia. $456,000.

Mr. ELLENDER. $456,000—I thank the Senator. I said, "almost."

That is a step in the right direction. It would seem to me that that committee is the one in the better position to make the determination than for us to try to do it on the Senate floor.

It would seem to me that the committee should hold hearings—that is what it is for—and find out whether or not these personnel were actually necessary.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. BYRD of West Virginia. The distinguished chairman of the Rules and Administration Committee [Mr. JORDAN of North Carolina] cannot be here at this moment, but I should like to point out that I have been advised by the chairman that the Rules Committee met; that it listened to the chairmen of the various committees and listened to the ranking minority members of the various committees present their requests; and that, after carefully considering these various requests and listening to the justifications therefor on the part of the chairmen and ranking minority members, the committee, indeed, cut $456,085 from the total of $6,352,085 requested; that the amounts requested in a total of 23 resolutions have suffered reductions; that the final amended total was $5,896,000.

I am glad the senior Senator from Louisiana has referred to the reductions that have been made by the Rules and Administration Committee.

I felt that, in the absence of the chairman of the committee, it should be pointed out that the committee did, indeed, listen to the justifications for the requests made by the chairmen and the ranking minority members of the various committees, and proceeded then to make reductions in the amounts requested in 23 resolutions, the reductions amounting to almost half a million dollars.

Mr. ELLENDER. Mr. President, as I said before, I want to again compliment the committee for having seen fit to do what I have been advocating for over 15 years. This is the only year, unfortunately, that I have seen it done. If I had my hat on, I would take my hat off to the chairman of the committee. A good job has been done, but I think a better job could be done by going into the whole matter more carefully and not try to complete consideration of this matter in 2 or 3 days, when it should take a couple of weeks to get the chairmen, as well as some of the employees, to appear and to ascertain what they are doing.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield again?

Mr. ELLENDER. I yield.

Mr. BYRD of West Virginia. I simply want to state that I am advised that the committee met over a period of 3 weeks and considered the various resolutions.

Mr. ELLENDER. Did the committee have hearings?

Mr. BYRD of West Virginia. The committee conducted hearings on all those proposals.

Mr. ELLENDER. Where are the printed hearings? I asked for them. They were just open statements to the committee.

Mr. BYRD of West Virginia. I would like to answer the question the Senator asked. Transcripts are available for all Members to read.

Mr. ELLENDER. Where are they? I wish I had known that.

Mr. BYRD of West Virginia. There are no printed hearings, but there are transcripts, and they are public transcripts.

Mr. ELLENDER. I wish I had known that they were available. I have never seen them before. I assumed that no hearings were held.

Mr. BYRD of West Virginia. Hearings were held.

Mr. ELLENDER. Of course, there is in the report on each of the resolutions a letter from the chairman of the committee affected, indicating how badly he needs these people and for what.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. ELLENDER. I yield.

Mr. LAUSCHE. Perhaps the Senator from Louisiana or the Senator from West Virginia can answer this question. What was the total amount allocated last year for the operations that have been discussed to the committees that needed the money? I am referring to the last fiscal year.

Mr. BYRD of West Virginia. The total amount for last year was $5,798,000.

Mr. LAUSCHE .What is the aggregate for this year?

Mr. BYRD of West Virginia. The aggregate for this year is $5,896,000, which represents a reduction of $456,085 from the amount requested.

Mr. LAUSCHE. Below what it was in 1966?

Mr. BYRD of West Virginia. No; approximately $98,000 more than last year, but this must take into consideration the fact that there is an additional Subcommittee on Poverty, which will get $165,000.

Mr. ELLENDER. I have before me the figures for previous Congresses. For the Senator's information, I will read those figures.

The total expended in the 84th Congress was $4,769,000.

In the 85th Congress it was $5,906,000.

In the 86th Congress it was $7,814,000. It went up each year.

In the 87th Congress it went down $200,000. The full amount of money was not expended.

In the 88th Congress it went up to $7,918,000.

In the 89th Congress, the one just past, the amount was $9,597,682.

Mr. President, I ask unanimous consent that this table be placed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Summary of committee authorizations and expenditures for inquiries and investigations, 84th Cong. through 90th Cong., 1st sess.

	Authorized	Expended
84th Cong. (1955–56):		
Inquiries and investigations	$6,578,859.94	$4,530,074.67
Routine	315,000.00	293,523.35
Total	6,893,859.94	4,769,598.02
85th Cong. (1957–58):		
Inquiries and investigations	$7,958,780.14	$5,696,275.34
Routine	320,000.00	210,445.89
Total	8,278,780.14	5,906,721.23
86th Cong. (1959–60):		
Inquiries and investigations	10,458,231.37	7,619,895.65
Routine	300,000.00	214,326.52
Total	10,758,231.37	7,834,222.17
87th Cong. (1961–62):		
Inquiries and investigations	9,458,700.00	7,308,844.72
Routine	283,300.00	215,888.67
Total	9,742,000.00	7,524,733.39
88th Cong. (1963–64):		
Inquiries and investigations	9,802,933.00	7,716,828.20
Routine	280,000.00	202,089.85
Total	10,082,933.00	7,918,918.05
89th Cong. (1965–66): Inquiries and investigations (total)	12,298,415.00	[1] 9,597,682.49
90th Cong., 1st sess.: Inquiries and investigations (projected) (total)	5,896,000.00	

[1] Through Dec. 31, 1966.

Mr. LAUSCHE. Mr. President, the figures just given do not correspond——

Mr. ELLENDER. These figures, except for the 90th Congress, are for both sessions of the previous Congresses. The figures have not been separated, but that can be done.

I also ask unanimous consent to place in the RECORD at this point a summary that was made by my office staff, naming the subcommittee, stating the amount spent in 1966, for 11 months, and the amount requested for 1967, and also the amount approved by the Rules and Administration Committee.

The table gives all that information. It gives the number of full-time employees requested, which is in another column, the number of hearings held by the various subcommittees, the number of reports made by the various subcommittees, the cost of printing the hearings.

I ask unanimous consent that this table, which relates to the subcommittees of the Committee on the Judiciary, be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Judiciary subcommittees	Amount spent in 1966 (11 months)	Amount requested, 1967	Amount approved by Rules Committee	Number of full-time employees requested	Number of hearings held	Number of reports and staff studies	Cost of hearings, including printing
Administrative Practices and Procedures	$155,692.04	$175,000	$165,000	12	15	3	$7,378.21
Antitrust and Monopoly	482,362.89	560,200	560,000	34	50 days	3	25,696.76
Constitutional Amendment	92,897.10	117,700	110,000	9	4	1	14,800.50
Constitutional Rights	168,814.13	205,000	195,000	16	42 days	3	56,068.01
Constitutional Separation of Powers	0	100,000	90,000	6	None	0	0
Criminal Laws and Procedures	60,847.02	120,000	120,000	7	5 days	5	4,041.14
Federal Charters	6,149.49	7,500	7,500	1	None	18	0
Federal Judicial System	155,591.07	193,000	175,000	15	19	14	6,490.33
Immigration and Naturalization	145,761.82	170,000	170,000	10	1 day	198	992.90
Internal Security	350,524.20	437,185	400,000	32	15	10	20,145.64
Juvenile Delinquency	220,541.39	260,000	225,000	20	15 days	5	$3,263.34
National Penitentiaries	412.71	5,000	5,000	0	None	1	3.00
Patents, Trademarks, and Copyrights	83,622.29	110,000	110,000	6	4 days	1	4,633.64
Refugees and Escapees	93,083.22	104,700	90,000	8	18	2	16,251.21
Revision and Codification	36,816.72	43,500	43,500	3	None	3	0
Trading With the Enemy	5,519.96	62,000	25,000	4	1 day	3	0

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. WILLIAMS of Delaware. How do the expenditures for the last session of the 89th Congress compare with the amount approved under the resolutions before us?

Mr. ELLENDER. According to the figures I have, there was an authorized amount, for the entire 89th Congress, of $12,298,415. That figure was taken from the records of the committee. The total expended was $9,597,682, for both sessions.

I have the same figures for the 88th, 87th, 86th, 85th, and 84th Congresses, which I have asked to be put in the RECORD.

We are now asking that there be authorized an amount of $5,896,000. That is the amount being asked for. To that amount should be added the $456,085 that the Rules Committee deducted from the original request.

Mr. WILLIAMS of Delaware. My question is, how does the latter figure, which is the amount asked for under the resolutions that are pending, compare with the actual expenditures of the same committees last year?

Mr. ELLENDER. The amount asked for in the last Congress was $12,298,415. The amount spent was $9,597,682. It would be pretty difficult to tell——

Mr. WILLIAMS of Delaware. The Senator misunderstood me. I am speaking of the approximately $5.5 million figure that the Senator mentioned, the total approved under the resolutions. The Senator said the amount was $98,000 above last year's request. How does it compare with last year's expenditures?

Mr. BYRD of West Virginia. Last year's figure is $4,523,352.

The reason we do not have January's figures is because the disbursing office has not been able to get the final figures.

Mr. WILLIAMS of Delaware. That is 11 months?

Mr. ELLENDER. That is correct.

Mr. WILLIAMS of Delaware. What is the total figure?

Mr. BYRD of West Virginia. $5,896,000, which represents a cut of $456,000.

Mr. ELLENDER. Of course, as I have just indicated, that figure was for 11 months, and you would have to add about a million dollars for the 12th month, in round figures.

Mr. President, I have nothing further to add, but a moment ago I asked unanimous consent to have printed in the RECORD a table of the subcommittees of the Committee on the Judiciary, with the amounts requested, the amounts spent, the number of hearings held, and so forth.

I now ask unanimous consent that the same information be placed in the RECORD for the subcommittees of the Committee on Government Operations. Those two committees are the ones which have the most subcommittees, and I think the record will show that their budgets are higher than those of any other committees. I ask unanimous consent that that table be printed in the RECORD at this point.

There being no objection the table was ordered to be printed in the RECORD, as follows:

Government Operations subcommittees	Amount spent in 1966 (11 months)	Amount requested, 1967	Amount approved by Rules Committee	Numberof full-time employees requested	Number of hearings held	Number of reports and staff studies	Cost of hearings, including printing
Permanent Subcommittee on Investigations	$363, 349. 57	$450, 000	$435, 000	26	3	3	$11, 936. 50
Executive Reorganization	99, 811. 57	120, 000	110, 000	9	43 days	3	17, 988. 55
Foreign Aid Expenditures	95, 234. 50	115, 000	105, 000	10	18	2	5, 700. 87
Government Research	47, 391. 17	85, 000	75, 000	6	3		0
Inter-Governmental Relations	113, 593. 68	140, 000	130, 000	10	4	1	26, 780. 72
National Security and International Operations	57, 044. 77	90, 000	90, 000	3	7 days	1	11, 870. 40

Mr. ELLENDER. Mr. President, as I understand, the resolution that is now being considered is to employ six additional clericals for the Committee on Finance. As I stated earlier, the Committee on Finance will then have 22 employees, 10 of whom will be professionals. The committee has at the moment six clericals. This resolution would add six more clericals on a temporary basis, and thereby give to that committee a total of 10 professionals and 12 clericals. The amount of expenditure requested to pay for this additional help will aggregate $196,255.80.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ELLENDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ELLENDER. Mr. President, we are now considering Senate Resolution 21. During the second session of the 89th Congress, six professional employees were added to the Committee on Finance. That, of course, is not at issue today. The amount of funds for that expenditure has been provided, and the only matter at issue now is the provision for six additional professional employees on the Committee on Finance on a temporary basis.

I am informed that this money will come from the contingent funds, and that if the chairman of the committee were to pay these clerical employees the full amount that he is allowed to pay them, it would amount to approximately $62,000.

Some of these employees have been employed. There are four employed at present, and if the same basis of payment is projected for the remainder of the year, the amount of money paid to these six clerical employees would amount to approximately $34,000.

That is the issue before the Senate today.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. LAUSCHE. That committee is asking for six new clerical employees.

Mr. ELLENDER. The Senator is correct.

Mr. LAUSCHE. They have already hired four.

Mr. ELLENDER. That is my understanding.

Mr. LAUSCHE. This resolution would give them authority to hire an additional two employees.

Mr. ELLENDER. My colleague, the junior Senator from Louisiana, can perhaps answer that better than I.

Mr. LONG of Louisiana. Mr. President, last year it was the view of the majority of the Committee on Finance that we needed additional employees to perform the functions assigned to us under the Senate rules.

We had only one professional employee at that time.

That committee is responsible for all of the revenue of the Government which amounts to approximately $120 billion a year. It is responsible for managing the national debt of approximately $330 billion. It also has the responsibility with reference to the social security, public welfare, veterans, and unemployment insurance programs. On the spending end, therefore, the committee has the responsibility for the expenditure of approximately $40 billion a year. With respect to the raising of revenue, the committee has the responsibility for approximately $120 billion a year.

The committee now has four professional employees. It has one professional employee for every $40 billion of responsibility. That would seem little enough.

Last year, the members of the committee felt that six additional professional staff employees would be needed to round out an adequate staff. At that time we had not employed the four professional employees that were authorized by the Legislative Reorganization Act. We have filled those four positions—one of them with a temporary employee who is concentrating on steel imports.

We have authority to hire six additional professional employees, and we are negotiating with one. We expect to hire employees to help us in trade legislation and our various other responsibilities.

The members of the committee also felt that we should have six additional secretaries. That would be six professionals and six stenographers. The Senate agreed with us last year.

We have filled four of these six secretarial positions. We were authorized last year to hire six professional employees on a permanent basis and six stenographers on a temporary basis. We have hired four stenographers. They answer the telephone, take dictation, and type.

Senators may have noticed that the service of the committee is a lot better. When I became chairman of that committee, we had only two telephone lines available to the committee. That meant that, with a responsibility involving approximately $140 billion a year, sometimes Senators serving on it could not contact the committee at all.

Only one person was available to answer the telephone and that person had two telephone lines. We now have a few more people available; we also have more telephones, and it is possible to reach the committee and get some information to forward to our constitutents.

We are satisfied that we are performing a far better service in giving the Senators and the country the information that our constituents request. This information concerns the financial condition of the country, revenue bills, bills involving social security, veterans' legislation, unemployment insurance, public welfare, sugar, renegotiation, and matters of that sort.

We are merely asking today that the Senate continue the authority it gave the committee last year—the authority to hire six stenographers. That would be two stenographers in addition to the small number of employees we presently have. We have at present a total of 13 employees. That amounts to one employee for every $10 billion of responsibility that we have.

We believe that we will need two additional secretaries and we would like to continue the four that we presently have because they are needed. They are working full time, and they are very hard working employees who are doing good work for the Senate.

We do not see how we could get by without those four secretaries and we need an additional two.

Mr. LAUSCHE. Mr. President, I recognize the great difficulty in approaching these many resolutions with any degree of precision, but in my judgment there has been an annual increase in expense and personnel which in many cases follows the Parkinson law.

That condition is continuing. It is evident in the discussions we hear about what is happening in congressional committees that are under investigation.

We authorized last year six new, extra positions, I believe, for the Committee on Finance. That was done on a permanent basis. Those six permanent employees have been added to the committee staff.

We gave authority to hire four new employees on a temporary basis, and that temporary authority to hire clerical employees will come to an end unless authorization is granted.

The committee, however, wants six employees rather than four.

Conceding that we cannot approach this object with any degree of precision, I have heard the argument made that instead of imposing new taxes, we will cut expenditures. I am for that.

If we are going to cut expenditures, the place to start is in our own households, in the committees.

We cannot with any degree of justification proceed to curtail spending in the general areas of Government and indefinitely postpone looking with prudence at the expenditures of the various committees.

Mr. President, I move that the figure 6 contained in this resolution be reduced to 4. The committee will then be allowed to continue the four temporary employees it has. And I serve notice now that I contemplate proceeding on this course as we go on.

It is an insult to the Senator from Louisiana [Mr. ELLENDER] to have to make annually this most effective argument which shocks every person in the Senate except the Senators themselves. As the Senator from Louisiana pointed out how these expenses increase, one could sense the rebellion of the people in the gallery. Yet, when the Senator completes his argument, nothing is done about the matter. Voice votes are bad. No one is required to go on record concerning what is being done.

I venture to say that as time goes on, in the next 4 or 5 months, arguments will be made: Do not increase the taxes. Cut expenses. Well, if you are going to cut expenses, begin in the Senate committees. If you do that, you will be in a formidable position to go forward with the other matters that come before the Senate in which you propose a cut.

I was shocked in Ohio last Monday night. I posed the question: "As between cutting expenses, on the one hand, and imposing taxes, on the other, what do you want?"

And a shout came from the audience: "Cut the expenses."

Of course.

I submit my amendment, that the figure 6 be changed to 4, and I ask for a rollcall vote on the amendment.

Mr. DIRKSEN. Mr. President——

The PRESIDING OFFICER. First, the clerk will state the amendment.

The ASSISTANT LEGISLATIVE CLERK. On page 1, line 3, strike the word "six" and insert in lieu thereof the word "four."

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DIRKSEN. Mr. President, I rise in opposition to the amendment. Year after year, I have been listening to the argument about the subcommittee allowances, ever since I have been in the Senate, and I presume that it has gone on for the last 16 years; and we had some of it in the House of Representatives, as well.

It is easy to argue, of course, that if you wish to avoid an increase in taxes, cut expenses. But there are different ways of cutting expenses. There is such a thing as the meat-ax approach, which is more often than not so destructive that it accomplishes no good.

I remember one night meeting with all the heads of the various scientific bureaus in the Department of Agriculture, at a dinner at the old Cosmos Club. One of them said to me—it could have been the head of the Bureau of Animal Husbandry:

> Instead of having taken $100,000 of our money, why didn't you strike all of it? Because a lot of the rest of it is going to be wasted. You forget that these things are set up step by step; and so, if we have to eliminate quite a number of steps, we can't complete a scientific investigation in that field, and so we are going to waste your money.

I used to make a point to the Committee on Appropriations in the House of Representatives when we had this problem on the floor. I said:

> We will never go anywhere on expenses and curtailment of expenses until you vote this Committee on Appropriations a million dollars.

They thought I was ready for a place where they have people who suffer from aberrations. I thought that my distinguished friend and one-time Parliamentarian and chairman of the committee, Representative Clarence Cannon, of Missouri, was going to have a coronary on the floor. I said:

> I mean just what I say. Whenever you staff this committee and send them into the departments, get good staff men, and make every Cabinet Department and agency give the Committee on Appropriations a room where the staff man can summon everybody, from the head of the bureau on, up and down, and just say to him, "Now, look, you lay it on the line."

I did this with one subcommittee, and we created consternation in seven or eight bureaus of the Government and saved a pile of money in so doing.

So, Mr. President, it is not a question of how much money is involved. The question is whether the committee itself believes that it requires this amount in order to do the job. How do the members of the Committee on Rules and Administration know what we need on the Subcommittee on Antitrust and Monopoly Legislation of the Committee on the Judiciary, of which the distinguished Senator from Michigan [Mr. HART] is chairman? Well, he has a list as long as your arm, far larger than I would like to see. Quite often I never get to the committee, simply because of the workload and the fact that I only serve on approximately 20 committees and subcommittees. If that is not "ducky," I will eat it. How do you give time to 20 committees and subcommittees?

The committee cut appropriations for alien property, or trading with the enemy. The distinguished Senator is busy with patents and other things, and I had to prevail upon him to put this back. And so some of it was cut out. I wish it had been restored—and I will tell you why. We have now consolidated that work in a Foreign Claims Settlement Commission.

The PRESIDING OFFICER. The 5 minutes allotted to the Senator have expired, under rule VIII.

Mr. DIRKSEN. I ask unanimous consent that I may proceed for 5 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DIRKSEN. All these claims have been consolidated, and among them are claims under the Trading With the Enemy Act. When we sold General Aniline & Film and Ansco and the other properties, they dumped $450 million into that fund; and the amazing feature is that the findings of fact and law of that Commission, as I understand, are not even subject to court review.

Well, who is going to take a look, if Congress does not do it? Because Congress is the creator and they are the creatures. I believe that $62,000 is an awfully small amount to ask for the purpose of taking a look at a Commission that is invested with power over Mexican claims, territorial claims, war claims, international claims, and claims galore.

The trouble is that we have neglected the work—and I confess my neglect publicly, here and now—and I hope that we can do a little better by it. I thought we did a pretty fair job in setting this up.

Now we set up a new subcommittee, under Resolution 305, to deal with the separation of powers. I have been through the agony of the separation of powers time and time again, when an executive witness refused to testify and said, "I plead executive privilege," and he did so at the suggestion of the President of the United States. Then we fell back on some perhaps ancient heresy that went back to the days of George Washington.

Well, it is now time that we have a good, long, hard look at the matter. I cannot think of any Member of the Senate who is better equipped to do it, as chairman of that committee, than the distinguished former supreme court judge of his State, the Honorable SAM ERVIN.

He will do a good job and leave a record that is a credit to the Senate. It takes some money. I would rather hear it from him than I would from somebody who is not too familiar with that line of endeavor and what the objectives of the subcommittee are.

All I can say to my amenable, agreeable, and lovable friend from Louisiana and my stanch friend from Ohio—who likes to compare me with General Sowinski, whoever he is—is that I trust their efforts to cut these items will simply not prevail because I believe this money is necessary and, if anything, I think even more is necessary to properly do a job in a growing Government.

Mr. President, just think of the number of people on the payroll today. In a few years this country will have 200 million people. The activities grow. Congress has to grow apace in the sense that it must give more and more attention to these matters. That takes time and money, and it takes personnel.

So, Mr. President, I trust that none of these efforts to impeach the amounts we have brought here will prevail.

Mr. WILLIAMS of Delaware. Mr. President, I support the motion of the Senator from Ohio to roll this item back from six to four employees. I feel that we have to start somewhere if we are going to hold down the expenditures of this Government. If we are to expect the executive branch to cut down on expenditures we must set the example by holding the line on our own employment.

This measure would not reduce the number of employees that we have. I am proud to be a member of the Committee on Finance. I have served on that committee longer than any other member of the committee. I served on it under the chairmanship of the Senator from Colorado, Mr. Millikin, the Senator from Georgia, Mr. George, and the Senator from Virginia, Mr. Harry F. Byrd. These men were three of the ablest chairmen that we have ever had.

Mr. President, under the chairmanship of these men we operated that committee without the six additional professionals and without the six additional clericals that are here requested.

Even if we were to accept the amendment of the Senator from Ohio we would still have 10 staff members more than we had under the chairmanship of any of the other three Senators I have mentioned.

Mr. President, I speak as one member of the committee when I say that we have adequate staff. I respect the work that they are doing, but we do not need these extras who are now being asked for.

In addition to our own staff we have a Joint Committee on Internal Revenue Taxation, which gets about $400,000 and a staff of some of the best experts in taxation available. That staff was formerly under the direction of Mr. Stam, and it is now under the direction of Mr. Woodworth, another able man. We have access to all the information that we need.

Mr. President, I believe that we have to start somewhere in holding the line on governmental expenditures, and I am suggesting that we adopt the amendment of the Senator from Ohio as the first step.

I wish to point out that the series of resolutions on the calendar before us today calls for an additional $5,896,000 in the authorization for the next 12 months. In 11 months of last year we spent $4,523,000. That was at the rate of around $400,000 a month, which means that we spent last year around $5 million. These appropriations would increase last year's expenditures by around $900,000. That would be approximately 18 percent. Mr. President, where do we stop? If we are going to increase our payroll by 16 to 18 percent how can we ask the executive branch downtown to hold the line?

Mr. President, before we vote on the matter as to whether we have adequate, if not more than adequate, staff members, I ask Senators in the Chamber to look around the room, in the corridors, and in the hall. Senators can hardly get through the staff members who are here now.

Mr. LONG of Louisiana. Mr. President, the Committee on Finance has the responsibility for the income of the Government, which is about $120 billion a year. In addition to that it has the responsibility for certain parts of Government spending, such as social security and public welfare. The specific amounts involved are: Social security, $22 billion; public welfare, about $4 billion; veterans' benefits, about $4 billion a year; the Sugar Act, over $1 billion a year; and it has responsibility for reciprocal trade acts which runs a volume, in and out, of more than $50 billion.

Mr. President, this committee has the responsibility for roughly $200 billion of activity if trade responsibility is added to that of taxation and expenditures. When I became the chairman of the committee we had one professional person available to provide information for 17 Senators; only one professional person.

Mr. President, that person really was not a person with experience covering the entire field of internal revenue taxation, social security, veterans' benefits, or the other fields involved here.

We had no staff member with any expertise whatever in the field of social security. The ranking minority member, the distinguished Senator from Delaware [Mr. WILLIAMS] mentioned that the Joint Committee on Internal Revenue Taxation is available to us. For that matter, it could be said that the House Committee on Ways and Means might help us if we do not have anyone competent to do our job, which, incidentally, has happened from time to time because of lack of personnel on this committee.

We undertook to get people here to do a job. When I became chairman of the committee, we could not get a call through to find out if a bill was under consideration. There were only two telephones, and most of the time they were busy. We added four additional secretaries and we added four professional staff members.

Here is how a committee can save money. We added one person to study what was happening under the medicare bill which had just been authorized. That person pointed out that the Department was spending at least $75 million a year beyond what we had intended and beyond what they told us they were going to spend when we authorized the program. We had hearings on the subject and the Department modified their guidelines to save us about $10 million a year.

The administration studied suggestions made by the members of the Committee on Finance as a result of this staff study, and the President is now considering recommending changes along the lines which the staff suggested. Mr. President, that was one man, and if the changes are enacted, there will be an additional saving of $50 million for this investment. It may have saved $60 million, which is pretty good. That would be more than $2,000 saved for every dollar spent.

As I have said, people criticize this Congress. They ask why we do not think before we do some of these things. The reason is that we are so penny wise and pound foolish around this body sometimes that we will not employ a person competent to answer the first simple question. Senators are busy and they are pressed with responsibility and there is no one available to us to advise us what is happening.

If any corporation president tried to handle a $200 billion responsibility with only 14 employees I predict that any board of directors in America would fire him. They would say, "Your money is being wasted here; you wasted $60 million because you did not employ enough help to look after our business."

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that I may proceed for 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. Mr. President, any board of directors in America would say, "You wasted $60 million because you would not spend $20,000 to have someone tell you what you are trying to do." They would say, "You cannot do your business because you do not have enough people to even answer the telephone and you have a $200 billion responsibility." They would say, "You are fired."

People say that money is being recklessly spent. Those in charge did not even have someone to answer the telephone or someone who was an expert in a $200 billion spending field. They would be flabbergasted if someone said they saved $20,000 by denying themselves the competence to find out what was happening to $200 billion a year. They would think you belonged in an insane asylum.

I make no apology for the fact that we are seeking authorization for the hiring of two additional secretaries—someone to type and someone to answer the telephone. We need them. That is all we are talking about in this authorization, plus the secretaries we have hired already to answer the telephone, to type, and to keep the calendar for the committee.

Mr. RIBICOFF. Mr. President, I rise to oppose the amendment offered by the Senator from Ohio.

When I first came to the Senate after serving as a member of the President's Cabinet in the executive branch of the Government, I was shocked to find how little Congress really knew about the inner workings of the bureaucracy. I was shocked how subservient the legislative branch was to the executive branch. I am still shocked, as a U.S. Senator, at the unwillingness of Congress to regain its initiative in the legislative process.

We handle our Senate duties without the basic knowledge of the facts involving the legislation we pass, the implications of what we pass. We are scarcely able to evaluate the programs we adopt. Year in and year out we pass legislation in the Senate and the House of Representatives that goes down to the executive branch, and we do not have the slightest idea how that legislation is working. We vote billions of dollars in expenditures without knowing the results of those dollars—without really knowing how the programs work.

Congress should make its own independent assessments of what the Nation needs and come up with its own answers to meet those needs. If legislation is needed, Congress too has a responsibility to develop a bill.

As the distinguished chairman of the Finance Committee has pointed out, the Finance Committee has jurisdiction over the subject of medicare. Medicare involves some 20 million Americans. It is a new, landmark piece of legislation. There is no question in my mind that this legislation will require amendments; that it is full of potential "bugs."

As a former Secretary of Health, Education, and Welfare, I have great respect for that fine Department. But I do not want all the information or knowledge on the subject of medicare to come out of the Department of Health, Education, and Welfare. I want the staff on the Finance Committee to be able to make its independent examination, exercise independent judgment. They would then report back to the Finance Committee and the committee would recommend to the Senate any corrections, additions, or amendments which might be needed in the field of medicare.

Another important matter to come before the Finance Committee is the subject of welfare—a problem which concerns us all. Seven and one-half million Americans are on the welfare rolls. The States, the cities, and the National Government spend some $6 billion a year for welfare. The welfare laws of 1962 run out this year. Therefore, Congress will have to pass a new welfare law.

How are we going to get our information concerning welfare? Are we going to get it completely from the Department of Health, Education, and Welfare, or are we going to have some independent judgment?

I want the distinguished chairman of the Finance Committee to be able to come to his own independent conclusions. I do not want the Finance Committee to be subject just to the information and the knowledge that comes out of the Department of Health, Education, and Welfare—no matter how knowledgeable the Department may be.

Mr. President, the time has come when the legislative branch must assert its legislative function—that is, to legislate.

The legislative branch cannot legislate out of ignorance. The legislative branch can legislate only if it can make its own independent judgments and not be subject completely to the executive branch.

If we adopt the philosophy being broached today—if, for example, we adopt this amendment—we will find our hands tied. And we will have no one to blame but ourselves.

When people say to me, "Why has Congress reached such a low estate?" I say that Congress has reached its low estate because it has abdicated its responsibilities to the executive branch of the Government.

The executive branch sends up its messages. It sends up its bills. Congress then holds hearings on the bills. While legislation may be modified, it is seldom initiated. Congress remains fearful of making its own independent judgments in order to pass independent legislation.

Why? Because we do not have the staffs and the experts. We take all our information before the act and after the act from the executive branch of the Government.

This is all wrong. Making laws—not just scrutinizing them—is the responsibility of Congress. That job requires initiation, not just simply passive reaction to executive branch requests. Yet Congress has surrendered the responsibility—to the extent that the press now keeps "box scores" on the President's success in getting bills through Congress.

It is not the President who is at fault. His constitutional mandate is one of leadership—in the Nation and in the entire world. It is part of his responsibility under that mandate to give Congress his recommendations for legislation. And certainly the Congress has a responsibility to act as a partner with the President—approving those recommendations on which there is agreement on need and approach.

I am not quarreling with the way the President has discharged his responsibilities. My point is that Congress has failed to discharge its own.

I think there are two sides of the road called Pennsylvania Avenue, one going to the White House and one coming to Capitol Hill.

The time has come for Congress to actually legislate, not out of ignorance, but out of knowledge.

Mr. President, I hope that the amendment of the Senator from Ohio will be defeated.

Mr. LAUSCHE. Mr. President, there is great strength in the argument which has just been made by the Senator from Connecticut, except he has not covered what are the sources of aid which the Finance Committee has available to it.

The PRESIDING OFFICER. The Chair would advise the Senator from Ohio that he has already spoken once and, therefore, under the rule, he needs unanimous consent to proceed again.

Mr. LAUSCHE. Mr. President, I ask unanimous consent that I may proceed for 5 minutes.

Mr. SYMINGTON. Mr. President, reserving the right to object—and I shall not object—there are some of us who have waited in the Chamber this afternoon to speak and are rather anxious to get away. Is there to be a rollcall on this vote?

Mr. LAUSCHE. Yes.

Mr. SYMINGTON. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. McCLELLAN. What is the rule under which we are operating.

Mr. ELLENDER. The calendar call.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Ohio? The Chair hears none, and it is so ordered.

Mr. LAUSCHE. The question is whether the Finance Committee has any other services available to it except the meager number of employees which, it alleges, are now under its direct control.

The Senator from Louisiana [Mr. ELLENDER] has pointed out that in 1946 there was established the Legislative Reference Service intended to provide statistics and information to the committees. This Legislative Reference Service has 304 workers and is given $3,428,000 a year to run the office. The Legislative Reference Service is available to every committee in the Senate.

In addition to that, are there other services available?

The Senator from Louisiana [Mr. ELLENDER] pointed out that to relieve the work of the Finance Committee, there was created the Joint Committee on Internal Revenue Taxation which has 33 employees and is given $416,400 a year to run the office.

I recognize that the argument can be made we are fighting about two employees; but, let me say to the Senator from Connecticut, that is not the issue. The issue is whether we are going to begin a principle which will eliminate the constant accretion of employees annually in Congress.

If Congress is in scandalous repute, that scandalous repute comes from the fact that it spends money wholly unmindful of the great burden it is imposing upon the taxpayers of the United States.

We cannot read the newspapers, and we certainly could not have been listening to the description of the Senator from Louisiana [Mr. ELLENDER] of how we are multiplying the number of employees in the Federal Government, and constantly raising their salaries, without coming to the conclusion that Congress is indifferent to the pain and the anguish of the American taxpayer when he goes to the Internal Revenue window to pay his taxes.

Mr. President, I refuse to be dismayed and broken down by the argument that only two employees are involved. I am not responsible that out of the sheath of resolutions, the first one to be called up involved only six employees. But, there is a principle involved here, and that is the only reason I have made the motion that I have.

Mr. LONG of Louisiana. Mr. President, will the Senator from Ohio yield?

Mr. LAUSCHE. Just one moment—I am not through.

I will be challenged, I know, in my State, on the very grave question which will be asked of me, "Will you vote for taxes?" and I will be told, "You voted for increased expenditures." Well, I am going to be in a position to be able to say that I have started pruning expenditures at my own desk. I was Governor of Ohio for 10 years, and I think I know something about how departments are run.

The PRESIDING OFFICER. The Senator's 5 minutes haxe expired.

Mr. RIBICOFF. Mr. President, may I reply?

The PRESIDING OFFICER. The Senator from Connecticut has spoken once. He will have to ask unanimous consent to speak again.

Mr. RIBICOFF. I ask unanimous consent to speak for 3 minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. RIBICOFF. Mr. President, when I left as Secretary of the Department of Health, Education, and Welfare, if my memory serves me correctly, we had some 77,000 employees. Today, 5 years later, there are nearly 100,000 employees, about 23,000 additional people. These employees are in the Department because the Congress of the United States, including the Senate, has passed additional programs.

I point out to my colleagues in the Senate that the Finance Committee, to a great extent, is responsible for those new programs administered by those 23,000 new employees. The programs involve additional billions of dollars. The Finance Committee has a grave responsibility to the Senate to determine whether these programs are working and if additional expenditures should be made.

And it is not merely the Finance Committee which is at issue. The Members of the Senate, in the last analysis, must rely upon the Finance Committee of the Senate. If in the last 5 years we have voted to provide 23,000 additional employees for the Department of Health, Education, and Welfare, then for the life of me I cannot understand our unwillingness to provide the Finance Committee two additional employees, in an effort to try to develop for 100 Members of this body what the additional 23,000 employees are doing with the additional $7 billion they are expending of the taxpayers money. All of us want to make sure we are getting a dollar's worth for every dollar spent. There is no other way to do it than by having adequate knowledge—and adequate knowledge comes from an adequate staff.

I think it would be shortsighted to deny this request. Not only the Finance Committee needs the information—all the Members of the Senate have a right to be informed.

Mr. LONG of Louisiana. Mr. President, I ask for 2 minutes.

The PRESIDING OFFICER. Without objection, the Senator is recognized.

Mr. LONG of Louisiana. Mr. President, I believe every Member of the Senate knows, as I am sure the Senator from Ohio knows, that the Legislative Reference Service is no substitute for a Senate committee staff. It is no substitute for it, because the Legislative Reference Service has to serve 435 Members of the House of Representatives, plus 100 Members of the Senate. The Legislative Reference Service has only three employees for every five Members of Congress. It is a very hardworking group and it tries to get the information it is asked for. If a constituent writes in to a Member of Congress asking for certain information, that Member of Congress will try to obtain it through that Service. However, the Legislative Reference Service is no substitute for the expertise that a committee must have.

We should not be asked to call upon the Legislative Reference Service to do the work that we are called upon to do. We should not have to ask the executive department to do the job that is ours to do. We should not have to call on the House to do work that we are expected to do. We ought to be competent to do our own work. I think the Senate ought to see to it that we are able to do the job that our responsibility calls upon us to do.

What are we arguing about? We are talking about the cost of paying two stenographers. I venture to state that the time consumed and the cost involved in the Senate's discussion over this matter will exceed the cost of paying for that personnel.

I hope the Senate will provide the employees that the committee needs to help do its job.

Mr. WILLIAMS of Delaware. Mr. President, I ask to be recognized for 1 minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WILLIAMS of Delaware. Mr. President, I respect the views of the chairman of the Finance Committee with respect to our responsibilities. I have been a member of this committee for over 16 years, and we handled those same responsibilities with far less staff than we now have. But we are not dealing with only one or two employees in this amendment and not with just one resolution, but a package which when added together adds $900,000 to the Senate payroll. These resolutions when added together provide $895,000 over last year, or an increase of about 18 percent. That is what we are voting on.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Ohio. The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from Indiana [Mr. BAYH], the Senator from Nevada [Mr. BIBLE], the Senator from Maryland [Mr. BREWSTER], the Senator from Idaho [Mr. CHURCH], the Senator from Pennsylvania [Mr. CLARK], the Senator from Alaska [Mr. GRUENING], the Senator from Hawaii [Mr. INOUYE], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Montana [Mr. MANSFIELD], and the Senator from Florida [Mr. SMATHERS] are absent on official business.

I also announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Nevada [Mr. CANNON], the Senator from North Carolina [Mr. JORDAN], the Senator from Tennessee [Mr. GORE], the Senator from North Carolina [Mr. ERVIN], the Senator from New York [Mr. KENNEDY], the Senator from Minnesota [Mr. MONDALE], the Senator from Oregon [Mr. MORSE], the Senator from Utah [Mr. MOSS], the Senator from Wisconsin [Mr. NELSON], the Senator from Rhode Island [Mr. PELL], and the Senator from Georgia [Mr. TALMADGE] are necessarily absent.

I further announce that, if present and voting, the Senator from North Carolina [Mr. JORDAN], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Oregon [Mr. MORSE], the Senator from Wisconsin [Mr. NELSON], the Senator from Florida [Mr. SMATHERS], the Senator from New York [Mr. KENNEDY], and the Senator from Nevada [Mr. CANNON] would each vote "nay."

Mr. DIRKSEN. I announce that the Senators from Vermont [Mr. AIKEN and Mr. PROUTY], the Senator from Tennesee [Mr. BAKER], the Senator from Massachusetts [Mr. BROOKE], the Senator from Kentucky [Mr. COOPER], the Senator from Colorado [Mr. DOMINICK], the Senator from Arizona [Mr. FANNIN], the Senator from Hawaii [Mr. FONG], the Senator from New York [Mr. JAVITS], and the Senator from California [Mr. KUCHEL] are necessarily absent.

The Senator from Michigan [Mr. GRIFFIN], the Senator from Iowa [Mr. HICKENLOOPER], the Senator from Nebraska [Mr. HRUSKA], and the Senator from Kansas [Mr. PEARSON] are absent on official business.

If present and voting, the Senator from Tennessee [Mr. BAKER], the Senator from Massachusetts [Mr. BROOKE], the Senator from Colorado [Mr. DOMINICK], the Senator from California [Mr. KUCHEL], the Senator from Arizona [Mr.

FANNIN], and the Senator from Kansas [Mr. PEARSON] would each vote "nay."

The result was announced—yeas 11, nays 53, as follows:

[No. 30 Leg.]

YEAS—11

Bennett
Curtis
Ellender
Hansen
Hatfield
Jordan, Idaho
Lausche
Mundt
Percy
Williams, Del.
Young, Ohio

NAYS—53

Allott
Bartlett
Boggs
Burdick
Byrd, Va.
Byrd, W. Va.
Carlson
Case
Cotton
Dirksen
Dodd
Eastland
Fulbright
Harris
Hart
Hartke
Hayden
Hill
Holland
Hollings
Jackson
Long, Mo.
Long, La.
Magnuson
McCarthy
McClellan
McGee
McGovern
McIntyre
Metcalf
Miller
Monroney
Montoya
Morton
Murphy
Muskie
Pastore
Proxmire
Randolph
Ribicoff
Russell
Scott
Smith
Sparkman
Spong
Stennis
Symington
Thurmond
Tower
Tydings
Williams, N.J.
Yarborough
Young, N. Dak.

NOT VOTING—36

Aiken
Anderson
Baker
Bayh
Bible
Brewster
Brooke
Cannon
Church
Clark
Cooper
Dominick
Ervin
Fannin
Fong
Gore
Griffin
Gruening
Hickenlooper
Hruska
Inouye
Javits
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Mansfield
Mondale
Morse
Moss
Nelson
Pearson
Pell
Prouty
Smathers
Talmadge

So Mr. LAUSCHE's amendment was rejected.

The **PRESIDING OFFICER**. If there be no further amendment to be proposed, the question is on agreeing to the resolution.

The resolution (S. Res. 21) was agreed to, as follows:

S. RES. 21

Resolved, That the Committee on Finance is authorized from February 1, 1967, through January 31, 1968, to employ six additional clerical assistants, to be paid from the contingent fund of the Senate at rates of compensation to be fixed by the chairman in accordance with the provisions of Public Law 4, Eightieth Congress, approved February 19, 1947, as amended.

FEDERAL CHARTERS, HOLIDAYS, AND CELEBRATIONS

The Senate proceeded to consider the resolution (S. Res. 27) to consider matters pertaining to Federal charters, holidays, and celebrations.

Mr. ELLENDER. Mr. President, may we have order?

The **PRESIDING OFFICER** (Mr. YOUNG of Ohio in the chair). The Senate will be in order. Talking in the rear of the Chamber will cease.

The Senator from Louisiana is recognized.

Mr. ELLENDER. Mr. President, the Committee on the Judiciary has 198 employees. The pending resolution would provide $7,500 for one of those employees.

As I suggested during the course of my presentation earlier this afternoon, it would seem to me that the Committee on the Judiciary could well consolidate some of its subcommittees. As I recall, that committee has 16 subcommittees, almost one for each member of the committee.

I cannot for the life of me understand why legislation pertaining to Federal charters, holidays and celebrations could not be handled by the full Committee on the Judiciary.

Under the Reorganization Act of 1946, the Committee on the Judiciary has four professional and six clerical employees. The Senate provided for two additional professional employees—which are not considered in these resolutions—and three clerical employees.

It would seem to me that the Senate could save at least that $7,500 and let the regular committee do this work.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. LAUSCHE. Mr. President, how much money is allocated to the Committee on the Judiciary for its total operations?

Mr. ELLENDER. Under the resolutions it is $2,566,897.81. The committee has, in addition, an appropriation of $179,506 as a standing committee. That is a total of approximately $2,750,000. It has, in addition, a $10,000 allowance for hearings.

Mr. LAUSCHE. Does the committee have 106 professional employees?

Mr. ELLENDER. The committee has 106 professional employees and 92 clerical employees.

Mr. LAUSCHE. In addition to that number of employees, it has available to it the advice of the Legislative Counsel of Congress which has 304 employees and is operating at a cost of $3,428,000 a year.

Mr. ELLENDER. The Senator is correct.

Mr. LAUSCHE. It is the position of the Senator from Louisiana that the Committee on the Judiciary—which has one subcommittee for each member of the full committee and 106 professional and 92 clerical employees—could well consolidate some of the work and take care of this small, new assignment that has come to it.

Mr. ELLENDER. That is my belief.

Mr. LAUSCHE. I wonder how the Senator from Illinois will reconcile his failure to cut expenses at this time and urge the cutting of expenses on the major items that will later come before the Senate.

Mr. DIRKSEN. Oh, if the Senator will stick around, he will find out.

Mr. LAUSCHE. I will be interested in finding out.

Mr. DIRKSEN. Mr. President, I rise in vehement opposition to the proposal to do violence to this little subcommittee.

This is the smallest subcommittee of the Committee on the Judiciary. It consists of only two people—the minority leader and the distinguished Senator from Arkansas [Mr. MCCLELLAN].

Mr. President, in the first place, I am against disposing of this subcommittee, and the most important reason that I can assign is that I am the chairman. I want no legislative throatcutting here.

I think I am the only Republican chairman in the 90th Congress. That was also true in the 88th and 89th Congresses.

I have been the chairman or a member of this subcommittee for so long that the memory of man runneth not to the contrary.

You are not going to do this to me, are you, and destroy my one and only chairmanship? Why, that is discrimination.

Mr. ELLENDER. I thought the Senator was complaining about all the work he had to do on these committees. I was trying to relieve him of one of them.

Mr. DIRKSEN. But I work efficiently. That is why we have only one clerk on this subcommittee.

But the first point I made is that I do not want to lose my chairmanship. I have labored fervently and earnestly for this for a long, long time.

I want the Senate to know that this subcommittee deals with holidays and with charters and with celebrations; and if you can think of anything more important in the American calendar than that, then I give up. So do not decimate this little subcommittee, because with it you destroy the chairman, and at this moment I am in no mood to be destroyed. [Laughter.]

The second reason, Mr. President, is that I am a stickler for tradition. Tradition is that whole bundle of adventures and incidents and things of importance, and achievements and accomplishments, that are rolled up in one, to reflect the glory and the majesty of this great Republic. And I come to this honestly, because I inherited this subcommittee.

I have to let the Senate in on a little secret. Once upon a time there was a distinguished Member of this body by the name of William Langer, from North Dakota, and at the time he was ranking Republican member on the Committee on the Judiciary. The distinguished chairman was the Honorable Pat McCarran, of Nevada. I recall the day when Senator Langer went to Senator McCarran and said:

> There is no justice. There ought to be at least one Republican chairman of one subcommittee on Judiciary.

And Senator McCarran, with all the grace and all the generosity in his soul, said:

> You are on and you are it. You name the subcommittee that you want.

And Senator Langer said:

> I'll take Charters, Holidays, and Celebrations.

That is how that subcommittee came into being. It was an absolute, unadulterated, unmitigated, unrefined, unconfined deal. But I did not make the deal. I am only the inheritor of the deal. And I do not want my inheritance destroyed, since I came by it very honestly.

So, you see, this is in the great tradition.

The third reason I assign is that I think this is probably the most important subcommittee in the Senate of the United States. Just think of the question of charters that we have to pass on. The Catholic War Veterans want a Federal charter. We have to do any number of days of work on it. Then we have to fight with the House, because we have no comity with them with respect to how we ought to approach it. The Jewish

War Veterans want a charter, so we have to give time to that, and a lot of study to find out whether they are going to use the charter for purposes other than those so carefully recited in the charter itself. The Veterans of the Merchant Marine want a charter; so that comes to this subcommittee.

I guess if the DAR had not been established before, they probably would come to my subcommittee for a Federal charter. And, who knows, in due course there may be organizations like the Sons of Rest or the Association of Indigent Senators, or what have you, and maybe they want a Federal charter, and if they do, they march up to my subcommittee door and they get good attention. So, you see, this is an important subcommittee, because it involves a lot of people.

Then there is this question of celebrations. If somebody wants to observe the 100th anniversary of the battle of the Frigate *Constellation*, where do they come? Why, they come over to my office. And I say to them, "Tell me about the *Constellation*." Then they unfurl their story. And what happens? Why, they burden me with work, Mr. President. I have to go back to the history books, and I do not have that much time. I have to read up and find out about the *Constellation* and see whether or not this is justified.

The PRESIDING OFFICER. The Chair is distressed to state that the 5 minutes allotted to the Senator have elapsed.

Mr. DIRKSEN. I ask unanimous consent that I may proceed for 5 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DIRKSEN. If they want to observe the Battle of Lake Erie, here I am. I have to go out and look at that picture hanging on the wall. Then I have to get the history book, to find out about the Battle of Lake Erie, and to see whether the request is justified.

If somebody comes along and wants to commemorate the fact that once upon a time there was an Indian battle at a little placed called Marked Tree, Ark.—and there is such a town as Marked Tree, Ark.——

Mr. McCLELLAN. It is a fine place in Arkansas.

Mr. DIRKSEN. It certainly is. I have looked it up. So when a bill is introduced, I have to find out about Marked Tree, Ark.

Somebody comes along because maybe a couple of Indians slit a couple of throats out at Wagon Box, Ariz., and I have to find out about Wagon Box, Ariz., and see whether or not it is worthy of a celebration.

Just think of the work this subcommittee does. Two men—myself and the distinguished Senator from Arkansas—and one clerk, the most overburdened clerk in the Senate, spent 24 hours a day looking after this subcommittee.

Then, of course, there is the question of holidays. Why, my distinguished friend, the Senator from Indiana, rushed across the Chamber yesterday because I would not let him put a bill at the desk for cosponsors. I will tell you right now that I meant business yesterday. There are going to be no more bills at the desk for cosponsors, if I am around, because we are going to shut off this dual sponsorship thing, if I can ever bring it about. But that is neither here nor there, so far as holidays are concerned.

But here, of all things, the Senator from Indiana, comes with a resolution for the observance of the anniversary of the birth of Abraham Lincoln. Think how that devastates me. Why, Lincoln used to practice law in my hometown, and I am one of his devotees.

The Senator from Indiana said:

> You aren't going to do this to me, are you?

I said:

> VANCE, you break my heart. I can hardly talk.

But I have to do it. Because, as my friend, the Senator from Ohio, said, there is a principle involved. You see, that is important. So I say I am sorry.

But now that resolution comes to my subcommittee. What shall I do about it? He would make it a national holiday.

Has it occurred to you that when you make it a national holiday, it becomes a legal holiday? And has it occurred to you that when it is a legal holiday, there is time and a half for overtime, from the Atlantic seaboard to those shores that are washed by the quiet Pacific, and from the Dominion line to the sun-drenched line that separates us from Mexico? Just think of the people who are involved in time and a half—all because of one little word.

You see how alert this subcommittee has to be. We have to be better than the CIA and the FBI rolled into one.

We have not only celebrations and charters, but also holidays. They drop a resolution in the hopper to observe the first week in September as Be Kind to Dogs Week. Well, it presumes that somebody is cruel to dogs. But how do we know, unless we make an investigation? I may have to send a man out to Chicago when they have a dog show, or send him out to the California coast to get a line on whether they are cruel to dogs, before we justify a Be Kind to Dogs Week.

I think, Mr. President, that we have nearly every week in the year calendared and nearly all of the days calendared, but we still have a few days left, and there is going to be work for this subcommittee. So, do not destroy this little subcommittee of two men and do not destroy this responsibility of the chairman of this little subcommittee.

The people who make a beeline to my door with resolutions in their hands fairly break down the door. They say, "We have to have a bill here out of your committee for a celebration, for a holiday, for a charter." That little subcommittee keeps me so busy, sometimes I think I do not have adequate time to fully discharge the responsibilities of the minority leadership.

But, Mr. President, I will suffer in silence and I will accept this encumberance upon my time and I will do it according to that old poem which goes:

> Woodsman spare that tree!
> Touch not a single bow!
> In youth it sheltered me,
> And I'll protect it now.

So, I stand here today to protect this little subcommittee, and lay no profane hand on it because it will be a charge on your conscience.

I hope the amendment or the motion will be defeated.

The PRESIDING OFFICER. The question is on the adoption of the resolution. [Putting the question.]

The "nays" appear to have it. The "nays" have it.

Mr. DIRKSEN. Mr. President, I move to reconsider.

Mr. HOLLAND. Mr. President, a parliamentary inquiry.

Mr. DIRKSEN. Mr. President, I move to reconsider.

Mr. HOLLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The question is on the adoption of the motion to reconsider. Without objection the motion is agreed to.

Mr. LAUSCHE. Mr. President, what was the last vote? The resolution lost.

The PRESIDING OFFICER. The question before the Senate is now on the adoption of the resolution.

Mr. LAUSCHE. Mr. President, my inquiry is: What was the result of the last vote? Was the resolution approved after the argument of the Senator from Illinois, or rejected?

Mr. DIRKSEN. There was a misapprehension as to what the Senate was voting on.

Mr. ELLENDER. Maybe the Senator from Illinois talked too long.

The PRESIDING OFFICER. The question is on the adoption of the resolution. [Putting the question.]

The resolution was agreed to, as follows:

S. RES. 27

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate to consider all matters pertaining to Federal charters, holidays, and celebrations.

SEC. 2. For the purposes of this resolution, the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants; and (3) with the prior consent of the heads of the departments or agencies concerned and the Committee on Rules and Administration to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. Expenses of the committee, under this resolution, which shall not exceed $7,500, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INVESTIGATION OF CRIMINAL LAWS AND PROCEDURES

The resolution (S. Res. 31) to investigate criminal laws and procedures was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

The PRESIDING OFFICER. The Senate will be in order. The Senator from Louisiana [Mr. ELLENDER] is recognized.

Mr. ELLENDER. Mr. President, this is another resolution coming from the Committee on the Judiciary.

The PRESIDING OFFICER. Will the hard-working attachés who are in the rear of the Chamber either be silent or return to their duties in the Committee on the Judiciary.

Mr. ELLENDER. Mr. President, I would like to know what this committee has accomplished in the last 12 months.

Mr. LAUSCHE. Will somebody explain the resolution first?

Mr. ELLENDER. It is on criminal laws and procedures.

Mr. McCLELLAN. Mr. President, has the resolution been reported?

The PRESIDING OFFICER. The resolution has been reported.

Mr. ELLENDER. Mr. President, there is one question that I would like to ask the chairman.

Mr. McCLELLAN. Mr. President, do I have the floor?

Mr. ELLENDER. Mr. President, I have the floor.

The PRESIDING OFFICER. The Senator from Louisiana has the floor.

Mr. McCLELLAN. I am sorry. I did not mean to interrupt.

Mr. ELLENDER. Mr. President, there is one question I wish to ask. I notice that there are seven employees on this committee and that there were 5 days of hearings.

Mr. McCLELLAN. I do not think it is seven.

Mr. ELLENDER. The number of full-time employees is seven, according to my information.

Mr. McCLELLAN. That is what we are asking for, I believe. I would be glad to give a statement about this matter, if the Senator wishes.

Mr. ELLENDER. According to the information I have obtained, during 1966, $60,847 was spent, and there was a hearing that took 5 days. Were there any hearings other than that, and what did the committee accomplish?

Mr. McCLELLAN. Mr. President, the Subcommittee on Criminal Laws and Procedures has been in existence since October 1, 1965, with an initial authorization of $30,000. However, it was not until January 1966, that a staff was organized and the groundwork laid for studies and hearings on proposals before the subcommittee. Therefore, $29,000-plus out of that $30,000 was returned. It was not expended.

On February 17, 1966, the Senate agreed to a resolution authorizing the committee to spend $120,000 to finance the work of the subcommittee until January 31, 1967.

Since the subcommittee was not completely staffed during the budget period, and certain of our studies and hearings had to be postponed, we were able to return an unexpended balance of approximately $45,000. It is my present opinion that the same authorization of $120,000 will be adequate to carry on this vital work until January 31, 1968.

Answering the question as to what was accomplished, five bills relating to crime were reported by the subcommittee. Three of those bills became law. The other two bills were passed by the Senate but died in the House of Representatives. When the 89th Congress expired last year there were 17 bills pending before the subcommittee that had not been processed, many of which will be reintroduced in this session.

As of now, eight bills that have been introduced at this session have already been referred to this subcommittee, including five that I have introduced. Some of them were introduced to carry out the program which the President submitted by message a few days ago, together with a package bill to carry out the program recommended by the President's Crime Commission and also recommended by the President. I should add that some 10 other bills relating to criminal laws are now pending before the Committee on the Judiciary, and I anticipate that they will be referred to this subcommittee.

It is also anticipated that we will have under consideration numerous measures, many of which have not yet been introduced, in the area of criminal laws and procedures. They will require examination and investigation during the coming months.

I have already introduced nine bills dealing with this subject, and other Senators also have indicated their intention and purpose to introduce bills.

I mentioned that the President's package bill dealing with crime on the streets proposes to expend $350 million. It proposes various kinds of aid to States, municipalities, and local crime organizations in the fight against crime.

The PRESIDING OFFICER. The Senator's 5 minutes have expired.

Mr. McCLELLAN. Mr. President, I ask unanimous consent that I may proceed for another 5 minutes, in order to finish my statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCLELLAN. The problem of serious crime in this country and the fact that crime is constantly increasing are so well known that I shall not elaborate upon them at length. But in his recent state of the Union message and in his more recent crime message, the President called for congressional action and has proposed to Congress legislation to establish grant programs and to assist, as I have just stated, State and local governments in improving their programs of law enforcement.

This emphasis by the President on the need for legislation in this area will undoubtedly contribute to the increased workload anticipated by the subcommittee. These crime bills sound quite simple, but they and the remedies being proposed for the crime condition are not simple; they are somewhat complicated and involve many constitutional questions.

They are quite controversial. If we are ever to wage a war against crime and make an intelligent effort to deal with one of the greatest menaces to our internal security, it is going to take the work of some committee. I suggest that it will be this subcommittee, because that is what it was established for—that is, to hold hearings and get the opinions of members of the judiciary, the police, the prosecuting forces in this country and all other interested parties—and of course most of the people of this country are interested in this vital issue—and try to recommend legislation which, if enacted into law, will have an impact on this menace which is critical to law and order in our Nation.

Mr. President, I should now like to take time to read into the RECORD an editorial which was published today in the Washington Evening Star, entitled "Crime in the Future."

> Herbert J. Miller Jr. who is qualified to speak with some authority on the subject, says that as far as crime is concerned the city of Washington hasn't seen anything yet.
>
> Miller is a former assistant Attorney General and he was in charge of the study recently made by the President's District Crime Commission. Speaking to the Citizens Association of Georgetown a few nights ago, he said: "Crime here is bad, grave, serious, and it's getting worse every year. You think it's bad now? Just wait five years."
>
> What he had in mind was the dismayingly high incidence of crimes committed by teenagers and, if the trend continues, what is to be expected from them and their successors as time goes by. It is a point which has more validity than a good many people like to believe.
>
> Miller was also talking, however, about the need for a comprehensive approach to a solution of the crime problem—the need for better handling, not only of juveniles, but for improvement in the operation of the police department, the courts and the prison and probation systems. The study of his crime commission, he said, "showed that all of these steps need reform and so long as any part of the legal system is not operating well the whole system suffers."
>
> This is an observation which has an important bearing on what, if anything, Congress does this year to strengthen law enforcement. The proposals which the President has submitted, calling for an expenditure of some $350 million, come down heavily on the side of preventing crime by removing conditions in which crime breeds and in rehabilitating criminals. The need for this is not open to argument. But there is another facet—the need for more effective measures to discourage crime by facilitating the arrest, conviction and punishment of criminals.
>
> The President's recommendations do not get into these areas to any large extent. Perhaps he doesn't believe they constitute an important part of the answer. His veto of last year's District crime bill and his call for a ban on all wiretapping and "bugging" except in national security cases suggests as much.
>
> There is strong sentiment in Congress, however, for legislation which will serve both ends—punishment as well as prevention and rehabilitation. We think all three are needed.
>
> The danger is that the legislators may get so bogged down in conflicting points of view that nothing will emerge from the legislative mill, or that any bill which finally is enacted will be hopelessly ineffective or vetoed.
>
> If any one of these things happens, the Miller warning will be pertinent: "Just wait five years"—not only in Washington, but in scores of other cities around the country.

Mr. President, for years I have been trying to emphasize the seriousness of this problem and have introduced measures from time to time to alleviate it. We have made slight progress. This year, I hope that this subcommittee and Congress will give unusually dedicated attention to the problem and undertake to enact legislation which will reach every area in this country with reforms and efforts to make improvements all the way from the humblest citizen in this land up to the Supreme Court. And there we need some reforms, too.

I am disappointed, and I say it without equivocation or reservation, that when we labor here and enact a law that we hope will do something toward reducing crime in the District of Columbia, about which I have been speaking, and about which the editorial I have just read was written primarily, we find that after such an effort, the bill is vetoed.

I hope that this year we can pass legislation which will be effective and will not meet that fate. I hope that we can do that.

The PRESIDING OFFICER. The Senator from Ohio [Mr. LAUSCHE] is recognized.

Mr. LAUSCHE. I should like to ask the Senator from Louisiana a few questions, if I may.

How many subcommittees are there?

The PRESIDING OFFICER. There will be order in the Chamber. The attachés standing in back of the Chamber, must remain silent or leave the Chamber. There will be order in the Chamber.

The Senator from Ohio.

Mr. LAUSCHE. How many subcommittees are there in the Judiciary Committee?

Mr. ELLENDER. Sixteen.

Mr. LAUSCHE. How many members are on the committee——

Mr. ELLENDER. Seventeen.

Mr. EASTLAND. The Senator from Louisiana is answering the questions.

Mr. LAUSCHE. I will ask the Senator from Mississippi how many.

Mr. EASTLAND. Seventeen.

Mr. ELLENDER. That is what I thought.

Mr. LAUSCHE. There are 16 subcommittees for 17 members. Does each member of the committee chair a separate subcommittee, or does one member chair more than one subcommittee?

Mr. ELLENDER. I could not answer that question.

Mr. LAUSCHE. I notice that there is a Subcommittee on Internal Security, a Subcommittee on Refugees and Escapees, and a Subcommittee on Trading With the Enemy Act. It looks to me as though the functions of those three subcommittees, by their identification, in some degree duplicate investigating problems challenging the security of the United States. Has the Senator given any thought to that?

Mr. ELLENDER. That is what I meant when I said the work of these committees could be consolidated. For example, there is a Subcommittee on Constitutional Amendments, a Subcommittee on Constitutional Rights, a Subcommittee on Constitutional Separation of Powers. It strikes me that, instead of having three separate subcommittees, one subcommittee could handle those subjects.

Mr. LAUSCHE. What is the total appropriation to the Judiciary Committee?

Mr. ELLENDER. I gave it to the Senator previously; $2,566,897.81, plus $10,000 for hearings, plus the regular appropriation made for each standing committee of $179,506.

In addition to that, the committee has two extra professionals and three clericals. They are not on a temporary, but a permanent basis, $75,891.89.

Mr. LAUSCHE. The measure before us is Resolution 31, dealing with criminal laws and procedures.

Mr. ELLENDER. Yes.

Mr. LAUSCHE. I think it must be conceded that that committee will have much work this year.

Mr. ELLENDER. I do not question that at all. What I was trying to ascertain was that the committee did during 1966. It spent $60,847.02 and held hearings for 5 days. I was wondering what was done. That was the purpose of my question. Of course, the Senator from Arkansas proceeded to answer the question very thoroughly and went far beyond the question I asked him.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. McCLELLAN. I felt that this was a new subcommittee and there should be an explanation in the RECORD explaining the work it contemplates.

Mr. ELLENDER. I am not questioning that.

Mr. McCLELLAN. Very well.

Mr. LAUSCHE. The Senator from Arkansas does not mean to convey to the Senate that by the end of this next year the burden of work dealing with criminal conduct will come to an end?

Mr. McCLELLAN. No; I certainly am not that optimistic. I think it is going to take many years. But we are considering only the financing of this work for 1 year.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. LAUSCHE. Mr. President, I ask unanimous consent to have 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUSCHE. Mr. President, in my opinion, this is one of the gravest problems confronting the people of our country. The Senator from Arkansas read an editorial, and in it it was stated that there are three phases that have to be approached: First, apprehension; second, punishment; third, rehabilitation after punishment.

In my judgment, where there has been lack is in the decisions of the courts which have thrown a cloak around the guilty and removed the barrier of protection from the innocent.

I wish to ask the Senator from Arkansas what is his interpretation of what is the main problem.

Mr. McCLELLAN. There are many main problems but, in my judgment, there is none that is more serious or that has had more impact upon the incidence of crime than a feeling throughout the country—and I do not think there is any doubt about this—that criminals can get by without punishment. Many of them do. I am referring to those who are guilty, who are confessed criminals. Apparently it is no longer a question of determining guilt or innocence, but a search to find whether there is some dubious technicality that gives an excuse for reversal of the decision of the lower court that has heard the case.

We have gone so far, on the question of the validity of confessions that if the Supreme Court's most recent decisions are pursued to their logical conclusion, if an officer arrests a person he must provide him with a lawyer before he can ask him any question. I say that has gone to the point of the ridiculous. There must be some reversal of that trend if we are ever to restore a respect for and observance of law in this country.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. ELLENDER. Mr. President, I ask unanimous consent to proceed for 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ELLENDER. Does the Senator think the situation is due to lack of law enforcement?

Mr. McCLELLAN. Confessed murderers, rapists, burglars, robbers are convicted, and then a technicality is found to turn them loose.

Mr. ELLENDER. This subcommittee, as the Senator says, will investigate or study the bills that are presented. How do those bills then reach the full committee in order to be reported to the Senate? Does the full committee also give them study?

Mr. McCLELLAN. It is the same process as in any other committee, where a subcommittee studies it, gives its judgment and recommendation to the full committee, which then determines whether to report the bill to the Senate.

Mr. ELLENDER. To what extent are further hearings held?

Mr. McCLELLAN. Well, I hope none. I hope that the subcommittee can do that work in such a way that the full committee will not have to hold further hearings. If in its wisdom it felt there was need for further hearings, the full committee could order further hearings, of course. But I hope that this subcommittee will function efficiently and thoroughly enough that the full committee will never have to hold additional hearings.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 31) was agreed to, as follows:

Resolved, That the Committee on the Judiary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of criminal laws and procedures.

SEC. 2. For the purposes of this resolution the commmittee, from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ on a temporary basis technical, clerical, and other assistants and consultants: *Provide*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the department or agency concerned and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for such legislation as it deems advisable, to the Senate at the earliest practical date, but not later than Januray 31, 1968.

SEC. 4. The expenses of the committee under this resolution, which shall not exceed $120,000, shall be paid from the contingent fund of the Senate by vouchers approved by the chairman of the committee.

IMMIGRATION AND NATURALIZATION

The Senate proceeded to consider the resolution (S. Res. 32) to study matters pertaining to immigration and naturalization.

Mr. ELLENDER. Mr. President, I wish to ask the chairman one question, and that is whether the cases have increased or decreased during the last year.

Mr. EASTLAND. Mr. President, they have decreased somewhat. There has been no substantial decrease.

Mr. HOLLAND. Mr. President, I should like to ask a question. Is this the subcommittee that hears various bills introduced by persons who are interested in helping meritorious cases among the Cuban refugees?

Mr. EASTLAND. That is correct. Senators introduce hundreds of private immigration bills every year. This is the subcommittee that processes them. Senators expect their bills to be properly processed, and that is what the staff of this subcommittee does.

Mr. HOLLAND. I personally introduced about 40 of those bills, as I recall it, in the last Congress. Invariably they received prompt and courteous handling—and that did not always mean approval.

I believe that this subcommittee should have the personnel to act and act quickly, because there are meritorious cases coming to the attention of both the Senators and all the Representatives from Florida almost continuously, which do require prompt handling and favorable action.

Mr. EASTLAND. I thank the Senator from Florida. I should like to add that there is not the slightest degree of patronage involved in the work of this subcommittee.

The PRESIDING OFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 32) was agreed to, as follows:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate to examine, investigate, and make a complete study of any and all matters pertaining to immigration and naturalization.

SEC. 2. For the purposes of this resolution, the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1968.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $170,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

ADMINISTRATION OF THE PATENT OFFICE

The Senate proceeded to consider the resolution (S. Res. 37) to examine and review the administration of the Patent Office.

Mr. ELLENDER. Mr. President, I wish to ask the chairman of the subcommittee whether or not any bills were reported during the last session, and what happened to them.

Mr. McCLELLAN. Yes. I have a brief statement for the RECORD in connection with this matter.

When I became chairman of this subcommittee in 1961, the subcommittee budget was $135,000. Despite four pay raise bills enacted by Congress, the subcommittee has been able to reduce its budget to $110,000. When I became chairman, the subcommittee had a staff of 10 and this has now been reduced to 6. This year's budget represents a reduction of one in the staff from last year's budget.

While we have reduced the budget and the staff, the workload of the subcommittee has increased considerably. As the Senator from Louisiana is well aware, the Senate on a number of occasions in recent years has had to consider the ownership of patent rights in inventions arising from Government-financed research. We reported to the Senate last year the first comprehensive statutory Government patent policy in this field.

President Johnson in his Economic Report this year urged the Congress to undertake "a long overdue modernization of our patent system." The subcommittee this year will consider the legislation which will be introduced as a result of the studies of the patent system undertaken by the President's Commission and by the subcommittee.

We are now engaged in trying to achieve a general revision of our copyright laws for the first time since 1909. I have already scheduled 5 days of hearings on this subject and it appears that additional days will be required.

During the 89th Congress, 31 bills and resolutions were referred to the subcommittee. The subcommittee completed action on 16 of these measures, and the remaining 15 were pending in the subcommittee at the adjournment of the Congress.

Mr. President, I ask unanimous consent to have printed in the RECORD a table summarizing the work of the Subcommittee on Patents, Trademarks, and Copyrights during the 89th Congress.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

WORK OF THE SUBCOMMITTEE ON PATENTS, TRADEMARKS, AND COPYRIGHTS DURING THE 89TH CONGRESS

31 bills and resolutions were referred to the Subcommittee during the 89th Congress.

The Subcommittee completed action on 16 of these measures, and the remaining 15 were pending in the Subcommittee at the adjournment of the Congress.

Of the 16 bills on which action was completed:

Enacted into law, four: Patent Office Fees, Copyright Fees, Extension of Copyrights, and Extended term of Design Patent for a Veterans Organization.

Passed by the Congress, but not approved by the President, one.

Passed by the Senate, but not by the House, two: Design Protection, and Court Procedures of Court of Customs and Patent Appeals.

Reported to Senate Calendar, but no further action, one: Government Patent Policy.

Postponed indefinitely, or otherwise disposed of, eight.

Mr. McCLELLAN. The Government patent policy bill, which was reported to the Senate Calendar but no further action taken, was a very complicated measure, and a highly controversial one. We gave it long study. We had many days of hearings on it, and finally hammered out a bill and put it on the calendar.

That bill has not as yet been reintroduced this year, but I anticipate that it or something like it will be.

If the Senator will give me a moment, I can give him further information.

Mr. ELLENDER. What prompted the question is that my information reflects that the committee held only 4 days of hearings.

Mr. McCLELLAN. We had far more hearings than that.

Mr. ELLENDER. The information furnished to me was 4 days.

Mr. McCLELLAN. Is the Senator speaking about the entire 89th Congress? My report covers the entire Congress.

Mr. ELLENDER. No, 4 days the last session.

Mr. McCLELLAN. We reported out that one bill, but we worked on that bill continuously.

I may say that the distinguished Senator from North Dakota [Mr. BURDICK] and I had somewhat different views about the bill, but he will, I am sure, confirm to the Senate how difficult it was, and how much time we spent trying to hammer out a bill and get it before the Senate.

While there was no action taken, much of that work will not have to be done again. Some of it may. That is an important piece of legislation, because reform in our patent laws is very much needed and has long been needed, as well as in our copyright laws

. We already have, I believe, 6 days of hearings scheduled on the copyright bill, which has been reintroduced in this session of Congress.

Mr. ELLENDER. Is my understanding correct, then, that during the second session of the 89th Congress there were only 4 days of hearings and one report?

Mr. McCLELLAN. That is correct.

Mr. ELLENDER. I have no further questions.

Mr. McCLELLAN. If I may add this, Mr. President, we turned back a considerable amount of the funds that were appropriated to us.

As I have stated, the subcommittee budget was $135,000. I should like to point out that we are not trying to build up a lot of patronage, or throwing away a lot of money. Despite four pay raise bills which have been enacted by Congress since I became chairman, the subcommittee has been able to reduce its budget to $110,000.

When I became chairman, the subcommittee had a staff of 10. That staff has now been reduced to six. This year's budget represents a reduction of one staff member from last year's budget.

But while we have reduced the budget and the staff, the workload of the subcommittee, I think its record will clearly show, has considerably increased; and I should like the RECORD to reflect that fact.

Mr. President, I have presided over a good many committees since I have been here. I suppose that I have occupied the chair in investigative hearings more than any man who has served in this body in recent times, perhaps in the history of the Senate. I am very glad to have that record examined—and particularly the record of expenditures in the light of the work that has been done.

In the last dozen years, as a result of the investigative work of committees of which I have been chairman, more than 100 people have been convicted of serious crimes. Two Cabinet members have been forced to resign. Many other lesser officials in our Government have found it convenient to resign. There have been many, many administrative actions taken to bring about greater efficiency in Government.

Frankly, it has taken hard work to accomplish that. I think we have made a contribution to better Government. I have never knowingly wasted a dollar. I might say that in all of these years, out of the 12 years about which I am speaking, I think there has only been—speaking about chairmen of committees spending money, and there is a little bit of that in the atmosphere around here now, with some question marks involved—Mr. President, I believe that during the 12 years I have chaired these investigating committees I have been reimbursed less than $800 for all the money that I have spent for travel and accommodations while conducting these investigations and extensive hearings.

I do not throw money away. I economize and try to get results and value received.

Mr. ELLENDER. The Senator refers to the Committee on Government Operations.

Mr. McCLELLAN. I refer to the Committee on Government Operations and also to the select committee that I chaired for 3 years investigating labor-management relations.

In all of that time, less than $800 has been expended for my travel and accommodations. I tried during that time to do the work thoroughly and get results.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 37) was agreed to, as follows:

S. RES. 37

Resolved, That the Commitee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to conduct a full and complete examination and review of the administration of the Patent Office and a complete examination and review of the statutes relating to patents, trademarks, and copyrights.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1968.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $110,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

ADDITIONAL FUNDS FOR THE COMMITTEE ON AERONAUTICAL AND SPACE SCIENCES

The resolution (S. Res. 51) to provide additional funds for the Committee on Aeronautical and Space Sciences was considered, and agreed to as follows:

S. RES. 51

Resolved, That the Committee on Aeronautical and Space Sciences, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to the aeronautical and space activities of departments and agencies of the United States, including such activities peculiar to or primarily associated with the development of weapons systems or military operations.

SEC. 2. (a) For the purposes of this resolution the committee is authorized, from February 1, 1967, through January 31, 1968, inclusive, to (1) make such expenditures as it deems advisable, (2) employ upon a temporary basis and fix the compensation of technical, clerical, and other assistants and consultants, and (3) with the prior consent of the head of the department or agency of the government concerned and the Committee on Rules and Administration, utilize the reimbursable services, information, facilities, and personnel of any department or agency of the Government.

(b) The minority is authorized to select one person for appointment as an assistant or consultant, and the person so selected shall be appointed. No assistant or consultant may receive compensation at an annual gross rate which exceeds by more than $2,300 the annual gross rate of compensation of any person so selected by the minority.

SEC. 3. The committee shall report its findings, together with its recommendations for such legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1968.

SEC. 4 Expenses of the committee under this resolution, which shall not exceed $50,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

ADDITIONAL FUNDS FOR THE COMMITTEE ON ARMED SERVICES FOR MAKING CERTAIN STUDIES

The Senate proceeded to consider the resolution (S. Res. 71), to provide additional funds for the Committee on Armed Services for making certain studies.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

MAJOR ACTIVITIES OF THE PREPARDNESS INVESTIGATING SUBCOMMITTEE DURING 1966

Mr. STENNIS. Mr. President, I shall give the major activities of the Preparedness Investigating Subcommittee during 1966.

First. The subcommittee kept in close and continuous contact with military activities and developments in southeast Asia. Three members of the subcommittee and five members of its staff visited South Vietnam and other important points in the western Pacific during the year.

Second. During the year the subcommittee held extensive hearings on the military situation in southeast Asia, the status of ammunition and air munitions, the combat readiness of six Army divisions and one Marine division in the continental United States, the personnel, training, equipment, and readiness status of Army Reserve components, Army readiness generally, tactical air operations and readiness, and other matters.

Third. The subcommittee initiated a still continuing inquiry into our worldwide military commitment and our ability to respond to them. Three members of the staff made an extensive trip to Europe to inquire into the status of U.S. and NATO forces, and Secretary of State Rusk testified on this matter on two occasions.

Fourth. During 1966 the subcommittee issued the following reports:

A report on the combat readiness of the 4th Infantry Division, the 5th Infantry Division—mechanized—and the 1st and 2d Armored Divisions, which showed, among other things, that at the time the report was issued, the four divisions covered by it were not combat ready and were essentially training divisions.

A report on the status of the Army Reserve components in which, among other things, it was recommended that the merger of the Army Reserve and the Army National Guard proposed by the Secretary of Defense be disapproved and that the Army Reserve and Army National Guard be continued as separate organizations at such mandatory levels of strength as shall be fixed by the Congress.

A report on the combat readiness of the 101st Airborne Division, the 82d Airborne Division, and the 2d Marine Division, which again portrayed the impact of the military demands of the war in Vietnam and its adverse effect on the readiness of the active combat divisions remaining in the continental United States.

A report on tactical air operations and readiness which revealed the severe strain on TAC resources as a result of the demands in southeast Asia and the fact that TAC, because of necessity, had been converted from a combat command to a training command.

Fifth. The subcommittee also held extensive hearings on the status of ammunition and air munitions. The hearing record was printed with appropriate security deletions and, thus, the results of this study have been made available to the Congress and the public. A subcommittee report on this matter was prepared but was not cleared by the Pentagon.

Sixth. In addition, through a special subcommittee headed by the able Senator from Washington [Mr. JACKSON], the subcommittee continued to monitor the implementation of the safeguards laid down by the Department of Defense in connection with the limited nuclear test ban treaty.

Seventh. Hearings were also held on the decision of the Secretary of Defense to close the Springfield Armory. This resulted in a request of the Secretary of Defense that this decision be reviewed and reconsidered. Secretary McNamara did not see fit, however, to comply with this request.

Eighth. In addition, as a result of a referral from the chairman of the Armed Services Committee, the subcommittee handled and held hearings on S. 2444, which proposes to authorize the disposal of Government-owned long-line communications facilities in the State of Alaska. From these hearings came a recommendation to the full committee that the bill be reported favorably to the Senate with appropriate amendments. It was so reported and was passed by the Senate.

Ninth. In addition to the formal hearings, the subcommittee and its staff was busy throughout the year inquiring into many vital and critical areas, including manpower requirements and deficiencies, the present and future inventory of tactical aircraft, the readiness, equipment, and personnel status of the Army Reserve Forces, the pilot training programs of the Army, Navy, Air Force, and Marine Corps, the Army's small arms program, the readiness of the Atlantic fleet, and many others. Most of these inquiries are still in progress.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 71) was agreed to, as follows:

S. RES. 71

Resolved, That the Committee on Armed Services, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to—

(1) common defense generally;

(2) the Department of Defense, the Department of the Army, the Department of the Navy, and the Department of the Air Force generally;

(3) soldiers' and sailors' homes;

(4) pay, promotion, retirement, and other benefits and privileges of members of the Armed Forces;

(5) selective service;

(6) size and composition of the Army, Navy, and Air Force;

(7) forts, arsenals, military reservations, and navy yards;

(8) ammunition depots;

(9) maintenance and operation of the Panama Canal, including the administration, sanitation, and Government of the Canal Zone;

(10) conservation, development, and use of naval petroleum and oil shale reserves;

(11) strategic and critical materials necessary for the common defense;

(12) aeronautical and space activities peculiar to or primarily associated with the development of weapons systems of military operations.

SEC. 2. For the purpose of this resolution, the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized to (1) make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The expenses of the committee under this resolution, which shall not exceed $175,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INVESTIGATION OF NATIONAL PENITENTIARIES

The resolution (S. Res. 36) to investigate national penitentiaries was considered and agreed to, as follows:

S. RES. 36

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and inspect national penitentiaries.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as its deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1968.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $5,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

REVISION AND CODIFICATION OF THE STATUTES OF THE UNITED STATES

The Senate proceeded to consider the resolution (S. Res. 39) to study revision and codification of the statutes of the United States.

Mr. ELLENDER. Mr. President, what progress has been made in the revision and codification of statutes?

Mr. EASTLAND. The committee considered a number of bills, two of which became law last year.

Mr. LAUSCHE. Mr. President, is the Senator contemplating any more committees?

Mr. EASTLAND. The Senator from Mississippi does not create subcommittees. That is something that the Judiciary Committee does.

Mr. LAUSCHE. Is there any word that the Judiciary Committee contemplates creating more subcommittees?

Mr. EASTLAND. I do not know of any.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 39) was agreed to as follows:

S. RES. 39

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to revision and codification of the statutes of the United States.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis technical, clerical, and other assistants and consultants: *Provided,* That if more than one counsel is employed, the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations, to the Senate at the earliest practicable date, but not later than January 31, 1968.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $43,500, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

STUDY OF CERTAIN ASPECTS OF NATIONAL SECURITY AND INTERNATIONAL OPERATIONS

The resolution (S. Res. 54) to study certain aspects of national security and international operations was considered and agreed to, as follows:

S. RES. 54

Resolved, That in holding hearings, reporting such hearings, and making investigations as authorized by section 134 of the Legislative Reorganization Act of 1946, and in accordance with its jurisdiction under rule XXV of the Standing Rules of the

Senate, the Committee on Government Operations, or any subcommittee thereof, is authorized, from February 1, 1967, through January 31, 1968, to make studies as to the efficiency and economy of operations of all branches and functions of the Government with particular reference to:

(1) the effectiveness of present national security methods, staffing, and processes as tested against the requirements imposed by the rapidly mounting complexity of national security problems;

(2) the capacity of present national security staffing, methods, and processes to make full use of the Nation's resources of knowledge, talents, and skills;

(3) the adequacy of present intergovernmental relationships between the United States and international organizations of which the United States is a member; and

(4) legislative and other proposals or means to improve these methods, processes, and relationships.

Sec. 2. For the purposes of this resolution, the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized—

(1) to make such expenditures as it deems advisable;

(2) to employ, upon a temporary basis, and fix the compensation of technical, clerical, and other assistants and consultants: *Provided*, That the minority of the committee is authorized at its discretion to select one employee for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and

(3) with the prior consent of the head of the department or agency concerned, and the Committee on Rules and Administration, to utilize on a reimbursable basis the services, information, facilities, and personnel of any department or agency of the Government.

Sec. 3. Expenses of the committee under this resolution, which shall not exceed $90,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

AUTHORIZATION FOR SELECT COMMITTEE ON SMALL BUSINESS TO MAKE A STUDY OF SMALL AND INDEPENDENT BUSINESSES

The Senate proceeded to consider the resolution (S. Res. 56) authorizing the Select Committee on Small Business to make a study of small and independent businesses.

Mr. LONG of Louisiana. Mr. President, the Senator from Florida [Mr. SMATHERS] is chairman of the committee. He asked that I represent him on this matter. This is the amount of money that the committee had last year.

Mr. ELLENDER. They will have 11 employees in 1967. Are they in addition to those regularly provided for under the Reorganization Act?

Mr. LONG of Louisiana. The Senator is correct.

Mr. ELLENDER. I thank the Senator.

The **PRESIDING OFFICER.** The question is on agreeing to the resolution.

The resolution (S. Res. 56) was agreed to as follows:

S. Res. 56

Resolved, That the Select Committee on Small Business, in carrying out the duties imposed upon it by S. Res. 58, Eighty-first Congress, agreed to February 20, 1950, as amended and supplemented, is authorized to examine, investigate, and make a complete study of the problems of American small and independent business and to make recommendations concerning those problems to the appropriate legislative committees of the Senate.

Sec. 2. For the purposes of this resolution, the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date.

Sec. 4. Expenses of the committee under this resolution, which shall not exceed $145,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

AUTHORIZATION FOR STUDY OF FEDERAL ELECTION LAWS AND RELATED MATTERS

The Senate proceeded to consider the resolution (S. Res. 77) authorizing a study of Federal election laws and related matters.

Mr. ELLENDER. Mr. President, I notice that this committee obtains money every year whether there is an election or not. Was there any contest this year?

Mr. BYRD of West Virginia. Mr. President, I am advised that there were three complaints. However, they did not reach the status of full-fledged contests.

Mr. ELLENDER. Why is it necessary to keep as many as seven employees continuously if there are no contests?

Mr. BYRD of West Virginia. Mr. President, I am advised that the subcommittee contemplates a good many hearings this year on the basis of legislation which is expected to be proposed by the President.

Mr. ELLENDER. There is no legislation now before the committee.

Mr. BYRD of West Virginia. I am advised that there is. There are about five bills pending at the moment.

Mr. ELLENDER. What legislation was considered by this subcommittee last year? Did they report on any legislation?

Mr. BYRD of West Virginia. I can cite one measure, the Federal elections law, S. 2541, which was sponsored by the Senator from Nevada [Mr. CANNON].

Mr. President, I want it understood that the chairman of the subcommittee, the Senator from Nevada [Mr. CANNON], could not be present at this time. I am attempting to answer in his stead. I understand that the subcommittee returned $75,000 that was unused last year.

Mr. ELLENDER. Out of the $150,000 appropriated?

Mr. BYRD of West Virginia. The Senator is correct.

Mr. LAUSCHE. Mr. President, how much is the subcommittee asking for the next year?

Mr. BYRD of West Virginia. The Subcommittee on Privileges and Elections of the Committee on Rules and Administration has unanimously approved the original resolution requesting an appropriation of $105,000 for the year ending January 31, 1968.

Mr. LAUSCHE. Mr. President, has the number of employees constantly increased or has it ever decreased because of the lack of work in the committee?

Mr. BYRD of West Virginia. It usually decreases in nonelection years.

Mr. LAUSCHE. Mr. President, what is the special work that is expected to come before the committee in 1967?

Mr. BYRD of West Virginia. Mr. President, the extraordinary expenditures were required during the years 1964, 1965, and 1966 for the purpose of investigating not only the regular jurisdictional matters, including elections legislation and elections disputes, but also the business of the financial affairs of Senate officers and employees.

As to the future, during 1967, the subcommittee contemplates an extensive study into the need for remedial legislation in the area of campaign contributions and expenditures and the disclosure thereof. The study will affect most of the Federal laws which are within the jurisdiction of the subcommittee, including the Federal Corrupt Practices Act of 1925, the Hatch Political Activities Act of 1939, and miscellaneous related acts. Other legislative proposals initiated by or referred to the subcommittee will also require study and possible hearings.

Mr. LAUSCHE. Mr. President, going back 5 years, does the Senator have someone present who can tell him what the final request was? Has the amount increased in the last 5 years, and if so, to what extent?

Mr. BYRD of West Virginia. Mr. President, in the even-numbered years, the requests have been for $150,000. In the odd-numbered years, the figures have ranged between $100,000 and $125,000.

Mr. LAUSCHE. Has the amount remained constant in the last 5 years?

Mr. BYRD of West Virginia. It has.

Mr. LAUSCHE. How many employees are in this section?

Mr. BYRD of West Virginia. Between four and seven.

Mr. LAUSCHE. I think that is all.

The **PRESIDING OFFICER.** The question is on agreeing to the resolution.

The resolution (S. Res. 77) was agreed to, as follows:

S. Res. 77

Resolved, That the Committee on Rules and Administration, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to—

(1) the election of the President, Vice President, or Members of Congress;

(2) corrupt practices;

(3) contested elections;

(4) credentials and qualifications;

(5) Federal elections generally; and

(6) presidential succession.

Sec. 2. For the purpose of this resolution, the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1968.

Sec. 4. Expenses of the committee, under this resolution, which shall not exceed $105,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

STUDY OF STANDING RULES OF THE SENATE

The Senate proceeded to consider Senate Resolution 78, authorizing a study of the Standing Rules of the Senate.

Mr. **ELLENDER**. Mr. President, is this a continuation of the study that we are now considering? We are now considering the reorganization bill. Is this a subcommittee separate from the one created by the Senate—I mean a joint committee?

Mr. **MONRONEY**. I think this is a measure of the Committee on Rules and Administration, not one dealing with a joint committee. I am not able to identify this language.

Mr. **ELLENDER**. But it has no connection with the joint committee?

Mr. **MONRONEY**. I cannot tell from the calendar. I know that we were given a small amount of money by the Committee on Rules and Administration to finish our work.

Mr. **LAUSCHE**. When was the committee established?

Mr. **HAYDEN**. I have been chairman of this subcommittee for a great many years.

The **PRESIDING OFFICER**. The question is on agreeing to the resolution. Without objection, the resolution——

Mr. **LAUSCHE**. No.

Mr. President, I will vote "no" on each of the measures that come before the Senate, because I believe that the expenses are stacked. Cuts can be made. I will not, however, ask for any rollcall votes as we go on. But I want the Record to show that, in my opinion, there is unjustifiable extravagance in the hiring of employees and in the running of these committees in the Senate.

I believe that a reading of the newspapers will reflect the situation that the number of employees is always up, subcommittees are created to perform a special function, the special function is completed, the workers are not released, they are continued; new subcommmittees are created, new employees are hired, the work is completed, the new employees, instead of being released, are continued on the payroll. That is the formula that is followed.

While I cannot precisely attack any one of the resolutions, intuitively, and by observation in the running of the government of the State of Ohio and in my membership on two committees, I make the statement which I have just made.

The **PRESIDING OFFICER**. The question is on agreeing to the resolution.

The resolution (S. Res. 78) was agreed to, as follows:

S. Res. 78

Resolved, That the Committee on Rules and Administration, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to the Standing Rules of the United States Senate.

Sec. 2. For the purposes of this resolution the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That if more than one counsel is employed, the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings, together with its recommendations, to the Senate at the earliest practicable date, but not later than January 31, 1968.

Sec. 4. Expenses of the committee, under this resolution, which shall not exceed $67,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

SPECIAL COMMITTEE ON AGING

The Senate proceeded to consider Senate Resolution 20, extending the Special Committee on Aging, reported from the Committee on Rules and Administration with an amendment.

The **PRESIDING OFFICER**. The clerk will state the amendment.

The Assistant Legislative Clerk. On page 3, line 9, after the word "exceed," to strike out "$221,000" and insert "$200,000."

The **PRESIDING OFFICER**. The question is on agreeing to the amendment.

The amendment was agreed to.

The **PRESIDING OFFICER**. The question is on agreeing to the resolution, as amended.

The resolution (S. Res. 20) as amended, was agreed to as follows:

S. Res. 20

Resolved, That the Special Committee on Aging, established by Senate Resolution 33, Eighty-seventh Congress, agreed to on February 13, 1961, as amended and supplemented, is hereby extended through January 31, 1968, except that thirteen members of such committee shall be appointed from the majority party and seven members from the minority party.

Sec. 2. It shall be the duty of such committee to make a full and complete study and investigation of any and all matters pertaining to problems and opportunities of older people, including but not limited to, problems and opportunities of maintaining health, of assuring adequate income, of finding employment, of engaging in productive and rewarding activity, of securing proper housing, and, when necessary, of obtaining care or assistance. No proposed legislation shall be referred to such committee, and such committee shall not have power to report by bill or otherwise have legislative jurisdiction.

Sec. 3. The said committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times during the sessions, recesses, and adjourned periods of the Senate, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures as it deems advisable.

Sec. 4. A majority of the members of the committee or any subcommittee thereof shall constitute a quorum for the transaction of business, except that a lesser number, to be fixed by the committee, shall constitute a quorum for the purpose of taking sworn testimony.

Sec. 5. For purposes of this resolution, the committee is authorized (1) to employ on a temporary basis from February 1, 1967, through January 31, 1968, such technical, clerical, or other assistants, experts, and consultants as it deems advisable: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (2) with the prior consent of the executive department or agency concerned and the Committee on Rules and Administration, to employ on a reimbursable basis such executive branch personnel as it deems advisable.

Sec. 6. The expenses of the committee, which shall not exceed $200,000, from February 1, 1967, through January 31, 1968 shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Sec. 7. The committee shall report the results of its study and investigation, together with such recommendations as it may deem advisable, to the Senate at the earliest practicable date, but not later than January 31, 1968. The committee shall cease to exist at the close of business on January 31, 1968.

STUDY OF FLOOD CONTROL, NAVIGATION, RIVERS AND HARBORS, ROADS, WATER POLLUTION, AND WATER RESOURCE DEVELOPMENT

The Senate proceeded to consider Senate Resolution 23, to study flood control, navigation, rivers and harbors, roads, water pollution, and all features of water resource development, which was reported from the Committee on Rules and Administration with an amendment.

The **PRESIDING OFFICER**. The clerk will state the amendment.

The Assistant Legislative Clerk. On page 2, line 18, after the word "exceed," to strike out "$175,000" and insert "$165,000".

The **PRESIDING OFFICER**. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. **ELLENDER**. Mr. President, I should like to know why it was necessary to increase the number of employees from five to eight. As I understand, this committee has, as regular employees, 4 specialists and 6 clericals, and this means that it will have 18 employees altogether. Is my understanding correct?

Mr. RANDOLPH. The distinguished Senator from Louisiana is correct.

In the Committee on Public Works, we believe that one matter which is two-pronged or two-faceted, as it were, is the field of water and air pollution. In this field it is imperative that we have a specialist in radiological pollution.

I need not emphasize this, because the Senator from Louisiana and all other Senators are fully cognizant of the urgency of controlling and abating air and water pollution in the United States. We have felt that it is necessary, during this first session, to go very thoroughly into the field. In Los Angeles, for example, the problem involves one type of smog, notably that caused by automobiles. Earlier this week, the Subcommittee on Air and Water Pollution held 2 days of hearings in Los Angeles. At one point on the harbor freeway, near the center of Los Angeles proper, we found that 225,000 motor vehicles pass every 24 hours. This is a tremendous pollution problem.

Mr. ELLENDER. I understand that the Committee on Interior and Insular Affairs has such a subcommittee to make a study of pollution. Senator MUSKIE——

Mr. RANDOLPH. That is the subcommittee of the Committee on Public Works.

Mr. ELLENDER. But the Committee on Interior and Insular Affairs has one, also. I wonder whether there is any conflict. Does the Senator know?

Mr. RANDOLPH. I know of no conflict. We are charged with the air and water pollution legislation. It is referred to our committee, and we have the Subcommittee on Air and Water Pollution. I know of no conflict.

Mr. ELLENDER. I was under the impression that the Interior committee had handled legislation in that field, also.

Mr. RANDOLPH. The legislation which has been reported and passed by the Senate has come from the Committee on Public Works and has been the result of hearings and of fieldwork done by its Subcommittee on Air and Water Pollution.

I think that the points raised by my colleague in reference to the employees and the jurisdiction and the emphasis that we wish to place in the coming months are queries which are very proper and helpful to the Senate.

Mr. LAUSCHE. Mr. President, on my own time, I should like to put a few questions to the Senator from West Virginia.

Before us is Senate Resolution 23. The graph submitted to me shows that in the last year, in the 89th Congress, the Senator's committee was given $110,000.

Mr. RANDOLPH. The Senator is correct.

Mr. LAUSCHE. The committee spent $68,000.

Mr. RANDOLPH. The Senator is correct. Returning about $42,000.

Mr. LAUSCHE. Did the committee have before it in the 89th Congress the problem of fighting air pollution?

Mr. RANDOLPH. I say to my colleague, who is concerned with the problem of air pollution as it affects the cities within his own State and throughout the country, that this is a developing problem. I do not wish to indicate that the problem was not there yesterday and has suddenly arisen today. But we are discovering that the problem of air pollution needs attention, the continuing attention, of the Senate. The problem needs most careful investigative work; it needs most exacting attention to the developments that are coming in the way of invention and facility to lessen air pollution in this country.

My distinguished colleague will recall that as we met here in the first weeks of this session, the President of the United States sent to Congress the Air Quality Act of 1967.

In other words, we should go more deeply into this subject than we have. I take this moment to say that we made a beginning in 1962; a little research was done.

In 1963, further attention was given to this subject. In 1966, we really came to grips with it and now, in 1967, we are hoping to move into this problem in depth and scope so that the Congress, working with industry in a partnership, will be able to abate and control the air pollution which, very frankly, is a health and safety hazard in the United States to an alarming degree.

Mr. LAUSCHE. The record which I have in my hand shows that there was assigned to this committee $110,000 in the 89th Congress, second session. The committee spent $68,000, and returned $42,000. Now, the committee is asking for $175,000.

Mr. RANDOLPH. $165,000.

Mr. LAUSCHE. The committee asks for $175,000, which is $65,000 more than was given to the committee, but the committee cut it by $10,000.

Mr. RANDOLPH. The Senator is correct.

Mr. LAUSCHE. I realize when I ask this question that I give the Senator full latitude to express his views on the merits without any reply being given. Why was there $65,000 more?

Mr. RANDOLPH. Because of the very arduous and very new work which is creative in degree, which we feel must be done by the Subcommittee on Air and Water Pollution, as well as the work of other subcommittees within the jurisdiction of the Committee on Public Works.

The PRESIDING OFFICER. The 5 minutes of both Senators has expired.

Mr. RANDOLPH. Mr. President, I ask unanimous consent that I may proceed for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RANDOLPH. We have some six major items that we must review this year. Last year approximately 20 legislative measures came from our committee. We carried a very heavy load. We were able to return money. Frankly, I hope we will be able to return money again. That is my desire.

Mr. LAUSCHE. Is it the opinion of the Senator from West Virginia that the climax, the highest point of this problem, has not yet been reached?

Mr. RANDOLPH. I think that the Senator from Ohio said it very well; that he said it very pointedly. We are reaching a point in this country where we have to determine how far we are willing to go and how much action we are willing to take to settle this problem. Personally, I believe we must give industry the opportunity through incentive programs to move along with the Government.

Mr. LAUSCHE. By incentive programs does the Senator mean concessions?

Mr. RANDOLPH. Yes, tax concessions, but we have to be careful to allow the technology to move along with the state of the art. I do not want guidelines, or regulations, or all of these stringencies placed into air and water pollution without knowing if industry can move along and make some of these progressive steps itself. That is why we are trying to find the answers, frankly, during these hearings. We have 2 more days of hearings scheduled for next week in Detroit on the matter of air pollution.

We must hold extensive hearings to determine the full implications of the decision to freeze highway funds. Committee members desire to ascertain the true nature and impact of the cutback. We seek a full understanding of the ramifications of the decision and in light of that knowledge, suggest such remedial action as may be appropriate.

The implementation of the highway beautification program is of grave concern to the committee and will require careful investigation and extensive hearings.

There is the serious situation with respect to the condition of our coastal shores and it is incumbent upon the Public Works Committee to hold hearings in problem areas along the Nation's seacoasts and on the Great Lakes.

In addition to the foregoing we have many other areas to which we must give attention such as Appalachian regional development, public buildings and grounds, and rivers and harbors.

I repeat that insofar as the chairman of the Committee on Public Works is concerned this money will be carefully used and I hope that it will be productive, and I hope, trust, and believe that we can return a reasonable amount of funds unused.

Mr. MAGNUSON. Mr. President, will the Senator yield at that point?

Mr. RANDOLPH. I yield.

Mr. MAGNUSON. Mr. President, at this point I ask unanimous consent to have printed in the RECORD a statement that I was going to make at the conclusion of the calendar call regarding air and water pollution and the work of the Small Business Administration, in making loans to small industries to handle the air and water problems. This is another objective.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

PROGRESS IN AIR AND WATER POLLUTION CONTROL

Mr. MAGNUSON. Mr. President, President Johnson's incisive analysis of the air and water pollution question demonstrates one of the most pressing problems facing this Nation. We urgently need to develop a program to clean up the air we breathe and the waters that fill our streams and rivers.

The pollution of our air and water is a national disgrace, but more important is the fact that it poses a serious health hazard to millions of our people.

The people of the State of Washington are confronted with this problem as are millions of people in other States. The people of Washington, I am pleased to say, are doing something about it. I am happy to say that there is a program available from the Federal Government that can help others as it already has helped my constituents. This program is the business loan program of the Small Business Administration.

When Mr. Bernard L. Boutin was appointed Administrator of the agency last May by President Johnson, he established national objectives to assist the President and the Nation meet national goals. One of these lending objectives is to make financing available to firms that are helping to combat air and water pollution.

In my State alone, SBA has made a half dozen loans totaling more than $1 million to firms which are engaged in manufacturing abatement devices such as air filtrators and to firms which have used the funds to purify waste from their plants.

A $100,000 SBA loan is helping Braders' Orchard Heaters, Inc., of Prosser, Wash., to manufacture smokeless and smog-free devices used in orchards. A $15,000 loan to Cameron Yakima, Inc., of Yakima, Wash., is being used to manufacture air filtrators which are used in plants and office buildings.

Other loans are being used by the firms to install pollution-abatement systems. Landreth Timber, Inc., of Tonasket, Wash., for instance received a $350,000 loan from SBA to install equipment to combat pollution created by smoke from the mill.

Heath Plating, Inc., of Kent, Wash., was able to install equipment which removes ashes from water residue before the water runs into a river as a result of the SBA loan of $240,000. Pacific Protein Inc., of Aberdeen, Wash., used a $350,000 SBA loan to install equipment in their plant to control water pollution, and Ed Wright & Sons of Seattle obtained a $15,000 loan to chemically purify sewage for the department of engineers in the Seattle area.

These are but a few of the air and water pollution loans made by SBA.

In all, the SBA has made nearly 40 such loans throughout the Nation for over $3.5 million, and these loans are proving to be an important part of our fight against the pollution problem. I hope that other firms in other States will follow the lead of our Washington concerns which have found SBA's program so beneficial.

Incidentally, the SBA is to be commended on its leadership in developing new administrative programs and policies that help to meet the pressing problems faced by small businessmen and at the same time help us to achieve national goals and objectives.

Mr. President, the fight against air and water pollution is only beginning. We are a long way from licking the problem, but I am confident that with the help of programs such as that administered by SBA we are moving in the right direction and that eventually we will solve the air and water pollution problem.

The PRESIDING OFFICER. The question is on agreeing to the resolution as amended. [Putting the question.]

The resolution (S. Res. 23), as amended, was agreed to, as follows:

S. Res. 23

Resolved, That the Committee on Public Works, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to flood control, navigation, rivers and harbors, roads and highways, water pollution, air pollution, public buildings, and all features of water resource development and economic growth.

Sec. 2. For the purposes of this resolution the committee from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1968.

Sec. 4. Expenses of the committee, under this resolution, which shall not exceed $165,000 shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

STUDY OF ADMINISTRATIVE PRACTICE AND PROCEDURE

The Senate proceeded to consider the resolution (S. Res. 25) to study administrative practice and procedure, and for other purposes which had been reported from the Committee on Rules and Administration, with an amendment on page 2, line 22, after the word "exceed", to strike out "$175,000" and insert "$165,000".

Mr. DIRKSEN. Mr. President, I ask unanimous consent that Calendar Nos. 31 to 40, inclusive, all of which came out of the Committee on the Judiciary, together with the amendments thereto, be considered en bloc.

The PRESIDING OFFICER. Is there objection?

Mr. LAUSCHE. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. ELLENDER. Mr. President, this is a new subcommittee headed by the Senator from Missouri [Mr. Long].

As I recall, when the subcommittee was created, there was no time limitation placed on it. I would like to find out whether or not this subcommittee is going to continue indefinitely.

Mr. LONG of Missouri. Mr. President, my answer would be "Yes."

Mr. ELLENDER. Because the Senator got quite a lot of publicity this last year on this matter.

Mr. LONG of Missouri. That is not the purpose of the committee.

Mr. ELLENDER. I understand. What is contemplated for this session?

Mr. LONG of Missouri. There will be further investigations of various Federal agencies; there will be various bills sent from the White House; matters in connection with bugging; and hearings on the bill introduced by the Senator from Illinois and myself on administrative practice, and the entire bill that passed the Senate last year. There will be further hearings in connection with that matter. There will be hearings in connection with bar association bills that had been referred to the committee, and I understand others will be offered.

There will be further investigations made by the committee in regard to various activities of various agencies.

Mr. ELLENDER. I notice that the committee reduced the amount by $10,000.

Mr. LONG of Missouri. The Senator is correct.

Mr. ELLENDER. Does the Senator expect to hire the same number of employees that the committee had last year with this cut?

Mr. LONG of Missouri. We are going to do the best that we can. Our staff is a very small staff.

Mr. ELLENDER. It is composed of 12 people.

Mr. LONG of Missouri. Yes, it was 12 last year. I hope to keep it small. We want to do the work with a small staff.

Mr. ELLENDER. If not, the amount has been cut $10,000. Would that committee retain the same number of employees?

Mr. LONG of Missouri. At the present time we are trying to do that. We may have to come back and ask for more money later, depending on the size of the investigations and what we come into. I do not want to make a definite statement that we will not do otherwise. The staff is small and it would be difficult to dispense with any of them at this time.

Mr. ELLENDER. I presume this is one of the "permanent temporary subcommittees."

Mr. LONG of Missouri. The Senator is correct. It was a committee several years ago, long before I was in the Senate.

Mr. LAUSCHE. How long has this Administrative Practice and Procedure Subcommittee been in existence to make permanent recommendations as to how we shall cope with the electronic device of bugging and eavesdropping?

Mr. LONG of Missouri. Senator, the subcommittee was a subcommittee long before I came to the Senate. It was headed at that time by the Senator from Colorado; but I think it is only 2 or 3 years that I have served as its chairman and we have been actively working on wiretapping and electronic bugging. Of course, there are many other phases of the subcommittee's work other than that.

Mr. LAUSCHE. Have we adopted any legislation in pursuance of the recommendations made by the subcommittee?

Mr. LONG of Missouri. Yes. One of them, for example, was the freedom of information bill and also the administrative practices bill which the senior Senator from Illinois and I introduced last year, which was adopted by the Senate but was tied up in the House.

Mr. LAUSCHE. Was there any bill?

Mr. LONG of Missouri. This was on rewriting the rules of procedure for the various agencies of the Government.

Mr. LAUSCHE. When is it anticipated that the final work of the subcommittee dealing with eavesdropping and electronic bugging will come to an end?

Mr. LONG of Missouri. Senator, that I do not know, because——

Mr. LAUSCHE. Should it come to an end?

Mr. LONG of Missouri. No. Actually, I think we should still keep working at it, in an attempt to keep the various agencies honest, and to see that they do not violate the constitutional rights of our citizens. There is legislation pending before the subcommittee, and before Congress, which will be considered this time. There are other agencies and other bureaus that have not quite complied with even the President's instructions in this field. There should be a committee in Congress to keep looking at the various agencies to see that they do not indulge in these practices.

Mr. LAUSCHE. Have the objectives of the subcommittee been to determine the evils which have been in practice and to recommend legislation to stop those evils?

Mr. LONG of Missouri. Yes, that is true.

Mr. LAUSCHE. When will that be achieved?

Mr. LONG of Missouri. That bill has been introduced in Congress, dealing with wiretapping and eavesdropping but there are a great many other facets of the work of this subcommittee. That is not just the limit of its work.

Mr. LAUSCHE. How long will it continue?

Mr. LONG of Missouri. Senator, I have no idea about that.

The PRESIDING OFFICER. The question is on agreeing to the amendment to the resolution.

The amendment was agreed to.

The PRESIDING OFFICER. The resolution is open to further amendment. If there be no further amendment to be proposed, the question is on agreeing to the resolution, as amended.

The resolution (S. Res. 25), as amended, was agreed to as follows:

S. Res. 25

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to make a full and complete study and investigation of administrative practices and procedures within the departments and agencies of the United States in the exercise of their rulemaking, licensing, investigatory, law enforcement, and adjudicatory functions, including a study of the effectiveness of the Administrative Procedure Act, with a view to determining whether additional legislation is required to provide for the fair, impartial, and effective performance of such functions.

Sec. 2. For the purpose of this resolution the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1968.

Sec. 4. Expenses of the committee under this resolution, which shall not exceed $165,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

INVESTIGATION OF ANTITRUST AND MONOPOLY LAWS OF THE UNITED STATES

The resolution (S. Res. 26), to investigate antitrust and monopoly laws of the United States, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Rules and Administration with an amendment on page 3, line 5, after the word "exceed", to strike out "$560,200" and insert "$560,000"; so as to make the resolution read:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to make a complete, comprehensive, and continuing study and investigation of unlawful restraints and monopolies, and of the antitrust and monopoly laws of the United States, their administration, interpretation, operation, enforcement, and effect, and to determine and from time to time redetermine the nature and extent of any legislation which may be necessary or desirable for—

(1) clarification of existing law to continue conflicts and uncertainties where necessary;

(2) improvement of the administration and enforcement of existing law; and

(3) supplementation of existing law to provide any additional substantive, procedural, or organizational legislation which may be needed for the attainment of the fundamental objects of the laws and the efficient administration and enforcement thereof.

Sec. 2. For the purposes of this resolution the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments, or agencies of the Government.

Sec. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1968.

Sec. 4. Expenses of the committee, under this resolution, which shall not exceed $560,000, shall be paid from the contingent fund for the Senate upon vouchers approved by the chairman of the committee.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the resolution, as amended.

The resolution (S. Res. 26), as amended, was agreed to.

STUDY OF MATTERS PERTAINING TO CONSTITUTIONAL AMENDMENTS

The resolution (S. Res. 28), authorizing a study of matters pertaining to constitutional amendments, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. ELLENDER. Mr. President, I made a suggestion a while ago which I hope the chairman of the committee will consider at the next session of Congress.

Here we have three subcommittees dealing with constitutional amendments, constitutional rights, and constitutional separation of powers.

Mr. President, I am wondering whether it would not be possible for the Committee on the Judiciary to consider consolidating the three committees into one. Instead of having a separate committee for each one of these items, as is the case now, it would seem to me it would save the time of quite a few Senators, because I suppose each of the committees is served by three or four Senators aside from the chairman, and then the number of employees could be reduced.

Here, we have 31 employees on three committees. It would seem to me that the three committees could easily be wedded into one so that we would not only save the time of Senators but also save money on the cost of printing and the number of staff members.

Therefore, I strongly urge that the Judiciary Committee consider my suggestion at least for the next session of Congress.

Mr. President, I note that the Committee on Rules reduced the amount by $7,700. I wonder whether it is contemplated reducing the number of employees?

Mr. President, I ask that the resolution go over.

The PRESIDING OFFICER (Mr. Montoya in the chair). The resolution will be passed over.

INVESTIGATION OF MATTERS PERTAINING TO CONSTITUTIONAL RIGHTS

The resolution (S. Res. 29) to investigate matters pertaining to constitutional rights was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the committee on Rules and Administration with an amendment on page 2, line 15, after the word "exceed", to strike out "$205,000" and insert "$195,000"; so as to make the resolution read:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to constitutional rights.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1968.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $195,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

The PRESIDING OFFICER. The question is on agreeing to the amendment to the resolution.

Mr. ELLENDER. Mr. President, the Subcommittee on Constitutional Rights is one of the three committees I have just mentioned. I notice that the amount requested is $205,000, that $195,000 was approved by the Rules Committee, and that there will be 16 employees. Is that correct?

Mr. EASTLAND. I judge so; yes.

Mr. ELLENDER. Is it proposed to keep on the same number of employees?

Mr. EASTLAND. That comes under the jurisdiction of the Senator from North Carolina [Mr. ERVIN]. This is a subcommittee which handles civil rights legislation. It is a subcommittee which is going to consider the President's recommendations.

Mr. ELLENDER. I thought all of that was over.

Mr. EASTLAND. I am certain that the Senator from North Carolina [Mr. ERVIN] is not going to waste any money.

Mr. ELLENDER. I realize that, but I thought that civil rights legislation was all over with, that we would not go into it any more? I do not know what else is left.

Mr. EASTLAND. I hope the Senator's judgment is sound.

Mr. LAUSCHE. Mr. President, this subject now before the Senate deals with constitutional rights. Many arguments have been made earlier about the extreme and painful economics being practiced by the different committees. The Senator from Louisiana [Mr. ELLENDER] has pointed out that in the Judiciary Committee there are three separate subcommittees, headed by three separate chairmen, with three groups of separate experts and separate clerks.

The three subcommittees consist of a *Subcommittee on Constitutional Amendments*, one on constitutional rights, and the third on separation of powers. I pause to ask that we ponder what type of mind has the power to distinguish so thinly the expert knowledge that is required *to deal with each of these sections* of government.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. LAUSCHE. May I finish, please?

There are three subcommittees, one on constitutional amendments, one on *constitutional rights, and one on constitutional* separation of powers. The Senator from Louisiana has implied, if not expressly so stated, that efforts have been seemingly made in the committee, generally, to establish a separate committee to provide a separate job for each of the members of the committee. I assume that that is why there are a separate lawyer expert on constitutional amendments, a separate lawyer expert on constitutional rights, and a separate lawyer expert on separation of powers. How one can justify that thin delineation, I cannot understand. The subcommittee had $195,000 and spent $168,000. Now it asks for $205,000, and it has been granted $195,000 for this one committee.

Three committees are doing practically the same type of work. The committee raised its demand from $195,000 to $205,000, was granted $195,000, when it spent only $168,000 in 11 months.

All of you defenders of economy, I ask you to stand up and speak out on this. I was attacked on the basis that I challenged two employees. I did not challenge that at all. More than two employees were involved. There was the whole Legislative Reference Service question. There was the whole advisory staff on the Joint Committee on Internal Revenue Taxation. The attack was made that I raised the question of two employees.

As the Senator from Delaware [Mr. WILLIAMS] will remember, I said a matter of principle was involved. That matter of principle is becoming more and more revealed. We are going into unjustified extravagance, practically criminal—I want to repeat it—in the spending of the taxpayers' money.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. LAUSCHE. Let the RECORD show I vote against it.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the resolution, as amended.

The resolution (S. Res. 29) was agreed to.

Mr. LONG from Missouri. Mr. President——

The PRESIDING OFFICER. The Senator from Missouri.

Mr. LONG of Missouri. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. LONG of Missouri. Was Senate Resolution 28 passed over?

The PRESIDING OFFICER. It was *passed over*.

Mr. LONG of Missouri. I ask unanimous consent that we take it up now.

Mr. ELLENDER. I think the Senator should wait for the end of the call.

INVESTIGATION OF THE ADMINISTRATION, OPERATION, AND ENFORCEMENT OF THE INTERNAL SECURITY ACT

The PRESIDING OFFICER. The clerk *will state the next* resolution.

The ASSISTANT LEGISLATIVE CLERK. Calendar No. 35, Senate Resolution 33, a resolution to investigate the administration, operation, and enforcement of the Internal Security Act, reported with an amendment.

The PRESIDING OFFICER. The clerk will state the amendment.

The ASSISTANT LEGISLATIVE CLERK. It is proposed, on page 2, line 23, after the word "exceed", to strike out "$437,185" and insert "$400,000".

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection the Senate proceeded to consider the resolution.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. ELLENDER. I would simply like to ask a question. The committee received last year $431,000. It asked for $437,185 this year. The Rules Committee granted it $400,000. There were 32 employees last year. I am wondering whether or not the same number will be employed this year.

Mr. EASTLAND. No. The appropriation was reduced. We are now reducing the number of employees. We have discharged two employees.

Mr. ELLENDER. That was because of the cut made by the Rules Committee?

Mr. EASTLAND. Yes.

The PRESIDING OFFICER. The question is on adoption of the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the resolution, as amended.

The resolution as amended was agreed to as follows:

S. RES. 33

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, insofar as they relate to the authority of the committee, to make a complete and continuing study and investigation of (1) the administration, operation, and enforcement of the Internal Security Act of 1950, as amended; (2) the administration, operation, and enforcement of other laws relating to espionage, sabotage, and the protection of the internal security of the United States; and (3) the extent, nature, and effect of subversive activities in the United States, its territories, and possessions, including, but not limited to, espionage, sabotage, and infiltration by persons who are or may be under the domination of the foreign government or organizations controlling the world Communist movement or any other movement seeking to overthrow the Government of the United *States by force and violence.*

Sec. 2. For the purposes of this resolution, the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. Expenses of the committee, under this resolution, which shall not exceed $400,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

STUDY AND EXAMINATION OF THE FEDERAL JUDICIAL SYSTEM

The PRESIDING OFFICER. The clerk will state the next resolution by title.

The Assistant Legislative Clerk. Calendar 36, a resolution (S. Res. 34) to study and examine the Federal judicial system.

The Senate proceeded to consider the resolution, which had been reported with an amendment on page 2, line 21, after the word "exceed", to strike out "$193,000" and insert "$175,000"; so as to make the resolution read:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to conduct a study and examination of the administration, practice, and procedures of the Federal judicial system with a view to determining the legislation, if any, which may be necessary or desirable in order to improve the operations of the Federal courts in the just and expeditious adjudication of the cases, controversies, and other matters which may be brought before them.

Sec. 2. For the purpose of this resolution, the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis professional, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of departments and agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1968.

Sec. 4. Expenses of the committee under this resolution, which shall not exceed $175,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

The PRESIDING OFFICER. Without objection, the amendment is agreed to; and, without objection, the resolution as amended is agreed to.

INVESTIGATION OF JUVENILE DELINQUENCY — RESOLUTION PASSED OVER

The PRESIDING OFFICER. The clerk will state the next resolution.

The Assistant Legislative Clerk. Calendar 37, a resolution (S. Res. 35) to investigate juvenile delinquency, reported with an amendment.

Mr. ELLENDER. Over.

The PRESIDING OFFICER. The resolution will go over.

Mr. DODD. Mr. President, what is the reason for passing it over?

Mr. ELLENDER. Because I want to debate it for about 3 hours.

The PRESIDING OFFICER. The resolution will go over.

Mr. DODD. Mr. President, I am prepared to proceed now, and it is on the calendar. It is the next item on the calendar.

The PRESIDING OFFICER. There has been an objection, and the resolution goes over, and the pending business is the next resolution.

INVESTIGATION OF PROBLEMS CREATED BY THE FLOW OF REFUGEES AND ESCAPEES FROM COMMUNIST TYRANNY

The PRESIDING OFFICER. The clerk will state the next resolution by title.

Mr. DODD. Mr. President, a parliamentary inquiry.

The Assistant Legislative Clerk. A resolution (S. Res. 38) to investigate problems created by the flow of refugees and escapees from communistic tyranny, reported with an amendment.

Mr. DODD. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The clerk will state the amendment.

The Assistant Legislative Clerk. On page 2, line 17, after the word "exceed", to strike out "$104,700" and insert "$90,000".

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. DODD. I have received the information I was seeking.

The PRESIDING OFFICER. Is there objection?

There being no objection the Senate proceeded to consider the resolution.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the resolution, as amended.

Mr. ELLENDER. Mr. President, are we considering Resolution 38?

The PRESIDING OFFICER. The Senator is correct.

Mr. ELLENDER. I notice that the committee reduced the amount from $104,000 to $90,000. Is it contemplated to reduce the number of employees?

Mr. TYDINGS. Mr. President, in answer to the inquiry of the Senator from Louisiana, let me state that the subcommittee at this time is phasing out or reducing the number of employees in an endeavor to comply with its budget. It is hoped at this time that it can stay within the budget, but that depends on the hearings which may be held. It reserves the right to come before the Rules Committee and the Senate, depending on the scope of the legislation and hearings contemplated this year; but as of now, the answer to the Senator's question is in the affirmative.

Mr. ELLENDER. Does this investigation affect refugees and escapees from Europe?

Mr. TYDINGS. All refugees and escapees from Communist persecution. It includes not only Europe, but southeast Asia and other parts of the globe.

Mr. ELLENDER. What work is being done in that respect? Is any legislation being suggested?

Mr. TYDINGS. Yes. As a matter of fact, extensive hearings were held in Washington, New York, and New Jersey on the Cuban refugee problem during March, April, and August of 1966. Seventy witnesses were heard, three hearing records were published, and a report on the Cuban refugee program is being prepared for publication in late February by the subcommittee.

The subcommittee continued its investigation into the refugee problems in South Vietnam, with hearings in February and July of 1967, and issued a major report on March 4, 1966, dealing with the history and nature of the problems and containing a number of program recommendations. Extensive consultations were held in connection with these recommendations, including meetings with the Secretary of State, as a result of which a Commissioner of Refugees was appointed in South Vietnam and there was a complete reorganization of the handling of refugees in South Vietnam.

During the course of the latter hearings Secretary Rusk discussed his views with respect to the refugee program, and mentioned among other things the financial commitment of this country in connection with the program. He said, "More than $2 billion, including $115 million in 1966, have been expended by the United States in this effort through programs carried out directly by our Government or through our participation in intergovernmental programs. This is in addition to over $1 billion contributed by the American people through private sources."

This referred to private contributions made toward private refugee programs.

I might say that the chairman of the subcommittee spent 7 days on refugee matters in Vietnam, attempting to coordinate the activities of AID, the Defense Department, the Department of State, and individual private agencies in that area alone. Incidentally, the chairman paid his own way.

As a result of that, the refugee program in South Vietnam was reorganized and it was given a great deal more stature, leadership, and direction, under

AID, the Director, and the Ambassador for the United States.

Mr. ELLENDER. Did this committee concern itself with contributions that should be made by other countries?

Mr. TYDINGS. Yes.

Mr. ELLENDER. For instance, let us take the Cuban refugees. I have suggested on many occasions that I felt we should receive assistance from our European friends, because we helped them with the Hungarian refugee problem. What has the committee done in that respect?

Mr. TYDINGS. The chairman of the committee is very much in sympathy with the position stated by the distinguished Senator from Louisiana. As a matter of fact, hearings were held on this very point, and the chairman personally attended the Intergovernmental Commission on European Migration with the express purpose, not only of attending the conference to represent the committee and the Senate, but also to try to stimulate more assistance in this very area from other countries.

Mr. ELLENDER. I thank the Senator.

The PRESIDING OFFICER. The question is on agreeing to the resolution, as amended.

The resolution (S. Res. 38), as amended, was agreed to, as follows:

S. Res. 38

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to the problems created by the flow of refugees and escapees.

Sec. 2. For the purposes of this resolution, the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ on a temporary basis technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the department or agency concerned and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings, together with its recommendations for such legislation, as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1968.

Sec. 4. The expenses of the committee under this resolution, which shall not exceed $90,000, shall be paid from the contingent fund of the Senate by vouchers approved by the chairman of the committee.

SEPARATION OF POWERS UNDER THE CONSTITUTION

The Senate proceeded to consider the resolution (S. Res. 40) to make a full and complete study of the separation of powers under the Constitution, which had been reported from the Committee on Rules and Administration, with an amendment, on page 2, line 22, after the word "exceed", to strike out "$100,000" and insert "$90,000"; so as to make the resolution read:

S. Res. 40

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to make a full and complete study of the separation of powers between the executive, judicial, and legislative branches of Government provided by the Constitution, the manner in which power has been exercised by each branch and the extent if any to which any branch or branches of the Government may have encroached upon the powers, functions, and duties vested in any other branch by the Constitution of the United States.

Sec. 2. For the purposes of this resolution the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings to the Senate at the earliest practicable date, but not later than January 31, 1968.

Sec. 4. Expenses of the committee, under this resolution, which shall not exceed $90,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the resolution, as amended.

Mr. WILLIAMS of Delaware. Mr. President, could we have an explanation as to what this one is?

The PRESIDING OFFICER. The Senator from Delaware requests an explanation of the resolution.

Mr. WILLIAMS of Delaware. If no one has any explanation, I ask that it go over.

The PRESIDING OFFICER. The resolution will be passed over.

THE TRADING WITH THE ENEMY ACT

The Senate proceeded to consider the resolution (S. Res. 41) to investigate the Trading With the Enemy Act, which had been reported from the Committee on Rules and Administration, with an amendment, on page 2, line 17, after the word "exceed", to strike out "$62,000" and insert "$25,000"; so as to make the resolution read:

S. Res. 41

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to conduct a further examination and review of the administration of the Trading With the Enemy Act, as amended, and the War Claims Act of 1948, as amended, and consider proposed legislation affecting said Acts.

Sec. 2. For the purposes of this resolution the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1968.

Sec. 4. Expenses of the committee under this resolution, which shall not exceed $25,000 shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. ELLENDER. Mr. President, I notice that last year this subcommittee had $25,000 to spend, and this year they asked for $62,000, but the committee decreased that amount, and gave them $25,000.

In view of the decrease in the amount, is it contemplated to reduce the number of employees?

Mr. McCLELLAN. Mr. President, I think that the Senator from Illinois [Mr. Dirksen] wished to be heard on this matter, but I may say this: The resolution, as prepared by the staff, provided for $62,000. Before the Committee on Rules and Administration, I moved that that amount be reduced to $35,000. Thereafter, they reduced it to $25,000.

This amount of $25,000, I think, will be adequate. We have not always spent all the money appropriated; we have returned some of it.

Senator Dirksen is very much interested in this matter; if he wishes to press it, I think he should be heard.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. McCLELLAN. I yield.

Mr. LAUSCHE. Who proposed $62,000, when there was only $5,519 spent during the second session of the 89th Congress? Perhaps the Senator does not wish to answer that question.

Mr. McCLELLAN. I did not say that I did not wish to answer it.

When the staff, as I said, prepared the resolution, it set the amount at $62,000, and that figure was presented to the Committee on the Judiciary. Thereafter, I examined into the matter, and when it went before the Committee on Rules and Administration, I myself made the motion to reduce the amount to $35,000, which I thought would be adequate.

The Committee on Rules and Administration has reduced the figure to $25,000. I am satisfied with it.

Senator Dirksen is also interested in this committee. If he wishes to make any further statement, he may do so. But I believe $25,000 is adequate.

Mr. LAUSCHE. Why does the subcommittee need $25,000, if only $5,000 was spent last year? What is there new that requires the additional money?

Mr. McCLELLAN. Let me state this by way of background:

The War Claims Act of 1948 is administered by the Foreign Claims Settlement Commission of the United States, an independent agency created in 1954.

Since its creation, the subcommittee has been called upon to assist in determining the claims of American nationals against foreign governments for losses or injuries sustained by nationals.

The Commission is currently administering the most comprehensive war claims program to date, as authorized by Public Law 87-846, to compensate the claims of American nationals for death, personal injury, or loss or damage of property suffered during specific periods of World War II.

The Office of the Alien Property Custodian has been closed, and the enemy alien properties, after being liquidated, are now ready to be paid out to claimants qualifying under existing law. Under present statutory limitations, the Commission must complete the World War II claims program by May 17, 1967. The unexpended balance of the war claims fund is in excess of $200 million.

During the disbursement period, this subcommittee has an important surveillance function. When these funds have been exhausted, it is contemplated that the subcommittee will no longer be needed. A breakdown of figures and the status of the War Claims Fund as of December 31, 1966, is attached.

The Foreign Claims Settlement Commission is proceeding on schedule with the World War II claims program. It is noteworthy that the procedures of the Commission have improved with respect to the processing of claims under this program. The Commission has reported that a large number of claims have been filed by the late nationals who are presently excluded from benefits under the act. Should there remain a balance in the war claims fund after the payment in full of claims of American citizens, the committee will wish to explore the possibility of legislation providing for payment to this category of claimants. This would be in keeping with the understanding of the Senate conferees on the bill, H.R. 7283, which became Public Law 87-846, when they receded from the late nationals amendment adopted by the Senate.

The committee will continue to exercise its duty with respect to the vested property program and the war claims program, to insure that any deficiencies or inadequacies in the law are corrected in the best interests of the United States and our citizens.

Mr. LAUSCHE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. LAUSCHE. Is the matter pending before the Senate, Senate Resolution 41, entitled "Trading With the Enemy Act"?

The PRESIDING OFFICER. The Senator is correct.

The question is on agreeing to the committee amendment.

Mr. LAUSCHE. Mr. President, I subscribe to what is being done as related by the Senator from Arkansas, but I am bewildered as to how it comes under the subject of "Trading With the Enemy Act."

Mr. McCLELLAN. This committee has had the jurisdiction of that subject matter.

Mr. LAUSCHE. But what the Senator has related has nothing to do with trading with the enemy, but instead deals with——

Mr. McCLELLAN. War claims.

Mr. LAUSCHE. War claims of American citizens.

Mr. McCLELLAN. The subcommittee has had jurisdiction, all the same.

Mr. LAUSCHE. All right.

Mr. McCLELLAN. That is the name of the subcommittee.

Mr. LAUSCHE. I think there is great work to be done by that subcommittee.

Mr. McCLELLAN. Mr. President, I thank the Senator. We are trying to operate with almost a skeleton staff.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the resolution as amended.

The resolution, as amended, was agreed to.

AUTHORIZATION FOR CERTAIN ACTIVITIES AND STUDIES BY THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

The Senate proceeded to consider the resolution (S. Res. 42) to authorize certain activities and studies by the Committee on Interior and Insular Affairs, which was reported from the Committee on Interior and Insular Affairs, with an amendment, on page 1, at the beginning of line 8, to insert "the jurisdiction of the Committee on Interior and Insular Affairs, including national parks and recreation areas;"; so as to make the resolution read:

S. Res. 42

Resolved, That the Committee on Interior and Insular Affairs, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to the jurisdiction of the Committee on Interior and Insular Affairs, including national parks and recreation areas; Indian affairs; irrigation and reclamation; water and power resources; minerals, materials, and fuels; public lands; environmental studies; and territories and insular affairs.

Sec. 2. Pursuant to its authority under section 134(a) of the Legislative Reorganization Act of 1946, as amended, the committee is authorized to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, documents, and to take such testimony on matters within its jurisdiction as it deems advisable.

Sec. 3. For the purposes of this resolution the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 4. Expenses of the committee, under this resolution, which shall not exceed $105,000 shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. ELLENDER. Mr. President, I note that in 1966 the number of employees was six. The committee is requesting the same amount of money for this year as was granted last year. I notice that they are asking for eight employees.

Mr. JACKSON. The Senator is correct. The Senator will note that through the years the committee has been reducing its expenditures. As a matter of fact, we were able to save approximately $20,000 as of February 1. We will have spent approximately $85,000 instead of $105,000.

The committee has had additional work. We have probably handled more substantive legislation than any other Senate committee.

The committee has been loaded down with legislation affecting national parks and recreation.

We have considered a great deal of legislation in the field of water. The amount of this legislation has increased very substantially.

I have made it a point, if the Senator has had an opportunity to look through the record, to hire consultants so that we do not have as many year-round employees. I think this is one of the most useful things that the Senate can do.

Mr. ELLENDER. I thought the committee was doing a good job in holding down the number of employees.

Mr. JACKSON. We have.

Mr. ELLENDER. The committee is asking for two additional employees this year instead of decreasing the number of employees or retaining the same number as last year.

Mr. JACKSON. The Senator will note that we are asking for the same amount of money as last year, and are returning $20,000.

We are talking about a major standing committee spending $85,000.

If that is not prudence, I do not know what is. We have really tried to save money.

Mr. CURTIS. Mr. President, will the Senator yield?

Mr. JACKSON. I yield.

Mr. CURTIS. Mr. President, I am not a member of this committee. I have served on the Committee on Rules and Administration since I have been a Member of the Senate. I believe, if my memory serves me correctly, that at one time the amount of money secured by this committee was approximately $500,000 a year.

We have here a committee that does not come before the Committee on Rules and Administration or the Senate to ask for staffs for subcommittees. The committee has reduced the amount of money that it was asking for at one time by $400,000. The committee used to spend $500,000.

The committee is asking for approximately $100,000. As a Senator who has been alarmed at the increasing number of subcommittees and increased expenditures, I feel that I should say something in behalf of a well-managed committee, and there are many of them here.

Mr. JACKSON. Mr. President, I appreciate very much the comment of the distinguished Senator.

Mr. ELLENDER. Mr. President, I was complimenting the Senator myself, but I was remarking that the committee is asking for eight employees this year rather than the six that they had last year.

Mr. JACKSON. What we need here is some flexibility. We may need more employees in one year than in another year. However, I do not think that a committee should be penalized because it tries to cut down on the number of employees.

I suppose that the wise thing for me to do as chairman of the committee is to increase the total amount of money requested and have a lot of employees.

I did point out that we use consultants on the committee so that we do not have as many year-round employees.

Several years ago the committee was spending $500,000 a year. The amount involved here is $85,000.

We can get lost in detail as to whether we have one or two additional employees. I thought we were concerned about overall expenditures.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. JACKSON. I yield.

Mr. LAUSCHE. Mr. President, the Senator finds himself in the very unique position that he is probably the only committee chairman that is asking for the same amount of money and not for more money than he asked for last year.

Mr. JACKSON. I am sure that there are some others in that regard.

Mr. LAUSCHE. Not many. I have not checked them all.

Mr. JACKSON. Each committee has different problems. I want to address myself to my committee because we all face different situations.

This committee a few years back was spending $500,000 a year. It is now spending approximately $85,000.

Mr. LAUSCHE. Mr. President, I can understand why the Senator has said that each of the committees has different problems. I say that because the poor Senator from Louisiana [Mr. ELLENDER] has been making this fight for years and has found that his opposition scratches their respective backs to his destruction and send him home in great grief because of his failure to carry his arguments into effect.

Mr. JACKSON. If there is any grief involved, I think the distinguished senior Senator from Louisiana does not show it. He knows how to handle it.

The PRESIDING OFFICER. The question is on agreeing to the resolution as amended.

The resolution, as amended, was agreed to.

Mr. LONG of Missouri. Mr. President, I ask unanimous consent to turn to Calendar Order No. 33.

Mr. ELLENDER. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

AUTHORIZATION FOR THE COMMITTEE ON POST OFFICE AND CIVIL SERVICE TO MAKE CERTAIN INVESTIGATIONS

The Senate proceeded to consider the resolution (S. Res. 43) authorizing the Committee on Post Office and Civil Service to make certain investigations, which was reported from the Committee on Post Office and Civil Service with an amendment on page 3, line 10, after the word "exceed", to strike out "$225,000" and insert "$200,000"; so as to make the resolution read:

Resolved, That the Committee on Post Office and Civil Service, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate to examine, investigate, and conduct such studies as may be deemed necessary with respect to any and all aspects of—

(1) the postal service, including studies of mechanization, modernization, personnel policies, utilization of manpower, hours, wages, work schedules, and management techniques, designated to improve postal service in the United States;

(2) postal rates, including ascertainment of costs and assignment of costs to the various classes of mail, the possibility of increased rates for first, second, third, and fourth class mail;

(3) the Federal civil service, including salary adjustments in compliance with the Federal Salary Reform Act of 1962, insurance and retirement benefits, and general consideration of legislation to improve the quality of Federal employment and Federal personnel policies and practices; and

(4) committee jurisdiction concerning the census and the collection of statistics.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1967, until January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ on a temporary basis technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments and agencies concerned and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1968.

SEC. 4. Expenses of the committee under this resolution, which shall not exceed shall be paid out of the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

Mr. ELLENDER. Mr. President, I notice that we have a new chairman for this committee, the Senator from Oklahoma.

Last year the committee spent $150,000 and had nine employees. This year, the committee asked for $225,000.

Mr. MONRONEY. Mr. President, I was chairman of this committee last year.

Mr. ELLENDER. I know, but I consider the Senator to be a new chairman.

Mr. MONRONEY. Mr. President, the committee returned $70,000 that it avoided spending last year. The committee is asking for $50,000 of that money back at this time to have it available if it is necessary to engage, as many other Senators feel should be done—in a cost ascertainment study prior to the nationwide increase of some $700 million in postal rates.

We did not spend this extra money last year. We held the money back, and only if it is absolutely necessary will we spend this money this year for a separate auditing study by one of the Nation's great auditing firms to check the Post Office Department's standards as to cost ascertainment.

Mr. ELLENDER. How much of the money is to be spent for that purpose?

Mr. MONRONEY. Fifty thousand dollars is the amount that we estimate would be spent for that.

We estimate that it will require $100,000 for the committee's regular activities in investigating and checking the Post Office Department and the Civil Service System as it applies to all Government employees.

We also estimate that $50,000 will be necessary to try to find the blockade points where the Nation's mail is being delayed in order to speed it up and find ways to correct the slowdown in mail deliveries.

This is the reason for the last $50,000 increase because there have been so many instances of overloaded central dispatching points. We want to conduct a spotcheck of some 50 or 75 major post offices, to find out the cause and the reasons for the mail slowdown at these terminal points.

I wish to point out that we returned not only $50,000 of the total amount that was for the cost ascertainment study, but also $20,000 which we were able to save out of our resolution funds in addition to that. We had had 14 to 17 employees on that committee, and we do not anticipate any enlargement of the staff. The only additional personnel that would be employed under this resolution would be those temporarily employed to help the committee make the spotchecks of these nationwide points where there may be a mail slowdown.

Mr. President, the resolution authorizes the Committee on Post Office and Civil Service to spend up to $200,000, during this session of the 90th Congress to carry on the legislative and investigative functions of the committee.

This is an increase of $50,000, over the amount authorized in Senate Resolution 180 for the second session of the 89th Congress. At the end of January, this committee returned $70,306.25 to the contingency fund of the Senate. It may seem unusual that we are requesting a substantial increase in our budget. There are three essential reasons for this requested increase:

First of all, the committee's activities will be substantially increased because of the anticipated introduction of legislation to increase postal rates. Should the committee consider a general increase in postal rates, it will require lengthy investigation by the members of the committee and the expert technical assistance of a skilled and trained staff.

Secondly, the committee has been considering entering into contract with a cost accounting firm in private enterprise to undertake certain studies of the cost ascertainment system of the Post Office Department. Senator Carlson and I have discussed this project with several representatives from private cost accounting firms. At our first executive session this year, the committee discussed this proposal in detail and decided that the committee should request approximately $50,000, for the expenses of such a study but delayed final determination until a later date. Fifty thousand dollars, of the resolution herein requested and approved by the Rules Committee, is for that specific purpose. If the committee decides not to make such a study, it may well be returned to the contingency fund of the Senate.

Thirdly, it is the committee's intention to undertake several field studies of postal operations this year. There are many problems that have increased the workload of the postal service almost to the breaking point. Mail volume in 1966 exceeded 80 billion letters and packages. Many major facilities are years behind in maintaining equipment to handle modern mail volume. Recruitment and retention of qualified personnel becomes more and more difficult. Transportation for first class mail is increasingly critical. All of these problems require the careful consideration of the appropriate congressional committees. I hope that we can visit major postal installations and conduct on the spot studies of the major needs of our postal service. If the administration wants to increase postal rates for 1967, I think we will owe it to the American public and postal patron to conduct such studies. I think $50,000, for the expenses of staff, travel, and public hearings, is a reasonable figure.

Finally, the remainder of the money, which finances all of the committee, including its five standing subcommittees, is necessary to meet the clerical and professional staff payroll in addition to regular permanent staff members. The Senate has my assurance that the committee will continue to exercise prudence in the expenditure of public funds.

The PRESIDING OFFICER. The question is on agreeing to the amendment. [Putting the question.]

Mr. LAUSCHE. I vote "No."

The PRESIDING OFFICER. The "ayes" have it.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the resolution, as amended.

The resolution (S. Res. 43), as amended, was agreed to.

COMMITTEE ON BANKING AND CURRENCY

The Senate proceeded to consider Senate Resolution 45, authorizing the Committee on Banking and Currency to make certain investigations, and to provide additional funds therefor, which was reported by the Committee on Rules and Administration with an amendment.

The PRESIDING OFFICER. The clerk will state the amendment.

The Legislative Clerk. On page 3, line 2, after the word "exceed," to strike out "$188,300" and insert "$110,000."

Mr. ELLENDER. Mr. President, I notice that the Committee on Rules and Administration has approved the same amount that was allowed last year. I notice, also, that the Committee on Banking and Currency has asked for $188,000. I am glad to note that the Committee on Rules and Administration has cut the amount back to what the committee received last year.

Mr. LAUSCHE. To make the record clear, is the amount that will be granted this year the same as the amount that was granted last year?

Mr. SPARKMAN. The amount will be the same.

Mr. President, I should like to say this, in order that the Record may carry the facts: It was decided in our committee to ask for an additional amount. We are going to have some extra heavy loads on certain subjects this year, and we have employed two additional persons to help in those tasks. One of them, however, replaced an employee who left the committee, so that we have employed one new man.

Senator Williams of New Jersey is chairman of the Subcommittee on Securities, and we have already received notice that we are going to have a heavy load of legislation involving the securities market and the Securities Exchange Commission. The only extra person we employed was for the purpose of helping on this particular work.

We did ask for enough money to pay the additional costs that were incurred last year by the increase in pay—approximately $3,300. In addition to that, we asked for additional pay, additional allowance, to take care of the one new employee that we had put on the staff, one who is necessary, and with some elbow room in order to be able to carry out a matter that the majority leader has asked for—that is, a study of existing legislation, agencies, and departments over which we have jurisdiction, and an evaluation of those programs.

Mr. President, I am not contesting the allowance that is made. I do believe that certainly there have been allowances to take care of the additional pay that was voted by Congress last year. But so far as having operating room to do the job that the majority leader has asked us to do, I am not at all certain that we will be able to do it in a satisfactory manner. However, we are perfectly willing to do our best to perform a frugal job. In the event that it is necessary to have additional funds, I propose to go back to the Committee on Rules and Administration, at the proper time, and ask for additional funds to help us do that job.

Mr. LAUSCHE. How does this request compare with what the committee had last year?

Mr. SPARKMAN. What the Committee on Rules and Administration has provided is the same as last year. We requested an additional $78,000.

Mr. LAUSCHE. Your committee does not fall into the category of those committees which each year are getting more and more?

Mr. SPARKMAN. No. That would have been so this year, under the explanation I gave—for the reason that I gave.

Mr. WILLIAMS of Delaware. I wonder if the Senator from Alabama would explain this resolution along with Resolution 44, both of which deal with appropriations for investigations, and how they are related. The first one authorizes $96,000-plus to make certain investigations, and the next one does the same. I am wondering how they relate.

Mr. SPARKMAN. If the Senator will read carefully Resolution 44, he will see that it is to investigate housing and housing matters. That is a subcommittee that has been in existence for many years, under a resolution of Congress, calling upon it to make a continuing study of housing problems, and we have been doing that. That resolution relates to housing, whereas this resolution relates to the general, overall field of banking and currency, with the exception of housing.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. TOWER. If the Senator would like to take that matter up in connection with the discussion of Senate Resolution 46, I think that perhaps we could bring some things out that might be of interest to the Senator on this question.

Mr. WILLIAMS of Delaware. I was wondering if we could.

Mr. TOWER. It is my understanding that the distinguished Senator from Alabama is going to accept the resolution.

Mr. SPARKMAN. I am willing to accept it. However, it seems to me that the orderly procedure would be to dispose of this resolution, which is giving us the same amount of money we received last year.

Mr. WILLIAMS of Delaware. I have no objection to proceeding on this resolution, but I did want to know about it.

Some Senators are inquiring how long we are going to stay in session tonight. I think we should know.

Mr. LONG of Louisiana. It is my thought that we will dispose of two more of the money resolutions and then adjourn, if Senators wish to stay that long. If someone insists, we will go home now.

Mr. WILLIAMS of Delaware. I am not going to insist.

Mr. SPARKMAN. I appeal to the assistant majority leader that we finish the two resolutions that we are discussing now.

Mr. LONG of Louisiana. I thought we would dispose of two more resolutions.

Mr. SPARKMAN. May we complete the one we are now discussing and then move to the next one?

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the resolution, as amended.

The resolution (S. Res. 45), as amended, was agreed to, as follows:

S. Res. 45

Resolved, That the Committee on Banking and Currency, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to—

(1) banking and currency generally;

(2) financial aid to commerce and industry;

(3) deposit insurance;

(4) the Federal Reserve System, including monetary and credit policies;

(5) economic stabilization, production, and mobilization;

(6) valuation and revaluation of the dollar;

(7) prices of commodities, rents, and services;

(8) securities and exchange regulations;

(9) credit problems of small business; and

(10) international finance through agencies within the legislative jurisdiction of the committee.

Sec. 2. For the purposes of this resolution the committee from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. Expenses of the committee, under this resolution, which shall not exceed $110,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

PROPOSED REORGANIZATIONS IN EXECUTIVE BRANCH OF THE GOVERNMENT

Mr. RIBICOFF. Mr. President, I ask unanimous consent that Calendar No. 49, Senate Resolution 59, be called up out of turn.

The PRESIDING OFFICER. Is there objection?

Mr. TOWER. Mr. President, reserving the right to object——

Mr. SPARKMAN. Mr. President, I do not know why the Senator wishes to take up Senate Resolution 59 out of turn. I think we can finish the next resolution very quickly.

Mr. RIBICOFF. I have no objection, although I may say that I cannot be present on Monday.

Mr. SPARKMAN. I am perfectly willing to stay until the call of the calendar is completed.

Mr. RIBICOFF. I had hoped that I might catch a plane shortly; however, I am willing to cancel my plane reservation and stay as long as the Senate is in session.

Mr. SPARKMAN. No.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Connecticut?

Mr. TOWER. Mr. President, reserving the right to object, may I ask the distinguished Senator from Connecticut if he expects a controversy with respect to the resolution?

Mr. RIBICOFF. I have not the slightest idea. That would be up to the senior Senator from Louisiana [Mr. Ellender]. I do not know whether there will be a controversy.

Mr. TOWER. Did the Senator say he expected to catch a plane?

Mr. RIBICOFF. I did; at 7 o'clock.

Mr. TOWER. I have no objection.

The PRESIDING OFFICER. The resolution will be stated by title.

The Legislative Clerk. A resolution (S. Res. 59) to provide funds to study and evaluate the effects of laws pertaining to proposed reorganizations in the executive branch of the Government.

The PRESIDING OFFICER. Without objection, the Senate will proceed to consider the resolution.

The Senate proceeded to consider the resolution (S. Res. 59), which had been reported from the Committee on Rules and Administration with an amendment on page 2, line 19, after the word "exceed", to strike out "$120,000" and insert "$110,000"; so as to make the resolution read:

S. Res. 59

Resolved, That the Committee on Government Operations, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to make a full and complete study for the purpose of evaluating the effects of laws enacted to reorganize the executive branch of the Government, and to consider reorganizations proposed therein.

Sec. 2. For the purposes of this resolution the committee, from February 1, 1967, through January 31, 1968, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized at its discretion to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings upon the study and investigation authorized by this resolution, together with its recommendations for such legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1968.

Sec. 4. Expenses of the committee, under this resolution, which shall not exceed $110,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the resolution, as amended.

The resolution (S. Res. 59), as amended, was agreed to.

FUNDS TO INVESTIGATE MATTERS PERTAINING TO PUBLIC AND PRIVATE HOUSING AND URBAN AFFAIRS, INCLUDING URBAN MASS TRANSPORTATION

The PRESIDING OFFICER. The next resolution in regular order will be stated.

The Senate proceeded to consider the resolution (S. Res. 46) authorizing the Committee on Banking and Currency to investigate matters pertaining to public and private housing and urban affairs, including urban mass transportation, which had been reported from the Committee on Rules and Administration with an amendment on page 2, line 18, after the word "exceed", to strike out "$150,000" and insert "$138,000"; so as to make the resolution read:

S. Res. 46

Resolved, That the Committee on Banking and Currency, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to public and private housing and urban affairs, including urban mass transportation.

Sec. 2. For the purposes of this resolution the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1968.

Sec. 4. Expenses of the committee, under this resolution, which shall not exceed $138,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. TOWER. Mr. President, the request of the Committee on Banking and Currency, as set forth in Senate Resolution 46, for authority for the Subcommittee on Housing and Urban Affairs to expend funds in an amount not to exceed $150,000 was reduced by $12,000, to $138,000, by the Committee on Rules and Administration. This is appropriately reflected by the newly designated title of the subcommittee, which is now possessed of a broader range of activities and responsibilities that come within the purview of the subcommittee to fulfill its broader, complete function in the area of public and private housing. The subcommittee's activities necessarily include the overall problems of urban development, urban mass transit, and many other related programs. It is anticipated that the scope of activities of this subcommittee, and the resulting workload, will be greatly increased during the period from February 1 of this year through January 31 of next year.

In order to assure the capacity of the subcommittee to keep pace with increased activities and resulting clerical workload, it is imperative that the requested expenditure of $150,000 be reinstated.

Mr. President, all that we are asking for is $12,000 over and above what we had last year. I think that there are probably few people who understand the tremendous scope of the work of the Subcommittee on Housing and Urban Affairs. We upgraded the title this year. Many major Great Society bills came before this subcommittee in the 89th Congress. We expect many more of them. We must consider all legislation pertaining to housing, pertaining to urban development, and such massive programs as the demonstration cities plan. We have to consider legislation relative to home financing. We are going to have much work to do on that this year because the homebuilding industry is in trouble and there are now being advanced home plans and programs for increasing Federal and private activity in homebuilding, home financing, and the home owning sector.

Mr. President, it also should be considered that we must deal with mass transportation. This is one of the great problems. Considering the major legislation that the committee is compelled to handle, and considering the number of proposals that have already emanated from the administration that our subcommittee is considering it seems to me that $12,000 is a small sum to ask for.

Of course, I am interested that we be adequately staffed. Both the majority and the minority must be adequately staffed. Included here would be a sufficient sum to cover a secretary. This would not be the purpose for which all the money is designated. Currently the minority does not have a secretary. I think it is a small thing to ask for only a $12,000 increase over last year considering the broadened scope of the subcommittee. Therefore, I am hopeful that the committee amendment will be rejected.

Mr. President, I do intend to ask for the yeas and nays on the amendment.

Mr. LONG of Louisiana. Mr. President, I ask that this resolution go over.

The PRESIDING OFFICER. Is there objection?

Mr. TOWER. Mr. President, if the manager of the resolution would accept the $150,000 figure, I would withdraw my request for the yeas and nays.

Mr. LONG of Louisiana. Senators have been told that there will be no further yea-and-nay votes today. I would not want to take a yea-and-nay vote at this time, having given that assurance.

Mr. TOWER. I would want to honor that understanding, but if we can dispose of the matter, I would prefer to do so today. I should have included that in my request for the yeas and nays.

Mr. LONG of Louisiana. If the Senator from Texas can get unanimous consent, I have no objection. If he cannot get unanimous consent, I ask that it go over.

Mr. TOWER. Would the Senator from Delaware wish me to yield to him?

Mr. SPARKMAN. Mr. President, I would like very much to dispose of this matter tonight. I wish to propound a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Alabama will state it.

Mr. SPARKMAN. After a resolution has been taken up, can a Senator ask that it go over?

The PRESIDING OFFICER. One objection to its final passage would put it over.

Mr. SPARKMAN. I hope that the assistant majority leader will not ask that it go over. We have just passed the general resolution on banking and currency and this is so closely related. All that we asked for has been before the Committee on Rules and Administration.

Mr. LONG of Louisiana. I am willing to dispose of the matter, but if the yeas and nays are requested, I ask that it go over.

Mr. SPARKMAN. We have asked for enough additional money to pay the increased costs which Congress voted last year to allow the minority to have one clerical employee. The Senator from Texas [Mr. TOWER] I understand is offering to amend to make those additions possible.

Mr. LONG of Louisiana. If we can vote by voice vote, I am willing to vote now; otherwise I object.

The PRESIDING OFFICER. What is the position of the Senator from Texas [Mr. TOWER]?

Mr. TOWER. I wonder if the assistant majority leader would accept the amendment.

Mr. LONG of Louisiana. Has the Senator offered his amendment?

Mr. TOWER. If they would accept the $150,000 figure we would not need it.

The PRESIDING OFFICER. That is a rejection of the committee amendment.

Mr. TOWER. That is a rejection of the committee amendment.

Mr. WILLIAMS of Delaware. Mr. President, the committee amendment has not been agreed to.

Mr. President, I ask that the resolution go over.

The PRESIDING OFFICER. It will go over.

RESOLUTION AUTHORIZING THE COMMITTEE ON GOVERNMENT OPERATIONS TO MAKE INVESTIGATIONS INTO EFFICIENCY AND ECONOMY OF OPERATIONS OF ALL BRANCHES OF GOVERNMENT

The Senate proceeded to consider the resolution (S. Res. 53) authorizing the Committee on Government Operations to make investigations into the efficiency and economy of operations of all branches of Government, which had been reported from the Committee on Rules and Administration with an amendment on page 6, line 5, after the word "exceed", to strike out "$450,000" and insert "$435,000".

The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the resolution (S. Res. 53) as amended.

The resolution (S. Res. 53) as amended was agreed to as follows:

S. RES. 53

Resolved, That, in holding hearings, reporting such hearings, and making investigations as authorized by section 134 of the Legislative Reorganization Act of 1946 and in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, the Committee on Government Operations or any subcommittee thereof is authorized from February 1, 1967, through January 31, 1968, to make investigations into the efficiency and economy of operations of all branches of the Government, including the possible existence of fraud, misfeasance, malfeasance, collusion, mismanagement, incompetence, corrupt or unethical practices, waste, extravagance, conflicts of interest, and the improper expenditure of Government funds in transactions, contracts, and activities of the Government or of Government officials and employees and any and all such improper practices between Government personnel and corporations, individuals, companies, or persons affiliated therewith, doing business with the Government; and the compliance or noncompliance of such corporations, companies, or individuals or other entities with the rules, regulations, and laws governing the various governmental agencies and its relationships with the public: *Provided*, That, in carrying out the duties herein set forth, the inquiries of this committee or any subcommittee thereof shall not be deemed limited to the records, functions, and operations of the particular branch of the Government under inquiry, and may extend to the records and activities of persons, corporations, or other entities dealing with or affecting that particular branch of the Government.

SEC. 2. The Committee on Government Operations or any duly authorized subcommittee thereof is further authorized from February 1, 1967, to January 31, 1968, inclusive, to conduct an investigation and study to the extent to which criminal or other improper practices or activities are, or have been, engaged in the field of labor-management relations or in groups or organizations of employees or employers, to the detriment of interests of the public, employers, or employees, and to determine whether any changes are required in the laws of the United States in order to protect such interests against the occurrence of such practices or activities. Nothing contained in this resolution shall affect or impair the exercise by the Committee on Labor and Public Welfare of any power, or the discharge by such committee of any duty, conferred or imposed upon it by the Standing Rules of the Senate or by the Legislative Reorganization Act of 1946.

SEC. 3. The Committee on Government Operations or any duly authorized subcommittee thereof is further authorized and directed from February 1, 1967, to January 31, 1968, inclusive, to make a full and complete study and investigation of syndicated or organized crime which may operate in or otherwise utilize the facilities of interstate or international commerce in furtherance of any transactions which are in violation of the law of the United States or of the State in which the transactions occur, and, if so, the manner and extent to which, and the identity of the persons, firms, or corporations, or other entities by whom such utilization is being made, what facilities, devices, methods, techniques, and technicalities are being used or employed, and whether or not organized crime utilizes such interstate facilities or otherwise operates in interstate commerce for the development of corrupting influences in violation of the law of the United States or the laws of any State and, further, to study and investigate the manner in which and the extent to which persons engaged in organized criminal activities have infiltrated into lawful business enterprise; and to study the adequacy of Federal laws to prevent the operations of organized crime in interstate or international commerce; and to determine whether any changes are required in the laws of the United States in order to protect the public against the occurrences of such practices or activities. Nothing contained in this resolution shall affect or impair the exercise by the Committee on the Judiciary or by the Committee on Commerce of any power, or the discharge by such committee of any duty, conferred or imposed upon it by the Standing Rules of the Senate or by the Legislative Reorganization Act of 1946.

SEC. 4. The Committee on Government Operations or any of its duly authorized subcommittees shall report to the Senate by January 31, 1968, and shall, if deemed appropriate, include in its report specific legislative recommendations.

SEC. 5. (a) For the purposes of this resolution, the Committee on Government Operations or any of its duly authorized subcommittees, from February 1, 1967, to January 31, 1968, inclusive, is authorized, as it deems necessary and appropriate, to (1) make such expenditures from the contingent fund of the Senate; (2) hold such hearings; (3) sit and act at such times and places during the sessions, recesses, and adjournment periods of the Senate; (4) administer such oaths; (5) take such testimony, either orally or by sworn statement; (6) employ on a temporary basis such technical, clerical, and other assistants and consultants; and (7) with the prior consent of the executive department or agency concerned and the Committee on Rules and Administration, employ on a reimbursable basis such executive branch personnel as it deems advisable; and, further, with the consent of other committees or subcommittees to work in conjunction with and utilize their staffs, as it shall be deemed necessary and appropriate in the judgment of the chairman of the committee or subcommittee: *Provided further*, That the minority is authorized to select one person for appointment and the person selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee.

(b) For the purpose of this resolution the committee, or any duly authorized subcommittee thereof, or its chairman, or any other member of the committee or subcommittee designated by the chairman, from February 1, 1967, to January 31, 1968, inclusive, is authorized, in its or his or their discretion, as may be deemed advisable, to require by subpena or otherwise the attendance of such witnesses and production of such correspondence, books, papers, and documents.

SEC. 6. Expenses of the committee under this resolution, which shall not exceed $435,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

STUDY OF INTERGOVERNMENTAL RELATIONSHIPS BETWEEN THE UNITED STATES AND THE STATES AND MUNICIPALITIES

The Senate proceeded to consider the resolution (S. Res. 55) authorizing a study of intergovernmental relationships between the United States and the States and municipalities, which had been reported from the Committee on Rules and Administration, with an amendment, on page 2, line 23, after the word "exceed", to strike out "$140,000" and insert "$130,000".

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. LAUSCHE. Mr. President, what is the resolution that is before the Senate?

The PRESIDING OFFICER. Calendar No. 46, Senate Resolution 55.

Mr. LAUSCHE. Mr. President, may we have an explanation of it?

Mr. MUSKIE. Mr. President, the Subcommittee on Intergovernmental Relations has been engaged since its creation in 1962 with the study of problems involving the three levels of government in the federal system: the United States, the States, and the municipalities.

This year we have been particularly concerned with, and have devoted quite a bit of attention to, legislation and studies related to the administrative difficulties in handling Federal grant-in-aid programs. As Senators know, there have been a number of these programs since 1948, beginning with approximately 70, until today there are approximately 220. The proliferation of these programs has created administrative problems on local, State, and Federal levels. We have been undertaking to emphasize this problem, to understand its dimensions, and develop, we hope, practical solutions.

Mr. LAUSCHE. Does the proposal that the Federal Government shall send back to the local and State authorities a definite percentage of Federal income, come within the jurisdiction of this study?

Mr. MUSKIE. The subject is one of many which has been raised in our hearings and has been discussed there. However, any legislation dealing with it must, of course, go to the Committee on Finance.

Mr. LAUSCHE. When did this study begin that the Senator is now speaking of?

Mr. MUSKIE. The hearing phase began last November. We have already had 6 days of hearings in this session, and we contemplate more in March and throughout the year.

In the course of these studies, there has been a great deal of interest and discussion by the witnesses—Governors and mayors—in the tax-sharing proposals.

Mr. LAUSCHE. How much money was given last year?

Mr. MUSKIE. $137,000.

Mr. LAUSCHE. How much is being asked for now?

Mr. MUSKIE. The Rules Committee has recommended $130,000.

Mr. LAUSCHE. Mr. President, that is all I have to say.

Mr. ELLENDER. Mr. President, I invite the attention of the Senate to the fact that the Government Operations Committee has split itself into six subcommittees. It is my belief that the chairman of that committee should look into this matter and try to prevent further proliferation of the committee. It is getting not quite so big, but almost as big, as the Judiciary Committee. As I have said, there are six subcommittees for this year, and the permanent subcommittee has been voted $435,000.

The Executive Authorization Subcommittee is asking for $110,000.

Foreign aid expenditures, $105,000.

Government research, $75,000.

Intergovernmental relations, $130,000.

National security and international operations, $90,000.

It would indicate there that the Senate is being asked to appropriate for the Government Operations Committee almost $1 million.

I hope that the chairman of the committee will look into this matter in the hope that fewer committees can be created, and that the proliferation I have been talking about will not be permitted.

Mr. WILLIAMS of Delaware. Mr. President, I want to ask the Senator from Maine a question.

Mr. MUSKIE. I shall do my best to answer the Senator.

Mr. WILLIAMS of Delaware. Do I understand correctly that one of the purposes of the committee is to study proposals for sharing revenues of the Federal Government with the States?

Mr. MUSKIE. No. Let me repeat for the Senator, because he probably did not hear my colloquy with the Senator from Ohio [Mr. LAUSCHE] a few moments ago, that the subjects of coordination and intergovernmental administration of grant-in-aid programs came up in our discussions, and some of the various witnesses went into the subject of tax sharing proposals. However, we understand fully that the jurisdiction for that subject and that any legislation dealing with it should belong to the Committee on Finance. However, because Governors and mayors are concerned with this problem of redtape and administrative complexities when they testified before us, they did see fit to get into the subject of tax sharing.

Nevertheless, we do not consider it to be part of our jurisdiction, except in the discussion phase of the various ways State and local governments can be helped in the administration of Federal assistance.

Mr. WILLIAMS of Delaware. Well, recognizing those facts, I wonder what its functions are?

Mr. MUSKIE. Will the Senator permit me to read from rule XXV——

Mr. WILLIAMS of Delaware. I have read it.

Mr. MUSKIE. Rule XXV of the standing rules of the Senate specifically charges the Committee on Government Operations among other things with. "Studying the intergovernmental relationships between the United States and the States and municipalities."

Understandably, tax sharing involves the important relationships between the States and municipalities, as witnessed by the testimony of governors and mayors and other witnesses before us discussing this new proposal which is high in the level of public interest. And understandably, the rule does not discuss this. But, as a matter of fact, it would be only one of many ways to diminish the administrative complexities in our grant-in-aid programs.

Thus, this is relatively new, and it is being discussed together with other problems before our committee; but, what we are concerned with primarily is the organizational problem of coordination of grant-in-aid programs.

Mr. WILLIAMS of Delaware. The Senator read rule XXV. That rule delegates it to the Government Operations Committee. The Government Operations Committee, as a committee, gets an adequate appropriation to carry on its functions. This is a subcommittee. Here we have a committee, and then there is a subcommittee delegating to the committee the duties of the other committee. I wonder if that does not require clarification?

Mr. MUSKIE. No. This phase of the work of the Government Operations Committee was delegated by the full committee—with the approval of the Rules Committee in the Senate—to the Intergovernmental Relations Subcommittee. If the full committee were to undertake this work in addition to the work it now has, presumably it would have to have additional staff. I cannot conceive that the workload now carried on by the full committee could be supplemented by this additional workload with the elimination of the subcommittee's staff now applied to it.

Mr. WILLIAMS of Delaware. That is all right, Mr. President, but I want the bill to go over for the weekend and then——

Mr. MUSKIE. What was that? Will the Senator repeat that? May I respectfully suggest to the Senator that he reconsider his request because it will affect the vital hearings on air pollution which are scheduled in Detroit, and which were set weeks ago. I canceled hearings throughout the day in Denver and St. Louis in order to be here in Washington for this purpose at this moment. There is a long list of witnesses to be heard which has already been set up.

The fact is, we chose the Lincoln Day recess for the purpose of holding hearings because we could not imagine that there would be another period; in fact, we thought there would be less likelihood of conflict between work on the floor of the Senate and the hearings.

Now the Senator is considering asking for the resolution to go over which would, in effect, force me to cancel those hearings. It does not seem to me that this legislation has that much controversy involved in it. The work of the subcommittee has been going on now for three and a half years. It has attracted a great deal of attention all over the country and has the support of Governors and mayors and Senators all across the country.

I would be happy to take as much time now as necessary to answer the Senator's questions. That is why I canceled the hearings in order to be in the Chamber today.

Mr. WILLIAMS of Delaware. Mr. President, I withdraw my request temporarily. But, if there is such an emergency in the matter, why could it not have been brought up earlier today? I should like to examine this problem in more detail, but if the Senator wants to have the resolution passed now, and there would be no motion made to reconsider, I could ask that it be reconsidered on Monday next, and would reserve that right to do so. If the Senator wishes to pass the resolution with that understanding, that will be all right with me.

However, I should like to ask for its reconsideration on Monday. I would like to ask that it lie on the calendar until the Senate comes back on Monday.

Mr. MUSKIE. Let me ask the Senator this: Could the Senator give me a definite time on Monday so that I could be here then, because I must do something about the witnesses in Detroit?

Mr. WILLIAMS of Delaware. Could not the Senator go ahead and get someone else who knows something about the resolution? Surely, he is not the only member on that committee who knows something about it. If such is the case, I do not think we need it at all.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the resolution, as amended.

The resolution, as amended, was agreed to, as follows:

Resolved, That the Committee on Government Operations, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by subsection 1(g)(2)(D) of rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of intergovernmental relationships between the United States and the States and municipalities, including an evaluation of studies, reports, and recommendations made thereon and submitted to the Congress by the Advisory Commission on Intergovernmental Relations pursuant to the provisions of Public Law 86–380, approved by the President on September 24, 1959, as amended by Public Law 89–733, approved by the President on November 2, 1966.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with is recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1968.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $130,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

ADJOURNMENT UNTIL MONDAY

Mr. LONG of Louisiana. Mr. President, I am aware of the fact that certain Senators feel that we have remained in session past the hour they had anticipated the Senate would be in session today. I would anticipate that if we attempted to pass on more legislation at this time, a quorum would be insisted upon.

I therefore move, in accordance with the previous order, that the Senate stand in adjournment——

Mr. HARRIS. I am next on the list. I have been waiting all day.

Mr. MAGNUSON. Let us go on.

Mr. LONG of Louisiana. We cannot, because the absence of a quorum will be suggested.

Mr. President, I move that the Senate, in accordance with the previous order, stand in adjournment until 12 o'clock noon on Monday.

Mr. MAGNUSON. Mr. President, will the Senator from Louisiana yield for a question?

The PRESIDING OFFICER. A motion to adjourn is not debatable. Will the Senator from Louisiana temporarily withdraw his request?

Mr. MAGNUSON. I merely wish to ask a question.

Mr. LONG of Louisiana. Mr. President, I withdraw my request temporarily.

The PRESIDING OFFICER. The request to adjourn is withdrawn temporarily.

Mr. MAGNUSON. Only five measures are left on the calendar. I do not know why the Commerce Committee and the Labor and Public Welfare Committee matters are so far down.

Mr. YARBOROUGH. We are standing by, ready to proceed.

Mr. METCALF. We are ready to proceed.

Mr. MAGNUSON. When will these matters be brought up again?

Mr. LONG of Louisiana. We will conclude action on the money resolutions Monday. I was notified by other Senators some time ago that they thought we had exceeded the time when they were led to believe we would be in session, and they were going to insist on a quorum call and require a quorum in the event we attempted to complete action on the calendar. I persuaded them to let us proceed on five more resolutions at that time, to try to accommodate Senators who could not be in town. I have prevailed on Senators to go the extra mile with us in that regard. Under the circumstances I have gone as far as I can go.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield to the Senator from Alabama.

Mr. SPARKMAN. Monday is payday on Capitol Hill for our employees, not for Senators. I am just wondering if the acting leader has given any consideration to the effect this delay is going to have on payday, without the resolutions having been agreed to.

Mr. LONG of Louisiana. We hope to complete action on the resolutions on Monday.

Mr. SPARKMAN. Yes; but payday is supposed to start early in the morning.

Mr. LONG of Louisiana. They will have to cash their checks in the evening. I have prevailed on our colleagues to go along with us on more resolutions, including those involving the Banking and Currency Committee, than they wanted to agree to at that time. I believe the best we can do at this moment is to come back Monday. So, Mr. President, I move to adjourn——

Mr. LAUSCHE. Mr. President, I have one question.

The PRESIDING OFFICER. A motion to adjourn is not debatable.

Mr. LAUSCHE. Mr. President, will the Senator withhold that motion?

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that we now set aside consideration of the calendar and that Senators may make whatever statements they wish to make for the Record.

The PRESIDING OFFICER. The Senator will have to withdraw his motion to adjourn.

Mr. LONG of Louisiana. I withdraw that motion. I ask unanimous consent that Senators may make such statements as they care to, but there will be no further votes tonight.

Mr. WILLIAMS of Delaware. Mr. President, can we have an understanding that there will be no further resolutions considered tonight?

Mr. LONG of Louisiana. Yes.

Mr. LAUSCHE. Mr. President, I merely want to state, in behalf of the Senator from Louisiana, that he was confronted with great obstacles when, by accident and chance, there first came before the Senate the innocuous resolution involving two employees. I say it was by accident and chance. Rationalization might conclude that it was by deliberation.

ADDITIONAL COSPONSOR

Mr. YARBOROUGH. Mr. President, I ask unanimous consent that the name of the Senator from South Carolina [Mr. Hollings] be added as a cosponsor of S. 9, the cold war GI bill, at its next printing.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the name of the distinguished Senator from California [Mr. Murphy] be added as a cosponsor of S. 18 at its next printing.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MAGNUSON. Mr. President, I ask unanimous consent that the name of the Senator from Maryland [Mr. Tydings] be added as a cosponsor of S. 857 at the next printing of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

DAIRY IMPORT ACT OF 1967

Mr. MAGNUSON. Mr. President, American dairymen deserve and, in fact, must be assured of the same share of the domestic market they had until 1964 when imports began to skyrocket. Under the Dairy Import Act of 1967, which I cosponsored and which carries the names of 39 other Members of the Senate, imports of milk and dairy products would be controlled in the best interests of the American dairy farmer, as well as in the best interests of the consumer.

In just the past few months we have seen the change from a surplus supply of milk to a shortage. Dairy farmers are selling off their herds and going into other industries. The reason for this, of course, is that dairy farming is a long, hard job, and the pay is just too low. The dairy farmer does not mind the hard work, but he does want a fair price for his milk.

Effective import controls are needed if dairy farmers are to receive an income at a level equal to that received by other segments of the economy. The dairy farmer is working under a handicap if he has to compete with imports which are cutting into the market. The U.S. Department of Agriculture estimates that 3½ billion pounds of milk equivalent will be shipped into this country during 1967.

It takes time to build up dairy herds, and in an emergency, the dairy farmer would not have the time to do this.

What is needed now is legislation which will strengthen our dairy industry and keep our farmers in the milk producing business.

Because prices are already below parity, the U.S. Department of Agriculture has had to spend millions of added dollars to remove dairy products from the domestic market under the price support program.

Under the Dairy Import Act of 1967, the dairy farmers in this country will be able to count on a fair share of the market. The American dairy farmer cannot compete with products shipped in from overseas.

This bill, however, does not attempt to curb all imports. It allows for quotas based on the annual average quantities of butterfat and nonfat milk solids imported during 1961–65, and also provides for foreign countries to share in the growth of our markets. As domestic markets expand, imports will receive a proportionate increase in their quotas.

So this will allow countries to export dairy products, but also sets reasonable controls.

The consumer really gets no bargain when he buys foreign dairy products. Under the present situation, the Government has to support the dairy industry while allowing dairy imports to flood this country.

Import controls under this type of legislation would not depend on either support programs or parity, and would permit adjustments as the market changes.

We cannot afford to let the dairy farm industry in this country deteriorate. Effective import controls of foreign produced dairy products are essential if the U.S. dairy industry is to continue to supply the needs of our growing population with milk and dairy products.

ADDITIONAL COSPONSOR

Mr. METCALF. Mr. President, I ask unanimous consent that the name of the Senator from New Hampshire [Mr. McIntyre] be added as an additional cosponsor of S. 514 at its next printing.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE PROGRAM

Mr. LONG of Louisiana. Mr. President, I wish to announce that we expect to conclude action on the money resolutions for the committees on Monday, and on Tuesday we anticipate that the bill to extend the debt limit will be the pending business before the Senate.

Mr. MAGNUSON. Mr. President, several Senators have asked me about this. I know the Senator cannot gage it exactly, but does he know when the debt limitation bill will be before us?

Mr. LONG of Louisiana. On Tuesday. We expect to be able to act on it at that time.

Mr. MAGNUSON. Will the reorganization bill be set aside to take up the debt limit bill?

Mr. LONG of Louisiana. We shall have to "play it by ear," but I would hope that the Senate would be able to dispose of all the committee money resolutions on Monday, and that on Tuesday we would be ready to proceed to the conclusion of the debt limit bill, and then go back to the reorganization bill.

COAL FOR TRADE

Mr. BYRD of West Virginia. Mr. President, the importance of coal to the economy of the United States is convincingly stated in a report entitled, "International Coal Trade," just issued by the U.S. Bureau of Mines.

The report begins with an optimistic forecast of demands for American coal by European countries. It says that some 6.3 million tons of American coal will be sent to Europe during the period of January through March 1967. This represents an increase of more than 400,000 tons for the same period of 1966, and more than 800,000 tons above the same period of 1965.

Needless to say, growing sales of coal are important to States such as my State of West Virginia. However, the figures represent more than just income to West Virginia and other coal-producing States; they mean employment and sales of other products for many people in the entire country.

Important to our country, also, is the conclusion of the report. It states "coal exports at the present level earn nearly $500 million annually in foreign exchange and contribute greatly" to correct the dangerous flow of gold from the United States to Europe.

I ask unanimous consent that the "Export" section of the report be printed in the Record.

There being no objection, the report was ordered to be printed in the Record, as follows:

European Requirements of U.S. Coal, 1st Quarter 1967—Forecasts of European solid fuel requirements in the first three months (January–March) of 1967 indicate a continued strong demand for U.S. coal. The estimates, prepared in part from information supplied by participating members of the Coal Committee, Economic Commission for Europe, and from other sources, anticipate imports of American coal into Europe for the period at 6.3 million, increasing approximately 400 thousand tons above the level of actual imports for the corresponding 1966 period. The accompanying tabulation reports forecasts for the first quarter of 1967 compared with reported European receipts in the like quarters in the four previous years. Where import data for certain countries are not available, official U.S. export data is used instead.

The European Coal/Steel Community (ECSC), the most important market for U.S. coal in Europe, will take the preponderant share of the indicated tonnage. The Community's requirements amounting to over 5 million metric tons, accounts for 79.5 percent of the European total. In comparing the proportions of the ECSC's requirements of U.S. coal for the periods indicated in the accompanying tabulation, it is noted that the ratio for 1966 is virtually the same as in 1967. However, in 1964 and 1965 the proportions were 82.2 percent and 82.1 percent while in 1963 the Community's demand for U.S. coal was 87 percent of the European total. The anticipated tonnage to the ECSC in the 1967 period represents an increase of about 300 thousand tons from actual imports in January–March 1966. The advance is attributed, in a large measure, to a substantial rise in the requirements of steam coal for France and to a stronger demand by Belgium. Italian and West German tonnage are expected to be only slightly above that of last year while a sharp drop is indicated in the Netherlands' demand.

Paralleling the increased demand for U.S. coal by the Community, is the rise in requirements by those countries indicated in the table as "Other Europe", particularly in the Republic of Ireland, Spain, Sweden and Yugoslavia. Despite the keen competition with other European suppliers in these markets, the demand for American coal has continued strongly, attesting to the ability of the U.S. coal industry to provide a good quality of coal at competitive prices.

In the light of the present competition for the fuel demands of Europe and other world markets, the United States coal industry should remain aware of the continuing need for maintaining price and quality standards in order to preserve its position as the primary source of supply in the overseas trade. Coal exports at the present level earn nearly $500 million annually in foreign exchange and contributes greatly to the economy of the coal producing regions of United States.

European requirements of U.S. coal (anthracite, bituminous) in the first quarter of 1967, and actual imports in the corresponding periods of 1963–66, follow:

January–March

[In thousands of metric tons]

Importing country	Requirements, 1967	Actual imports [1]			
		1966	1965	1964	1963
ECSC:					
Belgium-Luxembourg [2]	500	339	378	496	357
France	705	482	484	564	318
Germany (West)[3]	1,225	1,211	937	1,238	1,152
Italy	2,100	2,032	2,106	1,853	1,630
Netherlands	500	654	609	943	838
Total, ECSC	5,030	4,718	4,514	5,094	4,295
Other Europe:					
Austria	30	34	25	120	90
Denmark				9	16
Greece		1	9		
Ireland	140	141	144	144	120
Norway	85	72	28	1	4
Portugal	47	23	22	36	23
Spain	360	367	332	180	106
Sweden	275	261	174	249	116
Switzerland	63	58	46	50	31
Yugoslavia	165	161	142	100	85
Other [4]	125	130	64	215	49
Total, other Europe	1,290	1,248	986	1,104	640
Total, Europe	6,320	5,966	5,500	6,198	4,935

[1] ECE coal statistics bulletins.
[2] Includes coal for coke production and reexport.
[3] Excludes shipments to U.S. troops.
[4] Principally to East European destinations.

NATIONAL GOP FEDERATION OPPOSES CONSULAR TREATY

Mr. MUNDT. Mr. President, in a letter I recently received, Mrs. Dorothy A. Elston, president of the National Federation of Republican Women, enclosed a resolution strongly opposing the ratification of the proposed Consular Convention with Russia. The resolution was first adopted by the Vermont Federation of Republican Women, and on January 25, 1967, it was unanimously adopted by the national board of directors of the National Federation of Republican Women, meeting at the Roosevelt Hotel in New Orleans, La.

In view of the fact that the Department of State is continuing to pressure Members of the Senate to support this proposed convention I thought Senators might like to know the attitude of this National Republican women's group, in view of the fact that many of them are the mothers of our fighting men in Vietnam who, unfortunately, are having to face up to the fact that the Russian Communists are supplying the weapons used by the Communists in North Vietnam to make less likely the survival of our fighting forces.

Therefore, I ask unanimous consent that the resolution and the letter of transmittal be printed at this point in the RECORD.

There being no objection, the letter and resolution were ordered to be printed in the RECORD, as follows:

NATIONAL FEDERATION
OF REPUBLICAN WOMEN,
Washington, D.C., February 10, 1967.

Hon. KARL E. MUNDT,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: The enclosed resolution was unanimously voted on at our Board of Directors Meeting, Wednesday, January 25, 1967, at the Roosevelt Hotel in New Orleans, Louisiana.

It represents the sentiments of the Federation women present from the 50 states.

Cordially,

MRS. DOROTHY A. ELSTON,
President.

RESOLUTION ADOPTED BY VERMONT FEDERATION

Whereas the United States Internal Security Subcommittee has repeatedly warned that ratification by the United States Senate of the proposed Consular Convention with Soviet Russia would open the door for centers of espionage and subversion by allowing establishment of Soviet Consulates in at least four of our major cities while our own U.S. State Department plans to establish only one in Leningrad, and

Whereas J. Edgar Hoover has stated that the great majority of the 800 communists bloc officials protected by immunity from prosecution have engaged in intelligence assignments in the United States, and

Whereas Article 19 of the treaty grants immunity from criminal prosecution to all employees of Russian consulates and with the increasingly dangerous political situation in Latin America, ratification by example, might lead to further diplomatic establishments throughout this hemisphere, therefore

Be it Resolved that the National Federation of Republican Women go on record as in opposition to this self-defeating agreement and urge rejection of the proposed consular treaty as an unwarranted risk to hemispheric defense and our national security.

SYMPOSIUM ON COAL FLY ASH

Mr. BYRD of West Virginia. Mr. President, I am pleased to invite the attention of the Senate to a symposium on the utilization of coal fly ash to be held at Pittsburgh, Pa., on March 14 through 16. The symposium will be jointly sponsored by the U.S. Bureau of Mines, the National Coal Association, and the Edison Electric Institute. Its purpose will be to review the developments and projected programs in the technology and utilization of fly ash and to assist in this effort by disseminating information available for increasing the commercial value of this coal waste product.

I am pleased to have had a hand in one program involving fly ash; that is, the pilot-plant production of building bricks. This plant is soon to become operational at West Virginia University, at Morgantown, W. Va. I was fortunate in amending the fiscal year 1966 appropriation bill for the Department of the Interior to add $275,000 to allow the Office of Coal Research to fund this program.

I have been informed that a utility plant consuming 1.5 million tons of coal per year would produce sufficient fly ash for the manufacture of more than 60 million bricks per year. This could mean a $3.3 million annual industry.

It is interesting to note that Dr. Walter R. Hibbard, Jr., Director of the U.S. Bureau of Mines, believes that coal fly ash represents a fortune thrown away every year, and that we are paying dearly for the privilege.

Dr. Hibbard also feels that the so-called waste product can be used creatively, even profitably, in many ways other than the construction of bricks. Added to cement, it makes a much stronger product.

It is an excellent stabilizer for the soil underlying highways, and it is a good filler for the asphalt used in paving.

Yet various American industries pay anywhere from 50 cents to $2 a ton just to dispose of this valuable material.

I am told that other countries do a better job than we do at putting this product to work. France and Britain, I understand, use up to 50 percent of the columes produced by their industries. In contrast, the United States finds productive applications for only 4 percent of the fly ash generated here each year.

Even the ancient Romans recognized the value of fly ash. They went out and gathered the ash from volcanoes and used it to make brick.

To indicate the potential uses of this product and its market value, I ask unanimous consent to have printed in the RECORD a report on fly ash utilization issued by the Bureau of Mines from its Morgantown, W. Va., Coal Research Center.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

LIGHTWEIGHT AGGREGATE—LARGEST FLY ASH OUTLET

Lightweight aggregate accounted for more than one-third the total fly ash used in 1963 and is a potentially multimillion ton outlet for the solid waste. Conventional lightweight aggregate is made from clays, shales, and slates and is the base material for manufacturing lightweight concrete. Two trends in building design and construction have greatly contributed to the development and growth of the lightweight aggregate industry. First is the trend toward the use of high-strength steels and concrete that permit construction of light, graceful, and economic reinforced concrete buildings and bridges. Examples of this type construction are the ultramodern TWA Terminal Building at John F. Kennedy International Airport, the Marina Towers in Chicago, the Pan Am Building over Grand Central Station in New York, the Chesapeake Bay Bridge, and the refurbishing of the Capitol Building dome. Second is the trend toward the use of precast concrete units centrally produced and transported to the construction site. Ten to fifteen million tons of conventional lightweight aggregate is used in the manufacture of concrete each year, but consumption of aggregate for this purpose is expected to reach 55 million tons per year within the next decade. Thus, while the lightweight aggregate industry is young compared to the sand, gravel, and crushed stone industries, it is vigorous, growing, and an important segment of the construction industry.

This potential market, coupled with the development of a satisfactory aggregate made from fly ash, created a favorable condition in certain metropolitan areas for coal-burning powerplants to exploit these factors. As a result, several plants began producing lightweight aggregates from fly ash in 1964. The Consolidated Edison Company, for example, is operating a 1,500 cubic yard per day lightweight aggregate sintering plant in New York City near the Astoria generating station. Sales totaled 20,000 cubic yards in 1964 and are expected to approach 50,000 in 1965. During the first half of 1964, about 64 percent of the aggregate sold from this plant went into structural lightweight concrete and 36 percent to concrete block manufacture.

The Waylite Company also is operating a lightweight aggregate sintering plant near Detroit Edison's River Rouge power generating station. Most of this aggregate goes into concrete blocks. Present consumption of fly ash in this plant is about 10,000 tons per month. Officials at Waylite, however, also consider their prospects good for obtaining a share in the structural lightweight concrete market in the Detroit area.

Two other smaller sintering plants are producing on a semipilot-plant scale. One is operated by Niagara-Mohawk Power Company at Buffalo, N.Y.; the other is run by the G. & W. H. Corson Company, at Philadelphia, Pa. A unique feature of the Corson plant is the use of an extrusion process instead of rotating discs or drums to form agglomerates. Advantages claimed by the Corson Company include (1) better lightweight concrete, (2) completely graded product without secondary processing, and (3) simpler plant operation and control.

FLY ASH IN HIGHWAY CONSTRUCTION

A second important use for fly ash is in the construction of stabilized bases for highways. This use falls into two categories—soil stabilization and stabilized aggregate base courses. Soil stabilizers are materials added to soils to give them marked and sustained resistance to deformation under repeated or continuing load application, whether in a wet or dry state.[1] Of several types of soil stabilizers used in highway construction, fly ash is the principal artificial pozzolan used in lime-pozzolan stabilizers. (A pozzolan is a finely divided siliceous and aluminous material that reacts with calcium hydroxide at ordinary temperature and in the presence of moisture to form cementitious materials.) When lime, fly ash, and soil are mixed and wetted down, the resulting gel cements the soil. The reaction is not too well understood but apparently involves the interaction between hydrated lime and the siliceous aluminous minerals in the fly ash and the soil to give products similar to those resulting from the hydration of portland cement. A major difference is that under normal curing conditions considerably more time is required for the pozzolanic cementation reactions to contribute much strength. These reactions can be accelerated in various ways, however.

Stabilized aggregate base courses consist of hardened layers of lime-pozzolan-aggregate mixture and are referred to as pozzolanic pavements. The advantage of this type of construction is that the dry mixture handles easily with ordinary construction equipment and the costly forming process used with plastic mixtures is eliminated. Intensive investigation at the University of Illinois has shown that properly designed pavements made with high quality fly ash gives outstanding performance under normal usage conditions.[2]

The potential for fly ash in soil stabilization and base course construction is much larger than the present market of about 190,000 tons. Since the first engineered soil-cement road was built 30 years ago in South Carolina, about 750 million square yards have been built in the United States. If lime and fly ash had been used in all this construction to the maximum practicable extent, upwards of 25 million tons of fly ash would have been used, much of it in the last 15 years. With no slackening of highway construction in view, a vast potential seems assured. Severe shortages of good aggregate already are developing in some parts of the country, hence the use of stabilized low-grade aggregate promises to increase. Here lies the potential for the development of a larger market for fly ash and a promising outlet for producers and brokers.

CONCRETE AND CONCRETE PRODUCTS FROM FLY ASH

Fly ash is usable in concrete,[3] grout, and mortar because it has pozzolanic properties. When used as a pozzolan, fly ash reacts with the free lime that is liberated during the hydration (setting) of portland cement. Tonnagewise this use has been rather stable at about 185,000 tons per year. The potential, however, is much greater. Bureau of Mines statistics for 1964, for example, reveal that 157 million cubic yards of ready-mix concrete were produced. It is this market that offers the greatest potential for the utilization of fly ash. Assuming that 100 lbs of fly ash are used in each cubic yard of ready-mix, 157 million cubic yards of ready-mix concrete would take 7,850,000 tons of fly ash. Compare this figure with our annual fly ash output and the potential for utilizing the solid waste becomes obvious.

FLY ASH IN BITUMINOUS CONCRETE AND ASPHALT

The fourth largest use for fly ash in the United States is in asphalt paving. In this application, raw fly ash is used as a mineral filler. Weinheimer[4] reports that fly ash is hydrophobic, has good void filling capacity, provides good stability, and meets specifications for this purpose. Carpenter[5] states that fly ash consistently gave superior results when compared to other fillers in its resistance to the softening action of water. While many States permit use of fly ash in asphalt mixes, present consumption is insignificant compared with the true potential of this market. For example, about 100 tons of fine aggregate are required as filler per mile of road surfacing, assuming a road width of 22 feet. Therefore, the 84,000 tons of fly ash sold for this purpose would surface 840 miles of road. On the other hand, there are many more than 840 miles of asphaltic-concrete surfacing placed each year. Furthermore, the U.S. Bureau of Public Roads reports that there are 3½-million miles of paved roads in the United States. Thus, if fly ash were used for the eventual resurfacing of all existing roads, upwards of 300 million tons of fly ash would be required—about 15 times the current fly ash output. Since there is no indication of a slow down in asphalt resurfacing and paving, it appears that all that is needed to exploit the market potential of fly ash as a filler is greater promotional effort on the part of fly ash producers. Many asphaltic concrete producers are not aware of the many advantages of fly ash as a mineral filler.

OTHER USES

Use of fly ash in making abrasives and a variety of other products accounted for the remaining 50,000 tons used in 1963. These include such uses as foundry and soaking-pit molds, raw material for heavy media (iron oxide), paint, plastics, sewer pipe, and purifying and filtering agent. Fly ash consumption for these materials is not likely to increase in the future, however, so they probably will remain only a small part of the overall utilization potential.

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[1] Highway Engineering Handbook, McGraw-Hill Book Co., Inc., New York, N.Y., 1960, ed. by K. B. Woods, D. F. Berry, and W. H. Goetz, pp. 21–7 to 21–132.

[2] Ahlberg, H. L., and E. J. Barenberg. Pozzolanic Pavements. University of Illinois Engineering Experiment Station Bulletin 473, v. 62, No. 55, February 1965, p. 90.

[3] Abdun-Nur, Edward. Fly Ash in Concrete: An Evaluation. Highway Research Board Bulletin 284, NAS-NRC pub. 854, 1960, 138 pp.

[4] Weinheimer, C. M. The Use of Fly Ash in the Bitumastic Road Industry, Symp. of Fly Ash Disposal, ASME Ann. Meeting, Paper No. 49–A–82, 1949, 7 pp.

[5] Carpenter, C. A. A Cooperative Study of Fillers in Asphaltic Concrete. Public Roads, v. 27, No. 5, December 1952, pp. 101–110.

FLY ASH RESEARCH

The past several years have seen a marked increase in research on fly ash utilization. Utility companies active in lightweight aggregate research, for example, include Consolidated Edison, Detroit Edison, Niagra-Mohawk, Duquesne Light and Power, Cleveland Electric Illuminating, Baltimore Gas and Elecrtic, and West Penn Power. Utilization research is also being sponsored at Bituminous Coal Research, Battelle Memorial Institute, and a number of colleges and universities. The U.S. Department of the Interior's Bureau of Mines and Office of Coal Research; the U.S. Department of Agriculture; the Bureau of Public Roads and highway research agencies of several States, including Alabama, Kentucky, and West Virginia; and a number of equipment manufacturers have research programs on various phases of fly ash utilization. The efforts of some of these groups have already resulted in increased utilization of fly ash and have brightened prospects for the eventual use of even greater quantities.

A new development stemming from this broadened research effort, for example, is a building brick made from fly ash. Under a contract with the Office of Coal Research, Department of the Interior, the West Virginia University Bureau of Coal Research successfully developed a lightweight, durable, and attractive brick consisting of 97 percent coal ash. Fly ash, bottom ash, and sodium silicate were mixed and subjected to modest forming pressures and firing temperatures. Sample bricks tested under a variety of conditions in accordance with American Society for Testing and Materials (ASTM) standards are said to compare favorably with clay bricks. Bricks made of fly ash are considerably lighter, which can mean a saving in transportation costs. A small pilot plant is to be built and operated to provide additional cost information and develop a continuous manufacturing process.

BUREAU OF MINES FLY ASH RESEARCH

The Morgantown (W. Va.) Coal Research Center, Bureau of Mines, U.S. Department of the Interior, is conducting several fly ash research projects. In cooperation with West Virginia University, for instance, the Bureau is establishing the practicability of using fly ash as a soil conditioner for heavy clay soils and is evaluating raw and sintered fly ash as a source of trace nutrients. In this work, fly ash is being used in the sintered rather than raw form. Researchers[6][7][8] in foreign countries have generally been unsuccessful in their attempts to grow plants on fine, raw fly ash—possibly because it contains toxic amounts of boron, aluminum, and managanese. Moreover, owing to the fineness of the material, water and air move through it slowly, thereby preventing the proper aeration and moisture distribution essential for good plant growth. Raw fly ash is almost devoid of the major plant nutrients but contains many minor plant nutrients. Tennessee Valley Authority researchers reportedly found that the addition of raw fly ash at rates as high as 2.0 percent (40,000 pounds per acre) did not improve corn forage yields. Higher application rates resulted in a yield decrease, with extreme toxicity symptoms showing up at application rates higher than 25 percent. Since no references were found where attempts were made to use sintered fly ash in agriculture, the West Virginia University-Bureau of Mines study was undertaken with sintered fly ash because sintering eliminates the more objectionable physical limitations of the raw fly ash. Furthermore, less surface area is exposed to weathering, possibly decreasing the rate at which soluble toxic salts are released from the material.

Two size ranges of sintered fly ash, ⅜ x ¼ inch and ¼ x ⅛ inch, mixed in various proportion with an acid, infertile loam soil are being used in greenhouse studies. Rye, cowpeas, soybeans, crimson clover, buckwheat, and alfalfa were seeded, fed periodically after germination with a nutrient solution (a water solution containing nitrogen, potassium, and phosphorous), and observations made of germination, growth, and apparent toxicity symptoms.

Figures 1 to 3 show the growth rates of soybeans, cowpeas, and rye growing on sintered fly ash-soil mixtures. Note that the crops growing on the sintered fly ash-soil mixture show more growth than the control where crops grew on soil alone or sintered fly ash alone. It was also found that plants do much better on sintered fly ash when organic matter is added. The addition of peat to fly ash, for example, resulted in a better stand of rye than did any other treatment. Possibly the peat acted as a chelating agent, thereby reducing the toxicity which may have developed. In nearly all cases (figures 1 to 3) successive increases in the amount of sintered fly ash in the mixture resulted in increased growth of both plant tops and roots in mixtures of up to ¾ fly ash. This is attributed primarily to a more favorable pH for plant growth than was the case in either the very acid soil or highly alkaline fly ash and to better aeration of the roots.

Significance of findings to date are as follows:

1. Alfalfa will grow in sintered fly ash without showing apparent toxicity symptoms, but will not grow in raw fly ash. Thus it is believed sintered fly ash that is high in boron can be used at high rates to supply boron to boron-deficient soils (soils naturally too low in boron for good crop growth or deficient because of continuous crop removal). A greenhouse study with a boron-deficient soil is planned to evaluate the boron-supplying power of sintered fly ash.
2. Raw fly ash can be mixed with acid soils or acid spoils to produce a medium with more favorable pH for plant growth than the acid materials. A small experiment is being initiated on a very acid strip-mine area in which large quantities of raw fly ash are being mixed with the spoils in an attempt to raise the pH sufficiently to get desirable vegetation to grow on this material.
3. Sintered fly ash improves the aeration porosity of "tight" heavy textured soils.

CONCRETE BLOCKS FROM FLY ASH

The Bureau of Mines also installed a pilot plant at the Morgantown Coal Research Center and manufactured lightweight aggregate from different fly ashes to demonstrate process feasibility and product quality. Figures 4 through 9 show some of the equipment and product. Lightweight concrete blocks made with this aggregate met American Society for Testing and Materials specifications for structural hollow-masonry units. Further tests 12 months later showed a substantial increase in compression strength owing to further cementing of constituents in the blocks by the fly ash particles. Efforts are being continued to improve the aggregate and make better blocks. Tests also were conducted with magnetic and nonmagnetic fractions of fly ash to see if the nonmagnetic material would give a lighter aggregate. Contrary to expectations, the difference was not large enough to justify separation of the fractions for the purpose of making lighter blocks. However, magnetic separation still might be justified in order to remove iron, thereby reducing the possibility of it staining painted surfaces of block made from fly ash aggregate. The iron removed could be sold as heavy media, further increasing the profit on the fly ash.

Samples of the lightweight aggregate made by the Bureau of Mines and aggregates made by several commercial producers also are being evaluated for use in highway construction by the U.S. Department of Commerce's Bureau of Public Roads Laboratory, Fairfax, Va.

FLY ASH IN WATER TREATMENT, PESTICIDES

Fly ash also is being investigated by the Bureau at Morgantown as an aid in water treatment, specifically to aid coagulation in the removal of color and suspended solids from murky water. In coagulation, the addition of chemicals such as alum forms patches of fluffy matter (flocs) throughout the water. The finely divided particles stick to the flocs and are removed by settling and filtration. Fly ash is being studied to see if it will assist this process, thereby reduce water treatment costs and furnish an outlet for fly ash. Tests completed to date indicate that fly ash increases the efficiency of water clarification, but only if enough alum is added to obtain flocculation. Thus, fly ash appears to have value as a coagulant aid, though not as a coagulant.

At the suggestion of the Bureau of Mines, and with materials supplied by the Morgantown Coal Research Center, tests were begun at the U.S. Department of Agriculture Laboratory, Beltsville, Md., to determine the feasibility of using fly ash as a pesticide carrier. Results of this work are not yet available.

MARKETING AND RESEARCH IMPERATIVE

Despite an increase in fly-ash utilization and research in recent years, only a small percentage of the output is being utilized. However, in view of the current stress on air-pollution control and beautification, and in the interest of powerplant economy, it is imperative that coal producers and consumers increase their efforts to find expanded markets and new applications for this solid waste material. Utilization of fly ash could be increased by concentrating greater effort in the selling of fly ash for established uses, such as those described in this paper. New markets with large tonnage potential should be sought through more intensive, coordinated research. This research effort could be sponsored by several groups, including power companies, coal producers, lightweight aggregate manufacturers, State and Federal agencies, and others.

An editorial by Walter E. Trauffer[9] in the April 1965 issue of *Pit and Quarry* well states the case for such a coordinated effort: "For many years it has been our firm and often expressed conviction that no sizable industry can afford to be without an active trade association to represent its interests as a unit before governmental bodies, specification-making groups, related technical societies, and wherever else developments might require, and in many cases to carry out important research and testing that few single producers could afford or justify. These things are necessary if an industry is to prosper and meet the rapidly changing conditions and requirements, and the growing competition with which most of them are confronted."

Fly ash utilization could be significantly increased by a coordinated effort of this nature and magnitude.

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[6] Holliday, R., D. R. Hodgson, and W. N. Townsend. Plant Growth on Fly Ash. Nature, v. 181, 1958, pp 1079–1080.

[7] Rees, W. J., and G. H. Sidrak. Plant Nutrition on Fly Ash. Plant and Soil, v. 8, 1956, pp. 141–159.

[8] Thompson, H. W. Restoration of Agricultural and Other Soils. Nature, v. 181, 1958, pp. 390–391.

[9] Trauffer, W. E., Important Convention Reports. An editorial. Pit and Quarry, v. 57, No. 10, April 1965, p. 81.

ADM. ARLEIGH BURKE OPPOSES CONSULAR TREATY

Mr. MUNDT. Mr. President, in this morning's meeting of the Foreign Relations Committee, devoted to hearing witnesses in opposition of the proposed Consular Convention with Communist Russia, it was my privilege to file for printing in our committee hearings a statement by highly regarded Adm. Arleigh Burke, who is a former member of the Joint Chiefs of Staff charged with maintaining and operating the defense of this country.

It is a straightforward statement from a most authoritative source, and since Senators will soon be called upon to vote on this significant issue, I felt that Admiral Burke's statement should now be available to those who are seriously seeking facts upon which to base their judgment.

Additionally, I think it important for Senators not having had the benefit of the full testimony before our committee to realize that despite the frantic efforts of some of the more enthusiastic supporters of the State Department's position to downgrade and attack those who oppose their high-pressure campaign for ratification as "cranks," "kooks," "extremists," "nuts," and other disparaging terms of a similar nature, the ranks of those stating their opposition are replete with serious-minded, thoughtful citizens of real repute. I presume of course that some "crackpots" are writing in to oppose the convention precisely as some Communists and crypto-Communists are flooding the atmosphere with their pleas to support it. Personally, I prefer to believe that the very great percentage of our fellow citizens are to be found in neither class, however, and that we ill serve this Republic when we seek to ignore the counsel and recommendations of our constituents by the curious device of trying to discredit the patriotism, the motives, and the sincerity of our fellow Americans.

Surely men like Adm. Arleigh Burke, David Lawrence, of U.S. News & World Report, the national commanders of the American Legion and the Veterans of Foreign Wars, and many others speaking out in opposition to this proposed ratification are as sincere and well informed as Senators in their statements of opposition.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the text of the letter from Admiral Burke to me, dated February 13, 1967.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FEBRUARY 13, 1967.

Hon. KARL E. MUNDT,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MUNDT: In compliance with your request I am submitting a statement of my views on the United States-Soviet Consular Convention submitted to the Senate for advice and consent to ratification on June 12, 1964.

The major arguments offered to justify ratification of the convention include:

1) It will advance the cause of peace by fostering new understanding between the Soviets and ourselves, and thereby it will decrease world tensions.

2) American consulates in major Soviet cities would enable the United States to afford better protection to our citizens traveling in the USSR.

3) It would permit United States government officials to gain more knowledge of Soviet activities, procedures, and way of life.

4) It will enhance the prestige of the United States and gain goodwill among the nations of the world.

5) It will help widen the rift between the USSR and Red China.

Throughout the last decade the United States government has demonstrated its desire for peace in the world innumerable times. We have made repeated offers to the Soviet Union to increase mutual understanding and to lessen the tensions in the world. In this hopeful spirit we have made many substantial concessions to the Soviet Union in the expectation that these would encourage matching concessions.

Repeatedly our hopes have been thwarted. It is difficult to see how the establishment of scattered consular offices will break this one-sided pattern or prompt the Soviets to respond to overtures they have previously ignored.

In the face of our conciliatory gestures the Soviet Union has consistently maintained its professed ambition to communize the world, and has continued to make frequent statements attacking the United States and heightening the tensions between the two countries.

Our goal of peace for the world is most admirable, but our ceaseless attempt to obtain the goodwill of the USSR and the approbation of the rest of the world by yielding unmatched concessions has not measurably advanced our goal. The attitude of the Soviets remains unchanged, and the United States has not thereby gained the approval or support of other nations. However, we may well have endangered the respect of the USSR and other nations, which is the basis of prestige.

The Soviets are notorious for failing to abide by the many treaties they have signed. What evidence supports the belief that they will change in regard to this treaty?

Among civilized nations it is common practice to notify other nations when their nationals are being detained. However, no treaty in the past has deterred the Soviets from acting in totally uncivilized fashion and brutally serving their own ends in the diplomatic area. Is there any reason to expect a change in their actions?

A treaty such as the proposed convention should provide an expanded opportunity for both nations to learn more about the internal life of the other nation. The espionage activities of Soviet diplomatic personnel in the United States throughout the years indicate how the Soviets are likely to exploit this opportunity.

On the other hand, the tight restrictions on our representatives already stationed in the USSR, which deny them freedom of movement and access to information presumably would be imposed on the consular personnel. Of what advantage is it to admit additional Soviet personnel to our free society in exchange for the admission of additional personnel to their closely policed society?

As for the argument that the treaty will spread global goodwill, the other nations' reactions should cease to dominate the consideration of what is best for this country. Other countries have demonstrated a signal lack of interest in supporting the United States except when it is to their direct advantage.

The rift between the USSR and Red China will not be affected one way or the other by the fate of this treaty. The recriminations, the riots, the embassy incidents, the press attacks between Red China and the USSR spring from causes wholly unrelated to this treaty.

More important, the USSR has been and is now supplying most of the war material used by the North Vietnamese. The Soviets have recently declared that this supply will be increased. In short, they are supporting the aggression of the North Vietnamese against South Vietnam—an aggression which the United States has committed itself to stop.

While the USSR encourages and supplies aggression in the world, it is incongruous that the United States should at the same time avidly seek a treaty containing clear disadvantages and potential dangers in the hope that this gesture will somehow pacify and civilize the aggressor.

Sincerely yours,

ARLEIGH BURKE.

LITHUANIA IS NOT JUST A CAPTIVE NATION

Mr. YARBOROUGH. Mr. President, within the last few days, many of us have been reminded of the 49th anniversary of Lithuanian Independence Day, which we observed on February 16. As we pause each year in solemn tribute to the silent and subjugated status of 3 million of our fellow human beings, we offer hope, not despair, and faith, not resignation. Each of us knows that words are only symbols with which we can communicate our concern. Words, I regret to say, do not provide the Lithuanian people with the self-determination and dignity which all men deserve and seek.

The plight of the Lithuanian people must remind us of the growth and devices of totalitarian power in this century. Lithuania is not just a captive nation because I believe that "captive" is an inadequate description for the cruel and deceptive machinations of unprincipled, absolute power. Totalitarianism is a phenomenon which found its underpinnings in the Hitler and Stalin era of the 1930's, became a sophisticated tool in the 1940's, and left us in the 1950's and 1960's with tidy regimes which now accumulate their respectability and our acquiescence.

But our story, I regret to say, does not end here. The early development of totalitarianism in the 1930's, 1940's, and 1950's, horrible as it is, would be incomplete in its terrible significance were it not for its marriage to the terroristic guerrilla warfare of the 1950's and 1960's.

Mr. President, Lithuania is not merely a captive nation. It is a daily reminder of the fact that we are living in an epoch in which one evil leads inexorably to another. We cannot forget Lithuania, because to do so might allow us to fall victim to the other horrors which lie before us in this unhappy century.

LEUKEMIA RESEARCH

Mr. BYRD of West Virginia. Mr. President, although the disease leukemia still claims its victims each day, I believe we are making progress to find a cure for this illness.

A report, entitled "Progress Against Cancer, 1966," by the National Advisory Cancer Council, carries the hopeful statement:

> More than 100 children with acute leukemia have been listed as surviving 5 years or more wtihout evidence of the disease.

The most important discovery, said the Council:

> Intensive, short-term, intermittent administration of combinations of certain drugs appears to be effective in eradicating all leukemia cells in some cases and in preventing excessive toxicity.

The survival of children so treated, it continues, was substantially lengthened, and of a group of 53 patients followed to the end of 1965, a total of 73 percent were still alive at 25 months.

Nevertheless, the need to continue this intensive research is clearly told in this simple statement in the report:

> Leukemia kills about 2,100 children a year in the United States, more than died of polio during the peak year of 1952.

I am pleased to have had a small role in supporting Federal research in this field by amending the fiscal year 1965 appropriation bill to add $10 million for the special program of viral origins of leukemia. It is my hope that this research will be expanded until we discover the cure which will protect the lives of the leukemia victims.

I ask unanimous consent to have printed in the Record an article by Frank Carey, Associated Press science writer, on the practical application of the research on children, and part II of the Council's report as it concerns leukemia.

There being no objection, the article and report were ordered to be printed in the Record, as follows:

Powerful Drugs Give Hope to Victims of Leukemia

[Editor's Note.—A new wave of optimism pervades the quest to conquer leukemia, an incurable, fatal malady. Each year 18,000 new cases occur in the United States alone, but the delaying action against death's hand has progressively increased in recent years. Here's a progress report.]

(By Frank Carey)

Bethesda, Md.—You'd never guess that the bouncy blonde with sparkling blue eyes who comes here once a month from Indiana on a rather special visit isn't supposed to be alive.

Five-year-old Yvonne O'Bryan of Derby, Ind., is a victim of acute leukemia. But for some time now, she has shown no discernible symptoms.

She's been living on borrowed time for at least six months—thanks, apparently, to promising developments in chemical warfare against this dread incurable, blood-cancer.

When doctors in Indiana diagnosed her case a year and a half ago, they gave her only a year to live.

After being treated for some time by other means. Yvonne became a participant in a protentially revolutionary leukemia research program. It features a kind of "shotgun" method of using combinations of drugs. The program is centered at the National Institute, an arm of the Public Health Service's National Institutes of Health.

It should be emphasized that NCI doctors promised no cures; they say only that the technique holds promise.

After undergoing several courses of treatment here for two months, Yvonne went home to Derby.

RETURNS MONTHLY

But she returns once a month to the hospital for treatments which will continue indefinitely.

The drugs that have sustained Yvonne's life are four very powerful substances that are potentially toxic and require administration and monitoring by trained specialists.

One is "vincristine" derived from the periwinkle plant.

Two others, methotrexate and 6-mercaptopurine, are so-called "anti-metabolites" that "trick" a cancer into believing they are nuritional.

The fourth is the hormonal substance prednisolone, which helps suppress the wild growth of white blood cells that characterizes leukemia.

Yvonne's mother, Mucille, who accompanies the child on the monthly visits to Bethesda, entertains no false hopes.

"We still must face the fact that she's not cured," said Mrs. O'Bryan, mother of three other girls older than Yvonne. "Something could happen at any time," she said in an interview at their home in Indiana.

Mrs. O'Bryan notes that three leukemic children who entered the hospital after Yvonne have died. And she says Yvonne's doctors have told her the child "can't live on (presently-available) drugs forever."

"They keep trying to come up with something," she says. "If one (drugs) doesn't work as the hope, they'll try another."

Yvonne's case—duplicated by a small but growing number of persons whose lives have been prolonged by anti-leukemic drugs—tends to illustrate a new, intensified thrust to conquer the disease.

STRIKES ALL AGES

Leukemia strikes people of all ages and is the leading fatal malady of childhood. There are 18,000 new cases of leukemia yearly in the United States alone.

Optimism pervades the ranks of government and private leukemia researchers. Government scientists just this week dared to suggest there may now be possibilities for indefinite control in some patients by chemical means.

1. About 100 Americans are alive today, up to 14 years after getting acute leukemia that once almost invariably killed child victims within four months.

2. Two girls in the Washington, D.C., metropolitan area have remained free of leukemia symptoms three years after NCI doctors stopped giving them a form of combined drug treatment somewhat resembling the newer technique illustrated by Yvonne's case.

3. At the National Cancer Institute, researchers have developed techniques for speeding the "screening" of drugs that might be used against leukemia and other forms of cancer.

In the 15 years since the first attempts were made to attack cancer with drugs, 220,000 materials have been tested.

FEW DRUGS USEFUL

Only about two dozen drugs have proved useful against any form of cancer, including five that are especially valuable against leukemia.

4. "Intensive treatment"—in which massive doses of drugs are given in a short time period, and in particular combinations—is the latest slant. Older methods employed a given drug until the patient developed resistance, and then tried another.

The new approach is based on a concept apparently proved in animal research, that, to kill all leukemia cells, temporarily anyway, you need "to get in there fastest with the mostest."

5. In a study just reported this week, NCI researchers employed this intensive method on an even newer "intermittent" basis for 15 months in a group of 35 children.

They found the children achieved symptom-free remission periods twice as long as those achieved in two previous NCI studies employing high-dose drug combinations over a shorter period. Most significantly, in contrast to earlier studies, the children did not develop resistance to the drugs.

"Although findings are still preliminary, the present study suggests that intensive, intermittent therapy with drug combinations may provide a method for long-term control of" acute leukemia in some children, the NCI report said.

6. Separate groups of American and Canadian researchers recently have found evidence that cancer cells and normal cells differ in their cell-division cycles.

HOPES ARE HIGH

Hopes are high that this will help solve a tough problem: how to increase doses of cancer-killing drugs without damaging normal tissue.

Specifically, they've found that cancer cells have a short "resting period" before dividing into new cells, whereas normal cells have a long one. And both types of cell are relatively invulnerable to cancer drugs during their "resting periods."

Thus, drug treatments now are being administered in carefully timed "pulses" geared to assault the cancer cells while they are actively dividing and while normal cells are "resting."

A virtual revolution has taken place in "supportive treatment" for leukemia patients.

One problem is that the patients are specially subject to hemorrhaging and infection, and during either event the drug assault must be slowed.

To prevent hemorrhaging, doctors administer "platelet", a blood fraction that promotes clotting. But fresh blood is required for the extraction of these platelets. So a technique has been developed whereby donors can give blood, wait in the hospital while the platelets are extracted, and then have the plasma, and the white and red blood cell fractions restored to their own bodies. Thus, a donor can give blood a couple of times a week without weakening himself.

USING ANTIBIOTICS

To combat infections, leukemia fighters are using the latest antibiotics, and experimenting with "life islands"—plastic "chambers" placed around the patient so he can be treated in a germ-free environment.

What have been the results thus far from these various developments?

1. Intensive therapy and new dosage schedules have resulted in 80 per cent of the patients surviving two years or longer after the diagnosis. This contrasts with only a 10 per cent two-year survival as recently as two years ago.

2. Definite evidence that while a patient may develop successive resistance to drugs given separately, use of the same drugs in a combined approach can achieve remissions of significant duration.

3. Growing evidence indicating that if a patient is diagnosed early enough, intensive drug treatment has the best chance of success. And NCI scientists say there are grounds to hope that eventually permanent remissions may be possible.

Pointing to a recently reported study—describing 101 patients with known acute leukemia who had survived 5 to 14 years—they say that 64 have no signs of the disease right now.

"I suspect," says one scientist, "that these are patients who received chemotherapy at a time when they had small (leukemic) cell populations."

While death has still eventually claimed the majority of children treated with drugs, the delaying action against death's hand has progressively increased.

"We're not disheartened," says Mrs. O'Bryan. "We're living just as if there isn't anything wrong with Yvonne.

"We hope and pray for a cure. What else can we do?"

Progress Against Cancer, 1966

(Report of the National Advisory Cancer Council)

PART II: LEUKEMIA—18,000 NEW CASES A YEAR—14,000 DEATHS

Leukemia, cancer of the blood-forming organs, occurs in both acute and chronic forms in all age groups. In children it is most often acute. Six drugs, given individually, can restore acute leukemia patients to good health temporarily. When the disease recurs, a second drug may be used effectively, and even a third. Studies have shown that two or more of these drugs, used in combination, apparently interact and are more effective than when used singly. In many hospitals cooperating in the National Cancer Institute's Chemotherapy Program, investigations are underway to determine what combinations of drugs and in what amounts give best results in the majority of patients.

Drug treatment of leukemia is based on the theory, borne out by animal experiments, that one leukemic cell left in the body may multiply and bring on a fatal stage of the disease. It has been possible for scientists to calculate how many leukemic cells are in a sick child, how often the leukemic cells double in number, and what fraction of cancerous cells are killed by each antileukemic drug. Intensive combination drug therapy has apparently greatly increased the fraction of cells killed in some patients. Two children participating in a small National Cancer Institute combination-drug study have been free of any signs of leukemia for more than 1,000 days. In a very recent Institute study, children with acute leukemia were treated with high doses of four anticancer drugs given intermittently over a 15-month period according to a schedule differing from those used in previous studies. These children were relieved of all symptoms of their disease for initial periods twice as long as those reported in earlier studies. This has usually been achieved, too, without incurring drug resistance, a serious problem in the treatment of leukemia.

Scientists believe that acute leukemia of childhood may be curable when the leukemic cell population is not too large and can be treated vigorously with drugs. A recent survey of leukemia survivors listed over 100 children and adults who were alive and well more than five years after diagnosis of their disease.

The effects on the platelets and white cells of the blood produced by drugs, as well as by the disease process itself, often result in fatal hemorrhage or infection in acute leukemia patients. New techniques have been worked out to provide transfusions of blood platelets in amounts necessary to control hemorrhage. Some progress has also been made in white-cell replacement for treatment of infection. Prevention of serious infection in leukemia patients also constitutes a goal of current studies of methods of protection against exposure to germs.

In studying the nature of the leukemias, scientists have examined the cells of patients for signs of abnormalities in the chromosomes, which carry the hereditary factors, or genes, of an individual. The only consistent abnormality found in cancer cells is one that occurs in a majority of patients with "chronic myelogenous" leukemia. Patients who do not have the abnormal chromosomes do not seem to respond as well to treatment nor to live as long as those who do.

Research on the causes of human leukemia is focused, at present, on the possibility that one or more forms of the disease is caused by a virus that remains present in the blood and tissues of a patient. There is strong evidence that leukemia in many species of laboratory animals is caused by viruses. Particles structurally similar to these animal viruses may be seen, with the help of the powerful electron microscope, in human leukemic tissues. Other particles similar to herpes virus have been found in lymphoid cells derived from patients and grown in the laboratory. Reovirus, which causes mild respiratory and intestinal symptoms, has actually been isolated from human lymphoma tissue on a number of occasions. However, whether the structures resembling viruses, or the viruses that have been isolated from the lymphoma patients, have a casual relationship to neoplastic disease remains unknown.

During the the past year, a number of studies carried out under a special National Cancer Institute program have been producing encouraging results. Significant advances have been made in detecting, isolating, and characterizing virus-like particles recovered from patients with leukemia or with Burkitt lymphoma, a related type of cancer seen primarily in Africa. These studies suggest that the particles are similar to the viruses causing animal leukemias. Virus-like particles of the same type have been found also in the blood of patients with infectious mononucleosis, a self-limiting disease that resembles acute lymphatic leukemia and has long been considered to be caused by a virus.

Further advances have been made in isolating and characterizing another type of virus-like particle—one very similar to the herpes viruses. These viruses have been detected in lymphoid cell lines derived from patients with leukemia or with Burkitt lymphoma. Lymphoid cells from 21 different patients have been established in tissue culture—that is, grown in test tubes. These cultures are necessary for virus studies since all viruses are parasites and can grow only inside living cells. Already, many human leukemia and lymphoma tissue cultures have been found to contain particles resembling the herpes-like particles. However, extensive study under the electron microscope failed to reveal such particles in 3 lymphoid cell lines derived in this country from children with leukemia or in 9 lymphoid cell lines derived from children with infectious mononucleosis.

Leukemias in domestic animals—cattle, cats, and dogs—are also being studied to determine their causes and their relationship, if any, to the disease in man. Other animal studies focus on the detection of virus in leukemic monkey cells grown in culture, and the development of an antiviral serum for use along with drugs in treating mouse leukemia. *Results of the latter study suggest that one day human leukemia may be more effectively controlled through treatment with drugs in combination with antiserum prepared against viruses that may be isolated in virus-leukemia studies.*

Leukemia

Leukemia, cancer of the blood and blood-forming organs, strikes many more adults than children, but in children it usually occurs in an acute form and the survival period is shorter. Chronic leukemia strikes usually after age 25 and progresses less rapidly. Leukemia attacks both sexes about equally, and is the cause of half of the deaths due to cancer among children between the ages of 3 and 15. It kills about 2,100 children a year in the United States, more than died of polio during the peak year of 1952.

VIETCONG TERRORISM IN SOUTH VIETNAM

Mr. TOWER. Mr. President, in connection with my trip to southeast Asia, I have compiled what I believe to be the most comprehensive and shocking list yet of major acts of Vietcong terrorism against civilians in South Vietnam. I believe it is essential that Americans be thus reminded that the Communists' lamentings and protests over a few accidental bomb injuries in the north is in fact a vicious attempt to cover up the Reds' wanton terrorism against civilians in the south.

It is estimated that since 1958 the Communists have assassinated 11,000, and kidnaped 40,000 South Vietnamese civilians. My chronological compilation of major terror incidents combines research efforts of the State Department, Defense Department, U.S. mission in Saigon, and Library of Congress. It records 162 of the reported major Vietcong terrorist incidents killing some 1,000 and wounding another 1,500 civilians in the south. In addition it lists nearly 800 kidnap victims who must also be presumed casualties of this vicious enemy. The list covers the 1960–66 period.

Mr. President, a wave of anti-Americanism has been deliberately whipped up across the world by persons who for whatever reason oppose U.S. bombings of North Vietnam. The number of civilians killed in these bombings—killed accidentally, not on purpose—amounts to a hundred or so.

Strangely, few voices have been raised throughout the world against the intentional slaughter of civilians that is going on and has been going on in South Vietnam for years. Besides 11,000 actually counted Red murders and atrocities in the south there are untold thousands more uncounted and unknown.

Civilian officials are particularly singled out for assassination and maiming by the Communists. Whole villages have been burned; whole busloads of women and children savagely blown up. Vietcong terror ranks as one of history's worst examples of organized butchery aimed at political goals.

This barbarism, this unspeakable horror, this callous disregard for human life: this is what the United States and its allies are seeking to stop in South Vietnam. This is what we are hoping to save other people from in some other place at some later time.

These are the facts, Mr. President. Let the American people be aware of them. Let the United Nations be aware of them. Let the world be aware of them.

I ask unanimous consent that the sordid list of and a table summarizing Communist terror be printed at this point in the RECORD.

I ask unanimous consent that there be printed in the RECORD a statement I made to the press concerning my views after returning from southeast Asia.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

Estimated totals of civilian Vietnamese victims of Vietcong terror, 1957–66

Year	Assassinated	Kidnaped	Combined total
1958	200	250	400
1959	200	300	600
1960	1,500	700	2,000
1961	500	1,000	1,500
1962	1,700	9,500	11,000
1963	2,000	7,000	9,500
1964	1,800	9,500	11,000
1965	1,800	8,500	10,500
1966 (through Oct. 25)	1,500	3,000	4,500
Rounded total	[1] 11,000	[2] 40,000	51,000

[1] Includes 1,000 identified as civil officials.

[2] Includes 1,500 identified as civil officials.

Seven Years of Vietcong Terrorism Against Civilians

(By Senator John G. Tower)

February 2, 1960: VC burn Buddhist Temple in Phuoc Trach village, Go Dau Ha district, Tay Ninh province. They stab to death 17 year old Phan Van Ngoc who tries to stop them.

April 22, 1960: Some 30 VC raid Thoi Long hamlet and attempt to abduct villager; other villagers protest and in the ensuing argument, VC fire into crowd killing 16 year old boy.

August 23, 1960: Two school teachers abducted, taken to their school, Rau Ran in Phong Dinh province where they are forced to witness the execution of two men. Executions staged to intimidate teachers.

September 24, 1960: Armed VC burn and sack school in An Lac village, Tri Tan district, An Giang province.

September 28, 1960: Father Honag Ngoc Minh, priest of Kontum parish, is riding from Tan Canh to Kondela. VC road block halts his car, he is shot, bamboo spears are driven into his body, and then he is killed by sub machine gun fire. The driver, his nephew, is seriously wounded.

September 30, 1960: 10 VC kidnap farmer and sentence him to death for purchasing two hectares of rice land and refusing to turn it over to another farmer. He is executed.

December 6, 1960: VC dynamite the kitchen at the Saigon Golf Club, killing Vietnamese cook's helper and injuring two Vietnamese cooks.

December 1960: GVN reports to the ICC that during the year, VC had destroyed or damaged 284 bridges, burned 60 medical aid stations, and through destruction of schools had deprived 25,000 children of schooling.

March 22, 1961: Truck carrying 20 girls is dynamited on the Saigon-Vung Tau road. After explosion, VC open fire on occupants. Two killed, 10 wounded.

May 15, 1961: Twelve Catholic nuns traveling on Highway One toward Saigon are stopped by VC who ransack baggage; Sister Theophile protests and is shot dead. Vehicle is sprayed with bullets seriously wounding Sister Phan Thi No.

July 26, 1961: Two Vietnamese National Assemblymen, both Montagnards, are shot and killed near Delat. School teacher with them is also killed.

September 20, 1961: 1,000 VC storm the capital of Phuoc Thanh province, sack and burn the government buildings and decapitate virtually the entire administrative staff.

October 1961: State Department study estimates VC are killing Vietnamese at rate of 1,500 per month.

December 13, 1961: Father Bonnet, a French parish priest, is killed by VC while visiting parishioners at Ngok Rongei.

December 20, 1961: S. Fukai, Japanese government engineer working on the Da Nhim dam, a Japanese government war reparations project, is kidnapped after being stopped by VC roadblock. Fate is unknown.

January 1, 1962: Vietnamese labor leader, Le Van Thieu, is hacked to death by VC wielding machetes near Bien Hoa.

January 2, 1962: Two Vietnamese technicians working in the government's anti-malaria program are killed by VC with machetes 12 miles south of Saigon.

February 20, 1962: VC throw 4 hand grenades into a crowded village near Can Tho, killing 24 women and children. A total of 108 killed or injured.

April 8, 1962: VC execute two wounded American prisoners of war in Central Vietnam. Each, with hands tied, is shot in the face. Two were unable to keep up with their *retreating captors.*

April 25, 1962: Two French civilians are shot and killed by VC while boating on the Saigon river just outside the city.

May 19, 1962: VC grenade is hurled into the Aterbea restaurant in Saigon wounding a Berlin circus manager and cultural attache from the German Embassy.

May 20, 1962: Bomb explodes in front of the Hung Dao Hotel, Saigon, a billet for American servicemen, injuring eight Vietnamese and three Americans who are in the street at the time.

June 12, 1962: The VC ambush a civilian passenger bus near Le Tri hamlet in An Giang province, killing all passengers, the driver and the driver's helper, total of five men and women.

October 20, 1962: Teen-age VC hurls a grenade into a holiday crowd in downtown Saigon killing six persons, including two children, and injuring 38.

November 4, 1962: VC hurls grenade into an alley in Can Tho killing one American serviceman, and two Vietnamese children. Third child seriously wounded.

January 25, 1963: VC dynamite a passenger-freight train near Qui Nhon killing eight passengers and injuring 15 others. Train is carrying only rice as freight.

March 4, 1963: Two Protestant missionaries—Elwood Forreston, an American, and Gaspart Makil, a Filipino—are shot at a road block between Saigon and Dalat. The Makil twin babies are shot and wounded.

March 16, 1963: VC hurl a grenade into a home where an American family is having dinner, killing a French businessman and wounding four other persons, one a woman.

April 3, 1963: VC throw two grenades into a private school near Long Xuyen, An Giang province, killing a teacher and two other adults. The students were performing their annual variety show at the time.

April 4, 1963: VC throw grenades into an audience attending an outdoor motion picture in Cao Lanh village in the Mekong Delta. 4 killed, 11 wounded.

May 23, 1963: VC mine the main northern rail line killing five civilian passengers. Twelve other passengers and crew are wounded.

May 31, 1963: Two explosions set off on bicycles kill two Vietnamese and wound ten others in Saigon.

September 12, 1963: Miss Vo Thi Lo, 26, a school teacher in An Phuoc village Kien Hoa province, was found near the village with her throat cut. The VC had kidnapped her three days earlier.

October 16, 1963: VC terrorists exploded mines under two civilian buses in Kien Hoa and Quang Tin provinces, killing 18 Vietnamese and wounding 23.

October 26, 1963: French Embassy in Saigon reported that four French planters were kidnapped and two others wounded in machine gun attacks on French rubber plantations east of Saigon.

November 9, 1963: Three grenades were thrown in Saigon injuring a total of 16 persons, four of whom were children. The first was thrown in a main street, the second in a waterfront area, and the third in the Chinese residential area.

February 9, 1964: Bomb exploded in Playboy Bar in Saigon killing four Vietnamese and injuring 35 Vietnamese and four Americans.

February 9, 1964: Two Americans are killed and 41 wounded including four women, five children when a Viet Cong bomb is set off in a sports stadium during a softball game. A second portion of the bomb failed to explode. Officials estimate that had it detonated, fifty persons would have died.

September 16, 1964: Three Americans were killed and 32 injured, most of them U.S. dependents, when the VC bombed the Kinh Do movie theatre in Saigon.

February 21, 1964: The Saigon-Da Nang train is derailed, with 11 persons killed and *18 seriously injured.*

March 2, 1964: Viet Cong threw grenade into market place at Duc Ton, killed two *civilians, wounded 10.*

April 11, 1964: Peter Grose, *New York Times* correspondent, reported that within a 60-day period, the Viet Cong assassinated approximately 100 men in the coastal district of Binson south of Saigon. Victims were either sentries or local government officials.

April 21, 1964: Communists ambushed and killed French coffee planter and wounded his Vietnamese driver in Quangtri province.

April 26, 1964: VC tossed grenade into recreation area at Rach Gia. Four Vietnamese civilians injured.

April 30, 1964: U.S. officials reported Communist ambush in Central Vietnam which killed 6 women and 5 children and wounded 21 women.

June 19, 1964: VC ambushed civilian bus about 60 miles from Saigon. 12 killed including 2 children. 28 wounded.

July 1964: VC attacked small Mekong Delta outpost, killing 19 Vietnamese civilians.

July 14, 1964: Pham Thao, chairman of the Catholic Action Committee in Quang Ngai is executed by VC when he returns to his native village of Pho Loi in Quang Ngai.

July 20, 1964: VC launched mortar barrage on family quarters of civil guardsmen at Cia Be Village and killed 40 women and children.

July 26, 1964: South Vietnam government issued white paper listing 2,073 persons as victims of Communist assassination in 1963. All were civilians or government officials.

August 1, 1964: VC bomb exploded in Saigon bar, wounding 20, including 15 Vietnamese civilians.

September 28, 1964: Dr. Bernard Fall, in interview with *U.S. News and World Report,* asserted that VC had murdered 13,000 village officials since 1957.

October 5, 1964: Guerrilla unit reportedly used civilians as shields in battle with government forces.

November 16, 1964: U.S. officials announced that the Communists had kidnapped more than 900 minor Vietnamese government officials during the first 10 months of 1964.

November 25, 1964: Suspected Communists hurled 2 grenades into group of demonstrators outside National Buddhist Center in Saigon. 4 civilians and 7 policemen injured.

December 24, 1964: VC bomb explosion at the Brink officer billet kills two Americans and injures 50 Americans and 13 Vietnamese.

December 24, 1964: Communists bomb Saigon hotel, wounding 110, including 43 Vietnamese civilians.

December 27, 1964: VC bomb blast in Mo Cai, 49 miles from Saigon, killed a 12-year-old Vietnamese girl and wounded 15 others.

January 12, 1965: VC murdered Joseph W. Grainger, civilian official with the Department of the Air Force.

February 6, 1965: Radio Liberation announced that the Viet Cong had shot two American prisoners of war as reprisals against the Vietnamese government which had sentenced two VC terrorists to death.

February 10, 1965: VC terrorists blow up enlisted men's barracks in Qui Nhon killing 23 Americans.

February 10, 1965: VC mined a bus in Pleiku province, killing one civilian and wounding six others.

March 2, 1965: Secretary McNamara, in testimony before the House Appropriations Committee, stated that the VC kidnapped or killed 1,500 hamlet or other government officials during the 12-month period, March 1964–March 1965. He asserted that in proportion to the United States population, a comparable figure for this country would be 30,000 mayors, council members, and other *local and state officials.*

March 7, 1965: Guerrillas attacked government outpost near Saigon and killed 7 *civilians.*

March 12, 1965: VC mined a bus in Long An province, killing 13 Vietnamese civilians and wounding two others.

March 21, 1965: VC entered a hamlet in Binh Dinh province and abducted 100 laborers. Twenty-five other laborers refused to leave and were executed.

March 30, 1965: Communists bombed United States Embassy in Saigon, killing 20 and injuring 175. Eighteen of the dead and 130 of the wounded were South Vietnamese, mostly civilians.

May 5, 1965: VC halted two buses on Route 14 near the Cambodian border and shot all 16 passengers.

May 13, 1965: VC attacked a textile mill near Saigon, killing 8, including 3 civilians.

May 29, 1965: Vietnamese cameraman reported that VC had killed Swiss-born cameraman Peter Van Thiel, a resident of New York, and cut out his eyes.

June, 1965: In early June, the VC ambushed a Vietnamese Red Cross vehicle belonging to the provincial health service in Kien Tuong province, wounding two health workers and a small boy.

June 24, 1965: Radio Liberation announces the execution of an American prisoner as a reprisal.

June 25, 1965: VC dynamited the My Canh restaurant in Saigon killing: 27 Vietnamese, 12 Americans, two Filipinos, one Frenchman, one German; more than 80 persons are injured.

June, 1965: Vietnamese officials report that VC assassinations and kidnappings of rural officials doubled in June over May and April. A total of 224 officials were either killed or kidnapped.

July, 1965: VC ransacked a village pagoda in Kien Hoa province and kidnapped the chief monk. He was murdered six days later.

July 11, 1965: VC entered An Loi and Van Quai hamlets in Thua Thien province, kidnapped three farmers and buried two of them alive near their homes.

July 15, 1965: North Vietnamese defector testified regarding his role in the force conscription of 200 mountain tribesmen to tranport food and ammunition through hills of Kontum province.

July 18, 1965: The VC forced the population of a hamlet in Le Trung district, Pleiku province, to assemble for a propaganda lecture. When the people assembled, the VC threw grenades into the crowd, killing 11 persons and wounding many others.

July 20, 1965: VC hurled a grenade into a group of villagers who had refused to sing Communist songs. Twelve were killed and 26 wounded.

August 1965: VC attacked a refugee resettlement center in Binh Dinh province and killed or wounded 60 old people and children.

August 5, 1965: VC exploded a time-bomb near the Gia Huynh market in Trang Bang district town, Hau Nghia province, killing five Vietnamese and wounding five others.

August 18, 1965: VC bomb at the Saigon Police Directorate office exploded killing six Vietnamese and wounding 15 others.

September 4, 1965: VC terrorists blew up a coach on the road at Rruc Giang killing seven Vietnamese civilians and wounding 20 others.

September 26, 1965: VC blew up a crowded bus in Phu Yen province, killing 21 passengers, including four children.

October 3, 1965: Communist terrorist mine explosions in Saigon killed 12, injured 40, mostly civilians. A lone terrorist hurled a grenade into a taxicab and killed three.

October 4, 1965: One of two VC bombs detonated at the Cong Hoa Sports Stadium killed eleven Vietnamese, including four children and wounded 42 other persons

October 5, 1965: VC bomb exploded prematurely in a taxi on a main street in downtown Saigon, killed two Vietnamese and wounded ten others, most of whom were Vietnamese.

October 1965: VC murdered a village chief near Phuong Dinh in Quang Ngai province and displayed his severed head on a pole in the village square.

November 1965: A GVN military unit found the bodies of seven peasants who had been buried alive in Quang Ngai province. All of the victims were bound.

November 12, 1965: Guerrillas ambushed and killed an American employee of the International Voluntary Service, a private organization.

December 4, 1965: VC bombed the Metropole Bachelor Enlisted Men's Quarters in Saigon. The explosion killed 11, including 8 Vietnamese civilians. An investigation revealed that the VC had planted a second bomb timed to detonate after a crowd had gathered. The second bomb failed to explode.

December 12, 1965: Two VC platoons killed 23 unarmed canal construction workers who were asleep in a Buddhist pagoda 25 miles from Saigon. Seven others were injured.

December 17, 1965: VC hurled grenades into a crowd watching an open air movie in Vinh Long province. The explosions killed six persons and wounded 28 others.

December 18, 1965: VC hurled a grenade into the U.S. Manor Bachelor Officer's Quarters in Saigon. 12 Vietnamese civilians were injured.

December 19, 1965: Communists attacked a police patrol in Saigon, wounding 3 policemen and 2 civilians.

December 20, 1965: A VC attack of the outskirts of Saigon injured 12 persons, including 7 Vietnamese civilians.

December 21, 1965: U.S. forces rescued 3 American civilians kidnapped by the VC. The Communists killed a fourth civilian before retreating from the Dian area.

December 30, 1965: A Saigon editor, Vu Nhat Huy, who had received threats from the VC was found assassinated in his home.

January 3, 1966: Two unknown persons fired into a group of persons in the Cholon area of Saigon killing one Vietnamese soldier and wounding one Vietnamese girl.

January 3, 1966: Six Viet Cong entered Hoa Hung hamlet, six miles northeast of Bien Hoa and assassinated the hamlet chief.

January 3, 1966: An unknown person threw a grenade into a group of U.S. soldiers near a refreshment stand in Saigon killing one soldier, one Vietnamese child, and wounding five soldiers.

January 6, 1966: Viet Cong terrorist mines exploded in Saigon, killing one Vietnamese civilian and wounding 17 others.

January 7, 1966: A Claymore mine exploded at Tan Son Nhut gate killing two persons and injuring 12 others.

January 9, 1966: A communist terrorist hurled a grenade into a civilian bus near Saigon. Two were killed and seven wounded.

January 17, 1966: Viet Cong in Kien Tuong detonated a mine under a highway bus. Toll: 26 Vietnamese civilians dead, seven of whom were children, eight other civilians injured, three missing.

January 18, 1966: Viet Cong mined a commercial bus in Kien Tuong province killing 26 civilians and wounding 8 others.

January 22, 1966: Viet Cong bombed a U.S. Army billet on the outskirts of Saigon injuring four Vietnamese civilians.

January 29, 1966: Viet Cong terrorists stabbed to death a Catholic priest while he was praying at the altar of his church in Kien Tuong province.

February 2, 1966: Viet Cong ambushed a jeep load of Vietnamese information personnel, killing six and wounding one in Hau Nghia province.

February 5, 1966: Terrorists bombed bar in Vinhlong killing 3 Vietnamese civilians and wounding 10 others.

February 14, 1966: Two Viet Cong mines exploded under a bus and a three-wheeled taxi on a road near Tuy Hoa killing 48 farm laborers and injuring seven others.

February 15, 1966: Communists assassinated Mayor of Lemy and three other officials.

February 17, 1966: Two Viet Cong mines killed 12 Vietnamese and wounded 60, mostly civilians, outside a Saigon restaurant.

March 3, 1966: Three South Vietnamese social workers found tied and shot dead in Saigon. Beside bodies was found a Viet Cong death sentence.

March 10, 1966: Viet Cong threw grenades into a restaurant at Bindoung. Civilian toll: 7 dead and 54 wounded.

March 17, 1966: Viet Cong assassinated village chief in Saigon suburbs.

March 18, 1966: Viet Cong mine explosion killed 6 peasants 240 miles from Saigon.

April 4, 1966: Viet Cong terror squad assassinated a regional head of the Cao Dai church in My Tho. The victim and his seven-year old daughter were beaten to death. The wife of the leader was wounded.

April 5, 1966: South Vietnamese forces took a guerilla camp at Phulam and found 25 dead (mostly civilians). The victims were chained together and allegedly had been killed for failure to pay Communist levied taxes.

May 21, 1966: Viet Cong terrorists machine gunned a group of sleeping canal construction workers near the village of Vinh Hanh. Twenty-three civilians including a woman and five children were killed while twelve others were wounded. The Viet Cong reportedly shot the civilians to intimidate bargemen who worked on canal waterways.

May 22, 1966: Viet Cong murdered 19 peasants and wounded 16 others in a Mekong Delta village when South Vietnamese troops attempted to rescue the captives.

June 10, 1966: Guerrillas blew up an electric plant at Laithieu, killing several civilians who were outside the plant.

August 16, 1966: A platoon of VC entered Trung Tin and Phu Hoa hamlets in Quang Ngai and burned the homes of 138 families.

August 17, 1966: A platoon of VC entered Pho An Hamlet in Quang Ngai province, burned some of the houses in the hamlet and attacked a naval junk base.

August 18, 1966: VC attacked refugee camp in Quang Ngai province, killed one civilian, wounded several others, and burned 120 refugee houses.

August 20, 1966: Communists attacked an American club in Da Nang and wounded 4 Vietnamese waitresses with grenade fragments.

August 26, 1966: Guerrillas mined a bus killing 5 civilians and 10 Vietnamese army recruits.

August 26, 1966: VC assassinated a village chief and wounded 2 other officials near Hue.

September 1966: VC attacked a refugee camp in Quang Ngai province, killing four civilians and burning 90 houses.

September 2, 1966: VC blew up civilian bus, killing 12 and wounding 19.

September 2, 1966: Terrorists bombed village election office, wounding 8 civilians.

September 1966: VC attacked the home of the Deputy Police Chief in Kien Phong province and a check point in the same province killing five civilians.

September 1966: VC squad disguised as government soldiers captured a village chief and killed the Finance Commissioner and a Deputy Hamlet Chief.

September 11, 1966: On Election Day, the VC initiated 42 incidents while the polls were open in order to disrupt the polling. A total of 166 incidents were reported the previous day and during the actual elections. While the polls were open, 19 persons were killed and 120 wounded from such incidents as the mortaring of four province towns, the mining of vehicles, and the assassination of those participating in the election. Despite the terrorist activity, 4,275,406 Vietnamese voted, representing 80% of the registered voters.

September 20, 1966: The Vietnamese Army reported finding civilians killed by the VC in two caves in the Mekong Delta about 60 miles southwest of Saigon. Nearby a seriously wounded civilian was found who claimed that 12 of his companions were killed and thrown into the canal after being taken prisoner by the VC.

October 1966: VC terrorist platoon butchered the 18-year-old son of a Deputy Hamlet Chief in Quang Tin province.

October 1, 1966: Five civilians were killed in a guerrilla attack on two hamlets about 230 miles from Saigon. Five others were kidnapped.

October 3, 1966: The manager of the Chinese-owned Hau Li fish net factory was assassinated. He was the seventh prominent Chinese to be attacked since late 1965.

October 7, 1966: Vietnamese-American Combined Security Committee released figures showing that terrorist attacks killed 44 Vietnamese in Saigon during January-June 1966 and wounded 333.

October 12, 1966: U.S. Troops overran Communist prison camp and found 19 prisoners chained together in a pit—12 dead.

October 18, 1966: A terrorist threw a Russian-made grenade at a bus stop in Saigon wounding five American soldiers.

October 18, 1966: Viet Cong exploded a mine at a bus stop in Saigon killing two and injuring nine, including eight American soldiers.

October 18, 1966: Viet Cong hurled bomb into a rural movie theatre 410 miles north of Saigon killing six Vietnamese and wounding 45.

October 21, 1966: Viet Cong mine explosion in Mekong Delta marketplace killed 9, including 4 children, and wounded 49.

October 22, 1966: Viet Cong mine explosion in Mekong Delta village of Tracon killed 54, mostly civilians.

October 24, 1966. Guerrilla mine detonated under civilian bus killing 15 and injuring 19.

November 1, 1966: Two waves of VC mortar shells struck Saigon during National Day Parade. Toll: 12 civilians dead, 32 wounded.

November 3, 1966: Viet Cong terrorists killed 13 civilians and wounded 7 others in two separate Saigon attacks.

November 4, 1966: Viet Cong grenade wounded 15 at Saigon intersection.

November 5, 1966: Communist mine explosion killed 7 civilians riding bus on Vietnam National Highway.

November 6, 1966: Viet Cong forces entered a village in Vinh Binh province and kidnapped the entire population of over 100 persons.

November 8, 1966: Viet Cong kidnapped 90 to 110 inhabitants of Mekong Delta village.

November 8, 1966: Communists disguised as government soldiers attacked the community of Hoiman near Saigon, killing 9 civilians and wounding eight others.

November 8, 1966: Two Viet Cong platoons infiltrated Cao Doi hamlet in Vinh Binh province kidnapping 30 families. (Possibly same incident as first 11/8 abduction.)

November 17, 1966: Saigon bombings result in six Vietnamese civilian casualties.

November 24, 1966: Communist ambush killed 20, including 9 civilian employees of the Page Communications Engineers, Inc. Among the victims were one American and Vietnamese and Korean workers.

November 24, 1966: Viet Cong entered Din Cu hamlet in Vinh Binh province, abducting 109 civilians and burning 15 houses.

November 29, 1966: Three wounded Vietnamese civilians were found six miles from Sadec City after escaping from a Viet Cong prison camp. They reported that 17 prisoners were held at the camp and upon withdrawal, the Viet Cong had killed two men, two women, and wounded several others. One prisoner was later found shot, bound, and mutilated by hatchet blows.

November 30, 1966: Guerrillas killed 5 prisoners before retreating from a South Vietnamese assault force.

December 7, 1966: Tran Van Van, a leader of the Southern Bloc of the Constituent Assembly was murdered as he drove his car to the Assembly. A Viet Cong terrorist later admitted participating in the assassination.

December 27, 1966: An explosive device went off in the car of the influential Gia Dinh Constituent Assembly Deputy, Dr. Phan Quang Dan. Two pedestrians were killed and Dr. Dan suffered superficial wounds.

December 29, 1966: Five Viet Cong disguised as government soldiers infiltrated a hamlet in an Xuyen province and killed two local soldiers.

December 30, 1966: Two terrorists threw a grenade in the Than Vinh district, four miles south of Saigon. There were no casualties.

December 25–31, 1966: Viet Cong terrorist attacks during the six day period killed 30 civilians and wounded 68. A total of 44 civilians were kidnapped.

January 5, 1967: Terrorists assassinated the village chief of a hamlet 10 miles from Saigon.

January 5, 1967: Communists killed two Saigon policemen; one was found with a two-inch nail embedded in his forehead.

January 16, 1967: South Vietnamese troops captured a VC prison camp and discovered 41 slain prisoners in a mass grave. Seven prisoners survived. (The dead included women, children and other civilians.)

January 15–21, 1967: The South Vietnam Government reported that during this five-day period, Viet Cong activities had accounted for a total of 173 civilians killed, wounded, or kidnapped. The figure included all 60 inhabitants of the Montagnard village of Komang in the central highlands, who were kidnapped.

February 8, 1967: During the holiday truce, VC terrorists used the cover of firecrackers to lob a grenade into a crowd killing two policemen, five civilians, and wounding several other persons. In a separate incident, seven persons were killed when a VC hurled a grenade at a Korean artillery position. The grenade bounced back, killing the terrorist and six other persons.

February 13, 1967: A VC mortar team positioned in the heart of Saigon killed or wounded 52 Vietnamese. The mortar barrage came within 200 feet of its primary target, the Saigon headquarters of General William C. Westmoreland. Three of the deaths and 30 of the wounded were the result of a delayed detonation which destroyed the building some twenty minutes after it had been abandoned as the mortar position.

VIETNAM

(CORRESPONDENTS.—Here are unclassified excerpts from the report Senator TOWER submitted to Chairman RUSSELL on his recent trip and about which he talked with the President yesterday evening)

We are winning, but we can win much more rapidly by an intensification of military pressure. We must continue to apply *unrelenting* pressure on the Viet Cong and on North Vietnam. As one officer told me: "We are winning the war—the question is how fast do we do it." Now is not the time to relax the pressure.

I reject any notion, regardless of by whom expressed, that our bombings have not and are not hurting North Vietnam and inhibiting her supply efforts toward the South. We can and should hurt North Vietnam more through liberalization of the rules of engagement and targets now severely limiting our airmen. I see no reason why we should not bomb every major military target regardless of where located, including steel mills, powerplants and off-leading facilities. We should destroy the enemy's air fields and his aircraft on the ground when possible. We should proceed at all deliberate speed to close the Haiphong harbor. It makes no sense to interdict rail lines but not sea supply routes. It is fatuous to think that important war materiel is not moving through Haiphong.

There is convincing evidence that the bulk of the enemy's supplies comes from the Soviet Union. We have perhaps too often been deceived by contrived "peace feelers" which result in increasing demands by some here at home that we stop bombing and "negotiate." Every such misguided demand helps convince Hanoi to continue fighting.

Letting up the military pressure on North Vietnam is the most dangerously tragic thing we could do. The people of the United States must understand that military stand downs during truce periods must be paid for with American lives.

The communists methodically prepared to exploit the TET truce and then did so at a rate that will extend the war and increase American casualties. We should have no more truces until the North shows a *prior* willingness to use them in good faith. During the TET truce our enemy brought in between 35,000 and 70,000 tons of supplies. One airman told me, "Route 1 looked like the Jersey Turnpike." In a four-day truce period the enemy wiped out 30 days of interdiction bombing effort on our part. We are prolonging the war by military stand downs. There is too much overt talk of negotiations. Negotiation and peace overtures should be handled covertly. The intensive re-supply effort mounted by the enemy during TET proves two things: 1) Our earlier bombing had upset his supply effort: 2) He now intends to continue fighting indefinitely.

We should achieve an additional U.S. troop buildup. We should consider using naval gunfire against selected targets in the North thus sparing airmen and aircraft.

There is no comparison between the number of civilians we have killed by accident and the number of civilians wantonly murdered by the Viet Cong. I am now compiling and will release soon a comprehensive list of Viet Cong atrocities.

HONG KONG

I regard this as our best mainland China listening post. The internal situation inside Red China is evidence of the fact that our overall policy of developing viable, free buffer states on her periphery is successful and is increasing pressures on Red China and inhibiting her aggressive characteristics. The current unrest in Red China is hampering the re-supply efforts for North Vietnam by both China and the Soviet Union and making troop intervention by China much less likely. Now is the perfect time for us to intensify our efforts against North Vietnam without fear of serious Red Chinese action.

THAILAND

I was at Udorn, Korat, Uta-pao and Sattahip. The tremendous importance of our activities in this area cannot be overemphasized. South Vietnam, Laos and Thailand must be considered in the same context in our Southeast Asian effort.

KOREA

I believe this to be a very senitive and potentially explosive trouble spot. There are frequent incidents along the demilitarized zone precipitated by North Korean infiltration. The infiltrators involved are well organized and are products of a long, concentrated training program conducted by the North Korean Army. Our units and Korean units are in good shape and have high morale. They do need updated equipment in some instances and we should increase military assistance funds to South Korea to meet these needs. I saw the Prime Minister, Defense Minister and other government leaders.

TAIWAN

I spent an hour with Generalissimo and Madam Chiang Kai-Shek, the Defense Minister and foreign ministry representatives, The strategic importance of Taiwan cannot be overemphasized. Their forces remain professionally competent. I recommend increased military assistance funds to help them replace obsolete and obsolescent equipment so they will be ready if needed.

ADJOURNMENT TO MONDAY

Mr. LONG of Louisiana. Mr. President, in accordance with the order previously entered, I now move that the Senate stand in adjournment until Monday at 12 o'clock noon.

The motion was agreed to; and (at 6 o'clock and 35 minutes p.m.) the Senate adjourned until Monday, February 20, 1967, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 17, 1967:

In the Army

The U.S. Army Reserve officers named herein for promotion as Reserve commissioned officers of the Army, under the provisions of title 10, United States Code, sections 593(a) and 3384:

To be major generals

Brig. Gen. Lowell Joseph Bradford, O357923.

Brig. Gen. Carl Leslie Buck, O410902.

Brig. Gen. Carl Jens Dueser, O300655.

Brig. Gen. Rowland Falconer Kirks, O337691.

Brig. Gen. William Hartwell Prentice, O385130.

Brig. Gen. Laddie L. Stahl, O448301.

To be brigadier generals

Col. John Warmington Atwood, O945150, Signal Corps.

Col. William Harvey Birbari, O329788, Infantry.

Col. Rafael Gabriel Dufficy, Jr., O429229, Medical Corps.

Col. Stephen Scott Ferebee, Jr., O462398, Infantry.

Col. Lester Wallace Grawunder, O385632, Infantry.

Col. Joe Grady Hanover, Jr., O389553, Corps of Engineers.

Col. Kermit Read Hansen, O379451, Infantry.

Col. James Gilliam Hughes, O339576, Medical Corps.

Col. Robert Loren Johnson, O367048, Artillery.

Col. John Joseph King, O425917, Infantry.

Col. Milton Alfred Pilcher, O363806, Civil Affairs.

Col. William Early Reynolds, O363770, Artillery.

Col. Thomas Jackson Thorne, O384897, Artillery.

Col. William Albert Tidwell, Jr., O377627, Army Intelligence and Security.

Col. John Estes Whiting, O378212, Civil Affairs.

The Army National Guard of the United States officers named herein for promotion as Reserve commissioned officers of the Army, under the provisions of title 10, United States Code, sections 593(a) and 3385:

To be brigadier generals

Col. Charles Howard Brady, O405716, Artillery.

Col. Frank J. Dalley, O397520, Artillery.

Col. Don L. Doane, O668708, Artillery.

Col. Roy Wesley Hogan, O331107, Armor.

Col. Nicholas Peter Kafkalas, O1287540, Infantry.

Col. Boleslaw Henry Pokigo, O365481, Artillery.

Col. Gaylord Edward Shepard, O360405, Artillery.

Col. Clarence Binder Shimer, O366079, Infantry.

Col. D. A. Thompson, O430664, Armor.

The Army National Guard of the United States officers named herein for appointment as Reserve commissioned officers of the Army, under the provisions of title 10, United States Code, sections 593(a) and 3392:

To be major general

Brig. Gen. Clarence Clemens Schnipke, O359322, Adjutant General's Corps.

To be brigadier generals

Col. Joseph Mark Ambrose, O460406, Adjutant General's Corps.

Col. Thomas Bonner, O403521, Adjutant General's Corps.

Col. William LaFayette Ward, Jr., O348287, Artillery.

Col. LaVern Erick Weber, O963734, Infantry.

Col. Charles Vawter Wheeler, O529878, Artillery.

Col. Erbon Wilbur Wise, O1280066, Adjutant General's Corps.

In the Navy

The following-named officers of the Naval Reserve for temporary promotion to the grade of rear admiral subject to qualification therefor as provided by law:

LINE

Don C. Bowman, Jr.
Robert P. Owens
William H. Longley
Edwin J. Zimmermann, Jr.

MEDICAL CORPS

George H. Reifenstein

DENTAL CORPS

Harry G. Ewart

SUPPLY CORPS

George F. Baughman
Heinz H. Loeffler

CIVIL ENGINEER CORPS

Arthur H. Padula

WITHDRAWAL

Executive nomination withdrawn from the Senate February 17, 1967:

The nomination sent to the Senate on February 2, 1967, of Gilbert L. Hambleton to be postmaster at Hampton Falls, in the State of New Hampshire.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 17, 1967:

Department of Housing and Urban Development

Thomas C. McGrath, Jr., of New Jersey, to be General Counsel of the Department of Housing and Urban Development.

Canal Zone Government

Brig. Gen. Walter P. Leber, O25130, U.S. Army, to be Governor of the Canal Zone.

Department of Defense

Phil G. Goulding, of Maryland, to be an Assistant Secretary of Defense.

U.S. Air Force

The following officers to be placed on the retired list, in the grade indicated, under the provisions of section 8962, title 10, of the United States Code:

To be lieutenant generals

Lt. Gen. David Wade, FR1582 (major general, Regular Air Force), U.S. Air Force.

Lt. Gen. Waymond A. Davis, FR1470 (major general, Regular Air Force), U.S. Air Force.

The following-named officers to be assigned to positions of importance and responsibility designated by the President, in the grade indicated, under the provisions of section 8066, title 10, of the United States Code:

To be lieutenant generals

Maj. Gen. Theodore R. Milton, FR2026, Regular Air Force.

Maj. Gen. William B. Kieffer, FR1409, Regular Air Force.

Maj. Gen. Charles H. Terhune, Jr., FR3424, Regular Air Force.

The following-named officers for appointment in the Regular Air Force, to the grades indicated, under the provisions of chapter 835, title 10, of the United States Code:

To be major generals

Maj. Gen. Gordon T. Gould, Jr., FR4040 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Bertram C. Harrison, FR1425 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. John S. Samuel, FR1638 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Joseph L. Dickman, FR1656 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. John L. McCoy, FR1705 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Vincent G. Huston, FR1865 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Michael J. Ingelido, FR4295 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Harry L. Evans, FR4619 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. William W. Wisman, FR4990 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Joseph J. Cody, Jr., FR5126 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Louis E. Coira, FR1429 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. David M. Jones, FR1811 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Richard S. Abbey, FR1992 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Thomas G. Corbin, FR4097 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Timothy F. O'Keefe, FR4608 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. George S. Boylan, Jr., FR4836 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Lawrence S. Lightner, FR5219 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Royal N. Baker, FR8315 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Jewell C. Maxwell, FR8393 (brigadier general, Regular Air Force), U.S. Air Force.

Maj. Gen. Alonzo A. Towner, FR19158 (brigadier general, Regular Air Force, Medical), U.S. Air Force.

To be brigadier generals

Brig. Gen. Daniel E. Riley, FR3768 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Frank P. Wood, FR3928 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Robert J. Gibbons, FR3978 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. William B. Martensen, FR4113 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Russell A. Berg, FR4376 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. George E. Brown, FR4425 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Roland A. Campbell, FR4535 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Joesph J. Kruzel, FR4640 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Leo A. Kiley, FR4953 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Anthony T. Shtogren, FR4956 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. John R. Dyas, FR4968 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. John W. Kline, RF5084 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. David I. Liebman, FR5164 (colonel), Regular Air Force), U.S. Air Force.

Brig. Gen. Jack C. Ledford, FR5238 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Carroll H. Bolender, FR5243 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Adrian W. Tolen, FR3041 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. John B. Wallace, FR4426 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Herman Rumsey, FR4723 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Guy H. Goddard, FR7111 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Ernest L. Ramme, FR6360 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. George V. Williams, FR7733 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Clifford J. Kronauer, Jr., FR7750 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Edward M. Nichols, Jr., FR7805 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Arthur W. Cruikshank, Jr., FR 8107 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. John A. DesPortes, FR8199 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Henry B. Kucheman, Jr., FR8353 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Francis W. Nye, FR8418 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. John E. Morrison, Jr., FR8459 (colonel, Regular Air Force), US. Air Force.

Brig. Gen. Paul K. Carlton, FR8693 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Edward B. Giller, FR8696 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. George M. Johnson, Jr., FR8810 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. John R. Murphy, FR8944 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Frederick E. Morris, Jr., FR9166 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Rockly Triantafellu, FR9504 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Louis T. Seith, FR9756 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Thomas H. Beeson, FR9767 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Sherman F. Martin, FR9963 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. William V. McBride, FR10077 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Henry L. Hogan III, FR10151 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. William H. Lumpkin, FR6487 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Edmund F. O'Connor, FR10200 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Burl W. McLaughlin, FR10624 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Joseph R. DeLuca, FR33749 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Jammie M. Philpott, FR13694 (colonel, Regular Air Force), U.S. Air Force.

Brig. Gen. Thomas H. Crouch, FR19192 (colonel, Regular Air Force, Medical), U.S. Air Force.

Brig. Gen. Lee M. Lightner, FR18923 (colonel, Regular Air Force, Dental), U.S. Air Force.

U.S. ARMY

The following-named officers, under the provisions of title 10, United States Code, section 3066, to be assigned to positions of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

To be general

*Lt. Gen. Theodore John Conway, O19015, Army of the United States (major general, U.S. Army).

To be lieutenant general

*Maj. Gen. Arthur Sylvester Collins, Jr., O21260, Army of the United States (brigadier general, U.S. Army).

The following-named officers for appointment in the Regular Army of the United States, to the grades indicated, under the provisions of title 10, United States Code, sections 3284, 3306, and 3307:

To be major generals

Maj. Gen. George Stafford Eckhardt O19766, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. George Vernon Underwood, Jr., O20679, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Woodrow Wilson Stromberg, O20728, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. James Howard Skeldon, O20831, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Thomas Jay Hayes III, O20134, Army of the United States (brigadier general, U.S. Army).

Brig. Gen. Leonard Copeland Shea, O20231, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. William Nels Redling, O31516, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Frederick James Clarke, O20572, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. George Henry Walker, O20617, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Charles Stuart O'Malley, Jr., O20682, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. Edward Chrysostom David Scherrer, O20690, Army of the United States (brigadier general, U.S. Army).

Maj. Gen. William Andrew Enemark, O20879, Army of the United States (brigadier general, U.S. Army).

To be brigadier general

* Col. William Ambrose Hamrick, 038878, U.S. Army.

U.S. NAVY

To be vice admiral

* Vice Adm. Arnold F. Schade, U.S. Navy, having been designated, under the provisions of title 10, United States Code, section 5231, for commands and other duties determined by the President to be within the contemplation of said section, for appointment to the grade indicated while so serving.

The following-named officer, when retired, for appointment to the grade indicated, pursuant to title 10, United States Code, section 5233:

To be admiral

Adm. John S. Thach, U.S. Navy.

The following-named officers, when retired, for appointment to the grade indicated, pursuant to title 10, United States Code, section 5233:

To be vice admirals

Vice Adm. Glynn R. Donaho, U.S. Navy.

Rear Adm. Howard A. Yeager, U.S. Navy.

Rear Adm. John M. Lee, U.S. Navy, having been designated, under the provisions of title 10, United States Code, section 5231, for commands and other duties determined by the President to be within the contemplation of said section, for appointment to the grade indicated while so serving.

U.S. MARINE CORPS

The following-named officer of the Marine Corps Reserve for temporary appointment to the grade indicated:

To be major general

Douglas J. Peacher.

The following-named officers of the Marine Corps Reserve for temporary appointment to the grade indicated:

To be brigadier generals

John R. Blandford.

William J. Weinstein.

IN THE AIR FORCE

The nominations beginning Kenneth L. Abney, to be major, and ending M. Zabezensky, to be first lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on February 1, 1967; and

The nominations beginning Thomas V. Bruton, to be major, and ending David L. Younkin, to be second lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on January 16, 1967.

IN THE ARMY

The nominations beginning Francis E. Abrino, to be colonel, and ending Clifford L. Wollard, to be captain, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on February 1, 1967.

IN THE MARINE CORPS

The nominations beginning Blair P. Conway, to be second lieutenant, and ending Jeffrey M. Zimmerman, to be second lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on January 12, 1967.

HOUSE OF REPRESENTATIVES

MONDAY, FEBRUARY 20, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Blessed are they that mourn: for they shall be comforted.—Matthew 5: 4.

O Thou Eternal Father of our spirits, who art the light of the minds that know Thee, the life of the souls that love Thee, and the strength of the hearts that serve Thee, help us so to know Thee that we may come to love Thee, so to love Thee that we may be able to serve Thee with all our hearts.

We face tasks that are beyond our power to meet adequately; we have responsibilities that are more than we can manage acceptably; we are confronted by duties that are greater than our ability to master competently—so we pray for the sustaining power of Thy presence in our lives. Even in distress and sorrow may we feel the comfort of Thy holy spirit.

Lead, Kindly Light, amid the encircling gloom, lead Thou us on—that with clean hearts, clear minds, and courageous spirits we may usher in the day when peace shall reign and good will rule the hearts of men. So may Thy kingdom come and Thy will be done on earth. In the Master's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, February 16, 1967, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries.

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* Indicates ad interim appointment.

* Indicates ad interim appointment.

CRITICISM OF U.S. CIVIL RIGHTS COMMISSION

Mr. SIKES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, the U.S. Civil Rights Commission should resign in a body and apologize to the American people for its existence as an agency of Government. Its recommendation for a racial-balance law is undoubtedly one of the most stupid ever made in the name of public education. The assertion that extra teachers, smaller classes, and special services for slum schools is inferior as an education method to trucking children all over the country just to secure a racial mix, proves that the Commission is utterly blind to the needs of education and incompetent to deal with the entire problem of civil rights.

Washington has over 90 percent colored in its schools simply because white families have moved from many areas of Washington into Virginia and Maryland. To attempt to require by law that families submit to having their children spend hours daily being transported back and forth from Maryland and Virginia in order to secure a racial mix in Washington schools is pure fantasy. The same situation prevails to a greater or less extent throughout the Nation.

REPRESENTATIVE SISK INTRODUCES LEGISLATION TO PROVIDE FOR THE CONSTRUCTION OF STUDENT HEALTH CENTERS

Mr. SISK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SISK. Mr. Speaker, I am today introducing legislation which would amend the Higher Education Facilities Act of 1963 and provide for the construction of student health centers.

I have purposely omitted any reference to the specific type of care to be provided by these centers so that the institutions involved would be able to initiate or expand facilities in accordance with their particular needs. For example, it would not seem to me important, as far as this program is concerned, whether or not dental care would be provided.

It is my desire to leave this and other such decisions to the discretion of the college. The language is intended to be nonrestrictive and as long as the institution provides a sound health program would allow these facilities the same freedom granted academic facilities under this act.

COMMITTEE ON RULES

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

JOINT COMMITTEE ON FOREIGN INFORMATION AND INTELLIGENCE

Mr. KORNEGAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. KORNEGAY. Mr. Speaker, for the last several days a storm has been waged in the Nation's press—and elsewhere—concerning an intelligence arm of our country.

Much has been written and much has been said recently about the operations of the Central Intelligence Agency. And the controversy surrounding recent disclosures continues unabated today.

During the 89th Congress, I submitted a joint resolution—House Joint Resolution 66—for the purpose of giving this and other information and intelligence agencies of our Government the congressional direction and counsel needed. Unfortunately for all of us, the resolution to establish a Joint Committee on Foreign Information and Intelligence was not enacted.

In view of the current controversy and the necessity of such legislation, I am today reintroducing my resolution which, if enacted, would bring the intelligence and information activities of our Nation under the continuing attention of the Congress.

Briefly, my resolution would establish a joint committee, composed of seven Members from each body, with not more than four from the same political party from one body. The joint committee would function primarily as a watchdog group to make continuing studies of the activities of each information and intelligence agency of the United States and any problems relating to these agencies.

SECOND ANNIVERSARY OF INDEPENDENCE OF THE GAMBIA

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, The Gambia is an independent country within the British Commonwealth, situated on the bulge of west Africa. On February 18, 1965, this country—about three-quarters the size of Connecticut in area and with nearly one-third of a million inhabitants—achieved its independence.

Because of its small size and population, and also in view of the absence of a diplomatic mission in the United States, it is conceivable that officials in The Gambia might think that its national day would be overlooked in the United States. I can assure them that this is not the fact.

It is indeed an honor for me to salute The Gambia on its second anniversary of independence. I am pleased to have this opportunity of conveying to Prime Minister Jawara, to Governor General Singhateh, and to the people of The Gambia on this auspicious occasion the hearty congratulations and best wishes of the Congress and the people of the United States.

It sometimes happens, as with The Gambia, that the interest and activity in African and international affairs is in an inverse proportion to size and resources. The Gambia was the 115th member admitted to the United Nations, just 7 months after independence and has given much constructive assistance to that organization.

The United States is hopeful of continuing and strengthening the friendly ties existing between our two Governments, and we offer every encouragement to the Gambian people in their quest for the orderly and progressive development of their country politically, economically, and socially. We are sure that the coming year will see further progress in this direction.

THE KATZENBACH COMMISSION REPORT

Mr. POFF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. POFF. Mr. Speaker, I have spent most of the weekend reading "The Challenge of Crime in a Free Society," a report just released by the President's Commission on Law Enforcement and Administration of Justice.

It is a most remarkable document. It deserves the careful attention of every Member of the Congress. It is painstaking, meticulous, methodical, and exhaustive in its treatment of what is perhaps the greatest single domestic issue of the day.

The report is not unanimous. The body of the report fairly reflects those areas in which dissent was registered, and three sets of additional views are appended. Like myself, most who read the report will agree in part and disagree in part. Yet none can dispute the value of the contribution it makes to the reservoir of knowledge of the nature and dimensions of the problem which must underlie any intelligent solution.

The solution the report suggests involves some 200 specific recommendations. They cover the entire spectrum of crime causation, prevention, detection, prosecution, punishment, and rehabilitation. These recommendations recognize that primary jurisdiction rests with State and local governments but that the Federal Government has a substantial measure of constitutional jurisdiction and responsibility.

I salute the Chairman and 18 members of the Commission, the staff director and its members, and the distinguished panel of consultants and advisers for a difficult, delicate job well done. What they have done will be extremely helpful to the National Commission on Reform of the Federal Criminal Law, established by the 89th Congress, which hopefully can complete its organization and begin its work in the next several weeks.

DOMESTIC SUBSIDY

Mr. BERRY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. BERRY. Mr. Speaker, I hope no one ever says again that foreign aid cannot be used as a subsidy to American industry.

If anyone doubts this they should have attended the party we attended last week. King Hassan of Morocco came to pick up his foreign aid check. Because his royal entourage had been faithful throughout the year he brought 136 members with him, including princes, princesses, Cabinet Ministers, generals, and whatnot.

They hired spacious quarters at the Shoreham Hotel. The Shoreham management was glad to see them come and regretfully saw them leave.

Because we had never attended one of these functions, Mrs. Berry and I went to their farewell party. It was truly a subsidy to American agriculture, American industry, and American labor.

It was held in the Regency Room at the Shoreham. They had four orchestras, eight bars, and a table one-fourth of a block long, heaped with food to satisfy the hunger pains of probably everybody in every embassy in Washington. Hungry consular people ranged between the bar and the buffet, consuming 15 whole lambs and probably half that many beeves, and every conceivable kind of seafood. They swarmed over that buffet like locusts in a lettuce patch. Aside from Chief Justice and Mrs. Warren we saw five people we recognized out of the hundreds that packed the Regency and adjoining rooms.

No one can say this did not give agriculture a great boost. No one can say it was not a subsidy to industry and labor. To compensate the King and his entourage for all this grandeur, the administration is sending 500 tons of wheat and $15 million in military aid to Morocco.

The subsidy did not end in Washington. The entourage took over an entire floor of the Hotel Plaza in New York City. The party in New York was in honor of General U Thant in the sumptuous Baroque Room of the Plaza. The royal visits also resulted in gorgeous parties, receptions, tours, and gala theater nights.

Fifth Avenue stores stayed open until 9 p.m. so the troupe could shop in privacy. Not only that, they bought two Lincoln Continentals, two Cadillacs, and a number of other cars.

Yes; foreign aid is a great boost to the American free enterprise system.

SIXTH ANNUAL REPORT OF THE ARMS CONTROL AND DISARMAMENT AGENCY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 58)

The SPEAKER laid before the House the following message from the President of the United States which was read; and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed.

To the Congress of the United States:

I am transmitting herewith the Sixth Annual Report of the Arms Control and Disarmament Agency. I do so with considerable satisfaction, since this year has seen significant progress in this Nation's 20-year effort to bring under control the armaments which are the product of man's 20th-century ingenuity.

In 1966 a significant link was added to the still slender chain of arms control agreements—a treaty banning weapons of mass destruction in outer space and on celestial bodies. Its significance will grow as our mastery of space grows, and our children will remark the wisdom of this agreement to a greater degree than the present state of our own knowledge quite permits today.

The past year has also brought us close to another agreement, one of even greater immediacy—a treaty to prevent the further spread of nuclear weapons here on earth. Our hopes are high that this long effort will soon be crowned with success.

The United States has been trying to prevent the proliferation of nuclear weapons since 1946. At that time Bernard Baruch speaking for the United States at the United Nations, said:

> If we fail we have damned every man to be the slave of fear.

It is true that we failed then, but we did not become the "slaves of fear"; instead we persisted. In the Arms Control and Disarmament Act of 1961, Congress decreed that the search for ways to save succeeding generations from the scourge of war should become a matter of first emphasis for the U.S. Government. The establishment of an independent agency to work out ways to bring the arms race under control was the act of a rational people who refused to submit to the fearful implications of the nuclear age.

Several things are evident from a reading of this report. The first is that we are succeeding, after a few short years, in developing an integrated and highly expert attack on the problem of arms control and disarmament. Our security has two faces—strength and restraint; arms and arms control. We have come to the point where our thinking about weapons is paralleled by our thinking about how to control them. The Arms Control and Disarmament Agency plays a central role in this development.

The second is that despite the magnitude and complexity of armament imposed on the world by the cold war, the problem can be made to yield to imagination and determination, so that now we might legitimately begin to count up the score: we have cut down the danger of "accidental war" with the hot line, curtailed the injection of radioactive waste into the atmosphere with the limited test ban treaty, and joined in strengthening the system of safeguards designed by the International Atomic Energy Agency to close one of the doors to nuclear weapons.

The United States has anticipated the future by putting all of Antarctica, and more recently outer space off limits to weapons of mass destruction. Nonarmament is easier than disarmament, and in these terms alone, the value of these latter treaties cannot be overestimated. In addition, however, we should not overlook the significance of this approach to the problems in arms control we face right now. A treaty to prevent the proliferation of nuclear weapons will have this same preventive element—without it we face the prospect of a world in which more than a dozen nations will possess nuclear weapons. If our hopes for success in a treaty are realized, the chances for still further agreements will be greatly enhanced. These next steps will also be more difficult, because they must involve the weapons we might otherwise add to our arsenals, or even those now on hand.

This brings me to my last observation, which is that this report reveals the sobering reality of the immensity of the task we have undertaken. Read in the context of recent developments in the Soviet Union—the buildup of their strategic forces and the deployment of an anti-ballistic-missile system around Moscow—we are reminded that our hard-won accomplishments can be swept away overnight by still another costly and futile escalation of the arms race.

It is my belief that the United States and the Soviet Union have reached a watershed in the dispiriting history of our arms competition. Decisions may be made on both sides which will trigger another upward spiral. The paradox is that this should be happening at a time when there is abundant evidence that our mutual antagonism is beginning to ease. I am determined to use all the resources at my command to encourage the reduction in tension that is in our mutual interest, and to avoid further, mutually defeating buildup. The work of the Arms Control and Disarmament Agency will continue to be of invaluable assistance in this urgent task.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *February 17, 1967.*

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

LAND TRANSFER TO BATAVIA, N.Y.

The Clerk called the bill (H.R. 399) to authorize the Administrator of Veterans' Affairs to convey certain real property to the city of Batavia, N.Y.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I wonder if the chairman of the Committee on Veterans' Affairs can assure me that each of these bills, and I believe this is the first of two or three bills on this subject, contains specific language providing that the land revert back to the Government if it is not used for the purpose intended by the legislation.

Mr. TEAGUE of Texas. Yes; Mr. Speaker, I certainly assure the gentleman that that is true.

Mr. GROSS. I thank the gentleman from Texas.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 399

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of Veterans' Affairs shall convey by quitclaim deed, without monetary consideration, to the city of Batavia, New York, all right, title, and interest of the United States in and to certain real property consisting of forty-four acres, more or less, at the Veterans' Administration Hospital, Batavia, New York, which has been determined to be in excess of the needs of the Veterans' Administration and surplus to the needs of all other Federal agencies. Such real property was donated to the United States by the city of Batavia, New York, and the county of Genesee, New York. The exact legal description of the real property to be conveyed pursuant to this Act shall be determined by the Administrator of Veterans' Affairs.

SEC. 2. Any deed of conveyance made pursuant to this Act shall—

(a) provide that the land conveyed shall be used by the city of Batavia, New York, in a manner that will not, in the judgment of the Administrator of Veterans' Affairs, or his designate, interfere with the care and treatment of patients in the Veterans' Administration Hospital, Batavia, New York;

(b) contain such additional terms, conditions, reservations, easements, and restrictions as may be determined by the Administrator of Veterans' Affairs to be necessary to protect the interest of the United States;

(c) provide that if the city of Batavia, New York, violates any provision of the deed of conveyance or alienates or attempts to alienate all or any part of the parcel so conveyed, title thereto shall revert to the United States; and that a determination by the Administrator of Veterans' Affairs of any such violation or alienation or attempted alienation shall be final and conclusive; and

(d) provide that in the event of such reversion improvements shall vest in the United States without payment of compensation therefor.

Mr. TEAGUE of Texas. Mr. Speaker, the bill would provide for the conveyance by the Administrator of Veterans' Affairs to the city of Batavia, N.Y., without cost, of approximately 44 acres of land which was a part of the Veterans' Administration hospital reservation located in that city. The land transferred will be used for park and recreational purposes.

In the 5-year period between 1932 and 1937, some 97 acres of land were acquired and donated to the Veterans' Administration. The donation was made by the county of Genesee, N.Y., the city of Batavia, and the Batavia Chamber of Commerce. There is presently operated on this land a 257-bed general hospital. In June 1965, the Veterans' Administration reported a parcel which was a part of the reservation at Batavia as excess to the needs of the agency. This contained approximately 44 acres of land. It is this tract of land which is the subject of this bill.

In view of the fact that the land was donated to the Government by the group previously indicated, it seems entirely appropriate to transfer this land to the city of Batavia, without cost.

An identical bill was reported in the 89th Congress.

Mr. ADAIR. Mr. Speaker, I rise in support of H.R. 399. This bill will convey to the city of Batavia, N.Y., 44 acres of land which are a part of the Veterans' Administration hospital reservation located in that city. The land would be used for park and recreational purposes. The Veterans' Administration has declared this tract as excess to their needs. In view of the fact the land was originally donated to the Veterans' Administration by the county of Genesee, the city of Batavia, and the Batavia Chamber of Commerce, it is appropriate that the city be permitted to again receive this land without cost.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUDIT OF DISABLED AMERICAN VETERANS ACCOUNTS

The Clerk called the bill (H.R. 2152) to amend the act incorporating the Disabled American Veterans so as to provide for an annual audit of their accounts.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. PELLY. Mr. Speaker, reserving the right to object, I know that there is a precedent in connection with this bill and that similar language exists in the charter of the American National Red Cross. The language of this bill, as I understand it, is identical to that and I would only say I hope we would not in any way have Government audits where there is private enterprise that normally can perform such function. But I think in this case it is justified.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 2152

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 9 of the Act of June 17, 1932, as amended (36 U.S.C. 901), is amended by (1) inserting "(a)" immediately after "SEC. 9." and (2) adding at the end thereof the following:

"(b) (1) The said corporation shall as soon as practicable after the close of each of its fiscal years make and transmit to the Comptroller General a report of its proceedings for the preceding fiscal year, including a full, complete, and itemized report of receipts and expenditures of whatever kind, which report shall be duly audited by the Comptroller General.

"(2) The said corporation shall annually reimburse the Comptroller General for auditing its accounts, and the sums so paid shall be covered into the Treasury of the United States as miscellaneous receipts."

SEC. 2. The amendment made by this Act shall be effective with respect to each fiscal year of the Disabled American Veterans beginning after the date of enactment of this Act.

Mr. TEAGUE of Texas. Mr. Speaker, this bill, introduced at the request of the Disabled American Veterans, would amend the act incorporating that organization by providing that the Disabled American Veterans shall transmit after the close of each of its fiscal years a report of its proceedings for the preceding fiscal year, including a full, complete, and itemized report of receipts and expenditures of whatever nature, to the Comptroller General of the United States who shall audit such report.

The Disabled American Veterans will reimburse the Comptroller General for auditing this report.

While not specified in this bill, the Comptroller General would make available the results of his audit to the Congress in accordance with existing provisions of law.

There would be no cost to the Government as a result of this legislation.

An identical bill passed the House on September 19, 1966.

Mr. ADAIR. Mr. Speaker, I rise in support of H.R. 2152. This bill would authorize the Comptroller General of the United States to audit the annual report of the proceeds of the Disabled American Veterans including the full, complete, and itemized report of receipts and expenditures. The Treasury of the United States would be reimbursed under the terms of the bill for expenses incurred in connection with the audit. Inasmuch as this legislation has been requested by the Disabled American Veterans and there will be no cost to the Federal Government, I recommend that the bill be approved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LAND TRANSFER TO TEMPLE, TEX.

The Clerk called the bill (H.R. 2730) authorizing the Administrator of Veterans' Affairs to convey certain property to Temple Junior College, Temple, Tex.

There being no objection, the Clerk read the bill, as follows:

H.R. 2730

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of Veterans' Affairs is authorized to convey, without monetary consideration, to Temple Junior College, Temple, Texas, for educational purposes, all right, title and interest of the United States in and to a tract of seventy-three acres of land, more or less constituting a portion of the reservation of the Veterans' Administration Center, Temple, Texas. The exact legal description of the tract shall be determined by the Administrator of Veterans' Affairs, and if a survey is required in order to make such determination, the Temple Junior College shall bear the expense thereof.

SEC. 2. Any deed of conveyance made pursuant to this Act shall—

(a) provide that the land conveyed shall be used for educational purposes and in a manner that will not, in the judgment of the Administrator of Veterans' Affairs, or his designate, interfere with the care and treatment of patients in the Veterans' Administration Center, Temple, Texas;

(b) contains such additional terms, conditions, reservations, easements and restrictions as may be determined by the Administrator of Veterans' Affairs to be necessary to protect the interest of the United States;

(c) provide that if the Temple Junior College violates any provision of the deed of conveyance or alienates or attempts to alienate all or any part of the parcel so conveyed, title thereto shall revert to the United States; and that a determination by the Administrator of Veterans' Affairs of any such violation or alienation or attempted alienation shall be final and conclusive; and

(d) provide that in the event of such reversion, all improvements made by Temple Junior College during its occupancy shall vest in the United States without payment of compensation therefor.

With the following committee amendment:

On page 2, line 11, strike out "contains" and insert "contain".

The committee amendment was agreed to.

Mr. TEAGUE of Texas. Mr. Speaker, this bill authorizes the conveyance by the Administrator of Veterans' Affairs to the Temple Junior College, Temple, Tex., of approximately 73 acres of land which are excess to the needs of the Veterans' Administration hospital at Temple, Tex. The land would be used for educational purposes. The transfer would be without monetary consideration and the exact legal description and tract would be determined by the Administrator of Veterans' Affairs together with such limitations in the deed as would be necessary to protect the interests of the United States.

In 1956 approximately 289 acres of land were transferred to the Veterans' Administration by the then War Department together with the hospital which had been operated at Temple by the Army and known as McCloskey General Hospital. Of these 289 acres, 37 were purchased, 52 were donated and purchased from funds contributed by schoolchildren, and the balance of 200 acres donated by the city of Temple. In 1951, 32 acres which were excess to the needs of the Veterans' Administration were transferred to the Temple Public School District. The 73 acres which are the subject of this bill constitute a portion of the 200 acres originally donated by the city of Temple. The city has no objection to the transfer of this property to the Temple Junior College.

There would be no expenditure of Government funds as a result of this transfer.

Mr. ADAIR. Mr. Speaker, I rise in support of H.R. 2730. This bill will authorize the conveyance of approximately 73 acres of land on the Veterans' Administration hospital reservation at Temple, Tex., to the Temple Junior College. The land would be used for educational purposes. Inasmuch as the land was originally donated to the Federal Government by the city of Temple and the city has no objection to the transfer of this land to the Temple Junior College, and the land is excess to the needs of the Veterans' Administration hospital, it is appropriate that it be transferred to the junior college in that city without cost.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NURSING CARE IN ALASKA AND HAWAII

The Clerk called the bill (H.R. 3593) to amend title 38 of the United States Code to eliminate certain requirements for the furnishing of nursing home care in the case of veterans hospitalized by the Veterans' Administration in Alaska or Hawaii.

There being no objection, the Clerk read the bill, as follows:

H.R. 3593.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 620 of title 38, United States Code, is amended by adding at the end thereof the following new sentence: "Any veteran who is furnished care by the Administrator in a hospital in Alaska or Hawaii may be furnished nursing home care under the provisions of this section even if such hospital is not under the direct and exclusive jurisdiction of the Administrator.".

Mr. TEAGUE of Texas. Mr. Speaker, when Public Law 88–450 was enacted authorizing among other things the furnishing of nursing care in Veterans' Administration operated nursing homes and in community nursing homes, there was no provision made for the furnishing of such nursing care in the States of Alaska and Hawaii. There are no Veterans' Administration hospitals in these two States, but rather care is provided in hospitals operated by the armed services or other Federal hospitals on the basis of agreement with the Veterans' Administration and, in the case of service-connected veterans, hospital care may be provided by contract in community hospitals.

One of the basic provisions of Public Law 88–450 is that in order for an individual to be placed in a privately operated or community nursing home for temporary care at VA expense the patient must first have been in a Veterans' Administration hospital and reached a medical condition which warranted a transfer to a nursing home installation. This provision, in view of the absence of Veterans' Administration facilities in Alaska and Hawaii, prevented the furnishing of nursing care in these two States.

The purpose of this bill, is to permit the furnishing of nursing care in Alaska and Hawaii where such care is found to be warranted.

A special Subcommittee on Intermediate Care conducted a review of the operation of Public Law 88–450 in the 89th Congress and during the course of these hearings the subject matter of this bill was discussed.

The Veterans' Administration, which favors the bill, estimates that the annual cost of the bill would be approximately $22,000.

Mrs. MINK. Mr. Speaker, I am truly grateful to the distinguished chairman of the Veterans' Affairs Committee and to the members of that committee for reporting out a bill we are to consider today, H.R. 3593, which is designed to provide nursing home care for veterans in Hawaii and Alaska on an equitable basis with the treatment accorded veterans in the other 48 States.

I introduced this legislation, which amends section 620 of title 38 of the United States Code, to correct an oversight in Public Law 88–450. One of the provisions of Public Law 88–450 allows transfer of patients in Veterans' Administration hospitals to qualified nursing homes at Government expense when such care is deemed necessary for the veteran's recovery. The Government pays the cost of such nursing home expenses for up to 6 months, sometimes longer in exceptional cases, but will not pay more than one-third of the cost of treatment in a VA hospital.

When this law was enacted in the 88th Congress, consideration was not given to the fact that Alaska and Hawaii are alone among all the States in having no hospitals directly operated by the Veterans' Administration. Though veterans in both States receive Government hospitalization benefits in institutions operated by other Federal agencies which contract for such care with the VA, the terms of Public Law 88–450 disallow subsequent nursing home care for patients in only these two States since they cannot be hospitalized in a facility under the direct jurisdiction of the VA. Thus the law denies to Hawaii and Alaska veterans benefits equal to those accorded to veterans in the other 48 States, the District of Columbia, and Puerto Rico.

Mr. Speaker, it is simple justice for my State and for Alaska that I am asking today. We passed this same bill in the House on May 16, 1966, in the 89th Congress, but the Senate failed to take action. The Veterans' Administration has registered its approval of the legislation in both the 89th and 90th Congresses, and a favorable report has been secured from the Bureau of the Budget.

We are asking here for no favored treatment for deserving veterans in our two newest States; we are only asking that they no longer be denied equal rights under the law because of the absence of VA hospitals in Alaska and Hawaii. All other provisions of section 620 of title 38 would remain intact, and nursing homes in the two States would have to meet standards approved by the VA Administrator in order to qualify for participation in this program on the same basis as nursing homes throughout the Nation.

I urge my colleagues to act favorably on this legislation today, Mr. Speaker, and thereby extend equal recognition for the sacrifices made for their country by former servicemen residing in Alaska and Hawaii.

Mr. POLLOCK. Mr. Speaker, the State of Alaska has long suffered problems and discrimination not common to her sister States. One such problem has been a lack of some of the more common facilities enjoyed by other areas. In the case of Alaskan veterans, this lack means the absence of Veterans' Administration medical facilities and the limitations placed on care due to this lack. In this situation we are joined by our sister State, Hawaii. H.R. 3593 will eliminate this difficulty. I ask the House to pass this bill giving fairer treatment to Alaska and Hawaii veterans.

Mr. ADAIR. Mr. Speaker, I rise in support of H.R. 3593. In the 88th Congress, a comprehensive program of nursing care was enacted into law. Among other things, the legislation authorized veterans who were occupying beds in Veterans' Administration hospitals to be transferred to community nursing homes for periods up to 6 months. The legislation authorized the Veterans' Administration to pay not more than one-third of the per diem cost of care in a Veterans' Administration general hospital.

Because there are no Veterans' Administration hospitals in the States of Hawaii and Alaska and because transfer from a Veterans' Administration hospital is the only way a veteran can enter a community nursing home under this program, veterans of these two States are unable to avail themselves of this benefit.

H.R. 3593 will correct this situation by permitting the transfer to community nursing homes of veterans patients in Hawaii and Alaska who need such care from any hospital in which hospital care has been furnished by the Veterans' Administration.

Mr. MATSUNAGA. Mr. Speaker, I rise in support of H.R. 3593, which would provide nursing home care for veterans in Hawaii and Alaska.

Prefatorily, I would like to take a moment to commend the gentleman from New York [Mr. HALPERN], who discovered the need for this legislation during an inspection trip to Hawaii and introduced the original bill in the 89th Congress. I introduced a similar measure in the last Congress, and I commend my colleague, the gentlewoman from Hawaii [Mrs. MINK] for her early introduction of the bill in this session of the Congress.

This legislation will resolve a problem that our veterans in Hawaii and Alaska have encountered under the restrictive wording of section 2, Public Law 88–450.

Briefly, the technical wording of the provision involved does not authorize the transfer of a veteran from a nonveteran hospital, such as the Army's Tripler General Hospital in Honolulu, to an institution providing nursing care. Since Hawaii and Alaska are the only States which do not have VA hospitals, they are the only States adversely affected by this restriction.

I commend the chairman and the members of the Committee on Veterans' Affairs for their early action with respect to the measure now on the floor. In essence, the bill we are now considering would provide that any veteran who is furnished care by the Administrator of Veterans' Affairs in a hospital in Hawaii or Alaska may be furnished nursing home care even if such hospital is not under the direct and exclusive jurisdiction of the Administrator.

This legislation is designed to correct an unintended restrictive situation in Hawaii and Alaska with respect to institutional nursing care required by our veterans. It has been given the approval of the Veterans' Administration, which has estimated the annual cost at the nominal sum of $22,000.

Mr. Speaker, I strongly urge that H.R. 3593 be given a favorable vote.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. That concludes the call of the Consent Calendar.

THE OPERATION OF THE CONSENT CALENDAR

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ASPINALL. Mr. Speaker, one of the most important procedures that the House follows in considering legislation is known as the Consent Calendar operation. It is under this procedure that most of the acts of Congress which become public laws are considered by the House of Representatives.

It has been the practice heretofore of the members of the Consent Calendar committees—the majority members and the minority members—to agree upon rules of procedure at the beginning of a session. I would suggest, to the new Members especially, that they read the statement, which has the approval of and bears the initial of all the members of the Consent Calendar committees, three members of the majority and three members of the minority.

The statement is as follows:

STATEMENT ON RULES OF OPERATION OF THE CONSENT CALENDAR MEMBERS

On February 8 and February 16, respectively, the majority and minority floor leaders appointed their respective personnel of the objectors committees, the gentleman from Oklahoma, Mr. Albert, appointed three members of his party and the gentleman from Michigan, Mr. Gerald R. Ford, appointed three members of his party. The objectors committees are unofficial committees of the House of Representatives, existing at the request and at the pleasure of the respective floor leaders of the two parties who, in order to facilitate the proper screening of legislation which may be placed on the Consent Calendar, designate Members of each side of the aisle charged with the specific responsibility of seeing to it that legislation passing by such procedure is in the interest of good government. The rule which is applicable to Consent Calendar procedure is clause 4 of rule XIII, found in section 746 of the rules of the House of Representatives. The operation of such procedure is described in Cannon's Procedures in the House of Representatives.

For several sessions now objectors on both sides of the aisle have followed certain rules for consideration of Consent Calendar bills which they have made known to the Members at the beginning of a session. These rules are not publicized at this time to establish hard-and-fast procedures but rather to advise the Members of the House as to the manner in which the committee plans to operate throughout the 90th Congress.

The members of the committees feel that generally no legislation should pass by unanimous consent which involves an aggregate expenditure of more than $1 million; second, that no bill which changes national policy or international policy should be permitted to pass on the Consent Calendar but rather should be afforded the opportunity of open and extended debate; third, that any bill which appears on the Consent Calendar, even though it does not change national or international policy, or does not call for an expenditure of more than $1 million, should not be approved without the membership being fully informed of its contents, providing it is a measure that would apply to the districts of a majority of the Members of the House of Representatives, in which case the minimum amount of consideration that should be given such a bill would be clearance by the leadership of both parties before being brought before the House on the Consent Calendar.

It has been the policy of the objectors on the Consent Calendar heretofore to put such a bill over without prejudice one or more times to give an opportunity to the Members to become fully informed as to the contents of such a bill, and the Consent Calendar objectors for the 90th Congress wish to follow like procedure; fourth, that if a bill has been placed on the Consent Calendar and the members of the committee having jurisdiction over the legislation show that it has not been cleared by the Bureau of the Budget, by the respective Departments affected by such legislation, or that such reports from the committee or from the Department show that the legislation is not in accord with the President's program, it should not pass on the Consent Calendar but that the chairman of the House committee having jurisdiction over the legislation, should either call it up under suspension of the rules with the permission of the Speaker or should go to the Rules Committee for a rule for such legislation. While the members of the objectors' committee feel that a report from the Bureau of the Budget is necessary before a bill should be placed upon the Consent Calendar, they do not wish to take the position that the report from the Bureau of the Budget must necessarily show the approval of such legislation by the Bureau. However, if such approval is not shown, then in the consideration of the legislation, even if considered on the Consent Calendar, the chairman reporting the bill, or the sponsor of the bill, should be willing to accept the responsibility of stating to the Members the action of the Bureau of the Budget and the reasons for such action.

The members of the Consent Calendar objectors' committee also feel it fair to state to the membership that it is not their purpose to obstruct legislation or to object to bills or pass them over without prejudice because of any personal objection to said bill or bills by any one member or all of the members of the Consent Calendar objectors' committee, but rather that their real purpose, in addition to expediting legislation, is to protect the membership against having bills passed by unanimous consent which, in the opinion of the objectors, any Member of the House might have objection to.

The members of the Consent Calendar objectors' committee earnestly request that the chairman of the standing committees of the House having the responsibility for bringing legislation before the House take into consideration the contents of this statement before placing bills on the Consent Calendar. While it is not absolutely necessary that the sponsors of bills appearing on the Consent Calendar contact the various members of the

Consent Calendar objectors' committee, nevertheless, in the interest of saving time and avoiding the possibility of having bills laid over unnecessarily, it is good practice to do so; and the objectors welcome the continuance of the procedure of getting in touch with them at least 24 hours before the legislation is called up under the regular Consent Calendar procedure. In many instances such thoughtfulness on the part of the sponsors will clear away questions which the objectors have and consequently will make for the expeditious handling of legislation.

WAYNE N. ASPINALL,
JOHN J. MCFALL,
EDWARD P. BOLAND,
Majority Objectors.
THOMAS M. PELLY,
DURWARD G. HALL,
ALBERT W. JOHNSON,
Minority Objectors.

GENERAL LEAVE TO EXTEND

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that all Members may be permitted to extend their remarks on the veterans bills just passed.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

AUTHORIZING THE COMMITTEE ON ARMED SERVICES TO CONDUCT A FULL AND COMPLETE INVESTIGATION AND STUDY OF ALL MATTERS RELATING TO PROCUREMENT BY THE DEPARTMENT OF DEFENSE, PERSONNEL OF SUCH DEPARTMENT, LAWS ADMINISTERED BY SUCH DEPARTMENT, USE OF FUNDS BY SUCH DEPARTMENT, AND SCIENTIFIC RESEARCH IN SUPPORT OF THE ARMED SERVICES

Mr. YOUNG. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 124 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 124

Resolved, That effective from January 3, 1967, the Committee on Armed Services, acting as a whole or by subcommittee appointed by the chairman of the Committee on Armed Services, is authorized to conduct a full and complete investigation and study of all matters—

(1) relating to the procurement, use, and disposition of material, equipment, supplies, and services, and the acquisition, use, and disposition of real property, by or within the Department of Defense;

(2) relating to the military and civilian personnel under the jurisdiction of the Department of Defense;

(3) involving the laws, regulations, and directives administered by or within the Department of Defense;

(4) involving the use of appropriated and nonappropriated funds by or within the Department of Defense;

(5) relating to scientific research and development in support of the armed services; and

(6) all other matters within the legislative jurisdiction conferred by law or the Rules of the House of Representatives upon the Committee on Armed Services.

The committee shall report to the House (or to the Clerk of the House if the House is not in session) as soon as practicable during the present Congress the results of its investigation and study, together with such recommendations as it deems advisable.

For the purpose of carrying out this resolution the committee or subcommittee is authorized to sit and act during the present Congress at such times and places within or without the United States, whether the House has recessed, or has adjourned, to hold such hearings, and to require by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Armed Services of the House of Representatives and employees engaged in carrying out their official duties under section 190(d) of title 2, United States Code: *Provided,* That (1) no member or employee of said committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88-633, approved October 7, 1964; (2) no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

Each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

The SPEAKER. The Clerk will report the committee amendments.

The Clerk read the amendments, as follows:

On page 2, after line 10, add the following paragraph: "*Provided,* That the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House."

On page 4, line 1, after the word "Government", add the following words: "the cost of such transportation, and".

The SPEAKER. The gentleman from Texas is recognized for 1 hour.

Mr. YOUNG. Mr. Speaker, I yield to the distinguished chairman of the Armed Services Committee such time as he may consume.

Mr. RIVERS. Mr. Speaker, I would like to call the attention of the House to this resolution. It proscribes the Committee on Armed Services in our capacity to carry out our responsibilities, because there is an amendment to this resolution which says that no investigation may be commenced by a committee that once has been commenced by any other committee of the House.

Mr. Speaker, we have the responsibility of overseeing the expenditure of over $70 billion. We went to the Rules Committee and asked them to reconsider their blanket objection to our having an exception to this limitation, as we have had such an exception throughout the years. In their wisdom, the Rules Committee decided not to give us that.

We are going to try to live with the intention of this amendment and the provisions of this and try to carry out faithfully, Mr. Speaker, the responsibilities imposed on our committee by the House and by the Constitution. We will try to do it. I can conceive of many areas where we might be estopped from bringing to this House facts, which we cannot do under this resolution. But we are determined, Mr. Speaker, to try to live within the provisions of this amendment. If we cannot, we will come back to the House and to the Committee on Rules and say so.

In our opinion, this is not a wise thing, but I do not want to get into a fight with the new chairman of the Rules Committee the first crack out of the box. Hence, we will try to live with it.

We have an investigation going on right now. We want to get this investigation going, because it involves hundreds and hundreds of millions of dollars.

Mr. COLMER. Mr. Speaker, will the gentleman yield?

Mr. RIVERS. Yes, I yield to the gentleman from Mississippi.

Mr. COLMER. Mr. Speaker, let me say to my friend—and he is my friend.

Mr. RIVERS. Mr. Speaker, I am always happy to see the gentleman walking in that door.

Mr. COLMER. Mr. Speaker, getting on with the business, let me say to my friend that I recognize there is a great deal of merit to what he has just said. I believe the Committee on Rules recognizes that the committee which the distinguished gentleman from South Carolina heads, and particularly this investigatory committee, has a great responsibility. They do cover a wide field, but the Committee on Rules, out of a desire to have a uniform procedure and to have treatment of committees as nearly equal as possible, decided, as the gentleman from South Carolina said, in its wisdom to have this provision put in this resolution, to which the gentleman is now addressing himself.

Permit me to say further that it is the judgment and the desire of the Committee on Rules—if the distinguished gentleman from South Carolina and his committee get into any trouble about this, or if they need any additional authority to cooperate with his committee, because they are doing a great job.

Mr. RIVERS. Mr. Speaker, I thank the chairman. That is the reason we are going along in the spirit of this proscribing amendment and trying to live with it insofar as we can. We will live with it as far as we can. If we cannot, we will come back and tell the committee where we are bogged down.

Mr. COLMER. I am sure that this House shares my opinion that the splendid Committee on Armed Services is performing a great service in an area that is of supreme importance to the country under the able and dedicated leadership of its chairman, the gentleman from South Carolina [Mr. Rivers].

And, I repeat, I am most anxious to cooperate with him.

Mr. BATES. Mr. Speaker, will the gentleman yield?

Mr. RIVERS. I yield to the gentleman from Massachusetts, the distinguished ranking minority member of the committee.

Mr. BATES. I presume at this time it is useless to oppose the amendments, but I am opposed to this particular amendment because to me it does not make sense. We have worked with and lived with this situation for a long time, and we have cooperated with other committees, whether the jurisdiction has been ours or theirs.

As the language now reads, if the Judiciary Committee, as an example, should have an interrogation of an antitrust suit in some one of the defense industries, we will say, this would mean that the subject matter would then be under the jurisdiction totally of the Judiciary Committee, and the Committee on Armed Services, which has the first responsibility on the question of the armed services, would not be able to go into the matter at all.

I am sure the committee would not possibly want a situation like that to develop.

We will try to work this out as best we can.

I will say today, Mr. Speaker, as I told the Rules Committee when we appeared before it, uniformity is one thing, but this is wrong and I do not consider it a legitimate operation.

Mr. RIVERS. Mr. Speaker, there is quite a controversy going on over the CIA. We have exclusive jurisdiction over the CIA. We meet all the time with CIA representatives. We know exactly what the CIA is doing. We know this.

Let us say that if the Committee on Government Operations were to have one of its many, many, many, many subcommittees go into an area of this, our activities might be proscribed.

I saw in the papers the other day that another committee was going into it. They did not do it, but there are many things they can bring to our attention.

I will say this: if it were not for the fine character and the great leadership of the Committee on Government Operations by a gentleman for whom I have the greatest respect and the greatest confidence, I would have more misgivings. So long as the gentleman from Illinois [Mr. Dawson] is the chairman of this committee I am sure we can work it out.

Mr. Speaker, we will go along with this, and we have no objection.

Mr. YOUNG. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 124 is the regular legislation on investigative powers that is necessary for the normal operation of the Committee on Armed Services.

Mr. Speaker, the Committee on Rules has made two changes in this resolution which should be called to the attention of the House.

The first amendment corrects this resolution relative to the reporting of transportation costs of overseas travel involving the use of counterpart funds in line with the Mutual Security Act, as amended, 22 United States Code 1754. It is my understanding that this language should have been in the resolutions in the past.

The second amendment simply adds the following language:

> *Providing*, That the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House.

This is the same provision which already appears in most of the resolutions of this type and the Committee on Rules is trying to be fair to all committees alike in this provision to eliminate duplicate investigations.

Mr. Speaker, I urge adoption of House Resolution 124 in order that the Committee on Armed Services will have authority to conduct investigations and studies of matters under their jurisdiction, and that funds for this purpose will be available to them.

Mr. Speaker, I yield 30 minutes to the gentleman from Ohio [Mr. Latta], and I reserve the remainder of my time.

Mr. LATTA. Mr. Speaker, I want to get on the Record again the more or less tacit agreement in the Committee on Rules that should the Committee on Armed Services run into any kind of trouble with this proposed amendment inserted by the Committee on Rules without my full support—the Committee on Armed Services is to come back to the Committee on Rules for needed modification of the resolution.

As was pointed out heretofore, the main reason this amendment was put in the resolution was to bring about some uniformity in the investigative powers of our committees. As stated by the ranking minority member, Mr. Bates, perhaps the obtaining of this uniformity is too high a price to pay in this instance.

The door of the Committee on Rules is open should this great Committee on Armed Services run into any trouble with this amendment. I am certain that I speak for all members of the Rules Committee when I say we will hasten to make any changes in this amendment should they become necessary.

Mr. RIVERS. Mr. Speaker, will the gentleman yield?

Mr. LATTA. I yield to the gentleman from South Carolina.

Mr. RIVERS. I thank the gentleman. I deeply appreciate that attitude.

Mr. YOUNG. Mr. Speaker, I move the adoption of the amendments and the resolution.

The SPEAKER. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I take this time for the purpose of asking the distinguished majority leader if there are any additions to the legislative schedule for tomorrow or the remainder of the week.

Mr. ALBERT. Mr. Speaker, will the distinguished minority leader yield to me?

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. I appreciate the gentleman's bringing this matter up for the benefit of the House.

The Committee on Rules has reported some 10 investigative resolutions on behalf of various committees of the House which we intend to call up tomorrow. I will read these for the edification of the membership.

House Resolution 209—Post Office and Civil Service;

House Resolution 179—Foreign Affairs, as amended;

House Resolution 19—Merchant Marine and Fisheries, as amended;

House Resolution 33—Agriculture, as amended;

House Resolution 40—Judiciary;

House Resolution 68—District of Columbia, as amended;

House Resolution 34—Interior and Insular Affairs, as amended;

House Resolution 101—Veterans' Affairs, as amended;

House Resolution 110—Government Operations, as amended; and

House Resolution 218—Education and Labor, as amended.

I will advise the gentleman that we will have announcements of additions to the program for later in the week.

Mr. YATES. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Illinois.

Mr. YATES. I would like to propound an inquiry to the distinguished majority leader. Do I understand that the gentleman did not include the appropriation for the Committee on Un-American Activities?

Mr. ALBERT. It is not on this list.

Mr. YATES. I thank the gentleman.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Iowa.

Mr. GROSS. I would like to inquire with respect to the report from the Judiciary Committee regarding one of the Members of the House. Will that report, which I understood is to be filed this week, be called up next week or this week?

Mr. ALBERT. If the gentleman will yield, there is no report of which I have cognizance at this time. As soon as the chairman of any committee brings to my attention a report of any kind, I will certainly endeavor to advise the Members well in advance as to when it might be called up.

The SPEAKER. The time of the gentleman from Michigan has expired.

RESERVE BILL OF RIGHTS

Mr. HÉBERT. Mr. Speaker, I move to suspend the rules and pass the bill H.R. 2, to amend titles 10, 14, 32, and 37, United States Code, to strengthen the Reserve components of the Armed Forces, and clarify the status of National Guard technicians, and for other purposes.

The Clerk read as follows:

H.R. 2

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title I of this Act may be cited as the "Reserve Forces Bill of Rights and Vitalization Act".

TITLE I—RESERVE FORCES

Sec. 101. Title 10, United States Code, is amended as follows:

(1) Section 101(2) is amended by inserting "Except as provided in section 101(1) of title 32 for laws relating to the militia, the National Guard, the Army National Guard of the United States, and the Air National Guard of the United States," before "'Territory' means".

(2) Section 136(a) is amended by striking out "seven" and inserting "eight" in place thereof.

(3) Section 136(b) is amended by inserting after the first sentence the following:

"One Assistant Secretary shall be the Assistant Secretary of Defense for Reserve Affairs and shall, as his principal duty, be responsible for the administration, operation, and readiness of the reserve components of the armed forces under the Department of Defense."

(4) The text of section 175 is amended to read as follows:

"(a) There is in the Office of the Secretary of Defense a Reserve Forces Policy Board consisting of—

"(1) the Assistant Secretary of Defense for Reserve Affairs who is Chairman of the Board;

"(2) the Assistant Secretary of each of the military departments, designated under section 264(b) of this title, who is responsible for reserve affairs in his department;

"(3) an officer of the Regular Army designated by the Secretary of the Army;

"(4) an officer of the Regular Navy or Regular Marine Corps designated by the Secretary of the Navy;

"(5) an officer of the Regular Air Force designated by the Secretary of the Air Force;

"(6) four reserve officers designated by the Secretary of the Army, two of whom must be members of the Army National Guard of the United States, and two of whom must be members of the Army Reserve;

"(7) four reserve officers designated by the Secretary of the Navy, two of whom must be members of the Naval Reserve, and two of whom must be members of the Marine Corps Reserve;

"(8) four reserve officers designated by the Secretary of the Air Force, two of whom must be members of the Air National Guard of the United States, and two of whom must be members of the Air Force Reserve;

"(9) three civilian members, representatives of the labor, industrial, and educational communities, designated by the Secretary of Defense; and

"(10) a reserve officer of the Army, Navy, Air Force, or Marine Corps who is a general or flag officer, designated by the Chairman of the Board and who serves without vote as military adviser to the Chairman and as executive officer of the Board.

"(b) Whenever the Coast Guard is not operating as a service in the Navy, the Secretary of the Treasury may designate an officer of the Regular Coast Guard or the Coast Guard Reserve to serve as a voting member of the Board.

"(c) The Board, acting through the Assistant Secretary of Defense for Reserve Affairs appointed under section 136(b) of this title, is the principal policy adviser to the Secretary of Defense on matters relating to the reserve components.

"(d) This section does not affect the committees on reserve policies prescribed by section 3033, 5251, 5252, or 8033 of this title.

"(e) A member of a committee or board prescribed under a section listed in subsection (d) may, if otherwise eligible, be a member of the Reserve Forces Policy Board.

"(f) The Board shall act on those matters referred to it by the Chairman and, in addition, on any matter raised by a member of the Board. However, a majority of the members present may agree to postpone or table any matter referred to the Board by either the Chairman or a member of the Board.

"(g) The Board shall meet at least once every three months and at such other times as the Chairman may determine."

(5) Section 262 is amended by striking out "the reserve components" and inserting "each reserve component" in place thereof.

(6) The text of section 264 is amended to read as follows:

"(a) The Assistant Secretary of Defense for Reserve Affairs has responsibility for reserve affairs of the Department of Defense.

"(b) The Secretary concerned shall designate an Assistant Secretary of his department who shall have as his principal duty responsibility for the establishment and execution of policy on all matters related to manpower and reserve affairs. The Assistant Secretary shall, in connection with reserve affairs, be responsible for the administration, operation, and readiness of the reserve components under that department.

"(c) The Secretary concerned shall designate a general or flag officer for each reserve component under his jurisdiction to be directly responsible for reserve affairs to the Chief of Naval Operations, the Commandant of the Marine Corps, and the Commandant of the Coast Guard, as the case may be. This subsection does not affect the functions of the Chief of the National Guard Bureau, the Chief of Army Reserve, or the Chief of Air Force Reserve.

"(d) The Secretary concerned is responsible for providing the personnel, equipment, facilities, and other general logistic support necessary to enable units and Reserves in the Selected Reserve of the reserve components under this jurisdiction to satisfy the mobilization readiness requirements established for those units and Reserves in the contingency and war plans approved by the Joint Chiefs of Staff. He shall, when a unit in the Selected Reserve is established and designated, expeditiously procure, issue, and maintain supplies and equipment of combat standard quality in amounts required for the training of each unit and shall store and maintain such additional supplies and equipment of that quality that are required by those units upon mobilization. However, if the Secretary concerned determines that compliance with the preceding provisions of this subsection will jeopardize the national security interests of the United States, he may temporarily waive compliance with these requirements after he has notified Congress in writing, setting forth the specific facts and circumstances upon which he made such a determination. Unless specifically authorized by law enacted after the effective date of this section, funds authorized for personnel, supplies, equipment, and facilities for a reserve component may not be transferred or expended for any other purpose."

(7) Section 268 is amended by inserting the designation "(a)" at the beginning and adding the following new subsection:

"(b) There is a Selected Reserve within the Ready Reserve of each of the following—

"(1) the Army Reserve;

"(2) the Naval Reserve;

"(3) the Marine Corps Reserve;

"(4) the Air Force Reserve; and

"(5) the Coast Guard Reserve.

The Selected Reserve consists of the Army National Guard of the United States, the Air National Guard of the United States, and such units and Reserves named in clauses (1)–(5) as the Secretary concerned may designate, trained as prescribed in section 270 (a)(1) of this title or section 502(a) of title 32, as appropriate."

(8) Section 269(e) (1)–(6) is amended to read as follows:

"(1) he served on active duty (other than for training) in the armed forces for an aggregate of at least five years; and

"(2) he served on active duty (other than for training) in the armed forces for an aggregate of less than four years, but satisfactorily participated, as determined by the Secretary concerned, in an accredited training program in the Ready Reserve for a period which, when added to his period of active duty (other than for training), totals at least five years, or such shorter period as the Secretary concerned, with the approval of the Secretary of Defense in the case of a Secretary of a military department, may prescribed for satisfactory participation in an accredited training program designated by the Secretary concerned."

(9) Section 270(a)(1)is amended to read as follows:

"(1) participate in the equivalent of at least 48 scheduled drills or training periods during each year and serve on active duty for training or perform annual field training of not less than 14 days (exclusive of traveltime) during each year;".

(10) Section 511(d) is amended to read as follows:

"(d) Under regulations to be prescribed by the Secretary of Defense, or the Secretary of the Treasury with respect to the Coast Guard when it is not operating as a service in the Navy, a non-prior-service person who is under 26 years of age, who is qualified for induction for active duty in an armed force, and who is not under orders to report for induction into an armed force under sections 451–473 of title 50, appendix, may be enlisted in the Army National Guard or the Air National Guard, or as a Reserve for service in the Army Reserve, Naval Reserve, Air Force Reserve , Marine Corps Reserve, or Coast Guard Reserve, for a term of six years. Each person enlisted under this subsection shall perform an initial period of active duty for training of not less than four months to commence within 180 days after the date of that enlistment. Notwithstanding the foregoing, a person enlisted under the authority provided by this subsection before July 1, 1966, who has not completed an initial period of active duty for training of four months or more, may be considered to have completed the equivalent of eight weeks of basic training if he has served on active duty, active duty for training, or full-time training duty for 15 days and has satisfactorily participated in 45 scheduled drills or equivalent training periods. However, the additional period of advanced active duty training or full-time training duty required by such enlistee to qualify for the billet in which enlisted must be completed unless such enlistee has received the equivalent training necessary to qualify him for the satisfactory performance of his military assignment responsibilities under regulations prescribed by the Secretary concerned. Upon completing such training or its equivalent, the member shall be required to satisfactorily perform such other service in the Ready Reserve as may be prescribed by the Secretary of Defense until he has completed a combination of active duty, active duty for training, full-time training duty, and service in the Ready Reserve or National Guard which aggregates a total of six years of satisfactory service, as determined by the Secretary concerned."

(11) the text of section 678 is amended to read as follows:

"(a) A reserve commissioned officer ordered to active duty (other than for training) under section 672(d) of this title or other provision of law for special assignment in accordance with section 265, 3033, 3496, 8033, or 8496 of this title, or section 708 of title 32, shall be ordered in his reserve grade, and while so serving, is in addition to the authorized numbers and strength in grades of commissioned officers on active duty in the armed force of which he is a member.

"(b) A reserve commissioned officer on duty under subsection (a) is eligible for temporary promotion in his armed force without component, and for consideration for permanent appointment as a reserve commissioned officer in a grade higher than that in which he is serving on active duty, to the same extent as if he were not on active duty.

"(c) A reserve commissioned officer on duty under subsection (a) who holds a permanent reserve grade, or is selected for permanent promotion to a reserve grade which is higher than the permanent reserve grade in which he is serving on active duty shall be permanently promoted to the higher reserve grade and continue to serve in that grade while on active duty.

"(d) To assure that a reserve commissioned officer on duty under subsection (a) receives periodic refresher training in the categories for which he is qualified, the Secretary concerned may detail him to duty with any armed force, or otherwise as the Secretary sees fit."

(12) Sections 3013(a), 5034(a), and 8013(a) are each amended by striking out "three" and inserting in place thereof "four" in the first sentence.

(13) Section 3015 is amended to read by follows:

"§ 3015. National Guard Bureau: appointment of Chief, Deputy Chief, Assistant Chief for Army National Guard, Assistant Chief for Air National Guard, and acting chief; functions, policies, and regulations for the National Guard, Army National Guard of the United States, and Air National Guard of the United States

"(a) There is a National Guard Bureau, which is a Joint Bureau of the Department of the Army and the Department of the Air Force, headed by a chief who has direct access to the Secretary of the Army, the Secretary of the Air Force, the Chief of Staff of the Army, and the Chief of Staff of the Air Force, and is the principal adviser to those Chiefs of Staff on National Guard matters. The National Guard Bureau includes a general counsel, a comptroller, and other personnel necessary to discharge its statutory responsibilities. It is—

"(1) the supervisory and operating agency of the Department of the Army and the Department of the Air Force for the National Guard;

"(2) the channel of communication between the departments concerned and the several States, territories, Puerto Rico, the Canal Zone, and the District of Columbia on all matters pertaining to the National Guard, the Army National Guard of the United States, and the Air National Guard of the United States;

"(3) responsible for preserving and maintaining the integrity of the unit and command structure of the National Guard, the Army National Guard of the United States, and the Air National Guard of the United States as separate and distinct parts of the structure of the Army and of the Air Force.

"(b) the President, by and with the advice and consent of the Senate, shall appoint the Chief of the National Guard Bureau, the Deputy Chief of the National Guard Bureau, the Assistant Chief of the National Guard Bureau for the Army National Guard, and the Assistant Chief of the National Guard Bureau for the Air National Guard, from officers of the Army National Guard of the United States or the Air National Guard of the United States who—

"(1) have been recommended by their respective Governors;

"(2) have had at least 10 years of commissioned service in the active National Guard; and

"(3) are in a grade above lieutenant colonel.

If the Chief of the National Guard Bureau is an officer of the Army National Guard of the United States, the Deputy Chief of the National Guard Bureau shall be appointed from qualified officers of the Air National Guard of the United States. If the Chief of the National Guard Bureau is an officer of the Air National Guard of the United States, the Deputy Chief of the National Guard Bureau shall be appointed from qualified officers of the Army National Guard of the United States. The Assistant Chief of the National Guard Bureau for the Army National Guard and the Assistant Chief of the National Guard Bureau for the Air National Guard shall be appointed from qualified officers of the Army National Guard of the United States and from qualified and rated officers of the Air National Guard of the United States, respectively.

"(c) The Chief of the National Guard Bureau and the Deputy Chief of the National Guard Bureau hold office for four years, but may be removed for cause at any time. They are eligible to succeed themselves. If either of them holds a lower reserve grade, he shall be appointed as a Reserve in his armed force in the grade of major general for service in the Army National Guard of the United States or the Air National Guard of the United States, as the case may be.

"(d) The Assistant Chief of the National Guard Bureau for the Army National Guard and the Assistant Chief of the National Guard Bureau for the Air National Guard hold office for four years, but may be removed for cause at any time and may not hold office after they have become 60 years of age. They are eligible to succeed themselves. If either of them holds a lower reserve grade, he shall be appointed as a Reserve in his armed force in the grade of brigadier general for service in the Army National Guard of the United States or the Air National Guard of the United States, as the case may be.

"(e) If the Chief of the National Guard Bureau is unable, because of disability, to perform the functions of his office, or if that office is vacant, the Deputy Chief of the National Guard Bureau shall act as its Chief until the disability ceases or a successor is appointed."

(14) Item 3015 in the analysis of chapter 303 is amended to read as follows:

"3015. National Guard Bureau: appointment of Chief, Deputy Chief, Assistant Chief for Army National Guard, Assistant Chief for Air National Guard, and acting chief; functions, policies, and regulations for the National Guard, Army National Guard of the United States, and Air National Guard of the United States."

(15) A new section 3019 is added as follows:

"§ 3019. Office of Army Reserve: appointment of Chief, Deputy Chief, and acting chief; functions, policies, and regulations for government of Army Reserve

"(a) There is an executive part of the Department of the Army an Office of Army Reserve which is headed by a chief who has direct access to the Secretary of the Army and the Chief of Staff, and is the principal adviser to the Chief of Staff, on matters relating to the Army Reserve. The Office of Army Reserve includes a general counsel, a comptroller, and other personnel necessary to discharge its statutory responsibilities. It is—

"(1) the supervisory and operating agency of the Department of the Army for the Army Reserve;

"(2) the Department of the Army agency responsible for coordination of communication between the Department of the Army and its subordinate commands on matters relating to the Army Reserve; and

"(3) responsible for preserving and maintaining the integrity of the unit and command structure of the Army Reserve as a separate and distinct part of the structure of the Army.

"(b) The President, by and with the advice and consent of the Senate, shall appoint the Chief of Army Reserve from officers of the Army Reserve not on active duty, or on active duty under section 265 of this title, who—

"(1) have had at least 10 years of commissioned service in the Army Reserve;

"(2) are in grade of brigadier general and above; and

"(3) have been recommended by the Secretary of the Army from a list containing the names of not less than three, or more than five, officers submitted by the General Staff Committee on Army Reserve Policy.

"(c) The Chief of Army Reserve holds office for four years but may be removed for cause at any time. He is eligible to succeed himself. If he holds a lower reserve grade, he shall be appointed in the grade of major general for service in the Army Reserve.

"(d) There is a Deputy Chief of Army Reserve. He shall be nominated by the Chief of Army Reserve and appointed by the Secretary of the Army from officers of the Army Reserve not on active duty, or on active duty under section 265 of this title, who meet the requirements prescribed in subsection (b)(1) and are in the grade of colonel or above. If he holds a lower reserve grade, he shall be appointed in the grade of brigadier general for service in the Army Reserve. He serves in that position for four years and is eligible for appointment as Chief of Army Reserve without a break in active service.

"(e) If the Chief of Army Reserve is unable, because of disability, to perform the functions of his office, or if that office is vacant, the Deputy Chief, or the senior officer of the Army Reserve on duty in the Office of Army Reserve shall act as its chief until the disability ceases or a successor is appointed."

(16) The following new item is added to the analysis of chapter 303:

"3019. Office of Army Reserve: appointment of Chief, Deputy Chief, and acting chief; functions, policies, and regulations for government of Army Reserve."

(17) The text of section 3033 is amended to read as follows:

"(a) There is in the office of the Secretary of the Army a General Staff Committee on Army National Guard and Army Reserve Policy which shall review and comment upon each proposed change in Army policy or regulation directly affecting the reserve components of the Army prior to its final submission to the Chief of Staff, and the Assistant Secretary responsible for reserve affairs, for approval. The recommendations of the General Staff Committee shall accompany any proposed change in policy or regulation, or both, when it is acted upon by the Chief of Staff and the Assistant Secretary responsible for reserve affairs.

"(b) The General Staff Committee consists of—

"(1) five general officers of the Regular Army on duty with the Army General Staff;

"(2) five general officers of the Army National Guard of the United States not on active duty;

"(3) five general officers of the Army Reserve not on active duty; and

"(4) the Chief of Army Reserve and the Chief of the National Guard Bureau, or their designees.

"(c) The members of the General Staff Committee shall select the Chairman from among the members of the General Staff Committee not on active duty.

"(d) A majority of the members of the General Staff Committee shall act whenever matters affecting both the Army National Guard of the United States and Army Reserve are being considered. However, when any matter solely affecting one of the reserve components of the Army is being considered, it shall be acted upon by the Committee on Army National Guard Policy or the Committee on Army Reserve Policy, as appropriate.

"(e) The Committee on Army National Guard Policy consists of the members of the General Staff Committee other than the Army Reserve members.

"(f) The Committee on Army Reserve Policy consists of the members of the General Staff Committee other than the Army National Guard members.

"(g) Membership on the General Staff Committee is determined by the Secretary of the Army and is for a minimum period of three years. The Secretary of the Army, when appointing new members, shall insure that each section of the General Staff Committee will, at all times, have two or more members with more than one year of continuous service on the Committee.

"(h) There shall be not less than 10 officers of the Army National Guard of the United States and the Army Reserve on duty with the Army General Staff, one-half of whom shall be from each of those components. These officers shall be considered as additional members of the Army General Staff while on that duty."

(18) A new section 3226 is added after section 3225 as follows:

"§ 3226. Reserve components of Army: Selected Reserve

"(a) The reserve components of the Army shall be organized to include units in the Selected Reserve with an average annual strength in members of not less than—

"(1) 260,000 for the Army Reserve; and

"(2) 380,000 for the Army National Guard of the United States.

These strengths include those members ordered, without their consent, to active duty with their units.

"(b) The organization and structure of units in the Selected Reserve shall be as approved by the Secretary of Defense and be based upon recommendations of the Chief of Staff of the Army that are approved by the Joint Chiefs of Staff in accordance with contingency and war plans.

"(c) Members of the reserve components of the Army assigned to units in the Selected Reserve are required to perform the training prescribed in section 270(a)(1) of this title or section 502(a) of title 32."

(19) The following new item is inserted in the analysis of chapter 331:

"3226. Reserve components of Army: Selected Reserve."

(20) A new section 5413a is added after section 5413 as follows:

"§ 5413a. Naval Reserve and Marine Corps Reserve: Selected Reserve

"(a) The Naval Reserve and the Marine Corps Reserve shall be organized to include units and Reserves in the Selected Reserve with an average annual strength in members of not less than—

"(1) 126,000 for the Naval Reserve; and

"(2) 48,000 for the Marine Corps Reserve.

"(b) The organization and structure of units, and the organization of Reserves, in the Selected Reserve of the Naval Reserve and the Marine Corps Reserve shall be as approved by the Secretary of Defense and be based upon recommendations of the Chief of Naval Operations and the Commandant of the Marine Corps, as the case may be, that are approved by the Joint Chiefs of Staff in accordance with contingency and war plans.

"(c) Units and Reserves in the Naval Reserve or the Marine Corps Reserve designated as comprising the Selected Reserve of those reserve components shall be maintained at an annual average strength in members of not less than—

"(1) 126,000 for the Naval Reserve; and

"(2) 48,000 for the Marine Corps Reserve.

These strengths include those members ordered, without their consent, to active duty with their units.

"(d) Members of the Naval Reserve or the Marine Corps Reserve assigned to units in the Selected Reserve are required to perform the training prescribed in section 270(a)(1) of this title."

(21) The following new item is inserted in the analysis of chapter 531:

"5413a. Naval Reserve and Marine Corps Reserve: Selected Reserve."

(22) A new section 8019 is added as follows:

"§ 8019. Office of Air Force Reserve: appointment of Chief, Deputy Chief, and acting chief; functions; policies, and regulations for government of Air Force Reserve.

"(a) There is in the executive part of the Department of the Air Force an Office of Air Force Reserve which is headed by a chief who has direct access to the Secretary of the Air Force and the Chief of Staff, and is the principal adviser to the Chief of Staff, on matters relating to the Air Force Reserve. The Office of Air Force Reserve includes a general counsel, a comptroller, and other personnel necesary to discharge its statutory responsibilities. It is—

"(1) the supervisory and operating agency of the Department of the Air Force for the Air Force Reserve;

"(2) the Department of the Air Force agency responsible for coordination of communication between the Department of the Air Force and its subordinate commands on matters relating to the Air Force Reserve; and

"(3) responsible for preserving and maintaining the integrity of the unit and command structure of the Air Force Reserve as a separate and distinct part of the structure of the Air Force.

(b) The President, by and with the advice and consent of the Senate, shall appoint the Chief of Air Force Reserve from officers of the Air Force Reserve not on active duty, or on active duty under section 265 of this title, who—

"(1) have had at least 10 years of commissioned service in the Air Force;

"(2) are in grade of brigadier general and above; and

"(3) have been recommended by the Secretary of the Air Force from a list containing the names of not less than three or more than five officers submitted by the Air Staff Committee on Air Force Reserve Policy.

"(c) The Chief of Air Force Reserve holds office for four years, but may be removed for cause at any time. He is eligible to succeed himself. If he holds a lower reserve grade, he shall be appointed in the grade of major general for service in the Air Force Reserve.

"(d) There is a Deputy Chief of Air Force Reserve. He shall be nominated by the Chief of Air Force Reserve and appointed by the Secretary of the Air Force from officers of the Air Force Reserve not on active duty, or on active duty under section 265 of this title, who meet the requirements prescribed in subsection (b)(1) and are in the grade of colonel or above. If he holds a lower reserve grade, he shall be appointed in the grade of brigadier general for service in the Air Force Reserve. He serves in that position for four years and is eligible for appointment as Chief of Air Force Reserve without a break in active service.

"(e) If the Chief of Air Force Reserve is unable, because of disability, to perform the functions of his office, or if that office is vacant, the Deputy Chief, or the senior officer of the Air Force Reserve on duty in the Office of Air Force Reserve, shall act as its chief until the disability ceases or a successor is appointed."

(23) The following new item is added to the analysis of chapter 803:

"8019. Office of Air Force Reserve: appointment of Chief, Deputy Chief, and acting chief; functions, policies, and regulations for government of Air Force Reserve."

(24) The text of section 8033 is amended to read as follows:

"(a) There is in the Office of the Secretary of the Air Force an Air Staff Committee on Air National Guard and Air Force Reserve Policy which shall review and comment upon each proposed change in Air Force policy or regulation directly affecting the reserve components of the Air Force prior to its final submission to the Chief of Staff, and the Assistant Secretary responsible for reserve affairs, for approval. The recommendations of the Air Staff Committee shall accompany any proposed change in policy or regulation, or both, when it is acted upon by the Chief of Staff and the Assistant Secretary responsible for reserve affairs.

"(b) The Air Staff Committee consists of—

"(1) five general officers of the Regular Air Force on duty with the Air Staff;

"(2) five general officers of the Air National Guard of the United States not on active duty;

"(3) five general officers of the Air Force Reserve not on active duty; and

"(4) the Chief of Air Force Reserve and the Chief of the National Guard Bureau, or their designees.

"(c) The members of the Air Staff Commitee shall select the Chairman from among the members on the Air Staff Committee not on active duty.

"(d) A majority of the members of the Air Staff Committee shall act whenever matters affecting both the Air National Guard of the United States and Air Force Reserve are being considered. However, when any matter solely affecting one of the Air Force Reserve components is being considered, it shall be acted upon by the Committee on Air National Guard Policy or the Committee on Air Force Reserve Policy, as appropriate.

"(e) The Committee on Air National Guard Policy consists of the members of the Air Staff Committee other than the Air Force Reserve members.

"(f) The Committee on Air Force Reserve Policy consists of the members of the Air Staff Committee other than the Air National Guard members.

"(g) Membership on the Air Staff Committee is determined by the Secretary of the Air Force and is for a minimum period of three years. The Secretary of the Air Force, when appointing new members, shall insure that each section of the Air Staff Committee will, at all times, have two or more members with more than one year of continuous service on the Committee.

"(h) There shall not be less than 10 officers of the Air National Guard of the United States and the Air Force Reserve on duty with the Air Staff, one-half of whom shall be from each of those components. These officers shall be considered as additional members of the Air Staff while on that duty."

(25) A new section 8226 is added after section 8225 as follows:

"§ 8226. Reserve components of Air Force: Selected Reserve

"(a) The reserve components of the Air Force shall be organized to include units and

Reserves in the Selected Reserve with an average annual strength in members of not less than—

"(1) 51,000 for the Air Force Reserve; and

"(2) 80,000 for the Air National Guard of the United States.

These strengths include those members ordered, without their consent, to active duty with their units.

"(b) The organization and structure of units in the Selected Reserve shall be as approved by the Secretary of Defense and be based upon recommendations of the Chief of Staff of the Air Force that are approved by the Joint Chiefs of Staff in accordance with contingency and war plans.

"(c) Members of the reserve components of the Air Force assigned to units in the Selected Reserve are required to perform the training prescribed in section 270(a)(1) of this title or section 502(a) of title 32."

(26) The following new item is inserted in the analysis of chapter 831:

"8226. Reserve components of Air Force: Selected Reserve."

SEC. 102. Title 14, United States Code, is amended as follows:

(1) A new section 752b is added after section 752a as follows:

"§ 752b. Coast Guard Reserve: Selected Reserve

"(a) The Coast Guard Reserve shall be organized to include units and Reserves in the Selected Reserve, with an average annual strength in members of not less than 17,000.

"(b) The organization and structure of units, and the organization of Reserves, in the Selected Reserve of the Coast Guard Reserve shall be based on recommendations of the Commandant of the Coast Guard that are approved by the Secretary in accordance with mobilization requirements.

"(c) Members of the Coast Guard Reserve assigned to units in the Selected Reserve are required to perform the training prescribed in section 270(a)(1) of title 10."

(2) The following new item is inserted in the analysis of chapter 21:

"752b. Coast Guard Reserve: Selected Reserve."

SEC. 103. Title 10, United States Code, is amended as follows:

(1) The text of section 3212 is amended to read as follows:

"The authorized strength in grade as prescribed by or under this chapter is automatically increased to the minimum extent necessary and to give effect to each appointment—

"(1) in a regular grade under section 541, 1211(a), 3036, 3298, 3299, 3304, or 4353 of this title; or

"(2) in a reserve grade, not above lieutenant colonel, under section 1211(a), 3365(a), 3366, 3383, or 3385 of this title, to fill prescribed mobilization or active duty requirements.

An authorized strength so increased is increased for no other purpose. While it holds that grade the officer whose appointment caused the increase is counted for the purpose of determining when appointments not authorized by clauses (1) and (2) may be made."

(2) Section 3383(e) is repealed.

(3) The text of section 8212 is amended to read as follows:

"The authorized strength in grade as prescribed by or under this chapter is automatically increased to the minimum extent necessary and to give effect to each appointment—

"(1) in a regular grade under section 541, 1211(a), 8298, 8299, or 9353 of this title; or

"(2) in a reserve grade, not above lieutenant colonel under section 1211(a), 8365 (a) and (c), 8366 (a) and (d), 8370 (a) or (c), 8372(b), 8374, 8375, 8376, 8380, or 8381 of this title, to fill prescribed mobilization or active duty requirements.

An authorized strength so increased is increased for no other purpose. While he holds that grade the officer whose appointment caused the increase is counted for the purpose of determining when appointments not authorized by clauses (1) and (2) may be made."

SEC. 104. Section 404(a) of title 37, United States Code, is amended by striking out "and" at the end of clause (2), striking out the period at the end of clause (3) and inserting in place thereof "; and", and adding the following new clause:

"(4) when away from home to perform duty, including duty by a member of the Army National Guard of the United States or the Air National Guard of the United States, as the case may be, in his status as a member of the National Guard, for which he is entitled to, or has waived, pay under this title."

SEC. 105. Title 32, United States Code, is amended as follows:

(1) Section 101(1) is amended by adding the following new sentence at the end: "However, for purposes of this title and other laws relating to the militia, the National Guard, the Army National Guard of the United States, and the Air National Guard of the United States, 'Territory' includes the Virgin Islands."

(2) Section 305 is amended—

(A) by striking out "(a) Except as provided in subsection (b), only male persons" and inserting in place thereof "Persons";

(B) by striking out subsection (b).

(3) The last sentence of section 502(b) is amended to read as follows: "However, to have a series of formations credited as an assembly for drill and instruction, all parts of the unit must be included in the series within 30 consecutive days."

SEC. 106. Section 6(c)(2)(A) of the Universal Military Training and Service Act, as amended, is amended by inserting the words "or the equivalent training prescribed under section 511(d) of title 10, United States Code," after the words "four consecutive months" in the second sentence thereof.

SEC. 107. The provisions of title I of this Act shall become effective on the first day of the month following enactment with the exception of clauses 18, 20, and 25 of section 101, and clause 1 of section 102 which will become effective on July 1, 1967.

TITLE II—NATIONAL GUARD TECHNICIANS

SEC. 201. This title may be cited as the "National Guard Technicians Benefits Act".

SEC. 202. Title 32, United States Code, is amended as follows:

(1) Section 709 is amended to read as follows:

"§ 709. Technicians: employment, use, status

"(a) Under regulations prescribed by the Secretary of the Army or the Secretary of the Air Force, as the case may be, persons may be employed in—

"(1) the administration and training of the National Guard;

"(2) the maintenance and repair of supplies issued to the National Guard or the armed forces; and

"(3) the performance of such other duties as the Secretary concerned may prescribe.

"(b) Except as prescribed by the Secretary concerned, a technician employed under subsection (a) shall, while so employed, be a member of the National Guard and hold the military grade specified by the Secretary concerned for that position.

"(c) The Secretary concerned shall designate the adjutants general referred to in section 314 of this title, or other appropriate persons, to employ the technicians authorized by this section.

"(d) A technician employed under subsection (a) is an employee of the Department of the Army or the Department of the Air Force, as the case may be, and an employee of the United States. However, a position authorized by this section is outside the competitive service if the technician employed therein is required under subsection (b) to be a member of the National Guard.

"(e) Notwithstanding sections 5544(a) and 6102 of title 5 or any other provision of law, the Secretary concerned may, in the case of technicians assigned to perform operational duties at air defense sites—

"(1) prescribe the hours of duties;

"(2) fix the rates of basic compensation; and

"(3) fix the rates of additional compensation; to reflect unusual tours of duty, irregular additional duty, and work on days that are ordinarily nonworkdays. Additional compensation under this subsection may be fixed on an annual basis, but no rate of additional compensation on an annual basis may exceed 25 percent of the rate of basic compensation.

"(f) The limitation on the number of permanent employees prescribed by section 1310 of the Supplemental Appropriation Act, 1952, as amended (79 Stat. 448), is not applicable to technicians employed under this section."

(2) The analysis of chapter 7 is amended by striking out the following item:

"709. Caretakers and clerks."

and inserting in place thereof the following item:

"709. Technicians: employment, use, status."

(3) Section 715(a) is amended by striking out "caused by a person employed under section 709 of this title acting within the scope of his employment;".

SEC. 203. (a) A claim accrued under section 715 of title 32, United States Code, before the effective date of title II of this Act by reason of the act or omission of a person employed under section 709 of title 32, United States Code, may, if otherwise allowable, be settled and paid under section 715 of title 32, United States Code.

(b) Notwithstanding any law, rule, regulation, or decision to the contrary, the positions of persons employed under section 709 of title 32, United States Code, existing on the day before the effective date of title II of this Act, and the persons holding those positions on that day, shall, on and after that effective date, be considered to be positions in and employees of the Department of the Army or the Department of the Air Force, as the case may be, to the same extent as other positions in and employees of the Department of the Army or the Department of the Air Force. Such positions shall be outside the competitive service, if, as a condition of employment, the persons employed therein were, on the day before the effective date of title II of this Act, required to be members of the Army National Guard or the Air National Guard.

(c) All satisfactory service under section 709 of title 32, United States Code, or prior corresponding provision of law before the effective date of title II of this Act shall be included and credited in the determination of length of service for the purposes of leave, veteran's preference, group life and health insurance, seniority, tenure, training, status, and other rights and benefits of employees of the United States. The Secretary of the Army and the Secretary of the Air Force, as the case may be, or their designees, shall certify to the Government authority concerned the amount of satisfactory service to be included and credited for the purpose of employment rights and benefits. Such Government authority is authorized and directed to accept that certification.

(d) Annual leave and sick leave to which a technician was entitled on the day before the conversion of his position, as provided in section 204 of this Act, shall be credited to him in his new position.

SEC. 204. (a) Section 8332(b) of title 5, United States Code, is amended—

(1) by striking out "and" at the end of clause (4);

(2) by striking out the period at the end of clause (5) and inserting in place thereof "; and"; and

(3) by adding the following new clause: "(6) employment under section 709 of title 32, or any prior corresponding provision of law."

(b) Notwithstanding section 709(d) of title 32, United States Code, a person who, on the date of enactment of title II of this Act, is employed under section 709 of title 32, United States Code, and is covered by an employee retirement system of, or plan sponsored by, a State or Puerto Rico, may elect, not later than the effective date of title II of this Act, not to be covered by subchapter III of chapter 83 of title 5, United States Code, and with the consent of the State concerned or Puerto Rico, to remain covered by the employee retirement system of, or plan sponsored by, that State or Puerto Rico. Unless such an election, together with a statement of approval by the State concerned or Puerto Rico, is filed with the United States Civil Service Commission on or before the effective date of title II of this Act, the person concerned is covered by subchapter III of chapter 83 of title 5, United States Code, as of that date. In the case of any person who files a valid election under this subsection to remain covered by an employee retirement system of, or plan sponsored by, a State or Puerto Rico, the United States may pay the amount of the employer's contributions to that system or plan that become due for periods beginning on or after the effective date of title II of this Act. However, the payment by the United States, including any contribution that may be made by the United States toward the employer's tax imposed by section 3111(a) of the Internal Revenue Code of 1954, as amended (26 U.S.C. 3111(a)), may not exceed the payment which the United States would otherwise make on behalf of the person to the Civil Service Retirement and Disability Fund under section 8334(a) of title 5, United States Code. The service under section 709 of title 32, United States Code, or prior corresponding provision of law, of a person who has made an election to remain covered by the employee retirement system of, or plan sponsored by, a State or Puerto Rico, shall not be creditable toward eligibility for or amount of annuity under subchapter III of chapter 83 of title 5, United States Code.

SEC. 205. The fourth sentence of section 218(b)(5) of the Social Security Act, as amended (42 U.S.C. 418(b)(5)), is amended to read as follows: "Persons employed under section 709 of title 32, United States Code, who elected under section 204(b) of the Act enacting this amended sentence to remain covered by an employee retirement system of, or plan sponsored by, a State, shall, for the purposes of this Act, be employees of the State and (notwithstanding the preceding provisions of this paragraph), shall be deemed to be a separate coverage group."

SEC. 206. (a) Except as provided in section 709(e) of title 32, United States Code, the Secretary concerned shall fix the rate of basic compensation of positions existing on the date of enactment of title II of this Act in accordance with the General Schedule set forth in section 5332, or under the appropriate prevailing rate schedule in accordance with section 5341 of title 5, United States Code, as applicable. In fixing such rate:

(1) If the technician is receiving a rate of basic compensation which is less than the minimum rate of the appropriate grade of the General Schedule, or which is less than the minimum rate of the appropriate grade or compensation level of the appropriate prevailing rate schedule, as applicable, in which his position is placed, his basic compensation shall be increased to that minimum rate.

(2) If the technician is receiving a rate of basic compensation which is equal to a rate of the appropriate grade of the General Schedule, or which is equal to a rate of the appropriate grade or compensation level under the appropriate prevailing rate schedule, as applicable, in which his position is placed, he shall receive basic compensation at that rate of the General Schedule, or at that rate under the prevailing rate schedule, if applicable.

(3) If the technician is receiving a rate of basic compensation which is between two rates of the appropriate grade of the General Schedule, or which is between two rates of the appropriate grade or compensation level under the appropriate prevailing rate schedule, as applicable, in which his position is placed, he shall receive basic compensation at the hgher of those two rates under the General Schedule or appropriate prevailing rate schedule, as applicable.

(4) If the technician is receiving a rate of basic compensation which is in excess of the maximum rate of the appropriate grade of the General Schedule, or which is in excess of the maximum rate of the appropriate grade or compensation level of the appropriate prevailing rate schedule, as applicable, in which his position is placed, he shall continue to receive basic compensation without change in rate until—

(A) he leaves that position, or

(B) he is entitled to receive basic compensation at a higher rate,

but, when any such position becomes vacant, the rate of basic compensation of any subsequent appointee thereto shall be fixed in the manner provided by applicable law and regulation.

(b) The conversion of positions and employees to appropriate grades of the General Schedule set forth in section 5332 of title 5, United States Code, and the initial adjustment of rates of basic compensation of those positions and technicians, provided for by title II of this Act, shall not be considered to be transfers or promotions within the meaning of section 5334(b) of title 5, United States Code, and the regulations issued thereunder.

(c) Each technician on the effective date of title II of this Act whose position is converted to the General Schedule set forth in section 5332 of title 5, United States Code, or to the appropriate prevailing rate schedule, as applicable, who prior to the initial adjustment of his rate of basic compensation under subsection (a) of this section, has earned, but has not been credited with, an increase in that rate, shall be granted credit for such increase before his rate of basic compensation is initially adjusted under that subsection.

(d) Each technician on the effective date of title II of this Act whose position is so converted to the General Schedule set forth in section 5332 of title 5, United States Code, shall be granted credit, for purposes of his first step increase under the General Schedule or prevailing rate schedule, for all satisfactory service performed by him since his last increase in compensation prior to the initial adjustment of his rate of basic compensation under subsection (a) of this section.

(e) An increase in rate of basic compensation by reason of the enactment of subsection (a) of this section shall not be considered to be an equivalent increase with respect to step increases for technicians whose positions are converted to the General Schedule set forth in section 5332 of title 5, United States Code, or the appropriate prevailing rate schedule under authority of this section.

SEC. 207. This title becomes effective July 1, 1967, except that no deductions or withholding from salary which result therefrom shall commence before the first day of the first pay period that begins on or after July 1, 1967. This title shall be administered under uniform regulations jointly prescribed by the Secretary of the Army and the Secretary of the Air Force and approved by the Secretary of Defense.

The SPEAKER. Is a second demanded?

Mr. YATES. Mr. Speaker, I demand a second.

The SPEAKER. For what reason does the gentleman from Michigan [Mr. NEDZI], a member of the committee, stand?

Mr. NEDZI. Mr. Speaker, I demand a second.

Mr. YATES. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. YATES. The distinguished gentleman from Michigan is my good friend. Is it in order to inquire as to whether the gentleman from Michigan is opposed to the bill?

Mr. NEDZI. I will allay the gentleman's fears. He is.

Mr. YATES. I will withdraw.

The SPEAKER. The Chair had not reached that point yet. The Chair would have asked that question.

Is the gentleman from Michigan opposed to the bill?

Mr. NEDZI. I am, Mr. Speaker.

The SPEAKER. The gentleman qualifies. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from Louisiana [Mr. HÉBERT] will be recognized for 20 minutes, and the gentleman from Michigan will be recognized for 20 minutes. The gentleman from Louisiana is recognized.

Mr. HÉBERT. Mr. Speaker, this bill, H.R. 2, comes to the House in the same form as the House passed it in the last session by a vote of 332 to 6. The language is identical, with one exception, and that is the deletion of what is known as section 105, which provided for the callup of Reserves under certain conditions. As the Members of the House will recall, last year in the closing days this section was adopted and placed in the appropriation bill by an overwhelming majority of the House. Obviously it is therefore not necessary to include this particular section in the bill which is brought before you at this time.

You will also recall that last year during the discussion of this legislation I promised the House that the first order of business upon the return of the 90th Congress would be the introduction of this legislation and that we would bring it to the House floor as quickly as possible. This promise is now being kept. It is being brought to the floor as quickly as possible. It comes from the Committee on Armed Services with a vote of 39 to 1.

Mr. Speaker, the lone negative vote has been a consistent negative vote and there was nothing new in that declaration. But 39 members of the membership of the Committee on Armed Services voted in favor of the bill.

The bill, as you will recall, is known as the reservists bill of rights. It protects the integrity of the Reserve components of the country; it protects the integrity of the National Guard; it guarantees autonomy to both groups.

In this matter there is also placed in the bill provisions to establish a civil service status for the National Guard.

The bill before you today is divided into two titles. Title I of the bill is concerned with the Reserve Forces generally; and title II relates to the National Guard technician program.

TITLE I—RESERVE FORCES

Title I of the bill has as its primary objective the establishment by statute of a Reserve components structure that will enable these components to more fully and effectively meet their mobilization readiness requirements as established in the contingency and war plans approved by the Joint Chiefs of Staff and the Secretary of Defense. These objectives would be accomplished by—

First. Establishing a civilian secretariat line of responsibility for the personnel, materiel, and operational readiness of the respective Reserve components—Assistant Secretary of Defense for Reserve Affairs, and Assistant Secretary for Manpower and Reserve Forces for each of the military departments;

Second. Clarifying the composition of the Ready Reserve structure, by first, creating a Selected Reserve force within the Ready Reserve of each of the Reserve components consisting entirely of those drilling units of the Ready Reserve in a pay status—total Ready Reserve strength is 2½ million, the selected Reserve would be less than 1 million—the actual drill strengths; second, requiring that the personnel strength of the selected Reserve in each of the Reserve components be maintained at not less than a specified numerical strength. This strength is well below the personnel strengths immediately required for mobilization purposes by the drilling units of these Reserve components. Immediate mobilization requirements—1,152,398—whereas selected Reserve floor strength is 962,000; and third, authorizing the Secretary concerned to establish, reorganize, or deactivate units in the selected Reserve Force as may be necessary to conform to changing requirements in contingency and war plans of the Department. Unit structure is primarily a military decision—this bill makes that clear by requiring changes in unit structure to conform to contingency and war plans.

Third. Charging the Secretary concerned with the statutory responsibility to provide these organized and drilling units of the Reserve components with the personnel, equipment, facilities, and other logistical support necessary to enable these units in the Selected Reserve to meet their mobilization readiness requirements prescribed for them by the Joint Chiefs of Staff in the contingency and war plans. The past failure of Reserve units to achieve an early combat readiness capability is basically attributable to a lack of equipment and personnel—this would be corrected by requiring the Executive to satisfy these *basic needs. That, simply stated, is the* manner in which title I would hope to provide increased readiness in our Reserve components structure and substitute certainty for uncertainty as to the future of the Reserve components.

The cost of enactment of title I arises *entirely from a provision in the bill* which would permit per diem payments to Reserves under the same circumstances as they are made available to Regular personnel—attendance at schools away from home, and so forth. This feature is recommended and supported by the Department of Defense and will cost approximately $12 million a year.

TITLE II—NATIONAL GUARD TECHNICIANS

Title II of the bill provides for the establishment of a National Guard technicians retirement program. It accomplishes this objective by providing National Guard technicians with a Federal employee status. This legislation affects approximately 39,500 technicians employed by the National Guard, of whom approximately 23,000 are in the Army Guard, and 16,500 in the Air National Guard.

This title is strongly recommended by the Department of Defense and approved by the Bureau of the Budget, as well as the Civil Service Commission, and the President's Cabinet Committee on Federal Staff Retirement Systems.

The Department of Defense has advised the Committee on Armed Services that enactment of this portion of the bill, title II, would result in the requirement for increased appropriations in the amount of approximately $13 million a year.

I realize that this brief summary of the bill only touches the surface of this complex legislation. However, the committee report on this bill examines in minute detail the various features of H.R. 2 and should provide such additional information as may be desired by the Members of this body.

The Department of Defense has advised the Committee on Armed Services that its position on H.R. 2 is that previously expressed in the last Congress on similar legislation.

Stated simply, the Department supports many of the provisions of title I, but retains its opposition to the provisions relating to the strength figures contained in the bill. However, the Department strongly endorses title II of the bill which relates to the National Guard technician program.

I am again happy to point out that the Committee on Armed Services reported out this legislation by a record vote of 39 to 1. This action is in complete agreement with the previous record on this legislation during the 89th Congress when it was also reported out with only a single negative vote.

The record on this legislative proposal is crystal clear—it deserves your endorsement and I therefore urge its unanimous approval by this body.

Mr. Speaker, an elaborate report has been reported out. The committee counsel, Mr. Frank M. Slatinshek, who has performed such a magnificent job on this legislation, has made himself available in recent weeks to all of the Members of the Congress to explain the *provisions of the bill.*

Also, Mr. Speaker, I would find myself remiss if I did not again thank the understanding and distinguished chairman for his cooperation in this matter. Certainly, the committee has received full cooperation from the distinguished gentleman *during the years when this subcommittee has considered this very serious and* important legislation.

Mr. Speaker, I refer to my distinguished colleague and friend, the gentleman from South Carolina [Mr. Rivers]. The gentleman has given my subcommittee and myself, carte blanche authority in handling the legislation coming under the jurisdiction of the subcommittee which it is my honor to chair.

We have attempted to come before this body with a piece of constructive legislation that has long been needed, and I certainly hope that the House of Representatives will support it. And, Mr. Speaker, I inform the Members of the House at this time that I shall ask for a rollcall vote on the legislation.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. HÉBERT. I am glad to yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I appreciate the distinguished gentleman from Louisiana, and chairman of this subcommittee, yielding to me at this time.

Mr. Speaker, I would like to commend the gentleman and his subcommittee in particular, as well as the full Committee on Armed Services, for bringing forward this erstwhile legislation, again, early in this session of the 90th Congress.

Mr. Speaker, there can be no question about the military reservists and the National Guard technicians, and also the need to clarify their status.

There certainly can be no question, Mr. Speaker, as the distinguished gentleman from Louisiana, the chairman of the subcommittee [Mr. Hébert], has said about the reservists bill of rights including both the National Guard and the Organized Reserves. The question is, will the Congress under the Constitution, article I, section 8, and the National Defense Act, as amended, uphold its responsibilities, or again delegate this area to an appointed officer whose judgment has been oft proved erroneous, for decimation of our vital Reserve forces.

Mr. Speaker, I am strongly in favor of this bill. As the gentleman from Louisiana knows, I am one who voted for this legislation. Having served as a reservist for over 30 years myself, and now a member of the retired Reserves, and having been chief of personnel in a department of the Army, medical department, I know the need for this legislation and I am in full support of it.

However, Mr. Speaker, I am a little disturbed about the need for, at least, the Chief of the executive branch—the Commander in Chief—the President, notifying the Congress, in accordance with the Constitution—at least certifying the need of the services to the Congress or responsible committees before he calls up individuals or component groups.

Mr. Speaker, the gentleman knows full well that the Secretary of Defense has only the past week, as a matter of fact, called up the enlisted reservists who have *not completed adequate training* or continued unit training—often no *fault* of their own—has indicated that they will be ordered to active duty—without notifying the Congress—and, particularly the gentleman's subcommittee which has worked so long and which has *held such exhaustive hearings thereon; and which has come to such a prudent* and judicious decision in the form of this legislation which is now pending before us. This action is, of course, paradoxical in view of the use of selective service while announcing and enacting the decimation of our Reserve forces.

Mr. Speaker, as a matter of nongermaneness—and I might say, Mr. Speaker, paradoxically, this bill—section 605, as the gentleman from Louisiana stated previously, was put into the Appropriations Act of 1967.

Therefore, Mr. Speaker, I would ask the gentleman from Louisiana this question:

Does this authority, since it is now the law of the land, apply only until June 30, 1968?

Mr. HÉBERT. Mr. Speaker, the gentleman is correct. The gentleman knows I am very sympathetic to his position, and assisted last year in including section 105 in our bill. The gentleman also knows the discussions that have taken place within our committee, and the matter to which he refers is a matter which probably under the circumstances belongs in the study of the draft.

So, Mr. Speaker, at this particular moment, in order to have reassurance that consideration will be given to the gentleman's position, I yield such time as he may desire to my distinguished chairman.

Mr. RIVERS. Mr. Speaker, will the gentleman yield?

I would like to say to the distinguished gentleman from Missouri [Mr. Hall] that the question he raises on recall authority will be adequately exposed and explored when we take up the draft act, and it will be adequately covered, and I can assure the gentleman of this.

Mr. HALL. Mr. Speaker, if I might continue, would the distinguished chairman of the Committee on Armed Services assure me that at that time we can recoup the jurisdiction, the surveillance, the oversight and review process, and whatever else we should have, to the Committee on Armed Services, or at least require of the President a certificate of necessity, or of notifying the Congress when such a callup is to be made under the Selective Service Training Act, or under this act, or under an appropriation act?

It makes very little difference to the gentleman from Missouri, and I esteem and honor both gentlemen on the floor, but I think we should make a legislative record that (a) this prerogative has escaped us; (b) there is not much we can do about it until June 30, 1968; and (c) that there is a constitutional right for the Congress to know when we are going to use this device rather than the Selective Service and Training Act, rather than the trained and Ready Reserve, because it is the action of an emergency.

Would the gentleman agree with me that we have delegated too much power *to the legislative branch?*

Mr. RIVERS. I would say to the gentleman that you have mentioned (a), (b), and (c) and, really, there is also a (d), and that is that we do not plan to give away any jurisdiction. We did not come here to do that.

I can assure the gentleman that we will adequately cover this when we take up the draft study.

Mr. HÉBERT. Mr. Speaker, I would say that I will yield further to the gentleman from South Carolina later, but before that I wish to yield to the distinguished ranking minority member on the committee, the gentleman from Massachusetts [Mr. Bates].

Mr. BATES. Mr. Speaker, I wish to say that I am in accord with this bill completely, as I was a year ago, but I nevertheless understand the remarks being made by the gentleman from Missouri, and incorporated in my remarks today will be my views concerning the gentleman's opinion.

Mr. Speaker, I rise in support of H.R. 2, the Reserve bill of rights, and urge its unanimous approval by this body.

The Members of the House are well familiar with the provisions of this legislation since it is, for practical purposes, identical with H.R. 17195 which passed the House on September 21, 1966, by a vote of 332 to 6. Therefore, it is not my purpose to further belabor the detailed provisions of this legislation. However, I would like to particularly call the attention of my colleagues to the fact that this legislative proposal symbolizes and reflects the legislative process as envisioned by our Founding Fathers. This is a legislative proposal which originated in its entirety in the legislative branch of our Government.

Unfortunately, in the past, the Congress has found itself on the defensive in regard to the development of legislative recommendations and has with increasing frequency and regularity looked to the executive branch for leadership. Some critics of the congressional process have come to the conclusion that Congress has neither the time nor the expertise to develop legislative proposals relating to complex national problems.

Each of us has, in some small measure, been forced into accepting this continued derogation of the ability of the Congress to originate legislation and we have leaned on the executive to suggest courses of action which we might follow. Thus, for years the Committee on Armed Services, as well as other committees in this body, have reacted to legislative proposals from the executive branch, but have been reluctant to act on our own to develop and initiate legislation designed to correct our obvious national defects.

This deficiency on the part of the Congress, and particularly the House, has in my opinion been dramatically changed by the Committee on Armed Services which, under the able and dedicated leadership of its chairman, the gentleman from South Carolina, L. Mendel Rivers, has stated its intention that the Congress must reassert its constitutional responsibilities to originate legislation and develop laws and policies reflective *of the will of the people—regardless of* executive branch views.

Every Member of this body is well aware of the tremendous effort made by the Committee on Armed Services in 1965 to establish this principle. At that time, the executive branch marshaled all its *talents and abilities to shoot down a* legislative recommendation for a substantial increase in military pay originated by the Committee on Armed Services. What happened is a matter of history, since the Congress in the loudest and clearest tones totally rejected the adamant executive recommendations against a substantial military pay increase and supported the committee in its legislative recommendations.

The wisdom of the Congress in forcing the executive to accept the 1965 military pay act is now beyond dispute. However, during the initial House debate on this vital piece of national defense legislation, there were those who reflected our past unfortunate unwillingness to act affirmatively without first obtaining executive branch approval. These doubting Thomases, I trust, should now be convinced.

The Congress, and more specifically, the Committee on Armed Services, should have no reluctance to act boldly and decisively on matters affecting our national welfare even though the Executive may in his "wisdom" counsel to the contrary. To do otherwise would simply forfeit our legislative responsibilities and permit the Executive to also perform, by default, the legislative function specifically delegated in the Constitution to the Congress.

Today, the Committee on Armed Services has again recommended to this body a legislative proposal which it has developed as a solution to a vital national security problem.

No one who understands the complex demands of national security can question the need for a competent and Ready Reserve Force. Also, everyone concedes that such a Reserve military force must in truth be immediately responsive to our national security requirements. However, by virtue of the failure of the executive branch to support these Reserve component forces we are today lacking, to an alarming degree, a truly responsive and Ready Reserve component structure.

The Committee on Armed Services, as the agent of the House, has a sacred responsibility to insure that our national defense posture is, in fact, capable of meeting any future aggression. Therefore, in view of these deficiencies in the Reserve Forces structure, the committee would be remiss in its constitutional responsibilities if it did not recommend to the Congress this urgently required legislation.

Let me emphasize that the Committee on Armed Services is not, by this legislation, attempting to direct the operation and administration of our Reserve Forces. It is simply attempting, by this legislation, to insure that the executive branch properly discharges its functions as a partner with the Congress in our national defense effort.

We of the Committee on Armed Services are simply tired of platitudes and hollow assurances from the executive *branch and insist that the Congress be* recognized by the executive as a full-fledged partner in our mutual effort to insure that our Nation will have a completely adequate defense force.

I am confident that when the Congress has overwhelmingly endorsed this *legislation, the executive branch and the*

Department of Defense, in particular, will understand its significance and then will abandon its heretofore contemptuous disregard of the will of the people in national defense matters.

Mr. HÉBERT. Mr. Speaker, I reserve the balance of my time at this moment.

The SPEAKER. The gentleman from Louisiana has consumed 9 minutes.

CALL OF THE HOUSE

Mr. YATES. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. MACHEN. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 14]

Abbitt
Ashbrook
Ashley
Baring
Belcher
Bell
Berry
Bolling
Bolton
Bow
Brademas
Bray
Brinkley
Brotzman
Brown, Calif.
Burton, Calif.
Burton, Utah
Cahill
Casey
Celler
Clausen, Don H.
Conyers
Diggs
Downing
Edwards, Calif.
Everett
Feighan
Fino
Flood
Flynt
Frelinghuysen
Fulton, Pa.
Fulton, Tenn.
Goodell
Hagan
Haley
Halpern
Hanna
Hansen, Idaho
Hansen, Wash.
Harsha
Harvey
Helstoski
Hull
Irwin
Karth
Kee
King, Calif.
Kluczynski
Laird
Landrum
Leggett
McDonald, Mich.
Macdonald, Mass.
Mailliard
Marsh
Mayne
Miller, Calif.
Morris, N. Mex.
Mosher
Murphy, N.Y.
Myers
Nichols
Nix
O'Konski
O'Neal, Ga.
Ottinger
Pelly
Pepper
Pettis
Poage
Pollock
Pool
Pucinski
Quillen
Rhodes, Ariz.
Rogers, Colo.
Ronan
Rostenkowski
Roudebush
Ruppe
Sandman
St Germain
Saylor
Selden
Shipley
Shriver
Smith, Calif.
Snyder
Staggers
Steiger, Wis.
Stuckey
Thompson, N.J.
Udall
Utt
Vigorito
Watkins
Watson
Whalen
Whalley
Whitten
Wiggins
Williams, Miss.
Willis
Wilson, Charles H.
Zion
Zwach

The SPEAKER pro tempore (Mr. ALBERT). On this rollcall 325 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Michigan [Mr. NEDZI].

Mr. NEDZI. Mr. Speaker and my colleagues, as you know, I come to you with very convincing credentials. The vote in the committee was 39 to 1. But I feel strongly about this matter and I simply request that you listen to my statement and determine for yourselves, as I know you will, which position is the correct one to pursue.

Mr. Speaker, since the attempt, some time ago, to merge the Reserves and Guards, I am aware of the tremendous turmoil which has been created in the lives of our professional reservists. I recognize the invaluable contribution that this component of our military forces has made to our national security, and it has consistently been my judgment that some kind of order should come out of this confusion. But I am convinced that consideration of this permanent legislation is ill timed. While extensive hearings were held on this bill during 1966, it is a fundamental fact that our military requirements are fluid and our military posture of 6 months ago, is different than it is today.

Mr. Speaker, Secretary McNamara in his statement to the Senate Armed Services Committee, dated January 23 of this year, in referring to the National Guard and Reserves said the following:

> Very good progress was made during the last year in meshing these two structures together under the "One Army" concept. But that work has shown even more clearly that the Army still has units in its reserve components which it doesn't need and still lacks units which are required. Until these conditions are corrected, the Army as a whole will not be able to attain the properly balanced and ready posture which it should have. In the light of the strong objections raised against the reorganization plan proposed in 1965 and 1966 to alleviate these organizational and structural problems, the Department of the Army is now exploring other ways of solving them.
>
> In order that the views of the Joint Chiefs of Staff may be taken into account, *the Army's analysis of these problems will not be completed until after the Chiefs have finished their annual review of the military forces in March*. Pending the results of this analysis, we plan to maintain substantially the status quo. After the Army's study is completed, we will submit appropriate revisions to the FY 1968 Budget request, if necessary.

We are in the opening days of the 90th Congress, and it simply does not make sense to report a bill out of committee without the benefit of the results of this study made by experts charged with this responsibility. As Secretary McNamara's statement indicates, these results will be available in March, following which there will be ample time to consider this legislation.

Our Reserve Forces, at the present time, and I want to emphasize this—exceed in number the mandated minimums in the bill, and in accordance with congressional mandate, funding thereof is included in the Department of Defense budget request, so that a delay in passage of the bill will have no effect on the number in the Reserves. I can see no valid reason for proceeding with the enactment of permanent legislation at this time.

The main point which I wish to raise against the bill is the requirement for wasteful overstrengths in our Reserve Forces. In the light of our intense efforts to cut down on unnecessary spending coupled with all the obvious inequities which occur in the draft, I find it impossible to understand how anyone can justify supporting this kind of requirement based upon the record before us.

Let me say further that the legislation which we are considering is extremely complicated, and despite the careful attention which I have devoted to the hearings and committee deliberations I do not consider myself an expert. And I might parenthetically say here also that I have serious reservations about how well those new Members who have just come to Congress understand the Reserve problem at the present time. Based upon my own experience, I am convinced that it is virtually impossible to make this kind of a decision in the short time that these new Members have had to review these problems.

Mr. Speaker, I consider myself, however, competent to report to the House on some of the testimony which was given to our subcommittee which was charged with the responsibility of reviewing this entire problem.

As you know, or should know, the bill has mandated certain strengths, namely, 640,000 to be distributed between the National Guard and the Army Reserve. From where this figure was derived I have no idea, except to realize that it corresponds to the figures used in the Defense Appropriation Act. It is in contrast to the figures given to our committee by the Defense Department and the Department of the Army who recommended a total Reserve strength of 580,000 as satisfying completely the reserve requirements of our contingency war plans.

I believe it is unwise, if not worse, to compel the Defense Department to keep in the Reserves 60,000 more men than those responsible for determining our reserve strengths say is necessary.

This is necessarily expensive in terms of dollars spent and, more importantly, represents a mandate to withdraw from our draft pool 60,000 young men.

Mr. Speaker, we all understand there are inequities in the draft. We know all about them, we have read about them, and we have heard about them from our constituents. Everybody is trying to arrive at some system which will more fairly distribute this unavoidable burden among our people. Yet here we are, ordering the DOD to take 60,000 additional men and place them in the Reserve where they, for the time being at least, are immune to the hazards of today's military life.

I want to quickly state that I certainly do not regard members of the Reserve as draft dodgers. At the time most of these men joined the Reserve, it was no picnic to obligate oneself for periods of up to 8 years when 2 years of active peacetime duty could have satisfied their military obligation. Which provided the easier way out is not easy to determine. At the present time, however, there can be no question about which form of service is more burdensome and to enable 60,000 men to choose this way out when no requirement for their services has been established transcends good judgment and fairness.

The strength of the Reserve components ought to be judged in strictly military terms. This cannot be accomplished without considering the strength of our total Armed Forces, including both those on active duty and those in the Reserves. Military requirements change, sometimes rapidly. What one year may be the right total strength and the right split of that strength between Active and Reserve units, may be the wrong strength and the wrong split the next year.

I therefore think it is a mistake for Congress in permanent legislation to try to specify strengths. It is a worse mistake to do so with respect to only one part of the total force without relation to the rest. And it is even worse to freeze the strength of that one part at a level much higher than the testimony of those responsible indicates is needed.

I find one further objectionable point in the requirement that the mandated strength be "average annual strength", and not programed to attain "end strength". Given a certain requirement for purpose of our contingency war plans, the logic is inescapable that should the total number in our Reserve forces at any time fall below the mandated figure, it will be compulsory for the Defense Department to bring into the Reserves a greater number than is actually required for national security purposes merely to satisfy the average requirement of the statute.

This is wasteful, my colleagues, and it should not be required of any executive department.

It is for these reasons that I am going to vote against the bill this afternoon.

Mr. HÉBERT. Mr. Speaker, will the gentleman yield?

Mr. NEDZI. I am pleased to yield to the gentleman.

Mr. HÉBERT. As I understand the gentleman's statement, he is opposed to the bill because of this one factor on which he has elaborated and that is the mandating of the strength of the Reserves; is that correct?

Mr. NEDZI. No, I think there is something to be said against mandating minimum strength. I was prepared, however, to vote for the bill if those mandated strengths were at levels testified to as being necessary by the people in charge, and those who bear the responsibility for determining what the level of strength should be.

Mr. HÉBERT. That is the point I want to make. The gentleman has answered the question. He is really opposed to the entire bill with all its good effects and all these desirable changes and all the stability it would provide, but for this one section that he disagrees with, he is against the whole thing.

Mr. NEDZI. The gentleman in his inimitable fashion has not stated my position correctly.

Mr. HÉBERT. Well, state your position.

Mr. NEDZI. I am opposed to the bill, No. 1, because it is being brought up at a time when we do not have the benefit of the study that is presently underway in the Department of Defense.

I am opposed to the bill, No. 2, because it mandates strengths at 66,000 above those testified to by the Department of Defense and the Army as being necessary.

I am opposed to the bill, No. 3, because it requires average annual strengths rather than end strengths and because I think this will lead to waste in our manpower situation.

Mr. HÉBERT. The gentleman is so capable and so fast and I am too slow to be able to keep up with him so let me put it very simply in A's, B's and C's.

A. You say we must wait until the Army completes its study; is that correct?

Mr. NEDZI. That is correct.

Mr. HÉBERT. Do you know that such a study is going on?

Mr. NEDZI. I have to take the word of the Secretary of Defense for it. He testified to that before the Senate committee, as I understand.

Mr. HÉBERT. He has not told us anything about it and the Secretary may change his mind from one day to the next—certainly, the gentleman would agree with that.

Did I understand the gentleman to say that the Secretary suggested that until the so-called study or so-called analysis was completed, which would be after the Joint Chiefs meeting, that they would maintain the status quo of the reserve structure until such determination is made; is that correct?

Mr. NEDZI. That is correct.

Mr. HÉBERT. Then how does the gentleman reconcile that statement of the Secretary of Defense with the fact that only last week he disturbed the status quo by announcing he was calling up 30,000 Reserves?

Mr. NEDZI. As to the strengths in the Reserve Forces. The bill does provide that those on active duty be included in the total strength.

Mr. HÉBERT. The gentleman has made his point and I am not disputing him, but the record shows that the Secretary said he would maintain the status quo and before the ink was dry on that printed page and even before the gentleman echoed the Secretary of Defense, which he does so eloquently on so many occasions, he had changed it by 30,000.

Mr. NEDZI. The gentleman from Louisiana is obviously defining the words "status quo" in a very limited sense. Certainly, the Secretary cannot be sure that the status quo is going to prevail in the Department of Defense across-the-board or in the country or in the world. There is no question that it is going to change.

But with respect to the total number in the Reserve forces at this time, I do not see any inconsistency between the Secretary calling up Reserves and his statement to the Senate Armed Services Committee.

Mr. HÉBERT. I am not going to argue that with the gentleman, but the record will show that the status quo means very simply to me—the status quo means what is as of right now.

Mr. NEDZI. With all due respect to the gentleman, it would seem that we have come to an impasse. I think it is unfortunate that we only have 20 minutes on each side to explore a problem that is as serious as this. It would have been much better to bring the bill up under a rule so that all of the Members would have the benefit of the gentleman's great wisdom.

Mr. HÉBERT. Of course, the gentleman knows we realize he is one of the most attentive and most valued members on the subcommittee. The gentleman attended all the sessions for many years and this subject has been reviewed by the subcommittee since 1962 when the Reserves and the National Guard were originally targeted for destruction by the Department of Defense. So I do not know what further discussion or hearings could possibly contribute to this matter.

Mr. NEDZI. The gentleman raises a very valid point. He stated that this has been going on since 1962. There remains in this Congress a full 2 years and I think we could have waited just a few more days and secured the benefit of a review by the Department of Defense so that all Members could have the benefit of it.

Mr. HÉBERT. If the gentleman will yield further—he has been very kind thus far—I should like to make this observation. This is keeping a word. This is keeping a promise that I made to this House last year that this matter would be brought to our attention.

Mr. NEDZI. Mr. Speaker, the gentleman is using my time at this point.

Mr. HÉBERT. That is what I intended to do.

Mr. NEDZI. I respect the chairman for trying to keep his word. However, I think the House would be very understanding, if the gentleman would bear with me, if he would say that a review of this entire problem is now going on and I request the House to relieve me of that commitment. I am sure the House would very gladly have done so.

Mr. HÉBERT. I could not make that statement because I know of no such review of the matter going on.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. PIRNIE. Mr. Speaker, will the gentleman yield?

Mr. HÉBERT. I yield to the gentleman from New York.

Mr. PIRNIE. I would like at this time to call to the attention of the House that this bill was very carefully reviewed in extended hearings under the able leadership of the gentleman from Louisiana, and the fact that we had reached reasonable conclusions in an intricate and difficult area was attested by the vote of this House when this bill came before us in the last session. It is for this reason that it appears on the floor today under suspension, and it is in fulfillment of a promise made by our chairman that it would be the first order of business in the 90th Congress.

I would also like to take this time to commend the chairman for the careful and painstaking way in which this subject was carefully studied. I trust that my colleagues will note that the report which has been filed sets forth in detail these difficult recommendations which have been made. Further, we wished to promptly provide relief very much needed with regard to the National Guard technicians under title II.

Mr. Speaker, first, I wish to emphasize the circumstances which resulted in this legislative recommendation by the Committee on Armed Services.

The Committee on Armed Services is painfully aware of shortcomings in the combat readiness capability of our Reserve components. For more years than I care to remember, these shortcomings have been a matter of discussion among representatives of the executive branch and the members of our committee, as well as other knowledgeable members of the House. On many occasions, the

Members have been told that corrective action was being initiated by the executive branch to overcome these deficiencies.

History clearly indicates the continuing eagerness of the Congress to accept these bland assurances of corrective action by the Executive and the enactment of whatever enabling legislation was requested by the Executive. We note that in 1955 Congress approved the Reserve Forces Act upon a representation by the executive branch that this legislation would enable the military to achieve the level of combat readiness in our reserve components essential to our contingency and war plans.

Again in 1958 the Congress acquiesced in the Pentomic reorganization of the Army Reserve and Guard components primarily because of the promise that this change was necessary to enable the Army Reserve components to achieve the level of combat readiness essential to these components.

Needless to say, the results were considerably below expectations, and again in 1962 another reorganization of the Army Reserve components was effected. This reorganization, on the so-called ROAD concept, was supposed to achieve "dramatic" improvements in combat readiness with the development of division forces which would be capable of being sent to combat within 8 weeks.

Even though these assurances were given to the Congress by the Secretary of the Army, at this point, members of the Committee on Armed Services expressed serious reservations over the promised increase in combat readiness since in their view the basic differences in trained personnel and equipment were not being met. Although the committee appeared to accept these assurances of the Executive it was not surprised to again find that the promised goals were not attained.

The Members of this body will therefore understand and appreciate the genuine concern expressed by Members of Congress when Secretary of Defense McNamara, late in 1964, announced the Department's intention to once again completely reorganize the Army Reserve components.

After an exhaustive scrutiny of this proposal by a subcommittee of the Committee on Armed Services, the reorganization proposal was flatly rejected by the subcommittee since it was clearly evident that once again the magic formula advanced by the Department of Defense to achieve increased combat readiness was simply to "reorganize."

Finally, the Committee on Armed Services concluded that action on its part was imperative. Consequently, it decided to take legislative initiative to insure fulfillment of the promises of increased "combat readiness" in our Reserve components.

This legislation, drafted by the Committee on Armed Services, will, for practical purposes, do nothing more than that which Secretary McNamara and his subordinates have assured the Congress over the past 6 years that they intended to accomplish.

The legislation does not inhibit the Secretary of Defense or the Secretaries of the individual military departments from reorganizing and restructuring reserve components. As a matter of fact, it requires reorganizations and restructures of the Reserve components whenever there occurs a significant change in our contingency and war plans as approved by the Joint Chiefs of Staff.

However, this legislation does require that whatever reserve unit structure is established by the Secretary that he be obliged as a matter of law to provide these drilling units of the Organized Reserve components with the personnel, equipment, and related logistic support necessary to enable these units under his jurisdiction to meet the mobilization readiness requirements prescribed for them by the Joint Chiefs of Staff in the contingency and war plans.

It makes no sense whatsoever to support a reserve components structure that is not in fact immediately available on the basis of planning considerations approved by the Joint Chiefs of Staff. We have today such a reserve component structure.

It is interesting to note that Secretary of Defense McNamara himself in establishing the so-called selected Reserve forces within the Army Reserve components consisting of approximately 155,000 personnel, found it necessary to cannibalize other units in the Reserve structure to provide this small force with the equipment necessary to enable them to meet their training and potential combat readiness requirements.

Also, it is significant that Secretary of Defense McNamara approved 100 percent manning for these units in the selected Reserve structure because he too recognized that higher manning levels would undoubtedly increase the likelihood of these units achieving the early readiness dates established for them.

The legislation proposed by the Committee on Armed Services simply requires the Department of Defense to carry out its promises. In other words, we have taken the Department of Defense at its word and propose to incorporate into the law such statutory requirements as will insure pursuit with appropriate diligence of the objectives desired by both the executive branch and the Congress.

Title II of this measure is of particular interest to me since I was one of the original sponsors of the legislation designed to clarify the status of the National Guard technicians.

A little less than 2 years ago it was brought to my attention that individuals in my congressional district and thousands of others throughout the country did not know for whom they were working. They were then, and still are, civilian technicians engaged by the National Guard. As such they occupy a most unusual position. Though the Federal Government pays their salaries and the State and local Guard units control their activity, both disown them. As a result, over 39,000 dedicated men have been left in a virtual "no man's land" of public employment. They are "orphans" in every sense of the word.

Fortunately, title II of this bill will rectify the situation by classifying these technicians as Federal employees, ending, once and for all, the double standard which now exists. In addition, these people will be eligible for the Federal retirement system and life and health insurance. Their positions will be converted to the Federal GS—general schedule—and WB—wage board—systems at the same or greater compensation. Sick, annual, and military leave, as well as step level and time-in-grade increases which had been earned will be carried over. Also, most other Federal employee benefits will become applicable.

Mr. Speaker, the inequities I have described will be eliminated by H.R. 2. The men who will be the beneficiaries have served our country faithfully for decades not only as civilian employees but as fighting men as well. They ask no special category, no special treatment, no preference before the law. They simply seek recognition and a classification similar to that of their civil service counterparts. This bill will provide just that.

I intend to support this bill, as I am sure will most other Members of the House.

Mr. HÉBERT. I thank the gentleman from New York, who has also been one of the most ardent supporters of the legislation since its incipiency.

Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Florida [Mr. SIKES].

Mr. SIKES. Mr. Speaker, in recent years positive strides have been made for those who serve in the Active Forces of the United States. In this work it was Congress which took the initiative and Congress can be very proud of the result. Full credit must go to the great Committee on Armed Services, to its distinguished chairman, and to its members.

Now we must make equally positive strides for those who serve in the Reserve components.

For a time, efforts in Congress for the Reserves had to be largely defensive. We were fighting to keep the Reserves alive. There were headlines which told of inadequate training, inadequate clothing, inadequate equipment for the Reserve components. We know these conditions existed because we saw them. The Pentagon sought a merger which the Congress would not accept and will not accept. But, in all of this there were those who feared we were witnessing the slow death of the time honored tradition of a strong Reserve. And, morale of the Nation's reservists suffered—suffered grievously.

Even so, the line has been held. For 2 years, a little handful of defense-minded Congressmen have kept the Reserves intact. This is not enough. Defensive tactics alone cannot insure strong Reserve components. The best defense is a strong offense. Now, it is time to press forward to insure strong and well-equipped and well-trained Reserve components of high morale.

For this we require the enactment of legislation which will preserve and protect the Reserve components. The evidence of the past 24 months has made it very clear that the Congress, if it is to carry out its constitutional responsibility, must specify in detail the national policy and law governing this very important element of our national security team.

We must have a bill of rights for the Reserves. Now such a bill is before us. Already it has passed the House of Representatives. Last year the vote there was 332 to 6. That is better than 56 to 1. These were good odds. Our friends in the Senate who will be floor managers for the bill were engrossed late last year in appropriations and in other essential bills. They could not get to the Hébert bill. But a clear statement of intent to take up such a bill early this year was voiced then by Senate leaders. America—not just the Reserves—America needs to have this bill written into law—intact—for America's security.

America needs Reserves who are ready for any action which may be required of them. For this they must have official support from the military services and from the Pentagon. For this they must have modern equipment with which to train. For this they must have the opportunity to condition themselves for whatever action may be required. None of this implies a desire on the part of the Reserves for the perpetuation of deadwood. There must be constant planning and reorganization and pruning where needed to stay modern.

It has been said many times, the Reserves are insurance for an adequate defense. The premium is not expensive; the Nation easily can afford it. It could be disastrous not to have this insurance in force. It would be disastrous today to find ourselves in a larger war without the backup forces the Reserves provide. A bill of rights for the Reserves will spell all these things out in law. Nothing should be left to chance. Nor could the Reserves ever be struck down by the stroke of one pen.

This is what the Hébert bill is intended to accomplish, and I congratulate the distinguished gentleman from Louisiana and his committee most heartily for their foresight and determination in again bringing this bill to the floor.

Mr. NEDZI. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois.

Mr. YATES. Mr. Speaker, I voted for a similar bill last September when it was last before the House but I shall vote against this bill today. Times have changed, conditions have changed, and I have changed my mind about the bill.

First, it will be recalled that the bill came before the House late in the day last September. There was a rather strong, emotional atmosphere surrounding it when the charge was made that the Reserves had become a privileged sanctuary for certain of its members to avoid being drafted. I do not happen to believe that that charge was true, but whether it was true or not, the charge was made.

If there was any validity to that argument, there is none now because the appropriations bill for the Department of Defense contains a provision which brought an end to that practice. The Department of Defense is carrying out the congressional intent by making available for active duty members of the Reserves who had previously never been on active duty.

Secondly, I called the Department of Defense this morning and was told that the top administrators of the Department of Defense are opposed to certain provisions of title I of the bill. Such opposition includes the Secretary and the Joint Chiefs of Staff. Admittedly, they are experts and their views have not been given the weight they deserve.

Mr. HÉBERT. Mr. Speaker, will the gentleman yield?

Mr. YATES. Mr. Speaker, I will yield as soon as I am through; the gentleman may seek to correct anything I have said with which he disagrees.

Mr. HÉBERT. I have a great deal to correct.

Mr. YATES. We shall see. I can tell the gentleman I talked to the Department of Defense only a few minutes ago, and I was told the things I have stated.

Third, Mr. Speaker, it is incredible to me that a bill of such importance should be brought before this House with debate of only 20 minutes on each side, with no opportunity for amendment. A bill of such enormous importance to the security of our country and to the possible destiny of so many of our young men should be debated at length, not within a time limitation of 20 minutes a side.

There is not one of us, I am sure, who has not received letters questioning the fairness of the draft. Yet in this bill we are establishing a system for a voluntary Reserve, isolating a portion of our military manpower pool without regard to the requirements of the draft. I feel there is an important relationship between them, particularly in view of the fact that the Selective Service bill will have to be considered within a few months.

I believe it can be argued and argued very well that we should consider the whole question of military manpower as one field. The question of the Reserves should not be isolated from selective service questions. We ought to be in a position to utilize all our manpower efficiently and reasonably.

Finally, Mr. Speaker, this latter argument deserves special consideration, because the President has appointed a Manpower Commission to investigate the questions throughly and make its report. Why is there a rush to pass this bill at this time? That Commission has not yet reported. We should have the benefit of the advice of the top experts in the country before we pass upon legislation of this permanent nature, legislation which seeks to establish the Reserve Force as a special and distinct group. Therefore, Mr. Speaker, for the reasons I have cited, I shall vote against this bill.

Now I am pleased to yield to the chairman of the committee, if he desires me to yield.

Mr. HÉBERT. As I understand the gentleman from Illinois, he says the Department of Defense is opposed to this legislation.

Mr. YATES. As the gentleman from Illinois stated, he spoke to some people in the Department of Defense this morning, in the manpower section, and he was told the top administrators of the Department of Defense are opposed to title I of this bill.

Mr. HÉBERT. Was the gentleman told that at least three of the sections of title I have been sent over to the Speaker to be introduced as individual bills?

Mr. YATES. The gentleman did not tell me that.

Mr. HÉBERT. The gentleman should get all the facts before he makes these statements.

Mr. YATES. The gentleman from Illinois suggests that all the facts are not being presented here under this limited procedure. We would be able to have such facts if this bill came up under the regular procedure that would permit him to present them.

A presentation under the suspension of the rules procedure, does not permit us to examine the bill thoroughly or to present our arguments.

Mr. HÉBERT. Of course, what is happening right now belies that, because the gentleman is getting the facts under this procedure.

Mr. YATES. The gentleman from Louisiana is obviously in error. I am not getting the facts under this procedure. One cannot get the facts on this highly controversial bill with 20 minutes on each side.

Mr. HÉBERT. This bill is not controversial, except in one area.

Mr. YATES. That area is highly controversial. Some of us are going to vote against this bill because we believe there is very serious controversy here.

Mr. JONAS. Mr. Speaker, will the gentleman yield so that I may ask a question?

Mr. HÉBERT. I yield to the gentleman from North Carolina.

Mr. JONAS. On page 10 of the report it is said that about 39,000 National Guard technicians are to be blanketed under the Civil Service retirement program. Is that correct?

Mr. HÉBERT. That is correct.

Mr. JONAS. Did the committee give any consideration to the fact that the Civil Service retirement fund is $48 billion worse off than ever right now? We have a $48 billion deficit.

I was under the impression that we had passed legislation last year which provided that thereafter no one else would be blanketed in under the Civil Service retirement system unless a provision were made to take care of their part of the contributions, as well as the Government's part.

We are $48 billion in the red, not because the Civil Service workers have not been paying their money in, but because the Federal Government has not been putting its matching money in.

Mr. HÉBERT. I can well agree with the gentleman's concern. I share that concern. However, the jurisdiction as to correcting any overall deficit in the Civil Service retirement fund would remain not with this committee but with the Committee on Post Office and Civil Service.

Mr. JONAS. Once they are blanketed in under this bill that would be the end of it.

Mr. HÉBERT. The gentleman from Illinois [Mr. YATES] supports that in this bill. This is a feature which the President and the administration strongly recommended.

Mr. JONAS. I think this question of the solvency of the civil service retirement fund deserves immediate and careful consideration by the administration, the Civil Service Commission and the appropriate committee of Congress.

Mr. YATES. Why did the gentleman take it, if it is wrong?

Mr. HÉBERT. I have not said it was wrong.

Mr. YATES. I thought the gentleman told the gentleman from North Carolina it was wrong.

Mr. HÉBERT. No. I think we need more than 40 minutes to get the gentleman from Illinois straightened out.

Mr. YATES. I think you do, too, if we are to go on the record that has been made in the 20 minutes used to present their case by those who favor the bill.

Mr. CHAMBERLAIN. Mr. Speaker, will the gentleman yield?

Mr. HÉBERT. I yield to the gentleman from Michigan.

Mr. CHAMBERLAIN. Mr. Speaker, I rise in support of H.R. 2.

In my opinion, the very future of our Reserve component structure rests on the action which the Congress will take on this bill.

Congress, through the years, has given generous financial support to the Reserve program. Each year there is included in the Department of Defense Appropriation Act funds approximating $2 billion in support of these forces. Surely, with this type of financial support, the Congress and the taxpayers of America have a right to expect that their Reserve component structure is one fully capable of satisfying the mobilization requirements established for it by the Joint Chiefs of Staff.

Unfortunately, this is not true. Our Army Reserve Forces today, except for a few selected Reserve units, are woefully incapable of meeting the readiness requirements established by the Joint Chiefs of Staff.

The Congress has been repeatedly reassured that a variety of changes in units of the Reserve components would overcome the obvious lack of readiness in these units. Alas, these assurances were without foundation.

The Department of Defense and particularly its civilian executives have only given lipservice to these assurances. The lack of Reserve readiness is directly the result of the failure of the Pentagon to discharge its duties and responsibilities. Therefore, it is evident that Congress must exercise its constitutional authority "to raise armies" and stipulate in the statutory requirements that they will and must be met.

The bill before you today has received the enthusiastic endorsement of every veterans and service organization directly interested in our national security program.

Even the Department of Defense has reluctantly acknowledged the desirability of many of the provisions in this bill. Yet, for some unexplained reason, the Department refuses to endorse this legislation despite the fact that its provisions would simply put into law the very same assurances the Congress has been given by the executive branch.

This legislation does not dictate the unit structure of the Reserve components. It specifically provides that the unit structure of the Reserve components will be that required by our contingency and war plans.

This legislation does not require the Department to spend one penny for equipment and facilities which are not required in our war and contingency plans. It simply requires that once a unit is established, that it be properly supported by the Secretary of the service concerned with personnel, equipment and facilities both for training and ultimately for mobilization.

I should like to remind our friends in the Pentagon that the Congress and the taxpayers of America have a right to expect an efficiently organized and administered Reserve component program.

This legislation will serve that objective and give direction and leadership to the thousands of young Americans who, for no selfish reason, are dedicated to the defense of our country.

Mr. HARDY. Mr. Speaker, will the gentleman yield?

Mr. HÉBERT. I yield to the gentleman from Virginia [Mr. HARDY].

Mr. HARDY. Mr. Speaker, I wholeheartedly support H.R. 2 and join my colleagues on the committee in urging its unanimous approval by this body.

Every Member of this body has heard a great deal of oratory and discussion concerning this bill, H.R. 2. The Members have also been given a detailed résumé of every specific feature of the bill, both in the statements of the chairman of the subcommittee and the comprehensive report issued by the Committee on Armed Services. However, it is possible that some Members not as familiar with the Reserve problem may lose sight of the basic objectives of this bill. Therefore, I wish to emphasize once again that this legislation is urgently required to assist the Reserve components of our Armed Forces to be in fact truly combat ready and responsible to the mobilization requirements as dictated by our Joint Chiefs of Staff.

Stated another way, the bill is designed to insure that drilling units in the Reserve component structure will be given both the personnel and the equipment necessary for them to discharge both their training requirements and their ultimate mobilization requirements.

The emphasis in this bill is, therefore, on personnel and on equipment.

There are very substantial equipment shortages in the Reserve component program which in turn has had a very adverse effect on the training of personnel in these organized units. This fact of life is clearly enunciated in a report made by Maj. Gen. James F. Cantwell, president of the National Guard Association, at the 88th general conference of that association, held in Phoenix, Ariz., in October of this past year. General Cantwell, at that time, said:

> The designation of a selected Reserve force, the bulk of it in the Army National Guard, had reverberations throughout our organization and further depressed the readiness of non-SRF organizations by forcing us to divert trained personnel and equipment to the SRF units. This, of course, compelled a retreat to basic individual combat training in most instances and made critical the shortage of basic equipment and spare parts.

The foregoing statement sets out in crystal clear fashion the problem not only confronting the National Guard Association but similar problems confronting the Army Reserve.

I call the attention of the Members of the House to the committee hearings on this legislation last year. These hearings are printed Committee Document No. 86, and beginning on page 10793 through 10803, are reproduced copies of correspondence between the committee and the Department of Defense relative to personnel requirements for the Reserve components. The very first question raised by the committee, on page 10794, is "what are the total immediate mobilization requirements for personnel "in the Organized Reserve program?

The Department of Defense response, which you may rest assured was designed as much as possible to support its views on this matter, nonetheless clearly indicates an immediate mobilization requirement for these drilling units far in excess of the figures contained in this legislation.

This legislation establishes a floor of not less than 640,000 personnel in the Army Reserve components, whereas the Department of Defense document sent to the committee by the Assistant Secretary of Defense for Manpower, indicates an immediate mobilization requirement for these Army Reserve components of 688,000 personnel.

Now lest there be a misunderstanding, I wish to emphasize that these are immediate mobilization requirements as distinguished from follow-on personnel requirements which are required later during the mobilizations buildup of our Armed Forces.

It is important to note that the Congress itself in the Department of Defense Appropriation Act for fiscal year 1967 also used the same figures utilized by the Committee on Armed Services.

I have emphasized these points only to clear up any possible misunderstanding on this vital and important objective of this legislation.

Mr. RANDALL. Mr. Speaker, will the gentleman yield?

Mr. HÉBERT. I yield to the gentleman from Missouri.

Mr. RANDALL. I support this bill, and particularly title II. It will give the Reserves employee status.

It is my intention to support the passage of H.R. 2, known as the Reserve bill of rights. This measure has two titles. The purpose of title I is best described in the report when it states the purpose of title I is to more fully and effectually enable the Reserve components to meet their mobilization readiness requirements. It is difficult to determine how anyone could oppose such a purpose. While it has been argued that the Department of Defense opposes title I, it would seem to me from a careful reading of the report that the Department actually registers opposition to only some of the elements of title I.

It should be remembered as we debate this measure today that the House Armed Services Committee have held hearings on this subject matter for the past several years. It should also be recalled that in the 89th Congress, an almost identical bill, H.R. 17195 passed the House by a vote of 332 yeas to 6 nays.

While a majority is not necessarily right, it is equally true that neither should a minority of 1 of a committee that has labored over this problem for such a long time be the only one with the right answer. There should be no reason for the inference that all other members of the committee are wrong. A strong recommendation for the bill is the fact that after lengthy hearings by the subcommittee and consideration by the full committee the vote to report out H.R. 2 was 39 to 1. In this country we have been taught we must follow and respect the divided opinions of the Supreme Court which are many times by 5-to-4 opinions.

But Mr. Speaker, if there may be doubts about the propriety of considering title I of H.R. 2 at this time, which one member of the committee has suggested, H.R. 2 is a good bill if for no other reason than it contains title II. Referring to title II, Deputy Secretary of Defense Cyrus R. Vance stated in 1966 of identical wording "we strongly support such a provision." He went on to say that in his opinion title II would do much to improve the National Guard.

Mr. Speaker, title II very simply stated will establish a Federal employee status for technicians employed by the National Guard. This provision for Federal employee status will go a long way to enable these Guard units to maintain an adequate force of capable, efficient and dedicated career employees.

At the present time, there are nearly 40,000 technicians employed by the National Guard or about 23,000 in the Army National Guard and 17,000 in the Air National Guard. I am not certain how many of these technicians live in our congressional district but we would seem to have a disproportionate number because last year and then again this year we have received a substantial volume of mail urging the passage of benefits for the National Guard provided by H.R. 2.

The National Guard technicians are presently paid by the Federal Government but are not considered Federal employees and for such reason are not eligible for Federal retirement, health and insurance benefits. Title II would remedy this situation and accord these men a Federal employee status and make them eligible for such benefits.

The only cost connected with the provisions of title II is the increase in the amount of $13 million which would represent the cost of employer contributions by the Federal Government for retirement, health and insurance benefits. Surely, this is a small enough price to pay to insure retention of an adequate force of these dedicated career people.

Even if a few opponents of H.R. 2 can argue that the mandated strength of Reserve components is at too high a level it should be remembered that the common objective of both the opponents and proponents of this bill is a strong national defense. The only argument is over what is the right split between active and Reserve units. But title I is only half of the bill. Only title I applies to Reserves. Title II applies to the National Guard and there is apparently not a single critic of this title either within the Department of Defense or from the membership of the House. This should be good enough reason to support H.R. 2.

GENERAL LEAVE

Mr. HÉBERT. Mr. Speaker, I ask unanimous consent that all Members may be allowed 5 legislative days in which to extend their remarks on this subject matter.

The **SPEAKER** pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BROYHILL of North Carolina. Mr. Speaker, I am pleased that the House is considering this legislation so early in the session, and I believe that the bill, as written, will strengthen the Reserve components of the armed services as well as clarify the status of National Guard technicians. It is regrettable that the legislation passed by the House last year was not fully considered before the adjournment of the 89th Congress.

This afternoon, for purposes of time, I would like to limit my remarks to title II of this legislation pertaining to the technicians of our National Guard. I have been very much concerned about the need to clarify status of such personnel and, for that reason, on January 23, I introduced H.R. 3284. The language of my bill is identical to the provisions of title II of the legislation we are considering today.

Many of the technicians of the North Carolina National Guard have contacted me during the past several months concerning the need and the justification for this legislation. I believe that the unfortunate position in which these technicians find themselves is ably described by Mr. Vincent J. Paterno, the president of the Association of Civilian Technicians, Inc. He describes the situation which exists today as follows:

> After years of faithful service, these technicians still do not have a retirement program; no hospitalization or insurance plan paid in part by their employer; no grievance procedures beyond State level; no merit promotions or career opportunity, and are discharged from their positions at age 60, even before becoming eligible for social security. They have been disowned by both the Federal and State Governments. They do not know who employs them.

Certainly, the work of these technicians is vital to our entire military effort and I believe that such persons deserve fairer treatment than they have received in the past. It is my hope that the House will favorably consider the bill today, including that portion of it which will confer upon the technicians of our National Guard, the consideration and personnel benefits which they deserve.

Mr. SCHEUER. Mr. Speaker, despite the very fine provisions in title II, I cannot support H.R. 2. I think that it is unwise to legislate such rigid requirements for the structure of the Reserve and the National Guard. It appears to me that there is substantial merit in the proposal of the Secretary of Defense to increase the military effectiveness of many of these units. And I take very seriously the thoughtful and impressive separate views of the gentleman from Michigan, Congressman LUCIEN NEDZI, filed with the committee reports.

There is no question that the reforms in the status of National Guard technicians which would be accomplished by title II are long overdue. I support these provisions. If they were contained in a separate bill, I would vote for them. I regret that the unwise provisions in the bill, concerning the structure of the Reserve and National Guard makes it necessary for me to be recorded in opposition.

Mr. WOLFF. Mr. Speaker, I rise to support H.R. 2. As the Members no doubt know, in the last session I supported a clarification of the status of National Guard technicians and introduced H.R. 15142 to that end. These employees are virtually the only group of Government employees not covered by retirement plans, and the reason results purely from an anomaly: the Federal Government considers them to be State employees, while acknowledging responsibility for their welfare; on the other hand a great many States treat them as Federal employees because they are hired under Federal authority and paid from Federal funds. Under these circumstances most of these individuals are denied retirement and other fringe benefits enjoyed by other employees in Government and industry. Thus we have a number of employees, performing a vital function, and being denied employment benefits for purely technical reasons.

There is no question as to the importance of the service which these employees render. These are the men who keep the equipment in serviceable condition. They operate the National Guard supply systems, armories, airbases, and other facilities on a full-time basis, making them immediately responsive to a call for mobilization. And although their daily civilian tasks are closely related to their duties when they are ordered to active Federal military service, they are faced with the hazards of employment confronted by no other Federal employee and the loss of their job, at 60, or earlier, when it is unlikely that they will be employed elsewhere. I strongly support the protection of these dedicated men.

Mr. FLYNT. Mr. Speaker, I support H.R. 2 as reported by the Committee on Armed Services, the Reserve Forces Bill of Rights and Vitalization Act of 1967, title II of which provide benefits for National Guard technicians. This bill clearly will strengthen the Reserve components of the Armed Forces and will protect units from arbitrary action which would decimate such units. It will clarify the status of reservists who have completed their active duty training and at the same time provide a manpower pool if the need should arise. This is a fair bill and should remove a large measure of the uncertainy of status which in many instances now exists.

Title II of H.R. 2 will provide a retirement status and eligibility for National Guard technicians who have heretofore been denied a retirement status of any kind because, while they have been paid with Federal funds, they have been deemed to be State employees of the National Guard of the several States. This legislation to clarify the technicians status and to provide retirement eligibility and benefits is long overdue, and I strongly support this portion of this bill.

Mr. BENNETT. Mr. Speaker, I rise in strong support of H.R. 2, a bill to revitalize the Reserve Forces. I introduced legislation of a similar nature in August 1965; but I am glad to say that the committee product that is before us now is an improvement in many important respects. The bill will give stability to the Reserves, which are an important segment of our defense. It will provide for adequate strength levels, adequate training, and availability for the Commander in Chief to utilize, as the needs arise. I sincerely hope that the bill will pass unanimously as it is manifestly greatly needed.

Mr. POLLOCK. Mr. Speaker, the House today is considering H.R. 2, the bill designed to improve the status of our Reserve Forces and to grant National Guard technicians their proper rights as Federal employees. Early enactment of this measure will insure action this year by the other body which, unfortunately, did not happen last year due to lack of time. The adjutant general of the State of Alaska, Maj. Gen. C. F. Necrason, has expressed his support for this legislation. I urge the House to pass H.R. 2 by an overwhelming margin.

Mr. BROYHILL of Virginia. Mr. Speaker, I rise to speak in favor of H.R. 2, the Reserve bill of rights.

For the past 5 years, the Secretary has been playing cat and mouse with our Reserve Forces, keeping them in a constant state of turmoil or "turbulence," as it is now popularly called.

I have great confidence in the reservists, officers, and enlisted men, throughout our Nation. They are the solid citizen backup of our Nation's defenses. Their only desire is to have the means to train and be ready. This bill, at last, will finally give them this means and let them know that the Congress supports them in their patriotic sacrifices to support our national security.

I compliment the authors of this carefully constructed, well thought out bill. Its features to provide a stronger management structure for the Reserves and to provide minimum strengths in each Reserve component has long been needed and are especially valuable.

I strongly urge the enactment of the Reserve bill of rights which will finally end what Senator STENNIS, the distinguished chairman of the Senate Preparedness Committee calls the "reign of terror" waged in the Pentagon against the Reserves in the last several years.

Mr. BINGHAM. Mr. Speaker, I recognize that H.R. 2 will be passed today by an overwhelming vote. I will welcome that passage with regard to title II, providing a Federal employee status for technicians employed by the National Guard, which I strongly favor.

Nevertheless, I feel constrained to vote against this bill for a number of reasons, including those suggested by the distinguished gentleman from Michigan [Mr. NEDZI], a member of the Armed Services Committee, in his minority views.

I was particularly struck by the following passages in the statement made by the Deputy Secretary of Defense Cyrus R. Vance last August on the similar bill then being considered (H.R. 16435):

> Unlike its approach to force structure, the bill's approach to the personnel strengths which the force structure should contain is not consistent with the realities of force planning in a world of changing military requirements. By mandating minimum strengths for each of the Reserve components in each of the services, the bill imposes an unrealistic and inflexible restriction not only on the Commander in Chief and his principal civilian advisers but also on his professional military advisers, the Joint Chiefs of Staff. Authority to adjust strength levels to changes in military requirements must be available.
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> The bill mandates an aggregate strength of over 100,000 men higher than is necessary today, even after taking into account the increased manning levels presently in effect. To comply with this mandate will mean withdrawal from the pool of draft eligible men of over 100,000 more individuals than are required for the Reserve Forces. The mandate should be eliminated.

Last month, Secretary McNamara stated that the Army was reviewing the entire question of the relationship between the National Guard and the Reserve Forces and that its "analysis of these problems will not be completed until after the Chiefs have finished their annual review of the military forces in March." I am unaware of any reasons why H.R. 2 should have been brought to the floor at this time, without the possibility of giving any consideration to the results of the study currently in progress.

Finally, if this piece of legislation had been brought to the floor of the House under the usual procedure, it would have been debated at length, and it would have been possible for the House to amend it so as to eliminate its objectionable features. It seems to me regrettable that this important legislation was considered under provisions which permit no amendments and under which debate is limited to a total of 40 minutes.

Mr. PICKLE. Mr. Speaker, I wish to speak in support of H.R. 2, the Reserve Forces bill of rights.

At a time when much of our Active Armed Forces are engaged in battle to halt the march of communism, I think it is most proper that we work to assure ourselves that we will not be unprepared to meet any other crisis which may arise.

The specific provisions of the bill have been adequately explained here today. I would like simply to comment on two points which I feel work toward a reasonable, stable solution of this problem.

In title I, it is provided that there be created within the Ready Reserves a selected Reserve force, or SRF. This type of unit is to be maintained at a numerical level and logistical strength which will insure that it can meet the mobilization requirements specified by the Joint Chiefs of Staff.

Our military needs in this age are too diverse for us to feel protected simply by having Reserve Forces of a certain numerical strength. Some of these units must always be available, and be available quickly. The type of unit which would be needed quickly is a point which is likely to change over a period of only a few months. I think this provision of the bill gives the Joint Chiefs the flexibility and discretion needed to assure that disputes all over the world can be met with adequate strength in reserve.

Title II of this bill makes National Guard technicians Federal employees, and gives them the benefit of retirement, group life insurance, group health insurance, and overtime benefits. Due to the need for people with highly specialized skills, many of the Guard units today employ individuals in a civilian capacity during the week and in a military capacity for the weekend, or other training period. The status of these individuals during their week-day employment has been unclear; while they work, as employees of the States, they are actually paid by the Federal Government. Consequently, their employment status has been in limbo, and they have been denied many of the benefits otherwise afforded to State or Federal employees. This is especially true of many National Guard employees at Camp Malory in Austin, Tex.

It is clear that this person is needed full-time for the operation of the aircraft, but usually there is no provision for the unit to have these technicians on the job as full-time military personnel. It is also clear that a purely civilian employee cannot satisfy the need here, since this technician must also be fully subject to a callup to active duty along with the rest of his unit. Without these people, the units would be crippled, and unable to perform the mission assigned them.

I feel this provision gives the individual a fair chance for employment benefits, allows the status needed to meet the demands of the Guard, and provides the national defense with a good system to get and retain qualified personnel.

Mr. Speaker, I would like to say that I am generally in support of all the goals of this legislation and feel that this bill is a sound approach to the problems we face here.

Mr. KASTENMEIER. Mr. Speaker, the so-called Reserve bill of rights, H.R. 2, which we consider today raises a number of questions in my mind and I would like to state my views on it.

Title I of this bill would overhaul the U.S. Reserve Force structure and would establish a permanent average annual unit strength for the various National Guard and Reserve Forces.

The Department of Defense has objected to mandated minimum strengths for these components, on the basis that these requirements would deny needed flexibility to respond to changes in our military requirements. At a time when we have seen a number of high draft calls, to meet the manpower needs of the war in Vietnam, I cannot be enthusiastic about this aspect of the bill which establishes by law a rigid numerical manpower requirement for the Reserves and National Guard.

Unfortunately, the manpower management issues involved seem to be overshadowed by the basic disagreement between congressional committee and the Defense Department over the future of the Reserves and the National Guard.

Title II would provide retirement status and eligibility for National Guard technicians. Up to now, these technicians, who are paid with Federal funds, have been deemed to be State employees of the National Guard of the various States. As a result of their unique status, they have not been adequately provided for by either the State or Federal governments. Consequently, this title will clarify their status by making them Federal employees and thus eligible for various Federal employee benefits, including retirement.

Legislation to provide this status and resulting benefits is long overdue and I strongly support this portion of the bill.

Regrettably, Mr. Speaker, this bill comes up under suspension of the rules, affording no opportunity for amendments. Hence, since I have serious reservations about the wisdom and desirability of some of the bill's provisions, I am qualifying my support of it in this way in the hope that these issues will receive full consideration in the other body.

Mr. **HORTON**. Mr. Speaker, it is my privilege today, for the second time, to case my vote in favor of more equitable status for the more than 38,000 National Guard technicians across the country.

As every Member who served in the last Congress will recall, we voted overwhelmingly in favor of H.R. 17195 last fall, a bill which provided substantially the same status for technicians as H.R. 2.

At the time we considered H.R. 17195 last year, I urged my colleagues to consider moving back the effective date of title II from July 1, 1967, to July 1, 1966. I supported such a move because National Guard technicians have waited so long a time to achieve a fair and equitable employment status, that I saw no reason for them to wait beyond the time when Congress acted to clarify their status.

The bill we are considering today contains an effective date of July 1, 1967, as did H.R. 17195. While it would no longer be practical to make title II retroactive to July 1, 1966, I strongly urge that an effective date of January 1, 1967, would be both possible and appropriate. Every month we wait to grant technicians full Federal employee status will mean that more and more technicians with many years of service under an inequitable status will have either retired or otherwise separated from the technician corps without having the benefits connected with Federal employee status.

My support for an earlier effective date for title II is evidenced by the fact that my own bill, H.R. 713, contains the earlier date of January 1 of this year.

Mr. Speaker, the Members of this body will today have recognized the need for a clarified status for technicians for the second time. It is unfortunate that the Senate did not have sufficient time to act on this measure in the 89th Congress. I believe that we in the House have done our duty to these 38,000 public servants by taking up H.R. 2 early in the first session of the new Congress. I hope that the Senate will make every effort to complete the task of affording these men and women with full Federal employee status at the earliest possible date.

Mr. **COHELAN**. Mr. Speaker, I am opposed to passage of H.R. 2 under the limited procedures of debate and amendment provided under suspension of the rules. As a former member of the Armed Services Committee, I am aware of the attention which my colleague, the gentleman from Michigan [Mr. NEDZI], has given to this problem and I also feel that the points he has made in the report on H.R. 2 deserve our careful consideration.

I am most sympathetic to our National Guard technicians, who are left in a status somewhere between Federal and State employees, without adequate retirement and other fringe benefit protections. I have supported legislation to clarify their status, and I hope that this Congress will enact legislation along these lines.

However, the bill which is before us today is of much greater significance to our total defense posture, and I believe that we need the benefit of the most up-to-date facts available before making changes in our Reserve system. It is only a short time until we shall have the annual report of the Joint Chiefs of Staff. The Department of the Army's analysis also awaits that report. Delay in passage of H.R. 2 until we have the benefit of the Joint Chiefs' report, the departmental recommendation, and the careful deliberation and debate of the House, will not seriously affect our Reserve components. For this reason, I plan to vote against the passage of this bill.

Mr. **MATSUNAGA**. Mr. Speaker, I rise in support of H.R. 2, the Reserve Forces Bill of Rights and Vitalization Act, a measure which I have cosponsored.

At the outset I wish to commend the chairman and the members of the Committee on Armed Services, especially the gentleman from Louisiana [Mr. HÉBERT], who introduced this measure for the early consideration that has been given to this bill.

The House, on September 21, 1966, by an overwhelming majority, passed a similar measure to strengthen the Reserve components of the Armed Forces and to clarify the status of National Guard technicians. It appears that the 89th Congress adjourned without further consideration of the proposed legislation. Passage today of the bill on the floor will provide a reasonable assurance of the eventual enactment of this much needed legislation in this session of the 90th Congress.

Mr. Speaker, enactment of H.R. 2 is essential to the improvement of the posture of our national security. This legislation would help to remedy the ills which have beset our Reserve Forces. The present status of our Reserve Forces is so ill-defined that this Nation could find itself left in a very vulnerable position should a situation rise calling for a large or extended mobilization of our Armed Forces.

In recent years we have witnessed several reorganizations of the Army Reserves. These, however, have not achieved the desired goal of providing better trained and better equipped Reserve Forces which are maintained at a high state of readiness and able to meet any national emergency. Instead, the contemplated action of the Department of Defense to effect a dissolution of the Army and Air Force Reserves has created instability and insecurity in the Reserves. This, in turn, has caused a substantial lowering of both the operational readiness and the morale of these forces.

I am pleased to note that one of the major provisions of H.R. 2 is for the establishment of the position of Assistant Secretary of Defense for Reserve Affairs to be charged with responsibility for administration, operation, and readiness of the Reserve components of the Armed Forces. His responsibilities are clearly set forth and his jurisdiction well-defined so that they do not overlap with other DOD manpower functions. Further raising of the status of the Reserve Forces is provided by the establishment within each of the armed services of the position of Assistant Secretary responsible for matters relating to manpower and Reserve affairs within his service.

The composition of the Reserve Forces Policy Board will be modified and enlarged in order to strengthen it and assure that priority consideration is given to the role of the Reserves.

Policies with regard to reservists are sufficiently spelled out in this bill so that the uncertainties which in the past have plagued the life of individual reservists will no longer exist. The requirement that reservists go on active duty training for not less than 4 months within 180 days after enlistment should result in a considerably strengthened Reserve Force.

Another major feature of the bill deals with National Guard technicians upon whom the measure would bestow Federal employee status. National Guard technicians are presently paid by the Federal Government, but employed by the State Guards, and do not enjoy the full benefits of either Federal or State employment. Under the provisions of this bill they would be entitled to Federal retirement, health, and insurance benefits. These provisions to improve the status of National Guard technicians ought to go a long way in improving their morale and enabling the Guard to maintain a force of capable, highly trained career employees.

Mr. Speaker, these are but a few of the outstanding provisions of H.R. 2 which, along with many others, are designed to remove the present confusion with regard to our Reserve Force structure and to insure that our Reserve Forces are adequately trained and maintained in a high state of readiness by making their existence, composition, and minimum strength a matter of permanent law.

I strongly urge a favorable vote for H.R. 2.

Mr. **HÉBERT**. Mr. Speaker, I yield the remainder of the time to the distinguished gentleman from South Carolina, the chairman of the Committee on Armed Services, who stands so high in the esteem of his brother colleagues in the House and who has the admiration, the love, the affection, and the confidence of the members of his committee.

Mr. RIVERS. Mr. Speaker, I rise in support of H.R. 2. As chairman of the committee which drafted this legislation, I would like to make clear to the Members of this body the fact that the mandated floor on personnel strength included in this legislation is a proper discharge of the constitutional responsibilities of the Congress.

Article I, section 8, clauses 11, 12, 13, and 14 of the Constitution of the United States specifically reserves to the Congress the responsibility, among other things, "to raise and support armies, to provide and maintain a navy." These powers were not inserted in the Constitution for the purpose of endowing the National Government with power to do these things, but rather to designate the department of the Government which should exercise such powers. Moreover, they mandate Congress to take measures essential to the national defense in time of peace as well as during a period of actual conflict.

As a consequence of this authority, the Congress has from time to time exercised this constitutional responsibility in establishing the military policy of the Nation as regards the authorized personnel strengths of the Armed Forces.

Section 62 of the National Defense Act of 1916 (39 Stat. 198) specifically established a mandatory strength for the National Guard. Among other things, the language of section 62 provided that there shall be "a total peace strength of not less than 800 enlisted men for each Senator and each Representative in Congress."

The Congress, in Public Law 82-416—section 5013 of title 10, United States Code—stated that the Marine Corps shall consist of not less than three combat divisions and three air wings. This mandate was observed by President Truman after legislation had been signed into law.

Apropos the foregoing legislative precedents for the establishment of minimun personnel strengths in the Armed Forces, Secretary of Defense McNamara, in appearing before the House Armed Services Committee, February 22, 1965, conceded the right of Congress to establish minimum personnel strengths in the Reserve Forces. Among other things, Mr. McNamara said:

> The legislative authority is very clear. It says 700,000 men for '65. Now if you want 700,000 men for '66, you have the right under the Constitution to write that into the legislation. And frankly, we have no redress.

It is abundantly clear that the right of Congress to provide a floor on the personnel strengths of the Reserve components is clear and unequivocal. The strengths prescribed in this legislation are precisely those mandated by the Congress in the Department of Defense fiscal act for fiscal year 1967.

These strengths will go into effect immediately after the statutory language in the appropriations act lapses on July 1, 1967.

Congress must reassert its role and exercise its responsibility with the executive branch in establishing its Armed Forces. This legislation is only a small step forward in that direction but it symbolizes, in my mind, the determination of Congress to once again become an equal partner with the Department of Defense in our national security.

We have come to the end of that era in which the Congress has, by default, permitted the executive branch to arbitrarily take action in respect to our Armed Forces without regard to the wishes and desires of the American people.

This legislation is, therefore, a milestone in the history of the Congress and one in which each of you will have participated by your endorsement of H.R. 2.

The **SPEAKER** pro tempore. The question is on the motion of the gentleman from Louisiana [HÉBERT] that the House suspend the rules and pass the bill H.R. 2.

Mr. HÉBERT. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 324, nays 13, not voting 95, as follows:

[Roll No. 15]

YEAS—324

Abernethy
Adair
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Arends
Ashmore
Aspinall
Ayres
Bates
Battin
Bennett
Berry
Betts
Bevill
Biester
Blackburn
Blanton
Blatnik
Boggs
Boland
Bolton
Brasco
Bray
Brock
Brooks
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Burke, Mass.
Burleson
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Cabell
Carey
Carter
Cederberg
Celler
Chamberlain
Clancy
Clark
Clawson, Del
Cleveland
Collier
Colmer
Conable
Conte
Corbett
Corman
Cowger
Cramer
Culver
Cunningham
Curtis
Daddario
Daniels
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Delaney
Dellenback
Denney
Dent
Derwinski
Devine
Dickinson
Dole
Donohue
Dorn
Dowdy
Dulski
Duncan
Dwyer
Edmondson
Edwards, Ala.
Edwards, La.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Fallon
Fascell
Findley
Fisher
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Friedel
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Gardner
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gonzalez
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffiths
Gross
Grover
Gubser
Gude
Gurney
Hall
Halleck
Hamilton
Hammerschmidt
Hanley
Hansen, Wash.
Hardy
Harrison
Hathaway
Hawkins
Hays
Hébert
Hechler, W. Va.
Heckler, Mass.
Henderson
Herlong
Hicks
Holifield
Holland
Horton
Hosmer
Howard
Hungate
Hunt
Hutchinson
Ichord
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Jones, N.C.
Karsten
Karth
Kastenmeier
Kazen
Keith
Kelly
King, N.Y.
Kirwan
Kleppe
Kornegay
Kupferman
Kuykendall
Kyl
Kyros
Langen
Latta
Leggett
Lennon
Lipscomb
Long, La.
Long, Md.
Lukens
McCarthy
McClory
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
McMillan
MacGregor
Machen
Mahon
Martin
Mathias, Calif.
Mathias, Md.
May
Meeds
Meskill
Michel
Miller, Ohio
Mills
Minish
Mink
Minshall
Mize
Monagan
Montgomery
Moore
Moorhead
Morgan
Morris, N. Mex.
Morse, Mass.
Morton
Moss
Murphy, Ill.
Natcher
Nelsen
Nichols
O'Hara, Ill.
Olsen
O'Neill, Mass.
Passman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Poff
Pool
Price, Ill.
Price, Tex.
Pryor
Purcell
Quie
Railsback
Randall
Rarick
Reid, Ill.
Reid, N.Y.
Reifel
Reinecke
Resnick
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Rivers
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rooney, Pa.
Roth
Roush
Rumsfeld
Ryan
St. Onge
Satterfield
Schadeberg
Scherle
Schneebeli
Schweiker
Schwengel
Scott
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Iowa
Smith, N.Y.
Smith, Okla.
Springer
Stafford
Stanton
Steed
Steiger, Ariz.
Stephens
Stratton
Stubblefield
Sullivan
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tuck
Tunney
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waggonner
Waldie
Walker
Wampler
Watts
White
Whitener
Widnall
Williams, Pa.
Wilson, Bob
Winn
Wolff
Wright
Wyatt
Wydler
Wylie
Wyman
Young
Younger
Zablocki

NAYS—13

Adams
Bingham
Cohelan
Dingell
Eckhardt
Farbstein
Nedzi
O'Hara, Mich.
Rees
Rosenthal
Roybal
Scheuer
Yates

NOT VOTING—95

Abbitt
Ashbrook
Ashley
Baring
Barrett
Belcher
Bell
Bolling
Bow
Brademas
Brinkley
Brown, Calif.
Burton, Calif.
Burton, Utah
Cahill
Casey
Clausen, Don H.
Conyers
Diggs
Dow
Downing
Edwards, Calif.
Everett
Feighan
Fino
Flood
Flynt
Frelinghuysen
Fulton, Pa.
Goodell
Hagan
Haley
Halpern
Hanna
Hansen, Idaho
Harsha
Harvey
Helstoski
Hull
Irwin
Kee
King, Calif.
Kluczynski
Laird
Landrum
Lloyd
Macdonald, Mass.
Madden
Mailliard
Marsh
Matsunaga
Mayne
Miller, Calif.
Mosher
Multer
Murphy, N.Y.
Myers
Nix
O'Konski
O'Neal, Ga.
Ottinger
Patman
Pettis
Poage
Pollock
Pucinski
Quillen
Ronan
Rostenkowski
Roudebush
Ruppe
Sandman
St Germain
Saylor
Selden
Shipley
Smith, Calif.
Snyder
Staggers
Steiger, Wis.
Stuckey
Tenzer
Utt
Watkins
Watson
Whalen
Whalley
Whitten
Wiggins
Williams, Miss.
Willis
Wilson, Charles H.
Zion
Zwach

So (two-thirds having voted in favor thereof) the rules were suspended, and the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Multer and Mr. Williams of Mississippi for, with Mr. Burton of California against.

Until further notice:

Mr. Bell with Mr. Edwards of California.

Mr. Bow with Mr. Hanna.

Mr. Goodell with Mr. Diggs.

Mr. Watson with Mr. Irwin.

Mr. Quillen with Mr. Pucinski.

Mr. Roudebush with Mr. St Germain.

Mr. Cahill with Mr. Ottinger.

Mr. Smith of California with Mr. Charles H. Wilson.

Mr. Laird with Mr. Rostenkowski.

Mr. Harvey with Mr. Brown of California.

Mr. Barrett with Mr. Harsha.

Mr. King of California with Mr. Saylor.

Mr. Baring with Mr. Watkins.

Mr. Flood with Mr. Sandman.

Mr. Murphy of New York with Mr. Halpern.

Mr. Tenzer with Mr. Don H. Clausen.

Mr. Kluczynski with Mr. Burton of Utah.

Mr. O'Neal of Georgia with Mr. Ashbrook.

Mr. Flynt with Mr. Belcher.

Mr. Feighan with Mr. Frelinghuysen.

Mr. Miller of California with Mr. Fulton of Pennsylvania.

Mr. Matsunaga with Mr. Fino.

Mr. Hagan with Mr. Hansen of Idaho.

Mr. Hull with Mr. Whalley.

Mr. Brademas with Mr. Zwach.

Mr. Madden with Mr. O'Konski.

Mr. Ashley with Mr. Mosher.

Mr. Casey with Mr. Mailliard.

Mr. Dow with Mr. Utt.

Mr. Whitten with Mr. Snyder.

Mr. Thompson of New Jersey with Mr. Pollock.

Mr. Landrum with Mr. Lloyd.

Mr. Helstoski with Mr. Zion.

Mr. Macdonald of Massachusetts with Mr. Wiggins.

Mr. Nix with Mr. Whalen.

Mr. Marsh with Mr. Mayne.

Mr. Staggers with Mr. Myers.

Mr. Ronan with Mr. Ruppe.

Mr. Everett with Mr. Steiger of Wisconsin.

Mr. Downing with Mr. Pettis.

Mr. Kee with Mr. Conyers.

Mr. Willis with Mr. Shipley.

Mr. Selden with Mr. Haley.

Mr. Brinkley with Mr. Abbitt.

Mr. Stuckey with Mr. Patman.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

EMPHASIS ON CRIME AND LAW ENFORCEMENT

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. McMILLAN. Mr. Speaker, I am asking unanimous consent to insert into the RECORD an address by former Justice of the U.S. Supreme Court Charles E. Whittaker.

I think Justice Whittaker has placed proper emphasis on certain areas of crime and law enforcement that should interest every person in the United States. I am certain that every thinking person in the United States realized that crime in our country would increase when we permitted demonstrations, riots and other similar type incidents to happen without seemingly any restrictions on the part of our Government.

We cannot expect good law enforcement when certain people are led to believe that they can break any State or municipal law without being punished. This is what has been happening in our country during the past 6 or 8 years.

I believe every Member of Congress should read the address made by Justice Whittaker.

THE CAUSES, AND THE EFFECTS UPON PUBLIC ORDER, OF PLANNED, MASS VIOLATIONS OF OUR LAWS

(An address by Charles E. Whittaker, before the American Enterprise Institute, Washington, D.C., February 14, 1967)

I wish to make it clear at once that I did not volunteer for, but actively resisted, this assignment. My resistance rested upon the common desire, perhaps unworthy, to avoid involvement. With the aid of some senatorial pressures, that resistance was subdued; so I now find myself before you under a charge to discuss "Law, Order and Civil Disobedience." But, without meaning to change the substance of what was intended to be embraced by that title, I have amended it to "The Causes, and the Effects upon Public Order, of Planned, Mass Violations of Our Laws."

CONSCIOUS VIOLATION OF OUR CRIMINAL LAWS IS NOT "CIVIL" DISOBEDIENCE

Thus, as you will note, I have eliminated the word "Civil" and have substituted "Violations" for "Disobedience." I have done so because the conduct that we have to deal with is not "Civil" in nature, nor is it any "passive resistance" or "disobedience" like that preached and practiced by Gandhi and by Thoreau. Instead, what we are confronted by, and must deal with, are active, overt and willful mass violations of our *criminal* laws. That conduct is not "civil disobedience" in any dictionary or acceptable sense of those simple words. The understandable desirable to avoid openly admitting advocation and commission of *crime* cannot excuse us from calling that conduct what it is. Active and overt acts willfully committed in violation of our *criminal* laws are *criminal violations* not "civil disobedience." My elimination of the word "civil" from the title suggested by our hosts, and my substitution of "violations" for "disobedience" in that title, eliminates those fallacies and correctly states what it is that we must here discuss.

THE PURPOSES OF THIS DEBATE

I am told that the purpose of our debate is not primarily to resolve disagreements, but is, rather, to try to determine what they are, to isolate them and to lay bare their root causes. That clarification helps toward bringing our task within manageable limits, for, while I have professed to have some comprehension of the contributing causes of our rampant and racing lawlessness and disorders, I have not professed, and do not now claim, to have a simple, sure or immediately effective remedy. Indeed, I think that there is no such. But this is not to say that there is no remedy.

REQUISITES OF THOSE PURPOSES

If we are to render the expected service of determining, isolating and laying bare the roots of our disagreements on the subject before us, it is, I think, elementary that each of us must use words and phrases in the same sense—in their generic and dictionary sense and not in their glossed or gilded senses of doubtful or duplicitous meaning, suggesting one concept to one of us and something different to the other—so that we will be talking about the same things and concepts. Indeed, I am certain that the failure to do this has been a prime cause of failure of many similar debates.

Also, if we are to serve the intended purposes, we must speak in temperate terms and tones, quite responsibly and with complete candor.

RECOGNITION OF EXPANDING PLANNED, MASS VIOLATIONS OF OUR LAWS

The fact is everywhere so obvious that it cannot any longer be denied that our nation is in the grips of a rash of rapidly spreading mass lawlessness and violence which, in large part, is planned and willful, and seems to be designed to destroy, and is seriously threatening to destroy, law, order and all vestiges of civility in our land.

A LAWLESS SOCIETY CANNOT SURVIVE

Can anyone reasonably believe that a disorderly society can survive? In all recorded history none ever has. The paths of history are strewn with the bones of fallen societies. Some of them were once as great, in many ways, as ours is now. That history also shows that, in each instance, the first evidences of the society's decay appeared in its toleration of disrespect for, and violation of, its laws. There is no good reason to believe that similar tolerations will serve us differently.

OURS IS A GOVERNMENT OF LAWS

The cardinal virtue of our government is that it is "a government of laws and not of men"—of laws, made by the people through their elected representatives, which may, at any time, be changed and amended, within constitutional limits, by the people through their elected representatives. Even our Constitution—early and often said by scholars to be the finest instrument of national government ever conceived by the minds of men—may be changed and amended, as it expressly provides and as has been done in twenty-two instances, by the action of two-thirds of the elected Members of Congress, or by conventions, and ratified by three-fourths of the States.

OUR MEANS OF MAKING AND AMENDING OUR LAWS

These are the means—carefully formulated by our forefathers, and equally carefully amended by our fathers and by ourselves—of making, and of modifying, our laws and of trying to make sure that our government will remain one of law—to the end that our society will be orderly and therefore enduring. Those means are fully adequate to all ends that are loyal to our form of government. Any mass flouting of them threatens destruction of our government, and any substantial success of such flouting will destroy it. No end, however good it may seem to some, can ever justify the use of other and forceful means to bring about changes in our Constitution or laws.

THE RIGHT PEACEABLY TO ASSEMBLE TO PETITION FOR A REDRESS OF GRIEVANCES

Under our government of laws, if any group of Americans feel, at any time or from time to time, that our laws are deficient, unjust or unfair *in concrete particulars* of which their elected representatives have failed to take proper notice, they have and may exercise the constitutional right, guaranteed by the First Amendment, "peaceably to assemble and to petition the Government for a redress of [their] grievances".

It hardly seems necessary to draw attention to the fact that the quoted clause does not authorize "disobedience" of either our "civil" or "criminal" laws. It does not authorize "disobedience" of any name or kind. Instead, by guaranteeing the right of groups "peaceably to assembly and to petition the Government for a redress of grievances", it plainly negates any idea that any such group may take the laws, or what they may think should be the laws, into their own hands and be the judge of which of them they will obey and which of them they will violate.

This has many times been made crystal clear by the Supreme Court. In 1939, the

Court said in *Hague* v. *C.I.O.*, 307 U.S. at 516, "The privilege of a citizen . . . to use the streets and parks for the communication of views on national questions must be regulated in the interests of all . . . and must be exercised in subordination to the general comfort and convenience, *and in consonance with* peace and good order". (Emphasis added.) In 1964, it said, in *Cox* v. *Louisiana*, 379 U.S. 563, "the right of . . . assembly . . . still [does] not mean that everyone with opinions or beliefs to express may address a group at any public place and at any time. The constitutional guarantee of liberty implies the existence of an organized society maintaining public order, without which liberty itself would be lost in the excesses of anarchy." Again, in 1966, the Court, in *Adderley* v. *Florida*, 81 S. Ct. 242, reaffirmed what it had said in the *Cox* case and, addressing a contrary argument, said further: "Such an argument has as its major unarticulated premise the assumption that people who want to propagandize protests or views have a constitutional right to do so whenever and *however* and wherever *they please*. That concept of constitutional law was vigorously and forthrightfully rejected [in the *Cox* case]. We reject it again." (Emphasis added.)

Mass action, whether it be called a "demonstration" or something else, waged for the avowed purpose of "forcing" the grant of "demands" outside the law, the legislature and the courts, cannot be any peaceable petitioning for a redress of grievances. One can hardly deny the truth of the statement written by Mr. Justice Black, joined by two other Justices, in June, 1964, in a Baltimore "sit-in" prosecution, that ". . . the Constitution does not confer upon any group the right to substitute rule by force for rule by law. Force leads to violence, violence to mob conflicts, and these to rule by the strongest groups with control of the most deadly weapons". *Bell* v. *Maryland*, 84 S. Ct. at 1879. Nor can there be any reasoned disagreement with the statement made by the President of Yale University in a speech at Detroit in 1965, that the current rash of "demonstrations" make "a ludicrous mockery of the democratic debating process".

OUR CONSTITUTION AND CRIMINAL LAWS EMBODY THE CONCEPTS OF THE DIVINE ONES

It is highly important carefully to note and explain that our Constitution and laws embody many of the concepts of the divine laws, including the Ten Commandments, and prescribe the minimum standards of moral and social behavior deemed necessary by our Founding Fathers, and from time to time since by our Father and ourselves, to assure a lawful and orderly society.

IGNORANCE OF OUR LAWS

There is a woeful amount of lay ignorance about our laws. No one can responsibly say that our laws are "bad", are "unjust" or "unfair" until he first, at least, knows what they are. Many of those who have hurled such assaults against our laws do not know what they are—do not know or realize that many of the laws they so condemn, and often flout, actually are embodiments of the laws of God, such as, Thou shalt not kill, Thou salt love, not injure, thy neighbor, Thou shalt not steal, Thou shalt not covet thy neighbor's property or possessions, and Thou shalt not bear false witness, to mention but a few of the divine laws that are embodied into our criminal laws. To say that our laws, which condemn the violation of those concepts, are "unjust"or "unfair" is, of course, to say also that the divine laws are "unjust" or "unfair". Do those who advocate violation of, and violate, these of our laws understand this? I doubt that they do, and, giving them the benefit of the doubt, I prefer to believe that they do not. Nor should we overlook, as is so often done, the biblical admonition that Thou shalt obey the civil authorities. I wonder how those who advocate violation of, and violate, our laws—civil or criminal—can square their conduct with that biblical admonition.

THERE ONCE WERE, BUT ARE NO LONGER, LAWS OF OUR LAND THAT AUTHORIZE GOVERNMENTAL OR GOVERMENTALLY SANCTIONED DISCRIMINATIONS AGAINST MINORITIES

It is not to be denied that in the past our laws and the imperfect administration of them imposed previous injustices upon, and many discriminations against, American negroes. Neither can it be denied that for many years—even after adoption of the Thirteenth, Fourteenth and Fifteenth Amendments in the 1860's, which, respectively, (a) abolished the curse of "slavery", (b) probihited every State from denying to any person, within its jurisdiction, the equal protection of the laws, and (c) prohibited every State from denying the right of citizens to vote on account of race or color—our Government was, in some respects, slow to implement and fully to enforce those constitutional Amendments. But, in recent years our government, acting upon a long background of enlightening experience, made a great many legislative implementations, judicial reinterpretations and amendments of its Executive enforcement laws and procedures, which have, I think, completely eliminated all vestiges of *governmental* or *governmentally sanctioned* discriminations against negroes. As said in the song in the musical "Oklahoma", "They've gone about as fur as they kin go". Indeed, it is well known that many think the government, acting too fast, has gone too far.

RECOGNITION OF EDUCATIONAL AND ECONOMIC NEEDS, AND THE SOCIAL WANTS OF THE POOR

What I have just said deals with the current even-handed treatment by the United States Constitution and laws of all citizens regardless of race or color. That does not say, of course, that all the educational and economic needs of our negro poor have been met—just as the like needs of an 80% larger number of our white poor have not been met. Many think, as I do, that it is not a proper function of government to supply—except in temporary emergencies—the economic needs of its healthy and able-bodied poor—white or colored—and that all it properly can do for them is to help them to help themselves. Nor have the negro wants for universal social acceptance by whites been met. This, I think as do many, is a matter about which the government can do nothing. We so believe for the simple reason that one cannot be made socially acceptable to another by any law. As every one of the many ethnic groups among us has found, social acceptance is a matter of heart—is a slowly evolving process of mutual respect and liking, and that laws designed to force it create bristling resistance and only delay, if, indeed, they do not defeat, their purpose.

However all of this may be, there will always be need and room, and there must always be willingness, to make, under our lawful processes, such further improvements in our laws and in the evenhanded enforcement of them as calm and thoughtful considerations and the light of experience may indicate.

NEGROES ONCE INTELLIGENTLY USED, AND PROFITED FROM THE USE OF, THE PEACEABLE-ASSEMBLY-AND-PETITION PROVISIONS OF OUR CONSTITUTION

It is the purpose and function of the peaceable-assembly-and-petition provision of the First Amendment to enable persons and groups of persons to bring what they think are such needed changes to the attention of the government. This was the process intelligently and repeatedly followed by and on behalf of negroes—particularly by the rather realistic and responsible National Association for the Advancement of Colored People—in the 1950's and early 1960's; and I have no hesitation in saying that all of the many real and lasting advancements that were made, in that period and since, by negroes as a race, were made by those processes and under the law.

RECENT DEPARTURES FROM THE PEACEABLE-ASSEMBLY-AND-PETITION PROVISIONS

But this has not been their course, or at least not their principal course, during the last three or four years. Instead, from the beginning of that period and continuing to the present, they have, under misguided and often irresponsible leadership, embarked upon another course which I think is disastrous—disastrous to them as well as to the rest of us. This brings me to what I think are the principal contributing causes of the current rash, and rapid spread, of planned, mass law violation and crime in our cities.

THE GREAT MAJORITY OF AMERICAN NEGROES ARE LAW-ABIDING CITIZENS OF GOOD SENSE

Before dealing more specifically with those causes, I want plainly to say that I have good reason to be sure that a large majority of American negroes are law-abiding citizens of good sense and do not subscribe to, and will have no truck with, the preachments of some self-appointed negro leaders that have exhorted and incited negroes to violate our laws. They know that those actions damage the image of all negroes and aggravate their problems. Instead of criticism, I have great sympathy for them. My criticisms are of those misguided and irresponsible self-appointed negro leaders who have exhorted and incited others to violate our laws, and of the relatively small percentage of our negroes—usually the poorest and least educated ones—who have fallen under the spell of those leaders and have been carrying out their exhortations.

THE ROOT CAUSES OF THE CURRENT RASH, AND RAPID SPREAD, OF OUR LAWLESSNESS AND VIOLENCE

A great and growing amount of clear and undisputable evidence has made it plain that the principal contributing causes of the current rash, and rapid spread, of planned, mass violation of our laws are:

1. The fact that some self-appointed negro leaders who, while professing a philosophy of non-violence, actually tell the large groups of poor and uneducated negroes, whom they have assembled from far and wide, and have harangued, aroused and inflamed to a high pitch of tensions, that they should go forth and "force" the whites to grant them their "rights", and, in doing so they should violate the laws that stand in their way because they are "bad" laws—which is plainly to tell them to take the laws into their own hands and to judge for themselves, as they proceed, which of them they will obey and which of them they will violate. In that angry mood, and with that advice, they do go forth for those purposes as a group (some say as a mob)—often into the most hostile sectors, as if looking for trouble—and frequently so block the walks, streets, parks and highways as to preclude their intended public uses; and, as natural consequences of their mass psychology, mood, purposes and actions, they disturb the public peace and commit trespasses and, when those violations of our laws are resisted, even by the police, open riots usually break out and result in commission by them of crimes of moral turpitude runinng the gamut from assaults, through the bombing and burning of buildings and the looting of stores, to mayhem and even murder.

As we have all either witnessed or read in numerous published accounts, these have been the recent preachments and practices, and the results of the preachments and practices, of the leaders of the following groups:

(a) Southern Christian Leadership Conference. Note the "Christian" character of its name. Its leader, Dr. King, though professing a philosophy of non-violence, continues to tell his followers to violate the "bad" laws even after he has seen, and must know, that that advice has led his followers to commit crimes of the gravest moral turpitude. It is said, in the July 25, 1966, issue of U.S. News & World Report, respecting the violent and prolonged riots in Chicago last June, that Dr. King blamed those riots upon the "failure of the city officials . . . to meet his demands on behalf of . . . Chicago negroes". As reported, those demands were for "the immediate elimination of the city's slums". That demand obviously sought no revision of our laws and, moreover, was patently impossible to meet. The article says that the Superintendent of the Chicago Police blamed King for those riots and said of him—what a long history seems pretty clearly to confirm—that "wherever he goes and preaches non-violence, violence erupts". Violence, as said by Mr. Justice Black in the case of *Bell* v. *Maryland, supra,* is the natural consequence of illegal force, and I can see no fallacy in the ancient and honored legal maxim that "All men are presumed to intend the natural consequences of their acts".

(b) Student Non-Violent Coordinating Committee. Do not be misled by the "non-violent" character of its name. Its leader, one Stokely Carmichael, a native of Trinidad, has been going about the country assembling and haranguing groups of negroes to commit violence, "to [bring the whites to] their knees whenever they mess with us", to tell the whites to "move on over, or we'll move on over you", "to tear down the Courthouses", and, more recently, he has been crying "Black Power", a term he has defined to mean "taking over the power structure"—"to take it in the way Americans took it by the American Revolution". That, you will remember, was by open rebellion designed to overthrow the existing government by force of armed violence. Is that what he is here advocating? Is that also what a good many others, including a number of white self-styled "intellectuals", who have been making similar arguments, are really advocating here? If so, they are guilty of incitement to treason. But Roy Wilkins, of NAACP, is quoted as saying "that ["Black Power"] means anti-white power", that it "has to mean separatism" and would thus undermine the goal of NAACP to bring about "integration." Indicative of his inconsistence and irresponsibility, Carmichael says, "I don't see why 'black power' should imply the use of violence", yet he adds: "The President can talk to me about nonviolence when he is ready to talk nonviolence with the Viet-Cong".

(c) Congress of Racial Equality. At its convention last summer, its leader, Floyd B. McKissick, openly "endorsed 'black power' [and] refused to rule out violence".

(d) Revolutionary Action Movement. This organization is reported, in the July 18, 1966, issue of U.S. News & World Report, to be "committed to revolution against whites". The article says that it "operates secretly [in] a few big cities including New York, Detroit and Philadelphia [and teaches its members the] techniques of sabotage and guerrilla warfare". The article further says that its "chairman in exile" is Robert Franklin Williams, "who, while under indictment on a charge of kidnapping a white couple in North Carolina, found asylum in Castro's Cuba".

(e) Deacons for Defense. The article last referred to says that this is "an organization of armed negro vigilantes . . . operating in the south [and that it] provided [the] armed guard for [the] 'freedom march' on Jackson, Mississippi, in June", and

(f) Black Muslims. Its leader, Elijah Muhammad, "preaches that white men are 'a race of devils' ". Ibid.

I must not overlook pointing out that the Chairman of the New York City commission on human rights, Mr. William Booth, a city official, is reported, in the article last mentioned, to have said in a public address: ". . . *if the people aren't getting what they need they should go out and take it*". I must admit that I could hardly believe my eyes when I read that statement. Here is a statement by a public official of the great and enlightened city of New York actually advocating return to the law of the jungle.

These are the principal preachments, policies and practices that brought mass, planned lawlessness, violence and riots to 34 of our major cities in 1966, and resulted in countless grave crimes of moral turpitude and left us on the brink of anarchy.

THE PERPETRATORS HAVE NOT BEEN PUNISHED, BUT, INSTEAD, HAVE BEEN APPEASED, AND NATURALLY THE PROCESS SPREAD RAPIDLY AND WIDELY

2. Neither the agitators of that lawlessness nor the perpetrators of those crimes have really or generally been prosecuted or punished for them, though our laws have been ample for those purposes. Instead, our people have, in most instances, been compelled to buckle under to them and to appease and reward them. Naturally, those circumstances gave reason to believe that, at last, crime was being permitted to pay; and, thus openly tolerated, the process spread rapidly and widely until now it has permeated nearly every major city in the nation.

Other characters, usually white, for questionable reasons of their own, seeing that crimes of racial and "civil rights" tones were thus being generally appeased rather than punished, quickly seized upon those processes and introduced them upon the campuses of one after another of our great universities until, within just a few months, similar law violations, riots and crimes were common in or surrounding most of them. A fair example of what is happening on many of our great university campuses has been related by the California State Superintendent of Public Instruction, who, in commenting upon conditions at Berkeley, said:

"Demonstrations there provided a vehicle for infiltration by red-hots, radicals and communists and resulted in assaults, kidnappings, and imprisonment of police officers, the commandeering of public address systems and their use in spewing over the campus the most filthy four-letter words, and in the general breakdown of law and order."

These lawless processes also quickly spread to many other facets of our society. They have even spread to, and are now being used against, our military efforts—even in the present time of war—to defeat conscription, to impede the movement of troops and their needed supplies, and generally to lend aid and comfort to the enemy. They are also now being used in attempts to intimidate the Congress, and even the courts. There is no facet of our economy that has not experienced, or that is not vulnerable to, the ravages of this mass, planned lawlessness.

Many whites, including some in high places, have encouraged these "demonstrations."

3. Indeed, these racial "demonstrations" have often been applauded by many whites, including some very high and influential federal officials. Some of this encouragement of "demonstrations" occurred before their results had developed or could clearly be foreseen, but many such encouragements occurred after their results had developed and were fully known.

In 1963 and 1964, many people including ministers of the gospel and other church leaders, of the North, believing that negroes were being deprived of their constitutional and legal rights and were being unjustly discriminated against in the South, encouraged southern negroes to protest against those evils by conducting "demonstrations" in the streets. They supported those "demonstrations" vocally, by contributing money, and many of them participated physically. They urged vigorous action, which soon came as we have seen. Even though they did not foresee or contemplate the results, and surely didn't wish them, they did encourage and help to put those processes into action and cannot now escape a measure of responsibility for their results.

I turn now to the encouragements of modern "demonstrations" that have been given by high and influential federal officers. It is important to note their timing. In 1964, our Secretary of State said in a public address: "If I were a negro, I too would demonstrate". On June 18, 1966, our Vice President said in a public speech at New Orleans that if he had to live in the slums ". . . you'd have more trouble than you have had already, because I've got enough spark left in me to lead a mighty good revolt under those conditions". On August 3, 1965, our President himself, in addressing a group of "demonstrators" at the White House, used these words:

"I am proud this morning to salute you as fellow revolutionaries. Neither you nor I are willing to accept the tyranny of poverty, nor the dictatorship of ignorance, nor the despotism of ill health, nor the oppression of bias and prejudice and bigotry. We want change. We want progress . . . .—and we aim to get it . . . I hope that you . . . will go out into the hinterland and rouse the masses and blow the bugles and tell them that the hour has arrived and their day is here; that we are on the march against the ancient enemies and we are going to be successful."

I believe that reasonable minds cannot doubt that, even though not so consciously intended, the appeasements mentioned in numbered paragraph 2, and the encouragements described in numbered paragraph 3, were the factors that contributed most heavily to the spread of the conduct described in paragraph 1 into its present scope and alarming state.

THE SHARP INCREASE IN INDIVIDUAL CRIMES

4. There has now developed a most important consequential or built-in condition that is heavily contributing to a sudden rash of crime of a different character—crime that is not planned or mass executed—namely the precipitous increase in isolated and episodic muggings, robberies and rapes on the streets and in the parks of many of our northern cities, which have made these streets and parks unsafe for use by the people. Some whites of the North unwittingly contributed to the conditions that have fostered those crimes and cannot escape a measure of responsibility for them.

A first fostering factor was that the northern whites, described generally, as a class, in the second paragraph of numbered paragraph 3, in their endeavors to help negroes overcome oppressions in the South, impliedly told the southern negroes, and many told them expressly, that they should migrate to the North where negroes are much better received and treated, are more readily employed and better paid, and where they would not be affected by southerners' oppressions. Harkening to this advice, many millions of the poorest, most restless, least educated and least skilled of the southern negroes soon did just that. Day after day they poured by the thousands into the great cities of the East, the Midwest and the far West, and inevitably, into the old, poorly maintained, decaying and already filled negro sectors of those cities, greatly overcrowding and overburdening the existing decrepit accommodations and facilities, and also glutting the market for unskilled labor there.

One is enabled better to understand the effects upon them of their new environment by comparing it with the familiar one they had left in the South.

In the South, they, for the most part, had lived in rural or semi-rural areas, in rented houses, of poor quality by our standards, surrounded by a few acres of land, for which they paid small rents, and upon that land they produced vegetables, tubers and pork ample to their needs. With their trusted shotgun, dog and fishing pole they could, and often did, augment their provisions with plentiful game, fowl and fish from the nearby fields, forests and streams, and hence, without cash, they could always have plenty of substantial and nourishing food. With their trusted axe, they were able to get from nearby forests ample firewood, for the chopping, to heat their homes. Their small needs for cash were primarily supplied by tending a small "patch" of cotton, "on the shares", on the rented acres mentioned, and any further need of cash was supplemented, as needed, by episodically "working out". They did not live well by our standards, but they were nearly always filled and warm, were highly free and independent, enjoyed much leisure and generally were a happy lot.

But in their new, strange and very different environment in the big northern cities, they found, in addition to cramped and decaying quarters, none of the natural means of providing for themselves upon which they had so heavily depended in the South. Instead, they found that their every need—even for water—required cash. They didn't have cash, and, being without education or skills, and having glutted the unskilled labor market there, they had great difficulty in getting jobs to earn cash, and, if and when they did get jobs, they were not able to earn enough cash to enable them to live, under big city prices and conditions, nearly so well as they had lived in the South. They thus soon came to see that the promises of a better life in the big northern cities were not true, and to regard those promises as a hoax. Many of them soon came to believe that all of their troubles were and are due to actions of the whites to deprive them of the "rights"—always unspecified—including "equality" which to them seems to mean wealth and possessions equal to those not of the poor whites but of the prosperous ones. And so, in frustration and anger, many of them—adopting or following the William Booth philosophy referred to—went out, and are still going out, into the streets and parks to "take what they need".

It was to these conditions that J. Edgar Hoover referred when, in 1965, he wrote: "I think the citizens of this country ought to be able to walk all the streets of our cities without being mugged, raped or robbed". "But", he continued, "we can't do that today". And he added: "All through the country, almost without exception, this condition prevails". Who, in the light of his own recent experiences, and readings, can disagree? These disgraceful conditions are terrifying to the people, very damaging to the negro image, and simply have to be stopped.

The problems presented by these migrant masses of poor, uneducated and unskilled southern negroes compressing themselves into what had been called—and surely are now—the ghettos of our large northern cities are, indeed, astronomical problems, and no one seems to know exactly how, or where to get the vast sums of money needed, to remedy them. But the problem is recognized, solutions are earnestly being sought and, if we can have a cooperative and lawful order, will be found. But because of the vast and complex nature of the problem, any solution will necessarily take a good deal of time, and meanwhile we cannot allow any of our people, including the frustrated ones in those ghettos, to continue mugging, raping and robbing citizens in the streets and parks. That conduct cannot be tolerated. It has to be stopped.

THE DIRECT AND COLLATERAL EFFECTS

The principal direct effects of planned, mass violations of our laws have, I think, been sufficiently stated in numbered paragraphs 1 and 4. But there are collateral effects that deserve mention.

A first one is that they, and our tolerations of them, have created a general disrespect for, and disregard of, all law and of all constituted authority. History shows that crime feeds on crime, and that toleration of lawlessness erodes and destroys the society's moral standards, and results in ever more lawlessness and more ruthless crimes of all natures. That, I think, is happening here.

A second one—and it is a great pity—is that minority groups, in preaching and practicing defiance of the law, are, in fact, advocating erosion and destruction of the only structure that can assure to them, or permanently maintain for them, due process of law and the equal protection of the laws, and that can, thus, protect them from discriminations and abuses by majorities.

REMEDIES

As remedies, I believe and submit:

1. The first need of our poor, particularly of the minority races, is education. We must do all we can, and as promptly as we can, to assure that all of our youngsters, particularly the poor, and most particularly the negro poor, can and do get at least enough good practical education in the fundamentals to enable them to enter and go through good vocational or training schools where they may learn the skills of a trade that will enable them to compete in our society and to earn a decent living for themselves and their families. This would—as no other means possibly can—create personal dignity and respect in these people, and would, I believe, turn at least the responsible ones away from the temptations of crime.

Through, at least, the last decade all of us have been so involved—often passionately—with integration of the public schools that we have really lost sight of the real purposes of schooling. Those purposes are, or ought to be, to educate. To me, it is fallacious to say that a black child can be educated only if and when a white child sits by his side. Actually, such "integration", involving "bussing" to distant and unfamiliar schools and surroundings, often under parentally hostile conditions, is damaging, rather than conducive, to real education. The need is for more and better neighborhood schools and teachers and for better attendance and attention, and for less emphasis on integration of the schools.

2. We must do all we can, as fast as we can, to eliminate the ghettos, and, meanwhile, to help the poor, uneducated and unskilled to get out of the big cities and to get back to, and to disperse in, rural areas and small towns and cities of the country, for it can hardly be denied that big cities are the worst places imaginable in which for poor, uneducated and unskilled people to try to live and work.

3. We must stop encouraging "demonstrations" of the recent kind that are conducted for the purpose of "forcing," outside the legislature, the law and the courts, the grant to those demonstrators of what they call their "rights"—which are almost never specified in concrete or meaningful terms—for we now plainly see that such conduct leads to and results in lawlessness, riots and heinous crimes in the streets.

4. We must quit tolerating, appeasing and encouraging and promptly stop, with the full force of our laws, all public preachments that urge men to violate our laws, including what those advocates call the "bad laws"—which simply means to set them free to violate the laws they do not like, and to be their own judge of what ones they will obey and what ones they will violate.

5. We must vigorously protect for all citizens every right, privilege and liberty granted by the Constitution and laws of our land, so long as they are our Constitution and laws, and, in doing this, we must promptly and equally vigorously crack down on and prosecute, to the full extent of our laws, and adequately punish, all persons whose willful conduct violates our criminal laws. We should know, from history and experience, that in no other way can we re-establish respect for law, restore order or maintain a civilized and decent society.

Our people must take our laws into their hearts rather than into their respective hands, and seek redress in the legislatures and the courts rather than in the streets.

All discriminations that violate the Constitution and laws of the United States are readily redressable in our courts, which have always been open to all citizens. And no one has any room to doubt that, if he will resort to those courts, and have the patience to await their processes—as we all must do in an ordered society—all his constitutional and legal rights will be vouchsafed to him, whatever his creed or color.

Our governments, State and Federal, simply must reassume and discharge, with old-time vigor and forthrightness, their obligation to enforce our laws and thus again make our streets and parks safe and useable by our citizens, and without mortal fear of being mugged, raped or robbed. As said in an excellent article that appeared in the April 10, 1965, issue of "America":

> "[Government] has no right to turn the cheek of its citizens. Instead, it is gravely obligated—by the very purpose of its existence—to see to their protection.
>
> "Sure and swift punishment [is our only way] to guarantee that protection. . . . We stand in need of sure, swift, tough punishment if we expect to decrease the crime rate, and to protect the great mass of our upright citizens."

This, I believe.

I believe all of this, and hope you will agree. But if, as is your privilege, you disagree with any of my statements or conclusions, I hope you will do me the honor of telling us, with equal detachment and responsibility, what one or ones of them you believe to be wrong and precisely why.

CODE OF ETHICS AND RIGHTS

Mr. HAWKINS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HAWKINS. Mr. Speaker, I have today introduced a bill to establish a code of ethics and rights which I offer for the consideration of my colleagues.

The purpose of establishing a code of ethics and rights for the House of Representatives is to clearly set forth general principles by which a Member may guide his conduct and against which a Member's conduct may be measured by his constituents, by his peers in the House, and by the country at large.

Although the language of the code itself is mandatory, the enacting sentence of the resolution is directory. In short, the code attempts to set forth standards which a Member is expected to meet. The establishment of standards makes it clear to a Member the conduct for which he may be called to answer. Conversely the listing of rights secures freedom of action for the Member in important areas of activity and concern.

No attempt is made to prescribe in

what manner or through what body the House may proceed to enforce the code. This attempt was not made for several reasons. First, the House has numerous precedents that respectively imply widely different procedures. Second, the House, by virtue of the Constitution, possesses at least three sources of disciplinary power. The House judges "the elections, returns, and qualifications of its own Members"—article I, section 5, clause 1—may "punish its Members for disorderly behavior"—article I, section 5, clause 2—and may "with the concurrence of two-thirds expel a Member"—article I, section 5, clause 2. In essence then, it would seem better not to interfere with the House's freedom to employ the most suitable procedure in a particular instance.

Finally, the need for a defined code seems to be far more urgent than that of working out a set procedure—a task which may prove difficult if not impossible of achievement.

Neither the listings of ethics nor rights is intended to be exhaustive. Others may be added. Yet it is felt that those problem areas dealt with in the draft code are those of most serious concern to the public and the membership of the House.

ANALYSIS

Ethics: Paragraph 1 is a simple provision prohibiting nepotism either directly on the Congressman's staff, and the staff of any committee or subcommittee of which he is chairman, or employment of a relative as a direct result of pressure from the Member. The phrase "close relative" is used to include children, spouse, parents, parents-in-law, aunts, uncles, grandparents, and first cousins.

Paragraph 2 forbids the Member from deriving financial benefit in any way from his position of influence over particular matters. In other words, contributions to a Member given either before or after his exercise or nonexercise of influence upon a particular matter are prohibited whether or not the contributions are specifically indicated as a quid pro quo. Of course, this does not prohibit general contributions to a Member by a person who generally supports the positions and activities taken by the Member. It should be noted that existing conflict of interest legislation—chapter II of title 18 of the United States Code—first, does not apply to gifts received after the exercise of influence—unless a prior agreement existed; second, requires a specific intent to influence a particular act; third, requires that the act be done "corruptly," and fourth, requires that a rather close relationship exists between the gifts and the act of influence. On the other hand, ethic 2 specifically deals with results, covers gifts before or after the act of influence, and is not circumscribed by requirements of specific intent and corrupt motive.

Ethic 3 is self-explanatory. No Member shall use his franking privilege for purposes other than official business properly related either to the conduct of his office or to his service as a Member.

Ethic 4 prohibits use of properties, facilities, or items of value belonging to, or otherwise in the service of, the United States for private purposes. The intent of this language is to prohibit such things as the use of airplanes, cars, telephone lines, buildings, eating facilities, and other such items as might be privately utilized by Members of the House. However, Members are, of course, entitled first, to equal rights with the public, whatever they may be, and second, to the use of the facilities belonging to the House.

Ethic 5 is similar to ethic 4 but differs in that ethic 5 prohibits the Government from picking up the tab for the Member's use of private travel, communications, subsistence, or other facilities that are not properly related to the Member's duties.

Ethic 6 states, in effect, that it is a Member's duty to keep himself physically alert while performing his duty. His duty includes both his responsibilities to his constituents and to his colleagues. Specifically, excessive use of intoxicants is forbidden.

Ethic 7 calls for the annual reporting of all of the Member's income—defined to include gross income plus all the moneys paid to others in his behalf. All sums over or aggregating more than $100, from a singular donor, are to be separately listed by donor's name. Reporting forms are to be prepared by the Clerk, sent to each Member, and printed in the CONGRESSIONAL RECORD of May 1 of each year. All contributions under $100 are to be grouped in categories of donors—for example: "April 1, 1967, fundraising party at 1011 Main Street, Washington, N.Y., home of Mr. and Mrs. Sam Smith."

Ethic 8 reiterates the obligation of Members to abide by the criminal provisions of the Federal corrupt elections practices laws. Chapter 29 of title 18 of the United States Code. Moreover, the Member is also required to comply with the laws of his State dealing with excessive total campaign expenditures.

Ethic 9 requires little explanation. It essentially declares that all Members are expected to make a practice of putting in a full work week's attendance on the public's business and in particular to eschew participation in such activities as the "Tuesday to Thursday Club."

Ethic 10 in broad language deals with the somewhat gray area beyond that directly covered by ethic 2; private financial dealings of the Member, a relative, or an associate which touch directly upon governmental—Federal, State, or local—financial transactions. In keeping with the recognition that these relationships are not necessarily unethical and indeed might be correct and beneficial to everyone, including the public, such financial relationships are not prohibited. On the other hand, this gray area can—and perhaps does—cover many activities which have the same net result as those specifically prohibited by ethic 2; therefore, all transactions in this gray area are required to be reported under the procedure set forth in ethic 7. A specific example of a transaction coming within this ethic would be the retaining of a Member's law firm to represent a municipality or other entity of local government in negotiating a contract with a Federal agency.

Rights: Right 1 is a somewhat expanded statement of the principle behind the language in article 1, section 6 of the Constitution stating that—

> For any Speech or Debate in either House, they [the Senators and Representatives] shall not be questioned in any other place.

Clearly the constitutional language does not contain explicit wording protecting a Member from being brought to task for his political views; yet this security is the clearly implied corollary of the constitutional provision. In other words, the ethic is written to prevent disciplinary action being taken against a Member for holding, expressing, or voting views that other Members may feel to be supportive of political or religious differences. Moreover, as the Supreme Court has recently pointed out in the Bond case (*Julian Bond* v. *"Sloppy" Floyd*, decided October term, 1966), the first amendment's protection of citizens' free speech certainly applies to the Members of the National Legislature—as well as to State legislators, as was the case in Bond. The speech exception allows for the free operation of the precedents in Jefferson's manual and the House rules dealing with such matters as proper address, impugning of motives, nonreference to personalities, and appropriate speech in regard to the Senate or Senators.

Right 2 establishes that the personal morality of a Member is basically a matter that his constituents pass upon and not the House, unless the morality of a Member becomes such as to actually affect the order, dignity, or decorum of the House itself. Neither the fact that other Members did not approve of a Member's conduct, his moral views, or moral code, nor the fact that Members object to having one or more colleagues whose moral views and conduct provide a somewhat wider diversity than is the present public concept of the National Legislature, are valid grounds for any action against such a Member. Indeed, this approach was essentially that of the Constitution: Qualifications for Members of the House were specifically set by article 1, section 2, clause 2:

> No person shall be a Representative who shall not have attained to the Age of twenty-five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

Madison and other members of the Constitutional Convention stated emphatically first, that the specified three qualifications were to be the only one; second, that the reason for this was that disagreement with the political or moral views of a Member by his colleagues should not entitle them to refuse to accept that Member into the House, and third, that such a power would be a dangerous one. They also decisively defeated attempts in the Constitutional Convention either to allow the Congress to add additional qualifications or to directly specify such qualifications—for example, property ownership.

Right 3 in effect specifies that the fifth amendment's guarantee of procedural due process of law shall obtain in any process or action taken against a Member by any committee or other agent of the House.

Right 4 states that—provided first such activity is consistent with the Member's duty to his constituents and to his colleagues—the Member retains the right to continue to pursue his usual business, trade, or profession. It should be noted that this, too, is in keeping with the concept of a national legislature composed of men of viable roots in the economic as well as the social soil of their nation.

THE CENTRAL INTELLIGENCE AGENCY AND ITS PROGRAM OF SUBSIDIZING STUDENT ORGANIZATIONS

Mr. HAYS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HAYS. Mr. Speaker, the country is shocked and deeply disturbed by the recent disclosure that the Central Intelligence Agency has been subsidizing student organizations. We have every reason to be disturbed. These covert relationships corrode the very foundation of a free society. I commend the President for directing his administration to find ways of insuring that these secret relationships between the Central Intelligence Agency and the academic world are broken, and stay broken.

Mr. Katzenbach, the Under Secretary of State, has told the press that the President has directed the State Department to explore ways by which U.S. student organizations will be able to play an active role in international student activities without resorting to subsidies from the Central Intelligence Agency. I would like to remind Mr. Katzenbach and my colleagues that the Department of State needs no additional authority to provide open, untainted aid to students, scholars, or scientists wishing to attend international conferences. The Mutual Educational and Cultural Exchange Act of 1961—the so-called Fulbright-Hays Act provides full authority for open Government support for U.S. representation at international, nongovernmental, educational, and scientific meetings.

With this authority for funds available, why is it necessary for academic groups to accept money from the Central Intelligence Agency? One answer is that the funds appropriated are woefully inadequate. This could be remedied if the administration would press for increased funding for support of U.S. representation at international meetings, and the Congress would meet its responsibility by providing the funds.

Until the public disclosure of the Central Intelligence Agency's activities in subsidizing student organizations, and arrangements known to both the State Department and the White House, responsible officials were seemingly content to allow this contemptible covert relationship to continue. As long as the public was unaware of these covert subsidies, it was easier to "let CIA do it" than fighting for open appropriations. The tragedy is that the "easy way" has been as corrupting to the integrity of American education as it has been unnecessary.

Mr. Speaker, when turmoil over this disturbing incident over the Central Intelligence Agency's relationship to the National Students Association has died down, let us all examine our legislative consciences. Have we perhaps inadvertently contributed to the problem by failing to provide the means to fund these student organizations for travel to international conferences? I am simply suggesting breaking the relationship between the Central Intelligence Agency and the academic world is not enough. We must also see to it that alternate, and open, funds are available to ensure that U.S. academic and scientific organizations have adequate means to participate in international meetings. The legislative authority is there to provide the means. What is required is for the executive to make a vigorous case for substantially larger appropriations, and the Congress to grant the funds.

BALANCED VIEW URGED ON RECENT DISCLOSURES CONCERNING THE CIA

Mr. RIVERS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. RIVERS. Mr. Speaker, in its lead Sunday editorial, one of the local newspapers provides the valuable service of urging a balanced view on the recent disclosures concerning the CIA. I urge my colleagues to read this editorial.

The editorial reminds us that the current flap should not be escalated to the point where we reveal all of CIA's covert operations and destroy the Nation's intelligence organization. It reminds us that the silent battle the CIA has been engaged in is not a tea party and the enemy is not a group of sorority girls. It reminds us that the CIA was the only organization that came forward to do the job that had to be done and that the job, after all, was not done too badly.

I urge my colleagues, in the strongest terms, to consider the points raised in this editorial. The editorial follows:

What Are We Trying To Do to the CIA?

It is just possible, if we all manage to work ourselves into a wild enough lather, that the current flap over the CIA can be escalated to the point where it will destroy the nation's intelligence organization. It almost seems that this is what some of the breast-beaters would like to do.

One day we have a disclosure that a student organization has been receiving covert funds so that young Americans can compete with young Communists at world student meetings. Then, suddenly, nothing will do but that every traceable operation of the CIA must be laid bare to public view, commented upon in tones of pious horror, investigated, sermonized, deplored and punished, until the terrible guilt of it all has been established for all time, for all the world to see.

And what, precisely, are we guilty of? Why, of using our wits and available means to compete in a battle just as real, dirty and deadly serious as any shooting war in which we could engage.

Confronted by adversaries who threw the full power and wealth of the state into the effort to mold and control world opinion, we did not abandon the field to them. Instead, we devoted some public funds to seeing to it that Americans could confront the totalitarians in the intellectual lists abroad, speaking their minds in representing the views of a relatively free society.

It worked, incidentally. A wide variety of Americans, most of whom never knew the source of the funds backing them, proved more than able over the years to hold their own in confrontation with disciplined, professional Communist agents. They prevented the takeover of numerous international organizations and established others which have contributed substantially to the global cause of freedom.

Consider, for example, the experience of Gloria Steinem, as interestingly reported in yesterday's Washington Post. A New York writer, Miss Steinem was director of something called "The Independent Research Service," which took CIA money to send several hundred young Americans to World Youth festivals in Vienna and Helsinki in 1959 and 1962.

Miss Steinem said she worked closely with CIA agents on the program, but that few of the students who took those trips knew that the CIA was picking up the tab.

"I never felt I was being dictated to at all," she said. "I found them (the CIA men with whom she worked) liberal and far-sighted and open to an exchange of ideas. . . . They wanted to do what we wanted to do—present a healthy, diverse view of the United States."

She was backed up by Dennis Shaul, another spokesman for the organization, who said: "We had Minnesota schoolteachers who were further right than Bill Buckley as well as members of Students for a Democratic Society. Nobody told them what to do."

Bear in mind, except for such American participation financed by CIA funds, these festivals were completely dominated by Communists, all financed and controlled by their governments. Yet, says Shaul, "The Helsinki festival was a disaster from their point of view, and I think we can take a good deal of credit for that."

Well now, why not? Is this really something that has to be apologized for? Who is corrupted by such an operation? Who would have paid the Americans' expenses if the CIA hadn't?

"The CIA," says Miss Steinem, "was the only (organization) with enough guts and foresight to see that youth and student affairs were important." And here, the lady puts her finger on an important point.

Of course, it would have been better if this sort of thing could have been done without subterfuge. It is too bad that private funds were not available for these purposes. It would have been healthier, lacking such private sources, for our government to have appropriated openly the necessary monies, through the State Department, U.S. Information Agency or some other "respectable" organization. Even though no such alternative may have been available when these programs were initiated in the early 1950s, it would have been advisable to switch them away from CIA support as soon as that became possible.

No one, moreover, can possibly defend all the details of any one of these operations. No doubt there have been messy procedures which, when exposed, prove embarrassing. There is, one inevitably recalls, a saying about making omelettes and breaking eggs.

> What is beyond comprehension in all this, however, is the monumental naivete involved in the apparent shock reaction to these disclosures on the part of otherwise knowledgeable people. After all, what have the outraged gentlemen supposed was going on all this time on the sprawling acres out at Langley? Of all the endeavors of the CIA, the effort to create outlets abroad for the expression of American opinion must surely rank as one of the milder. This is not, be it noted, a tea party that we have been engaged in. This is a viciously contested undercover war against shrewd, dedicated enemies who happen to be quite unhampered by nice-Nellie scruples. The need to press this fight has all along been recognized by the top leadership of the country. The procedures that suddenly evoke such outraged reactions were not dreamed up privately by the CIA. They were directed from the top, and properly so.
>
> The idea that an organization like the CIA can conduct its operations while restrained by a sort of daisy-chain of clergymen, den mothers and liberal politicians—such a notion is simply absurd. For our part, we hope that the present hysteria will be calmed with a rational inquiry conducted by responsible and realistic men who have some knowledge of the very serious problems involved. We are inclined to suspect that they, and the public, will end up concluding that the world has not, after all, ended—and that, in doing a job which had to be done, our intelligence organization has not done too badly.

CIA'S FUNDING OPERATIONS

Mr. McCARTHY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. McCARTHY. Mr. Speaker, as every James Bond fan knows, the worst sin a secret agent can commit is to "blow his cover." The recent disclosures of the Central Intelligence Agency's funding operations, coming as they do on the heels of previous exposés of heavy handedness and ineptitude, suggest that the CIA has more in common with the Keystone Cops than the well-oiled, secret operations of James Bond or "The Man From UNCLE." Indeed many of the activities of today's CIA operatives remind one more of Maxwell Smart than of James Bond. One can well imagine that the most frequently heard statement is: "Sorry about that, chief."

Mr. Speaker, in a more serious vein I should like to identify myself with the remarks made yesterday by the distinguished chairman of the Senate Foreign Relations Committee, the Senator from Arkansas, Mr. Fulbright.

The Senator argued that the CIA "should be restricted to the gathering of information and not be an operation activity." The Senator also said that what he found most disturbing was the covert nature of the CIA's activities in subsidizing international programs. He called for a special investigation of the CIA's funding operations and criticized the secret subsidization of books by the CIA and the U.S. Information Agency. Senator Fulbright said:

> If it is going to be, it ought to be open and above board, that this is a USIA book or this is a CIA activity. I don't think it would disturb people and in any case we should be able to make up our minds for or against that kind of activity.

And, Mr. Speaker, today's New York Times lead editorial discusses the disturbing implications of the disclosures about the CIA. As the Times says:

> The health of a democratic society depends on the certainty that its free institutions—its press, its educational and scientific bodies, its publishing houses and television networks, its unions and business organizations—are truly free. That does not mean government is barred from underwriting international exchanges or research study; it means that, where such support is appropriate, it must be given openly through its own public agencies.

I include here the full text of the Times editorial:

Subversion by CIA

> The disastrous effects of the systematic penetration of American educational, cultural and labor organizations by the Central Intelligence Agency daily become more apparent. The strength of these organizations, both in the structure of American society and in their relations with their opposite numbers in other nations, always has been their freedom from government domination.
>
> Now, through the deviousness of C.I.A. operations, thousands of scholars, students, unionists and professional leaders discover long after the fact that they have performed unwitting and undesired duty as secret agents.
>
> The integrity of pro-American positions, honestly taken by groups and individuals in the worldwide battle of ideas, has been undermined. The independence of America's private foundations has been brought into question. In short, faith in American institutions has been besmirched in a way that would have eluded the reach of any foreign enemy.
>
> It is no excuse to say that the C.I.A.'s decision to use a limitless range of philanthropic fronts to funnel its funds into youth groups, universities and other private institutions was designed to meet a very real problem of the cold war: the need for assuring that the Communists would not have an unchallenged field in the youth congresses and cultural conferences they were arranging—and subsidizing—on a global basis ten and fifteen years ago. That problem should have been met openly—by direct public subsidy.
>
> It should have been clear long ago to the C.I.A.'s overseers in the White House that the end effect of clandestine subsidies to groups representative of the detachment and diversity of a free society must inevitably taint the genuineness of their detachment. This would be true even without the charges that have now developed of the assignment of C.I.A. operatives to influence the policy statements and choice of officers of the National Student Association—a practice that may have extended to other organizations as well.
>
> The health of a democratic society depends on the certainty that its free institutions—its press, its educational and scientific bodies, its publishing houses and television networks, its unions and business organizations—are truly free. That does not mean government is barred from underwriting international exchanges or research study; it means that, where such support is appropriate, it must be given openly through its own public agencies.
>
> The worst part of the current mess is that the very nature of the C.I.A., with its mandate for espionage and subversion all over the world, rules out any thoroughing public inquiry into its activities. That means some residue of suspicion is sure to remain—both in this country and abroad—no matter how conscientiously the Cabinet Committee appointed last week by President Johnson seeks to formulate policies that will prevent the C.I.A. or any other Federal bureau from imperiling the "integrity and independence" of educational institutions.
>
> When a government finds it necessary to fight subversion everywhere, the tragic danger it opens up is that among the people it subverts are its own. The defense against such weakening of America's institutional fabric must rest with the President and Congress. Even with the recent broadening of Senator Russell's watchdog committee, Congress is not doing its part of that job.

SENATOR ROBERT F. KENNEDY'S ADDRESS AT CHINA CONFERENCE AT THE UNIVERSITY OF CHICAGO

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include a speech by Senator Kennedy of New York, in Chicago.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, by unanimous consent I am extending my remarks to include the full text of the address by Senator Robert F. Kennedy, at the China Conference on February 8, 1967, at the University of Chicago, in the district I am honored and privileged to represent.

In forwarding a copy of Senator Kennedy's remarks to me, Carl W. Larsen, director of public relations at the University of Chicago, writes:

> Senator Kennedy's speech was made at the second cumulative China Conference sponsored by the Center for Policy Study at the University. Some background information will be necessary for you and I have tried to provide this below.
>
> The Center for Policy Study at the University of Chicago was announced in February, 1966 as a forum for the examination of major issues, both foreign and domestic, which affect the nation. The Center has thirty original fellows, chosen from among distinguished faculty members at the University. Its initial project has been a year-long study of mainland China, during which experts on various aspects of China have lectured on campus. Two cumulative China Conferences in late January and early February 1967 brought together eminent authorities on Sinology as well as United States foreign policy. It was in connection with the second of these that Senator Kennedy spoke.
>
> The Director of the Center for Policy Study is Charles U. Daly, Vice-President for Public Affairs at the University of Chicago. Mr. Daly, a graduate of Yale University and Columbia University, was a special assistant to the late President Kennedy, and to President Johnson, before coming to the University. From 1959 to 1960 Mr. Daly was a member of the American Political Science Association Congressional Fellowship program in the office of then-Senator John F. Kennedy and then-Representative Stewart L. Udall.

To Mr. Larsen's sketch of the background of the China Conference, to which Senator Kennedy contributed the address, I might add that among the participants and moving spirit was Dr. Hans Morgenthau, of the University of Chicago faculty and universally recognized as among the most knowledgeable authorities in the Asian field.

Senator KENNEDY emphasized that he was not charging lack of knowledge and insistent policy as regards China to any one administration or any one political party.

Indeed—

He said—

there has been more growth in our awareness and knowledge in the past year than in the past decade.

Senator KENNEDY's address follows:

ADDRESS BY SENATOR ROBERT F. KENNEDY AT THE CHINA CONFERENCE AT THE UNIVERSITY OF CHICAGO

"Finality", said Disraeli, "is not the language of politics". Seldom have we been more forcefully reminded of this fact than by the recent course of Chinese history and our relations with her. And seldom have we been more in need of that reminder—as we begin, after fifteen years, the search for a new China policy.

America is beginning to rediscover China—for all the world as if it were a new, strange planet found by our astronauts. For over fifteen years China has not been a significant factor in American political or intellectual life. Once we fought her armies on the Korean battlefield; twice, in the 1950's, by the testimony of the then Secretary of State, we came to the brink of nuclear war; and for a brief moment, two offshore islands became an issue in a Presidential campaign.

But for the most part, China has been ignored. Partly this is because the main thread of the Cold War was our relationship with the Soviet Union—not only a far more powerful adversary, armed with advanced nuclear weapons, but also the acknowledged leader of the world Communist movement, and hence China's senior partner. Our energies were primarily focused on the security and reconstruction of Europe.

A second reason was the isolation of Communist China—refused admittance to the United Nations, unrecognized by us and many other countries of the world, a China, moreover, which deliberately increased its isolation by eliminating foreign influence and excluding foreigners from her territory.

Now all this has begun to change. Easing relations with the Soviet Union, the Sino-Soviet split, China's own accession to nuclear power, and the war in Viet Nam have forced our attention to the Far East—and to our relations with a nation unlike any other; in its size, its problems, its outlook on the world, and the acerbity of its relations with the United States. It is safe to say that there is no aspect of American foreign policy so important and yet uncertain—no country so seemingly menacing about which we know so little—as China.

EVENTS CHANGE AND WE KNOW TOO LITTLE

I do not intend to review or assess the full range of our China policy. We know too little—and events are too quickly changing what little we know. The excellent book which resulted from the first stages of this conference is already out of date in some respects—for example, it supports a statement about Chinese military doctrine by citing the views of Lo Jui-ching, who in the meantime has been purged and his death by suicide announced, perhaps indeed for the expression of those very views. Nevertheless, some salient points which can and should be made—and it is those I would discuss with you tonight.

The first—and overriding consideration—is that this is a time of unique opportunity. The Great Proletarian Cultural Revolution, whatever else it has done, ensures that China will wish to focus her attention on internal affairs for at least the immediate future. As is apparent from her diplomacy—or lack of it—all over the world, China seems to have little present wish for contact or change in her foreign policy. For us, therefore, this is a chance above all to *think*—to review the past, to analyze the present, to plan for the future course of relations between our nations. This is a chance which rarely comes to scholars or statesmen or nations in this time of constant challenge and swirling change. We could do no better than to begin that assessment now.

We might well begin with an effort to recapture history, to remind ourselves of the past roots of present problems: not to reopen old wounds; not to find in past injustice to China a present justification for Chinese injustice to others; but simply to understand, to make informed judgments in the service of policy. Memories of China have faded during these fifteen years of isolation; and perhaps our understanding was never great. China was the greatest of civilizations before the birth of Christ; yet we of the West, when we first came into extended contact with China in the 19th century, saw only a society of interior technology, whose basic premises and social structure were shaken or destroyed by those first contacts. We did not share, and probably cannot appreciate, the full agony of the century, from 1839 to 1949, which brought to this proudest of peoples only constant war and revolution, humiliation by the western powers and armed invasion by Japan; which brought to every household insecurity and death, flood and famine; which saw every Western system—militarism, republicanism, fascism, democracy—tried, for a few years or a few decades, as an organizing system to rebuild China, only to founder in corruption and inefficiency and weakness.

Out of those long years emerged the China we see today—a China suffering from all the monstrous injustices and corruptions which a Communist system inevitably imposes; a China merging the nationalism and traditions of three millenia with a Western revolutionary ideology, making great sacrifices to achieve the economic development which is the base of power; a nation to which all on its borders—from Japan around a great arc through Southeast Asia and India to the Soviet Union its closest ally—look with uneasy speculation and concern for the future.

SKILL AND DRIVE OF WORLD POWER

This new China has already made strides which few would have predicted when the Nationalist regime collapsed in 1949. Its rate of growth under the first five-year plan was 11 percent, until the serious setbacks of the Great Leap Forward. It demonstrated in Korea that it could at least resist Western offensives with determination. Considerably earlier than predicted, it has acquired a rudimentary nuclear capability, and is moving toward the acquisition of significant missile strength. Whatever the duration or consequences of the present internal struggle, China has shown that its people have the skill and drive which make it a potential world power.

China, however, blends strength and weakness, limitations and possibilities for the future. In examining China, it is necessary not only to know more but to have calm dispassionate public discussion.

Ever since the Korean war, the American public has heard estimates of China's aggressive potential that were often wildly exaggerated. Each new population figure (the total how seems something less than 700 million) seemed a further warning of the danger of Chinese hordes sweeping over the world, or into India, or into the fertile valleys of Southeast Asia.

However, China is, after all, a poor nation, supporting her population only through prodigies of effort and hardship. Her per person annual income of perhaps $85 (the estimates vary from $75 to $90) is one of the lowest in the world, lower even than India's; her national budget of about $17 billion is about the same as that of France, which has one-fourteenth of China's population, and a far more productive private sector.

China's menacing nuclear capability will increase, probably repidly, but she remains without the transport and supply capability, the air or naval forces, to engage readily in prolonged aggressive conquest. Once the Soviet union supplied many of these needs, as in Korea, but that day is gone. And even this land army is far smaller, in comparison to China's population, than is our own, and in fact is little larger than ours in numbers. We both have total armed forces of about three million, and our fire power is incomparably greater.

If our common understanding of Chinese capabilities has been exaggerated, so has our common understanding of her potential as a source of revolution elsewhere. China's revolutionary experience is unique; and it is clear also that the revolutionary credo which accompanied it is not readily transferable to other nations. In Cuba, in Indonesia, in Algeria, in Africa, men have made clear that they would design and control their own national revolutions. There are sometimes attempts to portray Viet Nam as a Chinese-inspired conflict and China is assisting the North Vietnamese. But Viet Nam's Communism is basically a native growth, with its own revolutionary tradition and dynamism. There is always a potential danger to which we must be alert, but as of now not one example, anywhere in the world, of Chinese-inspired or directed revolution which has had any lasting success; only the Malayan revolt had even the most minimal success, before being crushed, and that was carried out by ethnic Chinese, not Malayans.

FAILS AS EXPORTER OF REVOLUTION

The record of Chinese effort to export revolution has been one of constant and dramatic failure. It is perhaps natural that China, a nation whose principal word for foreigners is the approximate equivalent of "barbarians" should have a foreign Minister capable of publicity calling for armed revolution in the presence of the African Head of State who was his host at the time.

All this is not to say that China is helpless—a "paper tiger" as her leaders once called the United States—or that China can be ignored as a force in the world. China's millions, now and in the future, can be expected to exert considerable power in Asia and to make efforts elsewhere.

China's revolution can still serve as an example and encouragement to others. She can as she has in the past and as she will in the future actively and dangerously assist others in so-called wars of national liberation. Nor can we ignore the possibility that Chinas efforts to assist and even dominate Communist movements in other countries may ultimately meet with occasional triumphs—though our expectations should be tempered by the knowledge that in North Korea, where China left almost a million dead, her troops were withdrawn and the North Koreans have strongly declared their independence if not their hostility.

Thus, we will ignore China, or think of her as weak, only at great danger to ourselves. But we will never have a sound policy, if we assess Chinese power in anything but realistic terms. And we should not, in order to arouse others to a real threat, exaggerate that threat to a point where our statements are simply not credible to those we wish to influence.

Mutual misunderstanding and ignorance have often led us to wrongly estimate the danger of China, and has often distorted the Chinese view of our attitudes and intentions.

Because we did not understand the deep Chinese roots of Chinese Communism, we underestimated and ignored, for several years, the fact and significance of the Sino-Soviet split.

Because we forget so easily the last century of history, some of us underestimate Chinese hostility to the West, or fail to understand that in their eyes we stand as the inheritors of the Japanese—even as the physical inheritors of their bases.

But even this misunderstanding, the miscalculations and ignorance, are not the most serious consequence of these past years. What is most troublesome is not what we do not know about China; it is what we do not know about ourselves—about our own goals, our own policies, our own conception of our national interest in Asia.

For more than twenty years we have been the strongest power in Asia. Our aid and our armed forces, bases, and the flow of commerce give us greater influence in Asia than any other nation. And across the vast sweep of that continent in which we are so deeply involved China looms more importantly and dangerously than any other; indeed, it was the fact of Chinese Communist power which led us, through treaty and the movement of forces to assume, over the last decade, the position we hold today. Yet, for many years we have disposed our forces, made commitments, and conducted our enterprises, virtually without conscious policy and direction, unaware of what we seek and the price we are prepared to pay.

ATTITUDE FOUNDED UPON FEAR

We have striven to isolate China from the world and treated it with unremitting hostility. That, however, is not a policy. It is an attitude founded upon fear and passion and wishful hopes. In Korea, the Formosa Straits, and India we responded to immediate situations of danger; those actions were necessary, but they were designed to protect the present rather than to prepare for the future.

I want to make it clear that these responses, these actions, this lack of knowledge and consistent policy are not the failures of any one Administration or any one political party. Indeed, there has been more growth in our awareness and knowledge of the problem in the past year than in the past decade. But there are still needs.

The first need is a policy. And the time to at least begin to develop one is now. Political passions have dimmed, understanding and concern are rising as you are demonstrating in such an important way. The Cold War in the West is calmed, allowing us to divert some energy and thought to this part of the world. Most importantly, as danger grows and the war in Viet Nam unveils the tragic possibility of recurring and draining conflict, necessity—the midwife of foreign policy—crowds in upon us.

We shall grope on our way toward a new China policy: limited knowledge, present uncertainty, and the random obscurity of the future require us to be at least that realistic. Such a policy will emerge, not as a sudden revelation, but slowly out of discussion and danger, from shifting events and painful battles. It will not, however, come of itself.

We must make active efforts to think and plan, learn, decide, and act. This process is now beginning; and your conference is part of it.

I would not, therefore, pretend to detail a China and Asia policy. But we can discuss what a policy is, and begin to glimpse some general direction for the policy that must come. At the outset let us say what a policy is not.

WHAT IS RHETORIC AND NOT A POLICY?

First, a position which pleases us without a reasonable chance of acceptance or accomplishment is not a policy. Thus the liberation of the Mainland by the Nationalist Chinese, was at best empty rhetoric and at worst a dangerous illusion.

Second, faith in the ultimate goodness of human nature or the ameliorating impact of progress is not a policy. We cannot await with confidence the day when material wealth and a better understanding of economic reality will "bring China (or a new generation of Chinese leaders) to their senses". The history of our time gives ample proof that advanced, cultured and self-confident nations are fully capable of dark disorder, violence, and aggression. It was not Stalin, but Khrushchev who, in the 40th year of the Russian revolution, crushed Hungary, and seven years later came to the brink of nuclear war in his Cuban adventure. It was a Germany "advanced" far beyond the distant goals of China which half destroyed a continent and slaughtered millions. Moreover, nuclear weapons today can give a country a capacity to destroy far greater than its real power or wealth. And that fact, by itself, will undoubtedly influence Chinese leaders in a dangerous although still unpredictable way. Certainly, for instance, the conflict in Viet Nam would be quite different if China had the capacity to destroy Chicago or New York with nuclear missiles. China may or may not become less aggressive and dangerous as it progresses—as the Soviet Union may, as Germany or Japan may, as we ourselves may. It is praiseworthy to hope and work for Chinese moderation; but to look upon moderation as the certain fruit of time, and act accordingly, is to tempt fatal danger.

Third, the desire for reconciliation or the hope of friendship is not a policy. Hostility springs from the clash of interests and ambitions, and their resolution or compromise is at the heart of accommodation. This mutual acceptance of legitimate claims and interests must precede reconciliation. Thus policy is the determination of terms on which reconciliation can and will be carried out.

Fourth, faith in the certainty of our historical judgment is not a policy. We cannot act as if we know China will certainly try to expand by force or that it will never try. We cannot assume that Communist expansion in Asia would inevitably be swallowed up by the nationalisms of Asian states; nor should we assume that all revolutions will be captured by communists, or that all who call themselves communists will come under the dominion and control of Peking. Rather, we must prepare for all contingencies which threaten the clear national interests of the United States.

A policy is none of these; just as it is not fear or hostility or wish. Policy is the establishment of goals and of a course of action rationally calculated to achieve those goals. It must be ready to yield to the overriding logic of events, yet striving to shape circumstances rather than belatedly reacting to them. We do not have such a policy toward China. We have acted often, and these actions are supported by reasons of varying wisdom and persuasion. Yet rarely have our stated reasons and goals been pursued with the consistency and sustained application which would raise them to the dignity of policy. Thus they have often become justifications for particular acts rather than expressions of consistent national purpose.

It has been suggested, for example, that we are pursuing strategic interests in Asia; denying the control of other land and resources to Asian communism. Yet less than two years ago we were quite prepared to accept the spread of Communism to Indonesia—a nation of one-hundred million people, incomparably rich in resources, standing over the critical Straits of Malacca and flanking the Philippines. Of course, we want to prevent the expansion, the acquisition of vast new resources, by powers deeply hostile to the United States. That statement, however, is only the beginning of thought. How do we discriminate between Chinese expansion and autonomous revolt? Where and under what circumstances can we bring our power effectively to bear? Where and under what circumstances should we limit ourselves to helping others, without hazarding large-scale combat or major wars? These are not easy questions to answer. But until we at least begin to discuss and debate them we will be unable to develop any kind of long range planning, let alone policy. And let me add that even then the application of that policy in any given situation may be painfully difficult.

More corrupting, if less dangerous, is the self-righteous assertion of sweeping moral principles as a substitute for policy, though we are willing to ignore those principles when our conception of national interest demands it. We proclaim our intention to assure self determination, with American lives if necessary. Yet we support and defend a Formosa whose indigenous people have no voice in Government. We do not even raise our voice in protest against this most flagrant and outrageous situation. We are told that "nations must learn to leave their neighbors alone." Yet we do not always leave our neighbors in this hemisphere alone. Nor can we righteously announce that "we seek only freedom and human decency throughout the world", when we have supported, for what we felt was good cause, repressive and corrupt governments in every continent.

ENUNCIATION NO SUBSTITUTE FOR POLICY

I do not quarrel with the necessity of some of the actions which were inconsistent with these principles but those actions do teach us that blanket moral statements cannot determine all strategic judgments, and that their enunciation is not a substitute for policy. It may well be that greater consistency with the moral principles upon which this nation rests, might, in the long run, lead to a sounder policy and greater protection for the interests of the United States. I believe this to be so. Yet if we solemnly pronounce principles which will not or cannot be consistently applied, we delude ourselves and invite serious charges of hypocrisy from others.

In Africa, I have tried to answer the question: If the United States is fighting for self-determination in Viet Nam, then how can it not support the independence struggle of Angola and Mozambique? For those questioners, it is less our intention than our pretension which is objectionable. To this there is no answer. Thus does false principle destroy the credibility in our wisdom and purpose which is the true foundation of influence as a world power.

The same is true of another kind of blanket formulation—that we must keep our commitments or meet our obligations. Of course, we must keep our commitments and obligations. But by what standards, and toward what ends, are those commitments made: How deeply do they extend, and what means will be used to fulfill them? Thus it is one thing to defend a commitment in Viet Nam yet it is something else indeed to fulfill that commitment by extending military operations to Thailand in return making a new commitment to that nation as well. And what is to govern the form of the commitment—whether it is to be a commitment to help others help themselves, or a commitment to ensure victory whether they help themselves or not? And when we make the first, do we slowly and inexorably and almost automatically accept the latter. None of these—sweeping statements, pious hopes, grandiose commitments—constitute a China policy for the future. That policy must be based on the reality and diversity of today's Asia; and on a discriminating evaluation of our own interests, capacities and limitations.

And it will be formed out of an evaluation of the dangers, and capacities the capabilities and desires of other nations. We are not alone with China in Asia. There is also India, the second most populous nation in the world, in itself a great civilization; Japan, soon to become the third leading industrial power on the globe; Indonesia, with its resources and commanding strategic position.

SUPPLEMENT, NOT SUBSTITUTE, FOR ASIA'S OWN POLICY

In the long run, the vision and commitment of these great Asian nations will determine in large part the course of affairs on their continent—just as it is Great Britain, West Germany, France, and Italy which now set the primary thrust of development in Western Europe. Thus our policy must be shaped, our actions undertaken, in full understanding of the interests and actions of these nations—and with a consciousness that we do not act as a substitute for but rather as a supplement to their policy.

Further, and of great importance, we must understand that our policy toward China must be a major factor in determining our policy toward those countries which border on China—indeed all of Asia—in the economic, military, political and diplomatic fields. We are now working in a vacuum. Thus, if a strong and free India is considered vital to our national security, the level of our economic and military assistance should reflect that priority.

If the lives of thousands of Americans are lost and billions of dollars committed on the theory that Viet Nam is essential to us, how can we refuse to assist others on the border of China whose demands may be less but whose strategic importance and whose vulnerability to external or internal Communist dominion may be greater?

So we see that this discussion is not just of a policy toward China, but necessarily toward all those along her borders, including the Soviet Union.

If we choose to remain an Asian power, surely we have learned that a failure to act can have the greatest consequence. We must be prepared to pay the cost in economic assistance, for example, even if that cost is—as it must be—many times greater than we are now paying, in order to avoid the price in blood and treasure we pay today.

Although we can have only minimal effect on China itself today, we can have a major effect on the future of Asia and thus lessen the danger of Chinese expansion, to the extent that we pursue these important programs of strengthening other Asian countries.

Although it is not precisely analogous, it must be remembered that it was the Marshall Plan which served more to contain Soviet expansion than the troops on her border. This group could surely apply your experiences and knowledge of Asia to develop and recommend this kind of program and policy.

Our China policy will be formed out of paradox and complexity. It will recognize that Asia in 1967 is not the Europe of 1949 where a grand alliance, constructed against one great threat, served as the framework of all policy. Thus the Soviet Union—our principal adversary and competitor in the post War world is, at least for the time being, China's violent ideological opponent, with what often seems a very different vision of the Asian future. Her mediation in the India-Pakistan war was only one dramatic illustration of this difference. Thus, also Japan—our former enemy and present ally; China's historical rival and immitator, invader and economic partner—today at once contracts with the Soviet Union to develop the resources of Siberia, conducts a large investment campaign in China—proposing, among other things, to develop China's petrochemical industry—serves as a major U.S. base and contributes the first $200 million to the Asian development bank. And thus also, at the same time our officials were warning of a Chinese threat to NATO, travellers reported that Peking hotel space was impossible to get because of the number of trade missions there from NATO countries.

China policy must be formed against the probability that when present convulsions subside we will still face a hostile China. We still have to refuse the temptation of assuming that any acts or gestures on our part will significantly improve relations. Yet hostile words and proclamations are not wars. They do not prevent us from having contact, or from reaching agreements on matters of mutual interest. They do not prevent us from having contacts which could lead us to know more about China and they about us and thus prevent the miscalculations of intentions which could lead to a worldwide holocaust.

AN INFORMED CHINA EASIER TO DEAL WITH

We should not discourage contact of any kind, by ourselves or other nations whether economic or diplomatic—even tourism—for a rational or informed China will be far easier to deal with than an irrational and ignorant one.

Our policy must rest on the knowledge that we cannot predict the possibility of Chinese military expansion. Therefore, we must be prepared to help others defend themselves while refusing to base our actions and policies on the assumption that armed clash is inevitable. For we must realize that every extension of Chinese influence does not menace us. We must be able to discriminate between armed attack and internal revolution, between Chinese direction of revolutionary forces and Chinese exhortation. Where Chinese force is not directly involved or borders crossed, we must ask whether we should be willing to rely above all on the strength and vitality of the desire for national independence. After all, it is that powerful desire and not our military force which ousted the Chinese from Central Africa and Algeria and Indonesia, and which is steadily eroding the Soviet empire.

Policy demands a conscious and open recognition that we live in the same world and move in the same continent with China—with its dangers and possibility, strengths and terrible frustrations. Only when we accept this reality can we work towards our central task—to bring about Chinese acceptance of the fact that it too must live with us and the other nations of the world. These are, admittedly, general considerations, rather than guides to specific action. Yet it will make a great difference to our acts and policies if we treat China as a potential danger and a possible opportunity rather than as a certain enemy and a lost cause.

Of course, the shadow of the Viet Nam war hovers over all these deliberations. That is itself an immense and complex subject, requiring full and special treatment. Still the resolution of that war will not resolve the problems of Asia, although the resolution must depend in large part on our attitude and policy toward China. Nor, despite Viet Nam's intimate relationship with our China policy, will the war's solution remove the urgent necessity of the larger problem.

The future of our relations with China may lie beyond our vision but it is not completely beyond our control. It is the shaping impulse of America that neither fate nor nature nor the irresistible tides of history, but the work of our own hands, matched to reason and principle, which can determine destiny. There is pride in that, even arrogance, but there is also experience and truth. In any event, it is the only way we can live.

All our intentions and labor may ultimately dissolve in violence and bloodshed. But there is another possibility. Perhaps some day an American diplomat may go to China, carrying with him the same instructions Daniel Webster gave to Caleb Cushing in 1843: to tell the people of China "that your mission is entirely pacific . . . that you are a messenger of peace, sent from the greatest power in America to the greatest in Asia, to offer respect and good will and to establish the means of friendly intercourse".

PRESIDENT JOHNSON AND THE AMERICAN CONSUMER

Mr. DANIELS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. DANIELS. Mr. Speaker, I was happy to note the excellent reception which the American people have given the President's consumer message. The praise was well deserved, for this must surely rank as one of the most important documents of its kind the Congress has ever received.

I was pleased also to note such enthusiastic support from my colleagues for the principles laid down in that message. Protection of the consumer is a nonpartisan concern and it is important for our Republican colleagues to join with us in seeking solutions as quickly as possible.

I do think, however, that the bipartisan record has been muddied a little in recent days. For example, I noted in the press last week that my good friend and colleague, the gentleman from Queens, was chiding the administration's efforts to improve the quantity of information available to consumers.

I would like to set the record straight. It is a record unexcelled by any other administration in our history. And I think the reason is quite obvious: President Johnson's own commitment to the well-being of every American consumer is also unexcelled.

The gentleman from Queens must surely be aware of the wide range of informational programs established by the President's Committee on Consumer Interests since it was established more than 3 years ago.

That Committee early undertook to determine the kinds of information needed by consumers and to see how the vast reservoir of information gathered and held by the Federal Government could be made useful to consumers.

In the spring of 1964, a Subcommittee on Information was established in the executive department. And in June of 1965, the Subcommittee was expanded to include representatives from 22 agencies.

We have all seen the lengthy list of publications generated by these agencies. One, for example, is called "Choosing a Hearing Aid." The American consumer spends a quarter of a billion dollars a year on hearing aids and batteries. This little booklet put out by HEW is a big step toward helping consumers use that money more wisely.

There are others on everything from buying a house to borrowing for a college education.

There is Consumers All, the yearbook of Agriculture, and there is the all-important Consumer Information which lists available publications on family finances, applicances, recreation, gardening, health and safety, food, clothing and fabrics, and others. All these publications can be purchased from the Government Printing Office.

Consumer publications have been put out in Spanish for the benefit of the large group of Americans for whom English is not a mother tongue. Particular attention has been paid to providing information for low-income families. And a special easy-to-read list of publications has been prepared for our senior citizens.

At Mrs. Peterson's request a study group looked into how Federal purchasing specifications are useful to the consumer buying on the retail market. Of course, applicable military specifications are published and available for the consumer to use. It is not always easy to translate Government manufacturing specifications into consumer purchasing language. But a great many Federal specifications have now become manufacturing standards without the knowledge of the consumer. So Federal specifications already serve the most important function of improving the quality of consumer goods.

We all would like to do more. And President Johnson has served clear notice that he intends to do more.

But it serves no useful purpose for any of us to deny what has already been accomplished—for whatever reason such a denial is made.

We will move forward. But let us be clear that we shall do so from a very impressive foundation already laid down.

BOY SCOUTS TEACH SELF-DISCIPLINE, RESPONSIBLE LEADERSHIP

Mr. KUYKENDALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. KUYKENDALL. Mr. Speaker, this is Boy Scout Month, and I would like to take this opportunity to pay tribute to this great organization whose leaders, for more than half a century, have been inspiring in boys the qualities of responsible leadership, and dedication to the highest precepts of patriotism and morality.

As a longtime Scouter in Memphis, the city which I have the honor to represent in Congress, I can think of no better way to pay tribute to the Boy Scouts nationally than by inserting in the RECORD some remarks I made last Friday evening before the annual recognition dinner of the Chickasaw Council in Memphis. The remarks follow:

Mr. Chairman, Scouters: when I was honored with the invitation to address you tonight, I had grave misgivings as to whether it would be possible for me to live up to the expectations of such a dedicated audience as you are. These misgivings have intensified because I want to talk to you about boys and their future and the future of our wonderful country—and these are subjects in which many of you are experts—and for which you are devoting much of your lives.

The Boy Scouts of America is one of the most important and certainly one of the most influential organizations in our country. Its principles, its ideals, its goals have been proved worthy, and the experience of generations of men like you has caused the development of the practical ways and means for those goals to be reached. The methods you use to instill leadership and character and integrity in boys have been proved by their success in the past.

This record of success in its stated purpose is the most overriding reason I have chosen to become actively associated with the scouting movement through the years. The credit for this record goes to the professional, the volunteer leadership, and, of course, the community volunteers who do the really important work in the sponsoring organization.

I was never a Boy Scout, because I was born in an area where there were not many boys and no troop within 50 miles. However, one of my early memories is that of desperately trying to get a troop started in our tiny community of 250 souls when I was 12 years old. I was not really sold on the scouting program in its broad sense until I became involved in the problems of military service and the business world. It was only then that I recognized the truly outstanding job done by the scouting movement in helping develop the characteristics that we all look for in a good, productive, responsible citizen. It has been my observation, as well as that of most leaders in the military and business communities, to have found that those boys who had been Boy Scouts not only do not get into trouble as much as the lads who have not been Boy Scouts, but they gain promotion faster, they study harder, they work harder, and they have a realization of patriotism, of integrity, and spirit, and all the other characteristics that go to make up a good citizen.

SCOUTS ARE BETTER MEN

Statistics can be a very dull subject, but statistics showing future success of Boy Scouts are not dull. They indicate very clearly and very forcefully that those men who had once been Boy Scouts are on the average much better than those men who have not had that fortunate experience.

I am grateful to be associated with Scouting—

First, because I believe that we live in a wonderful country, and the values which our predecessors respected and lived by are sound values. They are the values which the Boy Scouts teach and practice.

Second, because of the demonstrated willingness of thousands of volunteers, most of whom are very busy men, and all of whom are enthusiastic men who work for the good of scouting and the boys they inspire.

Third, because the results of your efforts are so readily apparent the Boy Scouts themselves show what you do accomplish.

Your lives are dedicated to training boys to become responsible citizens. I know that you already know the importance of your jobs, the tremendous importance of your daily duties. I doubt that even you who have been in scouting for a long time fully realize the great contribution which you have made and are making to the future of the United States, for your influence is widespread and your influence is on boys—young boys—that segment of our society which in their turn will become the leading citizens of our country and will determine where our country will go.

SCOUTING MEANS CHARACTER

When we think of scouting and scouts and young men, we think of character—integrity—honesty—hard work—individual initiative—team work—respect for people—love of country.

This is what scouting and scouts stand for. This is what you teach. This is what you live by.

A boy, a young man, or even an old man, striving to attain these characteristics and to live by these qualities and principles, can never be satisfied with mediocrity. He wants to excel. He wants to be good. He wants to achieve.

If there is one attribute by which a successful man or a successful scout or scout leader might best be known, perhaps it is the fact that he strives to do his best, and is proud of the fact that he is striving to be just as good as he possibly can be.

The boys who are scouts today will be able to tackle the grave problems tomorrow because they will have character and a set of principles to live by. They will have these necessary characteristics because you will instill just these elements in the boys for whom you are now responsible. If you fail—or if there are not enough boys who become scouts—or if for any other reason the young men of our country should not have character and integrity, then they will not only be inadequate to solve the problems which they will face—they will not even have the fortitude to face those problems. And the first requirement for a solution to problems is to be willing to face the problem—and face it squarely and without reservation.

Your job of instilling character and integrity in thousands of boys is one of the most interesting jobs in all the world. The fact that it is also one of the most important will give you—and all Scout leaders—a sense of achievement that very few vocations or avocations can offer. But simply because your job is most important and most interesting doesn't make it easy—not by a long shot. You have one of the most difficult tasks that confronts men.

NEED FOR SELF-DISCIPLINE

We live in an affluent country. We live in an era in which we have more creature comforts than men have ever had before. But we also live in an era in which personal responsibility does not seem to be fostered in youngsters as it was in the past. We as a people seem to prefer to be liked more than we prefer to be respected. Although competition is still an American trait, more and more of us are trying to get Government subsidies, or guaranteed security without doing the hard work or taking the risk that competition requires. Our increasing crime rate and juvenile delinquency indicates that we—as a people—do not have discipline, especially self-discipline.

These are the reasons your tasks are difficult, and they are also the reasons why your duties of teaching personal responsibility, self-reliance, trustworthiness, individual initiative, the willingness to compete and do the very best that a man can do, are more important now than ever before. It is not easy to inspire a youngster with the desire for high standards of integrity and character in an atmosphere of affluence and complacency.

Nor is it always easy to persuade parents and Den Mothers and unit leaders that the merit badges must denote achievement. They have to be earned—and that if they are given without meeting the standards set for the badges, not only is the boy cheated out of the satisfaction of knowing he did a good job, but he does not learn that the important things of life must be worked for—they must be deserved.

Our country—and our society—will become what the youngsters of our country want it to become—or rather it will become what they are willing to work to have it become, for mere "wanting" won't do it.

THE GRAVEST THREAT

The gravest issue which confronts the United States now, or confronts humanity now, is not nuclear warfare and all the horrible death-dealing weapons which science has produced in the last generation or so; nor is it the insidious dangers of inflation or tight money; nor even budgetary deficits or balance of payments deficits; nor the possible erosion of our corporate and individual freedoms; nor Vietnam. It isn't aggression and the threats of aggression which we are experiencing all over the world. It isn't socialism, even though socialism has always led in the past to some form of totalitarianism.

It isn't any of these things.

But the major threat to the United States and to mankind is the breakdown in morality, i.e., the acceptance of lower standards in our personal life, in our organizations, in our Government, than we have had heretofore.

Of all the qualities inherent in a respected person, or a respected nation, there is one dominant characteristic and that is self discipline.

One form or other of discipline is necessary for any society to exist. Without discipline, any organization, any society, any nation crumbles and disintegrates. When a nation or a group within a nation, does not have the power, or the stamina or the will to discipline itself, it destroys itself and eventually some external group or nation forces discipline upon it.

This is true in sports, it is true in business, it is true in nations, and it is also true in the Boy Scouts. Mobs can destroy. They cannot create. Absence of discipline can prevent winning, but absence of discipline has never caused anybody or anything to win.

I am sure Admiral Tuttle, over there, is familiar with the United States Navy expression, "A taut ship is a happy ship". A taut ship is a ship where the captain sets high standards for himself and his ship—and he insists that those high standards be met. If they are met, the ship stands extremely well on all of its competition, and rewards are automatic.

If the standards are not met, then the captain does something about it, and people who do not meet the standards are punished. And although this punishment is often difficult for the men to take at the time, and although they frequently look yearningly at another ship in the squadron with an easier skipper, the results are inevitable:

The ship with the high standards—the ship with the tough captain—the ship in which everybody works—always wins the competition. And looking at the record of the Navy, those ships also won wars. Those ships which had trained, and trained, and trained—and which had worked harder than seemed necessary at the time—lived. And they lived because they were better than the enemy.

Unfortunately, too many citizens look upon the word discipline as something severe, as something designed to curtail initiative, to restrict their individual freedom. They think of discipline—in any form—as an unreasonable demand by arbitrary authority.

FREEDOM MEANS DISCIPLINE

Most important, those who view discipline as an irksome imposition do not realize that our democratic system is based on discipline, that success is dependent on discipline. They do not understand that a free government depends absolutely on disciplined individuals who freely adhere to a set of rules which prescribe the relationships within their own society. When George Washington, with remarkable perception, expressed his belief that freedom was "staked on the experiment entrusted to the hands of the American people," he envisioned a disciplined people motivated by fundamental principles, by a sense of justice, by moderation, and by integrity.

Yet, in recent years, soft, self-indulgent, complacement years, many observers have warned of a trend away from the fundamentals, away from the intangible virtues of self-discipline and individual responsibility that made our society great.

Almost daily you can see this trend reflected in the headlines, in the stories of juvenile delinquency, of increased rates in organized crime, of deceit and deception in various segments of our society.

SECRET OF OUR WEALTH

Maybe far too many Americans are too comfortable, too preoccupied with creature comforts, to be disturbed by evidences of corruption and dishonesty. And as our comforts increase, as our unprecedented wealth grows, there are even those who seek to avoid the discipline that gave us our wealth: the discipline of hard work—"an honest day's effort for an honest dollar."

Let us face this problem. A nation can slip slowly, bit by bit, until one day it reaches the point where the effort to recover, the plain honest hard work required, is too much, is too difficult for its weakened will and diminished strength, at that point, an old law of nature takes over. "The strong survive, and the weak fall by the wayside". This is the lesson of history, the lesson of Carthage, of ancient Athens and Rome. It is a lesson we ignore only at our peril.

Today we face a tough, determined, implacable foe. Our Communist opponents have capacity and strength. Through totalitarian methods—the same methods the Nazis and Fascists used—a Communist society can focus its efforts and develop its resources with a great singleness of purpose. There is only one way to lick such an opponent. You can't win a competition with the Communists by out-hating them, or by out-threatening them, or by out-shouting them. We are not going to preserve our way of life with words. The only way to insure that communism will be merely a "passing phase in history" is by *outperforming* the Communists.

WE MUST WIN

Much, of course, is spoken and written in these times concerning the strength of our Armed Forces, and with a ruthless aggressor loose in the world, it is well that we look to that strength. It is well that we keep our powder dry. But the real battle has shifted from the military area. Our concept of political liberty is now under attack on the wider front of economic and technological competition.

Since we cannot, and we should not avoid this competition, since the free world is irrevocably committed, we are going to have to win it.

We must win this competition in space and science, win it in the fields of production and industry, win it in education, in culture, in athletics, win it anywhere we find the challenge.

There's no question that we *can* win. We do have the strength and the resources. We have the way, but we must also have the *will*. Because all the talents, all the resources in the world count for nothing unless we are willing to bring them to bear, unless we enthusiastically put them to work.

Naturally there is a price for this victory, and that price is the discipline, the self-discipline, that democracy demands. The problem in a democracy is how to achieve this sense of personal involvement in the welfare of our country.

Discipline is bound to come from some source. A great statesman once said, "Society cannot exist unless a controlling power upon the will and appetite is placed somewhere, and the less of it there is within, the more there must be of it without".

CANNOT LEGISLATE DISCIPLINE

There is nothing new about this. We already have laws that affect our actions in almost every field of endeavor. But laws alone cannot provide the discipline required by a free society. If we as a nation and as individuals fail to meet our own responsibilities, there are no laws that can do it for us.

For one thing, the Congress and State legislatures can pass all the laws in the world, but unless our citizens are willing to obey them, they are not worth the paper they are printed on. This country's "noble experiment" with the 18th amendment is an obvious case in point.

This personal acceptance of responsibility for our way of life must come from within, from the willingness of every citizen to work for his nation as well as for himself. This, of course, demands the only really effective form of discipline—self discipline.

All discipline, in the long run, depends on a people's commitment to common ends, motivated by a sense of purpose and guided by a sense of responsibility.

PRINCIPLES THE BASIS OF STRENGTH

You and I live in a world of choice. And we are confronted as a world of coercion. In very real terms, it will be up to us to choose, to decide by our actions, whether we will remain free. It will be up to us to choose what we will do with our great and varied strengths. People are not saved—they save themselves.

It is only natural that when one hears a discussion like this about self discpline, about personal responsibility, he listens and agrees. He believes in discipline just as he believes in motherhood and an early spring. No one is going to deny that motherhood is good, that sin is bad, or that discipline is necessary. But unfortunately, most people seem to believe that all this talk about self discipline is directed at someone else—at some delinquent, at some criminal in some far away place.

Our country was brought into being by men who knew the importance of principles. Throughout our history we have been fortunate to have had staunch men who put their principles ahead of their interests, their business, their own personal ease and comfort. They made their principles the driving force behind their actions. And they used their principles as the standard against which those actions were measured.

These men did not merely pay lip service to their ethics. They did not carve a great nation out of the wilderness by slogans and catchwords. They lived—and died—by their principles.

Character, integrity, high standards, principles are what you stand for—what you inspire in Scouts, what you teach.

May God bless you as you get on with it.

AGRICULTURAL SELLOUT

Mr. BERRY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. BERRY. Mr. Speaker, from the day that our U.S. trade negotiators left for Geneva with the directives of the Trade Expansion Act in their pockets, we who have been fighting the battle for agriculture have feared a "sellout." In testimony before the House Foreign Economic Policy Subcommittee last week, our worst fears were confirmed.

There is every indication that U.S. negotiators will let the American farmer sit on the sidelines while we rush to an agreement with the Europeans on industrial tariff reductions. Agricultural concessions, which were to be a key factor in any trade liberalizations, have admittedly been forgotten in Geneva.

But this "sellout" is only part of the story. The very spokesmen for trade relaxations completely overlook the fact that not only has agriculture been hurt by our U.S. negotiators, but industry has suffered as well.

The current Kennedy round of Geneva negotiations is actually the sixth round of bargaining that the United States has participated in. Since 1945, we have glibly given away more and more of our industrial and agricultural protection in exchange for what? For a balance-of-payments deficit of $1.4 billion in 1966? For a gold drain of $571 million in 1966? For a net loss of $200 million in agricultural trade deficits in 1966? Is this the great record of trade liberalization?

Are soaring beef and veal imports the result of trade liberalization which is supposedly to benefit the United States? Just last week, the Department of Agriculture openly admitted that it intends to let 1967 red meat imports exceed the legal quota limit of the 1964 Meat Import Act. Is this one of the blessings of free trade, that our domestic markets should be flooded by ruinous imports and dangerous price depressions?

And what are the Europeans doing all this time? Quite simply they are taking a page from our book of market protection, a book which the United States has thrown away. Europe is increasing its tariffs and nontariff trade barriers. Through a slick little device known as the "variable levy fee" they can keep U.S. agricultural products out of their markets indefinitely because the levy is a fluctuating import charge that goes up or down and keeps even the most competitive marketer from gaining access to the Common Market countries.

I would like to insert into the Record at this point an excerpt from the committee hearings for February 16, at which point I questioned the witness, Mr. Stanley D. Metzger, professor of law at Georgetown University and a longtime Geneva observer:

> Mr. Berry. I think the reason that our industries are going to Japan for instance is because there is no tax levy for defense and all that sort of thing. We are deferring them. They don't have to pay this and their labor, while it is coming up a little bit now, it has been way down. We can ship the raw material to Japan and make it over there and ship the product back, it comes back in here practically without tariff and can be sold cheaper than we can manufacture it here. It looks to me like actually a tariff protects American industry rather than destroys it. On another subject, you were talking about how you do not think there is going to be anything done with agriculture. Maybe five percent or something like that. Are we going to barter away our lever or our leverage to force an agricultural tariff negotiation through reducing industry 25 or 50 percent? Don't we have to hold agriculture along with industry if we ever expect to get any kind of a deal on agriculture?
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> Mr. Metzger. I think it would be very nice if we could get——
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> Mr. Berry. I am not talking about what would be nice.
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> Mr. Metzger. I am going to try to answer your question, Mr. Congressman. I think it would be very nice if we could get an illumination of the common agricultural policy. I don't think we can. I don't think it is bargainable. I think it would be very good if we could get a decent grains access agreement. I suspect we will be able to get something. Whether or not we will be able to get what we want, as much as we want is something else again. I think the question is going to be whether getting something on a grains access agreement and precious little else in agriculture, whether that is going to be enough to warrant the conclusion of the entire deal. My recommendation would be yes, conclude the entire deal on that basis because I don't think you are going to do any better. I don't think we have the bargaining power that people think we have in respect to this. I think that our bargaining power has been sliding, not increasing, in regard to the common market in the past several years. I don't think that we will be in a better position next year. I think we will probably be in a poorer position next year. It may be in the long run, too, that as agriculture assumes lesser and lesser proportions in Europe, as increasing prosperity and the movement from the farm to the city which has been going on there increases, that in time this will be a problem which will diminish in importance over what it is at present. That is hard to say. But on the general question I would say that the problem of getting a quid pro quo in agriculture which is anything comparable to the industrial tariff deal was always considered in the United States to be extremely difficult. The United States——
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> Mr. Berry. It was part of the understanding, wasn't it?
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> Mr. Metzger. I think the understanding was that the United States would do its level best on agriculture and would insist that there be some significant progress and these were terms of art, by significant progress in agriculture. The idea is that we wouldn't take a shut-out in agriculture and make solely an industrial deal. But the administration I think properly was quite careful in the way in which it framed this in terms of significant progress in trade liberalization and agricultural matters because it knew and I think everybody else knew including the farm lobby, including all the people who appeared, knew that it was going to be extremely difficult.
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> Mr. Berry. And they also knew that you guys were going to trade it off, too. This has always been done. We go into these underdeveloped countries and we have to sell our tractors and this kind of stuff, so we trade it for—trade our tractors for beef and we put the tariff down and the barriers down so we can sell the beef here.
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> Mr. Metzger. What surprises me about this, Congressman, is that all of a sudden agricultural people have awakened on this business. Where were they in the sixties, in the fifties when this was being——
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> Mr. Berry. In the thirties and twenties.
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> Mr. Metzger. When the Common Market was being negotiated in 1957 and the decision as to whether the United States would be strongly supporting it or not was at issue, it was apparent then that what has happened was—that the odds were strong that what has happened would happen. So it is a little bit like waking up in the middle of the storm.
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> Mr. Berry. I don't think it is. I think they have always known, that agriculture has always known that it didn't have a chance. You guys have always traded them off. And you are going to continue to trade them off.
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> That is all, Mr. Chairman.
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> Mr. Farbstein. Mr. Monagan.
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> Mr. Monagan. Agriculture is a sort of sacred cow.
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> Mr. Berry. When 40 percent of the farmers are forced off the land because of this policy, it isn't really a sacred cow. People in America are going to start getting hungry and then they won't think it is a sacred cow.

Mr. Speaker, despite the very guarded attempts to explicitly state what our Geneva negotiators intend to do, it seems perfectly clear that agriculture was never really considered an indispensable part of the so-called Kennedy round of trade negotiations and now it will be cast to the winds.

I would like to draw special attention to Mr. Metzger's statement—

> The problem of getting a quid pro quo in agriculture which is anything comparable to the industrial tariff deal was always considered in the United States to be extremely difficult.

Earlier, the U.S. trade representative, William Roth, said he was "cautiously optimistic" that the United States would obtain guarantees that its agricultural products would gain entry into the Common Market countries.

Concessions on agricultural products are, of course, the key to any industrial agreement. Previously, U.S. "tradesters" have said that unless the Europeans make some type of "significant" offers which would allow U.S. agricultural entry into the Common Market, no industrial tariff concessions would be granted to their countries.

When our subcommittee held hearings in August of 1966, we were informed that the United States felt agricultural offers from the European Economic Community were totally unacceptable. Now, suddenly, we are told that the lack of any agricultural concessions should not hold up an industrial tariff deal. Quite obviously, American agriculture is being sold out on the sacrificial altar of free trade once again.

Mr. Speaker, as the subcommittee delves deeper into the real status of our trade negotiations in Geneva, I hope that every Member will take the time to examine the committee hearings and findings and see exactly what is being done with U.S. agricultural and industrial markets. If agriculture has already been sold out, it may not be too long until our negotiators, hungry for some shred of concession victory, will give away all our industrial protection as well.

WHAT ARE WE TRYING TO DO TO THE CIA?

Mr. CHAMBERLAIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CHAMBERLAIN. Mr. Speaker, the current furor over the real and alleged activities of the Central Intelligence Agency is a matter of reasonable concern to many Americans. What is not so reasonable is the hysteria with which these revelations have been greeted in some quarters. In the present sensationalist atmosphere it is easy to lose sight of the legitimate role that such an agency must play to safeguard and promote the best interests of the free society in response to a totalitarian adversary that will employ any and all means to gain its ends.

Because of its very nature, an agency such as the CIA cannot undertake to defend itself publicly. Since an objective appraisal of the Agency's activities cannot be made in the press, or on limited and superficial information, taken out of context, it remains for those with the appropriate authority in the Congress and in the executive to pass judgment. To date there appears to be no expressions of hysteria on their part.

I was impressed with the editorial appearing in the Washington Sunday Star, on February 19, 1967, entitled, "What Are We Trying To Do to the CIA?" It endeavors to put the situation in proper perspective and its timely question is one that all Americans should ponder. I include the editorial at this point in the RECORD:

WHAT ARE WE TRYING TO DO TO THE CIA?

It is just possible, if we all manage to work ourselves into a wild enough lather, that the current flap over the CIA can be escalated to the point where it will destroy the nation's intelligence organization. It almost seems that this is what some of the breast-beaters would like to do.

One day we have a disclosure that a student organization has been receiving covert funds so that young Americans can compete with young Communists at world student meetings. Then, suddenly, nothing will do but that every traceable operation of the CIA must be laid bare to public view, commented upon in tones of pious horror, investigated, sermonized, deplored and punished, until the terrible guilt of it all has been established for all time, for all the world to see.

And what, precisely, are we guilty of? Why, of using our wits and available means to compete in a battle just as real, dirty and deadly serious as any shooting war in which we could engage.

Confronted by adversaries who threw the full power and wealth of the state into the effort to mold and control world opinion, we did not abandon the field to them. Instead, we devoted some public funds to seeing to it that Americans could confront the totalitarians in the intellectual lists abroad, speaking their minds in representing the views of a relatively free society.

It worked, incidentally. A wide variety of Americans, most of whom never knew the source of the funds backing them, proved more than able over the years to hold their own in confrontation with disciplined, professional Communist agents. They prevented the takeover of numerous international organizations and established others which have contributed substantially to the global cause of freedom.

Consider for example, the experience of Gloria Steinem, as interestingly reported in yesterday's Washington Post. A New York writer, Miss Steinem was director of something called "The Independent Research Service," which took CIA money to send several hundred young Americans to World Youth festivals in Vienna and Helsinki in 1959 and 1962.

Miss Steinem said she worked closely with CIA agents on the program, but that few of the students who took those trips knew that the CIA was picking up the tab.

"I never felt I was being dictated to at all," she said. "I found them (the CIA men with whom she worked) liberal and farsighted and open to an exchange of ideas. . . . They wanted to do what we wanted to do—present a healthy, diverse view of the United States."

She was backed up by Dennis Shaul, another spokesman for the organization, who said: "We had Minnesota schoolteachers who were further right than Bill Buckley as well as members of Students for a Democratic Society. Nobody told them what to do."

Bear in mind, except for such American participation financed by CIA funds, these festivals were completely dominated by Communists, all financed and controlled by their governments. Yet, says Shaul, "The Helsinki festival was a disaster from their point of view, and I think we can take a good deal of credit for that."

Well now, why not? Is this really something that has to be apologized for? Who is corrupted by such an operation? Who would have paid the Americans' expenses if the CIA hadn't?

"The CIA," says Miss Steinem, "was the only (organization) with enough guts and foresight to see that youth and student affairs were important." And here, the lady puts her finger on an important point.

Of course, it would have been better if this sort of thing could have been done without subterfuge. It is too bad that private funds were not available for these purposes. It would have been healthier, lacking such private sources, for our government to have appropriated openly the necessary monies, through the State Department, U.S. Information Agency or some other "respectable" organization. Even though no such alternative may have been available when these programs were initiated in the early 1950s, it would have been advisable to switch them away from CIA support as soon as that became possible.

No one, moreover, can possibly defend all the details of any one of these operations. No doubt there have been messy procedures which, when exposed, prove embarrassing. There is, one inevitably recalls, a saying about making omelettes and breaking eggs.

What is beyond comprehension in all this, however, is the monumental naivete involved in the apparent shock reaction to these disclosures on the part of otherwise knowledgeable people. After all, what have the outraged gentlemen supposed was going on all this time on the sprawling acres out at Langley? Of all the endeavors of the CIA, the effort to create outlets abroad for the expression of American opinion must surely rank as one of the milder. This is not, be it noted, a tea party that we have been engaged in. This is a viciously contested undercover war against shrewd, dedicated enemies who happen to be quite unhampered by nice-Nellie scruples. The need to press this fight has all along been recognized by the top leadership of the country. The procedures that suddenly evoke such outraged reactions were not dreamed up privately by the CIA. They were directed from the top, and properly so.

The idea that an organization like the CIA can conduct its operations while restrained by a sort of daisy-chain of clergymen, den mothers and liberal politicians—such a notion is simply absurd. For our part, we hope that the present hysteria will be calmed with a rational inquiry conducted by responsible and realistic men who have some knowledge of the very serious problems involved. We are inclined to suspect that they, and the public, will end up concluding that the world has not, after all, ended—and that, in doing a job which had to be done, our intelligence organization has not done too badly.

WELFARE AND PENSION PLAN PROTECTION ACT OF 1967

Mr. PERKINS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include an analysis.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. PERKINS. Mr. Speaker, we are, as the President has said, beginning to recognize "the right to a meaningful retirement" and "the right to an adequate income." The private pension and welfare funds are vital factors in achieving these rights.

Private welfare and pension plans grow bigger and more numerous every year. Already some $3 billion is paid out annually to beneficiaries and over $90 billion has been accumulated. The economic security of millions of American workers and their families is dependent upon the plans ultimately providing benefits for them—benefits which the workers have earned and included in their planning.

The law does not adequately or uniformly protect the funds or their beneficiaries from the risk of financial mishandling and misconduct by trustees or others who control them. The legislation I am introducing today, which has been proposed by the President, will remedy this deficiency.

The bill imposes uniform fiduciary responsibility on all persons handling welfare and pension funds. The fiduciaries will be required to act as prudent men in managing the fund and to refrain from taking advantage of their positions for personal profit.

Presently, the only protection to a beneficiary or potential beneficiary for mishandling of a fund is by suit in some States. However, in a number of States, the managers of welfare or pension funds are not considered trustees and may be relieved of liability for imprudent or negligent handling by the terms of the plan. Even where persons handling the funds are liable, employees may not be permitted to sue on the grounds that they are only prospective donees with no enforceable rights. Finally, such employees usually have no effective way to discover misconduct or mishandling until it is too late.

While the vast majority of pension funds are free from such abuses, the existence of individual trustees with possibly unlimited investment authority offers an enormous potential danger. The extremely rapid growth of these funds, coupled with uncertainty about the rights of participating employees, have outstripped the existing safeguards under State law. Only by Federal action can we restore reasonable safety.

The proposed legislation will prevent the terms of a plan from exempting the trustee or other persons handling funds from fiduciary responsibility. Beneficiaries and potential beneficiaries will be assured standing to sue for enforcement of their rights. Further, the Secretary of Labor will be authorized to bring legal actions and be given additional investigative and enforcement power, and more complete financial reporting will be required.

The proposal requires one additional safeguard for pension funds. Investment in securities of the employer is limited to prevent a sharp decline in the assets if an employer goes out of business, since this is the very moment a solvent fund is needed. I urge early and favorable consideration for this legislation.

Following is an analysis of the proposed legislation, and an itemization of changes in the present act:

Analysis of Major Objectives of Amendments to Welfare and Pension Plans Disclosure Act

The changes contemplated by the proposed amendments to the Welfare and Pension Plans Disclosure Act fall in three categories:

1. The prescription of fiduciary responsibilities and duties upon persons handling welfare and pension funds; the imposition of civil liability for a breach of such duties and responsibilities; provision for the remedy of such breaches by civil action, including the right to recover funds lost by reason of the breach; and disqualification of persons convicted of certain crimes from serving in a fiduciary capacity with respect to welfare and pension funds.

2. Collateral changes in the existing law necessary to enforce and implement the new provisions relating to fiduciary responsibility. These changes expand the investigatory and enforcement powers of the Secretary of Labor and expand the financial reporting requirements to aid in implementing the provisions concerning fiduciary responsibility.

3. Minor technical modifications of the law.

The provisions of this bill pertaining to fiduciary responsibility are similar to the general principles and rules evolved by courts of equity for the governing of the conduct of trustees, with certain modifications deemed to be appropriate and desirable in the operation of the particular types of funds covered under the bill.

The imposition of a fiduciary responsibility on persons handling welfare and pension funds is necessary to protect the funds and the interests of the participants and their beneficiaries from losses arising from lack of ordinary care and prudence in the management and investment of the funds. Existing Federal law makes theft, embezzlement, bribery and kickbacks in connection with welfare and pension plans Federal crimes; but it does not deal with breaches of fiduciary responsibility except to the limited extent that the Internal Revenue Code provides that the tax exempt status of a pension fund may be lost if the investments made by the trustees constitute so-called prohibited transactions within the meaning of the Code. These provisions of the Code have not proved adequate to the task of maintaining fiduciary responsibility particularly since use of this sanction in effect penalizes the participants and beneficiaries perhaps more severely than the persons responsible for the prohibited transactions.

Legal protection against breaches of trust has generally been left to State law. However, the mere labeling of employee benefit funds as "trust funds" does not by itself impose on the persons handling such funds the law regulating the duties of a trustee. The terms of the plan, trust agreement, or other agreement under which the fund is established and operated may relieve such persons of duties which otherwise the law would regulate and define. Moreover, there is considerable uncertainty under existing law as to whether, and to what extent, participants of the plan have enforceable rights against the plan or the administrators.

The proposed bill, therefore, by its terms prescribes the duties and responsibilities of the persons defined therein as "fiduciaries" so that the terms of the plan, trust, or other agreement under which the fund is established and operated cannot immunize such persons or relieve them from liability for the breach of their fiduciary duties and responsibilities.

In order to establish effective sanctions, the bill expands the investigatory and enforcement powers of the Secretary of Labor. While the bill also creates civil remedies for participants and beneficiaries with respect to breaches of trust, self-policing of benefit funds on their part is not a sufficient nor adequate method of insuring that such funds are not misused. In addition, it is necessary to insure that criminal elements do not infiltrate the management and operation of these funds. Accordingly, there is a specific prohibition against certain convicted criminals serving in a fiduciary capacity.

Further and more detailed disclosure as to the financial operations of these funds is a necessary complement to the imposition of fiduciary responsibility. It is well-established that fiduciaries are required to give a detailed accounting of their stewardship. Present disclosure provisions limit the amount and type of financial information regarding these funds. It is essential that further disclosure be obtained so as to provide participants and beneficiaries with an adequate basis for evaluating the fiduciary's performance of his obligations.

Finally, experience in administering the present law has demonstrated that minor technical amendments are needed to resolve certain details of procedure and to otherwise make the law more workable.

Itemization of Proposed Changes to the Welfare and Pension Plans Disclosure Act

TITLE

The word "disclosure" and the phrase "as amended" have been removed from the title of the Act. The purpose is to reflect the broadening of the Act to include Fiduciary Responsibilities. This is also reflected by the addition of the clause "and safeguards with respect to" in the descriptive title of the Act.

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Two new sections have been added; namely, Section 14, dealing with "Fiduciary Responsibility" and Section 15, dealing with "Prohibition Against Certain Persons Holding Office." Existing sections have been renumbered to accommodate these changes.

SECTION 2—FINDINGS AND POLICY

This section has been amended to reflect the expanded purpose of the amended Act by the addition of certain clauses and phrases, as noted, dealing with the newly incorporated fiduciary provisions.

SECTION 3—DEFINITIONS

The definition of the term "administrator" [now located in Section 5(b) of the Act] has been brought forward to this section as number (14). No change has been made in this definition.

SECTION 4—COVERAGE

No change.

SECTION 5—DUTY OF DISCLOSURE AND REPORTING

1. Section 5 has been amended to provide the Secretary greater flexibility in determining the information to be included in the annual financial report as well as broader authority to provide relief from all or any part of the reporting requirements upon a finding that the application of such requirement to certain types of plans is not required in order to effectuate the purposes of the Act.

2. As explained under Section 3, the definition of the term "administrator" has been deleted from Section 5 and transferred to Section 3.

SECTION 6—DESCRIPTION OF THE PLAN

The requirement that the plan description be sworn to has been eliminated. The requirement that amendments to the plan be reported to the Secretary within 60 days has been changed, in the interests of flexibility, to require such amendments to be reported in accordance with regulations prescribed by the Secretary.

SECTION 7—ANNUAL REPORTS

1. The requirement for publishing of an annual report with respect to a plan if it covers 100 or more participants has been expanded to include any plan covering from 26 through 99 participants which is subject to Section 14 of the Act.

2. Section 7(b) has been amended to delete the itemized classification of assets. This requirement is unnecessary in light of the authority given to the Secretary in Section 5 to prescribe the form and detail of the annual report.

3. Section 7(b) has been modified by deleting the following provisions:

(a) That the annual report be sworn to by the plan administrator or certified by an independent certified or licensed public accountant,

(b) That the Secretary must obtain a certification of an annual report (if not previously certified) prior to making an investigation under section 9(d) of the Act, and

(c) That the Secretary may require the filing of supporting schedules of assets and liabilities when he has determined an investigation is necessary under section 9(d) of the Act.

These provisions have been deleted in view of the new requirements added to the Act for an annual audit by an independent certified or licensed public accountant (section 7(h)) and the disclosure of portfolio (section 7(f) (1) (C)).

4. Section 7(f) (1) has been revised to provide additional reporting and disclosure of financial operations of the plan. These changes are reflected in subsections (C), (D), (E), (F), and (G). The purpose of these changes is to provide additional information on the operation of the plans to the participants and by reason of the availability of this information to enable the effective implementation and administration of the fiduciary responsibility requirements created by Section 14.

5. Section 7(h), dealing with the Secretary's authority to prescribe simplified reports has been deleted. The authority provided the Secretary under revised Section 5 is sufficiently broad to cover this provision.

6. A new Section 7(h) has been added which requires the administrator to have an audit annually of an employee benefit fund (see Item 3 above).

SECTION 8—PUBLICATION

1. Section 8(a) (2) has been amended to require the administrator to provide the participant, upon request, a copy of the complete annual report rather than adequate summary of the annual report.

2. Section 8(b) has been revised to require the filing of a single copy of the plan description and the annual report rather than two copies.

SECTION 9—ENFORCEMENT

1. Subsection (d) has been deleted and a new subsection substituted; this new provision gives the Secretary authority to make an investigation without any prior certification and without any showing of "reasonable cause."

2. Subsection (h) has been deleted and new subsections (h), (i) and (j) have been added. These new subsections impose a civil liability for a breach of the fiduciary duties and responsibilities specified in section 14 and provide for the remedy of such breaches by civil action which may be instituted by the Secretary or by a plan participant.

SECTION 10—REPORTS MADE PUBLIC INFORMATION

No change.

SECTION 11—RETENTION OF RECORDS

No change.

SECTION 12—RELIANCE ON ADMINISTRATIVE INTERPRETATIONS AND FORMS

No change.

SECTION 13—BONDING

No change.

SECTION 14—FIDUCIARY RESPONSIBILITY

This entire new section has been added. This section:

1. defines the term "employee benefit fund" for purposes of such section,

2. prescribes fiduciary responsibilities and duties upon persons handling welfare and pension funds,

3. limits the investment of pension funds in stock or securities of the employer or of a corporation owned or controlled by the employer to 10% of the fair market value of the fund. This provision follows the recommendations of the President's Committee in restricting such investments to no more than 10% of the plan assets unless the plan falls into certain categories, such as profit-sharing plans,

4. imposes personal liability upon a fiduciary for losses caused to an employee benefit fund by breaches of the fiduciary responsibilities and duties specified therein, and

5. provides for the disposition of a fund's assets upon its termination.

SECTION 15—PROHIBITION AGAINST CERTAIN PERSONS HOLDING OFFICE

This entire new section has been added. This section bars persons convicted of certain crimes from serving as a fiduciary or a consultant to a welfare or pension fund for a 5-year period following conviction or imprisonment. This provision is patterned after section 504 of the Labor-Management Reporting and Disclosure Act of 1959 which imposes a similar bar with respect to serving as a union officer. However, the new section 15 expands the number of crimes, conviction of which would act as the bar.

SECTION 16—ADVISORY COUNCIL

1. Subsection (b) has been changed to make the report of the Secretary to the Senate and House of Representatives a report covering his activities under the Act for the preceding fiscal year instead of for the preceding calendar year.

2. Subsection (d) has been modified to change the rate of compensation of the Advisory Council members from $50 per diem to the maximum per diem rate authorized in the current Department of Labor Appropriations Act for consultants and experts.

SECTION 17—ADMINISTRATION

Subsections (c) and (d) are obsolete and, therefore, deleted.

SECTION 18—EFFECT OF OTHER LAWS

Subsection (b) has been deleted and a new section substituted, clarifying conflicts in the application of the Act with other federal or state laws imposing obligations, duties, responsibilities or other standards of conduct with respect to the operation or administration of employee welfare or pension benefit plans.

SECTION 19—SEPARABILITY OF PROVISIONS

No change.

SECTION 20—EFFECTIVE DATE

The old effective date is deleted as obsolete and a new effective date has been substituted under which all amendments will take effect upon enactment except those which modify the reporting requirements of section 7 which will take effect one year after enactment or upon publication of implementing regulations in the Federal Register, whichever is sooner.

HOMEBUILDING IN NORTHERN NEW JERSEY STILL SUFFERS

Mr. CARTER. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. WIDNALL. Mr. Speaker, while there have been hopeful signs in the past few weeks suggesting a potential turnabout for the housing industry, the situation still remains serious. In northern New Jersey, including my own district, spot surveys point to a significant lessening of activity, with building permit requests down from the year before. Most of the recent newspaper stories on the change for the better in the construction field are making their comparisons with the final months of 1966, and not with the prior year or 2 years. If these comparisons were made, the problem, and the continuing need for governmental action, would not be dispensed with so lightly.

I have recently received a communication from the president of the Builders' Association of Northern New Jersey, Richard T. Higgins, discussing what he and his association members believe is still a crisis situation. Mr. Higgins points out the side effects of slowed construction activity: Loss of business for homefurnishing dealers, appliance manufacturers, nurseries, garden shops, and similar businesses servicing the homeowner's needs; loss of tax revenues; the potential loss of skilled workers who drift off to other fields, and who in the best of times are in short supply for the industry.

In addition, he suggests positive steps that could be taken, including more FNMA assistance, the appointment of a Presidential factfinding board to deal with the problem in all its ramifications, and the possibility of special loan funds for builders caught in a tight credit squeeze. I believe the views expressed by the Builders' Association of Northern New Jersey, symptomatic of problems nationally, deserve the careful consideration of responsible Federal officials. I include at this point the letter from Mr. Higgins, and a recent speech by the president of the National Association of Home Builders, Leon N. Weiner, on the 1967 housing outlook:

BEIR-HIGGINS REALTY ASSOCIATES, INC.,
Saddle River, N.J., January 1, 1967.

Congressman WILLIAM B. WIDNALL,
The Congressional Housing Subcommittee,
Washington, D.C.

Re Home construction.

DEAR SIR: Those of us serving the public through home construction have seen over the past decade many changes wrought in the climate of our industry as a result of the Federal government's manipulation of Fiscal Regulations. Our industry, as you know, has been used to restrict the economy as well as to bring it out of the doldrums of recession. The technique, which is common knowledge, is simply the tightening or loosening of credit requirements. Today, however, the results of the last year's restrictions have gone beyond the intended objective. It would appear that the building industry has been singled out as a target for restrictions, and for a year now we have felt the sting of an oppressive burden that has been so strong that unless some additional action is taken, I believe a calamity within our industry could occur. This is true in spite of all the optimistic talk that we read today.

What are the facts? We all know that the Gross National Product is at an all time high and that most every industry is enjoying prosperity. The *demand for homes is certainly present* but the administration has shown only a token interest in the plight of the builder; a plight which they alone have created either through a mistaken appraisal of the effect of their action upon our condition, or through a deliberate act of sacrificing the builder in order to hold back inflation.

But what are they doing not only to the building industry but to the national economy? Briefly, they have caused the home building industry to come to almost a grinding halt when, in fact, I am sure they wished only for it to be restricted. To prove this, just review the latest picture. As of October, 1966, F.H.A. starts nationally have dropped 44%; Savings and Loan Institutions in New Jersey report that their new commitments for housing starts are off 50%; the Newark and Camden offices of F.H.A. show a decline in starts of about 60%. In a survey made through our association just this week in contacting building inspectors in 10 spot towns, we found building permits down over 60%, from the last quarter of '65. The most serious declines have all been in the last eight weeks.

Lumber dealers and material suppliers are universally afraid because not only have their own lines of credit been cut, but because builders are not receiving adequate financing and consequently are not paying bills without serious delays.

Bankruptcies have been cropping into the picture. In Rockland County last month two large tract builders went under.

Is all this good for the nation's economy?

Is this the way to stop inflation?—No!

Plants that might locate in New Jersey will not act if they cannot house their employees properly. Home furnishings dealers, appliance manufacturers, nurseries, garden shops, new service industries, and the myriad of other trades that reflect the home owner's needs will soon show the harmful result of the present policy.

And what about the normal income tax revenues received through corporation profits and withholding taxes? Will they not represent a tremendous loss to the economy? Even the sales tax income in New Jersey will be a substantial loss to our state.

Approximately 270,000 workers in New Jersey, or one in ten of the gainfully employed are in the building industry or allied field. Will they have to be absorbed in the balance of the economy? Last year statistics show that the average worker was employed only 41 hours weekly. Will they be able to absorb the building trade workers, I wonder? And what of the loss to the building industry of the skilled worker who may be forced into other fields? His loss may be irretrievable. We know even under normal conditions that the lack of skilled workers is a major problem to our industry.

In addition, the buying public and the Real Estate business are suffering from this tight money tremendously. Many realtors are going out of business and the buyer of a home is having to pay 6 or 7 points to get a mortgage (that is, if he can get it). Furthermore, those people who might move up to better homes are not buying at all.

What are we to do? I believe the government must recognize the seriousness of the immediate situation and act now. The balance of the one plus billion F.N.M.A. Special Assistance fund should be spent now. The four billion dollar expansion on F.N.M.A. credit should be put into the field. The President should be called upon to appoint a fact finding board immediately to study and solve the problem.

In considering the difficulties of the housing industry, thought should be given to setting up an emergency loan plan that would be available to developers and perhaps it could be done through the Small Business Administration.

Builders, for example, who have large tracts that are not FHA financed are oftentimes forced to install sewerage treatment plants and complete water systems. They find it most difficult to finance these improvements. Furthermore, because of the scarcity of actual funds through federal grants to municipal authorities, it puts the burden on the individual builder to complete the system before turning over a single house. This, consequently, makes it most difficult for the individual to maintain any kind of liquidity in the beginning of a job. Something should be done to correct this type of situation. The towns want the sewers but the obstacles in financing them are horrendous. A loan for such public type improvements would help everyone since it might eliminate the need in the community for some future grant.

Another type of condition that might warrant some emergency assistance is a situation where a builder may have a large inventory in land with some small first mortgages on the land, and yet the equity may warrant some secondary financing which is not ordinarily available.

In another type of case, a plumbing contractor reports that he has two defaults on substantial notes given him. He has discounted these notes and is now in a tremendous bind to get the cash in order to make good on the notes. Time is all that is needed. A loan might be warranted.

In conclusion, may I say that the building industry is a resilient one and if given the help needed, it will bounce back with vigor to the benefit of all Americans.

Respectfully submitted.

BUILDERS' ASSOCIATION OF
NORTHERN NEW JERSEY,
By RICHARD T. HIGGINS,
President.

HOUSING OUTLOOK FOR 1967

(By Leon N. Weiner, president, National Association of Home Builders)

A better year is in prospect for both home buyers and home builders during 1967. We are entering a new and prolonged period of higher family formation, rising incomes, and increasing demand by the American people for better living through better housing.

The legacy of last year's troubles will continue to beset us for a time, but basic changes are in sight. Underlying this prospect of change is the hope of better understanding of the industry's problems on the part of Government.

The nation's economic policy makers failed in the past year to recognize the significance which housing holds in the country's economic and social scheme. That failure, whether mistaken or deliberate on the part of those in high office, led to a series of policy actions and omissions which resulted in the undue deprivations suffered both by the home builder and the home-seeking public.

It is apparent that the slowdown in housing activity will continue into the early months of 1967 before there is a turnabout. But a turnabout is clearly in the making, certainly no later than mid-year, and the second half of the year will be better than the first six months.

For the year as a whole, we expect to see production of about 1,150,000 units, barely better than in 1966, but we shall end 1967 on an upturn.

The need, actually, within the next year is more on the order of 2 million units, and quickly will grow larger.

Home building's recovery will depend, of course, on several things: an increasing availability of mortgage credit; a reasonably healthy national economy; implementation of housing legislation already enacted by the Congress; and Federal governmental actions based on an adequate understanding of housing's impact on the social and economic structure, and its responsiveness to the proper melding of monetary and fiscal policies.

We also must have strong action at other levels of government to remove such impediments as outmoded local building codes and zoning and other local regulations which unreasonably and capriciously restrict the use of land. One more impediment we shall have to cope with is a growing manpower shortage induced by the flight of skilled workers to other industries after necessary layoffs from home building in 1966.

We are seeking ways and means to stabilize the flow of mortgage credit in the future. We intend to thrust aside outmoded concepts which seriously retard the housing of the American people as an anti-inflation device.

We believe in a more balanced approach of managing the economy through coordinated fiscal and monetary policy which gives adequate priority to housing problems.

We shall be watching closely the operations of the Department of Housing and Urban Development. Despite the fact that we supported creation of the Department, it did not respond effectively to the plight of either the home seekers or the home builders in 1966. Implementation of Congressionally-approved housing programs is a must in the coming year.

The Congress recognized the serious housing needs of lower income families in the past year and authorized $1 billion in Federal National Mortgage Association special assistance funds to enable the industry to cope with those needs. However, the Department has released only $250 million of the Congressionally-authorized funds. We shall continue to press for the release of the remainder.

At the same time, in this period of rising personal income for a vast number of American families, we note that more and more are making sound and wise investments in new homes. Throughout the year we shall be engaged in a major campaign of market development to the end that a larger share of consumers' disposable dollars shall wisely be spent on the potential of better living through better housing.

The industry pledges itself to utilize new and advanced technological building techniques, the better building materials which are coming on the market, and the refined land planning information to the end that it will deliver the best possible environment for better living.

REPRESENTATIVE CURTIS REVIEWS PROSPECTS FOR THE KENNEDY ROUND

Mr. CARTER. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. WIDNALL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. WIDNALL. Mr. Speaker, it has been almost 5 years since the Congress had its attention revited on problems of trade. The Trade Expansion Act of 1962 expires this June 30. As the time approaches for the conclusion, and the success or failure of the Kennedy round, I have no doubt that Congress again will reassert an interest in trade negotiations.

Fortunately, the four Members of Congress assisting with the U.S. negotiating team for the Kennedy round are available to lend their expertise and judgment. Our colleague, the gentleman from Missouri [Mr. CURTIS], who has worked tirelessly as a member of the team, recently expressed his views on the progress of the talks in an interview reported in the December 26, 1966, issue of Chemical and Engineering News. His remarks on the role of the "American Selling Price" are particularly pertinent. I recommend Congressman CURTIS' remarks to anyone interested in understanding this crucial and important issue.

The article follows:

REPRESENTATIVE CURTIS SEES PROGRESS IN KENNEDY ROUND

One of four Congressional members on the U.S. team, the Missouri Republican is still optimistic about trade talks. Time is becoming more and more critical in the ultimate success or failure of the Kennedy round of international trade negotiations. The Trade Expansion Act of 1962 is scheduled to expire next June 30. With it would go unprecedented White House authority to negotiate reciprocal tariff-cutting agreements. It is against this backdrop that C&EN talked with Rep. Thomas B. Curtis (R.-Mo.), who is just back from an on-the-scene checkup on the Geneva talks. Rep. Curtis is one of four Congressional members of the U.S. negotiating team for the Kennedy round.

The European Economic Community appears to be on the road to solving its internal problems—problems which at times have threatened to scuttle not only the Kennedy round, but the EEC itself. But even with this major obstacle to the successful conclusion of the trade negotiations removed, many others remain. Meanwhile, the clock continues to tick away for U.S. negotiators who are working against an end-of-spring deadline for concluding the talks and starting the arduous task of compiling the results and putting a trade agreement into effect.

Economist Curtis—an eight-termer from Missouri's Second Congressional District—is one of the leading trade authorities in Congress today. He is the second ranking minority member of the powerful House Ways and Means Committee, which originates tariff legislation. He is also the ranking minority Representative on the House-Senate Joint Economic Committee, which exerts considerable influence on U.S. trade policy. Here are some of his views:

Q. *Rep. Curtis, where do the negotiations stand at this point?*

A. I'd say that considerable progress has been made. I never shared the optimism that some people originally experienced over the early developments of the European Economic Community. When you consider the fundamental political and economic issues involved in establishing such a community of nations, you must expect that solutions will not come quickly nor easily. Therefore, I haven't experienced those periods of depression so many have when things haven't gone so well, as in the past few months. But I feel many of the things that we—that I, at any rate—hoped could be achieved with the 1962 Trade Expansion Act already have come about, even though we haven't arrived at any conclusions in negotiations.

Q. *For example?*

A. For the first time—in my memory, at least—we are discussing "other-than-tariff" barriers to trade. This is very significant for, in many respects, these have become greater barriers than have tariff rates. Naturally, including "other-than-tariff" barriers in the negotiations means that we are having a more difficult time reaching conclusions. But when and if we do, I think we are going to have a more meaningful package. But by simply coming to grips openly with these matters I think we have created a much better climate for freer trade.

Q. *There could seem to be some disagreement within Congress about the White House's authority to include these "other-than-tariff" matters in the present negotia-*

tions. I refer to Concurrent Resolution 100 introduced in the Senate and approved by that body last session. That resolution, in effect, instructs U.S. trade negotiators to limit their activities to just those authorized by Congress in the 1962 act—namely, to negotiation of reciprocal reductions in tariffs.

A. This resolution doesn't mean that much. It is clear to me that it was introduced as a means of enabling some Senators to let off a little steam.

Q. *But it was approved by the Senate. Doesn't that reflect fairly strong support, at least in that body?*

A. No, it reflects the opinion of about five or six Senators who got their colleagues to go along with them, once it was established that that was as far as the thing would go. That's the way a lot of these "sense of Congress" resolutions work. As you know, there was no attempt to have this one introduced or heard in the House.

Q. *I take it from your remarks, then, that Congress generally approves of the White House's taking it upon itself to include "other-than-tariff" matters in the present negotiations?*

A. I don't know that I'd put it quite that way. But, yes, I'd say that any discussions aimed at removing barriers to trade—tariff or otherwise—certainly are in keeping with the intent, if not the letter, of the 1962 Act. I think the kind of dialogue that has been established in Geneva certainly is in order, provided, of course, that it is made clear to all that any concessions the U.S. negotiators may consent to which involve certain "other-than-tariff" matters can be on a conditional basis only. That is, that the final decision rests with the Congress.

Q. *Is that fact—that the White House has only conditional bargaining authority on certain nontariff matters—clearly established to all, especially to the White House?*

A. Yes. As you know there was some misunderstanding earlier on the part of the Office of the Trade Negotiator as to the negotiability of the American Selling Price. But this has been clarified. In fact, I personally hammered home this point with the executive branch. Let me make this unmistakably clear: The 1962 Act authorizes the President to cut tariffs; it does not authorize him to change the methods by which tariffs are assessed. The ASP method has been established by law. Any changes in that system must be made by Congress. The same holds true with respect to the discussions on establishing uniform international antidumping procedures. I must emphasize again, as I just did in Geneva, that any agreements which may come out of the current talks involving changes in the U.S. antidumping law—or in any other U.S. statute, for that matter—would have to be approved by the Congress. Naturally, I have told this same thing to all those in the executive and legislative branches of Government who have inquired about this matter. The U.S. negotiators are fully aware of what they can and cannot do. My recent work in Geneva reassured me of this.

Q. *How crucial is the hangup over ASP to the overall success of the negotiations?*

A. I think entirely too much has been made of ASP. It has become a sort of whipping boy for the Europeans and the Japanese. For example, here's Italy complaining vigorously about ASP. Yet, the Italians do not produce benzenoid chemicals so they aren't affected by ASP. If the truth were known, they couldn't care less about ASP. They are after other trade concessions, especially in agriculture, and figure that maybe they can use the ASP controversy to their advantage in getting them. In short, I think the importance of ASP to the success of the current negotiations has been blown out of all proportion.

Q. *Are you suggesting that maybe the Europeans should back down on their demands for the removal of ASP?*

A. Not necessarily. But what I am saying is, let's not single out ASP— which really affects only a relatively small part of total world trade in chemicals—as the arch villain in some sort of U.S. plot to stifle freer trade. Once you get ASP out in the open, as we have with the U.S. Tariff Commission's converted ASP rates, you find it is not the horrible monster the Europeans have been portraying it to be. As I recall, the bulk of the converted rates come out to be something like 60% ad valorem. By the same token I have told U.S. chemical producers right along, let's not try to kid anyone that there is something rational about using this method of import valuation. They can argue that, historically, it was rational, O.K. They can argue, and rightly so, that it is just one of those things that can't be uprooted overnight, because plans, production, and jobs are based on it. But they have to concede that ASP is somewhat anachronistic. However, they can point out that ASP is no more irrational nor discriminatory than some of the practices used by other countries to curb imports. So what I'm saying is, let's discuss ASP frankly. Let's look at it objectively for what it is—a perhaps irrational, possibly outdated way to assess duties on a limited number of products. But let's not focus just on ASP. Let's look at other differentials involved in the way duties are assessed. There are many other nontariff barriers that interest me.

Q. *I take it you're referring to such things as the tariff differential between foreign value and the Brussels definition of import valuation?*

A. This is a very good example, yes. Most European countries have adopted the Brussels definition, which is that the value of an import should include freight, insurance, and other charges. Customs duties then are assessed on this inflated value. However, on most goods that come into the U.S., the value for customs purposes is the selling price of the product in the exporting country. This amounts to about a 10% across-the-board tariff differential in favor of Brussels definition countries. So when Europeans ask, "Isn't ASP an unusual way to measure a tariff?" My reply is, "yes, it is. But is not the differential between foreign value and Brussels definition of import valuation equally unusual?"

Q. *What is the current U.S. position on ASP?*

A. Our position is this: ASP is negotiable, subject to approval by Congress, providing we can strike a good enough bargain. The executive branch cannot change ASP without going to Congress. But if it comes forward with some good, valuable quid pro quo, maybe Congress will go along with scrapping or changing ASP. And the chances that members of Congress would go along will be greatly enhanced if the U.S. chemical industry—big companies, little companies, the unions, and all—felt it was getting something in one area to offset what it was giving up in another.

Q. *Then you are talking chemical concession for chemical concession, maybe even benzenoids for benzenoids?*

A. Surely, yes. That would be the most effective way to get Congress to go along with any such proposals.

Q. *Is there any possibility that ASP may be bargained away in return for concessions in other than chemical areas?*

A. Yes, there is no hard and fast requirement that the concessions be in chemicals. I simply was pointing out that, if they were, it might be easier to get Congress to approve such a deal.

Q. *From the outset, the U.S. has taken the firm position that there can be no agreement on industrials without an agreement on agriculture. Has there been any change in this basic stand? And, if not, why have negotiations on the industrial side been allowed to proceed as far as they have, while the negotiations on agriculture have remained virtually at a standstill?*

A. No, there has been no change in our position on agriculture, nor will there be. The 1962 Act was approved by Congress on the assumption that if there weren't to be some real trade concessions in agricultural products, there would be no trade concessions in industrials. When the agricultural talks bogged down because of the EEC's internal difficulties, the industrial negotiations slowed down as well. Rather than hold up the industrial negotiations and risk possibly running into major snags late in the game, we decided that it would be wise to proceed with them. But while proceeding, we made it abundantly clear that if there wasn't anything forthcoming from the agricultural side—even if we already have wrapped things up in industrials—it is no deal all around.

Q. *What is the current status of the agricultural negotiations?*

A. Well, things finally are off the dime in a sense, although EEC's offer so far is so inconsequential that, quite frankly, I have become pretty discouraged. Some people say that is just the way the Europeans operate—it is just a bargaining technique; they will come through later with a better offer. But the offer that is before us now is so poor that it isn't clear at this late date how we are going to get anywhere with them.

Q. *Then you are not optimistic about the overall chances for success of the Geneva talks?*

A. Well, there still is time enough between now and, say, the first of April to come up with a meaningful agricultural package and work out the remaining difficulties on the industrial side. But we'll have to move a lot faster than we have so far. I think the success or failure of the Kennedy round hinges largely on whether France really wants to move the EEC forward. Maybe I am an optimist, but my hunch is, yes. I think General de Gaulle is ready now—or at least the French people are. If that presumption is sound, then we can write off EEC's current agricultural offering as just a very poor bargaining technique. This we will know in 1967. However, I don't think we will come away from Geneva with all we hoped for.

Q. *How much less than what we were hoping for are we willing to settle for? In other words, what do you think the final package will look like?*

A. We will "settle" for a sound agriculture-industrial bargain, but to define it exactly is very difficult. In agriculture the ideal would be a dismantling of the three systems of agricultural protection used by EEC. But we will be doing well to get something less for the time being. In industrial commodities I would say that an average cut of 25% would be enough to convince Congress that the 1962 trade expansion exercise was not in vain. In nontariff barriers, I certainly hope we can get an economically sound international antidumping code and have it approved by Congress.

Q. *If the negotiations are not completed in time, will Congress renew or extend the 1962 Act to enable them to continue?*

A. Extend? Perhaps—if the major obstacles have been hurdled and all that is needed is just a bit more time to wrap things up. But renew? No. I believe I express the feelings of the members of the House Ways and Means Committee when I say that a five-year delegation of authority is a very long one. The committee, as well as the rest of the House of Representatives, will be impatient to re-examine any new delegation of authority to the President to negotiate tariff and trade treaties. Any new legislation will be examined in the light of the economic and political considerations that exist at the time it is being considered. As you know, these conditions today are far different from those in 1962. Then, too, the recent election has changed the composition of Congress. And this may significantly affect its response to new foreign trade legislation.

Q. Should the U.S. negotiators return from Geneva essentially empty-handed, what effect would this have on the attitude of Congress toward future trade legislation?

A. I fear it would have a profoundly negative effect. After all, in passing the 1962 Act, Congress provided all the time and authority that one could reasonably hope for. If we don't move forward in the current negotiations, I'm afraid it will be extremely difficult to get any new foreign trade legislation of major consequence through Congress for the next few years.

Q. What in the way of new trade legislation do you feel may be needed?

A. We will have to concentrate on nontariff barriers, on the problem of trade with the Communist countries, and, most importantly, on helping developing countries work out meaningful solutions to their trade problems. In the organizational, procedural, and public administration areas, I am hopeful that the White House Office of the Special Representative for Trade Negotiations will be strengthened.

Q. What expanded role do you have in mind for that office?

A. I think the office should be a place to which our importers and exporters continually feed in their problems and register their grievances, as well as constructive suggestions on trade matters. The office, in turn, would bring these matters to the attention of our trading partners. Its most essential function would be that of overall coordination of U.S. trade policy, with the head of the office hopefully having ready access to the President himself. The Tariff Commission still would cover much of the technical work. But there are areas, such as "other-than-tariff" trade matters, which clearly are not in what is usually considered the domain of the commission. Also, the Tariff Commission has no negotiating authority. And this is where the Office of the Trade Negotiator, as part of the White House structure, might come in. I think this is something that should be permanent machinery in the executive branch and something that Congress as well could work through in its trade deliberations.

SURVIVOR BENEFITS FOR MILITARY RETIREES

Mr. CARTER. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Gubser] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. GUBSER. Mr. Speaker, today I have introduced legislation to provide more equitable survivor benefits for military retirees.

At the present time, military retirees who do not die of service-connected causes leave no monthly annuity benefits to their dependent survivors unless they had previously elected to receive a reduced amount of retired pay and participate in the retired serviceman's family protection plan—RSFPP. Since the RSFPP is completely self-financing, requiring no Federal Government contribution, the deductions in retired pay or premium payments are substantially higher than the payments made by civil service retirees for survivor benefit protection. This obvious disparity in premiums paid by military retirees versus their civil service contemporaries is reflected in the fact that fewer than 20 percent of all military personnel participate in the RSFPP, while 90 percent of civil service retirees participate in their survivor benefit program.

Stated very simply therefore, the Federal Government is subsidizing the survivor benefit program of civil service retirees in that amount which represents the difference between actual premiums paid by civil service retirees and the real cost of such a program. This is discriminatory against military retirees. Something must be done to treat them as generously as we treat those who retire from the civil service.

It is not valid to dismiss this discrimination on grounds that civil service annuitants have contributed to their retirement fund while military retirees have enjoyed a noncontributory retirement system. In the first place, military pay has never kept pace with civilian pay. Second, civilian employment does not entail the great risks to life and limb nor the personal inconveniences of military service. Third, there is no question that Federal subsidy plays an important role in the contributory civil service retirement system.

To insure that the retired serviceman's family protection plan program would be placed on a comparable basis with civil service would require a complete revision of the program both in its philosophy and concept, as well in its administrative provisions.

A change of this type would undoubtedly encounter almost impossible obstacles. Therefore, I am suggesting a simple expedient which will, I believe, accomplish my objective and do it in the simplest manner possible.

My bill will simply extend Veterans' Administration dependency and indemnity compensation to all survivors of military retirees who had completed 20 or more years of active duty, or who at the time of their death had a compensable service-connected disability rated at 50 percent or more.

This bill will correct a gross inequity. I hope it will have your support.

FREEDOM DAY IN TAIWAN

Mr. CARTER. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Derwinski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, on January 23, 1967, the citizens of Taipei, Taiwan, commemorated Freedom Day marking the 13th anniversary of the decision by thousands of Chinese prisoners of the Korean war to choose freedom in Nationalist China in disregard of Communist threats and brainwashing. The Freedom Day movement, which was originally launched by the Chinese people in the Republic of China and overseas together with the Korean people, has now spread over all member nations of the Asian People's Anti-Communist Leagues as well as various captive nations organizations in Europe and the United States. Hence, this movement aimed at tearing down the Iron Curtain has now become an international collective effort. I insert into the Record at this point the program and manifesto of the rally:

PROGRAM FOR THE FREEDOM DAY RALLY, 1967

1. Opening of the meeting.
2. Chairman and Members of the Presidium in chairs.
3. Audience standing at attention.
4. Peal of FREEDOM BELL.
5. National anthem.
6. Salute to National Flag and before the portrait of the late Dr. Sun Yat-sen.
7. Reading messages from President Chiang and others.
8. Report by Chairman.
9. Speech by H. E. Vice President C. K. Yen.
10. Speeches by guests.
11. Reports by Korean and Vietnamese anti-Communist defectors.
12. Introducing newly-arrived anti-Communist freedom seekers.
13. Reports by anti-Communist freedom seekers.
14. Reading the Rally's Declaration and outgoing despatches.
15. Anti-Communist Freedom Song.
16. Chanting slogans.
17. Band play.

MANIFESTO OF THE 13TH ANNIVERSARY OF THE FREEDOM DAY RALLEY IN TAIPEI

Today we observe the 13th anniversary of the "Freedom Day" in Taipei. The celebration of this meaningful event, at a time when the power struggle within the Peiping regime is plunging the whole Chinese mainland into chaos and anti-Mao, anti-Communist uprisings are threatening the very existence of that regime, is another eloquent symbol that the despotic Communist rule will eventually collapse and freedom will again prevail.

Thirteen years ago today, the regaining of freedom by over 22,000 Chinese and Korean anti-Communist fighters first verified this truth. During the past 13 years, numerous mainland compatriots, cadres of the Communist armed forces and Party, and Communist personnel on overseas assignments have deserted Communism and chosen freedom. This is another ample evidence that the tyrannical Communist rule has been rejected and abhorred by the vast mass. Lately, Wang Chao-tien, a former "Red Guard", again broke out from the Iron Curtain and reached free China after travelling thousands of miles southward from Harbin. His case especially serves to prove that on the mainland, even the second generation, which has been forcibly educated by the Communists since childhood and which always has been considered as most reliable by Mao Tse-tung, has turned against Communism and yearns for freedom.

No matter how despotic and close-knit the Communist rule is, no matter how deceitful and distorted its propaganda may be, the mainland compatriots' freedom-loving nature and their will to struggle against tyranny cannot be suppressed. Their deep affection for the government of their fatherland, which represents China's national spirit and cultural heritage, cannot be put out.

The internal power struggle among the Communists started with the so-called "Great Proletarian Cultural Revolution" which threatened to rectify and purge the "cultural thinking of the 1930s". This cultural thinking is in fact nothing else than the thinking of freedom. But, to the Chinese Communists, it is "revisionism." One thing we may predict: no matter whether the Mao-Lin clique or the anti-Mao clique will turn out to be winner in the power struggle, any form of Communist rule will at long last be crushed by the freedom-seeking Chinese people.

Celebrating the "Freedom Day" in free China today, on one hand we are greatly encouraged by the changes in conditions which is in favor of our side and disadvantageous to the enemy, and on the other hand we also wish to point out the favorable trend of this development for our mainland compatriots. We wish to make the following suggestions and appeals:

First, we wish to tell all young students and "Red Guards" on the mainland: Mao Tse-tung is deceiving and exploiting you. He is wantonly harming the young and innocent second generation of the Chinese nation. You are indeed unfortunate to have fallen victims to Mao's and Lin's incantations, and have been directed and controlled by their "professional students". Thus you have inadvertently become the tools and cohorts of the Red Bosses. You have left your families, put aside your books, suffered from hunger and cold, fallen sick or even dead. Just ask yourselves: is it worthwhile? Since you have travelled to various parts of the mainland "exchanging revolutionary experiences", you must have come to know what a hell of a life the compatriots are leading. You must also have come to see how shameless and absurd the Communist propaganda is. Your former comrade, Wang Chao-tien, is now back in the free fatherland. He is being warmly welcomed and affectionately cared for by all free compatriots, military and civilian. He has seen with his own eyes how stable and prosperous the fatherland's society is, what a happy and thriving life the people are leading, and how young people are being cared for by the state and enjoying free education. Wake up fast! Unite together and take concerted action to settle old accountants with Red bosses Mao and Lin who have exploited you and sacrificed your interests! Join the ranks of counteroffensive and mainland recovery and make joint efforts with us for the cause of punishing Mao Tse-tung and saving the nation!

Secondly, we wish to call to the worker-peasant masses on the mainland: You have been treated by the Communists as "tools who can speak", and for more than a decade have been oppressed and exploited, and leading an inhuman life. At the present moment, the internal of the Communist regime is being riddled by a serious power struggle, and the best chance has come for you to regain freedom and make yourselves real masters of the country. Rise up and shatter the shackles on your necks, take over the control of factories and mines, continue with your strikes and slowdowns so as to paralyze the Communist economy, and overthrow the despotic Communist rule! Don't wait and see! To give your Communist persecutors a breathing spell will mean giving them a chance to impose on you more severe suppression and more tyrannical enslavement!

Thirdly, we wish to appeal to all intellectuals on the mainland: The Communists, in rectifying the free thinking, aim at wiping out any man with brains, reasoning power, clear mind and humanity, in other words, any man that is not manufactured by the Communist machine. They aim at destroying human dignity and independence. You are victims of the Communist "great proletarian cultural revolution" and must have seen that under the Communist tyrannical rule, it is even impossible to be a man. It is our wish that you, who have inherited the Chinese intellectual's traditional spirit of defying violent force and preserving justice and individual dignity, will utilize your wisdom, organize yourselves, and take up the sacred mission of leading the social revolution and progress and intellectuals. You should exercise leadership over the youths, unite with the worker-peasant masses, launch an anti-Communist struggle, overthrow dictator Mao Tse-tung who is even more cruel and dangerous than the First Emperor of China who burned books and buried scholars alive, and crush the Peiping regime which is more despotic than any other feudal dynasty in history.

Fourthly, we wish to call to members of the Chinese Communist armed forces, cadres of the Communist Party, and personnel stationed abroad: As you can see yourselves, the current struggle between the Mao-Lin clique and the Liu-Teng clique is unmistakably a reproduction of the power struggle among various kings of the Taipeing Tienkuo during the later years of that regime. What are the ideals of Communism? What is its paradise? What is its future prospect? Nothing but shameless lies! Nothing but pretexts of the Red Chieftains for utilizing and exploiting you all! Now Mao Tse-tung has even let his wife Chiang Ching direct you, ride on your shoulders, and subject you to rectifications. Aren't all of these the measures of a dictator and tyrant? Such high-ranking Red cadres as Liu Shao-chi, Teng Hsiao-ping, Lo Jui-ching, Peng Te-huai, Peng Chen, Tao Chu and Chu Te all had long connections and close relations with Mao Tse-tung. They all had risked their lives for Mao and the Communist regime, and had held high positions in Party and government. Yet, look at them now! Their miserable fate is ample evidence of Mao's deceitfulness, cruelty, insanity and ingratitude. It also bespeaks the lack of consistency at the high echelon of the Communist hierarchy. For the sake of your own safety and that of your family members, for your own future, you should promptly respond to President Chiang Kai-shek's great calls of "six freedoms", "three assurances", "four principles" and "ten pledges", courageously rise up against Communism, fight for freedom, punish Mao and help save the country. You should follow in the footsteps of Liu Cheng-szu and Li Hsien-pin who are now back in the free fatherland, enjoying freedom and a happy life, being respected and holding important posts.

Fifthly, in observing the 13th anniversary of the "Freedom Day" here today, we especially wish to appeal to the United States and the whole free world: Freedom cannot be obtained at a cheap price, especially we should not take any generous gift from the aggressors. Freedom and slavery cannot coexist. Today, internally the Peiping regime is riddled by a serious power struggle and extreme confusion, and internationally it is completely isolated.

This is indeed an unprecedented chance for us to wipe out that regime and eliminate the threat of Communist aggression in Asia. We should not sit back and wait for the Communists to collapse by themselves. We should utilize outside force to trigger an anti-Communist revolution on the mainland. Thirteen years ago, the Chinese and Korean ex-POWs of the Korean War were able to regain freedom chiefly because the free world countries took action to deal blows to the Communists in the Korean War. To solve the Vietnam problem today and to safeguard the security of Southeast Asia, the free Asian countries on one hand must strengthen unity, establish an Asian anti-Communist collective security system, set up an Asian Crusade for freedom, so as to deal concerted blows to Communist aggressors in Vietnam.

On the other hand they must support the Republic of China's effort in overthrowing the Communist rule and rebuilding the nation, to enable the free Chinese to deal direct blows to the Communists on the mainland and destroy the Peiping regime of usurpation. Starting from the restoration of freedom to the enslaved people on the Chinese mainland we shall eventually restore freedom to all enslaved peoples of the world. By eliminating the root of all calamities in Asia we can ensure a permanent peace for Asia and the world.

We further wish to point out a fact for the United States and all democratic countries: To cope with the situation of growing anti-Communist strength within and without the Iron Curtain, the Chinese Communists are putting up a desperate struggle. Internally they are clamping down a more strict reign of terror, and externally they are making fanatical preparations for a nuclear war. If we fail to grasp the current favorable opportunity to deal a decisive blow to the Communists, but instead try to appease them or entertain the wishful thinking of bringing about a peaceful coexistence or waiting for the peaceful transition of the Communist second generation, we shall become accomplices of Communists in frustrating the mainland people's bid for regaining freedom. We shall be giving the Reds a good chance to develop their nuclear weapons, which may eventually plunge mankind into the abyss of an unimaginable catastrophe.

The struggle for freedom staged by people on the Chinese mainland during the past 13 years shows that the very foundation of the Peiping regime is shaken by a strength of freedom. The changes in the balance of strength between freedom and slavery, and the Communists' own internal contradictions and crises, have presented a best opportunity for punishing Mao Tse-tung, recovering the mainland, and liberating the enslaved compatriots. We are confident that we shall be able to unite with our brethren on the mainland to complete this historic mission. It is our sincere wish that all freedom-loving peoples of the world will join hands with us to wage a concerted struggle in this direction.

Among the messages which poured into the rally from various parts of the world was one from President Chiang Kai-shek, which is of special significance in this time of great crisis in the Far East. I insert President Chiang's message in the Record at this point:

President Chiang Kai-shek's Message to the Mass Rally Celebrating the 13th Anniversary of Freedom Day January 23, 1967

Thirteen years ago today, more than 14,000 Chinese anti-Communist fighters of the Korean battlefield reached freedom after encountering great dangers and severe hardships. Their courage and determination in leaving the darkness to find the light reflects a greatness of spirit that shines brilliantly in the annals of mankind's quest for freedom. They have written a glorious chapter in freedom's triumph over slavery and in the conquest of evil by righteousness. Since the designation of January 23 as Freedom Day, the movement to combat slavery and seek freedom, to uphold human dignity and provide a symbol of hope for mankind, has evoked a widespread response among free and democratic countries all over the world and has exerted a profound influence behind the Iron Curtain. Freedom Day expresses the unity and common objective of millions of oppressed and humiliated people who oppose the tyrannical rule of Communism.

Under the pretext of launching a "great proletarian cultural revolution," Mao Tse-tung is exploiting the ignorant young people of the mainland and has organized them as "Red Guards" to wage blind and irresponsible "struggles." Violent internal conflict has plunged the whole of the Chinese mainland into chaos. The all-out anti-Mao, anti-Communist struggle of the mainland people is growing fast and gaining in intensity. So-called "Marxism-Leninism" and "Mao Tse-tung's thought," which the Communists sought to use as weapons to paralyze the minds of the people and destroy their very nature as human beings, have failed utterly. The Peiping regime is on the brink of total collapse.

Trying to avert their imminent fate, the Chinese Reds can be expected to become even more fanatical and to increase the tempo of their bloody suppression and persecution of anti-Communists. However, the crueler the Communist measures of suppression, the more intense will be the anti-Communist actions of the people. Intellectuals and cadres of the Communist Party, government, and military are joining the masses of the people in expressing their resentment and their determination to struggle against Mao and his cohorts. In recent days former cadres Chang Tsung-yao, Liu Yueh-sheng, Wang Chao-tien and Cho Jung defected from the ranks of the Chinese Communist militia, a cultural organization, "Red Guards" and the Liberation Army" and made their way to freedom. This is eloquent proof that Mao is deserted by his followers and is confronted by enemies on every side. The courageous escape to freedom of these four will heighten the will of our mainland compatriots to carry on the fight against Communism.

At this moment when the whole country is celebrating the 13th anniversary of Freedom Day, we are also vigorously supporting the Chinese Cultural Renaissance Movement. This great movement appeals to the reason and the conscience of the people. It is a powerful weapon for use in the ideological war against the Chinese Communists. Such strengthening of our political counter-offensive gives added significance to Freedom Day. All our fellow countrymen at home and abroad should consider it a sacred duty to propagate our cultural tradition, to reinforce confidence in the ultimate triumph of benevolence over wickedness, and to support our compatriots on the mainland in their fight against Communism and tyranny. We must hold high our principles and urge both Communist cadres and members of the Red armed forces to come to freedom. By consolidating the anti-Mao and anti-Communist forces, we shall create a situation favorable to freedom both inside and outside the mainland. Then we shall destroy the collapsing counterfeit regime in Peiping and accomplish the sacred mission of recovering the mainland and delivering our compatriots.

Vice President Yen delivered a most inspiring speech which I insert at this point as a continuation of my remarks:

Text of Vice President Yen's Speech to Freedom Day Rally

Mr. Chairman, Honorable Guests, Ladies and Gentlemen: The civil organizations of the Republic of China jointly organize today this mass meeting to celebrate the Thirteenth Anniversary of the Freedom Day. We all remember that fourteen thousand prisoners of the Korean War have risked their lives, endured hardships beyond description, and succeeded in returning to the bosom of their fatherland. This is an epic which has shocked the conscience of mankind. By their heroic action, they have, before the presence of the free world, accused the Chinese Communists of aggressing the Republic of Korea, threatening the peace of the world, maltreating prisoners of war, and violating the human right of freedom. By their success, they have also effectively demonstrated how their compatriots who are still trapped on the mainland, should shatter the Iron Curtain and fight for a bright future as free men.

We all know that because of the glorious victory of these fourteen thousand brave men, not only have they themselves since enjoyed freedom, but also they have strengthened the anti-Communist resolution on the part of the millions behind the Iron Curtain. They have indeed written an important page in history, showing how human beings have fought for freedom. Our rally today wants to promote the indomitable spirit, which they have demonstrated and which we need to carry on our revolution. What is more important, we want, on this occasion, to appeal to the free peoples of the world that we should not let our unfortunate brethren behind the Iron Curtain suffer any more. Let us be more resolute in our anti-Communist struggle. Let us bring about a crusade to liberate our enslaved fellow men and help them to regain their freedom and dignity as human beings. This is the real purpose of the Freedom Day Movement.

We are very happy to note that universal enthusiasm has been aroused since the inauguration of the Freedom Day Movement. This is, of course, due to the contributions and supports given by our compatriots. But, very importantly, this Movement has also become an integral part of a world-wide movement aimed at liberation of the enslaved people under the Communist yoke. It is especially gratifying that since 1959, the President of the United States has issued a proclamation every year, inviting the American people to observe the Captive Nations Week, which falls on the third week of July, in order to manifest their sympathy and support to the enslaved peoples. We believe that these two Movements have since joined hands and become one in spirit. In this connection, I wish to express our great pleasure of having on this platform our Honorable Guests from Malagasy Republic, the United States, Vietnam, and the Republic of Korea. Their presence have greatly enhanced the significance of our rally. We are also delighted that we have among us today many friends who have chosen and enjoy freedom by renouncing Communism, such as Mr. Wang Chao-tien who was a so-called "Red Guard" before, Mr. Cho Yung, who was a captain in the Air Force of the Chinese Communists, and many others. That they are here with us certainly gives additional meaning to our celebration today.

Ladies and Gentlemen, not only have we full confidence in the cause of liberty, but also we believe our victory is just around the corner. However, we should well prepare ourselves and be more strenuous in our efforts. I would like to think that we should do our best in the following three fields.

Firstly, we should continue our calling on the people on the mainland. Special efforts should be made to appeal directly to the intellectuals, party functionaries, government officials, and military officers, as well as the Communist operative abroad, asking them to rise against tyranny and join the forces of freedom. The "six freedoms", "three assurances", and "ten pledges", as proclaimed by President Chiang, are like giant torches showing them the way back to the fatherland. I want to call your attention, furthermore, to what President Chiang told us on the New Year Day. He said, "Let me solemnly reiterate my hope that all anti-Mao forces will join hands and march along the road of San Min Chu I, toward the goal of Mao's removal and national recovery. We should forget all differences of faction, party and class and all disagreements of the past." It is very important to make known to the people on the mainland such instruction and attitude of President Chiang so that they will be encouraged to follow the example of the anti-Communist heroes and fight for their own freedom as well as for their country.

Secondly, we should intensify our efforts for the Renaissance Movement. It should be pointed out that in order to exploit the people under their control and prevent them from uprising, the Chinese Communists have taken endless suppressing measures, such as the "Land Reform Movement", "Rectification Movement", "Contend and Bloom Movement", "Three-anti Movement", Five-anti Movement", and "Anti-rightist Movement". They have imprisoned and murdered millions of innocent people over the years. But they have completely failed to crush the anti-Communist and anti-Mao elements on the mainland. On the contrary, the main ideological current of the Chinese people, which, as expressed in San Min Chu, I has survived over five thousand years, is becoming increasingly vigorous and popular among the people. As a result, anti-Communist activities are widespread on the mainland, even Communist leaders such as Liu Shao-chi are now taking anti-Mao stance. For this reason, Mao has been forced to start the so-called "Cultural Revolution" and organize the "Red Guards".

It is very clear that Mao's intention is to destroy the history, culture, as well as the ethical values and moral standards of the Chinese people. Therefore we should build up Taiwan as a model province and promote our traditional culture. We should appeal to all our compatriots both in Taiwan and abroad, especially our enslaved brethren on the mainland, to join forces for this great Movement. We must strive to protect our civilization and eliminate the tyrannical regime of the Chinese Communists.

Thirdly, we must tell all the freedom- and peace-loving nations that, as a desperate measure, the Chinese Communists are appropriating the resources which the people need for survival to make atomic weapons. By their recent atomic test, the fifth in a row, they have once again proved that they are accelerating their attempt to blackmail the free world, bearing witness to the fact that they are the source of the world's tumult and turmoil. As Mao himself is finding himself in a very dangerous situation of his own making, being deserted by most of his comrades and followers, now is the opportunity of our counterattack on the mainland. This is also the opportunity to tear down the Iron Curtain and nip the bud for a threatening nuclear holocaust. We believe that such developments concern the vital interest of the free world as a whole, so we should like to appeal to our friendly nations for spiritual and material supports, in order to facilitate our counter-offensive measures. We also believe that our success will guarantee the much sought-after peace and liberty for the whole world. In his New Year Day proclamation, President Chiang said very succinctly, "The China problem can only be solved by the Chinese. Only by letting the Chinese solving the China problem can we expect to achieve Asian fredom and world peace." This definitely expressed the consensus of the Chinese people. It is my sincere hope that we will make unified efforts under the eminent leadership of President Chiang to wipe out the Chinese Communists, recover the mainland, and build up a great republic.

I thank you.

The chairman of the rally, Ku Cheng-kang, president of the China chapter of the *Asian Peoples' Anti-Communist* League, also addressed the assemblage, and I insert his address into the Record at this point:

Address by Chairman Ku Cheng-kang, President, China Chapter, Asian Peoples' Anti-Communist League

Your Excellencies, Distinguished Guests, Ladies and Gentleman: This is the 13th time for us to observe Freedom Day, designated to mark our dedicated effort to liberate all the peoples enslaved by the Communists. This time we observe it with greater confidence and optimism because recent events have arrayed before us evidence that tyrannies will perish. Victory for freedom is around the corner.

In the past year the Mao Tse-tung regime has shown every sign of impending disaster. Its "great cultural revolution" and Red Guards have been no less than public confession of its ideological bankruptcy, organizational disintegration, policy mistakes and irrationality in its actions. History did not know a more evil tyranny that had embodied more terror, brutality, barbarity and confusion.

On the mainland today bloody clashes have taken place between the Red Guards and masses of workers and farmers. Conflicts have also been reported between different bodies of Red Guards, involving some of the military units. The friction may lead to an armed showdown between the Mao faction and anti-Mao faction now engaging in a decisive duel. More importantly, the struggling has nurtured the people's resistance and will lead to a general uprising against the Communists.

Facing this new situation favorable to the cause of freedom, we appeal on this Freedom Day to the entire free world for the discarding of many erroneous concepts of the past, and for the timely taking of effective action.

Events have served to prove as illusions and fancy those appeasement theories towards the Mao Tse-tung regime. Some claimed that the Mao regime had had effective control of more than six hundred million people; but we have been shown that that regime has never enjoyed stability or consolidation. Resistance mounted with the failure of the "people's commune" and the "Great Leap Forward" launched in 1958 which brought unbearable privations and suppression to the people. The recent rampaging of the Red Guards has occasioned over-all confusion and disorder. Other appeasement theories were based on the hope for "peaceful transition" of the second generation Chinese Communist leadership; but we have been shown that Mao's successor groomed is Lin Piao who clamored for the burying of free men by the "people's war," and that the "second generation" brought up by Mao and Lin comprises the rampageous Red Guards. Yet other appeasement theories predicated upon the forbidding strength of the three million men armed forces under Mao's control; but we have been shown that the Communist armed forces, what with the stopping of Soviet aid, are obsoletely armed and low in morale. What is more, they have to be actively prepared for action on many fronts: on the Taiwan Straits and on the Vietnam, Indian, Soviet and Korean border, plus the new and pressing requirement to be vigilant against possible internal armed conflict and the people's uprising. Recent events have proved the reliability of our reports on the crimes perpetrated by the Chinese Communists and the accuracy of our estimate of Mao's sliding towards defeat.

The Free World, however, should not look upon the extreme state of confusion on mainland China as purely a power fight between the Chinese Communists themselves, to the neglect of the general anti-Communist position adopted by the Chinese people. A wait-and-see attitude is a harmful one to assume because the Chinese Communist paper tiger will not collapse without puncturing from without. This is the most opportune time for the Free World to remove this source of troubles for Asia and the whole world, before the Chinese Communists can export their Red Guard movement, and specially before they come into possession of usable military nuclear capability.

The Free World and the U.S. as its leader must not hesitate to exploit this godsend of an opportunity to deal with the evil Chinese Communist regime. The appeasement advocates must not be permitted to prevail again in their demands for measures of concession, compromise, and indulgence that would at best postpone briefly the all out onslaught of the Communists.

We firmly believe that the solution of the Vietnam problem lies in the attainment of victory on that battlefield by adopting the most active means. In thorough victory the Free World will be able to obtain a peace based on freedom, independence and justice as demanded by the Vietnamese people.

The solution for Asian and the world's disastrous troubles, as was pointed out by President Chiang on New Year Day in his message to the nation, lies in the solution of the China problem, which in turn can only be solved by the Chinese. This, indeed, is the correct course to follow to meet the world's crisis. We are convinced that to eliminate Asia's source of troubles the Free World must support the Republic of China in our military action on the China. Our reinvasion will receive the support of the people on the mainland, and as domestic action to suppress insurgence it will not lead to an international war. Our military action alone can remove the scourge of Asia, safeguard the freedom of mankind and lay the foundation for peace in the world.

In restoring freedom to the people on the mainland we will rely on both the fostering of internal revolution within the enemy's realm and military offensive action from this base of our national recovery. In preparation for the final military action, we must now do our utmost to strike at the enemy in ideological warfare, psychological warfare and political warfare. Our objective is to effect the confluence of resistance movements into an all-pervading struggle against the Communists.

We of the Republic of China will rededicate ourselves on this Freedom Day to the task of doing everything within our ability to support the resistance groups on the mainland, to ready ourselves for the recovery of mainland China for the final destruction of the Communist regime and the restoration of our mainland compatriots to their freedom.

In conclusion I would like to avail myself of the opportunity to express our respects and welcome to the distinguished leaders and fighters in the battle against the Communists, especially Lt. Gen. Nguyen Huu Co, Vice Premier of the Republic of Vietnam, United States Congressman William G. Bray, Mr. Charles Rakotondrainibe of the Malagasy Republic, Mr. Choi Kwang Suk of Republic of Korea, and Mr. Dink Long Truong of the Republic of Vietnam. All of them have made great contributions to the fight for freedom against enslavement. We know at heart that when we unite the forces against Communism together we will see the victory of justice and freedom.

I conclude my remarks by inserting cables which were sent by rally Chairman Ku Cheng-kang to leading world figures expressing the sentiments and determination of the thousands of dedicated people who participated in the rally:

January 23, 1967.

President Lyndon B. Johnson,
White House,
Washington, D.C.

Your Excellency: On the eve of the 13th anniversary of the liberation on January 23rd, 1954, of over twenty thousand Chinese and Korean anti-Communist prisoners of war, the Chinese and Vietnamese Communists are stepping up their bellicose activities to endanger the peace in Asia and the world as a whole. Though the United States has adopted a firm policy and sent troops to Vietnam to fight for the cause of freedom, peace is unattainable as long as the roots of all the trouble remain. Now that the Chinese Communists have thrown the entire Chinese mainland into general confusion and a reign of terror by allowing their Red Guards to run amuck, millions of Chinese people shut behind the Iron Curtain are facing an uncertain future. As the Peiping regime is posing a serious threat to world peace, it is incumbent upon the free world to take timely action to uproot the cause of all evil so that the world may be assured of durable peace. It is earnestly hoped that the United States will give the Republic of China all moral and material support in her efforts to liberate the enslaved people on the mainland and to remove once for all the threat to humanity at large.

Respectfully yours,
Ku Cheng-kang,
President, Freedom Day Rally, Taipei, Republic of China.

January 23, 1967.

U.N. Secretary General U Thant and various national delegations to the U.N., United Nations, New York.

Your Excellencies: Just as the Chinese Communists are instigating the Vietnamese Communists to intensify their efforts to encroach upon South Vietnam in defiance of all peace proposals made by the UN, we are celebrating the 13th anniversary of Freedom Day in Taipei. We gratefully recall that as a result of the United Nations' insistence on the voluntary repatriation of all prisoners of war at the time of the Korean War, over twenty thousand Chinese and Korean anti-Communist prisoners of war were able to regain their freedom on January 23, 1954, in spite of Communist threats and inducements. It is earnestly hoped that the United Nations will never permit the Peiping regime, which is posing a serious threat to human freedom and world peace, to be admitted to the sacred precincts of the world organization but will, on the contrary, take effective sanction measures against it. It is also hoped that the United Nations will give moral support to all enslaved peoples behind the Iron Curtain in Europe and Asia in their efforts to regain their lost freedom. Above all, it is hoped that the United Nations will not give expression to any views or take any measures that may be easily misinterpreted or utilized by the Communists for their own sinister purposes. It is only in this way that all the enslaved peoples throughout the world can regain their freedom at an early date and once more enjoy the blessings of a peaceful and happy life.

Ku Cheng-kang,
President, Freedom Day Rally, Taipei, Republic of China.

CABLE MESSAGE TO THE VIETNAMESE GOVERNMENT AND PEOPLE

Your Excellencies Chief of State Nguyen Van Thieu, Premier Nguyen Cao Ky, and all Anti-Communist people of the Republic of Vietnam: At present the situation of the Vietnam War is turning daily in favor of the democratic side, although the Viet Cong, under stepped-up support and instigation of Moscow and Peiping, are still carrying on with their aggression as a final death struggle. The military and civilians of your country, under the inspired leadership of Your Excellencies, have on one hand dealt repeated blows to the enemy, and on the other have strengthened unity, bettered living conditions, established a democratic constituent government, refused to hold peace talks with the Communists, and stood firm on the principle that you will not stop fighting until all the Viet Cong are wiped out. Such undaunted spirit of preserving national independence and sovereignty and safeguarding justice and freedom has won our deep admiration. Please be assured that all of us in free China are standing behind you, and we shall work, shoulder to shoulder, for our final victory.

Today we are holding in Taipei a mass rally in celebration of the 13th anniversary of the "Freedom Day". We have appealed to the free world countries to strengthen their efforts in aiding Vietnam, and have especially urged the United States government to adopt a strategy and tactics of winning a thorough victory in the Vietnam War. We also wish to take this opportunity to express the determination of all free Chinese people in waging a joint struggle hand in hand with your people. Let us pray together for the coming of an early victory in our anti-Communist endeavor.

Cable Message to H. E. President Park Chung Hee of the Republic of Korea

Your Excellency: Thirteen years ago on January 23, some 22,000 Chinese and Korean ex-POWs abhorred Communism and regained freedom. Since then, the day has been designated the "Freedom Day" to commemorate the liberation of people from under Communist enslavement and has been observed the world over. This year, the "Freedom Day" has entered its 13th year.

Under your inspired leadership, the Republic of Korea has sent troops to aid Vietnam, thus safeguarding the security of Southeast Asia. This has won admiration of people of all Asia and the world over.

At present, the despotic Chinese and Vietnamese Communist regimes still stand undefeated, and freedom is not yet restored to many of our Chinese and Korean compatriots. At this juncture, peace in Asia and the world is further threatened by the atrocities of the fanatical Chinese Communist "Red Guards". We in free China have long made preparations for a counterattack. As the Republic of China and the Republic of Korea are fraternal countries and sharing the same fate, it is our sincere hope that peoples of our two countries will stand closer together, strengthen our cooperation and mutual-assistance, so as to plan for the wiping out of the root of evils by dealing it a single, lethal blow. With this cable we are sending you our highest respects and may we achieve an early success in saving our compatriots from under the Communist yoke and recover our lost territories.

Cable Message of Encouragement to United States, Australian, New Zealand, Korean, and Philippine Troops Fighting in Vietnam

To Gen. William C. Westmoreland, Commander in Chief of the U.S. Troops in Vietnam, Officers and Men of the U.S., Australian, New Zealand, Korean, and Philippine Troops Fighting in Vietnam:

The Viet Cong, under the support and instigation of Chinese and Russian Communists, have repeatedly turned down proposals to hold peace talks, and are carrying on with their all-out aggression, infiltration and subversion of South Vietnam. It is indeed fortunate that you, officers and men of the allied forces fighting in Vietnam, have put up a courageous struggle against the fierce enemy, completely shattering a Communist plot to seize the Vietnamese territory and enslave the Vietnamese people. Furthermore, as a result of the stepped up bombing of North Vietnam by your air force, the Viet Cong's morale has been dealt a severe blow, and the Chinese Communists are also trembling with fear although they still retain their bellicose appearance. The overall situation of the war is definitely turning in favor of the democratic side. Your undaunted spirit of struggling and sacrificing for the sake of safeguarding justice and freedom have won admiration of not only the free Chinese people, but also all freedom-loving peoples of the whole world.

Today, we are holding in Taipei a mass rally in celebration of the 13th anniversary of the "Freedom Day". We have adopted a unanimous resolution to support the correct Vietnam policy of the U.S. Government and its positive action. We also wish to take this opportunity to convey to you our determination to stand firmly behind you to work for Vietnam's freedom and independence. Please accept our highest respect and admiration.

SUSPEND TREATY NEGOTIATIONS

Mr. CARTER. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Findley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. FINDLEY. Mr. Speaker, the United States should suspend negotiations with Russia on the nuclear weapon treaty until our NATO allies pledge their unanimous support.

The treaty will be taken up tomorrow in Geneva in connection with the 18-Nation Disarmament Conference.

U.S. interests will be seriously impaired if the treaty rules out creation of a nuclear defense system controlled by NATO or in any respect bargains away legitimate security interests of our allies.

The Soviet Union is clearly using treaty negotiations as a clever means of creating new tensions within the Western alliance—especially with regard to Germany.

All of our allies may not speak up publicly with their reservations, and therefore private soundings are essential. If this treaty is interpreted as bargaining away legitimate security interests of our allies, Moscow will win a major victory in its long-term effort to break up NATO.

The United States should suspend negotiations until our NATO allies are in complete support. Any treaty advantage to the United States is so remote and vague that it simply does not justify risking new difficulties within the alliance.

PRESIDENT EISENHOWER ENDORSES PRINCIPLE OF CONSULAR CONVENTION

Mr. CARTER. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Findley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. FINDLEY. Mr. Speaker, recently I wrote former President Eisenhower for his opinion regarding the proposed consular convention with the Soviet Union. At the time of my writing he had not yet made his position public. Subsequently on February 2, 1967, he did issue a statement in which he expressed approval for the principle of the proposed consular convention, and I ask that his letter to me and the statement General Eisenhower issued on February 2, 1967, be included in the Record at this point.

Box FFF, Indio, Calif.,
February 10, 1967.

Hon. Paul Findley,
House of Representatives,
Washington, D.C.

Dear Congressman Findley: Thank you very much for your letter of the second and its attachment. I am, of course, deeply interested in the proposed Consular Convention and recently issued a public statement on that matter. I am enclosing a copy of that statement. It explains rather succinctly my views on the subject.

With warm regard and best wishes,

Sincerely,

Dwight D. Eisenhower.

Enclosure.

Consular Convention Statement by Former President Dwight D. Eisenhower, February 2, 1967

Replying to questions concerning my opinion as to the value of a Consular Convention with the U.S.S.R., I cite these items from the record:

At the Geneva Summit Conference in 1955 I pointed out to the Soviet Leaders that there existed unnecessary restrictions on the flow between us of ideas and I suggested that the barriers which now impede opportunities of people to travel anywhere in the world for peaceful, friendly purposes, be lowered.

In July of 1959 Vice President Nixon touched on this subject with Mr. Kozlos, Deputy Premier of the Soviet Union, and suggested that the United States establish a consulate in Leningrad with the Soviets establishing one in New York.

When Chairman Khrushchev visited me at Camp David in September 1959, Secretary of State Herter renewed this proposal to Foreign Minister Gromyko and also suggested that a Consular Convention be negotiated. Such a convention was completed and signed in 1964.

I have not changed my belief that such a convention is in our national interest; that it will not impair our national security; that it should enlarge our opportunities to learn more about the Soviet people, and that it is necessary to assure better protection for the many thousands of Americans who visit the Soviet Union each year.

VEGETABLE OIL FOR YUGOSLAVIA

Mr. CARTER. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Findley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. FINDLEY. Mr. Speaker, Members of the Congress continue to be alarmed with the determination of the State and Agriculture Departments to grant credit terms to Yugoslavia under Public Law 480 for the purchase of vegetable oil. This proposed transaction is clearly illegal under the Findley amendment to the Agriculture Appropriation Act of 1967. The General Accounting Office, in an opinion dated February 2, 1967, asserted that expenditure of funds to finance this transaction would be illegal, but the Agriculture Department granted a purchase authorization anyway.

The gentleman from Texas, Congressman Robert Price, a member of the Agriculture Committee, has stated the case against the credit sale in a recent letter to the Secretary of Agriculture, which I asked be placed in the Record at this point:

February 14, 1967.

Hon. Dean Rusk,
Secretary of State,
Washington, D.C.

Dear Mr. Rusk: This letter concerns a proposed shipment of vegetable oil under Public Law 480 to Yugoslavia.

I have followed with interest the course of objections raised by Rep. Paul Findley and would like to endorse the views he has expressed in an exchange of correspondence with you, the Secretary of Agriculture, Comptroller General and others.

Without belaboring you with a repetition of the details of the matter, I would like to subscribe to the views expressed by Rep. Findley, particularly his reference to the

Comptroller General's opinion that funds contained in the Department of Agriculture and Related Agencies Appropriation Act of 1967 should not be used to formulate or administer programs for the sale of agricultural commodities to Yugoslavia, under Title IV of Public Law 480 until legislative clarification of the proviso is obtained.

Also, I fully agree with Rep. Findley's reference to Section 103 D3 of the Food for Peace Act of 1966 and the intent of Congress expressed therein.

I hope you will reconsider your intent to "proceed with the sale as agreed." I cannot agree that such a course would be in the national interest.

I recall that President Tito, during his South American tour a few years ago, offered certain South American countries such as Bolivia, substantial grants for a so-called Yugoslavian economic aid program. If a Communist ruled country such as Yugoslavia is able to offer aid to a country in our own hemisphere where our own aid programs have been intended to combat the spread of Communism, why should we foot the bill by subsidizing Tito?

Even granting the legality of the fulfillment of the PL-480 Title IV agreement signed with Yugoslavia, I question the wisdom or propriety of subsidizing a Communist government which, admittedly, is aiding a Communist ruled country with whom we are engaged in open warfare.

Shortly before embarking on his American trip in 1963, President Tito was quoted in a dispatch from Belgrade as saying that Yugoslavia and Russia, "have mutually arrived at the conclusion that many things that have divided us in the past have been mere trifles and that we are now faced with common interests and tasks."

I presume that these "common interests and tasks" include continued aid to the government of North Viet Nam whether directly or through some subterfuge of a Yugoslavia Coordinating Committee.

I reiterate my objections to this or any other transaction by the U.S. Government which would aid those who aid a government with whom we are involved in armed conflict.

Sincerely,

Bob Price,
Member of Congress.

COMMENDATION OF THE HONORABLE GLENARD P. LIPSCOMB

Mr. CARTER. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Teague] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. TEAGUE of California. Mr. Speaker, I commend my colleague, the Honorable Glen Lipscomb, for his stand on the following issue which appeared in the Los Angeles Times on Sunday, February 12, 1967:

East-West Trade Puzzle

"When you speak to the relatives of Americans who have been killed or maimed by weapons, equipment and ammunition which was supplied by the Communists . . . how do you explain the administration's trade-with-Communists policy?"

This question, posed by Rep. Glen Lipscomb (R-Los Angeles), is one which Congress cannot properly ignore as it studies President Johnson's East-West trade proposal.

In line with his laudable desire to "build bridges" to the Communist countries, the President wants Congress to enact legislation which would authorize him to lower existing barriers to East-West trade.

Specifically, he is expected to seek power to extend MFN, or "most favored nation" tariff treatment, to most of the Communist nations of Europe, including the Soviet Union. Only Poland and Yugoslavia, among the Red countries, now receive MFN treatment on their exports to the United States.

MFN status would give the Communist lands no special advantages in the American market. It would simply put their exports on a competitive basis with those from free world countries.

Reports indicate that key members of the House Ways and Means Committee, which handles such legislation, are unenthusiastic and may not even hold hearings.

The Times believes that a good case can be made for enactment of an East-West trade bill this year, despite the Vietnam war. But the matter deserves close and objective study. And, certainly, the benefits of such legislation should not be extended to the Soviet Union as long as it is the major supplier of ammunition and equipment used to kill American soldiers in Vietnam.

It should be kept in mind that the anticipated legislation would not grant automatic, across-the-board benefits to the Communist countries. The President would have the authority to treat each Red regime on an individual basis.

Benefits could be extended to Rumania and Bulgaria, for example, but withheld from Russia and Poland.

Arming Mr. Johnson with this discretionary authority would enhance his ability to prod the Communist countries toward better behavior toward their own people and toward the free world.

The Times has, in the past, expressed the view that a selective lowering of East-West trade barriers could be a healthy thing—provided that the criterion is always the American national interest.

This viewpoint is as valid as ever—with the difference that Vietnam must now loom large in any consideration of where the U.S. interest lies.

This is not the time to do any favors for any country which is making a substantial contribution to the Communist war effort in Vietnam.

Soviet ships account for half the tonnage arriving in Haiphong harbor. The Soviet Union supplies anti-aircraft guns and missiles, jet fighters, artillery pieces, radar systems, military trucks and heavy infantry weapons—not to mention a massive portion of the oil and gasoline consumed in North Vietnam.

Clearly, Russia should not be eligible for MFN treatment while this situation continues.

The cases of the East European countries—which, collectively, provide only a fraction as much aid as the Soviet Union—should be considered separately. And it is military shipments, rather than commercial-type trade, which should be of the most concern.

Yugoslavia, which contributes only medical supplies, should not be considered in the same harsh light as Poland, whose ships are said to be carrying weapons to North Vietnam, or Czechoslovakia, which is apparently supplying military trucks.

The existing ban on U.S. shipment of strategic goods to any Communist country should, of course, be maintained.

Congress, as a matter of fact, should study Lipscomb's complaint that the administration has eased the restrictions on sales of such items as diesel engines, jet aircraft engines and rifle cleaning compounds.

Finally, the appropriate committees should also study whether MFN treatment should not be granted only on an item-by-item basis—so that U.S. leverage on the Red nations would not be exhausted in one bargaining session.

FINO URGES FEDERAL PORTABLE PENSION MECHANISM

Mr. CARTER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Fino] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. FINO. Mr. Speaker, today I am introducing legislation to require the Secretary of Labor to prepare a study for Congress by January 1, 1968, on the way in which the Federal Government can coordinate and regulate private corporate pension programs so as to allow workers to move from one corporation and one industry to another without loss of accrued pension credits. In effect, the Secretary would be studying the optimum mechanism for a Federal pension clearinghouse where workers could bank pension payments made to one corporation for credit transferable to the pension system of a new employer. The Secretary would study whether or not the best Federal participation would be confined to coordination and clearinghouse service for voluntary industrial participants, or whether the Federal task would involve regulation and standardization of private pension plans in order to achieve interchangeability or portable pensions.

I am reintroducing a bill to require the Secretary of Labor to study a Federal mechanism for portable pensions because I feel that in this day and age, there ought to be some way in which our workers can achieve job mobility without sacrificing accrued pension payments and rights.

The way in which present lack of pension interchangeability presently restricts the job mobility of American workers smacks of medieval feudalism when peasants were tied to the land. Lack of a credit mechanism to transfer pensions within an industry or within a group of companies—or ideally within a nationwide framework—contributes to overemployment in evermore redundant industries and to a lack of initiative on the part of those who have lost jobs but because of pension payments wait around for possible rehiring instead of moving on to new jobs. The lack of a viable national portable pension scheme is also a factor in keeping skilled labor from moving into booming new enterprises crucial to our expanding economy.

FEDERAL ASSISTANCE FOR CERTAIN WATER TREATMENT WORKS

Mr. CARTER. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Morse] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. MORSE of Massachusetts. Mr. Speaker, I am today introducing legislation to provide Federal assistance to local communities for the cost of maintenance and operation of certain water treatment works.

In the past few years, Congress has given public evidence of its growing concern with the quality of our Nation's water supply; grants for construction of treatment works, for research, and for comprehensive river basin cleanup efforts have been enacted. Yet we have not yet recognized the burden that the day-to-day operation and maintenance of these critical facilities imposes on our communities.

The Federal Water Pollution Control Administration estimates that by 1975 we will have some 174 million people residing in urban areas. There will be 17,400 communities of 10,000 or more, the level at which it has been determined some type of treatment facility will be needed. Based on the current projections that it will cost nearly $4 per capita per year to maintain these facilities, the cost becomes staggering.

For this reason, my bill would eliminate this gap in our present pollution control program by providing a 4-year program of grants for maintenance, to run concurrently with the present construction grants now authorized through fiscal year 1971. The amount of funds available would increase each year, to account for the fact that the number of facilities to be constructed under other provisions of the Federal Water Pollution Control Act will also be increasing each year.

The percentage of Federal contribution for maintenance would be the same as that for construction, 30 percent of the cost, unless the State agrees to provide a fixed proportion of the cost of all State maintenance in which case the Federal contribution can rise to 40 or 50 percent.

No funds would be provided for the maintenance of a facility not constructed with Federal funds as now provided in section 8 of the Federal Water Pollution Control Act.

Mr. Speaker, under the bill $150 million would be authorized for fiscal year 1968, $200 million for fiscal 1969, $250 million for fiscal 1970, and $300 million for fiscal 1971. In my judgment this is a modest program that will have an enormous impact on the ability of our local communities to improve the quality of water for its homes, business firms, and recreational facilities.

I include the text of my bill with my remarks at this point in the RECORD:

H.R. 5735

A bill to amend the Federal Water Pollution Control Act to authorize grants for the maintenance of certain treatment works

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Federal Water Pollution Control Act is amended by inserting after section 8 the following new section:

"GRANTS FOR MAINTENANCE

"SEC. 8A. (a) The Secretary is authorized to make grants to any State, municipality, or intermunicipal or interstate agency for the maintenance of necessary treatment works to prevent the discharge of untreated or inadequately treated sewage or other waste into any waters.

"(b) Federal grants under this section shall be subject to the following limitations:

"(1) no grant shall be made except for treatment works for which a construction grant was made under section 8;

"(2) no grant shall be made for more than 30 per centum of the cost of maintaining such treatment works, unless (A) the State agrees to pay not less than 30 per centum of the cost of maintaining all treatment works in such State for which grants are made in a fiscal year from allocations made to such State under this section for such fiscal year, in which case such 30 per centum limitation is increased to a maximum of 40 per centum, or (B) the State agrees to pay not less than 25 per centum of the cost of maintaining all treatment works in such State for which grants are made in a fiscal year from allocations made to such State under this section for such fiscal year and if enforceable water quality standards have been established for the waters in which the project discharges in accordance with section 10(c) of this Act in the case of interstate waters, and under State law in the case of intrastate waters, in which case such 30 per centum limitation is increased to a maximum of 50 per centum.

"(c) Sums appropriated pursuant to subsection (d) of this section shall be allotted and reallotted to the State in accordance with the provisions relating to allotments and reallotments contained in subsection (c) of section 8 of this section.

"(d) There are authorized to be appropriated, for the purpose of making grants under this section, $150,000,000 for the fiscal year ending June 30, 1968, $200,000,000 for the fiscal year ending June 30, 1968, $250,000,000 for the fiscal year ending June 30, 1970, and $300,000,000 for the fiscal year ending June 30, 1971. Sums so appropriated shall be available until expended."

WHITHER NOW ARE WE DRIFTING?

Mr. CARTER. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. GOODLING] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. GOODLING. Mr. Speaker, it is sad to observe that in this day of budget deficits, our Government is fiddling around in a matter to make the taxpayer burn. For instance, according to a recent announcement, the National Foundation on the Arts and Humanities plans to provide a grant of $5,000 to complete an experimental analysis of a violin varnish known to have enriched violin quality prior to 1737.

In addition to this, my colleague, Representative DURWARD HALL, of Missouri, reports that the Johnson administration has approved a grant of $8,789 to the University of California at Santa Barbara, for the study of comic strips. Too many actions fall into the comic strips category.

Now maybe this does not seem like a lot of money in this day of million-billion dollar expenditures, but it is the taxpayer's money. There is more involved, too, and this becomes clear through an article by James J. Kilpatrick entitled "Whither Now Are We Drifting?" as it appeared in the February 16, 1967, issue of the Evening Star.

Mr. Speaker, I just cannot string along with this kind of logic which sees us spend our money on fiddle-faddle, while we are entering enormous deficits in our budgets—there will be at least a $4.3 billion deficit in the fiscal 1968 budget—and spending billions of dollars to conduct the war in Vietnam.

I insert Mr. Kilpatrick's article into the CONGRESSIONAL RECORD, and I commend it to the attention of my colleagues:

WHITHER NOW ARE WE DRIFTING?

(By James J. Kilpatrick)

A few days ago, Senator Fred R. Harris of Oklahoma, joined by 18 other Senate liberals, introduced a bill to create a new "National Foundation for the Social Sciences." At about the same time, the National Foundations on the Arts and Humanities announced a number of grants for the current fiscal year. In some despair, an old-fashioned advocate of strict construction is inclined to ask: Whither, in the name of the Constitution, are we drifting?

The taxpayers of the United States now are footing the bill for an astonishing proliferation of grants to ballet companies, musical organizations, theater groups and the like. Hundreds of thousands of dollars are being paid out in individual grants to novelists, painters, sculptors, poets, and scholars. If the Harris bill passes, another $20 million a year would become available for new hand-outs in the social sciences. How did all this get to be a function of the federal government?

If one assumes that the Constitution's general welfare clause is a substantive grant of power to the Congress, permitting the Congress to spend money for any purpose whatever, there is an end to the argument. In this event, the powers of the federal government are unlimited.

But many of us were brought up to believe that ours is a federal government of limited, enumerated powers. The only provision of the Constitution that even remotely touches the dancers, actors, writers and musicians lies in Section 8 of Article I. The Congress may "promote the progress of science and useful arts," but this power to promote is instantly and narrowly limited to acts "securing for limited times to authors and inventors the exclusive rights to their respective writings and discoveries." In brief, this power is no more than a power to enact copyright and patent laws. Neither the Harris bill nor the 1965 arts and humanities measure has anything whatever to do with copyrights or patents.

Whither are we drifting? Consider some of the grants just announced by the National Endowment for the Humanities.

The taxpayers will provide $8,789 to a gentleman at the University of California to complete a history of the comic strip. Another California scholar will receive $12,650 for a study of dime novels. The list includes $10,000 for a Yale professor who is editing Medieval texts of canon law; $15,000 for publication of the colorful history of the Harmony Society; $7,700 for a computerized study of the social origins, opinions, attitudes and political involvement of 700 early members of the Nazi party.

Other grants will be paid for an "Interpretation of Tintoretto's Paintings in the Upper Hall of the Scuola di San Rocco in Venice," for an "investigation of phrase structure grammar," for a dictionary of Old High German Glosses, for a dictionary of American Superstitions, for a linguistic atlas of Japan, for a survey of the Nushagak River Eskimoes, and for excavations in Sardis, Tuscany, Libya, Turkey, Greece and Winchester, England.

The taxpayers will provide $5,000 to complete an experimental analysis of a violin varnish known to have enriched violin quality prior to 1737. They will put up $12,150 to explore the feasibility of bringing the Kodaly method of music education to elementary and secondary schools. They will give $1,000 each to scores of bright college graduates "to let them visit art centers, museums, institutions, cities or areas of the U.S. which will enrich their cultural experiences."

The Harris bill would compound all this. His measure is drafted in the peculiar non-English that passes for English here in Washington. Thus his proposed national foundation would "develop and encourage the pursuit of a national policy for the promotion of research and scholarship in the social sciences." He would "initiate and support research to strengthen the research potential of the U.S." He would encourage "social science research by interdisciplinary teams of researchers."

One hopes not to be misunderstood. Doubtless most of these cultural and scholarly undertakings have some academic or social value. There is of course something to be learned from comic strips and dime novels as well as from Gnostic writings and Old High German Glosses. Harris makes a valid point when he argues that in a push-button age, we know far more about the buttons to be pushed than we know of the human beings and the forces involved in the pushing.

The policy question goes simply to the wisdom, and the constitutionality of creating governmental agencies with the power to disperse millions of dollars in federal tax funds for the benefit of particular writers, scholars, dancers, actors, sociologists and artists. Every citizen has an obligation to pay taxes in the name of national defense. But where does the obligation arise to pay federal taxes in support of string quartets?

THE TAX TREATMENT OF PROFESSIONAL ASSOCIATIONS AND CORPORATIONS

Mr. CARTER. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. NELSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. NELSEN. Mr. Speaker, earlier in this session of the Congress I introduced a proposal to amend the Internal Revenue Code so as to clarify the tax status of professional corporations. My bill, H.R. 3564, has been referred to the Committee on Ways and Means, and I would hope that since this matter has been the subject of bills introduced by me and others in the 89th Congress, the committee would see fit to schedule this issue for early consideration in this session of the Congress.

This entire issue is given a quite exhaustive analysis in a fine article by Prof. Stephen B. Scallen which appeared in the March 1965 issue of the Minnesota Law Review. In this article, entitled "Federal Income Taxation of Professional Associations and Corporations," Professor Scallen, who is associate professor and assistant dean at the University of Minnesota Law School, traces the history of Internal Revenue rulings and the court decisions leading up to the present tax situation. Professor Scallen concludes his dissertation with this finding:

Finally, in the recent amendments to the Kintner Regulations, the Internal Revenue Service has pushed to an extreme and suggests that professional associations and corporations are partnerships, rather than associations and corporations, for federal tax purposes.

I ask, Mr. Speaker, that the summary and conclusion chapter of Professor Scallen's study be included at this point in my remarks since it clearly points up the need for congressional action in this area of Federal income taxation.

SUMMARY AND CONCLUSION

The various versions of the statute and legislative history suggest Congress probably intended, in the beginning, to classify business organizations according to local law for federal income tax consequences. This classification was apparently to be made by local law label, so long as the label was not a sham. It was recognized that the difference in form of organization under local law could result in different consequences to businesses similar in all respects except for the formal structure under local law. It was recognized that personal service corporations were so like partnerships that, for a brief period, they were treated as partnerships for tax purposes; but it was decided to revert to taxing personal service corporations as corporations, according to the local law classification.

The courts, largely following the regulations, tended to classify borderline groups as associations. The courts looked to the agreement governing the relationship of the parties in finding characteristics which supported classification of these groups as associations. In all the medical cases litigated, the groups have been classified as associations. Clearly the professional would be classified under the cases as corporation and association corporation and professional association for federal income tax purposes.

For 50 years the regulations consistently tended to classify borderline cases as associations. At one point Congress reversed this tendency for certain groups strongly resembling partnerships. The regulations spoke of various factors as indicators of corporateness, and seemed to emphasize local law in discussing these indicators, although without explicitly rejecting the agreement of the parties as relevant. Under this long line of regulations, classification of professional associations and corporations would clearly be as corporations. This long-standing regulatory approach to the classification question was abruptly changed in the wake of the *Kintner* case by the publication of the Kintner Regulations which seemed to place ultimate reliance on the significance of local law in applying each criterion of corporateness, and which reject the use of the agreement between the parties as a source of corporate characteristics, although not as a source of diluting corporate characteristics. Nevertheless, classification of professional associations and corporations would probably be as associations and corporations, rather than as partnerships, under these regulations, because these groups seem to have the required characteristics for corporateness. Finally, in the recent amendments to the Kintner Regulations, the Internal Revenue Service has pushed to an extreme and suggests that professional associations and corporations are partnerships, rather than associations and corporations, for federal tax purposes. Thus, the system is changed from the pre-Kintner regulations sweeping all doubtful cases into the association category, to a more neutral position in the Kintner Regulations based on heavy reliance on local law, and finally to the amended Kintner Regulations sweeping all "doubtful" cases (or at least professional associations and corporations) into the partnership category. These amendments grasp for any distinction between what they refer to as typical business corporations and professional groups. Then the thin distinction is magnified into a universal indication of the absence of corporateness. These amended regulations appear to use local law, professional ethics, and the agreement governing the relationship of the parties, wherever possible, to *deny* classification as association or corporation; but on the other hand, they *ignore* the agreements between the parties when they attempt to impute a corporate characteristic to the organization in its natural form under local law. When practicalities detract from corporateness, they are emphasized; when they tend to support the presence of a corporate characteristic, they are ignored.

Under these amendments, professional associations and corporations would probably be classified as partnerships. The Kintner Regulations and the amendments require *better than* two out of four of the corporate characteristics for classification as an association or corporation; the presence of only two out of four requires classification as a partnership.

The Kintner Regulations in some respects are inconsistent with the earlier regulations and with the cases; the amended regulations are almost wholly inconsistent with them. If the principles of the amendments were applied to the entire classification system, not just to professional groups, the result would probably be that no closely held, personal service organization could be a corporation for federal income tax purposes. Since that broad change of approach to the problem probably was not intended, the result appears to be a special set of rules—not entirely consistent with the general rules—for classification of professional groups. Why these groups require special, discriminatory-in-application, rules is not readily apparent.

All these systems of classification seem to apply, rather shallowly, certain differences between corporations and partnerships, without an examination of the relevance of the differences for federal income tax consequences. Where this application is a result of mere adoption of the local law classification, it is understandable as consistent with what was probably the legislative intent; but the relevance of the highly strained and extreme distinctions drawn under the amended Kintner Regulations is less evident. Whereas the cases and the regulations appear to give more weight to, for instance, limited liability, the Kintner and amended Kintner Regulations weigh each "characteristic" the same, and omit certain characteristics which once were used to justify classification of groups as associations.

Of course, nothing in the statutes *compels* a court to take one view or the other on this classification question. With a wide possible range of interpretations of the statutory "definitions" that might be considered by a court, or by one who predicts what a court might do, or by one who suggests what a court *should* do, it is necessary to develop a framework for deciding which classification system should be followed in these cases. The issue is: How should professional associations and corporations, as described earlier in this article, be classified for federal income tax purposes?

The case for classifying these groups as partnerships depends upon several contentions but primarily upon the alleged adverse revenue consequences. The revenue question, however, has several aspects. One aspect is the matter of whether less revenue will be collected as a result of classifying these groups as associations rather than as partnerships. The only self evident truth is that the revenue considerations will vary in different circumstances. *Less* revenue will be collected when the recipient of deferred income paid from a pension or profit sharing plan (either the employee or his beneficiary) is in a lower marginal tax bracket; the *same* amount of revenue will be collected when the taxpayer is in the same marginal tax bracket at the time of receipt as the employee was in the year in which the benefit was earned; and *more* revenue will be collected when the recipient is in a higher tax bracket than was the employee when the benefit was earned. It is not readily evident which of these situations prevails overall. Some of the benefits are earned in years when the employee is in a low bracket. By retirement time his income from all sources may be much higher. Even if the income is earned at a time of fairly high personal service income, income from investments may become substantial in later years. Obviously, therefore, there will not be a revenue loss in all cases.

Furthermore, there will be an immediate, if temporary, *increase* in the tax paid by many professional groups changing from the partnership to the corporation form. If the partnership has been operating on a taxable year that is not a calendar year, income from the partnership has been reported for the calendar year during which the partnership year ends, thus causing a deferral of taxation of partnership income. When the group changes to the corporation form, the salaries paid to the doctor employees will be taxable in the year received, not later, and consequently there will be both acceleration and bunching of income, with considerably greater tax paid, and paid sooner, as a result.

At least it is apparent that in the arithmetic of national finance, the alleged adverse effect will not be great. After all the economy withstood a substantial tax cut without suffering. Furthermore, just one revenue ruling, such as the recent ruling on deductibility of treble damage judgments, may have revenue consequences of about the same magnitude.

Another aspect of revenue considerations is the deferral of recognition of income which will clearly result through the typical pension and profit sharing plan adopted by professional associations and corporations. The impact of this deferral is not likely to be great in any particular year, however, because the transition of these groups to association form, and then the implementation of full pension and profit sharing benefits are likely to consume many years. Also, a large number of professional groups, perhaps more than half, never will change. In any event the income *will* be reported sooner or later.

The relevance of either the assumed revenue loss or the effect of deferral of income to this classification problem is doubtful. They are not supposed to control the deciding of particular tax cases, and they should not be considered when there is as much history—legislative, judicial, and administrative—as in the instant case to provide the basis for decision. To change a long standing rule merely because the revenue considerations have changed does not seem to be a proper use of the power to promulgate interpretative regulations.

Another reason advanced to justify the amended regulations is that doctor and lawyer groups have always been taxed as partnerships and, therefore, Congress intends to continue to tax them as partnerships. Besides the obvious non sequitur, the first difficulty with this argument is that some medical groups have long been operated in the form of associations. The prospect of the application of the amended regulations to those groups serves to put the consistency matter in issue rather clearly and to rebut the factual assertion. The second difficulty is that Congress has evidenced absolutely no intention to restrict these groups to one form or another for federal income tax purposes. The congressional form and intent never included, or froze into the tax law, state-created bars to the practice of professions in the corporate form.

It has been stated that although doctors and lawyers *could* change their forms of organization enough to be classified as corporations or associations, both the professional association discussed herein and some professional corporations have not changed enough. The regulations go far beyond this reasonable, if not persuasive, position. But a position on the classification issue depends on how one reads the authorities, and why. If you start with the Kintner Regulations as gospel, ignore the previous decades of cases and regulations, assume ultimate construction of these enabling statutes in the least helpful way, and then apply the Kintner Regulations in as hostile a manner as possible, you can logically defend the conclusion that these groups are not associations. Whether the doctors and lawyers have arranged for *enough* legislative change to enable these groups to achieve association or corporation classification for tax purposes, can also be answered either historically or in terms of the relevant policy considerations. Herein it is argued that history strongly supports the classification of these groups as associations, and that policy reasons require association classification where elected by the group through adopting the association or corporation form under local law. Why the answer should rather be found in a harsh reading of some regulations which are in many respects inconsistent with the cases and the long-standing regulations preceding is not clear.

Another reason given for denying the corporateness of some organizations is that the state laws have as their sole object the changing of the federal tax treatment of these groups. Presumably, such reasoning also asserts that something is sinister about that objective, and apparently assumes that compelling reasons are present for continuing the traditional classification of these particular groups for tax purposes. The last point is dealt with above. The sinister character of these acts is not apparent. These acts do not affect just federal taxation, but also affect local taxation, and presumably in the same way as the federal revenue is affected. The argument is that the federal courts should not recognize this blatant attempt to change the federal tax consequences to taxpayers by a mere change of state law.

Another way of looking at the matter is that Congress left the matter of form of business to the states, in spite of the resulting differences in taxation of otherwise identical businesses; the statutes enacted are well within the range of that delegation; the states have only acted to remove a traditional bar to doctors and lawyers using the corporate form; these statutes have substantial local law effects, on the same technical level as the admitted differences in corporations and partnerships; and these statutes do have local law tax consequences of the same quality as the federal tax consequences (and if harmful for federal purposes, harmful for state revenue purposes also).

Consequently, it might be argued, the more appropriate role for the federal courts is to recognize these state acts for federal income tax purposes, as Congress no doubt intended, and not to jump to the conclusion that something is sinister and wrong with the removal of a state created bar to practicing law and medicine in the corporate form. If federal tax consequences gave the final push to the state decision to change what were, at most, emotionally based prohibitions, *so what?* Federal tax consequences, and in some cases limited liability, are about the only substantial considerations in choosing the form for doing business, as a result of decades of lawyer ingenuity in removing the other differences. The states, not surprisingly, are finally recognizing this fact and allowing professional groups, as other businesses, to elect federal tax consequences by their choice of the local law form for doing business.

Presumably, the tax base is not significantly involved in this controversy since the income of the business, with quite minor exceptions, will be taxed eventually. Deferred compensation benefits under an employment contract, pension benefits, and profit sharing benefits all will eventually be included in *someone's* income. Although total exclusion from the tax base is allowed for qualified sick pay and for funds spent on such fringe benefits as group life insurance, these benefits are rather minor and are not important enough in revenue effect to be considered.

There seems to be a lack of discussion of the effect of the incorporation of these groups on the progressive character of our income tax, and the policies served by a progressive tax. Considering revenue considerations, the discussion set forth above applies. On the level of policies served by progression, it is difficult to see how those revenue considerations are so compelling, if of any merit at all, as to justify different treatment of two groups of "businessmen" in the business of rendering personal services, assuming both groups desire to be classified as associations or corporations. Furthermore, the tax system may be too progressive for personal service income, and yet too riddled with exceptions available to corporate executives and owners, but not to partners.

Finally, the attitude of the Internal Revenue Service might be attributed to a belief that the provisions of the Code on fringe benefits are too liberal, and also have been abused. If so, the remedy is not to deny these benefits to one group of businessmen, while allowing the other groups to retain those benefits. The answer is to attempt reform of the basic provisions applicable to all.

The case for classifying these groups as associations and corporations as intended by their owners, is simple enough. The classification for tax purposes was intended by Congress to be primarily a local law classification, even if subject to some federal limits. Since the cases and regulations for 50 years tended to classify doubtful groups as associations, that classification system acquired the force of law. The recent attempts to change the law by regulation should not receive favor by the courts. Furthermore, these professional businesses are entitled, so far as federal tax law is concerned, to choose whatever local law form the states will tolerate. Other businesses may decide whether to adopt the partnership form or the corporation form, and no good reason has been given to deny this choice to those who are in the business of rendering personal services in the medical or legal fields. Stated another way, there is no good reason for treating these businesses differently than other businesses for federal income tax purposes. At stake is the basic element of fairness and equality that should be used in the application and administration of the federal tax laws. The change proposed by the amended Kintner Regulations is one—hazarding a prediction—that Congress would never adopt. Furthermore, for nontax reasons pensions and profit sharing plans are desirable and worthy of some tax benefits. These plans provide incentive for these employer-owners to fund their own retirement through such plans, rather than leave retirement funding to chance. Providing tax incentives to this worthy objective is a legitimate use of the tax laws.

The above analysis calls for a framework to allow these benefits to doctors and lawyers, if they are willing to adopt the appropriate business form, rather than a framework that seems to deny it. In coming to this conclusion no difficulty should be raised by the observation that many will not be able to obtain these benefits—for instance those employed by corporations who have no such plans or those not eligible for coverage under plans adopted. Some day that inequity may be rectified. Therefore, a framework should be adopted consistent with allowing these professional groups to organize under local law as associations and corporations. The framework could be that vague one developed under the cases and pre-Kintner regulations. Classification of these groups as associations and corporations would seem to follow easily.

On the technical level, the reenactment and long-standing rules do give considerable weight to the earlier approach leading to classification of groups as associations. There is no clear authority that the Commissioner can change interpretative rules that have survived many reenactments and that have received "the force of law" by courts adopting the criteria they provide.

But if the Commissioner should be able to change the approach taken in such regulations, the question remains: when, or in other words, for what reasons? Certainly there is merit in consistency in such regulations. Once a position is taken and widely adopted by the courts, it is best to continue the approach, because it is desirable for taxation rules to have good predictability of result, especially on the basic question of what form a business organization shall have for federal income tax consequences. If change occurs, a period of great turmoil results. Good reasons are needed to support such a change, and minor shifts in revenue advantage are not good enough reasons.

If changes are to be made, the Internal Revenue Service should be respectful of the authorities—legislative history and declarations, and the decided cases of the courts. Sometimes the regulations do have to be changed. The *Clifford* Regulations are an example. But they were bottomed on the *Clifford* case, and served the great need of providing detailed rules for predicting consequences of certain very common arrangements.

The Kintner Regulations, although representing some change of emphasis, do have some utility as a framework for deciding these cases by assuming a reasonable, not a strained and hostile, interpretation of those regulations. The technical, local law approach of those regulations has merit. The criteria of the cases and pre-Kintner regulations was not founded on practicality, and in that respect the Kinter Regulations are no worse. They do provide some ease of application, some predictability. Serious reservations remain concerning the weight of each of the Kintner Regulations criteria. Clearly, in the cases and the pre-Kintner regulations, not all these criteria are of equal importance. Yet the Kintner Regulations make them equal. Clearly, limited liability is of greater importance and has greater weight than the other criteria; perhaps this importance could be reflected by giving that criterion double weight, if a fairly mechanical system must be used. Another advantage to using the Kintner criteria is that they were partly designed to settle the troublesome problem of classification faced by the oil and gas industry. It would not be desirable to unsettle that area by throwing out the Kintner criteria entirely, and it is not necessary to do so since medical and legal groups setting up to do business under the professional corporation and association acts could qualify under the Kintner Regulations, reasonably interpreted, as associations. While approving the Kintner Regulations might seem to be a slight compromise with the history of the pre-Kintner regulations and cases, it can be defended as a useful and fair compromise. More important, it can also be defended as a return to what Congress probably intended originally, to let local law determine the form of business and to let tax classification normally follow. The pre-Kintner regulations and the cases were not necessarily well balanced or justified in their tendency to classify all doubtful cases as associations.

The amendments to the Kintner Regulations, on the other hand, have no support historically, are not a balanced, fair approach to the problem, and discriminate against certain professional groups without justification. Consequently, a court need not follow such changes unless the Commissioner convinces it that compelling reasons of legislative policy justify the change, and that the court is a better forum for the legislative change than the legislature. That should be the burden of the Internal Revenue Service in these cases.

The Kintner Regulations, before amendment, are a good illustration of the proper exercise of the power to change interpretative regulations, if it exists, since they more faithfully interpret the original content of Congress, since they aid predictability, and since they have the practical value of avoiding excursions into a morass of facts.

THE EXTENSION OF THE INTEREST EQUALIZATION TAX

Mr. CARTER. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. CURTIS. Mr. Speaker, Dr. N. R. Danielian, president of the Economic Policy Association made some excellent points regarding the proposed extension of the interest equalization tax now being considered by the House Ways and Means Committee.

Although Dr. Danielian's testimony is a matter of public record and will be in the published report of the hearings, I am inserting his paper in the CONGRESSIONAL RECORD at this point in an effort to give it fuller consideration.

It is a very difficult thing, in an area as complex as this, to clarify and disseminate to the Members of Congress and to the public, the various positions taken on this most important issue involving our continued deficits in our international payments accounts. During Dr. Danielian's testimony the news media personnel had important business elsewhere. They were able to be present only during the administration's written presentation which was sadly lacking in depth and comprehensiveness. The result is the public dialog on the issues involved in this matter remains pretty much on dead center.

TESTIMONY OF DR. N. R. DANIELIAN, PRESIDENT, INTERNATIONAL ECONOMIC POLICY ASSOCIATION BEFORE THE HOUSE WAYS AND MEANS COMMITTEE, ON THE PROPOSED EXTENSION OF THE INTEREST EQUALIZATION TAX, FEBRUARY 16, 1957

Mr. Chairman, I appreciate this opportunity to appear before the Committee.

The International Economic Policy Association consisting of a number of U.S. corporations engaged in worldwide trade and investment operations is naturally interested in the effect of the proposed legislation upon the operations of its member companies.

The pending bill will not materially affect their present operations. The group as a whole has no position either for or against this measure. From our point of view it must stand on its own merits as a means of helping the United States to allay in some measure the continuing and persistent balance of payments deficits.

It is clear from the data shown in Tables 1 and 2 that the Interest Equalization Tax has been effective in reducing the outflow of portfolio capital, particularly to Western Europe since 1963. The exemption granted to Canadian new issues has allowed a continued high level of U.S. portfolio investments in that country's securities. As shown in Table 2 the substitution of long- and, to some extent, short-term bank lending for portfolio issues, which was a major leakage in 1964, has been effectively controlled in 1965 and 1966 by the Interest Equalization Tax and the voluntary restraint programs.

Since our member companies have no position on this bill, I appear here in my personal capacity as an economist to comment on the policy implications of this measure. There is some opinion in official circles here and in Europe that the way to solve the U.S. balance of payments deficit is to restrain the flow of private capital.

This was the original purpose of the foreign source income tax proposals in 1961, the Interest Equalization Tax as originally introduced in 1963, the control of bank lending abroad initiated in 1965, the "voluntary restraint" program for direct investment abroad initiated in the same year, and the proposed legislation to amend and extend the Interest Equalization Tax.

My real difficulty with the concentration on the private account lies in the fact that, at best, it is compensatory and not corrective. It is a means of buying time during which we hope the situation will not get worse, but it is not aimed at the real causes of our difficulty. In so buying time we are not improving our earning capacity abroad. As these "temporary" expedients are extended year after year, they threaten to become permanent controls.

I would like, therefore, to address myself to this fundamental question: Are we achieving our purpose of correcting our persistent balance of payments deficits by concentrating on controls over the private sector? I raised this question in my testimony before this committee in 1963 in the hearings on the Interest Equalization Tax. At that time, I pointed out that the real problem the United States confronted was the transfer of real resources in the amount of $8 billion a year to achieve political and military objectives, and that tinkering with the private economy would not achieve this result. Nothing that has happened since that time causes me to change my view.

If we are to solve the balance of payments problem on a long-term basis, it is time that we take a hard look at some of the policies and programs that are fundamentally responsible for it. In this I am referring to our huge, global military and aid obligations, concessions in trade negotiations without reciprocity, our failure to eliminate discrimination against American trade, and our acceptance, for political reasons, of international agreements and commitments which inhibit our capacity to earn foreign exchange.

All the facts indicate that the persistence of the balance of payments deficits since 1950 is not due primarily to private investments abroad or a general weakness in our economy. Fundamentally they are due to the $8 billion a year spent by the U.S. Government for aid and defense, not counting the outflow due to the Vietnam war. Because of this war, our present transfer problem is closer to $10 billion. The private sector is in surplus and has been for most of the postwar period. But it has not been enough to carry the political load. This is shown in Table 3. With a little help it could do even better, but not without considerable retrenchment in the public sector.

The Interest Equalization Tax and the voluntary restraint programs are an attempt to increase the private account surplus to pay for our Government commitments. This might be acceptable in the short term if the Government deficit position were temporary in nature, but obviously it is not. Therefore, I am convinced that the control over private capital is not a key to a solution of this problem and that if it is pursued much longer without attention to fundamentals, our international financial position will be seriously impaired.

The fact that the U.S. balance of payments statistics reflect an overall deficit of about $1.3 and $1.5 billion in 1965 and 1966, in spite of the Vietnam conflict, does not in itself leave any room for optimism. The improvement last year and the year before over the previous deficits of $3 to $3¼ billion was due basically to special factors centering about higher interest rates in this country, the Interest Equalization Tax, and the voluntary restraint programs. In 1965, there was an inflow of short-term capital amounting to $761 million, as contrasted with an outflow of $2,146 million in 1964. During the first three quarters of 1966, foreigners purchased $828 million worth of U.S. securities and deposited on long term another $584 million with U.S. banks. In balance of payments statistics these funds are recorded as an inflow of long-term capital, even though they often involve a switch from, say, 90-day Treasury Bills to more than one-year. Time Certificates of Deposits These "inflows" are the result of higher interest rates in this country and are therefore subject to a quick and substantial reversal. Table 4 shows the effects of special transactions in making the balance of payments appear in better shape than it really is.

The important basic accounts—trade, military, aid—showed a substantial deterioration over previous years. The trade surplus in 1966 was down to only $3.5 billion. This was due basically to a 20 percent increase in imports resulting from growth of the national product and inflationary pressures. If Government-financed exports are excluded then our trade surplus is negligible, only $0.5 billion.

On the military accounts the Vietnam war caused in 1966 an expansion of direct offshore expenditures of $1 billion, bringing the total offshore military expenditures up to $3.6 billion. Military expenditures in Europe continue at a level of approximately $1½ billion and Germany shows a reluctance to renew the offset agreement which expires this coming July. Thus we see no improvement in this area.

In the aid accounts the Secretary of Treasury stated at the IMF meeting last September that the foreign exchange costs of our foreign aid programs were $750 million. These are the direct balance of payments costs of foreign aid. If the indirect effects are considered, that is, the substitution of aid-financed exports for former commercial sales, then it is our estimate that the annual overall balance of payments costs of our aid programs are well over $1 billion. With the growing volume of offshore procurement to supply the Vietnam economy, plus the anticipated contributions to the International Development Association (IDA), the Inter-American Development Bank (IDB), and the Asian and African Development Banks—all of which operate under conditions of untied procurement—we expect this account to show further deterioration.

Thus we can conclude that the statistics for 1966 concerning the size of the overall deficit disguise in effect the substantial deterioration in the most fundamental accounts. (See Table 5.)

The Administration has been relying on a substantial improvement in our trade account as a major step to improve the situation. Yet our Government has made concessions which impede our exporters, is doing little to correct them, and may, in the Kennedy Round, make further concessions without full reciprocity.

In 1947 we acceded to the General Agreement on Tariffs and Trade (GATT). At that time we recognized the precarious economic position of the Western European countries. In our anxiety to see them strengthen their economies we were prepared to make concessions to them to improve their trading position. The GATT rules permit the rebate of indirect taxes which constitute a large portion of the revenues of European countries, while denying others, including the United States, similar privileges in forgiving on exports direct income taxes.

This practice was recognized as a subsidy for exports in the original GATT agreement where it was proposed that such subsidies should be eliminated by January 1, 1958, or the earliest practicable date thereafter. Nevertheless, in 1960 the United States, in response to a proposal by France, acceded to the continuance of this practice. This gives European exporters an important subsidy. Now the EEC has agreed to adopt a common value added tax by January 1, 1970. This system under the GATT rules will give EEC producers a substantial export advantage over producers in the United States.

In the light of the changed competitive conditions, such a concession was not appropriate in 1960 and certainly further continuance cannot be justified now. This discriminatory provision should be eliminated or our exporters should be given fully compensatory tax treatment in the form of an Export Trade Corporation which gives the U.S. exporter a special reduction in income taxes, as in the case of Western Hemisphere Trade Corporations.

Under the Trade Expansion Act of 1962 we are now engaged in a crucial stage of the Kennedy Round negotiations in an effort to liberalize and expand world trade. What prospects are there in these negotiations for an improvement in U.S. exports to hard currency areas?

Agricultural exports to Europe, particularly grains, have been a most important earner of hard currencies, about $2.5 billion a year. The Administration has consistently stated that agriculture was to be an integral part of trade liberalization. The EEC countries have relied on a system of variable levies which are equivalent to tariffs, ranging from 30 percent to 75 percent ad valorem.

The U.S. position, as stated on page 11 of the Tenth Annual Report of the President on the Trade Agreements Program for 1965, was, "Where other forms of protection were used, e.g., variable levies, the objective should be to achieve a degree of trade liberalization comparable to the 50 percent cut in fixed tariff items." However, our negotiators have given up the fight on the variable levies and instead have made a grains proposal calling for an access agreement, higher wheat prices, management of supplies to assure historic market shares, and provision for contributions to world food aid by exporting and importing countries.

In a world freed of restrictions our grain producers have a competitive advantage and could contribute expanded hard cash earnings to meet our balance of payments problem. Instead of pressing for concession from less efficient producers, we have acceded to their protectionism. The EEC agricultural policy is aimed at making France the granary of Europe. Our response has been to demand "access" to EEC. Our experience with the United Kingdom Cereals Agreement of 1964 should have demonstrated the futility of trying to enforce an access agreement.

The proposals of our negotiators, even if accepted, hold out no hope of expanding hard currency commercial markets for our grain production. On the contrary, there is real danger of their diminution over a fairly short time. The prospect that other countries, in a position to do so, might in return contribute to world food aid, though laudable, is not appropriate to a trade negotiation and certainly is no basis for the United States to make concessions in an area so important to our balance of payments. Do we have to buy charity from the European Community for the hungry in India by making trade concessions?

In addition to the tariff barriers imposed against U.S. exports by other countries, there is a plethora of nontariff barriers which substantially discriminate against our products. These would include, for example, the high road taxes on American automobiles by the EEC countries, which in the case of a Chevrolet or Rambler in France amount to $200. It would also include other internal taxes such as horse-power taxes penalizing large cars, quotas on coal and other products, national preference laws and practices, surcharges and stamp taxes, and the like. These nontariff barriers are, in many cases, more restrictive than the tariff barriers, particularly in automobiles, steel, coal, and agricultural products. No one in a position to know expects that we shall obtain any relief in the Kennedy Round from such restrictive trade practices.

There is nothing in these negotiations in the Kennedy Round as they now stand which suggests that the United States will gain any advantage in trade with the EEC, the major source of hard currency earnings for this country, and every reason to believe that our trading position will be worsened. I do not doubt for a moment the capacity of the United States to compete effectively for wider world markets if trade is really freed from restraints. I do suggest, however, that we must demand reciprocity in the freeing up of such trade and cannot afford longer to make concessions without reciprocal advantage. If we cannot secure an agreement in the Kennedy Round which meets this test by June 30, 1967, then we should amend and extend the Trade Agreements Act and go on bargaining until we can secure a satisfactory deal. Certainly we should not allow ourselves to be stampeded into a disadvantageous agreement just to meet a deadline. In any extension of the Trade Agreements Act and in future trade legislation, we should get away from the unconditional, most-favored-nation concept and put emphasis on reciprocity in trade negotiatons. This certainly should be our attitude toward the EEC and the Eastern European countries as well as newly emerging trade blocs.

I do not mean to suggest that the Administration has been unaware of the basic problem or has failed to initiate action to correct it. The Government has recently withstood demands of the World Bank to float new bond issues in the U.S. market, which would cause a balance of payments drain. The Secretary of Treasury deserves credit for exhibiting fortitude in this area.

The Administration has also indicated it cannot make large new contributions to the International Development Association and the soft loan windows of other international lending institutions unless satisfactory arrangements can be made to see that they do not have an adverse effect on our balance of payments.

The firm insistence on adequate self-help provisions in foreign aid should assure more effective use of our help, and efforts to secure additionality of exports should further lessen the adverse balance of payments effects of our bilateral aid.

The effort to move from concessional food sales to dollar sales to the less developed countries is laudable, but not an immediate relief. The efforts of the President to secure the sharing of food aid certainly deserves commendation.

Export financing has been improved substantially by the Export-Import Bank. The continued effort to secure compensatory exports for our foreign currency costs of troop expenditures in Germany, despite the difficulty, is good, but insufficient. Our forces in Europe still cost $1.5 billion a year. Similar steps should be taken with other European countries to assure burden sharing at least for the defense of Europe.

The President's proposal to attack our deficit on tourist account certainly deserves support. We need to encourage and adequately fund a "See the U.S.A." program.

But much remains to be done and it can't be done primarily through restraints on private investment.

What then are the alternatives? Our expenditures abroad on Government account to preserve the free world exceed our present capacity to earn the necessary foreign exchange. There is no reason to expect that we can, at an early date, increase our foreign earnings sufficiently to meet the bill. We have the economic strength to supply the resources necessary but have not found the means to transfer them directly in the form of goods and services. Our free world allies who have the means are not willing to share the burden with us. If we go on as we have, our economic position may be so weakened that we cannot continue to meet all our commitments on the scale and time schedule we have set.

It is not time to reconsider our commitments and determine whether all of them deserve the priority we have given them, reassess our position, and scale our expenditures down to the level we can support, while at the same time retaining our economic strength? Would the world really fall apart if we stopped some of the things we are doing or stretched out the time schedule? Is it altogether certain that some of our allies would not do more if they became convinced we were not going to do it alone?

Distasteful as this approach may be to some, is it not preferable to forced and disorderly retrenchment imposed on us because we have overcommitted ourselves so far that we can't do all we have seemed to promise? If fundamental corrective steps are not taken soon, we may be forced to suspend the gold reserve requirements or gold payments. In either event we probably have only a very few short years before the day of reckoning. This is the time for fundamental reassessment and correction and not for further temporizing.

The long-term economic strength of the United States depends, finally, on the increased commercial sale of goods and services for hard currencies and the increase of hard currency returns on investment. Such earnings are the only basis on which we can meet the foreign exchange costs attendant on our position of leadership. We must increase these earnings or reduce our foreign expenditures on public account.

TABLE 1.—*Net portfolio investments in foreign securities*

[In millions of dollars]

Year	Net new issues [1]						Transactions in outstanding securities [2]
	All areas	Western Europe	Canada	Latin American Republics	All other countries	International institutions	
1946	223	15	186	46	−24	----------	42
1947	−101	−6	142	31	−25	−243	140
1948	−88	6	−106	10	2	----------	−7
1949	−15	−7	−23	14	1	----------	43
1950	47	6	9	9	4	19	−142
1951	−378	12	−214	11	−48	−139	25
1952	−220	9	−120	10	−37	−82	133
1953	−132	7	−95	9	−30	−23	223
1954	−185	12	−79	8	−45	−81	−21
1955	62	−18	115	5	−47	7	−42
1956	−279	10	−274	9	−62	38	−142
1957	−418	−5	−205	10	−47	−171	−84
1958	−870	−105	−328	−4	−83	−350	−380
1959	−529	−69	−383	10	−90	3	−140
1960	−354	1	−109	−95	−73	−78	−309
1961	−375	−27	−182	−4	−168	6	−387
1962	−873	−162	−374	−88	−181	−68	−96
1963	−1,055	−249	−586	−17	−215	12	−49
1964	−870	----------	−613	−188	−83	14	193
1965	−984	−60	−601	−26	−147	−150	226
1966 [3]	−684	12	−692	−44	78	−38	268
Total	−8,078	−618	−4,532	−284	−1,320	−1,324	−506

[1] Includes redemptions.
[2] 1946–49 data derived as residuals without adjustment for direct foreign investment.
[3] Annual rate of 1st 3 quarters.

Source: U.S. Department of Commerce, Balance of Payments Statistical Supplement (revised edition), 1963; Survey of Current Business, June 1965 and December 1966, pp. 21, 31; and Hearings on the Interest Equalization Tax Act before the Committee on Ways and Means, House of Representatives, 88th Cong., 1st sess., 1963, p. 94.

TABLE 2.—*Private capital movements, 1960–66* [1]

[In millions of dollars]

	1960	1961	1962	1963	1964	1965	1966 [2]
Portfolio outflows, total [3]	−663	−762	−975	−1,104	−677	−758	−416
Canada	−203	−270	−295	−549	−596	−454	−620
Western Europe	−125	−260	−178	−246	151	60	152
Japan	−15	−70	−120	−184	18	−38	10
Latin America	−95	−22	−110	−18	−190	−39	−56
Other	−225	−140	−272	−107	−60	−287	98
Other long-term, total	−200	−263	−258	−591	−1,298	−322	176
Canada	32	10	−37	2	−276	−63	−7
Western Europe	−16	−115	−84	−504	−671	135	252
Japan	[4] −3	−34	−108	−120	−135	−24	88
Latin America [5]	−159	−108	−39	22	−137	−168	−16
Other	[4] −54	−16	10	9	−79	−302	−141
Short-term outflows, bank and nonbank, total	−1,348	−1,556	−544	−785	−2,111	761	88
Canada	−213	−503	−64	−6	−395	851	200
Western Europe	−421	−47	−177	−87	−375	35	−208
Japan	−500	−695	−245	−467	−522	71	396
Latin America	−190	−150	−102	−99	−604	−21	−8
Other	−24	−161	44	−126	−215	−175	−292
Grand total	−2,211	−2,581	−1,777	−2,480	−4,086	−319	−152

[1] Excludes direct foreign investments.
[2] 1st 3 quarters computed at annual rate.
[3] Includes transactions in outstanding issues and redemptions.
[4] Data for Japan are bank credits only. Thus "Other," overstated accordingly, is calculated as residual.
[5] Includes Western Hemisphere dependencies in 1963, 1964, 1965, and 1966.

Source: U.S. Department of Commerce, Survey of Current Business, June 1965, pp. 16, 17, 20, 21, and December 1966, pp. 21, 31; and Board of Governors of the Federal Reserve System, Supplement to Banking and Monetary Statistics (Washington: 1962).

TABLE 3.—*Private and Government sectors in the U.S. balance of payments, 1960–66*

[In billions of dollars]

	1960–1961 (average)		1962		1963		1964		1965		1966 [1]	
	Private	Government	Private	Government	Private	Government	Private	Government	Private	Government	Private	Government
Exports	17.6	2.4	18.2	3.0	19.3	3.5	22.5	3.6	23.6	3.6	25.6	3.8
Income on investments	3.3	.4	4.1	.5	4.2	.5	5.0	.5	5.0	.5	5.7	.6
Other service receipts	4.0	.2	4.4	.2	4.7	.2	5.2	.3	5.6	.3	6.1	.3
Long-term capital inflows	.5		.4		.3		.1		−.2		1.8	
Repayment to U.S. Government [2]		.6		.6		.6		.6		.7		.8
Government liabilities [3]		.1		.6		.4		.5		.2		.2
Total receipts	25.4	3.7	27.1	4.9	28.5	5.2	32.8	5.5	34.6	5.3	39.2	5.7
Imports	−14.6		−16.2		−17.0		−18.6		−21.5		−25.5	
Services	−5.2	−.9	−5.6	−1.0	−6.2	−1.1	−6.6	−1.3	−7.2	−1.4	−7.4	−1.4
Private long-term investments	−2.6		−2.9		−3.7		−4.4		−4.3		−3.4	
Military cash outflows		−3.0		−3.1		−2.9		−2.8		−2.8		−3.6
Government grants and loans		−3.7		−4.3		−4.6		4.3		−4.3		−4.6
Total payments	−22.4	−7.6	−24.6	−8.4	−26.9	−8.6	−29.6	−8.4	−33.0	−8.5	−36.3	−9.6
Basic position	3.0	−3.9	2.5	−3.5	1.6	−3.4	3.2	−2.9	1.6	−3.2	2.9	−3.9
Short-term capital outflows	−1.5		−.5		−.8		−2.1		.7		−.1	
Unrecorded outflows	−1.0		−1.2		−.4		−1.2		−.4		−.3	
Balance	.5	−3.9	.8	−3.5	.2	−3.4	−.1	−2.9	1.9	−3.2	2.5	−3.9

[1] Annual rate for 1st 3 quarters.

[2] Excludes debt prepayments of $53,000,000 in 1960, $696,000,000 in 1961, $681,000,000 in 1962, $326,000,000 in 1963, $122,000,000 in 1964, $221,000,000 in 1965, and $236,000,000 during the 1st 3 quarters of 1966.

[3] Excludes sale of medium-term Government securities to foreign governments which totaled $251,000,000 in 1962, $642,000,000 in 1963, $547,000,000 in 1964, and $252,000,000 in 1965. During 1966, $997,000,000 of these securities matured and were not renewed.

Source: U.S. Department of Commerce, Survey of Current Business (Washington; U.S. Government Printing Office, 1965), June 1965, p. 12; December 1965, pp. 18, 20: March 1966, pp. 18–22; December 1966, pp. 21, 31.

TABLE 4.—*Effect of temporary factors and special transactions on balance of payments*

[In billions of dollars]

	1964	1965	1966
Overall deficit [1]	−2.8	−1.4	−1.5
Debt prepayments	.1	.2	[2].4
Advance payments for military sales	.5	.2	[3].4
Inflow of long-term capital:			
U.S. corporate securities	−.1	−.4	1.1
Long-term bank deposits	.2	.2	.8
Short-term capital transactions:			
Bank	−1.5	.3	.1
Nonbank	−.6	.4	−.1
Total, special or temporary transactions	−1.4	.9	2.7

[1] Liquidity basis of measurement.

[2] Includes reported prepayment by West Germany in 4th quarter of $196,000,000.

[3] Includes reported advance payment by West Germany in 4th quarter of $250,000,000.

Source: Survey of Current Business, June 1966 and December 1966.

TABLE 5.—*U.S. balance of payments by major sectors*

[In billions of dollars]

	1964	1965	1966 [1]
Merchandise exports excluding military	25.3	26.3	29.0
Less aid-financed exports	−2.8	−2.8	−3.0
Merchandise imports	−18.6	−21.5	−25.5
Commercial balance	3.9	2.0	.5
Tourism:			
Receipts	1.1	1.2	1.4
Expenditures [2]	−2.2	−2.4	−2.6
Balance	−1.1	−1.2	−1.2
Transportation:			
Receipts	2.3	2.4	2.6
Expenditures	−2.5	−2.7	−2.9
Balance	.2	.3	−.3
Military:			
Receipts	.7	.8	.9
Expenditures	−2.8	−2.9	−3.6
Balance	−2.1	−2.1	−2.7
Foreign aid:			
Receipts	3.6	3.6	4.0
Expenditures	−4.3	−4.3	−4.7
Balance	−.7	−.7	−.7
Direct investments:			
Receipts:			
Income	3.7	4.0	4.1
Royalties, fees	.8	.9	1.0
Expenditures	−2.4	−3.4	−3.1
Balance	2.1	1.5	2.0
Other private capital:			
Receipts	1.3	1.4	1.6
Expenditures	−4.1	−.3	−.6
Balance	−2.8	1.1	1.0
Foreign capital:			
Receipts:			
Direct investments	(3)	.1	−.1
Other	3.3	.3	2.5
Payments:			
Private	−1.0	−1.2	−1.3
Government	−.5	−.5	−.6
Balance	1.8	−1.3	.5

[1] 1st 3 quarters at annual rate.

[2] Excludes transportation expenditures on foreign carriers.

[3] Less than $50,000,000.

Source: Survey of Current Business, June 1966 and December 1966.

CONGRESSMAN PAUL FINDLEY CHALLENGES THE ADMINISTRATION'S VIETNAM AND COMMUNIST TRADE POLICIES

Mr. CARTER. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. CURTIS. Mr. Speaker, certain observers of the Vietnam conflict, whom I have named "owls" to distinguish them from the "hawks" and the "doves," have focused in upon an incongruity in our policy regarding East-West trade and Vietnam. Among these "owls" is my distinguished colleague, Representative Paul Findley, of Illinois, who is actively challenging the administration's policies of trading with Communist countries who in turn are openly supporting our enemies in Vietnam.

Because I hope that much more thought will be given to this strange business of using military force—the lives of our young men—without using our full economic weight, I am inserting in the Record at this point an article appearing recently in the St. Louis Globe Democrat and an excellent editorial commenting on the events reported:

GAO Blasts State, Justice Departments: Vegetable Oil Sale to Tito Assailed

(By Edward W. O'Brien)

Washington.—The General Accounting Office rebuked the State and Justice Departments Monday for pushing an illegal sale of cut-rate vegetable oil to Communist Yugoslavia.

GAO warned the departments against proceeding with the transaction because Yugoslavia has been sending supplies to North Vietnam.

But Secretary of State Dean Rusk informed a Congressional critic of the deal that his department is going ahead anyhow and will see that Yugoslavia gets the 35,000 tons of United States edible oil.

U.S. SUBSIDY

Rep. Paul Findley (Rep.), Illinois, has charged that the sale, which involves a United States government subsidy of $4,000,000, is a clear violation of a 1966 law forbidding subsidized commodity sales to countries helping North Vietnam.

He asked GAO, an independent investigative arm of Congress, for a legal ruling on whether medical supplies sent by an organization called "The Coordinating Committee for Assistance to the People of North Vietnam" would bring the 1966 law into effect.

GAO said yes, explaining that "the furnishing of supplies to North Vietnam gives aid and comfort to the enemy regardless of whether the supplies are furnished by the government of a nation or by a private entity within the nation."

PRICE TAG

Both State and Justice had claimed that the oil deal would be legal. But GAO said they were ignoring "the true meaning" of the 1966 law.

The price of the oil would be $9,600,000, financed by the United States Government.

The Tito government would pay no interest for two years. Then it would pay three and a half per cent interest while the debt was repaid over ten years.

The federal Treasury has been paying over 5 per cent on some recent borrowings. Many private borrowers are paying well over 6 per cent, when they are lucky enough to get a mortgage loan.

The State Department sees the oil deal as "bridge-building" to the Communist countries of eastern Europe.

Mr. Findley has pointed to recent statements by the Tito government to the effect that it will not be deterred from continuing its "economic relations" with North Vietnam.

He has also said there is nothing to stop Yugoslavia from buying any amount of oil in commercial world markets and paying the going price, instead of relying on the United States Treasury for a subsidy.

ILLEGAL YUGOSLAV OIL DEAL

Although the State Department defends its position as being within the letter of the law in selling vegetable oil to Communist Yugoslavia, the action appears a clear violation of a 1966 act forbidding subsidized commodity sales to countries helping North Vietnam.

Representative Paul Findley (Rep.), Illinois, has rightly charged that the Administration's deal with Yugoslavia's Red boss Tito—involving a United States subsidy of $4,000,000 on a $9,600,000 sale of 35,000 tons of edible oil—openly rejects the intent of the 1966 law.

Mr. Findley is backed up by the General Accounting Office, an independent investigative arm of Congress, which says the oil deal ignores "the true meaning" of the law.

Only a few weeks ago the Administration backed down from proposed Food-for-Peace sales to Yugoslavia, under the fire of Congressman Findley who pointed out that various Yugoslav groups have been sending medical supplies to Communist North Vietnam.

It is now obvious the retreat at that time was only a tactical maneuver aimed at silencing critics of the State Department's policy of "building bridges" to the Communist countries of Eastern Europe.

Secretary of State Dean Rusk apparently feels this time he is on sound enough legal ground to ram through the oil deal despite rebukes from congressional critics.

Legality aside, it seems the only morally proper stand is that taken by Mr. Findley: If the United States sells vegetable oil to Yugoslavia it is helping a Communist country that is aiding and abetting our enemies in Vietnam.

It's a shabby example to set for the rest of the Free World.

THE HUMAN INVESTMENT ACT

Mr. CARTER. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. CURTIS. Mr. Speaker, I am most pleased that the Human Investment Act has been receiving increased support in and out of Congress. As of this date, the bill which provides a tax credit to the private sector for its manpower training expenses, has 128 cosponsors in the House and 29 in the Senate.

Equally important is the attention and support this bill is receiving from educational, business groups, and the news media. I am inserting in the RECORD today an editorial appearing in the St. Louis Globe-Democrat, of February 6, 1967, intimating that the time may be right for passage of this legislation. I certainly hope that it is, as it is imperative that we keep our efforts to train and retrain our labor force in step with the continuing increased demand for skilled labor in our dynamic economy.

The editorial follows:

RETURN JOB TRAINING TO BUSINESS

The time may be right for passage of Congressman Thomas Curtis' Human Investment Act which proposes giving businessmen a tax credit for training unemployed.

It offers a far more effective means of training and re-training those who are out of work than the government-financed programs in the war on poverty.

The Curtis plan is based "on the fact that the most effective job training in the nation has always been business and labor working together."

A similar bill was introduced by Representative Curtis at the Eighty-ninth Congress but failed, largely because public sentiment on the poverty war still hadn't crystalized. The numerous instances of waste and inefficiency in the programs under the Office of Economic Opportunity have turned public opinion against this method of job training.

In the long run, the Curtis plan would save taxpayers hundreds of millions of dollars, as it performed the job training mission in a much more creditable manner.

REDUCTION OF FEDERAL FUNDS FOR HIGHWAYS

Mr. CARTER. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. SCHWENGEL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, at the time the President announced the arbitrary cutback in highway construction funds, some question was raised as to the legal basis for his action.

In the Iowa Good Roads Association publication, "Road Report," volume 18, No. 2, January 17, 1967, there is an excellent summary of the parts of the Constitution and the United States Code which are relevant to the President's action.

The conclusion reached in the report coincides with my own view that the President's action is not based on any lawful authority.

For this reason I want to make available to the Members of the House the legal analysis prepared by the Iowa Good Roads Association.

ROAD REPORT

REDUCTION OF FEDERAL FUNDS FOR HIGHWAYS

The Iowa Good Roads Association believes there is justification for questioning the rights of any individual, or group, to reduce, at this time the highway allotments for the current year and for fiscal 1968 below the figures for this year. (In the following analysis italicizing has been done by the Iowa Good Roads Association for the purpose of emphasis of certain portions.)

CONSTITUTION OF THE UNITED STATES

Article I, Section 1—

"All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives."

Article I, Section 7—

"All Bills for raising Revenues shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills."

"Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States; If he approve he shall sign it."

Article I, Section 8—

"The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises,—."

Article II, Section 1—

"The executive Power shall be vested in a President of the United States of America—."

(Later in Article II, Section 1, is the Oath of Office:)

"I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States."

Article II, Section 3—

"He shall from time to time *give to the Congress Information* of the State of the Union, and *recommend* to their Consideration such Measures as he shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive Ambassadors and other public Ministers; *he shall take care that the Laws be faithfully executed,* and shall Commission all the Officers of the United States."

Article III—(Defines the powers of the judicial branch.)

Article VI—

"This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, *shall be the supreme Law of the Land*; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding."

Page 53 of the 1963–64 edition of *United States Government Organization Manual,* reviewing the duties of the *Bureau of the Budget,* states one of its functions is:

"To keep the President informed of the progress of activities by agencies of the Government with respect to work proposed, work actually initiated, and work completed, together with the relative timing of work between the several agencies of the Government; all to the end that the work programs of the several agencies of the executive branch of the Government may be coordinated and that the moneys appropriated by the Congress may be expended in the most economical manner possible with the least possible overlapping and duplication of effort."

In a discussion of the *Bureau of Public Roads,* (page 303, United States Government Organization Manual, 1963–64) the purpose is stated as:

"The Bureau of Public Roads, at the direction of the Secretary of Commerce, carries out the responsibilities and authority of the Secretary with respect to Federal and Federal-aid highway construction, administration and research, more specifically described in provisions of title 23, U.S. Code—"Highways."

"Activities:—The Bureau of Public Roads *administers* Federal legislation providing for the improvement, in cooperation with the several States, of roads on the Federal-aid primarily, secondary, and inter-state highway systems and urban extensions thereof;—."

VOLUME I. TITLE 23, UNITED STATES CODE—"HIGHWAYS"

Sec. 104. Apportionment.

(b) On or before January 1 next preceding the commencement of each fiscal year, except as provided in paragraph (4) and (5) of this subsection, the Secretary, after making the deduction authorized by subsection (a) of this section, *shall apportion the remainder of the sums authorized to be appropriated* for expenditure upon the Federal-aid systems for that fiscal year, among the several states in the following manner: (For primary, secondary, and urban extensions, details are shown on page 7 of Federal Laws, Regulations and Other Material Relating to Highways. For the interstate see pages 8–10.)

(Paragraphs (4) and (5) referred to above define the method of apportionments for the Interstate System. Deductions authorized by sub-section (a) provide for not to exceed three and three-quarters percent of all sums authorized for administering the provisions of the law and for carrying on the research authorized under Sec. 307.)

(e) On or before January 1 preceding the commencement of each fiscal year, the *Secretary shall certify* to each of the State highway departments the *sums which he has apportioned hereunder* to each State for such fiscal year, and also the sums which he has deducted for research and administration pursuant to subsection (a) of this section.

Sec. 118. Availability of sums apportioned.

(a) On and after the date that the Secretary has certified to each State highway department *the sums apportioned* to each Federal-aid system or part thereof *pursuant to an authorization* under this title, or under prior Acts, such sums shall be available for expenditure under the provisions of this title.

VOLUME III, INTERNAL REVENUE CODE AND HIGHWAY TRUST FUND LAWS

(See pages 87–89 of Federal Laws, Regulations and Other Material Relating to Highways.)

The Federal-aid Highway Act of 1956, Title II, is the Highway Revenue Act of 1956.

Sec. 209. Highway Trust Fund.

(a) (Describes creation of Trust Fund).

(b) Declaration of Policy.—It is hereby declared to be the policy of the Congress that if it hereafter appears—

(1) that the total receipts of the Trust Fund (exclusive of advances under subsection (d) will be less than the total expenditures from such Fund) (exclusive of repayments of such advances); or—

(2) that the distribution of the tax burden among the various classes of persons using the Federal-aid highways, or otherwise deriving benefits from such highways, is not equitable, *the Congress shall enact legislation* in order to bring about a balance of total receipts and total expenditures, or such equitable distribution, as the case may be.

(c) Transfer to Trust Fund of Amounts Equivalent to Certain Taxes. (This defines the taxes on motor fuel, tread rubber, trucks and buses, tires and tubes, and vehicle use, going to the Trust Fund.)

(e) Management of Trust Fund.

(1) In General.—It shall be the duty of the Secretary of the Treasury to hold the Trust Fund, and (after consultation with the Secretary of Commerce) to report to the Congress not later than the first day of March of each year on the financial condition and the results of the operations of the Trust Fund during the preceding fiscal year and on its expected condition and operations during each fiscal year thereafter up to and including the fiscal year ending June 30, 1973. Each report shall be printed as a House document of the session of the Congress to which the report is made.

(2) Investment.—It shall be the duty of the Secretary of the Treasury to invest such portion of the Trust Fund as is not, in his judgment, required to meet current withdrawals. Such investments may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. (This section then goes on to explain the operation of these investments, interest rates, and sale of obligations.)

(4) Interest and Certain Proceeds. The interest on, and the proceeds from the sale or redemption of, any obligations held in the Trust Fund shall be credited to and form a part of the Trust Fund.

(f) Expenditures from Trust Fund.

(1) **Federal-Aid Highway Program.** *Amounts in the Trust Fund shall be available*, as approved by appropriation Acts, for making expenditures after June 30, 1956, and before October 1, 1972, to meet those obligations of the United States heretofore or hereafter incurred under the Federal-Aid Road Act approved July 11, 1916, as amended and supplemented, which are attributable to Federal-aid highways (including those portions of general administrative expenses of the Bureau of Public Roads payable from such appropriations).

(g) Adjustments of Apportionments. The Secretary of the Treasury shall from time to time, after consultation with the Secretary of Commerce, estimate the amounts which will be available in the Highway Trust Fund to defray the expenditures which will be required to be made from such fund. In any case which the Secretary of the Treasury determines that, after all other expenditures required to be made from the Highway Trust Fund have been defrayed, the amounts which will be available in such fund will be *insufficient* to defray the expenditures which will be required as a result of apportionment to the States of the amounts *authorized to be appropriated* for any fiscal year for the construction, reconstruction, or improvement of the Interstate System, he shall so advise the Secretary of Commerce and shall further advise the Secretary of Commerce as to the amount which, after all other expenditures required to be made from such fund have been defrayed, will be available in such fund to defray the expenditures required as a result of apportionment to the States of Federal-aid highway funds for the Interstate System for such fiscal year.

The Secretary of Commerce shall determine the percentage which such amount is of the amount authorized to be appropriated for each fiscal year for the construction, reconstruction, or improvement of the Interstate System, and, notwithstanding any other provisions of law *shall thereafter apportion to the States* for such fiscal year for the construction, reconstruction, or improvement of the Interstate System, in lieu of the amount which but for the provisions of this subsection would be apportioned, the amount obtained by multiplying the amount authorized to be appropriated for such fiscal year by such percentage. Whenever the Secretary of the Treasury determines that there will be available in the Highway Trust Fund amounts which, after all other expenditures required to be made from such fund have been defrayed, will be available to defray the expenditures required as a result of the apportionment of any Federal-aid highway funds for the Interstate System previously withheld from apportionment for any fiscal year, he shall so advise the Secretary of Commerce and the Secretary of Commerce *shall apportion* to the States such portion of the funds so withheld from apportionment as the Secretary of the Treasury has advised him may be so apportioned without causing expenditures from the Highway Trust Fund for the Interstate System to exceed amounts available in such fund to defray such expenditures. Any funds apportioned pursuant to the provisions of the preceding sentence shall remain available for expenditure until the close of the third fiscal year following that in which apportioned.

The above portions are the only ones we can find in the Highway Laws pertaining to apportionments.

On August 30, 1965, G 65–135, Secretary of Commerce did apportion $4.0 billion of Federal-aid for fiscal 1967, of which Iowa's share was $20,678,726 for ABC, and $35,903,250 for Interstate, for a total of $56,581,976. *These apportionments were authorized by* Senate Joint Resolution 81, signed into law by President Johnson on August 28, 1965, and the ABC portion by the Federal-Aid Highway Act of 1964.

On October 10, 1966, BPR 66–34, Secretary of Commerce *did apportion $4.4 billion for fiscal 1968*, of which Iowa's share for ABC was $20,586,414 and Interstate $40,855,590, for a total of $61,442,004. *These apportionments were authorized* by the Federal-Aid Highway Act of 1966, which was signed into law by President Johnson on September 13, 1966.

The annual reports of the Bureau of Public Roads showed revenues of $3,669,464,000 going into the Trust Fund for Fiscal 1965, and $3,966,949,000 in Fiscal 1966 (including an item of $7,983,000 for interest earned.) At the meeting of the American Association of State Highway Officials, November 29, 1966, in Wichita, Alan S. Boyd, Under Secretary of Commerce for Transportation, stated that "Trends in vehicle use and fuel consumption indicate an increase of about 4 percent in 1967's revenues, and about the same amount in 1968." This would result in income of approximately $4,126,000,000 in fiscal 1967, and $4,291,000,000 in fiscal 1968. *These amounts would be sufficient to cover the full apportionment for fiscal 1967.* If the apportionments are cut to $3,300,000,000 as announced, and the same amount would be the maximum for fiscal 1968, what will become of the surplus of about $826,000,000 in fiscal 1967, and $991,000,000 in fiscal 1968, except to accumulate in the Highway Trust Fund and draw interest?

It is questionable whether there will be sufficient revenues to take care of the $4,400,000,000 apportioned under the 1966 Highway Act for fiscal 1968, but the revenues should be sufficient to continue on the full basis originally apportioned for the current fiscal year, and at least as much for fiscal 1968, which would be $4,000,000,0000, with approximately $61,400,000 coming to Iowa.

The October 4, 1966 Newsletter of the American Road Builders Association contained a statement that "the Federal-Aid Highway program is atop a list of programs being considered for immediate reductions in an attempt by the Federal government to *stem inflation*. They said:

"Budget Bureau Director Charles L. Schultze in a recent Cabinet meeting said that an outline was prepared for trimming $1.5 billion from the total Federal budget for the current fiscal year, including a 10 percent across-the-board cut in Federal supported construction programs. It is expected that the 10 percent reduction in available highway construction funds will be accomplished by deferring, stretching out and otherwise reducing the volume of new work."

Based on our understanding of the intent of the law, as related above, we raise certain questions. By what right can this legislation be changed by anyone other than Congress? By what other process can the intent of the legislation be disregarded?

We of course must do everything possible to terminate the situation in Viet Nam, and to stem inflation, both of which have been given as reasons for the cutback in the highway program. But *the highway program*, being supported entirely by taxes on highway users, *is different from other federally supported programs, and there should be better* *ways to stem inflation than by cutting down a badly-needed highway construction program, which is paid for in its entirety by taxes earmarked for that purpose only, and for which sufficient money seems to be assured in the Highway Trust Fund.*

LITHUANIAN INDEPENDENCE

Mr. CARTER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. KUPFERMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. KUPFERMAN. Mr. Speaker, my colleagues who took part in the special order on Thursday, February 16, in honor of Lithuanian Independence Day—49 years of resistance—CONGRESSIONAL RECORD, pages 3536–3537—will be interested in the New York City convention held by the Lithuanian American Council of Greater New York at Webster Hall, Manhattan, on Sunday, February 19.

At that time I had the honor of addressing their convention, whose chairman was Algirdas Budreckis.

The Lithuanian American Council of Greater New York represents some 45,000 Americans of Lithuanian descent in the New York metropolitan area and is affiliated with the Lithuanian American Council, which has its headquarters in Chicago, Ill. It was first organized in 1940 when Lithuania was subjugated by the Soviet Union.

At the convention, a resolution was unanimously adopted by the more than 500 people present, and, because of its significance, I want to bring it to the attention of my colleagues:

RESOLUTION ADOPTED BY LITHUANIAN RALLY ON FEBRUARY 19, 1967

We, Lithuanian Americans of Greater New York, citizens and permanent residents of the United States, gathered on February 19, 1967, at Webster Hall, New York City, to commemorate the 49th anniversary of the restoration of the Independent State of Lithuania,

Noting the United States President's statement of October 7, 1966, to the effect that "one great goal of a united West is to heal the wound in Europe which now cuts East from West and brother from brother";

Voicing once more our protest against the international crime perpetrated by Soviet Russia by invading and forcibly incorporating Lithuania into the Soviet Union;

Reaffirming the unswerving determination of the Lithuanian people to regain independence and freedom;

Expressing our gratitude to the Government of the United States for its steadfast policy of non-recognition of the situation created in Lithuania by Soviet aggression and for its support of the right of the Lithuanian nation to self-determination;

Recalling the United Nations Declaration of December 14, 1960, which proclaims that "all peoples have the right of self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development";

RESOLVE

(1) To appeal to the President, the Secretary of State, and the Congress of the United States

(a) to include the question of the restoration of the independence and freedom of Lithuania in the U.S. Government's program of "making Europe whole again";

(b) to give the due course to the Congress Concurrent Resolution No. 416, urging the President of the United States "to direct the attention of world opinion at the United Nations and at other appropriate international forums and by such means as he deems appropriate, to the denial of the rights of self-determination to the peoples of Estonia, Latvia and Lithuania";

(2) To urge the Free Europe Radio to extend its broadcasts to Lithuania;

(3) To assure the Lithuanian people under Soviet occupation of our unshakable determination to spare no efforts and sacrifices until Lithuania will become independent and free again;

(4) To urge the American Lithuanians to support the policy of the United States Government opposing Communist expansion everywhere and aiming at the respect for the right of self-determination to the captive peoples.

LITHUANIAN AMERICAN COUNCIL OF GREATER NEW YORK.

NAVY SHIPBUILDING PROGRAM

Mr. CARTER. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. BOB WILSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. BOB WILSON. Mr. Speaker, the Navy has just released its shipbuilding program for fiscal year 1967. It is heartening to note that the program includes the construction of two nuclear surface ships—an attack carrier and a guided-missile frigate.

The 89th Congress appropriated funds for building these two vessels over the strong objections of Secretary of Defense Robert McNamara, who indicated at hearings before our House Armed Services Committee last year that even if we gave him the funds for building the nuclear frigate, he would not spend the money for possibly 2 years.

Obviously, Mr. McNamara has finally seen the wisdom of proceeding with these much-needed nuclear ships if this country is to maintain its supremacy of the sea. The Navy's modernization program is already in a sorry state because of the Pentagon's shortsightedness. These new atomic ships will at least move the modernization program ahead one step, but hardly enough to catch up for the lost time of the past several years.

The new atomic carrier will be an improved version of the first nuclear carrier *Enterprise*. For example, the new ship will be powered by a new two-reactor plant being developed by the Atomic Energy Commission, instead of the the eight reactors used in the *Enterprise*.

The new nuclear carrier has not been named yet and it is for this reason that I am reintroducing a bill to name this great ship after one of America's great naval figures, the late Fleet Adm. Chester W. Nimitz.

Admiral Nimitz's epic battles in the Pacific brought the aircraft carrier into prominence and proved that it could be a devastating instrument of war. I am hopeful that my colleagues who admire and respect the late admiral will join me in this effort to bestow upon this new carrier the name of the man who made the aircraft carrier a potent element in sea warfare.

LITHUANIAN INDEPENDENCE ANNIVERSARY

Mr. CARTER. Mr. Speaker, I ask unanimous consent that the gentlewoman from Ohio [Mrs. BOLTON] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mrs. BOLTON. Mr. Speaker, this month we observed the 49th anniversary of the birth of 20th century Lithuania. Its freedom lasted only 22 years. Following several centuries of harassment and seizure by the Russian empire, these 22 years were bright with energy and hope and realization of medieval dreams. They were years of national development and prosperity. The record of that period is a memorable one. The brave, dedicated people of Lithuania built a strong, active government, established many schools at all levels, and improved their agriculture, industry, and transportation.

Alas, the Russian warlords invaded again and incorporated Lithuania into the Soviet Union in 1940. When the war against the Nazis came to a close in 1945, the Soviets retained control, making Lithuanian citizens prisoners within their own boundaries. Those who could, fled.

In 1967 approximately 3 million courageous Lithuanians are still deprived of freedom, but they have never given up the ideal of independence. Free men throughout the world recognize that the many sacrifices these people have made in the cause of freedom are on our behalf as well as their own. This month, as we commemorate an anniversary which these captive people cannot enjoy, let us rededicate ourselves to the pursuit of freedom for all who are held in the grip of the Communist aggressors.

INDIANAPOLIS, IND., ANTICRIME CRUSADE

Mr. CARTER. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. BRAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. BRAY. Mr. Speaker, almost 5 years ago, a group of Indianapolis, Ind., women, aroused over a rising crime rate in the city, met to consider methods for making the streets safer for honest citizens.

Mrs. Margaret Moore, Indiana's "Mother of the Year" in 1965, called that first meeting at the request of Eugene S. Pulliam, noted Hoosier publisher and one of the giants of contemporary journalism.

They didn't know what to think of us at first—

Admits Mrs. Moore.

Everybody thought we were a bunch of old fuddy duddies, with our brooms and our knitting in the courts. We started out in little ways, with little things that made sense to women. And we've accomplished a lot with just our brains and hands.

This crusade was cited in the report by the President's Commission on Law Enforcement and Administration of Justice as "The most dramatic example in the country of a citizens' group that has addressed itself forcefully and successfully to the problems of crime and criminal justice."

This is a well-deserved tribute to a group of which all Hoosiers are rightly proud, and I am happy to insert the report's commendation in the CONGRESSIONAL RECORD:

FROM "THE CHALLENGE OF CRIME IN A FREE SOCIETY"—A REPORT BY THE PRESIDENT'S COMMISSION ON LAW ENFORCEMENT AND ADMINISTRATION OF JUSTICE:

(Pages 290–291 "Community and professional organizations")

The most dramatic example in the country of a citizens' group that has addressed itself forcefully and successfully to the problems of crime and criminal justice is the Anti-Crime Crusade in Indianapolis. In 1962, the day after a 90-year-old woman had been hit on the head and robbed on the street, 30 Indianapolis women, representing a cross section of the community, met to devise ways of making the streets safer. The organization, which has no dues, no membership cards, no minutes and no bylaws, now involves some 50,000 women, in 14 divisions. It has stimulated the city to improve street lighting. It has secured jobs for young people, helped school dropouts return to school, involved thousands of adolescents in volunteer work for social service agencies and clinics. It has organized campaigns for cleaning up the slums. It has sponsored police recruits. It has observed the operation of the courts and publicized their short comings. It has helped parole officers with their work. It has campaigned for pay raises for policemen and formed block clubs to improve slum neighborhoods. This list is only a random selection of the crusade's activities, and only an indication of what concerned citizens can do.

LOUIS C. HINER

Mr. CARTER. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. BRAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. BRAY. Mr. Speaker, one of Indiana's great names in journalism has died and he will be sorely missed by all who knew him.

I was proud to call Louis C. Hiner my friend. To his son, Lou, Junior, the Washington correspondent for the Indianapolis News, and to all of his family, I extend my sympathy at his passing. The following editorial from the February 18, 1967, Indianapolis News is a fitting tribute to a man who set standards of excellence and devotion to his profession.

LOUIS C. HINER

The death of someone in the newspaper business is always a sad occasion for us. The passing this week of Louis C. Hiner is especially so, for not only was he a distinguished journalist in Indiana, he was also the father of The News Washington correspondent, Lou Hiner, Jr.

Hiner, editor and president of the Rushville Republican, had been associated with that newspaper for 63 of his 71 years. He began his newspaper career as a carrier at the age of nine.

Always deeply concerned with the vitality of the journalistic profession, Hiner was a past president of the Indiana Republican Editorial Association and a member of the Hoosier State Press Association and Sigma Delta Chi, the professional journalism society.

The newspaper tradition runs strong in the Hiner family. Hiner's grandfather, William Gregory, was a pioneer Hoosier journalist and founded one of Indiana's first newspapers early in the 19th century at Rising Sun. His brother, the late Allen C. Hiner, was editor of the New Castle Courier-Times, and his two sons are both newspapermen. In addition to Lou Jr., Richard G. Hiner is sports editor of the Rushville newspaper to which his father devoted a lifetime.

Lou Hiner Sr. contributed a wealth of service to journalism in Indiana and, thus, to the citizens of the Hoosier state. He will be sorely missed, but his devotion to the trade will set a standard for others in what he knew to be a most exciting of professions.

THE LATE WILLIAM ROY VALLANCE

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, our country suffered a loss that will be deeply felt, especially in inter-American circles, in the death of William Roy Vallance, whom I was happy and privileged to number among my close friends.

Since its founding in 1940 he was the secretary general of the Inter-American Bar Association. In 1922 he was president of the Federal Bar Association, and again in the period from 1927 to 1933, and is credited with improvement of the working conditions of Government lawyers and the reduction of the Government workweek from 6 days to 5½.

He joined the State Department in 1918 and remained there as a legal adviser for almost 40 years. He represented the United States at many international conferences. Perhaps no American of these times had as many friends among the lawyers of Latin America, and his passing will bring a deep sense of grief throughout Latin America.

Mr. Speaker, I never knew a finer gentleman than William Roy Vallance, and for myself and my son Barratt, who in past years had worked closely with him in the affairs of the Federal Bar Association and the Inter-American Bar Association, I extend deepest sympathy to the widow, his three daughters, his son, his brother, his sister, and his four grandchildren.

DISARMERS SUBSTITUTE PACT PLEDGES FOR MILITARY MUSCLE

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from California [Mr. HOSMER] is recognized for 10 minutes.

Mr. HOSMER. Mr. Speaker, most Americans are wholly unaware of the totality with which the Johnson administration has embraced disarmament philosophy. They hear that it proposes a total and complete disarmament treaty but cannot believe the President is serious about it. They think it must be just some gamelike move on the checkerboard of international diplomacy. Nothing can be further from the truth. The President, the Vice President, Dean Rusk, Robert McNamara, and a host of others high in the administration truly believe treaty promises offer greater security to the United States than military muscle. They want, have drafted and are ready to negotiate not only the disarmament treaty, but also many others including: a nonproliferation treaty, a treaty to halt production of fissionable materials for nuclear weapons, a treaty to stop us from building nuclear delivery systems including antimissile defenses, a treaty to remove fissionable materials from existing warheads and so on. Unless the American people really believe along with Johnson and his advisers that disarmament is better protection than a well-equipped Army, Navy, and Air Force, they had better wake up soon, before the point of no return is passed.

The Nation's disarmers have worked subtly and silently to prevent this awakening. They want to get us beyond that point without public protest. They know that an aroused public will thwart their schemes.

The disarmers first significant move was to muzzle the country's military brass, upon whom we traditionally depend for warning against dangerous and improvident actions. Before the muzzling was completed, the limited test ban treaty of 1963 came up and the Joint Chiefs of Staff was able to dramatize the serious dangers consequent on undetected underground cheat testing. An aroused public demanded and saw to it that underground tests were excluded from the treaty ban. The principle of agreeing only to treaty promises which could be enforced by detection and inspection, if necessary, was established. Insistence on enforcing mechanisms was seen by the disarmers as a bar to any more treaties and they quickly set about to dispose of it by piecemeal nibbling.

First, the U.S. Arms Control and Disarmament Agency instituted studies calculated to prove that positive detection of cheating on a treaty is not really necessary, but only just enough chance of getting caught will deter violations because of an assumed reluctance to run the risk of incurring something it optimistically regards as the adverse force of world public opinion. Then came negotiation of the so-called Treaty on Peaceful Uses of Outer Space which now lies before the Senate. No mechanisms whatever are contained in this treaty to police the promises of the Soviet Union or any other signatory to refrain from orbiting megaton nuclear monsters.

The disarmers figure space is such a nebulous subject, they can get away with ratification without large public protest. If they do, the verification principle will be fairly well disposed of. Negotiations start in Geneva tomorrow on the nonproliferation treaty, wholly without verification mechanisms. Getting it across will finish the job of junking the principle of refusing to sign unenforceable treaties. It will clear the tracks for writing every disarmer's dream into some treaty or other, substituting promises for might as the means to insure national survival. That these dreams can turn into nightmares seems to be, unfortunately, of little news or editorial interest.

SINGLE PERSONS' TAX REFORM BILL

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. KUPFERMAN], is recognized for 30 minutes.

Mr. KUPFERMAN. Mr. Speaker, under present law, three separate individual income tax rate schedules apply to taxpayers. The categories of taxpayers to whom these income tax rate schedules apply include: first, single persons; second, heads of household; and third, married couples.

Prior to 1948, the same schedule of rates applied to all categories of taxpayers. During this earlier period, however, husbands and wives who lived in a community-property State could divide their income between them for tax purposes, and thus pay tax at the lower marginal rates applicable to each segment of income.

In the community-property States—Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Texas, and Washington—the property acquired by a husband and wife after their marriage was regarded as owned by them in community, share and share alike; and income from such property was community income, divisible equally between them.

If a husband and wife in a community-property State file separate returns, they must allocate one-half of the community income to each separate return. But the separate income of each must be reported on his—or her—own separate return. Therefore, especially in California and the four western community-property States which follow its rule—Arizona, Nevada, New Mexico, and Washington—where income from separate property remains separate income, tax savings could be realized through the filing of a joint return—section 305.2473, 1963 Standard Federal Tax Reports, Commerce Clearing House, Inc., Chicago, Ill., 1962.

The Congress, in 1948, in order to eliminate the inequities created between taxpayers in community and noncommunity-property States, took remedial action by legalizing income splitting for all married couples who filed joint returns.

The split income provision provided a substantial tax advantage to married couples over single individuals. It soon became apparent that many taxpayers, although not married, nevertheless shared their income with other dependents, and thus also deserved some kind of tax relief. This situation led to the enactment of the head of household provision in the Internal Revenue Act of 1951. A person who qualifies is entitled to receive about 50 percent of the rate benefits available on a joint return.

Head of household tax status is given to an unmarried individual, who maintains a household as his home, and has living as a member of his household: first, one of his sons or daughters—including legally adopted children or one of their descendants, or a stepchild of the taxpayer; or second, any other dependent of the taxpayer. If such a dependent does not file a joint return with a spouse, and if the gross income of such dependent is less than $600 for the calendar year, the taxpayer must furnish more than one-half of the support of such person—section 425, Standard Federal Tax Reports, 1963. One who qualifies under the head of household provision is affected by tax rates which allow one-half of the benefit of income splitting.

Mr. Speaker, I have introduced today a bill, called the single persons' tax reform bill, which would bring head of household tax benefits to certain categories of taxpayers who are now subject to the rates applicable to single persons. Briefly, under my bill the categories of taxpayers that would be included in the head of household status for tax purposes are widows and widowers, legally separated individuals 35 years of age or over, and single persons who are 35 years of age or over.

Under present law, widows and widowers may file a joint return for the year of death of the spouse. For subsequent years, under present law, the surviving spouse may be treated in one of three ways for tax purposes: First, if the widow or widower supports a child in his, or her, home—except for temporary absences—he, or she, may qualify as a surviving spouse and file a joint return for the 2 years following the year of the death. After that, the surviving spouse may qualify as a head of household only as long as he, or she, continues to support the child; second, a widow or widower who supports a relative other than a child may qualify as a head of household after the year of death of spouse if he, or she, satisfies the support and maintenance requirements under the head of household tax status; and third, widows or widowers who support no one else must file as a single person in the year following the death of spouse.

The third category includes those who contribute to the support of another person, but do not satisfy the head of household support and maintenance requirements, and thereby are denied the benefits of the special tax rates. My bill would extend the head of household tax rates to benefit them. This extension is justified for several reasons. Widows and widowers who are in this group bear substantially the same financial burden as those who now qualify as heads of households, and thus are discriminated against with respect to tax considerations. Also, the strict requirements for qualifying under the head of household provision are often unrealistic. For example, a married couple in many cases has purchased a home and acquired a mortgage.

Often the married couple furnished the home with personal goods, such as tables, rugs, draperies, and other furniture, sometimes purchased on the installment plan. Thus, they have acquired a heavy fixed cost structure, which is not changed appreciably by the death of a spouse, whether or not there is also a surviving dependent. Moreover, there are additional financial hardships that the widow or widower must face, notwithstanding the support of a dependent after the death of the spouse. To illustrate: In the case of the widow, her income will usually decline sharply. A widower, who previously enjoyed the domestic services—cleaning, washing, and cooking—and comfort of a wife, will often have to hire someone to perform these services, often "eating out" at a more expensive rate.

The widow or widower who does not support another person is, therefore, subject to the higher marginal tax rates applicable to single persons in the year after death of his, or her, spouse. This creates a severe hardship for most widows or widowers during the time when their financial and psychological adjustments are difficult.

On the other hand, the widow or widower who supports a dependent enjoys relief: First, from the lower rates applicable to either the joint return or the head of household; and second, from a personal exemption because of the dependent.

Another category of taxpayers which deserves remedial attention is made up of those legally separated individuals who are 35 years of age or over. Under present law, a legally separated individual who does not remarry, or does not qualify as a head of household, is subject to the same rates applicable to single individuals. My bill would extend the head of household provision to benefit individuals who are legally divorced or separated under a decree of separate maintenance, if they are at least 35 years old and have been separated for at least 1 year. The designation of 35 years as the particular age at which the head of household tax benefits should apply is because it is generally recognized that by this time the individual is operating independently as an adult and most likely maintains a separate household. The 1-year limitation is intended to provide adequate time for the divorce or separation to be complete.

These individuals should receive liberalized tax treatment for several reasons: First, a separated individual is in a similar situation, with respect to continuing costs, as an individual who is a surviving spouse. Actually, the expenses might even be greater in the case of a separated individual, inasmuch as two separate living accommodations must be provided. In addition, the husband faces the burden of maintaining his former spouse in the manner of living to which she has become accustomed. Often this exceeds minimum living costs and requires that considerable supplementary income be paid to her.

Although the divorced man must bear the burden of making payments to his former wife, and even though he may receive a tax deduction for the alimony paid, he may pay substantially higher taxes as a result of no longer being able to file a joint return with the split income provision. My "single persons' tax reform bill" would provide financial relief to him by treating him, for tax purposes, as a head of household.

A third category of taxpayers discriminated against under our tax structure are single individuals who are 35 years of age or over. Under present law, single individuals who do not otherwise qualify as heads of household are subject to the same tax rates, regardles of their age. Tax differences in income levels between $6,000 and $12,000 for single persons and heads of household range from $70 to $290. I am informed that under the Internal Revenue Act of 1962 a single taxpayer with taxable income of $6,000 will pay a tax of $1,130. A head of household with a comparable income tax structure will pay $70 less. Moreover, a single taxpayer with a taxable income of $8,000 will pay $1,630, while a head of household with equal taxable income will pay $130 less. A single taxpayer with taxable income of $12,000 will pay $2,830. A head of household with $12,000 taxable income will pay $290 less.

Mr. Joseph A. Pechman, director of economic studies for the Brookings Institution, who, I am informed, recently completed the first comprehensive study of the tax system since the tax reduction and reform bill was enacted in 1964, found that:

> The income tax law discriminates heavily against single persons, not only in its rates, but also in the system of personal exemptions . . . The "split income" provisions of the tax law, which permit married couples to pay substantially lower rates than single persons, are unfair. Under the "split income" provisions, married persons are allowed to treat their income as though each partner had earned half of it. The tax rate imposed is the rate that applies to half the total income. The "split income" provision is justified on the ground that married couples have heavier expenses, particularly the expenses of raising children, but even married couples who have no children are allowed to split their incomes for tax purposes.

Mr. Pechman further noted that the personal exemption of $600 which can be claimed by each taxpayer for himself, his spouse, and dependents, was unfair to single persons. He said:

> The system assumes that it costs twice as much for two persons to live as it does for one. This is not so—studies of family budgets indicate that it costs about three-fourths as much for one person to live as it does for two.

Some of the inequities were detailed in a very interesting fashion in an article by Robert E. Mackin in the January 22, 1967, issue of Parade magazine entitled "It Doesn't Pay To Be Single."

My bill would extend the head of household provision to include those unmarried persons 35 years of age or over. The household which the single person supports has become a necessary condition for the sake of decency and convenience in living, especially for single women. Senator McCarthy, author of similar legislation in the Senate—S. 35, 90th Congress—said that it is estimated there are nearly 18 million single persons in the United States who are 35 years of age or over. Of these, 13 million are women.

Many single individuals over 35 years of age are single because they have assumed a financial obligation on behalf of someone else. Many of them formerly supported, in whole or in part, one or both deceased parents in the same household in which they now live. Often they have undertaken support of a relative, such as a brother or sister unable fully to support himself—or herself—because of illness. By the time the financial obligation is substantially reduced, or eliminated, the single individual often has reached the age at which the prospects of marriage are not encouraging. Nevertheless, this individual maintains living accommodations similar to a married couple without children, individuals now qualifying for benefits under head of household status, or other groups which would come within the provisions of my bill. Moreover, the demands on these taxpayers to provide for their future financial security are, in many cases more pressing than in the case of other individuals who obtain more favorable tax treatment.

Mr. Speaker, we must constantly strive to maintain our tax rates so that they will reflect the most equitable taxation possible. To do this, we must recognize necessary expenses incurred by various categories of taxpayers. I urge my colleagues to consider this legislation as a realistic step toward needed tax reform.

This bill is only the first step in a limited category. We must still determine what additional tax structure changes are necessary to secure equality for the single person who has no special deduction for "head of household" and who has no "split income" provision. Is the tax structure now fair to such single persons? Many people think not.

An interesting legal study on the question will be found in an article by Douglas Y. Thorson entitled "An Analysis of the Sources of Continued Controversy Over the Tax Treatment of Family Income," which appeared in the National Tax Journal, June 1965, volume XVIII, No. 2.

LET THE READER BEWARE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. Ashbrook] is recognized for 15 minutes.

Mr. ASHBROOK. Mr. Speaker, a comparatively new publication which is available to those in Washington and environs is a slick magazine, a production of the best technical quality entitled "The Washingtonian." Unfortunately, the quality of the publication technically is not, in one case at least, matched by a commensurate journalistic achievement. I refer to the article, "Washington's Rightwingers," in the February 1967 edition of the magazine and written by Barbara Hogan.

The rightwing in the Washington area is divided into four classifications by the author—from the "nut fringe" to the "simple conservatives." After listing the four classifications, the article hastens to add that "the Washington right embodies all of these positions, but they resent being lumped together, as perhaps they should." Whereupon the author proceeds to lump together the Ku Klux Klan with conservative organizations, and no word of clarification is offered concerning "a loudmouth in Arlington, Va." who "acts out his fuehrer complex," and his relationship to conservative organizations. In the interest of fairplay to the readers and advertisers of The Washingtonian, a few words of clarification are in order.

On February 10, 1966, before a House appropriations subcommittee, Director J. Edgar Hoover of the FBI commented on the American Nazi Party:

> George Lincoln Rockwell, the self-styled leader of the American Nazi Party, has been peddling professional hate during the existence of his organization for the past 6 years. The national membership of this group is less than 100. Defeated in the 1965 Virginia gubernatorial election, Rockwell through his "political party" still cherishes political power at the national level. According to his plan, should his organization take command of leadership of the U.S. Government, the Nazis will exterminate Jews by Hitlerian methods and banish all Negroes to Africa.

As there was no effort on the part of the author to clarify the relationship of the American Nazi Party with, for instance, the American Conservative Union, of which I am chairman, the impression by innuendo might well be gained that somehow there exists an ideological kinship. As the American Conservative Union was one of the organizations listed, any attempt to even hint that the two organizations are in any way compatible is either dishonest or grossly misinformed. In any case, let the record be set straight.

Another organization mentioned in the article is the Ku Klux Klan. I find it extremely ironic that I should be listed in the same article with the KKK as I introduced on June 16, 1966, H.R. 15754, a bill to curb organizational conspiracies and which would impose stiff penalties including life imprisonment and death on members of organizations such as the Ku Klux Klan for extreme violations of the rights of individuals. It is interesting to note that the former Attorney General, Nicholas Katzenbach, stated before the House Committee on Un-American Activities, of which I am a member, that:

> From the committee's efforts, the public now has a much fuller awareness of the structure and activities of the Klan.

And that:

> The Department of Justice has drawn much benefit from the searching hearings of the House Committee on Un-American Activities.

As previously stated, I find it ironic that I should find myself listed under the same general classification as the Ku Klux Klan, with no clarification offered.

Also included in the list of organizations mentioned in the Washingtonian's article is the Freedom Studies Center of Boston, Va. The purpose of the center is to train cold war leadership for all segments of society in the free world, study Communist strategies and tactics, and to develop and recommend programs for defending and extending the sphere of freedom. The dedication of the center took place on September 25, 1966. Telegrams were received from Gen. Earle G. Wheeler, Chairman of the Joint Chiefs of Staff; J. Edgar Hoover, Director of the FBI; John W. McCormack, Speaker of the House of Representatives; and this message from President Johnson:

> The will to resist aggression is strengthened by our understanding of the alternative to turning back a foe who would deny man's freedom. That understanding grows through education. It is a responsibility which public and private institutions must share. I commend your commitment to this great and urgent work of defending freedom and promoting peace. You have my every wish for success.

That the Freedom Studies Center should be listed without clarification under the same general classification as the Ku Klux Klan would, I am sure, elicit words of protest from Messrs. Johnson, Wheeler, Hoover, and McCormack.

In addition, "Washington's Rightwingers" states that:

> The Anti-Communist Liaison Committee in Arlington was set up by Billy James Hargis and is led by Edward Hunter.

If author Hogan had contacted Mr. Hunter she would have been informed, as were his readers, in his publication, Tactics, of February 20, 1967, that although Mr. Hunter is a friend of Billy James Hargis, Mr. Hargis "has no more connection with Tactics than Barbara Hogan herself."

Finally, as a specific recommendation for the Washingtonian regarding organizations which merit the attention of Washingtonians and all other American citizens, I am including excerpts from the above-mentioned testimony by J. Edgar Hoover on February 1, 1966. After a perusal of these organizations, their nature and their goals, perhaps an extensive article will be forthcoming exposing them to all concerned. The excerpts follow:

NEED FOR VIGILANCE

The Communist Party, U.S.A. constitutes a grave security threat to our Nation, not only because of its subversive historical background, its antidemocratic philosophy and its insidious tactics, but also because of the particular nature of the party itself—an organization controlled and directed by Moscow whose ultimate goal is to overthrow our form of government.

A widespread underestimation of the menace which the party presents to the internal security of the United States is just the impression the party desires to present. The ability of the party to seize upon items of discontent and to fan the sparks of civil disobedience into actual strife presents a clear and present danger.

OTHER ORGANIZATIONS

There are numerous other organizations requiring much the same investigative coverage as that required for the Communist Party-U.S.A.

TROTSKYITE ORGANIZATIONS AND COMMUNIST SPLINTER GROUPS

Some of these are revolutionary groups such as the Socialist Workers Party, the Proletarian Party of America, and the Progressive Labor Party. The manner in which their objectives are to be reached may vary, but the ultimate goal is the same—the destruction of our free, democratic, open form of government.

Splinter groups are those groups which have broken away from the mainstream of the Communist Party, U.S.A., usually over interpretation or implementation of basic Communist ideology. While the teachings of Marx, Engels, and Lenin form the base for the programs of these groups, they vary as to the interpretation of these teachings and in the manner in which their objectives are to be reached. Many of these groups have shown a tendency to favor the Chinese Communist Party line as opposed to that of the Soviet Union.

SOCIALIST WORKERS PARTY

The Socialist Workers Party was the first major group to oppose the Communist Party, U.S.A. for the right to lead an American Communist revolution. It is the largest Trotskyite organization in the United States. Factionalism within the Socialist Workers Party itself has spawned other groups, who while following the teachings of Trotsky, differ with the Socialist Workers Party over the means to be utilized in the attainment of a workers' world and a classless society. Among such offshoots of the Socialist Workers Party are the Johnson-Forest Group, the Workers World Party, the American Committee for the Fourth International, and the Revolutionary Committee of the Fourth International.

PROLETARIAN PARTY OF AMERICA

The Proletarian Party of America, while not a Trotskyite organization, is a revolutionary Marxist group which was formed in 1920. Its purpose is to overthrow the Government of the United States by force and violence.

PROGRESSIVE LABOR PARTY

One of the more recently organized and one of the most militant organizations is the Progressive Labor Party. This group was created as the Progressive Labor Movement in early 1962 by individuals who had been expelled from the Communist Party, U.S.A. At the first national convention of the Progressive Labor Movement, held in New York City, April 15-18, 1965, the name of the organization was changed to the Progressive Labor Party.

Utilizing what it considers to be ills of a capitalist society, such as unemployment, poor housing, discrimination, police brutality, unequal educational opportunities, corruption, poverty, and the alleged indifference of trade union leaders and employers toward the workers, the Progressive Labor Party aggressively and militantly strives to enlarge its organization and develop followers for its goal, a socialist United States based on Marxist-Leninist principles.

STUDENT COMMITTEE FOR TRAVEL TO CUBA

The use of Progressive Labor Party-sponsored front groups has been another favorite tactic of this organization. One of its best known fronts has been the Student Committee for Travel to Cuba which organized successful trips to Cuba in 1963 and 1964 in defiance of the State Department ban on such travel. Based upon information developed by the FBI, the Department of Justice presented facts relative to the 1963 trip to a Federal grand jury, Eastern District of New York, Brooklyn, N.Y., and on September 27, 1963, indictments as to four individuals were returned. They were charged with conspiracy to violate section 1185(b), title 8, United States Code, for organizing this 1963 trip of 59 individuals. Trial of these individuals has been completed and is awaiting the court's decision.

Following the 1964 trip in which 84 persons traveled to Cuba, the Department of Justice obtained indictments against 9 persons on September 22, 1964, in the Eastern District of New York, for conspiracy to organize the 1964 trip in violation of section 1185(b), title 8, United States Code. These individuals are awaiting trial.

MAY 2 MOVEMENT

Another successful front organization of the Progressive Labor Party is the May 2 Movement which was organized in April 1964, by a group of young people who participated in the Yale Socialist Union conference on "Socialism in America." The original aim of this organization was to plan and execute a demonstration in New York City, on May 2, 1964, to demand withdrawal of United States troops from South Vietnam. Since that time, it has continued in existence and has held a number of demonstrations protesting United States action in Vietnam.

HARLEM DEFENSE COUNCIL

The Harlem Defense Council is basically the creation of Bill Epton, one of the vice presidents of the Progressive Labor Party. This organization was extremely active in the events following the outbreak of rioting in Harlem in July 1964.

As the result of his activity in connection with the Harlem rioting, Epton was arrested on August 5, 1964, on a charge of advocating criminal anarchy. This charge was dismissed on June 7, 1965, and on the same date Epton was rearrested and charged with inciting to riot, conspiracy to riot, advocacy of criminal anarchy, and conspiracy to advocate criminal anarchy. The charge of inciting to riot was subsequently dismissed but on December 20, 1965, Epton was found guilty of the other three charges and on January 27, 1966, he was sentenced to prison for 1 year on each count to be served concurrently.

The Progressive Labor Party and the Harlem Defense Council continue their policy of creating hate and distrust of the New York City Police Department and miss no opportunity to hurl charges of brutality and malfeasance against that department.

KLAN- AND HATE-TYPE ORGANIZATIONS

Mr. Hoover. I should like to turn to the Klan- and hate-type organizations which make up another category of organizations which require widespread coverage on our part.

KLAN-TYPE ORGANIZATIONS

Numerous incidents have arisen in the racial field which have highlighted the participation of Klansmen. These incidents have involved beatings, killings and general denial of civil rights to individuals.

There are 14 active Klan-type organizations operating in the United States. These operate out of the States of Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina and Tennessee. The estimated membership is 14,000 and increasing.

The largest of the Klan groups is the United Klans of America, Inc., Knights of the Ku Klux Klan, run by Robert Shelton and headquartered in Tuscaloosa, Ala. During the past year, this group has commenced organizational efforts in New York, New Jersey, Delaware, Pennsylvania, Maryland, Virginia, Ohio, Indiana, Michigan, Wisconsin and Texas. The chief means used by this and other Klan groups to attract adherents and gain publicity is the public rally at which Klan leaders openly advocate white supremacy and denounce any form of racial integration.

The Bureau continues its program of penetrating the Klan at all levels, and, I may say, has been quite successful in doing so.

The Bureau's role in penetrating the Klan has received public attention due to the solution of the brutal murders of Viola Liuzzo in Alabama, Lt. Col. Lemuel A. Penn in Georgia, and the three civil rights workers in Mississippi. We have achieved a number of other tangible accomplishments in this field, most of which are not publicly known but are most significant.

(Discussion off the record.)

HATE-TYPE AND OTHER ORGANIZATIONS

Mr. HOOVER. Generally speaking, hate-type and similar extremist organizations parade under the guise of patriotism, anticommunism and concern for the destiny of the country. Behind this veneer, however, is a deep hatred for such groups as the Negroes, members of the Catholic and Jewish faith, and immigrants.

While pretending to formulate their own particular theories for improving our Government in solving complicated social, political and economic problems, the extremists merely offer emotionally charged solutions to the gullible and unthinking person who craves for the simple answer. They call for improved government, yet continually defame those in high office. They pretend to be Christians and God-fearing, yet preach hatred for those of different religions or races. They preach a return to their own idea of "Constitutional Government," yet defy the laws of Congress and trample on the rights of their fellow citizens.

Presently under investigation by the FBI, in addition to the Klan, are 15 such groups with a total estimated membership of about 400. Included are such organizations as the American Nazi Party, the National States Rights Party, and the Deacons of Defense and Justice, Inc.

AMERICAN NAZI PARTY

George Lincoln Rockwell, the self-styled leader of the American Nazi Party, has been peddling professional hate during the existence of his organization for the past 6 years. The national membership of this group is less than 100. Defeated in the 1965 Virginia gubernatorial election, Rockwell through his "political party" still cherishes political power at the national level. According to his plan, should his organization take command of the leadership of the U.S. Government, the Nazis will exterminate Jews by Hitlerian methods and banish all Negroes to Africa. Subsequent to his electoral setback, Rockwell experienced Internal Revenue seizure of the office equipment at party headquarters in Arlington, Va., to satisfy a tax lien, and a change of ownership of the premises housing party headquarters necessitates a relocation in the near future.

Behind the masks of patriotism, anticommunism and Aryan supremacy, Rockwell is dedicated to creating a climate of religious and racial hatred against his principal targets—the Jews and Negroes. Nazi propaganda is replete with insulting and savage humor depriving its victims of all semblance of dignity. Rockwell views his country as the helpless victim of an imaginary "Zionist conspiracy," whose only salvation is to follow the ideals of his hero and inspiration—Adolph Hitler.

Although Rockwell claims that he and his troopers never engage in violence except in self-defense, the garish and theatrical demonstrations staged by this group are intended deliberately to provoke breaches of the peace and riotous action.

NATIONAL STATES RIGHTS PARTY

The National States Rights Party, whose national director is Dr. Edward R. Fields, has an estimated membership of approximately 75. A principal spokesman who travels about the country spewing hate is vice chairman of the group, J. B. Stoner. This organization favors segregation of the races in schools, Armed Forces, and residential communities.

DEACONS OF DEFENSE AND JUSTICE, INC.

Another organization spawned from the racial unrest existing in the South during the past year is the Deacons of Defense and Justice, Inc. This militant Negro organization was organized in Jonesboro, La., in 1964 and incorporated under the laws of the State of Louisiana for the purpose of members defending themselves against Klan violence and to provide protection not given by local authorities. The Deacons were most prominent in the Bogalusia, La., area during much of the racial disturbance there during 1965 and worked closely with the Congress of Racial Equality and the Bogalusa Voters League. Leaders of this organization have encouraged Negroes to arm themselves and form roving patrols equipped with walkie-talkies in an effort to discourage Klan-type violence.

BLACK MUSLIM AND BLACK NATIONALIST EXTREMIST GROUPS

Mr. HOOVER. At that same time, a number of violently antiwhite Negro organizations add to our responsibilities and work. These include such organizations at the Nation of Islam, better known as the "Black Muslims." This is the largest such all-Negro organization, its membership being about 5,300.

As to the black nationalist extremist groups, one such group known as the Organization for Black Power came into existence during the summer of 1965 and is still in its infancy. Its aim is to gain political control of major U.S. cities through mobilization and control of the Negro residents.

Individuals connected with its founding represent various facets of the militant Negro extremist community. The chairman of the organization is Jesse Gray. He is a former Harlem organizer for the Communist Party, US.A

BLACK MUSLIM GROUPS

Nation of Islam

The Nation of Islam, an all-Negro, violently antiwhite organization, is frequently referred to as the "Black Muslims." The organization teaches complete separation of the races, economic independence for the so-called Negro, and that the black man in the United States will in the future own and occupy a separate black nation.

The national headquarters of this organization is located in Chicago, Ill., and its leader is a Georgia-born Negro who calls himself Elijah Muhammad and claims to have been selected by Allah, the Supreme Being, to lead the so-called Negro out of slavery. Muhammad and some other members of the organization, declaring that members of the organization owe no allegiance to the United States, have refused to register under the provisions of the Selective Service Acts. Members of this group have continuously been involved in violent conflict with local police.

The expulsion from the group in 1964 of Malcolm X Little, former national functionary and leading spokesman for the organization, and his subsequent assassination in Februry 1965, have played a marked role in causing the membership to decline in the Nation of Islam.

Organization of Afro-American Unity

The formation of the Organization of Afro-American Unity was announced in June 1964 by its leader, the late Malcolm X Little. The purpose of the group is to bring before the United Nations the existing problems of the Negro in the United States.

Since the assassination of Little, this organization has been groping in the darkness in a search for leadership. The eventual destiny and direction of the Organization of Afro-American Unity will be determined by the eventual victor in the power struggle to succeed the late Malcolm X Little.

Black Nationalist extremist groups

Revolutionary Action Movement

The Revolutionary Action Movement has been in existence since early 1963. It is dedicated to the overthrow of the capitalist system in the United States, by violence if necessary, and to its replacement by a socialist system oriented toward the Chinese Communist interpretation of Marxism-Leninism. The Revolutionary Action Movement is entirely nonwhite in membership, clandestine in nature, and owes its primary allegiance to the "Bandung world," that is, the nonwhite races of the world, rather than to any national entity, as such. The group has organized units or membership in several of the larger cities and is attempting to recruit new members and expand its sphere of influence.

Organization for Black Power

The Organization for Black Power formally came into existence at a conference held in Chicago, Ill., over the July 4, 1965, weekend. According to its literature—

> "Membership in the Organization for Black Power shall be of organizations and individuals who accept the perspective of Black Power and the discipline of the organization in the struggle for this power."

The organization states it "is part of the revolutionary struggle of people all over the world to liberate themselves from the determination of the United States to impose its way of life on the whole world and to build a new world free from exploitation."

MINUTEMEN

Mr. HOOVER. The Minutemen organization is another group whose activities are closely followed. We have penetrated this organization and our sources keep us posted on developments. We disseminate the results of our investigations on a continuing basis to pertinent agencies of the Government, including the Secret Service.

The organization is headquartered at Norborne, Mo., and is headed by Robert DePugh.

Minutemen claims its primary purpose is to prepare its members to overthrow the Government of the United States in the event the Government is taken over by the Communists. In January 1966 DePugh advised special agents of the FBI that this country needs to get rid of those "parasites in Washington and draw up a new Constitution inasmuch as the old one is outmoded."

DePugh has also said that the Minutemen as an organization does not buy or store arms, but individual members maintain whatever arms and ammunition they purchase with their own personal funds "which is their constitutional right."

He has stated this his organization will stress "infiltration" of opposing groups, and turn to armed revolt only as a last resort. He has said that "we feel that with the use of intelligence, security, propaganda, and infiltration we can turn our enemies' weapons against themselves." He has stated that the Minutemen advocate "armed resistence only when it has become very apparent to all the people that Communists or Fascists have overtaken the Government and all the people themselves are willing to support an armed revolution." An excellent example of this organization's effort to store munitions is shown by the fact that in June 1965 through information furnished by the FBI, local authorities located 36 sticks of dynamite and other blasting equipment in Price William County, Va. The explosives were stored by a local Minuteman unit which had been using the area as a training site.

We have long been aware of the Minutemen organization and our investigation indicates the organization is a loose federation, with each unit acting independently and lacking any real central control. DePugh is the only known leader of the group and acts as its sole spokesman.

DePugh avoids the responsibility of trying to substantiate all of the things he says of the Minutemen. For example, while he has placed the membership of the organization at "more than 25,000," there is little real evidence that the Minutemen is anything more than essentially a paper organization with a membership estimated at 500.

NEED TO REVISE SELECTIVE SERVICE SYSTEM—XXI: THE NEGRO AND THE DRAFT

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. KASTENMEIER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, according to the 1966 Bureau of Census estimates, the nonwhite population percentage in the United States is 12 percent. Yet, in fiscal year 1963, of those drafted, 18.4 percent were nonwhite. In fiscal 1964, the nonwhite percentage was 14.1. In fiscal 1965, of the 98,855 men that were conscripted, exclusive of Alaska, Hawaii, Puerto Rico, Guam, and the Canal Zone, 16,085 or 16.2 percent were nonwhite.

A sectional analysis by recruiting districts and Army areas during the months between July 1965 through May 1966 revealed the following figures:

Groups

	July 1965				August 1965			
	Total inductees	White	Nonwhite	Percent nonwhite	Total inductees	White	Nonwhite	Percent nonwhite
1ST RECRUITING DISTRICT								
Albany, N.Y., Ashland, Ky., Baltimore, Md., Bangor, Maine, Beckley, W. Va., Boston, Mass., Buffalo, N.Y., Cincinnati, Ohio, Cleveland, Ohio, Columbus, Ohio, Fairmont, W. Va., Harrisburg, Pa., Louisville, Ky., Manchester, N.H., Newark, N.J., New Haven, Conn., New York, N.Y., Philadelphia, Pa., Pittsburgh, Pa., Portland, Maine, Providence, R.I., Richmond, Va., Roanoke, Va., Springfield, Mass., Syracuse, N.Y., Wilkes-Barre, Pa., Whitehall, N.Y.	6,923	5,990	933	14.9	6,562	5,755	807	12.3
3D RECRUITING DISTRICT								
Atlanta, Ga., Charlotte, N.C., Coral Gables, Fla., Fort Jackson, S.C., Jackson, Miss., Jacksonville, Fla., Knoxville, Tenn., Memphis, Tenn., Montgomery, Ala., Nashville, Tenn., Raleigh, N.C.	2,469	1,743	726	28.9	2,355	1,636	719	30.5
4TH ARMY AREA								
Abilene, Tex., Albuquerque, N. Mex., Amarillo, Tex., Dallas, Tex., El Paso, Tex., Houston, Tex., Little Rock, Ark., New Orleans, La., Oklahoma City, Okla., San Antonio, Tex., Shreveport, La.	1,708	1,315	393	23.0	1,669	1,292	377	22.5
5TH ARMY AREA								
Chicago, Ill., Denver, Colo., Des Moines, Iowa, Detroit, Mich., Fargo, N. Dak., Indianapolis, Ind., Kansas City, Mo., Milwaukee, Wis., Minneapolis, Minn., Omaha, Nebr., Sioux Falls, S. Dak., St. Louis, Mo.	4,690	4,252	438	9.3	4,599	4,229	370	8.0
6TH ARMY AREA								
Boise, Idaho, Butte, Mont., Fort Douglas, Utah, Fresno, Calif., Los Angeles, Calif., Oakland, Calif., Phoenix, Ariz., Portland, Oreg., Seattle, Wash., Spokane, Wash.	2,187	1,965	222	10.1	2,132	1,935	197	9.2
Monthly total	17,977	15,265	2,712	15.0	17,317	14,847	2,470	14.3

	September 1965				October 1965			
	Total inductees	White	Nonwhite	Percent nonwhite	Total inductees	White	Nonwhite	Percent nonwhite
1ST RECRUITING DISTRICT								
Albany, N.Y., Ashland, Ky., Baltimore, Md., Bangor, Maine, Beckley, W. Va., Boston, Mass., Buffalo, N.Y., Cincinnati, Ohio, Cleveland, Ohio, Columbus, Ohio, Fairmont, W. Va., Harrisburg, Pa., Louisville, Ky., Manchester, N.H., Newark, N.J., New Haven, Conn., New York, N.Y., Philadelphia, Pa., Pittsburgh, Pa., Portland, Maine, Providence, R.I., Richmond, Va., Roanoke, Va., Springfield, Mass., Syracuse, N.Y., Wilkes-Barre, Pa., Whitehall, N.Y.	9,849	8,760	1,089	11.0	12,184	10,868	1,316	10.8
3D RECRUITING DISTRICT								
Atlanta, Ga., Charlotte, N.C., Coral Gables, Fla., Fort Jackson, S.C., Jackson, Miss., Jacksonville, Fla., Knoxville, Tenn., Memphis, Tenn., Montgomery, Ala., Nashville, Tenn., Raleigh, N.C.	3,442	2,504	938	27.2	3,318	2,340	978	29.4
4TH ARMY AREA								
Abilene, Tex., Albuquerque, N. Mex., Amarillo, Tex., Dallas, Tex., El Paso, Tex., Houston, Tex., Little Rock, Ark., New Orleans, La., Oklahoma City, Okla., San Antonio, Tex., Shreveport, La.	2,127	1,624	503	23.6	2,497	1,989	508	20.3
5TH ARMY AREA								
Chicago, Ill., Denver, Colo., Des Moines, Iowa, Detroit, Mich., Fargo, N. Dak., Indianapolis, Ind., Kansas City, Mo., Milwaukee, Wis., Minneapolis, Minn., Omaha, Nebr., Sioux Falls, S. Dak., St. Louis, Mo.	6,781	6,264	517	7.6	8,039	7,436	603	7.5
6TH ARMY AREA								
Boise, Idaho, Butte, Mont., Fort Douglas, Utah, Fresno, Calif., Los Angeles, Calif., Oakland, Calif., Phoenix, Ariz., Portland, Oreg., Seattle, Wash., Spokane, Wash.	2,990	2,748	242	8.0	3,233	2,979	254	7.8
Monthly total	25,189	21,900	3,289	13.0	29,271	25,612	3,659	12.5

Groups—Continued

	November 1965				December 1965			
	Total inductees	White	Nonwhite	Percent nonwhite	Total inductees	White	Nonwhite	Percent nonwhite
1ST RECRUITING DISTRICT								
Albany, N.Y., Ashland, Ky., Baltimore, Md., Bangor, Maine, Beckley, W. Va., Boston, Mass., Buffalo, N.Y., Cincinnati, Ohio, Cleveland, Ohio, Columbus, Ohio, Fairmont, W. Va., Harrisburg, Pa., Louisville, Ky., Manchester, N.H., Newark, N.J., New Haven, Conn., New York, N.Y., Philadelphia, Pa., Pittsburgh, Pa., Portland, Maine, Providence, R.I., Richmond, Va., Roanoke, Va., Springfield, Mass., Syracuse, N.Y., Wilkes-Barre, Pa., Whitehall, N.Y.	13,589	12,460	1,129	8.3	14,592	13,283	1,309	8.9
3D RECRUITING DISTRICT								
Atlanta, Ga., Charlotte, N.C., Coral Gables, Fla., Fort Jackson, S.C., Jackson, Miss., Jacksonville, Fla., Knoxville, Tenn., Memphis, Tenn., Montgomery, Ala., Nashville, Tenn., Raleigh, N.C.	4,770	3,596	1,174	24.6	4,844	3,811	1,033	21.3
4TH ARMY AREA								
Abilene, Tex., Albuquerque, N. Mex., Amarillo, Tex., Dallas, Tex., El Paso, Tex., Houston, Tex., Little Rock, Ark., New Orleans, La., Oklahoma City, Okla., San Antonio, Tex., Shreveport, La.	2,459	1,970	489	19.8	2,801	2,315	486	17.3
5TH ARMY AREA								
Chicago, Ill., Denver, Colo., Des Moines, Iowa, Detroit, Mich., Fargo, N. Dak., Indianapolis, Ind., Kansas City, Mo., Milwaukee, Wis., Minneapolis, Minn., Omaha, Nebr., Sioux Falls, S. Dak., St. Louis, Mo.	9,171	8,473	698	7.6	10,264	9,515	749	7.2
6TH ARMY AREA								
Boise, Idaho, Butte, Mont., Fort Douglas, Utah, Fresno, Calif., Los Angeles, Calif., Oakland, Calif., Phoenix, Ariz., Portland, Oreg., Seattle, Wash., Spokane, Wash.	4,702	4,263	439	9.1	5,456	5,033	423	7.7
Monthly total	34,691	30,762	3,929	11.0	37,957	33,957	4,000	10.5

	January 1966				February 1966			
	Total inductees	White	Nonwhite	Percent nonwhite	Total inductees	White	Nonwhite	Percent nonwhite
1ST RECRUITING DISTRICT								
Albany, N.Y., Ashland, Ky., Baltimore, Md., Bangor, Maine, Beckley, W. Va., Boston, Mass., Buffalo, N.Y., Cincinnati, Ohio, Cleveland, Ohio, Columbus, Ohio, Fairmont, W. Va., Harrisburg, Pa., Louisville, Ky., Manchester, N.H., Newark, N.J., New Haven, Conn., New York, N.Y., Philadelphia, Pa., Pittsburgh, Pa., Portland, Maine, Providence, R.I., Richmond, Va., Roanoke, Va., Springfield, Mass., Syracuse, N.Y., Wilkes-Barre, Pa., Whitehall, N.Y.	13,735	12,512	1,223	8.9	10,370	9,242	1,128	10.8
3D RECRUITING DISTRICT								
Atlanta, Ga., Charlotte, N.C., Coral Gables, Fla., Fort Jackson, S.C., Jackson, Miss., Jacksonville, Fla., Knoxville, Tenn., Memphis, Tenn., Montgomery, Ala., Nashville, Tenn., Raleigh, N.C.	5,102	3,943	1,159	22.7	4,565	3,638	927	20.3
4TH ARMY AREA								
Abilene, Tex., Albuquerque, N. Mex., Amarillo, Tex., Dallas, Tex., El Paso, Tex., Houston, Tex., Little Rock, Ark., New Orleans, La., Oklahoma City, Okla., San Antonio, Tex., Shreveport, La.	2,780	2,255	525	18.8	3,000	2,441	559	18.6
5TH ARMY AREA								
Chicago, Ill., Denver, Colo., Des Moines, Iowa, Detroit, Mich., Fargo, N. Dak., Indianapolis, Ind., Kansas City, Mo., Milwaukee, Wis., Minneapolis, Minn., Omaha, Nebr., Sioux Falls, S. Dak., St. Louis, Mo.	10,533	9,763	770	7.3	8,175	7,648	527	6.4
6TH ARMY AREA								
Boise, Idaho, Butte, Mont., Fort Douglas, Utah, Fresno, Calif., Los Angeles, Calif., Oakland, Calif., Phoenix, Ariz., Portland, Oreg., Seattle, Wash., Spokane, Wash.	5,628	5,272	356	6.3	3,887	3,541	346	8.9
Monthly total	37,778	33,745	4,033	10.6	29,997	26,510	3,487	11.6

	March 1966				April 1966			
	Total inductees	White	Nonwhite	Percent nonwhite	Total inductees	White	Nonwhite	Percent nonwhite
1ST RECRUITING DISTRICT								
Albany, N.Y., Ashland, Ky., Baltimore, Md., Bangor, Maine, Beckley, W. Va., Boston, Mass., Buffalo, N.Y., Cincinnati, Ohio, Cleveland, Ohio, Columbus, Ohio, Fairmont, W. Va., Harrisburg, Pa., Louisville, Ky., Manchester, N.H., Newark, N.J., New Haven, Conn., New York, N.Y., Philadelphia, Pa., Pittsburgh, Pa., Portland, Maine, Providence, R.I., Richmond, Va., Roanoke, Va., Springfield, Mass., Syracuse, N.Y., Wilkes-Barre, Pa., Whitehall, N.Y.	9.017	7,927	1,090	10.9	7,321	6,251	1.070	14.6
3RD RECRUITING DISTRICT								
Atlanta, Ga., Charlotte, N.C., Coral Gables, Fla., Fort Jackson, S.C., Jackson, Miss., Jacksonville, Fla., Knoxville, Tenn., Memphis, Tenn., Montgomery, Ala., Nashville, Tenn., Raleigh, N.C.	4,039	2,930	1,109	27.4	2,778	1,856	922	33.1

Groups—Continued

	March 1966				April 1966			
	Total	White inductees	Nonwhite	Percent	Total nonwhite	White incuctees	Nonwhite	Percent nonwhite
4TH ARMY AREA								
Abilene, Tex., Albuquerque, N. Mex., Amarillo, Tex., Dallas, Tex., El Paso, Tex., Houston, Tex., Little Rock, Ark., New Orleans, La., Oklahoma City, Okla., San Antonio, Tex., Shreveport, La	2,213	1,690	523	23.6	1,838	1,306	532	28.9
5TH ARMY AREA								
Chicago, Ill., Denver, Colo., Des Moines, Iowa, Detroit, Mich., Fargo, N. Dak., Indianapolis, Ind., Kansas City, Mo., Milwaukee, Wis., Minneapolis, Minn., Omaha, Nebr., Sioux Falls S. Dak. St. Louis Mo	7,292	6,911	381	5.2	5,678	5,117	561	9.8
6TH ARMY AREA								
Boise, Idaho, Butte, Mont., Fort Douglas, Utah, Fresno, Calif., Los Angeles, Calif., Oakland, Calif., Phoenix, Ariz., Portland, Oreg., Seattle, Wash., Spokane, Wash	4,146	3,967	279	6.7	3,625	3,275	350	9.6
Monthly total	26,707	23,325	3,382	12.6	21,240	17,805	3,435	16.1

	May 1966				July 1965 through May 1966			
	Total inductees	White	Nonwhite	Percent nonwhite	Total inductees	White	Nonwhite	Percent nonwhite
1ST RECRUITING DISTRICT								
Albany, N.Y., Ashland Ky., Baltimore, Md., Bangor, Maine, Beckley, W. Va., Boston, Mass., Buffalo, N.Y., Cincinnati, Ohio, Cleveland, Ohio, Columbus Ohio, Fairmont, W. Va., Harrisburg, Pa., Louisville, Ky., Manchester, N.H., Newark, N.J., New Haven, Conn., New York, N.Y., Philadelphia, Pa., Pittsburgh, Pa., Portland, Maine, Providence R.I., Richmond, Va., Roanoke, Va., Springfield Mass., Syracuse, N.Y., Wilkes-Barre, Pa., Whitehall, N.Y	12,975	11,259	1,716	13.2	117,117	104,307	12,810	10.9
3D RECRUITING DISTRICT								
Atlanta, Ga., Charlotte, N.C., Coral Gables, Fla., Fort Jackson, S.C., Jackson, Miss., Jacksonville, Fla., Knoxville, Tenn., Memphis, Tenn., Montgomery, Ala., Nashville, Tenn., Raleigh, N.C	4,894	3,483	1,411	28.8	42,576	31,480	11,096	26.0
4TH ARMY AREA								
Abilene, Tex., Albuquerque, N. Mex., Amarillo, Tex., Dallas, Tex., El Paso, Tex., Houston, Tex., Little Rock, Ark., New Orleans, La., Oklahoma City, Okla., San Antonio, Tex., Shreveport, La	3,000	2,262	738	24.6	26,092	20,459	5,633	21.5
5TH ARMY AREA								
Chicago, Ill., Denver, Colo., Des Moines, Iowa, Detroit, Mich., Fargo, N. Dak., Indianapolis, Ind., Kansas City, Mo., Milwaukee, Wis., Minneapolis, Minn., Omaha, Nebr., Sioux Falls, S. Dak., St. Louis, Mo	10,041	8,999	1,042	10.3	85,263	78,607	6,656	7.8
6TH ARMY AREA								
Boise, Idaho, Butte, Mont., Fort Douglas, Utah, Fresno, Calif., Los Angeles, Calif., Oakland, Calif., Phoenix, Ariz., Portland, Oreg., Seattle, Wash., Spokane, Wash	6,540	5,960	580	8.8	44,526	40,838	3,688	8.2
Monthly total	37,450	31,963	5,487	14.6	315,574	275,691	39,883	12.6

Thus, statistics do show that nonwhites, and for almost all practical purposes this means Negroes, who in March 1965 comprised 10.9 percent of our population, consistently have been drafted at a rate higher than their percentage in the total population.

Mr. Speaker, I intend to deal with the significance of these statistics and other factors in future remarks.

ACCEPTANCE OF CARDINAL NEWMAN AWARD

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. BOGGS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BOGGS. Mr. Speaker, it was my distinct privilege to participate last Friday afternoon, February 17, in an impressive ceremony in which our beloved Speaker, the Honorable JOHN MCCORMACK, was presented the coveted Cardinal Newman Award. This award was presented to our Speaker by Archbishop Philip M. Hannan, of New Orleans. Speaker MCCORMACK was selected by the National Newman Club Federation's youth department, which promotes Catholic activities among Catholic students attending public colleges. The award recognizes our Speaker as the outstanding Roman Catholic layman of 1966.

Our Speaker often has remarked:

> If I believe, I must act.

Over the last four decades, as he has served with distinction in the Congress, this has not been merely a motto for our Speaker. It has been a guiding principle for the Speaker, one he has applied daily. It is because of our Speaker's convictions and his actions on behalf of our country, the church, and our American family life that he was selected to take his place alongside the other outstanding leaders who have been so honored in years past.

I remarked earlier this year, and I reiterate, that when the history of this era is written, no name will loom larger than the name of JOHN MCCORMACK. He has distinguished himself as a man of service and leadership, a man of great heart and fairplay.

I am pleased that our Speaker was chosen for this award and I wish to insert in the RECORD the Speaker's acceptance remarks:

ACCEPTANCE OF CARDINAL NEWMAN AWARD; REMARKS OF JOHN W. MCCORMACK, SPEAKER, U.S. HOUSE OF REPRESENTATIVES

It is with great humility that I accept the annual award of the National Newman Apostolate. I am deeply aware of the honor done to me by the National Newman Club Federation and its associated organizations in selecting me for this award. The distinguished line of prior recipients of this honor, beginning with the Honorable Myron C. Taylor, President Roosevelt's Personal Representative at the Vatican, includes such noted personages, in the fields of government, history, publishing, and education as Clare Boothe Luce, Frank J. Sheed and Maisie Ward, Jerome G. Kerwin, Eugene G. McCarthy, James A. Farley, Carlton J. H. Hayes, and George N. Shuster. It is deeply gratifying to me personally to think that my name will now take a place in the list with these and other notable names—names of people whose characters and achievements have placed them in the top rank of American citizens as well as communicants of The Catholic Church.

But this award is distinguished, not only by the splendid record of its former recipients, but still more by the history and purpose of the National Newman Apostolate. I am glad to be associated, by the reception of this award, with the splendid past history of the Newman Clubs, from their founding in 1893 as a single unit at the University of Pennsylvania, through the formation of the federation of Newman Clubs in 1915, to the present days of greatly enlarged scope and function. But even more am I glad to be associated with the forward look of this great organization for it is a source of strength to the Catholic Church in the United States and also to our beloved country. The Church in American devotes to thousands of students in Catholic institutions of higher learning an amount of attention—measured in money, in buildings, in personnel and man-hours—far greater than it devotes to the thousands of students in non-Catholic institutions who are Catholics. There is great opportunity for progress in this respect. The environment now for such progress is excellent.

This will require a change in attitudes on the part of some;—an extended and active interest—the taking advantage of the opportunity that exists,—a recognition of the importance of this great religious activity in terms of individuals being better equipped with a complete education, moral and secular, to take and meet the challenges of the journeys of life and are better able as a result of the great success of the National Newman Apostolate to make their contributions towards a stronger and better America. For the students who graduate from our universities and colleges will be the future leaders of our country.

And deep faith and "love of God" and "love of neighbor" will bring them the greatest degree of human happiness possible; it will enable them to make the maximum contribution possible to the future welfare of our country. We now have, in the United States, more than twice as many students who are Catholics in non-Catholic as in the Catholic colleges. It has been estimated that in a decade and a half we may expect to have four times as many such students in the non-Catholic as in Catholic colleges. These students need the Church, and the Church, to live up to its own mission must reach out to them, generously and effectiveiy. The organizations working together as the National Newman Apostolate are our chosen means of reaching out to these students of the Catholic Church in non-Catholic institutions of higher learning.

The national Catholic weekly, *Ave Maria*, in its issue for June 18, 1866, carried an enlightening article on this topic by Father Richard Butler, O.P., national chaplain of the Newman Apostolate in the United States. Father Butler points out that the excellent organization and forward-looking programs of the various Newman groups, and the excellent principles and plans repeatedly enunciated since the formation of the National Newman Apostolate in 1962, have met with frustration and virtual inaction, on account of lack of public appreciation and public support of the work of the Newman Apostolate. The accumulation of funds in the National Newman Foundation, the provision of additonal Newman Chaplains, the support of Catholic educational and other activities in non-Catholic institutions, and the joining of sisters and lay people in the Newman work—all of these are excellent and promising developments, but more of these contributions are necessary to the Newman work. In fact, they are not like the proportion in which they are needed.

Father Butler quotes Bishop Paul F. Liebold, formerly Auxiliary Bishop of Cincinnati and now Bishop of Evansville, Indiana, in a telling citation from the Second Vatican Council's "Declaration on Christian Education": "The Council declares very clearly that since the destiny of society and of the Church itself is intimately linked with the progress of young people pursuing higher studies, the pastors of the Church are to expend particular energy on the spiritual life of students who attend non-Catholic universities; and there should be formed associations and university centers under Catholic auspices in which priests, religious, and laity, carefully selected and prepared, should give abiding spiritual and intellectual assistance to the youth of the university." Bishop Liebold concluded aptly: "Without using the actual title, 'Newman Apostolate' here we have it spelled out for us in the Council."

It is clear, then, that you are doing a meritorious and much needed work, and one central to the purposes of the Catholic Church and of our beloved country. I commend you for your past achievements and applaud your plans for the future. I hope and pray that your splendid work will in the future receive from all sources, Catholic in particular, but also non-Catholics of America, the appreciation and whole-hearted support that it so amply deserves.

NEW JERSEY HARBOR

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. GALLAGHER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, on November 7 of last year, President Johnson signed into law the 1966 Rivers and Harbors Act, which included 11 navigation improvement projects authorized at an estimated cost of $17,782,000. Of great significance among these was the authorization of improvements to Federal channels in Newark Bay and the Hackensack River which serve one of the most rapidly growing sectors of the New Jersey-New York port area.

Completion and review of the study of necessary improvements in time for inclusion in the 1966 act was not a random occurrence. Rather, it represented the product of the closest possible cooperation among the U.S. Army Corps of Engineers, various Federal and State agencies, and New Jersey port interests. I might interject here that Gov. Richard J. Hughes, of New Jersey, gave the study his personal interest and support. I had the privilege of supporting the authorization bill before my distinguished colleagues in the House Committee on Public Works and again when the authorization passed the House.

My great concern for obtaining authorization of the project in 1966 rather than in this or subsequent years stemmed principally from the extremely dangerous navigational hazards that prevail in Newark Bay. The shocking *Alva Cape-Texaco Massachusetts* disaster which occurred in the general area only last June, and claimed 33 lives, is grim testimony to the existing conditions. But this is only the most recent catastrophic vessel accident in the area. From January 1950 to June 1963, Newark Bay witnessed 39 ship accidents. Just last May the French-line freighter *Washington* rammed the Central Railroad of New Jersey bridge that crosses the lower reaches of the bay, closing the bridge to rail traffic for about 2 weeks, and damaging beyond economic repair one set of tracks.

The future growth of marine traffic on Newark Bay will make the currently serious situation a navigational nightmare. From 1954 through 1964, annual vessel movements grew from about 25,000 to 43,000. Of this number, deep-draft ship movements increased proportionately more—from about 1,100 to 2,700. Much of the latter traffic moves to and from the rapidly expanding Port Newark and Elizabeth-Port Marine Terminals, which by 1975 may be attracting as many as 4,200 ship movements per year, of which about 1,350 will be the new and larger containerships. In addition, many more tankers will be proceeding to and from the petroleum terminals at the northwestern section of the bay.

Shipbuilders and operators have announced that some container-ships can be expected to reach lengths and widths nearly equal to our Nation's greatest superliner, the SS *United States*. Incidentally, in proceeding to her terminal on Manhattan, this passenger ship has available to it an unobstructed, relatively straight, 2,000-foot-wide channel from the sea. Ships of this size going up Newark Bay, on the other hand, will first round a sharp, blind, rock-strewn turn from the Kill van Kull into Newark Bay at Bergen Point in Bayonne, then suddenly confront the C.R.R.N.J. bridge about 1,350 yards to the north. At no point in its transit will the ship have available a channel of more than 550 feet in width, with a 400-foot width the narrowest constriction. Both northbound and southbound ships must manage to approach the narrow bridge draw, pass each other and hold, sometimes against the tide, awaiting the bridge to open—all within the treacherously narrow dimension of this "Times Square" of marine activity.

The presence of these conditions prompted me last fall to seek an immediate authorization of improvements, and later, an immediate appropriation to permit the Army Engineers to commence preliminary work to widen Newark Bay between Kill van Kull and the entrance to Port Newark to 700 feet, as recommended in the corps report. Unfortunately, no appropriations were included in the fiscal year 1967 Public Works Appropriation Act, since, at that time, the Newark Bay-Hackensack River project had not technically been authorized.

I was hopeful that the President would include in the 1968 budget at least sufficient funds to begin this work. I was most disappointed that no mention was made of these moneys.

Every day that passes carries with it the very real risk of another *Alva Cape-Texaco Massachusetts* disaster—or worse. We cannot afford to unnecessarily delay the needed improvements for even 1 day. The project is now authorized. I cannot urge too strongly that, hopefully, $3 million, but at the very least $300,000, be appropriated to begin the urgently needed channel widening.

If this money is not appropriated, we

must all stand ready to accept some measure of blame should another maritime disaster occur.

I include at this point in the Record an article on the Newark Bay problem written by Mr. Martin Gershen of the Newark Star Ledger:

[From the Newark (N.J.) Star Ledger, Feb. 16, 1967]

Nobody Wants To Pay: Plans for Wider Channel Have Hit a Reef

(By Martin Gershen)

New York.—Despite 9 years of studies and the deaths of at least 33 seamen, there are no plans yet for the elimination of navigational hazards in the Newark Bay Channel, officials of the Port of New York Authority admitted yesterday.

The reason for further delay in the oft-postponed project is that neither the multi-million dollar Port Authority nor the federal government wants to pay for the construction project.

P.A. officials announced yesterday their appeal to congressmen from New York and New Jersey for help in obtaining $6 million in federal appropriations to widen Newark Bay Channel and expand and deepen the Lower Red Hooks Flats anchorage off Bay Ridge in Brooklyn.

Each of the construction projects would cost $3 million. But despite congressional approval of both projects the federal government would not authorize any funds for either during the next fiscal year.

In a letter to the congressional delegation urging it to seek the funds, P.A. executive Director Austin H. Tobin noted that the collision last year of the Alva Cape and Texaco Massachusetts took place in the channel and cost 33 lives.

He said the collision "provided a grim warning as to the necessity of eliminating navigational hazards in the channel." But the P.A. isn't about to heed the warning by spending its own money to make the necessary repairs.

"These are federal channels and happen to be paid for by the federal government," a P.A. official said yesterday.

Of the $953 million allocated by the federal government for nationwide general construction only $1 million goes to the Port of New York this year for construction purposes and to complete the widening of the Kill Van Kull.

Tobin said the $1 million represented less than one-eighth of 1 percent of the more than $8 million collected in the Port of New York last year in customs connected with water-borne commerce.

The bi-state agency said it has asked for $10,743,000 in behalf of port interests but was getting only $3,170,000, of which $1 million is for the Kill Van Kull project.

The remaining funds would be spent this way:

$1,950,000 for reimbursing New York State in its expenses in raising the minimum height of the New York State Barge Canal.

$100,000 for an Army Engineer study of the feasibility of giving that canal to the federal government.

$120,000 for an Army engineer study of the possibility of reclaiming the New York-New Jersey meadows.

P.A. officials said they did not know why the federal government does not want to pay for the two projects, noting that Washington had appropriated $100 million for navigational improvements to the Arkansas River and $65 million to the Ohio River.

Meanwhile, the estimated 42,000 vessel movements each year through Newark Channel will have to proceed with caution while the bi-state agency and the federal govenment decide who will pay to eliminate hazards to seamen coming in and out of New York.

THE IMPORTANCE OF THE PRESIDENT'S CONSUMER MESSAGE

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. DINGELL] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DINGELL. Mr. Speaker, in his consumer message, President Johnson has clearly delineated the problems of the individual trying to function effectively and successfully in the complex, interdependent, urbanized society of today. But more than underscoring the problems, the President has proposed a series of sound and far-reaching steps designed to help solve the problems.

The ball is now clearly in our court, and I urge every Member to give the most thoughtful consideration to each of the proposals put forth by the President. These proposals were drawn up with intelligence and good faith. We must do no less than deliberate upon them with the same spirit and wisdom.

The proposals are so varied and so numerous that I should like to single out three of them for special consideration and study by the Members. The first is the proposal for the establishment of a National Commission on Product Safety. The Commission would study the safety problems which arise from the use of technological products in and around the home, and make recommendations for action, if action is determined to be needed.

The second proposal is an amendment to the Flammable Fabrics Act of 1953. The proposed changes would authorize factfinding and research, extend the act to include interior furnishings, if found necessary, and revise existing standards in an effort to reduce the current death toll from burns involving clothing fires.

The third proposal that I commend to your attention would establish a national fire safety program. The need for such a program should be obvious to anyone who has kept up with the news lately. The proposal outlined by President Johnson would include study of causes of fires, research on fires, education of the public, training of firemen on firefighting techniques, a data center on all aspects of fire safety, and demonstration projects for improved methods of preventing and fighting fires.

There are many other proposals in the President's message on consumers, all of which deserve our conscientious and careful study. I would simply add, at this time, that we are herewith presented with a great opportunity—the opportunity to be a part of the Congress which took giant steps forward in helping to assure the physical safety and economic well-being of every American in the land.

THE TRUTH-IN-LENDING PROVISION OF THE PRESIDENT'S CONSUMER MESSAGE

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. OTTINGER. Mr. Speaker, the interest of American consumers is one which has been neglected throughout the years and an interest which needs the protection only actual legislation can provide. The President has sent to the Congress his consumer message setting forth several provisions of merit which should be considered by the Congress. One is truth-in-lending, which would require the disclosure at the time of making a loan or installment sale of the approximate annual rate of the interest rate cost of the particular extension of credit. Truth-in-lending is embodied in S. 5, and I urge its passage.

Legislation requiring the disclosure of an approximate annual rate of interest costs is a necessity. Consumers are generally unaware of the actual financing charges which they are paying. Financing charges are almost invariably quoted on an add-on basis and are further disguised by additional loan charges, such as investigation fees. Conversion of the information now given to the consumer to a percentage rate is beyond the ability of even the most intelligent, average consumer. Moreover, consumers are often ignorant of the dollar amount of the financing charge.

The consumer must be made fully aware of the amount of finance charges he is paying, for full information is necessary for the efficient functioning of any market. Disclosure of financing charges, which the truth-in-lending bill will accomplish, will make the market more competitive with respect to the cost of credit.

It has come to my attention that in many States the maximum rate allowed by State law is charged and there is little variation below that amount. Disclosure of financing costs will open new avenues of consumer credit, helping the consumer as well as the thrifty businessman who is willing to lend for less.

In conclusion, although consumers are often aware of the dollar amount of financing costs, they are almost invariably unaware of the percentage of the outstanding balance paid in such charges. But knowledge of the cost of borrowing is essential for the consumer to make intelligent decisions: Whether to borrow, from whom, or whether to even enter into the transaction. S. 5 will do just this, and in so doing, it will not place undue burdens on the lender or the shopkeeper.

Mr. Speaker, I commend the President for his excellent message on truth in lending and I recommend that all of my colleagues support and vote for S. 5.

OPEN FEDERAL HOSPITALS TO MEDICARE PATIENTS

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. OTTINGER. Mr. Speaker, the shortage and inadequacy of medical facilities in this Nation are rapidly approaching critical proportions. On every hand we daily see new evidence that our overcrowded and obsolescent hospitals are facing new demands that they will soon be unable to meet.

In many areas the crisis is already upon us. Reports of emergency patients with fractures and coronaries, being forced to wait up to 8 hours for beds are the rule in some areas. Less critically ill patients may wait days or even weeks for a bed.

Today I am introducing a bill which would provide emergency relief by opening Federal hospitals to medicare patients in areas where existing non-Federal facilities are critically overburdened.

In all, there are 346 Federal hospitals in the United States which could, in such emergency situations, handle nearly half a million patients.

The 175 hospitals administered by the Public Health Service and the Veterans' Administration have room to care for about 200,000 new patients each year. Another 200,000 could be handled in the 171 hospitals in the Nation operated by the Department of Defense.

As a safeguard against abuse and against overtaxing these Federal facilities, the measure provides that no such hospital will be used unless the Secretary of Health, Education, and Welfare determines that the need is critical. Even then, the consent of the administrator, or other official responsible for the operation of the hospital, would be required.

In order that there be no detrimental effect on service, the Federal hospital would be reimbursed under prevailing medicare procedures.

In addition, my bill would open 62 permanent hospitals operated by Federal agencies overseas to care for medicare recipients stricken outside the country. Military hospitals serving combat forces would not be affected.

I believe that the nature of the hospital crisis we are now facing, and the total inadequacy of our preparation for it, make such emergency action necessary.

Health officials at all levels must be aware of the problem, but they have failed to face up to the true seriousness of the situation.

A Public Health Service survey last year showed that 143 hospitals throughout the Nation were in critical condition already and that 1,200 more were tottering on the brink of crisis. Since that survey was compiled, expanded new programs of Federal and State medical programs have opened hospital doors to millions of new patients. Instead of facing the challenge squarely and calling for an emergency program of aid, such as I have proposed in H.R. 4773, we have attempted to ignore it.

I believe that we are approaching a point at which it cannot be ignored any longer.

When medicare was enacted, the experts said that the program was not expected to produce any sudden influx of new patients. They pointed out that many of the medicare patients would have been given hospital treatment anyway. The main effect of medicare, they said, would be to relieve the tremendous economic burden of hospital care from our older Americans.

Based upon that analysis, they estimated that a total of 3.8 million medicare patients would apply for hospital benefits from July 1, 1966, to June 30, 1967, the first year of the Federal program. We know now that they were wrong, but they have not yet revealed the full impact of medicare on our hospital facilities.

Medicare admissions are now running 33 percent ahead of predictions and there is every reason to believe that the rate will grow, rather than diminish.

In the first 6 months of medicare alone, 2.5 million patients have applied and the figure is now expected to top 5 million by June 30, 1967, the end of the first year of this new program.

Furthermore, medicare patients require longer hospitalization: an average of 11 days as against the nonmedicare average of 7. This means that 5 million medicare patients are the equivalent of nearly 8 million patients in terms of hospital bed capacity.

Clearly, with about 1 in every 4 of our hospitals either critically inadequate or tottering on the brink of crisis before medicare, we cannot afford to wait.

I urge my colleagues to join in supporting this bill which provides that, where a critical shortage occurs, we can make use of existing Federal facilities to care for our sick.

THE DILEMMA OF OUR WEALTH

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. HANNA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HANNA. Mr. Speaker, George Bernard Shaw, in a moment of typical candor, once remarked:

> We have no right to consume wealth without producing it.

For 6 years Americans have been producing and consuming wealth on a scale unparalleled in history.

In the last year American ingenuity and know-how increased the output of goods and services at a rate of almost $1 billion a week in comparison with 1965. Our gross national product swelled from $681 billion to $739 billion, or almost an 8-percent increase. This dollar rate of growth was greater than the aggregate dollar growth of England, France, Belgium, Denmark, the Netherlands, Sweden, Norway, Germany, Italy, Korea, and Japan.

With 2,200,000 more workers on the payroll the ranks of the employed rose to 75 million. Unemployment dipped to a historic low of 3.7 percent. Not only are more people employed than ever before, but those working are annually increasing their productivity. In 1966 the rate of productivity per man-hour increased 2.8 percent. During the period of 1961–65 productivity per man-hour increased at an annual rate of 3.6 percent. Comparatively speaking, England, France, Germany, Italy, and the Netherlands have a total working force that is one-third larger than ours. Interestingly, however, the gross product of this 115 million working force is about one-half the gross product of America's workers.

Personal income for most Americans has been keeping pace with the fast-growing economy. For example, an average family of four had from all sources in 1965 a personal income of a little over $9,000. Today, that same family will have an income of more than $10,000.

Americans are the world's greatest consumers. It appears that the more we have the more we want. It was not so long ago that ownership of a standard black and white television was the goal of most middle-class Americans. Today, color television sets are the hottest item on the market. Last year 4,500,000 TV sets were purchased. Conservative estimates indicate that Americans will buy more than 7 million sets in 1967.

Although there was a noticeable decline in auto sales in 1966, Detroit managed to make the year the second best in history, and sales for 1967 are expected to trail only slightly making it the third best year in the industry's history.

Our Government has been matching the mood of the people it represents. Federal Government spending for the fiscal year may range anywhere from $150 to $169 billion. The budget for the succeeding fiscal year will in all probability be the highest in history. State and local government budgets also stand at an alltime high approaching an aggregate expenditure of close to $100 billion. Our Federal expenditure has been reflecting our overall wealth. While the expenditure has been most assuredly going up, the momentum of the rate of our increase in wealth has been absorbing the cost. Today the average taxpayer actually pays less to finance a higher expenditure.

Let us again consider our average family of four. In 1947, a family of four with an income of $10,000 paid 18.6 percent of that income in Federal taxes. Today, the average family of four with an income of $10,000 a year pays 15.9 percent of that income to Federal taxes. This represents a percentage drop of 2.7 percent.

Certainly, the information I have just related presents no startling revelations. Certainly the membership of the House of Representatives is well acquainted with the state of our economy. Certainly we all realize that at this point in history the United States stands as the most abundantly wealthy, technologically advanced society ever developed.

What about our wealth?

I have attempted to demonstrate that the last 6 years have jettisoned our Nation into a position of material wealth that is virtually staggering to the imagination. But wealth, as Shaw so aptly pointed out, has no virtue in itself. Wealth must be used to be meaningful. No more meaningful use of wealth can be made by a society than investment in that society and that society's future. In the last 6 years the policies of both business and government have reflected the important investment nature of wealth. This wise approach toward investment has to a great extent been responsible for the continuity of our prosperity.

What have we been investing in? In the private sector businessmen have sparked the most dynamic element of a healthy economy by spending billions in capital investment and public improvement. More than $61 billion were spent in private capital projects during 1966.

In the public sector, both government and business have been investing in the human being and the quality of his environment. Our Nation's schools, roads, medical care, housing, water, natural resources, are but a few of the many areas that are beneficiary to the attention of a concerned citizenry.

Mr. Speaker, to this point I have largely been reviewing what has been, and what I would hope would continue to be: The public and private sectors of our economy committing the necessary wealth of our society in investment programs designed to overcome the many obstacles still before us.

Our great wealth, however, appears to be a double-edged sword. In reaching our present economic pinnacle, our present level of wealth and standard of living we face the danger of forgetting the severe problems that are still part of the very fabric of our society. We face the danger of having the dialog shift from what we do with our wealth to how we protect our wealth. We face the danger of considering the dividends of investment in society to be too far in the future to risk expenditures in the present.

The fabric of wealth has been woven in a tortuous pattern throughout history. Who is to amass, exercise, and distribute wealth has long been at the critical core of most of man's upheavals.

History teaches us that few societies used their wealth to deal with the ever present and prodigious public problems of environment, crime, unemployment, and the myriad other enigmas that have plagued men from the beginning.

Almost all wealth rotated to the very rich and highly positioned. This certainly is not an unusual phenomenon, even in modern times. The rich rarely reinvested their wealth into the public sector. In ancient Egypt, for example, extravagant sums were spent in building monuments for the dead. Approximately one-twentieth of the Egyptian population labored 30 years to build each one of the great pyramids.

All of those societies, and similar societies that manifest themselves today, were and are constantly subjected to chaotic internal disorder. Problems festered and became more acute, more aggravated. This cycle repeats itself daily in today's world.

I draw this analogy in history for the reason that the 90th Congress stands at a crossroads and historical perspective is critical. Shall we continue to consider as a legitimate use of our wealth investment in our society's future, or shall we stop, announce we can no longer afford such concern and devote our energies to preserving what we have?

I believe the answer is obvious. If we are to expect to have a continually dynamic and expanding economy, resulting in a society that offers the highest quality of life to all its citizens we must continue to invest. A nation as wealthy as ours can afford and is obligated to do nothing less.

Problems produced by our present wealth, and problems that have grown because they have not been dealt with sufficiently offer us our investment portfolio.

Investment in the education of all our young, clean air and water, and the replenishment of our natural resources demand much, but offer much more. Urban congestion, blighted housing, disposal and reusal of waste, efficient sanitation programs, recreational facilities, efficient urban and suburban transportation systems, job retraining and efficient crime control apparatus are problems that require our concern, and more important our financial investment in solutions that will make them issues of the past.

How wealthy does a society have to be in order for it to feel it can invest a portion of its wealth to deal with its problems? Our society is the wealthiest in history. Our gross worth is beyond mere human comprehension, and even the most conservative estimates predict that our worth will increase by another 6½ percent over the next year.

I believe we can afford to meet and overcome the numerous and deeply rooted problems that face us. If a nation with our wealth refuses to, or cannot make such an investment, there is little hope for the future of the rest of the world.

Exactly how much are we spending in dealing with these problems. Does 10 percent of our national output seem an unreasonable investment in the future of our future? At present the total expenditure in meeting the problems that have been mentioned here approach 10 percent of our national productivity. America's total investment in education, highways, natural resources, housing and urban renewal and welfare amounted to about $71 billion last year.

In other words, Mr. Speaker, this most important aspect of our economy, this reinvestment element amounts to about 10 percent of our total national productivity. And what type of dividend are we earning on this investment? Initially we are earning hope; hope that the future will be even better than the present.

We are earning progress. Inroads are being made into the problems of air and water pollution, urban blight, city congestion, school dropouts, and the scores of other areas that are receiving attention.

Eventually what is now hope and progress will be reality. If we make the investment now, future generations of Americans may live in clean, unpolluted, uncongested cities. The word ghetto may one day be nothing more than a historical footnote. Birth defects, cancer, and perhaps even the common cold will be nothing more than terms in a medical dictionary. And perhaps one day even poverty and hunger will no longer be the major elements in life for any American citizen.

I do not suggest that eventually our society will witness the elimination of all problems. Men have sadly learned that as a civilization progresses we encounter new problems.

I am confident that the problems our society now faces and will face will never be our undoing. A society that is concerned about its present and its future will endure and prosper. Our heritage is rich in this tradition.

Let us now agree that a future generation will not write of America the John Greenleaf Whittier passage "It might have been."

GRANT THE RIGHT TO VOTE AT THE AGE OF 18

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. ROSENTHAL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ROSENTHAL. Mr. Speaker, today I am introducing a joint resolution proposing a constitutional amendment granting American citizens who have attained the age of 18 the right to vote.

I introduced a similar resolution at the beginning of the 89th Congress. If anything, the arguments I stated in support of that resolution are even more compelling today.

Young Americans have in recent years displayed a deepening maturity and a growing sense of responsibility for their Nation's welfare. Abroad, they are furthering America's international goals through their dedicated work in the Peace Corps. At home, they have made significant contributions to the programs of the Great Society. Youthful enthusiasm and dedication has accounted for much of the progress made in civil rights and in the war on poverty.

Young men under 21 are stationed all over the world as members of our Armed Forces, prepared to give their lives to further the ideals of their country. At this very moment, many such young men are dying in Vietnam.

Throughout our society, then, young men and women over 18 are engaged in creative, vital, and responsible activities which are fully adult in their obligations. Yet, we deny them the most basic of adult rights—the right to vote. We ask our young soldiers to die for our democracy; yet we deny them an electoral voice in the operation of that democracy. We reap the benefit of the efforts of young Americans in the Peace Corps and the war against poverty; yet we refuse them basic participation in the system they seek to support and improve.

Young Americans over 18 have shown that they are fully competent to exercise the rights of citizenship. Eighteen-year-olds today are better educated than many

21-year-olds were before the Second World War. In 1940, only 14.1 percent of all students beginning formal education were graduated from high school. In 1966, by contrast, 65 percent were graduated from high school and 26 percent entered college. That young Americans over 18 are better informed, more politically aware, and more actively involved in the affairs of their country than their counterparts of previous generations is beyond dispute. The time is ripe for extending them the vote.

The majority of the Nation concurs in this view. A Gallup poll conducted in August of 1965 asked the question: "Do you think that persons 18, 19, and 20 years old should be permitted to vote, or not?" Fifty-seven percent answered yes, 39 percent answered no, and 4 percent expressed no opinion.

Many distinguished Americans of both parties have supported an 18-year-old vote. I strongly urge with them that we now adopt a constitutional amendment to grant the vote to citizens above the age of 18.

WEATHER CONTROL

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from New Mexico [Mr. MORRIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MORRIS of New Mexico. Mr. Speaker, the earth's atmosphere is the source of man's most essential commodity—water. The atmosphere is also the source of many of man's calamities. The loss of life and property through tornado and hurricane damages, the wiping out of desperately needed crops by hailstorms, the razing of precious forests by lightning fires, and numerous other misfortunes that befall mankind are directly related to the atmosphere.

These losses and misfortunes, however, are not completely beyond our control if we could only develop our technology and know-how to modify the weather and create the conditions we desire.

Utilizing the atmosphere by weather modification has always been a challenge to man's imagination, and for centuries man has engaged in numerous attempts to mold his environment to his own needs, and comfort. Although most of these attempts were drastic failures in their beginning, success finally came after World War II when a scientist demonstrated the feasibility of modifying clouds and fog and causing them to yield their moisture content and precipitate as rain or snow.

It was found that, under favorable meteorological conditions, clouds can be "seeded" with a reagent such as dry ice or finely dispersed silver iodide crystals. This would trigger and stimulate the natural processes which produce rain or snow.

The world reaction to these experiments was immediate and dramatic. Here in the United States, the first legislation with this objective in mind was introduced in 1947 during the 80th Congress through a bill authorizing the Weather Bureau to conduct experiments to control rainfall. However, the enthusiasm for new opportunities in weather modification was by no means unanimous, and the legislation failed to pass.

The ensuing 20 years were marked by scientific controversy which stood in the way of a national effort in weather modification. In 1958, Public Law 85–510 was enacted to authorize the National Science Foundation to "initiate and support a program of study, research, and evaluation in the field of weather modification, giving particular attention to areas that have experienced floods, drought, hail, lightning, fog, tornadoes, hurricanes, or other weather phenomena, and to report annually to the President and the Congress thereon."

The Foundation supported its program essentially on a token basis for the past 9 years. As a line item on its budget, the Foundation's request for weather modification never exceeded $2 million. The Foundation's support of research has resulted in greatly increased scientific knowledge, but national goals have not been set, programs to achieve these goals have not been planned, and the purposes of Public Law 85–510 have not been met.

To a large extent, this has essentially been due to the lack of action. The major new program in atmospheric water research during fiscal year 1965 was carried out by the Office of Atmospheric Water Resources, Department of the Interior. It was initially funded with $1.1 million, with a slight increase in 1966. The program was intended to ascertain the economic feasibility of increasing the water supply available to reclamation projects, through the application of weather modification techniques, for the purpose of increasing the precipitation into the headwaters of drainage basins providing the inflow to reclamation reservoirs.

The total Federal program has increased from $5 million in 1965 to $7 million in 1966. Relative to other efforts of research and development, this represents the smallest of efforts supported by the Federal Government, and does not reflect the enormous needs and opportunities that prevail throughout the Nation in weather modification.

In contrast with the United States, other countries have been progressing steadily in the development of weather modification techniques and utilizing them for economic purposes.

The Soviet Union, for example, has been active in rainmaking and weather modification experiments since the early 1920's, and in 1932 established a body of scientists for these studies in Leningrad. Since then, they have been active in systematic investigations and field experimentation in cloud and fog seeding, rainmaking, and the physical and chemical properties of clouds and fog. Their methods of dispersing supercooled fog and clouds were successfully applied in 1964 and 1965 over 12 airports, with noticeable economic effect while maintaining regular aircraft service. Areas over which full cloud dispersion was achieved have increased from the 2,500 square kilometers first cleared during the Moscow parade—November 1953—to 20,000 square kilometers in recent dispersions. In February of 1961 the Soviets achieved significant success by dissipating a continuous cloud cover over the Crimea in designated places at the designated time to permit observation of the total sun eclipse.

Soviet success was equally noticeable in the development of effective hail suppression and improved methods of hail prediction. This know-how was put to applicable use and a hail protective service was established in the Caucasus to cover 30,000 hectares in 1961 and 1962. The area increased to 50,000 hectares in 1963, and 430,000 hectares in 1964. Plans for 1966 called for further increase to 800,000 or 900,000 hectares, and, in the coming few years, to cover the entire Soviet Union where such protection would be desirable from an economical point of view. Preliminary estimates approach 4 or 5 million hectares, with the initial cost of protective measures at about 1 percent of harvest cost.

Besides being so impressive, even when taken at face value, the Soviet figures also demonstrate clearly the advantages of a national program with definitely set goals, well-conceived projects, and a well-suited budget to achieve these goals.

Several areas in the United States are usually considered potentially subject to one or more water problems. Some areas have problems of water pollution, others have problems of drought and water shortage, still others lack a water supply with the proper distribution. But we do not have to look beyond our own backyard to realize the acuteness of some of these problems.

Last summer, right here in the Washington, D.C., area we faced a critical water problem when the flow of Potomac waters reached an alltime low. And for the first time in this area's recent history restrictions were imposed on water usage and action was taken to conserve the dwindling water supply.

This clearly demonstrates that critical water resource needs are fast approaching several eastern areas heretofore believed to be adequately supplied for many years to come. The problem has now assumed national rather than merely local dimensions, and is no more confined only to the Southwest and parts of the Midwest. And the time is long overdue when we should develop our scientific knowledge and technology to modify the atmosphere and increase its yield of precipitation to secure an adequate water supply and a proper distribution over our lands.

Although the physical process or processes of precipitation are not completely understood, there is sufficient evidence that cloud seeding stimulates the production of precipitation to justify a program in basic and applied research designed to learn how to use cloud seeding to increase the yield of water from the atmosphere.

The dimensions of our present effort in weather modification should be enlarged to a national program to acquire the ability to modify the weather in a substantial way. The United States should be able to utilize this knowledge for expanding our national economy and improving the well-being of the American people in ways and to a degree that are now inconceivable.

It is for these reasons that I am introducing today H.R. 5734 a bill to authorize and direct the Secretary of the Interior to conduct a comprehensive program of scientific and engineering research, experiments, tests, and operations for increasing the yield of water from atmospheric sources; and I urge its serious consideration by this Congress.

APPRENTICESHIP TRAINING PROGRAM

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. SCHEUER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SCHEUER. Mr. Speaker, I would like to call to the attention of the House the excellent apprenticeship training program which is being operated in New York City under the joint sponsorship of the Workers Defense League and the A. Philip Randolph Educational Fund. Under this training program young Negroes and Puerto Ricans are tutored for entrance tests and prepared for the oral interviews which are a necessary precondition to membership in most trade union apprentice programs.

These programs over the last few months have been consistently successful in achieving their goal of obtaining admission to union apprentice programs for young Negroes and Puerto Ricans. For example:

First. Three Negro youngsters tutored under this program won admission to Plumbers Local No. 1 by placing in the top 20 candidates from a group of 50 taking the examination;

Second. Seventeen of twenty youngsters tutored under the program passed the most recent admission test for the Iron Workers Union of New York City;

Third. All seven of the candidates tutored for the apprenticeship program of Stone, Derrickman & Riggors placed among the top 20 candidates for admission to that program.

Fourth. All 16 candidates who sat for the most recent Metal Lathers Union test placed among the top 100 candidates. There were 400 candidates in all taking the test.

The most successful of all the tutoring programs, however, has been a program involving 32 youngsters who sought admission to Sheetmetal Workers Union, Local 28. On this test, 26 of the 32 youngsters—the only Negro and Puerto Ricans taking the test—placed among the top 60 candidates. In addition, nine of the applicants who were tutored by Mr. Dennis Derryck under the auspices of the Workers Defense League and the Randolph Fund placed in the top 10, and one had a perfect score.

Unfortunately, local 28 has not found the results of their own test to be acceptable and has attempted to throw out the results and call for a new test. The New York State Commission on Human Rights has obtained a temporary injunction against the union, and the case is currently awaiting final disposition by the courts. Regardless of the findings of the courts, however, the actions of local 28 are disheartening.

The Workers Defense League and the Randolph Foundation deserve the support of all fair-minded Americans for their interest in opening new careers for disadvantaged and culturally deprived young people. These groups have been able to increase the motivation and performance of youngsters who have been passed over by an inadequate educational system and pressed under by a deprived cultural and social environment. The reaction of one of the 26 youngsters who passed the Sheetmetal Workers test is indicative of the seriousness of the action which the union has taken. As one of the youngsters said:

> For the first time, I believed what these people have been saying. I worked my tail off. And now look what they have come up with.

The importance of the local 28 story is revealed by Harry Fleischman in his January edition of "Let's Be Human." I am inserting this article for the RECORD at this point, and I recommend it to the attention of the Members of the House:

> "Gad Sir, reforms are all right," cartoonist David Low's Colonel Blimp once said, "as long as they don't change anything." This seems to be the attitude of Mel Farrell, president of Local 28 of the Sheet Metal Workers in New York.
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> In 1964 the State Commission on Human Rights found Local 28, which has had no Negro members in its 78-year history, guilty of discriminating aganist Negro applicants. The local was ordered to judge apprenticeship applicants hereafter solely on the basis of objective criterial. The union then decided to use an aptitude test given by New York University's Testing Center, plus personal interviews and physical exams. Dr. Kenneth Clark and the Workers Defense League undertook to tutor prospective applicants. In the first test given in the Spring of 1964, Scott Green became the local's first Negro apprentice. He was the only one of more than 20 Negroes so tutored to get into the program.
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> The following year, 14 Negro and Puerto Rican youngsters passed the apprentice application test after intensive Workers Defense League tutoring. Union secretary-treasurer Thomas Mulhearn said: "As long as the boys made it according to the rules, more power to them." And Bayard Rustin, director of the A. Philip Randolph Education Fund, co-sponsor with the Workers Defense League of the Apprenticeship Training Program, noted that "this achievement shows that if they can get help and proper tutoring, Negroes and Puerto Ricans can compete with the majority of society."
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> In 1966, a new apprenticeship test was given, and the Workers Defense League again mounted an intensive tutoring program. Its chief tutor, Dennis Derryck, a brilliant 26-year-old Negro teacher, set up a class for 32 Negro students and recruited a group of volunteer Western Electric engineers to help them learn the techniques they would have to know. The students studied 17 hours a week for 4 weeks, getting cram training in general mathematics, mechanical reasoning and spatial relationships.
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> When the test was given November 12, nine of Derryck's students scored among the top 10—one with a perfect score.
>
> Twenty-six out of 32 Negro applicants were in the top 60, while only 34 whites out 115 passed. Instead of praising the Workers Defense League and Dennis Derryck for this remarkable accomplishment, local President Mel Farrell hinted that "the scores may have been obtained by some nefarious means," even though the tests had been kept under lock and key by NYS's Prof. Wallace Gobetz until exam time. Farrell demanded that the test results be scrapped and that the students be forced to take a new exam. The State Commission on Human Rights went to Court and obtained an injunction barring the union and employers from invalidating the test. The final decision of the Court has not yet been handed down as of this writing.
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> Ironical, isn't it? Whites usually complain, "Why don't Negroes study and work to pull themselves up by their bootstraps like we did?" Then, when Negroes succeed through the same kind of cram tutoring that many white students use to get higher scores on college preparatory exams, some of the same whites yell, "Foul!"

POPULATION

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. SCHEUER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SCHEUER. Mr. Speaker, the future of the world we live in may well be determined by what we do during the next 10 years to prevent a population explosion.

One of the most heartening indications of world concern is the declaration on family planning by the heads of state of 12 nations. I am delighted to bring to the attention of my colleagues this statement and one by U.N. Secretary-General U Thant on receiving the declaration on Human Rights Day, December 10, 1966.

Statement of the United Nations Secretary-General U Thant on Population

> Today I have received a declaration on population growth and human dignity and welfare signed by the Heads of State of Colombia, Finland, India, Malaysia, the Republic of Korea, Singapore, Sweden, Tunisia, the United Arab Republic, Yugoslavia, Morocco and Nepal. I have been requested to circulate this statement in connection with Human Rights Day, the celebration of the Anniversary of the United Nations Declaration of Human Rights, and it seems to me appropriate to do so inasmuch as freedom from hunger, the right to medical services and the right to education are already considered to be basic human rights. Accordingly I take this occasion to emphasize that population growth is not only an important factor in the rate at which nations can attain their economic goals, but that the size of the family is a fundamental human problem which must be based on the decisions of responsible parents concerned with the dignity and well-being of their children.
>
> In my view, we must accord parents the right to determine the numbers of their children a place of importance at this moment in man's history. For, as one of the consequences of backwardness, rates of population growth are very much higher in the poor two-thirds of the world than they are among the more privileged countries and

it is being increasingly realized that, over the two or three decades immediately ahead, when present world-wide efforts to raise food production will not have yielded the fullest results, the problem of growing food shortage cannot be solved without in many cases a simultaneous effort to moderate population growth.

We recognize and fully respect the problems of faith and conscience which many still face in relation to the means designed to achieve this objective. But on this Human Rights Day, I feel bound to call attention to a declaration expressing concern with the quality of human life as well as with the number of human beings on earth.

FAMILY PLANNING AND HUMAN RIGHTS: WORLD LEADERS' STATEMENT, DECEMBER 10, 1966, HUMAN RIGHTS DAY

The peace of the world is of paramount importance to the community of nations, and our governments are devoting their best efforts to improving the prospects for peace in this and succeeding generations. But another great problem threatens the world—a problem less visible but no less immediate. That is the problem of unplanned population growth.

It took mankind all of recorded time until the middle of the last century to achieve a population of one billion. Yet it took less than a hundred years to add the second billion, and only thirty years to add the third. At today's rate of increase, there will be four billion people by 1975 and nearly seven billion by the year 2000. This unprecedented increase presents us with a situation unique in human affairs and a problem that grows more urgent with each passing day.

The numbers themselves are striking, but their implications are of far greater significance. Too rapid population growth seriously hampers efforts to raise living standards, to further education, to improve health and sanitation, to provide better housing and transportation, to forward cultural and recreational opportunities—and even in some countries to assure sufficient food. In short, the human aspiration, common to men everywhere, to live a better life is being frustrated and jeopardized.

As heads of governments actively concerned with the population problem, we share these convictions:

We believe that the population problem must be recognized as a principal element in long-range national planning if governments are to achieve their economic goals and fulfill the aspirations of their people.

We believe that the great majority of parents desire to have the knowledge and the means to plan their families; that the opportunity to decide the number and spacing of children is a basic human right.

We believe that lasting and meaningful peace will depend to a considerable measure upon how the challenge of population growth is met.

We believe the objective of family planning is the enrichment of human life, not its restriction; that family planning, by assuring greater opportunity to each person, frees man to attain his individual dignity and reach his full potential.

Recognizing that family planning is in the vital interest of both the nation and the family, we, the undersigned, earnestly hope that leaders around the world will share our views and join with us in this great challenge for the well being and happiness of people everywhere.

Signed by:

Colombia: Dr. Carlos Lleras Restrepo, President.

Finland: Dr. D. Urho Kekkonen, President.

Malalysia: Tunku Abdul Rahman, Prime Minister.

Morocco: King Hassan II.

Nepal: King Nahendra.

Singapore: Lee Kwan Yew, Prime Minister.

Korea: General Chung Hee Park, President.

Sweden: Tage Erlander, Prime Minister.

Tunisia: Habib Bourguiba, President.

United Arab Republic: Gamal Abdel Nasser, President.

Yugoslavia: Marshal Josip Broz Tito, President.

India: Mrs. Indira Gandhi, Prime Minister.

URBAN AND RURAL AMERICA—INTRODUCTORY STATEMENT BY HON. NORMAN H. CLAPP

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. ANDERSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ANDERSON of Tennessee. Mr. Speaker, I wish to call the attention of my colleagues to significant comments in the introductory statement of the 1966 annual report of the Administrator of the Rural Electrification Administration.

In this report, REA Administrator Norman M. Clapp succinctly points out the binding economic and social relationship that exists between urban and rural America. Pinpointing that relationship, Mr. Clapp said:

> The needs of rural America are part of the needs of a growing Nation. Rural problems are everyone's problems for they must be solved—just as urban problems must be solved—if we are to achieve the maximum potential of our national life and a balanced development of our resources, including the greatest resource of all, people.

In emphasizing the new needs of a changing, developing rural America, Mr. Clapp notes that a new financing pattern for REA loan programs is a prime requirement if REA borrowers are to continue to provide service to rural areas under rates and conditions comparable to those available in nearby urban communities.

The need for this new financing pattern is not a singular need of REA, nor of rural America. It is a need that confronts the Nation: a need that must be met if the best interests of the Nation are to be served.

I submit for inclusion in the RECORD the full text of Mr. Clapp's introductory statement to his agency's 1966 annual report:

I. REA PROGRAMS—EVERYBODY'S BUSINESS

Speaking at Dallastown, Pennsylvania, on September 3, 1966, President Johnson underscored the fact that parity of opportunity for rural people concerns every American, whether he lives in the central city, the growing suburbs or somewhere in rural America. He expressed it this way:

"Not just sentiment demands that we do more to help our farms and rural communities. I think the welfare of this Nation demands it. And strange as it may seem, I think the future of the cities of America demands it, too."

The needs of rural America are part of the needs of a growing Nation. Rural problems are everyone's problems for they must be solved—just as urban problems must be solved—if we are to achieve the maximum potential of our national life and a balanced development of our resources, including the greatest resource of all, people.

SERVING IN THE PUBLIC INTEREST

Nowhere do the problems—or the rewards—of achieving rural parity show more clearly than in the electric and telephone programs of the Rural Electrification Administration. For these programs and the rural electric and telephone systems they have helped to develop—more than 1,900 in all—cover the broad spectrum of rural America with its infinite varieties of conditions and climates. The REA borrowers have brought important and vital utility services to isolated ranches, Indian reservations, Eskimo villages, flatlands and mountain peaks, remote defense installations, pockets of poverty in Appalachia, and new housing developments set in cornfields to handle the overflow of growing cities.

These systems, mostly private enterprises, are serving the public interest in the highest sense. At the outset it was in the public interest that rural people have electric and telephone service, just as it was in the public interest that they have rural mail service and improved roads for the exchange of goods and services and easy communication. As our Nation grew and its commerce became increasingly intermingled and interdependent, the stake of dominant urban America in the advancement of rural America and its rural electric and telephone systems also grew.

It will continue to grow because rural America has become increasingly important to urban America as a source of food and natural resources, as a market, and as a relief valve for pressures brought on by the crowding of too many people into too little space. These pressures will increase, rather than diminish, as the Nation grows toward a population of 240 million Americans by 1980 and over 300 million by the year 2000.

Rural America is generously endowed with geography and resources to complement the resources of the city. Rural America's 3.4 million square miles—97 percent of the land mass of the United States—possess fertile soil which produces the most abundant food supply ever known to man. It is covered by great forests which yield the raw materials of industry and provide scenic wealth along with recreational opportunities for urban dwellers. Rural America also holds the bulk of our mineral resources which are basic ingredients of American industry and our developing economy and rising American standard of living.

GOOD PLACE TO LIVE AND GROW

But rural America is much more. It is also a vast market—well over $100 billion—for American industry around which our great cities are built. Here in rural America are good places to live, to vacation, and to nurture the future of America. Here is the space to absorb the Nation's growing population without further crowding already overcrowded cities. Rural America offers almost the only room left for the United States to grow.

But if rural America is to measure up to its full potential and challenge, it must have the tools and resources for development. The farmer—who now feeds 36 other persons besides himself with matchless efficiency and economy—must prepare to produce even more efficiently.

As agriculture steps up its productivity, opportunities must be provided for workers who are displaced by machines. To give these people opportunity in the rural areas, rather than drive them into the cities to add to the already grave problems there, we must raise the standard of rural living, both in terms of economic opportunity and conveniences, to match the attractions of urban living.

This calls for many things—improved rural schools, more rural industry, and provision of community facilities such as hospitals, water, and sewage treatment and disposal. These, along with other essentials basic to the creation of parity of opportunity for rural people, are impossible without electric power and communication facilities capable of providing parity electric and telephone service.

STILL SHORT OF BASIC OBJECTIVE

By every possible measurement, the rural electric and telephone systems have made impressive strides toward the accomplishment of their objectives under the REA programs. The 940 electric distribution borrowers served 5.6 million rural installations, including farms, rural residences, busines enterprises, schools and other facilities, on June 30, 1966. For their service they received about $800 million in consumer payments during the year. Rural electric consumers have provided their cooperative systems with more than $1.1 billion in capital, all of it interest-free and most of it serving in place of funds which would otherwise be borrowed from REA.

The newer rural telephone program has made a comparable contribution to rural improvement. As of July 1, 1966, REA had loaned nearly $1.3 billion to 855 rural telephone systems to build and improve 519,000 miles of outside plant to reach 2.1 million subscribers. Today, 79 percent of the farms have telephone service, most of it modern dial service.

As gratifying as these accomplishments are, the rural electric and telephone borrowers are still far short of their basic objective: to provide service under rates and conditions comparable to those available in nearby urban communities. The difficulty of this task is underscored by the built-in handicaps of rural service—low density, low revenues per mile, and difficult terrain.

Studies made last year showed that borrowers in the electric program served an average of only 3.5 consumers per mile, and had average annual revenues of $516 per mile of line. At that time Class A and B Commercial power companies had an average consumer density of 34 and average annual revenues of $7,820 per mile of line. Rural telephone systems serve under similar handicaps.

TWO-PRONGED PRESSURE FOR SERVICE

Both Programs—electric and telephone—involve dynamic industries now experiencing two-pronged pressure for service: requests from the unserved for initial service, plus demands from present users for expanded and improved service. Additional pressure is applied by a third factor: the electric and telephone industries are undergoing extensive and rapid technological changes, far exceeding most industries. While these factors will enable REA borrowers to provide better service to more rural people, borrowers will be required to make substantially heavier investments each succeeding year to keep pace with normal growth and new developments.

REA estimates that rural electric systems it has helped finance will need $8 billion of new capital in the next 15 years, or $2 billion more than the $6 billion Congress authorized in the first 31 fiscal years. The $8 billion estimated for rural electric systems compares with the $112 billion investment projeced for the commercial electric utilities over the next 15 years (1966 through 1980).

REA rural telephone borrowers will require $3 billion of new capital in the coming 15 years—about three times as much as Congress authorized in the past 15 years of the program.

Borrowers are aware that these needs for the future must be weighed against other contemporary and emerging developments: The pressures upon the Federal budget in these times, the deep and growing concern of the public with the problems of financing other desirable public programs, the size of the national debt, increased interest rates, and tax requirements.

ONE OF THREE COURSES TO TAKE

Realistically, then, it must be said that the REA programs—including both the borrowers and the rural areas they serve—have reached a critical point in their development. The borrowers, individually and collectively, have reached a crossroads from which they will proceed in the future by one of these courses:

Go down to extinction through obsolescence because of failure to attract additional capital for renewal and expansion. This was the fate of thousands of rural telephone systems in the 1930's and 1940's.

Go out of the picture through voluntary or forced retirement, in some cases turning more feasible sections of their systems to urban-based utilities, leaving service to more thinly-settled areas dependent upon some form of subsidy for years to come.

Go up, increasing their capitalization to match the growth of their rural areas and the American economy.

If these vital programs are to *go up,* go forward, to meet service and growth demands adequately, the rural electric and telephone systems will need new tools to help them accomplish their important tasks.

Twice in the past, when new needs arose, Congress acted to give REA the tools and authority required to deal adequately with the situation.

In 1944 Congress gave the rural electrification program additional tools to cope with the pent-up demand and the built-in handicaps of rural service. The Pace Act extended the lending authority of REA indefinitely and changed the interest rate on outstanding and future REA loans to a flat 2 percent. Congress also extended the maximum amortization schedule on all REA loans from 25 years to 35 years. In the debate the Congress made it clear that it intended for all of rural America to be electrified, including areas previously considered unfeasible.

In response to widespread rural dissatisfaction with local telephone service, Congress in 1949 amended the Rural Electrification Act to provide for a rural telephone loan program. At that time only 38 percent of the farms had telephone service, and much of it was substandard.

These REA programs stand today as symbols throughout the free world of the good which flows when people work in partnership with their Government to serve human and economic needs. The REA pattern of rural electrification is being exported to underdeveloped nations as a key element in improving economic and living conditions.

NEW FINANCING PATTERN NEEDED

A new financing pattern, geared to meet the needs of a changing, developing rural America is now a prime requirement. During the year, the Administration recommended to Congress that the Rural Electrification Act be amended to provide supplemental financing for the REA programs as a means of using private capital to help meet future needs of the systems. The proposed legislation would create a credit ladder which would permit the systems to progress from their present almost complete dependence on 2 percent financing to eventual reliance on private financing at market rates. This step would afford financing geared more closely to the needs and capabilities of borrowers and the areas they serve.

The electric borrowers must be assured access to power supply arrangements which will allow them to share fully in all the developments working to bring power costs down. Without this, rural people face the danger of being bypassed again, as the commercial power industry moves increasingly to larger-scale generating units and regional power pools. To prevent this, the REA program must continue to provide the alternative of self-generation and on a scale which will provide adequate power to rural areas at the lowest possible cost.

The rural electric and telephone systems also must be equipped with a survival kit which will give rural people assurance of service from systems which are sound and stable and free to develop with the areas they serve. This involves building into rural systems the financial resources and reserves necessary for continuity and expansion of service into the future. This also involves assurance of territorial integrity and the freedom for rural electric borrowers to serve all loads which develop in the areas they pioneered. And it involves recognition that the rural systems are essential and permanent parts of their respective industries.

The future financing or capitalization of rural electric and telephone systems, permitting them to extend and improve service to keep pace with the needs of rural area development, is the major problem facing REA and its borrowers today. It is not just their problem. In a very real sense it should be regarded as everyone's problem. The public interest requires that it be solved and the need met—adequately.

PRESIDENT JOHNSON'S CONSUMER MESSAGE

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MURPHY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MURPHY of New York. Mr. Speaker, babies in their cribs, mothers doing the weekend shopping, fathers making economic decisions affecting the family budget will all enjoy a new sense of safety and security if the proposals set forth in President Johnson's consumer message are enacted into law.

The proposed National Commission on Product Safety will, hopefully, be able to cut down the 20 million injuries and 28,000 deaths suffered each year from accidents in and around the home.

The national fire safety program proposes a realistic attack on the 12,000 deaths and $1¾ billion property loss caused by fires each year throughout the country.

The amendments to the Flammable Fabrics Act of 1953 are designed to help reduce the 3,000 deaths and 300,000 injuries each year which result from clothing fires. The amendments would extend the scope of the act to cover interior furnishings, such as draperies, rugs, upholstery, and foam padding, and would improve the existing flammability standards.

There are many other proposals outlined in the President's consumer message. All of them deserve our earnest study and support. When looked at one after another, they may appear to be directed at a diverse set of unique and unrelated problems. What they have in common, however, is that they are all designed to protect people—people of all ages—people in all walks of life.

In the complex economic and technological world of today, people need protection of a different kind than in the days when we were a slower changing agricultural society. We have become accustomed these days to some loss of life, some injuries, some amount of property loss. All too often, we chalk these losses up as the cost of progress. But we must not become hardened to these losses. We must not accept them as inevitable. Behind the glib statistics there lies a personal story of tragedy for every number.

We, collectively as a nation, and individually as legislators, have created the kind of country we live in today. If there are physical or economic dangers, if people need protection, then surely it lies with our will and our wisdom to devise methods to give that protection to our citizens. To do otherwise would be to abdicate our responsibilities. It is crystal clear, from President Johnson's consumer message, that he has every intention of meeting his obligations to the people. I believe that we in the Congress can do no less.

I urge the Members to meet these many important proposals with the same spirit in which they are offered—a genuine desire to make the daily lives of our citizens safe and secure.

LAW

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. WHITE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. WHITE. Mr. Speaker, as Members of the world's great lawmaking bodies, we are all concerned, every day, with the law—whether or not we are, or ever have been, lawyers. We are all concerned with the laws of man, and with the higher law—the natural law—the laws of God.

At the annual Red Mass, held for members of the legal profession in St. Patrick's Cathedral in El Paso, in 1966, the Most Reverend Sidney M. Metzger, bishop of El Paso, delivered a scholarly homily on the relationship between eternal laws and the laws of man. I believe every Member of this body would benefit from these inspired words, and I ask unanimous consent that they be included in the CONGRESSIONAL RECORD.

My dearly beloved Children of God, it is for me a distinct pleasure to welcome you to our Cathedral as children of God and honored members of a distinguished profession. You are attending a votive Mass of the Holy Spirit i.e., a Mass offered to the Holy Spirit, the Third Person of the Blessed Trinity for a special intention. In the Second Chapter of the Acts of the Apostles we read the following: "And when the days of Pentecost were drawing to a close, they were all together in one place. And suddenly there came a sound from heaven, as of a violent wind blowing, and it filled the whole house where they were sitting. And there appeared to them parted tongues as of fire, which settled upon each of them. And they were all filled with the Holy Spirit and began to speak in foreign tongues, even as the Holy Spirit prompted them to speak." When the Church honors the Holy Spirit the color of the vestments is red because red is the color of fire and this is an appropriate commemoration of the first coming of the Holy Spirit when He appeared to them in the form of parted tongues of fire. Because the vestments are red the Mass which you are attending here today is traditionally known as the Red Mass. This Mass traditionally marks the opening of the law courts and is offered to invoke the help of the Holy Spirit in order that justice may prevail in our courts. At this time we also honor two patrons of the legal profession, St. Ives and St. Thomas More, Lord Chancellor of England, and we also invoke their intercession. You who are practicing members of the bar and members of the judiciary are vitally concerned here today because you constitute the courts, or we could say that you are the courts and each individual court will render justice according as you are imbued with the ideals of true justice and a high sense of duty. You have been invited to this house of God in order to do what you need most, namely, humbly to seek God's help. You may be the duly elected members of a legislative body and help make laws; you may be an appointed or elected judge of one of our courts and dispense justice to whom it is due; or you may practice before the bar and plead for justice in behalf of your clients. Whether you have served in one or all of these capacities you must always remember that man made civil law which is your profession must in the final analysis turn to God for true justice.

God Himself, as He exists from all eternity in His infinite perfection is first of all the Eternal Law giver. The world is governed by God and a detailed plan of that government is in His divine mind and like everything else that exists in the mind of God, this plan is eternal. In God this plan is the eternal law. As this same eternal law is found in creatures it is called the natural law. Natural Law is then nothing more than a participation of the Eternal Law by creatures. What this really means is that this law is natural, that God having established nature, all beings in the universe are governed and directed by God but each single being is directed and governed by God according to its nature. Man like every other creature is governed according to his nature. But man's nature is a moral or free nature, man is subject to the same fixed physical laws or passive participations of Eternal Law, which governs the rest of creation; but in so far as he is man, in so far as he is endowed with an intelligence and free will and by these endowments is different from the rest of creation, he cannot be pushed this way and that by physical fixed law and still remain free. His natural law must be a moral, not a physical law and it is only in man that we find the natural law in the strict sense, i.e., as an active participation of the Eternal Law. Man is in a sense a legislator for himself. Eternal law is the universal principle from which God's providence proceeds to the detailed plan of governing the universe. Natural law is a declaration of universal principles from which men proceed to govern human life. These universal principles not only need application but further determination. It is the work of human law, further to determine the universal principles of natural moral law. We must remember that human law was not meant to supplant natural moral law or to change it but to supplement it by more definite and particular determinations.

Because we are endowed with intellect and free will we are created to the image and likeness of God. The likeness and image are faint and imperfect compared with the infinite perfection of God but they are an image and likeness nevertheless. Likewise human justice here on early faintly mirrors the infinite justice of God and the golden thread of law from human to natural and from natural to Eternal leads us to the very throne of God the Eternal source of all justice and law. By their very nature law and religion go hand in hand. Religion is the bond of grace and duty by which we are bound to God and not the least of our duties is to be just. In fact religion without justice is an absurdity and justice without religion is an impossibility.

A complete statement of the natural law in man would require more time and belongs in the lecture hall rather than in the pulpit. But because natural law is first in the order of thought and superior in way of authority and ultimate as the source of all obligation, it should be brought to your attention, at least briefly in silhouette on this occasion. For some time it has become increasingly the fashion in philosophical and legal circles to deny the existence of the natural law. Some do not only deny its existence but scoff at it. Much of the antipathy to Natural Law is due to ignorance of the correct doctrine and to false premises in philosophy. A denial of the natural laws is back of all totalitarian philosophy and intrinsic to every materialistic outlook on life. If the State is supreme and absolute—as it is in Totalitarianism—then the State can make or abrogate any and every law grant or deny any and all rights. Again, if there is nothing but matter in the universe, no free will, no soul, no God, then the natural law is all a fiction. But there are scholarly lawyers and jurists who have come to the defense of the natural law. As an example, permit me to quote an authority who is still held in high regard in learned circles. In Blackstone's Commentaries, Introduction, Section 2, he has the following: "This law of nature, being coeval with mankind and dictated by God himself, is of course, superior in obligation to any other.

It is binding over all the globe, in all countries and at all times; no human laws are of any validity if contrary to this; and such of them as are valid derive all their force and all their authority, mediately or immediately, from this original.

"Upon these two foundations, the law of nature and the law of revelation, depend all human laws; that is to say, no human laws should be suffered to contradict these." Blackstone was known to be hostile against the Catholic Church and especially, against the Pope. But the passage just quoted is truth, pure and clear as the crystal spring and the Pope himself could not have phrased it better.

The legal profession is ancient and illustrious. Through centuries man has striven for justice under civil law i.e. for justice in the law itself and also for justice in its interpretation and application to individual cases. Under the Roman Republic about the year 300 B.C. there came into existence a class of men of rank who sought advancement in a public career by giving free advice to everyone needing legal aid in legislation. These men were known as "iurisprudentes" or "iuris consulti" which terms would correspond to our Counselor or Attorney at law and they foreshadowed the legal profession in the modern sense. Much of the Roman law survives in many adaptations in the Western World today and at its core lay the concept of natural law which the Romans inherited from the philosophy and culture of Greece. It appears that the old Roman "iurisprudentes" or "iuris consulti" considered that giving legal aid to those who needed it was a matter of public duty. That a profession is a "public office" a "public duty" is indicated by the very word "profession", from the latin "profiteri" or "fateri pro", meaning to profess in public either law, medicine, pedagogy, or any other of the many professional fields. No matter what the professional field may be, all professions have one common characteristic i.e. to perform a task before the public, with a responsibility to society. The professional man must gain his livelihood and work for his own betterment and that of his family. He may enjoy professional satisfaction, prestige and personal profit but these are secondary and purely private considerations. The legal profession is more closely linked with justice than any other because problems of justice are the lawyer's daily toil and their right solution deeply concerns the common good of society. The public places upon him the halo of esteem and prestige because in performing the duties of his profession he guides, directs and teaches society by his code of ethics.

Law has always been numbered among the professions that are called "learned." It is evident that the lawyer must have a well-balanced and cultural academic background and must attain a certain standard of learning. Because he knows that he is fulfilling a mission for the good of society, the young lawyer must love his profession and he must not shirk work and sacrifice in order to be adequately prepared for the tasks ahead. He understands that his degree or diploma of graduation is of little value unless he broadens and deepens his knowledge by a life of serious study and work. His high ideals will inspire him to consider the good to be accomplished, the genuine interests of his client, the betterment of the family and society, the elimination or suppression of injustice, fraud and crime. With such an outlook how varied and how numerous are the opportunities for good open to your profession, to guide, counsel, correct, defend, and especially to make it a better world about you!

I should not leave you this evening without briefly calling to your attention the two saints, St. Ives and St. Thomas More, Lord Chancellor of England, who are two patrons of the legal profession and whose intercession you are always privileged to invoke. Kindly allow me to digress for a moment and tell a story. It is a humorous story about lawyers and no disrespect is meant to you or to the house of God. Laughter does not displease God and there is not enough of it in this world. I strongly surmise that St. Thomas More who was the soul of charity and humor would have enjoyed the story. The lawyers had assembled in order to choose their patron saint. They could not agree and finally the presiding officer suggested a solution. One of them would be blind folded and enter the Cathedral of St. John Lateran in Rome. There in the nave of the great Cathedral he would wander among the statues of the Apostles and he whose statue he would first embrace would be accepted by all as their patron. Unfortunately the one blind folded strayed away from the Apostles and embraced a statue of Satan. I read this story a long time ago in the Journal of the American Bar Association. I can assure you that is apocryphal in at least one respect; there is no Satan in the Cathedral of St. John Lateran. And now let us return to the saints.

You have had a patron saint since the 14th century. St. Ives was born in Brittany in 1253, died in 1303 and was canonized in 1347. He had the best training offered in his time and spent ten years in the famous schools of Paris where he won high honors in philosophy, theology and canon law and then studied civil law under a celebrated jurist. Legal historians are aware that in those days canon and civil law went hand in hand. St. Ives was judge of an ecclesiastical court and also pleaded for his clients in other courts. He championed the cause of the down trodden and became known as "the poor man's advocate". He helped the poor with their expenses and prevented many costly and unnecessary law suits. Later in life he was ordained priest and after resigning his legal office devoted the last fifteen years of his life to his parishioners. His love of justice and his love for the poor made him the saint he was and he was canonized 34 years after his death.

Your other patron is St. Thomas More, Lord Chancellor of England, born in 1478, died in 1535, canonized in 1935. Because he was brilliant and successful in law and Lord Chancellor of England, he is invoked as patron by lawyers throughout the English speaking world. As author, scholar, statesman and martyr for conscience's sake he ranks among the great of the world. It has been said that he could have attained the honors of canonization, had he never met his death as he did. He was always a holy man as we can learn when he prays so quaintly and so beautifully: "Give me, good Lord, a longing to be with thee; not for the avoiding of the calamities of this wicked world, nor so much for the avoiding of the pains of Purgatory, nor of the pains of Hell neither, nor so much for the attaining of the joys of Heaven in respect of mine own commodity, as even for a love of thee." This soul stirring expression of the love of God which is the secret and the very essence of holiness comes from a man who lived not in the cloister but in home and family, who moved among royalty, among scholars and lawyers in tribunals and council chambers. We have just read a prayer by St. Thomas More and now permit me to close by reading a prayer to St. Thomas More:

"St. Thomas More, be our advocate and counsel before the Divine tribunal that alone is without error. Bespeak for us the wisdom to apply the precepts of God's eternal law to the problems of our daily practice. Intercede for us that we may emulate the sense of humor which made your heart echo with the mirth of heaven. Pray that we may spurn false oaths and live, as you did, faithful to our trust as members of the Bar, even though by doing so we may be called upon to sacrifice our lives as you sacrificed yours. These things seek for us through the merits of Jesus Christ, Our Lord, Amen."

VETERANS' BENEFITS

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. Hathaway] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HATHAWAY. Mr. Speaker, "From Maine to California" is a phrase we often hear when someone wishes to encompass the scope of any particular project that applies to the entire Nation. I am going to use the phrase today in connection with the outstanding support the press of this Nation has given in response to the President's special message on veterans' benefits.

It was indeed gratifying to see this tremendous response to the request for the Congress to grant full rights and benefits to the fighting men of this Nation now engaged in the battles in Vietnam.

I am particularly proud of the fine editorial, which is representative of those written throughout the Nation, printed in the Lewiston Daily Sun, Lewiston, Maine, February 2, 1967:

Vietnam Veterans' Benefits

The fighting in Vietnam officially is not a war. There has been no declaration of war and the American servicemen in South Vietnam are there to implement a policy of aiding that country defend its freedom.

But for the young Americans in the jungles, swamps and rice paddies of Southeast Asia, the political niceties of the matter have little meaning. They are fighting a dirty, difficult war against an enemy who can lay down a deadly barrage one moment, then fade into the jungles, or disappear among the villagers, the next.

Even though the fighting officially is not a war, our men are dying, others are being maimed, and all are risking the supreme sacrifice in answer to the call of our country. Their contribution is no less than if Congress had declared a state of war. It may even be more.

The facts of the situation fully support the request President Johnson has made to Congress to make government benefits for veterans of Vietnam equal to those given to American fighting men of World War II and the Korean Conflict.

The President wants to assure that "every returning veteran may attain a better education and a job." Surely, that is the very least which a great nation can do to show its gratitude to the men who have borne the weight of the burden of war and who have made the greatest sacrifices.

Benefits to returning veterans are far more than a token of appreciation. Essentially, they are an investment in the future of these men and of that of America. Each man who gets a better education and thereby qualifies for a better job will make that much greater contribution to society in the years ahead.

INCREASED GASOLINE PRICES

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. Friedel] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FRIEDEL. Mr. Speaker, I am sure many of my colleagues share my concern regarding the recent increase in the price of gasoline announced by 10 major oil companies. Although the administration has tried to effect a price rollback, it appears that the public will be required to pay more for gasoline unless some more drastic action is taken.

If these companies do not heed the requests of the Federal Government, it may be necessary for the Congress to consider legislation to regulate the price of gasoline in the same manner now used to regulate the price of power.

In this connection I commend our very able speaker of the Maryland House of Delegates, the Honorable Marvin Mandel, for his efforts to keep down the cost of gasoline. Speaker Mandel plans to introduce legislation to permit the State of Maryland to accomplish this by regulating wholesale and distribution prices of gasoline in much the same way as the State of New York now regulates the price of liquor. Last week the News-American carried a very interesting story on this proposal and I include it at this point in the Record for consideration by my colleagues:

Bill Seeks Gasoline Cost Curb

(By Frank DeFilippo)

Annapolis, Feb. 15—House Speaker Marvin Mandel (D., Fifth) irked by the sudden increase in gasoline prices, said today he will introduce legislation to keep down the retail cost by regulating wholesale and distribution prices.

> Mandel said his plan for controlling the first and second level prices would be patterned after New York's liquor affirmation law, a method of government price setting that has been validated by the U.S. Supreme Court.
>
> Under that law liquor wholesalers and distributors must file an affidavit with the state, swearing they are charging New York retailers no more for their products than in any other state in the nation.
>
> An identical bill to regulate Maryland's liquor industry has been introduced in the Senate.
>
> By applying the legally recognized principle of affirmation to the petroleum industry, Mandel reasoned he could keep down, or even lower, the retail price of gasoline in Maryland.
>
> For example, if the wholesale price for a gallon of gas before taxes and transportation is 20 cents in Maryland and 18 cents in Louisiana, Maryland wholesalers would have to lower their prices to conform with the Louisiana rate.
>
> "This is where the problem is," Mandel said. "The refiners and wholesalers raise their prices, the distributor raises his price, the dealer ups his price and the motorist has to pay."
>
> Mandel said he has ordered aides to prepare a comparative list of wholesale and distribution gasoline prices in all 50 states as a basis for the bill he intends to introduce.
>
> As if to support Mandel's argument that wholesalers and distributors force up the price of gas, a petroleum industry spokesman said "the distributor can sell to dealers at any price he wants to—it's his gas."
>
> And to illustrate his point, Mandel said "retail liquor prices have dropped considerably in New York" since the affirmation law went into effect. "Everybody is paying less," he said.
>
> The latest penny a gallon increase in gas prices, for instance, was initiated by the refineries.
>
> They announced that of the penny they would take 25 percent, and suggested that the distributors increase their prices 35 percent and the retailers take the remaining 40 percent.
>
> The primary target of Mandel's legislation presumably would be what the petroleum industry describes as "integrated companies" —those corporations that, through subsidiaries refine, wholesale and distribute their own product to service stations they own but lease to dealers.

Mr. Speaker, many thousands of our citizens are required to use their cars for transportation to and from work, therefore, we must consider gasoline as a necessity. Certainly if we can find a way to regulate the price of liquor we must find a way to hold down the cost of gasoline, which is far more essential. This is particularly true for those who have no other means of transportation.

Mr. Speaker, I do not like to see more Government regulation any more than anyone else but I feel that this problem is serious enough to require legislation by the State or the Federal Government, unless the oil companies agree to a rollback in prices now.

SBA LOANS

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. Friedel] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FRIEDEL. Mr. Speaker, the Small Business Administration makes long-term loans to aid owners of small firms who are unable to get necessary credit from a bank. The majority of SBA's loans are made with bank participation.

It is SBA's view that Government financing of business should supplement and bolster the role of the commercial banks and not compete with them. It is the SBA's policy to try to obtain bank participation for all of its loans. It does not make a direct loan until it has exhausted its efforts to obtain bank participation.

However, sometimes assistance from banks cannot be obtained. SBA then makes every effort to provide the needed assistance to help a small firm.

I am pleased that among recipients of SBA loans are minority group persons who often do not have a source of private credit available to them. One such loan was made by SBA's Baltimore regional office on December 3, 1963, in the amount of $100,000. The loan was made to two Negroes, partners in a Baltimore funeral parlor.

The partners started in the funeral home business 11 years ago when they purchased a small establishment operating out of an antiquated office at 916 Pennsylvania Avenue. These two gentlemen are Leroy Dyett, president of the firm, and his partner, James A. Morton, secretary-treasurer. Their firm is Morton & Dyett Funeral Homes, Inc.

Messrs. Dyett and Morton made improvements in their business over the years. In 1963 they decided to construct a new, modern, fully equipped funeral home. They came to the SBA for financial assistance and received a $100,000 loan.

This firm has made excellent progress since their new building was constructed at 1701 Laurens Street. Their number of employees has increased from four to 10 and their net profits have been steadily growing.

I congratulate the Small Business Administration for making this loan to these reputable businessmen. Their funeral home is an asset to the city of Baltimore.

CONSUMER PROTECTION

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. Smith] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SMITH of Iowa. Mr. Speaker, the American consumer should applaud the request of President Johnson to modernize the inspection programs, which protect this Nation's meat supply.

This is a vital consumer service, which—over the past 60 years—has assured Americans of wholesome, unadulterated, and truthfully labeled and packaged meat and meat products from those plants which are properly inspected. Its importance to the health and welfare of the American public can be measured by the fact that it is one of the first consumer protection statutes enacted by the Federal Government.

Its importance, however, reaches far beyond consumer protection, for it has had a major impact on the production of healthy meat animals and the marketing of meat products.

Federal meat inspectors in the U.S. Department of Agriculture's Consumer and Marketing Service—working in close cooperation with animal health officials—have helped to greatly reduce the incidence of diseases in animals. Many of these diseases are also transmissible from animal to man. Thus, this effort has not only saved the Nation's farmers untold numbers of livestock, but it has also contributed to reducing sickness and death among humans. In recent years, some large plants have been established which avoided selling across State lines in order to avoid Federal meat inspection. This is the only major Federal law which determines jurisdiction by whether their product is sold across State lines. Other laws such as the Taft-Hartley law, are based primarily upon the volume of sales. About 20 percent of the meat slaughtered now is from these federally uninspected plants. Almost no State has had adequate meat inspection and this has encouraged some plants to avoid Federal inspection in order to market meat from diseased animals or to mislabel it.

Federal meat inspection has also helped to build the meat packing industry into a $20 billion enterprise. Consumers everywhere believe they can purchase meats and meat products with complete assurance of their wholesomeness and truthful labeling, even though these products may have been produced and processed 3,000 miles away. This confidence among consumers of the wholesomeness and truthful labeling of meat products has been a major factor in the growth of our dynamic food marketing system.

In addition, Federal meat inspection has helped to open worldwide markets for American meats and meat products. Nearly 1 billion pounds of such products are exported annually, due in part to the confidence which foreign governments have in our Federal meat inspection program.

Yet, nearly 15 percent of our fresh meat supply, and almost a fourth of our processed meat products do not receive this or comparable inspection, which has been so important to our national economy.

Advancing technology, mobility, rapid communication, and food preservation methods have greatly influenced our ability to produce meat products in tremendous volume. The kind of production and processing methods used today were unheard of 60 years ago. Methods have changed and vast expansion has occurred in the industry but the original Meat Inspection Act has not been amended but once since its enactment. Thus, it contains deficiencies which need to be corrected if our meat inspection system is to keep pace with an ever-changing industry.

These changes, I would hope, will be embodied in the Wholesome Meat Act which the President of the United States is proposing. I have introduced legislation in the past three Congresses designed to accomplish this purpose. Last year, the executive department endorsed the proposal but I assume they will also suggest what they believe would be improvements. I look forward with anticipation to the receipt of the President's proposal so that this Congress can move ahead and insure continued consumer protection and economic benefit to the Nation.

FLAG DAY, UNITED STATES OF AMERICA

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. ROONEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ROONEY of Pennsylvania. Mr. Speaker, I would like to call the attention of my colleagues to a bill I have introduced today. The purpose of this bill is to recognize as a national holiday the 14th day of June.

It was on that date in 1777 when the Continental Congress officially recognized the Stars and Stripes as our national flag. Although our flag has changed in appearance over the years as the original 13 States increased in number to 50, it has always symbolized a republic founded upon the principles of freedom and dedicated to the ideals of liberty and justice for all.

Each one of us, I am certain, experiences a feeling of pride whenever our eyes focus on the Stars and Stripes. I doubt whether any nation's flag is more readily identified by the citizens of other nations.

While we recognize this flag as the symbol of freedom in our own Nation, citizens of free lands the world over recognize this flag, too, as the symbol of a nation dedicated to the preservation of freedom where it exists throughout the world. As it inspires us, it inspires the people of other lands.

In my district, the Allentown Flag Day Association, Inc., has steadfastly worked since its inception in 1905 to encourage recognition and respect for our flag. Through the courtesy of this organization it was possible today to send to each of my colleagues in the House a small flag to be displayed on his desk. The members of the association made these flags available to call your attention to the legislation I have just introduced.

It seems fitting and right that we set aside 1 day each year for special recognition of the Stars and Stripes—for personal rededication of our lives to the principles on which our great Republic was founded.

On June 14, 1967, we will record in history the 190th anniversary of the Continental Congress' selection of the Stars and Stripes as the flag of our land. Let us also, on June 14, 1967, record in history the enactment of legislation establishing Flag Day as a national holiday.

SOUTHWEST HOUSE FEDERAL CREDIT UNION TYPICAL OF OUTSTANDING OEO ASSISTANCE

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ANNUNZIO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, recently I brought to the attention of the Members of this House that Vice President HUBERT HUMPHREY had become a member of the Southwest House Federal Credit Union, one of 100 credit unions operating in low-income areas with assistance from the Office of Economic Opportunity.

In order to better acquaint my colleagues with the operations of these credit unions, I am including in my remarks a short speech given by Mr. Libert Ehrman, president of the Southwest House Federal Credit Union, at the time Vice President HUMPHREY became a member of that credit union.

Mr. Ehrman points out that the assistance of the Office of Economic Opportunity, headed by the very capable Sargent Shriver, has enabled credit unions in low-income areas to blossom into full poverty fighters. Mr. Ehrman points out that prior to funding by the OEO, assets in Washinton low-income credit unions were less than $15,000 and total membership was about 350. After OEO assistance, which, by the way, went for staff salaries and not for loans, assets of the credit unions climbed to almost a quarter of a million dollars and membership has risen to 5,400. Thus, it can be seen that the program of self-help, rather than a handout, is one of the most effective tools being used by the OEO.

Mr. Vice President, we are glad you are becoming a member of our Southwest House Federal Credit Union. We are part of an old tradition, and we think we are also helping to establish a new tradition. Credit unions first came to the United States in 1909. Then in 1934, the Federal Credit Union Act was passed to "make more available to people of small means credit for provident purposes."

Most of us think of credit unions as being located in organizations where people work. The Office of Economic Opportunity has embarked on a new program. It is, simply stated, to assist in the formation of credit unions in communities where they can help provide for the credit needs of persons of low income.

Already almost 100 of these new low income credit unions have been started. Forty-seven of them are in full operation and have in a very short time established an impressive record. They already have 16,000 members, more than three-quarters of a million dollars in assets and have 9,000 loans outstanding in a face amount of over one million dollars.

The record in Washington is particularly dramatic. Here, prior to funding by OEO, assets were less than $15,000 and total membership was about 350. What has happened since that time? OEO funds have been channeled through the United Planning Organization to 9 credit unions. The funds are used to pay for staff, not for loans. In one short year, assets of these credit unions have climbed to almost one quarter of a million dollars. Membership has risen to 5,400 and they have made loans since their founding of almost one half a million dollars.

Our own credit union which the Vice President will join today, is one of the smallest in Washington, but one with great promise. We have over 300 members and have already made loans of more than $13,000.

This phenomenal rate of growth shows the personal involvement and personal commitment represented by small investments of hard-earned dollars by the residents of the areas in which our credit unions operate. It is the deposits of our members that provide the money for loans. We are, I believe, one of the few true cooperatives in the Community Action Programs. We are characterized to a greater extent than many other community action components by true self help.

In the neighborhoods in which we operate a high proportion of our members have low incomes. We are thus witnessing a situation in which the poor are, in effect, helping the poor. The majority of loans made are small. We have helped families through loans to meet their rent, food and other credit requirements without any direct expenditure for these loans of tax or philanthropic funds.

Through our educational and counselling programs built into our lending operations, we have enabled our members to begin to learn how to stay out of exorbitant-cost credit commitments. We have helped them to achieve a sense of responsibility and personal integrity through the process of repayment of loans they have made. We have helped to inculcate a better understanding of money management which so often goes to the heart of family trouble. We are helping members to whom we make loans to build a better credit standing. In the long run, therefore, they become better customers also for private banking services. Truly, we are establishing a new tradition.

In this new tradition, citizens have contributed much valuable time and effort to the committees and Boards of Directors of our credit unions and members are learning they can achieve benefits in the sensitive financial areas of their lives through joint efforts.

Mr. Vice President, we are happy to welcome you as a member of the Southwest House Federal Credit Union. We hope your participation will set an example for other residents of the Southwest area of Washington and for residents of other areas where the OEO-funded credit unions are operating also to become members and thus to join in the war on poverty. I know of no other activity in which through dividend payments it is possible for our citizens actually to make money while helping the poor.

Thank you.

A DUBIOUS REMEDY

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. WAGGONNER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, this is a red letter day, and I only wish there were some concrete way we could all celebrate the occasion. I refer to the lead editorial in today's issue of the Washington Post, in which, after years of torturous twisting and squirming, hunting for some justification for their policy of forcing integration on the schools of America, the editors have finally given up and admitted that there is no magic "in white faces that makes them indispensable to other children's education."

With what may have been great torture, the Post states that the "whole concept is profoundly wrong."

All I can add, Mr. Speaker, is this: Those of us who have opposed this ridiculousness have been trying to tell you this for the past decade and more. Welcome to the club, Washington Post.

A DUBIOUS REMEDY

Public schools in this country are, unfortunately, more heavily segregated now than in 1954. Segregation by residential pattern is proceeding faster than desegregation by law. The U.S. Civil Rights Commission's latest report, "Racial Isolation in the Public Schools," explains the difficulty clearly enough. But it offers only a very dubious remedy.

Lower class life has traditionally been largely organized by ethnic groups in American cities. Some of the earlier ethnic groups in the slums have positively insisted upon their own schools and segregated institutions even though, in the opinion of some scholars, they have retarded their own economic and social progress by it. The past decade is the first time in the cities' experience that the idea of ethnic concentrations has been subjected to a sustained political challenge. There is not much in the cities' laws or past experience to guide them toward a solution.

The Civil Rights Commission begins with the familiar point that most children in segregated Negro schools do not do as well as most children, white or Negro, in preponderantly white schools. The Commission then reviews several attempts to compensate for segregation by giving Negro schools somewhat more money and attention. The Commission concludes that all of these experiments have failed. The only answer, it argues, is Federal legislation to reduce the proportion of Negroes in any school to a fixed standard, perhaps 50 per cent.

To achieve this ideal, the Commission suggests school pairing, educational parks, and a variety of other familiar expedients. But these devices seem to work best in small cities. They offer little hope to New York, where the slums are great cities in themselves, or to Washington, where more than 90 per cent of the schoolchildren are Negroes and state lines surround them on all sides. The basic concept of a racial balance is not useful in a city like Detroit where many of the white children are from Appalachia and are, as a group, more deprived than the Negroes; or in cities where many of the children, both white and Negro, speak Spanish. To pin all of our national policy to a rule of racial balance alone would be a dangerous oversimplification of the actual needs of minorities.

When exchanges can reasonably be accomplished, they ought to be encouraged. But in many schools, for the present, there is no alternative to large Negro majorities. The Commission has been far too quick to conclude that compensatory programs do not work. On present experience, it can only be said that small, inexpensive programs have little visible effect. The best hope for inner city education now is a sweeping reorganization of the schools to bring in the parents, both as advisers and as students, and to bring in the children at much earlier ages. We must begin with three-year-olds. We must run schools through the summers. We must keep them open until 11 p.m. every night for recreation, adult education and community activities. Until we do these things we cannot say that the inner city school is doomed to failure. The Commission makes the mistake of assuming that there is magic in white faces that makes them indispensable to other children's education. This whole concept is profoundly wrong. It merely offers an easy evasion to the hard truth that the big-city school systems are highly ineffective and require reform on a scale not yet attempted.

SATELLITE COMMUNICATIONS AND GOVERNMENT SAVINGS THROUGH LOWER RATES

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. HOLIFIELD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HOLIFIELD. Mr. Speaker, the Committee on Government Operations, through its Military Operations Subcommittee of which I am chairman, has been conducting studies and investigations of Government plans and programs for satellite communications. We have issued two major reports on this subject. In the first report—House Report No. 178, 89th Congress, first session, submitted to the Congress on March 17, 1965—we strongly recommended that the Department of Defense move ahead to develop its own satellite communications system to serve exacting military requirements. An initial system is now in operation, following the successful launching of 15 communications satellites in near-synchronous orbit. Military communications needs, including those for Vietnam and other southeast Asia points, will be served.

The Department of Defense proposed also to obtain additional communications satellite circuits from the Communications Satellite Corp., generally called Comsat. The Defense Communications Agency, which is the Government contracting agency for this purpose, entered into a contract with Comsat on July 11, 1966, for 30 satellite circuits to provide communications between Hawaii and three designated points in the Far East—Philippines, Japan, and Thailand.

This contract award gave rise to a great controversy concerning the appropriate role of Comsat in dealing with the Government on the one hand and the established international communications carriers on the other. The Government contended that under the Communications Satellite Act of 1962, as an "authorized user" of Comsat's services, it could procure such services directly from the corporation. The international record carriers, such as Western Union International, ITT World Communications, Inc., and RCA Communications, Inc., argued that the Congress intended Comsat to act as a "wholesaler" in providing satellite circuitry. Under this concept, the carriers would lease the circuitry from Comsat and provide communications services at composite rates, whether by use of satellite, cable, or other means, to their customers in Government, industry, and elsewhere.

This issue came before the Federal Communications Commission in Docket No. 16058, the "authorized user" case. The Commission made a ruling on July 20, 1965, which generally supported the industry position, emphasizing that direct dealings between the Government and Comsat for communications services were justified only in unique and exceptional circumstances. A proposed procurement by the National Aeronautics and Space Administration of Comsat communications services in support of the Apollo program was considered by the FCC to be one of the exceptional circumstances. The Department of Defense had commenced negotiations with Comsat before the FCC ruling was issued. Later the U.S. international carriers requested and were given an opportunity to submit competing proposals. DCA decided that the Comsat offer was the one most advantageous to the Government and entered into a contract with Comsat, but prudently included a provision in the contract reserving the right to assign the contract at a later date to one or more of the international carriers.

In view of the military procurement aspects and the complex issues involved, the Military Operations Subcommittee reviewed the proposed procurement arrangements in extensive hearings held in August and September 1966 and submitted a report to the Congress on October 19, 1966—House Report No. 2318, 89th Congress, second session. This report was carefully studied by the Government departments and agencies concerned and their comments and observations were submitted, which we will present in a followup report. At this time, Mr. Speaker, I want to draw the attention of the House to one of the recommendations in House Report No. 2318 and the Department of Defense response to it.

We recommend, in brief, that the Department of Defense should exercise the assignment clause in the contract with Comsat and assign the contract to one or more of the international carriers. These carriers had declared their willingness to make substantial rate reductions in the Pacific area in the event the satellite circuits were channeled through them. The rate reductions would be in the form of a composite rate for all services, including cable as well as satellite. The net result would be substantial savings to the Government, since it depends heavily on existing cable links for communications in the Pacific area. We asked the FCC to make an analysis of the potential savings, and it was in that context that we made our recommendation in House Report No. 2318 of the 89th Congress for an assignment of the contract.

After several months of deliberation, the Department of Defense agreed with our position, as shown in the following letter I received from Secretary McNamara:

FEBRUARY 13, 1967.

Hon. CHET HOLIFIELD,
Chairman, Subcommittee on Military Operations, Committee on Government Operations, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: With your letter of 27 October 1966 you transmitted, for my consideration, a copy of House Report No. 2318 entitled "Government Use of Satellite Communications," prepared by the Military Operations Subcommittee under your direction. This report has been carefully studied by

> my staff and by other appropriate elements of the Department of Defense. I am attaching comments pertaining to those recommendations of the Subcommittee contained in this report which affect activities of the DoD.
>
> With particular reference to the second paragraph of your letter, we have carefully studied the question of assignment to conventional carriers of the Defense Communications Agency's contract with the Communications Satellite Corporation for 30 circuits in the Pacific. This was delineated in your Recommendation No. 6 and further proposed in your letter on the basis of across-the-board rate reductions which would effect net savings to the Department. The Department of Defense intends to assign this contract to one or more of the international record carriers shortly after the initiation of service through the Communications Satellite Corporation. This was stated by the Federal Communications Commission in their Public Notice No. 95477 of 2 February 1967.
>
> You, your Subcommittee and your staff are to be complimented on the comprehensive and objective assessment of this complex subject.
>
> Sincerely,
>
> ROBERT S. MCNAMARA,
> *The Secretary of Defense.*

This assignment of the Comsat contract to the carriers, as we pointed out in House Report No. 2318, has a number of advantages. Comsat will not lose out, since it will lease the satellite capacity to the carriers at the same rate as to the Government. The established carriers will be able to assimilate the new technology into their business operations and, through a composite lowered rate, benefit the Government and other users. These lowered rates may, in turn, encourage foreign communications entities on the "other end of the line" to lower their rates, resulting in still greater savings to the U.S. Government and private customers. The assignment also comports with the sense of the FCC decision in the "authorized user" case.

According to FCC authorizations issued on February 1, 1967, Comsat will make arrangements on a temporary, short-term basis to provide communications services from the 30 satellite circuits to DCA, and after this transitional period, one or more international record carriers selected by DCA will take over the job. The FCC also has clarified its authorized user decision to the extent of recognizing that when direct dealings between the Government and Comsat are necessary in the national interest, the Director of Telecommunications Management in the Executive Office of the President "is the focal point for the judgment of the executive agencies as to the national interest." The FCC decision will not automatically resolve future issues of Comsat-Government dealings, but at least it will help to pinpoint responsibility in the executive branch and enable the Government to speak with one voice.

The basic issue underlying this whole controversy, of course, is the clash of new satellite technology with older forms of international communications, and the implications for lowered rates and better service to all users. Our inquiry was directed to an immediate practical problem involving the Government's proposed use of satellite communications. Our findings and the constructive and cooperative actions of the Government agencies involved—the FCC, DTM, and DOD—all will conduce to a beneficial result. In House Report No. 2318 we cited an initial FCC estimate that for circuits in use in the Pacific area alone, savings of $11.5 million per year would accrue to Government and private users. This savings estimate takes account of prior existing rates, and existing circuits in September 1966, and assumes that foreign telecommunications entities will adopt similar reduced rates.

In addition, as recommended by our committee, the FCC has been talking with the carriers and encouraging them to offer rate reductions in the Atlantic Ocean area. An interim rate reduction, which came since our hearings, already has been put into effect, lowering the Atlantic rate for alternate voice-data from $8,000 to $6,500 a month per circuit, or an immediate, prospective saving to the Government alone of $720,000 per year. The total of these two savings factors—for the Atlantic and Pacific—right now is $12.2 million a year, or $122 million on a 10-year basis. Further reductions are likely when new ground station facilities come into use and when a new Comsat satellite is orbited for use over the Atlantic. We intend to ask the FCC to make another analysis of the savings expected to result from the rate reductions which the carriers announced in the course of our hearings and subsequently, and which will benefit the Government as well as private users.

Mr. Speaker, it is evident that the rate approach of the carriers, endorsed and encouraged through our Committee hearings and reports, will offer very substantial benefits to all users on a worldwide basis and will permit an orderly and economical transition to satellite communications as new circuitry and expanded capacity become available. A new basis is being established for the economic use of satellite communications, particularly by the U.S. Government. The assignment of the 30 circuits by the Department of Defense to the international carriers, working cooperatively with Comsat and the carriers, is a first good step in this direction.

DISCRIMINATION IN EMPLOYMENT

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. RESNICK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. RESNICK. Mr. Speaker, the right to a job on a nondiscriminatory basis is, perhaps, the most significant civil right in our society today. Discrimination in employment destroys individuals and is also costly to the Nation as a whole. Underutilization of the Nation's manpower resources prevents the attainment of full national productivity and economic growth. The continuing progress of our democratic society depends on the full employment of all talents and abilities, the full use of every individual's skills.

Unfortunately, job discrimination continues to exist in almost every type of employment and in every area of the country. It ranges in degree from bald refusals to hire members of minority groups to more subtle forms of discrimination. Frequently it manifests itself in relegation to traditional positions and in discriminatory promotion practices. And, of course, the maxim, "last hired, first fired," is especially applicable to members of the minority groups.

Legislation is essential to bolster enforcement of the present Federal law against discrimination and hasten the day when people are employed on the basis of their ability rather than on irrelevant factors fed by prejudice.

Although I consider equal employment as of primary importance as a foundation stone for opportunity—providing a means for obtaining adequate housing, better schooling, a voice in government, and the other nice things of life—I am equally concerned with the other elements of the program proposed by the President. Jury reform and improvement is essential, fair housing is a must, and Federal protection against racial violence is long overdue.

I look forward with anticipation to the text of the President's proposals and their early consideration by the Congress.

A WARNING TO ECUADOR

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. VAN DEERLIN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. VAN DEERLIN. Mr. Speaker, the highhanded action of Latin-American governments in illegally seizing American fishing vessels in international waters brings a rising tide of indignation to this country.

The latest in a series of such seizures took place last week when three American tuna boats, manned by American seamen, were forced into an Ecuadoran port and fined a total of more than $26,000 before being released. This act of force is in direct violation of American policy recognizing the freedom of the seas. The smoldering resentment of the fishermen, their compatriots and families, indeed of every freedom-loving American comes ever closer to flaring into a flame of anger that will call for, nay demand, vigorous action by our Government to protect our seamen engaged in lawful activity. The extortion of thousands of dollars from American companies by illegal force on the part of Ecuador and other South American nations makes me wonder if these nations have forgotten the immortal words of Charles Coatsworth Pinkney:

> Millions for defense, but not one cent for tribute.

Indeed, I sometimes wonder if we ourselves have not forgot, or lost something of the indomitable spirit which prompted this ringing declaration.

There is bitter irony in the fact that

the very gunboats used by Ecuador to exact tribute from our seamen are gunboats formerly owned by the American Navy and supplied to Ecuador as a goodwill gesture by the United States. In last week's incident, it was the *Guayaquil,* a former U.S. Navy patrol boat delivered some 2 years ago to Ecuador, which forced the three American ships to sail into an Ecuadorian port and submit to fines. It serves but little to palliate the anger of seamen driven into port under the guns of a Navy vessel to know that Ecuadorian actions are in direct violation of the agreed purpose under which the vessel was made available to Ecuador.

The fact that this purpose has been repeatedly violated not only justifies, but makes imperative, action by this country to give to our citizens engaged in lawful pursuits the protection to which they are entitled.

The State Department has made strong representations to Ecuador concerning the illegal harassment of our seamen. The Ecuadorian Government should be informed that unless such harassment ceases we will be forced to review our policy of making available replacement parts for materiel furnished to their country, and to ponder seriously the advisability of making any such materiel available to them at all in the future.

In this connection, the foreign aid bill will shortly be the subject of debate in the House, and I am certain that the matter of aid to Latin American nations will be the subject of close attention.

It is my earnest hope that the Government of Ecuador, and the governments of other nations inclined to condone the illegal harassment of American seamen will take note of the strong resentment being fostered among their historic friends in this country.

FATHER VINCENT J. KILPATRICK

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. HANLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HANLEY. Mr. Speaker, in these days of international crisis, we owe a continuing debt of gratitude to those who serve on the battlefront. Not the least of these figures are the heroic chaplains, ever present, always persevering, who stand beside our valiant men.

One of these men, Father Vincent J. Kilpatrick, happens to be a very good friend of mine.

Last July, while serving in Vietnam, Father Kilpatrick was awarded the Silver Star Medal for bravery in action. So that the faith and strength of this truly gallant American will serve as an inspiration to all of us, I am offering for inclusion into the RECORD the citation presented to Father Kilpatrick last December.

Mr. Speaker, it is the tireless, selfless Father Kilpatricks who have consoled our men in battle since the dawn of the Republic. Who knows how many shattered nerves have been calmed by their presence. Who can say how influential their guidance was in America's constant quest for peace. "Tell it to the Padre" became one of the most famous military idioms during World War II, and the force and effect of that statement remains even today.

Mr. Speaker, I submit Father Kilpatrick's citation for the benefit of all my colleagues here in the House:

HEADQUARTERS 1ST INFANTRY DIVISION,
APO San Francisco, December 9, 1966.
General Orders No. 3778

AWARD OF THE SILVER STAR MEDAL

1. TC 320. The following AWARD is announced.

KILPATRICK, VINCENT J. 0272806, Chaplain (Major) United States Army Headquarters and Headquarters Battery 1st Infantry Division Artillery.

Awarded: Silver Star Medal.
Effective month: December 1966.
Date of action: July 9, 1966.
Theater: Republic of Vietnam.

Reason: For gallantry in action against a hostile force: On this date, Chaplain Kilpatrick voluntarily accompanied an armored cavalry squadron participating in an operation in Viet Cong infested territory. The unit suddenly engaged a large insurgent force on the Minh Than road. Throughout the ensuing battle, Chaplain Kilpatrick selflessly chose to place himself in positions where he could provide maximum assistance to the soldiers in combat. Without regard for his personal safety, Chaplain Kilpatrick tirelessly moved through intense hostile small arms, mortar, and recoilless rifle fire to bring guidance and comfort to the living and to administer last rites to the dying. His stoic figure amongst the devastation around him brought solace to the embattled troops, and his courage and faith inspired each soldier to fight with renewed determination. The extraordinary dedication displayed by Chaplain Kilpatrick as he steadfastly answered the needs of his men was a significant contribution to the success with which they defied the overwhelming hostile fire and completely routed the hostile force. Chaplain Kilpatrick's unquestionable valor in close combat against numerically superior hostile forces is in keeping with the finest traditions of the military service and reflects great credit upon himself, the 1st Infantry Division, and the United States Army.

Authority: By direction of the President, as established by an Act of Congress, 9 July 1918 and USARV Message 16695.

For the Commander:
EDWARD B. KITCHENS, Jr.,
Colonel, GS, Chief of Staff.

Official:
JOHN F. PADULA, Jr.,
Major, AGC, Assistant Adjutant General.

AID FOR A MENTALLY RETARDED DEPENDENT

Mr. KAZEN. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. TUNNEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. TUNNEY. Mr. Speaker, I am introducing legislation which would amend the Internal Revenue Code of 1954 to provide that the cost of maintaining a retarded child in a professionally qualified custodial institution shall be deductible as a medical expense.

Families with retarded children face severe financial difficulties and amounts paid for the maintenance of this child at home or at an institution should be considered a medical expense.

Approximately 3 percent or 6 million Americans are retarded in various ways. Medical, social, and educational progress is being made in the area of retardation. However, rehabilitation is costly, and families who have a retarded child must be aided as much as possible in order to insure that retarded children are properly cared for. With adequate care a retarded child has an excellent chance of living a useful and productive life.

I hope that the Congress will act favorably on this legislation as soon as possible.

ARAB REFUGEES REGISTERED FOR RELIEF

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. FARBSTEIN] is recognized for 20 minutes.

Mr. FARBSTEIN. Mr. Speaker, I am today introducing a resolution recommending that the President take steps to assure that the United Nations Relief and Works Agency be required to rectify the rolls of Arab refugees registered for relief. This resolution covers two important refugee areas: rations and general relief roll benefits.

First, I believe it is in our national interest to require that all ration cards for Arab refugees be canceled at once and that new cards be issued based upon a legitimate current census of bona fide refugees. I do this because these cards have become an instrument of unconscionable abuse. It has been acknowledged that births are always registered for ration purposes but deaths are often concealed so that the family may continue to collect rations. It has been also established that these rations help to support Arabs whose sole activity is to stir up trouble in Israel, particularly the Palestine Liberation Army. There is major traffic in ration cards, the profits of which go to no good purpose. My resolution will require that new cards be issued only to those who are bona fide refugees and who are not employed in acts which endanger the peace.

Second, it has been established that more than a half million Arabs maintain registered refugee status though they are holding down jobs and no longer live as refugees, thus benefiting from supplemental refugee relief.

I will seek to attach this resolution as a condition to whatever aid we shall give this year to the support of these refugees. The United States has paid some 70 percent of the total cost of the Arab refugee program. We have the right to insist that our funds be spent honestly and in pursuit of peace.

H. RES. 264

Whereas tension in the Middle East will not subside nor conflict cease until the Arab refugee problem is solved, in a realistic and constructive manner; and

Whereas the United Nations Relief and Works Agency (UNRWA), a United Nations agency which has thus far received a total of $535,397,505 of international financing, approximately 70 percent of which came from the United States, has in fact become a major force for the perpetuation of the present state of affairs; and

Whereas the United Nations Relief and Works Agency has failed to fulfill its major aim of the refugees' economic integration through constructive work projects, and has become a mere relief agency; and

Whereas there is no foundation for the United Nations Relief and Works Agency leadership's contention that the great majority of refugees are unemployable and thus constructive work projects are bound to fail; and

Whereas the United Nations Relief and Works Agency's admittedly grossly inflated relief rolls artificially magnify the actual number of Arab refugees and the scope of the refugee problem; and

Whereas ration cards issued by the United Nations Relief and Works Agency have become chattels for sale, pawning or bargaining for many Arabs, whether refugees or not; and

Whereas attempts to rectify the existing relief rolls have thus far failed because of the Arab government's refusal to cooperate; and

Whereas it has been established that half-a-million Arab refugees now have jobs, live reasonably normal lives outside the camps and should be removed from the rolls of the United Nations Relief and Works Agency; and

Whereas the policies of the United Nations Relief and Works Agency are unduly influenced by its large Arab staff, making it a source of support for the recruits of the so-called Palestine Liberation Army, bent on launching a war of aggression against a United Nations member state; and

Whereas the perpetuation of this state of affairs serves the design of certain Arab governments who are exploiting the refugees' plight for a mounting anti-Israel crusade; and

Whereas continuation of the present assistance program would require an increase of $1.5 million for the year 1967 and similar increases in subsequent years; and

Whereas this state of affairs cannot be permitted to continue: Now therefore be it

Resolved, That the House of Representatives recommends that the President take such steps as may be necessary, through the United States delegation to the United Nations, to assure that the United Nations Relief and Works Agency is directed to rectify the Arab refugee rolls and cancel all refugee ration cards issued by it and outstanding as of January 1, 1968, and to issue new ration cards to bona fide refugees not employed in acts which endanger the peace based upon a legitimate current census of refugee needs.

A REDWOOD NATIONAL PARK WORTH FIGHTING FOR

The SPEAKER pro tempore. Under previous order of the House, the gentleman from California [Mr. Cohelan], is recognized for 10 minutes.

Mr. COHELAN. Mr. Speaker, a thoughtful and timely editorial in yesterday's New York Times, entitled "Big Trees, Small Plans" speaks pointedly to one of the most important issues involved in creating a Redwood National Park.

The Times has quite appropriately described the administration's proposal of a year ago as "some rather small plans for saving the world's tallest trees." Unfortunately, there is little indication that the administration is planning to do much to improve them this year.

The Mill Creek site, which apparently will once again be the basis for the administration's plan, is not nearly as desirable as the 90,000-acre park at Redwood Creek, which some 35 of our colleagues have joined me in sponsoring.

The Mill Creek site does not represent the basis for a "sound plan," the Times notes, "because most of the trees worth saving are already protected in two existing State parks. Except for 7,000 acres of pure first-growth redwoods adjoining one of these parks, the lands to be purchased in Mill Creek have been extensively logged. As a result, the trees are second growth and smaller, and there is a considerable mixture of other trees. Mill Creek is valuable as the watershed for the existing State parks, but otherwise it is not really of national park quality."

The critical area, as the Times quite correctly points out, "is Redwood Creek Valley. It is not now protected in any way. It constitutes an adequate watershed. And it has by far the best trees, many 300 feet high and 2,000 years old. This is a plan scaled to the grandeur of the redwoods; this is a national park worth fighting for."

Mr. Speaker, there is still time for all who support the idea of a Redwood National Park to unite behind a plan that is truly worthy of the great resource we are trying to preserve for future generations of Americans. I include the entire text of this excellent editorial from the New York Times as a blueprint for that plan.

The editorial follows:

[From the New York Times, Feb. 19, 1967.]

BIG TREES, SMALL PLANS

President Johnson has accurately described a redwoods national park as a "last chance" conservation opportunity. As he pointed out in his message on natural resources. "If we do not act promptly, we may lose for all time the magnificent redwoods of Northern California."

The Administration, however, is preparing some rather small plans for the world's tallest trees. The Interior Department is still laboring over minor revisions of the bill it supported last year. That bill would create a small park in Mill Creek. It is not a sound plan because most of the trees worth saving are already protected in two existing state parks.

Except for 7,000 acres of pure first-growth redwoods adjoining one of these parks, the lands to be purchased in Mill Creek have been extensively logged. As a result, the trees are second-growth and smaller, and there is a considerable admixture of other trees. Mill Creek is valuable as the watershed for the existing state parks, but otherwise it is not really of national park quality.

The critical area is Redwood Creek Valley. It is not now protected in any way. It constitutes an adequate watershed. And it has by far the best trees, many 300 feet high and 2,000 years old. There are five times as many virgin redwoods in Redwood Creek as in Mill Creek. For $150 to $200 million, approximately three times the cost of the Administration proposal, a magnificent, 90,000-acre national park embracing Redwood Creek Valley could be acquired. This is a plan scaled to the grandeur of the redwoods; this is a national park worth fighting for.

It is unfortunate that President Johnson, Secretary of the Interior Udall and organizations such as the Save-the-Redwoods League are not where they belong—in the front line of the struggle to establish a comprehensive redwoods national park.

Their self-defeating efforts to appease the lumber companies by excluding most of Redwood Creek Valley may fail if Governor Reagan of California, who has already obtained a three-month moratorium on action by Congress, decides to propose an even smaller park than they envisage. In view of this possibility, Senator Kuchel of California and other conservation-minded Congressmen who have gone along with the inadequate Mill Creek plan in the past have an obligation to re-examine their position.

The redwood lumber industry is certain to be united in opposition to any comprehensive park proposal. If these extraordinary trees are not to be sawed into fenceposts, those who believe in saving the nation's heritage will have to be equally united and determined.

PERSONAL ANNOUNCEMENT

Mr. MATSUNAGA. Mr. Speaker, on the rollcall vote on H.R. 2, I happened to be detained at the doctor's office. If I were present, I would have voted "yea." I wish that explanation to appear in the Record.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as to:

Mr. Kee (at the request of Mr. Hechler of West Virginia), for today, on account of illness.

Mr. Helstoski (at the request of Mr. Galifianakis), for today, on account of official business.

Mr. Baring (at the request of Mr. Annunzio), for the balance of the week, on account of official business.

Mr. Hagan (at the request of Mr. Albert), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Halpern (at the request of Mr. Carter), for 15 minutes, on February 21; and to revise and extend his remarks and include extraneous material.

Mr. Ashbrook (at the request of Mr. Carter), for 15 minutes, today; and to revise and extend his remarks and include extraneous material.

Mr. Pelly (at the request of Mr. Carter), for 30 minutes, on February 23; and to revise and extend his remarks and include extraneous material.

Mr. Denney (at the request of Mr. Carter), for 10 minutes, on February 23; and to revise and extend his remarks and include extraneous material.

Mr. Kupferman (at the request of Mr. Carter), for 1 hour, on March 9; and to revise and extend his remarks and include extraneous material.

Mr. Farbstein (at the request of Mr. Kazen), for 20 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. Cohelan (at the request of Mr. Kazen), for 10 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. FRASER (at the request of Mr. KAZEN), for 60 minutes, on February 22; to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. CUNNINGHAM.

(The following Members (at the request of Mr. CARTER) and to include extraneous matter:)

Mr. WYATT.

Mr. REINECKE.

(The following Members (at the request of Mr. KAZEN) and to include extraneous matter:)

Mr. FRASER.

Mr. WOLFF in two instances.

ADJOURNMENT

Mr. KAZEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 25 minutes p.m.), the House adjourned until tomorrow, February 21, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

392. A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting a notification of the location, nature, and estimated cost of one additional armory project proposed to be undertaken for the Army National Guard, pursuant to the provisions of 10 U.S.C. 2233a(1); to the Committee on Armed Services.

393. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to provide that a judgment or decree of the U.S. District Court for the District of Columbia shall not constitute a lien until filed and recorded in the office of the Recorder of Deeds of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

394. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of proposed legislation to authorize project grants for construction and modernization of hospitals and other medical facilities in the District of Columbia; to the Committee on the District of Columbia.

395. A letter from the Secretary of Labor, transmitting a draft of proposed legislation to provide for a "Welfare and Pension Plan Protection Act of 1967"; to the Committee on Education and Labor.

396. A letter from the Assistant Secretary for Congressional Relations, Department of State, transmitting a draft of proposed legislation to amend the Northwest Atlantic Fisheries Act of 1950 (Public Law 81–845); to the Committee on Foreign Affairs.

397. A letter from the Acting Secretary, Department of Health, Education, and Welfare, transmitting a report on disposal of excess property in foreign countries, during the calendar year 1966, pursuant to the provisions of the Federal Property and Administrative Services Act of 1949; to the Committee on Government Operations.

398. A letter from the Secretary of the Interior, transmitting the report of the Office of Coal Research, for the year 1966, pursuant to the provisions of Public Law 86–599; to the Committee on Interior and Insular Affairs.

399. A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to authorize the construction, operation, and maintenance of the Central Arizona project, Arizona-New Mexico, and for other purposes; to the Committee on Interior and Insular Affairs.

400. A letter from the Chairman, U.S. Commission on Civil Rights, transmitting a report on racial isolation in the public schools, pursuant to the President's request of November 17, 1965; to the Committee on the Judiciary.

401. A letter from the Acting Attorney General, transmitting a draft of proposed legislation to assure nondiscrimination in Federal and State jury selection and service, to provide relief against discriminatory employment and housing practices, to prescribe penalties for certain acts of violence or intimidation, to extend the life of the U.S. Commission on Civil Rights, and for other purposes; to the Committee on the Judiciary.

402. A letter from the Administrator, Agency for International Development, Department of State, transmitting a draft of proposed legislation to promote the foreign policy, security, and general welfare of the United States by assisting peoples of the world to achieve economic development within the framework of democratic economic, social, and political institutions, and for other purposes; to the Committee on Foreign Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PEPPER: Committee on Rules. House Resolution 34. Resolution to authorize the Committee on Interior and Insular Affairs to make investigations into any matter within its jurisdiction, and for other purposes; with amendments (Rept. No. 20). Referred to the House Calendar.

Mr. ANDERSON of Tennessee: Committee on Rules. House Resolution 101. Resolution to authorize the Committee on Veterans' Affairs to conduct an investigation and study with respect to certain matters within its jurisdiction; with amendments (Rept. No. 21). Referred to the House Calendar.

Mr. BOLLING: Committee on Rules. House Resolution 110. Resolution to amend the Rules of the House of Representatives with respect to the location of activities of the Committee on Government Operations; with amendments (Rept. No. 22). Referred to the House Calendar.

Mr. BOLLING: Committee on Rules. House Resolution 218. Resolution authorizing the Committee on Education and Labor to conduct certain studies and investigations coming within its committee; with amendments (Rept. No. 23). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR:

H.R. 5699. A bill to amend the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. CELLER:

H.R. 5700. A bill to assure nondiscrimination in Federal and State jury selection and service, to provide relief against discriminatory employment and housing practices, to prescribe penalties for certain acts of violence or intimidation, to extend the life of the U.S. Commission on Civil Rights, and for other purposes; to the Committee on the Judiciary.

By Mr. ABBITT:

H.R. 5701. A bill to authorize the lease of burley tobacco acreage allotments; to the Committee on Agriculture.

H.R. 5702. A bill to remove the 5-acre limitation on the amount of tobacco allotment acreage which may be leased; to the Committee on Agriculture.

By Mr. BATTIN:

H.R. 5703. A bill to define and declare exempt, income of Indians, and to permit Indians who are holders of beneficial interests of tribal lands or under patents of allotted and restricted lands, whether by original allotment, by inheritance, or as lessee of tribal or allotted and restricted Indian lands, to secure refunds of income taxes paid to the United States, on income from such lands which are exempt from Federal income tax; to the Committee on Ways and Means.

H.R. 5704. A bill to grant minerals, including oil, gas, and other natural deposits, on certain lands in the Northern Cheyenne Indian Reservation, Mont., to certain Indians, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 5705. A bill to grant minerals, including oil and gas, on certain lands in the Crow Indian Reservation, Mont., to certain Indians, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 5706. A bill to provide compensation to the Crow Tribe of Indians, Montana, for certain lands, for the validation of titles to those lands, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 5707. A bill to provide for the expansion of the Custer Battlefield National Cemetery; to the Committee on Interior and Insular Affairs.

By Mr. BOLAND:

H.R. 5708. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BROYHILL of Virginia:

H.R. 5709. A bill to amend the District of Columbia Teachers' Leave Act of 1949 to remove certain limitations, and for other purposes; to the Committee on the District of Columbia.

By Mr. MILLS:

H.R. 5710. A bill to amend the Social Security Act to provide an increase in benefits under the Old-Age, Survivors, and Disability Insurance System, to provide benefits for additional categories of individuals, to provide health insurance to the disabled, to improve the public assistance programs and programs relating to the welfare and health of children, to revise the income tax treatments of the aged, and for other purposes; to the Committee on Ways and Means.

By Mr. BROYHILL of Virginia:

H.R. 5711. A bill to provide that a District of Columbia public school teacher may retire on a full annuity at age 55 after 30 years of service or at age 60 after 20 years of service, and for other purposes; to the Committee on the District of Columbia.

By Mr. DENT:

H.R. 5712. A bill to promote and foster the development of a modern merchant marine by encouraging the orderly replacement and modernization of merchant vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. DONOHUE:

H.R. 5713. A bill to amend section 2401 of title 28, United States Code, to extend the time for filing tort actions by persons under the age of 21, or insane or mentally ill, or imprisoned on a criminal charge; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 5714. A bill to amend title 28, United

States Code, to provide amnesty for first offenders under Federal criminal law, and for other purposes; to the Committee on the Judiciary.

H.R. 5715. A bill to amend the Federal Hazardous Substances Labeling Act to require additional labeling on some types of airplane glue and other products containing certain highly toxic substances; to the Committee on Interstate and Foreign Commerce.

By Mr. FINO:

H.R. 5716. A bill to provide for a study by the Secretary of Labor with respect to establishing a Federal program to attain "portability" of private pension credits; to the Committee on Education and Labor.

By Mr. FULTON of Pennsylvania:

H.R. 5717. A bill to amend the Older Americans Act of 1965 to provide for a National Community Senior Service Corps; to the Committee on Education and Labor.

H.R. 5718. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. FULTON of Tennessee:

H.R. 5719. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

By Mr. GILBERT:

H.R. 5720. A bill to amend title 5, United States Code, to provide additional group life insurance and accidental death and dismemberment insurance for Federal employees, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 5721. A bill to adjust the rates of basic compensation of certain employees of the Federal Government, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 5722. A bill to provide for improved employee-management relations in the Federal service, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 5723. A bill to amend title 5, United States Code, with respect to the determination of average pay for retirement purposes and the computation of retirement annuities, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GUBSER:

H.R. 5724. A bill to amend title 38, United States Code, to provide survivor benefits for military career personnel; to the Committee on Veterans' Affairs.

H.R. 5725. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

By Mr. HANLEY:

H.R. 5726. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. HARRISON:

H.R. 5727. A bill to amend title 38 of the United States Code in order to promote the care and treatment of veterans in State veterans' homes; to the Committee on Veterans' Affairs.

H.R. 5728. A bill to amend title II of the Social Security Act to eliminate the reduction in disability insurance benefits which is presently required in the case of an individual receiving workmen's compensation benefits; to the Committee on Ways and Means.

By Mr. HATHAWAY:

H.R. 5729. A bill to amend title II of the Social Security Act to permit States, under Federal-State agreements, to provide for coverage for hospital insurance benefits for the aged for certain State and local employees whose services are not otherwise covered by the insurance systems established by such title; to the Committee on Ways and Means.

By Mr. JOELSON:

H.R. 5730. A bill to amend the Internal Revenue Code of 1954 to provide an exclusion from gross income of interest on savings deposits; to the Committee on Ways and Means.

H.R. 5731. A bill to amend title 38 of the United States Code to extend, and in some cases revive, eligibility of veterans of the Korean conflict for guaranteed, insured, and direct home, farm, and business loans; to the Committee on Veterans' Affairs.

By Mr. KING of California:

H.R. 5732. A bill to prohibit desecration of the flag; to the Committee on the Judiciary.

By Mr. MORRIS:

H.R. 5733. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

H.R. 5734. A bill to authorize and direct the Secretary of the Interior to conduct a comprehensive program of scientific and engineering research, experiments, tests, and operations for increasing the yield of water from atmospheric sources; to the Committee on Interior and Insular Affairs.

By Mr. MORSE:

H.R. 5735. A bill to amend the Federal Water Pollution Control Act to authorize grants for the maintenance of certain treatment works; to the Committee on Public Works.

By Mr. MURPHY of New York:

H.R. 5736. A bill to amend title V of the Social Security Act so as to extend and improve the Federal-State program of child-welfare services; to the Committee on Ways and Means.

By Mr. NEDZI:

H.R. 5737. A bill to amend title 32, United States Code, to clarify and strengthen the status of National Guard technicians; to the Committee on Armed Services.

H.R. 5738. A bill to amend title 37, United States Code, to authorize travel, transportation, and education allowances to certain members of the uniformed services for dependents' schooling and for other purposes; to the Committee on Armed Services.

By Mr. O'HARA of Michigan:

H.R. 5739. A bill to amend title 32, United States Code, to clarify and strengthen the status of National Guard technicians; to the Committee on Armed Services.

By Mr. OTTINGER:

H.R. 5740. A bill to amend title XVIII of the Social Security Act to provide that services furnished by a Federal hospital may be covered under the program of hospital insurance benefits for the aged in cases where there is a critical lack of space in the other hospitals in the area, and to permit the provision under such program of emergency hospital services by military hospitals overseas; to the Committee on Ways and Means.

By Mr. PERKINS:

H.R. 5741. A bill to enact the Welfare and Pension Plans Act; to the Committee on Education and Labor.

By Mr. PRICE of Texas:

H.R. 5742. A bill to amend the veterans' educational assistance program of title 38 of the United States Code so as to increase the amount of educational assistance allowances payable to veterans to include flight training in such program, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 5743. A bill to amend title 38 of the United States Code in order to increase the rates of pension payable to certain veterans and their widows, to provide additional readjustment assistance for veterans of service after January 31, 1955, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. RHODES of Arizona:

H.R. 5744. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. ROONEY of Pennsylvania:

H.R. 5745. A bill to provide that Flag Day shall be a legal public holiday; to the Committee on the Judiciary.

By Mr. ST. ONGE:

H.R. 5746. A bill to promote and foster the development of a modern merchant marine by encouraging the orderly replacement and modernization of merchant vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 5747. A bill to amend the Merchant Marine Act, 1936, as amended, by inserting a new title X to authorize aid in developing, constructing, and operating privately owned nuclear-powered merchant ships; to the Committee on Merchant Marine and Fisheries.

H.R. 5748. A bill to amend section 209 of the Merchant Marine Act, 1936, so as to require future authorization of funds for certain programs of the Maritime Administration; to the Committee on Merchant Marine and Fisheries.

H.R. 5749. A bill to grant the masters of certain U.S. vessels a lien on those vessels for their wages and for certain disbursements; to the Committee on Merchant Marine and Fisheries.

By Mr. SCHEUER:

H.R. 5750. A bill to amend title II of the Social Security Act, to liberalize the retirement test, and to provide monthly benefits for certain dependent parents of individuals entitled to old-age or disability insurance benefits; to the Committee on Ways and Means.

H.R. 5751. A bill to amend title XVIII of the Social Security Act to include payment under part A thereof for the costs of hospital inpatient professional services in the field of pathology, radiology, physiatry, and anesthesiology furnished by a hospital or by others under mutually agreeable arrangements between the persons providing such services and the hospital; to the Committee on Ways and Means.

H.R. 5752. A bill to amend title II of the Social Security Act to provide that the entitlement of a beneficiary who dies shall (if he is otherwise qualified) extend through the month of his death; to the Committee on Ways and Means.

H.R. 5753. A bill to provide that disabled individuals entitled to monthly cash benefits under section 223 of the Social Security Act, and individuals retired for disability under the Railroad Retirement Act of 1937, shall be eligible for health insurance benefits under title XVIII of the Social Security Act without regard to their age, and to reduce from $50 to $25 the annual deductible imposed under the supplementary medical insurance program; to the Committee on Ways and Means.

By Mr. WATTS:

H.R. 5754. A bill to amend section 1263 of title 18 of the United States Code to require that interstate shipments of intoxicating liquors be accompanied by bill of lading, or other document, showing certain information in lieu of requiring such to be marked on the package; to the Committee on the Judiciary.

Mr. ANDREWS of North Dakota:

H.R. 5755. A bill to provide for a voluntary wheat certificate program, under which the price of all wheat would be supported at not less than $2 per bushel; to the Committee on Agriculture.

H.R. 5756. A bill to control unfair trade practices affecting producers of agricultural products and associations of such producers, and for other purposes; to the Committee on Agriculture.

By Mr. BOGGS:

H.R. 5757. A bill consenting to an extension and renewal of the interstate compact to conserve oil and gas; to the Committee on Interstate and Foreign Commerce.

By Mr. BOLAND:

H.R. 5758. A bill to amend title V of the

Social Security Act so as to extend and improve the Federal-State program of child-welfare services; to the Committee on Ways and Means.

By Mr. CUNNINGHAM:

H.R. 5759. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. DE LA GARZA:

H.R. 5760. A bill to provide that disabled individuals entitled to monthly cash benefits under section 223 of the Social Security Act (and individuals retired for disability under the Railroad Retirement Act of 1937) shall be eligible for health insurance benefits under title XVIII of the Social Security Act without regard to their age; to the Committee on Ways and Means.

By Mr. DORN (by request):

H.R. 5761. A bill to amend title 38 of the United States Code to restore entitlement benefits on termination of a widow's remarriage; to the Committee on Veterans' Affairs.

By Mr. FRIEDEL:

H.R. 5762. A bill to transfer certain administrative responsibility for the operation of Washington National Airport and Dulles International Airport from the Secretary of Transportation to a Washington Airports Board, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FUQUA:

H.R. 5763. A bill to authorize the Secretary of the Army to pay for the cost of surfacing 1.8 miles of certain access road in Putnam County, Fla.; to the Committee on Public Works.

By Mr. HÉBERT:

H.R. 5764. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. HECHLER of West Virginia:

H.R. 5765. A bill to provide compensation to survivors of local law enforcement officers killed while apprehending persons for committing Federal crimes; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 5766. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a deduction from gross income for expenses paid by him for the education of any of his dependents at an institution of higher learning; to the Committee on Ways and Means.

H.R. 5767. A bill to increase the personal income tax exemption (including the exemptions for dependents and the additional exemptions for old age and blindness) to $1,200 for 1967 and succeeding years; to the Committee on Ways and Means.

By Mr. KARSTEN:

H.R. 5768. A bill to amend the Migratory Bird Conservation Act to provide that no land contained in the national wildlife refuge system shall be sold, transferred for any other use, or otherwise disposed of without the approval of the Migratory Bird Commission, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. KUPFERMAN:

H.R. 5769. A bill to amend the Internal Revenue Code of 1954 to extend the head of household benefits to all unremarried widows and widowers and to all individuals who have attained age 35 and who have never been married or who have been separated or divorced for 1 year or more; to the Committee on Ways and Means.

By Mr. McCARTHY:

H.R. 5770. A bill to achieve the fullest cooperation and coordination of activities among the levels of government in order to improve the operation of our Federal system in an increasingly complex society, to improve the administration of grants-in-aid to the States, to provide for periodic congressional review of Federal grants-in-aid, to permit provision of reimbursable technical services to State and local government, to establish coordinated intergovernmental policy and administration of grants and loans for urban development, to authorize the consolidation of certain grant-in-aid programs, to provide for the acquisition, use, and disposition of land within urban areas by Federal agencies in conformity with local government programs, to establish a uniform relocation assistance policy, to establish a uniform land acquisition policy for Federal and federally aided programs, and for other purposes; to the Committee on Government Operations.

By Mr. McCLORY:

H.R. 5771. A bill to amend the Bankruptcy Act with respect to the use of chapter XIII; to the Committee on the Judiciary.

H.R. 5772. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

H.R. 5773. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. McMILLAN:

H.R. 5774. A bill to control unfair trade practices affecting producers of agricultural products and associations of such producers, and for other purposes; to the Committee on Agriculture.

By Mr. MATHIAS of Maryland:

H.R. 5775. A bill to control unfair trade practices affecting producers of agricultural products and associations of such producers, and for other purposes; to the Committee on Agriculture.

H.R. 5776. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. MATSUNAGA:

H.R. 5777. A bill to amend the veterans' educational assistance program of title 38 of the United States Code so as to increase the amount of educational assistance allowances payable to veterans to include flight training in such program, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 5778. A bill to authorize the Secretary of the Interior to make disposition of geothermal steam and associated geothermal resources, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 5779. A bill to provide for the establishment of the U.S. Academy of Foreign Affairs; to the Committee on Foreign Affairs.

By Mr. MURPHY of New York:

H.R. 5780. A bill to amend the Flammable Fabrics Act to increase the protection afforded consumers against injurious flammable fabrics; to the Committee on Interstate and Foreign Commerce.

By Mr. OLSEN:

H.R. 5781. A bill to authorize indemnity for delayed delivery of registered mail; to the Committee on Post Office and Civil Service.

By Mr. QUIE:

H.R. 5782. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. PHILBIN:

H.R. 5783. A bill to amend titles 10, 14, and 37, United States Code, to provide for confinement and treatment of offenders against the Uniform Code of Military Justice; to the Committee on Armed Services.

H.R. 5784. A bill to authorize the disposal of molybdenum from the national stockpile; to the Committee on Armed Services.

H.R. 5785. A bill to authorize the disposal of magnesium from the national stockpile; to the Committee on Armed Services.

H.R. 5786. A bill to authorize the disposal of nickel from the national stockpile; to the Committee on Armed Services.

H.R. 5787. A bill to authorize the disposal of rare-earth materials from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

H.R. 5788. A bill to authorize the disposal of bismuth from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

H.R. 5789. A bill to authorize the disposal of platinum from the national stockpile and the supplemental stockpile; to the Committee on Armed Services.

By Mr. RIVERS:

H.R. 5790. A bill to amend title 10, United States Code, to permit members of the Armed Forces to accept fellowships, scholarships, or grants offered by a foreign government; to the Committee on Armed Services.

H.R. 5791. A bill to amend section 2306 of title 10, United States Code, to authorize certain contracts for supplies and services to extend beyond 1 year; to the Committee on Armed Services.

By Mr. RONAN:

H.R. 5792. A bill to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health; to the Committee on Interstate and Foreign Commerce.

By Mr. SISK:

H.R. 5793. A bill to amend the Higher Education Facilities Act of 1963, to permit the construction of student health centers; to the Committee on Education and Labor.

H.R. 5794. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. STAFFORD:

H.R. 5795. A bill to provide for a more effective and equitable draft system by amending the Universal Military Training and Service Act; to the Committee on Armed Services.

By Mr. TUNNEY:

H.R. 5796. A bill to amend the Internal Revenue Code of 1954 to provide that the cost of maintaining a retarded child in a professionally qualified custodial institution shall be deductible as a medical expense; to the Committee on Ways and Means.

By Mr. VANIK:

H.R. 5797. A bill to reclassify certain positions in the postal field service, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. WALKER:

H.R. 5798. A bill to provide for a national cemetery at Fort Bayard, N. Mex.; to the Committee on Interior and Insular Affairs.

By Mr. WHITENER:

H.R. 5799. A bill to amend the District of Columbia Uniform Gifts to Minors Act to provide that gifts to minors made under such act may be deposited in savings and loan associations and related institutions, and for other purposes; to the Committee on the District of Columbia.

By Mr. McCARTHY:

H.R. 5800. A bill to strengthen intergovernmental cooperation and the administration of grant-in-aid programs, to extend State and local merit systems to additional programs financed by Federal funds, to provide grants for improvement of State and local personnel administration, to authorize Federal assistance in training State and local employees, to provide grants to State and local governments for training of their employees, to authorize interstate compacts for personnel and training activities, to facilitate the interchange of Federal, State, and local personnel, and for other purposes; to the Committee on Education and Labor.

By Mr. McMILLAN:

H.R. 5801. A bill to amend the Vocational Rehabilitation Act to reduce the amount of matching funds required from the District of Columbia; to the Committee on Education and Labor.

By Mr. NEDZI:

H.R. 5802. A bill creating a commission to be known as the Commission on Noxious and Obscene Matters and Materials; to the Committee on Education and Labor.

By Mr. NELSEN:

H.R. 5803. A bill to amend the Vocational

Rehabilitation Act to reduce the amount of matching funds required from the District of Columbia; to the Committee on Education and Labor.

By Mr. REUSS:

H.R. 5804. A bill to oppose boycotts against friendly countries; to the Committee on Banking and Currency.

By Mr. RYAN:

H.R. 5805. A bill to amend the Export Control Act of 1949; to the Committee on Banking and Currency.

By Mr. SISK:

H.R. 5806. A bill to amend the National School Lunch Act and for other purposes; to the Committee on Education and Labor.

By Mr. ANDREWS of North Dakota:

H.J. Res. 314. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. BUTTON:

H.J. Res. 315. Joint resolution to establish a Joint Committee on Foreign Information and Intelligence; to the Committee on Rules.

By Mr. CUNNINGHAM:

H.J. Res. 316. Joint resolution providing for the establishment of a National Letter Carriers Week; to the Committee on the Judiciary.

By Mr. HOLLAND:

H.J. Res. 317. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. KORNEGAY:

H.J. Res. 318. Joint resolution to establish a Joint Committee on Foreign Information and Intelligence; to the Committee on Rules.

By Mr. MESKILL:

H.J. Res. 319. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

H.J. Res. 320. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. REIFEL:

H.J. Res. 321. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. ROSENTHAL:

H.J. Res. 322. Joint resolution proposing an amendment to the Constitution of the United States granting to citizens of the United States who have attained the age of 18 the right to vote; to the Committee on the Judiciary.

By Mr. SISK:

H.J. Res. 323. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. WALKER:

H.J. Res. 324. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. BOB WILSON:

H.J. Res. 325. Joint resolution to provide that a nuclear aircraft carrier shall be named the *Nimitz;* to the Committee on Armed Services.

By Mr. COWGER:

H. Con. Res. 216. Concurrent resolution extending greetings on the occasion of Kentucky's anniversary; to the Committee on the Judiciary.

By Mr. CUNNINGHAM:

H. Con. Res. 217. Concurrent resolution expressing the sense of the Congress that the imposition of export controls on cattle hides, calf and kip skins, and bovine leather should be rescinded; to the Committee on Banking and Currency.

By Mr. FULTON of Pennsylvania:

H. Con. Res. 218. Concurrent resolution expressing the sense of the Congress with respect to the adoption in the United States of the metric system of weights and measures; to the Committee on Science and Astronautics.

By Mr. MORRIS:

H. Con. Res. 219. Concurrent resolution expressing the sense of the Congress with respect to certain proposed regulations of the Food and Drug Administration relating to the labeling and content of diet foods and diet supplements; to the Committee on Interstate and Foreign Commerce.

By Mr. SNYDER:

H. Con. Res. 220. Concurrent resolution marking the 175th anniversary of the admission of Kentucky to the Union; to the Committee on the Judiciary.

By Mr. WILLIS:

H. Con. Res. 221. Concurrent resolution to print as a House document "How Our Laws Are Made"; to the Committee on House Administration.

By Mr. ZION:

H. Con. Res. 222. Concurrent resolution expressing the sense of Congress that in the interest of peace in Vietnam the Government of the United States should only consider further expansions of trade, educational and cultural exchanges, and other related agreements with the Soviet Union and its East European satellites when there is demonstrable evidence that their actions and policies with regard to Vietnam have been redirected toward peace and an honorable settlement and when there is demonstrable evidence that they have abandoned their policy of support for so-called wars of national liberation; to the Committee on Foreign Affairs.

By Mr. BURKE of Florida:

H. Con. Res. 224. Concurrent resolution expressing the sense of Congress that an order of a Federal court with regard to reapportionment of a State legislature be reconsidered; to the Committee on the Judiciary.

By Mr. BROWN of Ohio:

H. Res. 263. Resolution amending the Rules of the House of Representatives to permit the presentation and recognition in the Hall of the House of holders of the Congressional Medal of Honor, and for other purposes; to the Committee on Rules.

By Mr. FARBSTEIN:

H. Res. 264. Resolution recommending that the President take certain steps to assure that the United Nations Relief and Works Agency will be required to reduce the number of Arab refugees on its relief rolls; to the Committee on Foreign Affairs.

By Mr. FRIEDEL:

H. Res. 265. Resolution amending the provisions of House Resolution 113, 90th Congress, first session, to extend to March 31, 1967, the payment of compensation for certain committee employees; to the Committee on House Administration.

By Mr. MILLS:

H. Res. 266. Resolution to provide funds for necessary expenses of the Committee on Ways and Means; to the Committee on House Administration.

By Mr. OLSEN:

H. Res. 267. Resolution creating a Select Committee on Standards and Conduct; to the Committee on Rules.

By Mr. ROBISON:

H. Res. 268. Resolution creating a Select Committee on Standards and Conduct; to the Committee on Rules.

By Mr. SCHEUER:

H. Res. 269. Resolution authorizing the part-time or temporary employment of not more than two additional employees in the district office of each Member of the House of Representatives and the Resident Commissioner from Puerto Rico; to the Committee on House Administration.

By Mr. HAWKINS:

H. Res. 270. Resolution concerning a code of ethics and rights for the House of Representatives; to the Committee on House Administration.

MEMORIALS

Under clause 4 of rule XXII,

25. The SPEAKER presented a memorial of the Legislature of the State of Nebraska, relative to the $84 million Mid-State project, which was referred to the Committee on Interior and Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 5807. A bill for the relief of Donato Minerva; to the Committee on the Judiciary.

H.R. 5808. A bill for the relief of Demitrios Venetsanakos; to the Committee on the Judiciary.

By Mr. BARING:

H.R. 5809. A bill for the relief of Sammy (Soo Yong) Chung; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 5810. A bill for the relief of Lucia Ciaravino and Santo Ciaravino; to the Committee on the Judiciary.

H.R. 5811. A bill for the relief of Vito DeCandia; to the Committee on the Judiciary.

H.R. 5812. A bill for the relief of Giuseppe Loduca; to the Committee on the Judiciary.

H.R. 5813. A bill for the relief of Mario and Maria Titone; to the Committee on the Judiciary.

H.R. 5814. A bill for the relief of Herman James Young; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia:

H.R. 5815. A bill for the relief of Lt. Comdr. William W. Gentry; to the Committee on the Judiciary.

By Mr. BURKE of Massachusetts:

H.R. 5816. A bill for the relief of Leonardo Damiano; to the Committee on the Judiciary.

By Mr. BURTON of California:

H.R. 5817. A bill for the relief of David Kenneth Sham and his wife, Juliet L. K. Ng Sham; to the Committee on the Judiciary.

By Mr. COLLIER:

H.R. 5818. A bill for the relief of Clifton R. Kindt; to the Committee on the Judiciary.

H.R. 5819. A bill for the relief of Carlos Humberto Ritter; to the Committee on the Judiciary.

By Mr. CULVER:

H.R. 5820. A bill for the relief of Mrs. Calliopi Scafidas; to the Committee on the Judiciary.

By Mr. DIGGS:

H.R. 5821. A bill for the relief of Mrs. Louise P. Higginbotham; to the Committee on the Judiciary.

By Mr. FALLON:

H.R. 5822. A bill for the relief of Dr. Shahrokh S. Morovati; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 5823. A bill for the relief of Ingrid Froehlich; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 5824. A bill for the relief of Stefano Corda; to the Committee on the Judiciary.

H.R. 5825. A bill for the relief of Gioacchino, Giovanna, and Antonino Giuseppe Gancitano; to the Committee on the Judiciary.

H.R. 5826. A bill for the relief of Bedri Gurbuzer; to the Committee on the Judiciary.

H.R. 5827. A bill for the relief of Georgios

Komninos; to the Committee on the Judiciary.

H.R. 5828. A bill for the relief of Calogero Mannino; to the Committee on the Judiciary.

H.R. 5829. A bill for the relief of Antonino La Spesa; to the Committee on the Judiciary.

By Mr. GILBERT:

H.R. 5830. A bill for the relief of Giovanni Martino; to the Committee on the Judiciary.

H.R. 5831. A bill for the relief of Yvonne Catherine Walters; to the Committee on the Judiciary.

By Mr. JOELSON:

H.R. 5832. A bill for the relief of Yaghob and Achraf Foroutanzed; to the Committee on the Judiciary.

By Mr. KARSTEN:

H.R. 5833. A bill for the relief of Capt. Ernest G. Allen, Jr., U.S. Air Force; to the Committee on the Judiciary.

By Mr. KUPFERMAN:

H.R. 5834. A bill for the relief of Anthony Chang; to the Committee on the Judiciary.

By Mr. KUPFERMAN (by request):

H.R. 5835. A bill for the relief of Epifania Mercado; to the Committee on the Judiciary.

H.R. 5836. A bill for the relief of Gladys Maud Scott; to the Committee on the Judiciary.

By Mr. MICHEL:

H.R. 5837. A bill for the relief of Mid-States Steel & Wire Co.; to the Committee on the Judiciary.

By Mrs. MINK:

H.R. 5838. A bill for the relief of August B. Mundzak; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 5839. A bill for the relief of Padmanabh Harihar; to the Committee on the Judiciary.

H.R. 5840. A bill for the relief of Chang Choone Yi; to the Committee on the Judiciary.

By Mr. MOSS:

H.R. 5841. A bill to provide for the enrollment of Leona Miranda Begay as an Indian of California; to the Committee on Interior and Insular Affairs.

By Mr. MURPHY of Illinois:

H.R. 5842. A bill for the relief of George, Danae, and Maria Kerassoglou; to the Committee on the Judiciary.

By Mr. OHARA of Illinois:

H.R. 5843. A bill for the relief of Athanasios Angelopoulos; to the Committee on the Judiciary.

H.R. 5844. A bill for the relief of George Ioannis Demos; to the Committee on the Judiciary.

H.R. 5845. A bill for the relief of Constantine Demos; to the Committee on the Judiciary.

H.R. 5846. A bill for the relief of James (Demetrios) Baciliss Dovas (Ntovas); to the Committee on the Judiciary.

H.R. 5847. A bill for the relief of Jose Santos Garcia; to the Committee on the Judiciary.

H.R. 5848. A bill for the relief of Nicholas Grammatopoulos; to the Committee on the Judiciary.

H.R. 5849. A bill for the relief of Vasilios Melanis; to the Committee on the Judiciary.

H.R. 5850. A bill for the relief of Athonasioas Papogiannis; to the Committee on the Judiciary.

H.R. 5851. A bill for the relief of Paraskevas Shinas; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 5852. A bill for the relief of Mercedes B. Yumang; to the Committee on the Judiciary.

By Mr. RAILSBACK:

H.R. 5853. bill for the relief of Raymond E. Grall; to the Committee on the Judiciary.

H.R. 5854. A bill for the relief of Mrs. E. Juanita Collinson; to the Committee on the Judiciary.

By Mr. RIEGLE:

H.R. 5855. A bill for the relief of Dr. Lolita L. Rana; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 5856. bill for the relief of Tadeusz Bielecki, his wife, Daniela, and children, Ewa and Marlena; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 5857. A bill for the relief of Jorge Antonio Cabrera; to the Committee on the Judiciary.

H.R. 5858. A bill for the relief of Norma Veroncia Chang; to the Committee on the Judiciary.

H.R. 5859. A bill for the relief of Mrs. Ivy Rosalia Ferdinand de Richards; to the Committee on the Judiciary.

H.R. 5860. A bill for the relief of John Alexander Staine and his wife, Georgiana Melba Staine; to the Committee on the Judiciary.

By Mr. SCHWEIKER:

H.R. 5861. A bill for the relief of Hee Joon Park; to the Committee on the Judiciary.

By Mr. TUCK:

H.R. 5862. A bill for the relief of Dr. Juan F. Chaves; to the Committee on the Judiciary.

By Mr. VAN DEERLIN:

H.R. 5863. A bill for the relief of Mrs. Alejandrina Medina de Ibanez and her minor children, Norah Silva Ibanez and Juan Lewis Ibanez; to the Committee on the Judiciary.

By Mr. PICKLE:

H. Con. Res. 223. Concurrent resolution extending greetings and commendation to the Texas Water Safari Association; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

33. The SPEAKER presented a petition of Henry Stoner, Portland, Oreg., relative to a giant telescope to aid scientists, which was referred to the Committee on Science and Astronautics.

SENATE

Monday, February 20, 1967

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father, who art in heaven, and in the earth, and in the heart of men, hallowed be Thy name. Without Thee our striving would be losing—our strength is unequal to our tasks. We are beset by perplexities. Our needs are many but our greatest need is of Thee. Unless we find Thee and are found of Thee, we begin at no beginning and come to no ending.

In a shaken world we seek stability. In an anguished world we need inner strength. In a fearful world we want confidence and courage. In a world of rising and falling systems we crave a vision of Thine eternal kingdom which has no frontiers.

To us in Thy providence has been given a place of awesome responsibility. In this supreme hour of the centuries we would express that stewardship of power with anxious care and deep humility.

Even while we are stirred to fight with all our might against a present evil, may we also be lured by the vision splendid of a coming good as life for all men becomes full and free.

We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Friday, February 17, 1967, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States, submitting nominations, were communicated to the Senate by Mr. Jones, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the Committee on Foreign Relations.

(For nominations this day received, see the end of Senate proceedings.)

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of measures on the calendar, under rule VIII, beginning with Calendar No. 47, Senate Resolution 57, one of the resolutions providing money for committees, and to consider the remaining resolutions in sequence; that, at the conclusion of the consideration of these resolutions, there be a brief period for the transaction of routine morning business, with a time limitation on statements of 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I make that request because the distinguished chairman of the Committee on Agriculture, the Senator from Louisiana [Mr. ELLENDER] must attend a very important meeting at 1 o'clock, and he will be on the floor only until a quarter to 1. Then we shall have the transaction of routine morning business and other matters; and, when the Senator from Louisiana returns to the floor, we shall finish, if we can, consideration of the remaining money resolutions on the calendar.

AUTHORIZATION FOR COMMITTEE ON GOVERNMENT OPERATIONS TO STUDY FOREIGN ASSISTANCE OPERATIONS BY THE FEDERAL GOVERNMENT

The Senate proceeded to consider the resolution (S. Res. 57) authorizing the Committee on Government Operations to examine, investigate, and make a complete study of all matters pertaining to foreign assistance operations by the Federal Government, which was reported from the Committee on Rules and Administration with an amendment.

The PRESIDENT pro tempore. The amendment will be stated.

The LEGISLATIVE CLERK. On page 2, line 20, after the word "exceed," to strike out "$115,000" and insert in lieu thereof "$105,000".

Mr. GRUENING. Mr. President, the Subcommittee on Foreign Aid Expenditures, which has been conducting a number of studies which I consider of considerable importance, has already saved the Government a very substantial sum of money. I shall presently read—or, if the Senator from Louisiana, who is always concerned about needless expenditures, and quite properly so, wishes, I will put them into the RECORD—a list of the investigations that we are conducting. I should like to cite one case in particular.

Among the studies we have conducted are studies in the use of foreign aid, and I have made a study in depth of our foreign aid program in Chile. It was published as a Senate document, a 229-page printed report, and I believe it represents the first and an almost unique study of that kind.

In this report, which was highly critical of the program loans under which the Agency for International Development released large amounts of funds annually and are not tied to specific development projects, we found that this money was largely misspent and wasted. As a result of the issuance of this report, AID announced that there would be no more program loan assistance; and inasmuch as these loans had been made at the rate of $80 million a year for the past 2 years, I believe that we can confidently say that we have now saved, by this one investigation alone, $80 million a year for the Federal Government. I believe that AID will be glad to admit that.

We have conducted many other studies, and I should like to indicate what they are.

We have a continuing study of the operations of Federal agencies overseas and their interrelationships to determine whether any failure of these agencies is due to structural and organizational defects, overloaded work programs, imprudent administrative policies, wasteful administrative, budgetary, and fiscal practices, and lack of coordination.

We have continued a study of the Federal Government's surplus property donation programs and continued efforts to secure passage of needed legislation.

One of the great wastes is the disposal of our surplus property; $5 or $6 billion worth of surplus property is generated every year, largely by the military services, and much of that is virtually given away. It is disposed of in ways that are, to say the least, inconsiderate of the taxpayer. Much of it is added to the AID program, which is adequately funded, in accord with the annual requests made to Congress by the President. I believe that much of that surplus should come back to the United States and should go back to the States whose taxpayers are responsible for this expenditure. In this field alone, we are planning to save hundreds of millions of dollars annually to the Federal Government.

We are also making additional reviews of the property disposal programs of the Department of Defense and other agencies, which amounts to $5 billion yearly. We are making a continuing study of population control problems, through additional hearings, to determine whether the organization and structure of the executive agencies involved in population control are adequate to deal with the pressing urgency of the problem.

It has been apparent that much of our foreign aid—and much of the efforts of the recipient countries—are going down the drain because of their great increase in population. That situation is evident all over the world. There is increasing concern for it. We pour our money into the countries. They never can have enough money for the additional schools and the additional projects that are needed as the population growth outruns every effort. I know of no program which will be more useful in saving money, if we can get some action along those lines. The President has declared that $5 spent in population control will be worth $100 spent in economic aid, and I believe that is an objective we are properly pursuing.

The PRESIDING OFFICER (Mr. BURDICK in the chair). The time of the Senator has expired.

Mr. ELLENDER. Mr. President, a parliamentary inquiry. I was under the impression that these resolutions would be called in the regular order, and that more than 5 minutes would be allowed. I was so informed this morning.

Mr. MANSFIELD. Mr. President, I appreciate the statement just made by the distinguished Senator from Louisiana, and I make a request that the 5-minute rule be waived.

The PRESIDING OFFICER. Is there objection. The Chair hears none, and it is so ordered.

Mr. GRUENING. We have a further review of the food-for-peace program, with special emphasis on the effectiveness of interagency coordinating procedures in carrying out the provisions of the new legislation. The 1966 Food for Peace Act provides for a shift from foreign currency sales to dollar sales and establishes new restrictions on aid to countries trading with Cuba and North Vietnam.

We have a study of the international training programs of the Agency for International Development and other agencies. From 1961 through 1965, over 30,000 foreigners were brought to the United States, at a cost of over $50 million, to be trained in American schools. We think that this matter deserves watching.

Finally, we have continued a review of the utilization of U.S.-owned foreign currencies, especially as related to their use to pay travel expenses of Government officials. Data available to the subcommittee indicate that appropriated dollars are being used to pay for official travel instead of available excess currencies.

Mr. President, I could continue at some length, but I think that I have said enough to indicate that these activities of our subcommittee have saved the Government many, many times the cost of our subcommittee, and that they will continue to do so.

PRIVILEGE OF THE FLOOR

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that members of the pertinent subcommittees be allowed to have the privilege of the floor during the consideration of money resolutions on the calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ELLENDER. Mr. President, the pending resolution asks for $105,000, a decrease of $10,000 from the original request.

I heard the distinguished chairman of this subcommittee speak of the huge sums that he saved. I suppose that there were many Senators who did the same thing simply by calling to the attention of the AID program certain losses that were being sustained.

During the course of my tenure in the Senate—and ever since the foreign aid program has been on the statute books—I could claim the savings of much money but I did not claim those savings through hearings or investigations.

Mr. President, looking over the work that has been done by this subcommittee I do not notice any reports having been made to indicate what the savings were, or how the savings were brought about.

Mr. President, this is another one of those temporary committees that has become permanent. It would seem to me that the Committee on Foreign Relations has made studies in connection with foreign aid, as have many others. As the Senator indicated he is desirous of expanding on his studies.

Mr. GRUENING. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. GRUENING. I am not desirous of expanding.

Mr. ELLENDER. The distinguished Senator indicated he is going into other fields.

Mr. GRUENING. No; I shall repeat what I said before. Actually $10,000 were cut from the amount of money we had last year, so that far from expanding, we are reducing.

Mr. ELLENDER. The decrease is because the Committee on Rules and Administration indicated that amount. The distinguished Senator asked for $115,000 and the Committee on Rules and Administration reduced it by $10,000.

Mr. GRUENING. I am sorry that the Senator is unaware of the fact that we published a report on Chile, which is a Senate document. I would be glad to supply a copy to the Senator. The report was detailed. As a result of our activities, we saved $80 million a year. AID canceled that amount. This was not the result of trips around South America, which the distinguished Senator has properly taken. This was the direct result of this report. That savings would many times justify the minor expenditure that our committee is asking for and received in the past. If the Senator will measure $105,000 a year against $80 million, that is a striking figure. That savings was the direct result of this particular investigation in depth. I am sorry that the Senator has not read the Chilean report. I will see to it that a copy of the report is sent to him.

Mr. ELLENDER. The Senator, is of course, correct regarding the report. I was in error. I know that his committee has issued two reports in 1966, including the one on Chile to which he referred. With 39 resolutions and 39 committee reports under consideration I inadvertently referred to the wrong report. I have received a copy of the report on Chile although I regret I have not as yet had the opportunity to read it.

Mr. LAUSCHE. I wish to ask the Senator from Alaska [Mr. GRUENING] when this ad hoc or special committee was created.

Mr. GRUENING. It is not an ad hoc committee. It is a subcommittee that was a division of a committee formerly headed by Senator HUMPHREY, now the Vice President, one-half assigned to dealing with domestic expenditures, headed by the distinguished Senator from Connecticut [Mr. RIBICOFF] and the other half headed by me, dealing with foreign expenditures.

Mr. LAUSCHE. When did the half which is headed by the distinguished Senator from Alaska begin?

Mr. GRUENING. Beginning with the 89th Congress.

Mr. LAUSCHE. That would be what year?

Mr. GRUENING. That would be 2 years ago.

Mr. LAUSCHE. How much money has been allocated to it thus far for the work it is performing?

Mr. GRUENING. One hundred and fifteen thousand dollars.

Mr. LAUSCHE. And there was spent $99,811 of that amount last year.

Mr. GRUENING. I believe that is the correct figure.

Mr. LAUSCHE. One hundred and fifteen thousand dollars was requested for this year and $105,000 was recommended by the Committee on Rules and Administration.

Mr. GRUENING. The Senator is correct.

Mr. LAUSCHE. The record here shows that the Committee on Foreign Relations, for all of its work, including foreign aid, is asking for $225,000. How does the Senator justify asking for $115,000 for this special committee, when, with all the work that is done by the Committee on Foreign Relations, it is asking for $225,000?

Mr. GRUENING. The distinguished Senator from Ohio, since he is a member of the Committee on Foreign Relations, must know that that committee does not investigate foreign aid expenditures in depth. It merely hears the request of AID and the Department of State, makes suggestions, passes on questions of general policy but does not go to these countries to learn at firsthand how our funds are expended. Since no one goes to these foreign countries to make a real study of how this money is used, that has been done by our subcommittee. It was done 3 years ago before I was the chairman. I made an investigation of our foreign aid in 10 Middle East countries.

That was published as a 472-page printed report to the Senate and, as a result, some modifications were made in AID procedures in those countries and money was saved. I should like to say, in all fairness to the excellent Foreign Relations Committee, it has never made a report of its committee such as our subcommittee of the Government Operations Committee made, which resulted in a direct saving of $80 million a year. I think that would more than justify these relatively small amounts—about $100,000 a year these studies cost, that being only one of the things the subcommittee is investigating—we are asking for, and which we received last year.

Mr. LAUSCHE. I merely want to state to the Senator from Louisiana, with all respect to the arguments which he has made about foreign aid—and I include myself in that—that we are not justified in any statement ascribing to ourselves that by our personal efforts alone we have saved specific sums of money. What has been saved is through combined efforts. Does the Senator from Alaska want his subcommittee to be in the nature of an oversight or supervisory subcommittee of the Foreign Relations Committee? The Senate Foreign Relations Committee under the Senate rules is in charge of foreign aid. By implication it is being said that the Foreign Relations Committee is not doing its job, that the subcommittee headed by the Senator from Alaska [Mr. GRUENING] should supervise, investigate, and check what the Foreign Relations Committee is doing. I do not think that the Senator from Alaska's subcommittee should exercise that right because it is wholly unnecessary.

Mr. ERVIN. Mr. President, will the Senator from Alaska yield?

Mr. GRUENING. I am happy to yield to the Senator from North Carolina.

Mr. ERVIN. The Senator's subcommittee is a subcommittee of the Government Operations Committee, is it not?

Mr. GRUENING. The Senator is correct.

Mr. ERVIN. And the Government Operations Committee has power under the Reorganization Act and is charged with the duty, under the Reorganization Act, of investigating the efficiency and the economy of Government at all levels, is it not?

Mr. GRUENING. That is precisely the case.

Mr. ERVIN. Thus, the subcommittee is doing a specific job which has been done for many years by a Government Operations subcommittee, the permanent Investigations Subcommittee—that is, to investigate economy in the operation of the foreign aid program and to investigate its efficiency; is it not?

Mr. GRUENING. That is the fact.

Mr. ERVIN. The subcommittee is doing actual field investigations as to the efficiency and the economy of the operations abroad of the foreign aid program, is it not?

Mr. GRUENING. That is precisely the case.

I should like to thank the Senator from North Carolina because he has made exactly the answer that I was preparing to make to the distinguished senior Senator from Ohio. If the implication of what the Senator from Ohio has said were true, then there would be no reason whatever to have a Government Operations Committee.

The Government Operations Committee, as the Senator from North Carolina has pointed out, is supposed to watch over the expenditures of other departments of the Government and other committees, and to supplement them. This is precisely what the Government Operations Committee has done, and has done most effectively, in many fields. This is no implication of the committee's shortcomings, or criticism of the Foreign Relations Committee. This goes on for all branches of the Government.

Mr. LAUSCHE. I merely want to say that $92,500 has already been spent on this subject. Do I correctly understand the Senator from Alaska to say that this is to be a permanent subcommittee which will annually do the investigating? There were some complaints that expenditures on foreign aid were excessive and therefore it was necessary to investigate.

Mr. GRUENING. No.

Mr. LAUSCHE. I want to repeat what the Senator from Louisiana has said, that nothing is so permanent as a temporary subcommittee of the Senate.

When will the work of the subcommittee be finished?

Mr. GRUENING. That is up to the future to determine, and for future Congresses to decide.

Mr. ELLENDER. Will the Senator from Alaska explain to the Senate the reasons for separating the two committees? As I recall, the Senator from Connecticut [Mr. RIBICOFF] was chairman of one of these subcommittees of the subcommittee, and the Senator from Alaska was the chairman of the other subcommittee of the subcommittee.

Mr. GRUENING. That is correct.

Mr. ELLENDER. How did that come about? How did it proliferate? I raised the question the other day with the Senator from Arkansas [Mr. McCLELLAN]. I wish he were here in the Chamber now to participate in this discussion, because it is my belief that there has been too much proliferation of Subcommittees on Government Operations. I do not believe it was ever intended to go into foreign fields.

Mr. GRUENING. I believe this is not any proliferation. I think it was a division of labor because of the enlarged amount of work involved in taking care of vigilance over domestic and foreign programs. I do not consider it a proliferation. It is merely an increase in efficiency to divide the work by allowing each subcommittee to work in its particular field. These are both pretty large fields, and one committee could not have adequately surveyed both.

Mr. ELLENDER. Does the Senator expect to make investigations of any domestic matters?

Mr. GRUENING. That is not the intention.

Mr. ELLENDER. But certainly in the sale of surplus property, most of the property would be sold in this country, would it not?

Mr. GRUENING. Unfortunately, that should be the case, but it is not the case. That is precisely the point which I am glad the Senator has brought up.

Many billions of dollars worth of surplus property, paid for by our taxpayers, is going into foreign aid. It is another concealed spigot in our foreign aid program which Congress should know about. This is one of the things we hope to bring to the attention of Congress and also to the people back home.

Our citizens are being deprived of the opportunity to acquire this surplus property, because it goes to foreign countries, and is in addition to the foreign aid appropriations, and the lending of billions of dollars at negligible interest rates, most of which loans will never be repaid.

Mr. ELLENDER. Where is it moving from?

Mr. GRUENING. From the places where it is generated, such as Germany, France, Italy, Spain, Japan, the Philippines, wherever we have bases.

Mr. ELLENDER. Has any of that surplus property come back to the United States?

Mr. GRUENING. Very, very little of it has come back. It is being grabbed by the AID program before it can properly be sought by State agencies or by the folks at home.

Mr. ELLENDER. Is that not in violation of existing law that that is done?

Mr. GRUENING. No; it is not a violation under existing law. It is a violation of good practice, however, so that we should regulate it. That is precisely what our subcommittee aims to do.

Mr. ELLENDER. As I understand it, then, no surplus property can be sold except that which is offered to certain departments of government?

Mr. GRUENING. It is not sold; it is being given away to the AID program, which is a department of government. It all goes to foreign countries, and we lose control of it.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Alaska yield for a question?

Mr. GRUENING. I yield.

Mr. WILLIAMS of Delaware. It seems to me that these various subcommittees are coming along in such profusion that I am wondering, if we have any more subcommittees whether we will not be getting to the point that everyone will have a subcommittee of his own?

Mr. GRUENING. I am sorry; I could not hear the question of the Senator from Delaware.

Mr. WILLIAMS of Delaware. My question was, it seems to me the practice has been established that everyone wants to be chairman of a subcommittee, and I am wondering how many more subcommittees we will have to have before we all get to be chairmen? It is a rather expensive way to get a chairmanship for duties which seem to me to be overlapping.

Mr. GRUENING. Let me say to the Senator from Delaware that I know of no such motivation. I think this just came about by the natural process of seniority, and the expanding responsibilities of our Government.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

Mr. LAUSCHE. Mr. President, I call for a division.

The PRESIDING OFFICER. This is on the committee amendment, which reduces the amount in the resolution to $10,000.

Mr. BYRD of West Virginia. Mr. President, the amendment provides for a reduction from $115,000 to $105,000.

Mr. GRUENING. I would say that it has already been reduced.

Mr. LAUSCHE. Mr. President, I withdraw my request for a division.

The PRESIDING OFFICER. The request for a division is withdrawn. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the resolution, as amended.

Mr. LAUSCHE. Mr. President, is the question now on agreeing to the resolution as amended?

The PRESIDING OFFICER. That is correct.

Mr. LAUSCHE. Mr. President, I call for a division.

The PRESIDING OFFICER. A division is called for.

On a division the resolution (S. Res. 57), as amended, was agreed to, as follows:

Resolved, That the Committee on Government Operations, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction, specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to the operation of foreign assistance activities by the Federal Government, with a view to determining the economy and efficiency of such activities.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1967, through January 31, 1968, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized at its discretion to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings upon the study and investigation authorized by this resolution, together with its recommendations for such legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1968.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $105,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. LAUSCHE. Mr. President, let the RECORD show that I voted against the adoption of the resolution.

STUDY OF ORIGIN OF RESEARCH AND DEVELOPMENT PROGRAMS FINANCED BY FEDERAL GOVERNMENT

The Senate proceeded to consider the resolution (S. Res. 58) authorizing the Committee on Government Operations to study the origin of research and development programs financed by the departments and agencies of the Federal Government, which was reported from the Committee on Rules and Administration, with an amendment, on page 3, line 14, after the word "exceed", to strike out "$85,000" and insert "$75,000"; so as to make the resolution read:

S. RES. 58

Resolved, That in holding hearings, reporting such hearings, and making investigations as authorized by section 134 of the Legislative Reorganization Act of 1946, and in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, the Committee on Government Operations, or any subcommittee thereof, is authorized, from February 1, 1967, through January 31, 1968, to make studies as to the efficiency and economy of operations of all branches and functions of the Government with particular reference to:

(1) the operations of research and development programs financed by departments and agencies of the Federal Government, including research in such fields as economics and social science, as well as basic science, biomedicine, research, and technology;

(2) review those programs now being carried out through contracts with higher educational institutions and private organizations, corporations, and individuals to determine the need for the establishment of national research, development, and manpower policies and programs, in order to bring about Government-wide coordination and elimination of overlapping and duplication of scientific and research activities; and

(3) examine existing research information operations, the impact of Federal research and development programs on the economy and on institutions of higher learning, and to recommend the establishment of programs to insure a more equitable distribution of research and development contracts among such institutions and among the States.

SEC. 2. For the purposes of this resolution, the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized—

(1) to make such expenditures as it deems advisable;

(2) to employ upon a temporary basis and fix the compensation of technical, clerical, and other assistants and consultants: *Provided,* That the minority of the committee is authorized at its discretion to select one employee for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and

(3) with the prior consent of the head of the department or agency concerned, and the Committee on Rules and Administration, to utilize on a reimbursable basis the services, information, facilities, and personnel of any department or agency of the Government.

SEC. 3. Expenses of the committee under this resolution, which shall not exceed $75,000 shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The question now is on adoption of the resolution as amended.

The resolution as amended was agreed to.

CERTAIN STUDIES BY COMMITTEE ON FOREIGN RELATIONS

The resolution (S. Res. 67) to provide additional funds for the Committee on Foreign Relations for making certain studies was announced as next in order.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 2,

line 20, after the word "exceed" strike out "$250,000" and insert "$225,000".

Mr. BYRD of Virginia. Mr. President, it is not my intention to object to the resolution. I shall support the resolution, but I want to note objection to it at the present time, because I may have an amendment to present.

Mr. MANSFIELD. Mr. President, I ask that the resolution be temporarily passed over.

The PRESIDING OFFICER. The resolution will be passed over.

CERTAIN STUDIES BY COMMITTEE ON COMMERCE

The Senate proceeded to consider the resolution (S. Res. 72) to authorize the Committee on Commerce to make certain studies, which was reported from the Committee on Rules and Administration with an amendment on page 3, line 8, after the word "exceed", to strike out "$500,000" and insert "$475,000"; so as to make the resolution read:

S. Res. 72

Resolved, That the Committee on Commerce, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to—

(1) interstate commerce generally;
(2) foreign commerce generally;
(3) transportation generally;
(4) maritime matters;
(5) interoceanic canals;
(6) domestic surface transportation, including pipelines and highway safety;
(7) communications, including a complete review of national and international telecommunications and the use of communications satellites;
(8) Federal power matters;
(9) civil aeronautics;
(10) fisheries and wildlife;
(11) marine sciences; and
(12) weather services and modification, including the use of weather satellites.

Sec. 2. For the purposes of this resolution the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1968.

Sec. 4. Expenses of the committee, under this resolution, shall not exceed $475,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. LAUSCHE. Mr. President, what is the issue before the Senate?

The PRESIDING OFFICER. Senate Resolution 72, to authorize the Committee on Commerce to make certain studies.

Mr. LAUSCHE. Is this a resolution asking for an appropriation to the Commerce Committee?

The PRESIDING OFFICER. Yes.

Mr. LAUSCHE. I would like to ask some questions on it.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. LAUSCHE. Mr. President, I am a member of the Commerce Committee, and I have here a tabulation of the moneys expended by this committee in its operations since 1949.

Before I proceed with a discussion of the tabulation, I ask unanimous consent to have the whole tabulation put in the Record.

There being no objection, the tabulation was ordered to be printed in the Record, as follows:

Committee on Commerce [1]*—Expenditures under special resolutions for studies and investigations, 1953–66* [2]

	Authorized	Expended	Unexpended
81st and 82d Cong., 1949–52: [3]			
Continuation of study of trade policies (pricing practices) under S. Res. 241, 80th Cong.	$50,000	$37,000	$13,000
S. Res. 50 and S. Res. 308, general studies of transportation and communications	234,000	228,000	6,000
S. Res. 365 (81st Cong.) and S. Res. 56 (82d Cong.), study of export policies and control regulations	25,000	24,000	1,000
S. Res. 332, 82d Cong., authorizing employment of private consulting firm to make study of the Interstate Commerce Commission	50,000	33,000	17,000
General Appropriation Act of 1951 (Public Law 759, 81st Cong.), approved Sept. 6, 1950, authorized surveys of domestic and foreign air carrier operations; contracts let to private firms	200,000	166,500	33,500
Total, 81st and 82d Cong.	559,000	488,500	70,500
83d Cong., 1st sess., 1953: S. Res. 41 and S. Res. 135, general studies	115,000	87,000	28,000
83d Cong., 2d sess., 1954: S. Res. 173, general studies	115,000	64,000	[4] 51,000
84th Cong., 1st sess., 1955:			
S. Res. 13, general studies	200,000	160,000	40,000
S. Res. 35, study of merchant marine training and education	30,000	14,000	16,000
Total	230,000	174,000	56,000
84th Cong., 2d sess., 1956: S. Res. 163 and S. Res. 209, general studies	250,000	217,000	33,000
85th Cong., 1st sess., 1957:			
S. Res. 26, general studies	225,000	180,000	45,000
S. Res. 62, investigation of matters relating to petroleum and petroleum products	50,000		50,000
Total	275,000	180,000	95,000
85th Cong., 2d sess., 1958:			
S. Res. 224, general studies	225,000	193,000	32,000
S. Res. 287, study of textile industry	25,000	8,000	17,000
S. Res. 303, study of transportation policies	100,000	5,000	95,000
Total	350,000	206,000	144,000
86th Cong., 1st sess., 1959:			
S. Res. 27 and S. Res. 243 (sec. 5), general studies	228,000	227,000	1,000
S. Res. 29, study of transportation policies	290,000	125,000	165,000
S. Res. 50, study of textile industry	2,500		2,500
Total	520,500	352,000	168,500
86th Cong., 2d sess., 1960:			
S. Res. 243 and S. Res. 354, general studies	303,000	292,000	11,000
S. Res. 244, S. Res. 328, and S. Res. 355, study of transportation policies	282,000	230,000	52,000
S. Res. 305, study of freedom of communications	35,000	25,000	10,000
Total	620,000	547,000	73,000
87th Cong., 1st sess., 1961: S. Res. 74, general studies	315,000	246,000	69,000
87th Cong., 2d sess., 1962: S. Res. 251, general studies	315,000	245,000	70,000
88th Cong., 1st sess., 1963: S. Res. 29, general studies	330,000	247,000	83,000
88th Cong., 2d sess., 1964: S. Res. 283, general studies	360,000	344,500	15,500
89th Cong., 1st sess., 1965: S. Res. 76, general studies	442,700	401,000	41,700
89th Cong., 2d sess., 1966: S. Res. 213, general studies	450,000	432,500	17,500

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[1] Committee on Interstate and Foreign Commerce prior to 87th Cong.

[2] Amounts are shown in round figures.

[3] The committee carried on several studies during this period, including a transportation study inaugurated by Senator Johnson of Colorado (then committee chairman) which ran from 1949 to 1952.

[4] Senator Bricker became chairman of committee in July 1953, upon the death of Senator Tobey and terminated the studies then underway, which accounts for the large unexpended balance.

Mr. LAUSCHE. Mr. President, this tabulation was submitted to me by the Secretary of the Commerce Committee, and shows that in the period since 1949 there has been a constant and large rise in the expenditures of that committee.

In 1953, in the first session of that Congress, there was appropriated to the committee $115,000 for all operations. It spent $87,000, leaving an unspent balance of $28,000.

In 1954 there was appropriated to the committee for all operations again $115,000. There was spent $64,000, leaving unspent a balance of $51,000.

In 1955 $200,000 was given to the committee, and another $30,000 for a special study on the merchant marine, making a total of $230,000. Of that $230,000, $174,000 was spent.

I am now down to the year 1955 and going into the year 1956.

A total of $250,000 was granted to the committee in 1956; $217,000 was expended.

In 1957, there was allocated to the committee $275,000; $180,000 was expended.

In 1958 two special studies were ordered, one of the textile industry, and one of transportation. The total amount given was $350,000; $206,000 was expended; $144,000 was turned back to the Treasury.

We now come to the year when the big change occurred. In 1959 $228,000 was asked for general operating expenses and $29,000 for a special study of transportation, and $2,500 for a special textile study. So in the year of 1959 the total amount allocated was $520,500, $290,000 of which went for the special lengthy transportation study that was asked for.

In 1960 $303,000 was asked for the general operations of the committee, and, again, $282,000 for the special study on transportation.

I now get down to the 87th Congress, 1st session. The committee asked for $315,000 for all purposes, and $246,000 was expended.

The approximate expenditure that had been made throughout the years had been from $225,000 to $250,000 for general administration expenses of the committee. Of course, when special studies were included, the amount was increased.

But now we get down to the year of 1966. It was then when the jump began. Assignments of money for special studies were continued as assignments of money for general operations. While this committee was spending from $225,000 to $250,000 a year, the application for this year is $500,000.

The jump is entirely too high. There is no justification for it. Examination of the increases that have gone on throughout the years, points out that when workers are once hired to do a special job, and that special job is completed, the workers stay on the payroll. Each year the amount is going up.

Mr. MAGNUSON. Mr. President, of course, the figures the Senator from Ohio has cited are absolutely correct, but I think this would be true of any major committee of the U.S. Senate in the pas 7 or 8 years.

The Commerce Committee, of which I have been privileged to be a member for some 21 years, is a great deal different now than it was in 1949 or 1950, not only with respect to the jurisdiction of the committee but the pieces of legislation which have come before it and the work which it has had to do. I think Senators will find that is true of all major committees, particularly some of the ones that have been assigned a great amount of work.

The Commerce Committee has always turned back a great deal of money which it did not use. Many, many pieces of legislation have come to the Commerce Committee in the past three Congresses. The amount of legislation has almost doubled.

Mr. President, there were 362 resolutions referred to the committee. There were 106 bills reported out of the committee, 98 of which were passed by the Senate. Some of them could probably be categorized as of minor importance. However, many dealt with the great, complex field of transportation, which has probably quadrupled since the figures quoted by the Senator from Ohio.

I repeat, 98 bills; and the number of bills reported by the House committee, which were joined in, was 21. There were 2,747 nominations submitted to the committee.

The Senator from Ohio did object when we discussed our budget. I wish to report, however, that his was the only dissenting vote. He wanted to cut the total $50,000; the Rules Committee cut it $25,000. In defense of the increase suggested now—which is $25,000 over last year's budget—I think we will have more work this year than we had last year, but there are two specific basic reasons. First, close to $15,000 of that figure is for the salary increases which the Senate voted, which took effect last August, as was true for almost every committee in the Senate; and second, we have had a long-time rule in the committee that on the major subcommittees, the minority should be provided one clerk or one expert; and this we have done. Many committees do not do it, but we feel it is vital, so that the responsibility of the minority can be taken care of and properly handled by the committee.

We have had four subcommittees throughout the years that I have been chairman—which is a long, long time. As I say, I have been a member of the committee for 21 years. We have a Merchant Marine and Fisheries Subcommittee. We have a Surface Transportation Subcommittee, of which the Senator from Ohio is chairman. We have not had as much work in that subcommittee this past session as I think we will have this session—particularly now that we have established a Department of Transportation, which is expected to come before our committee with many, many problems. Its work involves railroads, trucklines, inland waterways, and the great complex system of inland surface transportation.

We also have an Aviation Subcommittee, handled very ably by the distinguished Senator from Oklahoma [Mr. MONRONEY]. Of course, the work in the field of aviation, I need not tell the Senate, has increased tremendously over the past 15, 10, 5 years—even noticeably over 1 year. They have been involved in hearings almost constantly; and the range of the subject matter touches every phase of the economy.

Then we have a Subcommittee on Communications. The Senator from Ohio quoted some figures for 1949 and 1950. There was very little going on in that area at that time; radio was a new field. But the growth of the work of the Subcommittee on Communications, handled by the distinguished Senator from Rhode Island, I think has not only quadrupled, but is probably 10 times as much as it was then. The communications industry is indeed an integral part of the fabric of our national life.

Then, because of greatly increased activity in the consumer field—all of which comes to the Committee on Commerce—consumer legislation has increased, and we expect to have still more in this session. We ask additional funds to give the minority one extra clerk in this broad field of consumer legislation.

We passed last year in the Senate—almost all which had been unanimously reported—a list of Commerce Committee bills three pages long. Back when I first went on the committee, such a list would not have been half a page. Some Senators may not like these bills, but at least they were legislation that a majority of the Senate and House agreed with, and they have now become law. I need not read them.

Another area to which the committee has devoted a great deal of time, which is growing by leaps and bounds, is the field of oceanography. We passed a sort of pilot bill last year, and took a great deal of testimony; but in this area even in the budget, as tight as the budget is, that item has been increased by almost 45 percent. This is an important field in which we have been lagging.

Mr. President, that is the story of the Committee on Commerce. Now, as compared with 1949, we handle over $3 billion of budget figures of Government activities. That includes the Department of Commerce activities, the Interior Department, the Fish and Wildlife Service—in which interest has grown—the Federal Trade Commission, the Federal Power Commission, the Federal Aviation Agency, the Federal Communications Commission, and the Interstate Commerce Commission, whose work has trebled since 1952. Not doubled, but trebled.

In addition, we have the Civil Aeronautics Board—I need not tell the Senate about the tremendous activity in that field—and now, on top of it all, a new Department of Transportation.

Mr. President, I think we are the busiest committee in the Senate. It seems to me that we are.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. MAGNUSON. At least in the number of bills we have reported. They are all in the RECORD. I believe the Senator from New Hampshire and I submitted a long, detailed report on this subject for the benefit of the members of the Committee on Rules.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. MAGNUSON. I yield.

Mr. COTTON. Mr. President, in commenting on what has just been stated by the distinguished chairman of our committee, I wish to say first that I think the distinguished Senator from Ohio [Mr. LAUSCHE] deserves great credit. He has, through the years, exercised a very substantial restraining and corrective influence on the committee's expenditures. I very much respect his position.

But I wish to say, Mr. President, that I corroborate and sustain everything that the chairman of my committee has just said. I think the Senate should realize that through the years, the Senator from Washington, as chairman of the committee, has returned religiously any unused balances and has exercised very careful restraint upon the expenditures of the committee.

I think that a committee chairman who has a consistent record of saving from the appropriations granted the committee should not be penalized for it, but that the Senate can with confidence entrust him with what he, the chairmen of the various subcommittees and other members of the committee, feel is necessary to do the work.

I would especially emphasize, as the distinguished Senator from Washington has emphasized, this fact: The jurisdiction of the Committee on Commerce ranges over a diversity of subjects and fields, all of them extremely important, and all of them reaching into the households of this Nation. That is a tremendous responsibility. It involves the setting of important national policies. For example, the matter of the development of a supersonic jet plane by this country, in order to keep us abreast of other countries competing with us in the field of air transportation, is in itself a very costly and important project, which must be handled most carefully, but also aggressively.

All of these things cause me to state, as the ranking minority member of the committee, that my side of the committee has unanimously endorsed the position of our chairman.

Mr. MAGNUSON. That has been a rule of the committee for years, ever since I can remember.

Mr. COTTON. The Senator is correct. Our support is not motivated solely by the need of the minority for additional staff, although we do need assistance in this new field of consumer legislation which has become of paramount importance. I am most appreciative of the chairman's consideration of the needs of the minority members of the committee.

I am impressed by the fact that to deal effectively with these ever-growing departments and agencies our committee, like other committees of the Congress, should have more staff assistants than we are asking for. It is in the public interest. The aggregate appropriations for committee staffs in the Senate is positively picayune compared with the sums proposed to be spent by the executive departments. Finally, when we see the number of experts, advisers, budget officers, and other staff members of the many agencies downtown who come up and confront our committee, I am convinced that the chairman's request is extremely modest.

Mr. MAGNUSON. Mr. President, our committee held 251 days of hearings. That is a hearing every day. We had 31 conferences with the House on major legislation. Thirty-eight major pieces of legislation were passed last year and they are now the law of the land.

Mr. President, I ask unanimous consent to have printed in the RECORD the statistical summary to which I referred and other material pertaining thereto.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Statistical summary

	Total
Number of bills (Senate and House) and resolutions referred to committee	362
Number of bills reported and reports submitted by committee	106
Number of bills passed by Senate	98
Number of Senate bills pending House committees	21
Number of bills reported by House committees	20
Number of Senate bills passed by House	38
Number of conference reports	15
Number of meetings of conference committees	23
Number of bills signed by President	72
Number of bills vetoed by President	0
Number of routine nominations referred to committee and confirmed	2, 747
Number of major nominations referred to committee	51
Number of major nominations confirmed	51
Number of executive meetings of full committee	40
Number of days of open hearings conducted by full committee	159
Number of days of open hearings conducted by subcommittee	92
Total number of full and subcommittee hearings	251
Number of House bills passed in lieu of Senate bills	2
Number of bills left on Senate Calendar	2
Number of Senate bills on Speaker's table in House	0

SENATE COMMITTEE ON COMMERCE, HIGHLIGHTS OF THE 89TH CONGRESS, 1965–66

MAJOR LEGISLATION APPROVED BY THE COMMITTEE

Public Law 89–92, the Cigarette Labeling Act, a forthright and historic step toward the responsible protection of the health of the Nation's citizens, and a concrete implementation of the report of the Surgeon General's Advisory Committee on Smoking and Health, and its solemn verdict that "Cigarette smoking is a health hazard of sufficient importance in the United States to warrant appropriate remedial action".

Public Law 89–182, the so-called Technical Services Act authorizes a program of Federal matching grants to the States in a co-operative program to spread the findings of science and technology throughout the American business community and industry (characterized by President Johnson when he signed the bill as possibly the "sleeper" on the 89th Congress).

Public Law 89–170, to strengthen the national transportation system. Seeks to eliminate the "gray area" of illegal trucking and thus strengthen our regulated trucking industry upon which so many of our shippers depend.

Public Law 89–454, Oceanography. Establishes a comprehensive co-ordinated program on oceanography, marine resources and marine engineering.

Public Law 89–430, to ease the freight car shortage. The inadequacy of a national freight car supply has plagued the country and Congress for more than a quarter of a century. It is hoped that the solution worked out by the Committee will alleviate the problem.

Public Law 89–387, the Time Uniformity Act. After decades of controversy, the Committee was successful in working out legislation that will eliminate some of the confusion that has grown over the years because of the diversity of daylight time standards in the several States.

Public Law 89–220, the High Speed Ground Transportation Act, to authorize research and development with respect to different forms of high-speed ground transportation, the ultimate object being the establishment of high-speed ground transportation networks across the Nation.

Public Law 89–669, the Endangered Species Act. Sets up a broad program to provide natural sanctuaries for native birds, fish and mammals that are threatened with extinction—some 30 to 40 species of native birds, and 35 kinds of mammals.

Public Law 89–563, the Traffic Safety Act of 1966. (The Tire Safety Act, to provide tire safety standards and to eliminate false and confusing labeling of tires was merged into this Act).

Public Law 89–95, the Pipeline Safety Act. Arms the Interstate Commerce Commission with authority to establish safety standards for interstate pipelines under its jurisdiction.

Public Law 89–544, to prevent dog and cat theft and to prevent cruel and inhumane treatment of animals intended for use in research facilities.

Public Law 89–304, authorizing a program for the conservation and development of the Nation's anadromous fish, (those fish such as the Atlantic and Pacific Salmon, striped bass and sturgeon which spawn in fresh water). A badly needed program as fish stocks have become depleted through pollution, construction of man-made obstacles in spawning streams, broad industrial and other urban developments, while at the same time interest in sport and commercial fishing has tremendously accelerated.

S. 985, Public Law 89–755, the Fair Packaging and Labeling Act, to protect the consumer against confusing, false and misleading labeling and packaging.

S. 2218, Public Law 89–658, to establish a 12-mile fishery zone in order to protect our coastal fishery resources for American fishermen.

S. 2720, Public Law 89–701, to authorize experimental plants for the production by the commercial fishing industry of fish protein concentrate.

S. 3298, Public Law 89–756, the so-called Child Protection Act, would amend the Hazardous Substances Act of 1960 to cover hazardous substances intended for household use or for use by children, whether or not in a household package.

H.R. 10327, Public Law 89–777, Cruise Ship Safety. To protect American citizens from embarking at U.S. ports on dangerous or obsolete ships, such as the ill-fated *Yarmouth Castle* and to require financial responsibility adequate to protect passengers who are stranded or abandoned by cancellation of a cruise, or who suffer injury or death in a disaster at sea.

S. 2825, providing criminal penalties for anyone making obscene, harrassing or threatening telephone calls in interstate or foreign commerce. Passed Senate but did not receive final House action.

S. 2916, the Weather Modification Act of 1966, would authorize an expanded, centrally coordinated weather modification program by the Federal Government. Passed Senate but did not receive final House action.

S. 3197 and S. 3198, bills to amend the Federal Aviation Act, to safeguard United States airlines against discriminatory acts by foreign governments or foreign air carriers. Passed Senate but did not receive final House action.

S. 3446, to consolidate and re-enact the shipping laws of the United States. Final implementation of a program to combine into a single statute all of the maritime shipping statutes of the United States. Passed Senate but did not receive final House action.

S. Res. 147, providing for the settlement of disputes involving amateur athletics. Following lengthy hearings the Committee evolved a plan to create an Arbitration Panel to settle the unfortunate controversies that have arisen in the field of amateur athletics.

OTHER NON-LEGISLATIVE ITEMS

The Committee conducted a study of the Northeast Power Failure of 1965, and is maintaining continuing surveillance of this problem.

The Committee has conducted a study of the safety of natural gas pipelines, and has initiated public hearings on legislation requested by the Federal Power Commission to give them authority to set up standards. The hearings will be completed on this legislation early in the next session of Congress.

Recognizing the ever-growing number of problems affecting the consumer, the Committee has established a Standing Consumer Subcommittee to cope with these matters.

Fiscal 1967 budget figures for Government activities within the Legislative jurisdiction of the Senate Committee on Commerce

Activity:	*Amount*
Department of Commerce	$1,261,990,000
Panama Canal	46,000,000
Interior Department-Fish and Wildlife Service	89,558,000
U.S. Coast Guard	492,681,000
Federal Trade Commission	14,000,000
Federal Power Commission	14,000,000
Federal Aviation Agency	903,831,500
Federal Communications Commission	17,338,500
Interstate Commerce Commission	27,759,000
Civil Aeronautics Board	75,500,000
Total	2,942,548,000

NOTE.—Not included in this grouping are the Military Air Transport Service (MATS) and the Military Sea Transportation Service (MSTS), whose total appropriation probably would add another *billion dollars* to the total shown above. Nor is there included the new Department of Transportation for which funds are provided in the fiscal 1968 budget.

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair). The Senator from Ohio.

Mr. LAUSCHE. Mr. President, efforts were made to point out the weakness of my argument. It was said that I have gone back to 1949.

I point to the jump in expenditures of this committee from 1963 to 1967.

The committee spent $247,000 in 1963 and wants $500,000 for 1967. That is an increase of more than 100 percent in 4 years.

It is a simple matter to argue concerning the huge volume of work that is being done and citing subcommittee after subcommittee.

It is true that we have the committees enumerated by the chairmen, committees such as the Marine Subcommittee, the Transportation Subcommittee, the Aviation Subcommittee, and other subcommittees.

Mr. President, I am chairman of the Transportation Subcommittee. It is an important subcommittee. We have held many hearings and have reported or had hearings on all of the pressing legislation. I positively state that on the basis of the need I have for clerical help in the Transportation Subcommittee, we cannot justify the $500,000 allocation for 1967 when we got along with $247,000 in 1963.

My expert, Mr. Sender, helps me materially. I point out that I have not appointed a man to be my assistant as chairman of the Transportation Subcommittee. I suppose I had that right, but I was afraid that if I were to appoint another man to represent me, another employee would be added to the committee.

The proposed increase is entirely too much.

That is all that I have to say on the matter. I am ready to have a vote on a division basis on the amendment.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment. On this question a division has been called for.

On a division, the committee amendment was agreed to.

Mr. LAUSCHE. Mr. President, let the RECORD show that I voted against the committee amendment.

The PRESIDING OFFICER. The question is on agreeing to the resolution as amended.

The resolution (S. Res. 72), as amended, was agreed to.

CERTAIN STUDIES BY COMMITTEE ON FOREIGN RELATIONS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 50, Senate Resolution 67, which was temporarily passed over at the request of the distinguished majority leader.

The PRESIDING OFFICER. The resolution will be stated by title.

The LEGISLATIVE CLERK. A resolution (S. Res. 67) to provide additional funds for the Committee on Foreign Relations for making certain studies, reported with an amendment.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 2, line 20, after the word "exceed", to strike "$250,000" and insert "$225,000".

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the resolution as amended.

The resolution (S. Res. 67) was agreed to, as follows:

S. RES. 67

Resolved, That the Committee on Foreign Relations, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make complete studies of any and all matters pertaining to the foreign policies of the United States and their administration.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants; (3) to hold such hearings to take such testimony, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate, and to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents; and (4) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government, as the committee deems advisable.

SEC. 3. In the conduct of its studies the committee may use the experience, knowledge, and advice of private organizations, schools, institutions, and individuals in its discretion, and it is authorized to divide the work of the studies among such individuals, groups, and institutions as it may deem appropriate, and may enter into contracts for this purpose.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $225,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, for the information of the Senate, at the conclusion of the debate on and the disposal of the next resolution, it is the intention of the leadership to ask for a brief morning hour and then proceed to the unfinished business.

FUNDS TO INVESTIGATE MATTERS PERTAINING TO PUBLIC AND PRIVATE HOUSING AND URBAN AFFAIRS, INCLUDING URBAN MASS TRANSPORTATION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate return to the consideration of Calendar No. 44, Senate Resolution 46.

The PRESIDING OFFICER. The resolution will be stated by title.

The LEGISLATIVE CLERK. A resolution (S. Res. 46) authorizing the Committee on Banking and Currency to investigate matters pertaining to public and private housing and urban affairs, including urban mass transportation, reported with an amendment.

The PRESIDING OFFICER. The committee amendment will be stated.

The legislative clerk read as follows:

On page 2, line 18, after the word "exceed", to strike out "$150,000" and insert "$138,000".

Mr. WILLIAMS of Delaware. Mr. President, I wish to make some remarks with reference to this resolution, and to point out some loopholes in the FHA's procedures that the committee should examine.

The Federal Housing Administration, according to the most recent available report, had an inventory of repossessed mortgages totaling $1,233,570,225.

These are mortgages upon which foreclosures have been taking place and where the Government has taken control of the property. That is a little more than $1¼ billion. Of that amount $730,532,000 represents foreclosures on multifamily projects that have been taken over by the Government.

Our loss ratio on these multifamily projects when resold averages around 45 percent. This means that we are losing approximately 45 percent on every multifamily mortgage that is defaulted.

I think that the time is long past due when the Congress and the Housing Administration should reexamine its policy as to the loose manner in which it is approving these loans.

The Committee on Banking and Currency should give special attention to this situation with a view to corrections in policy in order to reduce this loss.

I point out one particular weakness in our FHA program, which I have discussed before. It concerns the mathematical consequences of this point system.

This system results in the homeowner—speaking of the individual homeowner—who is financing his mortgage for $15,000 having to discount that mortgage in order to get his home financed. This means higher interest.

The result is that the mortgage lenders who are handling these mortgages make more money on the mortgages upon which they foreclose than they do on the borrower who pays his bills.

That is contrary to all sound business principles.

It works out in this manner—suppose that the mortgage bears 6 percent interest and is a 30-year mortgage.

Under the point system, assuming that the morgage is issued at 6 points, that means a receipt by the borrower of $940 per thousand borrowed.

The mortgage lender or banker gets 6 percent for his money plus the extra $60 per thousand allowed by the discount, which amount is amortized over a period of 30 years, bringing the interest rates close to 6½ percent. If, however, this home buyer defaults on his mortgage—we will say within 6 years—they collect all of the 6 points in 6 years, which would raise his rate immediately to a full 7 percent.

On the other hand, if the lender is "fortunate" enough to finance this mortgage to an individual who will default within 1 year, he collects his 6 percent interest on that 1 year, plus his 6 points. This gives him a 12 percent profit solely because the man defaulted in 1 year.

It is dangerous to have a built-in provision under which the lenders can make more money on bad credit risks than they can on good credit risks. This actually creates the situation where they do not care how poor a credit risk may be, just so they can get it by the FHA.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. LAUSCHE. In Cleveland, I contacted a trustee in bankruptcy who had before him the holdings of lending agencies. I was told that he had in his portfolio many cases where the Federal Government guaranteed mortgage loans in the amount of $20,000 and $25,000. He showed me the documents: $20,000 loaned, mortgage and note; 10-percent bonus—that is a charge of $2,000 to make the loan; 6 percent actual interest. When the money was distributed by this lending agency, it had a note and mortgage for $20,000 but only loaned $18,000; $2,000 was kept as a bonus and premium for making the loan.

The Senator from Alabama [Mr. SPARKMAN] knows of my bill, and that is why I am mentioning this. The facts showed that they had made the loan in the hope that the borrower would default. And he normally defaulted within 1 year, 18 months, 2 years. He was gone.

Now, what was the net result? The lender got his $20,000 back—the Federal Government having guaranteed not only the payment of the $18,000 that was actually delivered, but also the payment of the bonus.

It is simply unbelievable that the Government of the United States is participating in this situation, as a guarantor, saying to the lender, "You make the loan. We will guarantee the payment of the principal as set forth on paper, $20,000, although you only paid out $18,000. We will guarantee your interest."

Those mortgage loans were defaulted in 1 year, 2 years. Mostly poor people were involved. The U.S. Government, in my judgment, was a participant in a fraud. Any man who is willing to pay a $2,000 bonus on a $20,000 loan is up against it. And he will not be able to extricate himself.

May I say to the Senator from Delaware that I have a bill pending which would cure that situation, and I hope that some Senators will begin subscribing to the thought that this condition should be remedied.

I commend the Senator for raising this question, because it is of great importance.

Mr. WILLIAMS of Delaware. The example that the Senator from Ohio has just given illustrates the problem about which I am speaking.

Suppose a 6-percent interest-bearing mortgage for $20,000 is discounted at 10 percent. If the borrower defaults in 2 years, the lender gets an extra 5 percent for each year, or 11 percent on his money. If the borrower defaults in 1 year the lender collects 16 percent, the 10 percentage points plus his 6 percent interest. If the borrower defaults in 6 months the amount multiplies beyond that.

If a man is a good risk and makes his payments he amortizes the mortgage over 30 or 40 years. The result is that the sooner the borrower goes broke, the better it is for the lender. That is a ridiculous situation, yet for the past several years we have not been able to get any correction.

I am glad that the Senator from Ohio has offered a bill to correct this evil, and I shall certainly support it.

Last year I offered an amendment which would have corrected this situation. My amendment provided that the Federal Government under no circumstance would insure or pay to a mortgage holder an amount greater than that which he had actually advanced to the borrower. Only by the adoption of such legislation can we correct this problem, because so long as this umbrella is held open we will have these lenders making loans and hoping that the borrowers are bad credit risks. Under this Government program the commoner the credit risk, the more money the lender will make.

Mr. SPARKMAN. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. SPARKMAN. Mr. President, I commend the Senator from Delaware and the Senator from Ohio for their interest in this very serious matter.

No one in the Senate has fought harder than I have fought, over the years, to do away with discounts. As a matter of fact, several years ago, I believe it was in 1950, we passed a law to prohibit discounts. Later on, we passed a law to control discounts.

However, we come up against this very practical problem, a problem that the FHA came up against in trying to administer the law: The interest rate ceiling is set at 6 percent.

If the cost of money rises and it pushes up against that 6-percent ceiling, something has to happen, if mortgage loans are going to be made.

It may be that the way to solve this problem is to do away with the fixed ceiling of 6 percent and make the interest rate variable. It seems to me that that may be the only practical way of doing it. I do not know.

I have not studied the bill that has been presented by the Senator from Ohio, but if he has a solution in his bill, I shall certainly be glad to support it, as I supported the amendment offered last year by the Senator from Delaware, and I fought for it when the matter went to the conference with the House. However, I was not able to sway the entire conference. As a result, the only way we could get a conference report was to make the changes that were made.

I wish to say for the record, in order to avoid any confusion, that the FHA has in effect a regulation which provides that insurance will be agreed to only if the total cost to the borrower for all fees and charges, including discounts, do not exceed 1 percent. I believe that if this question is studied, it will be found that that is the maximum amount that can be paid by a mortgagor under an FHA-insured mortgage.

Incidentally, the Department of Housing and Urban Development has just completed a study on discount points.

This matter is not new. We have been fighting this issue for many, many years.

The practice of discounting permeates even the Housing Department about 3 months ago, the Federal National Mortgage Association announced that it would charge 2 points on the mortgages under special assistance programs. Special assistance programs are those requiring special Government help because they are either new or highly risky and therefore not attractive to the regular mortgage market. In the past FNMA has generally bought these mortgages without discount.

I immediately wrote a letter of protest and pointed out the traditional objections of Congress to this practice and the strong language in the conference report against charging points, and FNMA backed off on its special assistance programs.

Mr. President, I wish I could make that same challenge with reference to the ordinary FHA mortgages, but it is not possible because there is this fixed interest rate of 6 percent, above which they cannot go unless the law is changed. If we can work out a good program to do away with discounts, I hope that we shall do so.

The Department of Housing and Urban Development has just completed a study, as I said a moment ago, on discounts, and our Banking and Currency Committee is publishing this report as a committee print. The report will be available from our committee, in the next few days. I look forward to studying this report and any recommendations to do away with this discount practice, which I consider to be a vicious practice.

Mr. WILLIAMS of Delaware. I thank the Senator. The reason I am pointing out this problem is that this is one of the areas to protect the home buyer. We also need to protect the taxpayer. I am familiar with the regulation, and a regulation alone will not solve the problem. We must amend the law. The regulation states that the FHA will not guarantee any mortgage which bears interest over the normal mortgage price. That sounds good, but in practice it means nothing.

Mr. President, using the same example which the Senator from Ohio mentioned, the $20,000 mortgage which was sold at a 10-percent discount, suppose it were a 6-percent mortgage amortized over 40 years; that 10-point discount would result in increasing the interest one-fourth of 1 percent per year, or to a yield of 6¼ percent a year. It actually figures out, when we consider the declining payments on a mortgage, as between 6¼ percent and 6½ percent. FHA would accept that formula on the basis that it is not unrealistic in comparison with the existing interest rates.

However, if the FHA recognizes the propriety of 6¼- to 6½-percent mortgages, then why could there not be an amendment changing the law? Why perpetuate the situation whereby if it is a bad credit risk and there is a failure in 2 years they get 11 percent, and with a 6 months' failure they can go up to 20 percent in interest?

Mr. President, in my judgment, the only way to correct this situation is to insist that these mortgages be financed at par. Let us provide for interest rates where they must be, and if there is to be allowed 6¼ and 6½ percent, as this regulation would, let us put it on the mortgage. We should stop issuing a 6-percent mortgage when the charge really runs as high as 15 or 20 percent. Let the borrower know what the cost really is.

Mr. President, this administration has said much about truth in lending. Here is a place where they can start by telling the home buyers the truth. Congress should start at home and clean up our backyard. Then we will be in a better position to tell the private money lenders how to run their business.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. LAUSCHE. There has been a misunderstanding of my description of the situation in Cleveland. In Cleveland there was not one case that was involved but an entire portfolio of cases.

Mr. WILLIAMS of Delaware. Yes.

Mr. LAUSCHE. The investors or lenders were loaning on a 6-percent rate but were charging a 10-percent bonus. I understand that in Chicago they are charging 15 percent.

I wish to add one matter. Any time that a borrower is willing to pay 6 percent and, in addition, a 10- or 15-percent bonus, he is in trouble. The lender has him by the neck. The poor man says, "Loan me this money and I will pay you a bonus of 10 or 20 percent." It would be far better for the Federal Government to say, "When you agree to pay this exorbitant bonus, you are never going to get out of debt."

Why do I say that? I was on the bench in Cleveland when, in the depression, there was a 3-percent-a-month rate. That is, the lender loaned $300, and he got $9 a month interest, or $108 a year. Any person who ties himself into that type loan has a chain around his neck from which he cannot extricate himself.

Any persons agreeing to pay 10 percent were in the slum area. They were poor people and, of course, they defaulted. The Government paid the 6-percent interest and the 10-percent bonus to the lender.

Mr. WILLIAMS of Delaware. I thank the Senator from Ohio. He is correct. This is a widespread practice.

Mr. President, this is not an isolated case because more than 90 percent or practically all, of the FHA mortgages in the last few years have been selling at discounts. That is the only way that they were able to place a 5- or 6-percent mortgage. It is general. I might add that if this were a private individual loaning money at 6 percent, taking a note for $1,000, and then only giving the man $900, in the State of Delaware such an individual would go to the penitentiary; yet the Federal Government is doing just that and getting away with it.

Mr. SPARKMAN. Mr. President, I am in agreement in principle with what is being said. But I wish to emphasize this because the statement has been made that it is the home buyer who pays this. If it is an FHA mortgage, the homebuyer is not charged for any more except the rate of interest, and the maximum is 6 percent, plus fees and other charges not to exceed 1 percent. If there is more than that, it is the seller of the home or the homebuilder who pays. I am not saying it is not just as bad. It is, but I think we should have this for the record.

Mr. LAUSCHE. The Senator from Alabama cannot and should not attempt to support that indefensible argument.

Mr. SPARKMAN. We should have the record show that it is the seller of the home who pays the excess over 1 percent.

Mr. WILLIAMS of Delaware. Technically the Senator may be correct. Which came first the chicken or the egg? A homebuilder who has 100 homes in his development and can afford to sell these at $18,000 apiece knows that he is going to have to discount the mortgage by 10 percent, so he gets FHA appraisal for $20,000; then he can discount at 10 percent and still have his sales price. Certainly it ends up that the homebuyer pays for these discounts.

The builder has to take into consideration what he is going to get for that mortgage, but it ends up that the man taking that mortgage makes more money on it if it is a bad credit risk. I repeat, the worse the credit risk the more the lender makes. That is a ridiculous situation when we find that the Federal Government encourages such a practice.

I had one situation to which I called the attention of the Senate last year. That situation involved a veteran who was serving in Vietnam. While he was in the process of leaving from a base in this country his wife left the home in Texas to be with him. She became delinquent in three payments on the home. The mortgage company foreclosed. This family had already paid about 35 percent of the cost of their home. She became delinquent on three payments, and they foreclosed because under the point system they made more money. There would be no other reason.

This person offered a certified check covering all back payments and the current payments, which would have brought the mortgage up to date, yet the lender refused to accept it and said, "We want the full amount." They could then cash in on the extra points.

The Federal Government went along with this foreclosure and caused them to lose their home. The FHA then said that they would rent it back to the wife while her husband was in Vietnam. They had already paid one-third of their mortgage, yet they lost their home.

Practices such as that, which are condoned by the Federal Government, would be denounced if done by a private individual. They would be termed "Shylocks" for trying to take advantage of an individual homeowner while her husband was in the service.

Is this the program that this Great Society advances as a solution to poverty?

A private lender who followed such a practice would be denounced by the same administration that condones this formula.

I think that the time for correction is long past due. I am supporting the proposal of the Senator from Alabama to study this program and come up with a solution. We have the same objectives.

There is one other area which needs to be corrected; and that is, the question of multifamily projects. They are now being built by sponsors with no financial responsibility imposed upon them. The promoters go to a nonprofit organization such as a church or a lodge and get them to accept sponsorship. With sponsorship of a nonprofit organization they get 100 percent financing rather than 90 percent. They build the project and get the profit for the construction. They are operating as builders, more interested in the profit in the building than in the project itself. The result is that a large number of these projects go broke before the doors are ever opened. I have cited examples of scores of multimillion-dollar projects going broke before the doors were ever opened, yet the men promoting them walk out with no financial responsibility whatever. They walk out with a nice fat profit from builder's fees and architect's fees plus an inflated value on the land.

The Comptroller General issued several reports showing that many mortgages were running at 110 percent of the actual expenditures by the promoters and that project after project was going broke as soon as constructed.

We need a special law to make the sponsors of a project—that is, those originating the project and taking the profit—have some degree of financial responsibility to pay the loan. It is an outrage to find that these same groups of promoters going broke and then starting a series of new corporations to build other projects under a different name, still being financed by the same agency.

Some time ago, I pointed out a case in Cincinnati, Ohio, where the Hamilton Co., composed of Mr. Harry J. Krieger and Mr. Lewis I. Leader, of that city, had four projects.

The first project was finished with an FHA mortgage of $4,177,500. The General Accounting Office audited this project and said that the total cost, including all expenditures, was $3,942,795, which gave them a windfall profit of $186,155.

It was supposed to be a 90-percent-financed project, but it was financed at nearly 105 percent. Yet it went broke before they ever got it operating.

These same individuals had another project in Cincinnati. The mortgage was for $2,254,500, and the mortgage was again inflated above the actual cost, this time for $86,659. They took their profits and let the taxpayer hold the bag.

The same individual had a third project in the same area, a mortgage for $3,206,900, and the General Accounting Office audited the books and said that he had a $98,661 profit thereon. Altogether, they walked out with a profit of around $371,475 plus their regular builders' fees on these three projects. A fourth project netted them $98,055 above actual cost. Then the projects went broke.

But that is not all. That is just the beginning. It came to my attention that these same individuals had a long record of similarly inflated mortgages. This was just a small part of their operations.

Over the years their windfall profits ran into the millions of dollars.

For example, when the Capehart committee was examining windfall profits in 1954 we find that Mr. Leader and a Mr. Kapelow were operating at that time as the Shelby Construction Co.

I will insert this report in the RECORD, but I should like to quote just one paragraph from the FHA hearings in 1954 wherein the committee refers, to projects by this same outfit, whose operations were in Cincinnati and have just been described.

I quote from that report:

> Shelby claims the windfall was $1.7 million; FHA says it was $3.4 million; and our staff believes it to be about $2½ million.

This report refers to windfall profits that were taken by the same group as outlined in the 1954 investigation by the Capehart committee.

Mr. President, I ask unanimous consent that excerpts from the hearings of the Capehart committee of the 84th Congress, first session, be printed in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

REPORT OF FHA INVESTIGATION

SHELBY CONSTRUCTION CO. AND WARNER-KANTER COS.

The second tax pattern followed by section 608 builders was designed to avoid the payment of all taxes. Shelby Construction Co., the Warner-Kanter Cos., and Saul Silberman are illustrations of this technique.

Paul Kapelow and Louis Leader incorporated Shelby Construction Co. in 1948 with a capital of $100,000. (Emile Bluestein originally owned 10 percent of the stock but they later bought him out for $315,000.) Kapelow and Leader created 11 corporations, known as the Parkchester group, which were wholly owned subsidiaries of Shelby. These corporations had no assets (perhaps a few hundred dollars each) other than the land on which the project was subsequently built. Those 11 "paper" corporations obtained mortgage commitments from FHA in the amount of $10.8 million for the construction of a section of 608 projects in New Orleans.

The Parkchester group corporations then entered into contracts with Shelby for the construction of the project for amounts which resulted in Shelby obtaining the entire mortgage proceeds. The cost of the project was substantially less than the mortgage proceeds. Shelby claims the windfall was $1.7 million; FHA says it was $3.4 million; and our staff believes it to be about $2.5 million. The difference in these figures results wholly from different views as to the propriety of including as costs of construction such items as payments to the sponsors themselves, entertainment, and travel expenses.

On completion of the buildings only the Parkchester group corporations were liable for the repayment of the mortgage debt. But the excess mortgage proceeds were in the hands of Shelby which was not liable for the mortgage debt. The 11 companies and Shelby then filed a consolidated income tax return which avoided the payment of any income tax on the "windfall profits" by treating the transactions as intracompany dealings. Thus the windfall profits were transferred to Shelby, not liable for the debt, without the payment of income taxes. The property soon got into difficulties and was virtually abandoned by the Kapelow interests. Shelby sold its stock in those 11 companies to a group of New Yorkers for $5,000 cash and an additional $110,000 to be paid over a period of time (presumably out of rental income). The property has since defaulted and is now in the process of foreclosure by the Government.

Kapelow and Leader have had full use of these funds without paying taxes on that income. Shelby has never paid any dividends, and salaries to Kapelow and Leader have been modest, but very substantial sums have been loaned by the parties. At the inception of this project, Kapelow and Leader presented financial statements showing each was worth $300,000. They used these "windfall" funds to finance other projects and 4 years later their financial statement showed each to be worth $3½ million. Had normal income taxes been paid by these businessmen on the earnings of their labors it would not have been possible for them, after the payment of their taxes, to have accumulated that wealth in so short a period of time.

Sponsors: Paul Kapelow and Louis Leader.

Associate: Alex Kornman.

Project	Corporate capital stock	Project mortgage proceeds (including premium)	Total project cost	Windfall
Claiborne Towers, New Orleans, La	[1] $700,000	[1] $9,230,600	[1] $9,133,484	[1] $97,116
Parkchester Group, New Orleans, La	[2] 656,100	[2] 10,845,600	[2] 9,099,412	[2] 1,746,188
Audubon Park Group, St. Louis, Mo	[3] 328,700	[3] 11,328,351	[3] 11,770,351	[3] −442,000
Roselawn Apartments, Natchez, Miss	[4] 121,600	[4] 1,741,600	[4] 1,529,289	[4] 212,311
Total	1,806,400	33,156,151	32,532,536	1,613,615

[1] Combined figures for 2 project corporations.
[2] Combined figures for 11 project corporations.
[3] Combined figures for 4 project corporations.
[4] Combined figures for 8 project corporations.

Mr. WILLIAMS of Delaware. After this report was made public in 1955, this outfit then decided it wanted to go to Puerto Rico and get an FHA housing project approved down there.

The underwriter's report on that project was most critical of their plans. The underwriter's report calls the attention of the agency to the fact that the applicant for the $26 million Puerto Rican project in 1959 had a very bad credit rating with the U.S. Government and recommended strongly against their application being approved for any further financing by the FHA.

Mr. President, I ask unanimous consent to have printed in the RECORD excerpts of this report by the underwriting adviser of the FHA itself.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

During my inquiry several matters were noted that I deem advisable to bring to your attention for such action as may appear appropriate to you. These I will first relate, following which are additional data that may be useful to you in subsequent appeal by these influential sponsors, in event the 800 unit allocation should not subsequently be approved.

UNUSUAL ASPECTS OF THE PROPOSAL

1. Office has allocated 800 units to these sponsors, *exceeding* the present San Juan *allocation* by H&HFA *by 60 units*. Prior allocations have used up 260 units, leaving a remainder of only 740 units. (See Exhibit "1"—Memo from Assistant Chief Underwriter McCormick to Director Edwards, dated 8–26–59, calling attention to this over-allocation.

2. Attached as Exhibit "2" is thermofax copy of letter from H. J. Krieger, President, Hamilton Company of Cincinnati, requesting allocation of 1650 units under Section 221 for construction of 1, 2 and 3 BR apartments at shelter rents of $70–$80–$90.

a. Attached as Exhibit "3" is thermofax copy of letter from Director Edwards, San Juan Office, to Mr. H. J. Krieger, Hamilton Company, Cincinnati, Ohio, advising that the office has 800 Section 221 units available for allocation and agreeing to assign to Mr. Krieger for a 6 months period.

b. This appeared to me to be a trifle unusual inasmuch as the office had only 740 unallocated units for San Juan, thus this 800 allocation constituting an over-allocation of 60 units, as pointed out by Assistant Chief Underwriter McCormick. (See Exhibit "1")

c. The alacrity displayed by the office in making this allocation was indeed surprising to me. Mr. Krieger's letter mailed from Cincinnati on *August 13th;* date stamped as Received San Juan Office *August 13th;* request received, considered and approved by San Juan Office on *August 13th*.

3. Attached as Exhibit "4" is memorandum from Director Edwards to Mr. Frank Daniels, Special Assistant for Urban Renewal, Washington Headquarters, advising him of the 800 unit allocation as the "first major breakthrough", and further advising that Mr. Krieger has requested 1650 units and *we have taken steps through H&HFA* and Puerto Rican Urban Renewal & Housing Authority to secure an additional allocation. Mr. Krieger going to Ponce next week to secure land there *to take up the allocation in that area*. (Land was obtained) This is, of course, the Director's prerogative.

COMMENT

I assume that the additional 1650 units for San Juan are likewise to be allocated to Messrs. Lewis Leader and Harry Krieger, et al, of Hamilton Company, when the San Juan H&HFA make the additional allocation.

As Mr. Edwards states, these sponsors are acquiring land in Ponce "to take up the allocation in that area." Arithmetically, this adds up to a potential total of 800+1,650 +495 or 2,945 units. At $8,000 per unit (100% loans) this could approximate over $26,000,000 in Section 221 Rental Unit Mortgages for Messrs. Lewis Leader and Harry Krieger.

Mr. Krieger informed Assistant Director Floyd Hicks and myself that he was eager to acquire other unallocated Section 221 units in Puerto Rico where substantial numbers were involved. For example, there are unallocated units of 495 for Ponce, 350 for Caguas, 660 for Mayaguez.

Before engaging in such an extensive rental program in Puerto Rico, I suggest that you check with Mr. Lemuel Showell, Director, Property Management Division, for his opinion and experience with the L. D. Long rental properties in San Juan, Mayaguez and Ponce. This unfortunate experience extends over the past 7 or 8 years and still remains unsettled. I refer to:

Villa Grillasca Duplexes—Ponce—720 units.

Mayaguez Terrace Duplexes—Mayaguez—500 units.

Ponce Darlington Elevator Apts. (14 story)—121 units.

Mayaguez Darlington Elevator Apts. (14 story)—121 units.

Rio Piedras Darlington Elevator Apts. (14 story)—121 units.

By analogy it appears to me that we should give some consideration to the unfortunate experience we have had with entrepreneur L. D. Long in the allocation of a large number of rental unit commitments to one man without due consideration of the rental market. Mr. Long's projects totaled $7,850,000. We are now dealing with a potential $26,000,000 plus. Mr. Long is an intelligent man; by comparison with the Leader-Kapelow-Bluestein-Krieger group he is an amateur.

4. I question the propriety of allocating 800 units to one sponsor rather than dividing among other builders. It would appear mort politic to me to hold initial allocations to a maximum of 200 units, or less, until the office can ascertain *market acceptance*, the latter being a matter of underwriting determination.

a. The H&HFA allocation for San Juan dated 9–30–57 was for 1,000 units. On 11–13–58 Frank Ramirez was allocated 260 units. On 8–13–59 the Hamilton Company (Leader & Krieger) were allocated 800 units.

5. Sponsors Lewis Leader and Harry Krieger were involved in the 1954 FHA investigation, operating as Shelby Construction Company in New Orleans. Commissioner Mason, in a press release 10–28–54, stated: "he has taken action to recover a windfall of nearly 3½ million dollars, one of the most shocking of the pre-1950 windfall scandals uncovered." See more detailed explanation under "Mortgage Credit Observations," later herein.

6. In addition to the 800 Section 221 unit project, the office is seriously considering an 800 unit elevator Section 207 project on Roosevelt Road in Rio Piedras, more distant than the Rio Piedras Darlington Apartments (L. D. Long) that FHA recently sold at a loss after much litigation.

MORTGAGE CREDIT OBSERVATIONS

The Hamilton Company—Lewis Leader-Harry J. Krieger, et al—were participants in Shelby Construction Company's Section 608 projects in New Orleans in which FHA Commissioner Norman Mason alleged "windfall profits of over 3½ million dollars were obtained. Shelby Construction Company admitted $1,700,000.

Knowing the background of these principals, it would be naive to believe that they are proposing to build 800 plus rental units under Section 221 in San Juan through the medium of "non-profit" organizations without the strong possibility of immoderate profits. Headquarters General Counsel files are replete with factual analyses of the machinations of these operators. I am not, however, suggesting that they be denied FHA participation in any of our programs. I do suggest that we exercise all possible caution to prevent a recurrence of such incidents as those employed by these sponsors in their New Orleans operations. The current proposal presents profit avenues that could and, I believe, would result in subsequent loss to FHA and, per se, warranted criticism.

On July 20, 1955, Headquarters Legal Division advised Director Ralph Agate of the New Orleans Office in substantive detail concerning the Parkchester Apartments (1356 units) in New Orleans, for presentation to the U.S. District Attorney (copy available upon request). Highlights include:

1. Write-up on land, approximately $1,000,000—with concrete evidence of identity of interest and short period of time involved.

2. Internal Revenue estimated construction costs of $7,367,709 as opposed to Construction Contract of $9,995,921 and Mortgage Loan of $10,845,600. This constituted a "mortgaging out" of $3,477,891 (according to BIRS).

3. The Parkchester buildings were completed in the Spring of 1950 and due to *high rentals,* poor management and unforeseen *problems of accessibility* to the project, *occupancy* of apartments was low and defaults on the mortgages were imminent even at that time.

4. Operating costs, commissions, salaries and other overhead expenses were excessive and further drained on the 11 mortgagor corporations. FHA granted Forbearance of amortization and contributions to Reserves for Replacement for 17 months.

5. On June 10, 1952 the 11 corporations were sold by Lewis Leader, et al, for $5,000 cash and $100,000 in notes to a New York City group consisting of Sidney Orsich, Irving Ornstein and Anita Brooks, as Danreger Realty Corp. There was no longer any identity of interest. By February 1953 all 11 projects were in default.

6. On April 28, 1953 Institutional Securities Corporation of New York City assigned 8 of these Parkchester corporations to FHA for debentures at a cost to FHA of $7,345,345. Teachers Retirement Association of Illinois, holder of the other three mortgages, continued to tolerate the default without assignment in the face of obvious mismanagement and systematic milking of Parkchester corporations. FHA finally acquired these 3 corporations on 10–18–54 through foreclosure.

7. The great variances between the mortgage insurance commitment and actual construction costs indicated sponsor's deliberate inflation of costs in fraud of FHA and with intent to mortgage out. This was alleged to have been accomplished by the suborning of FHA employees through gratuities, etc. Chief Underwriter Salvant admitted the acceptance of expensive "gifts". This is an indication of the modus operandi of these operators.

8. At the inception of the Parkchester project, Lewis Leader and his brother-in-law Paul Kapelow of Shelby Construction Company, presented financial statements showing each was worth about $300,000. Four years later their financial statements showed each to be worth 3¼ million.

9. Criminal action for conspiracy was suggested based upon these people:

a. Selling land to themselves as mortgagor principals through wash sales at an inflated figure.

b. Padding construction estimates in applications for mortgage insurance.

Letting the contract to themselves at patently inflated figures.

Milking the 11 corporations for several million dollars in mortgage money and operating profits.

e. Unloading after taking the maximum of profits and windfalls at a time when financial default was imminent.

10. Shelby Construction Company offered to pay back $1,000,000 into the foreclosed corporations and buy them back in a foreclosure sale. I do not recall FHA's final settlement with Mr. Leader, et al, but, of course, the New Orleans Office would have this information as no doubt would Headquarters Legal Division. It is, in my opinion, unfortunate that FHA must continue to do business with people of this character. I think we could profit by an old Spanish adage "Quien te engaño, te engañara; y si repite, bien te estara". "If a man deceives you once, shame on him; if twice, shame on you".

Mr. WILLIAMS of Delaware. Mr. President, this report refers to the fact that these people were involved in the 1954 FHA investigation and quotes Mr. Mason in a press release in 1954 as stating that he had taken action to recover a windfall of nearly $3.5 million. Mr. Mason had referred to this case as one of the most shocking of the pre-1950 windfall scandals uncovered.

Yet in 1959, just 5 years later, notwithstanding their bad record they were approved for $26 million financing for a housing project in Puerto Rico. This approval was over the objection of the underwriter, who strongly recommended against it.

These were the same people who had defrauded the Government before. I might say that this project likewise failed. But then, moving down, we find that the same individuals last year were the promoters in a Summit House Apartments project in Arkansas. This was a $3,100,800 project and it too failed. The same Mr. Kapelow was involved in that financing.

The Comptroller General wrote a scorching report criticizing the land values which had been written up to provide a large windfall profit.

Thus we find a series of operations in which the same group of individuals defrauded the Government. There was a windfall profit in all of their dealings. Every project went broke, yet the FHA had those people on its good credit risk list.

Federal Housing Administration Commissioner Brownstein has issued a directive to establish a central clearinghouse of bad credit risks. I urged this action 2 years ago. Following my comments, the FHA issued an order requiring the keeping of a record of previous bad credit risks.

There is, however, a weakness in this regulation, which was called to my attention a couple of weeks ago when I was in Florida. I was examining some of the projects in that area, and I found that while the FHA has established a list of bad credit risks these individuals have found a manner by which they can bypass that list. They merely resign as president or officers in the corporation and appoint three respectacle dummies to head the organization as president, vice president, and treasurer, and so forth. Then they proceed to have their applications approved, when in reality they continue to own stock. They are still obtaining Government financing.

What is necessary is to establish a central clearinghouse of such persons, not only by names of the corporations but also by their individual names. Let us make certain that no Government financing will be approved for Joe Doakes until he has paid the Government what he owes the Government on prior projects. Whether the person making the application is an officer or a director is immaterial. So long as he is affiliated with the organization in any capacity—whether as a stockholder or an officer—the loan should be rejected.

These people could pay if necessary. Many of them have tremendous assets on the side. I cited the case of three building projects in Florida built by Mr. McCloskey, of Philadelphia. Certainly he is able to pay his bills. All three of these went broke before the projects ever were opened, and Mr. McCloskey was not held responsible.

In fact, he is still a most favored contractor of this administration.

Practically no payments were made on the $9 million loaned to Mr. McCloskey.

I should like to review those. The first mortgage was for $2.7 million, one was for $2,903,400, and the third project was for $3,449,400, or a total of $9,052,800, loaned toward the three projects. The only payment that Mr. McCloskey made was for $6,572.31. Each went broke just as soon as finished. One was sold the other day, and the Government expects to take a loss of $1 million.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. LAUSCHE. Just as a matter of information, those companies were primarily owned by McCloskey, of Philadelphia. Is that correct?

Mr. WILLIAMS of Delaware. That is correct.

Mr. LAUSCHE. He was the builder?

Mr. WILLIAMS of Delaware. Yes; or the mortgagor.

Mr. LAUSCHE. Did he construct the buildings himself? What I am trying to learn is how they siphon off the money and dump the property into the hands of the Federal Government. Do they do it by the salaries which are paid, by exorbitant contracts which are let on the buildings, or how? The Senator says there was only one payment, of $6,000.

Mr. WILLIAMS of Delaware. $6,532.31 was the only payment that was made on the three loans.

Mr. LAUSCHE. How do they get these windfalls?

Mr. WILLIAMS of Delaware. They can get the windfalls in different ways.

These companies can make their money on the building contracts, on subcontracts to subcontractors which they own or control, or on inflated land appraisals. There is no law that provides they have to operate at arm's length on subcontracts.

These companies can get large allowances as fees to architects. They can get the architect to supply plans on only one building and then use the same plans on other projects. Each company is a separate corporate entity.

Assuming that the corporation goes broke, it would naturally as it were going broke file its income tax return and report a loss. Under the accelerated depreciation the building would have a loss in its earlier years. Then by filing a consolidated tax return with their other profitable operations they can get credit for that loss. Everybody is protected and makes money except Uncle Sam and the taxpayer.

If a company is to be allowed to take as a tax credit a loss sustained in a company which is 100 percent financed by the Government, why is not that same man required to put up his own endorsement on the mortgage? Let him guarantee the loan on his own project.

If a veteran of World War I or II buys a home and the home is financed by the Federal Housing Administration or the Veterans' Administration, both the veteran and his wife must pledge all of their assets—and almost their children—as a pledge toward the payment of that loan. Their furniture and their car is pledged toward payment of the mortgage. But the people operating these multiproject contracts have as many as 25 separate corporations operating at the same time, and not one of them is financially responsible for the operations of the other one. That is the weakness in the law. It needs to be corrected.

Mr. LAUSCHE. Mr. President, may I ask a question? What is the Senator suggesting? That the Banking and Currency Committee begin looking into these matters?

Mr. WILLIAMS of Delaware. Yes; it should look into these matters, to show how the taxpayers are losing money, and how the homebuyers are being defrauded.

Mr. LAUSCHE. If that is what the Senator is suggesting, let me point out that about 2 months ago a letter was published in a newspaper in Washington to the effect that a nonprofit corporation contemplated building a low-rental project at a cost of $3.6 million. It decided to make an application to the poverty agency for a $600,000 grant to do preliminary work. The application set forth how the money would be spent. It stated that $60,000 was to be earmarked for use in paying the interest while the building was being constructed, and $250,000 was to be used for miscellaneous expenses, and $290,000 for management while the preliminary work was going on. Listen to this: The $290,000, when broken down, showed that there was to be a $25,000 salary for the president, $22,500 salaries for three vice presidents, and $17,000 salaries for nine assistants to the three vice presidents.

I wrote a letter to the Office of Economic Opportunity about it, and that Office pointed out to me that there is a limitation on the amount that is allowed to be paid for salaries. But the very belief that this group could get by with a thing like that is astounding and shocking.

Since that time I have read in the newspapers that there has been a $400,000 grant made, $300,000 by the Office of Economic Opportunity and $100,000 by the housing agency for preliminary work.

It is a matter that should be looked into. All these questions should be looked into. I commend the Senator from Delaware for his discussion of this subject today.

Mr. President, I ask unanimous consent to have printed in the RECORD, in connection with our discussion of this subject an article published in the Washington Post of November 24, 1966, entitled "OEO Funds Expected for Nonprofit Housing Here"; a letter to the editor written by John R. Immer, president of the Federation of Citizens Association of Washington and a letter to the editor written by Harry A. Barbour, former executive director of the Housing Authority of Richmond, Calif.; a letter which I wrote to Mr. Shriver, Director of the Office of Economic Opportunity under date of December 5, 1966; a letter which I received from George D. McCarthy, Acting Assistant Director for Congressional Relations of the Office of Economic Opportunity; an article entitled "Housing Grant: Tenth of a Loaf," written by Carol Honsa and published in the Washington Post; and an article entitled "$400,000 Goes to Housing Unit," written by Betty James and published in the Washington Star of February 3, 1967.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, Nov. 24, 1966]

OEO FUNDS EXPECTED FOR NONPROFIT HOUSING HERE

The Housing Development Corporation expects to receive Federal funds for its proposed construction, rehabilitation and leasing program around Dec. 1 from the U.S. Office of Economic Opportunity.

The non-profit corporation which asked for $3.5 million in Federal antipoverty funds in January has scaled down its request to $600,000 for the first phase of its operations.

The Rev. Channing Phillips, HDC chairman, said the $600,000 request, revised with OEO assistance, includes $60,000 to pay loan interest charges, $250,000 for nonrecoverable revolving fund costs, and the balance for administrative costs.

The $60,000 for interest costs would underwrite a $1 million loan from local banks or foundations to HDC.

The original $3.5 million request had included a revolving fund to provide working capital for HDC operation. This was stricken from the request when Federal officials said they could not provide money for the fund. The $1 million loan and local contributions would now be used for this purpose.

Mr. Phillips said the $600,000 grant would enable HDC to make a start in all parts of its proposed low-cost housing program. The corporation's three part program includes construction of new homes and apartments, rehabilitation of existing structures, and a management program under which HDC would lease buildings and apartments to tenants and guarantee the owners a fixed income.

For Houses or Salaries?

The editorial "Housing Delayed," May 4, raises more questions than it answers. You call the Housing Development Corp. "this city's most promising new housing venture." Is this really the case? Such praise can be properly applied to the Shaw School Project led by the Rev. Walter J. Fauntroy.

Such praise can also properly be applied to the concentrated code enforcement project planned by the District Commissioners for the Ivy-City-Trinidad area soon to be announced. This code enforcement project, authorized by the Housing Act of 1965, shows dramatically that, as Mayor John Lindsay's Housing Commissioner Charles G. Moedler said recently, "The importance of code enforcement as an essential tool in the maintenance of decent housing conditions is, at long last, receiving wide acceptance." It is my hope that with this start, other concentrated code enforcement projects can be immediately launched in such blighted, or partly blighted, areas as the Cardozo Area and the Adams-Morgan Area where the old style bulldozing urban renewal was wisely and properly fought by its citizens, including its Negro citizens.

The questions raised by the Housing Development $3.5 million application to OEO with the backing of UPO, which you should explain to your readers, is the probable impact the large number of high salaries it proposes to pay will have on the dedicated public services of Mr. Fauntroy and his colleagues in the Shaw School Project, and similar church-related nonprofit housing ventures throughout the Nation. What justifies a gravy train which will spend $600,000 the first year alone on salaries for insiders such as: $27,000 a year for its president, $22,000 a year for three vice presidents, $18,000 a year for nine assistant vice presidents, $18,000 a year for a general counsel, etc., etc.

John R. Immer,
President, Federation of Citizens Association.

Washington.

Familiar Housing Plan

The Housing Development Corporation's application should start out like this: "Dear Uncle Samuel: We have no money, neither have we any credit, but if you will turn over to us $3.5 million of taxpayers dollars we will build some moderate income housing."

There are ten thousand other organizations who are ready and willing to build under such conditions. If it is done in Washington, it must be done in every other city in the country. Such a program could easily exceed $1 billion. Nonprofit companies can get 100 per cent financing under Sec. 221D3 and that includes all preliminary expenses down to a postage stamp, so why should the Government put up taxpayers' dollars to start such groups in business?

I quote you a parallel instance. In 1942 I was approached by a persuasive individual who offered to sell me 1500 prefabricated houses at a cost of $2990 each. Needing an additional 20,000 houses to take care of workers at the Kaiser shipyards, I was naturally interested. I suggested the man take me to his yard so I could see his layout and judge for myself his ability to make deliveries. Imagine my astonishment when he said he had no yard. I asked him what would be the source of his lumber supply as priorities were necessary. He informed me that he had no source of supply, but if I would give him a firm order he would go to a bank and hypothecate the order and obtain the necessary funds to get a yard, then apply for priorities

All he had was himself, a fancy prospectus and a lead pencil. We were to guarantee him $4½ million of Federal funds, then he would start up in business, just as would the Housing Development Corporation. Needless to add, he didn't get it.

That was 24 years ago, during another war. Now here it comes again: Same book—new cover. Maybe that is HDC's idea of private enterprise.

Harry A. Barbour.

(The author is a former Executive Director, Housing Authority of Richmond, Calif.)

Washington.

December 5, 1966.

Hon. Sargent Shriver,
Director, Office of Economic Opportunity, Executive Office of the President, Washington, D.C.

Dear Mr. Shriver: On October 17th I wrote to you about the Housing Development Corporation in Washington expressing my doubts about the wisdom of the Office of Economic Opportunity promoting the organizational set-up of this agency as distinguished from its purposes of providing on a low-rental basis housing accommodations for the impoverished.

The Thursday, November 24th, issue of The Washington Post carries the article that OEO will make a grant of $600,000 to the Housing Development Corporation for the financing of the preliminary work that must be done to eventually proceed with the financing by the Federal Government of the low-cost housing accommodations for the poor.

The article states that the Housing Development Corporation will use the $600,000 for the following purposes:

1. $60,000 to pay loan interest charges;
2. $250,000 for non-recoverable revolving fund costs;
3. The balance of $290,000 for the cost of administering the preliminary work of the program.

It seems to me that the grant of $600,000 by the OEO to finance preliminary work on this $3½ million low-cost housing program is extravagant and inordinate. I am fortified in this statement by the observation made by John R. Immer, President of the Federal of Citizens Associations of Washington, D.C., who in a letter to The Washington Post stated:

"What justifies a gravy train which will spend $600,000 the first year alone on salaries for outsiders such as: $27,000 a year for its president, $22,000 a year for three vice presidents, $18,000 a year for nine assistant vice presidents, $18,000 a year for a general counsel, etc., etc.".

Mr. Immer states that the application submitted to you points out that there will be a $27,000 a year salary for the president of the Housing Development Corporation; $22,000 a year for three vice-presidents, $18,000 a year for nine assistant vice-presidents; and $18,000 a year for general counsel.

I wish that you would answer for me the following questions:

1. Are any elected public officials to serve on the Board of Executives or Trustees, whatever they might be, of the Housing Development Corporation?

2. What is the identity and background of the persons who, according to Mr. John R. Immer, are to serve as president, vice-presidents, and nine assistant vice-presidents, and the general counsel?

3. What is the justification for OEO making a grant of $600,000 to a non-profit corporation for the execution of the preliminary work incident to the development of a $3½ million housing facility for low income citizens?

4. What if any moneys are to be expended by the Housing Development Corporation or by its executives in doing the preliminary work that will be used as the basis for making an application for a $3½ million grant at a later date?

5. Is it a fact that all of the money needed to finance the preliminary work at a cost of $600,000 and the $3½ million that will be granted by the Federal Government for the construction of the low rental cost housing project will all be provided by the Federal Government?

6. If you are approving a program with the high salaries above mentioned provided for a president, three vice-presidents, nine assistant vice-presidents, and a general counsel, aren't you sort of confidentially telling other areas of the country to likewise promote programs of this type under which professional humanitarians will be drawing high salaries to be financed by the taxpayers and similarly prosecute them in other areas of the nation?

Sincerely yours,

Frank J. Lausche,
U.S. Senator.

Office of Economic Opportunity,
Executive Office of the President,
Washington, D.C., December 20, 1966.

Hon. Frank J. Lausche,
U. S. Senate,
Washington, D.C.

Dear Senator Lausche: Sargent Shriver asked me to thank you for your letter of December 5 requesting information on the status and the salary levels of a proposed demonstration grant to the Housing Development Corporation of Washington, D. C.

I am enclosing a letter signed by Mr. Berry, Director, Community Action Program, which indicates that this program is still being reviewed by our staff members and that no commitment has been made. Although no decision has yet been made by this Agency, you should be aware of the following facts:

(1) No proposed salary of any executive to be employed by the Housing Development Corporation exceeds $15,000 per annum.

(2) The Commissioners of the District of Columbia will appoint three representatives to the Board of Directors. In addition, the heads of the National Capital Housing Authority, the D. C. Redevelopment Agency, the National Capital Planning Commission, and the Division of Licenses and Inspections, District of Columbia, have specifically endorsed the program in writing.

(3) The applicant is not the Housing Development Corporation, but the United Planning Organization. If the program should be funded, the chief executives would be chosen by the Board of Directors of the Housing Development Corporation in cooperation with the Board of Directors of the United Planning Organization. As you know, the selection of personnel to administer community action programs is primarily a local decision.

(4) The amended application is not a request for "$600,000 to finance preliminary work on a $3.5 million low-cost housing program." The original application requested the larger amount but this figure has been reduced to $600,000 in the process of restructuring the program. The revised application requests funds from both the Office of Economic Opportunity and the Department of Housing and Urban Development only for administrative costs. It is planned that the remaining funds, up to three million dollars, will be raised from other sources such as foundations and the local community. Of course, our staff has not finished reviewing the amended HDC application and the reasonableness of the $600,000 request is still being evaluated.

(5) The applicant has requested funds for an experimental demonstration program under Section 207 of the Economic Opportunity Act. The purpose of the program would be to demonstrate a new mechanism at the local level for coordinating and mobilizing housing resources for low-income groups while facilitating the participation of private enterprise in the low-cost housing field. It is not likely that this program will be reproduced in other communities until this approach is validated.

Please do not hesitate to write if we can be of further help. Thank you for your interest in our program.

Sincerely,

George D. McCarthy,
Acting Assistant Director for Congressional Relations.

Four-Hundred Thousand Dollars Held Inadequate—Housing Grant; Tenth of a Loaf

(By Carol Honsa)

The non-profit Housing Development Corp. received grants of nearly $400,000 yesterday from two Federal agencies to supply about 1000 new homes for low-income citizens in the Washington area.

The grants amounted to slightly more than one-tenth of the $3.5 million that the corporation originally sought a year ago for a massive attack on Washington's housing problems.

Antipoverty leaders here termed the grants a pittance, Federal face-saving and another indication of complacency about the city's low-income housing needs.

The grants were $294,294 from the U.S. Office of Economic Opportunity, the Federal antipoverty agency, and approximately $100,000 from the U.S. Department of Housing and Urban Development through its low-income housing demonstration program.

They will provide administrative and operating money for the corporation, which will have to tap community resources for an operating fund to acquire land, build homes and apartments, and rehabilitate old structures.

The Rev. Channing E. Phillips, corporation chairman, said he assumed the grants included funds to pay interest charges on borrowed operating money. An operating fund of $1 million is needed for the first year of the program, he said. Further Federal funds will be sought when the two grants expire, he said.

James Banks, United Planning Organization director, said the two grants were "nowhere nearly sufficient to make a sizable impact on the housing needs of Washington.

"When we use a pittance to grapple with major problems, it is another indication of the complacency with which the housing crisis is considered," he asserted.

The grants "will simply provide a mechanism to hopefully show that the problem can be solved, but it certainly won't solve it," Banks said.

Thomas Payne, head of the Metropolitan Citizens Advisory Council, said the size of the grants amounted to a "face-saving action" by the Federal agencies.

"The Federal Government has sold out the citizens of Washington," Payne said. "No realistic assault can really begin with $400,000."

Payne said he would call an emergency meeting of housing committees from the ten UPO neighborhood antipoverty centers to plan a response next week. He said that citizen groups must apply pressure to OEO, HUD and the District government for more funds for low- and middle-income housing.

The grants were made to UPO, the city's antipoverty agency, which will channel the funds to the housing corporation.

Grant conditions require the corporation to submit a plan within three months for the development of a community-wide trust or other methods of obtaining its working capital.

The corporation's original $3.5 million request had included about $3 million in operating funds which could eventually be recovered through rents and mortgages on its housing projects. OEO, caught in a financial squeeze, had contended it could not provide the money for land and construction. The corporation then scaled down its request to $600,000.

The housing organization has been empowered to operate anywhere in the metropolitan area and to buy, sell, manage and lease properties and guarantee loans.

Four Hundred Thousand Dollars Goes to Housing Unit—Nonprofit Firm Gets Grant To Aid Needy

(By Betty James)

Grants totaling nearly $400,000 from two Federal agencies to finance the Housing Development Corporation's effort to increase decent low-cost housing in the Washington area were announced today.

The Office of Economic Opportunity announced a $294,294 12-month grant to the nonprofit corporation, to be used in developing 1,000 housing units.

The federal antipoverty agency announced at the same time that the Department of Housing and Urban Development would provide about $100,000 through its low-income housing demonstration program.

The private group will be the principal nongovernmental and noncommercial agency for planning, building, operating and maintaining decent housing for the poor in the Washington area.

The main grant was made to the United Planning Organization, Washington's antipoverty agency, which will delegate the program to the Housing Development Corp., which is headed by Rev. Channing H. Phillips.

UPO originally sought $3.5 million to launch the corporation, which would have included capital to buy and build.

But OEO contended it could not provide enough money for buying land and construction, and the action announced today is the result of a year of negotiation among the various agencies involved.

The grants announced today will provide for administrative costs and other nonrecoverable operating expenses.

James G. Banks, executive director of UPO, said today of the funding, "It's a pittance in terms of the city's needs, but it's a beginning. After these many, many months of negotiations it's some satisfaction to know we can start."

Additional money may be available from federal and local sources as the project demonstrates its merit, Banks said.

One way in which more money could be obtained would be for the District government to provide tax advantages to builders of low-income housing, he said.

The Housing Development Corp. must develop a plan and submit it within three months for creation of a communitywide trust or other methods of obtaining sufficient recoverable working capital to initiate a metropolitan area program, OEO said.

A group headed by Washington attorney Reuben Clark has been considering such a development fund for some time.

Although the amount funded is far below the amount its planners envisioned when the idea was conceived, the terms of the grant give it the kind of mandate its founders had in mind.

BROAD POWERS

The corporation is empowered to plan, operate and assist in the creation of low-income housing anywhere in the metropolitan area. It can buy, sell, manage, lease, and guarantee loans, all with an eye toward increasing low-cost housing.

The 1,000 units that are expected to be made available through the program would provide homes for 4,000 persons at an estimated cost of $8 million according to OEO.

Through the use of innovative administrative techniques, it is expected that a significant amount of the work will be done by residents of the areas served, the federal agency said.

Theodore M. Berry, director of OEO's community action programs, said in announcing the grant that the project is one in a series of demonstration programs testing different methods of increasing the supply of housing for low-income families and groups.

The Washington program is unique in that at least one-third of the members on the board of the corporation will represent residents of the area and groups to be served, Berry said.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that the record of the three projects in Florida referred to by me and a newspaper article which appeared in the Daytona Beach Sunday News-Journal of May 1, 1966, be printed at the appropriate place in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

Purchase Offers Invited—Pendleton Goes on Auction Block; FHA Seeks $2,150,000 Minimum

Want to buy the Pendleton Apartments? It's for sale—for $2,150,000 or more.

The Federal Housing Administration last week invited sealed purchase offers on the riverfront development. They will be received and publicly opened May 26 at 11 a.m. in the office of the FHA's property disposition division, 1001 Vermont Avenue NW., Washington.

The FHA took over the Pendleton last June after the developer, McCloskey & Co. of Philadelphia, defaulted on its FHA-insured mortgage. The agency has been operating and maintaining the property since then.

The six story building, containing 130 luxury apartment units, is at 1224 S. Peninsula Drive.

In asking for purchase offers, the FHA said it would accept no less than $2,150,000 for the property. The maximum mortgage obtainable is $2 million. A $75,000 deposit will be required with each bid. Prospectuses may be obtained from the property disposition division.

The Pendleton was built three years ago at an announced cost of $3 million and mortgaged for $2.7 million. When the FHA took over, only about 60 percent of the apartments were rented. As of April 1, 66 percent of the 130 apartments were occupied.

Two other McCloskey properties, the 157 Lucerne Towers in Orlando and the 192 unit Twin Towers in Cocoa, defaulted at the same time.

A McCloskey spokesman said at the time that the demand for high-rise luxury apartments was less than anticipated in all three cities. In addition, taxes and operating costs were higher than anticipated, he said.

The Pendleton is just one of scores of FHA-backed projects in many sections of the country that have flopped in recent years.

An FHA spokesman in Tampa, Joseph Azelino, said the defaulted mortgage was for about $2,700,000, so that the FHA would take a loss if the property is sold for $2,150,000.

The agency has done some renovating and improving of the building since it took over. This included redecorating of several apartments and some repainting, plus new pumps for a sewage lift station. Azelino said he didn't know offhand how much was spent for the work and the information wasn't readily available.

February 1, 1965.

Daytona Beach, Fla.

The Pendleton (126 units).

Project No. 067–30083.

Mortgagor: The Pendleton, Inc.; T. D. McCloskey, President: William I. McCloskey, Vice President & Treasurer; William K. Stewart, Vice President & Secretary.

Stockholder: Federal Projects Corporation, Philadelphia, Pennsylvania.

FHA estimate of replacement cost of property: $3,171,315.

Certified actual cost of improvements, including land valuation: $3,069,362.

Amount of mortgage: $2,700,000.

Date of first payment to principal: November 1, 1963 (deferred by agreement to May 1, 1964).

Amortization plan: Monthly payments to principal over a period of 480 months according to the Level Annuity Monthly Plan.

Interest rate: 5¼%.

Remarks: Mortgage went into default last June and has been assigned to the Federal Housing Commissioner. After a detailed study, mortgagor corporation seeks to continue to operate property under Work-Out Arrangements calling for monthly payments sufficient to cover service charge and accruals for real estate taxes and hazard insurance, with such income as might otherwise be available for application to interest delinquency being used to defray the cost of converting a number of larger dwelling units into smaller units for which there is a stronger demand. This proposal is not without merit, but decision as to its acceptance or rejection will hinge upon the prospect of the owners being able to liquidate a delinquency of some $115,636 in orderly fashion.

FEBRUARY 1, 1965.

CAPE KENNEDY, FLA. (COCOA BEACH)

Twin Towers Apartments, Inc. (192 units).

Project No. 067–00023.

Mortgagor: Twin Towers Apartments, Inc., T. D. McCloskey, President; William K. Stewart, Vice President; Bernard M. Creamer, Vice President-Sales; T. E. Whitehead, Vice President.

Stockholder: Federal Projects Corporation, Philadelphia, Pennsylvania.

FHA estimate of replacement cost of property: $3,272,825.

Certified actual cost of improvements, including land valuation: $3,226,101.

Original amount of mortgage: $2,903,400.

Date of first payment to principal: July 1, 1964.

Amortization plan: Monthly payments to principal over a period of 468 months according to the Combination Declining Annuity Plan.

Interest rate: 5¼%

Remarks: Notice of Default filed by the mortgagee last month shows loan to be in default in the amount of some $41,852. Provided this delinquency is fully paid, the FHA is prepared to approve pending request for deferment of payments to principal for 12-month period commencing January 1, 1965.

FEBRUARY 1, 1965.

ORLANDO, FLA.

Lucerne Towers (157 units).

Project No. 067–30076.

Mortgagor: Lucerne Towers, Inc., J. Y. Arnold, Jr., President; C. M. Branch, Secretary; William K. Stewart, Treasurer*; Robert C. Pelham, Vice President; Hugo R. Broleman, Jr., Assistant Secretary.

FHA estimate of replacement cost of property: $3,832,692.

Certified actual cost of improvements, including land valuation: $3,885,383.

Amount of mortgage: $3,449,400.

Date of first payment to principal: July 1, 1963 (deferred by agreement to January 1, 1964).

Amortization plan: Monthly payments to principal over a period of 480 months according to the Level Annuity Monthly Plan.

Interest rate: 5¼ percent.

Remarks: Mortgage went into default last May, following which the mortgagee elected to foreclose and a receiver was appointed.

Mr. WILLIAMS of Delaware. Mr. President, the Senator from Ohio asked how these people make profits on bankrupt projects. Let me refer to a Comptroller General's report which I discussed on August 12, 1966. This appears in the RECORD of that date. The Comptroller General issued a scorching report of windfall profits which are being made today under the FHA law as it is being administered. The Comptroller General's report showed that 87 of the 89 projects it reviewed were overappraised. On 43 land deals the FHA gave an appraisal of $6,335,087 against a cost of only $4,258,000, or a difference of $2,077,063. That is a 50-percent markup on the land valuation of these 43 projects, and the Government financed the mortgages on that basis.

For 24 of the projects a markup on the land of around 100 percent was allowed on these projects, $6,240,000 was allowed, against costs of $3,364,000, which gave them an immediate profit of around 100 percent.

Four of the projects examined showed they allowed almost 10 times the cost of the land, or a markup of about 1,000 percent. This inflated appraisal was financed with Government mortgages. On one such project the operators had bought the land about 60 days before they closed the mortgage with the Government. They had an option to buy it from the city in which the project was being built for a total of $30,000. They were given an appraisal of $300,000 on that land and were given a mortgage for $300,000 with the land they were buying from the city for $30,000 as collateral. In their application they only asked for $250,000; they were given $50,000 more than they even asked for.

These windfall profits for the builders are approved under the cloak of wanting to do something for the individual homeowner. I shall cite in a moment some cases to show how the interest of the homeowner has been neglected.

Mr. President, I ask unanimous consent that following my comments on this subject the various reports in connection with these six projects in the Los Angeles area be entered in the RECORD.

The PRESIDING OFFICER. Without objection, it so ordered.

(See exhibit 1.)

Mr. WILLIAMS of Delaware. Cases in San Diego, Calif., were called to my attention. Four projects were built by one group, and all four of them went broke. Two other projects were built by another company, and they likewise went broke.

The Hollywood, Calif., project was a cooperative, and as a cooperative they had sold some of the units to individual home buyers.

The FHA has ruled that under the provisions of the loan mortgage as it was approved the sponsors of the project are not responsible for the payment of the mortgage. Since they had set up a cooperative arrangement whereby units were sold to home buyers the FHA has ruled, I repeat, that the sponsors of the project are not responsible for this $5,750,000 loan to which I refer, but that "a cooperative consisting of individuals whose ownership of stock in the corporation entitles them to occupancy of living units in the project, became liable on the mortgage."

Thus, by that reasoning, the Government is letting the ones who built the project off the hook. They get the profit, and now the individual home buyers who have bought units in the cooperative project are to be held responsible.

Mr. President, I think it is an outrage that any loan would be approved on such a basis. I say again that if the loans being approved by this agency were approved in the State of Delaware by a private individual the Attorney General would be after him before tomorrow morning. An individual would go to the penitentiary for doing what the U.S. Government is doing through the FHA in charging these shylock rates and at the same time not protecting the individual homeowners.

This program has been referred to far too often as in the interests of the homebuilding industry. I respect the homebuilding industry, but I submit it is time we forget about the industry, time we forget about the bankers, and remember that this program is supposed to be designed to protect the home buyer. Thus far, at least, the home buyer is the forgotten man. He has been the man who has received the least protection from this administration.

For that reason I support an investigation of this agency. I hope that the chairman of the committee will give these problems his special attention and that he will not just sit back—as I am sure he will not—and permit the hearings to become a mere mechanical process whereby the heads of these agencies can come down and, in a 15- or 20-page statement, laud the noble objectives of what they are trying to achieve. Let us make sure they do not gloss over the actual facts of the case.

Because the facts are that the home buyer is not being protected. Nearly all the home buyers who have purchased their homes in the last 12 months have paid far in excess of the legal rate of interest, and the Commissioner will have to admit it. Let the individual home buyer know what interest rate he is paying when the discount is counted.

Mr. President, I shall not delay the Senate further, but I ask unanimous consent that a series of insertions in connection with other projects be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibits 1, 2, and 3.)

Mr. WILLIAMS of Delaware. Mr. President, I conclude with this appeal: That we remember that our primary duty is to protect the individual home buyer. The Banking and Currency Committee has before it an administration bill that would seek to provide truth in lending. I most respectfully suggest that when that committee opens hearings on that bill, its chairman ask the various lending agencies of the U.S. Government to come down and explain how they plan to clean up their own operations, because the most untruthful lender in the United States today is the U.S. Government.

The first exhibit concerns a project in Hollywood, Calif., the Hollywood Ardmore Cooperative, Inc. The second exhibit concerns six projects in the San Diego, Calif., area, and the third exhibit concerns the Mount Royal Plaza urban renewal area in Baltimore, Md.

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*Also identified as the Vice President of Federal Projects Corporation, Philadelphia, Pennsylvania.

Exhibit 1

Department of Housing and
Urban Development, Federal
Housing Administration,
Washington, D.C., November 8, 1966.

Hon. John J. Williams,
U.S. Senate,
Washington, D.C.

Dear Senator Williams: I am replying further to your inquiry of October 13, 1966, concerning Hollywood Ardmore Cooperative, Inc., in Hollywood, California.

The information which you requested is attached.

Sincerely yours,
Philip N. Brownstein,
Assistant Secretary-Commissioner.

Attachment.

Hollywood Ardmore Cooperative, Inc., Hollywood, Calif.—Project No. 122-30128

1. Background of Mortgage Transaction:

a. Date of first contact between sponsor and FHA: May 18, 1959.

b. Application date and amount: July 18, 1960—$5,300,000—revised November 1, 1960—$5,750,000; increase requested to cover cost of 139 additional rooms in the project.

c. Commitment date and amount: January 31, 1961—$5,750,000.

d. Initial endorsement date: April 5, 1961.

e. Final endorsement date: April 17, 1963.

f. General Contractor: M. J. Brock & Sons, Inc., 2894 Rowena Avenue, Los Angeles, California.

2. Mortgage:

a. Date: April 3, 1961.

b. Amount: $5,815,000—increase of $65,000 over original commitment amount was requested by the cooperative mortgagor and was approved by FHA on October 10, 1962. The increase was the cumulative effect of changes in the original project plans and specifications representing betterments to the commercial areas of the project.

c. Status: Deferments of principal and reserve for replacement payments for the period October 1, 1964, to April 1, 1965, and from October 1, 1965, to April 1, 1966, were approved by the mortgagee, The Lincoln Savings Bank in New York, and FHA. The mortgagee has advised FHA that the mortgage is in default for failure to make the payment due July 1, 1966. Because of the monetary default, the mortgagee elected on November 3, 1966, to assign the mortgage to the Secretary of Housing and Urban Development and to make a claim for debentures under its mortgage insurance contract.

d. Payments to principal and interest: This information is not available at the present time. FHA does not receive the mortgagee's payment ledger card for the mortgagor until the mortgagee makes a claim under its mortgage insurance contract. Although the mortgagee has elected to assign the mortgage and to file a claim for debentures, this information has not been submitted by the mortgages.

3. Sponsorship:

a. Sponsor: Ardmore Development Company, 4074 Vineland Avenue, North Hollywood, Los Angeles, California. President—Mr. Leonard B. Schneider.

b. Financial difficulties of project and effect of foreclosure proceedings on the cooperators:

The sponsor of the project, Ardmore Development Company, formed the cooperative mortgagor and sold memberships therein. At closing of the mortgage loan, the mortgagor corporation, a cooperative consisting of individuals whose ownership of stock in the corporation entitles them to occupancy of living units in the project, became liable on the mortgage. The sponsor of the cooperative, the Ardmore Development Company, has no personal liability on the mortgage nor do the members of the cooperative corporation, as individuals, have any liability for mortgage payments.

We have had meetings with representatives of the cooperative to see if a solution to the problem is possible. When FHA obtains an assignment of the mortgage every effort will be made toward a work-out arrangement which will protect the members as well as the government's interest.

Exhibit 2

Department of Housing and Urban Development, Federal
Housing Administration,
Washington, D.C., August 23, 1966.

Hon. John J. Williams,
U.S. Senate,
Washington, D.C.

Dear Senator Williams: I am replying further to your letter of July 27, 1966, concerning several projects in San Diego, California.

According to our records, Borrego Springs Park is not an FHA project. However, Emerald Garden Apartments, although not on your list, is an FHA project, so I have substituted it for Borrego Springs Park.

The information you requested in connection with the listed projects is enclosed. Loma Palisades consists of five parts and a separate report has been prepared on each part.

With reference to land valuation, it has been reported that the Loma Palisades land involved rezoning, off-site improvements of streets and utilities, and the trade of an equity in an option on approximately 5,000 acres of land being developed by other parties. Also that in the Pennant Village and University City Leisure Life Village land was a small portion of approximately 2,500 acres of land having neither access nor utilities; the access road cost over a million dollars and the cost of bringing in utilities also was very substantial. On the subject of multifamily project land values I am enclosing a copy of a directive issued to our field offices on January 9, 1964.

Our information indicates that Mr. Carlos Tavares and Mr. C. W. Carlstrom have been interested only in the projects reported on herein, but that Mr. Louis Lesser has also been interested in Sunset Manor Apartments, Project No. 122-00079; Barrington Plaza, Project No. 122-32020; West Covina Apartments, Project No. 122-00080; Lesser Towers, Inc., Project No. 122-00091; Centerline Gardens, Project No. 044-80002; and Military Homes, Inc., Project No. 122-00091.

With reference to the construction cost certified to FHA, I would like to say again, to confirm the statement in my letter of May 10, 1966, that information of this type has not been released publicly because it may fall within the criminal and other proscriptions of 18 U.S.C. 1905.

Sincerely yours,
P. N. Brownstein,
Assistant Secretary-Commissioner.

Enclosures.

Loma Palisades "A," Inc., West Point Loma and Midway Drive, San Diego, Calif.—Project No. 129-00009

1. Date of initial contact: Prior to May 16, 1957.

2. Mortgage amount at final endorsement: $1,285,800.

3. Date of final endorsement: September 12, 1958.

4. Present status of mortgage: Following default, mortgagee assigned the mortgage to FHA on October 11, 1960. Case referred to the Department of Justice for foreclosure on June 6, 1966. A receiver in foreclosure has been appointed.

5. Names and addresses of sponsors: George M. Holstein & Sons, 166 East 17th Street, Costa Mesa, California; Sam Berger, 166 East 17th Street, Costa Mesa, California.

6. Names of stockholders shown on rental schedule dated May 16, 1958: Holstein Palm Springs Properties, Inc., George M. Holstein III, George M. Holstein, Sam Berger, FHA (preferred stock).

7. Name and address of prime contractor: Holstein Palm Springs Properties, Inc. and George M. Holstein & Sons, 166 East 17th Street, Costa Mesa, California.

8. Construction cost as certified to FHA on mortgagor's certificate of actual cost: $1,364,901.52.

9. FHA market value of land: $147,000.

10. Sponsor's purchase price of land shown on application: $196,124.

Loma Palisades No. "C", Inc., San Diego, Calif., Project No. 129-00011

1. Date of initial contact: Prior to November 1, 1957.

2. Mortgage amount at final endorsement: $1,163,000.

3. Date of final endorsement: December 19, 1958.

4. Present status of mortgage: Following default, mortgagee assigned mortgage to FHA on January 18, 1961. Case referred to the Department of Justice on June 6, 1966 for foreclosure. A receiver in foreclosure has been appointed.

5. Names and addresses of sponsors: George M. Holstein & Sons, 166 East 17th Street, Costa Mesa, California; Sam Berger, 166 East 17th Street, Costa Mesa, California.

6. Names of stockholders shown on rental schedule dated December 10, 1958: Holstein Palm Springs Properties, Inc., George Holstein III, George M. Holstein, Sam Berger.

7. Name and address of prime contractor: B & H Properties, Inc. and George M. Holstein & Sons, 166 East 17th Street, Costa Mesa, California.

8. Construction cost as certified to FHA on mortgagor's certificate of actual cost: $1,171,294.95.

9. FHA market value of land: $142,000.

10. Sponsor's purchase price of land shown on application: $55,000.

Loma Palisades No. "E," Inc., Midway Drive and West Point Loma Boulevard, San Diego, Calif.—Project No. 129-00013

1. Date of initial contact: Prior to January 13, 1958.

2. Mortgage amount at final endorsement: $1,369,700.

3. Date of final endorsement: January 8, 1960.

4. Present status of mortgage: Following default, mortgagee assigned the mortgage to FHA on October 11, 1960. Case referred to the Department of Justice for foreclosure on June 6, 1966. A receiver in foreclosure has been appointed.

5. Names and addresses of sponsors: George M. Holstein & Sons, 166 East 17th Street, Costa Mesa, California; Sam Berger, 166 East 17th Street, Costa Mesa, California.

6. Names of stockholders shown on rental schedule dated July 30, 1959: B & H Properties, Inc. (principal stockholders of which are: Estate of Sam Berger; George M. Holstein III; Irwin M. Fulop).

7. Name and address of prime contractor: B & H Properties, Inc. and George M. Holstein & Sons, 166 East 17th Street, Costa Mesa, California.

8. Construction cost as certified to FHA on mortgagor's certificate of actual cost: $1,399,850.50.

9. FHA market value of land: $124,000.

10. Sponsor's purchase price of land shown on application: Approximately $55,000.

Loma Palisades No. "D," Inc., 2801-2996 Worden Street, San Diego, Calif.—Project No. 129-00012

1. Date of initial contact: Prior to December 19, 1957.

2. Mortgage amount at final endorsement: $842,000.

3. Date of final endorsement: December 8, 1959.

4. Present status of mortgage: Following default, mortgagee assigned the mortgage to

FHA on September 26, 1960. Case referred to the Department of Justice for foreclosure on June 6, 1966. A receiver in foreclosure has been appointed.

5. Names and addresses of sponsors: George M. Holstein and Sons, 166 East 17th Street, Costa Mesa, California; Sam Berger, 166 East 17th Street, Costa Mesa, California.

6. Names of stockholders shown on rental schedule dated April 10, 1959: B & H Properties, Inc. (principal stockholders of which are: Sam Berger and Geo. M. Holstein III), FHA (preferred stock).

7. Name and address of prime contractor: Holstein Palm Springs Properties, Inc. and George M. Holstein and Sons, 166 East 17th Street, Costa Mesa, California.

8. Construction cost as certified to FHA on mortgagor's certificate of actual cost: $965,591.38.

9. FHA market value of land: $78,495.

10. Sponsor's purchase price of land shown on application: Approximately $50,000.

Pennant Village, San Diego, Calif.—Project No. 129–35002

1. Date of initial contact: Prior to June 12, 1961.

2. Mortgage amount at final endorsement: $2,000,000.

3. Date of final endorsement: November 24, 1964.

4. Present status of mortgage: Assigned to FHA on June 28, 1966.

5. Name and address of sponsor and mortgagor: Pennant Village, San Diego, Calif.

6. Names of stockholders shown on rental scheduled dated November 11, 1964: University City, Inc., whose stockholders are: Irvin J. Kahn, Carlos Tavares, C. W. Carlstrom, Jessie W. Stacey, Louis Lesser, Robert W. Fontana, Norman R. Smith, C. A. Long.

7. Name and address of prime contractor: University City, Inc., 3010 Cowley Way, San Diego, Calif.

8. Construction cost as certified to FHA on mortgagor's certificate of actual cost: $3,231,769.

9. FHA "as is" value of land: $820,000.

10. Sponsor's purchase price of land shown on application: $400,000.

University City Leisure Life Village, San Diego, Calif., Project No. 129–35001

1. Date of initial contact: May 25, 1962.

2. Mortgage amount at initial endorsement: $6,287,000.

3. Date of initial endorsement: February 26, 1964.

4. Present status of mortgage: This mortgage was never finaled out. Default occurred in August, 1965, and the mortgagee foreclosed the mortgage and deeded the property to FHA on June 10, 1966.

5. Name and address of mortgagor: University City Leisure Life Village, Inc., San Diego, California. Name of sponsor: University City, Inc., 3010 Cowley Way, San Diego, California.

6. Names of stockholders shown on rental schedule dated March 18, 1965: University City, Inc., whose stockholders are: Irvin J. Kahn, Carlos Tavares, C. W. Carlstrom, Jessie W. Stacy, Louis Lesser, Robert W. Fontana, Norman R. Smith, C. A. Long.

7. Name and address of prime contractor: University City, Inc., 3010 Cowley Way, San Diego, California.

8. Construction cost as certified to FHA on mortgagor's certificate of actual cost: $7,132,919.

9. FHA "as is" value of land: $850,000.

10. Sponsor's purchase price of land shown on application: $1,405,600.

Loma Palisades No. "B," Inc., West Point Loma Boulevard, San Diego, Calif.—Project No. 129–00010

1. Date of initial contact: Prior to September 12, 1957.

2. Mortgage amount at final endorsement: $1,631,600.

3. Date of final endorsement: December 2, 1958.

4. Present status of mortgage: Following default, mortgagee assigned mortgage to FHA on September 26, 1960. Case referred to the Department of Justice on June 6, 1966 for foreclosure. A receiver in the foreclosure has been appointed.

5. Names and addresses of sponsors: George M. Holstein & Sons, 166 East 17th Street, Costa Mesa, California; Sam Berger, 166 East 17th Street, Costa Mesa, California.

6. Names of stockholders shown on rental schedule dated November 12, 1960: Norman R. Smith, Irvin J. Kahn, University City, Carlos Tavares, FHA (preferred stock).

7. Names and address of prime contractor: Holstein Palm Springs Properties, Inc. and George M. Holstein and Sons, 166 East 17th Street, Costa Mesa, California.

8. Construction cost as certified to FHA on mortgagor's certificate of actual cost: $1,677,635.87.

9. FHA market value of land: $160,000.

10. Sponsor's purchase price of land shown on application: Approx. $50,000.

Department of Housing and Urban Development, Federal Housing Administration,
Washington, D.C., January 5, 1967.

Hon. John J. Williams,
U.S. Senate,
Washington, D.C.

Dear Senator Williams: I am replying further to your inquiry of December 16, 1966, concerning the Mount Royal Plaza urban renewal area in Baltimore, Maryland.

The information which you requested is attached.

Sincerely yours,
Philip N. Brownstein,
Assistant Secretary-Commissioner.

Attachment.

Sutton Place Apartments, Baltimore, Md.—Project No. 052–32003–R

Date of Initial Contact: February 8, 1960.
Application Received: May 19, 1961.
Commitment Date: July 31, 1961.
Commitment Amount: $5,952,200.00.
Initial Endorsement: March 16, 1962.
Final Endorsement: October 14, 1963.
Mortgage Amount at Final Endorsement: $5,952,200.00.
Mortgage Terms: 40 years at 5.25%.
Sponsor's Purchase Price for Land from City of Baltimore: $451,150.00.

FHA "as is" Appraised Value of Land: $451,150.00.

Sponsors and Mortgagors: Marvin S. Gilman, 701 Brandywine Boulevard, Bellefonte, Wilmington, Delaware; Abraham A. Rosen, 244 Madison Avenue, New York, New York. In March of 1965, Mr. Gilman sold his one-half interest in the project to Mr. Rosen who became the sole owner.

Total Construction Cost Allowed by FHA: $6,619,785.55.

Type of Project: Section 220 Urban Renewal.

Present Status of the Mortgage: The first payment to principal due on November 1, 1963, was not made. Shortly thereafter the mortgagee, Metropolitan Life Insurance Company, agreed to a Forbearance and Modification Agreement covering the period from October 1, 1963 to October 1, 1965. The agreement deferred mortgage payments during this period and required that the mortgagor account monthly for all net income. The project did not make sufficient progress to achieve sustaining occupancy during the forbearance period and upon its expiration, the mortgagee elected to assign the mortgage to FHA. The assignment was filed for record on November 16, 1965.

The following payments were made by the mortgagor:

	Amount paid
Nov. 7, 1963	$61,566.35
Feb. 3, 1964	1,766.65
Mar. 13, 1964	7,321.56
Mar. 6, 1964	4,547.37
Apr. 21, 1964	2,861.89
May 15, 1964	8,861.89
June 16, 1964	8,861.89
July 7, 1964	772.71
July 9, 1964	2,861.89
Aug. 10, 1964	2,861.89
Sept. 16, 1964	2,861.89
Oct. 23, 1964	2,861.89
Nov. 9, 1964	2,861.89
Dec. 18, 1964	8,565.33
Jan. 13, 1965	2,861.89
Feb. 5, 1965	2,861.89
Mar. 15, 1965	8,861.89
Apr. 5, 1965	25,000.00
Apr. 15, 1965	2,861.89
May 17, 1965	13,361.89
June 15, 1965	8,361.89
June 22, 1965	2,861.89
July 15, 1965	1,200.00
July 27, 1965	48,835.54
Aug. 28, 1965	2,861.89
Sept. 16, 1965	15,861.89
Oct. 6, 1965	2,861.89
Oct. 11, 1965	18,000.00
Nov. 4, 1965	2,861.89
Nov. 17, 1965	1,000.00
Nov. 30, 1965	1,000.00
Dec. 8, 1965	2,861.89
Jan. 14, 1966	2,413.38
Feb. 10, 1966	13,861.89
Mar. 7, 1966	2,861.89

The remittances were sufficient to cover taxes, property insurance, FHA mortgage insurance premiums and service charge. There has been no reduction of principal. $1,448 has been applied to interest. At time of foreclosure, accrued unpaid interest was $748,076.29. Suit was commenced on April 8, 1966 and a receiver was appointed on April 22, 1966.

Public sale was held on August 2, 1966. FHA bid the property in for $4,857,750.00 and took possession and ownership on October 1.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

Mr. BYRD of West Virginia. Mr. President, in the absence of the distinguished chairman of the Committee on Rules and Administration, may I say that the Subcommittee on Housing and Urban Affairs requested $150,000. The Committee on Rules and Administration took into consideration the fact that the subcommittee had spent about $115,000 during the first 11 months of the 12-month period, and estimated that the total expenditure for the 12-month period would be approximately $125,000.

The committee, however, proceeded to approve $138,000, which was the same amount that was approved last year. This would be an increase over the actual amount expended of between $10,000 and $13,000. So the committee did, indeed, reduce the request from $150,000 to $138,000, but in so doing, I wish to emphasize that it was allowing between $10,000 and $13,000 more than the amount expended last year.

The committee would not wish to imply that the subcommittee is not conducting important investigations or performing a very important work. The committee was only attempting to exercise some economies; and it was for that reason that it made the reduction. If the Senate wishes, in its good judgment, to reject the amendment being offered by the committee, the committee is willing, of course, to stand on the judgment of the Senate. But in the absence of the chairman, I think he would want me to state that the Committee on Rules and Administration, in attempting to make this reduction, did not gainsay the fact that the Housing and Urban Affairs subcommittee is conducting a very important work. The committee on Rules and Administration does not feel strongly about this proposed amendment, I am sure. Again I wish to say that it was an attempt by the committee to exercise some economies, and it felt that in recommending $138,000, it was recommending the same amount that was allowed last year, and more money than was spent last year.

Mr. TOWER. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. TOWER. Mr. President, I appreciate the comments of my distinguished friend from West Virginia. The reason that we asked for the increased figure is because, as the Senator is probably aware, the designation of our subcommittee was changed from the Subcommittee on Housing to the Subcommittee on Housing and Urban Affairs. It was anticipated that the scope of the operation of the subcommittee will be much broader, and that its legislative responsibility will be much heavier.

Already, of course, this subcommittee has handled much of the major Great Society legislation, and this will, of course, include not only housing, but all urban development programs such as the demonstration cities program. It will include mass transportation. It is anticipated that we will need some additional staff; and that is why we made this request—because of the increase in the scope of the committee's operation. If my distinguished friend, the Senator from West Virginia, will indulge this request, of course we shall be very grateful.

Mr. BYRD of West Virginia. Mr. President, I do not intend to object to the position taken by the Senator from Texas in urging that the Senate reject the amendment offered by the Committee on Rules and Administration.

It is my understanding, in talking with the Senator from Texas that the distinguished senior Senator from Louisiana [Mr. ELLENDER] would not object to the rejection of the amendment offered.

Mr. TOWER. That is my understanding. Is that the understanding of the distinguished Senator from Alabama?

Mr. SPARKMAN. Mr. President, I cannot say that I talked with the Senator from Louisina [Mr. ELLENDER] about the amendment particularly, but I can say that I think the Senator knew what the situation was. As I understand, when he left the Chamber, he said he had no objection.

I will not go further than that.

Mr. WILLIAMS of Delaware. Mr. President, I support the full amount requested by the committee in this instance.

An investigation of the Federal Housing Administration is long overdue.

As I pointed out earlier, we have, according to the last available report, over $1.25 billion tied up in homes and multifamily projects that have been repossessed. That does not take into account the hundreds of millions of dollars involved in those projects upon which the principal or interest has been deferred.

We are losing about 45 percent of our investment on the multifamily projects when we repossess them. Approximately $750 million is tied up in bankrupt projects.

It would be well for Congress to stop before it pours more money into this program and to examine how the money is being spent, how much of it is actually going to provide home for individuals and how much is going down the ratholes for a bunch of unscrupulous speculators and promoters who are operating under a different name every 24 hours.

Mr. SPARKMAN. Mr. President, I think it might be well for the RECORD to show that the total contingent liability of the U.S. Government in the field of housing and urban development is approximately $110 billion.

It is our job to oversee this matter. We operate with one of the smallest staffs, I believe, of any committee or subcommittee. We have seven members. The $12,000 change which the Senator from Texas is asking for would simply allow us to absorb the additional pay that was paid last year and allow for one additional employee, as requested by the minority.

I think that it is fair and I think that the amendment ought to be rejected.

Mr. BYRD of West Virginia. Mr. President, the committee, as I have indicated, does not have any strong feelings about the amount of $138,000 as opposed to the amount requested, that being $150,000.

Certainly the Senator from West Virginia recognizes, and I am sure the distinguished chairman of the committee, the Senator from North Carolina [Mr. JORDAN], for whom I am attempting to speak today, recognizes the efficient and valuable work that has been done by the subcommittee under the chairmanship of the distinguished Senator from Alabama [Mr. SPARKMAN].

I merely want to make the RECORD clear as to the reasons why the committee took the position that it did in offering the amendment to reduce the amount by $12,000.

Mr. TOWER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. TOWER. Mr. President, when the question is put to the Senate, a "no" vote would be a vote to sustain the position of the Senator from Alabama and myself, to retain the original request of the committee for $150,000.

The PRESIDING OFFICER. A "no" vote would reject the committee amendment.

The question is on agreeing to the committee amendment.

The committee amendment was rejected.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 46) was agreed to as follows:

S. RES. 46

Resolved, That the Committee on Banking and Currency, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to public and private housing and urban affairs, including urban mass transportation.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1968.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $150,000 shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the transaction of routine morning business.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

LIMITATION OF STATEMENTS DURING TRANSACTION OF ROUTINE BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that statements made during the transaction of routine morning business be limited to 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF SENATOR STENNIS FOR 30 MINUTES AT THE CONCLUSION OF MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the morning business is completed the Senator from Mississippi [Mr. STENNIS] be recognized for 30 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

CIVIL RIGHTS ACT OF 1967

The PRESIDING OFFICER laid before the Senate a letter from the Acting Attorney General, transmitting a draft of proposed legislation to assure nondiscrimination in Federal and State jury selection and service, to provide relief against discriminatory employment and housing practices, to prescribe penalties for certain acts of violence or intimidation, to extend the life of the U.S. Commission on Civil Rights, and for other purposes, which with the accompanying paper was referred to the Committee on the Judiciary.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HOLLAND:

S. 1017. A bill to authorize the Secretary of the Army to pay for the cost of surfacing 1.8 miles of a certain access road in Putnam County, Fla.; to the Committee on Armed Services.

By Mr. HILL:

S. 1018. A bill for the relief of Harold Donald Koza; to the Committee on the Judiciary.

By Mr. GRUENING (for himself and Mr. Bartlett):

S. 1019. A bill to amend title 32, United States Code, to clarify the status of National Guard technicians, and for other purposes; to the Committee on Armed Services.

(See the remarks of Mr. Gruening when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS:

S. 1020. A bill for the relief of Mary F. Thomas; and

S. 1021. A bill for the relief of Antonio Luis Navarro; to the Committee on the Judiciary.

By Mr. MAGNUSON:

S. 1022. A bill for the relief of Grace E. Hillier; to the Committee on the Judiciary.

S. 1023. A bill to amend the Davis-Bacon Act to require compliance with the provisions thereof in the performance of certain contracts contemplating the manufacture of personal property; to the Committee on Labor and Public Welfare.

By Mr. YARBOROUGH:

S. 1024. A bill to amend the Welfare and Pension Plans Disclosure Act; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Yarborough when he introduced the above bill, which appear under a separate heading.)

By Mr. NELSON:

S. 1025. A bill to prohibit the sale or shipment for use in the United States of the chemical compound known as DDT; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Nelson when he introduced the above bill, which appear under a separate heading.)

By Mr. HART (for himself, Mr. Brewster, Mr. Brooke, Mr. Case, Mr. Clark, Mr. Dodd, Mr. Fong, Mr. Gruening, Mr. Hartke, Mr. Inouye, Mr. Javits, Mr. Kennedy of Massachusetts, Mr. Kennedy of New York, Mr. Long of Missouri, Mr. McCarthy, Mr. Mondale, Mr. Morse, Mr. Muskie, Mr. Pastore, Mr. Pell, Mr. Proxmire, Mr. Randolph, Mr. Ribicoff, Mr. Scott, Mr. Tydings, Mr. Williams of New Jersey, and Mr. Young of Ohio):

S. 1026. A bill to assure nondiscrimination in Federal and State jury selection and service, to provide relief against discriminatory employment and housing practices, to prescribe penalties for certain acts of violence or intimidation, to extend the life of the United States Commission on Civil Rights, and for other purposes; which was read the first time by its title.

(See the remarks of Mr. Hart when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS:

S. 1027. A bill to amend the Internal Revenue Code of 1954 so as to permit charitable contributions, bequests, transfers, and gifts to the United Nations Children's Fund (UNICEF) to be deductible for income tax, estate tax, and gift tax purposes; to the Committee on Finance.

(See the remarks of Mr. Javits when he introduced the above bill, which appear under a separate heading.)

By Mr. MONRONEY:

S. 1028. A bill to extend certain benefits of the Annual and Sick Leave Act, the Veterans' Preference Act, and the Classification Act, to employees of county committees established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act, and for other purposes; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Monroney when he introduced the above bill, which appear under a separate heading.)

By Mr. FULBRIGHT (by request):

S. 1029. A bill to improve certain benefits for employees who serve in high-risk situations, and for other purposes;

S. 1030. A bill to amend further section 1011 of the U.S. Information and Educational Exchange Act of 1948, as amended; and

S. 1031. A bill to amend further the Peace Corps Act (75 Stat. 612), as amended; to the Committee on Foreign Relations.

(See the remarks of Mr. Fulbright when he introduced the above bills, which appear under separate headings.)

By Mr. MORSE:

S. 1032. A bill to provide for the disregarding, for purposes of determining need under programs established pursuant to the public assistance titles of the Social Security Act, of certain income of aged persons employed under programs receiving assistance under the Older Americans Act of 1965; to the Committee on Finance.

(See the remarks of Mr. Morse when he introduced the above bill, which appear under a separate heading.)

By Mr. TYDINGS (for himself, Mr. Hart, and Mr. McCarthy):

S. 1033. A bill to encourage improvements in the machinery of judicial administration by establishing within the Department of Justice the Office for Judicial Assistance, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. Tydings when he introduced the above bill, which appear under a separate heading.)

By Mr. TOWER:

S.J. Res. 45. Joint resolution designating February 24 of each year as Admiral Nimitz Day; to the Committee on the Judiciary.

(See the remarks of Mr. Tower when he introduced the above joint resolution, which appear under a separate heading.)

FOR CIVIL SERVICE STATUS FOR FEDERALLY PAID NATIONAL GUARD TECHNICIANS

Mr. GRUENING. Mr. President, I introduce, for appropriate reference on behalf of myself and my colleague [Mr. Bartlett], a bill which, if enacted, will confer Federal civil service status upon all full-time federally paid technicians of the National Guard. At present, for example, these technicians do not qualify for either Federal or State retirement or health benefits. This deplorable situation should be corrected.

The Alaska National Guard was established prior to World War II when I was Governor of the Territory of Alaska. As commander in chief of the Guard, I became keenly aware of the invaluable services performed by the technicians employed at the various Guard stations and hence, have long lamented their present predicament, which is as follows:

They are employed to care for material, armament, and equipment of the National Guard. They must have the qualifications prescribed by the Secretaries of the Army and of the Air Force. Their compensation is fixed by these Secretaries, who designate the persons to employ them. They are paid directly by Army and Air Force finance officers from funds appropriated by Congress. Accordingly, the majority of States do not consider them to be State employees and have not covered them under retirement laws or other State laws providing benefits for their public employees. At the same time, the Federal courts have determined that they are not Federal employees for purpose of laws relating to the Federal civil service.

The legislation I am proposing today would give belated recognition of the invaluable service performed by these key employees of the National Guard will provide them with the same retirement, group life and health insurance, and other fringe benefits provided all other Federal employees. Prior service credit will be granted to the same extent and subject to the same conditions as it has to all others brought into civil service status.

The bill contemplates the continuation, under statute, of the administration of the program by the Adjutants General of the several States and Puerto Rico under joint regulations of the Secretaries of the Army and Air Force.

Its enactment will assure, for the same 40,000 technicians throughout the United States, their wives and families, a sense of security which they have never had before.

Mr. President, I ask unanimous consent that the full text of the bill be printed at the close of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 1019) to amend title 32, United States Code, to clarify the status of National Guard technicians, and for other purposes, introduced by Mr. Gruening, for himself and Mr. Bartlett, was received, read twice by its title, referred to the Committee on Armed Services, and ordered to be printed in the Record, as follows:

S. 1019

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 709 of title 32, United States Code, is amended to read as follows:

"§ 709. *Technicians: employment, use, status*

"(a) Under regulations prescribed by the Secretary of the Army or the Secretary of Air Force, as the case may be, persons may be employed in—

"(1) the administration and training of the National Guard;

"(2) the maintenance and repair of supplies issued to the National Guard or the armed forces; and

"(3) the performance of such other duties as the Secretary concerned may prescribe.

"(b) Except as prescribed by the Secretary concerned, a technician employed under subsection (a) shall, while so employed, be a member of the National Guard and hold the military grade specified by the Secretary concerned for that position.

"(c) The Secretary concerned shall designate the adjutants general referred to in section 314 of this title, or other appropriate persons, to employ the technicians authorized by this section.

"(d) A technician employed under subsection (a) is an employee of the Department of the Army or the Department of the Air Force, as the case may be, and an employee of the United States. However, a position authorized by this section is outside the competitive service if the technician employed therein is required under subsection (b) to be a member of the National Guard.

"(e) Notwithstanding sections 5544(a) and 6102 of title 5 or any other provision of law, the Secretary concerned may, in the case of technicians assigned to perform operational duties at air defense sites—

"(1) prescribe the hours of duties;

"(2) fix the rates of basic compensation; and

"(3) fix the rates of additional compensation;

to reflect unusual tours of duty, irregular additional duty, and work on days that are ordinarily nonworkdays. Additional compensation under this subsection may be fixed on an annual basis, but no rate of additional compensation on an annual basis may exceed 25 per centum of the rate of basic compensation."

"(f) The limitation on the number of permanent employees prescribed by section 1310 of the Supplemental Appropriation Act, 1952, chapter 664, as amended, (79 Stat. 448), is not applicable to technicians employed under this section."

(b) The analysis of chapter 7 of title 32, United States Code, is amended by striking out the following item:

"709. Caretakers and clerks."

and inserting in place thereof the following item:

"709. Technicians: employment, use, status."

(c)(1) Section 715(a) of title 32, United States Code, is amended by striking out "caused by a person employed under section 709 of this title acting within the scope of his employment;".

(2) However, a claim accrued under section 715 of title 32 before the effective date of this Act by reason for the act or omission of a person employed under section 709 of that title may if otherwise allowable, be settled and paid under section 715.

(d) Notwithstanding any law, rule, regulation, or decision to the contrary, the positions of persons employed under section 709 of title 32, United States Code, existing on the day immediately preceding the effective date of this Act, and the persons holding such positions on that day, shall, on and after that effective date, be held and considered to be positions in and employees of the Department of the Army or the Department of the Air Force, as the case may be, to the same extent as other positions in and employees of the Department of the Army or the Department of the Air Force. Such positions shall be outside the competitive service if, as a condition of employment, the persons employed therein were, on the day before the effective date of this Act, required to be members of the Army National Guard or the Air National Guard.

(e) All service under section 709 of title 32, United States Code, or prior corresponding provision of law before the effective date of this Act, shall be included and credited in the determination of length of service for the purposes of leave, veteran's preference, group life and health insurance, tenure, training, status, and other rights and benefits of employees of the United States. The Secretary of the Army and the Secretary of the Air Force, as the case may be, or their designees, shall certify to the Government authority concerned the service history of the individual.

(f) Annual leave and sick leave to which a technician was entitled on the day immediately preceding the conversion of his position, as provided in section 4 of this Act, shall be credited to him in his new position.

SEC. 2. (a) Section 8332(b) of title 5, United States Code, is amended:

(1) by striking out "and" at the end of clause (4);

(2) by striking out the period at the end of clause (5) and inserting in place thereof "; and"; and

(3) by adding the following new clause:

"(6) employment under section 709 of title 32, or any prior corresponding provision of law."

(b) Notwithstanding section 709(d) of title 32, United States Code, a person who, on the date of enactment of this Act, is employed under section 709 of title 32, United States Code, and is covered by an employee retirement system of, or plan sponsored by, a State or Puerto Rico, may elect, not later than the effective date of this Act, not to be covered by the civil service retirement provisions of sections 8331–8348 of title 5, United States Code, and, with the consent of the State concerned or Puerto Rico, to remain covered by the employee retirement system of, or plan sponsored by, that State or Puerto Rico. Unless such an election, together with a statement of approval by the State concerned or Puerto Rico, is filed with the United States Civil Service Commission on or before the effective date of this Act, the person concerned is covered by the civil service retirement provisions of sections 8331–8348 of title 5, United States Code, as of that date. In the case of any person who files a valid election under this subsection to remain covered by an employee retirement system of, or plan sponsored by, a State or Puerto Rico, the United States may pay the amount of the employer's contributions to that system or plan that become due for periods beginning on or after the effective date of this Act. However, the payment by the United States, including any contribution that may be made by the United States toward the employer's tax imposed by section 3111(a) of the Internal Revenue Code of 1954, as amended (26 U.S.C. 3111(a)), may not exceed the amount which the employing agency would otherwise contribute on behalf of the person to the Civil Service Retirement and Disability Fund under section 8334(a) of title 5, United States Code. The service under section 709 of title 32, United States Code, or prior corresponding provision of law, of a person who has made an election to remain covered by the employee retirement system of, or plan sponsored by, a State or Puerto Rico, shall not be creditable toward eligibility for or amount of annuity under the civil service retirement provisions of sections 8331–8348 of title 5, United States Code.

SEC. 3. The fourth sentence of section 218(b)(5) of the Social Security Act, as amended (42 U.S.C. 418(b)(5)), is amended to read as follows: "Persons employed under section 709 of title 32, United States Code, who elected under section 2(b) of the Act enacting this amended sentence to remain covered by an employee retirement system of, or plan sponsored by, a State, shall for the purposes of this Act, be employees of the State and (notwithstanding the preceding provisions of this paragraph), shall be deemed to be a separate coverage group."

SEC. 4. (a) Except as provided in section 709(e) of title 32, United States Code, the Secretary concerned shall fix the rate of basic compensation of positions existing on the date of enactment of this Act in accordance with the General Schedule set forth in section 5332 of title 5, United States Code, or under the appropriate prevailing rate schedule in accordance with section 5341 of title 5, United States Code, as applicable. In fixing that rate:

(1) If the technician is receiving a rate of basic compensation which is less than the minimum rate of the appropriate grade of the General Schedule, or which is less than the minimum rate of the appropriate grade or compensation level of the appropriate prevailing rate schedule, as applicable, in which his position is placed, his basic compensation shall be increased to that minimum rate.

(2) If the technician is receiving a rate of basic compensation which is equal to a rate of the appropriate grade of the General Schedule, or which is equal to a rate of the appropriate grade or compensation level under the appropriate prevailing rate schedule, as applicable, in which his position is placed, he shall receive basic compensation at that rate of the General Schedule, or at that rate under the prevailing rate schedule, as applicable.

(3) If the technician is receiving a rate of basic compensation which is between two rates of the appropriate grade of the General Schedule, or which is between two rates of the appropriate grade or compensation level under the appropriate prevailing rate schedule, as applicable, in which his position is placed, he shall receive basic compensation at the higher of those two rates under the General Schedule or appropriate prevailing rate schedule, as applicable.

(4) If the technician is receiving a rate of basic compensation which is in excess of the maximum rate of the appropriate grade of the General Schedule, or which is in excess of the maximum rate of the appropriate grade or compensation level of the appropriate prevailing rate schedule, as applicable, in which his position is placed, he shall continue to receive basic compensation without change in rate until—

(A) he leaves that position, or

(B) he is entitled to receive basic compensation at a higher rate,

but, when any such position becomes vacant, the rate of basic compensation of any subsequent appointee thereto shall be fixed in the manner provided by applicable law and regulations.

(b) The conversion of positions and employees to appropriate grades of the General Schedule set forth in section 5332 of title 5, United States Code, and the initial adjustment of rates of basic compensation of those positions and technicians, provided for by this Act, shall not be held or considered to be transfers or promotions within the meaning of section 5334(b) of title 5, United States Code, and the regulations issued thereunder.

(c) Each technician on the effective date of this Act whose position is converted to the General Schedule set forth in section 5332 of title 5, United States Code, or to the appropriate prevailing rate schedule, as applicable, who, prior to the initial adjustment of his rate of basic compensation under subsection (a) of this section, has earned, but has not been credited with, an increase in that rate, shall be granted credit for such increase before his rate of basic compensation is initially adjusted under that subsection.

(d) Each technician on the effective date of this Act whose position is converted to the General Schedule set forth in section 5332 of title 5, United States Code, shall be granted credit, for purposes of his first step increase under the General Schedule or prevailing rate schedule, for all satisfactory service performed by him since his last increase in compensation prior to the initial adjustment of his rate of basic compensation under subsection (a) of this section.

(e) An increase in rate of basic compensation by reason of the enactment of subsection (a) of this section shall not be held or considered to be an equivalent increase with respect to step increases for technicians whose positions are converted to the General Schedule set forth in section 5332 of title 5, United States Code, or the appropriate prevailing rate schedule under authority of this section.

SEC. 5. This Act becomes effective July 1, 1967, except that no deductions or withholdings from salary which result therefrom shall commence before the first day of the first pay period that begins on or after July 1, 1967. This Act shall be administered under uniform regulations jointly prescribed by the Secretary of the Army and the Secretary of the Air Force and approved by the Secretary of Defense.

WELFARE AND PENSION PLAN PROTECTION ACT OF 1967

Mr. YARBOROUGH. Mr. President, private retirement plans represent a major element in the economic security of millions of workers and their dependents. The contributions to these plans by workers and employers have built up huge tax-free funds which are a source of great economic power and of significance to the public at large.

While the public interest in sound private pension plans justifies special tax concessions, unless the funds ultimately are used for the workers, this purpose is not met. The management of the funds is therefore of direct concern to the Federal Government.

Although the vast majority of such funds are soundly managed there have been trustees who, for personal profit, have engaged in conduct which endangered the interests of the actual or potential beneficiaries.

The President has recommended legislation to protect workers and their dependents from mishandling of pension and welfare funds.

The legislation I am introducing today will impose a minimum and uniform fiduciary responsibility on persons handling welfare and pension funds, and impose civil liability on those who breach this standard.

In order to assure ordinary care and prudence in handling the welfare and pension funds, persons managing the funds must be responsible as fiduciaries to the funds and the participants and their beneficiaries. While the tax-exempt status of a fund may presently be lost by the trustees making prohibited transactions, no penalty either criminal or civil is imposed on the trustees.

The extremely rapid growth of welfare and pension plans, coupled with uncertainty about the rights of the employees participating in them, have afforded opportunities for abuse. Legal protection against such abuse has been dependent on State laws. However, under many of these laws the extent to which persons handling such funds are bound by the responsibilities and standards of "trustees" is uncertain.

The terms of the agreement or plan may relieve such persons of the responsibility of meeting the usual standards of prudence. Furthermore, in some cases employees attempting to bring suit to enforce their rights to potential benefits have been denied relief on the grounds that the plans are gratuities and therefore the prospective donees have no legal rights. In the instances courts have failed to explicitly recognize a fiduciary obligation extending from plant administrators to employees.

Even in States where employees are permitted to sue, most potential plaintiffs would lack the necessary information or the financial means to pursue this course of action.

The proposed bill will remedy the situation by prescribing the duties and responsibilities of "fiduciaries" and preventing the terms of a plan or agreement from immunizing them from penalties for negligence. The rights of potential beneficiaries to sue are clearly spelled out and in addition the Secretary of Labor is authorized to bring legal action. To make this authority more meaningful the Secretary is given additional investigatory and enforcement powers. In addition the disclosure provisions are strengthened so that a sound basis for evaluating fiduciary conduct is established.

One other major change is made by the bill. Investments by retirement funds in the securities of the employer company are limited to 10 percent of the fund. This serves to minimize the investment risk in the absence of arms-length bargaining. It also protects the fund in the event the employer goes out of business for any reason. A fund which ceases to receive employer contributions will suffer in any event and if the accumulated funds are also tied to the business of the employer, the result is catastrophic.

Finally the bill would provide added protection by authorizing the removal of any fiduciary who has participated in a breach of trust and by barring a person who has been convicted of certain crimes from serving in any fiduciary capacity for 5 years after conviction or after termination of his prison sentence.

The need for a bill on this subject was made clear by the hearings conducted by the McClellan committee in the summer of 1965 and by the report of the President's Committee on Corporate Pension Funds and Other Private Retirement and Welfare Funds. While other problems in connection with such funds have not yet been solved, the urgent need for protection from mismanagement cannot be set aside.

I urge that early and favorable consideration be given to the enactment of this legislation which will protect the future of millions of American workers and their families.

I ask unanimous consent to have printed in the RECORD at this point an analysis of the changes proposed by the bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the analysis will be printed in the RECORD.

The bill (S. 1024) to amend the Welfare and Pension Plans Disclosure Act, introduced by Mr. YARBOROUGH, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

The analysis presented by Mr. YARBOROUGH is as follows:

ANALYSIS OF MAJOR OBJECTIVES OF AMENDMENTS TO WELFARE AND PENSION PLANS DISCLOSURE ACT

The changes contemplated by the proposed amendments to the Welfare and Pension Plans Disclosure Act fall in three categories:

1. The prescription of fiduciary responsibilities and duties upon persons handling welfare and pension funds; the imposition of civil liability for a breach of such duties and responsibilities; provision for the remedy of such breaches by civil action, including the right to recover funds lost by reason of the breach; and disqualification of persons convicted of certain crimes from serving in a fiduciary capacity with respect to welfare and pension funds.

2. Collateral changes in the existing law necessary to enforce and implement the new provisions relating to fiduciary responsibility. These changes expand the investigatory and enforcement powers of the Secretary of Labor and expand the financial reporting requirements to aid in implementing the provisions concerning fiduciary responsibility.

3. Minor technical modifications of the law.

The provisions of this bill pertaining to fiduciary responsibility are similar to the general principles and rules evolved by courts of equity for the governing of the conduct of trustees, with certain modifications deemed to be appropriate and desirable in the operation of the particular types of funds covered under the bill.

The imposition of a fiduciary responsibility on persons handling welfare and pension funds is necessary to protect the funds and the interests of the participants and their beneficiaries from losses arising from lack of ordinary care and prudence in the management and investment of the funds. Existing Federal law makes theft, embezzlement, bribery and kickbacks in connection with welfare and pension plans Federal crimes; but it does not deal with breaches of fiduciary responsibility except to the limited extent that the Internal Revenue Code provides that the tax exempt status of a pension fund may be lost if the investments made by the trustees constitute so-called prohibited transactions within the meaning of the Code. These provisions of the Code have not proved adequate to the task of maintaining fiduciary responsibility particularly since use of this sanction in effect penalizes the participants and beneficiaries perhaps more severely than the persons responsible for the prohibited transactions.

Legal protection against breaches of trust has generally been left to State law. However, the mere labeling of employee benefit funds as "trust funds" does not by itself impose on the persons handling such funds the law regulating the duties of a trustee. The terms of the plan, trust agreement, or other agreement under which the fund is established and operated may relieve such persons of duties which otherwise the law would regulate and define. Moreover, there is considerable uncertainty under existing law as to whether, and to what extent, participants of the plan have enforceable rights against the plan or the administrators.

The proposed bill, therefore, by its terms prescribes the duties and responsibilities of the persons defined therein as "fiduciaries" so that the terms of the plan, trust, or other agreement under which the fund is established and operated cannot immunize such persons or relieve them from liability for the breach of their fiduciary duties and responsibilities.

In order to establish effective sanctions, the bill expands the investigatory and enforcement powers of the Secretary of Labor. While the bill also creates civil remedies for participants and beneficiaries with respect to breaches of trust, self-policing of benefit funds on their part is not a sufficient nor adequate method of insuring that such funds are not misused. In addition, it is necessary to insure that criminal elements do not infiltrate the management and operation of these funds. Accordingly, there is a specific prohibition against certain convicted criminals serving in a fiduciary capacity.

Further and more detailed disclosure as to the financial operations of these funds is a necessary complement to the imposition of fiduciary responsibility. It is well-established that fiduciaries are required to give a detailed accounting of their stewardship. Present disclosure provisions limit the amount and type of financial information regarding these funds. It is essential that further disclosure be obtained so as to provide participants and beneficiaries with an adequate basis for evaluating the fiduciary's performance of his obligations.

Finally, experience in administering the present law has demonstrated that minor technical amendments are needed to resolve certain details of procedure and to otherwise make the law more workable.

THE NEED FOR A MORE COMPREHENSIVE APPROACH TO PENSION PLAN LEGISLATION

Mr. JAVITS. Mr. President, there was introduced today by the distinguished Senator from Texas [Mr. YARBOROUGH] the administration's pension bill, to regulate the pension and welfare funds, which follows the President's message on this subject.

Let me state that, in my judgment, the administration bill omits the solution of some very serious problems, specifically with relation to vesting, funding, portability of pension credits, reinsurance of pensions. In addition, there are various procedural aspects of the bill which could be materially improved.

I wish to announce that I am preparing a comprehensive bill which will deal with all of these questions as well as those dealt with in the President's bill as introduced by the Senator from Texas [Mr. YARBOROUGH]. I will offer it, I expect, sometime within the next week or 10 days.

I state this merely for the information of Senators who may be reading the Yarborough bill and the statement with relation to it.

PROHIBITION OF THE SALE OR SHIPMENT FOR USE IN THE UNITED STATES OF THE CHEMICAL COMPOUND KNOWN AS DDT

Mr. NELSON. Mr. President, I introduce, for appropriate reference, a bill to prohibit the sale or shipment for use of DDT in this country.

I am appalled by the widespread, unregulated use of highly toxic pesticides such as DDT. DDT is spreading all over the globe. It is in our soil, in our water, in reindeer in Alaska and penguins in the Antarctic.

DDT is one of the most persistent—remaining toxic for 10 years or more after application—of more than 60,000 chemical preparations now registered by the Federal Government.

A second, and perhaps more dangerous characteristic of DDT, is that it is accumulated by certain animals in their bodies in amounts far greater than those of the flora and fauna on which they feed. The effects of this concentration of DDT—including lowered reproduction, reduced numbers of normal offspring, and sudden death of the organism under stress—mark DDT as a most serious environmental threat.

DDT was first used in the 1940's to control mosquitos, flies, and other disease carriers. Strains resistant to this pesticide soon developed and its effectiveness was thus reduced. DDT also was used on farm and forest land insects but some of these also developed resistance.

Because of the hazards involved, the Wisconsin Conservation Department and the Forest Service have stopped spraying their forests with DDT. Many communities have begun using substitutes for DDT in their battle against pests, particularly the Dutch Elm beetle. But some communities are still fogging DDT all over the landscape. This ought to stop immediately.

DDT is used in large quantities in this country because it is cheap and easy to apply. But the point is also that good substitutes are available. We can drop DDT right now and use other pesticides to do the same job. Many of the substitutes available are more expensive than DDT, but when our health and well-being are at stake, money should be no object.

This proposal to ban the use of DDT is based on innumerable scientific studies which have been carried on over the years and which have demonstrated the hazards of its use. Studies in Wisconsin have shown concentrations of DDT in muskies, bass, walleyes, and other game fish from inland waters as well as in various kinds of fish in Lake Michigan.

A recent study in California concluded that DDT is now widely distributed throughout the Pacific Basin and that comparatively high residue levels are present in marine birds. The oceans are assuming increased importance as a source of human food and we are filling them with residues of persistent pesticides like DDT.

It is not necessary to report all the studies that have shown the harmful effects of DDT. The facts are clear—we have succeeded in the 20-odd years since DDT has been on the market in polluting our environment with it. We have seriously polluted in 20 years an environment which was unpolluted for billions of years.

Banning DDT alone is not the answer to the pesticide problem. Pesticides are obviously of great value to a lot of people. On the other hand, the continuing, unregulated use of pesticides will inevitably be harmful to a lot of people.

This bill would have no effect on thousands of widely used and less persistent pesticides. In order to avoid further problems with pesticides, a national commission should be set to study all pesticides and to establish strict regulations governing their use.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1025) to prohibit the sale or shipment for use in the United States of the chemical compound known as DDT, introduced by Mr. NELSON was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

EXTENSION OF CERTAIN BENEFITS OF THE ANNUAL AND SICK LEAVE ACT TO CERTAIN EMPLOYEES

Mr. MONRONEY. Mr. President, I send to the desk, for appropriate reference, a bill to extend certain benefits of the Annual and Sick Leave Act, the Veterans' Preference Act, and the Classification Act to employees of county committees established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act.

This bill would recognize periods of employment service in the county offices of the Agricultural Stabilization and Conservation Service for the purposes of salary adjustment, annual and sick leave, and reductions in force for county office employees who are appointed to positions as Federal employees in the Department of Agriculture.

Employees in the county offices of the ASCS are not technically Federal employees. They share an extremely close relationship to the Federal Government, however. Their salaries are paid entirely out of Federal funds, and in recent years Congress has extended to these employees the benefits of the Civil Service Retirement Act, the Federal Employees' Group Life Insurance Act, the Federal Employees Health Benefits Act and, the Severance Pay Act.

Under present law, when an employee of a county committee is appointed to a position in the Department of Agriculture, he begins his Federal service at the minimum rate of the appropriate grade of the general schedule, regardless of the number of years he may have served in a county office or the degree of experience he has attained. He accumulates annual leave on the basis of a beginning employee and for the purposes of determining seniority for a reduction in force, his ASCS service is not considered. There is, therefore, little incentive at the present time for this employee to accept a position in the Department of Agriculture when he knows that the only difference insofar as employee benefits are concerned is that his salary may be reduced and his seniority abolished.

I believe that enactment of this legislation would be of great assistance to the Department of Agriculture in its recruitment of experienced, qualified persons now serving in the ASCS county offices.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1028) to extend certain benefits of the Annual and Sick Leave Act, the Veterans' Preference Act, and the Classification Act to employees of county committees established pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act, and for other purposes, introduced by Mr. MONRONEY, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

CHANGES IN STATUTES RELATING TO CIVILIAN PERSONNEL SERVING ABROAD

Mr. FULBRIGHT. Mr. President, I introduce, by request, a bill to make several changes in statutes relating to civilian personnel serving abroad. These provisions are identical to those in S. 3247, which passed the Senate on October 5, 1966, but which failed to pass the House of Representatives before adjournment.

These personnel provisions, commonly referred to as the Vietnam amendments, are designed to provide certain benefits to personnel serving in hazardous areas, such as Vietnam. I hope that it will be possible for the Committee on Foreign Relations to take early action on the legislation.

I ask unanimous consent to have printed at this point in the RECORD the text of the bill, an explanation of it, and a tabulation of the estimated cost for the first year's operation of the bill's provisions.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill, explanation, and tabulation will be printed in the RECORD.

The bill (S. 1029) to improve certain benefits for employees who serve in high-risk situations, and for other purposes, introduced by Mr. FULBRIGHT, by request, was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

S. 1029

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 911 of the Foreign Service Act of 1946, as amended, (22 U.S.C. 1136), is amended by striking out the period at the end of the paragraph (10) and inserting in lieu thereof a semicolon and by adding at the end thereof the following new paragraph:

"(11) travel and related expenses, without regard to the provisions of this or any other law, whenever he determines that extraordinary conditions, or circumstances involving personal hardship, warrant the payment of such expenses incident to appointment, service, or separation of officers or employees of the Service, including any such expenses of the members of their families."

SEC. 2. Immediately after section 943 of such Act add the following new section:

"SEC. 944. Under such regulations as he may prescribe, the Secretary is authorized to provide medical services under part E of this title beyond the date of death or separation of an officer or employee."

SEC. 3. (a) Subchapter II of chapter 63 of title 5, United States Code (which relates to leave), is amended by adding at the end thereof the following new section:

"6325. Absence resulting from hostile activity

"No leave shall be charged to the account of any officer or employee for absence, not to exceed one year, due to any injury or illness incurred while serving abroad and resulting from hostile activity or clearly caused by the fact that the officer or employee was located abroad."

(b) The analysis at the beginning of such subchapter is amended by adding the following item at the end thereof:

"6325. Absence resulting from hostile activity."

(c) The amendment made by subsection (a) of this section shall take effect as of the first day of the first pay period which began on or after January 1, 1965.

SEC. 4. Section 5925 of title 5, United States Code (which relates to post differentials) is amended by inserting immediately before the period at the end thereof the following: ", except that in a foreign area where there is unusual danger of injury due to hostile activity such additional compensation shall not exceed 50 per centum".

The explanation and tabulation presented by Mr. FULBRIGHT are as follows:

FOREIGN SERVICE ACT OF 1946, AS AMENDED

TITLE IX—ALLOWANCES AND BENEFITS

Part B—Travel and related expenses

General Provisions

Existing legislation	Proposed legislation
SEC. 911. (10) the travel expenses of members of the family accompanying, preceding, or following an officer or employee if, while he is en route to his post of assignment, he is ordered temporarily for orientation and training or is given other temporary duty [.]	SEC. 911. (10) the travel expenses of members of the family accompanying, preceding, or following an officer or employee if, while he is en route to his post of assignment, he is ordered temporarily for orientation and training or is given other temporary duty; (11) *travel and related expenses, without regard to the provisions of this or any other law, whenever he determines that extraordinary conditions, or circumstances involving personal hardship, warrant the payment of such expenses incident to appointment, service, or separation of officers or employees of the Service, including any such expenses of the members of their families.*

It is proposed to amend section 911 relating to transportation and travel by adding a new paragraph (11) at the end of this section. Since the enactment of the Foreign Service Act in 1946, section 911 has been amended on several occasions to meet changing conditions and circumstances. In the interests of the Service the Secretary needs broader authority to authorize the travel of personnel and their dependents for purposes of training, representation, rest and recuperation, and personal emergencies. Present authority is also inadequate in cases where it is necessary to bring members of an officer's family to the United States en route to a new post of assignment for purposes of training and orientation or to remove dependents from the country of an officer's assignment for reasons of state. The new language is sufficiently broad to permit the payment of the cost of preparing and transporting to an appropriate place of interment the remains of an officer or employee or of members of his family who may die in the Service either in the United States or abroad. In addition the provision will clearly provide authority for the Secretary to permit travel for visits between the employee and members of his family in situations where the family is proscribed from accompanying the employee to his post because of danger from hostile activity.

The phrase "without regard to the provisions of this or any other law" has been included to eliminate certain confusion which has existed with respect to the Secretary's authority under this section to prescribe Foreign Service travel regulations as such authority relates to the Administrative Expenses Act of 1946 and to the Travel Expense Act of 1949. It is not included to permit the circumvention of provisions of law regarding the use of American-flag ships or of American-flag aircraft.

Part E—Medical services

Existing legislation	Proposed legislation
No existing legislation.	*Sec. 944. Under such regulations as he may prescribe, the Secretary is authorized to provide medical services under part E of this title beyond the date of death or separation of an officer or employee.*

It is proposed that there be added to Part E of Tile IX a new section to be designated section 944.

The new section would authorize the Secretary to continue medical benefits under part E of title IX (medical services) for officers and employees beyond the date of separation and for dependents beyond the date of the death or separation of an officer of employee whenever it is considered in the public interest to do so. Under existing authority medical benefits for officers and employees cannot be continued beyond the date of separation from the Service and dependent benefits cease automatically at the time the employee dies or is separated from the Service. There have been a few instances in which a dependent who has been in a hospital at the time the sponsoring employee died or was separated has had to assume responsibility for all care rendered after the date of death or separation. Employees and dependents on the verge of receiving treatment have been denied it because of the mandatory separation or death of the employee. The law presently accords to eligible dependents the identical medical benefits granted to employees except for (1) the first $35 of the cost of hospitalization or similar treatment, and (2) a 120-day limit on the period of treatment at U.S. Government expense for a single illness or injury. It is proposed to continue these limitations under the authority granted by the new section 944.

Subchapter II of Chapter 63 of Title 5, U.S. Code.

Existing legislation	Proposed legislation
No existing legislation.	(a) Subchapter II of chapter 63 of title 5, United States Code (which relates to leave), is amended by adding at the end thereof the following new section: "6325. Absence resulting from hostile activity "No leave shall be charged to the account of any officer or employee for absence, not to exceed one year, due to any injury or illness incurred while serving abroad and resulting from hostile activity or clearly caused by the fact that the officer or employee was located abroad." (b) The analysis at the beginning of such subchapter is amended by adding the following item at the end thereof: "6325 Absence resulting from hostile activity." (c) The amendment made by subsection (a) of this section shall take effect as of the first day of the first pay period which began on or after January 1, 1965.

It is proposed that part of title 5 of the U.S. Code relating to leave be amended by adding new section 6325.

The new language provides that, for a period not to exceed one year, no charge against leave shall be made for any absence due to injury or illness sustained abroad by an officer or employee as a result of hostile activity or clearly caused by the fact that he was located abroad. The provision will permit an absence without charge to leave in those extraordinary situations in which officers and employees sustain serious illnesses or crippling injuries from physical violence and unavoidable involvement in wars, guerrilla and militant insurgent situations, or localized hostile mob actions. Similarly, it will protect the employee's earning power in those situations where prolonged disability results from illness which can be attributed solely to the fact that he was serving abroad and which would not have occurred had he remained in the United States. Personnel serving abroad particularly in the tropics are exposed to a wide range of disabling and disfiguring diseases. The authority granted by this section will make it possible to retain them in pay status while rendering them all necessary hospitalization and related care.

Provision is made for the retroactive application of this amendment to January 1965. Since that date a number of employees have been seriously injured due to a step-up in hostile acts against U.S. installations and employees abroad, including the 1965 terrorist-type attack against the chancery in Saigon. Providing for the retroactive application of this amendment will enable such employees to receive the full benefits of this provision.

Subchapter III of Chapter 59 of Title 5 of U.S. Code.

OVERSEAS DIFFERENTIAL AND ALLOWANCES

Existing legislation	Proposed legislation
SEC. 5925. A post differential may be granted on the basis of conditions of environment which differ substantially from conditions of environment in the continental United States and warrant additional compensation as a recruitment and retention incentive. Such differential also may be granted to any employee who is officially stationed in the United States who is on extended detail in a foreign area. Additional compensation paid as a post differential shall not in any instance exceed 25 per centum of the rate of basic compensation.	SEC. 5925. A post differential may be granted on the basis of conditions of environment which differ substantially from conditions of environment in the continental United States and warrant additional compensation as a recruitment and retention incentive. Such differential also may be granted to any employee who is officially stationed in the United States who is on extended detail in a foreign area. Additional compensation paid as a post differential shall not in any instance exceed 25 per centum of the rate of basic compensation, *except that in a foreign area where there is unusual danger of injury due to hostile activity such additional compensation shall not exceed 50 per centum.*

This section amends section 5925 of title 5 U.S. Code (which relates to post differentials) to authorize the payment of up to 50 percent of basic compensation to officers and employees serving in a foreign area where there is unusual danger from hostile activity. The current situation in Viet-Nam exemplifies the need and the justification for an additional allowance for personnel in strife-torn areas. In addition to the dangers of violence attendant upon assignment in Saigon employees are required to travel over many parts of the country, much of which is under Vietcong attack.

Estimated cost for 1st year's operation—Under authority of a bill to improve certain benefits for employees who serve in high-risk situations, and for other purposes

Section of bill	Estimated 1st year direct appropriations cost			
	State	AID	USIA	Total
Sec. 1. Travel (sec. 911(11), Foreign Service Act)	$106,200	$26,525	$105,275	$238,000
The additional costs of this amendment for the 1st year are estimated as follows:				
(a) 150 dependents a year with unusual medical problems will be brought to Washington from their home leave address for diagnosis and/or treatment at an average travel cost of $200 each	18,000	9,000	3,000	30,000
(b) 50 persons will be authorized to make round trip economy flights from foreign posts to their homes in connection with emergencies in their family at an average cost of $975 each	29,250	14,625	4,875	48,750
(c) Preparation and transportation to their former homes of the remains of 25 persons who die in the United States at an average of $350 each	5,950	1,400	1,400	8,750
(d) Travel of 10 wives of officers or employees for training in special cases at an average of $150 each	0	1,500	0	1,500
(e) Travel of 160 employees to make an average of 1.3 trips each to visit dependents evacuated from post. AID now has this authority	53,000	0	96,000	149,000
Sec. 2. Continued hospitalization after separation (sec. 944, Foreign Service Act)	10,850	4,550	2,100	17,500
Medical treatment of an estimated 25 employees and 25 dependents a year would be continued after separation at an average cost of $350 each.				
Sec. 3. Absence resulting from hostile activity (subch. II, of ch. 63 of 5 U.S.C. 6325, Annual and Sick Leave Act of 1951)	3,000	9,000	3,000	15,000
It is estimated that 10 employees a year will be absent from work, because of acts of hostile forces or due to their location abroad, for an average of 3 months each without charge to leave at an average cost of $3,000 each. However, it is estimated that 5 of these employees would remain on full salary under current authority. Therefore, the actual 1-year direct costs would be $15,000.				
Sec. 4. Hazardous duty differential beyond 25 percent (5 U.S.C. 5925, Overseas Differentials and Allowances Act)	275,000	4,860,000	450,000	5,585,000
It is estimated that during the 1st year 1,900 employees will be eligible for the additional 25 percent hazardous duty differential for service in Vietnam. (An average differential payment of $2,939.)				
Total direct appropriations costs, 1st year	395,050	4,900,975	560,375	5,855,500

INFORMATIONAL MEDIA GUARANTY PROGRAM

Mr. FULBRIGHT. Mr. President, by request, I introduce, for appropriate reference, a bill to amend further section 1011 of the United States Information and Educational Exchange Act of 1948, as amended.

The proposed legislation has been requested by the Director of the U.S. Information Agency, and I am introducing it in order that there may be a specific bill to which Members of the Senate and the public may direct their attention and comments.

I reserve my right to support or oppose this bill, as well as any suggested amendments to it, when the matter is considered by the Committee on Foreign Relations.

I ask unanimous consent that the bill may be printed in the RECORD at this point, together with the letter to the Vice President from the Director of the U.S. Information Agency in regard to it dated January 27, 1967, and the section-by-section analysis and the explanation of the proposed legislation.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill, letter, section-by-section analysis, and explanation will be printed in the RECORD.

The bill (S. 1030) to amend further section 1011 of the U.S. Information and Educational Exchange Act of 1948, as amended, introduced by Mr. FULBRIGHT, by request, was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

S. 1030

A bill to amend further section 1011 of the United States Information and Educational Exchange Act of 1948, as amended

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1011 of the United States Information and Educational Exchange Act of 1948, as amended, is amended as follows:

(1) In subsection (a) by striking out ", in accordance with the provisions of subsection (b) of section 413 of the Mutual Security Act of 1954, of investments in enterprises producing or distributing informational media" and inserting in lieu thereof "of convertibility to dollars of foreign currencies resulting from the sale or licensing abroad of American informational and educational materials which he determines to be".

(2) By changing the first comma of the proviso in subsection (a) to a period and striking out everything thereafter.

(3) By striking out subsection (b) and inserting in lieu thereof: "There is hereby established an Informational Media Guaranty Fund which shall be available without fiscal year limitation for payments under informational media guaranties. The Fund shall consist of all dollar amounts available

for guaranties hereunder and other assets on hand and hereafter derived from the program, and shall assume the liabilities and other obligations pertaining thereto.

(4) By striking out subsection (c) and inserting in lieu thereof "Obligations for guaranty contracts under this section shall be recorded against the funds heretofore or hereafter available for such guaranty contracts in an amount not less than 50 per centum of the contractual liability therefor."

(5) In subsection (d) by adding the words "heretofore or hereafter" after the words "Foreign currencies", by striking out "after June 30, 1955,", and by substituting the word "Fund" for "special account".

(6) By striking out subsection (e) and inserting in lieu thereof:

"The Director shall establish a schedule of fees for the issuance of guaranty contracts, or amendments thereto, and all fees collected shall be deposited in the Fund and shall be available for payments under informational media guaranties."

(7) By striking out subsection (g) in its entirety and by redesignating subsection (h) as subsection (g).

(8) By striking out the newly designated subsection (g)(1) and inserting in lieu thereof:

"There is hereby authorized to be appropriated without fiscal year limitation such amounts as may be necessary to bring the U.S. dollar balance of the Fund to $10,000,000 and to restore any impairment to the authorized capital of the Fund."

(9) In the newly designated subsection (g)(2) by striking out the words "and interest accrued on notes" and substituting the word "Fund" for "special account."

(10) By striking out the first sentence of the newly designated subsection (g)(3) and inserting in lieu thereof:

"The Secretary of the Treasury shall cancel all notes issued or assumed by the Director for purposes of payments under informational media guaranties, and sums owing and unpaid thereon, including interest to the time of cancellation."

The letter, section-by-section analysis, and explanation presented by Mr. FULBRIGHT, are as follows:

U.S. INFORMATION AGENCY,
Washington, D.C., January 27, 1967.

Hon. HUBERT H. HUMPHREY,
President of the Senate.

DEAR MR. VICE PRESIDENT: I have the honor to transmit to the Senate for its consideration a draft of a proposed bill to amend the United States Information and Educational Exchange Act of 1948, as amended, and an explanation thereof. The draft bill and explanation have also been submitted to the House of Representatives.

The proposed bill, which would revise the basic authority of the Informational Media Guaranty Program (IMG), is identical to S. 2256 which was submitted by the Agency to the last Congress. No action had been taken on that bill when the 89th Congress adjourned sine die. Proposals to revise IMG were also submitted to the 88th Congress (S. 2589) but were not acted upon.

Failure of the Congress to consider proposed amendments to IMG in the last two Congresses has been a matter of concern to the Senate Appropriations Committee. This year the Committee instructed in its report on H.R. 18119, which included the Agency's appropriation for FY 1967, that the IMG program be phased out. In view of this instruction, the IMG program will be phased out unless early and favorable action is taken by the Congress on legislation such as that transmitted herewith.

In his message to the Congress, February 2, 1966, proposing the International Educational and Health Acts of 1966, the President urged the Congress to enact legislation to permit improvements in the IMG program.

In view of the importance of this program and its present status the Agency urges early and favorable consideration of the proposals by the Senate.

The Bureau of the Budget advises that enactment of the draft bill would be consistent with the Administration's objectives.

Sincerely yours,

LEONARD H. MARKS,
Director.

SECTION BY SECTION ANALYSIS

SECTION I (1)

This subsection amends section 1011(a) of the U.S. Information and Educational Exchange Act of 1948, as amended, by making a technical change in the language and by deleting a reference to section 413 of the Mutual Security Act of 1954. That section has been superseded by sections 221 and 222 of the Foreign Assistance Act of 1961, as amended. Both the original section 413, now repealed, and the current sections 221 and 222 are concerned primarily with guaranties of capital investments abroad against confiscation or expropriation, or by reason of war, and guaranties of convertibility of earnings from such foreign investments. They have little relevance to guaranties of foreign currency sales proceeds from the export of U.S. informational materials. Accordingly, the reference to section 413 of the Mutual Security Act of 1954 is deleted from the proposed legislation as being unnecessary and, for the most part, inapplicable. Similar references in other sections of the IMG legislation are also deleted by the proposed legislation in order to bring the IMG legislation up to date and to make it all-inclusive.

SECTION I(2)

This subsection restates in subsection 1011(a) that the purpose of making informational media guaranties shall be the achievement of the foreign policy objectives of the United States. The proposed language does not include, however, the language of the present section 1011(a) which states that the purpose of making informational media guaranties shall also include the objectives of sections 413(b)(4)(A) and 413(b)(4)(G) of the Mutual Security Act of 1954, as amended. Such subsections have been repealed and their substance is now included in sections 221 and 222 of the Foreign Assistance Act of 1961, as amended. These sections specifically include economic development of underdeveloped areas as an objective of investment guaranties.

In view of the subsequent repeal and recodification of the referenced sections, and since economic development of underdeveloped areas is not a primary purpose of IMG, such references are no longer necessary in IMG legislation and have been deleted. Moreover, the purpose as stated in the proposed amendment is broad enough to encompass *all* foreign policy objectives.

SECTION I(3)

This subsection revises the current legislation by creating an Informational Media Guaranty Fund to replace both the existing borrowing authority and the "Special Account." It is expected that immediately prior to the effective date of this bill the Agency will draw down from the Treasury the balance available against notes authorized by the present statute and deposit such draw-down to the Special Account. Upon enactment of this subsection the Special Account balance and the market value of foreign currencies on hand will become the initial capital of the Fund.

The dollar value of foreign currencies held by the Agency at the time of enactment of the legislation and foreign currencies received thereafter under contracts of guaranty will be included as assets of the Fund. These currencies will be sold as rapidly as possible and the dollar proceeds will become available for liquidation of obligations. The present $28,000,000 borrowing authority will be repealed and public debt financing will be discontinued. The proposed language will make section 1011 of the U.S. Information and Educational Exchange Act of 1948 the sole and all-inclusive statutory basis for making informational media guaranties.

SECTION I(4)

This subsection repeals the formula for computing the maximum in guaranties which may be outstanding at any one time and provides a new formula. The new formula permits guaranty contracts to be obligated against the Fund in an amount ranging from 50% to 100% of the face amount of such contracts. The amount of guaranty outstanding at any one time may not, of course, exceed twice the amount in the Fund. This authority will permit the extension of more convertibility coverage with smaller appropriations. Greater operational flexibility will be possible than under the old formula.

Experience shows that due to the revolving fund feature which permits sales proceeds of foreign currencies acquired under the program to be reused, a substantial portion of the payments under each guaranty contract are financed by proceeds from the sale of currencies purchased under that contract.

SECTION I(5)

This subsection deletes a reference to June 30, 1955 which is no longer necessary. This date was included in the legislation in the course of prior amendments to establish the date when assets of the Informational Media Guaranty program were segregated from assets of the Investment Guaranty Program.

The words "heretofore or hereafter" are added to make certain that the dollar proceeds received from the sale of foreign currencies held in the IMG inventory at the time of enactment or acquired through operation of the program under the revised authority will be deposited into the Informational Media Guaranty Fund, where they will be continuously available for payment of guaranties. It also substitutes the word "Fund" for the words "Special Account" to maintain consistency of terminology.

SECTION I(6)

This subsection deletes the reference to the Mutual Security Act of 1954, as amended, and the authority of the Director to charge a minimum fee of not more than $50.00 for the issuance of an IMG contract. The latter authority was necessary when IMG fees were set by law at 1% of the face amount of the contract. Since the proposed legislation authorizes the Director to establish a schedule of fees the authority for a minimum fee is unnecessary.

SECTION I(7)

This subsection repeals in its entirety the present section 1011(g) which was a transitional provision covering the segregation of borrowing authority and assets of IMG from the borrowing authority and assets of the Investment Guaranty Program which took place in 1956. The subsection is, therefore, no longer necessary.

SECTION I(8)

This subsection redesignates the present section 1011(h)(1) as section 1011(g)(1) and authorizes no-year appropriations to bring the U.S. dollar balance of the newly created fund up to the authorized maximum of $10,000,000 and thereafter to restore impairment to the fund.

SECTION I(9)

This subsection revises section 1011(h)(2) by redesignating it as 1011(g)(2) and by deleting the reference therein to "interest accrued on notes". With the cancellation of indebtedness and repeal of the borrowing authority there will be no further interest accrual.

SECTION I(10)

This subsection modifies section 1011(h)(3) by redesignating it as 1011(g)(3) and by directing the Secretary of the Treasury to cancel all indebtedness on the effective date of the Act, including interest upon notes issued or assumed by the Director for purposes of payments under IMG. Cancellation of indebtedness to the Treasury arising from public debt financing of certain other government programs has been authorized by the Congress in the past. Obviously there is no way for such internal "debt" to be liquidated other than by action of the Congress.

Explanation of Proposed Legislation

GENERAL

The purposes of the proposed legislation to amend section 1011 of the U.S. Information and Educational Exchange Act of 1948, as amended, informational media guaranties (22 U.S.C. 1442) are as follows:

1. Establish a fund to finance the IMG program, which will include: (a) the dollar balance in the existing Special Account, (b) the amount remaining for borrowing from the Treasury under the present $28,000,000 limit, and (c) other assets derived from the program;
2. Repeal the present borrowing authority and direct the Secretary of the Treasury to cancel all indebtedness, including interest accrued to the time of cancellation;
3. Fix the ceiling on outstanding guaranties at twice the amount in the fund, i.e. require the Agency to maintain at all times a reserve of not less than 50% of the outstanding guaranties;
4. Authorize appropriations sufficient to bring the U.S. dollar balance of the fund up to $10,000,000 and to replace losses to the fund;
5. Authorize the Director of the Agency to establish a schedule of fees for the issuance of guaranties; and
6. Elimiuate references in the basic IMG legislation (22 U.S.C. 1442) to other provisions of law which have been repealed or which are no longer applicable.

These legislative proposals are necessary to revitalize and provide for continued capitalization of the IMG program which has operated against $28,000,000 in public debt financing since 1948.

At the beginning of fiscal year 1959 when appropriations were first authorized to restore impairment to the fund the indebtedness to the Treasury was $16,800,000. From that date through June 30, 1966, the Congress appropriated $12,191,680. Expenditures (including interest payments of $4,700,000) during that period, however, exceeded revenues and appropriations by nearly $5,300,000. Consequently, by June 30, 1966, the indebtedness to the Treasury on notes outstanding increased to $22,056,141.

The existing IMG revolving fund has no source of income to offset losses or pay interest except the small amount of interest earned on foreign currency deposits and fees collected. The liquidation of the indebtedness which has accumulated since 1949 must, therefore, depend upon action by the Congress. The proposed legislation directs the Secretary of the Treasury to cancel all outstanding indebtedness under the notes, including principal and interest, thus permitting a new beginning for the IMG program under the revised authority.

PEACE CORPS ACT AMENDMENT

Mr. FULBRIGHT. Mr. President, by request, I introduce, for appropriate reference, a bill to amend further the Peace Corps Act (75 Stat. 612), as amended.

The proposed legislation has been requested by the Director of the Peace Corps, and I am introducing it in order that there may be a specific bill to which Members of the Senate and the public may direct their attention and comments.

I reserve my right to support or oppose this bill, as well as any suggested amendments to it, when the matter is considered by the Committee on Foreign Relations.

I ask unanimous consent that the bill may be printed in the Record at this point, together with the letter to the Vice President from the Director of the Peace Corps, dated February 3, 1967, in regard to it, and a section-by-section analysis of the bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill, letter, and section-by-section analysis will be printed in the Record.

The bill (S. 1031) to amend further the Peace Corps Act (75 Stat. 612), as amended, introduced by Mr. Fulbright, by request, was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the Record, as follows:

S. 1031

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3(b) of the Peace Corps Act, as amended, which authorizes appropriations to carry out the purposes of that Act, is amended by striking out "1967" and "$110,000,000" and substituting "1968" and "$124,400,000", respectively.

The letter and section-by-section analysis presented by Mr. Fulbright are as follows:

Peace Corps,
Washington, February 3, 1967.

Hon. Hubert H. Humphrey,
President of the Senate.

Dear Mr. President: Enclosed for your consideration is draft legislation which will enable the Peace Corps to continue to strengthen its work on behalf of world peace and understanding.

This legislation will authorize the appropriation of $124.4 million for the Peace Corps in fiscal 1968. This authorization is $14.4 million more than the amount authorized for 1967.

It will enable the Peace Corps to train an estimated 11,550 Volunteer applicants in the coming year, 1050 more than this year. It will also enable the total number of Volunteers serving abroad on August 31, 1968 to grow to about 900 from the estimated number to be overseas on August 31, 1967.

During the past year, the Peace Corps has increased the number of countries with which it has programs from 46 to 52. The legislation being transmitted will allow Peace Corps Volunteers to be assigned to several more countries.

As the Peace Corps moves forward, it seeks newer, more effective and more economical ways to recruit, select, train, program and support its Volunteers. Current improvements are included in our program for 1968 and reflect the interests of the Congress as expressed in prior years' hearings.

The Bureau of the Budget has advised that enactment of this legislation would be in accord with the program of the President.

Sincerely,

Jack Vaughn.

Section-by-Section Analysis of the Proposed Act To Amend Further the Peace Corps Act

The proposed act (the "bill") to amend further the Peace Corps Act, as amended ("the act"), authorizes appropriations for fiscal year 1968 under the general authority in the act for appropriations to carry out the purposes of the act. The bill would accomplish this by striking out the amount and the reference to the fiscal year in that general authorization and substituting the new amount and the new fiscal year. Deletion of the amount and year in the general authorization, of course, has no effect on funds heretofore made available to carry out the purposes or provisions of the act.

Section 1.—Amends section 3(b) of the act, which relates to authorizations, to authorize the appropriations of $124,400,000 for fiscal year 1968. In 1966, the appropriation of $110,000,000 for fiscal year 1967 was authorized by amendment of this general authority, and that amount was appropriated, under the general authorization, to carry out the provisions of the act in fiscal year 1967.

AMENDMENT TO THE OLDER AMERICANS ACT OF 1965

Mr. MORSE. Mr. President, Mr. John G. Kenyon, director of school services program for the elderly at Lewis and Clark College, recently apprised me of the pilot program being undertaken by that institution in connection with 11 elementary schools of Portland Public School District No. 1.

In his letter, Mr. Kenyon said:

> Lewis and Clark College was given an Older Americans Act grant last year to establish a pilot work program for low-income elderly people. The program is the only one of its kind in the nation. Within Portland Public School District #1 eleven elementary schools now have a total of forty noontime assistants who replace the teachers in the cafeterias and on the playgrounds. Each elderly person is within walking distance of his assigned school, works about two hours each day, is being paid $1.50 per hour, and is aged fifty-five or older (the oldest is eighty-two). School personnel and the elderly workers are enthusiastic about the program. The school Board and administrators are seriously planning extension and expansion of the program.
>
> There is one fly in the ointment. Those of our workers who are on Old Age Assistance lose, in effect, about $45 out of their $60 monthly income because of Titles I, IV, X, XIV, and XVL of the Social Security Act.

The Economic Opportunity Act has a specific title—title VII—which exempts old-age assistance recipients from penalties when receiving additional income under that act.

> We believe the School Services Program has great potentials. It relieves teachers from a tension-producing duty thus contributing to better teaching. It puts elderly persons back in society—ending their isolation and loneliness, and improving their incomes at the same time. It re-establishes grandparents in American society, builds rapport between generations and makes available the wisdom of the elderly.
>
> Would it be possible to amend the Older Americans Act by giving it the same title the Economic Opportunity Act has—Title VII? Our program, as well as future programs involving low-income elderly persons will benefit from such an amendment.

Mr. President, in my judgment there is much merit in the proposal and it conforms to the action of the Congress with respect to other areas relating to the same principle.

I, therefore, send to the desk for appropriate reference a bill to accomplish the purpose and I ask unanimous consent that the text of the bill be printed at this point in my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S.1032) to provide for the disregarding, for purposes of determining need under programs established pursuant to the public assistance titles of the Social Security Act, of certain income of aged persons employed under programs receiving assistance under the Older Americans Act of 1965, introduced by Mr. MORSE, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

S. 1032

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Older Americans Act of 1965 is amended by adding at the end thereof the following:

"TITLE VII—TREATMENT OF CERTAIN INCOME FOR CERTAIN PUBLIC ASSISTANCE PURPOSES

"SEC. 701. (a) Notwithstanding the provisions of titles I, IV, X, XIV, and XVI of the Social Security Act, a State plan approved under such title shall provide that the first $85 plus one-half of the excess over $85 of payments made to any person for or with respect to any month shall not be regarded as income or resources of such person in determining his need under such approved State plan, or as income or resources of any other individual in determining the need of such other individual under such approved plan, if—

"(1) such person has attained age 65 prior to such month,

"(2) such payment is for services performed by such person in a program assisted by a grant under this Act, and

"(3) one of the purposes of such program is to provide part-time employment for low-income elderly persons.

"(b) Notwithstanding the provisions of subsection (a), no funds to which a State is otherwise untitled under title I, IV, X, XIV, XVI, or XIX of the Social Security Act for any period before the first month beginning after the adjournment of a State's first regular legislative session which adjourns more than 90 days after the date of enactment of this section shall be withheld by reason of any action taken pursuant to a State statute which prevents such State from complying with the requirements of subsection (a)."

THE NATIONAL COURT ASSISTANCE ACT

Mr. TYDINGS. Mr. President, during the last session of the 89th Congress I introduced a bill entitled the National Court Assistance Act, S. 3725. The proposal had two main features: First, authorization of a grant-in-aid program of $5 million a year for 3 years to encourage improved judicial administration in State and local courts; and second, establishment of an Office of Judicial Assistance as a national clearinghouse for up-to-date information on court management.

When I introduced the bill, I cited statistics to show that the problem of lagging justice is plaguing the courts of our Nation. I pointed out that in Stork and Ford Counties, Ill., the time between filing and trial of civil cases is more than 5 years. In New Haven County, Conn., a civil litigant must wait 3½ years, after filing, for the trial of his case. Litigants in San Francisco, Calif., and in Baltimore, Md., are waiting almost 2 years for a jury trial from the time a civil case is placed on the trial calendar to the date it is actually tried.

Things have not improved. Indeed, conditions have even degenerated in some of the courts I discussed. And it is painfully easy to document other representative instances of judicial delay. In Louisiana in 1964, 77,000 suits were filed while only 59,000 were terminated, adding more than 18,000 cases to an already staggering backlog. In the Circuit Court of Cook County, Ill., the average litigant in a civil jury case faces a delay of more than 5 years from filing to trial. In Texas in 1961, the backlog was 120,000 cases and approximately 20 percent of all cases had been pending for over 5 years. Texas authorities no longer compile figures indicating how long cases have been pending; however, we do know that the backlog is currently in excess of 212,000 cases.

Of the seven county courts in Massachusetts that sit continuously, three courts averaged a timelag of about 3 years from filing to trial for civil cases. In the remaining four counties the time lag was more than 2 years. In Wayne County, Mich., the average delay from filing to trial in automobile negligence jury cases is more than 34 months, and in nonjury cases it is more than 30 months. In Maricopa County, Ariz., the delay from filing to trial of civil jury cases is more than 30 months. In Essex County, N.J., the total cases pending on the civil calendar at the close of fiscal 1965 increased 15 percent over the previous year, while the number of cases which had been pending for more than 2 years increased by more than 100 percent over that period. In San Mateo, Calif., after all pretrial procedures are completed and a case is set for trial, the median delay until the trial is 13 months. This delay span is 10 months in San Diego, Calif.

A full catalog of the depressing details of lagging justice would merely clutter the record. Suffice it to say that the need for positive action is immediate.

The National Court Assistance is designated to help State and local courts meet that need. First, these courts, under the grant-in-aid program, obtain financial aid to facilitate a process of comprehensive self-evaluation, the end of which would be to determine what organizational and administration changes are necessary to achieve a maximum utilization of available manpower with a minimum expenditure of time and money. Part of this process of self-evaluation can be a utilization of management consultants and other experts who can bring their knowledge to bear upon the problems of court administration. Although judges and other court personnel rarely have administrative training, our courts have been hesitant to make use of expertise in meeting problems of judicial administration. Federal assistance would encourage judges to overcome that hesitancy. The grants in aid could also be used to develop programs for judges designed to educate them in modern techniques of judicial administration. Thus, the bill I introduce today can be of direct aid to our State and local judiciaries in the fulfillment of their administrative responsibilities.

The bill would also establish a much-needed central clearinghouse of information. Today, only the Institute of Judicial Administration has any appreciable facilities for the collection, analysis, and dissemination of information on court business. As a fellow of the Institute I am familiar with its work, and I know that it does a praiseworthy job of fostering and conducting judicial study. But I also know that the Institute, as a private organization of limited resources, is not equipped to function as a comprehensive repository to collect data and service the informational needs of all the courts across the Nation. A national Office of Judicial Assistance, however, could serve as a center for the nationwide exchange of information about new methods that have been tested in individual courts. What has been successfully accomplished in Pittsburgh, for example, and the techniques employed to achieve it, could be made available to other court systems with similar problems. And, in particular, the Office of Judicial Assistance could provide advice on the most suitable statistical and data collection systems for a particular court. There is no such service today. It also may be desirable to have the Office of Judicial Assistance serve as a computer center. Many courts are not large enough to have their own computers to process statistics and records, but the Office could perform this service for them at a nominal cost.

Mr. President, I trust that Congress is fully aware of the manifest Federal interest in the effectiveness of State and local courts. Federalism is a viable system only where the States are effective partners of the Federal Government. Moreover, specific rights and remedies, created by Congress, often depend for their enforcement on the courts of the States. And when State courts consider Federal questions, it is in the whole Nation's interest that they be able to do so with dispatch and efficiency. Likewise, when questions arise as to the distribution of jurisdiction between State and Federal courts, we ought to be able to consider them on their merits, free of considerations as to which system of courts has superior administrative capacities. Nor should individual litigants themselves have to ponder such factors when they are trying to decide upon a forum in which to bring their actions.

As I pointed out last year when I introduced S. 3725, Mr. President, in many respects the National Court Assistance Act would parallel the Law Enforcement Assistance Act of 1965. The Law Enforcement Assistance Act collects and disseminates information relating to law enforcement, and makes grants to State and local police agencies and correctional institutions. However, these functions of the Law Enforcement Assistance Act, though parallel to those of the proposed National Court Assistance Act, do not overlap with them. Where law enforcement does touch the judicial process, it does so primarily in the criminal courts. But the problems of judicial administration are perhaps most critical with respect to civil matters, in which many more of our citizens are involved.

Subsequent to the introduction of S. 3725 last session, Mr. President, I sent letters to State judges, State court administrators, State and local government officials, and leaders of bar organizations, asking for their views on the bill. The response was predominantly favorable, but as may be expected in the case of a legislative proposal, opposition was expressed in some quarters.

A few respondents merely refused to admit any need for the improvement of judicial administration. A judge of a small court in a Western State replied:

> I cannot speak with authority for any other state . . . but I can assure you that no flood of litigation is engulfing this state.

Similarly, a judge of a small court in a Midwestern State observed:

> In my opinion the State courts . . . are functioning well.

And a southern State judge concluded:

> I would oppose the National Court Assistance Act because I feel that the states are making good headway in clearing up congested dockets.

The statistics I mentioned earlier, and a flood of others that could be cited, comprise an eloquent rebuttal to this source of opposition. Although some States have made notable advances, there has been no comprehensive mobilization of effort to attack lagging justice in our Nation's courts. The National Court Assistance Act is a step in that direction.

Opposition to the act has also been framed on another basis. A judge of a populous northern State responded:

> It would be less expensive and more efficient for State legislators to create more judgeships.

An attorney who is an officer of the bar association of a southern State wrote:

> The simple problem of court congestion is the lack of sufficient judges to do the work assigned.

Certainly, Mr. President, the experience of the Federal courts indicates that at times more judges can be no solution at all. During fiscal 1959, more than 62,000 civil cases were terminated in the Federal district courts. Two years later, in 1961, 63 additional district judgeships were created. Yet, in fiscal 1964, after virtually all those judgeships had been filled, the district courts handled only 64,000 cases. This means that despite a 25-percent increase in judicial manpower the courts were able to increase their productivity by only 3 percent. Furthermore, it seems foolish and expensive merely to add more judges when we have not first made an effort to make the most effective use of that judicial manpower we already have, and when we have not first carefully identified basic problems in the administration of justice and attempted to eliminate them.

A third source of opposition admitted the need for judicial reform, but argued that the National Court Assistance Act was not the appropriate vehicle. One judge commented:

> We don't need law school professors hired by the Director of the Office for Judicial Assistance to tell us what is wrong and how to correct it. We know. We need money and the power to decide how to use it at the local level.

The officer of a county bar association observed that—

> Though the court reform matter is of great importance to all of us, the local organizations should be given the opportunity to correct the situation.

And another judge suggested:

> The National College of State Trial Judges, under the sponsorship of the American Bar Association, is doing considerable work in this field at the present time. It is my opinion that you could more economically attack the problems you are facing through a grant to the National College of State Trial Judges than you can through the means outlined in Senate Bill 3725.

Although these individuals apparently oppose S. 3725, Mr. President, the act would foster the activities they advocate. Problems of court congestion are truly local problems that must be solved locally. It is the aim of the National Court Assistance Act, however, to provide the resources to help local courts and local bars solve those problems. And I contemplate that the act would supplement the activities of organizations currently at work for the improvement of judicial administration. There is thus no real inconsistency between the National Court Assistance Act and the viewpoints in opposition to it taken in the letters just mentioned.

The main argument in opposition to the bill, however, is that it invites encroachment by the Federal Government upon the autonomy of State and local courts. The president of a county bar association in an eastern State observed:

> I cannot help feeling, however, that the proposed bill, while it might alleviate . . . [court congestion] somewhat, would inevitably hamper the independence and effectiveness of state courts. It seems to me that, while delay in the administration of justice poses a serious threat to our system of government, the constant interposition of the federal hand into the affairs of the states poses an equally serious threat.

The judge of a Southern State court, in paying a compliment to my father, made this political observation:

> You gentlemen in Congress could also follow more in the footsteps of such great men as Senator Millard Tydings and return our government to a true democracy instead of a socialist state governed by bureaucrats and which is fast becoming an anarchy.

And another State judge suggested that—

> This bill would be a usurpation of power and, more specifically, would tend to destroy the present safeguards for the independence of the judiciary.

The judge of a Northern State borrowed a southern metaphor when he concluded tartly:

> Congress should keep its "cotton picking" fingers out of the state judiciary system.

Mr. President, I too am deeply concerned with preserving the antonomy and vigor of State and local courts, and I deplore the intrusion of the Federal Government into areas that are more properly the domain of State governments. It has long been my opinion that the primary reason the Federal Government has moved into many areas that heretofore have been exclusively within the province of the States is that the latter, generally speaking, have not been sensitive to the demands of today's society, and have failed to meet modern needs with modern government. If we are to stem the entrance of the Federal Government into areas where it cannot operate as efficiently as State and municipal governments can operate, it is essential to revitalize local government and make it equal to the task that must be performed. The National Court Assistance Act is a means to stimulate judicial reform at the local level and to encourage local courts to reevaluate the adequacy with which they deal with judicial problems of today. The act is intended to help State and municipal courts help themselves, thereby obviating any pressure for Federal involvement in matters of local justice, either through an expansion of Federal court jurisdiction, or whatever. It would strengthen, not weaken, our system of creative federalism. Thus, with the same considerations in mind that those who deplore Federal intrusion into State matters have in mind, I reach the opposite conclusion about the desirability of the National Court Assistance Act.

Because I share the concern of those who oppose unnecessary Federal intervention in local affairs, the act contains specific provisions to protect the independence and autonomy of State and local courts. Section 5 provides that the resources of the act could be used only with the approval of the court involved. And section 8 specifically prohibits the Office of Judicial Assistance from exerting any control or influence over State or local court. These provisions, taken together, are meant to assure that the initiative for implementing reforms remains with the judges of the local courts.

Mr. President, I should also stress that the matter is one of judicial administration—of developing more adequate methods of handling large caseloads—in order to make clear that there is no intention to affect the substantive law of the States or to alter their traditional judicial decisionmaking processes.

I would like to give "equal time," Mr. President, to statements made by those who support enactment of this legislation. I am gratified that enthusiastic support for the measure, from the bench, bar, and officials of State and local government, is such as to require at least equal time. And some of the suggestions I have received indicate ways in which the National Court Assistance Act could be of benefit to the courts of our States.

The essential nature of the problem was put well by the mayor of a large western city:

> The ever-greater complexities of urban life continue to throw greater burdens on judicial machinery. Thus, we face not only increased costs at the very time when cities are in financial difficulties, but also increased backlogs and congestion at the very time in our history when law and order demands that disputes be heard quickly and efficiently. . . . The assistance you propose is needed.

As further commentary upon the need for reform, the judge of a small court in a southeastern city observed:

> There is a very great tendency to ignore or overlook the needs of courts until the neglect reaches the proportions of a scandal.

Mr. President, I gree with that sentiment, and we cannot wait longer for action.

Regarding some of the specific provisions of the bill, I found widespread support for both the grant-in-aid program and the establishment of an Office of Judicial Assistance. One midwestern State judge said:

> I think the bill could be of great assistance to the State courts because my experience here has been that it is virtually impossible to obtain funds for such purposes. You are quite right that the State courts must handle the bulk of litigation in this country, and of course it couldn't be more important that they handle it in the best manner possible.

A judge from a Northern State court agreed:

> To accomplish any practical results will take considerable expenditure of time, personnel and money, which are not readily available for this purpose.

The executive director of a State bar association commented:

> I think there is a tremendous need for funds for studying Judicial Administration. The Bar cannot, on a voluntary basis, make the in-depth type of study that is necessary. At the same time, such studies will frequently require the expertise of other fields.

The court administrator for a large city court suggested one good way to use grants-in-aid:

> The bill presents a new and useful approach to the problem of improving the administration of justice in this country. I am particularly interested in the proposal to have seminars and other educational programs for judges and personnel of the courts. As you undoubtedly know, there already exists a seminar for new trial court judges. But to my knowledge, there is no training program whatsoever for administrative personnel. I believe the need for such a program is acute.

The utility of an Office for Judicial Assistance was underscored by a great number of those who responded. One judge wrote:

> Being a judge in a local Circuit which has a very heavy case load, improvements in administration are absolutely imperative. We have pioneered on our own, but would certainly be most appreciative of having a source of information of what other local courts have done to meet this problem.

Another judge whose court is working for judicial reform, candidly admitted:

> Most of our problems are judge-created. I'd like to see them judge-resolved.

He went on to point out:

> The experience of other courts as furnished to us by a federal office of Judicial Administration will be all the help we really need.

And a lawyer who was a judge in a Midwestern State said:

> S. 3725 will fulfill a definite need for a coordinating agency and clearing house available to all courts. . . . This feature alone would make the bill well worthwhile.

The judge of still another court busily engaged in an overhaul of its operations said:

> Our court . . . is presently considering some reform in our administrative procedures . . . Your bill would be of great help in providing a central agency . . . for advice and assistance in streamlining administration.

Supporters of the National Court Assistance Act also touched upon the Federal role in court administration. One southern judge said:

> The State Court system has been a poor relation of the Federal Court system for far too long a time.

A U.S. district judge wrote:

> I feel that you have provided adequate safeguards to assure the States that the Federal Government is not attempting to dictate to them in their internal affairs or to infringe upon the autonomy of their courts, but merely endeavoring to assist them.

This sentiment was echoed by the chief justice of a State supreme court:

> While I would be reluctant to support anything that involves any further takeover of the state courts by the federal government, I think this act as drawn has sufficient safeguards so that it would do a great deal of good and no harm.

And the judge of a large western State court responded by emphasizing one of the statements that accompanied the introduction of this bill last year:

> I note particularly the language, "The grants are not for new courthouses or more judges, but rather for innovation in techniques of judicial administration." I think that language should quiet any fears of federal control over State courts if they exist.

Mr. President, one judge wrote to me:

> I would think that federalism is a viable system only when the federal government is an effective partner *with* the States.

And that, precisely, Mr. President, is the role of the Federal Government as envisaged in the National Court Assistance Act.

All of these statements in support of the National Court Assistance Act are highlighted by recent events. Just 2 days ago, following a year and a half of careful study, the President's Commission on Law Enforcement and Administration of Justice made public its findings and recommendations. The Commission observed that—

> In an age when new management techniques and business machines have revolutionized many business and government operations, the courts' business procedures have remained in most places very much like those of a former age. . . . Increasing urbanization has placed great new pressures upon these courts . . . and has highlighted the inadequacy and obsolescence of the business methods used. . . .
>
> The Commission urges courts and court administrators to seek the advice and assistance of experts in business management and business machines systems in an effort to develop plans and forms for more efficient court business systems.

The Commission also recommended that computer techniques should be developed in pilot studies with Federal support. These recommendations, Mr. President, could be implemented through the National Court Assistance Act.

Therefore, I once again introduce that bill, for appropriate reference. I ask unanimous consent that the text of the bill be printed at the conclusion of my remarks.

Without boastful intentions, Mr. President, I conclude by citing the response of a judge who said in a letter to me:

> No other legislation presently proposed or now enacted that has been brought to my attention hits so directly at the problems of the courts.

I believe that legislative hearings on this proposal will further dramatize the urgent need for assistance to our State and local courts, and will demonstrate that the National Court Assistance Act is an appropriate device to encourage the search for modern methods of judicial administration.

Perhaps I should add, Mr. President, that a bill was recently introduced in the Senate that would create a Federal Judicial Center in connection with the Administrative Office of the U.S. Courts. That bill, S. 915, would, in effect, establish the Federal counterpart to the Office of Judicial Assistance envisaged by the bill I introduce today. Although the bill I introduce would place the proposed Office of Judicial Assistance in the Department of Justice, hearings on the National Court Assistance Act and on S. 915 may demonstrate the advisability of placing these related agencies within the same department or agency. In any event, it is clear that the two measures together present us with an opportunity, Mr. President, to make an all-out effort for the improvement of both the Federal and State judicial systems.

The **PRESIDING OFFICER.** The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1033) to encourage improvements in the machinery of judicial administration by establishing within the Department of Justice the Office for Judicial Assistance, and for other purposes, introduced by Mr. TYDINGS (for himself and other Senators), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S. 1033

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is hereby established within the Department of Justice the Office for Judicial Assistance, to be headed by a Director appointed by the President of the United States, by and with the advice and consent of the Senate. The Director shall be compensated in the amount of $26,000 per annum. The function of the Office for Judicial Assistance shall be to encourage and assist improvement in the organization, procedure, and administration of local and State courts.

(b) The Director shall have the power to appoint and fix the compensation of such personnel as he deems advisable, in accordance with the provisions of the civil service laws and the Classification Act of 1949, as amended. The Director may also procure, without regard to the civil service laws and the Classification Act of 1949, as amended, temporary and intermittent services to the same extent as is authorized for the departments by section 15 of the Act of August 2, 1946 (60 Stat. 810), but at rates not to exceed $50 per diem for individuals.

SEC. 2. In carrying out the functions of the Office for Judicial Assistance, the Director is authorized—

(1) To conduct or cause to be conducted studies and evaluations of local and State court systems, to make recommendations for organizational, procedural, and administrative improvements of such systems, and to contract with public or private agencies for the purpose of having such agencies assist him in the exercise of his authority under this paragraph;

(2) To conduct or cause to be conducted seminars and other educational programs for judges and personnel of local and State courts;

(3) To collect, evaluate, publish, and disseminate information, materials, and other data relating to studies, programs, and projects conducted or carried out under this Act;

(4) To cooperate with and render technical assistance to Federal, State, local, or other public or private agencies; and

(5) To accept, in his discretion, gifts and other donations to be used by him in carrying out the function of his office.

SEC. 3. To assist him in carrying out the function of his office the Director of the Office for Judicial Assistance is authorized to make grants to local or State courts or to public or private nonprofit organizations to be used by such courts and organizations for the following purposes:

(1) To study and evaluate local and State court systems, and to prepare recommendations for organizational, procedural, and administrative improvement of such systems;

(2) To present seminars and other educational programs for judges and personnel of local and State courts;

(3) To implement organizational, procedural, and administrative improvements of local and State court systems recommended as a result of studies conducted under this Act; but in no event shall any such grant or part thereof be used for the construction, improvement, or alteration of buildings, or for the payment of salaries of judges or court personnel on a continuing basis; and

(4) For such other purposes, consistent with the purposes of this Act, as the Director shall determine necessary or desirable in carrying out the functions of his office.

SEC. 4. Within six months after the enactment of this Act, the Director shall, by regulations, establish general standards for obtaining grants under this Act. The regulations shall provide for regular reports by any recipient of a grant under this Act to the Director who shall, from time to time, on the basis of the reports and other information available to him, review and, if necessary, revise the standards established pursuant to this section.

SEC. 5. After the regulations referred to in section 4 of this Act have been issued, any local or State court or any public or private agency desiring to secure a grant under this Act may submit an application therefor to the Director. The application shall be in such form and contain such information as may be prescribed by the Director. No application submitted by any local or State court for a grant under this Act shall be approved by the Director unless such application has been first approved by the chief or presiding judge of the court submitting such application. No application submitted by any public or nonprofit organization for a grant under this Act in connection with any local or State court shall be approved by the Director unless such application has been first approved by the chief or presiding judge of that court.

SEC. 6. The Director may approve any application which complies with the provisions of this Act. The payment of moneys to any applicant under this Act may follow the approval of his application by the Director. Payment of any such grant may be made in advance or by way of reimbursement, and in such installments as may be determined by the Director, and shall be made on such conditions as the Director finds necessary to carry out the purposes of this Act.

SEC. 7. The Director shall not approve any application for a grant under this Act received by him after January 31, 1970.

SEC. 8. Nothing in this Act shall be construed as authorizing the Office for Judicial Assistance or the Director thereof to supervise or control in any manner or to any extent the administration or organization of any local or State court, or to conduct or cause to be conducted any study or evaluation of any local or State court without the prior approval of the chief or presiding judge of the court with respect to which such study or evaluation is to be conducted.

SEC. 9. For the purpose of making grants under this Act, there is hereby authorized to be appropriated for the fiscal year beginning July 1, 1967, and for each of the two succeeding fiscal years, the sum of $5,000,000.

SEC. 10. On or before April 1 of each calendar year, the Director shall report in writing to the President and to the Congress on his activities pursuant to the provisions of this Act during the preceding calendar year.

DESIGNATION OF FEBRUARY 24 OF EACH YEAR AS ADMIRAL NIMITZ DAY

Mr. TOWER. Mr. President, today marks the first anniversary of the death of Fleet Adm. Chester William Nimitz, one of our Nation's military heroes of the first order of greatness.

The end of this week, on February 24, he would have celebrated his 82d year. As it was, he died just 4 days short of his 81st birthday.

Admiral Nimitz assumed command of the U.S. Pacific Fleet during one of this Nation's darkest hours, immediately following the 1941 attack on Pearl Harbor.

Admiral Nimitz' service to his country spanned two of our most agonized and violent periods. He assumed command of an ex-Spanish gunboat, the *Panay* in 1906: his first command. The career that followed is, of course, history.

In order that my colleagues may have the opportunity to review some of this history I shall ask that a short biography of Admiral Nimitz be printed in the RECORD immediately following my remarks.

First, however, I send to the desk a joint resolution designating February 24 of each year as Admiral Nimitz Day in memory of the courage and ability of this great man who engineered victory from discouragement and chaos. So great was his contribution to the Allies, his feats will be remembered as long as representative government is revered, and in whatever lands it is practiced.

I ask that the text of the joint resolution be printed, followed by Mr. E. B. Potter's short biography from the July 1966 issue of the Proceedings of the U.S. Naval Institute.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution and biography will be printed in the RECORD.

The joint resolution (S.J. Res. 45) designating February 24 of each year as Admiral Nimitz Day, introduced by Mr. TOWER, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be posted in the RECORD, as follows:

S.J. RES. 45

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in honor of Fleet Admiral Chester William Nimitz, who was born on February 24, 1885, February 24 of each year is hereby designated as Admiral Nimitz Day. The President is authorized and requested to issue a proclamation each year calling upon the people of the United States to observe Admiral Nimitz Day with appropriate ceremonies and activities.

The biography presented by Mr. TOWER, is as follows:

CHESTER WILLIAM NIMITZ: 1885–1966

(By E. B. Potter)

Christmas morning, 1941. A steady rain pelted down from clouds hanging low over Pearl Harbor. To the northeast, a four-engine flying boat appeared bringing the newly appointed Commander-in-Chief of the U.S. Pacific Fleet, Admiral Chester W. Nimitz.

Through the haze, Nimitz could make out alongside Ford Island the sides, hulls, and crazily jutting tops of American battleships and other vessels sunk by Japanese carrier aircraft less than three weeks before. Hardly had his plane touched down in East Loch and come to a stop when an admiral's barge drew up alongside. Nimitz, in civilian clothes, stepped down into the barge and shook hands with Captains William W. Smith and Harold C. Train, chiefs of staff respectively to Admiral Husband E. Kimmel, who had been commander-in-chief at the time of the Pearl Harbor attack, and to Vice Admiral William S. Pye, Kimmel's temporary relief.

Admiral Nimitz, who had been out of touch with events since leaving Washington, at once inquired about the relief force that had been sent out to rescue the Marines under attack on Wake Island. When Smith told him that the force had been recalled, Nimitz remained silent for some time.

"When you get back to your office," he said at length to Smith, "call Washington and report my arrival." After a few moments he spoke again: "This is a terrible sight, seeing all these ships down."

At the submarine base wharf, which the barge presently came alongside, Captain Train escorted Nimitz to the official car in which Admiral Pye was waiting to conduct him to his quarters on Makalapa Hill.

In conferences during the next few days, Nimitz was relieved to find no defeatism among the officers at Pearl Harbor. Their mood was rather one of chagrin, defiance, and cold anger.

Since the attack on the Fleet, Guam had fallen, and Thailand had been overrun. In Malaya, the Japanese were threatening Singapore. In the Gulf of Siam, Japanese aircraft had sunk HM battleship *Prince of Wales* and HM battle cruiser *Repulse*. On Luzon, enemy planes had wiped out American air power and smashed the Cavite Naval Base. Even now Japanese invading forces were advancing on Manila. From the Marshalls the Japanese had penetrated into the Gilberts, Whence they menaced the Ellices and Samoa.

At Wake Island, the Marines had held out for two weeks, thrusting a Japanese assault back into the sea. On 14 December, in one of his last acts as commander in chief, Admiral Kimmel had sent out the Wake relief force, including the carrier *Saratoga* (CV–3). Heavy seas had so delayed refueling of the force that it was still 600 miles from Wake when the Japanese resumed the assault, this time supported by planes from carriers returning to Japan from the Pearl Harbor strike. Admiral Pye, commander-in-chief *pro tem*, had thereupon recalled the relief force rather than risk further losses. After a gallant but hopeless defense, Wake had surrendered two days before Nimitz' arrival at Pearl.

Still, though the Japanese had sunk or damaged all the battleships at Pearl Harbor and killed 2,400 men, they had hit no carriers, for none had been in the harbor at the time of the attack. They had not, moreover, hit the tank farms, which contained fuel that could not have been replaced for months, nor had they severly damaged the repair facilities—facilities that would have most of the battered ships back in operation when they were most needed.

In some respects no less important, the attack had settled for the U.S. Navy the question of whether the carrier was a capital ship or a mere auxiliary. With the sinking of the battleships at Pearl Harbor, the big carriers—*Saratoga* (CV–3), *Lexington*, (C–2), *Enterprise* (CV–6), *Yorktown* (CV–5), *Wasp* (CV–7), and *Hornet* (CV–8)—perforce became the queens of the Fleet. They were too swift in any event to have operated efficiently with the old, slow battleships that the Japanese had sunk. When the new fast battleships, *North Carolina* (BB–55), *Washington* (BB–56), *South Dakota* (BB–57) and the rest, arrived in the Pacific, they would at once be integrated into the carrier screens.

The sinking of the old battleships, though costly in lives, had freed many trained men as cadres around which new fighting teams could be formed for service in carrier and amphibious forces.

On the last day of 1941, Nimitz assumed command of the Pacific Fleet. Standing on the wharf at the submarine base, he spoke a few preliminary words. Then, as he opened his orders, he stepped across the wharf and read them from the deck of the submarine *Grayling* (ss-209), partly, no doubt, because the new commander-in-chief was an old submariner but also because few other decks were then available at Pearl Harbor.

Shortly afterward, Admiral Nimitz called together the officers of Admiral Kimmel's staff. As they filed into the room, they found the Admiral seated at a desk. His shoulders, they noted, were broad, his grey eyes penetrating; his light blond hair was just turning white. Except for his air of authority, there was nothing unusual about him. He had no salient features, no peculiarity of manner.

The Admiral's speech was quiet and courteous. He was apparently a man not easily ruffled. He had about him an air of serenity. Obviously confident, he inspired increased confidence in the men before him. He needed the benefit of their experience, he told them. "There will be no changes," he said. "I have complete confidence in you men. We've taken a terrific wallop, but I have no doubts as to the ultimate outcome."

The officers who left that meeting had a renewed spring in their step. Under the new leadership, they were ready and eager to tackle the job, to take the first steps on the long road back.

In the 13th century, the Germans expanded into the Duchy of Prussia on the Baltic Sea. Here in the valley of the River Niemen they encountered Slavs, who called the Germans *Niemiez*—their name for the river. Germanicized into *Nimitz*, the name was adopted by a fighting clan descended from the Teutonic knights.

A noble Nimitz served under the Swedish monarch Gustavus Adolphus and fell with him in the Battle of Lutzen, 1632. His son and grandson, both Ernst Freiherr von Nimitz, also served in the Swedish army, the former attaining the rank of major general. Karl Gustav, eldest son of the younger Ernst, was a tax collector in Hanover. Unable to meet the social demands of his inherited rank, he dropped the title *freiherr* and with it the *von* before his family name. Karl Gustav's grandson, Karl Heinrich Nimitz, by profession a supercargo in the German merchant marine, in 1843 emigrated to South Carolina to escape the harsh economic and political situation in Germany.

Karl Heinrich's youngest son and namesake, who anglicized his name to Charles Henry, was an adventuresome young man who had served in a merchantman at 14 and never lost his love of the sea. Desiring to strike out on his own, Charles Henry left South Carolina at the age of 20, joining a German group planning to establish a colony in Texas, which had recently been annexed to the United States. Here on the Pedernales River they founded the town of Fredericksburg, named in honor of Prince Frederick of Prussia.

After being employed in several capacities, including service with the Texas Rangers, Charles Henry, known generally as "Captain Nimitz," built the steamboat-shaped Nimitz Hotel, which became a Texas landmark. One of his 12 children, Chester Bernard, in March 1884 married Anna Henke, a local beauty; he died five months later. The following February, Anna gave birth to Chester Bernard's son, Chester William, the future fleet admiral.

For six years Anna and her little son lived at the Nimitz Hotel. Chester then and later was close to Captain Nimitz. The boy listened wide-eyed while the old gentleman recounted stories of his youthful experiences in the merchant marine. "The sea—like life itself—is a stern taskmaster," Captain Nimitz once said. "The best way to get along with either is to learn all you can, then do your best and don't worry—especially about things over which you have no control."

In 1890, Anna married William Nimitz, younger brother of her first husband. To Chester, William was truly his father, and he always thought of the offspring of his mother's second marriage, Otto and Dora, as his own brother and sister.

Chester's stepfather was assistant manager of the small St. Charles Hotel in Kerrville, not far from Fredericksburg. Here Anna took charge of the kitchen, and Chester and his half-brother did odd jobs. At school, where because of his extreme blondness he was nicknamed "Cottonhead," Chester received good grades. But, in view of his family's poverty, he had no prospect of pursuing his studies past high school. In 1900, when he was 15 years old, he made vague plans to seek employment as a surveyor's helper as a means of learning a trade.

That summer, however, occurred an event that changed the whole direction of Chester's life. Battery K, Third Field Artillery, from Fort Sam Houston, came to camp in the brown hills close to Kerrville for training and gunnery practice. On their way to join Battery K, Second Lieutenants William M. Cruikshank and William I. Westervelt, both West Point graduates, stopped at the St. Charles Hotel. Chester was fascinated by their military bearing and their dashing new Army uniforms.

Fired with a sudden ambition to become an army officer, Chester applied to Congressman James L. Slayden to take the West Point examination. He was informed that all the congressman's appointments for the Military Academy were filled. "But," said Slayden, "I have an opening for the U.S. Naval Academy. Are you interested?"

Chester had never heard of the Naval Academy, but he swallowed his disappointment and determined to seize this opportunity to get an education. With the help of his mother, his stepfather, his high school principal, and a devoted teacher, Miss Susan Moore, he applied himself to algebra, geometry, history, geography, and grammar.

This was a rough period for Chester. He regularly arose at 3:00 a.m. and studied until 5:30. Then began his first stint as janitor and general handyman for the hotel—lighting fires, attending stoves, and calling early risers. After breakfast he went to school and remained until 4:00 p.m., when he resumed his janitorial duties, attending the lawn, raking leaves, splitting kindling, filling wood boxes, and tending a dozen stoves and fireplaces. After supper, he took his turn as desk clerk until 10:00 p.m., when he retired to his lodging, a cot set up in the ladies' parlor of the St. Charles Hotel.

At the local Naval Academy examination, held in April 1901, Chester won out over all competitors. Congressman Slayden accompanied him to Annapolis in July. Here Chester entered the Werntz Preparatory School for two months of further preparations for the late August national examinations, which he easily passed. On 7 September 1901, he was sworn in at the Naval Academy as a Naval Cadet, as the young student-officers were then called.

The years Chester Nimitz spent at the Naval Academy were happy and successful. He participated in crew and became a stroke. In his first class year he wore three stripes as Commander, 8th Company. In late 1904, the *Holland*, then the Navy's only commissioned submarine, based at the Naval Academy, and Nimitz was among the midshipmen who made their first submergence in it.

Cadet Nimitz was a fun-loving, gregarious young man who relished nothing so much as a roughhouse or a party with lots of good talk. In his first class year he moved into the first completed wing of Bancroft Hall, and he and his roommate had the happiness to discover that they could reach the roof of the unfinished building. Here, concealed from below, they and their friends held some fine beer parties, taking particular delight in heaving empty bottles over the side onto a heap of building stones and then watching the guards dash madly about endeavoring to discover the source of the falling glass.

The cadet who wrote up Cadet Nimitz for the *Lucky Bag*, the Naval Academy yearbook, was perceptive beyond his years in selecting a line from Wordsworth to characterize him: "A man he seems of cheerful yesterdays and confident tomorrows," and adding further: "Possesses that calm and steady-going Dutch way that gets to the bottom of things."

That Cadet Nimitz was not all fun and laughter is demonstrated by his embarrassed reaction to the notorious Sampson-Schley controversy, in which two leading naval officers of the Spanish-American War publicly questioned each other's military records, each claiming to be the victor in the naval Battle of Santiago. "I decided then," Nimitz said long afterward, "that if ever I reached a position of high command, I would do my best to stifle any such family controversies before they reached the attention of the public." This resolve may be the root of Nimitz' later almost obsessive discretion. It doubtless played a significant part in his refusal to write his biography or to permit it to be written during his lifetime.

Because of the pressing need of junior officers in an expanding Fleet, Nimitz' class at the Naval Academy was graduated ahead of schedule, on 30 January 1905, with Nimitz standing seventh from the top in a class of 114. After graduation, Midshipman Nimitz headed for San Francisco for a cruise to the Orient in the USS *Ohio*, designated to serve as flagship on joining the Asiatic Fleet.

The following summer, when the *Ohio* was in Japanese waters (Nimitz was one of six midshipmen detailed to attend a garden party given by the Emperor to honor the Japanese Army and Navy for their victory in the recently concluded Russo-Japanese War. Toward the end of the party, the midshipmen, seated at a table near the exit, observed Admiral Heihachiro Togo, nemesis of the Russian Fleet, about to depart. They hurriedly elected Nimitz to intercept the Admiral and invite him to their table. Togo smilingly accepted, came over and shook hands all around, sipped the captured Russian champagne being served, and chatted briefly in English. The victorious old sea dog made a deep impression on Nimitz. In 1934, while again serving in the Far East, Nimitz would attend Togo's public and also his family funeral.

In 1906, Nimitz, having completed the two years at sea then required, was commissioned ensign. He also received his first command, an ex-Spanish gunboat, the *Panay*—not to be confused with the gunboat of the same name later sunk by the Japanese. He simultaneously served as commander of a tiny naval base at Polloc, Mindanao, in the Philippines, to which the *Panay* was attached. There were 31 men on board the gunboat and 22 Marines at the base. An isolated command, it provided Ensign Nimitz with a feeling of high adventure. There was no radio or mail, and no supplies reached them. The Marines and sailors maintained themselves by hunting and fishing. One seaman at length remarked that he "couldn't look a duck in the beak again."

This idyl came to a sudden end when President Theodore Roosevelt called the Japanese ambassador to the White House and said, "If your country wants war, we'll give it to you." The war scare shook the Asiatic Fleet into frantic activity that reached all the way to Polloc. The *Panay* was summoned to the big naval base at Cavite, where the commandant ordered Ensign Nimitz immediately, without time to change his white uniform or pick up his gear, to assume command of the USS *Decatur* (DD-5), an old rustbucket of a destroyer, long out of commission. He was to get her into drydock at Olongapo, 60 miles away, in 48 hours.

Nimitz, still superb in whites and sword, arrived aboard the *Decatur,* which was swinging at a buoy, to be greeted by a couple of Filipino watchmen. There were no provisions aboard and no water or fuel. The engines and boilers were cluttered with junk.

A crew began to arrive, but no means for fitting out the ship. In his extremity, Nimitz cannily turned to some warrant officers at Cavite with whom he had played poker when the *Panay* was being readied for service. They promised to do what they could. Soon, barge-loads of equipment, coal, and water began to arrive at the *Decatur*. By laboring night and day, Nimitz and his scratch crew finally got steam in one boiler but had no time to test the engines.

Nimitz had planned to back away from the buoy, but when he rang up quarter speed astern, the destroyer moved forward. When he ordered full speed astern, she darted forward like a frightened jackrabbit. The engine telegraphs had been hooked up in reverse.

In due course, Nimitz got the *Decatur* safely to Olongapo, but his troubles with the old destroyer were not over. One dark night some time later in poorly chartered Batangas harbor, while she was proceeding at dead slow, the leadsman suddenly shouted: "We're not moving, sir!" It was soon apparent that the *Decatur* was aground on a mudbank. Attempts to back her down were fruitless. Here was a situation that could easily wreck a young officer's career.

Nimitz now displayed that quality of imperturbability for which he later became noted. "On that black night somewhere in the Philippines," he later said, "the advice of my grandfather, returned to me: 'Don't worry about things over which you have no control.' So I set up a cot on deck and went to sleep."

Not long after daylight a small steamer appeared, heaved a line to the *Decatur,* and pulled her off. There followed an investigation and Nimitz stood court-martial and was convicted, but he got off with a letter of reprimand for "hazarding a ship of the U.S. Navy."

Returning to the United States, Nimitz requested battleship duty, then considered the glamour assignment of the Fleet. Instead, he was ordered to submarines, which were in those days, as he said, "a cross between a Jules Verne fantasy and a humpbacked whale." Nimitz was disappointed, but characteristically he threw himself wholeheartedly into his new assignment, commanding successively the USS *Plunger, Snapper, Narwhal,* and *Skipjack,* and making himself an expert in undersea warfare and diesel engines. In 1912, while commanding the *Skipjack,* Nimitz leapt overboard to rescue a seaman who had fallen in and could not swim. For this, he was awarded a Red Cross Life Saving Medal, which he thereafter always wore when in uniform.

"I also had the good sense and good fortune about this time," he afterward wrote, "to marry Catherine Vance Freeman, daughter of Mr. and Mrs. Richard R. Freeman of Wollaston, Massachusetts." It proved a thoroughly congenial union. Catherine, besides beauty and charm, possessed the stamina and the intellect to keep up with her fast-moving husband, and shared with him also his love of sports and classical music; whenever his duties permitted, they were to be seen at baseball and football games or at concerts.

Over the years she bore him four children: Catherine Vance, who married James T. Lay of the Naval Academy class of 1931; Chester, Jr., who graduated from the Academy in 1936 and during World War II made his name in submarines, particularly as skipper of the *Haddo* (SS-255); Anne Elizabeth (Nancy), a Russian expert with the RAND Corporation; and Mary Manson, who, sent to a convent school during the busy days of World War II, adopted the Catholic faith and became Sister M. Aquinas, who is now teaching biology at the Dominican Convent at San Rafael, California.

In the summer of 1913, the Navy sent Nimitz to Europe to complete his education in diesels. He visited plants in Germany and Belgium, storing quantities of data in his capacious memory. On his return, he supervised the building of the diesel engines for the Navy tanker *Maumee* (AO-2), later serving as her executive officer and engineer.

With the entry of the United States into World War I, Nimitz was ordered to the staff—and later became chief of staff—of Admiral Samuel S. Robison, Commander Submarine Force U.S. Atlantic Fleet. In his new capacity he found relations between British and American officers breaking down under the stiff weight of protocol. This, he decided, was an outdated way of doing things. He believed that the British would respond to simple friendliness and good performance and drilled this point of view into his junior officers and men. The idea worked, and Nimitz quickly established amicable teamwork between the allied commands in his area of operations.

Following World War I, Nimitz served a tour of duty in the Navy Department, with additional duty as Senior Member, Board of Submarine Design, then went to sea as executive officer of the USS *South Carolina*. He next commanded the USS *Chicago,* after which he received a year of instruction at the Naval War College, then returned to the staff of Admiral Robison, now Commander Battle Fleet and later Commander-in-Chief, United States Fleet. For Nimitz, Robison, was an ideal commander, whose performance he consciously imitated.

Commander Nimitz seems to have been a bit startled in 1926 to be ordered to the University of California as that school's first Professor of Naval Science. Here he was to test a new idea: making naval officers out of college students. Some of Nimitz' friends predicted that this "school-teaching duty" would be the end of the line for his career, but Nimitz cheerfully accepted the assignment and gave it all his energy. In his three years at Berkeley, he implemented the Naval Reserve Officers' Training Corps program that was to provide many outstanding officers for the Navy, a program that has been duplicated in 52 colleges and universities across the nation. Nimitz also developed in himself a deep interest in education and an abiding loyalty for the University of California.

In 1930, when Nimitz was commanding Submarine Division 20, he wrote in his Naval Academy class book:

"In looking backward at various phases of my life, I find it difficult to pick out any one activity as having been more attractive to me than any other. I have enjoyed every one of my assignments and believe that it has been so because of my making it a point to become as deeply immersed and as interested in each activity as it was possible for me to become. My life in the Navy has been very happy and I know of no profession for which I would forsake my present one. . . . My wife, my children, my profession as a naval officer, and good health combine to make me a happy man."

Nimitz next commanded the USS *Augusta* (CA-31), flagship of the Asiatic Fleet, and then served three years as Assistant Chief of the Bureau of Navigation—as the Bureau of Naval Personnel was then called. The latter duty suited Nimitz well, for his acquaintance was wide and discriminating. Ever alert to the needs of the Navy, he had filed away in his memory the special competences of each officer he had come to know.

It was during these years that Nimitz improved his skill at judging character and his ability to communicate clearly, simply, and directly to every sort of person with whom he had business or social intercourse. He further developed the decisiveness and the poise and serenity for which he was already noted. His manner was ever courteous except in the case of a sloppy performance. Then he could fix the culprit with steely grey eyes and make even the strongest of men wince with his measured words.

By no means all business, Nimitz was a genuinely friendly man, capable of deep affection. Except where official requirements or press of duties forbade, he liked to write letters in longhand in his clear, flowing script, never forgetting to add a message to his correspondent's family and, where applicable, including a warm greeting from Mrs. Nimitz.

Following his duty in the Bureau of Navigation, Captain Nimitz served as Commander Cruiser Division Two and then as Commander Battleship Division One, Battle Force. As always, he gave his duties everything he had, developing a reputation for efficiency that marked him for the highest levels of naval command.

In June 1939, Nimitz, now rear admiral, was appointed Chief of the Bureau of Navigation. He chafed a little at the confinement of desk and office, but worked off his excess energy by frequently walking home several miles after work with his good friend Captain Willis A. Lee. Each was alert for amusing stories with which to top the other during their long walks.

On the afternoon of Sunday, 7 December 1941, Nimitz was at home settling down to listen to a radio concert by Arthur Rodzinski and the New York Philharmonic Orchestra, when the program was interrupted by an announcement that the Japanese had bombed Pearl Harbor. He leaped from his chair and telephoned his assistant, Captain John F. Shafroth, who soon arrived, and the two officers immediately proceeded to the Navy Building.

At the Bureau, Nimitz found that the War Plans he needed to consult were in a safe with a time lock that would not open until Monday morning. He therefore went to the office of the Chief of Naval Operations to consult the War Plans there. From here he was called into the first of a series of conferences with Navy Secretary Frank Knox, Undersecretary James Forrestal, Assistant Secretary Ralph Bard, Chief of Naval Operations Harold Stark, and others. Among these men, Nimitz was a rather junior admiral, but his knowledge of the Navy's officers and their capabilities proved invaluable at the conferences. Moreover, from the first meeting, the members had come to respect Nimitz' suggestions and to trust his judgment.

Shortly after the attack, Knox made a quick trip out to Pearl Harbor to size up the situation for himself. On his return, he reassembled the council and stated his conviction that a new commander must be sent there. Then, turning to Nimitz, he asked, "How soon can you get ready to travel? You're going to take command of the Pacific Fleet."

Nimitz was startled. Nothing of the sort had occurred to him. After all, there were 28 flag officers senior to him. He did not relish relieving his old friend Admiral Kimmel. Besides, he had been hoping for a seagoing command.

Nimitz requested that, if Kimmel must be relieved, the Pacific Fleet be turned over to Admiral Pye instead of him. When that request was refused he asked for his orders. In line with the habits of a lifetime, he prepared to accept his new assignment and give it his best.

There were several more days of discussions and arrangements, with Admiral Ernest J. King of the Atlantic Fleet participating. Nimitz attended these conferences and also carried on the burgeoning duties of his own Bureau. He was sleeping little and eating almost nothing.

As a safety measure, Admiral Nimitz was sent to San Francisco by train and, to avoid speculation, he wore civilian clothes and traveled as "Mr. Wainwright." He was to be accompanied only by Lieutenant La Marr, whose assignment was to look after the Admiral, seeing that he got enough sleep and plenty to eat and, if possible, diverting his mind briefly from the stern duties ahead.

As it turned out, it was the Admiral who diverted the Lieutenant, for as soon as Nimitz boarded the train, he shucked his responsibilities, bounced back, enjoyed himself, told jokes, made bad puns, and tried unsuccessfully to teach La Marr cribbage. But La Marr could not forget that he had in his briefcase the first full report of the Pearl Harbor damage, which he had been instructed to keep from the Admiral for a couple of days.

Once the train had left Chicago, La Marr finally turned the report over to Nimitz, who at once became grave and devoted a large part of his time to studying and analyzing it. "It could have happened to anyone," he muttered once or twice. At San Francisco, he shook hands with La Marr, who returned to his duties at the Bureau of Navigation, while the Admiral set out by plane for Pearl Harbor and the greatest challenge of his career.

On assuming command of the Pacific Fleet, Admiral Nimitz had four immediate objectives: to restore morale; to divert Japanese strength away from the East Indies; to safeguard U.S. communications to Hawaii, Midway, and Australia; and to hold the line against further Japanese expansion in the Pacific. As Nimitz saw it, all these objectives might be obtained through offensive operations. In the circumstances, that could only mean carrier raids on Japanese bases.

When, in early January 1942, Nimitz put the matter before his force commanders and other officers at Pearl Harbor, several of whom until recently had been his seniors, many opposed the raids as too risky, a sure way to lose what was left of the Pacific Fleet. However, Vice Admiral William F. Halsey not only endorsed the idea but volunteered to carry out a strike against the Marshall Islands, the Japanese stronghold in the Central Pacific—a courageous reaction that permanently endeared him to his commander-in-chief.

On 1 February, Halsey's *Enterprise* force bombed the Marshalls while Rear Admiral Frank Jack Fletcher's *Yorktown* force raided the nearby Gilberts. Halsey next struck Wake and then Marcus, the latter only a thousand miles from Japan, while Fletcher's *Yorktown* force joined the *Lexington* force, under Vice Admiral Wilson Brown, for an air attack on Japan's newly seized bases at Lae and Salamaua on the north coast of New Guinea. In mid-April, the *Hornet*, with 16 long-range Army B-25's lashed to her flight deck, joined the *Enterprise* under Halsey's command and, approaching Japan, launched the bombers for attacks on Tokyo and other Japanese cities.

The raids, though not extremely destructive, electrified the American public and armed forces, superbly achieving Nimitz' aim of raising morale. His seniors in Washington now awarded him an additional title, Commander in Chief Pacific Ocean Areas (CinCPOA), which gave him authority over all U.S. and allied military and naval forces in the Pacific theater, except those in General Douglas MacArthur's Southwest Pacific Area.

The Japanese, undeterred, proceeded with their conquests—the East Indies, Singapore, Burma, the north coast of New Guinea, the Bismarcks, the upper Solomons. Bataan had fallen, followed by the infamous Death March to prison camp of the Filipino and American defenders. Corregidor must soon surrender and, with it, the rest of the Philippines. Japan had thus attained access to ample East Indian oil for its war machine and set up a defense perimeter of air bases around its newly won empire.

These rapid, relatively cheap conquests emboldened the Japanese to plan further advances—into the Aleutians and Midway to complete their perimeter, and southeastward into New Caledonia, Fiji, and Samoa to establish bases for interception of shipping from the United States to Australia. To clear their flank for the southeastward advance, they prepared to make a seaborne assault on Port Moresby, the Australian base on the New Guinea south coast whence Allied bombers could reach the key Japanese base at Rabaul in the Bismarcks.

Now for the first time Nimitz was able to make use of his ultra-secret weapon, American possession through cryptanalysis of the main Japanese code. Decrypted radio intercepts having made him aware of the impending assault on Port Moresby, he alerted Fletcher's *Yorktown* force in the South Pacific and sent the *Lexington* force, now under Rear Admiral Aubrey Fitch, to join it in the Coral Sea. As soon as the *Enterprise* and *Hornet* forces returned from their raid on Japan, he dispatched these southward also, but they were not to arrive in time to see action.

In the Battle of the Coral Sea (4–8 May 1942), aircraft from the *Yorktown* and the *Lexington* searched out the Port Moresby occupation group in the Solomon Sea and sank the light carrier *Shoho,* obliging the rest of the group to turn back for lack of air cover. Meanwhile, two Japanese fleet carriers, the *Shokaku* and *Zuikaku,* detached from the force that had raided Pearl Harbor, had swung around eastward of the Solomons to entrap the American carriers. On the morning of the 8th, the opposing carrier forces located each other and launched simultaneous attacks in which the *Shokaku,* the *Yorktown,* and the *Lexington* were heavily damaged and many planes were shot down. On board the *Lexington,* ruptured fuel lines released gasoline vapors which at length exploded, setting off such uncontrollable fires that the carrier had to be abandoned and then sunk by her accompanying destroyers.

The Japanese could proclaim themselves the tactical victors, for their losses were somewhat lighter than the American. But the Americans were clearly the strategic victors. For the first time the Japanese advance had been stopped and turned back. More important, damage to the *Shokaku* and heavy loss of aviators from the *Zuikaku* would keep these big carriers out of action for some time. Thus, at a critical moment, the six-carrier Japanese striking force lost a third of its air power.

Nimitz had little time to congratulate himself on the results of the Coral Sea battle, for evidence was piling up that the whole Japanese fleet was about to attack Midway and the Aleutians. This was an appalling situation, for the Japanese navy was immensely more powerful than American naval forces in the Pacific.

Nimitz could find no use for six slow old battleships at San Francisco, two of which had been at Pearl Harbor. He would have to depend on carrier forces, submarines, and land-based air. The *Wasp* was still in the Atlantic. The *Saratoga,* torpedoed in January, was now repaired but a screen had not yet been assembled for her. That left only the *Enterprise,* the *Hornet,* and the damaged *Yorktown.* These Nimitz ordered up from the South Pacific at top speed.

Decrypted intercepts of Japanese radio communications revealed a strange deconcentration of Japanese naval power. In fact, Admiral Isoroku Yamamoto, Commander-in-Chief, Japanese Combined Fleet, had his forces divided all over the western Pacific. His main objective in assaulting Midway was to draw out the U. S. Pacific Fleet for destruction, completing the job of his carrier raid on Pearl Harbor six months earlier. Knowing that the available American carriers were all in the South Pacific, he counted on surprise to enable him to mass his forces before these or any other American ships could reach the Midway area. Nimitz, with the advantage of information based on the broken Japanese code, was determined to turn the Japanese deconcentration to American advantage.

Halsey's *Enterprise-Hornet* force arrived at Pear Harbor from the south on 26 May, but Halsey himself was ill with a nervous rash from months of tension and had to be hospitalized. Now Nimitz' knowledge of American naval officers and their capabilities stood him in good stead. Without hesitation he turned the command over to Rear Admiral Raymond A. Spruance, Halsey's cruiser commander. Spruance had had no experience in commanding carriers, but Nimitz relied on his reputation for intelligence, decisiveness, and good judgment. He carefully briefed Spruance and his staff and set the *Enterprise-Hornet* force to cruise northeast of Midway, on the flank of the approach he expected the Japanese carrier striking force would make through a region of murky weather.

The battered *Yorktown* had arrived at Pearl Harbor on the 27th. In a round-the-clock effort, she was sufficiently repaired to sortie on the 30th. The following day, Japanese submarines took station west of Pearl Harbor to report and attack the forces that had already passed through those waters.

In the afternoon of 2 June, the *Yorktown* force made rendezvous with the *Enterprise-Hornet* force 350 miles northeast of Midway, and Admiral Fletcher, as senior officer present, assumed the tactical fleet command. Since the impending battle would also involve sub-surface forces and Midway-based aircraft, Admiral Nimitz retained the over-all tactical command in his own hands.

Though the American carrier forces were under radio silence, Nimitz and his staff were kept well informed of all operations and fleet movements by aircraft, especially scout planes from Midway, and by submarine contacts. Nevertheless, the following days were among the most trying of the war for Nimitz.

He knew that he had sent a David out to do battle with a Goliath, and that defeat of his carrier forces would leave Pearl Harbor and all other Allied bases in the Pacific open to attack by the Japanese fleet.

On the morning of 3 June, reports came in to Pearl Harbor that carrier aircraft had raided Dutch Harbor in the Aleutians, and that scout planes had sighted a large enemy force approaching Midway from the southwest. Nimitz, concluding that the first was a diversion and that the second was merely an occupation force, was gratified that the American carriers, adhering to his instructions, had not been drawn out of position by either of the reports.

Early on the 4th, Nimitz had his judgment confirmed by scouting PBYs. The Japanese carrier force was coming from under the cloud cover northwest of Midway and had launched an air attack against the island. The Japanese battleship force had not been seen and indeed was not at any time to be sighted by the Americans because, as Nimitz had reason to believe, it was several hundred miles away to the west.

For the next few hours only bad news came into Pearl Harbor. The air attack on Midway caused widespread damage and destroyed most of the fighter planes based there. Counterattacking bombers and torpedo planes from Midway were mostly shot down without achieving any apparent damage to the Japanese carrier force. Torpedo planes from the American carriers attacked with similar results.

Then at 1020 came the attack that changed the whole course of the war.

Dive bombers from the *Hornet* and the *Enterprise* had missed the Japanese carrier force, which had turned northeast to attack the American carriers. The *Hornet* bombers turned toward Midway and so missed the battle, while the *Enterprise* bombers flew a square and approached the Japanese force from the southwest. At the same time the *Yorktown* bombers, launched later, had headed directly for the Japanese carriers and were approaching from the opposite direction. By an amazing coincidence, the two American air groups dived simultaneously without either being aware of the other's presence.

The American dive bombers caught the Japanese carriers in the most vulnerable condition possible. Their planes were being refueled for an attack on the American carriers, sighted shortly before. The planes had discarded bombs for torpedoes, and the bombs had not yet been returned to the magazines. The disastrous American torpedo-plane attack, just concluded, had drawn Zeke fighters and the attention of Japanese anti-aircraft gunners down to the surface. Nobody was looking up when the American bombers went into their dive.

Bombs ripped the decks of the carriers *Kaga*, *Akagi*, and *Soryu*, starting lethal fires and explosions in all three. The fourth Japanese carrier, the *Hiryu*, made a temporary escape to the north, but that afternoon bombers from the *Enterprise* found her also and with four direct hits set her fatally ablaze.

During the *Hiryu's* brief reprieve, her bombers and torpedo planes had followed the American planes back to their carriers, and the torpedo planes so damaged Fletcher's flagship, the *Yorktown*, that she took a dangerous list and was abandoned, whereupon Fletcher, shifting to a cruiser, turned the tactical command of the carriers over to Spruance in the *Enterprise*.

That night Spruance pulled back to the east, a move sharply criticized by some of Nimitz' staff. But, by his move, Spruance had frustrated an attempt by Yamamoto to retrieve the situation by a night attack with surface forces. At 0255, these forces having made no contact, Yamamoto with a heavy heart ordered a general retreat.

Through 5 June, Spruance unsuccessfully pursued the fleeing Japanese. On the 6th, his aviators succeeded in overtaking two collision-damaged Japanese cruisers, sinking one and heavily damaging the other. Then Spruance turned back east, again barely avoiding a night battle.

Once more Spruance had left himself open to criticism as being overcautious, but Nimitz, noting how precisely he had carried out his specific instructions regarding calculated risk, marked him for future important responsibilities. He would call Spruance to Pearl Harbor to serve as his chief of staff and to prepare him to assume command of a greater Pacific fleet, not yet off the ways in American shipyards.

The Japanese got in the last blow in the Battle of Midway. On 6 June, while the heavily listing *Yorktown* was under tow, a submarine fired a spread of torpedoes that sank a destroyer alongside and so further damaged the carrier that she sank the next morning.

To Chester Nimitz the victory of Midway was the high point of his career. Though its full significance would not be apparent for months, it was obvious that the tide had turned. The Japanese preponderance of power had been cut down; something like equality had been attained. No longer would the United States and its allies in the Pacific theater be forced into continuous retreat. For them a shift to the offensive had now become possible.

Outside his office, Admiral Nimitz had a pistol range set up, and adjacent to his living quarters a half mile away he laid out a horseshoe court. These he frequently visited to work off tension, especially at critical periods of the war. But the range and the horseshoe court also had a psychological purpose. He often invited journalists and other officers to join him at both places. "If the Old Man can give his attention to this sort of thing," they would say, "matters can't be too bad."

Most mornings Nimitz met with his staff, often opening the meeting or relaxing a tense discussion with a humorous story, of which he had a great store.

Over his desk he had three questions tacked up which he expected his subordinates to be prepared to answer about any problem:

1. Is the proposed operation likely to succeed?

2. What might be the consequences of failure?

3. Is it in the realm of practicability of material and supplies?

When major operations were being planned, the senior officers involved sat with Nimitz and his staff, together with any other officers in the area whose opinions Nimitz wanted to hear. In all such meetings he acted like a chairman of the board, guiding and being guided by others in reaching a meeting of minds. This does not mean that the war was being run like a town meeting. At his conferences Nimitz made the final decisions, sometimes despite plenty of contrary advice, but first he heard the advice and weighed it carefully. He knew that World War II was far too complex for any one man in any theater to do all the high-level thinking, keeping his council to himself and at last handing down Napoleonic decisions.

Plans made at Pearl Harbor were submitted to the Joint Chiefs of Staff at Washington, who would subject them to scrutiny and, if in agreement, issue a general directive which left Nimitz and his subordinates ample leeway for carrying out details. As the war wore on, the Joint Chiefs tended less and less to intervene in decisions made in the Pacific theater.

From time to time Admiral Nimitz met with Admiral King, now Commander-in-Chief, U.S. Fleet, and Chief of Naval Operations. Both chiefs and members of their staffs flew to these Cominch-CinCPac meetings, usually held on the West Coast. They were often exhausting experiences for Nimitz. Flying, which he disliked, tired him, and the conferences were long and wearing, with King demanding more and still more facts and figures. Yet, the meetings were vital for maintaining co-ordination between Washington and Pearl Harbor, and at them originated some of the most pregnant ideas of the war in the Pacific.

Nimitz was in fact the link and buffer between the imperious, often caustic King and his own strong-minded subordinates in the Pacific theater. These were men of firm convictions which they seldom hesitated to express in emphatic terms. Not for nothing did the press rechristen three of them "Bull" Halsey, "Terrible" Turner, and "Howling Mad" Smith. Nimitz molded these men into one of the finest fighting teams in history, all the while remaining patient and unruffled, like the calm at the eye of the storm.

Eleven o'clock most mornings was visiting hour at Nimitz' headquarters. Commanders of ships or forces reaching Pearl Harbor were expected to make a call. "Glad to have you with us," Nimitz would say, then motion the visitor a a chair and begin asking penetrating questions. In fact, almost anyone with something to say could gain admittance to the Admiral. "Some of the best help and advice I've had," said he, "comes from junior officers and enlisted men."

Many evenings Nimitz had guests in for dinner at his living quarters, which he shared with Spruance, once he had joined his staff, and the fleet medical officer, Captain Elphege Alfred M. Gendreau. Included frequently were officers newly arrived from the United States or from forward operations, or civilians at Pearl Harbor on official business.

At the table, serious talk, with Nimitz contributing and also listening carefully, was mingled with laughter. After dinner Captain Gendreau usually suggested a walk. When the party returned to Nimitz' quarters, there were handshakes and good nights at the door, and the visitors departed.

Before going to bed, Nimitz relaxed by reading or listening to his fine collection of records. A rapid reader, he usually finished a book at one sitting. He read everything that could help him better understand the Japanese character. Among other books he particularly valued Douglas Southall Freeman's biography of Robert E. Lee. Like Lee, Nimitz picked good men and sent them to do a job with as little interference as possible. Nimitz was never present at a battle or an amphibious assault. His presence, he knew, would have an inhibiting effect upon his subordinates. They would feel that he was looking over their shoulders and might hesitate to act without first receiving assent.

As a result of their victory at Midway, the Americans prepared, with the help of New Zealand and Australian forces, to seize the initiative. Their objective was the Japanese base at Rabaul, which was within bombing range of the Australian base at Port Moresby. Forces under General MacArthur would advance on Rabaul via New Guinea and New Britain; those under Admiral Nimitz, via the Solomon Islands. To facilitate conduct of the Solomons campaign, Admiral King established in the South Pacific Area a separate command subordinate to Nimitz' Pacific Ocean Areas. As Commander South Pacific Area and South Pacific Forces, he named Vice Admiral Robert L. Ghormley, an officer of respected intellect and solid achievements.

The Solomons campaign began at dawn, 7 August 1942, when an expeditionary force commanded by Vice Admiral Fletcher landed the 1st Marine Division on Guadalcanal and nearby islets. The Japanese, taken by surprise, counterattacked with planes out of Rabaul but achieved little destruction. They then pulled a surprise of their own in the

Battle of Savo Island. An hour after midnight on 9 August, a Japanese force of seven cruisers from Rabaul entered the sound north of Guadalcanal undetected and ran through the Allied amphibious support forces, firing guns and torpedoes. Suffering only minor damage, the Japanese retired, leaving behind one Australian and three American heavy cruisers in a sinking condition.

The Navy was stunned. The loss of three scarce heavy cruisers, with another damaged, and a thousand men boded ill for the campaign. Admiral Nimitz was shocked at the bad news, but he is reported only to have said, "Well, that's not so good. Now we must get busy and revise our plans." There was some talk of a court-martial for Rear Admiral Richmond Kelly Turner, commander of the amphibious forces, and possibly others, but Nimitz concurred with an investigating commission appointed by the Secretary of the Navy that the blame for the Allied defeat was too evenly distributed for any particular officers to be held responsible.

Toward the end of August, in the carrier Battle of the Eastern Solomons, the *Enterprise* was heavily damaged, but the Americans forced the Japanese fleet to retire by sinking a light carrier and shooting down 90 planes. In the next few weeks in the southern approaches to Guadalcanal, submarines damaged the *Wasp*, the *Saratoga*, and the battleship *North Carolina*. The *Wasp*, afire, had to be sunk by a destroyer. The other two ships were out of action for months.

By October, there were nearly as many Japanese troops on Guadalcanal as there were American soldiers and Marines. Japanese aerial bombs and battleship and cruiser fire had destroyed most of the planes on the island and were making the airfield unusable. Capture of the field appeared imminent. Allied morale in the area plunged, and confidence was further undermanned by inter-command bickering that Ghormley seemed unable to check. There was even talk of abandoning Guadalcanal to the Japanese.

By this time Admiral Halsey, cured of his dermatitis, had returned to Pearl Harbor. Alerted by Nimitz to be ready to assume command of the carrier forces in the South Pacific, he left by seaplane to look over his new area of operations and meet the men he would work with. In his absence, Nimitz held a staff meeting to discuss what to do about the worsening situation in the South Pacific. As Halsey's plane came to a stop in Noumea Harbor, a whaleboat came alongside, and Admiral Ghormley's flag lieutenant handed Halsey a dispatch from Nimitz: "You will take command of the South Pacific area and South Pacific forces immediately."

Ghormley, understandably distressed at what amounted to public humiliation, on arrival at Pearl Harbor called on Admiral Nimitz for an explanation.

"Bob," said Nimitz, "I had to pick from the whole Navy the man best fitted to handle that situation. Were you that man?"

"No," said Ghormley. "If you put it that way, I guess I wasn't."

Not long afterward Nimitz secured Ghormley's appointment as Commandant 14th Naval District, in part at least to have him close at hand for consultation.

Halsey, exuding confidence and aggressiveness, tough as the situation required, quickly succeeded in restoring morale and good command relations in the South Pacific Area, although perhaps he was a little too daring in sending his two carrier groups north of the Solomon chain to tackle the most powerful battleship-carrier force the Japanese had assembled since the Battle of Midway. In the ensuing Battle of the Santa Cruz Islands, the *Hornet* was sunk and the *Enterprise* was again seriously damaged, leaving not a single serviceable American carrier in the whole Pacific.

The struggle for Guadalcanal reached a climax in November with a series of air and sea actions, including night surface slugging matches, which together are known as the Battle of Guadalcanal. When it was over, the Americans had lost two cruisers and five destroyers; the Japanese, two battleships, a cruiser, a destroyer, and nearly a dozen transports. The Japanese now wrote off Guadalcanal, merely holding on until they had built airfields in the Central Solomons. In January 1943, they evacuated the remnant of their half-starved Guadalcanal garrison.

When Halsey's South Pacific forces began advancing up the Solomons chain, they entered General MacArthur's Southwest Pacific Area and so came under the General's strategic control, though Nimitz continued to provide Halsey with ships, aircraft, and men. During the advance on Rabaul, the Americans, in several hot night battles involving cruisers and destroyers, with the aid of their newly developed CIC, gradually gained the ascendancy. By early 1944, Halsey and MacArthur had surrounded Rabaul and, with the help of carrier groups loaned by Nimitz, bombed the base into impotence. The Japanese, in their desperate defense, had expended their land-based aircraft and even stripped their Truk-based carriers of planes. Thus at another critical moment in the war the Japanese Combined Fleet was paralyzed for want of air power.

While by means of limited offensives, American, New Zealand, and Australian forces were clearing the Japanese out of the Solomons-eastern New Guinea area, and American and Canadian forces were ousting them from footholds in the Aleutians, Admiral Nimitz was assembling forces for an all-out offensive in the Central Pacific. His objective was to punch a hole straight across the center through Japan's island empire. MacArthur would continue his advance via New Guinea and the Philippines, but this roundabout route would be too long to bring the war against Japan itself. Over such a distance not enough shipping would be available to keep the attacking forces supplied.

In the spring of 1943, new fast carriers had begun arriving at Pearl Harbor together with newly completed support vessels of every type. These Nimitz organized into task forces and sent them out to raid enemy bases—Marcus, Tarawa, Wake, Rabaul. The carriers would spearhead a great new Fifth Fleet, which Nimitz appointed Spruance to command. "The Admiral thinks it's all right to send Raymond out now," remarked an officer at Cincpac headquarters. "He's got him to the point where they think and talk just alike." Rear Admiral Charles H. McMorris now became Nimitz' chief of staff.

The Central Pacific drive was originally to open with an invasion of the Marshalls, but Nimitz convinced the Joint Chiefs that the Gilberts should first be seized. Once the Gilberts were captured with support from aircraft based on the Ellices and other nearby islands, land-based air from the Gilberts could support the invasion of the Marshalls. Nimitz was not yet sure that the carriers alone could provide adequate air support for amphibious assault on a major enemy base.

In the Gilberts assault, which began 20 November 1943, speed was deemed essential, for the Americans, unaware that the Japanese fleet had been rendered helpless by the loss of carrier planes and pilots, expected it to sortie and give battle. The four days it took the 2nd Marine Division to conquer Tarawa, Japanese headquarters and strong point in the Gilberts, cost 3,000 casualties, including more than a thousand killed. The armed services and the American public were shocked at such heavy losses in so brief a period, but Nimitz and his commanders knew that the conquest of the Gilberts provided as valuable a jumping off place as the conquest of Guadalcanal, which had taken six months and cost far more American lives.

Original plans for the invasion of the Marshalls called for simultaneous landings on Maloelap and Wotje, the atolls nearest Pearl Harbor, and Kwajalein, the Japanese headquarters at the center of the archipelago. After the shock of Tarawa, Marine Major General Holland M. Smith, expeditionary troop commander, urged that the Marshalls be captured in two steps, Wotje and Maloelap to be captured first and developed into bases to support a later assault on Kwajalein. Spruance and Turner, commander of the amphibious force, were in hearty agreement with this suggestion. Nimitz startled them all by proposing instead that they bypass the outer islands altogether and attack Kwajalein alone. Spruance, supported by Smith and Turner, protested that this would leave strong enemy positions athwart their line of communications and that the Japanese could launch air attacks from the outer islands against the Americans on Kwajalein.

Plans were still unsettled when in the second week of December Admiral Nimitz called a conference of all the major commanders of the forthcoming expedition. They once more threshed over the question of whether they should go directly to Kwajalein or first seize the outer islands. At length Nimitz asked each commander his opinion.

To Spruance: "Raymond, what do you think now?"

"Outer islands."

"Kelly?"

"Outer islands."

"Holland?"

"Outer islands."

And so on around the room. The commanders unanimously recommended an initial assault on the outer islands. When the poll was completed, there were a few moments of silence. Then Admiral Nimitz said quietly, "Well, gentlemen, our next target will be Kwajalein."

As it turned out, the Japanese commander in the Marshalls had estimated that the Americans would do what Nimitz' subordinates wanted to do. Hence, he had strengthened the outer islands at the expense of Kwajalein. When the American assault came, Kwajalein was no pushover, but because Spruance was not obliged to commit his reserves, he pushed on with them and promptly captured Eniwetok also. The outer islands proved no menace after all, for American air power, at first from the carriers and then from the Gilberts and Kwajalein, easily kept them pounded down.

Convinced now that the carriers could support major assaults without the assistance of land-based air, Admiral Nimitz next planned a 1,000-mile leap to Saipan in the Marianas. The Saipan operation, which would see soldiers fighting shoulder-to-shoulder with Marines, required many meetings with Army and Navy commanders in close and sometimes heated conference. At one such meeting, in which agreement seemed impossible to achieve, Nimitz cleared the atmosphere with a little story.

"This all reminds me," said he, "of the first amphibious operation—conducted by Noah. When they were unloading from the Ark, he saw a pair of cats come out followed by six kittens. 'What's this?' he asked. 'Ha, ha,' said the tabby cat, 'and all the time you thought we are fighting.' "

The invasion of Saipan in June, 1944, at last brought out the Japanese carrier fleet, with new planes but inadequately trained pilots. On 19–20 June, it fought the Battle of the Philippine Sea with Spruance's carrier force, Task Force 58, which was covering the Saipan beachhead. Spruance refused to permit TF 58 to leave its covering position until the enemy was put to flight, for which he was again widely criticized as being too cautious. Nimitz, however, gave Spruance his complete support, and most military analysts have since agreed with them.

Had TF 58 advanced and attacked, a segment of the enemy fleet, at least theoretically, might have maneuvered between it and the beachhead. The American planes, moreover, would have had to pass through the heavy anti-aircraft fire of an advance Japanese force and then fly a hundred miles farther before reaching the enemy fleet carriers. As it was, the Japanese planes attacked TF 58 and were mostly shot down in the "Marianas Turkey Shoot." Meanwhile American submarines sank two of the big enemy carriers, after penetrating their screen, which had been weakened to provide the advance force. The next day, TF 58 planes overtook the Japanese fleet, which had taken to flight, and sank a third aircraft carrier.

Two innovations of the war in the Pacific proved vital to maintaining the strategic momentum of the Central Pacific drive. One was the mobile service squadrons that moved with the Fleet—ammunitions ships, tenders, repair ships, floating dry docks. These could enter the relatively calm lagoon of any atoll and convert it into a naval base. The other was the system of alternating fleet commands. After Saipan and nearby Tinian and Guam had been taken by the Americans, Spruance, Turner, and Smith returned to Pearl Harbor to rest and plan further operations, while Admiral Halsey and his subordinate commanders replaced them in the Fifth Fleet, which thereupon changed its name to Third Fleet.

Shortly after assuming the fleet command, Halsey raided the central Philippines with carrier planes and discovered the defenses there to be so weak that he advocated invading at Leyte instead of at Mindanao to the south. When Nimitz and MacArthur concurred, the Joint Chiefs ordered the change of plan. As soon as feasible, Nimitz turned over his available invasion troops to MacArthur and loaned his amphibious and support forces to the small Seventh Fleet, "MacArthur's Navy," thereby stripping the Third Fleet virtually down to Task Force 38, the new title for Task Force 58.

On 20 October 1944, the much enlarged Seventh Fleet, under Vice Admiral Thomas C. Kinkaid, MacArthur's admiral, began putting troops ashore in Leyte Gulf, while Halsey's Third Fleet maneuvered to the east in distant support. Here for the first time the two fleets, with no over-all commander closer than the Joint Chiefs in Washington, operated in close co-operation against a major objective. Halsey had seen to it that a release clause was inserted into his own orders: "In case opportunity for destruction of major portion of the enemy fleet offer or can be created, such destruction becomes the primary task."

The Leyte invasion started the Japanese fleet in motion, thereby setting the stage for the great Battle for Leyte Gulf. By 24 October, two Japanese surface forces were threading their way through the Philippines—a Southern Force heading for Surigao Strait south of Leyte Gulf, and a more powerful Center Force heading for San Bernardino Strait, north of the Gulf. Through the day Halsey's carrier planes hammered at the Center Force, temporarily forcing it into retreat.

In mid-afternoon, Halsey radioed to his fleet a battle plan whereby four battleships and other surface vessels would withdraw from TF 38 "when directed by me" and form TF 34 to cover San Bernardino Strait. Later Halsey learned from scout planes that to the north was a third Japanese force, the Northern Force, including carriers. There were in the Northern Force altogether only 17 vessels, but of this fact Halsey was unaware. On learning that there were enemy carriers nearby, he cancelled all other objectives and headed his entire available fleet, 65 ships, north in hot pursuit.

Kinkaid, having intercepted Halsey's battle plan, thought that TF 34 had been formed and was off San Bernardino Strait. He therefore felt free to send all his gunnery vessels down into Surigao Strait, where that night they repulsed the Japanese Southern Force, inflicting heavy losses. To Halsey he reported the battle by radio, adding: "Is TF 34 guarding San Bernardino Strait?" At dawn he was dumbfounded to receive in reply: "Negative. TF 34 is with carrier groups now engaging enemy carrier force."

Halsey was in fact in TF 34 himself, far to the north, forging out ahead of his carrier groups to finish off ships crippled by his carrier planes. He was thus doing exactly what the Japanese wanted him to do. The enemy carriers he was chasing were harmless. They had been stripped of planes in the Battle of the Philippine Sea and had not yet trained aviators to replace those lost. They had in fact been sent down from Japan as decoys to lure Halsey away so that the Southern and Center forces could converge without impediment on Leyte Gulf and smash the amphibious shipping there. The decoy force was not expected to survive.

During the night the Center Force had passed unchallenged through San Bernardino Strait. A little after sunrise, northeast of the entrance to Leyte Gulf it encountered and attacked a tiny Seventh Fleet escort carrier unit. There now flashed a whole series of radio messages between Kinkaid and Halsey, the former demanding help, once in plain English, explaining that his gunnery vessels after their night battle were too low in ammunition to take on the Center Force. Halsey's Third Fleet, TF 34 and all, forged on to the north.

At Pearl Harbor all the Halsey-Kinkaid messages were being intercepted. Admiral Nimitz, watching the progress of the battle on the operations chart, was, as he later said, "on pins and needles." It was not clear to him whether Halsey had sent TF 34 back south or was retaining it with the carriers. CinCPac Assistant Chief of Staff Commodore B. L. Austin suggested that he inquire of Halsey by radio. At first Nimitz declined, not wishing to interfere with the commander on the scene. At length he authorized a message merely asking the location of TF 34, whereupon Austin dictated to a yeoman: "Where is (*repeat* where is) Task Force Thirty-four?", addressing the message to Admiral Halsey for action and, routinely, to Admiral King and Kinkaid for information. At the communications center an ensign communicator added padding phrases at both ends of the message, from which it was separated by double letters—a precaution to increase the difficulty of cryptanalysis.

The message was received on board the *New Jersey*, Halsey's flagship, at about 1000. When it had been deciphered on the electric ciphering machine, a communicator examined the strip. He easily recognized the opening padding, "Turkey trots to water," for what it was and tore it off, but the closing padding, "The world wonders," looked so much like part of the message that he left it on and sent the strip by pneumatic tube to flag country. The message placed in Halsey's hands read as follows: "From Cincpac [Nimitz] action com third fleet [Halsey] info cominch [King] CTF seventy seven [Kinkaid] x where is rpt is task force thirty four RR the world wonders."

Halsey was enraged. To him the message, with its seemingly taunting ending, appeared to be an insult—which King and Kinkaid were called on to witness. At 1115 he ordered TF 34 to change course from due north to due south, attaching a carrier group from TF 38 as he passed it on the opposite course. When he arrived off San Bernardino Strait a little after midnight, the Center Force had already passed back through it. Almost miraculously, from the American point of view, it had broken off action with the little escort carrier unit that morning and had presently retired the way it had come.

Despite Halsey's 300-mile run to the north and then back to the south at the height of the Battle for Leyte Gulf, the battle was a great American victory. The Japanese fleet had been reduced to impotence. There would be no more stand-up naval battles in World War II.

Captain Ralph Parker, head of Nimitz' Analytical Section, in writing up the CinCPac report of the battle for submission to the Commander in Chief U.S. Fleet, criticized Halsey's maneuvers. Before signing the report, Nimitz sent it back with a note written on it. "What are you trying to do, Parker, start another Sampson-Schley controversy? Tone this down. I'll leave it to you."

The Third Fleet continued to support MacArthur's operations in the Philippines—the conquest of Leyte, the capture of Mindoro, the invasion of Luzon. During these operations, the Pacific Fleet amphibious forces came under increasingly heavy attack by kamikazes, which inflicted severe damage with heavy loss of life.

After the invasion of Luzon, Admiral Nimitz requested the return of his Pacific Fleet units for use in forthcoming operations against Iwo Jima, Okinawa, and Japan. Admiral Kinkaid was understandably loath, in view of his commitments to see his Seventh Fleet reduced to its former starveling proportions. The situation might have led to acrimony, but in an exchange of restrained and courteous dispatches, Admiral Nimitz and General MacArthur reached an agreement that was workable, if not entirely satisfactory for either.

On 25 January 1945, the Third Fleet steamed into Ulithi lagoon, where Admiral Halsey was relieved by Admiral Spruance, and Third Fleet again became Fifth Fleet. For the Iwo Jima operation, Nimitiz, recently promoted to fleet admiral, shifted from Pearl Harbor to new headquarters on Guam.

Preceding the assault on Iwo Jima in mid-February, Spruance led TF 58 to the shores of Japan and gave the Tokyo area the first naval bombing since the miniature raid from Halsey's carriers in early 1942. The Iwo assault, carried out by three Marine Corps divisions, proved far more costly in casualties than Admiral Nimitz and his subordinates had anticipated. No amount of aerial photography could have revealed all the concealed gun positions or the intricate tunneling by means of which the defenders were prepared to sell their island dearly. The conquest of Iwo, however, was worth almost any cost, for it provided airfields where Marianas-based B–29s could refuel and whence fighters could take off to accompany the long-range bombers over Japan.

When Winston Churchill proposed sending the British carrier fleet to the Pacific to participate in the final defeat of Japan, Nimitz was dismayed. With American ships reaching the Pacific from European waters, where they were no longer needed, and new construction coming off the ways, the CinCPac command had its hands full supplying and servicing its own ships. Nimitz, nevertheless, found a way to handle the problem, and integrated the British fleet into the Okinawa operation.

The landing on Okinawa on 1 April proved unexpectedly swift and easy. The Americans did not know that this was because the Japanese had decided that defending the beaches under naval gunfire was futile and prohibitively costly. On Okinawa the defenders holed up in the hills and let the invaders come to them. Meanwhile, Japan-based kamikazes struck viciously and in large numbers, doing fearful damage to TF 58, which was obliged to remain nearby in order to protect communications to the island, and among the small vessels maneuvering on early-warning picket stations around the island.

When military operations on Okinawa appeared bogging down, Nimitz arrived for a personal inspection. Lieutenant General Simon Bolivar Buckner, U.S. Army, received Nimitz politely but pointed out that this was ground, implying that military operations on Okinawa were strictly Army business. "Yes," said Nimitz, "but ground though it may be, I'm losing a ship and a half a day. So if this line isn't moving within five days, we'll get someone here to move it so we can all get out from under these stupid air attacks."

The line got moving, and on 21 June, Okinawa was declared secured. By that time, B–29s from the Marianas were burning out the hearts of Japanese cities. Not long afterward, Halsey, leading the combined British and American fleets, began parading up and down Japan's east coast, bombing almost at will. In the first days of August 1945, the Soviet Union declared war on Japan and invaded Korea, and B–29s dropped atomic bombs on Hiroshima and Nagasaki. Nimitz had been informed of the plan to use atomic bombs, but otherwise had no connection with it, for the Marianas-based B–29s comprised the one command in the Pacific Ocean Areas over which he had no authority. On 14 August, the Japanese Cabinet accepted the Potsdam Proclamation. The next day Nimitz ordered Halsey to "cease fire."

On 2 September 1945, in Tokyo Bay, a few minutes after 0800, Fleet Admiral Nimitz came aboard the battleship *Missouri* (BB–63), and his personal flag was broken at the mainmast. Half an hour later, General of the Army MacArthur came aboard, whereupon his personal flag was broken alongside that of Nimitz. In the presence of military and naval leaders of all the Allied powers, the Japanese Foreign Minister and the Chief of Staff of the Japanese Army signed the instrument of surrender. General MacArthur then signed for the Allied powers. At 0912, Admiral Nimitz signed for the United States.

Shortly afterward, Admiral Nimitz visited the United States. In Washington, D. C., 5 October 1945 was officially designated "Nimitz Day." Admiral and Mrs. Nimitz rode in parade, and President Truman presented Nimitz with a gold star in lieu of the third Distinguished Service Medal. Such ceremonies the Admiral found rather trying. He made it plain that he accepted the honors only as the representative of the men and women who had served with him in the Pacific.

While in Washington, Nimitz called on Secretary of the Navy James V. Forrestal to pay his respects. The conversation came around to Nimitz' future. Forrestal offered to put the Admiral at the head of the General Board or release him into an "advisory," semi-retired status. Nimitz startled the Secretary by refusing both offers, saying that he preferred a tour as Chief of Naval Operations.

"But," protested Forrestal, "you should now step out of the limelight, while your fame is great. As CNO you risk your laurels."

Secretary Forrestal was in fact reluctant to have Nimitz as CNO because they had disagreed concerning the merits of certain officers. Moreover, Nimitz, while wholeheartedly supporting the idea of civilian control of the military, had stated his opinion that Forrestal had given authority to civilians, "his Wall Street friends," that should be wielded only by officers. When Nimitz insisted on a tour as CNO, however, Forrestal could not very well refuse him.

"All right," said the Secretary grudgingly, "but it can only be for two years, no more."

"That suits me exactly," replied Nimitz. "I think the CNO's terms should be limited to two years."

On 24 November 1945 at Pearl Harbor on the deck of the submarine *Menhaden* (SS–377), Fleet Admiral Nimitz relinquished his duties as CinCPac and CinCPOA to Admiral Spruance. Of Admiral Nimitz, Admiral Spruance long afterward wrote: "Nimitz is a very great man, and I consider myself most fortunate to have had the privilege to know him as well as I do, and to have served under his command. His personality, character, and ability are those that any young man could emulate and make no mistake."

Nimitz' success in war and in dealing with men was the product of his extraordinary balance. He wielded authority with a sure hand but without austerity or arrogance. His perfect integrity was untinged with harshness. He demanded the best from those who served under him but never failed to give credit where credit was due. He was courteous and considerate without leaving any doubt who was running the show. He was serene and unruffled and at the same time vigorous and hardworking. He took his responsibilities with deadly seriousness, yet never lost his sense of humor. He grew with his responsibilities, but even when he commanded 2,500,000 men, he retained his simplicity and common touch.

He surrounded himself with the ablest men he could find and sought their advice, but he made his own decisions. He was a keen strategist who never forgot that he was dealing with human beings, on both sides of the conflict. He was aggressive in war without hate, audacious while never failing to weigh the risks.

On 15 December 1945, Fleet Admiral Nimitz relieved Fleet Admiral King as Chief of Naval Operations. As it turned out, Nimitz and Forrestal proved a most effective team in solving the problems of swift demobilization and of keeping the unification of the services within bounds. Nimitz did not oppose the concept of a single Department of Defense. After all, he had seen the advantages, indeed the necessity, of unified command in his own Pacific Ocean areas. What he did oppose was the appointment of a single chief of staff for all the services, with the Air Force controlling all aircraft, the Army controlling all troops, and the Navy controlling nothing but ships and sailors. In the end what was achieved was separate services under a National Military Establishment with each service so balanced in capability as to coordinate effectively with the others. Under this concept, the Department of the Navy retained its carrier aviation, its shore-based reconnaissance wing, and a Marine Corps of limited size.

During Nimitz' tenure as CNO occurred the court-martial of Captain Charles B. McVay, the commanding officer of the USS *Indianapolis,* (CA–35), sunk by a Japanese submarine in the last days of World War II with the loss of 880 men. McVay was found guilty, but in recognition of his good record, his sentence was remitted.

Concerned over the conviction, Secretary Forrestal called Nimitz to his office and asked what it would do to the captain's career? "Has there ever been a court-martialed officer in the history of the U.S. Navy who was later promoted to flag rank?"

Nimitz chuckled. "You're looking at one right here," he replied.

On being relieved as CNO in December 1947, Nimitz might have retired and gone into business. His name, his reputation, his demonstrated capacity for large-scale administration would have made him welcome on the board of almost any corporation in the United States. He eschewed the opportunity to earn a fortune, however, choosing instead to exercise his fleet admiral's privilege of remaining in the Navy for life. He took up residence in San Francisco, near the Pacific Ocean where he had spent much of his career, serving in an advisory capacity as Special Assistant to the Secretary of the Navy in the Western Sea Frontier.

In 1948, the inter-service debate, which had been quiescent since the conclusion of the unification battle, broke out again. Air Force leaders charged that the Navy, in requesting appropriations for new, larger carriers and for carrier planes big enough to carry atomic bombs, was attempting to move into their own field of strategic bombing. Navy leaders countered with charges that the Air Forces' B–36 bomber was incapable of pressing home an attack. Louis Johnson, who had succeeded Forrestal as Secretary of Defense, sided with the Air Force and cancelled the 60,000-ton carrier *United States* (CVA–58), then under construction. Tempers flared, even within the Navy Department, where officers considered that the new Secretary of the Navy, Francis P. Matthews, was not acting in their interests. To Admiral Nimitz the controversy and the resulting publicity were deeply distressing. But when Congress launched an investigation into the matter and his opinion was asked, he submitted a paper, specifying that it first be shown to Secretary Matthews.

In 1949, India and Pakistan agreed to a plebiscite in Kashmir. In March, the Secretary General of the United Nations, Trygve Lie, nominated Fleet Admiral Nimitz to administer it. When it appeared that the plebiscite would be postponed indefinitely, Nimitz asked to be relieved, stating that if India and Pakistan would come to terms, he would resume his duties. As alternative duty he accepted an assignment as roving "good-will ambassador" for the United Nations, explaining from scores of speakers' platforms the main issues with which the world organization was confronted.

The additional salary Admiral Nimitz received while serving the United Nations enabled him to buy a home in Berkeley, California. By no means a mansion, it was comfortable, with plenty of room for his books and a small study where he surrounded himself with mementos of the Pacific War. The house was on a high hill, and from picture windows in the living and dining rooms one could look out across San Francisco Bay and through the Golden Gate. Outside his breakfast room window Nimitz rigged a feeding tray for birds so that during breakfast there was much cheerful fluttering on the far side of the sill.

Not far away was the Berkeley campus of the University of California, which Nimitz served for eight years as regent. Frequently the Admiral and Mrs. Nimitz would stroll over and have a meal with the students in the cafeteria.

The Nimitzes enjoyed walking in a park in the hills back of Berkeley. Along one favorite path, they sometimes scattered seeds of their favorite flowers. Eventually the city authorities marked the trail with a small arch bearing the words: THE NIMITZ WAY. Admiral and Mrs. Nimitz involved themselves in community affairs, among other projects helping raise funds for the San Francisco Symphony Orchestra.

The Nimitz home became a mecca for Navy men and friends of the Navy. The Admiral had so many visitors, official and unofficial, that he was obliged to schedule his time. But he enjoyed the visits. Nothing gave him more pleasure than to talk Navy and reminisce about his career. He occasionally wrote an article or made a speech, but generally avoided public utterances on the subject of World War II lest he inadvertently stir up controversy.

In 1956, Admiral Nimitz found a means of expressing some of his opinions about naval warfare and even about the conduct of World War II without specifically writing a memoir. Some of the U.S. Naval Academy faculty, this writer included, were preparing to write *Sea Power: A Naval History,* to be used as a textbook at the Academy and in the NROTC. At the suggestion of Rear Admiral E. M. Eller, Director of Naval History, Admiral Nimitz was asked to supervise our project. To our surprise, he readily consented. In our first conference, in California, the Admiral laid down certain guidelines.

"Officers understandably resent having their operations publicly critized by civilians," said Nimitz. "My suggestion to you is this: give all the facts, as accurately, objectively, and fairly as you can, but don't draw conclusions. Let the reader do that. Let the facts speak for themselves." Never once during the writing of the book did Admiral Nimitz suggest suppressing a single fact.

Sea Power: A Naval History appeared in the summer of 1960, in time for use in classes that fall. It has since been translated as a whole or in part, into six languages.

To Admiral Nimitz' astonishment, the Pacific War section appeared in Japanese with the tile of *Nimitz' Great Sea War.* When the Japanese version was about to be published, the publisher asked Nimitz to write a special foreword for it. Nimitz did so, specifying that any pay due him for the work be donated to the fund for restoring the "Togo Shrine," Admiral Togo's war-damaged home in Tokyo.

Nimitz' Great Sea War received highly favorable reviews, which tended mostly to be eulogies of Nimitz. One in the *Asahi Shinbun* of 7 January 1963 contains these rather astonishing words:

"It appears that [Nimitz'] excellent ability of command and leadership played an even more important role in the issue of the war than the ever-widening gap in the numerical and material strength between Japan and the United States. . . . The Japanese Navy had two major weak points from the very beginning. One of them was lack of efficient command. . . . [The other] was the easy-to-decipher code used by the Japanese Navy. . . ."

At length, with passing years, the upkeep of their home in Berkeley became something of a burden for Admiral and Mrs. Nimitz, for they had only part-time help. Accordingly, when cancellation of the Western Sea Frontier command left Quarters One vacant at the naval station on Treasure Island in San Francisco Bay, it was offered to them for a residence, and they gladly accepted. Here, with the comfort of an elevator and servants, the Admiral continued to have visitors, to give official council when called upon, and to take a stand on all issues. He steadfastly refused, however, to write his memoirs or to have his biography written.

In October 1963, Admiral Nimitz had a bad fall and spent five weeks in the hospital. Though he regained his good spirits, he never fully recovered, and he aged rapidly.

In January 1966, the Admiral suffered a stroke and was taken to the hospital on Treasure Island. Complications, including pneumonia, followed, and he died on 20 February 1966, a few days before his 81st birthday. At his request he was buried without the pomp of a state funeral at Golden Gate National Cemetery beside the Pacific, among thousands of men who had served with him.

(Note.—A graduate of the University of Richmond, Professor Potter attained the rank of Commander, U.S. Naval Reserve, during World War II. Coauthor of *American Sea Power Since 1775,* he is co-author and editor of *The United States and World Sea Power* and (with Fleet Admiral Nimitz) *Sea Power: A Naval History.* He also edited *The Great Sea War* and *Triumph in the Pacific.* He is now Chairman of Naval History, U.S. Naval Academy.)

AMENDMENT OF APPALACHIAN REGIONAL ECONOMIC DEVELOPMENT ACT OF 1965

AMENDMENT NO. 96

Mr. HARRIS. Mr. President, I introduce, for appropriate reference, for myself, Senators McClellan, Monroney, Montoya, Moss, Hart, Long of Missouri, Nelson, and Fulbright, an amendment to S. 602 to revise and extend the Appalachian Regional Economic Development Act of 1965. I ask unanimous consent that the text of the amendment and an explanation thereof may be printed at this point in the Record.

There being no objection, the amendment and the explanation were ordered to be printed in the Record, as follows:

AMENDMENT NO. 96

On page 1, between lines 2 and 3, insert the following:

"TITLE I"

On page 1, line 3, stike out "Act" and insert in lieu thereof "title".

On page 1, line 6, after "hereinafter" insert "in this title".

At the end of the bill insert a new title as follows:

"TITLE II

"Sec. 201. This title may be cited as the 'Public Works and Economic Development Act Amendments of 1967'.

"Sec. 202. Section 301(b) of the Public Works and Economic Development Act of 1965 is amended by inserting after the first sentence, the following: 'The Secretary is further authorized to make such grants to any nonprofit incorporated body, or any agency or instrumentality of a State or local government (or any association or combination of such bodies, agencies or instrumentalities) located (wholly) within an economic development region designated under Title V of this Act and certified to a regional commission established for the region under this Act either by the Governor of the State or States in which such agency or instrumentality is located, or by the State officer designated by the appropriate State law to make such certification, as having a charter or authority that includes the economic development of counties or parts of counties or other political subdivisions within the region: *Provided,* That no grants shall be made under this section to any such organization, body, agency, or instrumentality located (wholly) within an economic development region for which a regional commission has been established, including the Appalachian Region as defined in the Appalachian Regional Development Act of 1965, except pursuant to specific recommendations of such regional commission.'

"Sec. 203. Section 502 of the Public Works and Economic Development Act of 1965 is amended by striking out the first word of subsection (c) and inserting in lieu thereof the phrase 'Except as provided in section 505, decisions'.

"Sec. 204. Section 503 of the Public Works and Economic Development Act of 1965 is amended—

"(1) by striking out the word 'and' at the end of clause (10) of subsection (a), by striking out the period at the end of clause (11) and inserting in lieu thereof a semicolon, and by adding the following new clauses:

" '(12) recommended to the Secretary of Commerce grants for the administrative expenses of economic development districts and agencies under section 301, and supplementary grants for Federal grant-in-aid programs under section 509; and

" '(13) serve as a focal point and coordinating unit for regional programs.';

"(2) by striking out subsections (b) and (c) and inserting in lieu thereof the following:

" '(b) The President shall provide effective and continuing liaison between the Federal Government and each regional commission and a coordinated review within the Federal Government of the plans and recommendations submitted by each Commission pursuant to subsections (a) and (d)';

"(3) by striking out the phrase 'additional recommendations to the Secretary and recommendations' in subsection (e) and inserting in lieu thereof the phrase 'recommendations to the President and'; and

"(4) by redesignating subsections (d) and (e) as (c) and (d), respectively.

"Sec. 205. Section 504 of the Public Works and Economic Development Act of 1965 is amended by striking out the phrase 'the Secretary shall encourage each regional commission to' and inserting in lieu thereof the phrase 'each regional commission shall'.

"Sec. 206. (a) Title V of the Public Works and Economic Development Act of 1965 is amended by adding at the end of the introductory phrase which precedes section 505 the following: 'And Administrative Expenses of Regional Commissions'.

"(b) Section 505(a) of the Public Works and Economic Development Act of 1965 is amended to read as follows:

" '(a) The Secretary, either directly or through arrangements with appropriate public or private organizations (including the commissions), (1) is authorized to undertake studies and investigations which would aid him in carrying out his functions under this Act, and (2) shall provide funds, pursuant to specific recommendations of a regional commission, for investigations, research, studies, technical assistance, training programs, and demonstration projects, but not for construction purposes, which will further the purposes of this Act, including studies and plans evaluating the needs of, and developing potentialities for, economic growth of such region, and research on improving the conservation and utilization of the human and natural resources of the region.'

"(c) Section 505(b) of the Public Works and Economic Development Act of 1965 is amended to read as follows:

" '(b) For the period ending on June 30 of the second full Federal fiscal year following the date of establishment of a commission, the administrative expenses of each commission, including the expenses of the Federal Co-chairman, his alternate, and his staff, shall be paid by the Federal Government. Thereafter, 50 per centum of such expenses shall be paid by the Federal Government and 50 per centum shall be paid by the Member States, except that the expenses of the Federal Co-chairman, his alternate, and his staff shall be paid solely by the Federal Government. The share to be paid by each State shall be determined by the Commission. The Federal Co-chairman shall not participate or vote in such determination. No assistance authorized by this title shall be furnished to any State or to any political subdivision or any resident of any State, nor shall the State Member of the Commission participate or vote in any determination by the Commission while such State is delinquent in payment of its share of such expenses.'

"(d) Section 505(c) of the Public Works and Economic Development Act of 1965 is amended to read as follows:

" '(c)(1) There is hereby authorized to be appropriated, to carry out subsection (A–1), $2,500,000 for the fiscal year ending June 30, 1968, and $2,500,000 for each fiscal year thereafter through the fiscal year ending June 30, 1970.

" '(2) There is hereby authorized to be appropriated, to carry out subsection (A–2). $12,500,000 for the fiscal year ending June 30, 1968, and $12,500,000 for each fiscal year thereafter through the fiscal year ending June 30, 1970.

" '(3) There is hereby authorized to be appropriated to regional commissions heretofore and hereafter established under this title or to the President, to carry out subsection (b), the sum of $10,000,000 for the period ending June 30, 1968, and the sum of $10,000,000 for the fiscal year ending June 30, 1969.

" '(4) Any unexpended balance of such funds appropriated under this title in the Department of Commerce Appropriation Act, 1967, shall be available until June 30 1967, for the purposes of subsections (a) and (b).'

"Sec. 207. Section 509 of the Public Works and Economic Development Act of 1965 is amended—

"(1) by inserting immediately preceding the word 'Congress' in the first sentence, the following: 'Governor of each State in the region and to the President, for transmittal to the'; and

"(2) by redesignating such section as section 510.

"SEC. 208. Title V of the Public Works and Economic Development Act of 1965 is amended by inserting after section 508, the following new section 509.

Supplements to Federal grant-in-aid programs

"SEC. 509(a) In order to enable the States and other entities within economic development regions established under this Act to take maximum advantage of Federal grant-in-aid programs (as hereinafter defined) for which they are eligible but for which, because of their economic situation, they cannot supply the required matching share, each regional commission is authorized to approve programs and projects and to advance funds appropriated to carry out this section to the heads of the departments, agencies, and instrumentalities of the Federal Government responsible for the administration of such Federal grant-in-aid programs. Funds so advanced shall be used for the sole purpose of increasing the Federal contribution to projects under such programs above the fixed maximum portion of the cost of such projects otherwise authorized by the applicable law. Funds shall be so advanced for Federal grant-in-aid programs for which funds are available under the Act authorizing such programs. Such advanced funds shall be available without regard to any appropriation authorization ceilings in such Act. Supplementary grants made in accordance with the applicable provisions of Sec. 101 of the Public Works and Economic Development Act of 1965 shall be made without regard to the last sentence of subsection (c) or to subsection (d) thereof, or to any provisions therein limiting supplementary grants to States and other entities within redevelopment areas.

"(b) The Federal portion of such costs shall not be increased in excess of the percentages established by each commission, and shall in no event exceed 80 per centum thereof.

"(c) The term 'Federal grant-in-aid programs' as used in this section means all existing or future Federal grant-in-aid programs that a commission may designate as furthering the purposes of this Act, authorized by Acts other than this Act for the acquisition of land and the construction or equipment of facilities, including but not limited to grant-in-aid programs authorized by the following Acts: Federal Water Pollution Control Act; Watershed Protection and Flood Prevention Act; Title VI of the Public Health Service Act; Vocational Education Act of 1963; Library Services Act; Federal Airport Act; Part IV of Title III of the Communications Act of 1934; Higher Education Facilities Act of 1963; Land and Water Conservation Fund Act of 1965; National Defense Education Act of 1958; Farmers Home Administration Act of 1946 as amended, and Education and Training programs administered by the Bureau of Indian Affairs. The term shall not include (A) any grant-in-aid program relating to highway or road construction, or (B) any other program for which loans or other Federal financial assistance, except a grant-in-aid program, is authorized by this or any other Act. Grants under this section shall be made solely out of funds specifically appropriated for the purpose of carrying out this section, and shall not be taken into account in the computation of allocations among the States made pursuant to any other provision of law.

"(d) There is hereby authorized to be appropriated to each regional commission heretofore or hereafter established under Title V of the Public Works and Economic Development Act of 1965, (as amended), or to the President, the sum of $5,000,000 for the period ending June 30, 1968, and the sum of $10,000,000 for the fiscal year ending June 30, 1969, to be available until expended, to carry out this section."

"SEC. 209. Section 601(a) of the Public Works and Economic Development Act of 1965 is amended by striking out everything in the first sentence between the word 'herein' and the period at the end."

Amend the title to read as follows: "A bill to revise and extend the Appalachian Regional Development Act of 1965, and to amend the Public Works and Economic Development Act of 1965."

BRIEF EXPLANATION OF PROPOSED AMENDMENTS TO THE PUBLIC WORKS AND ECONOMIC DEVELOPMENT ACT OF 1965

The proposed amendments to the Public Works and Economic Development Act of 1965 (P.L. 89–136) are being accomplished by adding a new Title II to the proposed Appalachian Regional Development Amendments of 1967, and the following are short explanations of those sections which affect P.L. 89–136. Section 201. This title may be cited as the Public Works and Economic Development Act Amendments of 1967.

1. (Sec. 202.—page 1) Section 301 (b), which authorizes the Secretary of Commerce to make grants for administrative expenses for economic development districts under the present Act, is expanded by providing that the Secretary can make these grants to other agencies of State or local governments which are located in a commission's region, and further provides that neither these grants nor other grants authorized in Section 301(a) to redevelopment areas or other areas which he finds have specific need for such assistance can be made *except upon the specific recommendation of the regional commission, including Appalachia.*

2. (Sec. 203—page 2) Section 502 of the Public Works and Economic Development Act is changed in order to recognize that a State may not vote on commission matters if it is in arrears on its payment of its share of the regional commission administrative expenses.

3. (Sec. 204(1)—page 2) Section 503 of the Public Works and Economic Development Act which describes the functions of the commission is enlarged to add two new subsections, numbers 12 and 13. (*12*) sets out as a function of the commission recommendations to the Secretary of Commerce for grants for administrative expenses to EDD's under Section 301 and supplemental grants-in-aid under the new Section 509. (*13*) copies one of the functions of Appalachia stating that the commission shall serve as a focal point and coordinating unit for regional programs.

4. (Sec. 204(2)—pages 2 and 3). Deletes subsections (b) and (3) of the Public Works and Economic Development Act which presently state that the Secretary of Commerce presents the plans and proposals of the commission first to other Federal agencies for their recommendations and then to the President, and that the Secretary of Commerce will provide the liaison between the Federal Government and the commissions, *and inserts a new subsection* (b). *This new subsection is the same as the Appalachian Section 104 and states that the President* (*rather than the Secretary*) *will provide the liaison and the President will provide the coordinating function.*

5. (Sec. 204 (3)—page 3) Subsection (e) of Section 503 which now provides that the commissions may make additional recommendations to the Secretary and to the State Governors is amended to provide that, as in Appalachia Section 103, these recommendations shall go to the President and to the State Governors.

6. (Sec. 205—page 3) Section 504 which now states that the Secretary should encourage each regional commission to follow procedures which will insure consideration of certain factors is amended by eliminating the Secretary of Commerce and merely providing that each commission will follow procedures with respect to consideration of program development criteria. This Section, as amended, is identical with Section 107 of the Appalachia Act.

7. (Sec. 206 (a)—page 3) This provision amends the heading which precedes Section 505 and which now reads "REGIONAL TECHNICAL AND PLANNING ASSISTANCE" to read "REGIONAL TECHNICAL AND PLANNING ASSISTANCE AND ADMINISTRATIVE EXPENSES OF REGIONAL COMMISSIONS."

8. (Sec. 206 (b)—page 3) This is a rewrite of Section 505 (a) and clarifies the responsibilities of the Secretary with regard to technical assistance. Where now all of the technical assistance is under his jurisdiction to be spent as he desires, it breaks this technical assistance into two kinds of expenditures. One authorizes the Secretary to undertake studies and investigations which would aid *him* in carrying out his functions under the Act (such as the investigation of the establishment of new regional commissions or the expansion of present regions upon recommendation of the regional commission, or such other over-view responsibilities he may have). The other provision clearly spells out that he *shall* provide funds for all other investigations, research, etc., which will further the purposes of the Act but only pursuant to specific recommendations of a regional commission. In the present act, he is given the authority to provide technical assistance through his own staff, through payment to other departments or agencies of the Federal government, through contracts and through grant-in-aid to the commissions. The grants to commissions, it will be recalled, was eliminated in the recent Regulations promulgated by the Assistant Secretary of Commerce. The new section clearly indicates that the commission will have control of some of these technical assistance funds, and the money amounts remain the same, $15,000,000 for this purpose.

9. (Sec. 206(c)—page 4) This rewrites Section 505(b) of Title V. It was necessary to change the present 505(b) because the administrative expenses of the Commission are now subject to the approval of the Secretary of Commerce and it presently provides that after two years not to exceed 50 per cent of the expenses of the Commission shall be paid by the Federal Government and the determination of the amount of the non-Federal share is left to the Secretary of Commerce. As amended, the Section will substantially follow the present Section 105 of the Appalachian Act. There have also been included the slight changes they hope to get passed which spell out clearly that the Federal Government shall pay the expenses of the Federal Co-chairman and his staff after the second year. It also clarifies that the expenses of the Federal Co-chairman for budget purposes are included in the administrative expenses of the Commission.

10. (Sec. 206 (d)—page 4) This amends Sec. 505 (c) of Title V by breaking down the authorization for appropriation into four separate categories. The first category authorizes the appropriation of $2.5 million for FY 68 and $2,500,000 for FY 1969 for the purpose of the Secretary of Commerce undertaking the studies and investigations to aid him in carrying out his functions and to provide research and technical assistance to the Commissions, as set forth in the new Sec. 505 (a). The second category authorizes the appropriation of $12,500,000 for FY 1968, and $12,500,000 for FY 69 to carry out the pur-

poses of the new section 505 (a)(2), which states that the Secretary *shall* pursuant to specific recommendations of a regional commission, provide funds for investigations, research, studies, technical assistance, training programs, and demonstration projects, but not for construction purposes, to the commission.

The third subsection authorizes the appropriation to the Regional Commissions for the purpose of administrative expenses of the Commissions and the expenses of the Federal Co-chairmen and his staff the sum of $10 million a year for the next two years. These amounts are authorized to be appropriated to the Commissions or to the President. The authorization for appropriation to the President is necessary to take care of those Commissions which are not yet funded or which may be designated during this period without direct appropriation from Congress. This permits the President to fund them until they have an opportunity to obtain their own appropriation from Congress.

The fourth subparagraph attempts to provide that any monies Commerce has not spent under its current appropriation shall be available for both technical assistance by the Secretary and the Commissions and administrative expenses of the Commissions. The effect of this subsection is to try to show that the funds Commerce now has must be held in trust for those Commissions which are not presently funded and for those which may come into existence between now and June 30, 1967.

11. (Sec. 207—page 5) This makes a change in Sec. 509 with respect to annual reports by conforming it to Appalachian's Sec. 304 in respect to having the annual report go to the Governor of each State in the Region and to the President for transmittal to Congress rather than directly to Congress as presently provided. A minor distinction, however, with respect to these annual reports is that Appalachia's annual report must be submitted not later than six months after the close of each fiscal year (December 31), while the other Regional Commissions' annual reports shall be submitted to Congress not later than January 31. This is a one month difference, but not thought to be important enough to require an extensive change in 509.

12. (Sec. 208—page 6) This inserts one new section in Title V which will be numbered 509.

The new section 509 provides for supplements for Federal grant-in-aid programs for the Regional Commissions similar in some respects to the Sec. 214 funds in the Appalachian Act. The money would be appropriated directly to the Commissions. It is tied to those supplementary grants-in-aid which the Secretary of Commerce under Sec. 101 of the Act designates except that it substitutes criteria in order to make these funds available for a different emphasis than under EDA criteria. It does this by directing that they shall not be limited to projects in redevelopment areas as presently provided in Sec. 101(c); without regard to the limitations of the last sentence of 101(c) which provides that the Secretary shall take into consideration the relative needs of the area, the nature of the project to be assisted, and the amount of such fair user charges, etc.; and without regard to Sec. 101(d) which provides that the rules, regulations and procedures of the Secretary shall assure adequate consideration is given to the relative factors as rates of unemployment, income levels, and extent of underemployment. Other sentences of this section conform to Appalachia's restrictions on the prohibition that none of the supplementary grants may be used for highway or road construction, and that grants shall not penalize any State in computing allocations they may get under other provisions of law.

In addition to the foregoing criteria, the Commissions are also charged with following procedures to insure consideration of five additional factors under Sec. 504. The Commissions will control the expenditure of these funds within their Region for these programs.

Subsection (d) of 509 authorizes the appropriation of $5,000,000 for each Commission for the period ending June 30, 1968, and $10,000,000 for each Commission for the following year.

13. (Sec. 209—page 7) This amends Sec. 601 of the Act by eliminating the following words without mentioning the words in the amendment: "The Secretary (of Commerce) shall . . . *coordinate the Federal Co-chairmen appointed heretofore or subsequent to this Act.*"

14. No changes have been made in Sections 501, 506, 507, and 508 of Title V.

Mr. HARRIS. Mr. President, the purpose of the explanation is to give similar legislative status to all regional commissions. Currently, the Appalachian Regional Commission enjoys a degree of independence under law not shared by other commissions created pursuant to title V of the Public Works and Economic Development Act of 1965.

Certainly all States are entitled to the same treatment under the commission format. The unequal treatment will be highlighted with the establishment of the Coastal Plains Regional Commission. The three States of Georgia, North Carolina, and South Carolina, which are in a title V region will have a distinctly different status and relationship to the Federal Government than they presently have through the Appalachian Regional Commission.

The amendment I submit today creates a new title II in the Appalachian Regional Economic Development Amendments of 1967 and deals primarily with the status of regional commissions established pursuant to title V of the Public Works and Economic Development Act of 1965.

The purpose of this amendment is to give similar legislative and legal status to all regional commissions. Under current conditions the Appalachian Regional Economic Development Commission enjoys a degree of independence under law not shared by the other five commissions created pursuant to the title V of the Public Works and Economic Development Act of 1965.

Certainly all States are entitled to the same treatment under the commission format. The amendment I propose today will authorize appropriations for technical assistance, administrative expenses of the commissions and supplemental grant-in-aid programs, patterned after the Appalachian Region Economic Development Commission. I feel that this is essential in order to enable the five commissions created pursuant to the title V of the Public Works and Economic Development Act to carry out the programs envisioned for them when the enabling legislation was enacted.

The key political science problem of today is how to dovetail the similar programs and efforts of various levels of government—local, State, and Federal—and better coordinate the myriad Federal programs of similar purpose. It is my judgment that the regional economic development commissions can serve as an ideal vehicle to help solve this problem.

The distinguished Senator from West Virginia [Mr. RANDOLPH], chairman of the Senate Public Works Committee, stated recently on the floor of the Senate:

> When one speaks of creative Federalism, one looks to the Appalachian Development Program as a prototype.

I agree wholeheartedly with him, in that the Appalachian development program is and should be a prototype for other regional economic development commissions, and it is for that reason I am introducing the amendment here today which will place regional economic development commissions heretofore and hereafter established on equal footing with the Appalachian Regional Economic Development Commission.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. HARRIS. Mr. President, I ask unanimous consent that I may proceed for 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARRIS. Senator RANDOLPH has further stated during the hearings on confirmation of Mr. John Linnehan as Federal Cochairman for the New England Regional Development Commission:

> We thought of the Appalachian Development Commission as a partnership of the States involved in the Appalachia section of the country with the Federal Government, *and it was designed, and we feel that this region or any other region is designed,* "to assist the region in meeting its special problems, to promote its economic development, and to establish a framework for joint Federal and State efforts toward providing the basic facilities essential to its growth and attacking its common problems and meeting its common needs on a coordinated and concerted regional basis."

Mr. President, the amendment I propose today will enable all regions heretofore or hereafter established to provide the same kind of economic stimulant to depressed areas of our country as has the Appalachian Regional Economic Development Commission in the Appalachia region. I certainly support the regional approach to economic development of depressed areas, and, therefore, feel that it is imperative that this amendment be enacted to enable all regions to have common status for the attainment of common goals, though very modest sums are asked for now for the other commissions.

Mr. President, I have discussed this matter and this amendment with the distinguished Senator from West Virginia [Mr. RANDOLPH], chairman of the Senate Public Works Committee. He has assured me that his committee will consider this amendment in connection with the Appalachian Regional Economic Development Act of 1965, which it seeks to amend. No special hearings will be required, I believe, because extensive hearings were held last session by the Senate Public Works Committee on these various regional commissions during the consideration of the Public Works and Economic Development Act of 1965.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred.

The amendment (No. 96) was received, ordered to be printed, and referred to the Committee on Labor and Public Welfare.

LEGISLATIVE REORGANIZATION ACT OF 1967—AMENDMENT

AMENDMENT NO. 97

Mr. ALLOTT submitted an amendment, intended to be proposed by him, to the bill (S. 355) to improve the operation of the legislative branch of the Federal Government, and for other purposes, which was ordered to lie on the table and to be printed.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors of the following bills and joint resolutions:

Authority of February 2, 1967:

S. 799. A bill to provide more economic, efficient, and effective implementation of the various Federal loan and grant-in-aid programs to improve the quality of urban and rural life through improved comprehensive development planning, programing, and coordination among and between Federal agencies, States, regions, metropolitan areas, and local governments, and to encourage greater coordination between States and their political subdivisions in the planning and programing of Federal loan and grant-in-aid programs, and for other purposes: Mr. Hatfield, Mr. Javits, and Mr. Miller.

Authority of February 7, 1967:

S.J. Res. 30. Joint resolution to establish a commission to formulate plans for a memorial to astronauts who lose their lives in line of duty in the U.S. space program: Mr. Allott, Mr. Bayh, Mr. Bible, Mr. Carlson, Mr. Cooper, Mr. Dominick, Mr. Ervin, Mr. Fannin, Mr. Hartke, Mr. Hill, Mr. Jackson, Mr. Kuchel, Mr. Lausche, Mr. Long of Louisiana, Mr. Murphy, Mr. Proxmire, Mr. Randolph, Mr. Scott, Mr. Symington, and Mr. Young of North Dakota.

Authority of February 8, 1967:

S. 913. A bill to amend part III of the Interstate Commerce Act to provide for the recording of trust agreements and other evidences of equipment indebtedness of water carriers, and for other purposes: Mr. Monroney, Mr. Morton, and Mr. Yarborough.

S. 915. A bill to provide for the establishment of a Federal Judicial Center: Mr. Metcalf, and Mr. Tydings.

S. 917. A bill to assist State and local governments in reducing the incidence of crime, to increase the effectiveness, fairness, and coordination of law enforcement and criminal justice systems at all levels of government, and for other purposes: Mr. Mundt, Mr. Tydings, and Mr. Yarborough.

S.J. Res. 32. Joint resolution to establish a Joint Committee on Urban Affairs: Mr. Javits.

NOTICE CONCERNING NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Paul F. Markham, of Massachusetts, to be U.S. attorney, district of Massachusetts, for the term of 4 years, vice W. Arthur Garrity, Jr.

William F. Malchow, of Minnesota, to be U.S. marshal, district of Minnesota, term of 4 years, vice Ray H. Hemenway, resigned.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Monday, February 27, 1967, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearings which may be scheduled.

NOTICE OF RECEIPT OF NOMINATIONS BY THE COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the following nominations:

Rutherford M. Poats, of Virginia, to be Deputy Administrator, Agency for International Development.

Maurine B. Neuberger, of Oregon, to be a member of the General Advisory Committee of the U.S. Arms Control and Disarmament Agency.

In accordance with the committee rule, these pending nominations may not be considered prior to the expiration of 6 days of their receipt in the Senate.

THE CIA AND THE NATIONAL STUDENT ASSOCIATION

Mr. YOUNG of North Dakota. Mr. President, I have noted with considerable concern the continuing controversy over the CIA's financial assistance to the National Student Association and other organizations that participate in international conferences.

It would be preferable if private sources would provide the funds for students and others to attend international conferences, or if some Government agency other than the CIA would do so. When this assistance by the CIA was first given to the National Student Association, no other source of assistance was available. Thus, if the CIA had not provided the funds, the Communist students would have completely dominated the international conferences.

I am not one who believes it is all wrong for students and others to receive some guidance and information from the CIA as to how international conferences are manipulated by the Communists. Not many people realize that no student can enroll in the Moscow University or other universities in Russia unless he has been thoroughly indoctrinated in the Communist philosophy and is a dedicated Communist.

Russia and other Communist nations have a one-party system and only one viewpoint. Thus, their students and others attending international conferences present one united viewpoint, and they are financed by their governments.

Our system of government and our philosophy are entirely different. We have a two-party system and many factions within these parties. Thus, we do not always present a united front at international conferences. The National Student Association, as well as others, does not always support the official position of our country.

The CIA has made some mistakes, but the good it does far outweighs any errors. If we are to survive in this troubled world and counter the operations of the Russian KGB, we need the CIA—and badly. It should be remembered that the CIA operations are directed and controlled by the President of the United States and the National Security Council. It also receives guidance, direction, and supervision from a committee of private citizens appointed by the President, as well as by the Bureau of the Budget and committees of Congress.

Mr. President, one of the best editorials I have read with reference to this recent controversy over the CIA appeared in the Sunday Star of February 19, 1967, and was entitled "What Are We Trying To Do to the CIA?" I ask unanimous consent that the editorial be printed in the Record as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

WHAT ARE WE TRYING TO DO TO THE CIA?

It is just possible, if we all manage to work ourselves into a wild enough lather, that the current flap over the CIA can be escalated to the point where it will destroy the nation's intelligence organization. It almost seems that this is what some of the breast-beaters would like to do.

One day we have a disclosure that a student organization has been receiving covert funds so that young Americans can compete with young Communists at world student meetings. Then, suddenly, nothing will do but that every traceable operation of the CIA must be laid bare to public view, commented upon in tones of pious horror, investigated, sermonized, deplored and punished, until the terrible guilt of it all has been established for all time, for all the world to see.

And what, precisely, are we guilty of? Why, of using our wits and available means to compete in a battle just as real, dirty and deadly serious as any shooting war in which we could engage.

Confronted by adversaries who threw the full power and wealth of the state into the effort to mold and control world opinion, we did not abandon the field to them. Instead, we devoted some public funds to seeing to it that Americans could confront the totalitarians in the intellectual lists abroad, speaking their minds in representing the views of a relatively free society.

It worked, incidentally. A wide variety of Americans, most of whom never knew the source of the funds backing them, proved more than able over the years to hold their own in confrontation with disciplined, professional Communist agents. They prevented the takeover of numerous international organizations and established others which have contributed substantially to the global cause of freedom.

Consider, for example, the experience of Gloria Steinem, as interestingly reported in yesterday's Washington Post. A New York writer, Miss Steinem was director of something called "The Independent Research Service," which took CIA money to send several hundred young Americans to World Youth festivals in Vienna and Helsinki in 1959 and 1962.

Miss Steinem said she worked closely with

CIA agents on the program, but that few of the students who took those trips knew that the CIA was picking up the tab.

"I never felt I was being dictated to at all," she said. "I found them (the CIA men with whom she worked) liberal and far-sighted and open to an exchange of ideas. . . . They wanted to do what we wanted to do—present a healthy, diverse view of the United States."

She was backed up by Dennis Shaul, another spokesman for the organization, who said: "We had Minnesota schoolteachers who were further right than Bill Buckley as well as members of Students for a Democratic Society. Nobody told them what to do."

Bear in mind, except for such American participation financed by CIA funds, these festivals were completely dominated by Communists, all financed and controlled by their governments. Yet, says Shaul, "The Helsinki festival was a disaster from their point of view, and I think we can take a good deal of credit for that."

Well now, why not? Is this really something that has to be apologized for? Who is corrupted by such an operation? Who would have paid the Americans' expenses, if the CIA hadn't?

"The CIA," says Miss Steinem, "was the only (organization) with enough guts and foresight to see that youth and student affairs were important." And here, the lady puts her finger on an important point.

Of course, it would have been better if this sort of thing could have been done without subterfuge. It is too bad that private funds were not available for these purposes. It would have been healthier, lacking such private sources, for our government to have appropriated openly the necessary monies, through the State Department, U.S. Information Agency or some other "respectable" organization. Even though no such alternative may have been available when these programs were initiated in the early 1950s, it would have been advisable to switch them away from CIA support as soon as that became possible.

No one, moreover, can possibly defend all the details of any one of these operations. No doubt there have been messy procedures which, when exposed, prove embarrassing. There is, one inevitably recalls, a saying about making omelettes and breaking eggs.

What is beyond comprehension in all this, however, is the monumental naivete involved in the apparent shock reaction, to these disclosures on the part of otherwise knowledgeable people. After all, what have the outraged gentlemen supposed was going on all this time on the sprawling acres out at Langley? Of all the endeavors of the CIA, the effort to create outlets abroad for the expression of American opinion must surely rank as one of the milder. This is not, be it noted, a tea party that we have been engaged in. This is a viciously contested undercover war against shrewd, dedicated enemies who happen to be quite unhampered by nice-Nellie scruples. The need to press this fight has all along been recognized by the top leadership of the country. The procedures that suddenly evoke such outraged reactions were not dreamed up privately by the CIA. They were directed from the top, and properly so.

The idea that an organization like the CIA can conduct its operations while restrained by a sort of daisy-chain of clergymen, den mothers and liberal politicians—such a notion is simply absurd. For our part, we hope that the present hysteria will be calmed with a rational inquiry conducted by responsible and realistic men who have some knowledge of the very serious problems involved. We are inclined to suspect that they, and the public, will end up concluding that the world has not, after all, ended—and that, in doing a job which had to be done, our intelligence organization has not done too badly.

Mr. STENNIS subsequently said: Mr. President, I have before me an editorial which appeared in the Washington Evening Star of February 19, 1967, entitled "What Are We Trying To Do to the CIA?"

The Senator from North Dakota [Mr. Young] has received unanimous consent that this editorial be printed in the Record, and I join with him in my very strong endorsement of this editorial, and I recommend that every Member of this body read it.

I shall try to answer at this time, very briefly, "What Are We Trying To Do to the CIA?" I believe that some groups are consciously trying to destroy the CIA. That is exactly what will result because of their activities. I believe, too, that others, not consciously but because they do not know the facts, can well contribute to rendering the CIA incapable of meeting the very important and necessary mission that it has.

I do not object, of course, and would never object, to some examination of its activities in a proper way. But to attempt to treat that department as other departments of the Government are treated is to totally miss the goal of what its mission is and to destroy it.

Mr. President, the CIA has made a great contribution during its lifetime. I know of outstanding illustrations, which I cannot divulge in an open session. The CIA has contributed in a very substantial way, both in saving money and in gaining information that was valuable, far beyond any figure in terms of money itself.

I think we are treading on very dangerous ground. If we continue in this manner and do not channel this matter into a proper examination of whatever Congress wishes to develop as to the facts—if we do not channel the matter ino a proper pattern—we will have demonstrated beyond all doubt our incapacity to carry on what has become an essential function of government. In other words, if you are going into the business of collecting information, you have to go where the information is, and you have to resort to methods that are effective, whether you approve of those methods or not.

I hope that the American people will exercise care and caution and restraint before they jump to conclusions, and that they will judge this matter finally upon the real facts.

Mr. President, I have an article written by the columnist William S. White, which appeared in the February 18 issue of the Washington Post, entitled "Delay Verdict Till Evidence Is In," and I ask unanimous consent that this article be printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

Unfair to CIA—Delay Verdict Till Evidence Is In

(By William S. White)

This country's many articulate victims of the great ultraliberal syndrome of our time—that is, a quivering fever of conviction that this Government is inevitably wrong in any conceivable attempt to set off any really tough backfire to the fires of Communist subversion—have again automatically convicted the poor old Central Intelligence Agency.

CIA's crime this time is the disclosure, first made by a violently left-wing and bitterly anti-Vietnam war little magazine called Ramparts, that for some 14 years the Agency has been giving financial assistance to anti-Communist or non-Communist student groups who seek to resist the incomparably more heavily financed Communist program to indoctrinate the universities everywhere and to dominate any and all student conferences on Cold War issues.

Not all of the facts are yet at hand, but the liberal-syndrome verdict of guilty as charged is, of course, already in before the jury has even entered the box. The jury is a group of three officials headed by Under Secretary of State Nicholas Katzenbach which has been charged by the President to look into this business—into all the facts, and not simply into such facts or alleged facts as the lefties have seen fit to produce.

The President's instructions are for a review of any governmental activity that might endanger the independence of the educational community. But the President's instructions do not stop there. For he recalls as well "the great need of American private organizations to participate in the world community." "Other countries," he observes, "provide substantial subsistence for such activity."

What this means is that for decades the Communists have provided a "substantial subsidy" to every kind of world student convocation so that they could pack these supposedly open discussions with their own people. On the evidence now available, what CIA has mainly been doing is providing the means to non-Communist students to attend these student conferences and offer a point of view different from that of the Communists.

If this turns out to be the truth of the business, and if it turns out that CIA has not mortally corrupted American youth by helping it to participate in student convocations that would otherwise have been totally controlled by Communist stooges, it will be difficult for some people to believe that a capital offense has been committed here.

For the long-observable truth is that Communist money for the indoctrination of students both here and abroad has been most lavishly expended. Any rational man can see as much when he looks at some of the so-called "student demonstrations" which have been occurring on some American campuses under the undoubted leadership of pro-Chinese Communist forces.

But if we want to look at the whole matter of "subsidy" with any honesty we also want to look well beyond what the CIA alone has done. Some of the largest and most prestige-laden of American foundations have for years undeniably offered much shelter to writers and others whose opposition to any strong stand anywhere to Communist expansionism is perfectly clear on the record.

Now, in this columnist's opinion, this is no crime; for there is nothing in the law or in American tradition to forbid multibillion-dollar foundations to give the better of it to the left if they so choose. But it is a little silly to suppose that this form of Foundation money is absolutely chaste or even absolutely private. The simple fact is that it, too, is very near to being public money—that is to say Government money—for had it not all been poured into precisely these foundations a very great part of it would have been quite rightfully seized by Government tax collectors.

The central point of this piece, however, is simply this: There is a spreading American characteristic of self-indictment, alike of the Government under any President and of our national motives at any time, that amounts to a national neurosis.

So let us not for a moment exculpate the CIA; but let us on the other hand be willing to wait for all the evidence before consigning it to the outer darkness.

PROPOSED CONSULAR CONVENTION

Mr. HRUSKA. Mr. President, in common with all Members of this body, this Senator has been giving a great deal of attention to the developments relating to the proposed Consular Convention between the United States and the Soviet Union. This measure is not, as some administration spokesmen allege, a "small matter" designed solely for the protection of U.S. citizens traveling in the Soviet Union. On the contrary, after careful study of the arguments presented thus far, and after consultation with some of my colleagues, I have come to the conclusion that for the Senate to consider the consular convention as an isolated agreement would be extremely unwise. It has become abundantly clear that the administration has taken a dual and contradictory approach in the presentation of the arguments on behalf of the convention.

Depending on the circumstances, it agrees that the convention is both important and unimportant. In reality, the administration considers this measure to be linked with other "bridge building" proposals which are to be submitted to the Senate and the House on a piecemeal basis.

When taken together, the measures which the administration will submit to Congress will add up to a package which will have a tremendous impact on our overall foreign policy. The Consular Convention represents only the first small step which appears, on the surface, to be of small importance. But the next steps—which include the proposed treaty banning the military uses of outer space and, most important, the East-West trade bill, as well as others—when combined with the Consular Convention, are measures which are going to affect the basic philosophy of our relations with the Communist countries.

Because the administration realizes that the Congress would want to have a long, hard look at this series of proposals, it apparently does not wish them to be considered together. And for that reason, Mr. President, I urge my colleagues to consider what I suggest is a sound and constructive proposal designed to allow the Senate to give its most careful consideration—which we owe to the people of the United States—to this proposed fundamental shift in the basis of our foreign policy. In short, I shall propose in a formal speech later this week that the Senate withhold its approval of any of the administration's "bridge building" proposals until we have had an opportunity to look into their overall effect. Most of all, Mr. President, the Senate and the House should not be stampeded into approving individual measures which add up to a final result which will constitute a radical departure from our present foreign policy.

In due time it is my intention to present this view and approach to the Senate in formal fashion. This will by motion, resolution, or other proper method which will provide that the Senate defer final action on this consular treaty until hearings have been completed and opportunity afforded to debate the entire package which the administration proposes.

CIVIL RIGHTS ACT OF 1967

Mr. HART. Mr. President, on behalf of myself and Senators Brewster, Brooke, Case, Clark, Dodd, Fong, Gruening, Hartke, Inouye, Javits, Kennedy of Massachusetts, Kennedy of New York, Long of Missouri, McCarthy, Mondale, Morse, Muskie, Pastore, Pell, Proxmire, Randolph, Ribicoff, Scott, Tydings, Williams of New Jersey, and Young of Ohio, I send to the desk a bill to carry out the recommendations contained in the President's civil rights message.

Inasmuch as the minority leader has stated his objection to a request that any bill lie on the table for cosponsorship, I will not ask that this be done, although I had intended to do so.

Mr. JAVITS. Mr. President, has the Senator yet introduced the bill?

Mr. HART. I have not. I will do so now.

Mr. President, I introduce the bill and ask that it be appropriately referred.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (S. 1026) to assure nondiscrimination in Federal and State jury selection and service, to provide relief against discriminatory employment and housing practices, to prescribe penalties for certain acts of violence or intimidation, to extend the life of the U.S. Commission on Civil Rights, and for other purposes.

Mr. HART. Mr. President, I ask unanimous consent that the text of the bill and the explanation of the bill contained in the letter of the Acting Attorney General to the Vice President be printed at this point in my remarks.

There being no objection, the material was ordered to be printed in the Record, as follows:

S. 1026

A bill to assure nondiscrimination in Federal and State jury selection and service, to provide relief against discriminatory employment and housing practices, to prescribe penalties for certain acts of violence or intimidation, to extend the life of the United States Commission on Civil Rights, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Civil Rights Act of 1967."

TITLE I

Sec. 101. The analysis and sections 1861 and 1863 through 1869 of chapter 121 of title 28, United States Code, are amended to read as follows:

"CHAPTER 121—JURIES; TRIAL BY JURY

"Sec.
"1861. Declaration of policy.
"1862. Discrimination prohibited.
"1863. Jury commission.
"1864. Master jury wheel.
"1865. Drawing of names from the master jury wheel.
"1866. Qualifications for jury service.
"1867. Challenging compliance with selection procedures.
"1868. Maintenance and inspection of records.
"1869. Excuse or exclusion from jury service.
"1870. Definitions.
"1871. Fees.
"1872. Exemptions.
"1873. Challenges.
"1874. Issues of fact in Supreme Court.
"1875. Admiralty and maritime cases.
"1876. Actions on bonds and specialties.

"§ 1861. Declaration of policy

"It is the policy of the United States that all litigants in Federal courts entitled to trial by jury shall have the right to a jury selected from a cross section of the community in the district or division wherein the court convenes. It is further the policy of the United States that all qualified citizens shall have the opportunity to serve on grand and petit juries in the district courts of the United States and shall have an obligation to serve as jurors when summoned for that purpose.

"§ 1862. Discrimination prohibited

"No citizen shall be excluded from service as a grand or petit juror in the district courts of the United States on account of race, color, religion, sex, national origin, or economic status.

"§ 1863. Jury commission

"(a) There shall be a jury commission for each district court of the United States composed of the clerk of the court and a citizen appointed by the court as a jury commissioner: *Provided,* That the court may establish a separate jury commission for any division of the judicial district by appointing an additional citizen as a jury commissioner to serve with the clerk for such division. The jury commissioner shall during his tenure in office reside in the judicial district or division for which appointed, shall not belong to the same political party as the clerk serving with him, and shall receive compensation to be fixed by the chief judge of the district at a rate not to exceed $50 per day for each day necessarily employed in the performance of his duties, plus reimbursement for travel, subsistence, and other necessary expenses incurred by him in the performance of such duties.

"(b) In the performance of its duties, the jury commission shall act under the supervision of the chief judge of the district.

"§ 1864. Master jury wheel

"(a) Each jury commission shall maintain a master jury wheel and shall place in the master wheel names selected at random from the voter registration lists of persons residing in the judicial district or division it serves: *Provided,* That the judicial council of the circuit, with such advice as the chief judge of the district may offer, shall prescribe some other source or sources of names for the master wheel in addition to the voter registration lists where necessary, in the judgment of the council, to protect the rights secured by section 1862 of this title: *Provided, further,* That in the district courts for the Districts of Puerto Rico and the Canal Zone, the chief judges of such courts shall prescribe some other source or sources of names of potential jurors in lieu of voter registration lists the use of which shall be consistent with the policies declared and rights secured by sections 1861 and 1862 of this title.

"(b) The jury commission shall place in the master wheel the names of at least one-half of one per centum of the total number of persons listed on the voter registration lists for the district or division (or, if sources in addition to voter registration lists have been prescribed pursuant to subsection (a), at least one-half of one per centum of the total number of persons of voting age residing in the district or division according to the most recent decennial census): *Provided,* That in no event shall the jury commission place in the master wheel the names of fewer than one thousand persons.

"(c) The master jury wheel shall contain names of persons residing in each of the counties, parishes, or similar political subdivisions within the judicial district or division.

"(d) The chief judge of the district shall prescribe, by rule, definite and certain procedures to be followed by the jury commission in (1) making the random selection of names required by subsections (a), (b), and (c) of this section, and (2) assigning persons to grand and petit jury panels pursuant to section 1866(c) of this title.

"(e) State, local and Federal officials having custody, possession, or control of voter registration lists or other appropriate records shall make such lists and records available to the jury commission for inspection, reproduction, and copying at all reasonable times as the commission may deem necessary and proper for the performance of its duties under this title. The district courts shall have jurisdiction upon application by the Attorney General to compel compliance with this subsection by appropriate process.

"(f) The jury commission shall in accordance with this section (1) from time to time, as necessary, place additional names in the master wheel and (2) not later than July 1 of each odd-numbered year empty and refill the master wheel.

"§ 1865. Drawing of names from the master jury wheel

"(a) From time to time as necessary the jury commission shall publicly draw at random from the master jury wheel the names of as many persons as may be required for jury service, prepare an alphabetical list of the names drawn, which list shall not be disclosed to any person except pursuant to sections 1867 and 1868 of this title, and summon by certified mail the persons whose names are drawn. Each person whose name is drawn, unless he claims exemption from jury service pursuant to section 1872 of this title and subsection (b) of this section, shall appear before the clerk and fill out a juror qualification form to be prescribed by the Administrative Office of the United States Courts. The form shall elicit his name, address, age, sex, education, race, occupation, length of residence within the judicial district, prior jury service, and citizenship and whether he has any physical or mental infirmity impairing his capacity to serve as a juror, is able to read, write, speak, and understand the English language, and has been convicted in any State or Federal court of record of a crime punishable by imprisonment for more than one year and has not had his civil rights restored by pardon or amnesty. The clerk shall examine the form to determine whether it is filled out completely and responsively and shall call any omissions or apparent errors to the attention of such person who shall make such corrections or additions as may be necessary. If any person summoned is unable to fill out the form, the clerk shall do it for him and indicate on the form the fact that he has done so and the reason therefor: *Provided*, That in any district or division where the chief judge of the district with the concurrence of the judicial council of the circuit determines that the requirement of a personal appearance before the clerk to fill out a juror qualification form would entail undue hardship or undue inconvenience for persons whose names are drawn from the master wheel, the clerk shall mail to every person whose name is drawn from the master jury wheel a juror qualification form with instructions to fill out and return the form duly signed to the Clerk by mail within ten days. Any person who fails to return a juror qualification form as instructed shall be summoned by the clerk forthwith to appear before the clerk to fill out a juror qualification form: *Provided, further*, That any person who returns an executed juror qualification form to the clerk by mail and who is subsequently summoned for jury service may be required by the clerk or the court to fill out another juror qualification form.

"(b) Any person summoned pursuant to subsection (a) of this section who fails to appear as directed shall be ordered by the court forthwith to appear and show cause for his failure to comply with the summons: *Provided*, That any person summoned (or to whom a juror qualification form has been mailed by the clerk for execution) who is exempt from jury service pursuant to section 1872 of this title may state the basis for his exemption in the space provided on the summons (or juror qualification form) and return the summons (or juror qualification form) duly signed to the clerk by mail.

"(c) Any person who fails to appear pursuant to an order entered under subsection (b) of this section, or who fails to show good cause for noncompliance with a summons issued pursuant to subsection (a) of this section, or who willfully misrepresents a material fact concerning his exemption from jury service or concerning his qualifications for jury service on a summons or juror qualification form for the purpose of avoiding service as a juror shall be fined not more than $100 or imprisoned not more than three days, or both.

§ 1866. Qualifications for jury service

"(a) The jury commission shall determine solely on the basis of information provided on the juror qualification form or the returned summons whether a person is qualified for or exempt from jury service: *Provided*, That such determination shall be made by the court if other objective evidence obtained by the jury commission indicates that a person is not qualified pursuant to subparagraphs (1), (3), or (4) of subsection (b) hereof. The jury commission shall enter such determination in the space provided on the juror qualification form and the alphabetical list of names drawn from the master jury wheel. If a person did not appear in response to a summons, such fact shall be noted on said list. Whenever a person is determined to be not qualified for jury service, the jury commission shall note on the space provided on the juror qualification form the specific ground of disqualification.

"(b) In making such determination the jury commission or the court shall deem any person qualified to serve on grand and petit juries in the district court unless he—

"(1) is not a citizen of the United States, twenty-one years old who has resided for a period of one year within the judicial district;

"(2) is unable to read, write, speak, and understand the English language;

"(3) is incapable, by reason of mental or physical infirmity, to render efficient jury service; or

"(4) has been convicted in a State or Federal court of record of a crime punishable by imprisonment for more than one year and his civil rights have not been restored by pardon or amnesty.

"(c) The jury commission shall maintain a qualified juror wheel and shall place in such wheel names of persons determined to be qualified as jurors. From time to time, when ordered by the court, the jury commission shall publicly draw from the qualified juror wheel such number of names of persons as may be required for assignment to grand and petit jury panels. The jury commission or the clerk shall assign persons to grand or petit jury panels in accordance with the procedures prescribed pursuant to section 1864(d) of this title and prepare a separate list of names of persons assigned to each grand and petit jury panel.

"(d) When the jury commission has drawn the names of persons from the qualified juror wheel pursuant to subsection (c), the clerk shall issue summons for the required number of jurors and deliver them to the marshal for service. Each person drawn for jury service may be served personally or by registered or certified mail addressed to such person at his usual residence or business address. Such service shall be made by the marshal who shall attach to his return the addressee's receipt for the registered or certified summons, where service is made by mail.

"§ 1867. Challenging compliance with selection procedures

"(a) In criminal cases, before the petit jury is empanelled and sworn, the defendant may move to dismiss the indictment against him on the ground of substantial failure to comply with section 1864, 1865, or 1866 of this title in selecting the grand jury. If the court determines that there has been a substantial failure so to comply, the court shall dismiss the indictment.

"(b) In criminal cases, before the petit jury is empanelled and sworn, the defendant or the Attorney General may move to stay the proceedings on the ground of substantial failure to comply with sections 1864, 1865, or 1866 of this title in selecting the petit jury. If the court determines that there has been a substantial failure so to comply, the court shall stay the proceedings pending the selection of a petit jury in conformity with this title.

"(c) In civil cases, before the jury is empanelled and sworn, any party may move to stay the proceedings on the ground of substantial failure to comply with sections 1864, 1865, or 1866 of this title in selecting the petit jury. If the court determines that there has been a substantial failure so to comply, the court shall stay the proceedings pending the selection of a jury in conformity with this title.

"(d) Upon motions filed under subsections (a), (b), or (c) of this section, the moving party shall be entitled to present in support of such motion the testimony of the jury commission together with other evidence and where there is evidence that there has been a failure to comply with sections 1864, 1865, or 1866, any relevant records and papers used by the jury commission in the performance of its duties which are not public or otherwise available.

"(e) The procedures prescribed by this section shall be the exclusive means by which a person accused of a Federal crime, the Attorney General, or a party in a civil case may challenge any jury in his case on the ground that such jury was not selected in conformity with sections 1864, 1865, or 1866 of this title. Nothing in this section shall preclude any person or the United States from pursuing any other remedy, civil or criminal, which may be available for the vindication or enforcement of any law prohibiting discrimination on account of race, color, religion, sex, national origin, or economic status in the selection of persons for service on grand or petit juries.

"(e) The contents of any records or papers produced pursuant to subsection (a), (b), or (c) of this section shall not be disclosed, except as may be necessary in the preparation or presentation of the motion, until after the master jury wheel has been emptied and refilled pursuant to section 1864(f) of this title and all persons selected to serve as jurors before the master wheel was emptied have completed such service: *Provided*, That the parties in a case shall be allowed to inspect, reproduce, and copy such records or papers at all reasonable times during the pendency of the motion.

"§ 1868. Maintenance and inspection of records

"After the master jury wheel is emptied and refilled pursuant to section 1864(f) of this title, and after all persons selected to serve as jurors before the master wheel was emptied have completed such service, all of the records and papers complied and maintained by the jury commission before the master wheel was emptied shall be preserved by the commission in the custody of the clerk for four years or for such longer period as may be ordered by a court and shall be available for public inspection. Prior to the expiration of the four-year period, the jury commission shall not disclose the contents of such records or papers to any person except (1) as provided in section 1867 of this title and in section 3432 of title 18, United States Code, (2) the court, or (3) the Administrative Office of the United States courts.

"§ 1869. Excuse or exclusion from jury service

"(a) Except as provided in section 1872 of this title, no person or class of persons shall be excluded, excused, or exempt from service as jurors: *Provided*, That any person summoned for jury service may be (1) excused by the court for not more than six months at a time upon a showing of undue hardship or extreme inconvenience, or (2) excluded by the court upon a finding that such person may be unable to render impartial jury service or that his service as a juror would disrupt the proceedings, or (3) excluded upon peremptory challenge as provided by law, or (4) excluded upon a challenge by any party or sua sponte and a subsequent determination by the court that such person is unable to fill out the juror qualification form or is otherwise not qualified for jury service pursuant to section 1866(b) (1), (3), or (4). Whenever a person is excused or excluded from jury service, the clerk shall note in the space provided on his juror qualification form the specific ground of excuse or exclusion.

"(b) In any two-year period, no person shall be required to (1) serve or attend court for prospective service as a petit juror for more than thirty calendar days, except when necessary to complete service in a particular case, or (2) serve on more than one grand jury, or (3) serve as both a grand and petit juror.

"§ 1870. Definitions

"For purposes of this chapter—

"(a) 'clerk' and 'clerk of the court' shall mean the clerk of the United States district court or any deputy clerk.

"(b) 'voter registration lists' shall mean the official records maintained by State or local election officials of persons registered to vote in the most recent general election for candidates for Federal office or, in the case of a State or political subdivision thereof which does not require registration as a prerequisite to voting, such other official lists of persons qualified to vote in such election. With respect to the district courts for the districts of Guam and the Virgin Islands, 'voter registration lists' shall mean the official records maintained by territorial election officials of persons registered to vote in the most recent territorial general election. The term shall also include the list of eligible voters maintained by any Federal examiner pursuant to the Voting Rights Act of 1965 where the names on such list have not been included on the lists maintained by the appropriate State or local officials.

"(c) 'division' shall mean one or more divisions of a judicial district established by statute, and, in judicial districts where no divisions are established by statute, shall mean such counties, parishes, or similar political subdivisions surrounding the places where court is held as the chief judge of the district shall determine: *Provided*, That each county, parish, or similar political subdivision in such districts shall be included in one division.

"(d) 'district court of the United States', 'district court,' and 'court' shall mean courts constituted under chapter 5 of title 28 United States Code, section 22 of the Organic Act of Guam, as amended (64 Stat. 389; 48 U.S.C. 1424), section 21 of the Revised Organic Act of the Virgin Islands (68 Stat. 506; 48 U.S.C. 1611), and section 1 of title 3, Canal Zone Code: *Provided*, That for purposes of sections 1861, 1862, 1867, and 1869 of this chapter, these terms shall include the District of Columbia Court of General Sessions and the Juvenile Court of the District of Columbia."

Fees

SEC. 102. (a) Section 1871 of title 28, United States Code, is amended by substituting "$20" for "$10" and "$25" for "$14" in the second paragraph, "$16" for "$10" in the third paragraph and "$20" for "$10" in the fourth paragraph, and by substituting in the third paragraph "10 cents per mile, plus the amount expended for toll roads and toll bridges" for "10 cents per mile", in the two instances such language occurs, and by adding two new paragraph as follows:

"Grand and petit jurors in the district courts for the Districts of Guam and the Canal Zone shall receive the same fees and allowances provided in this section for grand and petit jurors in other district courts of the United States.

"Persons summoned to appear before the clerk to fill out a juror qualification form pursuant to section 1865(a) of this title shall receive the same fees and travel allowances provided in this section for jury service."

(b) Section 1821 of title 28, United States Code, is amended by substituting "$20" for "$4", "10 cents" for "8 cents" and "$16" for "$8", and by adding a new paragraph as follows:

"Witnesses in the district courts for the districts of the Canal Zone, Guam and the Virgin Islands shall receive the same fees and allowances provided in this section for witnesses in other district courts of the United States.

Amendment and repeal

SEC. 103. (a) Sections 1862, 1870, 1872, 1873, and 1874 of title 28, United States Code, are renumbered as sections 1872, 1873, 1874, 1875, and 1876, respectively, of that title.

(b) Sections 13-701, 11-2301 through 2305 (except the last paragraph of section 11-2302), 11-2307 through 2312 and 7-213a of the District of Columbia Code are repealed.

(c) Except for the last paragraph of subsection (a), section 11-2306 of the District of Columbia Code is repealed and a new subsection (b) is added to the section as follows: "(b) The jury commission for the district court for the District of Columbia shall draw from the qualified jury wheel from time to time as may be required the names of persons to serve as jurors in the District of Columbia court of general sessions and the juvenile court of the District of Columbia and such persons shall be assigned to jury panels in the general sessions and juvenile courts as those courts shall direct."

(d) Section 16-1312 of the District of Columbia Code is amended by substituting "section 1866 of title 28, United States Code" for "section 11-2301, and who, in addition, are owners of real property in the District" in subsection (a)(1) and by substituting "chapter 121 of title 28, United States Code," for "chapter 23 of title II" in subsection (c).

(e) Section 16-1357 of the District of Columbia Code is amended by striking out the phrase "are real property holders in the District and."

(f) Section 7-318 of the District of Columbia Code is amended by striking out the words "and five dollars per day for each juror for the services of each when actually employed".

(g) Section 22-1414 of the District of Columbia Code is amended by inserting the words "or wheel" immediately following the word "box" each time it appears therein.

(h) Section 44 of the Act of March 2, 1917, to provide a civil government for Puerto Rico (39 Stat. 966; 48 U.S.C. 867) and sections 471 and 472(b) of title 3, sections 452, 453, and 2526(a) of title 5, and sections 4093 through 4106 and 4108 through 4117 of title 6, Canal Zone Code, are repealed. Subsections (b), (c), and (d) of section 2562 of title 5, Canal Zone Code, are redesignated as subsections (a), (b), and (c) thereof.

Effective date

SEC. 104. Sections 101 and 103 of this title shall become effective one hundred and eighty days after the date of enactment: *Provided*, That such sections shall not apply in any case in which an indictment has been returned or petit jury empanelled prior to such effective date.

TITLE II

Discrimination prohibited

SEC. 201. It shall be unlawful to make any distinction on account of race, color, religion, sex, national origin or economic status in the qualifications for service, and in the selection, of any person to serve on grand or petit juries in any State court.

Suits by the Attorney General

SEC. 202. (a) Whenever there are reasonable grounds to believe that any person has engaged or is about to engage in any act or practice which would deny or abridge any right secured by section 201 of this title, the Attorney General is authorized, after giving notice of such denial or abridgment to the appropriate State officials, and after certifying that he is satisfied that such authorities have had reasonable time to adjust the conditions alleged in such notice, to institute for the United States, or in the name of the United States, a civil action or other proper proceeding for preventive relief, including an application for an injunction, restraining order, or other order against a State, any political subdivision thereof, or any official of such State or political subdivision. In any proceeding hereunder, the United States shall be liable for costs the same as a private person.

(b) The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this title and shall exercise the same without regard to whether any aggrieved person shall have exhausted any administrative or other remedies that may be provided by law. Any action pursuant to this section shall be in every way expedited.

Appropriate relief

SEC. 203. If in any proceeding instituted pursuant to this title or any other law authorizing proceedings for injunctive relief, the district court finds that any right secured by section 201 has been denied or abridged, it may, in addition to any other relief, enter an order, effective for such period of time as may be appropriate—

(a) Prohibiting or suspending the use of any qualification for jury service or any basis for excuse, exemption, or exclusion from jury service which—

(1) violates or has been applied in violation of section 201 of this title, or

(2) is so subjective as to vest in jury officials undue discretion to determine whether any person has satisfied such qualification or whether a basis exists for excusing, exempting, or excluding any person from jury service;

(b) Requiring the use of objective criteria to determine whether any person has satisfied any qualification for jury service or whether a basis exists for excusing, exempting, or excluding any person from jury service;

(c) Requiring maintenance of such records or additional records as may be necessary to permit a determination thereafter whether any right secured by section 201 has been denied or abridged; or

(d) Appointing a master to perform such duties of the jury officials as may be necessary to assure that the rights secured by section 201 of this title are not denied or abridged.

Discovery of evidence

SEC. 204. In any proceeding instituted pursuant to section 202 of this title or section 1983 of title 42 of the United States Code, or in any civil or criminal proceeding in any State court prior to the introduction of any evidence at trial, or in any habeas corpus, coram nobis, or other collateral proceeding in any court with respect to a judgment of conviction entered after the effective date of this title, wherein it is asserted that any right secured by section 201 of this title has been denied or abridged—

(a) The appropriate State or local officials shall furnish a written statement of jury selection information subscribed to under oath which shall contain a detailed description of the following:

(1) the nature and location of the sources from which names were obtained for inclusion in the wheel, box, or similar device;

(2) the methods used and the procedures followed in selecting names from the sources referred to in subdivision (1) of this subsection for inclusion in the wheel, box, or similar device;

(3) the methods used for selecting names of prospective jurors from the wheel, box, or similar device for testing or otherwise demonstrating their qualifications for jury service;

(4) the qualifications, tests, standards, criteria, and procedures used in determining whether prospective jurors are qualified to serve as jurors;

(5) the methods used for summoning or otherwise calling persons for jury service and assigning such persons to grand and petit jury panels;

(6) with respect to State courts to which subsection 205(b) of this title applies, the number and race of persons who, during the preceding two-year period or, if the claim hereunder is filed within two years following the effective date of this title, during the period since the effective date of this title, (A) (i) have appeared for the purpose of testing their qualifications to serve as jurors, (ii) have appeared in response to a summons to serve as a juror, (iii) have been determined to be qualified to serve as jurors, (iv) have been assigned to a grand or petit jury panel, and (v) have served on a grand or petit jury, and (B) have been peremptorily challenged in criminal cases and whether the challenge was made by the prosecution or the defense.

(b) The statement of jury selection information shall be filed with the clerk of the court in which the proceeding is pending, and a copy thereof shall be served upon the attorney for the complaining party. The statement of jury selection information shall constitute evidence on the question whether any right secured by section 201 of this title has been denied or abridged: *Provided*, That the complaining party shall be entitled to cross-examine any person having knowledge of relevant facts concerning the information to be contained in such statement and to present in addition the testimony of the jury officials, together with any other evidence, and, where there is evidence of a denial or abridgment of a right secured by section 201 of this title, any relevant records and papers used by jury officials in the performance of their duties which are not public or otherwise available.

(c) If the court determines (1) that there is probable cause to believe that any right secured by section 201 of this title has been denied or abridged and (2) that the records and papers maintained by the State are not sufficient to permit a determination whether such denial or abridgment has occurred, it shall be the responsibility of the appropriate State or local officials to produce additional evidence demonstrating that such denial or abridgment did not occur. When such evidence is not otherwise available, the State shall use such process of the court as may be necessary in order to produce the evidence, including the right to subpoena witnesses.

(d) The court may direct that the contents of any records or papers produced pursuant to subsection (b) of this section shall not be disclosed (except as may be necessary in the preparation and presentation of the case) during such period of time as such records and papers are not available for public inspection under State law: *Provided*, That parties to the proceeding shall be allowed to inspect, reproduce, and copy such records and papers at all reasonable times during the pendency of the cases, and that disclosure of the contents of such records and papers by the Attorney General and his representatives shall be governed by subsection (b) of section 205 of this title.

Preservation and inspection of records

SEC. 205. (a) The jury officials in all State courts shall preserve the records and papers prepared or obtained in the performance of their duties for four years after the completion of service by all persons whose consideration for service as jurors was the subject of such records and papers. Any person, whether or not a jury official, who willfully steals, destroys, conceals, mutilates, or alters any record or paper required by this subsection to be preserved shall be fined not more than $1,000 or imprisoned not more than one year, or both.

(b) The jury officials in State courts having over a political subdivision or subdivisions in which 10 per centum or more of the population is non-white according to the most recent decennial census shall (1) record on an appropriate record or paper the race of each person who (A) appears for the purpose of testing his qualifications to serve as a juror, (B) appears in response to a summons to serve as a juror, (C) is determined to be qualified to serve as a juror, (D) is assigned to a grand or petit jury panel, or (E) serves on a grand or petit jury, and (2) maintain a record of every person who is peremptorily challenged in any criminal case and of whether the challenge was made by the prosecution or the defense.

(c) Any record or paper required by this section to be preserved shall, upon demand in writing by the Attorney General or his representative directed to the person having custody, possession, or control of such record or paper, be made available for inspection, reproduction, and copying by the Attorney General or his representative. During such period of time as such records and papers are not available for public inspection under State law, unless otherwise ordered by a court of the United States, neither the Attorney General nor any employee of the Department of Justice, nor any other representative of the Attorney General, shall disclose the contents of any record or paper produced pursuant to this title except to Congress and any committee thereof, governmental agencies, and in the preparation and presentation of any case or proceeding before any court or grand jury. The United States district court for the district in which a record or paper so demanded is located, shall have jurisdiction by appropriate process to compel the production of such record or paper.

Definitions

SEC. 206. For purposes of this title—

(a) "State court" shall mean any court of any State, county, parish, city, town, municipality or other political subdivision of any State;

(b) "jury official" shall mean any person or group of persons, including judicial officers, who select, summon, or impanel persons to serve as grand or petit jurors in any State court;

(c) "wheel, box, or similar device" shall include a file, list, or other compilation of names of persons prepared by a jury official;

(d) "political subdivision' shall mean any county, parish, city, town, municipality, or other territorial subdivision of a State.

Effect of existing laws

SEC. 207. The remedies provided in this title shall not preclude any person, the United States, or any State or local agency from pursuing any other remedy, civil or criminal, which may be available for the vindication or enforcement of any law prohibiting discrimination on account of race, color, religion, sex, national origin, or economic status in the selection of persons for service on grand or petit juries in any State court.

Effective date

SEC. 208. This title shall become effective one hundred and eighty days after the date of its enactment; *Provided*, That the provisions of this title shall not apply in any case in which an indictment has been returned or a petit jury empanelled prior to such effective date.

TITLE III

SEC. 301. Section 706 of the Civil Rights Act of 1964 (78 Stat. 259; 42 U.S.C. 2000e–5) is amended to read as follows:

"(a) The Commission is empowered, as hereinafter provided, to prevent any person from engaging in any unlawful employment practice as set forth in sections 703 or 704 of this title.

"(b) Whenever it is charged by a person claiming to be aggrieved, or a charge has been filed by a member of the Commission where he has reasonable cause to believe a violation of this title has occurred, that an employer, employment agency, or labor organization has engaged in an unlawful employment practice, the Commission shall notify such employer, employment agency, or labor organization (hereinafter referred to as the 'respondent') of such charge and shall make an investigation thereof. Charges shall be in writing and shall contain such information and be in such form as the Commission requires. Charges shall not be made public by the Commission. If the Commission determines after such investigation that there is reasonable cause to believe that the charge is true, the Commission shall endeavor to eliminate any such alleged unlawful employment practice by informal methods of conference, conciliation, and persuasion. Nothing said or done during and as a part of such informal endeavors may be made public by the Commission or used as evidence in a subsequent proceeding without the written consent of the persons concerned. Any officer or employee of the Commission who shall make public in any manner whatever any information in violation of this subsection shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than $1,000 or imprisoned not more one year.

"(c) In the case of an alleged unlawful employment practice occurring in a State, or political subdivision of a State, which has a State or local law prohibiting the unlawful employment practice alleged and establishing or authorizing a State or local authority to grant or seek relief from such practice or to institute criminal proceedings with respect thereto upon receiving notice thereof, no charge may be filed under subsection (b) by the person aggrieved before the expiration of sixty days after proceedings have been commenced under the State or local law, provided that such sixty-day period shall be extended to one hundred and twenty days during the first year after the effective date of such State or local law. If any requirement for the commencement of such proceedings is imposed by a State or local authority other than a requirement of the filing of a written and signed statement of the facts upon which the proceeding is based, the proceeding shall be deemed to have been commenced for the purposes of this subsection at the time such statement is sent by registered mail to the appropriate State or local authority.

"(d) In the case of any charge filed by a member of the Commission alleging an unlawful employment practice occurring in a State or political subdivision of a State which has a State or local law prohibiting the practice alleged and establishing or authorizing a State or local authority to grant or seek relief from such practice or to institute criminal proceedings with respect thereto upon receiving notice thereof the Commission shall, before taking any action with respect to such charge, notify the appropriate State or local officials and, upon request, afford them a reasonable time, but not less than sixty days (provided that such sixty-day period shall be extended to one hundred and twenty days during the first year after the effective day of such State or local law), unless a shorter period is requested, to act under such State or local law to remedy the practice alleged.

"(e) A charge under subsection (b) shall be filed within one hundred and eighty days after the alleged unlawful employment practice occurred, except that in the case of an unlawful employment practice with respect to which the person aggrieved has followed the procedure set out in subsection (c), such charge shall be filed by the person aggrieved within two hundred and ten days after the alleged unlawful employment practice occurred, or within thirty days after receiving notice that the State or local agency has terminated the proceedings under the State or local law, whichever is earlier, and a copy of such charge shall be filed by the Commission with the State or local agency.

"(f) If the Commission determines after attempting to secure voluntary compliance under subsection (b) that further efforts are unwarranted, which determination shall not be reviewable in any court, the Commission shall issue and cause to be served upon the respondent a complaint stating the facts upon which the allegation of the unlawful employment practice is based, together with a notice of hearing before the Commission, or a member or agent thereof. Related proceedings may be consolidated for hearing.

"(g) A respondent may file an answer to the complaint against him and with the leave of the Commission, which shall be granted whenever it is reasonable and fair to do so, may amend his answer at any time. Respondents shall be parties and may appear at any stage of the proceedings, with or without counsel. Persons aggrieved may submit briefs or other written submissions on each occasion when such are permitted or directed, may be present to observe at any stage of the proceedings, with or without counsel, and may appeal or petition for review to the same extent as a party, but without the permission of the Commission persons aggrieved may not otherwise participate in the proceedings. The Commission may grant such other persons a right to intervene as respondents or persons aggrieved or to file briefs or make oral arguments as amicus curiae or for other purposes, as it considers appropriate. All testimony shall be taken under oath and shall be reduced to writing.

"(h) If the Commission finds that the respondent has engaged in an unlawful employment practice, the Commission shall state its findings of fact and shall issue and cause to be served on the respondent and the person or persons aggrieved by such unlawful employment practice an order requiring the respondent to cease and desist from such unlawful employment practice and to take such affirmative action, including reinstatement or hiring of employees, with or without backpay (payable by the employer, employment agency, or labor organization, as the case may be, responsible for the unlawful employment practice), as will effectuate the policies of this title: *Provided,* That interim earnings or amounts earnable with reasonable diligence by the aggrieved person or persons shall operate to reduce the backpay otherwise allowable. Such order may further require such respondent to make reports from time to time showing the extent to which he has complied with the order. If the Commission finds that the respondent has not engaged in any unlawful employment practice, the Commission shall state its findings of fact and shall issue and cause to be served on the respondent and the person or persons alleged in the complaint to be aggrieved an order dismissing the complaint.

"(i) After a complaint has been issued and until the record has been filed in court as hereinafter provided, the proceeding may at any time be ended by agreement between the Commission and the respondent for the elimination of the alleged unlawful employment practice, approved by the Commission, and the Commission may at any time, upon reasonable notice, modify or set aside, in whole or in part, any finding or order made or issued by it.

"(j) Findings of fact and orders made or issued under subsections (h) or (i) of this section shall be determined on the record.

"(k) The Commission may petition any United States court of appeals wherein the unlawful employment practice occurred, or wherein the respondent resides or transacts business, for enforcement of its order. The Commission shall, within 30 days after filing such petition, file in the court of appeals certified copies of the record in the proceedings before the Commission and the findings and order of the Commission. Upon timely application, the court may permit any interested person to intervene in the proceeding. Upon such filing, the court shall conduct further proceedings in conformity with sections 701–706 of title 5, United States Code, and shall cause notice thereof to be served upon the respondent and thereupon shall have jurisdiction of the proceeding and shall have power to grant such temporary relief, restraining order, or other order as it deems just and proper and to make and enter upon the record a decree enforcing, modifying and enforcing as so modified, or setting aside in whole or in part the order of the Commission. No objection that has not been urged before the Commission, its member, or agent shall be considered by the court, unless the failure or neglect to urge such objection shall be excused because of extraordinary circumstances. The findings of the Commission with respect to questions of fact if supported by substantial evidence shall be conclusive. If either party shall apply to the court for leave to adduce additional evidence and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the hearing before the Commission, its member, or agent, the court may order such additional evidence to be taken before the Commission, its member, or agent, and to be made a part of the record. The Commission may modify its findings as to the facts, or make new findings, by reason of additional evidence so taken, and it shall file with the reviewing court such modified or new findings, which findings with respect to questions of fact if supported by substantial evidence on the record considered as a whole shall be conclusive, and its recommendations, if any, for the modification or setting aside of its original order. The jurisdiction of the court shall be exclusive and its judgment and decree shall be final, except that the same shall be subject to review by the Supreme Court of the United States as provided in title 28, United States Code, section 1254. Petitions filed under this subsection shall be heard expeditiously.

"(l) Any respondent or person aggrieved by a final order of the Commission granting or denying, in whole or in part, the relief sought may obtain a review of such order in any United States court of appeals of the judicial circuit wherein the unlawful employment practice was alleged to have been engaged in or wherein such person resides or transacts business or the Court of Appeals for the District of Columbia, by filing in such court a petition praying that the order of the Commission be modified or set aside. A copy of such petition shall be forthwith served upon the Commission and thereupon the Commission shall file in the court certified copies of the record of the proceedings before the Commission and the findings and order of the Commission. Upon timely application the court may permit any interested person to intervene in the proceeding. The commencement of proceedings under this subsection shall not, unless ordered by the court, operate as a stay of the order of the Commission. Upon such filing, the court shall proceed in the same manner as in the case of an application by the Commission under subsection (k), the findings of the Commission with respect to questions of fact if supported by substantial evidence shall be conclusive, and the court shall have the same jurisdiction to grant to the petitioners or to the Commission such temporary relief, restraining order, or other order as it deems just and proper, and in like manner to make and enter a decree enforcing, modifying and enforcing as so modified, or setting aside in whole or in part the order of the Commission.

"(m) The provisions of the Act entitled "An Act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes", approved March 23, 1932 (29 U.S.C. 101–115), shall not apply with respect to (1) proceedings under subsections (k) or (l) of this section, (2) proceedings under section 707 of this title, or (3) any other proceedings brought by the United States or any agency thereof to prevent discrimination in employment on account of race, color, religion, or national origin.

"(n) The Attorney General shall conduct all litigation to which the Commission is a party pursuant to this title.

"(o)(1) An aggrieved person may institute a civil action against the respondent named in the charge in the appropriate United States district court, without regard to the amount in controversy, or in any State or local court of competent jurisdiction if—

"(A) One hundred and eighty days after filing a charge the Commission has for any reason whatsoever, failed or declined to issue a complaint or has terminated proceedings (including charges with respect to which the Commission has secured voluntary compliance satisfactory to it), within sixty days thereafter, or within sixty days following receipt of notice from the Commission that it declines to issue a complaint, whichever is earlier, and provided such a complaint is not issued in the interim; or

"(B) The Commission ends the proceeding by agreement pursuant to subsection (i) of this section and the aggrieved person has not consented in writing to such agreement, within sixty days following receipt of notice of such agreement.

Upon timely application, the Commission shall have the right to intervene in actions brought pursuant to this subsection.

"(2) In civil actions brought pursuant to this subsection, the court shall give no effect to the fact that the Commission has (A) terminated proceedings with respect to the charge without issuing a complaint, of (B) failed or declined to issue a complaint for any other reason, or (C) ended the proceeding by agreement pursuant to subsection (i) of this section. If the court finds that the respondent has engaged in an unlawful employment practice, the court may enjoin the respondent from engaging in such unlawful employment practice, and order such affirmative action as may be appropriate, which may include reinstatement or hiring of employees with or without backpay (payable by the employer, employment agency, or labor organization, as the case may be, responsible for the unlawful employment practice), as will effectuate the policies of this title. Interim earnings or amounts earnable with reasonable diligence by the person or persons discriminated against shall operate to reduce the backpay otherwise allowable."

SEC. 302. Section 707 of the Civil Rights Act of 1964 (78 Stat. 261; 42 U.S.C. 2000e–6) is amended by adding a new section (c) as follows:

"(c) Any record or paper required by section 709(c) of this title to be preserved or maintained shall, upon demand in writing by the Attorney General or his representative directed to the person having custody, possession, or control of such record or paper, be made available for inspection, reproduction, and copying by the Attorney General or his representative. Unless otherwise ordered by a court of the United States, neither the Attorney General nor any employee of the Department of Justice, nor any other representative of the Attorney General, shall disclose any record or paper produced pursuant to this title, or any reproduction or copy, except to Congress and any committee thereof, governmental agencies, and in the presentation of any case or proceeding before any court or grand jury. The United States district court for the district in which a demand is made or in which a record or paper so demanded is located, shall have jurisdiction by appropriate process to compel the production of such record or paper."

SEC. 303. Section 708 of the Civil Rights Act of 1964 (78 Stat. 262; 42 U.S.C. 2000e–7) is amended by designating all of present section 708 as subsection "(a)" thereof and adding new subsections "(b)" and "(c)" as follows:

"(b) Neither the Commission nor any court acting pursuant to this title shall dismiss or stay proceedings on the ground that a charge has been filed with the National Labor Relations Board arising from the same matters.

"(c) Nothing in this title shall preclude any person from pursuing any other available remedy for the enforcement of any law prohibiting discrimination in employment on account of race, color, religion, sex, or national origin."

SEC. 304. Sections 709(b)-(d) of the Civil Rights Act of 1964 (78 Stat. 263; 42 U.S.C. 2000e-8(b)(d) are amended to read as follows:

"(b) The Commission may cooperate with State and local agencies charged with the administration of State fair employment practices laws and, with the consent of such agencies, may for the purpose of carrying out its functions and duties under this title and within the limitation of funds appropriated specifically for such purpose, engage in and contribute to the cost of research and other projects of mutual interest undertaken by such agencies, and utilize the services of such agencies and their employees and, notwithstanding any other provision of law, may pay by advance or reimbursements such agencies and their employees for services rendered to assist the Commission in carrying out this title. In furtherance of such cooperative efforts, the Commission may enter into written agreements with such State or local agencies and such agreements may include provisions under which the Commission shall refrain from processing a charge in any cases or class of cases specified in such agreements and under which no person may bring a civil action under section 706 in any cases or class of cases so specified, or under which the Commission shall relieve any person or class of persons in such State or locality from requirements imposed under this section. The Commission shall rescind any such agreement whenever it determines that the agreement no longer serves the interest of effective enforcement of this title.

"(c) Every employer, employment agency, and labor organization subject to this title shall (1) make and keep such records relevant to the determinations of whether unlawful employment practices have been or are being committed, (2) preserve such records for such periods, and (3) make such reports therefrom, as the Commission shall prescribe by regulation or order, after public hearing, as reasonable, necessary, or appropriate for the enforcement of this title or the regulation of orders thereunder. The Commission shall, by regulation, require each employer, labor organization, and joint labor-management committee subject to this title which controls an apprenticeship or other training program to maintain such records as are reasonably necessary to carry out the purpose of this title, including, but not limited to, a list of applicants who wish to participate in such program, including the chronological order in which such applicants were received, and to furnish to the Commission upon request, a detailed description of the manner in which persons are selected to participate in the apprenticeship or other training program. Any employer, employment agency, labor organization, or joint labor-management committee which believes that the application to it of any regulation or order issued under this section would result in undue hardship may apply to the Commission for an exemption from the application of such regulation or order, and, if such application for an exemption is denied, bring a civil action in the United States district court for the district where such records are kept. If the Commission or the court, as the case may be, finds that the application of the regulation or order to the employer, employment agency, or labor organization in question would impose an undue hardship, the Commission or the court, as the case may be, may grant appropriate relief.

"(d) In prescribing requirements pursuant to subsection (c) of this section, the Commission shall consult with other interested state and Federal agencies and shall endeavor to coordinate its requirements with those adopted by such agencies. The Commission shall furnish upon request and without cost to any state or local agency charged with the administration of a fair employment practice law information obtained pursuant to subsection (c) of this section from any employer, employment agency, labor organization, or joint labor-management committee subject to the jurisdiction of such agency. Such information shall be furnished on condition that it not be made public by the recipient agency prior to the institution of a proceeding under state or local law involving such information. If this condition is violated by a recipient agency, the Commission may decline to honor subsequent requests pursuant to this subsection."

"SEC. 305. Section 710 of the Civil Rights Act of 1964 (78 Stat. 264; 42 U.S.C. 2000e–9) is amended to read as follows:

"(a) In conducting an investigation the Commission shall have access at all reasonable times to premises, records, documents, individuals and other evidence or possible sources of evidence and may examine, record and copy such materials and take and record the testimony or statements of such persons as are reasonably necessary for the furtherance of the investigation. The Commission may issue subpoenas to compel access to or the production of such materials, or the appearance of such persons, and may issue interrogatories to a respondent, to the same extent and subject to the same limitations as would apply if the subpoenas or interrogatories were issued or served in aid of a civil action in the United States district court for the district in which the investigation is taking place. The Commission may administer oaths.

"(b) Upon written application to the Commission, a respondent shall be entitled to the issuance of a reasonable number of subpeonas by and in the name of the Commission to the same extent and subject to the same limitations as subpeonas issued by the Commission. Subpeonas issued at the request of a respondent shall show on their face the name and address of such respondent and shall state that they were issued at his request.

"(c) Witnesses summoned by subpoena of the Commission shall be entitled to the same witness and mileage fees as are witnesses in proceedings in United States district courts. Fees payable to a witness summoned by a subpoena issued at the request of a respondent shall be paid by him.

"(d) Within five days after service of a subpoena upon any person, such person may petition the Commission to revoke or modify the subpoena. The Commission shall grant the petition if it finds that the subpeona requires appearance or attendance at an unreasonable time or place, that it requires production of evidence which does not relate to any matter under investigation, that it does not describe with sufficient particularity the evidence to be produced, that compliance would be unduly onerous, or for other good reason.

"(e) In case of contumacy or refusal to obey a subpoena, the Commission or other person at whose request it was issued may petition for its enforcement in the United States district court for the district in which the person to whom the subpoena was addressed resides, was served or transacts business.

"(f) Any person who willfully fails or neglects to attend and testify or to answer any lawful inquiry or to produce records, documents or other evidence, if in his power to do so, in obedience to the subpoena or lawful order of the Commission, shall be fined not more than $5,000 or imprisoned not more than one year, or both. Any person who, with intent thereby to mislead the Commission, shall make or cause to be made any false entry or statement of fact in any report, account, record or other document submitted to the Commission pursuant to its subpoena or other order, or who shall willfully neglect or fail to make or cause to be made full, true and correct entries in such reports, accounts, records or other documents, or shall willfully remove out of the jurisdiction of the United States or willfully mutilate, alter or by any other means falsify any documentary evidence, shall be fined not more than $5,000 or imprisoned not more than one year, or both."

SEC. 306. Title VII of the Civil Rights Act of 1964 (78 Stat. 253; 42 U.S.C. 2000e) is further amended as follows:

(a) Add the phrase "or applicants for employment" after the phrase "his employees" in section 703(a)(2) (78 Stat. 255; 42 U.S.C. 2000e–2(a)(2)).

(b) Add the phrase "or applicants for membership" after the word "membership" in section 703(c)(2) (78 Stat. 255; 42 U.S.C. 2000e–2(c)(2)).

(c) The fourth sentence of section 705(a) shall read as follows: "The Chairman shall be responsible on behalf of the Commission for the administrative operations of the Commission, and shall appoint, in accordance with the civil service laws, such officers, agents, attorneys, hearing examiners, and employees as he deems necessary to assist it in the performance of its functions and to fix their compensation in accordance with the Classification Act of 1949, as amended: *Provided*, That assignment, removal, and compensation of hearing examiners shall be in accordance with sections 3105, 3344, 5362 and 7521 of title 5, United States Code.

(d) Add the phrase "and to accept voluntary and uncompensated services, notwithstanding the provisions of Section 3679(b) of the Revised Statutes (31 U.S.C. 665(b))" to section 705(g)(1) between the word "individuals" and the semicolon.

(e) Strike out the phrase "intervention in a civil action brought by an aggrieved party under section 706, or for" in section 705 (g)(6).

(f) Add the following subparagraph "(7)" to section 705(g):

"(7) to accept and employ or dispose of in furtherance of the purposes of this title any money or property, real, personal, or mixed, tangible or intangible, received by gift, devise, bequest, or otherwise."

(g) Add a new subsection "(c)" to section 713 as follows:

"(c) The Commission may delegate any of its functions, duties, and powers to a division of the Commission, an individual Commissioner, a hearing examiner, or an employee or employee board, including functions, duties, and powers with respect to investigating, conciliating, hearing, determining, ordering, certifying, reporting or otherwise acting as to any work, business, or matter."

(h) Strike out the phrase "section 111" and substitute therefor the phrase "sections 111 and 1114" in section 714.

(i) Repeal section 715."

TITLE IV

Policy

SEC. 401. It is the policy of the United States to prevent discrimination on account of race, color, religion or national origin in the purchase, rental, financing, and occupancy of housing throughout the United States.

Definitions

SEC. 402. As used in this Title—

(a) "Secretary" means the Secretary of Housing and Urban Development.

(b) "Dwelling" means any building, structure or portion thereof which is occupied as, or designed or intended for occupancy as, a residence by one or more families, and any vacant land which is offered for sale or lease for the construction or location thereon of any such building, structure or portion thereof.

(c) "Family" includes a single individual.

(d) "To rent" includes to lease, to sublease, to let and otherwise to grant for a consideration the right to occupy premises not owned by the occupant.

(e) "Discriminatory housing practice" means an act that is unlawful under section 404, 405, 406 or 407.

(f) "State" means any of the several states, the District of Columbia, the Commonwealth of Puerto Rico, or any of the territories and possessions of the United States.

Effective dates of certain prohibitions

SEC. 403. Except as exempted by section 408, the prohibitions against discrimination in the sale or rental of housing set forth in section 404 shall apply—

(a) Upon enactment of this Title, to—

(1) Dwellings owned or operated by the Federal Government;

(2) Dwellings provided in whole or in part with the aid of loans, advances, grants or contributions made by the Federal Government, under agreements entered into after November 20, 1962;

(3) Dwellings provided in whole or in part by loans insured, guaranteed or otherwise secured by the credit of the Federal Government, under agreements entered into after November 20, 1962; and

(4) Dwellings provided by the development or the redevelopment of real property purchased, rented or otherwise obtained from a State or local public agency receiving Federal financial assistance for slum clearance or urban renewal with respect to such real property under loan or grant contracts entered into after November 20, 1962.

(b) After December 31, 1967, to—

(1) Dwellings included within subsection (a);

(2) Dwellings no parts of which are occupied by their owners as residences prior to the particular sales or rentals involved; and

(3) Dwellings designed or intended for occupancy by, or occupied by, five or more families.

(c) After December 31, 1968, to all dwellings.

Discrimination in the sale or rental of *housing*

SEC. 404. As made applicable by section 403 and except as exempted by section 408, it shall be unlawful—

(a) To refuse to sell or rent, to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, color, religion or national origin.

(b) To discriminate against any person in the terms, conditions or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race, color, religion or national origin.

(c) To make, print or publish, or cause to be made, printed or published any oral or written notice, statement or advertisement, with respect to the sale or rental of a dwelling that indicates any preference, limitation or discrimination based on race, color, religion or national origin, or an intention to make any such preference, limitation or discrimination.

(d) To represent to any person because of race, color, religion or national origin that any dwelling is not available for inspection, sale or rental when such dwelling is in fact so available.

(e) For profit, to induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, color, religion or national origin.

Discrimination in the financing of housing

SEC. 405. After December 31, 1967, it shall be unlawful to deny a loan to a person applying therefor for the purpose of purchasing, constructing, improving, repairing or maintaining a dwelling, or to discriminate against him in the fixing of the amount, interest rate, duration or other terms or conditions of such a loan, because of the race, color, religion or national origin of such person or of any person associated with him in connection with such a loan or the purposes of such a loan or of the present or prospective owners, lessees, tenants or occupants of the dwelling or dwellings in relation to which such a loan is to be made.

Discrimination in the provision of brokerage services

SEC. 406. After December 31, 1967, it shall be unlawful to deny any person access to or membership or participation in any multiple-listing service, real estate brokers' organization or other service, organization or facility relating to the business of selling or renting dwellings, or to discriminate against him in the terms or conditions of such access, membership or participation, on account of race, color, religion, or national origin.

Interference, coercion, or intimidation

SEC. 407. It shall be unlawful to coerce, intimidate, threaten or interfere with any person in the exercise or enjoyment of, or on account of his having exercised or enjoyed, or on account of his having aided or encouraged any other person in the exercise or enjoyment of, any right granted or protetced by section 404, 405 or 406.

Exemption

SEC. 408. Nothing in this Title shall prohibit a religious organization, association or society, or any nonprofit institution or organization operated, supervised or controlled by or in conjunction with a religious organization, association, or society, from limiting the sale, rental or occupancy of dwellings which it owns or operates for other than commercial purpose to persons of the same religion, or from giving preference to such persons, unless membership in such religion is restricted on account of race, color or national origin.

Administration

SEC. 409. (a) The authority and responsibility for administering this Title shall be in the Secretary of Housing and Urban Development.

(b) The Department of Housing and Urban Development shall be provided an additional assistant secretary. The Department of Housing and Urban Development Act, Public Law 89-174, 79 Stat. 667, is hereby amended by—

(1) Striking the word, "four," in section 4(a) of said act, 79 Stat. 668, (5 U.S.C. 624b (a)) and substituting therefor, "five," and

(2) Striking the word, "six," in section 7 of said act, 79 Stat. 669 (5 U.S.C. 624d(c)) and substituting therefor, "seven."

(c) The Secretary may delegate any of his functions, duties and powers to employees of the Department of Housing and Urban Development or to boards of such employees including functions, duties and powers with respect to investigating, conciliating, hearing, determining, ordering, certifying, reporting or otherwise acting as to any work, business or matter under this Title. The persons to whom such delegations are made with respect to hearing functions, duties and powers shall be appointed and shall serve in the Department of Housing and Urban Development in compliance with sections 3105, 3344, 5362 and 7521 of title 5 of the United States Code. Insofar as possible, initial hearings shall be held in the cities or other localities where the discriminatory housing practices allegedly occurred. The Secretary shall by rule prescribe such rights of appeal from the decisions of his hearing examiners to other hearing examiners or to other officers in the Department, to boards of officers or to himself, as shall be appropriate and in accordance with law.

(d) All executive departments and agencies shall administer their programs and activities relating to housing and urban development in a manner affirmatively to further the purposes of this Title and shall cooperate with the Secretary to further such purposes.

(e) The Secretary shall conduct such investigations, make such surveys and studies, issue such reports, establish such policies, standards, criteria and procedures and prescribe such rules, regulations and forms as in his judgment are necessary or appropriate to further the purposes of this Title.

Education and conciliation

SEC. 410. (a) Immediately after the enactment of this Title the Secretary shall commence such educational and conciliatory activities as in his judgment will further the purposes of this Title. He shall call conferences of persons in the housing industry and other interested parties to acquaint them with the provisions of this Title and his suggested means of implementing it, and shall endeavor with their advice to work out programs of voluntary compliance and of enforcement. He may pay *per diem*, travel and transportation expenses for persons attending such conferences as provided in section 5703 of title 5 of the United States Code. He shall consult with State and local officials and other interested parties to learn the extent, if any, to which housing discrimination exists in their State or locality, and whether and how State or local enforcement programs might be utilized to combat such discrimination in connection with, or in place of, the Secretary's enforcement of this Title. The Secretary shall issue reports on such conferences and consultations as he deems appropriate.

(b) In any case in which he holds hearings and issues orders, or in which he contemplates doing so, the Secretary shall first endeavor to eliminate the alleged discriminatory housing practices by informal methods of conference, conciliation and persuasion. Nothing said or done in the course of such informal endeavors may be made public or used as evidence in a subsequent proceeding under this Title, without the written consent of the persons concerned. Any employee of the Secretary who shall make public any information in violation of this provision shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than $1000 or imprisoned not more than one year.

Enforcement

SEC. 411. (a) The Secretary is empowered, as hereinafter provided, to prevent any person from engaging in any discriminatory housing practice. Any person who claims to have been injured by a discriminatory housing practice or who believes that he will be irrevocably injured by a discriminatory housing practice that is about to occur (hereafter, "person aggrieved") may file a charge with the Secretary. Charges shall be in writing and shall contain such information and be in such form as the Secretary requires. Within thirty days after receiving a charge the Secretary shall investigate it and give notice in writing to the person aggrieved whether he intends to resolve it. If the Secretary decides to resolve the charge, he shall proceed to try to eliminate or correct the alleged unfair housing practice by informal methods of conference, conciliation and persuasion If the Secretary declines to resolve a charge, or if he fails to give notice of whether he intends to resolve it within thirty days as prescribed, or if he is able to settle a charge by informal methods of conference, conciliation and persuasion but the person aggrieved does not consent in writing to the terms of such settlement, the person aggrieved may commence an action in any United States district court or state or local court of competent jurisdiction to enforce the rights granted or protected by this Title, insofar as such rights relate to the subject of the charge. Such actions may be brought in United States district courts without regard to the amount in controversy. Courts shall decide such actions without regard to the fact that the Secretary may have declined to resolve the charges to which they relate or failed to give timely notice of his intent to resolve them, or that he may have settled a charge with the respondent but failed to obtain the written consent of the person aggrieved.

(b) If the Secretary determines after trying to settle a charge by informal methods of conference, conciliation and persuasion that further efforts are unwarranted, which determination shall not be reviewable in any court, he shall issue a complaint and promptly serve a copy of the complaint on the person or persons who allegedly committed or are about to commit the discriminatory housing practices concerned (hereafter, "the respondents") and shall also furnish a copy to the person or persons aggrieved. The Secretary may also issue complaints without a charge having been filed, if from his own investigation he has reason to believe that a discriminatory housing practice has occurred or is about to occur. No alleged discriminatory housing practice shall be made the subject of a complaint or of a civil action issued or commenced under this subsection more than 180 days after the alleged practice has occurred, except that a civil action may be commenced with respect to the subject of an informally settled charge to which the person aggrieved did not consent in writing within 60 days of such person having received notice of the terms of such settlement.

(c) Complaints shall be in writing and shall state the facts upon which the allegations of a discriminatory housing practice or practices are based and when and where a hearing on such allegations is scheduled to take place. Related proceedings may be consolidated for hearing. Complaints may be reasonably and fairly amended at any time. After the respondents have been given reasonable notice and an opportunity to be heard, the Secretary shall state his findings of fact and, if he finds that no discriminatory housing practices have occurred, shall issue an order dismissing the complaint, or if he finds that discriminatory housing practices have occurred or are about to occur, shall issue an order requiring the respondent to cease and desist such practices and to take such affirmative action as will effectuate the policies of this title. Such orders may require a respondent to make reports from time to time showing the extent to which he has complied with an order. Findings of fact and orders made or issued under this subsection shall be determined on the record.

(d) At any time after a complaint is issued the Secretary may issue a temporary order restraining the respondent from doing any act that would tend to render ineffectual a final order that the Secretary might issue. Temporary orders may extend beyond ten days only if the respondent is first given reasonable notice and an opportunity to be heard. The Secretary may condition the issuance of a temporary order upon the posting of a bond by the person or persons seeking protection from discrimination, with such sureties, if any, as the Secretary considers necessary.

(e) A respondent may file an answer to the complaint against him and with the leave of the Secretary, which shall be granted whenever it would be reasonable and fair to do so, may amend his answer at any time. Respondents shall be parties and may appear at any stage of the proceedings, with or without counsel. Persons aggrieved may submit briefs or other written submissions on each occasion when such are permitted or directed, may be present to observe at any stage of the proceedings, with or without counsel, and may appeal or petition for review to the same extent as a party, but without the permission of the Secretary persons aggrieved may not otherwise participate in the proceedings. The Secretary may grant such other persons a right to intervene as respondents or persons aggrieved or to file briefs or make oral arguments as amicus curiae or for other purposes, as he considers appropriate.

(f) Hearings shall be on the record. All testimony shall be taken under oath. Hearings shall be open to the public unless the respondent and the Secretary agree that they be private.

Investigations; subpoenas; giving of evidence

SEC. 412. (a) In conducting an investigation the Secretary shall have access at all reasonable times to premises, records, documents, individuals and other evidence or possible sources of evidence and may examine, record and copy such materials and take and record the testimony or statements of such persons as are reasonably necessary for the furtherance of the investigation. The Secretary may issue subpoenas to compel his access to or the production of such materials, or the appearance of such persons, and may issue interrogatories to a respondent, to the same extent and subject to the same limitations as would apply if the subpoenas or interrogatories were issued or served in aid of a civil action in the United States district court for the district in which the investigation is taking place. The Secretary may administer oaths.

(b) Upon written application to the Secretary, a respondent shall be entitled to the issuance of a reasonable number of subpoenas by and in the name of the Secretary to the same extent and subject to the same limitations as subpoenas issued by the Secretary himself. Subpoenas issued at the request of a respondent shall show on their face the name and address of such respondent and shall state that they were issued at his request.

(c) Witnesses summoned by subpoena of the Secretary shall be entitled to the same witness and mileage fees as are witnesses in proceedings in United States district courts. Fees payable to a witness summoned by a subpoena issued at the request of a respondent shall be paid by him.

(d) Within 5 days after service of a subpoena upon any person, such person may petition the Secretary to revoke or modify the subpoena. The Secretary shall grant the petition if he finds that the subpoena requires appearance or attendance at an unreasonable time or place, that it requires production of evidence which does not relate to any matter under investigation, that it does not describe with sufficient particularity the evidence to be produced, that compliance would be unduly onerous, or for other good reason.

(e) In case of contumacy or refusal to obey a subpoena, the Secretary or other person at whose request it was issued may petition for its enforcement in the United States district court for the district in which the person to whom the subpoena was addressed resides, was served or transacts business.

(f) Any person who wilfully fails or neglects to attend and testify or to answer any lawful inquiry or to produce records, documents or other evidence, if in his power to do so, in obedience to the subpoena or lawful order of the Secretary, shall be fined not more than $5,000 or imprisoned not more than one year, or both. Any person who, with intent thereby to mislead the Secretary, shall make or cause to be made any false entry or statement of fact in any report, account, record or other document submitted to the Secretary pursuant to his subpoena or other order, or shall wilfully neglect or fail to make or cause to be made full, true and correct entries in such reports, accounts, records or other documents, or shall wilfully mutilate, alter or by any other means falsify any documentary evidence, shall be fined not more than $5,000 or imprisoned not more than one year, or both.

Pattern or practice actions

SEC. 413. Whenever the Attorney General has reasonable cause to believe that any person or group of persons is engaged in a pattern or practice of resistance to the full enjoyment of any of the rights granted or protected by this title he may bring a civil action in any appropriate United States district court by filing with it a complaint setting forth the facts pertaining to such pattern or practice and requesting such preventive relief, including an application for a permanent or temporary injunction, restraining order or other order against the person or persons responsible for such pattern or practice, as he deems necessary to insure the full enjoyment of the rights granted or protected by this title.

Disobedience of orders; judicial review

SEC. 414. (a) It shall be unlawful to fail to comply with an order that has not been stayed or set aside by the Secretary or by a court as provided in subsection (b) of this section. After having first given the respondent or other person allegedly in disobedience of an order reasonable notice and an opportunity to be heard, the Secretary, if he determines that it has been disobeyed, may issue such supplemental orders as he considers appropriate to encourage compliance with such order. Supplemental orders may include an order to forfeit not more than $50 for each day during which the person found to have disobeyed an order continues to disobey it. Moneys so forfeited shall be paid into the Treasury of the United States.

(b) At any time after he has issued an order the Secretary may petition a court for its enforcement. Within 30 days after the Secretary has given notice to all respondents and persons aggrieved of his decision on the last appeal to him which is available with respect to a final order issued under subsection (c) of section 411, or within 5 days after he has given such notice with respect to a temporary order issued under subsection (d) of section 411 or a supplemental order issued under subsection (a) of this section, a respondent or person aggrieved may petition a court for review of any such order. The filing of a petition for enforcement or review shall not in itself operate to stay an order. Petitions for enforcement or review of final orders, other than final orders based on voluntary settlements, shall be to the United States court of appeals for the circuit in which the discriminatory housing practice occurred or in which the respondent resides or transacts business. Petitions for enforcement or review of voluntary settlements, of temporary orders issued under subsection (d) of section 411 or of supplemental orders issued under subsection (a) of this section shall be to the United States district court for the district in which the discriminatory housing practice occurred or in which the respodent resides or transacts business; except that when enforcement or review is sought concurrently both for orders that should be brought before a district court and for orders that should be brought before a court of appeals, the petition with respect to all such orders shall be to the appropriate court of appeals.

(c) Promptly after he petitions for enforcement or after he receives notice that a petition for review has been filed, the Secretary shall file in the court a copy or the original of the portions of the record which are material to the petition for enforcement or review. Upon the filing of a petition the court shall conduct further proceedings in conformity with sections 701 to 706 of title 5 of the United States Code, shall cause notice of the filing to be served upon all parties and persons aggrieved and shall thereupon have exclusive jurisdiction of the proceedings. It shall have power to grant such stays, temporary relief or restraining orders as it deems proper, to affirm, modify or set aside the findings or orders of the Secretary in whole or in part, or to remand the case to the Secretary for further proceedings. The findings of fact of the Secretary shall be conclusive if supported by substantial evidence. Enforcement or review shall be upon the record upon which the order was based, except that the court may, in its discretion, take additional evidence upon a showing that it was offered to and improperly excluded by the Secretary or could not reasonably have been produced before him or was not available.

(d) The Attorney General shall conduct all litigation to which the Secretary is a party pursuant to this title.

Effect on State laws

SEC. 415. Nothing in this title shall be construed to invalidate or limit any law of a State or political subdivision of a State, or of any other jurisdiction in which this title shall be effective, that grants, guarantees or protects the same rights as are granted by this title; but any law of a State, a political subdivision or other such jurisdiction that purports to require or permit any action that would be a discriminatory housing practice under this Title shall to that extent be invalid.

Cooperation with State and local agencies administering fair housing laws

SEC. 416. The Secretary may cooperate with State and local agencies charged with the administration of State and local fair housing laws and, with the consent of such agencies, utilize the services of such agencies and their employees and, notwithstanding any other provision of law, may reimburse such agencies and their employees for services rendered to assist him in carrying out this title. In furtherance of such cooperative efforts, the Secretary may enter into written agreements, with such State or local agencies, and such agreements may include provisions under which the Secretary shall refrain from issuing complaints in any class of cases specified in such agreements. The Secretary shall terminate any such agreement whenever he determines that it no longer serves the interest of effective enforcement of this title. All agreements and terminations thereof shall be published in the Federal Register.

TITLE V

Interference with rights

SEC. 501. Whoever, whether or not acting under color of law, by force or threat of force, injures or interferes with or attempts to injure or interfere with any person—

(a) because he is of a particular race, color, religion, or national origin and because of his present or past participation in or attempt to participate in—

(1) voting or qualifying to vote, qualifying or campaigning as a candidate for elective office, or qualifying or acting as a poll watcher, in any primary, special, or general election;

(2) enrolling in or attending any public school or public college;

(3) enjoying any benefit, service, privilege, program, facility, or activity provided or administered by the United States or by any State or subdivision thereof;

(4) applying for or enjoying employment, or any perquisites thereof, by any private employer or agency of the United States or any State or subdivision thereof, or of joining or using the services or advantages of any labor organization or using the services of any employment agency;

(5) selling, purchasing, renting, leasing, occupying, or contracting or negotiating for the sale, rental, lease or occupation of any dwelling;

(6) serving, or attending upon any court in connection with possible service, as a grand or petit juror in any court of the United States or of any State;

(7) using any vehicle, terminal, or facility of any common carrier by motor, rail, water or air;

(8) enjoying the benefits of any program or activity receiving Federal financial assistance; or

(9) enjoying the goods, services, facilities, privileges, advantages, or accommodations of any inn, hotel, motel, or other establishment which provides lodging to transient guests, or of any restaurant, cafeteria, lunchroom, lunch counter, soda fountain, or other facility which serves the public and which is principally engaged in selling food for consumption on the premises, or of any gasoline station, or of any motion picture house, theater, concert hall, sports arena, stadium, or any other place of exhibition or entertainment which serves the public, or of any other establishment which serves the public and which is located within the premises of any of the aforesaid establishments or within the premises of which is physically located any of the aforesaid establishments; or

(b) in order to discourage, deter, hinder or prevent (1) him because of his race, color, religion, or national origin from participating in any such activity, or (2) any other person or class of persons of a particular race, color, religion, or national origin from participating in any such activity; or

(c) because he is or has been (1) urging or aiding others of any particular race, color, religion, or national origin to participate in any such activity or (2) engaging in speech or peaceful assembly opposing any denial of the opportunity for persons of any particular race, color, religion or national origin to participate in any such activity, or (3) affording another person of any particular race, color, religion, or national origin or any class of such persons equal participation in any such activity; or

(d) in order to discourage, deter, hinder or prevent him or any other person or class of persons from (1) urging or aiding others of any particular race, color, religion, or national origin to participate in any such activity or (2) engaging in speech or peaceful assembly opposing any denial of the opportunity for persons of any particular race, color, religion or national origin to participate in any such activity, or (3) affording another person of any particular race, color, religion, or national origin or any class of such persons equal participation in any such activity—

Shall be fined not more than $1,000 or imprisoned not more than one year, or both; and if bodily injury results shall be fined not more than $10,000 or imprisoned not more than ten years, or both; and if death results shall be subject to imprisonment for any term of years or for life.

SEC. 502. (a) Section 241 of title 18, United States Code, is amended by striking out the final paragraph thereof and substituting the following:

"They shall be fined not more than $10,000 or imprisoned not more than ten years, or both; and if death results, they shall be subject to imprisonment for any term of years or for life."

(b) Section 242 of title 18, United States Code, is amended by striking out the period at the end thereof and adding the following: "; and if death results shall be subject to imprisonment for any term of years or for life."

(c) Subsections (a) and (c) of section 12 of the Voting Rights Act of 1965 (79 Stat. 443, 444) are amended by striking out the words "or (b)" following the words "11(a)."

SEC. 503. (a) Whenever any person has engaged or is about to engage in any act or practice prohibited by section 501 of this title, the person aggrieved or his survivors may institute, as appropriate, a civil action for damages or for preventive relief (including an application for a permanent or temporary injunction, restraining order, or other order), or both. The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this title and shall exercise the same without regard to whether the aggrieved party shall have exhausted any administrative or other remedies that may be provided by law.

TITLE VI

Extension of Commission on Civil Rights

SEC. 601. Section 504(b) of the Civil Rights Act of 1964 (78 Stat. 251; 42 U.S.C. 1975c(b)) is amended by deleting the words "January 31, 1968" and substituting therefor the words "January 31, 1973."

TITLE VII—MISCELLANEOUS

SEC. 701. There are hereby authorized to be appropriated such sums as are necessary to carry out the provisions of this Act.

SEC. 702. If any provision of this Act is held invalid, the remainder of the Act shall not be affected thereby.

OFFICE OF THE ATTORNEY GENERAL,
Washington, D.C., February 17, 1967.

The VICE PRESIDENT,
U.S. Senate,
Washington, D.C.

DEAR MR. VICE PRESIDENT: Enclosed for your consideration and appropriate reference is a proposed "Civil Rights Act of 1967." This bill contains six titles reflecting the areas of concern discussed in the President's Civil Rights Message. The titles deal with reform of the federal jury system, elimination of discrimination in State juries, improvement of the machinery for dealing with employment discrimination, remedies to provide relief from discrimination in housing, provisions for penalties for certain acts of violence or intimidation, and extension of the life of the Commission on Civil Rights.

TITLE I—FEDERAL JURIES

Congress long ago made the judgment that federal juries should be drawn from a cross-section of the community, and statutes already on the books embody that congressional policy. But experience has shown that these laws do not provide sufficient guidance to jury commissions across the nation as to how they shall put the cross-section principle into effect. The result has been the use of varying sources of names of prospective jurors, differing systems of selection and diverse tests of qualification, with a consequent lack of uniformity throughout the federal judicial system.

While this uncertain system appears not to have operated unconstitutionally, in some districts Negro representation on juries has been substantially less than the proportion of Negroes in the community, and other classes have sometimes been inadequately represented on juries. Where such disparities occur they create an impression of unfairness in the judicial system of the United States—an impression which should be scrupulously avoided if we are to foster respect for the rule of law.

Title I of the "Civil Rights Act of 1967" is intended to eliminate the existing uncertainty and make clear beyond dispute that each judicial district is fulfilling its constitutional and statutory obligations in the selection and assignment of jurors. It sets forth the sources from which potential jurors are to be drawn and the procedures to be followed in selecting jurors and testing their qualifications.

Title I declares it to be the policy of the United States that all litigants in federal courts shall have the right to trial by a jury selected from a cross-section of the community, and that all qualified citizens shall have the opportunity to serve on federal grand and petit juries and shall be obliged to serve when summoned. It prohibits the exclusion of any citizen from service as a federal grand or petit juror on account of race, color, religion, sex, national origin, or economic status.

The bill requires that the names of prospective jurors be taken at random from the voter registration rolls, which are defined to include lists of eligible voters prepared by federal examiners under the Voting Rights Act of 1965. Where, however, the judicial council of the circuit determines that use of the voter rolls as the exclusive source of names would not be consistent with the prohibition of discriminatory selection, the council would be required to prescribe other sources of names to supplement the voter rolls.

Title I retains the qualifications for jury service prescribed by existing law, but provides that all persons found in accordance with objective criteria to possess such qualifications shall be accepted as qualified. Under the present law, the statutory qualifications have not infrequently been regarded as establishing the minimum to be required, leaving the courts and jury commissions free to impose more stringent qualifications. The bill makes clear that the stated qualifications set a ceiling, and that requirements beyond those listed may not be imposed.

TITLE II—STATE JURIES

Since adoption of the Fourteenth Amendment in 1868 it has been unconstitutional to practice racial discrimination in the selection of jurors for state and local courts. Yet, in the intervening century the Supreme Court alone has written decisions in approximately three dozen cases involving alleged jury discrimination, and in most instances has found the claim of discrimination to be true. The most recent instance was a decision early this year reversing a conviction because of jury discrimination in a second trial, after the first conviction had earlier been set aside by another federal court for the same reason.

To permit these practices to continue would be an intolerable affront to the rule of law. Title II would provide an effective response to this pressing need.

This Title provides that it shall be unlawful to make any distinction on account of race, color, religion, sex, national origin or economic status in the qualifications for service, and in the selection of any person to serve, on grand or petit juries in any state courts. In areas in which such distictions are not made, existing jury selection procedures would not be upset. Where discrimination still exists, this title provides the means to eliminate it.

Title II has two principal features. First, it authorizes the Attorney General to bring civil actions in the federal courts for injunctive relief against the prohibited discriminatory practices in State court jury selection. Present statutes do not authorize the Attorney General to initiate jury discrimination suits, but only to intervene in private suits.

The bill would expressly authorize the court, after a finding of a violation of the law, to grant specified kinds of relief which should ensure that illegal practices are halted once and for all.

The second principal feature of this title meets the need for the development and disclosure of information necessary to determine whether discrimination results from the system for selecting jurors. Upon the filing of an allegation of discrimination, the State jury officials are required to furnish a "written statement of jury selection information." This statement is to describe in detail the procedures followed by the jury officials in selecting jurors.

In governmental subdivisions having a non-white population of 10% or more, the statement just referred to must also contain statistical information for the preceding two years showing: (1) the percentage of Negroes who have served or been considered for service on juries, and (2) the percentage of Negroes who have been preemptorily challenged by the prosecution in criminal cases. The availability of this statistical information should materially facilitate proof of discrimination where it has occurred.

TITLE III—EMPLOYMENT

It can hardly be easy for a man who is unemployed solely because of his color, to maintain his faith in this Nation's institutions. He cannot support his family, he cannot afford a suitable place to live, he cannot enjoy the material benefits of his society. Worst of all, he cannot hope to improve his condition—and in that respect he is denied the most valuable opportunity America has in the past held out to the deprived and dispossessed.

There is no doubt that Negro Americans as a group are disadvantaged in the job market. Their unemployment rate is twice that of whites. The problem is particularly acute among Negro teenagers entering the labor market for the first time. The consequences of this latter fact are enormous—we stand to lose another generation to despair unless we act now to ensure equality of employment opportunity.

In 1964 the Congress took the first steps toward eliminating racial discrimination in employment. Under Title VII of the Civil Rights Act of 1964 the Equal Employment Opportunity Commission is charged with passing upon claims of employment discrimination. However, the Commission is authorized to obtain compliance with Title VII only by conciliation. It has no enforcement authority. While the Commission has had considerable success in obtaining voluntary compliance, it has not been effective in cases where those charged with violating the law simply reject the Commission's efforts at persuasion.

To remedy this defect in the present law, Title III of the bill confers on the Commission enforcement authority similar to that now possessed by other federal agencies. Before resorting to enforcement, however, the Commission is required to attempt conciliation. Only if conciliation fails, is the Commission authorized to issue a complaint against the employer, labor organization, or employment agency charging it with discrimination. If the complaint is issued and the Commission determines, after a hearing, that the law has been violated, it would issue an order directing the respondent to cease and desist its discriminatory practices, and to take such affirmative action, including hiring or reinstatement with or without back pay, as the Commission deems necessary to effect the purpose of the law.

If its order is not obeyed, the Commission may seek enforcement in the appropriate United States Court of Appeals. The respondent or any person aggrieved by the Commission's order may also obtain judicial review of that order in the court of appeals. The court of appeals is authorized to grant such temporary relief as may be appropriate and to issue a decree either enforcing, modifying and enforcing as modified, or setting aside in whole or in part the order of the Commission.

The authority of the Attorney General to institute civil proceedings for injunctive relief against a "pattern or practice" of employment discrimination would be retained.

Title III of the bill also deals with another problem in the 1964 Act. Under present law the investigative authority of the Commission is not absolutely clear and may create some enforcement difficulties. Title III therefore conforms the Commission's investigative authority to that of other federal agencies. And the Attorney General's authority is too limited to permit the kind of effective review of employment practices that has been of considerable assistance in the enforcement of the voting laws. The bill therefore permits him to inspect employment records in a manner patterned after his authority in the voting field under the Civil Rights Act of 1960.

These amendments to the 1964 Act improve the machinery for eliminating employment discrimination. They are not a panacea for all the employment problems afflicting Negro Americans, but they are essential to further progress.

TITLE IV—HOUSING

As the President said of the ghetto problem in his equal justice message of last Wednesday, "A child growing up in such an environment must overcome tremendous man-made obstacles to become a useful citizen. The misery we tolerate today multiplies the misery of tomorrow." It is, of course, undesirable that any person must live in a ghetto. But the very least we must do is to ensure that those with the means to live in a better environment shall have the opportunity to do so. To achieve that much requires the enactment of legislation banning discrimination on account of race, color, religion, or national origin in the sale, lease, and financing of housing. This is what Title IV of the bill would do.

Title IV would gradually prohibit discrimination in the sale or rental of housing. Discrimination with respect to housing already subject to the President's order on housing would be immediately covered.

Discrimination with respect to housing held for sale or rent by someone other than its occupant and housing for five or more families would be prohibited from and after January 1, 1968.

Discrimination with respect to all other housing, except exempted housing of religious institutions, would be prohibited from and after January 1, 1969.

The bill would also prohibit "block busting," discrimination in the financing of housing, discrimination in the provision of real estate services, discrimination in admission to membership in real estate organizations, and interference with or threats against persons enjoying or attempting to enjoy any of the rights which it grants or protects.

Responsibility for administration and enforcement would rest with the Secretary of Housing and Urban Development. He would use the time during which the enforcement provisions gradually go into effect to consult with housing industry leaders and state and local officials and otherwise carry on educational and consultation efforts designed to further the policies of the Title. He would be required in every case to make an effort to achieve a voluntary settlement before invoking his enforcement authority.

If the Secretary concludes that further efforts to achieve a voluntary settlement are unwarranted, he is to issue a complaint against the person charged with discrimination and, after a hearing, he would enter an order requiring that the discrimination cease and granting other appropriate relief. Judicial review would be available in a manner similar to that prescribed in Title III of the bill, dealing with employment.

If the Secretary declines to proceed with a charge filed with him by an individual claiming discrimination, the individual could himself bring an action in any court of competent jurisdiction.

The Attorney General would be empowered, in appropriate cases to initiate a suit in United States district court to eliminate a pattern or practice of resistance to the Title.

A fair housing law will complement the revised equal employment law, which is also a part of this bill. The two strike at the same problem—the disabling restrictions based on race and color which, taken together, prevent many Negro Americans from full participation in our society. It does little good to find a man a job if he cannot escape the ghetto; or to grant him the abstract right to find a better place to live, if he cannot afford to move there because he has no job.

TITLE V.—INTERFERENCE WITH RIGHTS

Title V is a criminal statute designed to deter and punish interference by force, or threat of force, with activities protected by federal law or the Constitution. As in other problem areas with which this bill is concerned, the enactment of Title V would reaffirm our faith in the rule of law and foster respect for law and order.

While law enforcement is basically a State and local responsibility, the federal government has a special obligation to provide protection to its citizens when the exercise of distinctly federal rights is what prompts attacks upon them. Further, in some unfortunate instances State and local law enforcement officials have failed to carry out their responsibilities, thereby increasing the need for effective federal action.

A century ago Congress recognized the federal responsibility by enacting criminal laws to punish persons who resort to violence to prevent others from exercising their federal rights. But those laws have proven inadequate in a number of respects, and additional criminal legislation is clearly required.

Title V would protect Negroes and members of other minority groups from racially-motivated violence directed at them because of their present or past participation in certain federally protected activities, and from such violence which is intended to discourage the victims from engaging in such activities. The title would also punish violence directed against a person who has not been involved in any civil rights activity but who is selected as a victim in order to intimidate others.

The activities protected relate to voting, public accommodations, public education, housing, jury service, use of common carriers and participation in federally assisted programs.

Title V would also protect civil rights workers and others who urge or aid participation in these activities, as well as those who engage in any form of speech or peaceful assembly opposing denial of the opportunity to participate in such activities. Persons who have duties to perform with respect to the protected activities—such as public school officials, restaurant owners, and employers—would also be protected.

The title would prohibit forcible interference with any of the specified activities by private individuals acting alone as well as by public officers or other persons acting under color of law. The existing laws do not reach interference by private persons with the exercise of rights in some of the areas of activity covered by this title.

The prescribed penalties are graduated according to the aggravation of the offense, ranging from misdemeanor penalties to life imprisonment. The existing statutes do not prescribe sufficient penalties for crimes involving serious physical injury or death. Those laws, too, would be amended by this Title to provide a similarly graduated penalty structure.

Finally, the Title authorizes victims of acts prohibited by the Title to bring civil actions in federal district courts for damages and injunctive relief against the perpetrators.

TITLE VI—CIVIL RIGHTS COMMISSION

The life of the Civil Rights Commission is now scheduled to expire on January 31, 1968. In the past this agency has made valuable contributions to our understanding of racial problems in diverse areas. It is important that it continue to perform this function. Title VI would extend the life of the Commission for an additional five years.

TITLE VII—MISCELLANEOUS

Title VII authorizes the necessary appropriations and contains the customary separability provision.

I urge the early and favorable consideration of this important legislation.

The Bureau of the Budget has advised that enactment of this legislation would be in accord with the program of the President.

Sincerely,

——— ———,

Acting Attorney General.

Mr. JAVITS. Mr. President, I object to further proceedings on the bill today, pursuant to the rules of the Senate.

The PRESIDING OFFICER. The bill goes over until the next legislative day.

Mr. JAVITS. I thank the Chair.

Mr. WILLIAMS of New Jersey. Mr. President, I am proud to say that I have been a cosponsor of every civil rights bill enacted into law since I became a Member of this body. This includes the acts of 1960, 1964, and 1965. With the enactment of the 1964 act, and the Voting Rights Act of 1965, I had hoped the overall policy of this country was clear enough so that no further legislation would be necessary. We have since found that this is not the case.

As the President pointed out in his message of this week, we are still struggling to carry out the injunctions set forth in the Declaration of Independence almost two centuries ago when we declared certain truths to be self-evident—"that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness." However, there are still areas where all men are not being treated equally. It was the discrimination in these areas that the bill known as the Civil Rights Act of 1966 was directed toward when it was introduced in the Congress last year. I was a cosponsor of that bill.

The bill being introduced today is basically the same bill. It was successfully passed by the House of Representatives, and even though a majority of the Senate indicated they were favorably inclined toward its passage by this body, the ugly head of the filibuster was again raised and the will of the Senate was thwarted by a small but effective minority. In order to alleviate that situation I cosponsored a resolution at the beginning of this session to change the rules of the Senate to prevent such a debacle from taking place. But even here the filibuster technique served to block any meaningful change in the rules which would have made it easier to secure consideration of this type of legislation. I am hopeful that the Senate can consider this present legislation in spite of rule XXII.

The bill seeks to deal with several very troublesome areas, the most major of which is discrimination in housing. It would set forth a national policy against discrimination in housing on account of race, color, religion, or national origin, and progressive steps to carry out this policy. So long as we have discrimination in this area, we will have ghettos and ghetto conditions such as inferior public facilities and services, inferior housing, and tremendously overcrowded conditions.

So long as we have ghettos we will have tinderbox conditions which, with the ignition of a small spark, can create a situation such as we saw in Watts in 1965. Another area dealt with concerns the clarification and strengthening of existing Federal criminal laws against interference with Federal rights. The laws we have now are largely remnants of the Reconstruction days and have been interpreted by some of our courts in so narrow a fashion as to be almost meaningless. The provisions of the bill today specify activities which are protected such as voting, home purchasing, job holding, attending school, or obtaining service in places of public accommodation. It prohibits acts or threats of violence by private individuals or public officials directed against members of minority groups because they have been seeking to exercise their rights. Probably the most important provision in this area is the authorization given to victims of violence to bring civil action for damages or injunctive relief against those individuals engaged in the violent harassment of them merely because they are seeking to secure and hold the rights and privileges to which they are entitled.

There is a section in the bill dealing with Federal and State juries. The foundation of our judicial system is the right of trial by a jury of one's peers. This right is clearly subverted and becomes a hollow shell when, through discriminatory practices, one's peers are eliminated from jury service. Therefore, this legislation would seek to eliminate discrimination in the selection of juries in Federal courts and insure that juries in these courts are drawn from a broad cross section of the community uniformly. These discriminatory practices are much more flagrant in State courts. Provisions are therefore included to correct this situation.

The Civil Rights Act of 1964 established the Equal Employment Opportunity Commission to assist in elimination of discrimination in employment. Unfortunately, at that time we were not able to write in strong enough teeth to make this Commission effective. The bill, therefore, would provide the Commission with the muscle to deal in this area effectively by giving it the authority to issue orders after a hearing to require the termination of discriminatory practices. These orders would then be enforceable in the Federal Courts of Appeal in the same manner as other Federal agencies such as the National Labor Relations Board are entitled to do.

Since 1959 I have supported every extension of the life of the Civil Rights Commission. This year's bill includes a 5-year extension which I think is probably modest, but is at least the minimum we should do. The bill would also increase the authorization for funds for the Community Relations Service by 90 percent. This service is invaluable in attempting to secure these rights through mediation and conciliation without the necessity of going into more formal action such as judicial relief.

Mr. President, I have said before that the words "American citizen" will become only a worthless term, if any one of us is denied the rights which belong to all citizens. We cannot stand aside and watch while one man's rights are denied, for what he loses today, we all may lose tomorrow. President Johnson stated early in his administration:

> Let me make one principle of this Administration abundantly clear: All of these increased opportunities—in employment, in education, in housing, and in every field—must be open to Americans of every color. As far as the writ of Federal law will run, we must abolish not some but all racial discrimination.

I am convinced that this bill goes one step further toward this goal. I urge its speedy consideration by the Committee leading to its successful passage by the Senate.

CONTRIBUTIONS TO UNICEF

Mr. JAVITS. Mr. President, the United Nations Children's Fund—UNICEF—has long been an organization identified with the improvement of the lives of children in the world's developing countries through assistance to governments to help eliminate hunger, disease, and ignorance. The accomplishments of this organization were recognized when in 1965 it received the Nobel Peace Prize. The programs of the organization are dependent for financial support upon the voluntary contributions of governments and private citizens.

Under the existing laws of this Nation, contributions to UNICEF do not qualify as a charitable deduction for tax purposes. I introduce today, for appropriate reference, legislation which would allow such charitable contributions to receive income, estate, or gift tax deductions. Under my proposal, for example, an individual would be allowed to give up to 30 percent of his adjusted gross income to UNICEF as a donation which would qualify as a charitable tax deduction.

Mr. President, this is a long-overdue measure for one of the most desirable activities carried on in international affairs.

I ask unanimous consent that the bill may lie at the desk for a week for cosponsors.

The PRESIDING OFFICER. Is there objection to the bill lying at the desk for 1 week?

Mr. DIRKSEN. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. JAVITS. For cosponsors?

Mr. DIRKSEN. I object.

Mr. JAVITS. Mr. President, I withdraw that request. I did not realize that the minority leader was objecting. I send the bill to the desk for appropriate reference.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1027) to amend the Internal Revenue Code of 1954 so as to permit charitable contributions, bequests, transfers, and gifts to the United Nations Children's Fund (UNICEF) to be deductible for income tax, estate tax, and gift tax purposes introduced by Mr. JAVITS, was received, read twice by its title, and referred to the Committee on Finance.

COEXISTENCE VERSUS COANNIHILATION; LET US END PROLIFERATION OF NUCLEAR WEAPONS

Mr. YOUNG of Ohio. Mr. President, an opportunity is given to us to leave a peaceful world to those who come after us. The legacy of our actions will largely determine whether future generations will enjoy a peaceful world or continue to live as we have lived throughout most of the past 5 years in a grim era of international anarchy marked by periodic wars in which young Americans lost their lives.

Today, the United States and the Soviet Union are the only two nations in the world with the power of mutual destruction. Unless we act to place a curb on the proliferation of nuclear weapons of death—and there is the utmost urgency that we do this—some years hence France, Communist China, Japan, and some other nations are likely also to be capable of hurling nuclear warheads thousands of miles from their shores into the crowded cities and missile installations of other nations.

The cruel facts of today are that we have powerful nuclear weapons in our submarines and missile bases. Though their weapons are fewer in number the Russians too have a vast nuclear arsenal. Some of these weapons are on the surface; others in hard sites where neither the first mass attack with nuclear missiles from the Soviet mainland or from the United States could possibly destroy all of the missile bases and nuclear weapons of the other giant nation. Within minutes of the first attack a savage retaliatory attack by nuclear warheads would be speeding toward the aggressor. At present and for the foreseeable future neither nation has developed a technology to prevent nuclear warheads from penetrating its defenses and killing tens of million of men, women, and children.

It is well understood that the immediate capacity of offense is the best defense. It is a fact that both the Soviet Union and the United States have nuclear powered submarines capable of firing nuclear missiles from under the sea or on the surface to make direct hits on targets in the other nation. Therefore what we do during the next few years may determine whether or not there will come a time of mutual annihilation or mutual coexistence. It is of the utmost importance that we not use these weapons irresponsibly and that we strive to prevent the spread of nuclear weapons.

For many months a treaty for the nonproliferation of nuclear weapons has been under consideration. This treaty would be an important step toward nuclear disarmament and peaceful coexistence. It is crucial that this treaty be concluded with the ratification of every nation which could conceivably become a nuclear power.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. YOUNG of Ohio. Mr. President, I ask unanimous consent that I may proceed for 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YOUNG of Ohio. Mr. President, every effort must be made to stop the growth of atomic arsenals among nations. Although the likelihood of war between the United States and the Soviet Union is rapidly receding, the danger now and for years to come is not only that Red China will acquire an atomic arsenal but that many small nations will commence to do likewise. At least eight nations, and perhaps more could build and explode nuclear weapons within a decade if they tried. Today, any industrial society can develop a 20-kiloton bomb, the size of the one dropped on Hiroshima, within 5 to 7 years. With each passing year more nations will be able to do so unless an ironclad treaty is signed soon to ban the further spread of nuclear weapons.

Unless immediate steps are taken to stop the spread of nuclear arms, there will certainly be 10 or more nations with nuclear bombs within a few years, possibly by 1970, and missiles with nuclear warheads within that time. By spending about $200 million, any mature industrial country can readily produce one or two atomic bombs. India, Italy, Israel, Japan, Egypt, Indonesia, Australia, Canada, Brazil, Argentina, Mexico, Sweden, Switzerland, Belgium, the Netherlands, South Africa, and West Germany all have the potential know-how, resources and wealth, or soon will have that capacity with which to produce nuclear weapons.

Therefore, it is of vital importance that our President be supported to the utmost in his efforts to negotiate international agreements limiting the spread of nuclear weapons.

Mr. President, in conjunction with a nuclear proliferation treaty, we must also take other steps toward peace. We must seek the cooperation of the only other powerful nuclear power, the Soviet Union, to help bring about a cease-fire and armistice in Vietnam with the neutralization, if possible, of the whole of

Indochina, including Vietnam, Cambodia, and Laos.

Very definitely things have gone from bad to worse in North Vietnam since we turned our air power loose in the vicinity of Hanoi. Instead of forcing the North Vietnamese to the conference table, our bombing has strengthened their will to fight. During World War II the British determination to resist German aggression was stiffened, rather than broken, by the Luftwaffe's daily bombing of London. Should we be surprised that our bombing of Hanoi has had the similar effect of strengthening the North Vietnamese will to resist, and making them appear heroic to a large segment of world opinion? Should we be surprised that more and more of our allies are referring to us as aggressors? One result from bombing North Vietnam has been ill will toward the United States in many parts of the world.

It is a sorrowful matter that despite the pending efforts of Pope Paul VI and Secretary General U Thant in pleas to President Johnson and Secretary of State Dean Rusk and to the heads of state of nations supposedly our allies and friends and to officials behind the Iron Curtain, our President ordered a resumption of bombing of North Vietnam. The climate for serious peace talks has never been more propitious. Yet not withstanding that, Prime Minister Kosygin of the Soviet Union conferred with the Prime Minister of England at 10 Downing Street into the early hours of the morning with a cease-fire and peace in Vietnam as the sole subject of the conversation. Then while he was taking off from the London airport at noon, just a few hours later, we announced the resumption of bombing, not waiting until he had reached his homeland. It was bombs away and the destruction of North Vietnam and the killing and burning of civilians—men, women, and children—began.

Rather than resuming the bombing of North Vietnam, we should withhold all bombing of North Vietnam for 30 or 60 days to try to determine whether the attitude of the North Vietnamese and the National Liberation Front toward a conference has softened. Instead of fearing what will happen to the Ky government of Saigon, we should go all out to seek a conference with representatives of the National Liberation Front seated as independent delegates along with representatives of the Saigon and Hanoi governments. The heads of state of all Asiatic nations should be invited to send representatives to such a conference. The aim should be to neutralize all of Vietnam, Cambodia, and Laos. One thing should have become clear: we cannot bomb our way to peace.

When the war in Vietnam has been ended, and the extravagant, cutthroat, futile race between our Nation and the Soviet Union to pile up nuclear warheads and missiles and even antimissile missiles has been curtailed, all of those billions of dollars and billions of rubles now being expended unnecessarily may readily be spent to raise the standard of living and improve the lives of people the world over.

Mr. President, one of the greatest obstacles to achievement of these aims is pressure from those American fellow travelers of fascism, the extremists of the lunatic rightwing fringe—as the Birchsaps, Young Americans for Freedom, the Liberty Lobby, so called, some of the kingmakers of the American Legion, and other groups of the same stripe. Members of these extremist groups collaborate together. They are the witch hunters of the 20th century. Their undemocratic propaganda is used to poison the minds of Americans and to hoodwink them with their false and malicious accusations and innuendos. They practice the ways of fascism.

One of their primary missions today is to sabotage the efforts of the Johnson administration to "build bridges" to Eastern Europe and to establish a Consular Treaty with the Soviet Union.

Unfortunately, in 1965 the Young Americans for Freedom, the junior auxiliary of the extreme right composed of fledging fanatics, threatened to picket the Firestone Tire & Rubber Co. of Akron, Ohio, because that firm had signed an agreement with Rumania to build a synthetic rubber plant there. In a panic, the directors of Firestone Tire & Rubber Co. halted almost completed negotiations which would have brought $50 million to that corporation and would have benefited many thousands of working men and women in Ohio. A tire plant would have been built and placed in Rumania by American labor and American management instead of by the West Germans. West Germany profited from the obscurantism of the so-called Young Americans for Freedom. Meanwhile, the reactionary, thoughtless leaders of this group rejoiced. The only losers were rank and file Americans.

In recent months this un-American group of self-appointed vigilantes and super-duper patriots, as they consider themselves, rejoiced further when their statements and actions prevented the American Motor Co. from selling American automobiles, manufactured by that financially hard-pressed company, to countries behind the Iron Curtain. It is said that these un-American pipsqueaks frightened the directors of American Motors Co. to such an extent that they shied away from selling Ramblers in Eastern Europe at a huge profit. Civilians there would have had the comfort and enjoyed the luxury of driving small American manufactured automobiles and American Motors with slumping sales within the United States might have been saved from bankruptcy. Instead, a small extremist rightwing outfit rejoices because it has now bloodied two American corporations instead of only one.

ASSASSINATION OF PRESIDENT KENNEDY

Mr. DODD. Mr. President, according to press dispatches of the past few days, the office of District Attorney Jim Garrison in New Orleans has been conducting an independent investigation into the Kennedy assassination and his staff has apparently come up with information pointing to the conclusion that the assassination was the work of a conspiracy. Mr. Garrison is quoted as saying that other people beside Lee Harvey Oswald were involved; that his office already has the names of the people who participated in the initial planning in New Orleans; and that arrests will be made.

Mr. Garrison has an enviable reputation as a district attorney and I am impressed by the fact that he feels confident enough to speak in such positive terms about his findings.

The Warren report has frequently been cited as finding that Oswald acted alone and that there was no conspiracy. What the Commission actually said was that it had been unable to find evidence of a conspiracy.

The Commission, of course, made its findings on the evidence available at the time its hearings were held. Certainly the members of the Commission would be prepared to review any new evidence bearing on the assassination.

In any estimate of Oswald's motivations, it is important to determine the strength of his pro-Castro sympathies and the extent of his associations with Castro Cuba and pro-Castro Cubans in this country. It is also important to learn whether he was simply a Marxist sympathizer or a hardened Communist acting in concert with others.

In this connection I want to call the attention of the Senate to a remarkable record captioned "Oswald: Self-Portrait in Red," which is a debate with certain commentaries between Lee Harvey Oswald and Edward Scannell Butler, which took place over a New Orleans radio station on August 21, 1963, just about 3 months before the assassination of the President.

Mr. Butler, who was known to me prior to the assassination, called my office immediately after it to inform me of his debate with Oswald. At my request he came to Washington to testify before the Internal Security Subcommittee, and he did so on Sunday, November 24, 1963.

I ask unanimous consent, Mr. President, to insert into the RECORD at this point a transcript with comments of Mr. Butler's debate with Lee Harvey Oswald in New Orleans.

There being no objection, the transcript was ordered to be printed in the RECORD, as follows:

OSWALD SELF-PORTRAIT IN RED

SIDE I

MARSHALL PEARCE. The next voice you hear is that of the accused assassin of President John F. Kennedy, 24 year old Lee Harvey Oswald.

LEE HARVEY OSWALD. Yes, I am a Marxist.

MARSHALL PEARCE. These words are typical of the dramatic debate which follows. Now to introduce the uncut, unedited transcription, is the Honorable Hale Boggs, Congressman from New Orleans, House Majority Whip and a close legislative associate of President John Fitzgerald Kennedy. Congressman Boggs . . .

Congressman **BOGGS.** You are about to hear an historic recording. This recording was made in New Orleans last year. It is far more significant today in the light of subsequent events.

It is to the credit of the private citizens of New Orleans that it was they who first recognized the bizarre and incredible activities of Lee Harvey Oswald and brought him and his activities to the attention of the public. Credit is due to Radio Station WDSU and to newsman Bill Slatter who moderated this program so alertly; to Latin American affairs reporter, Bill Stuckey, who sought out Oswald and arranged the interview, and to Cuban refugee leader, Carlos Bringuier who refuted his blatant pro-Castro propaganda.

And last, but certainly not least, to Ed. Butler, Executive Vice-President of INCA, the Information Council of the Americas, who developed much new material on Oswald's movements and activities, not only in New Orleans but elsewhere.

Let me say a word about the purposes of INCA the organization which Mr. Butler directs.

I have taken a very personal interest in INCA, as I said, a private organization which originated in my own Congressional District. On September 17, 1962, I said to my colleagues in the Congress that INCA is actively engaged in the defeat of the Communist movement through its TRUTH TAPE program—a program which provides scores of refugees from Communist tyranny the opportunity and the forum to relate their experiences on tape recordings for broadcast by radio stations throughout the Americas.

In this worthy counterattack, Mr. Butler has been joined by many highly respected private citizens, led by Dr. Alton Ochsner, president of The Information Council of the Americas, and an internationally famous surgeon from New Orleans.

I concluded my remarks with the statement that such a program as INCA's is a solid, forceful way to counteract Red propaganda, infiltration, and subversion.

Now the full, unedited transcription of the panel discussion which took place on the evening of August 21, 1963, in the city of New Orleans . . .

(Drum roll and music introduction.)

Announcer. WDSU Radio presents Conversation Carte Blanche next on cavalcade.

It's time now for Conversation Carte Blanche. Here is Bill Slatter . . .

Bill Slatter. Good evening, for the next few minutes Bill Stuckey and I, Bill whose program you've probably heard on Saturday night, "Latin Listening Post", Bill and I are going to be talking with three gentlemen, the subject mainly revolving around Cuba. Our guests tonight are Lee Harvey Oswald, who is Secretary of the New Orleans Chapter of The Fair Play for Cuba Committee, a New York headquartered organization which is generally recognized as the principal voice of the Castro government in this country. Our second guest is Ed Butler who is Executive Director of the Information Council of the Americas (INCA) which is headquartered in New Orleans and specializes in distributing anti-communist educational materials throughout Latin America, and our third guest is Carlos Bringuier, Cuban refugee and New Orleans Delegate of the Revolutionary Student Directorate, one of the more active of the anti-Castro refugee organizations. Bill, if at this time you will briefly background the situation as you know it . . .

Bill Stuckey. Thank you Bill. First, for those who don't know too much about the background of The Fair Play for Cuba Committee, this is an organization that specializes primarily in distributing literature, based in New York. For the several years in which it has been in existence it has operated principally out of the East and out of the West Coast and a few college campuses, recently, however, attempts have been made to organize a chapter here in New Orleans. The only member of the group who has revealed himself publicly so far is 23 year old Lee Harvey Oswald who is the Secretary of the local chapter of The Fair Play for Cuba Committee. He first came to public notice several days ago when he was arrested and convicted for disturbing the peace. The ruckus in which he was involved started when several local Cuban refugees including Carlos Bringuier, who is with us tonight, discovered him distributing pro-Castro literature on a downtown street. Now, Mr. Oswald and Bringuier are with us tonight to give us opposing view on The Fair Play for Cuba Committee and its objectives. I believe that I was probably the first New Orleans reporter to interview Mr. Oswald on his activities here since he first came into public view. Last Saturday in addition to having him on my show we had a very long and rambling question and answer session over various points of dogma and line of The Fair Play for Cuba Committee and now I'll give you a very brief digest of some of the principal propaganda lines I use the world propaganda, as rather I should say informational lines, of The Fair Play for Cuba Committee.

Number One—the principal thing is that they insist that Castro's government today is completely free and independent, and that it is in no way controlled by the Soviet Union. Another cardinal point of The Fair Play for Cuba Committee's propaganda is that Premier Castro is forced to seek aid from the Russians only because the United States government refused to offer him financial aid.

Following another line I asked Mr. Oswald if he had ever, or was, a member of the American Communist Party, and he said that the only organization to which he belonged was The Fair Play for Cuba Committee. Mr. Oswald also gave me this run down on his personal background: He said that he was a native of New Orleans, had attended Beauregard Junior High School and Warren Eastern High School. Had entered the U.S. Marine Corps in 1956 and was honorably discharged in 1959. He said during our previous interview that he had lived in Ft. Worth, Texas before coming here to establish a Fair Play for Cuba chapter several weeks ago. However, there were a few items apparently that I suspect that Mr. Oswald left out in this original interview which was principally where he lived after, between 1959 and 1962. We, er, Mr. Butler brought some newspaper clippings to my attention and I also found some too through an independent source, Washington newspaper clippings to the effect that Mr. Oswald had attempted to renounce his American citizenship in 1959 and become a Soviet citizen. There was another clipping dated 1962 saying that Mr. Oswald had returned from the Soviet Union with his wife and child after having lived there for three years. Mr. Oswald are these correct?

Lee Harvey Oswald. That is correct. Correct, yes.

Bill Stuckey. You did live in Russia for three years?

Lee H. Oswald. That is correct, and I think those, the fact that I did live for a time in the Soviet Union gives me excellent qualifications to repudiate charges that Cuba and The Fair Play for Cuba Committee is communist controlled.

Bill Slatter. Mr. Bringuier perhaps you would like to dispute that point.

Carlos Bringuier. I'd like to know exactly the name of the organization that you represent here in the city, because I have some confusion, is Fair Play for Cuba Committee or Fair Play for Russia Committee?

Lee H. Oswald. Well, that is a very provocative request and I don't think requires an answer.

Carlos Bringuier. Well, I will tell you why because, before the communists take over Cuba, Cuba was at the head of the Latin American countries and I can show you that in Cuba in 1958 every 37 persons had an automobile and in Russia was 200 persons for 1 auto; in Cuba was 6 persons for 1 radio and in Russia was 20 persons for 1 radio; in Cuba was 1 television set for 18 persons and in Russia was 85 persons for 1 television set; and in Cuba was 1 telephone for every 38 persons and in Russia was 1 telephone for every 580 persons. Cuba was selling the sugar in the American market and was receiving from the U.S. more than one hundred million dollars a year over the price of the world market and the U.S. was paying to Cuba that price in dollars. Right now, Cuba is selling sugar to Russia. Russia is paying to Cuba 80% in junks, machinery, and 20% in dollars. I think that Cuba right now is a colony of Russia and the people of Cuba who is living in Cuba every day, who is escaping from Cuba every day, they disagree with you that you are representing the people of Cuba. Maybe you will represent the er, the colony of Russia here in this moment, but not the people of Cuba. You cannot take that responsibility.

Lee H. Oswald. Well . . . in order to give a clear and concise and short answer to each of those, well, let's see, questions. I would say that the facts and figures from a ——— country like Pakistan or Burma would even reflect more light upon Cuba in relation to how many TV sets and how many radios and all that, er, this, I don't think that is a subject to be discussed tonight, er, the Fair Play for Cuba Committee as the name implies is concerned primarily with Cuban-American relations.

Bill Slatter. How many people do you have in your Committee? here in New Orleans?

Lee H. Oswald. Er, I cannot reveal that as Secretary for the Fair Play for Cuba Committee.

Edward S. Butler. Is it a secret society?

Lee H. Oswald. Er, no, Mr. Butler, it is not. However, it is standard operating procedure, er, for a political organization consisting of a er, political minority, er, to safeguard the names and number of its members.

Edward S. Butler. Well, the Republicans are in the minority, I don't see them hiding their membership.

Lee H. Oswald. The Republicans are not a, well, er, the Republicans are an established political party, representing a great many people. They represent no radical point of view, they do not have a very violent and sometimes emotional opposition, as we do.

Edward S. Butler. Oh, I see. Well, would you say then that The Fair Play for Cuba Committee is not a communist front organization?

Lee H. Oswald. The Senate Subcommittees who have occupied themselves with investigating the Fair Play for Cuba Committee, er, have found that there is nothing to connect the two committees. We have been investigated from several points of view, that is points of view of er, taxes, allegiance, subversion, and so forth. The findings er, have been as I say er, absolutely zero.

Edward S. Butler. Well, I have a, the Senate Hearings before me and I think what I have in front of me refutes precisely every statement that you have just made. For instance, who is the Honorary Chairman of The Fair Play for Cuba Committee?

Lee H. Oswald. Er, the Honorary Chairman of this Committee, er, the name of that person, er, I certainly don't know.

Edward S. Butler. Well, let me tell you, in case you don't know about your own organization . . .

Lee H. Oswald. No, I know about it.

Edward S. Butler. His name is Waldo Frank and I'm quoting from the "New Masses" of September, 1932 in that, the title of his article, "How I Came to Communism—A Symposium" by Waldo Frank—"Where I Stand and How I got There" er, now let me ask you a second question, who is the Secretary of the Fair Play for Cuba Committee? the National Secretary?

Lee H. Oswald. Well, we have a National Director who is Mr. V. T. Lee who is recently returned from Cuba and because of the fact that the U.S. government has imposed restrictions on travel to Cuba he is now under indictment for his traveling to Cuba, er, this however, it is very convenient for rightist organizations to drag out this or that literature purporting to show a fact which has not been established in law. I have said that

The Fair Play for Cuba Committee has definitely been investigated, that is very true, but I will also say that the total result of that, er, investigation was zero. That is, the Fair Play for Cuba Committee is not now on the Attorney General's Subversive List, any other material you may have is superfluitous (sic)

Edward S. Butler. Oh, it is?

Bill Slater. Mr. Oswald, if I may break in now a moment, I believe it was mentioned that you at one time asked to renounce your American citizenship and become a Soviet citizen, is that correct?

Lee H. Oswald. Well, I don't think that has particular import to this discussion. We are discussing er, er, Cuban-American relations . . .

Bill Slater. Well, I think it has a bearing to this extent Mr. Oswald, you say apparently that Cuba is not dominated by Russia and yet you apparently by your own past actions have shown that you have an affinity for Russia and perhaps communism, although I don't know that you admit that you either are a communist or have been, could you straighten out that point, are you, or have you been a communist?

Lee H. Oswald. Well, I had answered that, er, prior to this program on another radio program . . .

Bill Stuckey. Are you a Marxist?

Lee H. Oswald. Yes, I am a Marxist.

Edward S. Butler. What's the difference?

Lee H. Oswald. The difference is primarily the difference between a country like Ghana (sic) Guiana, Jugoslavia, China or Russia. A very, very great difference. Differences which we, er, appreciate by giving aid let's say to Jugoslavia in the sum of a hundred million or so dollars a year.

Edward S. Butler. That's extraneous, what's the difference?

Lee H. Oswald. The, er, er, difference is as I said a very great difference, er, many parties, many countries are based on Marxism, er, many country such as Great Britain display very socialistic er, aspects and characteristics I might point to the socialized medicine of Britain.

Bill Slatter. Gentlemen, I'll have to interrupt, we'll be back in a moment to continue this kind of lively discussion after this message.

Marshall Pearce: During the next two minutes the public heard a commercial message and the panelists saying little—shuffled their papers, preparing for the final round of the debate.

Marshall Pearce. The only man in the listening audience who knew the full story of Oswald's defection beforehand was Dr. Alton Ochsner, the world famous New Orleans surgeon who is President of INCA. Dr. Ochsner, on a world tour as expert consultant to the Surgeon General of the Air Force, has himself confronted delegates from communist China. He has also seen and heard Red agitators and propagandists at work in Latin America. Here are his firsthand impressions of Lee Harvey Oswald. Dr. Ochsner . . .

Dr. Alton Ochsner. Thank you. Since I was familiar with Oswald's background, when I heard him smoothly admit his three year defection to Russia I was not overly surprised. But when he tried to use his admission as a proof that The Fair Play for Cuba Committee was not communist controlled, I knew that Ed Butler was facing the same kind of propaganda "doublethink" that I had heard so many communists and their sympathizers use in my travels all over the world.

However, as the interview went on and the hardhitting questions and factual evidence piled up, I relaxed. Oswald had obviously met his match.

It is important to remember that at that time, Oswald had technically committed no crime. Therefore, no official could prevent him from spreading poison on the airwaves.

Nor would any of us, who believe in the freedom of speech, want a Thought Control Agency to assume such powers. Private citizens must meet the distortion with truth. On the other hand, a professional approach, with indisputable facts and a planned strategy, is needed if private citizens are to provide the antidote for propaganda poison.

Because the full facilities of INCA were available—for a change the propaganda battle was fought evenly.

The results speak for themselves. Oswald dropped out of sight immediately after the debate, and left New Orleans shortly thereafter. According to published reports he went to Mexico where he visited the Communist embassies of Russia and Cuba. Then he took up residence in an apartment in a Dallas suburb under the alias O. H. Lee, where several letters from the same man written on the stationery of both the Communist Party U.S.A. and The Fair Play for Cuba Committee, were reportedly found.

Many who have heard this record have expressed the belief that if an INCA branch office had existed in Dallas, Oswald would again have been exposed, and the President might be alive today. No one can say for certain. But as you listen to the second part of this record, think about it, and decide for yourself.

SIDE 2

Marshall Pearce. This is the second segment of the "Conversation Carte Blanche" interview, with Lee Harvey Oswald on radio station WDSU, in New Orleans, exactly as it was broadcast a few weeks before President Kennedy's assassination. . . .

Booth Announcer. And now back to Conservation Carte Blanche. Here again Bill Slatter.

Bill Slatter. Tonight Bill Stuckey and I are talking with three guests, Lee Harvey Oswald, who is local secretary of a group called Fair Play for Cuba, and with Ed Butler, the Executive Vice President of the Information Council of the Americas (INCA), and Carlos Bringuier, a Cuban refugee and obviously anti-Castro. Mr. Oswald as you might have imagined is on the hot seat tonight and I believe you, Bill Stuckey, have a question.

Bill Stuckey. Mr. Oswald I believe you said in reply to a question from Mr. Butler that any questions about your background were extraneous to discussion tonight. I disagree because of the fact that you refuse to reveal any of the other members of your organization so you are the face of The Fair Play for Cuba Committee in New Orleans. Therefore, anybody who might be interested in this organization ought to know more about you. For this reason I'm curious to know just how you supported yourself during the three years that you lived in the Soviet Union. Did you have a government subsidy?

Lee H. Oswald. Er, well, as I er, well, I will answer that question directly then, since you will not rest until you get your answer, er. I worked in Russia, er, I was, er under the protection er, that is to say, I was not under the protection of the American government, but that I was at all times, er, considered an American citizen. I did not lose my American citizenship.

Bill Slatter. Did you say that you wanted at one point though? What happened?

Lee H. Oswald. Well, it's a long drawn out situation, er, with permission to live in the Soviet Union granted to a foreign resident is rarely given, er, this calls for a certain amount of technicality, technical papers and so forth, er, at no time as I say was I er, did I renounce my citizenship or at no time was I out of contact with the American Embassy.

Edward S. Butler. Excuse me, may I interrupt just one second. Either one of these two statements is wrong. The Washington Evening Star of Oct. 31, 1959 page 1, reported that Lee Harvey Oswald, a former Marine, of 4936 Collingwood St., Ft. Worth, Texas, had turned in his passport at the American Embassy in Moscow on that same date and it said that he had applied for Soviet citizenship. Now, it seems to me that you've renounced your American citizenship if you've turned in your passport.

Lee H. Oswald. Well, the very obvious answer to that is that I am back in the United States. A person who renounces his citizenship becomes disqualified for returning to the U.S.

Edward S. Butler. Right, and Soviet authorities—this is from the Washington Post & Times Herald of November 16, 1959—Soviet authorities have refused to grant it although they had informed him he could live in Russia as a Resident Alien. What did you do in the 2 weeks from Oct. 31st to Nov. 16th, 1959?

Lee H. Oswald. As I have already stated, of course this whole conversation and we don't have too much time left, is getting away from the Cuban-American problem, however, I am quite willing to discuss myself for the remainder of this program, as I stated it is very difficult for a resident, for a foreigner to get permission to reside in the Soviet Union. During those two weeks and during the dates you mentioned I was, of course, er er, with the knowledge of the American Embassy getting this permission.

Edward S. Butler. Were you ever at a building at 11 Kuznyetskaya Street in Moscow?

Lee H. Oswald. Kuznyetskoya? Kuznyetskoya is the er, well that would be, well, that would probably be the Foreign Ministry, I presume, er, no, I was never in that, place, although I know Moscow having lived there.

Bill Slatter. Excuse me. Let me interrupt here. I think Mr. Oswald is right to this extent, we should get around to the organization which he is the head of in New Orleans, the Fair Play for Cuba.

Lee H. Oswald. The Fair Play for Cuba *Committee.*

Bill Slatter. As a practical matter Mr. Oswald, knowing as I'm sure you do the sentiment in America against Cuba, we, of course, severed diplomatic relations sometime ago, I would say that Castro is as about as unpopular as any body in the world in this country. As a practical matter, what do you hope to gain for your work? How do you hope to bring about what you call "Fair Play for Cuba"? Knowing that sentiment?

Lee H. Oswald. The principals of The Fair Play for Cuba consist of restoration of diplomatic trade and tourist relations with Cuba, that is one of our main points, er, we are for that, I disagree that this situation regarding American-Cuban relations is very unpopular, we are in a minority surely, er, we are not particularly interested in what Cuban exiles or rightists er, er, members of rightist organizations have to say, we are primarily interested in the attitude of the U.S. government toward Cuba. And in that way we are striving to get the United States to adopt measures which would be more friendly toward the Cuban people and the new Cuban regime in that country. We are not at all communist controlled, regardless of the fact that I have the experience of living in Russia, regardless of the fact that we have been investigated, er, regardless of any of those facts, er, The Fair Play for Cuba Committee is an independent organization not affiliated with any other organization, our aims and our ideals are very clear, and in the best keeping with American traditions of democracy.

Carlos Bringuier. Do you agree with Fidel Castro when in his last speech of July 26th of this year he qualify President John Fitzgerald Kennedy of the United States as a ruffian and a thief? Do you agree with Mr. Castro?

Lee H. Oswald. I would not agree with that, er particular wording. However, I and the er, Fair Play for Cuba Committee does think that the United States government through certain agencies, mainly the State

Department and the C.I.A. have made monumental mistakes in its relations with Cuba. Mistakes which are pushing Cuba into the spheres of activities of let's say a very dogmatic country such as China is.

Bill Slatter. Mr. Oswald, would you agree that when Castro first took power, er, would you agree that the United States was very friendly with Castro, that the people of this country had nothing but admiration for him, that, er, that they were very glad to see Batista thrown out?

Lee H. Oswald. I would say that the activities of the United States government in regards to Batista were a manifestation of, not so much support for Fidel Castro, but rather a withdrawal of support from Batista, in other words, we stopped arms to Batista, what we should have done was to take those armaments and drop them into the Sierra Maestra where Fidel Castro could have used them, as for public sentiment at that time, I think even at that even before the revolution there were rumblings of official comment and so forth from government officials, er, against Fidel Castro.

Edward S. Butler. You've never been to Cuba, of course, but why are the people in Cuba starving today?

Lee H. Oswald. Well, in any country, er, emerging from a semi-colonial state and embarking upon reforms which require a diversification of agriculture, er, you are going to have shortages, after all 80% of imports into the United States, er, from Cuba were two products, er, tobacco and sugar. Nowadays, er, while the er, Cuba is er, reducing its product as far as sugar cane goes it is striving to grow unlimited and unheard of for Cuba, quantities of certain vegetables; sweet potatoes, lima beans, cotton and so forth, so that they can become agriculturally independent . . .

Bill Slatter. Gentlemen, I'm going to have to interrupt, our time is almost up. We've had three guests tonight on Conversation Carte Blanche: Bill Stuckey and I have been talking to Lee Harvey Oswald, Secretary of the New Orleans Chapter of The Fair Play for Cuba Committee, Ed Butler, Executive Director of The Information Council of the Americas (INCA), and Carlos Bringuier, Cuban refugee. Thank you very much and good evening.

(Drums.)

Marshall Pearce. The end of the interview foreshadowed a tragic series of events climaxed by the assassination of President Kennedy on November 22, 1963, and the subsequent murder of Lee Harvey Oswald before a television audience of millions.

Now for an impression in depth of Oswald we turn to one of the panelists on that fateful evening—Edward Butler, Executive Vice-President of INCA. Mr. Butler a specialist in communist propaganda activities and how to overcome them, has interviewed scores of refugees from communist takeovers during the past several years. In 1960 he conceived, and now manages INCA, and its TRUTH TAPES program. TRUTH TAPES are half-hour and fifteen minute tape recordings featuring eyewitness refugee testimony about communist takeover tactics, sent to a network of over 120 local radio stations in 16 nations of Latin America.

The author of several articles on this vital subject, Mr. Butler has appeared as a witness before the House Foreign Affairs Subcommittee on International Organizations and Movements to outline ways to win the war of words and avoid nuclear conflict. He was the only known propaganda specialist ever to confront Oswald. Mr. Butler . . .

Edward S. Butler. While sketching the portrait of Oswald for the jacket of this record, I sorted through a mental inventory of scores of memories of Oswald, his expressions, statements, reactions, and gestures.

Although our only confrontation was the evening of the debate, I knew a good deal about Oswald before the encounter. I had listened for hours to a long, tape-recorded interview with Oswald by Bill Stuckey; I had questioned Bringuier and other refugees who knew him; I had read the anti-American, pro-Castro propaganda Oswald was distributing on behalf of The Fair Play for Cuba Committee and of course, I had data about his defection to Russia.

We finally met in the reception room at the WDSU studio; Bringuier introduced us. Oswald seemed outwardly self-confident, but his hand was clammy when I shook it.

I sat down opposite him, about three feet away.

Stuckey came in, and after a somewhat stiff "hello" all around, he and I began to chat, while Oswald and Bringuier began to argue.

When Oswald spoke, he sounded like a man with a piano roll in his head, grinding out the same tired Red propaganda tunes that I have heard so often in my work.

It was then that I happened to mention to Stuckey that a certain local businessman was "progressive" in his advertising policies.

On the first syllable of the word "progressive", Oswald abruptly broke off his discussion with Bringuier and looked at me, slightly startled. But by the time I had finished the sentence, Oswald realized that I was applying the term "progressive" to capitalism, and his glance changed into a smirk of utter disgust.

To those of us who have to delve into the murky jargon of Marxism-Leninism, Oswald's reaction was no surprise. In the Red catechism, the term "progressive" always indicated the "proletarian" forces led by the Party; to apply it to capitalism is blasphemy.

I will never forget Oswald's look of loathing. I was to see it several times more during the evening, since everyone noticed that he was particularly antagonistic towards me. I tried to capture that black look on the jacket sketch. It had to be a look of *impersonal* hatred, since Oswald knew nothing about me, or the organization which I represented. But more about that in a moment.

I listened closely as Oswald and Bringuier resumed their dispute, and was impressed by Oswald's technical competence as a propagandist. Let me illustrate with a few examples from the debate you've just heard.

Subject paralleling is a standard propaganda technique. On defense, the propagandist uses it to turn an attack backward upon his opponent.

Oswald's attempt to use his visit to Russia as a proof that the Fair Play for Cuba Committee is not communist controlled, is an example of defense paralleling.

On defense, paralleling is used to link and smear by implication. Oswald did this three times when he labeled me a "rightest" and INCA a "rightist organization". As a matter of fact he didn't even know the name of my organization when he pulled the parallels, because he asked for that information and wrote it down in a notebook, when the debate was over.

For the record, INCA's membership and Board includes Liberals and Conservatives, Democrats and Republicans, scattered all over the nation, all bound in their opposition to communist tyranny by a single common ideal—Liberty Under Law.

Oswald knew many other tricks of the trade target narrowing and subject expansion, slogan building, theme repetition and so on.

Here are some examples from the debate:

You heard Oswald twice try to narrow his target—a propaganda technique used defensively to avoid dangerous or embarrassing side-issues, offensively to sharpen the point of an attack—when he said:

" . . . This, . . . I don't think this is a subject to be discussed tonight . . . The Fair Play for Cuba Committee, as the name implies, is concerned primarily with Cuban-American relations!"

And again when he said . . .

"I don't think that has particular import to this discussion. We are discussing Cuban-American relations."

Edward S. Butler. And, finally when he dismissed the investigative resources of the Congress of the United States with the statement:

Lee H. Oswald. . . . The Fair Play for Cuba Committee is not *now* on the Attorney General's Subversive List. Any other material you may have is superflus. (sic)

Edward S. Butler. Thus Oswald was trying to narrow my range to courtroom evidence, while presumably reserving the broad field of opinion unto himself.

Which brings up another interesting point:

Oswald also knew how to *expand* his subject a method used, defensively, to blur and confuse the issues so that there is nothing but haze to attack. On offense, expansion is used to make blanket comparisons or charges covering many individuals, groups or nations.

You heard Oswald defensively expanding in answer to my embarrassing question about the difference between Marxism and Communism. In just a few sentences he spanned the globe from Africa to Europe, then tried to bring in American Foreign Aid and alliance policies to prove his point.

Lee H. Oswald. The difference is primarily the difference between a country like Ghana, Guiana (sic), Jugoslavia, China or Russia. A very, very great differences. Differences which we, er, appreciate by giving aid let's say to Jugoslavia in the sum of a hundred million or so dollars a year.

Edward S. Butler. I was narrowing on the attack when I refused to be confused and interrupted him with "That's extraneous, what's the difference?"

Lee H. Oswald. The, er, difference is as I said a very great difference, er, many parties, many countries are based on Marxism, er, many countries such as Great Britain display very socialistic, er, aspects and characteristics. I might point to the socialized medicine of Britain.

Edward S. Butler. Oswald also used the familiar Big Lie technique, made famous by Goebbels, but originated by Lenin and perfected by his successors when he said:

Lee H. Oswald. The Senate subcommittees who have occupied themselves with investigating the Fair Play for Cuba Committee, have found that there is nothing to connect the two committees.

Edward S. Butler. To anyone who has read the detailed Congressional Hearings on The Fair Play for Cuba Committee, Oswald's distortion is obvious, and I urge every American to get these revealing documents and decide for yourself.

I suppose many mature Americans find it hard to take seriously the Marxist theory of a world split into two warring classes, never changing except by revolution, never progressing except by hatred and conflict—but Oswald took it religiously.

Similarly, many Americans can't conceive of anyone idolizing a brutal dictator like Castro, who has left a trail of blood, falsehood, and misery ever since he participated in *his* first political assassination, in Bogota, in 1948—but Oswald certainly idolized him.

What mystifies Americans most is how an American boy could come to accept such a philosophy, and to worship such a man. Oswald himself gave us a vital clue when he said he was introduced to communism by a pamphlet sympathetic to the Rosenberg Atom Spies. Later, reading Marx's "Das Capital" he said he felt, ". . . like a religious man opening the Bible for the first time." The answer, of course, is that communist propaganda, in gradual doses, conditions the immature mind to glorify violence.

It teaches impersonal hatred of whole classes of humanity. Many communist books, pamphlets, broadcasts or films are an open invitation to revolutionary terrorism.

President Kennedy's death has proved that *words*—which can be shot around the world faster than any missile—words are the ultimate weapon. What makes these new word weapons so powerful is that they can reach into the midst of any country, manipulate its own people, and invisibly motivate the minds of men who have the power to press buttons and pull triggers. As a professional who handles word weapons every day, in my opinion the most frightening statement known to man is the bland phrase, "It's just propaganda!"

Propaganda made Oswald the man he was. Communist propaganda inflamed the mind of the man, who—evidence indicates—pulled the trigger, to fire the bullet, that killed the President of the United States.

For instance, I have in my hand a cartoon from an official Cuban publication called "Verde Olivo" showing President Kennedy wearing a Nazi Swastika armband, and giving directions to a Cuban Refugee leader pictured as a worm.

We know, because Oswald admitted it openly, because he recited communist doctrine like scripture, and because people saw him in the act, that he had been steadily absorbing this mental poison for years.

Until we counteract the vast bulk of hate propaganda which pours forth both from official communist publications and their echoes here at home like The Fair Play for Cuba Committee, no elected official, no free institution, no private citizen's life, liberty or property will be safe.

But the situation is far from hopeless.

Communism can attract only the thinnest minority anywhere. For every embittered Oswald in America, or Castro in Cuba, there are thousands of young men all over the world who can be trained to meet, compete with, and defeat them on the mass media battleground.

What is needed are professionals—or more accurately a practical means of *subsidizing* the efforts of private propaganda professionals for freedom. I emphasize the word "private" because every Red revolutionary from Lenin, to Castro, to Oswald, has worked as a private citizen until *after* a successful revolution. Here at the private level, using words as weapons, is where most major battles will be won or lost.

And here is where nearly every American can help. Only a few will have the inclination, opportunity, and training to wage and win the war of words now going on. But all can, and must—back the attack.

In buying this "Oswald: Self-Portrait in Red" you have taken the first step, because revenue from this record is helping INCA to combat communism at the private level, professionally, throughout the Americas.

I for one, will never forget these living words, which no assassin's bullet can ever silence:

President JOHN F. KENNEDY. And so my fellow Americans, ask not what your country can do for you; ask what you can do for your country.

Mr. DODD. Mr. President, I intend to speak at some length on this general subject soon, and I hope to make public the testimony of Mr. Butler before the Internal Security Subcommittee on November 24, 1963.

PLANE PLANT PLUMS

Mr. WILLIAMS of Delaware. Mr. President, the Washington Post of February 18, 1967, contains an interesting article entitled "Three Hill Chairmen Get Plane Plant Plums." In this article it is pointed out that large defense contracts have been awarded to the districts of three chairmen. I read excerpts from the article, and thereafter I shall ask to have printed in the RECORD the entire article. This refers to a $1.3 billion overall contract.

In the spring of 1965, Lockheed was locked in intense competition for the C–5A award with two other plane makers, Boeing and Douglas.

To show it cares about the problem of depressed areas, Lockheed's Washington representatve, Johnson, and aides visited the White House, the Pentagon, the Labor and Commerce Departments and the Appalachia Regional Commission. They said that if Lockheed got the award, it intended to establish "several" subassembly plants in depressed areas.

Lockheed President Pulver says he knows only that the suggestions came from Vernon Johnson, his Washington representative.

Continuing:

Johnson will not be precise about what part the White House played, but insists the final decision was Lockheed's alone.

Rep. Evins, however, reports that he was told in Marietta by Lockheed officials that the White House had furnished the company a list of five favored congressional districts—including his.

Evins says he understood that the White House asked that "consideration be given to those areas" if new plants were to be built.

Evins recalled that he was vacationing in Florida when a White House aide telephoned to suggest that "you want to drop by Lockheed, up in Marietta, Ga., to talk about a plant.

He hastily prepared an elaborate presentation of the area's advantages, but discovered on arrival there that "we didn't have to do much work" to land it.

Asked why he thinks this happened, Evins replied:

"The South returns its men to Congress instead of turning them out every two years."

Earlier, he had told Science magazine that his "friendship with the President" and the fact that he managed President Johnson's 1964 campaign in Tennessee probably had "something to do with it."

What has managing the President's campaign in Tennessee got to do with a Government contract?

Mr. President, several weeks ago Secretary McNamara issued a statement boasting about the tremendous savings he had achieved in the Defense Department by virtue of the fact that he was now awarding about 20 percent more of the defense contracts on competitive bids.

The PRESIDING OFFICER. The time of the Senator from Delaware has expired.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent to proceed for 5 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WILLIAMS of Delaware. That savings was claimed on the basis that he was awarding a higher percentage of contracts on competitive bids than had been done heretofore. The Secretary pointed out that his savings on competitive bids and incentive bids ran from 10 to 25 percent over and above what it would have cost had the contracts been awarded on a politically negotiated basis.

This particular contract of $1.3 billion obviously was negotiated on what could be called a most politically motivated basis. Areas were already designated before the contract was awarded. Therefore at the very minimum the taxpayer's loss or the extra price paid on this $1.3 billion contract, based upon the formula of the "whiz kid from Detroit," will be a minimum of $130 million more that it would have cost had it been awarded on a competitive bid basis. In other words, it will cost $130 million for the White House to satisfy a series of political commitments. I say that that is a very high price for the American taxpayers to pay. I think that the administration when asking for a tax increase should be reminded that the taxpayers are willing to pay for the war, but they are getting tired of buying votes for the Great Society.

There is on the calendar now S. 665, a bill to authorize appropriations during fiscal year 1967 for the procurement of aircraft, missiles, and other equipment in the Defense Department.

An amendment will be offered on that bill which will require the Secretary of Defense in the future to award the contracts on a competitive bid basis rather than continuing this politically negotiated formula, as outlined in the article.

Mr. President, I ask unanimous consent to have the entire article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHITE HOUSE ASSIST FOR DISTRICTS REPORTED: THREE HILL CHAIRMEN GET PLANE PLANT PLUMS

(By Don Oberdorfer)

With a reported assist from the White House, the Lockheed-Georgia Co. has established subassembly plants for the world's largest military airplane in the home districts of three powerful House committee chairmen.

The lucky lawmakers are:

Joe L. Evins (D-Tenn.), who heads the Small Business Committee and the Appropriations Subcommittee on Independent Offices and Housing.

Thomas E. Morgan (D-Pa.), Chairman of the Foreign Affairs Committee.

Harley O. Staggers (D-W. Va.), Chairman of the Interstate and Foreign Commerce Committee.

A fourth Democrat, Walter H. Moeller of Ohio, also was blessed with a subassembly plant for the giant C–5A transport plane. But it didn't save Moeller from defeat last November at the hands of a Republican.

The C–5A contract, at $1.3 billion, is believed to be the largest single industrial contract in history.

To land the new plants, each Representative made a journey to Lockheed-Georgia's headquarters in Marietta, Ga., in November, 1965. Lockheed officials and at least one of the lawmakers say the invitations for these unusual industry-hunting trips were extended through the White House.

When they arrived at Marietta, the Congressmen found they had no need to be supersalesmen for their districts. The subassembly plants had already been arranged; all they needed to do was announce the happy news to the folks back home.

Rep. Evins said he was told that the White House gave Lockheed a "list" of where its subassembly plants should go. Lockheed said it did receive White House suggestions, but that "the final decisions were made by Lockheed and nobody else."

Lockheed-Georgia's president, W. A. Pulver, and its Washington representative, Vernon Johnson, say the subassembly plants, each of which will employ fewer than 200 persons, can do their work as cheaply as it could be done at Marietta.

Several years ago, Lockheed had established two other subassembly plants in connection with an earlier defense contract. One landed in Charleston, S.C., the home of Chairman L. Mendel Rivers (D) of the House Armed Services Committee. The other is in the district of Rep. Arch A. Moore, Jr., a West Virginia Republican.

Lockheed's main plant at Marietta, Ga., just outside Atlanta, is in the home State of Sen. Richard B. Russell, chairman of the Senate Armed Services Committee. The Lockheed-Georgia Co. is a division of the Lockheed Aircraft Corp.

It was Russell who received the first "leak" that Lockheed would win the intense competition for the C–5A transport contract.

First hints of the subassembly saga appeared this week in Science magazine in an article about Evins. As pieced together from that account and from interviews, this is what occurred:

In the spring of 1965, Lockheed was locked in intense competition for the C–5A award with two other plane makers, Boeing and Douglas.

To show it cares about the problem of depressed areas, Lockheed's Washington representative, Johnson, and aides visited the White House, the Pentagon, the Labor and Commerce Departments and the Appalachia Regional Commission. They said that if Lockheed got the award, it intended to establish "several" subassembly plants in depressed areas.

Moreover, according to Johnson, the firm asked for suggestions from the Government about needy locations. The White House and other agencies obliged, he said. After it won the contract on Sept. 30, 1965, Lockheed's Washington office began to narrow down "20 or 25" proposed locations.

As a result of that winnowing and secret site visits, four locations were picked: Shelbyville, Tenn. (Evins's district); Uniontown, Pa. (Morgan's); Martinsburg, W. Va. (Staggers' district); and Logan, Ohio (Moeller's).

Lockheed President Pulver says he knows only that the suggestions came from Vernon Johnson, his Washington representative. Johnson will not be precise about what part the White House played, but insists the final decision was Lockheed's alone.

Rep. Evins, however, reports that he was told in Marietta by Lockheed officials that the White House had furnished the company a list of five favored congressional districts—including his.

Evins says he understood that the White House asked that "consideration be given to those areas" if new plants were to be built.

Evins recalled that he was vacationing in Florida when a White House aide telephoned to suggest that "you want to drop by Lockheed, up in Marietta, Ga.," to talk about a plant.

He hastily prepared an elaborate presentation of the area's advantages, but discovered on arrival there that "we didn't have to do much work" to land it.

Asked why he thinks this happened, Evins replied:

"The South returns its men to Congress instead of turning them out every two years."

Earlier, he had told Science magazine that his "friendship with the President" and the fact that he managed President Johnson's 1964 campaign in Tennessee probably had "something to do with it."

Of the White House contact with the Congressmen, the Lockheed Washington representative said: "After we selected the areas, we cut them (the White House) in on the act. That's normal courtesy."

He would not say which White House official was involved in the various contacts, nor did Evins recall exactly who made contact with him. White House news secretary George Christian said he had "no knowledge" of the affair.

At his home in Keyser, W. Va., Rep. Staggers could not recall who notified him to travel to Marietta about the subassembly plant, but said he did not think it was the White House.

"I didn't do a thing," Staggers said. "When I went to Marietta, they told me the plant was coming to Martinsburg."

Efforts to reach Rep. Morgan were unavailing. Former Rep. Moeller could not be reached.

CORRECTION OF A LIBEL

Mr. DODD. Mr. President, Senators will be familiar with the case of Bogdan Stashynsky, the former member of the Soviet terror apparatus who in 1962 surrendered to the West German authorities and confessed to having murdered two Ukrainian nationalists leaders in West Germany on the direct orders of Moscow.

The distinguished German jurist who served as President of the Senate of the Federal Supreme Court at the trial of Stashynsky in the German High Court at Karlsruh, was Dr. Heinrich Jagusch. I was able to discuss the Stashynsky case at length with Dr. Jagusch when I was in Germany in April 1964 in connection with an investigation into the operations of the Soviet murder apparatus.

In last November's edition of the German monthly magazine Magnum, Dr. Jagusch was grossly slandered in an article which said that he "had actively been engaged in the bloodthirsty judiciary of the SS state". In an age when a growing minority of writers in every country are disposed to regard the right to libel as a privilege of their profession, I found it encouraging to note that Magnum magazine, when the facts were brought to its attention, published a full and forthright apology to Dr. Jagusch.

I ask unanimous consent to have printed in the RECORD a translation of the "rectification" issued by Magnum magazine relating to its attack on Dr. Jagusch, together with a translation of the letter which the editors of Magnum sent me personally on December 20, 1966. Both translations were prepared by the Library of Congress.

There being no objection, the letter and rectification were ordered to be printed in the RECORD, as follows:

PUBLISHING HOUSE,
KOLIN, *December 20, 1966.*

Senator THOMAS J. DODD,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: With reference to the statements made on the retired President of the Senate *Dr. Heinrich Jagusch* in our November edition "The Germans' Lost Paradises" we recently published the enclosed rectification in several newspapers and magazines.

Unfortunately, not all who had read our first publication will know of this rectification or of its contents inasmuch as our next Magnum issue will be published at a later date. Dr. Jagusch, for this reason, wishes to personally bring to your knowledge the enclosed rectification.

Yours very truly,
M. DU MONT SCHAUBERG,
Magnum Editor's Office.

RECTIFICATION

In our article "The Germans' Lost Paradises" published in Magnum, Number 59 of November 1966, we stated:

Dr. Heinrich Jagusch, before being appointed President of the Senate at the Federal Supreme Court, "had actively been engaged in the bloodthirsty judiciary of the SS-State." This is false.

Retired President of the Senate Dr. Heinrich Jagusch entered the judicial administration only after his second judicial state examination in 1946 at a time when our judicial system was being rebuilt. Prior to that he had been serving with the fighting units of the Army in Africa, Italy and France. During this time he had not been active as a criminal judge, public prosecutor or in any other related capacity with any law courts.

We retract our statements and request the public to take due notice of this rectification.

In connection with our publication we showed a photograph of retired President of the Senate, Dr. Heinrich Jagusch, on page 44 in which he appears in the official attire of a judge and which also reveals that he had been wounded by war action. We especially regret that we had used on the following pages the term "Type" [character] and rendered such a derogatory service to Dr. Jagusch's reputation.

We apologized to him. He accepted our apologies. We wish to inform the public of our regrets.

DR. ULRICH SONNEMANN,
Chief Editor for the Issue "The Germans' Lost Paradises".
COLOGNE, *December 7, 1966.*

DEATH OF DR. J. ROBERT OPPENHEIMER

Mr. FULBRIGHT. Mr. President, the death this weekend of J. Robert Oppenheimer has taken from us a man who blended scientific genius with a profound sensitivity to the awful burden he gave to mankind. After the first atomic bomb was a reality, Dr. Oppenheimer said that "men of our time will never have a sense of security." Troubled by an environment which seemed to foster a nuclear arms race, Dr. Oppenheimer began to doubt and to question. But in the atmosphere of the early 1950's doubt was taken to be a sign of personal instability, criticism to be the first blush of treason. Disagreement with Dr. Oppenheimer soon became public persecution, inquiry became inquisition.

J. Robert Oppenheimer is dead. Let us remember not only what his special genius did for us; let us also remember what we did to him. In many ways, his memory will be best served if we recognize that we, as a people, have the capacity to persecute dissenters, and to smother those who doubt.

Mr. President, I ask unanimous consent that an impressive and thought-provoking obituary of Dr. Oppenheimer, written by Alfred Friendly, of the Washington Post, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

OPPENHEIMER: SCIENTIST BESET BY POLITICAL ILLS

(By Alfred Friendly)

If the radiance of a thousand suns were to burst into the sky, that would be like the splendor of the Mighty One . . . I am become Death, the destroyer of worlds."

The words are from the Hindu holy book, the Bhagavad-Gita, and are the ones that Robert Oppenheimer said wrote themselves on his mind when the first atom bomb turned night into day over the New Mexican desert.

He was the creator of the bomb, and in a way it was to destroy his world.

When the story of Los Alamos could be told at the end of the war, the light of Oppenheimer's fame was as bright as his bomb. He was showered with gratitude and acclaim, honored and even revered. He was propelled to positions of vast influence. His status in the world of science was close to oracular.

DEGRADED . . . HONORED

Nine years later he was demolished by official order of his government, acting through the Atomic Energy Commission.

Nine years after that, the Atomic Energy Commission awarded him its highest honor and $50,000, as a gesture of reparation or maybe contrition. He might have been more pleased with an official validation of a position he took in March, 1954, when his world came down around his ears:

"I cannot . . . accept the suggestion that I am unfit for public service . . . I have recalled instances where I acted unwisely. What I have hoped for was, not that I could wholly avoid error, but that I might learn from it. What I have learned has, I think, made me more fit to serve my country."

But when he died Saturday night, no formal action had been taken to expunge the official mark of "security risk." It is a legitimate question—although it has no answer—to ask how many people ever sincerely believed that he would betray his country's secrets. It is inconceivable that more than a corporal's guard believe that now.

His tragedy was close to classical: the towering figure dazzling in triumph, prideful, and thereupon shattered. But his destruction was only in part his own doing, and the rest was accomplished less by the gods than by men.

TRAGEDY OF THE AGE

His tragedy was also an epitome of the tradegy of the age. It was the product of the Cold War and changed circumstances. Faced for the first time since 1814 with the fact that America could be attacked on its own soil, too many of its people found an answer to their anxiety in branding others as less loyal and patriotic, and an explanation of their dilemma in attributing it to someone's treason.

Rejection of simplistic answers to problems of national security, failure to subscribe to an ordained level of bloody-mindedness, and too often, mere dissent and non-conformity, could mark a man as a Communist or servant of communism.

In this period, Oppenheimer was the most important figure to be attacked, and one of the last. His case, one can see in hindsight, same as the climax.

His career had two climaxes. One was on July 16, 1945, at Alamagordo, N.M., with the explosion of the world's first fission bomb, the creation of which he directed. The other was on June 1, 1954, when a special security board found him "loyal" but unfit to serve his government or know its future secrets.

Oppenheimer was to go on for another dozen years of distinguished work, in books and speeches, in scientific reports and most of all, in his direction of the Institute for Advanced Study, at Princeton. He was to get the Enrico Fermi Award. But that was anticlimax.

He accepted the award, on Dec. 2, 1963, with his customary quiet urbanity. On learning of his selection, he said: "Most of us look to the good opinion of our colleagues and to the good will and confidence of our government. I am no exception."

But the earlier ruling against him, which would have crushed any man, hit Oppenheimer harder than his friends, had expected. He grew gray and withdrawn, and the preternatural youthfulness of his looks and manner gave way quickly to the years.

A CHILD PRODIGY

Julius Robert Oppenheimer—"Oppie" to his friends—was born April 22, 1904, the son of a well-to-do Jewish family in New York City. He was a child prodigy, at 11 the youngest member of the New York Mineralogical Society. He remembered himself as "an unctuous, repulsively good little boy."

He graduated in three years from Harvard, summa cum laude and Phi Beta Kappa. Postgraduate work in Cambridge and Goettengen followed; then back to Harvard and the California Institute of Technology, and again Europe. He returned to the United States in 1929 and for the next 12 years studied and taught at the California Institute of Technology and the University of California, at Berkeley.

In those days, theoretical physics was almost a European monopoly. Oppenheimer became if not the founder of the American school, then at least the center. His own contributions in elementary particles and cosmic rays were brilliant, vastly important and—as is usual with theoretical physicists—they were made before he became 40.

He was also—as he was one day forced to confess, ashen-faced and hands twisting at his security hearing—"an idiot."

SHUNNED CURRENTS EVENTS

He read happily in seven languages and then took up an eighth, Sanskrit, in order to study books like the Bhagavad-Gita. But he read no newspapers or magazines on current affairs. He had no knowledge of or interest in the news of the day. He had no telephone or radio. He learned of the stock market crash long after the event. He never voted until 1936.

"I had no understanding of the relations of man to his society," he was to plead when his troubles came upon him.

When awareness dawned—through "smoldering fury about the treatment of the Jews in Germany" and exposure to what the depression was doing to his students—he was a sheep for the shearing.

COMMUNIST FRIENDS

His associates, even his loves, were Communists. He was never persuaded to become a Party member and his infatuation was short lived. But he "liked the new sense of companionship, and at the time felt that I was coming to be part of the life of my time and country."

He contributed left and right—or rather, mainly left—to all manner of "united front," which is to say Communist, causes. He made friends and, as a decent man will, kept them and tried to protect them and help them. It was his undoing.

His brilliant scientific reputation led to his appointment as head of the laboratory that was to make the atom bomb, located at his recommendation at Los Alamos, N.M., which he had known as a vacationer.

COLLEAGUE OF "GREATS"

The greats of nuclear physics and those who were to become great in the years to follow were his colleagues. Most were unstinting in their adoration of the man; all, even those who became his enemies, gave him full credit for a stupendous administrative, organizational, scientific—and inspired—accomplishment.

In the early stages, he underwent repeated security investigations. His left-wing associations had been abundant and obvious. He came clean before his interrogators about most of them, and his security file grew thicker and thicker.

But for a period, he played a fool's game in one episode. A friend named Haakon Chevalier, professor of French at Berkeley, came to Oppenheimer early in the war to say that he knew a Soviet agent or sympathizer who wanted to transmit to Russia scientific secrets of the sort Oppenheimer was working on.

Chevalier's role in the matter is subject to dispute. Oppenheimer maintained that Chevalier came as a friend to alert him to a danger. Security agents, to whom Oppenheimer later told the story, professed to see Chevalier as an intermediary.

WARNED OF DANGER

Oppenheimer had rejected the proposal out of hand, as "terribly wrong." But it was not until some time later, when he was less naive and more troubled, that he volunteered the story to Army security people, trying to call their attention to the existence of the would-be spy and the danger he represented.

But he invented a childish cock-and-bull story to escape revealing the involvement of Chevalier.

In later interrogations, Oppenheimer was obliged to tell the truth, but the episode remained in his files, ugly enough as it was and, when the McCarthy era dawned, devastating.

There was more. Even after the move to Los Alamos, Oppenheimer spent a night with an old love, a Communist. His own wife, Katherine, had been the widow of a Communist killed fighting for the loyalists in Spain. She, too, had been a Party member briefly, before her disillusionment. His brother, his sister-in-law, a host of earlier associates, were in the thick of far left associations and causes. He continued seeing some of them.

No one who became personally mired in the slough of the Communist environment ever emerged completely, gracefully, Oppenheimer told a reporter-friend in later years. His own exit, he concluded sadly, was not without awkwardness.

THE SWORD OF DAMOCLES

After the first A-bomb was exploded, Oppenheimer had said, "Men of our time will never have a sense of security." In a sense quite different from the context of his remark, the statement was terribly true for him, personally. For all that he was lionized and given positions of power after the war, he knew that he lived under a sword of Damocles.

He received a host of important scientific and governmental assignments. With Dean Acheson and David E. Lilienthal, later to become first chairman of the AEC, he drafted the so-called Baruch plan for international nuclear control. Almost as a matter of course, he became the first chairman of the new AEC's General Advisory Committee, the key scientific council of the agency.

In the light of two decades of hindsight, it is now clear that the policy positions he took in that job were the cause of the attack that brought him down.

When news that the Russians had exploded their first atomic bomb came on Sept. 23, 1949, the almost automatic reaction of a large group of atomic scientists and military figures was to urge the immediate development of the hydrogen bomb. The theoretical possibility of making "the Super" was widely understood.

DISPUTE WITH TELLER

Among the proponents of this counter to the Russian achievement was Edward Teller, another atomic scientist of towering reputation. He had, in fact, worked on the project at Los Alamos during the war years and was angry and frustrated that the idea had been dropped. Initially, he and "Oppie" had been friends, members of a mutual admiration society, but bitterness, envy and much animosity had developed.

To the horror of Teller and some others, particularly in the Air Force, it was learned that Oppenheimer and the entire General Advisory Committee were recommending against developing the H-bomb. Their reasons were diverse.

Some felt that the manufacture of the fusion weapon, under methods then conceived, would divert so much facilities and material from the manufacture of atomic bombs that the United States would end up with less rather than more nuclear power.

There would be a lesser, rather than a bigger bang for a buck.

CONTROVERSY DEVELOPS

Others were for making a unilateral announcement that the United States would forgo any attempt to make an H-bomb, and demand that the Soviet Union follow suit.

Others espoused a political view about which history has not yet given—may never give—its verdict.

Their contention was that if ever the H-bomb could be built, Russia could build it too. Then both nations would end up by having created a weapon more dangerous to their survival than either nation was to the other without the bomb.

Accordingly, they argued, this was the moment to go to the Russians with this forecast in the hope that a new try for negotiations could be begun, born out of common terror of the greater enemy.

The AEC backed the recommendation, 3 to 2, but President Truman decided otherwise.

In security hearings five years later, Oppenheimer was accused of thwarting progress on the H-bomb project. On examination, the charge boiled down to the assertion that his lack of enthusiasm deterred other scientists from putting their heart and talents into the program. No shred of evidence for the complaint was ever adduced.

FOUGHT BY AIR FORCE

As was later to appear, the most powerful, though covert, enemy of Oppenheimer was the Air Force. Its strategy then was the H-bomb, first and last.

Oppenheimer was in a position of power, with vast influence because of his enormous reputation. Once having lost the battle over the H-bomb, he went on to argue against total reliance on it. He urged additional means of defense—radar nets and tactical atomic weapons—which the Air Force was later to embrace but which then seemed like devices that would drain money from their one-and-only.

The attack on Oppenheimer did not come until 1953, by which time McCarthyism was at its apogee. The Wisconsin Senator never took aim at Oppenheimer, but he was a victim of the epidemic nonetheless. Stupidities and pieces of naivete, even unwise friendships that once could have been forgiven, now appeared as proof of subversive conspiracy, and military opinions that fell short of orthodox gung ho-ism became treason per se. In such an atmosphere Oppenheimer was a sitting duck for those out to destroy his influence.

In November, 1953, William L. Borden, former executive secretary of the Joint Atomic Energy Committee, who had studied Oppenheimer's security file, wrote to FBI director J. Edgar Hoover proclaiming that "more probably than not J. Robert Oppenheimer is an agent of the Soviet Union." Hoover, in turn, sent the letter and Oppenheimer's file to the AEC.

Its then chairman, Lewis L. Strauss, had reviewed it years before and had voted for Oppenheimer's clearance. Earlier, before he had seen the file, Strauss had been responsible for Oppenheimer's 1947 appointment as head of the Institute for Advanced Study at Princeton.

But the times, if not the file, had changed. Strauss referred the matter to President Eisenhower, who ordered an investigation and, in the interim, a "blank wall" erected between the scientist and all classified information. The former President's description of the episode in his book, "The White House Years," is an artless admission that he acted in fear of McCarthy.

OUTCOME FORESEEN

The hearings were held throughout May, 1954. Oppenheimer knew what the outcome would be before it started. "They just couldn't let me win," he said.

From the first day, it was clear that the process was an inquisition, a trial without the legal safeguards a court guarantees a defendant. Why Oppenheimer and his counsel tolerated it is an unanswered question.

Forty witnesses testified. The transcript ran to 993 fine-print pages. The Chevalier incident and Oppenheimer's attitude toward the H-bomb were the cardinal points.

Most of the witnesses, including some of the greatest names in science and government, were ardent in their defense of Oppenheimer. Nobel Prize winner I. I. Rabi, put the matter in a nutshell:

"We had an A-bomb and a whole series of it . . . and what more do you want, mermaids?"

The adverse witness who counted heaviest was Teller. "I would feel personally more secure if public matters would rest in other hands," he said.

The security board found that America owed Oppenheimer "a great debt for loyal and magnificent service" and voted, 2 to 1, that his future employment was not in its best interest. The AEC confirmed the decision, 4 to 1.

Furious rage at the decision, particularly among scientists and liberals, here and abroad, ensued. The scars have not entirely healed yet.

Oppenheimer continued his post at Princeton and when his term expired, Strauss, by then president of the Institute, saw to Oppenheimer's reappointment. Somehow the two men accommodated to a relationship that to an outsider, seemed like something that only Franz Kafka could have invented.

In the years that followed, Oppenheimer's normally quiet and reserved demeanor, and a mannerism of patient saintliness, tended to increase. He seemed much older and more remote. The gaiety and the flashes of intellectual arrogance and impatience almost disappeared.

LEAVES INSTITUTE

He resigned formally from the directorship of the Institute in June, 1966, but ill health had reduced his activities there some time before.

After the detonation of the first A-bombs, Oppenheimer wrote words now become famous:

"In some sort of crude sense which no vulgarity, no humor, no overstatement can quite extinguish, the physicists have known sin; and this is a knowledge which they cannot lose."

If the bomb was sin, Oppenheimer, as its chief creator, was presumably chief sinner. But in the end, he was more sinned against than sinning.

THE REPORT OF THE PRESIDENT'S CRIME COMMISSION

Mr. SCOTT. Mr. President, I commend the President's Commission on Law Enforcement and Administration of Justice for a report that focuses attention on the extent of crime that pervades American society today and methods that can be employed to reduce it.

In any such consideration, we must be concerned not only with preventing crime and eliminating it when it appears, but equally with the protection of individual rights.

I agree with the report's recommendation that the Federal Government should greatly expand its support of criminal justice agencies in the States and cities. I most prefer the approach used in the Safe Streets and Crime Control Act of 1967, which I cosponsored last week. Although it creates an incentive through Federal grants, this legislation leaves the initiative for specific action with the State and local governments.

I do not agree with the report's recommendation that calls for the abolition of the office of U.S. Commissioner. That is the Federal officer who issues arrests and search warrants, fixes bail, and holds preliminary hearings in felony cases. I most prefer the alternative recommendation that the office be overhauled by improving the quality and increasing the responsibility of these officers, placing them on a salary basis, training them for the job, and requiring that they be attorneys. I have cosponsored legislation which would substantially accomplish this overhaul. The U.S. Commissioners can perform many vital functions as an adjunct to the Federal court system and leave the Federal judiciary with more time to devote itself to dealing with trials and other more complex courtroom procedures.

I agree emphatically that we must deal more vigorously with organized crime and that we should grant immunity to witnesses under certain specified circumstances. I am a cosponsor of legislation dealing with this problem.

There needs also to be, in the fight against organized crime, legislation making it a crime to obstruct a criminal investigation. While it is presently a crime to obstruct an actual proceeding, there is a serious loophole in the lack of legislation dealing with the criminal investigation stage of an inquiry. I have joined with other Senators in proposing such legislation.

I concur most wholeheartedly in the Commission's conclusion that:

> The quality of the judiciary in large measure determines the quality of justice.

The quality of the judiciary also determines whether equity is done. The Commission points out that there are presently ineffective screening procedures in the States for potential candidates for the judiciary. I endorse this approach and would further like to see such a screening procedure in the Federal system. To this end, I have introduced legislation, proposing a Judicial Service Commission, that would recommend to the President the most qualified men to sit on the Federal bench.

I commend the Commission for its careful and thoughtful study of an exceptionally important area of American life today.

LANGUAGE STUDY AT THE FOREIGN SERVICE INSTITUTE

Mr. FULBRIGHT. Mr. President, the Foreign Service of the United States has become highly proficient in foreign languages. This proficiency has contributed greatly to the professional competence of the Foreign Service officers who execute American foreign policy all over the world. It is an achievement in which the Foreign Service, Congress, and the American people can take justifiable pride, and one for which the Foreign Service Institute's School of Language Studies is to be highly commended.

The measure of the great progress of recent years in Foreign Service language proficiency is the striking increase in the number of Foreign Service officers who have achieved an S–3 rating—the level of competence at which an individual is judged to be able to make effective use of a language—in at least one foreign language. In 1956, only 1,501 Foreign Service officers out of 3,033 then in the Foreign Service claimed an S–3 level of proficiency in any foreign language. Since then the language program of the Foreign Service Institute has been greatly expanded, with the result that the 3,470 Foreign Service officers on duty in August 1966 possessed a total of 3,206 tested proficiencies at the level of S–3 or above.

The meaning of this in operational terms is that almost all Foreign Service personnel assigned to American embassies and consulates now speak the language of the country to which they are assigned, and many of them speak it very well indeed. Obviously, this linguistic competence has increased the ability of our Foreign Service officers both to represent the United States and to acquire and report information about the countries to which they are assigned.

The success of the Foreign Service Institute School of Language Studies is attributable to two principal factors. The first is the development and use by the school of imaginative learning techniques—techniques which are being widely imitated in schools and colleges around the country as well as in training programs for Peace Corps volunteers.

The second and decisive reason for the success of the Foreign Service Institute language program is the high quality of its administrators, linguists, and instructors. In 1951 the Foreign Service Institute had 14 language instructors; in 1966 it had 116, teaching 30 languages. More important than their numbers, however, are the high qualifications of the instructors: all are well educated native speakers of the language they teach; many have contributed to the language textbooks which are published by the Foreign Service Institute; and, in addition, they are highly regarded by their students both for their teaching skills and their patience and good humor. Equally highly regarded are the professional linguists, who supervise teaching and testing and make frequent visits to the language classrooms to answer students' questions on syntax and usage.

I commend Dean James R. Frith and his colleagues in the School of Language Studies on the high level of the school's achievements. I am also personally appreciative of the generosity of Dean Frith and his colleagues in permitting members of the staff of the Committee on Foreign Relations to improve their professional competence by participating in language classes at the Foreign Service Institute. Several members of our staff are now alumni of the School of Language Studies, and two of our staff members have each studied two languages at the school.

Mr. President, I ask unanimous consent that an article by Dr. James R. Frith, Dean of the School of Language Studies, be printed at this point in the Record. Dr. Frith's article, entitled "School of Language Studies Meets Demands of Expanding Diplomacy," was published in the November 1966, issue of the Department of State News Letter.

There being no objection, the article was ordered to be printed in the Record, as follows:

School of Language Studies Meets Demands of Expanding Diplomacy

(By James R. Frith)

(Note.—Dr. Frith, Dean of the School of Languages, took his Ph.D. at Cornell, and in 1957 was appointed Director of the FSI Language School at Nice, France. In 1959 he was brought back to FSI, shortly was appointed Associate Dean of the School, and was appointed Dean in 1966.)

When Henry Lee Smith, Jr., became Director of Language Studies in the Division of Personnel Services on June 1, 1946, Congress was still considering the Foreign Service Act of 1946 and no one knew for sure whether there would be an FSI. But it was fairly sure that the Department wanted a good language program and with Dr. Smith's help would almost certainly have one.

Haxie Smith, as he is known to senior FSO's and to two generations of linguists, had first come to public attention with his 1939–41 radio program in which he named the home territory of participants by identifying their dialects in the style of Henry Higgins in Shaw's "Pygmalion." During World War II he had played a prominent part in developing the techniques of language instruction which came to be known as the Army Method—intensive and systematic speaking practice with a native-speaking instructor under the guidance of a scientific linguist.

Dr. Smith brought these techniques to the Department and began attracting to the new FSI a staff of scientific linguists which most universities would be proud of.

The assembling of this staff, like the founding of FSI, was timely. The dynamic new post-war diplomacy of the U.S. was to be carried out in a vastly variegated linguistic setting. As recently as 1940 it had been possible to transact virtually all of the official business abroad in English or at worst in one of about 12 foreign languages: Arabic, Chinese, French, German, Italian, Japanese, Persian, Portuguese, Russian, Spanish, Turkish, and possibly Thai. In actual fact, French alone would usually serve if English failed.

The compact linguistic world of diplomacy began to break up at the end of World War II. By the time Haxie Smith left FSI in 1955 to head the new department of linguistics and anthropology at the University of Buffalo, FSI was providing instruction, in Washington or at posts abroad, in some 35 languages—and the "break-up" was only well started.

In this period when Indonesian, Greek, Serbo-Croatian and a host of other languages were taking on new importance in U.S. foreign affairs, the English language was likewise taking on new importance among emerging peoples around the world. The demand for instruction in English was growing at an astonishing rate and the learning materials needed to satisfy the demand were sorely inadequate.

It would be a serious omission to fail to note that FSI linguists became deeply interested in the problem. Among the significant scholarly contributions of the period was *An Outline of English Structure* by George L. Trager and Henry Lee Smith, Jr., published in 1951. The textbooks used by hundreds of thousands of foreign nationals studying English in binational centers and other U.S.-encouraged programs bear the FSI mark imposed by the revolutionary Trager-Smith monograph.

The School of Languages which Haxie Smith handed over to Howard E. Sollenberger in 1955 was firmly established and ready for a period of rapid development. The population of the U.S. foreign affairs community had exploded with the establishment of a foreign aid organization and a USIA, and the FSO corps itself was undergoing a sharp expansion. The increasing numbers of people who needed to speak increasing numbers of foreign languages to conduct official business abroad created a situation which began to be called—somewhat vaguely—the language problem.

A long step toward solving any problem is stating it in clear terms. In 1955 the School of Languages proposed the now familiar S- and R- scales. A self-appraisal survey completed the next year revealed that, in the expanded Foreign Service system, only 1501 FSOs out of the 3033 in the service claimed S–3 proficiency in any foreign language.

Sharply increased language enrollments at FSI in Washington were accompanied by an augmentation of FSI-sponsored language study abroad. FSI had maintained branch schools in Peking (1947–49) and Taichung (from 1955 on) for the advanced study of Chinese, in Tokyo since 1952 for Japanese, and in Beirut since 1954 for Arabic. To these were added temporary branch schools in Nice, Frankfurt and Mexico City for French, German and Spanish in 1957.

A regional language supervisor system was added in 1958 to insure worthwhile instruction in post language programs, where enrollment was in the process of soaring from 800 in 1955 to 9000 in 1962. The FSI Testing Unit was established in 1958 to give further definition to the growing language proficiency of the foreign affairs community.

In 1960 Congress added its own statement to a growing body of policy on language learning:

"It is the policy of the Congress that chiefs of mission and Foreign Service officers appointed or assigned to serve the United States in foreign countries shall have, to the maximum practicable extent, among their qualifications, a useful knowledge of the principal language or dialect of the country in which they are to serve."

Textbook problems were demanding attention. When the School of Languages was a small, somewhat self-contained organization on the top three floors of the old 2115 C Street building, the linguists could operate their courses with hand-out material or obsolescent World War II Spoken Language Manuals, adjusting and supplementing as necessary in their classroom visits. The new worldwide program in which half of all FSI-sponsored language instruction took place at posts abroad called for self-sustaining textbooks.

Support from the U.S. Office of Education helped to make it possible for FSI linguists to undertake the writing of the up-to-date textbooks required to meet the needs of the 1960s. In the intervening years they have produced new learning materials for some 40 languages, refining them with each new class in the language (they taught classes in 33 of these languages at FSI in Washington in FY 1966 alone). As the materials have reached a suitable stage of refinement, they have been submitted to the Government Printing Office for publication.

GPO, which started marketing FSI language textbooks to the public in 1960, reported recently that total sales for the 22 languages now available had passed 139,000 volumes. FSI Basic Courses are widely used in colleges, in high school teacher training and in commercial language schools. Training programs for thousands of Peace Corps Volunteers have been implemented with the FSI textbooks for French, Spanish and 13 African languages. And one Yoruba bride is reported to have bought the Igbo Basic Course to learn her husband's language.

In the years of growth and refinement since 1955, there have been time and resources for innovation. The Early Morning Language Program, started in January of 1956, has provided opportunity for off-duty language instruction for 150 to 200 employees a year.

Under authority granted by Congress in 1960, special three-hour-a-day language courses are offered for wives about to proceed with their husbands to overseas assignments.

A summer intern program for graduate students in linguistics, started in 1965, exposes five or six budding linguists a year to the practical concerns of intensive language training and at the same time reinforces the ties between FSI and the university world.

A Volunteer English Teachers program established last year gives interested outbound wives an introduction to the teaching of English as a foreign language.

There has been cautious innovation also in the field of methodology. Two examples are worthy of note.

Dr. C. Cleland Harris has completed the first 20 units of a new Spanish course incorporating techniques from the field of "programmed instruction." Part of a projected 100 unit course, the material so far completed has proved to be self-sustaining to a considerable extent. For optimum results, however, students meet occasionally with native-speaking instructors for "display sessions." Trial of the semi-programmed materials indicates that they yield a better pronunciation and thus a better start in the study of Spanish than a similar amount of time spent in conventional intensive instruction.

Another line of innovation is being followed in Swahili. Two manuals of "microwave" materials have been developed by Dr. Earl W. Stevick and have been used at Columbia University Teachers College, Syracuse University and the University of Wisconsin as well as at FSI.

"Microwave" materials are designed for use in classes taught by native-speaking instructors. They have two characteristics distinguishing them from conventional materials for spoken language courses.

First, the interval is brief between the introduction of new materials and their actual use in real and meaningful conversation; second, they contain an abundance of information pertaining to the countries in which the language is spoken and depend entirely on fact and truth, assiduously avoiding the fictitious situations and conversations which frequently occur in conventional spoken language courses. The factual and truthful nature of "microwave" materials has lead to the comment that "students earn while they learn."

But lest anyone think that FSI linguists lead a sedentary ivory-tower life, servicing the language needs of the new foreign affairs community involves more than teaching, testing, counseling and textbook writing in the handsome new FSI in Rosslyn. It also involves a lot of travel. In FY 1966, 29 linguists including Regional Language Supervisors stationed in the field made 253 stops at embassies, consulates, AID, Peace Corps and USIA outposts, and at universities and other institutions with Peace Corps training programs.

Howard Sollenberger, who moved up to the job of Associate Director last May, has often remarked that major news breaks on the international scene usually have an immediate effect in the School of Language Studies. Presidential announcements of new appointments alert department heads to sudden and high priority training requirements. The opening or closing of posts presages changes in the student body. Growing or lessening tensions change priorities on textbook projects.

No other tension has matched the effect of Viet-Nam in the history of the FSI language program. Among the languages of the world, Vietnamese ranks somewhere around 25th in number of native speakers. Since 1962, it has risen at FSI from an enrollment of 2 to a recent enrollment of 175 and has become the Number One teaching effort. To prepare for this student body, FSI waged a nation-wide recruitment campaign for supervisory linguists, imported 20 native-speaking instructors from Viet-Nam when U.S. resources had been exhausted, and undertook an intensive program of materials development.

A new twist was stress on the southern dialect—historically, the Hanoi dialect had enjoyed a prestige position and was the focus of most of the extant linguistic research on Vietnamese. The native speaker of either dialect could cope with the differences with a little adjustment—somewhat as the Hoosier and the South Carolinian cope with each other's brand of English. But the American with S–2 Vietnamese had to have the right kind of Vietnamese if he was to understand and be understood. In the new context the right kind was Southern.

New lesson materials were written, reproduced in hand-out form, modified and then, as research and experience showed the way, replaced with new hand-out lessons which began to meet with general approval. A team comprising principally Dr. Eleanor H. Jorden, Charles R. Sheehan and Nguyen-Hy-Quang honed these to the publication stage and brought out three fascicles which provide the base for much of the Vietnamese language instruction going on in the U.S. and abroad today. With adaptation to military needs they have been reprinted in quantity by the U.S. Armed Forces Institute. At this writing the fourth fascicle is almost complete and a combined single volume entitled *FSI Vietnamese Basic Course* is expected to be published by the Government Printing Office before the end of 1966.

The role of the FSI linguists is to set up a framework in which the real task of the language program can be carried out: language learning. Their success depends entirely on the efforts of two other groups of people, the native-speaking language instructors and the student body.

Veteran members of the staff remember a time 15 years ago when the FSI language instructors held a Christmas party in a small language classroom—and there was room for all 14 of them. Today, the full-time instructor staff numbers 116, representing 30 languages.

The language instructors are the real stalwarts of the language teaching process. In class six hours a day, they are the most visible members of the FSI staff as far as students are concerned. Students probably remark more frequently about their patience than about any other single characteristic.

All are well educated speakers of a prestige dialect of their language. They have been selected for poise and personality. Many have contributed to the language textbooks published by FSI. Fourteen are listed as co-authors.

In the last analysis, though, it is the students who perform the most significant function: they learn to speak the languages. And by their efforts the Foreign Service has distinguished itself as a language-proficient group.

By August 1962, 55.6 percent of the FSO corps had been tested at least once at the S–3 level or better in at least one language. A recent survey shows that the figure has risen to 63.8 percent in the last four years; that the 3470 FSOs on duty August 31, 1966 possess a total of 3206 tested proficiencies at or above S–3. Note that some officers have more than one language at or above S–3. In fact more than a fifth of all FSOs have achieved tested S–3 proficiency in two or more languages.

The high level of language competence in the Foreign Service represents an achievement—rather 3206 individual achievements—in which FSOs may justly take pride.

LANGUAGE ARCHIVES: AFRIKAANS TO ZULU

Hidden away in the School of Language Studies is one of the world's largest collections of textbooks for teaching people to speak "hard" languages. Housed in an 8' x 12' inside room jammed with book shelves and pretentiously called The Archives, the collection is a highly specialized reference library for FSI linguists and a handful of other interested scholars. Its varied array of bound, clasped or ribbon-tied editions covers about 130 languages ranging from Afrikaans to Zulu-Xhosa.

CIA INVOLVEMENT IN STUDENT ORGANIZATIONS

Mr. McGEE. Mr. President, many persons have delighted in the recent revelations concerning the Central Intelligence Agency's involvement with student organizations. Some see this, I firmly believe, as an opportunity to burden more criticism on the CIA.

As Mr. William S. White has written in his column, which I have taken from the Washington Post, the facts are not at hand yet and the verdict should be delayed.

Mr. White has observed that in this instance, as in many others, critics have been quick to jump on our Government, perfectly willing to assume that it is inevitably wrong. Mr. President, this is a trait, I think, shared by Americans of various persuasions—but most noticeable among those whose orientation is furthest from the political center, whether they occupy the right or the left wings of our political spectrum. We should give our Government and its agencies more credit. And we should be willing to hear all the evidence before judging their actions in such incidents as the CIA–NSA case. I ask unanimous consent that William S. White's column entitled, "Unfair to CIA," be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

UNFAIR TO CIA: DELAY VERDICT TILL EVIDENCE IS IN

(By William S. White)

This country's many articulate victims of the great ultraliberal syndrome of our time—that is, a quivering fever of conviction that this Government is inevitably wrong in any conceivable attempt to set off any really tough backfire to the fires of Communist subversion—have again automatically convicted the poor old Central Intelligence Agency.

CIA's crime this time is the disclosure, first made by a violently left-wing and bitterly anti-Vietnam war little magazine called Ramparts, that for some 14 years the Agency has been giving financial assistance to anti-Communist or non-Communist student groups who seek to resist the incomparably more heavily financed Communist program to indoctrinate the universities everywhere and to dominate any and all student conferences on Cold War issues.

Not all of the facts are yet at hand, but the liberal-syndrome verdict of guilty as charged is, of course, already in before the jury has even entered the box. The jury is a group of three officials headed by Under Secretary of State Nicholas Katzenbach which has been charged by the President to look into this business—into all the facts, and not simply into such facts or alleged facts as the lefties have seen fit to produce.

The President's instructions are for a review of any governmental activity that might endanger the independence of the educational community. But the President's instructions do not stop there. For he recalls as well "the great need of American private organizations to participate in the world community." "Other countries," he observes, "provide substantial subsistence for such activity."

What this means is that for decades the Communists have provided a "substantial subsidy" to every kind of world student convocation so that they could pack these supposedly open discussions with their own people. On the evidence now available, what CIA has mainly been doing is providing the means to non-Communist students to attend these student conferences and offer a point of view different from that of the Communists.

If this turns out to be the truth of the business, and if it turns out that CIA has not mortally corrupted American youth by helping it to participate in student convocations that would otherwise have been totally controlled by Communist stooges, it will be difficult for some people to believe that a capital offense has been committed here.

For the long-observable truth is that Communist money for the indoctrination of students both here and abroad has been most lavishly expended. Any rational man can see as much when he looks at some of the so-called "student demonstrations" which have been occurring on some American campuses under the undoubted leadership of pro-Chinese Communist forces.

But if we want to look at the whole matter of "subsidy" with any honesty we also want to look well beyond what the CIA alone has done. Some of the largest and most prestige-laden of American foundations have for years undeniably offered much shelter to writers and others whose opposition to any strong stand anywhere to Communist expansionism is perfectly clear on the record.

Now, in this columnist's opinion, this is no crime; for there is nothing in the law or in American tradition to forbid multibillion-dollar foundations to give the better of it to the left if they so choose. But it is a little silly to suppose that this form of Foundation money is absolutely chaste or even absolutely private. The simple fact is that it, too, is very near to being public money—that is to say Government money—for had it not all been poured into precisely these foundations a very great part of it would have been quite rightfully seized by Government tax collectors.

The central point of this piece, however, is simply this: There is a spreading American characteristic of self-indictment, alike of the Government under any President and of our national motives at any time, that amounts to a national neurosis.

So let us not for a moment exculpate the CIA; but let us on the other hand be willing to wait for all the evidence before consigning it to the outer darkness.

DISPOSAL OF U.S. MILITARY INSTALLATIONS AND SUPPLIES IN FRANCE

Mr. NELSON. Mr. President, I commend the distinguished Senator from Alaska [Mr. GRUENING] for his fine report on the disposal of U.S. military installations and supplies in France. As chairman of the Subcommittee on Foreign Aid Expenditures of the Committee on Government Operations, he points out the serious deficiencies in property disposal practices by the Department of Defense. He shows the necessity for the Committee on Government Operations to review these practices continually in order to avoid the pitfalls which have befallen this country in its disposal of surplus properties as the result of our pullout from France before April 1 of this year.

The slowness with which both the State Department and the Defense Department acted has caused substantial financial losses to our Government which we might have been able to recoup had these departments been quicker to react.

However, this is only a part of the problem. The Senator from Alaska points out that in the past 17 years since NATO was formed, this country has expended close to $1 billion in France for the construction of facilities which it must now turn over to that country in less than 2 months. We will undoubtedly lose all of this so-called investment.

The report shows that the deployment of U.S. forces for the defense of Europe has cost the United States a huge amount in balance of payments. During the years between 1953 and 1965, our total balance-of-payments deficit was about $28 billion; $16 billion of this was caused by spending on behalf of NATO.

France was a major recipient of this money. U.S. defense expenditures in France during this period accounted for $5 billion of the $16 billion deficit. By the end of 1965, we had spent over $80 million in net U.S. defense expenditures in France. Against receipts of $121 million from the French expenditures, the United States expended over $203 million in 1965. Expenditures were $97 million for the pay of French employees, $35 million for procuring supplies in France, and $66 million for soldiers and airmen in the U.S. military service in France.

In other words, the United States spent 25 percent of NATO defense cost in France, and received only 7.7 percent of the total U.S. NATO receipts from France.

I wish to thank the distinguished Senator from Alaska for bringing these illuminating figures to the Senate's attention in his fine report.

I believe we will be able to help our balance-of-payments problem considerably by the removal of our forces from France and by the eventual reduction of these same troops in Europe by two-thirds.

LARGE NUMBER OF AMERICAN PEOPLE DO CARE ABOUT SENATE RATIFICATION OF HUMAN RIGHTS CONVENTIONS

Mr. PROXMIRE. Mr. President, one of the most personally heartening reactions to my continuing daily efforts to win Senate ratification of the Human Rights Conventions on forced labor, genocide, political rights of women, and slavery has been the unusually large number of people who have taken the time to write expressing their strong support for ratification.

This should help to put at rest one of the chief criticisms of U.S. ratification; namely, that the American people do not care. Many people do care and care strongly about human rights and about this Nation's commitment to human rights.

These letters are not a part of any organized campaign. They are not form letters. The prose is not identical. They are unsolicited endorsements of U.S. ratification.

Mr. President, I ask unanimous consent to have printed in the RECORD excerpts from a few of the representative letters which I have received.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

WASHINGTON, D.C.,
February 3, 1967.

Senator WILLIAM PROXMIRE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR PROXMIRE: We have read with great interest your recent speeches in the Senate concerning the Human Rights Convention. On behalf of B'nai B'rith, I should like to extend to you our warmest commendations and urge that you continue your efforts to press the conscience of the Senate, so that, through ratification, the United States may resume its rightful role as a champion of International Human Rights and the Return to Law.

Sincerely,

Rabbi JAY KAUFMAN.

SETON HALL UNIVERSITY SCHOOL,
Newark, N.J., February 13, 1967.

Senator WILLIAM PROXMIRE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR PROXMIRE: I have been reading in the CONGRESSIONAL RECORD your speeches and comments on the ratification of the treaties. You have my prayers and best wishes for your success.

Regards,

FRANK MCQUADE,
Catholic Association for International Peace.

NEW YORK CITY, N.Y.,
February 8, 1967.

Hon. WILLIAM PROXMIRE,
U.S. Senator,
Senate Office Building,
Washington, D.C.

DEAR SENATOR PROXMIRE: Personally and on behalf of the American Roumanian National Committee, I would like to assure you of our continuous support of your action toward winning the ratification of these conventions.

Sincerely,

PAMFIL A. RIPOSANU,

NEW YORK CITY, N.Y.,
February 11, 1967.

Hon. WILLIAM PROXMIRE,
U.S. Senator,
New Senate Office Building,
Washington, D.C.

DEAR SENATOR PROXMIRE: The American Civil Liberties Union strongly endorses the efforts you are making to achieve Senate ratification of the Human Rights Conventions.

Sincerely,

JOHN SALZBERG,
Alternate Representative of A.C.L.U. to the United Nations.

NEW YORK, N.Y.,
February 9, 1967.

Hon. WILLIAM PROXMIRE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR PROXMIRE: Your consistent and energetic advocacy of the Human Rights Conventions is very well known, and you have earned the admiration of all of us who share your belief that their ratification by the United States Senate is long overdue.

Very sincerely,

JOHN A. MORSELL,
Executive Director, National Association for Advancement of Colored People.

NEW YORK CITY,
February 10, 1967.

Hon. WILLIAM PROXMIRE,
New Senate Office Building,
Washington, D.C.

DEAR SENATOR PROXMIRE: We much appreciate your stalwart work in behalf of the Human Rights Conventions, ratification of which is one of the cardinal aims of our public affairs program here at the Young Women's Christian Association. Please be assured of our very best wishes.

Sincerely,

BARBARA FISCHER-WILLIAMS,
Consultant on International Relations—YWCA.

CHERRY HILL, N.J.,
February 8, 1967.

Hon. WILLIAM PROXMIRE,
Senate Office Building,
Washington, D.C.

DEAR SENATOR PROXMIRE: Thank you for your consistent efforts to urge your fellow Senators to ratify the Human Rights Conventions. I have followed your daily speeches in the CONGRESSIONAL RECORD with interest and approbation. Hopefully the United States can soon be listed among the supporters of these important statements.

Sincerely,

ELISABETH FARR.

Mr. PROXMIRE. Mr. President, the people are interested in U.S. ratification of the Human Rights Conventions. These are merely a few of the literally scores of letters I have received articulating that interest.

Let the Senate procrastinate no more. Let the Senate respond to the challenge which history has laid down. Let the Senate ratify the Human Rights Conventions on forced labor, genocide, political rights of women, and slavery.

TRIBUTE TO MRS. FRANK W. BOYD, OF MANKATO, KANS.

Mr. PEARSON. Mr. President, last Friday, February 17, Mrs. Frank W. Boyd, of Mankato, Kans., known as Mamie Boyd to the thousands of her friends in Kansas, celebrated her 90th birthday, and on that same day, at the University of Kansas, she received the William Allen White Award for journalistic merit.

A well-deserved and beautifully written tribute to Mrs. Boyd was delivered by Clyde M. Reed, publisher of the Parsons Sun.

Mr. President, I ask unanimous consent that that tribute, published in the Junction City Daily Union, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CLYDE REED PAYS TRIBUTE TO MRS. FRANK BOYD

This is the day and this is the occasion when we gather to honor a Kansas editor in the name of William Allen White, the most famous Kansas editor of all and a legendary figure for eternity in journalism here at home and around the world.

This is a special day and a special occasion in this series of annual events—coming just one year short of the 100th anniversary of Mr. White's birth.

On this day we will honor a newspaper personage who was a contemporary of Mr. White, who is only nine years younger and is the first of her sex to receive the William Allen White Foundation's Award for Journalistic Merit.

HONOR MRS. BOYD

This would have to be Mrs. Frank W. Boyd of Mankato and northwest Kansas. Mamie Boyd, that's who. No one else.

Your humble speaker approaches this task gingerly with the gnawing knowledge that whatever he says about this remarkable woman, two or three times as much must be omitted because of the schedule imposed upon us by the day's events.

For what other Kansas journalist's life spans the lengthening years from Jim Lane to Jim Ryun, from Carry Nation to Debbie Bryant?

For what other Kansan has led such a satisfying life for so long and still, at the age of 90, is as busy as ever and writing wistfully of the days when she will grow older?

And surely no other practicing journalist in this state has functioned from the days of the Washington hand press and handset type through other methods of production to the offset process that is coming into vogue today.

None but Mamie Boyd, and here we are gathered to pay tribute to her, inadequate though that tribute may be.

ONLY ONE LIKE HER

There is only one Mamie Boyd in all of the broad sweep of our beloved state. Only one, with her unfailing kindness, her unflagging energy, her devotion to high principle, her deep philosophy that has guided her and her brood safely through trial and tribulation, her sparkle that delights friends and those who are strangers but briefly in her presence.

All of this, and still a working newspaperwoman at the age of 90 contributing two columns a week to a Boyd paper, the Jewell County Record in Mankato.

To begin at the beginning in this study of perpetual motion, accelerated rather than slowed by passing years, time flashes back to Friday, December 13—of all days—1876. On a farm near Humboldt, on the fringes of the Kansas Balkans, Mamie Alexander was born and she has been making light ever since of the ill omens associated with Friday the 13th.

She was one of a family of 12 children. There were 10 daughters and two sons. Her father, Joseph McDill Alexander, moved his family to Welda, in Anderson County, a few years later. He was to serve two terms in the Kansas House of Representatives, incidentally, as a Populist in the tumultuous political days of the 1890's.

ENROLLED IN COLLEGE

After working her way through Garnett High School, her thirst for knowledge was only heightened. Family finances did not match her dream and other measures were necessary. Whereupon Mamie Alexander sold her two-year-old heifer for the then munificent sum of $17.50 and was off to Manhattan and Kansas State College, set for a year's schooling in an era when inflation and Ronald Reagan had not yet left their marks upon higher education.

Her wardrobe consisted of what she called one good dress, and two calico numbers for work. Calico she needed for work, too, since one of her jobs in college was with a haying outfit that paid her 25 cents a day.

Through her father's influence—he being the associate editor of a county seat newspaper—Mamie Alexander got a job in the college printing office for the next school year. This work brought her 10 cents an hour and more importantly, led to a romance with Frank W. Boyd, also working as a student printer for the same princely wage.

Mamie and Frank were engaged to be married by the time of graduation from Kansas State in 1902. He went to Phillipsburg as editor of the Phillips County Post for $5 a week. She remained in Manhattan as a teaching assistant to do postgraduate work.

Misfortune then overtook her. Consumption struck, and doctors directed a change of climate. Colorado was the place, they said, and off to Colorado went Mamie Alexander. Life was lonely in strange surroundings for the stricken Kansas girl, and was made bearable only because Frank Boyd had a railroad pass, as did all newspaper editors in that day, and was able to visit her on weekends after an overnight ride on the Rock Island from Phillipsburg.

Ten months in Colorado brought no improvement. Rather her condition worsened.

PROMISED A CURE

"Western Kansas is better for T.B. than Colorado," her betrothed kept telling her. "You come home, we will get married and I will cure you in western Kansas."

Marriage followed on August 15, 1905, and the Boyd newspaper legend began to take root in northwest Kansas. She gathered the news and Frank picked up the ads and put out the paper.

Eighteen months later, the pure, bracing air of this unspoiled commonwealth had indeed cured her illness. Her lungs were healed, and the Boyds looked forward to raising a family.

"I left the office at 6 p.m. one evening," she has written, "and at 6 a.m. the next morning our eldest son McDill was born." He was to learn the business early. His mother bundled him into a baby buggy and pushed it along on her news-gathering rounds. "I locked the buggy and let the wind rock McDill while I went in and got the news."

McDill Boyd soon had a type case of his own, and with a stick in his lap learned the ways of Gutenberg. Six years later the second son, Frank W. Boyd, Jr., came along and "the Boyd Family of Newspaper Folks was complete."

HAD FOUR PAPERS

The pattern of newspaper life in Phillipsburg was the familiar story of county seat journalism in the early days. Phillipsburg could boast of four newspapers. The Boyds purchased the Post for $5,000 soon after McDill Boyd's arrival, through negotiation of a note at the bank. Cash and credit transactions were supplemented by trading subscriptions and advertising for butter, eggs, smoked ham, buttermilk and what Mamie Boyd labels as "garden sass." Stomachs were kept full even if the bank account was anemic. Mamie Boyd remembers them as glorious days—because we were "so happy and so poor."

Death took Frank Boyd, Sr., in 1947, but the Boyd family newspaper enterprises, well grounded by his thorough training, continued to prosper. The two sons, McDill and Frank, Jr.—better known as Huck and Bus—carried on the business with their mother, and indeed have expanded it.

OPERATE SIX WEEKLIES

While not acquiring newspapers at quite the rate of Lord Thomson, the Boyds today own and operate six northwest Kansas weekly newspapers—all of them flourishing as sturdy products of this state's journalism.

The Boyd empire consists of Phillips County Review at Phillipsburg, the Jewell County Record at Mankato, the Hill City Times, the Burr Oak Herald, the Jewell Republican and the Ellsworth Reporter.

Three third generation Boyds are now active in the business—two sons and a daughter of Bus Boyd—and the Boyd tradition is destined to continue many years.

Meanwhile, for 65 years, Mamie Boyd has had a hand in practically everything that has gone on in Kansas—a helpful and useful hand. She is, in the truest sense, a Citizen of Kansas—and Citizen is spelled with a capital C.

She has been as busy in Kansas as in Mankato and is known on Kansas Avenue in Topeka or Douglas Avenue in Wichita as on Main Street in Mankato.

WON MANY HONORS

Honors have poured in on her with the gentle yet continuing force of a spring breeze. She has been cited in Kansas and from one end of this country to the other. She has one of three gold medallions for 50 years of service in journalism awarded by Theta Sigma Phi, national journalistic sorority. She holds the McKinney Award, the only one of its kind, given by the National Newspaper Association in 1966, to "a newspaper editor and publisher who long has served her community and state with distinction." She was the first to receive the distinguished service award in journalism at Kansas State University where, incidentally, she was the first woman to be president of its alumni association and a dormitory was dedicated in her name on January 14, 1961. Only two weeks ago the Native Sons and Daughters of Kansas gave her an engraved silver tray for 50 years of service to an organization of which she is a founder.

Mamie Boyd was an organizer and is now honorary president for life of the Kansas Press Women and in 1966 was elected honorary president of the Kansas Press Association, perhaps the first such officer it ever had and possibly its last.

Her activities are like those items in a sale bill—far too numerous to list in full here. Suffice to say, they cover the whole broad spectrum of community, state and national interests.

NAMED TO STATE BOARDS

Not the least of Mamie Boyd's distinctions is that she has received appointments from five different Kansas governors. Governor Landon named her to the Kansas State Park Board, Ratner to the State Textbook Commission, Carlson to the State Advisory Commission on Institutional Management, Arn reappointed her to that commission and Avery selected her as a member of the Committee on Status of Women.

Possibly no other Kansan ever has served under five different governors, but then as was said before, there has never been another Kansan like Mamie Boyd.

For years, even when time would have sidelined many others, Mamie Boyd continued to log thousands of miles annually in driving herself about the state. Only when she had reached 87 were members of the family successful in persuading her to give up solo cross-country trips, convincing her that no person of her age should risk getting mired in a Kansas snowdrift. But she still drives her own car in Mankato.

No accounting of Mamie Boyd's life would be complete without reference to her knitting, because seldom is she seen without needles and a ball of yarn in her hands.

She organized a Phillips County Red Cross knitting class in World War I and conservative reckoning is that if all the yarn she has knitted since then were tied end to end it would reach to the moon and back with enough left over to tie into single wraps all of the Boyd papers that have ever been printed.

Out at Manhattan, where she sits on the front row at Kansas State basketball games, they say she never misses a purl even when errant warriors of the court happen to fall into her lap.

For the mere youngsters in this assemblage, those anywhere from 70 years of age on down, the recipe of Mamie Boyd's blooming longevity happily is no secret. It is available to all with her blessing.

HAS SIMPLE FORMULA

That formula is simply stated in these words: "When I work, I work hard: when I sit down to relax, I sit down easy, and when I worry, I go to sleep."

Few have said it better.

"It is magnificent to grow old if we keep young in spirit," Mamie Boyd wrote recently in the Jewell County Record. (As an aside, she maintains three annual scholarships for young women studying journalism at Kansas State, K.U. and Wichita State, one important means of attaining that end.)

"Time has stolen roses from my cheeks, turned my hair to silver, taken some of the sparkle from my eyes," she said in a touching column written on her 90th birthday.

"But time," she went on, "is my ally.

"I am in perfect health, no aches or pains. I extract my vitamins from Kansas sunshine and wholesome food . . .

"I awake each morning after eight hours of dreamless sleep and find myself in possession of a new day—new worlds to conquer, new adventures.

"God willing, I will continue to read, exchange my thoughts with my friends; watch the mental and emotional antics of my fellow men: see the beauty of the clouds, the leaf, the landscape and the crops; marvel at the stars on a clear night; continue to work as my strength will permit and thank God, who made and loves us all, for the privilege."

Here, dear friends, is a human being of great depth, for how many could have written as did she, on that same 90th birthday, these poignant paragraphs:

"I have had the love and understanding of my sons and their families, and many good friends. They have cushioned my loneliness. They have eased my heart-hurt and lightened my sorrow . . . I have strength to face life alone.

"For a time I wanted to go with my family everywhere they went—perhaps hoping to suck the vigor of youth from their vitality. It can't be done.

LIKE TO BE NEEDED

"Gradually it dawned on me that my sons and their families had to lead their own lives, that their families were complete without me. Yes, I know I was always wanted but not needed. There is such a difference . . . Women like to be needed. I have accepted the fact that my children's lives, like an everwidening stream, have left the narrow cove of mine behind . . .

"I have overcome the feeling of not being needed, having shaken it off like a discarded garment. I have lost myself in my work and my memories. It has been said: 'God gave us memory so we could have roses in December.' I have great arm loads of roses, and I clutch them tight when loneliness threatens . . ."

Who could have said that but Mamie Boyd, a most extraordinary woman of Kansas who at the age of 90 and still going strong receives the 1966 Award for Journalistic Merit from the William Allen White Foundation, the highest honor this organization can bestow upon a journalist of its state.

THE CONSULAR CONVENTION WITH THE SOVIET UNION

Mr. FULBRIGHT. Mr. President, I have received a letter from Mr. Walter Reuther, dated February 2, enclosing a resolution by the International Executive Board of the United Auto Workers Union urging Senate approval of the consular convention with the Soviet Union.

In his letter, Mr. Reuther says that the convention "can be of immediate advantage to Americans in the Soviet Union, and it will serve the long-term purpose of relaxing world tensions and moving toward the mutual understanding which must be the foundation of a just and enduring peace."

The United Auto Workers resolution sets the consular convention in the broader context of East-West relations and does so most eloquently. The full text of the resolution was placed in the RECORD on February 8 by the Senator from Pennsylvania [Mr. CLARK].

I ask unanimous consent that the text of Mr. Reuther's letter be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

OFFICE OF THE PRESIDENT,
February 2, 1967.

Senator J. W. FULBRIGHT,
U.S. Senate,
Washington, D.C.

MY DEAR SENATOR FULBRIGHT: Herewith please find a copy of the resolution voted today by the International Executive Board of the UAW, urging Senate approval of the Consular Convention with the Soviet Union. We strongly support the view of President Johnson that this Convention merits your vote. It can be of immediate advantage to Americans in the Soviet Union, and it will serve the long-storm purpose of relaxing world tensions and moving toward the mutual understanding which must be the foundation of a just and enduring peace.

Respectively yours,
WALTER P. REUTHER.

FREEZE ON FUNDS FOR FEDERAL HIGHWAY PROGRAMS

Mr. JORDAN of Idaho. Mr. President, the cutback or freeze on funds for Federal highway programs by the President of the United States has caused grave concern to Members of Congress and many citizens of my State of Idaho. The Idaho Legislature recently adopted House Joint Memorial 2 calling attention to the need for continuation of our present Federal-aid highway program with no disruption. The Governor of Idaho has written to President Johnson asking that a release of these trust funds be given prompt consideration.

I asked the Administrator of the Bureau of Public Roads in the Department of Transportation to explain the need for such curtailment of this important program. In his reply he stated:

> The current limitation on the Federal Aid Highway program is being applied in recognition of the need for reducing Federal expenditures as a contribution to the Vietnam effort and the resultant effort to reduce inflationary pressures. It is effective nationwide and distributed among States on the same basis as the apportionment of funds.

In my opinion the order was unfortunate and unnecessary and will not bring about the objectives the administration expects.

This is a trust fund collected from highway users for highway development programs. It is not in the same category as most funds placed in the Treasury. This money is not available for use in connection with the Vietnam war or for any use except for highway purposes.

The cutback will directly affect not only highway users who have placed the money in the trust fund but also breaks a commitment of Congress to highway administrators, who must plan far in advance, and to engineers, contractors, roadbuilders, suppliers, unions, and other public and private sectors of our economy. To me it does not conform with the intent of Congress.

If this deferment in the full use of trust funds is not terminated, many skilled and highly trained personnel may leave the highway construction program, payments on specialized heavy highway building equipment may not be met, some such equipment may be directed to other jobs, some equipment may depreciate or be made unusable through nonuse, with the end result being delays which may increase and accelerate inflation rather than deter further inflation. In other words, under the President's stretchout plan, we are certain to get fewer miles of highway construction with our trust fund dollars than if we continue the program under present planned levels.

The saving of human lives must be considered. The fatality rate on the Interstate System, which has already been slowed down through inflation, is roughly only half of that on other highways. It is expected that when the Interstate System is completed it will save 8,000 lives a year.

I fully endorse the principle that we should reduce expenditures for low priority Federal programs in an attempt to balance our expenditures with our income to hold inflation in check and to keep our economy strong and healthy. I do not believe the proposed freeze, or stretchout, as it is called, will assist in this effort.

Mr. President, I ask unanimous consent that the letter of the Honorable Don Samuelson, Governor of the State of Idaho, and the Idaho Legislature's House Joint Memorial 2 be printed at this point in the RECORD.

There being no objection, the letter and resolution were ordered to be printed in the RECORD, as follows:

STATE OF IDAHO,
OFFICE OF THE GOVERNOR,
Boise, February 11, 1967.

Hon. LYNDON B. JOHNSON,
The President of the United States,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: It is my considered opinion that highways and highway improvements in the United States today cannot be considered expendable under any conditions. They are too vital to the total security, safety, economy, and general well being of this State and our country.

The express purpose of this letter, therefore, is to cite my views concerning the position of the Federal Government with respect to the use of Federal-Aid Highway "*Trust Funds.*"

I share your concern about the potential of inflation in the United States today. I can also understand at least some of the problems associated with the foreign commitments of our country, especially in Vietnam. As a patriotic citizen, I recognize the need for sacrifice when the security and economy of our country is involved. But, I am also greatly concerned about the constantly rising accident toll on the highways of our nation.

Thus, it seems incredible to me that, within a very few months after passage of national highway safety legislation, your administration has taken an action which has effectively torpedoed a prime means for saving lives on the highways and streets of the entire United States.

I am, of course, referring to the November Administrative Order freezing the obligation of Federal-Aid Highway Trust Funds at a 3.3 billion dollar level for fiscal year 1967. Now, I am advised, you are considering a further 400 million dollar deferment of highway fund obligations for this same period.

I am convinced that actions, such as that taken in November, and now again proposed in greater depth, are truly not in the public interest. Such deferrals, and subsequent restarts in the highway program, will create chaotic problems for highway administrators, engineers, contractors, materials suppliers and numerous other elements of both public and private sectors of the economy.

In Idaho, your November action has reduced the scheduled award of highway contracts during fiscal year 1967 by more than 30 per cent over that anticipated from normal "Trust Fund" revenues. This will have an extremely serious impact on the total economy of this State.

I find this especially critical at this time since I am advised that several major Idaho highway projects, representing some $9.5 million of work scheduled for contracting late in 1966, are ready to contract. Under your holdback order, these projects must now be indefinitely deferred.

The highway construction program represents about 25 per cent of Idaho's heavy construction work and about 30 per cent of heavy construction employment.

Any reduction in the highway program reflects proportionately upon the supporting heavy equipment and material industries. Bond, insurance and financing institutions will incur a commensurate loss of business. Marginal operations, business failures and serious unemployment will result from any prolonged delay in the release of full "Trust Fund" authorizations.

I would emphasize the connotation "Trust Funds" because I believe this is exactly what the Congress intended this fund to be. Monies deposited to this fund have come into being through taxes which the highway user pays on tires, gasoline, oil and other accessories.

These monies have been deposited in the Treasury for trust keeping. They are the funds of the people and are committed to the orderly development of highways. I firmly believe that we have a moral contract with the highway users of our country to make improvements and additions to our highway systems as rapidly as the funds which the user pays become available for such use.

I cannot concur that it is in any way consistent for the Federal Government to stress highway safety and to specify penalties for not developing a safety program and, at the same time, cut back highway development which would provide safer facilities and substantially reduce the highway toll.

It is my strong position that there is no valid reason for considering any further deferment of "Trust Fund" apportionments to the several States. Additionally, I would respectfully request that those "Trust Fund" monies currently being withheld from the States, and which have been authorized by the Congress of the United States be released to the States at the earliest possible time. This should be no later than July 1, 1967.

In the future, I respectfully submit that appropriations, in the full amount authorized by the Congress, should be made to the several States, as the dates for such appropriations are reached. For the sake of all states, there should be no further deferments in amounts authorized to the States from the Federal-Aid Highway "Trust Fund" as long as there is an operating balance in this fund.

Your careful consideration to the statements contained in this letter and affirmative action on the release of "Trust Funds" now being withheld from State use will be greatly appreciated. The security, safety and economy of our country calls for such action.

Respectfully yours,
DON SAMUELSON, *Governor.*

HOUSE JOINT MEMORIAL 2

A joint memorial to the Honorable President of the United States, and the Senate and House of Representatives of the United States in Congress assembled

We, your Memorialists, the Senate and House of Representatives of the State of Idaho, respectfully request that:

"Whereas the Federal Aid Highway Act of 1956 and other federal statutes, created and established a program for the construction of a system of interstate and defense highways, and federal-aid primary and secondary highways with urban extensions in the state of Idaho and the several states of the nation; and

"Whereas the federal statutes have defined the sources of revenue and have dedicated the funds exclusively for the timely and orderly development of the highway system; and

"Whereas for the past decade the federal government has urged the state of Idaho and this state's highway industry to step up construction, and Idaho has been most cooperative in this regard as is evidenced not only by the accelerated highway program but also by the training and establishment of a skilled work force, and by the large, long-term capital investments undertaken by contractors, subcontractors and material suppliers to meet this commitment; and

"Whereas the construction team of working men and equipment, of professional engineers and contractors, once developed and operating efficiently, cannot be sustained if the financing becomes spasmodic and unreliable; and

"Whereas it has been definitely demonstrated in Idaho that better highways save the time, lives and money of our citizens, and that the consequences of a reduction in highway improvements would adversely affect the well-being of our citizens and cause further suffering and tragic loss of lives; and

"Whereas the orderly development of these modern highway systems is essential to preserve the national defense by providing the means of moving expeditiously the critical weapons, materials and personnel, and of coping with the aftermath of natural disasters or nuclear attack; and

"Whereas the rapid and convenient transportation of field crops, dairy and food products, livestock, lumber and minerals from the farms, ranches, mines and mills to distant consumer markets is essential to preserve these basic industries in the state of Idaho, and to expedite the flow of commerce between states: Now, therefore, be it

"*Resolved, by the Thirty-ninth Session of the Legislature of the State of Idaho, now in session, the Senate and House of Representatives concurring,* That we respectfully petition the President of the United States, although justifiably concerned with the inflationary trends developing throughout the nation, to reconsider his decision to cut back on this most vital and necessary federal-aid highway program which, if not continued in an orderly fashion, will have lasting adverse effects upon the national defense and the economic stability of the state of Idaho and the several states. Be it further,

"*Resolved,* That the Chief Clerk of the House of Representatives of the State of Idaho, be, and he is hereby authorized and directed to forward certified copies of this Memorial to the President of the United States, to each member of the Idaho congressional delegation and to the leadership of the Senate and House of Representatives of the United States."

COMMENT ON TESTIMONY OF AMBASSADOR EDWIN O. REISCHAUER BEFORE COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to have printed in the RECORD a letter published in the New York Times on February 8, written by Reinhold Niebuhr, and commenting on Ambassador Reischauer's testimony before the Committee on Foreign Relations on January 31, 1967.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

Reischauer's War Stand

New York, N.Y.,
February 2, 1967.

To the Editor:

I am among those who believe that Ambassador Edwin O. Reischauer's testimony before the Foreign Relations Committee of the Senate is the wisest and most remarkable comment on our situation in Vietnam that has come to the attention of the American people. His illustrious role as Ambassador to Japan and his knowledgeability as a specialist on Asia means that the points he makes must be heeded by all thoughtful citizens, and one hopes they may be heeded by the Administration.

Mr. Reischauer's frank admission that it was a mistake to be involved in a civil war in Vietnam; and that it is now difficult to withdraw, not because of the loss of face, but because of the loss of trust among those who had been our allies in the fateful struggle, gives new light in a dreary era in which constant escalation is justified by our political leaders with only various ambiguous justifications.

Fortunately, The Times gave generous excerpts from Ambassador Reischauer's testimony in the edition of Feb. 1, and the educational network (why not the commercial networks also?) allowed us to see him in action as he tussled with members of the Senate Foreign Relations Committee on various viewpoints. Some believe that this may have been a turning-point in our fateful Vietnam involvement.

Mr. Reischauer's testimony, in modern parlance, was that of a "dove" rather than a "hawk." But his realization of the realities of Asian politics and the importance of saving not our face but our honor may make his testimony unacceptable to both hawks and doves. One can only hope it will be acceptable to both the people and our political leaders.

Reinhold Niebuhr.

ARCHBISHOP LUCEY SUPPORTS FEDERAL GRANT FOR FAMILY PLANNING

Mr. GRUENING. Mr. President, when I returned from the Mexican Interparliamentary Conference this week, it was my privilege to read the full text of the statement concerning responsible parenthood by the Most Reverend Robert E. Lucey, the archbishop of the archdiocese of San Antonio. The statement of this ranking prelate of a great State on an issue of worldwide concern seems to me important because it succinctly defines why public policy and private morality can properly coexist. Man has the civil right and the duty to follow his own conscience.

My attention was first drawn to Archbishop Lucey's statement on the morning of January 20, as I read the New York Times. According to the United Press International news story, the archbishop was quoted as saying:

> Human beings should be judiciously informed of scientific advances and exploration of methods by which spouses can be helped in arranging the number of their children.

His statement was made at the time the San Antonio community submitted an application for $2 million for economic opportunity development programs which included $209,888 for the funding of 12 family planning clinics in San Antonio and Bexar County.

The archbishop said, and again I quote from press reports:

> The Planned Parenthood Association shares with us a desire to inform married parents of their responsibility to society in bearing children. Our agreement as to how this may best be done is only partial, but we have an assurance from the officers of the Association that they welcome our collaboration in their expenditure of public funds in this field of delicate human relations, and that the religious convictions of their clients will be scrupulously respected.

This helpful commentary by a distinguished American archbishop brings to bear religious principles as applied to social and civil problems. In fact, in his statement of January 16 Archbishop Lucey related his remarks to the teaching of his church in the Vatican Council in quoting special excerpts from the "Decree of the Church in the Modern World."

On January 23 the distinguished senior Senator from Texas [Mr. Yarborough], who has spoken many times about the population problem, placed the news accounts of the statement in the Congressional Record so that readers of the Record could share the thinking of his distinguished Texas constituent.

On January 26, 1967, I wrote to Archbishop Lucey requesting the complete text of his thoughtful statement. I felt that it should be shared with all Members of Congress, especially the members of the Subcommittee on Foreign Aid Expenditures of the Committee on Government Operations, which has been looking into the problems that are causing and that have created the population crisis both at home and abroad.

Archbishop Lucey has expressed his hope to me that his memorandum will be helpful to the Subcommittee on Foreign Aid Expenditures. Indeed, it is, but, more important, it offers a valuable insight into approaches to the solution of the population explosion.

As Archbishop Lucey says in his concluding paragraph:

> Realizing that it is the duty of the Church not only to instruct its members on what is sinful but also on what is good and decent, we acknowledge our obligation to give necessary instruction to our people and to offer cooperation to men of good will for the well-being of our community and for the peace of conscience of our people.

Mr. President, I ask unanimous consent that the full text of the archbishop's statement be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Most Reverend Robert E. Lucey, Archbishop of San Antonio, January 16, 1967

Some of our fellow citizens sincerely believe that the Catholic Church advocates irresponsible parenthood. They imagine that our motto is: "The larger the family, the better for everybody." This is not true as the following excerpts from Vatican II will reveal:

"Parents should regard at their proper mission the task of transmitting human life and educating those to whom it has been transmitted. They will fulfill their task with human and Christian responsibility."

The Church also teaches that parents have the freedom and the responsibility ultimately to pass judgment in the sight of God as to the size of their family. Here is what the Council declared:

"Marriage was not instituted solely for procreation. In view of the inalienable human right to marry and beget children the question of how many children should be born belongs to the honest judgment of the parents. Since the judgment of parents supposes a rightly formed conscience it is highly important that everyone be given the opportunity to practice upright and truly human responsibility. This responsibility respects the Divine law and takes account of circumstances and the times."

The Council also condemns unnatural methods of family regulation and states:

"Sons of the Church may not undertake methods of regulating procreation which are found blameworthy by the teaching authority of the Church. Human beings should be judiciously informed of scientific advances in the exploration of methods by which spouses can be helped in arranging the number of their children. The reliability of these methods should be adequately proven and their harmony with the moral order should be clear."

These quotations taken from the Decree on The Church in the Modern World reveal the attitude of the Church regarding the problem of family planning.

The Planned Parenthood Association shares with us a desire to inform married parents of their responsibility to society in bearing children. Our agreement as to how this may best be done is only partial but we have an assurance from the officers of the Association that they welcome our collaboration in their expenditure of public funds in this field of delicate human relations and that the religious convictions of their clients will be scrupulously respected. A Divine mandate has not been bestowed on Catholic citizens to prevent non-Catholics from receiving certain privileges approved by civil law. If these privileges are contrary to Divine Law we may not compel our fellow Americans to renounce them.

Realizing that it is the duty of the Church not only to instruct its members on what is sinful but also on what is good and decent, we acknowledge our obligation to give necessary instruction to our people and to offer cooperation to men of good will for the well being of our community and for the peace of conscience of our people. Therefore, I approve of a grant of Federal funds to this Association as described above.

NUCLEAR SHIP "SAVANNAH" SHOULD BE KEPT IN COMMISSION

Mr. PELL. Mr. President, so much of this country's reputation for developing new ocean technology rides in the nuclear ship *Savannah* that I believe all efforts should be made to keep her in commission. Also involved is our expensive program to demonstrate the desire of the United States to harness nuclear power for peaceful purposes.

The Newport Daily News has published an excellent editorial on this important topic which forcefully expresses my views and, I am sure, those of many thoughtful Americans.

I ask unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Peace Ship "Savannah"

The experimental nuclear-powered ship Savannah was built after President Dwight D. Eisenhower proposed in 1955 that the United States construct a nuclear-powered peace ship to demonstrate the peaceful uses of atomic energy. The 587-foot 21,800-ton vessel was completed in 1961 at a cost of about $40 million. To the Maritime Administration, it was to be the first of a great nuclear powered merchant fleet.

The announcement that the Savannah is to be taken out of service and laid up when the subsidy contract for its current operation expires Aug. 20 has, understandably, brought cries of anguish from the labor unions and regret from the Maritime Administration.

The Savannah will have had only two years of actual commercial service. It has been plagued by high operating costs for liability coverage, and the cost and technical difficulties of staffing the highly trained crew. Also, there was the difficulty of reaching agreements with unions wary of highly automated vessels.

The operating line insists the Savannah is safe, but insurance firms expressed concern over the possible damage from radiation in a collision or other mishap. The experience with the Savannah would seem to refute that fear, for it has been safe from mishap. The unions immediately urged its continuance.

Perhaps the mere announcement of stoppage will bring all elements together to smooth out the difficulties. Nuclear-powered vessels should not be abandoned on a slim two-year trial. The United States has pioneered in this field, where it has fallen far behind in conventional merchant ships. It should build on its advantage, not scrap it.

VICE PRESIDENT ADDRESSES GREAT LAKES GATHERING

Mr. PROXMIRE. Mr. President, Vice President HUMPHREY recently addressed a meeting in Washington of the Council of Lake Erie Ports, and he had some mighty interesting and encouraging things to say. As chairman of the Great Lakes Conference of Senators, I am all too aware of the difficulties faced by the lakes in the months and years ahead. We are threatened with a toll increase that could be disastrous to commerce on the St. Lawrence Seaway. We have to fight, and fight hard, for our fair share of military cargo shipments. We are not getting dependable American-flag service into the lakes in any kind of volume at all.

But we are working, both through the Great Lakes Conference of Senators and through the Great Lakes task force, composed of a number of Great Lakes organizations, to meet these problems. As the Vice President so cogently said:

> We have to learn how to work together, and how to give a little, and how to adjust ourselves to the needs of other groups. I am pleased, therefore, to see that the public and private groups in the Great Lakes States are awakening to the full potential of cooperative action in areas of common concern.

Vice President HUMPHREY brought more than his wise advice to the meeting, however. He brought good news. He told the group that, as Chairman of the Council on Marine Resources, Engineering, and Development, he has directed the council to "start to concentrate our attention also on the Great Lakes." The Vice President also said that the new Secretary of Transportation, Hon. Alan Boyd, "is a strong supporter of the Seaway. I know that because I spoke with him about it last night." This is very, very good news to all of us who represent the lakes.

I, for one, am very hopeful that this spirit of support will manifest itself through an alternative to a Seaway toll increase.

Mr. President, so that Senators may read the Vice President's excellent statement I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS OF VICE PRESIDENT HUBERT H. HUMPHREY TO THE COUNCIL OF LAKE ERIE PORTS, STATLER-HILTON HOTEL, WASHINGTON, D.C.

As I look over this audience rather quickly, I see a number of good friends, from organizations representing the ports in all the Great Lakes states.

I wanted to come to this meeting because I think it is long overdue. I know that many of you have given years of your private and public lives to the development of those great water resources known as the Great Lakes.

This body of water is possibly the most valuable earthly possession that this country has. No nation on the face of the earth is blessed with such a mass of fresh water, as are we in the United States and our sister nation to the north, Canada.

The Great Lakes have been a bond of friendship between our two great nations, rather than a source of rivalry or antagonism or tension. This friendship represents what we are trying to get other people in the world to think about: a great region, where you can have mutual cooperation and mutual development for the benefit of all. Every place that our diplomats visit, or wherever our President travels, or wherever any of our people go, we always remind our friends in other parts of the world that they should find ways to join together with their neighbors.

The Mekong River project is one example. Or consider the Jordan River development. We go from one end of the world to the other and suggest: "Now, if you could just get your hands close to a bit of water, whether it is a river, or a lake, or a watershed, you can find something that will hold you together and, in a sense, almost compel you to work together for the common good.

That's what the Great Lakes have been, a stream of friendship for eternity between two great Nations, and two great peoples.

Now Divine Providence blessed us with this great and valuable resource of the Great Lakes, and, speaking frankly, we haven't taken very good care of it. It is like a man who has been blessed with good health all his life and seems to think that somehow or another it will always be that way. Only when he finds that the blessing of good health is fast leaving him does he remember the warnings he should have heeded and the precautions he should have taken.

Well, that is what is happening with us and the Great Lakes. This incredible resource of fresh water is something that never can be replaced, and yet for many purposes, it can be destroyed in the decades ahead. And I mean in just a few decades, unless we take mighty good care of it.

I must say in front of my hosts, the Council of Lake Erie Ports, that one of the real tragedies of America is the pollution of that beautiful lake, and of others. We can't let that happen, and we don't need to let it happen. Now we must begin to reverse the destruction of our lakes and rivers, even though it will take many, many years to see any success or any real accomplishment. And cleaning up polluted waters will take the talents and perseverance and cooperation of everyone—industry, local, state and federal governments and dedicated individuals like yourselves.

The Vice President has been chosen, by Act of Congress, to be the Chairman of the Council on Marine Resources, Engineering and Development, the field commonly known as oceanography. Now most oceanographic work previously has been directed toward the open seas, towards the vast oceans.

But as the Chairman of the Council, I directed, this past week, that we start to concentrate our attention also on the Great Lakes. Now, all our activities in oceanography—including pollution abatement, increasing our fish resources and improving transportation—will be directed towards the Great Lakes as well as towards the oceans.

Now a few words about transportation. As all of you well know, transportation has become one of the primary considerations of this Government, and it is surely a primary consideration in the cost of industrial and consumer products. I think it is for this reason, because of this great concern over distribution and transportation in the modern economy, that we have elevated transportation from just an ordinary word to one with a capital T and Cabinet status.

This within itself tells its own story. Transportation is so fundamental that it stands right alongside of Defense and of Treasury and of the other great departments of government, as a matter of vital concern to the people of this Republic.

As this new Department of Transportation develops, both in structure and purpose, the Great Lakes are going to be an integral part of its thinking. For example, the St. Lawrence Seaway is high on the list of priority concerns of the Department of Transportation.

Secretary Boyd is a strong supporter of the Seaway. I know that because I spoke with him about it last night. He understands the importance of the development of this Seaway not only for today, but for the years ahead.

This is the commitment of the President of the United States, who voted for that Seaway. This is the commitment of the Vice President of the United States. I am not going to forget my heritage, and I am not going to forget the immense value of these great bodies of water known as the Great Lakes, this great St. Lawrence Seaway, and that great heartland of America which I think represents the future of this Nation.

But I must speak quite candidly. The fact is that over a long period of time, those of you, and all of us in the Great Lakes area, have not joined together enough to foster our common goals. It is no secret that other areas of our country long ago combined their energies and their collective public and private interests, to enhance the welfare of their particular area, and thus indirectly the welfare of the entire country. But while they did so, we enjoyed such great Teutonic-Nordic independence that we almost killed each other off.

I remember what my father told me once, as a boy. He said, "You are not nearly as smart as you think you are, son, so I advise you to work a little bit harder than anybody else so that you can stay even." I've tried to do that and, anyway, when you are "number two" you always have to try harder.

So it is very gratifying to me to see you trying harder, too; to see that at long last there is an effort being made to organize the shipping groups, the ports, the terminals and the other public and private interests of the Great Lakes to take effective action in support of transportation and other policies relating to the Lakes.

We are taking a very important step here, in this meeting this morning, and I know that you are going to continue.

Additionally, as you know, there has been a lack of effective liaison with Congress. Now I just give you this word of advice: don't make a single move that you do not bring to the attention of your Representatives in the Congress. The Congress of the United States is a mighty potent body, and it ultimately formulates United States policies on transportation, water resources, recreation and the St. Lawrence Seaway. The President can lead, the Executive branch can administer, but ultimately the Congress will have its way. I spent 16 years there and I haven't forgotten that great privilege. I am one who is very proud of the Congress.

The Great Lakes area Representatives and Senators are men who should be brought into your councils. They want to know more. They want to work with you. And what we need to do for the good of this Nation today, is to get this group of men working together on the same wavelength, making the adjustments that are necessary to achieve a common policy.

Compromises will be required. You know you can't just do everything for the Port of Duluth and forget all about all the other ports. Or you can't do everything for Lake Superior and forget the other Lakes. (I speak of the area that was closest to my constituency at one time.) We have to learn how to work together, and how to give a little, and how to adjust ourselves to the needs of other groups. I am pleased, therefore, to see that the public and private groups in the Great Lakes States are awakening to the full potential of cooperative action in areas of common concern.

Now you are here to think ahead. Let me then, for the remaining three or four moments, challenge you to look ahead in transportation and in other fields concerning the Great Lakes.

Last week I heard Thomas J. Watson of International Business Machines speak about the future. He pointed out that because of automation and increased productivity in most industries, the work week by 1980 may be down to 27 hours. In the year 2000 it will be 22 hours. He projected figures for the elderly, or those who used to be called elderly. They will be retiring, no longer at age 65, but at a much earlier age.

Then, he asked, what will we do with that extra time? I never heard a man give a more profound speech, as he pointed out the importance of looking ahead for productive and constructive living in the year 2000.

Most of the people in the audiences that I talk to today, gentlemen, are going to be alive in the year 2000. And if we are worth our salt, as individuals and as a Nation, we will be thinking about the year 2000.

Well, what is it going to be like on the Great Lakes in the year 2000? What kind of Lakes are we going to have? What is going to be on those shorelines? Do you know that the greatest population and industrial growth in the last third of the 20th Century is projected for the Great Lakes region?

How much recreational area are we going to have for all those people with all that leisure time? What is going to be done about transportation? What about the fish life? What about the need to keep the Great Lakes water level where it needs to be?

What about our relations with our neighbors to the North, our Canadian friends? And what about the Seaway? How can we best jointly plan for the day when waterborne traffic exceeds the capacity of the Welland Ship Canal or the Sault Sainte Marie Locks?

I wonder if we are thinking far enough ahead. I wonder if we are really planning the kind of economic and social development, the kind of infrastructure, the kind of public and private organizations that we will require.

I hope you will consider these questions, think about them and write down some of your thoughts. I hope that you will combine your efforts, and send to me, as your Vice President, a memorandum, or a series of them, on the long range problems of the Great Lakes, particularly those of an international nature.

I will see to it that those recommendations get into the channels of this government when it counts, so that your observations and recommendations are given first-class, top-level consideration.

There can be no truly representative responsible government unless it is also a listening government. We want to listen to you. My door is always open, and I try to keep my mind open, too, so that I can learn and be of help to you.

I want to thank you for inviting me, and I hope your work and your efforts today bear fruit. Building the Great Lakes region means building the United States and it means building cooperation with our Canadian neighbors.

I can think of few things more important today.

Thank you very much.

OUR FOREIGN AID PROGRAM IN POLAND

Mr. MUNDT. Mr. President, recently Mr. S. Hirsch, Jr., editor and publisher of the Fort Lauderdale, Fla., newspaper, wrote a column concerning the work of the Subcommittee on Foreign Aid Expenditures of the Committee on Government Operations. The column explains the framework used by our subcommittee chairman, the distinguished Senator from Alaska [Mr. ERNEST GRUENING], in preventing the giveaway of U.S. funds to Poland.

I ask unanimous consent that the column be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Our 2 Cents Worth

NOW JUST WHO IS THE DOPE

During the past few years there has been a popular series of jokes called, "The Polish Jokes". They are repeated in jest and all make the point that the people from Poland are not very bright. A typical Polish joke runs like this: Why does it take 5 Poles to make popcorn? Answer—One to hold the pot and four to shake the stove. There are hundreds of jokes in this vein and they are all based on the fact that the folks from Poland are dumb. The true facts of life prove that the Polish government is real sharp . . . and our U.S. State Department is real stupid.

Just how really stupid our State Department really is can be shown in the following shocking facts . . . facts that have been confirmed by the Senate Subcommittee on Foreign Aid Expenditures. This Subcommittee is headed by the very able Senator Ernest Gruening of Alaska, a dedicated public servant who deserves the support and help of every American. What he has found out should turn the stomachs of every American. For example:

The State Department is about to give Poland a $65 million handout. This is the money due in the next five years for food that we sold to Poland. Since 1957, Poland has conned us out of $538.23 million in aid. They have broken every promise to pay us back and as of October they are in default $32 million. Not only is the State Department planning to wash that debt off the books but they are also thinking of knocking out an additional $32 million due in the next five years.

Poland is a dedicated communist country who is providing tremendous military support to North Viet Nam. Their guns are killing our boys right this minute. They also never miss a chance to tear us apart in the world arena of public opinion. Our economic aid to Poland supports the Polish economy . . . an economy geared to kill Americans. We cannot think of anything more stupid or disgusting . . . and that is just part of the story.

Did you know that Poland has never paid a cent towards their pre-World War II debt of $337 million, and the chances are that they never will make a payment.

Did you know that John Cabot, former ambassador to Poland, reported to the State Department that we have been grossly overcharged for leasing land for our embassy in Warsaw. He terms the costs, "preposterously expensive and a hold-up".

Did you know that in our agreements with Poland they were to pay us back on the basis of 24 zlotys to one dollar and yet in other transactions on the market the Polish government allows 80 zlotys to one dollar.

Did you know that in all our agreements with Poland we do not require payments to begin for 30 years and in one case they need not begin paying for forty years. And, please note, no interest is charged on the loans! We wonder how many Americans can borrow money from our government on such terms.

Mr. Cabot reports that our aid has helped the Polish government tighten their stranglehold on the people. It has been a great help supporting the war economy of Poland. We supply the food which allows them the time to devote to more important things . . . such as making guns and bullets to kill Americans.

We believe this is just one more example of the stupid policies that have made our country the fools of the world. This is the work of the professional stripe pants brigade in our State Department . . . a sad collection of misfits who have entrenched themselves in Washington.

Senator Gruening has called for explanations from this crew . . . and will even call Secretary Rusk before his committee. Can you fight city hall? Can the voice of one American citizen be raised in protest to such policies? We believe it can by telling Senator Gruening and the members of Congress who represent Florida that this stupidity must come to an end . . . Now! Don't wait until the other fellow raises his voice because it may come a day too late. The next bullet from Poland may find its objective in the body of someone you know or love.

The popular jokes that say that Poland is stupid are way off base. The Polish government is real smart. The stupid fools are having a party in the U.S. State Department . . . and it provides a disgusting display that makes all Americans ashamed and angry.

S. Hirsch, Jr.,
Editor and Publisher.

FORMER MARINE COMMANDANT QUESTIONS VIETNAM

Mr. HARTKE. Mr. President, Gen. David M. Shoup, retired Commandant of the U.S. Marine Corps, has provided me with a copy of a vital speech which he made last year to the 10th Annual Junior College World Affairs Day, held in Los Angeles on May 14, 1966.

General Shoup, whom I quoted in last week's colloquy on Vietnam, questions whether our escalation of the war in Vietnam is in the best interest of the United States. As I quoted from his speech at that time, he has said:

> I don't think the whole of Southeast Asia, as related to the present and future safety and freedom of the people of this country, is worth the life or limb of a single American.

There is more, much more; and what General Shoup has to say takes on added significance from the fact that he has had experience in Asia and has served his country with great distinction. He is a much decorated combat leader who wears the Medal of Honor for his heroism at Tarawa in World War II. His views on the question of Vietnam are vigorously expressed in his speech.

Mr. President, I am sure that this great voice should be added to the debate on the side of sanity; one which I hope will be heard and appreciated by all Americans. I ask unanimous consent that General Shoup's speech be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Remarks by Gen. David M. Shoup, U.S. Marine Corp (Retired), at the 10th Annual Junior College World Affairs Day, Pierce College, Los Angeles, Calif.

To this fine cross-section of America's future, the students, their friends; and their teachers, good afternoon!

Thank you General Coursey for such a generous introduction. Somehow it makes me feel as if I should sit down now and let the facts catch up with the legend. One thing was correct though. I did major in math. And I learned a lot about figures. It is rather distressing to note that young men today seem to use figures only to help get on the moon. But I am gladdened when I can see so plainly that the young ladies still are using figures to get on the honeymoon.

It was an honor to be invited to make a few remarks here today. But it is not an enviable position to be the last speaker, and have to follow such a fine program in which you have been privileged to participate. I do hope listening to just one more talk will not drive you into the Valley of the Dolls.

Soon after accepting this assignment, I realized that perhaps I'd made a gross error. Faced with this predicament, I talked with many of my friends, searching for help. Their reactions were varied. Some said, "You were stupid to accept. You don't have anything in common with these young people."

I didn't agree that we have nothing in common. I think we do. How about this? We were all brought into this world at birth without any solicitation on our part. And at that very moment we were sentenced to death by the same great Creator that gave us life. Between these two events there is a relatively tiny speck of time that is ours. Albeit, of this, we are doomed to sleep away at least one third. This, we have in common.

Soon we realize that "created equal" means equal at birth and death. But what about that tiny speck of time in between? Man will use most of this time doing things to show his differences, prove his superiority to his fellow men. This, we have in common.

Already you have come to know, as have I, that the foot of man has not always made the same track, nor his hands fashioned the same tools; but essentially his problems remain the same. Basically, they are the satisfaction of his physical and mental gnawings, and his fellow man. This, we have in common.

By this discourse, it is not intended to bring on distress or hasten despair. I just want to point out to you that all generations do have some important things in common. I want to make an observation; and I want to leave you with a question to ponder.

You've heard a few things I think we have in common. My observation is, that in your life time your greatest problems will be people. Aren't most of our rules and laws and even a great part of our Constitution designed to protect people from people? Yes, your real enemy in war or peace will be people. So, study them. Read, read, read. Try to find out why they do do like they do do.

Now the question: What are you going to do with this tiny speck of time that is yours? It's shorter than it was when I first mentioned it, and for most of you, one fourth of your total allotment is already gone.

Are you just going to reproduce excessively and multiply the already painfully perplexing people problems? Or will you also sincerely and actively participate in what I believe to be man's most noble efforts on earth—first, his struggle to free mankind from the affluent who gorge on delicacies, while children starve for the lack of milk and bread; and, second, his striving for peace on earth?

I suppose there are loads of things to talk about. And this reminds me of a story that may prove timely. This risk I take full well knowing that there's probably no story I could tell, well here anyway, that won't be old-hat to you.

I don't propose to dump the whole load here either. I do plan to throw off a few forkfuls as a kind of fertilizer for your thinking.

I will try to deliver this buu—I mean Vigoro, in four packages: (1) Confusion and Compassion; (2) Communism and Confrontation; (3) Combat and Conscription; and (4) Conclusion.

CONFUSION AND COMPASSION

Now a little about this confusion which a lot of writers and most of your elders specify as being the universal state of mind of the student today. You are just a generation of confused, superficially animated asci, so they say. I'm certain your confusion is doubly justified and I'm pretty sure that at least, you're not asexual. Let me cue you in on a little secret. These same people that place students in the category of the confused are just as confused, always have been, and always will be. They've simply suffered more years of it and have accepted it as the normal state of man. And thus they are mistakenly surprised that young students are confused.

There should be no wonderment about it. First, you're taught there is a Santa Claus. Lovely thing at the right time. But a lot of people want you to keep believing this for your whole life. In fact, they want you to be about as vibrant and thoughtful as the inhabitants of a second-hand wax museum.

You are taught that Columbus was the first to discover America which is as false as my grandmother's teeth.

You are taught that our people can get what the majority wants, by the ballot. Well, we got President Wilson that way because his campaign slogan was, "He kept us out of war." A few days after his inauguration we were in the First World War.

I don't have to tell you what we have now, how we got it, nor what's happened since. You've seen it happen.

You learn that when military forces are fighting and killing and maiming each other with rifles, cannon, napalm, and bombs, that that's war. There's something of that kind going on now but confusingly enough this isn't war.

Everyone talks peace, peace, World peace, while for years our government has sold or approved the sale of hundreds of millions of dollars worth of war material to other countries. Confusing?

You're taught how in August 1619 the Dutch man-of-war came to the Jamestown plantation and offered by auction twenty Africans, so starting the slave trade and slavery in America. But of course we started slave trade ourselves by capturing Indians and selling them into slavery in the West Indies.

You learn how later we emancipated all the descendants of these Africans. We gave the slaves their freedom, made them subject to the provisions of our Constitution. For a hundred years our great democracy has been at work on this. All of you know the facts of the last few years. Oh, of course we did, in places, modernize the treatment of Negroes; instead of the club and the blacksnake whip, the white man substituted the ultra-modern device of the electric cattle prod.

We spend millions to build churches in which people profess their love for their fellow man, while right in the same community they are soliciting a few dollars to help the poor.

We elect officials to represent all the people and they take an oath to do it. Then we read that some take money from the few for their political and personal uses. Surely confusing.

You read the glowing ads for autos only to learn of their defects.

You're sold drugs, and there are armless babies.

You read, you're televised to, you're radioed to, you're preached to, that it is necessary that we have our armed forces fight, get killed and maimed, and kill and maim other human beings including women and children because now is the time we must stop some kind of unwanted ideology from creeping up on this nation. The place we chose to do this is 8000 miles away with water in between. I believe there's a record of but two men walking on water and one of them failed. Yes, we must fight out there 'cause even this great democracy, so fearful of its world image, just must not stand by in complacency while village chiefs, mayors, farmers, and others are being murdered by day and night by the believers in this terrible ideology. We're told it is creeping dangerously closer and closer to our shores. This must be confusing.

Surely a decision to get this nation into the predicament we're in, trying to stop these creeps, must have been based on an all inclusive study by those with the greatest of clairvoyance. And there must have been a time-table depicting the untenable position, and irreparable effects upon this nation at the end of 5, 10, 15, 50 years, else our government could not have chosen the present course of action. If such an estimate of the situation was not made, our leaders have been derelict in their duties and responsibilities. If it was done, the public should be informed. I ask you, have you read or been instructed about any time-table of disaster for this nation and her world position if we hadn't done and weren't doing what we are in South East Asia today? I haven't.

The reasons fed to us are too shallow and narrow for students, as well as other citizens. Especially so, when you realize that what is happening, no matter how carefully and slowly the military escalation has progressed, may be projecting us toward world catastrophe. Surely, it is confusing.

Particularly is this true when we know that a great deal closer there are essentially the same situations which our leaders say made it impossible for us *not* to fight and *not* to escalate the fighting in Vietnam. See if this doesn't sound about the same:

(1) Since last July, Peru's national army has been battling red guerrillas in more than half its states.

(2) Red guerrillas run areas in several states of Colombia.

(3) Many businessmen are leaving Guatemala following ransom kidnappings by communists bands.

(4) At least a dozen combat guerrilla brigades are operating in some areas in over half of Venezuela's 20 states, while terrorists blows take place in Venezuelan cities, like the Viet Cong in Saigon.

We should remember, too, that it's over water and 8000 miles to Vietnam, but there is an isthmus between this country and South America and it's much, much closer.

It must be a bit confusing, too, to read and hear about fighting for freedom. Supposedly, we have it, and I don't think anyone is going to take it away from us by playing cops and robbers in South East Asia. Even so, we urge others to fight for freedom. There may be a little confusion here. We insist they should sacrifice arms and legs and their lives for freedom. The people we urge this upon in South East Asia, South America and many other places have no idea of our meaning of freedom. In the history of their ancestors they've never experienced what we expect them to understand and fight for. The word or even the idea is not in the mores of their people. Freedom will remain a foreign word and idea to these people until scores of them are brought here for six months or a year and then returned to their native lands to sing to their fellowmen the song of freedom with notes of music they can understand.

These masses of people and their ancestors have always lived where the few have everything. Everything that is produced by the burdensome labor of the many. And the many have nothing except for the barest subsistence and not always that. Even as little as $150 a year. In many cases much, much less. In fact, in their memory they've never had as much as a pot to—well, they've not even had a pot.

I want to tell you, I don't think the whole of South East Asia, as related to the present and future safety and freedom of the people of this country, is worth the life or limb of a single American. But maybe the people are and maybe the people of South America are, too. And maybe that's confusing.

I believe that if we had and would keep our dirty, bloody, dollar-crooked fingers out of the business of these nations so full of depressed, exploited people, they will arrive at a solution of their own. That they design and want. That they fight and work for. And if unfortunately their revolution must be of the violent type because the "haves" refuse to share with the "have-nots" by any peaceful method, at least what they get will be their own, and not the American style, which they don't want and above all don't want crammed down their throats by Americans.

Time and history has proved how wrong our leadership was about Mexico in the second decade of this century. More recently, perhaps there's a lesson or two to be heeded in the Indonesian situation, also.

Until you're 21 you can't vote. Can't participate in this great democratic process, where some are still kept from the polls by threat, where a vote can still be bought for two dollars or a half-pint of whiskey, where many don't vote because they feel it's useless.

But you can make your voice heard. You don't have to be a vegetable 'til you're 21. You can demonstrate. Historically, demonstrations intended to bring unrealistic regimes to heel, have on balance produced good for the exploited masses. Brought to mind are magna carta, Joan of Arc, India, South American countries, China, the Buddhists in South Vietnam, and where would the negro be today without the demonstrations of the recent past which awakened many sleepy American whites? It may be well that this technique has finally come in an exploding fashion to America and American students. It shows that you are thinking. That you're interested and want to do something to be heard. That you're going to grow up as participants in America and her future. That you don't intend to sit ignorantly and idly by and watch this world panorama of confusion trot by under camouflage and not express yourselves about how you want the future to be. The future that will soon be your responsibility.

For this confused state ascribed to students by those senior citizens I mentioned earlier, they give you compassion. They say youth was always that way, at least in their elders' day.

Now:

COMMUNISM AND CONFRONTATION

(This is only the second time I have ever used the word communism in over 100 talks, the first was a few minutes ago.)

Peculiar? Yes, But it can be said that we seem, forever to be menaced by something red. 190 years ago it was the bodies of men wrapped in red-coats. Today, it is the minds of men that are warped into belief in a theory of visionary and impractical nature, communism. Those that espouse it, we call reds. This ism that holds forth the promise that finally man shall have share and share alike of all things is not readily cast aside by the masses who for generations upon generations have shared not at all.

And likely as not when they tried to share they got the pike. But it is the goal of this theory and it's supposed to happen right here on earth where man can experience it with his physical senses. It is not a goal like the Happy Hunting Grounds, Heaven or Valhalla which must be imagined. Not any great salesmanship is needed to sell this ideology to the longing, eager, wanting masses of deprived, depressed, distressed people.

I say, that today there is no such thing on the face of the earth as a communistic state. I believe the nearest thing to it was right here in America, in Iowa and New England some years ago. I feel certain there never will be such a thing as a communist state. Sure there are some where the idea has been sold to or forced upon the people, and there are several countries where the selling is pretty well along.

Yes, Marx and Engels contrived an idea for a goal that was easy to sell to the right people. But the attainment of the goal is strictly dependent upon a complete metamorphosis of human nature, which I contend will never come to pass. Do you think that the presidents, the managers of business, will ever permit a situation to come to pass where they and their family will be allotted two hours on Thursday on the state yachts, and the floor sweepers in their plants get exactly the same thing? Don't believe it.

The leaders of these nations with the goal of communism know full well it won't come to pass, either.

The same leaders who sold the idea to the masses also described to them the long arduous, treacherous pathway of self-sacrifice and deprivation which must be followed to get to this great goal of their eventual salvation. Further, they empasized that there must be competent leaders during this trek to help navigate these perilous ways. And who are these leaders to be? Why the same people who sold the idea of the great goal. Of course, they know there'll be no arrival at the promised destination. They just mean to keep on leading those they have duped. They never intend to divide up their lion's share.

In fact, the U.S.A. unwittingly or at least on an unplanned, unforeseen, basis, has helped to steer Russia further and further away from the goal of communism.

Russia had no nuclear weapons. We encircled her with nuclear bombs and missile bases. With missiles, I might add. By so doing, we gave her the greatest psychological booster possible. One they could not conjure up themselves. The bombs and missiles were there. Whose were they? Uncle Sugar's. And who does Uncle intend to use them on? Who does he threaten? The great homeland of the Russian people. From here it was easy to get these people to forego butter for guns. To sacrifice and toil cheerfully so they could have some weapons to protect their homeland from the threat of destruction or at least be able to wreak heavy damage on the nation who sighted-in these missiles on Russia. They did it. They have the weapons. Weapons enough to shove everything above ground in Western Europe, including the British Isles, right out into the Atlantic Ocean. And enough of the transcontinental weapons to clobber America from coast to coast and produce unacceptable destruction. That's what they confront us with. We confront them with a like predicament. Perhaps we should thank God for this balance of confrontation. Thank God that hopefully America and Russia have finally realized that there are things an H-bomb cannot do.

An H-bomb cannot project national policy ashore.

An H-bomb cannot restore law and order.

An H-bomb can only destroy.

Of course, while Russia was building this weaponry we spoke of, she also put up the Sputnik, several space vehicles, moon shots, etc., etc. Yet, believe it or not there are some people in America so unrealistic they still think the Sputnik was a fake.

But what now for Russia? Under the umbrella of protection which they so dearly paid for there is time and security for having a little more butter, a few more bicycles, more auomobiles, radios, televisions, and more of other things and things and things. And more and more people are being paid in accordance with their personal ability to manage or produce. The goal of communism becomes less and less desirable to more and more people. A kind of capitalism emerges. The idea of communism is fading, except to the minds of those where an acceptable participation in the having of material things has not yet come to pass.

Who will gainsay that most of the Russian people are not better off today than they've ever been before? And to what must the credit be given? The system they've been working for, of course.

We provided China with the same booster. She has reacted the same. From my experiences over parts of five years in China and what I know of conditions there today, I'm sure that more Chinese know where tomorrow's food is coming from, than ever in the history of living man. And to what must go the credit? The system they're serving under.

The alienation of the friendship of the great and wonderful Chinese people will surely vie for decades to come as the greatest blunder this country ever made in her relations with other nations, unless the final results from our Vietnam commitment overshadows it.

You say, what about the Republic of China vis a vis Red China? I reply, time is on the side of the one with the bigger hunk of earth. And that's not Taiwan.

COMBAT WITH CONSCRIPTION

About conscription first. I think it is only fair to conclude that whenever a nation embarks on a line of action in which a prerequisite for success is sufficient manpower, and there are insufficient volunteers for the task, the only recourse is conscription or the draft. This doesn't, of course, answer all the pros and cons regarding the right or wrong of drafting men to fight for their country. But we did have a war, the winning of which, I have always thought turned out to be a pretty good thing. The Revolutionary War. Without conscription we would surely have lost that war.

In the administration of the draft it is impossible to insure happiness to all. At best, it is an undesirable, complicated matter. But I have always thought it should be on a strictly lottery basis. To exempt this one and that one for this and that makes no sense to me. If his number drops out of the barrel he should serve. After all, I don't think this nation would completely disintegrate if a few "A" students, pre-medics, and budding scientists served in uniform for a year or two.

What about the draft card burners? I'm sure that sooner or later they'll regret they did it. It does intrigue me though that we've yet to hear of anyone who has done this burning without an audience. If they don't want to pay even a tiny bit of the premium on the long range insurance policy for their country that so many have paid so much for, why don't they just refuse to report when called, and let due process of law take its course?

About combat. Those that have experienced it soon learn that there is no common language with which to communicate with those lacking such experience.

Robert E. Lee once said, "It is well that war is so terrible, otherwise we might grow too fond of it." Maybe it hasn't been terrible enough. One would be led to believe that man is too fond of war when we realize that in the past 20 years he has resorted to fighting some 40 or more times. Meaning, of course, that nations and peoples have failed to succeed with their established policies by any means other than murder.

Yes, man's oldest plague is war! And I believe, it is a sad, sad commentary on centuries of so-called enlightenment when the mentality of man has been unable to prevent killing and maiming of men, women and children in war!

But so it has been, and so it is today.

Many over the years have thought and written about this plight of mankind. May I quote in part:

"The bells will peal, long haired men will dress in golden sacks to pray for successful slaughter. And the old story will begin again, the awful customary acts. The editors of the daily press will begin virulently to stir men up to hatred and manslaughter, manslaughter in the name of patriotism. Manufacturers, merchants, contractors for military stores—will hurry joyously about their business, in the hope of double receipts.

"* * * Idle ladies and gentlemen will make a great fuss, entering their names in advance for the Red Cross Society, and they will imagine that in so doing they are performing a most christian work.

"And smothering despair within their souls, men will trail along, torn from peaceful labor, from their wives, mothers and children; hundreds of thousands and simple-minded, good-natured men with murderous weapons in their hands—anywhere they may be driven. They will march, freeze, hunger, suffer sickness and die from it, or finally come to some place where they will be slain by thousands or kill thousands themselves.

"And when the number of sick, wounded and killed becomes so great that the air is so infected with the putrifying scent of the 'food for powder' that even the authorities find it disagreeable, a truce will be made."

Who wrote these words? It was a Russian. These were the words of a soldier and great writer named Tolstoy, born some 140 years ago.

Another interesting observation on the same subject goes something like this:

"*** I can see a million years ahead and this rule will never change in so many as half a dozen instances. The loud little handful—as usual—will shout for the war. The pulpit will—warily and cautiously—object—at first; the great, big dull bulk of the nation will rub its sleepy eyes and try to make out why there should be a war and will say, earnestly and indignantly, 'It is unjust and dishonorable and there is no necessity for it.' Then the handful will shout louder. A few fair men on the other side will argue and reason against the war with speech and pen, and at first will have a hearing and be applauded, but it will not last long; those others will outshout them, and presently the anti-war audiences will thin out and lose popularity. Before long you will see these curious things; speakers stoned from the platform, and free speech strangled by hordes of furious men who in their secret hearts are still at one with those stoned speakers—as earlier—but do not dare to say so. And now the whole nation—pulpit and all—will take up the war-cry and shout itself hoarse, and mob any honest man who ventures to open his mouth, and presently such mouths will cease to open. Next the statemen will invent cheap lies, putting the blame upon the nation that is attacked, and every man will be glad of those conscience-soothing falsities and will diligently study them, and refuse to examine any refutations of them, and thus he will by and by convince himself that the war is just and will thank God for the better sleep he enjoys after this process of grotesque self-deception." Our own Mark Twain recorded these thoughts. (Mark Twain, The Mysterious Stranger, 1898.)

These have been the words of a Russian and an American, years apart in time, but thinking the same thoughts. Today millions of Russians and Americans don't want war. Russia and America could prevent war on this earth. Why don't they team-up and do it?

Now, maybe we should reflect a bit on the fact that even last night while we enjoyed the Los Angeles way of life, American men were giving their lives to help ensure that we can continue to have such happy times in this country.

Who are these American men? They are members of the greatest military team on earth. Members of the U.S. Army, Navy, Air Force, Marine Corps and Coast Guard. They are the real minutemen of 1966.

Now what can you do on a day-to-day basis to support this great American Armed Forces team which is fighting because they are legally ordered to do so?

First you could help increase the stature of the soldier in the eyes of those not in the armed services. The relegation of the soldier to a position of inferior status (except when the actual shooting is going on) has, unfortunately, been a pastime of those not in the service for lo these many centuries. An old, old stone sentry box in Gibraltar carries this inscription:

"God and the soldier we adore,
  In time of danger, not before;
The danger passed, and all things righted
  God is forgotten and the soldier slighted."

So you see this lack of concern for the soldier is an aged thing.

Perhaps you could be a bit more understanding of his plight.

Our press might be somewhat more considerate, too. All too often the headlines today read "ex-soldier, ex-sailor, ex-Marine, ex-airman, rapes, murders, robs, etc." But I never see "ex-General Motors" or "ex-U.S. Steel" employees referred to this way.

The best example—some time ago headlines flared "Ex-Marine carves up school teacher." A check revealed he had been discharged 20 years before!

Also, you can help in the development of the determination of our people to resist, at all costs, any encroachment on the freedom we enjoy here in America. Just how much destruction are we willing to accept? How many casualties—men, women and children? Who can say what it will take to destroy the will of our people?

And remember!! Under our form of government, civilians always have, and always will—and they should—tell the military when to begin and when to stop war.

But, also remember, that most of our people haven't seen flying arms and legs, and guts and blood, and piles of dead from a bomb blast. They view this war business in much the same perspective as the man who was asked whether he had ever seen Halley's Comet. He said, "Yes, I have, but only from a distance!"

Further, you can help in the prevention of forgetfulness by the living, that men have died for the cause of peace and freedom. (I repeat, man's striving to free mankind and have a peaceful world, I believe, constitutes his most noble effort on this earth.)

It seems clear that if we are ever to reach the goal of peace, we must orient our thinking and our actions more toward this end. It is essential that we, in our time, make a measurable contribution toward this ultimate goal—peace.

Still we wonder, how many more blood-smeared battlefields and contentious centuries shall separate us from a permanent peace? This we cannot know. We do know that during the time we wait for this constant hope of mankind to come to pass, we must at all times be prepared—prepared for any eventuality!

I conceive it a fundamental duty that you and our schools and churches emphasize that this nation stands as it is today—not because of the easy life of our predecessors, but instead because thousands sacrificed their time, their efforts and their lives with an unselfish devotion to the idea that under the Kingdom of God there were things greater than their own individual gain and comfort.

Let me conclude with a brief summation:

a. Don't worry about being confused.

b. Keep on being curious.

c. Be constructive in your thoughts and actions.

d. Be assured that our system of government and production is the best ever devised to satisfy the instinctive yearnings of human beings. Participate in it and learn to protect yourself from it. At least, know the meaning of caveat emptor.

e. Don't let yourself get too shook-up by the over-advertised encroachment of communism. Help people to get things and the idea of communism will strangle by its own umbilical cord.

f. Remember that the armed forces don't start wars; that the soldier's plight is unsolicited; that when he becomes a soldier he gives up much of the very freedom he's fighting for. And that if he serves to retirement, he never in his lifetime gets back his freedom.

Now one final word about those who have given their lives for America in war:

I believe that gathered here above us right now, watching intently and listening carefully, are the invisible spirits of those same gallant men, who over the years—even unto today—have given their full measure of devotion. Their presence may be unseen, but they shall not be unheard.

Someone must speak for them. What do they want mankind to hear? Many, many things, of course, but I feel, they want the fears and hopes of their eternal years to be expressed in an admonition, a hope, and a prayer.

They admonish: "You must strive for peace—but not peace at any price. You must view peace in its proper perspective. Do not give up one bit of the priceless heritage of liberty which we have helped to preserve. Accept and discharge your responsibilities to civilization as the unreluctant world leaders of those who are willing to fight to protect this liberty. And, if by these actions you enjoy peace in your time, let it be the welcome product of fair dealing, hard work, sound planning and a readiness to fight against aggression."

Their hope: Someday, may there be a meeting at the summit, which shall become as everlastingly important to humanity as the sermon on the mount."

Finally, the spirits of these undying dead pray: "Please God, may our ship of state sail on and on in a world, forever at peace."

Thank you.

SUCCESS OF AMERICAN POLICY DURING COLD WAR

Mr. McGEE. Mr. President, the movement of human events over the past 20 years mounts up, largely, to a slow and often difficult trend for the better. American policy has contributed to this. As Howard K. Smith has written recently, a Europe more closely tied together and an Asia which need not tremble at the power of China are both the product of changes which mark a considerable degree of success for American foreign policy during the period which has been labeled the "Cold War."

Mr. President, I commend Mr. Smith's column, which I have taken from the San Francisco Examiner of February 18, to the attention of the Senate and ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Success of American Foreign Policy

(By Howard K. Smith)

This winter is a remarkable little period of history. More features of life, long fixed, have come un-glued this season than in any since the pattern of Cold War first settled on us.

NATO is becoming radically loose as Germany has reversed policy and is seeking ties, hitherto avoided, with Communist countries. And Britain tries—ardently for the first time—to gain entry into a European community that would distance her from her closest ally, the U.S.

The Soviet satellite bloc is on the way to becoming a memory. And the term "Sino-Soviet" has evolved from being a description of a bloc to being the name for the most menacing international friction on the surface of the globe.

At the same time, the 15-year-old assumption—tacit by most but explicit by some of our outstanding professional observers—that China is bound to dominate Asia has disappeared. Prospects of armed conflict have reminded the world that not China but Russia is the mightiest military power in Asia by a huge magnitude.

Neither China nor Russia, but Japan has the greatest economic potential. And until communism ends its present messianic phase, a greater power than all three—the United States—will maintain a presence in the East. China drops pretty far down the scale with all these present in Asia.

Somehow in all these rapid changes, critics see the U.S. as moving from setback to setback. We have, it is said, either neglected Europe or we lack the imagination to think up initiatives to meet the changing situation. We are, it is said, mired in a dirty little war in Asia with no idea how to get out of it.

The opposite is true. The changes now in process are a chain of American successes. But, alas, in statecraft, success is not always a thrilling climax that is celebrated with brass bands. Genuine success is often a negative, a falling away of menaces—a return from exciting tensions to prosaic progress and quiet.

In the case of Europe, the drift of that vital area back to its own interests was an American initiative from the start. When Jean Monnet first drew up a plan of unity, about all he had going for him was American support. Our support was deliberate though we knew that the result would be a Europe not wanting us and even competing with us.

The more recent drift of Western Europe to better relations with Eastern Europe was begun by John Kennedy in his American University speech, before de Gaulle ever thought of it.

The still more recent move by Germany to establish relations with the Communists is not a defiance of America. President Johnson recommended that course to Germany in a speech last Oct. 7, and Germany is taking the advice.

Far from meaning an abdication of American initiative, the drift in Europe has been urged by America. The result of our whole complex European policy is that old Europe is further from war than she has been at any time in this century.

In Asia a lot of dust has to settle. But when it does the American achievement may prove epic in proportions. Whatever leaders of hard-pressed Asian countries may say to appease the prejudices of their publics, all Southeast Asia has become stabler for the American effort. Indonesians would not have dared face down and liquidate the third biggest Communist party in the world without the assurance that came from American resistance in Vietnam. Sato's electoral victory in Japan betokens the same mood.

But we have to be clear what we are succeeding in doing: We are establishing conditions in which Asians may enjoy that right which is simplest to say but most complicated of achievement—the precious right to be left alone. When they possess it, it will mean that they will want to be rid of us and all memories of us.

History never moves in smooth or logical patterns. This trend towards salubrious change and peaceful settlements could be interrupted by a mad thrashing outward by China. But, as the Oswald affair showed, madness is not reckonable.

In all that is calculable, the U.S. has for 20 years sustained a constructive consistency in foreign affairs with great success. With a little more luck, the last quarter of the 20th Century could sound a note out of all consonance with the century's previous turbulent bloody and warlike course.

YEAR 1966: SPECIAL EDUCATION'S GREATEST LEGISLATIVE YEAR

Mr. MORSE. Mr. President, an article, entitled "1966: Special Education's Greatest Legislative Year," appeared in the December 1966 issue of Exceptional Children. It is a succinct and concise summary of a most significant legislative advance. I ask unanimous consent that it be printed at this point in my remarks, for I feel it can be helpful to many Senators.

In doing this, I should also like to commend the Council of Exceptional Children and its capable executive secretary, Dr. William C. Geer, whose contribution of factual information, in my judgment, was most persuasive with my colleagues on the committee in gathering support for the program.

There being no objection, the article was ordered to be printed in the Record, as follows:

Year 1966—Special Education's Greatest Legislative Year

For special educators, 1966 is a bright year in legislative history. The second session of the 89th Congress has written into law significant directions for change which will affect programs for exceptional children in constructive and far reaching ways.

Major gains include establishment of administrative supervision at the federal level through a National Advisory Committee on Handicapped Children and a bureau for the education and training of the handicapped in the US Office of Education. Through the bureau, many agencies previously involved in disbursements for special education will be consolidated into one unit.

In the same action (the amendment adding the new Title VI to the Elementary and Secondary Education Act of 1965), funds are specifically earmarked for handicapped children and youth, i.e., "the mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health impaired children who require special education and related services."

The National Advisory Committee on Handicapped Children will serve to guide the US Office of Education in administrative policies relating to the disbursements of federal funds for special education.

Further developments made possible this year include:

1. Appropriations to state departments of education for direct aid to programs of education for the handicapped. This specially earmarked aid also derives from the new Title VI—the Morse-Carey amendment to the Elementary and Secondary Education Act of 1965 (PL 89-10). States will submit plan showing how they intend to initiate, expand, or improve programs and projects for school age and preschool age children and will receive matching funds on a fifty-fifty basis.

2. Assistance to state departments in managing these new funds by providing additional help. Each state may receive up to 5 percent of their allotted monies (based on population) or $75,000, whichever is greater, in expenditures for administration and planning at state or local levels.

3. Expanded educational services to Indian children.

4. Expanded services to state institutions and day schools. Populations of these institutions, heretofore somewhat limited in definition under PL 89-313, have been expanded to include orphans and delinquents, thus covering the whole range of handicapped children.

5. A model secondary school for the deaf. Reacting to a lack of good secondary school facilities for the deaf in the United States, Congress passed a bill, sponsored by Hugh Carey in the House of Representatives and Lester Hill in the Senate, to create a secondary school to serve as a prototype for regional secondary schools for the deaf in the United States. This model school will be located on the Gallaudet College campus in Washington, D.C., and will serve students of the Middle Atlantic states. Authority for this school is contained in PL 89-694.

6. Extension of Library of Congress blind services to physically handicapped persons. PL 89-522 amends the original legislation offering services of talking books, music scores, instructional texts, and other specialized materials for the blind to the severely physically handicapped. A liberal interpretation of physically handicapped allows such services to be used for both experimental purposes and for children and adults with severe perceptual impairments.

7. Library services for the handicapped. Title VI, Part A, of PL 89-511 gives grants to states to provide library services to residents of penal institutions, reformatories, residential training schools, orphanages, or other like institutions or hospitals supported by the state including, of course, special education institutions. Part B of this title authorizes expenditures of funds to states to provide library services to the physically handicapped.

8. NDEA loan forgiveness to teachers of handicapped children. Prior to this year, persons using NDEA funds for student loans would have such loans forgiven at the rate of 10 percent per year to a total of 50 percent forgiveness. Under the Higher Education Act amendments (HR 14644), students who teach handicapped children will have loans forgiven at the rate of 15 percent per year until 100 percent forgiveness occurs in seven years.

However significant this legislation may appear, it must be remembered that it can only be classified as enabling.

TRIBUTE TO SENATOR CARLSON

Mr. PEARSON. Mr. President, very recently my colleague, the distinguished senior Senator from Kansas, was honored at a luncheon for his many years of public service.

Many spoke of his value to Kansas and to the Nation. The testimonials came from fellow citizens in various walks of life—for indeed his service has touched all parts and every section of our State.

One tribute was presented by Dr. William F. Keucher, executive secretary of the Kansas Baptist Convention, which, I think, expresses how so many of the people of Kansas feel, and I ask unanimous consent that this tribute be inserted in the Record at this point.

There being no objection, the tribute was ordered to be printed in the Record, as follows:

> ### A Tribute to Senator Frank Carlson
>
> (By Dr. William F. Keucher, executive minister, the Kansas Baptist Convention)
>
> Mr. Emerson made the point in one of his essays, that "there is properly no history, only biography." By this he meant that private opinions and personal convictions stand behind public and social issues. He went on to say, "Every true man is a cause, a country, and an age." Just as history may be seen as the biography of stout and earnest men, so institutions are the lengthened shadow of such men. With this understanding in mind, I come to speak a brief word of deep appreciation to Senator Frank Carlson for his stalwart stature as a Christian man and for the large and wholesome deposits of his spiritual influence in the affairs of church and state, society and nation.
>
> Religion, to Frank Carlson, has never been a political device to be used to further personal advantage. As a young man of sixteen, he established the West Branch Sunday School near Concordia and served as its superintendent for several years. Later, he became superintendent of the Sunday Church School of the Baptist Church in Concordia, and served that office for twenty-five years. It was natural that, shortly after taking his oath of office as Congressman from the 6th District in Kansas, we find him organizing a Men's Class in the East Washington Heights Baptist Church. Today, the class still carries the name of its founder, the Carlson Bible Class, although the Senator is not its present teacher.
>
> Though he has been, and is, a loyal churchman, Senator Carlson sees the influence of the church as nurturing the life of a state and a nation. For many years he has served as president of the International Council for Christian leadership. Fifteen years ago, he organized the first Presidential Prayer Breakfast and has presided at each of these influential sessions for the past fifteen years. They have become a vital, contagious force for good, not only in the USA, where many states now conduct a Governor's Prayer Breakfast, but on every continent with 50 countries having a similar spiritual emphasis.
>
> Senator Carlson's service to the nation and to the state is evident in his interdenominational, moral and spiritual leadership. He is also a presence and a force in many denominational causes. He serves as a trustee of Ottawa University here in Kansas. He is a founding trustee of our Kansas Baptist Foundation. He served with distinction as national chairman for the American Baptist Convention's Churches for New Frontiers Expansion Program. He received the Churchman's Citation offered by Central Baptist Seminary for outstanding Christian leadership. While these memberships are related to one denomination, it should be noted that Frank Carlson is a friend and ally of every church and synagogue. Protestants, Catholics, Jews, any one of these groups, could be standing here today in my place to speak with equal sincerity regarding the meaning and the extent of his moral and spiritual leadership.
>
> Senator Carlson, when there are many partisan voices which are heard in the land, and when many appeals are made in behalf of temporary and transient things, we express to you our earnest appreciation for your voice which is often heard in behalf of enduring principles which are not passing but permanent. We acknowledge with profound gratitude to Almighty God that good leaders in the life of a nation are His gift to men. While we cannot be sure of any man's infallibility, it is good to know men whom we trust because we can be sure of their integrity. We know that the greatness of our nation lies in those moral and spiritual values which are too precious to bear any price tag and in those statesmen, like yourself, who, amid the pressures of the age, refuse to do other than what a sound and saving conscience prompts in their heart of hearts.
>
> Ladies and gentlemen, we salute a true man, Frank Carlson, senior Senator of Kansas.

CAL FARLEY AND HIS BOYS RANCH

Mr. TOWER. Mr. President, it is my sad duty to call to the attention of the Senate the death of one of the most beloved residents of my State, Mr. Cal Farley, who for the last 30 years of his life devoted himself to operation of Boys Ranch near Amarillo.

Cal Farley wanted to get youngsters out of alleys and into the countryside where they could grow and develop and overcome their problems. He did just that. No man could ask for a greater memorial.

Cal Farley's work at Boys Ranch will be carried on. But, nobody will replace him.

I ask that there be printed at this point in the Record a news account of his life and death which elaborates the good works he brought to this world.

There being no objection, the news account was ordered to be printed in the Record, as follows:

> Amarillo.—Cal Farley, a one-time professional wrestler who devoted the last 30 years of his life to helping wayward youngsters at his beloved Boys Ranch, died Sunday apparently of a heart attack. He was 70.
>
> Farley was stricken at mid-morning at the chapel at the ranch.
>
> He founded Boys Ranch at old Tascosa, 40 miles northwest of Amarillo, shortly before World War II. Thousands of orphaned, needy and wayward boys found refuge there in the ensuing years.
>
> The ranch now has a complement of about 350 boys a year.
>
> Farley, World War I veteran and Amarillo merchant, began devoting more and more of his time to underprivileged boys during the depression. He founded the ranch in 1939.
>
> "What I've got to do is find a place somewhere out in the country where I can get these kids out of the alleys," he told friends upon opening the ranch.
>
> It began with six youngsters in the abandoned courthouse at old Tascosa, a lusty, legendary frontier trading post peopled at times by Kit Carson, Billy the Kid, Bat Masterson and Wild Bill Hickok.
>
> It now has modern dorms, mess halls, schools and recreation areas.
>
> Farley sold his general merchandise store in Amarillo years ago and reportedly put the money from the sale into the ranch.
>
> Friends said he never drew a cent of pay.
>
> Farley was a lifelong practitioner of the adage, "Spare the rod and spoil the child."

ADDITIONAL EVIDENCE OF CORRUPTION AND GROSS WASTE IN OUR ECONOMIC AID PROGRAM IN VIETNAM

Mr. GRUENING. Mr. President, was the Agency for International Development looking through its customary pair of rose-colored glasses when it reported recently an improvement in port operations in Saigon? A report of Helen Delich Bentley, maritime editor for the Baltimore Sun would appear to indicate that the glasses are not only rose-colored but are opaque as well.

Miss Bentley's report, which was published in the Baltimore Sun of February 7, 1967, describes the bribery, collusion, corruption, black-market manipulation, and the mountains of idle cargo on the docks which characterize the port. She writes:

> Saigon has become the victim of congestion and chicanery because the United States has endeavored to push enormous volume—wanted and unwanted—through the narrow funnel.
>
> Lack of a functioning distribution and warehousing system should have made the authorities realize that they cannot pour commodities into Saigon in the same way that they handle them in the United States. Yet the overwhelming supply of goods continue to arrive.

There is nothing new in this, of course. I have cited numerous instances of gross mismanagement of our economic aid program in Vietnam over the past year. Miss Bentley's report is but another in the long series of eyewitness accounts of how our AID commodities are being wasted and how the taxpayer is being bilked. But Miss Bentley's report, filed from Saigon on February 6, 1967, is significant in that it comes after we have been reassured by AID that the management improvements instituted have resulted in considerable better operations.

On January 9, 1967, AID sent to the President a report entitled "Management of AID Commodity Programs, Vietnam, 1966," which discussed in great detail the situation at the port of Saigon. One of the conclusions of the report is that—

> By mid-1966 the specific measures, discussed in detail later in this section, had begun discernably to relieve port congestion and present conditions, while not yet satisfactory, reflect very substantial improvement.

If Miss Bentley's description of the port in February, 1967, is correct, one shudders to think of what conditions were like before the "substantial improvement" referred to by AID. Miss Bentley writes that—

> Initially, AID assigned people incapable of handling or advising on port operations. Then AID topped this error with a continuing refusal to parcel out commodities like fertilizer, so that they could be used by the country. Instead, they rushed 50,000, 60,000 and 100,000-ton purchases into Saigon simultaneously.
>
> Local business interests have complained that they have been forced at times to "buy" commodities in which they had no interest simply because Uncle Sam, through AID, made the money available to the South Vietnamese Government, which wanted the money spent.

The effect of pouring into Vietnam vast quantities of commodities far beyond the absorptive capacity of the economy is vividly described by Miss Bentley:

> When these operations started, however, no one thought that perhaps the commodity market would become so glutted with the goods being hustled into the floating craft that the consignees would not want their merchandise or would be unable to purchase them. Their refusal or inability to accept them skyrocketed the volume of floating craft in the area. The entanglement on the piers then spread to the wooden-hulled, unpainted barges. Cargo was dropped aboard; it didn't matter how.

Some of this has been staged with considerable deliberation, in cooperation with organized gangs of thieves—referred to as both the Oriental Mafia and the Viet Cong—so that the goods could be made available to the black market without paying customs fees or full costs of purchase, or to the guerrillas for nothing.

I ask unanimous consent that Miss Bentley's article, headlined "Congestion, Corruption, Strangle Saigon," and published in the Baltimore Sun of February 7, 1967, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE CLUTTERED HARBOR II: CONGESTION, CORRUPTION STRANGLE SAIGON

(By Helen Delich Bentley)

SAIGON, Feb. 6.—Bribery, collusion, corruption, lack of a national economic policy, black market manipulation, carelessness and ineptness plus mountains of cargo are causes behind the strangulation of Saigon.

Saigon has become the victim of congestion and chicanery because the United States has endeavored to push enormous volume—wanted and unwanted—through the narrow funnel.

Lack of a functioning distribution and warehousing system should have made the authorities realize that they cannot pour commodities into Saigon the same way that they handle them in the United States. Yet the overwhelming supply of goods continues to arrive.

The Agency for International Development of the United States Department of State is much to blame. Initially, AID assigned people incapable of handling or advising on port operations. Then AID topped this error with a continuing refusal to parcel out commodities, like fertilizer, so that they could be used by the country. Instead, they rushed 50,000, 60,000 and 100,000-ton purchases into Saigon simultaneously.

Local business interests have complained that they have been forced at times to "buy" commodities in which they had no interest simply because Uncle Sam, through AID, made the money available to the South Vietnamese Government, which wanted the money spent.

Both Vietnamese and United States governmental officials—the Vietnamese undoubedly more so—have been involved in corruption and collusion over the past sixteen months.

Premier Nguyen Cao Ky, when he looked at the sad plight at Saigon port last October, remarked:

"It appears that a den of thieves is operating here."

In recent weeks, Ky has made some changes in top port personnel. It is hoped that the "den of thieves" has been wiped out.

Hundreds of thousands of tons of cargo have been shoved into this sleepy East Asian port almost overnight and have provided a lucrative setting for congestion, thievery, and general maritime problems.

Saigon initially was located about 44 miles up the river from the South China Sea and designed to handle the annual exportation of 600,000 tons of bagged rice and a little rubber.

It imported a relatively small amount of luxury items for the French who dominated the city.

COMPARED WITH SHANGHAI

Last year alone, however, nearly 4,000,000 tons of general cargo, both military and commercial, was imported through this same port.

Old China experts, looking at the harbor of Saigon today, see a strong similarity to the humming atmosphere of Shanghai, at one time the world's busiest port for ship arrivals and departures.

It soon became evident, as the voluminous mass began flowing into Saigon, that money could be made. No one here will talk freely about the corruption, but by listening long enough and picking up hints and remarks here and there, facts fall in place and suspicions are confirmed.

GENERALS BUSINESS MEN

Eager Vietnamese generals set themselves up in business with stevedore companies, or they become importers.

Port officials accepted bribes for manipulating the arrival dates of ships waiting their turns at Cap St. Jacques.

Local shipping interests—and everything must be handled through them because Americans are here only as high-paying "guests"—seized on the opportunity of the massive cargo overflow to gobble up every barge, junk, and sampan in the area.

The harbor craft are extended the full length of the Saigon River and requests are sent for craft from Cambodia. However, some Vietnamese Government officials have become conscientious enough to prevent Cambodians from profiteering in this manner.

FIFTY PERCENT PROFIT

The business men pay the barge owners from 20 to 30 piasters per ton per day, the "ton" to be stipulated by the owner. In turn, the middle men bill their customers from 30 to 50 piasters per day; making a 50 per cent profit or more without lifting a finger.

When these operations started, however, no one thought that perhaps the commodity market would become so glutted with the goods being hustled into the floating craft that the consignees would not want their merchandise or would be unable to purchase them. Their refusal or inability to accept them skyrocketed the volume of floating craft in the area. The entanglement on the piers then spread to the wooden-hulled, unpainted barges. Cargo was dropped aboard; it didn't matter how.

Some of this has been staged with considerable deliberation, in cooperation with organized gangs of thieves—referred to as both the Oriental Mafia and the Viet Cong—so that the goods could be made available to the black market without paying customs fees or full costs of purchase, or to the guerrillas for nothing.

ANOTHER BLACK MARKET

In addition to profits made in this manner, there is another black market—that of foreign exchange. Many local business men still hope to collect enough American dollars from steamship lines and Government agencies to make an enormous profit from both the commodities and barge rentals. The extra money then would be available to convert into piasters.

The official rate of exchange is 80 to 1, while the "accommodation rate" is 118 to 1.

After the Fourth Military Command of the United States Army succeeded in straightening out the flow of military cargo, weird obstacles were thrown in their way.

MORE ROADBLOCKS

Every time a rumor is circulated that both the military and commercial operations of the port are to be turned over to Uncle Sam's Army, more roadblocks originating from Chinese merchants and financiers headquartered in Cholon loom up.

When an officially-appointed Vietnamese Government commission made up of persons from the Chamber of Commerce and the Government appeared close to establishing a program whereby the commodities clogging Saigon would be confiscated as provided in "official" decrees, Premier Ky dissolved the commission. No explanation has ever been given.

The blacklisting and license seizure of importers who fail to take their goods have not been enforced.

COMBAT READINESS OF 446TH TROOP CARRIER WING, RESERVE, ELLINGTON AIR FORCE BASE, TEX.

Mr. TOWER, Mr. President, I ask unanimous consent that the text of a resolution passed by the Clear Lake Chamber of Commerce of Clear Lake, Tex., be printed at this point in the RECORD.

The resolution pertains to the 446th Troop Carrier Wing, Reserve, of Ellington Air Force Base.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION

Whereas, the 446th Troop Carrier Wing (Reserve) of Ellington Air Force Base has distinguished itself by achieving outstanding combat readiness, having been C–1 for a longer period of time than any other comparable Wing in the reserve forces; and

Whereas, this unit has enjoyed an excellent overall maning posture record, and

Whereas, this significant record is indicative of the area support and backing of the local industries; and

Whereas, the deactivation of the 446th Troop Carrier Wing (Reserve) would mean the curtailment of an effective combat ready troop carrier wing which has distinguished itself by its proven record; and

Whereas, the axiom "in any emergency there is never enough military airlift" has been repeated again and again by experienced military leaders; then, therefore,

Be it resolved, that the Clear Lake Chamber of Commerce requests new consideration to keep the 446th Troop Carrier Wing (Reserve) in being in a combat ready posture as support for the military commitment of our Air Forces.

Signed this 10th day of February, 1967.

——— ———,
President, Clear Lake Chamber of Commerce.

Mr. TOWER. Mr. President, I ask unanimous consent to have printed in the RECORD at the text of a resolution furnished me by Mr. Martin Gracey, president of the Rotary Club of the Space Center at Houston.

The resolution was passed on the seventh of February and pertains to the distinguished 446th Troop Carrier Wing, Reserve, at Ellington Air Force Base.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION

Whereas, the 446th Troop Carrier Wing (Reserve) of Ellington Air Force Base has distinguished itself by achieving outstanding combat readiness, having been C–1 for a longer period of time than any other comparable Wing in the reserve forces; and

Whereas, this unit has enjoyed an excellent overall manning posture record; and

Whereas, this deactivation of the 446th Troop Carrier Wing (Reserve) would mean the curtailment of an effective combat ready troop carrier wing which has distinguished itself by its proven record; and

Whereas, the axiom "in any emergency there is never enough military airlift" has been repeated again and again by experienced military leaders; then, therefore,

Be it resolved, that the Rotary Club of Space Center requests new consideration to keep the 446th Troop Carrier Wing (Reserve) in being in a combat ready posture as support for the military commitment of our Air Forces.

Signed this 7th day of February, 1967.

MARTIN GRACEY,
President, Rotary Club of Space Center.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

Under the order previously entered, the Chair now recognizes the Senator from Mississippi [Mr. Stennis].

Mr. STENNIS. I thank the Chair.

Mr. MANSFIELD. Mr. President, will the Senator from Mississippi yield to me for 2 minutes?

Mr. STENNIS. I am happy to yield to the Senator from Montana, provided, of course, that I do not lose my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered; and the Senator from Montana is recognized.

PRESIDENT JOHNSON'S EFFORTS TO HALT THE ARMS RACE

Mr. MANSFIELD. Mr. President, last Friday, President Johnson submitted to us the Sixth Annual Report of the Arms Control and Disarmament Agency. I would like to commend his letter of transmittal not only to my colleagues, but to every American citizen. It was the document of a great statesman in his tireless search for a world of peace.

The President noted that the United States and Russia have "reached a watershed in the dispiriting history of our arms competition."

On one side, he said, it appears that the two powers are close to agreement on a nonproliferation treaty. But on the other side, he said, there is a danger that the two nations may be swept into another upward spiral of competition by deployment of missile defense systems. I salute the President for his refusal to be panicked into such a position—despite the pressures that have been on him to do so.

That, of course, would have been the easy way out. With our vast resources, with our might, with our great wealth, there is no doubt that we could continue the arms race and continue to maintain our superiority. And in the long run, we may be forced to do just that.

But the opportunity has presented itself for a significant breakthrough in that endless and costly spiral and the President has grasped that opportunity with sincerity and determination.

From all available information, the Russians are just beginning to place their missile defense system around a few key areas. At this stage, they do not endanger our security. If we can convince them to stop—if our two nations can agree not to proceed with this insanity that puts neither of us ahead and costs all of us more than we can reasonably afford—then all mankind will be in our debt.

The President has noted that the United States has been trying since 1946 to prevent the proliferation of nuclear weapons.

He said:

> Our hopes are high that this long effort will soon be crowned with success.

The hopes of the entire Nation, Mr. President, are following his great leadership.

DEATH OF DR. J. ROBERT OPPENHEIMER

Mr. JAVITS. Mr. President, over the weekend, Dr. J. Robert Oppenheimer died. He was one of the really great and outstanding American scientists of our time, whose life, unhappily, was clouded by a situation which is still gravely controversial. This has cast a cloud over his extraordinary personality and his extraordinary service to our Nation.

I think it would be wrong not to have the Record include obituaries and other references to the life of this great American.

I hope very much that all of our views, whatever they may have been about Dr. Oppenheimer, may now be merged in the appraisal of his life and work which history and science will give in the decades ahead, and to his eminence in our country.

Whatever controversy, unhappily, may have clouded certain aspects of his Government service, the Record at least should contain the story of his life.

I ask unanimous consent to have printed in the Record obituaries, editorials, and so forth, on the death of Dr. Oppenheimer.

There being no objection, the material was ordered to be printed in the Record, as follows:

Marshal of Science

Dr. J. Robert Oppenheimer was an extraordinarily gifted man who led an extraordinary dramatic life. Fiction pales beside the sequence of events that saw Oppenheimer plunge from the exalted status of "father of the atomic bomb" to the public disgrace implicit in the Atomic Energy Commission's denial of security clearance to him. It was indeed, as Oppenheimer himself said on the occasion, an act of "some charity and some courage" when President Johnson presented him in 1963 with the A.E.C.'s Fermi Award, a deserving yet gallant move that symbolically repudiated the harsh judgment of 1954.

For Oppenheimer himself, the great disappointment of his life was probably the realization that he just missed ranking among the great immortals of nuclear physics. He made some significant contributions but his personal achievements in his chosen field were far less important than those of a Fermi or a Bohr, let alone Einstein.

Nevertheless Dr. Oppenheimer earned a secure if controversial place in history through his talents as a superb teacher and as an unsurpassed administrator of science. As a teacher he did perhaps more than any other man in the 1930's to train an entire generation of American physicists, including many of those who still occupy today's commanding heights. Even more important, he will be remembered as the organizer of genius who ended the age of innocence for science, transferring the laboratory from the campus and the garret to the barracks and producing the first of the family of weapons that compel all mankind to live under the shadow of radioactive extinction.

A scholar and a humanist, Oppenheimer was not ideally suited for his role as the first American marshal of scientists in uniform. Yet he did not shirk battle. His rewards for almost a decade were prestige, power and influence such as no scientist has ever enjoyed before or since. His penalty, the accusation of distrust, was no less great. Oppenheimer resembled a classic figure of tragedy, plagued by his own sensitivity, arrogance and naïveté. He inspired terror for what he had to do and pity for the price he had to pay.

[From the New York Times, Feb. 20, 1967]

Oppenheimer, the "Father of the Atomic Bomb," Was a Bafflingly Complex Man—Scientific Genius Condemned in 1954—Called Security Risk for Ties to Red Causes in 1930's—Later Honored by United States

Starting precisely at 5:30 A.M., Mountain War Time July 16, 1945, J. (for nothing) Robert Oppenheimer lived the remainder of his life in the blinding light and the crepusculine shadow of the world's first event for which he was largely responsible.

Dr. Oppenheimer, 62 years old, died at 8 o'clock Saturday night at his home on the grounds of the Institute for Advanced Study in Princeton, N.J. An autopsy performed yesterday at Princeton Hospital confirmed earlier reports that he had died of throat cancer.

That sunlike flash illuminated him as a scientific genius, the technocrat of a new age for mankind. At the same time it led to his condemnation by the Government when, in 1964, he was described as a security risk to his country and a man with "fundamental defects in his character." Publicly rehabilitated in 1963 by a singular Government honor, this baffling complex man nonetheless never fully succeeded in dispelling doubts about his conduct during a crucial period of his life.

The perplexities centered on a story of attempted atomic espionage that he told Army Counter-Intelligence officers in 1943 and that he later repudiated as a fabrication. His sole explanation for what he called "a cock-and-bull story" was that he had been "an idiot." Misgivings also sprang from the manner in which he implicated a close friend in his asserted concoction.

A brilliant nuclear physicist, with a comprehensive grasp of his field, Dr. Oppenheimer was also a cultivated scholar, a humanist, a linguist of eight tongues and a brooding searcher for ultimate spiritual values. And, from the moment that the test bomb exploded at Alamogordo, N.M., he was haunted by the implications for man in the unleashing of the basic forces of the universe.

As he clung to one of the uprights in the desert control room that July morning and saw the mushroom clouds rising in the explosion, a passage from the Bhagavad-Gita, the Hindu sacred epic, flashed through his mind. He related it later as:

"If the radiance of a thousand suns were to burst into the sky, that would be like the splendor of the Mighty One."

And as the black, then gray, atomic cloud pushed higher above Point Zero, another line—"I am become Death, the shatterer of worlds"—came to him from the same scripture.

Two years later, he was still beset by the moral consequences of the bomb, which, he told fellow physicists, had "dramatized so mercilessly the inhumanity and evil of modern war."

"In some sort of crude sense which no vulgarity, no humor, no overstatements can quite extinguish," he went on, "the physicists have known sin; and this is a knowledge which they cannot lose."

In later years, he seemed to indicate that "sin" was not to be taken personally. "I carry no weight on my conscience," he said in 1961 in reference to the atomic bombing of Hiroshima and Nagasaki.

"Scientists are not delinquents," he added. "Our work has changed the conditions in which men live, but the use made of those changes is the problem of governments, not of scientists."

With the detonation of the first three atomic bombs and the immediate Allied victory in World War II, Dr. Oppenheimer, at the age of 41, reached the apogee of his career. Acclaimed as "the father of the atomic bomb," he was officially credited by the War Department "with achieving the implementation of atomic energy for military purposes." Secretary of War Henry L. Stimson led a chorus of national praise when he said of the scientist:

"The development of the bomb itself has been largely due to his genius and the inspiration and leadership he has given to his colleagues."

Shortly thereafter, in 1946, Dr. Oppenheimer received a Presidential Citation and a Medal of Merit for his direction of the Los Alamos Laboratory, where the bomb had been developed.

In the years from 1945 to 1952, Dr. Oppenheimer was one of the foremost Government advisers on key phases of United States atomic policy. He was the dominant author of the Acheson-Lilienthal Report [named for Secretary of State Dean Acheson and David Lilienthal, first chairman of the Atomic Energy Commission], which offered a plan for international control of atomic energy.

He was also the virtual author of the Baruch Plan, which was base on the Acheson-Lilienthal Report, calling for United Nations supervision of nuclear power. He was consultant to Bernard M. Baruch at the United Nations and to Frederick H. Osborn, his successor, in futile United Nations negotiations over the plan, which was balked by the Soviet Union.

Furthermore, from 1947 to 1952, Dr. Oppenheimer headed the Atomic Energy Commission's General Advisory Committee of top nuclear scientists, and for the following two years he was its consultant. He also served on the atomic committee of the Research and Development Board to advise the military, the science advisory committee of the Office of Defense Mobilization and study groups by the dozen. He had a desk in the President's Executive Offices, across the street from the White House.

This eminence ended abruptly in December, 1953, when President Dwight D. Eisenhower ordered that a "blank wall be placed between Dr. Oppenheimer and any secret data" pending a security hearing. The following June he was stripped of his security clearance by the Atomic Energy Commission. It was never restored to him.

Up to 1954 Dr. Oppenheimer's big-brimmed brown pork-pie hat, size 6⅞, was a frequent (and telltale) sight in Washington and the capitals of Western Europe, where he traveled to lecture or consult. (The trademark hat was also in evidence at Princeton, N.J., where he headed the Institute for Advanced Study from 1947 to 1966.) He was Oppy, Oppie or Opje to hundreds of persons who were captivated by his charm, eloquence and sharp, subtle humor and who were awed by the scope of his erudition, the incisiveness of his mind, the chill of his sarcasm and his arrogance toward those he thought were slow or shoddy thinkers.

Six feet tall and a bit stooped, he was as thin as the wisps from his chain-smoked cigarettes or pipes. Blue-eyed, with close-cropped hair (it was dark in 1943, gray by 1954 and white a few years later), he had a mobile, expressive face that became lined and haggard after his security hearings.

He was extremely fidgety when he sat, and he constantly shifted himself in his chair, bit his knuckles, scratched his head and crossed and uncrossed his legs. When he spoke on his feet, he paced and stalked, smoking incessantly and jerking a cigarette or pipe out of his mouth almost violently when he wanted to emphasize a word or phrase with a gesture.

A GRACIOUS HOST

He was an energetic man at parties, where he was usually the center of attention. He was gracious as a host and the maker of fine and potent martinis. He was full of droll stories.

What impressed people first about Dr. Oppenheimer was his intellect. "Robert is the only authentic genius I know," Mr. Lilienthal said of him. Echoing this appraisal, Charles Lauritsen, a former colleague at the California Institute of Technology, once remarked:

"The man was unbelievable! He always gave you the right answer before you formulated the question."

Knowledge came easily to Dr. Oppenheimer. As a young man he learned enough Dutch in six weeks to deliver a technical lecture while on a visit to the Netherlands. At the age of 30 he learned Sanskrit, and he used to enjoy passing notes to other savants in that language. On a train trip from San Francisco to the East Coast he read Edward Gibbon's seven-volume "The History of the Decline and Fall of the Roman Empire." On another such trip he read the four volumes of Karl Marx's "Das Kapital" in German. On a short summer holiday in Corsica he read in French Marcel Proust's massive "A La Recherche du Temps Perdu," which he later said was one of the great experiences of his life.

This almost compulsive avidity for learning was not sterile, for he invariably made some use of what he read. He was, moreover, an authority, if not an expert, in baroque and classical music, to which he liked to listen. In the words of a friend, Dr. Oppenheimer was "a culture hound."

Even as a child, J. Robert Oppenheimer was made much of for his ability to absorb knowledge. He was born in New York on April 22, 1904, the son of Julius and Ella Freedman (or Friedman) Oppenheimer. Julius Oppenheimer was a prosperous textile importer who had emigrated from Germany and his wife was a Baltimore artist, who died when her elder son was 10. (The younger son, Frank Friedman Oppenheimer, also became a physicist.)

The family lived in comfort, with a private art collection that included three Van Gohs. Robert was encouraged to delve into rocks after starting a collection at the age of 5, and he was admitted to the Mineralogical Club of New York when he was 11.

He was a shy, delicate boy (he was once thought to have tuberculosis) who was more concerned with his homework and with poetry and architecture than with mixing with other youngsters. After attending the Ethical Culture School ("It is characteristic that I don't remember any of my classmates," he said) he entered Harvard College in 1922, intending to become a chemist.

He was a solitary student with an astonishing appetite for work. "I had a real chance to learn," he said. "I loved it. I almost came alive. I took more courses than I was supposed to, lived in the [library] stacks, just raided the place intellectually."

In addition to studying physics and other sciences, he learned Latin and Greek and was graduated summa cum laude in 1925, having completed four years' work in three.

From Harvard, Robert Oppenheimer went to the University of Cambridge, in England, where he worked in atomics under Lord Rutherford, the eminent physicist. Thence he went to the Georg-August-Universität in Göttingen, Germany, at the invitation of Dr. Max Born, also a celebrated scientist interested in the quantum theory of atomic systems. He received his doctorate there in 1927, along with a reputation for being pushy.

In 1927–28 he was a National Research Fellow at Harvard and Caltech, and the following year he was an International Education Board Fellow at the University of Leyden, in the Netherlands, and the Technische Hochschule in Zurich, Switzerland.

Returning to the United States in 1929, Dr. Oppenheimer joined the faculties of Caltech at Pasadena, Calif., and the University of California at Berkeley. He was attached to both schools until 1947 and rose to the rank of professor. He proved an outstanding teacher. Magnetic, lucid, always accessible, he developed hundreds of young physicists, some of whom were so devoted to him that they migrated with him back and forth from Berkeley to Pasadena and even copied his mannerisms.

Describing to his security hearings his ivory-tower life up to late 1936, he said:

"I was not interested in and did not read about economics or politics. I was almost wholly divorced from the contemporary scene in this country, I never read a newspaper or a current magazine like Time or Harper's; I had no radio, no telephone; I learned of the stockmarket crash in the fall of 1929 only long after the event; the first time I ever voted was in the Presidential election of 1936."

NOTED FOR TEACHING

In this period and subsequently, Dr. Oppenheimer was noted more for his inspirational teaching and his over-all grasp of nuclear physics than for any major discoveries or theories.

However, in the nineteen-thirties Dr. Oppenheimer greatly influenced American physics as leader of a dynamic school of theoreticians in California. His influence continued in his recent years at the Institute for Advanced Study. In the words of one Nobel laureate in physics:

"No one in his age group has been as familiar with all aspects of current developments in theoretical physics."

One of his earliest contributions was in 1926–27 while he was working with Dr. Born, then a professor at Göttingen. Together they helped lay the foundations of modern theory for the quantum behavior of molecules.

In 1935 he and Melba Phillips made another basic contribution to quantum theory, discovering what is known as the Oppenheimer-Phillips process. It involves the break-up of deuterons in collisions that had been thought far too weak for such an effect.

The deuteron consists of a proton and neutron bound into a single particle. The two physicists found that, when a deuteron is fired into an atom even weakly, the neutron can be stripped off the proton and penetrate the nucleus of the atom. It had been assumed that, since the deuteron and nucleus are both positively charged, each would repel the other except in high-energy collisions.

Another theoretical study by Dr. Oppenheimer has figured prominently in recent efforts to explain the astronomical objects, known as quasars, that radiate light and radio waves of extraordinary intensity. One possibility is that the quasar is a cloud of material being drawn together by its own gravity.

"COLLAPSE" ANALYZED

In 1938–39 Dr. Oppenheimer, with Dr. George M. Volkoff and others, had analyzed such a "gravitational collapse" in terms of the general theory of relativity. Their calculations are now cited in efforts to explain the quasars.

Beginning in late 1936, Dr. Oppenheimer's life underwent a change of direction that involved him in numerous Communist, trade union and liberal causes to which he devoted time and money and that added to his circle of acquaintances many Communists and liberals, some of whom became intimate friends. These commitments and associations, which were to be recalled with sinister overtones at his security hearings, ended about 1940, according to the scientist or, in the version of some others, they persisted until the end of 1942, when he was about to go to Los Alamos.

One precipitating factor in Dr. Oppenheimer's awakening to the world about him was a love affair, starting in 1936, with a woman Communist, now dead. (In 1940 he married the former Miss Katherine Puening, who had been a Communist during her marriage to Joseph Dallet, a Communist who died fighting for the Spanish Republican Government.)

Apart from the influence exerted by his fiance in 1936 there were other compelling elements in Dr. Oppenheimer's transformation from cloistered academician to social activist. He described them this way:

"I had had a continuing smoldering fury about the treatment of Jews in Germany. I had relatives there, and was later to help in extricating them and bringing them to this country. I saw what the Depression was doing to my students. Often they could get no jobs, or jobs which were wholly inadequate. And through them, I began to understand how deeply political and economic events could affect men's lives. I began to feel the need to participate more fully in the life of the community."

Dr. Oppenheimer's activism was far-ranging, but he consistently denied that he was ever a member of the Communist party ("I never accepted Communist dogma or theory") and no substantial evidence was ever adduced to refute him.

Dr. Arthur H. Compton, the Nobel Prize-winning scientist, brought Dr. Oppenheimer informally into the atomic project in 1941. Within a year he had convinced Dr. Compton and military authorities that, to build a bomb, it was essential to concentrate qualified scientists and their equipment in a single community under a unified command.

He also impressed Maj. Gen. Leslie R. Groves, in charge of the $2-billion Manhattan Engineer District, as the bomb project was code-named, who selected him for the post of director and who ordered him cleared for the job despite Army Counter-Intelligence qualms over his past associations. With General Groves, Dr. Oppenheimer selected the Los Alamos site for the laboratory.

"To recruit staff," he said later, "I traveled all over the country talking with people who had been working on one or another aspect of the atomic-energy enterprise, and people in radar work, for example, and underwater sound, telling them about the job, the place that we are going to, and enlisting their enthusiasm."

Dr. Oppenheimer's persuasiveness and his new-found qualities of leadership were such that he gathered a top-notch scientific staff that numbered nearly 4,000 by 1945 and that lived, often amid frustrations and under quasi-military rule, in the hastily built houses of Los Alamos. Among the staff were Dr. Enrico Fermi and Dr. Niels Bohr, two physicists of immense world standing.

In the two tension-filled years it took to construct the bombs, Dr. Oppenheimer displayed a special genius for administration, for handling the sensitive prima-donna scientific staff (often he spent as much time on personal as on professional problems) and for coordinating its work. He drove himself at breakneck speed, and at one time his weight dropped under the whiplash of the war to 115 pounds. But he always managed to surmount whatever problem arose, and it was for this enormous all-around task that he was acclaimed as "the father of the atomic bomb."

WATCHED BY ARMY AGENTS

Dr. Oppenheimer's security troubles had their genesis while he was director at Los Alamos. Because a security-risk potential was imputed to him on account of past associations, Dr. Oppenheimer was dogged by Army agents, his phone calls were monitored, his mail was opened and his every footstep was watched. In these circumstances his overnight visit with his former fiancée—by then no longer a Communist—on a trip to San Francisco in June, 1943, aroused the Counter-Intelligence Corps.

The following August, for reasons that still remain obscure, Dr. Oppenheimer volunteered to a C.I.C. agent that the Russians had tried to get information about the Los Alamos project. George Eltenton, a Briton, and a slight acquaintance of Dr. Oppenheimer, had asked a third party to get in touch with some project scientists. In three subsequent interrogations Dr. Oppenheimer embroidered this story, but he declined to name the third party who had approached him or to identify the scientists. (In one interrogation, however, he gave the C.I.C. a long list of persons he said were Communists or Communist sympathizers in the San Francisco area, and he offered to dig up information as to former Communists at Los Alamos.)

Finally, in December, 1943, Dr. Oppenheimer, at General Grove's direct order, vouchsafed the third party's name as Prof. Haakon Chevalier, a French teacher at Berkeley and a longtime close and devoted friend of the Oppenheimer family. At the security hearings in 1954, the scientist recanted his espionage account as a "cock-and-bull story," saying only that he was "an idiot" to have told it. Dr. Oppenheimer never gave a further explanation.

There was some basis for Dr. Oppenheimer's original story, according to him and Professor Chevalier. The professor said that Mr. Eltenton had indeed approached him in late 1942 or early 1943 with a nebulous notion about getting scientific information and had been quickly rebuffed. Professor Chevalier said that he had recounted the episode to Dr. Oppenheimer and that both had dismissed the matter. This part of the incident was corroborated by Dr. Oppenheimer in his testimony at his security hearings.

(Just how much of Dr. Oppenheimer's spy-attempt story the C.I.C. believed is difficult to judge in the light of the fact that neither Professor Chevalier nor Mr. Eltenton was interrogated until May, 1946. Neither was prosecuted. Indeed, Professor Chevalier was an interpreter on the United States staff at the Nuremberg war crimes trial in 1945. Twenty years later he wrote "Oppenheimer: The Story of a Friendship," in which he charged that Dr. Oppenheimer had betrayed him out of ambition for fame and to stay in the C.I.C.'s good graces.

(A C.I.C. operative who had questioned Dr. Oppenheimer in 1943 suggested to his Army superiors that an unimpeachable assistant be assigned to the scientist. The operative's memo included this sentence:

("It is the opinion of this office that subject's [Dr. Oppenheimer's] personal inclinations would be to protect his own future and reputation and the high degree of honor which would be his if his present work is successful, and, consequently, it is felt that he would lend every effort to cooperate with the Government in any plan which would leave him in charge.")

With the end of World War II and Dr. Oppenheimer's return to full civilian life, he caused some disquiet in the scientific community by supporting the May-Johnson bill for military control of further atomic experiments. This was countered, however, when he later supported the McMahon bill, which created the Atomic Energy Commission, a civilian agency.

Another of the charges pressed against Dr. Oppenheimer in 1954 also had its origin at Los Alamos, and it involved the hydrogen, or fusion, bomb and his relations with Dr. Edward Teller over that superweapon, of which the Hungarian scientist was a vociferous proponent. At Los Alamos Dr. Teller was passed over for Dr. Hans Bethe as head of the important Theoretical Physics Division, Dr. Teller, meantime, worked on problems of fusion.

At the war's end, when most of the Los Alamos scientists returned to their campuses, hydrogen bomb work was generally suspended. In 1949, however, when the Soviet Union exploded its first fission bomb, the United States considered pressing forward immediately with building and testing a fusion device. The matter came to the Atomic Energy Commission's General Advisory Committee, headed by Dr. Oppenheimer.

On the ground that manufacturing a hydrogen bomb was not technically feasible at the moment, the committee unanimously recommended that thermonuclear research be maintained at a theoretical level only, Dr. Oppenheimer, who also thought a hydrogen bomb morally dubious, played a leading role in this proposal, and it did not endear him to Dr. Teller.

COMMITTEE OVERRULED

In 1950 President Harry S. Truman overruled Dr. Oppenheimer's committee and ordered work pushed on the fusion bomb. Dr. Teller was given his own laboratory and within a few months the hydrogen bomb was perfected with the aid of a technical (and still secret) device suggested by Dr. Teller.

It was charged at the security hearings that Dr. Oppenheimer was not sufficiently diligent himself in furthering the hydrogen bomb and that he influenced other scientists against participating in work on it. Dr. Teller testified that, apart from giving him a list of names, Dr. Oppenheimer had not assisted him "in the slightest" in recruiting scientists for the project.

Dr. Teller, moreover, went on record as being opposed to restoring Dr. Oppenheimer's security clearance, saying:

"In a great number of cases I have seen Dr. Oppenheimer act—I understood that Dr. Oppenheimer acted—in a way which for me was exceedingly hard to understand. I thoroughly disagreed with him in numerous issues and his actions frankly appeared to me confused and complicated. To this extent I feel that I would like to see the vital interests of this country in hands which I understand better, and therefore trust more.

"In this very limited sense I would like to express a feeling that I would personally feel more secure if public matters would rest in other hands."

Dr. Oppenheimer, for his part, vigorously denied that he had been dilatory or neglectful in supporting the hydrogen bomb, once President Truman had acted. "I never urged anyone not to work on the hydrogen bomb project," he declared. He insisted, too, that his board had materially assisted Dr. Teller's work.

If Dr. Oppenheimer had stirred Dr. Teller's displeasure in 1949, he also aroused strong feelings in Dr. Edward U. Condon of the National Bureau of Standards for different reasons. In an appearance before an executive session of the House Un-American Activities Committee, Dr. Oppenheimer described a fellow atomic scientist as a former German Communist.

When quotations from the testimony were printed in the newspapers, Dr. Condon and a number of other scientists were shocked on the ground that Dr. Oppenheimer had acted as an informer. "It appears that he [Dr. Oppenheimer] is trying to buy personal immunity from attack by turning informer," Dr. Condon wrote.

Subsequently, Dr. Oppenheimer wrote a public letter in which he attested the atomic scientist's patriotism, but the incident perplexed a number of Dr. Oppenheimer's friends.

The security hearings for Dr. Oppenheimer were triggered late in 1953, when William L. Borden, former executive director of the Joint Congressional Committee on Atomic Energy, wrote an unsolicited letter to J. Edgar Hoover, director of the Federal Bureau of Investigation. Mr. Borden gave it as his opinion that the scientist had been "a hardened Communist" and that "more probably than not he has since been functioning as an espionage agent."

Mr. Hoover wasted little time in sending the letter and an F.B.I. report to the White House and other agencies. It was then that President Eisenhower cut Dr. Oppenheimer off from access to secret material. Lewis L. Strauss (pronounced straws), then chairman of the Atomic Energy Commission, gave Dr. Oppenheimer the option of resigning his consultantship with the commission or asking for a hearing. He chose a hearing.

ACTION DISMAYED MANY

The action against Dr. Oppenheimer dismayed the scientific community and many other Americans. He was widely pictured as a victim of McCarthyism who was being penalized for holding honest if unpopular, opinions. The A.E.C., Mr. Strauss and the Eisenhower Administration were accused of carrying out a witch hunt in an attempt to account for Soviet atomic successes and to feed a public hysteria about Communists.

The Personnel Security Board of the AEC, consisting of Gordon Gray, an educator, chairman; Thomas A. Morgan, a businessman, and Dr. Ward V. Evans, a chemist, held hearings in Washington from April 12 to May 6, 1954. They considered a long list of specific charges one batch dealing with Dr. Oppenheimer's past associations, another with the Haakon Chevalier incident and another with the hydrogen bomb.

Dr. Oppenheimer testified in his own behalf, and 40 great names in American science and education offered evidence of his loyalty. However, by a vote of 2 to 1 (Dr. Evans dissented), the board declined to reinstate its consultant's security clearance.

After asserting as "a clear conclusion" that Dr. Oppenheimer was "a loyal citizen," the majority report said it has "been unable to arrive at the conclusion that it would be clearly consistent with the security interests of the United States to reinstate Dr. Oppenheimer's clearance. . . ."

The report listed the following as controlling its decision:

"1. We find that Dr. Oppenheimer's continuing conduct and associations have reflected a serious disregard for the requirements of the security system.

"2. We have found a susceptibility to influence which could have serious implications for the security interests of the country.

"3. We find his conduct in the hydrogen bomb program sufficiently disturbing as to raise a doubt as to whether his future participation, if characterized by the same attitudes in a Government program relating to the national defense, would be clearly consistent with the best interests of security.

"4. We have regretfully concluded that Dr. Oppenheimer has been less than candid in several instances in his testimony before this board."

On appeal to the commission, Dr. Oppenheimer lost by a vote of 4 to 1. After declaring that Dr. Oppenheimer had "fundamental defects in his character," the majority said that "his associations with persons known to him to be Communists have extended far beyond the limits of prudence and self-restraint."

With the commission ruling, Dr. Oppenheimer returned to Princeton and the institute he headed. There he lived in quiet obscurity until April 1962, when President John F. Kennedy invited him to a White House dinner of Nobel Prize winners.

HIGHEST AWARD OF AEC

In December 1963, as a further evidence of a rapprochement, President Johnson handed Dr. Oppenheimer the highest award of the Atomic Energy Commission, the $50,000 tax-free Fermi Award, which is named for Dr. Enrico Fermi, the late distinguished nuclear pioneer.

In his acceptance remarks Dr. Oppenheimer adverted to his security hearings, saying:

"I think it is just possible Mr. President, that it has taken some charity and some courage for you to make this award today."

Dr. Oppenheimer was the author of several books: "Science and the Common Understanding" (1954), "The Open Mind" (1955), "Some Reflections on Science and Culture" (1960).

Ailing, he retired as director of the institute, a research facility for some 200 postdoctoral fellows in many fields, in early 1966. He was succeeded by Dr. Carl Kaysen of Harvard.

In addition to the Medal of Merit for his work in Los Alamos and an assortment of honorary doctorates, Dr. Oppenheimer was a fellow of the National Academy of Arts and Sciences, the American Physical Society and Britain's Royal Society. He was also a member of the National Academy of Sciences, the American Philosophical Society and several foreign academies.

Dr. and Mrs. Oppenheimer had two children, Peter and Katherine.

OPPENHEIMER PRAISED AS THEORETICIAN AND TEACHER

Dr. J. Robert Oppenheimer, "the father of the atomic bomb," was praised yesterday as a man who not only brought American physics to the front rank but also impressed on people the dangers and benefits the new science could bring.

Dr. Oppenheimer, 62 years old, died at 8 o'clock Saturday night at his home on the grounds of the Institute for Advanced Study in Princeton, N.J. An autopsy performed yesterday at Princeton Hospital confirmed earlier reports that he had died of throat cancer.

"It was as if an elder brother had died," said Dr. Hans J. Bethe, the noted physicist, who was closely associated with Dr. Oppenheimer at Los Alamos where the first atomic bomb was produced.

"As director of the Los Alamos Scientific Laboratory he impressed his superb style on it, and more than anybody else was responsible for its success," Dr. Bethe said at Ithaca, where he is now a professor of physics at Cornell University. "After 1945 he contributed his full share to a climate in which atomic weapons have not again been used in war."

JAPAN MOURNS DEATH

In Japan, where the brunt of the atomic bomb was felt, Japanese scientists mourned Dr. Oppenheimer's death.

But at least one of them, Dr. Hideki Yukawa, Japan's first Nobel prize-winning scientist, said Dr. Oppenheimer was also "a symbol of the tragedy of the modern nuclear scientists."

In 1954 Dr. Oppenheimer was stripped of security clearance by the Atomic Energy Commission because of alleged associations with Communists.

Nine years later the same agency awarded him the $50,000 Enrico Fermi award for "his outstanding contributions to theoretical physics and his scientific and administrative leadership."

Dr. Yukawa suggested the 1954 charges had a profound effect.

"He was so sensitive," Dr. Yukawa said, "that his difficulties and differences of opinion with the Government probably put him under severe psychological pressure. I may say that this might have shortened his life."

Dr. Carl Kaysen, who succeeded Dr. Oppenheimer last year as the director of the Institute of Advanced Study in Princeton, N.J., called the withholding of security clearance "a great injustice." He added: "I have no doubt it had a very serious effect."

Despite the effect, Dr. Kaysen said Dr. Oppenheimer went on to make a great contribution in his last years by building up physics studies at the institute.

Dr. Kaysen remembered him as a "very great physics teacher . . . one of the teachers who stirred up a great many people. Not only did he help create nuclear weapons but he was one of the important people who tried to get others to understand what the weapons meant."

In Washington, Dr. Glen Seaborg, chairman of the Atomic Energy Commission, said: "All people, as well as the whole world of science, have suffered a tremendous loss. . . . He was one of the greatest theoretical physicists of this century."

In Saigon where he is traveling as a special Presidential adviser, David E. Lilienthal, former chairman of the A.E.C., was visibly shaken on hearing news of the death.

Later he said: "The world has lost a noble spirit—a genius who brought together poetry and science. Those of us who were his friends and neighbors know that life for us will never be the same."

A scientist who disagreed sharply with Dr. Oppenheimer's wartime decision not to press ahead then with the hydrogen bomb said yesterday: "I like to remember that he did a magnificent job and a very necessary job . . . in organizing [the Los Alamos laboratory], and the way he organized it, he exercised a lasting effort on the scientific life of this country." The scientist was Dr. Edward Teller, who is known as "the father of the hydrogen bomb."

Dr. I. I. Rabi, a Nobel laureate and now professor of physics at Columbia University, called Dr. Oppenheimer "one of the greatest sources of scientific strength."

"American physics was pretty unsophisticated," Dr. Rabi said, "before he started having an effect on it. Some of the great strength the United States had in the war stemmed from Oppenheimer."

As a person, Dr. Rabi said, Dr. Oppenheimer was one of those "fantastically magnetic, charismatic people. Students flocked to him."

ECHOED AT PRINCETON

The feeling was echoed by Dr. John A. Wheeler, a professor of physics at Princeton University.

"The country is doubly in his debt," Dr. Wheeler said. "First for the outstanding leaders of theoretical physics whom he trained in his California days, and second and still more, for the inspiration and guidance he provided for the Los Alamos team. He had that magic which is known as charisma. I can't think of anyone else who could have brought that Los Alamos team together."

In Paris, Dr. Alfred Kastler, the Nobel price-winning physicist, said Dr. Oppenheimer could not be reproached for his part in developing the atom bomb, because he had known that Nazi scientists were working on a similar project.

In London, Sir John Cockroft, the leading British nuclear scientist, said he did "a tremendous job for the United States and was a very distinguished and complex person."

Meyer W. Weisgal, president of Israel's Weizmann Institute of Science, said Dr. Oppenheimer was "a man of wide-ranging interests, enobled by adversity" who "left an indelible imprint on the quality of [the institute's] research."

In Moscow the Soviet news agency Tass reported the death in a one-sentence dispatch. It described Dr. Oppenheimer as an "outstanding American physicist."

Funeral services for Dr. Oppenheimer will be private. A memorial service will be held next Saturday at 3 P.M. in Alexander Hall on the Princeton University campus.

[From the Washington Post, Feb. 20, 1967]

WORLD SCIENTISTS MOURN DEATH OF J. ROBERT OPPENHEIMER, 62

Around the world, friends and associates of Dr. J. Robert Oppenheimer received the news of his death Saturday night with shock and grief, remembering him as "a noble spirit, a genius, and a humanitarian."

Praise of the controversial physicist, director of the scientific effort which developed the atomic bomb was led by Dr. Glenn T.

Seaborg, chairman of the Atomic Energy Commission.

"He was one of the great theoretical physicists of his century," Seaborg said in Washington. "His role far transcended physics and science, for he was a great humanitarian with a sensitive concern for the sociological implications of science and the total welfare of mankind."

David E. Lilienthal, former chairman of the AEC, now in Saigon as a presidential adviser, called Dr. Oppenheimer "a noble spirit—a genius who brought together poetry and science. Those of us who were his friends and neighbors know that life for us will never be the same."

In Japan, the country devastated by the atomic bomb that Dr. Oppenheimer helped develop, the scientist was called "a symbol of the tragedy of the modern nuclear scientists."

Hideki Yukawa, a Nobel-winning scientist and long-time friend of Dr. Oppenheimer's, suggested that Dr. Oppenheimer's life may have been shortened by his troubles with the U.S. Government over his alleged Communist sympathies.

"He was so sensitive that his difficulties and differences of opinion with the Government probably put him under severe psychological pressure," Yukawa said. "I may say that this might have shortened his life."

As tributes to the quiet physicist poured in from the world of science, plans were announced in Princeton for him to be buried as he had spent the last years of his life—in private.

His widow, Katherine, announced yesterday that the funeral would be private. A memorial service was planned, but details were incomplete.

Dr. Oppenheimer died at his Olden Farms home in Princeton where he had spent the last 18 years of his life as director of the Institute for Advance Study. The cause of his death was not announced, but he had been suffering for some time from cancer of the throat.

Among the scientists praising Dr. Oppenheimer was Dr. Edward Teller, his associate on the atomic bomb project and later his antagonist in the public dispute over the development of the hydrogen bomb. Dr. Teller was a proponent of developing the H-bomb, while Dr. Oppenheimer opposed it.

"I like to remember that he did a magnificent job and a very necessary job" in organizing the atomic bomb project, Dr. Teller recalled. "He exercised a lasting effect on the scientific life of the country."

The Russian News Agency Tass reported Dr. Oppenheimer's death in a one-sentence dispatch, describing him as an "outstanding American physicist."

SCHOOL DESEGREGATION GUIDELINES

Mr. STENNIS. Mr. President, the majority leader has urged us to give renewed attention to our oversight responsibilities; to conduct a thoroughgoing review of recent legislation and programs to determine whether they are being carried out and administered in the way intended by Congress. In accordance with this wise and timely suggestion, I strongly recommend that the appropriate committee undertake a complete and comprehensive investigation into the administration of title VI of the Civil Rights Act of 1964 by the Office of Education. Never to my knowledge has the intent of Congress been more flagrantly ignored than in the administration of title VI. Seldom has plain statutory language been so brazenly disregarded.

The danger of allowing this administrative lawlessness to go unchecked is demonstrated by a recent decision by a three-judge panel of the U.S. Court of Appeals for the Fifth Circuit.

I wish to add that the entire panel has decided now to take up that decision for review and later decision by the entire court.

In an effort to legitimize the activities of the Office of Education and stifle all objections to the legality of the school desegregation guidelines, the court itself was led to renounce settled law and adopt a totally new concept of the 14th amendment.

I refer to an opinion of a three-judge court of the U.S. Court of Appeals rendered on December 29, 1966, in the case of United States of America and Linda Stout, by her father and next friend, Blevin Stout, appellant, against Jefferson County Board of Education and others.

In order to sustain the extreme and unprecedented requirements of the guidelines, the court was compelled to reinterpret and drastically revise its own prior rulings. As the dissenting opinion points out—and that three-judge decision was 2 to 1—and as the prevailing opinion acknowledges, the court has repeatedly approved and applied the case of *Briggs* v. *Elliott*, 132 F. Supp. 776 (E.D.S.C. 1955). In the Briggs case the court said:

> It is important that we point out exactly what the Supreme Court has decided and what it has not decided in this case. It has not decided that the federal courts are to take over or regulate the public schools of the states. It has not decided that the states must mix persons of different races in the schools or must require them to attend schools or must deprive them of the right of choosing the schools they attend. What it has decided, and all that it has decided, is that a state may not deny to any person on account of race the right to attend any school that it maintains. This, under the decision of the Supreme Court, the state may not do directly or indirectly; but if the schools which it maintains are open to children of all races, no violation of the Constitution is involved even though the children of different races voluntarily attend different schools, as they attend different churches. Nothing in the Constitution or in the decision of the Supreme Court takes away from the people freedom to choose the schools they attend. The Constitution, in other words, does not require integration. It merely forbids discrimination. It does not forbid such segregation as occurs as the result of voluntary action. It merely forbids the use of governmental power to enforce segregation. The Fourteenth Amendment is a limitation upon the exercise of power by the state or state agencies, not a limitation upon the freedom of individuals.

This clear and simple exposition of the law, which reflects the general understanding of the Constitution and the holding of the Brown cases, and which has been the basis for a decade of decisions in the fifth circuit and elsewhere, is now repudiated as mistaken quibbling. The very opposite view is now taken by the court which sums up its present interpretation in the statement that—

> As we see, the law imposes an absolute duty to desegregate, that is, disestablish segregation. And an absolute duty to integrate, in the sense that a disproportionate concentration of Negroes in certain schools cannot be ignored; racial mixing of students is a high priority educational goal.

After discovering for the first time in December 1966 that the Constitution imposes an "absolute duty to integrate," the court attributes a like intent to Congress in passing the Civil Rights Act 2½ years earlier. On the basis of this presumed intent the court affirms the guidelines as a "legitimate, authoritative" expression of congressional policy. The court's approval of the guidelines, therefore, is based on a complete misunderstanding of the intent of Congress.

There is simply no justification whatever for imputing any such intent to Congress. Certainly the statute itself does not say anything about an "absolute duty to integrate" or establish "racial mixing of students—as—a high priority educational goal." Title VI is concerned solely with discrimination and the distribution of Federal funds. It does not even mention education much less attempt to define educational goals and fix their priorities. It says that no one shall be "excluded from participation," no one shall be "denied the benefits," no one shall be "subjected to discrimination" because of race. These are all restraints on action, not directions to take action. Surely, if Congress had intended to impose a duty to integrate, it would have said so in positive terms instead of leaving it to be inferred from negative language.

Not once in an opinion which runs over a hundred typewritten pages does the court cite a single sentence of legislative history to support the conclusion that Congress intended to create an "absolute duty to integrate." The very absence of legislative history on this point is conclusive proof that Congress had no such intent. If it had been the intention of Congress in passing the Civil Rights Act to adopt this far-reaching new doctrine, some mention of it would undoubtedly have been made in the 3 months of Senate debate on the bill.

The debates on the bill actually manifest the very opposite intent. Then Senator HUBERT HUMPHREY, who acted as floor manager of the bill, advised the Senate that "the thrust of the court's opinion" in the Gary case had been written into the bill and that—

> This case makes it quite clear that while the Constitution prohibits segregation, it does not require integration.

Senator HUMPHREY explained further that—

> The bill does not attempt to integrate the schools, but it does attempt to eliminate segregation in the school systems.

It is obvious, therefore, that Congress distinguished between forced segregation and forced integration, and that while it intended to prohibit the former it did not undertake to compel the latter.

Fortunately, all 12 members of the court of appeals have agreed to rehear this sweeping 2-to-1 decision. This, however, does not relieve Congress its own independent responsibility to review the activities of the Office of Education. Regardless of what the court may decide it can do under the Constitution, the

Commissioner of Education can do no more than Congress authorized him to do under the Civil Rights Act. The Constitution may expand but the statute remains the same as when Congress passed it, and Congress, not the court, is the final authority on its intent as expressed at the time.

I want to make it clear that it is not the Civil Rights Act which is being questioned. The Civil Rights Act was passed by the elected representatives of the people in the Congress, signed by the President, and upheld by the court. It is not the regulations for the enforcement of the Civil Rights Act which are being challenged. These regulations were approved by the President and no objections have been made to them. What has aroused widespread and sincere opposition are the guidelines issued by an appointed official in the lower echelons of the Federal bureaucracy without the formal approval of one single elected representative of the people.

Congress recognized the grave dangers inherent in delegating broad rulemaking authority to Federal administrators in so sensitive an area as public education. Accordingly, Congress wrote into the Civil Rights Act a provision that no "rule, regulation, or order shall become effective unless and until approved by the President." The Commissioner of Education attempts to avoid this plain requirement of the statute by calling his rules, regulations, and orders guidelines. If Federal administrators are to be allowed to evade an act of Congress simply by thinking up a new word to describe their activities, then democratic government is at an end.

The Commissioner maintains that the guidelines are not really rules at all but are merely helpful suggestions to schools attempting to comply with the Civil Rights Act. If the school refuses to agree to the Commissioner's suggestions or fails to follow them, however, it is prohibited from receiving the Federal assistance which Congress authorized and appropriated for its benefit. When a right conferred by a solemn act of Congress can be taken away on the basis of an informal suggestion of a Federal administrator, he is exercising legislative authority no matter how much he denies it.

The Commissioner contends that the guidelines are not hard and fast rules to be followed by the schools, but are an administrative guide to assist him in reviewing the schools' compliance with the Civil Rights Act. In practice, however, the criteria for review and the standards of compliance are one and the same. A school which does not measure up to the guidelines is reviewed and found in noncompliance regardless of whether there is any evidence of discrimination in the operation of the school system. Mere refusal to agree to abide by the guidelines is considered noncompliance with the Civil Rights Act.

The Commissioner is constantly reassuring the public that the guidelines do not outlaw what has come to be known as freedom-of-choice plans for assigning students to public schools. Under the freedom-of-choice plan which has been widely adopted in the South as a means of desegregating the schools, every child is given the right to choose to attend any school in the system. This fact is publicized in the local papers, a 30-day period is allowed for exercising the choice, parents are sent individual notices and explanations of the freedom-of-choice system of student assignments, they are furnished a form on which to make their choice, school officials are not permitted to influence the choice in any way, and if no choice is made, the student is assigned to the school nearest his home.

Although the Commissioner pays lipservice to this means of complying with the Civil Rights Act, the guidelines in fact reject it. The guidelines provide that—

> Where a free choice plan results in little or no actual desegregation, or where, having already produced some degree of desegregation, it does not result in substantial progress, there is reason to believe that the plan is not operating effectively and may not be an appropriate or acceptable method of meeting constitutional and statutory requirements.

Thus the free choice plan is acceptable only so long as the people make the choice the Commissioner thinks they should make. No matter how fairly the plan is administered, no matter how freely it operates, if it does not produce the kind of results the Commissioner wants, then the freedom-of-choice plan must be scrapped and some way found to coerce the people into making the proper choice.

To insure that enough people make the right choice, the guidelines establish an elaborate system of quotas of integration which the schools must meet in order to be considered in compliance with the Civil Rights Act. If 8 or 9 percent of the students transferred from a formerly segregated school last year, then double that number must transfer this year. If only 4 or 5 percent transferred, then this year's quota must be tripled, and so on. The Commissioner defends these quotas as "objective" administrative guides in reviewing the progress of desegregation. They are objective only in the sense that they are fixed numbers, but they are numbers arbitrarily chosen. They are not a measure of the progress of desegregation, which was accomplished when the schools were opened to all regardless of race, but a test of racial balance in the schools. They are effectively enforced upon the schools who must meet them to satisfy the Commissioner of their eligibility for Federal assistance.

These quotas, no matter how ingeniously they are explained, no matter how deviously they are enforced, are nothing more or less than a bold attempt to impose an arbitrary racial balance on the public schools. When the Commissioner tells a public school that it must discard its freedom-of-choice system and devise a means of increasing integration by 16 or 18 percent in order to receive Federal assistance, he is requiring "the assignment of students to public schools in order to overcome racial imbalance." Congress foresaw this danger and attempted to avoid it by adopting section 401(b) of title IV which provides that:

> "Desegregation" means the assignment of students to public schools and within such schools without regard to their race, color, religion, or national origin, but "desegregation" shall not mean the assignment of students to public schools in order to overcome racial imbalance.

In section 602 of title VI, Congress sought to guard against the capricious and unwarranted disruption of Federal assistance by providing that funds could not be terminated until there had been "an express finding on the record, after opportunity for hearing," that the recipient was not in compliance with the Civil Rights Act. The Commissioner has repeatedly violated this basic right guaranteed by Congress in the act by "deferring," rather than terminating, the assistance to which the schools are entitled. The Commissioner claimed that since he was merely deferring funds, he was not required to hold hearings before cutting off further aid to the schools. This transparent semantic distinction makes no difference in substance and demonstrates again the dangerous legal reasoning that is being employed in the Office of Education. Anything not expressly prohibited is authorized, and anything prohibited is permissible if it can be redefined. If this view takes hold throughout the Government, every statute will become a blank check which any agency can fill in to suit its own purposes.

In section 604 of title VI, Congress specifically prohibited any action under the Civil Rights Act with respect to any employment practice "except where a primary objective of the Federal financial assistance is to provide employment." No one claims that the purpose of Federal aid to education is to provide employment for teachers, but the Commissioner of Education claims the authority to regulate the employment and assignment of staff and faculty to accomplish integration. The Commissioner justifies his disregard for section 604 on the grounds that since Congress did not expressly mention teachers it must not have intended for the provision to apply to them. By this upside down legal reasoning, the Commissioner has effectively eliminated section 604 from the statute.

Section 604 was one of the few changes that were made in the bill passed by the House and was necessary in order to secure passage in the Senate. It recognizes that employment practices are a matter entirely different from discrimination against beneficiaries of a program receiving Federal assistance and reflects the intent of Congress to prevent Federal interference in this area under the broad provisions of title VI. Indeed, Congress included a separate title in the act dealing specifically with the problem of discrimination in employment. Title VII, the longest title in the act, takes 14 pages to define the exact conditions under which employment relationships may be regulated under the Civil Rights Act. The Commissioner of Education, however, circumvents all the limitations contained in this title by the amazing legal feat of finding a positive grant of power in the negative prohibition of section 604.

Section 602 requires that all rules, regulations, or orders for implementing title VI must be of "general applicability." Neither by their language nor in their administration is there any semblance of general applicability to the guidelines. They are drawn to apply only to the South, and they are enforced only in the South. An excellent example of this gross discrimination that is being practiced by the Office of Education is in the matter of faculty integration.

The Commissioner has ordered schools in the South to put at least two white teachers in every formerly colored school and two colored teachers in every formerly white school or lose their eligibility to receive Federal assistance. Apparently, the Civil Rights Act does not apply to Chicago, however, because on January 10, 1967, the Commissioner released a report showing that of 259 white elementary schools in that city, 222 had no Negro teachers. Nearly 90 percent of all Negro teachers were assigned to Negro schools. At the same time he released the report, the Commissioner announced that he was taking no action to cut off aid to these schools as he is doing in the South. The Commissioner, therefore, is either exceeding his authority in the South or neglecting his responsibilities elsewhere, and Congress should determine which it is and correct the situation.

I do not think that, in adopting the Civil Rights Act, Congress intended to endorse the principle of forced integration. I do not think Congress intended to authorize the Commissioner of Education to balance the races in the schools according to his personal notions of what constitutes the proper proportions. I do not think that, in giving students the right to choose where they will go to school, Congress intended to deny teachers the right to choose where they will teach. I do not think that on this subject the Congress intended to pass one law for Chicago and another for the South.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. STENNIS. I yield to the Senator from North Carolina.

Mr. ERVIN. Does not the Senator from Mississippi agree with the Senator from North Carolina that Congress had no purpose in enacting title VI to put the control of the faculties and the students of all of the schools in the Southern States under the absolute control of one bureaucrat in the Department of Health, Education, and Welfare—a bureaucrat who is not elected by anybody or responsible to anybody?

Mr. STENNIS. I say quickly that the Senator is entirely correct. The matter was not in the bill; it was not debated, unless most casually in passing.

The Senator has mentioned the vast power that is vested, here, in a man who is not responsible to the people, has not been chosen by the people and who acts directly in the face of the fact that the bill we passed here says the President of the United States shall sign an order or a regulation before it becomes effective.

There is not a semblance of any act whereby the President has ever signed these guidelines—the guidelines they are using now to put these schools into line.

Mr. President, I do not think that Congress intended to give the Commissioner of Education unlimited authority to supervise and control publication through the issuance of "guidelines" without the approval of a single elected official. Nevertheless, that is exactly what has been done.

Mr. President, unless I very strongly misjudge the American people—and I am not talking particularly about the people in the South or about the matter of schools—I do not believe that the American people will be willing to live up to rules and regulations, whether they be on the subject of housing, schools or any other matter, gotten up and put into being by those who are not elected representatives.

If we do not work out a way in Congress to stop that practice, the people will work out a way at the ballot box to stop it.

I do not believe that the American people will submit to the system of brazenly running over the people, Congress and everyone else merely because a Government department has a great deal of big money to dribble out to these districts.

I feel strongly, however, that the Office of Education has reached the very opposite conclusion. I earnestly urge, therefore, that the approprite committee undertake a complete review of the administration of title VI to determine whether the intent of Congress is being honored.

By way of suggestion as to some of the questions that should be explored at the hearings, I am including a copy of a letter which I wrote to the Commissioner on October 21, 1966, explaining in detail my reasons for believing that he has seriously misunderstood the intent of Congress.

The Commissioner has delayed giving me a full reply to my letter until the case pending before the Fifth Circuit is finally decided.

I can understand the Commissioner's desire to have the benefit of the latest judicial authority before replying to my letter. However, I do not believe that Congress must wait for this decision.

This is basically a matter of congressional intent, and the court's approval or disapproval of the "guidelines" cannot alter the intent of Congress in passing the civil rights bill.

Since the three-judge panel from the U.S. Court of Appeals sitting at New Orleans decided the case that I referred to heretofore, it has been used as a whip over the heads of the trustees of these small school districts to call these trustees to Washington—1,000 miles from home—for so-called hearings.

Since the 12-judge panel has taken over this matter, I do not know what the Commissioner is doing about it.

Mr. ERVIN. Mr. President, when title VI was before the Senate I predicted that it would provide a method by whch the officials would use billions of dollars of Federal appropriations to either bribe or browbeat local officials into the acceptance of the dictatorship of members of the executive branch of the Government in Washington.

I ask the Senator from Mississippi if he does not think, in the light of subsequent developments, that I can lay claim to being a true prophet in that respect.

Mr. STENNIS. I think the Senator called the turn exactly right, as he has done on many occasions before on the Senate floor.

This is a subject that is peculiarly adaptable to the assumption of power. The reaction occasioned by the resentment of the American people could blow the dome off the Capitol.

Mr. ERVIN. Mr. President, does not the Senator from Mississippi recall that many of us opposed the adoption of title VI on the ground that we were delegating to the executive branch of the Government legislative powers that belonged to Congress alone?

Mr. STENNIS. The Senator is correct.

Mr. ERVIN. I said at the time that while we ridiculed Old Caligula, the Roman Emperor, who wrote his laws in small letters and hung them on the wall as being a sorry type of legislator, the Senate in approving title VI would be a worse legislator than Caligula because in Rome they had a big enough ladder and a large enough magnifiying glass to read those laws. However, I said that by the time we got through with this bill, nobody could read the rules and regulations that we were authorizing to be born in the empty craniums of some Federal bureaucrats.

Mr. STENNIS. The Senator is correct. I thank the Senator for his contribution to this very important subject in which he is so well versed. I have great hope that the Senator can find time to give this matter even more attention in the coming weeks and months of this session.

Mr. President, I believe further that the Commissioner of Education is setting a dangerous example here. He is being permitted here to set a trend that can spread to other agencies and, in fact, to every program administered by the Federal Government.

The Commissioner is carefully and systematically building up a body of precedents which can be used by any administration to subvert the law to its own ends.

If the Commissioner is not promptly called to account, any Federal administrator will feel free in time to ignore or override the intent of Congress. Every other zealous bureaucrat, convinced of his superior wisdom and confident of his power, will seize the opportunity to rewrite the law the way he thinks it should have been written.

The ukase of any Federal official will carry greater authority than an act of Congress.

Instead of a government of laws enacted by elected representatives of the people, we will have a Government of guidelines handed down by appointed bureaucrats.

Mr. President, I point out that I am making no personal attack upon the Commissioner or anyone else administering this law. I am satisfied that they are operating under direct orders from higher authority.

Some several months ago I appeared on a national television program. I was more or less invited to make derogatory remarks about the Commissioner and others. I declined to do so because that is no way to get matters considered on their merits. However, I attack the official acts of the Commissioner with all of my spirit and will look for a way and a forum somewhere to make these valid objections to what is happening stand up.

I know we expressly wrote into the civil rights bill that any rules or regulations before being effective had to be approved and signed by the President of the United States.

This mass of guidelines with which they are badgering these school districts have never received the approval of the President of the United States.

The President did sign an order or a regulation in broad language, but the guidelines are the thing that is being used to whip the people into line. It has been contrived either by someone in the Department of Justice or someone with authority in the administration to go far beyond the authority contained in the Civil Rights Act in question.

I have no power to make inquiry of or to threaten anyone, and I do not. However, I believe that this thing will finally sift on down to the people of the United States and that the people—enough of the people—will not be willing to put up with control of their affairs by officials in this way if that control is not within the real terms of a law passed by their elected representatives.

The people will work out something at the ballot box to get some kind of a change.

I warn now that that is the kind of process we are going through. I have thought about this for a long time. I want to illustrate here that they are having hearings in Washington now before the Commissioner and his representatives.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. STENNIS. I ask unanimous consent that I may proceed for 4 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STENNIS. At these hearings recently, in a case with which I am familiar, the charges brought against this small school district, in an attempt to prove noncompliance, were that the school had not made "adequate progress" in eliminating the dual schools and that the school district had not "properly prepared" the community for accepting the elimination of dual schools.

On cross-examination, this representative of the Department could not or would not give a concrete answer as to what he meant by "adequate," other than that his office and his superiors had ruled that this school district had not done enough, and he would not give a definition of being "properly prepared"—that is, of having "properly prepared" the community. It is on just such hazy and indefinite allegations as these, that the school districts are being put on the rack.

I am a former prosecuting attorney, and I know what every lawyer knows: That if you have a criminal statute for the lowest possible form of a crime and it carries any kind of penalty, the language must be definite and certain and positive. Otherwise, that law is invalid. And no one can be held up and pilloried because his conduct is not proper or adequate. This is ridiculous.

Mr. ERVIN. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. ERVIN. I should like to ask the Senator from Mississippi this question: Under the system now being employed for the supposed enforcement of title VI, is not the Commissioner of Education the man who makes the laws, the man who investigates the violations of the laws, the man who prefers the charges, the man who tries the charges in the capacity of a juror and a judge, and who also is the executioner?

Mr. STENNIS. That is the way it is working out.

Mr. ERVIN. I should like to ask the Senator from Mississippi if that system is not totally repugnant to any system worthy of the name of justice.

Mr. STENNIS. Of course, it contradicts basic principles.

Mr. ERVIN. I ask the Senator this question: If the issue on which the Commissioner of Education passes, under this system, were submitted to a jury, would the Commissioner be ineligible to sit on the jury?

Mr. STENNIS. He certainly would be ineligible.

Mr. ERVIN. And if the matter were to be tried before a judge, he would be ineligible to be the judge.

Mr. STENNIS. The Senator is correct.

Mr. ERVIN. Yet, under this system, he makes the laws, he enforces the laws, he acts as the prosecutor, and then he acts as the judge and the jury and the executioner. Is that not repugnant to every system of justice worthy of the name?

Mr. STENNIS. It certainly is, and it is directly contrary to the express provisions of this statute.

Mr. President, I repeat that a plan such as this did not simply happen. It has more behind it than Mr. Howe, the Commissioner of Education. It is a plan so far reaching that it has for its obvious purpose the enforcement of an extreme civil rights program from a political viewpoint or political position, rather than for the education of the children, as Congress intended. This plan is bound to have been cooked up by either the Department of Justice or by someone at a top level in Government, in authority. Wherever it arose, I do not believe that it came from the real educators of the Department of Health, Education, and Welfare. I say that because I have had contacts with some very fine educators in the Department.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. STENNIS. I shall yield in a moment.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. STENNIS. I ask unanimous consent that I may proceed for 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STENNIS. I also believe that there has been perversion of money appropriated for educational purposes to a purely political program, in order to make a showing percentagewise, because that is what they insist on, to the trustees of these small districts.

I cannot find any evidence that these guidelines are really being enforced anywhere except in the South, and my information is that there is a pattern of nonintegration on a large scale in the larger States of the North. My information is that these States have merely signed up, but they have not been substantially challenged in their present patterns.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. STENNIS. I am sorry, but I do not have time.

Mr. President, I ask unanimous consent that I may proceed for 5 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STENNIS. I believe that the Senator from South Carolina has asked me to yield.

Mr. THURMOND. I commend the Senator from Mississippi upon the statement he has made.

The Senator from Mississippi is an able lawyer and was an able judge. Is there any question in the Senator's mind that the 1954 segregation decisions held that no child can be excluded from any school on account of race, and that is all that was held?

Mr. STENNIS. That is the law. That is the law that has been passed—that they could not be discriminated against.

Mr. THURMOND. So that if the proposed recommendation of the Civil Rights Commission should be adopted, would not that have the opposite effect, because it would force children to go to certain schools, against their wishes, whether they wished to go or not?

Mr. STENNIS. It is true; but, in effect, they are already doing it in part.

Mr. THURMOND. I shall come to that question in a few minutes.

Also, under the guidelines now being used by HEW, is it not true that school districts have been coerced and intimidated into doing the very thing that the Civil Rights Commission has recommended?

Mr. STENNIS. The Senator is eminently correct. That is exactly what they are doing now.

Mr. THURMOND. The Civil Rights Commission is attempting to make legal what the HEW has been doing through coercion and intimidation.

Mr. STENNIS. I believe that the Senator has described the situation correctly. I have not analyzed those recommendations this morning. This speech is not based on those recommendations. But it substantially supports my position.

Mr. THURMOND. And if the recommendations of the so-called Civil Rights Commission are adopted, it would not be as a matter of desegregation, it would not be as a matter of eliminating discrimination, but it would be a matter of force or compulsory integration. That is something that Congress has never acted upon, and it is something that the Supreme Court has never acted upon. Does not the Senator believe that that would be a violation of the rights of a person under the 14th amendment and a violation of the Constitution of the United States?

Mr. STENNIS. It certainly would be. And it would be a violation of the full assurance that was given on the floor of the Senate.

I yield briefly to the Senator from Florida.

Mr. HOLLAND. I thank the Senator. I congratulate the Senator on his able address.

I wish to go a little further along the line just mentioned by the Senator from South Carolina. It seems to me very clear that the recent recommendations of the Civil Rights Commission do exactly what the Senator from South Carolina has suggested that they do—that is, they try to make legal what HEW has been forcing not only on the Senator from Mississippi, in his State, but also on many counties in the State of Florida, which is certainly regarded as, and is, a moderate State in this field.

If the Senator will allow me to do so, I wish to call attention to the fact that perhaps the most liberal paper in the United States, the Washington Post, in its lead editorial this morning, says that the recommendations of the Civil Rights Commission are wrong, and points that out very clearly in the editorial.

I wonder if the Senator would yield to me so that I might ask unanimous consent that the lead editorial in the Washington Post of this morning, "A Dubious Remedy," be printed in the RECORD at this point.

Mr. STENNIS. At the conclusion of my remarks.

Mr. HOLLAND. I shall be happy to do that.

The PRESIDING OFFICER. Without objection, the editorial will be printed at the conclusion of the remarks of the Senator from Mississippi.

(See exhibit 1.)

Mr. HOLLAND. Mr. President, the Senator from Florida does not very frequently use editorials from the Washington Post, but he feels that this one is so completely correct in its appraisal of the recommendations of the Civil Rights Commission that he feels the RECORD should show how this ultraliberal paper construes these recent recommendations, which I think are not only offensive to right and justice, but detrimental to the best interests of the hundreds of thousands of children of all minority groups, Negroes, Puerto Ricans, whites of various foreign ancestry, and the like, throughout the Nation, in the large cities.

I thank the Senator for yielding.

EXHIBIT 1

A DUBIOUS REMEDY

Public schools in the country are, unfortunately, more heavily segregated now than in 1954. Segregation by residential pattern is proceeding faster than desegregation by law. The U.S. Civil Rights Commission's latest report, "Racial Isolation in the Public Schools," explains the difficulty clearly enough. But it offers only a very dubious remedy.

Lower class life has traditionally been largely organized by ethnic groups in American cities. Some of the earlier ethnic groups in the slums have positively insisted upon their own schools and segregated institutions even though, in the opinion of some scholars, they have retarded their own economic and social progress by it. The past decade is the first time in the cities' experience that that idea of ethnic concentrations has been subjected to a sustained political challenge. There is not much in the cities' laws or past experience to guide them toward a solution.

The Civil Rights Commission begins with the familiar point that most children in segregated Negro schools do not do as well as most children, white or Negro, in preponderantly white schools. The Commission then reviews several attempts to compensate for segregation by giving Negro schools somewhat more money and attention. The Commission concludes that all of these experiments have failed. The only answer, it argues, is Federal legislation to reduce the proportion of Negroes in any school to a fixed standard, perhaps 50 percent.

To achieve this ideal, the Commission suggests school pairing, educational parks, and a variety of other familiar expedients. But these devices seem to work best in small cities. They offer little hope to New York, where the slums are great cities in themselves, or to Washington, where more than 90 per cent of the schoolchildren are Negroes and state lines surround them on all sides. The basic concept of a racial balance is not useful in a city like Detroit where many of the white children are from Appalachia and are, as a group, more deprived than the Negroes; or in cities where many of the children, both white and Negro, speak Spanish. To pin all of our national policy to a rule of racial balance alone would be a dangerous oversimplification of the actual needs of minorities.

When exchanges can reasonably be accomplished, they ought to be encouraged. But in many schools, for the present, there is no alternative to large Negro majorities. The Commission has been far too quick to conclude that compensatory programs do not work. On present experience, it can only be said that small, inexpensive programs have little visible effect. The best hope for inner city education now is a sweeping reorganization of the schools to bring in the parents, both as advisers and as students, and to bring in the children at much earlier ages. We must begin with three-year-olds. We must run schools through the summers. We must keep them open until 11 p.m. every night for recreation, adult education and community activities. Until we do these things we cannot say that the inner city school is doomed to failure. The Commission makes the mistake of assuming that there is magic in white faces that makes them indispensable to other children's education. This whole concept is profoundly wrong. It merely offers an easy evasion to the hard truth that the big-city school systems are highly ineffective and require reform on a scale not yet attempted.

Mr. STENNIS. I thank the Senator. Mr. President, I ask unanimous consent that a letter to which I referred in my discussion dated October 21, 1966, to the Honorable Harold Howe, on this subject, be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON APPROPRIATIONS,
October 21, 1966.

Hon. HAROLD HOWE,
Commissioner, Office of Education, Department of Health, Education, and Welfare, Washington, D.C.

DEAR COMMISSIONER HOWE: I have been furnished a copy of your letter of September 16, 1966, to Mr. Clarence B. Walker, Superintendent of Education of Tate County, Mississippi. In your letter you advised Mr. Walker that your staff had reviewed the data on expected student and teacher assignments for the 1966–1967 school year submitted by him in connection with his desegregation plan for the Tate County schools.

You noted that the data supplied by Mr. Walker indicated that in the 1965–1966 school year 3 out of 2,710, or .11%, of the Negro pupils attended school on a desegregated basis and that 19 out of 2,489, or .8% would attend school on a desegregated basis during the 1966–1967 school year. You noted also that all the white students will continue to attend schools originally established for white students only.

With respect to faculty, you observed that Mr. Walker's report indicated that out of a total professional staff of 144, two white teachers would be assigned to Negro schools but no Negro staff members would be assigned to predominantly white schools during the 1966–1967 school year. You observed also that some white staff members would be assigned on a part-time basis to the Negro schools but their part-time assignment would be equivalent to assigning only one or two staff members to the Negro school full-time.

You advised Mr. Walker that on the basis of these anticipated faculty and student assignments you "do not believe that your desegregation plan, as it has operated thus far, can reasonably be considered adequate to accomplish the purposes of the Civil Rights Act." You concluded by advising Mr. Walker that:

"Whatever steps you take to make your free choice plan effective, it should be understood that their adequacy will be measured both by the results they produce, and by the efforts made by school authorities to achieve improved performance. If reasonable progress in student desegregation is not achieved under the free choice plan, an alternative plan would have to be adopted."

Your letter raises several questions which have disturbed me for some time and I would like to take this opportunity to explore them fully with you. I will try to be as specific in my questions as I know you will be in your reply.

First, what do you understand to be the purpose of Title VI of the Civil Rights Act of 1964? I would particularly like to know whether you agree with the explanation of the purpose of Title VI given by former Senator Humphrey who served as floor manager of the bill. Mr. Humphrey pointed out that:

"As to racial balancing, Judge Beamer's opinion in the Gary case is significant in this connection. In discussing this case, as we did many times, it was decided to write the thrust of the court's opinion into the proposed substitute.

* * * * *

"This case makes it quite clear that while the Constitution prohibits segregation, it does not require integration. The busing of children to achieve racial balance would be an act to effect the integration of schools. In fact, if the bill were to compel it, it would be a violation, because it would be handling the matter on the basis of race and we would be transporting children because of race. The bill does not attempt to integrate the schools, but it does attempt to eliminate segregation in the school systems. The natural factors such as density of population, and the distance that students would have to travel are considered legitimate means to determine the validity of a school district, if the school districts are not gerrymandered, and in effect deliberately segregated. The fact that there is a racial imbalance per se is not something which is unconstitutional." CONGRESSIONAL RECORD, volume 110, part 10, pages 12715–12717.

Second, what meaning do you attach to the term "desegregation" in administering the Civil Rights Act of 1964? Specifically, I would like to know whether you apply the definition given in Section 401(b) of Title IV, which provides that:

"'Desegregation' means the assignment of students to public schools and within such schools without regard to their race, color, religion, or national origin, but 'desegregation' shall not mean the assignment of students to public schools in order to overcome racial imbalance."

As was recently re-emphasized in Senate Report number 1631, pages 71 to 73 of September 22, 1966, this definition applies throughout the Civil Rights Act and particularly to Title VI.

In view of the floor manager's explanation of the purpose of the Civil Rights Act and the definition of "desegregation" contained in Section 401(b), together with the fact that nineteen Negroes will be attending formerly all white schools pursuant to a free choice plan, what are the legal and factual bases for the finding that the Tate County desegregation plan is not "adequate" to accomplish the purposes of the Civil Rights Act? The fact that nineteen Negroes chose and were admitted to previously all white schools is evidence the freedom of choice plan is operating effectively. The unknown motives of others, white and Negro, in choosing to remain at their accustomed schools is purely a matter of speculation and hardly sufficient to support the conclusion that the freedom of choice plan is inadequate to accomplish the purposes of the Civil Rights Act. If you have any evidence of discrimination in the administration of the Tate County free choice plan, I would be most interested to know what it is.

Third, what relevance does the assignment of staff and faculty have to the question of compliance with the Civil Rights Act? As you know, Section 604 of Title VI provides that:

"Nothing contained in this title shall be construed to authorize action under this title by any department or agency with respect to any employment practice of any employer, employment agency, or labor organization except where the primary objective of the Federal financial assistance is to provide employment."

Even Title VII, which deals specifically with discrimination in employment provides in Section 703(j) that:

"Nothing contained in this title shall be interpreted to require any employer . . . to grant preferential treatment to any individual or to any group because of the race, color, religion, sex, or national origin of such individual or group on account of an imbalance which may exist with respect to the total number or percentage of persons of any race, color, religion, sex or national origin employed by any employer . . . in comparison with the total number or percentage of persons of such race, color, religion, sex, or national origin in any community, State, section, or other area, or in the available work force in any community, State, section, or other area."

It seems clear from these provisions that "nothing" in the Civil Rights Act can be "construed" or "interpreted" as requiring any action to correct racial imbalance in the assignment of school personnel. It appears, therefore, that the racial composition of the staff and faculty of the Tate County schools has no bearing whatever on the schools' compliance with Title VI and their eligibility for federal financial assistance. If there is some other legal authority for questioning the assignment of teachers and staff, I would appreciate being advised of it.

I realize of course that the current "guidelines" require desegregation of staff and establish various quotas for the integration of pupils, which brings me to my fourth question. What is the legal authority for the enforcement of the "guidelines"? Although Section 602 of Title VI authorizes each agency to effectuate Section 601 by issuing "rules, regulations, or orders of general applicability" it specifically provides that:

"No such rule, regulation or order shall become effective unless and until approved by the President."

This raises two serious questions as to the validity and legal efficacy of the "guidelines." First, I have been unable to find anywhere that the "guidelines" have been approved by the President as required by the statute. Presumably the "guidelines" are issued under Section 80.12(b) of Title 45 of the Code of Federal Regulations which provides that:

"Each responsible Department and official shall issue and promptly make available to interested persons forms and detailed instructions and procedures for effectuating this part as applied to programs to which this part applies and for which he is responsible."

Nevertheless, the "guidelines" issued under this provision have not received the approval of the President which is essential to their validity under Section 602 of Title VI.

In any case, however, the only substantive requirements of "this part" to be effectuated by "detailed instructions" are those contained in Section 80.3 which imposes, in the language of Section 601 of Title VI, a general prohibition against discrimination and six specific prohibitions against:

(1) Denying any person the benefit of a program on the basis of race;

(2) Providing, on the basis of race, benefits which are different or are provided in a different manner from that provided to other persons;

(3) Subjecting any individual to segregation or separate treatment on the basis of race in any manner related to his receipt of benefits;

(4) Restricting any person, on the basis of race, in his enjoyment of benefits received by others;

(5) Treating any person differently, on the basis of race, in determining whether he is entitled to benefits under the program;

(6) Denying any person an opportunity to participate, or affording him an opportunity to participate differently from that afforded others, on the basis of race.

While these requirements may be consistent with the Civil Rights Act and have the approval of the President, they do not support the extreme directives contained in the "guidelines." In many respects, the "guidelines" are directly contrary to the regulations. For example, the "guidelines" require the assignment of pupils on the basis of race in order to achieve a certain percentage of integration, whereas the regulations and the statute require that no distinctions based on race be made in administering a program receiving federal assistance.

The second question concerning the validity of the "guidelines" arises from the fact that Section 602 requires that whatever rules are issued to effectuate Section 601 be of "general applicability" and it has never been pretended that the "guidelines" are of general applicability.

As you said when announcing the present "guidelines": ". . . both the original and the revised Guidelines deal with those school districts submitting desegregation plans designed to eliminate a dual school system. They do not deal with the sometimes even more difficult racial problems in our large cities or other districts which have not maintained formally established separate schools for white and Negro students. Title VI clearly applies to discrimination in these cases but its precise application in any particular case cannot easily be predicted."

I might pause here to comment that if the "guidelines" merely effectuate Title VI, which admittedly applies to all schools, I do not see why there should be any particular difficulty involved in enforcing them uniformly throughout the country. What unique problems would be encountered in requiring school districts beyond the South to submit the same reports and meet the same percentages of integration as are required of schools in the South? What unusual problems would be created by extending to the entire country the "guideline" which requires that:

"Where transportation is generally provided, buses must be routed to the maximum extent feasible so as to serve each student choosing any school in the system."

My principal objection, however, is not that the "guidelines" are being enforced in only one area of the country but that they are drawn to apply to only one area when the Civil Rights Act requires that they be of "general applicability."

The first set of "guidelines" established a general procedure for complying with Title VI, by "executing an Assurance of Compliance (HEW Form 441), if the requirements specified in III below are satisfied." Requirement "III" was drawn to describe conditions existing only in the South and denied any school fitting that description the right to comply by executing an Assurance of Compliance under which all other schools in the Nation were permitted to qualify. The only way schools falling into this category would be allowed to qualify was by submitting a desegregation plan which complies with the remaining eight pages of "guidelines." The second set of "guidelines", currently in effect, exempts altogether from their application schools which were permitted under the original "guidelines" to comply by submitting an Assurance of Compliance, while requiring Southern schools to comply with eight more pages of new "guidelines."

It is apparent, on their face and in their enforcement, that the "guidelines" constitute a discriminatory application of the law. On general principle alone, such action is unjustified, and in the face of the "general applicability" requirement of the statute, it is utterly indefensible. No construction of Title VI can sustain this discriminatory application of the "guidelines" in view of the meaning given it by the floor manager of this title, Senator Pastore, when he said of such rules that:

"They must be broad in scope. They must be national. They must apply to all 50 states. We could not draw one rule to apply to the State of Mississippi, another rule to apply to the State of Alabama, and another rule to apply to the State of Rhode Island. There must be only one rule to apply to each State." CONGRESSIONAL RECORD, volume 110, part 6, page 7059.

My fifth question is, what "faculty and student assignments" would "reasonably be considered adequate to accomplish the purposes of the Civil Rights Act" and on what principles is the determination of "adequacy" based? I realize that the "guidelines" establish certain graduated quotas of integration, expressed in terms of percentage of transfers, which must be met, but what is the source of these quotas and what percentage of integration effectively desegregates a school? What ratio of white students to colored students must be achieved in order that the school may be considered desegregated and what is the authority for this ratio? Are the white students in a formerly all white school, to which Negroes have transferred, considered as integrated in calculating the percentage of desegregation which has taken place in the school district? If a school to which all applicants are freely admitted without regard to race is not considered desegregated, then how exactly is a desegregated school defined and identified? It would be helpful if you could answer these questions both in general terms and also with specific reference to the Tate County schools.

I have read the legal memorandum published by your office on May 20, 1966, entitled, "Authority for the 1966 School Desegregation Guidelines" and have studied the reported court decisions therein cited, as well as other cases. Still, however, I have been unable to satisfy myself with respect to the questions I have raised.

For example, all the cases cited in the memorandum as support for the 1966 "guidelines" were decided under the 1965 "guidelines", which were generally accepted. As you pointed out in announcing the new "guidelines" all but 70 of the 2000 school districts subject to the old "guidelines" had complied with them. The current "guidelines" are altogether different from those in effect in 1965 and can hardly be supported by cases decided before they were published.

Furthermore, I find nothing in the cases cited which would "support" even the 1965 "guidelines." In the first place, neither the legal validity nor the substantive requirements of the "guidelines" was in issue in any of these cases and thus was not considered by the courts. The most that can be said for these cases is that they mentioned the "guidelines" as one factor which a court or a school district might consider in drafting a desegregation plan. The fact that a court might consider or even follow the "guidelines" in framing an injunction does not raise the "guidelines" themselves to the legal stature of a judicial decision or infuse them with validity where they exceed the authority of the statute under which they were issued.

Another obstacle to drawing any support for the "guidelines" from these cases is that all of these cases were suits for injunctive relief to require the schools involved to desegregate. Thus in each case there was one or more individuals actively asserting that he had applied for admission to a school and had been denied because of race. The "guidelines" on the other hand are based on the unverified assumption that if no one applies for admission to a school, the school is guilty of discrimination. This is an altogether different logical and legal proposition to which the cited cases are totally inapplicable. It is also a proposition at odds with our whole legal tradition because it assumes to punish on a mere suspicion of guilt without proof of culpability.

Finally, a close reading of these cases reveals that they actually deny the fundamental premise on which the current "guidelines" are based. In *Singleton v. Jackson Municipal Separate School District*, 355 F. 2d 865, 871 (5th Cir. 1966) the court squarely held that:

"At this stage in the history of desegregation in the deep South, a freedom of choice plan is an acceptable method for a school board to use in fulfilling its duty to integrate the school system."

The court said the same thing in *Kemp* v. *Beasley*, 352 F. 2d 14, 21 (8th Cir. 1965):

"We, therefore, find that the 'freedom of choice' plan is a permissible method at this stage."

The court expounded and explained the same principle in *Bradley* v. *School Board of City of Richmond*, 345 F. 2d 310, 316 (4th Cir.), *rev'd on other grounds*, 382 U.S. 103 (1965). In upholding a freedom of choice plan, the court reviewed all of the principal decisions up to that time and said:

"It has been held again and again, however, that the Fourteenth Amendment prohibition is not against segregation as such. The prescription is against discrimination.

". . . the appellants are not entitled to an order requiring the defendants to effect *a general intermixture of the races in these schools* but they are entitled to an order enjoining the defendants from refusing admission to any school of any pupil *because of the pupil's race*." (Emphasis in original)

Although it was not cited in your legal memorandum, I think *Goss* v. *Board of Education*, 373 U.S. 683, 687 (1963), the only Supreme Court opinion on this point, is relevant to the issue under discussion. In the *Goss* case, the Court invalidated a desegregation plan which established non-racial attendance zones but permitted transfers outside the zone to a school in which the transferee's race was in a majority. The Court said:

"In doing so, we note that if the transfer provisions were made available to all students regardless of their race and regardless as well of the racial composition of the school to which he requested transfer we would have an entirely different case. Pupils could then at their option (or that of their parents) choose entirely free of any imposd racial considerations, to remain in the school of their zone or to transfer to another.

"III

"Classification based on race for purposes of transfers between public schools, as here, violate the Equal Protection Clause of the Fourteenth Amendment. As the Court said in *Steele* v. *Louisville & Nashville R. Co.*, 323 U.S. 192, 203 (1944), racial classifications are 'obviously irrelevant and invidious' ".

These cases not only fail to support the "guidelines," they positively contradict them. All of these cases sanction "freedom of choice" plans. None authorizes, countenances, or even considers requiring quotas or percentages of transfers to accomplish desegregation or to measure the "adequacy" of freedom of choice plans. The Supreme Court prohibits "classifications based on race for purposes of transfers between public schools."

In contrast to these cases, the "guidelines" maintain that:

"The single most substantial indication as to whether a free choice plan is actually working to eliminate the dual school structure is the extent to which Negro or other minority groups students have in fact transferred from segregated schools."

Contrary to all the cases cited, the "guidelines" declare that: ". . . where a free choice plan results in little or no actual desegregation, or where, having already produced some degree of desegregation, it does not result in substantial progress, there is reason to believe that the plan is not operating effectively and may not be an appropriate or acceptable method of meeting constitutional and statutory requirements."

In opposition to what the Supreme Court said in the Goss case, the "guidelines" provide that:

"A school system may (1) permit any student to transfer from a school where students of his race are a majority to any school, within the system, where students of his race are a minority, or (2) assign students on such basis.

* * * * *

"A school system may, at its option, give preference to any student whose choice is for a school at which students of his race are a minority."

Several cases are cited in your memorandum to support those provisions of the "guidelines" requiring reassignment of staff and faculty. Upon inspection, these cases appear to fall into two categories. In the first category are *Rogers* v. *Paul*, 382 U.S. 198 (1965), and *Bradley* v. *Board of Education of City of Richmond*, 382 U.S. 103 (1965). These two cases held only that the plaintiffs were entitled to a hearing on the question of the relation between faculty assignments and the adequacy of the desegregation plans. If segregated staff assignments automatically rendered a plan inadequate, then, of course, no hearing would be necessary to determine the relation between the two. Thus, these cases expressly leave open the very question which the "guidelines" assume, without evidence, has been settled.

The second category of cases comprises *Singleton* v. *Jackson Municipal Separate School District*, 355 F. 2d 865 (5th Cir. 1966); *Kemp* v. *Beasley*, 352 F. 2d 14 (8th Cir. 1965); *Wright* v. *County School Board of Greenville County*, 252 F. Supp. 378 (E.D. Va. 1966); *Kier* v. *County School Board of Augusta County*, 249 F. Supp. 239 (W. D. Va. 1966); and the unreported case of *Carr* v. *Montgomery County Board of Education*, Civ. Action No. 2072–N (M.D. Ala., March 22, 1966). In all of these cases, it is true, the courts enjoined the schools to take action to eliminate faculty assignments based on race. In doing so, however, these courts were exercising their inherent powers of equity and enforcing the Fourteenth Amendment to the Constitution. A federal administrator, on the other hand, has no inherent powers of equity and merely administers statutes enacted by Congress—in this case, Title VI of the Civil Rights Act. Consequently, the administrator must find the authority for all his acts and orders in the statute which he administers. This brings me back to a question I raised earlier regarding the conflict between Section 604 of Title VI, which prohibits any interference with employment practices and the "guidelines" which require reassignment of faculty and staff. I would not belabor the point, but a few remarks on the defense offered for these "guidelines" in your memorandum appear appropriate.

The only legal authority advanced for flying in the face of the plain language of Section 604, is a letter from the Attorney General which Senator Cooper inserted in the CONGRESSIONAL RECORD during debates on the bill. The Attorney General was asked:

"Would section 602 cover an employee who receives funds under a Federal program, and who discriminates in his employment practice?"

The Attorney General's reply was:

"Generally, no. Title VI is limited in application to instances of discrimination against the beneficiaries of the Federal assistance."

The Attorney General illustrated this general statement by pointing out that "for example", Section 602 would not apply to a farmer receiving acreage allotment payments who discriminated in his employment practice.

How it is possible to conclude from this that Section 604, which your memorandum points out was intended to enforce this assurance, does not apply to all programs or applies only to such programs as agricultural payments, as your memorandum maintains, is difficult to comprehend. The question put to the Attorney General was unqualified and his answer was equally broad. The fact that he used a particular class to illustrate his answer, does not restrict the general principle to the particular class mentioned.

The other argument made by your memorandum in support of this conclusion is that to give Section 604 its plain meaning would defeat the purpose of the Act, and, therefore, canons of statutory construction require that it be read as inapplicable to educational programs. There are several difficulties with this. First, this position assumes the very point in issue that desegregation of faculty is necessary to fulfill the requirements of Title VI. Second, rules of statutory construction are applicable only where the meaning of the statute is unclear and there is no ambiguity in Section 604. Indeed, its plain language is more consistent than your interpretation of it with that part of the Act specifically addressed to employment practices, Title VII. Third, Section 604 itself says that *"Nothing* in this *Title* shall be *construed* to authorize action" such as that required by the "guidelines."

I regret the great length to which this letter has grown, but the importance of the questions involved requires a rather detailed exposition. I will appreciate your careful consideration of these matters, and look forward to receiving your reply.

Sincerely yours,

JOHN STENNIS,
U.S. Senator.

THROUGH THE LOOKING GLASS—WORLD COMMUNISM

Mr. CURTIS. Mr. President, I ask unanimous consent to have printed in the RECORD an address delivered by the able and distinguished Senator from

South Carolina [Mr. THURMOND] to the students of the UCLA on February 15, 1967.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THROUGH THE LOOKING GLASS—WORLD COMMUNISM

(Address by Senator STROM THURMOND, Republican, of South Carolina, to student body of U.C.L.A., February 15, 1967)

Mr. Chairman, distinguished guests, ladies and gentlemen, I am very pleased to have the opportunity to speak to the students at the University of California at Los Angeles and share with you a few thoughts about what I consider to be the most critical concern of our time. It always gives me the greatest pleasure to present my ideas to students, for I have found that they make the most attentive audiences. As the search for truth goes on, young minds should and must remain receptive to all theories; but, above all, they should be able to discern between fact and fancy.

Far too many of the theories which form the basis for the foreign policy of the United States are themselves grounded in pure fancy rather than cold, hard fact. In several major respects, the emerging policy of the United States toward the communist world provides a shining example. For instance, everyone agrees that Communist China poses a threat to the peace and security of the free world, and it is common knowledge that the gulf between the Soviet Union and Red China is daily becoming more pronounced. What these two sets of circumstances mean in the total context of free world relations with the communist world, however, is the breaking point of agreement.

Some fancy that the split between the Soviet Union and Red China portends a general shift in the attitude of the Soviet Union toward the United States and the Free World. The equation is not complete, however, because many other factors which bear heavily upon the answer have been conveniently overlooked.

In order to place in proper perspective the foreign policies' fancies and facts of the day, let us turn first toward Red China. The events in China today make it incumbent upon the United States to re-examine our policy toward that country. The truth is, the future of China is tied very intimately with the mistakes in our policy toward the Soviet Union, and in Southeast Asia, particularly in Vietnam.

The United States has consistently ignored the communist regime in Peking, and hoped that it would go away. At the same time, we built up the myth that Peking was the greatest threat to world peace. We have argued that Peking threatened peace not because it was a communist regime, but because it advocated violence. We accepted uncritically the doctrines of Peking's superhuman control over its people and of its vast military potential. These theories have now been exploded by the inner convulsions racking that unhappy nation.

The shattering of those uncritical beliefs now have important consequences for the future. In the first place, whatever military potential Red China might have had is now incapacitated. Newspaper reports from China tell not only of political chaos, but of a disruption of China's industrial complex. Even if another communist regime should emerge out of the present chaos, China's ability to mount even limited warfare has been drastically set back.

We cannot be sure that luck will strike twice, and that an anti-communist government will gain control, as did happen in Indonesia. The present turmoil began primarily as a clash between communist factions, with consequences which no one can now predict. This civil war on the mainland of China seems to be the one thing which our own policy-makers did not anticipate. They did not think it possible that the Chinese people would ever rise up against the Mao regime. They have prepared no plan of action for this eventuality; they seemed to think that it was inevitable that China would remain communist. And even now, they have done nothing to encourage the Chinese people in their suffering, or to hold out the hope of support should the contending communist factions destroy each other, and freedom return to the Chinese mainland. Our policy has been revealed as being without goals, without strategy, without tactics.

Much more revealing, however, has been the nakedness of our official assumptions about Red China's role in Vietnam. Time after time our Secretaries of State and Defense have implied that Peking was the principal power supporting North Vietnam in its war of aggression against South Vietnam. It is now clear that Peking's support of Hanoi has been largely the support offered by a big mouth and small means. Peking's contributions to the war effort in Vietnam have, since the beginning, been limited in both quantity and quality. China does not have the technical or industrial capacity to supply her own needs, much less those of Hanoi and the Viet Cong. In all probability, the volume of even the more primitive weapons being supplied has been drastically reduced, or even halted, in recent weeks.

The real enemy in Vietnam, the real antagonist, has been the Soviet Union. The overwhelming bulk of the sophisticated weaponry used against American soldiers and American airmen in Vietnam has been supplied by the Soviet Union. Soviet MIG aircraft, Soviet built and frequently manned, Surface-to-Air missiles, Soviet radar, and many Soviet-supplied conventional antiaircraft installations, constitute the only air defense of North Vietnam. While American airmen have performed admirably in the air war over North Vietnam, the fact that these installations enjoy a virtual sanctuary against destruction has enabled them to exact a terrible toll in American lives and aircraft.

In addition to the Soviet-provided protection in the North, they also provide an early warning system to the Viet Cong in the South against raids by our B-52's based on Guam. Virtually since the beginning of B-52 sorties over South Vietnam, the Soviets have had a "fishing trawler" stationed in the water off the coast of Guam where they are able to spot our aircraft as they take off. They are then able to radio ahead and warn of another attack and thereby provide the Viet Cong with some time to deploy into caves and protect their weapons caches to the best of their ability.

Soviet trucks and cars transport war materiel and personnel, and Soviet oil, brought in through Haiphong, keep the vehicles going. Red China has been unable to solve its own transportation problems, much less contribute substantially to the mobility of the North Vietnamese war machine.

Of necessity, any public discussion of Soviet support for the prosecution of the war in Vietnam must be based upon that information which can be gleaned from unclassified sources. Public statements by Soviet leaders themselves is one such source. A year ago, Leonid Brezhnev bragged that the Soviet Union was spending $600 million a year to supply North Vietnam. The level of their support to the war effort in Vietnam has consistently risen to the point that today it is being supplied at a rate of at least $800 million per year. The dollar value of Red Chinese support for the war effort in Vietnam has never equaled that of the Soviet Union. Even though, as a United States Senator, I have access to some information not readily available to the general public, security restrictions are as binding upon me as upon anyone else. However, a recent article which appeared in the *U.S. News & World Report* summarized very cogently the relative support of the Soviet Union and Red China to the war effort in Vietnam. Let me quote some of their findings:

"The Russian rockets and guns are directly responsible for mounting U.S. losses over the North. Almost 1,000 SAM's have been fired at U.S. planes. The Soviet missiles, launched by Russian-trained crews, have themselves destroyed 30 U.S. planes and contributed in a large measure to an overall loss in the North of more than 460 U.S. planes.

"Cost to the Russians in spent missiles: about $25 million. Cost to the U.S. in planes alone: more than $1 billion.

"The North Vietnamese landscape is also studded with conventional antiaircraft positions, about 6,000 in all. The original antiaircraft system was installed by the Chinese. Now bigger guns are coming in. They are Russian.

"The North Vietnamese Air Force now consists of 75 to 100 fighter planes and a handful of light bombers supplied by the Soviet Union. About one-fifth of the force are the most up-to-date MIG-21s; the remainder, MIG-15s and MIG-17s. The MIGs are replaced by the Russians as they are lost in the fighting.

"Intelligence sources estimate there are upward of 2,000 Russian technicians working at air bases and at SAM sites. North Vietnamese pilots are trained in Russia and supervised by Soviet fliers when they return to Hanoi.

"Within the past few months, the Russians have taught North Vietnamese to man approximately 350 SAM missiles and an estimated 3,000 antiaircraft guns. Other Soviet advisers help operate North Vietnam's industry, its coal mines, and the port of Haiphong, and are helping in the building or rebuilding of hydro-electric plants and other major works.

"For the first time, Soviet helicopters are being spotted in North Vietnam. Russian cargo aircraft are also making an appearance.

"The North Vietnamese war machine runs almost entirely on Russian oil. In the past 18 months, the Russians shipped in 300,000 metric tons. The Chinese provided almost none. Last month alone, the Soviets shipped nearly 25,000 metric tons of gasoline and oil into Haiphong.

"The Russians use ships to transport 80% of their aid to North Vietnam, the balance going by rail or by plane across Red China despite severe restrictions set up by Peking. All told, the Russians are said to be delivering 80,000 tons of goods a month to Hanoi.

"Intelligence sources in Saigon report that the Soviet ships going to Haiphong carry not only civilian goods, as the Reds insist, but jet aircraft, SAMS, radar gear, and antiaircraft guns.

"During 1966, an average of one ship a day reached Haiphong. Six Soviet ships docked there during the past two weeks.

"Tonnage by sea from all sources—Russia, China, East Europe and non-communist countries—was estimated at 2 million tons in 1966. Of that, the Russian share was estimated at half the total, Red China's about one-fourth."

Before we can formulate a realistic China policy, therefore, we must recognize that China is not, at the present time, the major factor in continuing the war in Vietnam. As Chinese support dwindles, the Soviets are prepared to enter the gap, and Hanoi is eager to accept. We must remember that Hanoi has always taken its inspiration from Moscow. Ho Chi Minh is an old-line Stalinist, who received his revolutionary training in Moscow. Moreover, the North Vietnamese have been traditionally wary of Chinese expansion. It is not startling, then, to find that the Soviets are so deeply involved in North Vietnam, that—for all their talk of peace—they could end the insurgency in

South Vietnam by simply turning off the spigot.

Our policy towards China, therefore, must be guided by the unavoidable factor that the Soviets are still relentless in their pursuit of the goal of world conquest. Before we can begin to take a realistic appraisal of our attitude toward Red China, and the uncertainties there, we must face up to the fact that there will never be any peace, either in Vietnam, Asia, or in the whole world, until the Soviet communists renounce their goal of world domination and take some overt action indicating their good faith in doing so. The most important aim of our foreign policy today, therefore, should be to convince the Soviets that they are losing in Vietnam, and to demonstrate to them that our will not to be dominated by communism is undaunted and unclouded. Therefore, our clear purpose requires a swift and successful conclusion to the war in Vietnam, and a closer look at the probabilities for improved relations from the U.S.-Soviet Consular Treaty.

It is not my purpose here either to question or defend the decisions which led to the United States commitment in Vietnam. Since the U.S. is there, however, it is my view as a Senator concerned with armed forces preparedness to see that we should take every step possible to bring the war in Vietnam to a successful conclusion as quickly as is possible. A successful conclusion may mean either an all-out victory on the battlefield which calls for an unconditional surrender of the insurgent forces in the South or an honorable, negotiated peace settlement based upon the cessation of guerilla warfare by the Viet Cong and their supporters from the North, which guarantees the security and the sovereignty of the people of South Vietnam from foreign domination or from domination by a foreign ideology forced upon them.

It is true that we are fighting a limited war in Vietnam. It is limited in the sense that we are not seeking any territorial aggrandizement for the United States and in the sense that we are not attempting to impose our way of life or our system of government upon anyone in that area of the world. There should be no limitations placed, however, on our total commitment to the cause of freedom in Southeast Asia to the extent that our basic reason for being there or our will to persevere on freedom's behalf is open to question or limitations. It would be a mistake to allow self-imposed limitations to so hedge our commitment to the cause of freedom for the people of South Vietnam that we accept the terms of warfare laid down by our enemy and allow ourselves to become bogged down in a land war of attrition.

Many years ago, General Douglas MacArthur, whose knowledge of this area of the world and of the rules of warfare are not open to question, warned against U.S. involvement in a major land war in Asia. His advice is as well taken today as it was then. That is why the United States must take full advantage of its sea and air superiority and wage this war on terms most favorable to us and not allow the communist aggressors to coax us into playing by the ground rules established by them. Nothing would be more acceptable to the communist forces in Southeast Asia than for the United States and its Allies to rely solely upon its ground forces in the conduct of the war in Vietnam. The communists are prepared to carry on a virtually endless guerilla type action, which has its slack seasons and its hot season, but which they feel would spell eventual success for their cause. The Viet Cong and their mentors in Hanoi are convinced that they won the war against the French in Paris rather than in Vietnam, and they are further convinced that reliance upon the same tactics now would mean eventual victory in Washington.

The United States must not play the part of the fly to their spider and be coaxed into the entangling web of a protracted conflict in Vietnam.

There are certain steps which the United States can, and I feel must, take in the prosecution of the war.

First, we must bomb all the strategic military targets which exist throughout North Vietnam. It is true that, prior to the truce, we were bombing in North Vietnam virtually every day, but an indiscriminate use of air power is of little consequence if it is not calculated to eliminate the war-making potential in the North. The question is not one of merely increasing either the scale of the frequency with which the bombing attacks are now being carried out. Rather, it is one of making a more selective choice of targets and concentrating the attacks where it is calculated to do the most damage to our foes. I honestly do not know whether this could be called escalation or not since it could be done with little or no increase in the intensity of the air raids.

It is, nevertheless, unjustifiable to me, and to the men directly involved, that we can ask them to risk their lives to damage one span of a relatively innocuous bridge while other more important targets are left untouched, and many times untouchable. Our bombings should be aimed at all obvious military targets such as air fields, troop concentrations, and military conveys, as well as certain basic industries which are essential to a war effort. These would include petroleum storage dumps, steel mills, cement factories, and power generating facilities, among others.

The second essential step which I feel should be taken is to close all the ports in North Vietnam. The most notorious of these is, of course, Haiphong, and we should by all means close it. However, there are others through which supplied and military material is received which should be closed as well.

There are three ways in which the ports can be closed; by bombing, by embargoing, or by mining. The weight of military opinion leans toward mining the ports as the most efficient and quickest method available.

These two steps—more selective bombing and closing the ports of North Vietnam—would, in my judgment, hasten the conclusion of the war in Vietnam. It is said that at its present rate of prosecution, the war could last as long as ten years. Such a protracted conflict is not necessary if the full impact of the war is brought home to Hanoi. The enemy must be taught that, when waging a war like this—a so-called war of national liberation—they are going to be punished. Then, and only then, will there be any incentive for them to sue for peace or abandon their attempts at conquest.

The United States has unquestionably shown the enemy, if it ever needed to, that we have the power to win the war in Vietnam; and yet, the enemy persists. Obviously the enemy is not convinced that the United States has the will to use that power in the manner necessary to bring the war to a successful conclusion. We must convince them that not only do we possess the requisite power, but that we also possess the necessary will. A display of the will is as necessary as a display of the power.

The same display of will is necessary in all our relations with the Soviet Union itself. Let us now turn to the Soviet Consular Treaty and the probable effect it may have upon Soviet-U.S. relations. In the widespread public debate about this treaty, a basic misconception has arisen. That misconception is that there is a need for this treaty at all. If we look back into history on the matter of consular relations, it will be seen that the very benefits promised by this treaty have already been promised by the Soviets in writing; the Soviets have made no move to fulfill these written promises of protection to American citizens. I do not think, then, that there can be much expectation that the Soviets will abide by this document. Instead of strengthening our posture towards the Soviet Union at a time when the Soviets are providing the backbone of supplies in a shooting war against us in Vietnam, we are merely winking at reality and grasping at a mirage.

The Secretary of States has said that the basic purpose of this treaty is to afford protection to increasing numbers of American citizens traveling in the Soviet Union. He has pointed out that no treaty is necessary for the President to establish foreign consulates on American soil; that power is already encompassed in the President's constitutional responsibilities for foreign relations. Soviet consulates were established in New York, San Francisco, and Los Angeles in 1938, and an American consulate was established in Vladivostok in 1941. Apparently then, no new treaty is needed for the resumption of consular relations between the U.S. and the U.S.S.R.

On the other hand, no new agreement should be needed for the protection of American citizens traveling in the Soviet Union. We already give Soviet nationals in the United States the advantage of broad, democratic rights, including prompt notification to Soviet officials when a Soviet national is arrested. The Soviets ought to do the same thing without a treaty, simply on the basis of reciprocity.

The Soviets agreed to recognize such rights in 1933, an agreement they have repeatedly violated, down to the most recent weeks. On November 16, 1933, Maxim Litvinoff and President Roosevelt exchanged memoranda setting forth conditions for the diplomatic recognition of the U.S.S.R. by the United States. Litvinoff at that time was the Soviet Minister of Foreign Affairs. The documents discussed the possible negotiation of a consular convention, in which "nationals of the United States shall be granted rights with reference to legal protection which shall not be less than those enjoyed in the Union of Soviet Socialistic Republics by nationals of the nation most favored in that respect." Even though that treaty was never specifically negotiated, Litvinoff promised nevertheless that "such rights will be granted to American nationals immediately upon the establishment of relations between our two countries." In other words, the protection would be granted merely upon the condition of diplomatic recognition.

What kind of protection did Litvinoff promise? Litvinoff called Roosevelt's attention to an agreement between the Soviet Union and Germany, signed on October 12, 1925. American rights would become equal to those of Germany, the "most-favored nation." The language of this agreement is almost identical to the protective clauses of the 1964 Consular Treaty:

"Each of the Contracting Parties undertakes to adopt the necessary measures to inform the consul of the other Party as soon as possible whenever a national of the country which he represents is arrested in his district . . .

"The consul shall be notified either by a communication from the person arrested or by the authorities themselves direct. Such communications shall be made within a period not exceeding seven times twenty-four hours, and large towns, including capitals of districts, within a period not exceeding three times twenty-four hours . . .

"In places of detention of all kinds, requests made by consular representatives to visit nationals of their country under arrest, or to have them visited by their representatives, shall be granted without delay."

President Roosevelt assumed that the protection promised by Litvinoff was already in effect, when he wrote in formal reply, "Let me add that American diplomatic and consular officers in the Soviet Union will be zealous in guarding the rights of American nationals, particularly the right to a fair, public, and speedy trial and the right to be represented by counsel of their choice. We shall expect that the nearest American diplomatic or consular officer shall be notified immediately of any arrest or detention of an American national, and that he shall promptly be afforded the opportunity to communicate and converse with such national."

Moreover, the U.S. State Department itself subsequently treated the agreement of November 16, 1933, as a binding document. In the official publication "Foreign Relations of the United States, Diplomatic Papers, the Soviet Union, 1933–39," there is recorded extensive diplomatic correspondence over Soviet violations of the November 16, 1933 undertaking. There are 15 items of correspondence in 1937, 18 items in 1938, 16 items in 1939. These documents are available to the public.

No one can doubt that the State Department then regarded the right of access to arrested citizens as indisputable. Secretary of State Cordell Hull even held that these rights were inviolable even if Litvinoff had never even written his memorandum of November 16, 1933. Writing to the American Ambassador in Moscow in 1937, he instructed him: "You should not, however, say anything that would imply that this letter (of Litvinoff's) is the only basis for this Government's request and you should make it plain, if necessary, that this Government would expect the granting of such permission even in the absence of all written guarantees." But as a matter of fact, the guarantees did exist in writing.

Some people might say that all this was a long time ago, and that the Soviets might have changed their attitude in recent years. Yet the 1964 Treaty has been signed for 30 months, and there have been 20 cases of Americans detained by Soviet police. The best comment upon this situation was provided by Secretary Rusk when he appeared before the Senate Foreign Relations Committee on January 23. "In none of these cases did the Soviet authorities adhere to the standard of notification and access provided for by this Convention," said Mr. Rusk.

I ask, then, does this show good faith on the part of the Soviets? I grant that the treaty is not yet in force, but it would not hurt the Soviets to demonstrate their eagerness to abide by its provisions. By adhering to the agreed-upon standards even now, the Soviets would not have lost anything; on the contrary, they would have gained a propaganda success. One thinks immediately of the notoriety gained by the Barghoon incident, and the Newcomb Mott tragedy. The Secretary of State testified further: "Surely such incidents have serious public impact in this country. Without rules of the kind this Convention would provide, the arrest of an individual quickly becomes an international incident." And well it might.

The Soviet Union is obviously not prepared to afford U.S. citizens even the most elementary rights. The main interest of the Soviet Union in negotiating the Consular Treaty is in securing diplomatic immunity for its consular personnel, an immunity never before granted on such a broad basis. Since 1957 alone, according to FBI statements, 28 Soviet diplomats have been arrested or expelled for crimes, including espionage. This treaty would grant to Soviet charwomen in Soviet consulates the same immunity from prosecution now enjoyed only by recognized diplomatic personnel. No other consular convention has even suggested such a sweeping grant of immunity. Normally, all consulate personnel on U.S. soil have submitted to U.S. criminal law. If Soviet criminal law is so patently unjust that even a foreign consul needs special immunity, then the climate is not yet favorable for the normalization of travel and trade relations which the establishment of consulates implies. The "immunity" which the Soviets seek in this treaty is not a benefit which it is safe for us to grant.

The immunity from prosecution for espionage is the sole aim of the Soviets in negotiating this treaty. Ambassador Foy Kohler has testified that this extraordinary proposal for immunity originated from the Soviet side. It was, in fact, the thing they bargained for. This outrageous concession can be foregone by the United States without harm. It is the one thing which the treaty proposes which does not now exist in our consular relationship with the Soviet Union. The immunity provision must be dropped; and without it, the treaty adds no substantive rights which we do not already have a basis for demanding.

The Consular Treaty with the Soviet Union is merely one phase of the "bridge-building" efforts to the East now being actively pursued by the Administration. Another link in the chain is that of the expansion of East-West trade activity. The fanciful notions which have resulted in the negotiation of the Consular Treaty are even more evident in the proposals to expand trade with the Soviet Union and the East European Satellites. Once again, a resort to the basic facts would dictate a different response.

The total war being waged against Democracy and Capitalism by the communist world includes as one of its chief elements, a war of economics. In 1920, Lenin told the Soviet Congress that "It is necessary to bribe Capitalism with extra profit . . . and we will get the basics (equipment) with the aid of which we will strengthen ourselves, will finally get on our feet and then defeat it (Capitalism) economically." Lenin's statement of 47 years ago is as much the watchword today as it was at that time.

The diversified industrial capacity of the U.S. is unmatched in the world today. It provides the U.S. with the wherewithal to wage a successful economic war against the forces of world communism. Yet, the U.S. has consistently declined to use this superiority in the continuing struggle against tyranny and proposes now to succumb to the expediency of granting major concessions to the communist world by making available vast amounts of technology and finished products through expanded trade. At the present time, materials considered to be of a strategic nature are not permitted to be shipped to Iron Curtain countries. However, year after year the items classified as strategic are declining in number. More than 400 so-called "non-strategic items" have thus far been removed from export control by the present Administration.

One reason for this changing state of affairs is the acceptance of the fiction that the industrial capacity of the Soviet Union is equal to that of the United States in many areas and is not far behind on an over-all basis. The Soviet Union and certain U.S. economic interests have over-emphasized the industrial prowess of the communists. Thus, the argument is advanced that many strategic materials are converted into non-strategic items simply because the Soviet Union can produce them themselves and it would be in the interest of the U.S. to trade in these items for the economic benefit derived therefrom. The eagerness with which the Soviet Union seeks expanded East-West trade possibilities is an indication of their need for certain basic items. The primary Soviet interest rests in modern machine tools, equipment for their chemical industry, electronic equipment, metallurgical processes, and engineering know-how of the United States.

The Soviet Union still relies heavily on industrial equipment received from the United States during World War II. The technological explosion of the past decade has made modern industry more dependent than ever on ultra-precision, and on instruments capable of assuring such precision, on rigid standards of quality control, on sophistication of design and painstaking workmanship. These are precisely the areas in which the Soviet Union is weakest, and where the Soviet system itself raises the greatest obstacles to progress.

If the Soviet Union is allowed to import our technological progress, the United States will have saved them billions of dollars they would otherwise have to spend in basic research. This is assuming that they are capable of conducting this research.

Not only is the Soviet Union seriously lacking in industrial know-how, but her agricultural technology suffers even more in comparison with that of the United States. In the past, the United States has bailed out the Soviet Union in food crises. A major concern of the communist bloc is to supply its people with an adequate diet with a minimum number of farm laborers. The lack of mechanization on the farms in the Soviet Union which requires them to devote more of their people to the production of food also has the effect of depriving them of this labor in industrial capacities.

It is pure fancy to assume that expanded trade with the Soviet Union will result in a moderation on their part in their quest for world domination. On the contrary, such trade will assist them to realize that objective.

The controversy over the expansion of East-West trade has created a sharp division in the ranks of organized labor in the United States. I am pleased to note that some of the most outstanding labor leaders of the country have the vision to see the danger inherent in such trade. There is no question but that trading with the communists is to their benefit far more than it could ever be to the benefit of the Free World.

The fundamental mistake we have made in China, in Vietnam, and with the Soviet Union, is that we have acted upon the vain hope that the only evil in communism is its proclivity towards violence. Under this doctrine, we have hoped that communist violence would soften and fade away as communist nations became more sophisticated, wealthier, and more deeply concerned with the pleasures of a higher standard of living.

Unfortunately, violence is only the by-product, not the cause of evil in communism. Indeed, violence and aggression have in the past come from some of the most advanced and cultured states. The evil in communism comes from the suppression of human liberty, and its denial of the existence of God, who is the Author of Freedom for mankind. In its zeal for world conquest, communism is equally insistent upon the suppression of human liberty. Communism will never abandon its perverse goal of world domination as long as those who live in freedom make no move of opposition.

CIVIL RIGHTS COMMISSION PROPOSALS

Mr. THURMOND. Mr. President, the recommendations of the U.S. Civil Rights Commission revealed in today's papers are highly irresponsible. Its proposals to alter what it likes to call "racial imbalance" in the public schools are not only unconstitutional, but also based upon an erroneous interpretation of the facts. This action of the U.S. Civil Rights Commission is just the latest in a long line of wrong-headed and wasteful contributions by this agency to racial tensions.

The effect of the 1954 Brown against Board of Education decision was to make U.S. law color blind. It called for desegregation, but not for integration. If the proposals of the Commission are acted upon, the law will have to take note of each pupil's color and act accordingly. This is not only a contravention of the Supreme Court's decision in the Brown case, but a clear violation of the equal protection guarantees of the 14th amendment.

The recommendation of the U.S. Civil Rights Commission would attempt to legalize the guidelines which the Department of Health, Education, and Welfare has tried to accomplish through coercion and intimidation.

Moreover, the Commission accepts without question the U.S. Department of Education's biased interpretation of the so-called Coleman study on "Equality of Educational Opportunity." The Commission declares that Negro children "suffer serious harm when they are educated in racially segregated public schools," regardless of the cause of segregation. The Commission also asserts that segregated schools have poor facilities and teachers, although it offers no case-by-case study.

These erroneous conclusions have been ably refuted by competent authority. I refer to the review of the Coleman study in the prestigious magazine, Science, the Journal of the American Academy for the Advancement of Science. The reviewer is Robert C. Nichols, director of research, National Merit Scholarship Corp., Evanston, Ill. Mr. Nichols assails the "official" interpretation of the statistical evidence, and shows that there is in the United States no consistent superiority of schools for the majority children over minority children. He shows that the role of schools in increasing or decreasing differences between racial and ethnic groups is quite small and nonsignificant. He concludes:

> Until these findings are clarified by further research, they stand like a spear pointed at the heart of the cherished American belief that equality of educational opportunity will increase the equality of intellectual achievement.

The appropriation request for the U.S. Civil Rights Commission in the fiscal year 1968 budget is $2,790,000. For a Commission that continues to make such irresponsible proposals that fly in the face of law and evidence, such an appropriation is an unconscionable waste of money. Perhaps in view of this strange performance, President Johnson will reconsider his request to renew the life of this Commission for another 5 years.

Mr. President, I ask unanimous consent that the article "Schools and the Disadvantaged," by Robert C. Nichols, from the December 1966 issue of Science magazine be printed in the Congressional Record at the conclusion of my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

SCHOOLS AND THE DISADVANTAGED

(By Robert C. Nichols, director of research, National Merit Scholarship Corp., Evanston, Ill.)

The recent spate of federally financed education programs intended to improve the performance of racial minorities and other disadvantaged groups rests on a foundation of plausible assumptions and commendable intentions but with essentially no data to indicate their probable effectiveness. Will Head Start improve the school performance of deprived children? Will excellent teachers for the poor help break the "cycle of poverty"? Will Negro students learn more in integrated schools? Will the performance of middle-class children suffer if they attend school with predominantly lower-class children? Will increased expenditures for education result in greater student achievement? There are currently no firm answers to these questions.

Apparently as a reaction to the dearth of information, Section 402 of the Civil Rights Act of 1964 directed the Commissioner of Education to conduct a survey of inequalities in educational opportunities for all groups in the United States. What seemed to be called for was a tabulation of the physical facilities, teachers, and expenditures in schools attended by various minority groups; but at a more fundamental level answers to such questions as those posed above are necessary, since equality of educational opportunity is ultimately defined not by dollars, teachers, and buildings, but by the effects of these facilities on student achievement. Fortunately, the congressional directive was interpreted as including the more basic questions.

Several studies were initiated by the U.S. Office of Education's National Center for Educational Statistics, directed by Assistant Commissioner Alexander M. Mood, a statistician of some note and author of *Introduction to the Theory of Statistics*. The studies were directed by two consultants: James S. Coleman, professor of social relations at Johns Hopkins and author of *The Adolescent Society* and *Introduction to Mathematical Sociology*, among other books; and Ernest Q. Campbell, chairman of the Department of Sociology and Anthropology at Vanderbilt and author of *Christians in Racial Crisis*.

The results of these studies are reported by Coleman, Campbell, Mood, and four USOE staff members—Carol J. Hobson, James McPartland, Frederic D. Weinfeld, and Robert L. York—in Equality of Educational Opportunity (Government Printing Office, Washington, D.C. 1966. 743 pp. $4.25), a thick, paperbound volume filled with tables and charts and accompanied by a separately bound Supplemental Appendix ($3) containing 548 pages of computer-printed correlations. The report shows signs of being hastily put together to meet the two-year congressional deadline. The major findings are imbedded in a mass of trivial detail, and the summary (available as a separate 33-page booklet, $0.30), which appears to have been guided by a desire to avoid disturbing public opinion, is actually misleading. The survey itself, however, was carefully planned and skillfully analyzed. Conducted at a cost of $1.25 million—about half the cost of an F-4 Phantom Jet—it is one of the largest studies yet completed in the field of education, and its startling findings assure it the status of a landmark in educational research.

The principal study was a survey of over 600,000 children enrolled in grades 1, 3, 6, 9, and 12 of about 4000 schools generally representative of all U.S. public schools, but with some intentional overrepresentation of schools enrolling minority children. The children answered questionnaires about their attitudes and home backgrounds and took tests of educational achievement and verbal and nonverbal ability. Teachers, principals, and superintendents also answered questionnaires, and the teachers took a brief verbal-ability test. A survey of such scope would have been nearly impossible just 15 years ago; but, through the magic of optical scanners, computers, and probably Benzedrine, the current report was released an unbelievable ten months after data collection was started. The survey was met with suspicion and slander in many communities, and school systems in several major cities refused to participate. Complete data were available for only 59 percent of the sampled schools, which shortcoming detracts from the survey's value as a census.

Analyses of the data were concerned with four major questions:

1) *Are minority groups segregated in public schools?* To no one's surprise, it was found that segregation prevails. Nationwide, 65 percent of Negroes attended schools in which over 90 percent of the students were Negro, and 80 percent of whites attended schools in which over 90 percent of the students were white. There was greater segregation in the South than in the North. Mexican Americans, American Indians, Puerto Ricans, and Oriental Americans were also segregated, but to a lesser extent than Negroes and whites.

2) *Are the school facilities for minority children inferior to those for the majority?* On the basis of such indicators of school quality as class size, educational programs, physical facilities, and teacher qualifications, no consistent advantage was found for any one group, and the differences in the quality of education available to the various racial and ethnic groups were small when compared with differences between regions of the country and between metropolitan and nonmetropolitan areas. In terms of these indicators, the educationally deprived groups in the U.S. are not racial or ethnic minorities, but children—regardless of race—living in the South and in the nonmetropolitan North.

3) *Do the various racial and ethnic groups perform differently from each other on tests of school achievement and of verbal and nonverbal ability?* The substantial differences between the average test scores of the different racial and ethnic groups were quite similar on the various tests and at the various grade levels. Whites obtained the highest average scores, followed, in order, by Oriental Americans, American Indians, Mexican Americans, Puerto Ricans and Negroes. "The Negroes' averages tend to be about one standard deviation below those of the whites, which means that about 85 percent of the Negro scores are below the white average" (p. 219). The differences between regions for Negroes followed the pattern for whites, but the regional variation tended to be greater for Negroes. The highest scores were obtained in the metropolitan North and the lowest in the nonmetropolitan South. The highest regional average score for Negroes was below the lowest for whites.

4) *To what extent are differences in average performance of racial and ethnic groups the result of different educational opportunities?* This, the most important question of all, could not be answered unequivocally, but several results of the survey are relevant to it. These results also have implications for the broader issue of the extent to which differences in ability of students in general are dependent on differences in educational experiences.

The first line of evidence concerning the effects of schools comes from a comparison of the scores of the various groups at different grade levels. If the schools attended by minority children contribute to their poor performance, the decrement in performance of these groups should increase with increasing grade level. Such an increasing decrement was found for Negroes in the South and Southwest, but it was absent or minimal for other regions and other minority groups. The authors seem to prefer interpretations of their data that attribute the poor performance of minority children to the effects of the schools, and their interpretation of the present result is a good example of this tendency. They say, "For example, *Negroes in the metropolitan Northeast are about 1.1 standard deviations below whites in the same region at grades 6, 9, and 12. But at grade 6 this represents 1.6 years behind; at grade*

9, 2.4 years; and at grade 12, 3.3 years. Thus, by this measure, the deficiency in achievement is progressively greater for the minority pupils at progressively higher grade levels" (p. 21). Actually this apparently increasing deficiency is entirely an artifact of the unequal intervals of an age scale. *Mental growth follows a negatively accelerated curve, as do growth in height and many other characteristics, so that the variance of scores increases with age when the scores are expressed as normative age equivalents.* Thus, this result suggests that the role of the schools in increasing or decreasing differences between racial and ethnic groups is quite small.

A second line of evidence comes from an elegant regression analysis in which the variation among students in test score was divided into variance between school means and variance between students within schools. The between-school variance, which represents an upper limit to the proportion of the total variation in test scores that might be attributable to differences in school quality, was between 10 and 20 percent of the total variance for Negroes and whites and slightly more for the other minority groups. If differences between schools in mean test score were due to differential effectiveness of the schools, the between-school variance should become an increasing proportion of the total variance at increasing grade levels as the result of increasing exposure of the students to the influence of the school. No such increase in the between-school variance with increasing grade level was observed for any of the groups studied. Again, by this second line of evidence, school effects appear minimal.

SOCIOECONOMIC BACKGROUND

After statistical control for a number of student socioeconomic indicators, the between-school variation showed little association with indicators of school or teacher quality, but instead was associated with the average socioeconomic level of the students at the school. The authors conclude: "The data suggest that variations in school quality are not highly related to variations in achievement of pupils. . . . The school appears unable to exert independent influences to make achievement levels less dependent on the child's background—and this is true within each ethnic group, just as it is between groups" (p. 297).

Two additional results of the regression analysis are relevant to the question of the effects of school segregation on student performance. First, the performance of minority children, after statistical control for socioeconomic background, was better where the proportion of white children in their schools was higher, but this result was attributable to the higher socioeconomic level of the student body in integrated schools rather than to racial balance per se. Second the performance of minority children (again controlled for socioeconomic background) was more highly related to the socioeconomic level of the other children in their school than was the performance of white children. These two findings lead the authors to say that "if a white pupil from a home that is strongly and effectively supportive of education is put in a school where most pupils do not come from such homes, his achievement will be little different than if he were in a school composed of others like himself. But if a minority pupil from a home without much educational strength is put with schoolmates with strong educational backgrounds, his achievement is likely to increase."

This conclusion, which Commissioner of Education Howe appears to have accepted at face value (*Science*, 14 October 1966, p. 242), is a beautiful example of interpreting correlation as indicating causation. Moreover, the findings on which it is based might also be attributed to inadequate control for the preschool characteristics of the students. Differences in average performance of students attending different schools can be due either to differential effects of the schools and associated environmental influences or to differences in initial ability of the students attending the different schools. To study the effects of schools, differences in initial ability must be controlled. Ideally, students should either be assigned to schools randomly or they should be tested before school entry so that the effects of initial ability can be separated statistically. Regrettably, the time required for these longitudinal approaches ruled them out for the present survey. Lacking measures of the initial ability of the students, the authors controlled instead for several family-background factors, primarily socioeconomic indicators. Family socioeconomic status obviously does not account for all differences in initial ability of students. It might nevertheless be argued that control for socioeconomic status does account for most of the differences between schools in the initial ability of their students, since most nonrandom assignment of students to schools is along socioeconomic lines. But does it, really? Parents of a given socioeconomic level probably exert a different degree of effort to get their bright children into "good" schools than they do for their dull children. Parents living in high-socioeconomic school districts are probably more intelligent than parents with the same standing on the relatively superficial socioeconomic indicators who are living in low-socioeconomic school districts. Errors in the child's report of his family background would tend to be in a direction causing one to underestimate the socioeconomic level of families living in high-socioeconomic school districts and to overestimate the socioeconomic level of families living in low-socioeconomic school districts. The same bias would result from the practice of substituting the mean for missing data that was followed in constructing the background indices. Socioeconomic status is probably a better substitute for initial ability of majority students than it is for that of minority students, whose family social mobility is limited by various forms of discrimination.

The "school effects" that were found are precisely the effects that would be expected to result from such incomplete control of student input. "School effects" were greater for general ability measures than for measures of school-related achievement; they were associated with the average socioeconomic level of the student body rather than with measures of school quality; and their correlation with student-body characteristics was greater for minority than for majority children.

The result of all this is to reinforce the two preceding lines of evidence in *indicating that the effects of variations in school quality on student achievement are minimal, even less than the authors admit.*

This survey suffers from problems common to all nonexperimental studies in attempting to assess the effects of natural experiments, which are so messy that one can never be certain that all relevant variables have been taken into account or that the correlations observed in the natural setting would continue to hold if the variables were artificially manipulated. Two uncontrolled variables that come to mind as possible distorting influences in this study are student dropout and migration. If there are differential dropout rates for the various groups, loss of the less able minority students at higher grades may obscure an increasing decrement in group performance. Because of student migration, the student's present school may not be a good indicator of the quality of education to which he has been exposed, and this clouding of the independent variable may make the regression analysis less sensitive to whatever school effects may exist.

It is unfortunate that the sensitivity of the racial issue made it necessary to collect the data from the students anonymously. If each student's name could have been associated with his test scores, a retesting of the same grades in the same schools three years later would have yielded data for a longitudinal study in four segments stretching from the first through the 12th grade.

The study would also have been improved if Jews and possibly Catholics had been identified as additional minority groups, since both are probably subject to some *de facto* segregation in public schools. The higher average performance usually found among Jews would have provided a useful contrast in the attempt to understand the lower average performance of the other minorities.

In view of these shortcomings it is obvious that this is not a good study of the effects of education on minority-group performance; it is just the best that has ever been done. Moreover, it provides the best evidence available concerning the differential effects—or rather the lack of such effects—of schools. AAAS members may find it hard to believe that the $28-billion-a-year public education industry has not produced abundant evidence to show the differential effects of different kinds of schools, but it has not. That students learn more in "good" schools than in "poor" schools has long been accepted as a self-evident fact not requiring verification. Thus, the *finding that schools with widely* varying characteristics differ very little in their effects is literally of revolutionary significance.

It is not customary for educational practice in the U.S. to be based on research, and these results will likely have little influence on educational policy. The conservatism may be adaptive in this instance, because the findings are too astonishing to be accepted on the basis of one imperfect study. What seems to be required is additional study of differential school effects with better controls for input. *However, until these findings are clarified by further research they stand like a spear pointed at the heart of the cherished American belief that equality of educational opportunity will increase the equality of intellectual achievement.*

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, what is the business before the Senate?

The PRESIDING OFFICER. The continuing call of the calendar is the business of the Senate.

ORDER FOR ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that, when the Senate completes its business today, it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that further proceedings under the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONTINUATION OF CALL OF THE CALENDAR—SEPARATION OF POWERS UNDER THE CONSTITUTION

The Senate proceeded to consider the resolution (S. Res. 40) to make a full and complete study of the separation of powers under the Constitution, which had been reported from the Committee on Rules and Administration, with an amendment, on page 2, line 22, after the word "exceed", to strike out "$100,000" and insert "$90,000"; so as to make the resolution read:

S. Res. 40

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to make a full and complete study of the separation of powers between the executive, judicial, and legislative branches of Government provided by the Constitution, the manner in which power has been exercised by each branch and the extent if any to which any branch or branches of the Government may have encroached upon the powers, functions, and duties vested on any other branch by the Constitution of the United States.

Sec. 2. For the purposes of this resolution the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. The committee shall report its findings to the Senate at the earliest practicable date, but not later than January 31, 1968.

Sec. 4. Expenses of the committee, under this resolution, which shall not exceed $90,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

(The committee amendment to this resolution was agreed to on Friday last. See page 3798 of Congressional Record.)

Mr. ERVIN. Mr. President, I believe that the work that lies ahead in this subcommittee is probably the most important work that has been assigned to any subcommittee. For many years we have had one branch of the Government encroaching upon another. This subcommittee is charged with the duty of studying these encroachments to see what can be done legislatively to put an end to these encroachments by one branch of the Federal Government upon another.

Mr. President, when I last practiced law I had an unannotated edition of the United States Code which contains all of the laws of a permanent nature passed by Congress since 1789. They occupied about 15 inches of space upon my shelf. I also had the Federal Register, which is a set of regulations written by the executive branch of the Federal Government, bound for a period of 18 months, and they occupied 36 inches of shelf space on my office shelves. In other words, the executive branch of the Federal Government is writing more laws and more regulations that have force of law than the Congress.

Mr. President, we should recapture our power to be the lawmaker of the Nation, and that is the purpose of this subcommittee on the separation of powers under the Constitution. I think it can do the finest work—at least its work is as important—as that of any committee of Congress.

I trust that this resolution will be approved with the amendment made by the Committee on Rules and Administration.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. ELLENDER. I notice on a statement I prepared last week that there are three separate committees on constitutional amendments, constitutional rights, and constitutional separation of powers. I made the suggestion that I thought it might be possible that those three committees be combined instead of having three separate committees, as is now the case, one with a requested budget of $205,000, another with a budget of $117,700, and another with $100,000, with 31 employees.

I thought that the committee, during the next session of Congress, should make an effort to try to combine those functions and do away with the three committees.

Mr. ERVIN. I think it is worthy of study; however, I do not believe it would be possible.

I am chairman of the Subcommittee on Constitutional Rights. All civil rights bills are referred to that subcommittee. Last year we worked on civil rights bills from the 10th of May until almost the 10th of September. We had 42 days of hearings and interrogated some 205 witnesses.

In addition, we studied the constitutional rights of Federal employees. We studied the constitutional rights of American Indians. We studied the constitutional rights of military personnel. As a result, we secured improvements in the regulations governing the rights of military personnel without the need for legislation.

The work of this particular subcommittee, as I have said before, is as important work as we can do, because the functions of the three branches of Government have developed to the point where it is almost impossible to distinguish one branch from another.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. DIRKSEN. The Civil Rights Act of 1966 contained three highly controversial titles. One dealt with juries at the State level, one with Federal juries, and another with housing. The amount of research that we conducted on the first two was absolutely enormous. I do not know how it could have been done without the highly competent, adequate staff we had to do the job. We inquired of judges throughout the country whether the proposal on juries was feasible or not. Generally speaking, the judges concluded that is was not feasible and that such a provision would not work. But we could not have reached that conclusion until we had consulted with every judge.

Mr. ERVIN. We consulted by corresponding with the chief judge of every Federal court in the United States. There are 94 chief judges. We received replies from about 60, who opposed the title in its proposed form.

Also, we received thousands of letters from real estate pepole who were interested in title IV.

In addition, this particular subcommittee receives about 15,000 letters a year from "crackpots" in the United States who lose cases in Federal or State courts and who want us to protect their constitutional rights.

I do not know how the committee staff finds time to do all this work, although they work overtime and on Saturdays and Sundays.

I certainly think that the recommendation and suggestion of the Senator from Louisiana is worth considering and merits discussion; but as long as the Subcommittee on Constitutional Rights has the civil rights bill, it will have its hands full with that by itself.

The Senator from Illinois [Mr. Dirksen] is a member of the Subcommittee on Separation of Powers and knows of our purpose to try to get some top flight people to make what I think will be the first study ever made by Congress on the question of separation of powers.

Mr. DIRKSEN. Let me point out in connection with the Subcommittee on Constitutional Amendments that in the 89th Congress it had the question of 4-year terms for Members of the House of Representatives. It had the question of abolition of the electoral college. It had the prayer amendment. It had the constitutional proposal on voting for 18-year olds, and——

Mr. ERVIN. And reapportionment.

Mr. DIRKSEN. Yes. All those items are still in the subcommittee. In addition, there now comes the proposal, sponsored in large part by the American Bar Association, for direct election of the President. In addition, still others have been added. Thus, it has its hands full. That is a year's work in itself.

Mr. ELLENDER. I merely made the suggestion so that Senators on the Judiciary Committee would not have so many subcommittees on which to serve. The Senator from Illinois [Mr. Dirksen] himself has been complaining—not seriously, of course—that he is on as many as 20 committees, is it?

Mr. DIRKSEN. I belong to 20 committees at present.

Mr. ELLENDER. What I am trying to do is make it possible to have fewer Senators on these committees. In order to accomplish that, we should have fewer subcommittees.

The Judiciary Committee has 16 subcommittees. The number of persons employed by the Judiciary Committee amounts to 198, of which 106 are professionals and 92 are clericals.

In addition the committee has two other professionals and three other clericals. That is aside from the regular four professionals and 10 clericals provided for under the original Reorganization Act of 1946.

Mr. ERVIN. I would say, by way of justification of that, that the Judiciary Committee is said to receive 54 percent of all bills which reach the Senate or are introduced in the Senate.

Mr. ELLENDER. Let me say this, that in the amount are included claims bills. I remember, before reorganization, I was chairman of the Claims Committee, and I handled 52 percent of all bills enacted by Congress. That is, by subcommittee. Those bills have now been transferred to the Judiciary Committee, and most of the work on those bills is done by lawyers who serve the committee. In addition, I think there is a special section in the Department of Justice which attends to all of this. So that we have simply been adding and adding to our woes, in my opinion.

Mr. ERVIN. I would say that the Supreme Court of the United States in the Glidden case has added to the woes of the Judiciary Committee when it held that the committee could not refer claims any longer to the Court of Claims. We used to get rid of our biggest claims by asking for a decision from the Court of Claims. The Supreme Court came along in the Glidden case and held that the Court of Claims could not perform that function for us because it was not a judicial function; so we have that on us now. Thus, we do have problems.

Mr. ELLENDER. The Supreme Court of the United States has been the direct cause of a good deal of this.

Mr. ERVIN. Yes.

Mr. ELLENDER. It it my judgment that there is no department of government that has done more harm to our way of life than the Supreme Court of the United States.

Mr. ERVIN. That is one of the reasons we need the study on the separation of powers, because we think the Supreme Court has been encroaching on the legislative powers. I think they passed a law when they handed down their decision in the Glidden case. I believe that in handing down this decision, they were encroaching on the legislative powers of Congress. That is one reason we need the funds for this subcommittee.

Mr. ELLENDER. I am very hopeful that the committee will study ways to combine the three committees and present to the Senate some laws that will in some measure curb the Supreme Court.

Mr. DIRKSEN. Do not go too far, the Senator may get me to concur with him on that.

Mr. ELLENDER. I was hoping that the Senator would.

The PRESIDING OFFICER. The question is on agreeing to the resolution as amended.

The resolution, as amended, was agreed to.

STUDY BY COMMITTEE ON LABOR AND PUBLIC WELFARE OF MATTERS PERTAINING TO POVERTY

The resolution (S. Res. 17) authorizing the Committee on Labor and Public Welfare to make a complete study of all matters pertaining to poverty, reported with amendments from the Committee on Labor and Public Welfare and the Committee on Rules and Administration, was announced as next in order.

Mr. ELLENDER. Mr. President, is this a new committee?

Mr. CLARK. No; it is not.

Mr. ELLENDER. Has it ever asked for funds before?

Mr. CLARK. No.

Mr. ELLENDER. The amendments have not been adopted yet.

The PRESIDING OFFICER. They have not been agreed to.

Mr. CLARK. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CLARK. Is there not an amendment in the series of amendments cutting down the amount requested?

The PRESIDING OFFICER. The last amendment is an amendment cutting down the amount requested.

Mr. CLARK. Mr. President, I ask unanimous consent that the amendment of the Committee on Labor and Public Welfare, to strike out "October 31, 1967" and to insert in lieu thereof "January 31, 1968" be rejected.

The PRESIDING OFFICER. Is there objection? Without objection, the amendment is rejected.

The clerk will state the next amendment.

The LEGISLATIVE CLERK. On page 2, line 10, after the word "from", it is proposed to strike out "the effective date hereof to January 31, 1968", and to insert in lieu thereof "February 1, 1967, to January 31, 1968".

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. CLARK. Has the next amendment been read?

The PRESIDING OFFICER. The clerk will state the amendment.

The ASSISTANT LEGISLATIVE CLERK. On page 3, line 5, strike out the numeral and insert "$190,000".

Mr. CLARK. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CLARK. It is my understanding that the amendment out of the committee was to cut the amount to $165,000.

The PRESIDING OFFICER. The Senator from Pennsylvania is correct.

Mr. CLARK. Whereas the amendment just read was for $190,000. I suggest that perhaps the clerk inadvertently read the wrong amount.

The PRESIDING OFFICER. The Senator is correct.

Mr. CLARK. If I may have the attention of the Senator from Louisiana, does the Senator wish an explanation?

Mr. ELLENDER. I was under the impression that it was a new subcommittee, because apparently work had been done first by the regular committee without funds.

Mr. CLARK. I shall be glad to explain.

When the poverty program first came up before the Senate in 1964, the chairman appointed an ad hoc committee, chaired by the then Senator from Michigan, Senator McNamara, to consider that legislation. It did so. Practically all the members of the full committee were on that subcommittee except the chairman.

That subcommittee considered the legislation in 1964 and the amendments in 1965. Thereafter, Senator McNamara, unfortunately, died.

The PRESIDING OFFICER. The clerk will report the next amendment again.

The LEGISLATIVE CLERK. On page 3, line 5, after the word "exceed" it is proposed to strike out "$190,000" and insert in lieu thereof "$165,000".

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Committee on Rules and Administration, as a substitute for the amendment of the Committee on Labor and Public Welfare.

The amendment was agreed to.

The PRESIDING OFFICER. The question now recurs on the amendment offered by the Committee on Labor and Public Welfare as amended by the amendment of the Committee on Rules and Administration.

The amendment was agreed to.

Mr. CLARK. The Senator from Alabama [Mr. HILL] and I and others on the committee, considering how we could handle this constantly increasing load of oversight of legislation, decided to increase the jurisdiction of the committee which I chaired, which was called the Manpower and Employment Subcommitee, to include the whole area of poverty.

That change was made in April 1966, and the poverty amendments of 1966 were brought in by the subcommittee which I have the honor to chair with only one staff member, which was so highly unsatisfactory, as a result of which I assigned one of my own staff and one of my top legislative assistants with a congressional fellow who was serving without pay.

We got through last year on that basis.

At the time when I brought the bill to the floor—and Senators will remember that this was an extremely controversial bill—it was brought to the floor with a cut of $750,000. There were 73 differences of viewpoint as between the Senate and the House. We finally got the bill passed.

In the course of considering the legislation, we stated on the floor of the Senate, to the press, and everywhere else, that we just did not have the staff or the equipment to go into the poverty program last year, that there were not the personnel around to do it, but that we were making a commitment to the Senate and the country that this year we would engage in an in-depth study of the poverty program; that in order to do that, we would have to have an additional staff, but only on a temporary basis.

The end result was that we came from the subcommittee to the full committee with a request of $252,000 for a study in some depth of the poverty program, which, as Senators know, was one of the most controversial pieces of legislation ever passed by the Congress. We were prepared to make a real in-depth study of different aspects of the poverty program. We had blocked out 12 special studies in this area.

The full committee saw fit to cut our request from $252,000 to $190,000. I may say that the subcommittee, consisting of nine members, six Democrats, and three Republicans, had unanimously reported to the full committee the sum of $252,000. However, the full committee thought it wise to cut that amount to $190,000. Then the Rules Committee cut that $190,000 figure to $165,000. That is the amount presently being requested.

Mr. President, if we are going to carry out the oversight function of this committee with respect to the poverty program, if we are going to process with some expedition the amendments to the Economic Opportunity Act which will be coming to Congress from the White House, we must have the staff to do the job. If we are to conduct this in-depth study, we need the $165,000 to go into the various aspects of the poverty program.

We intend to go in the field and make a study in 10 or 11 States in various aspects of the urban poverty program, the rural program, at the local and State level.

We also have need—and our Republican Members are insistent on this—for a number of impartial consultants on this program, so that we can feel that a report will be objective and nonpartisan, and one that will not be in any nature anything of a whitewash. Therefore, if the Senate should decide to cut it down further than it has already been cut, from $252,000 to $165,000, may I say, in all candor, we cannot do the job for less.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. ELLENDER. Is this merely for the poverty program or new legislation?

Mr. CLARK. No; the new legislation will come down in due course from the White House. We will be processing a study of the poverty program, which includes a dozen different aspects, ranging from Headstart to Neighborhood Youth Corps programs.

Nearly $4 billion will have been appropriated and spent in the war on poverty, and $2.1 billion more has been asked by the President in the budget for fiscal 1968. During the first 27 months of operation, the Office of Economic Opportunity has launched a variety of programs under the eight titles of the Economic Opportunity Act. They are:

One hundred and sixteen Job Corps centers, which were opened for the training of 35,000 disadvantaged youths each year.

There are over 1 million enrollment opportunities in the Neighborhood Youth Corps projects which were funded.

There are 133 programs for migrants and seasonal agricultural workers, and 125 projects for Indians.

There are rural loans which were made to more than 17,000 individuals.

Two thousand four hundred and sixty-five small business loans were made.

Three hundred and twenty-eight work experience projects were launched to train 194,350 people.

More than 3,000 VISTA volunteers were trained and in the field.

One thousand and ninety-six community action agencies were operating new programs such as Headstart, legal services, Upward Bound, foster grandparents, and coordinating and planning a host of other manpower, health, education, and welfare programs.

That is what we have to take a look at.

Mr. ELLENDER. I heard the Senator mention the migratory program. We have another special committee on that. I saw my good friend from New Jersey there shaking his head——

Mr. CLARK. That is correct. I can assure the Senator from Louisiana that the Senator from New Jersey and I have been working in close cooperation, and there will be no overlap in this regard. I ask my friend, the Senator from New Jersey, to express himself on that point.

Mr. WILLIAMS of New Jersey. We certainly have a clear understanding in that regard. We have ongoing programs that obviously will be preserved, but it is the work of the Subcommittee on Migratory Labor that brings to this body the legislation to continue these programs—indeed, to improve them where improvement can be made.

Mr. ELLENDER. My attention was called to the committee of the Senator from New Jersey because the Senator from Pennsylvania mentioned that that was within the jurisdiction of this new poverty program.

Mr. CLARK. No; only with respect to the part which is administered by the Office of Economic Opportunity.

Mr. ELLENDER. Well, some of it, I say.

Mr. CLARK. Which is a very small part of the migratory worker program.

Mr. WILLIAMS of New Jersey. That is correct. We are involved in sanitation, in housing, and in basic education. Our budget is covered by the next resolution to be considered; perhaps we can consider it together with this one, because they are complementary, not overlapping.

Mr. ELLENDER. Why not combine them? We might save something.

Mr. CLARK. We already have.

Mr. ELLENDER. But they are separate resolutions.

Mr. CLARK. We have to take a look at what Sargent Shriver is doing in the Office of Economic Opportunity with respect to migratory workers. Senator WILLIAMS' committee has a much wider field. I would guess that not more than 10 percent of the oversight of migratory workers is within the poverty programs.

Mr. WILLIAMS of New Jersey. I would speculate that that is about right.

For instance, in the Senator's State of Louisiana, there are programs now authorized running close to $400,000. As I read the list, from St. John the Baptist Parish, in Reserve, La.—the Senator will have to correct my French on some of these others——

Mr. ELLENDER. The Senator is doing very well.

Mr. WILLIAMS of New Jersey. The La Fourche Community Action Program, the South Delta Community Action Agency, and I think there is one other.

Mr. ELLENDER. But they all deal with the same subject.

Mr. WILLIAMS of New Jersey. No, no.

Mr. ELLENDER. Poor people.

Mr. WILLIAMS of New Jersey. It is true that migratory workers are poor people by definition.

Mr. ELLENDER. That is correct. The poverty program.

Mr. WILLIAMS of New Jersey. But a lot of the programs do not come within the jurisdictional ambit of the OEO program. Is that not correct?

Mr. CLARK. Yes. In other words, the only part of the migratory workers which my subcommittee is concerned with is that which Sargent Shriver is concerned with. The concern of the Senator from New Jersey is about 10 times as great.

Mr. WILLIAMS of New Jersey. For example, we brought health programs to literally tens of thousands—I think that is accurate, when the workers and the children are considered together. This has nothing to do with the OEO program; yet it is our responsibility. As the senior Senator from Florida, who is on the floor, knows, this has meant a great deal in education. I was in Florida last week, and I saw hundreds of children who were receiving an education, who otherwise would not. This has very little to do with what the Senator from Pennsylvania proposes.

Mr. CLARK. May I say to my friend from Louisiana——

Mr. ELLENDER. Do not forget about the Cuban refugees in Florida. I suppose a good deal of that is due to Cuban refugee problems. I think we have a committee to look into that also.

So there is a lot of overlapping, and sometimes I almost lose patience when I hear Senators complain of overwork. They give it to themselves.

Mr. CLARK. May I say to my friend from Louisiana that the total appropriation requested for the coming year for the poverty program is approximately $2 billion, whereas the amount requested for migratory workers is $30 million.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. HOLLAND. I merely wish to express here publicly my appreciation to the Senator from New Jersey for going down to my State and looking into the problems of education, health, and housing in the area known as South Dade County, where there are tens of thousands of migratory workers, some of whom are Mexicans from Texas—though we do not have any who are Mexican citizens—but most of whom are either Negroes or white workers from our own country.

From the reports I have received, the Senator was sympathetic, and realized that a good job was being done there. So, as long as that is the attitude of the committee, I wish to express my appreciation.

Mr. WILLIAMS of New Jersey. I am grateful indeed, and I assure the Senator that that accurately desribes my reaction to what I saw in South Dade—educational systems that are really great to behold.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on agreeing to the resolution, as amended.

The resolution, as amended, was agreed to, as follows:

Resolved, That the Committee on Labor and Public Welfare, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to poverty including, but not limited to, such matters as (a) the provisions of the Economic Opportunity Act of 1964 and other Acts pertaining to poverty with a view to ascertaining the extent to which changes in such Acts are desirable; (b) the nature and effectiveness of and the relationships between the programs of the Federal Government and the programs of State and local government and the activities of private organizations dealing with the problems of poverty; and (c) the degree of additional Federal action desirable in this area.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall present a report on its findings, together with recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than July 31, 1967.

SEC. 4. Expenses of the committee under this resolution, which shall not exceed $165,000 shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

STUDY OF MATTERS PERTAINING TO CONSTITUTIONAL AMENDMENTS

The Senate proceeded to consider the resolution (S. Res. 28) authorizing a study of matters pertaining to constitutional amendments, which had been reported from the Committee on Rules and Administration with an amendment.

Mr. DIRKSEN. Mr. President, we have already discussed this matter with the distinguished Senator from Louisiana, and I think the matter is ready for a vote.

Mr. ELLENDER. I have nothing further.

The PRESIDING OFFICER. The committee amendment will be stated.

The LEGISLATIVE CLERK. On page 2, line 16, after the word "exceed", to strike out "$117,700" and insert "$110,000".

The committee amendment was agreed to.

The PRESIDING OFFICER. The question now recurs on agreeing to the resolution, as amended.

The resolution (S. Res. 28), as amended, was agreed to, as follows:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to constitutional amendments.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursement services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its activities and findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1968.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $110,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

MIGRATORY LABOR

The resolution (S. Res. 44) to provide for a study of migratory labor, was announced as next in order.

Mr. ELLENDER. May I ask, which one is that?

The PRESIDING OFFICER. Migratory labor.

Mr. ELLENDER. That is the one we just discussed?

Mr. WILLIAMS of New Jersey. The Senator is correct.

Mr. ELLENDER. That is a very important committee. We have no objection.

The resolution was agreed to, as follows:

Resolved, That the Committee on Labor and Public Welfare, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to migratory labor including, but not limited to, such matters as (a) the wages of migratory workers, their working conditions, transportation facilities, housing, health, and educational opportunities for migrants and their children, (b) the nature of and the relationships between the programs of the Federal Government and the programs of State and local governments and the activities of private organizations dealing with the problems of migratory workers, and (c) the degree of additional Federal action necessary in this area.

SEC. 2. For the purposes of this resolution the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized to select one person for appointment and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilized the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1968.

SEC. 4. Expenses of the committee under this resolution, which shall not exceed $75,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

ADDITIONAL FUNDS FOR THE COMMITTEE ON LABOR AND PUBLIC WELFARE

The resolution (S. Res. 74) to provide additional professional and clerical staff for the Committee on Labor and Public Welfare, reported with amendments from the Committee on Labor and Public Welfare and the Committee on Rules and Administration, was announced as next in order.

The PRESIDING OFFICER. The clerk will state the first amendment by the Committee on Rules and Administration.

The ASSISTANT LEGISLATIVE CLERK. On page 1, line 2, after "1967", to insert "until otherwise provided by law".

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the second amendment of the Committee on Rules and Administration, reported as a substitute for an amendment by the Committee on Labor and Public Welfare.

The ASSISTANT LEGISLATIVE CLERK. On page 1, in line 4, after the word "clerk", to strike out "ten" and insert "seven".

The PRESIDING OFFICER. The question is on agreeing to the amendment by the Committee on Rules and Administration, as a substitute for the amendment of the Committee on Labor and Public Welfare.

Mr. ELLENDER. Mr. President, what is the calendar order number of the resolution now being considered?

The PRESIDING OFFICER. Calendar No. 55, Senate Resolution 74; and the second amendment is being considered.

Mr. ELLENDER. And that pertains to the amount?

The PRESIDING OFFICER. It pertains to the number of professional staff.

Mr. ELLENDER. Would that increase the number of the professional staff from 17 to 23?

The PRESIDING OFFICER. The Chair will not undertake to interpret the amendment.

Mr. ELLENDER. Excuse me. I wonder if the amendment could be read.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT LEGISLATIVE CLERK. In line 4, after the word "clerk", to strike out "ten" and insert "seven".

Mr. ELLENDER. That is seven professionals. Who is in charge of the resolution?

Mr. HILL. I am. I will undertake to answer the Senator's questions.

Mr. ELLENDER. The Committee on Labor and Public Welfare, as I understand it, now has one professional in addition to the four professionals provided under the Reorganization Act of 1946.

Mr. HILL. That man handles the printing.

Mr. ELLENDER. I understand, but he is classified as a professional.

Mr. HILL. The Senator is correct.

Mr. ELLENDER. Is the Senator providing in the resolution for seven permanent professionals?

Mr. HILL. The Senator is correct.

Mr. ELLENDER. That would be in addition to the ones that he now has.

Mr. HILL. The Senator is correct. By the way, this will be the fifth year that we have had the seven employees. We have so much work to do that we must have them.

We have had these employees year after year and this will be the fifth year in which we have need of them.

Mr. ELLENDER. The Committee on Labor and Public Welfare today has 50 employees and—if all of these resolutions are agreed to, as they apparently will be—there will be an additional seven professionals and nine clericals.

Mr. HILL. The Senator must remember that Senate Resolution 17 is in a category by itself. That resolution authorizes nine temporary positions. It is necessary to study the poverty program.

Mr. ELLENDER. Are these employees in addition to the 50 employees that I have just mentioned?

Mr. HILL. No, not at all. This will be the fifth year that we will have had the positions authorized by Senate Resolution 74 to be made permanent.

Mr. ELLENDER. If the resolution is agreed to as it presently provides, the committee will have the five professionals which it already has and an additional seven professionals. Further, in addition to the three temporary clerical employees that the committee now seeks, it will have an additional nine clerical employees.

Mr. HILL. The Senator is correct.

Mr. ELLENDER. And one assistant chief clerk on a permanent basis?

Mr. HILL. The Senator is correct.

Mr. ELLENDER. To what extent will that increase the number of employees now employed on the committee?

Mr. HILL. It will add six temporarily.

Mr. ELLENDER. But the committee already has five professionals.

Mr. HILL. It will have three more professionals temporarily. One of the professionals will be with the Subcommittee on Education, of which the Senator from Oregon [Mr. MORSE] is chairman. One will be with the Subcommittee on Employment and Manpower, of which the Senator from Pennsylvania [Mr. CLARK] is chairman. The third will be employed by the minority.

Mr. ELLENDER. If the resolution is agreed to, the committee will have enough professional employees so that it will not have to come back any more for professionals except for the subcommittees such as the subcommittee headed by the Senator from Pennsylvania [Mr. CLARK] and others.

Mr. HILL. No. This would provide for the Subcommittee on Education a temporary professional employee. The employee for the Subcommittee on Employment and Manpower would be a temporary professional employee. The additional professional employee for the minority would be a temporary position. We would have to come back for authority on those.

Mr. ELLENDER. The Committee on Labor and Public Welfare now has the same amount of money that all other standing committees have, $179,506, out of which to pay for the employees provided under the 1946 Reorganization Act.

Mr. HILL. If all of the statutory positions were filled, and filled for the maximum time at the maximum salaries allowed, that would be the figure. However, as I have said, we have had these employees for 4 years, and we have not expended every dollar available to us. In addition there will be six employees who will not be permanent. Also, that does not mean that employees will be in these positions all the time.

As the Senator knows, staff members change. We have had quite a few changes in the Subcommittee on Labor in the last several years for different and sound reasons.

We do not always pay the employees the full amount allowed.

There was $50,000 this year that we did not spend. That was money that was authorized to be spent, but we saved that $50,000.

Mr. ELLENDER. That was the overall amount?

Mr. HILL. The Senator is correct.

Mr. ELLENDER. The committee, of course, spends as a whole quite a nice sum of money.

Mr. HILL. We have quite a lot of work to do, may I say.

Mr. ELLENDER. It is over $632,000. I should like to clarify the record because it may not be clear after some of my questions. Under the law as it now stands, the committee has five professionals with the one extra professional.

Mr. HILL. With the printing man, yes.

Mr. ELLENDER. The committee will have, if the pending resolution is agreed to, seven additional professionals that will become permanent.

Mr. HILL. The Senator is correct.

Mr. ELLENDER. In addition, the committee will have nine additional clerical assistants who will become permanent.

Mr. HILL. The Senator is correct.

Mr. ELLENDER. And an assistant clerk.

Mr. HILL. The Senator is correct.

Mr. ELLENDER. What will be the duties of the assistant chief clerk?

Mr. HILL. The duties will be to handle the calendar, the vouchers, the bookkeeping, and all the administrative duties of the committee.

Mr. ELLENDER. With so many employees, I imagine the committee might need two such employees.

Mr. HILL. We are asking only for one.

Mr. PELL. Mr. President, I rise to support the statements of the Senator from Alabama.

I believe that if the committee expenses were to be based on how much legislation were passed, then I would be correct in saying that no committee has given more value per dollar spent, for no committee has acted on more substantive legislation than has the Committee on Labor and Public Welfare.

Speaking from personal experience, I can vouch for the fact that the committee expenditures are managed most carefully parsimoniously. For example when I conducted hearings in my State on the sea-grant college bill, I know that I personally paid for the court reporter and for the travel.

I do not believe that the chairman or the members of the committee could ever be said to be extravagant.

Mr. HILL. Mr. President, I appreciate what the Senator from Rhode Island has said.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. MORSE. Mr. President, I know the Senator from Louisiana to be an exceedingly fair man. He knows that I have a very high regard for the policy he has followed over the years in requiring that there be a case made in support of the request for funds whenever the item of business comes to the floor of the Senate. The country would be much better off if we obtained a similar explanation and justification for all executive expenditures.

As a member of the Committee on Labor and Public Welfare, I invite the attention of the Senator from Louisiana to certain facts that I think unquestionably justify the request being made by the chairman of the committee, the Senator from Alabama [Mr. HILL], this afternoon. As the Senator from Alabama has stated, we are asking for permanent status for certain employees who have had temporary status. They have had temporary status, I may add, for some 5 years. We are simply confronted with the fact that if they are not granted permanent status, the committee will lose some of the best qualified legislative assistants now serving in the Senate. Those for whom we are asking for permanent status are recognized throughout the administration as outstanding experts in the field.

One of them—Mr. Lee—is legislative assistant to the subcommittee. I can say without fear of successful contradiction that the Department of Health, Education, and Welfare itself recognizes that no one is a greater walking encyclopedia with respect to the problems of education legislation than Charlie Lee. The Department itself calls upon him constantly for information concerning problems of education.

Without burdening the RECORD or burdening the Senator from Louisiana, or other Senators, I merely wish to say that one of the major tasks that will confront the Subcommittee on Education in the next 2 years will be a thorough, intensive surveillance and survey of the administration of the education legislation that is already on the books and which totals more than $5 billion, so far as appropriations for its administration are concerned.

The distinguished Senator from Montana [Mr. MANSFIELD], our majority leader, wrote to each of us prior, even, to the convening of this Congress and asked us to take steps to survey the administration of the legislation we have already passed. It was a wise request; but it will take a great deal of time and a large amount of administrative help.

My subcommittee will be under the direction of Mr. Lee and the temporary assistant whom we are asking to have added to the staff, and the minority temporary assistant, who will be of assistance to the minority members of the subcommittee.

We have gone over this request with a fine-tooth comb. We really believe that we are asking for much less than would be asked for by some other committees whose work is not nearly so difficult and intricate as the work of this subcommittee.

If we are to retain this kind of professional help, we cannot keep them on a temporary assignment year after year. It becomes necessary to give them permanent assignments. That is why we have made this request.

The outline of the study that we contemplate has been sent to the officers of the Senate and also to all members of the Committee on Labor and Public Welfare. It has also been served upon the Department of Health, Education, and Welfare. I want the Senator from Louisiana [Mr. ELLENDER] to know that the committee has received nothing but the highest commendation for the program that is outlined, and it is recognized by all that we will probably, at very small cost, end by saving millions of dollars for the taxpayers.

I testify now only as a witness in behalf of the chairman of the committee. All one need do is to look at the volume of legislative work that we do. It is a marvel that we do the amount of work we do with a staff as small as we are asking for, and I hope it will be approved.

Mr. HILL. Mr. President, I thank the distinguished Senator from Oregon for his remarks.

I agree with all that the Senator has said about Mr. Charlie Lee. I have never known a more efficient, more capable, or harder working staff member than Charlie Lee. He works all the time, night and day, and he is always there with the information that you need. We are fortunate to have him with us.

The distinguished Senator from Oregon has done a wonderful job as chairman of the Subcommittee on Education.

Mr. LAUSCHE. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I do not have the floor.

Mr. LAUSCHE. I wish to ask some questions.

How many new employees will this committee be granted? I ask that of the Senator from Louisiana.

Mr. ELLENDER. As I pointed out last week, the Committee on Labor and Public Welfare will have a total of 24 professionals and 26 clericals.

In the resolution that we are now considering, seven professionals will be added on a permanent basis and nine clericals will also be on a permanent basis, and one assistant chief clerk will be on a permanent basis.

As I understand, this resolution does not add to the number that I have just suggested. Of the 24 professionals indicated, all but five are temporary. This resolution will add seven permanent professionals and nine permanent clericals out of the 26 that are now on the payroll, and it will also add an assistant chief clerk.

Mr. LAUSCHE. What will be the total number of professionals that the committee will then have?

Mr. ELLENDER. All together, it will have 24.

Mr. LAUSCHE. And how many new clericals all together?

Mr. ELLENDER. Twenty-six. Twenty-four professionals and twenty-six clericals.

Mr. HILL. Mr. President, will the Senator yield?

Mr. ELLENDER. That is a total of 50 all together.

Mr. HILL. I think the Senator should know that of the 24 professional staff members, only three will be new. This will be the fifth year that we have had these other staff members.

Mr. LAUSCHE. They are being converted from temporaries to permanents.

Mr. HILL. Some of them are, but the three extra professional employees are not. They are only temporary. Three clerical staff members will also be temporary.

Mr. LAUSCHE. What reply would the Senator from Alabama give to the argument of the Senator from Louisiana that nothing is so permanently entrenched as the creation of a temporary office in a Senate committee?

Mr. HILL. Well, I would say this: We have had these temporary people for over 4 years, and they have remained temporary for 4 years.

Mr. LAUSCHE. That is, where they are once temporary, they finally become permanently fixed.

Mr. HILL. The Senator knows how the statute of limitations works.

The amendment was agreed to.

The PRESIDING OFFICER (Mr. MONTOYA in the chair). The question recurs on the amendment by the Committee on Labor and Public Welfare as amended by the amendment offered by the Committee on Rules and Administration.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will report the third committee amendment.

The LEGISLATIVE CLERK. On page 1, line 5, strike out the word "twelve" and insert in lieu thereof the word "nine."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Committee on Rules and Administration as a substitute for the amendment offered by the Committee on Labor and Public Welfare.

Mr. LAUSCHE. I vote "no."

The amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment by the Committee on Labor and Public Welfare as amended by the amendment of the Committee on Rules and Administration.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will report the fourth committee amendment.

The LEGISLATIVE CLERK. On line 6, after the word "assistants," insert the language down to and including the word "assistants" on line 9.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the resolution as amended.

Mr. LAUSCHE. I vote "no."

The resolution (S. Res. 74), as amended, was agreed to, as follows:

S. RES. 74

Resolved, That the Committee on Labor and Public Welfare is authorized from February 1, 1967, until otherwise provided by law, to employ one additional assistant chief clerk, seven additional professional staff members, and nine additional clerical assistants and is further authorized, from February 1, 1967, through January 31, 1968, to employ three additional professional staff members and three additional clerical assistants, to be paid from the contingent fund of the Senate at rates of compensation to be fixed by the chairman in accordance with section 202(e), as amended, of the Legislative Reorganization Act of 1946, and the provisions of Public Law 4, Eightieth Congress, approved February 19, 1947, as amended.

INVESTIGATION OF JUVENILE DELINQUENCY

The PRESIDING OFFICER. The clerk will state the next resolution.

The LEGISLATIVE CLERK. Calendar No. 37, Senate Resolution 35, a resolution to investigate juvenile delinquency, reported from the Committee on Rules and Administration with an amendment on page 3, line 2, after the word "exceed," to strike out "$260,000" and insert "$225,000".

Mr. DODD. Mr. President, I must comment on the resolution before us dealing with the annual budget of the Subcommittee To Investigate Juvenile Delinquency.

I shall be brief, but I want to make certain that our deliberation on this matter is not arbitrary.

I want to make certain that my distinguished colleagues understand the need for this appropriation. And, I want to make certain that they consider it favorably.

I am concerned over some of the objections offered against this appropriation every year. I am concerned with the annual effort, to economize apparently on the general principle that we are spending too much money.

And, I am particularly concerned this year because the Rules Committee has already proposed to cut $35,000 from the amount we requested.

In my letter to the chairman of the Judiciary Committee asking approval for our budget covering this session, I set forth a subcommittee finding echoed by every major report on crime and delinquency in the Nation, that our crime control measures are only a token gesture of what they should be to put even a sizable dent in the conditions responsible for these problems.

Since we made this determination, the subcommittee has proposed and handled multimillion-dollar legislation to help correct these defects.

And, more recently the President has asked for even more money to do the job that must be done in this field.

In the last Congress, the Juvenile Delinquency Subcommittee studied and developed some of the most important and far-reaching anticrime legislation ever to be considered by Congress.

Based on our research and hearings, we developed the drug abuse control amendments which set up a whole new law enforcement system in the Food and Drug Administration to eliminate the illegal manufacture, sale, and distribution among our youth of more than 5 billion dangerous pills every year. This law was enacted in 1965.

As late as this morning's New York Times, the man in charge of the Food and Drug Administration, Dr. James Goddard, pointed out that as a result of passing that legislation his agency is able to move into this area. I ask unanimous consent that the article be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

U.S. Agency Reports Curb on Drug Abuse

Washington.—The Food and Drug Administration listed as highlights of 1966 a crackdown on drug abuse, vigorous efforts to combat contaminated foods, and the initiation of broader consumer protection programs.

James L. Goddard, the Food and Drug Commissioner, reported that the agency's capability to provide better protection for the public was improved during the year and that he was determined there should be more progress in 1967.

The F.D.A. Bureau of Drug Abuse Control was established in February, 1966, to enforce legislation enacted by Congress to combat abusive use of stimulant, depressant, and hallucinogenic drugs.

The bureau recruited and trained more than 200 agents and opened field offices in nine major cities. More than 100 people were arrested on charges of illegal manufacture or trade in abusive drugs.

Mr. DODD. Mr. President, based on our investigations and hearings, we developed the Narcotic Addict Rehabilitation Act which established a never before attempted Federal treatment program for addicts and at the same time led to more equitable and effective handling of thousands of narcotic addicts in our Federal courts. This law was passed in 1966.

And, after several years of intensive study, we developed the State Firearms Control Assistance Amendments designed to protect the 17,000 Americans who are killed each year because guns are too easily available from every source to the immature, the irresponsible, or the mentally deranged. This measure was the first piece of legislation introduced in 1967 in the 90th Congress.

We have been fighting for the firearms bill for 3 or 4 years. It has received much opposition.

Mr. President, this is one subcommittee that has really had enemies from the gun lobby, to the drug lobby, to the television industry. I do not think that there has been a committee with more powerful opposition. The fact that we have been able to get good laws from this committee is a tribute—and I do not mean to myself—but to the fact that we have good members on the committee and that we have made substantial contributions toward all of these crime measures.

Mr. President, all of these measures were supported by the administration and some were introduced on behalf of the administration.

But, I should like to remind my colleagues that long before these legislative proposals acquired nationwide attention as early landmarks of a new era in crime control they had received painstaking study through the hearings and investigations of the Juvenile Delinquency Subcommittee.

As early as 1961, I introduced the first bill that later became a $50 million nationwide program designed to prevent juvenile delinquency.

This was a new concept designed to get at the worst crime-breeding conditions in our large metropolitan areas. This was the same concept that formed the basis of President Johnson's multibillion-dollar war on poverty.

The initial authorizations for implementing the Dangerous Drug Act and the Narcotic Act come to about $20 million and the firearms bill, when enacted, will cost several additional millions.

These are sums which dwarf the annual budget of the Juvenile Delinquency Subcommittee.

But, these are sums that we have been willing to authorize to prevent more crime and delinquency, to protect the 100,000 drug abusers in the Nation, to help cure the 60,000 narcotic addicts in the Nation. And, hopefully these are sums that we will appropriate to prevent killing and maiming of over 100,000 people by irresponsible gunfire.

I find it hard to accept the fact that the Juvenile Deliquency Subcommittee, which has played a major role in drafting legislation that resulted in the development of multimillion-dollar programs to protect the health and the lives of our young people must now have its own relatively small budget cut by $35,000.

I find it difficult to accept this action because every major bill before Congress to help control juvenile delinquency has had its origins in this subcommittee.

I find it difficult to accept this action because it is a fact that the record of the subcommittee with respect to these legislative accomplishments, and with respect to other investigations documented in our reports, justifies every cent of our past expenditures. And, I respectfully ask that this be considered by my distinguished colleagues as we deliberate the subcommittee's appropriation for the current session.

It must be recognized, as we move forward in our fight against crime and delinquency in this Nation, that there is and should be continuity in this work, that some defeated bills of yesterday will be the new laws of tomorrow and that some of the broad, basic research of the past is vital for hammering out effective legislation in the future.

Today the Juvenile Delinquency Subcommittee is confronted with the problem of maintaining continuity, with developing new legislation based on past investigations and research, and with new studies that must uncover the causes of the staggering increase of crime and delinquency over the past decade.

The subcommittee must bring to a completion its work on the firearms control bill.

It must consider new controls over LSD and other mind-altering drugs.

It must carry on the investigation of auto theft, the one youthful criminal act that is playing havoc with our courts and correctional institutions.

It must study the deficiencies in our courts and treatment institutions for young offenders.

It must study the new forms of violent crimes among teenagers and young adults and the causes of these crimes.

And, it must seek legislation to get at the roots of the traffic in pornographic literature into American homes and at the smuggling of drugs into the hands of young people from across our borders.

Particularly in the wake of President Johnson's messages on crime and on the youth of this Nation which he sent to the Congress last week, this body is called upon to assume new responsibilities in the war against crime and delinquency.

The President's messages parallel closely the subcommittee's program of activities which I submitted to the Judiciary Committee in January. But the administration's proposals will require that we extend our inquiries in some of these fields and that we hold additional hearings on some of the measures advanced by the President.

At the end of the last session, the subcommittee returned $15,000 to the contingent fund of the Senate. This money was earmarked for our investigation of juvenile and young adult correctional institutions. This is an inquiry that confronts us in the present session but we needed the funds eliminated by the Rules Committee to accomplish this.

This is an area of congressional action that was called for in the President's message on crime.

And, this is an inquiry that we must have to begin the long overdue job of improving our correctional systems throughout the Nation.

Even though our program in 1967 will be broader than in 1966, I asked for the same appropriation I requested last year.

Now, we find that we will get $35,000 less.

I protest this cut, because I find no reason for it. It will curtail some of our work and it will be the children of this Nation who will be the poorer for it. I certainly protest any further reduction in our appropriation.

I have tried to explain our needs and to outline our accomplishments. I ask my distinguished colleagues to consider these remarks and to approve the committee's appropriation.

Mr. ELLENDER. Mr. President, last week we heard practically the same statement made by the chairman of the Subcommittee on Criminal Laws and Procedures. He referred to the many bills that will come before the Committee on the Judiciary for hearings. This

Subcommittee on Juvenile Delinquency was created in 1953. I can well remember the distinguished Senator from New Jersey, the late Mr. Hendrickson. He asked that this committee be formed. When he presented the resolution in 1953, I quote from the CONGRESSIONAL RECORD:

> Mr. ELLENDER. Mr. President, may we have an explanation of the resolution?
>
> Mr. HENDRICKSON. Mr. President, I shall gladly explain this resolution. It authorized a study of juvenile delinquency, its causes and contributing factors throughout the country by a subcommittee of the Committee on the Judiciary. The purpose of the study is to suggest in a report to be submitted by the Senate no later than January 31, 1954, such legislation as may be found to be appropriate.

Then, Mr. President, the following colloquy:

> Mr. ELLENDER. Since the Senator from New Jersey is the author of this resolution I have no doubt that he will be appointed a member of the subcommittee. I hope so and I hope he will come to the Senate next year without a request for more funds.
>
> Mr. HENDERICKSON. I sincerely hope I shall be able to come before the Senate and report exactly the result the Senator from Louisiana wishes.

In the colloquy the following statement of the Senator from New Jersey also appears in the CONGRESSIONAL RECORD of the second session of the 83d Congress:

> Mr. President, it is my hope that if I may have the privilege of serving on the subcommittee, we shall not use all of the $44,000 because I think we shall receive aid from agencies of the States and from agencies of the Federal Government, which will make unnecessary the employment of all the contemplated personnel.

He further quotes:

> I can give assurance with, the understanding, of course, that I shall be a member of the subcommittee . . . if I have the good fortune to be a member of it—that I shall insist that we complete our work by the time mentioned.

Mr. President, that was back in 1953.

Mr. LAUSCHE. What was the time mentioned?

Mr. ELLENDER. During that session of 1953—$44,000 would do all the work. *It just happened that the next year,* he came back for more. I wish to say that this is a classic example of a temporary committee becoming a permanent fixture.

According to a tabulation made by the Committee on Rules and Administration, the entire amount spent on this committee was not $44,000, as was first asked, but through the 89th Congress the amount of money spent was $2,198,159.82.

Mr. BYRD of West Virgina. Mr. President, will the Senator from Louisiana accept a correction?

Mr. ELLENDER. Yes. But I am reading——

Mr. BYRD of West Virginia. So am I. Was that not the figure authorized and not the amount spent?

Mr. ELLENDER. I read from the top. It says, "Funds authorized and expended"——

Mr. BYRD of West Virginia. Yes, but——

Mr. ELLENDER:

> Funds authorized and expended by the Senate Committee on the Judiciary for inquiries into matters relating to the judiciary.

That is what I am reading from.

Mr. BYRD of West Virginia. Here is the $2,198,159.82.

Mr. ELLENDER. That is right.

Mr. BYRD of West Virginia. As the Senator has stated, but then it goes on to a check issued basis as of February 20, 1967, and it shows expenditures of a total of $2,074,828.

Mr. ELLENDER. Actual expenditures, yes.

Mr. LAUSCHE. The Senator from West Virginia is not attempting to criticize the figures given, he merely wants to make them accurate; is that not correct?

Mr. BYRD of West Virginia. Exactly.

Mr. LAUSCHE. But it does not make much difference whether it is $2,100,000 or $2 million even. The fact is it began as a $44,000 program, to be in existence only temporarily, and has grown into a $2 million program.

Mr. ELLENDER. It began in 1953 with $44,000. In 1954 it was $175,000 plus. In 1955, it was $155,000 plus. And so on down the line until 1967—this year—the amount asked for is $225,000. That is a projected amount. The number of employees has increased from 1953 from 4 to 20 at the present time.

Mr. President, these committees simply expand as they go on and get into more and more work. I know that there must be duplication among the various subcommittees of the Judiciary Committee. I am sure that my good friend from Ohio remembers when one of the subcommittees headed by one of the Senators on criminal laws and procedures pointed out that the President would send up to the Judiciary Committee legislation on criminal law. Now it happens that the distinguished Senator from Connecticut is now going to take jurisdiction of that and I was wondering what——

Mr. DODD. Just a minute——

Mr. ELLENDER. I am wondering whether the Criminal Laws and Procedures Committee, as well as other committees, which have been granted funds, will barge in and do much of the work that is now being done by the Subcommittee on Juvenile Delinquency.

Mr. DODD. May I answer now?

Mr. ELLENDER. Of course. I do not have much more to say on the subject.

Mr. DODD. The resolutions establishing these various subcommittees contain no conflict. They are considered at length. You will find no history of one committee barging in on the work of the others.

And, I should like to point out also, one *factor which I believe the Senator from* Louisiana has overlooked. Since I became chairman of this subcommittee, which is of course the only time I can speak for it—I was not even in the Senate in 1953, not by a good margin—but in 1961 we asked for $198,000 and we spent $191,000. In 1962 we asked for the same amount and we spent $182,000.

In 1963, we requested $188,000 and we spent $186,000. In 1964, we again asked for $188,000 but in the middle of that year, the Senator will remember that employees of the Federal Government received the most substantial pay increase in many years and this resulted in our asking for an addition of $17,000 to cover salaries of the staff who had been voted the pay raise by Congress. This happened to every other subcommittee, certainly of course to the Judiciary Committee.

Thus it has gone. If the Senator will look at these figures, this is the fact of the matter. In 1966 we asked for $260,000 for our activities, and $20,000 was to pay for salaries for two minority appointees. I do not object to their appointment. I think our members are hard working and are entitled to it, but they have asked for assistance and it makes sense to me because the burden of the work on the committee is very heavy.

Since I became chairman of this subcommittee, I have granted four authorized Federal pay raises, which has amounted to a total of 30.5-percent increase in the cost of maintaining the professional staff during the past 6 years.

An additional $20,000 has been added to satisfy the request of the minority for representation on the subcommittee.

This means that last year, compared to 1961, when I became chairman, we operated with essentially the same number of employees in the face of a 30-percent increase in salaries, a $20,000 increase in allowances for the minority and only a 20-percent—$40,000—increase in the overall subcommittee budget.

In view of the substantial contributions of the subcommittee to the country's crime and delinquency problem, I think we should be getting more money today instead of less.

Mr. ELLENDER. Well, how many minority members are on this committee now?

Mr. DODD. Three.

Mr. ELLENDER. Three. Is the Senator providing for more?

Mr. DODD. We have not asked to make provision for any more; so, therefore, my answer is "No."

Mr. ELLENDER. The Senator is asking for $225,000 in order to pay the 20 employees?

Mr. DODD. Yes, that is right. And also for the costs of investigations, studies, hearings, stenographic reporting, and all the things which have to be done.

Mr. President, let me say that this amount of money, as the Senator has pointed out, is not a substantial amount of money at all. Consider for a moment the report just made public by the Crime Commission. On many, many pages will be found references to the work of this subcommittee. *That is where a lot of* their information came from. I think the subcommittee has done more fundamental, hard, rockbottom work on this subject of delinquency than any other body that I know of in the entire country.

We have had some of the best advice and some of the best people working for us; and we have obtained results.

Here is this massive problem of juvenile delinquency. The Senator talks about former Senator Hendrickson of

New Jersey asking for this small amount of money. Let me tell the Senator that the problem in 1952 and 1953 was nothing like it is in 1967. It simply cannot be compared, because the problem of juvenile delinquency has mushroomed around us since that time.

We have tried to fight for statutes to help us resolve this problem. For instance, the Drug Abuse Control Act was one of the best pieces of legislation to come out of this subcommittee. My, how the drug industry fought that act under the table.

I have never talked about this publicly before, but it is a fact. I have not talked about all of this before, of how much our subcommittee has been wracked at every turn by opposition. I tell the Senate that the subcommittee has members on it who are the most efficient, hard-working members I have ever known.

I see the Senator from North Dakota, the Senator from Massachusetts, and the Senator from Michigan, and our friends on the other side of the aisle, in the Chamber. They will all tell us that the subcommittee should go on and should not be slashed at in this form.

Mr. KENNEDY of Massachusetts. Mr. President, will the Senator from Connecticut yield?

Mr. DODD. I yield.

Mr. KENNEDY of Massachusetts. I should like to identify myself with the comments just made by the Senator from Connecticut. I have served on the subcommittee for only about a year and a half now, but during that period of time I have been deeply impressed with the caliber of the subcommittee's work, the dedication of the chairman, and the competency of the staff itself.

I would certainly think that, if there ever was a time when we would be reminded of our responsibility in the Senate for problems of juvenile delinquency and youth crime, it has been dramatically made clear during this past weekend, when we had the release by the President's Commission on Law Enforcement and Administration of Justice of its study, "The Challenge of Crime in a Free Society." Chapter III of the report, relating to juvenile delinquency and crime among youth, reads, in part:

> America's best hope for reducing crime is to reduce juvenile delinquency and youth crime. In 1965 a majority of all arrests for major crimes against property were of people under 21, as were a substantial minority of arrests for major crimes against the person. The recidivism rates for young offenders are higher than those for any other age group. A substantial change in any one of these figures would make a substantial change in the total crime figures for the nation.

Throughout the report there is repeated reference to the problems of juvenile unrest, delinquency, and youth crime, and many of the Commission's recommendations relate directly to means for alleviating these problems. I think those of us who are concerned with crime should take the opportunity to study the report. I think we will realize that there are many suggestions made in that comprehensive report which will be food for future legislation.

I would certainly hope that over the next few weeks, when we have had a chance to delve into the matter, the subcommittee, which has spent a considerable amount of time on juvenile delinquency and unrest among the young, will be able to propose legislation which attacks the problem of crime among young people—for example, firearms legislation, which I have been interested in, and for which the Senator from Connecticut has been the principal spokesman.

Again I wish to identify myself with the comments of the Senator from Connecticut. The subcommittee has embarked into an extremely important and fruitful undertaking. I think the requests of the committee are completely reasonable and justifiable. I thank the Senator for yielding to me.

Mr. DODD. I appreciate what the Senator has said. He has made a great contribution to our work. Without him we could not have accomplished anything near what we have been able to do. He has been a stalwart on the committee in all its work.

Mr. BURDICK. Mr. President, will the Senator yield?

Mr. DODD. I am glad to yield to the Senator from North Dakota, a member of the subcommittee.

Mr. BURDICK. I wish to join my chairman in this request. I wish to ask a question of him. Back in 1952 or 1953, was there any problem on the campuses or in the cities of the country with regard to the use of drugs, or LSD?

Mr. DODD. That is a pertinent question. The problem was nowhere near what it is today. It is only in the last few years that we have run into this problem on our college campuses.

Mr. BURDICK. Would the Senator consider it as one of the serious social problems of the day?

Mr. DODD. I well know it. The Senator has chaired some of these hearings that we have been having, going into that question. He is acquainted with the problems of LSD.

Mr. BURDICK. Is it not also a fact that drug addiction has not disappeared?

Mr. DODD. It certainly has not.

Mr. BURDICK. And is not that one of the most serious social problems of this Nation?

Mr. DODD. It is one of the gravest problems, and a growing problem.

I have never suggested that what our committee does will eliminate the problem; but if the committee had not worked as hard as it has, only heaven knows what would have happened.

Mr. BURDICK. I thank the Senator.

Mr. DODD. I thank the Senator from North Dakota. I mean it when I say that he has been an outstanding member of the subcommittee. We have had a wonderful subcommittee, with members dedicated to their work and diligent in holding hearings. It is an excellent subcommittee.

Mr. HART. Mr. President, will the Senator yield?

Mr. DODD. I yield to the Senator from Michigan.

Mr. HART. The request for which the Senator from Connecticut raises his voice was unanimously adopted by the Judiciary Committee. Although this may sound self-serving, coming from a member of the committee, I think, if someone were interested in history, that 20 or 40 years from now—unless there is a cure for juvenile delinquency on the horizon—anyone reading what has been going on would wonder what the fuss was all about. History, and the verdict of the people, likely will be that we are not doing enough in support of legislation which has been guided by the Senator from Connecticut.

This is a subcommittee which I serve on with some reluctance. I happen to have eight children. One does not have to be a member of the Juvenile Delinquency Subcommittee to know that there is not any magic formula to know that child will become an adult without offending grievously the notion of what our society will require of a good citizen. So if one of ours slips, I will be more uncomfortable, having been a member of the Juvenile Delinquency Subcommittee.

I do not pretend that what we do on our subcommittee will guarantee parents that their children will come through as expected, but, in support of the request of the Senator from Connecticut, I would say that we would be subject to some criticism, I think, by parents of this country for what may tragically occur in the next 9 or 10 years if we do not do what we can. I support the Senator from Connecticut wholeheartedly.

Mr. DODD. I thank the Senator. I appreciate what he says. He has been of great assistance on the committee.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. DODD. I yield.

Mr. ELLENDER. I have a memorandum from Mr. Carl Perian——

Mr. DODD. Yes. Mr. Perian is staff director of the subcommittee. And I would like to say at this point that Mr. Perian is highly qualified to work in this field as are all of the professional staff members of the subcommittee. They have all had training and experience in criminology, law, probation, criminal investigation, and even child psychology. It is a well-rounded staff and I think they do a good job.

Mr. ELLENDER. The Senator mentioned hearings. How many hearings have been held?

Mr. DODD. All together, over how long a period?

Mr. ELLENDER. Let us take last year.

Mr. DODD. Fifteen days. There were a total of 49 witnesses heard. That is a good number of hearings, with 49 witnesses. I do not know how we could have done more. There is much preliminary staff work to be done before we get into that type of hearings. Witnesses cannot be called without first doing preliminary work. It takes time.

Mr. ELLENDER. How long were the hearings on the firearms bill?

Mr. DODD. I think the gun bill was fully heard in 1965.

Everyone knows all the facts that need to be known pro and con with respect to that bill. The Senator from Louisiana well knows what my attitude is.

The Senator may be interested to know that I received a letter from the chief of police of New Orleans, who seems to be interested in our work. He said he is undertaking a survey of the mail order gun business and wants our help and cooperation. We shall give that to him; the Senator can be sure of that. The New Orleans police department is a good police department. I mention this only because this is the kind of thing we want to do. We must ascertain the facts in as many places throughout the country as we can. We do not have a large enough staff to devote as much time to it as we should like, so we must rely on reports like that of the good chief of police of New Orleans. I picked him out because I thought the Senator from Louisiana would be interested to hear that that police department is interested.

Mr. ELLENDER. As I have said on many occasions, the problem of child delinquency will not be solved by legislation; it is at home where it will have to be done.

Mr. DODD. The Senator is correct in the last analysis; but there is much to be done to help to prevent it on the streets.

Mr. ELLENDER. How? It cannot be done by legislation. There are enough laws on the statute books now to deal with such problems, if those laws were enforced.

Mr. DODD. That has not been entirely true. We did not have a drug abuse act until recently. It is something new, designed to cope with the problem of the misuse of amphetamines and barbiturates.

Mr. ELLENDER. That is new.

Mr. DODD. It is new in the last few years. That problem could not be resolved in the home.

A drug manufacturer shipped one class of these drugs to a village in Mexico having 200 inhabitants. Hundreds of thousands of these pills were shipped there. When our staff investigated, they found that the manufacturer has shipped to that village in Mexico enough pills to put all of Mexico, indeed all of South America, to sleep.

They found that these pills were being sent to Mexico by the carload and then smuggled back across the Mexico-United States boundary and peddled to American boys and girls in our high schools.

The Senator can talk all he want to about training in the home; but if the Government does not step in to help, nothing will be done to reduce juvenile delinquency. We have had a hard time. The drug manufacturers fought hard to prevent the passage of the bill. They backed away because they did not want to have a full floor debate. That is why the bill is on the statute books. It will help the parents of the country, in their homes, to see to it that their children grow up right and do not become addicted to dreadful drugs. These problems cannot be cured in the kitchen.

Mr. ELLENDER. Mr. President, I notice that the committee has reduced the amount from $260,000 to $225,000. I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 2, lines 19 through 22, strike out the entire section 3 and insert the following language instead: "The committee shall make its final report together with its recommedations for legislation, as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1968, at which time the Subcommittee To Investigate Juvenile Delinquency shall be terminated insofar as additional funds shall be requested."

The PRESIDING OFFICER. The committee amendment has not been acted upon by the Senate, and that would be the next order of business.

The question is on agreeing to the committee amendment.

Mr. ELLENDER. That is reducing the amount?

The PRESIDING OFFICER. That is correct. Without objection, the committee amendment is agreed to.

The next question is on agreeing to the amendment offered by the Senator from Louisiana.

Mr. ELLENDER. Mr. President, the purpose of my amendment is simply to terminate this subcommittee at the end of this year. That is, the amendment provides that a report must be made on or before January 31, 1968, at which time the committee will be terminated.

Mr. President, many of the subcommittees of the Committee on the Judiciary can barge here and barge there, and take over work for each other. We have on the statute books, I think, very good drug addiction laws. What we lack is good enforcement of those laws. As I have stated, I believe that the Subcommittee on Criminal Laws and Procedures—which has been created and which has received money to carry on its work—is capable of looking into laws such as those mentioned by my good friend from Connecticut. It would seem to me that in this case as well as others, the chairmen of various subcommittees have gone all over the lot and gotten into many fields which, in my judgment, should be served by other subcommittees of the Committee on the Judiciary.

As I have often said, child delinquency will never be cured, and nothing can be done about it, unless action begins in the home. In my humble judgment, it would be well that any proposals submitted toward making more laws, or making existing laws more effective, be considered by other subcommittees of the Committee on the Judiciary.

I repeat, the purpose of this amendment is simply to put an end to the Subcommittee on Juvenile Delinquency. I believe it has served its purpose, and I hope the amendment will be agreed to.

Mr. DODD. Mr. President, may I be heard?

Mr. LAUSCHE. May I proceed first?

Mr. DODD. Go ahead.

Mr. LAUSCHE. Mr. President, I believe that this subcommittee has done excellent work under the leadership of the Senator from Connecticut. The subject which he has been studying undoubtedly is a very important one to our country. Unless you have obedience to law and order, you have anarchy; and with anarchy comes the loss of liberty. When the lawless are permitted to rule, democracy fails. You cannot have within a democracy any segment that is more powerful than the government itself; for when that occurs, government becomes subordinate, and the lawless become supreme. There must always be supremacy of the law, for when supremacy of the law fails, democracy goes out the window.

I again commend the Senator from Connecticut for his work. But one cannot lightly cast aside the argument made by the Senator from Louisiana that this committee has been in existence for 13 years. It started out with the commitment that it would file its final report in the session of Congress beginning in 1953. I know that the Senator from Connecticut was not here at that time. But that session passed, other sessions have come and gone, and the committee is still in existence.

Some constructive work, of course, has been done. More work may need to be done. But I now wish to state my thinking on what has been said by the Senator from Louisiana.

Are we able to make our people ethical and moral by the passing of laws? My own answer is that that will not achieve the end. The breakdown in law and morality has come about because there is a breakdown of the home. One out of four of our families in this country is breaking up through divorce; and when divorce invades the home, the children become deprived of a guidance which is indispensable in the building of character and morality.

I cannot illustrate what I wish to say better than by relating to the Senators on the floor a case which came before me while I presided, for 2 years, in the divorce court of Cleveland.

A contest developed between a mother and a father for the custody of a 12-year-old boy. The father asked for custody. The mother made a similar request.

I set the case down for hearing. The mother came in with her lawyer and the father came in with his lawyer. Young Mikie, the 12-year-old boy who was involved, sat in a chair at the side of the room. The principal contestants sat at the trial table.

Under the Ohio law, when the evidence proves that both parents are qualified for the custody—that is, that they are not drunkards and that they have a semblance of morale decency—the judge must ask the child: "With whom do you want to live?"

The mother proved that she was qualified. The father offered testimony that he was qualified. Finally it fell upon me to call Mikie to the witness stand. He took the stand and I asked him: "What is your name? How old are you? What school do you go to? What is your teacher's name?"

. I tried to put the boy in a comfortable mental state. I said to him: "Mikie, do you know why I have called you to the stand?"

The boy said: "Yes."

I asked him: "Why?"

He replied: "You want me to tell with whom I want to live, whether it is my father or mother."

I said, "That is what I want to ask you. With whom do you want to live?" He replied: "With both."

He needed both. He needed the firm

hand of the father and the guiding and loving hand of the mother, but he is not to have them.

I do not know what has happened to Mikie.

I concur with what the Senator from Louisiana has said, and I am sure that the Senator from Connecticut concurs with what the Senator said, that an effort must be made to rebuild the family life of our people.

If one out of four marriages breaks up in divorce, immorality and indifference to law and order will spread everywhere.

There are a few questions that ought to be asked, and I am not going to ask the Senator to answer them.

Some of the questions are:

"When did this problem on the campuses begin?

"Why are students defiant of the authority of the managers and administrators of the campuses?

"Has this disorder, violence, and challenge to authority had its inception within the last several years?"

Mr. ELLENDER. Mr. President, will the Senator yield so that I may request the yeas and nays?

Mr. LAUSCHE. I yield for that purpose.

Mr. ELLENDER. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. LAUSCHE. Mr. President, we ought to search our minds and ask ourselves:

"When did the situation become acute, and what is the cause of it?

"Have public officials encouraged demonstrations?

"Have they urged civil disobedience to achieve their ends?

"Have we had marches generally that have caused individuals to believe that they can proceed with demonstrations and achieve their objectives contrary to the will of those in authority?

"What about public officials enjoying immunity from criminal prosecution when other citizens are brought to account for their offenses?"

That is happening day after day.

We should ask our ourselves:

"What about blaming the police for brutality in every civil disobedience that arises and exculpating the participants in the demonstrations?

"What about the decisions of the Supreme Court that have thrown a barrier of protection around the criminal and thereby lessened the defense and protection of the innocent victim?"

These are the things that are significant. Laws can be passed, and I believe we will pass them, but over and above everything else there must be a reawakening of the moral fabric of our country if law and order is to be preserved.

I would say that law and order must be enforced everywhere by the courts.

We had a strike against the metropolitan transportation system in New York last year. Ten million people were affected. An order was served upon the union leaders telling them to quit their strike. The leader of the union tore up the order.

The strike was finished. What happened? Did anybody bring them into court and say: "You challenged law and order"? Not a single one did so.

If it had been some little Negro boy that had stolen an automobile, he would have been before that court without any hesitation whatsoever.

I suggest to the Senator from Louisiana with respect to this amendment that he make the termination date 1 year beyond that which he has suggested. That will give full time to act in the matter.

Mr. ELLENDER. Mr. President, I do not want to bind the 91st Congress. I am trying to terminate the matter within the first session of this Congress.

Mr. LAUSCHE. I feel that this should be terminated. That is with full respect for the Senator from Connecticut. I know that the Senator from Connecticut has been doing a great job, and I have been a sponsor on some of the proposals that he has advanced. The Senator need not express himself on this.

Mr. DODD. I should like to. I appreciate the gracious thoughts of the Senator, but I wish he would vote for a continuance of the committee.

I am sick of being loved to death.

Mr. ELLENDER. Mr. President, the committee will continue for this year. It would end, if the amendment is agreed to, on January 31, 1968.

Mr. DODD. That would mean the destruction of this committee and its whole program and the opportunity for the Senate to do anything about the problem of juvenile delinquency.

It would delight a lot of the enemies of the committee, and perhaps that is what is desired. However, the American people will not feel very good about it.

If any committee in the Senate ever did its work well, it has been this committee, and the results show it.

It should certainly never be wiped out in this fashion. I certainly hope that will not occur. It would be a disaster in my opinion, a disaster on the whole front of delinquency control and law enforcement and crime fighting.

Mr. HART. Mr. President, the figure as I understand it, is $225,000.

Mr. ELLENDER. The Senator is correct.

Mr. HART. Let me ask the chairman if he thinks that between now and the expiration date suggested by the amendment, January 1968, we will have exhausted our efforts and achieved success in one very little narrow effort that we are undertaking—the matter of developing—through whatever fashion we can—a really effective automotive ignition protection device.

Before some Senator jumps up and asks what that has got to do with juvenile delinquency, I would point out that one-fifth of all the kids in our State training schools are there because they stole a car.

Before somebody jumps up and suggests that the Criminal Law Subcommittee of the Committee on the Judiciary or the Subcommittee on Research of the Government Operations Committee or the Armed Services Committee can handle the matter, we must think of the number of servicemen who are in trouble and disgraced because a car was sitting out in the parking lot.

I do not quarrel with that. The hard truth is that the Juvenile Delinquency Subcommittee is in the process of trying to come up with an answer. I do not know whether there is an answer in sight. But I would ask my chairman if he sees any indication that it can be completed before the termination suggested here.

Remember, too, that 75 percent of the young men and women who are Federal juvenile delinquents are Federal juvenile delinquents because they stole a car and drove it across a State line. The parent could have lectured just as strongly and given just as strong an example over 15 years as a parent humanly could; but if the car sits there and if it is easy to jump the ignition, and if four kids are there and they are going to bring it back in an hour, there are going to be a lot of heartbreaks in some very good homes.

If we can come up with an answer to this one problem, at $225,000 or 10 times that, the value in terms of family life, as well as Federal correctional institutions, will be more than compensated.

Mr. DODD. The Senator is correct. It will take a long time to bring about the needed changes that will reduce our auto theft problem. And on yet another front, we have not even been able to get at the question of the use of the U.S. mails for the distribution of pornographic matter, which is one of the great problems confronting the Nation. We receive letters of complaint every day from parents all over the country. We have just started on this problem by trying to get better control over the use of the mails for this purpose.

Many of these matters will go by the board if this amendment is adopted.

Mr. President, the National Crime Commission released its report on February 18, dealing with every aspect of the crime and delinquency problem throughout the Nation.

I wish to point out to my colleagues that I can go down page by page in this document and identify sections that have their bases on the investigations and the reports of the Juvenile Delinquency Subcommittee.

I speak particularly of the section in the Commission's report dealing with firearms control, dealing with drug control, dealing with the setting up of the White House Conference on Narcotics, and dealing with estimates of the amount of delinquency throughout the Nation.

In all these areas, the Juvenile Delinquency Subcommittee has set forth new findings, unavailable from any other source, that have set the pace and lead the way to new thinking, new policies, and new developments in the crime control field.

I ask that my colleagues consider these contributions of the Juvenile Delinquency Subcommittee as they vote on our appropriation for the current year.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a list of legislation which was either enacted into law or passed by the

Senate which was acted on, by this subcommittee.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

Subcommittee Legislation Passed Into Law

YEAR 1955

S. 600—A bill to amend title 18 of the United States Code, relating to the mailing and transportation of obscene matter. Hearings held by the Juvenile Delinquency Subcommittee in 1955, and reported favorably. This bill was passed and became Public Law 95, 84th Congress, 1st Session, and was signed by the President on June 28, 1955.

YEAR 1957

S. 1659—A bill to enact the Uniform Reciprocal Enforcement of Support Act in the District of Columbia. Introduced as a result of hearings by the Juvenile Delinquency Subcommittee; referred to the Committee on the District of Columbia. Passed the Senate; signed into law by the President on July 10, 1957. (Public Law 85–94)

YEAR 1958

S. 2558—A bill to amend title 18, United States Code, to prohibit interstate traffic in switchblade knives and to prevent these instruments from falling into the hands of juveniles. Introduced as a result of hearings by the Juvenile Delinquency Subcommittee; referred to the Committee on Interstate and Foreign Commerce. Hearings were held and the bill was reported favorably and passed the Senate; signed into law by the President on August 12, 1958. (Public Law 85–623)

S. 3667—A bill to amend section 1461 of title 18 of the United States Code with respect to the mailing or causing the delivery by mail of obscene matter to minors. (Senators Kefauver and Langer; referred to the Committee on the Judiciary; H.R. 6239, a similar bill which had passed the House of Representatives, was also referred to the Senate Committee on the Judiciary; this bill (H.R. 6239) was amended, incorporating the provisions of S. 3667, and reported favorably; the amended bill passed the Senate; the House disagreed with the Senate amendments and the measure went to conference; the conference report was submitted and agreed to by both Houses; signed into law by the President on August 28, 1958. (Public Law 85–796)

YEAR 1961

S. 802—A bill to provide Federal assistance for the prevention, control, and treatment of juvenile delinquency. (Senators Dodd, Kefauver, Carroll, and Hart—referred to the Committee on Labor and Public Welfare.) Reported to Senate as S. 279 on April 6, 1961, Senate Report 144. Passed Senate April 12, 1961, and referred to House Committee on Education and Labor. Committee discharged. Passed House, amended, August 30, 1961. Senate agreed to House amendments September 11, 1961. Approved September 22, 1961. (Public Law 87–274)

S. 1953—A bill to amend section 5021 of title 18, United States Code, setting aside conviction of youth offenders released from probation. Passed into law, October 3, 1961. (Public Law 87–336)

YEAR 1962

S. 1691—A bill to provide that any juvenile who has been determined delinquent by a district court of the United States may be committed by the court to the custody of the Attorney General for observation and study. Passed into law, March 31, 1962. (Public Law 87–428)

YEAR 1963

S. 1319—A bill to amend chapter 35 of title 18, United States Code, with respect to the escape or attempted escape of juvenile delinquents. Passed into law, December 30, 1963. (Public Law 88–251)

Subcommittee Legislation Which Passed the Senate or Became Public Law—1964, 1965, 1966

YEAR 1964

S. 2628—"Psychotoxic Drug Control Act of 1964". Passed the Senate August 15, 1964, and referred to House Committee on Interstate and Foreign Commerce.

S. 1541—A bill to make unlawful certain practices in connection with the placing of minor children for permanent free care or for adoption. Passed the Senate, September 28, 1964.

SUMMARY REPORT OF LEGISLATION ACTED ON BY THE SENATE JUVENILE DELINQUENCY SUBCOMMITTEE DURING 1965

1. *"1965 Drug Control Amendments"* (*Public Law 89–74*): The Subcommittee devoted much effort to the final passage on July 8, 1965 of the "1965 Drug Control Amendments"—a law that was developed by the Subcommittee after several years of investigation into the uncontrolled and indiscriminate manufacture, sale and distribution of dangerous drugs.

2. *Exclusion of peyote from the 1965 drug amendments*: Further investigations were conducted with respect to the widespread smuggling of narcotics and dangerous drugs into this country from abroad with a new emphasis on the developing traffic in hallucinogenic drugs. As a result of this investigation the 1965 Drug Control Act was *amended to include peyote under its provisions.* Further legislation is being drafted to cover new drugs of addiction which are not included in the present Federal Law.

3. *Interstate adoption legislation*: The Senate passed Subcommittee Bill S. 624, the "Black Market Baby Bill" on March 22, 1965.

4. *"State Firearms Control Assistance Amendments of 1965"*: The Subcommittee held extensive hearings regarding the Administration's Bill S. 1592 which proposes sweeping revisions of the Federal Firearms Act. Hearings lasted 11 days during which 48 witnesses presented testimony before the Subcommittee. Because of the pointed opposition to this measure its consideration involved a large amount of research, travel, preparation and handling of correspondence by the staff of the Subcommittee.

5. *"The Narcotics Rehabilitation Act of 1965"*: During the latter part of the year the Subcommittee undertook preparation for the hearings with respect to S. 2152, "The Narcotic Addict Rehabilitation Act of 1965", introduced by the Chairman on behalf of the Administration. These hearings were commenced on January 25, 1966 and continued for several months into 1966.

SUMMARY REPORT OF LEGISLATION ACTED ON BY THE SENATE JUVENILE DELINQUENCY SUBCOMMITTEE DURING 1966

1. *"State Firearms Control Assistance Amendments of 1966":* The Subcommittee continued to consider the Administration's bill S. 1592 which proposed sweeping revisions of the Federal Firearms Act. Because of the pointed opposition to this measure its consideration involved a large amount of research, travel, preparation and handling of correspondence by the staff of the Subcommittee. This effort led to the passage of the bill by the Subcommittee.

2. *"The Narcotics Rehabilitation Act of 1966"* (P.L. 89–793): During 1966 the Subcommittee held 12 days of hearings with respect to S. 2152, "The Narcotic Addict Rehabilitation Act of 1966," introduced by the Chairman on behalf of the Administration. This measure was signed into law on November 8, 1966.

3. *S. 3183—A Bill Prescribing Criminal Penalties for Illegal Importation of Dangerous Drugs:* Based on its investigations the Subcommittee prepared this legislation which was introduced by the Chairman to reduce the traffic of stimulant and depressant drugs into the United States from Mexico.

Legislation in Preparation

1. *Stricter controls over the handling of LSD and other hallucinogenic drugs:* Based on extensive hearings in 1966, on the increasing abuse of LSD and similar substances, particularly among college students, the Subcommittee is considering strengthening the provisions of the Drug Abuse Control Amendments pertaining to hallucinogenic drugs. Such new amendments to this law would pertain specifically to the use and possession of this type drug.

2. *Legislation to help prevent auto theft:* In 1966, the Subcommittee began an investigation of the predominantly youthful crime of auto theft. This investigation has thus far resulted in legislative proposals to:

(1) Control the interstate sale and distribution of master auto keys

(2) Require built in anti-theft devices in newly produced automobiles

(3) Establish more effective federal-state cooperation and treatment programs for handling young auto theft offenders

3. *Legislation to help control the traffic in pornographic literature:* The presently uncontrolled compilation and distribution of mailing lists exposes the public, including one million young children in 1966 alone, to a large amount of obscene materials distributed through the mails and through mail-order channels.

The subcommittee presently is drafting two bills in this area. The first would regulate the commerce in mailing lists.

The second would provide parents and other persons who received pornographic solicitations in the mail to stop this practice through a series of judicial procedures which would be effected by the Post Office Department.

The PRESIDING OFFICER. The question is on agreeing to the amendment. The yeas and nays have been ordered.

Mr. ELLENDER. Mr. President, during the course of the debate on these resolutions last week, I pointed out that there were 39 resolutions requesting funds to pay employees during the current year. I should like to place in the RECORD at this point a document indicating the number of employees hired by the various subcommittees. For 1965, the document shows 349, for 1966 it shows 413, and for 1967 it shows 444, plus 21 permanent employees authorized by prior resolutions—a total of 465 employees, in addition to the 150 that are authorized by the Reorganization Act of 1946.

On another page, Mr. President, the number of employees on each standing committee is indicated, and I gave those figures during the debate last week.

I ask unanimous consent that both documents be printed in the RECORD at this point, in support of the statements that I made last week.

There being no objection, the documents were ordered to be printed in the RECORD, as follows:

Resolution employees

	1965	1966	1967
1. Aeronautics and Space	5	4	4
2. Armed Services	12	10	10
3. Banking and Currency	6	6	10
4. Housing and Urban Affairs	8	8	9
5. Commerce	30	30	34
6. Foreign Policy	9	16	18
7. Permanent Subcommittee on Investigations	25	24	26
8. Executive Reorganization	6	11	9
9. Foreign Aid Expenditures	4	12	10
10. Research and Development Programs	----	4	4
11. Intergovernmental Relations	9	9	10

***Resolution employees*—Continued**

	1965	1966	1967
12. National Security	9	9	3
13. Interior	6	6	8
14. Administrative Practice and Procedure	11	12	12
15. Antitrust and Monopoly	35	35	34
16. Constitutional Rights	16	16	16
17. Constitutional Amendments	5	9	9
18. Constitutional Separation of Powers (new subcommittee of Judiciary)	------	------	6
19. Criminal Laws and Procedure	------	7	7
20. Federal Charters	1	1	1
21. Judicial System	7	15	15
22. Immigration and Naturalization	10	10	10
23. Internal Security	28	32	32
24. Juvenile Delinquency	18	21	20
25. Penitentiaries	0	0	0
26. Patents	8	7	6
27. Refugees and Escapees	6	7	8
28. Statute Revision and Codification	3	3	3
29. Trading With Enemy	------	------	4
30. Labor and Public Welfare	17	17	23
31. Poverty (new subcommittee of Labor Committee)	------	------	9
32. Post Office and Civil Service	6	9	14
33. Public Works	4	5	8
34. Privileges and Elections	8	8	7
35. Standing Rules of the Senate	5	5	5
36. Small Business	10	12	11
37. Aging	14	14	14
38. Migratory Labor	8	7	7
39. Finance	------	12	6
Total	349	413	[1] 444

[1] There are additionally 21 permanent employees authorized by prior resolutions.

Committee employees, permanently authorized and requested by resolution for period Feb. 1, 1967 to Jan. 31, 1968, and additional committee budget

Committee	Number authorized and requested	Additional budget
Aeronautical and Space	14 (6 p., 8 c.)	$50,000.00
Agriculture and Forestry	10 (4 p., 6 c.)	------------
Armed Services	20 (10 p., 10 c.)	175,000.00
Banking and Currency	29 (18 p., 11 c.)	248,000.00
Commerce	44 (22 p., 22 c.)	475,000.00
District of Columbia	10 (4 p., 6 c.)	------------
Finance	22 (10 p., 12 c.)	196,255.80
Foreign Relations	34 (12 p., 22 c.)	323,127.90
Government Operations	75 (40 p., 35 c.)	967,230.09
Interior and Insular Affairs	18 (8 p., 10 c.)	105,000.00
Judiciary	198 (106 p., 92 c.)	2,566,897.81
Labor and Public Welfare	50 (24 p., 26 c.)	632,511.60
Post Office and Civil Service	25 (12 p., 13 c.)	210,479.21
Public Works	18 (8 p., 10 c.)	165,000.00
Rules and Administration	23 (11 p., 12 c.)	194,230.09
Small Business (Select)	11 (6 p., 5 c.)	145,000.00
Aging (Special)	14 (7 p., 7 c.)	200,000.00
Total authorized	615	------------
Employees authorized by 1946 Reorganization Act	150	------------
Employees authorized by special resolution	465	6,653,732.50
15 standing committee employees (4 p., 6 c.; $179,506)	------------	2,692,590.00
Appropriation Committee	------------	592,000.00
15 standing committee expenses ($10,000)	------------	150,000.00
Total cost	------------	10,088,322.50

Mr. ELLENDER. In addition to the number of employees, the latter document shows that the cost of the employees authorized by the special resolutions, aggregating 465 for the current year—that is, 1967—amounted to $6,653,732.50, and that the amount of money that can be spent by the 15 standing committees for the regular employees of those committees aggregates $2,692,590; for the Committee on Appropriations, $592,000; for the 15 standing committees with expenses for printing—that is, for hearings—$150,000. The grand total for the current year, 1967, is $10,088,322.50.

Mr. ALLOTT. Mr. President, a parliamentary inquiry. Are we operating under a time limitation?

The PRESIDING OFFICER. We are not.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ELLENDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ELLENDER. Mr. President, I ask unanimous consent that the request made for a yea-and-nay vote be set aside.

The PRESIDING OFFICER. Without objection, the order for the yeas and nays will be rescinded.

Mr. ALLOTT. Mr. President——

The PRESIDING OFFICER. Is the Senator from Colorado objecting?

Mr. ALLOTT. I wish to be recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DODD. Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. The amendment of the Senator from Louisiana is the pending business.

Mr. DODD. And that will be by voice vote?

The PRESIDING OFFICER. It will be by voice vote. The order for the yeas and nays has been rescinded.

Mr. DODD. Could we have that vote now, Mr. President?

The PRESIDING OFFICER. The Senator from Colorado has asked for the floor.

PREDATORY PRICING

Mr. ALLOTT. Mr. President, as one who remains a firm believer in a fair and broadly competitive capitalistic system, and the preservation of that system, I am happy to add my name as a cosponsor to S. 877, introduced by the distinguished junior Senator from Alabama [Mr. SPARKMAN].

I have done so because I believe that this bill will do much to help preserve our capitalistic system by providing a much needed and effective private means of dealing with predatory pricing—a practice already outlawed by the laws of the United States.

"Predatory pricing" is defined and condemned as the practice of instituting sales "at unreasonably low prices for the purpose of destroying competition."

It is this potential destruction of competition that disturbs me, and it is my belief that additional legislative steps must be taken to assist in containing it.

I am concerned with the future and the very existence of small business in this country. The records of previous hearings on similar bills have reflected many examples of predatory pricing and their destructive results, and clearly indicate the need for adequate private judicial relief. The businessman of tomorrow would hardly dare to venture new capital in the competitive market without better protection from predatory pricing raids than presently exists.

And, finally, I am concerned about the future of the consumer if competition continues to be blighted by predatory pricing. It is axiomatic that fair and honest price competition remains the touchstone upon which consumers may reasonably depend for fair prices under our system. This bill is designed to help eliminate one of the contributing factors to that blight. Thus, the bill is both in the interest of the consumer as well as the small businessman. The elimination of predatory pricing is essential to the preservation of our system of free enterprise, and we must continually guard against monopolistic control of our economy. In my opinion, the enactment of S. 877 will serve these important purposes.

LITHUANIAN INDEPENDENCE

Mr. ALLOTT. Mr. President, two anniversaries this week are worthy of note. The first commands glory, for it is the 49th anniversary of the Declaration of Independence of the people of Lithuania.

The second is hardly cause for celebration, however, for it is 22 years this week since the fate of Lithuania was sealed and the freedom and independence of millions of other Eastern European people destroyed.

For just 23 years, the brave people of Lithuania enjoyed freedom until it was snatched from them by the Soviet Union.

We in the United States, who so often take freedom for granted, should heed the example of the Lithuanian people. They still cling to the hope that their land will once again be free, even though their every action toward freedom invites persecution.

It is well for the United States, herself locked in a deadly struggle with Communist aggression far from her shores, to heed and take heart from the spirit of freedom and determination still burning in the hearts of the Lithuanian people.

Would that we could offer some immediate hope or some immediate solution to their enslavement. However, immediate or not, it should be the official policy of this Government, just as it has been the sense of Congress, to free Lithuania from the rule of tyranny.

Toward that end we join with Lithuanians everywhere in the celebration of the anniversary of their independence.

JUVENILE DELINQUENCY

The Senate resumed the consideration of Senate Resolution 35.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Louisiana [Mr. ELLENDER]. [Putting the question.]

The amendment was rejected.

Mr. ELLENDER. Mr. President, I ask unanimous consent that following the vote on my amendment to Senate Resolution 35, the RECORD show that I voted in the affirmative.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is an agreeing to the resolution, as amended.

The resolution (S. Res. 35) as amended, was agreed to, as follows:

S. RES. 35

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdictions specified by rule XXV of the Standing Rules of the Senate, to examine, investigate, and make a complete study of any and all matters pertaining to juvenile delinquency in the United States, including (a) the extent and character of juvenile delinquency in the United States and its causes and contributing factors; (b) the adequacy of existing provisions of law, including chapters 402 and 403 of title 18 of the United States Code, in dealing with youthful offenders of Federal laws; (c) sentences imposed on, or other correctional action taken with respect to, youthful offenders by Federal courts, and (d) the extent to which juveniles are violating Federal laws relating to the sale or use of narcotics.

SEC. 2. For the purposes of this resolution, the committee, from February 1, 1967, to January 31, 1968, inclusive, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized to select one person for appointment, and the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation, as it deems advisable, to the Senate at the earliest practicable date, but not later than January 31, 1968.

SEC. 4. Expenses of the committee, under this resolution, which shall not exceed $225,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

RESOLUTIONS PLACED ON THE TABLE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that Calendar Orders Nos. 1 and 3, Senate Resolutions 6 and 7, respectively, be ordered to lie on the table. This proposed action has been cleared with and approved by the principal sponsors of each of these resolutions.

The PRESIDING OFFICER. Without objection, the two resolutions will lie on the table.

LEGISLATIVE REORGANIZATION ACT OF 1967

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which will be stated.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 355) to improve the operation of the legislative branch of the Federal Government, and for other purposes.

AMENDMENT OF NATIONAL HOUSING ACT, AND OTHER LAWS RELATING TO HOUSING AND URBAN DEVELOPMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside, and that the Senate proceed to the consideration of Calendar No. 59, Senate Joint Resolution 42.

The PRESIDING OFFICER. Without objection, it is so ordered. The resolution will be stated.

The ASSISTANT LEGISLATIVE CLERK. A resolution (S.J. Res. 42) to amend the National Housing Act, and other laws relating to housing and urban affairs, to correct certain obsolete references.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution (S.J. Res. 42) was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S.J. RES 42

Joint resolution to amend the National Housing Act, and other laws relating to housing and urban development, to correct certain obsolete references

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the National Housing Act is amended—

(1) by striking out "Federal Housing Administration" each place it appears and inserting in lieu thereof "Department of Housing and Urban Development";

(2) by striking out "Federal Housing Commissioner" each place it appears and inserting in lieu thereof "Secretary of Housing and Urban Development";

(3) by striikng out "Commissioner" each place it appears and inserting in lieu thereof "Secretary"; and

(4) by striking out "Commissioner's" each place it appears and inserting in lieu thereof "Secretary's".

(b) The heading of section 1 of such Act is amended by striikng out "CREATION OF FEDERAL HOUSING ADMINISTRATION" and inserting in lieu thereof "ADMINISTRATIVE PROVISIONS".

(c)(1) The first sentence of section 1 of such Act is amended to read as follows: "The powers conferred by this Act shall be exercised by the Secretary of Housing and Urban Development (hereinafter referred to as the 'Secretary')."

(2) The next to the last sentence of such section is amended by striking out "Administration" and inserting in lieu thereof "Department".

(d) Sections 2(c)(2), 204(g), 604(g), and 904(f) of such Act are amended by striking out "the Commissioner or by any Assistant Commissioner" and inserting in lieu thereof "an officer".

(e) The first sentence of section 206 of such Act is amended by striking out "shall be deposited" and inserting in lieu thereof "related to insurance under section 203 shall be deposited".

(f) The first sentence of section 209 of such Act is amended by adding "in connection with the insurance programs" after "made".

(g) Section 220(d)(1)(A) of such Act is amended—

(1) by striking out "Housing and Home Finance Administrator" each place it appears and inserting in lieu thereof "Secretary of Housing and Urban Development";

(2) by striking out "Administrator" each place it appears and inserting in lieu thereof "Secretary";

(3) by striking out "certification to the Commissioner" and inserting in lieu thereof "determination"; and

(4) by striking out "certified to the Commissioner" each place it appears and inserting in lieu thereof "determined".

(h) Section 223(a)(2) of such Act is amended—

(1) by striking out "Public Housing Administration" and inserting in lieu thereof "Secretary of Housing and Urban Development"; and

(2) by striking out "and Administration" and inserting in lieu thereof "Secretary".

(i) The heading of section 226 of such Act is amended by striking out "FHA".

(h) Section 223(a)(2) of such Act is amended by striking out "a constituent agency of the Housing and Home Finance Agency" and inserting in lieu thereof "in the Department of Housing and Urban Development".

(2) The last sentence of section 303(a) of such Act is amended by striking out "Secretary's" and inserting in lieu thereof "Secretary of the Treasury's".

(k) Section 306(e) of such Act is amended by striking out "Housing and Home Finance Agency or its Administrator, or by such Agency's constituent units or agencies or the heads thereof" and inserting in lieu thereof "Secretary of Housing and Urban Development".

(l) Sections 303(g) and 308 of such Act are amended by striking out "Housing and Home Finance Administrator" and inserting in lieu thereof "Secretary of Housing and Urban Development".

(m) Section 308 of such Act is further amended by striking out "said Administrator" each place it appears and inserting in lieu of thereof "the Secretary".

(n) The third paragraph of section 603(a) of such Act is amended by striking out "in any field office of" and inserting in lieu thereof "by".

(o) The second paragraph of section 610 of such Act is amended—

(1) by striking out "Public Housing Administration" and inserting in lieu thereof "Secretary"; and

(2) by striking out "said Administration" and inserting in lieu thereof "Secretary".

(p) Section 803(b)(2) of such Act is amended—

(1) by striking out "Secretary or his designee" in the first sentence and inserting in lieu thereof "Secretary of Defense or his designee";

(2) by striking out "certified by the Secretary" in the third sentence and inserting in lieu thereof "certified by the Secretary of Defense";

(3) by striking out "require the Secretary" in the third sentence and inserting in lieu thereof "require the Secretary of Defense"; and

(4) by striking out "Secretary to guarantee" in the fourth sentence and inserting in lieu thereof "Secretary of Defense to guarantee".

(q) Section 807 of such Act is amended by striking out the second sentence.

(r) Section 809 of such Act is amended—

(1) by striking out "Secretary or his designee" in subsections (a) and (b) and inserting in lieu thereof "Secretary of Defense or his designee";

(2) by striking out "Secretary to guarantee" in subsection (b) and inserting in lieu thereof "Secretary of Defense to guarantee";

(3) by striking out "'Secretary or his designee', and 'Secretary'" in subsection (g)(2)(i) and inserting in lieu thereof "'Secretary of Defense or his designee', and 'Secretary of Defense'"; and

(4) by striking out "such Administration" in both places it appears in subsection (g)(2)(iii) and inserting in lieu thereof "the National Aeronautics and Space Administration".

(s) Section 903(a) of such Act is amended by striking out "Housing and Home Finance Administrator" and inserting in lieu thereof "Secretary of Housing and Urban Development".

(t) Section 903(d) of such Act is amended by striking out ", with the approval of the Housing and Home Finance Administrator,".

(u) Section 1003(b)(3) of such Act is amended by striking out "Housing and Home Finance Administrator" and inserting in lieu thereof "Secretary".

SEC. 2. (a) The United States Housing Act of 1937 is amended by striking out "Administrator" each place it appears and inserting in lieu thereof "Secretary".

(b) Section 3 of such Act is amended to read as follows:

"UNITED STATES HOUSING AUTHORITY

"SEC. 3. There is hereby created in the Department of Housing and Urban Development a body corporate of perpetual duration to be known as the United States Housing Authority, which shall be an agency and instrumentality of the United States. The functions, powers, and duties of the Authority are vested in and shall be exercised by the Secretary of Housing and Urban Development (hereinafter referred to as the 'Secretary'). No officer or employee of the Department of Housing and Urban Development, in the performance of any such functions, powers, or duties, shall participate in any matter affecting his personal interest or the interest of any corporation, partnership, or association in which he is directly or indirectly interested."

(c) Section 4 of such Act is amended by striking out subsections (a) and (b) and redesignating subsections (c) and (d) as subsections (a) and (b).

(d) Section 5(b) of such Act is amended by striking out "shall sue" and inserting in lieu thereof "may sue".

(e) Section 5 of such Act is further amended by striking out subsection (c) and redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

(f) Section 7(b) of such Act is amended—

(1) by striking out "Housing and Home Finance Administrator" and inserting in lieu thereof "Secretary"; and

(2) by striking out "Housing and Home Finance Agency" and inserting in lieu thereof "Department of Housing and Urban Development".

(g) Section 13(b) of such Act is amended by striking out "4(d)" and inserting in lieu thereof "4(b)".

(h) Section 16(1) of such Act is amended by striking out "suits shall" in the proviso and inserting in lieu thereof "suits may".

(i) Section 16 of such Act is further amended by striking out paragraphs (3) and (4) and redesignating paragraph (5) as paragraph (3).

(j) Section 22(b) of such Act is amended by striking out "first" in the proviso.

SEC. 3. Section 20 of the District of Columbia Redevelopment Act of 1945 is amended—

(1) by striking out "Housing and Home Finance Administrator (hereafter in this section referred to as the Administrator)" in subsection (a) and inserting in lieu thereof "Secretary of Housing and Urban Development (hereinafter in this section referred to as the Secretary)"; and

(2) by striking out "Administrator" each place it appears and inserting in lieu thereof "Secretary".

SEC. 4. Section 101 of the Government Corporation Control Act is amended by striking out "Federal Public Housing Authority (or Public Housing Administration)" and inserting in lieu thereof "United States Housing Authority".

SEC. 5. (a) Section 301 of the Housing Act of 1948 is amended—

(1) by striking out "Housing and Home Financing Administrator" and inserting in lieu thereof "Secretary of Housing and Urban Development";

(2) by striking out "Administrator" each place it appears in subsections (a) and (b) and inserting in lieu thereof "Secretary"; and

(3) by striking out the last two sentences of subsection (a).

(b) Section 302 of such Act is amended by striking out "Administrator" each place it appears and inserting in lieu thereof "Secretary".

(c) Section 304 of such Act is repealed.

(d) Section 502 of such Act is amended—

(1) by striking out "Housing and Home Finance Administrator" in subsection (a) and inserting in lieu thereof "Secretary of Housing and Urban Development";

(2) by striking out "Administrator" each place it appears in subsection (a) and inserting in lieu thereof "Secretary";

(3) by striking out the next to the last sentence in subsection (a);

(4) by striking out "Public Housing Administration" each place it appears in the first and fourth sentences of subsection (b) and inserting in lieu thereof "United States Housing Authority";

(5) by striking out "Administration" each place it appears in the third sentence of subsection (b) and inserting in lieu thereof "Authority";

(6) by striking out "shall sue" in the first sentence of subsection (b) and inserting in lieu thereof "may sue";

(7) by striking out the second sentence of subsection (b);

(8) by striking out "Housing and Home Finance Administrator, the Home Loan Bank Board" where it first appears in subsection (c) and inserting in lieu thereof "Secretary of Housing and Urban Development and the Federal Home Loan Bank Board";

(9) by striking out "Home Loan Bank Board), the Federal Housing Commissioner, and the Public Housing Commissioner" in subsection (c) and inserting in lieu thereof "Federal Home Loan Bank Board)";

(10) by striking out "Housing and Home Finance Administrator, the Home Loan Bank Board, the Federal Housing Commissioner, and the Public Housing Commissioner" in subsection (c)(3) and inserting in lieu thereof "Secretary of Housing and Urban Development and the Federal Home Loan Bank Board";

(11) by striking out "said officers or agencies" in subsection (c)(3) and inserting in lieu thereof "such officer or agency";

(12) by striking out "Housing and Home Finance Administrator, the Federal Housing Commissioner, and the Public Housing Commissioner, respectively, may utilize funds made available to them" in subsection (d) and inserting in lieu thereof "Secretary of Housing and Urban Development may utilize funds made available to him"; and

(13) by striking out "of the respective agencies" in subsection (d).

SEC. 6. (a) Section 2 of the Housing Act of 1949 is amended by striking out "The Housing and Home Finance Agency and its constituent agencies" and inserting in lieu thereof "The Department of Housing and Urban Development".

(b) Title I of such Act is amended by striking out "Administrator" each place it appears and inserting in lieu thereof "Secretary".

(c) Section 101 (c) of such Act is amended by striking out "to the constituent agencies affected".

(d) The last sentence of section 103(b) of such Act is amended by striking out "paid or accrued to the Secretary" and inserting in lieu thereof "paid or accrued to the Secretary of the Treasury".

(e) Section 106(a) of such Act is amended by striking out paragraph (1) and redesignating paragraphs (2) and (3) as (1) and (2), respectively.

(f) Section 107(b) of such Act is amended by striking out "Public Housing Commissioner" and inserting in lieu thereof "Secretary of Housing and Urban Development".

(g) Section 110(j) of such Act is amended to read as follows:

"(j) 'Secretary' means the Secretary of Housing and Urban Development".

(h) Section 601 of such Act is amended (A) by striking out "The Housing and Home Finance Administrator and the head of each constituent agency of the Housing and Home Finance Agency" and inserting in lieu thereof "The Secretary of Housing and Urban Development", and (B) by striking out "each" and inserting in lieu thereof "he".

(i) Section 605 of such Act is repealed.

(j) Section 612 of such Act is amended by striking out "Housing and Home Finance Agency" each place it appears and inserting in lieu thereof "Department of Housing and Urban Development".

SEC. 7. Section 602(d)(11) of the Federal Property and Administrative Services Act of 1949 is amended by striking out "the Housing and Home Finance Agency, or any officer or constituent agency therein," and inserting in lieu thereof "the Department of Housing and Urban Development or any officer thereof".

SEC. 8. (a) Title IV of the Housing Act of 1950 is amended by striking out "Administrator each place it appears and inserting in lieu thereof "Secretary".

(b) Section 402(c)(2) of such Act is amended by striking out "Federal Security Agency" and inserting in lieu thereof "Department of Health, Education, and Welfare".

(c) Section 404(f) of such Act is amended to read as follows:

"(f) 'Secretary' means the Secretary of Housing and Urban Development."

(d) Section 507 of such Act is amended—

(1) by striking out "Public Housing Administration" and inserting in lieu thereof "Secretary of Housing and Urban Development", and

(2) by striking out "said Administration" and inserting in lieu thereof "the Secretary".

(e) Section 508 of such Act is amended by striking out "Federal Housing Commissioner" and inserting in lieu thereof "Secretary of Housing and Urban Development".

SEC. 9. Section 304 of the Territorial Enabling Act of 1950 is amended by striking out "Housing and Home Finance Administrator" and inserting in lieu thereof "Secretary of Housing and Urban Development".

SEC. 10. (a) Sections 312, 314, 701, and 702 of the Housing Act of 1954 are amended by striking out "Administrator" each place it appears and inserting in lieu thereof "Secretary".

(b) Section 125 of such Act is amended by striking out "Commissioner" in both places where it appears and inserting in lieu thereof "Secretary of Housing and Urban Development".

(c) Section 314(a) of such Act is amended by striking out "Housing and Home Finance

Administrator" and inserting in lieu thereof "Secretary of Housing and Urban Development".

(d) Section 703 of such Act is amended by striking out clause (2) and inserting in lieu thereof "(2) the term 'Secretary' shall mean the Secretary of Housing and Urban Development;".

(e) Section 801 of such Act is amended—

(1) by striking out "Federal Housing Commissioner" each place it appears and inserting in lieu thereof "Secretary of Housing and Urban Development"; and

(2) by striking out "Commissioner" each place it appears and inserting in lieu thereof "Secretary".

(f) Section 802(a) of such Act is amended—

(1) by striking out "FHA";

(2) by striking out "Housing and Home Finance Administrator" and inserting in lieu thereof "Secretary of Housing and Urban Development"; and

(3) by striking out "Housing and Home Finance Agency" and inserting in lieu thereof "Department of Housing and Urban Development".

(g) Section 811 of such Act is amended by striking out "Housing and Home Finance Agency, including its constituent agencies" and inserting in lieu thereof "Department of Housing and Urban Development".

(h) Section 814 of such Act is amended—

(1) by striking out "Federal Housing Commissioner" and inserting in lieu thereof "Secretary of Housing and Urban Development";

(2) by striking out "Housing and Home Finance Agency (or any official or constituent thereof)" and inserting in lieu thereof "Department of Housing and Urban Development";

(3) by striking out "Housing and Home Finance Agency (or such official or constituent thereof)" and inserting in lieu thereof "Department of Housing and Urban Development"; and

(4) by striking out "Housing and Home Finance Agency or any official or constituent agency thereof" and inserting in lieu thereof "Department of Housing and Urban Development".

(i) Section 816 of such Act is amended by striking out "Public Housing Commissioner" and inserting in lieu thereof "Secretary of Housing and Urban Development".

(j) Section 817 of such Act is amended—

(1) by striking out "Housing and Home Finance Administrator" and inserting in lieu thereof "Secretary of Housing and Urban Development"; and

(2) by striking out "Housing and Home Finance Agency" and inserting in lieu thereof "Department of Housing and Urban Development".

SEC. 11. Sections 32 and 62 a. of the Atomic Energy Community Act of 1955 are amended by striking out "Federal Housing Commissioner" each place it appears and inserting in lieu thereof "Secretary of Housing and Urban Development".

SEC. 12. (a) Section 113 of the Housing Amendments of 1955 is repealed.

(b) Title II of such amendments is amended by striking out "Administrator" each place it appears and inserting in lieu thereof "Secretary".

(c) Section 202(a) of such amendments is amended by striking out "Housing and Home Finance Administrator" and inserting in lieu thereof "Secretary of Housing and Urban Development".

(d) Section 403 of such amendments is amended by striking out "Commissioner" each place it appears and inserting in lieu thereof "Secretary of Housing and Urban Development".

(e) Section 404 of such amendments is amended—

(1) by striking out "Federal Housing Commissioner" each place it appears and inserting in lieu thereof "Secretary of Housing and Urban Development";

(2) by striking out "Federal Housing Commissioner's" in subsection (a) and inserting in lieu thereof "Secretary of Housing and Urban Development's"; and

(3) by striking out "Commissioner" each place it appears in subsection (a) and inserting in lieu thereof "Secretary of Housing and Urban Development".

(f) Section 406 of such amendments is amended—

(1) by striking out "Public Housing Administration" and inserting in lieu thereof "Secretary of Housing and Urban Development";

(2) by striking out "Federal Housing Commissioner" and inserting in lieu thereof "Secretary of Housing and Urban Development"; and

(3) by striking out "Federal Housing Administration" and inserting in lieu thereof "Department of Housing and Urban Development".

(g) Section 409(a) of such amendments is amended by striking out "or 'Secretary'."

(h) Title IV of such amendments is further amended by inserting "of Defense" after "Secretary"—

(1) in the fourth and sixth sentences of section 403(a);

(2) in section 403(b);

(3) in the last three sentences of section 403(d);

(4) in the proviso in section 404(a);

(5) in the next to last sentence of section 404(c)(2);

(6) where it first appears in section 404(e);

(7) in the third proviso in section 406; and

(8) in the last two sentences of section 406.

SEC. 13. (a) Section 104(d) of the Housing Act of 1956 is amended by striking out "Housing and Home Finance Administrator" and inserting in lieu thereof "Secretary of Housing and Urban Development".

(b) Section 602 of such Act is amended—

(1) by striking out "Housing and Home Finance Administrator" in subsection (a) and inserting in lieu thereof "Secretary of Housing and Urban Development";

(2) by striking out "administrator" each place it appears and inserting in lieu thereof "Secretary"; and

(3) by striking out "Housing and Home Finance Agency" in subsection (c) and inserting in lieu thereof "Department of Housing and Urban Development".

SEC. 14. (a) Section 104 of the Housing Act of 1957 is amended by striking out "Federal Housing Commissioner" and inserting in lieu thereof "Secretary of Housing and Urban Development".

(b) Section 604 of such Act is amended—

(1) by striking out "Housing and Home Finance Administrator" and inserting in lieu thereof "Secretary of Housing and Urban Development"; and

(2) by striking out "Housing and Home Finance Agency" and inserting in lieu thereof "Department of Housing and Urban Development".

(c) Section 605 of such Act is amended—

(1) by striking out "Federal Housing Commissioner" and inserting in lieu thereof "Secretary of Housing and Urban Development"; and

(2) by striking out "Commissioner" and inserting in lieu thereof "Secretary".

SEC. 15. (a) Sections 52, 53, and 56 of the Alaska Omnibus Act are amended by striking out "Housing and Home Finance Administrator" and inserting in lieu thereof "Secretary of Housing and Urban Development".

(b) Section 53 of such Act is further amended by striking out "Administrator" in the second paragraph and inserting in lieu thereof "Secretary".

SEC. 16. (a) Section 202 of the Housing Act of 1959 is amended—

(1) by striking out "Administrator" each place it appears and inserting in lieu thereof "Secretary";

(2) by striking out in subsection (c)(2) ", except" and all that follows down through and including "section 513"; and

(3) by changing subsection (d)(6) to read as follows:

"(6) The term 'Secretary' means the Secretary of Housing and Urban Development."

(b) Section 306(b) of such Act is amended—

(1) by striking out "Housing and Home Finance Administrator" and inserting in lieu thereof "Secretary of Housing and Urban Development"; and

(2) by striking out "Administrator" and inserting in lieu thereof "Secretary".

(c) Section 802(a) and 808 of such Act are amended by striking out "Housing and Home Finance Administrator" and inserting in lieu thereof "Secretary of Housing, and Urban Development".

SEC. 17. Section 5 of the Act of September 8, 1960 (74 Stat. 872), is amended by striking out "Housing and Home Finance Administrator" and inserting in lieu thereof "Secretary of Housing and Urban Development".

SEC. 18. (a) Sections 207 and 312 of the Housing Act of 1961 are amended by striking out "Housing and Home Finance Administrator" and inserting in lieu thereof "Secretary of Housing and Urban Development".

(b) Section 312 of such Act is further amended by striking out "Administrator" and inserting in lieu thereof "Secretary".

(c) Title VII of such Act is amended by striking out "Administrator" each place it appears and inserting in lieu thereof "Secretary".

(d) Section 702(a) of such Act is amended by striking out "Housing and Home Finance Administrator (hereinafter referred to as the 'Administrator')" and inserting in lieu thereof "Secretary of Housing and Urban Development (hereinafter referred to as the 'Secretary')".

(e) Section 905 of such Act is amended—

(1) by striking out "Housing and Home Finance Administrator and the Public Housing Administration are" and inserting in lieu thereof "Secretary of Housing and Urban Development is"; and

(2) by striking out "Administration" both places it appears and inserting in lieu thereof "Secretary".

SEC. 19. Section 2 of the Senior Citizens Housing Act of 1962 is amended by striking out "Housing and Home Finance Agency" in the second sentence and inserting in lieu thereof "Department of Housing and Urban Development".

SEC. 20. (a) The Urban Mass Transportation Act of 1964 is amended by striking out "Administrator" each place it appears and inserting in lieu thereof "Secretary".

(b) Section 12(c)(3) of such Act is amended to read as follows:

"(3) the term 'Secretary' means the Secretary of Housing and Urban Development;".

SEC. 21. (a) Section 107(g) of the Housing Act of 1964 is amended by striking out "Federal Housing Commissioner" and inserting in lieu thereof "Secretary of Housing and Urban Development".

(b) Section 312 of such Act is amended—

(1) by striking out "Administrator" each place it appears and inserting in lieu thereof "Secretary";

(2) by striking out "Housing and Home Finance Administrator" in subsection (a) and inserting in lieu thereof "Secretary of Housing and Urban Development";

(3) by changing subsection (b)(4) to read as follows:

"(4) the term 'Secretary' means the Secretary of Housing and Urban Development."; and

(4) by striking out "Federal Housing Commissioner" in subsection (c)(4)(A) and inserting in lieu thereof "Secretary of Housing and Urban Development".

(c) Section 318 of such Act is amended by striking out "Housing and Home Finance

Administrator" and inserting in lieu thereof "Secretary of Housing and Urban Development".

(d) Title VIII of such Act is amended by striking out "Administrator" each place it appears and inserting in lieu thereof "Secretary".

(e) Section 805(a) of such Act is amended by striking out "'Administrator' means the Housing and Home Finance Administrator" and inserting in lieu thereof "'Secretary' means the Secretary of Housing and Urban Development".

(f) Section 810 of such Act is amended by striking out "Housing and Home Finance Administrator" in subsections (a) and (b) and inserting in lieu thereof "Secretary of Housing and Urban Development".

(g) Section 1005 of such Act is amended—

(1) by striking out "Federal Housing Commissioner" and inserting in lieu thereof "Secretary of Housing and Urban Development"; and

(2) by striking out "Federal Housing Administration" and inserting in lieu thereof "Department of Housing and Urban Development".

(h) Section 1006 of such Act is amended by striking out "Public Housing Commissioner" and inserting in lieu thereof "Secretary of Housing and Urban Development".

(i) Section 1007 of such Act is amended—

(1) by striking out "Housing and Home Finance Administrator and the Public Housing Commissioner are" each place it appears and inserting in lieu thereof "Secretary of Housing and Urban Development is"; and

(2) by striking out "Public Housing Administration" and inserting in lieu thereof "Secretary".

Sec. 22. (a) The Housing and Urban Development Act of 1965 is amended by striking out "Administrator" each place it appears in sections 101 (c), (d), (e), and (g); 301(b); 313(b); 315(a)(8); 402; and 404(a), and inserting in lieu thereof in each instance "Secretary".

(b) Title VII of such Act is amended by striking out "Administrator" each place it appears and inserting in lieu thereof "Secretary".

(c) Section 101 of such Act is amended—

(1) by striking out "Housing and Home Finance Administrator (hereinafter referred to as the 'Administrator')" in subsection (a) and inserting in lieu thereof "Secretary of Housing and Urban Development (hereinafter referred to as the 'Secretary')"; and

(2) by striking out all of the second sentence of subsection (g) and inserting in lieu thereof "Nothing contained in this section shall affect the authority of the Secretary of Housing and Urban Development with respect to any housing assisted under this section, section 221(d)(3), or section 231 (c)(3) of the National Housing Act, or section 202 of the Housing Act of 1959, including the authority to prescribe occupancy requirements under other provisions of law or to determine the portion of such housing which may be occupied by qualified tenants."

(d) Section 301 of such Act is amended by striking out "Housing and Home Finance Administrator" in the third sentence of subsection (a) and inserting in lieu thereof "Secretary of Housing and Urban Development".

(e) Section 315 of such Act is amended—

(1) by striking out "Housing and Home Finance Administrator" in subsection (a)(8) and inserting in lieu thereof "Secretary of Housing and Urban Development";

(2) by striking out "Housing and Home Finance Administrator and Public Housing Commissioner are" in subsections (b)(1) and (b)(2) and inserting in lieu thereof "Secretary of Housing and Urban Development is"; and

(3) by striking out "Public Housing Administration" in subsection (b)(1) and inserting in lieu thereof "Secretary".

(f) Section 401(5) of such Act is amended to read as follows:

"(5) the term 'Secretary' means the Secretary of Housing and Urban Development."

(g) Section 702(a) of such Act is amended by striking out "Housing and Home Finance Administrator (hereinafter in this title referred to as the 'Administrator')" and inserting in lieu thereof "Secretary of Housing and Urban Development (hereinafter in this title referred to as the 'Secretary')".

(h) Section 1113 of such Act is amended by striking out "Housing and Home Finance Administrator" and inserting in lieu thereof "Secretary of Housing and Urban Development".

Sec. 23. Section 501 of the Military Construction Authorization Act, 1966, is amended—

(1) by striking out "Administrator, Housing and Home Finance Agency" in the first sentence and inserting in lieu thereof "Secretary of Housing and Urban Development"; and

(2) by striking out "Administrator" in the second sentence and inserting in lieu thereof "Secretary of Housing and Urban Development".

Sec. 24. (a) Sections 493, 657, and 1006 of title 18, United States Code, are amended by striking out "Federal Housing Administration" and inserting in lieu thereof "Department of Housing and Urban Development".

(b) The eighth paragraph of section 709 of such title is amended to read as follows:

"Whoever uses as a firm or business name the words 'Department of Housing and Urban Development', 'Housing and Home Finance Agency', 'Federal Housing Administration', 'Federal National Mortgage Association', 'United States Housing Authority', or 'Public Housing Administration' or the letters 'HUD', 'FHA', 'PHA', or 'USHA', or any combination or variation of those words or the letters 'HUD', 'FHA', 'PHA', or 'USHA' alone or with other words or letters reasonably calculated to convey the false impression that such name or business has some connection with, or authorization from, the Department of Housing and Urban Development, the Housing and Home Finance Agency, the Federal Housing Administration, the Federal National Mortgage Association, the United States Housing Authority, the Public Housing Administration, the Government of the United States, or any agency thereof, which does not in fact exist, or falsely claims that any repair, improvement, or alteration of any existing structure is required or recommended by the Department of Housing and Urban Development, the Housing and Home Finance Agency, the Federal Housing Administration, the Federal National Mortgage Association, the United States Housing Authority, the Public Housing Administration, the Government of the United States, or any agency thereof, for the purpose of inducing any person to enter into a contract for the making of such repairs, alterations, or improvements, or falsely advertises or falsely represents by any device whatsoever that any housing unit, project, business, or product has been in any way endorsed, authorized, inspected, appraised, or approved by the Department of Housing and Urban Development, the Housing and Home Finance Agency, the Federal Housing Administration, the Federal National Mortgage Association, the United States Housing Authority, the Public Housing Administration, the Government of the United States, or any agency thereof; or".

(c) Section 1010 of such title is amended—

(1) by changing the section heading to read as follows:

"§ 1010. Department of Housing and Urban Development and Federal Housing Administration transactions.";

(2) by striking out "Federal Housing Administration" and inserting in lieu thereof "Department of Housing and Urban Development"; and

(3) by striking out "such Administration" both places it appears and inserting in lieu thereof "such Department".

(d) Section 1012 of such title is amended—

(1) by changing the section heading to read as follows:

"§ 1012. Department of Housing and Urban Development transactions.";

(2) by striking out "Public Housing Administration" and inserting in lieu thereof "Department of Housing and Urban Development"; and

(3) by striking out "such Administration" each place it appears and inserting in lieu thereof "such Department".

(e) The analysis of chapter 47, title 18, United States Code, immediately preceding section 1001, is amended—

(1) by striking out the item relating to section 1010 and inserting in lieu thereof

"1010. Department of Housing and Urban Development and Federal Housing Administration transactions.";

and

(2) by striking out the item relating to section 1012 and inserting in lieu thereof

"1012. Department of Housing and Urban Development transactions."

Sec. 25. Title 38, United States Code, is amended—

(1) by striking out "Federal Housing Administration approved mortgagee designated by the Federal Housing Commissioner" in section 1802(d) and inserting in lieu thereof "mortgagee approved by the Secretary of Housing and Urban Development and designated by him"; and

(2) by striking out "Federal Housing Commissioner" in subsections (b), (d), and (e) of section 1804 and inserting in lieu thereof "Secretary of Housing and Urban Development".

Sec. 26. The fourth paragraph of section 24 of the Federal Reserve Act is amended by striking out "Housing and Home Finance Administrator" in the first sentence and inserting in lieu thereof "Secretary of Housing and Urban Development".

Sec. 27. (a) The penultimate sentence of paragraph seventh of section 5136 of the Revised Statutes (12 U.S.C. 24) is amended—

(1) by striking out "Federal Housing Administrator" and inserting in lieu thereof "Secretary of Housing and Urban Development (hereafter in this sentence referred to as the 'Secretary')";

(2) by striking out "Housing and Home Finance Administrator" and inserting in lieu thereof "Secretary";

(3) by striking out "Administrator" each place it appears and inserting in lieu thereof "Secretary"; and

(4) by striking out "Public Housing Administration" each place it appears and inserting in lieu thereof "Secretary".

(b) Paragraph (11) of section 5200 of the Revised Statues (12 U.S.C. 84) is amended—

(1) by striking out "Housing and Home Finance Administrator or the Public Housing Administration" and inserting in lieu thereof "Secretary of Housing and Urban Development"; and

(2) by striking out "Administrator or Administration" each place it appears and inserting in lieu thereof "Secretary".

Sec. 28. Any function or authority vested in or exercisable by the Federal Home Loan Bank Board, the Chairman thereof, or the Federal Savings and Loan Insurance Corporation immediately before the enactment of this Act shall not by this section or anything therein be affected or impaired, or subjected to any restriction or limitation to which it was not then subject.

DEBT LIMIT INCREASE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be temporarily set aside, and that the Senate proceed to the consideration of Calendar No. 60, H.R. 4573. I do this so that the bill will become the pending business at the conclusion of the morning business tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 4573) to provide for the period ending on June 30, 1967, a temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Finance, with amendments, to strike out all after the enacting clause and insert:

> That, effective on the date of the enactment of this Act, the first sentence of section 21 of the Second Liberty Bond Act, as amended (31 U.S.C. 757b), is amended by striking out "$285,000,000,000" and inserting in lieu thereof "$336,000,000,000".

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Subcommittee on Constitutional Amendments of the Committee on the Judiciary be permitted to sit during the session of the Senate tomorrow, February 21, 1967, in Omaha, Nebr.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF RESOLUTION

Mr. HOLLAND. Mr. President, I ask unanimous consent that at the next printing of Senate Joint Resolution 30, relating to a commission to formulate plans for a memorial to astronauts who lost their lives in line of duty in the U.S. space program, the names of the junior Senator from Vermont [Mr. PROUTY] and the junior Senator from Hawaii [Mr. INOUYE] be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNITED STATES ASSUMING QUESTIONABLE ROLE AS WORLD'S MAJOR MUNITIONS SUPPLIER

Mr. MORSE. Mr. President, there is growing evidence that the United States is assuming a new and highly questionable international role: The role of the world's major munitions supplier. As evidence of this dangerous trend, I commend to the attention of Senators and the general public, a recent study done on this subject by the staff of the Senate Foreign Relations Committee.

This study, entitled "Arms Sales and Foreign Policy," is of unusual quality and perception. The staff of the committee is to be congratulated for this thoughtful and balanced appraisal of one of our most important national issues.

This study suggests that the Pentagon's vigorous and highly successful arms salesmen may be jeopardizing many of this country's international policy goals. The recommendations the study offers, particularly the necessity for a reappraisal of the present machinery of policy control over U.S. arms sales, should be seriously considered, not only by the Congress but by the administration.

The soundness of the justification for many of these sales is called into doubt time and again by events. A few months ago, the sale of weapons to Iran was justified on the ground that if we did not supply them, Iran would purchase them from the Soviet Union and that would give Russia some kind of ingress into the Iranian Military Establishment. So we made the sale.

This morning's paper tells us that Iran is buying $110 million worth of Soviet arms, anyway. I hope that when it comes time for the administration to justify the economic aid program for next year, they will be prepared to show the extent to which this purchase is being subsidized by American economic and technical aid, for the Russian loan is to be repaid with manufactured goods and in natural gas that would otherwise have been available to provide foreign currency for development purposes.

I have no objection to any country seeking and obtaining military equipment from the Soviet Union, or seeking and obtaining development assistance from the Soviet Union. But I am tired of being kidded along by the administration with arguments that we must provide military and economic help or the recipient country will go to others. Let them go to others. Let us also be sure we do not underwrite the misapplication of their scarce resources—resources so scarce that the American taxpayers are called upon to contribute tens and even hundreds of millions of our dollars a year to countries like Iran.

In my opinion, if Iran can afford to enter into this 8-year-arms-purchase deal with the Soviet Union, she cannot be nearly so hard pressed for funds as our AID spokesmen try to imply in their appeals for foreign aid appropriations from Congress.

This whole rationale for our arms sales needs to be reviewed by Congress at an early date. The Foreign Relations Committee study to which I have referred pinpoints some of the problems we should look into, and I ask unanimous consent that portions of it be printed at this point in the RECORD.

There being no objection, the staff study was ordered to be printed in the RECORD, as follows:

ARMS SALES AND FOREIGN POLICY

I. THE CHANGING PATTERN OF AMERICAN MILITARY ASSISTANCE

Since the Second World War the United States has recognized that it is in the national interest to give military support to friendly countries to enable them to defend themselves against the threat of aggression. The military assistance programs beginning in 1949 with congressional approval of the Mutual Defense Assistance Act have provided various kinds of grant military aid to countries unable to pay for their own defense needs. Over the year the Congress has paid particularly close attention to the military assistance programs with an eye to withdrawing such aid from countries having sufficient resources to maintain their own forces and preventing U.S. military aid from either being misused or overburdening struggling economies.

In recent years both the President and the Congress have become increasingly aware of another responsibility directly related to the use of military assistance. This is the question of conventional arms control in the developing regions of the world. In his message of last January to the Eighteen Nation Disarmament Conference, President Johnson reminded the delegates:

"As we focus on nuclear arms, let us not forget that resources are being devoted to nonnuclear arms races all around the world. These resources might be better spent on feeding the hungry, healing the sick and teaching the uneducated. The cost of acquiring and maintaining one squadron of supersonic aircraft diverts resources that would build and maintain a university. We suggest therefore that countries, on a regional basis, explore ways to limit competition among themselves for costly weapons often sought for reasons of illusory prestige."

Despite President Johnson's concern, the pursuit of "illusory prestige" has recently quickened throughout the developing regions of the world. For example, the United States has agreed to sell to Iran a squadron of F–4 Phantoms, its most sophisticated operational supersonic aircraft. Morocco has purchased 12 F–5's, among the United States most modern fighter-interceptors. The international record of such sales is long: American F–104's interceptors to Jordan, British Hawker-Hunter jet fighters to Chile, American A–4B tactical attack aircraft to Argentina, Soviet Mig 21's to Iraq, Czechoslovakian armored cars and bazookas to Cyprus—to cite some recent examples.

What is clearly in process is a competition among the industrial nations to sell arms to the developing nations of the world.

This growing problem of arms competition in the underdeveloped world and the diversion of scarce resources is directly related to a dramatic shift in the composition of U.S. military assistance and sales programs. It seems that at a moment of increasing congressional oversight of the military grant assistance, emphasis has shifted from these programs to a concentration on military sales. In the fiscal years 1952 to 1961 the U.S. military grant aid programs and military sales amounted to a total value of $22 billion—$17 billion in grant aid and $5 billion in sales. According to the Defense Department, the comparative amounts will be radically altered in the 1962–71 period—that is $15 billion in military sales, and $7 billion in grant aid. (In fiscal year 1961, for example, sales were 43.4 percent of grant aid; in fiscal year 1966, sales stood at 235.1 percent of aid.) Since 1962 the Defense Department has already obtained $11.1 billion in foreign military orders and commitments. The average of all military export sales in the 1952–61 period was around $300 million annually. In fiscal year 1961 military export sales rose to $600 million; they were $1.3 billion in fiscal year 1963; $1.26 billion in fiscal year 1964; $1.97 billion in fiscal year 1965; and were around $1.93 billion in fiscal year 1966. That is a total of some $6 to $7 billion in the past 4 years.

Of the $9 billion in orders and commitments the United States received between 1962 and 1965 almost $5 billion has been received in cash receipts, an amount offsetting almost 40 percent of the dollar costs of maintaining U.S. forces abroad during that period. Furthermore, these sales offsets have risen from 10 percent of oversea expenditures in 1961 to 44 percent in 1965.

Secretary of Defense McNamara made it very clear in 1965 that he considered military grants and the increasing military sales as an important instrument of American foreign policy:

"I think it is extremely important to understand that in our military assistance program and in our military sales program we face two extremes.

"In the one case we face nations, our allies, who for a variety of reasons may not have developed their defense program to a level commensurate with their economic strength, their obligations to their own people, and their obligations to the alliance of which we are a part. Nations that fall in that category are the developed countries, the countries which have had a remarkable economic growth, in the last decade or two, economic growth in many cases stimulated by Marshall plan aid.

"In these instances it is very much in our interest to work with those nations to expand their defense program, to increase their military personnel strength, to add to their equipment, and where it can be done to our mutual advantage to insure that they buy their equipment from U.S. producers. This we do.

"The result has been very substantial increases in the defense budgets of many of the Western nations, Australia, the Federal Republic, to name two. This is ultimately in their interest. It is very much in our interest. In no way does it conflict with economic development and economic strength which I want to emphasize as Secretary of Defense I consider to be the foundation ultimately of national security. In any case, that is one extreme.

"The other extreme is represented by those underdeveloped nations which have not yet met the minimum needs of their people for social and economic progress but who nonetheless are inclined to divert an unreasonable share of their scarce human and material resources to defense.

"In those cases our first objective is to use the influence that we gain through the military assistance programs and occasionally through the military export sales programs to work with them to reduce the share of their resources devoted to defense and to increase the portion of their human and material capital that is allocated to economic and social programs."[1]

It is difficult to fault the objectives and the logic of such an approach to the military assistance and sales programs. But the developing nature of the arms competition seems to defy the best intentions of Mr. McNamara's reasonable explanation of how the United States conducts its arms sales. The question that must be addressed is whether the governmental machinery designed for the management of our military sales program is adequate to the task of bringing the U.S. actions in line with Secretary McNamara's intentions.

There is evidence to suggest that it is not.

II. THE DIMENSIONS OF THE ARMS SALES PROGRAM

Since its establishment in October of 1961 a Defense Department office called International Logistic Negotiations (ILN) has been the center of U.S. military sales. In 1964 the Director of ILN, Henry J. Kuss, was promoted to the rank of Deputy Assistant Secretary of Defense as the result of his success in boosting military sales. ILN's sales force of some 21 professional officers is organized into four teams—red, grey, blue, and white—each charged with particular functional and regional responsibilities. The white team, for example, devotes almost its entire efforts to selling military equipment to West Germany in an effort to offset by military sales the approximately $775 million it costs the United States in dollars to keep our troops in the Federal Republic (West Germany has bought some $3 billion worth of military equipment in the last 4 years). The measure of ILN's success is the 600-percent increase in annual military sales over the levels of the 1950's.

The Defense Department's approach to the arms sales field has been dynamic and aggressive. The Department through the Military Export Committee of the Defense Industry Advisory Council has sought the cooperation of industry and the financial community in an effort to further overseas military sales. Defense is also supporting plans to organize symposia throughout the United States aimed at convincing the smaller arms manufacturers, the "non-bigs" as they are called, of the advantages of entering the military export market.

In fostering these commercial ties, the Department of Defense is appreciative of the fact that there are a number of ways by which arms can be sold abroad: private firms selling to a foreign government, private firms selling through an agency of the U.S. Government, and government to government sales. There are other possibilities as well, such as a U.S. manufacturer licensing a foreign firm to produce his products. Because of the variety of ways that arms are sold and distributed it is difficult to know the extent of just how much equipment is being purchased. For example, the F–86's Venezuela recently bought from West Germany were manufactured in Italy under a U.S. licensing arrangement. The F–86's West Germany "sold" to Iran but which mysteriously seem to actually belong to Pakistan (despite U.S. efforts to halt the flow of arms into Pakistan) were manufactured in Canada.

In other words, neither the sales figures given by International Logistics Negotiations —which do not include commercial military sales with the exception of those to West Germany—nor even customs statistics would be able to give the full story of the extent of arms traffic for which the United States is responsible.

The Defense Department's interest in the potential of the export market has prompted a number of appeals to the American armament industry to go "international." In a speech before the American Ordinance Association in October of 1966, Mr. Kuss had this comment about the companies who were reluctant to go "international."

"This tendency of American companies to refrain from entering into the international arms market is a serious one and affects our entire international posture in a military, economic, and political way.

"From the military point of view we stand to lose all of the major international relationships paid for with grant aid money unless we can establish professional military relationships through the sales media. * * *

"From the economic point of view the stability of the dollar in the world market is dependent on our ability to resolve balance of payments problems. Failure to resolve these balance of payments problems creates economic pressures in the international and in the domestic spheres. The solution to balance of payments is principally in more trade. All other solutions merely temporize the problem.

"From the political point of view international trade is the 'staff of life' of a peaceful world. With it comes understanding; the lack of it eliminates communications and creates misunderstandings."[2]

Of particular interest to the Defense Department as a means of furthering its international sales is the eventual creation of a NATO Defense Common Market. Secretary McNamara first proposed the Defense Common Market in May of 1965. Such a common market for defense materials in NATO is also appealing because of the stimulus it would give to the standardization of military weapons and the development of common production facilities. The Department seems most impressed, however with arms sales potential in such a common market area. Mr. Kuss has said that "the highly competitive approach that has been taken here in the United States, particularly as a result of Secretary McNamara's cost reduction programs, places U.S. industries in fit condition for competition throughout the world." ILN estimates that over the next 10 years U.S. allies "may purchase a minimum of $10 to $15 billion of their requirements from the United States by sheer virtue of the fact that most of these items will be a minimum of 30% to 40% cheaper and will be highly competitive from a technical point of view * * *".[3] An important objective of American military export policies is to break down what ILN has termed "protectionists interests in Europe." For as Mr. Kuss has put it:

"We must establish by our actions in Government and industry that there is merit in an orientation toward the United States. We must sell the benefits of collaboration in defense matters with competition. We must demonstrate that the free world has more to gain from the U.S. model of defense competition than it has from the temptation to allocate the market and build little, safe, high-cost arrangements across national borders.

"As an example of this temptation, Mr. Kuss cites the recommendations of the Plowden report on the British aircraft industry as '* * * indicative of the frustrations and consequent protectionism that is arising in Europe'."[4]

III. THE MILITARY EXPORT MARKETS

For all the excitement generated in the American press over arms sales to Latin America and other developing regions of the world, the fact is that only a small percentage of total U.S. arms sales is involved. During the period fiscal years 1962–66, $9.85 billion of $11.1 billion in orders and commitments, went to developed countries in Europe and Asia. This is 88 percent of the total, with $8.7 of the $9.85 billion going to Europe alone. (How much of this equipment is eventually transshipped as surplus to the underdeveloped world is another matter.) By way of contrast, during the same period the United States sold some $45 million to Africa and $162.7 million to Latin America (mainly to Argentina, Brazil, and Venezuela). In the Middle East and south Asia the 1962–66 total was some $972 million or 8 percent of the grand total (half of this amount went to Iran alone.)

Again, these figures do not include grant aid shipments or sales to which the U.S. Government was not a party.

In the case of Latin America, for example, total sales of U.S. military equipment, including commercial sales, may be 10 or 15 percent higher than the $162 million. The problem of compilation of total sales is complicated, if not made impossible, by the absence of any public or even Government sources that give totals of all U.S. military exports to countries or regions.

The fact that sales to underdeveloped countries amount to only 12 percent of the total military sales handled by the Department of Defense is important for a number of reasons. These figures on sales to underdeveloped countries lead to the conclusion that the U.S. motives in arranging such sales simply cannot be rooted in balance of payments considerations. If the United States were to lose its entire arms market to the underdeveloped world the impact on our overall balance-of-payments accounts would be small. Therefore, our justification for such sales must be based on the other considerations, such as influencing the development of the local military elites or helping a country resist the threat of external aggressions. Preventing the influx of military equipment of other nations, a sort of preemptive selling, has also been a strong U.S. motive in the underdeveloped areas of the world.

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[1] News conference, Sept. 16, 1965.

[2] Speech before the American Ordinance Association on Oct. 20, 1966.

[3] Remarks of Henry J. Kuss before the National Security Industrial Association on Oct. 8, 1965.

[4] Speech before the Los Angeles World Affairs Council on Mar. 24, 1966.

IV. FINANCING MILITARY EXPORTS

Almost two-thirds of all military sales abroad over the past few years have been for cash. The largest cash customer is West Germany, although other industrial nations such as Australia, Canada, and United Kingdom (with the major exception of the billion dollar F–111 deal) have also normally paid cash. Conversely, sales to the underdeveloped regions of the world have been mainly credit financed. For example, of the roughly $56 million in arms sold to Latin America through the Department of Defense in fiscal year 1966 only $8 million was for cash. This 7-to-1 ratio of credit to cash probably is common throughout the underdeveloped world.

The International Logistics Negotiations Office, not AID or the Export-Import Bank, has acquired the responsibility of negotiating the terms of the credit extended for military purchases. The sources of this credit are the Eximbank, private banking facilities, and a military assistance account available for the use of the Defense Department under the authority of section 508 of the Foreign Assistance Act.

Export-Import Bank

The Eximbank has taken an active interest in the financing of military export sales only since 1963 when the Defense Department was given authority to insure credits.

The Eximbank role is one of providing a service function for the Department of Defense and bringing to military sales on credit the advantages of the Bank's experience in the international credit field. These loans are usually on a medium-term basis, or 5 to 7 years, at an interest rate that now stands around 5½ percent. Eximbank makes direct loans for military equipment only to industrial nations such as Great Britain, Australia, etc.

In addition, Eximbank makes so-called "country-x loans." Such loans are the result of Eximbank establishing what amounts to an accounts receivable fund for the use of the Department of Defense in arranging loans to underdeveloped countries. The Eximbank does not know or want to know where this money goes. The Department of Defense guarantees these funds through the military assistance account described below. The bank therefore avoids the problem of directly financing military sales to underdeveloped countries.

Private banking facilities

It is not clear how large a role private banking facilities play in the financing of U.S. military exports. According to the Military Export Reporter, a trade journal for U.S. contractors in the arms business, during the period of fiscal year 1962–65 approximately $2 billion or 40 percent of total arms sales, were financed by private banks or the Export-Import Bank. Since the Eximbank only entered the field in 1963 and carried only a very small amount of direct credit until fiscal year 1966, it can be roughly estimated that private banks extended some 90 percent or $1.8 billion of the funds during that period. But these figures are most tentative. It is safe to say, however, that private banks do not participate in such loans, particularly to underdeveloped countries, without a full guarantee of repayment. In the case of underdeveloped countries, the military assistance credit account serves as the primary source of credit guarantees.

The military assistance credit account

The military assistance credit account is the most useful instrument at the disposal of the International Logistics Negotiations (ILN) office for use in providing credit for arms sales to areas where commercial and direct Eximport credits are unavailable.

The idea that the Department of Defense should have funds available to arrange credit terms for arms sales was initiated with the Mutual Security Act of 1957 when a fund of $15 million was authorized for this purpose. This account officially became a "revolving account" to finance additional sales when the Foreign Assistance Act of 1961 (sec. 508) authorized that repayments from such sales to "be available until expended solely for the purpose of furnishing military assistance on cash or credit terms." Consequently, this fund, through yearly appropriations ranging from $21 to $83 million, has grown to over $300 million. An important amendment to the Foreign Assistance Act came in 1964 when the Defense Department asked for, and received from the Congress, the authority to allow the Department of Defense to guarantee 100 percent of the credit extended by U.S. banks for arms sales while only obligating 25 percent of the amount from the military assistance credit account as a reserve to back up the guarantees in the event of a default. In other words, the $300 million in the ever-increasing "revolving account" now allows the Department of Defense to put the full guarantee of the U.S. Government behind over a billion dollars in military credits.

This provision permits ILN to guarantee loans the Export-Import Bank might make available through the "country-x" accounts or to back a loan made by a private bank.

Another option provided for ILN by the Foreign Assistance Act is the use of the military assistance credit account to extend direct credit for foreign purchases. The terms of such credit are at the discretion of the Defense Department and range from commercial rates to as low as a zero interest charge. A low interest charge from the military assistance credit account would normally be used in a package loan, which might include credit funds from a commerical bank and the Export-Import Bank, in order to bring down the overall interest charge to the customer. If the extension of credit were to under-developed countries, ILN would probably guarantee the other pieces of the loan package as well.

V. POLICY CONTROL OF ARMS SALES

The magnitude and complexity of the arms sales program would seem to demand a well-developed system of interagency supervision and complete statistics on what is being sold to whom under what terms. In large measure because of the phenomenal growth of the arms sale programs, neither the administrative resources of the executive nor the legislative attention of the Congress have kept pace with the problems these military exports have brought in their wake.

Under the provisions of the post-World War II legislation concerned with the regulation of arms sales (the Export Control Act of 1949, as amended, and the Mutual Security Act of 1954, as amended) the Department of State and the Treasury Department share the responsibility for establishing policy and for enforcing regulations with regard to the sale of arms. As for the obvious connection between arms sales and arms control, the Director of the Arms Control and Disarmament Agency was given the responsibility of Public Law 87–297 in 1961 to "* * * serve as the principal adviser to the Secretary of State and the President on arms control and disarmament matters. In carrying out his duties under this act the Director shall, under the direction of the Secretary of State, have primary responsibility within the Government for arms control and disarmament matters. * * *"

In order to insure that arms exports procedures are consistent with the security of the United States and U.S. foreign policy, the Secretary of State, under the statutory authority of the 1954 Mutual Security Act, established an Office of Munitions Control to control the export licenses of items on the U.S. munitions list. That is, items the United States considers "arms, ammunition, and implements of war." As a further safeguard the Secretary of State in 1966 established a special interdepartmental committee to make certain that any disclosure of classified military information brought about by military exports would be consistent with national security requirements. This Committee, the successor to the Military Information Committee, is called the National Military Information Disclosure Policy Committee.

In theory, then, the interdepartmental machinery seems adequate to the task of coordinating a national policy of arms sales which would take into full account the military, political, economic, and arms control implications of our expanding sales programs. In practice, the mechanism appears unequal to the task. First of all, the Office of Munitions Control, which should serve as a general clearinghouse for all arms sales, does not have responsibility for handling, or even cataloging, government-to-government military sales—thus it is has no influence over the greatest exporter of all, the Department of Defense. Moreover, since 1962 the Office of Munitions Control has not issued a report on just what commercial military items were exported. The problem seems to be a budgetary one of inadequate funding for the necessary staff to compile such a report. As a result, however, there is no way, short of a special request, for Congress or the Secretary of State to know just what is being exported to where by commercial firms. Since the Defense Department submits no composite reports to the Congress on what it sells abroad or even how the military assistance credit account is used, legislative oversight in the arms sales field is haphazard and generally ineffectual.

How and by whom the major decisions on arms sales are made is something of a mystery. There is reported to be a State-Defense Coordinating Committee for arms sales policy consisting of members of Treasury, the State Department, the Defense Department, and presumably the Arms Control Agency and AID. Whether the full Committee actually meets is uncertain. One thing is clear, however, from testimony the Foreign Relations Committee has already heard: the Arms Control and Disarmament Agency, despite its charter, does not sit at the high table when decisions on the sale of arms are made. Another open question is whether the Agency for International Development or the Bureau of the Budget actually participate in the process of making a decision to sell, for example, A–4B's to Argentina or have only the option of attempting to overturn a promise of arms sales already made to another country.

VI. POLICY IMPLICATIONS OF ARMS SALES

The burgeoning arms sales program raises a number of major and intertwined policy concerns: First, what is the effect of U.S. current military export policy on our European alliance relationships; second, what is the effect of these arms exports on the external indebtedness and general financial circumstances of the underdeveloped countries; and third, what are the prospects for arms control in the developing regions of the world given the present pace and pattern of the international traffic in arms?

On the question of the arms sales and U.S. relations with its European allies, the central fact is that while the financial success of the U.S. military sales is beyond dispute, there is ample reason for concern as to the side effects of the vigorous sales campaigns. American sales efforts have become a source of great irritation in Europe, particularly in West Germany and Great Britain, and may also be a major cause of the increasing interest of Europeans in competing for arms markets in developing regions of the world.

Some of the European resentment over U.S. arms sales efforts has found its way into the European press. In 1965 Britain's

Daily Telegraph began a bitter article on American sales by charging:

"Growing resentment is being expressed by British defense experts at the effects of ruthless American high pressure salesmanship of arms and aircraft. This has already cost Britain a 40-million-pounds tank order from Italy.

"American efforts to become the monopoly producer of major arms are seen to be producing not only a form of "cold war" within NATO, but an actual weakening of its front-line strength by foisting inferior weapons on it."[5]

Such charges, which have been mirrored less bluntly in the French and Swedish press, are almost certainly overblown; and this particular charge came chiefly as the result of British unhappiness over Italy's decision to buy American M60 tanks instead of the British Chieftain battle tank. Nevertheless, Prime Minister Wilson himself complained to a NATO meeting of the high-pressure salesmanship of the United States in the arms field. In July of 1965 Prime Minister Wilson announced to Parliament that his Government had decided to follow the American lead in arm sales, and would therefore establish its own office of International Logistics Negotiations. Mr. Kuss' counterpart, Mr. Raymond Brown, is called the Head of Defense Sales. In reporting this action, Mr. Wilson explained:

"There is a strong desire that we should make more effective arrangements in placing British arms, particularly with our allies, because, as I said in my speech to the NATO conference, one of the things that have unbalanced the situation in the alliance was the high-pressure salesmanship of the Americans—as we found when trying to sell arms to France and Italy."[6]

As for the implications of Britain's new emphasis on arms sales for the worldwide arms control problem, Mr. Denis Healey, the Secretary of State for Defense, told Parliament in January of 1966:

"While the Government attach the highest importance to making progress in the field of arms control and disarmaments, we must also take what practical steps we can to ensure that this country does not fail to secure its rightful share of this valuable commercial market."[7]

If Mr. Wilson's program of increasing British sales actually resulted in an upturn in sales to the industrial nations, the effect on the arms control problem would be marginal. But the fact is that under present conditions neither Britain, France, nor any other of the industrial nations can compete with the United States in the "Common Defense Market."

Without preferential treatment, Britain cannot even sell enough military equipment to West Germany to offset the small cost of maintaining some 55,000 British troops in the Federal Republic. A combination of technological skills, a high rate of government investment in defense industries, flexible credit arrangements, and the vigorous salesmanship of ILN have virtually put the rest of the Western World out of the sophisticated arms export market. The defense common market is little more than an arena for arms competition between resentful pygmies and an affable giant.

If the increasing arms competition between the United States and the Europeans in the "third" world is an indication of a trend, however, Europeans must feel that in Latin America, the Middle East, and in time, Africa, they can compete on equal terms. At a moment when the United States is attempting to slow the pace of military aircraft sales to Latin America, France has been actively pushing in the area its Dassault Mirage 3, Sweden the Saab J35 Draken, and Britain the Hawker Hunter and the Lightning Mark 3.

Deprived of markets in the industrial countries, the Europeans are anxious to win the next round of jet aircraft competition in Latin America. Most Latin American countries have until recently been content with American surplus F-51 Mustangs and F-80's, the earliest operational U.S. jet, or the equivalent British Meteor or Vampire. Now they want the subsonic jets such as the A-4. Britain has threatened to increase the pace by offering the supersonic Lightning.

In West Germany the situation is somewhat different. The United States has insisted that the West Germans buy approximately $775 million in arms per year in order to offset the cost of maintaining U.S. troops there in the Federal Republic. The problem is that the West Germans, primarily for financial reasons, have become increasingly unhappy and difficult about these purchases; U.S. pressure on the West German Government to meet this commitment has been intense and reportedly injurious to German-American relations.

Chancellor Erhard's failure to gain some relief from the commitment during his last trip to the United States may have contributed to his political downfall.

Over the long run, it is almost certain that this use of arms sales will have to be modified. The cost of maintaining U.S. troops in Germany is rising—it may be as high as $900 million per year by 1970—while West Germany's willingness to purchase the equipment and, equally important, her ability to absorb such equipment is rapidly declining. There are already signs that West Germany is sending surplus military equipment of American origin to areas where the United States would like to prevent the spread of such arms. There are "end use" agreements between the United States and West Germany governing the disposition of surplus equipment. But how long these agreements can be enforced given the present levels of sales is a difficult question.

This problem of the spread of surplus weapons throughout the world is not limited to West Germany and will require increasingly careful consideration by the U.S. Government. Total U.S. arms sales have now reached something over the $2 billion per year level—not including grant aid. The problem of the disposal of surplus military equipment is certain to grow with this increase in sales. The surplus arms of the industrial nations may provide the ingredients of an arms race in the underdeveloped regions of the world. It should also be noted that some of the arms used by Latin American guerrillas today were exported by the U.S.—for quite different reasons—yesterday.

The question of what effect American arms sales have on the debt servicing difficulties of underdeveloped nations cannot be answered here. According to the Development Assistance Committee (the DAC) of the OECD, external debts of the most underdeveloped nations "has increased at a considerably higher percentage rate than exports of goods and services, gross national product, or savings."

In Latin America, for example, the Inter-American Committee on the Alliance for Progress (CIAP) estimates suggest that two-thirds of Latin America's foreign exchange deficit is caused by external debt service payments.

Credits for military purchases are usually hard loans with high interest rates and a short repayment period. Development loans are normally just the opposite. Unless all credits to a particular country—both development and military sales—are subject to a comprehensive review how can we know enough about the total economic circumstances of a country to make the right decisions? At the moment there seems to be very little coordination between the right hand of military export credit policy and the left hand of development loans.

Finally, there is the question of the compatibility of our present arms sales policies with the United States' expressed desire to control arms races in the developing regions of the world. The Congress has fully supported the efforts of the executive agencies to administer military assistance and sales with the goal of arms control in mind at all times. The Foreign Assistance Act of 1966, for example, states:

"Programs for the sale or exchange of defense articles shall be administered so as to encourage regional arms control and disarmament agreements and so as to discourage arms races."

What seems to be lacking in the U.S. approach to the arms sales issue is a boldness of policy often demanded of a great power. It is a commonplace to hear discussions on whether the United States should or should not sell military equipment to this or that country end with " * * * but if we don't sell it to them the Russians (or the British, or the French, etc.) will." Fully aware of this flaw in the U.S. armor, many countries have exploited it in order to acquire equipment we don't really want to sell them. Consequently, the United States often ends up selling, say, the Iranians supersonic F-4 aircraft for defense primarily because the Shah says he will go to the Russians if we don't give him the equipment he wants. When this sort of compelling argument is added to the glint of a balance-of-payments success, a momentum is created which tends to divorce the process from its appropriate overall foreign policy context.

It seems imperative that at some point the United States take the risk that great powers must take and simply say "No—go to the Russians or the British if you must." Furthermore, the risks of such a policy of denial may not be high as advertised. In considering whether to sell or not we should not ignore the problems of our "competitors." As Prof. John Kenneth Galbraith told the Foreign Relations Committee last year:[8]

"Let me take note in passing of the recurring arguments that if we do not provide arms to a country it will get them from the Soviets or possibly China. This is another example of that curious obtuseness which excessive preoccupation with cold war strategy produces in otherwise excellent minds. It was Soviet tanks that surrounded Ben Bella's palace in Algiers when that Soviet-supported leader was thrown out. It was a Soviet and Chinese equipped army which deposed the Indonesian Communists, destroyed the Communist Party in that ruthlessness on which one hesitates to dwell and which left Sukarno's vision of an Asian socialism in shambles. It was Soviet-trained praetorian guard which was expected to supply the ultimate protection to the government of President Nkrumah and which did not. One can only conclude that those who worry about Soviet arms wish to keep the Russians out of trouble. This could be carrying friendship too far."

Surely such a policy of denial will have its dangers; but an effort must be made to slow the seemingly relentless pace of arms competition throughout the underdeveloped world. If Professor Galbraith is correct in suggesting that our competitors may have their own problems with arms assistance and sales, then it may be possible for all the major arms suppliers—including the Soviet Union—to begin to work together to restrict the flow of arms into the underdeveloped regions of the world.

VII. CONCLUDING COMMENT AND RECOMMENDATIONS

Over the past 4 years there has been a basic change in the composition of American military assistance. The sale of arms has now replaced the giving of arms as the predominant form of U.S. military assistance. While dramatic in character and of major importance in its implications for alliance relationships and for the problem of arms control in the developing regions of the world, the significance of this change has not been fully appreciated by the hierarchy of the American executive branch or the Congress. In Europe, American arms salesmanship has often been zealous to the point of irritation, and overpowering to the point of encouraging Europeans to compete more aggressively for the arms markets in the underdeveloped regions of the world. In some underdeveloped regions of the world—notably Latin America and the Middle East—where there are no significant balance of payment incentives, the United States, when faced with tough decisions as in Iran and Argentina, seems to be drifting into a policy of preemptive selling rather than the more difficult alternative of arms denial.

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[5] Daily Telegraph, Apr. 5, 1965.

[6] The Times, July 14, 1965, p. 8.

[7] Parliamentary Debates (Hansard), Jan. 25, 1966.

[8] Testimony before the Senate Foreign Relations Committee on the 1966 Foreign Assistance Act, Apr. 25, 1966.

It is the general conclusion of this study that it is incumbent on the United States to reappraise the adequacy of the present machinery of policy control and legislative oversight governing the sale of arms. On the basis of the available evidence, there is sufficient justification for tentatively concluding that the adjustments in policy and administrative procedure necessitated by the change in the composition of military aid have been marred by a lack of information, by weaknesses in interdepartmental coordination at the highest levels, and finally, by a lack of serious attention to the problem of reconciling an active arms control policy with an arms sales program.

The specific recommendations of this study are as follows:

(1) In order to provide an adequate informational base upon which to judge the scope of U.S. arms exports, the Munitions Control Office should be directed to compile on a quarterly basis a complete list of all arms exports both commercial and governmental. This report—with a classified annex if required—should be submitted at least to the Secretary of State and the Congress.

(2) The Department of Defense should be required to give a full account of the annual use of public funds in the military assistance credit account.

(3) The role of the Export-Import Bank in the financing of military exports should be carefully examined by the Congress.

(4) Congress should consider making all military export credits and guarantees the subject of a simultaneous review with development loans. Both involve a charge on the resources of the recipient country and both involve the use of U.S. public funds.

(5) Congress should examine the decision-making process of the military sales program to determine whether the Arms Control Agency and Agency for International Development are meeting their responsibilities as defined by law.

(6) The United States should take the initiative in organizing regional conventional weapons "free zones"; zones that would be free of sophisticated offensive and defensive weapons—missiles, jet aircraft other than subsonic fighters, tanks, etc. Latin America, and perhaps north and sub-Saharan Africa, offer possibilities for such zones. For example, the heads of governments of the Americas meeting now schedules for the early spring of 1967 could provide the occasion for the United States to take the lead in calling for agreements among the Latin American countries for a Latin American conventional weapons "free zone." Conceivably, the OAS could contribute to the maintenance of such a zone by the creation of an arms inspectorate comparable to the Western European Union's Agency for the Control of Armaments.

VIETNAM

Mr. MORSE. Mr. President, I ask unanimous consent to have the following articles, editorials, and communications inserted in the RECORD:

"Suffer the Little Children," an article appearing in the Ladies' Home Journal, January 1967;

"We've Backed the Wrong Horse," a column from "One Man's Opinion," by James P. Brown, in the Providence Journal of January 23, 1967;

A petition signed by clergymen and laymen of the United Campus Christian Fellowship at Wisconsin State University, Oshkosh, supporting Senator FULBRIGHT's eight-point proposal to end the war in Vietnam, dated January 3, 1967;

A resolution on the Vietnamese war, from the News and Views publication of the World Union for Progressive Judaism, Ltd., dated January 5, 1967;

A letter dated January 30, 1967, signed by 100 members of the faculty and administration of Dartmouth College, New Hampshire, addressed to President Johnson, asking him to halt the bombing of North Vietnam;

An advertisement, "A Letter to the President," dated January 1967, from members of the Yale faculty, urging unconditional halt to the bombing of North Vietnam. This appeared in the New York Times on Sunday, January 29, 1967;

An editorial from KGW–TV of Portland, Oreg., dated January 6, 1967, expressing the belief that the bombing of North Vietnam be ended;

"Reunification: Key to Peace in Vietnam," an article by Tran Van Dinh, appearing in War/Peace Report of December 1966;

An editorial from the January 3–8, 1967, St. Louis Post-Dispatch, entitled "Advice We Asked For";

An editorial from The New Republic of January 7, 1967, entitled "Sorry 'Bout That";

A column by Archibald MacLeish entitled "Topics: The Seat Behind the Pillar," appearing in the New York Times, January 21, 1967;

A sermon delivered by the Reverend W. W. Finlator, minister of the Pullen Memorial Baptist Church, Raleigh, N.C., on January 22, 1967, entitled "An American Tragedy";

Speech delivered by Edward Lamb, Ohio industrialist, before the American Legion, Toledo Club, December 9, 1966, entitled "Toward Tomorrow";

From the New York Review, an article entitled "The View From Vietnam," by Bernard B. Fall.

There being no objection, the articles, editorials, and communications were ordered to be printed in the RECORD, as follows:

[From the Ladies Home Journal, January 1967]

"SUFFER THE LITTLE CHILDREN"—IT'S TIME TO TALK OF THE VIETNAM CASUALTIES NOBODY DARES TALK ABOUT: THE WOUNDED BOYS AND GIRLS

(By Martha Gellhorn)

We love our children. We are famous for loving our children, and many foreigners believe that we love them unwisely and too well. We plan, work and dream for our children; we are tirelessly determined to give them the best of life. "Security" is one of our favorite words; children, we agree, must have security—by which we mean devoted parents, a pleasant, settled home, health, gaiety, education; a climate of hope and peace. Perhaps we are too busy, loving our own children, to think of children 10,000 miles away, or to understand that distant, small, brown-skinned people, who do not look or live like us, love their children just as deeply, but with anguish now and heartbreak and fear.

American families know the awful emptiness left by the young man who goes off to war and does not come home; but American families have been spared knowledge of the destroyed home, with the children dead in it. War happens someplace else, far away. Farther away than ever before, in South Vietnam, a war is being waged in our name, the collective, anonymous name of the American people. And American weapons are killing and wounding uncounted Vietnamese children. Not 10 or 20 children, which would be tragedy enough, but hundreds killed and many more hundreds wounded every month. This terrible fact is officially ignored; no Government agency keeps statistics on the civilians of all ages, from babies to the very old, killed and wounded in South Vietnam. I have witnessed modern war in nine countries, but I have never seen a war like the one in South Vietnam.

My Tho is a charming small town in the Mekong Delta, the green rice bowl of South Vietnam. A wide, brown river flows past it and cools the air. Unlike Saigon, the town is quiet because it is off-limits to troops and not yet flooded with a pitiful horde of refugees. Despite three wars, one after the other, the Delta peasants have stayed in their hamlets and produced food for the nation. Governments and armies come and go, but for 2,000 years peasants of this race have been working this land. The land and their families are what they love. Bombs and machine-gun bullets are changing the ancient pattern. The Delta is considered a Viet Cong stronghold, so death rains from the sky, fast and indiscriminate. Fifteen million South Vietnamese live on the ground; no one ever suggested that there were more than 279,000 Viet Cong and North Vietnamese in all of South Vietnam.

The My Tho children's hospital is a gray cement box surrounded by high grass and weeds overgrowing the peacetime garden. Its 35 cots are generally filled by 55 little patients. One tall, sorrowing nun is the trained nurse; one Vietnamese woman doctor is the medical staff. Relatives bring their wounded children to this hospital however they can, walking for miles with the children in their arms, bumping in carts or the local buses. Organized transport for wounded civilians does not exist anywhere in South Vietnam. Once the relatives have managed to get their small war victims to the hospital, they stay to look after them. Someone must. The corridors and wards are crowded; the children are silent, as are the grown-ups. Yet shock and pain, in this still place, make a sound like screaming.

A man leaned against the wall in the corridor; his face was frozen and his eyes looked half-mad. He held, carefully, a six-month-old baby girl, his first child. At night, four bombs had been dropped without warning on his hamlet. Bomb fragments killed his young wife, sleeping next to her daughter; they tore the arm of the baby. As wounds go, in this war, it was mild—just deep cuts from shoulder to wrist, caked in blood. Yesterday he had a home, a wife, and a healthy, laughing daughter, today he had nothing left except a child dazed with pain and a tiny mutilated arm.

In the grimy wards, only plaster on child legs and arms, bandages on heads and thin bodies were fresh and clean. The children have learned not to move, because moving hurts them more, but their eyes, large and dark, follow you. We have not had to see, in our own children's eyes, this tragic resignation.

Apparently children are classified as adults nowadays if they are over 12 years old. During a short, appalled visit to the big My Tho provincial hospital, among hundreds of wounded peasants, men and women, I noticed a 13-year-old girl who had lost her left foot (bomb), sharing a bed with an old woman whose knee was shattered; a 14-year-old girl with a head wound (mortar shell); a 15-year-old girl with bandages over a chest wound (machine-gun bullet). If you stop to ask questions, you discover frequently that someone nearby and loved was killed at the same time, and here is the survivor, mourning a mother or a little brother; loneliness added to pain. All these people suffer in silence. When the hurt is unbearable, they groan very softly, as if ashamed to disturb others. But their eyes talk for them. I take the anguish, grief, bewilderment in their eyes, rightly, as accusation.

The Red Cross Amputee Center in Saigon is a corrugated tin shed, crowded to capacity and as comfortable in that heavy, airless heat as an oven. Two hundred amputees, in relays, have lived here. Now 40 Vietnamese peasants, male and female, ranging in age from six to 60, sit on chromium wheelchairs or their board beds or hobble about on crutches and, though you might not guess it, they are lucky. They did not die from their wounds, they are past the phase of physical agony, and in due course they will get artificial arms or legs.

The demand for artificial arms and legs in South Vietnam may be the greatest in the world, but the supply is limited; for civilians it had run out completely when I was there. These maimed people are content to wait; Saigon is safe from bombs, and they are fed by the Red Cross. To be certain of food is wonderful good luck in a country where hunger haunts most of the people.

A girl of six had received a new arm, ending in a small steel hook to replace her hand. Bomb fragments took off the lower half of her arm and also wounded her face. She has a lovely smile, and a sweet little body, and she is pitifully ugly, with that dented, twisted skin and lopsided eye. She was too young to be distressed about her face, though she cannot have felt easy with her strange arm; she only wore it to have her picture taken.

An older girl, also a bomb victim, perhaps aged 12, had lost an eye, a leg and still had a raw wound on her shoulder. She understood what had happened to her. Since the Vietnamese are a beautiful people, it is natural that they should understand beauty. She hid her damaged face with her hand.

A cocky, merry small boy hopped around on miniature crutches, but could not move so easily when he strapped on his false, pink-tinted leg. Hopefully he will learn to walk with it, and meanwhile he is the luckiest person in that stifling shed, because the American soldiers who found him have not forgotten him. With their gifts of money he buys food from street vendors and is becoming a butterball. I remember no other plump child in South Vietnam.

A young Red Cross orderly spoke some French and served as interpreter while I asked these people how they were hurt. Six had been wounded by Viet Cong mines. One had been caught in machine-gun cross fire between Viet Cong and American soldiers, while working the fields. One, a sad reminder of the endless misery and futility of war, had lost a leg from Japanese bombing in World War II. One, the most completely ruined of them all, with both legs cut off just below the hip, an arm gone, and two fingers lopped from the remaining hand, had been struck down by a hit-and-run U.S. military car. Thirty-one were crippled for life by bombs or artillery shells or bullets. I discussed these figures with doctors who operate on wounded civilians all day, and day after day. The percentage seems above average. "Most of the bits and pieces I take out of people," a doctor said, "are identified as American."

In part, it is almost impossible to keep up with the facts in this escalating war. In part, the facts about this war are buried under propaganda. I report statistics I have heard or read, but I regard them as indications of truth rather than absolute accuracy. So: there are 77 orphanages in South Vietnam and 80,000 registered orphans. (Another figure is 110,000.) No one can guess how many orphaned children have been adopted by relatives. They will need to build new orphanages or enlarge the old ones, because the estimated increase in orphans is 2,000 a month. This consequence of war is seldom mentioned. A child, orphaned by war, is a war victim, wounded forever.

The Govap orphanage, in the miserable rickety outskirts of Saigon, is splendid by local standards. Foreign charities have helped the gentle Vietnamese nuns to construct an extra wing and to provide medical care such as intravenous feeding for shriveled babies, nearly dead from starvation. They also are war victims. "All the little ones come to us sick from hunger," a nun said, in another orphanage. "What can you expect? The people are too poor." The children sit on the floor of two big, open rooms. Here they are again, the tiny war wounded, hobbling on crutches, hiding the stump of an arm (because already they know they are odd): doubly wounded, crippled and alone. Some babble with awful merriment. Their bodies seem sound, but the shock of war was too much for their minds; they are the infant insane.

Each of the 43 provinces in South Vietnam has a free hospital for civilians, built long ago by the French when they ruled the country. The hospitals might have been adequate in peacetime; now they are all desperately overcrowded. The wounded lie on bare board beds, frequently two to a bed, on stretchers, in the corridors, anywhere. Three hundred major operations a month were the regular quota in the hospitals I saw; they were typical hospitals. Sometimes food is supplied for the patients; sometimes one meal; sometimes none. Their relatives, often by now homeless, must provide everything from the little cushion that eases pain to a change of tattered clothing. They nurse and cook and do the laundry and at night sleep on the floor beside their own wounded. The hospitals are littered with rubbish; there is no money to spend on keeping civilian hospitals clean. Yet the people who reach these dreadful places are fortunate; they did not die on the way.

In the children's ward of the Qui Nhon provincial hospital I saw for the first time what napalm does. A child of seven, the size of our four-year-olds, lay in the cot by the door. Napalm had burned his face and back and one hand. The burned skin looked like swollen, raw meat; the fingers of his hand were stretched out, burned rigid. A scrap of cheesecloth covered him, for weight is intolerable, but so is air. His grandfather, an emaciated old man half blind with cataract, was tending the child. A week ago, napalm bombs were dropped on their hamlet. The old man carried his grandson to the nearest town; from there they were flown by helicopter to the hospital. All week, the little boy cried with pain, but now he was better. He had stopped crying. He was only twisting his body, as if trying to dodge his incomprehensible torture.

Farther down the ward, another child, also seven years old, moaned like a mourning dove; he was still crying. He had been burned by napalm, too, in the same village. His mother stood over his cot, fanning the little body, in a helpless effort to cool that wet, red skin. Whatever she said, in Vietnamese, I did not understand, but her eyes and her voice revealed how gladly she would have taken for herself the child's suffering.

My interpreter questioned the old man, who said that many had been killed by the fire and many more burned, as well at their houses and orchards and livestock and the few possessions they had worked all their lives to collect. Destitute, homeless, sick with weariness and despair, he watched every move of the small, racked body of his grandson. Viet Cong guerrillas had passed through their hamlet in April the old man said, but were long since gone. Late in August, napalm bombs fell from the sky.

Napalm is jellied gasoline, contained in bombs about six feet long. The bomb, exploding on contact, hurls out gobs of this flaming stuff, and fierce fire consumes everything in its path. We alone possess and freely use this weapon in South Vietnam. Burns are deadly in relation to their depth and extent. If upwards of 30 percent of the entire thickness of the skin is burned, the victim will die within 24 to 48 hours, unless he receives skilled constant care. Tetanus and other infections are a longtime danger, until the big, open-wound surface has healed. Since transport for civilian wounded is pure chance and since the hospitals have neither staff nor facilities for special burn treatment, we can assume that the children who survive napalm and live to show the scars are those who were least burned and lucky enough to reach a hospital in time.

Children are killed or wounded by napalm because of the nature of the bombings. Close air support for infantry in combat zones is one thing. The day and night bombing of hamlets, filled with women, children and the old, is another. Bombs are mass destroyers. The military targets among the peasants—the Viet Cong—are small, fast-moving individuals. Bombs cannot identify them. Impartially, they mangle children, who are numerous, and guerrilla fighters, who are few. The use of fire and steel on South Vietnamese hamlets, because Viet Cong are reported to be in them (and often are not), can sometimes be like destroying your friend's home and family because you have heard there is a snake in the cellar.

South Vietnam is somewhat smaller than the state of Missouri. The disaster now sweeping over its people is so enormous that no single person has seen it all. But everyone in South Vietnam, native and foreign, including American soldiers, knows something of the harm done to Vietnamese peasants who never harmed us. We cannot all cross the Pacific to judge for ourselves what most affects our present and future, and America's honor in the world; but we can listen to eyewitnesses. Here is testimony from a few private citizens like you and me.

An American surgeon, who worked in the provincial hospital at Danang, a northern town now swollen with refugees and the personnel of an American portbase: "The children over there are undernourished, poorly clothed, poorly housed and being hit every day by weapons that should have been aimed at somebody else. . . . Many children died from war injuries because there was nobody around to take care of them. Many died of terrible burns. Many of shell fragments." Since the young men are all drafted in the Vietnam Army or are part of the Viet Cong, "when a village is bombed, you get an abnormal picture of civilian casualties. If you were to bomb New York, you'd hit a lot of men, women and children, but in Vietnam you hit women and children almost exclusively, and a few old men. . . . The United States is grossly careless. It bombs villages, shoots up civilians for no recognizable military objective, and it's terrible."

An American photographer flew on a night mission in a "dragon ship"—an armed DC–3 plane—when Viet Cong were attacking a fortified government post in the southern Delta. The post was right next to a hamlet; 1,400 is the usual number of peasants in a hamlet. The dragon ship's three guns poured out 18,000 bullets a minute. This photographer said: "When you shoot so many thousand rounds of ammo, you know you're gonna hit somebody with that stuff . . . you're hitting anybody when you shoot that way . . . a one-second burst puts down enough lead to cover a football field. . . . I was there in the hospital for many days and nights. . . . One night there were so many wounded I couldn't even walk across the room because they were so thick on the floor. . . . The main wounds came from bombs and bullets and indiscriminate machine-gunning."

A housewife from New Jersey, the mother of six, had adopted three Vietnamese children under the Foster Parents Plan, and visited South Vietnam to learn how Vietnamese children were living. Why? "I am a Christian. . . . These kids don't ask to come into the world—and what a world we give them. . . . Before I went to Saigon, I had heard and read that napalm melts the flesh, and I thought that's nonsense, because I can put a roast in the oven and the fat will melt but the meat stays there. Well, I went and saw these children burned by napalm, and it is absolutely true. The chemical reaction of this napalm does melt the flesh, and the flesh runs right down their faces onto their chests and it sits there and it grows there. . . . These children can't turn their heads, they were so thick with flesh. . . . And when gangrene sets in, they cut off their hands or fingers or their feet; the only thing they cannot cut off is their head. . . ."

An American physician, now serving as a health adviser to the Vietnamese Government: "The great problem in Vietnam is the shortage of doctors and the lack of minimum medical facilities. . . . We figure that there is about one Vietnamese doctor per 100,000 population, and in the Delta this figure goes up to one per 140,000. In the U.S., we think we have a doctor shortage with a ratio of one doctor to 685 persons."

The Vietnamese director of a southern provincial hospital: "We have had staffing problems because of the draft. We have a military hospital next door with 500 beds and 12 doctors. Some of them have nothing to do right now, while we in the civilian hospital need all the doctors we can get." (Compared to civilian hospitals, the military hospitals in Vietnam are havens of order and comfort. Those I saw in central Vietnam were nearly empty, wasting the invaluable time of frustrated doctors.) "We need better facilities to get people to the hospital. American wounded are treated within a matter of minutes or hours. With civilian casualties it is sometimes a matter of days—if at all. Patients come here by cart, bus, taxi, cycle, sampan, or perhaps on their relatives' backs. The longer it takes to get here, the more danger the patient will die."

There is no shortage of bureaucrats in South Vietnam, both Vietnamese and American. The U.S. Agency for International Development (A.I.D.) alone accounts for 922 of them. In the last 10 years, around a billion dollars have been allotted as direct aid to the people of South Vietnam. The results of all this bureaucracy and all this money are not impressive, though one is grateful that part of the money has bought modern surgical equipment for the civilian hospitals. But South Vietnam is gripped in a lunatic nightmare: the same official hand (white) that seeks to heal wounds inflicts more wounds. Civilian casualties far outweigh military casualties.

Foreign doctors and nurses who work as surgical teams in some provincial hospitals merit warm praise and admiration. So does anyone who serves these tormented people with compassion. Many foreign charitable organizations try to lighten misery. I mention only two because they concentrate on children. Both are volunteer organizations.

Terre des Hommes, a respected Swiss group, uses three different approaches to rescue Vietnamese children from the cruelties of this war: by sending sick and wounded children to Holland, Britain, France and Italy for long-term surgical and medical treatment; by arranging for the adoption of orphans; and by helping to support a children's hospital in Vietnam—220 beds for 660 children. This hospital might better be called an emergency medical center, since its sole purpose is to save children immediately from shock, infection and other traumas.

In England, the Oxford Committee for Famine Relief (OXFAM) has merged all its previous first-aid efforts into one: an OXFAM representative, a trained English nurse, is in Vietnam with the sole mission of channeling money, medicine, food, clothing and eventually toys (an unknown luxury) to the thousands of children in 10 Saigon orphanages.

Everything is needed for the wounded children of Vietnam, but everything cannot possibly be provided there. I believe that the least we can do—as citizens of Western Europe have done before us—is to bring badly burned children here. These children require months, perhaps years, of superior medical and surgical care in clean hospitals.

Here in America there are hopeful signs of alliance between various groups who feel a grave responsibility for wounded Vietnamese children. The U.S. branch of Terre des Hommes and a physicians' group called The Committee of Responsibility for Treatment in the U.S. of War-Burned Vietnamese Children are planning ways and means of caring for some of these hurt children in the United States. Three hundred doctors have offered their skills to repair what napalm and high explosives have ruined. American hospitals have promised free beds, American families are eager to share their homes during the children's convalescence, money has been pledged. U.S. military planes, which daily transport our young men to South Vietnam, could carry wounded Vietnamese children back to America—and a chance of recovery.

The American Government is curiously unresponsive to such proposals. A State Department spokesman explains the official U.S. position this way: "Let's say we evacuate 50 children to Europe or the United States. We do not question that they would receive a higher degree of medical care, but it would really not make that much difference. On the other hand, the money spent getting those 50 children out could be better used to help 1,500 similarly wounded children in Vietnam. It seems more practical to put our energies and wherewithal into treating them on the scene in Vietnam." The spokesman did not explain why we have not made more "energies and wherewithal" available to treat the wounded children, whether here or in Vietnam. Officially, it is said that children can best be cured in their familiar home environment. True; except when the home environment has been destroyed and there is no place or personnel to do the curing.

We cannot give back life to the dead Vietnamese children. But we cannot fail to help the wounded children as we would help our own. More and more dead and wounded children will cry out to the conscience of the world unless we heal the children who survive the wounds. Someday our children, whom we love, may blame us for dishonoring America because we did not care enough about children 10,000 miles away.

[From the Providence (R.I.) Journal, Jan. 23, 1967]

We've Backed the Wrong Horse—How Much Is That Armor in the Window?

(By James P. Brown)

I am no horse player but there is one rule for playing the horses of which I am reasonably certain: no prudent man continues to place his money on a persistent loser, no matter who is the jockey.

This, I am convinced, is what the United States is doing in Vietnam. The American government has wagered its power, its prestige, its wealth and the lives of its young men on a losing horse, the government and armed forces of the Republic of Vietnam. Each time this uninspired nag stumbles, as it has been doing now with monotonous consistency for more than 12 years, Uncle Sam just raises the ante, as though having Americans in the saddle will somehow, some day bring in a winner. The odds are heavily against this ever happening.

AMERICAN SACRIFICE

What American leaders can't seem to get through their heads is that it is the horse, not the jockey, that has to run the race, and we've backed the wrong horse in Vietnam. No amount of American power, persistence or sacrifice can alter that dismal fact.

Although both President Johnson and Ambassador Lodge in recent statements have insisted the United States will spare no effort and shirk no sacrifice to push on to victory in Vietnam, both men conceded the ultimate victory, the pacification of the country, can be achieved only by the Vietnamese themselves.

"Only they can win this part of the war," the President said in his State of the Union message.

The question is, can they? Let's look at the record.

First, it should be recognized that no matter how much you shake up the government in Saigon or the Vietnamese forces in the field, you are still dealing with essentially the same inept minority. Beverly Deepe, the astute correspondent of the old *New York Herald Tribune* in Vietnam, writing from Saigon in June of 1965, described them thus:

"The government class is generally urban-based, French-educated with an aristocratic position based either on family background or money or land ownership. This elite minority attempts to govern masses although it knows little about them and is concerned less."

The carefully screened legislative assembly that was "elected" last fall to put a democratic veneer on the military regime of Premier Ky comes from this same privileged class. Many of its leaders have been in positions of power before, and failed.

For more than a decade now, a series of well-intentioned and able Americans in Saigon have pleaded with and prodded this small group of favored Vietnamese to get on with the programs of economic and social reforms that at least some Americans knew were necessary to win this fundamentally political struggle. The United States poured more than two billion dollars' worth of economic aid into the country and sent its ablest experts to help. Although they have made mistakes, these Americans have done more than their share. The vietnamese have not. In his perceptive book *Vietnam Witness,* published last spring. Bernard Fall wrote:

"It is probably futile to point out that the socio-economic reform programs announced for South Vietnam at the Honolulu conference in February, 1966, are much the same as those developed in 1955, 1959, and 1962, and that the earlier ones failed not for lack of funds or the serious problems of insecurity, but simply because the Saigon authorities thus far have not provided the programs with the proper impetus."

PLEDGES A NEW EFFORT

The Honolulu conference was supposed to change all that. There, President Johnson and Premier Ky pledged a new, all-out effort to win the war "for the hearts and the minds of the people." Vice President Humphrey subsequently toured Vietnam and came home bubbling with optimism.

But a more realistic assessment came from Ambassador Lodge, who said with unaccustomed candor: "For years now in Southeast Asia the only people who have been doing anything for the little man at the grass roots—to lift him up—have been the Communists."

Political turmoil in South Vietnam, which began shortly after Premier Ky's return from Honolulu, stalled the new rural reconstruction effort, but by September, President Johnson was hailing the returns of a rigged election as a vote of confidence in "the real progress and growing momentum" in the nation's social and economic rehabilitation. He released a report from Robert W. Komer, his special assistant for civil action in Vietnam, which claimed that "South Vietnam is increasingly coming to grips with the need to modernize its society, bolster its civil economy, develop its representational institutions and provide a better life for its people."

Three days later, President Marcos of the Philippines declared that the non-military aspects of the Vietnamese effort were "an apparent failure."

Five days later, Vietnamese officials themselves conceded "serious deficiencies" in the program.

In October, a House subcommittee reported that U.S. aid had become a "device for corruption" and that the American government had failed to use the leverage of its aid to influence the Saigon government toward social and economic reform.

LBJ RAISES THE ANTE

On October 20, General Nguyen Duc Thang, Premier Ky's chief of pacification, said, "Although rural institutions go by the name of 'new life' hamlets, the truth of the matter is that they have not provided a new life for the peoples of the hamlets."

The President returned to Asia last December, to Manila, to bet more American money and men on another try in Vietnam. The South Vietnamese army, which has a long record of abusing peasants, will be retrained for the rural pacification job. The Saigon government will be reshuffled, if promised elections are ever held. But Americans will still be riding essentially the same sick horse.

Mr. Johnson said in his State of the Union address: "Ambassador Lodge reports that South Vietnam is turning to this task with a new sense of urgency." He expressed confidence, in ultimate victory.

The odds are heavily against it.

It seems highly irresponsible for American leaders to hazard so much of this nation's wealth, manpower and prestige on the performance of an alien government and people who have so persistently failed.

United Campus Christian Fellowship, Wisconsin State University, Oshkosh,
Oshkosh, Wis., January 30, 1967.

Senator Wayne Morse,
U.S. Senate,
Washington, D.C.

Dear Senator Morse: We join in the personal witness to the fact that an alternative is needed to our present policies in Vietnam. There is an urgent need for a change of operating presuppositions of foreign policy in Southeast Asia.

Alternatives to present policies have been submitted by statesmen, clergy, and laymen of the world. The response to these critics of American foreign policy has been a further escalation of the war. Pope Paul has spoken. The World and National Council of Churches have added their word to that of the National Jewish Council. The administration has escalated and the members of the opposition party have but said—escalate more. This is, we hold, not the answer.

We add our support to the eight-point proposal of Senator Fulbright as a viable option to present strategy in Vietnam. We urge this in the name and spirit of Jesus Christ.

Respectfully,

Rev. Paul Treat II,
UCCF University Minister.
Rev. Donald Collins,
Methodist Campus Minister.
Father Benedict Kleiber,
Chaplain Newman Center.
Rev. Homer Retzlaff,
First EUB Church.
Mr. David Feirer,
High School Student.
Mr. Thomas Fuhrmann,
WSU-O Student.

The Presbytery of Winnebago,
Green Bay, Wis., January 27, 1967.

Be It Hereby Known:

That the Presbytery of Winnebago, United Presbyterian Church, U.S.A., in official session at Stevens Point, Wisconsin, January 26, 1967, passed the following resolutions in regards to the situation in Vietnam:

1. "Urges the United States Government to make unremitting efforts to bring about negotiations with all parties involved in the conflict;

2. Regrets that it has so far been impossible for the United Nations to play any effective part in ending the conflict in South Vietnam, and urges the Administration to continue to seek international means for settlement."

Attest:

Rev. Harold A. Wisner,
Stated Clerk, Presbytery of Winnebago.

An Alternative for Vietnam Taken From "The Arrogance of Power"

(By Senator J. William Fulbright)

1. The South Vietnamese government should seek peace negotiations with the National Liberation Front.

2. At the same time as the Saigon government makes direct overtures to the National Liberation Front the United States and South Vietnam together should propose negotiations for a cease-fire among military representatives of four separate negotiating parties: the United States and South Vietnam, North Vietnam and the National Liberation Front.

3. The United States should terminate its bombing of North Vietnam, add no additional forces in South Vietnam, and reduce the scale of military operations to the maximum extent consistent with the security of American forces while peace initiatives are under way.

4. The United States should pledge the eventual removal of American military forces from Vietnam.

5. Negotiations among the four principal belligerents—the United States and South Vietnam, North Vietnam and the National Liberation Front—should be directed toward a cease-fire and plans for self-determination in South Vietnam.

6. After the principal belligerents have agreed on a cease-fire and plans for self-determination in South Vietnam, an international conference of all interested states should be convened to guarantee the arrangements made by the belligerents and to plan a future referendum on the reunification of North Vietnam and South Vietnam.

7. In addition to guaranteeing arrangements for self-determination in South Vietnam and planning for a referendum on the reunification of North and South Vietnam, the international conference should neutralize South Vietnam and undertake to negotiate a multilateral agreement for the general neutralization of Southeast Asia.

8. If for any reason an agreement ending the Vietnamese war cannot be reached, the United States should consolidate its forces in highly fortified defensible areas in South Vietnam and keep them there indefinitely.

[From the World Union for Progressive Judaism Ltd., News and Views]

Resolution on the Vietnamese War

As an international religious association committed to the Prophetic ideal of universal peace, and also to the inspiring promise of the United Nations, the Governing Body of the World Union for Progressive Judaism, meeting January 5, 1967 in the City of New York, records its heartful gratification to Secretary-General U Thant for his consecrated efforts toward establishing a just and lasting peace in Vietnam.

In particular, we fervently urge the immediate implementation by all parties concerned of the Secretary-General's stated program for peace in Southeast Asia, namely, "the cessation of the bombing of North Vietnam; the scaling down of all military activities by all sides in South Vietnam; and the willingness to enter into discussion with those who are actually fighting."

Furthermore, as a Non-Governmental Organization in consultative status with the United Nations, we wish to express our sense of privilege in voicing support of the distinguished Secretary-General's pleas, which are now before the leaders of the peoples of the earth.

Dartmouth College,
Hanover, N.H., January 30, 1967.

Senator Wayne Morse,
Senate Office Building,
U.S. Senate, Washington, D.C.

Dear Senator Morse: Attached is a copy of a letter recently sent to the President of the United States by *one hundred* members of the faculty and administration of Dartmouth College. I hope you will give serious consideration to its contents.

Sincerely,

David Kubrin,
History.
Paul Leary,
Government.
Lawrence Stern,
Philosophy.

Dartmouth College,
Hanover, N.H., January 30, 1967.

President Lyndon Johnson,
The White House,
Washington, D.C.

Dear President Johnson: In his recent interviews with Harrison Salisbury of the New York *Times*, the Premier of North Vietnam, Pham Van Dong, declared that after a cessation of hostilities all questions between the United States and North Vietnam would be settled and that at that time there would be "no lack of generosity" on the part of his government. He said also that the terms for peace previously advanced by his government were not "conditions" for peace talks and were a subject for discussion (New York *Times*, January 4, 1967).

Subsequently, Mr. Salisbury indicated that his initial dispatch reporting the Premier's remarks was checked for accuracy by the North Vietnamese Foreign Ministry (New York *Times*, January 8, 1967). The North Vietnamese regime has now released the text of Pham Van Dong's formal statement but not the text of the informal discussion with Mr. Salisbury that followed (New York *Times*, January 8, 1967). The text of the formal statement reiterates that previous Hanoi peace terms are not "conditions" for negotiation, but otherwise omits the promising formulations cited above, which were presumably part of the informal discussion. In view of the sensitive position which the North Vietnamese leaders occupy with regard to problems of internal morale and their relations with China, it is not surprising that their statements in this delicate matter are somewhat ambiguous. However, the Salisbury interview may represent a softening of the North Vietnamese position on negotiations, and demands a more positive response than the cold comment thus far accorded it by our government (New York *Times,* January 7, 1967).

That response should initially take the form of a cessation of the bombing of North Vietnam. As reported in the press, it has been repeatedly emphasized by the North Vietnamese regime in private contacts with interested parties, including the British government and U Thant, that ending the bombing is a *sine qua non* of negotiations. This position has now been made public in the text of the Premier's statement and also in remarks by a Paris-based North Vietnamese diplomat (New York *Times,* January 6, 1967). Our government has said that it would consider a bombing halt if given specific assurances of response by the other side. To demand more specific assurances than those contained in the initial Salisbury dispatch is to demand too much. The North Vietnamese will do nothing which can be construed as their yielding to American bombing. Such at least is the impression of U Thant, for whose peace efforts our government has voiced support. If U Thant is right, men are being killed because neither side will make a definite first move.

The way to peace in Vietnam is obviously complicated; the intentions of the parties to the conflict are not clear. Anyone who says that he *knows* that the North Vietnamese will not respond positively to a halt in bombing is not a reasonable man and can hardly be called a genuine seeker after peace. Doubtless the bombing of North Vietnam impedes the North Vietnamese war effort and slows infiltration of the South. But the bombing has had no decisive effect on the war. It cannot be claimed that one owes it to American troops to continue the bombing. For what one primarily owes to American troops—and to the Vietnamese people as well—is to explore all ways to peace.

An American concern in the past has been that termination of the bombing would lead to greatly increased infiltration from the North. In view of Pham Van Dong's remarks, one may hope that this will not be the North Vietnamese response at this time. It cannot be expected, however, that the North Vietnamese will respond to a bombing halt by ceasing infiltration, if this means letting the American forces crush the Vietcong. A bombing halt must be accompanied by a general de-escalation, as recommended by U Thant.

We ask you, Mr. President, to take the following steps:

1. Announce that the bombing of North Vietnam is to be halted without conditions and indefinitely.
2. Announce other specific measures of reduction in U.S. military activity.
3. Call upon the other side to respond by measures of de-escalation.
4. Call for negotiations in which the National Liberation Front would be one of the major participants.

Yours truly,

David Kubrin, History.
Paul Leary, Government.
Lawrence Stern, Philosophy.
Martin Arkowitz, Mathematics.
Colette G. Audin, Romance Languages.
David Baldwin, Government.
R. W. Barratt, Biological Sciences.
Russell H. Batt, Chemistry.
Philip S. Benjamin, History.
W. O. Berndt, Pharmacology.
Fred Berthold, Jr., Religion.
Peter Bien, English.
Harold L. Bond, English.
Philip Bosserman, Director of the Office of Peace Corps Programs.
Richard Bowen, Tuck School.
David Bradley, Tuck School.
H. Frank Brooks, Romance Languages.
Edward Brown, Mathematics.
Raymond J. Buck, College Editor.
Joseph Buckley, Mathematics.
Parke G. Burgess, Speech.
Donald Campbell, History.
Ronald L. Chastain, Romance Languages.
Edson M. Chick, German.
Robert W. Christy, Physics.
Robert L. Cleland, Chemistry.
M. O. Clement, Economics.
Richard K. Cross, English.
Richard H. Crowell, Mathematics.
Jere Daniell, History.
Roger Davidson, Government.
Alex De Santis, English.
Paul A. Desaulniers, Romance Languages.
Willis Doney, Philosophy.
Timothy Duggan, Philosophy.
Richard Eberhart, English.
Claire Ehrmann, Romance Languages.
Henry Ehrmann, Government.
Roger Elliott, Psychology.
Walter Englander, Biochemistry.
Robert Feldmesser, Sociology.
James Fernandez, Anthropology.
James R. Geiser, Mathematics.
Bernard Gert, Philosophy.
Daniel N. Gordon, Sociology.
Virgil Graf, Psychology.
Francis W. Gramlich, Philosophy.
David P. Hanlon, Biochemistry.
Laurence Hines, Economics.
Robert E. Huke, Geography.
James N. Hullett, Philosophy.
Arthur E. Jensen, English.
Abraham J. Karp, Religion.
Gardner M. Ketchum, Engineering Sciences.
Francis W. King, Psychology.
David Kovenock, Government.
John Lanzetta, Psychology.
R. N. Leaton, Psychology.
Arthuro Madrid II, Romance Languages.
David K. Martin, Office of Development.
Gary McDowell, Economics.
Jonathan Mirsky, Chinese.
Rhona Mirsky, Biochemistry.
Louis Morton, History.
Ray Nash, Art.
Lafayette Noda, Biochemistry.
Robert Z. Norman, Mathematics.
Alper Orhon, Economics.
D. Scott Palmer, Assistant Dean of Freshmen.
Richard Pearse, English.
H. H. Penner, Religion.
Douglas D. Perkins, Treasurer's Office.
Noel Perrin, English.
R. L. Regosin, Romance Languages.
Michael Rewa, English.
Robert H. Russell, Romance Languages.
David Sanford, Philosophy.
Robin Scroggs, Religion.
Paul R. Shafer, Chemistry.
Frieda Silvert, Sociology.
Frank Smallwood, Government.
William M. Smith, Psychology.
Lucile Smith, Biochemistry.
J. Laurie Snell, Mathematics.
Raymond Sobel, Psychiatry.
Robert Sokol, Sociology.
Hilda W. Sokol, Physiology.
Richard W. Sterling, Government.
Walter H. Stockmayer, Chemistry.
Dona Strauss, Mathematics.
Paul Swarney, Classics.
R. D. Taylor, English.
Charles Terry, English.
Peter H. von Hippel, Biochemistry.
Josephine B. R. von Hippel, Psychiatry.
F. E. Webster, Tuck School.
R. E. Williamson, Mathematics.
Ronald W. Wippers, Tuck School.
Thomas Wilson, Sociology.
J. H. Wolfenden, Chemistry.

[From the New York (N.Y.) Times, Jan. 29, 1967]

A LETTER TO THE PRESIDENT

NEW HAVEN, CONN.,
January 1967.

DEAR MR. PRESIDENT: The signers of this letter, members of the Yale faculty who speak for themselves and not as representatives of the University, write to urge most respectfully that you declare an unconditional halt to the bombing of North Vietnam.

We are aware of the difficulties this decision entails for you. We recognize that you must assess important military and political risks before you can make such a move. But we believe we speak for men of good will everywhere in the world when we urge you to consider that now the potential benefits outweigh the risks, and that the gamble is a necessary one.

We are very much strengthened in this view by the events of the last few days, particularly U Thant's growing conviction that the cessation of bombing is the necessary key to the opening of peace talks, and Pham Von Dong's interview with Harrison Salisbury in which a new flexibility seems to have been indicated.

We know that you are as anxious for peace as the rest of us, and we fervently hope you will agree that the cessation of bombing is now essential for the achievements of that peace.

Very sincerely,

Robert P. Abelson, Harry B. Adams, Robert S. Adams, Edward A. Adelberg, George Aghajanian, Sydney Ahlstrom, Hayward Alker, Jr., Joel Allison, Victor A. Altshul, Jose J. Arrom, N. Philip Ashmole, Elisha Atkins, Robert Bailey, Theodore S. Baker, David E. Baldwin, Dagmar E. Barnouw, Jeffrey Barnouw, Franklin L. Baumer, H. Leroy Baumgartner, Russel J. Becker, Richard H. Bell, Alfred R. Bellinger, Jerome S. Beloff, Harry J. Benda, William R. Bennett, Jr., Thomas G. Bergin.

Graeme P. Berlyn, Sidney Berman, Alexander M. Bickel, Boris I. Bittker, Francis L. Black, Brand Blanshard, Sidney J. Blatt, John M. Blum, Edgar J. Boell, Philip K. Bondy, Arend Bouhuys, Richard P. Boyce, John E. Boyles, Leo B. Braudy, J. Jay Braun, George Brawerman, Victor Brombert, D. Allen Bromley, Nelson H. Brooks, Peter P. Brooks, Lowell S. Brown, Ralph S. Brown, Jr., Richmond H. Browne, David A. Brownlee, Robert S. Brustein, David L. Burrows.

John B. Butt, David M. Byers, Walter B. Cahn, Herbert A. Cahoon, Guido Calabresi, Thomas C. Campbell, Beekman C. Cannon, Michael Caplow, David A. Carlson, David T. Carr, Kermit S. Champa, W. Knox Chandler, A. Elizabeth Chase, Donald S. Cheney, Jr., Serge Chermayeff, William A. Christian, Burton R. Clark, Silas Clark, Martha L. Clifford, Mary E. Clutter, William S. Coffin, Jr., Jon S. Cohen, Kenneth R. Coleman, Harold Conklin, Charles D. Cook, Robert M. Cook, Jack R. Cooper.

Lindarose Cortell, Anne Cronin, Donald M. Crothers, Robert G. Crowder, Donald R. Currier, Robert A. Dahl, John M. A. Danby, Charles B. Daniels, Paul Davidovits, Alan J. Davidson, Clarence Davis, James Davis, Alice T. Day, Lincoln H. Day, Edward S. Deevey, Jr., Barbara W. Deutsch, Edward F. Dobihal, E. Talbot Donaldson, Richard F. Donovan, Leonard W. Doob, John C. Dower, Ronald M. Dworkin, Isidore Dyen, M. David Egger, Jacques Ehrmann, Arthur I. Eidelman.

Jerome M. Eisenstadt, Hester A. Eisenstein, James Eisenstein, Thomas I.

Emerson, Peter T. Emmerson, Franklin H. Epstein, Kai T. Erikson, Victor Erlich, Edmund J. Fantino, Alexander G. Farkas, Charles Feidelson, Jr., Alan R. Feirstein, Howard M. Felperin, Leonard J. Fichtenbaum, Jacob J. Finkelstein, Arthur Finn, Roberta Fitzgerald, Marshall Fixman, Stephen Fleck, Joel L. Fleishman, Hulda R. Flynn, John P. Flynn, Robert J. Fogelin, Wilton B. Fowler, Hans H. Frankel, Lawrence R. Freedman.

Irving Friedman, Josephine M. Fuhrmann, Joseph G. Gall, John A. Galloway, Arthur W. Galston, Bessie Lee Gambrill, Charles W. Gardner, Alan Garen, John W. Gassner, Frederick P. Gault, Irwin N. Gertzog, Atle Gjelsvik, Joseph A. Glick, Raymond W. Goldsmith, Abraham S. Goldstein, Joseph Goldstein, Paul S. Goldstein, Edward J. Gordon, Leroy C. Gould, Lewis L. Gould, Helen Gray, Richard A. Greenberg, Liliane Greene, Thomas M. Greene, Robert J. Griffin, Ingrid Grove, Ellsworth Grumman.

Jerome A. Grunt, Wolfgang H. H. Gunther, Alan R. Gurwitt, James M. Gustafson, J. Richard Hackman, Gordon S. Haight, John G. Halkett, David D. Hall, John W. Hall, William W. Hallo, Carolyn B. Hallowell, Seymour L. Handler, Robert E. Handschumacher, Herbert S. Harned, Karsten Harries, Robert A. Hatfield, John S. Hathaway, Eric A. Havelock, Anne M. Haywood, James C. Healey, Gustav A. Hedlund, Al Held, Richard N. Henderson, Robert L. Herbert, John Hersey, Teodoro Herskovic.

Donald D. Hester, David A. Hilding, Frederick W. Hilles, David I. Hitchcock, Joseph F. Hoffman, Frederic L. Holmes, Graham S. Hood, Dorothy Horstmann, Kathleen H. Howe, George A. Huaco, John V. Huddleston, Carlton C. Hunt, Samuel P. Hunt, J. Dennis Huston, Peter R. Huttenlocher, Lillian L. Imperi, Robert L. Jackson, Stanley W. Jackson, Nathan Jacobson, Russell C. Jensen, Robert C. Johnson, Stuart R. Johnson, Peter A. Jordan, Harvey W. Kaetz, Michael Kahn, Frances Kaplan.

Richard Karpe, Jay Katz, Paul E. Kaunitz, Robert M. Kellogg, David H. Kelsey, Itzhak Kelson, Kenneth Keniston, Albin B. Kernan, William Kessen, Friedrich Kessler, David M. Kessner, John A. Kirchner, Ralph Kirkpatrick, Shirley Kirschner, Ethelyn H. Klatskin, James A. Kleeman, Edward B. Klein, Gerald L. Klerman, Elizabeth P. Kligerman, Tsuneo Kobayashi, William Konigsberg, Tjalling C. Koopmans, Jan Kott, Leonard S. Krassner, Irving Kriesberg, Morris Y. Krosnick, Robert E. Kuehn.

Darrell D. Lacock, Julius Laffal, Cecil T. Lane, Robert E. Lane, Joseph LaPalombara, William E. Lattanzi, Albert J. LaValley, Paul H. Lavietes, Standish D. Lawder, Traugott F. Lawler, Stanley A. Leavy, Mark W. Leiserson, Martha F. Leonard, Howard Leventhal, Lowell S. Levin, Murray Levine, Daniel J. Levinson, Gordon H. Lewis, Herbert D. Lewis, Melvin Lewis, Ruth W. Lidz, Theodore Lidz, Harvey Liebhaber, William Lilley, 3d, Vernon W. Lippard, Ernest H. Lockridge.

Nathaniel J. London, Charles H. Long, Robert S. Lopez, George deF. Lord, A. Sidney Lovett, Staughton Lynd, W. Richard Lytle, A. Lee McAlester, William L. McBridge, Roger K. McDonald, Samuel W. MacDowell, William S. McFeely, Maynard Mack, Braxton McKee, D. Hugh MacNamee, Paul T. Magee, Anthony P. Maingot, Pasqualina Manca, Andres E. Maneschi, Henry Margenau, Clement L. Markert, John D. Marshall, Jr., Samuel E. Martin, William S. Massey, Roger D. Masters, Christopher K. Mathews.

Elwood R. Maunder, Henry G. Mautner, Gilbert W. Merkx, Alan C. Mermann, Gretchen B. Mieszkowski, Peter Millard, David G. Miller, Irving Miller, Joseph A. Miller, Roy A. Miller, James D. Millikan, Theodore M. Mills, Paul S. Minear, David L. Minter, Edmund S. Morgan, N. Ronald Morris, Richard M. Morse, Lawrence K. Moss, Peter S. Mueller, John W. Myers, Louis H. Nahum, J. Zvi Namenwirth, Kumpati S. Narendra, June C. Nash, Audrey K. Naylor, Yale Nemerson, Paul Newman.

Richard E. Nisbett, Nea M. Norton, Gaylord B. Noyce, John F. O'Conor, Richard A. Olshen, Richard E. Olson, Etta S. Onat, E. Turan Onat, Nelson K. Ordway, Darius G. Ornston, Jr., Philip M. Orville, Howard Pack, Herbert Paris, William N. Parker, Gioacchino S. Parrella, Adam M. Parry, Maxwell Pasternak, Hugh T. Patrick, John R. Paul, Max P. Pepper, Ellis A. Perlswig, Gabor F. Peterdi, Robert H. Peters, Jonathan H. Pincus, John P. Plunkett, Louis H. Pollak.

Russell H. Pope, Robert S. Porro, James L. Pratt, Sally Provence, William H. Prusoff, Martin F. Randolph, Frederick C. Redlich, Charles A. Reich, William E. Reifsnyder, Charles L. Remington, Robert A. Rescorla, Clark W. Reynolds, Frederic M. Richards, Charles E. Rickart, Samuel Ritvo, Nicholas X. Rizopoulos, John Rodgers, James L. Rolleston, Paul D. Rosahn, James Rosati, Peter W. Rose, Joel L. Rosenbaum, Leon E. Rosenberg, Murray Z. Rosenberg, Robert F. Rosin, Ralph Z. Roskies.

David O. Ross, Jr., George P. Rossman, Jr., Joseph E. Rothberg, Albert Rothenberg, Irwin Rubenstein, Robert Rubenstein, Bruce M. Russett, Joseph Russo, William Ryan, Joseph D. Saccio, Herbert S. Sacks, Don E. Saliers, Jeffrey L. Sammons, Leon Sarin, Philip M. Sarrel, Herbert E. Scarf, Roy Schafer, Harold W. Scheffler, Raoul A. Schmiedeck, Karl F. Schofer, Jr., George A. Schrader, Jr., Sanford F. Schreiber, P. Eugene Schulze, Ernst I. Schurer, John H. Schultz, Martin S. Schwartz, Egon Schwelb.

Vincent J. Scully, Jr., George B. Seligman, David Seligson, Joyce A. Semradek, Milton J. E. Senn, Edwin C. Severinghaus, Richard B. Sewall, Hallam C. Shorrock, Jr., F. Seth Singleton, Gustave Sirot, Samuel N. Slie, Don A. Smith, John E. Smith, Robert H. Socolow, Albert J. Solnit, Charles M. Sommerfield, Thomas G. Spates, Jonathan D. Spence, Howard M. Spiro, Michael J. Stephen, Robert B. Stevens, Lloyd G. Stevenson, Hugh M. Stimson, Virginia M. Stuermer, Clyde W. Summers, David Symmes.

Robert H. Szczarba, Charles W. Talbot, Jr., James Tanis, Sidney G. Tarrow, Paul M. Tedesco, M. Elizabeth Tennant, Claudewell S. Thomas, Richmond H. Thomason, David F. Thorburn, W. Sibley Towner, Roy C. Treadway, Henry P. Treffers, Robert Triffin, J. P. Trinkaus, Gary J. Tucker, Henry A. Turner, Franz B. Tuteur, Jack Tworkov, William F. Van Eck, Carl F. von Essen, Allan R. Wagner, Eugene M. Waith, Florence S. Wald, Elga R. Wasserman, Harry H. Wasserman, William W. Watson.

Peter P. Wegener, Hermann J. Weigand, E. Richard Weinerman, Paul Weiss, Rulon Wells, Alexander Welsh, Morris A. Wessel, Harry J. Wexler, Henry Wexler, Alexander White, 3d, Cynthia M. Wild, John D. Wild, Robert C. Wilhelm, John A. Wilkinson, Robert J. Williamson, William J. Willis, Charles C. Wilson, Charles H. Wilson, Leonard G. Wilson, Donald G. Wing, David J. Winter, Robert Wyman, Chitoshi Yanaga, Arthur M. Yelon, Leonard S. Zegans, Felix Zweig.

January 6, 1967.

A KGW-TV Editorial

Mr. Payne. In recent years, this Station's national news coverage of the Vietnam question has been heavily weighted in both the direction or argument and the selection of information in support of the Administration's policy in support of the war. The President and others have ably and often advocated the Administration's position. We do not agree with the administration's continuing actions in Vietnam, therefore, we feel compelled to advance our contrary and critical views of the matter.

We believe the next Vietnam truce should be extended as a way to scale down the war in the direction of concluding it. We agree with South Dakota's United States Senator, George McGovern, who, in a critical evaluation of our country's Vietnam policy had this to say:

Senator McGovern. A lengthy cessation of the bombing of North Vietnam will present little military threat to our forces in Vietnam. It was a mistake, in my judgment, to have bombed North Vietnam at all. It has failed in its stated objective to curtail infiltration of troops and materials from the North to the South. It has also failed to bring Hanoi to the negotiating table. Indeed, if anything, it has prompted a greater military effort on the part of North Vietnam and has hardened their attitude toward the possibility of negotiations.

So, I strongly urge that the bombing be ended. I also urge the President to make clear to the Viet Cong guerrilla leaders that we are prepared to talk directly with them the possibility of a settlement, and that we fully understand that they will play a part in any interim government along with other significant groups in the country.

The alternative to a negotiated settlement in Vietnam is a steadily widening war—a war that could eventually engage millions of American troops over a period of from 10 to 20 years or more. I see no prospect of a meaningful victory even then. Indeed, as the war continues and the destruction mounts, the Vietnamese will become less able to maintain a viable, independent society.

Should China or the Soviet Union, or both, come into the war, the prospects will then be for massive American armies fighting perhaps for a generation or more on the mainland of Asia. The possibility of such a struggle, culminating eventually in a nuclear exchange between the super-powers, cannot be ruled out.

In 1914, the great powers of Europe were invloved in four years of blood-letting which was triggered by the assassination of an Austrian official in the tiny little state of Serbia. I fear that once again that a contest which began in a remote and minor country in Southeast Asia is threatening the peace of the world. I urge our President to try again and again, and without ceasing, to end this tragic conflict before there is no turning back from an international conflict of enormous proportions.

Mr. Payne. We join with Senator McGovern, Secretary General of the United Nations U Thant, and a host of other responsible, informed national and international leaders in requesting the President to deescalate this war and at this critical moment intensify every possible effort to gain a peaceful solution to the conflict.

War/Peace Report—Reunification: Key to Peace in Vietnam

No viable settlement could be based on the permanent partition of Vietnam, this former

South Vietnamese diplomat argues, for all Vietnamese—communist and anti-communist—want their country unified.

(By Tran Van Dinh [1])

Behind the barrage of propaganda and counter-propaganda, proposals and counter-proposals, from all parties engaged in the war in Vietnam, lies an almost forgotten condition for any future peace: the reunification of Vietnam and maintenance of its territorial integrity.

For the majority of the Vietnamese people (and especially, of course, for Hanoi) reunification is the fundamental issue, and unless the principle of territorial integrity is recognized and guaranteed, no solution to the war is possible.

Since the 10th century, when the Vietnamese finally threw off a thousand years of Chinese domination, Vietnam has struggled to extend southwards and to maintain its territorial unity, finally establishing an empire within the present geographical borders in 1802. It has been the denial of that unity which has brought troubles to the land—first with the French colonizers who in 1884 divided the country into three separate *Ky* (districts) and taught the unforgotten lesson that the enemy of Vietnamese independence is also the enemy of Vietnamese unity; then with the French again in 1945, when they tried to establish an independent state of Cochinchina (southernmost Vietnam) and precipitated the First Indochinese War (1946–54); and finally with the United States (1954–?), which has maintained that South Vietnam is an independent nation and thus precipitated the Second Indochinese War now going on.

The principle of Vietnam's unification and territorial integrity has been affirmed by leaders on all sides. It has been formalized by the constitutions of the regimes of both President Ho Chi Minh and President Ngo Dinh Diem. Article 2 of North Vietnam's 1946 constitution states: "The territory of Vietnam composed of Bac Bo (Tonkin), Trung Bo (Annam), Nam Bo (Cochinchina) is one and indivisible." (Article 1 of this constitution, revised in 1960, says: "The territory of Vietnam is a single, indivisible whole from North to South.") Likewise, Article 1 of South Vietnam's 1956 constitution, drawn up by President Diem with U.S. advice, proclaims: "Vietnam is an independent, unified, territorially indivisible Republic."

France, in 1949, also reaffirmed the principle of unification. In the Elyseé Agreements signed with Bao Dai the French government acknowledged that "notwithstanding former treaties of which she might have availed herself, France formally reaffirms her decision not to raise *de jure* or *de facto* obstacles to the admission of Cochinchina within the framework of Vietnam, defined as constituted by the unity of the territories of Tonkin (North Vietnam), Annam (Central Vietnam), and Cochinchina (South Vietnam)."

The principle was also accepted by the 1954 Geneva Agreements. Article 6 reads: "The military demarcation line (at the 17th parallel), is provisional and should not in any way be interpreted as constituting a political or territorial boundary." Article 7 fixed the date of elections for reunification of Vietnam for July 1956.

As early as 1946 Ho Chi Minh enunciated the principle: "Cochinchina is a Vietnamese land. It is the flesh of our flesh, the blood of our blood. Before Sorsica became French, Cochinchina was already Vietnamese." In the same year he told the Vietnamese people: "Our compatriots in Nam Bo (Cochinchina) have accepted so much sacrifice in so many months to keep the mountains and the rivers in tact for our fatherland. All our compatriots in the whole country are grateful for the compatriots in Nam Bo. Our compatriots in Nam Bo are citizens of Vietnam. Rivers may dry up, mountains may erode, but this deep truth will remain forever."

Finally, the National Liberation Front: "The urgent demand of our people throughout the country is to reunify the fatherland by peaceful means. The South Vietnam National Liberation Front advocates the gradual reunification of the country by peaceful means, through negotiations and discussions between the two zones on all forms and measures beneficial to the Vietnamese people and the fatherland."

The United States position is—and has been—fundamentally different. Under President Eisenhower it refused to sanction elections leading to unification out of the fear, as he wrote in *Mandate for Change*, that such elections would be won by the Communist Ho Chi Minh. In other words, the historic national principles of Vietnam were sacrificed to an anti-communist policy. But communism and democracy are new or unknown concepts to the peasantry, who comprise the majority of the Vietnamese, whereas independence and unity have always been the cardinal principles of the national spirit, and are naturally understood by all.

For this reason, the basic weakness of successive anti-communist regimes in Saigon—aside from their corruption, inefficiency, dictatorship and social injustice—has been their rejection of the fundamental principle of Vietnamese nationalism: territorial reunification. Communism triumphs only when it can identify with nationalism. Nationalism in Vietnam is synonymous with unification and independence.

The United States since Eisenhower has not modified its position. While calling for "unconditional negotiations" in his speech at Johns Hopkins University on April 7, 1965, President Johnson declared: "The first reality is that North Vietnam has attacked the independent nation of South Vietnam." And, he asserted, the United States objective is "The independence of South Vietnam and its freedom from attacks." In other words, to the administration "Vietnam" really means "South Vietnam." To Hanoi and the Viet Cong, "Vietnam" means the entire country from north to south.

I recognize that it would be most difficult for the United States, under its present policy, to take a different position. For if it accepts the principle of the territorial unity of Vietnam, then it is intervening in a civil war and its military presence in South Vietnam and its bombing of the North cannot be justified. Nevertheless, until it does accept the principle, and persuades the Saigon government to do so too, there will be no peace.

Since 1955 South Vietnam has commemorated July 20, the date of the signature of the 1954 Geneva Agreements, as Quoc Han, or Day of National Shame. This year the *Vietnam Guardian*, whose editor, Ton That Thien, is a well-known intellectual and strong anti-communist, wrote:

"July 20 is a day of national shame because it reminds us of the division of our country, for which we Vietnamese more than any country in the world are responsible. Vietnam has become divided because there are Vietnamese who place their personal interests or ideas above the interest of Vietnam. Vietnam can be on the way to national unity only on the day when its sons cease to look upon one another as enemies—for whatever reasons—and love one another first."

Earlier, on July 1, when the American Air Force bombed Hanoi suburbs, the same paper carried an editorial stating: "The explosion of the bombs in the Hanoi area—which tears the hearts of all of us—makes us ask ourselves for whom our compatriots in North Vietnam and a section of our compatriots here in the South have been forced to suffer and die." It is significant that censorship of the press in Saigon, which is very tight, allowed such editorials to be printed. While the fanatical anti-communists blamed the communists for the American bombings, no decent Vietnamese would applaud the destruction of the North.

THE ONLY ALTERNATIVE

The leaders in Hanoi would prefer, I think, to endure more severe hardships and more devastating bombings than settle for the permanent division of the country. To defeat them would require the invasion and destruction of the North, and over one million troops to "pacify" the whole country. But in this case China would become involved in the fighting and would react with force, just as the U.S. would if Chinese troops destroyed Mexico and moved to the Texas border. Short of nuclear holocaust, therefore, the war in Vietnam cannot be solved by military means. A political solution through negotiation is therefore the only possible alternative.

In my opinion the best way to settle the war is for the Vietnamese to negotiate first among themselves. South Vietnam, through a civilian government freely elected with the participation of the Buddhists, can negotiate with the Viet Cong and with North Vietnam. The results of these negotiations—especially the principle of reunification—should be guaranteed by interested powers and by the United Nations. It is unfortunate that the Saigon military junta which acceded to the Buddhist demand for elections suppressed the Buddhists by force before the election and put so many restrictions on the recent elections for the Constituent Assembly as to make them a mockery of democracy. But I will not be surprised if the elected members of the Constituent Assembly revolt against the junta, convert their assembly into a legislative one, and then elect a civilian government with Buddhist participation, which will then attempt to negotiate with the Viet Cong and with North Vietnam to end the war.

The United States should not interfere in such a transformation. It should recognize as part of its long-range policy the territorial integrity and unity of Vietnam. It should agree—as the Vietnamese people agree— with Secretary General U Thant's position of September 18, 1966: "The basic problem in Vietnam is not one of ideology but one of national identity and survival."

[From the St. Louis (Mo.) Post-Dispatch]

ADVICE WE ASKED FOR

If it is "face" the Johnson Administration is worrying about in dealing with Vietnam peace talks, we suggest that the United States may well lose more face by following its present course than by simply and unqualifiedly accepting Secretary General U Thant's proposal for an unconditional cessation of the air war against the North.

As things are going, the United States risks making itself faintly ridiculous by plaintively pleading for some prior assurance that Hanoi will reciprocate. At times our Government seems to be demanding that Hanoi promise to reduce its aid to the National Liberation Front. At other times we seem to be asking only that Hanoi promise something, almost anything. Ambassador Goldberg has called for no more than a private assurance of some "response toward peace." It all sounds as if the most powerful nation on earth dare not suspend the bombing unless we can appear to have scored a debating point by extracting a verbal concession from Hanoi.

A verbal concession, however, would be worth very little in substantive terms, as the Administration is fond of saying. While the North Vietnamese would be well advised to make a gesture that the Administration could interpret as compliance with its conditions, for us to insist upon it so implacably puts our country in the graceless position of demanding that a small Asian country display a magnanimity which the United States, in all its majesty and power, cannot bring itself to exercise.

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[1] Tran Van Dinh fought against the French during the First Indochinese War and was a diplomat for Vietnam to several Asian countries. His last post was chargé d'affaires for South Vietnam in Washington, D.C. He now works as a journalist in Washington.

The bombing was inaugurated unilaterally, and it can be suspended unilaterally. It has demonstrably failed to accomplish its stated purpose, which was to seal off the South from North Vietnamese supply and infiltration. While it has been going on, the United States has been and still is proceeding with a vast military buildup far exceeding anything Hanoi could contribute to the other side.

Continuation of the air war is by no means necessary to "protect our boys;" with or without the bombing, they cannot be pushed out of Vietnam, and everybody knows it, including surely Hanoi. To suspend the bombing would be the first logical step in a military standstill, leading hopefully to a cease-fire and then to negotiations for a political settlement based on the demonstrated inability of either side to impose a military solution.

If the Administration is concerned about how to justify a suspension after refusing it for so long, we are confident its talented briefing officers could solve that problem handily if instructed to do so. The files are full of statements and recorded actions avowing undying American support for the United Nations. In December our Government requested the Secretary General of the UN to "take whatever steps you consider necessary to bring about the necessary discussions which could lead to . . . a cease-fire" in Vietnam.

The first step which U Thant considered necessary was to call upon the United States to suspend the bombing unconditionally and unilaterally. The very fact that this request comes from him, and has behind it the full weight of a preponderance of world opinion, is all the justification the United States needs for complying with it. The great majority of Americans would be so passionately grateful for surcease from a senseless war they never wanted and never authorized that they would heartily welcome simple acceptance of U Thant's judgment as to where lies the road to peace.

Admittedly U Thant might turn out to be wrong in hoping that a suspension of the bombing would lead to other steps and ultimately to peace talks. But nothing decisive would be risked by taking his advice, which after all we asked for; and it is better to accept such risks as might be involved than to perpetuate an inconclusive war for fear of losing face.

[From the New Republic, Jan. 7, 1967]

SORRY 'BOUT THAT

The Secretary of State and the Secretary of Defense and numerous subordinates wish they could supply us with some reasonably accurate estimates of civilian casualties in South Vietnam, but they can't, it is beyond them. They have even less information on casualties in the north caused by our air raids. For evidence on that matter, we must rely on what Hanoi claims, supplemented by reports just beginning to come in from the few credible American correspondents admitted to the north. The first of these Harrison Salisbury of *The New York Times*, reported last week that contrary to initial Pentagon denials, our planes have caused extensive damage in and around Hanoi to civilians, to their homes, and their places of work. We are bombing more than bridges, rail yards and infiltration routes.

The most plausible explanation for the paucity of official news on civilian casualties, especially in the south, is that the Washington and Saigon bureaucracies are not terribly keen to get the news and publicize it. The American image has been marred enough by those sickening wire service photographs of burned children and women weeping over their dead. The officials do, of course, keep us posted to almost everything else in Vietnam. We know, for example, that 4,822,000 metric tons of rice were harvested in South Vietnam for the year '65–66 (most of it in the delta region, large parts of which are under *Viet Cong* control). We learn, every hour on the hour, precisely how many enemy ("communist") bodies have been counted (158,000 enemy casualties reported by the Pentagon from 1961 to December 15, 1966). We are given exact figures on how many Vietnamese cast their votes, and for whom, in an election. We are told how many hamlets have been "pacified," how many not. We have figures on the number of hospitals, on the cost of the war ($332,000 for each enemy soldier killed in this fiscal year). But despite the computers, the intelligence gathering sources of Saigon and the US, the presence of nearly 400,000 GIs, the AID advisers, the CIA and all the rest, it is not possible to find out how many civilians have been killed and wounded in South Vietnam.

The question has been asked. In February of last year, Senator Claiborne Pell wondered why it was so difficult to get any reliable statistics. Secretary Rusk replied: "I just don't know. I have not myself seen any such figures." On April 20, during the Senate Foreign Relations Committee interrogation of Secretary McNamara, the question was again put by Senator Pell. Mr. McNamara replied: "I received a report from General Westmoreland this morning just before coming over here which stated that the total number of civilians killed inadvertently through U.S. military operations in South Vietnam amounted to 137." Queried as to considerably larger estimates of civilian casualties that have been made, Mr. McNamara quoted from Westmoreland's cable: "There is no evidence to support those larger claims."

Several weeks later, on May 11, Mr. McNamara again came before the Foreign Relations Committee and again referred to the original Westmoreland figure of 137. "Now, I am not at all sure of the accuracy of those figures," the Secretary added, and he had therefore "sent General McCown of my own Inspector General's office to South Vietnam to make a commonsense check of them. . . . I would be very happy to see that you receive a copy of that report. It will probably be two to three weeks before it is available." The report was not available within two or three weeks, but in July the committee received a "standby" letter from Adam Yarmolinsky, then Deputy Assistant Secretary of Defense. That was followed on August 19 by a second letter from Mr. Yarmolinsky to Senator Pell, which said in effect that no meaningful statistics were at hand, but that the civilian casualties—however caused—were minimal.

Senator Fulbright was unsatisfied. On August 24 he shot off an angry letter to Mr. Yarmolinsky which said in part: "Your letter to Senator Pell was not very helpful and I must say that it is difficult for me to understand why estimates, at the minimum, are not available. The Department of Defense and the Agency for International Development seem to have statistics available on every conceivable facet of our military and AID operations in Vietnam which tend to back up established Executive Branch policies. . . . There does not seem to be any lack of statistics on Viet Cong or North Vietnamese inflicted casualties, according to paragraphs of your letter." Fulbright then asked:

"1. Has the South Vietnamese government at any time made any announcements concerning the civilian casualties, other than those for which the Viet Cong or the North Vietnamese were held responsible?

"2. Are civilians ever treated at South Vietnamese or U.S. military hospitals? If so, are records kept on the numbers treated and the type and origin of their wounds?

"3. Do civilian hospitals keep records of those they treat who are suffering from war injuries? Have our officials attempted to obtain this information?

"4. Do the medical teams supported through the AID program ever treat war casualties? If so, are records kept and made available to the Department of Defense?

"5. Are records available concerning indemnity claims for war injuries filed against either the South Vietnamese government or the United States?"

Senator Fulbright concluded: "War is a deadly and dirty business which always results in the death of many innocent people. I see no reason for the Defense Department to try to deny this simple fact insofar as our operations have resulted in civilian casualties. I hope the Department will take another look at this problem and furnish the committee with information which is more realistic than that provided to date."

A week later, Mr. Yarmolinsky answered. He was "deeply troubled" by Fulbright's implication that the Department was not "gravely concerned about this problem." He said that "when Secretary McNamara told your committee three months ago that we had been unable to identify more than 380 casualties, he made it clear that this figure bore only a random relationship to the total number of civilian casualties. The fact that we have been able to identify almost half this number in recent weeks suggests to me that we are doing better in focusing attention on a problem that all of us agree deserves the highest attention."

Attached to the August 31 Yarmolinsky letter was a "Memorandum on Civilian Casualties" which addressed itself to Fulbright's five questions. The Memorandum stated that "a thorough search of available records" indicates that the South Vietnamese government has made no announcements concerning civilian casualties, other than those for which the Viet Cong or the North Vietnamese were held responsible. It said that "civilians are treated in military hospitals only in exceptional circumstances," that "unfortunately, available Vietnamese hospital records make no distinction between paramilitary force and civilian patients," and "as concerns the total numbers treated in civilian hospitals, GVN [South Vietnam] paramilitary force casualties undoubtedly make up a substantial portion of those patients hospitalized as war casualties."

The Memorandum said that civilian hospitals do not keep records of those being treated for war injuries. It added that "casualty statistics at provincial hospitals should slowly improve as the U.S. and Free World continue to augment the GVN treatment capability through the AID-supported Military Public Health Augmentation Program [MILPHAP]."

Responding to Fulbrights' question about whether medical teams supported through AID program ever treat war casualties, the Memorandum said that here again "records are not meaningful." Indemnification of South Vietnamese civilians," it concluded, "is made for both combat and non-combat related incidents." During the calendar year 1965, the Republic of Vietnam received approximately 11,000 claims nationwide," and "over the 12-month period ending 30 April 1966, 1,881 claims were filed [against the U.S. under the provisions of the United States Foreign Claims Act] and 1,324 were approved." Awards amounted to $235,913. That, officially, is all we know so far, which isn't much.

There have been, of course, unofficial estimates. The AP reported last December 22 that "figures from Vietnamese and American public and private sources indicate that this year's civilian death toll has averaged about 1,000 a month, with at least three times that many wounded." The AP cited one instance of a U.S.-conducted, one-day check last fall, which showed that "more than 1,600 of nearly 10,000 patients in 60 hospitals were being treated for wounds connected with war. Not included were the hundreds of civilians cared for at provincial dispensaries, village aid stations, and at home." On December 26, 12 Catholic, Protestant and Jewish clergymen told President Johnson that, "the heartless war in the south continues with United States and South Vietnamese forces matching the terror and assassinations of the Viet Cong by killing somewhere from two to five civilians for every Viet Cong guerrilla or North Vietnamese regular." They accused the President of "lack of candor" in reporting the facts.

When it became known recently that American bombs had been hitting civilian targets in the north and that civilians had lost their lives as a result, General Eisenhower contributed a unique comment. He knew, he said, that our "operations are aimed exclusively at military targets, but unfortunately there are some civilians around these targets." "Is there any place in the world," he wondered, "where there are not civilians?" The Pentagon reacted to the disclosure by suggesting that it was Hanoi's fault, since they "deliberately emplace their air defense sites, their disbursed POL (petroleum, oil, lubrication) sites, their radar and other military facilities in populated areas, and indeed, sometimes on the roofs of government buildings." And Secretary McNamara, at a holiday gathering with a cluster of reporters, recalled that when he served in World War II he learned that bombs never go where they're aimed. Twenty years later, he added affably, the state of the art has improved: now bombs occasionally go where they're aimed.

[From the New York Times, Jan. 2, 1967]

TOPICS: THE SEAT BEHIND THE PILLAR

(By Archibald MacLeish)

History, like a badly constructed concert hall, has occasional dead spots where the music can't be heard. Everything in the United States today—the boredom of the young, the numbness of the arts and the ineptitude of the politicians—indicates that we are caught in one of them. No matter how we crane our necks and cock our ears we seem unable to catch the tune.

The reason, I think, is fairly clear. We can't make out the tune of the time because we are still back behind it in the nineteen-fifties with the dilapidated bulk of "Anti-Communism" against our faces. If we could bring ourselves to look around, it might occur to us that we are not, whatever the ushers may have told us, in the best seat in the house.

EASIER TO LAUGH THEN

Some, of course, have already noticed. Even fifteen years ago when the place was first proposed to us a few protested. "Anti-Communism," which meant McCarthy at home and Containment abroad, looked like a queer location for the United States, a nation not previously given to squatting in the lee of anything.

But fifteen years ago the whole state of the Union was so preposterous it seemed easier to laugh. McCarthy, for all the noise he made and harm he did and pain he inflicted, was a comic figure whose monstrous revelations of treason in the Department of State and disloyalty by the noblest American soldier of the century kept blowing up in his face like a clown's balloons.

And as for the Containment, which meant the redefinition of the American purpose in the world as the negation and denial of the Russian purpose, it was so palpably inappropriate to a country which had just planned and engineered and supplied and fought the greatest victory in military annals, that no one but the professional Holy Warriors could take it seriously.

The Truman Doctrine was justified by the Marshall Plan which had a creative and characteristically American purpose of its own, but nothing could justify the worldwide wall of Foster Dulles—nothing in American history at least. And so we merely smiled at SEATO and the rest and let the protest go.

That, however, was back before the sixties. Now that the better half of a new decade has pushed its predecessor into the past, the perspective alters. McCarthy has disappeared—but only to be replaced by the apparently ineradicable reek of McCarthyism. And Containment has turned into the disaster implicit in it from the start—the disaster of Vietnam.

With the result that what was preposterous in the fifties has become tragic in the sixties. Where the question fifteen years ago was why in the name of sanity and common sense the American revolution of independence and self-government which was redrafting the map of Africa and shaping a new society in India and Japan should be betrayed at home—turned into a mere counter-revolution to the Russian, a static and defensive state of negation and neurosis and downright fear—the question today is a soberer question.

It is the question whether an unachievable victory in Vietnam is preferable to an unthinkable defeat or an unthinkable defeat to an unachievable victory.

Which is not precisely intellectual progress, but does throw light upon the cause of our predicament. It was not when we began to escalate the war in Vietnam or even when we first decided to fight in it ourselves that the sad mistake was made. It was made when we allowed ourselves to be frightened into "Anti-Communism" as a national policy and posture.

VIETNAM IS INHERITANCE

Our involvement in Vietnam is our inheritance from Containment and McCarthy. And it is for that reason more than any other that we get so little sympathy from Europe. For it has long been obvious to European intelligence, even including the intelligence of the Vatican, that "Anti-Communism" is dead as a policy and worse than dead as an intellectual position.

The past cannot, of course, be revised, but there is something to be said for recognizing what it was and where it has left us and what our actual situation is. When, in a hypothetically sane universe, a problem proves insoluble by the exercise of sanity, it is usually because it has been stated in mistaken terms.

NO POLICY AT ALL

Vietnam is insoluble as a military conundrum: an unachievable victory is neither better nor worse than an unthinkable, defeat—it is merely equally unthinkable, though for different reasons. Conceivably, therefore, the problem of Vietnam should not be posed in military terms but in different terms: terms which would recognize the error of the fifties and move us out from behind the obstructing column. Once we recognize as a nation that "Anti-Communism," like all the rest of the anti-isms, is not an effective policy or, indeed, a policy at all—once we recognize as a nation that the only defense against the purposes of others, is a better purpose of our own—we may very possibly regain the freedom of action we have been progressively losing ever since Vietnam began if not since Foster Dulles.

After all, we *have* a better purpose of our own. It is now evident to anyone who cares to see that it is the Revolution of 1776, not the Revolution of 1917, which is providing the dynamism of the waking world from the west coast of Africa to the islands of Japan.

(NOTE.—*Archibald MacLeish has won the Pulitzer Prize three times, twice in poetry and once in drama.*)

THE PULLEN MEMORIAL
BAPTIST CHURCH,
Raleigh, N.C., January 25, 1967.

Senator WAYNE MORSE,
U.S. Senate,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MORSE: Please let me take the liberty of sharing with you a sermon I preached here at Pullen Memorial Baptist Church last Sunday. I am of course aware that men like yourself and Senators Gruening and Fulbright are sources of inspiration to those of us who feel constrained to be critical of, though loyal to, the government during these dark days. We continue to look to you for leadership.

Always the very best of wishes.

Sincerely,

W. W. FINLATOR.

AN AMERICAN TRAGEDY

(Sermon preached at Pullen Memorial Baptist Church, Jan. 22, 1967, by W. W. Finlator)

Every one knows that Charles Dickens began his tragic *Tale of Two Cities* with these words: "It was the best of times, it was the worst of time." What an apt description of our America today! These are the best of times. Our GNP—that means Gross National Product—is the highest ever, and still climbing. The over-all unemployment rate is low, for us, even if it takes the Cold War economy to keep it low. Incomes, so they say, are soaring. Never were so many thousands and thousands of our young people in college. The Civil Rights Movement has opened the door of opportunity to people hitherto excluded from the Promised Land while Medicare and Social Security, no longer dirty words, have made a place, at least at the second table, to those who have not been feasting on the milk and honey. In a word, as the sociologists put it, this is a Cornucopic Society. It is the best of times.

But it is also the worst of times. In a nation of unparalleled wealth there are still thirty-four million people living in abject poverty and forty-three others whose lives of stark insufficiency keep them perpetually on the border line of poverty. And the gap between these people of poverty and the people of wealth is actually widening! Twelve years after the 1954 Supreme Court decision, and in spite of the marches and the sit-ins and the civil rights legislation and the Good Neighbor Councils, our Negro leaders are finding out that the rate and number of those dispossessed from the good things of the land on account of race is increasing! Under such circumstances Black Power comes persuasive. And to others White Backlash also becomes persuasive. The core of our great cities continues to rot, our rivers and lakes and atmosphere are garbage cans for the refuse of people and industry, crime increases, especially among the younger people. And from all this and much more we turn our attention and our resources and rivet them on a little nation half way around the world where almost four hundred thousand of our young men are in combat, another seventy thousand are offshore in the fleet and another forty thousand in Thailand, and we are engaged in the longest war in our American history which is still undeclared. Yes, it is also the worst of times.

Now between the best and the worst lies tragedy. It was so in the *Tale of Two Cities*. It was so in *King Lear*. The foolish king was never so happy and secure than at the moment of dividing his kingdom between his two faithless daughters. It was so on the Ides of March with Julius Caesar. It was so with King Solomon. It is so in America. "At the very moment that ye think not," said Jesus.

In speaking today of the tragedy of our involvement in Vietnam I shall not talk, as on former occasions, about an unjust and immoral war, or dwell on the bankruptcy of American foreign policy so dramatized in

Vietnam, or deplore the bombing of civilians, or describe the horror of napalm bombs or the shame of the nauseating gas (sometimes referred to as "humane gas," something no other nation has resorted to in modern times), or the defoliation of the forests or the poisoning of the rice fields. Indeed I shall talk about what the war is doing to us as a nation and as a people. As horrible as the war is to the brave Vietnamese who for 20 long years have been fighting for their freedom and integrity, we shall consider it this morning as an *American* tragedy. Such a "filthy and barbarous war" writes J. M. Cameron, an English friend, in Commonweal (Jan. 20, 1967) "can only be sustained by a people so decent and humane as the mass of Americans are by a process of self-deception." This is sheer tragedy. And in the same article Fr. Daniel Berrigen is quoted from his book, *They Call Us Dead Men*: "A climate of war creates its own horizons, its own justification and effort. Subjected to such an atmosphere for a long period of time, men come to accept it as normal and self evident; they create a logic that suits their state of soul. They create tools of violence as entirely normal methods of dealing with "The enemy"; once created, the tools are used with an ever-increasing ease. Peaceableness, communication with others, discussion, public candor—these are less and less trusted methods of dealing with human difference. . . . We become the beleaguered defenders of all that is good and noble in life, the society that can do no wrong, whose interventions are always governed by superior wisdom, whose military might serves only the good of humanity." Frankly, I know of no better justification for any of these "religious" or "holy" wars that devastated Europe for so many generations.

If you are prepared to agree with me that this is indeed an American tragedy I would like to suggest that the tragedy expresses itself in six ways: first, through Loss of Faith; second, through Breach of Contract; third, in the Crisis of Credibility; fourth, through a Paralysis of Inner Enrichment; fifth, in Default of Leadership; and sixth, through Schism of the Soul.

First, let us look at the Loss of Faith. Some call it the betrayal of a dream, the American dream. The faith of our fathers was indeed a dream, a dream that men would and should govern themselves and make their governments subservient to their welfare. That people had not only the right but the duty of self-autonomy even if this meant revolution and even if this revolution meant violence all the way from the Boston Tea Party and Paul Revere's Night Riders to the surrender of General Cornwallis. The dream meant that a nation has the right to pursue its own destiny and establish its own political and economic institutions free from foreign intervention and the imposition of alien ideologies, however objectionable these institutions might appear to other nations. The dream also included the faith, or the faith included the dream, that a nation born out of colonialism would understand similar struggles around the world.

Today we are no longer seen in this light. To other nations we are regarded as the great counter revolutionary force of the world, supporting, and even helping to set up, repressive governments and military dictatorships, repugnant to the people, in other lands. We are regarded as the great propper-upper of governments with whom we can "do business." They note that we took Premier Diem out of retirement in America and imported him back to Vietnam. Since Diem there have been eight other governments, the last headed by ten generals, nine of whom fought with the French against their own people. They see us passing resolutions in Congress authorizing our President to land troops anywhere in the world he is convinced that there is danger of the people establishing a form of government unacceptable to our American way. And they wonder, of course they wonder, what has become of our faith in the right of people to their own destiny, our faith in government of the people, by the people, and for the people.

The American tragedy expresses itself, in the second place, as a Breach of Contract. Our government continues to make much over what it calls its commitments to the government of South Vietnam. Just what these commitments are it is difficult to ascertain. Some say they are non-existent. Others say they were only economic aid. No one seems able to put his hands on it. Senator Gruening said on the floor of the Senate (June 21, 1966): "We were not asked by a friendly government in South Vietnam to help repel aggression. We asked ourselves in. It is not true a solemn commitment was made by three presidents to do what we are doing. President Eisenhower merely proffered economic aid and that condition on reform and performance which were never carried out either by the Diem regime or by the eight subsequent self-imposed regimes. President Kennedy, accepting the bad advice of Secretary McNamara, escalated the number of advisors from the 600 in South Vietnam, as part of the military mission established by President Eisenhower, to a total of twenty thousand. But he sent no troops to combat. No American lives were lost in combat during the administrations of Eisenhower and Kennedy. Regrettably, after a campaign in which President Johnson led the American people to believe he would achieve a peaceable solution in Southeast Asia, he sent our troops into combat. No previous president—neither Eisenhower nor Kennedy—had done that." In this connection it may be well to remember that any kind of commitment with the Saigon government was without validity because such a commitment implied recognition of an established government, while the Geneva Accords, to which we were bound, declared that the Vietnamese people were to be temporarily re-grouped into two zones, the South and the North, that neither were to be considered national entities, and that elections were to be held two years later for the express purpose of re-unifying their nation, which elections the United States prevented.

But there *are* very firm commitments elsewhere which we have consistently violated. Take these very strong words of President Johnson made in 1964: "There are those who say I ought to go north and drop bombs to wipe out the supply lines . . . but we don't want to get tied down in a land war in Asia." And again: "We are not about to send American boys nine or ten thousand miles away from home to do what Asian boys should be doing for themselves." Despite these firm commitments we did drop those bombs in the north and our American boys have traveled by the hundreds of thousands that ten thousand miles away from home and are "tied down in a land war in Asia." Or again take the SEATO Treaty to which we are a signatory and which is often cited by the defenders of our military involvement in Vietnam. The treaty clearly prescribes only peaceful actions and makes it clear that in the event of a disturbance of the peace the signatories to the treaty, who are, besides the United States, Britain, France, Pakistan, Thailand, the Philippines, Australia and New Zealand, shall consult and by unanimous consent decide on the course of action. Of course this consultation has never been requested, for obviously the required unanimity could never have been secured.

Or again take the charter of the United Nations which we have violated not once but several times. Look at Chapter I Article II which provide: "All members shall settle their international disputes by a peaceful means." Or look again at paragraph 4 which provides: "All members shall refrain in their international relations from the threat or use of force." And once more look at Chapter 6 Article 33 which states: "The party to any dispute, the continuation of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, inquiry, mediation, consultation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice." And finally in Article 37: "Should the partners to a dispute of the nature referred to in Article 33 fail to settle it by the means indicated in that Article, they shall refer it to the Security Council." Of course we haven't done this. And, once more, there is our commitment to the Geneva Accords, to the terms of which we pledged support, and which specifically provide that no nation will introduce armed forces in Vietnam.

We have been told many times by our government, and in our "process of self-deception" we have believed it—that should we welsh on these "commitments" to South Vietnam our honor among the nations, (you see in spite of Congressman Rivers, "world opinion can fly a kite," we do have a decent respect to the opinions of mankind), yes our honor and integrity among the nations will be tarnished if we back down on these commitments. Nobody thereafter will trust us. But what about these real and solid commitments, commitments in writing, commitments to the international community, which we have continued to violate so flagrantly?

Read tragedy again in the Credibility Gap. Here is a real crisis. No one expects in time of conflict that a government tell to its people the truth, the whole truth, nothing but the truth. Some management of the news is normal and accepted. But a pattern of untruths and falsifications continually followed leads at last to the pathological. We have been assured that we are winning the war, that all would be over in six months, that a few more thousands of troops, like an increase in the dosage of medicine, would be the cure-all and close things out soon. None of these have come to pass. We have been told that we were not bombing civilians. Now we learn that for one soldier killed we kill seven civilians, including women and children. We have been told that the area of combat would be restricted to the South. Now we drop bombs on the North and not only on military targets. We have been told that we were not using bases in Thailand for bombing operations. Now the government admits that we have been doing just that and intend to continue. We have been told that we were ready, God knows that we were ready, for peace at any time and for unconditional negotiation at any moment. We have even staged something like a charade or an international morality play calling on the nations of the world to support our deep desire for peace, and all the while we were building up and escalating the warfare. We have called for a conference but we have insisted that the very enemy we are fighting, the National Liberation Front, be excluded from the conference. One thinks of the lines by Hugh Mearns and titled, interestingly "The Psychoed":

> "As I was going up the stair
> I met a man who wasn't there.
> He wasn't there again today
> I wish, I wish he'd stay away."

We have, in Biblical language, cried "Peace, peace when there is no peace."

Perhaps in the heat of the conflict we would do well to have grace to listen to the voice of the foe. The New York Times in its Sunday, January 8, 1967, issue published excerpts from a long interview with Premier Pham Van Dong. In referring to these peace moves by our government the Premier said: "Now here is something else. Up to now there has not been a bit of goodwill from the United States Government side. In such a complicated war, if there is a lack of goodwill, nothing can be settled. We will never be deceived. We know that while speaking of peace the United States ruling circles and the Pentagon are continuing their war. So we are not to be cheated. As far as world opinion is concerned, maybe at first it was deceived, but slowly it came to understand, as experience showed, that each time the Americans want to escalate, it is always accompanied by a peace move." You say, but this is from our enemy and should therefore be discounted. Perhaps so, but we are now learning that there have been not one or two but several gestures in good faith for negotiation made by the other side to such men as Secretary U Thant or Ambassadors Stevenson and Goldberg which our government rejected uniformly and preemptorily. Still our charades for peace went on. Thus as the war widens the Crisis in Credibility deepens.

Again read tragedy in the Paralysis of the Program for Physical Restoration and Spiritual Enhancement of America itself. It used to be know as the Great Society. It is going by the board. Some are saying, "Good riddance." Almost without exception they are the ones who call for greater and more intensified efforts in Vietnam. Witness our own North Carolina congressmen. Vietnam costs two billion dollars a month. Compare this with the few billions for the entire Poverty Program. It costs one million dollars, according to the *Los Angeles Chronicle*, to train one B–52 pilot. Mayor Lindsay of New York City says it will take millions and millions of federal dollars to even begin to save the inner city of that great metropolis—and those dollars are not forthcoming. The choice has been made: we will take guns and butter can wait. We were led like Moses into the high mountains there to "cast a wistful eye to Canaan's fair and happy land." A land with its natural beauty salvaged and restored, its ghettoes gone, its poverty eradicated, its ignorance eliminated, its ancient social wrongs righted, a land of justice and plenty and creative leisure—and like Moses we have now been led down from these mountains to wander again in the wilderness, a wilderness of our own making. Is not this tragedy?

But if this drying up of the springs of compassion and concern takes place at home, how much more so away from home. The tragedy again is in our Default of Leadership among the nations of the world where we also have promises to keep. What we will not do for our own we shall certainly not do for others. No nation now in Europe, no nation in North America or South America, no nation in Africa and, with the possible exception of Thailand and the Philippines, no nation in Asia supports the mission of our expeditionary force in Vietnam. Once we were isolated because we rejected the other nations of the world. Now we are isolated because the other nations of the world reject us. How can we be concerned about Southern Rhodesia, or the clashes on the border between Israel and Jordan, or poverty in Peru when all our energies and resources are absorbed in warfare in one small nation halfway around the world. No less than one percent of our gross national product, it has been declared, ought to be shared with other nations whose poverty is actually increasing. They are not getting it. They, nor our own people either, so long as we pursue like Ahab the whale something which for us is unmitigated and undiscriminate evil, and we have come to death's grip with it in Vietnam.

The final tragedy is Schism in the Soul. You recognize the phrase as Arnold Toynbee's. You remember what he said about the fate of civilizations afflicted with it. This is a long war, an inconclusive, frustrating, and complex war. It has taken its toll. No one knows exactly what is its purpose or its goal and even the most hawkish among us is hard put to it if you ask him what he means by victory. It is a war we can never hope to win and any victory we claim will prove to be pyrrhic. Americans are used to getting things over with. We can't stand dragging them out. In a similar way we were bogged down in the Korean war and that was when Senator Joseph McCarthy appeared on the scene. Are the times now ripe for the revival of McCarthyism in America? God forbid, but alas.

With every escalation our people become more divided. The split is in our deep heart's core. "A people so decent and humane," as Mr. Cameron put it, just cannot perpetrate these atrocities on a primitive people without something happening on the inside of them. Sometimes we cover up this agony by our stridency and our messianism. Sometimes we burn draft cards, and even a few of us give our bodies to be burned. Father is set at variance with son, group with group, and race with race in ways that are almost apocalyptical, and the enemies of a man, as the Bible puts it, are those of his own household. Criticism of the policies of the government become suspect and dissent is equated with treason. A house divided, as Lincoln once observed so prophetically, a house divided against itself cannot stand. That is the tragedy of America in this dark hour. Even the National Council of Churches in its recent meeting in Florida was unable to speak a spiritual word of repentance to a land so distraught. Deleted from its report was a passage which reads in part:

"It is a war of atrocities on both sides. All this lacerates the Christian conscience, and in face of it the churches cannot remain silent. As members of our nation we are unavoidably responsible for its actions. Some of us are in accord with present policies and others are opposed. But none of us rejoices in what is being done to our fellow human beings. We seek their forgiveness and the forgiveness of Almighty God for our involvement in this tragic conflict." I say, even the National Council of Churches was unable to keep this statement in its report.

What to do about it all? This is not the burden of my sermon today. You already know how I feel. We went in unilaterally and we can come out unilaterally. Our interest there was self created. We can uncreate it. We could cease the bombing this very moment and withdraw our troops to enclaves, calling on the International Control Commission which was specifically set up for this purpose to begin taking over. We could announce a phase withdrawal and the dismantling of all of our bases. We could call for a new convening of the Geneva Powers. We could declare our willingness to stand by and honor any government the people of Vietnam, North and South and Central, established under internationally supervised elections. We could undertake reparations for the incredible damage done this people and this country. We could channel these reparations in huge appropriations through the United Nations. All this we could do and much more, and would to God we would start right now. But brethren, as St. Paul put it, my heart's desire and prayer to God for America is that *they* might be saved! Saved from a tragedy of our own making. Saved from a loss of faith, a breaching of contract, a crisis in credibility, a paralysis in inner renewal, a default of leadership, a schism in the soul.

Toward Tomorrow

(Speech of Edward Lamb, Ohio industrialist, before the American Legion, Toledo Club, Friday, December 9, 1966)

INTRODUCTION

Friends: I find pleasure and challenge in again meeting with the American Legion in Toledo. Over the years, I seemed able to discuss controversial issues with you, even as some of the American Legion Posts around the country were actively intervening against me in some of the lively hearings of the day. Legionnaire Posts joined in disbarment proceedings brought against me during a labor dispute in southern Ohio; a few even participated in the loyalty proceedings in Congress; others joined in the McCarthy-inspired hearings before the Federal Communications Commission which were brought to drive me out of the broadcasting industry. Possibly, therefore, my credentials, steeped in controversy, may not appeal to you as we discuss today the vital issues of how we get to Tomorrow.

Yet, I am convinced that you and I and every American have a common area of agreement. We all dream that somehow we may achieve an international structure which will give all men individual and collective security in a world at peace.

THE CURRENT SCENE

The basic fact of life in the United States today is Vietnam. Although during this century America has been almost continuously involved in war, we have become the leader among the nations of the world. In general, the superiority of our weapons has carried us successfully through two World Wars. We found failure as we invaded Cuba, and we face a stiff set-back as we intervene in the Present Civil War in Vietnam. Although we had allies in the Korean stalemate, we now find most of the world insisting that the United States is without a cause and without allies in Vietnam. Indeed, most of our own countrymen are immensely disillusioned and bored with the whole bloody business.

At this season of the year, we are especially disgusted to hear Secretary of Defense Robert McNamara issue his oft-repeated annual assurance that the war in Vietnam will be won with "just a few thousand more troops" and that all American boys will be home by Christmas! Even our President's credibility seemed tarnished when, after being elected on his promise not to escalate the war into North Vietnam, we intensified our bombing raids and our advanced killing techniques. As our guns killed thousands, this same voice screamed, "I want peace; I'll go anywhere to get peace"—and the evidence of many intermediaries, including U Thant, indicates that our nation has refused to negotiate peace.

Vietnam has caused President Lyndon Johnson's popularity to hit the skids. Now, the stage is set for another Eisenhower to repeat a slogan of going to Korea or Vietnam to get the whole mess settled. Our people are simply looking for any political alternative to the present military policy.

Every American hopes now for a solution. While I join what must be a majority in urging that we get our troops out of Vietnam at once and enter into agreements with all parties, including the National Liberation Front, each of us must vigorously speak out and audibly protest and demonstrate our concern. With a few other Americans, I have plans to go to Vietnam, Korea and Thailand this winter to study this very tortured Southeast Asia where *Americans* are in so much trouble. I suppose each of us wants to find out the actual facts.

AFTER VIETNAM—?

While Vietnam is a sad blot on our history, it is, after all, like a drunken night—somehow it passes and we face up to tomorrow. In the meantime, we hope that widespread possession of nuclear arms doesn't destroy the world. We know, too, that the abuse of power always forces counter action.

The feudalism of the Middle Ages passed. The slavery of colonialism is withering away and man's inhumanity to man is lessening as we see that it is possible for us to build a social order where society does have an affirmative obligation to see that each human who is born on our planet is given the helping hand.

Obviously, the wars of the past had economic bases, even though we claimed more idealistic purposes. We know that nations have gone to war for reasons which are really not so important to most of us. Even in this so-called civilized era, we unloose our guns over an abstract issue, like a religion, Communism or some other ideology. One nation invaded another's land not to war against hunger or sickness, but to knock down the other man's idols. Out loud we wondered why the man across the border didn't accept the benign benefits of our own political system. Throughout history, man has waged a ceaseless fight against the stupid, backward people who were not born to have a direct access to our own gods. We even seized on physical differences, like skin textures, to insist that men of darker hues were born to suffer human indignities. In the United States, especially, we have preserved a tradition of denying educational or cultural facilities, or physical or financial benefits to men of differing races in our affluent society.

Thus, we have repeatedly seen the domestic social programs involved in a Great Society or a New Freedom slogan scuttled to make way for the vast military expenditures of two thousand million dollars a month in Vietnam. Some of our national leaders say that we are required to shelve domestic advancements in order to fight Communism abroad. Although the poverty and misery of Southeast Asia or any other place is always the cause of revolution, our shortsighted national leadership still claims that military action abroad can somehow bring peace. We know that guns and terror are never a solution to starvation and ghettos anywhere.

Often we do exercise collective intelligence in solving our domestic issues, then leave up to our diplomats in the State Department a settlement of issues abroad. Some Americans have blindly parked their interest in international affairs at the water's edge.

Military action is merely an extension of diplomatic action. Our emissaries drove an artificial line down through the center of Germany and said that everyone east of that line was a Communist and that everyone west of the line was a friend of the United States. We even established a NATO to have a military confrontation along that line.

Even sillier is the suggestion that we can draw a line through the jungles of North and South Vietnam and say that the folks on the north are Communists and that the people existing in the south are friends of the Yanks.

Recently, we have seen our domestic campaigns for social improvements slacken. Although urbanization is inevitable and the over-population of our slums is creating explosive pressures, although our air and water are frightfully polluted and although the need for developing skills of all of our people is intense, we neglect our own self-improvement because we have so many military men wandering abroad.

We know that in tomorrow's society science must be used creatively and not destructively. The fabulously growing scientific methods must be applied to problems of human welfare. In this age of science. we know that the means of feeding and clothing and educating all men are available. Everywhere men are hungry, yet if we center our attention on this basic human problem, we can develop the means of feeding, clothing and educating the present and future generations of the world.

To reach such a goal, we must recognize that tomorrow's society should be politically organized with the military power to enforce peace among all peoples. After the devastation of World War I, we saw a weak League of Nations pass across the scene. After World War II, we organized the United Nations, which in many areas, the Far East, Middle East and in Africa, has been able to obtain some peace-keeping results. UNESF also became an effective medium for the distribution of substantial economic educational and social assistance to the peoples of the whole world. I, for one. urge that our foreign economic aid will be turned over to the United Nations. In this way, the abundance of America—our technological advancements and our managerial know-how—may, indeed, be more impartially spread among all mankind.

Out of these frightful consequences of war, we may mature into a realization of the requirements of a peaceful world. To eliminate the unprovoked attacks on other nations, we will have to establish a world of order where the military forces of each nation are turned over to a central authority. Pirates marauding throughout the world cannot be fighting under a crusader's helmet. My country cannot intervene in the other man's internal affairs while we piously preach the blessings of our political system and say that we are solely engaged in the "defense" of our American institutions.

Is there presently any hope for a federalized world? Personally, I am optimistic that man's development is leading us to a world organization. Americans should be pleased to see the demonstrations in the streets and on the campuses. If we are to get to a sensible world structure, we should jump with joy as we see our young people revolt against the stupidity of going abroad in undeclared wars. They object to America setting itself up as the policeman for the rest of the world. The young generations simply want a sensible world at peace—organized under a system of law and order.

Out of the intellectual communities around the world, we are seeing forged new concepts of international organization and cooperation. In the fields of science and economics are emerging the foundations for an effective community of men. Intense research into the realism of international exchange and cooperation is taking place in every land, in every university, in convocations and in study groups.

For instance, at the Center for the Study of Democratic Institutions in Santa Barbara, California and elsewhere, there is a continuing dialog on the nature of the structure of the future World Organization. These studies, under the leadership of Dr. Robert M. Hutchins, Elizabeth M. Bogese and others, will aid modern, enlightened men to forge a livable, humanistic, sensible world of the future.

Man has been rising above the other animals of this planet for many millions of years. While it is pathetic that he has not yet developed the technique of living with himself, in the last few decades he has made startling progress. Under our "democratic" American system, one man does have the ability in the White House to set off a nuclear chain which could overkill all the people in the world. We daily gamble that such insanity cannot be released upon our modern world. Why shouldn't we review our own American constitution to see how long such uncontrolled power can be lodged in one man.

While a free person is responsible to society, it is true that society is responsible to all men! We know that top priority must be given to building a society where men are born with the human rights to security and peace.

The society of the future will definitely guarantee that all men wherever situated, whatever their creed or color, are given at birth access to the world's abundance. We can build a society where an annual wage will be paid to every person throughout his life. I believe you and I and every citizen of the world are making a real contribution when we toil and campaign in every forum available for a totally internationalized World of Tomorrow, the Community of Man.

The View From Vietnam

(By Bernard B. Fall)

"SOE in France" by M. R. D. Foot. Her Majesty's Stationery Office (London), 550 pp., $9.00

"Vietnam! Vietnam!" by Felix Greene. Fulton (Palo Alto), 175 pp., $5.50, paper, $2.95

"Vietnam in the Mud" by James Pickerell. Bobbs-Merrill, 129 pp., $5.00, paper, $2.25

"Vietcong: The Organization and Techniques of the National Liberation Front of South Vietnam" by Douglas Pike. M.I.T., 490 pp., $8.95

"Vietnam Seen from East and West" edited by Sibnarayan Ray. Praeger, 192 pp., $5.95

"The Politics of Escalation in Vietnam" by Franz Schrumann. Fawcett, 160 pp., $.60 (paper)

Danang, South Vietnam.—One of the added pleasures of covering the Vietnam war from inside Vietnam is that it is possible to lose track completely of what is going on elsewhere in the world—not only in the world, in fact, but in Vietnam as well. When with the Marines in the northern part of South Vietnam, it is perfectly easy to learn that Private Smith—whose first and middle names, home town and state, age, high school, are supplied on the spot by the ever-helpful PIO's—wiped out a Viet Cong position with a burst of his trusty M–14; but it is almost impossible to find out whether the landing in the Mekong Delta was really the hopeless botch it seemed to be from eyewitness reports. The reader of a good newspaper at home is likely to find out about this before I do.

Furthermore, very few books on Vietnam are available here, because, until a few weeks ago, it was nearly impossible to find one in any Western language that was not heavily critical of either the United States or South Vietnam. As was recently reported, this is also true of the United States Information Agency's USIS Library, where almost all books dealing with Vietnam (including my *Street Without Joy*, which does not even deal with post-1954 Vietnam) are locked up on closed shelves. Indeed, the US military forces have a far more liberal policy than the USIS: while uncritical books are more widely displayed, some critical books can be bought without difficulty at the military newsstands. (Whether this means that the US military have an inherently stronger belief in American principles than the USIS is not clear). As for the Vietnamese themsleves, book censorship seems to depend on the caprice and spotty reading of the censors. For instance, there is for open sale at this moment in Saigon a book on the Tri-Continental Conference against Colonialism and Imperialism, held in Havana a year ago. It was issued by an extremely left-wing Paris publisher, and is a running indictment against the United States and its policy here. Apparently the author's name didn't appear on somebody's blacklist, so the book slipped by.

Hence, to receive books about Vietnam here is suddenly to be confronted with enlarged and different perspectives on a war which, in spite of the best electronic communications in the world has been distorted by a foxhole view if one is in the field (there are foxholes, by the way, in this jet-propelled war), or into an equally narrow view based on rumor (did Marshal Ky really say he admired Hitler?) If one is in Saigon. Yet Michael Foot's *SOE in France*, published by Her Majesty's Stationery Office, not only fails even to mention Vietnam, but deals with a war that took place a quarter-century ago and ten thousand miles away. It has been virtually ignored by the American press, but in Western Europe it became a best seller much as the Warren Report was in the United States, and brought about what was probably the most unusual interference of a foreign power in the freedom of expression of another country to occur in a democracy in peacetime. And what it says *does* have a bearing on Vietnam, after all.

On June 3, 1966, a French court bailiff arrived at the offices of the liberal weekly *Le Nouvel Observateur* in the rue Royale in Paris, escorted by two police commissioners. He presented the astonished editors with a valid injunction by a French court enjoining the magazine from publishing a book review "at the request of Her Britannic Majesty." On June 6, despite urgent queries at the British Embassy in Paris, and the latter's consultation with the Foreign Office, the injunction was maintained, thus turning the book from a dull buckram-bound official history into a *Cause Célèbre*.

SOE was Britain's wartime special Operations Executive, the equivalent of the American OSS, forerunner of the CIA. As all of mainland Europe slipped under Nazi control in late 1940, it became necessary for the hard-pressed British not only to gather far more intelligence than the peacetime Intelligence Service could provide, but also to inflict upon the Germans whatever military harassment was possible under the circumstances. SOE built up networks of local groups and provided them with the basic means of organizing resistance movements which in turn could tie down more German troops and provide the Allies with intelligence. Commissioned by the Foreign Office, Foot, a solid academic specialist on nineteenth-century diplomacy, accepted in 1963 the task of writing this book under restrictions which resemble those of the Kennedy-Manchester arrangements: he was first to work on the documents alone, and only afterward to meet with some of the survivors. Apparently London never gave him permission to request access to French documents or surviving French witnesses. In all likelihood those limitations were the reasons for certain built-in biases which provoked the ire of the *Observateur* and, in turn, the heavy-handed official attempt by the British to interfere with the book's reviews in Paris.

For the book, in a readable and understated style, argues that the French Resistance was essentially a creation of the British. By the time the first copies of the book entered France, dozens of French Resistance leaders, authentic heroes to a whole generation of their countrymen, were ready to file libel suits against the hapless Foot. Even the revised versions of the pieces the *Observateur* finally published were far from tender—for Foot, on the basis of the SOE records, documented what the Nazis and their Vichy collaborators had said all along: the French Resistance was nothing but a tool of the British. It had no life of its own. Its leaders were faceless and of no importance except to their masters in London.

IN FOOT'S WORDS: "Till 1944 the British had a virtual monopoly over all of De Gaulle's means of communications with France," and the French "could not introduce a single agent or a single store"—the latter being Anglicism for "supply items"—without Allied permission. While the actual facts were somewhat at variance with this sweeping assertion (De Gaulle's establishment in Algiers gave him access to the gold reserves of the Bank of Algeria and control of some ships and aircraft that owed nothing to SOE) the main point surely holds. Furthermore, the Americans and British—the former operating only a little more blindly than they do now, and the latter as shortsighted at times as they later were in their attitude toward the Rome Treaty in 1957—were grimly determined to keep aid to the French Resistance "nonpolitical," i.e., entirely tuned to *their* objectives rather than to French objectives. "Anything the French planned with marked political implications," says Foot, was liable to "be vetoed by any of the three major Western allies." Aside from the slip of *three* "major Western allies" (which was the third? the Canadians? the Dutch? the London Poles? Or perhaps Stalin?) the general point again is true: Foot describes how the British, contrary to their agreement, broke the Free French code and unleashed extremely costly (to the French) guerrilla uprisings, over the objections of the staff of the French Forces of the Interior (FFI). As a young boy I was in the French Alps among those *maquis* units offered up for sacrifice. With our SOE and OSS mentors, we were to delay a German mountain division and an elite SS Brigade from reaching the Allied beachheads. The order, given too early and disregarding the pleas of the FFI command, resulted in the Vercors massacre, still a sore subject in Resistance circles.

But Foot is too good a historian to have confused the SOE's ability to organize an existing French will to resist the Nazis with SOE's obvious inability to create a widespread popular movement out of whole cloth. As he says (p. 442), "All these victories by and through resistance forces in France had a common basis: overwhelming popular support." In other words, SOE, like its traditional brother agency, the Intelligence Service, could (and did) recruit a small group of devoted (and paid) intelligence agents, some of whom betrayed them, while others died with their lips sealed, in torture chambers. But SOE could not recruit me, a boy of sixteen, and 30,000 other men and women like me, some younger and many older, to go out and live for a few years in the inclement climate of the Alps or the Pyrenees to face the *Wehrmacht* with light weapons. I went only because I felt I had to, and I stayed because I knew the cause was right. To the very end, I was part of an "armed minority" led by "faceless leaders" and imposed my will with the help of some Englishmen and Americans who arrived by parachute. And that is where Foot's book becomes relevant to the Vietnam debate, for it clearly delineates what makes a guerrilla movement genuine—*any* guerrilla movement, be it left-wing (as here in Vietnam), Moslem nationalist (as in Algeria), Christian Orthodox (as in Cyprus), or Jewish (as in Palestine).

All of these movements started abroad—General Grivas, in his memoirs, tells us how he decided to liberate Cyprus one day, sitting at a sidewalk cafe in Athens: Masaryk started the Czech Republic in Pittsburgh—and all others had foreign support. Their underground leaders (unless they were candidates for immediate suicide or prompt arrest) had faces which were not reproduced on their country's postage stamps. An outside specialist can only organize what is *willing* to be organized, for it is as easy to run away from a guerrilla force (people did so all the time in the FFI), as it is to desert from a regular army, if not easier. Yet, in Vietnam during 1966 a total of 20,242 *Chieu-Hoi* ("Open Arms" defectors) came out of the jungle, bringing with them a total of only 1,963 weapons—i.e., most of these defectors were unarmed civilians, a fact which is not denied here. Meanwhile the South Vietnamese Army lost, that same year, at least 110,000 men, who simply walked off and out of the war. Apparently, fourteen years of American organization here have yet to match the effectiveness of the Viet Cong's organizational efforts.

THE THEME of Douglas Pike's book *Viet Cong*, is, like Foot's, Organization. It had also an unexpected notariety. Its author works for the Joint United States Public Affairs Office (JUSPAO) here as the US Mission's No. 1 Viet Cong expert. Like the books critical of US policy which are hidden by the USIS but kept by the US military, Pike's presence is one of those small illustrations of the good side of the American system. No other book is likely to demolish more completely and more seriously all the convenient myths dished out officially about the National Liberation Front (NLF), for this is the work of an "insider." In his job Pike sees more material than anyone except the Front Leaders themselves. He has read reports from captured Viet Congs, translations of the huge quantities of captured documents (the NLF, like all movements influenced by Communism, is afflicted with such bureaucratism that several wits here have suggested that one way of stopping them completely would be to parachute in to them hundreds of mimeograph machines), and publications from Hanoi or from Front sources abroad. At least eight hundred such documents are cited in this book. That does not exactly make it bedside reading (and an enormous amount of typical M.I.T. pseudoscientific verbiage does not help, such as "externalization" and "proselyting" [*sic*], but anyone who wishes to discuss intelligently a solution to the Vietnam problem should read his book.

"What struck one most forcibly about the N.L.F.," Pike writes, "was its totality as a social revolution first and as a war second. . . . Even more important, it openly communicated its intentions to the Vietnamese population. Such an ambition far exceeded that of the Viet Minh" of earlier days, who, under the leadership of Ho Chi Minh, fought the French. Here is an enemy who, according to Pike, lives by a highly moralistic mystique, "far more moral than ideological. Virtue was the golden word." An enemy who, supposedly, obeys the tenets of Communism but who, at the same time, can be taxed with "extreme romanticism . . . Idealistic appeals abounded: the promise of the good life in utopian terms; the opportunity to revolt against all the evil, injustice, and inequity of this evil, injustice, and inequity of this world; the chance to be part of a great crusade." To see how far away we are from that kind of appeal, one has only to look at downtown Saigon, to cast a glance at the kind of ideals Saigon offers the population, or to read some of the leaflets our own psychological warfare uses. The black market here seems to be even more resistant to "sweep-and-destroy" operations than the NLFs stronghold around Bong-Son, which was "cleared" by large elements of two American divisions *four* times in 1966, and is still as unsafe as ever.

It would be totally depressing to compare a batch of official handouts of, say, the years 1960–63 with Pike's statement: "In horror, Americans helplessly watched Diem tear apart the fabric of Vietnamese society more effectively than the Communists had ever been able to do. It was the most efficient act of his entire career." So much for the golden days of the Diem regime, so eloquently described in past State Department White Books. As for the origin of the NLF, Pike, more than any other Westerner thus far, has successfully analyzed the Vietnamese *cultural* proclivity for secret societies, and he also faces up squarely to the fact that an overwhelming number of the original NLF supporters were not necessarily Communist but certainly anti-Diem, simply because they were left with no other choice: "Many of the original participants in the NLF had turned to it because they had been denied participation in South Vietnam's political process, *even in the role of loyal opsition* . . ." (my italics). If there is any illusion in America that the same opposition is being offered any better alternative today, that illusion should be dispelled by what one of the highest civilian officials of the government of Air Vice Marshal Ky told me: "If somebody wants to oppose us," he said, "let him do it in Hanoi. Not here." The chances are that nothing that is going to happen in the future will change the views of such men. With such a system in place, any real opposition is going to stay not only disloyal, but underground: permanent instability is almost built into such a system. In any case, it can be assumed that at some point Hanoi, perhaps even reluctantly, decided to intervene in behalf of the opposition to Diem. After all, a far more alien power had been intervening on Diem's side ever since 1954.

Compared to Pike's book, the small book, *Vietnam Seen from East and West*, edited by Ray and first published in Australia, is, in its antiquated way, almost funny. The Anglo-American hawks have managed to find a few like-minded Vietnamese, Laotians, Koreans, and Filipinos to justify its title, but the authors really look at Vietnam from the Right to the Far Right, and all that they can see is a proxy war with Red China. Nothing else, certainly not the Vietnamese people, seem to count. Once the Vietnam problem is posed in those Ruskian terms, anything goes. To paraphrase Samuel Johnson's observation that patriotism is the last refuge of the scoundrel, grand strategy seems to have become the last refuge of some pretty strange people.

It would be pointless to recite all the factual errors (let alone weird views) of most of the authors. One Vietnamese writer escalates the number of people killed during North Vietnam's botched 1956 land reform from the commonly accepted figure of between fifty and a hundred thousand to a half million; another gives false, far-too-low desertion figures for his country's army; a British hawk still describes Bonze Tri Quang as a "Communist"—in spite of the fact that in May 1966, when faced with the choice of being captured by Ky in rebellious Hué or joining the NLF he opted for capture and house arrest. Ho Chi Minh is said to be "surrounded by Stalinists" (!) and North Vietnam fights this war "under the aegis of China." Even such responsible journalists as Brian Crozier produce undocumented non-facts, for example, the statement that General Giap led, in 1955, an "extreme" wing in Hanoi which wished to invade South Vietnam even before the election deadline of 1956. Only Maximo V. Soliven, a Filipino drawing on the Huk example, and Arnold Beichman, who quotes General Lansdale as saying that "the Communists have let loose a revolutionary idea in Vietnam and it will not die by being ignored, bombed, or smothered by us," at least make some valid points. The Australians sound like Bulgarians trying to explain Russia's viewpoint on NATO. And when they call themselves "a part of Asia" they sound as convincing as Rhodesia's Ian Smith when he refers to himself as an "African." I'm sure I shall soon find this book on the "open" bookshelves of USIS.

Franz Schurmann's book is probably the best single investment anyone can make in the literature on Vietnam (it cost sixty cents). It is a work which I would like to see seriously and thoughtfully debated by Administration advocates. Like any book written by a committee (the book also has a foreword by Arthur Schlesinger, Jr.), it won't win high marks for style, but it presents clearly much of the story of the failure of the American government to pursue a diplomacy that would lead to a negotiated settlement: the peace-feelers that were missed, the ignored appeals, the "cues" that were not given, the tendency of the US to escalate the war when chances of détente were most hopeful.

Not that it is by any means complete, because it falls into the common ethnocentric error of American scholarship of quoting mainly Anglo-American sources. Yet, this is, unfortunately, understandable: they are the only sources the US believes. Reliable first-hand observers have reported for more than a year that some North Vietnamese cities had been demolished: after all, there are Frenchmen, Canadians, Indians, and Britons stationed there, and the French pilots of the International Control Commission who have flown over North Vietnam every week for the past fourteen years have seen a great deal. Several American travelers had been to Nam-Dinh—but it took *The New York Time's* reporter Harrison Salisbury to make it "official" that the city was in ruins. The same seems true of peace feelers. Schurmann could have interviewed Philippe Devillers to confirm the disappearance of the 325th North Vietnamese Division from combat in the South in 1965 after Secretary Rusk called for a "sign." The American response was, as a senior North Vietnamese official pointed out, more air raids. It is now clearly established that there was a slow-down in infiltration during last year's bombing halt. On this side, about 30,000 reinforcements arrived. I spent Christmas with US Marines on the 17th parallel; according to the available information, American patrols found few, if any, infiltrators, and the same was true at New Year. But according to official announcements, the better part of an American division went ashore during the truce. We all can look forward to new enlarged editions of *The Politics of Escalation* as more peace feelers get muffed all over the map.

Vietnam! Vietnam!, biased thought it is, is still likely to go down as *The Disasters of War* of this conflict. As to the bias of this collection of photographs of the Vietnam War: just as it must be acknowledged that the French Resistance killed more Frenchmen in two years than the French Revolution's terror in six—many of whom were not collaborators—it must be clearly realized that the Liberation Front does not fight its share of the war with snowballs. Whatever the provocation, and however genuine the NLF's hatred of the largely avoidable barbarisms of the other side, it is nonetheless true that the NLF also kills innocent people and that photographs to that effect are also available and should have found their way into the final selection. With that caveat in mind, Greene's book tells a story that is sickening. It has by now been clearly established that American troops at least witness tortures, if nothing more than that. On one page, an Army officer, identified by name (was his head cropped off by UPI, which took the picture, or by Greene?) stands by with a radio-telephone as a man is being slowly garrotted. There is an unforgettable shot of an American M–113 armored personnel carrier (its markings identify it as vehicle 21, "B" Squadron, 12th Cavalry, presumably), with part of its American crew looking on unconcernedly as a dead (one hopes) enemy is being dragged behind the vehicle like Hector behind Achilles' chariot. The picture, again by UPI, won an international photography prize.

With that picture a problem arises: it shows, according to US Army Field Manual 27–10, issued over the signature of General Maxwell D. Taylor, and entitled *The Law of Land Warfare*, prima facie evidence of what the Manual calls a "war crime." Indeed, Paragraph 499 of the Manual reads in full:

"The term 'war crime' is the technical expression for a violation of the law of war by any person or persons, military or civilian. Every violation of the law of war is a war crime.

FM 27–10 also says under Paragraph 504: "Other Types of War Crimes."

"In addition to the 'grave breaches' of the Geneva Conventions of 1949, the following acts are representative of violations of the law of war ('war crimes'):

"a. . . .

"c. Maltreatment of dead bodies."

The American Unified Code of Military Justice (USMJ, Article 18) provides for trial by general courts-martial of war crimes "if committed by persons subject to United States military law," under Paragraph 506 (c) of the Field Manual; and Paragraph 507 makes it mandatory that "Commanding officers of United States troops must insure that war crimes committed by members of their forces against enemy personnel are promptly and adequately published."

That is what the Law says. But perhaps that UPI picture is a fake, and all the other pictures of similar types are anti-American fakes, and what I am being told happens here is all nasty anti-war propaganda. I haven't heard of anybody in this whole conflict who has yet been prosecuted for violation of the Laws of War. But I will keep looking.

JAMES PICKERELL'S BOOK is of the same type as Greene's: lots of photographs, since he is a photographer, and some text. At first glance, this looks like just another one of those Vietnam quickies which are beginning to flood the market. The photographs, though they too depict torture at one point, and violence throughout, are of the kind which we have seen before on TV and in the newspapers. But—there is the text, and Pickerell, who now has his own photo studio in Saigon, suddenly turns out to be more than just an eye behind a lens. He has a conscience, and like Pike he speaks out, but with a quiet emphasis which perhaps carries more weight than the sometimes strident approach of Greene. Like many of the other journalists here, he is, as Neil Sheehan recently said in *The New York Times*, "A Dove Not Yet, A Hawk No More."

Pickerell sees the war far more closely, and in many more places, than the Washington pundits who honor us with their presence here for a few weeks and go from high-level briefing to a carefully stage-managed pacification operation without ever seeing the real, bleeding Vietnam. In Pickerell's view, the war will esclate and it will extend beyond 1968 at the least. In the best of circumstances he believes it would take at least three years to set in motion the programs of reform that might conclusively re-shape the war. But, he says:

"We will lose in Vietnam, not because it was inevitable from the start, but because we failed to think and change with the times. . . . We will always place military action above economic and political development. It is for these reasons that we will lose. . . .

"The years will go by and the public will begin to wonder why, if we are always winning, the situation never seems to improve. This more than any thing defeated the French, and it will probably defeat us too."

But Pickerell, like all of us who are here, is too close to his subject, and loses sight of the big picture which is perceived so clearly ten thousand miles away. He can't see the Grand Strategy of it, the Containment of China—soon there will be tens of thousands more troops "containing" the same threat in Thailand, and the deterrent example this quagmire is supposed to offer other peoples elsewhere. At the end of his book Pickerell warns his readers of the fate of Goliath. Yet the duel between David and Goliath was recorded in the Bible precisely because David's victory was so unlikely. Here, a massive military effort is deployed to show that the strong will prevail over the weak. And never mind the Laws of War.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. LAUSCHE. Does the statement of the Senator from Oregon indicate what the vote was at Yale compared with the total number of professors at the institution?

Mr. MORSE. I do not know anything about the vote. I am interested only in the intellectual content of the statements made.

Mr. LAUSCHE. Well, I saw a statement which said that of the total of 2,506 members, there were 426 who voted for discontinuance of the bombing and there were 2,080 who expressed no view.

Mr. MORSE. That would not surprise me. But I would not think it material.

Mr. LAUSCHE. Does the statement which the Senator read indicate any figures showing the relationship of the Yale professors who were against the bomb-will, nothing can be settled. We will never be deceived. We know that while speaking of peace the United States ruling circles and the Pentagon are continuing their war. So we are not to be cheated. As far as world opinion is concerned, maybe at first it was deceived, but slowly it came to understand, as experience showed, that each time the Americans want to escalate, it is always accompanied by a peace move." You say, but this is from our enemy and should therefore be discounted. Perhaps so, but we are now learning that there have been not one or two but several gestures in good faith for negotiation made by the other side to such men as Secretary U Thant or Ambassadors Stevenson and Goldberg which our government rejected uniformly and preemptorily. Still our charades for peace went on. Thus as the war widens the Crisis in Credibility deepens.

Again read tragedy in the Paralysis of the Program for Physical Restoration and Spiritual Enhancement of America itself. It used to be know as the Great Society. It is going by the board. Some are saying, "Good riddance." Almost without exception they are the ones who call for greater and more intensified efforts in Vietnam. Witness our own North Carolina congressmen. Vietnam costs two billion dollars a month. Compare this with the few billions for the entire Poverty Program. It costs one million dollars, according to the *Los Angeles Chronicle*, to train one B-52 pilot. Mayor Lindsay of New York City says it will take millions and millions of federal dollars to even begin to save the inner city of that great metropolis—and those dollars are not forthcoming. The choice has been made: we will take guns and butter can wait. We were led like Moses into the high mountains there to "cast a wistful eye to Canaan's fair and happy land." A land with its natural beauty salvaged and restored, its ghettoes gone, its poverty eradicated, its ignorance eliminated, its ancient social wrongs righted, a land of justice and plenty and creative leisure—and like Moses we have now been led down from these mountains to wander again in the wilderness, a wilderness of our own making. Is not this tragedy?

But if this drying up of the springs of compassion and concern takes place at home, how much more so away from home. The tragedy again is in our Default of Leadership among the nations of the world where we also have promises to keep. What we will not do for our own we shall certainly not do for others. No nation now in Europe, no nation in North America or South America, no nation in Africa and, with the possible exception of Thailand and the Philippines, no nation in Asia supports the mission of our expeditionary force in Vietnam. Once we were isolated because we rejected the other nations of the world. Now we are isolated because the other nations of the world reject us. How can we be concerned about Southern Rhodesia, or the clashes on the border between Israel and Jordan, or poverty in Peru when all our energies and resources are absorbed in warfare in one small nation halfway around the world. No less than one percent of our gross national product, it has been declared, ought to be shared with other nations whose poverty is actually increasing. They are not getting it. They, nor our own people either, so long as we pursue like Ahab the whale something which for us is unmitigated and undiscriminate evil, and we have come to death's grip with it in Vietnam.

The final tragedy is Schism in the Soul. You recognize the phrase as Arnold Toynbee's. You remember what he said about the fate of civilizations afflicted with it. This is a long war, an inconclusive, frustrating, and complex war. It has taken its toll. No one knows exactly what is its purpose or its goal and even the most hawkish among us is hard put to it if you ask him what he means by victory. It is a war we can never hope to win and any victory we claim will prove to be pyrrhic. Americans are used to getting things over with. We can't stand dragging them out. In a similar way we were bogged down in the Korean war and that was when Senator Joseph McCarthy appeared on the scene. Are the times now ripe for the revival of McCarthyism in America? God forbid, but alas.

With every escalation our people become more divided. The split is in our deep heart's core. "A people so decent and humane," as Mr. Cameron put it, just cannot perpetrate these atrocities on a primitive people without something happening on the inside of them. Sometimes we cover up this agony by our stridency and our messianism. Sometimes we burn draft cards, and even a few of us give our bodies to be burned. Father is set at variance with son, group with group, and race with race in ways that are almost apocalyptical, and the enemies of a man, as the Bible puts it, are those of his own household. Criticism of the policies of the government become suspect and dissent is equated with treason. A house divided, as Lincoln once observed so prophetically, a house divided against itself cannot stand. That is the tragedy of America in this dark hour. Even the National Council of Churches in its recent meeting in Florida was unable to speak a spiritual word of repentance to a land so distraught. Deleted from its report was a passage which reads in part:

"It is a war of atrocities on both sides. All this lacerates the Christian conscience, and in face of it the churches cannot remain silent. As members of our nation we are unavoidably responsible for its actions. Some of us are in accord with present policies and others are opposed. But none of us rejoices in what is being done to our fellow human beings. We seek their forgiveness and the forgiveness of Almighty God for our involvement in this tragic conflict." I say, even the National Council of Churches was unable to keep this statement in its report.

What to do about it all? This is not the burden of my sermon today. You already know how I feel. We went in unilaterally and we can come out unilaterally. Our interest there was self created. We can uncreate it. We could cease the bombing this very moment and withdraw our troops to enclaves, calling on the International Control Commission which was specifically set up for this purpose to begin taking over. We could announce a phase withdrawal and the dismantling of all of our bases. We could call for a new convening of the Geneva Powers. We could declare our willingness to stand by and honor any government the people of Vietnam, North and South and Central, established under internationally supervised elections. We could undertake reparations for the incredible damage done this people and this country. We could channel these reparations in huge appropriations through the United Nations. All this we could do and much more, and would to God we would start right now. But brethren, as St. Paul put it, my heart's desire and prayer to God for America is that *they* might be saved! Saved from a tragedy of our own making. Saved from a loss of faith, a breaching of contract, a crisis in credibility, a paralysis in inner renewal, a default of leadership, a schism in the soul.

TOWARD TOMORROW

(Speech of Edward Lamb, Ohio industrialist, before the American Legion, Toledo Club, Friday, December 9, 1966)

INTRODUCTION

Friends: I find pleasure and challenge in again meeting with the American Legion in Toledo. Over the years, I seemed able to discuss controversial issues with you, even as some of the American Legion Posts around the country were actively intervening against me in some of the lively hearings of the day. Legionnaire Posts joined in disbarment proceedings brought against me during a labor dispute in southern Ohio; a few even participated in the loyalty proceedings in Congress; others joined in the McCarthy-inspired hearings before the Federal Communications Commission which were brought to drive me out of the broadcasting industry. Possibly, therefore, my credentials, steeped in controversy, may not appeal to you as we discuss today the vital issues of how we get to Tomorrow.

Yet, I am convinced that you and I and every American have a common area of agreement. We all dream that somehow we may achieve an international structure which will give all men individual and collective security in a world at peace.

THE CURRENT SCENE

The basic fact of life in the United States today is Vietnam. Although during this century America has been almost continuously involved in war, we have become the leader among the nations of the world. In general, the superiority of our weapons has carried us successfully through two World Wars. We found failure as we invaded Cuba, and we face a stiff set-back as we intervene in the Present Civil War in Vietnam. Although we had allies in the Korean stalemate, we now find most of the world insisting that the United States is without a cause and without allies in Vietnam. Indeed, most of our own countrymen are immensely disillusioned and bored with the whole bloody business.

At this season of the year, we are especially disgusted to hear Secretary of Defense Robert McNamara issue his oft-repeated annual assurance that the war in Vietnam will be won with "just a few thousand more troops" and that all American boys will be home by Christmas! Even our President's credibility seemed tarnished when, after being elected on his promise not to escalate the war into North Vietnam, we intensified our bombing raids and our advanced killing techniques. As our guns killed thousands, this same voice screamed, "I want peace; I'll go anywhere to get peace"—and the evidence of many intermediaries, including U Thant, indicates that our nation has refused to negotiate peace.

Vietnam has caused President Lyndon Johnson's popularity to hit the skids. Now, the stage is set for another Eisenhower to repeat a slogan of going to Korea or Vietnam to get the whole mess settled. Our people are simply looking for any political alternative to the present military policy.

Every American hopes now for a solution. While I join what must be a majority in urging that we get our troops out of Vietnam at once and enter into agreements with all parties, including the National Liberation Front, each of us must vigorously speak out and audibly protest and demonstrate our concern. With a few other Americans, I have plans to go to Vietnam, Korea and Thailand this winter to study this very tortured Southeast Asia where *Americans* are in so much trouble. I suppose each of us wants to find out the actual facts.

AFTER VIETNAM—?

While Vietnam is a sad blot on our history, it is, after all, like a drunken night—somehow it passes and we face up to tomorrow. In the meantime, we hope that widespread possession of nuclear arms doesn't destroy the world. We know, too, that the abuse of power always forces counter action.

The feudalism of the Middle Ages passed. The slavery of colonialism is withering away and man's inhumanity to man is lessening as we see that it is possible for us to build a social order where society does have an affirmative obligation to see that each human who is born on our planet is given the helping hand.

Obviously, the wars of the past had economic bases, even though we claimed more idealistic purposes. We know that nations have gone to war for reasons which are really not so important to most of us. Even in this so-called civilized era, we unloose our guns over an abstract issue, like a religion, Communism or some other ideology. One nation invaded another's land not to war against hunger or sickness, but to knock down the other man's idols. Out loud we wondered why the man across the border didn't accept the benign benefits of our own political system. Throughout history, man has waged a ceaseless fight against the stupid, backward people who were not born to have a direct access to our own gods. We even seized on physical differences, like skin textures, to insist that men of darker hues were born to suffer human indignities. In the United States, especially, we have preserved a tradition of denying educational or cultural facilities, or physical or financial benefits to men of differing races in our affluent society.

Thus, we have repeatedly seen the domestic social programs involved in a Great Society or a New Freedom slogan scuttled to make way for the vast military expenditures of two thousand million dollars a month in Vietnam. Some of our national leaders say that we are required to shelve domestic advancements in order to fight Communism abroad. Although the poverty and misery of Southeast Asia or any other place is always the cause of revolution, our shortsighted national leadership still claims that military action abroad can somehow bring peace. We know that guns and terror are never a solution to starvation and ghettos anywhere.

Often we do exercise collective intelligence in solving our domestic issues, then leave up to our diplomats in the State Department a settlement of issues abroad. Some Americans have blindly parked their interest in international affairs at the water's edge.

Military action is merely an extension of diplomatic action. Our emissaries drove an artificial line down through the center of Germany and said that everyone east of that line was a Communist and that everyone west of the line was a friend of the United States. We even established a NATO to have a military confrontation along that line.

Even sillier is the suggestion that we can draw a line through the jungles of North and South Vietnam and say that the folks on the north are Communists and that the people existing in the south are friends of the Yanks.

Recently, we have seen our domestic campaigns for social improvements slacken. Although urbanization is inevitable and the over-population of our slums is creating explosive pressures, although our air and water are frightfully polluted and although the need for developing skills of all of our people is intense, we neglect our own self-improvement because we have so many military men wandering abroad.

We know that in tomorrow's society science must be used creatively and not destructively. The fabulously growing scientific methods must be applied to problems of human welfare. In this age of science, we know that the means of feeding and clothing and educating all men are available. Everywhere men are hungry, yet if we center our attention on this basic human problem, we can develop the means of feeding, clothing and educating the present and future generations of the world.

To reach such a goal, we must recognize that tomorrow's society should be politically organized with the military power to enforce peace among all peoples. After the devastation of World War I, we saw a weak League of Nations pass across the scene. After World War II, we organized the United Nations, which in many areas, the Far East, Middle East and in Africa, has been able to obtain some peace-keeping results. UNESP also became an effective medium for the distribution of substantial economic educational and social assistance to the peoples of the whole world. I, for one, urge that our foreign economic aid will be turned over to the United Nations. In this way, the abundance of America—our technological advancements and our managerial know-how—may, indeed, be more impartially spread among all mankind.

Out of these frightful consequences of war, we may mature into a realization of the requirements of a peaceful world. To eliminate the unprovoked attacks on other nations, we will have to establish a world of order where the military forces of each nation are turned over to a central authority. Pirates marauding throughout the world cannot be fighting under a crusader's helmet. My country cannot intervene in the other man's internal affairs while we piously preach the blessings of our political system and say that we are solely engaged in the "defense" of our American institutions.

Is there presently any hope for a federalized world? Personally, I am optimistic that man's development is leading us to a world organization. Americans should be pleased to see the demonstrations in the streets and on the campuses. If we are to get to a sensible world structure, we should jump with joy as we see our young people revolt against the stupidity of going abroad in undeclared wars. They object to America setting itself up as the policeman for the rest of the world. The young generations simply want a sensible world at peace—organized under a system of law and order.

Out of the intellectual communities around the world, we are seeing forged new concepts of international organization and cooperation. In the fields of science and economics are emerging the foundations for an effective community of men. Intense research into the realism of international exchange and cooperation is taking place in every land, in every university, in convocations and in study groups.

For instance, at the Center for the Study of Democratic Institutions in Santa Barbara, California and elsewhere, there is a continuing dialog on the nature of the structure of the future World Organization. These studies, under the leadership of Dr. Robert M. Hutchins, Elizabeth M. Bogese and others, will aid modern, enlightened men to forge a livable, humanistic, sensible world of the future.

Man has been rising above the other animals of this planet for many millions of years. While it is pathetic that he has not yet developed the technique of living with himself, in the last few decades he has made startling progress. Under our "democratic" American system, one man does have the ability in the White House to set off a nuclear chain which could overkill all the people in the world. We daily gamble that such insanity cannot be released upon our modern world. Why shouldn't we review our own American constitution to see how long such uncontrolled power can be lodged in one man.

While a free person is responsible to society, it is true that society is responsible to all men! We know that top priority must be given to building a society where men are born with the human rights to security and peace.

The society of the future will definitely guarantee that all men wherever situated, whatever their creed or color, are given at birth access to the world's abundance. We can build a society where an annual wage will be paid to every person throughout his life. I believe you and I and every citizen of the world are making a real contribution when we toil and campaign in every forum available for a totally internationalized World of Tomorrow, the Community of Man.

The View From Vietnam

(By Bernard B. Fall)

"SOE in France" by M. R. D. Foot. Her Majesty's Stationery Office (London), 550 pp., $9.00

"Vietnam! Vietnam!" by Felix Greene. Fulton (Palo Alto), 175 pp., $5.50, paper, $2.95

"Vietnam in the Mud" by James Pickerell. Bobbs-Merrill, 129 pp., $5.00, paper, $2.25

"Vietcong: The Organization and Techniques of the National Liberation Front of South Vietnam" by Douglas Pike. M.I.T., 490 pp., $8.95

"Vietnam Seen from East and West" edited by Sibnarayan Ray. Praeger, 192 pp., $5.95

"The Politics of Escalation in Vietnam" by Franz Schrumann. Fawcett, 160 pp., $.60 (paper)

Danang, South Vietnam.—One of the added pleasures of covering the Vietnam war from inside Vietnam is that it is possible to lose track completely of what is going on elsewhere in the world—not only in the world, in fact, but in Vietnam as well. When with the Marines in the northern part of South Vietnam, it is perfectly easy to learn that Private Smith--whose first and middle names, home town and state, age, high school, are supplied on the spot by the ever-helpful PIO's—wiped out a Viet Cong position with a burst of his trusty M–14; but it is almost impossible to find out whether the landing in the Mekong Delta was really the hopeless botch it seemed to be from eyewitness reports. The reader of a good newspaper at home is likely to find out about this before I do.

Furthermore, very few books on Vietnam are available here, because, until a few weeks ago, it was nearly impossible to find one in any Western language that was not heavily critical of either the United States or South Vietnam. As was recently reported, this is also true of the United States Information Agency's USIS Library, where almost all books dealing with Vietnam (including my *Street Without Joy*, which does not even deal with post-1954 Vietnam) are locked up on closed shelves. Indeed, the US military forces have a far more liberal policy than the USIS: while uncritical books are more widely displayed, some critical books can be bought without difficulty at the military newsstands. (Whether this means that the US military have an inherently stronger belief in American principles than the USIS is not clear). As for the Vietnamese themsleves, book censorship seems to depend on the caprice and spotty reading of the censors. For instance, there is for open sale at this moment in Saigon a book on the Tri-Continental Conference against Colonialism and Imperialism, held in Havana a year ago. It was issued by an extremely left-wing Paris publisher, and is a running indictment against the United States and its policy here. Apparently the author's name didn't appear on somebody's blacklist, so the book slipped by.

Hence, to receive books about Vietnam here is suddenly to be confronted with enlarged and different perspectives on a war which, in spite of the best electronic communications in the world has been distorted by a foxhole view if one is in the field (there are foxholes, by the way, in this jet-propelled war), or into an equally narrow view based on rumor (did Marshal Ky really say he admired Hitler?) If one is in Saigon. Yet Michael Foot's *SOE in France*, published by Her Majesty's Stationery Office, not only fails even to mention Vietnam, but deals with a war that took place a quarter-century ago and ten thousand miles away. It has been virtually ignored by the American press, but in Western Europe it became a best seller much as the Warren Report was in the United States, and brought about what was probably the most unusual interference of a foreign power in the freedom of expression of another country to occur in a democracy in peacetime. And what it says *does* have a bearing on Vietnam, after all.

On June 3, 1966, a French court bailiff arrived at the offices of the liberal weekly *Le Nouvel Observateur* in the rue Royale in Paris, escorted by two police commissioners. He presented the astonished editors with a valid injunction by a French court enjoining the magazine from publishing a book review "at the request of Her Britannic Majesty." On June 6, despite urgent queries at the British Embassy in Paris, and the latter's consultation with the Foreign Office, the injunction was maintained, thus turning the book from a dull buckram-bound official history into a *Cause Célèbre*.

SOE was Britain's wartime special Operations Executive, the equivalent of thè American OSS, forerunner of the CIA. As all of mainland Europe slipped under Nazi control in late 1940, it became necessary for the hard-pressed British not only to gather far more intelligence than the peacetime Intelligence Service could provide, but also to inflict upon the Germans whatever military harassment was possible under the circumstances. SOE built up networks of local groups and provided them with the basic means of organizing resistance movements which in turn could tie down more German troops and provide the Allies with intelligence. Commissioned by the Foreign Office, Foot, a solid academic specialist on nineteenth-century diplomacy, accepted in 1963 the task of writing this book under restrictions which resemble those of the Kennedy-Manchester arrangements: he was first to work on the documents alone, and only afterward to meet with some of the survivors. Apparently London never gave him permission to request access to French documents or surviving French witnesses. In all likelihood those limitations were the reasons for certain built-in biases which provoked the ire of the *Observateur* and, in turn, the heavy-handed official attempt by the British to interfere with the book's reviews in Paris.

For the book, in a readable and understated style, argues that the French Resistance was essentially a creation of the British. By the time the first copies of the book entered France, dozens of French Resistance leaders, authentic heroes to a whole generation of their countrymen, were ready to file libel suits against the hapless Foot. Even the revised versions of the pieces the *Observateur* finally published were far from tender—for Foot, on the basis of the SOE records, documented what the Nazis and their Vichy collaborators had said all along: the French Resistance was nothing but a tool of the British. It had no life of its own. Its leaders were faceless and of no importance except to their masters in London.

In FOOT'S WORDS: "Till 1944 the British had a virtual monopoly over all of De Gaulle's means of communications with France," and the French "could not introduce a single agent or a single store"—the latter being Anglicism for "supply items"—without Allied permission. While the actual facts were somewhat at variance with this sweeping assertion (De Gaulle's establishment in Algiers gave him access to the gold reserves of the Bank of Algeria and control of some ships and aircraft that owed nothing to SOE) the main point surely holds. Furthermore, the Americans and British—the former operating only a little more blindly than they do now, and the latter as shortsighted at times as they later were in their attitude toward the Rome Treaty in 1957—were grimly determined to keep aid to the French Resistance "nonpolitical," i.e., entirely tuned to *their* objectives rather than to French objectives. "Anything the French planned with marked political implications," says Foot, was liable to "be vetoed by any of the three major Western allies." Aside from the slip of *three* "major Western allies" (which was the third? the Canadians? the Dutch? the London Poles? Or perhaps Stalin?) the general point again is true: Foot describes how the British, contrary to their agreement, broke the Free French code and unleashed extremely costly (to the French) guerrilla uprisings, over the objections of the staff of the French Forces of the Interior (FFI). As a young boy I was in the French Alps among those *maquis* units offered up for sacrifice. With our SOE and OSS mentors, we were to delay a German mountain division and an elite SS Brigade from reaching the Allied beachheads. The order, given too early and disregarding the pleas of the FFI command, resulted in the Vercors massacre, still a sore subject in Resistance circles.

But Foot is too good a historian to have confused the SOE's ability to organise an existing French will to resist the Nazis with SOE's obvious inability to create a widespread popular movement out of whole cloth. As he says (p. 442), "All these victories by and through resistance forces in France had a common basis: overwhelming popular support." In other words, SOE, like its traditional brother agency, the Intelligence Service, could (and did) recruit a small group of devoted (and paid) intelligence agents, some of whom betrayed them, while others died with their lips sealed, in torture chambers. But SOE could not recruit me, a boy of sixteen, and 30,000 other men and women like me, some younger and many older, to go out and live for a few years in the inclement climate of the Alps or the Pyrenees to face the *Wehrmacht* with light weapons. I went only because I felt I had to, and I stayed because I knew the cause was right. To the very end, I was part of an "armed minority" led by "faceless leaders" and imposed my will with the help of some Englishmen and Americans who arrived by parachute. And that is where Foot's book becomes relevant to the Vietnam debate, for it clearly delineates what makes a guerrilla movement genuine—*any* guerrilla movement, be it left-wing (as here in Vietnam), Moslem nationalist (as in Algeria), Christian Orthodox (as in Cyprus), or Jewish (as in Palestine).

All of these movements started abroad—General Grivas, in his memoirs, tells us how he decided to liberate Cyprus one day, sitting at a sidewalk cafe in Athens: Masaryk started the Czech Republic in Pittsburgh—and all others had foreign support. Their underground leaders (unless they were candidates for immediate suicide or prompt arrest) had faces which were not reproduced on their country's postage stamps. An outside specialist can only organize what is *willing* to be organized, for it is as easy to run away from a guerrilla force (people did so all the time in the FFI), as it is to desert from a regular army, if not easier. Yet, in Vietnam during 1966 a total of 20,242 *Chieu-Hoi* ("Open Arms" defectors) came out of the jungle, bringing with them a total of only 1,963 weapons—i.e., most of these defectors were unarmed civilians, a fact which is not denied here. Meanwhile the South Vietnamese Army lost, that same year, at least 110,000 men, who simply walked off and out of the war. Apparently, fourteen years of American organization here have yet to match the effectiveness of the Viet Cong's organizational efforts.

THE THEME of Douglas Pike's book *Viet Cong*, is, like Foot's, Organization. It had also an unexpected notariety. Its author works for the Joint United States Public Affairs Office (JUSPAO) here as the US Mission's No. 1 Viet Cong expert. Like the books critical of US policy which were hidden by the USIS but kept by the US military, Pike's presence is one of those small illustrations of the good side of the American system. No other book is likely to demolish more completely and more seriously all the convenient myths dished out officially about the National Liberation Front (NLF), for this is the work of an "insider." In his job Pike sees more material than anyone except the Front Leaders themselves. He has read reports from captured Viet Congs, translations of the huge quantities of captured documents (the NLF, like all movements influenced by Communism, is afflicted with such bureaucratism that several wits here have suggested that one way of stopping them completely would be to parachute in to them hundreds of mimeograph machines), and publications from Hanoi or from Front sources abroad. At least eight hundred such documents are cited in this book. That does not exactly make it bedside reading (and an enormous amount of typical M.I.T. pseudoscientific verbiage does not help, such as "externalization" and "proselyting" [*sic*], but anyone who wishes to discuss intelligently a solution to the Vietnam problem should read his book.

"What struck one most forcibly about the N.L.F.," Pike writes, "was its totality as a social revolution first and as a war second. . . . Even more important, it openly communicated its intentions to the Vietnamese population. Such an ambition far exceeded that of the Viet Minh" of earlier days, who, under the leadership of Ho Chi Minh, fought the French. Here is an enemy who, according to Pike, lives by a highly moralistic mystique, "far more moral than ideological. Virtue was the golden word." An enemy who, supposedly, obeys the tenets of Communism but who, at the same time, can be taxed with "extreme romanticism . . . Idealistic appeals abounded: the promise of the good life in utopian terms; the opportunity to revolt against all the evil, injustice, and inequity of this evil, injustice, and inequity of this world; the chance to be part of a great crusade." To see how far away we are from that kind of appeal, one has only to look at downtown Saigon, to cast a glance at the kind of ideals Saigon offers the population, or to read some of the leaflets our own psychological warfare uses. The black market here seems to be even more resistant to "sweep-and-destroy" operations than the NLFs stronghold around Bong-Son, which was "cleared" by large elements of two American divisions *four* times in 1966, and is still as unsafe as ever.

It would be totally depressing to compare a batch of official handouts of, say, the years 1960–63 with Pike's statement: "In horror, Americans helplessly watched Diem tear apart the fabric of Vietnamese society more effectively than the Communists had ever been able to do. It was the most efficient act of his entire career." So much for the golden days of the Diem regime, so eloquently described in past State Department White Books. As for the origin of the NLF, Pike, more than any other Westerner thus far, has successfully analyzed the Vietnamese *cultural* proclivity for secret societies, and he also faces up squarely to the fact that an overwhelming number of the original NLF supporters were not necessarily Communist but certainly anti-Diem, simply because they were left with no other choice: "Many of the original participants in the NLF had turned to it because they had been denied participation in South Vietnam's political process, *even in the role of loyal oposition* . . ." (my italics). If there is any illusion in America that the same opposition is being offered any better alternative today, that illusion should be dispelled by what one of the highest civilian officials of the government of Air Vice Marshal Ky told me: "If somebody wants to oppose us," he said, "let him do it in Hanoi. Not here." The chances are that nothing that is going to happen in the future will change the views of such men. With such a system in place, any real opposition is going to stay not only disloyal, but underground; permanent instability is almost built into such a system. In any case, it can be assumed that at some point Hanoi, perhaps even reluctantly, decided to intervene in behalf of the opposition to Diem. After all, a far more alien power had been intervening on Diem's side ever since 1954.

Compared to Pike's book, the small book, *Vietnam Seen from East and West*, edited by Ray and first published in Australia, is, in its antiquated way, almost funny. The Anglo-American hawks have managed to find a few like-minded Vietnamese, Laotians, Koreans, and Filipinos to justify its title, but the authors really look at Vietnam from the Right to the Far Right, and all that they can see is a proxy war with Red China. Nothing else, certainly not the Vietnamese people, seem to count. Once the Vietnam problem is posed in those Ruskian terms, anything goes. To paraphrase Samuel Johnson's observation that patriotism is the last refuge of the scoundrel, grand strategy seems to have become the last refuge of some pretty strange people.

It would be pointless to recite all the factual errors (let alone weird views) of most of the authors. One Vietnamese writer escalates the number of people killed during North Vietnam's botched 1956 land reform from the commonly accepted figure of between fifty and a hundred thousand to a half million; another gives false, far-too-low desertion figures for his country's army; a British hawk still describes Bonze Tri Quang as a "Communist"—in spite of the fact that in May 1966, when faced with the choice of being captured by Ky in rebellious Hué or joining the NLF he opted for capture and house arrest. Ho Chi Minh is said to be "surrounded by Stalinists" (!) and North Vietnam fights this war "under the aegis of China." Even such responsible journalists as Brian Crozier produce undocumented nonfacts, for example, the statement that General Giap led, in 1955, an "extreme" wing in Hanoi which wished to invade South Vietnam even before the election deadline of 1956. Only Maximo V. Soliven, a Filipino drawing on the Huk example, and Arnold Beichman, who quotes General Lansdale as saying that "the Communists have let loose a revolutionary idea in Vietnam and it will not die by being ignored, bombed, or smothered by us," at least make some valid points. The Australians sound like Bulgarians trying to explain Russia's viewpoint on NATO. And when they call themselves "a part of Asia" they sound as convincing as Rhodesia's Ian Smith when he refers to himself as an "African." I'm sure I shall soon find this book on the "open" bookshelves of USIS.

Franz Schurmann's book is probably the best single investment anyone can make in the literature on Vietnam (it cost sixty cents). It is a work which I would like to see seriously and thoughtfully debated by Administration advocates. Like any book written by a committee (the book also has a foreword by Arthur Schlesinger, Jr.), it won't win high marks for style, but it presents clearly much of the story of the failure of the American government to pursue a diplomacy that would lead to a negotiated settlement: the peace-feelers that were missed, the ignored appeals, the "cues" that were not given, the tendency of the US to escalate the war when chances of détente were most hopeful.

Not that it is by any means complete, because it falls into the common ethnocentric error of American scholarship of quoting mainly Anglo-American sources. Yet, this is, unfortunately, understandable: they are the only sources the US believes. Reliable first-hand observers have reported for more than a year that some North Vietnamese cities had been demolished: after all, there are Frenchmen, Canadians, Indians, and Britons stationed there, and the French pilots of the International Control Commission who have flown over North Vietnam every week for the past fourteen years have seen a great deal. Several American travelers had been to Nam-Dinh—but it took *The New York Time's* reporter Harrison Salisbury to make it "official" that the city was in ruins. The same seems true of peace feelers. Schurmann could have interviewed Philippe Devillers to confirm the disappearance of the 325th North Vietnamese Division from combat in the South in 1965 after Secretary Rusk called for a "sign." The American response was, as a senior North Vietnamese official pointed out, more air raids. It is now clearly established that there was a slow-down in infiltration during last year's bombing halt. On this side, about 30,000 reinforcements arrived. I spent Christmas with US Marines on the 17th parallel; according to the available information, American patrols found few, if any, infiltrators, and the same was true at New Year. But according to official announcements, the better part of an American division went ashore during the truce. We all can look forward to new enlarged editions of *The Politics of Escalation* as more peace feelers get muffed all over the map.

Vietnam! Vietnam!, biased thought it is, is still likely to go down as *The Disasters of War* of this conflict. As to the bias of this collection of photographs of the Vietnam War: just as it must be acknowledged that the French Resistance killed more Frenchmen in two years than the French Revolution's terror in six—many of whom were not collaborators—it must be clearly realized that the Liberation Front does not fight its share of the war with snowballs. Whatever the provocation, and however genuine the NLF's hatred of the largely avoidable barbarisms of the other side, it is nonetheless true that the NLF also kills innocent people and that photographs to that effect are also available and should have found their way into the final selection. With that caveat in mind, Greene's book tells a story that is sickening. It has by now been clearly established that American troops at least witness tortures, if nothing more than that. On one page, an Army officer, identified by name (was his head cropped off by UPI, which took the picture, or by Greene?) stands by with a radio-telephone as a man is being slowly garrotted. There is an unforgettable shot of an American M–113 armored personnel carrier (its markings identify it as vehicle 21, "B" Squadron, 12th Cavalry, presumably), with part of its American crew looking on unconcernedly as a dead (one hopes) enemy is being dragged behind the vehicle like Hector behind Achilles' chariot. The picture, again by UPI, won an international photography prize.

With that picture a problem arises: it shows, according to US Army Field Manual 27–10, issued over the signature of General Maxwell D. Taylor, and entitled *The Law of Land Warfare*, prima facie evidence of what the Manual calls a "war crime." Indeed, Paragraph 499 of the Manual reads in full:

"The term 'war crime' is the technical expression for a violation of the law of war by any person or persons, military or civilian. Every violation of the law of war is a war crime.

FM 27–10 also says under Paragraph 504: "Other Types of War Crimes."

"In addition to the 'grave breaches' of the Geneva Conventions of 1949, the following acts are representative of violations of the law of war ('war crimes'):

"a. . . .

"c. Maltreatment of dead bodies."

The American Unified Code of Military Justice (USMJ, Article 18) provides for trial by general courts-martial of war crimes "if committed by persons subject to United States military law," under Paragraph 506 (c) of the Field Manual; and Paragraph 507 makes it mandatory that "Commanding officers of United States troops must insure that war crimes committed by members of their forces against enemy personnel are promptly and adequately published."

That is what the Law says. But perhaps that UPI picture is a fake, and all the other pictures of similar types are anti-American fakes, and what I am being told happens here is all nasty anti-war propaganda. I haven't heard of anybody in this whole conflict who has yet been prosecuted for violation of the Laws of War. But I will keep looking.

JAMES PICKERELL'S BOOK is of the same type as Greene's: lots of photographs, since he is a photographer, and some text. At first glance, this looks like just another one of those Vietnam quickies which are beginning to flood the market. The photographs, though they too depict torture at one point, and violence throughout, are of the kind which we have seen before on TV and in the newspapers. But—there is the text, and Pickerell, who now has his own photo studio in Saigon, suddenly turns out to be more than just an eye behind a lens. He has a conscience, and like Pike he speaks out, but with a quiet emphasis which perhaps carries more weight than the sometimes strident approach of Greene. Like many of the other journalists here, he is, as Neil Sheehan recently said in *The New York Times*, "A Dove Not Yet, A Hawk No More."

Pickerell sees the war far more closely, and in many more places, than the Washington pundits who honor us with their presence here for a few weeks and go from high-level briefing to a carefully stage-managed pacification operation without ever seeing the real, bleeding Vietnam. In Pickerell's view, the war will esclate and it will extend beyond 1968 at the least. In the best of circumstances he believes it would take at least three years to set in motion the programs of reform that might conclusively reshape the war. But, he says:

"We will lose in Vietnam, not because it was inevitable from the start, but because we failed to think and change with the times. . . . We will always place military action above economic and political development. It is for these reasons that we will lose. . . .

"The years will go by and the public will begin to wonder why, if we are always winning, the situation never seems to improve. This more than any thing defeated the French, and it will probably defeat us too."

But Pickerell, like all of us who are here, is too close to his subject, and loses sight of the big picture which is perceived so clearly ten thousand miles away. He can't see the Grand Strategy of it, the Containment of China—soon there will be tens of thousands more troops "containing" the same threat in Thailand, and the deterrent example this quagmire is supposed to offer other peoples elsewhere. At the end of his book Pickerell warns his readers of the fate of Goliath. Yet the duel between David and Goliath was recorded in the Bible precisely because David's victory was so unlikely. Here, a massive military effort is deployed to show that the strong will prevail over the weak. And never mind the Laws of War.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. LAUSCHE. Does the statement of the Senator from Oregon indicate what the vote was at Yale compared with the total number of professors at the institution?

Mr. MORSE. I do not know anything about the vote. I am interested only in the intellectual content of the statements made.

Mr. LAUSCHE. Well, I saw a statement which said that of the total of 2,506 members, there were 426 who voted for discontinuance of the bombing and there were 2,080 who expressed no view.

Mr. MORSE. That would not surprise me. But I would not think it material.

Mr. LAUSCHE. Does the statement which the Senator read indicate any figures showing the relationship of the Yale professors who were against the bombing and those who did not express themselves?

Mr. MORSE. No, not to my knowledge but again, that would be quite immaterial to my presentation.

Mr. LAUSCHE. Yes; well——

Mr. MORSE. I do not believe that we determine the morality of an issue by counting the number of people on one side who might think it is moral or immoral. That kind of quantitative test has nothing to do with the qualitative problem involved in the evaluation of what I consider to be the shocking warmaking policy of the United States in southeast Asia.

Mr. LAUSCHE. The Senator does not pretend to say that because 426 out of 2,506 voted against bombing, the 2,080 are therefore completely wrong?

Mr. MORSE. I would say that there is no evidence to indicate they supported such a course of action. If they did, I think they would be wrong; but I would leave it for the Senator from Ohio to defend them.

Mr. LAUSCHE. Then is the Senator implying by that statement that the 426 are right and the 2,080 are wrong?

Mr. MORSE. I am not talking about whether 426 are right. I am talking about the idea being right, and these 426 people express the idea that I am seeking to put into the record, and to point out the source from which the idea came.

Mr. LAUSCHE. I am glad the Senator has put that idea into the record.

Mr. MORSE. It is important. It is very important.

Mr. LAUSCHE. The Senator would not arrogate to himself the conviction that while he believes implicitly that he is right, all those who disagree with him are wrong?

Mr. MORSE. It is not a question of agreeing or disagreeing. They are wrong because of the ideas they hold and the lack of facts to support those ideas.

Mr. LAUSCHE. They hold ideas which are contrary to the ones held by the Senator from Oregon and, therefore, they must be wrong and the Senator from Oregon is right?

Mr. MORSE. That is not my position at all. My position is that they are not facing up to the facts, that I am getting the facts into the record in the hope that we may be able to change the error of their ways.

SEVENTH MEXICO-UNITED STATES INTERPARLIAMENTARY CONFERENCE—REPORT OF COMMITTEE NO. 2—ECONOMIC AFFAIRS

TRADE POLICIES OF GOVERNMENT OF MEXICO AFFECTING U.S. FRUIT INDUSTRY

Mr. MORSE. Mr. President, with the Senator from Florida in the Chamber, I think it would be a matter of interest to him to mention trade policies which are being practiced by the Government of Mexico affecting the fruit industry of our country.

I am reading this material into the RECORD today so that it can be referred to by groups who have expressed an interest in the subject and will have it available to them.

This report today is not a report dealing with the overall accomplishments of the conference but only a report in behalf of the American delegates on the second committee that dealt with the problem of economic affairs. The present Presiding Officer of the Senate, the Senator from New Mexico [Mr. MONTOYA], was a member of the delegation, although he did not serve on this particular committee. He did very brilliant and outstanding work in behalf of the delegation on other committees of the conference, as did the Senator from South Carolina [Mr. HOLLINGS] who has just come into the Chamber, who served on one of the other committees, too.

The Senator from Florida knows that this problem of trade with Mexico in connection with many commodities, but in connection in particular with fruit, is of great concern to various fruit associations, councils, and organizations in his State.

This is the report of the Committee No. 2 on which I had the honor to serve as rapporteur. Committee No. 2 had an intensive and frank discussion of the many items on its wide-ranging agenda. The American delegation wishes to express its appreciation to the Mexican delegates for the candor with which they set forth their points of view and for the understanding which they displayed of the American points of view.

In this short report, it will be impossible even to summarize the discussion which took place with respect to all of the points on the agenda. I will attempt only to outline those on which most of the time was spent. Since the Mexican delegation is making its own report of the work of this Committee, I will deal here mainly with the points of view expressed by the American delegation. It should be emphasized, however, that perhaps the most valuable result of the work of Committee No. 2 is the fact that both sides of the table now understand better the reasons which impel each country to adopt economic policies which are distasteful to the other. It should also be emphasized that each member of the American delegation spoke only for himself and the opinions expressed do not necessarily reflect the views of the U.S. Department of State or of the American delegation as a whole—though on most matters there was common agreement within the delegation.

The discussion in Committee No. 2 was dominated by the trade and payments problems of both countries. The U.S. delegation understands the concern which Mexico has over certain measures which the United States has felt compelled to take in order to protect its international financial position and its domestic economy. These measures involve stricter limitations on goods which returning tourists can take into the United States duty free and limitations on foreign investments by U.S. banks and financial institutions. With respect to tourist purchases, most members of the U.S. delegation stated their intention to support legislation easing these limitations so far as Mexico and Canada are concerned. The United States, however, faces a severe problem caused by the outflow of gold and especially by the costs of the war in Vietnam. Although this war is a matter of domestic controversy within the United States, it must be paid for as long as it is in progress and its costs are forcing the United States to cut back not only on its other foreign expenditures but also on its domestic programs of public works, resources development, and social welfare. These domestic cutbacks are creating political pressures which make it increasingly difficult for Members of the U.S. Congress to justify to their constituents large-scale foreign aid.

The U.S. delegation made it clear, however, that the United States is not abandoning the Alliance for Progress, although no substantial expansion in the Alliance could be expected pending a Vietnam settlement. The U.S. delegation recognized that Mexico has been in the forefront in Latin America in carrying out the social reform and self-help measures which are such an important part of the Alliance, and that indeed many of these, notably land reform, tax reform, and social investment, were well advanced in Mexico prior to the signing of the Charter of Punta del Este in August 1961. The Organization of American States, itself, has proposed that government aid programs under the Alliance should give "special attention to the relatively less-developed countries," a policy which would seem to place low on the priority list such countries as Mexico and Venezuela. It was pointed out, however, that the Alliance is not simply a government-to-government program, but also places great importance on private efforts, particularly private business investment.

In this respect, Mexico has been doing quite well. Members of the American delegation pointed out certain ways in which they felt that Mexico could attract even more foreign investment—as, for example, through modifications of the policy of Mexicanization and the regulations concerning investment in coastal areas.

Members of the U.S. delegation urged Mexico to give renewed consideration to the benefits which it might derive from participation in the General Agreement on Tariffs and Trade. In the absence of Mexican membership in GATT, there is no contractual agreement between the United States and Mexico under which trade problems can be discussed. Through the U.S. participation in GATT and U.S. application of most-favored-nation treatment, Mexico already receives some benefits from GATT, but without assuming the responsibilities of membership and without having a vote in GATT negotiations.

It was pointed out that the members of GATT have agreed that trade concessions made by industrialized countries no longer require full reciprocity from countries in the process of development.

Considerable attention was given to restrictions which each country places on exports of the other. The U.S. delegation particularly commented upon Mexican policies regarding the issuance of import licenses for manufactured goods, spare parts, and certain agricultural products, particularly apples, pears, fresh oranges, fresh and canned strawberries, and other canned fruits and juices.

It was felt that in some cases Mexican import licenses have been issued in a dilatory fashion and they have been withheld arbitrarily sometimes during the best marketing seasons in Mexico and at times when imports from the United States would not displace Mexican production and sales. This criticism was cited as coming particularly but not entirely from American growers of apples and pears.

Members of the American delegation also emphasized the growing political pressure in the United States to impose quotas or other restrictions upon the imports of some of these products from Mexico. It was suggested that the members of both delegations urge their respective governments to consider the desirability of a voluntary agreement which for the next few years would limit Mexican exports of strawberries, both fresh and canned, to the United States to the 1966 level or a small percentage above that level with provision for subsequent participation by Mexico in the growth of the U.S. market. It was pointed out that higher wage costs in the United States result in the criticism by American producers and labor that U.S. trade policies with Mexico respecting production and processing of agricultural products in Mexico amount in effect to the export of many needed jobs from the United States to Mexico.

Finally, members of the U.S. delegation asked the Mexican delegation to consider reciprocal recognition of historic fishing practices within the 12-mile limit, development of a joint Matamoros-Brownsville port, and centralization within the Mexican Government of determining policy with respect to the construction of new bridges across the Rio Grande.

In conclusion, on behalf of the U.S. members of Committee No. 2, I want to express again our appreciation to our Mexican colleagues for their frankness, their understanding, and their friendship. I particularly want to mention the superb way in which Deputy Jorge de la Vega precided over our discussions.

In behalf of the U.S. delegates on Committee No. 2, I wish to say that we are going back to our country much better informed on the complex economic problems that confront the United States and Mexico in its trade relations.

We are going back to the United States more competent to advise the Congress and the executive branch of our Government concerning the viewpoint of Mexican parliamentarians in respect to United States-Mexican trade problems. We trust that the frank discussions in Committee No. 2 about the various trade problems, including import and export tariff and custom policies presently prevailing between our two countries, have given our Mexican parliamentary colleagues a better understanding of U.S. congressional responsibilities and viewpoints in this field of foreign trade.

We are going back to the United States knowing that this Seventh Mexico-United States Interparliamentary Conference has strengthened the dedication of each one of us on both sides of the border to our mutual system of parliamentary self-government. We should never lose sight of the fact that it is only through the democratic processes of parliamentary self-government devoted to the constitutional guarantee of promoting the general welfare of all of our people that we can hope to leave a heritage of political freedom to future generations of American and Mexican boys and girls.

That is the report I gave, in behalf of the American delegation, to the plenary session, to the entire conference of delegates, and to a very large number of Mexican leaders, officials, and citizens who are not members of the interparliamentary delegation itself.

Before I yield to the Senator from Alaska [Mr. GRUENING], let me make this additional point by way of information to the Senator from Florida [Mr. HOLLAND]. In the report itself, we simply covered the fact that the problems in regard to fruit are matters that were discussed. The committee discussed it at great length. We discussed this problem more than any other problem. We think we succeeded, because they told us we did, in giving to our Mexican colleagues a much better understanding of the American point of view than they had had before.

We cited specific examples of the dilatory practices on the part of Mexican administrative officials in delaying the granting of permit licenses that are necessary in order for American fruit to be brought in.

We pointed to the evidence that those delays took place at the very time when there was the greatest demand for American fruit, such as in the Christmas season and the holiday season, because it is at that time of the year that, by way of eating and purchasing habits, Mexicans have developed the historic pattern of wanting our fruit.

We said that we are at a loss to understand why there was a delay in granting the permit licenses, unless there was an attitude on the part of some administrators that it was done in the form of an extra-legal quota system.

They gave us certain assurances that they would look into those matters, and that we would hear from them, just as we gave them certain assurances that we would, as representatives of our Government, make a report back to them on certain problems that bother them.

I hope the Senator from Florida will take special note—and I shall be glad to confer with him at greater length later—of the suggestion we made that perhaps they ought to work out a voluntary agreement whereby it will be understood they would not exceed a certain ceiling in regard to exportation into this country.

As the Senator knows, the fruit people, at some of our meetings, were quite willing to try to work out a voluntary reciprocal arrangement.

I wanted the Senator to know that we certainly dwelt on the point of reciprocity. That practice is the very basis of good feeling and understanding between the two countries in respect to complex trade problems that are causing legislators difficulty with our constituents in this country.

We were very frank about that. We pointed out that as legislators we have a responsibility to protect the legitimate rights of our constituents, and that we believe that in this field, as in the field of other agricultural products, Mexico needs to work out with us some acceptable adjustments to avoid the criticism that is springing up in this field. I wanted to make this report while the Senator from Florida was in the Chamber.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. HOLLAND. I thank the Senator from Oregon for letting me know that this report was about to be made. I thank him for the substance of the report and for his efforts in the recent interparliamentary meeting in Mexico.

The National Fruit Export Council, as the distinguished Senator knows, is deeply concerned about the problems in the trade of fruit, both fresh fruit and processed—canned, concentrated, and dried. Besides the fruit problem, there is the vegetable problem, which is of very great concern, particularly in California, as the Senator knows.

I am glad that a frank discussion was held on these subjects during the interparliamentary meeting. The interparliamentary meetings are fine institutions for the discussion of such problems.

While the State of Florida, which I have the honor, in part, to represent, is not affected by the bracero problem or the entry of Mexican workmen, we know that in the western part of our country that problem, too, is one of grave concern. I know from certain contacts in Mexico that apparently there are many thousands of Mexicans who would like to have the benefit of increased compensation, better working conditions, and the like, which they have received in some of the Western States, particularly California and Arizona. I know that that is true also in Oregon, Washington, Colorado, and other States, although the number of such workmen probably is smaller. This whole field is one of very great concern to the processors of perishable, nonsupported crops in the United States.

I thank the Senator from Oregon for his support and for his interest in the problems of those people. I shall certainly take advantage of his invitation to discuss the subject at greater length with him.

Mr. MORSE. I thank the distinguished Senator from Florida.

Mr. HOLLAND. I apologize to the Senator from Alaska for having interrupted him at this time.

Mr. MORSE. Before I yield to him, I should say that the Senator from Alaska also was a delegate and sat with us throughout the Parliamentary Conference, as also did the Senator from New Mexico [Mr. MONTOYA]. The Senator from Alaska and the Senator from New Mexico were most helpful, time and time again, in assisting us to resolve some of the most difficult problems that were raised.

I would not want to close my formal remarks without saying—and I know I speak for a unanimous delegation—that this was the best of our seven Interparliamentary Conferences with Mexico.

In the early conferences, as I said

when I was down there, we had to get acquainted first; we more or less dealt with each other at arm's length. But that time has passed. We now have a record of association with them, so that we can eliminate the formalities, and get right down to work, lay on the table our sincere, honest, and respectful differences of opinion, and proceed to discuss the points of view of the delegates on each side of the border.

I have nothing but the highest of praise for all the hospitality and courtesies that were extended to us by the Mexican delegates, and for the sincere effort that they made to strengthen the bonds of understanding between the two parliaments. That was accomplished.

I also wish to express my deep appreciation to the President of Mexico, not only for his hospitality but also for the things that he said to us, and the renewed assurances that he gave us that his Government seeks only to strengthen and improve the understanding between the Mexican Government and the Government of the United States.

I am happy to assure the Senate that the Senator from Montana [Mr. MANSFIELD], in one of the most eloquent responses I have ever heard on such an occasion, gave every assurance to the President of Mexico that there was reciprocity on that score as well.

I now yield to the Senator from Alaska.

Mr. GRUENING. Mr. President, first I wish to associate myself completely with the concluding remarks of my friend, the senior Senator from Oregon. I wish to second his statement that this was the best of the seven conferences—of which I have attended six—and to say to him that I consider that there is no more important assignment in the field of our foreign relations than to strengthen our ties with our one immediate land neighbor, to the south—Mexico.

It is extremely gratifying to me to have been a close observer of Mexican affairs for more than 45 years, since I first went there as a journalist to report on the revolution, which in 1922 had reached its evolutionary stage, and concerning which little was known in the United States, and to see the great change which has come about, which is so gratifying to me—a complete change in our policy toward Mexico since those days of our imperialism, interventions, invasions, and penetrations of our neighboring nations in Latin America. As far as Mexico is concerned, I am glad to say that that policy has been completely reversed, which is due not only to changed leadership in the United States, but is also to the firm purpose of the successive Mexican administrations, which have enunciated and reaffirmed the sound principles of the Mexican Revolution with such conviction, such clarity, such candor, and such good sense, that any other relationship than the one now existing, based upon mutual respect, would be impossible.

I wish to say that I was particularly proud of the delegation we sent down there and charmed with the warmth and cordiality with which the Mexicans received us, which indeed has been characteristic. I think, if it is possible to designate a senatorial team as the "first" team, ours was it. We had down there our majority leader [Mr. MANSFIELD], so wise in international affairs; the chairman of our Foreign Relations Committee [Mr. FULBRIGHT], and also the second ranking member on the Foreign Relations Committee [Mr. SPARKMAN] and its senior minority member [Mr. AIKEN]. We had my distinguished friend from Oregon, who is chairman of the Subcommittee on Inter-American Affairs, FRANK CHURCH, another able member of the Foreign Relations Committee. We had the distinguished Senator from New Mexico [Mr. MONTOYA], who was so helpful not merely because of his great interest in Mexico, coming from a neighboring State, but because of his Mexican ancestry and his complete fluency in Spanish. We had, from the likewise border State of Arizona its able junior Senator, PAUL FANNIN; and I was glad to see that numbered among the House delegation we had two Members of Mexican background from the State of Texas, Representatives HENRY GONZALEZ, from San Antonio, and ELIGIO DE LA GARZA from Mission, with their fluency in Spanish which I am sure, was extremely gratifying to the Mexican delegates, as was the presence of JIM WRIGHT, of Fort Worth, likewise skilled in our neighbor's language.

I believe that this time, as never before, we came back with a sense of achievement and a great sense of pride in the friendly relationship of the United States with its immediate neighbor to the south. FRANK CHURCH expressed our feelings when at the conclusion of his summary of the proceedings of the Committee on Political Affairs, of which he was the U.S. chairman, he saluted the gathering in Spanish with "Viva Mexico."

Mr. MORSE. I thank the Senator very much.

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the order previously entered, that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 46 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, February 21, 1967, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 20, 1967:

AGENCY FOR INTERNATIONAL DEVELOPMENT

Rutherford M. Poats, of Virginia, to be Deputy Administrator, Agency for International Development.

U.S. ARMS CONTROL AND DISARMAMENT AGENCY

Maurine B. Neuberger, of Oregon, to be a member of the General Advisory Committee of the U.S. Arms Control and Disarmament Agency.

EXTENSIONS OF REMARKS

A Welcome to Mr. Bill Moyers

EXTENSION OF REMARKS

OF

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 20, 1967

Mr. WOLFF. Mr. Speaker, we of Long Island are proud of our good fortune to have drawn Mr. Bill Moyers to this part of our country. From the onset of this administration he has occupied an unusual position. One gains extraordinary insight by being at the right hand of a President, and I am sure that Bill Moyers has had a perspective of the events of the world that cannot be duplicated. Seldom has the publisher and editor of any newspaper had this type of training. Since we here in Long Island pay a great deal of attention to the press, Mr. Moyers' coming will add a dimension to our lives. Therefore, we have a feeling of great expectation with respect to his coming career. And so I feel that I speak for all of the people of Long Island when I say to you that Washington's loss is Long Island's gain.

A Tribute to National Brotherhood Week

EXTENSION OF REMARKS

OF

HON. GLENN CUNNINGHAM

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 7, 1967

Mr. CUNNINGHAM. Mr. Speaker, the cause of brotherhood has always had the blessings of many millions of conscientious, God-fearing people the world over. It also has been compelled eternally to labor against the forces of hatred, on the one hand, and apathy on the other. Standing alone, the forces of hatred are unsubstantial and of no particular account. United, however, hatred and apathy comprise a formidable power, overwhelming to the cause of brotherhood.

It is of the highest importance, therefore, that we celebrate, as an annual event, National Brotherhood Week—a tribute to the spirit of American democracy, in the true meaning of the term.

For in calling attention to the need for, and the benefits to be derived from, brotherhood, we strike a blow at apathy, without which hatred cannot stand.

Ours is a great country, surely capable of achieving even greater heights. We have the wealth, the intelligence, the economic leadership, and a burning spirit which cannot be denied except, perhaps, by internal discord. That is what we must prevent, if we are to continue our national climb to progress and achievement.

It is time, I believe, that we recognize, at last, that the spirit of brotherhood is not merely the frosting on the cake of democracy, but the heart and soul of democracy itself.

Our national reputation is in large part based upon our claim to being the land of equal opportunity. If we are to act in good faith, in this regard, we must promote the cause of brotherhood, at the expense of prejudice and apathy.

For so doing, the sponsors of National Brotherhood Week deserve the approbation of all Americans concerned for the reputation of our country in the eyes of the civilized world.

National Engineers Week

EXTENSION OF REMARKS

OF

HON. ED REINECKE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, February 20, 1967

Mr. REINECKE. Mr. Speaker, this week marks "National Engineers Week." As a registered mechanical engineer, one of the few in Congress, I wish to call the attention of the House to this distinguished corps of professionals.

The engineer is a builder: He builds bridges, buildings, roads and highways, power systems, water reservoirs. He is a designer: He designs computers, sound systems, water control mechanisms, spacecraft and rockets, ships and aircraft. The engineer is a scientist: He explores the sea, the air, the earth, he experiments with chemicals, explosives, armaments, and fabrics. The engineer is an explorer: He soars high into the stratosphere, he burrows deep into the earth, he sails under the polar cap, he builds under the sea, and on the sides of cliffs, and he harnesses the forces of nature.

The engineer is the man who takes the theory, the rough idea, and translates it into a reality. He dreams a little, and builds a lot. He asks questions of nature, patiently and imaginatively. He chips away at the great ore of unmined truth about our world.

The engineer is interested in how the advances in science and technology affect people: individuals, communities, nations, the world. It seems to be assumed by many these days that technology and the engineer is the enemy rather than a friend of people. This is a shortsighted view. In the Western World, the engineer and his skill has been the major factor in lifting the lot of most people to relative affluence. The benefits to the world are almost incalculable. It is in those areas of the world where engineers are scarce that poverty and suffering still prevail.

The engineer has given us electricity, atomic power to light our cities, X-rays for healing, radio communication, automobiles for transportation, clean air and water, and a place in space.

Engineers have served our Nation in every capacity. They have been teachers, businessmen, civil servants, lawmakers, military leaders, inventors, miners, artists, and ambassadors. One great engineer even became President, the late Herbert Hoover.

Mr. Speaker, I trust that this week we shall keep in mind the gratitude we owe this Nation's professional engineers. And may we take this occasion to encourage the education of more and better engineers. Our country needs them, if we are to build a better world.

Let us search our country for the bright young men with creative ideas, give them a slide rule and a good education, and let them go to work translating dreams into a greater America.

Early Appropriations for Education Programs Necessary for School Planning

EXTENSION OF REMARKS

OF

HON. WENDELL WYATT

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, February 20, 1967

Mr. WYATT. Mr. Speaker, education is one of the most important aspects of our lives. Our jobs, our future, and the future of our children depend on the quality, type, and extent of our education and training.

Federal aid to local school programs is becoming an increasingly important part of our educational system. While local boards must maintain control over their school districts, Federal money can be, and is, used to upgrade and expand our curriculum programs.

With the increase in Federal aid to schools, however, the web of Federal bureaucracy has grown into a great tangled net. The redtape and confusion over where and to whom to apply for grants and aid, and the strings attached to the funds have reached an alltime high. Some schools have waited as long as 2 years before they discovered whether their requests had been accepted or denied.

There is much that should be done to streamline our Federal educational aid program. And, as with charity, the process begins at home—right here in Congress. Working out legislative ideas, amendments, and compromises is a knotty and involved problem. In each session it takes several months to work out the details in committee on controversial bills. Only after the committee reports on a bill may it go to the House floor for a vote. Each year for the past several years appropriations bills, bills allocating money for Federal programs, have been among the latest to pass out of committee. Despite the present administration's policy of bulling its fiscal programs through Congress, and contrary to much public opinion, the President's budget is not necessarily the final say on program funding. The House and Senate still have the final hold on the Federal purse strings.

No one seeking Federal funds can count on receiving money until Congress has finally authorized the appropriation of funds from the Treasury. Therefore, schools cannot plan their programs for the next fiscal year until after Congress has decided how much will be allocated for education appropriations. This situation is extremely unfair to school boards and local school administrators. To plan effectively for a coming school year, education officials must have knowledge of which programs will receive Federal aid. Even when the appropriations are passed it takes time for the Education Department to distribute the fantastic sum of over $3 billion to be spent on education this next fiscal year. Schools have to plan in advance. They must have budget figures and curriculum plans for the next school year laid almost before the present one is ended. School programs for fall must be roughed out in spring and completed by summer. For the past several years, however, Congress has not passed on education appropriations until very late in the year—September, or even as late as October for some programs. This creates havoc for local school planners, and utter confusion as to which programs will be funded. This is long after those programs should have begun or been scrapped.

This fantastic waste of time, money, and energy is a problem simply solved. I have introduced a bill in the House that would make it a rule for all House committees to have completed work and reported on educational appropriation legislation by the first of May preceding the fiscal year for which the funds would be appropriated. This would mean education money bills would come up for final passage in time for school officials to soundly plan their programs. Washington's bureaucracy has long since grown out of hand. When we in Congress can help cut some of the delay and confusion, it is our duty to do so. Education is such an important part of our lives that I feel it is a necessity for the House to pass my resolution. We owe it to ourselves, our schools, our children, and our Nation.

Tribute to James (Jimmy) Callan

EXTENSION OF REMARKS

OF

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, February 20, 1967

Mr. WOLFF. Mr. Speaker, on the evening of February 14, 1967, at Antun's Restaurant in New York City, prominent citizens of the Greater New York food industry gathered to pay tribute to the memory of one of New York's most beloved and respected men within this large sector of the business world, James (Jimmy) Callan. The paramount purpose of this function was to set up scholarships for the children of James Callan, and I am happy to report that this endeavor was a complete success and a tribute to all who participated.

In the more than 20 years that I knew Jimmy, I observed that he endeared himself to all who came in contact with him. Serving as national sales representative of the late New York Mirror for over 15 years, Callan was on the scene to aid any humanitarian cause. No race nor minority was beyond his active support. A genuine humanist, Jimmy was awarded the highest honors by every religious denomination for his efforts. Although he sought neither fame nor favor for his efforts, he earned recognition and respect from every leader in our great State.

In the bloom of life, Jimmy was taken from his family and friends while serving as sales director of the American Broadcasting Co. This Nation and humanity in general was enriched by Jim. A great loss has been suffered by his passing.

Vietnam: What Price Peace?

EXTENSION OF REMARKS
OF
HON. DONALD M. FRASER
OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES
Monday, February 20, 1967

Mr. FRASER. Mr. Speaker, at the invitation of the Foreign Policy Association, I have written a short article entitled "Vietnam: What Price Peace?" for the association's "Great Decisions" program. The article has been released across the country this week by United Press International.

As stated by the Foreign Policy Association, the article reflects my opinions, since "FPA takes no position on foreign policy issues."

The article represents the most up-to-date summary of my thoughts about the war in Vietnam, and I have permission to reprint the entire article in the RECORD:

What is the primary reason for our presence in South Vietnam?

Are we there to deter Chinese expansionism? The belief that this is our primary aim is implicit in most of the discussion about Vietnam. Although most Americans probably believe that China was responsible for starting the Vietnamese struggle, China was not the moving force.

In fact, if concern about China is uppermost in our considerations, an independent communist state under its own leadership in the long run could prove to be a buffer against China. At the same time it must be recognized that a communist Vietnam might apply considerable pressure against her neighbors, much as Cuba has actively proselytized in Latin America.

Some argue that we are in Vietnam to prove that aggression in the guise of liberation wars will not be tolerated, any more than conventional aggression is tolerated. "Wars of national liberation" cover a wide spectrum of conflicts. It is unlikely that the outcome of Vietnam will affect the struggle in Guatemala. Generalizations about these kinds of wars are dangerous and misleading.

The most convincing reason for our presence in Vietnam is our desire to help the South Vietnamese. We would like to see them free to determine their own future. We know that a communist regime in South Vietnam would make short shrift of those committed to democratic values. We properly fear that such a regime would support efforts to overturn neighboring governments.

But if our aim is to help the South Vietnamese, in fairness to them we must realistically appraise the chances of success without imposing too high a level of physical and social damage on their nation.

Thus there are compelling reasons to consider a settlement of conflict. In addition to the uncertainties of gaining a "win," pressures exist for a settlement from within the United States and from abroad.

Any settlement short of a "win" must permit the National Liberation Front to retain something. Whatever they retain will pose a threat to the continuation of any government in Saigon. The Vietcong are clearly the most disciplined and most intensively organized political force in South Vietnam. Even if stripped of a military role, they would be a potent force. The prospect would remain that they might from time to time revert to terror or other tactics employing force or violence.

A settlement might provide internationally enforced free elections for a period of at least 10 years. The enforcement of free elections at the village, provincial and national levels might offer the best prospect for eroding the political appeal of the communists.

Such a settlement would be fully compatible with the legitimate concerns of the U.S.

Whether or not this kind of settlement could be achieved is unknown.

United States efforts to reach the bargaining table are being hampered by American insistence on treating Hanoi as the primary party. Efforts to bomb Hanoi out of the conflict or to the bargaining table compound the difficulty. The Vietcong are fighting in the south because of a commitment to an ideology shared with their brethren in the North. Through our bombing we, in effect, ask that the North Vietnamese abandon their comrades in the south who have carried the main punishment of the war. This is unrealistic.

To the extent that North Vietnam influences the action of the Vietcong, an end to bombing in the north would probably advance prospects for negotiations. The bombing might be cut back to areas close to the funnel to the Ho Chi Minh trail and near the 17th parallel.

The United States should continue to increase its troops in South Vietnam while it engages the Liberation Front in a dialogue aimed at negotiations. The Vietcong will settle only if settlement seems preferable to continued fighting. Settlement prospects would not be advanced by stabilizing force levels while we still have difficulty holding present ground. In the meantime we must continue our efforts at the social and political level.

There can be no doubt that any settlement short of a "win" would involve large risks to the future of South Vietnam. Yet these risks may be far preferable to the uncertain and traumatic road which lies ahead if we continue our present course.

The U.S. has had to live with many unsatisfactory solutions elsewhere in the world. We would do better to press for the more perfect solutions in those situations more susceptible to our power and in which the weight of international opinion supported the wisdom of our efforts.

SENATE

TUESDAY, FEBRUARY 21, 1967

The Senate met at 12 o'clock meridian, and was called to order by the President pro tempore.

Rabbi Dr. Israel Goldstein, rabbi emeritus of Congregation B'nai Jeshurun, of New York, offered the following prayer:

Light of the Universe: In the words of our daily prayer we implore Thee, "Hameir la-aretz—telamdaynoo hookay hayim—Or hadash al Zion ta-eer."

"Enlighten us in the laws of life. Make a new light to shine on Zion for the benefit of all."

On the threshold of George Washington's Birthday, we lift our hearts again in gratitude for the birth of this Nation under his tutelage and Thy providence, a nation and leaders cradled in Thy Holy Writ.

May we ever be mindful of the moral imperative to match physical strength with spiritual power. We thank Thee, O Lord, that in our day, upon the soil sanctified by Thy Holy Word, Israel has been privileged, under Thy providence, to have its rebirth in its ancient homeland, and that America has had a great role in that wondrous dispensation.

Grant that every passing year may add a strand to the spiritual kinship uniting these two democracies, each flowering in its own tradition.

May Thy supreme blessing of "shalom," peace, encompass men and nations everywhere, evermore. Amen.

THE JOURNAL

On request of Mr. LONG of Louisiana, and by unanimous consent, the reading of the Journal of the proceedings of Monday, February 20, 1967, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, submitting nominations, were communicated to the Senate by Mr. Jones, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 2. An act to amend titles 10, 14, 32, and 37, United States Code, to strengthen the Reserve components of the Armed Forces, and clarify the status of National Guard technicians, and for other purposes;

H.R. 399. An act to authorize the Administrator of Veterans' Affairs to convey certain real property to the city of Batavia, N.Y.;

H.R. 2152. An act to amend the act incorporating the Disabled American Veterans so as to provide for an annual audit of their accounts;

H.R. 2730. An act authorizing the Administrator of Veterans' Affairs to convey certain property to Temple Junior College, Temple, Tex.; and

H.R. 3593. An act to amend title 38 of the United States Code to eliminate certain requirements for the furnishing of nursing home care in the case of veterans hospitalized by the Veterans' Administration in Alaska or Hawaii.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred, as indicated:

H.R. 2. An act to amend titles 10, 14, 32, and 37, United States Code, to strengthen the Reserve components of the Armed Forces, and clarify the status of National Guard technicians, and for other purposes; to the Committee on Armed Services.

H.R. 399. An act to authorize the Administrator of Veterans' Affairs to convey certain real property to the city of Batavia, N.Y.

H.R. 2730. An act authorizing the Administrator of Veterans' Affairs to convey certain property to Temple Junior College, Temple, Tex.; and

H.R. 3593. An act to amend title 38 of the United States Code to eliminate certain requirements for the furnishing of nursing home care in the case of veterans hospitalized by the Veterans' Administration in Alaska or Hawaii; to the Committee on Labor and Public Welfare.

H.R. 2152. An act to amend the act incorporating the Disabled American Veterans so as to provide for an annual audit of their accounts; to the Committee on the Judiciary.

RESOLUTION OF MONTANA HOUSE OF REPRESENTATIVES

The **PRESIDENT** pro tempore laid before the Senate a resolution of the House of Representatives of the State of Montana, which was referred to the Committee on Interior and Insular Affairs, as follows:

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA TO PROVIDE FEDERAL ASSISTANCE TO DOMESTIC GOLD PRODUCERS

Whereas, since 1934, domestic gold producers have been required to sell their product only to the Federal Government at the established price of $35 per ounce, and

Whereas, costs of producing this precious metal have continued to increase at an alarming rate reflecting the impact of inflation upon the economics of gold mining and milling operations with the result that virtually all gold producers in the United States have closed down their properties, and

Whereas, domestic gold production, which amounted to approximately 5,000,000 ounces in 1940, has now dropped to an annual rate slightly in excess of 1,500,000 ounces while current domestic gold consumption for defense and space needs, industrial requirements, the arts and crafts, and dental use has rapidly risen to a significant rate of approximately 6,000,000 ounces per annum, over three times our U.S. production rate, and

Whereas, the continuing outflow of gold and failure to solve our balance of payments deficit continues to be of ever greater national concern, and

Whereas, the disparity between domestic consumption and production imposes an additional substantial drain upon the monetary gold reserves of the United States, and

Whereas, Federal relief legislation revitalizing the U.S. gold mining industry could well end continuing substantial depletion of our monetary gold reserves to supply U.S. internal domestic gold consumption which should alleviate to some extent concern in foreign circles over our monetary policies, and

Whereas, such legislation to stimulate domestic gold production is definitely in the national interest.

Now, therefore, be it resolved by the House of Representatives of the State of Montana:

That the members of the House of Representatives of the State of Montana respecfully request the Congress of the United States to investigate means of providing incentives to domestic gold producers to stabilize the few existing U.S. gold properties, to reopen dormant gold mines, and to encourage aggressive exploration for new gold ore reserves in this country.

Be it further resolved, that a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States and to each member of the Congress from the State of Montana.

JAMES R. FELT,
Speaker of the House.

I certify that the within Resolution was adopted February 15, 1967 by the Montana House of Representatives.

EDNA J. HINMAN,
Chief Clerk.

GUARANTEE OF INSURANCE LOANS TO INDIANS—JOINT RESOLUTION OF MONTANA LEGISLATURE

Mr. METCALF. Mr. President, I want to call special attention to a memorial of the Montana Legislature recommending the passage of legislation for guarantee of loans to Indians and Indian organizations.

In many of my conversations with Montana Indians, and tribal leaders from other sections of the country, the two chief problems faced by the individual Indian are educational opportunity and availability of credit. I will discuss the educational problem in more detail at some other time.

But, in competition with non-Indians, the Indians, the tribal organizations, and the Indian organizations are severely handicapped. For example a non-Indian stockgrower can get a line of bank credit, it often happens that an equally deserving Indian cannot get such credit.

Some of the reluctance to extend credit is the result of the persistence of folklore and mythology about the availability of rights under the law to use the usual commercial procedures to protect credit—mortgage foreclosure, contract enforcement, and the like. Of course, there are special laws that lawyers and bankers and loan agents in Indian country have to know but by and large the enforcement of contracts and loan agreements against Indian debtors is the same as against the rest of the non-Indian population.

Government guarantee of loans and Federal extension of credit to tribal councils and Indian organizations will encourage extension of credit, will educate the Indian farmer and rancher, the Indian shopkeeper, the Indian craftsman, to apply in the same way as his non-Indian neighbor for loans at the bank and other established commercial institutions. At the same time the banks will be enabled to make loans to Indian clients and to tribal organizations with confidence. After experience I predict that the Indian loans will be found to be as sound as any other paper in the banks' portfolio.

The text of the memorial from the Montana Legislature is as follows:

A JOINT RESOLUTION OF THE SENATE AND HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA, TO THE MONTANA CONGRESSIONAL DELEGATION AND TO SECRETARY OF THE INTERIOR STEWART UDALL, ASKING FOR PASSAGE OF LEGISLATION ENTITLED "TO PROVIDE FOR GUARANTEE AND INSURANCE OF LOANS TO INDIANS AND INDIAN ORGANIZATIONS"

Whereas, the United States Congress has had under consideration legislation entitled "to provide for guaranty and insurance of loans to Indians and Indian organizations", and

Whereas, this legislation is similar to the Veterans' Loan Act which provides for loans to be made through commercial lending agencies, and

Whereas, loans to Indians and Indian Tribal Councils would be granted and guaranteed to the lender by the United States government under the supervision of the Secretary of the Interior, and

Whereas, the need for these loans is great because of the lack of capital for commercial and industrial development, and because of indicated interest by various commercial and industrial concerns for location of industry on Indian reservations, and

Whereas, unemployment is a most severe problem on Montana Indian reservations, resulting in a low standard of living for Indian people, and

Whereas, the economic expansion which would be developed will provide employment and tend to put Indian people on a self-supporting basis, and

Whereas, commercial capital cannot be obtained unless there is security for the loan and insurance of repayment.

Now, therefore, be it resolved by the Senate and House of Representatives of the State of Montana:

That the United States Congress be urged to consider favorably legislation establishing a guarantee loan fund at an early date to stimulate industrial development and employment opportunities on or near Indian reservations, and to improve living conditions among Indian people, and

Be it further resolved, that the seven Indian reservations in Montana which stand in need of capital to develop reservation economy and to secure a place in the commercial stream of American life for the Montana Indian, need state assistance in solving commercial and industrial development problems, and

Be it further resolved, that the Secretary of State is instructed to send copies of this resolution to the Honorable Mike Mansfield and the Honorable Lee Metcalf, Senators from the state of Montana, to the Honorable Arnold Olsen and the Honorable James Battin, Congressmen from the state of Montana, and to the Honorable Stewart Udall, Secretary of the Interior of the United States.

I hereby certify that the within Joint Resolution originated in the House.

EDNA J. HINMAN,
Chief clerk.
JOHN H. LEUTHOLD,
Speaker pro tempore of the House.
TED JAMES,
President of the Senate.

The joint resolution was referred to the Committee on Interior and Insular Affairs.

LEGISLATIVE PROGRAM

Mr. LONG of Louisiana. Mr. President, I suggest the absence of a quorum.

Mr. CLARK. Mr. President, will the Senator withhold that request for a moment, so that I may ask a question?

Mr. LONG of Louisiana. I withhold the request.

Mr. CLARK. I ask the Senator from Louisiana whether he can give us some idea as to what the program for the rest of the week will be.

Mr. LONG of Louisiana. We anticipate calling up the bill to extend the debt limit to $336 billion today, and following that we would return to the unfinished business, S. 355, the Legislative Reorganization Act.

On February 22, we would have a reading of Washington's Farewell Address by Senator Norris Cotton.

On Thursday, February 23, we will lay before the Senate S. 665, Calendar No. 61, the military procurement authorization supplemental.

Mr. CLARK. Is it contemplated that there will be any votes on S. 665 this week?

Mr. LONG of Louisiana. We would hope that there would be some votes on that day.

Mr. CLARK. S. 665, as I understand, is a bill to authorize appropriations during the fiscal year 1967 for procurement of aircraft, missiles, and tracked combat vehicles, and research, development, test, evaluation, and military construction for the Armed Forces, and for other purposes.

I understand that this is the first phase of the Vietnam supplemental authorization. The amount involved is $4 billion. I should like to give notice to my colleagues in the Senate that I do not propose to permit that measure to come to any vote whatsoever this week. In my opinion, that measure deserves at least a week of debate in this Chamber, where all matters involved in the Vietnam controversy should, in my judgment, be raised.

I make this statement in courtesy to my colleagues in the Senate.

Mr. JAVITS. Mr. President, will the Senator yield on the same point?

Mr. LONG of Louisiana. I yield.

Mr. JAVITS. I believe that the minority would like to know whether it is contemplated that any business will be done on Wednesday after the reading of the address.

Mr. LONG of Louisiana. There will be no other business.

Mr. JAVITS. I thank the Senator.

Mr. LONG of Louisiana. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. Yarborough in the chair). The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. Long of Louisiana, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WILLIAMS of Delaware:

S. 1034. A bill to amend the Internal Revenue Code of 1954 to provide that income obtained by means of a criminal act shall not have the benefit of the income averaging provisions; to the Committee on Finance.

(See the remarks of Mr. Williams of Delaware when he introduced the above bill, which appear under a separate heading.)

By Mr. ERVIN (for himself, Mr. Fong, Mr. Burdick, Mr. Smathers, Mr. Long of Missouri, Mr. Tydings, Mr. Bayh, Mr. Eastland, Mr. Hruska, Mr. Scott, Mr. Dirksen, Mr. Thurmond, Mr. Brewster, Mr. Montoya, Mr. Prouty, Mr. Fannin, Mr. Bible, Mr. Byrd of Virginia, Mr. McIntyre, Mr. Young of North Dakota, Mr. Talmadge, Mr. Bartlett, Mr. Williams of New Jersey, Mr. Lausche, Mr. Jordan of North Carolina, Mr. Nelson, Mr. Jordan of Idaho, Mr. Yarborough, Mr. Randolph, Mr. Inouye, Mr. Miller, Mr. Metcalf, Mr. Mundt, Mr. Muskie, Mr. Cooper, Mr. McCarthy, Mr. Brooke, Mr. Sparkman, Mr. Moss, Mr. Hatfield, Mr. Hollings, Mr. Carlson, Mr. Hansen, Mr. Clark, Mr. Dominick, Mr. Church, Mr. McGovern, Mr. Tower, Mr. Hill, Mr. Percy, Mr. Pearson, Mr. Spong, and Mr. Dodd):

S. 1035. A bill to protect the civilian employees of the executive branch of the U.S. Government in the enjoyment of their constitutional rights and to prevent unwarranted governmental invasions of their privacy; to the Committee on the Judiciary, by unanimous consent.

(See the remarks of Mr. Ervin when he introduced the above bill, which appear under a separate heading.)

By Mr. ERVIN:

S. 1036. A bill to protect members of the Armed Forces of the United States by prohibiting coercion in the solicitation of charitable contributions and the purchase of Government securities; to the Committee on Armed Services.

(See the remarks of Mr. Ervin when he introduced the above bill, which appear under a separate heading.)

By Mr. SMATHERS:

S. 1037. A bill to provide that it shall be unlawful to interrupt by certain acts normal operations within the transportation industry; to the Committee on Commerce.

By Mr. JORDAN of North Carolina (for himself and Mr. Ervin):

S. 1038. A bill for the relief of Ziya Idris Tabak; to the Committee on the Judiciary.

By Mr. JORDAN of North Carolina (by request):

S. 1039. A bill to extend the authority of the Postmaster General to enter into leases of real property for periods not exceeding thirty years, and for other purposes; to the Committee on Public Works.

By Mr. MAGNUSON (for himself and Mr. Jackson):

S. 1040. A bill for the relief of certain civilian employees of the U.S. Naval Ammunition Depot Bangor, Bremerton, Wash.; to the Committee on the Judiciary.

By Mr. MONRONEY:

S. 1041. A bill for the relief of Harry LeRoy Jones; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Monroney when he introduced the above bill, which appear under a separate heading.)

By Mr. McCLELLAN (by request):

S. 1042. A bill for the general revision of the patent laws, title 35 of the United States Code, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. McClellan when he introduced the above bill, which appear under a separate heading.)

By Mr. HANSEN (for himself and Mr. McGee):

S. 1043. A bill to provide for the issuance of a special postage stamp in commemora- for her role in women's suffrage in Wyoming in 1969; and

S. 1044. A bill to provide for the issuance of a special postabe stamp in commemoration of the work of Esther Hobart Morris for her role in women's suffrage in Wyoming; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Hansen when he introduced the above bills, which appear under a separate heading.)

By Mr. TALMADGE:

S. 1045. A bill for the relief of Alton R. Conner; to the Committee on the Judiciary.

By Mr. CARLSON:

S. 1046. A bill to amend title 38 of the United States Code so as to provide pension increases for veterans of World War I, World War II, and the Korean conflict, for widows of such veterans, and for the children of such veterans who are deceased; and for other purposes;

S. 1047. A bill to amend chapter 15 of title 38, United States Code, in order to increase by 20 percent the income limitations imposed by that chapter on persons entitled to pensions thereunder; and

S. 1048. A bill to amend section 521 of title 38, United States Code, to exclude from consideration as income, for the purpose of determining eligibility for pension, all payments of any kind or from any source, including salary, retirement or annuity payments, endowment or similar income, which a veteran receives or is entitled to receive after attaining age 72; to the Committee on Finance.

(See the remarks of Mr. Carlson when he introduced the above bills, which appear under separate headings.)

By Mr. METCALF (for himself and Mr. Gruening):

S. 1049. A bill to amend section 3 of the act of July 23, 1955 (ch. 375, 69 Stat. 368); to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Metcalf when he introduced the above bill, which appear under a separate heading.)

NULLIFICATION OF REGULATION PERMITTING THE AVERAGING OF INCOME FROM CRIMINAL ACTIVITIES

Mr. WILLIAMS of Delaware. Mr. President, I send to the desk, for appropriate reference, a bill. The purpose of the bill is to nullify a regulation recently issued by the Treasury Department wherein they allow embezzlers to average income over a period of 5 years for the purpose of lowering tax liability. The bill would preclude any income from any type criminal activity from being included in such averaging provision.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1034) to amend the Internal Revenue Code of 1954 to provide that income obtained by means of a criminal act shall not have the benefit of the income averaging provisions introduced by Mr. Williams of Delaware, was received, read twice by its title, and referred to the Committee on Finance.

PROTECTION OF CONSTITUTIONAL RIGHTS OF GOVERNMENT EMPLOYEES AND TO PREVENT UNWARRANTED INVASIONS OF THEIR PRIVACY—PROTECTION OF RIGHTS OF THE MILITARY

Mr. ERVIN. Mr. President, on behalf of myself and Senators Fong, Burdick, Smathers, Long of Missouri, Tydings, Bayh, Eastland, Hruska, Scott, Dirksen, Thurmond, Brewster, Montoya, Prouty, Fannin, Bible, Byrd of Virginia, McIntyre, Young of North Dakota, Talmadge, Bartlett, Williams of New Jersey, Lausche, Jordan of North Carolina, Nelson, Jordan of Idaho, Yarborough, Randolph, Inouye, Miller, Metcalf, Mundt, Muskie, Cooper, McCarthy, Brooke, Sparkman, Moss, Hatfield, Hollings, Carlson, Hansen, Clark, Dominick, Church, McGovern, Tower, Hill, Pearson, Percy, Spong, and Dodd, I introduce a bill to protect the employees of the executive branch of the U.S. Government in the enjoyment of their constitutional rights and to prevent unwarranted governmental invasions of their privacy. Since the bill was referred to the Judiciary Committee last year, I ask unanimous consent that the bill be referred to the same committee.

The PRESIDING OFFICER. Without objection, the bill will be received and referred to the Committee on the Judiciary.

The bill (S. 1035) to protect the civilian employees of the executive branch of the U.S. Government in the enjoyment of their constitutional rights and to prevent unwarranted governmental invasions of their privacy, introduced by Mr. Ervin (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. ERVIN. Mr. President, I also introduce for appropriate reference, a bill to protect the rights of servicemen and prohibit unwarranted invasion of their privacy. I ask unanimous consent that the texts of these bills be printed in full at the conclusion of my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record, as requested by the Senator from North Carolina.

The bill (S. 1036) to protect members of the Armed Forces of the United States by prohibiting coercion in the solicitation of charitable contributions and the purchase of Government securities, introduced by Mr. Ervin, was received, read twice by its title, and referred to the Committee on Armed Services.

Mr. ERVIN. Mr. President, last year, as a result of the many complaints which had come to my attention and to the Constitutional Rights Subcommittee over a period of years, I introduced S. 3779 to protect the constitutional rights of Government employees and prohibit unwarranted invasions of their privacy. The bill I propose today is a revised version of S. 3779. While it does not cover all of the injustices or privacy invasions being perpetrated today on employees and other citizens, it does prohibit some of the more serious ones which are of immediate interest to Government employees, to employee unions and associations, and to those concerned with the civil liberties of all Americans.

On the basis of the additional revelations at subcommittee hearings, agency reports, and the helpful suggestions of many scholars and experts, the bill has been amended to tighten it and clarify the intent of its cosponsors that it does not apply to the proper exercise of management authority and supervisory discretion, or to areas now governed by statute. In accordance with recommendations by witnesses and experts in employee rights, it also contains provisions for administrative remedies and penalties to be administered through an independent Board on Employee Rights. Creation of this Board will assure that employees have a place to lodge their complaints of violations of the act without fear of reprisal and with the knowledge that the issues will be considered free of administrative and executive interference. Our hearings showed that such an agency is necessary to the effective enforcement of the act.

The bill prohibits indiscriminate requirements that employees and applicants for Government employment disclose their race, religion or national origin; attend Government-sponsored meetings and lectures or participate in outside activities unrelated to their employment; report on their outside activities or undertakings unrelated to their work; submit to questioning about their religion, personal relationships or sexual attitudes through interviews, psychological tests, or polygraphs; support political candidates, or attend political meetings. It makes it illegal to coerce an employee to buy bonds or make charitable contributions; or to require him to disclose his own personal assets, liabilities, or expenditures, or those of any member of his family unless they would show a conflict of interest. It provides a right to have a counsel or other person present, if the employee wishes, at an interview which may lead to disciplinary proceedings. It accords the right to a civil action in a Federal court for violation or threatened violation of the act.

The revised bill differs from S. 3779 of the 89th Congress in the following respects:

First. The section banning requirements to disclose race, religion, or national origin is amended to permit inquiry on citizenship where it is a statutory condition of employment.

Second. The provision against coercion of employees to buy bonds or make charitable donations has been amended to make it clear that it does not prohibit calling meetings or taking any action appropriate to afford the employee the opportunity voluntarily to invest or donate.

Third. A new section providing for administrative remedies and penalties. The machinery here includes the establishment of a Board of Employee Rights to receive and conduct hearings on complaints of violation of the act, and to determine and administer remedies and penalties. There is judicial review of the decision under the Administrative Procedure Act.

Fourth. A specific exemption for the Federal Bureau of Investigation is included.

Fifth. Exceptions to the prohibitions on privacy-invading questions by examination, interrogations and psychological tests are provided upon psychiatric determination that the information is necessary in the diagnosis and treatment of mental illness in individual cases, and provided that it is not elicited pursuant to general practice or regulation governing the examination of employees or applicants on the basis of grade, job, or agency.

Sixth. The subsection prohibiting requirements to disclose personal financial information contains technical amendments to assure that only persons with final authority in certain areas may be subject to disclosure requirements.

Seventh. For those employees excluded from the ban on disclosure requirements, a new subsection (j), provides that they may only be required to disclose items tending to show a conflict of interest.

Eighth. Military supervisors of civilian employees are included within the prohibitions of the bill, and violation of the act is made a punishable offense under the Uniform Code of Military Justice.

Ninth. A new section has been added to assure that the same prohibitions in section 1 for actions of department and agency officials apply alike to officers of the Civil Service Commission.

Tenth. Subsection (b) of S. 3779, relating to the calling or holding of meetings or lectures to indoctrinate employees, has been deleted, since this is covered in the next section on attendance at meetings.

Eleventh. Subsections (c), (d), and (e) of S. 3779—subsections (b), (c), and (d) of the new bill—containing prohibitions on requiring attendance at outside meetings, reports on personal activities and participation in outside activities, are amended where necessary to make it clear that they do not apply to the performance of official duties or to the development of skill, knowledge and abilities which qualify the person for his duties or to participation in professional groups or associations.

Twelfth. The criminal penalties have been reduced from $500 and/or 6 months' imprisonment to $300 and/or 30 days.

Thirteenth. Subsection (h) of S. 3779 prohibiting requirements to support candidates, programs or policies of any political party has been revised to prohibit requirements to support the nomination or election of persons or to attend meetings to promote or support activities or undertakings of any political party.

Fourteenth. Other amendments of a technical nature.

All that needs to be said in support of this legislation has been said by me, by individual employees, by the press, by other Members of Congress, by employee organizations and by many interested in civil liberties. My remarks in the Senate concerning invasions of employee privacy and S. 3779 on July 18, August 9, August 25, August 26, October 17, and October 18, and the remarks of the senior Senator from Hawaii [Mr. Fong], on August 12, 1966, comprise, I believe, a cogent case for early enactment. The hearing record compiled in September and October and the complaints received by the subcommittee over a number of years confirm this.

Each new press account of the study has generated hundreds more letters detailing cases of coercion and violations of rights, many of which would have been prevented by the bill. The willingness of individual employees to express their views on this has been heartwarming. I have, however, been concerned by the fearful tenor of many letters and calls. I should also like to remind the Senate of the excellent work performed by the Administrative Practice and Procedure Subcommittee under the able chairmanship of the junior Senator from Missouri [Mr. Long]. In the course of his investigations, he has revealed shocking invasions of privacy in individual employee cases as well as broad governmental programs affecting the privacy of all citizens.

Under Representative John Moss, the House Government Information and Foreign Operations Subcommittee has performed a momentous service in investigating and revealing the extent of Government use of polygraphs, how and why they are used, and the abuses of them. Representative Gallagher's Special Subcommittee on the Invasion of Privacy has further defined some of the current practices and Government plans affecting privacy of the individual citizen.

All of these investigations, while unrelated to this bill, have defined the privacy issue in a technological age.

Diligent members of the press, through their own investigations, have brought many of these practices to the attention of Congress and the public. In the Washington area alone, John Cramer of the Daily News, Joe Young of the Washington Star, and Jerry Kluttz and Mike Causey of the Washington Post have each performed yeoman's duty in tracking down and reporting violations of employee's rights.

In my own State of North Carolina, members of the press, radio, and TV media have supported our efforts and have brought to my attention numerous instances of threatened violations of employee rights. I ask unanimous consent that selected articles and editorials from North Carolina together with representative editorials and articles from across the Nation be printed in the Record at the conclusion of my remarks. These articles and editorials are:

FROM NORTH CAROLINA

Editorials in Asheville Times, of July 22, 1966; Daily News, Greensboro, of July 23, 1966; Twin City Sentinel, Winston-Salem, of July 25, November 7, and December 30, 1966; Daily Free Press, Kinston, of August 16, 1966; Charlotte Observer, of August 16 and October 5, 1966; Charlotte News, of September 26, 1966, October 20, 1966, and one without date; News and Observer, Raleigh, of October 21, 1966; Mountaineer, Waynesville, without date; WBT(AM–FM)–WBTV, Charlotte, of September 2, 1966, and January 5, 1967. Articles in Journal, Winston-Salem, of December 24, 1966; and Record, Greensboro, of September 1, 1966.

FROM WASHINGTON, D.C.

Articles by John Cramer, Washington Daily News, of September 10, October 10, October 14, October 27, November 8, November 11, December 22, and December 27, 1966, January 3, and January 30, 1967.

Articles by Mike Causey, the Washington Post, of October 8 and December 19, 1966.

Articles by Jerry Kluttz, the Washington Post, of September 12 and October 5, 1966.

Other articles in the Washington Post, of September 18 and 22, 1966.

Articles by Joseph Young, the Evening Star, of December 7, 12, and 17, November 7 and 17, 1966, and January 8 and 20, 1967.

Article by Clayton Fritchey, the Evening Star, of November 25, 1966.

Editorial in the Evening Star, of December 5, 1966.

Articles in Federal Times, of December 14, 1966, and January 25, 1967.

FROM ACROSS THE NATION

Editorials in Times, St. Petersburg, Fla., of August 1966; Chicago's American, Chicago, Ill., of August 13 and October 6, 1967; Advertiser, Montgomery, Ala., of August 23, 1966; News, Birmingham, Ala., of September 6, 1966; News Leader, Richmond, Va., of September 6, 1966; Jewish Advocate, Boston, Mass., of September 8, 1966; World Journal Tribune, New York, N.Y., of September 26, 1966; Evening Post, Charleston, S.C., of October 7, 1966; Review, Burbank, Calif., of October 7, 1966; Times, Roanoke, Va., of October 9, 1966; Journal, Knoxville, Tenn., of October 10, 1966; Southwestern Labor Record, Tucson, Ariz., of October 13, 1966; Morning Globe, Boston, Mass., of October 19, 1966; News, Indianapolis, Ind., of October 26, 1966; Daily News, Minot, N. Dak., around October 27, 1966; Arkansas Democrat, Little Rock, Ark., of January 3, 1967; Herald News, Passaic, N.J., of January 10, 1967; Tribune, Oakland, Calif., of January 10, 1967.

Articles in Times, Lousville, Ky., of September 2, 1966; Parade magazine, of September 18, 1966; Journal, Atlanta, Ga., of October 6, 1966; The Wall Street Journal, New York, N.Y., of December 12, 1966; Arkansas Democrat, Little Rock, Ark., of December 20, 1966; Herald News, Passaic, N.J., of January 7, 1967; Evening Tribune, San Diego, Calif., of January 12, 1967; The Nation magazine, New York, N.Y., of February 20, 1967; Virginian-Pilot, Norfolk, Va., without date.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. ERVIN. Mr. President, if this bill is to have any meaning for those it affects, or serve as a precedent for those who seek guidance in these matters, its purpose must be phrased in constitutional terms. Otherwise its goals will be lost in a morass of labor management terminology and public administration principles.

We must have as our point of reference the constitutional principles which guide every official act of our Federal Government. I believe that the Constitution, as it was drafted and as it has been implemented, embodies a view of the citizen as possessed of an inherent dignity and as enjoying certain basic liberties. And I believe that many current practices of Government affecting employees are unconstitutional; that they violate not only the letter but the very spirit of the Constitution.

Each branch of the Federal Government is charged with assuring the maintenance of those constitutional standards and with protecting the liberties of all citizens. Unfortunately, each has, at some juncture in our history, failed in some respect, and I fear that where employee rights are concerned, we have all failed miserably—Congress, the executive, and the judiciary.

I introduced this bill originally because I believe that, to the extent it has permitted or authorized unwarranted invasion of employee privacy and unreasonable restrictions on their liberty, the Federal Government has neglected its constitutional duty where its own employees are concerned, and it has failed in its ancillary role as the model employer for the Nation.

Second, although it is a question of some dispute, I hold that Congress has a duty under the Constitution not only to consider the constitutionality of the laws it enacts, but to assure as far as possible that those in the executive branch responsible for administering the laws adhere to constitutional standards in their programs, policies, and administrative techniques.

Responsibility for the practices which have multiplied over the years must be dispersed. Although it can be done in individual cases, it is impossible to point an accusing finger to any one official or agency or institution, and say "you are responsible." In some cases, it has been the Chief Executive of whatever administration; in some, overzealous officials doing what they thought the President or the Commission wanted; in some it is a military commander or civilian supervisor callously coercing an employee in order to get his own job done. Oftentimes, it is an agency authorizing a wholesale program for invading the privacy of every applicant or employee in order to prevent conflict of interest or safeguard Government information or achieve some other goal.

I think the question has become, How much are the American people willing to take of this? How much is Congress going to tolerate before it draws the line and says once and for all "thus far and no further."

If we are to be so intimidated by glowing phrases as excuses for arbitrary policies that we cannot protect the liberties of the people from the tyrannies of their own Government officials, we might as well give up now and admit that we are incapable of responsible democratic self-government.

It is time for Congress to forsake its outdated reluctance to tell the executive branch how to treat its employees. When so many American citizens are subject to unfair treatment, to being unreasonably coerced or required without warrant to surrender their liberty, their privacy, or their freedom to act or not to act, to reveal or not to reveal information about themselves and their private thoughts and actions, then Congress has a duty to call a statutory halt to such practices, and to penalize their resumption.

It has a duty to tell the executive branch that even though it might have to expend a little more time and effort to obtain some favored policy goal, the techniques and tools must be reasonable and fair.

From the reams of regulations, guidelines, and questionnaires issued for employees and their families in the name of morality, security, mental health, equal employment, efficiency, and many other causes, it is clear that a very large segment of our population is being smothered by tons of big-brotherism. And the administrators, responsible, zealous, and sincere though they may be, seem to forget that, at some point, the very scope and weight of their regulations raise an issue of human dignity.

Dean Bayless Manning, of the Stanford University Law School, although writing about conflict of interest issues for the Federal Bar Journal in 1964, expressed well the principle involved in many of the practices which this bill would limit. He commented:

> Prior restraints are an objectionable way to approach the problem of good conduct in a free society. It has never been doubted that we could reduce the incidence of crime if we were willing to use enough prophylaxis—preventive arrest, unwarned house search, probationary check-ups, confiscation of arms, house bugging, and other techniques. We choose not to resort to such measures because we prefer, by the hierarchy of values of a democratic society, to tolerate a higher level of crime by the few than force the millions to lead police-ridden lives.

He continues:

> In an orgy of virtue, we seem to lose our grip on decency. Confidence gives way to suspicion . . . One may wonder whether the cause of Morality in government is furthered by a national psychology that would have demanded of President Washington that he dispose of Mount Vernon on the ground that issues involving slavery and tobacco might come up during his administration. The best way to make a man trust worthy is to trust him. And the best way to attract men of dignity to public office is to treat them as men of dignity.

Dean Manning suggests that the best way to attract men of dignity to public office is to treat them with dignity.

I submit that Government employees are not treated with dignity when they are subjected to a wide-ranging probe into the property, assets, liabilities, and creditors of themselves and members of their families. Yet that is what is happening to tens of thousands of employees at all levels of Government just because their decisions, however remotely, might sometimes have an economic impact on the private sector, or because their jobs might fall into a number of other categories. And this is only one practice which would be limited by this bill.

RIGHTS OF THE MILITARY

Mr. President, last year, I discussed here at some length the shocking and often well-documented cases reported to the subcommittee of coercion of civilian employees to purchase savings bonds and to make donations to charitable causes. The threats, coercion, reprisals, and adverse personnel actions which are described in our hearings constitute a tragic chapter in the history of the civil service.

I did not believe they could be equaled, but I found to my dismay that they are not only equaled, but surpassed, in the ranks of our armed services. My extensive correspondence with the military departments and constant referral of cases eventually produced a new directive on the subject. But the flood of cases indicates that few military commanders and officers are inclined to observe it when their reputations and efficiency reports are at stake.

So intolerable and pervasive have these practices become that it is obvious nothing but legislation will correct the situation.

It is for this reason that I am introducing a bill to prohibit such practices.

I hope it will receive prompt approval by the Congress and will put a halt to the denial of weekend passes, the restriction of liberty, the K.P. assignments, the forced marches, the adverse efficiency reports and all the other more subtle threats of deprivation of a serviceman's right to spend his small paycheck the way he wants, and to invest his money as he sees fit.

I ask unanimous consent that representative complaints from servicemen concerning tyrannies practiced upon them in connection with bond drives illustrating the need for this bill be printed in the CONGRESSIONAL RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. ERVIN. Mr. President, the Federal Government is expanding every day. New activities, new agencies, new commissions and new departments are constantly being created. The bureaucracy cannot keep up with itself, and Congress must do something now.

Now and for the years ahead, Congress must serve notice to the politicians in the executive branch, to the administrative leaders, to the technicians of whatever level that their decisions must reflect the constitutional values of the society they serve.

They must be warned by a statute on the books that the policies they pursue must respect the liberties of the citizens who are Government employees.

There is no necessity for these infringements of freedom and invasions of privacy, but even if there were a necessity for them, my answer is the answer of William Pitt:

> Necessity is the plea for every infringement of human freedom. It is the argument of tyrants; it is the creed of slaves.

The bills (S. 1035 and S. 1036) were ordered to be printed in the RECORD, as follows:

S. 1035

A bill to protect the civilian employees of the executive branch of the United States Government in the enjoyment of their constitutional rights and to prevent unwarranted governmental invasions of their privacy

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. It shall be unlawful for any officer of any executive department or any executive agency of the United States Government, or for any person acting or purporting to act under his authority, to do any of the following things:

(a) To require or request, or to attempt to require or request, any civilian employee of the United States serving in the department or agency or any person seeking employment in the executive branch of the United States Government, to disclose his race, religion, or national origin, or the race, religion, or national origin of any of his forebears: *Provided, however*, That nothing contained in this subsection shall be construed to prohibit inquiry concerning the citizenship of any such employee or person if his citizenship is a statutory condition of his obtaining or retaining his employment;

(b) To state or intimate, or to attempt to state or intimate, to any civilian employee of the United States serving in the department or agency that any notice will be taken of his attendance or lack of attendance at any assemblage, discussion, or lecture held or called by any officer of the executive branch of the United States Government, or by any persons acting or purporting to act under his authority, or by any outside parties or organizations to advise, instruct, or indoctrinate any civilian employee of the United States serving in the department or agency in respect to any mater or subject other than the performance of official duties to which he is or may be assigned in the department or agency, or to the development of skills, knowledge, or abilities which qualify him for the performance of such duties: *Provided, however*, That nothing contained in this subsection shall be construed to prohibit taking notice of the participation of a civilian employee in the activities of any professonal group or association;

(c) To require or request, or to attempt to require or request, any civilian employee of the United States serving in the department or agency to participate in any way in any activities or undertakings unless such activities or undertakings are related to the performance of official duties to which he is or may be assigned in the department or agency, or to the development of skills, knowledge, or abilities which qualify him for the performance of such duties;

(d) To require or request, or to attempt to require or request, any civilian employee of the United States serving in the department or agency to make any report concerning any of his activities or undertakings unless such activities or undertakings are related to the performance of official duties to which he is or may be assigned in the department or agency, or to the development of skills, knowledge, or abilities which qualify him for the performance of such duties, or unless there is reason to believe that the civilian employee is engaged in outside activities or employment in conflict with his official duties;

(e) To forbid or attempt to forbid any civilian employee of the United States serving in the department or agency to patronize any business establishment offering goods or services to the general public;

(f) To require or request, or to attempt to require or request, any civilian employee of the United States serving in the department or agency, or any person applying for employment as a civilian employee in the executive branch of the United States Government, to submit to any interrogation or examination or to take any psychological test which is designed to elicit from him information concerning his personal relationship with any person connected with him by blood or marriage, or concerning his religious beliefs or practices, or concerning his attitude or conduct with respect to sexual matters: *Provided, however,* That nothing contained in this subsection shall be construed to prevent a psychiatrist from eliciting such information or authorizing such tests in the diagnosis or treatment of any civilian employee or applicant where such psychiatrist deems such information necessary to enable him to determine whether or not such individual is suffering from mental illness: *Provided further, however,* That this determination shall be made in individual cases and not pursuant to general practice or regulation governing the examination of employees or applicants according to grade, agency, or duties;

(g) To require or request, or to attempt to require or request, any civilian employee of the United States serving in the department or agency, or any person applying for employment as a civilian employee in the executive branch of the United States Government, to take any polygraph test designed to elicit from him information concerning his personal relationship with any person connected with him by blood or marriage, or concerning his religious beliefs or practices, or concerning his attitude or conduct with respect to sexual matters;

(h) To require or request, or to attempt to require or request, any civilian employee of the United States serving in the department or agency to support by personal endeavor or contribution of money or any other thing of value the nomination or the election of any person or group of persons to public office in the Government of the United States or of any State, district, commonwealth, territory, or possession of the United States, or to attend any meeting held to promote or support the activities or undertakings of any political party of the United States or of any State, district, commonwealth, territory, or possession of the United States;

(i) To coerce or attempt to coerce any civilian employee of the United States serving in the department or agency to invest his earnings in bonds or other obligations or securities issued by the United States or any of its departments or agencies, or to make donations to any institution or cause of any kind: *Provided, however,* That nothing contained in this subsection shall be construed to prohibit any officer of any executive department or any executive agency of the United States Government, or any person acting or purporting to act under his authority, from calling meetings and taking any action appropriate to afford any civilian employee of the United States the opportunity voluntarily to invest his earnings in bonds or other obligations or securities issued by the United States or any of its departments or agencies, or voluntarily to make donations to any institution or cause;

(j) To require or request, or to attempt to require or request, any civilian employee of the United States serving in the department or agency to disclose any items of his property, income, or other assets, source of income, or liabilities, or his personal or domestic expenditures or those of any member of his family or household: *Provided, however,* That this subsection shall not apply to any civilian employee who has authority to make any final determination with respect to the tax or other liability of any person, corporation, or other legal entity to the United States, or claims which require expenditure of moneys of the United States: *Provided further, however,* That nothing contained in this subsection shall prohibit the Department of the Treasury or any other executive department or agency of the United States Government from requiring any civilian employee of the United States to make such reports as may be necessary or appropriate for the determination of his liability for taxes, tariffs, custom duties, or other obligations imposed by law;

(k) To require or request, or to attempt to require or request, any civilian employee of the United States embraced within the terms of the proviso in subsection (j) to disclose any items of his property, income, or other assets, source of income, or liabilities, or his personal or domestic expenditures or those of any member of his family or household other than specific items tending to indicate a conflict of interest in respect to the performance of any of the official duties to which he is or may be assigned;

(l) To require or request, or to attempt to require or request, any civilian employee of the United States serving in the department or agency, who is under investigation for misconduct, to submit to interrogation which could lead to disciplinary action without the presence of counsel or other person of his choice, if he so requests; or

(m) To discharge, discipline, demote, deny promotion to, relocate, reassign, or otherwise discriminate in regard to any term or condition of employment of, any civilian employee of the United States serving in the department or agency, or to threaten to commit any of such acts, by reason of the refusal or failure of such employee to submit to or comply with any requirement, request, or action made unlawful by this Act, or by reason of the exercise by such civilian employee of any right granted or secured by this Act.

SEC. 2. It shall be unlawful for any officer of the United States Civil Service Commission, or for any person acting or purporting to act under his authority, to do any of the following things:

(a) To require or request, or to attempt to require or request, any executive department or any executive agency of the United States Government, or any officer or employee serving in such department or agency, to violate any of the provisions of section 1 of this Act;

(b) To require or request, or to attempt to require or request, any person seeking to establish civil service status or eligibility for employment in the executive branch of the United States Government, or any person applying for employment in the executive branch of the United States Government, or any civilian employee of the United States serving in any department or agency of the United States Government, to submit to any interrogation or examination or to take any psychological test which is designed to elicit from him information concerning his personal relationship with any person connected with him by blood or marriage, or concerning his religious beliefs or practices, or concerning his attitude or conduct with respect to sexual matters: *Provided, however,* That nothing contained in this subsection shall be constructed to prevent a psychiatrist from eliciting such information or authorizing such tests in the diagnosis or treatment of any civilian employee or applicant where such psychiatrist deems such information necessary to enable him to determine whether or not such individual is suffering from mental illness: *Provided further, however,* That this determination shall be made in individual cases and not pursuant to general practice or regulation governing the examination of employees or applicants according to grade, agency, or duties; or

(c) To require or request, or to attempt to require or request, any person seeking to establish civil service status or eligibility for employment in the executive branch of the United States Government, or any person applying for employment in the executive branch of the United States Government, or any civilian employee of the United States serving in any department or agency of the United States Government, to take any polygraph test designed to elicit from him information concerning his personal relationship with any person connected with him by blood or marriage, or concerning his religious beliefs or practices, or concerning his attitude or conduct with respect to sexual matters.

SEC. 3. It shall be unlawful for any commissioned officer, as defined in section 101 of title 10, United States Code, or any member of the Armed Forces acting or purporting to act under his authority, to require or request, or to attempt to require or request, any civilian employee of the executive branch of the United States Government under his authority or subject to his supervision to perform any of the acts or submit to any of the requirements made unlawful by section 1 of this Act.

SEC. 4. Any officer of any executive department or any executive agency of the United States Government, or any person acting or purporting to act under his authority, or any commissioned officer as defined in section 101 of title 10, United States Code, or any member of the Armed Forces acting or purporting to act under his authority, who willfully violates or willfully attempts to violate any of the provisions of sections 1, 2, or 3 of this Act, shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine not to exceed $300, or by imprisonment not to exceed thirty days, or by both such fine and imprisonment.

SEC. 5. Whenever any officer of any executive department or any executive agency of the United States Government, or any person acting or purporting to act under his authority, or any commissioned officer as defined in section 101 of title 10, United States Code, or any member of the Armed Forces acting or purporting to act under his authority, violates or threatens to violate any of the provisions of sections 1, 2, or 3 of this Act, any civilian employee of the United States serving in any department or agency of the United States serving in any department or agency of the United States Government, or any person applying for employment in the executive branch of the United States Government, or any person seeking to establish civil service status or eligibility for employment in the executive branch of the United States Government, affected or aggrieved by the violation or threatened violation, may bring a civil action in his own behalf or in behalf of himself and others similarly situated, against the offending officer or person in the United States District Court for the district in which the violation occurs or is threatened, or the district in which the offending officer or person is found, or in the United States District Court for the District of Columbia, to prevent the threatened violation or to obtain redress against the consequences of the violation. Such United States District Court shall have jurisdiction to try and determine such civil action irrespective of the actuality or amount of pecuniary injury done or threatened, and without regard to whether the aggrieved party shall have exhausted any administrative remedies that may be provided by law, and to issue such restraining order, interlocutory injunction, permanent injunction, or mandatory injunction, or enter such other judgment or decree as may be necessary or appropriate to prevent the threatened violation, or to afford the plaintiff and others similarly situated complete relief against the consequences of the violation. With the written consent of any person affected or aggrieved by a violation or threatened violation of sections 1, 2, or 3 of this Act, any employee organization may bring such action on behalf of such person, or may intervene in such action. For the purposes of this section, employee organizations shall be construed to include any brotherhood, council, federation, organization, union, or professional association made up in whole or in part of civilian employees of the United States and which has as one of its purposes dealing with departments, agencies, commissions, and independent agencies of the United States concerning the condition and terms of employment of such employees.

Sec. 6. (a) There is hereby established a Board on Employees' Rights (hereinafter referred to as the "Board"). The Board shall be composed of three members, appointed by the President by and with the advice and consent of the Senate. The President shall designate one member as chairman. No more than two members of the Board may be of the same political party. No member of the Board shall be an officer or employee of the United States Government.

(b) The term of office of each member of the Board shall be five years, except that (1) of those members first appointed, one shall serve for five years, one for three years, and one for one year, respectively, from the date of enactment of this Act, and (2) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term.

(c) Members of the Board shall be compensated at the rate of $75 a day for each day spent in the work of the Board, and shall be paid actual travel expenses and per diem in lieu of subsistence expenses when away from their usual places of residence, as authorized by section 5703 of title 5, United States Code.

(d) Two members shall constitute a quorum for the transaction of business.

(e) The Board may appoint and fix the compensation of such officers, attorneys, and employees, and make such expenditures, as may be necessary to carry out its functions.

(f) The Board shall make such rules and regulations as shall be necessary and proper to carry out its functions.

(g) The Board shall have the authority and duty to receive and investigate written complaints from or on behalf of any person claiming to be affected or aggrieved by any violation or threatened violation of this Act and to conduct a hearing on each such complaint. Within ten days after the receipt of any such complaint, the Board shall furnish notice of the time, place, and nature of the hearing thereon to all interested parties. The Board shall render its final decision with respect to any complaint within thirty days *after the conclusion of its hearing thereon.*

(h) Officers or representatives of any Federal employee organization in any degree concerned with employment of the category in which any alleged violation of this Act occurred or is threatened shall be given an opportunity to participate in each hearing conducted under this section, through submission of written data, views, or arguments, and in the discretion of the Board, with opportunity for oral presentation. Government employees called upon by any party or by any Federal employee organization to participate in any phase of any administrative or judicial proceeding under this section shall be free to do so without incurring travel cost or suffering loss in leave or pay; and all such employees shall be free from restraint, coercion, interference, intimidation, or reprisal in or because of their participation. Any periods of time spent by Government employees during such participation shall be held and considered to be Federal employment for all purposes.

(1) Insofar as consistent with the purposes of this section, the provisions of subchapter II of chapter 5 or title 5, United States Code, relating to the furnishing of notice and manner of conducting agency hearings, shall be applicable to hearings conducted by the Board under this section.

(j) If the Board shall determine after hearing that a violation of this Act has not occurred or is not threatened, the Board shall state its determination and notify all interested parties of such determination. Each such determination shall constitute a final decision of the Board for purposes of judicial review.

(k) If the Board shall determine that any violation of this Act has been committed or threatened by any civilian officer or employee of the United States, the Board shall immediately (1) issue and cause to be served on such officer or employee an order requiring such officer or employee to cease and desist from the unlawful act or practice which constitutes a violation, (2) endeavor to eliminate any such unlawful act or practice by informal methods of conference, conciliation, and persuasion; and (3) may—

(A)(i) in the case of the first offense by any civilian officer or employee of the United States, other than any officer appointed by the President by and with the advice and consent of the Senate, issue an official reprimand against such officer or employee or order the suspension without pay of such officer or employee from the position or office held by him for a period of not to exceed fifteen days, and

(ii) in the case of a second or subsequent offense by any such officer or employee, order the suspension without pay of such officer or employee from the position or office held by him for a period of not to exceed thirty days or order the removal of such officer or employee from such position or office; and

(B) in the case of any offense by any officer appointed by the President by and with the advice and consent of the Senate, transmit a report concerning such violation to the President and the Congress.

(1) If the Board shall determine that any violation of this Act has been committed or threatened by any officer of any of the Armed Forces of the United States, or any person purporting to act under authority conferred by such officer, the Board shall (1) submit a report thereon to the President, the Congress, and the Secretary of the military department concerned, (2) endeavor to eliminate any unlawful act or practice which constitutes such a violation by informal methods of conference, conciliation, and persuasion, and (3) refer its determination and the record in the case to any person authorized to sign charges and specifications under section 830 (article 30) of title 10, United States Code. Thereupon such person shall take immediate steps to dispose of the matter under *chapter 47 of title 10, United States Code* (Uniform Code of Military Justice).

(m) Any party aggrieved by any final determination or order of the Board may institute, in the district court of the United States for the judicial district wherein the violation or threatened violation of this Act occurred, or in the United States District Court for the District of Columbia, a civil action for the review of such determination or order. In any such action, the court shall have jurisdiction to (1) affirm, modify, or set aside any determination or order made by the Board which is under review, or (2) require the Board to make any determination or order which it is authorized to make under subsection (j), but which it has refused to make. The reviewing court shall set aside any finding, conclusion, determination, or order of the Board as to which complaint is made which is unsupported by substantial evidence on the record considered as a whole.

(n) The Board shall submit, not later than March 31 of each year, to the Senate and House of Representatives, respectively, a report on its activities under this section during the immediately preceding calendar year, including a statement concerning the nature of all complaints filed with it, its determinations and orders resulting from hearings thereon, and the names of all officers or employees of the United States with respect to whom any penalties have been imposed under this section.

(o) There are authorized to be appropriated sums necessary, not in excess of $100,000, to carry out the provisions of this section.

Sec. 7. This Act shall not be applicable to the Federal Bureau of Investigation.

Sec. 8. If any provision of this Act or the application of any provision to any person or circumstance shall be held invalid, the remainder of this Act or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected.

S. 1036

A bill to protect members of the Armed Forces of the United States by prohibiting coercion in the solicitation of charitable contributions and the purchase of Government securities

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Section 1. It shall be unlawful for any commissioned officer, as defined in section 101, title 10, United States Code, or any member of the Armed Forces acting or purporting to act under his authority to coerce, or attempt to coerce, any member of the Armed Forces to invest his earnings in bonds or other obligations or securities issued by the United States or any of its departments or agencies, or to make donations to any institution or cause of any kind: *Provided, however,* That nothing contained in this subsection shall be construed to prohibit any commissioned officer or any member of the Armed Forces acting or purporting to act under his authority from calling meetings or taking any action appropriate to afford to any member of the Armed Forces of the United States the opportunity voluntarily to invest his earnings in bonds or other obligation or securities issued by the United States or any of its departments or agencies, or voluntarily to make donations to any institution or cause of any kind.

Sec. 2. Any commissioned officer as defined in section 101, title 10, United States Code, or any member of the Armed Forces acting or purporting to act under his authority who willfully violates any of the provisions of this Act, shall be punished as a court-martial may direct.

The exhibits presented by Mr. Ervin, are as follows:

Exhibit 1

Selected Articles and Editorials

[From the Asheville (N.C.) Times, July 22, 1966]

Invading Basic Rights—A Step Forward, Two Back

The government's propensity for going overboard on matters relating to the rights and privacy of those on the federal payroll was pointed up in the Senate this week by North Carolina's Sen. Sam Ervin.

One of the senator's principal targets is a racial classification card which all federal workers have had to fill out.

It is a simple—and silly—card which asks the employe to check whether he is an American Indian, Negro, Oriental, Spanish American or None of These.

Its purpose purportedly is to provide statistics that will assure that every individual gets fair and equal treatment. There is no argument with the goal but there is doubt that this is a proper tactic to achieve it.

Many employees have complained that the card is an invasion of their privacy.

"Why should an employe who considers himself an American," Sen. Ervin asked, "be asked to sit down with a questionnaire and check what his race of ancestry might be? Whose business is it?"

Besides the question of privacy there is the question whether the card puts new emphasis on racial consciousness: in federal employment, and another question whether it will contribute to reverse discrimination, that is, discrimination against the "None of These" who don't fall into any of the minority groups.

Listing of federal employes by race was eliminated in 1959, and as a result the equal employment opportunities campaign which has been going on since 1961 has been based on head counts by supervisors of those on their payrolls.

Employment of Negroes has risen sharply under this system, but now a Civil Service Commission spokesman says more accurate figures are needed to hit the soft spots.

In actual practice Negroes in many instances have been hired far out of proportion to their numbers. In one city where this is the case, agency supervisors asked Negro leaders if they were satisfied with the local results of the equal opportunity effort. "No," they said, "you have opened your doors to us because Washington made you, but you haven't opened your hearts to us."

Apparently this type of dissatisfaction which seems to linger in spite of all that is done is one reason for the new effort to do even more. Government leaders are increasingly sensitive to Negro demands, and there is an unwritten policy that department heads must lean over backwards in their favor when hiring new employes. The other minority groups are much smaller in number but presumably they get the same treatment.

All those others whom the government chooses to classify as "None of These" have reason to wonder whether this means "None of These" can expect equal treatment when it comes to getting a job or a promotion.

Many of them feel that not only has their privacy been invaded, but it has been invaded to their distinct disadvantage. Some Negroes, too, are fearful the information will be used to deny them fair treatment.

There have been improvements in protecting the rights of federal employes, Sen. Ervin said, but he added, "in the interest of achieving greater national goals, we see increasing reliance on methods, instruments, and devices which tend to invade basic rights which an employe should enjoy simply because he resides in a democracy under the type of Constitution which America has always boasted. Currently, for every step forward, the federal government seems to be taking two steps back."

[From the Greensboro (N.C.) Daily News, July 23, 1966]

"A Climate of Fear"

Since Sen. Joe McCarthy's morale-busting raids on the State Department, the U.S. Information Agency, the Bureau of Standards and even the U.S. Army in the 1950s complaints in that quarter have been reasonably rare.

But the quiet may be deceptive—a quiet in which the privacy and morale of public employes are being dangerously eroded.

According to Sen. Sam Ervin Jr., whose Senate constitutional rights subcommittee will soon be looking into the matter, "a climate of fear, apprehension and coercion" is evident.

The senator, in a press release, compiled a formidable list of intrusions of various kinds upon the privacy of public employes:

. . . psychological testing, psychiatric interviews, race questionnaires, lie detectors, loyalty oaths, probing personnel forms and background investigations, restrictions on communications with Congress, pressure to support political parties financially, coercion to buy Savings Bonds, extensive limitations on outside activities, rules for speaking and writing, and even thinking, forms for revealing personal data about finances, creditors, property and other interests.

Undoubtedly some invasions of privacy are necessary evils in the federal service, deplorable as they may be in principle. But quite a few are not. They represent gratuitous curiosity, prurience in some cases, all quite unessential to a sound and energetic public service.

One particularly vicious abuse of federal employes current at the moment is the arm-twisting campaign to sell federal savings bonds. U.S. Savings Bonds may be a good buy, but that is hardly the point. A bulletin recently circulated at Andrews AFB Hospital offered personnel a pleasant choice among the three following statements, which had to be signed and returned to a department head:

I am now supporting the President by buying U.S. Savings Bonds on an allotment from my pay.

I wish to show my support for the President by adding to my allotment or by beginning an allotment . . .

I do not accept my responsibility to support the President in this U.S. Savings Bond campaign. I do not now have an allotment and I will not begin an allotment from my pay for the purchase of U.S. Savings Bonds.

Here, we see the government's whip-hand fully displayed over its employes. This is one of the many abuses Senator Ervin should thoroughly examine.

[From the Winston-Salen (N.C.) Twin City Sentinel, July 25, 1966]

The Right of Privacy

Senator Sam J. Ervin Jr. is right in questioning whether the federal government is snooping too much into the private lives of its employes. Although federal personnel practices may not be as outrageous as the Senator suggests, the trend toward invasion of privacy is moving too quickly in this country and should be stubbornly resisted.

Like any private employer, the government is entitled to know certain basic things about the people it hires—about personal and family background, about character and credit ratings and so forth. But, if Senator Ervin is correct, some government agencies are going well beyond this basic information.

In a recent news release announcing that his Constitutional Rights Subcommittee will hold hearings on this subject soon, the Senator listed these intrusions on public employes:

". . . Psychological testing, psychiatric interviews, race questionnaires, lie detectors, loyalty oaths, probing personnel forms and background investigations, restrictions on communications with Congress, pressure to support political parties financially, coercion to buy savings bonds, extensive limitations on outside activities, rules for speaking and writing, and even thinking, forms for revealing personal data about finances, creditors, property and other interests."

Some of these things can be justified perhaps as an effort to assure that the government hires only stable, trustworthy employes who have no conceivable conflict of interest with their jobs. But some seem clearly unnecessary.

Senator Ervin, who is considerably more of a civil libertarian than his views on civil rights would make him appear, will do a service for the country if he can determine in his hearings just how far these intrusions go and, if they are unjustified, what can be done to stop them.

One horrid example of what the Senator wants to investigate is a letter recently circulated among employes at Andrews Air Force Base Hospital. It urged workers to buy savings bonds and asked them to sign one of these three statements:

—"I am now supporting the President by buying U.S. Savings Bonds on an allotment from my pay."

—"I wish to show my support for the President by adding to my allotment or by beginning an allotment. . . ."

—"I do not accept my responsibility to support the President in this U.S. Savings Bond campaign."

The sooner such high-handed activity can be investigated and stopped, the better. If it is not, we may indeed live in what Senator Ervin has predicted will be "the era of the dossiered man."

[From the Winston-Salem (N.C.) Twin City Sentinel, Nov. 7, 1966]

Bullying on Bonds

Robert S. McNamara, the Secretary of Defense, says that his department does not condone any effort to coerce servicemen into buying savings bonds. But from the evidence gathered by Senator Sam Ervin's Constitutional Rights Subcommittee, it would appear that the Pentagon's words has not reached the lower echelons.

More than 200 letters have been received from servicemen—or their wives and relatives—complaining about both subtle and direct pressures exerted to make men buy savings bonds and even, in one case, to contribute to a United Fund drive.

One particularly touching letter came from the mother of a 19-year-old draftee whose wife is pregnant. While the young couple tries to live on a private's pay, the mother complained, they have been pressured to buy bonds with a large chunk of that pay. Other letters told of persuasive tactics that ranged from patriotic appeals to threats of extra duty to direct and specific instructions that bonds be bought. Letters came from all the services.

Now it cannot be concluded, of course, from some 200 complaints out of our vast military establishment, that such coercion is widespread or is common on every military post. But the letters give strong evidence that some of this high-pressure salesmanship is going on, whether the Pentagon condones it or not.

Mr. McNamara is no doubt sincere in saying that the Defense Department does not approve of such coercion. But there will always be over-zealous leaders in the services willing to do anything, even abuse their underlings, to make their units show up well in a drive or campaign endorsed by The Boss.

This also happens in other government employment and in private business The Boss might not mean for his lieutenants to carry his project all that far, but in their haste to please him they do. And the only way to stop it is for The Boss, in this case Mr. McNamara, to make it clear beyond doubt that the arm-twisting must stop. That will require more than a statement issued in Washington.

[From the Winston Salem (N.C.) Twin City Sentinel, Dec. 30, 1966]

Our Diminishing Privacy

In an article published in the Duke University Law School Quarterly, Dr. William M. Beaney of Princeton University predicts that the invasion of individual privacy by government and business soon will result in laws putting a stop to it.

Let us devoutly hope he is right. For the average American has hardly any secrets any more; many of the most intimate details of his life are on file with his employer, his government, his creditors and his insurance companies.

Each of these institutions feels it needs and has a right to this information. It is good business. It is helpful in understanding the employe or customer. It indicates whether he is a good risk or a bad risk. Some of this information is legitimately needed, but an increasing amount is not.

Taken all together, these institutions have a rather complete dossier on each citizen. And if the present trend continues, it will be only a matter of time until some agency decides to do what the federal tax collectors suggested this year: Have a central, computerized data bank to collect everybody's inside dope on every citizen.

Push a button and . . . zip . . . all the facts about Joe Blow.

Fortunately, the Joe Blows are beginning to rebel. They are making themselves heard, too, in Congress and perhaps in some state legislatures. Senator Sam J. Ervin Jr.'s investigation of the federal government's harsh, nosy personnel policies reflects the growing concern about the erosion of privacy rights.

Senator Ervin's subcommittee on constitutional rights has turned up revealing examples of the intimate information government agencies demand from their employes including questionnaires about sex life and personal finances. And even more shocking, of course, is the evidence of coercion used on federal employes and servicemen in savings bond drives.

The subcommittee's inquiry could well lead to legislation protecting government workers from such abuses. There seems abundant evidence that some legislation—or perhaps a forceful executive order—is needed.

But calling off the snoopers in private business will be more difficult. This is an area in which Congress and the legislatures will understandably fear to tread. Most businesses feel they are entitled to all the information they can get; they would insist that they use it in the exercise of reasonable supervision. It is good business. And the only hope is that the Joe Blows will, at some point, put their feet down and say their personal lives beyond a certain reasonable point are no one's business.

[From the Kinston (N.C.) Daily Free Press, Aug. 16, 1966]

ERVIN'S BILL FOR EMPLOYEES IS SIGNIFICANT

A "bill of rights" measure to protect the privacy of federal employees has been advanced by U.S. Senator Sam J. Ervin Jr., North Carolina Democrat and chairman of the the Senate Constitutional Rights Subcommittee. In offering this significant measure Senator Ervin wrote to President Johnson to emphasize the need for such action as soon as possible.

What it would prohibit are the following "privacy invasions" caused by outright coercion, requirements, requests or intimidation:

1. Race, religion, national origin questionnaires. 2. Indiscriminate requirements to disclose personal finances, assets, creditors and property interests of employees and their families. 3. Meetings to indoctrinate employees about matters unrelated to their jobs. 4. Requirements that employees take part in activities not directly within the scope of their employment. 5. Requirements to make reports about personal activities and undertakings not related to jobs. 6. Attempts to forbid patronizing any businesses or establishments. 7. Interrogations, examinations, psychological or polygraph tests aimed at securing data about personal relations with relatives, religious beliefs or attitudes and conduct with respect to sexual matters. 8. Coercion to support political activities personally or financially. 9. Coercion to buy bonds or to make contributions to institutions and causes. 10. Interrogation without the presence of counsel or other person of employee's choice.

Apparently these practices have spread from the need for security checks on topflight officials in government, but as Senator Ervin points out they are not in keeping with American freedoms. They are more totalitarian than democratic, he said.

The legislation is overdue. Senator Ervin does well to put the freedoms of civil service and other employees in proper perspective. The bill should have the wholehearted support of the 89th Congress.

[From the Charlotte (N.C.) Observer, Aug. 16, 1966]

FEDERAL "BILL OF RIGHTS" NEEDED

It is not consistent for the U.S. government to bewail the lack of bright, enthusiastic citizens willing to work for the government while it uses policies that discourage applicants or harass employes.

Numerous reports cite interviews and questionnaires with unneeded and embarrassing questions about religion, sex and personal relationships. Others tell of employes being reprimanded for private actions not bearing on their government work. There is pressure to give to somebody's favorite charity, to buy government bonds or to pay for tickets for some event that benefits politicians.

Not all federal agencies are guilty, but according to Sen. Sam Ervin Jr. there are enough to justify a law setting forth a "bill or rights" for federal employes.

For several years, Ervin's subcommittee on constitutional rights has collected complaints from federal employes. Some were sent to the Civil Service Commission and others prompted the committee to prod the agency or even the President's office directly. Because these pressures brought either no response or too little action, Ervin felt a "bill of Rights" was necessary.

His proposal is drawn to protect federal clerks, secretaries, accountants and lower-level civil servants from invasions of their privacy.

The bill would, for example, end a rule that clerks must disclose the financial holding of their families. This rule was first directed toward policy-makers to prevent conflict of interest, but it has trickled down to reach those whose work does not expose them to the same temptations.

Political appointees and career officials who make policy decisions often must sacrifice anonymity and privacy to larger interests such as that of national security. But Sen. Ervin's bill is a sensible way to insulate lower-level employes from the overzealous practices of their superiors.

[From the Charlotte (N.C.) Observer, Oct. 5, 1966]

SUBTLE SUGGESTIONS?

Sen. Sam J. Ervin is right; asking government workers to volunteer their off-duty hours for social causes smacks too much of 1984.

The chairman of the Civil Service Commission, John W. Macy, acknowledges that supervisors "encourage" federal workers to spend their free time working with civil rights groups to prepare Negroes for better jobs. Macy was testifying before the Senate Constitutional Rights subcommittee on Ervin's proposed bill of rights for federal workers.

The U.S. government can require its officials to enforce employment policies. It can require that they not undermine them. But it cannot request that employes lend their personal support to private organizations whose purposes coincide with current government policies.

For the over-enthusiastic official, it is a short step from merely suggesting to subtly pressuring. The correctness or morality of an organization's programs is irrelevant. It is a bad policy open to too many abuses, and it should be stopped.

[From the Charlotte (N.C.) News, Sept. 26, 1966]

REMEMBER, THE INDIVIDUAL

The testimony offered Friday by the president of the American Federation of Government Employes indicates why support for Senator Sam Ervin's "bill of rights" for federal employes cuts across so many party and ideological lines.

For three hours John F. Griner, who heads the 220,000-member federation, detailed for Senator Ervin's subcommittee, the propagandizing, intimidation, and spying activities of the federal government. He dealt in specific cases. He hold of the indoctrination of employes on race relations, world politics and other subjects. He told of the Internal Revenue Department's penchant for bugging employes' telephones and firing employes accused of but not convicted of taking bribes. He detailed cases of the IRS's methods of questioning employes' neighbors about their private lives. He told of employes of other departments being forced to buy savings bonds out of fear of losing their jobs if they declined.

It was not a pretty picture. Yet nothing that was said qualified as a revelation. Senator Ervin has been documenting his case against the government as an increasingly annoying snoop and a dangerous arm-twister for some time now. He wants to forbid by law the use of race questionnaires, demands for sweeping financial disclosure, coercion for participation in savings bond purchase drives, and psychologists' tests with questions on sex, religion, and family. His bill has been co-sponsored by 33 senators crossing the political spectrum all the way from liberal Democrat Eugene McCarthy of Minnesota to conservative Republican Strom Thurmond of South Carolina.

This is as it should be. At its best, true democratic liberalism concerns itself always ultimately with the liberty of the individual. Today's liberals sometimes forget that government which they have embraced as sponsor of the great social benefits of the past 30 years, can be the individual's enemy at the same time and in the same way, that it is his friend. And sometimes conservatives, who maintain that liberals have forgotten the individual, seem more concerned with him in theory than in practice. In this instance, the best of the 18th Century liberalism that undergirds both political philosophies and provides the common purpose of the two parties is expressed admirably by support of the Ervin bill.

For nothing could be more destructive of democracy than its failure to react fully against the encroachments of government on private liberty. Government's need for security in the mutual interest must not be perverted by the use of Big Brother tactics. The government that gets away with snooping on employes and coercing them to think something or buy something will not be long in extending this treatment to all of its citizens, quite likely under the most patriotic imaginable pretense. When that happens liberty becomes merely a bad joke.

We hope that Senator Ervin's hearings chill some of the many otherwise well-balanced Americans who have come to think of government as an unalloyed good. Government is only as good as people insist that it be. In Washington and wherever else our government reaches it is time for the second coming of the individual.

[From the Charlotte (N.C.) News, Oct. 20, 1966]

Senator Sam Ervin has got himself a good case in point in Guy Taylor of Asheville, a retired major and now a civilian employe of the Army in Ventura, California. The senior senator from North Carolina has been crabbing that governmental "Big Brotherism" is stifling individual rights and Mr. Taylor is one who knows what that is all about.

It seems that he was invited to buy government bonds by his military employer, an infantry colonel. He explained that he has bought many savings bonds in his day but would not, because of present financial problems, buy any more at that time. His employer's response to this was to threaten that failure to comply would hurt Taylor's career and to hold him up to public ridicule. Mr. Taylor dumped the load of official documents detailing this sordid piece of arm-twisting on Senator Ervin's desk and the North Carolinan is howling plenty loud enough for the Pentagon to hear.

We continue to wish the senator well in his crusade against the fickle finger of the governmental bureaucracy. He will not fully succeed, we are sure. Yet if he awakens the public to enough cases like that of Guy Taylor, he will be performing a genuine and unique public service.

[From the Charlotte (N.C.) News]

INVASION OF PRIVACY

Every so often North Carolina's Senator Sam Ervin confounds his liberal detractors by taking a position so shot through with solid sense as to be virtually unassailable by even the most devout of his critics; and dismay must be rife among those who so regularly divine Dark Reactionary Motives in whatever the senator happens to be saying at the moment, because he has seized himself a position lately with which it's pretty hard to disagree.

It all started when someone deep in the nether reaches of the federal bureaucracy decided that the best way to make the government's employment machinery blind with regard to race was to require each federal employe to fill out a questionnaire detailing his race and ancestry. Senator Ervin observed that while the desired end was commendable, the curious logic by which it was being pursued was leading the government off on an unjust sally into the privacy of its employes.

In the ensuing weeks, Senator Sam has spoken out against some other questionable government employment practices. He has criticized the government's prying into employes' personal lives and sex habits, forcing them to disclose financial holdings and debts, ordering them to buy U.S. savings bonds and attempting to dictate the use of off-duty hours.

In fairness to those who conceived all these devices, it must be said that the end, in each case, is desirable. The government has to make an effort to see that it employs without regard to race, and that those it eventually hires are of sound mind and character. But it must also be said that this is another case in which the balance between ends and means is critical. There can be no excusing blatant invasion of the privacy and personal prerogatives of the many on the grounds that it is necessary to root out the undesirable few. The government is quite clearly going too far, and Senator Ervin has introduced a bill to take legislative cognizance of that fact. It deserves serious consideration and, at least in its essence, eventual passage into law.

[From the Raleigh (N.C.) News and Observer, Oct. 21, 1966]

THE PRYING FEDERAL EYE

Much to his credit, North Carolina's Sen. Sam J. Ervin, Jr., has been unrelenting in his efforts to root out intrusions into the private affairs of federal employes. Every time the senator reveals another instance of unwarranted bureaucratic snooping—and he has done so twice this week—it becomes more apparent that his proposed "Bill of Rights" for federal employes begs for early approval by the Congress next term.

The latest incidents concern a young applicant for a job with the National Security Agency who was subjected to a lie detector test and asked, among other things, about his pre-marital sex life; and a civilian employe the Army allegedly attempted to coerce into participating in a "voluntary" savings bond drive. In past weeks, Sen. Ervin has also cited instances of civil servants being required to report periodically to their supervisors about their credit standing, their sources of outside income, and their dealings in securities and real estate.

Certainly security agencies of the government have a right and a duty to determine as accurately as possible the reliability of potential employes. But as Sen. Ervin points out, this can be accomplished "without strapping an applicant to a machine and subjecting him to salacious questioning." And certainly the government is obligated to see to it that its top-level employes are not liable to charges of conflict of interest or financial mismanagement. But having the regulation apply to almost every clerk and typist represents, as the Senator suggests, a colossal vote of non-confidence in the integrity of over two and a half million citizens who work for the federal government."

Congress can quickly reject the notion, apparently held by some high in the federal bureaucracy, that an individual surrenders many of his civil liberties when he goes to work for the government. Indeed, if any snooping is called for, it ought to be directed at the officials who sponsor the unbecoming, probably unconstitutional, practices Sen. Ervin's bill is designed to end.

[From the Waynesville (N.C.) Mountaineer]

SENATOR SAM ERVIN IN DEFENSE OF PRIVACY

One way to evaluate the fairness of some of the Federal Government's test programs for incumbent and prospective employes is to ask whether one would object to taking such tests. One would, most emphatically.

Certainly would Senator Sam J. Ervin, Jr., Democrat of North Carolina, chairman of the Senate Subcommittee on Constitutional Rights, which indicated that in numerous instances privacy has been unduly invaded.

In a report just published the subcommittee cited cases of psychiatric and psychological tests, including one that directed a woman to answer 570 personal questions "quickly and without any thinking or deliberation."

In the tests, the report stated, the questions ran largely to the subject's family, sex life, religion, and personal habits, inquiring the number of times a week she prayed, whether sex entered her dreams, her belief or disbelief in the hereafter, and whether some thoughts entering her mind were "too bad to talk about."

Other questions concerned whether the subject was "troubled," and if the trouble was "whether I'm really in love . . . being too inhibited in sex matters . . .," confused in religious belief, or differing with the family on religious matters.

In turn, Senator Ervin asked the State Department for a report on the type of information gained from these tests to "justify such an invasion of privacy." The testing was necessary, he was told, to provide suitable help to the individual and to protect the interest of the Government.

In professing to help the individual, the mind-probers would ask him to shed his individuality in superficial questions touching the most profound beliefs. Much of life is an endless search for answers. A person's own findings might vary sharply from year to year, or even hour to hour, and yet the Government agency would impale him instantly and forever on a true-false question. One answer that ought to fit all categories, it seems to us, is: None of your business.

UNREST IN THE ESTABLISHMENT

Senator Ervin of North Carolina has introduced a bill that he hopes will make Federal employees happier—or at least a little less dissatisfied—with your jobs.

The supervisors of the government employees say they see no reason that they should be restless, even though recent conventions of postal workers and other employees have drawn up lists of grievances that sound convincing.

As with teachers in the public schools, salary is only one reason for the unrest, though it is an important one. More urgent to the Federal employees are their working conditions and especially the prying into their private lives and affairs that is going on.

Some of the grievances referred to by Senator Ervin concern the questions that are asked of people who are applying for government jobs. It has been said that while they were being given lie detector tests, they were asked questions about their family affairs, their religion, their use of off-duty time, and even about their sex life. It is hardly surprising that some applicants decided they did not want Federal jobs and walked out of the testing room.

But those that are already in Federal jobs have their troubles, too. Some time ago we protested against the practice of trying to force government workers to buy United States Savings Bonds and contribute to selected charities. So they do have reasons other than salary to demand some improvement in their situation.

On the other hand, the conventions of government workers held last month heard the ominous word *strike* mentioned many times. We believe Calvin Coolidge was right when, in breaking the Boston police strike, he said nobody has a right to strike against the government or against the public safety: When a person takes a government job, it is understood that he is a public servant; and as such he foregoes the right to strike that belongs to workers in private business.

But the mere fact that they are denied the right to strike on the same basis as employees of business and industry makes it necessary that government workers have special protection under the law. This protection is what Senator Ervin's bill would give them. He has been joined by thirty-three other senators in calling for passage of this measure. That kind of strong support shows that this need is recognized.

Even those supervisors who say they do not know why their employees are dissatisfied have admitted that there is an undercurrent of unrest. As one of them said, ". . . we do have a situation where too many employees are becoming impatient and restless, and we wish we knew what it's all about. . . ."

If these supervisors had to take their own lie detector test, perhaps they would know what it's all about.

Invitation to respond has been sent to Betty F. Walker, U.S. Civil Service Commission.

NOT SO GENTLE PERSUASION

When the next session of Congress begins, it is expected that North Carolina's Senator Sam J. Ervin, Jr., will try again to stop the strong-arm tactics used to force government employees to contribute to local causes or to buy savings bonds.

His bill got lost in the closing days of the last session, but we wish him well in his effort in the coming months. There is continuing evidence of pressure being exerted on government employees to contribute to United Appeal drives or to buy bonds so that the heads of departments can make a report showing as nearly as possible a hundred per cent participation.

The methods are in some cases crude. One Marine was told that he would have no more passes until he bought at least one savings bond. Another was ordered to contribute to the local United Fund or lose some of his privileges. The Commandant of a Navy School ordered all men in the school to contribute according to their weight to the annual Federal campaign drive. He set this standard in order to encourage the men to reduce their weight.

At one post office the supervisor stood at the time clock with forms for all postal workers to fill out giving the amount of their contributions to the United Givers Fund.

A soldier at Fort Hood, Texas was told that if he could not afford to buy a bond, he was too poor to need a pass to town. A retired officer who was a civilian employee of the fifteenth Army Corps received from the commanding officer a pay roll deduction form, already filled out in his name and needing only his signature. He refused to sign and was immediately fired.

Governmental pressure became official when Postmaster General Lawrence O'Brien sent to Secretary of Agriculture Orville Freeman the following letter:*

"You should (step up the bond drive) by calling in your key people again and emphasizing in terms beyond misunderstanding that the President personally is following the progress of this campaign, and he will accept nothing less than the minimum immediate goal of seventy-five per cent. . . , and will be satisfied with nothing less than achievement of the one hundred per cent record established by the White House."

One soldier who refused to buy was told to sign a paper so worded that it was practically a confession that he did not support the President's policy in Viet Nam.

These are just a few of the many examples of the strong-arm methods that Senator Ervin will try to have prohibited by law. We hope his bill gets the support of every member of Congress. All of these causes are good ones and should be able to be sold on their own merit.

[From the Winston-Salem (N.C.) Journal, Dec. 24, 1966]

"Buy Bonds—If You Want To," Says Ervin

(By Lloyd Preslar)

WASHINGTON.—The following dispatch is from the November issue of The Overseas Weekly, which circulates among American servicemen:

"Da Nang, Vietnam—Nothing stops a gung-ho savings bond salesman—not even war. And when a little gentle persuasion is needed to peddle Uncle Sam's promissory notes, the Marines are willing to get shot at just to ring up a sale.

"In a letter to the 3rd Marine Division's 3rd Regiment, leatherneck boss Lt. Gen. Lewis W. Walt patted the unit leaders on the back for topping 75 per cent participation in a recent bond drive, according to the 3rd Marine Amphibious Force newspaper, Sea Tiger.

"With the different units conducting daily patrols, reported the paper, Marines were away for days and sometimes weeks. However, this did not discourage the battalion sergeant major, company first sergeants and platoon commanders who were the key personnel in the drive.

"They went to forward positions and interviewed Marines in fighting holes and kept track of the patrols so that every individual had an opportunity to hear how he could invest money in a worthwhile savings program."

The story of Marine leaders chasing about the Vietnam war zone getting men to buy savings bonds amused The Overseas Weekly. But Sen. Sam Ervin of North Carolina found the story "grotesque."

Ervin, chairman of the Senate subcommittee on constitutional rights, has been involved in recent months in a campaign to free federal workers from what the senator considers to be unwarranted invasions of their privacy.

The subcommittee's study led quickly to the savings bond drives within the military establishment. Ervin thinks military commanders go much too far in their efforts to persuade their troops to buy savings bonds.

"It is a strange anomaly," the senator wrote to Secretary of Defense Robert S. McNamara last month, "that we should require servicemen to leave their jobs and homes to serve their country and then force them against their will to invest in bonds to support their own war effort."

And Ervin said in the Senate:

"I love the blithe irony of the word 'voluntary' which prefixes every official reference to the current bond drive.

"The truth is that voluntary savings bond programs conducted by the Defense Department and other agencies are as voluntary as the tides of the seas to the commands of the moon, or—in language better understood by the military—as voluntary as the response expected to the greetings from the Army to draftees."

In the Senate, Ervin told the story of Guy Taylor, a retired Army major now a civilian employe of the Army in California. Taylor decided not to participate in an Army savings bond program in California.

When he was pressured by his superiors to buy bonds, he wrote a letter to the commanding officer in the area, infantry Col. James H. Stell. The colonel's reply was pointed:

"It is a generally accepted fact that as a member of the military establishment one gives money to the Red Cross and participates in the savings bond program," he said.

"I wish to clearly point out to you that anyone working under my over-all supervision and does not wish to comply with my desire to participate in such a worthwhile program is not a member of my team."

Col. Stell then circulated widely a memorandum including the names of Taylor and four other employees who had not bought bonds. Ervin was told of what had been happening and protested to McNamara the "public humiliation" of Taylor and the others.

Assistant Secretary of Defense Thomas D. Morris, replying to Ervin's complaint, said the Pentagon doesn't condone coercion in such matters, but that "there inevitably will be excess of zeal and improper judgments somewhere along the line . . ."

Such explanations as that do not satisfy Sen. Ervin. A few days ago, he told Morris he is thoroughly displeased with the Defense Department's lack of concern. Ervin added that the constitutional rights subcommittee probably should quit forwarding to the Defense Department the complaints it receives from servicemen. "The risk of reprisals is not worth such an exercise in futility," he said.

But Ervin says he will continue to press for enactment of his so-called "bill of rights for federal employes" to forbid coercion in the sale of savings bonds and other such campaigns. It also would protect federal workers against such things as lie detector tests and psychological tests including questions about sex and religion.

Largely because of the savings bond activities, the bill is likely to be broadened to include servicemen as well as civilian employes. Ervin has a letter from a Charlotte woman concerning her 19-year-old son, a draftee at Fort Gordon, Ga.

The boy and his wife are expecting a child in January.

"He has been forced to buy U.S. Savings Bonds on what little he makes a month," the mother wrote. "I think it is outrageous! They can hardly live! They have a diet of beans and potatoes!"

Ervin thinks it is outrageous, too.

[From the Greensboro (N.C.) Record, Sept. 1, 1966]

Some Signs of Rebellion From the Faceless Man

(By James J. Kilpatrick)

WASHINGTON.—Now and then, climbing the often cloudy congressional peaks one develops a sudden watershed feeling. Public opinion that had been running one way almost imperceptibly begins to run another. A divide of some sort has been crossed. Such a watershed point may be approaching in the field of man's relation to his government.

Contrary to certain opinions elsewhere in the world, Americans are not an aggressive or cantankerous people. By and large, they are as submissive as so many sheep. Confronted with official authority, in almost any form, they tell all; they fill in every blank on the form; they are incapable of resistance. The whole system of income taxation rests upon this aspect of our national character. All that is required is a rule or regulation. Few persons pause to inquire whether it is wise, or necessary, or foolish, or impertinent. Big Brother knows best; and even if he doesn't know best, he is bigger.

UNTHINKING ACQUIESCENCE

Within the government itself, this docility has produced an unthinking acquiescence, until quite recently, to lie detector tests, psychological inventory tests, and other impudent inquiries into the intimate personal lives of federal employes. It led the nation in 1960 to accept a census form that went far beyond the simple factual enumeration envisioned under the Constitution. About two years ago, the tendency produced the first quiet talk of a "Federal Personal Data Bank."

This whole trend, to risk a metaphysical phrase, has been part of a growing attitude, at the highest intellectual levels, to treat man not as a child of God, but as a child of the state. In this view, the individual becomes a mere digital entity; he computes to a Social Security number. He does not dwell in a home, but in a unit of housing. He does not work; he produces units of production. He does not eat or drink; he accounts for units of consumption. The system is faceless, impersonal, anonymous.

And as Vance Packard told a House committee the other day, it is terrifying. Packard was testifying before a Commerce subcommittee, headed by Cornelius Gallagher of New Jersey, which is inquiring anxiously into these vague proposals for the Human Data Bank. The idea is for all the material on a citizen, in all of the government's files, to be stored in the memory banks of a single central .computer. Within ten years, it is thought, such dossiers could be made current. Then, through the fantastic process of instant data retrieval, a simple computer operation could print out the whole of a man's life—his birth date, parentage, schooling, marriage, service record, children, income by years, his jobs, his home address, his applications for multiple governmental permits.

In fairness to the government's efficiency experts, it should be conceded that such a system certainly would be efficient. And if there were some way to "sanitize" the data, in Gallagher's verb, in order to strip the factual matter of personal identification, perhaps a central data center could be a most useful tool in wise governmental planning. But neither Packard nor Gallagher is satisfied that such safeguards can be built in. Names do not compute, but Social Security numbers do, and one identifying number is enough.

The encouraging thing is that Gallagher's subcommittee is maintaining a watchful eye on this business in the House. In the Senate, North Carolina's able Sam Ervin has been joined by 33 of his colleagues in sponsoring a bill (S. 3703) to protect the privacy of the government's own employees from unwarranted invasion. Meanwhile, indications are growing that members of both houses will insist upon a cool and critical look at the information forms proposed by the Bureau of the Census for 1970.

ERVIN'S BILL

Ervin's bill would prohibit government agencies from prying into an employe's race or religion. It would ban indiscriminate requirements for disclosure of personal finances and property ownership. It would outlaw the use of psychological tests to elicit information about an employe's attitude toward sexual matters. It would put an end to the great Washington shakedown game, by which many employes are coerced into

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*As quoted in the *Wall Street Journal*.

political contributions against their will. The bill doubtless requires some refinements, in order to permit proper pre-employment investigations in sensitive posts, and it has been introduced too late in this session to have any hope of passage. But its principle is sound.

One hesitates to be too optimistic. The willingness of the ordinary American citizen to strip for examination, at the drop of a brusque command, cannot be overstated. When a pollster calls on the telephone, he answers; when the questionnaire arrives by mail, he fills it out. The late Dr. Kinsey had no trouble finding volunteers to talk about their sex life; his problem was fighting them off.

Yet the watershed impression persists. After years of submitting quietly to increasing invasion of his privacy, the faceless American is showing occasional signs of rebellion. He is tired of being a number, and even if it does not compute, he wants back his name.

[From the Washington (D.C.) News, Sept. 16, 1966]

Aw, C'Mon, Macy, 'Tain't So

(By John Cramer)

In my little white book—the one which so nicely matches my new white hat—I've entered many complimentary notations about Civil Service Commission Chairman John Macy.

His over-all record is impressive, indeed. Every now and then, however, in an excess of zeal to make the Administration and his Commission look good, he gets strangely careless with the facts.

I refer again to his strangely-defensive speech to the Miami Beach convention of the National Federation of Federal Employes—a speech in which he sought to answer exaggerated reports of Government employe "unrest."

Along with Mr. Macy's far-out defense of the Administration's failure to grant pay comparability to Federal workers, discussed here yesterday, two other things about the speech especially intrigued me.

Item One—If anything prompted "unrest" among employes in recent months, it was the Administration's brutal pressure campaign to force them to buy U.S. Savings Bonds.

REFERENCE

In his speech, Mr. Macy made passing reference to this campaign, and of it said:

"We have found mistakes, and they have been immediately corrected."

Well, I disagree. I say that statement simply isn't true.

The ugly nature of the Savings Bond drive was reported at length in this column and others over a period of several weeks. But the brutal pressures continued. It wasn't until the very end of the campaign that Postmaster General Larry O'Brien, the drive chairman, took cognizance of the complaints and issued a warning against coercion.

It came so late as to be almost meaningless. The damage had been done. The basic mistake was not corrected, as Mr. Macy alleges, and the tardy effort to correct it definitely was NOT an "immediate" effort.

Item Two—Mr. Macy made reference to the Commission's much-resented minority-status questionnaire to Federal workers. Personally, I continue to suspect that much of the resentment is racist-motivated. But some of it, beyond any doubt, springs from employes who honestly regard the questionnaire as an invasion of privacy . . . from others who resent the pressure tactics which accompanied it.

MANDATORY

Mr. Macy told the NFFE that CSC regulations controlling the questionnaire are "mandatory and unequivocal."

Among other things he said, it's "mandatory and unequivocal" that the filling out of the questionnaires by employes be "voluntary" . . . and that it be handled in complete privacy with the employe's identity completely protected, and the questionnaire itself submitted by "confidential envelope."

Then he added:

"We have not received complaints that these controls have been violated."

I find this statement utterly incredible. There's no possible way Mr. Macy can square it with the facts.

He can ignore, if he pleases, the several complaints of questionnaire coercion on employes reported in this column and elsewhere.

But he can't possibly ignore the numerous and specific complaints by Sen. Sam Ervin (D., N.C.), chairman of the Constitutional Rights Subcommittee.

SENATOR ERVIN

On May 24, for example, Sen. Ervin wrote Mr. Macy charging that both State and Agriculture Department were handling the questionnaires in ways which made employe participation anything but "voluntary."

And on June 18, in a major Senate speech, Sen. Ervin cited more examples of coercion.

He said that Mr. Macy's claim that signing of the questionnaire is "voluntary" was a "euphemism" . . . said that contentions that employe privacy is protected "are just not so" . . . said that Agriculture employes, for instance, "found nothing voluntary" . . . nothing anonymous" about the questionnaires.

Yet Mr. Macy blandly asserts there have been no complaints. I just don't get it.

HAYS BILL TABLED

In executive session yesterday, the Senate Foreign Relations Committee voted to table—in effect, postpone action on—the controversial Hays bill.

This is the one which would bring Civil Service employes of State Department, Agency for International Development and United States Information Agency under the Foreign Service personnel system, with its arbitrary "selection out" procedures.

[From the Washington (D.C.) Daily News, Oct. 10, 1966]

Macy's Words Don't Match His Deeds

(By John Cramer)

What John Macy says continues to conflict strangely with what John Macy does.

The Civil Service Commission says he's a real big man for protecting Federal employe rights.

The record, however, and I'm going to cite it—says just the opposite.

Mr. Macy says he and the Administration "are fully committed to the objective that Federal employes should be protected in the enjoyment of their Constitutional and other rights. We, too, seek the proper and full observance of all employe rights, including the valued right to privacy."

Off this, Mr. Macy argues that there's no need whatever for legislation by Sen. Sam Ervin (D., N.C.) the Constitutional Rights Subcommittee chairman, and 34 cosponsors to protect Government workers against the managerial aberrations of eager-beaver superiors.

In effect, he says that Big Daddy has a heart of gold, and will make everything turn out nice—nice if we just don't saddle him and Big Brother with nasty old laws to restrain their ever-loving determination to do good.

Now what Mr. Macy says has been said in various forms by all of his predecessors. Today's situation is different only because of the go-go approach of the Johnson Administration, amplified by Mr. Macy's occasionally-extravagant enthusiasm for various Pet Projects.

The record says that employe rights invariably suffer when they come in conflict with these projects. The record strongly indicates that the Ervin bill is just as necessary as the Senator contends.

Now Mr. Macy isn't a new boy in town. He grew up in the Government personnel business . . . hit most of the rungs on the way to his present eminence. There isn't a guy around better qualified to predict how a new Commission regulation will be interpreted (or mis-interpreted) by Government managers.

So let's look at the record. Let's see how the things Mr. Macy does square with the things Mr. Macy says.

Take first Mr. Macy's controversial census of minority group employees in Government. It had the laudable (I think) objective of identifying Federal units which have been slow to take a hand in the equal opportunity drive. In it, employes were asked to fill out cards stating their race and national origin.

Now Commission regulations said that participation in the census was supposed to be "voluntary." This was a gesture—but only a gesture—towards protecting employe rights.

Out of his long experience, Mr. Macy might well have anticipated that over-zealous Government managers, anxious to prove their devotion to equal opportunity, would pressure and coerce employees for 100 per cent participation.

He might have anticipated this, and he might have written into his regulations specific prohibitions against the kinds of pressure which inevitably developed.

He didn't. Very obviously, his enthusiasm for a Pet Program outweighed his commitment to employe rights.

Or take for No. 2 the Commission's Feb. 24, 1966, directive which told agencies, in command language, that they "shall participate in community programs in support of equal opportunity."

The Commission could not legally command employes to undertake after-hours activities, however, worthy. So it directed its command to "agencies" in the all-too-obvious expectation that the agencies would find ways to bring pressure on employes.

The agencies did.

According to Senate Subcommittee people, at least two Internal Revenue districts seized on tentative, not-even-official Treasury regulation as an excuse to require employes to report participation in community programs, including those aimed at local open-housing laws.

Federal Maritime Commission (not Maritime Administration as I erroneously reported earlier) likewise called on its employes for participation reports.

The point is that if Mr. Macy's devotion to employe rights is what he claims, his Feb. 24 directive would have included safeguards to protect employes against such pressures.

Take for No. 3 the business of charity drives in Federal agencies. Annually, they produce a sickening orgy of arm-twisting which leaves the great majority of contributors to sweet charity feeling very uncharitable about the whole thing.

The regulations controlling these drives pay lip service to employe rights with a pious declaration for "true voluntary giving."

But nowhere do they provide prohibitions against the all-too-familiar coercion.

Finally, take the recent incredibly-brutal Savings Bond drive in Federal agencies. Mr. Macy, it's true, did not personally direct that drive.

But were he the big employe rights man he claims, the rulebook along ago would have been revised to make the Bond drive excesses impossible.

That's what the record says.

[From the Washington (D.C.) Daily News, Oct. 14, 1966]

There's Always "Big Brother"

(By John Cramer)

Civil Service Commission wants to know more and more about the people who make up the Federal service—and has a big new, but still tentative, project afoot to find out an awful lot more.

Its project would vastly expand the already-large volume of statistical information it collects from Federal agencies about U.S. workers.

This information would help the Commission and the agencies to do a much better job of managing the Federal work force. Commission officials make an excellent case to support the theory.

FEAR

There are others, however, who fear the Commission project as Big Brotherism. They suspect it will lead to abuses sooner or later. They are unwilling to trust Commission assurances that abuses are unimaginable.

They take a show-me attitude—and, so far, the Commission hasn't shown them.

Here's what the tentative project involved.

For several years the Commission has had a Management Information System based on statistics detailing the backgrounds and work histories of a 10 per cent sample of Federal employes—all those whose Social Security numbers in the digits 05.

The proposed new system calls for 100 per cent coverage of all employes above Classified Grade GS-5 and its equivalent—and would greatly expand the range of information collected.

It further proposes that this information be put into a computer system, with individual records for each individual employe.

AVAILABLE

Right here, it should be noted that, with one exception, all of the information the Commission proposes to collect already is available in agency files—and to some extent in CSC's own files.

The Commission merely would centralize—and computerize—it.

The one exception, in the tentative plan, is a proposal—certain to be controversial—for mandatory inclusion of "racial origin" in each employe's record.

It also should be noted here that the information planned for the computer system would be factual, objective, matter-of-record stuff—age, education, hiring date, transfers, promotions, used and unused occupational specialties, sick and annual leave records, etc. The list, especially with the proposed additions, gets to be an extremely long one.

Supervisor evaluations of employes—performance ratings—for example—would not be fed into the computer.

GIMMICK

On the other hand, although it's not part of the formal proposal, there's some Commission thought that the computer system eventually should include a "locator" gimmick to tell agencies where security investigation reports on employes may be found. In practice, they're scattered all across the Government.

This is one possibility which raises the hackles of those who fear Big Brotherism.

Commission officials say the present 10 per cent samples are just too small to give management much of the information it needs. For example, the sampling system can't accurately tell managers the quit rate of GS-13 physical scientists—a seemingly minor statistic—but one which could become important in Government manpower forecasts.

The proposed new system, by contrast, could produce an almost-instantaneous answer, refined if necessary by agencies, by age, by proportions of men and women, or by those with doctorates or lesser degrees—and in numerous other ways.

CSC officials say the proposed system would provide:

More information.

Faster information.

Information tailored much more precisely to management needs.

They also see the new system working as a potential "skill bank" to help new agencies or understaffed agencies find needed personnel which perhaps is under-utilized in other agencies.

But still there's Big Brother.

VICTIMS

And still the determination of all of us is not to be "computerized" . . . not to become prisoners, (and perhaps eventually the victims) of an electronic system spewing out "data" which may be incorrect but never corrected.

And still the fear that "data" obtained for an ostensible good purpose today may be perverted to an entirely different purpose tomorrow—by an over-zealous or corrupt Administration . . . by unscrupulous individuals . . . or simply by indiscreet disclosure of matters confidential.

Mr. John Macy's Civil Service Commission has yet to display a proper understanding of these fears.

They are, however, legitimate fears, with implications much broader than the paltry matter of more statistical information for bureaucrats.

[From the Washington (D.C.) Daily News, Oct. 27, 1966]

Equal Opportunity in Reverse

(By John Cramer)

Here's another unfortunate example of discrimination in reverse in the Administration's Equal Opportunity program to place more Negroes in Government jobs.

Unfortunate—because it offers just the sort of ammunition they want to those who would like to see the program fail.

Like an earlier Air Force example cited here Monday, this one comes from Oklahoma City—Specifically from Federal Aviation Agency's Aeronautical Center there, with its more than 3500 employes.

GOAL

In an Aug. 18 memo to all division chiefs, the Center's personnel officer said it was the Center's goal to achieve "a minority group employment ratio that is in balance with the employable minority group population of the Oklahoma City metropolitan area.

"For Negro employment, this ratio is established at 10 per cent of permanent full-time positions. Further, that the 10 per cent of full-time positions is to be distributed by grade level, occupation, and organizational structure in such a manner as to eliminate any discrimination or even appearance of discriminatory employment practices."

Here, of course, is an out and out quota system for Negro employment . . . a system completely at odds with the merit concept of the Federal service . . . and the one thing, above all others, that the Administration simply does not want as part of its Equal Opportunity program.

NOT CONTENT

The FAA people, however, weren't content with spelling out a general goal.

Three pages of their directive were devoted to spelling out, in minutest detail, June, 1967, Negro employment goals for each of the Center's major units.

Take, for example, the first of these units—the Office of the Director and Staff Divisions and Offices.

It was told that it has 527 employes now, including 40 Negroes for 7.67 per cent of its total. By next June 30, it was told, it must have 53 Negroes, an increase of 13, for a new percentage of 10.

But even that wasn't all. The unit also was told:

"Of the increase of 13 Negroes, emphasis will be given to the placement of one or more in each of the following occupations: auditor accountant, employe development, personnel staffing specialist, position classification, management analyst, industrial engineer, budget analyst.

"In addition, and within the 13 increases, at least 3 to be placed in the Administrative Services Division, with at least 1 of the 3 to be at the GS-7 level or higher."

Similar instructions, in similar detail, were given to all other organizational units of the Center

Several other things about the FAA directive are highly questionable. I'll cite only a couple:

No. 1—A sentence saying that "predominantly minority member colleges will be informed of the characteristics of the questions in several portions of the Federal Service Entrance Examination without compromising a specific examination."

My Comment: Nothing wrong with this—provided the same information is given to students of predominantly white colleges. The phrasing of the FAA document would seem to imply something different.

No. 2—A sentence directing division chiefs to "Utilize the recently established Civil Service Commission hiring authority relating to bringing under-privileged youths into temporary Federal service with a view to the possibility of providing extended tenure for negroes (my emphasis) leading to possibly full competitive appointment. (My comment: If I read it right, FAA here proposes, right out loud, to stretch the rules—on behalf of Negroes but not on behalf of other under-privileged).

[From the Washington (D.C.) Daily News, Nov. 3, 1966]

Peeping Toms Keep Right on Peeping

(By John Cramer)

The bureaucratic Peeping Toms keep right on peeping . . . keep right on prying into the private lives of Federal employes and all others within the range of their slimy curiosity.

For instance, the Senate Subcommittee on Constitutional Rights, headed by Sen. Sam. Ervin (D., N.C.), has discovered that many Federal job applicants and Federal job holders are being asked to fill out something called Standard Government Form No. 89 which asks questions such as:

"Have you ever had or have you now:

"Frequent or terrifying nightmares?

"Depression or excessive worry?

"Bed wetting?

"Nervous trouble of any sort?

"Homosexual tendencies?"

SUICIDE

Those filling out form 89 also have asked have they ever "attempted suicide."

They are asked whether their fathers, mothers, spouses, brothers and sisters, or children ever had syphilis or whether they were insane or committed suicide.

They also are asked whether their relatives ever had "hives".

And Form 89 has a special section for "females only." One question: "Have you ever been pregnant?" Plus no less than seven questions about the individual's menstrual periods.

Standard Form 89, as you might suspect, is a medical history form.

The sub-committee, however, says it has good reason to believe that in some agencies the completed forms are not going to agency Medical Offices, where, presumably they would be treated as private communications to a physician, but going instead to agency Personnel Offices, where they are available to far too many peepers.

QUESTIONNAIRE

Sub-committee sources say they have been told Form 89 is being used as a standard questionnaire for job seekers (and employes subject to physical exams) at Housing and Urban Affairs Department, Library of Congress, Small Business Administration, National Security Agency, and, they suspect, in several other agencies

They also say that military agencies routinely use it as a medical history form for military personnel; that Public Health Service routinely uses it for civilian Federal employes assigned to it for physical and mental examination.

(In the case of these agencies, there's reason to believe that—at least—the completed forms are handled as confidential medical documents).

Civil Service Commission officials say:

That Form 89 never was intended for general use, and especially not for general use among Federal civilian employees and job applicants.

That it was designed (back in 1950) as a form for use of patients in Government hospitals.

That they are at loss to explain how it may have crept into general use to the extent the Sub-committee claims.

That they have been aware for the past five weeks of complaints about the form from civilian employes.

That they want to "get all the facts first", but are prepared to order agencies to discontinue using Form 89 except in special circumstances.

Commission officials agree, in general, that many of the questions on the Form are privacy-invading; that many should not be asked except in the context of special medical circumstances.

How Form 89 came into widespread use is something of a mystery.

The Commission requires all Federal job applicants to submit a Standard Form 78 (Certificate of Medical Examination) which is an entirely different document from Form 89.

On Form 78, the job applicant is required to state and give his understanding of the details of any physical disability. Then a physician fills out his general findings as to the individual's general physical condition.

This is the only medical history form specifically authorized by the Commission.

On the other hand, CSC officials say they assume that some agencies "may" have been given permission to use the much more detailed—and thoroly objectionable—Form 89.

It seems to me that the thing we need first is more answers from the Commission.

[From the Washington (D.C.) Daily News, Nov. 11, 1966]

HOW ABOUT THAT PEEPING, MR. MACY?

(By John Cramer)

Sen. Sam Ervin (D., N.C.), chairman of the Constitutional Rights Sub-committee, has called on Civil Service Commission Chairman John Macy for a full report on alleged abuses—by bureaucratic Peeping Toms—of something called Government Standard Form 89.

The Sub-committee says it has information that Form 89, a detailed and deeply-prying medical history report, is being used by some agencies to ask Federal job applicants and Federal employes such questions as:

"Have you ever been pregnant?

"Do you have homosexual tendencies?

"Your age at onset of menstruation?

"Date of your last (menstrual) period?"

The Sub-committee says it has been told that some Federal agencies, including the big, new Department of Housing and Urban Development, National Security Agency, Library of Congress, and Small Business Administration, has been using Form 89 as a substitute for Government's standard physical examination form, which is something entirely different.

REQUIRED

The latter is Form 78, a report of the relatively-innocuous physical exam required of people being appointed to Government jobs.

Little about Form 78 is objectionable. Many things about Form 89 are completely outrageous—when it's extended to general use, as apparently some agencies are doing.

Sen. Ervin has been fighting the battle against invasions of Federal employe privacy by their agencies. He has a strongly-supported bill to set up a "bill of rights" to protect them against such invasions.

The Administration, spearheaded by Chairman Macy, has gone all out to oppose it.

So Sen. Ervin has asked Mr. Macy some very pertinent questions.

POINTED OUT

In a Nov. 7 letter, he pointed out that this "far-fetched questionnaire" (Form 89) asks: "Have you ever worn glasses, stuttered or stammered, soaking sweats, cramps in your legs, been a sleep walker, recent gain or loss of weight, loss of toe, homosexual tendencies, been pregnant, age at onset of menstruation, duration of periods, fits, car, train, sea or air sickness, frequent troubles sleeping, frequent or terrifying nightmares, depression or excessive worry, bed wetting, nervous trouble of any sort."

Sen. Ervin told Chairman Macy:

"Beyond any doubt the form is an invasion of not only the individual employe's privacy, but that of members of his family. For instance, whether her sister ever had syphilis, or her mother had hives, or her brother committed suicide is nobody's business, and is irrelevant to the question of the suitability of a secretary at the Library of Congress."

Sen. Ervin also asked:

Which agencies are authorized to use Form 89?

Which actually do use it?

Who authorized them to use it?

Is completion of the form voluntary? Or can failure (or refusal) to complete it weigh against the individual?

What are the controls for preserving the confidence of the completed form? (The Subcommittee says it has information that many completed forms are going into agency Personnel Offices, where they're relatively open to peepers).

How does the Commission police use of the form?

What officials (security, medical, or administrative) have access to it?

Sen. Ervin anxiously is awaiting the Macy answers. So am I.

[From the Washington (D.C.) Daily News, Dec. 22, 1966]

WHO IS MR. MORRIS FOOLING?

(By John Cramer)

Here's one more proof—do we really need more?—of the crying need for "bill of rights" for Federal employes proposed by Sen. Sam Ervin (D., N.C.), chairman of the Constitutional Rights Sub-committee, and 35 other Senators.

It comes from a recent exchange of letters between Sen. Ervin and Assistant Defense Secretary Thomas D. Morris.

For openers, Mr. Ervin wrote Mr. Morris protesting coercion of Defense civilian and military people in charity drives and Savings Bonds campaigns.

PAGE 17

Mr. Morris replied—like five weeks later—with a highly-bureaucratic epistle which said, in all effect, that there was no real problem because Page 17 of the Civil Service Commission Chairman's 1961 "Manual on Fund-Raising Within the Federal Service" took care of everything.

Now Federal employes in Washington are all-too-familiar with the annual arm-twisting which accompanies Givers Fund drives. And Government people everywhere—military and civilian—still retain rankling memories of the outrageously-brutal 1966 Savings Bond campaign headed by Postmaster General Lawrence O'Brien.

They know that arm-twisting and brutal pressures are the rule rather than the exception.

Mr. Morris, however, apparently lives in a dreamworld where such things don't happen.

They don't happen, his letter to Sen. Ervin implied, because Page 17 forbids them.

He described a key excerpt from Page 17 as "a strongly worded directive to prohibit coercion." He pointed out that Page 17, along with the rest of the Chairman's Manual, is included, in toto, in Defense charity-drive regulations.

He said that Page 17, altho not specifically directed at Savings Bonds campaigns, applies, "with equal weight", to them.

Mr. Morris made only two concessions.

For one, he conceded there might be "excess of zeal and improper judgment" in an organization as big as Defense Department.

For another, he said, Defense "has not and will not" tolerate coercion in charity and Savings Bond campaigns.

OWN UNIT

Mr. Morris may have been fooling himself with this last statement. He certainly wasn't fooling the several million civilian and military who know that coercion is a way of life in almost every Defense unit, including probably Mr. Morris' own unit.

And he certainly wasn't fooling Sen. Ervin.

Here I suggest that it would be interesting to know if Mr. Morris' own employes dared fall short of their quotas in the 1966 Givers Fund and Bond drives. . . .

Anyway, the man is quite correct in saying Page 17 does forbid coercion. Among other things it says:

"Any practice that involves compulsion, coercion, or reprisal directed at the individual serviceman or civilian employe because of the size of his contribution or his failure to contribute has no place in the Federal program. . . .

"It is incumbent upon the heads of Federal offices and installations to see that management and supervisory personnel are expressly informed of the President's policy."

The only trouble with Page 17 (except perhaps in the Morris dream-world) is that there has been no real effort to enforce it—in Defense or elsewhere.

BRUSHOFF

Sen. Ervin, God bless him, wasn't taken by Secretary Morris' bureaucratic brush-off.

"You are correct", he wrote back, "that the excerpt from Page 17 . . . is clear in its prohibition against coercion. Unfortunately, however, the number of civilian and military supervisors and the number of executive officers and platoon sergeants who have read Page 17 apparently are disconcertingly small. . . .

"It is becoming glaringly apparent that legislation is needed to protect servicemen as much—or more so—as it is to protect civilian personnel.

"A Marine general has been quoted as saying that his men in charge of the bond drive in Vietnam were not deterred from achieving the unit goal: 'They went to forward positions and interviewed Marines in fighting holes and kept track of the patrols so that every individual had an opportunity to hear how he could invest his money in a worthwhile savings program.' "

To all this I add a personal postscript: When a key Federal official has the impudence (or lack of perception) to reply, with such basic unresponsiveness, to major questions raised by a U.S. Senator, then it's time, indeed, for a Federal employe "bill of rights."

[From the Washington (D.C.) Daily News, Dec. 17, 1966]

CHIPPING AWAY HUMAN DIGNITY

(By John Cramer)

The anti-conflict-of-interest rule, requiring key Federal employes to disclose their financial situation and that of close relatives, came under heavy attack here recently from a key Defense Department attorney.

At a panel discussion of top Federal executives, Frank A. Bartimo, Assistant Defense General Counsel for Manpower made three major points against the disclosure requirement. He emphasized that he was speaking as an individual rather than as a Defense spokesman.

These, however, were his criticisms:

POINT 1

Point No. 1—Cost of the disclosure program exceeds any possible benefits. Mr. Bartimo estimated that 100,000 Federal employees, including 30,000 in Defense alone, have been required to fill out the complicated disclosure form. He further estimated an average cost to Government of $10 each for merely typing the forms . . . plus additional (probably greater) costs in handling, filing, and evaluating them.

Point No. 2—The evalution process, if properly done, requires that the evaluator know precisely what work the employee performs. Only in this way can the evaluator determine if there is true conflict of interest between the employee's job and his (or his family's) interests. This, Mr. Bartimo pointed out, frequently means that the evaluator must discuss the employee's financial situation with the employee's immediate superior. And this, in turn, means that the employee's financial disclosure no longer is a "confidential" disclosure.

Point No. 3—And Mr. Bartimo described this as his principal point: The new "chipping away of human dignity" which goes with the financial disclosure program.

Others, including Sen. Sam Ervin (D., N.C.), chairman of the Constitutional Rights Subcommittee, are concerned about this, too.

Significantly, Mr. Bartimo added that the program has yet to uncover one true conflict-of-interest case among Defense employes.

RECOGNITION

Aggressive Government Workers Union Local 1 of the AFL–CIO American Federation of State, County and Municipal Employees has won recognition as exclusive bargaining agent for all 3200 employes of the D.C. Department of Public Welfare.

A new Internal Revenue Service ruling will affect many of the high proportion of Federal retirees (about 30 per cent) who retired on disability.

By law, disability retirees get a $100 weekly sick leave tax exemption until they reached the earliest possible nondisability retirement age. Under the past rule, this was 60 for those with 39 years of service; 62 after five years.

Congress this year, however, voted to let employes retire on full annuities at 55 after 30 years service and at 60 after 20 years.

So the new Internal Revenue ruling cuts off the $100 weekly exemption at 55 for those with 30 years; and at 60 for those with 20 years; but continues it at 62 for those with five years.

CSC MOVE HIT

The Government Employes Department (formerly District 44) of the AFL–CIO Machinists finds nothing good in Civil Service Commission's recent establishment of a new CSC Office of Labor-Management Relations under Verne Gill, assistant to CSC Chairman John Macy.

Current edition of the Department's newspaper calls the new Office "a desperate attempt to head off legislation that would regularize the Government's employe relations . . . tacit admission by the CSC that the job has not been done in insuring fair play for Government workers and their union."

"By acting now," the Machinists added, "The CSC left itself open to charges on Capitol Hill that it was simply laying down a smokescreen to hide its past mistakes in the vain hope that Congress would not go ahead with plans for enacting a 'little Wagner Act' covering Federal employe-management relations."

Along with other unions, the Machinists want a vastly-liberalized version of the Administration's labor management program written into law. That's their proposed "little Wagner Act."

[From the Washington (D.C.) Daily News, Jan. 3, 1967]

EMPLOYEES RESENT THIS RULE

(By John Cramer)

Civil Service Commission may be paving the way for major changes in its controversial anti-conflict-of-interest rule which requires many Federal employes to disclose their financial assets—and those of their families.

The rule is bitterly resented by employes.

It has been under heavy attack from Sen. Sam Ervin (D., N.C.), chairman of the Constitutional Rights sub-committee, and others.

In fact, Sen. Ervin's proposed "bill of rights" for Federal employes would outlaw financial disclosure as an unwarranted invasion of privacy.

THEORETICALLY

Theoretically, an employe's disclosure of his assets and those of his family are supposed to be a confidential disclosure. In practice, it frequently is nothing of the sort.

In practice, many agencies require the disclosure to be submitted to the employe's immediate superior for review. This makes a mockery of the confidentiality claim.

Anyway, in an attempt to evaluate first-year workings of the disclosure program, the Commission recently sent U.S. agencies two questionnaires.

DISCLOSURE

One seeks statistical information about the program: The number and per cent of employes who filed disclosure statement . . . the number who refused to file . . . the number below Grade GS–12 who were required to file . . . the number of conflict-of-interest cases revealed . . . the number and general tenor of complaints against the program, including complaints about abuses of confidentiality.

The second, and perhaps more significant questionnaire, solicits agency suggestions for changes in the program. Among other things, it asks:

Should there be an appeals system for employes unwilling to disclose?

Should agencies be permitted, except GS-16-thru-18 employes and hearing examiners, from disclosure when it's clear that their work involves no possible conflict-of-interest situation? At present, disclosure is mandatory for both groups.

Should employees generally be excused from disclosing stock holdings which are relatively inconsequential shares of the total stock of the issuing corporations?

Should disclaimer affidavits, affirming no conflict-of-interest, be substituted for the present disclosure requirement?

In the eyes of many officials, this last offers a relatively-simple substitute for the complexities of the present program.

REBUTTAL

Carey W. Hilliard, president of the National Rural Letter Carriers Association, has sharply attacked a recent Comptroller General's report which urged major changes in Post Office Department's pay system for its 31,000 rural letter carriers.

Pay of most rural carriers now is based primarily on the length of their routes—without regard to hours worked. The Comptroller recommended they be paid on a straight hours-worked basis.

He also prepcsed consolidation of many smaller rural routes.

Mr. Hilliard charged that the consolidation proposal "would force changes of address on large numbers of citizens and seriously disrupt the lives and livelihood of thousands of career employes."

He also accused the Comptroller of "failing to truly analyze the costs of the Rural Delivery Service."

"Incontrovertible" evidence "exists", he said, "which clearly discloses that Rural Delivery is one of the best service bargains in the postal service. . . . The Comptroller's slide-rule technicians should take off their rose-colored glasses and truly analyze the efficiency and productivity of the RFD before laying claim to possible savings in any recommendation."

He said the Comptroller's proposals "would increase the costs of rural delivery and lower the caliber of the service."

BREAKTHROUGH

Civil Service Commission has appointed a first Negro to its Board of Appeals and Review, which is the Executive Branch's last court of appeal for Federal employes with grievances.

He's William E. Fowler, Jr., 44, most recently with HEW but previously city prosecutor in Akron, Ohio, and assistant attorney general of Ohio, and Navy veteran of World War II, and Labor Department hearing examiner.

[From the Washington (D.C.) Daily News, Jan. 30, 1967]

TV "'EYE" CHECKS ON WORKERS

(By John Cramer)

Here's a hair-raising example of police state methods in the Federal service—the use of closed-circuit TV to spy on Government employes in a Washington area military installation.

It was disclosed in a recent letter to Sen. Sam Ervin (D., N.C.) whose constitutional rights sub-committee is pushing legislation setting up a proposed "bill of rights" to protect Federal employes against invasions of privacy by their agencies.

The letter came from an employe of a hush-hush operation conducted by one of the military agencies.

Let him tell his own story:

"Since we work on very sensitive problems, it is quite understandable that a high degree of security be in force. We have never had any problems involving security, and I believe that security measures previously in force were more than adequate.

"However, recently a new closed-circuit TV system was installed under the pretense of being a security measure.

"It is being used as a security measure, but it is in fact and design being used as a check on personnel movements.

"The only entrance to the agency is by elevator. As you alight or enter the elevator, you face the camera (and smile).

"So the military knows exactly when you arrive for work, go to and from lunch, leave from work, and go to and from the snack bar.

"They record such movements if they think them abusive, and hold you accountable for them. What do they regard as abusive?

"Work begins at 8:15 a.m. If you arrive at 8:05:01, you are late, recorded, and if you don't excuse yourself, you are held accountable. Furthermore, if you are five or 10 minutes late, you are sometimes charged an hour's annual leave.

"Sir, why do we fight in Vietnam to keep Big Brother from our land, when we have "him" here already?

"I realize that the military administration has the right and indeed the duty to expect *eight hours of work, but I do think we should be treated as mature, responsible civilians.*"

Sen. Ervin, in calling the TV surveillance to the attention of military agency officials, wrote in part:

"While I realize that security is important, I do not think it should be used as a *rationalization for monitoring the every move* of individual citizens.

"More importantly for the morale and production capacity of your agency, the device apparently is creating a morale problem, and seems to symbolize for your employes the 'big brother' climate which has been the cause of much criticism of the Federal service."

NEW ERVIN BILL

A revised version of Sen. Ervin's bill of rights legislation will be introduced fairly soon.

The original had 35 Senate cosponsors when first presented last year. With luck, it may have even more this year. And there are signs of quickening interest in the House.

Basically, the bill would protect employes against privacy invasions by their agencies.

Among other things, it would prohibit widely-practiced "coercion" in such things as Givers Fund and Savings Bond campaign . . . knock-out self-identification of race in answer to Civil Service Commission questionnaires . . . sharply restrict the mass use of psychiatric tests on Federal workers . . . and guarantee them the right to counsel when questioned by their superiors about alleged wrong-doing.

All that, and a lot more.

The Adminstration continues to oppose the bill—word by word, section by section, and title by title.

Except for the Administration, support is near-unanimous.

NEW MEMBERS

New Republican members of the House Civil Service Committee are Reps. Fletcher Thompson (Ga), William Scott (Va)., James McClure (Ida.), Philip Ruppe (Mich.), and Daniel Button (N.Y.).

Overall, the Committee will have a distinctly liberal complexion—something which seemed unlikely a few weeks back.

Among other things, that promises well for Federal employee pay raise legislation.

[From the Washington Post, Oct. 8, 1966]

COMPLAINTS GROW OVER "PRESSURE" IN FUND DRIVES

(By Mike Causey)

Are Federal workers getting more touchy around the wallet? Or are some supervisors and agencies just more heavy-handed in carrying out this year's Combined Federal Campaign?

Whatever the answer, an awful lot of people are complaining about the way the Campaign is being handled in their offices. As one man, who described himself as an "intelligent, relatively new and not-too-well-heeled" Defense Department employe said:

"It seems like the 100 per cent bug is sweeping the Government this year!" He was talking about the fund drive, bond drive, and other programs.

Some employes say they have been told by supervisors and key men that they are all "under the gun" to hit or exceed their quotas for the fund drive, and many feel they will be hurting the work record of their bosses—as well as their own—if they don't shell out more than they feel they can afford.

Along with the combined campaign designation cards, employes have been given a guide which recommends how much they should give in relation to their salary. In most agencies it is just that—a guide. But some employes report that the "guide" is more like a minimum in their shops.

"I resent being told what 'my fair share is,'" one Federal worker said. "How do 'they' have any idea what my financial situation is?" He admitted that no pressure *had been put on him to meet his "fair share"* quota, but he said he didn't like the idea of quotas, guidelines, or anything else that could easily be turned into "pressure points" by his Department.

Most top Federal officials are genuinely shocked at reports of pressure tactics in their agencies. *But they admit they are probably* the last people who would get complaints from their own employes.

Civil Service Commission Chairman John W. Macy, Jr., told Sen. Sam J. Ervin (D-N.C.) that his agency received only a few complaints about the campaign last year.

Macy agreed that there are always some supervisors "who don't get the word" that voluntary fund drives are just that. But he said that human nature being what it is, what is considered "pressure" to some employes isn't given a second thought by others.

To illustrate the fact that the top men often don't know about lower-level pressures, Ervin told the story of a fellow North Carolinian, who was arrested for shooting "bullbats" in violation of a local law.

Ervin said the man was hauled into court and confronted with the charge, which he denied. The only witness to the alleged shootings he said, was a small servant boy, who denied seeing his boss shoot anything, ever.

After the man was freed, the judge called the little boy up and said, in effect, "Look, we know you were with him when he was hunting. Why did you lie to us?"

The boy replied that he was indeed with his employer, "but everytime he shot, I closed my eyes, so I didn't see anything!" Ervin believes there is a message in that story.

[From the Washington Post, Dec. 19, 1966]

ERVIN COLLECTS A FILE OF GRIPES

(By Mike Causey)

Suggested reading for the high Federal official who thinks his employes have everything: The correspondence file of the Senate Constitutional Rights subcommittee.

The file is a collection of letters, telegrams and telephone conversations from thousands of Federal workers about arm-twisting, snooping and the like in their agencies. The reports have nearly everything—drama, sex, heartbreak, and even some humor.

Sen. Sam J. Ervin (D–N.C.), the keeper of the files, thinks a bill of rights for Federal workers is needed to protect them from pressure during bond and charity drives, tests and racial questionnaires, and requirements to file a report on their financial interests.

It's a touchy subject with both employes and officials, and it should be. But it does have its lighter side. Consider some of these reports from Federal workers:

Many of the complaints to the subcommittee came from employes who objected to telling about their outside financial activities and those of their families. Some said it was a slur on their loyalty and integrity, others just didn't think it was anybody's business, some others said the forms weren't kept confidential in their agencies.

In the case of one Federal employe, the financial disclosure proved embarrassing in a reverse sort of way. It seems he had, for years, been telling his colleagues about killings he had made on the stock market, large real estate holdings, and other matters designed to show what a financial success he was. He objected to filling out the form because it showed he had no outside interests more exciting than watching television.

A man, who said he had worked in 12 different agencies in 24 years, complained about the racial questionnaire. He said Civil Service Commission and half a dozen agencies had his name, Social Security number, medical records, and that he had been fingerprinted at least a dozen times.

"Now I am supposed to fill out a form stating whether I am black or white," he wrote. "If the Government doesn't know the answer to this by now, somebody's pretty dumb."

A worker in Health, Education and Welfare, said he tried without success, to get permission to register with his draft board, as required by law. Finally he went over his supervisor's head to the personnel office and, *he said, was told "no employe has a right* to call on the administrative office or the personnel office." Come to think of it, that one isn't so funny.

A middle-grade employe complained that he was required to donate 50 cents a pay *period to an office kitty, but no one would tell him what it was for.* Parties were given, he said, but he was never invited. He was also told the fund was to provide short-term loans to co-workers.

The man demanded an inquiry, and was told, in writing by a higher-up: ". . . in my judgment the fund is a voluntary employe effort, supportive of activities available to all . . . . I find no grounds to criticize this voluntary. informal arrangement for support of Division activities and employe morale."

A Defense Dept. employe in the Pacific said he was forced to comply with a regulation "to pay the one-dollar dispensary charge for a next-day appointment with a doctor who in turn provided a form statement that I, a male, was not pregnant."

Applicants for blue collar jobs with Air Force as carpenters, plumbers and painters, wondered out loud why they were given a test which asked, among other things, "Who is the composer of Madam Butterfly?"

Federal Aviation Agency countered complaints of employes who said they were asked "highly embarrassing" questions in a psychological test, by explaining that they were not required to answer any questions they found objectionable.

So what happened when an employe didn't fill in some of the blanks? He got a form from the chief medical officer telling him that answers to "no more than four questions" could be ignored, otherwise the test couldn't be scored.

A witty commander at Rome Air Force Base, N.Y. sent out this friendly memo about the Combined Federal Campaign:

". . . I just cannot believe that nearly 300 of my people could be so callous as to begrudge their fellow men even a portion of the income tax deductions allowed them (for charity donations), let alone their 'fair share'." "So," he continued light heartedly, "if we don't surpass 95 per cent participation, I'm going to be so suspicious of our accounting as to ask for a name recheck."

National Science Foundation asked employes if they had been "prudent and intelligent" and signed up for bonds, or "are you a rebel without a cause who wants a little attention?"

Although top agency officials disclaim knowledge of alleged arm-twisting, or point to regulations forbidding it, Ervin thinks a law is needed to protect both military and civilian personnel.

In a letter to Assistant Defense Secretary Thomas D. Morris, Ervin said ". . . a Marine general has been quoted as saying that his men in charge of the bond drive in Vietnam were not deterred from achieving the unit goal: 'They went to forward positions and interviewed Marines in fighting holes and kept track of the patrols so that every individual had an opportunity to hear how he could invest his money in a worthwhile program.'"

[From the Washington Post, Sept. 12, 1966]

HEAD OF FEDERAL UNION CITES CIVIL SERVICE UNREST

(By Jerry Kluttz)

MIAMI BEACH, Sept. 12.—President Nathan T. Wolkomir opened the convention here today of the National Federation of Federal

Employes by telling the 350 delegates "that an almost unprecedented atmosphere of insecurity and serious disquiet pervades the Federal service."

He called for a searching inquiry by both the Johnson Administration and Congress to correct the "disturbing situation." He said there was an accumulation of reasons for it.

As an employer, Wolkomir charged, Uncle Sam has had to be "dragged, kicking and screaming into the 20th century." He accused some Federal officials of "flagrant anti-union biases" and said there had been a breakdown of the President's 1962 union recognition order.

That order, he continued, has brought into government some of the "more objectionable features" of union organizing activities in private business. These include, he said, "derogatory, insulting and false advertising" claims and Government employes who serve practically full time at Government pay as union representatives despite prohibitions against them. He asked for an investigation of these conditions.

Wolkomir also said Federal employes are concerned over the arrogant and supercilious attitude by too many administrators toward their grievances and promotion policies in which they have little confidence. He also assailed improper pressures to buy Savings Bonds, and for contributions to charities and politicians.

But he also acknowledged that Federal employes had made record legislative gains during the past two years in pay, retirement, insurance, travel allowances, injury compensation and the like.

He deplored failure to pay Federal employes salaries comparable with those in industry as provided by law. He accused leaders of AFL-CIO unions of throwing in the towel this year on comparability before a single legislative shot was fired. These leaders, he said, had agreed in advance not to oppose the President's "meager" 2.9 per cent increase.

Wolkomir, president for the past two years, has put new life into NFFE, which claims to be the largest independent employe organization with 60,000 members, a gain of 18,000 since 1964. At one time NFFE claimed 85,000 members. It's rival, AFL-CIO'S American Federation of Government Employes, with 215,000 members, has far surpassed it. AFGE broke away from NFFE in the mid-1930s when NFFE withdrew from the AFL-CIO.

Wolkomir reported that NFFE had gained members in each of the past six months for the first time in years and that the union is on the move again and back in good health.

NFFE's executive council voted its support for his proposal for an increase in monthly per capita dues of 25 cents to $1 to finance rebuilding of the union. He said the funds would provide the means to make NFFE a "real union," and take it out of the "sewing circle" image some people have of it.

Wolkomir plans to invite all independent Federal employe unions such as those that represent the Rural Letter Carriers, postal supervisors, internal revenue, customs and other employes, to form a federation to work for employe legislation and other matters.

[From the Washington Post, Oct. 5, 1966]

PRIVACY RIGHTS UNIT PROPOSED

(By Jerry Kluttz)

Creation of a small independent agency headed by a distinguished citizen to oversee invasions of Federal employe privacy was suggested yesterday to the Senate Constitutional Rights Subcommittee.

Alan F. Westin, a Columbia University professor of public law and government, proposed that the agency be sort of an "ombudsman" where employes could go with complaints that their constitutional rights were being threatened or violated. His plan impressed Chairman Sam J. Ervin (D-N.C.) and Sen. Jacob Javits (R.-N.Y.).

As Westin saw it, and agency would be a "sifting body" to determine legitimate complaints. It would limit the use of lie detector and psychological tests; give complaining employes hearings and the like.

The professor didn't believe the Civil Service Commission could objectively handle employe complaints because it fixes many of the policies which produced employe charges *that their constitutional rights of privacy* are being violated and which resulted in Ervin's bill, co-sponsored by 34 other Senators, to protect these rights.

But Westin also thought that some provisions of the Ervin bill were too broad and sweeping and, at the Chairman's invitation, he promised to help rewrite the measure.

Ervin said the language in his bill was intended to prevent these among other abuses which he said had occurred:

A supervisor who called five employes under him at their homes to pressure them to donate to a charity fund. He told them he was compelled to meet the quota set for his unit.

A supervisor in another agency who coerced employees to participate in their local PTA's.

The indoctrination of employes on political goals of the Johnson Administration, and pressure placed on the employees to work for those goals, such as open housing.

John A. McCart of AFL-CIO's Government Employees Council, gave general endorsement to the Ervin bill. He agreed that the public has a right to know about possible conflicts of interest but he said "overzealous scrutiny" of personal finances of employees could result in "loss of dignity and fear."

Hatch Act: The President signed into law yesterday a bill to set up a 12-man commission to review the Hatch Act which restricts partisan political activities by Federal employes. The signing was applauded by the influential National Civil Service League whose president J. Edward Day, commented in part:

"We believe that the political neutrality of the public service must continue to be protected, and yet recognize that we as a nation may be approaching the point where we cannot afford to place so large a portion of our mature voters in a political 'no man's land!'"

Kathryn H. Stone, a former member of the Virginia House of Delegates, was appointed chairman of a League committee of political activity of public employes to study possible changes in the Hatch Act.

[From the Washington Post, Sept. 18, 1966]

PERSONALITIES RESENT TESTING—TOUTED MMPI SYSTEM OF DETERMINING EMOTIONAL STABILITY RIDDLED BY INVASION OF PRIVACY CHARGES

(By Alfred Friendly)

"The whole field of personality testing is in both disrepute and disrepair." That harsh charge against one of modern psychology's most prideful constructions was thrown in the practitioners' faces earlier this month by a distinguished legal scholar and political scientist.

Addressing the American Psychological Association, Prof. Alan F. Westin of Columbia University told the members something they already knew and were worrying about, but he put it in particularly blunt terms: There is a large and growing antagonism to personality tests, not merely on grounds of their doubtful effectiveness but principally as gross invasions of privacy.

The hostility to psychological testing for emotional and personal stability (as distinct from aptitude, vocational and even intelligence testing) is demonstrated by a provision of a bill Sen. Sam J. Ervin Jr. (D-N.C.) introduced last month. One section forbids any interrogation of any Federal employee about his personal relationships with his family, his religious beliefs and practices and his sexual conduct and attitudes. All three categories are at the heart of psychological and psychiatric examinations for mental posture.

ALREADY CURTAILED

Sen. Ervin's bill followed extensive investigations by Senate and House Committees on invasion of privacy by, among other things, personality testing. Meantime, there has been a drastic curtailment of the use of such tests by Government agencies.

The American Psychological Association acknowledges that the "attacks upon psychological testing and upon psychologist-guided selection methods reached a new height in 1965" and that "this . . . barrage is the most serious attack that has ever been launched by citizen groups or by Government against any part of psychological research and services."

There is a multitude of personality tests, but the one that appears to have become the principal target of the critics and to epitomize what they object to is the Minnesota Multiphasic Personality Inventory. The psychologists seem to be stuck with it, and for the time being their case for personality testing, as an aid in determining emotional stability or as a screening device or a warning flag to call attention to potential or future psychotics, rises and falls with it.

It consists of 556 true-false questions, some of them inconsequential and serving, so to speak, as the inert matter in a prescription. The more significant questions focus on the intensity of the subject's religiosity, his attitudes about sex and his own sexuality and his views about his physical and psychic health and emotions.

AN EMERGING PATTERN

The rationale of the MMPI, based on much experience and testing, is that people with mental disturbances consistently tend to answer the questions differently from those whose mental state is healthy. The distinction does not come in single answers to single questions, but in general patterns. Thus, in a whole series of questions on religiosity, a psychotic will tend to score differently in toto than a normal person.

The stock phrase of the defenders of the test is that the examiners "could not care less about what answer is given to a particular question." They are unconcerned with whether the respondent is Jew or Gentile, whether he has frequent headaches or not or professes to like his father better than his mother. It is, rather, the degree of variance in the totality of the responses from those of the "norm"—or the degree of similarity to those who are clearly mental cases—that is supposed to provide the clue.

The logical jump inherent in the procedure is, however, formidable. Does it always, or even often, follow, because patients in mental institutions have, on the average, a different pattern of answers from those people, again on the average, who are running loose, that the test will usually spot someone who is actually or potentially emotionally unstable?

Moreover, despite enormous experience with the MMPI—it was initiated in 1937—there seems to be meager empirical evidence that the MMPI is really an accurate predictor. The charge has been made that the MMPI has never been "validated" in the sense of having been shown to do what it is supposed to do.

The response has been remarkably feeble. Although the literature on MMPI is voluminous, the evidence for its "valiation" is largely technical in context; it has been "validated" for consistency, so that one tester will get the same results as another, but not in the more persuasive sense. There seems to be no evidence, for example, that an impressive percentage of those tagged as potentially unstable in, say, 1956, have actually become unstable ten years later.

But in the last couple of years, the heaviest criticism has come on another score: invasion of privacy." The barrage was heavy in the 1965 hearings before the Senate Subcommittee on Constitutional Rights and in a special inquiry of the House Government Operations Committee. Prof. Westin's attack was only the most recent in a series.

BATTERING RAMS

In a sparkling analysis of the anatomy of privacy and the mechanics of its invasion, Westin discusses in particular the battering ram of "extraction"—the "entry into a person's psychological privacy by requiring him to reveal by speech or action those parts of his memory and personality that he regards as private."

The devices by which that invasion is accomplished are polygraphs (lie detectors) and personality tests.

"It is one of the basic functions of privacy," Westin argues, "that it protect the individual's need to choose those to whom he will bare the true secrets of his soul and his personality."

In this matter, Westin notes, psychologists enjoy intimate trust when they function as counselors and clinicians but are not accepted when they function as testers for an institutional client. Thus, "when personality tests began to be used by the Federal Government for civilian selection in peacetime, all the privacy and liberty issues in personality testing were raised to the forefront."

The trouble, Westin continues, is compounded by the fact that test phychologists have not successfully explained how their questions on sex, political ideology and religion achieve the results they are said to, but somehow do not depend on the specific answers to specific questions. Part of the invasion of privacy, he implies, is the unexplained magic of the test; if respondents knew how one answer here and another answer there about a very deeply held private matter would disclose a helpful piece of knowledge, their sense of invasion might be lessened.

Thus a patient may tell his physician some extraordinary intimate details about his body and his habits without feeling that his privacy is assaulted because he senses how that information can contribute to the doctor's ultimate diagnosis.

Westin concludes:

"American society is unequivocally committed to the idea that religious notions are private and that no governmental or quasigovernmental authority (e.g., the corporation, the secular private university, etc.) should decide what is 'reasonable' in religious belief. Given this fact, how does the psychologist, say that adding up this and that question about religious belief ('I am a special agent of God,' 'I believe in the second coming of Christ,' etc.) to define personality disorders is *not* a judgment on what religious beliefs are 'reasonable' and 'not reasonable'?"

ALL TESTS CURTAILED

The consequence of attacks of that sort has been the virtual elimination of the MMPI from the arsenal of Government test procedures and, in fact, the near elimination of all personality tests as selection devices.

Chairman John W. Macy Jr. of the Civil Service Commission has forbidden their use for selection purposes throughout Government agencies where his writ runs and has ordered their application limited to adjuncts of medical and psychiatric examination.

The State Department forbids their use except where a question has first been raised about the mental stability of an employee and where the examination is under the direction of a psychiatrist.

The Job Corps claims never to have used the MMPI and to be using other personality tests in a very minimal way. The CIA doubtless uses every test, and lie detectors to boot.

The Peace Corps also uses the MMPI extensively and in the 1965 hearings swore by its efficiency. There, however, it is not used as a selection screening device but only later as a "de-selection" aid when the Corpsman is in training, and in conjunction with extremely extensive use of other tests and experience evaluations.

LOOKING TO FUTURE

The critics argue that the reduction in the Government's use of personality tests is a response to the current attacks and no guarantee for the future. Hence, they urge the enactment of the Ervin bill.

Its basic trouble, however, would seem to be that it throws the baby out with the bath. Its language forbids *any* interrogation about matters of sex, religious and familial attitudes, thus barring even psychiatric examinations in which those items are highly significant. Surely at some times for some employees—aircraft traffic controllers, men in command of nuclear weapons systems, CIA agents, for example—a pretty extensive verification of emotional balance is essential.

In screening small numbers of candidates, there are doubtless better examination procedures—tough interviews, "game" situations and fine-comb reviews of how the applicant has behaved under stress and adversity in the past. But for large numbers, the temptation is strong to use a production-line system. The question remains whether any personality test fulfills that function—and how violently it affronts an increasingly recognized personal right.

[From the Washington Post, Sept. 22, 1966]

Homosexual Query Asked in State Department

All male applicants for jobs in the State Department are being asked, "Have you ever engaged in a homosexual act?"

A State Department official disclosed this yesterday in the wake of testimony before a House Appropriations subcommittee that 30 employes left the Department in 1965 as security risks. Some resigned, others were dismissed.

In the testimony released over the weekend, Deputy Assistant Secretary G. Marvin Gentile said 28 left "for homosexual reasons" and two for other reasons "such as excessive drinking, bad debts, and excessive use of leave."

None of the persons involved in the investigations or dismissals were named. One was listed as a Foreign Service Officer of Class 2 with a salary of $20,835 a year. Half a dozen others had salaries ranging above $15,000 a year.

William J. Crockett, deputy under secretary for administration, told the Committee the State Department is now putting heavy emphasis on "preventive security" which he described as asking direct questions of applicants for the Foreign Service and the State Department's Civil Service so that those with adverse characteristics can be screened out before employment.

[From the Evening Star, Nov. 7, 1966]

Criticism Greets CSC Proposal To Keep Dossier on Every Employee

(By Joseph Young)

A complete dossier on every federal and postal employe will soon be maintained in the government.

The program already is stirring up controversy, with Sen. Sam Ervin, D-N.C., chairman of the Senate Constitutional Rights Subcommittee, calling it another of the government's "big brother" moves to pry into the private lives of its employes.

The Civil Service Commission, which drafted the plan and is now asking various agencies for suggestions on how to implement it, says the system is needed to give government the necessary information about its manpower strengths and weaknesses.

CSC officials say the data will be used for promotion and training purposes as well as manpower requirement planning that federal managers need to operate their programs effectively.

The data will be computerized in data banks, which will make it available at a moment's notice to an individual agency or throughout the government as a whole.

The data will include an employe's age, sex, race and nationality, his patterns of sick leave use, education, training, experience, physical handicaps, awards received, appeals of adverse actions, etc.

Ervin expresses fear that some of this information will be used to discriminate against some employes and favor others.

CSC officials insist there is no ulterior motive in the computerized data program, that it is a large step forward in modernizing the government's personnel management program.

To start with, all employes in grades GS-5 through GS-18 will come under the program (this represents more than 90 percent of all government employes) and those below GS-5 will be included by a 10 percent sampling.

[From the Washington Evening Star, Nov 17, 1966]

Failure To List Gift of Bottle Caps Brings Warning to U.S. Employee

(By Joseph Young)

Because a Commerce Department employe felt that bottle caps received from a community welcome wagon was too trivial a gift to list on his financial disclosure form he was threatened with disciplinary action.

The situation is symptomatic of the Alice-in-Wonderland brand of madness in government these days regarding the requirement that employes disclose all financial worth, dealings, holding and gifts, no matter how trivial, as well as that of the members of their immediate families.

The Senate Constitutional Rights subcommittee headed by Sen. Sam Ervin, D-N.C., is receiving thousands of complaints from federal employes over the financial disclosure requirement.

The employes believe it is an unwarranted invasion of their privacy and also is irrelevant since most of the complaints have absolutely nothing to do with the awarding of government contracts or other Federal fiscal policy that could possibly pose a conflict of interest situation.

The Commerce case is a classic example of the government's "big brother" snooping attitude into the affairs of its employes, although Ervin says many other complaints are about situations just as outrageous.

The Commerce employe was told that he answered unsatisfactorily a section of the financial disclosure form asking to list all gifts received.

What had happened was that the employe, feeling it was unnecessary to list such gifts as bottle caps from the community welcome wagon, answered that section by replying: "None—except for minor gifts; if listings are required, more information as to value limit is necessary."

The Commerce Department apparently was outraged at the reply.

A Commerce personnel official wrote an official letter of warning to the employe:

"Your evident evasiveness indicates that you may have some conflict of interest which you are anxious to avoid disclosing. This is a very serious matter.

"This letter constitutes a formal warning that you have failed to comply with regulations.

"If the form is not correctly executed and returned by Sept. 20, 1966, I will have no choice but to propose disciplinary action against you."

And yet the Civil Service Commission and top officials of the Johnson administration wonder why it is becoming increasingly more difficult for government to retain able employes as well as recruit the cream-of-the-crop of college graduates.

Special session asked—Kenneth Lyons, president of the National Association of Government Employes, has asked President Johnson to call Congress into special session immediately to enact another pay raise for federal and postal employes this year.

Lyons blasted this year's 2.9 percent pay raise as totally inadequate, in view of the fact that "employes in private industry were realizing 5 percent or more in pay hikes."

Lyons blasted this year's 2.9 now lags from 3 to 45 percent behind private industry salaries. He said federal employes "are laboring under a Depression psychology, the argument frequently used that federal employes are paid less because they have steady employment."

"The government, for too long now has continued to pay government employes peasant wages as though they were in bondage," he said.

Of course, Johnson will not call Congress into special session to enact another federal pay raise this year.

Lyons is aware of this, but his statement was more of an opening blast in the campaign to secure an adequate pay raise for federal and postal employes next year. His statement was intended to dramatize the situation in which federal workers find themselves caught in inflationary spirals and yet are asked by the President to set an example for the rest of the country by not seeking pay raises that would raise them to the level of industry.

The NAGE is emerging as the third major nonpostal federal employe union, along with the American Federation of Government Employes and the National Federation of Federal Employes.

While the NAGE still trails far behind the AFGE which has 235,000 members, it has attained a membership in excess of 50,000 since it began operating as a general government employe union five or six years ago and is growing fast.

It is especially strong in New England but has been organizing locals in other parts of the country as well in recent months.

[From the Washington Evening Star, Dec. 7, 1966]

EMPLOYE MORALE SAGGING A BIT? JUST GUESS WHOSE FAULT THAT IS

(By Joseph Young)

Q. Good afternoon, sir. As a top official of the Civil Service Commission, are you concerned about reports about employe unrest in government?

A. What unrest? President Johnson has been vitally concerned with improving the morale and the esprit de corps of federal employes.

Q. But what about invasions of employes' privacy, and pressures to make them contribute to savings bonds drives. . . .

A. President Johnson has appointed careerists to some executive jobs hitherto filled by political appointees.

Q. And questionnaires that require employes to list their racial and ethnic backgrounds?

A. He has also appointed women to some key jobs.

Q. And requiring employes, even some in jobs as low as Grade 3, to list all their financial holdings and those of members of their families. And forcing employes to join their local PTA and community and political activities. . . .

A. The President has also set up a talent pool for super-grade employes.

Q. Well, employes seem to be unhappy about the 2.9 percent pay raise they got this year. They feel the President was out of line in holding them to this amount when employes in the private sector got considerably more.

A. When President Johnson was Senate majority leader, he always scheduled federal pay raise bills for prompt action—well, almost always, he did.

Q. Do you think the President's veto of the life insurance bill helped employes morale?

A. No employe that we know of wrote the President to complain and signed his name.

Q. Then you would say that federal employes never had it so good.

A. Absolutely.

Q. Then why are political experts saying that many federal and postal workers voted Republican this year?

A. That's what our Hatch Act investigators are looking into.

Q. What about employes being asked intimate questions about their sex lives?

A. Speaking of sex, President Johnson has appointed a woman as personnel director of a top government agency.

Q. What about the chairman of the Civil Service Commission "wearing two hats" in also being chief political talent scout for the President? Is this good for the career system?

A. Mr. Macy says it's good.

Q. What about the Ervin bill?

A. What bill?

Q. The one sponsored by Sen. Ervin—to give federal employes a bill of rights to protect their rights against unwarranted invasion of their privacy?

A. Oh, no one favors that bill.

Q. Well, all the government employe unions testified unanimously in favor of it.

A. They didn't understand the provisions in the bill.

Q. What about all the documented evidence uncovered by the Ervin committee and also presented by government employe leaders on invasion of privacy?

A. Oh, all these cases were the result of misunderstanding on the part of the employes. Agency officials wouldn't hurt a fly. The employes are just supersensitive that's all.

Q. What do you think will happen to the Ervin bill next year?

A. Oh, we're all closing our eyes around here and hope that when we open them up next year the Ervin bill will have disappeared.

Q. Why isn't the Johnson administration endorsing the pay comparability principle of the 1962 pay act to place government salaries on a parity with industry?

A. President Johnson took a full hour out of his busy workday recently to address the Civil Service regional directors who were in town for a meeting.

Q. What about the administration curtailing overtime in government and trying to circumvent the law by giving compensatory time instead of paying cash?

A. Lady Bird is working very closely with government agencies to beautify their surroundings.

[From the Washington Evening Star, Dec. 12, 1966]

FEAR OF REPRISAL KEEPS EMPLOYEES FROM AIRING GRIPES, ERVIN SAYS

(By Joseph Young)

Government employes are being prevented from going to their personnel offices with complaints about working conditions or violations of their job rights, a senator says.

In a letter to Civil Service Commission Chairman John Macy, Sen. Sam S. Ervin, D-N.C., chairman of the Senate Constitutional Rights subcommittee, said many agencies require employes to clear all communications with supervisors.

The employes are often loath to clear complaints with their supervisors because the complaints are based on their supervisors' actions and they fear reprisals, Ervin said.

"The lines of communication between employes, agency personnel officers and the Civil Service Commission are either nonexistent or woefully frayed," the senator told Macy.

Ervin said this is another reason why his "bill of rights" for federal employes should be enacted into law next year.

Macy replied that the situation will be looked into and if the facts reported are substantiated, "corrective action" will be taken.

Macy said this was the first time the CSC was aware of such complaints. He said the commission's investigative unit had interviewed thousands of employes in agencies throughout the government.

Macy said the commission's inspection staff has been directed to be especially alert to any regulation or practice that would deprive federal employes of free access to their personnel offices for legitimate complaints and information.

And another matter—There is another matter the Ervin committee should look into—and Ervin and his fine staff have done an excellent job on behalf of government employes' rights.

In almost every instance where an employe is involved in litigation with his agency, in cases such as pending firing or suspension, the agency not-so-subtly lets it be known to interested parties that the "real facts" behind its action against the employe are not being made public for humanitarian reasons.

To hear many of the agencies tell it, it is only because they are so tender-hearted that they don't disclose the horrendous facts they have about the employe. The facts that are divulged only skim the surface of the situation, the agencies hint.

With that sort of approach, the agencies frequently are able to win their cases against the employes merely on innuendo.

It is both unfair and frustrating to employes who have to deal with this technique. They not only find themselves fired and disgraced, but with little hope of finding another job—either in or out of government.

Annuity goals—Automatic increases in civil service annuities based on federal and postal employe pay raises is the number one legislative goal of the National Association of Retired Civil Employes.

The 130,000-member organization, headed by Clarence Tarr, also lists these legislative goals for the 90th Congress' consideration:

Tax-exemption of civil service annuities and exemption of survivor annuities from state inheritance and federal estate taxes; extension of medicare to all federal retirees; greater survivor annuities; liberalization of life insurance benefits to modify the present decline in policy values after retirement.

Air Force—The Air Force is in for a rude surprise.

The American Federation of Government Employes is about to launch an all-out attack on Air Force personnel policies which it contends are contrary to the spirit of presidential executive order 10988 on labor-management.

[From the Washington Evening Star, Dec. 16, 1966]

DETERIORATION OF JOB CONDITIONS BRIGHTENS ERVIN BILL'S PROSPECTS

(By Joseph Young)

Working conditions in the government seem to be going from bad to worse.

The deteriorating situation improves substantially the chances next year of the Ervin bill to protect federal employes from violation of their constitutional and procedural rights and invasion of their privacy.

It also improves chances for legislation to give stronger collective bargaining rights to government employe unions and require agencies to bargain in good faith with federal employe unions.

Two cases of the past few days point up what is going on in government.

At the biological support unit of the Armed Forces Radiobiological Research Institute, the civilian employes say they have been told by their military superior that they cannot take sick leave without a doctor's certificate.

Further, they were told that colds, sore throats, headaches, etc., won't be considered "sick leave material."

If employes don't wish to go to their own doctor, they will first have to come to work and be checked over by a Navy doctor in the dispensary where they work before they can be granted sick leave. They also have been told that if they complain to the Civil Service Commission they will be fired.

All these edicts are contrary to the provisions of the sick leave law for federal employes and an example of federal bureaucracy at its worst.

The other case involves the Army Strategic Communications Command which on Wednesday, 11 days before Christmas, sprang the news on its employes that the agency will be transferred to Fort Huachuca, Ariz.

Although American Federation of Government Employes Lodge No. 2 has exclusive recognition bargaining rights with the agency, the agency at no time consulted with the union in advance of the move or advised it of the pending transfer to Arizona.

The union heard rumors that there would be a move, but until the very end the agency denied it.

The result was that the news hit the employes like a bomb on Wednesday.

Making matters worse was the announcement that the move to Arizona would begin in January, with the last of the employes to be moved by June.

For some employes this gives them less than a month to sell their homes, wind up financial affairs and make emergency school arrangements for their children.

How much longer will the Civil Service Commission give the excuse that all such goings-on are unintentional lapses by basically kind-hearted agency officials and military officers. According to the CSC, there isn't a mean bone to be found in federal management. Oh, yeah?

Morrison's plans—Rep. James Morrison, D-La., who was defeated for re-election, is expected to announce soon that he will engage in the practice of law with offices in Louisiana as well in Washington, D.C. All federal and postal employes, who remember with gratitude and affection the many things that Morrison did on behalf of government employe pay raises and other beneficial legislation, will wish him well in his new career.

Much ado—The Defense Department reports it has found no conflict of financial interests among its 1.2 million civilian employes.

Of the 31,000 civilians who were required to file financial statements last fall, Defense found there have been no apparent or actual conflicts of interest.

However, it's reported there were at least several hundred cases where conflicts of interests were found which were resolved at a lower level.

For example, an Army report shows that of 13,000 financial statements filed, there were 101 conflicts and 47 refusals to file. These conflicts were apparently resolved at the installation or command level, since the Army reported no conflict of interest cases reaching the Department of Army level.

Many government employes who have been required to file financial statements have protested that this was an invasion of privacy, since their financial holdings in no way have any connection with the performance of their duties.

[From the Washington Evening Star, Jan. 8, 1967]

DISSATISFACTION REPORTED RISING OVER U.S. PERSONNEL POLICIES

(By Joseph Young)

Mounting government employe dissatisfaction with the Johnson administration's personnel policies is reported by federal and postal employe leaders.

One union leader with more than 20 years' experience says he never has seen such antagonism toward an administration among government workers.

"From my travels around the country I would say that the majority of federal and postal workers are angered with the Johnson administration for what is happening in the government service," the union official said.

Another employe leader said: "The talks I've had with our membership throughout the country convince me that at least 75 percent of them voted Republican last November in protest over the Johnson administration's personnel policies."

Another union leader said: "The situation is worse than it was in the Eisenhower administration.

"We all know that Eisenhower never did much for government workers, but at least he wasn't hypocritical about it. He never pretended to be the champion of federal and postal employes, and consequently the employes never expected much.

"But President Johnson, John Macy (Civil Service Commission chairman) and the rest of this administration crowd keep on telling us about all they have done and are doing for us, while at the same time denying us the benefits and rights we are entitled to."

Other criticism centers around the union's inability to establish any direct contacts with the White House. Union leaders describe top White House assistants as "impossible" to deal with.

"They keep telling us to see Macy," one employe leader said. "But we want to deal with people at the White House who are closer to the President than Macy is."

Another union official said: "We're tired of all this razzle dazzle. All the while they're telling us how much they're doing for women, Negroes, the physically handicapped and federal career executives, they're picking our pockets."

Bill of particulars—Government employe dissatisfaction with the Johnson administration stems from many factors.

They resented Johnson's take-it-or-leave-it edict last year on his 2.9 percent pay raise proposal, particularly in view that salary increases in the private sector averaged considerably more in many cases. The administration's failure to support full pay comparability with industry is also resented.

Johnson's veto of the liberalized government employe life insurance bill on the grounds it was inflationary angered employes, especially since he turned right around and proposed liberalization of Social Security benefits to Congress.

Severe curtailment of promotions in government and even downgradings among employes because of administration economy directives is another cause of bitterness among employes.

In short, many federal employes feel they are being made the economic scapegoats by the administration as a result of the Vietnam war and inflationary pressures, in contrast to their fellow employes in the private sector who aren't being asked to make such sacrifices.

The administration's heavy handedness in interfering with employes' rights of privacy, and pressuring them into participating in various fund-raising drives and community events also is a source of great irritation to employes.

Last year's pressure on employes to buy U.S. savings bonds, which was directed from the White House, left a sour taste.

Also, racial questionnaires in which employes were required to list their racial and ethnic backgrounds were resented.

Employes also objected to financial questionnaires in which they had to list all the financial holdings and themselves and the immediate members of their families.

Also, various questionnaires which asked intimate questions about the sex life and religious views of employes kicked up a storm of protest. In some cases, employes were asked whether their parents had committed suicide or whether there had been any cases of syphilis among members of their family.

[From the Washington Evening Star, Jan. 20, 1967]

FORCED RETIREMENTS INVESTIGATED: SENATORS DRAFT "BILL OF RIGHTS"

(By Joseph Young)

Involuntary retirements of government employes without giving them a right to a hearing have come under the critical eye of the Senate Constitutional Rights subcommittee.

Sen. Sam Ervin, D-N.C., chairman of the group, feels that this deprives government employes of their constitutional and legal rights.

Ervin's subcommittee is now drafting a "bill of rights" for government employes. A provision to give them the right of hearings in involuntary retirement cases is being considered.

Under the present system, employes involuntarily retired by their agencies have only the right to present in writing to the Civil Service Commission such documents that they feel will refute their agencies' action.

But Ervin and employe leaders feel this gives virtually no protection to employes at all, because neither they nor their lawyers can present witnesses and facts in person to the CSC, nor cross-examine agency officials who took action against them.

One of the most insidious factors of involuntary retirements is that many of them are based on mental disability charges. The employe can engage a pyschiatrist to present written testimony to the contrary, but the views of government psychiatrists almost always prevail.

Employes charge that they have been involuntarily removed through this procedure to open up their jobs for other employes or because they dared criticize the way things were being run in their office. Others are threatened with such action if they "don't stay in line."

They also point out that once an employe is retired on mental disability, it virtually precludes employment in the private sector.

"What businessman is going to take a chance on someone the government says has something wrong with him mentally?" one involuntary retiree asked bitterly.

Legislation appears the only way that employes in these cases can be guaranteed a hearing before the CSC. The federal courts have held that employes are not entitled to hearings under the present law.

[From the Washington Evening Star, Nov. 25, 1966]

PROBES INTO SNOOPING YIELD NOTABLE REFORMS

(By Clayton Fritchey)

As Sen. Abraham Ribicoff, D-Conn., charges, "There's too much snooping going on in this country," but, at last, the struggle to protect individual privacy in this prying nation is beginning to show some results.

Ribicoff's indignant comment was prompted by the discovery that General Motors had turned loose its sleuths to spy on Ralph Nader, the young man who changed the auto industry with his book, "Unsafe at Any Speed."

This revelation was followed by others of a similar nature, which alerted the public to just how extensive various forms of snooping had become in all walks of American life, both public and private.

It is safe to say that most Americans, whether they are aware of it or not, have at one time or another been "investigated," for snooping has become a major industry in itself, employing an army of private eyes and government investigators, equipped with enough magical gadgetry to make James Bond green with envy.

Into this situation has stepped Sen. Edward Long, D-Mo., and Sen. Sam Ervin, D-N.C., with concurrent but independent inquiries into the mass invasion of individual privacy. They have by no means concluded their probes, but already there have been some notable reforms.

Long, chairman of the subcommittee on administrative practices, has been concentrating on wiretapping and electronic bugging illegal or not.

And so it came to light, for instance, that the Bell Telephone System (AT&T) had been listening in on 36 million long distance calls yearly (to monitor the quality of service), but this has now been discontinued. It also was discovered that even the FBI was exceeding its authority in tapping telephones, but now the President has cracked down on this—or at least that's what we're told.

But to Washington the most interesting investigation is the one that Ervin, chairman of the Senate constitutional rights subcommittee, is carrying on, for this is focused on the shadowing, examination, and security check-up of millions of federal employes.

This is not so much electronic snooping as psychological prying. As Ervin has revealed, it is full of contradictions: the methods varying from agency to agency, with a heavy accent on sex—or just plain prurience, and a dubious reliance on the polygraph machine, better known as the lie detector.

The government, Ervin thinks, has sufficient investigative resources to determine whether a person is a security risk "without strapping an applicant to a machine and subjecting him to salacious questioning." Specifically, he was referring to a lie detector examination of a college graduate who was seeking a job with the National Security Agency.

The applicant was asked, "When was the first time you had relations with your wife? Did you have relations with her before you were married? How many times?" The senator thinks "such practices should not be tolerated, even by agencies charged with security missions."

Since even the FBI does not use personality tests or polygraphs on job seekers, Ervin fails to see why "the National Security Agency finds them so fascinating." The Ervin inquiry, however, has disclosed that not all agencies rely on the standards of NSA and the Central Intelligence Agency.

Kimball Johnson, chief personnel investigator for the Civil Service Commission, is reputed to have little confidence in the polygraph. He is said to believe that the whole process of personnel investigation is distorted by the emphasis on turning up "dirt." Moreover, he adds, "whenever a bureaucracy amasses files about its citizens, an inherent threat to liberty exists."

As to the highly controversial personality tests, John W. Macy, chairman of the Civil Service Commission, has now forbidden their use for selection purposes throughout government agencies (where he has jurisdiction) and the State Department also forbids their use in most cases.

"The whole field of personality testing is in both disrepute and disrepair," says an authority, Prof. Alan Wistin of Columbia University. Ervin couldn't agree with him more.

One section of the Ervin bill prohibits interrogation of any federal employe about his personal relationships with his family, his religious beliefs and practices, and his sexual conduct and habits. The bill reflects a strong and growing conviction that personality tests, like a lot of other undue snooping, are not only ineffectual, but outrageous invasions of privacy.

[From the Washington Evening Star, Dec. 5, 1966]

Checkrein on Federal Prying

When Uncle Sam gets too heavy-handed in his efforts to pry into private citizens' affairs, the noisy reaction usually serves to discourage the keyhole watching. But federal employes are in a different position. Because of their peculiar relationship to government, they are vulnerable to all kinds of nosy questionnaires.

Senator Ervin of North Carolina has decided to do something about it. Fed up with the flood of complaints that have been flowing to his Constitutional Rights subcommittee, the senator has introduced a measure spelling out a virtual bill of rights for government workers against unwarranted government invasion of their privacy. And although his proposal was made public less than three months ago, there are already 35 co-sponsors in the Senate behind it.

What kind of meddling goes on? In one case, detailed recently by The Star's Joseph Young, a federal worker drew a threat of disciplinary action because he failed to report on a financial statement a gift of bottle caps from a neighborhood welcome wagon.

The prying in sex and religious matters is another instance. Senator Ervin's panel was told by the Peace Corps that it was dropping offensive questions on one test it used. Yet in a revised copy sent to the senator last March, the committee found volunteers were being asked to respond to such statements as: "I believe in the second coming of Christ." "I wish I were not bothered by thoughts about sex." "I have not lived the right kind of life." One wonders how Saint Paul might have answered these, and whether he would have made it into the Peace Corps.

Perhaps the biggest mess has been caused by the Civil Service Commission's desire to get more "accurate" statistics on racial minorities in government work. A form quoted by the senator asks employes whether they are American Indian, Oriental, Negro, Spanish-American, or "none-of-these." Not only has this labeling approach angered thousands of workers, but some of mixed parentage find the question hard to answer.

The answers it elicits are suspect, too. The committee was told that in one office in the State Department, all its occupants blandly listed themselves as American Indians. An official of the Post Office reported that no less than 5,500 employes there also have declared themselves Indians. Since there are only half a million Indians in the entire United States, the questionnaire is producing some remarkable new information about the vanishing redskin.

Senator Ervin's bill carries stiff penalties for bureaucrats who harass subordinates with nosy questions. Perhaps the $500 fine and six months' imprisonment should be softened, at least where first offenders are concerned. But we herewith declare a loud hurrah for the cause.

[From the Federal Times, Dec. 14, 1966]

Personnel Office Visit Right of All Workers

WASHINGTON.—Civil Service Commission Chairman John W. Macy, Jr., is reasserting the employee's right to speak with his personnel officer. "Certainly, common sense would suggest that employees should have free access to their personnel office on any reasonable request," Macy wrote to Sen. Sam J. Ervin, Jr. (D-N.C.).

At issue is the complaint of a Defense Department worker who said that supervisors sought to prevent him from talking with a personnel officer.

Ervin, chairman of the constitutional rights subcommittee and author of the so-called federal employees' bill of rights, sent the letter to Macy and asked for comment.

Ervin suggested that the complaint refutes commission arguments that there is no need for a bill of rights in the form of law. The letter, Ervin wrote, "demonstrates that the lines of communication between employees, agency personnel officers and the Civil Service Commission are either nonexistent or woefully frayed."

Ervin wanted to know if such complaints were prevalent. Macy told the senator that "this is the first complaint of this kind that we have seen."

He said that his inspection staff maintains a regular check on "the processes of communication between personnel offices and supervisors and employees." If corrective action is needed, Macy said, the commission calls upon the installation chief or a higher authority.

He told Ervin that he is asking his inspectors to be "especially alert" to regulation or practice "in the Department of Defense or elsewhere that would unwarrantedly limit employees' free access to tehir personnel offices for legitimate information."

Ervin had deleted the name of the complaining employee before he forwarded the letter to the commission chairman.

The employee, who has 20 years of government service, said that he was required to speak with three supervisors before he could obtain conditional permission to call the personnel office.

The employee wanted to know how his application for promotion had fared. He said he felt that the information was personal, and he wanted to make the call himself.

The employee said that his immediate supervisor referred him to the branch chief who refused permission but offered to make the call and relay the information.

The worker demurred, and the branch chief referred him to the division chief. The latter official upheld the ruling but then, as the employee said, "backed down."

The division chief had first asserted that employees had no personal representative at the personnel offices, the complaint said, but the worker pointed out the fact that the telephone number of the civilian personnel office representative is posted on the bulletin board.

At that, the employee said, the division chief granted permission for one call, but said that all further queries must be made through the branch chief.

[From the Federal Times, Jan. 25, 1967]

Morris Bans Coercion in Savings Bond Sales

WASHINGTON.—Don't try to force civilian employees into buying U.S. Savings Bonds, Thomas D. Morris, Assistant Secretary of Defense, has ordered the services.

Morris issued a memorandum declaring "any practice that involves compulsion, coercion, or reprisal directed to the individual serviceman or civilian employee because of the size of his contribution or his failure to contribute has no place in the federal program.

"Coercive practices debase the spirit and purpose of the program. They cannot be tolerated or condoned. The choice of whether to buy or not to buy a U.S. Savings Bond is one that is up to the individual concerned. He has a perfect right to refuse to buy and to offer no reason for that refusal . . . Management personnel, supervisors and campaign workers should be expressly informed of the policies."

According to the Senate's Subcommittee on Constitutional Rights, "The Defense Department informed the Subcommittee on December 23 that it has issued a new directive forbidding coercion in federal campaigns soliciting contributions or bond buying from federal, military and civilian personnel."

The subcommittee also refers to Morris' memo.

Early in December, Morris wrote to Senator Sam J. Ervin, pointing to anti-coercion policy statements in the Civil Service Commission Manual of Fund Raising in Federal Service and a memorandum from the chairman of the Interdepartmental Savings Bond Committee.

Senator Ervin replied: "Unfortunately, the number of executive officers and platoon sergeants who have read this section of the manual apparently is discouragingly small. I respectfully submit that under our system of government, neither the Chairman of the Civil Service Commission nor the Chairman of the Interdepartmental Savings Bond Committee, is responsible for the administration of the Department of Defense or for the implementation of stated policy concerning coercion to make contributions."

[From the St. Petersburg (Fla.) Times, August 1966]

Bury the Skeleton

"It is sad," just as Sen. Sam Ervin said, that legislation should be considered to keep the constitutional rights of U.S. government employes from being trampled asunder by their employer.

But, as Sen. Ervin added, "Such legislation is necessary." And the senator is right.

Witness the recent, clandestine search of the home of a Central Intelligence Agency employe by a couple of CIA sleuths who feigned interest in buying the house.

Examine, if you will, the way lie detector tests are being used to pry into such personal realms as religious beliefs and sexual habits; and the many ways government employes are being pressured and indoctrinated in the management of their off-duty time.

Witness, especially, the apparent increase in these tyrannies in recent years.

To right these wrongs, Sen. Ervin, a Democrat from North Carolina, has introduced a "civil servants' 'Bill of Rights'."

In introducing this bill, Ervin isn't acting as an alarmist. That's not Ervin's way. He and his subcommittee on constitutional rights enjoy one of the finest records of responsibility to be found on Capitol Hill.

The tyrannies he sees invading the privacy and molesting the dignity of our government's employees are all too real.

Sen. Ervin has performed a service to federal employes and all Americans by finally dragging this skeleton from the closet.

Now Congress should bury the skeleton by adopting the legislative solution he's proposed.

[From the Chicago's American, Aug. 13, 1966]

Government and Privacy

Sen. Sam J. Ervin Jr. [D., N.C.] has introduced a bill which would guarantee federal employes their constitutional rights against invasion of privacy and direct and subtle forms of coercion.

The bill would prevent official inquiries into government workers' personal affairs, such as their finances, religious beliefs, racial origins, and attitudes and conduct in sexual affairs. It would also seek to end pressures brought on employes for contributing or participating in activities not connected with their jobs, including politics..

He introduces the bill at a time when Congress is considering establishment of a national data computer center, which would keep central records on all citizens, detailing activities from the cradle to the grave. The center's potential for abuse should be frighteningly apparent. Santa Clara county, Cal., will begin using a comparable computer system next year.

Sen. Ervin's bill is another reminder that our privacy rights are being threatened most by the institution which has taken an oath to uphold them—the government.

[From Chicago's American, Oct. 6, 1966]

A Legal Limit on Nosiness

Federal workers have told the Senate constitutional rights committee that their superiors are increasingly invading their privacy. Two spokesmen for the employes—Vincent L. Connery, president of the National Association of Internal Revenue employes, and Kenneth T. Lyons, president of the National Association of Government Employes—are urging the enactment of a "bill of rights" for employes of the government.

Apparently they need such a law. Connery said it was necessary to put an end to "the ever-increasing administrative invasions of employes' private lives that bear no relation to any legitimate interest in national security or the integrity of the civil servant population. The problem is particularly acute, he said, in the Internal Revenue Service, where compulsion has been used to make employes write answers to questions of race or national background; to buy United States bonds, to contribute to a federal gift fund, and to write reports on how they spend their leisure time.

The IRS has been accused of harrying the general public with telephone taps, eavesdropping devices, and other illegal measures. Zealous bureaucrats who would do that undoubtedly would bear down hard on employes.

The government naturally has the right to protect national security, but to require that employes tell what they do with their money, or to deny them the right to a lawyer when they are on trial for their jobs, is getting frighteningly close to big brotherism.

Congress should set a limit beyond which bureaucratic nosiness cannot go in inquiring into the legitimate business of federal employes and of Americans generally.

[From the Montgomery (Ala.) Advertiser, Aug. 23, 1966]

Privacy for the Federal Employe

North Carolina's Senator Sam J. Ervin Jr. struck a blow for the rights of all men the other day when he introduced a bill to protect federal employes from unwarranted invasions of privacy in the line of duty.

Mr. Ervin said complaints have come to his Senate Constitutional Rights subcommittee that show federal employes' liberties "are being invaded and seriously circumscribed for reasons which have little or nothing to do with their jobs or national security."

His bill would ban such things as personal questionnaires based on race, religion and national origin; unnecessary probing into finances of employes or of their families; meetings to indoctrinate workers about matters unrelated to their jobs, and the like.

As far as the federal employe is concerned, we do not know the full extent of the privacy invasions attested to by Senator Ervin.

But any observant person today cannot fail to be dismayed by the inroads being made into the privacy of all people in all walks of life, including the sporadic evidence of disturbing practices within government. The easy availability and sophistication of electronic spying devices is one of the more spectacular instances of this; but others abound. And when it comes to matters of personal privacy, the government employe at any level is in a particularly sensitive position, subject as he often is to the pressures of politics and to the interests of social snoopers who like having a large captive audience.

To get and hold a job, any person must reveal certain personal information and abide by reasonable regulations. If the national security is involved, many aspects of his behavior and associations are a legitimate area for scrutiny.

But personal dignity and decency require limits to prying and to manipulating of the individual's life. It would set a good precedent for the entire country if the federal government came down strongly on the side of the right to privacy.

[From the Birmingham (Ala.) News, Sept. 6, 1966]

They're Getting Too Personal

(By James J. Kilpatrick)

WASHINGTON.—Now and then, climbing the often cloudy congressional peaks, one develops a sudden watershed feeling. Public opinion that had been running one way almost imperceptibly begins to run another. A divide of some sort has been crossed. Such a watershed point may be approaching in the field of man's relation to his government.

Contrary to certain opinions elsewhere in the world, Americans are not an aggressive or cantankerous people. By and large, they are as submissive as so many sheep. Confronted with official authority, in almost any form, they tell all; they fill in every blank on the form; they are incapable of resistance.

The whole system of income taxation rests upon this aspect of our national character. All that is required is a rule or regulation. Few persons pause to inquire whether it is wise, or necessary, or foolish, or impertinent. Big Brother knows best; and even if he doesn't know best, he is bigger.

Within the government itself, this docility has produced an unthinking acquiescence, until quite recently, to lie detector tests, psychological inventory tests, and other impudent inquiries into the intimate personal lives of federal employees.

It led the nation in 1960 to accept a census form that went far beyond the simple factual enumeration envisioned under the Constitution. About two years ago, the tendency produced the first quiet talk of a "Federal Personal Data Bank."

UNWHOLESOME TREND

This whole trend, to risk a metaphysical phrase, has been part of a growing attitude, at the highest intellectual levels, to treat man not as a child of God, but as a child of the state. In this view, the individual becomes a mere digital entity; he computes to a Social Security number.

He does not dwell in a home, but in a unit of housing. He does not work; he produces units of production. He does not eat or drink; he accounts for units of consumption. The system is faceless, impersonal, anonymous.

And as Vance Packard told a House committee the other day, it is terrifying. Packard was testifying before a commerce subcommittee, headed by Cornelius Gallagher of New Jersey, which is inquiring anxiously into these vague proposals for the Human Data Bank.

The idea is for all the material on a citizen, in all of the government's files, to be stored in the memory banks of a single central computer. Within ten years, it is thought, such dossiers could be made current. Then, through the fantastic processes of instant data retrieval, a simple computer operation could print out the whole of man's life—his birth data, parentage, schooling, marriage, service record, children, income by years, his jobs, his home addresses, his applications for multiple governmental permits.

In fairness to the government's efficiency experts, it should be conceded that such a system certainly would be efficient. And if there were some way to "sanitize" the data, in Gallagher's verb, in order to strip the factual matter of personal identification, perhaps a central data center could be a most useful tool in wise governmental planning.

But neither Packard nor Gallagher is satisfied that such safeguards can be built in. Names do not compute, but Social Security numbers do, and one identifying number is enough.

RAYS OF LIGHT

The encouraging thing is that Gallagher's sub-committee is maintaining a watchful eye on this business in the House. In the Senate, North Carolina's able Sam Ervin has been joined by 33 of his colleagues in sponsoring a bill (S. 3703) to protect the privacy of the government's own employees from unwarranted invasion.

Meanwhile, indications are growing that members of both houses will insist upon a cool and critical look at the information forms proposed by the Bureau of the Census for 1970.

Ervin's bill would prohibit government agencies from prying into an employee's race or religion. It would ban indiscriminate requirements for disclosure of personal finances and property ownership. It would outlaw the use of psychological tests to elicit information about an employee's attitude toward sexual matters. It would put an end to the great Washington shake-down game, by which many employees are coerced into political contributions against their will.

The bill doubtless requires some refinements, in order to permit proper pre-employment investigations in sensitive posts, and it has been introduced too late in this session to have any hope of passage. But its principle is sound.

One hesitates to be too optimistic. The willingness of the ordinary American citizen to strip for examination, at the drop of a brusque command, cannot be overstated. When a pollster calls on the telephone, he answers; when the questionnaire arrives by mail, he fills it out. The late Dr. Kinsey had no trouble finding volunteers to talk about their sex life; his problem was fighting them off.

[From the Richmond (Va.) News-Ledger, Sept. 6, 1966]

BEYOND BIG BROTHER'S EYE

It probably has come too late in this session to have much hope of passage, but a bill just introduced by North Carolina's able Senator Sam Ervin merits the strongest praise. At a time when Big Brother seems to be peering ever more intently into the lives of American citizens, Senator Ervin proposes to mark off a few small areas and declare them out of bounds.

The Senator's object is to protect the personal privacy of the 2,500,000 men and women who work for the Federal government. His bill is a start, at least, toward protecting the privacy of all the rest of us.

In recent years, persons applying for employment in the Federal service have been subjected to an increasing barrage of impertinent forms and questionnaires. These harassments have not been universally applied, it is true, and congressional criticism has caused some of the worst of them to be withdrawn, but the practice continues nonetheless. In many instances, applicants have been compelled to take a "personality inventory test," containing questions of the most personal nature about the applicant's sexual and religious attitudes. In other instances, employees have been required to make disclosures of their personal finances, far beyond any reasonable inquiries into possible conflicts of interest.

In an effort to remedy the situation, Ervin has offered a bill of rights for Federal workers. Thirty-three Senators have joined him, among them Virginia's Senator Byrd. Their measure would write into law nearly a dozen specific prohibitions against invasion of an employee's privacy and personal rights.

The bill would prohibit any requirement that an applicant or employee reveal his national origin, race, or religion; it would prohibit indiscriminate inquiries into personal finances; it would ban psychological and polygraph tests, except where the nature of the position clearly demanded such examinations. The bill would put an end to one of Washington's more outrageous political harassments, by which an employee is virtually compelled to buy savings bonds or to purchase tickets to political fund-raising dinners. Finally, the bill would guarantee certain rights of counsel and confrontation when charges are brought that might lead to dismissal.

Oddly enough, the highly liberal Washington *Post* is opposing the Ervin bill, largely because of a sort of racism in reverse. The *Post* fears that Ervin's measure is no more than a slick piece of Southern shenanigans, designed to reduce the number of Negroes working for the Federal government by prohibiting racial identifications. This is a fantasy that has not impressed such non-Southerners as Fong, Bayh, Hruska, Tydings, Dirksen, Mundt, Muskie, and Saltonstall, all of whom are numbered among the sponsors.

As Senator Ervin himself acknowledged, his bill needs some refinement. The government must retain the power to inquire into the emotional stability of, say, an air traffic controller. Obvious areas of potential conflicts of interest must be left open to inquiry. But in Ervin's view, "these ends can be achieved in a manner consistent with traditional standards of due process, fairness and equity which have always been inherent in our system of government." And once they are achieved for Federal employees, a foundation will have been laid for congressional review of some of the census and tax forms that now demand of a citizen more than he really wants his government to know.

[From the Boston (Mass.) Jewish Advocate, Sept. 8, 1966]

"1984" AT OUR DOORSTEP

What's happening to our privacy?

Under a plan recently proposed by the Federal Budget Bureau, twenty departments and agencies would pool their information via centralized data processing equipment in a National Data Center. Such information could include school grades, military service, personality traits, credit rating, income, employment, race and religion, etc. Hearings on the proposal were recently conducted by a House subcommittee on invasion of privacy at which witnesses termed the proposal a threat to individual liberties and a denial of the possibility of rectifying an early mistake.

The American Civil Liberties Union attacked the Center idea as inimical to the idea of a free society and cited the dangers of irrelevant and prejudicial use of such information, stating that creation of the data center would bring "1984 to our doorstep"—George Orwell's literary treatment of a grim, totalitarian future thus a reality in our time.

Recently a bill of rights for Federal employees was introduced by Senator Sam J. Ervin to protect them against unwarranted invasions of privacy by Government agencies. These invasions, he said, "have little or nothing to do with their jobs or national security." For typical examples he cited psychological tests probing into sexual and religious matters, pressures to make political contributions and to buy Government bonds, questionnaires about race, religion and national origin and limitations on off-duty activities.

At the recent convention of the American Psychological Association, Prof. Alan F. Westin of Columbia University warned that Government and corporations were invading the privacy of job applicants by asking them about their political values, religious beliefs and sex life. He said that psychological testing had fallen into "disrepute and disrepair" as a technique of personnel selection and was increasingly being regarded as merely undue snooping.

At the same time the psychologists themselves were condemning the proliferation of surveys and questionnaires as counterproductive and calling for an end to "survey sickness."

And those who are uneasy about the widespread dissemination of wiretapping and bugging equipment can rest a little easier, now that an "anti-snooper snooper" offered by a new company can provide a monthly debugging service for bug-free offices.

Of course there are those who don't cherish freedom, privacy and intimacy, who answer every question asked from preference in detergents to the most private belief and practice. Is there anything left of the deeply personal when one speculates about the human subjects of the best-selling Masters Report, not to mention the philosophical assumptions underlying its research goals?

It took a political scientist, Prof. Westin, to remind the psychologists that privacy was important for "personal autonomy, emotional release, self-evaluation and mental sanity."

Can we keep 1984 from the doorstep?

[From the New York World Journal Tribune, Sept. 26, 1966]

DISTURBED ABOUT SEX?

Producing a new batch of questions sprung on Peace Corps applicants, Sen. Sam J. Ervin aptly demonstrated why his subcommittee on constitutional rights was opening hearings on legislation to protect federal employees against invasion of privacy and other harassment.

Sen. Ervin, a North Carolina Democrat and principal sponsor of the legislation, noted as a for-instance that the Peace Corps had promised to drop offensive questions from its personality examinations. Yet here, he said, was a revised test that was as bad as the first one.

Among the yes-or-no questions cited by the Senator were several about sex, including this gem: "I am worried about sex matters." And this one: "I wish I were not bothered by thoughts about sex." And: "my sex life is satisfactory."

Apart from the nosiness aspect, it is putting quite a tax on any applicant to demand an unqualified yes or no to questions like that. Further, you get to wondering what the desired, or suitable, response is—in the minds of the inquisitors who dreamed up the quiz and will evaluate the answers.

Let's take that one about "I wish I were not bothered by thoughts about sex" and you be the jury. Does a "yes" answer peg the applicant as virtuous, normal or queer? Does a "no" answer mark him as oversexed, normal or depraved?

Note also the classic "wife-beating" hook in the question. Regardless of his answer, the applicant admits being bothered by thoughts about sex. He is left merely to say whether he wishes he weren't.

The Peace Corps quiz, dizzy as it is, is only one exhibit. John F. Griner, head of the American Federation of Government Employees, says workers in virtually every government department and agency have complained of "invasion of privacy and individual harassment."

Sen. Ervin's subcommittee has taken on an important assignment. Big Brother is moving in sooner than George ever imagined.

[From the Charleston (S.C.) Evening Post, Oct. 7, 1966]

CIVIL (RIGHTS) SERVANTS

It seemed odd to Sen. Sam J. Ervin Jr. that the Treasury Department, in a manual on nondiscrimination, should propose that government employes lobby in their communities for open-housing laws. Congress this session had ample opportunity to accomplish the same thing by federal statute. Yet the 1966 Civil Rights Bill, chiefly because of its open-housing section, was defeated in the Senate.

The Treasury Department's astounding "suggestion" drew Senator Ervin's attention when he received in the mail a complaint from a civil servant. The worker spoke of a department integration manual. He advised the senator that the manual's provisions were already in effect, though the Treasury said they were yet to be approved.

Justly outraged, the informant told Senator Ervin of attending a Treasury meeting at which the issue of discrimination was discussed. An "equal employment officer" warned government workers that refusal to cooperate might get them blacklisted—or, as the official politely put it, they might find their efficiency marks lowered for "undesirable work attitudes."

To avoid such unhappiness, government employes were assured, it was only necessary to abide by the mixing manual. "Treasury managers," the guidebook says, should be alert "to opportunities for working with, or in support of, private groups such as the National Association for the Advancement of Colored People, the Urban League, local human relations commissions and plans for progress." The message is clear. Those workers who join CORE, Snick or the NAACP will get promoted.

It is the others about whom Senator Ervin is concerned. It ought to be possible, he thinks, to do satisfactory work for the Treasury Department in only eight hours a day, without the necessity of ringing doorbells at night in behalf of Dr. Martin Luther King. He makes a good deal of sense, the senator.

One day this week, John W. Macy was called upon to testify before Senator Ervin's subcommittee. Mr. Macy is chairman of the Civil Service Commission. It is his job to protect government employes from this kind of off-hours badgering. But Mr. Macy was only half listening. He was sure there were "two sides" and that everything would be straightened out.

As remote as his chances of success would seem, Mr. Macy should surely be given every encouragement to ferret out the other side. Perhaps he will discover that the administration has been keeping things from him. It would be nice to know if the Treasury has discovered among the archives a legitimate excuse for its towering impudence. For if it has, the justification could quickly be abolished.

But one rather suspects that no such remedy is required, that existing regulations will suffice. It is not difficult to imagine what would happen should some nervy bureaucrat demand that his subordinates solicit support for, say, the Ku Klux Klan. The gentleman would quickly find himself where he would quite properly belong: out on the street, soliciting a job.

[From the Burbank (Calif.) Review, Oct. 7, 1966]

Government Snooper Tests

The chairman of a Senate subcommittee on constitutional rights was justifiably indignant about some of the government administered tests that invade privacy.

Sen. Sam J. Ervin, Democrat, of North Carolina, was especially concerned, as all Americans should be, about the so-called psychological tests given many government employes. Some of the questions were personally offensive and of no value to anyone unless, perhaps, to the perennial gossips.

The disgusting practice of prying in the pretense of testing has been expanded out of all proportion to realistic needs. Purposeful examination by psychiatrists on a doctor-patient basis is one thing; indiscriminate use of pseudo-psychological questioning on mass scale is something else.

Unless confined, such procedures by government could become Big Brother style control through snooping.

[From the Roanoke (Va.) Times, Oct. 6, 1966]

Bill of Rights for Federal Workers

An anomaly in an administration that professes so much concern for civil rights is its indifference toward the constitutional rights of employees on the government's payroll. Complaints about harassment of federal workers have increased to the point that a bill has been introduced by Senator Ervin of North Carolina to protect employees from invasion of privacy and other bureaucratic trespasses upon their rights.

Thirty-four senators have signed as co-sponsors of the Ervin bill on which a subcommittee has been holding hearings. The panel has compiled a volume of testimony about probing questionnaires, psychological tests, arm-twisting to force employees to buy government bonds, contribute to charity fund drives, and support political objectives of the administration. Witnesses have told of Post Office "peepholes" for surveillance of mail clerks and of threats of being fired if employees failed to contribute in meeting bond-sale quotas.

Individuals do not sign away their right to protection of fundamental privileges as citizens when they enter government service. It is apparent, however, that it is not an uncommon failure in the federal bureaucracy to draw a proper distinction between the interests of the government as employer and the citizenship rights of its employees. Pressure with its accompaniment of intimidation is tyrannical denial of constitutional protection.

The Ervin bill provides criminal penalties for government officials who violate its prohibitions against pressure tactics. A certain amount of employee scrutiny is legitimate and in the public interest. But too many agencies throughout government fail to draw the line at the place where public interest ends and purely private interest begins. The bill is timely legislation recognizing that the federal employee is entitled to the same dignity accorded any other worker.

[From the Knoxville (Tenn.) Journal, Oct. 10, 1966]

Protection of Privacy

An expressive phrase was used the other day at the Senate constitutional rights subcommittee hearings on the federal government's invasion of the privacy of those who work for it. Vincent L. Connery, president of the National Association of Internal Revenue Employes, said of the proposed "bill of rights" for such people that it would build "a foundation of fair play beneath the federal employe."

The desirability of this is not open to question. The only legitimate question is whether the measure introduced by Sen. Sam Ervin Jr *(D-NC)* would do what it is intended to do. There is reason to think that it would.

The need for such legislation has been clear for some time. The need has been underscored by growing unrest among federal employes, many of whom feel that the government has gone well beyond proper limits in inquiring into their personal lives. A certain amount of such inquiry is justified by security considerations; there is no doubt of that. But much of the government prying has nothing to do with security.

In his testimony, Connery further said that "the central thrust of this bill is to eliminate the ever-increasing administration invasions of employe privacy—invasions of our private lives that bear no rational relation to any legitimate interest in national security or the integrity of the civil servant population." That cogently sums up the rationale of the Ervin bill.

[From the Tucson (Ariz.) Southwestern Labor Record, Oct. 13, 1966]

How Many Ethnic Divisions?

Sen. Sam J. Ervin is a Southerner and segregationist. However, he is finding it harder and harder to distinguish ethnic divisions among Americans. He finds that White and Negro classifications can be somewhat confusing, as are "American Indian," "Oriental," "Spanish-American," and others.

An employe of the Senator's office came up with the following comment:

Would American Indian include the children of say, for example, Spanish-speaking Indian immigrants from Oaxaca, Mexico, or from La Paz, Bolivia?

If a Negro marries a Caucasian, Indian or an Oriental, what are their children to be classified?

Are Filipinos to be classified as Orientals?

By Spanish-American would you mean the children of immigrants from Spain? Or would you include those from Hispanic America? What if only one of the parents is of Spanish ancestry?

These were all questions debated and discussed in my Government office. The fact is that the majority of immigrants from a country like Mexico would be technically classified as Mestizos; the rest divided between pure Indians and Caucasians. There is no such thing as a "light-skinned Negro" in Brazil. If he is the offspring of a Negro and a Caucasian, he is a Mulatto; of a Negro and an Indian, a Cabocio. These are considered "third" races. In classification, some Filipinos brought up the problem of their mixed background and said they did not consider themselves "Orientals." The son of Spaniards explained that he would fall under the "Spanish-American" category, while the daughter of Mexican immigrants considered herself a "Mexican-American."

[From the Boston (Mass.) Morning Globe, Oct. 19, 1966]

Getting Pretty Personal

No rabble-rousing windbag is Sen. Sam J. Ervin Jr. (D-N.C.), but a widely respected lawmaker with considerable background in constitutional law. When he says a practice of the National Security Agency is intolerable, his words carry weight.

The practice in question consists of strapping a prospective employee to a lie detector and subjecting him to salacious questioning about his premarital relations. According to the senator, the Federal Bureau of Investigation does not use personality tests or polygraphs on applicants, and the other agency ought to be able to determine without them whether a person is a security risk.

Congress is too close to adjournment to act now on Sen. Ervin's bill to protect the privacy and constitutional rights of Federal employees. But the next Congress ought to give it early and favorable consideration.

[From the Indianapolis (Ind.) News, Oct. 26, 1966]

Danger Signs

Sen. Sam J. Ervin, D-N.C., is waging a fight for private liberty that deserves the support of all Americans of both political parties.

Ervin's concern focuses on efforts by the national bureaucracy in Washington to subject government employes to an undignified and unnecessary inquisition concerning the details of their private lives. It is a trend which has been popping up all over the country, and one that should be stopped.

John F. Griner, president of the American Federation of Government Employes, says: "Numerous instances of invasion of personal privacy and individual harassment have been brought to the attention of our national office. Some are shocking in their implications. There have been many complaints of insistence by administrative officials on completion of questionnaires providing indiscriminate disclosure of personal finances of employes and members of their families . . ."

Also popping up, Griner says, are "questions concerning race and national origin, interrogations, examinations, psychological tests to elicit information concerning personal relationships or personal conduct, wholly unreasonable pressure to buy savings bonds, and interrogation without recognition of the right to counsel or to a representative of one's own choosing."

In response to such complaints, the bureaucrats say: "We need more, not less, information from and about government's work force." And certainly the administrators are entitled to enough data to do their job properly. But it is difficult to see how the information sought in these interrogations is of legitimate use in the management of government affairs. The questions smack of big brother more than they do of efficient procedure.

The questions being asked of government employes, and the pressures applied against them in such matters as the savings bond controversy, seem to be part of a general invasion of privacy spreading through American society. Similar questions and worse asked of schoolchildren, bugging techniques, prying by census officials, interference with the mail—these are danger signs for a free society.

Sen. Ervin has introduced a bill in Congress to correct the abuses of privacy being practiced against government employes. Passage of that legislation at the next session of Congress would be a good start toward restoring the elementary rights of privacy in American life.

[From the Minot Daily News, Oct. 27, 1966]

TURNING THE SCREW

Senator Ervin of North Carolina has been gunning for examples for unwarranted pressure on federal employes to buy savings bonds via the payroll deduction system. He has shot down a lulu in the case of Guy Taylor of Oxnard, Calif., a retired Army major who is now a civilian employe of the Army.

Senator Ervin, in reporting to the Senate, said the case was "exceptionally well documented;" there seems little question as to the main points. These are that Taylor was pressured by an infantry colonel to join the payroll deduction savings bond plan, replied that he had bought bonds but did not believe in the payroll deduction plan for himself, and then was subjected to further pressure. This took the form of public humiliation in a general memorandum from the infantry colonel telling about progress in the payroll deduction plan and declaring, "I am sure we will hit 100 per cent when Mr. Guy Taylor decides to get on the savings bond team."

By any fair standard, this is intolerable. Senator Ervin cited the case as an example of how the rights of federal employes are being trampled. There has been enough publicity on the subject to suggest that similar practices may be widespread.

[From the Arkansas (Little Rock, Ark.), Democrat, Jan. 3, 1967]

QUESTIONS THE GOVERNMENT ASKS

Not all snooping in Washington is confined to electronic or "eavesdropping" devices, a congressional subcommittee is learning, as more evidence piles up regarding the government's practice of assembling information on its own employes.

Senators have every right to become concerned over the kind of information that heads of agencies are seeking from their subordinates by means of detailed forms and questionnaires.

What is needed is an explanation why the government is inquiring into a worker's relationship with his family, his personal life, his creditors, financial interests, race, religion and national origin.

Questionnaires have even been used to get information from a federal worker on how much he gives to charity, if he is investing part of his salary in government bonds, if he is taking part in community affairs, and if he is supporting social and economic policies and legislation backed by the administration.

These seem to be matters of privacy and irrelevancy that go far beyond what the government needs to know about those working for it.

Little wonder that a number of professional employes have expressed resentment for being forced to disclose information about creditors and financial matters concerning themselves and their families.

If members of the Senate Constitutional Rights Subcommittee continue to pursue this matter with diligence it may get some needed answers. If no real reason for prying and harassing employes is advanced, then the present activities of the questioners should be halted.

[From the Passaic (N.J.) Herald News]

THAT SAVINGS BOND PITCH

A sales message presented by Uncle Sam on the radio tells about an individual soldier, mentioned by name, rank and home town, who is serving in Vietnam. It concludes with the statement that he is buying U.S. savings bonds "where he works. Are you?"

This brings up the unpleasant subject of the pressure being put on federal government employes, including men in the armed forces, to buy U.S. savings bonds. In Vietnam, for example, we are informed by Overseas Weekly that one Marine general sent his U.S. savings bond salesmen to interview Marines "in fighting holes" and to keep track of patrols "so that every individual has an opportunity to hear how he could invest his money."

The Wall Street Journal says that employes of the National Science Foundation have been told to be "prudent and intelligent" and to sign up for the bonds. For the hesitant, the notice asks: "Or are you a rebel without a cause who wants a little attention?"

This is the sort of thing that prompted U.S. Sen. Ervin of North Carolina to comment:

"The truth is that 'voluntary' savings bond programs conducted by the Defense Department and other agencies are as voluntary as the tides of the seas to commands of the moon, or—in language better understood by the military—as voluntary as the response expected to the 'greetings' from the Army to draftees."

The citizen in private employment should not take the attitude that the fellow on the federal payroll will have to fight his own battles. If the government gets away with putting the screws on everyone on its payroll, including Marines in Vietnam foxholes, it could be encouraged to extend its pressures outside government should the need to sell savings bonds become desperate.

[From the Oakland (Calif.) Tribune, Jan. 10, 1967]

INTOLERABLE SITUATION

Sen. Sam J. Ervin Jr., D-N.C., chairman of the Senate constitutional rights subcommittee, should be encouraged to continue his efforts to protect servicemen and government employes from being coerced into buying U.S. savings bonds and making charitable contributions.

According to Senator Ervin, the subcommittee's files are bulging with complaints from servicemen and federal employes that they are being pressured into purchasing bonds and contributing to charities. He revealed that letters from servicemen tell of their being denied promotion and of even being threatened with shipment to Vietnam if they fail to buy bonds.

Official denials have been made, but the senator makes a strong case with the evidence his committee has gathered.

Senator Ervin should conduct a full investigation into the matter and make the results public.

[From the Louisville (Ky.) Times, Sept. 2, 1966]

FEAR ON THE JOB: FEDERAL WORKERS CHARGE "BIG BROTHER" NOSINESS AND COERCION

(By James K. Batten)

WASHINGTON.—Last summer an 18-year-old coed from a small college in Virginia applied to the State Department for a job. She thought it would be a pleasant way to spend her vacation.

But because the job required a security clearance, the girl was summoned to an interview with a security investigator. When the interrogator began to probe her relations with her boyfriend, the girl was stunned by questions like these:

"Did he abuse you?" "Did he do anything unnatural with you?" "You didn't get pregnant, did you?"

Bewildered, the girl decided she had no interest in working for the federal government.

In another federal agency recently, a woman worker with two children declined to participate in the President's campaign to have civil servants invest in U.S. Savings Bonds. She felt she could not afford them.

When it developed that she was the only holdout keeping the agency from "hitting 100 per cent," the woman was called into a staff meeting and bawled out in front of her fellow workers.

At the Defense Department, a bright young woman entered the federal service under the "management intern" program, designed to attract unusually capable young people to government service and to prepare them for positions of responsibility.

As part of her job, this young woman invited a senator to address a group of interns at one of their regular, on-duty seminars.

But when the young woman's supervisor, making about $17,500 a year, intercepted the senator's routine letter of acceptance, he threw a "terrible tantrum."

Rank-and-file federal employes are not authorized to contact members of Congress, he told the nonplussed young woman. "I suggest you better not have any more letters coming here from the Hill." (In Washington jargon, "the Hill" refers to Capitol Hill, the home of Congress.)

Incidents like these, documented by the Senate subcommittee on constitutional rights, are cited by some members of Congress as symptomatic of a growing sickness in the federal establishment.

"I believe," said the subcommittee chairman, Sen. Sam J. Ervin Jr., D-N.C., "there is now being created in the federal service a climate of fear, apprehension and coercion which is detrimental to the health of the service and is corroding the rights of federal employes."

Ervin said hearings are planned for early fall on his "bill of rights for federal employes" to ban many of the disputed practices.

No one can really be sure how pervasive the problem is. Spokesmen for federal employe unions are egging Ervin on, declaring that unwarranted invasions of employes' privacy are increasing.

The constitutional rights subcommittee's files are bulging with complaints. Each reported grievance, explained one staff member, probably represents hundreds of unreported grievances.

"They're so afraid of losing their jobs or getting reprimanded," the staff member said. "This whole atmosphere of fear keeps them from communicating with Congress."

On the other hand, at the Civil Service Commission, the federal government's personnel agency, there is a tendency to suspect the case is being overstated. Employee complaints to the commission have been scarce. But the commission staff plans to recheck Ervin's allegations.

SOME MAY NOT REFLECT POLICY

In some instances, the problems seem to arise from poor judgment or overzealousness by agency supervisors, rather than from official policy.

This is particularly true of "voluntary" solicitation campaigns within government agencies. One employee in a federal field office wrote to complain about the drive for funds to help build the John F. Kennedy Memorial Library at Harvard.

"The Kennedy Library drive was a real arm-twister," the employe said. "One hundred per cent participation was required, with names sent—or threatened to be sent—to Washington."

When President Johnson began his now-famous Savings Bond drive, he kept tabs on the agencies with large charts. The heat was felt all the way down to the lowest bureaucrat.

"I was reminded that I had a promotion coming up," confided one Defense Department employe. "My supervisor told me, 'The people in the front office remember things like this.' "

But many times, employe complaints of a "big brother" atmosphere stem from official policies and programs.

One of Ervin's favorite targets is a White House-ordered campaign to minimize the dangers of conflicts of interest in the federal service by making selected officials disclose their financial situation in supposedly confidential questionnaires.

Although it originally was expected that disclosure would be limited to a few thousand top policy makers, an Ervin survey so far has turned up nearly 50,000 employes who are required to divulge their financial status. Many large agencies are still to be heard from.

Among those being forced to bare their financial souls are $100-a-week clerks at the Smithsonian Institution and interior decorators at the State Department.

Ervin argues that while concern for complete honesty is laudable, forced financial disclosure by other than top policy officials is an insult to rank-and-file employes and an unwarranted invasion of privacy.

Another of Ervin's major concerns is the use of lie detectors and psychological tests in employment and promotion of federal employes. The Civil Service Commission contends that earlier abuses have been eliminated and that such practices are now under tight control. Ervin and others disagree.

One woman employe at the Defense Department, already cleared to handle military secrets, decided to pass up a promotion to a different office because she would be required to take a lie-detector test.

The woman was reluctant, she said, because the polygraph (lie detector) operators were notorious for gossiping about their subjects' reaction to intimate questions on sexual matters.

Sometimes agency policies that make sense in theory produce bizarre results when enforced to the hilt.

At the Small Business Administration, employees are instructed never to do business with companies that have received or are seeking SBA loans.

That policy resulted in a reprimand for SBA employes who often ate their lunchroom hamburgers at a small restaurant which had an SBA loan.

HAS GOVERNMENT SNOOPING GONE TOO FAR?

(By Jack Anderson)

"1984," Washington, D.C., George Orwell's book describing an advanced police state whose citizens can't make a move without Big Brother knowing all about it, may be closer than you think. In 1966, our federal uncle already is developing a Big Brother complex. He may not be watching you at the moment, but, if you should stir his suspicions, he can activate an infinite variety of eyes and ears—electronic, mechanical and human.

There's a prevailing attitude that government snooping is a matter for TV spy spoofs or cocktail party jokes about bugged martini olives. But the laugh may be on you. Real life James Bonds can instantly tune in on you with devices from a catalog that includes: wire taps which not only can pick up your phone conversations but can also listen in on everything said in your house, electronic or radio wave bugs smaller than a matchbook, two-way peekaboo mirrors, automatic movie cameras that snap periodic pictures from an undetectable spot, say in you bedroom alarm clock, and "sniperscopes," borrowed from the Army and capable of scanning your house perfectly from 100 yards in pitch blackness.

The government also uses less sensational but equally offensive prying techniques such as mail covers, trash inspections and credit checks. Most government agencies traffic in information about the sexual habits, financial affairs, personal friendships, political and religious beliefs of their employees. Some agencies have required job applicants to take lie detector tests and submit to psychological examinations that probe into their sex and family life.

In the not-too-distant future, both the spying devices and intrusive interrogations may come together in eternal union. That day, which could extinguish forever the right of privacy, may come if the government approves existing private studies for a national data center. The idea, still somewhat vague, is to set up a computerized master file on all Americans. All-knowing, never-forgetting I.B.M. machines, crammed with all the information ever divulged by or pried from private citizens, could produce at the press of a button a person's life record from cradle to grave.

The well-meaning advocates claim the center could provide the government with speedy and accurate information needed to solve national problems. They say the data would be used for statistical reference only, not personal prying. Yet the very existence of such a computer file would tempt fact-finders to introduce ever more revealing questionnaires. Dr. Edgar S. Dunn, Jr., Harvard-educated economist who sketched out the data center plan, acknowledges: "It is conceivable for any kind of information about anybody or anything to be programmed into any kind of a system."

Comments Rep. Cornelius Gallagher (D., N.J.), who is conducting an investigation into the invasion of privacy: "It is certainly conceivable that a potential Big Brother might make excellent use of a big button on a dossier bank for his own purposes and for the sake of increasing his own power."

Already the government has accumulated a frightening file on its citizens. The Defense Department alone has collected 14 million life histories in the course of its security investigations. These are loaded with derogatory comments—true statements, deliberate lies, idle gossip—whispered into the ears of eager gumshoes. The Civil Service Commission keeps in its secret files another 8 million dossiers on people who have applied for federal jobs. These files hold the darkest secrets of many persons who at some time in his past may have committed improper or questionable acts.

Even the Federal Housing Administration receives confidential reports on such matters as the marital stability of prospective home buyers. The purpose is to spot couples who are likely to get divorced and may no longer keep up their house payments. For reasons that have never been explained, the State Department's passport office keeps a special record of passport applicants who have been married more than twice. The General Services Administration maintains a blacklist of businessmen who are considered poor business risks.

Of course, the FBI is constantly checking into the backgrounds of people for one purpose or another. It has on file an astounding 175 million sets of fingerprints, not to mention dossiers on tens of thousands of suspected Communists, crooks and security risks. It is no secret that the FBI also keeps files on controversial figures suspected of nothing more incriminating than speaking their mind. The FBI also conducts extracurricular private investigations for top officials. President Johnson, for instance, was able to get an FBI report on the sexual indiscretions of a senator.

The dirt that government gumshoes pick up on people is swept into dossiers which are freely exchanged between federal offices. When the State Department is asked to watch the movements of an overseas traveler, for instance, the raw charges against him are distributed to at least four offices. The traffic in unproved allegations is so promiscuous that a postal inspector told Parade he had quit his job in disgust. Not only are these dossiers widely circulated, but most of them carry a low-security classification. This gives an alarming number of government employees access to derogatory information about their fellow citizens. If the subject happens to be a prominent person, the gossip from his file travels quickly in titillating whispers.

Private employers seem to have no trouble getting hold of government security reports. For $1.50 (to cover the handling charges), mortgage lenders can obtain confidential F.H.A. reports on applicants for housing loans. Information from the files of the House Un-American Activities Committee, most of it unverified and unreliable, is shipped all over Washington. Even individual tax returns, thought to be inviolate, are often made available to investigators for frivolous reasons. With minimum ceremony, snoopers from a long list of federal, state and local agencies can pry into almost anyone's financial secrets at the nearest Internal Revenue office.

Practically any agency can also ask the Post Office for a mail check to find out who's writing to whom. Patent adviser H. Lawrence Blasius, whose registration was revoked when he ignored new regulations against advertising, recently laid before a Senate subcommittee evidence that his mail had been intercepted—and even answered—by the U.S. Patent Office. A Michigan man who mailed Blasius a retainer got his check back and this terse reply, not from Blasius, but from the Patent Office: "You would be well-advised to obtain a registered patent attorney or agent."

The government's keyhole practices, the availability of space-age snooping devices and the glorification of the gumshoe has created a pressing need for clear and enforceable laws on how far federal agents should be permitted to carry their investigations and how much personal privacy should be surrendered for the sake of police efficiency.

Take the case of Bernard McGarry, a Boston liquor dealer, whose sort of business seems to intrigue tax agents. There was no evidence, mind you, that he was a tax evader or any other kind of criminal. Nor was he convicted of anything as a result of investigation. Yet the Internal Revenue Service blatantly invaded his privacy, harassed both his attorney and accountant, broke into his house, stole his records, evaded a court order to return them and threw just about every snooping device in the catalog at McGarry.

The T-Men established a "confidential relationship" with his neighbor and set up an "observation post in a barn less than 100 yards from his Milton, Mass., home. Some agents watched the house at night through the sniperscope, waiting for a chance to break in. They copied down the license numbers of cars driven by all visitors to his home and investigated them, too, although they may have had only passing associations with a man who himself was guilty of no crime. The agents maintained radio contact with unmarked cars, covering the other side of McGarry's property, the side that couldn't be seen from the observation post.

They tapped his telephone, of course, and traced his mail. One agent was dispatched to Philadelphia to probe the finances of a college-student son to whom McGarry had written. They also pulled the tax returns of McGarry's attorney for six straight years, though he admittedly was not suspected of evasion.

The climax of the case came, according to one of the agents involved, when all checkpoints reported the McGarry house empty. An agent, directed by walkie-talkie, advanced through an open back door. The T-Men had expected to find a cache of money in the basement because a stolen floor plan seemed to show a vault. But the "vault" turned out to be an unlocked cedar closet, stuffed with clothes. The disappointed housebreaker, loathe to draw a total blank, jotted down the company labels on a sports jacket and a fur coat, then called upon the New York City clothing stores that had sold them.

Is the McGarry case far removed from the average citizen? Not at all. "Easy, cheap electronic espionage has changed everything," says a Washington specialist. "In and out of the government, it's an everyday matter affecting you and me and Harry Smith at his corner newsstand."

Federal enforcement agencies keep lists of likely criminals who get the full bugging-tailing treatment. Ex-FBI agent William W. Turner, writing in a magazine about his role in Los Angeles, confessed: "I found that agents had installed wiretaps and electronic bugs on hoodlums and foraged through their refuse for clues."

But secondary lists of people associated with those on the prime lists are also compiled. Indeed, there are even lists of those who are further removed, but these lists, like the others, are distributed to investigators around the country, too. Internal Revenue agents trace every canceled check or credit transaction, for example, of most people on the lists. All the information that is picked up is cross-indexed, computerized and coordinated.

The ease of eavesdropping seems to foster an indifference to privacy. One tax agent dropped by to audit the books of a businessman out West. "Make yourself at home," the businessman said. He hardly intended, however, that the agent should read his mail, verifax a letter from a lady friend on his own office machine and take it to his wife, seeking her cooperation on "getting something" on her hospitable husband.

Not even garbage is safe from snoopers. A Washington woman, glancing out of her window, happened to notice that her garbage was segregated and hauled away in a burlap bag. After it happened twice, she made inquiries that led to an investigation. It turned out that Washington garbage collectors had a list of some 50 customers whose garbage was set aside and delivered in burlap bags to a special room in the incinerator building. Here unidentified men would come in the night to spirit away the bags for scrutiny. Among the victims were people who had testified before the House Un-American Activities Committee. How widespread the garbage game is, however, nobody knows.

Wiretapping already is a federal crime if the conversation overheard is divulged "to any person." The Attorney General has chosen to interpret "any person" as anyone outside the Justice Department. On this flimsy pretext, he has authorized J. Edgar Hoover to use his own judgment in placing wiretaps in the national interest. The eminent FBI chief, it can be said, has taken full advantage of this loose authority.

Other agencies have engaged in electronic snooping with no authority whatsoever. Government gumshoes conceal recorders in ordinary briefcases or—more in fashion with today's spy movies—in "minifons" tucked under the arm. Tie-clip devices are a little dated but still in use. A Coast Guard conference room had wall sockets that were really microphones. Indeed, Sen. Edward Long (D., Mo.) reports: "I was shocked to discover that we were even giving bugging and wiretapping devices to foreign countries as part of foreign aid, then sending experts to teach them how to use the devices. In one instance, we sent more than $30,000 worth of equipment."

The government has set the style for private investigators who have invaded business offices and private homes alike.

A Washintgon outfit, International Security Services, Inc., has found the bug traffic so great that it has started a strictly defensive business. A sales letter offers: "We will electronically 'sweep' your offices and check your telephones to assure your privacy and to discover any attempts at penetration and will personaly consult with you on any special security problems you may have. This preventive program will provide you with the most modern defensive measures, techniques and equipment for the preservation of your privacy and security."

A government investigator told Parade frankly that modern science has made snooping "the fastest growing but dirtiest, small business in the world."

Can the snoopers be stopped? Congressional champions of privacy are not optimistic. They have repeatedly confronted investigative agencies with evidence of illegal snooping, but the agencies usually deny it, always get away with it and don't seem to care about the legal questions. Since the wiretaps are intended to pick up leads rather than evidence, they don't care whether the information is legally admissible in court.

Indignant congressmen have pressured the Defense Department into giving fewer lie detector tests, but many are still given. They have convinced other agencies to make the intrusive psychological tests voluntarily, but they are still widespread. The Post Office claims it has stopped peering through peepholes at its employees, but it still runs thousands of mail covers annually.

The federal government's 2.6 million employees, in particular, feel the presence of Big Brother. They have a champion in Sen. Sam Ervin (D., N.C.) who declares: "Psychological testing, psychiatric interviews, race questionnaires, lie detectors, loyalty oaths, probing personal forms and background investigations, restrictions on communicating with Congress, pressure to support political parties financially, yet restrictions on all other political activity, coercion to buy savings bonds, extensive limitations on outside activities, rules for speaking and writing and even thinking, forms for revealing personal data about finances, creditors, property and other interests—all of these increasingly shrink the realm of personal liberty and violate individual privacy."

The 18-year-old daughter of an Army colonel applied for a summer job with the State Department. She had interim secret clearance because she had worked for the department the previous summer. Nevertheless, she was subjected to a four hour grilling. The personal probe got around to the subject of a boy she had dated. Then her interrogators fired these questions at her: "Did he abuse you? Did he do anything unnatural with you? There's kissing, petting and intercourse, and after that did he force you to do anything to him, or did he do anything to you?" A top official later said the cross-examination was a "uniform policy."

A 28-year-old State Department secretary who spoke four languages and had an outstanding record decided she wanted to transfer from South America to Europe. Because she had been living in a city high in the mountains and the air was heavy with pollen, she complained of a mild asthmatic reaction. State Department personnel officers decided she should take psychological tests before going to Europe. She refused to answer questions about her religious, family and sex life. Result: Her transfer was held up, and she indignantly resigned. A high official who read her file and recognized her value to the government finally persuaded her to take the European post—no more questions asked. Here are some typical true-false questions she refused to answer:

"I am very seldom troubled by constipation."

"Evil spirits possess me at times."

"I have never been in trouble because of my sex behavior."

"Everything is turning out just like the prophets of the Bible said it would."

"I have had no difficulty in starting or holding my bowel movement."

"I have never indulged in any unusual sex practices."

"There is very little love and companionship in my family, as compared to other homes."

Hundreds of wide-ranging complaints pour into Ervin's office everyday. Many denounce a new "minority group status questionnaire," which asks employees to check whether they are American, Indian, Negro, Oriental, Spanish American or "none of these." The form is called voluntary, but angry followups have hounded those who chose not to fill it out.

One veteran civil servant, angry about a financial-disclosure form, summed up the feelings of those who believe tough new laws are needed to protect individual rights. He complained that the government seemed all too eager for "information that can be of no practical value to anyone except some bureaucrat determined to establish a Big Brother complex. In many seemingly innocuous but prying little ways, the government is compiling data on each one of us which can lead to a highly regimented society reminiscent of Stalin's Russia, Hitler's Germany, Mussolini's Italy, to name a few."

[From the Atlanta (Ga.) Journal, Oct. 6, 1966]

CIVIL SERVICE RACIAL RULES DRAW SENATOR ERVIN'S FIRE

(By Jerry Kluttz)

WASHINGTON, Oct. 6.—A verbal sparring match over Negro job policies in federal agencies was held before the Senate constitutional rights subcommittee.

The combatants were Sen. Sam J. Ervin (D-N.C.), chairman of the subcommittee and a leading congressional opponent of civil rights legislation, and Chairman John W. Macy of the Civil Service Commission (CSC), an aggressive champion of the President's Equal Employment Opportunity Program.

Ervin said he believes federal policies would lead to preferential treatment for Negroes, and he repeatedly suggested that federal agencies would be told to hire quotas of Negroes and other minority groups.

The CSC Chairman vigorously countered that CSC's policies were designed to give all segments of the population an equal opportunity for federal jobs. He explained that many Negroes wouldn't even take tests because they regarded CSC as a "white institution."

Macy tried to bury Ervin's suggestion that agencies either have or would hire quotas of Negroes which, incidentally, has been rumored in numerous agencies. He told Ervin, the only subcommittee member present, that the quota story was untrue and "unthinkable" and that it was brought up by those who wished to see the equal employment program fail.

But the senator constantly had Macy on the defensive by citing agency directives which frequently went beyond CSC's policies.

Macy argued that the completion of agency questionnaires by employes on their race designations were "voluntary." He also said that the employes who completed them weren't identified.

Ervin, however, read Macy directives from both State and Agriculture that listed employes who hadn't completed the questionnaires and stated that it was "essential" for them to do so. Macy agreed that this wasn't exactly the voluntary system he had in mind.

Under questioning, the civil service leader admitted that the race-designation program had to be abandoned in Hawaii because of the mixture of races there, and that some employes might have given misinformation on the questionnaires. Ervin said a number of State Department employes had identified themselves as "Indian" on them.

The senator protested that federal employes were being "brainwashed" to work for open housing and other controversial civil rights objectives under another policy.

Macy denied that any "brainwashing" was involved, but he explained that CSC was encouraging federal managers to engage themselves in community improvement activities to provide better schools and housing for the disadvantaged and other desirable projects.

He gave general approval to a Treasury directive which encouraged its managers to work with the NAACP, Urban League and local human relations groups on worthy objectives.

Ervin commented that if the government could tell its employes how to engage in civic duties and a different political administration could order them to work with the KKK and the John Birch Society. Macy doubted if their goals would be consistent with the government's equal employment program.

The CSC chairman also contended that the community action program was voluntary, and no employe was required to do it. But Ervin cited a directive issued by the Federal Maritime Commission (FMC) which ordered employes to report their outside activities. Macy said the directive went beyond the CSC policy and he promised to check on it.

The hearing was on Ervin's bill, cosponsored by 34 other senators, to protect federal employes from invasions of their privacy. Macy flatly opposed the legislation. He said it would tie the hands of federal managers. Under it, he declared, agencies couldn't ask an employe where he was born.

Ervin scoffed at Macy's arguments and accused him of "conjuring up non-existent legal ghosts." However, he agreed to consider any proposals CSC cared to suggest to improve his measure.

[From the Wall Street Journal, Dec. 12, 1966]

Buy Bonds—or Else: Government Workers Tell of Strong-Arming—Military People, Others Also "Persuaded" To Aid Charity; Congress May Ban Practice

(By Jerry Landauer)

Washington—Commander E. H. Whittlesey is a quick-witted Naval officer who takes pride in his ability to strike two objectives in one mission. So, confronted by subordinates at the basic aviation officers school, Pensacola, Fla., who are too fat and by others who would rather not contribute part of their pay to charity, he devised a plan to reach both groups simultaneously.

"Weight control is a continuing concern of this command," he barked in an official directive recently. "In conjunction with the existing weight control program and the annual combined Federal campaign drive, all hands will be weighed . . . figure your donation on your present weight, then start your reducing program to save money."

A "fair share" schedule accompanied the directive. It starts at a penny a pound for seamen recruits and in the noncommissioned ranks ranges up to 7 cents for chief petty officers. Among commissioned officers, ensigns give at least 8 cents a pound, lieutenants junior grade 9 cents a pound and so on up to 12 cents for commanders. Possibly because he is a man of discretion, Commander Whittlesey didn't suggest how much each pound of captain or admiral is worth.

The directive didn't so specify, but a Navy spokesman hastens to add that the contributions (99% of the men signed up) are strictly voluntary. "This is a better way than just telling 'em how much to give, don't you think?" he asks.

CIVILIANS, TOO

Perhaps so. But extracting charitable contributions seems to have become standard procedure at a number of military bases and in a variety of Federal civilian agencies, particularly in advance of the Christmas season.

Many of those feeling the pressure don't like it a bit and are writing Congress to say so. Complains a postal worker here in Washington: "Our supervisor stood at the time clock with blanks for United Givers Fund and refused to let us leave until we signed up." The wife of a Marine at Camp Lejeune, N.C., reports her husband's outfit was told there would be no liberty for any leatherneck failing to donate a set minimum to the United Fund.

Soldiers, civilian employes and, on occasion, workers at plants run by Government contractors eager to please Washington, get hit even harder by drives to buy U.S. savings bonds. Reminders that President Johnson believes massive bond buying may help avoid the need for a tax increase are often less than gentle.

"At this base the policy is 'buy bonds or bye-bye.'" relates one woman worker at a Southwest military base. A trooper with the First Armored Division at Fort Hood, Texas, says that "During training I was told that if I couldn't afford a bond I was too poor for a pass to go to town." In Oklahoma City, one recalcitrant Federal employe was called in for a talk with three superiors: "After I had a change of heart my job was much more secure," he believes. A computer analyst at the Treasury Department observes similar goings on: "If you don't sign, you go to the personnel office and you come out buying a bond."

This is certainly not the first time that such pressures have been exerted on military personnel or civilian employes. But it appears that the pressures have been heavier than usual this year, as zealous officers and bureaucrats have followed up on Mr. Johnson's orders to promote maximum bond-buying. It seems clear, too, that more and louder complaints of coercion are coming in to Congress, and that some influential lawmakers are now determined to put a halt to such abuses.

PRESSURES ON THE CABINET

Chairman John Macy of the U.S. Civil Service Commission says the Government doesn't condone strong-arm tactics. Yet no less a figure than Postmaster General Lawrence O'Brien, LBJ's designee to head up the bond-buying campaign within the Government, has leaned rather hard on certain members of the Cabinet.

In a private "Dear Orville letter to Agriculture Secretary Freeman last summer, Mr. O'Brien insisted it was imperative to step up the bond drive. "You should do this," he suggested, "by calling in your key people again and emphasizing in terms beyond misunderstanding that the President personally is following the progress of this campaign and he will accept nothing less than the minimum immediate goal of 75 per cent, will consider adequate nothing less than realization of our long-range goal of 90 per cent and will be satisfied with nothing less than achievement of the 100 per cent record established by the White House."

Mr. O'Brien presumably took this tough tone on the assumption that the many-layered bureaucracy inevitably dilutes directives from the top. Often, though, the second, third and fourth echelons tighten the screw notch by notch. In the case of the Agriculture Department, scientists at its entomology research division in Beltsville, Md., later learned from superiors that "there is intense interest in the progress of this campaign, starting with the President." Later still, some reluctant-to-buy researchers at the department's metabolism and radiation research laboratory, Fargo, N.D., discovered they were being listed as "non-cooperatives" in reports to Washington.

Even the high-minded National Science Foundation inflicted certain indignities on employes. "Are you prudent and intelligent?" an official bulletin demanded. "Have you signed up to buy bonds or are you a rebel without a cause who wants a little attention?"

All this helps explain why Chairman Sam J. Ervin Jr. of the Senate constitutional rights subcommittee intends to press legislation next year to curb coercive solicitations and other invasions of Federal employes' rights. The North Carolina Democrat's bill is given a fair chance of passage in the 90th Congress; 35 Senators co-sponsored it this year. "The truth is that voluntary savings bond programs conducted by the Defense Department and other agencies are as voluntary as the tides of the seas to the commands of the moon," Sen. Ervin observes.

At his urging, the Pentagon is investigating complaints by a retired Army major, Guy Taylor, now a civilian employe of the 15th Army Corps at San Francisco. In September, Mr. Taylor's supervising colonel sent him a payroll deduction form "prepared in your name, attached for your completion." Mr. Taylor returned the form, politely explaining that he didn't care to invest in bonds just now. In response the colonel kicked him off "my team."

Many administrators recognize that excessive zeal defeats the purpose of bond-selling; resentful underlings will promptly cash in the bonds they buy. But many military officers don't seem to care, and some go about the task with less delicacy or ingenuity than Pensacola's Commander Whittlesey. "One hundred per cent participation is expected," a directive from Air Force headquarters states flatly.

At Fort Leonard Wood, Mo., an Army major, unhappy with progress of the bond campaign, linked it with two other drives in a magical persuasion process called "counseling." In a command memorandum from headquarters of the First Engineer Training Brigade, he wrote:

"All officers and senior NCOs who have not joined the Association of the United States Army or the Society of American Military Engineers, where applicable, and who are not participating in the savings bond program will be counseled by the commanders concerned with the purview (sic) of attaining the 100 per cent participation goal.

"Additionally, all other enlisted men who are not participating in the savings bond program will be counseled by their respective commanders for similar purposes."

The total effect of all the bond-selling pressure is quite impossible to determine. But recent increases in savings-bond sales suggest it could be contributing toward the desired effect. In November the sales total reached $368 million, nearly 9% above the year-earlier figure. Sales of E bonds, the low-denomination kind most likely to be bought by military personnel and Federal civilian employes, were the highest for any November in 21 years.

[From the Arkansas (Little Rock, Ark.) Democrat, Dec. 30, 1966]

Pressure on Federal Workers Being Probed

The current controversy over the Federal Bureau of Investigation's alleged "bugging" of private telephone conversations is grabbing the big headlines while a Senate subcommittee is proceeding without fanfare to assemble a mass of evidence of government snooping on its own employes.

The file in the office of the Senate Constitutional Rights Subcommittee, headed by Sen. Sam J. Ervin, D-N.C., is bulging with a growing assortment of letters, telegrams and accounts of telephone conversations from many of federal workers complaining of armtwisting, intimidation and snooping at the hands of their superiors.

Ervin held extensive hearings on these complaints in the last Congress and is determined to have a bill passed in the new session that will guarantee these government employes protection from such tactics.

The senator is particularly incensed over the kind of information agency heads are seeking from their subordinates by way of detailed forms and questionnaires.

The government, Ervin complains, is inquiring far too improperly into a worker's relationship with his family, his sex life, his creditors, property and financial interests and his race, religion and national origin. And that isn't all. The questionnaires attempt to find out how much an employe will give to charity, if he is investing part of his salary in government savings bonds, if he is taking part in outside community activities and if he is supporting social and economic policies and legislation backed by the administration.

"Case after case of intimidation, of threats of loss of jobs or security clearance were brought to our attention in connection with bond sales and government charity drives," Irvin points out.

He tells of the case of a government engineer who was ordered by a personnel officer to take disciplinary action against 25 professional employes in the engineer's office who resented being forced to disclose information about creditors and financial matters concerning themselves and their families.

In other cases some government workers have been told to lobby in local city councils for fair housing ordinances, to supply flower and grass seed for beautification projects and to paint other people's houses.

Ervin says nobody is being fooled when a directive is passed out indicating that the President and the head of a particular agency would be pleased if government workers participate in certain projects close to the administration's heart.

Every supervisor, Ervin asserts, immediately interprets this as a command to produce evidence of some employe participation. And being the trained personnel specialists they are their subordinates throughout the county obviously follow suit.

Congress, the senator explains, has worked hard over the years to perfect the Federal civil service and merit system since passage of the Pendleton Act of 1833.

"But in the process," the senator asks, "have we built an organization so efficiency oriented, and so systematized, that it lacks a place of ethics, or for moral values in its dealing with its employes and applicants for employment?"

[From the Passaic (N.J.) Herald News, Jan. 7, 1967]

Or Else, Vietnam—GI's Forced To Buy Bonds

(By John Chadwick)

Washington.—The files of the Senate Constitutional Rights subcommittee are bulging with complaints from servicemen and federal employes that they are coerced into buying savings bonds and making charitable contributions.

Letters from servicemen tell of being denied promotion and even of being threatened with shipment to Vietnam if they fail to buy bonds.

The subcommittee also has received reports of Marine sergeants being sent into the foxholes in Vietnam to sign up fighting men for bond purchases.

Sen. Sam J. Ervin Jr., D–NC., subcommittee chairman, has introduced a bill that would, among other things, protect government employes against any form of compulsion to buy bonds or contribute to charity.

In a recent letter to Thomas D. Morris, assistant secretary of defense for manpower, Ervin wrote: "It is becoming glaringly apparent that legislation is needed to protect servicemen as much—or more so—as it is to protect civilian personnel."

Ervin said "the numerous complaints from civilian and military personnel throughout the world" indicate that the mere continuance of the Pentagon's support of established grievance procedures is insufficient.

The senator's letter said that "a Marine general has been quoted as saying that his men in charge of the bond drive in Vietnam were not deterred from achieving the unit goal."

They went to forward positions and interviewed Marines in fighting holes and kept track of the patrols so that every individual had an opportunity to hear how he could invest his money in a worthwhile savings program," he quoted the general as saying.

Ervin added: "I find this story grotesque."

[From the San Diego (Calif.) Evening Tribune, Jan. 12, 1967]

U.S. Bond Sellers Flayed for Coercion—Promotions Depend on Purchase, Yank Servicemen Complain

Washington.—The files of The Senate Constitutional Rights Subcommittee are bulging with complaints from servicemen and federal employes that they are coerced into buying savings bonds and making charitable contributions.

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LEGISLATION NEEDED

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"It is becoming glaringly apparent that legislation is needed to protect servicemen as much—or more so—as it is to protect civilian personnel."

Morris said the defense department not only does not authorize coercion of civilian and military personnel to buy savings bonds or contribute to charitable campaigns but has not and will not condone such coercion.

COMPLAINTS MANY

Ervin replied "the numerous complaints from civilian and military personnel throughout the world" indicate that the mere continuance of The Pentagon's support of established grievance procedures is insufficient.

The Senator declined to submit to The Pentagon for investigation the names of persons who had complained to the subcommittee. "The risk of reprisals is not worth such an exercise in futility," Ervin wrote.

GENERAL QUOTED

The Senator's letter said that "a Marine general has been quoted as saying that his men in charge of the bond drive in Vietnam were not deterred from achieving the unit goal."

"They went to forward positions and interviewed Marines in fighting holes and kept track of the patrols so that every individual had an opportunity to hear how he could invest his money in a worthwhile savings program," he quoted the general as saying.

Ervin added: ". . . I find this story grotesque."

PURCHASE IS AUTOMATIC

The Treasury Department said 1,427,602 servicemen were enrolled in payroll savings plans—where bonds are automatically purchased and the price is deducted from pay—as of last Sept. 30.

It said the percentage of those enrolled, compared with total strength, varied widely among the services.

BREAKDOWN LISTED

As of Sept. 30, the Army had 84 per cent enrollment with 765,133 active participants followed by the Air Force with 45.3 per cent or 392,542 participants.

The Navy and Marine Corps combined had 27.2 per cent participation. The Department said, with 201,637 Navy personnel and 68,290 Marines taking part.

Of federal civilian employes, 73.8 per cent or 1,687,129 persons were enrolled in the payroll savings program as of Sept. 30, The Department added.

During the first nine months of 1966, the department said, $648.1 million in bonds were bought by federal employes both civilian and military under payroll savings. Civilians bought $445.2 million and the military $202.9 million.

[From the Nation, Feb. 20, 1967]

U.S. Civil Service: Washington's Bland Bondage

(By Robert G. Sherrill)

Washington, D.C.—The United States Civil Service, like the old French Foreign Legion, is an excellent place to lose one's identity, but its other virtues are less easy to discover. In the vast Sahara of government service the worker is beset by deadly conformity, conflicting loyalties and sniping from unseen enemies. And just as the old recruiting posters of Paris used to tell baroque falsehoods about the romance and glamour of *La Légion étrangère*, so Civil Service recruits with myths.

The federal government describes itself as offering dignity, job security and appreciation for talent. It is instead a place where:

Spy holes are condoned in men's rest-rooms at the Pentagon. (Excuse: to combat homosexuality.)

Internal Revenue Service phones are tapped. (Excuse offered by IRS Commissioner Sheldon Cohen: "We supervise these phone calls for several reasons—to check the accuracy of tax information furnished by these employees, and to insure absolute and unfailing courtesy on their part." He said the eavesdropping is, of course, "completely impersonal.")

In some post offices, two-way mirrors (you can see through from the back) are used for spying on employees.

Dissident workers can be branded as mentally ill and dismissed from government service without the opportunity to protest or present contradicting evidence. Sometimes they are classified as mentally disturbed without being given a medical examination.

Both incoming and established employees are badgered with loyalty investigations to equal anything in the McCarthy era. Prying into the "loyalty" of workers in nonsensitive positions was supposedly ruled illegal by the Supreme Court in 1956, but it still goes on under a different guise—to determine "fitness" or "suitability." The USCS Bureau of Personnel Investigation employs 1,200 clerks and 800 agents as snoopers, and these are joined by the full force of the FBI. In fiscal 1966 the FBI handled 423,000 security forms submitted by federal workers, and the BPI dug around for subversive clues in the backgrounds of half a million new employees. Each routine inquiry costs the taxpayer $5; a complex job of sniffing about is much more expensive. (Excuse offered by Civil Service Commission Chairman John Macy: "The thoughtful applicant will recognize that the investigation process is a safeguard—to himself, for he can be confident that the work force he seeks to join is a select group. . . .")

An unnatural interest is shown by the USCS in the sexual activities of its employees—not only via peepholes but through an unending flow of questionnaires. The experience of a job applicant at the National Security Agency, Fort George Meade, Md., was not unusual. Strapped to a polygraph—"lie detector"—he was asked: "When was the first time you had sexual relations with a woman? How many times have you had sexual intercourse? Have you ever engaged in homosexual activities? Have you ever engaged in sexual activities with an animal? When was the first time you had intercourse with your wife? Did you have intercourse with her before you were married? How many times?"

Employees are coerced to buy government bonds and to support charitable drives. Sometimes workers are *ordered* to give to charity a certain percentage of their salary; and those who balk at joining the bond drive may find their names posted on the bulletin board. Secretary of the Army David E. McGiffert has publicly admitted that "coercion and public humiliation" was used on civilian workers in at least one instance by a base commandant who warned that "anyone working under my supervision and does not wish to comply with my desire to participate in such a worth-while program is not a member of my 'team.' "

With the logic typical of the Pentagon, Assistant Defense Secretary Thomas D. Morris has asserted that coercion is impossible because page 17 of the Civil Service Commission chairman's 1961 "Manual on Fund-Raising Within Federal Service" clearly forbids it. He conceded that there might have been some "excessive zeal."

Postmaster Lawrence O'Brien, who has no time to work on improving a shoddy postal service because of all the other chores assigned him, strong-armed the last U.S. Savings Bond drive and told department secretaries that President Johnson would settle for nothing short of 100 percent participation. The way to get it was demonstrated at the White House by Marvin Watson, special assistant to the President, who gave White House employees two chances to buy voluntarily—and then deducted the money from their pay checks.

Government workers are still required to state their race on questionnaires, the excuse being that the Civil Service Commission wants to keep track of its minority-race employment progress. Any supervisor who isn't blind should be able to tell, with only a few bad guesses, who of his workers are Negro, who are Latin American, who are Oriental, who are American Indian. But instead of going about it quietly through the supervisors, the USCS has forced the workers to put it down in writing. (Tempers flared at this one: 5,000 employees of the U.S. State Department solemnly recorded their American Indian ancestry.)

Intimate prying into workers' financial affairs is commonplace. A twenty-year employee at Kelly Air Force Base was fired for nonpayment of an $83 debt. An employee at a federal hospital in California was suspended for six months for falling briefly behind in his payments to the employees' credit union. A new series of questionnaires relating to stocks, bonds and other property, owned not only by employees but by their relatives, has recently circulated. Another form required workers to list all gifts received during the previous year. A woman in the Patent Office refused to fill it out because she couldn't remember all the little gifts, like perfume, she had received from friends. She got a letter from W. E. Ingram, personnel officer of the Commerce Department, saying: "Your evasiveness indicates that you may have some conflict of interest which you are anxious to avoid disclosing. This is a very serious matter." Another Commerce employee was threatened with disciplinary action for not listing bottle stoppers received from a welcome wagon.

Employees are discouraged from airing their gripes. And when they are punished or fired it is increasingly difficult for them to get a satisfactory hearing from the Civil Service Commission. Decisions that the commission should be able to render within thirty to sixty days are delayed from six months to a year; often the employee despairs of ever getting justice and turns elsewhere for work.

Lower-level review boards set up under Civil Service appeals procedure are generally described as "kangaroo courts" by workers who have had any dealings with them. They are usually made up of management-level employees who got to their relatively lofty perches by demonstrating utter loyalty to the Establishment's wishes. And when the Establishment wishes to fire or punish a worker. . . .

All in all, the nation's biggest employer, the federal government, subjects its 2,500,000 workers to conditions that are rampant with backbiting, rumor mongering, character assassination and promotion by favoritism. This may have been what Secretary of Labor W. Willard Wirtz had in mind when he told a trade union convention recently that "employment relationships in the government in this country are exactly thirty years behind employment relationships in private industry." He was including state and local government employees; had he been speaking only for federal employees he could have said seventy years behind private industry, for what exirts today under the USCS is all too often—not always, but very often—like something cooked up by Carnegie and Frick.

As might be expected, morale among government workers is not high. A recent poll taken by *The Federal Times*, a government employee-oriented newspaper, found that 69 per cent would not go to work for the government if they had it to do again (72 per cent of the top-level employees) and 70 per cent would advise their children to steer clear of such employment.

Although government workers as a group are still very much the underdog, in recent years their troubles have attracted some able allies who are beginning to work occasional reforms. These are the American Civil Liberties Union and its chief Washington war hawk, Lawrence Speiser; two journalists, John Cramer of the Washington *Daily News* and Joseph Young of the Washington *Star;* and a couple of unions, especially John Griner's American Federation of Government Employees (200,000 members). And perhaps the most important ally at the moment is Sen. Sam J. Ervin of North Carolina, whose still plastic legislation to create a "Bill of Rights" for government workers has already won nearly half the Senate as cosponsors. For months, drawing on information in the files of the ACLU and the unions, and on the excellent investigations conducted by his own staff, Ervin has been lifting Civil Service lids.

Most government workers do not publicly protest the intrusion of the FBI and the BPI into their political beliefs for the rather pathetic reason that most people who go into government work have already come to terms with their pride. Thus, a surprisingly small number of federal employees turn to the American Civil Liberties Union to fight the harassments and indignities they suffer. But those who do bring evidence of what must be happening on a rather large scale.

The Department of Health, Education, and Welfare has a record for pestering its employees about their loyalty. A research chemist in the HEW's Food and Drug Administration was asked to explain his presence, eight years previously, at a couple of meetings held by the Labor Youth League and by the Student Socialist Society in Philadelphia. Was he a Communist? He filled three single-spaced typewritten pages answering all the loaded questions passed down to him by the Civil Service Commission; after which, though he was cleared, he packed up his Ph. D. and quit in a rage. It's the mood in which a lot of bright men and women leave Washington.

A young woman working as a program analyst in HEW's Water Pollution Control division was accused of being *invited* to attend (she wasn't accused of attending) a forum sponsored by the Socialist Workers Party of Philadelphia. She was also accused of being on the mailing list of the Socialist Party.

These heinous things had occurred four or five years before she went to work for the government. The specific questions asked of this employee—who was not, remember, in any way involved in work with classified information—were as follows:

"(1) The extent of your knowledge of the Communist Party membership and activity of your father, your father's views concerning communism and the aims and purposes of the Communist Party to the best of your knowledge, and the extent to which your father has influenced you, or attempted to influence you, concerning communism and the aims and purposes of the Communist Party.

"(2) The names of the associates of your father known or believed by you to be members of the Communist Party or sympathetic to communism and the aims and purposes of the Communist Party and the nature and extent of your association with these individuals.

Similar questions were asked about her aunt, her uncle and her sister. The price of holding her job was an exposé of her whole family.

When employees come to him with this kind of case, Speiser has rather easy time making USCS Commissioner Macy back down. Speiser indicates that the ACLU will insist on an open hearing at which the source of the rumors and the names of the accusers will be demanded, and that if necessary he will go to court to establish a ruling against such covert prying. Speiser *wants* to get into court with such a case, but Macy gives way every time, to block the making of a precedent.

In this way, Macy wins by losing: except in the handful of cases that Speiser has championed, the Civil Service bloodhounds go right on demanding, and getting, information that is none of their business.

Testifying before a Senate Subcommittee on Constitutional Rights, Speiser gave these examples of questions which had been asked of job applicants:

"Are all of your friends in favor of the democratic form of government?"

"Are you associated with people you can classify as leftists?"

"Why did you protest against racial discrimination in the Washington, D.C. area?"

"Do you have any friends you think might be to the right of center?"

"Do you have any friends that are in the middle?"

"Where does your father fit in on this scale from right to left?"

"Is he a member of the Socialist Party?"

"Are his views further to the left than yours?"

"How about your mother?"

The long, patriotic arm of the USCS reaches even into the affairs of the United Nations. American citizens who work there must satisfy the Civil Service Commission of their loyalty by answering questions not only about their attitude toward the Communist Party but also about the opinions and activities of their parents, spouse, divorced spouse, children, brothers and sisters; countries visited since 1930, purpose of the visit, etc.

Sometimes the super-patriotism of the Civil Service Commission drives it into comically embarrassing corners. In October 1966, the USCS accused a William X of having falsified his application for federal employment, and ruled that he would have to stand aside for a year before reapplying. According to the investigators, X had lied in saying that he had never been a member of the Communist Party. The USCS accused him of having belonged for three months in 1943 and of attending Communist social functions in Pennsylvania.

This was a bizarre accusation considering X's background. For seven years (from 1958 to 1965) he had been an investigator for the House Committee on Un-American Activities, working intimately with ex-FBI agents and FBI informants. If X now made a public stink over the way the USCS was treating him, it would be embarrassing—especially to HUAC.

So, although his answers to the charges were not the kind that normally get people off the "loyalty" hook (he admitted that he "might have" attended one social affair, and he stated definitely that he had played in the orchestra at a social given by Mother Bloor; but he "didn't recall" other activities attributed to him, and he pleaded that "to the best of my knowledge" he had never been a member of the Communist Party), a great shuddering sigh of relief could be heard throughout the upper regions of the USCS when the ACLU took X's case. The USCS, in line with policy, could now back down, and did so by ruling that, *"in view of the length of time that has elapsed since the incident is alleged to have occurred,"* there was no reason to give him a hearing. He was cleared without a fight. This was the first time that the Civil Service Commission has ever accepted the antiquity of Communist activities as an excuse.

The Civil Service Commission has so keen an interest in the amours of its employees that it will, if necessary, act as matchmaker to deliver its wards from a sinful life. Consider, for example, the case of a young woman, a research associate in the Office of Economic Opportunity. She had been going with a well-known liberal journalist and in April of last year received a letter from H. C. Bolton, chief of the division of adjudication of the BPI warning that she would be fired if she didn't come up with a very good explanation for having spent a weekend in a Virginia motel with her boy friend.

The ACLU jumped eagerly into that one, making some sarcastic remarks about the improbability of the USCS being "filled only with investigators who have never engaged in sexual intercourse outside of marital relationship," and promising a court fight. Fortunately for Macy, the couple had meanwhile married; he therefore decreed, in a great show of charity, that since the employee was no longer sinning, he was able in good conscience to forget the motel.

Although the BPI detectives can be ruthlessly puritanical in judging the conduct of the fiancée of a journalist who is writing critically about the present Administration, they can also be wonderfully tolerant of the same kind of conduct in others. For example, a former Presbyterian minister joined the U.S. Office of Education not long after he was named in a well-publicized divorce trial as the marriage counselor whose instruction of the wife had been more intimate than professional. He subsequently left the ministry, but went into government work with no trouble from the BPI.

In a letter to the Mattachine Society of Washington, Macy wrote: "We reject categorically the assertion that the commission pries into the private sex lives of those seeking federal employment. . . . We know of no means consistent with American notions of privacy and fairness and limitations on governmental authority which could ascertain the nature of individual private sexual behavior between consenting adults as long as it remains private: *that is, if it remains undisclosed to all but the participants, it is not the subject of an inquiry."*

This is not even good sophistry. What Macy means—as proved by the conduct of his investigators—is that when questions of the most intimate kind are put to the subject's neighbors, friends and fellow workers without uncovering even one smutty rumor, then the undisclosed sex life "is not the subject of inquiry."

Evidence that Macy is not easing up on homosexuals may be found in an important case now bouncing around in the courts. A man who had worked in various administrative positions in the Department of Labor for seventeen years, including time out for eighteen months in military service during World War II, left for private employment in 1956, but in 1962 decided to return to government. He is well qualified, passed a competitive examination and was notified that he was eligible for "personnel positions" at top grades (GS 9, 11 and 12).

Then he ran into trouble. Appearing before a civil service investigator in April, 1962, he was ordered to explain a 1947 arrest for "loitering" around the men's room in Lafayette Square. He had been run in by the police after entering the men's room twice within ten minutes. He was also ordered to explain a 1951 arrest "for investigation." And, finally, he was ordered to give a rebuttal to "information indicating that you are a homosexual."

The applicant refused to comment, on the ground that his sex life had nothing to do with his performance on the job. So he was disqualified for employment.

At that point, showing considerable courage, he began to lay the basis for his present court fight, in which he is being aided by the ACLU. He asked that the Civil Service Commission supply him with "specifications of how, when and where he had allegedly conducted himself immorally," so that he could answer the "broad, indefinite allegation of 'immoral conduct.'" The commission refused. Its Board of Appeals and Review replied only that "the record disclosed convincing evidence that you have engaged in homosexual conduct, which is considered contrary to generally recognized and accepted standards of morality."

What record? What evidence? What conduct? In the 1920s, Justice Holmes ruled that no one has a constitutional right to a particular government job. But thinking has begun to change. Many jurists now hold that one *does* have a constitutional right to it, if one proves his qualification for the opening and the bureaucrats cannot offer good, specific reasons for refusal. Just because one is a Negro, or just because one is a Jew is no longer considered a good reason for accepting refusal. Should an otherwise qualified homosexual accept rejection on the ground of homosexuality alone? This man said no; he and the ACLU went to court.

At the district court level they ran into the usual Comstockery, but in May, 1965, the U.S. Court of Appeals ruled that employment had been unfairly refused. In what may turn out to be a landmark declaration, Chief Judge David L. Bazelon ruled that the Civil Service Commission was wrong in not *specifying* the misconduct and in not permitting the applicant to defend himself against the accusations. Said Bazelon: "An applicant has a right to be free from governmental defamation . . . the government is required to justify imposing the stigma of disqualification for immoral conduct. With this stigma the commission also jeopardized his ability to find employment elsewhere." (Certainly true. While he awaited the outcome of the trial he got a job with the county of Fairfax, Va., but the Civil Service Commission released its secret files to county officials and he was fired.)

Bazelon ordered the government to give the complainant a hearing at which he could confront his accusers and attack each item of defamation. So far the government has refused, and the case is still working itself out in the courts. But there seems to be a good chance that this man will eventually win, and if he does, it will set a historic precedent—and not just for milder treatment for homosexuals. The principal point in this case is that it may establish a procedure of hearings whereby all job applicants can force the government to lay open their files and show exactly who has charged what. And if this is accomplished for new job applicants, it will of course easily be conveyed to probationary workers, who now have next to no rights and who frequently are kicked out of government work carrying a smear that they know nothing about except that thereafter they have trouble getting work in private industry.

BIG BROTHERISM

(By John I. Brooks)

WASHINGTON.—Senator Sam J. Ervin of North Carolina, whose Constitutional Rights Committee has become a kind of court of appeal for Federal employes harassed by snooping Government personnel officers, is out to defend a man's right to hock the family jewels without telling his boss.

Ervin says complaints and questions from Government workers have reached the committee about a battery of questionnaires coming into increasing use in U.S. departments and agencies which inquire, among other things, into employes' credit standing.

This kind of questioning may seem strange in a society where it has been soberly maintained that it is unpatriotic not to be in debt, but it is being carried out in a number of Government agencies, according to information received by Ervin's subcommittee.

The questionnaires go far beyond credit standing. They ask for a listing of property holdings, financial interests, and outside activities, not only for the employe but for members of his family as well.

Ervin says his subcommittee is going to survey all departments and agencies to find out "just how much personal information employes are being asked to divulge and for what reasons, and just how far it is proposed to regulate their conduct."

The reasoning behind the use of the questionnaires is that they form a barrier against conflict-of-interest cases which from time to time arise to plague the Government. But in a recent letter to John W. Macy Jr., chairman of the Civil Service Commission, Ervin maintained that this end does not justify the means.

"I am not unaware that there have been a few cases of conflict of interest in different agencies, some of which have been damaging to the public interest, to the public image of the agency involved and generally embarassing to all concerned," Ervin wrote.

"To apprehend a few corrupt individuals, however, it seems unwarranted to require countless thousands to reveal their personal business and financial affairs."

Last year Ervin's subcommittee and a House Government Operations subcommittee headed by Representative Cornelius E. Gallagher, D-N.J., won a major victory over bureaucratic snoopery when Chairman Macy agreed to end psychological testing of employees except in cases where a worker's condition raises the question of his fitness to carry out his job. In the course of the hearings conducted by Ervin and Gallagher a number of test questions were produced that pried into the sex life, religious views, and personal attitudes of those being tested.

At the time of Macy's order halting routine use of these psychological tests, the news of his decision was dwarfed by more sensational revelations; the use of the "spike mike" and the bugged martini olive to pry into conversations was disclosed, and the Gallagher subcommittee was told that the Haitian dictator, Francois Duvalier, has paid snoopers to watch representatives from his country while they were in the United States.

This year the questionnaire issue also is in the shadows. The spotlight in the invasion-of-privacy field is on the recent disclosures of FBI wiretapping.

In each case, however, the Civil Service policies in question undoubtedly affect more people than the more sensational practices uncovered at the same time. The penchant for prying in the Federal Government seems to be almost without limit.

When the results of the survey promised by Ervin are in, the questionnaires may turn out to be only the visible part of an iceberg. The Senator says he understands employes are being required to update the information in the questionnaires periodically and it is proposed that within many units of the Executive Branch "special counselors" will be appointed to tell workers how to conduct their personal lives.

Ervin wrote Macy he has been told that these policies, "contrary to the impression given in press reports," not only apply to Presidential appointees but to thousands of lower-level bureaucrats.

"The Big Brother approach to the employer-employe relationship will, I believe, prove detrimental to the morale of our Federal service, which throughout its history has demonstrated the highest caliber integrity and honesty," the North Carolinian wrote the Civil Service chairman.

Historically the Government has trusted its employes and held them accountable for ethical behavior by statute and regulation, Ervin says, and he sees no reason to change this system now. He believes it is more important to preserve "certain basic values in our system of government" than to save time and work for personal officers.

To Ervin the most important fault in the new agency questionnaires and the philosophy they embody is the slap in the face for the honest, dedicated public servant. As he wrote to Macy:

"To my mind this questionnaire constitutes a collossal vote of no-confidence in the integrity of over two and a half million citizens who work for the Federal Government."

The Tar Heel Senator has willingly taken on a gadfly role toward the dossier-builders in the bureaucracy, and he has won some famous victories in his battle to avert an Orwellian world in Washington and the thousands of Government field offices around the country. Federal employes have reason to hope that he may soon win another.

EXHIBIT 2

SELECTED COMPLAINTS FROM SERVICEMEN

[From the Overseas Weekly, Nov. 6, 1966]

SELLING BONDS STAYS THE SAME

DA NANG, VIETNAM.—Nothing stops a gung-ho savings bond salesman, not even war, and when a little gentle persuasion is needed to peddle Uncle Sam's promissory notes, the Marines are willing to get shot at just to ring up a sale. In a letter to the Third Marine Division's Third Regiment leatherneck boss, Lt. Glen. Lewis W. Walt patted the unit leaders on the back for topping 75% participation in a recent bond drive, according to the Third Marine Amphibious Force newspaper, *Sea Tiger*, "with the different units conducting daily patrols," quoted the papers, "Marines were away for days and sometimes weeks. However, this did not discourage the battalion Sergeant Major, Company First Sergeants and platoon commander who were the key personnel in the drive. They went to forward positions and interviewed Marines in fighting holes and kept track of the patrols so that every individual had an opportunity to learn how he could invest his money in a worthwhile savings program." You can't get away from it, even in Vietnam.

DEAR SENATOR ERVIN: My name is Mrs. ———. I have a burden on my heart and this morning when I saw this article in the Charlotte paper I had to write you.

I have a son in the U.S. Army. He is a draftee and is 19 years of age. He has a wife who is living with him in Fort Gordon, Georgia, where he is stationed at the present. They are expecting a child January 26. He has been forced to buy U.S. Savings bonds on what little he makes a month. I think it is outrageous! They can hardly live! They have a diet of beans and potatoes! I wish you could do something about the way things are going for our boys in service. It's a disgrace to a country that has plenty. The Lord has blessed us but how much longer will He?

These two young people were also due a food allowance two months ago but haven't received it yet!

Please help us & many more people like us.

Thank you for speaking out on this issue.

Sincerely yours,

——— ———.

P.S. If this letter would get to the President of U.S. I would also send it.

Thank you for reading this.

CLAUDE, TEX.,
January 8, 1967.

Senator SAM J. ERVIN, JR.,
Senate Office Building,
Washington, D.C.

SENATOR ERVIN: Congratulations on your stand and present bill to bar coercion in the federal services.

This is one of the unpleasant memories of 4 years with the Air Force (Military) and 10 years with Air Force Civil Service until November, 1965.

During my military service it is hard to remember a payday that some senior NCO or Officer was not at the end of payline with his hand out for some contribution.

In Federal Service the fund drives decreased somewhat but the amount of money requested consistently increased.

Actual coercion is seldom used but more in the form of hidden threats. Some examples that come to my mind are:

1. Airman Form 75, Proficiency Report, *May* reflect lack of cooperation. (Military)
2. Time off or other favors given for completion of drive. (Military)
3. Supervisors usually collect money making it hard to refuse. (Military and Civilian)
4. More recent drives have sealed envelopes with name or assigned number on outside. These are opened by individuals, usually 1st or 2nd line superiors of people contributing, defeating the original purpose of sealed envelopes.
5. Chairman of drives are usually chosen by superiors if they are close to promotions.
6. Drives such as United Fund, etc., start with Base Commander impressing on each level of command that the goal must be met or someone may suffer. This is more of a hidden thing.
7. In a few cases where an individual refused to give quota the individual's supervisor has offered to give in the man's place, thereby he belittles the employee forcing him to give.
8. Employees may be singled out for not giving.
9. Bonds sold encouraging employee to buy them, then cancelled in 90 days.

I personally think it would be good to *stop* all drives for money in Military and Federal Civil Service. This would be an excellent way to increase their pay.

Again, may I express my appreciation for your concern and work in this area.

Sincerely,

——— ———.

DETROIT, MICH.,
January 11, 1967.

Senator SAM J. ERVIN, JR.,
Subcommittee Chairman, Senate Constitutional Rights Subcommittee, Washington, D.C.

DEAR SENATOR ERVIN: The enclosed article appeared in the Detroit News the first week of January.

I could understand a possible over-enthusiastic effort to get men to buy savings bonds, in many cases, doing young men a favor by getting them to save systematically. If it were done with the atmosphere of salesmanship and enthusiasm, I doubt that there would be too many objections.

However, in the case of my own son, and those I met when we were visiting Fort Knox last November, we were told fantastic stories of men being threatened, made to walk 5 miles back to camp, and ordered to contribute or be put on extra details—particularly for contributions on certain "causes."

Our son entered basic training; rose to platoon leader in three weeks; was urged to go into officers training; was made Soldier of the Week; and won both trophies given for proficiency and outstanding trainee.

These coercion tactics soured him quickly, and were instrumental in his decision against officer training. He will make the best of the situation and will be a good soldier, but it's a shame that this situation exists.

Please add this letter to your others in "protest" over such a condition.

Sincerely,

——— ———.

MATTOON, ILL.,
January 12, 1967.

DEAR SENATOR ERVIN: I just read with great interest the article on servicemen being forced to buy bonds and contribute to charity. I wrote to several people about this . . ., but no one so far, except you, has had the courage to voice an opinion.

My son enlisted in the Navy last summer after graduating from High School and was sent to San Diego, California, Recruiter Training Center. He was coerced into signing an allotment of $5.00 each payday for the San Diego Community Chest and for another allotment, a War Bond. All this out of $97.00 a month.

I do not feel this is right; these boys were afraid to say *No* to anything. He has been raised decent and honest and to give to his fellowman, but for right now his father and I can take care of this for him. How can anyone ask more of a young boy than 3 or 4 years of his life, or maybe all of his life.

Bless you for your honesty and courage.

Sincerely,

——— ———.

WILMINGTON, DEL.,
January 10, 1967.

Senator SAM J. ERVIN, JR.,
Chairman, Senate Constitutional Rights Subcommittee, Washington, D.C.

DEAR SENATOR ERVIN: I just read a newspaper article about the Senate Constitutional Rights Subcommittee's bill to protect government employees and servicemen against compulsion to buy bonds and contribute to charity. Thie bill, if passed, will be a great aid in releasing a lot of pressure on servicemen, especially the men in the enlisted ranks.

Three months ago I got out of the Army as a staff Sgt. E6 after completing 9 years, 2 months, and 11 days of active service.

The very thing this bill will protect the serviceman from has been a thorn in my side during my tour of duty and is the biggest contributor for my getting out of the Army. I not only speak for myself but also for a couple of men that got out the same time I did, one a Staff Sgt. with 15 years service and the other a Sgt. First Class E7 who left after 17 years of service.

We have all found (supposedly) Commanders stoop so low and do the most unmanly things just to try and put a feather in their caps to obtain 100% participation in the savings program or charity drives by means of high pressuring or threats.

I won't take up any more of your time but would like you to know I'm behind you and so are many men in uniform. Most men can't let us know for fear of jeopardizing their positions by having more pressure applied; and then, of course, there is this thing of the big red stamp saying Political Influence being stamped on their records jacket.

If I may be of assistance to you for examples of incidents of this malpractice, feel free to call upon me.

I thank you and your subcommittee for the outstanding job you are doing for our servicemen and in doing so, I remain,

Yours truly,

——— ———.

FAIR LAWN, N.J.,
January 9, 1967.

Senator SAM J. ERVIN, JR.,
U.S. Senate,
Washington, D.C.

DEAR SENATOR ERVIN: Reference a recent AP article printed in the Newark, N.J., "Star-Ledger", 8 Jan 67 stating that you have introduced ". . . a bill that would . . . protect government employees against any form of compulsion to buy bond or contribute to charity."

Your bill, sir, commands my greatest respect and admiration.

I was recently (8 Oct 66) honorably discharged from the U.S. Army with a rank of Captain. I originally enlisted on 5 Feb 63 as a private E–1. Having been on "both sides of the fence" I can but affirm the truth of your allegations.

If I may, realizing that you are not my Senator, I would like to list some comments for your consideration.

* * * * *

(2) You are quoted as saying, upon being asked by the Pentagon to release names of persons who have complained, that "The risk of reprisals is not worth such an exercise in futility."

It has been my experience that the pressure to contribute has varied according to the person of the post commander. Said pressures, in most cases, cannot be documented owing to their subtlety. Add to this the fact that commanders frequently change, and the difficulties of proving unethical conduct are magnified.

(3) In conjunction with the above might I recommend that military and civilian personnel close to or recently retired could supply you with further information with little fear of reprisal.

(4) My final comment relates to your bill to the extent that I feel that it is worthy of your attention. It has to do with The Association of the United States Army (AUSA). The pressures brought to bear upon career officers and non-commissioned officers (in the top three grades) to join this organization greatly surpass bond drives and united fund campaigns.

There are no veiled hints or subtle pressures to join the AUSA. The officer or senior NCO is plainly told that not to join is to invite a poor Officer Efficiency Report (OER) or Conduct and Efficiency Report (CEB).

While most junior officers who are career-minded join the AUSA—some admittedly want to join and do not have to be coerced—many of the career NCOs are far enough along in their careers and close enough to retirement that they are resisting pressures put upon them to join the AUSA.

Please do not think that my motivation stems from a sense of "sour grapes." I liked the U.S. Army enough to take a one year voluntary extension, and have, in the past few months, given more than passing thought to putting in for a recall to active duty. Further, I thought that my Commanding Officer was a fine soldier and officer. Unfortunately, he was pressured by his commander, who in turn was pressured by the next commander up the line, and so forth.

Be advised that I plan to write to my Senators (Clifford Case and Harrison Williams) urging them to support your bill.

In closing, allow me to thank you on behalf of the officers and men who are not in a position to speak out.

Sincerely yours,

——— ———.

FORT BRAGG, N.C.,
January 8, 1967.

DEAR SENATOR ERVIN: I noted in the *Fayetteville Observer* an article concerning coercion by military commanders to cause their troops to participate in bond savings programs and in charity drives. While the means used to "sell" soldiers on these matters are less than proper in many cases, it is usually not the junior commander who is at fault. Indeed, the fault lies, apparently, all the way at the top when Generals "imply" that subordinates' efficiency would be reflected in the amount of participants in the savings bond program or in the percentage of troops contributing to charity drives.

The bond savings program and charity drives are, however, to some degree worthy causes. In the case of the bonds, for instance, the soldier loses nothing.

We in the Army do, however, have one drive that is particularly aggravating, and that is the drive for "membership" in the "Association of the U.S. Army." Perhaps you are familiar with this organization already. It is staffed by virtually 100% retired Army officers. Apparently it does conduct lobbying activities in Washington. For whom it lobbies, I don't know, but I have a hunch for the people who advertise in its monthly publication "Army." Among these advertisers are some of the biggest defense contractors in the country, including Lockheed, Grumman, Bell Aircraft, etc. The association claims its goals are for a bigger, better Army which is very high sounding and are, in fact, just what the Department of the Army's goals are. Too, those goals would be good for Lockheed, Grumman, Bell, etc., as all would profit from goals like "increased airlift capability," etc.

I don't mind at all seeing the A.U.S.A. working toward these high and mighty goals, but I *don't* like being coerced into contributing to it, and that is just what is happening here. We are told, of course, that the $6.00 yearly dues is just that—dues—not a contribution and just to prove it, a "member" gets the monthly "Army" magazine and a membership card. We are told that we should support the A.U.S.A. because it lobbies for us and is our "voice" in legislative matters. We are told that, if the A.U.S.A. achieves its goals, we are bound to benefit. True, but that's simply because the goals are so high sounding.

What the A.U.S.A. really means to us enlisted men and most junior officers is "taxation without representation." While we are called upon to "join," we have no voice in the decisions made by the A.U.S.A., these being made by the "General Staff," just like "the old days" in the Army.

Why the insistence that enlisted men join? I don't know. Maybe the battle of statistics is being waged in this area, too. Probably, though, they just need the money. You know, a retired general or colonel gets on the phone and calls one of his "active" friends, mentions that membership in the A.U.S.A. is sagging and a "drive" for fresh members would help. I'm sure you get the picture. Just the other month General Bruce Palmer boasted that the "Braxton Bragg" chapter of Fort Bragg would be the "biggest in the Army." Now we are going through the usual pressures here. "Interviews" by senior noncoms, lists prepared for the commanders "information," etc. I'll let the two enclosures (rescued from a trash can) illustrate further.

Please do not use my name as I now have 17½ years service and would like to retire at my present grade. I'm only sending you this information because I noted that you are interested in these activities.

Sincerely,

——— ———.

DISPOSITION FORM: (AR 340–15)

Reference or office symbol: ------------.
Subject: SMaj's Meeting Notes.
To Assigned Personnel, T&T Committee.
From: NCOIC, T&T Committee * * *.

1. A meeting was held by the Gp SMaj following is the information which was put out:

* * * * *

j. Those who are not members of the AUSA, contact MSG * * * for necessary application blanks.

2. The above notes WILL be complied with by all members of the committee.

——— ———, NCOIC.

DA Form 2496, 1 Feb. 62.

Replaces DD form 96, existing supplies of which will be issued and used until 1 Feb 63 unless sooner exhausted.

JANUARY 9, 1967.

DEAR SENATOR ERVIN: I listened with great interest yesterday morning to a news account of your proposal to outlaw the coercion which is presently connected with the U.S. Savings Bond program.

* * * * *

Perhaps, if you have the time to read on, you will find the whole story of interest.

I am a 43-year-old lawyer with 19 years service, 4 of it as an enlisted man in World War II with 49 combat missions and 4 Air Medals. I have never received so much as a verbal admonition and my effectiveness reports have all been—with the exception of the last one—in the "Very Fine Officer" category, at least.

My career was progressing at a normal rate, with a promotion to Major . . . January 1961, and a prospective promotion to Lieutenant Colonel in March 1966.

Then came the Bond drive of 1963. Unbelievable pressure was applied, with the usual threats of loss of promotion and other dire consequences. My Group commander even gave me a written order to participate. I refused. (See enclosure 2.) [Not included in RECORD.]

The drive of 1964 caused me no trouble because I was blessed with a different, more fair-minded commander. During the 1965 drive I was in transit to . . . Pakistan.

In March 1966 I learned that I had been passed over for promotion to Lieutenant Colonel. While I was extremely reluctant to believe it, I was forced to conclude that my failure of promotion was a direct consequence of my failure to buy bonds.

In the latter part of June 1966 my commander at . . . announced a crash program to gain 100 percent participation in the Bond program by 30 June. The enclosed file relates the outcome of that Bond drive as far as I was concerned.

Upon my return to the United States in September 1966 I made a trip to . . . for the purpose of reviewing my Effectiveness Reports. I found that although Colonel ——— (my 1963 commander) had rated me in the "Very Fine" category and had made glowing comments about my honesty and integrity, he had also included a disclosure that I had refused to participate in the Bond drive.

His successor had given me an outstanding rating, and my first rating in . . . (March 1966) bordered on the outstanding.

Then came the real shock: Lt. Col ———, who had known me but three months, rated me in the mediocre category and commented that I had failed to support the commander in his programs, specifically, the Bond drive.

As you can see from the enclosures, I replied for relief . . . and was denied.

In November 1966 I learned that I had been passed over for promotion a second time and would no longer be eligible for temporary promotion.

I'm telling you all this, Senator, to give you assurance that the letters you've been receiving informing you of coercion in connection with the Bond drives are not merely the result of the usual GI griping. In my own case, as you can see, they carried out their threats; they've even ruined my career.

Please do something about this intolerable situation, Senator, not for me—it's too late—but for my associates in the Service.

I'd appreciate it if you didn't refer this letter to Air Force L&L; I've had enough ostracism to last me for a while. If you need more information though, let me know and I'll do what I can.

Sincerely yours,

——— ———, *Major, USAF.*

ELMONT, N.Y.
December 15, 1966.

Hon. SAM J. ERVIN, JR.

MY DEAR SIR: My son, who is a G.I. stationed in Germany, has sent me a clipping from the November 26, 1966, edition of *Overseas Weekly* which tells of your efforts to have the pressure on the G.I.'s to buy bonds removed.

I would like to quote a few lines written by my son last April—

"While I am not a martyr, I do take a little pride in pulling extra details sometimes because I feel I am right and it's a lot harder than taking the easy way out by compliance with the ridiculous. Case in point—they are having a big savings bond drive here and only about 10 people in the whole battery have not taken one out. I don't want the savings bonds. Well, a Lt. called me over today and told me to take one out and I could cancel it in 60 days and get my money back. This would have been very easy to do—all they were interested in was reporting a high percentage of sales to higher command. Well, I can't do something like this!"

This practice should be stopped. I know many people feel as I do, and are behind your efforts to get a bill passed to safeguard G.I. rights.

Very truly yours,

——— ———.

MOUNT STERLING, KY.,
January 13, 1967.

DEAR SENATOR ERVIN: I read the attached article from my hometown newspaper, *Arkansas Democrat*, with much interest.

I completed my military service obligation as an Air Force Officer, and requested release to the inactive reserves in June 1966. During my four years of active duty I served as "Collection Officer," as most Lieutenants do, on many fund drives. As I recall, these carried a quota which was set somewhere at a higher echelon of command. This quota was vigorously pursued by the Wing Commander, and it meant hounding young airmen and NCO's time and time again for their "fair share." I always passed off the collection to other officers and took only the task of keeping records. I frequently encouraged the men who complained to write their Senators or Representatives. Most of them were reluctant to do so as they were career men or were considering a career and didn't want to cause any trouble that they felt would reflect back on them.

With regard to the annual Savings Bond Drive, this was the most ruthlessly pursued campaign of the year. Commanders did everything to fulfill their imposed quotas. The end result was an increase of government expense as a lot of men who were persuaded to purchase bonds on the payroll savings plan cancelled the allotment after the drive, cashed the bond(s) in 60 days and returned to their previous savings plan.

I was told by my Commander that I was unpatriotic for not buying the bonds, and that my not buying bonds reflected against me as an Officer. This Lt. Colonel was primarily interested in being the first Commander on base to achieve 100% participation. Many young airmen, NCO's, and Officers who had never thought about buying bonds came across with this sort of persuasion.

I sincerely believe that legislation is needed to protect the enlisted men from overzealous commanders at "Fund/Bond Drive time." Giving should not be based on a quota system. Savings Bonds should not be pushed on servicemen because they are a captive group. I know of two NCO's who were financially insolvent who were persuaded to spread their salary even thinner by buying bonds. I happened to be assisting each at the time and was able to intercept and destroy the allotments for them.

I hope you and your colleagues are successful in presenting your proposed bill to the Congress. I would like to have any printed information you: Subcommittee has on this subject (Committee Hearing Reports, Bulletins, etc.)

Very truly yours,

——— ———.

JANUARY 11, 1967.

Hon. SAM ERVIN.

DEAR SIR: I have read with interest your concern over the pressuring of Armed Forces personnel to participate in the Savings Bond Program. Since I have just recently left the military I would like to bring another facet to your attention which you may or may not be aware of. During the period that LTC Lester O. Styve commanded the 205th Trans. Bn AM&S here in Europe this was the method he directed for anyone to follow to cancel a Savings Bond. Each individual in the individual's chain of command had to interview the person concerned and then all personnel concerned had to appear before the Bn CO, i.e., the individual, the squad leader, the platoon sergeant, the platoon leader, the 1st SGT, and finally the Company Commander. The fact that all had to travel at other than government expense, except possibly the soldier concerned, and the fact that we were required to travel 90 to 100 miles did not seem to daunt the Bn CO at all. This and other malpractices on this officer's and many other of our so-called leaders' part is the main reason that young intelligent soldiers become disenchanted with the Army. I trust that you will see to it that these young men can at least exercise their right to cancel an allotment at their own discretion rather than be subjected to humilities such as this. When I have time I would like to discuss the methods used to collect money for various type drives at the pay table. This is much worse than the bond program.

Sincerely,

——— ———.

DUBUQUE, IOWA,
January 9, 1967.

SIR: Thank you for doing something about the service men buying savings bonds under pressure. I have one son in Viet Nam and another one who just returned from there so I know about it. When these boys risk their lives they should not be forced to pay the expenses too.

Thank you again.

——— ———.

JANUARY 9, 1967.

Senator SAM J. ERVIN, JR.,
U.S. Senate,
Washington, D.C.

DEAR SIR: Enclosed is a copy of a news article reference some recent actions taken by yourself. Accept my sincere thanks!

The subject matter, of course, is only one of a number of things becoming more and more irksome in the military service.

Never think for a moment that we older people in the military are unaware or unappreciative of efforts like yours on our behalf. Sometime, if you should ever be visiting an area where I am assigned I'd like to sit down and discuss with you some of my own feelings concerning the peculiar position of the career soldier in our present day society.

Being a World War II combat veteran, my own inclinations, at present, are to hang it up and retire to a normal civilian-orientated life.

Please accept my letter as an expression of interest and appreciation re your comments. While not an anonymous letter writer, be advised that I have absolutely no desire to become identified as an individual (in the military) who would write to a government official. However, I believe it is very important that you be aware that efforts in behalf of the military, at the "little man" level certainly do not go without notice. Most pressures brought to bear are not the kind provable in definitive form.

Will close here before I expand. Again, thank you for your concern.

Respectfully,

——— ———,
M. Sgt. USAF.

ROBINS AIR FORCE BASE, GA.

I am very interested in the passage of Legislation restricting the use of force and coercion in Military Installations during charity drives and savings bond sales.

I encountered such force and coercion at Keesler AFB, Miss. during the United Fund Charity Drive and personally think this type action is unconstitutional. Thank you for your efforts in correcting this problem.

Yours truly,

——— ———.

JANUARY 8, 1967.

DEAR SIR: Congress should act on the give away programs which is done against our will. In the Air Force they give us detail or K.P. at Keesler if we didn't give or buy bonds. (UGF) I also gave to United Fund but I ended up with KP or detail because I didn't give a fair share!

At the time I didn't get very much and the wheels knew it! I paid out more than came in!

Really it is no one's business what I give and everything is on an IBM card including name and where I work. Where will it end? I give but not because someone tells me too! Also I seal it up. The USO places are really poor for all the money GI's give.

——— ———.

AVONDALE ESTATES, GA.,
January 7, 1967.

Re U.S. Savings Bonds investigation.
Senator SAM J. ERVIN, JR.
U.S. Senate,
Washington, D.C.

DEAR SENATOR ERVIN: I have today read in the Atlanta Journal where your subcommittee is investigating complaints of servicemen that coercion is being used against them to force purchase of U.S. Savings Bonds. I commend your efforts and I hope that positive steps will be taken to end this.

I know from experience in the U.S. Air Force as a Lieutenant from 1962–1965, stationed at Hancock Field and Stewart Air Force Base, New York, that coercion to buy U.S. Savings Bonds is not the exception but the rule, and I believe that you will find that the reason for this comes from the top, from the commander and I assume, all the way to the Pentagon. Evidently some administrative bureaucracy has set goals for the purchase of U.S. Savings Bonds within the Defense Department and these goals extend to the lowest department and organizational level, throughout the world.

I saw proud officers with over 20 years service, who had served with distinction and bravery, forced to buy bonds themselves and in turn were forced to coerce their men to buy. Sometimes you consider what the Generals think are important in a military unit. Sure, it is patriotic to invest in your country but to force this upon men will destroy their patriotism. *It must be stopped!* Some of the men cannot even afford to buy Bonds.

Senator Ervin, I'm sure that you and your colleagues have the power to stop this flagrant abuse of constitutional rights. I believe that all goals for the purchase of U.S. Savings Bonds should be eliminated within the Defense Department. When you see a percentage of over 80% participation such as the Army has, you know there has been wholesale coercion. Just because a serviceman does not buy a bond, this does not mean he is unpatriotic. Tell the Defense Department that they are not fooling anybody but themselves when they push participation this far.

I was also pleased to read your comment to the Pentagon's request for the names of persons who had complained—"The risk of reprisal is not worth such an exercise in futility." How true that statement is, sir, and I'm glad that Senators realize this.

Good luck!

Sincerely yours,

——— ———.

OVERLAND, MO.,
January 7, 1967.

DEAR SENATOR ERVIN: Thank God for men like you that are not afraid to speak out against the Military establishment that is and has threatened our servicemen with various reprisals if they do not buy savings bonds. In a long conversation with my son while home on Christmas leave from his military base at Fort Dix, New Jersey, he related to me some of the punishment given to some boys who did not sign up for savings bonds, such as, as many as 150 to 200 push-ups, extra K.P. duty—sometimes 48 hours without rest in one K.P. duty stretch—, demerits of all kinds for the least little infraction of their strict rules. I don't mean to ramble in this letter but would like to give you my son's case. He received his degree from the University of Missouri last June and went to work immediately after graduation until being drafted first of October. He worked 3½ months before induction and bought eight $50 savings bonds, so you see he is not against savings bonds or, as far as that goes, in saving money, period. My son had to borrow money from the U. of Mo., the Methodist Church, and the government and worked part-time plus what help we could give him to get through school. We could not help a lot for we have two daughters in college, also, and are a family of a limited income.

My son is receiving about $90 per month before taxes are taken out, plus paying for his GI insurance, plus $10 a month to College Life Insurance Company of Indianapolis, Indiana, an insurance program he has had since the beginning of his senior year in college and felt he had too much invested in it to stop it, plus he pays $20 a month on his loan to the church, plus $20 a month on his loan to the U. of Mo. So, Sir, you can see, by the time they take out the $6 a month that his Sergeant made him sign up for bonds, leaves him practically nothing. Other than being a life-long Democrat, I don't have any pull or connections or the power to do anything about these wrongs that are being done to our servicemen, but I can and will say this: I will not vote Republican, but I sure as H--- will not vote for Johnson again.

I certainly would sign my name to this letter if I did not think that in some way it might get into the hands of some military official and could jeopardize my son's career in the Army. In a few more weeks he will be going to officers school, and I do know that when and if he receives his commission and his income increases, he will not have to be harassed or coerced into buying savings bonds for he, as you and I, is a very patriotic young American, plus being very thrifty and a good manager.

May I suggest, Senator Ervin, a public statement by you on the Senate floor that this practice by the military cease at once, or there could be a bill introduced that a serviceman making $90 or less per month not be permitted to buy savings bonds by payroll deductions. I believe that your fellow colleagues in the House and Senate that were given the knowledge by you what is taking place in the various branches of the services about this condition, would certainly join you in passing such legislation as this. May I again commend you for your work as a great Senator and Democrat, and may your political life be long and to the good of the average, patriotic American citizen.

Best regards,

——— ———.

JANUARY 10, 1967.

Hon. SAM J. ERVIN, Jr.,
U.S. Senate,
The Capitol,
Washington, D.C.

DEAR SENATOR ERVIN: Several days ago, I saw a newspaper article which was rather vague about a bill you are introducing to take some of the heat off of our service men in this matter of soliciting for certain community organizations on military posts. Congratulations! I have watched this type of solicitation for twenty-five years. In fact, since I was in service myself.

It has always been my thinking that if they are going to solicit from service men in communities where a service man does not reside, he should at least be given the option to send whatever donation he wishes to make to his home town. After all, what interest does a service man have for a community where the Armed Forces have sent him other than to get the training that he is receiving. The item that I read was not too clear but nevertheless, it appeared to me that you were trying to do something and for this, I commend you.

With kindest personal regards,

Cordially yours,

——— ———.

JANUARY 13, 1967.

Senator SAM J. ERVIN, Jr.,
Washington, D.C.

DEAR SIR: I read with pleasure an article in the Atlanta Journal about a bill you have introduced to protect government employees and service men from being coerced into so-called "voluntary" contributions. This has been desperately needed for some time. More power to you.

I know of several instances—one concerning my own son—and from others in the service, where men have been disciplined and threatened for not contributing to "voluntary" contributions.

I've been told that commissioned officers pass the word down that their units are expected to contribute one hundred per cent. That officers place bets on whose unit will be the first with one hundred per cent in contributions.

I read with sickness and disgust about our Marines out on patrol and in fox holes who were given an "opportunity" to invest in bonds. It seems it isn't enough that they lay their lives on the line in this war—but that they must help finance it, too.

A service man returned home from France after we were "kicked out" said that on their last pay day there, there was a line of French representatives from French charities waiting for contributions, and it was "suggested" that our service men contribute "to show good will to the French."

I know that we have a law against reprisals to service men who report these things. I'm very happy to read you stated that risk of reprisal is "not worth such an exercise in futility".

I've read article after article about men leaving the service after completing the time for which they signed up—refusing re-enlistment—and what a cost it is to retrain men to replace them. I don't wonder, and can't understand why the government wonders, why this is so. A young man who is brought up to love his country, and goes into a service to serve Her, soon learns what it takes to gain promotions, to escape rigid discipline by making contributions to all "voluntary" collections, realizing he needs to stay on the "good side". The ordinary discipline of service life is something needed, and some, like my son, enjoy it, but these extra disciplinary measures concerning "voluntary" contributing to not only American charities, but foreign ones also, is just too much. The ordinary competition of service life should be enough, without competition in how much and whether contributions are made, in gaining promotions and trying to get ahead in the chosen service.

More power to you, sir, and your committee.

Respectfully,

——— ———.

EAST LEBANON, MAINE,
January 11, 1967.

Senator MARGARET CHASE SMITH,
Senate Office Building,
Washington, D.C.

DEAR SENATOR SMITH: Many reports of coercion in regard to the buying of U.S. Savings bonds and charitable donations have been forwarded to the Senate Constitutional Rights subcommittee by armed forces personnel. I feel that this is a most serious problem in the armed forces and perhaps in other government agencies that should be of immediate concern to the Congress. Most of the men in the Army today I feel are happy to support their nation not only by their tour of service but by buying bonds if it's necessary. However, the methods by which bonds are sold should be a personal matter left up to the conscience of the individual and of course this applies to charitable donations.

My interest in writing this letter is to bring this important matter to your attention and to ask you to look into the problem.

* * * * *

Sincerely yours,

——— ———.

JANUARY 13, 1967.

Hon. SAM J. ERVIN, Jr.,
Senate Office Building,
Washington, D.C.

MY DEAR SENATOR: I read with much appreciation your public statement concerning the pressuring of both military and civil personnel of the federal government to buy savings bonds and to contribute to charity. It is my hope that you will succeed in getting legislation prohibiting this most unfair conduct. During my incumbency in public office, I prohibited such conduct towards personnel under my jurisdiction. Although I was criticized by these professional patriots and sob-sisters, I stuck by my guns. I have been both a federal and a state officer and had the opportunity of observing just what you referred to in your public statement.

One of the most shameful examples of this thing happened in 1917 at Ft. Monroe, Virginia. Enlisted men were herded into a large mess hall and urged to buy Liberty Bonds. Most of these men were receiving only $30 a month. They were told that they were not being ordered to buy these bonds but that it was their patriotic duty to do so and to put the last ounce of pressure upon them, they were told that *they must sign a statement to that effect, if they refused to buy a bond.* You find these little crusading busybodies in both the military and civil service. Some of the worst were in the military service.

Since communicating with you last, I have retired from public service after twenty-five years and am now practicing law in a very leisurely way.

Wishing you success with your proposed legislation, I am,

Cordially yours,

——— ———.

JANUARY 14, 1967.

Hon. Senator SAM J. ERVIN,
U.S. Senate.

DEAR SENATOR: In reference to the attached clipping, it is heartwarming indeed to realize that at long last someone is on our side.

On behalf of many hundreds of thousands of servicemen I would like to say thank you, thank you, thank you and God bless you.

Yours very truly,

——— ———,
Sergeant, USAF.

COMMITTEE PROBES BOND DRIVE COERCION

(By John Chadwick)

WASHINGTON.—The files of the Senate Constitutional Rights subcommittees are bulging with complaints from servicemen and federal employes that they are coerced into buying savings bonds and making charitable contributions.

Letters from servicemen tell of being denied promotion and even of being threatened with shipment to Vietnam if they fail to buy bonds.

The subcommittee also has received reports of Marine sergeants being sent into the foxholes in Vietnam to sign up fighting men for bond purchases.

Sen. Sam J. Ervin Jr., D–N.C., subcommittee chairman, has introduced a bill that would, among other things, protect government employes against any form of compulsion to buy bonds or contribute to charity.

In a recent letter to Thomas D. Morris, assistant secretary of defense for manpower. Ervin wrote: "It is becoming glaringly apparent that legislation is needed to protect servicemen as much—or more so—as it is to protect civilian personnel."

Morris said the Defense Department not only does not authorize coercion of civilian and military personnel to buy savings bonds or contribute to charitable campaigns but has not and will not condone such coercion.

Ervin replied "the numerous complaints from civilian and military personnel throughout the world" indicate that the mere continuance of the Pentagon's support of established grievance procedures is insufficient.

The senator declined to submit to the Pentagon for investigation the names of persons who had complained to the subcommittee. "The risk of reprisals is not worth such an exercise in futility," Ervin wrote.

The senator's letter said that "a Marine general has been quoted as saying that his men in charge of the bond drive in Vietnam were not deterred from achieving the unit goal."

"They went to forward positions and interviewed Marines in fighting holes and kept track of the patrols so that every individual had an opportunity to hear how he could invest his money in a worthwhile savings program," he quoted the general as saying.

Ervin added: "I find this story grotesque."

The Treasury Department said 1,427,602 servicemen were enrolled in payroll savings plans—where bonds are automatically purchased and the price is deducted from pay—as of last Sept. 30.

It said the percentage of those enrolled, compared with total strength, varied widely among the services.

As of Sept. 30,the Army had 84 per cent enrollment with 765,133 active participants followed by the Air Force with 45.3 per cent or 392,542 participants.

The Navy and Marine Corps combined had 27.2 per cent participation, the department said, with 201,637 Navy personnel and 68,290 Marines taking part.

Of federal, civilian employes, 73.8 per cent or 1,687,129 persons were enrolled in the payroll savings program as of Sept. 30, the department added.

During the first nine months of 1966, the department said, $648.1 million in bonds were bought by federal employes both civilian and military under payroll savings. Civilians bought $445.2 million and the military $202.9 million.

JANUARY 8, 1967.

Senator SAM J. ERVIN, Jr.,
U.S. Senate,
Washington, D.C.

DEAR SENATOR ERVIN: It was with a great deal of interest that I read a front page article in The Atlanta Journal, Jan. 7, 1967 of military and civilian personnel being coerced into buying bonds and making "charitable" contributions.

Further, I admire you for your refusal to submit to the Pentagon the names of persons who had complained to your sub-committee.

As a civilian employee of the ——— Army Depot ——— the same sort of thing happened to me in connection with purchasing bonds; rarely a week goes by when an envelope is not passed to collect funds with which to purchase something for someone who is ill, leaving by retirement, or promoted; and the so-called "established grievance procedures" are so much white-wash.

The bond approach was made on the basis that the Chief of the Division wanted 100% of those in the division purchasing bonds. No statement was made, as to what would happen if one refused; however, it isn't difficult to imagine. I feel I'm capable of deciding whether I do or do not wish bond deductions without it having been decided for me and in view of the salary I receive, even the small amount deducted for bonds makes a difference to me.

* * * * *

In writing this, I trust that it and my name will not be made available either to the Pentagon or to the Civil Service Commission for as the paper quotes you "The risk of reprisals is not worth such an exercise in futility".

With kindest regards, I am,

——— ———.

NEW LONDON, CONN.,
January 12, 1967.

Hon. SAM J. ERVIN, Jr.,
U.S. Senate,
Washington, D.C.

DEAR SENATOR ERVIN: I would like to congratulate you on your proposed legislation regarding coercion of federal employees and servicemen, as recently reported by the A.P. news service.

At various times during my 22 years of federal service I have been "pressured" in varying degrees—and I have exerted pressure, for bond drives, United Funds and other worthwhile endeavors.

The most recent of these worthwhile activities is absentee voting, where we are trying to achieve maximum participation, and in the process we are pressuring people to request ballots.

In all cases the objectives are certainly worthwhile and most commendable.

The "arm twisting" to obtain these desirable goals appears to me to be getting progressively worse, and I think it is now time to put a stop to it.

I would recommend legislation to stop any hint of coercion and also to prohibit superior commands from publishing statistical comparisons of their subordinate units in such "voluntary" undertakings. I believe these bar-graphs and percentage tabulations lead directly to the offensive coercion.

Again, thank you for your efforts in behalf of servicemen and federal employees.

Yours truly,

——— ———.

PRESTON, GA.,
January 20, 1967.

Senator SAM J. ERVIN, Jr.,
Subcommittee on Constitutional Rights,
U.S. Senate,
Washington, D.C.

DEAR SIR: I am very interested in your legislation to end coercion during charity and U.S. Savings Bond drives. For goodness sake keep the penalties in the bill.

I am an employee at the Marine Corps Supply Center, Albany Ga.

I bought Saving Bonds under the payroll deduction plan for eleven years. During January of 1966 they got five weeks behind with my bond. No one could give me a satisfactory answer as to why they were behind. After approximately four months I contacted the head of payroll section. They stated they knew I was five weeks behind but didn't know whether they would ever catch it up. They said Charleston Navy Yard, where the Bonds were issued, had changed their system. I then discontinued buying bonds on the payroll savings plan. I began to buy a $50 bond at my bank every pay period, at the time I deposited my check. Shortly after this they had a Savings Bond drive here. I explained that I was buying bonds at my bank and that I quit the payroll deduction plan because of their inefficiency. I was called in by two top supervisors and received the usual arm twisting. However, I did not go back to the bond payroll deduction plan and have no intention of doing so.

As of this date, a report goes to the Division Director, who is a Marine Corps Colonel, each month with the names of all people who are not taking bonds on the payroll deduction plan, listing them as nonparticipants. I am listed as a nonparticipant, even though I have over $4,000 in Savings Bonds and buy a $50 Bond every two weeks from the bank. Frankly, I didn't think the Government cared where you bought their Savings Bonds. I have the bonds for anyone to see at anytime they want to. If you want me to, I can send you the serial numbers of my bonds.

It has been made pretty plain that I will not be considered for any promotion unless I join the bond payroll deduction plan and my job would be more secure if I joined.

I served in the U.S. Army from 1938 through 1945 with service in Europe during World War II. I love my country and know that my loyalty cannot be questioned. However, I don't like to be harassed when I'm doing all I can to support my country. What goes on here and is still going on is unbelievable.

You may use this letter in any way you see fit, especially if you have occasion to consult Senator Richard B. Russell concerning your legislation.

Yours truly,

——— ———.

JANUARY 18, 1967.

DEAR SENATOR ERVIN: I read with considerable interest about the bill you have introduced to protect Government employees against compulsion to buy bonds etc. I want to congratulate you on your initiative. A bill like this has been needed for a long time. But, more important, I want to thank you from the bottom of my heart for declining to submit to the Pentagon the names of the people who complained. I only wish there were more representatives who felt as you do. Perhaps it would take some of the futility out of the lives of career servicemen and give them one of their rights which most of them are now afraid to take advantage of—the right to protest.

I have been married to a career marine for eight years, and in that time I have seen injustices done which no civilian would put up with for a second. "Write to your Congressman" I've said to many a Marine, including my own husband, only to be pounced upon like I had said "dig your grave and jump in". Most of them feel the consequences aren't worth it, and usually, they are not.

A few years age when we were stationed in Hawaii a friend of mine was living in low-cost housing at the base at Kaneohe. After one of our so called pay raises, they raised the rent on the low-cost housing from $80 a month to $105 which is full quarters allowance. E-5 and below were paying the same price for houses which were the next thing to slums that the higher ranks including officers were paying for beautiful ranch-type quarters. I thought she had a good complaint. Write to your Congressman I said. And she did, she wrote to two of them. As for me, I'll never give that advice again. When her husband was passing through D.C. last year he stopped to check his record book and there big and plain for all the world to see, including the promotion boards, were all the letters his wife had written to our so called representatives.

The Marine Corps especially seems to be guilty of Mafia-like tactics. It seems that they can get you for anything they don't happen to like, including "ratting to your Congressman" on the article or law known as "Conduct unbecoming to a Marine." It seems to me that it's about time service men started to get a few of the rights and liberties it is their job to protect for others. The first on the list as far as I'm concerned is the right to protest without fear of reprisal. Again, thanks. It's good to know we have a friend out there. We are going to be permanent residents of North Carolina soon and it will be our pleasure to vote for you. If I were writing this to any other member of Congress, I'd probably chicken out and sign it anonymous, but in view of your record, I'll chance my name.

Sincerely yours,

——— ———.

JANUARY 18, 1967.

SENATOR ERVIN: A note in the Washington *Post* of 17 January about coerced contributions to charity and savings bond drives in the military leads me to write about my expriences.

Navy Relief is a fine charity, but the Marine Corps fills its coffers by questionable methods. The last Navy Relief drive was going slowly, so the enlisted men in my company were paid in cash one payday in mid-drive. Each man had to go to the company commander, who spent all day, with the help of a sergeant, counting money. I stood in line a few minutes, gave my name to the sergeant, who called out the amount I was to be paid, which was a dollar less than my usual pittance. I objected to the company commander, who, after giving me a look like Benedict Arnold's CO must have given him, gave me my pay in full.

The Navy Relief drive before the one described above was a worse affront. After going through the pay line, I was given five dollars *more* than my normal pay. I wasn't told the reason—who asks why pennies fall from heaven. I was on my way out of the company office when the first sergeant yelled at me to come back. He growled something about Navy Relief. When I said I didn't want to contribute he began deriding me as a divisive influence in the company, the sort of man who keeps the others from standing solid behind the 100 per cent contribution goal. He concluded his remarks with a contemptuous, "Get out of here and don't come back." When I wasn't promoted along with others in the company of similar longevity and proficiency, I could trace at least one cause back to the Navy Relief drive.

I have no doubt this sort of thing goes on in every unit on every base in every service. One reason for it is that a unit quota concept leads to a man-quota concept. Do away with the requirement that each unit produce so many dollars and cents, and you escape the tendency to dragoon each man for his "share" of the unit's quota.

No grievance procedure works without the power of solidarity held by the aggrieved. And the only union among the lower enlisted ranks is the union of the —— upon. All written complaints have to go through the office whose idiocy provoked the complaint. So even if the complaint produces a change, the complainer is marked as a "troublemaker." The result is the choice between paying off the company with a dollar for Navy Relief and standing up for your rights and heading the work detail list.

I'm getting out in 61 days, so the situation no longer reduces me to black impotent anger. But it's like the napalmed children of Viet-Nam—I'm not directly involved, but I'd like to see something done.

——— ———.

ANN ARBOR, MICH.,
January 20, 1967.

Hon. SAM J. ERVIN, Jr.,
U.S. Senate,
Washington, D.C.

DEAR SENATOR ERVIN: Thank you for your letter of January 17 replying to my letter of December 13 outlining some of my experiences with Savings Bond and Charity drives while serving in the Army.

* * * * *

It may be useful for you to know that besides experiencing the situations outlined in my letter, I observed that much of the pressure exerted by the Executive (it was and still is my understanding that the pressure to show 100% "voluntary" participation in Savings Bond drives originates at the White House) is futile. A substantial percentage (my guess would be of the order of magnitude of ⅓ to ½) of the soldiers I knew who did purchase a bond to please their commanding officer cashed them in at the first opportunity, probably costing the government more in clerical expense than the value of the bond for the few weeks it was outstanding. In fact, this practice was always suggested to those of us who resisted on principle: "Why do you rock the boat, just take the minimum contribution and cash it in in 60 days—don't be a troublemaker." The rocking of boats, I might add, was cardinal sin number one.

Let me assure you that I am not a chronic malcontent; I enjoyed my tour of active duty in the Army, and offer my observations as hopefully constructive criticism. I appreciate the problem of teaching and maintaining discipline in a military organization, but feel rather strongly that the Regular Army Establishment allows "discipline" to be the excuse for riding roughshod over important democratic values and traditions.

I hope these observations are helpful to you.

Sincerely,

——— ———.

SANTA ANA, CALIF.,
January 15, 1967.

Hon. SAM J. ERVIN, Jr.,
U.S. Senate, Chairman, Senate Constitutional Rights Subcommittee, Washington, D.C.

SIR: Last week I read the enclosed article in the January 12, 1967, issue of the San Diego Evening Tribune. I cannot agree with you more that the service needs legislation to protect itself from over-zealous charity and bond drives.

By pressure, a unit commander may obtain 100 percent participation in a bond or charity drive and thus receive a higher grade on his personal fitness report. Many officers and men in the service, including myself, believe that they should buy bonds and contribute to charity. However, it is a different matter when these voluntary deeds no longer remain the choice of the individual.

I work in a unit that is very highly trained. It costs the United States many thousands of dollars to train and educate the men with whom I serve. But their worth cannot be measured in terms of dollars—they *want* to serve their country and are willing to risk their very lives for it. No amount of money can buy that!

Yet our own organization destroys its morale and provides the "straw that broke the camel's back" with these forced drives. Men of courage do not like to be told that their participation in these drives will be reflected in their fitness reports. If commanders make their men cower to obtain the necessary percentage in a bond drive, what will these same men do when faced by a determined enemy?

Very respectfully yours,

——— ———,
Captain, USMC.

[From the San Diego (Calif.) Evening Tribune, Jan. 12, 1967]

U.S. BOND SELLERS FLAYED FOR COERCION—PROMOTIONS DEPEND ON PURCHASE, YANK SERVICEMEN COMPLAIN

WASHINGTON.—The files of The Senate Constitutional Rights subcommittee are bulging with complaints from servicemen and federal employes that they are coerced into buying savings bonds and making charitable contributions.

Letters from servicemen tell of being denied promotion and even of being threatened with shipment to Vietnam if they fail to buy bonds.

The subcommittee also has received reports of Marine sergeants being sent into the foxholes in Vietnam to sign up fighting men for bond purchases.

Sen. Sam J. Ervin Jr., D-N.C., subcommittee chairman, has introduced a bill that would, among other things, protect government employes against any form of compulsion to buy bonds or contribute to charity.

LEGISLATION NEEDED

In a recent letter to Thomas D. Morris, assistant secretary of defense for manpower, Ervin wrote:

"It is becoming glaringly apparent that legislation is needed to protect servicemen as much—or more so—as it is to protect civilian personnel."

Morris said the defense department not only does not authorize coercion of civilian and military personnel to buy savings bonds or contribute to charitable campaigns but has not and will not condone such coercion.

COMPLAINTS MANY

Ervin replied "the numerous complaints from civilian and military personnel throughout the world" indicate that the mere continuance of The Pentagon's support of established grievance procedures is insufficient.

The Senator declined to submit to The Pentagon for investigation the names of persons who had complained to the subcommittee. "The risk of reprisals is not worth such an exercise in futility," Ervin wrote.

GENERAL QUOTED

The Senator's letter said that "a Marine general has been quoted as saying that his men in charge of the bond drive in Vietnam were not deterred from achieving the unit goal."

"They went to forward positions and interviewed Marines in fighting holes and kept track of the patrols so that every individual had an opportunity to hear how he could invest his money in a worthwhile savings program," he quoted the general as saying.

Ervin added: ". . . I find this story grotesque."

PURCHASE IS AUTOMATIC

The Treasury Department said 1,427,602 servicemen were enrolled in payroll savings plans—where bonds are automatically purchased and the price is deducted from pay—as of last Sept. 30.

It said the percentage of those enrolled, compared with total strength, varied widely among the services.

BREAKDOWN LISTED

As of Sept. 30, the Army had 84 per cent enrollment with 765,133 active participants followed by the Air Force with 45.3 per cent or 392,542 participants.

The Navy and Marine Corps combined had

passed over for promotion a second time and would no longer be eligible for temporary promotion.

I'm telling you all this, Senator, to give you assurance that the letters you've been receiving informing you of coercion in connection with the Bond drives are not merely the result of the usual GI griping. In my own case, as you can see, they carried out their threats; they've even ruined my career.

Please do something about this intolerable situation, Senator, not for me—it's too late—but for my associates in the Service.

I'd appreciate it if you didn't refer this letter to Air Force L&L; I've had enough ostracism to last me for a while. If you need more information though, let me know and I'll do what I can.

Sincerely yours,

——— ———, *Major, USAF*.

ELMONT, N.Y.
December 15, 1966.

Hon. SAM J. ERVIN, JR.

MY DEAR SIR: My son, who is a G.I. stationed in Germany, has sent me a clipping from the November 26, 1966, edition of *Overseas Weekly* which tells of your efforts to have the pressure on the G.I.'s to buy bonds removed.

I would like to quote a few lines written by my son last April—

"While I am not a martyr, I do take a little pride in pulling extra details sometimes because I feel I am right and it's a lot harder than taking the easy way out by compliance with the ridiculous. Case in point—they are having a big savings bond drive here and only about 10 people in the whole battery have not taken one out. I don't want the savings bonds. Well, a Lt. called me over today and told me to take one out and I could cancel it in 60 days and get my money back. This would have been very easy to do—all they were interested in was reporting a high percentage of sales to higher command. Well, I can't do something like this!"

This practice should be stopped. I know many people feel as I do, and are behind your efforts to get a bill passed to safeguard G.I. rights.

Very truly yours,

——— ———.

MOUNT STERLING, KY.,
January 13, 1967.

DEAR SENATOR ERVIN: I read the attached article from my hometown newspaper, *Arkansas Democrat*, with much interest.

I completed my military service obligation as an Air Force Officer, and requested release to the inactive reserves in June 1966. During my four years of active duty I served as "Collection Officer," as most Lieutenants do, on many fund drives. As I recall, these carried a quota which was set somewhere at a higher echelon of command. This quota was vigorously pursued by the Wing Commander, and it meant hounding young airmen and NCO's time and time again for their "fair share." I always passed off the collection to other officers and took only the task of keeping records. I frequently encouraged the men who complained to write their Senators or Representatives. Most of them were reluctant to do so as they were career men or were considering a career and didn't want to cause any trouble that they felt would reflect back on them.

With regard to the annual Savings Bond Drive, this was the most ruthlessly pursued campaign of the year. Commanders did everything to fulfill their imposed quotas. The end result was an increase of government expense as a lot of men who were persuaded to purchase bonds on the payroll savings plan cancelled the allotment after the drive, cashed the bond(s) in 60 days and returned to their previous savings plan.

I was told by my Commander that I was unpatriotic for not buying the bonds, and that my not buying bonds reflected against me as an Officer. This Lt. Colonel was primarily interested in being the first Commander on base to achieve 100% participation. Many young airmen, NCO's, and Officers who had never thought about buying bonds came across with this sort of persuasion.

I sincerely believe that legislation is needed to protect the enlisted men from overzealous commanders at "Fund/Bond Drive time." Giving should not be based on a quota system. Savings Bonds should not be pushed on servicemen because they are a captive group. I know of two NCO's who were financially insolvent who were persuaded to spread their salary even thinner by buying bonds. I happened to be assisting each at the time and was able to intercept and destroy the allotments for them.

I hope you and your colleagues are successful in presenting your proposed bill to the Congress. I would like to have any printed information your Subcommittee has on this subject (Committee Hearing Reports, Bulletins, etc.)

Very truly yours,

——— ———.

JANUARY 11, 1967.

Hon. SAM ERVIN,

DEAR SIR: I have read with interest your concern over the pressuring of Armed Forces personnel to participate in the Savings Bond Program. Since I have just recently left the military I would like to bring another facet to your attention which you may or may not be aware of. During the period that LTC Lester O. Styve commanded the 205th Trans. Bn AM&S here in Europe this was the method he directed for anyone to follow to cancel a Savings Bond. Each individual in the individual's chain of command had to interview the person concerned and then all personnel concerned had to appear before the Bn CO, i.e., the individual, the squad leader, the platoon sergeant, the platoon leader, the 1st SGT, and finally the Company Commander. The fact that all had to travel at other than government expense, except possibly the soldier concerned, and the fact that we were required to travel 90 to 100 miles did not seem to daunt the Bn CO at all. This and other malpractices on this officer's and many other of our so-called leaders' part is the main reason that young intelligent soldiers become disenchanted with the Army. I trust that you will see to it that these young men can at least exercise their right to cancel an allotment at their own discretion rather than be subjected to humilities such as this. When I have time I would like to discuss the methods used to collect money for various type drives at the pay table. This is much worse than the bond program.

Sincerely,

——— ———.

DUBUQUE, IOWA,
January 9, 1967.

SIR: Thank you for doing something about the service men buying savings bonds under pressure. I have one son in Viet Nam and another one who just returned from there so I know about it. When these boys risk their lives they should not be forced to pay the expenses too.

Thank you again.

——— ———.

JANUARY 9, 1967.

Senator SAM J. ERVIN, JR.,
U.S. Senate,
Washington, D.C.

DEAR SIR: Enclosed is a copy of a news article reference some recent actions taken by yourself. Accept my sincere thanks!

The subject matter, of course, is only one of a number of things becoming more and more irksome in the military service.

Never think for a moment that we older people in the military are unaware or unappreciative of efforts like yours on our behalf. Sometime, if you should ever be visiting an area where I am assigned I'd like to sit down and discuss with you some of my own feelings concerning the peculiar position of the career soldier in our present day society.

Being a World War II combat veteran, my own inclinations, at present, are to hang it up and retire to a normal civilian-orientated life.

Please accept my letter as an expression of interest and appreciation re your comments. While not an anonymous letter writer, be advised that I have absolutely no desire to become identified as an individual (in the military) who would write to a government official. However, I believe it is very important that you be aware that efforts in behalf of the military, at the "little man" level certainly do not go without notice. Most pressures brought to bear are not the kind provable in definitive form.

Will close here before I expand. Again, thank you for your concern.

Respectfully,

——— ———,
M. Sgt. USAF.

ROBINS AIR FORCE BASE, GA.

I am very interested in the passage of Legislation restricting the use of force and coercion in Military Installations during charity drives and savings bond sales.

I encountered such force and coercion at Keesler AFB, Miss. during the United Fund Charity Drive and personally think this type action is unconstitutional. Thank you for your efforts in correcting this problem.

Yours truly,

——— ———.

JANUARY 8, 1967.

DEAR SIR: Congress should act on the give away programs which is done against our will. In the Air Force they give us detail or K.P. at Keesler if we didn't give or buy bonds. (UGF) I also gave to United Fund but I ended up with KP or detail because I didn't give a fair share!

At the time I didn't get very much and the wheels knew it! I paid out more than came in!

Really it is no one's business what I give and everything is on an IBM card including name and where I work. Where will it end? I give but not because someone tells me too! Also I seal it up. The USO places are really poor for all the money GI's give.

——— ———.

AVONDALE ESTATES, GA.,
January 7, 1967.

Re U.S. Savings Bonds investigation.
Senator SAM J. ERVIN, JR.
U.S. Senate,
Washington, D.C.

DEAR SENATOR ERVIN: I have today read in the Atlanta Journal where your subcommittee is investigating complaints of servicemen that coercion is being used against them to force purchase of U.S. Savings Bonds. I commend your efforts and I hope that positive steps will be taken to end this.

I know from experience in the U.S. Air Force as a Lieutenant from 1962–1965, stationed at Hancock Field and Stewart Air Force Base, New York, that coercion to buy U.S. Savings Bonds is not the exception but the rule, and I believe that you will find that the reason for this comes from the top, from the commander and I assume, all the way to the Pentagon. Evidently some administrative bureaucracy has set goals for the purchase of U.S. Savings Bonds within the Defense Department and these goals extend to the lowest department and organizational level, throughout the world.

I saw proud officers with over 20 years service, who had served with distinction and bravery, forced to buy bonds themselves and in turn were forced to coerce their men to buy. Sometimes you consider what the Generals think are important in a military unit. Sure, it is patriotic to invest in your country but to force this upon men will destroy their patriotism. *It must be stopped!* Some of the men cannot even afford to buy Bonds.

Senator Ervin, I'm sure that you and your colleagues have the power to stop this flagrant abuse of constitutional rights. I believe that all goals for the purchase of U.S. Savings Bonds should be eliminated within the Defense Department. When you see a percentage of over 80% participation such as the Army has, you know there has been wholesale coercion. Just because a serviceman does not buy a bond, this does not mean he is unpatriotic. Tell the Defense Department that they are not fooling anybody but themselves when they push participation this far.

I was also pleased to read your comment to the Pentagon's request for the names of persons who had complained—"The risk of reprisal is not worth such an exercise in futility." How true that statement is, sir, and I'm glad that Senators realize this.

Good luck!

Sincerely yours,

——— ———.

OVERLAND, MO.,
January 7, 1967.

DEAR SENATOR ERVIN: Thank God for men like you that are not afraid to speak out against the Military establishment that is and has threatened our servicemen with various reprisals if they do not buy savings bonds. In a long conversation with my son while home on Christmas leave from his military base at Fort Dix, New Jersey, he related to me some of the punishment given to some boys who did not sign up for savings bonds, such as, as many as 150 to 200 push-ups, extra K.P. duty—sometimes 48 hours without rest in one K.P. duty stretch—, demerits of all kinds for the least little infraction of their strict rules. I don't mean to ramble in this letter but would like to give you my son's case. He received his degree from the University of Missouri last June and went to work immediately after graduation until being drafted first of October. He worked 3½ months before induction and bought eight $50 savings bonds, so you see he is not against savings bonds or, as far as that goes, in saving money, period. My son had to borrow money from the U. of Mo., the Methodist Church, and the government and worked part-time plus what help we could give him to get through school. We could not help a lot for we have two daughters in college, also, and are a family of a limited income.

My son is receiving about $90 per month before taxes are taken out, plus paying for his GI insurance, plus $10 a month to College Life Insurance Company of Indianapolis, Indiana, an insurance program he has had since the beginning of his senior year in college and felt he had too much invested in it to stop it, plus he pays $20 a month on his loan to the church, plus $20 a month on his loan to the U. of Mo. So, Sir, you can see, by the time they take out the $6 a month that his Sergeant made him sign up for bonds, leaves him practically nothing. Other than being a life-long Democrat, I don't have any pull or connections or the power to do anything about these wrongs that are being done to our servicemen, but I can and will say this: I will not vote Republican, but I sure as H--- will not vote for Johnson again.

I certainly would sign my name to this letter if I did not think that in some way it might get into the hands of some military official and could jeopardize my son's career in the Army. In a few more weeks he will be going to officers school, and I do know that when and if he receives his commission and his income increases, he will not have to be harassed or coerced into buying savings bonds for he, as you and I, is a very patriotic young American, plus being very thrifty and a good manager.

May I suggest, Senator Ervin, a public statement by you on the Senate floor that this practice by the military cease at once, or there could be a bill introduced that a serviceman making $90 or less per month not be permitted to buy savings bonds by payroll deductions. I believe that your fellow colleagues in the House and Senate that were given the knowledge by you what is taking place in the various branches of the services about this condition, would certainly join you in passing such legislation as this. May I again commend you for your work as a great Senator and Democrat, and may your political life be long and to the good of the average, patriotic American citizen.

Best regards,

——— ———.

JANUARY 10, 1967.

Hon. SAM J. ERVIN, Jr.,
U.S. Senate,
The Capitol,
Washington, D.C.

DEAR SENATOR ERVIN: Several days ago, I saw a newspaper article which was rather vague about a bill you are introducing to take some of the heat off of our service men in this matter of soliciting for certain community organizations on military posts. Congratulations! I have watched this type of solicitation for twenty-five years. In fact, since I was in service myself.

It has always been my thinking that if they are going to solicit from service men in communities where a service man does not reside, he should at least be given the option to send whatever donation he wishes to make to his home town. After all, what interest does a service man have for a community where the Armed Forces have sent him other than to get the training that he is receiving. The item that I read was not too clear but nevertheless, it appeared to me that you were trying to do something and for this, I commend you.

With kindest personal regards,

Cordially yours,

——— ———.

JANUARY 13, 1967.

Senator SAM J. ERVIN, Jr.,
Washington, D.C.

DEAR SIR: I read with pleasure an article in the Atlanta Journal about a bill you have introduced to protect government employees and service men from being coerced into so-called "voluntary" contributions. This has been desperately needed for some time. More power to you.

I know of several instances—one concerning my own son—and from others in the service, where men have been disciplined and threatened for not contributing to "voluntary" contributions.

I've been told that commissioned officers pass the word down that their units are expected to contribute one hundred per cent. That officers place bets on whose unit will be the first with one hundred per cent in contributions.

I read with sickness and disgust about our Marines out on patrol and in fox holes who were given an "opportunity" to invest in bonds. It seems it isn't enough that they lay their lives on the line in this war—but that they must help finance it, too.

A service man returned home from France after we were "kicked out" said that on their last pay day there, there was a line of French representatives from French charities waiting for contributions, and it was "suggested" that our service men contribute "to show good will to the French."

I know that we have a law against reprisals to service men who report these things. I'm very happy to read you stated that risk of reprisal is "not worth such an exercise in futility".

I've read article after article about men leaving the service after completing the time for which they signed up—refusing re-enlistment—and what a cost it is to retrain men to replace them. I don't wonder, and can't understand why the government wonders, why this is so. A young man who is brought up to love his country, and goes into a service to serve Her, soon learns what it takes to gain promotions, to escape rigid discipline by making contributions to all "voluntary" collections, realizing he needs to stay on the "good side". The ordinary discipline of service life is something needed, and some, like my son, enjoy it, but these extra disciplinary measures concerning "voluntary" contributing to not only American charities, but foreign ones also, is just too much. The ordinary competition of service life should be enough, without competition in how much and whether contributions are made, in gaining promotions and trying to get ahead in the chosen service.

More power to you, sir, and your committee.

Respectfully,

——— ———.

EAST LEBANON, MAINE,
January 11, 1967.

Senator MARGARET CHASE SMITH,
Senate Office Building,
Washington, D.C.

DEAR SENATOR SMITH: Many reports of coercion in regard to the buying of U.S. Savings bonds and charitable donations have been forwarded to the Senate Constitutional Rights subcommittee by armed forces personnel. I feel that this is a most serious problem in the armed forces and perhaps in other government agencies that should be of immediate concern to the Congress. Most of the men in the Army today I feel are happy to support their nation not only by their tour of service but by buying bonds if it's necessary. However, the methods by which bonds are sold should be a personal matter left up to the conscience of the individual and of course this applies to charitable donations.

My interest in writing this letter is to bring this important matter to your attention and to ask you to look into the problem.

* * * * *

Sincerely yours,

——— ———.

JANUARY 13, 1967.

Hon. SAM J. ERVIN, Jr.,
Senate Office Building,
Washington, D.C.

MY DEAR SENATOR: I read with much appreciation your public statement concerning the pressuring of both military and civil personnel of the federal government to buy savings bonds and to contribute to charity. It is my hope that you will succeed in getting legislation prohibiting this most unfair conduct. During my incumbency in public office, I prohibited such conduct towards personnel under my jurisdiction. Although I was criticized by these professional patriots and sob-sisters, I stuck by my guns. I have been both a federal and a state officer and had the opportunity of observing just what you referred to in your public statement.

One of the most shameful examples of this thing happened in 1917 at Ft. Monroe, Virginia. Enlisted men were herded into a large mess hall and urged to buy Liberty Bonds. Most of these men were receiving only $30 a month. They were told that they were not being ordered to buy these bonds but that it was their patriotic duty to do so and to put the last ounce of pressure upon them, they were told that *they must sign a statement to that effect, if they refused to buy a bond.* You find these little crusading busybodies in both the military and civil service. Some of the worst were in the military service.

Since communicating with you last, I have retired from public service after twenty-five years and am now practicing law in a very leisurely way.

Wishing you success with your proposed legislation, I am,

Cordially yours,

——— ———.

JANUARY 14, 1967.

Hon. Senator SAM J. ERVIN,
U.S. Senate.

DEAR SENATOR: In reference to the attached clipping, it is heartwarming indeed to realize that at long last someone is on our side.

On behalf of many hundreds of thousands of servicemen I would like to say thank you, thank you, thank you and God bless you.

Yours very truly,

——— ———,
Sergeant, USAF.

COMMITTEE PROBES BOND DRIVE COERCION

(By John Chadwick)

WASHINGTON.—The files of the Senate Constitutional Rights subcommittees are bulging with complaints from servicemen and federal employes that they are coerced into buying savings bonds and making charitable contributions.

Letters from servicemen tell of being denied promotion and even of being threatened with shipment to Vietnam if they fail to buy bonds.

The subcommittee also has received reports of Marine sergeants being sent into the foxholes in Vietnam to sign up fighting men for bond purchases.

Sen. Sam J. Ervin Jr., D–N.C., subcommittee chairman, has introduced a bill that would, among other things, protect government employes against any form of compulsion to buy bonds or contribute to charity.

In a recent letter to Thomas D. Morris, assistant secretary of defense for manpower. Ervin wrote: "It is becoming glaringly apparent that legislation is needed to protect servicemen as much—or more so—as it is to protect civilian personnel."

Morris said the Defense Department not only does not authorize coercion of civilian and military personnel to buy savings bonds or contribute to charitable campaigns but has not and will not condone such coercion.

Ervin replied "the numerous complaints from civilian and military personnel throughout the world" indicate that the mere continuance of the Pentagon's support of established grievance procedures is insufficient.

The senator declined to submit to the Pentagon for investigation the names of persons who had complained to the subcommittee. "The risk of reprisals is not worth such an exercise in futility," Ervin wrote.

The senator's letter said that "a Marine general has been quoted as saying that his men in charge of the bond drive in Vietnam were not deterred from achieving the unit goal."

"They went to forward positions and interviewed Marines in fighting holes and kept track of the patrols so that every individual had an opportunity to hear how he could invest his money in a worthwhile savings program," he quoted the general as saying.

Ervin added: "I find this story grotesque."

The Treasury Department said 1,427,602 servicemen were enrolled in payroll savings plans—where bonds are automatically purchased and the price is deducted from pay—as of last Sept. 30.

It said the percentage of those enrolled, compared with total strength, varied widely among the services.

As of Sept. 30,the Army had 84 per cent enrollment with 765,133 active participants followed by the Air Force with 45.3 per cent or 392,542 participants.

The Navy and Marine Corps combined had 27.2 per cent participation, the department said, with 201,637 Navy personnel and 68,290 Marines taking part.

Of federal, civilian employes, 73.8 per cent or 1,687,129 persons were enrolled in the payroll savings program as of Sept. 30, the department added.

During the first nine months of 1966, the department said, $648.1 million in bonds were bought by federal employes both civilian and military under payroll savings. Civilians bought $445.2 million and the military $202.9 million.

JANUARY 8, 1967.

Senator SAM J. ERVIN, Jr.,
U.S. Senate,
Washington, D.C.

DEAR SENATOR ERVIN: It was with a great deal of interest that I read a front page article in The Atlanta Journal, Jan. 7, 1967 of military and civilian personnel being coerced into buying bonds and making "charitable" contributions.

Further, I admire you for your refusal to submit to the Pentagon the names of persons who had complained to your sub-committee.

As a civilian employee of the ——— Army Depot ——— the same sort of thing happened to me in connection with purchasing bonds; rarely a week goes by when an envelope is not passed to collect funds with which to purchase something for someone who is ill, leaving by retirement, or promoted; and the so-called "established grievance procedures" are so much white-wash.

The bond approach was made on the basis that the Chief of the Division wanted 100% of those in the division purchasing bonds. No statement was made, as to what would happen if one refused; however, it isn't difficult to imagine. I feel I'm capable of deciding whether I do or do not wish bond deductions without it having been decided for me and in view of the salary I receive, even the small amount deducted for bonds makes a difference to me.

* * * * *

In writing this, I trust that it and my name will not be made available either to the Pentagon or to the Civil Service Commission for as the paper quotes you "The risk of reprisals is not worth such an exercise in futility".

With kindest regards, I am,

——— ———.

NEW LONDON, CONN.,
January 12, 1967.

Hon. SAM J. ERVIN, Jr.,
U.S. Senate,
Washington, D.C.

DEAR SENATOR ERVIN: I would like to congratulate you on your proposed legislation regarding coercion of federal employees and servicemen, as recently reported by the A.P. news service.

At various times during my 22 years of federal service I have been "pressured" in varying degrees—and I have exerted pressure, for bond drives, United Funds and other worthwhile endeavors.

The most recent of these worthwhile activities is absentee voting, where we are trying to achieve maximum participation, and in the process we are pressuring people to request ballots.

In all cases the objectives are certainly worthwhile and most commendable.

The "arm twisting" to obtain these desirable goals appears to me to be getting progressively worse, and I think it is now time to put a stop to it.

I would recommend legislation to stop any hint of coercion and also to prohibit superior commands from publishing statistical comparisons of their subordinate units in such "voluntary" undertakings. I believe these bar-graphs and percentage tabulations lead directly to the offensive coercion.

Again, thank you for your efforts in behalf of servicemen and federal employees.

Yours truly,

——— ———.

PRESTON, GA.,
January 20, 1967.

Senator SAM J. ERVIN, Jr.,
Subcommittee on Constitutional Rights,
U.S. Senate,
Washington, D.C.

DEAR SIR: I am very interested in your legislation to end coercion during charity and U.S. Savings Bond drives. For goodness sake keep the penalties in the bill.

I am an employee at the Marine Corps Supply Center, Albany Ga.

I bought Saving Bonds under the payroll deduction plan for eleven years. During January of 1966 they got five weeks behind with my bond. No one could give me a satisfactory answer as to why they were behind. After approximately four months I contacted the head of payroll section. They stated they knew I was five weeks behind but didn't know whether they would ever catch it up. They said Charleston Navy Yard, where the Bonds were issued, had changed their system. I then discontinued buying bonds on the payroll savings plan. I began to buy a $50 bond at my bank every pay period, at the time I deposited my check. Shortly after this they had a Savings Bond drive here. I explained that I was buying bonds at my bank and that I quit the payroll deduction plan because of their inefficiency. I was called in by two top supervisors and received the usual arm twisting. However, I did not go back to the bond payroll deduction plan and have no intention of doing so.

As of this date, a report goes to the Division Director, who is a Marine Corps Colonel, each month with the names of all people who are not taking bonds on the payroll deduction plan, listing them as nonparticipants. I am listed as a nonparticipant, even though I have over $4,000 in Savings Bonds and buy a $50 Bond every two weeks from the bank. Frankly, I didn't think the Government cared where you bought their Savings Bonds. I have the bonds for anyone to see at anytime they want to. If you want me to, I can send you the serial numbers of my bonds.

It has been made pretty plain that I will not be considered for any promotion unless I join the bond payroll deduction plan and my job would be more secure if I joined.

I served in the U.S. Army from 1938 through 1945 with service in Europe during World War II. I love my country and know that my loyalty cannot be questioned. However, I don't like to be harassed when I'm doing all I can to support my country. What goes on here and is still going on is unbelievable.

You may use this letter in any way you see fit, especially if you have occasion to consult Senator Richard B. Russell concerning your legislation.

Yours truly,

——— ———.

JANUARY 18, 1967.

DEAR SENATOR ERVIN: I read with considerable interest about the bill you have introduced to protect Government employees against compulsion to buy bonds etc. I want to congratulate you on your initiative. A bill like this has been needed for a long time. But, more important, I want to thank you from the bottom of my heart for declining to submit to the Pentagon the names of the people who complained. I only wish there were more representatives who felt as you do. Perhaps it would take some of the futility out of the lives of career servicemen and give them one of their rights which most of them are now afraid to take advantage of—the right to protest.

I have been married to a career marine for eight years, and in that time I have seen injustices done which no civilian would put up with for a second. "Write to your Congressman" I've said to many a Marine, including my own husband, only to be pounced upon like I had said "dig your grave and jump in". Most of them feel the consequences aren't worth it, and usually, they are not.

A few years age when we were stationed in Hawaii a friend of mine was living in low-cost housing at the base at Kaneohe. After one of our so called pay raises, they raised the rent on the low-cost housing from $80 a month to $105 which is full quarters allowance. E–5 and below were paying the same price for houses which were the next thing to slums that the higher ranks including officers were paying for beautiful ranch-type quarters. I thought she had a good complaint. Write to your Congressman I said. And she did, she wrote to two of them. As for me, I'll never give that advice again. When her husband was passing through D.C. last year he stopped to check his record book and there big and plain for all the world to see, including the promotion boards, were all the letters his wife had written to our so called representatives.

The Marine Corps especially seems to be guilty of Mafia-like tactics. It seems that they can get you for anything they don't happen to like, including "ratting to your Congressman" on the article or law known as "Conduct unbecoming to a Marine." It seems to me that it's about time service men started to get a few of the rights and liberties it is their job to protect for others. The first on the list as far as I'm concerned is the right to protest without fear of reprisal. Again, thanks. It's good to know we have a friend out there. We are going to be permanent residents of North Carolina soon and it will be our pleasure to vote for you. If I were writing this to any other member of Congress, I'd probably chicken out and sign it anonymous, but in view of your record, I'll chance my name.

Sincerely yours,

——— ———.

JANUARY 18, 1967.

SENATOR ERVIN: A note in the Washington *Post* of 17 January about coerced contributions to charity and savings bond drives in the military leads me to write about my expriences.

Navy Relief is a fine charity, but the Marine Corps fills its coffers by questionable methods. The last Navy Relief drive was going slowly, so the enlisted men in my company were paid in cash one payday in mid-drive. Each man had to go to the company commander, who spent all day, with the help of a sergeant, counting money. I stood in line a few minutes, gave my name to the sergeant, who called out the amount I was to be paid, which was a dollar less than my usual pittance. I objected to the company commander, who, after giving me a look like Benedict Arnold's CO must have given him, gave me my pay in full.

The Navy Relief drive before the one described above was a worse affront. After going through the pay line, I was given five dollars *more* than my normal pay. I wasn't told the reason—who asks why pennies fall from heaven. I was on my way out of the company office when the first sergeant yelled at me to come back. He growled something about Navy Relief. When I said I didn't want to contribute be began deriding me as a divisive influence in the company, the sort of man who keeps the others from standing solid behind the 100 per cent contribution goal. He concluded his remarks with a contemptuous, "Get out of here and don't come back." When I wasn't promoted along with others in the company of similar longevity and proficiency, I could trace at least one cause back to the Navy Relief drive.

I have no doubt this sort of thing goes on in every unit on every base in every service. One reason for it is that a unit quota concept leads to a man-quota concept. Do away with the requirement that each unit produce so many dollars and cents, and you escape the tendency to dragoon each man for his "share" of the unit's quota.

No grievance procedure works without the power of solidarity held by the aggrieved. And the only union among the lower enlisted ranks is the union of the —— upon. All written complaints have to go through the office whose idiocy provoked the complaint. So even if the complaint produces a change, the complainer is marked as a "troublemaker." The result is the choice between paying off the company with a dollar for Navy Relief and standing up for your rights and heading the work detail list.

I'm getting out in 61 days, so the situation no longer reduces me to black impotent anger. But it's like the napalmed children of Viet-Nam—I'm not directly involved, but I'd like to see something done.

——— ———.

ANN ARBOR, MICH.,
January 20, 1967.

Hon. SAM J. ERVIN, Jr.,
U.S. Senate,
Washington, D.C.

DEAR SENATOR ERVIN: Thank you for your letter of January 17 replying to my letter of December 13 outlining some of my experiences with Savings Bond and Charity drives while serving in the Army.

* * * * *

It may be useful for you to know that besides experiencing the situations outlined in my letter, I observed that much of the pressure exerted by the Executive (it was and still is my understanding that the pressure to show 100% "voluntary" participation in Savings Bond drives originates at the White House) is futile. A substantial percentage (my guess would be of the order of magnitude of ⅓ to ½) of the soldiers I knew who did purchase a bond to please their commanding officer cashed them in at the first opportunity, probably costing the government more in clerical expense than the value of the bond for the few weeks it was outstanding. In fact, this practice was always suggested to those of us who resisted on principle: "Why do you rock the boat, just take the minimum contribution and cash it in in 60 days—don't be a troublemaker." The rocking of boats, I might add, was cardinal sin number one.

Let me assure you that I am not a chronic malcontent; I enjoyed my tour of active duty in the Army, and offer my observations as hopefully constructive criticism. I appreciate the problem of teaching and maintaining discipline in a military organization, but feel rather strongly that the Regular Army Establishment allows "discipline" to be the excuse for riding roughshod over important democratic values and traditions.

I hope these observations are helpful to you.

Sincerely,

——— ———.

SANTA ANA, CALIF.,
January 15, 1967.

Hon. SAM J. ERVIN, Jr.,
U.S. Senate, Chairman, Senate Constitutional Rights Subcommittee, Washington, D.C.

SIR: Last week I read the enclosed article in the January 12, 1967, issue of the San Diego Evening Tribune. I cannot agree with you more that the service needs legislation to protect itself from over-zealous charity and bond drives.

By pressure, a unit commander may obtain 100 percent participation in a bond or charity drive and thus receive a higher grade on his personal fitness report. Many officers and men in the service, including myself, believe that they should buy bonds and contribute to charity. However, it is a different matter when these voluntary deeds no longer remain the choice of the individual.

I work in a unit that is very highly trained. It costs the United States many thousands of dollars to train and educate the men with whom I serve. But their worth cannot be measured in terms of dollars—they *want* to serve their country and are willing to risk their very lives for it. No amount of money can buy that!

Yet our own organization destroys its morale and provides the "straw that broke the camel's back" with these forced drives. Men of courage do not like to be told that their participation in these drives will be reflected in their fitness reports. If commanders make their men cower to obtain the necessary percentage in a bond drive, what will these same men do when faced by a determined enemy?

Very respectfully yours,

——— ———,
Captain, USMC.

[From the San Diego (Calif.) Evening Tribune, Jan. 12, 1967]

U.S. BOND SELLERS FLAYED FOR COERCION—PROMOTIONS DEPEND ON PURCHASE, YANK SERVICEMEN COMPLAIN

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Letters from servicemen tell of being denied promotion and even of being threatened with shipment to Vietnam if they fail to buy bonds.

The subcommittee also has received reports of Marine sergeants being sent into the foxholes in Vietnam to sign up fighting men for bond purchases.

Sen. Sam J. Ervin Jr., D-N.C., subcommittee chairman, has introduced a bill that would, among other things, protect government employes against any form of compulsion to buy bonds or contribute to charity.

LEGISLATION NEEDED

In a recent letter to Thomas D. Morris, assistant secretary of defense for manpower, Ervin wrote:

"It is becoming glaringly apparent that legislation is needed to protect servicemen as much—or more so—as it is to protect civilian personnel."

Morris said the defense department not only does not authorize coercion of civilian and military personnel to buy savings bonds or contribute to charitable campaigns but has not and will not condone such coercion.

COMPLAINTS MANY

Ervin replied "the numerous complaints from civilian and military personnel throughout the world" indicate that the mere continuance of The Pentagon's support of established grievance procedures is insufficient.

The Senator declined to submit to The Pentagon for investigation the names of persons who had complained to the subcommittee. "The risk of reprisals is not worth such an exercise in futility," Ervin wrote.

GENERAL QUOTED

The Senator's letter said that "a Marine general has been quoted as saying that his men in charge of the bond drive in Vietnam were not deterred from achieving the unit goal."

"They went to forward positions and interviewed Marines in fighting holes and kept track of the patrols so that every individual had an opportunity to hear how he could invest his money in a worthwhile savings program," he quoted the general as saying.

Ervin added: ". . . I find this story grotesque."

PURCHASE IS AUTOMATIC

The Treasury Department said 1,427,602 servicemen were enrolled in payroll savings plans—where bonds are automatically purchased and the price is deducted from pay—as of last Sept. 30.

It said the percentage of those enrolled, compared with total strength, varied widely among the services.

BREAKDOWN LISTED

As of Sept. 30, the Army had 84 per cent enrollment with 765,133 active participants followed by the Air Force with 45.3 per cent or 392,542 participants.

The Navy and Marine Corps combined had

27.2 per cent participation. The Department said, with 201,637 Navy personnel and 68,290 Marines taking part.

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During the first nine months of 1966, the department said, $648.1 million in bonds were bought by federal employes both civilian and military under payroll savings. Civilians bought $445.2 million and the military $202.9 million.

SOUTH BEND, IND.,
January 25, 1967.

DEAR SENATOR ERVIN: I have read that you and the members of your Senate Constitutional Rights Subcommittee are trying to introduce legislation that would protect government employees, and especially servicemen, from the type of coercion represented in the letter I am enclosing. May I thank you, and offer my full support for your efforts? As I am sure you must realize, this type of legislation is very difficult to enforce, but despite what Mr. T. D. Morris of the DoD says, the pressure comes from the Pentagon, and in the long run, through lowered morale and especially, reduced enlistments, it has a very detrimental effect on the services.

Sincerely yours,

——— ———.

U.S. NAVAL AIR STATION, OCEANA,
Virginia Beach, Va., June 27, 1966.

NAVAL AIR STATION, OCEANA,
Virginia Beach, Va.

DEAR MR. ———: The President has asked that each member of the federal service, military and civilian, subscribe to the U.S. Savings Bonds Program through the payroll deduction plan. Through this plan you can get a bond for as little as $6.25 withheld each month; receiving an $18.75 bond every three months.

The purpose of the campaign is to reduce spending and thus slow the upward drive of costs—in other words, inflation. With members of the federal service supporting the program, the general public will be encouraged to join, too. For those of you who are economists, I need not remind you of the reverse multiplier effect caused by buying government bonds. The small amount invested by each individual can help when multiplied by millions of participants.

Also, lest we all forget, our President has asked this: and he is the one at whose pleasure we hold our commission, serve, and are promoted.

In personnel administration, study reveals that to get work done, to provide esprit and achieve morale in an organization, support must be in two directions. The business provides equitable, safe, and reasonable conditions of work. Those who then take the job are expected to carry out the requirements of it as a condition of work. For a commissioned officer, this could include participation in saving programs such as that being requested by the President.

Enclosed is a form to assist you in your decision. Just write the name of the co-owner, his or her address, and sign your name. Then turn in, in an envelope, to your Head of Department.

Won't you join me? I have my small bond deduction.

Sincerely,

DEXTER C. RUMSEY II,
Captain, U.S. Navy.

———, S.C., *January 31, 1967.*

DEAR SENATOR ERVIN: I have read many articles about your strong feelings against coercion in bond drives and various charities. Presently I am stationed at Shaw Air Force Base, assigned as a jet engine mechanic. My unnecessarily bad experience with just such a bond drive may to some be unimportant, but to me the freedom to choose is most important. Because I chose not to participate in the bond drive I have suffered the consequences, humiliation, promotion and almost my self-respect. One person standing alone cannot combat the overwhelming superior forces of our service. Buying United States Savings bonds is not the subject in which I object; it is the procedure in which they are presented to men in all branches of the service. Individuals who are in charge of filling their bond quotas specify that you have free choice in deciding to buy or not to buy a bond, even when it's the 12, 15 or 25th time you are approached; they specify you have a free choice, but religiously they come, always asking the same question, "Why not?" We have a free choice, but it had better be yes to get along in our service system.

Right now we are engaged in a war in Vietnam, military men are losing their lives to stop communist aggression so that we may live in a free society. Is it a free society if we cannot choose to buy or not to buy a savings bond? If this ugly monster of coercion is not exterminated from the service, where will it end? Will I have to go to the church of military choice, will the Government choose my wife and how big my family should be? Being in the military we are obligated in our actions and thoughts to an extent, but we must draw the line somewhere or else it's not just the military system, it's just plain old-fashioned dictatorship.

Rid us men of this repulsive unwritten law of conformity. Make all men, in all ranks, stand out as men, not just puppets on a string. Dissolve this unwanted but tolerated cancer in our service system, cut the strings and forever abolish puppetism. Give us service men back our duly deserving freedom of choice—do this one thing and you will achieve a well-rounded superior defense system second to none. I ask this not for myself; for my actions and thoughts I feel no remorse. I ask this for my fellow GI's and the men that will follow in my place.

——— ———.

FEBRUARY 1, 1967.

DEAR SENATOR SAM J. ERVIN, JR.: Sir I read your article in a newspaper concerning servicemen being forced to buy U.S. Savings Bonds. I had been trying to cancel bonds since last May, but it is a ships rule that this unit will have 100% participation or else. The reason I wanted to stop my bonds last May was because there had been a mix up in addresses and I still have bonds missing. At that time I wished only to stop until mailing was corrected, but the Captain, Executive Officer and Paymaster said "I must have one out."

This January I received orders to Squadron One in Viet Nam which I had volunteered for. I was transferred off this unit to Coast Guard Base Alameda, Alameda, California for further training. The day of my transfer the Executive Officer let me cancel my bonds. At Alameda they cancelled my orders two weeks later and sent me back to this unit. They've been trying every means possible forcing a bond on me.

Today I was informed by my Engineering Officer by a direct order from the Captain "I will stay aboard every night until 10 P.M. until I agree to take out a bond." I would appreciate any help you could give concerning my problem. I know my rights as an American citizen of the United States of America and I'm holding my stand no matter what force they use.

Sincerely,

——— ———.

WASHINGTON COURT HOUSE, OHIO,
February 10, 1967.

DEAR SENATOR ERVIN: While my son, an Army Private, was home at Christmas, he informed me that upon entering the Army at Fort Benning, these boys whose entire monthly pay is about $100.00 per month, were "encouraged" to deduct a bond a month. With so little money, I do not see how anyone can expect to take away $18.75 from a serviceman's paycheck of this proportion for savings bonds. My husband, at present a 20-year Air Force officer, went through this several years ago but our income is such that we do not object—only the manner in which the "Brass" of the Armed Forces get their 100% participation from all servicemen.

This same coercion is *more* pronounced on a military facility when it comes to local United Fund campaigns—in fact, my husband was told that "if you do not give the specified amount, determined by rank, you will go see the Colonel. Then, if he can't convince you, you will go see the General." Then, as anyone in military service knows, a list is made of all those who refuse and note is taken when promotion time rolls around.

I can't believe that this "give or else" practice is justified *any* place in the Armed Forces or for *any* cause. Many of the officers who have participated in previous bond drives have done so unwillingly but to save their chances of promotion, then redeemed the bonds at an early date. One hundred percent means nothing when resentment or necessity reduces the bonds through immediate redemption.

Sincerely,

——— ———,
Air Force Wife and Army Mother.

HEADQUARTERS, 3D BATTALION, 9TH
MARINES, 3D MARINE DIVISION
(REIN) FMF,
FPO San Francisco, Calif.,
February 7, 1967.

MEMORANDUM

From: Commanding Officer.
To: Company Commanders and Section Heads.
Subject: Savings Bond Program.

1. In view of the excellence of performance in the many areas of endeavor of units of this command it is incomprehensible that our objectives in the bond program have not been realized.

2. In view of the personal benefit accruing to the individual Marine and in view of our objective of 95% minimum acceptable participation, maximum emphasis is required from all unit leaders.

3. In the event 95% participation has not been attained by each company of this battalion by 101200 February 1967 unit commanders will discuss their program with the Battalion Executive Officer.

S. G. FAULK,
(By direction).

SAVINGS BOND SALE PRESSURE IS BANNED

(By Roulhac Hamilton)

WASHINGTON.—Acting under the prod of the Senate subcommittee of constitutional rights, the Defense Department has promulgated a new order prohibiting use of coercive methods in persuading civilian employes and military personnel to participate in United States Savings Bond-purchase campaigns.

The action followed sharp criticism by subcommittee Chairman Sam J. Ervin Jr. of bond-purchase campaign practices within the Defense Department and the Army, Navy and Air Force in denouncing the defense establishment's activities. Ervin cited as an example the boast of a Marine Corps general that he had had his Savings Bond squad solicit his men while they were in Vietnamese foxholes in mortal combat with the enemy.

The resulting Defense Department directive says:

"Any practice that involves compulsion, coercion or reprisal directed to the individual serviceman or civilian employe because of the size of his contribution or his failure to contribute has no place in the federal campaign.

"Coercive practices debase the spirit and purpose of the program. They cannot be tolerated or condoned. The choice of whether to buy or not to buy a United States Savings Bond is one that is up to the individual concerned. He has a perfect right to refuse to buy and to offer no reason for that refusal."

The betting odds around Washington are that the directive will not stop the practice of coercive tactics. There have been similar directives before, in defense and other agencies, and complaints continue to pour into Ervin's subcommittee from those who have been victimized by commanding officers and supervisory officials determined to meet both monetary and participation quotas, set sometimes by themselves, sometimes by their own superiors.

FEBRUARY 17, 1967.

DEAR SENATOR ERVIN: I've delayed long enough!! Ever since I read an article about your stand on investigating pressure tactics used in the Army to encourage 100% participation in the U.S. Savings Bond program, I've wanted to relate to you my personal story.

It happened while I was in basic training at Fort Knox, Kentucky. In the beginning we were briefed that the company commander wanted all of the men to buy a bond. Personally, I don't prefer bonds as a method of saving, so I told my assistant platoon sergeant that I didn't want a bond. Afterwards, I had to be counseled by the platoon sergeant (3 times). Next, it was a trip to the first sergeant and then to the captain, with whom I talked several times. After the captain decided that I didn't want to invest, he told me that I would then have to talk to the battalion commander and if the battalion commander couldn't convince me, it would mean a trip to the regimental commander.

Well, I was never counseled by the battalion or regimental commanders, but I do consider all the extra counseling unnecessary and the mental harassment that I received wondering when I would have to talk to the battalion and regimental commanders to be strictly "out-of-bounds" with the regulations. Seriously, I didn't know *where*, *when* or with *whom* the harassment might end! I, like the rest, bought the bond just to get the "monkey off my back." It mattered *not* that I had a savings plan of my *own*.

Red Cross *donations* were next with the Captain paying and the first sergeant between you and the exit asking why you didn't want to give to the American Red Cross. With the knowledge in mind of who made the duty rosters—you gave!!

It is my suggestion that both drives be made independent from the pay lines and collections be paid to an agent unaffiliated with the Army or to be specific—with your immediate company.

I give my thanks to you for bringing this matter to the public.

Sincerely,

———— ————.

HARRY LeROY JONES

Mr. MONRONEY. Mr. President, I send to the desk, for appropriate reference, a private bill to permit the recomputation of the civil service retirement annuity of Mr. Harry LeRoy Jones.

Mr. Jones served for 5½ years as the Director of the U.S. Commission on Rules of International Judicial Procedure, a commission which came to an end last December 31. The distinguished chairman of that commission was the late Oscar Cox, one of the great servants of the U.S. Government of our time.

Because the Commission was not adequately financed by annual appropriations from Congress, it was necessary for Harry LeRoy Jones to serve almost all of his time with the Commission without Federal salary. He retired from the Federal service so that he could receive a civil service annuity, and served faithfully throughout the life of the Commission.

This bill would simply permit inclusion of that period of service at the appropriate grade of the general schedule, and would permit the recomputation of his annuity on the basis of his total Federal service.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1041) for the relief of Harry LeRoy Jones, introduced by Mr. MONRONEY, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

REVISION OF THE PATENT LAWS

Mr. McCLELLAN. Mr. President, by request, I introduce for appropriate reference, a bill to provide for the general revision of the patent laws, title 35 of the United States Code, and for other purposes.

The Subcommittee on Patents, Trademarks, and Copyrights has been engaged in recent years in a review of our patent system. As part of this undertaking the subcommittee published a series of 30 studies and also obtained the views of industry, inventors, economists, and the patent bar. The subcommittee concluded in 1965 that—

> While the objectives of the patent system are as valid today as at its inception, there has not been adequate adjustment of our patent laws and procedures to reflect changing conditions and to respond to the critical problems confronting the Patent Office.

Our patent laws are lengthy and complex. The last substantive revision occurred more than a century ago. I, therefore, welcomed President Johnson's action in appointing the President's Commission on the Patent System. This Commission, composed of distinguished lawyers, inventors, educators, businessmen, and Government officials has undertaken a comprehensive survey of our patent laws and procedures and addressed itself to the critical problems which demand solutions. Its unanimous conclusion that the patent system continues to provide an essential incentive for the conduct of research and the investment of capital is in accord with the findings of the subcommittee. In his Economic Report of this year, President Johnson said:

> To aid the advance of technology on which economic progress depends, I now urge congressional support for a long-overdue modernization of our patent system.

The bill which I am introducing today is based on the recommendations made by the President's Commission. The legislation is designed: To enhance the quality and reliability of U.S. patents; to reduce the time and expense of obtaining a patent; to accelerate the public disclosure of scientific and technological advances; to harmonize U.S. practice with that of other nations as a step toward closer international cooperation and increased international trade.

I should like to point out that this bill does not relate to the ownership of patent rights in inventions resulting from research and development projects funded by the Federal Government. That issue, which has occupied so much of the time of the Senate in recent years, warrants action by the Congress, but orderly legislative procedure dictates that it be considered separately from the bill which I am introducing today.

Our patent system has been a most significant factor in the economic growth of the Nation. It will continue to be in the future. But the need for revision of the patent laws, as stated by President Johnson, is long overdue.

I urge all those interested in our patent system to give their careful study to the Report of the President's Commission and this bill. The report of the President's Commission has been reprinted as Senate Document No. 5 of the 90th Congress. I indicated to the Senate last week that the Subcommittee on Patents will consider this legislation during the current session of the Congress. I invite those who have comments on this bill, or other suggestions, to submit them to the subcommittee.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1042) for the general revision of the patent laws, title 35 of the United States Code, and for other purposes, introduced by Mr. MCCLELLAN, by request, was received, read twice by its title, and referred to the Committee on the Judiciary.

COMMEMORATIVE STAMPS FOR THE TERRITORIAL CENTENNIAL OF WYOMING AND THE ROLE OF ESTHER HOBART MORRIS IN SECURING WOMEN'S SUFFRAGE

Mr. HANSEN. Mr. President, I introduce for appropriate reference, two bills to provide for the issuance of special postage stamps in commemoration of two important events in the history of the State of Wyoming.

The first stamp is in celebration of the territorial centennial of Wyoming in 1969. Carved from sections of Dakota, Utah, and Idaho Territories, Wyoming Territory came into existence by act of Congress on July 25, 1868. Upon the organization of Wyoming Territory, Yellowstone Park was among the lands annexed from Utah, Idaho, and Montana. The territorial government was formally inaugurated May 19, 1869, at which time John A. Campbell was appointed the first territorial Governor by President Ulysses S. Grant. In commemoration of the territorial centennial of Wyoming, the 39th Legislature of the State of Wyoming has enacted Joint Memorial 1, which I wish to be included at the close of my remarks.

It was during the First Territorial Assembly of the Territory of Wyoming that women were granted the right to vote—the first Territory or State ever to grant such equal suffrage. The "Mother of Woman Suffrage in Wyoming" was Esther Hobart Morris who can be credited with obtaining the first major step toward the granting of equal rights for women in the State of Wyoming and the Nation. She also later became the first woman ever to be appointed a justice of the peace, and is honored by a statue in Statuary Hall of the Capitol Building. It is Esther Hobart Morris whom I wish to commemorate with the issuance of a special postage stamp for the role she played in women's suffrage in Wyoming.

At this point, I request that House Joint Memorial 1 and Senate Joint Memorial 2 of the State Legislature of Wyoming be placed in the RECORD.

The PRESIDING OFFICER. The bills will be received and appropriately referred; and, without objection, the joint resolutions will be printed in the RECORD.

The bills, introduced by Mr. HANSEN (for himself and Mr. MCGEE), were received, read twice by their titles, and referred to the Committee on Post Office and Civil Service, as follows:

S. 1043. A bill to provide for the issuance of a special postage stamp in commemoration of the Territorial Centennial of Wyoming in 1969; and

S. 1044. A bill to provide for the issuance of a special postage stamp in commemoration of the work of Esther Hobart Morris for her role in women's suffrage in Wyoming.

The joint resolutions presented by Mr. HANSEN are as follows:

HOUSE OF REPRESENTATIVES, ENROLLED JOINT MEMORIAL 1

Joint memorial memorializing the Congress of the United States to authorize the Post Office Department to authorize a postage stamp recognizing the territorial centennial of Wyoming in 1969

Be it resolved by the Legislature of the State of Wyoming:

Whereas the year 1969 marks the Territorial Centennial of the State of Wyoming.

Whereas it is customary for the Post Office Department to issue memorial stamps in recognition of the territorial centennials of the various states.

Now, therefore, be it resolved by the House of Representatives of the Thirty-ninth Legislature of the State of Wyoming, the Senate concurring, that the President of the United States and the Congress be memorialized to authorize the Post Office Department to issue a Wyoming Territorial Centennial stamp in 1969.

Be it further resolved that duly attested copies hereof be transmitted to the President and Vice President of the United States, the Speaker of the House of Representatives of said Congress, and to Senators Gale McGee, Clifford P. Hansen, and Representative William H. Harrison.

RICHARD R. JONES,
President of the Senate.
WILLIAM F. SWANTON,
Speaker of the House.
STANLEY HATHAWAY,
Governor.

SENATE ENROLLED JOINT MEMORIAL NO. 2

Joint memorial memorializing the Postmaster General of the United States and the congressional delegation of the State of Wyoming in favor of the issuance of a postage stamp, in 1969, commemorating woman suffrage in Wyoming and honoring Esther Hobart Morris

Whereas, the year 1969 will commemorate the one hundredth anniversary of woman suffrage.

Whereas, Esther Hobart Morris is known throughout the world as the "mother of woman suffrage", and Wyoming is known as "the equality state".

Now therefore be it resolved, that the senate of the 39th legislature of the State of Wyoming, and the house of representatives of such legislature concurring, that it is the wish of the people of Wyoming that a postage stamp be issued commemorating woman suffrage in Wyoming and honoring Esther Hobart Morris.

Be it further resolved, that certified copies hereof be promptly transmitted to the postmaster general of the United States, to Senator Gale McGee, Senator Clifford P. Hansen and to Representative in Congress William Henry Harrison.

WILLIAM F. SWANTON,
Speaker of the House.
RICHARD R. JONES,
President of the Senate.
STANLEY HATHAWAY,
Governor.

VETERANS PENSION INCREASES

Mr. CARLSON. Mr. President, during the closing days of the 89th Congress the Finance Committee had occasion to consider and favorably report H.R. 17488, a bill which would have provided a modest increase in the VA benefits pensioners would have received under the current pension program. That measure, however, died with the 89th Congress. I regretted to see this occur. Consequently, I am introducing today a bill which would accomplish this worthwhile aim by providing a cost-of-living increase in current pension benefits for veterans, widows, and children.

My proposal, which would become effective July 1, 1967, provides a 5.4-percent increase in benefits to 1.4 million veterans, widows, and their descendents. The bill also includes a protective measure which takes into consideration the pending administration proposal to increase social security. This provision will assure that no VA pensioner will have his pension reduced as the result of increases in Federal retirement benefits such as social security. The pensioner will have the opportunity to waive part or all future social security increases and, thus, continue to receive VA pension payments. It is little enough that we can do for those who have served their country and now find themselves disabled and in needy circumstances. It is noteworthy that the President in his recent message to Congress on veterans called for similar legislation. In light of the favorable reaction to his message by the House and the many favorable responses here in the Senate, I am confident that this bill will receive prompt action by the Congress.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1046) to amend title 38 of the United States Code so as to provide pension increases for veterans of World War I, World War II, and the Korean conflict, for widows of such veterans, and for the children of such veterans who are deceased; and for other purposes, introduced by Mr. CARLSON, was received, read twice by its title, and referred to the Committee on Finance.

INCREASE IN VA PENSION INCOME LIMITATIONS

Mr. CARLSON. Mr. President, recently, the administration has proposed an overall 20-percent increase in social security payments. This has been greeted as a much-needed and very important step to insure that our social security recipients receive high enough benefits to maintain a decent standard of living. However, I remember so well the effect that the previous social security increase, authorized by the Social Security Amendments of 1965, had on literally thousands of veterans and their dependents by either reducing or terminating their pension payments.

This adverse effect results from the fact that veterans, widows, and children are subject to certain income limitations and should the increase in social security exceed the amounts prescribed by VA, pensions are cut back or terminated. For example, a single veteran with income of $600 or less and who has a non-service-connected disability is entitled to receive $100 monthly, but should his annual income increase, and this would include a social security increase, to a point where he receives more than $600 annually, his monthly VA benefit is reduced to $75 and he then would lose $300 yearly.

Many veterans who are entitled to social security benefits are close to the maximum income limitations and with a slight increase in their social security payment, they stand to lose all of their VA pension. The difference between the social security increase and what they lose in pension payments can run into hundreds of dollars and literally mean the difference between whether they can maintain themselves or are forced to seek welfare assistance.

To meet this problem, I am introducing a bill which would increase the income limitations by 20 percent for veterans, widows, and children who are presently receiving pension payments. This would mean that the single veteran who is presently limited to $600 a year would be able to receive $720 in other payments and still be entitled to his modest VA pension payment. In effect, he would be able to receive the social security increase proposed by the administration and at the same time retain his VA pension. I am confident that the Committee on Finance will give prompt consideration to this bill as well as the other veterans measures which I am introducing today, all of which are designed to provide to our veterans and their dependents, the ability to maintain a decent standard of living.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1047) to amend chapter 15 of title 38, United States Code, in order to increase by 20 percent the income limitations imposed by that chapter on persons entitled to pensions thereunder, introduced by Mr. CARLSON, was received, introduced by its title, and referred to the Committee on Finance.

ELIMINATION OF INCOME LIMITATIONS FOR VETERAN PENSIONERS AGE 72 OR OVER

Mr. CARLSON. Mr. President, it has often been said that those who make sacrifices on behalf of their country are those who are so quickly forgotten. During the First World War, our servicemen as well as their families made great contributions in the attempt to keep the world safe and free. Their Nation called and they responded with utmost devotion and duty. This response was many years ago and America has reaped the benefit of their sacrifices. However, I fear that in many instances these men have been forgotten.

In the last few years thousands of World War I veterans have reached age 72 and over. They are experiencing the ever-increasing rise in our cost of living and the attendant illness and expenses that comes on with old age. Many of these veterans unnecessarily face extreme financial hardship, and the present pension income requirements add to the burden.

Presently, regardless of age, a veteran entitled to receive a pension because of a non-service-connected disability, has to stay within certain income levels, which, if such limits are exceeded, will either reduce or terminate his pension. Determination of a veteran's income for pension purposes includes payments he may receive from insurance contracts, private retirement pensions, distributions from a decedent's estate, in fact, all payments of any kind and from any source are included except for certain payments which are specifically excluded by statute and which are very limited. In recognition of the extreme need that our aged veterans face I am introducing a bill which would provide that a veteran who has attained age 72 shall be presumed to have no annual income for pension purposes. In effect, this will insure an aged veteran that he will receive full payments of the maximum monthly pension benefit regardless of any other amount of money that he may receive or to which he is otherwise entitled. This merely conforms treatment of our aged veterans to that presently afforded our aged citizens under the social security program. Under present law, after attaining age 72, a social security recipient is entitled to receive his full social security benefit, regardless of the amount of his other income or earnings. My bill gives similar relief to our veterans. It should go a long way in alleviating the financial strain placed upon our aged veterans and provide them with a minimal degree of security.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1048) to amend section 521 of title 38, United States Code, to exclude from consideration as income, for the purpose of determining eligibility for pension, all payments of any kind or from any source, including salary, retirement or annuity payments, endowments or similar income, which a veteran receives or is entitled to receive after attaining age 72, introduced by Mr. CARLSON, was received, read twice by its title, and referred to the Committee on Finance.

AMENDMENT OF "COMMON VARIETIES ACT"

Mr. METCALF. Mr. President, on behalf of the distinguished junior Senator from Alaska [Mr. GRUENING] and myself, I send to the desk, for appropriate reference, a bill the purpose of which is to amend section 3 of the act of July 23, 1955. This basic statute is the so-called Common Varieties or Materials Act, and was Public Law 167 of the 84th Congress.

The measure I am introducing today is identical to S. 3485 of the 89th Congress, which the Senator from Alaska and I also sponsored. The Members of the Senate will recall that S. 3485 was drafted as the result of field hearings in my home State of Montana on the administration of the Materials Act, and then was itself the subject of hearings here in the Nation's Capital. The bill was amended by the Interior Committee and passed the Senate on September 21, 1966, with the committee amendments. However, no action was taken in the other body, reportedly because it was felt over there that the matter should await the study and report of the Public Land Law Review Commission.

Mr. President, this matter is one crying for immediate action. Individual rights are being trampled upon; private property rights are being violated; the development of important and needed mineral resources of the public lands of the United States are being hampered and delayed; a law that has been a great social document in the development of the West, the Mining Law of 1872, is being abrogated by administrative fiat. The situation is one demanding prompt and immediate action for remedy by the Congress of the United States. It should not, and must not, be another item in the distant study and report of the Public Land Law Review Commission.

The Common Varieties Act was enacted, in pertinent part, to prevent abuses of the mining laws by which persons who had no bona fide intention of developing mineral resources were acquiring large tracts of land and timber free of cost. One of the means used to prevent such abuses was to provide that certain minerals found in abundance in many different widespread areas of the public domain should no longer be locatable under the mining laws, but instead should be subject to disposal by the Secretary of the Interior in accordance with the terms of the act. Specifically named as being subject to such disposal under administrative discretion rather than location under the law were common varieties of sand, stone, gravel, pumice, pumicite, or cinders.

As administered, however, the Interior Committee found that the Common Varieties Act has in itself given rise to many abuses; it is imposing inequitable hardship on bona fide mining men, and because of uncertainty as to just what the administrative agencies will determine to be a common variety, it is seriously impeding the development of the mineral resources of the public domain.

Such results never were intended by the Congress.

S. 3485 as reported from the committee attempted to remedy this pressing situation by setting forth, in section 3 of the act, certain standards and guidelines that must be followed by administrative agencies in determining whether a particular mineral is a common variety and hence subject to leasing by the Secretary of the Interior under the act rather than being locatable under the mining laws.

Also, deposits of certain named minerals are specifically exempted in the proposed legislation from the Common Varieties Act, and hence bona fide locations of these minerals under the mining law would be valid, as was intended at the time of enactment of the 1955 act.

These minerals are named because they are ones concerning which the committee has received a number of complaints with respect to interpretation and administration of the law. They are not intended in any way to be exclusive. The committee records its firm legislative intent that the old legal maxim of "expressio unius est exclusio alterius"—the express mention of one implies exclusion of another—should not apply nor be invoked; rather the named minerals are to be considered examples, only, of materials to which the Common Varieties Act should not apply, per se.

Mr. President, it is the earnest hope of the junior Senator from Alaska and myself that this remedial measure will receive prompt attention by both Houses of the 90th Congress.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1049) to amend section 3 of the act of July 23, 1955 (ch. 375, 69 Stat. 368), introduced by Mr. METCALF (for himself and Mr. GRUENING), was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

AUTHORIZATION OF APPROPRIATIONS FOR 1967 FOR PROCUREMENT, AIRCRAFT, MISSILES, AND SO FORTH, FOR THE ARMED FORCES—AMENDMENT

AMENDMENT NO. 98

Mr. WILLIAMS of Delaware. Mr. President, I send to the desk to be printed and lie on the table an amendment to S. 665, to authorize appropriations during the fiscal year 1967 for procurement of aircraft, missiles, and tracked combat vehicles, and research, development, test, evaluation, and military construction for the Armed Forces, and for other purposes, which would require, as far as practicable, that all defense contracts shall be advertised and awarded on a competitive bid basis to the lowest responsible bidder.

The PRESIDING OFFICER. The amendment will be received, printed, and will lie on the table.

ANNOUNCEMENT OF HEARINGS ON DISCRIMINATION IN EMPLOYMENT BECAUSE OF AGE

Mr. YARBOROUGH. Mr. President, I wish to announce for the information of all interested persons and organizations that, beginning March 14, 1967, the Subcommittee on Labor will hold public hearings on S. 830 and related bills to prohibit age discrimination in employment.

Anyone interested in testifying or submitting a statement on this subject should contact the subcommittee counsel, Mr. Robert O. Harris, at room 4230, New Senate Office Building.

NATIONWIDE SYSTEM OF TRAILS—NOTICE OF HEARING

Mr. JACKSON. Mr. President, as chairman of the Committee on Interior and Insular Affairs, I announce an open public hearing on S. 827, a bill I introduced with the junior Senator from Wisconsin [Mr. NELSON], to establish a national system of trails. The hearing will be conducted in room 3110 of the New Senate Office Building starting at 10 a.m., Wednesday, March 15.

This measure grew out of the administration's request and a joint study by the Secretaries of the Interior and of Agriculture.

It would designate four trails as initial units of the system, including 2,000 miles of the Appalachian Trail from Maine to Georgia. Others would be the Continental Divide Trail extending 3,100 miles from Mexico to Canada; the Pacific Crest Trail, 2,350 miles along the west coast ranges from Mexico to Canada, and the Potomac Heritage Trail, 825 miles along the Potomac River from its mouth to sources in Pennsylvania and West Virginia.

Other trails listed for study and possible inclusion are the Chisholm, Lewis and Clark, Natchez Trace, North Country, Oregon, Santa Fe, Long, and Mormon.

Any Member of the Senate or any other interested citizen is cordially invited to present testimony before the committee at the hearing.

NOTICE OF RECEIPT OF NOMINATION BY THE COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the following nomination:

William B. Macomber, Jr., of New York, to be an Assistant Secretary of State.

In accordance with the committee rule, this pending nomination may not be considered prior to the expiration of 6 days of its receipt in the Senate.

BOSTON BUSBOY

Mr. YOUNG of Ohio. Mr. President, take it easy with a restaurant busboy or waiter who seems insolent. Today's busboy may become the hero of his country. Ho Chi Minh, the bearded diminutive man who has been resisting more than one-third of the combat-ready divisions of our Army, more than half our airpower and the entire 7th Fleet, was once a busboy and waiter in Boston.

Later Ho was leader of a Vietnam resistance group fighting against Japanese invaders. In 1945 an American medical team dropped by our OSS in Vietnam attended him and saved his life. Ho informed the American commander that one member of his force was a French spy, identifying the officer by name and rank. He proved his case and the Frenchman was drummed out of the American camp by the OSS outfit. Ho on his very first endeavor with Americans demonstrated his superior intelligence operation over that of the Americans. President Eisenhower in his reminiscences wrote if the United States had not called off the Vietnam elections scheduled for 1956 in the Geneva agreements of 1954 Ho Chi Minh would have been elected President of Vietnam by 80 percent of the vote in both North and South Vietnam. Secretary of State John Foster Dulles approved the Geneva agreements and the proposed election. We then called off the proposed election through our puppet President in Saigon, and the Vietnamese war for liberation was renewed. Ho Chi Minh became a Communist in France in 1920. However, he is regarded throughout Asia as the George Washington of Vietnam. Many knowledgeable leaders of governments in Europe and Asia and also some Americans in southeast Asia assert that Ho Chi Minh is destined to be the Tito of Asia—a nationalist Communist, not a puppet of Communist China, just as Tito's Yugoslavia is not a Soviet satellite.

"IN MEMORIAM"—POEM TO OUR ASTRONAUTS

Mr. SCOTT. Mr. President, Frank O'Gorman has written a very beautiful poem, "In Memoriam," to our Astronauts Gus Grissom, Roger Chaffee, and Edward White, and I should like to read it to the Senate:

Lay me to rest beneath the quiet night.
  Weep not for hands that once had touched a star.
There, in the splendor of the morning light
  I stood on towering flame; and all the far-
Flung reaches of the universe burst gold
  And silver over me, and cold time's flow
Fell from my shoulders like a cape; and old
  Grim death watched Puzzled from the earth below.

And Orion was my belt; I touched the Bear,
  His soft black coat; I sang with Lyra's tune.
I brushed my fingers through Andromeda's gold hair,
  And Canis frolicked round a silver moon.
Oh, I have tasted God's eternal wine!
  I give you earth. The universe was mine.

"STREET WITHOUT JOY"—THE DEATH OF BERNARD FALL

Mr. McGOVERN. Mr. President, it was with a sad heart that I learned a few minutes ago that the distinguished historian and student of southeast Asian affairs, Prof. Bernard Fall, was killed in Vietnam. His death came while he and an American marine were taking photographs near Hue. Ironically enough, Dr. Fall had previously written about this area in a widely read book called "Street Without Joy."

His many books and articles about Vietnam have provided a wealth of invaluable information about this complex and baffling region. I personally came to regard him as the most valuable single source of information and interpretation on the background of the Vietnam conflict. He was an incredibly well-read and well-informed observer. His papers were always written constructively, thoughtfully, and with a rare realism.

There have been many tragic losses stemming from the violence in Vietnam. I know of no single loss any more grievous than the death of Bernard Fall.

I extend my deepest sympathy to his lovely wife, Dorothy, and to his children.

I have known Bernard Fall and his family as friends and have had the privilege of being entertained in their home on several occasions. I am going to miss deeply both his warm friendship and his stimulating conversation. I know that he will be especially missed by his students at Howard University and by the millions of Americans and citizens of the world who have read his articles and books in recent years.

Professor Fall dedicated one of his recent books to his children "In the hope of a better world for all children." His life and his death will surely serve to remind us all of the obligation we owe to the hope of a better world for all children.

CIVIL RIGHTS ACT OF 1967

Mr. JAVITS. Mr. President, I ask unanimous consent that the bill introduced by the Senator from Michigan [Mr. HART] on yesterday, on the subject of civil rights, may now be called up for second reading.

Mr. LONG of Louisiana. Mr. President, did the Senator ask unanimous consent on that?

Mr. JAVITS. I gathered from the Parliamentarian that that is what had to be done in order to bring it up now.

Mr. LONG of Louisiana. Mr. President, I object. If the Senator wishes to move it——

Mr. JAVITS. It can go over until the conclusion of the morning hour, I understand.

Mr. President, I withdraw the request and will leave it to the Chair to call up the bill.

The PRESIDING OFFICER. Is there further morning business?

UNITED STATES-U.S.S.R. CONSULAR CONVENTION

Mr. TYDINGS. Mr. President, I am pleased to join the Senators from both sides of the aisle who have called for prompt Senate consent to the Consular Convention between the United States and the Soviet Union.

The U.S. Constitution reserves to the Senate the power to advise upon and consent to treaties, like this Consular Convention, which the President proposes. The exercise of this right and duty of the Senate is as old as the Senate itself. In fact, history reports that President Washington once actually appeared before the Senate to seek its advice about a treaty being negotiated with the Creek Indians. But when the Senate referred the whole matter to a select committee, rather than offer its advice, President Washington stalked out, declaring:

> This defeats every purpose of my coming here.

The Senate has demonstrated no such reluctance to give prolonged consideration to the pending Consular Convention with the Soviet Union. In fact, the treaty has been before us for nearly 3 years—3 years during which at least

20 Americans, including a young Marylander working with the Peace Corps, suffered because the treaty has not been ratified. For these Americans, the Senate's delay in approving the Consular Convention has truly "defeated every purpose" of its having been submitted here.

This Consular Convention between the United States and the Soviet Union is not a difficult document to comprehend. It is a treaty in which the two nations grant one another's citizens certain identical privileges when in the other's country.

It is a relatively short document, covering barely two pages of ordinary magazine-sized paper and print.

The language of the Consular Convention is, for a treaty, quite easy to understand. The convention's provisions are similar to those found in the Consular conventions both the British and the Japanese have negotiated with the Soviet Union.

The purpose of the Consular Convention is simply to provide some ground rules for the protection of American citizens in the Soviet Union and Soviet citizens in the United States.

Essentially, this treaty requires that the U.S. Government be notified within 1 to 3 days after the arrest of an American citizen in the Soviet Union and that an official of our Government be allowed to see him within 2 to 4 days after such an arrest. Furthermore, the right to see such a detained American continues throughout the period of his detention, even if he is tried, convicted, and sentenced to prison by a Soviet court. These are the simple, basic and sensible protections for American citizens which the consular treaty provides. Identical protection would be guaranteed Soviet citizens arrested here.

Of course, our Constitution and laws already guarantee to Soviet citizens and anyone else what this treaty would require. So the treaty concedes nothing new to Soviet citizens. But Soviet law guarantees no such rights to Americans or even to its own citizens. In the Soviet Union a suspect can be held incommunicado until an investigation of the alleged offense is completed, even if the investigation takes months. And it frequently does.

Thus in this treaty the Soviet Union grants major concessions in the treatment of American citizens in the Soviet Union, while we merely reaffirm our existing law toward Soviet citizens in the United States.

Mr. President, I ask unanimous consent that I may proceed for 12 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. TYDINGS. Mr. President, last year, more than 18,000 Americans visited the Soviet Union. Nine hundred Russians visited the United States. Although the number of Soviet travelers to the United States has remained fairly constant during the past 5 years, the number of U.S. travelers to the Soviet Union has nearly doubled and can be expected to increase.

Having recently completed an extensive trip to the interior of the Soviet Union, I can report that American tourism in Russia plays a vital role in laying a foundation for understanding between our two nations. As long as the Soviet society remains a closed society, with a controlled press and censored news, how can the Soviet people come to know Americans as we truly are, except by meeting us?

Throughout the areas of the Soviet Union in which I traveled, I found the people desperately anxious to learn firsthand about us and our country, and uniformly warm and friendly to us. I remember especially one afternoon in Mtsketa, the ancient capital of Georgia, where we had lunch in an old-fashioned Georgian restaurant. The meal was cooked over an open fire, and everyone sat on benches around low tables drinking wine from little clay handbowls. After listening to the Georgians sing some of their traditional folksongs, our little group burst forth with a loud, if not melodious, rendition of "Clementine." The response was overwhelming. Every table in the restraurant sent us either a basket of fruit or a bottle of wine. "When the Saints Go Marching In," and "Tipperary" produced bedlam. Later, when I gave a little boy at the next table a picture of President Kennedy, his father jumped up, kissed the picture, and proposed a toast to Kennedy, to Soviet-American friendship, and to J.F.K.'s son, John, Junior. It was a very moving experience.

Events in the Soviet Union since the death of Stalin, and even in China today, show that the most tyrannical government cannot permanently ignore the desires and aspirations of the people it rules. The attitude of the Soviet people toward America has been and will continue to be shaped in large part by our contact with them on a person-to-person basis. I hope to see that contact vastly increased in the coming years. Our futures and those of our children may well depend on the degree and kind of understanding which the peoples of the two mightiest powers in the history of mankind can achieve.

But travel in the Soviet Union is not without hazard, and more than a few Americans have been arrested by Soviet authorities without the basic protections this Consular Convention would afford. For example, last September 11, Thomas Dawson, of Annapolis, Md., a 24-year-old Peace Corps man serving in Iran, was on his way to a Peace Corps conference in Tehran, when he waded across a stream to examine some seashells he could see on the other bank. Tom Dawson knew he was near the Soviet frontier, but presumed that a fence he could see a considerable distance beyond that far bank marked the Russian border.

Unfortunately for Tom, the stream was the unmarked border between Iran and the Soviet Union. He had barely crossed it when three Soviet border guards arrested him and took him behind the fence.

The Soviets not only failed to notify us of the Dawson arrest, but also refused to allow any American official to see Dawson until September 20, 9 days after he was taken into custody.

Fortunately for Tom Dawson and United States-Soviet relations, the Soviet Union recognized Tom's innocence and released him on October 4, nearly 3 weeks after his arrest. But during those 3 weeks American officials were able to see Tom Dawson only once.

I know the facts of the Dawson case well, because I went to considerable lengths to try to help secure his safe return. But Tom Dawson is not the only American in recent years whom the Soviets have arrested and held for days, weeks, and even months without allowing any American official to see, advise, or otherwise help him.

On May 1, 1960, Francis Gary Powers, the American U-2 pilot, was shot down over the Soviet Union. His arrest was not even revealed by the Soviets for 6 days. During the 21 months from the date of his capture until his release from prison, no American official was allowed to see or to talk to him.

On July 1, 1960, a U.S. Air Force reconnaissance plane was shot down near the Soviet Union, and two of its crewmen, Lt. John McKone and Lt. Freeman Olmstead, were taken captive. Not for 10 days did the Soviet Union even admit the fliers were alive. During the 6 months between their capture and their release, in January 1962, these American airmen were never allowed a single visit by an American official.

On August 25, 1960, two Americans, Mark Kaminsky and Harvey Bennet, were arrested while traveling in the Soviet Union and were charged with espionage. Soviet officials never notified the United States of their arrest. Rather, on September 8, 1960, nearly 2 weeks after their arrest, Bennet's wife telegraphed our State Department to tell of her husband's disappearance. Although they were released on October 14, 1960, without trial, no American official was allowed to see Kaminsky or Bennet during their 2-month imprisonment.

On July 27, 1961, an American student, Marvin Mackinen, visiting in the Soviet Union, was arrested and charged with espionage. At no time during the 6 weeks between his arrest and trial on September 4 was his arrest confirmed by Soviet authorities. Not until September 8, 4 days after his trial had begun, did any American official see him. During his 2 years subsequent imprisonment, he was permitted American visitors only three times.

On August 15, 1963, Peter Landerman, an American citizen traveling in the Soviet Union, accidentally struck a Soviet citizen while driving down a Russian road. Although American authorities were notified of his subsequent arrest reasonably promptly, Landerman was allowed only three visits with American officials between the accident and his release from prison more than 3 years later.

On October 31, 1963, Prof. Frederick C. Barghoorn, visiting the Soviet Union, was arrested for no apparent cause and held, without any American visitors, until his release nearly 3 weeks later, on November 16.

On September 4, 1965, Newcomb Mott, a student from Massachusetts visiting Norway, disappeared after crossing the Soviet frontier in search of souvenirs. Not until September 13, 8 days later, were American authorities notified that Mott had been arrested for illegal border crossing. After considerable delay and difficulty, American authorities were able to see Mott three times between his arrest and trial on November 24, 1965. But Mott was allowed no visitors after his conviction and never saw another American before his death January 20, 1966 on a Soviet prison train.

On October 1, 1966, Craddock Gilmour and Buell Wortham, recently discharged Army lieutenants, were arrested for currency violations and larceny while touring the Soviet Union. U.S. authorities were not notified until October 6, 5 days later. During the 3 months between arrest and trial, American officials were permitted, after delay and frequent refusals, to visit these two jailed Americans, but the first visit was not permitted until 10 days after the pair was arrested.

Had the proposed Consular Convention been in effect at the time of these arrests, the Soviet Government would have been required to notify us of each arrest within 3 days, rather than not at all in most cases, and would have been required to permit American authorities reasonable access to the prisoners beginning no later than 4 days after the arrests.

America and Americans have needlessly suffered for lack of the treaty we are now debating.

No one can rewrite history, of course, but who can deny that events might have been substantially altered in many of these cases had we had the Consular Convention?

Would the U.S. Government have fallen into the trap, on May 5, 1961, of claiming the U–2 flights were part of a weather research program if, as the Consular Convention would require, the Soviet Union had informed us on or before May 3 that Gary Powers were alive and under arrest for spying?

Would Newcomb Mott have had to go to his death on that Russian prison train on January 20, 1966, if we had had the right to see him regularly after his conviction on November 24?

Would the arrest of Professor Barghoorn have strained United States-Soviet relations as badly had we been notified of his detention and allowed to see him prior to his release?

Though no one can answer these questions with certainty, of one thing we can be sure: The absence of this treaty has caused countless days, weeks, and months of extra grief for parents, wives, and other loved ones of the unfortunate Americans whom the Soviets have detained. Without this treaty, these Americans at home have had to speculate desperately about the fate of their loved one and know that no American official could reach him.

Yet despite the obvious advantages to the United States of the Consular Convention, its ratification has been delayed for 3 whole years, further complicating the United States-Soviet relations it was meant to improve and cheating Americans of the measure of justice and peace of mind it is intended to insure.

Senate consent to this treaty has been blocked to some extent by sincere differences of judgment and opinion among Members of the Senate and the public, but to a far greater extent by the senseless, careless, vicious slanders about the convention spread by members of the far rightwing in America.

In fact, reading, the articles of the Consular Convention side by side with the arguments made against it, one wonders whether many of the opponents of the convention have read it at all.

At the outset, let us be clear about what this treaty does and does not provide.

First, the treaty secures for U.S. citizens in the Soviet Union and for Soviet citizens here the right to have their government notified within 3 days after they are arrested and the right to see a representative of their Government, with reasonable regularity, commencing within 4 days after their arrest.

Second, the treaty guarantees diplomatic immunity from criminal prosecution for any American personnel assigned to the Soviet Union or Soviet personnel assigned here to carry out its provisions.

The Consular Convention does not authorize, propose, suggest, provide for, or require the opening of a single U.S. consulate in the Soviet Union or a single Soviet consulate in the United States. The President, as executor of U.S. foreign policy, has full power under the Constitution to forbid or allow Soviet consulates in the United States, whether this treaty or any like it ever is ratified. In fact, between 1934 and 1948 there were three Soviet consulates in the United States, though there was no United States-U.S.S.R. consular agreement in force.

Second, the Consular Convention itself will not increase the number of Soviet personnel in the United States. Hopefully, the Consular Convention may result in more Soviet citizens seeing America for themselves, but the convention creates no consulates or new consular officials. The President may authorize them, whether the convention is ratified or not. The treaty provides that the Soviet Union must seek the approval of the United States for any and every Soviet citizens assigned here to execute the treaty and reserve to the United States the right to expel such people at any time, for any reason, or even for no reason at all.

Third, the Consular Convention does not create Soviet opportunities for espionage which are not open to them today. The convention does not allow Soviet citizens or officials to enter areas in the United States now or in the future designated off limits to them by U.S. authorities. Moreover, no forms of Soviet espionage are possible under the convention which are not equally possible today by use of diplomatic personnel and covert agents.

Fourth, contrary to some fears expressed in the United States, ratification of this treaty will not prejudice the position of peoples, notably those in Latvia, Estonia, and Lithuania, who have been incorporated against their will into the Soviet Union. The United States has never recognized the forcible annexation of Latvia, Estonia, and Lithuania and this treaty, like the Nuclear Test Ban Treaty and the 105 other treaties and agreements we have with the U.S.S.R., contains no statement or implication to change that longstanding feature of American policy.

HISTORY OF THE CONVENTION

At the 1955 Geneva Summit Conference, President Eisenhower proposed "concrete steps" to lower "the barriers which now impede the opportunities of people to travel anywhere in the world." Subsequently, after the Soviet Government reduced the Stalinist barriers against foreign visitors, the increasing number of Americans traveling to the Soviet Union demonstrated the need to negotiate a treaty to protect U.S. citizens within the Soviet Union.

In 1959, our Secretary of State, Christian Herter, proposed such a treaty to Soviet Foreign Minister Gromyko. Drafts of the treaty were first exchanged in 1960, but the intervention of the Berlin crisis in 1961 and the Cuban missile crisis in 1962 prevented further meaningful action until September 1963, when formal negotiations on the Consular Convention began in Moscow. After 8 months of negotiation, the convention was signed on June 1, 1964, and submitted to the Senate by President Johnson on June 12, 1964. Hearings on the convention were held in the Senate on July 30, 1965, and the treaty was reported favorably to the Senate on August 3, 1965. However, no further action was taken on the convention at that time because of the substantial misunderstanding which existed about it.

The further hearings on the convention held this year have, I think, to a large extent dispelled much of the opposition to the treaty. Aside from the misunderstanding of the treaty's provisions which I have already mentioned, the objections expressed in the Senate to the treaty boil down to four basic arguments.

I. DIPLOMATIC IMMUNITY FOR CONSULAR PERSONNEL

Opponents of the treaty argue that the diplomatic immunity extended to consular personnel by the treaty will open the way to espionage and other forms of subversion on the part of Soviet consular personnel.

This argument, of course, assumes that ratification of the consular treaty will lead to the opening of Soviet consulates in the United States. The treaty itself does not, as I have already noted, provide for, permit, or authorize such consulates. The President alone has the power to authorize the establishment of Soviet consulates in the United States whether this treaty is ratified or not.

The treaty does provide, however, that employees of such consulates, if any are established, will have diplomatic immunity. This is the issue we must face. Should such consular personnel have diplomatic immunity? If they should not, we should reject the treaty. If they should, the immunity argument against the treaty falls.

The reason the treaty provides diplomatic immunity for any Soviet consular personnel assigned to the United States is that we want that same protection for American personnel assigned to any consulates we establish in the Soviet Union. The Consular Convention provides immunity for both.

Since 1946, 31 Americans at our Embassy in Moscow have been expelled by the Soviets, most often on allegations of espionage. Without immunity our consular employees could be jailed or suffer even harsher punishment on similar trumped-up charges, whenever a Soviet citizen is arrested in this country for espionage. Other governments similarly protect their officials and clerical employees in the U.S.S.R. For example, the British and the Japanese recently negotiated consular conventions with the Soviet Union containing immunity provisions modeled after those in the United States-U.S.S.R. agreement.

The State Department assures us that it does not intend to allow the Soviet Union to station a staff of Soviet nationals at a consulate in the United States larger than the number of Americans we send to the U.S.R.R. If we send a staff of 10 to the U.S.S.R., the Soviets would be allowed a total of 10 here.

Provision of diplomatic immunity for Soviet personnel in the United States does not make it easier for them to spy. It does prevent us from punishing some of the spies we catch. But when we catch a Soviet official who has diplomatic immunity spying, we expel him from the country, ending that spy's espionage just as surely as if he were imprisoned here.

Moreover, death and imprisonment have never been great deterrents to espionage. We proudly recall in our own history that when Nathan Hale, caught spying against the British, was about to be executed, he proclaimed:

> I only regret that I have but one life to lose for my country.

II. EXTENSION OF DIPLOMATIC IMMUNITY TO OTHER COUNTRIES

Opponents of the Consular Convention argue that the diplomatic immunity features of the convention will also apply to consular personnel of the 27 other countries, including Yugoslavia and Rumania, with which the United States has consular conventions containing a most-favored-nation clause.

We have 35 agreements in force with other countries which require us to extend most-favored-nation treatment to consular officers and in some cases, to consular employees. Twenty-seven of these countries now have consular offices here with a total of about 577 personnel. Under the most-favored-nation clauses of the treaties we have with these countries, should these countries agree to grant immunity from criminal jurisdiction to the 424 American consular officers and employees stationed there, we would have to extend the same treatment to their people here.

Our embassies in these 27 countries were asked to estimate whether their host country would ask for most-favored-nation treatment—and give it to us in return as would be required under the most-favored-nation clauses. The replies indicated that at most 11 might make such requests, with 290 officers and employees, only a fraction of whom are from a Communist country. This compares with the estimate of 9,400 Communist and non-Communist diplomatic officers, members of their families and employees who now enjoy full diplomatic immunity in the United States.

III. THE THREAT OF ESPIONAGE

Aside from the question of diplomatic immunity, opponents of the Consular Convention maintain that the treaty will only serve to provide the Kremlin with a greater ability to spy on the United States than the Soviets presently possess, because it must be taken for granted that every Soviet diplomat and diplomatic employee must be considered a member of the Soviet espionage apparatus.

Mr. President, every American is rightly concerned about the espionage we know the Soviets practice against us.

But the fact is that this Consular Convention does not authorize or permit the Soviet Union to station a single additional employee in the United States without our express permission. Moreover, although consulates may be established in the future under the separate authority of the President to permit them, the United States will be entitled to have as many consulates and consular employees in the Soviet Union as the Russians have here.

Mr. President, are the United States intelligence efforts carried on by our FBI, CIA, and military intelligence agencies inferior to the Soviet intelligence operations?

Who stands to learn more about the other's country from the establishment of consulates: the Soviet Union, whose employees in the United States have nearly complete freedom of access to areas and information in the United States, or the United States, which presently has no official personnel stationed anywhere in the Soviet Union, except in Moscow? To ask this question is to answer it.

In any case, whether or not the Soviet Union uses its consular personnel for espionage, Soviet intelligence has never had to rely solely on its diplomatic and official personnel for spying in the United States.

One need remember only the case of Rudolph Abel, the Soviet Army colonel who was arrested in New York in 1957 for spying. Abel, using forged papers and working full time to secure military intelligence information for the Soviet Union, had spied in the United States 20 years before his capture. He was considered so important by the Soviets to their intelligence operation that they broke with all precedent by admitting he was a spy when they exchanged him for Gary Powers in 1962. Abel had no diplomatic status or immunity, yet was one of the Soviet's most important and effective espionage agents in America.

The opening of Soviet consulates in the United States would not materially affect our internal security. The number of Soviet citizens now enjoying immunity, 452, would be increased by only 10 or 15 persons by the opening of a consulate. We have the right under the treaty to screen the personnel of such an office before agreeing to their assignment. We are also authorized by the treaty to prevent them from traveling to sensitive areas in this country and to expel them if they prove undesirable. We could close a Soviet consulate in the United States whenever we wish, and we could cancel the entire consular convention on 6 months' notice.

The PRESIDING OFFICER. The 12 minutes of the Senator from Maryland have expired.

Mr. TYDINGS. I ask unanimous consent that I may have 4 more minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. TYDINGS. In short, Mr. President, the Consular Convention would not materially enhance the Soviet espionage effort in this country. And any advantage occurring to the Soviets as a result of the treaty is more than offset by the advantage accruing to us in being able to permanently station Americans with diplomatic immunity in areas of the Soviet Union outside Moscow.

IV. RUSSIA AND VIETNAM

The fourth argument most frequently made against the Consular Convention is that we should make no treaties with the Soviet Union while that Government is helping the North Vietnamese make war against us in Vietnam. This argument has nothing to do with the terms of the treaty itself, but understandably evokes strong feelings against Soviet-American cooperation while the war in Vietnam continues.

We are engaged in Vietnam in a bloody struggle with an enemy which is being substantially equipped and aided by the Soviet Union. Our President and the large majority of our people support our action there. The Soviets disagree and see their interests threatened by our action in Vietnam.

The question is whether this disagreement about Vietnam, as costly and bloody as it is, should poison every aspect of United States-Soviet relations, so that no reduction of tensions between our two nations can be achieved in any area. Are we really more secure if we move further and further away from settlement of negotiable issues with the world's other major nuclear power? Will we keep faith with our men in Vietnam if we allow that tragic struggle to prevent us from taking some steps, small as they may be, toward reducing the chance of conflict in other aspects of our relations with the Soviet Union? Will our Nation be safer if we and the Soviet Union back further and further apart into the suspicion and hostility of mutual isolation?

We have learned, since World War II, that grave crises between the Soviet Union and the West occur with grievous regularity. But we have also learned that the bridge from these conflicts to peace cannot be built by prolonging and deepening these crises themselves, but, rather, by painstaking and patient searching for areas upon which we can find agreement with our nuclear-armed adversaries. As President Kennedy, under whose administration negotiation of this Consular Convention was renewed, said in 1961:

> Diplomacy and defense are not substitutes for one another . . . A willingness to resist force, unaccompanied by a willingness to talk, could provoke belligerence—while a willingness to talk, unaccompanied by a willingness to resist force, could invite disaster . . . while we shall negotiate freely, we shall not negotiate freedom . . . In short, we are

neither "warmongers", nor "appeasers", neither "hard", nor "soft". We are Americans."

CONCLUSION

Mr. President, the fears expressed about the Consular Convention are groundless, and based largely, I believe, on misinformation. For that reason, I have attempted to set the record straight this afternoon.

It is ironic that such a small and basic a matter as the Consular Convention could arouse such a fury. If we cannot agree with the world's other great power on a matter as minor as this, what hope have we for the future?

This treaty merely secures to Americans visiting Russia a few of the basic guarantees available to every Russian in this country, whether we have a treaty or not.

But in a larger sense, this treaty marks a small step back from the brink of nuclear confrontation and the abyss of nuclear catastrophe. For the foreseeable future, both the Soviet Union and the United States will have the uncontestable ability to annihilate one another, despite any defenses undertaken by either side. This treaty, like our earlier treaty with the Soviet Union banning nuclear tests in the atmosphere, represents a small step toward a degree of mutual cooperation in an area of mutual interest between the first two adversaries in the history of the world who have the power, even accidentally, to incinerate one another. Under these circumstances, we have a clear choice: We can either learn to live together, or we will die.

This treaty is small in scope, but immense in significance. I urge its prompt approval by the Senate.

ADDITIONAL COSPONSORS OF BILL—S. 824

Mr. TYDINGS. Mr. President, I ask unanimous consent that I may add the names of Senators BREWSTER, JACKSON, and FONG as cosponsors of S. 824, to provide assistance for the improvement of State and local law enforcement agencies through acquisition of equipment for those agencies and provision of educational opportunities to their personnel, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Is there further morning business?

ADDITIONAL COSPONSORS—SENATE JOINT RESOLUTION 30

Mr. HOLLAND. Mr. President, at their request, I ask unanimous consent that the names of four additional cosponsors be added to Senate Joint Resolution 30, to establish a commission to formulate plans for a memorial to astronauts who lose their lives in line of duty in the U.S. space program: The Senator from Alaska [Mr. GRUENING], the Senator from Connecticut [Mr. DODD], the Senator from Nevada [Mr. CANNON], and the Senator from Minnesota [Mr. MONDALE]. I ask that their names be added at the next printing of the joint resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

Is there further morning business?

DIRE PREDICTION ON CRIME IN THE FUTURE

Mr. BYRD of West Virginia. Mr. President, I am not alone in having noted a complete absence within the recommendations on curbing crime submitted by the President, to any part which recent court decisions may have played in encouraging the growing incidence of crime within the District of Columbia.

An editorial in the February 17 issue of the newspaper, the Evening Star, Washington, D.C., took cognizance of some limitations in the President's recommendations.

I ask unanimous consent that the editorial be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

CRIME IN THE FUTURE

Herbert J. Miller Jr. who is qualified to speak with some authority on the subject, says that as far as crime is concerned the city of Washington hasn't seen anything yet.

Miller is a former assistant Attorney General and he was in charge of the study recently made by the President's District Crime Commission. Speaking to the Citizens Association of Georgetown a few nights ago, he said: "Crime here is bad, grave, serious, and it's getting worse every year. You think it's bad now? Just wait five years."

What he had in mind was the dismayingly high incidence of crimes committed by teenagers and, if the trend continues, what is to be expected from them and their successors as time goes by. It is a point which has more validity than a good many people like to believe.

Miller was also talking, however, about the need for a comprehensive approach to a solution of the crime problem—the need for better handling, not only of juveniles, but for improvement in the operation of the police department, the courts and the prison and probation systems. The study of his crime commission, he said, "showed that all of these steps need reform and so long as any part of the legal system is not operating well the whole system suffers."

This is an observation which has an important bearing on what, if anything, Congress does this year to strengthen law enforcement. The proposals which the President has submitted, calling for an expenditure of some $350 million, come down heavily on the side of preventing crime by removing conditions in which crime breeds and in rehabilitating criminals. The need for this is not open to argument. But there is another facet—the need for more effective measures to discourage crime by facilitating the arrest, conviction and punishment of criminals.

The President's recommendations do not get into these areas to any large extent. Perhaps he doesn't believe they constitute an important part of the answer. His veto of last year's District crime bill and his call for a ban on all wiretapping and "bugging" except in national security cases suggest as much.

There is strong sentiment in Congress, however, for legislation which will serve both ends—punishment as well as prevention and rehabilitation. We think all three are needed.

The danger is that the legislators may get so bogged down in conflicting points of view that nothing will emerge from the legislative mill, or that any bill which finally is enacted will be hopelessly ineffective or vetoed.

If any one of these things happens, the Miller warning will be pertinent: "Just wait five years"—not only in Washington, but in scores of other cities around the country.

CIVIL RIGHTS ACT OF 1967

The PRESIDING OFFICER. Is there further morning business? If there is no further morning business, the Chair lays before the Senate S. 1026 for its second reading. It was read the first time yesterday.

After the second reading, the bill will be appropriately referred, unless the Senate wishes to make some other disposition of the measure at this time.

The bill will be read the second time.

The legislative clerk read as follows:

S. 1026. A bill to assure nondiscrimination in Federal and State jury selection and service, to provide relief against discriminatory employment and housing practices, to prescribe penalties for certain acts of violence or intimidation, to extend the life of the U.S. Commission on Civil Rights, and for other purposes.

Mr. JAVITS. Mr. President, the bill which has just been read, known as the civil rights bill, went over yesterday after my objection. I had proposed today, Mr. President, to move to refer it to the appropriate committee—which I believe would probably be the Committee on the Judiciary—with the requirement that it be reported back by a day certain. I had in mind a period of 30 days, or perhaps somewhat longer.

Mr. President, since yesterday, after consultation with those with whom I have traditionally worked in the Senate on civil rights, I have given the matter further consideration, and have come to the conclusion that the thing to do is to allow the measure to be referred today, rather than to make the motion on this bill; and I should like to state to the Senate my reasons, because it involves action which the Senate will be at liberty to take with respect to this particular bill as the days go on.

Mr. President, we have heretofore, within recent years, been able to deal with civil rights bills only as they have come over from the House of Representatives, under that provision of the rules which enables us to catch them at the door, as it were; and that has been done successfully. The hearings which have been held before the Judiciary Committee have resulted, generally speaking, in supplementing what was done in the House of Representatives. There have also been occasions in the Senate, as I think occurred in 1966, when a certain number of Senators joined in one report from the Committee on the Judiciary, and a certain number of other Senators joined in another report.

Mr. President, that is a most unsatisfactory way in which to proceed, especially at this time. The Judiciary Committee of the House is extremely busy, and the forecast is that it will not be able, as it has been before, to deal seasonably with the civil rights bill. The reasons for that situation are very well known to the press and to the public. That committee does have priority business before it of one kind and another.

Mr. President, last year we were frustrated by the filibuster from having any civil rights act at all. It may be that the Senate has already cast the die on this bill for 1967, by the way in which it dealt with the rule XXII issue. Indeed, I believe that was the decisive vote on civil rights in this Congress—the failure to liberalize or to change in any way rule XXII.

Nonetheless, I believe we must continue to try, because, Mr. President, though there is a good deal of civil rights law on the books, I think a very strong and persuasive case is made out for the measure that should have been passed in 1966, and is now, in essence, the measure before us in 1967.

Though this is not the time to deal with the merits, I simply refer to the very serious situation of racial tension and rioting in the Chicago area, for example, based upon discrimination in housing—which is dealt with by this bill.

I point out that murders go unpunished. Some time ago we noted an occasion when three very young civil rights workers—two of them from the State of New York—were killed. The murderers have yet to be punished. We have had single instances of other cases in which justice has been thwarted because of the failure of the jury system to operate as the Constitution contemplates that it should. A remedy for this failure is contained in the civil rights bill of 1967.

More adequate penalties can inhibit this kind of crime being committed upon civil rights workers. This remedy is likewise contained in the civil rights bill of 1967.

Mr. President, the conscience of the country should, indeed, cry and weep because we have been unable in law to provide adequate justice in these situations. There are gaping holes in the law. It is necessary to place remedies on the statute books.

There must be no dearth of effort in this Chamber along these lines. I am proud to say that the Senate has again demonstrated that a law must be passed, although I view with deep despondency the failure of the majority to win out at a time when rule XXII could have been amended by a simple majority vote—the Vice President having given us that opportunity—of which we failed to avail ourselves.

In any event, this bill is the President's bill. It has been offered by the Senator from Michigan [Mr. HART].

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. Mr. President, I ask unanimous consent that I may be permitted to continue for an additional 5 minutes.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. JAVITS. Mr. President, it is the desire of the Senator from Michigan that the bill go to the committee. That desire will control me unless some very compelling reason compels me to act to the contrary.

I am not going to stand in the way of the bill going to the committee, as the Senator from Michigan desires.

It is possible—and I shall do it, and I make this pledge to the Senate—to introduce another bill, which I can do as one Senator, and it could be substantially the bill which the Senator from Michigan has introduced. The bill might contain some changes, but it could be for all practical purposes the same bill. Under the same procedure which I proposed yesterday, it would result in the Senate having the capability to require the committee to report the measure by a day certain.

In the alternative, if the opponents desired, they could debate the matter at the stage which we are today until the end of the morning hour. Under those circumstances there would be a remedy.

There is an additional remedy. As has been pointed out, section 102 of the pending bill, S. 355, which the Senate has already refused to recommit, and which is being debated in the Senate, creates a new committee procedure which would enable a majority of the members of the Committee on the Judiciary to have hearings, consider the measure and report it within their own timetable.

We have a majority on that committee which is capable of seeing that this is done.

Mr. President, if it is necessary, I shall pursue that policy, early or late during the consideration of this measure—whenever I think as one Senator that it is necessary to contribute to the success of the measure—and I can undertake the procedure at any time.

The author of the bill desires that it go to the committee. The pending measure, S. 355, concerns the reorganization of our procedures and vests power in a majority of the committee to have a matter heard, considered, and reported by the committee.

I say parenthetically at this time that the Senator from North Carolina [Mr. ERVIN], notwithstanding his deep opposition to the bill, is a constitutionalist and if the matter is left in his charge I am confident that there will be a hearing. However, concerning the matter of getting the bill reported and overcoming a filibuster in the committee, the Monroney bill will give the majority of the committee the power to combat such action.

As I read section 102 of the Monroney bill, the majority of the committee could conceivably get the civil rights bill of 1967 out of the committee within 7 days after they set their teeth in it.

Mr. President, for all of those reasons I shall not ask to bring the matter to issue today by seeking to order the committee to report by a date certain. However, I serve notice that I reserve the right as a Senator to introduce another bill in an effort to bring about a vote of the Senate to require the committee to report the measure to the Senate by a date certain.

I predict that the civil rights bill of 1967 will have to originate in and be passed in the Senate this time. I think that in this respect the House has had it.

The House passed the civil rights bill last year and we promptly killed it, although on the record a majority of the Members of the Senate wanted that bill passed. Notwithstanding the desire of the majority, the minority absolutely defied the majority and thus made a mockery of the statement made a few weeks ago by the majority and minority leaders to the effect that if a majority wants something they can get it. There was a determined majority last year and that majority could not prevail.

The issue is right here in the Senate. Let every American who is the remotest bit interested in civil rights understand that.

Mr. HART. Mr. President, I have listened attentatively to the statement just made by the senior Senator from New York.

The Senator has described quite accurately the discussions we have had and, indeed, he voices the same concern that I entertain.

I regret first of all that when we had a shot at rule XXII we missed, at a time when the Vice President, as the Senator from New York described, gave us, as the majority, the opportunity to establish rules that would insure that majority action in this Chamber could be obtained.

We were not present with the votes at that time, as the Senator put it, and I think it is quite likely that history will record that it was at that moment that the opportunity to deliver an effective civil rights bill probably was lost.

There remains now the test of the procedure which the Senator from New York has just described, whether the majority of the members of the Committee on the Judiciary have the will to move forward with adequate hearings and develop a complete record and then vote on whether to report the bill.

I have no illusions—and the Senator from New York having served on that committee knows that such illusions would be foolish—that the road will be easy.

I am delighted that the Senator from New York has described the alternative that he reserves for future action.

We are aware that there remains the most difficult job of discharging the committee.

I have no certainty as to the extent that the Monroney reorganization bill will improve the opportunity for a majority to develop procedures and obtain action.

As the Senator from New York indicates, I think it offers a hope, and it certainly should be attempted.

As the Senator from New York has explained, the situation in the House of Representatives is such that we would kid ourselves if we were to anticipate very early assistance from that quarter, for understandable reasons.

I think in closing this early discussion of the civil rights record in this Chamber this year, honesty compels me to say, "Why duck the fact that most observers suggest that the attitude across the country and in Congress toward a good, effective open housing section is no more supported today than it was last fall?"

Yet, the day will come when we will have it. It is as inevitable as the passing of time. With the Senator from New York, I hope that we are here when it happens.

We hear a good deal of emotional objection and protest.

We can be emotional about this matter, too, if we wish. Until a Negro serviceman, put into that uniform and ordered to serve on a base someplace in this country, can go to a real estate office and get housing for himself and his family without running a test of color, we have something that all of us should squirm about. That is in part what is involved in this open housing section. How can you possibly explain to a Negro serviceman that there is not much we can do about that, except let time pass? That man may be dead, in defense of his Nation, before we ever get to a rollcall on this bill, but I hope we do get to that rollcall.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. HART. I yield.

Mr. JAVITS. Mr. President, am I correct—and I think that the record should show that the Senator from Michigan is the sponsor of the President's bill—that the Senator desires that the bill go to committee, and desires that at this time I do not make this motion?

Mr. HART. The Senator from New York is quite correct. We had a thorough visit on the subject. As always, I am grateful for the leadership that the Senator from New York gives the effort to achieve progress in the field of civil rights. I am proud that he is a sponsor of the bill, a principal manager of it, and I regret only that he shall not be inside the Committee on the Judiciary this year to hear the wheels grind.

Mr. JAVITS. May I say to the Senator that I will be in the Committee on Appropriations; and from the point of view of the cause we are both talking about, I may make more mileage there than in the Committee on the Judiciary.

I thank my colleague.

The **PRESIDING OFFICER.** Is there further morning business?

Mr. ERVIN. Mr. President, I commend the distinguished senior Senator from Michigan upon the position he has expressed, that this bill should go to the Committee on the Judiciary for hearings and for its consideration.

While the Senator from Michigan and I frequently differ on civil rights matters, I should like to bear testimony to the fact that the Senator from Michigan is always fair and just and believes in allowing both sides on every question a reasonable opportunity to be heard.

Mr. HART. Mr. President, will the Senator yield?

Mr. ERVIN. I yield.

Mr. HART. That statement describes, up to a certain point, the Senator from North Carolina. We disagree on the definition of when adequate discussion has been completed; but, certainly, in his development of a record, there has never been an instance where there was unfairness or discrimination.

Mr. ERVIN. I thank the Senator.

The bill (S. 1026) was referred to the Committee on the Judiciary.

"THE NATIONAL POLLUTION SCANDAL"—A NATIONAL CHALLENGE

Mr. GRUENING. Mr. President, a comprehensive and definitive article on the pollution of our rivers and lakes appears in the current—February—issue of the Progressive magazine. Its author is the able junior Senator from Wisconsin [Mr. Nelson].

No one, I believe, can read this indictment of what the author properly terms "The National Pollution Scandal," without feeling a burning sense of shame that our great national beauty has been so befouled, and feeling an equivalent urge to assist and support the mammoth task of cleaning up this tragic and immense despoilment.

How gigantic this task is, Senator Nelson's article makes clear. But it must be done, whatever the cost and effort. Fortunately, a beginning has been made in legislation, some already enacted and some pending. What is essential is that it be properly implemented with sufficient funds and adequate staffing. We must not fail to meet this challenge.

Senator Nelson deserves the gratitude and applause of all Americans for his magnificent presentation of this crucial issue. Nor should any discussion of pollution omit a tribute to another colleague, the junior Senator from Maine [Mr. Muskie], who, as chairman of the Subcommittee on Air and Water Pollution of the Committee on Public Works, has successfully brought the first essential bill to enactment.

I ask unanimous consent that the article entitled "The National Pollution Scandal" be printed at the conclusion of my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

The National Pollution Scandal

(By Senator Gaylord A. Nelson)

(Note.—Gaylord A. Nelson, U.S. Senator from Wisconsin, developed a pioneering conservation program during his four years as governor of that state. He is the author of the first comprehensive "package" of anti-pollution bills ever introduced in Congress.)

The natural environment of America—the woods and waters and wildlife, the clear air and blue sky, the fertile soil and the scenic landscape—is threatened with destruction. Our growing population and expanding industries, the explosion of scientific knowledge, the vast increase in income levels, leisure time, and mobility—all of these powerful trends are exerting such pressure on our natural resources that many of them could be effectively ruined over the next ten or fifteen years.

Our overcrowded parks are becoming slums. Our birds and wildlife are being driven away or killed outright. Scenic rural areas are blighted by junkyards and billboards, and neon blight soils the outskirts of most cities. In our orgy of expansion, we are bulldozing away the natural landscape and building a cold new world of concrete and aluminum. Strip miners' shovels are tearing away whole mountains and spreading ugly wastes for miles around. America the affluent is well on the way to destroying America the beautiful.

Of all these developments, the most tragic and the most costly is the rapidly mounting pollution of our lakes and streams.

Perhaps the pain is more intense for a Senator from a state like Wisconsin, bordered on three sides by the Great Lakes and the Mississippi, blessed with 8,000 inland lakes and hundreds of rivers and trout streams. Actually, our state seems rather fortunate at the moment. A yachtsman on Lake Superior can raise a bucket of water still crystal-clear and cold enough to drink with delight. Canoeists on the St. Croix or Wolf Rivers still shoot through frothing rapids of sparkling water, and catch fish in the deep, swirling pools.

But the bell is tolling for Wisconsin just as for all the nation. A recent survey of twelve major river basins in southeastern Wisconsin found not a single one fit even for the partial body contact involved in fishing or wading. A competent governmental agency concluded that 754 miles of rivers in this region had been turned into open sewers. Beaches along Lake Michigan, a vast blue sea with seemingly limitless quantities of fresh water, are being closed to swimmers. A sordid ocean of pollution is pouring into the Mississippi from the Minneapolis-St. Paul urban complex. The first serious signs of pollution are soiling Lake Superior, and our small inland lakes are, one by one, becoming murky and smelly and choked with algae.

Elsewhere, all across the nation, the same tragedy is being enacted, although in many areas the curtain already has come down. The waters are already ruined.

Every major river system in America is seriously polluted, from the Androscoggin in Maine to the Columbia in the far northwest. The rivers once celebrated in poetry and song—the Monongahela, the Cumberland, the Ohio, the Hudson, the Delaware, the Rio Grande—have been blackened with sewage, chemicals, oil, and trash. They are sewers of filth and disease.

The Monongahela, which drains the mining and industrial areas of West Virginia and Pennsylvania, empties the equivalent of 200,000 tons of sulfuric acid each year into the Ohio River—which in turn is the water supply for millions of people who use and re-use Ohio River water many times over.

National attention has been centered on once beautiful Lake Erie, the great lake which is the recreational front yard of Buffalo, Cleveland, Toledo and Detroit, and which supplies water for ten million Americans.

A Public Health Service survey of Lake Erie made the shocking discovery that, in the 2,600 square mile heart of the lake, there was no dissolved oxygen at all in the water. The lake in this vast area could support no desirable aquatic life, only lowly creatures such as bloodworms, sludgeworms, sowbugs, and bloodsuckers.

Along with the germs and industrial acids which pour into Lake Erie are millions of pounds of phosphates, a major ingredient in detergents. Each pound of phosphate will propagate 700 pounds of algae. Beneath the waters of this great lake, largely hidden from sight, a hideous, cancer-like growth of algae is forming. As algae blooms and dies, it becomes a pollutant itself. It robs the lake of still more oxygen—and it releases the phosphate to grow another crop of algae.

Lake Erie is a product of its tributaries. A Public Health Service study of these American sewers is horrifying to read.

The Maumee River flows from Fort Wayne, Indiana, through Definance and Napoleon, Ohio, and on to Toledo, where it joins the lake. Even as far upstream as Fort Wayne, the river has insufficient oxygen to support anything but trash fish and lower organisms, and as it flows toward Lake Erie conditions get steadily worse. The count of coliform bacteria runs as high as 24,000 times the allowable maximum under Federal drinking water standards. The concentration of carbolic acid, a byproduct of steelmaking, runs up to 137 times the allowable maximum. A packing company dumps 136 pounds of oil per day into the Maumee River. A plating company dumps thirty-eight pounds of cyanide per day. Defiance, Ohio, closes its sewage plant entirely for one to two months each year, and all its raw sewage goes directly into the Maumee.

Below Defiance, a foundry dumps cinders and ashes into the river. The Maumee is joined by the Auglaize River, which is even more polluted than the Maumee, and is especially rich in ammonia compounds.

At Napoleon, Ohio, the city draws its drinking water from the sordid Maumee, and a soup company draws off ten million gallons a day for soup processing. (The firm assures me that its modern water treatment plant, complete with carbon filters, can "polish the water to a high quality.")

Below Napoleon, things get really bad.

Forty per cent of samples taken by the Public Health Service showed presence of salmonella, an intestinal bacteria that can cause severe illness. As the Maumee flows into Lake Erie at Toledo, it gets its final dose of pollution—the effluent from the Toledo sewage plant and what the Public Health Service describes as "oil, scum, metallic deposits, and toxic materials."

Another Lake Erie tributary—the Cuyahoga—which flows into the lake at Cleveland, is described by the Public Health Service as "debris-filled, oil-slicked, and dirty-looking throughout." It is loaded with coliform bacteria and salmonella. It is so polluted with oil that it frequently catches fire. Structures known as "fire breaks" have been built out into the river to fight these blazes. In the Cleveland harbor, the Public Health Service could find virtually no conventional aquatic life. However, the sludgeworms which thrive on organic matter were well represented—400,000 per square meter on the harbor bottom.

That is the story of Lake Erie, and although it is so shocking and disgusting as to deserve urgent national attention, it is not unique. Southern Lake Michigan, ringed with oil refineries, steel mills, and municipal sewage outfalls, may be even worse. Scientists estimate that it would take 100 years to replace the polluted water of southern Lake Michigan, and some consider the pollution in this area irreversible.

We have our own Wisconsin pollution scandal in Green Bay, a magnificent recreational body of water in northeastern Wisconsin, widely known as a yachtsman's paradise and site of a multimillion dollar resort industry. This "Cape Cod of Wisconsin" is threatened with ruin by a tide of pollution which is moving up the bay at the rate of more than one mile per year. The pollution comes from rivers such as the Fox, the Peshtigo, the Oconto, and the Menominee, which drain large areas of Wisconsin and northern Michigan.

The experience in Lake Erie, Lake Michigan, and Green Bay has convinced many experts of this chilling fact: It is a definite possibility that the Great Lakes—the greatest single source of fresh water in the world—could be effectively destroyed by pollution in the years ahead. If this were to happen, it would be the greatest natural resource disaster in modern history.

That is the outline of this new American tragedy. The obvious question now is, what can be done about it?

First, I think we must learn what a complex and widespread problem we face in water pollution. Like crime, like death on the highway, pollution is a social problem which extends throughout our society. There is no single villain, and there is no simple answer. It must be attacked for what it is—a sinister byproduct of the prosperous, urbanized, industrialized world in which we live.

We must take care not to ride off in pursuit of just one villain—such as city sewage, or industrial waste, or detergents, or toilet wastes from boats; this is a battle which must be fought with skill and courage on many different fronts. Nor should we be fooled by the strategy of many polluters, who argue, in effect: "The pollution which we cause is minor compared to the big, nation-wide problem. Why not leave us alone and go after the big offenders?" Even some of the lesser offenders in the pollution crisis could ruin us in time.

The primary sources of pollution are these:

Municipal sewage—Despite heroic efforts and heavy investments by many cities, our municipal sewage treatment plants are woefully inadequate. Some cities have no treatment at all; others remove only part of the pollutants found in sewage. As a result, the effluent discharged by our cities today (treated and untreated) is equivalent to the *untreated* sewage from a nation of seventy-five million people.

Industrial pollution is roughly twice as big a problem as municipal sewage. Despite tremendous investments in research and treatment plant construction by some industries, the overall record is terrible. Some industries feel they cannot remain competitive if they spend heavily for treatment plants. Communities and states are reluctant to push them too far. As a result, industrial wastes (treated and untreated) now discharged into our waters are presently equal to the *untreated* sewage of a nation of 165 million people.

Septic tanks—Vast sections of the nation have no sewer collection or treatment system at all. In such areas, underground septic tanks, often poorly made and undersized, are expected to distribute wastes into the soil. They overflow into natural watercourses, they leak bacteria and detergents into underground wells, and they are destroying lakes by filling them with nutrients that foster heavy growths of algae.

Ships and marine terminals—In selected areas, the discharge of toilet wastes, oil, garbage, and rubbish from ships and shoreline installations is a major problem. For some reason, this form of pollution is widely tolerated and enforcement of laws forbidding it is virtually nonexistent.

Pesticides—The terrifying prospect of spreading poison all over the globe confronts us. We now use more than 700 million pounds a year of synthetic pesticides and agricultural chemicals of 45,000 varieties. This volume is expected to increase tenfold in the next twenty years. Many of these poisons persist forever in the environment, and their concentration builds up geometrically as they progress through the food chain (water, seaweed, fish, birds, mammals). DDT residue has been discovered in penguins in Antarctica, in reindeer in Alaska, in seals, and in fish caught in remote areas of the Pacific Ocean. One part of DDT in one billion parts of water will kill blue crabs in eight days.

Silt—One of the most serious pollutants all over the world is the dirt which washes into our waters from off the land. This somewhat natural problem is disastrously aggravated by contemporary trends—widespread clearing of land for subdivisions and shopping centers; construction of highways and parking lots (which cause rapid runoff) and the intensive development of lakeshores and riverbanks. Controlling surface runoff and the siltation which it causes is complicated by our patchwork of political boundaries and the lack of coordinated government planning.

Detergents, fertilizers, and other chemicals——Some of these commonly used substances pass through even good waste treatment systems and become persistent pollutants. Such pollution can be eliminated only by changing the composition of such substances, regulating their use, or devising new removal techniques.

Obviously, any nation-wide problem made up of so many elements is extremely difficult to attack. Yet I believe that the rapidly accelerating destruction of our natural resources is our number one domestic problem, and the greatest of all our resource problems is water pollution. If we are to meet this pollution threat, if we are to save the waters of America and preserve this most indispensable part of our natural environment, we must make the war on pollution a high priority matter at every level of government—local, state and Federal—and we must insist that private industry do likewise.

Baffling and complicated as the pollution problem is, it is not insoluble. There is no reason in the world why a great and prosperous nation, with the money and know-how to shoot man to the moon, cannot prevent its lakes and rivers from being destroyed and its life-giving water supplies endangered.

Just as there is no single cause of pollution, so is there no single solution to the problem.

Consider the question of what to do about municipal sewage and industrial wastes. Why do we tolerate a situation where these two sources alone pour into our waters each year the equivalent of the completely untreated sewage of a nation of 240 million persons?

In the case of municipal sewage, it is largely a matter of lack of money; aggravated in some cases by a shocking lack of public concern. There are now more than 1300 communities which have sewer systems but discharge their wastes into the waters without any treatment at all. These communities have a population of more than eleven million people. How such a condition could exist in the year 1966—when it is generally illegal to throw a gum wrapper out of a car window—is inconceivable.

We have another 1300 communities—with almost seventeen million population—which treat their wastes but in a completely inadequate manner. In most cases, these are communities which use what is known as "primary" treatment. They screen their sewage and let the solids settle out, but they do not remove dissolved solids, salts, chemicals, bacteria, and special problems such as detergents. Every community should have what is known as "secondary" treatment, under which sewage—after primary treatment—is held in holding tanks, brought into contact with air biologically active sludge, so that bacteria have a chance to consume the pollutants.

The Conference of State Sanitary Engineers estimates that it would cost $1.8 billion to provide adequate sewage collection and treatment for these communities which now have no treatment or completely inadequate treatment.

But even this would still leave us with a massive municipal pollution problem. Even good secondary treatment removes only eighty per cent to ninety per cent of the pollutants. Chicago, for instance, with a good secondary treatment plant, discharges treated effluent which is equivalent to the untreated, raw sewage of one million people. It dumps 1,800 tons of solids per day into the Illinois waterway. At the rate the pollution load is increasing it is estimated that even if all communities have secondary treatment plants by 1980, the total amount of pollutants reaching watercourses would still be the same as today. Obviously, we need a massive program to build highly effective city sewage treatment plants.

It is also obvious that local property taxes cannot support such a gigantic investment, and that if we wait for communities to do this on their own, it will never be done. Most state budgets also are severely strained, so much of this burden is going to have to be borne by the Federal government—if we want the job done early enough to be effective.

The Senate Air and Water Pollution subcommittee estimates that it will cost $20 billion to provide secondary treatment in plants serving eighty per cent of the population and more advanced treatment in plants serving the other twenty per cent. We have had a Federal program to assist communities in building such treatment plants for the past ten years, but it has been inadequate. It has recently been greatly improved, but it is still inadequate. In the past it has provided grants of up to thirty per cent within the limits of available funds. The most recent act—the Clean Waters Restoration Act of 1966—authorizes a total of about $3.6 billion over the next five years ($150 million in 1967, $450 million in 1968, $700 million in 1969, $1 billion in 1970, and $1.25 billion in 1971). A community can get a grant for up to fifty per cent of the cost of a project, provided the state pays twenty-five per cent and provided water quality standards have been established.

New York needs an estimated $1.7 billion for new sewage plants. The new law would give it a total of only $307 million. Ohio needs $1 billion and would get $180 million. Wisconsin needs $286 million and would get $75 million.

If we are serious about the Federal government paying fifty per cent of the cost of eliminating municipal pollution, then Washington must provide $10 billion—not $3.6 billion—and even then we will be expecting our hard pressed states and communities to come up with another $10 billion.

Personally, I think it is unrealistic to expect the states and localities to assume a burden of this size. And I do not think the nation can sit by and wait while its communities struggle to build up the financial resources and the political courage needed to do the job. I think we should get sewage treatment plants built the way we are getting interstate highways built—by offering ninety per cent Federal financing. I have introduced legislation which would establish such a program.

The municipal sewage problem is complicated by another problem—combined storm and sanitary sewers. By combining storm water and human wastes in one sewer system, many cities build up such a tremendous load during rainstorms that their sewage treatment plants cannot handle it. They have had to install automatic devices which divert the combined sewer load directly into lakes or streams whenever it gets above a certain level. In this manner, sixty-five billion gallons of raw, untreated sewage goes into our lakes and rivers each year.

Most cities are separating storm and sanitary sewers in new subdivisions, but the task of separating the sewers in the older areas is a staggering one. Complete separation would cost an estimated $30 billion. It would cost $160 per resident in Washington, D.C., $215 in Milwaukee, $280 in Concord, New Hampshire. It would cost Wisconsin an estimated $186 million, Indiana $496 million, Michigan $970 million, New York and Illinois about $1.12 billion each. These are only general estimates of the direct costs and they do not take into account the disruption of traffic and the local economy caused by ripping up miles of underground sewers.

In the hope of avoiding such costs, the Federal government has underwritten several research projects to see if this problem cannot be met in some other way—through temporary underground storage of sewer overflows, for instance, or by building smaller sanitary sewer pipes inside existing storm sewers.

The staggering problem of *industrial* pollution is virtually untouched today by our Federal anti-pollution programs, even though industry contributes twice as much pollution to our waters as do municipalities. If we do not step up our industrial waste treatment plant construction, the pollution effect of industrial wastes alone by 1970 will be equal to the untreated raw sewage from our entire population.

Industries are widely criticized for dumping wastes into our waters, and this criticism is often justified. They are pressured by local, state, and Federal officials. But some industries are able to avoid a serious crackdown against them by threatening to move. Most industries argue—sometimes effectively—that they cannot be expected to make massive investments in treatment plants if their competitors—often in different parts of the country—are not forced to do so.

I have come to the conclusion that the threat of enforcement alone is not going to solve our industrial pollution problem. We must provide direct financial assistance to see to it that the plants are built. I have introduced legislation to provide both loans and grants of up to fifty per cent to industries whose size and economic circumstances prevent them from assuming the full burden of providing their own facilities. I think such assistance should be carefully limited and should be for a short period, but I do not think we can avoid it. We are going to pay the cost of industrial pollution in one way or another—in the cost of the manufactured product, in taxes, or in ruined water resources.

But massive construction programs alone are not going to solve our municipal and industrial pollution problems. We need a tremendous expansion of Federally supported research to find completely new answers. Our whole waste disposal system, from the household toilet to the municipal sewage treatment plant, is a holdover from another era. The system should be studied and redesigned, using the latest scientific techniques, and fitted into a coordinated, nation-wide system of waste disposal. Research grants should be made to private industry and universities to develop new methods and devices to refine, use, neutralize, or destroy pollutants. We should compute what our present waste disposal systems are costing us—including the loss in natural resources destroyed—and what alternative systems would cost.

Compared with municipal and industrial pollution, the other pollution problems I have mentioned are statistically small. For that reason, they are often ignored. But we cannot safely do that. Even if we managed to contain the flood of municipal and industrial pollution, the other sources could do fatal damage to our environment.

Septic tanks must be controlled at the state and local level, and in many areas I think we must forbid new installations and work to replace existing ones with sewer systems. For instance, once an inland lake is ringed with cottages with septic tanks, it is doomed. Septic tanks must drain somewhere and in most lakeshore settings the natural drainage flow is into the lake. At the very least, this drainage will fertilize the lake, cause the rapid growth of algae, and turn the lake into a murky, foul smelling mess.

Ship pollution is certainly serious enough to justify Federal action, even though such suggestions cause howls of protest from those who insist it "isn't practical." Why is it practical to install retention facilities on buses, house trailers, and aircraft but not on boats and ships? Obviously, we are willing to allow wastes to be dumped into our water supplies which we would never tolerate being dumped onto the land. We need Federal laws to require suitable facilities on all vessels using our navigable waters, and we need a better enforcement system to crack down on such disgraceful practices as dumping oil and pumping out oily ballast tanks on the Great Lakes and in our rivers.

The siltation problem can be controlled only through strict zoning and land use controls. We have got to prevent intensive development of our shorelines if we are to save our waters. Once a large portion of the natural vegetative cover is destroyed, the water resource is in danger. I believe that the Federal government should provide financial assistance to those willing to carry out soil conservation practices along our lakes and streams on a scale large enough to be meaningful.

Pesticides, detergents, and exotic new chemicals will plague us for years to come. New treatment systems may offer some hope for removing these substances, but I think they must be controlled directly. Those which cannot be removed safely in normal treatment processes, and those which have chemical structures which cause them to persist in our environment and to threaten fish, wildlife, and human health, should be banned or their use strictly regulated.

In speeches in some twenty-three states in the past four years, I have called for an emergency, crash program to fight water pollution. I have offered my estimate of the cost of conquering water pollution as $50 to $100 billion over the next decade. It now appears I may have been conservative. The Public Health Service now estimates that it will cost some $20 billion to clean up the Great Lakes alone, and the total national cost is now estimated at $100 billion.

But everywhere I have gone I have found the public willing to pay this cost to save their waters. In fact, I think the public is far ahead of local, state, and Federal officials in facing up to this crisis. I think that citizens in most communities would support a sharp crackdown on local polluters of every variety. I think they want their states to establish high water quality standards, and then enforce them. I think they can be shown the need for bold regional action to deal with those vast interstate pollution problems (such as on the Mississippi and the Great Lakes) which obviously are too big for any community or any state to handle.

And I think that the citizens of America now recognize that the destruction of the major river networks of the nation, the threatened destruction of the Great Lakes, and the slow ruination of our treasured inland lakes and trout streams is a calamity of such gigantic proportions as to deserve the urgent attention of all citizens and prompt action by the national government.

HISTORIAN COMMAGER'S SOUND COUNSEL

Mr. GRUENING. Mr. President, Henry Steele Commager, one of the great American historians of our time, gave some pertinent testimony before the Committee on Foreign Relations yesterday. I wish it could be read by every American. The New York Times this morning printed excerpts from it. It would be highly desirable that every American administration keep in mind this wise counsel of Professor Commager:

> It is not our duty to keep peace throughout the globe, to put down aggression wherever it starts up, to stop the advance of communism or other isms which we may not approve of. It is primarily the responsibility of the United Nations to keep the peace, to settle disputes, to discourage aggression, and if that organization is not strong enough to do the job we should perhaps bend our major energies to giving her the necessary authority and the tools.

I ask unanimous consent that the "Excerpts From Commager Foreign Policy Statement to Senate Hearing" be printed at the conclusion of my remarks.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

[From the New York Times, Feb. 21, 1967]

EXCERPTS FROM COMMAGER FOREIGN POLICY STATEMENT TO SENATE HEARING

(Special to The New York Times)

WASHINGTON, Feb. 20.—*Following are excerpts from the text of a statement made today by Prof. Henry Steele Commager before the Senate Foreign Relations Committee:*

First I should like to say a word about this matter of the United States as a world power—perhaps more particularly about the United States as an Asian power—which has attracted so much attention of late.

The word "power" is an awkward and even a dangerous one, for it is used in two ways and it is almost fatally easy to confuse the two uses. It is clear that the United States has immense power anywhere on the globe it decides to use it. But it is by no means clear that the United States is, therefore, a world Power—that is spelled, you will note, with a capital P—nor does it follow that we should wish to be such a power.

If you have the strength, and do not care overmuch about consequences, it is easy enough to exercise power, but to be a power is a very different thing, and it is a very difficult thing. I do not think the United States is prepared to be a power everywhere—in the Western Hemisphere, in Europe, in Asia—nor do I think we should wish to exercise power everywhere.

LIMITATIONS FOUND

There have been, in the long course of history, many nations that regarded themselves, and always with some justification, as world powers, but there has never been a nation that could, in fact, exercise power everywhere on the globe. . . .

Except perhaps in time of war—and even here sensible statements impose limits on themselves—nations find almost insuperable difficulties in the application of power. We have for years been alarmed at the power of Soviet Russia, but for all her immense power she cannot impose her will on Yugoslavia; she cannot even impose her will on tiny Albania, which persistently snubs her and defies her.

We ourselves have almost limitless power, but in Santo Domingo we paid a high price for our self-indulgence.

Of all limitations on power in foreign relations, the most effective—I confine myself here to modern history—appears to be those rooted in nationalism.

All the might of Britain was insufficient to impose British will on Ireland in the 18th and 19th centuries; all of the might of Austria could not subdue the state of northern Italy to her will in the 19th century; and in our own day France discovered that she could not have her way with any of her provinces in North Africa, and withdrew from them—without loss of face, I may add. We have ourselves found it advisable to come to terms with little Panama these last years.

AMERICAN BELIEF CITED

Because governments must of necessity use power, it does not follow that they are capable of using it everywhere, or using it absolutely. Our whole history, and our political philosophy, is a monument to the belief that power is limited, and that power should be limited. That is, in a sense, what the Revolution itself was about—a repudiation of the British claim, set forth in the Declaratory Act, that Parliament had the right "to bind the colonies and people of America in all cases whatsoever."

The American position was, quite simply, that no government had all power. That is part of the meaning of our written constitutions—documents which enumerate with greatest care the powers which governments may exercise. That is at the heart of our elaborate system of checks and balances—the determination to limit the authority and the power of government.

That is what the Bills of Rights, state and Federal, are about—limitations on government.

And as Americans have required, and provided, restraint on the domestic scene, so they are pledged to restraint in the international arena. Almost all of our traditions here emphasize limitations on power. The first major principle of American foreign policy was set forth by no other than Washington in the neutrality proclamation which announced that we were not required to take sides in European wars nor to enter conflicts not of our own choosing.

SURPRISED BY POWER

The second and more fundamental principle was the Monroe Doctrine which was likewise a policy of restraint: Europe was to stay out of the affairs of these Western continents, and we would, in turn, stay out of the "internal affairs" of Europe. Our third major foreign policy, the Open Door, was likewise designed as a restraint, primarily on European powers looking hungrily at China, but by implication on ourselves as well.

In the great watershed of the nineties we did find ourselves, somewhat to our own surprise, a world power. We waged a war with Spain that nobody much wanted, and in a fit of absent-mindedness acquired Cuba and Puerto Rico, the Philippines and Hawaii. We fought a three-year war with the Filipinos which everyone has pretty well forgotten. But at the same time we repudiated imperialism.

We were not ready to govern Cuba and very sensibly gave the island back to the Cubans. We did a good job in the Philippines but were eager to get out, and did so. We incorporated Hawaii into the Union and Puerto Rico into the political system, and we go before the world with clean hands, as it were.

We do not have "colonies." The fact is that we are not very good at the "dominion over palm and pine" sort of thing, and avoid it almost by instinct. And a very good instinct it is.

After 1914 we were inextricably involved in the affairs of Europe—and beyond. But it was President Wilson who called for "peace without victory"—something to remember now. When we had helped win the first World War we did not use victory as a basis for power either in the Old World or in Asia. Indeed, we withdrew far too hastily from our obligations and allowed the League of Nations to sicken and decay.

CLOSE TO TOTAL POWER

Although we used something like total power in the second World War, once victory had been achieved we contented ourselves with trying to put the broken fragments of the war-torn world together again. We used aid, we used influence, we used military power, but we did not use the ultimate power of the nuclear weapon, nor did we in fact attempt to order the affairs of Asia.

It has remained for the statesmen of this decade to insist that we are an Asian power, and have the same kind of responsibility for Asia that we have for Western Europe.

It is my feeling that we do not have the resources, material, intellecual, or moral, to be at once an American power, a European power, and an Asian power. Justice Holmes used to say that the first lesson a judge had to learn was that he was not God. It is a lesson every man has to learn and a lesson every nation has to learn. . . .

It is not our duty to keep peace throughout the globe, to put down aggression wherever it starts up, to stop the advance of Communism or other isms which we may not approve of. It is primarily the responsibility of the United Nations to keep the peace, to settle disputes, to discourage aggression, and if that organization is not strong enough to do the job we should perhaps bend our major energies to giving her the necessary authority and the tools.

One explanation of our obsession with Communism and more particularly, now, with "Communist aggression" in Asia is to be found, I think, in a deep and persistent trait of the American mind: the belief in Old World corruption and New World innocence. The men who won the independence of America from the mother country were convinced that the Old World was abandoned to tyranny, misery ignorance, injustice and vice and the New World was innocent of these sins . . .

The notion of an international Communist conspiracy, which a good many Americans still cling to, fits neatly into this shibboleth of Old World wickedness and New World virtue. And so, too, our habit of throwing a mantle of mortality over our own wars. We do tend, perhaps more than other nations, to transform our wars into crusades. The Mexican War was part of manifest destiny. The Spanish-American War was a crusade to free Cuba from Spanish tyranny. The First World War was a crusade to make the world safe for democracy. The Second World War did indeed have moral purposes, more clearly, I think, than almost any war of modern times.

Our current involvement in Vietnam is cast, increasingly, into a moral mold; it is, quite simply, a war to halt Communist aggression. . . .

Closely associated with the notion of New World virtue is the somewhat more activist notion of New World mission. This, too, is a familiar theme: Providence, or history, has put a special responsibility on the American people of liberty, democracy, and equality to other peoples of the earth. . . .

THE PLIGHT OF THE AMERICAN ALLIGATOR

Mr. SMATHERS. Mr. President, an excellent editorial concerning the plight of the American alligator was published in the Miami News on January 23.

Chief Editorial Writer Jack Kassewitz has further detailed the story of the alligator and the fight now underway to prevent the extermination of this rare form of wildlife.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

DRAGONS IN DISTRESS

(By Jack Kassewitz)

The silence of the Everglades is punctured by the rumbling song of a reptile 200 million years old, but with a frequency which lessens each passing evening, no thanks to the illegal hunters.

Dr. Archie Carr, one of this state's outstanding biologists—certainly the best known—has an excellent article in the January issue of National Geographic on the plight of the alligator. Dr. Carr says poachers and land developers are slowly but surely erasing the big 'gator from this region.

SOLD IN MIAMI

Prime alligator hides are selling for $6 per foot, and Dr. Carr estimates that the skins bring as much as $1 million a year in illegal Miami markets. At the turn of the century, poachers made their way in small boats or risked snake bites by wading into the 'Glades. Today, says Dr. Carr, hunters cruise in airboats and glades buggies while pilots in low-flying airplanes radio location of 'gator holes.

Despite the efforts of rangers in Everglades National Park, many alligators are being lost there. Dr. Carr says poachers in motorboats work their way across the park boundaries by night, shoot or hook the 'gators, skin them on the spot and stuff the carcasses down the dens. If park rangers do catch up with the boat, the poachers dump the weighted hides overboard into the marshes.

Dr. Carr points out that the alligator and its relatives—the crocodiles, the tropical American caymans, and the Old World gavials—are the only surviving members of the Ruling Reptiles, the main stem of the reptile tree that produced the dinosaurs and the flying ptersaurs. "Although wild alligators serve as saviors to the swamp population, they themselves are becoming alarmingly few."

The State Audubon Society is imploring nature lovers not to purchase alligator hide purses, wallets, shoes, belts and other items. Eventually they hope to get Federal action in Congress to outlaw interstate movement of alligator hides or products made from them. This, say the conservationists, will make hunting unprofitable.

CHANGE FASHION

Dr. Carr has his own idea about conserving the alligator. He thinks a change of fashion is the answer. "At the turn of the century our beautiful filmy-plumaged egrets were brought close to extinction by plume hunters. Then, largely as a result of a campaign by the National Audubon Society, concerned groups began to urge measures to save the birds. By 1910 the wearing of plumes had virtually stopped. In 1918, mere possession of the feathers became a federal offense. Plume hunting stopped."

We can hear those 'gators roaring their thanks to Dr. Carr now.

CAN CASTRO START A NEW VIETNAM?

Mr. DODD. Mr. President, while our attention is focused upon the war in Vietnam, we are prone to fall into the trap of suspecting that other parts of the world are tranquil, that in other areas we do not face the same kind of challenge which American soldiers are physically resisting in Southeast Asia.

This is not the case. In fact, the Communists are more active than ever before in fomenting terrorism, violence, and disorder throughout the underdeveloped world, particularly in Latin America.

Last January, under Russian sponsorship, the Tricontinental Conference was held in Havana. It brought together some 600 Communist delegates and observers from 82 countries. One of the salient results of this meeting was the formation of the Latin American Solidarity Organization, the sole objective of which is to spread disorder throughout Latin America.

While we are lulled into believing that the threat of Communist subversion from Cuba is small, the nations of Latin America are engaged in a virtual battle for their existence. In Colombia, for example, President Carlos Lleras Restrepo stated:

> It is a fact that a foreign country is intervening in Colombia's internal affairs, touching off guerrilla wars.

The Vice President of Guatemala, Clemente Maroquín, wrote in his newspaper, La Hora:

> It looks as though Guatemala will be the next American nation to fall to Marxism. At the rate things are going, everything points to this eventuality . . . Day after day the Communists advance on two fronts: victorious armed attacks by the guerrillas, and greatly increased harangues by agitators.

In an imporant article in the current issue of the National Review, Paul Bethel describes the situation being faced in country after country in Latin America. He provides this description of events in Caracas:

> Believing that the Cuban supported OCLAE was behind the assassination attempts, President Leoni sent troops into the University of Caracas where, on December 14, they uncovered an arsenal of weapons, including 19 light machine guns, vast amounts of hand grenades, and an unspecified amount of small arms and ammunition. As a result of Cuban exported terrorism, the administration of President Leoni has called on the O.A.S. to do something about the subversive machinery installed in Cuba, well-financed by outside powers, and demanded a "sincere and honest examination of the policy followed by the O.A.S. in the Cuban case.

Mr. Bethel describes the aid given to such terrorist activities by the Soviet Union and quotes the Russian Ambassador to Havana, Alexander Alekseyev, who asserted that the Russians would continue to support liberation movements. Soviet Russia, he said, believed in the "firm solidarity of all the revolutionary liberation forces in the world."

Are we sufficiently aware of the threat to Latin America? Mr. Bethel thinks not. He warns:

> Either we must take measures adequate to the task of eradicating the Soviet base in the Caribbean, or we must face another Vietnam in the towering Andes and the jungle heartland of Latin America, one that will make the present conflict in Asia seem insignificant by comparison.

Those who believe that the goals of the Soviet Union are changed, should read Mr. Bethel's article with great care.

I wish to share this article with Senators and ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CAN CASTRO START A NEW VIETNAM?

(By Paul D. Bethel)

Bureaucracy often has about it a frozen character that renders it unresponsive to change and incapable of meeting new challenges. Nowhere is this more evident than in the State Department's attitude toward Cuba and the rest of Latin America. When a Washington reporter asks about U.S. policy in this area, he is given a speech delivered back in April 1964 by then Under Secretary of State George W. Ball, a speech dusted off and issued in pamphlet form. Ball's discourse, done up in a bright red, 22-page package, *U.S. Policy Toward Cuba*, does not of course deal with developments in Cuba and the balance of Latin America over the past two-and-one-half years, nor has any attempt been made to update it. Yet, it stands as the definitive word on U.S. policy.

The existence of a Soviet base in Cuba is not, in the judgment of the State Department, a military threat to the United States. More surprising still, the State Department insists that Cuba is not a direct military threat to the other countries of Latin America. As the Ball pamphlet states: "Cuba does not possess air- and sea-lift sufficient to permit it to take offensive action against its neighbors." In almost ho-hum fashion, the paper adds: "In any event, we *maintain overwhelming military forces* in the area to prevent Cuba from attacking other American Republics."

Other passages in the pamphlet reveal the philosophy behind U.S. policy toward Cuba and Latin America. Admitting that Cuba does present a problem of subversion, the pamphlet reads: "Vulnerability is greatest where social injustice is widely prevalent, where anachronistic societies remain dominated by small elites—tight little oligarchies that control the bulk of the productive wealth." The enemy, to the State Department, it would seem, is not a predatory Cuba, but *Latin American governments which fail to provide for their own people.*

The social worker mentality now directing our policies in Latin America is further revealed by other passages in the State Department document: "In the long run, Latin America will be rendered immune to Communist infection only by an amelioration of conditions—political, economic, and social, in which subversion flourishes . . . until such a transformation is accomplished, Latin America will remain a fertile seedbed for Communist subversion."

The shocking truth is that U.S. policy is based on a proposition that is not believed by sophisticated Marxists anywhere in the world—namely that poor economic conditions are a precondition to Communist advances. One would have thought that this idea had been laid to rest when, on July 26th, 1966, no less an authority than Fidel Castro, in recalling Cuba's excellent economic conditions at the time he came to power, said: "Well, if this concept [poor economic conditions] had been applied to this nation, a revolution never would have taken place. Never!"

TRICONTINENTAL SUBVERSION

However, that may be, there is not much question that Russian-Cuban subversion is proceeding at a jet-propelled pace. The Tricontinental Conference, held in Havana last January under Russian sponsorship, brought together some 600 Communist delegates and observers from 82 countries in Asia, Africa, and Latin America. When the delegates decamped after two solid weeks of propaganda and planning, they left in their wake an efficient organization to expand Vietnam-type wars into a global war of subversion.

Of the several organizations to come out of the Tricontinental Conference, the most vigorous is the Latin American Solidarity Organization (LASO). This is not surprising, since Fidel Castro and his Russian masters have been at the business of subverting Latin America for years. Thus, when the Communist delegates convened in Havana last January, Cuba was able to show them a well-developed apparatus of subversion, backed by 43 guerrilla training camps, already active and successful. That apparatus has since been refined and fashioned into a deadly instrument by which terrorism and subversion have advanced in this hemisphere at a terrifying rate.

One of the latest additions to LASO is the Latin American Continental Students Organization (OCLAE). To date the Cubans have been able to corral student groups in seven Latin America countries—the Federation of University Centers in Venezuela, the Dominican Students Federation, the General Association of Students of Guadalupe, the Panamanian Students Federation, the Pro-Independence Student Federation of Puerto Rico, the University Students Federation of Uruguay, and the National University Federation of Colombia. All receive money, arms, and direction through LASO in Havana. Cuba also trains student militants at its Revolutionary Education School in San Francisco de Paula, near Havana.

The role of the OCLAE was outlined in Havana last July. There, Cuban Minister of Education José Llanusa told his Communist charges that Latin American students would be in the vanguard of the revolution, adding that they would "smash the showrooms of Latin America and put revolutionary governments in power." Success in Latin America most assuredly will be followed by similar student uprisings in Asia and Africa, and even in the United States.

Today LASO, and its student arm, OCLAE, is so effective as to constitute the most potent weapon in the Communist arsenal. It has rocked governments from Buenos Aires to Bogotá through blackmail, agitation and assault. The Dominican Students Federation *demonstrated its power by forcing the expulsion of 150 professors, taking control of the faculty, and turning the University of Santo Domingo into an armed Communist camp.* Relatively quiet since Joaquin Balaguer swamped Juan Bosch in the elections for President last June 1, the Dominican Republic is again threatened by civil war.

President Balaguer said on December 6 that Communist propaganda is pouring into the country, "some from Russia and other countries behind the Iron Curtain." He added that "Communists and extreme leftists have been visiting the 'constitutionalists' [those who headed the revolt in April 1965], asking them to take over their old posts in the city" for a renewal of urban violence to force Balaguer out of office. The tense situation is further exacerbated by broadcasts from Havana urging the Communists and "constitutionalists" again to join forces and "defeat the servants of imperialism."

In Colombia, urban terrorism and guerrilla assaults in the rural areas have forced President Carlos Lleras Restrepo to make three impassioned addresses to the nation since taking office in August. Pointing out that terrorism is "planned precisely to cause trouble and maintain an atmosphere of uneasiness throughout the country," President Lleras revealed that "the stepping up of guerrilla warfare is called for openly through the microphones of Castroite radio stations." Referring to Cuba and indirectly addressing himself to Washington, he said: "It is a fact that a foreign country is intervening in Colombia's internal affairs, touching off guerrilla wars." He added: "Agitators are promoting student strikes—professional agitators—turning those strikes into pretexts and tools of violence . . . they attempt to pass off kidnapings, the stoning of shops, the burning of cars, as mere innocent acts of students which they claim cannot be classified as crimes." They *are* crimes, in the opinion of the President of Colombia, and he sketched their dimensions: "During the first two days of the Antioquia University strike, the damage amounted to 500,000 pesos."

Last October, President Lleras and John D. Rockefeller were set upon by trained student agitators as they entered the University of Bogotá to inaugurate the Veterinary Science Laboratory. (Much of the funds which made the construction of the laboratory possible came from the Rockefeller Foundation.) Other acts of violence involving student militants caused Colombia's President to cry out to the nation: "Are we to permit rebellion to be openly advocated; are we to permit troops to be killed in ambush?" He spoke of Communist assaults against interior towns and villages in these terms: "I visited a military hospital where fourteen dead and wounded peasants, serving their compulsory military service, were taken, following ambush. They were even younger than university students who, by reason of attending the university, are exempt from military service."

President Lleras reminded his listeners that the Communist terrorists can destroy faster than a free society can build. He said: "The country wants order, work, and progress, the constructive implementation of the national transformation programs . . . we need foreign investments . . . but it is precisely because of this that extremists, directed from abroad, are bent on destruction." Cuban-exported terrorism has caused a precipitate flight of capital from Colombia, forcing the government to apply restrictions against the transfer of money out of the country.

In the very midst of President Lleras's denunciations of Cuban subversion, U.S. Ambassador to Colombia Reynold E. Carlson permitted himself a political observation which is quite in keeping with stated U.S. policy regarding Cuba. An interview published in the newspaper *El Espectador* quoted him as saying that present relations between Cuba and the United States "are now based on the interchange of weather reports on hurricanes." He added, however, that "those relations can improve. It is a matter of patience." The newspaper *El Siglo* quoted Ambassador Carlson on Cuba as follows: "To consider Cuba as 'a danger to democracy' is now 'slightly archaic.' The position of the two countries is now changing little by little."

Guatemala has raised warning flags over that guerrilla-infested country. When liberal Cesar Méndez Montenegro was installed as President last July, he immediately declared an amnesty for Guatemalan guerrillas. By November, however, he was forced to declare martial law for a thirty-day period and obliged to extend it another thirty days when the guerrillas struck at mountain villages and in Guatemala City in mounting waves of terrorism. The climate of "unrest and uneasiness" which the Colombian President says the guerrillas are trying to create in *his* country has already been achieved in Guatemala, according to Guatemala's Vice President. Vice President Clemente Marroquín wrote in his newspaper, *La Hora*, on November 2: "It looks as though Guatemala will be the next American nation to fall to Marxism. At the rate things are going," he continued, "everything points to this eventuality. . . . Day after day the Communists advance on two fronts: victorious armed attacks by the guerrillas, and greatly increased harangues by agitators. But over and above these two alarming facts there is even a more serious situation, and that is the panic which is taking hold of the people."

Vice President Marroquín wrote his article of warning as 21 clashes erupted between the police and army units and guerrilla bands. Student militants were involved in all but three. In the innocent guise of students, Communist youths have been particularly successful in gaining entrance to government offices and public buildings. A four-man group seized control of the *Nuevo Mundo* radio station in Guatemala City long enough to broadcast messages on behalf of the Castroite Armed Rebel Force (FAR), headed by guerrilla chieftain Cesar Montes. Marroquín wrote of such activities: "The guerrillas can act night or day without the slightest fear of persecution. . . . The fall of Guatemala could take place in a few hours or even minutes. Once the capital is in a state of panic, everything will inevitably deteriorate into a government composed of 'students, peasants, and laborers.' . . . We have the guerrillas under the same roof, in our own house, at the same table, and it is only necessary for them to say, Now! and chaos will ensue."

Another Central American country, Costa Rica, is clearly alarmed at the increasing threat to Latin America posed by a Russian-propelled Cuba, and is disposed to do something about it. Calling the Russian-sponsored Tricontinental Conference in Havana "an act of war against the democratic institutions, the traditions, and the security and liberty of our peoples," on November 1, the Costa Rican legislature unanimously passed a resolution which reads, in part: *"One:* To denounce the so-called First Tricontinental Conference as an act of war; *Two:* To express our total solidarity with the Cuban people in their revolutionary struggle against the Communist dictatorship and recognize their right, within the island and in exile to fight freely for the restoration of their self-determination and their democracy; *Three:* To communicate this resolution to the Honorable President of the Republic for the official action which in his opinion is needed to carry out points One and Two; *Four:* To call upon the legislatures of the Free World, and especially those in Latin America, to pass resolutions similar to this and to adopt means which will preserve and develop the democratic system of government."

According to reliable sources in Costa Rica, *the U.S. Embassy tried to stop the* resolution from being passed. Having failed, those same sources state, the Embassy now is bringing pressures to bear against President Jose Joaquín Trejos to discourage him from responding to the resolution—by, for example, providing military bases from which Cuban exiles could operate against Castro. Should Trejos resist U.S. pressures, these informants say, U.S. aid to that country would be drastically reduced.

Venezuela, one of the countries that has been attempting to modernize its military forces, has been under almost constant guerrilla assault from Cuba for a period of more than five years. Venezuelan guerrilla leaders Elias Manuit Camero, Alirio Chirinos, Alberto Pérez, and Gaspar Rojo, manage to travel to Havana and sneak back into Venezuela undetected with the ease of commuters. On November 5, Camero broadcast over Radio Havana what amounted to a declaration of guerrilla war against his own country. Three army patrols were ambushed in one night by guerrilla forces, and reports from the countryside told of momentary guerrilla control of eight interior towns and villages. One group of thirty guerrillas, dressed in khaki uniforms and the green-and-red berets of the Castro-directed Armed Forces of National Liberation, seized the town of Sabana Grande, robbed its stores of food and clothing and made off safely. At Campo Alegre, guerrillas forced the owner of a large ranch to flee for his life to a nearby city. His flight followed a skirmish between army units and large guerrilla forces in which the latter, led *by Cuban officers*, bested the Venezuelan regulars. In a low-key announcement, Army headquarters in Caracas revealed that heavy fighting was in progress in many of the states. Army planes and helicopters were thrown into a major anti-guerrilla campaign in mountainous Lara State. Similar campaigns are being carried out in varying degrees of intensity, at enormous expense to the government, in the states of Falcón, Mérida, Trujillo, Portuguesa, Monagas, Anzoategui, and Barinas. The tactics now being used by the government—use of helicopters, bombing and strafing—are almost direct copies of those employed by the United States in Vietnam. This is so because the structure and tactics of the Latin American guerrilla forces trained in Cuba are copied from the Vietcong and indeed taught by Vietcong instructors who staff many of Cuba's guerrilla training camps.

Favorite targets of the Venezuelan guerrillas are pipelines through which Venezuelan oil flows to market, and American-owned factories and stores which contribute to Venezuela's high living standard. At the end of November, urban terrorists in Caracas turned that capital city into a shambles. Six attacks were launched within a period of 24 hours, leaving destruction in their wake. A Sears Roebuck store was hit by fire bombs that destroyed most of its merchandise, and burned through its three stories. A United States Commerce Department trade fair was machine-gunned, and a U.S.-owned supermarket suffered two attacks by terrorists within a week's time. An elementary school for American children was also machine-gunned by terrorists.

Venezuelan President Raul Leoni and his ruling Democratic Action Party are under fire because of the worsening situation. The President and his cabinet ministers have consistently sought to play down the seriousness of Venezuela's internal disorders, it is thought, so as not to add to the already considerable flight of foreign capital out of Venezuela into Swiss and other foreign banks. However, Defense Minister General Ramon Florencio Gómez was candid enough to blame the fresh outbreak on an amnesty recently extended to 31 guerrilla gangsters by President Leoni. The amazing strength shown by urban and rural guerrilla bands has raised doubts about the civilian government's ability to deal with the Communists, and rumors of a military coup are making the rounds in Caracas.

ARSENAL UNCOVERED

On December 13, Leoni was forced to declare a state of martial law. He made his decision as the result of the assassination of Army Major Francisco Astudillo Suárez and the wounding of General Roberto Morean Soto by Communist terrorists on the streets of Caracas. Believing that the Cuban-supported OCLAE was behind the assassination attempts, President Leoni sent troops into the University of Caracas where, on December 14, they uncovered an arsenal of weapons, including nineteen light machine guns, vast amounts of hand grenades, and an unspecified amount of small arms and ammunition. As a result of Cuban-exported terrorism, the administration of President Leoni has called on the Organization of American States to do something about the "subversive machinery installed in Cuba, well-financed by outside powers," and demanded "a sincere and honest examination of the policy followed by the OAS in the Cuban cases. . . ." Venezuelan Interior Minister Reinaldo Leandro Mora was more specific. He said: "We have specific evidence that the acts of subversion spring directly from the Tricontinental Solidarity Conference held the beginning of this year in Havana."

LATIN REACTION

Impatience among Latin American countries with our State Department has risen to unusual heights over the past year. They are unhappy over statements which purport to see nothing of consequence in the Havana-based Tricontinental organization other than those expressed in such phrases as, "It has had the positive results of awakening Latin America to the dangers of internal subversion." As one Latin American diplomat coldly observed: "We have been alert to the danger far beyond the State Department's willingness to cope with it."

What particularly alarms Latin American governments is the conscious and conspicuous Russian leadership in the subversion of the hemisphere assumed at the Tricontinental Conference. They are disturbed that the United States did not then challenge open Soviet military intrusion in Latin America.

Latin American apprehensions have found little echo in the United States press, and the American public has been left largely uninformed of the meaning of the Tricontinental organization in Havana and of the devastation it has been wreaking in Latin America over the past year. The liberal press in this country finds in the Havana Conference little of significance beyond the confident (and unrealized) predictions that it will merely widen the Sino-Soviet split in the quest for Communist leadership in Latin America. The fact is, however, that Red China and Russia are seated cheek-by-jowl on the Conference's central strategy and policy committee in Havana—the Committee of Assistance and Aid for Peoples Fighting for their Liberation.

Newspaper editorials in Latin America express a widespread belief that the United States is playing fast and loose with the security of Latin America in exchange for an ephemeral accommodation with Russia. There is considerably more to this belief than mere conjecture. The State Department has kept mum on the subject of Russian intervention, even in the face of the OAS study which bluntly states that "the action of Russo-Chinese Communism at Havana shows the imminence of one of the most serious dangers for the hemisphere." The Russian ambassador to Havana, Alexander Alekseyev, impudently asserted that the Russians would continue to support liberation movements. Soviet Russia, he said, believes in the "firm solidarity of all the revolutionary liberation forces of the world. . . ." In broadcasts in the Quechua dialect (the native tongue of millions of Indians in Peru, Bolivia, and Ecuador), Radio Moscow continues to call for uprisings. Latin Americans are fully aware of the facts of the Russian intrusion into the hemisphere. For, in another Quechua Indian broadcast that preceded the Havana Tricontinental Conference, Radio Moscow boasted that 10,000 "students" from Asia, Africa, and Latin America were attending classes in revolutionary tactics at Moscow's Lumumba University. The broadcast said that the number of Latin Americans at Lumumba University is being greatly increased, since "the dawn of freedom in Latin America is now in its initial stages." Radio Moscow also said of those students that "they will fight alongside the peasants and humble people to ensure that their countries have genuine freedom."

U.S. PRESS DELINQUENT

Blasts recently issued in the United Nations by Ambassadors José Sette Camara of Brazil, Victor Andres Belaunde of Peru, and Evaristo Sourdis of Colombia, against Russia and members of the Soviet bloc for their aggressions in the Western Hemisphere, received little attention in the American press. Nor was there the open and vigorous support from the United States which these denunciations obviously merit. A bill of particulars submitted by Sourdis, and by Ambassador Hector Escobar Serrano of El Salvador, blistered Russian-Cuban subversion, named names, and called on the UN to do something about it. But their warnings also went largely unnoticed.

The frozen attitude of the Department of State, and the failure of the American press adequately to report on the alarming situation in Latin America, was dramatically brought to light recently. In November, Panama's Dr. Eduardo Ritter, unanimously elected chairman of the Council of the Organization of America States, inaugurated his one-year tenure with a speech in which he criticized the U.S. press and U.S. policymakers in unusually blunt language. He said that not only is the OAS the target of "the constant aggression of its enemies," but "of strong and dangerous aggression of silence by those who should be its best allies." Dr. Ritter continued: "The objectives of American action should be the cessation of the purges and forced labor in Cuba, the gagging and persecution, the abuse and insult." He blistered the U.S. press, saying that the activities of Latin American countries in seeking collective action against Russian-Cuban subversion "barely achieve an occasional line among the inconsequential news items."

Official Washington must share considerable blame for Dr. Ritter's charges against the American press. The State Department has done nothing to arouse press interest in the deteriorating situation in Latin America brought about by Russian-Cuban subversion. For example, when Dr. Ritter finished his blunt address, the U.S. Ambassador to the OAS, Sol Linowitz, rose and delivered his own maiden speech. Its most notable passages contained an echo of Senator Robert Kennedy's outburst against the sale of arms to Latin America. In what must rank as the most colossal irrelevancy in the history of the OAS, Linowitz complained about "unnecessary" military expenditures. The State Department, it would seem, is still riveted to its social worker course. That is why, it may be surmised, the State Department has remained silent on the subject of massive subversion of our neighbors while at the same time furiously denouncing the non-predatory governments of South Africa and Rhodesia for their racial policies.

The lines have been clearly drawn. Either we must take measures adequate to the task of eradicating the Soviet base in the Caribbean, or we must face another Vietnam in the towering Andes and the jungle heartland of Latin America, one that will make the present conflict in Asia seem insignificant by comparison. In an interview published in the January 5 issue of Castro's *Granma* newspaper, Nguyen Van Duc, head of the Vietcong mission in Havana, addressed the burgeoning "wars of national liberation" in these terms: "Within a short period of time, there will not be just one Vietnam, but many Vietnams, and the Yankees will not be able to handle so many attacks at the same time." The Ecuador newspaper, *El Universo*, scored the Cuban policy of the Johnson Administration as the consequence of an unworkable détente with Russia, saying: "While the Russians continue to seek agreements with the United States, they are not disposed to pay the price for these agreements."

It was left to Colombia's Ambassador to the UN to put the issue squarely. On December 8, Ambassador Sourdis told the UN: "If we do not arrive right now at a means to put a stop to undercutting our sovereignty and self-determination, in the near future the world will be faced with a devastating conflagration." Some indication of what Ambassador Sourdis is talking about is evident right now in Havana, where a preparatory committee of the Latin American Solidarity Organization is in session, preparing an agenda for the meeting of LASO in July. One purpose of the preparatory meeting, as outlined in Castro's newspaper, *Granma*, is to prepare for "common action against the ideological, political, and economic penetration of imperialism in Latin America"—a Communist program of systematic destruction. The other purpose is "to receive all information from delegates, make plans on the basis of the needs of each country, and make recommendations to the Central Committee"—in short, to study the successes and failures of last year's enormously eventful guerrilla campaigns and make adjustments which will make them even more potent in the future. Thus, when July 1967 arrives, hundreds of Communist delegates from Latin America will again make their way to Havana, under the very nose of the U.S., there to plot the next phase of the Vietnam wars in this hemisphere.

On September 13, 1962, the late President Kennedy stated: "If Cuba should ever attempt to export its aggressive purposes by force or the threat of force against any nation in this hemisphere, or become an offensive military base of significant capacity for the Soviet Union, then this country will do whatever must be done to protect its own security and that of its allies." There can be little question that that time has come. A new Communist International, headed by Russia and Red China, has been spawned right on the coast of Florida, and it is waging war against the United States. The global implications of this simple fact are enormous, and require considerably more than the words, only now being uttered by U.S. representatives to the United Nations, to deal with the threat. And why the United States backed the move in the OAS which placed the issue of Cuban subversion before the United Nations where, in any showdown in the Security Council it would be subject to the Russian veto, awaits a satisfactory explanation. The evidence suggests that the matter is much too serious to be resolved by our diplomats in Foggy Bottom. It should be placed in the hands of our very best military planners.

DISOBEDIENCE TO THE LAW

Mr. **BYRD** of West Virginia. Mr. President, the September 1966 issue of the FBI Law Enforcement Bulletin included an article by the Honorable Charles E. Whittaker, Associate Justice of the U.S. Supreme Court, retired, Kansas City, Mo., entitled "The Effects of Planned, Mass Disobedience of Our Laws," it stated, in part:

> But whatever may have been the provocations—and, doubtless, there have been some—no man, or any group or race of men, can be permitted, in a government of laws, to take the law, or what they think ought

to be the law into their own hands, for that is anarchy, which always results in chaos.

Justice Whittaker's remarks on lawlessness are constructive, advocating that Americans undertake a genuine revival of respect for law and orderly processes and that they experience a reawakening of individual responsibility as well as a new impatience with those who violate and circumvent our laws.

I recommend that his message be thoughtfully read and I have prepared it for reprinting in the Record.

I ask unanimous consent that this article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Effects of Planned, Mass Disobedience of Our Laws

(By Hon. Charles E. Whittaker, Associate Justice of the U.S. Supreme Court, retired, Kansas City, Mo.)

Can any thoughtful person reasonably believe that a disorderly society can survive? In all recorded history, none ever has. On the contrary history shows that every society which became lawless soon succumbed, and that the first evidences of each society's decay appeared in the toleration of disobedience of its laws and the judgments of its courts.

These are ancient and universal lessons. Yet, in recent times, all of us have daily seen and heard an ever-increasing number of accounts that show, with unmistakable clarity, the rapid spread of a planned course of lawlessness in our land that threatens seriously to get out of hand, and, hence, to destroy law and order.

While, of course, all of our crime is not due to any one cause, it can hardly be denied that a large part of our current rash and rapid spread of lawlessness has derived from planned and organized mass disrespect for, and defiance of, the law and the courts, induced by the irresponsible and inflammatory preachments of some self-appointed leaders of minority groups "to obey the good laws, but to violate the bad ones"—which, of course, simply advocates violation of the laws they do not like, or, in other words, the taking of the law into their own hands.

And this is precisely what their followers have done and are doing—all under the banner of "peaceable civil disobedience," which their leaders have claimed to be protected by the peaceable-assembly-and-petition provisions of the first amendment to the U.S. Constitution.

"PEACEABLE" CONDUCT

In truth, that conduct is neither "peaceable" nor "civil" in nature, nor is it protected by the first amendment, as we shall see.

In furtherance of that philosophy, some of those leaders have incited their followers to assemble at a focal point, from far and wide—often, unfortunately, with the encouragement and physical support, and also frequently at the expense, of well-meaning but misguided church organizations—into large and loosely assembled groups, which, at least, resemble mobs, to wage what they call "demonstrations" to force the concession of what they demand as their "rights" in defiance of legal processes, the courts, and all constituted authority.

Because of general familiarity with the pattern, only a word as to the nature of those "demonstrations" is needed. In the beginning, they consisted of episodic group invasions and temporary appropriations of private stores, first by sitting down and later by lying down therein, and eventually by blocking the entrances thereto with their bodies—conduct which has always been known as criminal trespass.

Seeing that those trespasses were applauded by many, even in high places, and were generally not punished, but rather, were compelled to be appeased and rewarded, those leaders and their incited groups quickly enlarged the scope of their activities by massing and marching on the sidewalks, streets, and highways—frequently blocking and appropriating them to a degree that precluded their intended public uses. And that conduct, too, being nearly always appeased, the pattern has rapidly spread, as one might expect, pretty generally throughout the land, even into most of our university campuses, and, what should be even more alarming—if such is possible—the pattern has now been adopted, and is being followed, by mobs who attempt to thwart the efforts of our Government to conscript the military forces deemed necessary by responsible officials for national purposes—as witness the repeated and brazen burnings of draft cards in such frenzied mobs—and to prevent success of the military's effort to transport troops and their necessary equipment and supplies to critical points, by blocking the movement of such trains with their bodies and otherwise.

There is now hardly any facet of our society that has not been assaulted—and none is immune from assault—by this pattern of lawlessness.

DEFINITION OF CRIME

"Crime," says Webster, means: "Any act or omission forbidden by law and punishable upon conviction." It can hardly be denied that many of those trespasses violated, at least, the criminal trespass laws of the jurisdictions involved, that those laws imposed penalties for their violation, and, hence, that those trespasses constituted "crimes."

In the first place, that conduct cannot honestly be termed "peaceable," for its avowed purpose was and is to force direct action outside the law, and, hence, was lawless, and, of course, inherently disturbing to the peace of others. One can hardly deny the truth of the statement written by Mr. Justice Black, joined by two other Justices in June 1964, that "Force leads to violence, violence to mob conflicts, and these to rule by the strongest groups with control of the most deadly weapons."

CIVIL DISOBEDIENCE

In the second place, that conduct cannot honestly be termed "civil disobedience," for the simple reason that willful violation of the criminal laws is not "civil disobedience," but is "criminal disobedience."

And lastly, that criminal conduct is not protected by the peaceable-assembly-and-petition provisions of the first amendment. That amendment reads: "Congress shall make no law . . . abridging . . . the right of the people peaceably to assemble and to petition the Government for a redress of grievances." Surely, nothing in that language grants a license to any man, or group of men, to violate our criminal laws. Rather, as Mr. Justice Roberts wrote upon the subject in 1939, "The privilege of a citizen of the United States to use the streets and parks for communication of views on national questions must be regulated in the interest of all; it is not absolute, but is relative, and must be exercised in subordination to the general comfort and convenience, *and in consonance with peace and good order.* . . ." [Emphasis added.]

And, as to such demonstrations being an exercise of the first amendment's right to petition for a redress of grievances, would not every thinking person agree with the statement recently made by the president of Yale University in a speech at Detroit, that the current rash of "demonstrations" makes "a ludicrous mockery of the democratic debating process"?

The pattern of forcing demands by mass or mob actions, outside the law and the courts, has proved—as certainly we should have expected—to be tailormade for infiltration, use, and takeover by rabble rousers and Communists who are avowedly bent on the breakdown of law, order, and morality of our society, and, hence, on its destruction.

Even though those results may not have been contemplated, and surely weren't wished, by those Americans who so advocated and participated—either conspiratorially, financially, or physically—in such disobedience of our laws, nevertheless, they did advocate that philosophy, and they did put its processes into action, and, however well—even if ignorantly—motivated, cannot now escape responsibility for its results.

MASS LAWLESSNESS

A sampling of what this pattern of organized mass lawlessness has brought to some of our universities may be seen through a few brief quotations.

The California State Superintendent of Public Instruction, in commenting about conditions on the campus at Berkeley, recently said: "Demonstrations there provided a vehicle for infiltration by rabble rousers, redhots, and Communists and resulted in assaults, kidnapings, and imprisonment of police officers, the commandeering of public-address systems, and their use in spewing over the campus the most filthy four-letter words, and the general breakdown of law and order."

An Associated Press dispatch of Wednesday, May 19, in speaking of lawless demonstrations in progress at the University of Wisconsin, said that one of the "leaders" there openly espoused, from a public rostrum on the campus, that "The students should ban together to bring down the Government by any means." It also said that the "demonstrations" there had now been infiltrated and were being led by "eight to a dozen" ringleaders who are operating under "pretty good cover," and at least some of them are known members of the DuBois Clubs of America, which J. Edgar Hoover has described as a "new Communist-oriented youth organization."

WIDESPREAD DEFIANCE

These "demonstrations" have even invaded Howard University—the largest Negro university in our country. In a recent interview, its president, Dr. James M. Nabrit, says that he is meeting on his campus "open defiance of law and order," which he characterized as a part of a campaign "to bring the university into general disrepute." He warned that even though those "demonstrators" parade under the banner of civil rights, "they do not believe in civil rights for anyone. They are children of lawlessness and disciples of destruction. They are people who cloak themselves in the roles of civil righters but plot and plan in secret to disrupt our fight for justice and full citizenship. They must," he said, "be unmasked for the frauds that they are, and must be fought in every arena."

A relatively recent issue of the Kansas City Star contained several articles about the general breakdown of law and order on our college campuses. One of them fairly puts the finger on the cause. It did so by quoting one of the "demonstrating students." He was asked why some students had abandoned historical "panty raids" and similar college pranks for open and riotous rebellion. "Why," he said, "you could get kicked out of school for conducting a panty raid and things of that kind, but no one is ever kicked out or punished for demonstrating for something like civil rights." It is thus plain that the students, knowing, just as everyone else knows, that riotous conduct in the name of "civil rights" is not being punished, but is being tolerated, have been thus encouraged to continue and spread their riotous actions.

These lawless activities, nauseating as they are, can hardly be surprising, for they are plainly some of the results that we should have known would inevitably come from tolerating open and direct preachments to defy and violate the law.

Another recent article quoted some comments of J. Edgar Hoover about the effects of spreading crime upon the personal safety of our citizens. He said: "There is too much concern (in this country) . . . for the 'rights' of an individual who commits a crime. I think he is entitled to his (legal rights), but I think the citizens of this country ought to be able to walk all the streets of our cities without being mugged, raped, or robbed. But," he said, "we can't do that today." And he added: "All through the country, almost without exception, this condition prevails."

The April 10, 1965, issue of the magazine "America" contained an article on the imperative need for certain and severe punishment of crime, which made many pertinent observations, including this one: "(Government) has no right to turn the cheek of its citizens. Instead, it is gravely obligated—by the very purpose of its existence—to see to their protection." To this, I say amen.

There are, of course, first duties of citizenship, but there are also first duties of government. It is undoubtedly true, as recited in the theme of the recent presidentially proclaimed Law Day, 1965, that "A Citizen's First Duty Is To Uphold the Law," *but it is also a first duty of Government to enforce the law.*

Because some of our citizens will not voluntarily perform their "first duty" to uphold the law, our governments, State and Federal, are, as said in the article quoted from "America," "gravely obligated—by the very purpose of (their) existence—to see to (the protection of the people)" by, at least, making them *obey* the law.

All of us have often been told, and many of us have preached, that crime does not pay, but the recent rash and spread of law defiance, and the successes even though tenuous and temporary—of that philosophy in obtaining goals, seem to compel a reappraisal of that concept for, from what we currently see happening, one can reasonably believe that certain types of crime are being permitted to pay.

ANARCHY

Probably because of a rather widespread recognition that, at times and in certain sectors, some Negroes have suffered unconstitutional discriminations, and because many of us have been sympathetic to the ends they seek—and have not, therefore, thought very much about the destructive means they have embarked upon to attain those ends—there has been a rather general public apathy toward their preachments to violate, and their practices in violating, our laws.

But whatever may have been the provocations—and, doubtless, there have been some—no man, or any group or race of men, can be permitted, in a government of laws, to take the law, or what they think ought to be the law, into their own hands, for that is anarchy, which always results in chaos.

The fact that the provocations may have been themselves constitutionally unlawful cannot justify unlawful means for their resolution. Both types of conduct are wrong—constitutionally wrong, the one as much as the other. And, obviously, two wrongs cannot make a right.

THROUGH COURTS

All discriminations that violate the Constitution and laws of the United States are readily redressable in our courts which have always been open to all citizens. And no one has any room to doubt that, if he will resort to those courts, and have the patience to await their processes—as we all must do in an ordered society—all his constitutional and legal rights will be vouchsafed to him, whatever his creed or color.

But there has been impatience with the judicial processes, manifested by the recent hue and cry for "Action now—not the delays of the law." Obviously, that cliche, too, calls for direct action in disobedience of the laws, the judgments of the courts, and of all constituted authority.

It is true that legal processes, being refined and deliberative processes, are slow. But like the mills of the gods, though they grind slowly, they grind exceedingly fine, and their judgments are most likely to be just.

ONLY WAY

In all events, that is the civilized and American way—and there is no other orderly way—peaceably and fairly to decide the issues that arise among us, and to have an ordered liberty.

The great pity here is that these minority groups are, by their unilateral mass actions outside of and in defiance of the law, actually eroding and destroying the legal processes which alone can ever assure to them, or permanently maintain for them, due process and equal protection of the laws, and that can, thus, protect them from discriminations and abuses by majorities.

Last May, Mr. Lewis F. Powell, then president of the American Bar Association, in a speech dedicating the new Missouri Bar Center at Jefferson City, said: "Many centuries of human misery show, that once a society departs from the rule of law, and every man becomes the judge of which laws he will obey, only the strongest remain free."

RESPECT FOR LAW

I think we must all agree with that statement, and with his conclusion that "America needs a genuine revival of respect for law and orderly processes, a reawakening of individual responsibility, a new impatience with those who violate and circumvent our laws, and a determined insistence that laws be enforced, courts respected and due process followed."

We must take the laws into our hearts rather than into our hands, and seek redress in the courts rather than in the streets if we are to survive as a civilized nation.

REMEDY

The remedy is as plain as the threat. It is simply to insist that our governments, State and Federal, reassume and discharge their "first duty" of protecting the people against lawless invasions upon their persons and property by the impartial and vigorous enforcement of our criminal laws and by the swift, certain, and substantial punishment thereunder of all persons whose conduct violates those laws—and to do so immediately, and hopefully before planned and organized crime has spread beyond the capacities of our peacekeeping machinery to control and suppress.

These are not platitudes, but are fundamentals and vital, as every thinking man should see, to the survival of our civilized and cultured society. In no other way can we orderly resolve the issues that confront and divide us, or live together in peace and harmony as a civilized nation of brothers under the fatherhood of God.

SECRETARY McNAMARA REINSTATES DEPARTMENT OF DEFENSE SUBSCRIPTION TO CHURCH MAGAZINE

Mr. GRUENING. Mr. President, the announcement by the Department of Defense that it has decided to reinstate its subscription to the school magazine published by the Presbyterian Board of Christian Education is commendable. This decision followed an earlier announcement that the Department had canceled 13,000 subscriptions to the magazine because of a poem on napalm in the February issue by a 12-year-old girl. The magazine had been used in Protestant Sunday schools of American military bases around the world and is aimed at the group of 9- to 12-year-olds.

Had the Secretary of Defense allowed the subscription cancellation to stand, he would have placed himself in the indefensible position of seeking to stifle dissent from all and every source.

I ask unanimous consent to include an article on this matter which appeared in the Anchorage Times of February 14, 1967.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

CHURCH PUBLICATION DRAWS PENTAGON FIRE

PHILADELPHIA.—The Presbyterian Board of Christian Education said today the Defense Department had canceled 13,000 subscriptions to its Sunday school magazine because of a poem on napalm in the February issue by a 12-year-old girl.

The defense department described the poem as "an embarrassing item concerning Vietnam," the board said.

The item is used in Protestant Sunday schools of American military bases around the world and is aimed at the group 9 to 12 years old.

Cancellation of the 13,000 military subscriptions, the board said, was recommended by the religious education advisory group of the armed forces chaplains board.

The poem is entitled, "Afterthoughts on Napalm Drop on Jungle Villages Near Haiphong."

It reads in part:

"Then there was the flash—silver and gold
Silver and gold.
Silver birds flying,
The rice ponds blazed with new water.
The jungle burst into gold and sent up little birds of fire.
Little animals with fur aflame.
Then the children flamed.
Running—their clothes flying like fiery kites.
Screaming—their screams
Dying as their faces seared
The women's baskets burned on their heads.
The men's boats blazed on the rice waters.
Then the rains came.
A rag, fire black, fluttered.
A curl of smoke rose from a rice stem.
The forest lay singed and seared.
A hut crumbled.
And all was still.
Listen Americans,
Listen clear and long.
The children are screaming
In the jungles of Haiphong."

Barbara's father is a director of Indian River County Mosquito control in Vero Beach, and is an elder of the Vero Beach Presbyterian church.

ADDRESS BY THE HONORABLE EVA ADAMS BEFORE THE 70TH NATIONAL WESTERN MINING CONFERENCE IN DENVER, COLO.

Mr. SPARKMAN. Mr. President, on February 10, 1967, the Honorable Eva Adams, Director of the Mint, addressed the 70th National Western Mining Conference in Denver, Colo. I believe that Miss Adams' remarks will be of great interest to the Senate and to the public.

I ask unanimous consent that the

speech be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS BY THE HONORABLE EVA ADAMS, DIRECTOR OF THE MINT, BEFORE THE 70TH NATIONAL WESTERN MINING CONFERENCE, DENVER HILTON HOTEL, DENVER, COLO., FEBRUARY 10, 1967

The Secretary of the Treasury, Henry H. Fowler, has asked me to pass on to you his warm greetings and all good wishes for a most interesting and successful meeting. He deeply regrets his inability to be with you, but, as you know, the Congress and his many official duties will keep him in Washington for the duration of the meeting.

It was about a year ago I had the pleasure of appearing before your organization to give you a weighty dissertation on the Treasury Department's gold and silver policy. This year I would like to talk with you about the Mints. This is something with which I am more closely connected and, I think, is probably something in which all of us have a common bond of mutual interest.

If I seem evasive on the most controversial issues in the monetary field, let me say that this is too early in this session of Congress for me or anyone else in the Treasury to engage in public discussion of issues before they are formally presented for legislative consideration.

Whether you realize it or not, all of you do play an important role in the minting of United States coins. Our most recent statistics point to the fact that the United States is producing over 40% of all the coins made in the free world. Of the 19 billion coins produced in 1965, almost 8 billion were made in the Mints of the United States. In their coinage production, the Mints consumed over 80 thousand tons of metal, consisting of over 48 thousand tons of copper, 13 thousand tons of silver, and 10 thousand tons of nickel, as well as 3 thousand tons of aluminum and 2 thousand tons of zinc. Ten years ago, the coinage of nations of the free world required only 20 thousand tons of metal. Even if one were to disregard the spectacular rise in the consumption of silver in coinage (which is not true today in the United States, since we are mostly out of silver coinage), there has been an increasing dependence upon copper and nickel for use as basic coinage alloys throughout the world. Sixty percent of the tonnages used in coinage are copper; 13 percent of the tonnages used for world coinage are nickel.

When the Coinage Act of 1965 was passed, the policy of the Treasury was that the Bureau of the Mint should produce as many of the new coins in fiscal 1966 and fiscal 1967 as possible, with a view to replacing all outstanding subsidiary silver coins, if need be, during a 2½ year period.

The tight deadline was set in order to replace the silver coins while Treasury silver stocks were sufficient to maintain the price of silver at $1.29 per ounce. Since, as you know, the value of silver in subsidiary coins is $1.38 per ounce, it was clear that a market price for silver above that level would result in silver coins being withdrawn from circulation.

Now let's look at what has been done. From July, 1964 through January, 1967, we have produced over 21 billion coins. As for clad coins alone, we have produced: 175 million halves, 2.6 billion quarters, and 3 billion dimes.

While the emphasis was on clad coins, we did not neglect production of minor coin, nickels and cents. Production of cents in calendar 1966 increased about 50 percent over 1965. Production of nickels, already in good supply, was further increased over 1965's production level.

All of the extra effort undertaken to achieve record production levels at the Philadelphia and Denver Mints, plus good assistance from the San Francisco Assay Office, has let us develop ample coin inventories for all denominations but half dollars.

On the basis of samples we take on circulated coin, we can see regular gains in percent of clad coins in circulation. On quarters, for example, clad coins represent about one-half of the total in circulation. Clad dimes, which were introduced later, now account for about 20 percent of all dimes in circulation.

In short, we are pleased to report that our crash program was successful and we can drop back to more comfortable production schedules—except for production of halves, of course. We're still pushing these out as fast as we can, and plan to continue to do so until they are circulating freely.

All the Mint operations have dropped back to a five-day week and sufficient quantities of clad coins have been produced to cut over-all production down to about 6.6 billion coins. When you consider, however, that this level is still 50 percent higher than what we turned out in fiscal 1964 (4.3 billion pieces) which was the high point in production history up to that time, it is clear that the new demand level for coin continues to reflect our growing population and income gains.

As all of you probably know, the nickel and copper now being used in United States coinage comes from the stockpile administered by the General Services Administration. Some of this is used to make our homogeneous alloy coins—the nickel and the cent—while the balance of it is sent to outside industrial firms which in turn fabricate it into clad strip. While some of these companies produce the strip on an in-house basis, others require the services of several subcontractors.

Under the contractual relationship with our prime suppliers, we deliver to them or their subcontractors electrolytic copper and nickel cathodes. All of the copper we are obtaining from the stockpile is refined into electrolytic cathodes before being shipped for the account of our prime contractors. Since the inception of our clad coinage program in July 1965, contracts have been awarded for the refining of 80,000 tons of stockpile copper. The copper was made available for the production of coins by Public Law 89–251, which earmarked 110,000 tons for mint use.

In order to manufacture the clad strip, the contractors prepare the cladding and core separately before bonding. The bonding of the materials is done in strip or cake form depending upon each contractor's process.

For the outer layer of the clad strip we ship electrolytic nickel from the stockpile and electrolytic copper from various refineries to either the prime contractor or his subcontractor for casting into cupro-nickel slabs. These slabs are then prepared in a form suitable for the contractors bonding process.

To produce the copper core, we ship, at the contractors direction, electrolytic copper to either his plant or a subcontractors. In order to meet the specifications, our contractors are using various special types of copper for the core of the strip. Some of the types of copper used are, a) Deoxidized Low Phosphorus; b) Oxygen free High Conductivity; and c) Boron Copper. The core metal is then prepared in a form suitable for the contractor to use in his bonding process.

After bonding and rolling to finished gauges and widths, the strip is shipped to the mints for processing into finished coin.

It is interesting to note that the development of the clad metal composite strip used for the production of the new U.S. half dollar has its roots in the practices employed in the manufacture of Sheffield plate. About 1750, British craftsmen had discovered that silver sheets could be bonded to a core of copper, without the use of solder, and subsequently the bonded material could be readily rolled and shaped.

Our use of cladding makes it possible to meet basic coinage requirements. So that the new coins would possess the same electrical resistivity as the former homogeneous silver-copper alloy coins, a vital requirement for vending machine use, it was necessary that both cladding and core be composed of silver-copper alloys for half dollars. For the quarter and dime, the cladding is an alloy of copper and nickel, with a pure copper core, to achieve the electrical resistivity factor.

The methods used for accomplishing the bonding operation on these components do differ somewhat from the Sheffield practices, but they definitely are "cousins".

Subsequently, metallurgists were intrigued with the possibility of bonding other dissimilar metals to accomplish the same result—to produce a clad piece, through the sophisticated application of heat and pressure under carefully controlled conditions. In the case of silver-copper alloy, bonding is accomplished by localized contact melting. In the case of other metals, advantage has been taken of other characteristics that facilitate achievement of contact bonding without the melting phenomenon.

There are many processes for bonding. We must ourselves decide on one. Perhaps the most unique is the one employed by one of our contractors—who literally blasts the components together. This blasting is alleged to have occasioned some discomfort and damage to homes some twenty miles away from the blasting site. Believe me, we are keeping this in mind at Philadelphia, for several reasons. First, we don't want to disturb the rest of Benjamin Franklin whose grave is just across the street from the new Mint, and secondly, we don't want to start ringing the Liberty Bell at Independence Hall, which is just a block or two down the street.

As for the new mint at Philadelphia, although we have had some major delays and slowdowns, we are making progress. The building is about one-third completed, much of the process equipment is on order and is due for delivery in the next few months, and we expect to have the Mint completed and ready for operation in about a year.

This new Mint has been tagged the "Jet-age Mint", and this may be a very appropriate appelation. It will be the most modern, as well as the largest, mint in the world. Its output of coins, up to 20 million a day, is expected to meet the demand for coins for the foreseeable future in the entire area east of the Mississippi River. This new Mint will have several features which will distinguish it from our present Mints. The four most significant are:

(1) semi-continuous casting of ingots,

(2) hot-rolling of the ingots into strip,

(3) a process to produce the new clad material,

(4) an automated coin-roller capable of producing pennies at the rate of 10,000 a minute.

The major implication of these departures from the traditional coinage methods is that much heavier and higher speed equipment, using a great deal more space, is a requirement.

We found at Philadelphia that it was impractical (and in many cases impossible) to attempt to "shoe-horn" this modern technological equipment into a building which was built for another era. The present Philadelphia Mint was built in the early 1900's, and has had no major additions such as were built in Denver in 1936 and 1946, and you can imagine the problems we would have encountered if we had tried to put large furnaces, casting machines, rolling mills and other automated equipment in a horse-and-buggy factory.

To back up a bit, so that you might have a better picture of how the new Mint at Philadelphia came into the picture, I would like to give you some of the background.

When the A. D. Little Company published its study of Mint facilities in 1963 it determined that the Denver Mint was far more efficient than the Philadelphia Mint and that the Philadelphia Mint should be replaced with a completely new and modern facility. The study considered the possibility that the new facility might be located elsewhere, but concluded that since there was already an efficient Mint in the West, at Denver, the new Mint should be located in Philadelphia which was strategically located to serve the needs of the eastern part of the country most efficiently.

On the basis of the Little study, the Treasury recommended a new Mint in Philadelphia and Congress authorized $30 million to carry out this recommendation in 1963. In 1964, $16.5 million of the authorized level was appropriated for this purpose.

When the Coinage Act of 1965 was enacted, an additional $15 million was authorized for Mint construction in order to provide additional facilities. This brought the total authorization to $45 million. More funds were then appropriated for the Philadelphia Mint, bringing the total to $37.7 million.

After this was done, the Parsons-Jurden engineering firm, the group engaged by the Mint to design its new Philadelphia facility, became concerned about the efficiency of adding a cladding line at Denver without making other improvements, especially provision for larger ingots. Then it was decided, and $100 thousand was approved by the Congress, to study the possibility of improving the entire Denver Mint to make it as efficient as the Philadelphia Mint. This study, conducted by Parsons-Jurden, concluded that such an improvement would involve costs as great as building an entirely new Mint—$26 million.

Somehow the Denver press got wind of this and created a great deal of excitement about the possibility of building a brand new Mint in Denver. However, the prospect of a completely new Mint creates several problems:

First, with the large demands of Viet Nam and the new Mint in Philadelphia, not yet completed, it does not seem likely that the Bureau of the Budget or the Congress would approve such a large expenditure at the present time;

Second, new legislation authorizing additional amounts of money would be required since we have already received appropriations of $38 million out of the $45 million currently authorized;

Finally, if the Government is going to build a completely new Mint, it would be necessary to carry out a feasibility study to determine its most economic location.

It should be noted that if the Government were to plan to build a new Mint facility it would have to be approved by Congress. Since January, 1964, 21 bills have been introduced providing for the establishment of Mints in various cities throughout the country.

I am confident that the Congress will not lose sight of the fact that for many, many years, the Denver Mint has been the most efficient of all the Mints in this country, and probably the most efficient mint in the World. I am confident, too, that the Congress will be aware of the fact that had it not been for the ability of the Denver Mint to produce, this country would have gone through chaos during the coin shortage. This Mint produced 12 billon of the 22 billion coins needed during the past three years to end the shortage.

In speaking of what the Denver Mint has accomplished, I would like to mention one of its great resources in the way of people. Because of the healthful climate and accessibility to neighboring resort area, Denver attracts many high-calibre persons in the professional, sub-professional and skilled occupations. Our personnel staff in Denver has rarely encountered any difficulty in recruiting either for professional positions or for positions in the skilled occupations. Moreover, the turnover rate with the institution is normally low compared to other Government agencies. This can be attributed to a number of factors. First, the Mint is one of the largest government employers in the area, with little competition from either government agencies or private industry. Secondly, the rates of pay at the Mint compare most favorably with private industry. Thirdly, the career ladder in both classification act and wage board categories is well-developed with much room for advancement.

Between July 1964 and December 1966, the Denver Mint has grown from 316 employees to 603. During this same period, the total workforce of the Bureau of the Mint has increased from 1221 to 2217.

One of your newspapers recently commented that the feeling that the Indians have about the Taj Mahal and Texans about the Alamo is the feeling and pride towards the Denver Mint shared by many Denverites (and I am sure he also had in mind all of Colorado).

As we look ahead, it is evident that the long-term needs of this county will call for a second Mint, every bit as efficient and modern as the new Mint at Philadelphia. As our plans move forward for this second Mint, I am confident that the factors which justified the maintenance of a Mint here for more than a half century, will demonstrate, again, the advantages of continuing minting in this great Mile High City.

SBA ASSISTS SMALL BUSINESS IN SOUTH DAKOTA AND THE NATION

Mr. McGOVERN. Mr. President, the future success and prosperity of the small business community of South Dakota is essential to the continued economic progress of my State. For this reason, I am grateful for the assistance provided to small firms under programs administered by the Small Business Administration.

During the past year small business in my State received over $7,500,000 in financial aid from SBA. The loans were used to purchase inventory, buy machinery and equipment, remodel or construct new quarters, and as working capital. These are the vital needs of small businessmen assisted by SBA.

The people of South Dakota take great pride in doing things for themselves. As a result of this initiative, local corporations, working through SBA's local development company program, were able to obtain nearly $1.5 million in Federal funds to assist businesses in their communities. This helped create hundreds of new job opportunities for South Dakotans.

Many small entrepreneurs in South Dakota who formerly had difficulty in obtaining financing because of lack of collateral found the help they needed through SBA's economic opportunity loan program. Nearly a quarter of a million dollars in loans went to 21 new or existing firms.

The Small Business Administration is performing a valuable service in South Dakota and throughout the Nation in helping small firms to grow and contribute to the national economy.

RESTORATION OF FEDERAL HIGHWAY FUNDS

Mr. CHURCH. Mr. President, last week, the distinguished Senator from Indiana [Mr. Bayh], submitted a resolution which would express the sense of Congress that the deferment of highway trust funds be lifted.

I have received a joint memorial of the Legislature of the State of Idaho respectfully requesting the President to reconsider this decision. The legislature points out that this withdrawal of funds will have adverse effects on the economic stability of the State of Idaho.

Mr. President, the construction of adequate highways has always been a problem in Idaho. Our mountains are magnificent, but they make roadbuilding very costly. Only lately has a real start been made to modernize our roads.

For example, only one highway links the northern and southern parts of the State. It is old, narrow, and twisting. It winds up hills and down valleys. It does not offer rapid and convenient transportation to the basic industries of Idaho. This road, and others like it, must be reconstructed. Our roadbuilding plan must not be disrupted with spasmodic financing, resulting only in eventual increased costs of construction.

So I join today in cosponsoring Senate Concurrent Resolution 10, and ask that House Joint Memorial 2 of the Idaho Legislature be printed in the Record.

There being no objection, the memorial was ordered to be printed in the Record, as follows:

H.J. Memorial No. 2

A joint memorial to the Honorable President of the United States, and the Senate and House of Representatives of the United States in Congress assembled

We, your Memorialists, the Senate and House of Representatives of the State of Idaho, respectfully request that:

Whereas, the Federal Aid Highway Act of 1956 and other federal statutes, created and established a program for the construction of a system of interstate and defense highways, and federal-aid primary and secondary highways with urban extensions in the state of Idaho and the several states of the nation; and

Whereas, the federal statutes have defined the sources of revenue and have dedicated the funds exclusively for the timely and orderly development of the highway system; and

Whereas, for the past decade the federal government has urged the state of Idaho and this state's highway industry to step up construction, and Idaho has been most cooperative in this regard as is evidenced not only by the accelerated highway program but also by the training and establishment of a skilled work force, and by the large, long-term capital investments undertaken by contractors, subcontractors and material suppliers to meet this commitment; and

Whereas, the construction team of working men and equipment, of professional engineers and contractors, once developed and operating efficiently, cannot be sustained if the financing becomes spasmodic and unreliable; and

Whereas, it has been definitely demonstrated in Idaho that better highways save the time, lives and money of our citizens, and that the consequences of a reduction in highway improvements would adversely affect the well-being of our citizens and cause further suffering and tragic loss of lives; and

Whereas, the orderly development of these modern highway systems is essential to preserve the national defense by providing the means of moving expeditiously the critical weapons, materials and personnel, and of coping with the aftermath of natural disasters or nuclear attack; and

Whereas, the rapid and convenient transportation of field crops; dairy and food products, livestock, lumber and minerals from the farms, ranches, mines and mills to distant consumer markets is essential to preserve these basic industries in the state of Idaho, and to expedite the flow of commerce between the states.

Now, therefore, be it resolved, by the Thirty-ninth Session of the Legislature of the State of Idaho, now in session, the Senate and House of Representatives concurring, that we respectfully petition the President of the United States, although justifiably concerned with the inflationary trends developing throughout the nation, to reconsider his decision to cut back on this most vital and necessary federal-aid highway program which, if not continued in an orderly fashion, will have lasting adverse effects upon the national defense and the economic stability of the state of Idaho and the several states.

Be it further resolved, that the Chief Clerk of the House of Representatives of the State of Idaho, be, and he is hereby authorized and directed to forward certified copies of this Memorial to the President of the United States, to each member of the Idaho congressional delegation and to the leadership of the Senate and House of Representatives of the United States.

ADVISORY COUNCIL ON PUBLIC WELFARE REPORT

Mr. BYRD of West Virginia. Mr. President, in June 1966, the Advisory Council on Public Welfare reported to the Secretary of Health, Education, and Welfare the results of its 2 years of study of welfare problems and programs in our Nation. That report has been widely circulated and has been the subject of controversy, with, in my opinion, justifiable criticism stated by some reviewers.

The Wall Street Journal is reported as pointing out that the proposals of the citizens' committee were nothing more than a recommendation for the establishment of a guaranteed annual income. This report was commented upon in an article, "Blazing New Trails: Welfare Help by Need and by Right," published in the magazine Agenda in September 1966. The article stated:

> A floor of required individual or family income would be established for each State in terms of the cost of a modest but adequate family budget for families of various sizes and circumstances.

This would constitute the "minimum level of assistance" for families in that State.

If such suggestion is not an outright advocacy of a guaranteed annual income, I do not know what other assessment to place upon it. I believe that the Members of the Senate will, in the majority, reject proposals with requirements such as are outlined in the Agenda article.

I ask unanimous consent that this article be printed in the Record, at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

Blazing New Trails: Welfare Help by "Need" and by "Right"

(Advisory Council Report emphasizes how far we have fallen behind in caring for the most needy.)

One day early in the summer of 1966, the *Wall Street Journal* pointed with alarm—as its editorial page is wont to do—at a report of citizens' committee which it said had proposed "nothing other than the guaranteed annual income."

The report which caused all this consternation in the editorial rooms of the nation's leading paper for businessmen is a document which was received with interest and mounting enthusiasm elsewhere, because of a widespread and growing concern with the malfunctioning of America's scores of systems of public welfare and relief.

Formally, it is known as the Report of the Advisory Council on Public Welfare, a group set up by Congress.[1] In June the Council transmitted its two-year study of John W. Gardner, Secretary of Health, Education, and Welfare.

The Council's recommendations, which were unanimously agreed upon, represented a significant and unusual agreement among men and women of uncommon experience in dealing with public welfare matters. The group was headed by Dean Fedele F. Fauri of the School of Social Work at the University of Michigan. Its members included social work executives, a doctor, a businessman, a labor official and a politician.

"On all counts and from all sources, the weight of the evidence is incontestable," the Advisory Council declared; "a major updating of our public welfare system is essential if it is to fulfill its assigned task of assuring a basic floor of economic and social security for all Americans."

Across the nation, the report added somberly, the situation is so serious that a "comprehensive" system of protection is required. What the Advisory Council envisions is a "new nationwide program of basic social guarantees" to be undertaken in conjunction with the states.

Fundamental to the new program, in the view of the Council's members, is the requirement that "adequate financial aid and social services be available to all who need them as a matter of right."

That, in turn, will require a complete overhauling of federal-state relationships in the welfare field, with the federal government establishing nationwide standards and assuming total costs above a stipulated share for the states.

"A floor of required individual or family income would be established for each state in terms of the cost of a modest but adequate family budget for families of various sizes and circumstances," the Council suggested. This would constitute the "minimum level of assistance" for families in that state.

In what is close to the core of the welfare assistance reform, the Council added that under its recommendations, "all persons with available income would be entitled to receive aid to the extent of that deficiency.

"Need would be the sole measure of entitlement," it said.

"America is discovering that in a prolonged period of continuous economic growth, there are still more than 34 million of its citizens living in bleak and separate prisons of poverty. It has become obvious that it will take more than great general prosperity to free them. Only a short time ago, most of us believed that it would," the Council disclosed.

In a period of population growth, the dependent age groups—the very young and the very old—increase at a faster pace; the wage earning group becomes relatively smaller. Many economic measures which bring benefits for large numbers of Americans by-pass the people at the very bottom; obviously an income tax reduction brings no benefits to the man who pays no tax because he has no income.

And poverty begets poverty. It's harder for the children of the poor to fit into society today than in other years when our communities and institutions were less complex and less bewildering.

The anti-poverty programs mounted under the Economic Opportunity Act have not yet had much impact on the number of people receiving welfare assistance. OEO programs are designed to help those who can become self-sufficient. But, as the Council pointed out, "for most public assistance recipients, complete self-sufficiency is not an immediate practicable goal."

This is not because these people are happy on relief, as the conservative politicians sometimes assert, but because they have no alternative.

In 1964, a government study of the "dimensions of poverty" brought up a figure of 34 million, in a national population of about 190 million. Of those officially judged to be poor, about one in four—a total of 7.4 million—was receiving public assistance.

Who are these 7.4 million Americans on welfare? The facts and figures suggest both why they are there, and why they need help, and why the help should be improved.

More than three million of the individuals on public assistance are children. It's not their fault that their economic condition is poor, and at least until they grow up, there's not much they can do about their situation.

In the words of the Advisory Council: "Keeping these children in school, in good health, in good housing, in decent neighborhoods, and in a society free of discrimination will go a long way toward assuring that these children will not be recipients of public assistance tomorrow."

Over two million of the people on public welfare are old folks. Their average age is 76!

Obviously, their ability to "go out and get a decent job" is severely limited. As the Council said: "While much can be done to help the aged recipient retain his place in the community and make life more comfortable, it is unrealistic to expect complete independence."

Well over a million adults are on relief because they are blind or disabled. Even with modern rehabilitation services, they cannot achieve partial or total self-support.

About a million adults are parents of children covered by the program of Aid to Families with Dependent Children. The great majority of them are mothers—"most of whom have little or no job skills, an eighth grade education on the average, many mental and physical disabilities, and small children who can best be looked after by their mother in the home." Perhaps a third of these mothers—about 300,000—might be able to take training for jobs that would make them self-sufficient (but it should be remembered that in the entire nation there are day-care facilities for only about 300,000 children of working mothers).

About 100,000 of the adults in this group are disabled fathers, with little chance of overcoming their handicaps. About 50,000 are jobless fathers, have better opportunities, and the figures show they tend to move back into self-sufficient jobs in a matter of a few months.

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[1] "Having the Power, We have the Duty." Report of the Advisory Council on Public Welfare to the Secretary of HEW, June 29, 1966. Report for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. Price $1.00.

So, the facts explode the myth so popular with the smug, the tired conservatives, the affluent wearing blinders as huge as a teenager's sun glasses.

The classic figure of the "lazy poor," who would rather be on relief than work, must exist somewhere, but the overwhelming fact is: the people on public welfare assistance emerge as the very old, the very young, the sick and disabled, or the mothers of the young. They don't fit the classic image.

In our kind of society, with population growing, with cities ever bigger, with technology ever more complex, with institutions ever more complicated—in that kind of society, no "crash program" will be able to get these people off public assistance, and no economy program biting into already meager assistance payments will be able to provide "economic incentive" for them to find jobs. They can't function as independent producers in the society.

How, then, do we raise the welfare program to a level where it can accomplish what it should be expected to do? The Advisory Council's recommendations suggest the approach which must be taken:

A minimum standard for public assistance payments below which no state may fall. At present, the one person in five among the poor who is being helped by a federally-aided state program is, on the average, receiving just about *half* the amount required for personal subsistence. In some states, it's less than a *quarter* of the subsistence level.

The result of that kind of income is easy to imagine. As the Rt. Rev. Msgr. David Dorsch, who directs the Associated Catholic Charities of Baltimore, told the Council during its hearings:

"I do believe that in good conscience, Americans living in the most prosperous period of our history cannot allow human beings to live in such squalor and such deprivation and with inadequate health and food standards."

A nationwide comprehensive program of public assistance based upon a single criterion: need. At present, the law allows federal help to the states for money, medical care and social services only to specified groups of people: the needy aged, the blind, the permanently and totally disabled, and certain needy families with dependent children.

The person who doesn't qualify under these federal aid programs is in even worse trouble. While some states have locally financed programs that may be a little more adequate, state relief "in many of the poorest localities of the nation . . . does little to alleviate the effects of stark poverty."

A uniform and simple plan for federal-state financial sharing in costs of all public welfare programs.

At present "there are 54 varieties of public assistance programs," the Council noted. That wouldn't be serious if they did a job of rescuing people from dire poverty—but in the opinion of the Council, less than half a dozen of the state systems raise needy people even to the "brink of non-poverty living levels"—while in most states the programs are far below the poverty line.

Prompt extension of coverage and liberalization of benefits under the social insurance programs.

The Advisory Council pointed out that unless social insurance benefits—for old age, survivors, disability, health, unemployment and workmen's compensation—are improved substantially, more and more of the people covered by the insurance programs will have to turn to public welfare assistance in order to live. The Council suggested it would be wise to keep social insurance benefits in line with living costs and wage levels.

Social services, through public welfare programs, should be strengthened and extended, and be readily accessible—as a matter of right—to all who need them.

The Advisory Council suggested that serious thought must be given to the creation of local centers, well staffed and well organized, to provide more effective social services, medical aid and financial help. It advocated closely coordinated programs for the "prevention, treatment and control" of juvenile delinquency, and for a strengthened and permanent program of providing welfare recipients wherever possible with work-training programs.

All welfare programs receiving federal funds should be administered in a manner consistent with the principle of public welfare as a right.

Needy people, the Advisory Council commented, "are the most defenseless segment of the population" and often are "in the greatest need of special protection" for those rights, yet ironically, it is this group "that too often has the least protection, along with the least of everything else."

A big, fast effort should be undertaken to recruit, educate and train personnel for work in the public welfare field—and use available personnel more efficiently than now. Manpower, says the Advisory Council, is the "key to success or failure as public welfare responds to the growing national conviction that all Americans have an inherent right to the basic opportunities of life in the 20th century.

In the administration of public welfare, there is a need for more research, better use of staff and resources, and participation in international social welfare programs.

Back in 1962, the report pointed out, "Congress recognized the inadequacy of our present public welfare provisions" when it authorized the creation of the Advisory Council on Public Welfare to review the present programs and make recommendations for their improvement.

The study is completed, and the recommendations are in—and they all point, in the Council's words, to "incontestable evidence" that "a major updating of our public welfare effort is needed at once."

Now the responsibility shifts—to the citizens and their organizations and their Congress—to see that this report is followed by the legislative action that so clearly is needed, to protect these seven million people from the ravages of bitter poverty.

THE ADVISORY COUNCIL

These are the people who served on the Advisory Council on Public Welfare. They were appointed in 1964, and turned over their 148-page report and recommendations to HEW Secretary John Gardner on June 29, 1966. Fedele F. Fauri, chairman, dean of the School of Social Work, University of Michigan; Mrs. DeLeslie Allen, vice-chairman of the Department of Social Welfare, National Council of Churches; Walter E. Brown, M.D., Glass-Nelson Clinic of Tulsa, Okla.; James W. Fogarty, executive director of the Community Council of Greater New York; Mrs. Cernoria D. Johnson, director of the Washington bureau of the National Urban League; Guy R. Justis, director of the American Public Welfare Association; Leonard Lesser, general counsel, Industrial Union Department, AFL–CIO; C. Virgil Martin, president, Carson Pirie Scott & Co., Chicago; Frank W. Newgent, director, Division for Children and Youth, Wisconsin Department of Public Welfare; Eugene H. Nickerson, county executive for Nassau County, New York; Sanford Solender, executive vice-president of the National Jewish Welfare Board; Elizabeth Wickenden, social welfare consultant, New York City.

PRESENTATION OF TONY JANNUS AWARD TO CAPT. EDDIE RICKENBACKER

Mr. SMATHERS. Mr. President, an airline titan, World War I "ace of aces," and distinguished American was recently honored by the Greater Tampa Chamber of Commerce presentation of the Tony Jannus Award to Capt. Eddie Rickenbacker, former president and chairman of the board of Eastern Airlines. The award, named after the originator and pilot of the world's first scheduled airline—between Tampa and St. Petersburg—is presented annually to individuals who have demonstrated outstanding service to the scheduled airline industry. The first recipient was the chairman of the Subcommittee on Aviation of the Committee on Commerce, the distinguished senior Senator from Oklahoma [Mr. Monroney].

The remarks on the occasion of this presentation to Captain Rickenbacker by the Vice Chairman of the Civil Aeronautics Board, Robert T. Murphy, trace the captain's career as racing-car driver, World War I pilot, and airline executive, as well as the tremendous growth and development of civil aviation in Florida and the entire country from its humble first beginnings with Tony Jannus' first 21-mile, 23-minute flight in 1914. I ask unanimous consent that Vice Chairman Murphy's remarks be printed in the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

Tony Jannus Award Banquet Speech

(By the Honorable Robert T. Murphy, Vice Chairman, Civil Aeronautics Board, Tampa, Fla., Jan. 20, 1967)

I am honored to be here in Tampa tonight to join with you in this annual dinner of nationwide fame. It is, indeed, a unique privilege to participate in a long-deserved tribute to a great American and a veritable giant of aviation—Captain Eddie Rickenbacker. His list of personal achievements and his record of contributions to his country have literally made him a legend in his own time. Certainly, any informed observer of the crowded canvas of the 20th century will agree that the figure of Eddie Rickenbacker stands out in bold relief.

One cannot examine his relationship with civil aviation without a sense of admiration. He is one of the pioneers who have forged the foundations of America's air transportation system—a system which is the best in the entire world. He is one of a small, illustrious group of men who have helped create an air transport industry which, in the socio-economic sense, is now a heritage of our American industrial life. For all its comparative vigor and all its evolving progress, our aviation heritage is one of the most impressive facets of our Nation's economic history. It remains for us who are identified today with civil aviation, not only to preserve it, but to enhance it so that our privately-owned, competitive air transport system will remain an exemplar for other countries of diverse cultures.

That heritage has had innumerable sources and beginnings in innumerable places. Some were significant, some were not. Some were memorable and some inconsequential. Great or small, two of them happened on the same day 53 years ago—January 1, 1914.

On that day the United States Weather Bureau began publishing weather maps of the northern hemisphere as an aid to aviation. And also on that same day, a young pilot—Antony Jannus, in the first of two Benoist XIV's that the St. Petersburg-Tampa Airboat Line was to acquire in its brief existence, made the inaugural flight of the first sustained scheduled passenger service in the United States and probably in the world.

That service provided a 21-mile, 23-minute flight from St. Petersburg across the Bay to Tampa and saved passengers a 36-mile road trip around the Bay. That aircraft boasted a Roberts engine capable of achieving the speed of 70 miles an hour and resembled the Wright brothers "Flyer" that made history at Kitty Hawk, North Carolina, 10 years before, except that it appeared to be wearing a huge wooden shoe. But it flew well and it flew often. In the three months that the Benoist spanned the Bay, it carried 1,205 passengers a total of 11,000 miles at five dollars, one way.

The Benoist was a two-place plane—one seat for the pilot and one seat for a passenger. Occasionally, the load factor increased 100 percent when a second passenger sat on the lap of the first. Two rounds trips were scheduled each day; however, extra sections increased available capacity 150 percent on those days when as many as five round trips were made. Interruptions in the regular schedule were not unknown in those days and, even then, were occasioned by such well-known villains in the drama of aviation as bad weather, cold fronts and engine troubles. The lack of customers also caused occasional business headaches. So we may infer, in any look at air transport progress, that the more some things change the more they remain the same.

But the Tampa-St. Petersburg scheduled service was a start, a venturesome beginning. And that is what we pause to recognize tonight. There is so much that can be written in aviation's short history that its exciting pages are crammed full. And you cannot turn a page to close an old chapter without opening upon a new one.

Tony Jannus—for whom the award we bestow tonight is named—is not listed in any "Who's Who in Aviation", at least not in any recent one. But he and men like him, squeezing five round trips a day instead of the standard two, are perhaps an indication of that extra measure of service which the early pioneers and latter-day leaders in air transportation have given, and continue to give, in shaping air age progress and the increasing service to mankind which is its natural consequence. Look at what that willingness to go the extra distance has wrought in the air transportation industry.

The Benoist that Tony Jannus flew in 1914 held one, and sometimes two, passengers. Other early aircraft operated in the two decades that followed carried only slightly larger loads. But the number of passengers and trips continued to grow. By 1938, the first year of the Civil Aeronautics Board's existence, there were 22 certified air carriers operating a total of 345 planes. By mid-1966 the 49 certified carriers in operation had 2,053 aircraft in service. And whereas domestic carriers served 146 cities in 1938, they served 516 at the end of 1965. The cruising speed of new aircraft, the Lockeed L–14 Electra in 1938, was 180 miles an hour, a little slower than the 600-mile-an-hour jets in service in 1966.

Scheduled service recorded 533 million revenue passenger-miles in 1938, an impressive number only until it is placed alongside the 76½ billion revenue passenger-miles flown in the 12 months ended last June 30. Freight and express ton-miles on domestic carriers totaled 2 million in 1938 and 1¼ billion in the year ended last June. And to build statistical records like that—the number of employees in the industry grew from 13,274 in 1938 to 222,831 as of last June.

And in those 28 years since 1938, revenue passenger-mile yield has increased about 4½ percent, from 5½ cents to 5¾ cents. What we are saying is that if 1938 consumer values had remained constant, a person could fly in today's modern planes for less than half what it cost 28 years ago. That does not mean, of course, that air transport's problems are also halved. Quite the contrary, they are increasingly complex. Air transport's concerns increase inexorably and in awesome geometric progression.

We are now on the threshold of a new air age that may be as different from the present jet age as our jet age is different from January 1, 1914.

Exciting new vehicles will be placed in operation. There are the new small jets, the stretched jets and the jumbo jets. There will be the SST, new vertical and short take-off and landing aircraft and probably before the end of the century hypersonic and atomic-powered vehicles. There will be complementary advances in ground vehicles which will bring the necessary improvements in airport to downtown rapid transit and which will also, without doubt, compete with certain air transportation services. Capital requirements for air transport vehicles and the required redesign of airport facilities may be a strain for both private and government sectors. New systems for documentation and handling of passengers and cargo are imminent. And passenger and cargo service standards must be maintained and improved. The carriers will be required to fulfill their role as good corporate citizens by helping to solve the increasingly serious problems of noise and air pollution. These are just some of the problems of the new air age which we must answer, just as aviation's leading lights have answered them in the past and with the same extra measure of service. Indeed, with this new terminal complex right here in Tampa International Airport, you have begun part of the assault on tomorrow.

But it is one thing to cite figures which show the growth from some humble beginning to its present grand existence of this or that air carrier, or of the entire industry. Statistics are seldom more than the mileposts of "What" and "When." It is quite another thing to study and show "How" these statistics grew so impressively because of, and in spite of, this or that fact. In our civil air transport industry, perhaps more than in most modern industries, the touchstone is "Who" rather than its anagram "How."

It is aviation's individual men of vision, enterprise, conviction and courage who have, time and again, by their individual and collective genius, turned stumbling blocks into building blocks to provide for us today our modern wonder of mass air transportation. Some may say they were men of stubborn, uncompromising tenacity, hell-bent in seeing their dreams come to fruition. But no one would cavil over the words descriptive of an achievement whose greatest compliment is the manner in which millions of people around the world take air transportation for granted as a fact of life as if it has always been there to serve them.

The men who have given us safe, swift, reasonably-priced air transportation service as we know it today came from everywhere and from every walk of life and they contributed richly from their respective backgrounds. But if their backgrounds were varied, they had many qualities in common. They were tough pioneers in the best American tradition. They were imaginative. And they were spiritedly—even fiercely—competitive. They were a special breed, and they wrote the book.

They got into aviation in the "bailing wire days" and, naturally, had a sense of personal identification with their airlines. There are many other equally distinguished aviation personalities who started with these great pioneers and others of the same mold who now direct the destinies of our airline enterprises following in the same great tradition. But measure it how you will—by pioneering spirit, imagination, dogged perseverance, or whatever yardstick you may choose—that special quality comes through with particular clarity and in bold relief in one special member of the bailing wire fraternity. He is the man we are assembled to honor tonight.

Some people say that Edward Vernon Rickenbacker owes his leather lungs—which give his pointed speeches a ring you do not soon forget—to the time he worked in a glass-blowing factory. And there is reason to suspect that the steel chisels Captain Eddie used in the apprentice tombstone-cutter days of his youth were considerably more malleable than the Rickenbacker will that wielded them.

At an early age, young Eddie felt the pull of automobile racing, a field no older than himself. By the time he was 16 he was a highly successful race car driver, attracting the eye of the then young automobile industry. Soon the Rickenbacker name was identified with names like Firestone, Dusenberg, Mercer, Maxwell and Peugeot. He became one of the country's top racing drivers and set a world speed record at Daytona Beach. Someone has said he learned to be the excellent mechanic he is in the "dirty shirt" school, sweeping out the garage between lessons on valve cams and timing gears.

He learned quickly and well and he had a flair for sales. It was this combination that took him far afield from his native Columbus, Ohio. He was in England, developing a racing car for the British, when the clouds of World War I broke. He returned home, enlisted and was soon an Army motor pool driver attached to General Pershing's staff in France—that is, until the day he made emergency repairs on a Colonel's car, a Colonel Billy Mitchell, who talked the language Eddie wanted to hear—aviation.

There had been misgivings in some areas when Sergeant Rickenbacker announced he wanted to fly. At 26 he was older than most pilots. And he had left school at 12 to go to work when his father died. But, of course, those misgivings were exploded by the Captain Eddie Rickenbacker who soon commanded the 94th "Hat-in-the-Ring" Aero Pursuit Squadron, the first air unit active on the western front. The 94th was credited with 69 victories—the largest number of victories of any American unit. And of that 69 total, Captain Eddie's record of 26 victories in an amazingly short time made him a national hero, his name on every tongue. After a brilliant racing career, Captain Eddie became America's "Ace of Aces"—a national figure of truly heroic proportions—the recipient of the Congressional Medal of Honor, the Medal of Merit, the Legion of Honor, the Distinguished Service Cross, heavy with nine oak leaves, and the Croix de Guerre with four palms.

But, impressive as it is, Eddie Rickenbacker's distinguished wartime service is not the whole man. The young veteran returned to civilian life to head his own Rickenbacker Motor Car Company in the early 1920's and later joined the LaSalle Division of the Cadillac Motor Car Company. In 1927, he began an 18-year association with the Indianapolis Speedway and soon afterward returned to aviation by joining General Aviation Manufacturing Corporation as Vice President of its American Airways.

On January 1, 1935, the Captain became General Manager of North American Aviation's Eastern Air Lines Division and in 1938 President and General Manager after North American sold its interest to Rickenbacker and his associates. He was elevated to Board Chairman of Eastern in 1953 and continued to run a taut ship for another eventful ten years before he retired from active management of one of America's leading civil aviation enterprises.

Such simply stated historical facts do but poor justice to his achievements at Eastern. Perhaps recounting some of the stories told about the Captain can partially fill that gap.

There was that time, you may recall, when the Chairman took a number of his key personnel down to Florida but deliberately had their luggage routed elsewhere. "Now you know how it feels," the Chairman is reputed to have said.

And there was the time at a special meeting when he told his "field board of directors," the top 250 supervisory personnel in Eastern's system, "When you get back home, notice how well the airline ran while you were here."

His flair for selling was unique, as witness the 1934 Los Angeles-Newark flight he made with TWA's Jack Frye to sell an idea—the state of airline progress—to the Government, and in the process set a 13-hour transcontinental record with the DC–1.

Mechanic, race car driver, World War I "Ace of Aces," airline titan—by any standards Captain Eddie is a truly remarkable man. He is a man of the highest achievement in three careers—automobiles, airlines and the "Ace of Aces." He is the Chairman of the Board who knew as much about airplane engines as any mechanic, as much about aerodynamics as almost any engineer. Captain Eddie is the chairman who has forgotten more about piloting a plane than many a younger pilot has learned. He is the airline executive who knew the detailed ins and outs of ticketing and sales and who possessed a more than balance sheet acquaintance with their relationship to the cash register. A longtime associate has said of Captain Eddie, "He wanted to know what the boys in the back room were doing. He seldom used the front door." And all the while Eastern grew. In 1914, the short-lived St. Petersburg-Tampa Airboat Line caused fewer ripples on the Florida economy than on the Tampa Bay it crossed. Today, Eastern Air Lines—the House that Captain Eddie built—is the largest single employer in the State.

Edward Vernon Rickenbacker—Captain Eddie—we have gathered here tonight for the sole purpose of marveling at the glow that the tail of your comet has cast on aviation's horizon. For comet, indeed, you have been, streaking through aviation's young history and making it brighter. Our listing of a few of your numberless achievements has been little more than plucking random particles from a stardust trail.

In conclusion, I would like to compliment the Tampa Chamber of Commerce for its selection of Eddie Rickenbacker as the recipient of the Tony Jannus Award for this year. For, in honoring him, we honor our country, we honor ourselves, as well as the great air transport industry. I think if we were to borrow a simple motto most descriptive of his life we would select, "Pro Deo Pro Patria"—For God and For Country; but I believe we have made him uncomfortable enough, so I will merely conclude by saying that we wish for him many added years of an already eventful and fruitful life.

LITHUANIAN INDEPENDENCE DAY

Mr. DODD. Mr. President, February 16 marked the 49th anniversary of Lithuanian independence. I regret that I was out of the city on that day; for that reason my statement commemorating this important historical event was delayed. However, I feel this is such a significant occasion that I could not let it pass without taking note of it.

I propose to retell briefly the story of how the Soviet Union won its inglorious victory over Lithuania because it illustrates the nature of communism—the nature of the enemy we still confront—better than any story I know. It teaches us how much trust can be placed in treaties with the Kremlin, in its pledges of coexistence, in its off-and-on pretenses of friendship. It teaches us how inhuman international Bolshevism is and how utterly without morality or restraint.

When the Lithuanian people, at the close of World War I, established their own government and proclaimed their independence, the Bolsheviks invaded the newly established state. There were many bitter battles but finally the Lithuanian people emerged triumphant. On July 19, 1920, the Soviet Government signed a treaty of peace. It declared in this treaty—mark these words well—that it "voluntarily and forever renounces all sovereign rights possessed by Russia over the Lithuanian people and their territory."

For 20 years Lithuania knew peace and independence. During this period, there was a great renaissance of national literature and culture.

But then came the Hitler-Stalin pact and the partition of Poland between Germany and the Soviet Union. Almost immediately, the Kremlin demanded permission to place 20,000 troops in Lithuania for the duration of the war. These troops, it was emphasized, would be removed at the end of the war. Prime Minister Stalin himself stated—and again mark these words well—

> We respect the independence of the Lithuanian state. We are disposed to defend its territorial integrity.

History records no blacker or more perfidious lie by the head of a great state.

On October 10, 1939, only 2 weeks after the original demand was served on Lithuania, the Soviet Union concentrated its armed forces on the Lithuanian frontier. The government of this brave little nation had no alternative but to sign the pact of mutual assistance which the Kremlin placed before it. But at the point of signing, they discovered that the clause stipulating that Soviet bases would be maintained in Lithuania only for the duration of the war had been stricken from the agreement, on the personal instruction of Stalin.

This was only the beginning of the perfidy. Eight months later, on July 14, 1940, the Soviet Government demanded that the Lithuanian Minister of the Interior and Director of Security be brought to trial, that a government friendly to the Soviet Union be installed, and that the Red army be granted free entry in force into the territory of Lithuania. There was not even time to reply to this ultimatum. The very next day, on June 15, the Red army occupied Lithuania and the government was compelled to flee abroad.

The Communists had made their plans carefully, as they always do, and they moved rapidly. They had a quisling regime ready to install. They had their lists of names of Lithuanian patriots who were slated for arrest and execution. They had their plan of action.

On July 7, 3 weeks after the occupation, the quisling regime ordered the liquidation of all non-Communist parties and the arrest of their leaders. On July 14 and 15, the people were compelled to vote in national elections with only the Communist Party represented. The Lithuanian people resisted heroically, desperately. But they were fighting against hopeless odds. On July 17, the regime announced that 95.1 percent of the people had voted and that 99.19 percent of these had cast their ballot for the Communist Party.

Two days later, on July 21, the so-called Peoples' Diet convened for its first session. In less than 1 hour, without any debate, it voted unanimously to ask the Supreme Soviet of the U.S.S.R. to admit Lithuania into the Soviet state as one of its federated Soviet Socialist Republics.

What an object lesson this should be to all those who insist that we must be trustful, who wish to believe that the world's difficulties can be resolved by signing another treaty of nonaggression and coexistence with the Kremlin.

Mr. President, in its last session, Congress passed a resolution calling for the restoration of freedom to the Baltic States. To refresh our memories on this occasion, let me here read the text of the resolution.

> Whereas the subjection of peoples to alien subjugation, domination, and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations, and is an impediment to the promotion of world peace and cooperation; and
>
> Whereas all peoples have the right to self-determination, by virtue of that right they freely determine their political status and freely pursue their economic, social, cultural, and religious development; and
>
> Whereas the Baltic peoples of Estonia, Latvia, and Lithuania have been forcibly deprived of these rights by the Government of the Soviet Union; and
>
> Whereas the Government of the Soviet Union, through a program of deportations and resettlement of peoples, continues in its effort to change the ethnic character of the populations of the Baltic States; and
>
> Whereas it has been the firm and consistent policy of the Government of the United States to support the aspirations of Baltic peoples of self-determination and national independence; and
>
> Whereas there exist many historical, cultural, and family ties between the peoples of the Baltic States and the American people: Be it
>
> *Resolved by the House of Representatives (the Senate concurring)*, That the House of Representatives of the United States urge the President of the United States—
>
> (a) to direct the attention of world opinion at the United Nations and at other appropriate international forums and by such means as he deems appropriate, to the denial of the rights of self-determination for the peoples of Estonia, Latvia, and Lithuania, and
>
> (b) to bring the force of world opinion to bear on behalf of the restoration of these rights to the Baltic peoples.

Mr. President, I am proud that our Government has, to this day, refused to recognize the illegal annexation of the Baltic States by the Kremlin. Thus far, however, our policy has been essentially a negative one. I would like to propose that we convert it into a positive policy.

The new Chancellor of Germany recently announced his readiness to repudiate Hitler's Munich agreements with regard to Czechoslovakia. I believe that Moscow should now be urged by our own Government to wipe out all the vestiges of this infamous period in history by *repudiating the Ribbentrop-Molotov* pacts of 1939 and restoring the sovereign rights of Lithuania, Latvia, and Estonia.

If our spokesmen could find the vision and the courage and the firmness to persuade the Soviet Union to do away with the vestiges of the Hitler-Stalin con*spiracy, this action would do more than* a thousand consular conventions to build bridges between East and West and to establish the basis for a genuine peace.

Mutual friendship with one's neighbors is the only true source of security. If *the Soviet Union could be induced to undo the wrong she has done to her* neighbors and to remove the causes of fear and distrust in Europe, this would open the way to a genuine and reciprocal process of building bridges and the Soviet Union itself would benefit enormously from this process in terms of increased friendship and increased security and increased trade and prosperity.

Let us all hope and pray and work to this end.

MORE POWER TO THE CONSUMER'S INTEREST: THE MESSAGE OF "OVERCHARGE"

Mr. GRUENING. Mr. President, on February 16 we were pleased to receive, from President Johnson, a message emphasizing the importance of a number of measures to protect the consumers of America against abuses of the public interest resulting from negligent or deliberately damaging practices of certain segments of the business community. The President recommended the enactment of legislation and other measures to guard consumers against hazards of choice in the purchase of goods and investment of savings which have become increasingly complex with the technological advances of modern times. New remedies are needed and new sanctions must be provided in many fields to give the American consumer the security needed to spend hard-earned income safely and prudently.

We who are particularly concerned with that part of the consumer's resources which must be spent for an essential commodity—electric power—were especially interested in the President's remarks concerning the importance of insuring the development of a nationally reliable system of electric power distribution. The President called attention to the enormous increases in use of electric power, a consumption that doubles every decade and has made the electric power industry the largest in the Nation.

Along with the enormous growth in requirements for electric power, this industry has experienced marvelous advances in technology which make it possible to transmit ever larger loads of electric power over ever longer lines at increasingly higher voltages.

The President's statement on increased electric power reliability called for legislation to strengthen coordination among the electric power utilities, to promote the growth of an electric power supply system to provide an even higher quality of electric service to the American consumer.

Certainly we would all agree with the objective stated by the President for the continued improvement of quality of service in this field.

However, a factor in the provision of electric power for the American consumer which is of equivalent importance *with the technological advances we may* expect is the necessity for modernization of regulatory practices to insure that great engineering inventions are used in the interest of the persons most concerned—the American consumer.

While the admirable achievements of the electric power industry may one day make possible interconnection of sources of power throughout the Nation to form one great power grid serving America from coast to coast, it is essential that Congress insure the protection of consumers against overcharges for the power purchased. Indeed, the consumers of America should have a right to expect reductions in electric rates in accordance with predictions of the Federal Power Commission in its Federal power survey of 1964 when it calculated savings to consumers of approximately $11 billion by 1980 as a result of progress in the interconnection of power systems throughout the country.

"Overcharge," the excellent book coauthored by the distinguished junior Senator from Montana [Mr. METCALF] and his administrative assistant, Vic Reinemer, makes the case for review of regulatory practices affecting the interest of the electric power consumer very clear. This readable, carefully documented book is an excellent text for discussion of the principles of regulation which should be adopted to meet the advancing needs of the Nation.

"Overcharge,"—so well titled—documents the proposition that, although our techniques of producing and transmitting electricity are modern enough to keep up with the jet age and beyond, the forms of regulation of the industry are impossibly antiquated.

Although the costs of producing electricity have declined greatly over the years, the consumer has seen no corresponding reduction in the amount of the monthly electric bill. Further, the people of America find great disparities in the amounts of money they must pay for electricity, depending on whether they live in a part of the country served by the great public power projects such as TVA and the Bonneville system, or live in New England, where public power is very scarce, indeed.

In my own State of Alaska, alas, costs of electricity are higher than anywhere else in the Nation despite the existence of enormous sources of cheap hydroelectric and thermal power. The Federal Power Commissioner survey found Alaskans paying as much as $15.6 in 1963 for the same amount of electricity costing $6—in 1963—in Seattle. Alaskans are the victims of a peculiar discrimination and neglect by the Federal Government in the development of hydroelectric power resources that could give us the cheapest power in the Nation. In Alaska, however, the issue is not, as elsewhere in the Nation, so much related to the disparity in the costs of privately *owned and publicly owned distribution* systems, since the majority of distributive facilities are either municipally or cooperatively owned. Where they are not, a transfer to municipal ownership would benefit the consumer.

While the cost to the consumer for *electricity varies vastly, from $13.44 for* 500 kilowatt hours in Augusta, Maine, to $6.03 for the same power in Bristol, Va.; $4.50 in Corinth, Miss., and $5 in Seattle, Wash., the rates of return on investment to the private utilities—the IOU's—is *nothing but high.* In "Overcharge," authors METCALF and Reinemer reprint from Fortune magazine net income as percentage of invested capital of 35 major electric utilities in 1965. Rates of return range from 16 percent for Houston Lighting & Power to 7.3 percent of Consolidated Edison of New York. Between these are American Electric Power, 14.9 percent; Texas Utilities, 14.3 percent; and Florida Power & Light, 11.7 percent. The private electric power industry is the most profitable of any sector of the economy; and with needs of consumers growing, the industry has nowhere to go but up.

The predictable prosperity of electric power utilities is a fact of life.

The question is whether this prosperity will be shared with those who pay for it—the electric power consumer—by a reduction in rates.

If conditions remain as they are, the answer is clearly in the negative.

While all theories of the regulation of rates of public utilities contemplate that the industry must be allowed a reasonable rate of return, effective regulation should not allow the utility stockholders to benefit from windfalls and special advantages which should properly be applied to a reduction of rates.

Many reasons exist to study the quality of existing regulatory machinery, such as it is, and the advisability of changing it to meet increases in service hurtling at the industry and the people it serves.

Among examples of this, described in "Overcharge," are such matters as tax reductions to the utilities resulting from legislation allowing accelerated amortization, liberalized depreciation, and investment tax credit, but none shared, in the form of lower rates, with the consumers who pay the taxes. Also, the question of large expenditures by the private utilities for offensive advertising overstepping the bounds of propriety in attacks on public power groups, paid for by the consumers and allowed as operating expenses to the company, should be given a careful look. The contributions of private power companies to a questionable band of "uncharities" devoted to doubtful political causes of reactionary persuasion certainly deserves scrutiny to determine why the cost of these fancies should be borne by the light-bill payer who very likely has strong objections to the recipient of the company's benevolence. These practices are not new. I recounted them in my own book, "The Public Pays," which was published in 1931 and republished in 1964 with the addition to the title, "And Still Pays."

Since the publication of "Overcharge," the New York Times has reported the discovery, in a current rate proceeding involving Consolidated Edison Co., that consumers of the company have been charged for losses of the firm of nearly $1 million on New York World's Fair bonds. The disclosure that the loss was passed on to the subscribers of Consolidated Edison service was accompanied by the news that, nevertheless, interest on the bonds of $5,625 received by the company was not passed on to the consumers but, rather, distributed to stockholders and accounted for as nonoperating income. I ask unanimous consent that the text of articles in the New York Times be printed in the RECORD at the close of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. GRUENING. Mr. President, the enactment of titles II and III of the Federal Power Act, as a part of the Holding Company Act of 1935, came after the scandal attending the collapse of the Insull utility empire of the 1920's. At that time the people had reason to believe this was a great advance in regulatory policy, and, indeed, it was.

However, more than 30 years have now passed since the enactment of the Holding Company Act, and the changes in the electric power industry have been revolutionary, as in every other field of business and commerce. Before America is swept into an age in which electricity used in Boston originates as a matter of course in Oregon, or power for farms in Florida is produced at TVA, we must be sure the consumers of power are protected against overcharges which should be prevented before they occur.

That the electric power industry is aware of the concern of consumer oriented groups for reform that could change their way of high living is apparent from the reaction of the trade press to "Overcharge." Evidently, the book has had the desired impact, for the target has been hit.

From Electrical World magazine comes the following opinion of "Overcharge":

> Speaking of "Overcharge," if you are planning to step out and spend $5.95 for Senator LEE METCALF's new book of the same name, take our advice and save your money. It's not worth the price.
>
> The Senator from Montana and his executive secretary Vic Reinemer, former associate editor of the Charlotte (N.C.) News, have struggled hard to match the current crusading best seller "Unsafe At Any Speed." But it's no contest. Name dropping, inference, and innuendo are all that support old familiar trumped up charges of John Birch Society association, contributions to alleged questionable rightwing groups, unethical advertising and general exploitation of the public through so-called hidden financial operations. But if this is an exposé, it has all the crusading fervor of a lonesome coyote wailing in the desert.

From Edison Electric Institute Bulletin, the following view is expressed:

> There is nothing new in Senator METCALF's book. It contains the same kind of baseless charges that have been made before. Not only is it an unwarranted attack on the investor-owned electric power companies, but a serious and unjust reflection on regulatory bodies throughout the Nation. The book does not stand up in face of the fact that the average price of a kilowatt-hour of electricity used in the home today is about half of what it was 25 years ago, while the cost of living has more than doubled.

Despite the displeasure of the industry as indicated by its spokesmen, I recommend "Overcharge" for study as an excellent guide to what should be done for the consumers of electric power to protect their interest.

I feel that I am qualified to make this favorable assessment of METCALF and Reinemer's book "Overcharge," since a quarter of a century ago I wrote and had published a book, "The Public Pays," which went into many aspects of the problems which "Overcharge" lays bare. "The Public Pays," republished and updated 2 years ago, confirms that the abuses—the misleading and highly financial propaganda of the privately owned utilities at the public's expense—continues unabated. Every user of electricity would do well to read "Overcharge."

EXHIBIT 1

[From the New York Times, Jan. 21, 1967]

CON ED CONCEDES PASSING FAIR LOSS ON TO CUSTOMERS—$907,500 IN BONDS CHARGED TO OPERATING EXPENSES, P.S.C. HEARING IS TOLD

(By Peter Millones)

An official of the Consolidated Edison Company confirmed in sworn testimony yesterday that the company's loss of $907,500 on World's Fair bonds had been passed along to its customers.

At the same time, interest of $5,625 that the company received in December, 1965, on the bonds was credited to "other income," he said, which benefits stockholders.

Emanuel Toder, vice president and controller of Con Edison, said during cross-examination at a rate hearing before the State Public Service Commission that the bond losses were charged to operating expenses.

A rise in operating expenses often means a drop in profits, and when profits drop to a point the company considers no longer "just and reasonable," it can ask the Public Service Commission for a rate increase.

ACTION EXPLAINED

Charles R. Gibson, assistant counsel for the commission, asked Mr. Toder: "Since you treated interest as a nonoperating income, why was the loss on the World's Fair notes charged to operating expenses?

Mr. Toder said the action was not inconsistent. He said that the investment of $1.5-million in the fair was designed to promote business for the company. He said it had done so and that the increased revenues derived from the fair benefited the company's customers by lessening the need for rate increases.

Mr. Toder said that since increased revenues benefited the customers, the losses should necessarily be charged to the customers. He gave no figures on the revenue increase from the fair.

Mr. Toder's comments were made at the morning session of a hearing at 199 Church Street that is considering a $32.4-million-a-year electric rate increase granted to Con Edison by the P.S.C. last Nov. 25.

His statement on the bonds confirmed a charge said to be in a report submitted to the city by Arnold H. Hirsch, a public utility consultant.

This report, which the city refused again yesterday to release, is understood to contain a number of allegations, including one that Con Edison has overcharged its customers through "improper" bookkeeping. Con Edison has denied the charge.

There was no agreement at the hearing at the commission's office on whether Con Edison's action in charging the bonds off to operating costs and crediting the interest to "other income" was proper or improper.

Mr. Gibson read a section of the Uniform System of Accountants governing accounting procedures that said:

"When securities are written off or written down, the amount of adjustment shall be charged to Account 538—Miscellaneous Income Deductions or to Account 414, Miscellaneous Debits to Surplus or to an appropriate reserve account."

Mr. Gibson then asked Mr. Toder if the company, "in the light of these provisions," had conformed with the uniform system.

"Technically, we conformed," Mr. Toder said. Then he explained again that the bonds were charged off to operating costs "in order to offset revenues received from the fair."

On Jan. 13, John V. Cleary, president of Con Edison, issued the following statement:

"The charges made that Consolidated Edison through improper bookkeeping 'turned a million-dollar investment in World's Fair bonds into higher dividends for stockholders and higher electric rates for its customers' is absolutely false and its publication can only be considered malicious.

"The write-off of the bonds occurred at the end of 1965. There has been no dividend increase since that time. Considering the revenue accruing to the company as a result of the World's Fair itself and the increased level of business activity during the fair, there is no doubt that the existence of the fair in New York City was of benefit to the company.

"Furthermore, the loss the company incurred on the World's Fair bonds was, in fact, absorbed entirely by the company's stockholders."

RECONCILING STATEMENTS

Mr. Gibson asked Mr. Toder how the last paragraph of that statement could be understood in the light of Mr. Toder's own comments. Mr. Toder indicated that he felt company earnings were inadequate and that therefore the stockholders had suffered.

Mr. Gibson's questions, delivered in a calm, but persistent manner, turned to expenses the company incurred during the blackout of November, 1965.

In determining future rates, the P.S.C. considers expenses a utility has had that it might not have again. The questioning of Mr. Gibson, and comments from the presiding commissioner, Edward P. Larkin, indicated they felt the blackout expenses were "nonrecurring" expenses.

Mr. Toder did not agree. He said that as a result of the blackout, the company spent $1.3-million on maintenance of its production, transmission and distribution equipment.

When Mr. Larkin asked if the blackout was not a "very, very unusual occurrence," Mr. Toder agreed that it was. But, he added, the maintenance costs would have been the same even without the blackout because of the continuing need to maintain equipment. The hearing will resume next Thursday at 10 A.M.

[From the New York Times, Jan. 13, 1967]

CON ED RATE RISE IS LINKED TO FAIR—REPORT TO CITY SAYS LOSS ON BONDS WAS CHARGED OFF TO COMPANY'S CUSTOMERS

(By Peter Millones)

An expert on public utilities has charged in a special report to the city that the Consolidated Edison Company, through allegedly improper bookkeeping, turned a million-dollar investment in World's Fair bonds into higher dividends for its stockholders and higher electric rates for its customers.

This took place, the report was understood to say, because interest payments on the bonds went to stockholders. But when the fair failed to meet its full obligation to bondholders, costing Con Edison $800,000, the loss was passed on to consumers in the form of higher rates, according to the report.

The report, which the city refused again yesterday to release, was written by Arnold H. Hirsch, a consultant hired by the city to examine the company's books. The study, which also alleges that Con Edison overcharged consumers $35-million in the last two and a half years, was denounced by the utility company as "false and malicious."

EXECUTIVE'S STATEMENT

"These phantom attacks should cease," said a statement by Charles E. Eble, chairman of Consolidated Edison. "The uses of bits and pieces of an unpublished report as a basis for wild charges against the Edison Company, with no background or substantiation, is a disservice to the public."

Officials of the city, which has had the report since last September, said the administration would continue to withhold it until the findings could be used at electric-rate hearings before the state Public Service Commission beginning here next Wednesday.

Representative William F. Ryan and Assemblyman Jerome W. Marks, Manhattan Democrats, sent telegrams to Mayor Lindsay urging that the report be made public immediately. Mr. Marks is chairman of the Joint Legislative Committee on Consumer Protection.

Even before the telegrams reached the Mayor's desk, Mr. Lindsay told a newsman at the Waldorf-Astoria Hotel:

"Our job is to study the full contents of the report and then submit it to the public hearings of the Public Service Commission, which will determine if it is accurate."

Mr. Hirsch, who lives in Washington, said yesterday that his report "has as little to do with the coming hearings as the situation in Korea has to do with Vietnam."

The report followed Mr. Hirsch's examination of the records and income-tax returns of Con Edison covering Jan. 1, 1962 through June 30, 1963. That period was used as the base period to justify a rate increase of $27-million that went into effect July 29, 1964.

Mr. Hirsch did not submit his report until last year because it was only last April that the State Court of Appeals ruled that the city could have access to the company's books for the 1962–63 period.

The upcoming hearings deal with a different rate increase—the $33-million rise granted to the utility by the Public Service Commission last Nov. 25.

Mr. Hirsch has declined to make the report public. The city is paying him $20,000 for it, according to Corporation Counsel J. Lee Rankin.

Mr. Rankin, to whom the report was submitted, emphasized yesterday that he did not consider that the city was "suppressing it." He said he felt the city's position was misunderstood.

He added that because there were factors in the Con-Edison's records that carry over from year to year, items of concern in one base period may be just as valid in a later period. He said the city wanted to examine the report carefully and pick parts to emphasize and others to investigate further. He said that the city did not want to "tip" the utility company now on what was in the report.

In addition, he said, the "statutes are not clear on what rights we have of appeal." He said that it was not clear whether the city could demand a rehearing on the 1964 rate increase and that the best possible approach was being weighed.

The Corporation Counsel also said that if the full report was submitted, the city would have to bring Mr. Hirsch here to testify at the hearings, at a cost of at least $100 a day in fees for the consultant. The city is trying to allocate its money carefully among auditors and consultants, Mr. Rankin said.

An informant reported that Mr. Hirsch had mentioned smaller items in his report, such as company spending on private clubs for officials. But Mr. Hirsch does not want such smaller items to cloud the bigger issues he contends are involved in the alleged improper bookkeeping, the informant said. He added that the consultant is quite willing to testify at the hearings.

Mr. Hirsch was understood to have submitted data supplementary to his regular report. The supplement deals with items that would be of continuing interest and overlap various base periods, it was said.

Among other items he is said to have dealt with, was the expenditure by Con Edison of $500,000 to install air-conditioning in its offices. The company charged the amount "improperly" to its operating expenses rather than spread the cost over many years, the report is understood to say.

EXPENSES AND PROFITS

When operating expenses go up, profits, or the rate of return, decline. When the company's rate of return declines below about 6.2 per cent it can request a rate increase, according to regulations of the Public Service Commission.

The Hirsch report is thus said to be greatly concerned with the legitimacy of items charged off as operating expenses. P.S.C. guidelines often involve judgments of what are "typical and normal" expenses.

Even when an item is found to be properly listed as part of operating expenses, the question can arise whether the amount is "just and reasonable."

THE FIRST INTERNATIONAL AGRIBUSINESS CONFERENCE

Mr. McGOVERN. Mr. President, on May 10 to 12, 1967, a most important conference, the First International Agribusiness Conference, is being held in Chicago under the auspices of the Chicago Board of Trade.

As stated by the board, the purposes of the meeting are as follows:

> To direct the attention of agribusiness and industry to the rapidly developing problem of world hunger.
>
> To demonstrate the need and opportunities for employment of private American capital, business methods, and technology.
>
> To find ways to overcome the obstacles involved; to develop new approaches to business and government cooperation.
>
> To obtain the dynamic involvement of American agribusiness in this, one of the greatest challenges to be faced in the balance of this century.

I want to congratulate the board of trade on its leadership and foresight in this matter. The board is the world's largest commodity exchange but for some years now, its activities have gone far beyond the scope of its own immediate affairs.

Beginning in the early 1960's, when Robert C. Liebenow was president of the institution, the board began to call attention to the relationship between the productivity and efficiency of American agriculture and the tremendous world food deficit. The board insisted that this country should formulate and execute adequate and constructive food-for-peace programs and was one of the first agencies in or out of Government to do so. Moreover, the board emphasized the importance of American agriculture and said that fair prices for farmers were needed both from the standpoint of the internal economy and from the standpoint of food-for-peace programs.

Mr. Liebenow now heads the Corn Refiners Association, Inc., with headquarters in Washington, D.C., but, Robert L. Martin, chairman of the board of directors of the board of trade, and other board officials have continued their interest in and work for food for peace.

Both leaders in Government and the agribusiness world will take part in the May meeting under board sponsorship. The speeches and panel discussions should cover almost every important aspect of the threat posed by an already awesome and rapidly growing food deficit. The conference should help contribute to the public understanding needed to deal with this whole question. Any sound program must combine increased shipments of food to stave off the threat of hunger and at the same time help upgrade agriculture in the underdeveloped countries where the food deficit is greatest.

I am hopeful also that other agribusiness groups will follow the example set by the board; in fact, some are already doing so, and that the tremendous stakes involved in meeting the challenge of the food crisis and in maintaining stable and prosperous agriculture at home are fully grasped by the Congress, the executive branch of the Government, and the American people.

THE ROLE OF THE CENTRAL INTELLIGENCE AGENCY

Mr. McGEE. Mr. President, some months ago when a career State Department officer left the administrative field for the academic world, he theorized how his teaching could reflect the two worlds we all simultaneously live in: the orderly conceptual world and the chaotic existing world. He concluded that we ought to teach models in terms of the strict limits that circumstances impose on their applicability at any particular time and place. Otherwise, he said, we might raise generations that, blind to anything except an abstract and a priori good, would with the best intentions bring the greatest evils upon us.

These observations, I think, have pertinence to the current controversy and discussions about the role of the Central Intelligence Agency. As I mentioned in my brief remarks to the Senate last week, we have to live with the facts of international life. Our models, our ideals of completely open action are at times strictly limited by circumstances.

We are faced with the constant efforts of the Communist nations to influence the potential leaders throughout the world. And, in terms of youth-to-youth confrontations, we have been right in recognizing that these new leaders move rapidly from the university to the portfolios of state. By direction, the CIA responded with programs reviewed and re-reviewed by panels representing the White House, interagency review boards, the Bureau of the Budget. Many businesses and professional leaders of America lent their prestige and support to some of these programs. I am sure that these individuals did not assume such responsibility without a careful and mature judgment that national interests were served.

Max Frankel, writing in the New York Times of February 18, points out:

> Much of the agency's secret involvement in youth groups, labor unions, business concerns, universities and foundations is being vigorously defended by officials wtih memories longer than those of the young people who now protest.
>
> The older folks remember how menaced they felt by a Soviet-directed Communist machine and how anemic the non-Communist leftists and liberals seemed in Europe and elsewhere.
>
> Overt responses at the time were judged ineffective, partly because liberals at home were often being driven from official life in the forties and fifties into refuge at the intelligence agency. The habits then developed persist as new anti-Communist programs are mounted in the weaker nations, though the basic fear of Communism has diminished.

I believe we should think deeply about where we go from here. What are the alternatives to unilateral political disarmament in what James Reston calls the intellectual war? We would undoubtedly reject an official secret act, such as Great Britain has, on the "D" notice which warns British publications against printing sensitive information. Should we consider devices such as tax advantage for student dues to national student organizations to help overcome funding deficits?

Should the tax laws for foundations be amended so that contributions can be made to organizations with political activities without jeopardizing their tax-deductible privilege? Is the answer to work through other Government agencies, such as the USIA or State Department?

There are no easy answers. One can fault any of the above; the questions are posed more to illustrate the range of problems raised when one seeks alternatives. James Reston suggested that what is needed "is a candid discussion of the problem of subversion, and congressional approval of a Government-supported but privately administered institution that will defend the Nation's interest in the intellectual communities of the world." It remains difficult to see, however, how such an enterprise could be kept separate from an intelligence organization.

I ask unanimous consent to have printed in the Record an editorial entitled "Espionage and the American Ethic," published in the Wall Street Journal of February 17, 1967.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Wall Street Journal, Feb., 17, 1967]

ESPIONAGE AND THE AMERICAN ETHIC

When it was disclosed that the Central Intelligence Agency had helped finance the National Student Association, the outcry made it sound as though the CIA had engaged in some sort of criminal conspiracy. Certain of the critics are even charging that the agency had covertly corrupted America's youth.

The uproar would all be rather ridiculous if it were not yet another reflection of the fact that many Americans still refuse to recognize what sort of world they live in. It is a world where most countries, friendly and otherwise, accept propaganda, espionage and similar activities not only as proper but essential functions of their governments.

In the age of nuclear weapons, there's something to be said for doing battle with words, as well as for trying to get some idea what the other fellow is thinking. By their very nature, the latter operations usually cannot be carried out in the broad light of day with a full blare of publicity.

In the U.S., however, a good many citizens have always regarded practically any type of intelligence actions as somehow beneath this nation's ethical standards. The result is that the CIA, and all of its American predecessors, have been viewed with a suspicion bordering on antipathy.

This circumstance helps explain why the U.S. has found it so difficult to build up a professional, thoroughly competent intelligence system. Self-respecting men and women well may hesitate to go into any line of work that is so widely demeaned.

In the current case, the reason for aiding the National Student Association was perfectly clear. After World War II the Soviet Union took the lead in trying to organize and propagandize students around the world. U.S. students lacked funds to take part in international meetings and festivals and express American views; it isn't too far-fetched to say there was a danger that many of the world's future leaders would be won by the Communists by default.

It is possible that the CIA's subsidy was poorly planned; certainly the agency's public image and clandestine activities suffer from the disclosure. But it's going quite a bit too far to equate bureaucratic bungling, if that's what it was, with some sort of nefarious plot.

DOES THE UNITED STATES HAVE THE RIGHT TO EXPECT NEW NATIONS TO RESPECT AND HONOR HUMAN RIGHTS CONVENTIONS WHICH SENATE HAS FAILED TO RATIFY?

Mr. PROXMIRE. Mr. President, in the last quarter century a total of 60 new nations have come into being, representing almost half the people of the world. Twenty-five years ago there was no Algeria, no Burma, no Cambodia, no Iceland, no India. no Indonesia, no Israel, no Jordan, no Pakistan, no Philippines, no South Korea, and no Syria.

Now these nations enjoy full status as members of the world family of nations. Each is seeking to work out its own problems, establish its own identity, and fulfill its own destiny. It has been wisely observed that the single, most potent force at work in the world today is nationalism. I do not speak of jingoistic chauvinism, but of an awareness of national being.

In the adolescence of every nation—as of every individual—there develops a growing awareness of self. This is not bad. From this awareness can develop both pride in one's actions and a realization of one's responsibilities.

These new nations are emerging quickly from national infancy and into national maturity. It is a painful and trying period for every people. My question to the Senate is: Is it just or even reasonable for us to expect of these youthful nations a selflessness and magnamity toward human rights and the conventions which guarantee them which the United States has failed to demonstrate?

Our own history should provide the answer. For over a century and a half, we ignored international responsibility and indulged our national pride. Have we not benefited from this experience? History must, at the very least, teach us to prevent repetition of our own follies even if we cannot avoid the follies of others.

Many of these new nations have displayed unexpected maturity in the recognition of human rights. Painfully and personally aware of tyranny and discrimination, they have constitutionally proscribed these evils. Many of these nations have willingly assumed their international responsibilities and become productive members of the world community.

Dozens of these 60 nations have ratified the human rights conventions on forced labor, genocide, political rights of women, and slavery. What they do not wish for themselves, they do not wish for any people or any nation.

But the United States has failed to learn from the remarkable example of these youthful nations. This Nation has failed the new nations and the old nations. We have failed them through inaction and disinterest. Let us move to expunge this great disgrace from our own ledger. Let the Senate ratify the human rights conventions on forced labor, genocide, political rights of women, and slavery. We owe it not only to mankind but to ourselves.

NATIONAL WILD RIVERS SYSTEM

Mr. CHURCH. Mr. President, I recently introduced a bill to establish a national wild rivers system, S. 119. This is identical with the bill, S. 1446, which the Senate passed last year, 71 to 1, but which failed of action in the House.

The need to set aside some of our free-flowing rivers in their natural state is urgent, for if we do not act quickly, we may lose them to impoundments and other intrusions.

In the winter issue of Discovery, the Allstate Motor Club magazine, Writer Michael Frome has written a fascinating and colorful account of some of our wild rivers.

I ask unanimous consent that it be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

LET'S KEEP THEM WILD—FEW AMERICAN RIVERS REMAIN UNCHANGED BY MAN; THOSE FEW ARE WORTH PRESERVING

(By Michael Frome)

It is said that three million miles of river channel, more or less, flow across the face of the United States. Most of this vast watery network has been harnessed to serve the material needs of people, leaving only a small number of streams untamed, unspoiled, approaching the natural conditions in which man first found them. These are now identified as the "wild rivers," a vanishing national resource that serves the spiritual needs of people, and provides a priceless kind of outdoor recreational activity.

The paradox of American rivers is that they are rooted deep in the national conscience, have fulfilled many purposes, and yet are taken largely for granted. These rivers shaped the land. When man arrived they became avenues of destiny, first to the birchbark canoe, then the raft, flatboat and barge. In the advance of history the rivers were clogged with logs, and afloat with pioneers, traders and warriors, while their banks became lined with cities and industries. Always there seemed more streams untapped, waiting for a young Huck Finn or Tom Sawyer to get his small share of natural heritage close to home.

Now to see and enjoy the rare natural flowing waterway in its own habitat the contemporary Huck, Tom and their families must travel considerable distance. We have undertaken in their behalf over the years to protect parks and forests, to establish refuges for wildlife and reservoirs to conserve water. But most of the rivers, though woven into the romance, literature and soul of their surroundings, have been sacrificed to pollution and progress.

This is what makes the wild rivers special places to visit and enjoy, where young men can still test their hardiness by running the rapids and older men can find their contact with nature in a float trip and campout on a gravel bar, where artists of all ages can find inspirational subject matter, and where scientists, whether of the Boy Scout or professional variety, can pursue the miracles of life.

These wild rivers really are for all of us; they preserve a quality that future generations deserve to know and enjoy. Such is the goal of a program before Congress to establish a National Wild River System of carefully selected streams meeting high criteria. This is the means to assure the survival of some few natural shorelines of trees, bluffs or open meadows bordering unpolluted streams flowing freely.

There are many ways of saving rivers. Cleaning the Potomac of pollution, which President Johnson insists must be done, is one way. The proposed Hudson Highlands National Scenic Riverway, to safeguard the vistas of the river-pride of New York from commercial encroachment, offers another.

Likewise, rivers serve different purposes. The St. Lawrence links inland America with shipping channels of the world. The mighty Columbia, that once brought Lewis and Clark to the conquest of their empire, provides light and hydroelectric power to the Northwest. We need these harnessed and developed rivers, for utility's sake if for none other. We also need pleasant scenic rivers, close to big cities, that can be viewed by car. And we need the semi-wild and the thoroughly wilderness rivers that must be reached by footpath or horse trail and are removed from the smells and sounds of mechanized civilization. We need them all, in balance, to assure a society that is truly civilized.

Having been splashed by the waters of many types of streams, furiously wild and intolerably tame, I have learned that even for the casual American on tour there are still wonderful experiences to be had.

In the Southeast, for instance, a sightseeing boat cruise from Wakulla Springs, near Tallahassee, opens the way to some of the finest wildlife viewing in Florida. Several thousand acres around the spring, regarded as the world's largest and deepest, are leased as a sanctuary by the National Audubon Society. The scene on the hour-long cruise down the Wakulla River looks like a page out of the adventures described by William Bartram, the pioneer naturalist. Alligators can be seen in the water or resting on the logs, and thousands of birds soar above the treetops, build their nests and dive for fish. Among the birds are osprey, vultures, sometimes bald eagles, anhingas, green and blue Louisiana and black-crowned night herons, cormorants, gallinules and curved-bill limpkin, a rare species that must have a watery wilderness for its survival. This it has, protected by forests of live oak, magnolia and pine.

Another exceptional wilderness cruise awaits the traveler at the headwaters of the Suwannee River at the Okefenokee National Wildlife Refuge near Waycross, Georgia. This is the "land of the trembling earth," a great fresh-water swamp, teeming with large numbers and species of birds, reptiles and mammals. It was here that I was sprayed by an alligator, a large, unhappy looking fellow, when he dove underwater as our boat passed him. "He won't really bother you if you don't bother him," said the guide. Along the winding canals a botanical wonderland unfolds, with thousands of acres of flower-studded "prairies," which are less land than water, hummocks supporting giant cypress, red bay, magnolia and a rich medley of shrubs surrounded by acres of white and yellow lilies floating on the water. The Okefenokee is a last frontier in its own right, even in the accessible section at the Swamp Park, yet it is only the beginning of the Suwannee, a challenging wild river that flows through the lush semitropics of Florida to its outlet at the Gulf.

Far to the northeast, almost at the Canadian border, I have traveled the Allagash, considered the finest canoe stream in Maine. This remains a remote part of America where a single county, Aroostook, matches the size of Rhode Island and Connecticut combined, with deer, bear and moose around its glacial lakes and in its dense woodlands.

My partner on the trip was Morris Wing, a lean outdoorsman and lumber company executive. He learned his way on the river working as a summer guide while still a schoolboy. Many times he has made the entire 145-mile journey on the north-flowing river which ends in a splashy rendezvous with the St. John's River. In the course of a week he showed me how to pole upstream over rocky white waters, to paddle across broad lakes and to portage aroung waterfalls. At night, in the state park campgrounds, the last sound we heard was the laughter of a loon.

One evening at dusk we were paddling and fishing. The sunlight spread across the water in a bronze sheen. We came abreast of an old timber dam and ghost logging camp, relics of the lusty river drives. Those early loggers knew very little about the resources of the land. Cutting practices were wasteful and fires frequent. More than a century ago the loggers disturbed the wild river with a canal that enabled them to float logs south instead of north. On one shore we watched a moose raise his dripping antlers, then submerge them again to browse for water lilies. Under trained foresters like Morris Wing the Allagash country is managed to protect wildlife, as well as to log pulpwood and timber selectively beyond sight of the water. With such logging by road, instead of by river, the Allagash has been reverting toward its original condition, for the canoer and camper to enjoy.

The Ozarks of Missouri have large artificial lakes formed behind concrete dams with splendid facilities for motorboating, water skiing and bass fishing. To many an angler, however, the thrill of the Ozarks is still in a float trip down a clear, swift running stream like the White, Current, Big Piney, Gasconade or Jacks Fork. Such travel is an Ozark specialty, dating to the days when folks were likely to come a-calling in a skiff, known as a flatboat or johnboat. "On a float it's always good to take the wife," a fellow named Frank Sutton said to me several years ago. "She comes in right handy cleaning and cooking the fish, and making camp."

Frank was the one-man staff of the little Powder Mill Ferry that transported cars, one at a time, across the lively Current River in the rural country between Eminence and Ellington. He showed me how the ferry made its cabled way without power by heading into the current, and thus being pushed across, in much the same way that a sail is turned into the wind. Once there were many such craft crossing the streams of inland America, though now virtually all have disappeared. The ferry at Powder Mill continues to operate, however, for it lies within the boundary of the Ozark National Scenic Riverway. The riverway was recently established by Congress to assure the preservation by the National Park Service of 103 miles of the Current River and 42 miles of the Jacks Fork, the beginnings of the National Wild River System.

I spent one day floating the Ozarks' Gasconade with friends. While we drifted downstream with the current, they cast for smallmouth bass, walleye, channel cat, crappie and fighting goggleeye in the riffles. As the world's worst fisherman, I enjoyed the river in its own right, winding between tree-lined banks and lonely towering bluffs. Float trips can last any length of time, a day, a week or two weeks. Usually local outfitters provide guides to navigate the streams, prepare meals and pitch camp on the gravel bars. Even without fishing, there is nothing quite like it. My friends and I ended our eight-mile river journey less than a mile from where it began. But for most of a day we were far removed from normal thoughts and normal pursuits, and felt renewed and better for the adventure in quiet places.

There are many kinds of rivers to run in the West. Any traveler can enjoy the float trip in Grand Teton National Park, winding leisurely down the Snake River in a large 18-passenger rubber raft past ancient glacial moraines and alluvial meadows, in sight of elk, deer and buffalo. Tougher waters are those of the Green and Yampa rivers, near Vernal, Utah, on the eastern flank of the Uinta Mountains. Starting from Echo Park, the deep-canyoned confluence of the two rivers, one exciting guided float trip proceeds through a wilderness of rapids and cliffs. Campers spend the night at a sandbar beach, ending the second day with a tour of the world's greatest known deposit of dinosaur skeletons in Dinosaur National Monument.

Then there are trips on the Salmon River, deep in the mountains of northern Idaho. These are rugged white-water travels not for novices to try alone, although outfitters have taken women, children and whole families without mishap. Last year I had the thrill of a lifetime when two Idaho pals, Big Bob Newcomer and Spike Lavin, took me down the 80 miles from North Fork to Riggins, the famous stretch that gives the Salmon its name, the "River of No Return." For more than 150 years after the first white men came into this country only one-way trips were possible, but now conventional motorboats and jetboats run upriver as well as down. Happily, we floated in a rubber raft, enjoying a respite from motors.

The Salmon runs the gamut from tranquility to turbulence but is never twice the same. It passes traces of old mines, hot springs, scenes where forest fires once blackened the hills, occasional little homesteads, dude camps and ranches (with too much development in some places, I thought, for such magnificent back country) then flows between granite-walled canyons deeper even than the Grand Canyon. For many miles we were alone, shooting stretches of thrilling rapids and watching the early run of Chinook, the king of all salmon, struggling upstream from the Pacific to their spawning grounds.

At Hancock Bar and Corn Creek Bar we passed ancient Indian campsites to remind us that the earliest inhabitants came into Salmon River Canyon more than 5000 years ago. An Army captain, after tracking the Sheep Eater Indians, through these steep slopes in 1879, reported, "We have traveled over much country that no white man ever saw before, our guides and miners declaring we could not get through at all."

Yet today more than 2000 persons annually travel the River of No Return for fishing, hunting in the fall, and for sheer enjoyment. Big Bob, who knows everybody in these parts, waved to the outfitters we passed and hailed the Forest Service patrol boat. The young ranger pulled alongside and explained his responsibilities for cleaning up along the riverbanks and checking for fires.

These wild rivers are precious places, wherever they may be. They are national treasures in many ways, providing pleasure to the vacationer, and inspiration to make *all* rivers better as part of the enduring land.

TARIFF AND STEEL

Mr. BYRD of West Virginia. Mr. President, on February 8, I was present when Mr. L. B. Worthington, chairman of the American Iron & Steel Institute, spoke at the congressional breakfast which was part of the 1967 public affairs conference sponsored by that organization. Mr. Worthington's comments on steel and trade in relation to changes in the tariff policies of our Nation aroused considerable comment pro and con in newspapers throughout the country.

I noted with much interest the comments on the editorial page of the February 17 Williamson Daily News, Williamson, W. Va., which discussed these matters.

I ask unanimous consent that this editorial, "Steel Shifting Tariff Attitude," be printed in the Record at this point.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Steel Shifting Tariff Attitude

As was to have been expected, the shift of sentiment toward tariff protection in the American steel industry has encountered prompt opposition from importing interests.

Speaking at a Washington breakfast meeting attended by members of Congress and steel executives last week, Leslie B. Worthington, President of the U.S. Steel Corporation and Chairman of the American Iron and Steel Institute, called for a temporary additional duty on steel and pig iron imports to "create a climate of more equitable competition between domestic and foreign producers who seek a share of the U.S. market."

The proposal was assailed promptly by Kurt Orban, president of the American Institute of Imported Steel, as "out-and-out protectionism of a tariff nature," and by the U.S. Japan Trade Council, whose director, Nelson A. Stitt, denounced it as a "bald protective recommendation." Both sounded the warning that it would invite retaliation by foreign countries.

All of this is reminiscent of the Reciprocal Trade Agreement movement of the early New Deal Days when the policy of progressive erosion of the protective tariff was adopted, with disastrous results to some American industries, notably glass and pottery manufacturers and other small operations leaning heavily on the hand crafts.

At that time the United States was a net exporter of steel by a wide margin. Larger and more efficient than its composite foreign counterpart, it didn't need the protection and was disposed to lean to a free trade policy. But the story is different today. The foreign steel industry has grown in size and increased in efficiency. And enjoying as it does a substantial advantage in production cost, it has been cutting steadily into the American steel market and shutting American steel out of much of the foreign market. Imports of steel have multiplied during the past decade and exports have shrunk. Last year foreign steel sales totaled approximately 11 million tons, which was about 11 per cent of the domestic market. And the value of these imports was $270 million in excess of the value of our steel exports.

It seems no more than natural, then, that failing otherwise to deal with the situation, the steel industry would ask for relief through means of higher import duties. What isn't clear is why the steel men should be criticized for this, especially in view of what they are faced with abroad, as indicated in the following excerpt from a Wall Street Journal account of the Washington conference:

"Mr. Worthington complained that American mills have to compete with foreign producers who have a sizeable cost advantage and who also resort to selling their excess capacity in the United States at whatever price is necessary to get the business. In addition, he said, foreign governments protect their steel industries by such means as tax rebates, subsides, special shipping rates and special depreciation allowances.

"But American steel shipped abroad must face tariffs more than double the United States duty, and then hurdle such other barriers as border taxes, import licenses and equalization taxes."

We agree with Mr. Worthington that "a limit has been reached" as to what American producers—and this goes for other competitive industries as well as steel—can put up with and still maintain "financial soundness."

Whether it is steel or glass or potteryware or shoes, the only kind of an import policy that makes sense, it seems to this newspaper, is one that maintains competitive equality in the American market. This is the policy under which this Nation grew to industrial greatness and in the process established a living standard unapproached anywhere else on earth. It is a policy to which, happily, we appear to be returning in sheer self defense after more than 30 years of wandering in the wilderness of international trade among those who always have practiced the sensible policy of protection which not so long ago was regarded as a bad word among the starry eyed internationalists who were calling the tune in Washington.

COLORADO HOUSE OF REPRESENTATIVES QUESTIONS BASIS OF U.S. INVOLVEMENT IN VIETNAM

Mr. GRUENING. Mr. President the growing doubt about the reason for our involvement in a war in Vietnam is shown by the recent action of the Colorado House of Representatives in approving a resolution memorializing the Congress of the United States concerning the conflict in Vietnam.

The 65-member body of the Colorado Legislature, comprised of 38 Republicans and 27 Democrats, approved the resolution with only scattered votes in opposition. The bipartisan vote of approval for the resolution indicates a grassroots concern over our course and the propriety of our actions in Vietnam. The memorial "petitions the Congress of the United States to determine, at hearings by the appropriate committees and after full discussion by its members, the origin and nature of this war, and whether it is in, or conflicts with, our national interest; and thereafter, by appropriate resolution, to authorize and direct the President of the United States to conduct this Nation's affairs in Vietnam and Southeast Asia in accordance with that determination."

I ask unanimous consent for the inclusion of the memorial in the Record at the conclusion of my remarks.

There being no objection, the memorial was ordered to be printed in the Record, as follows:

House Memorial 1001

(Introduction of memorial by Representatives Haskell and Safran)

Memorial memorializing the Congress of the United States concerning the conflict in Vietnam

Whereas, The United States is engaged in a war in Viet Nam; and

Whereas, The scope of this country's involvement has grown by successive stages of escalation to a level which has been exceeded only by the Nation's participation in World War I and World War II; and

Whereas, Despite Article I, Section 8, of the Constitution of the United States, which grants to Congress, and Congress alone, the power to declare war, there has been no full and free discussion in the Congress of the United States on the origin and nature of this war and the extent to which it is in the national interest; now, therefore,

Be It Resolved by the House of Representatives of the Forty-sixth General Assembly of the State of Colorado:

That this House of Representatives hereby petitions the Congress of the United States to determine, at hearings by the appropriate committees and after full discussion by its members, the origin and nature of this war, and whether it is in, or conflicts with, our national interest; and thereafter, by appropriate resolution, to authorize and direct the President of the United States to conduct this nation's affairs in Viet Nam and Southeast Asia in accordance with that determination; and

Be It Further Resolved, That a copy of this Memorial be transmitted to the members of the United States Congress from the State of Colorado.

DON'T BLAME THE POSTAL WORKERS

Mr. CHURCH. Mr. President, members of the National Association of Letter Carriers in Idaho Falls recently read in U.S. News & World Report that they are a part of what is called "Government inflation at work." The magazine explained that postal employees are to "demand and get" a pay raise; then the White House would ask for an increase in postal rates, causing added inflation.

Is this view correct? Many people think so, but the letter carriers do not, and neither do I.

The Idaho Falls carriers point out that last year employees of the Post Office asked only for the 3.2-percent pay increase suggested by the President and were granted only a 2.9-percent increase—well below the 4- to 5-percent increase common in private industry or the 3.3-percent increase in the cost of living. Considering these facts, the postal employees were more the victims of inflation than a cause.

Mr. President, to put the record straight, I ask unanimous consent that a letter from the National Association of Letter Carriers to U.S. News & World Report be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. NEWS & WORLD REPORT, INC.,
Washington, D.C.
(Attention of the Editor).

GENTLEMEN: The following is a rebuttal to your comments regarding the postal increase in your January 30, 1967 issue.

The Post Office Department did not cause inflation!

We quote U.S. News and World Report:

"The mails are to offer you another view of Government inflation at work. Postal employees are to demand and get a pay raise. After that: White House will seek an increase in postal rates. Deficit now: 1.2 billions. Probable hikes to be asked in postage: First class letter mail, from 5 to 6 cents. Air mail, up from 8 cents to 9 cents. Second class, other classes, a boost of 20 percent, with some kind of special formula for magazines. Overseas-mail rate is being pushed up. Parcel post increased January 1. There's always a fight about raising postal rates, but they get raised."

The Post Office Department is the only government agency which asked for a pay raise this past year, that was willing to stay within the 3.2% guideline requested by the President of the United States. The fact that a pay raise of 2.9% was granted, is insignificant, when other wages increased 4-5% and the cost of living rose 3.3% in 1966.

One should also consider that monies received from postal services are not given to the Post Office for operational expenses, but returned to the U.S. Treasury. The Post Office receives its operating funds by presenting a budget to the Congress of the United States. Because of slashes made in the Postal Budget of 1966, it was necessary for the Department to curtail many public services, such as 6 day parcel post delivery and Saturday window services.

The Post Office was further hampered by wage scales which are certainly unattractive to potential new career personnel.

Postal employees are requesting reclassification, not pay raises. We desire a living wage comparable to industry. Why?—We believe our services are of extreme importance to the national economy, and the responsibility we bear certainly necessitates our modest request.

What would you do if postal services were not available?

Mail volumes are increasing each year, how would you propose to pay and get new personnel in 1967 on ancient wage schedules?

What is good mail service worth to you?

Yours truly,

PAUL SCHWARTZENBERGER,
President.
JERRY COTTERELL,
Recording Secretary.

CANADIAN AUTOMOBILE AGREEMENT

Mr. LONG of Louisiana. Mr. President, last week there was some discussion on the floor of the Senate regarding the Canadian Automobile Agreement. The discussion primarily concerned a report required to be submitted to Congress describing the implementation of the agreement.

I have looked into the matter, and I do believe the report on the agreement will be submitted to Congress within the next week or so. In the meantime, I have received from the Honorable A. B. Trowbridge, Acting Secretary of Commerce, a letter highlighting certain facts about the implementation of the agreement. I ask unanimous consent that Mr. Trowbridge's letter be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. LONG of Louisiana. I stated during debate on the implementing legislation on September 28, 1965, that what we would protect with this agreement is the $580 million surplus in the balance of trade that we had in automotive products with Canada. I am pleased to point out that Mr. Trowbridge confirms my prediction of 2 years ago. He says:

> Our net surplus on automotive trade with Canada since the agreement is now about $1.2 billion, a larger surplus than achieved in any previous two-year period and it is continuing at the half-billion-dollar a year level.

I also want to state again, as I did in September of 1965, that Canada wants an automobile industry, and Canada is going to have an automobile industry. There is nothing that Congress can do to prevent that sovereign nation from building up an automobile industry. If she had not done it with our help under the agreement, she would have done it in other ways without our help.

EXHIBIT I

THE SECRETARY OF COMMERCE,
Washington, D.C., February 20, 1967.
Hon. RUSSELL LONG,
Chairman, Senate Finance Committee,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Recently there has been some criticism of the results of the United States-Canada automotive agreement. Accordingly, I would like to submit the following information to the Senate Finance Committee.

The first annual report on implementation of the Act was due in December 1966. Publication has been held up to permit inclusion of data for the full year 1966, and the report is now being readied for submission.

The United States automotive industry supported the agreement, and since its implementation the only expressions made to the Government have been of satisfaction.

The results of the agreement have not been concealed, it is benefitting both parties, and the Government agencies involved have cooperated in furnishing provisional interim data as it became available to Congress and to the public.

Production cutbacks in the United States and Canada thus far in 1967—22 percent in the United States and 19 percent in Canada from the comparable 1966 period—relate to general market conditions, not to the agreement. Even the most popular foreign cars in the U.S. market have experienced a 20 percent decline in sales thus far this year.

The price gap between Canadian and U.S. cars has narrowed significantly, and despite increases in some models in Canada due to safety equipment and higher sales taxes, actual prices on some models in Canada have been reduced substantially.

The data hardly indicate that the growth of the Canadian automotive industry was at the expense of the United States. Employment in the motor vehicle industry in Canada rose 25,400 between June 1963 and June 1966. In the U.S., automotive industry employment rose 142,000. Through 1966, only 819 U.S. workers were found eligible for adjustment assistance resulting from dislocations caused by the agreement.

Automotive trade in both directions has increased sharply. U.S. exports to Canada have grown from $650 million in 1964 to $1,290 million in 1966. Our net surplus on automotive trade with Canada since the agreement is now about $1.2 billion, a larger surplus than achieved in any previous two-year period. It is continuing at the half-billion dollar a year level predicted at the time Congress was considering the agreement. This hardly represents the "gift of a major industry".

The GATT waiver for the Automotive Agreement was adopted by more than the two-thirds vote required, with no country opposing it. Since the agreement became effective, none of our world trading partners has complained that it is detrimental to their interests. There is no connection between the Automotive Agreement and the Trading With The Enemy Act. This Act, as well as our other laws, applies as it did before the agreement.

The restrictive valuation system known as American Selling Price (ASP) has long irritated our trading partners. Congressional action would be required before any change in this system could be made, and we would demand fully reciprocal concessions benefitting U.S. exports. The same holds true about our anti-dumping laws; the agreement has no relation to or effect on these laws.

In future discussions with Canada, particularly those scheduled to be held no later than January 1968, it will be a clear purpose of the United States to seek liberalization and elimination of all impediments to free trade in the automotive sector.

The agreement provides reciprocal tariff benefits to both countries. No new negotiations or even preliminary discussions have taken place concerning similar arrangements for other industries.

I believe that these comments place the operation of the United States-Canada automotive agreement in a more balanced perspective.

Sincerely,

A. B. TROWBRIDGE,
Acting Secretary of Commerce.

"EACH PERSON, AND EVERY GROUP, SHARES IN THE DESTINY OF ALL" — RANDOLPH SUPPORTS CONSULAR TREATY, FOOD ASSISTANCE UNDER FOREIGN AID, AND CIVIL RIGHTS BILL OF 1967

Mr. RANDOLPH. Mr. President, during our lives on earth, in each action, and by the words we utter, we commit ourselves in part to goals. For each of us, for all of us, are working out the course of humankind. Each person, and every group, shares in the destiny of all.

The safety of all depends on the safety of the one—in the final analysis.

Justice for all can never reach heights surpassing the justice known by one.

Yes, the specter of man's physical starvation in truth reflects the tragedy of man's spiritual starvation.

The freedom of all men can never exceed the freedom of each man—to work, to travel, to live where he will, and where his means and capabilities will take him.

And, I would hope, we will not deny that our Republic, our citizenry, is committed to safety, justice, freedom, responsibility, and the rewards of spiritual fulfillment.

We are now called on to consider three proposals embodying this commitment. We will soon begin to debate the consular treaty between this Nation and the Soviet Union. We will also again consider food assistance under foreign aid. And we will, this year, debate the Civil Rights Act of 1967.

Mr. President, I support all three, believing that the legislative purpose is merited and needed in these vital areas of our complex civilization.

The consular treaty, first, provides for the safety of Americans in Russia and Russians here. Can I, can we, be opposed to safety? No, Mr. President, no.

Our President already has authority, under the Constitution, to establish consulates in other nations and to allow them to estabish consulates here. As a nation, we could benefit from having a consulate in Russia. But, as a dedicated nation, we must protect our citizens there. And, as a just nation, we must afford protection to Russian citizens here.

The Federal Bureau of Investigation, according to figures by J. Edgar Hoover, its capable Director, would need an additional 10 agents and four to six secretaries as a result of the opening of a Russian consulate in the United States. We have already 452 Soviet citizens here enjoying diplomatic immunity. We would be admitting 10 or 15 more.

Are we to allow the phantom of 10 more individuals coming here from Russia to panic a nation of 198 million people—dedicated to the cause of the safety of mankind—to such an extent that we will abrogate this traditional commitment, this sacred heritage?

Again, Mr. President, I say "No."

Consider, then, another firm belief we share with all free peoples. Our abhorrence to physical starvation is the response of our spirit to suffering. And let us realize, let us now admit, that the suffering of man is not due to some pervasive "presence" of evil. It rather arises to fill the void which exists in the absence of good.

Whether that good be material, physical, or spiritual matters not to man. What does matter is that man has not obtained it, has not seen it, or has not been shown that it exists for him.

And thus, when confronted with the deaths, by physical starvation of countless thousands the world over, the response of our hearts becomes the response of our Nation. Nature hates a vacuum, and the spirit of man does battle with evil because evil is a vacuum. We dedicate ourselves to the relief of the hungry, the assistance of the poor. This is the right way.

And as their bodies are nourished by the food we are providing, so our souls are nourished; for we are contributing to the true "fountain of life"—that universal, spiritual pool from which man drinks to truly live. Its wellsprings lie in that One Eternal Being to which we all belong. Each man must contribute to the life of all, or all will die of thirst.

Can we, then, ignore starvation—here or in some foreign land? Again, the answer is, quite simply, "No."

And here at home, Mr. President, let us reapply those principles toward which all should strive. Let us realize that neither spiritually, nor materially, can we long support—within our own wide borders—two societies, two nations, and two sets of standards.

So long as there exists one street, in one city, town, or village, on which any given man cannot walk in safety, then all men, everywhere, must truly walk in fear.

And we are opposed to fear.

So long as there exists in one city, town, or village, a flaw in the justice rendered to any given man, all men, everywhere, are then forever wronged.

And we are opposed to wrongs.

So long as there exists one city, town or village, in which any given man cannot live in comfort and in peace, according to his means, then all men, everywhere, must live in partial want.

And we are opposed to want.

So long as we deny a home on earth to others, on any street, in any town or suburb, that long do we deny our own spirit its life.

And we believe in the enrichment of the spiritual life of man.

Mr. President, let us say again, to humankind, that we will meet any task, bear any burden, assume any responsibility, face any challenge, to insure, for ourselves, for our children, for our own clear destiny, the fulfillment of the vision of America—that we have been dedicated, and that we so dedicate our posterity, to the full realization by all of us the dignity of and responsibility of each of us in the family of man.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

DEBT LIMIT INCREASE

The PRESIDING OFFICER. In accordance with the unanimous-consent agreement entered into yesterday, the Chair lays before the Senate H.R. 4573, pending business, which will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 4573) to provide for the period ending on June 30, 1967, a temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act.

The Senate proceeded to consider the bill.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

Mr. LONG of Louisiana. Mr. President, are there further amendments to be proposed to the bill?

The PRESIDING OFFICER. No further amendments are at the desk.

Mr. LONG of Louisiana. Mr. President, H.R. 4573 raises the limitation on the public debt to $336 billion. Fiscal responsibility demands that we take this action since, unless the current limitation of $330 billion is raised, the Treasury Department will be unable to pay all of the Government's bills during the months of March and April.

Your committee has amended the House bill to change the limitation from a temporary limitation to a permanent limitation. It can be argued that as a result of this change we will no longer face the prospect of a financial crisis if Congress does not again act with respect to the limitation before June 30. However, I want to make it clear that an additional increase will have to be considered before Congress adjourns if the President's budget for fiscal year 1968 is approved without substantial modification.

THE DEBT IN PERSPECTIVE

I know some of my colleagues view with alarm any further increase in the size of our national debt. Certainly, considered in isolation, the current level of the debt seems high. But I submit that we cannot view the debt in isolation but must look at it in perspective. We must look at the debt in relation to the size of the economy, the value of Federal assets, and the total debt, both public and private, of the Nation.

The debt and the economy: The simple fact is that the Federal debt has been declining steadily relative to the ability of our people to carry that debt. This is readily apparent if we compare the size of the debt to the size of the economy. The limitation of $336 billion proposed in this bill is equivalent to roughly 44 percent of the Nation's estimated gross national product for the fiscal year 1967.

Relating the debt to gross national product is significant because the Nation's production is the base upon which, ultimately, the credit of the Government rests. As the gross national product increases, the income and wealth of the Nation increases.

A debt equal to 44 percent of production represents a smaller proportion of gross national product than the debt represented in 1940 or in any year since that time. It is important to note that this means the debt will be a smaller percentage of production than before the beginning of World War II.

The ratio of the Federal debt to gross national product has fallen steadily since the peak years of World War II. At the end of the fiscal year 1946, the debt was equal to 133 percent of the gross national product; now it is equivalent to substantially less than 50 percent. The ratio has fallen nearly 20 points in the last 10 years and 12 points in the last 5 years. Approving this bill will not interrupt this trend.

Actually, the ratios I have just cited exaggerate the impact of the debt on the private economy because they are based on figures which include Federal securities held by the various Federal trust funds and by the Federal Reserve System.

In December 1966, the investment trust funds managed by the Federal Government held an estimated $68.8 billion of Federal securities and the Federal Reserve banks held an additional $44.3 billion. This total of Government-held debt of $113.1 billion is equal to approximately one-third of the total debt subject to limitation.

If this $113.1 billion had been excluded in the computations I cited earlier, it would have been clear that the impact of the privately held debt on the economy was even less than the earlier figures suggested. For example, the ratio of the privately held debt to gross national product at the end of the year 1966 is 28 percent rather than the 43 percent which is the relationship of the gross debt to production.

Per capita debt: Another important way of analyzing the size of the debt is to compare the per capita debt at various times. Naturally our debt increases as our population increases and as the demand for services increases. Measured this way, the gross Federal debt has fallen from $1,981 per capita at the end of 1945 to an estimated $1.666 at the end of 1966.

Moreover, let me point out that a per capita dollar of debt in 1945 was a much heavier burden than it is today. If the data are corrected for price changes since 1945, it becomes clear that the per capita debt has fallen by half over the period from 1945 to 1966—from $3,557 to $1,641. Furthermore, this is the total Federal debt. The publicly held Federal per capita debt, corrected for price changes—speaking in terms of 1966 dollars—fell by two-thirds during the period, from $2,901 in 1945 to $941 in 1966.

By any standard then, the debt has fallen steadily and significantly since the end of World War II in relation to the ability of our people to finance that debt.

In summary, the reduction of the per capita Federal debt as a percentage of gross national product results from three factors:

First. A growth in population.

Second. An increase in productivity.

Both of these factors are good.

Third. A third factor causing the reduction in the Federal debt on this basis is the increase in the cost of living which is generally regarded as bad.

As a rule, inflation helps those who owe money and hurts those who lend it. While this is not regarded as a good thing generally, it can be argued that it sometimes is necessary as a means of obtaining greater productivity, a better allocation of resources, and higher incomes. Those who decry the evils of inflation point appropriately to all of the bad features, which I do not deny. In perspective, though, it is also appropriate to note that inflation causes the burden of one's debt to shrink, including the burden of the Federal Government's debt.

The debt in relation to the value of Federal assets: Not only is the debt secured by the Federal authority to tax, it is also backed by a substantial volume of Government assets. This volume is so large, in fact, that the liability of the general taxpayer for the debt is largely contingent and not direct.

I have before me the latest inventory report compiled by the House Committee on Government Operations regarding Federal real and personal property, an excerpt from which I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. LONG of Louisiana. The report estimates that on June 30, 1966, the Federal Government held real and personal property valued at $347 billion. This amount was $27 billion larger than the size of the gross Federal debt at the end of that fiscal year and about $140 billion larger than the size of the net Federal debt outstanding at the present time.

While these assets may be somewhat overvalued in that depreciation is not taken into account, this is much more than offset by the fact that most of the assets are valued at cost. It is clear, for example, that the real property held by the Government is worth far more today than its value at its acquisition cost.

The Federal debt in relation to other types of debt: Finally, to those who are concerned about the size of the debt, I submit that the growth of the Federal debt ought to be the least of their worries. For while the absolute size of the Federal debt has grown, the debts incurred by the private sector of the economy, most of which are very soundly based, and by State and local governments have grown much more rapidly during the past 20 years. I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks a table contained in the recent Economic Report of the President.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. LONG of Louisiana. Mr. President, the table indicates that at the end of 1966 the total net debt incurred by corporations and private individuals was nearly four times the size of the privately held Federal debt. Moreover, while the Federal debt has declined steadily in relation to gross national product, the other types of debt have risen. Between 1946 and 1966, net State and local debt increased from 6.1 percent of gross national product to 13.2 percent, net corporate debt rose from 44.2 percent to 65.5 percent, and net individual and noncorporate debt rose from 27.4 percent to 64.3 percent.

I, for one, do not believe the balanced growth of debt, either public or private, is an unhealthy sign. In fact, for the economy to grow, credit must also grow. Our economy could not have grown the way it did during the past 25 years, and could not have provided the additional jobs and higher incomes that it did, without a commensurate increase in credit. Most of the debt incurred during this period was soundly based and provided the credit base necessary to finance the expansion of the economy. Looking to the future, as long as the debt incurred is soundly based upon increases in the output of goods and services, I think we can view with confidence any reasonable further increases in debt which, if it is not Federal debt, will be either private debt or State and local debt.

THE LIMITATION IN THIS BILL

In the perspective of the various factors I have noted, the $6 billion increase in the debt limitation provided in this bill should not be a matter of consternation. Furthermore, it is fair to say that we probably would not have to make even this increase if the Nation were not involved in the war in Vietnam.

Nevertheless, the increase in the debt limitation should be held to the $6 billion at this time as a sign of our desire to economize in Federal expenditures. It also is important to hold down the debt because of the concern of many of us about the burden of the interest payments on the Federal debt which are a consequence of the high interest rate policies followed by the Federal Reserve Board. Senators know that I believe interest rates should be reduced.

High interest rates impose an uneven burden. It is the taxpayer and the consumer who must pay the price of high interest rates. Corporations are able to pass higher interest costs on to their customers in the prices of the products they sell. But I must admit that I have not had much success convincing the Federal Reserve Board that they should take the steps necessary to drive interest rates down to a level this Senator thinks is acceptable. Therefore, I think it is especially important to keep the size of the Federal debt to a minimum.

The $336 billion limitation represents such a minimum. In mid-December, the level of the debt subject to limitation was only $149 million below the current limitation of $330 billion and the Treasury's cash balance was down to less than $1 billion. While the situation has eased somewhat since that time, the improvement is only temporary. Normally the debt subject to limitation reaches a fiscal year peak in mid-March. At this time the $330 billion limitation will be clearly inadequate and even the $336 billion limitation will provide little leeway for contingencies. In fact, the Treasury Department estimates it will briefly have to reduce its cash balance below the $4 billion level which is considered the minimum needed for efficient cash management purposes if it is to operate under a $336 billion ceiling in the middle of March.

If an increase in the limitation is not provided, the Treasury Department will not be able to pay promptly all the bills that will come due in March and April. The payments that might be deferred include tax refunds, Federal salaries, public assistance benefits, and payments to contractors for goods delivered and services rendered. Any delay in such payments would cause unnecessary personal hardships both to individuals and to businesses, and would impair this country's standing in the world financial community.

THE COMMITTEE AMENDMENT

The committee approved an amendment offered by Senator WILLIAMS to eliminate the distinction between the permanent and temporary debt ceilings. It did so by substituting the $336 billion for the present $285 billion permanent limitation in the Second Liberty Bond Act.

Under the terms of the House bill, the $336 billion temporary limitation provided in this bill would remain in effect only until the end of the fiscal year The Congress would then have to enact a new temporary debt ceiling or else the limitation would fall to $285 billion—a level that is obviously most inappropriate.

In view of the present level of the Federal debt, $285 billion is no longer a meaningful goal in the prudent management of the debt. Retention of that permanent limit makes it necessary for Congress to reconsider the temporary debt limitation at the end of each fiscal year regardless of whether or not the temporary limitation then in existence was adequate.

The committee's amendment will make it unlikely that we will have to consider a debt limit extension bill before the end of this fiscal year. Our schedule will be crowded with many bills and it may be difficult to assure passage of a new limitation before June 30. We will only have to take action on the debt ceiling when the $336 billion level becomes clearly inappropriate.

CONCLUSION

The Treasury Department very soon will be unable to manage the Government's financial affairs in a reasonable fashion unless the statutory debt limitation is increased. Under these conditions, the only fiscally responsible action for us to take is to promptly approve this increase in the limitation. Moreover, I believe I have shown that this $6 billion increase does not in any sense represent an unreasonable increase in the size of the Federal debt. I urge the prompt approval of this bill.

From the point of view of this Senator, a most impressive single figure in the performance of any administration or any Congress in its overall economic program is the percentage of change in the gross national product on a per capita basis measured in terms of constant dollars. This figure is the gross national product—a figure which represents total economic activity of all Americans—adjusted for two factors: first, the difference in purchasing power of the dollar; and second, the increase in population.

At my request, the Treasury Department has combined these figures to show annual growth in real terms after adjusting for the two factors to which I made reference. These figures indicate a growth factor of 4.3 percent during the 2 Johnson years, 3.8 percent during the Kennedy years, and 0.6 percent during the 8 Eisenhower years.

During the 20 years under Presidents Truman and Roosevelt, this percentage averaged 6.5. Almost all of this growth occurred during Roosevelt's terms and occurred in part during the wartime period. There was little growth during the Truman years, but in fairness to him, there should be taken into account the fact that it was necessary to shift from a wartime to a peacetime basis and that during this period adjustments were necessary to convert the growth realized during the wartime years to a peacetime basis. The cold figures do not reflect the herculean task which this represented.

While I do not mean to blame Hoover for all that occurred during his administration, the figures are the darkest of all during his years in office. The percentage during his administration is a minus 8.2.

I have asked the Treasury Department to provide me with figures similar to those I have referred to, but for earlier years. They will have to use a different series of figures, but they have assured me that they will supply this information so we will be able to see the trend in the growth of the economy in years before 1929.

Mr. President, I ask unanimous consent to have printed in the RECORD a table placing in perspective the net budget receipts as a percentage of the public debt at the end of each year, for the information of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 3.)

EXHIBIT 1

FEDERAL REAL AND PERSONAL PROPERTY INVENTORY REPORT (CIVILIAN AND MILITARY) OF THE U.S. GOVERNMENT, COVERING ITS PROPERTIES LOCATED IN THE UNITED STATES, IN THE TERRITORIES, AND OVERSEAS, AS OF JUNE 30, 1966

PART I

Introduction

This Federal property inventory report represents a compilation of assigned values of real and personal property owned or controlled by the Federal Government, located throughout the world, as of June 30, 1966. This comprehensive recording of assets of the Government is the 11th such report issued by the House Committee on Government Operations. The committee has issued, on an annual basis, inventory reports of federally owned real and personal properties, on a fiscal year basis, from June 30, 1955, through June 30, 1964. Early in 1965 it was determined by the chairman of the committee that future inventory reports of the committee would be issued on a biennial basis. Consequently, a report was not issued as of June 30, 1965.

The committee staff assigned to this project, aided by the experience of Government department and agency representatives, has explored inventory accounting systems employed by the Federal Government in an effort to include all assets of a department and to bring records covering such assets under accounting control. A comparison of our previous inventory reports, as listed below, shows clearly the great progress which has been made in improving accounting methods and recordkeeping operations employed in recording the amounts of real and personal property owned or controlled by the Federal Government. Constant attention is being focused on accurate and complete accounting of these assets. The utilization of up-to-date accounting systems, motivated by stimulated interest in property inventories has strengthened the efforts of Government departments and agencies in bringing inventories under accounting control. This progress, which is being observed by the public, Members of the Congress, and especially by the membership of this committee, has been most encouraging.

Comparison of reported inventory values, worldwide

[In billions of dollars]

Year	Personalty	Realty	Grand total
1955	$168	$40	$208
1956	180	56	236
1957	186	63	249
1958	195	67	262
1959	193	72	265
1960	200	76	276
1961	201	82	283
1962	213	86	299
1963	225	90	315
1964	230	94	324
1966	244	103	347

Grand recapitulation of the personalty and realty assets of the U.S. Government agencies, offices, and establishments of the Government, including the Department of Defense, as of June 30, 1966, 1964, and 1963 [1]

[In millions of dollars]

Classification	June 30, 1966	June 30, 1964 [1]	June 30, 1963
Personal property:			
Cash:			
With Treasurer of the United States	$12, 407	$11, 036	$12, 116
On hand and in banks outside the Treasury	1, 224	689	738
Investments (other than public debt)	7, 579	5, 946	5, 843
Accounts and notes receivable	6, 183	5, 179	5, 269
Commodities for sale	3, 434	4, 673	4, 942
Work in process	1, 017	812	811
Materials and supplies	8, 229	9, 098	9, 167
Loans receivable	31, 717	30, 347	28, 361
Machinery and equipment	14, 608	13, 494	13, 042
Other assets	13, 996	13, 660	11, 815
Department of Defense (equipment, supplies, stock inventories, etc.)	143, 714	134, 912	132, 577
Corps of Engineers (equipment, etc.)	311	258	244
Total, personal property	244, 419	230, 104	224, 923
Real property:			
Departments and agencies (other than Department of Defense)	23, 251	30, 206	18, 640
Department of Defense (including Corps of Engineers, civil functions)	46, 148	43, 599	43, 043
Architect of the Capitol [2]	496	471	459
Other (including construction in progress, etc.)	11, 071	10, 186	9, 849
Realty donated or otherwise acquired at no cost [2]	284	290	295
Public domain acreage and mineral resources [2]	21, 328	19, 024	18, 026
Total, real property	102, 578	93, 777	90, 312
Total, all property	346, 997	323, 881	315, 235

[1] Figures as of June 30, 1965, were not compiled.

[2] Computed at estimated present-day evaluation.

NOTE.—All properties reported are shown in gross amounts without deductions for allowances for losses and depreciation. Only wholly Government-owned corporation assets and other wholly owned assets are included. Assets held under trust arrangements and interagency assets, including public debt securities owned, are excluded. The properties have been valued at acquisition cost or estimated cost when the actual costs were not known. Public domain, donated property, and properties under supervision of the Architect of the Capitol are shown at estimated present-day values. Properties acquired as gifts or without cost to the Government are shown at estimated present-day values.

EXHIBIT 2

TABLE B-55.—*Net public and private debt, 1929–66* [1]

[In billions of dollars]

End of year [2]	Total	Federal Government and agency	State and local government [2]	Private									
				Total	Corporate			Individual and noncorporate					
					Total	Long term	Short term	Total	Farm [3]	Nonfarm			
										Total	Mortgage	Commercial and financial [4]	Consumer
1929	190.9	16.5	13.2	161.2	88.9	47.3	41.6	72.3	12.2	60.1	31.2	22.4	6.4
1930	191.0	16.5	14.1	160.4	89.3	51.1	38.2	71.1	11.8	59.3	32.0	21.6	5.8
1931	181.9	18.5	15.5	147.9	83.5	50.3	33.2	64.4	11.1	53.3	30.9	17.6	4.8
1932	174.6	21.3	16.6	136.7	80.0	49.2	30.8	56.7	10.1	46.6	29.0	14.0	3.6
1933	168.5	24.3	16.7	127.5	76.9	47.9	29.1	50.6	9.1	41.5	26.3	11.7	3.5
1934	171.4	30.4	15.9	125.1	75.5	44.6	30.9	49.6	8.9	40.6	25.5	11.2	3.9
1935	174.7	34.4	16.0	124.2	74.8	43.6	31.2	49.4	8.9	40.5	24.8	10.8	4.9
1936	180.3	37.7	16.2	126.4	76.1	42.5	33.5	50.3	8.6	41.7	24.4	11.2	6.1
1937	182.0	39.2	16.1	126.7	75.8	43.5	32.3	50.9	8.6	42.3	24.3	11.3	6.7
1938	179.6	40.5	16.0	123.1	73.3	44.8	28.4	49.8	9.0	40.9	24.5	10.1	6.3
1939	183.2	42.6	16.3	124.3	73.5	44.4	29.2	50.8	8.8	42.0	25.0	9.8	7.2
1940	189.9	44.8	16.5	128.6	75.6	43.7	31.9	53.0	9.1	43.9	26.1	9.5	8.3
1941	211.6	56.3	16.3	139.0	83.4	43.6	39.8	55.6	9.3	46.3	27.1	10.0	9.2
1942	259.0	101.7	15.8	141.5	91.6	42.7	49.0	49.9	9.0	40.9	26.8	8.1	6.0
1943	313.6	154.4	14.9	144.3	95.5	41.0	54.5	48.8	8.2	40.5	26.1	9.5	4.9
1944	370.8	211.9	14.1	144.8	94.1	39.8	54.3	50.7	7.7	42.9	26.0	11.8	5.1
1945	406.3	252.7	13.7	139.9	85.3	38.3	47.0	54.6	7.3	47.4	27.0	14.7	5.7
1946	397.4	229.7	13.6	154.1	93.5	41.3	52.2	60.6	7.6	53.0	32.5	12.1	8.4
1947	417.4	223.3	14.4	179.7	108.9	46.1	62.8	70.8	8.6	62.3	38.8	11.9	11.6
1948	433.6	216.5	16.2	200.9	117.8	52.5	65.3	83.1	10.8	72.4	45.1	12.9	14.4
1949	448.4	218.6	18.1	211.7	118.0	56.5	61.5	93.7	12.0	81.8	50.6	13.9	17.3
1950	490.3	218.7	20.7	250.9	142.1	60.1	81.9	108.8	12.3	96.6	59.4	15.8	21.4
1951	524.0	218.5	23.3	282.2	162.5	66.6	95.9	119.7	13.6	106.2	67.4	16.2	22.6
1952	555.2	222.9	25.8	306.5	171.0	73.3	97.7	135.5	15.2	120.4	75.2	17.8	27.4
1953	586.5	228.1	28.6	329.8	179.5	78.3	101.2	150.3	16.9	133.6	83.8	18.4	31.4
1954	612.0	230.2	33.4	348.4	182.8	82.9	100.0	165.6	17.6	147.9	94.6	20.8	32.5
1955	672.3	231.5	38.4	402.5	212.1	90.0	122.2	190.4	18.8	171.6	108.7	24.0	38.9
1956	707.5	225.4	42.7	439.4	231.7	100.1	131.7	207.7	19.5	188.2	121.3	24.4	42.5
1957	738.9	224.4	46.7	467.8	246.7	112.1	134.6	221.1	20.3	200.8	131.6	24.3	44.8
1958	782.6	232.7	50.9	499.1	259.5	121.2	138.4	239.5	23.3	216.2	144.6	26.5	45.1
1959	846.2	243.2	55.6	547.4	283.3	129.3	154.0	264.1	23.0	241.1	160.8	28.7	51.5
1960	890.2	241.0	60.0	589.2	302.8	139.1	163.6	286.4	25.1	261.4	174.5	30.8	56.0
1961	947.7	248.1	65.0	634.6	324.3	149.3	175.0	310.3	27.5	282.8	190.4	34.8	57.7
1962	1,019.3	255.8	73.7	689.8	348.2	161.2	187.0	341.6	30.2	311.4	210.6	37.6	63.2
1963	1,096.9	261.0	79.5	756.4	376.1	174.4	201.7	380.3	33.2	347.1	234.3	42.3	70.5
1964	1,174.3	267.2	85.2	821.9	402.6	189.2	213.4	419.3	36.0	383.3	259.5	45.4	78.4
1965	1,270.3	269.8	95.1	905.4	445.6	207.5	238.1	459.8	39.3	420.5	284.8	47.8	87.9
1966 [5]	1,368.3	274.6	101.1	992.6	500.9	235.5	265.4	491.7	42.5	449.2	304.0	50.2	95.0

[1] Net public and private debt outstanding is a comprehensive aggregate of the indebtedness of borrowers after elimination of certain types of duplicating governmental and corporate debt. For a further explanation of the concept, see Survey of Current Business, October 1950.

[2] Data for State and local government debt are for June 30.

[3] Farm mortgages and farm production loans. Farmers' financial and consumer debt is included in the nonfarm categories.

[4] Financial debt is debt owed to banks for purchasing or carrying securities, customers' debt to brokers, and debt owed to life insurance companies by policyholders.

[5] Estimate.

NOTE.—Revisions for 1929–39 and 1955–57 in the consumer credit data of the Board of Governors of the Federal Reserve System have not yet been fully incorporated into this series.

Sources: Department of Commerce (Office of Business Economics), Treasury Department, Department of Agriculture, Board of Governors of the Federal Reserve System, and Federal Home Loan Bank Board.

EXHIBIT 3

Administrative budget receipts and the public debt, fiscal years 1940–68

[In millions]

Fiscal year	Net budget receipts	Public debt at end of year	Receipts as percentage of debt
1940	$5,137	$48,497	10.6
1941	7,096	55,332	12.8
1942	12,547	76,991	16.3
1943	21,947	140,796	15.6
1944	43,563	202,626	21.5
1945	44,362	259,115	17.1
1946	39,650	269,898	14.7
1947	39,677	258,376	15.4
1948	41,375	252,366	16.4
1949	37,663	252,798	14.9
1950	36,422	257,377	14.2
1951	47,480	255,251	18.6
1952	61,287	259,151	23.6
1953	64,671	266,123	24.3
1954	64,420	271,341	23.7
1955	60,209	274,418	21.9
1956	67,850	272,825	24.9
1957	70,562	270,634	26.1
1958	68,550	276,444	24.8
1959	67,915	284,817	24.5
1960	77,763	286,471	27.1
1961	77,659	289,211	26.8
1962	81,409	298,645	27.3
1963	$86,376	$306,466	28.2
1964	89,459	312,526	28.6
1965	93,072	317,864	29.3
1966	104,727	320,369	32.7
1967 [1]	116,995	327,300	35.7
1968 [1]	126,937	335,400	37.8

[1] Estimated.

Source: Economic Report of the President, January 1967, table B-60, p. 284.

Mr. SMATHERS. Mr. President, I would like to speak briefly about a matter of great urgency which is now before this Congress—H.R. 4573, which would provide an increase in the permanent national debt ceiling, raising the present permanent ceiling level of $285 to $336 billion. The present temporary ceiling is $330 billion, and passage of this bill would effect an actual increase of $6 billion.

Some statistics are necessary, I feel, Mr. President. Last May, the Secretary of the Treasury appeared before the House Ways and Means Committee and requested a $4 billion increase in the existing temporary $328 billion borrowing authority to a temporary level of $332 billion, to carry through fiscal 1967.

Congress, perhaps more "economy-minded" when it comes to voting on raising the debt limit than it is more apt to be on new legislation which affects its constituents, reduced that request by $2 billion—voting the current temporary $330 billion.

Before 6 months had passed—in late November—the Treasury was in trouble. The debt was remaining very close to the statutory ceiling, forced there by increased war costs and higher interest rates. By mid-December, before quarterly corporate taxes came in, the debt was only $149 million under the $330 billion ceiling. Even more disturbing, the Treasury's operating balance—excluding gold—was just $916 million—more than three-fourths short of the $4 billion level generally considered as "normal" for cash management endeavors.

A brief respite to Treasury's money woes came by the end of December. The debt limit was down a fraction—to $329,548 million, and the cash operating balance, thanks to corporate tax and other receipts, was up to the acceptable level of $4,511 million.

But now another crisis is with us. The cash balance is rapidly declining as obligations authorized by Congress, some long ago, are coming due. The Treasury will have to institute cash borrowing this month to meet these just debts.

While it is not my purpose to bring the specter of a previous administration's debt management into this discussion, I am confident that many businessmen will agree that when the Government was forced to slow down payments on its contracts because of an inadequate debt limit in fiscal year 1958, the slowdown had a significant effect on the recession of that year.

The current decade has been one of prosperity and all trends point to future economic betterment, even while we fight a difficult war on distant shores, and still try to maintain our domestic responsibilities.

What are the consequences if we fail in our obligations to raise the debt limit before the end of this month?

First, the Treasury will have to reduce payments for goods and services. Contracts for these, it should be noted, were approved by Congress and many are vital to the Nation's well-being.

Second, in the first half of next month, our Government would be able to pay only about one-half of the total amount of anticipated bills coming due. Among payments that would be in jeopardy, affecting millions of persons are veterans' payments, disability benefits, and retirement pay, both civilian and military.

Many more millions of fellow Americans would be affected one way or another, if they are to receive Federal salaries, tax refunds, public assistance benefits, medicare payments, unemployment benefits, payment to farmers for agricultural benefits, and payment on Government contracts for needed supplies, services and construction for civilian and military purposes.

I bring these facts to your attention. I am not saying, by listing these payments, that the Government would not be able to make each of them. Nor am I saying that the Government would not be able to make any particular one of them. I, however, would be less than frank if I did not point out the vast range of Government payments which would be placed in jeopardy.

To be sure, none of the payments would be lost forever. Over certain periods of time, our Government's cash balance would be used for these obligations. But there could be delays. And to millions of Americans who are accustomed to getting prompt benefit payments, salaries, refunds, and payments for services to their Government, the certainty of eventual payment would be little consolation for delay—especially when they have their own just obligations coming due at the same time.

I again urge support for this legislation. This is a matter of great urgency. The potential harm to the Nation's economy and to our position in the world economy which would result from our failure to honor our legal and contractual obligations is self-evident. Unless the debt limit is increased by the end of February, at which time we can legally borrow, the possibility of economic and monetary derangement may become a reality. In view of these critical circumstances, I urge each and every Senator to vote for this bill.

In the consideration of raising the national debt ceiling the question arose both in the House Ways and Means Committee, and in the Senate Finance Committee as to whether or not certificates of participation should be placed under the debt limit.

I made inquiry concerning this matter with the Bureau of the Budget and have received a very detailed reply under date of February 20 signed by Phillip S. Hughes, Deputy Director.

I ask unanimous consent to have the correspondence printed in the Record because I feel certain it will be of interest to all Members of the Senate and House of Representatives.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Executive Office of
the President,
Bureau of the Budget,
Washington, D.C.

Hon. George A. Smathers,
U.S. Senate,
Washington, D.C.

Dear Senator Smathers: This is in reply to your letter of February 17, 1967, concerning the question of whether or not certificates of participation should be placed under the debt limit.

As you know, this very question was raised and was explored in detail during the recent hearings of the House Ways and Means Committee and the Senate Finance Committee on the debt limit. At that time, the Secretary of the Treasury and the Director of the Bureau of the Budget testified that, in their opinion, inclusion of participation certificates under the debt limit would be inconsistent with the governing debt limit statute, i.e., the Second Liberty Bond Act, as well as traditional budget accounting practices.

Participation certificates issued by FNMA, as trustee for five different departments and agencies, represent beneficial interest in various types of outstanding loans and bear a guarantee by FNMA of timely interest and principal payments to investors. In this regard, the Attorney General ruled on September 30, 1966, that "FNMA's guaranty of a participation certificate brings into being a general obligation of the United States backed by its full faith and credit." In this context, we believe that participation certificates represent contingent liabilities of the United States and not direct or guaranteed debt subject to statutory limitation.

Secretary Fowler summarized the implication of the Attorney General's ruling for the debt limit when he testified before the House Ways and Means Committee: "For purposes of inclusion in the debt limit, there is a traditional and a long-recognized distinction between obligations guaranteed by the United States and obligations guaranteed by agencies of the United States. There are included in the debt subject to limit all obligations which by statute—and that is very important—by statute are guaranteed as to principal and interest by the United States.

"There are not included obligations issued or guaranteed by agencies of the United States which are not by express statute guaranteed by the United States. The distinction between obligations which are by statute guaranteed by the United States and obligations which are not by statute guaranteed by the United States, even though some of the latter are guaranteed by agencies of the United States has been consistently followed in determining what is included in the debt subject to limit."

Moreover, in a ruling dated February 3, 1967, the Attorney General said "It is thus apparent from the expressed purpose of the Congress as well as the mechanics of carrying out such purpose, that in marketing participation certificates FNMA is selling ownership interests in mortgage notes and similar assets, rather than borrowing money. Consequently, the participation certificates do not represent debts which should be taken into account in applying the limitation of Section 21." [of the Second Liberty Bond Act]

In sum, it is our opinion that participation certificates issued by FNMA, together with the guaranty by that agency, constitute contingent liabilities of the United States much as the total of $99 billion of outstanding guaranteed and insured loans on June 30, 1966. Of this total, $53 billion are FHA insured mortgages, $31 billion are VA guaranteed mortgages, $5 billion are guaranteed public housing loans, $3 billion are Export-Import Bank guaranteed loans, $1 billion are Farmers Home Administration insured loans, and the remainder are scattered over many other programs as shown in table E–2, page 61, of the enclosed reprint.

Under present budget practice, wherein loan disbursements count as budget expenditures, the sale of participations are treated in the same way as regular repayments to loan revolving funds, i.e., they offset loan expenditures. In the year the original loan was made, the expenditure for that loan was included in the total of budget expenditures and thereby reflected in the budget surplus or deficit and in the public debt for that year. To count it again as part of the public debt when a beneficial interest is sold through a participation certificate would, in our view, be counting it twice.

As you know, the President, in his Budget Message, proposed to seek the advice on the whole subject of budgetary concepts from a bipartisan group of experts. We can assure you, as we have other members of the Congress, that the budget treatment of Federal lending operations, including participation sales, will receive full consideration.

Sincerely,

Phillip S. Hughes,
Deputy Director.

Mr. CURTIS. Mr. President, we are called upon to increase the debt limit to the Federal Government. It is a sad occasion. These requests by the President to increase the bonded debt of the United States come with the same regularity as winter weather.

If there are people in the executive branch who believe that a balanced budget is in the national good, and I am sure there are many, their voice is not heard. Others no doubt accept the premise that a balanced budget is a good thing but they say "not now." It would appear that their desire to spend now and propose a balanced budget at a future time prevails. There is always some reason for postponing the obligation of putting our financial house in order.

Regrettably, there are others who are unconcerned about the rising debt, the future commitments on our Treasury, and the inflation and other problems that will ensue.

Spenders always find a justification for their actions. At the present time, they say that the debt must be increased because of the Vietnam war. I emphatically declare to you that that is not true. It is the continuous increasing of domestic civilian spending that is the most marked. We are faced with an increasing debt because more and more Government programs have been enacted, and because more and more new programs and more and more new spending are proposed for the future.

Mr. James Reston wrote an article for the New York Times which was reproduced in the February issue of the Reader's Digest. It is entitled "Chaos in the Great Society." Among other things Mr. Reston said:

> The Administration has put through more social and economic programs in the last two years than it can absorb. The 89th Congress alone passed 21 new health programs, 17 new educational programs, 15 new economic-development programs, 12 new programs for the cities, 17 new resource-development and four new manpower-training programs.

Mr. President, I stated that this increase in the national debt limit was not necessary because of the war in Vietnam. Here are the facts in a nutshell:

The expected Federal revenues for the fiscal year which will begin July 1st amount to $126.9 billion. The projected expenditures for the Department of Defense, including the Vietnam war and the military assistance program, amount to $73.1 billion. In fiscal 1961 there were $44.7 billion—I am referring to the expenditures of the Department of Defense—so that the Vietnam war costs that have accrued since fiscal year 1961 amount to $28.4 billion. In other words, the whole Vietnam war is adding to the cost of our defense system the sum of $28.4 billion.

The expenditures for fiscal year 1961 amounted to $81.5 billion. If to the expenditures for fiscal year 1961 of $81.5 billion there is added the cost of the Vietnam war of $28.4 billion, we have a total of $109.9 billion. This is $15 billion below what the Director of the Bureau of the Budget estimates we will collect in revenues in the next year. The budget for fiscal year 1961 was not an austere one. For the domestic civilian expenditures we could go over the fiscal year 1961 expenditure mark by $15 billion and do so without a deficit, without increased taxes and without an increase in the debt limit.

The bill before the Senate would raise the statutory limit on the Federal debt by $6 billion, from $330 to $336 billion.

This will be the ninth time the limit on the Federal debt has been raised in the 5½ years since June 1961.

This is not all. The administration says frankly that it will be back before June 30, asking that the limit be raised again.

With this $6 billion increase, the debt limit will have been raised $43 billion in less than 6 years.

In these relatively few years the limit has passed the $300 billion level, and jumped more than a third of its way toward $400 billion.

This is the direct bonded debt and has nothing to do with the contingent debt; and that is a sizable item.

The administration was given a $6 billion increase in the debt ceiling last June.

In its first debt increase request this year the administration asked for another $7 billion raise in the statutory debt limit.

The $6 billion increase provided in this bill, as approved by the Ways and Means Committee, the House of Representatives, and the Senate Finance Committee, reduces the administration's first debt limit request this year by $1 billion.

In requesting the increase last June, and again now, the administration's emphasis is almost exclusively on need for more debt arising from the increasing costs of the Vietnam war.

In addition, the administration is requesting a $5.5 billion increase in Federal taxes—also in the name of the Vietnam war.

Certainly, I shall vote for every dollar needed to support our half million American fighting men in the Vietnam war zone.

But the administration's Vietnam war justifications for more debt and taxes are notable for their omission of other Federal expenditures, which are just as responsible as Vietnam for the huge deficits facing us.

They omit reference to profligate spending in domestic-civilian programs which have been increased by 81 percent since 1961, and are still going up at an unbelievable rate.

When this Congress was convened last month, the administration was waiting for it with requests for—

First, a $5.5 billion increase in taxes;

Second, a $7 billion interim increase in the debt limit; and

Third, a $7.8 billion increase in expenditures for strictly domestic-civilian Federal programs, compared with actual outlays for these activities in the year ended last June 30.

When I say Federal expenditures for "strictly domestic-civilian activities," I am talking about expenditures exclusive of those for military functions, exclusive of those for military and economic foreign aid, and even exclusive of those for interest on the Federal debt.

When I talk about "strictly domestic-civilian activities," I am talking about activities like the poverty program, and others in the budget under the heading health, labor, and welfare where the President wants to spend $11.3 billion in the coming fiscal year. This is an increase of $3.7 billion over what the Government spent in these programs last year.

I am talking about programs like the urban renewal and community facilities activities budgeted under the heading housing and community development, where the President wants to spend more than $1 billion in the coming fiscal year. This is nearly three times as much as was spent in these programs last year.

It is in strictly domestic-civilian programs such as these that the President, in the coming fiscal year, plans to spend $43.6 billion. This is $7.8 billion more than the $35.8 billion actually spent in these programs last year.

This $7.8 billion increase in domestic-civilian spending is nearly $1 billion more than the $7 billion increase in the debt limit now requested by the administration.

This $7.8 billion increase in domestic-civilian spending is nearly $2 billion more than the $6 billion increase in the debt limit provided in the pending bill.

It is also nearly $2.5 billion more than the $5.5 billion increase in Federal taxes which the administration is requesting at the same time.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question at that point?

Mr. CURTIS. I yield.

Mr. LAUSCHE. If the spending set forth in the measures which the Senator has just mentioned is in excess of the debt limitation proposed in the pending bill, what will be the problem confronting the Senate within the next several months? Will there be another bill to again raise the debt ceiling?

Mr. CURTIS. The administration has announced that it will be here again before June.

Mr. LAUSCHE. Will the Senator repeat those figures as to how the spending program exceeds the present debt limitation set forth in the pending bill?

Mr. CURTIS. We are talking about domestic spending alone. Excluding interest on the debt, excluding military expenditures, excluding foreign aid and foreign military aid, for these civilian programs the President plans to spend $7.8 billion more than last year.

The pending bill raises the debt limit only $6 billion. The President's request for taxes will bring only an additional $5.5 billion. So there is no such thing as a balanced budget, or there is no suggestion that the administration will not be before us requesting Congress to raise the debt limit.

Mr. LAUSCHE. The present debt limit is $330 billion, which is temporary, and the bill before us would give authority to raise that limit to $336 billion.

Mr. CURTIS. That is correct. It would raise the limit to $336 billion. The present debt limit is $330 billion, I think.

Mr. LAUSCHE. But it is already said that the $336 billion limit will again have to be raised in the next several months.

Mr. CURTIS. Yes. There is one difference, and I call the Senator's attention to a very important amendment adopted by the Finance Committee. The past acts of the Congress dealing with the national debt limit have had a $285 billion debt limit, and the amount needed above that was a temporary limit. So if Congress did not act, it would have repudiated businesslike management of debts that already existed in the form of debts in excess of $285 billion. The Senate Finance Committee adopted an amendment proposed by the distinguished Senator from Delaware [Mr. WILLIAMS] which makes the debt limit of $336 billion permanent, and eliminates the present permanent debt limit.

So if this bill becomes law, and the House accepts it, Congress will not have a revolver at its head that "you must raise the debt limit."

Mr. LAUSCHE. The fact is that if the expenditures are in excess of $336 billion, the debt limit will have to be raised, but only in the amount that the debt exceeds the $336 billion. But I wish to put this question——

Mr. CURTIS. May I say right there, the Senator is correct. It is spending that creates debts, not the action on this resolution. This resolution authorizes the Secretary of the Treasury to borrow enough money to pay the bills.

Mr. LAUSCHE. Yes. The present permanent debt limitation is $285 billion; is that correct?

Mr. CURTIS. That is correct—$285 billion.

Mr. LAUSCHE. And for the last decade, we have been raising the debt limit; but calling it temporary?

Mr. CURTIS. Yes.

Mr. LAUSCHE. Is there anything temporary about it, or is it like the remark of the Senator from Louisiana [Mr. ELLENDER] yesterday that there is nothing more permanent than a temporary committee?

Mr. CURTIS. I think there is a great deal to that. I wish to say this about deficits and debt: The defenders will bring forward all sorts of explanations. They will say our gross national product, our national income, is increasing, and therefore, percentagewise, our debt is not any more than it used to be. They will cite the increase in population, and say that the per capita debt is not as great.

The fact remains that the debt goes on and on increasing, and one of the biggest burdens that we have each year is to pay the interest on it. The fact also must be faced that the reason we have an increasing debt is because there are officeholders who want to spend now and have somebody else pay later.

This time they blame it on the Vietnam war. But as I said earlier in my remarks, we are not faced with the necessity of this action because of the Vietnam war. We could take the total expenditures of fiscal 1961, add to them the $28.4 billion that the Vietnam war is costing in excess of the military expenditures of that time, and we would still have revenues of $15 billion to absorb the expansion in Government since 1961.

Mr. LAUSCHE. I disagree with one statement just made by the Senator. He said the present officeholders. I have been in the Senate for 10 years, and except for the last 2 years of the Eisenhower administration, the spending went on wildly all the time. In the last 2 or 3 years of the Eisenhower administration, he began vetoing bills, and I think we had 1 year of surplus. But all of the other years were loaded with deficits.

What is the annual interest load borne by the taxpayers of the United States? Is it $14 billion a year?

Mr. CURTIS. The estimate for the fiscal year 1968 is $14.2 billion.

Mr. LAUSCHE. That is, each year the taxpayer has to pay $14.2 billion solely to meet the interest obligation?

Mr. CURTIS. That is correct insofar as 1968 is concerned.

Mr. President, omission of increases in domestic-civilian spending from the administration's justification for its proposal to raise both debt and taxes becomes even more glaring if we look at the spending levels in these programs when the Vietnam war started.

The first U.S. ground combat troops went in to Vietnam in March 1965. This was in fiscal year 1965.

In fiscal year 1965 Federal spending in these same domestic-civilian categories totaled $33.7 billion. In the coming year the President plans to increase these expenditures by nearly $10 billion.

Between 1965 and the estimates for the coming year, the Federal debt will have risen by some $17 billion, and interest on the debt will have risen by nearly $3 billion from $11.4 billion to $14.2 billion.

The President is asking for a total of $12.5 billion in his combined requests for a $7 billion increase in the debt limit and a $5.5 billion increase in taxes.

If Federal domestic-civilian expenditures were held to their level of 2 years ago, when the Vietnam war started, and if the debt costs were reduced by the amount for which domestic-civilian expenditure increases are responsible, the need for the present administration's requests to increase debt and taxes would virtually disappear.

The facts are that Federal spending for domestic civilian programs has increased every year since 1961. It has increased by a total of nearly $20 billion—from $24 billion in 1961 to an estimated $43.5 billion in the coming year.

And, over the same period, there has been a Federal deficit in every year.

As a member of the Senate Finance Committee, I have a vivid recollection of the tax reduction act which we passed just 3 years ago in 1964.

The preamble to that act—which is still the law—says in part:

> To further the objective of obtaining balanced budgets in the near future, Congress by this action recognizes the importance of taking all reasonable measures to restrain government spending and urges the President to declare his accord with this objective.

Mr. President, I have listened a long time to declarations of the President which, if carried out, would be in accord with this noble objective. But I wonder if anyone in the administration has looked at this provision in the law since the day the bill was signed.

The continuing increases in Federal domestic civilian expenditures and Federal deficits to which they have been heavy contributors are reason enough to assume that the administration has moved with disregard to this stated policy of Congress.

If it is necessary to have more evidence, it can be found in the increasing number of employees in Federal civilian agencies.

Since the enactment of that law, Federal employment—outside of the civilian employment in the military agencies—has been increased on an average of 53,000 a year, or about a thousand a week.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. CURTIS. I yield.

Mr. LAUSCHE. Mr. President, I do not know whether I correctly heard what the Senator said when he was reading from the tax reduction bill of 1964. Was it said at that time that we would reduce taxes and expenses at the same time?

Mr. CURTIS. The Senator is correct.

Mr. LAUSCHE. Mr. President, would the Senator please read what Congress said in 1964 concerning reducing expenses so as to justify the reduction in taxes?

Mr. CURTIS. I should be happy to do so. The quotation that I referred to reads:

> To further the objective of obtaining balanced budgets in the near future, Congress by this action recognizes the importance of taking all reasonable measures to restrain Government spending and urges the President to declare his accord with this objective.

Mr. LAUSCHE. Mr. President, what evidence has there been of an actual attempt to cut expenses so as to conform with that noble, high-sounding language contained in the Tax Reduction bill of 1964?

Mr. CURTIS. Permit me to refer to some figures that I cited a while ago. This is from Mr. James Reston, of the New York Times, as reproduced by the Reader's Digest. It reads:

> The administration has put through more social and economic programs in the last two years than it can absorb. The 89th Congress alone passed 21 new health programs, 17 new educational programs, 15 new economic development programs, 12 new programs for the cities, 17 new resource-development and 4 new manpower-training programs.

We cannot go on and on and enlarge the scope of Government and increase the number of Government employees by 1,000 a week and then balance the budget by saving carbon paper and turning out the lights in the White House.

We have big costs of government because of the expansion of the Government. We are faced now with a very serious situation with reference to the crime conditions in the country.

Law-abiding people are driven to their homes night after night as hostages and the criminals run loose. What kind of a solution is proposed? It is proposed that Uncle Sam get out his checkbook.

We have a proposal before us that the Federal Government subsidize police forces in our various cities and towns.

What will this amount to 10 years from now or 50 years from now?

The 168,000 increase in employment by civilian agencies over 3 years is in addition to an increase of 190,000 in civilian employment by the military departments and agencies.

The total employment of civilians in the Federal Government since 1964 has increased by 358,000.

The increase in all civilian employment by the Federal Government in 5 years since 1961 has totaled nearly a half million—nearly 200,000 in the military departments and agencies, and nearly 300,000 in the civilian agencies.

This is an increase in the total of more than 20 percent—19 percent in the military departments and agencies, and nearly 22 percent in the civilian agencies.

The Federal civilian payroll is now running at a rate in excess of $20 billion a year—$9 billion for civilian employees in military departments, and $11 billion for employees in civilian agencies.

In fiscal year 1961, civilian payroll costs totaled $13.6 billion—$6 billion for civilian employees in military departments, and $7.6 billion for employees of the civilian agencies.

Mr. President, what the Senate should be doing today is serving notice on the President that his many new programs proposed for the future are not going to be accepted unless they are vital to the security of the United States, and we should also serve notice that the unprecedented expansion of Government in the 89th Congress has to be trimmed to come within the expected revenues. Then we would need neither a tax increase nor a raise in the debt limit, nor would we incur a deficit.

Mr. President, I ask unanimous consent that there be printed in the RECORD a comparison of Federal expenditures from the fiscal year 1961 through fiscal year 1968, inclusive, a table showing the number of Federal employees from December 1960 through December 1966, and a table showing the annual Federal expenditures for civilian payroll in the executive branch for the fiscal years 1954–66.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Federal expenditures, fiscal year 1961–68

[Dollar amounts in millions]

Category	1961	1962	1963	1964	1965	1966	1967 estimate	1968 estimate	Comparison, 1961–68	
									Amount	Percent
Military:										
Military functions, DOD	$43, 227	$46, 815	$48, 252	$49, 760	$46, 173	$54, 409	$66, 950	$72, 300	+$29, 073	+67. 3
Military assistance	1, 449	1, 390	1, 721	1, 485	1, 229	968	1, 000	800	−649	−44. 8
Total, military	44, 676	48, 205	49, 973	51, 245	47, 402	55, 377	67, 950	73, 100	+28, 424	+63. 6
Economic foreign aid	3, 750	4, 077	3, 866	3, 528	3, 937	3, 648	4, 031	4, 202	+452	+12. 1
Interest on the debt	9, 050	9, 198	9, 980	10, 765	11, 435	12, 132	13, 508	14, 152	+5, 102	+56. 4
All other	24, 039	26, 307	28, 823	32, 146	33, 733	35, 821	[1] 41, 240	[1] 43, 579	+19, 540	+81. 3
Total expenditures	81, 515	87, 787	92, 642	97, 684	96, 507	106, 978	[1] 126, 729	[1] 135, 033	+53, 518	+65. 7
Examples of areas of increase in nonmilitary, other:										
Health, labor, and welfare	4, 200	4, 481	4, 715	5, 381	5, 797	7, 574	10, 389	11, 304		
Education	943	1, 076	1, 244	1, 339	1, 544	2, 834	3, 304	2, 816		
Natural resources	2, 100	2, 264	2, 506	2, 658	2, 851	3, 120	3, 226	3, 518		
Space	744	1, 257	2, 552	4, 171	5, 093	5, 933	5, 600	5, 300		
Total receipts	77, 659	81, 409	86, 376	89, 459	93, 072	104, 727	116, 995	126, 937		
Deficit	−3, 856	−6, 378	−6, 266	−8, 226	−3, 435	−2, 251	−9, 734	−8, 096		

[1] Includes allowances and contingencies: $100,000,000 in 1967 and $2,150,000,000 in 1968.

Federal civilian employment

Date	Department of Defense (civilian employees)	Agencies except Department of Defense	Total
December 1960	1, 032, 134	1, 324, 603	2, 356, 737
1961—June	1, 042, 495	1, 376, 609	2, 419, 104
December	1, 059, 161	1, 371, 837	2, 430, 998
1962—June	1, 069, 606	1, 426, 889	2, 496, 495
December	1, 066, 888	1, 419, 740	2, 486, 628
1963—June	1, 050, 024	1, 459, 684	2, 509, 708
December	1, 043, 447	1, 444, 409	2, 487, 856
1964—June	1, 029, 841	1, 451, 741	2, 481, 582
December	1, 019, 422	1, 466, 349	2, 485, 771
1965—June	1, 033, 796	1, 474, 323	2, 508, 119
December	1, 057, 528	1, 493, 214	2, 550, 742
1966—June	1, 138, 191	1, 599, 856	2, 738, 047
December	1, 229, 823	1, 612, 668	2, 842, 491
Increase between December 1960 and December 1966	+197, 689	+288, 065	+485, 754
Percent increase	+19. 1	+21. 7	+20. 6

Source: Reports of the Joint Committee on Reduction of Nonessential Federal Expenditures.

Annual Federal expenditures for civilian payroll in executive branch, fiscal years 1954–66

[In millions, rounded]

Fiscal year	Civilian agencies	Defense Department[1] (civilian employment)	Total
1954	$4, 865	$4, 588	$9, 453
1955	4, 921	4, 700	9, 621
1956	5, 359	5, 167	10, 526
1957	5, 602	5, 399	11, 000
1958	6, 040	5, 415	11, 455
1959	6, 564	5, 766	12, 330
1960	6, 877	5, 760	12, 637
1961	7, 622	6, 026	13, 648
1962	7, 978	6, 318	14, 296
1963	8, 743	6, 603	15, 347
1964	9, 387	6, 818	16, 205
1965	10, 137	7, 102	17, 239
1966	10, 974	7, 732	18, 706
1967 estimated			19, 500

[1] Excludes U.S. pay for foreign nationals not on regular rolls (totaling $323,000,000 for fiscal year 19 6).

LEGISLATIVE REORGANIZATION ACT OF 1967

The **PRESIDING OFFICER** (Mr. KENNEDY of Massachusetts in the chair). The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which the clerk will state by title.

The LEGISLATIVE CLERK. A bill (S. 355) to improve the operation of the legislative branch of the Federal Government, and for other purposes.

DEBT LIMIT INCREASE

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the unfinished business be laid aside temporarily and that the Senate resume the consideration of H.R. 4573.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The Senate resumed the consideration of the bill (H.R. 4573) to provide, for the period ending on June 30, 1967, a temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act.

Mr. THURMOND. Mr. President, I ask for the yeas and nays on final passage of the bill.

The yeas and nays were ordered.

Mr. THURMOND. Mr. President, it is with a clear conscience that I rise in opposition to H.R. 4573, which proposes to raise the permanent debt limit from its present $285 billion to $336 billion.

In 1947, the permanent debt ceiling was $275 billion, and that remained the permanent debt ceiling until 1960. In 1960, the permanent ceiling was raised to $285 billion, and H.R. 4573, as passed by the House of Representatives, contemplated the continuation of this amount as the permanent ceiling. The Committee on Finance of the Senate, however, has recommended raising the permanent debt ceiling to $336 billion, which is the amount that the House of Representatives recommended for the temporary ceiling. In my view, this action of the Committee on Finance is particularly unfortunate.

Over the years, every time a bill to raise the debt ceiling has been before the Senate, it has been argued that there is no alternative to approving the measure. This argument is based on the view that the debt ceiling itself does not create the debt and that lowering the debt ceiling or even keeping it constant would have little or no consequence on the total amount of Federal debt outstanding. The argument is advanced that the adoption of legislative proposals authorizing expenditures and appropriation bills appropriating funds from the Treasury in excess of available revenue require additional borrowing authority, thereby necessitating an increase in the debt ceiling.

This argument is persuasive upon those who have supported and intend to continue supporting extravagant Great Society programs in the sure knowledge that the funding of these programs must come from borrowed money. Members of Congress who have been a party to approving these legislative proposals unquestionably feel an obligation to support the proposals to raise the debt ceiling. On the other hand, I feel no such obligation.

Mr. President, I am sure that by now everyone is familiar with the Keynes theory of economics which was adopted by U.S. Government economists back in the 1930's. The economic philosophy prevalent in the administration today goes far beyond the Keynes philosophy. Lord Keynes recognized the need for balancing the budget and decreasing the national debt in periods of prosperity, while at the same time advocating tremendous amounts of Government outlay during periods of recession. This country has been enjoying a period of prosperity in the last few years, and with it has consistently failed to balance its budget or even make an attempt to do so.

Steps should and must be taken to finance Government operations with the revenues taken in. Neither this country nor any other country can continually live beyond its means and add to its national debt without undercutting its economic stability and inviting periods of rampant and galloping inflation.

The debt ceiling has always covered only a portion of the total Federal debt. This portion is called the formal debt of the United States and is that part funded through the flotation of Government bonds which carry the full faith and credit of the U.S. Government. There has always been a significant part of the real debt of the Government which has not been covered by the debt ceiling. With the passage of the Sales Participation Act of 1966, an even larger portion of the Government's debt will not be covered by the debt ceiling. The President has made known his intentions of relying very heavily upon the device authorized in this bill to finance many Government lending programs. The consequence of this device is that the debt ceiling limitation has even less meaning at the present time than it has had in the past. The debt ceiling should cover all the outstanding debts of the Government, and we should be in the process of lowering it rather than raising it.

This Nation cannot continue to live beyond its means, year after year, and not expect to have to face the consequences eventually. The economic and financial stability of our Government stands as a bulwark against the forces of communism which are attempting to enslave all the people of the free world. History records many nations which have fallen by the wayside because of unsound fiscal and monetary policies. If the United States continues down the path we are following at the present time, we will surely reap economic chaos and disaster.

Mr. WILLIAMS of Delaware. Mr. President, we are ready for the third reading, are we not?

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? The yeas and nays have been ordered.

Mr. WILLIAMS of Delaware. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HARTKE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARTKE. Mr. President, as the Secretary of the Treasury pointed out in his statement before the Finance Committee:

> Unless the debt limit is increased by the end of February . . . the possibility of an economic and monetary derangement could be a grim reality.

I do not want my vote for this measure to be misinterpreted as a vote for the operation of "government by crisis." We will vote for this proposal in order to insure that the legally contracted payments of the Federal Government will not be interrupted.

However, the need for this type of action reveals a problem of far greater significance than raising the temporary ceiling to $336 billion, with the gun at our head I might add. The necessity of raising again the debt limit in the middle of the fiscal year reveals a colossal $10 billion blunder in the financing of the war in Vietnam—a blunder, the magnitude of which I attempted to convince the administration last summer. Because of this massive error and the inability of Congress to take appropriate remedial actions, I submit that we have witnessed a gross "economic and monetary derangement," which will not be alleviated by an increase in the debt ceiling.

While we were conducting hearings before the Committee on Finance, the Federal Reserve Board announced that the index of industrial production for January had dropped to 157.9, which means that the economy has marked time since August, when the industrial index was 158.

The urgency of this legislation forbids a thorough examination of these complex issues at this time. But let us make no mistake, the magnitude of the financing of the war in Vietnam and the manner in which it has been executed has distorted at both ends what last year was an economy with a stable rate of growth. We are all aware of the signs of downturn—in the housing industry, in auto production, in retail sales, in the accumulation of inventories, in the fact that after 12 successive quarters in which businessmen boosted actual capital expenditures over planned outlays, business is now spending far less than planned in this type of investment. There has been a dangerous squeeze on business, with this downturn in investments and profits. On the other hand, the earnings of industrial wage employees barely kept pace with the increase in the price level in 1966.

The pace of expansion has been disrupted, and as the First National Bank of New York warned in its January economic letter:

> Once the rhythm of expansion is broken, it takes time to reverse the process.

We must carefully direct our attention to devise the appropriate fiscal and monetary policies to reverse this disruption instead of adding to it.

Mr. BYRD of Virginia. Mr. President, today we consider an increase in the debt ceiling from the present figure of $330 to $336 billion.

Secretary of the Treasury Fowler says the additional borrowing authority is needed to bail the Treasury out of a $9.7 billion deficit and to permit it to pay its bills for the rest of this fiscal year ending June 30.

A return trip is promised later, when yet another increase will be sought to meet the estimated $8.1 billion deficit for 1968.

The Treasury Secretary envisions an $18 billion deficit for the 2 years ending June 30, 1968, despite a recommended tax increase of $6 billion.

Is it not about time to recall the meaning of the words "debt ceiling"? When this procedure was first instituted, it had a meaning. It was the Congress saying to the Executive, "This is as much debt as you can load upon the backs of the American taxpayers." "Stop here," it says. In the intervening years the significance of the words have drained away.

To put it in perspective, the pending legislation would permit the Treasury Department to borrow an additional $6 billion through the traditional borrowing methods, which notes are general obligations of the United States. In addition, the Treasury plans to take a back-door approach outside of the debt ceiling, and to borrow through the participation certificate device an additional $2 billion.

So the facts are that the Treasury seeks to borrow an additional $8 billion, $6 billion of which will be under the debt ceiling and $2 billion of which will not be.

As to whether the additional $2 billion should be subject to the debt limitation is a complicated subject with which I will deal on another occasion. But everyone knows that the $2 billion will have to be repaid, and with interest.

When the participation certificates legislation was before the Congress last year we were told—and when the certificates were sold the prospectus clearly stated—that they were not general obligations of the Treasury. That was in June of 1966. But when a billion dollars worth of these participation certificates were sold last month the buyers were told that they do constitute general obligations of the U.S. Government. What are we to believe?

Now, in regard to the pending legislation, Secretary Fowler, in his presentation to the House Ways and Means Committee, made it clear that he would consider a vote against his request an irresponsible act, and that even a delay for such congressional indulgences as debate and amendment would not be tolerated. The Congress was instructed that we have no choice; we must accept the debt limit increase or bear the responsibility for the financial chaos that will follow.

Where does the responsibility really lie?

First, let me say this: Henry H. Fowler, a native of Roanoke, Va., and a resident of Virginia, is a man of ability. He is, I suppose, my highest ranking constituent. He is a fine man and one I hold in high esteem.

But my concern today is the Nation's fiscal program and what I regard as a reckless policy of Federal spending.

Consider these facts: During the past 4 years Federal spending has been increased by 40 percent. It is true that we are fighting a war, but nearly half of the increase is for domestic spending programs.

Another important fact is that the interest on the national debt—just the interest—is $14 billion annually.

Tha amount of money would pay the cost of the State of Virginia—population 4,500,000—for every function of the government—until the year 1980.

To state it another way, the $14 billion which the taxpayers pay annually for interest on the national debt is greater than the entire Federal budget for any single year in our history, up to 1942—except for 1919.

The new spending programs which the present administration has recommended and which the Congress has approved, some as the result of great pressure from the administration, will mean additional hardships on the American taxpayers.

The administration has not, and is not now, facing up to the gravest domestic problem confronting our Nation: The need to put our financial house in order. This must be done if inflation—the cruelest tax of all—is to be curbed.

The administration has taken the attitude that we can fight a costly war in Vietnam and simultaneously expand domestic spending.

As a result of that attitude and that policy, the Treasury Department finds itself smack up against the debt ceiling, and seeks a $6 billion increase—plus $2 billion additional which it claims is not subject to the debt limitations.

The House of Representatives agreed to the $6 billion increase by a vote of 215–199, a result so close that a change of eight votes would have defeated the administration's request.

This represents a substantial protest and should give deep concern to the White House and the Director of the Budget.

Far from being irresponsible, as the Secretary of the Treasury contends, the close House vote—and a similarly close vote in the Senate—could have a very healthful effect.

In fact, from the point of view of the taxpayers, and from the point of view of the Nation's future, I think it would be helpful and desirable were the Senate to refuse to increase the debt ceiling by $6 billion. Apparently it will take just such a shock as this to bring about some semblance of fiscal responsibility.

We have heard it argued that were the Senate to take such action it would mean that the wheels of the Government would come to a standstill and certain bills would not be paid.

Such, of course, will not be the case. In the debate in the House of Representatives it was agreed by the Democratic chairman of the Ways and Means Committee and by the ranking Republican member of that committee, that defeat of the $6 billion increase proposal would not mean that Congress would not enact legislation to take care of the current emergency—an emergency created by the administration itself.

I quote from the CONGRESSIONAL RECORD of February 8. Speaking is Mr. BYRNES of Wisconsin, ranking Republican on the Ways and Means Committee:

> It is agreed—the chairman (Mr. MILLS of Arkansas) has agreed, I have agreed, and I think everybody can agree—that if we turn down the motion to recommit and as a result final passage of the bill is defeated, the committee will have to meet again, and this Congress will have to meet again on this issue, and we will pass a bill. So we have the alternative and we have the right, here today, to work our will and not have threats hanging over our heads.

I repeat, in my judgment the defeat of the pending legislation would be desirable as a step toward disciplining the administration into doing what needs to be done in respect to nonessential domestic spending. While they may in some cases be desirable, now is not the time, with the Nation at war in Vietnam, to put on the backs of the American taxpayers this additional cost of Government.

Remember, the 2-year deficit is estimated at $18 billion.

The Senator from Virginia plans to cast a nay vote on the proposal to increase the debt ceiling by $6 billion.

I do this in the nature of a protest.

I feel that the time for protest is overdue.

If the pending proposal is defeated, then the committee can bring in a new proposal at a lesser figure, and the Senator from Virginia, having accomplished the objective of emphasizing to the administration the attitude of the Senate, will then vote in the affirmative on the reduced figure.

I say again, it is time for the Congress to protest—and a vote against the pending proposal would be an effective protest.

It would be a signal to all thoughtful citizens that the Congress intends to exercise its constitutional responsibility to protect the solvency of the Nation.

Mr. DODD. Mr. President, once again it is necessary for Congress to consider legislation to provide for an increase in the public debt limit.

Of course, we have no alternative but to go along, for otherwise serious consequences in the management of the public debt would ensue. Because of expenditures incurred which had not been anticipated earlier, debts will be coming due in the next few months which will have to be met.

In the public interest it is necessary that the satisfaction of our public obligations not be delayed as they become due. Apart from the damage this might have on our fiscal integrity abroad, it could work serious and unconscionable delays in the payment of income tax refunds, the payment of Federal salaries and even delays in the payment of veterans benefits.

For these reasons, I will support the present bill to increase the public debt limit, but I do so reluctantly and with serious reservations.

While I was a Member of the House of Representatives, President Eisenhower requested an increase in the debt limit. At that time, I was fearful that we would go on year after year raising the limit on the national debt. This fear has become a reality.

Now, many years later, we are still listening to the same arguments in favor of raising this limit. It was only last June that it was necessary for the Congress to raise the debt limit to the existing $330 billion, and now we find ourselves raising it still further a few months later.

The time has come when we must exercise responsible leadership and call a halt to the use of this unfortunate and potentially destructive alternative for financing our Federal Government.

We must increase our efforts to keep our Nation financially sound. Expenditures must be trimmed down to bring them into balance with budget estimates. In spite of the technical jargon in which the budget is couched, it boils down to a matter of not spending more money than is taken in.

This we owe to ourselves and the generations to follow.

I am seriously disturbed by the prospect of an ever-increasing national debt with which our children and our children's children will someday have to reckon.

The PRESIDING OFFICER. The question is on the passage of the bill, as amended. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CARLSON (when his name was called). On this vote I have a pair with the senior Senator from Nebraska [Mr. HRUSKA]. If he were present he would vote "nay." If I were permitted to vote, I would vote "yea." I withhold my vote.

The rollcall was concluded.

Mr. LONG of Louisiana. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Alaska [Mr. BARTLETT], the Senator from Indiana [Mr. BAYH], the Senator from Nevada [Mr. BIBLE], the Senator from Missouri [Mr. LONG], the Senator from Washington [Mr. MAGNUSON], and the Senator from Maine [Mr. MUSKIE] are absent on official business.

I also announce that the Senator from New York [Mr. KENNEDY], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Wyoming [Mr. MCGEE], and the Senator from Connecticut [Mr. RIBICOFF] are necessarily absent.

I further announce that, if present and voting, the Senator from Indiana [Mr. BAYH], the Senator from New York [Mr. KENNEDY], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Wyoming [Mr. MCGEE], and the Senator from Connecticut [Mr. RIBICOFF] would each vote "yea."

Mr. YOUNG. I announce that the Senator from Vermont [Mr. PROUTY], the Senator from Utah [Mr. BENNETT], the Senator from Massachusetts [Mr. BROOKE], the Senator from Illinois [Mr. DIRKSEN], the Senator from Colorado [Mr. DOMINICK], the Senator from Arizona [Mr. FANNIN], the Senator from California [Mr. KUCHEL], and the Senator from Texas [Mr. TOWER] are necessarily absent.

The Senator from Hawaii [Mr. FONG], the Senator from Iowa [Mr. HICKENLOOPER], and the Senator from Nebraska [Mr. HRUSKA] are absent on official business.

If present and voting, the Senator from Illinois [Mr. DIRKSEN] and the Senator from Hawaii [Mr. FONG] would each vote "yea."

The pair of the Senator for Nebraska [Mr. HRUSKA] has been previously announced.

On this vote, the Senator from Utah [Mr. BENNETT] is paired with the Senator from Colorado [Mr. DOMINICK]. If present and voting, the Senator from Utah would vote "yea," and the Senator from Colorado would vote "nay."

On this vote, the Senator from Massachusetts [Mr. Brooke] is paired with the Senator from Arizona [Mr. Fannin]. If present and voting, the Senator from Massachusetts would vote "yea," and the Senator from Arizona would vote "nay."

On this vote, the Senator from California [Mr. Kuchel] is paired with the Senator from Texas [Mr. Tower]. If present and voting, the Senator from California would vote "yea," and the Senator from Texas would vote "nay."

The result was announced—yeas 54, nays 23, as follows:

[No. 31 Leg.]

YEAS—54

Aiken
Baker
Boggs
Brewster
Burdick
Byrd, W. Va.
Cannon
Case
Clark
Cooper
Dodd
Fulbright
Gore
Griffin
Gruening
Harris
Hart
Hartke
Hayden
Hill
Inouye
Jackson
Javits
Kennedy, Mass.
Lausche
Long, La.
Mansfield
McClellan
McIntyre
Metcalf
Mondale
Monroney
Montoya
Morse
Morton
Moss
Nelson
Pastore
Pearson
Pell
Percy
Randolph
Smathers
Smith
Sparkman
Spong
Stennis
Symington
Talmadge
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, Ohio

NAYS—23

Allott
Byrd, Va.
Church
Cotton
Curtis
Eastland
Ellender
Ervin
Hansen
Hatfield
Holland
Hollings
Jordan, N.C.
Jordan, Idaho
McGovern
Miller
Mundt
Murphy
Proxmire
Russell
Scott
Thurmond
Young, N. Dak.

NOT VOTING—23

Anderson
Bartlett
Bayh
Bennett
Bible
Brooke
Carlson
Dirksen
Dominick
Fannin
Fong
Hickenlooper
Hruska
Kennedy, N.Y.
Kuchel
Long, Mo.
Magnuson
McCarthy
McGee
Muskie
Prouty
Ribicoff
Tower

So the bill (H.R. 4573) was passed.

The title was amended, so as to read: "An act to provide a permanent increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act."

Mr. LONG of Louisiana. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. SMATHERS. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

Mr. LONG of Louisiana. Mr. President, I move that the Senate insist upon its amendments and request a conference thereon with the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. Long of Louisiana, Mr. Smathers, Mr. Anderson, Mr. Williams of Delaware, and Mr. Carlson conferees on the part of the Senate.

LEGISLATIVE REORGANIZATION ACT OF 1967

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which will be stated by title.

The Legislative Clerk. A bill (S. 355) to improve the operation of the legislative branch of the Federal Government, and for other purposes.

The Senate resumed the consideration of the bill.

ADDITIONAL COSPONSOR OF BILL, S. 479

Mr. MOSS. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from New Jersey [Mr. Williams] be added as a cosponsor of the bill (S. 479) to provide for the flying of the American flag over the remains of the U.S.S. *Utah* in honor of the heroic men who were entombed in her hull on December 7, 1941.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL COSPONSOR OF BILL, S. 844

Mr. MOSS. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from New Mexico [Mr. Montoya] be added as a cosponsor of the bill (S. 844) to equalize civil service retirement annuities, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

CHANGE OF REFERENCE

Mr. HOLLAND. Mr. President, I note that S. 1017, to authorize the Secretary of the Army to pay for the cost of surfacing 1.8 miles of a certain access road in Putnam County, Fla., the bill which I introduced on yesterday, was referred to the Armed Services Committee.

I have conferred with the chairman of that committee and he concurs with me that the bill should properly be referred to the Committee on Public Works.

I therefore ask unanimous consent that the bill may be recalled and recommitted to the Committee on Public Works.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF MILITARY PROCUREMENT AUTHORIZATION BILL TO BE CONSIDERED ON THURSDAY NEXT—LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of the routine morning business on Thursday next, Calendar No. 61, S. 665, be laid before the Senate and made the pending business, and that the unfinished business be laid aside temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. It is the intention of the joint leadership to continue the consideration of that bill, reported by the Committee on Armed Services, until it is disposed of. It may take 3 or 4 or 5 days. Then we will return to the Monroney reorganization bill and will stay with that legislation until it is finished. When we do take it up again next week, as I hope we shall, it will be the intention of the manager of the bill, with the approval of the leadership, to have amendments voted upon whether Senators are in the Chambers or not, in an effort to conclude action on the measure.

DEBT LIMIT INCREASE

Mr. HOLLAND. Mr. President, I voted "nay" on the bill to increase the permanent debt limit from $285 billion to $336 billion, or an increase of $51 billion.

I have heard, during the debate, that one of the distinguished executive officials of this Government saw fit to characterize as irresponsible any vote cast against the increase of the debt limit. I happen to differ from that feeling very greatly. I want the Record to show briefly my own feeling on this matter.

I think the raise accomplished, from $285 billion to $336 billion in the permanent debt limit, for a total increase of $51 billion, is just serving notice to our people that the Senate, having voted for this matter by a vote of more than 2 to 1, has given up its feeling that we can ever hope to reduce the public indebtedness; that, instead, we are committed to a course of a constant increase of public indebtedness and the public debt limit.

I do not wish to be a part of any effort which holds out such an expectation to the people of this country; and I think it was an unsound thing for us to vote to increase the permanent debt limit by $51 billion, particularly when the Secretary of the Treasury did not invite or request any such action, but instead insisted upon temporary action, because he knows perfectly well that we are just on the eve of beginning our tax collection period, or our heaviest period of tax receipts. He knows that a little more than a year ago Congress gave to the Federal Government the right to liquidate some of the obligations which it holds, and that not nearly all of them have been liquidated. He knows perfectly well that the great corporations in this Nation are willing to help out their Government by advancing taxpayments if they are asked to do so. He knows that there are many ways in which to carry on this Government and to keep it from becoming supinely bankrupt, as some Senators have pictured it here on the floor, in the event the debt limit had not been raised.

Mr. President, I shall not attempt to set forth any extended statement of figures or statistics. I merely wish to call attention to the fact that at this time, just before taxpayment time, without having used to any great degree the authority that the Government has to liquidate some of its holdings which can be liquidated for cash and without any adequate showing at all of willingness to reduce expenditures, we have taken this far-reaching step, so fraught with disappointment and disillusion to millions of citizens who have been hoping against hope that we would finally arrive at the stage where we would be willing to reduce domestic expenditures.

Mr. President, as to my own vote, I cannot content myself by simply stating that I did not vote for most of the important increases in domestic spending which have been voted by Congress in the last few years. I do not content myself with that statement, because I have more faith in the resilience, the strength, and the resources of this great Nation than to hear anybody say that we are apt to be in bankruptcy if we do not raise the debt ceiling, as was proposed here.

Mr. President, I think we have taken a very bad step. I hope that in conference the House will bring us back from that step by confining us to a temporary raising, at the worst, of the debt ceiling. I hope that we do not, by this means, indicate to our people throughout this great country that we have given up all hope of ever reducing domestic expenditures to a reasonable level, or of ever balancing our budget.

Mr. President, with those thoughts in mind, I have not only voted against this resolution to expand the permanent debt ceiling, but I would not have been content in my own conscience to have voted any other way.

Mr. ALLOTT. Mr. President, I would indeed be remiss if I failed to compliment the distinguished Senator from Florida on the excellent statement he has just made.

I have heard it stated here that it is irresponsible to vote against the raising of the debt limit. If my recollection serves me correctly, it was in the spring of 1964 that we were spending so much money so fast on our domestic programs in this country that we not only put on a temporary debt ceiling, but we had to increase temporarily that temporary ceiling, in order to keep the finances of this Government going.

Each of us has his own way of trying to evaluate these matters. I feel that in connection with my vote, I have an obligation to my constituents to inform them why I voted as I did.

First of all, I agree wholeheartedly with the concept that it is not necessary to raise the permanent debt ceiling to $336 billion. I hope that the House and the Senate conferees will not permit that to be done on a permanent basis.

But, second, those of us who serve on the Appropriations Committee, who do our job and try to do so diligently, day after day, week after week, and month after month, come under the most severe pressures from all sorts of pressure groups to raise the level of spending and appropriation on the domestic front.

Like the Senator from Florida, by and large and in a great majority of the cases, I have resisted these pressures to raise our spending levels out of the realm of reality. I think if anything was demonstrated by the election last fall—and certainly this was true of the election in Colorado—the people of my State spoke with a loud, clear voice, the strongest voice with which they have ever spoken, saying that they wanted the domestic spending of this country cut back.

I intend, so far as I am able, to use every resource to see that domestic spending is cut back. No one objects to the stated purposes of most of these domestic spending programs. If the poverty program had been diverted and properly analyzed, for example, through the vocational educational system, we might possibly have made an inroad on the poverty of this country. We have spent perhaps $100 billion on our cities, and instead of solving our urban problems, we have just now come to the realization that the problems are getting ahead of us so fast that it staggers the human mind to understand what we might do about it.

Mr. President, I feel the economy of this country is in a dangerous situation today. The recent temporary rise in the stock market does not give me any particular heart—especially since I do not own many stocks. I think the outlook from the standpoint of inventories is bad. Some of our major companies are dismissing employees by the thousands because their sales have fallen off.

Looking at the falloff in the building industry in this country, where we were building 1,800,000 new home units, on an annual basis, at the beginning of 1965, and we have now fallen off to approximately 1.1 million. Together with all the other things I have mentioned, Mr. President, I think it behooves all of us to take a hard look at what we are doing here. While it may or may not be—and I do not believe it is—that we need a temporary raise on the debt ceiling, we do have these other sources available to us, some of which were mentioned earlier by the distinguished Senator from Florida [Mr. HOLLAND].

We tried to tell the Secretary of the Treasury last year that his participation loan program was wrong. However, there is no use in trying to talk with the Secretary of the Treasury.

Exactly what we told him and predicted did come true because they were putting out participation loan certificates at over 5.9 percent. Imagine the Federal Government of the United States selling obligations which it guarantees and is obligated for 5.9 percent interest. Just a few years ago anyone with just mediocre credit could have borrowed money with which to build a home for the same amount or less.

So, I voted against the debt limit for this one reason, that at least by this vote I could make it clear that I do intend to try to hold down our domestic spending program. I make it clear that I follow the majority leader himself when on at least two occasions he has called the attention of the Senate to the fact that what the Senate ought to be doing more than anything else is exercising that rare and almost forgotten function of the U.S. Senate: legislative oversight.

Mr. President, what we ought to primarily be doing during this session of Congress is taking the hasty, ill-advised, pipedream programs that have been inaugurated in the last 2, 3, or 4 years and giving them a hard look and then try to revise and develop them into sound, practical, commonsense programs that will accomplish the purpose for which they were written.

If we do that, we can save billions of dollars in our domestic programs.

So, I voted against the debt limit as at least the expression of one Senator who feels that we had better be looking to our local economy if we expect to keep the leadership of the world, which we now believe we have.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT FROM TOMORROW TO THURSDAY

Mr. MANSFIELD. I ask unanimous consent that immediately upon the conclusion of the reading of Washington's Farewell Address tomorrow, the Senate stand in adjournment until 12 o'clock noon Thursday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADULT BASIC EDUCATION PROGRAM NEEDS ADDITIONAL FUNDS

Mr. YARBOROUGH. Mr. President, when the supplemental appropriations bill for the Department of Health, Education, and Welfare reaches the Senate, I intend to offer an amendment to put $10 million into the bill for the adult basic education program. This, together with the $30 million appropriated last October, will bring the total appropriation up to the authorization figure of $40 million. Of the $30 million already appropriated, the States have received $26,280,000. Eight hundred thousand dollars is being used for administration and $2,920,000 is required to be reserved for special projects and teacher training.

This is one Federal program that the people were ready for. The response from around the country has been overwhelming, far in excess of what had been predicted. Merely to fund adequately all the State programs that were approved would require an extra $21,815,201 in addition to the $26,280,000 which the States have already received. If we take into account the proposals that were planned but not submitted because of the financial restraints placed upon the State education agencies, we find a need for an additional $6,946,518

This adds up to a total need of $55,041,719. The $26,280,000 presently available is less than half of what is needed.

Almost 3,000 classes in adult basic education have already been terminated because of insufficient funds. The Office of Education estimates that an additional 2,000 classes will be forced to quit by the end of fiscal year 1967 if more adequate funds are not provided. Other classes will have to cut back on the original number of instructional hours established for the completion of the program. Some must cut back on the number of hours per week the student is in attendance. Some areas will be able to fund the proposals only partially, from 10 to 60 percent of the total costs required. Still others will have to stop accepting proposals. In view of this situation I find it regrettable that the Office of Education is not requesting supplemental funds.

This is an educational crisis of the first order. Men and women who have for years struggled through life not knowing how to read or write, have been given hope that at long last some one cares about them enough to teach them how to read a word or how to write a sentence.

It is hard for us to believe, but 3 million adults in this country have never been to school and can neither read nor write. They are totally illiterate. Eleven million Americans have the equivalent of less than 6 years of school. There are 23.9 million Americans who have less than 8 years of schooling.

Since the adult basic education program began in 1965, more than 600,000 individuals have taken part in it. This is a good start, but we still have a long way to go.

I have received many letters from people who have been enrolled in the programs, thanking me as a U.S. Senator for having supported a program that made it possible for them to learn to read and write.

Many of these were the first letters that those people had ever written. We who know how to read and write cannot comprehend how difficult it is to go through life not knowing how. You cannot get a job even as a maid or a night watchman. A maid must be able to fill out a laundry list, and a night watchman must be able to read time cards. You cannot keep up with what is going on in the world. You cannot read a newspaper or a sign.

This is one of the most beneficial educational programs in existence. Its impact per dollar is, I feel, greater than with the average educational program, because the simple change from being illiterate to knowing how to read and write is such a major transformation in an adult's life. Now we have raised their hopes that at long last they can learn the basic tools of education. It would be unwise, it would be tragic now to reverse course and tell these people, "Well, it was a false alarm; the Federal Government talks big but it doesn't come through after the talk fades away."

We must not allow people to lose faith in this program. Tremendous momentum and enthusiasm have been built up, which will be difficult and probably impossible ever to recapture if we fall down now.

I ask unanimous consent that a table compiled by the Office of Education showing the financial status of the program as of February 14, 1967, and a brief explanation of the program, be printed at the conclusion of these remarks.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

EXHIBIT 1

[For explanation of columns see below]

State or territory	Col. I (classes or programs)		Col. II	Col. III (classes or programs)		Col. IV	Col. V	Col. VI	Col. VII
Total	*861 *1,303	(C) (P)	$21,815,201	125 816	(C) (P)	$6,946,518	2,958	2,073	$68,339,613
Alabama	250	(C)	350,000	0		0	0	0	1,250,000
Alaska	0		0	1		30,000	0	0	500,000
Arizona	20		672,581	10		100,000	111	15	2,306,850
Arkansas	19		30,000	50		150,000	[1] 175	[2] 225	900,000
California	*58		200,000	12		180,000	0	58	2,500,000
Colorado	*25		57,000	5		8,500	29	6	250,000
Connecticut	4		28,000	6		45,000	0	0	960,000
Delaware	5		25,000	15		50,000	0	0	100,000
Florida	*43		1,500,000	12		300,000	225	110	2,500,000
Georgia	*73		120,000	0		0	0	0	1,250,000
Hawaii	457	(C)	160,000	0		0	0	0	500,000
Idaho	3		35,000	1		10,000	0	6	100,000
Illinois	15		75,000	24		125,000	0	0	3,000,000
Indiana	10		72,451	5		50,000	0	24	800,000
Iowa	15		350,000	10		100,000	8	12	650,000
Kansas	12		37,600	10		160,000	0	12	465,350
Kentucky	15		50,000	10		20,000	0	250	1,500,000
Louisiana	*48		700,000	0		0	400	200	3,000,000
Maine	12		75,000	26		150,000	80	80	250,000
Maryland	*22		463,000	0		0	50	[3] 22	600,000
Massachusetts	4		50,000	10		150,000	0	0	1,000,000
Michigan	[1] 70		1,800,000	80		1,000,000	0	[2] (70)	3,500,000
Minnesota	5		35,000	10		240,000	0	0	400,000
Mississippi	0		0	0		0	0	0	800,000
Missouri	21		795,000	10		200,000	0	45	1,700,000
Montana	1		8,000	18		36,000	0	0	100,000
Nebraska	5		50,000	7		45,000	0	0	300,000
Nevada	4		23,000	0		0	16	0	124,249
New Hampshire	5		22,000	6		25,000	8	18	125,000
New Jersey	8		72,300	10		150,000	100	(2)	2,500,000
New Mexico	*15		100,000	15		130,000	0	(2)	200,000
New York	325		850,000	225		560,000	350	250	5,000,000
North Carolina	*43		8,800,000	3		500,000	500	0	10,000,000
North Dakota	8		100,000	5		45,000	0	0	200,000
Ohio	16		332,345	10		256,674	0	0	1,881,164
Oklahoma	60		157,000	30		30,000	88	35	600,000
Oregon	5		150,000	10		45,000	0	(2)	300,000
Pennsylvania	9		118,000	34		300,000	0	200	1,900,000
Rhode Island	5		6,000	2		3,000	0	4	267,000
South Carolina	*101		680,000	0		0	60	80	1,250,000
South Dakota	5		50,000	0		0	0	0	200,000
Tennessee	*154	(C)	200,000	125	(C)	160,000	0	153	2,000,000
Texas	100		2,100,000	50		1,400,000	666	70	6,000,000
Utah	*6		95,000	2		10,000	3	6	150,000
Vermont	12		25,000	10		20,000	4	30	200,000
Virginia	0		0	0		0	0	0	1,200,000
Washington	*27		28,795	43		60,000	11	27	500,000
West Virginia	30		150,000	12		60,000	60	50	1,500,000
Wisconsin	0		0	0		0	0	0	400,000
Wyoming	3		8,000	7		28,000	3	2	120,000
District of Columbia	11		9,129	10		14,344	11	18	340,000
Guam									
Puerto Rico									
Virgin Islands									

[1] January.
[2] All.
[3] Counties.

Column I: *Proposals approved but not funded in FY 1967.*

Some States reported proposals as classes while the majority reported proposals meaning programs which include many classes. Those States showing an asterisk (*) reflect programs that were only partially funded, therefore program duration and number of weekly instructional hours were drastically reduced.

Column II: *Amount needed to fund all proposals approved.*

This column shows what was actually needed during the early part of the fiscal year to adequately fund all approved State programs. This is in addition to the total appropriation of $26,280,000 which the States received in grants for FY1967.

Additional needed	$21,815,201
Total needed at beginning of fiscal year for programs approved	26,280,000
	48,095,201

Column III: *Number of additional proposals that could have been accepted if funds were available.*

This column represents both classes and programs that did not submit proposals because of the financial restraints placed upon the State Education Agencies.

Column IV: *Amount of funds needed for programs and classes as shown in column III.*

This amount is in addition to the $48,095,201 which represents the appropriation of $26,280,000, plus the additional $21,815,201 needed for approved programs. The total amount needed in FY 67 for program grants can be shown as follows:

Needed for programs approved but not funded	$21,815,201
Needed for proposals	6,946,518
FY 67 Allotment	26,280,000
Total State grant needs in FY 67	55,041,719

Column V: *Number of classes terminated as of February 14, 1967, because of insufficient funds.*

Column VI: *Number of classes that will be terminated prior to the end of the fiscal year.* This also will be the result of insufficient funds.

Column VII: *Estimate of funds needed for programs in fiscal year 1968.*

It should be noted that the amount shown ($68,339,613) represents that which is needed by the States to conduct their Adult Basic Education Programs. Program administration costs at the Federal level and Special Experimental Demonstration Projects and Teacher-Training costs, as authorized in Section 304(a) are not included.

Exhibit 2

Objectives and Operation of the Adult Basic Education Program

Under Title III, Elementary and Secondary Act Amendments of 1966. Also known as the Adult Education Act of 1966 (P.L. 89–750).

Administered by the U.S. Department of Health, Education, and Welfare through the Office of Education.

Establishes a State grant program in Adult Basic Education (Elementary grades one through eight) on a 90 percent Federal—10 per cent State matching formula. Adult Basic Education classes have been established in 50 States, the District of Columbia, and three territories.

Conducted by the State educational agency primarily responsible for the State supervision of public elementary and secondary schools after approval by the U.S. Office of Education of its State Plans. The State in turn delegates local educational agencies or legally constituted local school authorities to carry out Adult Basic Education Programs.

Provides for education of the illiterate and undereducated adult. Our mission is to educate those over 18 years of age whose inability to speak, read, or write the English language constitutes a substantial impairment of their ability to get or retain employment commensurate with their real ability . . . with a view: "to making them less likely to become dependent on others; to improving their ability to benefit from occupational training and otherwise increasing their opportunities for more productive and profitable employment, and to make them better able to meet their adult responsibilities."[1]

Focuses on priorities in the target population. The United States Census of 1960 indicated that there are 23.9 million adults, 18 years of age and older with less than eight years of formal schooling. Programs shall be directed especially to those within this group and who are:

Unemployed workers,
Underemployed workers,
Public Assistance recipients,
Heads of families.

The program's students are both from rural and urban areas and includes the native white, the Negro, the Mexican-American, the American Indian and other foreign-language groups.

OBJECTIVES

In the process of upgrading marketable and functioning skills our objectives are to improve listening, speaking, reading, writing and computational skills.

Further objectives include: the development of informed, responsible citizens who participate in the democratic, decision-making process; the improvement of family living through consumer, sex and health education, and counseling

The long-range objective is to break the cycle of poverty and incorporate the disadvantaged into the affluent society.

PROGRESS

We have expanded from 38,000 students in 1965 to 373,000 in 1966. This is only 3.5 per cent of the immediate target which is represented at 11 million adults who have completed less than six grades of school. Other programs, Federal, State, local and private, serve parts of the target population, but only a beginning has been made.

GENERAL POLICIES

A. Programs are directed primarily to the undereducated poor.

B. Imaginative, innovative techniques of teaching that make use of modern technology are being encouraged. Teacher training and special projects are conducted by the Division of Adult Education with 10–20% of appropriated funds.

C. A data bank of information dealing with our participants is being established.

D. Fiscal and program data are being systematically collected.

E. Evaluative procedures are being developed.

F. Cooperation with Community Action Programs, Title V—Work Experience and Training Programs, and other agencies, public and private, is encouraged.

IMPLEMENTATION OF POLICIES

A. The school systems of the nation have centered their attention on the Nation's youth. Working through the State school systems as we do, we are working to "stretch" the school systems to serve the total community, including the disadvantaged adult who is sometimes the product of the failure of our school system. We encourage classes where the participants live and not only in existing school buildings.

We are also collecting data that will indicate to us how well we are reaching people in poverty.

B. To improve the quality of education we have conducted nine regional Teacher Training Institutes of a month's duration attended by 1,034 teachers or trainers of teachers. They were instructed in the latest techniques in education, including the use of programed instruction, videotape recorders, other educational hardware and software, and offered practical work with low-income members of our target population. Our purpose was to train teacher trainers who would return to their home base where each in turn would train at least 20 teachers of adult basic education students. Potentially, the institutes will influence 20,000 adult basic education teachers. An evaluation of the trainees' activities subsequent to the institutes is now in progress. The participants in the Teacher Training Institutes were trained to understand the culture of poverty and how to effectively communicate with the undereducated poor.

C. We are exploring the feasibility of establishing regional centers where the latest materials and techniques can be demonstrated.

D. We are collecting detailed data on the characteristics of our students.

E. We are engaged in several studies to measure success in terms of our criteria of success. These studies include the evaluation of teaching systems, teaching techniques and materials.

We have contracted with Basic Systems, Inc. for a detailed study of ten State systems, involving an operations analysis and interviews with the present students, past graduates and people who have separated from the programs.

We are developing a management model for evaluation of present and future Adult Basic Education Programs.

F. Our regulations call for cooperative arrangements with State health authorities, State and local educational agencies, Community Action Programs, Work Experience Programs and Manpower, Development and Training Programs.

PUBLICATIONS AVAILABLE

Rules and Regulations.
Guide for the Development of a State Plan.
ABE Newsletter.
Curriculum Guide—Intermediate.
Curriculum Guide—Elementary.
Advisory papers.
Materials Bibliography.
Training Program for Adult Basic Education Teacher Trainers.

FOR ADDITIONAL INFORMATION CONTACT

Adult Education Branch, Office of Education, U.S. Department of Health, Education, and Welfare, Regional Office Building, 7th & D Streets, SW., Washington, D.C. 20202.

MAJ. JOHN E. HILBURN'S "A PRIMER OF DEMOCRACY"

Mr. YARBOROUGH. Mr. President, each day we are sadly reminded that the defense of democracy continues around the world at great material cost and with considerable human sacrifice. It is therefore especially gratifying for me to find that on of my fellow Texans has attempted to remind us of the basic principles of our freedom by preparing a personal "Primer of Democracy."

I ask unanimous consent to have printed in the Congressional Record Maj. John E. Hilburn's "A Primer of Democracy," a commendable effort on the part of one of our fellow citizens.

There being no objection, the primer was ordered to be printed in the Record, as follows:

A Primer of Democracy

(By John Edward Hilburn)

PREFACE

This Primer of Democracy has been prepared to present the basic principles and essential elements of democracy in concise, explicit and lucid form. Since democracy is broad in scope, the primer should be considred only as a guide.

The course of democracy changes from time to time. This primer contains the ideals—not necessarily the practices—of democracy in the modern era.

Each man should know the meaning and purpose of democracy. Each man should know the strength and character of democracy. For in the world-wide struggle for the minds of men, the time may come when democracy, the political ideology of freedom, will prevail over totalitarian ideologies—because of its strength and character.

—John Edward Hilburn.

I. RESPECT FOR MAN

A fundamental spirit is manifested in the principles of democracy. The fundamental spirit is respect for man. . . . Each citizen in a democracy respects his fellow men and respects himself. . . .

II. RESPECT FOR THE INDIVIDUAL

In the fundamental spirit of democracy is the belief that every human being has individual worth and dignity. . . . Each citizen in a democracy respects the worth and dignity of every human being. . . . Each citizen in a democracy looks upon his fellow citizens with good-will, fraternity, and respect. . . .

III. BASIC RIGHT OF THE INDIVIDUAL

Each man is an individual. . . . Each man is different from other men physically, mentally, and has different characteristics of behavior. . . . Each man has the basic right to be treated as an individual. . . . Each man is responsible for his acts as an individual. . . . Each citizen in a democracy respects the right of his fellow citizens to be treated as individuals. . . .

IV. INDIVIDUAL FREEDOM AND LIBERTY

Each individual in a democracy has freedom and liberty. . . . Each individual has the liberty and responsibility to select his own purposes in life. . . . Each individual has the freedom to choose the means to accomplish his purposes in life. . . . Each citizen in a democracy respects the freedom and liberty of each individual to determine his course in life.

V. EQUALITY OF RIGHTS AMONG MEN

Each man has been endowed by his Creator with certain inalienable rights; among these rights are life, liberty, and pursuit of happiness. The life, liberty, and happiness of one man is equally as important as the life, liberty, and happiness of other men. . . . All men are created with equal rights. . . . Each citizen in a democracy respects the rights of his fellow citizens as he respects his own. . . .

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[1] Definitions, Sect. 303, Amendments to the Elementary and Secondary Act of 1966.

VI. EXISTENCE OF GOVERNMENT

Government in a democracy is government for the people. . . . Government is instituted by the people to secure their rights, to enlarge their freedom, to promote the general welfare of the people, to establish justice, to insure domestic tranquillity, to provide for the common defense, and to regulate and adjust relations among men. . . . Each citizen in a democracy respects his government. . . . All citizens in a democracy have a duty to protect their government. . . .

VII. SOVEREIGNTY OF THE PEOPLE

Government in a democracy is government of the people. . . . The right of self-government is a natural right of man. . . . Government derives its powers from the consent of the people. . . . The people are sovereign. . . . The will of the people directs the affairs of government. . . . The will of the people directs the course of government. . . . All citizens in a democracy express their will freely. . . . All citizens in a democracy have the right to criticize their government freely. . . .

VIII. REPRESENTATIVE GOVERNMENT

Government in a democracy is government by the people. . . . The people elect representatives to conduct the affairs of government. . . . The representatives conduct the affairs of government in accord with the expressed will of the people. . . . If the representatives do not conduct the affairs of government in accord with the expressed will of the people, the people have the right to replace them with other representatives. . . .

IX. UNIVERSAL SUFFRAGE

All citizens in a democracy have the right to take part in the election of their representatives. . . . Free and frequent elections of representatives are held. . . . Each citizen votes according to his own free will. . . . Each citizen respects the right of his fellow citizens to vote in accord with their own free will. . . .

X. GOVERNMENT CONTROL BY THE MAJORITY

Government in a democracy is controlled by the will of the majority of the people. . . . The minority of the people enjoys the same political and civil rights as the majority. . . . Each citizen in a democracy abides by the will of the majority of the people. . . . Each citizen in a democracy respects and protects the rights of the minority of the people. . . .

XI. SUPREMACY OF THE LAW

The principles of democracy are expressed in distinctive laws and institutions. . . . Laws in a democracy are derived from the will of the people. . . . There is no elite class to establish laws. . . . Duly elected representatives of the people establish laws to govern the affairs of men. . . . By the will of the people, laws are supreme. . . . Each citizen in a democracy respects the laws of the government. . . . Changes in laws are made by the will of the people. . . .

XII. EXISTENCE OF ORGANIC LAW

Organic law is expressed in the form of a constitution. . . . Organic law in a democracy is superior to all other law. . . . When laws are established in conflict with the constitution, then the constitution is superior. . . . Each citizen in a democracy respects and upholds the constitution. . . . Changes in the constitution are made by the expressed will of the people. . . .

XIII. FREEDOM

All citizens in a democracy are free from tyranny. . . . Each individual enjoys the greatest possible freedom—so long as this freedom is consistent with social order and the general welfare of the people. . . . Each citizen in a democracy is free to pursue happiness as he pleases, but can not infringe on the rights of other citizens. . . . Among the freedoms enjoyed by the citizenry are freedom of speech, freedom of religion, freedom of the press, the right to assemble peaceably, the right to petition the government for a redress of grievances, and freedom from slavery. . . . Each citizen in a democracy respects his freedom and respects the freedom of his fellow citizens. . . .

XIV. RIGHTS AND DUTIES OF THE INDIVIDUAL

Each citizen in a democracy has individual rights. . . . Where a citizen has a right, he also has a corresponding duty. . . . A citizen with the right of free speech also has a corresponding duty to permit his fellow citizens to speak freely. . . . Each citizen in a democracy has a duty to protect his rights and to protect the rights of his fellow citizens. . . . All citizens have a duty to protect their government, which was instituted to protect their rights. . . . All citizens have a duty to protect their country, which enables them to enjoy their rights. . . .

XV. FREEDOM OF DISCUSSION

Individuals in a democracy have different beliefs. . . . Each citizen respects the right of his fellow citizens to have different beliefs and to express their beliefs freely. . . . Each citizen respects his own beliefs and expresses them freely. . . .

XVI. RIGHT OF ASSOCIATION

Groups of people in a democracy have different beliefs. . . . Groups of people have the right to join together and express their beliefs freely. . . . Each citizen in a democracy respects the right of groups of people to join together and express their beliefs freely. . . .

XVII. EQUALITY BEFORE THE LAW

All citizens in a democracy are equal before the law. . . . In administration of the law, all men have the same privileges; no man has special privileges. . . . Each citizen in a democracy respects the right of his fellow citizens to equality before the law. . . .

XVIII. JUSTICE

All human beings have certain basic rights which they enjoy in a democracy; among these human rights are life, liberty, and property. . . . A citizen in a democracy may not be denied his life, liberty or property except by the due and just procedures of the law. . . . Among the due and just procedures of the law are:

1. Protection of the citizen from arbitrary police power.
2. Right of the people to be secure from unreasonable searches and seizures.
3. Requirement of grand jury indictment for a capital crime.
4. A citizen can not be tried twice for the same offense.
5. A citizen can not be compelled in any criminal case to be a witness against himself.
6. Private property of a citizen can not be taken for public use without just compensation.
7. An accused has the right to a speedy and public trial by an impartial jury.
8. Freedom of person under the protection of the habeas corpus—securing every citizen from imprisonment or other bodily restraint but by the laws of the land.

XIX. UNIVERSAL EDUCATION

To be an effective citizen in a democratic nation, each citizen must be well educated and well informed . . . Each citizen in a democracy seeks education and information sufficient to form sound judgments . . . Each citizen in a democracy seeks education and information to enable him to be a responsible member of a democratic society . . .

XX. AIMS OF DEMOCRACY

The aims of democracy are to bring about mutual happiness of all citizens—with each citizen having equal opportunity to use his talents, virtues and capabilities fully.

THE AUTHOR

John Edward Hilburn is a retired command pilot of the United States Air Force who was graduated in political science from the Florida State University, studied law and is now living in San Antonio, Texas, where he is engaged in writing.

SUPPRESSION OF BOOKS

Mr. THURMOND. Mr. President, some of my colleagues may have heard the story about the proprietor of a small general store who carried in his hardware section a full line of old-fashioned square forged nails, but did not have any modern wire nails. When a customer asked him about it, he explained:

> I had to quit carrying those new fangled nails; when I carried 'em, I was all the time having to re-order.

Mr. President, some disciples of that old country storekeeper seem to be running many of the bookstores in the Washington area. In order to explain what I mean by that, I must recite some facts.

Mr. Holmes Alexander, a distinguished columnist and news correspondent, must be regarded as an established author, since he has written 14 books, as well as scores of articles which have appeared in major periodicals in this country.

His latest book is titled, "The Spirit of '76." This is a fast-moving story about politics and intrigue. Because its setting is 10 years in the future, this book contains a substantial measure of prophecy, and some of it could be very sound prophecy indeed. Be that as it may, this is the kind of book which people like to read. It is not about living persons, but it is about prototypes, recognizable as accurate portrayals by those who know their way around in Washington and are familiar with the national political scene.

This book has been getting good reviews, Mr. President. I shall put some of these reviews in the Record at the conclusion of my remarks. Right now, let me quote just a few paragraphs from these reviews.

The Omaha World Herald, in an editorial, declared:

> Mr. Alexander's novel is sprightly, full of satire on all facets of political life in Washington that may be appreciated by conservative or liberal.

The Natchez Democrat said:

> Mr. Alexander has projected how the Repulicans might win the presidency in the near future. And carrying it one step further, how a conservative Chief of State would handle our national and international problems—a question raised in many American minds.

The Wanderer declared:

> The central character of Alexander's book is a great man by any standard. Pitchforked into the awesome responsibility of the presidency while representing the United States at a Pan-American "hemisphere conference on aid and security" his first pronouncement was that "my country will henceforth consider this to be a conference in which the military security of the hemisphere comes ahead of economic assistance to the hemisphere."

Editor and Publisher called "The Spirit of '76" a lively and readable novel, in which the author "projects politics and journalism into the next decade."

The Chicago Tribune book trade letter, "Books Today," circulated portions of a review that declared:

> Holmes Alexander, a competent historian and widely read newspaper columnist, is so obviously having a good time with his fictional concept of restored greatness to the seat of government that many readers will share his enjoyment.

Mr. Carter Brooke Jones, in the Washington Star, wrote:

> The new book by the Alexandria author and journalist . . . seems more a satire than a credible account of how things could be done years hence. As such, it is interesting and often amusing, if perhaps purposely, melodramatic.

The Richmond Times Dispatch reviewer, Mr. William H. Stauffer, wrote:

> A part of this novel is fact. Outstanding political and social figures of the present and past are readily recognized, as will be noteworthy incidents, whether called by their real names or not.
>
> Holmes Alexander's art in the use of clever innuendo, subtle invective, and sometimes hilarious good humor and sparkling wit is as fully displayed in this novel of imaginative writing on the near future as it is in the syndicated news columns he writes.

The Manchester, N.H., Union Leader, published a review asking:

> Wouldn't it be wonderful to have a President of these United States who placed his country's welfare first; who didn't cower before Communists and kow tow to "world opinion?" Who made—and kept—a promise to the press that he would truthfully answer any question, placing squarely on the reporters the responsibility to respect national security? Who began his administration with drastic cuts in Federal spending and a rigorous reduction of bureaucracy?

This program then continued:

> Holmes Alexander has created such a paragon in his latest novel, "The Spirit of '76," published by Arlington House, the current selection of the Conservative Book Club.

One would think this is the sort of book that any bookstore would want to put on its shelves; a book that should sell at least reasonably well, and bring profits to the bookstore proprietor.

But the fact is, Mr. President, that out of 45 bookstores in the Washington area, which were contacted by telephone recently, only three said that they had this book for sale. Those three were all members of a single bookstore chain. Two other stores in the chain indicated that they had the book. One of them said:

> We are out of that book; try our main store.

The other said:

> I think we got it in, but I can't find it.

Another branch of this same bookstore chain said it did not have the book, but added:

> We may get it in.

Still another branch of the same chain said Mr. Alexander's book was "not in yet, but we will have it."

Four other bookstores indicated that perhaps they had had the book in stock and had sold out. One of these four simply said:

> We are out of that book.

A second store reported:

> That book is out and we won't be getting any more.

The third volunteered to "see if we have any copies left," and reported back:

> We're out, but we may have more next week.

The fourth store reported:

> We have had copies—

But added:

> We are out of it now and we won't have it again for at least a couple of weeks.

Does this begin to sound a little like the country storekeeper who would not carry wire nails because when he did he had to reorder them too often?

What are we to think about the 36 bookstores in the Washington area which reported they did not have the book and gave no indication that they ever had had it? Most of these stores reported simply that they did not have the book; but in some cases interesting comment was added.

One store in a nearby Virginia community said:

> We don't have that book. It isn't listed.

The store did not explain where the book is not listed.

Three stores, in reporting they did not have the book, voluntarily added that they would not have it. Three other stores voluntarily reported that the book was not ordered.

Another store, one of a group of three bookstores under common ownership, reported it did not carry Holmes Alexander's new book and added:

> In hardbacks we only carry good sellers.

Another store in this same group of three simply reported it did not have the book. The main store of this group reported it did not have the book but that it was on order.

Thirty of the thirty-six stores which reported they did not have the book gave that answer without hesitation, without offering to look on the shelves, or check a list, or make any other kind of an effort to serve the caller.

Perhaps the reason for this situation is to be found in some other reviews of the book, from which I have not yet quoted.

The Buffalo Courier-Express wrote:

> "The Spirit of '76" succeeds as a stimulating political treatise—

And continued—

> It should enrage the liberals, if they ever read it, and doubtless will even offend many middle-of-roaders while, of course, delighting the conservatives.
>
> But a one-sided book can be provocative and this one definitely is. Add to its thought-provoking qualities is a swiftly paced and often entertaining narrative and you have a book well worth reading.

The Library Journal's Reviewer wrote that a reader of Mr. Alexander's book "will be fascinated or repelled according to his political position."

The Charleston News and Courier, in my own State, reprinted an editorial from the New York Daily News, which recommended the book to "all who like astute political writing worked into a story of tremendous drama, ingenuity, and well-nigh continuous surprise," but which warned that—

> the book can be expected to infuriate "liberal" critics and such "liberal" politicians as can bring themselves to read books which don't agree with liberal ideologies.
>
> Consequently—

This editorial continued—

> liberals can be expected to try to kill off "The Spirit of '76" just as they are trying (futilely) to murder Allen Drury's political novel "Capable of Honor."

If such efforts are indeed being made, Mr. President, they are reprehensible.

Mr. President, I cannot assess the motives of any of the bookstore proprietors in the Washington area. They have an absolute right to decide for themselves what books they will sell, and what books they will not carry on their shelves. Wherever that right is exercised on the basis of the proprietor's honest judgment with respect to what will be good business for him, I do not think he can be criticized, even if he is wrong. But any general bookstore proprietor who refuses to carry a book because he does not want the book widely distributed or widely read is just as bad as a bookburner.

Whether it is because he himself has read the book and does not like what it says, or perhaps because the book is on a blacklist which has come to him from somewhere, or for some other reason, it makes no difference. I say that such a bookseller—who in any instance of this kind really is a nonseller—is helping to suppress freedom in this country.

Mr. President, I am not in a position to make any charges against individuals. But it does seem to me that when a book such as Holmes Alexander's historical and political novel, "The Spirit of '76," is to be found in only three out of 45 bookstores in a metropolitan area like that of Washington, D.C., and only six other stores out of the 45 admit ever having had the book, I think there is certainly ground for suspicion that there are some bookburners somewhere in the background.

I have noted this situation before, in connection with other books. I shall give it increased attention in the future. If the situation persists, if it is found in connection with other books, I think the rights of free speech and of free press are involved in this kind of situation to such an extent that a careful investigation by a Committee of Congress would be in order, to determine the forces seeking to suppress certain books by preventing or curtailing their sale and distribution.

Now, Mr. President, I ask that there may be inserted in the RECORD at this point, as a part of my remarks, the various book reviews and editorials from which I have quoted, together with a few others which I did not quote, but which also deal with Mr. Holmes Alexander's book, "The Spirit of '76."

There being no objection, the book reviews and editorials were ordered to be printed in the RECORD, as follows:

[From the New York Daily News, Jan. 9, 1967]

"THE SPIRIT OF '76"

—a new "Political Novel of the Near Future," to quote the subtitle. It is by

Holmes Alexander; Arlington House, publishers, New Rochelle, N.Y.; 396 pages, $6.

Mr. Alexander, prominent syndicated columnist, is writing in this novel of the spirit of 1976—the 200th year after the Declaration of Independence.

Via a fictitious event which we respectfully decline to reveal here (not sporting to give a plot of a story away), Alexander puts a courageous and highly intelligent conservative into the White House as President in 1975.

Things happen from that point to the book's end which can be expected to infuriate "liberal" critics and such "liberal" politicians as can bring themselves to read books which don't agree with "liberal" ideologies.

Consequently, "liberals" can be expected to try to kill off "The Spirit of '76" just as they are trying (futilely) to murder Allen Drury's political novel "Capable of Honor."

But to all who like astute political writing worked into a story of tremendous drama, ingenuity, and well-nigh continuous surprise, we recommend this book with enthusiasm—and too bad about ideologies.

[From the Charleston, (S.C.) News and Courier, Jan. 13, 1967]

ASTUTE POLITICAL NOVEL ABOUT UNITED STATES

(From the New York Daily News)

"The Spirit of '76"—a new "Political Novel of the Near Future," to quote the subtitle. It is by Holmes Alexander; Arlington House, publishers, New Rochelle, N.Y.; 396 pages, $6.

Mr. Alexander, prominent syndicated columnist, is writing in this novel of the spirit of 1976—the 200th year after the Declaration of Independence.

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Consequently, "liberals" can be expected to try to kill off "The Spirit of '76" just as they are trying (futilely) to murder Allen Drury's political novel "Capable of Honor."

But to all who like astute political writing worked into a story of tremendous drama, ingenuity, and well-nigh continuous surprise, we recommend this book with enthusiasm—and too bad about ideologies.

[From the Buffalo (N.Y.) Courier-Express, Jan. 15, 1957]

SAY A CONSERVATIVE BECAME PRESIDENT

(By Lucian C. Warren)

"The Spirit of '76," *by Holmes Alexander Arlington House. 396 pp. $6.*

The subtitle of this book is "A Political Novel of the Near Future." The last sentence in the blurb on the dust jacket suggests: "When you put aside the book, you'll agree that Holmes Alexander has fashioned perhaps the most inventive political novel of our time."

We are inclined to agree with the premise. It certainly is inventive: it certainly is political.

For Alexander, a syndicated columnist with unabashed conservative views, has poured his ideological heart out in story form.

He imagines that in late 1975, the President of the United States, a Republican liberal, is killed in a plane crash, and the Vice President, a Republican conservative, takes over for a year of conservative policies.

The presidential replacement puts into effect all the policies dear to the conservative movement. The administration adopts a most hawk-like attitude against the Communists, both foreign and domestic, and does this while spurning congressional appropriations for more military spending. It retrenches all over the place on domestic spending.

Alexander's strongly held beliefs that such policies are the best for the nation and will work are thrown into the plot. True, there are impeachment proceedings against the President (they fail) and the liberals gang up in the 1976 election seeking to put their kind in office again.

But as the title implies, the spirit of both 1776 and 1976 is of such indomitable stuff that the good guys, the conservatives, emerge triumphant over the bad ones, the knee-jerk liberals, and the world appears to be once again made safe for democracy.

This reviewer is of two minds about the book.

As art, it fails. Just as William S. White's political biography of Lydon Johnson failed a while back because he didn't paint the blemishes in, Alexander's hero-portrait of the conservative President misses for the same reason.

Regardless of political viewpoint, no man with such wings as Alexander has painted on his central character can be for real. Furthermore, some of the incidents are overly melodramatic with little relations to real life.

As a stimulating political treatise, however, it succeeds. It should enrage the liberals, if they ever read it, and doubtless will even offend many middle-of-the-roaders while, of course, delighting the conservatives.

But a one-sided book can be provocative and this one definitely is. Add to its thought-provoking qualities a swiftly paced and often entertaining narrative and you have a book well worth reading.

[From the Richmond (Va.) Times-Dispatch, Jan. 22, 1967]

ALEXANDER SPINS FINE YARN OF POLITICAL MANEUVERING

(By William H. Stauffer)

"The Spirit of '76." By Holmes Alexander. Arlington House. 396 pp $6.

On Thanksgiving Day, 1975, the plane carrying Republican President Samuel Tilden Lepol back to Washington from a Boston speaking engagement exploded in mid-air. presumably having collided with a suicidal Communist-manned plane.

Successor to the ultra-liberal Lepol was conservative-minded Jerry Chase. As Chase seeks to curb the welfare-staters and international do-gooders in their wanton expenditure of public funds, his political stock drops at an alarming rate. As the 1976 presidential campaign gets under way Chase refuses to enter the contest.

The Finnigan family empire, chief exponent of the left wing Democrats, controls the national convention from which emerges its candidate—a Finnigan. Promising almost everything to all pressure groups, Finnigan foresees a landslide that will put him in the White House. The pollsters have made their predictions which confirm the Finnigan aspirations.

On the night of the election, President Chase, who has not campaigned for his party's candidate for a variety of reasons that are all neatly developed in the plot of columnist Alexander's exciting story, sits in his study with press secretary Jim Flynn, observing the television score-keeping. Outcome of the election contains a moral as well as political truth which the discerning reader will not fail to detect.

A part of this novel is fact. Outstanding political and social figures of the present and past are readily recognized, as will be noteworthy incidents, whether called by their real names or not.

Holmes Alexander's art in the use of clever innuendo, subtle invective, and sometimes hilarious good humor and sparkling wit is as fully displayed in this novel of imaginative writing on the near future as it is in the syndicated news columns he writes.

In only one statement of historic fact do we part company with Alexander. While apparently nodding, he puts into the mouth of one of his characters a reference to a message purportedly sent to General Lee by "Stonewall" Jackson "after the battle of New Market." Jackson had been dead exactly one year and six days when the battle of New Market was fought.

[From the Sunday World-Herald magazine, Jan. 8, 1967]

MUSIC FOR SOME EARS

The Spirit of '76 by Holmes Alexander. (Arlington House, $6.)

(Reviewed by John Jarrell)

President Lepol was dead in a mid-air plane collision—was it assassination or accident?—and Vice-President Jerry Chase, a Republican conservative from Virginia had taken over the Presidency.

That is the setting of Holmes Alexander's latest book as he portrays how, in his view, a conservative could reverse the liberal policies that he feels are leading the country down the garden path toward a cozy accommodation with the Communists that would put the quietus on the American free enterprise system.

President Lepol—"Lepol for the People" was his slogan—had been one of the most accommodating. His Secretary of State was a Communist, though not unmasked until his wife blew the whistle on him, late in the book. Lepol had only chosen Chase as his running mate because polls showed that he needed a conservative on the ticket.

Alexander, a Washington columnist with a prodigious output of books, plays and articles over and above his daily column, thinks that a forthright man not afraid to call the bluff of the Communists—did he have Goldwater in mind?—not only could get away with it but win the country around.

He strains one's credulity a bit in his story.

He has an impeachment episode, a good-guy conservative columnist and a bad-guy liberal one, a pair of king-making widows, a Russian dictator who wilts under pressure and a spaceship over Red China that keeps it under control.

Out of this comes Jerry Chase as a brinksman who reduces the vast power of the Presidency, who decentralizes government and fires bureaucrats, lessens the public's dependency on Washington, and tells Russia and China to go to the devil. Unbelievable, maybe, but music to the ears of Alexander's conservative audience, which includes some morning World-Herald readers.

[From the Washington (D.C.) Star, Jan. 15, 1967]

LOOKING INTO THE FUTURE IN WASHINGTON NOVEL

(By Carter Brooke Jones)

"The Spirit of '76." By Holmes Alexander. Arlington House. 396 pages. $6.

The year described in his novel is two centuries after the Declaration of Independence, but a strong aura of the nascent republic seems to return to the seat of government in 1976.

The new book by the Alexandria author and journalist, described as "a political novel of the near future," seems more a satire than a credible account of how things could be done years hence. As such, it is interesting and often amusing, if, perhaps purposely, melodramatic. Its characters are larger or smaller than life, as the case may be. The present political labels of conservative and liberal have become more indelibly plastered on officeholders and candidates. The delicate balance between the Iron Curtain and the free world is much the same.

As the story opens a "liberal" Republican President, Samuel Tilden Lepol, has just been killed when a small plane crashed into the presidential jet over Massachusetts. Some one was seen to parachute from the small plane. Later he is found unhurt. He says he wanted to kill the president. But did he, or was it an accident? Lepol's successor, the vice president, is a conservative, who, in compliance with a constitutional provision then in effect, nominates as the new vice president, the chairman of the Joint Chiefs of Staff, who is duly confirmed by Congress. The new president, Jerry Chase, confronts the new Russian strong man in a fishing boat off Cuba after he, the president, as a naval reserve pilot, has led a bombing mission over the Communist island. The Russian backs down. Chase is a hero, but later, because of his domestic economies, there is an effort to impeach him.

There are many characters, chief among them two columnists, one a fanatical liberal, the other a reasonable conservative. The book is quite readable, but perhaps because it is too implausible, its characters too much caricatures, it falls somewhere between satire and serious fiction.

[From the Chicago (Ill.) Tribune, Dec. 22, 1966]

Political Novel of the Near Future

"Holmes Alexander, a component historian and widely read newspaper columnist, is so obviously having a good time with his fictional concept of restored greatness to the seat of government that many readers will share his enjoyment." So writes Willard Edwards, Tribune Washington correspondent, about *"The Spirit of '76 by Holmes Alexander (Arlington House, 396 pages, $6.00)*. "There are skillful jabs, evocative of chuckles, at the Washington Press, the war between liberals and conservatives, at news management in the White House, at 'royal families on the make'."

Edwards concludes: " . . . the indignation bubbling within (Alexander) is never allowed to slow the pace of this entertaining exercise in wishful thinking."

[From Editor & Publisher, Dec. 31, 1966]

In a lively and readable novel, "The Spirit of 76," (Arlington House, 81 Centre Avenue, New Rochelle, N. Y. 10801) Holmes Alexander, Washington columnist, projects politics and journalism into the next decade. A liberal President is assassinated, a moderate Vice President who succeeds is impeached but acquitted; a liberal columnist is sued for libel by the head of ultra right-wing Nathan Hale Society, and a conservative columnist sued by a multi-millionaire Communist who was Secretary of State; a resourceful, vindictive and determined mother of the Finnigan family fights a losing battle to put her son in the White House; romance is provided by a virginal but sexy woman reporter-photographer and the aforementioned conservative columnist; and a Republican President who had the election in the bag but declined to run, sees his party triumphant with a less colorful but courageous candidate. If political philosophies and "the way I would like to see it happen" are woven in they are the work of a good story-teller.

[From the Natchez (Miss.) Democrat, Dec. 28, 1966]

Holmes Alexander Political Novel Now Off Press

Chicago, Ill., December 27.—The leading characters in The Spirit of '76: A Political Novel of the Near Future (Arlington House, $6.00; published December 12, 1966), although not modelled after Romney and Reagan, do reflect a possible liberal-conservative GOP ticket.

Relying on his many years of experience on Capitol Hill, Mr. Alexander has projected how the Republicans might win the Presidency in the near future. And carrying it one step further, how a conservative Chief of State would handle our national and international problems—a question raised in many American minds during the 1964 elections.

Following the assassination of the President, the newly sworn-in conservative, originally placed on the ticket merely as a soph to the conservative wing of the party, is immediately faced with challenges ranging from Red China and Russia to the ironic dilemma of how to use the prodigious power of the Presidency to reduce that very power.

Holmes Alexander is a columnist for the McNaught Syndicate, which distributes his column to some 150 newspapers. He is the author of 14 books and his articles have been published in such magazines as the Saturday Evening Post, Harper's, Scribner's, Esquire and Saturday Review.

[From the Omaha (Nebr.) World-Herald, Dec. 29, 1966]

Conservative in Power

(By Irving Baker)

The other book is "The Spirit of '76," a political novel by Holmes Alexander.

He weaves today's column on New Year's predictions around excerpts from his book. And his defense against those who may disagree with him or criticize the passages is this: "Maybe no such events will ever happen, but it will take 10 years to prove that they won't."

Mr. Alexander's novel is sprightly, full of satire on all facets of political life in Washington that may be appreciated by conservative or liberal.

What would happen if we had a conservative in the White House? This happens in "The Spirit of '76," when a plane carrying the liberal President is rammed in the sky, bringing death to the President and others aboard.

The Vice-President, put on the ticket as a sop to the conservatives, finds himself in a position of power as the new Chief. How he fights jealous bureaucrats, special-interest groups, and faces the specter of impeachment makes the book excellent literary fare.

EX-LEGISLATOR

Mr. Alexander is one of the most prolific writers in Washington. In addition to his column, which appears in some 150 newspapers, he has written 14 books and has had 40 articles in leading periodicals.

He also has to his credit two produced plays, four anthology inclusions and profiles of Martin Van Buren and Daniel Webster in the current Book of Knowledge.

His ability to do a masterful job on a political novel comes from a broad background that includes service in the Maryland Legislature (he was elected when he was 24). Probably this is what gave him the wisdom to end the novel on a note of continuing political crises—even in 1976.

[From the Wanderer, Dec. 19, 1966]

The Book Shelf

(Reviewed by Lee J. Adamson, Bellingham, Wash.)

Wouldn't it be wonderful to have a President of these United States who placed his Country's welfare first; who didn't cower before Communists and kowtow to "World Opinion"? Who made—and kept—a promise to the press that he would truthfully answer any factual question, placing squarely on the reporters the responsibility to respect national security? Who began his Administration with drastic cuts in Federal spending and a rigorous reduction of bureaucracy?

Holmes Alexander has created such a paragon in his latest novel, *The Spirit Of '76*, published by Arlington House, the current selection of the Conservative Book Club. For too long the field of political fiction has been dominated by the do-gooders and one-worlders, who see an anti-Communist under every bed. The tide, thank God, is turning, thanks to such courageous publishers as Caxton, Devin-Adair and Regnery, patriotic authors like Taylor Caldwell, Allen Drury and David O. Woodbury, and the yeomen services of the Conservative Book Club, which has sponsored several best-sellers during its brief existence and promises to maintain its outstanding record of quality offerings.

Jerry Chase, the central character of Alexander's book, subtitled "A Political Novel Of The Near Future," is a great man by any standard. Pitchforked into the awesome responsibility of the Presidency while representing the United States at a Pan-American "Hemisphere Conference on Aid and Security," his first pronouncement was that "my Country will henceforth consider this to be a conference in which the military security of the Hempishere comes ahead of economic assistance to the Hemisphere."

Chase, a Conservative Republican from Virginia, had been selected as running mate by ultra-Liberal President Sam Lepol on the strength of a pre-convention poll, and had dutifully taken his place in the Vice-Presidential chimney corner. An aerial assassination catapulted him into control of an Administration heavily committed to the concept of the Welfare State, co-existence with its enemies and enthusiastic promotion of world government under the doubtful aegis of a Communist-dominated United Nations.

The newly-elevated President immediately finds himself embroiled in domestic intrigue fomented by his predecessor's widow, who plots to replace him with her son, and a Democrat matriarch who dreams of maneuvering her three sons into the Presidency, one after another. As if this were not enough trouble, Chase has also to deal with a series of crises, predictably created by the international Communist conspiratorial apparatus.

The methods used by Jerry Chase to checkmate the Chicoms and face down the Protector General of the Soviet Union make not only heart-warming reading but also good common sense. His forthright handling of both his own rebellious diplomatic staff and the scheming representatives of foreign governments leads the reader to wonder why it hasn't been done before—and isn't being done today!

President Chase is a man of action. As a reserve Lieutenant Commander he pilots the first jet to bomb a Cuban SAM site in a joint operation with San Salvador "to provide a buffer zone and a warning that no more intrusions of free territory will be tolerated" under the Monroe Doctrine, which he has reactivated. He is also a warm human being, willing to sacrifice much for the welfare of his handicapped wife.

Alexander has created a whole galaxy of characters who are at once picturesque and believeable. There's Eula Breck, the beautiful journalist, a member of the "Virgins' Club," known as the "mechanical maiden" because of her extensive use of electronic gadgetry. Thrown into the sea from a sinking landing craft, she emerges on the Cuban beach minus her equipment and all her clothing, wrapped in an American flag. Chi Chi, actress daughter of the President and member of the "Chastity Club," gives consummate performances as stand-in for her mother in several emergencies. Attorney General Erasmus Hannibal, a Colored gentleman, capably runs the County for several weeks during the President's absence, engineers a masterful political coup at the crisis of Chase's impeachment proceedings and eventually turns down a shot at the Vice Presidency.

The Spirit Of '76 is a veritable feast of suspense, humor and solid political sense.

One warning: Once started, it's almost impossible to lay aside. It deserves best-seller status, and should achieve that distinction in very short order.

An Exercise in Wishful Thinking: "The Spirit of '76," a Novel by Holmes Alexander

(Reviewed by Willard Edwards)

(Note.—*Willard Edwards is the Tribune's correspondent on Capitol Hill.*)

An author's happiness with his plot can be infectious. In this "political novel of the near future," Holmes Alexander, a competent historian and widely-read newspaper columnist, is so obviously having a good time with his fictional concept of restored greatness to the seat of government that many readers will share his enjoyment. It is only fair to acknowledge that the reaction of others, who do not share his conservative leanings, will be horror.

One envisions Alexander, brooding over the uncertain foreign policy of recent Presidents and the collapse of the checks and balances system in domestic affairs, asking himself, "wouldn't it be great—if—?" and deciding to project his dreams in an inventive splurge of satiric speculation. The result is fantasy comforting to those who share the author's frustrations.

By the grace of a mid-air assassination, a tough-minded Vice President of conservative hue is elevated to the White House. Jeremiah Chase emerges as a reincarnation George Washington who reinstates the Monroe Doctrine as policy in the western hemisphere. He not only orders an invasion of Cuba to install a free government but personally pilots the first bombing plane. He puts a military orbiting satellite, loaded with nuclear bombs, over Communist China, smiling gently as the Chinese ambassador shrieks, "sheer Goldwaterism." He confronts Field Marshal Markov of Russia and coldly talks him down.

At home, the new President tilts with the powerful and wealthy Finnigan family, three brothers and a militant mother [guess who?], fires 10 members of the cabinet he inherited, appoints a famous general as his Vice President, vetoes pork-barrel bills, reduces the government payroll, and—inevitably—faces impeachment by a resentful Congress. Just to keep his hand in, when mobs riot in Washington, he strafes the demonstrators with nerve gas.

In brief, he seems bent on political suicide but the people defy him. Assured of a landslide reelection, he refuses to run, announcing that it is not good for the country to get the idea that it depends on one man. There's a moment of suspense when it looks like a Finnigan will succeed him but the curtain falls on a happy climax. The next President will be a senator who seems to be a reincarnation of Sen. Taft of Ohio.

This condensation does not give justice to the light touches which save the tale from moralistic preachment. There are skillful jabs, evocative of chuckles, at the Washington press, the war between liberals and conservatives, at news management in the White House, at "royal families on the make." Alexander has been covering the Washington scene for decades and uses this background to puncture the pompous pretensions of the bureaucracy. But the indignation bubbling within him is never allowed to slow the pace of his entertaining exercise in wishful thinking. [Arlington House, 396 pages, $6]

[From the Manchester (N.H.) Union Leader, Jan. 4, 1967]

Political Novel of the Near Future: "Spirit of '76" Reviewed

(By Lee J. Adamson)

(Note.—Lee J. Adamson, a frequent contributor to the Union Leader, today reviews a book by Holmes Alexander, nationally-known columnist whose articles also appear in this newspaper. The review appeared originally in Mr. Adamson's news letter, "Liberty Line.")

Wouldn't it be wonderful to have a President of these United States who placed his country's welfare first; who didn't cower before Communists and kowtow to "World Opinion"? Who made—and kept— a promise to the press that he would truthfully answer any factual question, placing squarely on the reporters the responsibility to respect national security? Who began his administration with drastic cuts in Federal spending and a rigorous reduction of bureaucracy?

Holmes Alexander has created such a paragon in his latest novel "The Spirit of '76," published by Arlington House, the current selection of the Conservative Book Club. For too long the field of political fiction has been dominated by the do-gooders and one worlders, who see an anti-Communist under every bed. The tide, thank God, is turning, thanks to such courageous publishers as Caxton, Devin-Adair and Regnery, patriotic authors like Taylor Caldwell, Allen Drury and David O. Woodbury, and the yeoman services of the Conservative Book Club, which has sponsored several best sellers during its brief existence and promises to maintain its outstanding record of quality offerings.

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Chase, a conservative Republican from Virginia, has been selected as running mate by ultra-liberal President Sam Lepol on the strength of a preconvention poll, and had dutifully taken his place in the vice-presidential chimney corner. An aerial assassination catapulted him into control of an administration heavily committed to the concept of the welfare state, coexistence with its enemies and enthusiastic promotion of world government under the doubtful aegis of a Communist-dominated United Nations.

The newly-elevated President immediately finds himself embroiled in domestic intrigue fomented by his predecessor's widow, who plots to replace him with her son, and a Democrat matriarch who dreams of maneuvering her three sons into the presidency, one after another. As if this were not enough trouble, Chase has also to deal with a series of crises, predictably created by the international Communist conspiratorial apparatus.

The methods used by Jerry Chase to checkmate the Chicoms and face down the protector-general of the Soviet Union make not only heart warming reading but also good common sense. His forthright handling of both his own rebellious diplomatic staff and the scheming representatives of foreign governments leads the reader to wonder why it hasn't been done before—and isn't being done today!

MAN OF ACTION

President Chase is a man of action. As a reserve lieutenant commander he pilots the first jet to bomb a Cuban SAM site in a joint operation with San Salvador "to provide a buffer zone and a warning that no more intrusions of free territory will be tolerated" under the Monroe Doctrine, which he reactivated. He is also a warm human being, willing to sacrifice much for the welfare of his handicapped wife.

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"The Spirit of '76" is a veritable feast of suspense, humor and solid political sense. One warning: Once started, it's almost impossible to lay aside. It deserves best seller status, and should achieve that distinction in very short order.

[From an uncorrected proof of a review scheduled for Library Journal, Jan. 15, 1967]

(By Muriel Weins, formerly National Library of Medicine, Washington, D.C.)

Alexander Holmes. *The Spirit of '76: a Political Novel of the Near Future,* 396p. Arlington House, 1966, $6, 66–25069.

In 1975, a liberal Republican President is accidentally killed. His conservative successor, the reincarnation of George Washington, quickly masters foreign affairs by intimidating China and Russia and by personally leading the first strike against Cuba. He then returns the United States to righteous ways, partly by bombing demonstrators at the White House with sub-lethal gas. Alexander Holmes, the well-known columnist, uses the novel form to express his discontent with modern life, especially with the welfare state and family groups and women in politics. He supports religion, patriotism, and George Washington. The plot is intricate, but it moves well. The characters are simply ideological symbols. The reader will be fascinated or repelled according to his political position.

LEGISLATIVE REORGANIZATION ACT OF 1967

The Senate resumed the consideration of the bill (S. 355) to improve the operation of the legislative branch of the Federal Government, and for other purposes.

Mr. MONRONEY. Mr. President, I yield such time as he may require to the distinguished Senator from Virginia, who has an amendment to the reorganization bill.

Mr. BYRD of Virginia. Mr. President, I call up amendment No. 88.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read the amendment, as follows:

On page 2, in the table of contents, immediately after the item relating to section 234, insert the following:

"Sec. 235. Rollcall vote required on measures changing compensation of Members of Congress."

On page 52, between lines 14 and 15, insert the following:

"ROLLCALL VOTE REQUESTED ON MEASURES CHANGING COMPENSATION OF MEMBERS OF CONGRESS

"Sec. 235. (a) No bill or joint resolution containing a provision increasing or decreasing the rate of compensation of Members of Congress shall be passed by the Senate or House of Representatives unless (1) such increase or decrease in compensation is set forth as a separate proposition from any other provision in the bill or joint resolution, and (2) such proposition shall have been approved by the Senate or House of Representatives, as the case may be, by a yea-and-nay vote.

"(b) As used in this section, 'Member of Congress' means a Senator, Representative in Congress, and the Resident Commissioner from Puerto Rico."

On page 125, line 6, after the comma insert "section 235,".

On page 125, line 8, after "title II" insert "(except section 235)".

Mr. BYRD of Virginia. Mr. President, I should like to express appreciation to the distinguished senior Senator from Oklahoma for his consideration during the course of the discussion of S. 355. I am aware of the trying and perhaps difficult time the Senator from Oklahoma has experienced with respect to amendments to this bill, and I assure him that this is the only amendment I intend to present to this legislative reorganization plan.

Amendment No. 88 was introduced by myself and the distinguished senior Senator from Ohio, and I feel honored to be associated in this endeavor with Senator LAUSCHE.

The proposed amendment is a simple one. It would require a roll call vote on any measure changing the compensation of Members of the Senate or the House of Representatives. I should like to give a little background with respect to this matter, Mr. President.

The last two changes in compensation for the Members of Congress—one in 1955 and the second, the more recent one, in 1964—were acted upon as part of a larger piece of legislation, and were not voted on separately.

Mr. President, under the amendment any change in compensation for Senators or Representatives would have to be handled by a separate rollcall vote. At the time that other changes in salary were made, the Senator from Virginia was a newspaper editor and a private citizen, as far as Congress is concerned. However, I remember the feelings on the part of the general public in my area, not that the compensation of the Members of Congress was changed and increased, because I think most of the individuals with whom I discussed it approved of that, but there was a widespread feeling, and I believe there is today, that when Members of Congress change their own salaries, there should be a recorded yea-and-nay vote so that the public may know how each Member of Congress voted.

My belief is that the American people want Members of Congress to be adequately compensated for the work they do. I think that the American people are a fairminded people. They are intelligent people. They know the arduous duties undertaken by Members of Congress. They know the expense to which Senators and Representatives are placed in carrying out their duties. I think that the American people want to see fair and adequate compensation granted to those who represent them in the legislative halls. But, simultaneously, I believe they want to know the recorded vote of these men who, all of us, have the right to make their own decision and set our own salary at any figure at which we desire to set it.

Mr. President, I feel, in justice to the American people, it is appropriate that when our salaries are changed, that it be done by a recorded vote. I believe that covers the purpose of the amendment and the detail of the amendment.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. BYRD of Virginia. I am glad to yield.

Mr. MONRONEY. Mr. President, I compliment the distinguished Senator from Virginia on the amendment which he has offered.

I have always felt that in making any increase in our salaries we should set forth the matter so that the individual voters throughout the States would be able to find us recorded for or against whatever pay increase or decrease was being made.

As I understand it, the matter of increasing salaries of Members of Congress sometimes has been obscured by the fact that language might have been so vague that an increase in pay might be the part of a general pay bill and, therefore, would not be clearly identifiable as to the increase.

The Senator's amendment would not require that this pay increase be considered as a separate bill, but it would require that any pay increase for Members of Congress be a separate section or title in the bill so that this item could be separately voted upon, and it would require a specific yea-and-nay vote. Is that correct?

Mr. BYRD of Virginia. The Senator is correct. As the Senator from Oklahoma has stated, it would not require special legislation, but it would require an item within a particular bill.

Mr. MONRONEY. The Reorganization Act of 1946 contained a provision for a pay increase. It was clearly set out for years before the reorganization bill was brought forward, so that the public was fully aware of the intent to increase congressional salaries, and if at that time any request had been made for a yea-and-nay vote, it would have occurred.

The amendment of the Senator, I believe, regardless of any request being made from the floor, would require as a part of our rules that there be a yea-and-nay vote on action that would raise or lower the salaries of Senators or Representatives.

Mr. BYRD of Virginia. The Senator is correct. If the amendment is adopted and the bill is passed, it would be a mandatory provision.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. BYRD of Virginia. I am glad to yield.

Mr. COTTON. Mr. President, I, too, wish to compliment the distinguished Senator from Virginia, not only for his amendment, but also for his contribution to this discussion.

As I understand the amendment of the Senator from Virginia it would have to do only with an increase of the actual salaries of Senators and Representatives. Is that correct?

Mr. BYRD of Virginia. The Senator is correct.

Mr. COTTON. It has been my experience, and I wonder if it has also been the experience of the Senator from Virginia, that the American people are extremely broadminded and reasonable, and that they desire to be generous in the actual compensation of those who serve them here.

I find, however, that there is a feeling on the part of many people that Senators and Representatives have certain other allowances and in many cases they have a distorted and exaggerated idea of the allowances which we receive.

I find that people sometimes believe that all of our expenses for traveling between our homes and Washington are covered by Government expense. I find that many people believe that we have unlimited telephone allowances. I find that many people believe that we have other allowances.

It has been my experience that they are much more likely to criticize when the press indicates or reveals the fact that in some bill we increased an allowance, or increased the number of trips to and from home, or that we increased our stationery allowances.

I recall years ago, when I was serving in the House of Representatives, there was a practice there—I do not think that it was done in the Senate—which they rather regretted and later repealed. They designated a portion of their salaries as being tax exempt as far as the Federal income tax was concerned. There was a great outcry, and I believe justifiably so.

I find that some people today think that all of our salary is tax exempt. Does the Senator from Virginia feel that it would be practicable if his amendment with respect to a record vote should extend to those portions of legislative appropriation bills and other bills that in any way affect the expenses and allowances that we receive, or does the Senator feel, which may very well be true, that we would run into a complicated situation?

Mr. BYRD of Virginia. I personally would be very much inclined to a record vote on every measure regarding compensation for Members of Congress, whether it be in the way of salaries or allowances.

This proposal, as initiated, does not provide for anything except the actual salary of Senators and Representatives.

I would think—and in this matter I would defer to the judgment, particularly of the senior Senator from Oklahoma—it might present many complications which I do not at this moment foresee, were we to include a provision in connection with stenographic help, or mail, or if anything of that type were to be included in the proposal. I personally would have no objection to broadening the amendment, but I think that it probably should be well thought through before we include those particular matters. If, at a later date it occurs that it might be advantageous to expand the provision, the Senator from Virginia would be happy to join the distinguished Senator from New Hampshire in that regard.

Mr. COTTON. I thank the Senator. I think that I am in full accord with his conclusions.

I rather suspect from the statements of the Senator with regard to his amendment, that he might agree with me that as a matter of policy in the Senate, it would be far better to provide adequate salaries, openly and aboveboard, with no question about it, than to try to compensate by increasing allowances for providing various other benefits in order to help Senators discharge their duties which, although in most cases are well justified, do not regularly lend themselves to being computed by the public.

Mr. BYRD of Virginia. I agree 1,000 percent with the Senator from New Hampshire. I think it would be far better to do it that way because it would give the people of this country greater confidence in the Senate and the House of Representatives, were that to be the situation.

Let me say that in private life I am a newspaper editor. Newspaper editors are always critical of public officials, of course. As a newspaper editorial writer, I have condemned for many years the practices which have existed in the House of Representatives, the Senate, in my own State legislature, in the city council of my own home town, because to a varying degree all of these legislative bodies have somewhat similar situations.

I have been critical myself. So I am not critical of the average citizen who, in turn, is critical of Congress because of the different ways it has of obtaining compensation for its Members.

As the distinguished Senator from New Hampshire [Mr. COTTON] has so well pointed out, I feel that the American people are reasonable, most intelligent, and want their representatives in the House and Senate to be adequately compensated, but they want it to be done aboveboard. They want to know precisely what the compensation is and what the prerequisites are. The plainer this can be made, the less complicated it can be made, the better off our people will be, and so will Senators and Representatives.

Mr. COTTON. I thank the Senator. I commend him again for his position on this matter.

Mr. BYRD of Virginia. I appreciate what the Senator says.

Mr. LAUSCHE. Mr. President, will the Senator from Virginia yield?

Mr. BYRD of Virginia. I yield.

Mr. LAUSCHE. I am a cosponsor of the Senator's amendment. The original thought behind it, when it was drafted, came from the Senator from Virginia. He told me what he proposed to present. I expressed my concurrence at once with it. I did so because I believed that it would be in the interest of every Senator to speak up on the floor of the Senate and say, "I subscribe and believe that the salary now being paid me is not adequate, and I am prepared to vote either yea or nay so that the people of my State will understand exactly what I think."

Do I correctly understand that the last two salary increases for Senators were approved on a voice vote? At least the last one?

Mr. BYRD of Virginia. Let me say to the Senator from Ohio that I am not positive about a voice vote, but they were incorporated in a broader proposal and were not voted on separately in a recorded vote.

Mr. LAUSCHE. Yes. They were not voted on separately in a recorded vote. That would cause many citizens to say, "I wonder exactly what my Senator thought about that?"

If Senators will speak up, especially on a proposal signified by a recorded vote on how they stand, in my judgment, the dignity of the Senate will be elevated, the position of Senators will be strengthened, and it will be accepted by the public as being worthy of adoption.

I am tremendously pleased with the reaction of the Senator from New Hampshire, representing the minority as he does on the floor of the Senate today, and also that of the Senator from Oklahoma [Mr. MONRONEY], in paying tribute to the Senator from Virginia for the presentation of this amendment.

I hope that the leaders of both parties on this measure will give their approval to it so that it will become a part of the reorganization bill, to go through the normal processes before the bill is finally enacted into law.

Let me say to the Senator from Virginia that every day I am more and more impressed with the depth of the Senator's knowledge of public affairs, and the revelation of the superlative qualities he possesses in filling the distinguished position he now occupies in representing, in part, the people of his State in the Senate.

Mr. BYRD of Virginia. I am deeply grateful to the Senator from Ohio for his comments and for the strong support which he has given, not only on this amendment but also on many other matters which have come before the Senate in which I have sought his advice and help.

Let me say one additional word. I have a deep feeling about Congress—the Senate in particular—because although I have not been here very long, in an indirect way I have had a rather long association with the Senate. I have a deep affection for it. I am aware of the very high caliber of the individuals who occupy seats in the Senate. That is why I feel that adoption of this amendment would be helpful to the Senate as a whole, as well as to individual Members, because I think that the people of this Nation would feel a little bit better about their public officials if everything regarding their compensation is spread on the record and they know exactly what each Senator feels about these vital measures.

Mr. MONRONEY. Again I say, I think the pending amendment is a valuable piece of legislation and an important addition to the reorganization bill.

As far as the committee is concerned, I have polled its members, after a study of the Senator's amendment, and we feel that the amendment should be accepted and added to the bill.

However, we are somewhat disturbed by the fact that, constitutionally, each House is in charge of its own procedures. I am a little bit disturbed as to how we could bind the House to a rollcall vote on a measure which they would be passing.

Their procedures are somewhat different from ours, the measure being considered in the Committee of the Whole House on the State of the Union, where there are no recorded votes until the bill has been completed by the Committee on the Whole House and reported back to the House of Representatives, at which time amendments which have been adopted in the Committee of the Whole House can then be voted on by a rollcall vote.

The House does not have a yea-and nay-vote on each item. For that reason, I have some reservations as to how the House would accept our ordering them to have a rollcall vote under their procedures, whether or not we should send it to the House of Representatives with them included, or do it for ourselves, and expect the House voluntarily to do likewise, because we have found it to be good legislation, and thus stay within the parliamentary perimeter of courtesy between the two Houses.

Mr. BYRD of Virginia. If the Senate were to adopt the pending amendment as is, which includes the House, then when it passes the Senate and is sent over to the House, if Representatives desire to amend the proposal they, of course, would be at liberty to do so by taking out the reference to the House.

Mr. MONRONEY. The House only.

Mr. BYRD of Virginia. The House only.

Mr. MONRONEY. We are passing specifically here on what the Senate does, and we would have some parliamentary concern over the ability of the House, under its procedures, to secure a separate vote on a separate section of a bill, unless that is changed by amendment in the processes of the Committee of the Whole House.

Mr. BYRD of Virginia. The Senator from Oklahoma is far more familiar with the House procedures than I am and I am willing to abide by his judgment.

I am wondering, if the Senate adopted this amendment as it is, which includes the Senate and the House, and then the House refused to have the House included in it, whether it would still apply to the Senate if the House desired that reference to it be taken out.

Mr. MONRONEY. These provisions are being adopted as rulemaking functions of the two Houses, and these procedures must be passed on by the House and go to conference, although the House will be the judge of its own rulemaking. For that reason, because I think it is good legislation, I am happy to accept the amendment, with the understanding that if it is not passed by the House, the provision will apply to the Senate. I think we would be setting a good precedent. I think it would be desirable to have the same rule in both Houses.

Mr. BYRD of Virginia. I think it would be a good rule.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. LAUSCHE. If this provision went to the House and the House accepted it, that would be a compliance with the requirement that each House shall have the right to adopt its own rules. If the Senate adopted it, and the bill went to conference, and if the House said, "We accept it," that would be tantamount to the exercise granted to it by the Constitution to adopt its own rules. Is that correct?

Mr. MONRONEY. That is correct. That is, if the Senate were to pass the bill, it would go to the House with the amendment adopted by the Senate for a record vote on congressional policy changes. If the House found it impossible to work with the provision under its procedures, since its rules are different, then it could exercise its judgment in that respect, under the doctrine of being judged the master of its own rules.

Mr. LAUSCHE. But if the House did not adopt it as applying to the House, the provision would be left applicable to the Senate.

Mr. MONRONEY. Yes; it would apply to the Senate.

I am happy to say, on behalf of the committee, that I have been advised to accept the amendment of the distinguished Senator from Virginia.

Mr. BYRD of Virginia. Mr. President, if the Senator will yield, I appreciate that. So far as the House is concerned, the Senator from Virginia believes that each House should make its own decisions with regard to its own rules and problems; that each House faces different problems. So if the House does not desire to include itself under this provision, once the bill goes to the House, it would have the right to vote itself out, in which case the provision would apply to the Senate. I believe strongly that both the House and the Senate is the judge of its own rules.

Mr. MONRONEY. That is correct. We are not trying to bind the House. Each House will be the judge of its own rules, and the House could strike this provision out of the bill as far as the House was concerned.

Mr. President, I ask for a vote on the amendment.

The PRESIDING OFFICER. Do Senators yield back their remaining time?

Mr. MONRONEY. Yes.

Mr. BYRD of Virginia. I yield back the time remaining to me.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment.

The amendment (No. 88) was agreed to.

Mr. LAUSCHE. Mr. President, I move to reconsider the vote by which the amendment was adopted.

Mr. BYRD of Virginia. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LAUSCHE. Mr. President, I wish to express thanks to the Senator from Oklahoma [Mr. Monroney] and the Senator from New Hampshire [Mr. Cotton] for their realistic approach to this problem, which has been constructive. The manner in which the amendment has been accepted has been highly pleasing to the Senator from Virginia and to me. It comes about through the cooperation of the Senator from Oklahoma and the Senator from New Hampshire.

Mr. MONRONEY. I thank the distinguished Senator.

Mr. BYRD of Virginia. Mr. President, I want to add my words of thanks again to the Senator from Oklahoma and the Senator from New Hampshire, as well as the Senator from Ohio.

Mr. MONRONEY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MONRONEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

THE PRESIDING OFFICER. Without objection, it is so ordered.

The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 4573) to provide, for the period ending on June 30, 1967, a temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act; agreed to the conference asked by the Senate on the disagreeing votes of the two houses thereon, and that Mr. Mills, Mr. King of California, Mr. Boggs, Mr. Karsten, Mr. Byrnes of Wisconsin, Mr. Curtis, and Mr. Utt were appointed managers on the part of the House at the conference.

Mr. MONRONEY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MONRONEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MODERNIZING CONGRESS

Mr. MONRONEY. Mr. President, I ask unanimous consent that an editorial, entitled "Modernizing Congress," published in the Washington Post of today, be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Modernizing Congress

The Monroney-Madden bill awaiting final action by the Senate differs sharply from most of the reform measures that go before Congress. It is a product of the Joint Senate-House Committee which spent two years studying how to make Congress work more effectively. All the more controversial items, such as Rule 22 in the Senate, were excluded from the committee's mandate so that it could concentrate on practical improvements on which there is some measure of consensus.

If this kind of reform bill put together by such thoughtful and cautious men as Senator Monroney and Congressman Madden should be discarded, it would be a heavy blow to the cause of good government. We should like to have seen the Senate approve many of the more sweeping reforms sponsored by Senator Clark, but we had little expectation that it would do so. These larger orders will have to wait for further study and the development of public opinion. No rational excuse could be found, however, for rejection of the nuts and bolts of reorganization offered by the Joint Committee.

We are not urging that the Senate dot every "i" and cross every "t" precisely as the Monroney-Madden bill does. The bill provided for the complete elimination of proxies in committee voting. The Senate has modified this so that proxies may be used only in regard to specific items. In other words, an absent Senator may record his wishes on a specific policy or bill by means of a proxy but he may not leave the chairman a blank check. With this arrangement, the major abuse should be removed.

There may be some technicalities in the so-called committee bill of rights that would fit procedure into too rigid a mold. But it would also establish some basic principles: for example, the right of the majority to call meetings and to report bills to the floor over the objections of a balky chairman. These are major improvements in procedure that ought not to be jeopardized.

Congress has done little to improve its image, at least by means of organization and procedures, since it passed the La Follette-Monroney Reorganization Act of 1946. It cannot afford to pass by the present opportunity for a second round of modernization.

Mr. MONRONEY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROPOSED DEPARTMENT OF ECONOMIC AFFAIRS

Mr. JAVITS. Mr. President, I have read with great interest the press reports in recent days about the proposed merger of the Department of Commerce, the Department of Labor, and other agencies into a new Department of Economic Affairs.

Mr. President, I think that our hearings in the Joint Economic Committee on the President's economic report and the debates on economic policy in the Senate Chamber very clearly indicate that the economic policymaking machinery of the Federal Government is fragmented with various parts often duplicating each other's function.

The Council of Economic Advisers and the other members of the "quadriad"—the Secretary of the Treasury, the Director of the Bureau of the Budget, and the Chairman of the Federal Reserve Board—are coordinating only certain aspects of economic policy and key elements of the policy remain under the jurisdiction of such separate centers of power throughout the Government, as the Departments of Commerce, Labor, Agriculture, and Interior.

Whether the proposals reportedly being made to the press by the five-man committee will result in an agency which will solve the problem remains to be seen. However, I do wish to state that, just as we ultimately coordinated the Department of Defense—instead of leaving the three separate departments which essentially made up the Department of Defense—I think it is very likely that we will need a Department of Economic Affairs.

Not only would there be cost savings as a result of streamlining similar governmental activities—as for example in the area of gathering and disseminating statistical information—but also a more integrated domestic and foreign economic policy. Indeed, I recommended that a new Department of Economic Affairs be established in a book which I wrote in 1964.

Of course, there are a lot of questions that must be answered before Congress can act on this consolidation. The first question is what agencies should be incorporated in the new department to make significant improvements in economic policy making? Second, would this consolidation reduce or increase the voice of labor, management, and the consumers in the Government's economic decisions? Should Congress consolidate its committees dealing with the separate agencies to be consolidated into one department?

Nevertheless, reform in this area has been long overdue and I am looking forward to the President's specific legislative recommendations.

Mr. President, I strongly urge that Members of Congress study this matter, especially in view of these hearings which we are now having in the Joint Economic Committee.

Mr. President, I ask unanimous consent that various newspaper articles relating to this subject be printed at this point in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the New York Times, Feb. 2, 1967]

MERGED AGENCIES IN CABINET URGED—JOHNSON GETS PLAN TO ADD TO PROPOSED COMMERCE AND LABOR CONSOLIDATION

(By David R. Jones)

WASHINGTON, Feb. 18.—*The Johnson's Administration's planners* have suggested that several independent agencies be included in the proposed merger of the Labor and Commerce Departments to create *a broad new department of economic affairs*.

Authoritative sources said that the proposals had been sent to the White House recently by a five-man committee charged by President Johnson with recommending steps to implement the merger he projected in his State of the Union Message.

The sources said *the committee has suggested that the Small Business Administration, the Export-Import Bank, the Federal Mediation and Conciliation Service, the National Mediation Board, the Equal Employment Opportunity Commission and some smaller Federal operations be included in the Labor-Commerce merger*.

The committee also revived a controversial proposal to transfer the Maritime Administration from the Commerce Department to the new Department of Transportation, the sources said. The committee favors retaining other major units of the Labor and Commerce Departments in the merged department, they added.

The committee suggested moving the Bureau of Commercial Fisheries from the Interior Department to the merged department, the sources said, but did not favor putting the independent National Labor Relations Board in the new department. It has not discussed the transfer of any Office of Economic Opportunity programs to the new department, they said, but that could come later.

The sources emphasized that these were merely *initial recommendations to the President*, and that the White House had not yet responded to them. They indicated that they expected Mr. Johnson to reject or modify some of the ideas, and predicted that additional changes would be made as proposed legislation went through Congress.

Alexander B. Trowbridge, Acting Secretary of Commerce, briefed the Business Council on the proposals at a meeting here on Thursday and urged the group to support the plan. The council is composed of about 100 business leaders, mainly from large corporations, who advise the Government on economic policy.

WIRTZ MAY APPEAL TO LABOR

Secretary of Labor W. Willard Wirtz is expected to make a similar appeal to organized labor when he meets on Monday with the Executive Council of the American Federation of Labor and Congress of Industrial Organizations in Bal Harbour, Fla.

President Johnson originally suggested that the new department should be called the Department of Business and Labor. But the sources said *the committee leaned toward naming it the Department of Economic Affairs or Department of Economic Services.*

This change would be designed *to emphasize that the new department would assert the public interest in all economic affairs* rather than being merely a marriage of two existing departments that seek to protect the special interest of labor and management.

The committee also has proposed that *the Secretary of the new department should be a member of the Administration's top economic policy-making group so that the department could be better able to play a leading role in the formulation of economic policy.*

WOULD JOIN BIG 4

This would mean that the new Secretary would join the so-called "quadriad" of Administration economic policy-makers—Treasury Secretary Henry H. Fowler, Charles L. Schultze, Budget Director, William McC. Martin, Federal Reserve Board chairman and Gardner Ackley, chairman of the President's Council of Economic Advisers. This is a stature not enjoyed by the Secretary of Labor or the Secretary of Commerce.

The committee proposals also would consolidate the Government's regional economic development functions with its manpower programs, shift some trade functions from the Agriculture and State Departments to the new agency, and consolidate several Labor and Commerce functions.

One major proposal would combine the Commerce Department's Office of Business Economics and Census Bureau operations with the Labor Department's Bureau of Labor Statistics.

The sources said that all the committee proposals would not meet White House approval, if only because some of the more controversial ideas might have to be sacrificed to win sufficient Congressional support for merger legislation.

OPPOSITION EXPECTED

The proposals for including the Small Business Administration and the Export-Import Bank in the new department, and of transferring the Maritime Administration to the Department of Transportation, *were expected to run into particularly strong opposition* from interests that would be directly affected.

The sources said that there had been some opposition to the proposed merger from small business, but that big business did not seem to be too disturbed by the idea. Most of organized labor officially has taken a neutral stand toward the proposal, but there is deep underlying hostility among union leaders.

George Meany, president of the A.F.L.–C.I.O., has said he would keep an open mind on the proposal until details were worked out. But some labor leaders are expected to urge the Executive Council next week to come out against the idea. Mr. Wirtz would probably consider it a victory if the council adopted Mr. Meany's neutral stance.

The sources said that the Business Council did not respond with hostility to Mr. Trowbridge's explanation of the merger plan, which is expected to be sent to Congress in March. The greatest reservations appeared to be held against putting the mediation service into the department, the sources said.

Mr. Johnson faces a delicate task in convincing both labor and management that a merged department would be in their mutual interest. Any indication that the merger would favor one group more than the other could generate enough opposition to kill the plan.

The Administration is expected to stress the idea that both labor and management would benefit from a Secretary who was truly a member of the President's top economic policymaking body. But both factions are concerned lest the new Secretary be someone who would not adequately represent their own interests.

[From the Washington Post, Feb. 20, 1967]

INCLUSION OF RELATED AGENCIES IN LABOR-COMMERCE IS PROPOSED

(By Hobart Rowen)

A high Administration official said yesterday that "scores of independent agencies, or pieces of them" should be lumped together with the Commerce and Labor Departments into a new Economic Affairs Department.

"The idea is not to take Commerce and Labor as two weak Departments and combine them into one weak department," the official said. "What we want to do is to put all related matters together and create a strong voice for economic affairs in the Cabinet."

But he conceded that the final plan would probably be more modest than the ideal.

The idea of a merged Department covering Commerce, Labor and "related agencies" was first put forward by the President in his State of the Union message in January.

The White House is bracing itself to meet two main sources of opposition—from organized labor and on Capitol Hill, where there may be a loss of seniority in Congressional committees dealing with the merged departments and agencies find themselves consolidated.

Budget Director Charles L. Schultze and White House Assistant Joseph Califano have been designated as the final checkpoint for considering various proposals and they have not yet reported to the President.

Among agencies that are being considered for the consolidation are:

The Small Business Administration, the Maritime Administration, the Export-Import Bank, the Federal Mediation and Conciliation Service, the National Labor Relations Board, the Equal Employment Opportunity Commission, the Appalachian Regional Commission.

"Pieces," or functions might be transferred from the Interior Department, the Department of Health, Education, and Welfare, the Council of Economic Advisers and the Office of Economic Opportunity.

A major gain would be merger of regional offices throughout the country, with a substantial cost saving in many overlapping functions of the several departments or agencies involved.

Secretary of Labor W. Willard Wirtz will present the outlines of the plan today to the AFL–CIO Executive Council, meeting in Miami Beach.

Since the idea is far from a draft-bill stage, the Council, under AFL–CIO President George Meany's leadership, may not go beyond its earlier "wait-and-see" attitude.

Among individual labor leaders, however, there is bitter opposition, based on fear that a merger would subordinate labor's role to business. This view has been articulated strongly by Joseph Curran, president of the National Maritime Union. It is supported privately by labor leaders such as Joseph A. Beirne, president of the Communications Workers Union, usually a strong supporter of President Johnson.

Business leaders tend to be more friendly to the proposal. But some fear that the wage-price guidepost problem might be dumped into the lap of a new agency, and that this might be the genesis of a wage-price control unit.

Both business and labor representatives also wonder how vigorously a combined department head would press the special interest of one side or the other when it felt aggrieved.

Officials also expect to contend with a degree of sniping from second and third-level bureaucrats in various agencies, whose functions would be telescoped, or their jobs lost.

At a higher level, the support is solid. One illustration of the gain from a merged effort would be a consolidation of the Government's vast statistics gathering effort. The Commerce Department's Office of Business Economics and the Labor Department's Bureau of Labor Statistics would blend into one.

Mr. JAVITS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PEARSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF SENATE BILL 826

Mr. PEARSON. Mr. President, I ask unanimous consent that on the next printing of S. 826, a bill to extend for 2 years the period for which payments in lieu of taxes may be made with respect to certain real property transferred by the Reconstruction Finance Corporation and its subsidiaries to other Government departments, the names of the two Senators from New York, Mr. JAVITS and Mr. KENNEDY, be added as cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PEARSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEATH OF BERNARD FALL IN VIETNAM

Mr. KENNEDY of Massachusetts. Mr. President, in Vietnam today, Bernard Fall lost his life.

He went to Vietnam to continue his work as a student and teacher of that conflict, as a writer and interpreter of what has become the most complex struggle of our times. He had been there many times before, not only during the period of our involvement but also as a student in Hanoi and when his own nation—France—was locked in struggle with the forces of the Viet Minh.

His knowledge of Vietnam, its history, people and conflicting political forces was unexcelled. At a time when few truly understood the nature of this conflict, Bernard Fall was recognized as an expert. As a result, he was a critic of much that was happening, but his criticism was never emotional, never unrealistic, and always constructive.

Bernard Fall had published five volumes on Vietnam, and had received fellowships from the Rockefeller and Guggenheim Foundations and the Southeast Asia Treaty Organization. Last year he was the recipient of the coveted George Polk Memorial Award for Interpretive Reporting. During these years of prolific writing, he also was a professor of International Relations at Howard University, and gave of his time freely to both our Government and Members of the Congress.

I was proud to know him, to learn much from his knowledge and experiences. He was a courageous man not only in his writings and the presentation of his views, but also in the methods he adopted in the field in his attempts to learn. It was this personal courage that caused the loss we feel today—for this man, above all others who have undertaken to report the war, had every excuse to rely upon knowledge already accumulated rather than further risking his life in the setting of conflict.

Mr. President, I will personally miss the friendship of Bernard Fall; but it is of greater importance that our Nation, his adopted home, has now lost his wisdom and incisive comment. But he, like the eight other journalists claimed by the war, has left much behind to guide us in seeking a solution in Vietnam.

I wish to extend my personal regrets to his wife and children, as well as to the many others who looked to him for the different, for the informed, and the broader view of the crisis in southeast Asia.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. KENNEDY of Massachusetts. I yield.

Mr. JAVITS. I thank Senator Kennedy for expressing what so many of us feel about Bernie Fall, and also join with Senator KENNEDY, on the part of myself and my wife and my family, in extending our deep condolences and appreciation to the family of Bernie Fall and to the families of the other pressmen for their sacrifices in this struggle.

CRIME

Mr. MUNDT. Mr. President, over the weekend the National Crime Commission submitted its report. This extensive document based on nearly 2 years of investigation and evaluation has been eagerly awaited by Congress and by the people.

The Commission should be congratulated for its in-depth study of crime and its causes. The 19 members, representing various segments of our society, have, I know, labored long and diligently in an effort to come to grips with what I consider one of, if not the most, pressing domestic problems in the United States today. In so doing, they have performed a great public service to our country.

Many of us in Congress, and indeed throughout the United States, have been deeply concerned with the problem of crime and the concurrent problem of decreasing respect for law and order. Last year I addressed this body calling its attention to the momentous problems before us and pinpointing several of the causes of this problem. I am happy to note that the Commission also gave grave consideration to these points.

Beyond that, however, I am, as an individual Senator, glad to have the information provided by the Commission. This, and the task force volumes, which I have been assured will come in the near future, and will elaborate on the individual aspects of the problems of crime, organized and unorganized, will hopefully provide the information needed to combat this challenge to our orderly and constitutional system of government.

The Commission has recommended over 200 proposals. Not all of these proposals meet with 100 percent approval of the Commission. Indeed, in many of them there was a substantial dissent. I am sure that Congress will view the report in the same way for I know that while I agree with many recommendations, I disagree with some. For example, I think greater emphasis should have been placed on the impact recent Supreme Court decisions have had on the field of law enforcement and the increase in crime in this country. The Commission, as represented by the majority, evidently did not consider this important. I hope that one of the special task forces will elaborate on this. If not, perhaps the hearings scheduled for the Subcommittee on Constitutional Amendments of the Judiciary Committee on the Miranda decision will enlighten this area. I have, in the past, expressed grave reservations about the role of the courts, both in regard to protecting the rights of the individual over the rights of society and in regard to recidivism, or repeated offenses by a criminal.

The report, however, with its wide ranging opinions on both sides, provides the nucleus needed by the Congress to make definitive decisions. It is now up to us to carry the ball and I know that we shall do so.

A start in this direction is the recent Safe Streets and Crime Control Act of 1967 which I have joined as a cosponsor and which I hope will see congressional enactment this session. It is not the end but rather the beginning of the war against crime. This report gives us the ammunition to fire another volley, and fire we must. The time of talking is drawing to an end and the time of action is here.

IRRADIATION OF FOOD PROGRESSES

Mr. MAGNUSON. Mr. President, Dr. Richard Van Cleve, dean of the College of Fisheries of the University of Washington recently pointed out that the irradiation of foods to inhibit spoilage and prolong freshness is a development comparable in importance to thermo-canning.

The U.S. Army has been doing considerable experimental work in this area with marked success, though the acceptable products thus far are relatively limited and the price is substantially above that normal in the marketplace.

The irradiation of foods, however, represents one of those major breakthroughs which can mean much to American industry and world food progress. I am particularly impressed with the value of such treatment of fishery products where the need for rapid handling is so vital to maintain the freshness which makes it such a desirable part of the American diet.

The business writer of the Seattle Times, Mr. Boyd Burchard, recently wrote an article as a part of a series on this new development, calling attention to the need for a hastening of the day when irradiated foods may be a reality.

I ask unanimous consent that the Seattle Times article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TECHNIQUE ADVANCED—IRRADIATED FILETS COMING, BUT NOT YET

(By Boyd Burchard)

If you are waiting expectantly to sink your teeth into a nuclear-irradiated steak or fish filet or papaya or whatever, you probably are a rare bird—and don't hold your breath.

The technology is there, and gamma-radiation processed foods are safe to cook and eat.

But, as with all new technologies, there are a lot of assumptions and techniques and economics that have to be worked out for free-enterprise practicality.

As Dr. Richard Van Cleve, dean of the College of Fisheries at the University of Washington, points out, irradiation of foods to inhibit spoilage and prolong freshness is a development comparable in importance to thermo-canning.

And Dr. John Liston, head of the College of Fisheries food science department, further adds that if thermo-canning were just being introduced today, it would take the Food and Drug Administration five or ten years to give full approval.

So, it is no great surprise that the F.D.A. is requiring two years of feed-testing before approving for public consumption individual foods that have been preserved by exposure to various dosages of ion radiation.

This despite approval already granted to the Army for radiation-processed fresh bacon in cans which can be kept unfrigerated at least two years. Also approved are potatoes processed with gamma radiation for sprout-inhibition, and wheat processed to inhibit bug infestation.

The Army bacon was sterilized with high-level exposure to Cobalt 60 radiation for an absorption of between 4.5 and 5.6 million rads. A rad, it turns out, is a measure of radiation energy absorbed, and 3.5 million rads equals retorting of food at 240 degrees for 90 minutes. (What a mess if you retorted bacon in such heat!)

Such high-level radiation, unfortunately, is expensive. It adds about $1 a pound to the cost of bacon. So it's not very practical unless you are trying to feed troops in some nonrefrigerated jungle.

An important aspect, however, from the public-acceptance standpoint, is that even such high-level radiation imparts no dangerous radioactivity to the bacon. Spoilage elements are stopped dead, just as when you boil something, but there is no residual radiation any more than in a boiled egg.

But complete sterilization by radiation is not always desirable or necessary. Matter of fact, high-level irradiation of some meats changes the taste from luscious to lousy. "Like wet goat hair," Dr. Liston says.

The scientists have found that low-level radiation, much less expensive, will "pasteurize" products, seafoods for instance, so that they can be kept edibly fresh for extended periods under nonfreezing refrigeration.

"It's not a replacement tool," Dr. Liston emphasizes, "but it will have a tremendous impact on food processing and distribution."

The U. of W. fisheries department has a 40,000-curie Cobalt 60 test irradiator with which it has been working on Atomic Energy Commission, Army and private research projects for about four years.

In that time, a great deal of seafood has been pasteurized and, you can believe it, the professors and students have been eating the results and feeling fine.

But with the F. D. A. leaning over backwards with the recently extended feed-test requirement, there is a certain frustration among the scientists and food-industry people who would like to push ahead with production and marketing of irradiated foods.

"It will be three to five years," Dr. Liston opines, "before many foods are approved. But advancement of the technique is needed badly, so we also are working here on approved processes and programs not needing F. D. A. approval—like stimulation of seed growth and prolonging the freshness of floral greens. Both are big industries in this state, and we are working with several interested producers."

ADDITIONAL COSPONSOR OF BILL, S. 829

Mr. CLARK. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Alaska [Mr. BARTLETT] be added as a cosponsor of the bill (S. 829) to amend title II of the Social Security Act to eliminate the reduction in disability insurance benefits which is presently required in the case of an individual receiving workmen's compensation benefits.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRUTH IN LENDING

Mr. CLARK. Mr. President, last Thursday, the President, in his consumer message to Congress, urged the passage of S. 5, the truth-in-lending bill. This bill was originally introduced by our great former colleague, Senator Paul Douglas of Illinois. Twenty-two other Senators have joined Senator PROXMIRE in introducing this bill.

Senator Douglas saw the need for the full disclosure of consumer credit charges long before many of us. He educated us, and the American public, not only in truth in lending but also in a great variety of legislation designed to protect the American consumer. Our President, in his excellent message presented to Congress last week, has recognized the necessity of additional legislation to protect the American consumer—all Americans in all walks of life and in all economic brackets. For this reason, the President's consumer message is an historical document. No message is more directly related to the best interest of the entire American public than the 1967 consumer message.

The concept of truth-in-lending, as set forth in the President's message and as implemented in S. 5, is not one of Government regulation or control but rather one of having the Government remove the obstacles to free, open competition. The truth-in-lending bill with the approximate annual rate gives both buyer and seller the necessary information to engage in open and free competition. In other words, with truth in lending, the consumer who knows what the cost of borrowing money will be for him, will go to the least expensive source of financing. This is the essence of the free enterprise system.

The President's message does not suggest that interest charges should be regulated by the Federal Government. It does suggest, however, as does S. 5, that full disclosure of the cost of credit should be made to enable the consumer to make an intelligent choice in the marketplace. No ceiling on interest rates would be set, as this is an area which has been traditionally regulated by the States. It is also recognized that it is often difficult to project a precise annual rate, and Senator PROXMIRE's bill recognizes this problem and makes the requirement of an annual rate much less burdensome on the lender; the lender need only state an approximate annual rate and will not be held to absolute accuracy down to the last decimal point.

Historically, the cost of borrowing money has been stated as an annual rate of interest or financial charge applied to the unpaid balance of the debt. Without any knowledge of the price of credit, the consumer cannot shop for the best buy. S. 5, with its approximate annual rate, will provide a uniform method of determining the cost of borrowing money and will enable the consumer to exercise an intelligent choice. Furthermore, it will convey the direct cost of credit. For example, a 6-percent loan which requires an additional charge is not really 6 percent but is a higher rate. And S. 5 requires that these additional charges be included in the calculation of the annual percentage rate.

The President's message reflects the wise view that the cost of credit should not be arbitrarily set by the Federal Government but should be determined by the forces of free and open competition. This is what S. 5 will do: disclosure of the actual cost of credit to insure competition and to give the individual more choices in the marketplace.

Moreover, the concept of truth in lending, once enacted into law, will protect the ethical businessman who extends credit on a fair and equitable basis against the few unscrupulous lenders in our country who benefit by deceiving the consumer.

Mr. President, I urge every Member of this body to read and reread the President's consumer message and to consider and support the truth-in-lending bill, as set forth in S. 5, so that all elements of the economy, both consumer and businessman, will extend and receive credit with full knowledge of its actual cost.

THE NEED FOR CLEANER AIR

Mr. CLARK. Mr. President, one of the great problems confronting the country, and a problem that we have been very slow, indeed, to recognize, is the need for clean air, not only in our great urban centers, but, as I have had occasion to point out on the floor of the Senate on other occasions, in many rural areas of our country where noxious fumes, black smoke, and cement dust are being poured on the unprotected public where there is no sufficient air pollution control.

Mr. President, an excellent editorial entitled "Top Priority: Cleaner Air" was printed in the Philadelphia Inquirer on January 31, 1967. I commend the editorial writer and I ask unanimous consent that the editorial may be printed at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

TOP PRIORITY: CLEANER AIR

There is good reason for President Johnson to put the problem of air pollution at the head of the list in calling upon Congress for new and decisive attention to what must be done to protect the Nation's environmental heritage from despoliation, over-use and exhaustion.

While the President's message covered a wide range of problems from highway safety to reducing the cost of placing utility transmission underground, the main emphasis was on taking constructive action to reduce the poisons in the air everyone must breathe. It is an irony, but true fact, nevertheless, that it is the very booming prosperity of the country that has brought this long-standing problem suddenly to a crisis stage.

Thriving industry and an explosion of motor vehicles have, together, cast off immense clouds of waste fumes in recent years with a cumulative effect that could mean incalculable disaster if not checked by wise precautions before it is too late. It is not merely that the atmosphere is already so befouled as to be harmful to health, but that it is becoming more sulphurously unwholesome, every minute of every day at a compounding rate. This is a major health problem.

The President deserves credit and encouragement for the emphasis he placed on the responsibility of "the States, the cities and private industry," to commit themselves to constructive action. The case for a new sense of urgency at the local level is overpowering. The Federal Government can't do it all, though its role in encouraging regional measure and providing standards and enforcement programs for foot-dragging areas should not be underrated.

THE CIA

Mr. CLARK. Mr. President, the recent revelation about the Central Intelligence Agency has thrust bureaucratic Washington as well as the American public into a good deal of uproar. The revelations are, indeed, shocking. The proper remedy, however, is a difficult one to think through.

Mr. President, a substantial contribution to a proper solution of this difficult problem is contained in a column written by Walter Lippmann which appeared in the Washington Post and many other papers throughout the country this morning, entitled, "The CIA Affair."

Mr. President, I ask unanimous consent that the article by Mr. Lippmann be printed at this point in my remarks, and I urge that Senators read it.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Feb. 21, 1967]

THE CIA AFFAIR

(By Walter Lippmann)

The noises you hear around the CIA announce the Big Thaw, which has been underway in Europe for several years, and has now reached America. The ice of the cold war is breaking up, and, as the climate is changing, the landscape is changing too. The older and more permanent features of the American scene are reappearing.

Thus, only a year ago in April 1966, the New York Times published a series of articles on the CIA. They exposed more systematically than Ramparts magazine has today the elaborate infiltration of American institutions by the CIA. Yet there was no general outcry. Now there is a tremendous outcry and the CIA operation has begun to smell like a backed up cesspool. This proves that it isn't the activities of the CIA which have changed. What has changed is the public attitude about it.

A year ago the preponderant mass of Americans still felt that they were at war—a cold war if possible, but a nuclear war quite possibly. This is no longer the prevailing American opinion. The same revolution of opinion which has changed the policy of European governments in the early sixties is now taking place here. The gap which has existed for some years between European and American thinking, the gap which has caused so much misunderstanding and dislike, is closing. In Europe this phenomenon has manifested itself in an almost total loss of interest in NATO and the other institutions of the cold war. Here the change first manifested itself in our acceptance of the changes in Europe, it manifests itself today in a revulsion against the enormity of the corruption which has resulted from the cold war.

The enormity of the corruption stems from the secret use of Government funds to deceive the world—to deceive the Communists, to deceive our friends and allies, and to deceive ourselves. It is said that the Soviet Union had paid propagandists masquerading as students, scholars, journalists, trade unionists, and that therefore, we had to give subsidies so that our students could confront the Communists. We had to fight fire with fire. We must remember today that we were then at war and that all is fair in love and in war.

This is plausible enough. But the event shows that something is wrong with the argument. The event shows that, while a free country like the United States can, if it is sufficiently frightened, imitate the methods of a totalitarian state, once the fear is relaxed, the more enduring tradition and spirit cannot be kept down. In the last analysis a free system like ours can be manipulated only if there is enough panic and fear. The old and real character of the people will not stay suppressed. This is one of the characteristics of a people who have been habituated to freedom so long that it is part of their very nature.

What has happened in this affair is different from the business of spying which is an indispensable part of the rivalry of armed powers. The payments to students, scholars, journalists, has had very little if anything to do with true intelligence work, with penetrating the military secrets of rival powers, of calculating their capabilities and estimating their intentions.

For the present outcry is about the fact that the United States Government has compromised professions and institutions on whose purity the hopes of American freedom depend. Why did the CIA, with the full responsibility of the Presidents above it, do this? Why did the Government not subsidize openly the students and professors who were to go abroad to argue the American case against the Communists?

They did not do it because they believed that deception was a practical necessity. If the students and professors went openly on Government expense accounts neutral opinion abroad would no longer have treated them as free men and as essentially different from the paid agents of tyranny. That, however, was not the whole reason for the deception. It was deemed necessary to deceive the Congress of the United States and the American people. For the chosen instrument for exposing the Communists was the non-Communist American left, and it would have been virtually impossible to induce the anti-Communist right, the McCarthys, Mundts and the like, to appropriate public money for American leftists. Therefore, everybody had to be deceived.

As we are recovering our senses, no longer entirely blinded by our fears, we need to examine our consciences and search our souls. We have seen the enormous deception crumble, and the true lesson is the sovereign rule for a people: To yourselves be true. It is not easy to do this when fear and panic are in the air; men are irrational and beside themselves where they are part of a frightened herd.

As we are ourselves again it becomes self-evident that we cannot play international games as if we were a totalitarian society. For the men who carried out the operation—as good men as we have—were not capable of enough deviousness to deceive everyone and enough terrorism to suppress all doubt. The American way of life has plenty of faults. But it does not prepare our whole people for continuing deception, and we had better make up our minds to play the game from the American strength and not from American weakness, and to stamp out lying as a public policy.

ADJOURNMENT

Mr. CLARK. Mr. President, I move in accordance with the order previously entered, that the Senate stand in adjournment until 12 o'clock noon tomorrow, in order that we may hear the historic Farewell Address of the first President of this great Nation, George Washington.

The motion was agreed to; and (at 4 o'clock and 12 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, February 22, 1967, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 21, 1967:

DEPARTMENT OF STATE

William B. Macomber, Jr., of New York, to be an Assistant Secretary of State.

U.S. DISTRICT JUDGES

Robert C. Belloni, of Oregon, to be U.S. district judge for the district of Oregon vice William G. East, retiring.

Frank J. Murray, of Massachusetts, to be

U.S. district judge for the district of Massachusetts vice George C. Sweeney, retired.

POSTMASTERS

The following-named persons to be postmasters:

ALABAMA

Clarence N. Bryant, Jr., Hollywood, Ala., in place of V. B. Harris, retired.

Donald E. Driskell, Loxley, Ala., in place of R. J. Ellison, retired.

Rudolph Harrison, Marion, Ala., in place of N. J. Davis, retired.

James R. Morrow, Mulga, Ala., in place of H. E. Carroll, removed.

Charles W. Thomas, Tuskegee Institute, Ala., in place of V. H. Phillips, retired.

ARKANSAS

Berty A. Williams, Beech Grove, Ark., in place of B. B. Hammond, retired.

Ellie L. Chaney, Coy, Ark., in place of L. K. Woosley, retired.

CALIFORNIA

Josephine D. Dahlstrom, Ballico, Calif., in place of N. L. Passadori, retired.

Veda M. Davis, Campo, Calif., in place of J. M. Davis, retired.

George R. Saunders, Carlsbad, Calif., in place of D. C. Clark, retired.

Patricia A. Shields, Del Mar, Calif., in place of L. D. King, transferred.

Clayton W. Fountain, El Granada, Calif., in place of M. I. Higgins, deceased.

Wesley G. Barnes, Loomis, Calif., in place of K. L. Coe, transferred.

COLORADO

Ida J. Kettle, Austin, Colo., in place of L. M. Drysdale, retired.

Walter B. Lovelace, Boulder, Colo., in place of J. D. White, retried.

Vernamae C. George, Breckenridge, Colo., in place of I. M. Moore, retired.

FLORIDA

Audrey B. Golden, Alva, Fla., in place of W. I. MacCanon, retired.

J. Willard Marcom, Brandon, Fla., in place of R. T. Arnold, deceased.

Joseph M. Webb, Fort George Island, Fla., in place of R. V. Chattin, retired.

William O. Neal, Mango, Fla., in place of Harry Beckner, Jr., resigned.

Bruce W. Lloyd, Oklawaha, Fla., in place of W. A. Willis, retired.

Walter G. Edwards, Sneads, Fla., in place of W. P. McKeown, retired.

Thomas A. Williams, South Bay, Fla., in place of E. D. Hartline, resigned.

John L. McLee, West Palm Beach, Fla., in place of O. W. Hartwell, retired.

GEORGIA

Byron F. Hilliard, Bowersville, Ga., in place of J. A. Johnson, retired.

T. Hartley Hobbs, Dublin, Ga., in place of J. M. Peacock, retired.

Runette B. Cronic, Hull, Ga., in place of G. A. Patten, retired.

William W. Ware, Ringgold, Ga., in place of J. F. Emberson, retired.

George H. Gunby, Tennille, Ga., in place of L. R. Warren, retired.

ILLINOIS

Harold F. Johnson, Belvidere, Ill., in place of P. I. O'Brien, retired.

William F. Cooley, Eldorado, Ill., in place of G. R. Gampher, retired.

K. Neil Thurmond, Johnston City, Ill., in place of Hugh Fleming, retired.

William F. Clinton, Madison, Ill., in place of H. R. Johnson, retired.

INDIANA

Eugene J. Gabriel, Fort Wayne, Ind., in place of A. N. Smith, retired.

Daniel A. Markley, Montpelier, Ind., in place of Grat Millard, retired.

Irvin Edward Almonrode, Saratoga, Ind., in place of Joseph Almonrode, retired.

IOWA

Donald E. Klumpp, Albert City, Iowa, in place of W. C. Hussey, retired.

Ward Foster, Jr., Altoona, Iowa, in place of C. W. Stuart, retired.

Ralph N. Wilson, Anthon, Iowa, in place of J. P. Carr, retired.

John C. Halvorson, Clermont, Iowa, in place of H. G. Martin, retired.

Frank P. Simon, Lake View, Iowa, in place of R. E. Ferguson, retired.

Naomi A. Galbraith, Newell, Iowa, in place of C. R. Kremenak, retired.

Dorothy M. Petersen, Pierson, Iowa, in place of R. M. Pedersen, retired.

Rupert R. Thorpe, Salix, Iowa, in place of W. H. Lamoureux, retired.

Lowell D. Morehead, Westfield, Iowa, in place of L. F. Faust, transferred.

KANSAS

Ernest H. Barton, Geuda Springs, Kans., in place of E. H. Swanson, retired.

Victor A. Wasinger, Hays, Kans., in place of H. H. Chittenden, deceased.

Virgil W. Green, Mount Hope, Kans., in place of A. M. Howe, retired.

KENTUCKY

Carol W. Graves, Adolphus, Ky., in place of K. C. Jones, transferred.

Alta D. Morrison, Big Clifty, Ky., in place of B. C. Tully, retired.

Lark K. Box, Cynthiana, Ky., in place of R. S. Reed, retired.

G. Evelene Myers, Salt Lick, Ky., in place of Christine Alexander, retired.

Nina M. Williams, West Van Lear, Ky., in place of R. M. McCloud, retired.

LOUISIANA

Marie D. Johnson, Hackberry, La., in place of E. C. Ducote, retired.

MAINE

Dwight L. Simonds, Friendship, Maine, in place of C. A. Simmons, retired.

MARYLAND

Nada L. Joines, Highland, Md., in place of A. M. Disney, retired.

W. Sherman Mellott, Williamsport, Md., in place of W. H. Fridinger, retired.

MASSACHUSETTS

Donald C. Morris, Southboro, Mass., in place of E. B. Waite, Jr., deceased.

Donald H. Langley, South Easton, Mass., in place of B. K. Fuller, deceased.

Thomas F. McDonough, Sudbury, Mass., in place of J. H. Malonson, Jr., resigned.

Richard G. Smith, West Upton, Mass., in place of J. D. Colbert, retired.

MICHIGAN

Roy P. Leonardi, Alpha, Mich., in place of M. L. Mottes, retired.

Gerald P. Hollaway, Augusta, Mich., in place of S. E. Walsworth, retired.

Charles I. Heavilin, Fennville, Mich., in place of G. C. DuVall, deceased.

Mamee L. Davis, Hickory Corners, Mich., in place of R. E. Davis, retired.

Marion E. Cooper, Jeddo, Mich., in place of E. V. Lamb, retired.

Marvin J. Kirk, Manchester, Mich., in place of George Merriman, retired.

Evelyn L. Schoner, Mecosta, Mich., in place of L. R. Wernette, deceased.

Geneva E. Smith, Omena, Mich., in place of H. P. Wheeler, retired.

Ruth M. Lawler, Otisville, Mich., in place of J. W. Marshall, transferred.

Robert L. See, Romeo, Mich., in place of Almon Schoch, retired.

Donald J. Urbain, St. Charles, Mich., in place of N. L. James, resigned.

Shirley H. Fogarty, Smiths Creek, Mich., in place of S. E. Walter, resigned.

MINNESOTA

George H. Judish, Browns Valley, Minn., in place of A. W. Gesterling, retired.

Dwaine D. Babb, Cambridge, Minn., in place of C. L. Flink, retired.

Daniel C. Schnyders, Edgerton, Minn., in place of G. J. Denouden, transferred.

Edwin L. Wegleitner, Forest Lake, Minn., in place of B. C. Heim, retired.

Alvin O. Rosenthal, LeRoy, Minn., in place of H. F. Otto, retired.

Robert F. Doyle, Owatonna, Minn., in place of R. W. Myers, removed.

Vernon R. Heggen, Wheaton, Minn., in place of E. H. Mielke, retired.

MISSISSIPPI

Thomas B. Woodruff, Burnsville, Miss., in place of G. H. Oaks, retired.

James S. Thornton, Clarksdale, Miss., in place of A. A. Ramsey, retired.

Louel B. Fisher, Como, Miss., in place of W. C. Bailey, retired.

George E. Reid, Enterprise, Miss., in place of J. W. Anderson, retired.

Francis L. Townsend, Lena, Miss., in place of H. W. Sessums, deceased.

Lettie H. Johnson, Louise, Miss., in place of T. K. Fisher, retired.

E. Lamar Reynolds, Lumberton, Miss., in place of Mark Rayborn, Jr., transferred.

William G. Collins, New Albany, Miss., in place of T. E. Goodman, retired.

Roy L. Webb, Newhebron, Miss., in place of J. W. Jones, resigned.

William A. McLaurin, Sr., Sandersville, Miss., in place of Ruby Hinton, retired.

Louise Boyd, Scooba, Miss., in place of A. O. Hammack, retired.

Clyde S. Faust, Sledge, Miss., in place of A. L. Chorley, retired.

Annie L. Greene, Sumner, Miss., in place of V. L. Carnathan, retired.

MISSOURI

James R. Burge, Craig, Mo., in place of J. W. Volker, removed.

Harold J. Maples, Marionville, Mo., in place of C. H. Willard, retired.

William A. Reader, Oak Grove, Mo., in place of A. L. Robinson, retired.

MONTANA

Arnold R. Aklestad, Bigfork, Mont., in place of F. B. Burchard, retired.

Edward C. Clark, Ennis, Mont., in place of W. C. Jeffers, retired.

Marie K. Stein, Loma, Mont., in place of M. H. Larson, retired.

Katherine L. Heikkila, Roberts, Mont., in place of A. E. Heikkila, deceased.

NEBRASKA

Glen W. Hayes, Hershey, Nebr., in place of R. E. Maw, removed.

NEVADA

Theobald G. Travers, North Las Vegas, Nev., in place of Z. E. Bell, resigned.

NEW HAMPSHIRE

Victor J. Dean, New London, N.H, in place of J. E. Shepard, retired.

NEW JERSEY

George P. Ross, Belmar, N.J., in place of E. H. Antonides, retired.

M. Stuart Atwood III, Stone Harbor, N.J., in place of E. J. Lennon, deceased.

Leonora T. Harrison, Tabor, N.J., in place of F. B. Tonking, retired.

Dolores Sweetman, Townsends Inlet, N.J., in place of W. J. Shellem, Jr., deceased.

NEW YORK

Helen E. McEniff, Amenia, N.Y., in place of H. B. Miller, retired.

Robert G. Havens, Center Moriches, N.Y., in place of J. W. Sinnickson, retired.

James J. McTamaney, Cornwall, N.Y., in place of E. J. O'Mara, retired.

Franklin G. Bassakalis, Ghent, N.Y., in place of G. J. Bassakalis, retired.

Emory J. Branning, Hancock, N.Y., in place of E. H. Baker, retired.

John E. Foley, Harrisville, N.Y., in place of A. A. La Rouse, retired.

Ada B. Williams, Hart Lot, N.Y., in place of L. L. McGinn, retired.

Helen B. Santay, Henrietta, N.Y., in place of H. M. Finegan, retired.

Thomas P. O'Toole, Hensonville, N.Y., in place of J. D. Chatfield, retired.

Merwin W. Jester, Meridale, N.Y., in place of E. B. Bisbee, retired.

James L. Bloomfield, Meridian, N.Y., in place of M. D. Tabor, retired.

Ernest C. Warga, South Salem, N.Y., in place of B. R. Fellows, retired.

Betty J. Kelver, Wales Center, N.Y., in place of E. A. Kelver, retired.

Walter F. Brady, Watertown, N.Y., in place of H. C. Hager, retired.

NORTH CAROLINA

Robert E. Sharpe, Greensboro, N.C., in place of J. T. Moore, retired.

Charles C. Brown, Sr., Kittrell, N.C., in place of L. B. Ellis, retired.

Paul D. Johnson, Jr., Siler City, N.C., in place of H. B. Siler, retired.

NORTH DAKOTA

George J. Lemieux, Rolla, N. Dak., in place of A. J. Bateson, retired.

OHIO

Joseph L. Clark, Amlin, Ohio, in place of R. M. Patch, retired.

Homer A. Crecelius, Bellevue, Ohio, in place of G. T. Messig, retired.

Darrell E. Fawley, Chillicothe, Ohio, in place of, P. F. Ralston, retired.

Forest A. Baird, Chippewa Lake, Ohio, in place of F. A. Taylor, retired.

Edward J. Hinde III, Huron, Ohio, in place of E. G. Roswurm, retired.

Don M. Davis, Minerva, Ohio, in place of R. J. Davis, retired.

Keith L. Rutledge, Rockford, Ohio, in place of B. V. Tilburg, retired.

Charles F. Smith, Utica, Ohio, in place of G. C. Rine, retired.

OKLAHOMA

Thomas L. Detherage, Fairland, Okla., in place of B. F. Cooksey, retired.

John I. Washecheck, Sr., Piedmont, Okla., in place of I. L. Snyder, retired.

Harry J. Frasco, Savanna, Okla., in place of Bessie Gossett, retired.

Denver L. Turner, Wister, Okla., in place of R. R. McCarver, retired.

OREGON

Jean C. McDougall, Deadwood, Oreg., in place of I. B. Heavrin, retired.

Patricia M. Hescock, Fort Klamath, Oreg., in place of A. G. Brattain, retired.

PENNSYLVANIA

Florence M. Hannan, Bradfordwoods, Pa., in place of N. D. Mashey, retired.

Raymond C. Hall, Coal Center, Pa., in place of L. M. Cole, retired.

John M. Dranzo, Cokeburg, Pa., in place of E. L. Russell, deceased.

Genaro G. Landi, Cresco, Pa., in place of R. V. Hawk, deceased.

Alvin C. Brady, East McKeesport, Pa., in place of S. H. Ward, retired.

Elzer N. Coates, Jr., High Spire, Pa., in place of D. C. Miller, removed.

Victor E. Blank, Kinzers, Pa., in place of M. A. Trout, transferred.

Rayburn R. Krause, Laurys Station, Pa., in place of H. W. Young, deceased.

Dorothy J. Osterberg, McKean, Pa., in place of M. S. Smith, retired.

John H. Schaffer, Millersburg, Pa., in place of W. L. Rothermel, retired.

James W. Mengel, Mount Pleasant Mills, Pa., in place of R. B. Lesher, retired.

Anson L. Bigham, Normalville, Pa., in place of G. E. Shank, retired.

Harold C. Lorah, Oley, Pa., in place of S. L. Rothenberger, retired.

Myra B. Pifer, Tarrs, Pa., in place of S. M. Gilpin, deceased.

SOUTH CAROLINA

David L. Benson, Fairforest, S.C., in place of R. A. Dobson, retired.

Eugene Craven, Joanna, S.C., in place of D. M. Carr, retired.

Marise B. DeVore, Kinards, S.C., in place of V. C. Oxner, retired.

Donald A. Yongue, Orangeburg, S.C., in place of J. C. Cauthen, retired.

Duncan L. Crawley, Jr., Ruby, S.C., in place of Maynette Streater, retired.

SOUTH DAKOTA

Merlon M. Kotila, Frederick, S. Dak., in place of P. C. Heinzen, deceased.

Raymond F. Cerney, Geddes, S. Dak., in place of O. V. Bruner, retired.

Dale N. Rezac, Highmore, S. Dak., in place of C. V. Hill, retired.

Delmar J. Nelson, Rosholt, S. Dak., in place of A. H. Fogel, retired.

Charles R. Swartz, Wessington, S. Dak., in place of F. D. Fitch, retired.

TENNESSEE

Roe H. Price, Erie, Tenn., in place of R. E. Wicker, retired.

TEXAS

Louise E. Baker, Barnhart, Tex., in place of W. D. Kessler, retired.

Ruby E. Seat, Cayuga, Tex., in place of A. W. Johnson, retired.

Armando E. Gonzalez, Edcouch, Tex., in place of L. B. Doshier, retired.

Jack D. Watson, Fort Worth, Tex., in place of R. T. Cowan, retired.

W. Kenneth Suddeth, Hubbard, Tex., in place of E. H. Brown, retired.

Donovon A. Boyett, Moran, Tex., in place of J. M. Cottle, deceased.

Mark A. Phillips, Jr., Port Lavaca, Tex., in place of H. J. Runk, resigned.

Ross Hodges, Ranger, Tex., in place of C. M. Ohr, retired.

John C. Gregg, Santa Anna, Tex., in place of J. L. Strother, Jr., deceased.

Lloyd E. Million, Jr., Stamford, Tex., in place of E. B. Britton, retired.

Charles E. Baum, Whitesboro, Tex., in place of C. E. McFarland, transferred.

UTAH

Carlene N. Reed, Manila, Utah, in place of J. H. Harper, retired.

Laurella D. Holley, Tropic, Utah, in place of M. L. Cope, retired.

VIRGINIA

Herbert D. Jones, Coeburn, Va., in place of R. G. Boatright, retired.

George A. Johnson, Fort Blackmore, Va., in place of O. A. Quillen, retired.

Leon R. Waters, Luray, Va., in place of H. H. Price, resigned.

Cecil W. Wood, Meadows of Dan, Va., in place of C. A. Reynolds, retired.

Daniel R. Lynn, Randolph, Va., in place of M. J. Vaughan, retired.

Mary E. Moshenek, Ringgold, Va., in place of D. B. Bennett, retired.

Katherleene D. Rountree, Whaleyville, Va., in place of A. R. Knight, retired.

WASHINGTON

Gloria P. Wharton, Carlsborg, Wash., in place of E. M. McNamara, retired.

Billy M. Moyer, Dayton, Wash., in place of C. G. Johnson, retired.

George I. Simmons, Kennewick, Wash., in place of W. A. Woehler, retired.

Louis L. Valentine, Mount Vernon, Wash., in place of C. F. Shrauger, retired.

John W. Hull, Port Orchard, Wash., in place of D. M. Corliss, retired.

Leona M. Wing, Tracyton, Wash., in place of A. H. Grant, retired.

WEST VIRGINIA

Glenn L. Crane, Capon Bridge, W. Va., in place of Gertrude Ward, retired.

Stephen J. Moore, Leon, W. Va., in place of Lucille Jividen, retired.

James L. Scarberry, Ona, W. Va., in place of Sam Stinson, retired.

Carl W. Lang, Philippi, W. Va., in place of Doyle Phillips, retired.

Earl F. Wellman, Prichard, W. Va., in place of B. F. Adkins, retired.

Johanna M. Gaudino, Triadelphia, W. Va., in place of W. P. Kahl, retired.

WISCONSIN

John W. Wied, Amherst, Wis., in place of V. A. Martin, retired.

William P. Brennan, Barneveld, Wis., in place of A. G. Campbell, deceased.

Robert O. Westman, Bristol, Wis., in place of J. O. Goff, retired.

Richard B. Dougherty, Ellsworth, Wis., in place of C. L. Haessly, retired.

John R. Thompson, Elroy, Wis., in place of J. A. Podruch, deceased.

William E. Leonhard, Greenleaf, Wis., in place of G. B. Meulemans, retired.

Norman L. Myhra, Stevens Point, Wis., in place of H. L. Yulga, resigned.

Gerald J. Lonzo, Suring, Wis., in place of J. W. O'Callaghan, retired.

Frederick A. Mohrmann, Viola, Wis., in place of C. H. Mullendore, retired.

HOUSE OF REPRESENTATIVES

TUESDAY, FEBRUARY 21, 1967

The House met at 12 o'clock noon.

Dr. Stanley W. Wagner, rabbi, Baldwin Jewish Center, Baldwin, N.Y., offered the following prayer:

Let us pray.

Almighty Sovereign of the universe, with the word Thou didst create the world and with the word Thou hast made us preeminent over the beast. Through the faculty of speech Thou hast sanctified man, charging him not to use this divine gift in vain. Yet, with the freedom of will with which Thou hast also endowed him, he has both used and misused the word, at times to foster love and at times to breed hate; in some generations to build civilizations and in others to destroy them; in wisdom to bring mankind closer into a worldwide brotherhood and, in folly, to estrange and alienate brethren.

Dear God, we invoke Thy benign blessings upon all assembled in this great Chamber of words. What a glorious opportunity Thou hast given those gathered here, charged with the awesome responsibility of guiding the destiny of our beloved country to make the attribute of speech into Thy instrumentality of peace, justice, and freedom. Words, articulately expressed within these walls, have been written into laws which have provided equality and dignity for all Americans, Lord, and are helping to banish poverty and illiteracy among Thy children. Words, eloquently delivered by statesmen imbued with Thy spirit, have forged our Nation into a bastion of liberty and a beacon of hope to peoples everywhere. Words, millions and millions of them uttered here, have become as countless emissaries from Thee, inspiring a national commitment to Thine ideals, ideals which promote and advance human welfare and have become the foundation and cornerstone upon which our Great Society is built.

But, Lord, these days are marked by

a "confusion of tongues." In the council of nations pious pronouncements are preludes to ignoble deeds, great resolves are nullified by nefarious acts, professions of sincerity are seasoned with guile. The spoken word has shrunk in value by virtue of the distressing cleavage between the truths which governments affirm and the values they live by. Father in Heaven, implant in the hearts and minds of the patriots and leaders of every land the realization that until genuine communication is restored between the peoples of the world, and speech will be regarded as a God-given attribute not to be profaned, then unfulfilled shall be the vision of Thy prophet that "nation shall not lift sword against nation, neither shall they learn war any more."

On the eve of the birthday of one of the most illustrious figures in our country's history who, by tradition, was the exemplar of truthfulness, and whose words and deeds secured for future generations the glorious heritage of liberty and democracy, we pray Thee to continue to inspire the leaders of our blessed America, the representatives of the people, that the words resounding in this Hall may influence mankind to the end that the millennial hope of universal peace and happiness may be realized in our time. Vouchsafe unto us the wisdom to make "the words of our mouths and the meditations of our hearts acceptable before Thee," Master of all, so that Thy will shall mold the character of our Nation and of all the nations of the world. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed a joint resolution of the following title, in which the concurrence of the House is requested:

S.J. Res. 42. Joint resolution to amend the National Housing Act, and other laws relating to housing and urban development, to correct certain obsolete references.

SELECT COMMITTEE ESTABLISHED PURSUANT TO HOUSE RESOLUTION 1—PERMISSION TO SIT

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent that the committee created pursuant to House Resolution 1 be permitted to sit during the session of the House today.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

COMMITTEE ON RULES—PERMISSION TO FILE PRIVILEGED REPORTS

Mr. COLMER. Mr. Speaker, by direction of the Committee on Rules, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

PROF. BERNARD FALL

Mr. RYAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, I have just learned of the shocking and sad news that Prof. Bernard Fall has been killed in Vietnam. To those of us who had the privilege of knowing and working with him, this is indeed a tragic report.

Bernard Fall was that rare man who dedicated his life to the search for truth and knowledge. Professor Fall was an expert on southeast Asia, and used his encyclopedic knowledge to bring the facts and history of that area to the American people. In an area replete with passion and partisanship Bernard Fall never allowed himself to be used for partisan or biased advantage by any group or individual.

Professor Fall leaves to future generations several outstanding books and innumerable articles on Vietnam. "Two Vietnams" is a classic. He is also the author of "Street Without Joy" and the recently published and very well received "Hell in a Very Small Place." But even more than his invaluable contribution to knowledge, his life stands as a monument to the scholarly search for truth.

Mr. Speaker, for the information of those Members who knew and respected Bernard Fall, I have today obtained a special order for Wednesday, March 1, to pay tribute to him.

HUMAN INVESTMENT ACT OF 1967

Mr. SMITH of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SMITH of New York. Mr. Speaker, today I have introduced the Human Investment Act of 1967.

I consider it a great privilege to join with 128 of my colleagues in the House of Representatives and 29 Members of the U.S. Senate in introducing this legislation, whose purpose is to provide an incentive to American business to invest in the improvement of the Nation's human resources by hiring, training, and employing presently unemployed workers lacking needed job skills, and by upgrading the job skills of and providing new job opportunities for workers presently employed.

If we are ever to win the war against poverty or to make substantial progress in that direction, it is absolutely essential that the unemployed be trained so that they may become self-supporting and reach the dignity that comes to man when he is self-supporting, and it is essential that those who are only marginally self-supporting acquire the skills which will allow them to upgrade their economic position in life.

The Human Investment Act of 1967 can become a major weapon in our war against poverty, and I exhort the Congress of the United States and the President to support this legislation.

CASSIUS CLAY EVADES DRAFT

Mr. MICHEL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MICHEL. Mr. Speaker, it is interesting, albeit depressing, to note that the illustrious Cassius Clay has scheduled another alleged bout to milk a few more thousand dollars out of dodging the draft. I cannot understand how patriotic Americans can promote, or pay for, pugilistic exhibitions by an individual who has become the symbol of draft evasion. While thousands of our finest young men are fighting and dying in the jungles of Vietnam, this healthy specimen is profiteering from a series of shabby bouts. Apparently Cassius will fight anyone but the Vietcong.

This case should illustrate to Congress that revisions in our draft laws are needed. It may also call for an investigation of why Clay has not been allowed to serve in Vietnam as a conscientious objector—one of the many ploys he has used, including terming himself a member of the clergy, to avoid helping his country in time of war.

Many conscientious objectors who sincerely refuse to bear arms have served brilliantly as medics and in other capacities, I might add.

Cassius Clay's draft classification has been sustained as 1A but his lawyer brags that he can delay his going for a year by legal hanky-panky. Other boys go when their number is called. Clay should not be the exception. He may look upon himself as "the greatest," but I am sure history will look upon him as "the least" of all the men who have held the once-honorable title of "Heavyweight Champion of the World."

CONDUCT AND ETHICS

Mr. HAYS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HAYS. Mr. Speaker, I just came from a meeting of the Rules Committee in which the gentleman from Florida [Mr. BENNETT] was appearing in support of his resolution to set up a Committee on Conduct and Ethics. He excoriated the House Administration Committee, of which I am a member, because of its failure, he said, to act in this field. He said the reason he did not act last fall after we gave him this committee was the lack of time.

In due course I will appear before the committee, I hope, and ask them to send this matter to the House Administration Committee. But in the meantime I would point out that during that same time Mr. BENNETT claims he did not have, or the amount of time he did not have, the House Administration Subcommittee investigated the Powell situation from beginning to end and brought out all the evidence that the ad hoc committee has subsequently used, and even a little that they did not find out because, they said, according to the press, they did not know who signed the checks.

Well, if you read our hearings, Mrs. Dargans has testified that she did under Mr. POWELL's direction. So it seems to me that if they did not have time last December and we did, maybe Mr. BENNETT would never find time.

SUBCOMMITTEE ON ACCOUNTS OF THE COMMITTEE ON HOUSE ADMINISTRATION

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Accounts of the Committee on House Administration may be permitted to sit while the House is in session today.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

POSTPONEMENT OF SPECIAL ORDERS SCHEDULED FOR TOMORROW UNTIL THE FOLLOWING DAY

Mr. ALBERT. Mr. Speaker, I note that the gentleman from California [Mr. HOSMER] has a special order for 10 minutes tomorrow, and the gentleman from Minnesota [Mr. FRASER] for 60 minutes tomorrow, which is George Washington's Birthday. I have not been able to contact the gentlemen, but I ask unanimous consent that these special orders go over until the following day when they shall be called before special orders previously granted for that day.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

AUTHORIZING THE COMMITTEE ON POST OFFICE AND CIVIL SERVICE TO CONDUCT STUDIES AND INVESTIGATIONS WITHIN ITS JURISDICTION

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 209 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 209

Resolved, That, effective from January 3, 1967, the Committee on Post Office and Civil Service, acting as a whole or by subcommittee, is authorized to conduct full and complete studies and investigations in connection with all matters coming within the jurisdiction of the committee, including, but not limited to, the following matters:

(1) Personnel requirements and manpower utilization, the United States Civil Service Commission, and the Federal civil service generally.

(2) The classification of all mail, postal rates, fees, and size and weight of all classes of mail.

(3) Compensation and other emoluments of Federal civil officers and employees.

(4) The administration of the civil service retirement, insurance, and health benefits programs.

(5) The administration, management, and operation of the Post Office Department, mailability of articles and printed matter, including, among other things, the mailing of obscene matter and unsolicited articles.

(6) The purchase, lease, rental, use, and modernization of land, buildings, vehicles, and equipment for the postal field service, including research, development, and engineering programs related thereto.

(7) The activities of the Bureau of the Census, National Archives and Records Service and the collection, reporting and data processing activities of the Government generally.

(8) The classification of Federal civilian positions, including, among others, General Schedule positions subject to chapter 51, of title 5, United States Code, and postal field service positions subject to chapter 45, of title 39, United States Code.

The committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House.

The committee shall report to the House (or to the Clerk of the House if the House is not in session), at such time or times during the present Congress as it deems appropriate, the results of its investigations and studies, together with such recommendations as it deems advisable.

For the purpose of carrying out this resolution the committee, or any subcommittee thereof authorized to do so by the committee, is authorized to sit and act during the present Congress at such times and places within the United States, whether the House has recessed, or has adjourned, to hold such hearings, and to require by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as it deems necessary. Subpenas may be issued over the signature of the chairman or, in his absence, the vice chairman of the committee or any member of the committee designated by such chairman or, in his absence, the vice chairman and may be served by any person designated by such chairman, or vice chairman, or member.

Funds authorized are for expenses incurred in the committee's activities within the United States; and notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States in foreign countries shall not be made available to the Committee on Post Office and Civil Service for expenses of its members or other members or employees traveling abroad.

Mr. BOLLING. Mr. Speaker, I yield the usual 30 minutes to the gentleman from Illinois [Mr. ANDERSON] and, pending that, I yield myself such time as I may consume.

Mr. Speaker, we have a whole series of these routine resolutions giving committees additional power to investigate, and so forth. I know of only one controversy, which I will clearly identify when the resolution is brought up. To the best of my knowledge, all the others are routine. To the best of my knowledge, each resolution, even the controversial one, was reported unanimously by the Commitee on Rules.

Therefore, Mr. Speaker, I reserve the balance of my time on this resolution.

Mr. ANDERSON of Illinois. Mr. Speaker, I concur in what the gentleman from Missouri has just said with reference to the noncontroversial character of these standard investigative resolutions. Some questions may arise among some Members concerning the limitations upon unrestricted foreign travel. Only those committees whose duties require almost constant foreign travel are permitted to do so without bringing a separate travel resolution before the Rules Committee.

I would also say at this time—and I ask the attention of the gentleman from Missouri—that a Member on this side has directed my attention to House Resolution 179, the resolution dealing with the Committee on Foreign Affairs. He has raised a question as to whether or not certain investigations could be conducted by the Committee on Foreign Affairs under the language as stated in that resolution, so I merely ask the gentleman, when he calls that resolution to the attention of the House, to give us an opportunity to discuss the question that may arise on that single resolution. Other than that, I know of no objection to any other of the resolutions we will have before us today. The one in question is House Resolution 179, dealing with the Committee on Foreign Affairs.

Mr. Speaker, I reserve the balance of my time.

Mr. BOLLING. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE COMMITTEE ON VETERANS' AFFAIRS TO CONDUCT AN INVESTIGATION AND STUDY WITH RESPECT TO CERTAIN MATTERS WITHIN ITS JURISDICTION

Mr. ANDERSON of Tennessee. Mr. Speaker, I call up House Resolution 101 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 101

Resolved, That, effective from January 3, 1967, the Committee on Veterans' Affairs, acting as a whole or by subcommittee, is authorized to conduct a full and complete investigation and study of the following programs of benefits for veterans and their dependents and survivors:

(1) The program of compensation and pension;

(2) The programs of hospitalization, domiciliary care, nursing home care, medical and dental care and treatment, and furnishing of prosthetic appliances;

(3) The insurance and indemnity programs;

(4) The housing and business loan programs, and the program of furnishing assistance for the acquisition of specially adapted housing;

(5) The programs of education and training (including vocational rehabilitation); and

(6) The furnishing of burial allowances;

with a view to determining whether or not such programs are being conducted economically, efficiently, in the best interests of the Government and the beneficiaries of such programs, and in such a manner as to avoid the misuse of Government funds; whether or not such programs adequately serve the needs and protect the welfare of the beneficiaries of such programs; and whether changes in the law or in the administration and operation of the programs either will lead to greater efficiency and economy or will make such programs more adequately serve the needs of the beneficiaries of such programs.

The committee is also authorized to conduct a full and complete investigation and study to determine—

(1) the extent to which appeals for charitable contributions are made to the American people, or segments thereof, in the name of American veterans by appealing to the desire of the American people to assist such veterans and their survivors or dependents;

(2) whether an undue proportion of such charitable contributions is used to meet the expenses of conducting such appeals and for other administrative expenses rather than for providing services for or benefits to veterans;

(3) whether any of such appeals are fraudulent in nature;

(4) whether additional supervision of the fund-raising activities conducted by organizations chartered by Act of Congress in the name of veterans is necessary or desirable; and

(5) the existence of any other abuses connected with charitable appeals made in the name of veterans.

The committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House.

The committee shall report to the House (or to the Clerk of the House if the Houes is not in session), as soon as practicable during the present Congress, the results of its investigations and studies, together with such recommendations for legislation as it deems advisable.

For the purposes of this resolution the committee, or any subcommittee thereof, is authorized to sit and act during the present Congress at such times and places within the United States, including any Commonwealth or possession thereof, whether or not the House is in session, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such records, documents, and papers, to administer oaths, and to take such testimony as it deems necessary, except that neither the committee nor any subcommittee thereof may sit while the House is meeting unless special leaves to sit shall have been obtained from the House. Subpenas may be issued under the signature of the chairman of the committee, or by any member designated by such chairman, and may be served by any person designated by such chairman or member.

SEC. 2. In addition, the Committee on Veterans' Affairs is authorized to send not more than five members of such committee and not more than two staff assistants to the Republic of the Philippines and South Vietnam for the purpose of conducting a full and complete investigation and study into the disability compensation and pension program, the death compensation and death pension program, the dependency and indemnity compensation program, insurance, education, vocational rehabilitation, hospital and medical care and other subjects properly coming within the jurisdiction of said committee in the Republic of the Philippines and in the case of American veterans and servicemen in South Vietnam the above-mentioned subjects and the servicemens group life insurance program.

Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Veterans' Affairs of the House of Representatives and employees engaged in carrying out their official duties under section 190d of title 2, United States Code: *Provided,* That (1) no member or employee of said committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88–633, approved October 7, 1964; (2) no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

That each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country where local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

With the following committee amendments:

On page 4, after line 22, insert the following paragraph:

"*Provided,* That the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House."

On page 5, line 22, after the word "Government," insert the words "the cost of such transportation, and".

Mr. ANDERSON of Tennessee. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ANDERSON], pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 101 is the regular legislation on investigative powers that is necessary for the normal operation of the Committee on Veterans' Affairs.

Mr. Speaker, the Committee on Rules has made one change which should be called to the attention of the House.

The amendment corrects this resolution relative to the reporting of transportation costs of overseas travel involving the use of counterpart funds in line with the Mutual Security Act, as amended, 22 U.S.C. 1754. It is my understanding that this language should have been in resolutions in the past.

Mr. Speaker, I urge the adoption of House Resolution 101 in order that the Committee on Veterans' Affairs will have authority to conduct investigations and studies of matters under their jurisdiction, and that funds for this purpose will be available to them.

Mr. ANDERSON of Illinois. Mr. Speaker, the only thing I would add to what the gentleman from Tennessee has said is that in section 2 there is also the provision that a subcommittee of the Committee on Veterans' Affairs, along with two staff assistants, may travel to the Republic of the Philippines and South Vietnam for investigative purposes. It was explained to the satisfaction of the Committee on Rules that this was necessary for the work of the Committee on Veterans' Affairs.

Mr. Speaker, I have no further requests for time.

The committee amendments were agreed to.

The resolution as amended was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING COMMITTEE ON MERCHANT MARINE AND FISHERIES TO CONDUCT CERTAIN STUDIES AND INVESTIGATIONS

Mr. ANDERSON of Tennessee. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 19 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 19

Resolved, That, effective from January 3, 1967, the Committee on Merchant Marine and Fisheries, acting as a whole or by subcommittee, is authorized to conduct full and complete studies and investigations and make inquiries relating to matters coming within the jurisdiction of such committee, including but not limited to the following:

(1) administration and operation of the Maritime Administration and Federal Maritime Commission and all laws, international arrangements, and problems relating to the American merchant marine;

(2) administration and operation of the United States Fish and Wildlife Service and all laws and problems relating to fisheries and wildlife;

(3) administration and operation of the Coast Guard, Coast and Geodetic Survey, and all laws and problems relating to functions thereunder;

(4) administration and operation of the Panama Canal and all laws and problems relating thereto, together with the necessity of providing additional transiting facilities for vessels between the Atlantic and Pacific Oceans;

(5) the natural resources and environment of the oceans.

Provided, That the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House.

For such purposes the said committee, or any subcommittee thereof as authorized to do so by the chairman of the committee, is hereby authorized to sit and act during the present Congress within or without the United States, whether the House has recessed, or has adjourned, to hold such hearings, and to require by subpena or otherwise the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member. The chairman of the committee or any member thereof designated by him may administer oaths to witnesses.

That the said committee shall report to the House of Representatives during the present Congress the results of their studies and investigations with such recommendations for legislation or otherwise as the committee deems desirable.

Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Merchant Marine and Fisheries of the House of Representatives and employees engaged in carrying out their official duties under section 190d of title 2, United States Code: *Provided*, That (1) no member or employee of said committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88–633, approved October 7, 1964; (2) no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

Each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

With the following committee amendment:

On page 4, line 9, after the word "Government," insert the words "the cost of such transportation, and".

Mr. BOLLING (interrupting the reading of the resolution). Mr. Speaker, I ask unanimous consent that further reading of the resolution be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The SPEAKER. The gentleman from Tennessee [Mr. ANDERSON] is recognized for 1 hour.

Mr. ANDERSON of Tennessee. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ANDERSON] and, pending that, I yield myself such time as I may require.

Mr. Speaker, House Resolution 19 is the regular legislation on investigative powers that is necessary for the normal operation of the committee on Merchant Marine and Fisheries.

Mr. Speaker, the Committee on Rules has made one change in this resolution which should be called to the attention of the House.

This amendment corrects this resolution relative to the reporting of transportation costs of overseas travel involving the use of counterpart funds in line with the Mutual Security Act, as amended, 22 U.S.C. 1754. It is my understanding that this language should have been in past resolutions.

Mr. Speaker, I urge the adoption of House Resolution 19 in order that the Committee on Merchant Marine and Fisheries will have authority to conduct investigations and studies of matters under their jurisdiction, and that funds for this purpose will be available to them.

Mr. ANDERSON of Illinois. Mr. Speaker, I concur in what the gentleman from Tennessee has said and join him in urging the adoption of House Resolution 19.

The committee amendment was agreed to.

The resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING COMMITTEE ON AGRICULTURE TO MAKE STUDIES AND INVESTIGATIONS WITHIN ITS JURISDICTION

Mr. BOLLING. Mr. Speaker, I am about to call up the controversial resolution, the one on the Committee on Agriculture.

Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 83 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 83

Resolved, That effective from January 3, 1967, the Committee on Agriculture, acting as a whole or by subcommittee, is authorized to make studies and investigations into the following matters:

(1) The restoration and development of foreign markets for American agricultural products and of international trade in agricultural products; the disposal of agricultural commodities pursuant to Public Law 480, Eighty-third Congress, as amended, and the use of the foreign currencies accruing therefrom; and the effect of the European Common Market and other regional economic agreements upon United States agriculture;

(2) All matters relating to the establishment and development of an effective Foreign Agricultural Service pursuant to title VI of the Agricultural Act of 1954;

(3) All matters relating to the development, use, and administration of the national forests, including but not limited to development of a sound program for general public use of the national forests consistent with watershed protection and sustained-yield timber management, and study of the forest fire prevention and control policies and activities of the Forest Service and their relation to coordinated activities of other Federal, State, and private agencies;

(4) Price spreads between producers and consumers;

(5) The formulation and development of improved price-support and regulatory programs for agricultural commodities; matters relating to the inspection, grading, and marketing of such commodities; and the effect of trading in futures contracts for such commodities;

(6) The administration and operation of agricultural programs through State and county agricultural stabilization and conservation committees and the administrative policies and procedures relating to the selection, election, and operation of such committees;

(7) The development of upstream watershed projects authorized by Public Law 156, Eighty-third Congress, and the administration and development of watershed programs pursuant to Public Law 566, Eighty-third Congress, as amended; the development of land use programs pursuant to titles I and IV of the Food and Agriculture Act of 1962; and the development of the various programs provided for by the Child Nutrition Act of 1966;

(8) All other matters wihin the jurisdiction of the committee: *Provided*, That the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House.

For the purposes of such investigations and studies, the committee or any subcommittee thereof is authorized to sit and act during the present Congress at such times and places whether the House has recessed, or has adjourned, to hold such hearings, to make such inspections or investigations, and to require, by subpena or otherwise, the attendance and testimony of such witnesses, and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee, or any member of the committee designated by him, and may be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths or affirmations to witnesses.

The committee may report to the House (or to the Clerk of the House if the House is not in session) at any time during the present Congress the results of its investigation and study, together with such recommendations as it deems advisable.

With the following committee amendments:

On page 3, line 12, after the word "places", delete the comma and insert the words "within the United States,".

On page 4, after line 3, add the following paragraph:

"Funds authorized are for expenses incurred in the committee's activities within the United States; and notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States in foreign countries shall not be made available to the committee for expenses of its members or other members or employees traveling abroad."

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ANDERSON] and, pending that, I yield myself such time as I may consume; and announce at this time that I intend to yield 5 minutes to the gentleman from Missouri [Mr. JONES].

Mr. Speaker, House Resolution 83 is the regular legislation on investigative powers that is necessary for the normal operation of the Committee on Agriculture.

Mr. Speaker, the Committee on Rules has made two changes in this resolution which should be called to the attention of the House.

On page 3, line 12, after the word "places," the words "within the United States," were inserted. This was done as in the past several Congresses the Committee on Agriculture has been authorized to travel within the United States only.

The second amendment on page 4, after line 3, is as follows:

Funds authorized are for expenses incurred in the committee's activities within the United States; and, notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States in foreign countries shall not be made available to the Committee for expenses of its members or other Members or employees traveling abroad.

Since this resolution does not include overseas travel, counterpart funds are not available. In the past, the Committee on Agriculture has introduced specific resolutions for trips within the United States.

Mr. Speaker, I urge the adoption of House Resolution 83 in order that the Committee on Agriculture will have authority to conduct investigations and studies of matters under their jurisdiction, and that funds for this purpose will be made available to them.

Mr. Speaker, I urge the adoption of House Resolution 83, and I reserve the balance of my time.

Mr. ANDERSON of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I concur in what the gentleman from Missouri [Mr. BOLLING] has said in explanation of this resolution.

Mr. Speaker, however I do apologize to the Members of the House if I misspoke myself earlier in describing these resolutions as being generally noncontroversial, with the exception of the question raised in House Resolution 179. I, frankly, did not realize that the question with reference to the House Committee on Agriculture in the decision on the matter of foreign travel had been elevated to the status of controversy. But, apparently, there are those who do question that amendment.

Mr. Speaker, I have no requests for time on this side of the aisle.

Mr. BOLLING. Mr. Speaker, I yield 5 minutes to the gentleman from Missouri [Mr. JONES].

Mr. JONES of Missouri. Mr. Speaker, I am rising in opposition to the committee amendments to House Resolution 83. The reason I have done this is because that upon more than one occasion I have stated why I object to these amendments.

No. 1, Mr. Speaker, is the fact that when the representatives of the committee, the Committee on Agriculture, went before the Committee on Rules when this resolution was up for consideration, there was no mention made of any intention to propose to amend this resolution. To conserve time, our presentation, by the chairman of our committee was brief. We did not anticipate any objection to the resolution.

Mr. Speaker, further, I believe this amendment that is proposed to be placed into this resolution places the Members of the House Committee on Agriculture on the basis of second-class Members of this House of Representatives.

Mr. Speaker, I do not feel that the Committee on Rules is in a very good position to set itself up as an authority in an attempt to try to regulate the morals, or the anticipated morals, or the intimation of immoral practices by the House Committee on Agriculture.

Mr. Speaker, I want to tell the Members what this resolution calls for, and directs the Committee on Agriculture to do. It is to make studies and investigations into the following matters, including the restoration and development of foreign markets for American agricultural products and of international trade in agricultural products; the disposal of agricultural commodities pursuant to Public Law 480, 83d Congress, as amended, and the use of the foreign currencies accruing therefrom; and the effect of the European Common Market and other regional economic agreements upon U.S. agriculture. The House Committee on Agriculture is charged with the administration of programs involving several billions of dollars.

Secondly, it is to investigate all matters relating to the establishment and development of an effective Foreign Agricultural Service pursuant to title VI of the Agricultural Act of 1954.

Mr. Speaker, if the Committee on Rules did not want us to do this investigating I think they should have amended the resolution to take away the authority. I do not believe they are going to have the nerve to do that.

Mr. Speaker, I believe it is a reflection on this committee to ask us to assume an obligation here, and then deprive the committee of the opportunity to use funds to make these investigations which should be made on the spot, so to speak, where wasteful practices often occur.

Mr. Speaker, I want to say as a matter of record here today that the Committee on Agriculture, I believe, has come as near as any committee in the House of Representatives of showing good judgment in the conservation of funds—and that includes travel funds.

May I say, Mr. Speaker, that the present speaker, in cooperation with a Republican member of our committee, made a trip to India a few years ago, and I will challenge any committee in this House to come up with what we did on that particular trip. All of the expenses of that trip with the exception of transportation were paid in Indian rupees. Everybody knows the worth of a rupee. So there was no bill turned in for any expenses for that trip, because they were paid with Indian rupees.

In other words, Mr. Speaker, I believe some of the other committees of this House could learn how to use some of these counterpart funds. Although when I came back home and I told them that I did not have any bill to turn in, they said, "How did you do it?"

I said I did it with Indian rupees. They said, "How did you do it?" I tried to explain it to them. They said, "Oh, you are in violation of the law, in spending the rupees in the place of dollars."

Perhaps I violated the law, but I saved the Government of the United States a lot of money when I did it.

Mr. Speaker, another thing is that none of these trips can be made outside the United States without the direction and authority of the chairman of our committee. I want to say this, Mr. Speaker, that I will put the chairman of the Committee on Agriculture up against any Member of this House when it comes to conserving funds and acting economically. I will say that I doubt if there is any other committee in this House, with one exception, and another committee had to do it for them, where their staff was cut this year—and that happened in the Committee on Agriculture, our staff was cut—and the salaries were cut in that committee, and we have otherwise tried to conserve the funds allotted to our committee.

Mr. Speaker, I think in view of the record this committee has made, and the fact that this was not called to our attention during the consideration of the rule in the Committee on Rules, I am asking the other Members of this House to vote with me to defeat these two committee amendments.

Mr. BOLLING. Mr. Speaker, I should like to reply briefly to my colleague the gentleman from Missouri [Mr. JONES], that there certainly is no intention on the part of any member of the Committee on Rules to treat the Committee on Agriculture any differently than any other committee.

Mr. JONES of Missouri. Mr. Speaker, will the gentleman yield?

Mr. BOLLING. I will yield to the gentleman when I finish my statement.

In the last 2 years I believe the Committee on Agriculture has had a resolution which required, as this resolution would, that when they had an investigation abroad they would come back to the Committee on Rules, and having come back to the Committee on Rules, they would get a resolution for travel.

The notion that there was any intimation or any intent to treat the Committee on Agriculture differently, I think is in error.

I think the Committee on Rules carefully weighed its decision and I think its unanimous vote is significant.

Mr. LATTA. Mr. Speaker, will the gentleman yield?

Mr. BOLLING. I yield to the gentleman.

Mr. LATTA. Mr. Speaker, I would like to concur in what the gentleman has just said and further point out that I raised the question in the Committee on Rules about members of the Agriculture Committee traveling to investigate the Public Law 480 program. This is a very large, international program. Millions and millions of dollars of surplus agriculture commodities are involved. Supervision and inspection are necessary in order to carry out the congressional mandate. I went along with this resolution only after receiving assurances from the Committee on Rules that requests to investigate the operation of particular programs under Public Law 480 will be given early consideration by the committee and favorably reported as the facts warrant.

Mr. BOLLING. The gentleman has very clearly stated the matter and it is accurate.

Mr. JONES of Missouri. Mr. Speaker, will the gentleman yield?

Mr. BOLLING. I yield to the gentleman.

Mr. JONES of Missouri. Mr. Speaker, I would just like to say to the gentleman, you have made an admission that you are treating the Committee on Agriculture as second-class members. You have admitted that you do not treat this committee as other committees have been treated. You have not denied that you are charging us in a resolution to perform certain duties and now you are asking that we come with hat in hand and say, "Please, Mr. Chairman of the Committee on Rules, please Mr. Member, let us have some money." Why this is all poppycock and you know it.

I say if you are going to give this committee the obligation and the authority to make these investigations, at least be man enough to give us the money and then if we violate our trust, take it away from us—and you have done that with some other committees. But do not do it this way. This is a terrible way to do it and it is a reflection not only on this committee but on every member of this committee, when you ask us to do things and then refuse to provide any money for us and say that we have to come with hat in hand and beg you to do it.

Mr. **BOLLING**. Mr. Speaker, I have no further requests for time.

The **SPEAKER**. The question is on agreeing to the committee amendments.

The question was taken; and on a division (demanded by Mr. JONES of Missouri), there were—ayes 34, noes 13.

So the committee amendments were agreed to.

Mr. **JONES** of Missouri. Mr. Speaker, I make the point of order that a quorum is not present.

The **SPEAKER**. Does the gentleman make the straight point of order that a quorum is not present?

Mr. **JONES** of Missouri. Mr. Speaker, the gentleman makes the point of order. I want to get a quorum here and then I will have a division.

The **SPEAKER**. The gentleman from Missouri makes the point of order that a quorum is not present.

The Chair will state that the vote is automatic at this point.

Mr. **JONES** of Missouri. The vote on the resolution is not automatic. At this point we are only voting on the amendments.

The **SPEAKER**. Does the gentleman from Missouri make the point of order that a quorum is not present and objects to the vote on the ground that a quorum is not present?

Evidently, a quorum is not present.

Mr. **HALL**. Mr. Speaker, a parliamentary inquiry.

The **SPEAKER**. The gentleman will state the parliamentary inquiry.

Mr. **HALL**. Mr. Speaker, the parliamentary inquiry is whether or not the gentleman from Missouri did object to the vote on the basis that a quorum was not present as was stated by the Speaker.

The **SPEAKER**. The Chair would like to understand clearly what the gentleman from Missouri is demanding.

Is the gentleman from Missouri demanding a straight quorum call?

Mr. **JONES** of Missouri. I was demanding a straight quorum call, and then I am going to ask for a division when we come to adopting the resolution.

The **SPEAKER**. Evidently a quorum is not present.

CALL OF THE HOUSE

Mr. **ALBERT**. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 16]

Abbitt
Arends
Ashbrook
Ayres
Baring
Barrett
Bates
Bell
Blatnik
Bow
Bray
Brown, Calif.
Burton, Calif.
Burton, Utah
Button
Byrnes, Wis.
Cahill
Casey
Celler
Clausen, Don H.
Cohelan
Corbett
Daddario
Davis, Ga.
Diggs
Dow
Dowdy
Eckhardt
Edwards, Calif.
Everett
Farbstein
Feighan
Fino
Flynt
Ford, Gerald R.
Ford, William D.
Fraser
Gathings
Goodell
Griffiths
Hagan
Haley
Hanna
Hansen, Idaho
Harsha
Harvey
Hébert
Helstoski
Irwin
Jarman
Jones, N.C.
Karth
Kee
King, Calif.
Kluczynski
Kornegay
Laird
Landrum
Macdonald, Mass.
Mailliard
Marsh
Mathias, Calif.
Meskill
Mize
Multer
Myers
Nix
O'Konski
Ottinger
Passman
Patman
Pepper
Philbin
Pike
Pirnie
Pollock
Pool
Pucinski
Rarick
Reinecke
Resnick
Rivers
Ronan
Roudebush
Roybal
Ruppe
Sandman
St Germain
Saylor
Selden
Shipley
Sisk
Smith, Calif.
Smith, Iowa
Snyder
Staggers
Stanton
Stephens
Stuckey
Talcott
Thompson, N.J.
Tunney
Utt
Waldie
Whalley
Whitener
Williams, Miss.
Willis
Wilson, Charles H.
Zion

The **SPEAKER**. On this rollcall, 323 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

Mr. **BOLLING**. Mr. Speaker, I move the previous question.

The **SPEAKER**. The question is on ordering the previous question.

The question was taken, and on a division (demanded by Mr. JONES of Missouri) there were—ayes 87, noes 35.

Mr. **JONES** of Missouri. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The **SPEAKER**. Evidently, a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members and the Clerk will call the roll.

The question was taken; and there were—yeas 230, nays 85, not voting 117, as follows:

[Roll No. 17]

YEAS—230

Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Ashley
Aspinall
Bennett
Berry
Betts
Biester
Bingham
Blackburn
Blanton
Boggs
Bolling
Bolton
Brademas
Brasco
Brock
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Mass.
Bush
Carey
Cederberg
Chamberlain
Clancy
Clawson, Del
Cleveland
Collier
Conable
Conte
Conyers
Corman
Cramer
Culver
Cunningham
Curtis
Daniels
Davis, Wis.
Dawson
Delaney
Dellenback
Denney
Dent
Devine
Dickinson
Dingell
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Fallon
Findley
Fisher
Flood
Ford, William D.
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Gardner
Giaimo
Gibbons
Gilbert
Gonzalez
Goodling
Green, Oreg.
Green, Pa.
Griffiths
Gross
Grover
Gubser
Halleck
Halpern
Hamilton
Hanley
Hansen, Wash.
Hardy
Harrison
Hathaway
Hawkins
Hays
Hechler, W. Va.
Heckler, Mass.
Hicks
Holifield
Holland
Horton
Hosmer
Howard
Hunt
Hutchinson
Jacobs
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Karsten
Kastenmeier
Kee
Kelly
King, N.Y.
Kyl
Kyros
Langen
Latta
Lipscomb
Lloyd
Lukens
McCarthy
McClory
McCulloch
McDade
McDonald, Mich.
McFall
MacGregor
Machen
Madden
Martin
Matsunaga
Meeds
Michel
Miller, Calif.
Mills
Minish
Mink
Minshall
Monagan
Moore
Moorhead
Morse, Mass.
Morgan
Morton
Moss
Murphy, N.Y.
Natcher
Nedzi
Nelsen
O'Hara, Ill.
O'Hara, Mich.
Patten
Pelly
Perkins
Pettis
Poff
Pryor
Quie
Quillen
Railsback
Rees
Reid, Ill.
Reid, N.Y.
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Robison
Rodino
Rogers, Colo.
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roush
Rumsfeld
Ryan
Sandman
St. Onge
Schadeberg
Scherle
Scheuer
Schneebeli
Schweiker
Schwengel
Scott
Shriver
Skubitz
Slack
Smith, N.Y.
Springer
Stafford
Steed,
Steiger, Wis.
Stratton
Taft
Talcott
Tenzer
Thomson, Wis.
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Watkins
Watson
Watts
Whalen
Widnall
Wiggins
Williams, Pa.
Willis
Wilson, Bob
Winn
Wyatt
Wylie
Wyman
Yates
Young
Zablocki

NAYS—85

Abernethy
Adair
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Belcher
Bevill
Brinkley
Burke, Fla.
Burleson
Carter
Clark
Cowger
de la Garza
Derwinski
Dole
Dowdy
Edwards, La.
Fascell
Foley
Fountain
Fuqua
Galifianakis
Gathings
Gettys
Gude
Gurney
Hall
Hammerschmidt
Henderson
Herlong
Hull
Hungate
Ichord
Jones, Mo.
Kazen
Kleppe
Leggett
Lennon
Long, La.
Long, Md.
McClure
McEwen
McMillan
Mathias, Calif.
Mathias, Md.
May
Miller, Ohio
Morris, N. Mex.
Mosher
Murphy, Ill.
Nichols
Olsen
O'Neal, Ga.
Pickle
Poage
Price, Ill.
Price, Tex.
Purcell
Randall
Reifel
Roberts
Rogers, Fla.
Satterfield
Sikes
Smith, Okla.
Steiger, Ariz.
Stubblefield
Sullivan
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Tuck
Vigorito
Waggonner
Walker
Wampler
White
Whitten
Wolff
Wright
Wydler
Younger
Zwach

NOT VOTING—117

Abbitt
Arends
Ashbrook
Ashmore
Ayres
Baring
Barrett
Bates
Battin
Bell
Blatnik
Boland
Bow
Bray
Burton, Calif.
Burton, Utah
Button
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Casey
Celler
Clausen, Don H.
Cohelan
Colmer
Corbett
Daddario
Davis, Ga.
Diggs
Donohue
Dorn
Dow
Everett
Farbstein
Feighan
Fino
Flynt
Ford, Gerald R.
Fraser
Gallagher
Garmatz
Goodell
Gray
Hagan
Haley
Hanna
Hansen, Idaho
Harsha
Harvey
Hébert
Helstoski
Irwin
Jarman
Jones, N.C.
Karth
Keith
King, Calif.
Kirwan
Kluczynski
Kornegay
Kupferman
Kuykendall
Laird
Landrum
Macdonald, Mass.
Mahon
Mailliard
Marsh
Mayne
Meskill
Mize
Montgomery
Multer
Myers
Nix
O'Konski
O'Neill, Mass.
Ottinger
Passman
Patman
Pepper
Philbin
Pike
Pirnie
Pollock
Pool
Pucinski
Rarick
Reinecke
Resnick
Rivers
Ronan
Roudebush

Roybal
Ruppe
St Germain
Saylor
Selden
Shipley
Sisk
Smith, Calif.
Smith, Iowa
Snyder
Staggers
Stanton
Stephens
Stuckey
Thompson, N.J.
Tunney
Utt
Waldie
Whalley
Whitener
Williams, Miss.
Wilson, Charles H.
Zion

So the previous question was ordered.

Mr. **LONG** of Maryland changed his vote from "yea" to "nay."

Mr. **WIDNALL** and Mr. **DUNCAN** changed their votes from "nay" to "yea."

The results of the vote was announced as above recorded.

The doors were opened.

The **SPEAKER**. The question is on agreeing to the resolution as amended.

The question was taken, and on a division (demanded by Mr. JONES of Missouri) there were—ayes 128, noes 25.

Mr. **JONES** of Missouri. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The **SPEAKER**. The gentleman from Missouri objects to the vote on the ground that a quorum is not present, and makes the point of order that a quorum is not present.

Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 306, nays 18, not voting 108, as follows:

[Roll No. 18]

YEAS—306

Adair
Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Ashley
Ashmore
Aspinall
Battin
Belcher
Bennett
Berry
Betts
Bevill
Biester
Bingham
Blackburn
Blanton
Blatnik
Boland
Bolling
Bolton
Brademas
Brasco
Brinkley
Brock
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Mass.
Burleson
Bush
Carey
Carter
Cederberg
Chamberlain
Clancy
Clark
Clawson, Del
Cleveland
Collier
Colmer
Conable
Conte
Cowger
Cramer
Culver
Cunningham
Curtis
Daniels
Davis, Wis.
Dawson
Delaney
Dellenback
Denney
Devine
Dickinson
Dingell
Dole
Dorn
Dowdy
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, La.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Evins, Tenn.
Fallon
Fascell
Findley
Fisher
Flood
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Gardner
Gettys
Giaimo
Gibbons
Gilbert
Gonzalez
Goodell
Goodling
Green, Oreg.
Green, Pa.
Griffiths
Gross
Grover
Gubser
Gude
Gurney
Hall
Halleck
Halpern
Hamilton
Hammerschmidt
Hanley
Hansen, Wash.
Hardy
Harrison
Hathaway
Hays
Hechler, W. Va.
Heckler, Mass.
Herlong
Hicks
Holifield
Holland
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Hutchinson
Ichord
Jacobs
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Karsten
Kastenmeier
Kazen
Kee
Keith
Kelly
King, N.Y.
Kleppe
Kuykendall
Kyl
Kyros
Langen
Latta
Leggett
Lipscomb
Lloyd
Long, La.
Long, Md.
Lukens
McCarthy
McClory
McCulloch
McDade
McDonald, Mich.
McMillan
MacGregor
Machen
Madden
Mahon
Martin
Mathias, Calif.
Mathias, Md.
Matsunaga
May
Mayne
Meeds
Meskill
Michel
Miller, Calif.
Miller, Ohio
Mills
Minish
Mink
Minshall
Monagan
Moore
Moorhead
Morgan
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nelsen
Nichols
O'Hara, Ill.
O'Hara, Mich.
Olsen
O'Neill, Mass.
Passman
Patten
Pelly
Perkins
Pettis
Poage
Poff
Pool
Price, Ill.
Price, Tex.
Pryor
Quie
Quillen
Railsback
Randall
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roush
Rumsfeld
Ruppe
Ryan
Sandman
Satterfield
St. Onge
Schadeberg
Scherle
Scheuer
Schneebeli
Schweiker
Schwengel
Scott
Shriver
Sikes
Skubitz
Slack
Smith, N.Y.
Smith, Okla.
Springer
Stafford
Steed
Steiger, Wis.
Stratton
Stubblefield
Sullivan
Taft
Talcott
Taylor
Tenzer
Thompson, Ga.
Thomson, Wis.
Tuck
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waggonner
Walker
Wampler
Watkins
Watson
Watts
Whalen
White
Widnall
Wiggins
Williams, Pa.
Willis
Winn
Wolff
Wright
Wyatt
Wydler
Wylie
Wyman
Yates
Young
Younger
Zablocki
Zwach

NAYS—18

Abernethy
Burke, Fla.
de la Garza
Derwinski
Gathings
Henderson
Jones, Mo.
Lennon
McClure
McEwen
Montgomery
O'Neal, Ga.
Pickle
Rarick
Roberts
Teague, Calif.
Teague, Tex.
Whitten

NOT VOTING—108

Abbitt
Arends
Ashbrook
Ayres
Baring
Barrett
Bates
Bell
Boggs
Bow
Bray
Burton, Calif.
Burton, Utah
Button
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Casey
Celler
Clausen, Don H.
Cohelan
Conyers
Corbett
Corman
Daddario
Davis, Ga.
Dent
Diggs
Donohue
Dow
Edwards, Calif.
Everett
Farbstein
Feighan
Fino
Flynt
Foley
Ford, Gerald R.
Garmatz
Gray
Hagan
Haley
Hanna
Hansen, Idaho
Harsha
Harvey
Hawkins
Hébert
Helstoski
Irwin
Jarman
Jones, N.C.
Karth
King, Calif.
Kirwan
Kluczynski
Kornegay
Kupferman
Laird
Landrum
McFall
Macdonald, Mass.
Mailliard
Marsh
Mize
Multer
Myers
Nix
O'Konski
Ottinger
Patman
Pepper
Philbin
Pike
Pirnie
Pollock
Pucinski
Purcell
Reinecke
Resnick
Rivers
Ronan
Roudebush
Roybal
St Germain
Saylor
Selden
Shipley
Sisk
Smith, Calif.
Smith, Iowa
Snyder
Staggers
Stanton
Steiger, Ariz.
Stephens
Stuckey
Thompson, N.J.
Tunney
Utt
Waldie
Whalley
Whitener
Williams, Miss.
Wilson, Bob
Wilson, Charles H.
Zion

So the resolution as amended was agreed to.

The Clerk announced the following pairs:

Mr. Byrne of Pennsylvania with Mr. Myers.
Mr. Davis of Georgia with Mr. Snyder.
Mr. Feighan with Mr. Steiger of Arizona.
Mr. Williams of Mississippi with Mr. Patman.
Mr. Whitener with Mr. Pepper.
Mr. Nix with Mr. Resnick.
Mr. Hawkins with Mr. Helstoski.
Mr. Burton of California with Mr. Conyers.
Mr. Diggs with Mr. Cohelan.
Mr. Ottinger with Mr. Kluczynski.
Mr. Koonegay with Mr. Dow.
Mr. Kirwan with Mr. Hagan.
Mr. Donohue with Mr. Corman.
Mr. Dent with Mr. Cabell.
Mr. Casey with Mr. Daddario.
Mr. Abbitt with Mr. Jarman.
Mr. Irwin with Mr. Foley.
Mr. Jones of North Carolina with Mr. Karth.
Mr. Farbstein with Mr. Edwards of California.
Mr. Mailliard with Mr. King of California.
Mr. Pirnie with Mr. Macdonald of Massachusetts.
Mr. Gerald R. Ford with Mr. Boggs.
Mr. Laird with Mr. Garmatz.
Mr. Corbett with Mr. Hanna.
Mr. Bow with Mr. Celler.
Mr. Arends with Mr. Hébert.
Mr. Bates with Mr. Pike.
Mr. Cahill with Mr. Barrett.
Mr. Ayres with Mr. Shipley.
Mr. Bray with Mr. Baring.
Mr. Bob Wilson with Mr. Sisk.
Mr. Zion with Mr. Gray.
Mr. Roudebush with Mr. Smith of Iowa.
Mr. Pirnie with Mr. Rivers.
Mr. Pollock with Mr. Stuckey.
Mr. Saylor with Mr. Staggers.
Mr. Mize with Mr. Stephens.
Mr. Harvey with Mr. St Germain.
Mr. Kupferman with Mr. Roybal.
Mr. Harsha with Mr. Selden.
Mr. Bell with Mr. McFall.
Mr. Burton of Utah with Mr. Landrum.
Mr. Fino with Mr. Multer.
Mr. Hansen of Idaho with Mr. Purcell.
Mr. Smith of California with Mr. Charles H. Wilson.
Mr. Stanton with Mr. Marsh.
Mr. Utt with Mr. Everett.
Mr. Whalley with Mr. Ronan.
Mr. Reinecke with Mr. Philbin.
Mr. Byrnes of Wisconsin with Mr. Pucinski.
Mr. Don Clausen with Mr. Waldie.
Mr. O'Konski with Mr. Thompson of New Jersey.
Mr. Button with Mr. Tunney.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

AUTHORIZING COMMITTEE ON FOREIGN AFFAIRS TO CONDUCT INVESTIGATION

Mr. **BOLLING**. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 179 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 179

Resolved, That, effective from January 3, 1967, the Committee on Foreign Affairs, acting as a whole or by subcommittee, is authorized to conduct a full and complete investigation and study of all matters—

(1) relating to the laws, regulations, directives, and policies including personnel pertaining to the Department of State and such other departments and agencies engaged primarily in the implementation of United States foreign policy and the oversea operations, personnel, and facilities of departments and agencies of the United States which participate in the development and execution of such policy;

(2) relating to the carrying out of programs and operations authorized by the Mutual Security Act and to other laws and measures to promote the foreign policy of the United States;

(3) relating to activities and programs of international organizations in which the United States participates;

(4) relating to the effectiveness of United States programs of assistance and information; and

(5) relating to legislation within the jurisdiction of the Committee on Foreign Affairs pursuant to provisions of rule XI of the Rules of the House of Representatives:

Provided, That the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House.

The committee shall report to the House (or to the Clerk of the House if the House is not in session), as soon as practicable during the present Congress, the results of its investigation and study, together with such recommendations as it deems advisable.

For the purpose of carrying out this resolution the committee or subcommittee is authorized to sit and act during the present Congress at such times and places, within or without the United States, whether the House has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Foreign Affairs of the House of Representatives and employees engaged in carrying out their official duties under section 190d of title 2, United States Code: *Provided*, That (1) no member or employee of said committee shall receive or expand local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88-633, approved October 7, 1964; (2) no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

Each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

With the following committee amendment:

On page 4, line 6, after the word "Government," insert the words "the cost of such transportation, and".

Mr. BOLLING (interrupting the reading of the resolution). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and be printed at this point in the RECORD.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ANDERSON] and, pending that, such time as I may consume.

Mr. Speaker, I know of no controversy on the resolution, but I do understand there are some questions that should be answered.

I yield now to the gentleman from Illinois [Mr. ANDERSON].

Mr. TAFT. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from Ohio [Mr. TAFT] who has raised the question with respect to this resolution.

Mr. TAFT. Mr. Speaker, the question which I have with reference to this resolution relates to the authority given to the Committee on Foreign Affairs of the House of Representatives to investigate areas in which there is not a specific piece of legislation.

Mr. Speaker, it seems to me that the language in the resolution leaves some doubt about this, inasmuch as the language which appears on page 2, line 10, uses the word "legislation" rather than the words "all matters" which might have been used.

Mr. Speaker, I am not certain that the language of subparagraph 1, page 1, line 5, is broad enough to cover the area involved; specifically, the question which I would like to put to the distinguished gentleman from Missouri [Mr. BOLLING] is this:

Would the language of House Resolution 179 permit the investigation by the Committee on Foreign Affairs of all possible effects upon our foreign policy of a nuclear nonproliferation treaty?

Mr. BOLLING. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. Yes, I yield to the gentleman from Missouri.

Mr. BOLLING. Mr. Speaker, it is my understanding, after consultation with the chairman of the Committee on Foreign Affairs, the distinguished gentleman from Pennsylvania [Mr. MORGAN], that he feels the language contained on the first page fully covers any jurisdiction.

I would add, however, for myself that my impression is that the jurisdiction of nonproliferation would probably lie—although I have not had an opportunity to confer with the Joint Committee on Atomic Energy—but in any event, if this is a treaty, as I understand it to be, I understand that the Constitution of the United States provides to the effect that the responsibility of the House of Representatives is different than that of the other body, and any action taken here on a treaty would have to be taken by the other body and not by the House of Representatives.

Mr. TAFT. Mr. Speaker, will the gentleman yield further?

Mr. ANDERSON of Illinois. Yes, I yield further to the gentleman from Ohio.

Mr. TAFT. I might say to the gentleman that I do not myself find myself in disagreement with the reply made by the gentleman from Missouri. However, I would point out that the question which I put to the gentleman from Missouri related to whether or not it would be appropriate for the Committee on Foreign Affairs to investigate the possible effects upon our foreign relations generally, of such a treaty.

I recognize, of course, that this body has no constitutional function in the ratification of a treaty, but the question I put was whether or not we can investigate the area of the possible effect upon our foreign relations generally of a nuclear nonproliferation treaty.

Mr. BOLLING. Mr. Speaker, if the gentleman will yield further——

Mr. ANDERSON of Illinois. Yes, I yield further to the gentleman from Missouri.

Mr. BOLLING. Mr. Speaker, after a brief consultation with the distinguished chairman of the Committee on Foreign Affairs, my reply to the gentleman from Ohio would be to the effect that the Committee on Foreign Affairs would have the jurisdiction through its control of, in effect, its legislative oversight of the Arms Control Agency.

Mr. TAFT. I thank the gentleman from Missouri.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of Illinois. Yes, I yield to the gentleman from Iowa.

Mr. GROSS. Would the gentleman from Missouri say that this would apply equally with reference to the hearing on the Consular Treaty proposal that is now pending before the Congress?

Mr. BOLLING. That is a treaty proposition, and I do not see where we would be involved in that.

Mr. GROSS. Does the gentleman mean the House of Representatives?

Mr. BOLLING. The House of Representatives would not be involved in that.

Mr. GROSS. Mr. Speaker, if the gentleman will yield further, of course that treaty, if ratified, would affect every citizen of this country and, certainly, the Members of the House of Representatives ought to be interested in it.

Mr. Speaker, the gentleman from Missouri is saying that in terms of this resolution the House Committee on Foreign Affairs could not hold hearings in order to inquire into the ratification of the consular treaty proposal; is that right?

Mr. BOLLING. Mr. Speaker, if the gentleman from Illinois will yield further; no, the gentleman is not saying that, because the House Committee on Foreign Affairs could hold hearings upon any matter that comes before the Department of State. But I am saying, as I understand the constitutional provisions, the provisions of the Constitution of the United States say that we are beyond jurisdiction when that type of situation is involved.

Mr. TAFT. I thank the gentleman from Missouri.

Mr. JONES of Missouri. Mr. Speaker, would the gentleman yield for a question?

Mr. ANDERSON of Illinois. Yes; I yield to the gentleman from Missouri.

Mr. JONES of Missouri. Would the

gentleman point out what limitation, if any, there is upon the foreign travel of the Foreign Affairs Committee?

Mr. BOLLING. The only limitations are contained in the reporting of the expenses.

The Committee on Rules felt, unanimously, that the Committee on Foreign Affairs had to engage in foreign travel.

Mr. JONES of Missouri. If the gentleman will yield further, in other words, the Committee on Foreign Affairs does not have to come before the Committee on Rules and have that committee make a judgment as to whether or not the travel which that committee undertakes and carries forward is in the best interest of the Government of the United States?

Mr. BOLLING. If they stay within their jurisdiction.

Mr. JONES of Missouri. They have never come to your committee for any permission to travel; is that correct?

Mr. BOLLING. No; that is not correct, because that provision is in here.

Mr. JONES of Missouri. I mean after this resolution is adopted they will never have to come before your committee again. Is that correct?

Mr. BOLLING. If they stay within their jurisdiction and do not find that they need further authority.

Mr. JONES of Missouri. Where in the resolution is there anything that would require them to come before the Committee on Rules under any circumstances?

Mr. BOLLING. I trust in the good judgment of the chairman of the committee.

Mr. JONES of Missouri. I am not doubting the good judgment of the chairman of the committee at all. I have the highest regard for him. But I am just asking you if there is any limitation whatsoever requiring the Committee on Foreign Affairs to come before the Committee on Rules at any other time during this session to get any further authority or permission to travel?

Mr. BOLLING. I think that it is important to point out at some place here in this discussion that the Committee on Rules has no power to grant anything to any committee.

There was a rather lengthy—I will not call it a debate, but an exercise—recently over another resolution. During that exercise, as I would call it, the House of Representatives made a decision here on what responsibility on travel a certain committee of the House could have.

The Committee on Rules has no power to do more than to present the resolution, which it is doing now unanimously.

Mr. JONES of Missouri. Will the gentleman yield for a comment at this time?

Mr. BOLLING. Indeed I will yield to the gentleman.

Mr. JONES of Missouri. I would like to say the reference that you made occurred during the debate—if you can call it a debate—on the Agriculture Committee resolution when there were less than 50 people in this House. And when we came back in here did not the person who is handling this resolution deny me any further time to speak on this resolution and to point out to this House what was actually in this resolution?

Mr. BOLLING. I would like to reconstruct the parliamentary situation a little more accurately, if I might.

Mr. JONES of Missouri. Very well.

Mr. BOLLING. When I yielded to the gentleman I announced prior to yielding to him that I would yield him only 5 minutes. The gentleman only took advantage of 5 minutes.

Then somebody misunderstood the parliamentary situation, and allowed the amendments which were objected to to be adopted by a division vote. There then was a vote on the previous question pending after that to be disposed of, and the gentleman felt that the House had had a clear opportunity to decide or work its will, and therefore I did not yield further.

Mr. JONES of Missouri. If the gentleman will yield further, did I not ask you for time before the rollcall on the previous question was called, and you denied me any time to speak on House Resolution No. 83?

Mr. BOLLING. I denied you time to speak prior to moving the previous question.

Mr. JONES of Missouri. That is what I am trying to say. In other words, you cut off the debate, and did not give me an opportunity to present the situation to this House, and I still say with all due respect that many of the Members did not know what they were voting for at the time they voted on either the previous question or House Resolution 83.

I do admit we were beaten mighty badly. But I still want to say that I think the House of Representatives should know that they are giving up their rights under the resolution that was passed under House Resolution 83 to the Committee on Rules, which committee will be acting arbitrarily at any time the Committee on Agriculture comes before it.

We are being treated differently than the Committee on Foreign Affairs. We are being treated differently than the Committee on Armed Services. We are being treated differently from the Committee on Appropriations. I think if the House of Representatives itself would recognize all that they are turning over to the Committee on Rules—which has been wrongly quoted here today, I think they perhaps would resent it.

Mr. Speaker, I ask permission to revise and extend my remarks at this point, so that I may go further into this matter without taking any further time of the House.

Mr. BOLLING. I would like to inquire of the gentleman from Missouri as to who was incorrect about what they said as to the action of the Committee on Rules? I would like to make that inquiry of the gentleman from Missouri [Mr. JONES].

Mr. JONES of Missouri. I have talked to some members of the Committee on Rules about this. It was said that this was a unanimous-consent thing. But there was an understanding, they said, that if we would come there with the proper kind of request, why then it would be granted. I think that is just a lot of poppycock and a coverup.

Mr. BOLLING. The gentleman has answered my question.

Mr. COLMER. Mr. Speaker, will the gentleman yield to me briefly?

Mr. BOLLING. Of course, I yield to the distinguished chairman.

Mr. COLMER. Mr. Speaker, I have no desire to get into a position here of umpire or referee. I must confess I was detained elsewhere when this debate on the previous resolution took place. But I merely want to make this observation in view of what has been said and what has transpired in the last few minutes between my good friends, the gentlemen from Missouri.

Mr. Speaker, the purpose of the Committee on Rules as this humble member thereof understood in all of these resolutions, was to treat all committees equally insofar as possible.

Now the question naturally arose in the committee as to which committees should travel abroad and what their duties required them to do. There was some agreement to the effect that there were certain committees—the Committee on Foreign Affairs, the Committee on Armed Services for instance—that required them to do considerable traveling.

Now there has been much abuse—and I say "much abuse" and I think that is an accurate statement—in the past about this travel. The fact of the business is that we cannot pick up a paper nowadays that we do not read something about these alleged abuses of foreign travel.

Mr. Speaker, there is no Member in this House of Representatives for whom I have greater respect than I do for my good friend, the gentleman from Missouri [Mr. JONES]. He has been a watchdog of the Treasury, as it were, in all of these matters, and he would be the first, I would have thought, who would want to curtail unnecessary travel, and therefore reduce the unnecessary burden upon our overburdened taxpayers.

Mr. Speaker, I want to publicly here and now and for the record compliment the gentleman upon his very, very fine work in the capacity to which I have just referred in always trying to curtail unnecessary expenses.

So to conclude, Mr. Speaker, it was the view of the committee that there was a difference in the duties of the Committee on Foreign Affairs in dealing with foreign affairs and the Committee on Armed Services dealing with matters scattered all over the world on the one hand, and the duties of other committees, including the committee of my distinguished friend, the gentleman from Missouri [Mr. JONES] on the other hand.

I regret that he feels that way about it. I regret that he feels that there was any discrimination. But I want to hasten to assure him that so far as I am concerned, there was certainly no intent to discriminate against his committee but that it was the judgment of the Committee on Rules that his committee fell in a category with other committees than the Foreign Affairs and Armed Services.

Mr. Speaker, I thank my colleague for yielding.

Mr. JONES of Missouri. Mr. Speaker,

will the gentleman yield to me for a question?

Mr. BOLLING. I yield to the gentleman to ask a question.

Mr. JONES of Missouri. I would like to ask the chairman of the committee—and I ask this very respectfully, sir—Did you read the section of the bill on the first page of the bill, lines 5 to 12 wherein it states that the committee is authorized to make studies and investigations into "the restoration and development of foreign markets for American agricultural products and of international trade in agricultural products; the disposal of agricultural commodities pursuant to Public Law 480, 83d Congress, as amended, and the use of the foreign currencies accruing therefrom; and the effect of the European Common Market and other regional economic agreements upon United States agriculture."

Furthermore, charging us, authorizing us, and directing us to make studies of "all matters relating to the establishment and development of an effective Foreign Agricultural Service pursuant to title VI of the Agricultural Act of 1954."

Did the Chairman read that language in the bill?

Mr. COLMER. Yes, I will say to my good friend, I did read that. I think it has already been said to him—if it has not, I want to say it now—that any time that my friend, his chairman, or anyone authorized by the committee wishes to come before the Rules Committee for a specific investigation involving travel abroad, the committee will be glad to hear from them.

Mr. JONES of Missouri. Mr. Speaker, will the gentleman yield further? I would like to ask one other question.

Mr. BOLLING. I yield to the gentleman from Missouri.

Mr. JONES of Missouri. Can you tell me the difference between this charge to the Committee on Agriculture in your resolution and some of the duties performed by the Foreign Affairs Committee? I would like to see the distinction—making meat out of one and fowl out of the other—causing us to come with hat in hand each and every time that our committee feels it is necessary to make certain investigations abroad. I happen to be chairman of the subcommittee. I will challenge any Member of Congress to put his record on economy in travel alongside the money I have spent and the money I have saved to the taxpayers of this Nation in making investigations abroad. I resent having to come to some other committee to let them be the ones to determine whether or not, in my judgment, I think that that needs to be done.

Frankly—and I say this with all due respect to the chairman of the committee and the other members of your committee—I do not think you have a member on your committee who has any more sense of responsibility about what ought to be done about these things than I have, and that is why I resent coming to you, and that is why I resent my committee being treated differently from other committees of Congress.

You have admitted that you do treat the Foreign Affairs Committee, the Armed Services Committee, the Appropriations Committee, and possibly others in a much different light. That is the thing that I think is a reflection upon my integrity, and I challenge anyone to review anything that I have done that has brought discredit upon this Congress.

I thank the gentleman for yielding.

Mr. COLMER. Mr. Speaker, will the gentleman yield?

Mr. BOLLING. I yield to the gentleman from Mississippi.

Mr. COLMER. I just wish to make this one observation: Of course, I would not want to undertake to go into a delineation of the respective duties of those committees. So far as coming before my committee is concerned, the Committee on Rules did not make this provision. The House made the provision that you should come before the Rules Committee.

I again want to pay my respect and my compliments to the gentleman from Missouri [Mr. Jones], who is always very watchful and considerate, and I hope on further reflection he might agree that nothing was intended as an aspersion on him or on his great committee.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BOLLING. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. I do not know whether I can make a contribution to this discussion except to say that apparently I have missed out on something in the years I have been here. I guess I will have to take a trip abroad to become an expert on this business of junketing.

Mr. BOLLING. I thank the gentleman.

Mr. Speaker, I have no further requests for time.

The SPEAKER pro tempore. The question is on the committee amendment.

The amendment was agreed to.

The resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE COMMITTEE ON GOVERNMENT OPERATIONS TO CONDUCT STUDIES AND INVESTIGATIONS WITH RESPECT TO MATTERS WITHIN ITS JURISDICTION, AND FOR OTHER PURPOSES

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 110 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 110

Resolved, That the Committee on Government Operations is authorized to conduct full and complete studies and investigations with respect to matters within its jurisdiction, and for the purpose of carrying out this resolution the committee, or any subcommittee thereof, is authorized to sit during the present Congress at such times and places either within or without the United States, whether or not the House is in session, has recessed, or has adjourned, and to hold such hearings and take such other actions as are authorized under rule XI(8)(d) of the Rules of the House of Representatives relating to the Committee on Government Operations.

Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Government Operations of the House of Representatives and employees engaged in carrying out their official duties under section 190d of title 2, United States Code: *Provided,* That (1) no member or employee of said committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88–633, approved October 7, 1964; (2) no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

Each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

Mr BOLLING (interrupting the reading). Mr. Speaker, I ask unanimous consent that the resolution may be considered as read and printed in the Record.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The SPEAKER pro tempore. The Clerk will report the committee amendment.

The Clerk read as follows:

On page 3, line 2, after the word "Government," insert the words "the cost of such transportation, and"

The committee amendment was agreed to.

The resolution, as amended, was agreed to.

The title was amended so as to read: "Resolution to authorize the Committee on Government Operations to conduct studies and investigations with respect to matters within its jurisdiction, and for other purposes."

A motion to reconsider was laid on the table.

AUTHORIZING THE COMMITTEE ON THE JUDICIARY TO CONDUCT STUDIES AND INVESTIGATIONS RELATING TO CERTAIN MATTERS WITHIN ITS JURISDICTION

Mr. MATSUNAGA. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 40 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 40

Resolved, That, effective from January 3, 1967, the Committee on the Judiciary, acting as a whole or by subcommittee, is authorized to conduct full and complete investigations and studies relating to the following matters coming within the jurisdiction of the committee, namely—

(1) relating to the administration and operation of general immigration and nationality laws and the resettlement of

refugees, including such activities of the Intergovernmental Committee for European Migration which affect immigration in the United States; or involving violation of the immigration laws of the United States through abuse of private relief legislation;

(2) involving claims, both public and private, against the United States;

(3) involving the operation and administration of national penal institutions, including personnel and inmates therein;

(4) relating to judicial proceedings and the administration of Federal courts and personnel thereof, including local courts in territories and possessions;

(5) relating to the operation and administration of the antitrust laws, including the Sherman Act, the Clayton Act, and the Federal Trade Commission Act; and

(6) involving the operation and administration of Federal statutes, rules and regulations relating to crime and criminal procedures; and

(7) involving the operation and administration of the Submerged Lands Act and the Outer Continental Shelf Lands Act; and

(8) relating to State taxation of interstate commerce.

Provided, That the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House.

The committee shall report to the House (or the Clerk of the House if the House is not in session) as soon as practicable during the present Congress the results of its investigation and study, together with such recommendations as it deems advisable.

For the purpose of carrying out this resolution the committee or subcommittee is authorized to sit and act during the present Congress at such times and places within the United States, whether the House has recessed, or has adjourned, to hold such hearings and to require by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designed by him, and may be served by any person designated by such chairman or member.

Funds authorized are for expenses incurred in the committee's activities within the United States; and, notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States in foreign countries shall not be made available to the committee for expenses of its members or other Members or employees traveling abroad.

Mr. MATSUNAGA (interrupting the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and be printed in the RECORD at this point.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE COMMITTEE ON EDUCATION AND LABOR TO CONDUCT CERTAIN STUDIES AND INVESTIGATIONS OF MATTERS COMING WITHIN ITS JURISDICTION

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 218 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 218

Resolved, That the Committee on Education and Labor, effective from January 4, 1967, acting as a whole or by subcommittee, is authorized to conduct a full and complete study and investigation relating to all matters coming within the jurisdiction of the committee.

For the purposes of such investigations and studies the committee, or any subcommittee thereof, is authorized to sit and act during the present Congress at such times and places within or without the United States, including any Commonwealth or possession thereof, whether the House has recessed, or has adjourned, to hold such hearings and to require by subpena or otherwise the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary. Subpenas shall be issued only over the signature of the chairman of the committee or a member of the committee designated by him; they may be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths to witnesses.

The committee may report to the House of Representatives from time to time during the present Congress the results of its studies and investigations, with such recommendations for legislation or otherwise as the committee deems desirable. Any report submitted when the House is not in session shall be filed with the Clerk of the House.

Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Education and Labor of the House of Representatives and employees engaged in carrying out their official duties under section 190d of title 2, United States Code: *Provided,* That (1) no member or employee of said committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88–633, approved October 7, 1964; (2) no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

Each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

Mr. BOLLING. Mr. Speaker, I ask unanimous consent that the resolution may be considered as read and printed in the RECORD at this point.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The Clerk read the committee amendments, as follows:

On page 1, after line 5, insert the following paragraph:

"*Provided,* That the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House."

On page 1, line 9, delete the words "or without".

On page 2, delete lines 15 through 25.

Delete page 3.

On page 2, after line 14, add the following paragraph:

"Funds authorized are for expenses incurred in the committee's activities within the United States; and, notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States in foreign countries shall not be made available to the Commitee on Education and Labor for expenses of its members or other members or employees traveling abroad."

The amendments were agreed to.

The resolution was agreed to.

The title was amended so as to read: "Resolution authorizing the Committee on Education and Labor to conduct certain studies and investigations of matters coming within its jurisdiction."

A motion to reconsider was laid on the table.

AUTHORIZING THE COMMITTEE ON THE DISTRICT OF COLUMBIA TO CONDUCT AN INVESTIGATION AND STUDY OF THE ORGANIZATION, MANAGEMENT, OPERATION, AND ADMINISTRATION OF DEPARTMENTS AND AGENCIES OF THE GOVERNMENT OF THE DISTRICT OF COLUMBIA

Mr. BOLLING. Mr. Speaker, I call up House Resolution 68 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 68

Resolved, That the Committee on the District of Columbia, acting as a whole or by subcommittee, is authorized to conduct a full and complete investigation and study of the following:

(1) the organization, management, operation, and administration of any department or agency of the government of the District of Columbia;

(2) the organization, management, operation, and administration of any independent agency or instrumentality of government operating solely in the District of Columbia; and

(3) those operations or activities directly affecting the District of Columbia, of any governmental agency or instrumentality operating on a regional basis entirely within the Washington metropolitan area.

For the purpose of carrying out this resolution the committee or subcommittee is authorized to sit and act during the present Congress at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary; except that neither the committee nor any subcommittee thereof may sit while the House is meeting unless special leave to sit shall have been obtained from the House. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

The committee shall report to the House as soon as practicable during the present Congress the results of its investigation and study, together with such recommendations as it deems advisable. Any such report which is made when the House is not in session shall be filed with the Clerk of the House.

Funds authorized are for expenses incurred in the committee's activities within the United States; and, notwithstanding section 1754 of title 22, United Sates Code, or any other provision of law, local currencies owned by the United States in foreign countries shall not be made available to the Committee on the District of Columbia for expenses of its members or other Members or employees traveling abroad.

Mr. BOLLING (interrupting the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD at this point.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The Clerk read the following committee amendment:

On page 2, after line 3, insert the following paragraph:

"*Provided*, That the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House."

The amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS TO MAKE INVESTIGATIONS INTO ANY MATTER WITHIN ITS JURISDICTION, AND FOR OTHER PURPOSES

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 34 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 34

Resolved, That effective from January 3, 1967, the Committee on Interior and Insular Affairs may make investigations and studies as required in connection with bills, resolutions, and other matters referred to it and, more specifically or in addition thereto, in connection with the following matters within its jurisdiction:

(1)(a) The status, progress, and administration of irrigation, reclamation, and other water resources development programs of the Department of the Interior and of other agencies insofar as the latter affect the work of the Department of the Interior with respect to such programs, including (i) policies and procedures relating to such programs, (ii) projects previously authorized, (iii) projects proposed for authorization and construction, and (iv) developments under the Small Reclamation Projects Act and the Rehabilitation and Betterment Act; (b) compacts relating to the use and apportionment of interstate waters; (c) the application to Federal agencies and activities of State laws governing the control, appropriation, and distribution of water; (d) the saline water research and development program; (e) the water resources research program; and (f) water resources planning conducted pursuant to the Water Resources Planning Act, including the establishment of river basin commissions and financial assistance to the States for water and related land resources planning.

(2)(a) The administration and operation of the mining and mineral leasing laws, including those which govern the development, utilization, and conservation of oil, gas, helium, geothermal steam, and associated resources of the public and other Federal lands; (b) mineral resources of the public lands and mining interests generally, including the conditions, problems, and needs of the mining and minerals industries; (c) mineral resources surveys and the exploration, development, production, and conservation of mineral resources; (d) research facilities needed to improve the position of the domestic mining and minerals industries; (e) capability of mining schools to support research facilities and assure domestic industry of a continuing source of technical talent; (f) proposed long-range domestic minerals programs, including availability of domestic minerals to fulfill all domestic requirements; (g) impact upon domestic mining industries caused by the transfer or disposal of excess and surplus Government-owned metals and minerals; and (h) the effects upon domestic mining industries resulting from the world metal situation and the means available to the Government to permit domestic mining industries to compete favorably in domestic and world markets, including cooperation with established international organizations.

(3)(a) The status, progress, and administration of the national park system and its units, including national seashores, national riverways, and national recreation areas, and of other recreational developments on public domain lands or reservations created out of the public domain and on areas under the jurisdiction of or affecting the Department of the Interior; (b) national outdoor recreation plans and the administration of the land and water conservation fund; and (c) national cemeteries.

(4)(a) The administration and operation of the laws governing the development, utilization, and conservation of the surface and subsurface resources of public lands administered by the Department of the Interior, of forest reserves created out of the public domain and of areas of the Outer Continental Shelf; (b) administration and operation of the Wilderness Act; and (c) the withdrawal or restriction on use of public domain or Outer Continental Shelf lands, including reservations created out of the public domain, by military and nonmilitary agencies of the Government from normal operation of the public land and mining laws and the Outer Continental Shelf Lands Act.

(5)(a) The administration of Indian affairs by agencies of the Government participating therein, the programs and policies of those agencies, the adequacy of existing Indian legislation, and the effectiveness with which it is being administered and with which moneys available to carry out its purposes are being used; (b) the release of Indian tribes and bands from Federal supervision, preparation therefor, and the effects thereof; (c) the availability to Indians of health, education, and welfare services and the extent to which they are receiving the full benefit of Federal programs in these areas; (d) the utilization of tribal lands and other resources, with particular attention to the means of developing the skill and aptitudes required for such utilization; and (e) the study and analysis of treaties and other written agreements between recognized Indian tribes, nations, or lands and the United States.

(6) The status, progress, and administration of the territories and insular possessions of the United States, Puerto Rico, and the Trust Territory of the Pacific Islands; the operation and administration of the Revised Virgin Islands Organic Act of 1954, the Virgin Islands Corporation Act of 1949, and Guam Organic Act of 1950, all as amended; local conditions bearing upon and the provisions to be included in organic acts for American Samoa and the Trust Territory of the Pacific Islands; the extension of various laws of the United States to American Samoa and the Trust Territory of the Pacific Islands; the granting of citizenship to residents of American Samoa; operations of the Peace Corps in the Trust Territory of the Pacific Islands; and American interests in Antarctica.

SEC. 2. For the purposes of making such investigations and studies, the committee, or any subcommittee thereof, may sit, hold hearings, and act during the present Congress at such times and places within the United States, its territories and possessions, Puerto Rico, the Trust Territory of the Pacific Islands, and the Pacific flag areas of the United States as the nature of the investigation or study requires, and be represented at any meeting called by an established international organization to consider matters that affect the areas of jurisdiction of the committee; may do so not only during the session but also during periods of recess and adjournment; and may require, by subpena or otherwise the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any member designated by him and may be served by any person designated by such chairman or member.

Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Interior and Insular Affairs of the House of Representatives and its members and employees engaged in carrying out their official duties under section 190(d) of title 2, United States Code: *Provided*, (1) That no member or employee of said committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88-633, approved October 7, 1964; (2) that no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

That each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country whose local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

Mr. BOLLING (interrupting the reading). Mr. Speaker, I ask unanimous consent that the resolution may be considered as read and printed in the RECORD at this point.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The Clerk read the committee amendments, as follows:

On page 5, after line 12, insert the following paragraph:

"*Provided*, That the committee shall not undertake any investigation of any subject which is being investigated by any other committee of the House."

On page 7, line 6, after the word "Government," insert the words "the cost of such transportation, and".

The **SPEAKER** pro tempore. The gentleman from Missouri [Mr. BOLLING] is recognized for 1 hour.

Mr. ANDERSON of Illinois. Mr. Speaker, will the gentleman from Missouri yield?

Mr. BOLLING. I yield to the gentleman from Illinois.

Mr. ANDERSON of Illinois. Mr. Speaker, at this time I would like to say that even though I have not taken the time of the House this afternoon on each and every occasion to refer to the unanimity within the committee that did exist on these resolutions, such was the fact, and these resolutions were reported unanimously out of the Committee on Rules. We have joined with the majority in presenting these resolutions to the House today for approval.

Mr. BOLLING. Mr. Speaker, I thank the gentleman for his statement.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The amendments were agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

HOUSEHOLD APPLIANCES

Mr. ROONEY of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. ROONEY of Pennsylvania. Mr. Speaker, one of the many important problems covered in President Johnson's message "to protect the American consumer" is the protection of people against hazards in their homes. A man's home is generally regarded as a haven of peace and security. The hard facts, however, tell a different story. Last year, 28,000 people were killed and 20 million people injured in accidents occurring in and around the home.

What caused this terrible toll of life and limb? Familiar, widely used products that are found in just about any home today—heating devices, stoves, incinerators, hot water heaters, washing machines, power mowers, glass doors, and a variety of electrical appliances.

Who is to blame for this obviously unacceptable situation? Is it misuse by the purchasers? Is it faulty design by manufacturers? Have we simply let our technological ability to invent things overtake our human ability to safely use these products? No one knows the answers to these questions. But there is one question that does have an answer. Can something be done about the problem? And the answer to that question is definitely "Yes."

Specifically, President Johnson recommended establishment of a National Commission on Product Safety, to find the facts, to get the answers, to lay the groundwork for positive, constructive action. I heartily agree with this recommendation, and I have introduced a bill to establish a National Commission on Product Safety. Identical bills have been introduced in the other body by Senator MAGNUSON and Senator COTTON, and in the House by Mr. JOHN MOSS, my highly respected colleague on the committee.

The Commission would consist of seven members, appointed by the President on the basis of their training and experience in these problems. The mandate of the Commission would include a study of the protection consumers presently have against the hazards of household products, and a report of their findings to the President and the Congress within 18 months, together with any appropriate recommendations.

There are a few points which should be stressed at the outset. First, no proprietary information on products would be disclosed. Second, products which have come under recent congressional scrutiny would be exempt from the Commission's study. Finally, it should be understood that this is not a proconsumer or an antibusiness proposal. Consumers, of course, would benefit from increased safety in the use of household products. However, manufacturers would also benefit by being protected from a possible rash of conflicting State and local laws aimed at one product or another. In our mass markets of today, based upon mass production efficiency and savings, no manufacturer could function in a chaotic mesh of State and local regulation.

This bill is not a bill introduced on the heels of a nationwide scare due to some specific product safety problem. It is a bill introduced in the calm and thoughtful recognition of the fact that we do face a problem in household safety. Instead of emotional arguments, we need rational discussion. Instead of hysterical outcries, we need facts and figures. It is in this spirit that I have introduced the bill to establish a National Commission on Product Safety. In that same spirit, I commend it to your thoughtful consideration.

THE HONORABLE FRED L. WHAM

Mr. PRICE of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include a newspaper article.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE of Illinois. Mr. Speaker, under unanimous consent, I insert in the RECORD the following February 16 St. Louis Post-Dispatch article reviewing the distinguished career of the recently deceased U.S. District Judge Fred L. Wham of Centralia, Ill.

It was my distinct privilege to know Judge Wham, a jurist whose approach to the exercise of judicial power made a lasting impact on southern Illinois. His career earned him the deep respect and admiration few men achieve. Judge Wham's personal integrity and honesty were above reproach, and his conduct as a public official should inspire all who are charged with the responsibility of public office.

The article is written by Carl R. Baldwin, distinguished writer for the Post-Dispatch, who was acquainted with Judge Wham through years of close contact with him.

Mr. Speaker, at this point, I include the article:

(By Carl R. Baldwin)

United States District Judge Fred L. Wham presented two faces to the world, and both wore well. Off the bench he was quiet and unassuming. His manner bordered on the timid. On the bench he was a stern defender of federal laws. For the occasional sinner he always was ready with the lecture and the light sentence. A professional criminal could expect to have the book thrown at him.

Judge Wham's death Feb. 2 at the age of 82 brought many memories to those who had followed his career. The scene that most frequently comes to mind dates from the bootlegging era. The dignified judge, sitting tall in his high-backed chair, listening intently to the evidence as defendants were brought before him.

The old courtroom, in the Federal Building at Seventh street and Missouri avenue, East St. Louis, would be crowded. Some would have to stand and others would be waiting in the hall. For Judge Wham, immaculately and conservatively dressed, his shock of dark hair carefully combed, would be prepared to take the cases one by one, disposing of 30, 40, or even 50 who might plead guilty.

Judge Wham was neither a lawyer's lawyer nor a judge's judge. His trial experience was limited when he first took the job. He had to feel his way. However, he brought to the office unimpeachable integrity and a strong belief in the old-fashioned concept that laws are made to be obeyed and that those who violate the laws should be punished.

He was no legal hair-splitter. Some of his critics thought that he had little regard for individual rights. Defense lawyers, for instance, had to prove that any errors made in the issuance of search warrants were really flagrant errors. Minor legal faults did not count with Judge Wham, whose main concern was whether the raid had resulted in finding evidence of a law violation.

There was an embarrassing void on the East St. Louis bench when Judge Wham came to fill it. His predecessor, United States District Judge George W. English, had resigned rather than face an impeachment trial on evidence of wrongdoing disclosed in a large degree by a Post-Dispatch investigation. President Calvin Coolidge passed over three favored candidates, each with powerful political backing, to appoint the little known Wham, a Centralia, Ill., lawyer.

Respect for law was at a low point throughout the United States, but nowhere was it lower than in Southern Illinois. Gangsters were fighting over quick profits being made in a bootlegging industry that was operating without any serious restraint. Federal enforcement of the Eighteenth Amendment was bringing only moderate fines, which bootleggers considered part of the payoff.

This all changed in 1927, the year Judge Wham took his oath of office. The late Harold G. Baker, young and vigorous, had been named United States Attorney the year before and the names of Wham and Baker became dreaded words to bootleggers, and to all others who violated federal laws. The late United States District Judge Walter C. Lindley, sitting at Danville, held up his end of the sprawling Eastern District of Illinois.

Before the team of Wham, Lindley and Baker went into action only about 20 per cent of the bootleggers brought into court went to jail. The new regime quickly turned things around. Eighty per cent of the defendants began going to jail and the terms were much more severe than they had been. In the late 1920s the Eastern District of

Illinois had more jury trials of bootleggers than any other district in the United States.

Judge Wham was not a fanatical prohibitionist although he was a teetotaler and a prominent layman in the Presbyterian Church. It was only that the law was on the books and therefore had to be enforced. That was that.

"The only way to stop crime is by punishing it," Judge Wham said in 1932 when pronouncing sentence on four defendants charged with stealing from interstate freight shipments. His sermons from the bench usually were direct and simple.

Several firsts occurred in Judge Wham's court, including the first sentencing of a bootlegger under the tough Jones "5 and 10" law, which carried a maximum penalty of five years in prison and a $10,000 fine.

Max Sonzinsky, a notorious East St. Louis fence, provided the court with another first. He was the first man to be convicted under the National Firearms Act, which had been passed to curb the sale of automatic weapons to gangsters. It bars the sale of sawed-off shotguns, machine guns and silencers. Judge Wham sentenced Sonzinsky to 18 months in prison and an appeal brought a Supreme Court ruling that the act was constitutional.

The high-ceilinged East St. Louis courtroom, in a building erected in the administration of President William Howard Taft, was not the best place to conduct a trial. It was not airconditioned in Judge Wham's time. In the hot summer, when open windows brought the clatter of Missouri avenue traffic into the room, it became almost impossible to hear testimony.

Judge Wham never eased his rules of formality, however, and anyone entering the courtroom in shirtsleeves was ejected. The rule applied to defendants as well as spectators, officers of the court and newspapermen. The United States Marshall was called on to provide coats for defendants who showed up without them.

Once, in Judge Wham's first year, a juror reported for duty in a hazy state of intoxication. The judge, calling it "a most unfortunate incident," referred to the sinning juror in talks to subsequent jury panels. "This must not happen again in this court," he would say. "I demand that you refrain from drinking while serving here."

Judge Wham heard odd stories from some defendants. A bootlegger who had been operating on a small scale in one of the German communities of outer St. Clair county claimed as late as 1929 that he had never heard of the Eighteenth Amendment. Four defendants from Birksville, in Monroe county, said that same year that they "had not been educated that the prohibition law was made to be observed."

From time to time Judge Wham criticized law enforcement officials and citizens of Monroe and Massac counties, where there seemed to be an utter disregard of the Volstead Act. He frequently censured East St. Louis for allowing bootleggers, prostitutes and other appendages of organized crime to operate openly throughout the 1920s and '30s. He lived to see all this eliminated. Even the gamblers closed their doors.

Of all the liquor conspiracy trials before Judge Wham probably the most interesting and most controversial was that of a sheriff, a chief deputy and 14 other residents of Massac county. Thirty-six defendants had been named in the indictment. Nine had pleaded guilty and others had been freed or granted severances.

Friends and neighbors from Massac county jammed the courtroom to hear Government witnesses tell about liquor seized in raids being channeled to prisoners in the jail or to consumers on the outside. After a week of testimony, at which court sessions extended into the night, the jury found all defendants not guilty.

Usually, after an acquittal of this nature, the defendants advance to the jury box and shake hands with the jurors. Here the jurors, almost in a body, rushed to the counsel table to congratulate the sheriff.

Later, friends of the sheriff visited the homes of Government witnesses in Massac county. They gathered in groups outside and serenaded the witnesses by singing "How Dry I Am."

Probably the most spectacular of all trials in Judge Wham's court was that of the eight "tumbling Womacks," an East St. Louis family which for more than 12 years pursued an astonishing career of collecting insurance money for fake accident claims. The family consisted of the father, mother, three daughters and three sons-in-law. Two of the sons-in-law made excellent "tumblers." They were professional wrestlers. There was a ninth defendant, a woman friend of the family.

The Government proved that the Womacks had stumbled over objects, out of taxi-cabs and against busses to lay the groundwork for the insurance claims. The evidence accounted for 59 "falls." A jury found each defendant guilty of conspiracy to use the mails to defraud after a trial lasting two weeks in early 1938.

All were given prison sentences, the terms ranging from two to four years. Judge Wham, on hearing the violent sobs of the mother of the Womack clan, eyed her sternly and said: "There is no excuse for a grown woman being involved in such operations."

An observer could take a good sampling of organized crime in Southern Illinois by watching Judge Wham's court. Connie Ritter, the smiling, sardonic lieutenant of gang boss Charlie Birger, appeared before the judge in 1930 to receive a two-year sentence for liquor conspiracy after having already been sentenced to life imprisonment for the murder of former Mayor Joe Adams of West City, Ill.

In 1938, Joseph Shelby Teague, biggest operator in The Valley, East St. Louis's segregated vice district, was sentenced by Judge Wham to three years in prison for bringing women to The Valley from Hot Springs, Ark., for prostitution. Teague had been traveling in high society and was a nationally known skeet shooter. He and his wife owned a modern brick bungalow designed especially as a house of prostitution.

Judge Wham often displayed compassion when dealing with small bootleggers, freeing them on probation if they were heads of large families or were hard up. In 1935, he reprimanded the son of a Civil War veteran who had been Judge Wham's boyhood hero. After the severe words he placed the bootlegger on probation on his promise to straighten up. The man had been operating an illicit still.

Railroad operators added to the burden of the already overloaded court in the Depression era by prosecuting out-of-work people for stealing coal from freight cars to provide heat for their homes. The charge was theft from interstate shipments and the penalty usually was a fine or a short jail sentence. For a while the federal court took on the appearance of a justice of the peace court. Judges Wham and Lindley quickly rebelled against this imposition, however, and the railroads were told to take their cases to lesser courts.

Echoes of the violence of the extended war between the Progressive Miners of America and the United Mine Workers were heard in the East St. Louis court from time to time. Finally, in January 1938, Judge Wham issued a precedent-setting decision by making the Progressive Miners and 55 individuals liable for $117,000 damages growing out of a conspiracy to commit illegal acts in a strike against United Electric Coal Co.

World War II brought a different type of defendant to the court. Jehovah's Witnesses and other persons opposed to war appeared before Judge Wham and were sentenced to prison terms for violating the Selective Service Act.

One of the last big trials over which Judge Wham presided was that of Evan R. Dale, labor boss and politician, and James Bateman, a labor boss, who were found guilty of labor racketeering by a jury. Calling Dale, downstate Republican leader, "a menace to the union movement," the judge imposed a 15-year prison sentence and a $10,000 fine. Bateman was fined $2,000, avoiding prison.

It was an explosive trial. Judge Wham's reputation for patience was sorely tried by Defense Attorney John J. Hoban, who later was to become State's Attorney of St. Clair county. Hoban, seeking cause for a new trial, announced in court that he had found evidence that six of the women jurors were "semi-hysterical with fear" at the trial because of "armed hoodlums" in court.

The allegation never was proved. Judge Wham was furious at the apparent attempt to interrogate the jurors, and threatened contempt action.

"The inviolability of the jury room from outside influence is a prime necessity in the administration of justice," he said. "Jurors must not be harassed in any manner. He who makes a studied inquiry as to what occurred in the jury room acts at his peril. A searching examination of jurors by a party to a trial is emphatically to be condemned."

Nothing came of the Wham-Hoban exchange and Dale served his prison term.

Judge Wham was graduated from the old Southern Illinois Normal University in 1904 and obtained his law degree at the University of Illinois in 1909. The big, raw-boned farm boy not only worked his way through school, but also became an all-star tackle on the Illini football team.

He first practiced law in Fort Smith and Fayetteville, Ark., and worked in the solicitor's office of the United States Department of Agriculture from 1915 to 1917. He returned to Centralia to set up law practice with his brother, Charles, but was better known for his interest in education at the time of his appointment to the bench. He served on the Centralia Board of Education and was a trustee of the University of Illinois.

He was active in Boy Scout work, was a Sunday school teacher in his church and was a thirty-third degree Mason. He held many lay positions in the Presbyterian Church.

Judge Wham retired as a judge of the Eastern District in March 1956 but he did not become inactive. It wasn't long before he became a senior district judge on special assignment throughout the United States. He was active until a few weeks before his death.

Newspaper reporters were present at Judge Wham's last day on the East St. Louis bench early in 1956. When the last case was called they presumed that the judge would end his career on a lenient note.

Judge Wham heard the evidence against a bookie who had failed to pay the federal wagering tax. The man was a repeater and obviously was a dedicated handbook operator. Judge Wham gave him the works.

PURPOSEFUL SCHOOL SEGREGATION IS VIOLATIVE OF THE CONSTITUTION

Mr. HAWKINS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HAWKINS. Mr. Speaker, The U.S. Commission on Civil Rights should be commended for its forthright stand on pointing the way for us to obey the many warnings of the Supreme Court that "purposeful school segregation" is violative of the Constitution; and that it has occurred in northern cities as well as in the South.

Critics of the Commission have, as usual, seized on the more controversial and emotional aspect, the issue of "busing" to mount their attack. With equal vigor, they have ignored a variety of techniques to integrate our schools and improve the quality of education for all our children.

Acknowledging that achieving equal opportunity in education is not always an easy task, the Commission did assert what should be incontrovertible criteria for judging the "will to comply," namely:

> A prompt start must be made toward finding solutions, progress must be continuous and substantive, and there must be some assurance that the job will be completed as quickly as possible.

Judged by this simple and flexible standard, the critics who use the argument of busing as their weapon to fight equality of education have little evidence to show they intend even to make a start in doing anything to desegregate whether it's busing or otherwise.

On the contrary, they seek delay and outright reversal of the Supreme Court 1954 decision for they are willing to continue inferior education because they believe in separate schools—by law in the South and by subtle techniques such as the so-called neighborhood school in the North.

Use of the neighborhood school concept as a gimmick to impose racial segregation in the North is relatively recent. Like residential segregation it is deliberate. It is the northern practice of doing what the South does by intimidation, violence, and unconstitutional means.

Mr. Speaker, in February 1967 issue of the Progressive magazine appeared an article which summarized the long fight for compliance with law in our Southern States. In asking that this material be included in my remarks, I wish to state that many northern cities have records just as reprehensible. We can only hope that in this period when crime and law and order are issues in the forefront, those school officials and other elected officers in government sworn to support the Constitution will set higher standards of observing the law themselves, as well as spreading more equally the benefits of a high quality education.

The article follows:

LAST TICK FOR TOKENISM

Throughout 1966 the Deep South fought against integration of its school systems with every possible weapon—with subterfuge and the law's delays, with political pressure at the national, state, and local levels, and with economic intimidation and sometimes violence directed against Negroes who sought to enroll their children in white public schools. Southern racists in Congress, unopposed by Northern colleagues apprehensive of the white backlash in their home districts, launched a series of vitriolic attacks against guidelines established by the U.S. Office of Education to advance school desegregation under the enforcement powers of Title VI of the 1964 Civil Rights Act.

White supremacists exercised so much control over the pace of school desegregation in the Deep South that overall progress in such states as Alabama, Mississippi, Georgia, South Carolina, and Louisiana was barely visible, with integration increasing only five percent in the case of the best performer, Georgia, in a year. Even such "progress," according to figures of the Office of Education, raised the percentage of Negroes in school with whites during 1966 to only 2.4 in Alabama, 3.2 in Mississippi, 6.6 in Georgia, 4.9 in South Carolina, and 3.6 in Louisiana.

The Southern Regional Council, a highly-regarded private research agency, in a year-end report that was justifiably caustic about the glacial pace of school integration in the Deep South, cited the supporting figures and declared: "This poor performance of the South in the second year of enforcement of Title VI for school desegregation remains the strongest rebuttal of the Southern complaint that the Office of Education has been over zealous in the matter. A more proper question might be whether it has been diligent enough."

In spite of the Supreme Court's 1954 decision holding that race discrimination in public schools is unconstitutional, "The record of many Southern school and public officials and the publics they serve has been one of avoiding and evading this clear-cut dictum of the basic law of the nation," the Council said. "Such mistreatment of the legal system by these 'best' people has been far more a national disgrace and scandal than the notorious lawlessness of violent racist gangs comprised of the 'worst' people of the area."

The Council's indictment of this flouting of the law of the land might stir the conscience of other citizens, but of itself could not shake the resistance of the segregationists. What did jar them to the eyeteeth was the recent decision of the Fifth (Federal) Circuit Court of Appeals in New Orleans. Judge Minor Wisdom, with Judge Homer Thornberry assenting, and the notoriously racist Judge Harold Cox dissenting, ordered seven Louisiana and Alabama school systems to desegregate classrooms, facilities, faculties, and staffs by the 1967–68 school year.

Judge Wisdom upheld the Office of Education's guidelines in this crucial test case brought by the Department of Justice. He issued a stern warning to the Southern resistance: "Now after twelve years of snail's pace progress toward school desegregation, the courts are entering a new era. The court has ticked the last tick for tokenism and delay in the name of 'deliberate speed'. . . . We shall not permit the courts [under local court plans] to destroy or dilute the effectiveness of the Congressional policy in Title VI. There is no bonus for foot dragging."

As we have said before in these columns, it has been the Federal judiciary rather than Congress which has been the prime mover in the advancement of civil rights. If Congress is too timid to defend the guidelines designed to open the door of the white schoolhouse wider so that every Negro child can have equality of educational opportunity, then the Federal Courts, as the U.S. Fifth Circuit Court now has demonstrated, will.

FLAMMABLE FABRICS

Mr. ROONEY of Pennsylvania. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. ROONEY of Pennsylvania. Mr. Speaker, in President Johnson's message, to protect the American consumer, he cited a gap in existing legislation which is so glaring that action should not be delayed. The President was referring to the Flammable Fabrics Act of 1953. That act did a great deal to keep certain highly flammable items such as the well-known "torch sweaters" out of the Nation's stores.

Unfortunately, however, the standard of flammability which was created under that act is not adequate today. It applied only to certain types of wearing apparel. There are many articles of clothing on the market today which present an unreasonable danger to people's safety. Furthermore, the act does not even cover things like carpets, upholstery, rugs, draperies, and other items commonly found in the home.

The need for further protection is amply demonstrated by the fact that it is estimated that about one-quarter million injuries each year are caused by clothing fires alone. If other highly flammable household materials were included, the total would be even higher.

The 1953 act proved that a problem like this can be solved, where there is a willingness to act and a spirit of cooperation among all parties. In my judgment it is clearly in the public interest to amend the act of 1953 to provide the protection needed by the conditions that exist in 1967. Accordingly, I have introduced a bill to amend the Flammable Fabrics Act of 1953.

The amendments would authorize the Secretary of Commerce to revise the existing flammability standards for wearing apparel as appropriate in order to help reduce the national loss of life and the number of injuries. The Secretary would also be authorized to issue standards for interior furnishings, if he determines after proper notice and an opportunity for public comment that flammability standards are needed for a particular kind of furnishing. Acting in concert with the Department of Health, Education, and Welfare, the Department of Commerce would also conduct a factfinding study of the causes of deaths, injuries, and property losses resulting from accidental burning of furnishings, and wearing apparel. Finally, the amendments would authorize laboratory research on the flammability of furnishings, fabrics, and materials.

It may not be possible to eliminate completely all of the human and material losses incurred by fires of the type type I have described. There will always be some element of human frailty which rules out a complete solution. However, to the extent that people of good will, acting in good faith, can devise steps to help alleviate this serious national problem, then I believe we must forthrightly meet our responsibilities. The bill to amend the Flammable Fabrics Act of 1953 presents us with exactly that choice. I strongly urge your thoughtful consideration and enactment of this bill.

AGRICULTURAL MEETING

Mr. POAGE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POAGE. Mr. Speaker, yesterday we witnessed an historic meeting of agricultural people here in the Nation's Capital. Representatives of agriculture—and I mean the men and women who are actually feeding and clothing the Nation—were invited to Washington by the Secretary of Agriculture. They engaged in a full day's discussion of the problems confronting agriculture. At noon the President sent word that he wanted these farm people to have lunch with him at the White House. Those who were privileged to attend will always recall that President Johnson exhibited a most intense interest in farming and ranching.

Mr. Speaker, I wish to commend the President and the Secretary of Agriculture for this recognition of the importance of agriculture in the United States. I believe that too often we hear of various groups meeting in Washington without any representation from our rural areas.

Mr. Speaker, I am delighted to be able to report that President Johnson has announced that he is going to make this at least an annual event, and that agriculture is going to be welcomed to this Capital, and to the White House. I think that this spirit can only improve the understanding and cooperation so essential to the production of food and fiber for our own people as well as for our foreign friends.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. POAGE. I am happy to yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I would like to associate myself with the remarks of the gentleman from Texas. I should also like to mention, because he is too modest to do so, that he has had considerable to do with arranging this meeting. We are indebted to him.

REALISTIC APPROACH TO THE FARM PROBLEM

Mr. HALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, yesterday, two southwest Missouri farmers were privileged to attend the National Farm Policy Conference, which was held here in Washington, D.C. The two gentlemen were Mr. John Fawcett, of Fair Grove, Mo., and Mr. E. M. Poirot, of Golden City, Mo. Both men are extremely knowledgeable in agricultural affairs and in addition Mr. "Gene" Poirot is the author of the book "Margin of Life," from which was taken the concept of a cropland restoration bill which I submitted as H.R. 7164 in the 89th Congress and which I intend to submit again this year.

Attached is a copy of Mr. "Gene" Poirot's explanation of this concept which was made available to the delegations attending the National Farm Policy Conference. I believe these comments from a true man of the soil deserves serious consideration. The explanation follows:

An Original Realistic Approach To Solving Farm Problems Based Upon Restoring and Expanding Our Food Production Potential

(For the consideration of delegates attending the National Farm Policy Conference in Washington, D.C., February 20, 1967)

My name is E. M. Poirot, farmer (2000 acres) near Dudenville, Missouri.

My address is Route #2, Golden City, Missouri.

I am one of more than 2 million farmers.

Our final product is human bodies!

From the soil, we produce the food necessary to nourish and grow them from the moment of conception to death. From the same soils we grow much of the fibers necessary to keep them warm.

We believe that this is an important service, and that we should be paid a fair wage for doing it . . . an income high enough so that we could buy the products of one hour of the work of others with one hour of our work. It is essential to recognize the problem of recruiting and training our replacements!

The problem, however, is more than simple economics, because human bodies not crops are the final products of farming.

Those bodies are made of well refined clay put together by nature in combination with water, air and sunshine.

Farmers encourage this process. All of them know it cannot begin without water and soil containing the suitable plant food minerals necessary for making bones, flesh and brains. Poor soils contain less of these minerals, good soils more of them. Poor soils produce less food or fibre per acre, at a higher cost per unit, while at the same time they supply the needs of *fewer* people at a *higher* cost of them. Good soil is our very Margin of Life!

We have neglected this soil phase of the farm problem in past and present farm programs. Doing so has left us with the same basic trouble we began with over 30 years ago. They are:

1. Poor soils, appearing on almost every farm and against which most farmers and consumers cannot defend themselves.
2. Low market prices against which the farmer cannot defend himself.
3. Increasing production costs against which the farmer cannot defend himself.

More specifically, 32% of our good land is lost beyond recovery. From what is left we now take three times as much plant food as we return in fertilizers. Seventy percent of our farmers have an average annual net income of only $1,351. The next 15% have less than $6,000 per year. The top 15% only have an average income of $13,500, about what a good insurance salesman would make with a pencil and pad of paper.

Our costs of production are now about 12 times what they were in the early 30's, when farm programs began. If farm products had moved up the same proportion, wheat would now bring $3.60 per bu. in place of $1.50. Hogs: $36.00 per hundredweight in place of $21.00. Steers: $60.00 in place in $26.00 per cwt.

What is a simple attainable solution poor soils, low market prices, and high costs?

1. Restore the potential to produce (at a profit) in our poor soils. Protect the potential in our richer soils so that we may provide good food in abundance at a reasonable cost to the consumer of this and coming generations.
2. Pay a minimum wage equivalent, or a fair price for restoring the potential thus protecting the farmer against the equally urgent need to produce products for the consumer at a lower level.
3. Restore the soil potential at a fair price level by providing the farmer with a free market offering to buy tons of a suitable crop which, by its weight, measures the degree of soil restoration accomplished, and the amount due him. This free market offering to buy tons of a suitable crop proving soil restoration on one or all of his acres in any given year, gives him a chance to defend himself against low market prices and high local costs, by "shifting" low producing acres to the soil restoration market while at the same time he defends the consumer and the nation against soil depletion and destruction.

The price to be paid for tons of a suitable crop would be established by the Secretary of Agriculture, and would be determined by the amount of fertility returned to the soil as against that which is lost each year through crop production.

The second (alternate) market is the key to solving other problems of concern to the the farmer for impounding extra rainfall on farmer, consumer and government. It offers a means of buying Flood Control at a profit to the government by offering payment to his private property to be used later for irrigation, resulting in cheaper food for the consumer and more profit to the farmer.

In addition to these values, the second market can also buy erosion control, stream siltation control, water conservation, wildlife habitat restoration, (and perhaps later even insect control through creating an environment favoring their natural enemies) and other values to the final consumer.

Through this second market we can open the door for the science of agriculture to reach the farmer in a direct way without taking the time needed for special training. It is acceptable to him as illustrated by the response I have had from farmers at meetings and discussions in several States. The second market also give us the opportunity to expand our agricultural production at once in case of national or international emergency.

Is this approach too costly? Not when you consider the savings that would be affected through the elimination of present costs that do not protect or restore our potential to produce food and fibre at a time when the population explosion threatens to outdistance farm production.

The cost allowed for depleting a resource as figured for income tax purposes is from 5% to 27% on gross profits. Those who mine the plant foods farmers need are allowed a 15% of gross profits deduction as a cost item for depleting a natural resource. If this is a fair figure, there should be no objection to providing a sum for the purpose of restoring our food producing resource of soil fertility, for which at present there is no substitute. It is a program that can work because every farmer understands the need for increasing the fertility of his land, and thereby its per acre yields so as to reduce his *per unit costs*.

PEDRO IRIZARRY GUIDO

Mr. POLANCO-ABREU. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Puerto Rico?

There was no objection.

Mr. POLANCO-ABREU. Mr. Speaker, I have introduced today a private bill for the relief of Mr. Pedro Irizarry Guido.

For a period of over 13 years Mr. Irizarry has been trying in every possible way to obtain redress for a serious injustice to him while he was a Federal employee in Puerto Rico. He has exhausted all possible administrative remedies and has come to me to try to obtain relief from this honorable Congress, which is his court of last resort.

I believe that Mr. Irizarry's claim is highly meritorious and urge that my bill be quickly reported and passed. For the information of my esteemed colleagues I include at this point in the RECORD an excerpt from the favorable report of the Committee on the Judiciary which was submitted last year:

PURPOSE

The purpose of the proposed legislation, as amended, is to pay Pedro Irizarry Guido of San Juan, P.R., $3,581.05 in full settlement of his claims for additional compensation for overtime and nightwork from July 10, 1946 to March 24, 1952.

STATEMENT

The Department of the Army in its report to the committee on the bill outlined the facts of the case as disclosed by its investigation, and stated that it deferred to the views of Congress as to whether relief should be extended to the individual in this case. The Comptroller General did not recommend favorable action. This bill was the subject of a subcommittee hearing on March 31, 1966. At that time, the sponsor of the bill, the Honorable Santiago Polanco-Abreu, Resident Commissioner of Puerto Rico, appeared before the committee to testify in support of the bill. At the same hearing, Thomas G. Watkins, representing the American Federation of Government Employees, also appeared to testify in support of the bill.

The information submitted to the committee established that Mr. Pedro Irizarry Guido has been employed as a civilian employee by the Department of the Army since February 1946, at Fort Buchanan, P.R. In the period from July 10, 1946, through March 24, 1952, which is the time relevant to the claim embodied in this bill, he was employed by the Quartermaster Supply Office of that installation and was specifically assigned the duty of "night duty checker" or "clerk on night duty." This position required Mr. Guido to serve as a "watchman-caretaker" for the protection of the quartermaster property and performance of other miscellaneous duties of approximately the same level of difficulty. These included receiving emergency shipments after regular office hours, answering the telephone, and taking care of all routine actions. He performed these duties between 4 p.m. and midnight daily except Saturdays, Sundays, and holidays. His position also required him to remain on the installation available for duty until 7:30 a.m. and to accompany an engineer refrigeration checker to unlock two cold storage warehouses at 3 a.m. and 6 a.m. daily. Sleeping quarters were provided for him at the installation and provision was made for eating and sleeping during the tour. Mr. Guido's specific duties and the nature of his position as night checker remained constant from the time he accepted the job to March 24, 1952.

Mr. Guido first filed a claim for his nightwork on July 4, 1955. On February 18, 1957, the Comptroller General disallowed the claim on the grounds that available records do not substantiate the overtime and nightwork claimed. The committee feels that the fact that the claim was filed within the time required for payment shows that Mr. Guido was diligent in his attempts to exhaust administrative remedies available to him, and further that he acted promptly to protect his rights in this case.

Army records show that from July 10, 1946, to March 24, 1952, Mr. Guido received a fixed annual salary for the job of night checker. These records also show that for administrative purposes his salary was for a 5-day, 40-hour workweek plus overtime, if any. In addition he received a night differential allowance for his regularly assigned night duty hours. Mr. Guido's individual earnings records during the 5 years in question disclose that occasionally he performed overtime services, other than his duties in unlocking the warehouse doors, and that he received payment for these services in small and varying amounts. As pertinent time and attendance records have been destroyed according to routine records management procedures, it is impossible to identify what specific hours of overtime were reported as worked or the nature of the work performed.

The situation as reflected both in the Department of the Army report and the Comptroller General report is that the exact records concerning Mr. Guido's extra duties are not available. The Army does observe that this duty entailed approximately 1½ hours every night and that further the performance of these duties occurred at times which prevented uninterrupted sleep. The Army stated that Mr. Guido performed all duties in this period in a knowledgeable, faithful, and commendable manner. Further, the committee observes that the Army report states that available records suggest that Mr. Guido was paid no compensation for this particular duty. Based upon the number of workdays in each pay period less an estimated period of leave, the Army determined that an award of $3,581.05 would be an appropriate amount to compensate Mr. Guido for the time spent in performing his additional duties. This amount would represent overtime and night differential pay for the time estimated by the Army that Mr. Guido would have performed these duties.

A consideration of all the facts and circumstances of this case has led the committee to conclude that this claim should be favorably considered and the bill amended to provide for a payment of $3,581.05. The formula followed by the Army in arriving at this amount appears to be the best solution of the matter which can be obtained in the light of all the circumstances. Accordingly, it is recommended that the bill, as amended, be considered favorably.

UNIVERSITY OF THE AMERICAS

Mr. POLANCO-ABREU. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Puerto Rico?

There was no objection.

Mr. POLANCO-ABREU. Mr. Speaker, I have today introduced a House joint resolution to provide for a study of the possibility and desirability of establishing a University of the Americas. My bill is similar to that introduced earlier in this session by the distinguished majority whip, the gentleman from Louisiana, and that introduced by the Honorable JAMES O'HARA, the distinguished Member from Illinois. I urge all of my colleagues in this Chamber to study this bill and to introduce similar measures.

We are all aware of the increasing involvement of the United States with the affairs of the countries of Latin America. On the economic and cultural fronts, primarily, there has been a tremendous amount of mutual cooperation and assistance. In many universities, both here and in the Commonwealth of Puerto Rico, special centers and divisions have been established in the field of Latin American studies. As one example, the Inter-American University located in San Germán, Puerto Rico, is making admirable progress in the development of programs to foster a greater understanding among students and educators of the mutual problems arising from the relations between the United States and the sister Republics of Latin America.

The activities of the universities in this regard are highly commendable and their officials should be congratulated for their appreciation of the great need for expertise and understanding in the field of inter-American relations. Nevertheless, when we consider the tremendous diversity throughout the Western Hemisphere in every aspect of life—vast differences in cultures, economies, politics—and also the magnitude of the lack of mutual understanding which still exists among the citizenry of the American Republics, we can only conclude that many more measures must be taken.

My bill provides for the establishment of a commission on the University of the Americas which is directed to consider all possible factors bearing upon the desirability of establishing a university, staffed by educators from all of the American Republics and available to students from all over the Western Hemisphere. I am confident that the final conclusion of this commission would be that there exists a great need for a University of the Americas and I am hopeful that my colleagues in this Chamber will see fit to authorize the establishment of such a commission.

PROTESTS PROPOSED DONATION OF 6 ACRES PRIVATELY HELD LAND DOWNTOWN WASHINGTON TO THE ORGANIZATION OF AMERICAN STATES

Mr. STEIGER of Arizona. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. STEIGER of Arizona. Mr. Speaker, I wish to protest the offer by the Secretary of State, Dean Rusk, to donate 6 acres of land currently in private hands in downtown Washington to the Organization of American States, said land to serve as headquarters for the New Permanent Council and General Secretariat of that Organization.

This offer was reported in the Evening Star of Saturday, February 18, 1967, under dateline Buenos Aires. I shall include the entire article at the end of my remarks if there is no objection.

During the District of Columbia subcommittee hearings on the chancery legislation currently pending before the committee, we heard testimony from Ambassador James W. Symington, Chief of Protocol of the Department of State. In that testimony, the Ambassador stated that all lands in question would be leased or sold to the interested foreign powers. Yet, in the Evening Star story, we are informed that Secretary Rusk has offered to donate 6 acres of land to the OAS. I am told, and if the information is inaccurate it should be denied at once, that an offer has been made equaling $100 a square foot on the 6 acres involved.

Mr. Speaker, this is $4,300,000 plus dollars an acre, tax dollars taken from the general fund, and the result of the purchase is to further weaken the economy of the District of Columbia by removing the property from the District tax rolls. In addition to the economic inequity being perpetrated by the Secretary, there seems to be a real constitutional question involved. It might be responsibly doubted if the Federal Government can take land for foreign governments and international organizations. *Kohl* v. *United States*, 91 U.S. 367, states that:

> The proper view of the right of eminent domain seems to be that it is the right belonging to a sovereignty to take property for its own use and not for those of another.

The donation of land proposed by the Secretary of State will establish a precedent, and in my view a most unfortunate one. It is clear that at the very least the Secretary is extremely premature in offering the OAS any land not currently controlled by the State Department. At the worst, he could be guilty of establishing a new role for the Federal Government, that of acquiring privately held land for the purpose of redistributing it as a gift to foreign agencies.

The article referred to follows:

OAS Offered 6 Acres Here for Headquarters

(By Jeremiah O'Leary, Latin American writer of the Star)

> Buenos Aires.—The United States has offered to donate six acres of land in downtown Washington to the Organization of American States to serve as headquarters for the New Permanent Council and General Secretariat that will emerge from the reforms being made here in the hemispheric body, it was learned today.
>
> Informed sources said the offer was made at a closed session of the foreign ministers conference this week by the U.S. delegation, headed by Secretary of State Dean Rusk. Location of the proposed site was not disclosed. However, it was revealed that a bill already has been drawn up for submission to Congress in anticipation that the third special Inter-American Conference will accept the offer.
>
> #### SEALTEST SITE MENTIONED
>
> In testimony Thursday before the House District Committee, James W. Symington, State Department chief of protocol, said the OAS is interested in the 4-acre Sealtest site on Pennsylvania Avenue just west of Washington Circle.
>
> Symington said the OAS could buy the site without congressional approval of a multi-acre chancery enclave plan proposed by the State Department and being aired by the House District Committee.
>
> It is no secret that many hemispheric nations have been as dissatisfied in recent years with the physical setup of office space and meeting chambers available to the OAS as they have been with the performance of the Pan American Union and the personnel making up the existing secretariat.
>
> The Pan American Union at 17th Street and Constitution Avenue, NW, long ago had to expand into an annex two blocks away and other functions of the secretariat are performed in other parts of Washington.
>
> The reorganization of the OAS machinery being carried out here will create three separate organizations: The political arm or General Assembly which will meet once a year on a rotating basis in hemispheric capitals: The Economic and Social Council, which will function on an equal basis with the permanent council and also meet in various locales several times a year and the Educational, Technical and Cultural Council, which may be located in permanent status in some other capital than Washington.
>
> Mexico is considered the likeliest site for the Cultural Council headquarters.
>
> #### DISTRICT OF COLUMBIA SELECTION SEEMS SURE
>
> Under the reorganization of the OAS being completed here, it appears certain that Washington will be headquarters for the Permanent Council, the IAE-CESOC and the secretariat. Council meetings would continue to be held in Washington about once a month while the General Assembly would meet once a year instead of every five years as is now the case with the ministerial level meetings.
>
> The foreign ministers remained in session until after 8 o'clock last night and will have a full schedule today. The foreign ministers are continuing to wrestle in closed sessions with the agenda for the summit, which now appears set for Uruguay beginning April 12 or 14. Other delegates of lower rank are completing the language of the OAS reforms, with some delay being caused by difference in terminology.
>
> The only stumbling block to the summit agreement appears to be differences between the U.S. and Colombia over the precise language of the summit agenda. Both Colombian and U.S. sources said last night this does not constitute an impasse and that there is complete cordiality and understanding.

GODLESSNESS AND CRIME

Mr. POFF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. POFF. Mr. Speaker, one of the members of the Katzenbach Commission on Law Enforcement and Administration of Justice, Miss Genevieve Blatt, annexed additional views to the Commission's report which merit more currency than they are likely to receive as a small chapter of that great volume.

In her poignant prose, Miss Blatt identifies what I call "the cause of all of the causes of crime." Under leave of the House, I quote herewith Miss Blatt's additional views in full:

> Thorough as the Commission's studies have been and comprehensive as its valuable recommendations are, its report seems deficient to me in that it neglects to recognize godlessness as a basic cause of crime and religion as a basic cure.
>
> The report acknowledges the necessity for activating religious institutions in the war on crime, and it mentions some of the excellent work religious groups have done in youth work and along similar lines.
>
> But nowhere does the report mention the Ten Commandments which underlie our Judaeo-Christian culture. Nor does it mention the God who created all of us, who gave us the Ten Commandments, who enforces a law higher than ours and who administers the ultimate justice.
>
> Admittedly, it would not be within the province of the Commission to recommend how to combat the godlessness so prevalent today and so basically at the root of so much of our crime problem. Nor could the Commission properly outline how religion, as a moral force distinct from an institutional group, could help control crime.
>
> But just as the report recognizes the obvious relationship of poverty and ignorance and discrimination to an increasing crime rate, it should recognize that man's alienation from his God has also been a crime-inducing factor.
>
> It is true that all too frequent unwillingness of many religious groups and of many presumably religious individuals to live by and not just to profess the moral precepts common to all religions has all too frequently blunted the effectiveness of religion in preventing crime. Nevertheless, properly used, religion is a real weapon. In my personal opinion, it is the best weapon. And it should be used.
>
> My feeling is that we unquestionably should, as the Commission suggests, improve family life and the school system and every other human institution. In so doing we will undoubtedly help prevent crime.
>
> To do these things, however, without renewing and revitalizing religious life, won't be enough.
>
> Somehow or other we must restore to every citizen's everyday living that same belief in God's love and justice which was characteristic of our countrymen in an earlier and less crime-ridden period of our history.
>
> We were a God-fearing people at one time, and proud of it. We must be that again if we expect to see the crime rate substantially reduced.

LEGISLATION TO MAKE POST OFFICE DEPARTMENT MORE EFFICIENT AND EFFECTIVE AND DEVOID OF POLITICAL INTERFERENCE

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, today I have introduced legislation which is the second of two bills designed to take the Post Office Department completely out of politics. Identical measures have been introduced by my colleagues the gentlemen from Iowa [Mr. SCHWENGEL, Mr. KYL, Mr. MAYNE, and Mr. SCHERLE] and the gentleman from Illinois [Mr. DERWINSKI].

These same gentlemen, with the exception of Mr. DERWINSKI, joined with me on February 9 in sponsoring the first proposal—to prohibit political influence in connection with appointments and promotions in the lower echelons of the Post Office Department.

The bills we have introduced today deal with the top positions in the Post Office Department whose incumbents are appointed by the President.

The bills provide that the Postmaster General shall not perform any duties except those relating to the administration of the postal service and his office is to be disassociated from the President's Cabinet.

Through the years we have witnessed

a situation develop whereby the Postmaster General devotes altogether too much of his time and attention to matters unrelated to the postal service. It is impossible for the Postmaster General to administer the affairs of a department the size and magnitude of the Post Office Departments without devoting full time to his official duties.

Our bills further provide that the Postmaster General shall be appointed by the President for a term of 12 years and that he may not be removed during his term of office except for inefficiency, neglect of duty, or malfeasance of office.

During the past 6 years, three persons have occupied the position of Postmaster General, each of whom had different concepts and sometimes contradictory policies with respect to the administration of the postal service. Each time there was a change in the Office of the Postmaster General, the direction of the Post Office Department was altered. This lack of continuity in office has tended to create a chaotic condition which finally manifested itself in the recent breakdown of the postal service with the suggested solution offered by one Assistant Postmaster General "to burn the mail."

It is important to the American people that the postal service be administered with the greatest possible degree of continuity and purpose. Vacillating and indecisive policies must be eliminated so that the general public and business mailers will be the recipients of a better postal service which is predicated on a constant purpose of improvement and a sense of dedication to the needs of the mailing public.

Our bills further provide that the Deputy Postmaster General, to be appointed by the President, must be selected from among the career employees of the postal service and his term of office shall be for 6 years. This provision carries out a recommendation of the former Hoover Commission which stated that the immediate subordinate of the Postmaster General should be a career postal employee who is knowledgeable, possessing background experience related to the day-by-day operations of the postal service.

The other provisions of the bill relate to the establishment of rotating terms of appointments of 6 years for the six Assistant Postmasters General and the General Counsel of the Post Office Department. As in the case of the Postmaster General and the Deputy Postmaster General, occupants of these positions are to be appointed by the President and removed only for inefficiency, neglect of duty, or malfeasance in office. This section provides that not more than three of the six Assistant Postmasters General shall be members of the same political party, thus creating a bipartisan group to advise the Postmaster General.

The general purpose of this legislation is to create a climate and attitude of independence from political influence among the top echelons of the Post Office Department. In this manner, occupants of these positions will be free from political interference and pressures which far too often shape the policies of the Post Office Department.

For example, political pressures or influence should no longer dictate the establishment and location of new post offices and postal facilities, or determine the banks in which postal receipts are to be deposited, or dictate the appointments and promotions of postal employees, or determine from whom the Post Office Department should purchase equipment and supplies, or dictate who should receive contracts to be awarded by the Post Office Department.

Under our bills the Postmaster General and his immediate subordinates will be in a position to conduct the affairs of the Department with greater efficiency on a businesslike basis with consideration only for the needs of the American people.

A Government activity as large and as complex as the Post Office Department, with more than 700,000 employees and with $6.8 billion in annual appropriations, certainly is not the kind of Government establishment which will survive efficiently and effectively without complete divorcement from political influences, pressures, and demands.

Mr. Speaker, on January 19, 1967, the distinguished House minority leader, the gentleman from Michigan [Mr. GERALD R. FORD], said:

> We believe the Post Office Department should be taken out of politics from top to bottom.

The Republican Members of this body from Iowa wholeheartedly support that statement and the proposals we have offered—the first on February 9 and the second today—will in fact take the Department completely out of politics.

We welcome the support of our colleagues on both sides of the aisle.

TO MAKE THE POST OFFICE DEPARTMENT MORE EFFECTIVE AND DEVOID OF POLITICAL INTERFERENCE

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. SCHWENGEL] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, I am happy to join my colleagues, the gentlemen from Iowa [Mr. GROSS, Mr. KYL, Mr. MAYNE, and Mr. SCHERLE] in the introduction of legislation which would complete the task of taking the Post Office Department out of politics.

On February 9 legislation was introduced to eliminate political considerations in the appointment of postmasters and rural mail carriers as well as from promotions within the Postal Field Service.

The legislation being introduced today takes the next step needed to free the Post Office Department from political influence. It provides that the Postmaster General be appointed for a 12-year term, removes the office from the President's Cabinet, and prohibits the occupant of the office from engaging in any duties other than those directly connected to the administration of the postal service.

Mr. Speaker, if other congressional offices are anything like mine, they have received numerous complaints about the postal service. Something must be done and soon. The lack of continuity in the office of the Postmaster General has contributed to the inefficiency in the Department.

We need to insulate the Postmaster General from political pressures so that he will be able to conduct his Department in a businesslike manner. We need to strengthen his authority to deal forthrightly with the problems of the postal service. As long as Presidential or congressional politics determine policy, personnel, and facility decisions at the Post Office Department, we will continue to have second-class postal service.

I hope that the Post Office and Civil Service Committee will give prompt consideration to the two bills which have been introduced.

Mr. SCHERLE. Mr. Speaker, this bill, in conjunction with our earlier proposals to eliminate political influence in the appointment and promotion of postmasters, rural carriers, and field service employees, would greatly increase the efficiency and quality of the operation of the Post Office Department. We are constantly faced with the prospects of ever-increasing deficits in the Post Office operation and increases in the postal rates.

Postal patrons feel that it is about time for Congress to implement legislation that will place the Post Office under the management of people who are principally concerned with its effective operation, and people who, in turn, will staff the postal service on the basis of quality alone.

GENERAL LEAVE TO EXTEND

Mr. GROSS. Mr. Speaker, I ask unanimous consent that any other Members desiring to do so may extend their remarks on this subject at this point in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

AMERICAN LITHUANIAN RESOLUTION

Mr. PATTEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PATTEN. Mr. Speaker, on February 12, 1967, the American Lithuanians of Newark, N.J., and vicinity gathered in a meeting at St. George's Lithuanian Hall to commemorate the 49th anniversary of the February 16, 1918, Declaration of Independence.

A resolution was unanimously adopted at the meeting and I hereby submit it for insertion in the CONGRESSIONAL RECORD, with the hope that Members of Congress will not forget that Lithuania and several other countries subjugated by the Soviet Union, still yearn for independence and freedom. I know that someday Lithuania and other nations captured by the Soviet Union will regain their independence and freedom. How soon will depend to a great extent on what the United States says and does to help.

The following resolution will help:

> We, American Lithuanians of Newark, New Jersey and vicinity, gathered in a meeting on February 12, 1967, at St. George's Lithuanian Hall, to commemorate the 49th Anniversary of the February 16, 1918 Declaration of Independence of Lithuania, did unanimously adopt the following resolution:
>
> "Whereas the Lithuanian people are strongly opposed to foreign domination and are determined to restore their freedom and sovereignty, and
>
> "Whereas the Soviet Union has by force of arms suppressed the freedom of the people of Lithuania and has continued to deny these people the right of self determination. Now therefore be it
>
> "*Resolved*, That the Soviets show their sincerity by liberating the Baltic Countries of Lithuania, Latvia, and Estonia, and be it further
>
> "*Resolved*, To urge the President of the United States to instruct the United States Mission to the United Nations to request that the abolishment of the Soviet rule in the Baltic States be included in the agenda of the General Assembly of the United Nations, and be it further
>
> "*Resolved*, That the Soviet consular treaty must be unconditionally rejected and any endorsement of it is an endorsement of a Soviet aggression, and be it further
>
> "*Resolved*, That we send this Resolution to the President of the United States, the Secretary of State, the United States Ambassador to the United Nations, all Senators and Representatives from the State of New Jersey, the Governor of New Jersey, and the press."

Done at Newark, N.J., this 12th day of February 1967.

VALENTINAS MELINIS,
President.
ALBIN S. TRECIOKAS,
Secretary.

EUGENE C. PULLIAM RECEIVES TORCH OF TRUTH AWARD

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. BRAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BRAY. Mr. Speaker, Eugene C. Pulliam, distinguished publisher of the Indianapolis Star and the Indianapolis News, was recently awarded the Indianapolis Advertising Club's eighth annual Torch of Truth Award. This award is given to recognition of promotion of integrity and public service in advertising.

Mr. Pulliam's acceptance remarks pointed out that:

> Today the power of government over the lives and fortunes of the people is greater than at any time in our history.

The following story from the Indianapolis Star of February 17, 1967, carries pertinent excerpts from Mr. Pulliam's speech to the club:

FREE PRESS GUARANTEE TO FAIR TRIAL: PULLIAM

Without the constitutional guarantee of a free press, the constitutional guarantee of a fair trial would become a mockery of justice, Eugene C. Pulliam, publisher of The Indianapolis Star and The Indianapolis News, declared in a speech yesterday before the Advertising Club of Indianapolis.

Pulliam termed "it very obvious that if the legal profession succeeds in shutting off the flow of pre-trial news on the pretext of assuring an impartial trial, other professions, armed with equally convincing-sounding arguments, will agitate to reduce the newspaper profession to rewriting handouts and routine releases."

The job of newspapers is to protect the public by making sure that the public is informed about what goes on, and this cannot be done if the legal profession is going to continually harass them with new regulations and new proceedings which give judges almost a mandate to muzzle the press, the published asserted.

Pulliam was presented the advertising club's eighth annual Torch of Truth Award at the luncheon meeting at Monte's Restaurant in Riley Center.

The award is presented in recognition of promotion of integrity and public service in advertising, Ted I. Nicholas, club president, said. The award was presented by Sam J. Freeman, chairman of the board of L. Strauss and Company, and 1964 Torch of Truth recipient.

Pulliam accused the Federal government of deceiving the public and trying to control the press, and warned that "a free press in America is the last great bastion of the people against complete domination by the government."

"I believe, and I have faith in the belief, that as partners in freedom—business, labor, the professions, and the press joined together in a partnership rooted in confidence and understanding, can save freedom for America," Pulliam said.

Through regulations the government exercises the power to destroy—the very power of life or death—over all transportation enterprises, power companies, telephone companies, and radio and television companies, the speaker said.

"I would call your attention to the fact that during the last few months we have seen the glaring example of Federal officials literally blackmailing American business and American labor into doing the bidding of the Washington bureaucrats," Pulliam said.

He warned that "freedom of the press and speech in the United States are in greater danger today than at any time in our history for today the power of government over the lives and fortunes of the people is greater than at any time in our history, and that power is being used to subvert and destroy the freedom of the people to examine the acts of their government."

Pulliam blamed "publicity-seeking lawyers" for the clash over the First and Sixth amendments, which guarantee free expression and a fair trial, respectively.

"Each time a newspaper writes '30' to its existence, one more community watchdog disappears . . . with taxation and other forms of government intervention, weak newspapers have found it impossible to survive. Washington bureaucracy apparently wants to see to it that all cities of America become one-newspaper towns," Pulliam said.

END THE WAR

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. BRAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BRAY. Mr. Speaker, there is only one way to end the war in Vietnam and as the following editorial from the February 19, 1967, Indianapolis Star so well states:

> The best way to end this long and ugly war is for the United States to win it.

The article follows:

YES, END THE WAR

What is cruel about ending a war fast? The greatest fighting generals of all times and all nations have agreed in essence with Gen. William Tecumseh Sherman's simple, plain statement: "War is hell."

The Vietnam War is no exception. It is as ugly as war can be. Innocents as well as fighting men, are killed and maimed—women, children, the elderly, noncombatants—on both sides.

The longer a war lasts, the more is the death, injury and destruction.

The people of the United States bear no malice against the people of Vietnam, north or south. The United States government is continuing the war to honor a commitment to the government of South Vietnam and to keep a dictatorial Communist government, whose tyranny would be permanent, from seizing this Asian nation of more than 15 million persons.

The United States has stopped the Red push. There can be no doubt that this has given heart to other Asian countries striving for representative, elective self-government. The Red tide was turned in Indonesia, an archipelago nation of moe than 100 million. It was turned in Malaysia, a nation of more than 11 million. The Communists were making heavy pushes in both nations. Now, in both, the Red dragon has been defanged.

Nations hanging in the balance look toward the winner in a world power struggle, of which the Vietnam War is part. And Freedom-minded nations hope for a winner that will not in turn devour them.

The turmoil in Red China may well be a direct consequence of our stand in Vietnam.

So may be the other numerous strains in the fabric of world Communism, which appears to be sleazier and less uniform in weave, quality and purpose than it was before the tide turned in Vietnam.

These are gains for freedom, and freedom is something for which millions have sacrificed their lives and fortunes since the great ideal raised men's eyes to goals above the mere level of survival and subsistence. This struggle of centuries, by brave men and women, is sometimes easy to forget in a land of abundance where most of the goals for which those fighters fought are everyday realities.

After the war ends and the people of South Vietnam are truly free to decide their own destinies, they will have the same chance to reach for freedom, and if they are successful to enjoy it.

They will never have that chance if Communism moves in with its force, murder and fakery.

There is one way to stop the Communist power drive in Vietnam. That is to turn up the heat, increase the intensity of the war, multiply the bombing raids.

The Reds of North Vietnam are hypocrites when they say they are ready to negotiate. The blunt condition—the only condition—they put down as a prerequisite for negotiation is U.S. withdrawal. In other words, a demand for Red victory.

They understand one language and one only—force.

Then we must apply it to break down the Communist military machine. The Reds used the latest truce to build up their battle strength. The truce, from a logical, political and military standpoint, was idiocy on our part. We will lose far more than we would have lost had we kept on fighting—in lives as well as strategic gains.

As Representative L. Mendel Rivers of South Carolina said: "We should now have learned our last bitter lesson—no more truces, no more letdowns. We should not only resume the bombings, but triple them."

He is right. The best way to end this long and ugly war is for the United States to win it—to smash the Communist power that has enslaved the people of North Vietnam and wants to enslave those of South Vietnam.

The strong medicine of hard battle is the cure for this disease of ugly, endless warfare. It would be more humanitarian in the long run than another five years or another decade of slow, dehumanizing half-war.

And the people of North Vietnam as well as those of South Vietnam, and of America and all other nations, would be the real victors.

RESOLUTION TO ELIMINATE THE HOUSE COMMITTEE ON UN-AMERICAN ACTIVITIES

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. BUTTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BUTTON. Mr. Speaker, today I have joined 24 other distinguished Members in support of a resolution which would transfer any function the present House Committee on Un-American Activities might possess vital to U.S. internal security to the Judiciary Committee.

I have been keenly aware of the House Committee on Un-American Activities so-called investigations that often result in exposure to the merciless glare of publicity of innocent individuals. The House Committee on Un-American Activities work with regard to U.S. internal security could be carried out with greater effectiveness and appropriateness by the Judiciary Committee, which traditionally works with a proper regard for the rights of individuals and for other safeguards of the American system of justice and civil liberties.

There is presently before the Federal courts a case, the Stamler case, that gives promise of silencing the activities of the House Committee on Un-American Activities on the grounds of unconstitutionality. Just recently, the U.S. court of appeals, sitting en banc, rejected by a 6-to-2 margin a petition by a U.S. attorney in the Stamler case. The Government attorney sought to have the entire eight-man appeals court sit for a rehearing of a decision by a three-judge panel of its members last November. That decision last November set aside a U.S. district court judge's dismissal of suits challenging the constitutionality of the House Committee on Un-American Activities. Rejection of the U.S. attorney's petition now sets the stage for either a further petition to the Supreme Court—within the next 90 days—by the Government on the appeals court decision, or a hearing by the three-judge panel of the suits by Stamler and others on the first amendment and bill of attainder aspects of the case. However, it would seem to me there is enough clear evidence for the House of Representatives to take care of its own housecleaning, especially in light of the recent revelations about the House Committee on Un-American Activities using paid witnesses.

In order for the House to act, I believe the Rules Committee should hold hearings on this matter. I respectfully urge my colleagues to address a request to the chairman of the Rules Committee calling for public hearings on this pending resolution.

At this point, I would like to share with my colleagues a number of editorials and newspaper articles that are of significant related interest. I therefore insert this material in the RECORD herewith:

A STATEMENT OF CONCERN BY 120 CATHOLIC PRIESTS AND NUNS IN THE GREATER BOSTON AREA, JANUARY, 1967

As we start the new year 1967, we recognize that we enter a period that may be of great importance for the liberties we cherish. Because of the difficult questions which now divide many Americans, we are concerned about the pressures tending to stifle free expression and creative thinking among American citizens.

One institution, of which too little is known among the general public, concerns us in particular: the House Committee on Un-American Activities. (HUAC).

On June 11, Father Joseph H. Fichter, S.J., eminent Catholic sociologist and Professor of Roman Catholic Studies at the Harvard Divinity School, discussed in *The Pilot* some of the serious charges against HUAC, and he requested that the House of Representatives debate these charges. Father Robert F. Drinan, S.J., Dean of the Boston College Law School, also made this request in an article entitled "The Case Against HUAC" (*Boston Globe*, August 28).

Since these two articles were written, HUAC has announced that it is launching an investigation, under the joint supervision of two segregationists, Rep. William M. Tuck (D-Va.) and Rep. John H. Buchanan, Jr. (R-Ala.), into disturbances in Negro urban areas to determine if "a group of Communists doing the work of Moscow or Peking, as the case may be, and attempting to mask their subversion under the guise of civil rights" is responsible.

Moreover, it has been disclosed by a long-time supporter of the Committee, Rep. Wayne Hays (D-Ohio), that HUAC has been paying its "friendly witnesses" for testimony (after the Committee members had denied having done so) and that HUAC keeps dossiers of "un-American activities" *even on other congressmen* (CONGRESSIONAL RECORD, vol. 112, pt. 20, p. 27510).

In an editorial decrying HUAC, Father John B. Sheerin, C.S.P. stated:

"In reading the newspaper accounts of the (HUAC) hearings almost inevitably we thought of the Star Chamber proceedings in old England but I wonder how many Catholics realized that it was their forebears who were the main victims of these miscarriages of justice. In many instances, their rights of free speech and fair trial as well as their religious liberty were at stake." (*The Catholic World*, October, 1966.)

We, as Catholic priests and nuns, are aware of the dangers of restricting freedom of speech and the political and religious liberties guaranteed in the First Amendment of the United States Constitution. As Richard Cardinal Cushing stated in his recent pastorial letter (December 10), "Critical thinkers and thinking critics constitute the life-blood of any society."

We endorse the calls of Father Fichter and Father Drinan for "a full and open debate in the Congress about the continued existence of HUAC," and we urge Speaker of the House John McCormack to provide for the discussion in the House of Representatives this issue merits.

[From the Boston Sunday Globe, Aug. 28, 1966]

(By Robert F. Drinan, S.J., Dean, Boston College Law School)

On the first day of the reconvening of Congress in January 1945, a strange unprecedented and tragic event occurred. On that day the first and only permanent investigating committee was authorized by the House of Representatives.

Led by Mississippi's segregationist Cong. John Rankin, a coalition of Southern Democrats and Republicans made the House Un-American Activities Committee (HUAC) a permanent standing committee—over the dissenting votes of Cong. John McCormack and, in 1946, of Lyndon Baines Johnson.

From that day in early January, 1945, until last week HUAC has been engaged in some of the most unproductive and disorderly inquiries ever conducted by Congress.

The recent tumultuous hearings of HUAC on the activities of the "Vietniks" prompted even Sen. Everett Dirksen, in an unprecedented rebuke to a committee of the House, to state his firm disapproval of HUAC's tactics and his opposition to the legislation to be proposed by HUAC.

The injunctive relief given by Federal Judge Corcoran to the two individuals subpoenaed by HUAC was a last, desperate attempt to prevent the public harassment of American citizens because of their views on American foreign policy.

The reversal of Judge Corcoran's decision may have been erroneous; it certainly did nothing to resolve the grave question which Judge Corcoran faced: how can a citizen protect himself ahead of time from the devastating and irremediable harm to his reputation which will almost inevitably result from a session before the inquisitors of HUAC?

Despite the huge staff of HUAC and the protestations of its members and friends its achievements during the 21 years of its existence have been meager:

1—Only three pieces of legislation enacted in the last 20 years can be traced directly to HUAC.

2—The hundreds of pamphlets issued by HUAC have been consistently criticized by scholars and experts as misleading. The pamphlets have literally "fed" right-wing extremist groups.

3—In the last 15 years HUAC has asked and received House endorsement for its citations of contempt for 129 individuals but only nine of these citations have resulted in final conviction. The U.S. Supreme Court has reversed five convictions since 1961.

4—HUAC's abortive hearings on the Ku Klux Klan have led neither to new legislation nor effective prosecution of the Klan.

The reasoning which keeps HUAC in business comes to this: Communism is so terrible an enemy that any method of exposure is justified and should be retained.

It is this simplistic and indeed pernicious logic which prompts right-wing extremists and many others to brand anyone critical of HUAC as either subversive or "duped."

The fear of subversion and Communists appears to be so profound and even pathological among countless Americans that it submerges their beliefs in the right to a fair trial and the necessity of the separation of powers among the three branches of government.

It is, of course, these two key elements of American democracy which HUAC threatens to undermine.

The basic arguments against the continued existence of HUAC could be stated as follows:

1—If a person is to be accused of "un-American activities" (not merely opinions) he should be tried before a court of law and not before a congressional committee.

2—If Congress desires information about "un-American activities" (a term which Congress has never defined) it can acquire such information through its own committee on the judiciary and does not need a special roving group to inquire into "espionage," a subject which is already within the specific mandate of the House's Judiciary Committee.

Many well-informed Americans have long since concluded that the time has come for HUAC to be abolished. But political realities must be faced; on Jan. 27, 1966, HUAC received its requested appropriation of $425,000 from the House by a vote of 299 to 24.

In 1965 it received an appropriation of $370,000 by a vote of 358 to 29.

Congressmen think—perhaps erroneously—that voters back home would not approve of a vote to withhold funds from a House committee investigating "un-American" activities.

Indeed, it is humiliating to have to note that in both 1965 and 1966 not a single congressman from New England voted to diminish or eliminate the appropriation sought by HUAC!

Under the aegis of the long standing National Committee to Abolish HUAC a Massachusetts group has been reactivated in the recent past. Under chairmanship of Prof. Vern Countryman of the Harvard Law School the Massachusetts Committee to Abolish HUAC, based at 144A Mt. Auburn st. in Cambridge, is fighting an uphill struggle.

That struggle may possibly become a bit less difficult now that there is at least a discussion going as to the availability of an injunction by a Federal court against HUAC. But the widespread, emotion-laden and mountainous support in America for anything anti-Communist may well prevent the phasing-out of HUAC in the foreseeable future.

The least that the people of America can expect, however, is what Fr. Joseph Fichter, S.J., called for in the Boston Pilot on June 11, 1966—"a full and open debate in the Congress about the continued existence of HUAC."

After the unbelievable debacle staged by HUAC earlier this month the citizens of America are entitled to have at least an orderly inquiry by Congress into one of its committees, the very existence of which was described recently in a statement by 100 of the nation's leading constitutional lawyers as "unnecessary and unconstitutional."

[From the New World, Jan. 27, 1967]

Is HUAC Necessary?—Many Say No

(By George G. Higgins[1])

A group of 120 Roman Catholic priests and nuns in the greater Boston area has endorsed a "Statement of Concern" on the right of dissent, with particular reference to the House Un-American Activities committee (HUAC).

The priests and nuns noted that both the Rev. Robert F. Drinan, S.J., dean of the Boston college law school, and the Rev. Joseph H. Fichter, S.J., professor of Roman Catholic Studies at the Harvard divinity school, earlier had raised "serious charges against HUAC" and had called for "a full and open debate in the Congress about the continued existence of HUAC."

The statement called attention to an editorial by the Rev. John B. Sheerin, C.S.P., in the Catholic World which compared HUAC's hearings in Washington, D.C., this past August to " 'the Star Chamber proceedings in Old England' " where the " 'rights of free speech and fair trial' " of Catholics " 'as well as their religious liberty' " were jeopardized.

"We, as Catholic priests and nuns, are aware of the dangers of restricting freedom of speech and the political and religious liberties guaranteed in the First Amendment of the United States Constitution," the statement said.

The signers of the statement endorsed the calls for a debate on HUAC and urged Speaker of the House McCormack "to provide for the discussion in the House of Representatives this issue merits."

The Boston committee could have cited a number of other Catholics who have called for the abolition of HUAC, including Msgr. Charles Owen Rice, a pioneer in the field of Catholic social action in the Pittsburgh area, and the Rev. Edward Flannery, former editor of the Providence Visitor and an acknowledged expert in the field of Christian Jewish relations. Monsignor Rice has publicly stated that HUAC itself is "an ignoble experiment in un-Americanism."

Father Flannery, in an editorial entitled "HUAC Is Not Necessary," agrees with Father Fichter that no group of legislators should have the power to decide what is or is not an "un-American activity" and adds, in his own name, that "it may be the judgment of history that HUAC itself most perfectly exemplifies what is meant by this ill-defined term."

Why all this criticism of HUAC? Basically there are three principal objections to the committee:

1) The existence of a congressional committee whose jurisdiction is limited to inquiring into ideas, opinions, speech, and other forms of expression is irreconcilable with a system of free expression in this country.

2) The committee's methods of operation have tended to curtail discussion of controversial issues and to hinder the development of new ideas and new approaches to the complex issues which face our country in a rapidly changing world.

3) The committee serves no useful purpose. It considers only a few bills each year, and all of these fall within the jurisdiction of some other congressional committee. Moreover we already have adequate laws, regulations, specialized personnel and procedures for safeguarding internal security.

HUAC's decision of last October to investigate Negro rioting in the major U.S. cities is an added cause of alarm and an added reason for hoping that the Congress will abolish the committee. When HUAC's chairman announced a staff inquiry into Negro rioting, preliminary to a full-scale committee investigation, there were 60 anti-rioting bills pending before the House Judiciary Committee, the appropriate body to consider such legislation.

Moreover a special Judiciary subcommittee had been authorized to make a comprehensive review of the civil rights problem. As the Washington Post pointed out, this subcommittee "needs the interference of HUAC about as urgently as a brain surgeon in the midst of a delicate operation needs the intrusion of a circus clown."

This is admittedly very strong language, but no stronger than the situation calls for. The editors of the Post and many other thoughtful and well informed observers—including the majority of civil rights leaders in the United States—fear that HUAC, under the guise of determining whether or not the Negro rioting of last summer was, in part, planned and instigated by subversive elements, will engage in a witch hunt against the civil rights movement as such. Given the committee's past record, I should say that this fear is well founded.

It should be noted, in passing, the HUAC's critics readily admit that the Congress needs some sort of machinery to investigate those matters pertaining to internal security or to the administration of existing laws.

They are convinced, however, that adequate authority for these purposes is already vested in other House committees, particularly in the Committee on the Judiciary, which has traditionally dealt with the problem of internal security. If the authority of the latter committee needs to be classified, its rules can easily be amended by the Congress to this end.

But no congressional committee should ever be authorized—under the guise of ferreting out subversive elements in our society—to investigate "propaganda" or other forms of free expression guaranteed by the Bill of Rights. To permit any agency of government to censor controversial ideas or to determine what is or is not an "un-American" activity would clearly violate the true meaning of patriotism.

Patriotism is a virtue, yes; but as Cardinal Cushing of Boston pointed out in his recent pastoral letter, "The Servant Church," there is "a distressing and too prevalent notion that patriotism must be a cloak for the blanket and blind acceptance of all decisions made by the United States. This is not patriotism—it can be instead the road to national disintegration.

"All of us must admit, and true patriots will agree, that critical thinkers and thinking critics constitute the life-blood of any society. True love of country demands that we commit ourselves unequivocally to the ideals on the basis of which America was founded—that we pursue these ideals with integrity, honesty, and fidelity, not merely in pursuit of domestic tranquillity, but in our relations with other peoples in the family of nations.

"Patriotism, true and proper, demands much more than the choral chanting of 'God Bless America.' It demands a responsible, persistent, honest endeavor by citizens to insure, at home and abroad, the extension of freedom, the establishment of responsible governments and the preservation of human dignity.

"Such a commitment makes our love of country a more vital and dynamic force than any instinctive pieties of blood and soil."

[From the Pittsburgh Catholic]

REFLECTIONS

August and HUAC—The month of August—often called the "dog days" by sweltering commuters, or the "last lap" by harassed mothers of school children—has another name in newspaper circles: the "silly season."

So-called "hard news" being on vacation, the August newspaper is full of features on whiskey-drinking octogenarians, pictures of dogs diving into swimming pools . . . and coverage of House Un-American Activities Committee hearings.

Certainly the happenings during recent hearings—lawyers being carried out feet-first; supporters dressed in Revolutionary War costume—lend themselves perfectly to "silly season" journalism.

But leaving aside the circus antics of both Left and Right, and concentrating on the purposes of HUAC at the hearings, we find the legislation under discussion pragmatically unsound, politically unwise and, to borrow Msgr. Charles Owen Rice's phrase, "intellectually unspeakable."

The proposal making it criminal to "aid" in any way anyone in "hostile opposition" to one's armed forces is a piece of "my-country-right-or-wrong" hip-shooting that could riccochet disastrously all over the landscape. Making it a crime to "aid" a starving or bleeding man outrages Christian teaching. Sealing off from compassion those in "hostile opposition" to armed forces which may have only tenuous sanction of the citizens' representative assembly (as in a certain war we have in mind) is walking on thin constitutional ice. So we think, at any rate.

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[1] Msgr. Higgins is the Director, Social Action Department, National Catholic Welfare Conference.

As for the elephant gun legislation aimed at the ant-like efforts of some to "interfere with the movement" of military materiel—well, it's possible that HUAC has a "silly season," too.

Surely if enough citizens are sufficiently opposed to the action of their armed forces to interfere seriously with the movement of war materiel, then it is time, in a democracy at least, to question and examine the actions of the armed forces. If the protest is not seriously interfering, but is rather token dissent offered publicly and passively in the effort to change men's minds, then one is witnessing not a crime, but more a display of contending viewpoints on which a democracy should grow strong.

The distinction between treason and dissent has been carefully guarded throughout our history. It is such a vital distinction, one so fundamental to the maintenance of the American character of the government, that it deserves and demands all the reverent and stubborn support of which the virtue of patriotism is productive.

We have legislation against treason; it should be used when treason has been committed. We have no legislation against dissent and we need none. Nor do we need harassment of dissenters by HUAC. Come to think of it, we don't need HUAC.

[From Christianity and Crisis, Jan. 9, 1967]

HUAC Again

(By Henry B. Clark [1])

The House Un-American Activities Committee (HUAC) has long been a bone in the throat, and opposition to it has become a standard index of approved liberalism. But opposition to HUAC is one of those good causes one easily tires of pursuing. Its vicious tactics have been exposed so often, its ineffectualness has been so thoroughly documented, and its victims have so often escaped with "mere" harassment that one is inclined to be familiarly contemptuous of the whole sorry matter.

Most important, perhaps, is the role played by HUAC in the creation of a climate of national opinion that tolerates right-wing extremism and is always ready to believe the worst about progressive causes and individuals. Though condemned by experts as misleading, the committee's myriad pamphlets feed groups on the extreme right.

HUAC's latest maneuver is particularly ominous. On October 3 Chairman Edwin E. Willis of Louisiana announced a "preliminary inquiry" into recent Negro ghetto uprisings. The true aim of this undertaking can be clearly read between the lines of Willis' statement:

"We have no intention of investigating the civil rights movement. . . . If we should learn in the course of our investigation that a certain organization which claims to be a civil rights group is actually controlled and dominated by Communists, . . . we would not hesitate to investigate their operations. If that should develop, however, we will be investigating not a civil rights group but the activities of a group of Communists doing the work of Moscow or Peking, as the case may be, and attempting to mask their subversion under the guise of civil rights."

Fortunately, there is a possibility that HUAC may not live long enough to carry out this ominous inquiry, for both a judicial and a legislative strategy of attack are nearing culmination. The judicial strategy is based on a recent decision in the Stemler case by the Circuit Court of Appeals in Chicago. This promises a full-fledged test of the constitutionability of HUAC before the Supreme Court. It derives encouragement from the fact that the Court has given evidence of second thoughts about the Frankfurter "balancing" doctrine, which argues that First Amendment guarantees have to be balanced against the needs of national security. This doctrine has never been accepted by Justices Warren, Brennan, Black and Douglas; and the famous dissenting opinions by Black and Douglas offer eloquent warnings against the danger that if First Amendment rights are abridged, we may become a nation of men and not of laws.

In *Dombrowski* v. *Pfister* (April 26, 1965), the rights of officials of the Southern Conference Education Fund were vindicated against the Louisiana counterpart of HUAC. The Stemler attorneys are hopeful that a similar ruling in their case will knock the constitutional props out from under HUAC once and for all.

This fight is especially important now because HUAC is a symbol of the resistance to social change that has manifested itself so sharply in the past few months. Not many people subscribe fully or consciously to the no-holds-barred tactics of the Committee; not many people would agree with what Father Drinan has called "the reasoning which keeps HUAC in business," i.e., the belief that "Communism is so terrible an enemy that any method of exposure is justified and should be retained."

But the vague fears of dissent and disorder that float around in the minds of most Americans are cleverly exploited by HUAC. They are reinforced, magnified and transmuted into the indecision and lukewarmness that cut the nerve of effective action against the real evils that beset us. As long as this behemoth exists, the politics of anti-Communism will more readily flourish at the expense of intelligent noncommunist democracy.

WASHINGTON STAR HAILS NEW YORK LOTTERY

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Fino] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FINO. Mr. Speaker, I would like to bring to the attention of this House an excellent editorial which appeared in the February 10, 1967, Washington Star.

I think that the Star is quite correct in predicting that the New York lottery will work well and prompt Congress to consider a national lottery. As a longtime proponent of a national lottery, I certainly hope so.

I include the Star editorial herewith:

Lottery in New York

The state lottery about to go into effect in New York will constitute a decent test of a conceivable alternative to the ever-growing burden of taxation as a source of funds for the ever-growing flow of services the citizen expects from government at all levels.

In New Hampshire the lottery for education hasn't set any record for money-raising, but the New York experiment has many things in its favor missing from New Hampshire. Of these the chief is volume. It must be noted, too, that Federal laws obstructed the New Hampshire lottery. They will not be quite as oppressively operative in the Empire State.

There is a neo-Puritan cast of mind that looks with horror at such experiments, holding that they show civic irresponsibility, that the citizen ought to pay for what he wants or for what others want in sufficient numbers to make their wants law. Not so at all. State and nation both raise substantial sums from taxes on liquor and the neo-Puritans make no protest.

The fact is that people do gamble, in great numbers and, in aggregate, great amounts. Why not harness this private propensity to the public good? The further fact is that gambling now provides the base for gangster and hoodlum operations in many parts of the nation. Why not bring at least part of the field under state supervision and control? The hope would be in part to dry up the sources for the numbers racketeers and their fellows.

If the New York experiment works out as is hoped for it, the question should surely be reopened of having a national lottery as a source for national income.

FINO INTRODUCES LEGISLATION TO ALLOW U.S. OVERSEA BANK BRANCHES TO UNDERWRITE SECURITIES

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Fino] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FINO. Mr. Speaker, today I am introducing legislation to allow foreign branches of U.S. banks to underwrite, sell, and distribute securities outside the United States.

Since 1933, U.S. banks have not been permitted to underwrite, sell, or distribute securities. I do not intend to breach this general rule.

However, since 1916, U.S. banks have been empowered to invest in "agreement" or "Edge Act" corporations, which corporations may invest in foreign banks—which may underwrite securities—or foreign investment houses. Last year, U.S. banks were empowered to invest directly in foreign banks, including those underwriting, distributing, and selling securities.

It seems to me that the next logical step is to allow the oversea branches of U.S. banks to underwrite, sell, and distribute securities abroad, but not in the United States. This would put the oversea U.S. bank branches on a more equal footing with foreign banks in countries where banks can underwrite and sell securities.

I do not see how any conflict-of-interest problem is going to be any more severe where a bank has oversea branches doing underwriting than where it has a controlled foreign subsidiary doing it. Still, I feel that a branch's foreign securities underwriting and holdings should be limited by careful Federal Reserve Board regulation.

As U.S. interest rates go down, I expect that the burgeoning U.S. bank branches overseas are going to do less and less business in Eurodollar deposits. I am sure they would find it helpful in taking up the slack if they were allowed to move into the securities underwriting business like their foreign banking competitors.

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[1] Henry B. Clark is a consultant on urban studies for the Division of Christian Life and Mission of the National Council of Churches.

I was delighted to see the President take U.S. foreign bank branch dollar loans to foreign borrowers out from under the interest equalization tax. This will be good for the banks, U.S. firms abroad, and for our balance of payments.

FINO ANALYZES HOW CIVIL RIGHTS COMMISSION SCHOOL INTEGRATION SCHEMES CAN BE IMPLEMENTED UNDER EXISTING LEGISLATION, CITES BOSTON AND CHICAGO

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. FINO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FINO. Mr. Speaker, in line with my continuing opposition to programs like rent subsidies, demonstration cities, metropolitan planning, and the so-called Equal Educational Opportunity Act, I would like to point out to this House that the radical recommendations of the Civil Rights Commission that we legislate racial balance are not innovative: Congress has already given the backroom social planners of the Department of Housing and Urban Development and the Office of Education radical civil rights programs like rent subsidies, demonstration cities, metropolitan planning, and carte blanche aid for educational experiments to "induce" and all but force racial integration in white residential neighborhoods of the cities and suburbs.

I hope that the Members of this House will read the following analysis of the way existing programs can be used to implement the philosophy of the Civil Service Commission Report.

While Congress would have to pass new legislation to legally require school systems to see that no public school is more than 50 percent Negro or to make Federal aid to local education legally contingent on such racial balance, the Johnson administration is quietly moving to force racial balance in local communities and school systems under the language of existing programs. The radical philosophy of the Commission is already being implemented.

On November 30, 1966, a HUD aid named John Clinton told a group of educators in New York—men who were assembled pursuant to a joint HUD-Office of Education planning program approved in May 1966, to study the problem of urban education planning—that no city which did not propose busing, pupil exchange, or other schemes to achieve school racial balance in its demonstration cities application would even have its application considered by HUD. United Press International carried the text of Mr. Clinton's statement and amplification on November 30. In short, the demonstration cities program is to be used to force cities to plan their school systems in accordance with the Civil Rights Commission-Harold Howe philosophy of forced integration.

HUD plans to force cities to plan busing and school rezoning by administrative and economic pressure. Congress amendment to the demonstration cities bill to prevent actual requirement of such schemes is to be ignored. When the amendment was offered last year, I was the only Member of Congress to oppose it as a farce. HUD has confirmed my suspicions by admitting that the demonstration cities program will be used to require school systems in our would-be demonstration cities to plan busing and school rezoning as a condition of Federal aid in urban renewal, mass transit, and other programs.

Does Boston want to be a demonstration city? Does Chicago? You can be sure that HUD Secretary Weaver will require these two cities to restructure their school systems before they are given demonstration cities status. HUD has all but said so. If Mayor Collins and Mayor Daley want urban renewal money, and other demonstration-connected Federal grants-in-aid, Secretary Weaver has the authority to make them toe the line on school planning. The reason? Demonstration cities cannot get on the demonstration gravy train until they have submitted acceptable plans showing how the city will provide educational services for the disadvantaged. This is in the bill—section 103(2). Assistant HUD Secretary Taylor, in charge of city demonstrations, is quoted in the December 15 Education U.S.A. as saying:

> This kind of approach calls for a major attack on the deficiencies in the schools and school programs in disadvantaged areas.

Mr. Taylor went on to say:

> From the beginning of the Model Cities idea, we in HUD have always assumed that the schools would be an integral part of any proposed program for a model development neighborhood.

Under the demonstration cities program—section 103(4)—HUD has power to require a city to show that "substantive laws, regulations, and other requirements are, or can be expected to be, consistent with the objectives of the program." Clearly Secretary Weaver can force the mayors of Boston and Chicago to tinker with the local school boards. The big question is whether Boston can be a demonstration city so long as it is cut off from Massachusetts school aid because of de facto segregation. Will HUD force Boston to curb the school board's Louise Day Hicks?

HUD can require would-be demonstration cities to do anything under the loosely drawn language of the demonstration cities program. HUD can even require cities to be part of a metropolitan planning program—section 103(4). But can HUD force the suburbs of big cities to be part of a metropolitan planning scheme?

The answer is clearly "Yes." Under title II of the omnibus cities bill of 1966—the metrotitle—all applications for Federal aid under 10 programs, ranging from sewers to libraries to airports, must soon be submitted to a metropolitanwide planning body—metrogovernment—for recommendation before they are forwarded to Washington. The metrogovernment to which the applications must be submitted must be a joint planning body for the central city and suburbs. Federal grant-in-aid applications are to be judged on how they tie in with the metropolitanwide planning program. Ostensibly, metropolitanwide public facilities programing is to be a condition only of bonus grants, but who doubts that communities will soon have to plan on a metrowide basis to get any Federal grants-in-aid? Otherwise, why do all Federal aid applications under 10 programs have to be submitted to a metrogovernment as of the beginning of the 1968 fiscal year—section 204(a)?

Obviously, HUD intends to require federally subsidized metro governments to plan schools and housing on a metropolitanwide basis. Communities which do not go along with these plans will be thrown off the Federal-aid bandwagon. No antibusing amendment to metro can stop this. HUD is empowered to insist on community acceptance of metropolitanwide planning standards, and there is no amendment prohibiting HUD from pressuring the metro-governments which are to be HUD-subsidized.

Thus the Federal Government already has the power to force communities to set up multijurisdictional school programs in order to achieve integration or racial balance in the schools. Title II of the 1966 cities bill requires metrogovernments which can impose these criteria on communities as the price of aid under 10 Federal programs. Under Secretary Wood made this statement to a delegation from New York State's State Education Department racial balance section on September 9, 1966, a meeting which Harold Howe also attended. The administration is planning to use title II of the omnibus cities law to force school racial balance schemes of unwilling suburbs.

Two weeks after Under Secretary Wood and Commissioner Howe planned the way metrogovernment multidistrict—and even multi-State—jurisdiction could facilitate movement of pupils between slums and suburbs, Harold Howe told the House Rules Committee he did not know a thing about it. That was on September 29. On September 14, I exposed a copy of the Equal Educational Opportunity Act of 1967, which included Federal subsidies for school racial balance schemes as well as new proposals to require education aid programs to be part of the metro package. Harold Howe had already given his OK to this legislation. The Office of Education clearly intends to use all the money at its command to force local communities to pursue the type of racial balance schemes cited in the Equal Educational Opportunity Act of 1967 and the Civil Rights Commission report.

The administration has never disavowed any intention of submitting the Equal Educational Opportunity Act of 1967 to Congress. A December 17 Saturday Review article on integration in education said that the Equal Educational Opportunity Act of 1967 was "still in the discussion stage." Perhaps Lyndon Johnson intends to submit the Equal Educational Opportunity Act to Congress this year in partial fulfillment of the radical scheming of the Civil Rights Commission.

Harold Howe already has authority under the Elementary and Secondary Education Act to fund all kinds of busing and racial balance schemes providing the localities request them. The Commissioner has admitted that he would like to do a lot of suggesting.

In short, there is very little in the Commission's report which the Federal Government has not been trying to do for some time, albeit clandestinely. The 1966 omnibus cities bill, as I charged on the floor of the House, was the most far-reaching civil rights bill ever sent to Congress.

It should be noted in passing that the Commission also refers to the rent subsidy program, saying that it ought to be used to break up de facto segregation in the suburbs, but that it cannot because of the local veto provision tacked on by the Appropriations Committee. The Commission recommends getting rid of the veto. Under the language of the metro title of the 1966 omnibus cities bill, metrogovernments can plan housing and relocation—Dr. Weaver said so, on February 28, 1966. Presumably communities can be forced to accept rent subsidy housing as part of a metropolitanwide plan required by the metrogovernment as a condition of Federal grants-in-aid.

Beginning in 1965, I have been telling the House that rent subsidies, demonstration cities, and metropolitan planning are disguised, far-reaching civil rights proposals. If anybody still doubts it, the report of the Civil Rights Commission proves it. There is no doubt as to what the planners want to do. Congress has already given them the tools, if not the appropriations.

NEW BRITAIN HERALD SCORES PENTAGON "CREDIBILITY GAP"

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. Meskill] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MESKILL. Mr. Speaker, one of the most important and influential newspapers in my district, the New Britain Herald, recently published an editorial expressing the concern, shared by many Americans, over what has come to be known as the "credibility gap." The editorial stems from the discrepancy turned up between the actual total of airplane losses we have suffered in Vietnam and the figures issued earlier by the Pentagon, which were much lower and which did not take into account losses sustained in other than actual combat missions.

The other day, former White House Press Secretary Bill D. Moyers downplayed the issue of the credibility gap. He ascribed it solely to the fact that administration spokesmen did not always say what some people wanted them to or thought they ought to say. But this case does not concern any matters of interpretation or speculation. The only hope involved in the case is the plain, uncomplicated, and just hope that the Government will tell the truth.

The editorial which follows is offered in the hope that, by its appearance in the Record, it will contribute to restoring the "missing element" referred to in the editorial; namely, "confidence by the American people in the world of their Government":

[From the New Britain Herald, Feb. 8, 1967]

Our Plane Losses

> At a recent White House gathering, President Johnson joked about the so-called "credibility gap." But it is no joke. Not when we are suddenly told that the number of American aircraft losses in Vietnam is closer to 1,800 than the previously announced 877.
>
> Nor is the semantic explanation that the big difference between the two figures is accounted for by adding to combat losses those planes lost in training accidents or while idly parked on airfields, or over Laos or Cambodia or Thailand.
>
> Why did they have to "explain?" Why didn't the Pentagon from the beginning simply give a running account of what the war was costing us in lost planes, including ground losses and training accident losses and losses other than over Vietnam?
>
> Some might ask what difference it makes? The answer, quite simply, is that if you can't believe your government in a matter as significant as this, then what else are we being told that can't be believed.
>
> There are strong statements from the Pentagon that this was not a "coverup" of losses, but that previously announced losses were geared to persistent press inquiries about combat losses. Further, says the Pentagon, the announcement of total losses might provide valuable information as well as aid and comfort to the enemy. Nevertheless, fuller reporting by the Pentagon would have added one element missing from this picture—confidence by the American people in the word of their government.

FLAG CEREMONY AT THE WASHINGTON MONUMENT

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Bob Wilson] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BOB WILSON. Mr. Speaker, I am today reintroducing a joint resolution providing for appropriate ceremonies in connection with the raising and lowering of the flags of the United States surrounding the Washington Monument. Its purpose is a simple one: to give the American flag full respect and reverence at one of our national shrines.

The Washington Monument has, since 1885, been a memorial to the Father of Our Country and a Washington landmark; it is often the first glimpse of the Nation's Capital seen by the millions of tourists who visit here each year.

My resolution would make raising and lowering the 50 American flags surrounding the Washington Monument a ceremony of dignity and honor befitting our country's banner, instead of the hurried hoisting and dropping of the flag which occurs under the present system.

The specific wording of my resolution reads as follows:

> *Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of Defense, after consultation with the Secretary of the Interior, shall arrange for appropriate ceremonies to be conducted in connection with the raising and lowering of the flags of the United States surrounding the Washington Monument in the District of Columbia.

This stirring display of our flag would be a great and memorable event for those visiting the Monument were it handled as a ceremony, instead of being delegated to a maintenance crew which hastily runs the flags up their staffs with more emphasis on getting through with the chore than on showing proper respect for the flag. Since February 23, 1959, display of the flags has become a daily occurrence instead of just a display on national holidays. Last year millions of Americans visited the Washington Monument. I know their visit to this unique landmark would be more memorable if they could witness a real ceremony when the flags are raised and lowered.

These flags now are wadded into huge baskets after being lowered each evening and remain that way until they are raised the next morning. This is not the proper respect for a flag that thousands of Americans have given their lives to defend.

The Defense Department in the past has opposed this resolution on the basis that a flag ceremony at the monument would require between 100 and 200 military personnel. Nevertheless, the House has refused to accept this argument and has passed this resolution twice. The Senate, however, has yet to act on this measure, but I am hopeful that this year that august body will join us in support of this resolution.

The resolution merely directs the Secretary of Defense to arrange for appropriate ceremonies to be conducted in connection with the raising and lowering of flags at the monument. Some military personnel would be needed, but I am sure it would be fewer than the 100 men envisioned by the Defense Department. Undoubtedly, there are many Reserve units in and around the Washington area who would welcome the opportunity to participate in such a ceremony. In addition, I am sure veterans' organizations, and perhaps State societies, would be happy to take part as well. Indeed, there are numerous ways that an appropriate ceremony could be conducted once a week, twice a week, twice a month, or even daily, without utilization of large numbers of service personnel.

There is an element today in America that belittles what it calls nationalism. It regards the flag as an anachronism representing another age; its long-haired, shaggy-bearded adherents consider patriotism definitely "square." I believe it is time we in America reemphasized our flag. We should study its stripes and stars. We should have it on display so that in these decisive times, when tensions are all about us, we can refresh ourselves with the true meaning of the words, "the United States of America."

I respectfully request that my colleagues act favorably on this resolution to give new glory to "Old Glory."

NEED TO REEVALUATE PROPOSALS TO EXPAND TRADE AND ASSISTANCE TO RUSSIA AND COMMUNIST EAST EUROPE

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. BOB WILSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BOB WILSON. Mr. Speaker, each day the war in Vietnam becomes more costly, in terms of money and equipment and, more importantly, in terms of the young men who are giving their lives to halt the spread of communism in Southeast Asia. Each day we are also overwhelmed by the published statistics of the tremendous amount of military materiel that is being supplied to the Vietcong by the Soviet Union and its Eastern European allies. In view of this, I am today introducing a resolution expressing the sense of Congress that we need to reevaluate the President's newest proposals to expand trade and assistance to Russia and Communist East Europe.

I am certain all peace-loving Americans would desire nothing more than an end to the cold war which has plagued us for the past two decades. However, are we not merely kidding ourselves, at this juncture, when we say that the cold war is a thing of the past and that the nature of world communism, per se, has drastically changed? Those favoring this expanded trade say that we are taking a monolithic approach to the situation—that Russia and Eastern Europe are quite different from the Communist forces in Asia. If this administration's assertion that European communism is "thawing" is true, I would appreciate some explaining to me why the overwhelming majority of the Mig fighters, technical advice, guns, and ammunition being used by the Vietcong for the slaughter of our sons are being poured into Hanoi by our "post-cold war" Communist nations in Europe.

We would certainly all like to see an end to the cold war, but it is time to awaken from our pleasant dream world of foreign relations and to survey the situation realistically. For this reason, I have today introduced this resolution, the text of which is as follows:

H. CON. RES. 229

Whereas it is the policy of the Congress and the desire of the people of the United States that an honorable peace be secured in Vietnam; and

Whereas the Soviet Union supported by its East European satellites holds the ultimate key to such a peace as the principal supporter of the Communist war effort now providing more than 80 per centum of the strategic war materials furnished to North Vietnam; and

Whereas the Soviet Union and its satellites are making positive overtures to governmental and private leaders of the United States to effect a further increase in trade and an expansion of credit between the respective countries; and

Whereas the Soviet Union and its satellites support the regime of North Vietnam at relatively low cost to themselves, particularly when compared to the mental and moral anguish and physical and economic cost which the people of the United States are forced to bear in support of a free and independent South Vietnam; and

Whereas of all the military strategy approaches available to the United States for bringing about an honorable and successful conclusion to the war in Vietnam, only two have been utilized thus far: ineffective bombing of various installations in North Vietnam, and a steady and massive escalation of American troops in South Vietnam; and

Whereas trade and cultural and educational exchanges are powerful tools not only for promoting international peace and good will but also as recognized weapons for preventing or prosecuting war: Now, therefore, be it

Resolved, by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the Government of the United States should only consider further expansions of trade, educational and cultural exchanges, and other related agreements with the Soviet Union and its East European satellites when there is demonstrable evidence that their actions and policies with regard to Vietnam have been redirected toward peace and an honorable settlement and when there is demonstrable evidence that they have abandoned their policy of support for so-called wars of national liberation.

BOOK DEVELOPMENT PROGRAM

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. LIPSCOMB] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LIPSCOMB. Mr. Speaker, under leave to extend my remarks, I submit for inclusion in the RECORD a column which appeared in the February 20, 1967, Washington Evening Star.

The column, by Clayton Fritchey, relates to the U.S. Information Agency book development program. It reports that a portion of that program under which funds are spent to have books written will be ceased by the Agency.

Mr. Marks, in my opinion, is doing a good job as head of the U.S. Information Agency and if this report relating to the book development program is accurate I commend him on the action taken. In my view it is highly inadvisable to have books circulated in the United States which were actually developed by tax money unless the reader is advised of this fact.

The article follows:

USIA QUIETLY BURIES "INSPIRED" BOOK PROGRAM

(By Clayton Fritchey)

The controversial part of the book development program of the U.S. Information Agency, which has aroused so much suspicion in the American press, has just been quietly interred by Leonard Marks, director of the agency.

Actually, Marks had in practice already shut down some of the operation, but his decision to scratch it formally was made without fanfare for fear the termination might seem to reflect on the judgment of previous directors who supported the project for the last 10 years.

Marks is the third director to head the agency since the Democrats returned to power in 1961. The late Edward R. Murrow served until Jan. 20, 1964, and he was followed by Carl T. Rowan, a former ambassador to Finland, who resigned in the summer of 1965.

Marks still believes the project, which involved commissioning and subsidizing (more or less sub rosa) certain books for U.S. propaganda purposes, was legitimately conceived and executed. He concedes, however, that it raised inevitable doubts, and that, theoretically at least, it could be abused.

On balance, he has decided, it was doing the USIA more harm than good. There is no question but that recent adverse publicity and editorial criticism, justified or not, was not improving the agency's standing.

Much of this concern was prompted by congressional testimony revealing that the USIA spent $90,258 in fiscal 1965 on the so-called book development program.

Most of this went for (1) the abridgement and adaptation of existing books into simplified English for persons who read it as a second language, and (2) for supporting the publication of certain books commissioned by private publishers.

Some of the funds, however, were used to contract directly with authors to write new books. The USIA then arranged for their publication under the imprint of private publishers. Also, the agency provided subsidies to publishers in the form of prepublication commitments to buy a specified number of copies. In the latter cases, the authors were approached by the publisher rather than USIA, and did not necessarily know of the underlying arrangement.

As one critical newspaper observed, the most "offensive aspect" of this is the direct commissioning of authors to write books which "are not identified for either American or foreign readers as USIA-sponsored."

But indirect publisher subsidies, the editorial complained, "are also dangerous instruments of government influence in a free society." Since the books in question are read at home as well as abroad, the taxpayer may, in effect, find himself "unwittingly subject to propaganda which he himself has helped finance."

Nobody objects to the USIA buying already published books in bulk for its far-flung libraries, or to underwrite their low-cost reproductions to reach mass audiences abroad. But it is another matter to order up certain kinds of books, so to speak, and then pass them off as disinterested efforts.

The tip-off on what the present USIA director personally thinks about this part of the project is that one of his first orders after taking office Aug. 31, 1965 placed a ban on all further commissioning of new books without his specific approval. A check shows that in the ensuing 18 months he has yet to approve one.

His new decision to formally dissolve the operation is a wise one, for this should eliminate any further public doubt about it. The reputation of the agency, both here and abroad, should have priority over any benefit, small at best, that might be expected from "inspired" books.

In traveling through Africa and Asia in recent months, I made a point of visiting USIA libraries in more than 20 countries, and they are usually so crowded that there is a standard, friendly joke to explain it—air conditioning.

Actually, they are extremely popular with foreigners because they fill a legitimate need in a legitimate, intelligent way that helps the beneficiary country—and the U.S.A. as well. The operation is open and aboveboard, just as it should be.

FEDERAL CREDIT UNIONS: EXPANDING OPPORTUNITIES FOR THE POOR

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman *from New Jersey* [Mr. Widnall] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. WIDNALL. Mr. Speaker, during the debate last year on the Economic Opportunity Act, I was successful in deleting a reference to the use of Federal credit unions, in conjunction with a new small loan program, after noting the potential difficulties this legislative suggestion might have created for the present Federal credit union system. I also noted at that time, however, that Federal credit unions were already serving our low- and moderate-income citizens. The key role the Federal credit union can play has again been called to my attention in the past few weeks.

On January 8, Columnist William Raspberry of the Washington Post detailed the success of the credit union approach in Washington, D.C., among the urban poor. The column, brought to my attention by George D. McCarthy, Acting Assistant Director for Congressional Relations, Office of Economic Opportunity, relates how the low-income citizen has been counseled in family budgeting, encouraged to save, and provided with low cost loan assistance when needed. The dividend and loan repayment record are certainly commendable.

So is the expressed goal of developing the credit unions involved in serving the poor to the point where they can be self-sustaining. This is in keeping with the self-help characteristic of credit union membership.

Nationally, of the 11,975 Federal credit unions operating in 1966, approximately 600 serve primarily low-income groups, according to information supplied by J. Deane Gannon, Director of the Bureau of Federal Credit Unions, Department of HEW. Of the 400 increase experienced last year overall, 100 of those chartered are primarily created to serve the poor. Of these newly chartered credit unions, 61 are operating in conjunction with community action programs, and the rest are serving religious, associational, occupational and residential groups having predominantly low-income membership.

In his letter to me of January 31, Mr. Gannon also took note of my remarks in the Congressional Record of January 11, 1967, dealing with the low-income home ownership proposals of the junior Senator from Illinois, Senator Charles H. Percy. As part of the Percy approach credit unions would be encouraged in the social development of low-income neighborhoods. The experience of the Federal credit unions seems to bear out the validity of this component of the Percy proposal, as Mr. Gannon points out.

Legislation dealing with Federal credit unions passes through the Banking and Currency Committee. As ranking minority member on that committee, I am pleased to call to the attention of my colleagues the efforts being made by the Federal credit union system to reach and assist our low-income citizens.

At this point, I would like to include the column by William Raspberry in the Washington Post of January 8, 1967, the letter to me from J. Deane Gannon, Director of the Bureau of Federal Credit Unions, dated January 31, 1967, and several pertinent pages from the January 1967 issue of the Bureau of Federal Credit Unions Bulletin:

[From the Washington (D.C.) Post, Jan. 8, 1967]

UPO's Credit Unions Are Apparently Successful

(By William Raspberry)

Maybe the most amazing thing about the United Planning Organization's program of setting up Credit Unions in low-income neighborhoods here is that it seems to be working.

There was serious doubt that it would. It was feared that weeding out the bad credit risks, as lending institutions must, would render the program meaningless to the people it was designed to serve. To lend money to very many of these poor risks would bankrupt the program, doubters observed. The program as they saw it was either worthless or fiscally unsound.

It hasn't turned out that way.

Six of the nine Credit Unions in the two-year-old program will be paying a dividend for 1966 ranging from 3.4 per cent to more than four per cent. Losses—debts charged off as uncollectible—total less than $3000, more than half of it incurred by Credit Unions that were in existence as long as four years before UPO got into the act.

Most of the remainder was incurred during the first year of UPO funding.

According to James Williams, UPO's Credit Union coordinator, the $3000 total represents fewer than 50 loans over a six-year period, only seven-tenths of one per cent of the total money loaned during that time.

On the plus side, the Credit Unions' 5615 low-income members have saved $227,000 in monthly deposits ranging from 50 cents to $100. By the end of November, loans outstanding totaled $165,000.

Williams acknowledged that losses are higher than the national average for in-house Credit Unions, many of which collect by payroll deduction, but low enough that the insurance rates for the low-income and in-house Unions are exactly the same.

Beyond the fact that the program is surviving financially, Williams is pleased with the amount of service it is able to render.

He notes that most Credit Unions are located in Government agencies or private firms and are inaccessible to low-income groups.

Because one of the earmarks of the poverty-stricken family is its inability to manage its money, officials of the Office of Economic Opportunity sought some means to teach budgeting skills and promote savings among the poor. The Credit Union concept was the upshot. UPO entered the program some 21 months ago.

It has not been an easy program to sell, Williams admits. As with in-house Credit Unions, most members of the low-income Unions came to borrow and stayed to save. Staff members insist that each borrower include in his monthly or weekly repayment at least a small amount for savings.

Membership in the low-income Credit Unions is tied in with consumer education, and members are continuously begged, embarrassed, cajoled and brain-washed into saving, Williams said.

In addition, they are encouraged to separate their money shopping from their shopping for goods. If a member finds a good buy on, say, a television set, he is encouraged to borrow the money for the purchase from the Credit Union, not from a commercial loan firm. In that way, he not only gets the money at a lower interest rate, but builds up a savings account while he is repaying the loan.

Carrie Brown, Williams's assistant, pointed out that area small-loan companies are advertising $300 loans to be repaid at the rate of $20 a month for 20 months. (The borrower actually gets $300 less insurance and service costs which are deducted from the principal.)

If he had borrowed the same amount of money from a Credit Union and repaid at the same rate, he would have the use of the full $300 and by the time the loan was repaid he would have accumulated $70 in savings.

In addition to specials—some private businesses have been persuaded to make payroll deductions for Credit Union savings—Williams has had to institute some special safeguards.

For example, if a member wants to borrow money to pay a furniture bill, the check is made payable jointly to the borrower and the furniture company. That way the Union can be assured that the money is used for legitimate purposes.

Williams's goal now is to increase total deposits of the nine Unions to $1 million, at which point he believes the program could pay its own way. As it is, each Union is subsidized with $25,000 a year for operating expenses and salaries.

If any reasonable percentage of the eligible people joined, the million-dollar goal should be easily attainable, Williams said.

Department of Health, Education, and Welfare, Social Security Administration, Bureau of Federal Credit Unions,
January 31, 1967.

Hon. William B. Widnall,
House of Representatives,
Washington, D.C.

Dear Mr. Widnall: I noted with interest your comments in the Congressional Record dealing with the low-income housing proposals of Senator Percy, and I was particularly pleased that the Percy plan envisions the organization of credit unions as part of the social development needed in urban ghettos. The results we have obtained during 1966 in conducting the Federal Credit Union Program would seem to bear out the validity of the credit union component of the Percy plan.

Credit unions are beginning to penetrate urban ghettos and rural areas whose residents up to now have had little access to thrift facilities and virtually no chance to borrow money at reasonable interest rates. There are now approximately 600 Federal credit unions serving primarily low-income groups in the United States, 100 of which were chartered in 1966.

One of the primary factors in the success of these credit unions is the training of officials. The Bureau of Federal Credit Unions, under a grant from the Office of Economic Opportunity, in 1966 conducted Project Moneywise, a four-week program in credit unions and consumer action, for actual and potential officials of low-income credit unions. This course teaches participants to wring the most from their limited incomes and to plan soundly for future needs.

Significantly, the cost of credit union development among the poor is minimal.

Credit unions are self-help financial institutions which derive their capital from the savings of members. Their successful operation, therefore, depends on the volunteer efforts of officials.

Enclosed is a copy of the January issue of the BFCU *Bulletin* which contains more detailed information on our activities. A complete report of 1966 operations will be available later this year.

Sincerely yours,

J. DEANE GANNON,
Director.

U.S. CREDIT UNIONS ATTAIN NEW HIGHS; ESTIMATED ASSETS NOW TOP $11 BILLION

U.S. credit unions reached new highs in membership, assets, savings and loans in 1966, according to preliminary data compiled by BFCU's Division of Statistical Research and Analysis. The number of operating credit unions—22,610—also set a record.

According to BFCU estimates, U.S. credit unions in operation on Dec. 31 had almost 18 million members and held assets of approximately $11.6 billion. Loans outstanding were approximately $9.1 billion; members' savings totaled over $10 billion.

Federal credit union assets reached a new high of $5.7 billion on Dec. 31. On that date, there were an estimated 11,975 Federal credit unions in operation, an increase of 400 for the year. The number of members in these Federal credit unions were estimated at 9.3 million at yearend.

For the second consecutive year, loan growth at Federal credit unions exceeded half a billion dollars. The $520 million expansion for 1966 was about the same as in 1965, but represented a somewhat smaller percentage increase—13.5 percent compared with 15.4 percent in 1965.

Members' shares, on the other hand, increased by an estimated $400 million during 1966, considerably less than the $521 million added during the preceding year. This represents an increase of only 9 percent, compared with a 13 percent gain in 1965.

Although the rate of growth in shares at Federal credit unions in 1966 was much slower than in 1965, it was typical of the general slow-down in the rate at which consumers added to their savings accounts during the year and compared favorably with growth in such accounts held by other financial institutions. During 1966, it is estimated that the rate of growth in shares at Federal credit unions ranked second only to the increase in consumer savings at commercial banks, and was substantially larger than the rate of growth in savings at savings and loan associations and mutual savings banks.

Table 1 lists the number of operating credit unions and the number of members, broken down according to type of charter. Table 2 gives data on assets, loans outstanding, and members' savings, according to type of charter on an adjusted and unadjusted basis.

TABLE 1.—*Number of credit unions and membership, by month, December 1964–December 1966* [1]

End of month	Number of credit unions			Members (thousands)		
	Total	Federal [2]	State	Total	Federal	State
1964—December	21,730	11,278	10,452	15,622	8,092	7,530
1965—January	21,741	11,286	10,455	15,720	8,132	7,588
February	21,755	11,295	10,460	15,819	8,173	7,646
March	21,793	11,328	10,465	15,871	8,189	7,682
April	21,818	11,348	10,470	15,980	8,246	7,734
May	21,858	11,383	10,475	16,073	8,295	7,778
June	21,898	11,418	10,480	16,174	8,336	7,838
July	21,924	11,439	10,485	16,245	8,386	7,859
August	21,943	11,453	10,490	16,338	8,435	7,903
September	21,977	11,477	10,500	16,431	8,475	7,956
October	22,013	11,508	10,505	16,550	8,533	8,017
November	22,040	11,530	10,510	16,661	8,591	8,070
December	22,060	11,543	10,517	16,757	8,641	8,116
1966—January	22,104	11,579	10,525	16,815	8,650	8,165
February	22,162	11,627	10,535	16,899	8,685	8,214
March	22,225	11,680	10,545	16,993	8,746	8,247
April	22,271	11,716	10,555	17,086	8,798	8,288
May	22,331	11,766	10,565	17,187	8,833	8,354
June	22,372	11,797	10,575	17,308	8,912	8,396
July	22,410	11,825	10,585	17,403	8,948	8,455
August	22,449	11,854	10,595	17,526	9,029	8,497
September	22,498	11,893	10,605	17,632	9,101	8,531
October	22,551	11,936	10,615	17,730	9,156	8,574
November	22,592	11,967	10,625	17,845	9,211	8,634
December	22,610	[3] 11,975	10,635	17,925	9,250	8,675

[1] Data (except number of Federal credit unions) projected from yearend benchmarks.
[2] Actual data.
[3] Estimated.

Source: January 1967, Bureau of Federal Credit Unions Bulletin.

TABLE 2.—*Selected data on credit union operations, by month, December 1964–December 1966* [1]

[In millions of dollars]

End of month	Total assets			Loans outstanding			Members' savings		
	Total	Federal	State	Total	Federal	State	Total	Federal	State [2]
	Seasonally adjusted								
1964—December	9,242	4,461	4,781	6,997	3,313	3,684	8,153	3,958	4,195
1965—January	9,321	4,502	4,819	7,075	3,351	3,724	8,219	3,996	4,223
February	9,428	4,551	4,877	7,165	3,395	3,770	8,303	4,038	4,265
March	9,537	4,607	4,930	7,264	3,447	3,817	8,385	4,081	4,304
April	9,635	4,656	4,979	7,386	3,507	3,879	8,467	4,120	4,347
May	9,718	4,695	5,023	7,486	3,554	3,932	8,540	4,159	4,381
June	9,824	4,750	5,074	7,566	3,594	3,972	8,628	4,207	4,421
July	9,924	4,805	5,119	7,647	3,637	4,010	8,710	4,247	4,463
August	10,025	4,855	5,170	7,726	3,675	4,051	8,783	4,289	4,494
September	10,128	4,912	5,216	7,801	3,711	4,090	8,869	4,329	4,540
October	10,216	4,958	5,258	7,868	3,743	4,125	8,966	4,383	4,583
November	10,321	5,016	5,305	7,962	3,790	4,172	9,053	4,429	4,624
December	10,414	5,050	5,364	8,038	3,823	4,215	9,139	4,467	4,672
1966—January	10,499	5,093	5,406	8,119	3,865	4,254	9,217	4,494	4,723
February	10,588	5,139	5,449	8,196	3,912	4,284	9,289	4,529	4,760
March	10,678	5,185	5,493	8,285	3,958	4,327	9,373	4,571	4,802
April	10,758	5,221	5,537	8,351	3,985	4,366	9,448	4,607	4,841
May	10,859	5,273	5,586	8,428	4,028	4,400	9,518	4,644	4,874
June	10,955	5,319	5,656	8,506	4,072	4,434	9,595	4,681	4,914
July	11,017	5,341	5,676	8,570	4,104	4,466	9,652	4,704	4,948
August	11,065	5,367	5,698	8,681	4,162	4,519	9,705	4,728	4,977
September	11,164	5,420	5,744	8,767	4,212	4,555	9,773	4,756	5,017
October	11,226	5,453	5,773	8,841	4,246	4,595	9,814	4,784	5,030
November	11,304	5,491	5,813	8,939	4,297	4,642	9,882	4,818	5,064
December	11,385	5,530	5,855	9,020	4,340	4,680	9,950	4,850	5,100
	Not seasonally adjusted								
1964—December	9,359	4,559	4,800	7,049	3,349	3,699	8,225	4,017	4,208
1965—January	9,237	4,466	4,771	6,984	3,301	3,683	8,276	4,028	4,248
February	9,333	4,505	4,828	7,026	3,320	3,706	8,332	4,046	4,286
March	9,475	4,575	4,900	7,141	3,385	3,756	8,398	4,077	4,321
April	9,578	4,619	4,959	7,316	3,475	3,841	8,450	4,099	4,351
May	9,709	4,686	5,023	7,447	3,543	3,904	8,541	4,147	4,394
June	9,877	4,788	5,089	7,623	3,643	3,980	8,645	4,215	4,430
July	9,890	4,781	5,109	7,711	3,673	4,038	8,680	4,230	4,450
August	10,011	4,836	5,175	7,835	3,723	4,112	8,713	4,250	4,463
September	10,149	4,907	5,242	7,899	3,748	4,151	8,798	4,299	4,499
October	10,278	4,978	5,300	7,939	3,769	4,170	8,948	4,379	4,569
November	10,429	5,071	5,358	8,010	3,809	4,201	9,076	4,447	4,629
December	10,551	5,166	5,385	8,097	3,865	4,232	9,224	4,538	4,686
1966 [3]—January	10,404	5,052	5,352	8,006	3,799	4,207	9,276	4,525	4,751
February	10,477	5,082	5,395	8,033	3,822	4,211	9,322	4,538	4,784
March	10,609	5,149	5,460	8,149	3,887	4,262	9,387	4,566	4,821
April	10,694	5,179	5,515	8,258	3,949	4,309	9,430	4,584	4,846
May	10,848	5,262	5,586	8,381	4,016	4,365	9,514	4,630	4,884
June	11,015	5,362	5,653	8,560	4,117	4,443	9,614	4,690	4,924
July	10,974	5,309	5,665	8,638	4,141	4,497	9,618	4,685	4,933
August	11,050	5,346	5,704	8,803	4,216	4,587	9,627	4,685	4,942
September	11,188	5,415	5,773	8,877	4,254	4,623	9,699	4,727	4,972
October	11,294	5,475	5,819	8,930	4,284	4,646	9,799	4,779	5,020
November	11,422	5,551	5,871	9,005	4,331	4,614	9,906	4,837	5,069
December	11,560	5,665	5,895	9,090	4,390	4,700	10,050	4,935	5,115

[1] Data projected from yearend benchmarks.
[2] Includes deposits.
[3] Preliminary.

In addition to the data shown in the tables, BFCU has begun compiling data on the performance of Federal credit unions serving limited-income memberships. More than 100 have recently been chartered to serve this field, 94 of these in calendar 1966.

Approximately 61 of these newly-chartered credit unions are operating in conjunction with community action programs. The remaining number were chartered to serve religious, associational, occupational, and residential groups having predominantly low-income memberships.

Community action agencies are providing management assistance and paying administrative costs of a number of the CAP credit unions. Data on the number of credit unions receiving such assistance, and the amount of funds received, is being released by BFCU as it is compiled.

Average savings in the funded Federal credit unions grew from $1,232 in the first quarter of operation to $30,138 in the seventh quarter. In non-funded Federal credit unions serving CAP-sponsored groups, savings averaged $799 in the first quarter of operation and reached $8,624 at the end of a full year of operation.

The average number of accounts in the funded credit unions rose from 89 in the first quarter of operation to 709 for those in their seventh quarter of operation. The number of accounts in non-funded credit unions varied from 70 in the newest to 271 in the oldest.

Loans in the funded Federal credit unions ranged from $804 outstanding in the first quarter of operation to $30,883 in the seventh quarter. Non-funded credit unions had outstanding loans averaging from $271 in the first quarter to $5,426 in the fourth quarter.

CONGRESSMEN SHOULD REMEMBER

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, during my recent courthouse visits to all eight counties in the 17th Congressional District of Ohio, probably the most frequently asked question was, "What will Congress do about ADAM CLAYTON POWELL?"

Often the people who came to talk with me came for some other reason: Either to discuss a problem with medicare, or social security, or military service, or another topic, but they would ask this question almost invariably.

I should like to have included in the RECORD a letter which I received the other day from a sixth-grade teacher from Ashland, Ohio, Mrs. John Fluke, which ties in directly with this concern, but this time on the younger level. Mrs. Fluke's class was discussing the behavior of Congressmen and came up with a six-point, "code of behavior for Congressmen," that goes a long way toward pointing out the impact congressional misbehavior has on young Americans.

Point VI is especially interesting:

> Congressmen should remember the children of the United States are watching them, and should act accordingly.

Representatives to Congress, as well as government officials of Federal, State, and local levels should find this letter and code a poignant reminder that the children of this year are the leaders who will fill our shoes in later years and that they are watching our example now.

The material referred to follows:

ASHLAND, OHIO,
February 18, 1967.

Hon. JOHN ASHBROOK,
House of Representatives,
Washington, D.C.

DEAR SIR: I thought you might be interested in what took place in my sixth grade classroom one day last week.

Our weekly magazine, Jr. Scholastic, carried an article about Adam Clayton Powell. During our discussion of the article, it was obvious that quite a few of the children were following newspaper and TV accounts of the affairs of Mr. Powell, and were quite incensed that a Congressman would so involve himself. Before the discussion was over, these children compiled a "Code of Behavior for Congressmen"—a copy of which is enclosed. I am also sending one to Mr. Stephen Young, one of our Senators.

Respectfully,

MRS. JOHN FLUKE.

A CODE OF BEHAVIOR FOR CONGRESSMEN

(By a sixth-grade class, Ashland, Ohio)

I. Congressmen should not convert tax money to their personal use.

II. Congressmen should attend at least 80% of the sessions of Congress.

III. Congressmen should not use racism as an issue in considering actions of other members of Congress.

IV. Congressmen should keep records of tax money spent by them, and their books should be examined regularly.

V. Congressmen should not have any more special privileges than the people they represent.

VI. Congressmen should remember the children of the United States are watching them, and should act accordingly.

THE APPEASEMENT OF TYRANTS

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, it will be remembered that almost 4 years ago the U.S. Senate held its first secret session in 20 years to debate the need for emergency action to increase the defenses of the Nation against the danger of nuclear missile attack. It is now known, with technical details still classified, that Senator STROM THURMOND revealed that the Soviet Union had deployed an antimissile complex at Leningrad, leaving the United States behind in the antimissile field. Senator THURMOND pleaded for an additional appropriation for $196 million to accomplish preproduction engineering on an antimissile system. History now relates that the Senate voted 58 to 16 against THURMOND's proposal.

Today, almost 4 years later, the Defense Department is still debating the pros and cons of the antimissile issue, but a new development has been added. It seems that now we are going to prevail upon the Soviets not to accelerate the antimissile race because of the cost to both nations and in view of the fact that modern technology cannot produce a system which would be adequate enough to prevent the loss of many, many lives, anyway. It is argued that we should persuade the Soviets to relinquish the idea of a massive antimissile defense in keeping with the policy of friendly relations with the Communist countries. If the following article from the Chicago Tribune for today, February 21, 1967, is any indication, the policy of killing the enemy with kindness has been a dangerous waste of time. The subheading of the article states that the Soviet Union is "Not Interested in Pact With U.S."

It well behooves the American public to begin thinking seriously of their personal security in the light of these developments. It is not too early for them to begin asking questions concerning national security with a view to casting an informed and intelligent vote in the 1968 elections.

I include the article, "All of Soviet Missile Proof, Moscow Says," from the Chicago Tribune of February 21 in the RECORD at this point:

ALL OF SOVIET MISSILE PROOF, MOSCOW SAYS—NOT INTERESTED IN PACT WITH UNITED STATES

MOSCOW, February 20.—Military leaders today boasted that the Soviet Union has developed an anti-ballistic missile system that will protect it from enemy attacks.

The boasts were accompanied by further indications that the Kremlin has no interest in President Johnson's proposed United States-soviet agreement to stop development of anti-ballistic missile systems.

Gen. Pavel F. Batitsky, a deputy defense minister, said the anti-aircraft troops he commands "can reliably protect the country territory from an enemy attack by air."

NEVER REACH TARGETS

Gen. Pavel G. Kurochkin, head of the Frunze military academy, said that missiles fired at the Soviet Union would never reach their targets.

"Detecting missiles in time and destroying them in flight is no problem," Kurochkin said in answering questions about the soviet ABM system.

His remarks at a press conference and Batitsky's interview with the official soviet news agency, Tass, were in anticipation of Thursday's celebration of the 49th anniversary of the soviet army and navy.

They represented an apparent new confidence about the capacity of Russia to defend itself against missiles armed with nuclear warheads.

WASTE OF BILLIONS

The argument used by Washington has been that the systems would mean wasting billions of dollars on both sides, since despite them intercontinental ballistic missiles could still cause catastrophic destruction.

Premier Alexei N. Kosygin 10 days ago told a London press conference that the soviet ABM system is "designed not to kill people but to preserve human lives . . . I believe that defense systems, which prevent attack, are not the cause of the arms race, but constitute a factor preventing the death of people."

Kosygin did not explicitly reject the Johnson proposal.

The claim by the generals that enemy missiles would not reach their targets was not limited in any way.

NEED TO EXCLUDE FROM INCOME REIMBURSED MOVING EXPENSES

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from Kanses [Mr. SHRIVER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SHRIVER. Mr. Speaker, today I am introducing a bill to liberalize Federal income tax treatment of reimbursements for moving expenses and to provide a more realistic definition of "moving expenses."

For too long employers and employees have been confused and distressed over the treatment of reimbursed expenses.

There is evidence that the Internal Revenue Service has defined "moving expenses" far too narrowly.

It is obvious the real price of moving a family from one city to another to accept employment opportunity includes not just the direct costs of transporting people and goods, but also the expenses of house-hunting trips, temporary living quarters in the new town, commissions to realtors to sell an old home or payments to settle a lease, and many other out-of-pocket expenses.

This legislation provides for the exclusion from gross income of a taxpayer any amounts paid by his employer to cover expenses of moving, and it carefully defines moving expenses to include a realistic coverage of the many costs connected with moving a family from one city to another.

Last year similar legislation was introduced by me and others in the House of Representatives. It met with enthusiastic response from those in management and labor. Following are excerpts of some of the favorable comments which I received from organizations and private citizens concerning this legislation:

> "Because of the extreme mobility required by many engineers in industry as well as government service in today's fast moving economy we, as engineers in industry, are vitally interested in the above legislation."
>
> "As one who has moved five times for my company in the past twenty years, I have a personal interest in this bill and know first hand how expensive such moves are in terms of other costs beyond the 'bare bones' cost."
>
> "I have just recently been transferred by my employer and it was quite a shock when I found out that about 95% of the expenses I incurred in relocating are taxable as personal income. I am referring to all the expenses my employer reimburses me for, none of which are costs I would have encountered had I not relocated."
>
> "We understand that you have been one of the sponsors of Moving Expense Legislation which will lessen the burden on a transferred employee. At the present time tight money and qualified labor supply seem to be the leading limitations to industrial growth which is badly needed in Kansas."

Mr. Speaker, the time has come to end the confusion for those citizens whose jobs require frequent moves and for those who may have to move in order to secure employment. This legislation is needed. I urge that early consideration and hearings be scheduled by the chairman of the Committee on Ways and Means.

PROPOSED JOINT COMMITTEE ON FOREIGN INFORMATION AND INTELLIGENCE

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MORSE] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MORSE of Massachusetts. Mr. Speaker, I am today introducing legislation to create a Joint Committee on Foreign Information and Intelligence. This joint resolution is identical to the one I first introduced in 1964 with two exceptions. The original resolution called for membership to be made up of seven Members of the House and seven Members of the Senate without regard to their membership on other committees. This resolution calls for nine Members from each body, to be selected from the respective Appropriations, Armed Services, and Foreign Affairs Committees. This change is designed to secure the necessary coordination between the national security, foreign policy, and financial aspects of our national intelligence policy.

The second change is in the mandate of the joint committee set out in section 2(a) of the original resolution which required the joint committee to make studies of:

First, the activities of each information and intelligence agency of the United States;

Second, the problems relating to the foreign information and intelligence programs; and

Third, the problems relating to the gathering of information and intelligence affecting the national security, and its coordination and utilization by the various departments, agencies, and instrumentalities of the United States.

I have added a fourth item for the joint committee in this resolution—"the extent to which each information and intelligence agency of the United States is providing financial and/or technical support for nongovernmental institutions, organizations, and individuals for the conduct of activities within the United States and abroad, and the propriety of such support."

The need for charging the joint committee with this additional area of study has been made obvious by the events of the past week. The need for the creation of such a joint committee has been apparent for some time.

The disclosure last year that Michigan State University was operating a police training program for the Diem government in Vietnam with close CIA involvement; the use as a legal defense against slander by a CIA employee the fact of national security considerations; the sponsorship by the CIA of an institute of foreign policy studies at a distinguished university; and now the disclosure that CIA funds were channeled through front foundations to academic, business, and labor institutions have all raised questions about the wisdom of our intelligence policies and operations. It can be argued persuasively that they reflect adversely on the creditibility of all U.S. organizations conducting programs abroad, and weaken the confidence of the American people in their universities, their business associations, their labor unions, and their foundations.

It is particularly serious that our universities and colleges and those who study and teach in them have been compromised in the eyes of our own people and in the eyes of the world. We must be sure that we have not reached the unfortunate state of which former University of Chicago President Dr. Robert Hutchins spoke when he said:

> What the country needs most of the university, and what only the university can supply, is intellectual leadership. The university could fashion the mind of the age. Now it is the other way around, the demands of the age are fashioning the mind . . . of the university.

I do not think it is appropriate to talk in terms of CIA infiltration of these organizations and institutions. As some of my colleagues have already pointed out, perhaps we have been deficient here in the Congress in failing to provide ample funds for appropriate U.S. representation at international meetings through open channels. Perhaps we have failed to realize that the activities of many of the organizations which have been named in the past several days are sufficiently worthwhile to stand on their own merits, without the taint of secret support.

Nor is it sufficient to talk only in terms of control of intelligence activities. As the excellent series of the New York Times on the CIA pointed out last spring, whatever the institutional forms of control, it is the substance of those controls that is most important. Review of activities without the ability to correct and contribute is meaningless and does not fulfill our responsibilities as a coequal branch of Government.

I am convinced that the Congress must have a continuing and contributory role in the conduct of our intelligence policies. No responsible person would suggest that we can be without intelligence agencies, but they must be an instrument of U.S. foreign policy, not a burden on it.

Many of the specific questions that have been raised not only in the past week, but in the past several years will be put to CIA Director Helms when he appears before the House Foreign Affairs Committee this afternoon. These briefings are worthwhile, but they will not substitute for a joint committee permanently charged with the responsibility to oversee and advise the intelligence community. To those who argue that the Congress is not sufficiently responsible or trustworthy to handle this assignment, I would suggest that many of the errors in judgment that have taken place might have been avoided if the Congress had been consulted.

In my judgment the mandate of the Joint Committee on Foreign Information and Intelligence which I propose today is sufficiently broad to deal not only with the present disclosures but with the long term dilemmas of intelligence policy.

Some of the questions we must consider are:

What is the necessary role of secret intelligence gathering agencies in a free and open society?

To what extent should intelligence gathering agencies also engage in operational activities?

Are there limits beyond which a nation's intelligence community should not go regardless of the forms of institutional control?

To what extent should nonintelligence activities of non-governmental organizations, institutions, and individuals be used, wittingly or unwittingly, as tools of the intelligence community?

Mr. Speaker, we have an obligation to

deal, as a legislative body, with these problems not just for this crisis but for the long term. I urge early adoption of this resolution and the creation of a Joint Committee on Foreign Information and Intelligence.

FDA APPROVAL OF FISH PROTEIN CONCENTRATE

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Morse] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MORSE Massachusetts. Mr. Speaker, the Food and Drug Administration recently granted approval for the manufacture of a fish protein concentrate which, hopefully, as it is made available to undernourished people in underdeveloped countries, will play an important part in our efforts to help the people in India, in Africa and, in fact, throughout the world.

I am inserting in the Record today an article published Sunday, February 5, outlining much of the historical background of this additive which has occasionally been referred to as "a miracle food." It was written for the Boston Herald by our distinguished colleague, the gentleman from Massachusetts, Hastings Keith who, of course, represents the renowned fishing port of New Bedford.

My current interest in fish protein concentrate is prompted by my membership on the Foreign Affairs Committee, for I realize the extraordinary assistance it could give us in improving our "image" in world affairs. But, Mr. Speaker, my interest antedates my membership on that committee and in fact my membership in the Congress of the United States.

I first heard about this extraordinary product during my service as administrative assistant to Senator Saltonstall. Dr. Ezra Levin had written to the Senator protesting FDA's handling of the fish flour petition submitted by his company, the VioBin Corp. VioBin makes other health products besides fish flour and he was afraid to rock the boat too much, fearing petty reprisals in the form of FDA rejection of his other petitions.

Senator Paul Douglas, of Illinois, Dr. Levin's home State, and Senator Saltonstall engaged in the FPC fight with great determination. Neither of them could tolerate unfairness—especially of powerful government agencies to the "little guy." To persuade FDA that the fish protein concentrate was not objectionable—that, in fact, it was less objectionable than some foods currently on the market, Senator Douglas offered snacks on the Senate floor of fried grasshoppers, chocolate-covered ants, and so forth. Shortly after Saltonstall and Douglas became involved our colleagues Hastings Keith and Bill Bates joined in.

Keith's interest dates back to about 1960 when Charles Lewin, a civic-minded former editor of the New Bedford Standard-Times brought to his attention the New Bedford plant of VioBin. Charlie Lewin did much to publicize this dramatic example of bureaucratic bungling.

At this time, Mr. Speaker, I also insert in the Record articles from the New Bedford Standard-Times, the Boston Globe, the Quincy Patriot Ledger, the Brockton Enterprise and the Honolulu Star-Bulletin and Advertiser on FDA approval of FPC as well as Congressman Keith's Herald article:

[From the Boston Herald, Feb. 5, 1967]

FISH-PROTEIN CONCENTRATE: THE BATTLE FOR APPROVAL

(By Rep. Hastings Keith)

(After six years, the Federal Food and Drug Administration last week finally lifted its ban on the sale of fish-protein concentrate (fish flour), a food supplement made by grinding up the whole fish. Here is the story of the battle against the ban, as seen by a congressman who was closely involved in it.)

Of the many cases of bureaucratic bungling, the case of fish protein concentrate is outstanding. Again it involved Food and Drug Administration the same people who might have ruined the cranberry industry a few years ago.

Two petitions to produce fish protein concentrate, a food supplement that offers hope for millions of undernourished people in underdeveloped countries, have finally been approved by FDA. This approval took almost a year.

The strange history of acceptance of the high protein supplement goes back almost ten years.

Why was there ever any question? The powdered extract of fish has proven beneficial as a food supplement in the diets of undernourished children. FDA claimed however, that FPC was unfit for human consumption because the dry powdered concentrate is made from whole fish. Ignoring the American housewife's familiarity with sardines and clams, the Food and Drug Administration concluded that she should be protected from this "adulterated" protein.

It has been a long battle to get FDA approval, the first step in making the concentrate available. Dr. James L. Goddard, the present Commissioner of FDA deserves strong praise for his efforts in getting acceptance for the two FPC petitions, one from the Bureau of Commercial Fisheries and the other from VioBin.

It was in 1960 that I first became vitally interested in FPC, or fish flour as it was called then. The VioBin Corp., a fish meal and health foods company, had a plant in New Bedford that was producing FPC for underdeveloped countries. The president of VioBin, Dr. Ezra Levin, was in fact the pioneer in the development of the powdered extract of fish.

In 1962 I visited Peru and Mexico and saw striking evidence of the beneficial effects of FPC, added in small quantities, to the diet of malnourished children. Children with large, sad eyes and distended stomachs suffering from a disease known as "kwashiokor" were fed supplements of FPC. The change can only be described as miraculous. This visit to South and Central America encouraged me to push legislation to make FPC available.

Ten years ago, Levin developed his process for making the clean, buff-colored powder from whole fish. His company has long supplied the high protein supplement sold by health food stores and used by Olympic athletes in training and by elderly people who need high protein supplements. But his fish protein was made from filleted fish—an expensive process in which most of the high protein material in the fish was discarded. The new process, using the entire fish, viscera and all, made it possible to produce an end product costing only pennies a pound (compared to the $5 a pound charged by health food stores for the FPC made from filets.) However when Dr. Levin, a biochemist by training, tried to get FDA approval for his product in 1963, he met incredible bureaucratic footdragging.

FDA refused to grant approval to Dr. Levin on grounds that FPC contained "filth"—that is, it was made from the entire fish.

No amount of reasoning would change the attitude of FDA—which seemed absurd to me since I never knew anyone who bothered to clean a clam or a sardine. In 1961 I said, "Rejecting fish flour on the grounds that it might be esthetically objectionable to someone would be as ridiculous and as tragic as banning penicillin from use by the medical world because it is derived from mold.

"It's the whole concept that's objectionable," insisted FDA.

After Levin's first petition was turned down, the Bureau of Commercial Fisheries requested and got a small appropriation to study methods of making what FDA would consider a "clean" fish protein concentrate.

Misunderstandings and misinterpretations held up FPC approval. Wheat and milling interests fought vigorously against "fish flour," fearing it might crowd out wheat flour in the market. The name was changed from fish flour to fish protein concentrate.

FPC has none of the properties of flour—it cannot be used as a basic ingredient in baked foods. But it can be added to flour or cereal products such as rice or corn for the most effective diets, since it contains elements not found in cereal grains. One of the ways to use the additive is to sprinkle it in tortilla dough, for example.

When Levin protested the expenditure of government funds to produce virtually the same product he had already tested exhaustively, he was told (again by an FDA spokesman) that the development of fish protein concentrate was "too big for one man."

In February 1966 after spending $1.4 million to produce FPC using a not-too-different method from Levin's (but using hake only—this, FDA felt, was a "cleaner" fish than some) the Bureau of Commercial Fisheries petitioned FDA for approval of their product, and, at the same time, Levin petitioned for the approval of the VioBin FPC.

The National Academy of Sciences cleared the "clean, wholesome product" developed by the Bureau of Commercial Fisheries.

FDA said it would probably be no more than a month before they could answer the petition.

Hopeful of early approval, a bill to authorize the construction of pilot plants for the production of FPC was proposed. Time dragged on, there was no word from the FDA.

FDA found a trace of fluoride in the protein concentrate—more work was indicated, they said.

I had a discussion with one FDA spokesman, and it went something like this:

Keith: "If 1000 children were fed FPC and one of those children got discolored teeth as a result of the fluoride and the other 999 developed stronger teeth and bones, would you feel you should refuse FPC approval?"

FDA: "I certainly would."

By removing part of the bone during processing, fluoride levels were reduced to a "safe" level.

A former FDA commissioner was so contrary-minded that when he was invited to partake of food with added FPC—hors d'oeuvres, pastries and so forth prepared in the Senate Restaurant he declined.

When Commissioner Goddard took over last spring, things started to move over in FDA, including the fish protein concentrate petitions.

What does approval of FPC mean? It

means that we can finally include FPC in a Food for Peace program. It means an end to Soviet insinuations that the United States is willing to send abroad food supplements it considers not fit for the American consumer. It means a boost to the sagging fishing industry when a boost is badly needed. And for millions of starving people, FPC means hope. The miracle powder can be stored indefinitely, only a teaspoonful a day added to the ordinary diet of the undernourished is enough for the protein needs of a human being—enough to restore mental alertness, physical strength, enough to turn a lack-luster individual into a productive member of society.

But this is only a first step. We have a tremendous amount of work to do, and while we linger, thousands are dying of starvation. We've got to get plants into operation—quickly. We must sell people on the idea—there are too many misconceptions about FPC. It is not fishy, it is not objectionable. I have eaten food with added FPC many times. Members of my staff have even made candy with added FPC, and it was most enjoyable. The powder has a slightly gritty feel. It is a neutral color, something between tan and gray. It dissolves in water, and can be used in combination with milk or juice.

Don't feel that FPC is restricted to the underdeveloped countries. It could even be added to the snacks teenagers eat instead of proper meals—potato chips, pretzels, cookies!

This miracle additive, now that it has been given the needed stamp of government approval, can, and hopefully, will go a long way toward saving the world's hungry millions.

[From the New Bedford (Mass.) Standard-Times, Feb. 2, 1967]

KEITH PLANS LEGISLATION TO AID FISHING INDUSTRY

WASHINGTON.—Rep. Hastings Keith, R-Mass., outlined today proposals to assist the fishing and maritime industries, which he said he will submit to the House Merchant Marine and Fisheries Committee.

The lawmaker from Massachusett's 12th Congressional District said his proposals would place curbs on methods of oil exploration in fishing grounds, promote fisheries research and development, provide funds for vessel replacement, and allow greater flexibility for conversion of commercial vessels for defense purposes.

"This week, I intend to introduce before Congress a coordinated program of legislation designed to protect and develop our vital fishing and maritime industries in Massachusetts." Rep. Keith said.

"I will submit six major bills and several related proposals affecting both our fishing industry and our seriously outdated merchant marine.

"PROTECT FISH RESOURCES

"Our fish resources must first of all be protected from the careless methods of oil exploration which caused the massive fish kill near Georges Bank last September. I am presently drafting legislation to require new and stricter guidelines for exploration firms. No mining or exploration will be permitted without prior consultation with the Bureau of Commercial Fisheries and unless the Bureau determines that no significant damage will occur to marine resources.

"Research and development by our commercial fisheries must be promoted by making more funds available to the states for this purpose. I am proposing that a new fund be established from the customs receipts our government receives from imported fish products. Grants could be made to the states from this fund with out requiring any new Federal appropriations."

Rep. Keith said America's fishing and merchant fleets are becoming critically outdated and are increasingly unable to meet aggressive foreign competition.

"In order to build modern fishing vessels which can compete with the Soviet fleets off our shores, I am proposing a new vessel replacement reserve fund," Rep. Keith said. This fund will enable merchant and fishing vessel operators to establish with the Secretary of the Interior a tax-free fund which can be drawn on to finance new or modernized vessels.

RELATED PROPOSALS

Rep. Keith said he will file several related proposals to further benefit the U.S. fleets, both for national defense and for commercial purposes. An amendment to the Vessel Exchange Act will allow greater flexibility in the conversion of reserve fleet vessels for national defense purposes.

Another will further encourage American operators to have repairs done in our U.S. shipyards, rather than abroad. A third will authorize the Coast Guard to develop an electronic guidance system for vessels moving in crowded ports and through canals. "This would greatly benefit the passage of ship traffic through the Cape Cod Canal," he said.

"If approved, this program of legislation will significantly upgrade the fishing and merchant marine industries among our national priorities. At a time when the problems of the fishing and merchant marine industries are getting larger and larger, the allocation of our national resources to maritime affairs is getting smaller."

TAX CREDIT

In addition to these bills, Rep. Keith said he is introducing legislation this week that would provide a tax credit to parents and students for the costs of higher education and vocational training; a tax credit to industry for construction of air and water pollution control facilities; exclude from taxable income certain reimbursed moving expenses; and extend preferential postage rates to museums for the mailing of educational materials and loan exhibits.

Rep. Keith will re-introduce his bill to establish a Commission on the Organization of the Executive Branch to review all federal operations and recommend comprehensive management reform.

He also will file legislation to establish a Commission on Public Management to explore the potential application of systems analysis and management techniques to the solution and administration of public policy problems.

He also plans to introduce a resolution to create a Joint Committee on Congressional Ethics, which will be empowered to draw up rules of conduct for all congressmen and a resolution to create a delegation of eminent citizens to a convention of North Atlantic Nations.

Rep. Keith also plans to submit a bill to establish a national memorial at Plymouth Rock.

[From the New Bedford (Mass.) Standard Times, Feb. 1, 1967]

APPROVAL OF FISH FLOUR BY FDA HAILED HERE

(By Charles Buffum)

The wheels of government grind exceedingly slow.

But the long-delayed formal approval of fish protein concentrate or "fish flour" by the Food and Drug Administration last night was to Carl Larsen, exceedingly fine.

Mr. Larsen is manager of New Bedford Fish Products, which he claims is the only plant in the country that can turn out fish protein concentrate in commercial quantities.

He is the man who has spent 16 years in New Bedford making plans, perfecting techniques, laying groundwork for last night's FDA ruling.

TWO PROCESSES APPROVED

New Bedford Fish Products is a subsidiary of VioBin Corp. of Monticello, Ill. The FDA has approved VioBin's process and a formula perfected by the Bureau of Commercial Fisheries.

But unlike VioBin, the Bureau of Commercial Fisheries doesn't even have a plant yet.

Fish protein concentrate is a low-cost protein-packed food supplement made from whole fish. It is expected eventually to be turned out in huge quantities for shipment to undernourished people in all corners of the earth.

Because it is in the form of a flour, and can be stored without refrigeration, it can be adapted to the varied diets of every nation. It can be bread or noodles, soup or milk shakes, waffles or gravy.

Carl Larsen and his boss, Ezra Levin, VioBin president, tried to get FDA approval in 1961, but it was rejected on aesthetic grounds. The FDA didn't like the idea of grinding fish heads, tails and viscera into food for human consumption.

Last night the government accepted the principle, according to Levin, of "the acceptance by the United States of a protein concentrate made from whole fish. This is the crux of the decision by the FDA."

NO CONVERSION PROBLEM

"We can convert our plant material any time," Larsen said today. New Bedford Fish Products has been turning out fish meal for animal feed.

"There's no problem," Larsen added. "We need another two or three days to know what the standards are going to be," he said.

Levin and Larsen are interested in whether the FDA will broaden its stand and allow fish other than "hake and hake-like species" to be used.

Employment will climb at the New Bedford plant, the manager said. "I couldn't say how many we will employ; I say the sky's the limit," he said.

The plant now employs about two dozen people.

Larsen is sure the BCF will locate a plant in New Bedford "to be close to the only fish flour plant knowledge in the world." The BCF will build a government-owned production plant and will lease a second from private industry.

When New Bedford Fish Products gets rolling on fish protein concentrate, local fishing vessels will be used to supply the raw material, Larsen said.

"I'm already making up my mind about what boats we will use from the local fleet," he said today. "They will be able to supply our needs, I am sure."

GOOD PUBLICITY FOR CITY

Larsen said the plant "has brought the name of New Bedford throughout the world. All our shipments will have New Bedford, Mass., U.S.A., stamped on them."

VioBin has been producing fish flour commercially for 12 years, says Levin.

"We can produce the product NOW," he told The Standard-Times. "We have a wide background of clinical evaluation of the product that we can now produce commercially. We have the engineering data for commercial production."

The next step, Levin and Larsen agree, should be in the direction of making other species of fish available for FPC.

Until production lines are set up, the local product will be shipped to VioBin headquarters at Monticello, for final refinement, Larson said.

He wouldn't speculate whether the U.S. government would order large quantities for the Food for Peace program.

DEFINITELY NEED PIER

"We definitely need that pier," Larsen said, referring to a request to the city to build a bulkhead fill project at an estimated $100,000 cost to lease back to the fish products firm.

"The city certainly would benefit," he added.

Larsen said he already is training new people to work in the plant.

In Illinois, Levin stressed that, "the VioBin process is available to anyone on a nonexclusive basis."

"We can export our technology to help solve the widespread malnutrition and in overcoming, or at least delaying, for many years the prospect of worldwide starvation," he said.

Last night's announcement was welcomed in a statement by Interior Secretary Stewart L. Udall, who said it "establishes a lifeline to a better future for undernourished millions of people throughout the world."

The secretary said the FDA label of safe for human conusmption of the highly nourishing, low-cost food additive will mean "that plentiful types of fish that have been by-passed for the human diet now can be used in the form of a readily manufactured product acceptable to every geographical area.

"Our next step is large-scale production demonstrations in pilot plants," he said.

The Bureau of Commercial Fisheries has estimated that the United States could harvest about 12 billion pounds of fish annually from surrounding waters—about 2½ times the present annual take.

Said the bureau: "Just the unharvested U.S. fish, translated into fish protein concentrate, would supply sufficient quantities of animal protein to supplement the deficient diets of 1 billion people for 300 days at a cost of less than one-half cent per person per day."

Recent studies have reported that about 270 million children under 15 suffer from animal protein deficiencies that might be corrected by development and widespread use of fish flour.

Larsen said if any protests of the FDA decision are filed during a required 30-day period before the ruling becomes final, they will come from wheat interests who object to use of the word "flour" in connection with the fish product. The FDA said the project must be labeled as whole fish protein concentrate.

[From the New Bedford (Mass.) Standard Times, Jan. 31, 1967]

PELL SEEKS FISH FLOUR PLANT FOR RHODE ISLAND—WEST COAST SITE HUNTED

WASHINGTON.—A government production plant for fish protein concentrate is expected to be located on the West Coast, a spokesman for Sen. Claiborne Pell, D-R.I., said Monday night.

"As far as we know, the government-owned plant will be located on the West Coast," Fitzhugh Green, special assistant to to Pell, explained.

He said the Rhode Island senator plans to concentrate his efforts on having a government-leased, privately-owned plant operating in his state.

Congress last year authorized one plant to be built by the Interior Department and one government leasing contract, both arrangements to depent upon acceptance of fish protein concentrate by the Food and Drug Administration.

FDA approval of two processes for making concentrate was announced here Monday by Rep. Hastings Keith, R-Mass.

One method was developed by the Bureau of Commercial Fisheries, the other by VioBin Corp. of Monticello, Ill. The firm's fish flour plant is in New Bedford, Mass.

There is some speculation here that VioBin would now be the likely owner of the plant to be leased by the government in its search for mass production techniques involving the concentrate.

The powdered product, developed by chemically processing hake and hake-like species, is intended primarily for use abroad. It already has been authorized for use in the food for peace program, pending FDA approval.

Official regulations for use of the concentrate will be promulgated by the FDA later this week. Rep. Keith said Monday, "We hope that the regulations will be easy to live with."

Meanwhile, while competition is expected to be keen for location of the production plant, there also is hope that Congress may authorize more facilities.

Sen. Edmund S. Muskie, D-Me., announced late last year his intention to file a bill this year which would permit construction of three additional plants.

Actually, the Senate's bill last year approved construction of five plants. The House only wanted one and the final compromise was one government-owned and one government-leased facility.

SUPPORTED BY PRESIDENT

The general fish protein concentrate effort received encouragement from President Johnson Monday in a statement issued independently and without apparent knowledge of the FDA's favorable action.

In a message to Congress, the President said, "We are trying to develop economic and acceptable methods of converting fish protein into a usable source of food. I have directed the Secretary of the Interior to proceeded with this effort on an urgent basis."

Authorization of more fish concentrate plants and general appropriations for continuing research in this field are expected to have greater chance for success now that the FDA has rendered a favorable opinion on the product.

[From the New Bedford (Mass.) Standard Times, Jan. 30, 1967]

VIOBIN FISH FLOUR GETS FOOD AND DRUG BACKING

WASHINGTON.—Two methods for manufacturing fish protein concentrate—one by government and one by private industry—have been approved by the Food and Drug Administration for domestic consumption, Rep. Hasting Keith, R-Mass., was advised this afternoon.

The FDA gave its stamp of approval to the process developed by VioBin Corp. of Monticello, Ill., which operates a subsidiary, New Bedford, Mass., Fish Products Corp., and to a method developed by the U.S. Bureau of Commercial Fisheries.

FDA approval has been sought since 1961.

Officially, the FDA now states that both fish protein concentrate processes "are approvable."

This language recognizes a 30-day period in which appeals of the FDA opinion can be made by the public, in which case final permission for domestic use could be withheld.

The approval means that the concentrate protein-rich food supplement which can be fitted into native foods throughout the world—will be included in the U.S. Food for Peace program at the end of the 30-day period unless appeals are entered, Rep. Keith said.

"Isn't that wonderful?" exclaimed Carl Larsen, manager of New Bedford Fish Products Corporation. "It proves that the $2 million and many years we've invested here were worth it. This is going to be a big thing for New Bedford," Mr. Larsen said today when notified of Food and Drug approval.

Formerly known as fish flour, the concentrate uses whole fish, any of several species of hake. Since heavy Russian fishing efforts concentrated on hake off New England in 1965, there are differing opinions about how much hake is available off the New England coast.

Eventually, many different kinds of fish are expected to be used to make the product.

Fish flour originally developed by VioBin was rejected by the FDA in 1961 as being aesthetically distasteful to consumers because the entire fish was used. Since then a new FDA director has taken over.

In recent years much public attention focused on the Bureau of Commercial Fisheries' process, developed at College Park, Md., under special funds appropriated by Congress.

AUTHORIZATION CLEARED

The FDA action clears a congressional authorization to build a $1 million pilot production plant for fish protein concentrate manufacturing, and to lease a second plant from private industry.

These plants will turn out large amounts of fish flour for further testing, and will develop new ways and types of fish used to make the product.

Ezra Levin, president of VioBin, long has contended that fish protein concentrate can feed the world's starving people. The government-produced product hadn't been shipped overseas because of possible propaganda backfires for sending a product not approved for domestic consumption.

VioBin's product has been used in many foreign countries for years.

Members of Congress from Massachusetts intend to press the Interior Department to locate its fish protein concentrate plant in the Bay State.

The favorable opinion by FDA is expected to be published in the Federal Register later this month. This action will signal the start of the 30-day waiting period for possible objections.

[From the Boston Globe, Feb. 1, 1967]

FISH FLOUR—A VITAL FOOD WINS U.S. APPROVAL

(By Donald White)

In New Bedford Tuesday Carl Larsen was a happy man.

Larsen, general manager of New Bedford Fish Products Corp. had got wind of the Food and Drug Administration's approval of fish flour for human consumption.

New Bedford Fish Products is, according to Larsen, the only plant in the world that makes fish flour in commercial quantity—not fish meal, mark you, but fish flour. There's a difference.

Fish flour is a tremendous source of protein. An off-white powder, it is, in human consumption form, odorless and tasteless. It can be used successfully in noodles, waffles, sauces, gravy, baked goods and shake-type drinks. Fish meal is animal feed.

Fish flour has been suggested as a leading weapon in the attack on world hunger.

Until now, however, FDA had refused to approve the flour for human use, despite findings of such organizations as the National Academy of Sciences and the National Research Council.

It has taken FDA about six years to say yes. A big factor was that fish flour, or fish protein concentrate as it is sometimes called, is made from the WHOLE fish—head, tail, viscera—the lot.

FDA was worried that because of the flour's composition the American public might find it "unesthetic".

Another problem was the demand for proof that the product would not contain excessive amounts of isopropyl alcohol, the solvent used in the flour-making process. This was furnished.

Additional reassurance was sought that the flour would not be a cosmetic hazard and that its fluoride content would not mottle teeth. It will not, according to both National Institutes of Health and National Academy of Sciences.

So for Carl Larsen and New Bedford Fish Products, a subsidiary of Viobin Corp., Monticello, Ill., the FDA decision was the end of a long, long wait. "Ten years in which we spent $1.5 million on something we believe in."

In the meantime, Larsen's 22-man operation in New Bedford has been making fish flour for animal feed and has not been deodorizing the product. Neither this, nor the changes that will have to be made in the plant to meet human consumption standards present any great problem, Larsen claims.

Larsen's enthusiasm is based upon the fact that his operation has a considerable head start in large-scale production of fish flour. For some time now he has been shipping animal feed flour to his parent plant in Illinois where it has been reprocessed for human consumption and sold or given away overseas.

His confidence may be tempered somewhat when he reads the fine print accompanying the FDA's apparent turnabout.

Dr. Samuel Goldblith, professor and head of M.I.T.'s Department of Nutrition and Food Science cautioned Tuesday against over-optimism.

"There has been so much to do about approval so far I must see the specifications," Goldblith said.

Two of his reservations concerned the variety of fish approved and the amounts in which the flour may be sold.

FDA specifies hake, and "hake-like species." It would be easier to use all types of trash fish.

The Government agency also says that sale of the flour is limited to one pound packages. This will prevent food manufacturers from using it in their preparations. They must make specific proposals with supporting data to the agency.

An even greater consideration may be the investment in plant and equipment that companies will have to make to get into the fish flour field. It will be tremendous and it will take years.

Gorton Corp. of Gloucester is already in the game to a limited extent. Together with a partner company it has formed an organization that is currently conducting research into fish flour.

Gorton President E. Robert Kinney applauded the FDA decision as a means by which industry will be able to assist government in helping the protein-starved nations of the world.

The Bureau of Commercial Fisheries has estimated that the United States could harvest about 12 billion pounds of fish annually from surrounding waters—about 2½ times the present annual take.

Said the Bureau: "Just the unharvested U.S. fish, translated into fish protein concentrate, would supply sufficient quantities of animal protein to supplement the deficient diets of 1 billion people for 300 days at a cost of less than one-half cent per person a day."

To do that though, the fishing industry will have to spend money on boats and methods. Added to the time it will take to engineer and build pilot and production processing plants it looks as though the dream of solving the world's hunger problem is still years away.

[From the Patriot Ledger, Feb. 2, 1967]

Fish Flour

The approval of fish flour for human consumption in the United States is an act of world-wide importance.

Fish flour, or fish protein concentrate as it is called now, is a pale gray, virtually odorless and tasteless product made from whole fish. It is as versatile as any other flour; it can be used as a food additive or as a flour substitute.

The most important fact about fish flour, however, is its high nutritional content—about 80 percent is protein with the other 20 percent mostly beneficial minerals. Thus it could become an important factor for a world seeking additional food to nourish a rapidly-expanding population.

The U.S. Food and Drug Administration ended a long battle over fish flour this week by approving two processes for producing it for domestic consumption. The approval also means fish flour can be made available to developing countries as part of the U.S. Food for Peace program. The U.S. could have shipped fish flour abroad without FDA approval; however, this would have left our country open to harmful propaganda on the grounds that Americans were sending food abroad that had not been declared fit for human use in the U.S.

Six years ago, the FDA rejected fish flour on the grounds that anything made from whole fish had to be considered "adulterated and filthy." Later, this agency expressed concern over the chemical process used in one method of producing fish flour. Selfish opposition came initially from bakers, millers and Midwestern wheat interests fearing competition.

While there is so far a lack of mass production facilities for fish flour—a result of the long delay in approval—the product has vast potential.

Because of high demand and poor crops in some areas of the world, food grains are in fairly short supply. The oceans, however, hold a great supply of food resources now only partially utilized. Although the FDA approved only the use of hake in fish flour for U.S. use, actually it is contended that just about any so-called "trash fish" (those not normally marketed for human consumption) could be used.

Initially, the approval of fish flour should result in a tremendous boost for the U.S. fishing industry, including New England's. In Massachusetts, New Bedford and Gloucester firms have been waiting for years to market fish flour for human use.

The long-range implications for the world are equally important. While fish flour is not a panacea for the world's food problem, once the product becomes accepted by food-short nations desperately trying to raise agricultural production, it could be an important element in their food resources—and one readily available to many nations.

[From the Brockton (Mass.) Daily Enterprise, Feb. 1, 1967]

Fish Flour Okay

The Food and Drug Administration has given its approval of production of fish flour for human consumption.

Much credit must be given to Cong. Hastings Keith who long has advocated fish flour as one way to help feed the hungry people of the world.

New Bedford has a fish flour plant and if three more plants are to be built in New England it is almost certain that this state will be the site of one of them.

We are sure this decision by the FDA will be a big help to the fishing industry here in the east.

President Johnson lined himself up squarely with those pushing for the approval of fish flour when he ordered Interior Secretary Stewart L. Udall to proceed "on an urgent basis" with the development of a high protein and low cost fish flour.

The FDA decision ended a six-year controversy over fish flour and again we say Cong. Keith, who helped to bring about the favorable decision, deserves full credit.

[From the Honolulu Star-Bulletin & Advertiser, Feb. 5, 1967]

Fish Flour Ruling Ends 5-Year Feud

(By Leslie Carpenter)

Washington.—Seldom does a small Federal agency show the hard-headed independence from powerful pressures in and out of government that the Food and Drug Administration did in the fish flour controversy over five full years.

It is a fascinating story of how FDA got into the White House dog house, stubbornly disputed two highly regarded scientific organizations and thoroughly infuriated well-meaning religious and philanthropic leaders interested in feeding the hungry of the world.

FDA has at last ruled that fish flour is fit for human consumption, but it obviously was a reluctant decision.

Fish flour, by far the cheapest high protein concentrate devised, is made from ground-up non-commercial fish, such as hake. The powder, almost tasteless, can be mixed with any food or liquid to overcome protein deficiencies. It is and has been one of President Johnson's pet projects. He and others believe it offers the best opportunity ever to combat undernourishment globally.

In January, 1962, FDA decreed fish flour was unfit for humans to eat because it was made from the whole fish. The U.S. Bureau of Fisheries developed a process of bathing the flour in an alcohol substance to eliminate objectionable matters. The respected National Academy of Sciences then made extensive tests and on Dec. 1, 1965, reported the alcohol bath made the flour clean and all right to eat.

FDA wouldn't agree and raised another issue. Fish bones gave the flour too much fluoride, FDA contended, and eating it could cause teeth to spot. The National Institute of Dental Research launched tests and concluded last August that there was insufficient fluoride for teeth mottling.

FDA then went through a period of silence and more tests, with the rest of the government in the dark on what the agency was doing. At one point, an FDA official suggested a ruling prohibiting the sale of fish flour in the U.S., where many cities have fluoride added to their water, but approving its sale in the rest of the world, where there is little water with fluoride.

This horrified the White House and State Department, where there was one obvious conclusion: Communist propagandists would make the most out of the U.S. feeding the world's hungry a food found by its own government to be unsafe for Americans to eat.

When FDA finally gave fish flour a clean bill of health last week, another remarkable thing happened. President Johnson wanted to make the disclosure at the White House with a dramatic statement on what it meant to the underfed of the world.

But Johnson didn't get the chance to do so. One day before, some FDA official told a GOP Massachusetts Congressman, Hastings Keith, about the decision. The Republican beat Johnson to telling the press.

ISAAC HAMLIN DIES

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Reid] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. REID of New York. Mr. Speaker, the death in Tel Aviv last Thursday of Isaac Hamlin is a loss both for Israel and for the United States. For over 50 years, Mr. Hamlin's work in the Israeli labor movement and in Histadrut, the Israeli Labor Federation, has done much to strengthen relations between our two countries.

Ten years ago, at the age of 65, Mr. Hamlin returned to Tel Aviv from New York to become the director of the American Histadrut Center there and to preside over Beit Hamlin, or Hamlin House, which was constructed in his honor. Beit Hamlin is an institution of warmth and value which does much to facilitate contacts and close relations between Americans and Israelis.

Only last month Mr. Hamlin made a final visit to New York to attend a celebration in his honor by more than 600 friends who had gathered to pay him tribute. I was privileged to have been with him on this occasion.

Mr. Speaker, I extend my deepest sympathy to his devoted wife and two sons. Under unanimous consent, I am inserting in the RECORD an article from The New York Times of Februrary 17, 1967, which tells of Mr. Hamlin's efforts on behalf of Israel-American friendship in some detail:

[From the New York Times, Feb. 17, 1967]

ISAAC HAMLIN, 75, OF HISTADRUT, DIES—ISRAELI LABOR FEDERATION AID FOR HALF A CENTURY

Isaac Hamlin, a founder and officer of Histadrut, the Israeli Labor Federation, died yesterday at his home in Tel Aviv. He was 75 years old.

During 50 years with Histadrut, Mr. Hamlin told friends frequently that he was getting a "university education" because of the diversity of his work.

He recalled the day in 1926 when Supreme Court Justice Louis D. Brandeis, whom he had known as a young lawyer in Boston, called him to Washington and gave him $15,000 for the Histadrut campaign.

Justice Brandeis, he recounted, asked him how many Jewish workers there were in the United States. A quarter of a million, he replied. The jurist said, "See to it that each of them gives $5 a year for Palestine, in order to build the country and to enlarge the cooperatives."

AN AVID ZIONIST

That was the goal Mr. Hamlin pursued for the next three decades. Although an avid Zionist, he was not afraid to speak out when he did not approve of steps taken by the more aggressive members of the movement.

Thus, in 1947, he took the militant Stern group to task for terrorist activities in Palestine. "Peace between Jews and Arabs is possible," he said, "and there is no room for paramilitary organizations that operate outside the framework of government."

The next year, Mr. Hamlin outlined the goal of Jews outside Israel as "the training of immigrants in new trades, productivizing them and absorbing them in agricultural and industrial cooperatives." He began a program of training for 2,000 men and women that was a forerunner of programs in effect today.

His interest in Zionism began while he was still a youth in Komarin, near Minsk, Russia. He took an active role in the Labor Zionist Party and met Channa Freedman, who was to become his wife, while working with local groups.

Mr. Hamlin came to the United States in 1909, settling in Boston, where he worked in a tailor shop by day and directed Zionist activities by night. Five years later, Miss Freedman joined him and they were married.

DIRECTED FUNDRAISING

In 1921, Mr. Hamlin came to New York to serve as national secretary of the Poale Zion-Labor Organization of America. Two years later, he joined Histadrut to direct its fundraising programs in this country.

When he was 65 years old, Mr. Hamlin moved to Tel Aviv and took over the direction of the American Histadrut Center. A building there, Hamlin House, was erected in his honor.

Last month, on his 75th birthday, he returned to New York for a celebration. More than 600 persons gathered at the Commodore Hotel to pay him tribute. There were messages of congratulations from President Zalman Shazar, Premier Levi Eshkol, Mrs. Golda Meier, former Premier David Ben-Gurion and American labor leaders.

Besides his wife, he leaves two sons, Isadore and Baruch; a sister, Mrs. Fae Weiner, and three grandchildren.

LINCOLN DAY SPEECH

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. REID] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. REID of New York. Mr. Speaker, my colleague, the senior Senator from New York, JACOB K. JAVITS, made an important Lincoln Day speech in Buffalo on Sunday, February 12, which believe Members may be interested in reading. Under unanimous consent I place this speech in the RECORD:

THE REPUBLICAN ROLE IN VIETNAM

(By Senator JACOB K. JAVITS at the Lincoln Day dinner of the Erie County Republican Committee, Statler-Hilton Hotel, Buffalo, N.Y., Feb. 12, 1967)

In the eyes of the people, the single most crucial issue facing the nation and the Republican Party is not education, or welfare, or the state of the economy—it is Vietnam. What we say on Vietnam, the sense we make to the American people, seen from right now, is most likely to make the difference between victory and defeat in the 1968 Presidential election.

Our party has given the President more support on the United States commitment in Vietnam than his own party. I believe the people appreciate that fact—but it is not enough. We, as Republicans, must also convince the American people that we know how to wage peace.

The danger for the Republican Party is not that we will appear too soft or conciliatory; it is that we may project the impression of being too hawkish, too uncompromising, too out of step with the realities of Vietnam. Republicans do not have to prove that they will accept the responsibilities of being a world power, or that they will fight to protect United States interests abroad. But, Republicans do have to show, within the confines of unity on national security, that we know how to bring wars to a close, that we have peaceful alternatives.

General Eisenhower brought hostilities to a close in Korea. Republicans can make proposals now to bring peace in Vietnam. *And I say that we can do it better than the Democrats for one simple and compelling reason. President Johnson has become locked into the mistakes, illusions, and over-optimistic predictions of his own policies. He is so busy defending himself, making excuses, and changing facts and figures that he appears to many to have lost the initiative and credibility to make peace on his own.* People here and abroad have been questioning the effectiveness of both the Administration's military strategy and of its efforts to bring the other side to the conference table.

President Johnson made the mistakes and he feels he has to defend them. He may be defending them even at the price of extending the conflict. The Republican Party is not bound by his mistakes or his policies. Our Party is and should continue to be a party to the United States commitment to see that the people of South Vietnam have a chance freely to express their choice on who is to govern them. With one vital proviso—that they themselves are ready and willing to bear their share of the burden. Republicans can stand behind this commitment, but we can also be more flexible—and effective—than the Democrats in bringing the conflict to a close. *By being more flexible, I do not mean selling our commitment down the drain.* I do mean that Republicans are in a better position to try some new approaches because we are not tied to everything President Johnson has done, as he is himself.

Now, there are those who preach more and more force, crushing the enemy, bombing civilian population centers, invading the North as a new approach. While these proposals do have emotional appeal in some quarters, they will neither bring peace to Vietnam nor victory in our own elections. With the exception of the Spanish-American War, the people of our country have always looked toward national candidates who would either keep us out of war or bring wars to an end through negotiations if possible. Our Party cannot gain a national mandate by waving the bloody shirt.

Nor will the maximum escalation of force solve our problems in Vietnam either. I have supported our military efforts in Vietnam, and I have voted for the requisite appropriations, but I have made it plain each time that these efforts be limited and connected to rational policy objectives. Maximum U.S. force would serve only to reunify the warring factions in Communist China, heal the breach between Peking and Moscow, and probably even involve us in a major Asian land war with global dangers. And, most tragic of all—a great many more Americans would die in the process.

And even then, the guerrilla war in South Vietnam will go on. Not in Malaya, not in the Philippines, not in Greece, not in all the ancient practice of guerrilla war have guerrillas been defeated by force alone. The essence of their operation is small groups, wide dispersion, hit and run. When our troops have found them, we have been successful, but a recent typical sweep and clear operation, where we have sent as many as five thousand troops after the guerrillas, we have netted no more than a hundred or so Vietcong.

We have backed these efforts up with a program designed to bring about social and economic reform and to establish a duly elected and legitimate government in Saigon. Our Government does realize that guerrillas can lose only if they are cut off from their base in the people, only if they feel their needs are being met elsewhere, and only if they develop a greater sense of loyalty toward Saigon. We have been trying to accomplish something on these fronts—although I believe we have not emphasized them sufficiently—especially in the area of land reform.

Yet, one point must be faced and faced squarely. Wars of attrition, wars against poverty and fear, battles to establish a legitimate and responsive government take time. In Vietnam, it could take from ten to fifteen years. Even President Johnson, after long delay and equivocation, had to admit as much in his State of the Union address.

The only way to avoid both the dangers of a major Asian land war and the long years necessitated by a war of attrition is to find a negotiated way out of the dilemma. To this end, I make the following two proposals:

1. *That the U.S. should declare a cessation of bombing in North Vietnam, stating in this declaration that it expects that the cessation of bombing will not be used as a cover for*

continued infiltration of men and supplies from North Vietnam to South Vietnam.

In the alternative, our government should also consider the possibility of restricting the bombing of North Vietnam to the pre-August, 1966, patterns, when bombing was concentrated solely upon access routes to South Vietnam.

2. *That the U.S. present a negotiating package, at the same time, which is designed to lead to peace talks, not a collection of vague generalities that confuses both the American people and the Vietnamese.*

We have to face up squarely to two hard questions in this negotiating package:

(a) How is the National Liberation Front to be given its role in the political and governmental processes of the post-war South Vietnam? Unless this is answered to the satisfaction of the NLF, they will not lay down their arms—no matter what agreement we may come to with the Government of North Vietnam.

(b) How is the over-all settlement to be guaranteed, that is, who will determine violations and what machinery will there be for enforcement? The procedures set up by the Geneva Conference of 1954 have not proved workable.

The cessation of bombing in North Vietnam may be of critical importance to peace—*but the bombings themselves are also important to the security of our troops, and these two considerations need to be reconciled.* I propose a cessation, not simply because of unfavorable world reaction, but because I believe that it is worth challenging the other side's representation that it will respond positively to the call for peace negotiations under such circumstance. *We cannot pledge a permanent cessation of bombing as requested by Hanoi. But we can unilaterally pledge an unconditional cessation—unconditional in the sense that Hanoi need not agree in advance to negotiate.*

If the distinction between the words "permanent" and "unconditional" seem minute, they are not. I feel justified in separating them, because the same distinction has been made in official pronouncements from Hanoi. No one can say with any certainty what the Communists will do if we cease bombing now. But, I feel we ought to explore every possibility that could lead to a cessation of hostilities.

The stakes and risks of continuing the war are so high that it is worth taking some risk to find a way out. If we see that Hanoi and the NLF give no indication of responding in good faith—as recommended by Pope Paul, U Thant, Prime Minister Harold Wilson, Premier Kosygin and many others—we can reevaluate the situation then. Nothing is permanent in war.

As an alternative, we could curtail our bombings to the earlier objective of hitting only supply routes near the South Vietnamese border. The fact that infiltration from the North has increased these past six months is a valid indication that the recent wider bombings have not made such a significant difference as to warrant the danger of their continuation. Bombing supply routes alone can still accomplish the end of putting a ceiling on infiltration.

It is true that we have stopped these bombings twice before, in May 1965 and January 1966. It is true the other side did not reciprocate. Yet, we cannot use the past to deny the future. We cannot afford to take the chance that this time it might be real.

While I consider the cessation much more promising to peace than the curtailment of bombing targets, the final choice must be left to the President because the decision must be based on security information available only to him.

Another issue must be clearly understood. A bombing cessation by itself is not the whole answer. It can only set the process of talking in motion. It has to be tied to a negotiating position that gives the other side an incentive to talk without undermining our own commitment.

Our Government has gone all out to ask the Communists to come to the peace table. But, what we must ask ourselves is what will we talk about when we get there? Hanoi and the NLF, rightly or wrongly, believe that they have been betrayed by Western powers in the past. They will, therefore, not be likely to show a desire to talk once again unless they have some assurance that our peace move can lead to something for them. This is only common sense. As they see it, they cannot lay down their arms until they believe that the people in the NLF can participate in the political and governmental life of South Vietnam. They do not trust the Ky Government. They do not want to lose their momentum in the war any more than we do.

The only way to deal with this problem is through the South Vietnam Government itself. The Constituent Assembly must move quickly to consummate its business. The military junta must approve the new constitution, too, and set the election of a new government into motion at once. The elections must be scrupulously fair and as free from pressure as possible.

It is my hope that out of this will come a government with real roots in the people, with legitimacy. Only such a government will have both the courage and the strength to deal with the NLF directly and to battle with them at the polls and within the government. The NLF does represent a significant minority of the South Vietnamese people. Otherwise they would not have been able to fight so effectively for so long. They should have the same means of expressing themselves as other minorities.

We need guarantees, too. The U.S. has not spent its treasure and its blood in Vietnam only to pull out and turn the South over to the Communists. Effective machinery is required to deal with violations of the overall agreement. Hanoi and the NLF may believe that once we are out, they can do virtually anything without fear of our returning. To guard against this, we must have more than another Geneva Conference and more than the present International Control Commission for Vietnam. Whether it be a strengthened and enlarged ICC, as I have proposed before, or a U. N. Peace Force, or something entirely new, there has to be some unit that can act swiftly and effectively to deal with violations. Moreover, such a unit must have the cooperation and support of the Soviet Union. If Moscow really seeks to end the war, it must assume some real responsibility for the peace.

These three proposals—a) cessation of the bombing in North Vietnam on the declared injunction against its abuse; b) assurances to the NLF and Hanoi of political amnesty for those of SVN who fought against Saigon; and c) effective international guarantees to meet and deal with violations—constitute a package that, I believe can lead to negotiations. They will not lead to negotiations tomorrow or next month. They require time and planning in advance of negotiations.

This is a program for peace behind which Republicans can stand. It is responsive to our own commitmetns and to the situation itself in Vietnam.

The Republican Party must also be the party which shows that it has learned the one vital lesson of Vietnam; that the American people cannot afford and are not interested in being the policemen of the world. But unlike many of the Democrats, neither are we afraid of responsibility. If we cannot and will not be the policeman, we will have to enable others to tend to their own affairs. We must be the Party that promotes the idea and the reality of regionalism—of regional solutions to regional problems.

By this means, we must make it perfectly clear to the countries of Asia and throughout the world that we intend that they should shoulder the burden of peace for themselves. We must convince them that they will have to learn to act together if they are to obtain our support. Our Republican Party has a tradition of being firm in international affairs. We also have a reputation for standing behind the tradition of self-help. We can become the Party that combines firmness and self-help into a policy for peace.

THE NONPROLIFERATION TREATY CHEATING CANNOT BE INSPECTED OR VERIFIED

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. HOSMER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOSMER. Mr. Speaker, on Monday I charged in a speech that the nonproliferation treaty under negotiation in Geneva contains no verification mechanisms, that is, no detection, inspection, or other machinery to prevent cheating. An item in the Frankfurter Allgemeine of February 14 states that a revised article III of the treaty will be proposed to the effect that nonnuclear signatories will be obligated to accept oversight of their nuclear facilities by the International Atomic Energy Agency—IAEA—as soon as practicable. I have been asked if this language would remove my objection to getting into a treaty that fails to police the promises made. My answer is a flat no. Spurious verification mechanisms which will not verify are as much a sham as promises that are not policed. At the present time, IAEA inspection is a farce. The IAEA announced and adopted the principle that peaceful nuclear activities such as reactors and nuclear fuel fabricating and reprocessing plants should be under its inspection to prevent the diversion of fissionable materials to weapons use. And there, essentially, it stopped. As of the beginning of this year it possessed only 10 inspectors to discharge this worldwide responsibility. It has adopted no procedures to insure adequate inspection and still is fumbling around trying to learn what inspection techniques might be useful and which might be spoofed. No one yet knows how much unexplained disappearance of fissionable material during nuclear fuel fabrication and reprocessing is normal and at what point suspicion of diversion should be aroused. Even the U.S. AEC is hazy on the whole subject. Last year, it appointed an ad hoc advisory panel on safeguards which has made a report which the AEC is massaging and seems reluctant to release to the public. I rather imagine the report indicates how difficult, if not impossible, it is to monitor determined cheaters.

Talk of IAEA inspectors sounds great. The blunt truth is that there is no such thing as meaningful IAEA inspection. This is the actual situation in the real world, despite what the Arms Control and Disarmament Agency and our State Department disarmament negotiators would like us to believe. This is the situation at a time when new electric power reactors are being installed at a fast clip all over the world. One knowledgeable expert has estimated that even a modest sized 150,000-kilowatt nuclear generating station will produce annually, as a byproduct, enough plutonium for more than 30 atomic bombs.

Tomorrow is Washington's Birthday. He is the man who could not tell a lie. But others before and since Washington have been capable of this kind of deception. It has given rise to such expressions as "credibility gap." And, on the international treaty scale, it has given rise to the need for verification mechanisms which actually verify. IAEA inspection lacks this characteristic. The IAEA suffers from a financial incapability to carry on an adequate inspection program. This incapacity is likely to continue during the foreseeable future. The IAEA suffers from a technical incapability to determine what techniques and what instrumentation and what statistical data is required for adequate inspection. This incapacity also is likely to continue indefinitely. IAEA has toyed with a "chastity belt" approach to inspection involving such things as the placing of seals on reactor fuel chambers. It has toyed with the "slaughterhouse" approach of stationing inspectors in fuel fabrication factories, even though they may be fallible, foolable, or corruptible. In the end, it probably will be determined that adequate inspection requires a "dehumanizing" approach involving the invention of complicated, tamperproof, computerized monitoring instrumentation and its installation on a worldwide scale, wherever nuclear and nuclear-related activities are carried on. Then it will be rediscovered that Communist countries will tolerate neither part nor parcel of such goings on within their borders.

MINNESOTA STATE LEGISLATURE ASKS RESTORATION OF HIGHWAY CONSTRUCTION FUNDS

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Nelsen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. NELSEN. Mr. Speaker, I submit for inclusion in today's Record a copy of a resolution of the Legislature of the State of Minnesota memorializing the President, the Congress, and the Secretary of Transportation to maintain the Federal highway program at its 1966 levels.

I include the resolution, together with its letter of transmittal from the secretary of state, in the Record at this point in my remarks:

Office of the Secretary of State,
St. Paul, Minn., February 17, 1967.

To the President of the United States; Senators in Congress from Minnesota; Representatives in Congress from Minnesota; the Vice President of the United States; chairman of the Finance Committee of the U.S. Senate; chairman of the Commerce Committee of the U.S. Senate; the Speaker of the House of Representatives of the United States; chairman of the Ways and Means Committee of the House of Representatives; chairman of the Public Works Committee of the House of Representatives; and the Secretary of Transportation of the United States:

I have the honor to transmit, as requested by the Legislature of the State of Minnesota, Resolution Number 2 Memorializing the President, the Congress and the Secretary of Transportation to Maintain the Federal Aid Highway Program at its 1966 Levels.

This Resolution and Memorial passed the Senate on February 6, 1967 by a vote of 62 ayes, 2 nays, and passed the House of Representatives on February 14, 1967 by a vote of 130 ayes, 0 nays, and was signed by the Governor of Minnesota on February 17, 1967.

Respectfully yours,

Joseph L. Donovan,
Secretary of State of the State of Minnesota.

S. F. No. 289

[Introduced and Read First Time Jan. 26, 1967, by Messrs. Larson and McCarty, Referred to Committee on Public Highways. Reported Back Jan. 27, 1967. To Pass. Read Second Time Jan. 27, 1967.]

A resolution memorializing the President, the United States Congress and Secretary of the Department of Transportation to maintain the Federal-aid highway program at its 1966 levels

Whereas, the Bureau of Public Roads of the Department of Transportation in late November of 1966 advised all states of a cut in their authority to obligate Federal Aid Highway Funds for fiscal 1967 as well as a retroactive prohibition on obligating any funds not yet obligated from previous apportionments as of June 30, 1966; and

Whereas, the State of Minnesota had $23,100,000 authorized, but not released for obligation as of June 30, 1966, and an additional appropriation of $102,300,000 was made in October 1966, making a total of $125,400,000 of which only $76,400,000 is now available for obligation during this fiscal year, a reduction of $49,000,000; and

Whereas, improvements in Minnesota's highway program are essential to the economic growth and development of Minnesota, and vital to our national defense program, curtailment of less essential programs should be considered; and

Whereas, the State of Minnesota has geared its highway planning and steadily increasing construction in reliance on the promises, announced policies, budgets, statutes and urgings of the federal government; and

Whereas, the private construction industry has increased its employment and capital investments to meet anticipated highway department programs; and

Whereas, the Federal-Aid cut will create employment difficulties in both state government and private industries as well as losses in capital investments; and

Whereas, the Federal-Aid cut will severely curtail this state's efforts to achieve an adequate state highway transportation system and to fulfill its obligations to complete its portion of the interstate highway system; now therefore,

Be it resolved, That the Senate and House of Representatives of the State of Minnesota do respectfully urge the Congress of the United States do at the earliest possible time devise and approve legislation which will restore all Federal-Aid Highway Funds to the levels in effect and contemplated in November 1966, prior to the cut back.

Be it further resolved, That the Secretary of State of the State of Minnesota transmit copies of this memorial resolution to the President of the United States, to the Senators and Representatives from the State of Minnesota, to the Vice President, to the Chairmen of the Committees on Finance and on Commerce of the Senate, to the Speaker and the Chairmen of the Ways and Means and Public Works Committees of the House of Representatives and to the Secretary of the Department of Transportation.

LOCAL SUPPORT FOR THE HUMAN INVESTMENT ACT

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. McDonald] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. McDONALD of Michigan. Mr. Speaker, last week one of the leading feature writers for the Detroit Free Press, Judd Arnett, endorsed the spirit of the recently introduced Human Investment Act. I feel it aptly indicates a growing realization that the Federal Government cannot effectively assume sole responsibility in solving the many complex problems facing our Nation.

The article referred to follows:

An Industry Job Corps?

(By Judd Arnett)

In the Sunday edition of this megaphone of free speech our Glenna McWhirter, who writes like an angel and resembles one somewhat unleashed a study on the War on Poverty in Oakland County.

Mickey, as we call her hereabouts, found that during 1966 the two Oakland "Opportunity Centers" charged with meeting the needs of the people procesed 3,211 clients. Of these, 1,152 wanted jobs.

Most of them did not find employment, nor could it be found for them. Why not? Let us move on to Marie Johnson, a Negro leader quoted in the story:

"The poverty program here has made no efforts to meet the major needs of the poor, which are for jobs and better housing. People are sent to the Michigan Employment Securities Commission and MESC sends them home, because they have no training or skills. Nothing has been done for job training."

With few exceptions, what you have just read stands as a nationwide indictment of the War on Poverty—it hasn't been able to upgrade the skills of those, the great majority of the underprivileged, who want and need gainful employment. To perhaps even a greater degree, other government programs in the past have also failed.

Again—why? The notion is entertained here that the reason for failure may be found in the fact that private industry has never been seriously enrolled in a massive attempt to train those eager for new skills. Instead, various efforts have been made to "go it alone," to set up separate centers with instructors recruited from the work force, and too often the equipment has been inadequate and the courses offered out of concert with the actual needs of industry.

What would be wrong with the government approaching industry—General Motors, Chrysler, Ford, General Electric, Burroughs, U.S. Steel and all the other giants—along this line:

"Thousands of Americans need the job training and the skills you could teach them. In turn, you need a reservoir of competent workers, ready to step into jobs as retirement and other forms of attrition make these openings available.

"Therefore, the government will pay you to train these people. They are not to engage in actual production, nor are they to compete with workers already employed. But there are many procedures, many skills they can gain from both observation and instruction, and in your machine shops and technical areas there are many doors to be opened for them. Please help in solving America's most pressing problem!"

Would industry respond? Who knows?—they have never been asked! And there are, of course, many problems to be considered, including the accomplishment of meaningful training without the interruption of normal production.

But generally speaking, industry has met greater challenges. I think, too, there is some feeling of responsibility for those who have been cast aside because of automation and other factors.

Anyhow, under my government, friends, we would give this wildeyed scheme a whirl! In view of where we are and where we are headed, what would we have to lose?

JUDGE EDWARD CONNOR

Mr. PETTIS. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. McDONALD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. McDONALD of Michigan. Mr. Speaker, the citizens of Wayne County, Mich., as well as his many friends all over this country, mourn today the passing of Judge Edward Connor.

I have known Ed for many years both as a colleague on the Board of Wayne County Supervisors and as a close friend. He has been an invaluable adviser and a notable leader. I only hope that I someday can claim the number and quality of friends and the impressive accomplishments of Judge Edward Connor.

The following remarks on the accomplishments and contributions of the late Judge Edward Connor of the Wayne County recorders court will appear in the March 1967 issue of American County Government, published by the National Association of Counties:

EDWARD CONNOR—1908–67

Judge Ed Connor, President of the National Association of Counties, passed away on Saturday, February 18, 1967, following heart surgery. At the time of his death he was Judge of Wayne County Recorders Court, a position he assumed on January 2, 1967.

Prior to his judgeship he had served as Councilman of the Detroit City Council since 1948, having been reelected to that post some six times. He served a term as President Pro Tem of the council.

Under Michigan law, a Detroit City Councilman also serves as a Supervisor of Wayne County. Judge Connor so served for nearly two decades. He served as Chairman of the Board of Supervisors from 1954 to 1958 and had a second term in 1964.

In April, 1964, President Lyndon B. Johnson reappointed Judge Connor to represent counties on the 26-member Advisory Commission on Intergovernmental Relations. He was an original member of that body with his appointment by President Dwight D. Eisenhower in December, 1959, and was reappointed by President John F. Kennedy in 1962.

He was appointed by the Surgeon General of the United States in February, 1963, to the 15-member Advisory Committee on Urban Health Affairs. In December, 1963, Judge Connor was appointed to the National Advisory Environmental Health Committee of the Surgeon General.

Judge Connor served as Chairman of the Board of Directors of the Michigan State Association of Supervisors and was reelected to a new term on the Board in January, 1967. He served as a member of the Urban Development Committee of the Michigan Municipal League; a Trustee of the Metropolitan Fund, Inc.; and Director of Forum for Detroit Area Metropolitan Goals.

Judge Connor served as a member of the Detroit Metropolitan Area Regional Planning Commission, to which he was first appointed by Governor Kim Sigler and was subsequently reappointed for six consecutive terms, including one year as its Chairman.

He was the father of the Supervisors Inter-County Committee, organized in 1954, and served until 1958 as its first chairman. He was reelected Chairman in April, 1964. The Supervisors Inter-County Association is the organization through which the Boards of Supervisors of Wayne, Oakland, Macomb, Monroe, Washtenaw and St. Clair Counties deal with metropolitan area problems.

In 1960, Judge Connor was an unsuccessful candidate for the Democratic nomination for Governor of Michigan.

Judge Connor made many major contributions to the development of the National Association of Counties (NACO). He was prime mover in the organization of NACO's first Urban Affairs Committee; the First and Second Urban County Congresses; the First National Legislative Congress; the securing of the Ford Foundation Urban Information Reporting and Technical Advisory Service grant and many other developments. He keynoted NACO's 1960 conference in Miami and served as General Conference Chairman of NACO's 1959 conference in Detroit. He was first elected to the NACO Board in 1959. In 1962 he was elected fourth Vice President and was elected as President in July, 1966, at the National Association of Counties Regional Problems Congress in New Orleans.

Judge Connor served on numerous state agencies, including the State Apprenticeship Board of Indiana. By appointment of former Governor G. Mennen Williams, he served as Chairman of the first Housing Study Commission in Michigan; Chairman of the Michigan State Technical Committee on Public Works in the Civil Defense Organization; Member of the Michigan Commission on Intergovernmental Relations; Member of the State Committee of water, sewer, drainage and water rights problems in Michigan; Member of the Governor's Study Commission on Metropolitan Problems. Former Governor Swainson appointed him as member of the Constitutional Convention Citizens' Advisory Committee on Local Government.

EDUCATIONAL AND PROFESSIONAL BACKGROUND

He received an A.B. degree from the University of Notre Dame in 1930. He was employed in an industrial plant and in sales while studying law at the University of Notre Dame. He was admitted to the Indiana bar in 1935, and the Michigan bar in 1951.

Judge Connor served in a number of executive positions in federal agencies from 1935 until 1943, including State Supervisor of Adult Education for the Public Works Administration, as analyst of community needs in the War Public Services Division of the Federal Works Agency, and with the Chicago Regional Office of the War Manpower Commission.

He was appointed in 1943 and served until 1948 as Executive Director of the Citizens' Housing and Planning Council, later known as Future Detroit, Inc., a private agency supported by the Community Chest, and later by labor and industry, to develop a better metropolitan community.

He was one of the founders and a former director of Public Bank, Detroit.

FAMILY BACKGROUND

Judge Connor was born in Chicago in 1908. He married the former Hilda Radermacher in 1930. He is survived by three children: Edward, Michael, Patricia. The Connor family lives at 19321 Greydale, Detroit.

AFFILIATIONS

Honorary member of:
The 425th Infantry Officers' Mess, Detroit.
Detroit Cooks' Union Local 234, AFL.
Local 1324, International Brotherhood of Longshoremen, AFL.
Michigan Society of Architects.
Association of Retired Detroit Police Officers.
Detroit Police Lieutenants' and Sergeants' Association.
Governmental Accountants and Analysts Association.
St. Lawrence Seaway Pioneers.
Sgt. Stanley Romanowski Post 6986, V.F.W.
Honorary president of AFSC&ME, Local 836, City of Detroit Professional Recreation Employees.

Member of:
Knights of Columbus, Geo. F. Monagham Council.
Detroit Archdiocesan Council of Catholic Men's Committee on Civic and Social Action.
State Bar of Michigan.
Notre Dame Law Association.
Notre Dame Club of Detroit.
Catholic Lawyers Society.
Gaelic League.
Knights of Equity Court Six.
Loyal Order of Moose.
Detroit Lodge No. 34, B.P.O. Elks.
Local 189, American Federation of Teachers, AFL–CIO.
Old Newsboys' Goodfellow Fund of Detroit.
Detroit and Michigan Artists Memorial, Inc.
Detroit Press Club.
National Association for the Advancement of Colored People.
Wayne County Civic League.
17th District Democratic Organization.
Democratic State Central Committee.
Democratic National Committee.
Father Stapleton's Boys.
Tuberculosis and Health Society.
International Fraternity of Delta Sigma Pi, Gamma Rho Chapter.
Ancient Order of Hibernians.
Trade Union Leadership Council, Inc.
First Friday Club of Detroit.
Catholic Youth Organization.
Board of Trustees of Detroit Conservatory of Music.
North Redford Association, Inc.

PROPOSED GENERAL REVISION OF THE PATENT LAWS

Mr. KASTENMEIER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, I am, today, introducing the administration's bill calling for general revision of the patent laws.

President Johnson's economic message for 1967 promised a long-overdue modernization of the U.S. patent system. The term "long overdue" was well chosen, because it has been more than 100 years since the last major overhaul of our patent laws. In that period, our economy has changed from one based predominantly on agriculture to one based predominantly on manufacturing and service industries.

There is no doubt that the patent system has served us well in the past. It is part and parcel of our free enterprise economic system, with incentives for the individual and the businessman to build a better mousetrap. But is the patent system adequate for our present day needs and is it adequate for the tasks of tomorrow? To find the answers to these questions, the President appointed a number of distinguished private citizens and public officials to form a special Commission on the Patent System. Its mission was to find out how well the current system is meeting our national and international goals, to look for any possible improvements, and to come up with changes the Commission felt necessary to strengthen the patent system.

After a lengthy and painstaking study, the Commission submitted its report to the President, making a number of specific recommendations. The draft legislation sent to the Congress by the President today is based upon the recommendations of the Commission.

I am pleased to introduce this legislation, and I sincerely urge all the Members to give their close scrutiny, their careful consideration, and ultimately, I trust, their solid support to this important step for modernization of the patent system.

The purpose of the legislation is to, first, raise the quality and reliability of U.S. patents; second, reduce the time and expense of obtaining and litigating patents; third, accelerate the public disclosure of new technology; and fourth, harmonize our patent system with the practices of other nations, with the long-range goal of an international patent system. Under an international patent system, a single application would lead to protection for the inventor in many countries around the world.

I should like to point out, for the benefit of the Members, that this legislation deals with the procedures of the Patent Office, with the mechanics of the patent system. It is completely separate and apart from the question of Government patent policy, about which we have heard so much. The question of Government patent policy is concerned with the rights to inventions arising out of research and development projects funded by the Federal Government. The bill I have introduced is intended solely to make patent procedures capable of meeting the demands of modern American society.

Patents are provided for by the Constitution. They have helped bring this Nation to the technological leadership of the world. I believe we must now do our part and enact legislation to assure that our rapidly changing science and technology are supported by a patent system that can also change with the times.

NATIONAL SERVICE LIFE INSURANCE

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. OTTINGER. Mr. Speaker, on January 10, 1967, I introduced a bill—H.R. 1020—to raise the limits of life insurance for our Armed Forces from $10,000 to $25,000. Since I first took up this issue in the 89th Congress, support has been steadily growing. I was very heartened to see that the President endorsed the need for an increase in his January message to Congress on "America's Servicemen and Veterans."

This Nation first took steps to make adequate life insurance coverage available to veterans in 1917, when we entered World War I. At that time, 50 years ago, it was felt that the Nation should make a maximum of $10,000 available to the men that were being asked to fight and die in our defense.

The $25,000 increase proposed in my legislation is reasonable and equitable. It is simply taking $10,000 in 1917 dollars and adjusting it to the cost of living index of today. In other words, $10,000 in 1917 dollars equals $25,000 in 1967 dollars.

This is a conservative proposal. It will not change any part of the existing program. It merely gives back to our service men and women what inflation has taken from them during the last 50 years. This bill will not put the Government in the life insurance business. The present program issues life insurance with the cooperation of over 500 private life insurance companies and it will remain this way.

My proposal will provide for five things:

First, it will raise the present maximum limits of insurance from $10,000 to $25,000. This will be available to all men and women serving in our Armed Forces, regardless of years of service or rank.

Second, the entire life insurance program will remain completely voluntary. No person will be forced to buy anything that they do not want. The serviceman may waive the insurance entirely, or he may choose to insure himself in lesser amounts than $25,000, in multiples of $5,000.

Third, a serviceman who has previously chosen to have reduced coverage or to waive the insurance may avail himself to the $25,000 insurance by just passing a physical exam. In this way the serviceman and his dependents will not face undue hardships from lack of life insurance upon a transfer overseas, or because of a mistake in judgment.

Fourth, all persons entering the Armed Forces will automatically be insured for the full amount, unless they choose otherwise.

Fifth, the life insurance will be convertible upon leaving the service, and the serviceman will be able to have his converted policy with the same private company that insured him in the service.

The present group life insurance premium per month for the serviceman is $2 for $10,000 of coverage. This is computed as the serviceman's share of the premium for life insurance group rates, without the war risk premium. The Government pays the war risk part of the premium. The same principle would be carried forward under my program.

Last September, Congressman Paul H. Todd, Jr., who first sponsored the measure, said:

> I believe that it is wrong to ask a person to serve his nation only to have him find his nation unwilling to make realistic life insurance protection available for his family.

Mr. Speaker, I feel that we must work to make this measure law so that our servicemen may be confident that their families will have adequate protection.

NEED TO REVISE THE SELECTIVE SERVICE LAW—XXII—THE NEGRO AND THE DRAFT

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. KASTENMEIER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. KASTENMEIER. Mr. Speaker, I had reported previously on the percentage of nonwhite conscription into the Army with a sectional analysis of recruiting districts and Army areas during the months between July 1965 through May 1966.

Now, I wish to focus on an examination of the nonwhite draft rates by several individual induction centers throughout the United States. For example, the 31 Louisiana parishes making up the induction center, whose headquarters is at New Orleans, contain a Negro male population, ages 18½ through 25, of about 32 percent of the total male population in that age group. This is based on the 1960 census figures. The nonwhite induction rate between July 1965 through May 1966, however, was 43.4 percent of the total inductions. Similarly, the counties within the boundaries of the Oakland, Calif., induction center have a Negro population of 5.3 percent. The total nonwhite population, according to the 1960 census, comprises some 8.8 percent. Yet, the nonwhite conscription rate was 13.3 percent between July 1965 through May 1966.

Other examples are as follows:

Induction center	Negro population percent 1960 census	Nonwhite draft percent July 1965–May 1966
New Haven, Conn	4.2	9.2
Jackson, Miss	40.2	45.6
Raleigh, N.C	33.7	39.0
Houston, Tex	21.0	35.4
Shreveport, La	32.7	41.3
Coral Gables, Fla	16.3	27.5
Richmond, Va	27.3	37.0
Jacksonville, Fla	21.5	27.0
Fort Jackson, S.C	35.5	43.8
New York, N.Y	11.2	14.4
Los Angeles, Calif	5.9	10.1

The reasons for high nonwhite draft percentages are several and they shall be dealt with in future statements.

SHOWING THE INTEGRATED FLAG

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. FRASER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. FRASER. Mr. Speaker, the February 11 issue of the Economist published the best summary I have read on the visit of the U.S. aircraft carrier *Roosevelt* to Capetown, South Africa. I will include it in the RECORD with my remarks for the benefit of the Members.

Following the *Roosevelt* incident the missile-tracking ship *Sword Knot* was diverted from Durban, South Africa, to Mombasa, Kenya. This is consistent with U.S. opposition to apartheid. I hope the State and Defense Departments will continue this policy of finding ports other than in South Africa in which our ships can be serviced and our men enjoy shore leave.

The article follows:

SHOWING THE INTEGRATED FLAG

Some say that the American aircraft carrier *Franklin D. Roosevelt* should never have docked at a South African port, others that it should and that, once at Cape Town, the Navy should have been allowed to behave as it would in any other friendly port. Nobody says that the ship should have made the visit without letting the men go ashore. This is what happened last weekend, but nobody planned it so; the Administration was pushed this way and that and ended up in a position that annoyed everybody and pleased no one.

Now that it is over it is obvious enough that a visit to the land of racial apartheid by a great warship, having in its complement of 3,700 men a cross-section of Negroes and whites not very different from the population of the United States itself, was bound to be a political event. A precedent existed in the affair of another aircraft carrier, the *Independence*, which was to have made a similar refueling stop at Cape Town in May, 1965. Dr. Verwoerd, who was South Africa's Prime Minister at the time, laid down racial conditions which the United States refused to accept, the visit was called off and the *Independence* refueled at sea. Since then the Navy has been chafing at having its movements interfered with; some of its smaller ships, tankers and the like, have continued at call at Cape Town from time to time with their crews respecting local law and custom when they went ashore. But little ships get little attention.

During this period the State Department appeared to interpret its policy as being a more definite stand on principle than it actually was. In particular, Mr. G. Mennen Williams, then Assistant Secretary of State for African Affairs, took a position of principle when he expounded to a subcommittee of the House of Representatives in March, 1966, what the Administration was doing to express its disapproval of apartheid. Mr. Williams told the subcommittee that "calls" (in the plural) in South Africa by American naval ships and aircraft had been cancelled "rather than accept the application of racial conditions to our personnel." The liberals in Congress took his statement to mean what it said. This accounts for the vehemence of their indignation last week when they learnt that another big ship was to stop at Cape Town in circumstances in which, quite obviously, "racial conditions" were going to be firmly applied to any men who went ashore. Either they had been deceived or there had been a backsliding.

Probably they had been deceived. Mr. Williams himself certainly meant what he said. Now out of office, he said last weekend that he thought that the case of the *Independence* had established a principle which he felt had been departed from. But the Administration points out that the sticking point in the difference with South Africa about the *Independence* concerned the ship's operations, not the social activities of its crew. Dr. Verwoerd had made it a condition of the visit that racially mixed aircrews from the carrier should not land at South African airfields. This was the principle that the United States rejected.

Confronted by angry liberal Congressmen with Mr. Williams' words of last March, the Administration said that he had not been generalising but had been talking about the particular case of the *Independence*. The congressional critics do not believe this nor, obviously, does Mr. Williams. But the statement was drafted for him, no doubt, with the usual paper-passing between departments and the usual concern to avoid offence to opposite schools of thought. While this went on the Navy was going as it thought fit. It is perhaps fair to conclude that the Administration was papering over the gap between those who felt that disapproval of apartheid should be expressed in a definite policy about visits of ships to South Africa and those who wanted the Navy's operational convenience to go unrestricted.

If this was the game, it worked well enough until the time came for the *Franklin D. Roosevelt* to leave Vietnam at the end of a tour of war duty and return to its home port in Florida. Geography said that the best route was westward and round the Cape of Good Hope. The ship's cruising range dictated refuelling somewhere in the region of southern Africa. At 62,000 tons she is too big for most ports; the French have a naval base in Malagasy which might have done, but the French are unwilling to give facilities for any American military movement connected with the war in Vietnam and so they were not even asked. In the name of economy the Navy preferred not to refuel at sea by tanker, which would have cost an extra $250,000 or so. It was also not averse to reasserting the principle that operational convenience, not politics, ought to come first.

It may as well be admitted that American sailors like Cape Town and that Cape Town likes American sailors, or did until last weekend. Some South Africans felt that Dr. Verwoerd had gone too far with his stipulations for the *Independence* visit and they prepared to make the visit of the *Franklin D. Roosevelt* the occasion for a friendly demonstration of hospitality. The visit might have gone through without a hitch, shore liberty, segregated social life and all, but for the coincidence that while the *Franklin D. Roosevelt* was ploughing the Indian Ocean the American Negro Leadership Conference on Africa held its annual meeting in Washington. Aware of this meeting, the African specialists in the State Department warned the relatively new Under Secretary, Mr. Nicholas Katzenbach, that, if he gave in to the wishes of the Navy and agreed to the visit, he would have a row on his hands. As a former Attorney General, Mr. Katzenbach was well able to appreciate that the Negro leaders would not like it. But the pressure from the Navy Department was strong and the arguments of economy and convenience prevailed.

When the Negro Conference on Africa opened on January 26th, Mr. A. Philip Randolph, the old Negro labour leader, questioned the rightness of the visit in his keynote speech. Before the conference ended Mr. Katzenbach came to explain the Administration's position, but when he mentioned the extra cost of refuelling at sea as an argument for stopping at Cape Town he met nothing but scorn; the Negro leaders saw a principle at stake and refused to accept that the principle was too dear at $250,000. An indignant resolution was passed and the row was on. But by now it was too late to make other refueling arrangements.

The row then shifted to Congress, where last week a group of liberals drafted a letter of protest to President Johnson; this got 41 supporters. Probably these liberal Congressmen are in a minority nowadays when it comes to demanding a strong stand of principle against South Africa or, for that matter, against the Smith regime in Rhodesia. But, after the assurances they had had from Mr. Mennen Williams and after the President's own high-principled and sympathetic speech to the African Ambassadors in Washington last May, they could make a fair case that the Administration was letting them down. On February 3rd, the day of the ship's arrival at Cape Town, a deputation of them went to the Pentagon to see the Deputy Secretary of Defence, Mr. Vance, and the Secretary of the Navy.

The deputation consisted of men who believe that naval visits to South Africa are wrong and ought to be stopped. As one of them said, "If South Africa were Red China, arrangements would be made to refuel at sea." By this time it was impossible for Mr. Vance to meet their wishes, but he announced a concession. The crew, he said would be allowed "modified shore leave in connection with integrated activity only" and orders to that effect were sent off to the captain of the *Franklin D. Roosevelt*. Not much is available in Cape Town in the way of racially integrated leisure pursuits and the captain presumably decided that the new order was unworkable; his reaction was to cancel shore liberty altogether. He did hold open ship to huge crowds of visitors, naturally including many pretty girls, to whom the sailors, marines and airmen of whatever colour declared freely their chagrin at not being allowed ashore. He also allowed a party made up of both races to march off together to a blood bank, where their blood was packed in containers and duly ticketed with its racial origin.

Naturally the last thing that the liberal Congressmen want is to be labelled as having denied these men shore leave on their way home from the war. But this was the way it worked out for the liberals. One of their chief enemies, Representative Mendel Rivers of South Carolina, who is not only a white supremacist but also chairman of the Armed Services Committee of the House, has had a field day. Demanding to know what kill-joy struck this blow at the morale of the "battle-weary" servicemen, he urged that the guilty authority should be rebuked, made to apologise and then summarily sacked. One of the liberals retorted that the thing to do was for the Navy to make its fuelling and shore liberty arrangements "where our servicemen can be treated with honour and dignity." The liberals stand by this position, but the feelings of many of them are mixed. A Negro journalist and former member of the Administration, Mr. Carl Rowan, said in a broadcast that the crew of the *Franklin D. Roosevelt*, including the Negroes among them, would have had a friendlier reception ashore in Cape Town than they can expect at their destination and home port in Florida.

As is customary the Administration declares its policy, whatever that may be, to be unchanged. On the face of things it does appear to have been edged into a somewhat harder attitude than before towards dealings with South Africa in which the race laws may touch American servicemen and, by extension, American officials. There is uncertainty how far this hardened attitude will hold good for the future. Some think that the Navy will get its revenge. But the Negro movements and their liberal sympathisers will be watching the Administration's dealings with South Africa more closely than they did. A falling-out with South Africa is something that the Administration certainly did not want, particularly at the present moment when it is hoping, if not for real co-operation, at least for tactful restraint on the part of the South African government in its reaction to the United Nations' sanctions against Rhodesia.

MUTUAL FUNDS

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. HANNA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. HANNA. Mr. Speaker, another class of consumers which the President's message considers is the over 3.5 million persons who have bought tens of billions of dollars of mutual fund securities with their savings. Viewing the Nation's investors as consumers is consistent with the Congress' long-established recognition of the need for investor protections if persons relatively unfamiliar with the intricacies of finance are to have confidence in the Nation's securities markets. The Securities Act of 1933 established disclosure as a hallmark of investor protection. The Securities Exchange Act of 1934, and amendments of it, provided antifraud measures and regulatory controls over the exchange markets and over-the-counter securities markets. The Investment Company Act of 1940 supplied additional regulatory protections for persons who invest in American business through the medium of investment companies.

The report of the Securities and Exchange Commission on "Public Policy Implications of Investment Company Growth" is the first major report on investment companies by the SEC to the Congress in 27 years. It found that the mutual fund industry's dramatic growth, to an extent unforeseen in 1940, presents problems which call for improved measures for investor protection. The Commission's thoughtful and detailed analysis and its suggestions for legislation deserve and undoubtedly will receive careful consideration from the Congress as will the views of members of the securities industry and of the investing public.

The mutual fund industry currently represents 6 percent of the total investment capital in the principal financial markets. In sum, mutual funds represent assets of over $38 billion. Numerically, the mutual funds rank fourth, behind banks, insurance companies, and trust and pension funds, in total assets. They represent the second largest holder of stocks. I present these statistics to give an indication of the massiveness of the financial juggernaut of which we are speaking. I think these statistics clearly belie the general impression that mutual funds are a relatively new and rather small industry. New they are. Small they are not.

The relative newness of mutual funds has caused them to be relatively free from regulation. Their practices and profits are not subjected to the same scrutiny and review as are the practices of other institutions of similar standing in the financial industry.

However, it does not follow that because they are large they necessarily should be closely regulated. What does follow—and I hope this message will lead to it—is the recognition of the fact that this industry's role in the economy has not been fully assessed.

It should be our objective in analyzing this message to make a full and complete review of the part played by the mutual fund industry in our Nation's economy. In this view, I think the proper focus of our deliberations on this subject should be to pose the question: Is the size of the profit margin accorded mutual fund managers warranted by their contribution to the public interests? The question is framed in this manner because it is clear that mutual funds currently have a substantial incentive to expand their operations—the authorization to apply a "very heavy front-end load," up to 50 percent of the first-year payments made by the purchaser. This gives them a significant profit incentive. An advantage which other, competitive institutions do not enjoy. We must, therefore, ask ourselves whether, as a matter of public policy, this advantage should be given mutual fund administrators. We must inquire as to whether there is some singularly valuable contribution that these individuals make which entitles them to this favored status.

The President is to be congratulated for recognizing that reevaluation of the need for additional regulation is a question affecting the national public interest and calling for our attention.

EQUAL RIGHTS FOR WOMEN

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. WOLFF] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. WOLFF. Mr. Speaker, despite the great strides we have made in this century toward recognizing the inherent dignity and worth of each individual there are still countless examples in which women are not afforded equal rights. In property rights, inheritance rights, divorce, the right to work for a living, the right to compete on equal terms with all others engaged in the same work, to own and control one's earnings, in education, engage in all lawful occupations, jury service, Government service, employment under Government contracts and other phases of life women are still discriminated against and society is the loser.

I urge the Congress to give constitutional authority to the moral laws of equal rights and adopt the resolution I submit today amending the Constitution by adding that "equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex."

EXTENDING VOTING FRANCHISE

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. MOSS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. MOSS. Mr. Speaker, I speak in support of House Joint Resolutions 18 and 56. We are now in an age of educational opportunity and achievement unmatched in the history of mankind. The involvement of our young people in the mainstream of their government is likewise unparalleled in our history. We are dealing today with an ever increasing early maturation of the young as expressed by the increasing public services they perform.

At the University of California, Berkeley campus in 1964:

First. Students raised $9,062 for Cal Camp, a camp for underprivileged children staffed by 50 volunteer students.

Second. Two hundred and sixty-two students spent 20,000 hours tutoring Berkeley public school students.

Third. Thirty to forty students removed 200 cubic feet of refuse from a Berkeley hillside, removed 200 old tires from Albany mud flat, and cleaned up the east side of Aquatic Park. All volunteer work.

For over 30 years the Cal fraternities have sponsored a big brother program to aid in the rehabilitation of delinquent boys.

The Peace Corps has at one time or another had 791 volunteers enlisted from Cal, far more than any other campus in the Nation. Likewise, VISTA has had 114 Golden Bear volunteers serving.

It has become increasingly apparent that with the arrival of this new found experience and academic achievement has come the entitlement to exercise of the vote. Extension of the voting franchise to the 18- to 21-year-old segment of our citizenry is a natural and logical step in the development of our democratic society.

OUR OUTDOOR RECREATION CHALLENGE

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. O'HARA] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. O'HARA of Michigan. Mr. Speaker, all of us, particularly those who live in the cities and suburbs of America, know well the value of outdoor recreation opportunities—the chance to get away from it all. But, unfortunately, as our numbers increase, the opportunities for outdoor recreation seem to decrease. Growing population and affluence, more leisure time and greater mobility are combining to make existing outdoor recreation facilities inadequate.

In his 1965 message on natural beauty, President Johnson pointed out:

> A growing population is swallowing up areas of natural beauty with its demands for living space and is placing increased demand on our overburdened areas of recreation and pleasure.

Then, just last month, the President reminded us in his message on protecting our national heritage that "we must act promptly to assure that we can acquire needed recreation lands." I thoroughly agree.

Since 1946, the use of national and State park and forest systems has increased nearly 2½ times. In the next decade, recreation demands will outstrip population growth by at least two to one.

These demands are creating something of an outdoor recreation crisis, and it is particularly acute in urban areas. A large part of our existing recreation facilities—most national and State parks and nearly half our local parks—are located in rural areas, out of easy reach for many city dwellers.

The great majority of our fellow citizens live in urban and suburban communities, and the number is increasing. The noted planner, Constantinos Doxiadis, estimates that urban and suburban areas will contain more than 90 percent of our population within 35 years, compared with about 70 percent today.

Macomb County, Mich., in my congressional district, illustrates clearly the recreation demand created by rapidly growing urban and suburban populations. Today, more than half a million persons live in Macomb County. By 1970, the population will exceed 600,000. Ten years later, it is expected to reach 860,000. Yet Macomb County's recreation facilities, which also help meet the needs of neighboring areas, are about adequate for an area with a population of 400,000, assuming normal use.

The outdoor recreation problem in urban-suburban areas is complicated by the increasing difficulty of obtaining land for parks, and land costs are escalating at a rate of 10 percent a year or more. Land which might otherwise be used for recreation development is being used for other purposes—for homebuilding; for construction of office buildings; for highways, sidewalks, parking lots; for almost everything but recreation development.

Our available land is disappearing. As much as 1 million acres of undeveloped land is developed each year, and the costs of developed land for outdoor recreation are virtually prohibitive—nearly nine times those of acquiring undeveloped land.

The Federal Government, I am pleased to say, has not stood still in the face of the outdoor recreation challenge. Congress has expanded the national park, forest, and seashore systems; we have enacted the Land and Water Conservation Fund Act, the open spaces land program and other measures to increase and improve the recreation opportunities available to the people of our country.

But only one Federal program—open spaces—is designed particularly to help meet the recreation needs of areas with higher densities of population. And, in my opinion, this program does not go far enough—or fast enough.

Mr. Speaker, in order to meet the needs of our population in the 1970's and the 1980's, we will need greatly expanded recreation opportunities, and I mean opportunities where the people are—not hundreds of miles away or across the country where the average working man or woman may not be able to enjoy them.

Do not misunderstand me—we do need our great national parks; our wilderness and primitive areas; our national forests, lakeshores, and seashores. But we also need playgrounds; neighborhood parks; ball diamonds, swimming pools, and tennis courts, and other local recreation facilities.

I shall continue to support—and I urge others to support—efforts to expand and improve our national parks and other larger outdoor recreation areas. As a new member of the Interior Committee, I am looking forward to the opportunity to work even more closely in this vitally important legislative area.

But I am disturbed, Mr. Speaker, that we are not doing more for our fellow citizens in the cities and suburbs who may not be able to get away to visit a national park or a national seashore. We should be moving forward with a comprehensive program to help local communities do a better job of acquiring and equipping recreation areas in urban areas. And we should move forward now, not wait for land prices to rise to prohibitive levels and then complain that we cannot afford it.

With these thoughts in mind, I am today introducing legislation to expand and improve the open spaces land program. My bill would improve the program in three ways:

It would increase the authorization for land acquisition and development, add to the types of facilities for which development funds may be used and permit the use of development funds on land other than that acquired under the open spaces program.

Mr. Speaker, I hope my bill or similar legislation will be favorably considered by the 90th Congress, and I insert the text of the bill H.R. 5865 at the conclusion of my remarks:

H.R. 5865

A bill to amend title VII of the Housing Act of 1961 to authorize Federal grants under the open-space land program for the development and redevelopment of existing open-space land and for the acquisition of outdoor and indoor recreational buildings, centers, facilities, and equipment, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 701(b) of the Housing Act of 1961 is amended by inserting ", for the development and redevelopment of existing parks, recreation areas, and other open space," after "the Nation's urban areas".

Sec. 2. Section 702(a) of the Housing Act of 1961 is amended—

(1) by inserting before the period at the end of the first sentence thereof the following: ", or the development or redevelopment, for open-space uses, of existing open-space land";

(2) by inserting after the first sentence thereof the following new sentence: "Development or redevelopment of land (whether acquired under this title or existing at the time of such development or redevelopment) for open-space uses may include (1) the purchase, construction, renovation, and rehabilitation of recreational buildings and other outdoor or indoor recreational centers or facilities, whether housed or not, which complement the parks and recreational uses to be made of the land; and (2) the acquisition of equipment, which may include built-in equipment and the necessary enclosures, as well as any other items, such as suitable furniture and playground and athletic equipment, which are necessary for public utilization of the recreational opportunities that are available at such recreational buildings, centers, or facilities."; and

(3) by striking out "and development" in the second sentence thereof and inserting in lieu thereof ", development or redevelopment".

Sec. 3. Section 702(b) of the Housing Act of 1961 is amended—

(1) by striking out "$310,000,000" and inserting in lieu thereof "$620,000,000"; and

(2) by striking out $64,000,000" and inserting in lieu thereof "$128,000,000".

Sec. 4. The last sentence of section 705 of the Housing Act of 1961 is amended to read as follows: "Grants under this section shall not exceed 50 per centum of the cost of acquiring such interests, the necessary demolition and removal of improvements, and acquiring recreational buildings, centers, facilities, and equipment."

THE PRIVATE CALENDAR OF THE HOUSE

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. Boland] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. BOLAND. Mr. Speaker, I would like to take this opportunity to set forth some of the history behind, as well as describe the workings of, the Private Calendar. I hope this might be of some value to the Members of this House, especially our newer colleagues.

Of the five House calendars, the Private Calendar is the one to which all private bills are referred. Private bills deal with specific individuals, corporations, institutions, and so forth, as distinguished from public bills, which deal with classes only.

Of the 108 laws approved by the First Congress, only five were private laws. But, their number quickly grew as the wars of the new Republic produced veterans and veterans' widows seeking pensions and as more citizens came to have private claims and demands against the Federal Government. The 49th Congress—1885–87—the first Congress for which complete workload and output data is available—passed 1,031 private laws, as compared with 434 public laws. At the turn of the century, the 56th Congress—1899–1901—passed 1,498 private laws and 443 public laws—a better than 3-to-1 ratio.

Private bills were referred to the Committee of the Whole House as far back as 1820, and a calendar of private bills was established in 1839. These bills were initially brought before the House by special orders, but the 62d Congress—1911–13—changed this procedure by its rule XXIV, clause 6, which provided for the consideration of the Private Calendar in lieu of special orders. This rule was amended in 1932 and then adopted in its present form on March 27, 1935.

A determined effort to reduce the private bill workload of the Congress was made in the Legislative Reorganization Act of 1946. Section 131 of that act banned the introduction or the consideration of four types of private bills: First, those authorizing the payment of money for pensions; second, for personal or property damages for which suit may be brought under the Federal tort claims procedure; third, those authorizing the construction of a bridge across a navigable stream; or, fourth, those authorizing the correction of a military or naval record.

This ban afforded some temporary relief but was soon offset by the rising postwar and cold-war flood of private immigration bills. The 82d Congress—1951–52—passed 1,023 private laws, as compared with 594 public laws. The 89th Congress—1965–66—passed 473 private laws and 810 public laws.

Under rule XXIV, clause 6, the Private Calendar is called the first and third Tuesdays of each month. The consideration of Private Calendar bills on the first Tuesday is mandatory unless dispensed with by two-thirds vote. On the third Tuesday, however, recognition for consideration of the Private Calendar is within the discretion of the Speaker and does not take precedence over other privileged business in the House.

On the first Tuesday of each month, after disposition of business on the Speaker's table for reference only, the Speaker directs the call of the Private Calendar. If a bill called is objected to by two or more Members, it is automatically recommitted to the committee reporting it. No reservation of objection is entertained. Bills unobjected to are considered in the House as in Committee of the Whole.

On the third Tuesday of each month the same procedure is followed with the exception that omnibus bills embodying bills previously rejected have preference and are in order regardless of objection. Such omnibus bills are read by paragraph, and no amendments are entertained except to strike out or reduce amounts or provide limitations. Matter so stricken out shall not again be included in an omnibus bill during the session. Debate is limited to motions allowable under the rule and does not admit motions to strike out the last word or reservation of objections. The rules prohibit the Speaker from recognizing Members for statements or for requests for unanimous consent for debate. Omnibus bills so passed are thereupon resolved into their component bills, which are engrossed separately and disposed of as if passed severally.

Private Calendar bills unfinished on one Tuesday go over to the next Tuesday on which such bills are in order and are considered before the call of bills subsequently on the calendar. Omnibus bills follow the same procedure and go over to the next Tuesday on which that class of business is again in order. When the previous question is ordered on a Private Calendar bill, the bill comes up for disposition on the next legislative day.

Mr. Speaker, I would also like to describe to the newer Members the official objectors system the House has established to deal with our great volume of private bills.

The majority leader and minority leader each appoint three Members to serve as Private Calendar objectors during a Congress. The objectors have the responsibility of carefully studying all bills which are placed on the Private Calendar. When the Private Calendar is called, the objectors are on the floor ready to object to any private bill which they feel is objectionable for any reason. Seated near them to provide technical assistance are the majority and minority legislative clerks.

Should any Member have a doubt or question about a particular private bill, he can get assistance from the objectors, their clerks, or from the Member who introduced the bill.

The great volume of private bills and the desire to have an opportunity to study them carefully before they are called on the Private Calendar has caused the six objectors to agree upon certain ground rules. Those rules limit consideration of bills placed on the Private Calendar only shortly before the calendar is called. The agreement is as follows:

> Reaffirming the policy initially adopted on June 3, 1958, the members of the Majority and Minority Private Calendar Objectors Committees have today agreed that during the 90th Congress they will consider only those bills which have been on the Private Calendar for a period of seven calendar days, excluding the day the bills are reported and the day the Private Calendar is called.
>
> It is agreed that the majority and minority legislative clerks will not submit to the Objectors any bills which do not meet this requirement.
>
> This policy shall be strictly observed except during the closing days of each session when House rules are suspended.

The agreement was entered into by the majority objectors—the gentleman from Massachusetts [Mr. BOLAND], the gentleman from Georgia [Mr. DAVIS], the gentleman from Oklahoma [Mr. EDMONDSON]—and the minority objectors—the gentleman from Massachusetts [Mr. CONTE], the gentleman from California [Mr. TALCOTT], and the gentleman from Alabama [Mr. EDWARDS].

I feel confident I speak for my colleague objectors when I request all Members to enable us to give the necessary advance consideration to the private bills, by not asking us to depart from the above agreement unless absolutely necessary.

Also, I respectfully ask on behalf of the official objectors that all committees considering private legislation assist us in meeting our responsibility to the House by reporting the bills sufficiently in advance of the day the Private Calendar is called to enable us to give the bills the study and consideration they deserve. The cooperation of committees in this regard will greatly facilitate the work of the official objectors for the Private Calendar.

PROBLEMS IN CONTEMPORARY LAW ENFORCEMENT

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. HANLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. HANLEY. Mr. Speaker, in February of 1967, as we honor the men and women around the Nation who compose our law enforcement agencies, two momentous events have occurred to underscore the problems in contemporary law enforcement: the report of the President's Commission on Law Enforcement and the Administration of Justice, and the President's unique message to Congress on crime prevention. Never before has this Nation witnessed a more concrete manifestation of the Federal Government's commitment to war against crime and the causes of crime.

My office has been in contact with the major police agencies in my congressional district—the Syracuse Police Department and the Onondaga County Sheriff's Department—and I can assure you there are no more dedicated groups than these. They have told me of their growing alarm over the social disease we call crime and of their sometimes frustrating attempts to combat it with understaffed, underpaid and antiquated departments. One thread runs throughout their commentaries—and I am sure this is the case in every metropolitan area in the country—they simply do not have the financial wherewithal to handle the situation.

Mr. Speaker, no one, least of all myself, wants to see a national police force as such. Our system is predicated on local control of police agencies. The harsh fact remains, however, that the National Government can no longer keep its blinders on while the cities writhe in collective pain.

The President's Commission has put the problem in excellent perspective; the President's message to Congress has shown us some specific vehicles for rectifying the problems; and both Chief William Smith and Sheriff Patrick Corbett have offered me some specific areas capable of improvement.

I think we made a significant breakthrough during the 89th Congress with the enactment of the Law Enforcement Assistance Act. I think also, though, that we only touched the surface.

In conversations between my office and the police agencies in my district, several excellent points have been raised. Contrary to the popular myth that police and sheriff's departments are principally interested in solving crimes, I have come away with the distinct impression that most law enforcement officials are more interested in preventing crimes. Therein must lie the thrust of our efforts—to eradicate the roots of crime. This necessarily entails technical tools, training centers for our law enforcement officials, and additional manpower, not just patrolmen on the beat, but researchers and instructors capable of working with our youth. It means lighting up our streets and cleaning up and expanding our already pathetically inadequate parks and recreation facilities. It means raising the salaries of police personnel to make the jobs attractive to qualified people.

If I may be permitted the liberty of paraphrasing an old axiom: a dollar for prevention is worth more than $10,000 for detection, trial and possible confinement.

I am proud to represent a district whose police and sheriffs are among the most capable and dedicated in the Nation; I am prouder yet over the prospect that this Congress will give these men and women the tools to do a better job.

Aside from the enormous costs involved in crime prevention and detection, there is a broader issue at stake: it is the right of every citizen to the security of both his person and his property. As surely as a society is morally obliged to blot out the causes of crime, so also is it obligated to guarantee the safety of all its citizens. We can measure, on a dollars-and-cents basis, the costs of criminal activities in this Nation; we cannot, however, measure the mental anguish caused by fear for one's personal safety.

The report of the Presidential Commission on the number of people who are afraid to venture out after dark is indeed a frightening item. We have striven, and indeed continue this very hour to labor, to afford our allies peace and security, and yet we are woefully remiss in our labors to guarantee our own citizens the safety of their neighborhoods.

Obviously, not all of the sundry proposals contained in the President's message, nor all of the 200 specific proposals contained in the Presidential Commission's report will be accepted by Congress. Some will be modified; some will be rejected outright as unworkable; others will be legislated.

Mr. Speaker, I cannot urge my colleagues too vigorously to examine in detail these two documents. They do not contain a cure-all for our social ills, but they do take us one step down the road to a better, safer, and healthier America.

THE FIGHT AGAINST LAWLESSNESS

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. ASHLEY. Mr. Speaker, I for one applaud the President for a statement which finally gives the Nation a reasonable expectation that the resources of the Federal Government will vigorously be directed against lawlessness. The statistics of the Federal Bureau of Investigation, over the past decade, have indicated a rising crime rate that has reached the proportions of a national disgrace. Local and State law-enforcement agencies have been unable to contain it. It is therefore incumbent upon the Congress to provide additional weapons in this fight and assure the modernization and coordination of local law-enforcement authorities to the end that citizens may enjoy their constitutional rights of domestic tranquillity.

I shall be very sympathetic to receiving and studying the measures which the President has sent to implement this program.

WORLDWIDE FOOD SHORTAGE

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. ASHLEY. Mr. Speaker, there are many motives which can induce nations to undertake grand initiatives. Among the most comprehensible and laudable of these are both enlightened self-interest and a desire to live up to the nation's own best ideals and most noble standards. When these two motives are harmoniously joined, the initiative commands our admiration and support.

The President's message on the worldwide food shortage has starkly and persuasively portrayed the apocalyptic specter of famine which mocks the aspirations of half the globe's inhabitants. We have undertaken a timely initiative to share with other governments our perception of the threat which this specter poses to the stability and orderly progress of all mankind. I think it is obvious that it is in our Nation's best interests to cooperate with the rest of the world in devising ways to solve a problem which might one day affect us even more centrally than it does today here in the United States.

We Americans are rightfully proud that in addressing broad human problems which cut across national frontiers and impinge upon men everywhere, successive U.S. Government, supported by the American people, have tried always to look beyond this country's interests and to choose those policies which would commit us to a constructive contribution in areas of general humanitarian concern. We cherish a sense of involvement with and commitment to our less fortunate brethren across the globe and we truly believe that anything which undermines their confidence in their future possibilities for growth and development diminishes us the more. If there were no other compelling reasons, a simple humanitarian concern for doing the right thing by our fellow man would cause the United States to enlist for service in the war on hunger.

The war on hunger has, potentially, great scope and many dimensions. An international effort to supplement the self-help measures of countries which are most affected by recurrent food shortages and problems of overpopulation holds great promise for the future. Meantime, India, which, because of sheer size, must deal with perhaps the world's most serious food-population equation, has the immediate, pressing problem of providing food grains in the weeks ahead to those parts of the country which have been severely afflicted by drought during the past 2 years. This is a problem which permits no delay. Human beings are in need, but their misery can be alleviated by our prompt action. Our stake in humanity dictates a favorable American response to India's request for speedy assistance.

DAVIS COLLEGE OF BUSINESS RECEIVES ACCREDITATION AS A JUNIOR COLLEGE

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. ASHLEY. Mr. Speaker, it is with a feeling of justifiable pride that I wish to inform you and my fellow Members of the House of Representatives of an honor that has come to a college in the Ninth Congressional District of Ohio. The school is the Davis College of Business in Toledo which has just received accreditation as a junior college. It is one of only 41 business colleges in the United States that has been granted this advanced standing by the Accrediting Commission for Business Schools, an agency recognized by the U.S. Office of Education.

Over 100 years ago, in 1858 to be exact, young ladies wearing bustles and young men sporting sideburns and frock coats enrolled for the first time in the Toledo Business College. At the new school they studied elocution, fancy lettering, and calculus. In 1881, M. H. Davis, a professor from Albert College in Belleville, Ontario, joined the faculty and later became its president. He soon introduced Toledo's first typewriting course.

Upon the death of his father in 1904, Thurber P. Davis left the University of Michigan to head the rapidly growing school. In 1948, Ruth L. Davis took over active management of the school and, upon her father's death in 1956, became the third member of the Davis family to serve as president of the college.

Toledo today is a far different city than it was 109 years ago, and if a business school graduate of 1858 could inspect the present Davis Junior College of Business he would be amazed at its 109-year growth, both in size and in the wide range of its present curriculum.

In 1858, Toledo was a small town. Its total population was less than 12,000. But Toledo was strategically located on the Maumee River with an excellent harbor, and it was on the most feasible water level route between Chicago to the west, Detroit to the north, and the eastern seaboard. It was even then a city destined to become an important transportation hub and center of industrial activity. Toledo has grown tremendously since then and is now rated as the 45th marketing area in the United States.

I am proud to say that Davis Junior College of Business has matched its city's growth and is today recognized as one of the leading colleges of its type in the United States. Its officers have been prominent in local, State, and national education affairs, and its recent accreditation as a junior college is ample evidence of the scope and quality of its instruction.

I think that one of the very fine things about Davis Junior College is that its programs are designed to provide the business community with graduates who are not only well grounded in the technical aspects of their professions, but are also conversant with the more subtle phases of business life. Ruth Davis expressed this very well, I believe, when she said that the school wanted to graduate good secretaries, good accountants, good computer analysts, but that, even more importantly, they wanted their graduates to be able to adjust easily to a business environment and to progress because of their desire to continue to learn and their ability to relate well with other people.

H.R. 2—THE RESERVE BILL OF RIGHTS

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. LEGGETT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. LEGGETT. Mr. Speaker, I wholeheartedly support H.R. 2 and join my colleagues on the Armed Services Committee in urging its unanimous approval by this body.

I believe that the bill, as written, will give stability to strengthen the Reserve components of the armed services as well as clarify the status of National Guard technicians.

Title I of the bill has as its primary objective the establishment by statute of a reserve components structure that will enable these components to more fully and effectively meet their mobilization readiness requirement as established in the contingency and war plans approved by the Joint Chiefs of Staff and the Secretary of Defense.

Title II will provide a retirement status and eligibility for National Guard technicians who have heretofore been denied a retirement status of any kind because, while they have been paid by Federal funds, they have been deemed to be State employees of the National Guard of the several States.

Early enactment of this measure will insure action this year by the other body which, unfortunately, did not happen last year due to lack of time.

I strongly urge a favorable vote for H.R. 2, to establish a more viable National Guard.

THE NATIONAL HOMESTEAD EXEMPTION ACT OF 1967

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, I have introduced today the National Homestead Exemption Act of 1967. This act would translate into Federal law one of our oldest and finest traditions and beliefs; namely, that a man's home is his castle. The act would exempt from levy by the Federal Government the homestead of any family.

Under the present law, a person who has worked hard and for many years to provide a home for himself and his family may lose that home to the Federal Government through a forced sale because of a lien against him personally for failure to pay income taxes. While I would not belittle the importance of the income tax and the need to enforce the income tax laws fairly and uniformly, it seems to me to be a harsh and unjust remedy for the Federal Government to deprive a person or a family of their home because of a tax lien.

Several States have statutes on the books exempting homesteads from liens of this sort. A State exemption, however, does not prevent the Federal Government from levying against any property with a Federal lien. My bill would merely extend the principle established by Texas and other States which have erected protective walls around the homestead and have said to the Government, here you may not enter—a man's home in our society is his castle.

I urge my colleagues in the House to give serious consideration and to support the National Homestead Exemption Act of 1967.

AIR POLLUTION

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. SCHEUER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. SCHEUER. Mr. Speaker, no country in the history of mankind has been so blessed with an abundance of resources as has our United States, and no country has been so blessed with the tools to transform these resources into the goods and the services we want and need. This transformation has borne such rich fruit that until very recently we have not been concerned with the small garner of bitter fruit among the harvest. Now, however, we can no longer afford to overlook it, it is too much with us; it threatens the quality of our existence.

It is to these bitter fruit that the President addressed himself in his message on protecting our natural heritage, and it is about one of them, air pollution, that I wish to say a few words now.

The Congress and the administration took the first steps to control air pollution nationally with the Clean Air Act of 1963. Under this act and its amendments we have made real progress: we have expanded our knowledge of how to control pollution; we have begun to use our authority to abate pollution where it flows across State boundaries; we have taken the first big step toward curbing the single greatest source of pollution in the country—the automobile; we have taken action to make Federal installations models of air pollution control; and we have stimulated the creation and development of State, regional, and local agencies by granting them Federal moneys.

We have done all this in the past 4 years, and we find that it is not enough. We cannot escape the fact that air pollution is worsening, and we cannot escape our responsibility to take more effective action and to take it now. Whatever else we do to control pollution, we must remove the barriers that now stand in the way of effective abatement.

We must, of course, also expand our research, but we cannot afford to wait until we have all the answers. The answers we have today will serve very well. In fact they must, because the problem grows more serious each day. We must, in addition, streamline the procedures now used to see that the citizens in one State do not have to suffer from the pollution released in another. And we must take steps to see that the controls on automobile emissions are and remain effective. But most important is our obligation to see that nothing hinders the control of the emission of pollutants to the atmosphere.

Today, the control of emissions is in the hands of State and local authorities. Many States have no legislation with which to control their pollution. Others have legislation but have not yet set up effective enforcement procedures. And everywhere there has been a common resistance by industry to laws and regulations and enforcement. This resistance is not unreasonable, for it is based on economic grounds. Why should I, says the industrialist, put out all this money for pollution control, with the result that I will have to raise the price of my product, when my competitor in another State does not have to. I cannot in conscience ask this sacrifice of the businessmen in my State. Nor do I wish to say to any man who is considering building a plant in my State, "Of course, it will cost you more to operate here than in that other State; but don't forget, the air is purer."

With the passage of the Air Quality Act of 1967, uniform emission control levels will be established across the country. And once these levels have been established, the biggest single bar to the control of industrial air pollution will have dropped. The instruments of control and their operation will be expensive, but the expense will fall evenly, and no industrialist need fear that he will have to bear burdens in controlling air pollution that this competitor will not.

UTILITIES AND OVERCHARGE

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Montana [Mr. Olsen] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. OLSEN. Mr. Speaker, my colleague from Montana, Senator Lee Metcalf, and a member of his staff, Mr. Vic Reinemer, have joined forces to produce a book, "Overcharge," which makes a number of documented charges against our Nation's utility companies.

Forbes February 1 edition and the Missoulian of Missoula, Mont., February 5, printed reviews of this publication. I insert the two reviews in the Record:

[From Forbes magazine, Feb. 1, 1967]

Lee Metcalf: Wasting Money?

A liberal Democrat, Senator Lee Metcalf of Montana naturally is anathema to right-wingers in his state who have fought to retire him to private life for over a dozen years. This he accepts as inevitable. What irks him is the fact that his opponents are financed in part by the Montana public utilities, particularly the Montana Power Co.

Last year, the former Stanford athlete (boxing and football) and Montana Supreme Court justice was up for re-election. In preparation for what he knew would be a bitter campaign, he asked his aide, Vic Reinemer, to dig into the records of the Federal Power Commission for everything bad he could find about the public utilities.

Reinemer, a former newspaperman (associate editor of the Charlotte, N.C., News) and magazine writer, dug far beyond Montana. The result was a book, *Overcharge,* which assails not only the public utilities in Metcalf's own state but the entire industry. Published last month, with both Reinemer and Metcalf listed as the authors, *Overcharge* may cause as much trouble for the nation's utilities as Ralph Nader's *Unsafe At Any Speed* did for the auto companies.

On the basis of Reinemer's research, Metcalf is now pressing for the creation of a special Senate subcommittee to investigate utilities. His campaign is winning support on the Hill.

In substance, *Overcharge* makes two accusations: First, that electric bills are entirely too high. Second, that public utilities are using the public's and their stockholders' money for political activities. Discussing the book the other day, Metcalf argued:

"I haven't just taken my feud with the Montana Power Co. nationally. When we got into it all, when we saw what was happening around the country, we realized that these companies were making an outrageous profit and using it to fight political battles. When investors find out what these companies are doing with their money, it's going to be something!"

Overcharge makes a poor case for the contention that electric bills are too high and that utilities' profits are "outrageous." To compare profits in the utilities industry with profits in the transportation industry, for example, as the book does, obviously is reaching way out into left field, since the transportation industry has long been sick. And no other industry is as closely regulated as utilities in regard to rates and profits.

On the other hand, the book does amply document the contention that many utilities are helping to finance right wing political activity. The book names names. It lists 13 utilities that contribute to the Southern States Industrial Council, an organization that attacked the United Nation's UNICEF as "completely Communist dominated." It lists one utility that in a single year contributed to five different ultra-right organizations.

If the Senate does decide to investigate the charges in *Overcharge,* the utilities are in for trouble. A great many consumers, Republicans as well as Democrats, may agree that their money shouldn't be used for political activity of any kind. And not only consumers. It is a safe bet that many utility stockholders are far from agreeing with the minority causes that some of their companies are financing.

[From the Missoulian, Feb. 5, 1967]

Ills and Cures: Rating A Powerful Book

(By Al Darr)

Sen. Lee Metcalf's perennial charge, that investor-owned utilities (especially Montana Power Co.) are flim-flamming the consumer, is expanded and amplified this season in Overcharge, by Sen. Metcalf and Vic Reinemer.

This book-length editorial runs to 338 pages, including seven appendixes and 34 pages of footnotes.

We are paying through the nose for electricity, and the investor-owned utilities are reaping exorbitant profits.

Those are the senator's basic theses. What's more, he contends, the prime beneficiaries of these exorbitant profits are often an inner circle of company officials who enjoy tax-free income through stock options.

Metcalf and Reinemer are clearly two angry men in this book, and they've mustered a young galaxy of figures to reinforce their argument.

Utilities, by and large, enjoy a non-competitive situation. We can't fairly call their operation "risk enterprise," because they have a captive clientele, and people just naturally prefer electric lights to kerosene lamps.

Yet utilities do sometimes talk as though they were codiscoverers of electricity, still faced with a tough advertising chore.

Even public utilities like the Omaha Public Power District spend considerable sums in building and maintaining a bright image.

I worked briefly in public relations for a sprawling rural power district in southeast Nebraska. We weren't "the REA," but we owed money to the REA, and we envied Omaha its highly concentrated and highly remunerative "load."

We noticed, too, an ironic thing.

The larger power districts, like OPPD, went out of their way in advertising to suggest a free-enterprise structure in their operations. One district even called itself "the company" on TV, and I thought that a bit too much. The appeal was, of course, aimed at Nebraska's traditional spirit of economic independence, which has a kinship with Montana's tradition but maybe not so pristine.

Public or private, the utilities do seem to have enough leisure to indulge their empire-building tendencies, and, as Metcalf and Reinemer repeatedly point out, the utilities can't honestly declare themselves part of the big competitive struggle that we call American free enterprise.

The crux of the Metcalf crusade appears to be regulation. Power companies, like all monopoly utilities, are ostensibly regulated by public service commissions in their respective states or by the Federal Power Commission.

But state regulatory agencies just don't have the manpower, the accountants, to begin to make proper audits, the authors point out, even if these same agencies had the will to be firm.

Chapter 6 of Overcharge explores company contributions to charities, chambers of commerce and the like. Even the FPC, which regulates rates in relatively few cases and usually protects the consumer's interests, ruled that charitable contributions "of a reasonable amount" could be listed as an operating expense. This means the customer pays for the utilities' benevolences.

Utilities can of course charge the customer just what the regulatory agency will permit. Metcalf and Reinemer argue that regulatory agencies approve rates in rubber-stamp fashion, not necessarily because they're "in the pocket" of the power companies but because they aren't equipped for the detailed investigations that rate proposals demand.

Profit is understandably the prime incentive in investor-owned utilities operations. Without regulation, or with only token regulation, the monopoly firm will just naturally seek to fatten profits at consumer expense and, unless an unusually strong hue and cry goes up, the firm will get away with it, meanwhile advertising its virtues with well placed donations and well developed ad campaigns.

Metcalf and Reinemer point out early in their book that every profit-seeker needs regulation, either the pressures of competition or agency regulation that will serve the public interest.

They maintain, with reason, that public power districts or cooperatives or municipal power systems operate under elected boards that are usually consumer-minded, interested primarily in the best service at lowest rates. This is unquestionably true of rural cooperatives, where pressure on a board member comes quickly over the party line or across the fence.

News media could be a strong force on the consumer side, too, the authors say, but the news media are perennial recipients of utilities advertising revenue and utilities bonbons. If newspapers, radio and TV stations can thus be bought at the expense of the public interest, they are clearly derelict.

Authors Metcalf and Reinemer give the investor-owned utilities an unmerciful pounding in Overcharge. There must be a great deal of truth in which they say because they name names like they never heard of civil libel and they document their facts.

I'd have preferred a less bewildering, even less vindictive array of evidence in favor of a cold dispassionate breakdown on what Montana and the nation could do to bring about lower power rates.

I've always hankered after electricity at one cent per kilowatt hour, like they have in Seattle.

CEMETERIES REMAIN OPEN

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from Montana [Mr. Olsen] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. OLSEN. Mr. Speaker, the Department of Defense has very wisely seen fit to end its national cemetery closure policy, which in the past year led to the closing of two national cemeteries—Beverly National Cemetery in New Jersey and Fort Rosecrans National Cemetery in California. These cemeteries will now be reopened and three other national cemeteries scheduled to close in the next few months will now be kept open for burials.

Perhaps even more important, the end of the policy of closing our national cemeteries will give impetus in the Congress to an effort to establish a reasonable and equitable national cemetery policy.

I have been impressed, Mr. Speaker,

with the leadership that has been provided by the Veterans of Foreign Wars of the United States in attempting to resolve the growing national cemetery crisis. The VFW worked assiduously to convince the Department of Defense that an end to the closure policy was necessary.

At a time when the VFW and other veterans organizations might have derived some satisfaction from the termination of the closure policy of the Department of Defense, they have been faced with an additional matter of deep concern. I refer to the action of the Department of Defense in restricting burial in Arlington National Cemetery to certain classes of persons. The action of the Department of Defense is unfortunate. More than that, the VFW calls the Defense Department's action to restrict burials in Arlington unlawful. Commander in Chief Leslie M. Fry of the Veterans of Foreign Wars has asked the Secretary of Defense to rescind the Department's discriminatory order restricting burials in Arlington.

Typically, the Veterans of Foreign Wars has offered the President full cooperation in seeking a reasonable and equitable solution to the problems in Arlington National Cemetery and elsewhere in the national cemetery system.

Mr. Speaker, I think that the Secretary of Defense should rescind the order restricting burials in Arlington. I offer, for the record, the statement of VFW Commander in Chief Fry regarding the new burial policy in Arlington National Cemetery. I offer also copies of telegrams sent to the President and the Secretary of Defense by Commander in Chief Fry. And I offer, as well, a memorandum prepared by the Veterans of Foreign Wars regarding the lack of legal authority for the restrictive policy at Arlington National Cemetery. I hope that this policy will be rescinded immediately so that the energies of all concerned can be applied toward the development of an equitable national cemetery policy.

NATIONAL CEMETERY REFORM NEEDED

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Reinecke] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. REINECKE. Mr. Speaker, as a World War II veteran and member of the Interior and Insular Affairs Committee which has jurisdiction over the national cemetery system, I am deeply concerned over the fact that the entire future of federally operated cemeteries seems to be buried in a quagmire of indecision and indirection. In the absence of any clearly defined interment policy, I feel the whole question of federally operated cemeteries is one which needs thorough study, evaluation and reconstruction.

I urge a thorough investigation of the national cemetery situation by the Interior Committee.

Today I have introduced legislation to reorganize the administration of the national cemetery system. At the present time, there are, I believe, 17 cemeteries under the jurisdiction of the Veterans' Administration in association with medical facilities, such as the Sawtelle installation in Los Angeles. There are also 13 national historical burial sites under the Department of the Interior, like Gettysburg Military Park. And in addition, there are 85 national cemeteries operated by the Department of the Army, such as Arlington National Cemetery.

This is clearly an unnecessary duplication of effort. It is inefficient and careless. I have proposed in my bill that all cemeteries be administered by one agency—the Veterans' Administration.

My bill is different from similar legislation in that it protects the historical nature and landmarks of the military parks and historic burial sites now under Interior. It also will allow for continuation of the military ceremony and security traditions which we now have under Army jurisdiction.

My bill establishes an office of liaison in the Veterans' Administration to coordinate such activities and responsibilities with both the Army and Interior Departments.

I believe that a full study of the national cemetery situation is necessary to explore means of fulfilling the national obligation of this country to those who have fallen in its battles. And to avoid the pitfalls of putting the Federal Government into direct competition with the private and religious cemetery administrators, we must seek to avoid unnecessary costs in land purchase, maintenance and administration of national cemeteries. And at the same time, we must do something to meet the increasing requirements for veteran burial sites.

There must be a balancing of these two positions. Some have suggested a universal burial allowance program for veterans which would allow their families to purchase burial sites in private cemeteries near the family home. Others have suggested changing the criteria for eligibility to include a more narrowly defined group of veterans. These ideas should be explored fully by the House Interior Committee as it consults with officials of the Army and the Veterans' Administration and the Interior Department.

By consolidating the various types of cemeteries under one agency, preferably the Veterans' Administration; by combining a burial allowance program for those who prefer interment in private or religious cemeteries, with a more selective cemetery program; and, by utilizing for cemetery purposes appropriate federally owned land sites, as I have proposed in my bill H.R. 3159, we should be able to meet our Nation's obligation to provide for our military veterans dignified memorials to their lives of service.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 4573. An act to provide, for the period ending on June 30, 1967, a temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 4573) entitled "An act to provide, for the period ending on June 30, 1967, a temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Long of Louisiana, Mr. Smathers, Mr. Anderson, Mr. Williams of Delaware, and Mr. Carlson to be the conferees on the part of the Senate.

DEBT LIMIT CEILING

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 4573) to provide for the period ending on June 30, 1967, a temporary increase in the public debt limit, together with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference requested by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

Mr. HALL. Mr. Speaker, reserving the right to object, I wonder if the distinguished chairman of the Committee on Ways and Means would advise the House as to any knowledge he might have concerning the message which we have just received from the other body and in what area the bill might be amended.

Mr. MILLS. Mr. Speaker, will the gentleman yield?

Mr. HALL. I am happy to yield to the gentleman.

Mr. MILLS. Thank you. It is my information that the Finance Committee during consideration of this matter decided in its wisdom to make the $336 billion limitation a permanent ceiling whereas it was a temporary ceiling as it passed the House. Now, if there are any other amendments to the bill, I am not aware of those amendments.

Mr. HALL. Mr. Speaker, would the distinguished gentleman from Arkansas care to make any comment about what his committee and/or the conferees might feel about accepting this Senate amendment which comes as rather a bolt out of the blue in view of changing the ceiling as passed by the House, by simply permanentizing it?

Mr. MILLS. If the gentleman will yield further, let me respond to my friend from Missouri in this way, and I am not trying to duck the question:

Without reference to this particular amendment, let me call my friend's attention to the fact that it has always been my desire, when I go to conference, to prevail upon the conferees of the other body to see the light and accept the version of a bill that is passed by the House of Representatives. In all probability I would go to this conference with the same thought in mind, although I have not had an opportunity to examine the Senate version.

Mr. HALL. Mr. Speaker, I certainly appreciate that expression on the part of the gentleman from Arkansas [Mr. MILLS], and I indelibly do know the position of the gentleman from Arkansas, the distinguished chairman of the Committee on Ways and Means.

However, my only point in raising the question, I am sure the gentleman understands, is that this would be a matter which should be displayed to the various Members in order that they can vote and react accordingly.

I thank the gentleman from Arkansas for responding to these questions.

Mr. MILLS. As the gentleman from Missouri knows, I certainly agree with the gentleman's statement in that regard.

Mr. HALL. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Without objection, the Chair appoints the following conferees: Messrs. MILLS, KING of California, BOGGS, KARSTEN, BYRNES of Wisconsin, CURTIS, and UTT.

There was no objection.

EXTENDING VOTING PRIVILEGES TO CITIZENS UNDER THE AGE OF 21

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New Jersey [Mr. HOWARD] is recognized for 60 minutes.

Mr. HOWARD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. HOWARD. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may revise and extend their remarks and include extraneous matter during my special order today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. HOWARD. Mr. Speaker, on the very day that the 90th Congress convened I introduced House Joint Resolution 18 which would extend the voting privilege to our 18-, 19-, and 20-year-old citizens. As of February 16, 17 of my distinguished colleagues in the House had introduced similar resolutions: Messrs. DE LA GARZA, EDMONDSON, FEIGHAN, GALLAGHER, HECHLER of West Virginia, HELSTOSKI, JACOBS, O'HARA of Michigan, OLSEN, PATMAN, RODINO, ROUSH, ST. ONGE, SAYLOR, WALKER, WOLFF, and DAVIS.

In the other Chamber, a legislative first was achieved, I believe, when the majority and minority leaders cosponsored a joint resolution to extend the suffrage to persons 18 through 20 years of age.

Thirty-four other Senators joined with Messrs. MANSFIELD and DIRKSEN in sponsoring this joint resolution: AIKEN, BAKER, BAYH, BIBLE, CANNON, CASE, COOPER, DOMINICK, FONG, GRUENING, HANSEN, HARRIS, HATFIELD, HAYDEN, INOUYE, JACKSON, JAVITS, KENNEDY of New York, KUCHEL, MAGNUSON, MCGEE, METCALF, MONDALE, MORSE, MORTON, MOSS, NELSON, PROXMIRE, RANDOLPH, RIBICOFF, SPARKMAN, THURMOND, TYDINGS, YARBOROUGH, and YOUNG of North Dakota; it is of particular interest to note that among the cosponsors is the venerable Senator from Arizona [Mr. HAYDEN], who is the oldest Member of Congress. Moreover, the distinguished Senior Senator from West Virginia [Mr. RANDOLPH], a former Member of this body and advocate then of the 18-, 19-, and 20-year-old voting, introduced on January 16 of this year his eighth joint resolution to lower the voting age.

With but a month of this Congress having transpired, therefore, we note that already 20 separate joint resolutions have been introduced and 54 Members of Congress have expressed the conviction that a constitutional amendment to permit 18-, 19-, and 20-year-olds to vote should be submitted to the States. By contrast, a total of only 28 Members endorsed legislation to this effect during the entire 89th Congress. We have surpassed this mark already. It is apparent that enthusiasm and interest for this proposal is high and that support is bipartisan. The time to act is now. I fervently hope, therefore, that the distinguished chairman of the Judiciary Committee [Mr. CELLER] will see his way clear to speed a House vote on this proposal, up or down, during this Congress.

Mr. Speaker, since 1942, support for lowering the voting age has been persistent and the list of persons and organizations endorsing the idea is indeed impressive. The Library of Congress has compiled a list of these individuals and organizations, which is printed at the conclusion of my remarks. I am sure that my fellow Members will find it of interest and benefit.

Enthusiasm for lowering the voting age has been highest, of course, during periods when our country has been engaged in armed conflict, as we are now in Vietnam. In fact, the first serious proposals to submit to the States a constitutional amendment to this effect were sponsored during World War II, when the draft age was lowered from 20 to 18. In 1943 hearings were held by the House Judiciary Committee on then Representative JENNINGS RANDOLPH's joint resolution to lower the voting age to 18. But the measure was not reported from committee. The Senate Judiciary Committee did report Senate Joint Resolution 127 on July 1, 1952, but no vote was ever taken.

In his state of the Union message of January 7, 1954, President Eisenhower said:

> For years our citizens between the ages of 18 and 21 have, in time of peril, been summoned to fight for America. They should participate in the political process that produces that fateful summons. I urge Congress to propose to the States a constitutional amendment permitting citizens to vote when they reach the age of 18.

On March 15 of that year, the Senate Judiciary Committee reported Senator William Langer's joint resolution, which had been introduced in 1953. The measure was debated May 21 and defeated by a rollcall vote of 34 yeas and 24 nays, only five votes short of the necessary two-thirds required for passage. It is worth noting that several of the Senators who spoke against the resolution were not opposed to lowering the voting age but favored individual State action rather than a constitutional amendment.

I think, however, that there is a compelling reason for employing a constitutional amendment to achieve this worthy goal. Most of our States have complex amending procedures: procedures which make it virtually impossible to enact an amendment. It is not uncommon, for example, that two successive legislatures must favorably act upon a proposed amendment and that it must then obtain referendum approval before it becomes law. The use of a national constitutional amendment, requiring only that State legislatures approve or disapprove, circumvents such bottlenecks while preserving for the States the final determination of whether the Nation shall have 18-, 19-, and 20-year-old voting.

Thirty-eight States will have to vote approval before the amendment—if submitted—would be ratified. That is a sizable number which, when reached, will indicate near consensus on this proposal.

An added dividend with a national constitutional amendment, and a very important dividend to my way of thinking, will be uniformity of voting age throughout the land. As we all know, this does not presently exist because four States permit persons under 21 to vote: Georgia and Kentucky at 18 years of age; Alaska at 19 years of age; and Hawaii at 20 years of age.

The reasons supporting extension of the vote to citizens between 18 and 21 are well known and persuasive.

The late and beloved Speaker of the House, Mr. Sam, once said, "It makes me tired to hear all this talk about the young generation going to hell in a hack; they're a lot smarter than I was at their age." True words. A 1962 national children's preference study by the American Hobby Federation pointed out that 78 percent of our young people read the newspaper every day—a 10-percent increase from the previous survey; that 80 percent reported reading 10 or more books a year—a 7-percent increase over the 1960 tabulation; and that 84 percent, as compared with 73 percent in 1960, said they read weekly and monthly magazines. These figures are surely higher now.

In other words, by the time our young people reach the age of 18 they are well read and, as has been often pointed out, very politically minded. Educators have stressed that "the real value of education comes not from its acquisition but from its association with responsibility."

For many Americans, high school represents their last formal education. Having just completed courses in American history and government, they are enthusiastic about politics and they are informed; yet we deny them access to the ballot.

The use of 21 as the voting age in 46 of our States dates from medieval England and knight's service. Those dark ages are over—long over—and it makes no sense to suppose that 21 is a relevant determinant of majority today. In fact, the quality of our education has rendered it obsolete.

There are valid reasons for supposing that 18 is a far more relevant majority age. For example, our young men and women can marry without parental consent in most States at the age of 18. They can serve in the Peace Corps or work for the Federal Government. Many between the ages of 18 and 21 hold jobs and pay taxes. How about that great American rallying cry: "No Taxation Without Representation"?

The age of compulsory education is not above 18 in any of the States. In almost every State and the District of Columbia, persons 18 and above must stand trial in criminal court. The law no longer considers them juveniles.

In a number of States persons between the ages of 18 and 21 are permitted to enter into contracts. Half the States permit the execution of a will for personal property at the minimum age of 18. Twenty of the States permit a will of real property at the same age. Life insurance companies recognize an adult as anyone 18 years of age or older.

The child-labor provisions of the Fair Labor Standards Act do not apply to one 18 or older. Welfare aid cannot be given to one 18 or over unless he or she is handicapped.

Why indeed are all the above noted privileges and responsibilities deemed appropriate to 18-, 19-, and 20-year-olds but not the privilege of voting?

Those who study voting behavior have noted that persons in the age bracket 21–30 have one of the lowest voting participation percentages in the electorate. I contend that one cause of this is the denial of the vote between the ages of 18 and 21. Enthusiasm wanes too often because of the 3-year cutoff from the political process. Studies of 18-to-21 voting in Kentucky have indicated that this unfortunate trend is to some degree offset by permitting younger citizens to vote.

Democratic government is rendered viable and enduring only by an electorate which accepts its responsibility for the course of public affairs and which is capable of prudent judgment.

Eighteen-year-old voters would be fresh from the study of our struggle for political liberty and of the institutions which render this liberty effective. Their study would have become really meaningful for them because they would have realized while in school that political responsibility would be given them at the same time as the other responsibilities of adulthood. And they would be still habituated to the discipline of reasoned and logical thinking imparted to them in school.

And 18-year-old voters in general would offer the country other qualifications as well as vivid understanding of representative government and capacity for political judgment.

Our schools try to inculcate a sense of responsibility in students by impressing them with possibilities for the immediate future after graduation and by preparing them to fulfill these possibilities by encouraging them to undertake achievement on their own. Such achievement generates self-confidence which, in turn, makes future possibilities seem really possible.

But think of the sense of responsibility for the public state of affairs which could be imparted to high school students if they were given real responsibility for political judgment and choice at the age of 18. Anticipation of really taking part in the electoral process would combine with studies of history and civics to bring about in young people the feeling that government belongs to them and that they must answer for quality of that government.

Eighteen-year-old voters would, I am convinced, measure up to the qualifications required of the electorate in a democratic country—the capacity for judgment and a strong sense of responsibility.

Moreover, the assumption that the majority of 18-year-olds are capable of taking responsibility for their government, that is, are capable of political judgment and choice, is verified by the figures on education in our country.

Thirty years ago, only 32 percent, or about one-third, of adults in the United States between the ages of 25 and 34 were high school graduates. In 1962, according to the Bureau of the Census, the proportion of high school graduates in the same age group had risen to 64 percent, or about two-thirds.

Thirty or more years ago, the argument might have been made that experience should make up for lack of education in qualifying young people to vote. This argument no longer holds. The great majority of young people in the age group of 18 to 21 have completed secondary education, have studied American history and political institutions, and are, on the average, far more qualified to vote at 18 than their predecessors of 30 years ago.

And I believe that the combination of education and real, political responsibility would engender in young people a deep sense of obligation to participation in the electoral process and a tremendous enthusiasm regarding public affairs.

After all, in terms of the long-run future, young people have the greatest stake in the solution of political issues. They should not be forced to reap what they have not sown.

And young people, in spite of being deprived of the right to vote, have demonstrated their pressing concern with America's future by taking part in organized, political activity.

Both the young Democrats and the young Republicans accept 18-year-old members. Both of these groups take part in our political life. Both of them conduct political workshops or committees in order to study contemporary issues. Both of these groups write and publish and distribute political literature. Both offer rewarding opportunities for political experience to young men and women under 21 as well as older. Both of them demonstrate the enthusiasm with which young people confront the Nation's tremendous problems.

The educational attainment of young people today combined with the irrepressible hopes for the future which characterize youth would render them responsive to the real responsibility of political choice. But take away the chance to exercise real responsibility, and many young people, I am afraid, never acquire interest, or lose whatever interest they had, in public affairs. During what I would call the dormant citizenship years, the years from 18 to 21, America loses many potentially well-informed voters. And those who have lost interest by the time they are 21 are added to the number of Americans who rarely if ever vote.

I do not deny that lowering the voting age would create a tremendous new impact at the polls on election day. I also am not unware that, because of this very reason, there are some persons who feel this is politically unwise. But I think it would be healthy because it would expand the number of persons able to participate in elections. And it would necessitate us to further lend our ear to the voice of our younger voters.

In New Jersey, for instance, I checked the 1960 census figures to determine what sort of an impact an 18-year-old voting age would have in the State. According to the 1960 census, there are 195,558 New Jerseyites between the ages of 18 and 21. While there are no definite figures available on the number of persons between 21 and 30, I know that there would be a great increase in voter participation in this age group also if we had an 18-year-old voting age.

At this point I want to place in the RECORD the following figures:

County	18-year-olds	19-year-olds	20-year-olds
Atlantic	1,608	1,377	1,359
Bergen	7,721	6,161	5,936
Burlington	4,962	4,851	4,534
Camden	4,706	3,705	3,752
Cape May	808	712	692
Cumberland	1,331	1,094	1,113
Essex	10,656	9,514	9,588
Gloucester	1,685	1,404	1,325
Hudson	7,514	6,490	6,735
Hunterdon	791	532	565
Mercer	4,100	3,810	3,509
Middlesex	5,231	4,434	3,907
Monmouth	3,794	3,448	3,172
Morris	2,782	2,250	2,167
Ocean	1,303	1,234	1.167
Passaic	4,468	3,810	3,975
Salem	875	775	731
Somerset	1,400	1,134	1,100
Sussex	613	497	514
Union	5,459	4,231	4,238
Warren	892	839	577
Total	72,699	62,303	60,556

NOTE.—According to 1960 census figures, there are 195,558 New Jerseyites between the ages of 18 and 21. 3,500,000 New Jersey residents are 21 or over.

I might add in conclusion that a majority of the American people support extending the vote to this segment of the population. When George Gallup first asked this question in 1939 only 17 percent of the population favored lowering the voting age to 18. By 1943 it had grown to 44 percent and in 1954 peaked at 63 percent in favor. For the past 11 years it has held steady at 57 percent approval with about 40 percent disapproving.

The combination of these factors overwhelmingly recommends that Congress pass and submit to the States a constitutional amendment permitting our 18- to 21-year-old citizens to vote. Let us do so now.

ADDENDUM

Below is a partial list of individuals and groups which support the 18-year-old vote proposal:

GOVERNORS (PAST AND PRESENT)

Ellis Arnall, Georgia; Frank A. Barrett, Wyoming; Edmund Brown, California; James Byrnes, South Carolina; Averill Harriman, New York; Christian Herter, Massachusetts; Theodore McKeldin, Maryland; Robert Meyner, New Jersey; Nelson Rockefeller, New York; John Dempsey, Connecticut; Carl E. Sanders, Georgia; Adlai Stevenson, Illinois.

OTHERS (PAST AND PRESENT)

John M. Bailey, Democratic National Committee Chairman.

William O. Douglas, Associate Justice of the Supreme Court of the United States.

Leonard Hall, Former Republican National Committee Chairman.

H. Stuart Hughes, Professor of History, Harvard.

James K. Pollack, Professor of Political Science, University of Michigan.

Eleanor Roosevelt.

Robert Wagner, Mayor of New York.

Phillip Wilder, Professor of Political Science, Wabash College.

ORGANIZATIONS AND GROUPS

AMVETS (Rufus H. Watson, National Legislative Director, in Hearings before a Senate Subcommittee of the Committee on the Judiciary, 1953).

B'nai B'rith Young Adults Convention, 1960.

Fair Franchise Committee, New York, 1967.

National Municipal League.

National Student Congress, August, 1966.

New Jersey Student Committee for Undergraduate Education, Convention, 1966.

Numerous College and University Student Organizations (Student Governments, Young Democrats, Young Republicans, etc.) at the following campuses: Adelphi College, New York, Drake University, Redlands University, University of California, Los Angeles, University of Colorado, University of Michigan, University of Minnesota, University of Mississippi, St. Petersburg Jr. College, Florida.

President's Commission on Registration and Voting Participation, 1963.

United States National Student Association.

United States Youth Council.

Vindication of Twenty-Eighteen Suffrage (VOTES), and these affiliates: Connecticut Organization for 18-Year-Old Voting, Massachusetts Organization for 18-Year-Old Voting, United Committee for Nineteen-Year-Old Voting Privileges of New Jersey, Youth Suffrage Association, West Virginia.

Mr. HECHLER of West Virginia. Mr. Speaker, will the gentleman yield?

Mr. HOWARD. I am happy to yield to the distinguished gentleman from West Virginia.

Mr. HECHLER of West Virginia. Mr. Speaker, I am pleased that the distinguished gentleman from New Jersey [Mr. HOWARD] has brought this subject to the attention of the House of Representatives. He has done yeoman work in stirring new interest in this vital subject. My colleague has mentioned the fact that the senior Senator from West Virginia [Mr. RANDOLPH] has for many years, along with other members of both parties in both bodies, introduced resolutions to lower the voting age to 18.

Mr. Speaker, there is strong and rising support in the Nation for this move.

Just a few minutes ago on the floor I was talking with the gentleman from Kentucky [Mr. COWGER], the distinguished former mayor of the great city of Louisville who sits on the other side of the aisle. He told me of the great success of the lower voting age in Kentucky, where those who are 18 are allowed to vote. He told me also of the tremendous stimulus toward civic responsibility among high school and college students by reason of this Kentucky law. He mentioned the registration drives among young potential voters, and the increased awareness on the part of these young men and women as they have the opportunity to exercise the right of franchise.

From a freshmen Republican in the House representing the neighboring State of Kentucky, I then talked with that grand young Democrat from Illinois, our colleague, BARRATT O'HARA, who celebrated his 85th birthday on April 28. Perhaps one of the reasons we have an increased interest in the subject of the 18-year-old vote at this time is because so many young men in this age bracket are fighting in Vietnam. Well, our beloved colleague from Illinois [Mr. O'HARA] enlisted in the Spanish-American War at the age of 15. He was a grizzled veteran at 18. He told me a few minutes ago that at the age of 18 he felt well equipped to exercise the franchise, and no doubt he was better equipped than many 21-year-olds. Be that as it may, he also remarked that today he is very strongly in favor of a constitutional amendment such as the gentleman from New Jersey [Mr. HOWARD] and several of our colleagues have introduced.

On the floor of this body, I have previously mentioned the fact that our educational system has developed to a point where 18-year-olds today are more intelligent and better equipped to vote than were 21-year-olds in the early days of our Republic. In addition, many more young people are finishing high school and attending college than at any time since World War II, and the recent drive against dropouts has resulted in a far better education for all 18-year-olds.

Speaking now of my own State of West Virginia, we have suffered the loss of an unusually high number of younger people, particularly in the 1950's, who went to other States for economic reasons. We feel that the 18-year-old vote would give young people a voice in the kind of future they would like to see for West Virginia, and thus give them a greater stake in helping to build West Virginia.

All over the Nation, medical science has enabled people to live longer. This means that the average age of the electorate has been steadily increasing. Lowering the voting age to 18 would help restore the age balance in the electorate.

I believe also that the enthusiasm and idealism of young people is an ingredient which government and politics need in greater quantities today. Lowering the voting age to 18 will help raise the moral tone of government at all levels. Before an individual establishes an entrenched economic interest, he is inclined to think in broader terms instead of plugging so strongly for selfish economic interest, and although I do not say the latter is necessarily bad, I believe it would be placed in better perspective and balance through lowering the voting age.

Mr. Speaker, at the conclusion of the remarks of the gentleman from New Jersey [Mr. HOWARD], I ask unanimous consent to extend my own remarks, and also the remarks of the gentleman from Pennsylvania [Mr. MOORHEAD], the gentleman from Maine [Mr. HATHAWAY], and the gentleman from Georgia [Mr. DAVIS].

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. HECHLER of West Virginia. Mr. Speaker, I am particularly pleased that the gentleman from Georgia [Mr. DAVIS] has indicated his strong support of this constitutional provision, inasmuch as the Members of the House of Representatives know that the State of Georgia at the present time has on the statute books a law authorizing voting at the age of 18.

Mr. Speaker, I note the presence on the floor of the House of Representatives this afternoon, of my friend from the State of Georgia [Mr. BRINKLEY], a very distinguished colleague of mine on the Committee on Science and Astronautics. I would like to ask my good friend from Georgia how the 18-year-old voting law has worked out in the State of Georgia; and, whether he feels that that law has been of benefit in its application in the State of Georgia.

Mr. BRINKLEY. Mr. Speaker, will the gentleman from New Jersey yield?

Mr. HOWARD. I yield to the gentleman from Georgia.

Mr. BRINKLEY. Mr. Speaker, it gives me great pleasure to respond to the question propounded to me by the gentleman from West Virginia [Mr. HECHLER]. For two decades in the great State of Georgia, we have been trusting our young people with the right to cast their ballot in our State and National elections.

Mr. Speaker, we are gratified with the progress which has been made in this direction. We commend this policy to other States, because we feel that the operation of the voting rights of those 18 years and over in the State of Georgia, will be reflected across this great Nation as a whole and that the young people across the Nation will respond with equal responsibility, in a trustworthy fashion and a responsible fashion. It gives me great pleasure to hear the distinguished gentleman from New Jersey [Mr. HOWARD] make these remarks.

Mr. HOWARD. Mr. Speaker, I appreciate the remarks of my colleague, the distinguished gentleman from Georgia [Mr. BRINKLEY], and I thank the distinguished gentleman from West Virginia [Mr. HECHLER] for his comments. I am sure that in view of the respect which the Members of the House of Representatives hold for the gentleman from West Virginia [Mr. HECHLER], his support in behalf of this legislation will represent a great assistance in helping to enact it.

Mr. DAVIS of Georgia. Mr. Speaker, I join my fellow Members who are supporting legislation that would make 18 the minimum voting age in all of our 50 States.

Coming from the State of Georgia, where we permit our residents to vote at this age, I can testify that this is a sound practice and that it can play a great role in developing responsible citizens.

But even if it were less valuable, I would support this measure for the simple reason that it is just. Under the conditions that now prevail in all of our 50 States, 18 is the logical age at which a citizen should be permitted to take an active part in his government.

If he is like millions of his fellow Americans, he is already holding down a full-time job by the time he celebrates his 18th birthday. And that means he is paying taxes. But in 46 of our States, this man must help support his government for 3 years before he has any voice whatever in the way his government is run.

This injustice is great enough by itself; but when an 18-year-old is serving in one of our armed forces, the injustice is multiplied. This man not only contributes part of his wages—he may even have to contribute his life to protect a government he has no voice in.

I can think of no practice that is more at odds with the spirit of our Constitution than this one is. So I urge that all of us in this body band together and pass legislation that will correct it immediately.

Mr. MOORHEAD. Mr. Speaker, I am introducing today a joint resolution proposing an amendment to the Constitution of the United States that would extend the right to vote to all our citizens who have attained the age of 18 years.

Mr. Speaker, it was my privilege during the last election campaign to address and answer questions from members of two political science classes at one of Pittsburgh's fine high schools, Taylor Allderdice.

I was impressed with the broad knowledge the students had of the American political system and their understanding of the issues involved in my own local campaign. They displayed a strong interest in the affairs of their city, their State, and their Nation, and expressed a keen desire to demonstrate their sense of responsibility by voting.

Since the election, I have asked several of my colleagues about their experiences with young people in their districts, and their reactions confirm my feeling that American youth today is well informed, well versed in the American political process, and eminently qualified to participate in that process through voting in elections at all levels.

In fact, Mr. Speaker, it is at the age of 18 that most of our young citizens are most strongly motivated to become responsible contributors to our democratic system.

In the later high school years, they are offered a broad range of history, social science, political science, and civics courses, all designed to heighten their interest in and their sense of responsibility for our Nation's democratic process.

At the same time, improvements in all our communications media make it possible for our young citizens to stay abreast of events in their localities, in their States, and across the land. Their studies enable them to interpret what they see, hear, and read with a great deal of sophistication.

But, Mr. Speaker, of our 2,900,000 high school graduates this year, only 55 percent, or 1,595,000 young people, will go on to some form of higher education. The others, 1,305,000 of them, will enter the labor market or the Armed Forces to begin participating fully in the productive or protective functions of our national life.

For these youthful citizens, all of whom must live under the laws we pass and some of whom must die for the policies we support, there is a 3-year wait before they can claim a voice in determining these laws and policies—the right to vote.

These are 3 years in which their early interest in politics and their desire to vote may subside permanently, 3 years in which the chance to develop a habit of voting may be lost, perhaps forever.

For college students, this problem is less acute. Their awakened interest in politics and public issues is nurtured in both curricular and extra-curricular activities. They can develop the habit of voting in campus mock elections and political polls. They emerge from college at 21 ready to exercise their right to vote.

Mr. Speaker, I think it can be fairly argued that 45 percent of our Nation's young people—increasingly well educated, affluent and influential young people—are being denied at a critical stage in their lives the privilege and responsibility of voting.

I sincerely believe that a constitutional amendment granting all our citizens who have reached the age of 18 the right to vote would prove itself of great value not only to our young people but to the Nation as a whole.

I urge my colleagues on both sides of the aisle to introduce similar joint resolutions, so that we may quickly extend the privilege of full participation in our democratic process to the fine young citizens of this and future generations.

Mr. HATHAWAY. Mr. Speaker, it gives me great pleasure to add my voice to those of distinguished colleagues who today have joined their efforts to call attention to an issue which should receive the attention of the House and be resolved at the earliest possible date.

The issue is whether the voting age shall be lowered to 18. I most emphatically assert that it should.

Legislation to lower the voting age has been submitted to this body year after year since the end of World War I. And I might add that the arguments supporting this move have become more persuasive with each passing year.

An 18-year-old today is mature in terms of awareness of his society, his environment, his Nation, his Government, and his responsibilities of citizenship.

Young men and women today attain, by their 18th birthday, a degree of education, experience, and practical knowledge much more advanced than was the case in earlier generations. This is because their schools are better and more of them have completed high school by the time they are 18. It is also because radio, television, periodicals, and newspapers expose them to the affairs of their communities, States, Nation, and the world to a degree impossible in earlier generations.

Today's young people are the best informed in all of history. They are fully prepared for the responsibilities of citizenship and, in my view, entitled to assume those responsibilities which I have no doubt they would discharge with great distinction.

The young men and women of today have demonstrated their desire to serve their Nation in valuable and laudatory ways as members of the Peace Corps, VISTA, and as members of the Armed Forces. It seems to me a grave injustice to them that while they are being urged to serve and represent their Nation in foreign lands, to carry out vital programs in depressed areas of their own, and conscripted to defend our country under fire of an enemy, they should be deprived of the right to vote until they reach the age of 21.

These young people have a great stake in the destiny of our Nation. They are bound by its laws, serve in its wars, enriched by its triumphs, and impoverished by its failures.

They are entitled to a voice in their government's affairs. They are entitled to a voice in selecting their political leaders. They are entitled to share the responsibility for enacting and repealing laws. They are entitled to a vote.

A lowering of the voting age is dictated by justice and commonsense alike. The young men and women on whose behalf I speak today are fully qualified and clearly entitled to the right to vote. To continue to deny them that right would be sheer nonsense and blind folly for they have much to contribute in interest, zeal, idealism, and a fresh point of view which can only serve to enrich our great democracy.

Let us act to enfranchise these young Americans. Let us permit them to make the contribution to good government which I know they can. Let us extend to our young sons and daughters the privileges and burdens of full citizenship which they are eager and able to assume.

Mr. MEEDS. Mr. Speaker, I can remember a debate when I was in high school on the topic: "Resolved that 18-year-olds be allowed to vote." A child born the day that high school debate took place is, today, old enough to vote under our present laws. We have been talking about this idea for a long time and, frankly, I haven't heard any new arguments, pro or con, in years.

Lowering the voting age has almost

become one of those comfortable, perennial issues that, like the weather, everybody talks about. I think the 90th Congress should do something about it.

I am, today, introducing a bill to amend the U.S. Constitution to lower to 18 the age at which American citizens may vote. I hope this bill, and similar ones introduced here in the House and in the Senate, will receive prompt and favorable action.

There is one, overriding point which convinces me young people of this age should be allowed to vote. That reason is simply that they are ready: ready in the sense that they have the knowledge of government and current events at least equal to that of citizens over 21, and ready in the sense that they have the motivation and interest. I can find no more interested, lively, or concerned audience when I travel through my district of Washington State, than when I speak to high school or college students. They know the issues; they ask questions that reflect thought; and they are earnest in their search for answers.

The vast majority of young people in this Nation demonstrate the maturity and responsibility to exercise the franchise. I will stand behind that statement, a few beatniks and delinquents to the contrary notwithstanding. I know how we adults hate to admit it, but our age groups are not immune to irresponsibility, apathy, and immaturity. This kind of minority wall always be with us, whether 18 or 80. That there are an irresponsible few should not be held against 18- and 19-year-olds any more than against 35- or 50-year-olds.

More important to consider is what happens to the eager young person in those 3 years between his graduation from high school and his becoming eligible to vote. Graduating from high school with their interests whetted, most 18-year-olds are primed for full participation in the rights and responsibilities of citizenship that is their birthright. For 3 years, during which they can be married, become parents, serve in the Armed Forces, be legally responsible for their actions, assume financial responsibilities—for those 3 years when they are getting their first full taste of the individual responsibilities of adulthood, they are denied participation in the ultimate right and responsibility of a citizen of a democratic society—the right to vote.

It is small wonder, then, that there is a tendency for their interest in public affairs to atrophy. By the time they can vote, the momentum of 12 to 15 years of formal education, community encouragement, and parental effort is lost.

I firmly believe that we can encourage a more penetrating and sustained interest in public matters if we make it possible for 18-year-olds to participate fully in the affairs of their communities and our Nation.

What we have been saying to young people is, "Get ready. On your mark. Wait."

Now it is time to say, "Go."

Mr. EDWARDS of California. Mr. Speaker, I congratulate my good friends JIM HOWARD and KEN HECHLER on their fine statements today and for bringing this issue to the attention of the House. I wholly agree with their remarks and urge that we take action to make 18 years the minimum voting age in this country.

This generation of students manifests the concern and idealism of young people regarding the society in which they live and the wrongs which can be eliminated. The response to the ideals enunciated by President Kennedy and the programs of public service—the Peace Corps and VISTA—is one among many keys to the high level of interest and energy of youth. High school and college students are invaluable aids in local projects, additionally, in the war on poverty and the civil rights movement.

Young people today are more intense, better educated, more aware than ever. Our schools teach government and history and stress the values of participation and democracy. There is no more fundamental form of participation than the exercise of the franchise. At age 18, young men and women are both qualified and responsible and deserve a voice in their government.

From the age of 18, in almost every way but the ability to vote, an individual is considered an adult—he may be employed and earn his own living, he is no longer considered a juvenile and may be committed to a Federal prison or a State penitentiary, and he must register for the draft, possibly to fight and die for his country without ever having had the right to vote. Being subject as an adult to these vital and important laws, he must be able, in a democracy, to contribute to determining who makes these laws.

Some will contend that military service involves only physical maturity and does not qualify one for voting but this is begging the question. I do not know of a time in the history of this country when political and intellectual maturity has been a qualification for the vote. If subject to conscription to serve their nation, these young people ought to have the full rights of citizenship. The demands and pressures of modern society, the higher educational level, the greater awareness and involvement—all these are persuasive reasons why young adults today are capable of assuming the responsibility they should have.

Mr. SCHWEIKER. Mr. Speaker, I am pleased to join with a number of my colleagues today by introducing a proposed constitutional amendment which would permit 18-year-olds to vote in Federal, State, and local elections.

It is only fair that these young citizens should be allowed to vote. After all, when they become 18, they are considered old enough to sign job contracts, be treated as adults by our courts, serve in our Armed Forces, and pay taxes.

In addition, it seems to me that we should do all we can to encourage our young citizens to take part in our democratic process. When they graduate from high school, their interest in government and public affairs is at a high pitch. Very often, this interest continues through their college careers. Continuing to deny them the right to vote, while encouraging them in other ways to take an active part in the political life of our Nation seems to me contradictory and self-defeating.

A national poll taken within the past 18 months indicates that there is substantial acceptance for lowering the voting age to 18. Fifty-seven percent favor such action, 39 percent oppose it, and 4 percent are undecided. Other polls taken during the last 12 years show almost identical results.

Mr. Speaker, I believe it is time for the Congress to act on this matter, and I am pleased to join my colleagues in both bodies in this effort to grant an important privilege to these young people who contribute so much to our Nation.

Mr. TENZER. Mr. Speaker, there is increasing support in the Congress for a constitutional amendment to lower the national minimum voting age to 18. As Members on both sides of the aisle express their support and opposition to this proposal I would urge that congressional hearings be scheduled so that every consideration may be given to this measure and all voices heard.

I am today introducing a resolution to extend the right to vote to citizens 18 years and older. While the Vietnam conflict has highlighted the much publicized argument that "those old enough to fight are old enough to vote," I believe there are other convincing arguments for this constitutional amendment.

The 1963 report of the President's Commission on Registration and Voting Participation emphasized that by lowering the voting age, we would be extending the right to vote to those who are immediately interested in public affairs as a result of the educational phase which they are completing. The Commission stated:

> Despite the growing enrollment in institutions of higher education, it is a fact that only a minority of Americans are still in school when they near or reach their 21st birthdays. We believe that each State should carefully consider reducing the minimum voting age to 18.
>
> If 18 is adopted as a minimum age, we also recommend programs under which registration of students could be facilitated through voter registration days at high schools themselves.

This proposal will also have the dual effect of strengthening academic freedom and bringing to the electorate a group of young people who are energetic and idealistic in their view of the public service.

Another factor to be considered in support of such a constitutional amendment is that by granting the right to vote to persons in the 18-to-21 age bracket, we will be placing added responsibility on that group entering upon a new phase of community responsibilities.

Perhaps by encouraging our young people we can begin an effective "citizenship involvement" program.

The major argument against a constitutional amendment to lower the voting age has been that persons under 21 years of age lack the maturity of judgment and experience to exercise the right to vote. I must reject this argument on the basis of my experience with the young people of America and on the basis of our changing educational standards, during the past 20 to 30 years.

Our young people have lived through periods of hot wars, cold wars, propaganda wars. They can appreciate the real horrors of war. They have experienced educational advances far beyond expectations of 20 years ago. They are better equipped to meet the responsibilities of the franchise, than prior generations and they are more aware of the domestic and international problems which face our Nation.

They are Democrats, Republicans, and independents—they do not appear to be any more "liberal" or more "conservative" than a cross section of the adult voting population. Most importantly, they do have minds of their own.

Mr. Speaker, I believe the right to vote carries with it great responsibilities and for this reason I want to broaden the base of "citizenship involvement." There is wide bipartisan support for this proposal in the 90th Congress and I hope these efforts prove successful.

Mr. GALLAGHER. Mr. Speaker, in 1961 I introduced a bill to lower the national minimum voting age to 18. This year I, along with many of my colleagues of both parties, have reintroduced this legislation. I believe that the time has come for action on this vital measure.

Many of the traditional arguments for the vote at 18 have been put into a new perspective by the rapidly changing world.

Certainly the 18-year-old of today is much better educated and has been exposed to a far larger segment of the world than his counterpart at the time the minimum age was established. The communications explosion has placed the events occurring in any part of the world into living rooms in all parts of our country. Television and radio have radically changed the world; Lani Bird, the communications satellite recently put up over the Pacific, is being discussed to give live coverage of the war in Vietnam, for example.

Where a man formerly had to rely on a local newspaper or cracker-barrel discussions for his information about the world, we have now two or three newspapers at his easy disposal. Many papers have correspondents in every corner of the globe and wire services report detailed and factual information from every nation on earth.

The American education system has produced a youth of particular sensitivity to the great events of our times. Increased political activity is just one of the manifestations. Youth is more concerned about the structure and value of our society than they have been in the past. Certainly they would and should be able to translate this concern into an intelligent and informed vote.

I would hope that prompt action can be taken on the issue of lowering the minimum voting age to 18. Our youth have demonstrated to us that they are ready; we have an obligation to allow them to enter the mainstream of American political life.

Mr. BUTTON. Mr. Speaker, the idea of the 21-year age minimum for voting is based only on tradition, and an outmoded tradition at that. Nowhere is it granted more sanction than an uncertain shibboleth of a bygone age provided—an age which also barred voting rights to women and created or permitted other artificial barriers to a universal franchise.

In our day, when the whole thrust of the extension of democracy is to make it easier for qualified people to vote, the maintenance of the arbitrary and artificial 21-year limit is unjustified and undesirable. Contemporary moves to enlarge the electorate and extend the basic privilege of the franchise are typified by the vote now granted to Spanish-speaking residents of New York, for example; the lowering of needlessly long residence requirements in numerous States; the Voting Rights Act which has won the vote for hundreds of thousands of Negroes; the abolition of the poll tax; and removal of other unnatural impediments.

The battles to extend the right of the ballot to women were won only after decades of effort against the obstructionist weight of inertia and skepticism. The battles to insure the ballot to the Negro were won after many years more of even more active obstructionism.

The fight for an 18-year-old franchise has also been going on for many years. Nearly a quarter century has passed since the first State extended the ballot to its 18-year-olds. Since then at least three other States have lowered the voting age below 21. And for the past 15 years, efforts have been partially successful—only partially—in Congress to establish 18 as the voting age through a constitutional amendment.

Our history shows that this reform, like the others, will come in time. The year 1967 should be the time—such an act would be especially timely in a day when the Nation's young people are looking for a "signal" from their elders which will express the Nation's respect for the judgment and the responsibility of the younger people. Responsibility conferred will be responsibility grasped, in ever-widening circles. This gesture of confidence in our young people will reap little-realized dividends for the Nation. I repeat, now is the time for the 18-year-old veto to be achieved through a constitutional amendment to achieve the goal more effectively than possible through action by individual States alone.

Mr. BOLAND. Mr. Speaker, I join with my colleagues, Congressman KEN HECHLER, of West Virginia, and Congressman JAMES J. HOWARD, of New Jersey, in supporting a House concurrent resolution proposing a constitutional amendment which would permit persons 18 to 21 years old to vote. I have joined them in introducing a resolution which would reduce the national minimum voting age to 18.

Today American boys between the ages of 18 and 21 are fighting and dying in the jungles of southeast Asia; yet they cannot vote. They are old enough to be drafted but not old enough to vote.

Today young Americans 18 to 21 are working for the Federal Government or holding down jobs in the private sector of the economy. They are paying taxes to finance the operation of their Government; yet they cannot vote.

In many of our States, persons in this same age bracket may enter contracts; may marry; may purchase life insurance; or may draw up a will. They are judged mature enough, intelligent enough, and responsible enough to engage in these activities; but they cannot vote because, it is argued, they are not mature enough, intelligent enough, and responsible enough to exercise the franchise. Does this make good sense?

Objections are raised to justify withholding the ballot from them. It is suggested, for example, that they lack the experience and education requisite for casting an intelligent ballot. This claim, however, is far from valid. Indeed, studies demonstrate that young persons leaving high school today are far better educated than their parents' generation; that they are very interested in politics, and knowledgeable about it; that they are ripe and ready for joining in the political process. Yet, in all but four of our States, they are denied access to the ballot for 3 precious years.

Mr. Speaker, there is nothing magical or permanent or necessary in maintaining 21 as the voting age limits in 46 of our States. Indeed, evidence suggests that 18 is a more reasonable minimum for the entire Nation. By transmitting a constitutional amendment to the States. Congress may bring this laudable end to pass. At the same time it will reserve to the States the final voice in determining the voting age, which accords with their constitutional prerogative.

This action by Congress would be in step with our progressive tradition and our commitment to the democratic process. Let us, therefore, demonstrate good sense. Let us show faith in our 18- to 21-year-olds by permitting them to vote.

Mr. WILLIAM D. FORD. Mr. Speaker, I have today introduced House Joint Resolution 334, a joint resolution proposing an amendment to the Constitution of the United States granting the right to vote to citizens of the United States who have attained the age of 18.

I have long maintained that the voting age should be lowered to 18, and throughout my political career I have worked toward that end. This joint resolution is identical to one which I introduced in March 1966. In 1964, while serving in the Senate of the State of Michigan, I sponsored a similar amendment to the Michigan State constitution.

The justification for lowering the voting age to 18 grows more compelling with each passing year. In the past decade, this country has witnessed a significant growth in the maturity of our younger citizens. It is easy to see the concern and enthusiasm which these young citizens hold for our national affairs. The Young Democrats and Young Republicans are noticeably active in every election. The work of young people in the Peace Corps, the VISTA program of the war on poverty, and the Headstart program, shows their eager aggressiveness and their willingness to accept responsibility.

At the age of 18, most young people are fresh from high school and are ready to enter our universities, the Armed Forces, or their life occupations. At this time, they are richly endowed with knowledge of political and civic affairs. This knowledge should not be allowed to stagnate over the 3-year period before they are of legal voting age.

I wish to share with you, these lines written by the newspaper editor, John S. Knight:

> The accomplishments and achievements of youth outnumber the news of delinquencies and crime by a margin of 10 to 1. The youth of today are better informed and far more perceptive than we were at the same age.

Further, our young adults serve in the Peace Corps around the world demonstrating the real image of America's greatness; fight in Vietnam; staff political campaign headquarters or distribute political literature during election time. They can marry; drive at 18 in all States; be under the same penal codes as those 21 and over; be denied welfare aid unless handicapped; do not come under the child-labor provisions of the Fair Labor Standards Act; are considered adults by life insurance companies, the Federal Government, and Webster's Dictionary; bear firearms; and sign legal documents.

The 18-year-old vote was first advocated by President Eisenhower and subsequently supported by President Kennedy and President Johnson. It has been a plank in the Democratic and Republican platforms for many years.

In Georgia and Kentucky, the voting age has been lowered to 18 for over 10 years. In a poll taken by University of Kentucky political science students in 1960, 80 percent of the students vote in general elections as compared to 59 percent of all persons of all ages. Although the two newest States, Alaska and Hawaii, do not permit 18-year-olds to vote, the minimum voting ages are liberal: 19 for Alaskans and 20 for Hawaiians.

The conclusion seems to me inescapable. Young men and women are already taking part in the American political process, offering their resources and in many cases, their lives for democratic ideals we all seek to promote. That they should be doing this without the most basic of all political rights—the right to vote—seems to me a serious inconsistency.

Mr. ADAMS. Mr. Speaker, today I am introducing a joint resolution proposing a constitutional amendment which would grant 18-year-old citizens of the United States the right to vote. Many of my colleagues in the 90th Congress, on both sides of the aisle, have introduced similar or identical legislation. The debate over lowering the voting age of American citizens on a national basis has continued in Congress over the last quarter century. During this period, arguments both for and against this proposal have been publicly aired. Further, this dialog has continued in depth at all levels of the broadcast and news media in this country so that most Americans are fully apprised of proposals to reduce the voting age. In my district and around the country, I have found increased support for such proposals. In my opinion, a constitutional amendment allowing 18-year-old citizens to vote is long overdue.

Mr. Speaker, with the exception of Alaska, Hawaii, Georgia, and Kentucky, the States have retained a minimum voting age of 21 since colonial times. Since the earliest days of this country, our social, economic, and military needs have undergone drastic change and have grown radically in number and intensity. American citizens of all age groups have assumed growing responsibilities in filling these needs. Perhaps no group has responded as well to the demands of the new challenges faced by the American people than our young men and women between the ages of 18 and 25.

Mr. Speaker, those who support lowering the voter age requirements to 18 are casting votes of confidence for the American educational system. There is no comparison between a high school or college student of colonial days and the high school or college student of today. It is a good assumption that today's students aided by better teachers, better textbooks, better facilities is, thus, better educated than his counterpart of 100 or even 50 years ago. Also, more Americans today than in any other period in this Nation's history have had the opportunity to take advantage of these educational improvements. In 1966, more than 12 percent of the 18- and 19-year-olds in this country had completed from 1 to 3 years of college. Approximately 25 percent of Americans between 18 and 24 are attending college today. Almost 50 percent of American 18- and 19-year-olds have completed high school. Many more graduate from high school by the age of 20. Moreover, never have we had a better informed group of high school students. Mandatory courses in U.S. and world history, American Government, civics, and economics in our high schools have fostered great civic awareness among our youth. From the above reasons, it is evident that the young people of today are better equipped than ever before to exercise the right to vote.

Mr. Speaker, one of the greatest problems facing American democracy today is a general voter apathy. There is reason to believe that the idealism and enthusiasm youthful voters could add to our elections would be a healthy influence on our American Government. And, as Vice President HUBERT H. HUMPHREY has said, American youth under this proposed amendment would take on political responsibilities at a time when they will be more apt to place the national interest above those special interests which they may later acquire. Often we lose many potential voters who are well informed and enthusiastic students of government at 18 but have grown away from their government by 21 because of their commitments to job and family or are displaced and cannot register because of military service. The 18-year-old is generally still in his original neighborhood, has just completed a study of government, and is ready to register and vote. Once started, he remains an interested participating citizen.

This country has increasingly depended upon 18-year-old citizens to respond to its military commitents. The war in Vietnam is an excellent example of the burden this age group has conscientiously accepted. Furthermore, proposed changes in the draft would make 18-year-olds even more liable to military service and battlefield conditions than they presently are. It is my position that at the same time our youth should have a stronger voice in decisions which have such an impact on their lives.

We have depended upon our young men to defend us in times of war and they have not failed us. Should we not place the same confidence in their ability to choose those who will seek to keep the peace?

Mr. Speaker, our limited experience with an 18-year-old minimum voting age in the United States has been successful. Both Georgia and Kentucky have provided the Congress and the people of the United States with laboratory proof that the legitimate fears expressed by many in opposition to this amendment are unfounded. Further, proof that our young citizens, under the age of 21, are responsible voters has been shown in the experiences of Hawaii and Alaska, whose minimum voting ages are 20 and 19 respectively.

Therefore, I urge the support of the Members of this 90th Congress to enfranchise our young people who have demonstrated their mature dedication to this country.

NONPROLIFERATION TREATY FLUNKS COST-EFFECT TEST

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from California [Mr. HOSMER] is recognized for 10 minutes.

Mr. HOSMER. Mr. Speaker, we are ever advised to shop around, buy the items best suited to our needs, pay the necessary price, but no more. We are urged to keep something in reserve in order to have options for coping with changed circumstances when unknown events confronts us. All this has been reduced in the Pentagon to a computer-aided science known as "systems analysis," whereby Secretary McNamara claims we now possess the most cost-effective military establishment ever known to man. One of the key features of the systems analysis technique is to look seriously at every conceivable alternative solution to a problem to ascertain the most effective solution in relation to cost. Another key feature is to reserve as many flexible options as possible for quickly and cheaply switching to better and more cost-effective solutions as the problem itself changes or becomes better defined. Systems analysis is a fine tool for efficient operation of a large defense establishment so long as it is used sensibly and those who employ it refrain from becoming obsessed with delusions of godlike infallibility.

Unfortunately, there has been no application whatever of systems analysis to the problem of nuclear weapons spread. A strict nonproliferation policy made sense when the atomic bomb first was developed and the United States possessed a very valuable nuclear monopoly. We lost the monopoly, but still cling to the policy. There has been nuclear spread and it has mainly been to ill-natured hands. Still we cling to the myth of nonproliferation as though it were a hovering angel of peace. With tunnel vision we refuse even to look at alternatives which now or in the future might better serve the security interests of the United States. Instead, we begin negotiations today in Geneva on a nonproliferation treaty which forever will foreclose our option to choose any of these alternatives, no matter how sorely they may be needed to defend our country. The Johnson administration is bending every effort to hammer into an international agreement a policy which for 20 years has failed. It does so in absolute violation of the systems analysis principles requiring examination of alternatives and reservation of options. If at some future time supplying purely defensive nuclear armament to a trusted, hard-pressed ally would thwart the designs of an aggressor, the treaty will bar us from doing so. Our alternatives will be limited to letting the ally fall or rushing to its rescue with American bodies as we did in Korea and Vietnam. The treaty will surrender in advance a more favorable, cost-effective option.

This is but one of many hidden price tags on the pact that so many treaty-blinded, international-minded editorial writers fail to disclose while praising the Geneva negotiations to the skies. Before more such pundits fall victim to the herd instinct and disserve their readers with superficially considered editorial recommendations, they should look over such thoughtful literature on the proliferation question as: Daugherty, James E., "The Nonproliferation Treaty," Russian Review, January 1966; Kintner, William R., "A Reappraisal of the Proposed Nonproliferation Treaty," Orbis, spring 1966; Robison, David A., "Learning To Live With Nuclear Spread" and "Softening the Impact of Nuclear Spread," Air Force and Space Digest, August and October 1966; Schlesinger, James R., "The Strategic Consequences of Nuclear Proliferation," the Reporter, October 20, 1966; and Teller, Edward, "Planning for Peace," Orbis, summer 1966.

NEW YORK ATTACKS NARCOTIC ADDICTION

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. HALPERN], is recognized for 15 minutes.

Mr. HALPERN. Mr. Speaker, on April 1, 1967, the State of New York will begin an attack in depth against the scourge of narcotic addiction. On that date, New York's program of commitment, treatment, aftercare, and research into the problems of narcotic addiction goes into effect, after many months of planning and preparation. The State expects to spend $81 million during the first year of the program.

This is inspired leadership, by a great State, in the fight against a disease which strikes down our youth, and lines the pockets of the worst criminal elements in our Nation. It is a disease which not only destroys its victims, but also forces them into crime and prostituton, and thus spreads its vile effects far beyond the lives of the afflicted and their families.

The State of New York is unfortunate to have within its borders fully one-half of all the identifiable narcotic addicts in the United States, but the problem is not of New York's making. It is a result of geography and social conditions. As the greatest seaport and airport center, and as the melting pot for migration and immigration, it is a vulnerable target.

New York is doing its best to meet its responsibility in this war against spreading contagion. But the Federal Government has not taken up its responsibility. We have not been able to stop the flow of dope which comes into this country through seaports, airports, and thousands of miles of border. It is well nigh impossible to seal off all means of narcotics entry, though we should certainly add to our pitifully small forces arrayed against it, and I shall soon offer legislation for that purpose.

The alternative is to do our best to prevent the disease of narcotic addiction from making further inroads. Last year, the Congress passed the Narcotics Rehabilitation Act of 1966, and it was signed into law. I was privileged to join in the sponsorship of that act.

This is a good start toward helping narcotic addicts to help themselves, but a mere law on the books cannot achieve that purpose. It will not work—it cannot work—without funds. The President's budget, early this year, did not include $15 million needed to fund the act. More recently, the President's message on crime did not ask for such an appropriation. I plan to offer legislation soon to provide such funding.

However, we must have hospital facilities for the addicts who take advantage of the Rehabilitation Act and voluntarily seek aid. In New York State, this aid will be available, when that State's enlightened antiaddiction program is in full effect.

But even $15 million for the Narcotics Rehabilitation Act of 1966 will only make a small start toward carrying out the Federal Government's moral, financial, and legal responsibility.

We must provide meaningful financial assistance to the States to inspire them to take enlightened action, such as New York's, and to help them succeed in their programs. For that reason, I have sponsored a bill today to provide such assistance to States which establish and operate treatment, rehabilitation, and aftercare services for narcotic addicts.

This bill provides $55 million a year for the fiscal years starting on July 1, 1967, 1968, and 1969. Such funds would be apportioned among States whose plans for such programs have been approved by the Surgeon General. States would also receive technical assistance in designing, locating, constructing, and operating special hospital facilities for narcotic addicts.

The bill provides for the establishment of an Advisory Committee on Hospital Facilities for Narcotic Addicts in the Public Health Service. The Surgeon General would serve as Chairman, and ex officio members would be the Federal Commissioner of Narcotics and the Director of the Federal Bureau of Prisons. Eight additional members would be appointed by the Surgeon General, with the approval of the Secretary.

The Advisory Committee would be charged with the responsibility of carrying out studies, investigations, and reviews of proposed programs, thus adding critically needed data to our pitifully meager store of actual information about the causes, prevention, diagnosis, and treatment of narcotic addiction.

The Surgeon General, with the approval of the Advisory Committee and the Secretary, would promulgate regulations to establish standards for construction and equipment for hospital facilities, for care and treatment, and for post-hospital care and rehabilitation services.

The bill also outlines the methods by which States may apply for financial assistance, make regular reports to the Surgeon General, and consult with the Surgeon General on plans and programs.

Federal assistance to the States would be three-quarters of the cost of construction of hospital facilities for narcotic addicts, three-fifths of the cost of operation, and one-half of the cost of proper and efficient administration of State narcotic addiction programs.

The maximum amount available to any individual State would be based upon the ratio of that State's narcotic addict population, to the total number of narcotic addicts in all the States. This ratio would be determined by the Surgeon General, on the basis of surveys conducted by his office once every 2 years.

Most of us are aware of the fact that other drugs, beside narcotics, have assumed considerable social importance. However, the addictive effects of such drugs—the hallucinogens, depressants, and stimulants—remain a moot point. If the Surgeon General, through study and consultation, should determine that other drugs are also addictive, financial assistance should be provided for facilities to combat such other addictions.

I ask you to remember that the program of financial assistance I have outlined is aimed at an epidemic disease which strikes families in all economic strata, and is capable of spreading its misery in any part of our Nation.

We have concentrated mainly on arrest and punishment in our attack against narcotic addiction. In recent years, we have acquired a deeper knowledge and understanding, and we know that we must heal the sufferers, and help restore them to useful places in society.

Without significant Federal assistance, the States alone cannot mount an effective war against this disease. And without such an effective war, we leave the way open for the scourge to rage unchecked.

I am certain that the Congress, recognizing the critical, immediate need for this action, will take steps to act on this legislation with as much forthrightness as possible.

A GRATUITOUS SLAP AT THE CONGRESS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Illinois [Mr. **Findley**], is recognized for 30 minutes.

Mr. FINDLEY. Mr. Speaker, the action of the Department of Agriculture last Friday in issuing a purchase authorization for the vegetable oil is a gratuitous slap at the Congress and a grave affront to U.S. servicemen fighting in Vietnam.

The Congress must somehow insist that the Executive enforce the law. Notwithstanding an opinion by the Comptroller General dated February 2, the Secretary of Agriculture nevertheless went ahead with the oil authorization in clear violation of the Findley amendment to last year's Agriculture appropriation bill.

If this type highhanded action is allowed to continue, the Congress may soon become nothing but a tourist attraction.

Text of my letter to the Comptroller General, General Accounting Office:

Dear General Staats: Notwithstanding your opinion of February 2, 1967, in which you advised the Secretary of Agriculture that expenditure of appropriated funds in connection with a vegetable oil shipment to Yugoslavia under Public Law 480 would be illegal under the "Findley Amendment" to the Agricultural Appropriation Act of 1967, the Department has in fact issued a purchase authorization (Number 11–433) for such sale. There is every indication that the Department of Agriculture is determined to complete the transaction.

Accordingly I request that the General Accounting Office take appropriate action, which would include among other things: 1. Taking exception to this transaction to the extent that appropriated funds are used either directly or indirectly, whether in the form of services by salaried employees, use of consumable supplies, or other;

2. Taking exception to this transaction to the extent that funds and other resources of the Commodity Credit Corporation are used;

3. Making a detailed report to the Congress.

Thanks for your always excellent cooperation.

Sincerely yours,

Paul Findley,
Representative in Congress.

The action of the executive branch in issuing a purchase authorization for $9,625,000 worth of vegetable oil for Yugoslavia at subsidized interest rates is a gratuitous slap at Congress and a grave affront to U.S. servicemen fighting in Vietnam.

Under the terms of the agreement, the Tito regime will get credit subsidies worth over $2 million, as it has 14 years in which to pay for the commodities and will be charged interest at only 3½ percent. The interest is approximately half the rate U.S. firms currently pay to borrow money.

In acting in direct violation of the Findley amendment, the executive branch made a mockery of the legislative process. The amendment prohibited use of appropriated funds for this purpose, and I have verified the fact that appropriated funds were utilized in the preparation and issuance of the purchase authorization and will necessarily be used at the several stages of the processing which will be required before the transaction is completed.

It is an affront to our servicemen in Vietnam because the Tito government has not only likened our war policies to Hitlerism but has permitted regular shipments of medical supplies to be sent to North Vietnam.

On December 13 the Belgrade radio station acknowledged that 13 shipments had been made and announced that "the aid drive for the people and fighters of Vietnam has been widely accepted by the Yugoslav people and various organizations." Only recently a mob of thousands stoned our consulate in Zagreb.

It is difficult for me to understand why our Government should aid a regime which helps our enemy. The action of the executive branch is a breach of faith with Congress because Secretary of State Rusk on September 27 wrote to Speaker **McCormack** promising that the Findley amendment would be enforced.

Perhaps the most thorough and persuasive argument against carrying out the vegetable oil shipment was prepared in the office of the General Counsel, U.S. Department of Agriculture. Through the courtesy of Mr. Claude Coffman, general counsel, I was provided with the text of this draft statement. Set forth below is the text together with the text of Mr. Coffman's accompanying memorandum:

U.S. Department of Agriculture,
Office of the General Counsel,
Washington, D.C., February 20, 1967.

Hon. Paul Findley,
House of Representatives,
Washington, D.C.

Dear Mr. Findley: In response to your request, I am enclosing a copy of the tentative draft of an opinion prepared in this office on the question of carrying out the agreement entered into with Yugoslavia under Title IV, P.L. 480.

I wish to emphasize that this is a tentative draft which was not signed or issued by the General Counsel and does not represent advice given by the General Counsel.

Sincerely yours,

Claude T. Coffman.

[Draft]

To: The Under Secretary.
From: General counsel.
Subject: Findley amendment to the Department of Agriculture and Related Agencies Appropriation Act, 1967.

We understand that the Department of State has asked the Department of Justice to rule on the question set forth below relating to the Findley amendment to the Department of Agriculture and Related Agencies Appropriation Act, 1967 (Public Law 89–556). The Department of Justice has asked for the views of this office and accordingly, I am providing herewith our opinion with respect to this problem.

The question has been raised as to whether the Findley amendment would bar the issuance of a purchase authorization to implement an agreement with the Government of Yugoslavia under Title IV, Public Law 480 because of shipments of medical supplies which are being made from Yugoslavia to North Vietnam. The provision reads as follows:

"To partially reimburse the Commodity Credit Corporation for net realized losses sustained but not previously reimbursed, pursuant to the Act of August 17, 1961 (15 U.S.C. 713a–11, 713a–12, $3,555,855,000: *Provided*, that no funds appropriated by this Act shall be used to formulate or administer programs for the sale of agricultural commodities pursuant to Title I or IV of Public Law 480, 83rd Congress, as amended, to any nation which sells or furnishes or which permits ships or aircraft under its registry to transport to North Vietnam any equipment, materials or commodities, so long as North Vietnam is governed by a Communist regime."

We understand that the medical supplies are furnished by an organization known as the Coordinating Committee for Assistance to the People of North Vietnam comprised of the following organizations:

The Socialist Alliance, The Trade Union Federation, The Association of Veterans Federations, The Youth Federation, The Yugoslavian Red Cross, The Student Union, The Conference of Social Activities for Women, and The Yugoslavian League for Peace and Independence and Equality of Peoples. The medical supplies consist of donations of blood and voluntary contributions of medicines and bandages which are consigned to the North Vietnamese Red Cross. Specifically, the question arises whether the above-quoted provision applies in a situation where medical supplies are being donated by organizations which we understand are considered by the Department of State as private rather than governmental.

In our view the Findley amendment is intended to apply if the government of any nation or any private entity within the nation supplies by donation, sale or otherwise, equipment, materials, or commodities of any kind, including medical supplies to North Vietnam.

The term "nation"[1] is not defined in the proviso or elsewhere in the appropriation act. The proviso applies to programs for the sale by the United States of commodities under Titles I and IV of Public Law 480 where the term "nation" is used in more than one context. In some cases it appears synonymous with governments of nations. In many other cases it is used in a broader sense. For example, in Section 101 "The President is authorized to negotiate and carry out agreements with friendly nations. . . . In negotiating such agreements the President shall—'(a) take reasonable precautions to assure that sales under this act would not unduly disrupt . . . normal patterns of commercial trade with friendly countries;'"

The term "country" in paragraph (a) which is synonymous with the word "nation" is used to refer not merely to trade with governments but also to private trade. Foreign currencies accruing under Title I may be used for purposes specified in Section 104 which include "promoting balanced economic development and trading among nations." (Section 104(e)). For these purposes loans are made to U.S. business firms for business development and trade expansion in such countries and to domestic or foreign firms for establishment of facilities for aiding in the utilization of and markets for U.S. agricultural commodities. Also, under Section 104(g) currencies may be used for loans made through established banking facilities of the friendly "nation" from which the foreign currency was obtained.

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[1] The term "nation" is ambiguous. Its most famous use occurs in Article I, Section 8, Clause 3 of the Constitution where the words "commerce with foreign nations" refer to commerce with nationals of foreign countries as well as to commerce with their governments. In an opinion of the Attorney General dated August 29, 1963 (42 Op. A.G. No. 14), the opinion was expressed that the term "foreign nation" as used in the Cargo Preference Act was not limited to foreign governments but included sales of surplus commodities under Title IV of P.L. 480 to the private trade which were not of a purely commercial nature but were for the purpose of assisting the economies of friendly nations.

In Title IV, as well, language is used which makes clear that the use of the term "nation" is not confined to governments of nations. For example, in Section 401 it is stated that the purpose of the title is among other things "to assist the economic development of friendly nations by providing long term credit for purchases of surplus agricultural commodities for domestic consumption during periods of economic development so that the resources and manpower of such nations may be utilized more effectively." Also, in providing authorization for agreements with the private trade it is provided that such agreements shall thereby assist "the development of the economies of friendly nations."

The question at issue was not discussed in the debates in Congress on the appropriation bill or in the committee reports. The provision was included in the bill as adopted by the House. Subsequently, hearings were held on this limitation before the Senate Subcommittee on Appropriations (see Supplemental Hearings on H.R. 14596 regarding Limitation on Shipments Pursuant to Public Law 480 89th Congress). The following discussion appeared with respect to his provision:

"Senator HOLLAND. This covers not only government shipments but also private shipments; does it not?

"Mr. MANN. That is not clear, Senator. Our lawyers have construed this, and there is some considerable ground, I think, for debate, to apply it to government-to-government transactions.

"The bill, as it is now worded, the pending amendment, I think, leaves it somewhat unclear.

"Senator HOLLAND. Do you think it ought to be clarified if the amendment be changed in the Senate or by conference so as to make the prohibition applicable to recipients of Public Law 480 aid who ship military strategic goods to North Vietnam in such a way as to cover only government shipments of all kinds whether it is government or private?

"Mr. MANN. I think we would be inclined to say if the amendment were changed so it is limited to strategic and military, that it might apply to all exports to North Vietnam regardless of whether they came from the private sector of the public sector.

"Senator HOLLAND. That would be my opinion also, but I wanted the record clear on that. Maybe there are other questions.

"Mr. MANN. On the other hand, Mr. Chairman, if the committee and the Congress were to give the President discretion, there is some advantage in leaving this a little bit vague because it would be helpful to us in our negotiations with foreign governments to reduce even the private sector trade. We would like to eliminate that, too, if we could.

"Senator HOLLAND. Do you mind suspending just a moment. I have a call. I must take it and don't want to miss any of this. I would be glad to put Senator Stennis in charge, but if we could suspend, I would like to hear it all.

"Senator STENNIS. No, thanks, Senator; I will wait.

"(Whereupon, a brief recess was taken.) (Supplemental Hearings, Agricultural Appropriations for Fiscal Year 1967.)"

The Senate Committee reported the bill with the Findley amendment modified to apply "unless the President determines that the national interest requires otherwise." In conference, the House prevailed and the bill, as enacted, contained the provision adopted by the House.

It may be noted that Mr. Mann did not take the position that the language applied only to government shipments; instead, he stated that there was considerable ground for debate, that the bill left the matter somewhat unclear and that if the amendment was restricted to strategic and military supplies it might be applied to *all* exports to North Vietnam regardless of whether they came from the private sector or public sector.

Important in determining the meaning of this section is the discussion relating to similar provisions in the Food for Peace Act of 1966 by the same Congress within a short period after adoption of the Findley amendment. In the bill adopted by the House the same language was included except that it was extended to bar aid with nations trading with Cuba as well as with North Vietnam. The provision was changed by the Senate and the Conference Committee Report further modified the provision as it passed the House to apply it only where there were shipments of certain commodities specified in Title I of the Mutual Defense Assistance Control Act of 1951, 82d Congress (popularly known as the Battle Act) and to give the President discretionary authority. See Conference Report to accompany H.R. 14939, No. 2075, Sept. 23, 1966). The House rejected this provision and sent the bill back to conference. The discussion in the House throws light on the intent of the rider to the appropriation act.

Mr. Cooley, Chairman of the House Committee on Agriculture, stated with respect to the Conference Report on the Food for Peace Act of 1966 (Report No. 2075, Sept. 23, 1966):

"Mr. Speaker, the only controversy that now remains is the controversy dealing with the involvement with North Vietnam and Cuba. Mr. Speaker, *we had very strict language in the House bill which provided that no latitude was given for shipment of any articles to those areas.*" (Italics supplied.)

After describing the change made from the original House provision in the Conference bill, it was stated:

"Personally, Mr. Speaker, I have no objection to the House working its will on this proposal. In view of the fact that I feel that way about it, I would like to ask unanimous consent that conference report be returned to the conference in an effort to further insist upon the House language being incorporated in the final draft of the conference report." CONGRESSIONAL RECORD, volume 112, part 19, page 25315.

In the course of debate it was stated further by Mr. Abbitt, a member of the Committee on Agriculture, as follows:

"I wonder how we are going to live with that. We have people over across the water being shot down and killed. Yet these so-called 'friendly nations'—and I doubt their friendliness, if this is what they are doing—are demanding our help and at the same time are trading with our enemy and thereby building up the enemies' war power.

"I believe it is time to take a firm stand. We should no longer coddle our enemies. We should no longer permit our so-called friends to do that. If they do that, they are not friendly.

"I say we must strike out all trade in any manner with nations which continue to aid and assist in the building up of the military might of those who are leading the fight against us. CONGRESSIONAL RECORD, volume 112, part 19, page 25317.

"* * * * *

"I must say that there are a lot of materials besides military goods which can be and are helpful to an enemy. If we are going to keep our boys in Vietnam we must call a halt to any way of helping the enemy or in any way permitting nations that we are assisting to help the enemy maintain its hostilities, to build up its armed forces, or in any way continue to wage a war which has been so devastating to our fighting forces.

"I hasten to say that the language in the House bill as reported out by the Agriculture Committee, of which I am a member, is limited to concessional sales under Public Law 480 and does not in any way affect food donations to hungry people anywhere in the world and I urge our Members to stand with us and insist upon the strong House-passed language rather than the weak-kneed provisions in the conference substitute. Unless this is done, *medical supplies will continue to flow into North Vietnam* and also into the Castro regime in Cuba." (Italics supplied). CONGRESSIONAL RECORD, volume 112, part 19, page 25312.

Again in debate, Mr. Chamberlain stated:

"It is important, therefore, that every opportunity be taken to discourage any trade with North Vietnam. Certainly no piece of legislation should contain provisions which tolerate this trade. This traffic in fact has been tolerated far too long. The Secretary of Agriculture in behalf of the administration demands that we not hold it against any of our so-called friends if they help North Vietnam. Mr. Speaker, I simply cannot understand how it can be in our national interest to offer aid or subsidized Government business to any country *which permits help to a regime that is daily taking its toll of American lives. . . .*" (Italics supplied).

Mr. Nelsen further stated in the CONGRESSIONAL RECORD, volume 112, part 19, page 25324:

"*It is argued that the countries affected by this provision are sending only small amounts of 'nonstrategic goods' to North Vietnam and Cuba.* However, we know in our own economy, which is infinitely stronger than those of our enemies, that all goods are strategic during wartime. The supply of 'nonstrategic' articles can be of great assistance in freeing a country's productive capacity for strategic goods.

"*Either way, the trade amounts to valuable assistance to the declared enemies of the American interests and the interests of the free world.* We cannot justify special subsidized sales of American food to countries which choose to assist our wartime enemies in this way. The House must reinsert the ban provision." (Italics supplied.)

After debate, the Conference Report was returned to Conference Committee by a vote of 306 to 61 on a motion by Mr. Belcher with an instruction to the Managers on the Part of the House to insist upon the language of Section 103(d)(3) of the House bill.

The Conference Committee then adopted the following language in Section 103(d)(3) which defines a friendly country to exclude:

". . . (3) for the purpose only of sales of agricultural commodities under title I of this Act, any nation which sells or furnishes or permits ships or aircraft under its registry to transport to or from Cuba or North Vietnam (excluding United States installations in Cuba) any equipment, materials, or commodities so long as they are governed by a Communist regime: *Provided,* That with respect to furnishing, selling, or selling and transporting to Cuba medical supplies, non-strategic raw materials for agriculture, and non-strategic agricultural or food commodities, sales agreements may be entered into if the President finds with respect to each such country, and so informs the Senate and the House of Representatives of the reasons therefor, that the making of each such agreement would be in the national interest of the United States and all such findings and reasons therefor shall be published in the Federal Register. . . ."

The language used in the Act as it applies to North Vietnam is the same as in the proviso used in the appropriation act and we believe should be accorded the same meaning in both statutes. It appears clear that the ban of the above-quoted provision applies to the furnishing of medical supplies to North Vietnam in view of the specific exception which applies to countries providing medical supplies to Cuba. There would, of course, have been no need for the exception if the language "equipment, materials, or commodities" did not include medical supplies.

The debate and the vote to recommit the original conference committee report make manifest, in our opinion, the view of the House (which originated the Findley amendment) that assistance should not be given to any nation which through its government or any private entity within the nation provides materials, equipment and supplies of any kind to North Vietnam. Accordingly, we believe that the issuance of a procurement authorization to Yugoslavia at this time would not be in keeping with the intention of the rider to the appropriation act.

The provisions of the rider are similar to language in Section 107 of the Foreign Assistance and Related Agencies Appropriations Act, 1967 (Public Law 89–691). Sections 107 and 116 provide as follows:

"SEC. 107. (a) No assistance shall be furnished under the Foreign Assistance Act of 1961, as amended, to any country which sells, furnishes, or permits any ships under its registry to carry to Cuba, so long at it is governed by the Castro regime, in addition to those items contained on the list maintained by the Administrator pursuant to title I of the Mutual Defense Assistance Control Act of 1951, as amended, any arms, ammunition, implements of war, atomic energy materials, or any other articles, materials, or supplies of primary strategic significance used in the production of arms, ammunition, and implements of war or of strategic significance to the conduct of war, including petroleum products.

"(b) No economic assistance shall be furnished under the Foreign Assistance Act of 1961, as amended, to any country which sells, furnishes, or permits any ships under its registry to carry items of economic assistance to Cuba, so long as it it is governed by the Castro regime, or to North Vietnam.

"SEC. 116. No assistance shall be furnished under the Foreign Assistance Act of 1961, as amended, to any country that sells, furnishes, or permits any ships under its registry to carry to North Vietnam any of the items mentioned in subsection 107(a) of this Act."

Section 107 dates back to 1962 and Section 116 to 1965. After the first year of administration of Section 107, the House Committee which considered the foreign aid appropriations bill requested the administration to provide a statement of its application. The statement is attached here and appeared in the Hearings on the "Foreign Operations Appropriations for 1964," 88th Congress, 1st Session, 1963, pages 2317 to 2319.

This statement was concerned with the part of the provision that prohibited aid to nations permitting ships or aircraft under its registry furnishing supplies. In this context the term "nation" can reasonably be construed to mean governments and has been so construed.

On the other hand, with respect to the ban on aid to countries which furnish supplies to prohibited areas, we are not aware that in the years of operation of the program the administration was ever confronted with the issue of whether the provision applies not only to the government of a nation but to a private entity within the nation.

The purpose of the Findley amendment as well as Section 103(d)(3) of the Food for Peace Act would be easily thwarted if the provisions were narrowly construed to be inapplicable if supplies were furnished to North Vietnam by organizations of a nation which are not strictly speaking a part of the government of the nation. The furnishing of supplies to North Vietnam give aid or comfort to the enemy regardless of whether they are furnished by the government or a private entity within the nation. Most governments (including Yugoslavia) have controls upon exports, and exportation to areas such as North Vietnam occurs only because the government permits it to occur as a matter of deliberate government policy. This would be particularly true in a country governed by a Communist regime. To distinguish between the government of a nation and a private entity within a nation in applying the Findley amendment, results in an artificial distinction, which in our view would be violative of intendment of the provision.

THE COMING DECISION

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from Pennsylvania [Mr. DENT], is recognized for 60 minutes.

Mr. DENT. Mr. Speaker, as we approach the day of decision on the Reciprocal Trade Agreements Act, Congress must study every phase of the trade picture. The damage done to our industrial and employment economy in the last 5 years must not be brushed under the rug with rosy promises of future benefits to the American people.

I remember well the fantastic promises and predictions of great prosperity made by the then Under Secretary of State, George Ball, Secretary of Labor, Arthur Goldberg, and Secretary of Commerce, Hodges.

I sat in amazement in the House Committee on Ways and Means and heard the repeated flat declaration that the Kennedy round through the operations of the new agreement would create from 4 to 6 million new jobs.

The truth of the matter is that jobs have been lost by the thousands in steel, glass, ceramics, vegetables and fruits, canned goods, gloves, textiles, and in almost every U.S. industry, especially consumer goods such as transistors and electronic oriented products.

The attached article by Carroll P. Streeter is important and ought to be read by every Member of Congress and particularly by our trade negotiators in Geneva.

All of a sudden the American representatives are working day and night trying to pull a rabbit out of a hat in order to put into effect a 50-percent tariff slash on thousands of articles for fear that the Congress may awaken to the serious dangers in our present trade policies.

And now Mr. Speaker, it will soon be 33 years since the first Trade Agreements Act was passed in 1934. This was the program of free trade that was to pacify the world. Since that time we have seen World War II come and go, no less than the Korean conflict, while now we are at war in Vietnam.

It is high time that we take a look at this program that was to bring such wonders to the world. Under this program the United States has reduced its duties an average of some 75 to 80 percent. What has been the effect on our trade?

The following facts are irrefutable and may be attributed in great part to the trade program:

First. The competitive position of the United States in world markets has deteriorated seriously since 1958.

Second. U.S. exports have declined relatively compared with those of other countries.

Third. U.S. imports have shifted more heavily to finished manufactures.

Fourth. Rising imports of finished manufactures have produced feverish efforts to modernize and automate in order to reduce manpower needed per unit of production in this country.

Fifth. Displacement of labor, increase of retraining burdens and outlays for poverty have resulted from efforts of domestic industry to remain competitive at home and abroad.

Sixth. This country has been running a trade deficit in recent years instead of enjoying a surplus ranging from $4 to $7 billion per year since 1960, as official reports have shown. This would become clear if the statistics were corrected to report our imports at what they cost us, laid down at our ports rather than their value at foreign points of shipment, which is the basis of present reports; and if further, the statistics were stripped of our exports of subsidized sales made abroad and those made under Public Law 480, food for peace, and similar shipments made under AID.

The 1966 trade balance in merchandise was a deficit of some $2 billion in terms of competitive private commercial trade, instead of a surplus of nearly $4 billion as officially reported by the Department of Commerce.

Seventh. The true U.S. export surplus has been confined almost exclusively to capital goods industries and semimanufactured chemicals.

Our capital goods exports are weighted heavily with shipments destined for the establishments of American-owned subsidiaries abroad, stimulated by the large flow of investment capital into foreign fields. These American-owned establishments have enjoyed sales expansions abroad at a rate far outstripping the increase in our exports.

Eighth. American capital, in search of lower production costs, has moved abroad at rising levels until curbed by governmentally inspired voluntary restrictions. The purpose of these huge investments has been (a) to participate in foreign markets from within, as a partial substitute for exporting from this country, which, with the exception of capital equipment and a few other products, was becoming more and more difficult; (b) as a base for exporting to third countries, such as Latin America, Africa, and Asiatic countries; and (c) shipping to this country items that particular companies do not manufacture here but that may be produced here by their domestic competitors.

Ninth. Our agricultural exports are also in a deficit position but for governmentally assisted exports, sales for foreign currencies and giveaways.

Tenth. A number of important domestic industries have shifted in recent years, from a net export to a net import position, such as textiles, steel, petroleum, typewriters, sewing machines, automobiles. These are among our foremost industries in point of technology.

Eleventh. Our merchant marine has dropped from the No. 1 spot in the postwar world to fifth or sixth place at the present time. While trade has increased over 600 percent since 1935 our merchant marine has stood almost still in point of tonnage carried, and American-flag ships carry less than 8 percent of all our foreign trade.

Mr. Speaker, if that record is the way to spell success we need a change of words. To me it looks like a dismal failure, one that confronts this country with an unenviable future in world trade.

It cannot be denied that these results were courted by those in our Department of State who, with their like-thinking colleagues in other departments, wielded the meat knife over our tariff like whirling dervishes swinging sabers rushing fanatically into battle, with much emotion but little thought.

Let me enlarge on some of the points I have made. I mentioned the declining share of our exports in world market. The shrinkage in our share of the world market in manufactured products has been 20 percent in the past 10 to 12 years. Half of the shrinkage has occurred since 1960. This does not mean that our exports have declined but that other countries have been gaining at our expense. They are outdoing us in the exportation of manufactured goods, and let me point out that manufactured goods use more labor in their production than do raw materials and unprocessed agricultural products.

On the import side we have been increasing imports of manufactured goods more rapidly than our exports of these products. In the case of machinery our exports have increased 75 percent from 1958 to 1965. This was one of the highlights of our exports since total exports increased only 45 percent.

Yet, compare our proud record in machinery exports with our imports of machinery, and you will find that they increased well over three times as fast as our exports, or by 272 percent from 1958 to 1965. It is true that we are still exporting more machinery than we are importing, because of the high level of our foreign investments; but if the present trend continues much longer we will turn from an export to an import basis in machinery, just as we have done in a number of other products, such as steel, textiles, and automobiles.

I do not have to tell you that when the importation of manufactured goods increases faster than that of raw materials we are making a poor trade so far as employment is concerned. The reason for importing more manufactured goods lies exactly in the fact that the savings are greater when we do so, because of the low-foreign wages. The discrepancy between our costs and foreign costs of production increases as more labor is used in production. This is what happens with finished goods compared with raw materials.

This explains why our imports of raw materials and unmanufactured foodstuff have lagged. There is not as much cost to be saved. Our imports of manufactured goods other than machinery increased four times as rapidly as our imports of inedible raw materials or 125 percent compared with 30 percent.

Now if we turn to exports we find the same principle holding down our exports of manufactured goods, other than machinery. These exports increased only 29.7 percent, while imports, as just stated, increased 125 percent. In other words, we find it hard to sell abroad the goods that incorporate all the steps of production, as do manufactured goods.

Let us look at a few specific industries.

When it comes to inedible raw materials our exports rose 67 percent, or from $1.14 billion in 1958 to $2.85 billion in 1965. This was a rise two and a half times as high as the increase in imports of these products. The reason, once more, is very clear. We find it easier to increase our exports of goods in which labor costs are held down because only one or two steps of production are incorporated. High labor cost is not accumulated through four or five steps as happens with many manufactured products, but only one or two steps.

On the other hand there is less advantage in importing raw materials than manufactured products. As I have already said, there is not as much saving in cost because not much labor has been incorporated.

If we turn to metals and manufacture, we find our exports increased only 31.9 percent from 1958 to 1965, while imports increased 146.8 percent. In 1958 our exports of these products still exceeded imports. The export surplus was $254 million. In 1965 the tide had turned. Imports exceeded exports by $1.1 billion. This was quite a switch and should tell us something useful about our competitive position in world trade. It should also tell us something about the wisdom of a trade policy that brings about such a radical switch in so short a period of time.

Yet there are those who would cut our tariffs another 50 percent across the board.

In textiles other than clothing a similar swing-about has occurred. In 1958 we exported more than we imported. In 1965 our imports surpassed our exports by $271 million. Our exports during that period increased 22.2 percent, but our imports rose by 110.7 percent, or five times as fast as our exports.

In the case of clothing a similar outstripping of exports by imports occurred. Exports rose by 52.1 percent but imports climbed by 212.1 percent, or by $369 million as compared with an export increase of only $49 million.

This swing-about has occurred in spite of the long-term trade arrangement whereby other countries restricted their cotton textile exports to us. If 1966 statistics were included the deficit would be much greater, because imports have been coming up very rapidly.

Our trade planners had looked with great confidence to exports in the past few years to pull the chestnuts of our balance of payments out of the fire. We all should remember the big export campaign mounted by the Department of Commerce including a long list of foreign trade fairs in other countries.

Well, in spite of all that, our exports fell behind. From 1964 to 1966 our exports increased 12.7 percent while our imports rose 37.6 percent, or three times as fast as exports. This was in 2 years' time.

If we want to get at the real situation in our exports we should take a look at the trend of all exports except machinery exports, agricultural exports, which have been buoyed by foreign aid and subsidies, and exports of chemicals. That leaves a long list of exports of all kinds of products.

If the three mentioned items are left out the remainder of our exports increased only 6.7 percent from 1958 to 1965.

Mr. Speaker, this increase was on the basis of value. However, unit values of finished manufacture exports rose from an index of 99 in 1958 to 111 in 1965—Statistical Abstract of the United States, 1962, table 1215; and 1966, table 1259, page 874. This meant that there was an actual decline instead of an increase.

Let me make it clear that I am not against machinery exports, or chemical exports or agricultural exports, but let us not be deceived by what happens under special conditions with respect to these goods. I have already explained that our machinery exports have increased considerably, because of the great increase in foreign investments by our industries. Far from proving that we are competitive the increase is attributable to the fact that our industries are going abroad precisely because we are not competitive in foreign markets with our exports. They go abroad to take advantage of the lower wage costs.

To show our true competitive position, we are therefore justified in studying our exports minus the expansion in machinery exports to get a better picture of what is happening in our trade in other products, which greatly outweigh machinery exports. The machinery export boom may not last in any event. Already we see machinery imports increasing three times as fast as exports from 1958 to 1965.

We are also justified in leaving out agricultural exports because their rise in turn has been greatly stimulated by foreign aid shipments, outright grants, sales for foreign currencies, and by governmental subsidies. Such exports therefore obscure what is our true competitive standing in foreign markets.

Mr. Speaker, stripped of special cases of export expansion that do not reflect competitiveness, our export position today is distinctly one of weakness and not one of strength.

This is a fact that the American public should know if our trade policy is to be shaped by our national interest.

For some years now our Commerce Department has been giving out reports on our foreign trade that have given the impression that everything is going fine. This is an outright fraud on the public. Our foreign trade statistics have been used to conceal and not to reveal the facts of our competitive position in the world. They have not been properly analyzed to show their true meaning.

I have already said how the distortion of our trade balance takes place; and I refer to the balance of trade and not the balance of payments. Let me simply repeat that our official import statistics make our imports look smaller than they are, by recording their value at the foreign point of shipment. This excludes freight, insurance, and a variety of other costs incurred in laying down the goods in our ports. This undervaluation was a minimum of 10 percent or $2.5 billion in our 1966 imports of $25.6 billion, so that our imports cost us well over $28 billion.

Actually the undervaluation was even greater than the 10 percent found by the Tariff Commission as representing the average freight and insurance charges. The Commission itself said:

> The value used by most foreign countries for duty and statistical purposes includes not only freight and insurance charges, but additional costs . . . known to range from an insignificant amount tc as much as the charges for freight and insurance, or even more.

On the other hand our exports as reported to the public include governmentally assisted exports and are not confined to exports that move because we are competitive in world markets. U.S.-financed exports—principally AID shipments and subsidized wheat and cotton—are estimated at $2.9 billion for 1966 on the basis of the first three-quarters. Therefore, instead of our exports of competitive products being $28.9 billion—exclusive of military shipments—they were $26 billion in terms of private competitive transactions. That left us with a trade deficit of at least $2 billion instead of a surplus of nearly $4 billion as reported by the Department of Commerce.

This is the true measure of our competitiveness in world markets. It would be easy I am sure, for us to export more than we do now if we would pay for more exports, but it would not improve our true export surplus. It would no more improve our balance of trade than do those present exports that owe their existence to the fact that we, the taxpayers, pay for them. We pay outright for those that move under AID and subsidize others to the extent this is necessary to make them competitive.

I have said that we really do not enjoy an export surplus even in agricultural products although our official export statistics make it appear as if we had a surplus of some $2.2 billion in fiscal year 1965–66. Our gross exports, including AID shipments, were $6.68 billion; imports $4.45 billion. See U.S. Foreign Agricultural Trade, USDA, February 1967 supplement, pages 2 and 19.

However, $1.6 billion of the export shipments were made under Government programs. This would bring the $6.6 billion down to $5 billion of so-called commercial exports. These commercial exports, however, include shipments of highly subsidized wheat, wheat flour, raw cotton, and a few other farm products. Such shipments, not included under the $1.6 billion exports under Government programs, amounted to $1 billion in 1965.

I will tell you why these "commercial" exports should not be treated as representing competitive sales. They are sold abroad at prices well below those received by the farmers in this country. In other words, the domestic price on these farm products is so much higher than the world price that the Treasury has to make up the difference. If we want to ship these products we have to cut the price below the domestic level. The difference is made up to the farmer out of the Treasury.

Therefore if these exports, although not a part of Public Law 480 or AID, are listed as "commercial exports," as they are in our official statistics, they give a false impression of our competitive position. If they are left out, our competitive exports drop to $4 billion in the record year 1965–66. Imports in the same fiscal year were $4.454 billion. Therefore on a competitive basis we did not enjoy a surplus at all. We had a deficit. In place of a surplus of $2.2 billion we had a deficit of $450 million.

Mr. Speaker, it makes quite a difference how import and export statistics are presented. They are presented in the manner in which they are given to the public in order to show a comfortable export surplus so that the sharp tariff reductions contemplated under the Kennedy round can be justified. This is a false and reprehensible use of statistics. Also it pleases the Department of Commerce to continue to deceive the public because a handsome export surplus makes it appear as if that Department had done a superb job of trade promotion, which, obviously, it has not. Otherwise we would not be in the deficit position I have just described.

The Kennedy round is still on the agenda of the President's special representative for trade negotiations. In view of the competitive disadvantage under which nearly all of our industries are already operating, further tariff reductions should be called off. The handwriting on the wall is clear and unmistakable. Unless we are bent on painting ourselves into a real corner we should proceed on the basis of facts and not on statistics that represent gross distortions of the facts.

When the so-called experts were predicting great things and millions of jobs for U.S. workers out of the Trade Agreements Act, the Members of Congress predicted the opposite.

The facts are clear to those of us who want the facts. No American industry can compete with foreign imports regardless of how they automate without Government subsidy.

The cotton and wheat shipments that make up the chief arguments of free trade advocates would be wiped out overnight if we took away our Government subsidies.

Further, if the American enterprise system believes it has the know-how, the finances, and the equipment to successfully market our products without Government aid they are headed for oblivion in the industrial field.

They may survive with cartels and that is the only other way they can hope to hold their own in foreign markets. This, of course, would help them retain their percentage of the U.S. market which after all is the world's richest market.

When the chips are down no nation is going to be willing to see its workers in all fields of endeavor out of work for the benefit of an international group of importers and exporters, exploiters of the peoples of backward and emerging nations, men in the main with only one sense of loyalty, loyalty to the almighty dollar in any form.

Mr. Speaker, I present more evidence of these complexities of this problem with a rundown of the wheat problems, its relationship to the rest of our economy. I also wish to present a call for action by the United Textile Workers.

The material referred to follows:

[From the Farm Journal, March 1967]

How Big a Market for You in Europe?—The Next Few Weeks Will Tell

(By Carroll P. Streeter)

Watch what happens between now and midnight June 30, for in that period the future of your big cash market in Central Europe will be decided for the next several years.

The six nations of the Common Market (Germany, France, the Netherlands, Belgium, Luxembourg, Italy) are your biggest dollar customer abroad—*$1.6 billion worth a year.*

This big market is right now up for grabs, with the Europeans trying to take more of it for themselves and we striving not only to hold our share but increase it.

The battle, which Farm Journal has reported by sending editors to Europe four times since 1960, has been growing in intensity. It will come to a climax in the GATT negotiations [General Agreement on Tariffs and Trade] in Geneva, Switzerland, between now and June 30. That's when our Trade Act expires. That will mark the end of the "Kennedy Round."

To see what our prospects are, I've just taken a swing around Central Europe including Geneva, and here's what I found:

Three amazing things are due to happen over there July 1, no matter what happens before—*and each will affect you:*

1. On that day the Common Market will put into operation Common Agricultural Prices for farmers in all six nations on 90% of their commodities (with the rest to follow by 1968). Imagine it:

French farmers will suddenly see their prices go up 10% while German farmers will swallow hard and take 10% to 15% less. As a group *prices will shoot up 7% to 30%,* depending upon the commodity and the country.

2. On that day all tariff barriers between the six will vanish. Here are countries that have been at war with each other twice in the last half century. Each has been trying with every protective device known to man to shield its own food supply and its farmers. From here on there'll be one food supply, not six, which should help preserve peace among former enemies.

Farmers of these nations will suddenly be exposed to one another competitively. Apple growers in Italy will ruin some German fruit growers. Dutch poultrymen will put some chicken raisers in France out of business. The adjustments will be excruciating, but they'll be bravely made in an attempt to be "European."

Meanwhile these nations will buy more from each other, less from us.

At the same time tariff walls against our products will be raised to protect the higher prices just established within. We don't belong to the "club." Nor are these ordinary tariffs. Normally tariffs are fixed amounts, tacked on to world prices. If world prices go low enough, the combination can be climbed over.

The Common Market has thought up an ingenious device known as "variable levies." Figured daily on grains, they are the difference between the world price and the Community's Common Agricultural Price. They vary, all right, as much as necessary on any given day; but the level of protection always ends up the same, and it's high.

No matter how much more cheaply we can produce, we have no competitive advantage. And of course that's the idea. The farmers of Europe on their small acreages are no match for us in production costs, even though they often get higher yields per acre.

As one European farm leader put it to me quite bluntly: "We don't intend to let your rich American farmers run our little farmers out of business. You have your farm policy; this is ours."

We have been urging the Community to adopt relatively low Common Agricultural Prices, both for their sake and ours. Theirs because high prices merely perpetuate an inefficient agriculture, bring on high food costs, then high labor costs and inflation. Ours because high prices stimulate more farm production over there, making it harder for us to sell.

We've urged lower tariffs and said we'd lower ours. That's what the Kennedy Round is all about. But here the Europeans are, approaching this great meeting for liberalizing trade with tariffs they have just put higher!

Up to now we've done well selling them our farm stuff, except for poultry and wheat, despite the fact that variable levies have been in effect since 1962 on several of our major commodities. Since 1960 we've increased our farm exports there by 42%. In 1965–66 they were 16% better than a year earlier.

Europe has been booming since our Marshall Plan helped put it on its feet (although it is in something of a slump now). People there have been eating more meat and other protein foods. Although western Europe's farm production has risen, demand for food has risen faster.

Consequently we've had a fast-growing market, especially for feedstuffs. Feed grains have been the top performer, with soybeans second (there's no tariff against them because Europe can't raise its own).

Feed grains and soybeans will continue to be our best sellers. Europe will raise most of her own poultry and livestock, but if her people can continue to increase their meat eating, as they want to, she will never raise enough feed. She doesn't have the land for it.

Wheat is another story. The Common Market is not only self-sufficient in soft wheat, she is dumping great quantities on world markets, in competition with us, by paying a whopping export subsidy of $1.35 a bushel. (Our own export subsidy on wheat is around 5¢.)

Europe has to buy durums and hard wheats to blend with her own, but they get most of the latter from Canada because the Canadian wheats are "stronger" in protein. Consequently our wheat sales to Europe are slipping and doubtless will continue to decline.

Poultry furnishes the classic example of what can happen when prices and tariffs are hiked too high. You may remember the "chicken war" of 1962—which we lost decisively. Tariffs against our broilers were then around 5¢ a pound, and we had a growing business of $59 million a year. Then the Community decided they'd raise the chickens, so they hiked the tariff to 13¢, and by 1964 got it up to 18¢.

We retaliated by raising our tariffs on brandy, trucks and starches. Nevertheless, all this killed our broiler market, as intended, although we still sell some chicken parts and turkey. But it did something else. The Europeans, particularly the Dutch, went head-over-heels into broilers.

The little farmers of Brittany in northern France, hard-pressed to make a living with grain, envisioned chickens as their salvation. They sat back awaiting happy days.

But alas! The Community was presently flooded with chicken, and started dumping it abroad, of course with an export subsidy, which demoralized our market in Switzerland and Austria.

Before long prices had fallen to 15¢ a pound.

The enraged farmers of Brittany descended on the town of Morlaix by busloads. They attacked the town hall, bashed in the door with a battering ram, threw chicken manure and dead chickens around. Not until three riot squads of police reached the scene with tear gas was the town square cleared.

What are our prospects after July? That depends on whom you ask. The Europeans I talked to quite naturally assured me we have nothing to fear. They had three arguments:

1. While the Community will raise more food under the stimulus of higher prices, it can't raise a lot more. Livestock yes, but not grain. There will be some increase in yield per acre, but all the good acres in northern France (the best farming region in Europe) are already producing full blast, they say.

2. Unless Europe has a depression, growing demand will sop up increasing supplies and then some. So far that's been the truth, but the new high prices aren't yet in effect.

3. Farmers' costs will go up right along with their prices, taking much of the incentive out of farming harder. Their costs have been going up, all right, but prices will surely leap ahead of them this summer.

Our agricultural representatives over there are worried.

"Every commodity we ship to Europe, except cotton and soybeans, will be hurt—not just by higher local production but by the higher tariffs against us," says one of our most experienced observers over there. Actually, even cotton and soybeans may feel some competition from African vegetable oils. The Community now has two associate members, Turkey and Greece, and preferential trading agreements with 16 African nations.

French farmers can put marginal land under the plow for barley and corn when the price is right. She had more land in cultivation in World War I than she has now. French plant breeders have developed corn that does well as far North as Paris. With better prices, more of southwest France could be irrigated.

See what we are up against in Germany: As of last Oct. 25, our No. 3 yellow corn brought $1.75 a bushel, freight paid, at the German border. We paid a levy of $1.15 a bushel to get it in. This plus a few other costs made the total price $2.96.

French corn of equivalent grade was $2.60 at the border, paid only 23¢ duty, had a total price of $2.89. So the French got 85¢ more at the border than we did, but undersold us by 7¢ in Germany!

And that was last October. Come July they won't pay their 23¢ duty while ours will be higher. Who do you think will get the business?

Our only hope is that demand in Germany will boom so much that the French can't supply all of it, no matter how hard they try. Barring a recession, that's likely to happen.

This much is sure, though: However much we manage to sell, we'd sell more if the prices and levies over there hadn't been put so high. It is small comfort to be told our share of the market won't *shrink* when the whole market is growing. We want growth, not the status quo.

The ironic thing is that it is we who are paying in large part, both for the stimulus within the Community and the export subsidies with which it dumps its stuff elsewhere. We're financing our own competition through the levies we pay!

The Community, already gigantic, will doubtlessly expand in the next few years to include Britain, Ireland, Scandinavia and other countries around the edges, which will make access the more important for us.

What can we do about it?

Well, at the moment our only hope lies in the GATT negotiations in Geneva. We'd like to have the Community lower its Common Agricultural Prices and variable levies.

It looks as though we had surrendered on that front; instead we are now trying to get an International Grains Agreement. In that we are asking a firm percentage of the farm market over there, thus assuring us a share of growth, with a firm commitment of help in feeding the world's hungry nations.

The Community's proposed agreement has so many loopholes as to be meaningless. Prospects are dim for one we could accept unless we retreat. What the State Dept. will do we'll have to wait to see. Fortunately the U.S. Senate must ratify any agreement of this sort.

There's only one way, probably, we can get even a reasonably good farm deal: We can refuse to reduce our tariffs on the industrial goods Europe wants to sell here, unless she reduces hers on our farm stuff.

We'd better stick to it or we could be traded out of our shoes.

[From the Farm Journal, March 1967]

POKER GAME

The other day we visited the room in the Palace of Nations in Geneva, Switzerland, where the biggest poker game of recent times is about to be played—with your grain market as the chips.

It's the Kennedy Round of the GATT negotiations (General Agreement on Tariffs and Trade) where the nations are trading "offers"—"we'll reduce this tariff if you'll reduce that." It's a game where tough traders are determined not to give away more than they get, and not that much if possible. There's a deadline of June 30, and the traders are now "eye ball to eye ball."

While there's intense bargaining on everything, agriculture is the chief sticking point. Our Trade Act binds our negotiators not to concede more on our industrial tariffs than the Common Market concedes on agricultural tariffs. This is not just in farmers' behalf, either; it's for the sake of our trade balance. Our farm products now constitute one-fifth of all U.S. exports.

The Common Market got ready for all this by jacking up its agricultural tariffs before it got to Geneva, to put itself into a strong bargaining position.

We want those tariffs lowered to which the Common Market replies, "No chance." So now we are resorting to an international grain agreement. We are seeking one that would (1) guarantee us "access" to at least as much of the European market as we've had, (2) provide that we share in any growth of it, (3) establish a range of world grain prices and (4) get a firm commitment from the Common Market to help us feed the hungry nations.

The Common Market offers us a loose sort of agreement that falls so far short of this as to be ridiculous. It proffers all the rest of the world, *including* us, 10% of their food market (as compared with 14% now) and there's nothing in the offer, so far, to guarantee even that.

We doubt the value to us of such an agreement in the first place. Second we doubt that we can come out with a "good" one according to our standards, although it is too early to say.

In the first place, international commodity agreements aren't meant to favor efficient producers like us who, in a competitive market, could take more of the marbles. They are meant to protect the inefficient. The idea is to parcel out the market in "shares," with everybody's share safe and secure and not exposed to competition. That's what the Europeans, most of whom are socialists in some degree, call "stabilizing" markets and making them "orderly." Actually it's a cartel.

Second, such agreements aren't kept; as soon as they get uncomfortable for somebody, they are ignored.

Third, they can be a way of legislating U.S. farm policy by way of Geneva. There's a feature in the proposed agreement—suggested by the United States—which illustrates what we mean. It is a proposal to raise the world price of wheat 40¢ a bushel. That would put it above the market.

What would that do? It would hold a price umbrella over less efficient nations encouraging them to go heavier into wheat. It would cut world demand for wheat. And when the price got so high the market couldn't decide who was to make the sale the sellers would have to decide it among themselves. We'd get a "share," and that would be it. To live within such a share we'd have to adopt "appropriate" policies, like acreage control, unless we were willing to give away unlimited amounts or store up surpluses again.

We could guarantee "access" another way, if we'd be tough enough: We could withhold tariff concessions on industrial goods until Europe got tired of it. As for food aid, we prefer President Johnson's idea of getting countries to cooperate through the World Bank, furnishing surplus grain if they had it, cash if they didn't.

The truth is, the fate of the Kennedy Round depends in considerable measure on whether there *is* a grain deal. And the danger is that we may be so anxious to see the GATT negotiations come to something substantial that we make a face-saving deal on grain, at the expense of farmers rather than in their long-range interests.

Unless we can bargain for tariff reductions, not a "share" in a cartel, we might better come home June 30 and await another day. We doubt that anything catastrophic would happen in the meantime.

NEWS RELEASE FROM UNITED TEXTILE WORKERS OF AMERICA

NEW YORK.—The United Textile Workers of America will shortly ask employers, and public officials and leaders in communities where textiles is a leading industry, to join with it in a campaign to protect the American textile industry and its workers against the threat posed by the rising flood of cheap, foreign-made textile products.

In a statement outlining the Union's position, George Baldanzi, International President, said "Five years ago, when the Long-Term Cotton Textile Advisory Arrangement (LTA) was under consideration, we said that although we believed in reciprocal trade, we wanted to be sure that American workers were not going to be asked to underwrite the exploitation of workers in other parts of the world."

"We were concerned then", he said, "that American trade policy would not be such that the poorest among us would be made to carry the heaviest burden, a burden already too great. We are just as concerned today."

"In 1962", Baldanzi said, "the United Textile Workers of America said that it would agree to the abolition of all restrictive tariffs if a world-wide system of equitable standards were established, but that under conditions then prevailing, the only way to protect the jobs of American textile workers against unfair foreign competition was through the establishment of quotas, by category, for every branch of the textile industry—cotton, synthetics, wool, etc.

"Five years ago", Baldanzi noted, "we said that the Chinese refugees who fled to freedom found only the worst kind of sweatshop exploitation in Hong Kong, while profits rolled in for entrepreneurs of all nationalities who lived in luxury in the colony.

"We also suggested, in order to protect the American textile industry and the American textile worker, the need for international agreements that would establish fair wage relationships. It is sad to re-read this five-year old statement and find that it is just as true today as it was then.

"Hong Kong is the leading supplier of cotton textile products to the United States and the average hourly wage in Hong Kong today, in equivalent American dollars, is 25 cents.

"Of the 18 countries that supply more than nine-tenths of all U.S. cotton textile imports, in 12 of them textile workers earned less than one-fifth the wages earned by American textile workers. These 12 countries accounted for more than three-fourths of the dollar value of cotton textile imports from these 18 countries. In the remaining six countries, which accounted for 13 per cent of imports into this country, wages were less than a fourth to about two-thirds of American wages."

"Theoretically," Baldanzi said, "cotton textile imports are controlled under the LTA, but it has been so poorly administered that every year it has been in effect there has been an increase in imports over the preceding year. The very nature of the Arrangement means that automatic growth is built right into its structure. In addition, the Government has negotiated new and more liberal bilateral agreements, so that cotton textile imports next year will keep on rising."

Baldanzi said that although the situation with respect to cotton textile imports is extremely serious, the potential danger in the field of synthetics is perhaps even greater. He noted that while cloth and apparel containing more than 50 per cent are to some extent covered by an international arrangement, other textile and apparel products, including those containing 50 per cent, or less, of cotton, are not covered by any arrangement.

"Since 1962," he said, "synthetic textiles imported into the United States have increased 400 per cent, and when you consider that a country like Japan is turning increasingly to the production of synthetics, it is not hard to imagine that unless the importation of man-made textiles is controlled, we can expect a flood that could engulf this segment of the textile industry.

"As a matter of fact, employment in the synthetics industry has already begun to feel the effect of uncontrolled imports."

"The same threatening situation holds true in the woolen industry, where for years we have been trying to get an international agreement," Baldanzi said, "but Japan, the United Kingdom and Italy, the chief exporters of wool products to this country, have thus far successfully resisted such efforts."

"Workers and management," he said, "are the first and immediate victims when an industry shrinks or is destroyed, but the effect on the community follows close behind and is equally devastating. There must be a three-pronged attack on this problem—by labor, management and the community—with strong representations to our Government, so that we may not be further victimized by the kind of reciprocity that exchanges American industry and the jobs of its workers for cheap, foreign-made goods produced under substandard conditions and at substandard wages.

"We must also insist that no segment of American society be sacrificed in the naive, unproven belief that such sacrifice furthers the nation's foreign policy. It does nothing of the kind, but causes only irreparable harm to its victims."

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. JONES of North Carolina (at the request of Mr. ALBERT), for today, on account of official business.

Mr. ROYBAL (at the request of Mr. ALBERT), for today, on account of official business.

Mr. COHELAN (at the request of Mr. ALBERT), for today, on account of official business.

Mr. HELSTOSKI (at the request of Mr. GALIFIANAKIS), for today, on account of official business.

Mr. KORNEGAY (at the request of Mr. ALBERT), for today, on account of official business.

Mr. WHITENER (at the request of Mr. ALBERT), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. RYAN, for 1 hour, Wednesday, March 1, 1967.

Mr. POFF, for 15 minutes, on Monday next.

Mr. FINDLEY (at the request of Mr. PETTIS), for 30 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. DOLE (at the request of Mr. PETTIS), for 1 hour, on April 3, 1967; to revise and extend his remarks and include extraneous matter.

Mr. DENT (at the request of Mr. BRINKLEY), for 60 minutes, today; and to revise and extend his remarks and include extraneous material.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. DENT.
Mr. BROWN of Michigan.
Mr. BENNETT.

(The following Members (at the request of Mr. PETTIS) and to include extraneous matter:)

Mr. RHODES of Arizona.
Mr. DEVINE.
Mr. HOSMER.

(The following Members (at the request of Mr. BRINKLEY) and to include extraneous matter:)

Mr. EDWARDS of California.
Mr. TENZER.
Mrs. SULLIVAN in two instances.
Mr. GREEN of Pennsylvania.
Mr. DANIELS.
Mr. KEE.

SENATE JOINT RESOLUTION REFERRED

A joint resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S.J. Res. 42. Joint resolution to amend the National Housing Act, and other laws relating to housing and urban development, to correct certain obsolete references; to the Committee on Banking and Currency.

ADJOURNMENT

Mr. BRINKLEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 14 minutes p.m.), the House adjourned until tomorrow, Wednesday, February 22, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

403. A communication from the President of the United States, transmitting a draft of proposed legislation for the general revision of the patent laws, title 35 of the United States Code, and for other purposes (H. Doc. No. 59); to the Committee on the Judiciary and ordered to be printed.

404. A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend section 9 of the act of May 22, 1928 (45 Stat. 702), as amended and supplemented (16 U.S.C. 581h), relating to surveys of timber and other forest resources of the United States, and for other purposes; to the Committee on Agriculture.

405. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report that the appropriation to the Department of Health, Education, and Welfare for "Grants to States for public assistance" for the fiscal year 1967, has been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation, pursuant to the provisions of 31 U.S.C. 665; to the Committee on Appropriations.

406. A letter from the Under Secretary, Department of Health, Education, and Welfare, transmitting a draft of proposed legislation titled "Mental Retardation Amendments of 1967"; to the Committee on Interstate and Foreign Commerce.

407. A letter from the Chairman, Interstate Commerce Commission, transmitting copies of final evaluations of properties of certain carriers, pursuant to the provisions of section 19a of the Interstate Commerce Act; to the Committee on Interstate and Foreign Commerce.

408. A letter from the Assistant Secretary of Defense, transmitting a report on civilian positions in the Defense Department allocated or placed in grades GS-16, GS-17, and GS-18, during the calendar year 1966, pursuant to the provisions of section 1581, title 10, United States Code, as amended; to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PEPPER: Committee on Rules. House Resolution 168. Resolution authorizing the Committee on Interstate and Foreign Commerce to make studies and investigations within its jurisdiction; with amendments (Rept. No. 24). Referred to the House Calendar.

Mr. PEPPER: Committee on Rules. House Resolution 203. Resolution authorizing the Committee on Public Works to conduct studies and investigations within the jurisdiction of such committee; with amendment (Rept. No. 25). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ABBITT:

H.R. 5864. A bill to authorize the lease of burley tobacco acreage allotments; to the Committee on Agriculture.

By Mr. O'HARA of Michigan:

H.R. 5865. A bill to amend title VII of the Housing Act of 1961 to authorize Federal grants under the open-space land program for the development and redevelopment of existing open-space land and for the acquisition of outdoor and indoor recreational buildings, centers, facilities, and equipment, and for other purposes; to the Committee on Banking and Currency.

By Mr. ASHMORE:

H.R. 5866. A bill to amend the tariff schedules of the United States with respect to the rates of duty on certain densified wood; to the Committee on Ways and Means.

By Mr. BRASCO:

H.R. 5867. A bill to amend the Communications Act of 1934 with respect to obscene or harassing telephone calls in interstate or foreign commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. CORMAN:

H.R. 5868. A bill to amend the Elementary and Secondary Education Act of 1965 in order to provide assistance to local educational agencies in establishing bilingual American education programs, and to provide certain other assistance to promote such programs; to the Committee on Education and Labor.

By Mr. DENNEY:

H.R. 5869. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education, and for other purposes; to the Committee on Ways and Means.

By Mr. FRELINGHUYSEN:

H.R. 5870. A bill to establish a U.S. Committee on Human Rights to prepare for participation by the United States in the observance of the year 1968 as International Human Rights Year, and for other purposes; to the Committee on Foreign Affairs.

H.R. 5871. A bill for the establishment of the Commission on the Organization of the Executive Branch of the Government; to the Committee on Government Operations.

H.R. 5872. A bill to amend the Internal Revenue Code of 1954 to provide a deduction from gross income for certain nonreimbursable expenses incurred by volunteer firemen; to the Committee on Ways and Means.

By Mr. GOODLING:

H.R. 5873. A bill to control unfair trade practices affecting producers of agricultural products and associations of such producers, and for other purposes; to the Committee on Agriculture.

By Mr. HALPERN:

H.R. 5874. A bill to provide financial assistance to the States for the purposes of establishing and operating treatment, rehabilitation, and post-hospital-care services for narcotic addicts; to the Committee on Interstate and Foreign Commerce.

By Mr. JARMAN:

H.R. 5875. A bill to amend the Public Health Service Act in order to authorize quality grants for schools of veterinary medicine and scholarships for students of veterinary medicine; to the Committee on Interstate and Foreign Commerce.

By Mr. WILLIS:

H.R. 5876. A bill to amend titles 5, 14, and 37, United States Code, to codify recent law, and to improve the code; to the Committee on the Judiciary.

By Mr. GROSS:

H.R. 5877. A bill to increase the efficiency of, and eliminate political activity in, the Post Office Department by revising the terms of office of the Postmaster General and other top officers thereof, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DERWINSKI:

H.R. 5878. A bill to increase the efficiency of, and eliminate political activity in, the Post Office Department by revising the terms of office of the Postmaster General and other top officers thereof, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. KYL:

H.R. 5879. A bill to increase the efficiency of, and eliminate political activity in, the Post Office Department by revising the terms of office of the Postmaster General and other top officers thereof, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. MAYNE:

H.R. 5880. A bill to increase the efficiency of, and eliminate political activity in, the Post Office Department by revising the terms of office of the Postmaster General and other top officers thereof, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SCHERLE:

H.R. 5881. A bill to increase the efficiency of, and eliminate political activity in, the Post Office Department by revising the terms of office of the Postmaster General and other top officers thereof, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SCHWENGEL:

H.R. 5882. A bill to increase the efficiency of, and eliminate political activity in, the Post Office Department by revising the terms of office of the Postmaster General and other top officers thereof, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. LONG of Maryland:

H.R. 5883. A bill to amend the Internal Revenue Code of 1954 to extend the head of household benefits to unremarried widows and widowers, and individuals who have attained age 35 and who have never been married or who have been separated or divorced for 3 years or more, who maintain their own households; to the Committee on Ways and Means.

By Mr. McDADE:

H.R. 5884. A bill to amend section 101 of title 38, United States Code, to revise the definition of a parent contained therein; to the Committee on Veterans' Affairs.

H.R. 5885. A bill to amend title XVIII of the Social Security Act to provide payment for optometrists' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. MORTON:

H.R. 5886. A bill to authorize the Secretary of the Interior to establish the Constellation National Historic Site, in the State of Maryland, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MILLER of California:

H.R. 5887. A bill to amend the National Science Foundation Act of 1950 to make changes and improvements in the organization and operation of the Foundation, and for other purposes; to the Committee on Science and Astronautics.

By Mr. MORTON:

H.R. 5888. A bill to amend the act of March 4, 1915, relating to the requirements, qualifications, and regulations as to crews of certain vessels; to the Committee on Merchant Marine and Fisheries.

By Mr. O'NEILL of Massachusetts:

H.R. 5889. A bill to amend title XVIII of the Social Security Act to provide payment for optometrists' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. PATTEN:

H.R. 5890. A bill to provide for the payment of expenses incurred by members of the uniformed services in traveling home under emergency leave or prior to shipment outside the United States, and for other purposes; to the Committee on Armed Services.

By Mr. REINECKE:

H.R. 5891. A bill to amend title 38 of the United States Code in order to establish in the Veterans' Administration a national veterans' cemetery system consisting of all cemeteries of the United States in which veterans of any war or conflict are or may be buried; to the Committee on Interior and Insular Affairs.

H.R. 5892. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. ROBISON:

H.R. 5893. A bill to extend for 2 years the period for which payments in lieu of taxes may be made with respect to certain real property transferred by the Reconstruction Finance Corporation and its subsidiaries to other Government departments; to the Committee on Government Operations.

By Mr. RIVERS:

H.R. 5894. A bill to amend titles 10, 32, and 37, United States Code, to remove restrictions on the careers of female officers in the Army, Navy, Air Force, and Marine Corps, and for other purposes; to the Committee on Armed Services.

By Mr. RODINO:

H.R. 5895. A bill to establish the Sandy Hook National Seashore in the State of New Jersey, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 5896. A bill to provide additional authority to the Secretary of the Interior for land acquisition in the Delaware Water Gap National Recreation Area; to the Committee on Interior and Insular Affairs.

H.R. 5897. A bill to amend the Public Health Service Act by adding a new title X thereto which will establish a program to protect adult health by providing assistance in the establishment and operation of regional and community health protection centers for the detection of disease, by providing assistance for the training of personnel to operate such centers, and by providing assistance in the conduct of certain research related to such centers and their operation; to the Committee on Interstate and Foreign Commerce.

By Mr. ST. ONGE:

H.R. 5898. A bill to provide for the redesigning of the 5-cent George Washington regular postage stamp so as to incorporate George Washington's immortal words, "To bigotry no sanction"; to the Committee on Post Office and Civil Service.

H.R. 5899. A bill to amend the Internal Revenue Code of 1954 to extend the head of household benefits to all unremarried widows and widowers and to all individuals who have attained age 35 and who have never been married or who have been separated or divorced for 3 years or more; to the Committee on Ways and Means.

By Mr. SCHWENGEL:

H.R. 5900. A bill to control unfair trade practices affecting producers of agricultural products and associations of such producers, and for other purposes; to the Committee on Agriculture.

By Mr. SHRIVER:

H.R. 5901. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

H.R. 5902. A bill to amend title V of the Social Security Act so as to expand and improve the Federal-State program of child welfare services; to the Committee on Ways and Means.

By Mr. SMITH of New York:

H.R. 5903. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to employers for the expenses of providing job training programs; to the Committee on Ways and Means.

By Mr. SCHEUER:

H.R. 5904. A bill to amend the Export Control Act of 1949; to the Committee on Banking and Currency.

By Mr. WHALLEY:

H.R. 5905. A bill to amend title II of the Social Security Act to provide cost-of-living increases in the insurance benefits payable thereunder; to the Committee on Ways and Means.

By Mr. WYDLER:

H.R. 5906. A bill to amend the Welfare and Pension Plans Disclosure Act to make it a crime to fail to make required contributions to employee pension benefit plans and to permit the Secretary of Labor to bring civil actions to recover such contributions; to the Committee on Education and Labor.

H.R. 5907. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. ADAMS:

H.R. 5908. A bill to amend the Export Control Act of 1949; to the Committee on Banking and Currency.

H.R. 5909. A bill to authorize the State of Washington to use the income from certain lands for the construction of facilities for schools and other public institutions; to the Committee on Interior and Insular Affairs.

By Mr. BELCHER:

H.R. 5910. A bill to declare that the United States holds certain lands in trust for the Pawnee Indian Tribe, Oklahoma; to the Committee on Interior and Insular Affairs.

By Mr. BETTS:

H.R. 5911. A bill to amend title IV of the Social Security Act to permit certain additional income earned by relatives with whom dependent children are living to be disregarded in determining the family's need for aid under a State plan approved thereunder; to the Committee on Ways and Means.

H.R. 5912. A bill to amend title IV of the Social Security Act to increase (to the level of the other federally aided public assistance programs) the amount of the Federal payments to States thereunder for aid to families with dependent children; to the Committee on Ways and Means.

By Mr. BURTON of Utah:

H.R. 5913. A bill to repeal the Naval Stores Act; to the Committee on Agriculture.

By Mr. CEDERBERG:

H.R. 5914. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. DENT:

H.R. 5915. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. DERWINSKI:

H.R. 5916. A bill granting the consent of Congress to a Great Lakes Basin compact, and for other purposes; to the Committee on Foreign Affairs.

By Mr. DOWNING:

H.R. 5917. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

By Mr. FINO:

H.R. 5918. A bill to amend section 25 of the Federal Reserve Act; to the Committee on Banking and Currency.

By Mr. GARMATZ:

H.R. 5919. A bill to extend the U.S. Fishing Fleet Improvement Act and to increase the annual authorization for such act; to the Committee on Merchant Marine and Fisheries.

By Mr. GIBBONS:

H.R. 5920. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

By Mr. GONZALEZ:

H.R. 5921. A bill to amend the Internal Revenue Code of 1954 to provide that a family's homestead shall be exempt from levy for Federal taxes; to the Committee on Ways and Means.

By Mr. HOLLAND:

H.R. 5922. A bill to amend the Internal Revenue Code of 1954 to allow a taxpayer a deduction from gross income for tuition and other expenses paid by him for his education or the education of his spouse or any of his dependents; to the Committee on Ways and Means.

H.R. 5923. A bill to increase from $600 to $1,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemption for old age or blindness); to the Committee on Ways and Means.

By Mr. KASTENMEIER:

H.R. 5924. A bill for the general revision of the patent laws, title 35 of the United States Code, and for other purposes; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 5925. A bill to amend the Disaster Relief Act of 1966 to provide for a national program of flood insurance; to the Committee on Public Works.

By Mr. McDADE:

H.R. 5926. A bill to authorize the Legislative Reference Service to make use of automatic data processing techniques and equipment in the performance of its functions; to the Committee on House Administration.

H.R. 5927. A bill to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health; to the Committee on Interstate and Foreign Commerce.

H.R. 5928. A bill to amend the Antidumping Act, 1921; to the Committee on Ways and Means.

By Mr. McFALL:

H.R. 5929. A bill to amend the act entitled "An act to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon," approved March 4, 1907; to the Committee on Interstate and Foreign Commerce.

H.R. 5930. A bill to amend title II of the Social Security Act to permit retirement of all persons in the United States at the age of 60 years with benefits sufficient, in the absence of any other resource, to assure elderly persons freedom from poverty and also to assure elderly persons generally full participation in prevailing national standards of living, to provide like benefits for physically, mentally, or vocationally disabled persons aged 18 and over, to provide benefits for certain full-time students aged 18 to 25, to provide benefits for certain female heads of families and for certain children, and to provide for the establishment and operation of this system of social security by an equitable gross income tax, and for other purposes; to the Committee on Ways and Means.

By Mr. MATSUNAGA:

H.R. 5931. A bill to provide for the compensation of persons injured by certain criminal acts; to the Committee on the Judiciary.

H.R. 5932. A bill to amend the Internal Revenue Code of 1954 to allow a deduction from gross income for medical, legal, and related expenses incurred in connection with the adoption of a child by the taxpayer; to the Committee on Ways and Means.

By Mr. MONTGOMERY:

H.R. 5933. A bill to provide for the issuance of a special postage stamp in honor of the memory of Jefferson Davis; to the Committee on Post Office and Civil Service.

By Mr. MOSS:

H.R. 5934. A bill to amend part I of the Interstate Commerce Act in order to give the Secretary of Transportation authority with respect to railroad safety similar to that which he has with respect to motor carriers; to the Committee on Interstate and Foreign Commerce.

H.R. 5935. A bill to provide more adequate and realistic penalties for violations of certain safety statutes administered by the Secretary of Transportation; to the Committee on Interstate and Foreign Commerce.

By Mr. O'HARA of Illinois:

H.R. 5936. A bill to provide for the issuance of a special postage stamp in commemoration of Dr. William C. Menninger for his pioneering work in the field of mental health; to the Committee on Post Office and Civil Service.

By Mr. PHILBIN:

H.R. 5937. A bill to provide for the naturalization of the alien widow of a U.S. citizen when the death of the citizen spouse occurs during a period of honorable service in an active duty status with the Armed Forces of the United States; to the Committee on the Judiciary.

By Mr. ROONEY of Pennsylvania:

H.R. 5938. A bill to amend the Flammable Fabrics Act to increase the protection afforded consumers against injurious flammable fabrics; to the Committee on Interstate and Foreign Commerce.

By Mr. RHODES of Pennsylvania:

H.R. 5939. A bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I; to the Committee on Veterans' Affairs.

H.R. 5940. A bill to place the social security coverage of minsters on a revised basis by providing that the performance of service by an individual as a minister shall constitute covered self-employment for social security purposes unless such individual elects to be exempt from such coverage on grounds of conscientious opposition to public insurance; to the Committee on Ways and Means.

By Mr. SCHWENGEL:

H.R. 5941. A bill to authorize the Legislative Reference Service to make use of automatic data processing techniques and equipment in the performance of its functions; to the Committee on House Administration.

By Mr. WILLIS:

H.R. 5942. A bill to amend section 6 of the Internal Security Act of 1950, and for other purposes; to the Committee on Un-American Activities.

By Mr. BOB WILSON:

H.R. 5943. A bill to amend title 10, United States Code, to change the method of computing retired pay of certain enlisted members of the Army, Navy, Air Force, or Marine Corps; to the Committee on Armed Services.

By Mr. ADAMS:

H.J. Res. 326. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

By Mr. ASHMORE:

H.J. Res. 327. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. BOLAND:

H.J. Res. 328. Joint resolution proposing an amendment to the Constitution of the United States to grant to citizens of the United States who have attained the age of 18 the right to vote; to the Committee on the Judiciary.

By Mr. BURTON of Utah:

H.J. Res. 329. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. BUTTON:

H.J. Res. 330. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

H.J. Res. 331. Joint resolution proposing an amendment to the Constitution of the United States to grant to citizens of the United States who have attained the age of 18 the right to vote; to the Committee on the Judiciary.

By Mr. CONYERS:

H.J. Res. 332. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

By Mr. DICKINSON:

H.J. Res. 333. Joint resolution proposing an amendment to the Constitution requiring that Federal judges be reconfirmed by the Senate every 6 years; to the Committee on the Judiciary.

By Mr. WILLIAM D. FORD:

H.J. Res. 334. Joint resolution proposing an amendment to the Constitution of the United States granting to citizens of the United States who have attained the age of 18 the right to vote; to the Committee on the Judiciary.

By Mr. FRELINGHUYSEN:

H.J. Res. 335. Joint resolution to establish a Joint Committee on Foreign Information and Intelligence; to the Committee on Rules.

By Mr. HATHAWAY:

H.J. Res. 336. Joint resolution proposing an amendment to the Constitution of the United States to grant to citizens of the United States who have attained the age of 18 the right to vote; to the Committee on the Judiciary.

By Mr. MEEDS:

H.J. Res. 337. Joint resolution to amend the Constitution of the United States to provide a voting franchise for 18-year-olds; to the Committee on the Judiciary.

By Mr. MORSE:

H.J. Res. 338. Joint resolution to establish a Joint Committee on Foreign Information and Intelligence; to the Committee on Rules.

By Mr. POLANCO-ABREU:

H.J. Res. 339. Joint resolution providing for a study of the possibility and desirability of establishing a University of the Americas; to the Committee on Foreign Affairs.

By Mr. ROONEY of Pennsylvania:

H.J. Res. 340. Joint resolution to establish a National Commission on Product Safety; to the Committee on Interstate and Foreign Commerce.

By Mr. SCHWEIKER:

H.J. Res. 341. Joint resolution proposing an amendment to the Constitution of the United States, extending the right to vote to citizens 18 years of age or older; to the Committee on the Judiciary.

By Mr. TENZER:

H.J. Res. 342. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

By Mr. BOB WILSON:

H.J. Res. 343. Joint resolution providing for appropriate ceremonies in connection with the raising and lowering of the flags of the United States surrounding the Washington Monument; to the Committee on Armed Services.

By Mr. WINN:

H.J. Res. 344. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

By Mr. WOLFF:

H J Res 345. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. BROWN of California:

H. Con. Res. 225. Concurrent resolution reaffirming the support of the Congress for United Nations peacekeeping and peacemaking operations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. CHAMBERLAIN:

H. Con. Res. 226. Concurrent resolution expressing the sense of Congress that in the interest of peace in Vietnam the Government of the United States should only consider further expansions of trade, educational and cultural exchanges, and other related agreements with the Soviet Union and its East European satellites when there is demonstrable evidence that their actions and policies with regard to Vietnam have been redirected toward peace and an honorable settlement and when there is demonstrable evidence that they have abandoned their policy of support for so-called wars of national liberation; to the Committee on Foreign Affairs.

By Mr. DERWINSKI:

H. Con. Res. 227. Concurrent resolution to provide early appropriations for Federal educational programs; to the Committee on Rules.

By Mr. McDADE:

H. Con. Res. 228. Concurrent resolution expressing the sense of the Congress with respect to certain proposed regulations of the Food and Drug Administration relating to the labeling and content of diet foods and diet supplements; to the Committee on Interstate and Foreign Commerce.

By Mr. BOB WILSON:

H. Con. Res. 229. Concurrent resolution expressing the sense of Congress that in the interest of peace in Vietnam the Government of the United States should only consider further expansions of trade, educational and cultural exchanges, and other related agreements with the Soviet Union and its East European satellites when there is demonstrable evidence that their actions and policies with regard to Vietnam have been redirected toward peace and an honorable settlement and when there is demonstrable evidence that they have abandoned their policy of support for so-called wars of national liberation; to the Committee on Foreign Affairs.

By Mr. BOLAND:

H. Res. 271. Resolution creating a Select Committee on Standards and Conduct; to the Committee on Rules.

By Mr. BUTTON:

H. Res. 272. Resolution to authorize employment of summer congressional interns; to the Committee on House Administration.

H. Res. 273. Resolution to amend rules X, XI, and XIII of the Rules of the House of Representatives; to the Committee on Rules.

Mr. McDADE:

H. Res. 274. Resolution establishing a Committee on the Captive Nations; to the Committee on Rules.

By Mr. SCHEUER:

H. Res. 275. Resolution to amend the Rules of the House of Representatives with respect to the procedures of committees of the House; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

26. By the SPEAKER: Memorial of the Legislature of the State of Montana, relative to Federal assistance to domestic gold producers; to the Committee on Interior and Insular Affairs.

27. Also, memorial of the Legislature of the State of Montana, relative to issuance of a commemorative stamp honoring Phoebe

Apperson Hearst; to the Committee on Post Office and Civil Service.

28. Also, memorial of the Legislature of the State of Idaho, relative to urging the Congress to proceed to enact legislation to appropriate full authorization of $170 million for financing of primary national forest conservation roads from the general funds of the U.S. Treasury; to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AYRES:

H.R. 5944. A bill for the relief of Renzo Grassini; to the Committee on the Judiciary.

By Mr. BARRETT:

H.R. 5945. A bill for the relief of Vittorino Brunelli; to the Committee on the Judiciary.

By Mr. BELL:

H.R. 5946. A bill for the relief of Ettore Perovichi; to the Committee on the Judiciary.

By Mr. BRADEMAS:

H.R. 5947. A bill for the relief of Florencia H. Fernandez; to the Committee on the Judiciary.

H.R. 5948. A bill for the relief of Panagiotis Yannakakos; to the Committee on the Judiciary.

H.R. 5949. A bill for the relief of Efigenia Agbayani Quitasol; to the Committee on the Judiciary.

H.R. 5950. A bill for the relief of Helen and George Andreakos (Mr. and Mrs.); to the Committee on the Judiciary.

H.R. 5951. A bill for the relief of Dimitrios Dimitropoulos; to the Committee on the Judiciary.

H.R. 5952. A bill for the relief of Grigorios Tsioros; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 5953. A bill for the relief of Francesco Genova; to the Committee on the Judiciary.

H.R. 5954. A bill for the relief of Mrs. Barbara H. Jefferson, her son, Stephen Hillary Jefferson, and her daughters, Anesta Helen and Yolande Hyacinth Jefferson; to the Committee on the Judiciary.

By Mr. COHELAN:

H.R. 5955. A bill for the relief of Barry C. Abella; to the Committee on the Judiciary.

By Mr. COLLIER:

H.R. 5956. A bill for the relief of Stella Dourou; to the Committee on the Judiciary.

H.R. 5957. A bill for the relief of Iphegenia A. Kalogeraki; to the Committee on the Judiciary.

By Mr. DADDARIO:

H.R. 5958. A bill for the relief of Giuseppe Antonino Fazzino; to the Committee on the Judiciary.

By Mr. DELANEY:

H.R. 5959. A bill for the relief of Amalia P. Montero; to the Committee on the Judiciary.

H.R. 5960. A bill for the relief of Constantin Andreopoulos; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 5961. A bill for the relief of Henrique Orang Fernandes Gomes; to the Committee on the Judiciary.

By Mr. FRIEDEL:

H.R. 5962. A bill for the relief of the Ruberoid Co. and others; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 5963. A bill for the relief of Vincenzo Minutolo; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 5964. A bill for the relief of Mrs. Lea Beatus and her child Tauba; to the Committee on the Judiciary.

H.R. 5965. A bill for the relief of Mrs. Hani Auspitz; to the Committee on the Judiciary.

By Mr. McCARTHY:

H.R. 5966. A bill for the relief of Francesco Arsena; to the Committee on the Judiciary.

By Mr. McDADE:

H.R. 5967. A bill for the relief of Albert P. Morell; to the Committee on the Judiciary.

H.R. 5968. A bill for the relief of Gail Harris; to the Committee on the Judiciary.

By Mr. NATCHER:

H.R. 5969. A bill for the relief of Mrs. Virgie M. Bailey; to the Committee on the Judiciary.

By Mr. POLANCO-ABREU:

H.R. 5970. A bill for the relief of Pedro Irizarry Guido; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 5971. A bill for the relief of Nikola Filipidis; to the Committee on the Judiciary.

By Mr. SCHEUER:

H.R. 5972. A bill for the relief of Anita Roberta Facey; to the Committee on the Judiciary.

By Mr. TALCOTT:

H.R. 5973. A bill for the relief of Mrs. Tran Kim Lang; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

34. Mr. GOODLING presented a resolution of the American Society of Highway Engineers, which was laid on the Clerk's desk, relative to the implications resulting from a curtailment of funds under the Federal-Aid Highway Act, which was referred to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

Social Security Benefits

EXTENSION OF REMARKS

OF

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 21, 1967

Mr. DANIELS. Mr. Speaker, much has been said about the need for increasing social security payments. On January 18, 1967, I introduced legislation in this body to establish a minimum primary benefit of $100 per month. If any Member of this House would like to hear eloquent testimony as to why this increase is needed now, I urge him to listen to this letter which I received today from a lady in Union City, N.J. The letter reads as follows:

Congressman DOMINICK V. DANIELS.

DEAR SIR: I agree Social Security benefits should be increased to $100 a month. I am 83 years old, live alone, what can I do with a widow's pension. Yes, it helps, but with rents and living costs so high, I must live economically or the little money I have will soon be gone. What do I see ahead. All I can say, I am glad I am as old as I am, there is nothing to look forward to. Hope this bill will go through fast.

Respectfully,

———.

Mr. Speaker, is this the best that rich, affluent America can do for its senior citizens? Something is sick deep inside this abundant Nation when millions of elderly Americans can gain only consolation from the fact that the years they have remaining are few. I have taken this floor to argue in behalf of the forgotten Americans who are ekeing out a living on the tiniest kind of pensions. Once again, I raise my voice to correct this situation now.

Arizona—Past and Present

EXTENSION OF REMARKS

OF

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 21, 1967

Mr. RHODES of Arizona. Mr. Speaker, we Arizonans are equally proud of our past and our present. There is one man on Capitol Hill who represents them both to us with honor and with dignity. Of course, I refer to the Honorable CARL HAYDEN, a most distinguished member of the U.S. Senate.

Senator HAYDEN represents the past because he served as our first U.S. Congressman when our State was admitted to the Union. Throughout the 55 years since he took his oath of office on February 19, his actions and words have made Arizona proud of his service.

I have been especially pleased to serve with him as a member of the Arizona delegation since 1952. His leadership, knowledge and integrity are standards any Congressman would be proud to have as his guides. I wish him the best of luck and thank him for his tireless service, and his personal friendship.

Dr. Stanley Wagner Delivers Opening Prayer

EXTENSION OF REMARKS

OF

HON. HERBERT TENZER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 21, 1967

Mr. TENZER. Mr. Speaker, I was privileged to act as host Congressman today to Dr. Stanley Wagner, rabbi of Baldwin, N.Y., who delivered the opening prayer in the House.

Dr. Stanley M. Wagner has served as rabbi of the Baldwin Jewish Centre, Baldwin, N.Y., for the past 6 years, and currently occupies some of the most important positions within the Long Island Jewish community. He is president of the Long Island Commission of Orthodox

Rabbis, first vice president of the Nassau-Suffolk Association of Rabbis (Orthodox-Conservative-Reform), chaplain of the Nassau County Jewish Committee on Scouting, Boy Scouts of America, and Jewish chaplain at the South Nassau Communities Hospital. He also holds positions on the national executive boards of the Religious Zionists of America and Rabbinic Alumni of Yeshiva University.

Rabbi Wagner, ordained at the Yeshiva University's Rabbinical Seminary, holds five other degrees of higher learning, including a doctorate in Jewish history, having written a dissertation entitled, "Religious Nonconformity in Ancient Jewish Life." He served as an instructor for 4 years in the Department of Ancient Languages and Literatures at the University of Kentucky, while holding a pulpit in Lexington. In 1960 he was commissioned a Kentucky colonel by the Governor of the State in recognition of his outstanding community service. He was also selected to appear in the 1960 edition of Who's Who in American Education.

I know that my colleagues were inspired by the prayer offered by Dr. Wagner and the message he brought to this Chamber. Dr. Wagner describes the House as the great "Chamber of Words," words which when written into laws provided "equality and dignity for all Americans."

Mr. Speaker, this theme, so eloquently expressed by Dr. Wagner is worthy of being accepted as the theme for the 90th Congress.

I want to take this opportunity to thank Dr. Edward G. Latch, the distinguished and beloved Chaplain of the House for extending the invitation and for making Dr. Wagner's appearance possible and to my colleagues for joining in prayer with a distinguished clergyman from south Nassau County, the Fifth Congressional District, State of New York.

Valley Forge General Hospital

EXTENSION OF REMARKS

OF

HON. WILLIAM J. GREEN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 21, 1967

Mr. GREEN of Pennsylvania. Mr. Speaker, today is a time for reflection on the part of every American. The birthday of George Washington, the Father of our Country, affords each of us an occasion to consider, if only for a few moments, our heritage as citizens of this Republic and our commitment to the freedom for which Washington and other courageous men fought so valiantly.

Valley Forge, just a few miles from my own city of Philadelphia, symbolizes that heritage. I am honored, therefore, to pay testimony here in the U.S. House of Representatives, to Valley Forge General Hospital, which today observes its 24th anniversary of service to the military.

Valley Forge General Hospital is one of the fine medical centers of the world. Founded in 1943, it was named to honor the epic stand by American forces in their deep-seated zeal to win independence and to proclaim liberty throughout the land. During the past 24 years, it has inscribed an enviable record of service to the men who fought in World War II, the Korean conflict, and those who are fighting in Vietnam.

In a sense, Valley Forge General Hospital is, in itself, a bulwark of freedom. In providing the finest medical care available to those who defend our country, it testifies to our determination to care for our own and to return them to full participation in our society. It is, indeed, testimony that we shall, in the words of the late President Kennedy:

> Pay any price, bear any burden, meet any hardship, support any friend, oppose any foe, in order to assure the survival and the success of liberty.

Therefore, I rise today to salute Valley Forge General Hospital for the enviable reputation it has won as an unsurpassed medical center. I congratulate the Surgeon General of the Army, the commanding officer and his staff at Valley Forge General Hospital, and wish them continued success and great strength in their mission.

A Salute to Mr. Republican

EXTENSION OF REMARKS

OF

HON. GARRY BROWN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 21, 1967

Mr. BROWN of Michigan. Mr. Speaker, I was very deeply grieved to learn of the passing on February 11, 1967, of Clark W. MacKenzie, "Mr. Republican" in Kalamazoo County. His death at 86 ended six decades of activity in Kalamazoo's political, business, fraternal, athletic, and academic communities.

I had known Mr. MacKenzie since my undergraduate days at Kalamazoo College, where he was a close associate and friend of the athletes and coaching staff. His life, in my opinion, should be an inspiration to those who find it impossible to pursue the courses of higher education, for even though he never attended Kalamazoo College, he was named to the board of trustees at "K" in 1956, and was a permanent honorary member of the college.

He was an American of the finest quality, who once said proudly that he had not missed voting in an election since he was able to vote in 1901. And his lifetime of devoted, faithful public service, of a rare kind, stands out like the Lincoln Memorial.

Last year, when it was necessary for him to miss his first State Republican convention in 65 years, he was elected an honorary delegate to the convention by county GOP members. In 1962 he was named "Mr. Good American" at a testimonial dinner held in his honor.

In every sense, he was a great American and his outstanding services to his community, State, and Nation will long be remembered by a grateful people, not only in his adopted city of Kalamazoo, but wherever he was known.

I personally feel a great loss at his passing, and I join with his beloved family, his dear ones, colleagues, and friends in mourning his death and I extend to them my heartfelt sympathy.

The memory of Clark W. MacKenzie will long remain in our hearts. All of us will miss him—one of Kalamazoo's irreplaceable men.

The Kee Report: Social Security

EXTENSION OF REMARKS

OF

HON. JAMES KEE

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 21, 1967

Mr. KEE. Mr. Speaker, under leave to extend my remarks in the RECORD, I include this week's public service television and radio newscast, "The Kee Report." The subject discussed is "social security":

> This is Jim Kee, bringing you The Kee Report.
>
> The Congress is now considering a White House proposal to authorize the most far reaching revision of the Social Security System since its adoption more than 30 years ago.
>
> The plan offered by the President would increase benefit payments to retired workers on the average of 20%. To offset the increased cost, the contributions of both employer and employee would rise gradually to a maximum of 5% over the next six years. During the same period, the wage base on which social security taxes are levied would be stepped up from the present $6,600 to a maximum of $10,800.
>
> In considering this drastic revision of the insurance provisions of the present law, the Federal Government has two goals in mind. The first of these is to bring monthly payments to retired workers into line with present-day living costs. This is urgently necessary because prices have risen sharply in the three decades since the system was first adopted.
>
> Many retirement plans operated by private industry have also found it necessary to increase financial contributions in order to increase benefits.
>
> The second goal of the Government is to bring a measure of relief to the millions of elderly Americans who lack sufficient income to provide a decent living. This is a special problem of the second half of the Twentieth Century. There are twice as many citizens today over 65 years of age than there were 50 years ago. More than five million of these elderly folks have yearly incomes either at or below the poverty level. Because they have no prospect of future employment, their only escape from misery is an increase in social security payments.
>
> The bill now being considered by the House Ways and Means Committee would increase minimum benefits to retired workers by nearly 60% from present levels. The new minimum would be $70 a month for individuals and $105 for married couples. If enacted into law, these higher payments would mean a healthy boost for the more

than 2 million elderly workers who now receive the minimum. This new bill also provides an increase in special benefits paid to citizens over 72 years of age who have made little or no contribution to the Social Security System.

As a further aid to the elderly, this new bill would allow retired workers to earn up to $1,600 without reducing their monthly benefits. This is an increase of $15 a month over the present minimum.

The revision now being made by the Ways and Means Committee also envisions a change in the tax laws to give relief to elderly workers in the lower tax brackets. In his message to Congress, President Johnson pointed out that present regulations covering exemptions are so complex that many senior citizens are unable to figure out the deductions to which they are entitled. To correct this in the future, the Congress will probably enact a blanket deduction for elderly wage-earners in the lower income brackets.

Because of concern for the elderly, the revision of social security was described by one official as the most effective anti-poverty program this Congress can enact.

President Accepts GOP Proposals Relating to Plowshare Sharing

EXTENSION OF REMARKS
OF
HON. CRAIG HOSMER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, February 21, 1967

Mr. HOSMER. Mr. Speaker, under date of April 1, 1966, as chairman of the Committee on Nuclear Affairs of the House GOP conference I made a special report to that conference recommending that the United States share its technology with other nations on the peaceful uses of nuclear explosives. It was pointed out that the world much needs this kind of activity, that the matter should be considered in the context of the nonproliferation treaty now under negotiation at Geneva's 18-Nation Disarmament Conference and suggested that the existing limitations of the Limited Test Ban Treaty on Plowshare events be eliminated. The report was printed in the CONGRESSIONAL RECORD, volume 112, part 6, page 7369. The Plowshare portion of it is reproduced below:

"HAVE-NOTS" REALLY NEED "PLOWSHARE"

Actually, what the "have-nots" really need—and which neither they nor the Johnson administration yet have perceived—is in the plowshare area of peaceful atomic explosives.

The AEC is on the brink of producing practical and economic devices and techniques to put the atom's explosive power to work for mankind. They are sorely needed for such massive excavation jobs as creating a new canal supplemental to the congested Panama Canal. Other large-scale nuclear excavation needs soon will be felt to implement such bold proposals as the Amazon Basin project to turn into productive use vast South American swamps and jungles and NAWAPA (North American Water and Power Alliance) to regulate and divert this continent's rivers to meet burgeoning United States, Canadian, and Mexican requirements for water and hydropower. Much of southeast Asia and other portions of the globe also must depend on nuclear explosives for geographical face-lifting operations to reclaim land and provide an economic base for peaceful societies.

Underground there also are splendid economic potentials dependent on peaceful nuclear explosives. It is estimated the world's supply of natural gas can be doubled by nuclear fracturing of impervious gas formations deep beneath the surface.

These are but a few examples of the great future for peaceful nuclear explosives. The nuclear "have-nots" real loss from giving up nuclear development lies in the Plowshare area, not in weaponry.

UNITED STATES SHOULD SHARE PLOWSHARE

The United States not only should point this out, but should take the creative initiative of offering our Plowshare technology and devices on a fair-charge basis to any friendly country needing and wanting them. They also could perform tremendous service in our AID programs for global elimination of hunger and poverty.

In bilateral arrangements by which AEC officials retain physical custody and control of the nuclear devices until exploded, the strict provisions of the Atomic Energy Act of 1954 prohibiting turning them over to others can be met. By using a dual firing key arrangement whereby a U.S. custodian would first activate the firing circuit and the foreign official finally close it to initiate the actual firing, the limited test ban treaty's general prohibition against U.S. releases of radioactive material on foreign soil would be technically observed.

AMEND LIMITED TEST BAN TREATY TO UNCHAIN PLOWSHARE

However, as pointed out in my February 8 memorandum to you, the unrealistic provisions of the limited test ban treaty precluding release of any quantity of radioactivity—no matter how small or harmless—beyond any national boundary now paralyzes Plowshare use.

This restriction bears no reasonable relation to the purposes of the treaty. It even bars releases over empty ocean water beyond the 3-mile limit and thus we cannot proceed nuclearly with the second Isthmian Canal because of it. Until the bar is removed benefits to mankind from most Plowshare possibilities will be denied unreasonably.

Here, again, is a fruitful area for creative initiative being neglected by the administration and which only GOP sources presently are initiating proposals.

I am pleased to note that the President, in his message today to the ENDC has adopted this Republican position in substance and hope that, as time progresses he will see fit to take steps to remove the Limited Treaty's inhibitions on Plowshare. The pertinent portion of the President's message is reproduced below:

I have instructed our negotiators to exercise the greatest care that the treaty not hinder the non-nuclear powers in their development of nuclear energy for peaceful purposes. We believe in sharing the benefits of scientific progress and we will continue to act accordingly. Through IAEA, through EURATOM, and through other international channels, we have shared—and will continue to share—the knowledge we have gained about nuclear energy. There will be no barrier to effective cooperation among the signatory nations.

I am sure we all agree that a non-proliferation treaty should not contain any provisions that would defeat its major purpose. The treaty must, therefore, cover nuclear explosive devices for peaceful as well as military purposes. The technology is the same. A peaceful nuclear explosive device would, in effect, also be a highly sophisticated weapon.

However, this will not impose any technological penalty on the participating nations. The United States is prepared to make available nuclear explosive services for peaceful purposes on a non-discriminatory basis under appropriate international safeguards. We are prepared to join other nuclear states in a commitment to do this.

More generally, we recommend that the treaty clearly state the intention of its signatories to make available the full benefits of peaceful nuclear technology—including any benefits that are the by-product of weapons research.

Untimely Death in Montgomery Fire Disaster

EXTENSION OF REMARKS
OF
HON. JOHN H. DENT
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, February 21, 1967

Mr. DENT. Mr. Speaker, recently a most able legislative representative met a tragic and untimely death in the Montgomery fire disaster. Sidney Zagri was a legislative counsel for the International Brotherhood of Teamsters and a veteran of the Capitol scene.

It was somewhat fitting that Sidney Zagri's funeral service should be conducted in the city of Washington in the presence of distinguished members of the Senate and House. Sidney Zagri fascinated by politics. He made his life here by choice and he expended great energy on Capitol Hill for the passage of all general welfare legislation which marks the last decade.

Sidney Zagri was a man of great intensity, of unusual energy and of great personal warmth. For him the work day stretched from the moment he awoke until late in the evening. He used his gifts tirelessly in the service of his fellow men. Caught up on the frantic and hectic political scene, constantly traveling across the Nation on the business of the union and the political action group which he brought into being, fostered, cherished and cultivated, he was always in constant touch by telephone with his beloved family with whom we mourn.

It is typical of Sid Zagri that when he acquired a peaceful cottage as a summer retreat, he had to immediately turn it into a massive rebuilding project. Thus, when a peaceful weekend occasionally beckoned, he could enjoy it all the more because he could plunge into the rebuilding plans for his cottage.

Those among his colleagues who worked with Sid Zagri found that they were expected to be available for long hours and for weekends whenever what he called the work required it. It was required often. Those who got to know him well under these conditions would try to persuade him to relax, to be satisfied with a little less than perfection, and to cultivate the reflective arts of life. He always rejected the suggestions by pointing out half a dozen other projects which he had not yet been able to get started upon.

Sid Zagri was proud that the political action group which he organized within the Teamsters Union was bipartisan effort. He saw the good qualities in men with whom he often disagreed in principle and, because of this, he frequently surprised the Senate or the House by coming up with support for a pet project from persons who were barely on speaking terms with each other.

Sid used to tell the story that a professor of his in college warned him "I am sorry, Sidney, but I am afraid you are condemned to success." What ultimate success he would have achieved had he been spared for longer days we shall never know. But success he certainly had achieved, even if he himself was not yet satisfied. It is a remarkable achievement for a trade union lobbyist to be eulogized in "Business Week" which is the voice of big business in journalism. Yet they published a story on Sid Zagri praising him for the energetic and capable job he was doing on Capitol Hill under far from easy circumstances. Sid Zagri's own political philosophy he kept largely to himself. He was far too busy for endless political discussion. But he worked and fought always for the little man. His idea of a true war on poverty was to raise the minimum wage to $2 an hour. He fought as hard as anyone for passage of medicare assistance to the aged. He saw many things which should be done to make our society more equal, more just and more gentle. And knowing the way that these things could be done, knowing how election victories are won and how legislative victories are slowly sculpted, he did not believe that he should be allowed to spare himself. He knew that he had abilities which are denied to most men, resources of energy, a keen mind, and an unparalled endurance. He never rejected an assignment and gave of his best to everyone. When the light burned at night in his offices, he never felt any envy for those people who went riding by bent on the desultory pursuit of pleasure. There was "the work" to be done. This task still lies before those of us who have a time before us to add our contribution to humane and social reform legislation.

"It Is Necessary"—Address by Congresswoman Leonor K. Sullivan to Propeller Club of Washington

EXTENSION OF REMARKS

OF

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 21, 1967

Mrs. SULLIVAN. Mr. Speaker, it was a privilege and a pleasure for me as ranking member of the Committee on Merchant Marine and Fisheries to speak to the members of the Propeller Club of Washington at their annual dinner last week, held in the Willard Hotel. In my remarks, I discussed the problems of the American merchant marine which are also the Nation's problems, and they are serious ones.

I also tried to explain how a Member of Congress from an inland city which cannot accommodate any ocean-going shipping would consider these problems important enough to the people I represent in the Congress to persuade me to remain a member through all these years of the Committee on Merchant Marine and Fisheries and to become so deeply concerned over the status of our American-flag shipping.

Mr. Speaker, because of the great importance of merchant shipping capability to national defense, I am, under unanimous consent, inserting my remarks before the Propeller Club of Washington in the CONGRESSIONAL RECORD with the hope that many of the Members of the House will have an opportunity to read of the alarming situation which has been permitted to develop on the high seas:

SPEECH BY CONGRESSWOMAN LEONOR K. SULLIVAN, DEMOCRAT, OF MISSOURI, AT THE ANNUAL DINNER OF PROPELLER CLUB OF WASHINGTON, FEBRUARY 14, 1967, AT THE WILLARD HOTEL

I always enjoy being a guest at these affairs, but tonight you are making me sing for my supper—and I must admit that in this instance I enjoy that, too. Speech-making is usually more work than fun, because of the study which must go into the preparation of one's remarks, but in this instance I have been living for so many years with the subject matter of our merchant marine as a Member of the Committee of the House of Representatives which handles legislation in this field that I am glad to have the opportunity of this forum to share some of my thoughts with you.

From time to time, interviewers have asked me how in the world a woman Member of Congress from the heartland of the nation got herself involved so deeply in the issues of ocean commerce and deep-water shipping. I live on the most majestic river in the world, a river which bisects America and is usually referred to in terms of the "mighty" Mississippi—and it carries, let me tell you, a mammoth amount of water-borne commerce, but as far as being "deep water"—well, that isn't exactly what the Mississippi is.

Our biggest worry around St. Louis is to make it deep enough for the barges and tows to get into port because, while the channel is kept open by the Army Engineers, the docking areas are frequently left high and dry. So I certainly do not come from deep-water territory.

Thus my membership on the Committee on Merchant Marine and Fisheries would have to be explained on other grounds, at least originally. When I came to Congress for my first term, it was not a year noted for sweeping Democratic gains in the House; instead, 1953 marked only the second time after 1931 that the Republicans were able to organize the House and elect a Speaker. So, as happens in such situations, there were not very many choice Committee assignments for freshmen Democrats. I had indicated my willingness to serve without complaint on the Appropriations Committee that year, or Interstate and Foreign Commerce—I wasn't going to be greedy and insist on Ways and Means right off—but I ended up a rung or two above the page boys, on a minor Committee which had about as much hot-line importance to my District as the Joint Committee on the Disposition of Executive Papers. No, I'll take that back; the Joint Committee on Disposition of Executive Papers would probably have had more importance to St. Louis because we have a very large Federal Records Center there, full of executive papers only some of which are ever to be disposed of.

Nevertheless, as a freshman Member of the House, I took to heart the late Sam Rayburn's advice to new Representatives that if you want to get along you have to go along, and I went along. Of course, I had no choice in the matter—there was no place else to go! I assumed I would eventually get off Merchant Marine at the first blush of any seniority, but in 1955 when I was placed on the Banking Committee, I was also kept on Merchant Marine and I found by then that I enjoyed it and appreciated the importance of the Committee's assignment and wanted to stay on it.

All of which shows that the operations of the seniority system in the Congress are wonderful to behold. Lack of seniority put me on this Committee originally in 1953; seniority now, as the ranking Member of the Committee, makes me your Valentine in 1967. As so often happens in Congress, the more a Member learns about issues which come before a particular Committee, the more of a partisan one tends to become on those issues. I don't mean partisan in the sense of party politics—most of us on the Merchant Marine Committee, Republicans and Democrats alike, see eye to eye on the basic issues of maritime policy; but we are strong partisans of a strong American flag merchant marine.

This may lead some people to think we are captives of the shipping industry. But as many of those here tonight well know, we tend to give the merchant shipping industry a bad time of it for not doing more to spotlight and dramatize the needs of that industry and the product it has to sell. Whenever an American flag cargo vessel leaves an American port less than full, or a liner flying the American flag sails away from the U.S. with empty staterooms, I feel that some people are not doing their jobs and should be ashamed of themselves.

Our annual export and import water-borne foreign commerce ran to nearly 350 millions tons in the most recent year for which we have completed figures—1965—or more than $30 billions, not counting Great Lakes shipping. American flag ships carried a puny 8 percent of that, even including the cargoes which, by law, have to go in American bottoms under the Foreign Aid programs.

Considering that American ships are the safest and the most reliable, operated by well-paid American seamen, keeping to schedule with remarkable faithfulness, and considering the fact that the *rates are the same* in nearly all cases whether the cargo moves under American or foreign flag, how can we possibly explain or excuse a less-than-fully-laden American flag ship? Perhaps I oversimplify—hard-headed businessmen, so-called, always say that women just don't understand such things—but I say it's often a case of poor salesmanship and lack of hustle. I have talked to many American exporters and importers, and few of them are even aware of how their cargoes move. No one has made a *strong* enough representation to them to voice a preference for U.S. flag ships in scheduling their cargoes.

One of the importers in my home city tried to do that and a lot of people in the business thought he was a little peculiar—one of those super-patriotic nuts or something. When I asked the Commerce Department to furnish him with some sort of printed stickers he could attach to his orders abroad indicating he wanted the goods shipped American, there were all sorts of high-level conferences about it, but the Commerce Department finally gave up and said in effect, that the problem was a little too big for them—that the General Accounting Office might not like it if they spent a few dollars on such things. So we sold the idea to the private lines, which should have thought it up themselves anyway!

But what an ordeal my constituent went through trying to get someone to pay some attention to an idea to help the American merchant marine.

I had the wonderful experience recently of sailing to South America on one of our fine, safe—but a little old by now—American flag liners. I enjoyed just about every minute of it, except for the time we spent becalmed in 14,000 feet of water with no air conditioning because one of the old boilers suffered a breakdown and had to be fixed at sea. But on the whole it was a fine voyage and pure delight. However, one of the young cadets aboard from the Merchant Marine Academy—and I always make it a point to get to know the officers and men on such a trip—innocently asked me why anyone would choose to go to South America by ship when you could get on a plane and be in South America in a matter of hours.

People who have to be in South America in a matter of hours should, by all means, fly; there is no question about it. But when a young man serving on a passenger ship wonders out loud why anyone would *choose* to go by ship, part of his vocational education has been badly neglected. I trust that after one voyage himself he finally had his answer—there is absolutely no better way in all the world to unwind and relax and recharge your batteries and enjoy peace and tranquility—even in rolling seas—than a clear-the-cobwebs cruise on a good, safe, well-run ship.

And if you're going to go by ship, then be smart enough to go by the safest ships afloat! We have taken action in the Congress to control and regulate some of the floating firetraps which gypsied out of American ports carrying too many Americans to fiery deaths at sea, but this is not to say that every passenger ship sailing from an American port meets American standards of safety. They don't, in a great many cases, American flagships do—they must. The food might not always be as exotic on an American flag liner, but you can be sure that it's pure and wholesome food and properly stored and prepared.

It is only recently that American shipping lines have mentioned some of these vital elements of superiority in their advertising. I would hit the theme hard in every ad—these are the safest ships afloat, and with the best-trained personnel. Sea disasters are rare; but when one happens, nothing is more horrible. It is more than just good luck that our ships have had such fine records for safety.

But unless something is done quickly and effectively to reverse the trend which began after World War II, the great, wonderful American flag merchant marine is going to be out of business and off the seas. The ships are fine, but they're getting old, and we're far behind schedule in replacing them. This is not the fault of the shipping lines alone, it *is* also the fault of the *people* of the United States, acting through their Government. We have allowed the merchant marine to slide downhill to the point now that only 13 subsidized new ships are scheduled for construction a year—instead of the 50 or more we should be building each year for replacement purposes alone.

What difference does it make? Well, for one thing, we are breaking the law in treating the merchant marine in this step-child manner. The law was written in 1936 and never repealed. It says *not* merely that it would be nice to build more ships, or a good thing, or desirable, or important; it says, and these are the first words of the law: *"It is necessary."*

Exactly what does the law say "is necessary"? It states:

"It is necessary for the national defense and development of its foreign and domestic commerce that the United States shall have a merchant marine sufficient to carry its domestic water-borne commerce and a *substantial* portion of the water-borne export and import foreign commerce of the United States." (I wouldn't consider 8 percent substantial, would you?)

It further states that it is necessary for us "to provide shipping service on all routes essential for maintaining the flow of such domestic and foreign water-borne commerce *at all times*" (but right now, with so much of our shipping tied up in Vietnam—including many of our best cargo ships, along with a lot of old "rust-buckets" from the reserve fleet—there is serious question whether we can hold on to routes elsewhere which were built up so painfully over the years in competition with every other maritime nation).

It is also necessary, according to the law—not merely desirable, but necessary—that our merchant marine be "capable of serving as a naval and military auxiliary in time of war or national emergency" and that it be "owned and operated under the United States flag by citizens of the United States, insofar as may be practicable, and be composed of the *best-equipped, safest*, and most suitable types of vessels, constructed in the United States and manned with a trained and efficient citizen personnel."

The laws says it is *necessary* that such things be done, and says that it is the *policy* of the United States to foster the development and encourage the maintenance of such a merchant marine.

We aren't obeying that law now when we authorize only 13 new ships a year. We are keeping in service so many overage ships—ships which should have been replaced—80 percent of our entire merchant fleet is 20 years of age or older—that if plain old age doesn't force them out of service soon, the threat of drastic increases in insurance rates will certainly do so. This threat is real, as many of you know.

We have the framework in our existing maritime policy. It takes only decisions by Government to make it work.

Ocean shipping will not disappear, of course—just *our* ships. This does not mean that we lack the technological skill to build faster, better, more competitive ships—just that we don't see any value to doing so.

As a woman who keeps house and, except for cooking, finds most of the chores dull and tiresome, I was interested in a recent Wall Street Journal article describing how electronic wizardry will transform life in tomorrow's homes. It predicted that sonic cleaning devices and air filtering systems will banish dirt and just about eliminate dusting, scrubbing, and vacuuming. Combination freezer-microwave ovens will make food preparation even simpler than it is now. Dishwashing will be a thing of the past; since disposable dishes will be made from powdered plastic for each meal by a machine right in the kitchen. Permanent-press clothing will do away with ironing.

Fascinating! And yet with the rapid advance of technology today, with which we are all familiar, none of us really doubts that these marvels, or others of similar import, will come to pass in the next few decades.

We have the know-how and we are exercising it in all aspects of American life, *including* the frequently maligned maritime industry.

I get a little impatient when I hear people in high places who should know better refer to backwardness in the maritime field.

One of our staff members attended a briefing given by high ranking officers of the Army and the Navy concerning the proposed Department of Defense Fast Deployment Logistics Ship Project, which they refer to as FDL. The briefing officer projected a chart on a screen which purported to show the much quicker travel time by an FDL ship from a point in the United States to a trouble spot overseas, compared with a "conventional" 20-knot merchant ship.

When questioned as to what kind of "conventional" merchant ship he was referring to, he said he was speaking of the types of merchant ships which would be newly constructed in the time frame of the 1970's.

To the best of my knowledge, very few, if any, American liner companies today are operating or designing new ships that are not capable of sustained cruising at speeds of 20 knots or more. The newer vessels employ a high degree of automation and other major refinements in cargo handling and design, which even now, remove them from the classification of "conventional."

Each generation of new merchant ship embodies progressive advancement. The more dramatic of these are vessel concepts such as the Lykes barge carrier and the Prudential *Lash* ship—very large vessels flexibly designed to carry numbers of standard containers, commercial type barges, and with roll-on and roll-off features. The Large carrier designed is built around conservative service speed of 21 knots. But with alternate machinery, this type of vessel can be produced to operate at 26, and even 30 knots.

The new challenger class vessels operated by, or under construction for the United States Lines provide large capacity for containers operating at high speeds in the North Atlantic service.

American Export/Isbrandtsen Lines, working with United Aircraft Corporation recently conducted a successful demonstration of a container-helicopter delivery system, by which powerful helicopters would load and unload large vessels without need to resort to shoreside terminal facilities.

According to the best information I can get, the private American maritime industry can properly take credit for these advanced concepts.

The fact of their development negates the image of a backward industry resting on its laurels while being spoon-fed doses of Government subsidy.

Through the insistence of our Committee and its former Chairman, the late Herbert Bonner, the Government took the initiative with the development of the Nuclear Ship *N.S. Savannah*, and rightly so, with the myriad of unknown factors and the large development costs involved.

But now, when the *Savannah* has shown herself as a feasible tool of transportation, she is about to be laid up. This proposed action is coming at a time when one major operator is ready to invest large sums of its own money to prove its faith in the future of nuclear power in commercial water transportation and when most American steamship operators are expressing great interest in the potentialities of nuclear power in merchant ships of advanced design.

In the light of all these things, it seems to me that it makes more sense from the Government's standpoint to support the private merchant marine as an important part of our national economy and national security as contemplated—as required—by the Merchant Marine Act of 1936, as contrasted with the proposal for 100 percent subsidization of a relatively small number of extravagantly expensive floating warehouses, the loss of any one of which would perhaps immobilize an entire military campaign.

If the Department of Defense wants logistics speed, they can get it in new merchant ships, as it always has in the past.

If it wants cargo handling capability, it can get it in new merchant ships, as it always has in the past.

If it wants flexibility, which would include over the beach or roll-on, roll-off capability, it can get it in new merchant ships—the design possibilities are endless.

And it can get these things for considerably less than half the cost of projected alternate solutions.

The fact that we *can* do these things by building up our merchant marine is only half the story; to me the most important aspect of it is that, in keeping with national defense and national goals, we *must* do these things. In the words of the Merchant Marine Act, *it is necessary* that we do them. We have not repealed that law, except through neglect.

I do not want to see our Nation made dependent—*ever*—on the willingness of any other nation's shipping to serve our needs in time of peril. We cannot depend upon any other nation to do *anything for* us at *any time* if it is inconvenient for it to do so, or less profitable, or politically embarrassing to it at home, or puts that nation in an untenable position with a feared enemy. After all, when DeGaulle kicks our NATO troops out of France and consistently saps away our gold as a way of proving to us that France doesn't need us right now and intends to go it alone again—for awhile, anyway, and when India, which we are feeding, denounces our activities in Vietnam; and other countries let us know so clearly from time to time that while *their* problems should be *our* problems, *our* problems are *our* problems only—not theirs—we should know by now that, for the long push, our real security lies *as much* in our efforts as in any collective efforts, and perhaps more so.

I am no super-nationalist/isolationist—far from it. But just as I think the time is *not yet* when we can dismantle our Armies and Navies and Air Force just because there is a U.N. in existence, so also I think the time is not yet, and may never come, when we can *safely* depend upon Norway and Panama and Britain and Italy and Greece and the Soviet Union to provide us with the merchant shipping we may need whenever, and under whatever circumstances, we may need it. But if we disregard the *necessities* as spelled out in our merchant marine law—that's exactly the spot we will be in.

Thank you.

A House Standards and Conduct Committee Is Needed

EXTENSION OF REMARKS

OF

HON. CHARLES E. BENNETT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 21, 1967

Mr. BENNETT. Mr. Speaker, at the direction of the unanimous action of the House Committee on Standards and Conduct in the 89th Congress, I spoke today in the Rules Committee for the adoption of a resolution, House Resolution 18, reconstituting the committee in the 90th Congress. The gentleman from Ohio [Mr. HAYS] was present when I spoke; and I am told that earlier today he spoke on the floor of the House about this committee and about my testimony which I will include herein.

The charge has been made that the Standards and Conduct Committee did not act promptly in handling the Powell matter. Congress and the country know full well that the able gentleman from Ohio succeeded in the last Congress in making it impossible for the House Committee on Standards and Conduct to exercise jurisdiction in this field by stripping investigatory powers from the the bill which established the latter committee. Now, as to the remaining functions of the Standards Committee, the committee did compile, with the assistance of a 100-percent volunteer and unpaid staff, a list of all statutes and resolutions dealing with standards and conduct of House Members and employees of the House; and as to recommendations as to the new legislation the committee report said:

> The committee has accumulated a large volume of material on the subject of standards and conduct of Government officials but has found that in the limited period of the life of the committee in the 89th Congress it is impossible prudently to recommend changes in existing provisions of law or to suggest new ones at this time. In the opinion of the committee such recommendations should be made after the full membership of the House is available for comments, recommendations, and hearings.

Before I close, I would like to say that from all I can find, the gentleman from Ohio and his subcommittee did an excellent job in the Powell matter, once they undertook to enter the field. They waited an extremely long time to begin, but once they got started they seem to have done an excellent and speedy job. Mr. Speaker, I insert in the RECORD at this point the statement I presented to the Rules Committee this morning:

STATEMENT OF CONGRESSMAN CHARLES E. BENNETT OF FLORIDA BEFORE THE HOUSE RULES COMMITTEE ON LEGISLATION CREATING HOUSE SELECT COMMITTEE ON STANDARDS AND CONDUCT, TUESDAY, FEBRUARY 21, 1967

Mr. Chairman, I deeply appreciate the opportunity to appear before this Committee in behalf of H. Res. 18 unanimously recommended by the House Select Committee on Standards and Conduct, which had a short life—from October 19, 1966 to January 3, 1967.

The House Select Committee on Standards and Conduct was directed by Congress to recommend to the House "such additional rules or regulations as the Select Committee shall determine to be necessary or desirable to insure proper standards of conduct by Members of the House and by officers or employees of the House."

In its report to Congress (House Report 2338, 89th Congress, 2nd Session), the Committee asked that the Committee be reconstituted because there was not sufficient time in the closing months of 1966 to make such recommendations and because such efforts should be made while Congress is in session so that the full membership of the House could be available for comments, recommendations, and hearings.

The only new power asked, over what the Committee had in 1966, would be the power to make an investigation and recommend censure on a violation, by a Member, officer, or employee of the House, of a standard of conduct which had been established by the House by law or resolution previous to the act complained of.

The comparable Senate committee now operating has, incidentally, much broader powers than are requested here, as it is not restricted to recommending resolutions of censure, but is authorized in broad terms to recommend "disciplinary action to be taken" (Sec. 2(a)(2) of Senate Resolution 338 of the 88th Congress). It is believed that the ability to at least recommend resolutions of censure in a proper case is necessary for three reasons: First, to effectively handle any such matter that may arise; second, to help the Committee in getting the attention and assistance of the whole membership of the House in drafting workable and practical rules; and third, to reassure the public that any improper conduct that may arise will be adequately and promptly looked into.

I would like to call attention to the Washington Star article of February 2, widely circulated by some Members in an effort to show that the Committee on Standards and Conduct should not be reconstituted.

A group of women reporters asked me to appear before them; and they interviewed me. I quickly sensed that they felt this Committee was being set up as a "whitewash" Committee. I felt that such an impression in the press would further unfairly damage the image of Congress with the public. In reply to a question expressing disbelief that any Congressman would be willing to present to the Committee any matter at all for investigation, I replied that in a case fully substantiated by competent evidence and reflecting on the Congress, it was my belief that 90 percent or all Members would be willing to do so in a serious case publicly reflecting on Congress.

The article gave the impression that 90% of Congress were waiting to present existing charges against other Congressmen. No other article coming from this well attended interview gave such an impression as far as I know.

Further, in answer to a question on how narrow or broad the fields of study of new legislation might be, I replied they could cover "all matters of impropriety" covered by legislation that might be introduced and assigned to the committee for study. The article as printed implied to many readers that the committee would have power to investigate charges under legislation not yet enacted. This is clearly untrue because the proposed bill would not allow any case to be investigated unless it were based on a statute or resolution previously passed by the House; and then only under the additional safeguards set up in the proposed bill before you.

As I stated in the first hearing of the Committee last year (and approved by the Committee); and I am reading from the minutes of the Committee of October 20, 1966, what I said: "I do not think a man's private life is detrimental to the House. No one is perfect; and if he privately has weaknesses, it should not be something that should be before this Committee, as it would not reflect upon the House."

Inaccurate press reports, and opponents of the Committee, have alarmed some Members; but the record of actual statements and actions of the Committee and its Chairman give no grounds for any fear of "witch hunts" or snooping of any kind. In fact, two complaints were received by the Committee during the adjournment (based on the Committee's ability to look into violations of criminal law); and in both, the Chairman refused jurisdiction because the complaints were not in writing and under oath, as the statutory history of the act required. Moreover, the full Committee would have to decide such matters, within the statute which empowers it; and clearly the legislative history as well as the terms of the statute rule out any abuses of the Committee in such matters.

Such an investigation could be made only upon receipt by the Select Committee of a complaint based on competent evidence in writing and under oath, made by or submitted to a Member of the House and transmitted to the Select Committee by such Member. Even when so formally presented, the Committee would have discretionary power not to act on the matter if it appeared to be trivial or otherwise improper. No such resolution would be effective unless approved by the House.

I would think there would be a very few complaints about the conduct of Members of the House, but if a serious case, reflecting publicly on the House, were substantiated by evidence, it is my opinion that 90 percent, or perhaps all Members, would be willing to submit it for consideration. The Committee would not be a snooping Committee looking into the private lives of Members. But serious charges, fully substantiated, reflecting on the U.S. House of Representatives, should be looked into. Moreover, the Committee would devote its efforts to preventing, rather than penalizing and publicity.

The main purpose of this Committee is to help improve the standards of the U.S. House of Representatives and also the public confidence therein.

The public image of Congress demands that the House establish a full, working, thoughtful Committee working solely in the field of standards and conduct. Sixty percent of those answering a recent Gallup Poll said they believe the misuse of government funds by congressmen is fairly common. Of course, we know that such abuses are in fact not common but we have seen a number of such damaging polls showing the people's lack of faith in the integrity of Congress.

There is a need for a vehicle in the House to achieve and maintain the highest possible standards by statute and enforcement thereof. This can only be done after thorough study by a Committee whose primary interests are in the field of ethics.

The House Select Committee on Standards and Conduct has wide support and adequate precedent for its reestablishment in the 90th Congress. It was the Rules Committee which brought the resolution to the floor in the 89th Congress and gave the Select Committee its first opportunity to help lift and maintain the standards of the House. This was the first time in history that the House of Representatives ever had such a Committee. Prior to that the Senate Select Committee on Standards and Conduct was established. A House Committee has been recommended by the Joint Committee on the Organization of Congress. There are over 30 resolutions before the Committee which call for a House Select Committee on Standards and Conduct.

Mr. Chairman, I must add to this positive statement in support of reestablishing the House Select Committee on Standards and Conduct some comments concerning the recent action by the House Administration Committee. A Subcommittee on Ethics and Contracts was set up by the House Administration Committee apparently to kill the Committee which I am supporting today before your Committee—supporting along with dozens of other House Members.

I am not competent to look into the motives of this move, announced to the press as an action to "obviate" the broader House Select Committee on Standards and Conduct.

However, I do believe that neither a subcommittee of the House Administration Committee nor the mother, its full Committee, is in a position to do what the public has a right to demand and is demanding. In the first place that Committee has only jurisdiction in the field of House accounts and Federal elections matters.

According to the Rules of the House of Representatives (Rule XI), the Committee on House Administration can look into matters dealing only with elections, accounts and other housekeeping matters. There is one section of the rules which says the Committee can look into "Measures relating to the election of the President, Vice President, or Members of Congress; corrupt practices; contested elections; credentials and qualifications; and Federal elections generally."

The phrase "corrupt practices" in this section relates directly to elections, and cannot be construed to deal with Congressional ethics. The positioning of this phrase in the midst of provisions relating solely to elections is clear evidence of the legislative intent to restrict this phrase to election matters. Moreover, even aside from that, a long line of court decisions so restricts it. The only interpretation this phrase has ever had deals with elections.

The jurisdiction which the House Administration Committee does have is broad with regard to the expenditure of House funds, and I would assume for instance, that bills relating to nepotism in the House would continue to be handled by the House Administration Committee while ones of general application throughout the entire federal employment would continue to go to the House Committee on Post Office and Civil Service.

Mr. Chairman, one of the main purposes of the House Committee on Standards and Conduct would be to reassure the public that matters will be handled promptly in the field in which it will have jurisdiction. Within the past two years the Committee on House Administration, by virtue of its supervisory administrative functions in House accounts, has had knowledge of a number of situations involving very questionable activity; and it has failed to act promptly. There may have been good and sound reasons for its failure to act promptly; but the records of the Committee speak for what was actually left undone, and cannot be reassuring to the public without explanation.

Illustrations of the slowness of the House Administration Committee to deal with matters within their jurisdiction are replete in the hearings of the Special Subcommittee on Contracts held December 19, 20, 21 and 30, 1966. For examples: The matter of not cutting off the pay of Mrs. Y. Marjorie Flores Powell when paid in violation of law (See Page 44); and the matters of travel pay and per diem costs (See Pages 16, 17, 22, 113, 114, 115, 191, and 193).

So despite the fact that there may have been good and sound reasons for these delays, the public could not be reassured by any action of Congress placing these new responsibilities in that same Committee, without adequately documented and understood explanations of its past inaction. Moreover, clearly any committee set up to do the broad task of raising and maintaining standards in the House should be a nonpartisan committee, with equal membership between Republicans and Democrats. The House Administration Committee is, of course, not so constituted; as it should be for this purpose.

In conclusion, there is a need for the new Committee on Standards and Conduct to be established, a broadly based Committee, but one devoted solely to the problems of raising and maintaining the highest possible standards in the House of Representatives. The House should come to grips with this need in an effective manner and in an important manner, and not just sweep the problems under the carpet. We can do no less for our country.

If a Job Is Worth Having

EXTENSION OF REMARKS

OF

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 21, 1967

Mrs. SULLIVAN. Mr. Speaker, on Thursday night, February 16, 1967, the first event ever held in the Visitor Center of the Gateway Arch of the Jefferson National Expansion Memorial took place in St. Louis. It was the awards banquet sponsored by Downtown St. Louis, Inc., in connection with the 1967 Salute Week Honoring Women Who Work.

Salute Week is an annual event begun 7 years ago by Downtown St. Louis, Inc., an organization consisting of the 400 business firms actively engaged in promoting and advancing the central city area of St. Louis. It was my great honor in 1963 to be designated as one of seven outstanding working women of St. Louis in different fields of interest and activity.

Two years ago, Downtown St. Louis, Inc., in addition to designating outstanding St. Louis working women, inaugurated a special award, National Outstanding Working Woman. The first recipient was Lucille Ball. Last year, this honor went to the National Broadcasting Co.'s United Nations correspondent and commentator, Pauline Frederick. This year I was deeply honored to receive this national award.

FIRST EVENT HELD IN SAARINEN GATEWAY ARCH

I am not sure yet which was the greater thrill for me—receiving such flattering recognition from people I represent in the Congress of the United States, or attending a dinner held in the most breathtaking and imaginative architectural achievement in the United States and one of the true architectural gems of the entire world, the soaring, spectacular, stainless steel arch designed by the late Eero Saarinen as the theme of the Jefferson National Expansion Memorial.

The first major piece of legislation which I introduced and which became law was the bill to authorize Federal expenditures for the Jefferson National Expansion Memorial. The memorial itself originated many years earlier in an agreement between President Franklin Delano Roosevelt and Mayor Bernard F. Dickmann of St. Louis.

THE NEED TO INSTILL INCENTIVE AND MOTIVATION

Mr. Speaker, in accepting the National Outstanding Working Woman Award from Mr. Harry F. Harrington, president of Downtown St. Louis, Inc., I discussed a subject which weighs heavily on every Member of Congress at this point in our history. It is the problem of instilling and developing and encouraging motivation in our young people, particularly, and in many other workers to give to their jobs—to their work—the best that is in them.

We have provided opportunities for training, for education—up to and through college and graduate school—and for the breaking of all barriers to individual achievement for those who are motivated. Our concern is over those who fail to take advantage of their opportunities. How do we reach them? How do we inspire them?

Mr. Speaker, I have tried to develop this theme in my remarks and because of the wide interest I know exists in the House in this problem, I am including in the CONGRESSIONAL RECORD, under unanimous consent, the text of my speech, as follows:

IF A JOB IS WORTH HAVING—

(An Address by Congresswoman Leonor K. Sullivan in accepting the award as National Outstanding Working Woman for 1967, sponsored by Downtown St. Louis, Inc., the first public event held in the Visitor Center of the Gateway Arch of the Jefferson National Expansion Memorial, February 16, 1967)

Standing here tonight . . . in this place . . . where once was desolation, and before that, dirt and grime and dreary shabbiness, and where now is soaring beauty and an unbelievable engineering achievement which lifts the soul . . . standing here among so many who have worked so hard to accomplish this majestic miracle of the Gateway Arch . . . standing here on what is Opening Night—the debut, the premiere, the grand unveiling of this hall—and standing here under the circumstances in which I am here, receiving an honor I shall always cherish . . . I say my thanks to each one of you, but I say a prayer for, and breathe my gratitude to, one who is not here, except in my heart and in the memories of long-time friends.

Two days after St. Valentine's Day, and a little more than 16 years after my husband's death, I think of John Berchmans Sullivan, as I do often, but particularly tonight.

He was a Congressman, and a *good* one, a dedicated, conscientious servant of his constituents and of his country. Because of his example, I was inspired to try to follow his footsteps into a Congressional career; because of his fine reputation, I was *able* to do so—to win my first election on the basis of his record so that I could begin then to start earning a career on my own record. For a long time, I had refused to marry John because he would not give up politics as a career and I disdained and thought I despised politics; then his profession became mine, and I learned why he felt it to be one of mankind's highest callings for those whose hearts and minds and energies are dedicated to decency and public service.

A KEY TO THE PORTALS OF MEANINGFUL LIFE IN SERVICE TO OTHERS

My career in Congress, which my husband's career made possible for me after his death, has brought me much honor, including this one tonight which is the best kind of honor—from those who know me best and know my limitations as well as any talents which I might possess. Primarily, however, my husband's legacy to me was a key to the portals of a rich and meaningful life in service to others.

John Sullivan was beginning his fourth term in the United States House of Representatives when death suddenly intervened 16 years ago. I am now beginning my eighth term. With twice as many years of Congressional service and seniority, in a different era of our national history and under different conditions of public awareness to our national needs, I have thus had many more opportunities than John did to influence national policy and to achieve legislative goals. But, as I stand here tonight, and think back to what he did achieve, particularly for St. Louis—things we are so proud of as a city; things we tend to take for granted, such as the smoke control ordinance which he drafted for Ray Tucker's Committee; such as this site, the Jefferson National Expansion Memorial, which grew from the compact he helped Barney Dickmann to draft and "sell" to Franklin D. Roosevelt; such as the Housing Act of 1949 which he worked for and voted for in the Congress and which provided the first Federal authority for our spectacularly revived Downtown—when I think of these things, I see my own role in Congress more as a continuation of his than a thing apart.

WHAT IS IT LIKE TO SERVE IN CONGRESS?

One cannot inherit a Seat in the United States House of Representatives, of course; in all the history of Constitutional Government in the United States no one has been, or can be, appointed to it. Unlike the Senate, for instance, it is an office which one can reach through one route only—a general election. Once elected, you cannot claim the Seat as your own for more than two years, at which time you must run again. To advance to seniority on Committees, you must win re-election consecutively every two years, without a break, or you must start at the bottom of the seniority ladder again. Even when you reach the pinnacle of Committee seniority, however, your political party colleagues can set you back down for reasons of their own, but that's a rare and unusual punishment seldom meted out, at least until very recently.

What is it like to serve in Congress? Power and prestige come slowly—painfully slowly—under the seniority system. But from the very first days of one's first term, until the last hurrah of defeat, retirement, or death in office, the workload is cruelly heavy and never-ending. There are no "working hours" as such—no set calendar specifying the months in which we are to remain in session, or the days we convene or hours we meet. However, unless the House and Senate mutually agree on a joint resolution permitting a recess, we must meet at least every three days, not counting Sundays, from the day we convene in January until we adjourn sine die when a Session's work is finally done, in August, or September, or October, or November, or December, or—as has sometimes happened—the morning of the day on the following January when a new Session must by law begin.

WHEN CONGRESSIONAL LIFE WAS SIMPLER

Some Members still in the National Legislature can remember when their duties were simpler. In those days they took office in a new Congress on March 4 following election or re-election, but did not meet for the First Session of that Congress until the following December, nine months later. Then they stayed in session only through May or June, adjourning over the November election to meet again for the lame duck Second Session in December for a period of three months or less. Thus, out of a two-year term, Members were in Washington perhaps nine months altogether, passing the necessary appropriations bills, enacting the rivers and harbors bill, and, after a pleasant social season, going home. With that kind of schedule, Washington was seldom hot for the Congress, and Congress seldom made things hot for the country. Most of the jokes about Congress—and they were constant—ridiculed the Members for their unhurried and unproductive attention to largely invisible, or at least unexciting issues and problems. While the Mayor of Chicago was making a political reputation based on his promise to punch England's King George in the nose if he ever dared to come to the Windy City, one of the Alabamans did equally well on publicity in his bailiwick by threatening to do the same to the Pope if he should come to the United States.

An entire session could be devoted to debate over a farm bill which most city folks completely ignored, or to a tariff bill which few ordinary citizens had the least interest in.

But in the 28 years since World War II began in Europe, Congress has been in almost continuous session year-around, and everything we do, or discuss, or contemplate doing or discussing, is today a matter of life-or-death economic concern for innumerable industries and all associated with them, and is of intense importance to millions upon millions of other citizens who also have a stake in the outcome or a deep personal involvement in the issue.

CITIZENS ENMESHED IN RED TAPE

Furthermore, regardless of whether the House is meeting or is in recess or has adjourned, the work of a Congressional office continues with unbroken intensity, for we each deal with the myriad problems of hundreds of thousands of constituents who each year collectively experience millions of separate encounters or *collisions* with governmental regulations, policies and decisions. Often the results of these encounters of citizens and government are baffling or disastrous for the individual. It might involve a serviceman or worker or veteran or retiree or taxpayer or importer or farmer or merchant or manufacturer or teacher or student or clergyman or social worker or lawyer or doctor or accountant or—it might be you—who is enmeshed in, or overwhelmed by, Governmental red tape. Members of Congress learn how to unravel it, and *can* unravel it frequently, because of our Constitutional powers over the purse strings of the bureaucracy. Therefore, most of us spend much, if not most, of our working hours untying those bureaucratic knots and pursuing elusive justice for the harried or helpless citizens caught in the clutches of big government.

Then we proceed to pass *further* legislation to make government even bigger—seemingly to fashion *more* strings of frustration and despair about the citizen's life.

We do not set out, of course, to make the citizen's lot harder, and thus our own work of unraveling the difficulties more exhausting. We add new laws because we think or hope or feel—or sometimes even know for sure—that what we do makes sense for the people we represent and for the country and the causes in which we believe.

SOLUTIONS BEGET NEW PROBLEMS

But we are the first to realize that we are not possessed of all knowledge and wisdom—that we are fallible human beings who can make mistakes and that the solutions we devise for the problems which confront our country are not necessarily perfect ones. For we have learned that each solution we put forward for any problem begets new problems in its place. We can only hope that the new problems are not as bad as the ones they replaced. Generally, that is true, but not always.

Yet it is a fascinating job in an exciting atmosphere of furious and unrelenting activity, and we are never bored. When we have self-doubts about our achievements, which is often, people back home invite us to meet with them and they tell us what fine jobs we are doing—sometimes—and that restores our spirits and sends us back into the legislative battles refreshed and ready once again to devote 12 to 16 hours a day, every day, to our tasks. This flattering event tonight will give me encouragement for months to come. For those of us in Congress whose family circumstances make it possible to devote the endless hours and complete concentration to the work, each of the many small victories we score each day in behalf of constituents beleaguered by the bureaucracy is a delicious triumph, and each legislative issue we face and dispose of serves to give us a small sense of statesmanlike achievement.

BRINGING US BACK TO REALITY

But the next day, for the price of a five-cent stamp, a constituent quickly brings us back to earth with an indignant letter questioning either our patriotism or sanity—usually both. Even the raising of postal rates never seems to discourage this kind of assault upon our self-assurance, and undoubtedly that's a good thing, because we are so deeply involved in your lives, in so many ways, through the things we do for you or to you, that we need frequent reminders of our human fallibility.

But we also need an occasional kind word, as I said, and tonight you have handed me an encyclopedia of them. I am deeply grateful, and, naturally somewhat overcome. Like so many of you here, I am a working woman in a predominantly male working environment. While the laws guarantee us equal opportunity for employment and equal pay for equal work, we know—we have always known—that we have to work twice as hard as our male colleagues in order to prove that we are not coasting on our sex, and we have to be twice as careful in our conduct merely because we are so visible. Far from being disadvantages, however, these requirements upon the working woman working with and alongside men are really great assets. For they spur us on to do our best always—in order to be sure not to close the door of opportunity to other women seeking similar careers.

WOMEN MEMBERS OF CONGRESS WORK HARD

Not every woman who has been elected to Congress has been a world-beater, a legislative wizard, but the effectiveness of the women members, on the whole, has been far out of proportion to our numbers. No one in the Congress, male or female, has a sharper mind or a better grasp of economic issues than Martha Griffiths of Michigan. A one-time Missouri girl, who is the only woman ever to serve on the House Ways and Means Committee and the Joint Economic Committee; no one male or female knows more about education issues than Edith Green of Oregon; no one on or off the Foreign Affairs Committee, Republican or Democrat, is as knowledgeable about Africa as Frances Bolton of Ohio, who, in her eighties, is still trim and fit and does Yoga headstands, and has done more to give nursing a professional status than any American. There are now two women on the House Appropriations Committee, one from each party, and they got there because of ability. Edna Kelly of New York, Dean of the Democratic Women in the House, and a Member since 1949, is chairman of the Subcommittee on Europe. Her insight and knowledge and almost intuitive ability to spot insincerity and chicanery as a U.N. delegate had the late Ambassador Adlai Stevenson marveling at her vast abilities. Senator Margaret Chase Smith, who again in this Congress is the sole woman Senator, can, and sometimes does, make admirals and generals quake. And just don't let the men ever forget that she was the first Senator to stand up to and condemn the excesses of McCarthyism and she took the vengeful consequences without a whimper.

CONSCIOUS OF MINORITY STATUS

Those women Members of Congress I have mentioned by name and those I have not all hold in common the willingness to do their very best in a terribly demanding and exhausting job—asking no special favors because they are women but instead working twice as hard to do their jobs in a manner which is a credit to women. I know we all feel that way. We are deeply conscious of our minority status—comprising only 2½ percent of the House, and 1 percent of the Senate. We form no "bloc" on legislation, for we differ on many issues. But we are in agreement that equal opportunity for women is far from achieved in politics as in most other professions, and must be worked for and *earned* by the continuing good examples of those who have been fortunate enough to make their way in any tough and competitive field.

There may be a moral in this—I hope there is, particularly today, when opportunities are now opening up everywhere. In every field, for qualified people; yet filling vacancies with employees who are willing to work hard and anxious to succeed and advance seems to be such a great problem to every employer.

How do we instill an incentive in those to whom opportunity beckons to give a *little more* than the job description may actually call for—to devote *thought* as well as time to an assignment, to recognize in one's self a kind of ambassador for your age or race or religion or sex?

IF A JOB IS WORTH HAVING—

If a job is worth having—worth applying for and accepting when offered—then it is worth one's best efforts *in* that job. Many jobs, I know, are not challenging, not exciting, not even remotely interesting. But, often, the lack is in the worker, not the job. Some of us find, or have found in our working careers, that even adding up a column of figures, and dividing and multiplying and extrapolating and doing all of the other magic things which can be done with office equipment, can challenge you to high performance, and to an enjoyment of a skill which others might consider excruciatingly dull and boring.

Some young lawyers can get fun out of a real estate title search; others, when called upon to do routine tasks yearn only for the courtroom stage, perhaps not realizing that the best courtroom lawyers are those who research every facet of a case from Dullsville to Exhaustion.

One of my favorite people is a former neighbor of mine in Arlington, Virginia, a service wife, who tackles *every* household task with a curious mind. Can it be done easier, safer, quicker, cheaper, better? I am sure you have heard of her—her name is Heloise Cruse, and she translated her enthusiasm for *intelligent* homemaking into one of the best features in hundreds of newspapers.

LITTLE TIME FOR SOCIAL LIFE

In the case of women Members of Congress, there is much about the work which gives us—the handfull of women Members—all of the joys and satisfactions one can possibly get out of any job. Yet we seldom, if ever, have time for any of the glamorous social life which swirls around official Washington; we are in our offices from early morning until late evening, and on weekends, too; we are at the beck and call of anyone from our districts with a five-cent-stamp or the price of a telephone call, plus all those, of course, who come to Washington, and who we are always delighted to see and talk to, even if it may mean lots of extra chores; we are enlisted into every crisis of many of the problem families in our home districts; we pore over complex bills which may never come up for a vote, or work diligently on amendments we may not have a chance to offer; we attend endless committee meetings and hear interminable witnesses tell us why we should or should not support some technical piece of legislation we may not fully understand—thus forcing us to study and restudy the issue so that we *do* understand it; we are always, in a sense, in an election campaign because everything we do and everything we say and every vote we cast can be used against us in perhaps distorted form; we read until our eyes redden with weariness, and then keep reading to try to make sure we know what we're imposing on the American people when we pass new legislation.

Many of our male colleagues work just as hard and just as conscientiously, but I would say that on the average the *majority* of the women do far more of this than the *majority* of the men. In addition to a responsibility to our entire constituencies, we also feel a responsibility to ourselves and to each other, and to all of the women whom we represent and who root for us as women and believe in women's abilities, and, so we try to live up to that ideal through our dedication to our tasks.

HOW TO INSTILL INCENTIVE TO EXCEL

I like to see women doing that in whatever field they are in. I know it is not an exceptional thing among working women. I have seen it often. That is one reason I am so proud to be one of them—one of *you*—and to receive this honor as a working woman.

If only—if only—we could find the way—the key—to instill in several millions of aimless and drifting youth in this country some of this incentive to excel in work assignments, or at least to pull their own weight, and earn their pay, and thus to derive satisfaction from the challenges of working well with one's head and hands. This is a subject which concerns me deeply. I don't have ready answers—just questions, and lots of them. But I feel that much of the sickness of our society rests in the acceptance of work mediocrity. Service is too often not service but sullenness and neglect of the customer's needs and wishes.

Next to the tragedy of the skilled older person whose health has failed and who cannot work at a job which gives him real joy and a sense of accomplishment is the tragedy of the young worker, who has been given an opportunity to acquire the skill to perform that same work, but treats the opportunity with scorn and glides by with the least amount of effort as long as he can get away with it.

As a working woman who has worked all my life and who has found challenge in every work assignment, and fun, too, I resent those who scorn work values.

There is no bill I can draft and introduce in Congress which would force people to *like* hard work. I wish there were a shortcut to job motivation. The only one I can think of is a personal one-to-one movement of making job satisfactions contagious—by all of us who find our jobs interesting and perhaps even exciting, making an effort to tell youngsters about the pleasures to be derived from doing any job a little better each time—not for the boss's benefit, but for the worker's pleasure.

"MOONLIGHTING FOR YOURSELF"

Very few people today are actually forced by economic necessity to stay mired in a dead-end job which gives absolutely no satisfactions, no opportunities for advancement, no outlet for creativity. Many are bound, however, by custom or habit or pension considerations to jobs they hate. I do not counsel such people to quit and go hungry. But with so many avenues for training and education now available to every citizen of any age, I do say to those who have lost their zeal for the jobs they hold but whose paycheck they undoubtedly need: start "moonlighting" for yourself—at night school, or by correspondence course, or by pursuit of a hobby you already enjoy and which can, through perseverance and effort, become perhaps a happy way to make a living.

I used to marvel at the changes which occurred in the outlooks and personalities of some of the people who came to the Comptometer school, when I was the training director for Felt and Tarrant—people who were insecure and despondent in their jobs and then proceeded to learn a new skill or enhance an old one to the point where they could feel secure in their abilities. Once that happened, and they knew that if they didn't like one employer they could quickly find another who would pay them at least as well, they may have kept on working for the same firm. But the sure knowledge that they didn't have to if they didn't find it pleasurable to do so gave them such a psychological lift that they began to see pleasure in a job which had formerly seemed routine. I have seen the same thing happen again and again as a Member of Congress when I was able to direct people into some of the many training opportunities available to them. So it isn't just the job which determines whether a person is going to be happy or miserable in work: in most cases it is the person's own attitude and feeling of adequacy. Knowing how to do something well makes all the difference in the world and if there are financial rewards which go with that, all the better.

MAKING DEPRIVATION OBSOLETE

If all of this has little relationship to all of us here tonight—as I suspect—nevertheless I have brought these thoughts with me tonight to share with you because they form a continuing pattern of worry for me in trying to help make poverty and deprivation obsolete. I am searching for help in trying to help those who are searching for an identity and a purpose.

The billions we have spent in the War on Poverty have not been wasted—not the vast majority of the funds—but the results are slow to rise to visibility. It is a war which must be won—because our survival as a middle-class nation *depends* upon it. Middle-class values are unknown to millions, yet full participation by all in the good life which this wonderful country can provide depends upon—hinges upon—an appreciation for manners and morals and ambitions of middle-class society. If we can only—through the effort of labor and of business, through community effort and through government at every level and through the schools and the churches and the individual efforts of every citizen who has instilled in himself, or had instilled in him, the motivation to be proud of what he works at—if we can only utilize these resources to demonstrate what the individual can do for himself by doing a better job of work than he *has* to do for mere economic survival, perhaps we can see an eventual solution to the poverty cycle.

CONGRESS IS ALERT TO SUGGESTIONS AND IDEAS

You have honored me for what I do and how I do it—my work. As I said, I love my work, and that, of course, makes my job its own reward. But I appreciate deeply *your* appreciation for the manner in which I occupy my time and effort. Because of my Congressional seniority, there are things I *can* do, or help to do, to make this a better country, and so I am always alert to ideas and suggestions which I can pursue in the Congress. Tonight, I have raised questions. Do you have any answers for me which I can use? Will you share them with me?

In the past 14 years in Congress, my most successful legislative goals have grown out of this give-and-take, of raising questions about how to meet unanswered problems. When answers do present themselves, from friends and constituents willing to share ideas—or even just ready to answer my questions with other questions which lead me to find possible answers—there are paths which can be followed and bills which can be written and government agencies which can be contacted and brought into the picture, and there are results which can be achieved.

This is the pathway membership in Congress can open—exciting avenues to a better tomorrow. It is, believe me, a wonderful way to make a living!

As one working woman to the working women of Downtown, St. Louis, Inc., I say again, thank you for everything.

Shaping Our Urban Future

EXTENSION OF REMARKS

OF

HON. DON EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 21, 1967

Mr. EDWARDS of California. Mr. Speaker, urban problems, of growing concern to the Nation today, are now within the jurisdiction of the Department of Housing and Urban Development. The future of urban areas were discussed in an article by Secretary Robert Weaver of HUD, published in the 25th anniversary issue of Public Power magazine.

Secretary Weaver, noting the necessity of "innovation, new ideas, and new lines of action from every source," urged the acceptance of responsibility for solving urban problems by all segments of the Nation, citing the potential contributions by the power industry:

> And in this kind of responsibility, the power industry—particularly the public power groups with their basic commitment to the public interest—occupies a strategic position in this battle for urban living.

I would like at this time to insert the entire article:

SHAPING OUR URBAN FUTURE

(By Robert C. Weaver, Secretary of Housing and Urban Development)

In the next quarter-century the population of the United States will increase from its present 190 million to 260 million. The great mass of these people will be living in our urban areas.

It is part of the mission of the year-old Department of Housing and Urban Development to look down that long and far from well-lighted corridor of the next 25 years and try to perceive what our urban areas should be by then. Nearly everything we do today will affect that future and that is particularly true since the nation is now committed to making great expenditures in the next 10 years for programs that will establish the main directions in which we will move.

But the urban community is not something you blueprint. It is something that grows. It is a place that must offer many choices, many opportunities, many different kinds of life. Diversity is the essence of urban life.

Our cities have not been offering the kind of choices that people seek. They have become centers from which the affluent flee, and where the impoverished become trapped. We have tried various means to correct this, to improve housing, to redeem limited areas, and to ameliorate the human problems in our overcrowded sections. But blight and decay have continued to spread and the disadvantaged in large numbers remain in our embattled slums.

ATTACKING URBAN BLIGHT

Now we are mounting a far greater, more comprehensive attack on the urban problem than any we have previously conceived. We can no longer deal with the physical rebuilding of urban areas without regard to the human problems and the measures needed for human betterment. They must be dealt with jointly. We can no longer treat the older central city and the outlying areas of urban growth as if they were alien to each other. They are, as we know, interwoven in so many ways that the ills of one compound the difficulties of the other.

We know that there is no one answer, nor any separate set of answers, but many answers that must be combined in a rationally related effort to deal with the total urban problem.

This is the meaning of recent legislation, particularly the Model Cities program and the Metropolitan Development aids that were enacted in the 1966 Act. Here the human and physical needs of our cities have been brought into common focus, and the comprehensive planned development of our growing urban areas has been equated with the need to revitalize our inner cities.

But these are not measures that will give us the kind of urban life we seek through public moneys and public effort alone. It will require the concern and dynamic participation of private and public institutions, of business and civic leadership, and responsible citizenry.

ROLE OF POWER INDUSTRY

And in this kind of responsibility, the power industry—particularly the public power groups with their basic commitment to the public interest—occupies a strategic position in this battle for better urban living.

Today we have new and more powerful program instruments to work with. As a result of legislation enacted in the past two years to achieve President Johnson's Great Society objectives, we can now undertake the type of comprehensive development and redevelopment our urban problems require.

These new means include:

More effective measures, such as rent supplements and a more flexible public housing program, to provide good housing to those of low income. . . .

New means and new methods for the rehabilitation of older structures and neighborhoods so that we can restore rather than uproot established older parts of our cities. . . .

New aids for urban beautification and recreational space and facilities to improve the quality of urban life. . . .

Measures not only to extend comprehensive urban planning, but also put those plans to work to meet the growing population needs of urban areas. . . .

Measures to help land development, develop new communities, provide basic public facilities, and create efficient mass transportation systems for the expanding urban population.

Accompanying these measures has been a strong complement of legislation to raise the levels of health, education, employment, and social adjustment of millions of our poorer people and bring them out of the ghettos into the functioning life of our urban society.

We are ready to undertake simultaneously a greatly expanded attack both on the problems of decay in our central cities and the pressing growth problems of our expanding metropolitan areas.

During the coming year, towns and cities in all parts of the country will be developing plans to carry out comprehensive changes in large sections of the urban community under the newly enacted Model Cities program. Through this program, all of the measures cited above, for structures and people, and many more as well, will be combined to deal with the deficiencies both of the city and the citizen stranded in these areas.

PUBLIC SUPPORT REQUIRED

This program will require not only Federal funds and support. Even more, it will depend on full use of public and private resources by the community itself. It will call for imaginative support from the economic and business community, as well as from social and governmental bodies.

One of the first needs to redeem these dark areas will be light and power—the light of hope and opportunity and the man-made light for living—the development of human power and of the physical energy that can bring better living to the people. We will need, for instance, to illuminate the dark back streets of crime and to provide well lighted playgrounds and recreational areas for long-deprived low-income people. We will need better, more livable housing, equipped with the conveniences that modern power can supply.

GRANTS FOR LIGHTING

We now have new programs to help meet these needs. We have Federal beautification grants for improved lighting of our streets and public places. We have grants for neighborhood facilities to serve the recreational and social needs of these neighborhoods. We have grants to develop recreational and park areas in these crowded sections.

We need the technological imagination and know-how of modern science and industry to solve these problems in the blighted areas, and we need them on a larger scale, too. The Department of Housing and Urban Development has been actively enlisting this type of help from many sources, to develop answers to the problems of mass transit, of sources of employment and training, and of housing.

We welcome such ideas as the reapplication of electric power to urban transit needs, or the development of utility tunnels to better maintain the vital services that feed the modern city.

Beyond these central city problems, however, lies an even larger one—the pressing population growth going on in and beyond the suburban hinterlands. And here again, modern business and technology play a crucial role.

We already have a vast amount of comprehensive urban planning developed or under way for these growing areas. And planning for power is an essential part of planning for growth.

Under HUD's urban planning assistance program, more than $100 million in planning grants have been made for such planning in 190 metropolitan areas, in 5,500 smaller urban localities, and for 38 State planning bodies.

In the 1966 Act, we have gone another important step further. That Act has authorized supplemental Federal grants to put these plans into actual operation and construction, by helping to pay the local share of the cost of water and sewer systems, highways, hospitals, airports, open space, and other public works and facilities.

It is these plans, too, which will determine the future course and market for electric power for the growing area.

PLANNING NEW COMMUNITIES

The 1966 Act also for the first time authorizes Federal support for the development of entire planned new communities in these outlying areas, and this will call for power planning as well as many other types of planning.

A new town must grow in a relatively short time from bush and vacant land into a full community with all the services that perhaps 100,000 people require. How do you finance such a town, when there is no initial tax base and no taxpayers or public services? These are questions that we hope the business community will help solve, not only as a matter of self-interest, but as a matter that affects the quality of our urban American future.

One of the most hopeful signs for our urban future today is the growing concern and participation of business and industry in the creation of a more livable, more productive and rewarding urban economy than we have yet achieved. We see this in the participation of private and business investment in the renewal of our cities. We see it in the pioneering undertakings in new community development, such as Reston and Columbia in the Washington-Baltimore area. We are seeing it increasingly in the housing field, where major suppliers and developers, such as U. S. Gypsum, the America Plywood Association, and the National Forest Products Association, are seeking breakthroughs to the rehabilitation of good housing and the provision of good homes for low-income use. We see it in technological experiments that major corporations are carrying on in the field of urban transportation.

We need this kind of massive effort to make any real impact on our urban problems and our future needs. It will involve many solutions embracing many activities, many levels of government, many forces both private and public.

We need innovation, new ideas, and new lines of action from every source. Old patterns will not suffice. As President Johnson has said:

"Our existing urban centers, however revitalized, cannot accommodate all the urban Americans of the next generation. Unless they are to be casual parts of general urban sprawl, a new approach to their design is required."

Revitalizing the urban areas offers both challenges and rewards that are social and intellectual as well as economic and financial. We enlist the leadership of local communities and officials of locally-owned electric utilities in this effort which the President and the Congress have called the first domestic concern of the nation.

The Plan To Share Our Tax Money

EXTENSION OF REMARKS

OF

HON. SAMUEL L. DEVINE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 21, 1967

Mr. DEVINE. Mr. Speaker, the Cincinnati Enquirer on Sunday, February 19, 1967, ran an editorial on the efforts of the Republican Party to institute a Federal revenue-sharing plan. The editorial mentions the efforts of my friend and fellow Ohio Congressman, the Honorable ROBERT TAFT, JR. Representative TAFT has long been interested in revenue sharing and is chairman of the Republican Party coordinating committee task force on the functions of Federal, State, and local governments. Under his direction, the task force developed the revenue-sharing plan receiving so much nationwide attention.

For the information of my colleagues, I am submitting for the CONGRESSIONAL RECORD the Cincinnati Enquirer editorial of February 19, 1967, and excerpts from the statement presented by Representative TAFT earlier this month before a joint meeting of the Ohio Senate Ways and Means Committee and the Ohio House of Representatives Taxation Committee as printed on the Enquirer's editorial page of February 19:

THE PLAN TO SHARE OUR TAX MONEY

Congressional Republicans are making a determined push for a Federal tax-sharing plan whereby the 50 states will get a rebate from federally collected income taxes—with few or no strings attached.

Although the plan is not a new one (candidates and spokesmen of both parties endorsed the concept in the 1964 presidential campaign), we believe the Republicans are acting with timely constructiveness in trying to get some legislation implementing tax sharing by the states. It is long overdue. Furthermore, polls indicate broad public support for just such a plan.

A number of governors and state legislatures are in the process of studying proposals to request Congress to act in the matter. Ohio is one of these states. On February 6, Rep. Robert Taft Jr., who last year headed a Republican task force that recommended adoption of the tax-sharing plan, testified on the matter before a joint meeting of the state legislature's Senate Ways and Means and House Taxation Committees. Elsewhere on this page are excerpts of Mr. Taft's remarks to the legislators, in which he gave sound, well-reasoned arguments in behalf of the plan.

As Mr. Taft mentioned, President Johnson, at the height of the 1964 campaign, said the Federal government "should help restore fiscal balance and strengthen state and local government by making available for their use some part of the great and growing Federal tax revenues over and above existing aids." These campaign words were not followed by action; somewhere in the Great Society lies buried this aspect of state-Federal partnership.

Mr. Taft, who directed his remarks in particular toward two proposals, one of them co-sponsored by Republican Sen. Stanley Aronoff of Hamilton County, which call for a minimum of 5% to 8% of income tax revenues to the states, said that amount is "probably a little rich in view of the current Federal financial situation." The task force last year recommended a sharing of 2% of individual and corporate taxes, with an annual step-up until the states' allocation reached 10%. These variances of formulated amounts can be mulled over and worked on until a reasonable, equitable percentage is reached. What is most important is that the principle of tax sharing be established, as Congressman Taft pointed out.

Joining with him in testifying at Columbus as a proponent of the concept was Dr. R. Eric Weise, assistant professor of political science at the University of Cincinnati, who said a tax rebate to the states would permit them "to exercise infinitely more flexibility in pursuing both national and state goals." We couldn't agree more with Dr. Weise.

Under the present system of Federal grants-in-aid the task of establishing priorities on public improvement programs is in effect virtually pre-empted by the national government. A local or state government has little choice but to go along, usually on a matching-fund basis, when a grant for a particular program is available—even though there may be needs of far greater importance in that locality or state.

Concomitantly, as matters now stand, public officials often are forced to promote certain programs simply because one-half of the necessary funds are available through Federal grants.

Tax sharing would alleviate these two related evils. Priorities for public improvement would be determined at the local or state level—and by those officials having best knowledge of the immediate needs of the area.

In the U.S. House of Representatives, about 40 GOP congressmen have joined Rep. Charles E. Goodell of New York in introducing bills for tax sharing, as called for by House Republican leader Gerald R. Ford in his "New Direction" speech of January 19. Congressman Goodell pointed out that the President's budget for 1968 calls for an increase of more than $2 billion in the grants-in-aid program so that a cutback there would provide needed funds for tax sharing.

The GOP proposal would allocate 3% of Federal income tax revenue for tax sharing, to be raised to 5% over a four-year period. Of funds allocated to a state 45% would be earmarked for local communities and the remaining 55% could be spent in any way the state chose. An estimated $2.2 billion would become available to the states under the plan.

There are now more than 400 Federal aid appropriations covering 170 separate programs administered by 21 Federal departments or agencies, 180 bureaus and 400 regional offices.

Whether the Republicans will be successful in getting a tax-sharing plan through the Democrat-controlled Congress remains to be seen. But all Americans who are concerned about ever-increasing concentration of power in Washington and who worry lest state governments cease to have any real efficacy pray that a step toward tax sharing will be adopted this year.

IT COULD MEAN $250 MILLION FOR OHIO: THE CASE FOR A FEDERAL REVENUE-SHARING PLAN

(By Representative ROBERT TAFT, Jr.)

I appreciate greatly the invitation to come to Columbus to testify relating to SJR No. 4, on revenue sharing. This resolution would memorialize the 90th Congress to adopt legislation requiring a return to Ohio, and every other state, of a portion of Federal income tax receipts. Your proposal for 5% distribution of income tax collections could bring in as much as $250 million a year to Ohio. Even more important it could nationally strengthen our Federal system.

The idea of requiring such a sharing is not a novel one. When it originated, I don't know, but back in the 103rd and 104th sessions of this General Assembly, there were proposals made by various members and by Governor DiSalle calling for such a policy. For instance, in the 104th, I recall HJR No. 44. It called for a 1% return of Federal income tax collections to be used exclusively for educational purposes. Unfortunately, no such proposals have been acted on by the Congress to date.

Meanwhile, the financial plight of the state and local governments has deteriorated further until just this last week we hear a caution from the governor of one of our biggest states that Congress must act to preserve state governments from extinction.

A most important constitutional safeguard of our citizens against overpowering Federal domination could, thereby, be lost. The direct responsibility and participation of citizens in government could be greatly reduced if not eliminated.

During the 1964 presidential campaign, the candidates and spokesmen for both parties endorsed the concept of revenue sharing with a minimum of restrictions upon the use by the states of the shared revenue. Only guarantees against racial discrimination of programs financed by shared funds and a guarantee of continued state financial effort were to be imposed.

Unfortunately, the pledge to back revenue sharing has been ignored. Meanwhile, widely used, the Federal grant-in-aid device has continued to mushroom radically with the restrictions and controls that accompany it.

Last year, as chairman of a task force of the Republican Co-ordinating Committee assigned to study this problem, I participated in the preparation and issuance of a report adopted by the committee. It is entitled, "Financing the Future of Federalism: A Case for Revenue Sharing."

As is pointed out in that report, the grants-in-aid device has progressed from 18 grants with a total of $126 million in expenditures in 1934, to 140 different programs with expenditures in excess of $10 billion in 1964.

As the report states, "Typical of the grant approach has been a steady increase in controls and restrictions tied to the money. This has produced at one end an increase in the national bureaucracy and at the other a further demeaning of state and local governments and their officials."

The proposal of our task force was very similar to the proposed effect of SJR No. 4 now pending before these committees. It called for sharing of 2% of personal and corporate income tax collections, one half to be divided on the basis of state of origin and one half to be divided under a formula which would take into account equalization between states and other factors such as the states' own efforts.

A brief history of revenue sharing would be appropriate. The concept dates back to pre-Constitution days. One of the earliest instances was in the Northwest Ordinance under which land was granted to states for educational purposes and internal improvements.

An historic instance of such a distribution came later in the surplus distribution act in 1836. President Jackson had accumulated a $37 million Federal surplus from the sale of public lands and from customs receipts. Having virtually eliminated the public debt, he recommended and had Congress accept a proposal to distribute the $37 million to the states in four installments. The State of Maine, with a typically frugal Yankee attitude, made a per capita distribution to its citizens of the Federal funds. The fourth installment, however, was canceled by the Federal government before its distribution because of a financial crisis, reflecting what could become a problem with regard to any future revenue sharing unless adequate safeguards are enacted.

While our task force report did not specify it, either constitutional or other certain priorities, excepting only national defense, might be desirable. The sharing should come from the top, not the bottom of the domestic budget.

Later examples of revenue sharing were the first Morrill Land Grant Act of 1862, and the second Morrill Act of 1890, grants for agricultural experiment stations in 1887, grants for agricultural extension programs in 1914, and the whole series of qualified grants-in-aid that began to build up in 1934.

These latter grants have assumed ever-increasing degrees of control through more precise definition of the aid to be provided, through tighter requirements of conformance to Federal standards, through state matching-fund requirements, and through review and audit by Federal agencies. Depending on point of view, some of these controls may be desirable and necessary. Others have become arbitrary and stultifying.

Since 1961, particularly, such grant-in-aid programs have increased the scope and activities of Federal grants and the restrictions accompanying them in such new fields as elementary and secondary education, manpower training, mass transportation, regional development, mental health, air and water pollution controls, urban planning and aid to the arts.

As mentioned, in 1964 President Johnson gave revenue sharing considerable attention, largely on account of the recommendations of Dr. Walter Heller and Joseph A. Pechman of the Brookings Institution. At that time, President Johnson, just six days before the presidential election, stated:

"At the state and local level, we see responsibilities rising faster than revenues, while at the Federal level average annual revenue growth of some $6 billion provides a comfortable margin for Federal tax reduction, Federal programs and more generous help to state and local units.

"The National Government, as a constructive partner in a creative Federal state, should help restore fiscal balance and strengthen state and local government by making available for their use some part of the great and growing Federal tax revenues over and above existing aids."

The performance, for one reason or another, has not matched the promise. Vietnam expenditures offer a temporary but not a total or logical answer, particularly when the scope and costs of a number of restrictive grants-in-aid programs continue to expand. The open opposition of certain labor leaders has materialized and may have had some effect.

. . . Against this general background we should review the arguments for revenue sharing. They could be summarized as follows. It could:

Reinvigorate the Federal system by giving state and local governments more control over their public expenditures.

Provide closer and more co-operative relationship between Federal, state and local officials.

Provide broader and more flexible aid programs which could be designed to meet the diverse needs of various sectors of the economy.

Give more reliance on direct Federal relationship.

Provide opportunity to work through new types of structure such as area-wide regions and public-private administrative units.

Reward states and localities who are doing the most to help themselves.

Give states and localities more discretion over their own spending.

Give some type of help to those states and localities who through no fault of their own are especially poor.

Perhaps, before acting upon your joint resolution, you might want to consider some comparative proposals aimed at the same objective. Some basic differences between the plans will have to be resolved. These center around the following questions:

Should taxable income or actual taxes collected be the basis for determining the amount available for distribution?

Should the money be set aside in a trust fund or be subject to annual congressional review via appropriations?

What formula should govern distribution of the funds among individual states? Should it be population or the source or revenue, or what other factor?

How much of an equalization factor is desirable?

What weight if any should be given to state and local tax effort?

Should part or all have to be distributed by states to local governmental units?

The formula which you have proposed, with a minimum of 5%, is probably a little rich in view of the current Federal financial situation, but it is important that the principle be established. When and if funds become available, the figure chosen coud mean as much as $200 million a year or more to help in providing better services here in Ohio.

HOUSE OF REPRESENTATIVES

WEDNESDAY, FEBRUARY 22, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Preserve me, O God: for in Thee do I put my trust.—Psalm 16: 1.

Almighty God, our Heavenly Father, on this day—ever to be remembered by our people—we think again of our first President, whose name shines as a star in the firmament of our Nation and whose personality still towers above us, calling us to new courage in adversity, new loyalty in hours of distress, and a new faith in prayer that we may walk humbly with Thee.

As we listen to his immortal words, may the record of his undying devotion to our country cross our minds, and may the memory of his great life stir our hearts, strengthen our spirits, and send us forth to work more faithfully for the good of our Nation and for the benefit of all mankind. In the Master's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

GENERAL LEAVE TO EXTEND IN THE CONGRESSIONAL RECORD

Mr. ALBERT. Mr. Speaker, without its being considered a precedent, I ask unanimous consent that all Members who desire to do so may have permission today to extend their remarks in the RECORD and to include therein extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

GEORGE WASHINGTON'S FAREWELL ADDRESS

The SPEAKER. Pursuant to the order of the House of February 9, 1967, the Chair recognizes the gentleman from Virginia [Mr. SCOTT] to read George Washington's Farewell Address.

Mr. SCOTT read the Farewell Address, as follows:

To the people of the United States.

FRIENDS AND FELLOW CITIZENS: The period for a new election of a citizen to administer the executive government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed, to decline being considered among the number of those, out of whom a choice is to be made.

I beg you, at the same time, to do me the justice to be assured, that this resolution has not been taken, without a strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country; and that, in withdrawing the tender of service which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest; no deficiency of grateful respect for your past kindness; but am supported by a full conviction that the step is compatible with both.

The acceptance of, and continuance hitherto in the office to which your suffrages have twice called me, have been a uniform sacrifice of inclination to the opinion of duty, and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this, previous to the last election, had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our affairs with foreign nations, and the unanimous advice of persons entitled to my confidence, impelled me to abandon the idea.

I rejoice that the state of your concerns, external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety; and am persuaded, whatever partiality may be retained for my services, that in the present circumstances of our country, you will not disapprove my determination to retire.

The impressions with which I first undertook the arduous trust, were explained on the proper occasion. In the discharge of this trust, I will only say that I have, with good intentions, contributed towards the organization and administration of the government, the best exertions of which a very fallible judgment was capable. Not unconscious in the outset, of the inferiority of my qualifications, experience, in my own eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself; and, every day, the increasing weight of years admonishes me more and more, that the shade of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given peculiar value to my services they were temporary, I have the consolation to believe that, while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment which is to terminate the career of my political life, my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country, for the many honors it has conferred upon me; still more for the steadfast confidence with which it has supported me; and for the opportunities I have thence enjoyed of manifesting my inviolable attachment, by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise, and as an instructive example in our annals, that under circumstances in which the passions, agitated in every direction, were liable to mislead amidst appearances sometimes dubious, vicissitudes of fortune often discouraging—in situations in which not unfrequently, want of success has countenanced the spirit of criticism,—the constancy of your support was the essential prop of the efforts, and a guarantee of the plans, by which they were effected. Profoundly penetrated with this idea, I shall carry it with me to my grave, as a strong incitement to unceasing vows that heaven may continue to you the choicest tokens of its beneficence—that your union and brotherly affection may be perpetual—that the free constitution, which is the work of your hands, may be sacredly maintained—that its administration in every department may be stamped with wisdom and virtue—that, in fine, the happiness of the people of these states, under the auspices of liberty, may be made complete by so careful a preservation, and so prudent a use of this blessing, as will acquire to them the glory of recommending it to the applause, the affection and adoption of every nation which is yet a stranger to it.

Here, perhaps, I ought to stop. But a solicitude for your welfare, which cannot end but with my life, and the apprehension of danger, natural to that solicitude, urge me, on an occasion like the present, to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments which are the result of much reflection, of no inconsiderable observation, and which appear to me all important to the permanency of your felicity as a people. These will be offered to you with the more freedom, as you can only see in them the disinterested warnings of a parting friend, who can possibly have no personal motive to bias his counsel. Nor can I forget, as an encouragement to it, your indulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

The unity of government which constitutes you one people, is also now dear to you. It is justly so; for it is a main pillar in the edifice of your real independence; the support of your tranquility at home: your peace abroad; of your safety; of your prosperity; of that very liberty which you so highly prize. But, as it is easy to foresee that, from different causes and from different quarters much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth; as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed; it is of infinite moment, that you should properly estimate the immense value of your national union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think and speak of it as of the palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can, in any event, be abandoned; and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens by birth, or choice, of a common country, that country has a right to concentrate your affections. The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism, more than any appellation derived from local discriminations. With slight shades of difference, you have the same religion, manners, habits, and political principles. You have, in a common cause, fought and triumphed together; the independence and liberty you possess, are the work of joint counsels, and joint efforts, of common dangers, sufferings and successes.

But these considerations, however powerfully they address themselves to your sensibility, are greatly outweighed by those which apply more immediately to your interest.—Here, every portion of our country finds the most commanding motives for carefully guarding and preserving the union of the whole.

The *north*, in an unrestrained intercourse with the *south*, protected by the equal laws of a common government, finds in the productions of the latter, great additional resources of maritime and commercial enterprise, and precious materials of manufacturing industry.—The *south* in the same intercourse, benefiting by the same agency of the *north*, sees its agriculture grow and its commerce expand. Turning partly into its own channels the seamen of the *north*, it finds its particular navigation invigorated; and while it contributes, in different ways, to nourish and increase the general mass of the national navigation, it looks forward to the protection of a maritime strength, to which itself is unequally adapted. The *east*, in a like intercourse with the *west*, already finds, and in the progressive improvement of interior communications by land and water, will more and more find a valuable vent for the commodities which it brings from abroad, or manufactures at home. The *west* derives from the *east* supplies requisite to its growth and comfort—and what is perhaps of still greater consequence, it must of necessity owe the *secure* enjoyment of indispensable *outlets* for its own productions, to the weight, influence, and the future maritime strength of the Atlantic side of the Union, directed by an indissoluble community of interest as *one nation*. Any other tenure by which the *west* can hold this essential advantage, whether derived from its own separate strength; or from an apostate and unnatural connection with any foreign power, must be intrinsically precarious.

While then every part of our country thus feels an immediate and particular interest in union, all the parts combined cannot fail to find in the united mass of means and efforts, greater strength, greater resource, proportionably greater security from external danger, a less frequent interruption of their peace by foreign nations; and, what is of inestimable value, they must derive from union, an exemption from those broils and wars between themselves, which so frequently afflict neighboring countries not tied together by the same government; which their own rivalship alone would be sufficient to produce, but which opposite foreign alliances, attachments, and intrigues, would stimulate and embitter.—Hence likewise, they will avoid the necessity of those overgrown military establishments, which under any form of government are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty. In this sense it is, that your union ought to be considered as a main prop of your liberty, and that the love of the one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind and exhibit the continuance of the union as a primary object of patriotic desire. Is there a doubt whether a common government can embrace so large a sphere? let experience solve it. To listen to mere speculation in such a case were criminal. We are authorized to hope that a proper organization of the whole, with the auxiliary agency of governments for the respective subdivisions, will afford a happy issue to the experiment. It is well worth a fair and full experiment. With such powerful and obvious motives to union, affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who, in any quarter, may endeavor to weaken its hands.

In contemplating the causes which may disturb our Union, it occurs as matter of serious concern, that any ground should have been furnished for characterizing parties by *geographical* discriminations,—*northern* and *southern*—*Atlantic* and *western;* whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts, is to misrepresent the opinions and aims of other districts. You cannot shield yourselves too much against the jealousies and heart burnings which spring from these misrepresentations: they tend to render alien to each other those who ought to be bound together by fraternal affection. The inhabitants of our western country have lately had a useful lesson on this head: they have seen, in the negotiation by the executive, and in the unanimous ratification by the senate of the treaty with Spain, and in the universal satisfaction at the event throughout the United States, a decisive proof how unfounded were the suspicions propagated among them of a policy in the general government and in the Atlantic states, unfriendly to their interests in regard to the Mississippi. They have been witnesses to the formation of two treaties, that with Great Britain and that with Spain, which secure to them everything they could desire, in respect to our foreign relations, towards confirming their prosperity. Will it not be their wisdom to rely for the preservation of these advantages on the union by which they were procured? will they not henceforth be deaf to those advisers, if such they are, who would sever them from their brethren and connect them with aliens?

To the efficacy and permanency of your Union, a government for the whole is indispensable. No alliances, however strict, between the parts can be an adequate substitute: they must inevitably experience the infractions and interruptions which all alliances, in all times, have experienced. Sensible of this momentous truth, you have improved upon your first essay, by the adoption of a constitution of government, better calculated than your former, for an intimate union, and for the efficacious management of your common concerns. This government, the offspring of our own choice, uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers, uniting security with energy, and containing within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our political systems is the right of the people to make and to alter their constitutions of government.—But the constitution which at any time exists, until changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power and the right of the people to establish government, presuppose the duty of every individual to obey the established government.

All obstructions to the execution of the laws, all combinations and associations under whatever plausible character, with the real design to direct, control, counteract, or awe the regular deliberations and action of the constituted authorities, are destructive of this fundamental principle, and of fatal tendency.—They serve to organize faction, to give it an artificial and extraordinary force, to put in the place of the delegated will of the nation the will of party, often a small but artful and enterprising minority of the community; and, according to the alternate triumphs of different parties, to make the public administration the mirror of the ill concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans digested by common councils, and modified by mutual interests.

However combinations or associations of the above description may now and then answer popular ends, they are likely, in the course of time and things, to become potent engines, by which cunning, ambitious, and unprincipled men, will be enabled to subvert the power of the people, and to usurp for themselves the reins of government; destroying afterwards the very engines which have lifted them to unjust dominion.

Towards the preservation of your government and the permanency of your present happy state it is requisite, not only, that you steadily discountenance irregular opposition to its acknowledged authority, but also that you resist with care the spirit of innovation upon its principles, however specious the pretext. One method of assault may be to effect, in the forms of the constitution, alterations which will impair the energy of the system; and thus to undermine what cannot be directly overthrown. In all the changes to which you may be invited, remember that time and habit are at least as necessary to fix the true character of governments, as of other human institutions:—that experience is the surest standard by which to test the real tendency of the existing constitution of a country:—that facility in changes, upon the credit of mere hypothesis and opinion, exposes to perpetual change from the endless variety of hypothesis and opinion: and remember, especially, that for the efficient management of your common interests in a country so extensive as ours, a government of as much vigor as is consistent with the perfect security of liberty is indispensable. Liberty itself will find in such a government with powers properly distributed and adjusted, its surest guardian. It is, indeed, little else than a name, where the government is too feeble to withstand the enterprises of faction, to confine each member of the society within the limits prescribed by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property.

I have already intimated to you the danger of parties in the state, with particular references to the founding them on geographical discrimination. Let me now take a more comprehensive view, and warn you in the most solemn manner against the baneful effects of the spirit of party generally.

This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind.—It exists under different shapes in all governments, more or less stifled, controlled, or repressed; but in those of the popular form it is seen in its greatest rankness, and is truly their worst enemy.

The alternate domination of one faction over another, sharpened by the spirit of revenge natural to party dissension, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism. But this leads at length to a more formal and permanent despotism. The disorders and miseries which result, gradually incline the minds of men to seek security and repose in the absolute power of an individual; and, sooner or later, the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purpose of his own elevation on the ruins of public liberty.

Without looking forward to an extremity of this kind, (which nevertheless ought not to be entirely out of sight) the common and continual mischiefs of the spirit of party are sufficient to make it the interest and duty of a wise people to discourage and restrain it.

It serves always to distract the public councils, and enfeeble the public administration. It agitates the community with ill founded jealousies and false alarms; kindles the animosity of one part against another; foments occasional riot and insurrection. It opens the door to foreign influence and corruption, which finds a facilitated access to the government itself through the channels of party passions. Thus the policy and the will of one country are subjected to the policy and will of another.

There is an opinion that parties in free countries are useful checks upon the administration of the government, and serve to keep alive the spirit of liberty. This within certain limits is probably true; and in governments of a monarchical cast, patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of the popular character, in governments purely elective, it is a spirit not to be encouraged. From their natural tendency, it is certain there will always be enough of that spirit for every salutary purpose. And there being constant danger of excess, the effort ought to be, by force of public opinion, to mitigate and assuage it. A fire not to be quenched, it demands a uniform vigilance to prevent it bursting into a flame, lest instead of warming, it should consume.

It is important likewise, that the habits of thinking in a free country should inspire caution in those intrusted with its administration, to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department, to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power and proneness to abuse it which predominate in the human heart, is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories, and constituting each the guardian of the public weal against invasions of the others, has been evinced by experiments ancient and modern: some of them in our country and under our own eyes.—To preserve them must be as necessary as to institute them. If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the constitution designates.—But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil any partial or transient benefit which the use can at any time yield.

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism, who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked, where is the security for property, for reputation, for life, if the sense of religious obligation *desert* the oaths which are the instruments of investigation in courts of justice? and let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect, that national morality can prevail in exclusion of religious principle.

It is substantially true, that virtue or morality is a necessary spring of popular government. The rule, indeed, extends with more or less force to every species of free government. Who that is a sincere friend to it can look with indifference upon attempts to shake the foundation of the fabric?

Promote, then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering, also, that timely disbursements, to prepare for danger, frequently prevent much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions, in time of peace, to discharge the debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burden which we ourselves ought to bear. The execution of these maxims belongs to your representatives, but it is necessary that public opinions should co-operate. To facilitate to them the performance of their duty, it is essential that you should practically bear in mind, that towards the payment of debts there must be revenue; that to have revenue there must be taxes; that no taxes can be devised which are not more or less inconvenient and unpleasant; that the intrinsic embarrassment inseparable from the selection of the proper object (which is always a choice of difficulties,) ought to be a decisive motive for a candid construction of the conduct of the government in making it, and for a spirit of acquiescence in the measures for obtaining revenue, which the public exigencies may at any time dictate.

Observe good faith and justice towards all nations; cultivate peace and harmony with all. Religion and morality enjoin this conduct, and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and, at no distant period, a great nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt but, in the course of time and things, the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it; can it be that Providence has not connected the permanent felicity of a nation with its virtue? The experiment, at least, is recommended by every sentiment which ennobles human nature. Alas! is it rendered impossible by its vices?

In the execution of such a plan, nothing is more essential than that permanent, inveterate antipathies against particular nations and passionate attachments for others, should be excluded; and that, in place of them, just and amicable feelings towards all should be cultivated. The nation which indulges towards another an habitual hatred, or an habitual fondness is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable when accidental or trifling occasions of dispute occur. Hence, frequent collisions, obstinate, envenomed, and bloody contests. The nation, prompted by ill will and resentment, sometimes impels to war the government, contrary to the best calculations of policy. The government sometimes participates in the national propensity, and adopts through passion what reason would reject; at other times, it makes the animosity of the nation subservient to projects of hostility, instigated by pride, ambition, and other sinister and pernicious motives. The peace often, sometimes perhaps the liberty of nations, has been the victim.

So likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest; in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter, without adequate inducements or justifications. It leads also to concessions, to the favorite nation, of privileges denied to others, which is apt doubly to injure the nation making the concessions, by unnecessary parting with what ought to have been retained, and by exciting jealousy, ill will, and a disposition to retaliate in the parties from whom equal privileges are withheld; and it gives to ambitious, corrupted or deluded citizens who devote themselves to the favorite nation, facility to betray or sacrifice the interests of their own country, without odium, sometimes even with popularity; gilding with the appearances of a virtuous sense of obligation, a commendable deference for public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition, corruption, or infatuation.

As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent patriot. How many opportunities do they afford to tamper with domestic factions, to practice the arts of seduction, to mislead public opinion, to influence or awe the public councils!—Such an attachment of a small or weak, towards a great and powerful nation, dooms the former to be the satellite of the latter.

Against the insidious wiles of foreign influence, (I conjure you to believe me fellow citizens) the jealousy of a free people ought to be *constantly* awake; since history and experience prove, that foreign influence is one of the most baneful foes of republican government. But that jealousy, to be useful, must be impartial, else it becomes the instrument of the very influence to be avoided, instead of a defense against it. Excessive partiality for one foreign nation and excessive dislike for another, cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious; while its tools and dupes usurp the applause and confidence of the people, to surrender their interests.

The great rule of conduct for us, in regard to foreign nations, is, in extending our commercial relations, to have with them as little *political* connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith:—Here let us stop.

Europe has a set of primary interests, which to us have none, or a very remote relation. Hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations and collisions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon, to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation, when we may choose peace or war, as our interest, guided by justice, shall counsel.

Why forgo the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice?

It is our true policy to steer clear of permanent alliance with any portion of the foreign world; so far, I mean, as we are now at liberty to do it; for let me not be understood as capable of patronizing infidelity to existing engagements. I hold the maxim no less applicable to public than private affairs, that honesty is always the best policy. I repeat it, therefore, let those engagements be observed in their genuine sense. But in my opinion, it is unnecessary, and would be unwise to extend them.

Taking care always to keep ourselves by suitable establishments, on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony, and a liberal intercourse with all nations, are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand; neither seeking nor granting exclusive favors or preferences; consulting the natural course of things; diffusing and diversifying by gentle means the streams of commerce, but forcing nothing; establishing with powers so disposed, in order to give trade a stable course, to define the rights of our merchants, and to enable the government to support them, conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary, and liable to be from time to time abandoned or varied as experience and circumstances shall dictate; constantly keeping in view, that it is folly in one nation to look for disinterested favors from another; that it must pay with a portion of its independence for whatever it may accept under that character; that by such acceptance, it may place itself in the condition of having given equivalents for nominal favors, and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect, or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish; that they will control the usual current of the passions, or prevent our nation from running the course which has hitherto marked the destiny of nations, but if I may even flatter myself that they may be productive of some partial benefit, some occasional good; that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures of pretended patriotism; this hope will be a full recompense for the solicitude for your welfare by which they have been dictated.

How far, in the discharge of my official duties, I have been guided by the principles which have been delineated, the public records and other evidences of my conduct must witness to you and to the world. To myself, the assurance of my own conscience is, that I have, at least, believed myself to be guided by them.

In relation to the still subsisting war in Europe, my proclamation of the 22d of April, 1793, is the index to my plan. Sanctioned by your approving voice, and by that of your representatives in both houses of congress, the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.

After deliberate examination, with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take, and was bound, in duty and interest, to take a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it with moderation, perseverance and firmness.

The considerations which respect the right to hold this conduct, it is not necessary on this occasion to detail. I will only observe that, according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without any thing more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity towards other nations.

The inducements of interest for observing that conduct will best be referred to your own reflections and experience. With me, a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions, and to progress, without interruption, to that degree of strength, and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

Though in reviewing the incidents of my administration, I am unconscious of intentional error, I am nevertheless too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never cease to view them with indulgence; and that, after forty-five years of my life dedicated to its service, with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love towards it, which is so natural to a man who views in it the native soil of himself and his progenitors for several generations; I anticipate with pleasing expectation that retreat in which I promise myself to realize, without alloy, the sweet enjoyment of partaking, in the midst of my fellow citizens, the benign influence of good laws under a free government—the ever favorite object of my heart, and the happy reward, as I trust, of our mutual cares, labors and dangers.

GEO. WASHINGTON.

UNITED STATES,
17th September, 1796.

ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 50 minutes p.m.), the House adjourned until tomorrow, Thursday, February 23, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred, as follows:

409. A letter from the Secretary of the Interior, transmitting the annual report on the progress and accomplishments of the anthracite mine water control and mine sealing and filling program, pursuant to the provisions of Public Law 87–818; to the Committee on Interior and Insular Affairs.

410. A letter from the Director, Office of Telecommunications Management, Executive Office of the President, transmitting a report on frequency management within the executive branch of the Government, for the period May 1964 to October 1966, pursuant to the provisions of Executive Order No. 10995 of February 16, 1962, as amended; to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mrs. KELLY: Committee on Foreign Affairs. Report of Special Study Mission to Europe, 1966, on our changing partnership with Europe (Rept. No. 26). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. ADDABBO:

H.R. 5974. A bill to amend title II of the Merchant Marine Act, 1936, to create an independent Federal Maritime Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. GETTYS:

H.R. 5975. A bill to amend part B of title XVIII of the Social Security Act to include prescribed drugs among the items and services covered under the supplementary medical insurance program for the aged; to the Committee on Ways and Means.

By Mr. GURNEY:

H.R. 5976. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. HARSHA:

H.R. 5977. A bill to amend title 38 of the United States Code so as to increase the rates of pension payable to certain veterans and their widows, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. LENNON:

H.R. 5978. A bill relating to crime and criminal procedure in the District of Columbia; to the Committee on the District of Columbia.

By Mr. McCARTHY:

H.R. 5979. A bill to exclude from income certain reimbursed moving expenses; to the Committee on Ways and Means.

By Mr. NELSEN:

H.R. 5980. A bill to amend title 37, United States Code, to authorize, under certain conditions, travel and transportation allowances for members of the uniformed services in connection with emergency leave, and for other purposes; to the Committee on Armed Services.

H.R. 5981. A bill to amend section 610 of the Civil Aeronautics Act of 1938 to prohibit the serving of alcoholic beverages to airline passengers while in flight; to the Committee on Interstate and Foreign Commerce.

H.R. 5982. A bill to amend title II of the Social Security Act to provide disability insurance benefits thereunder for any individual who is blind and has at least six quarters of coverage, and for other purposes; to the Committee on Ways and Means.

By Mr. PETTIS:

H.R. 5983. A bill to prohibit influence with respect to appointments, promotions, assignments, transfers, and designations in the postal field service, to revise the laws governing the appointment of postmasters and rural carriers, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. PRICE of Illinois:

H.R. 5984. A bill to provide for computation of disability retirement pay for members of the uniformed services; to the Committee on Armed Services.

By Mr. QUILLEN:

H.R. 5985. A bill to provide for sharing of Federal taxes with States and their political subdivisions; to the Committee on Ways and Means.

By Mr. VANIK:

H.R. 5986. A bill to provide additional readjustment assistance to veterans who served in the Armed Forces during the Vietnam era, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WAMPLER:

H.R. 5987. A bill to authorize the lease of burley tobacco acreage allotments; to the Committee on Agriculture.

By Mr. WRIGHT:

H.R. 5988. A bill to regulate imports of milk and dairy products, and for other purposes; to the Committee on Ways and Means.

By Mr. BRADEMAS:

H.R. 5989. A bill to establish fellowships to enable persons in or planning a career in public service at the local, State, or Federal level to pursue graduate programs of education in public affairs, public administration, and other related fields, to provide support for the development and strengthening of graduate level programs of public administration and public affairs at institutions of higher education, to provide support to State and local governments for the improvement of public service through short-term training programs for State and local government personnel, and for other purposes; to the Committee on Education and Labor.

By Mr. LANGEN:

H.R. 5990. A bill to donate to the Minnesota Chippewa Tribe, White Earth Indian Reservation, some submarginal lands of the United States, and to make such lands parts of the reservation involved; to the Committee on Interior and Insular Affairs.

By Mr. WYLIE:

H.R. 6000. A bill to amend the Internal Revenue Code of 1954 to encourage the installation of industrial air and water pollution control facilities by providing for a 60-month amortization of the cost of such facilities; to the Committee on Ways and Means.

By Mr. BRASCO:

H.J. Res. 346. Joint resolution proposing an amendment to the Constitution of the United States to grant to citizens of the United States who have attained the age of 18 the right to vote; to the Committee on the Judiciary.

By Mr. DE LA GARZA:

H.J. Res. 347. Joint resolution proposing an amendment to the Constitution of the United States providing for the election of President and Vice President; to the Committee on the Judiciary.

By Mr. MOORHEAD:

H.J. Res. 348. Joint resolution proposing an amendment to the Constitution of the United States providing that the right to vote shall not be denied or abridged on account of age in the case of citizens of the United States who have attained the age of 18 years; to the Committee on the Judiciary.

By Mr. REUSS:

H.J. Res. 349. Joint resolution authorizing the President of the United States of America to proclaim September 17, 1967, General von Steuben Memorial Day for the observance and commemoration of the birth of Gen. Friedrich Wilhelm von Steuben; to the Committee on the Judiciary.

By Mr. SAYLOR:

H. Con. Res. 230. Concurrent resolution expressing the sense of Congress that in the interest of peace in Vietnam the Government of the United States should only consider further expansions of trade, educational and cultural exchanges, and other related agreements with the Soviet Union and its East European satellites when there is demonstrable evidence that their actions and policies with regard to Vietnam have been redirected toward peace and an honorable settlement and when there is demonstrable evidence that they have abandoned their policy of support for so-called wars of national liberation; to the Committee on Foreign Affairs.

By Mr. PETTIS:

H. Res. 276. Resolution creating a Select Committee on Standards and Conduct; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred, as follows:

By Mr. ADDABBO:

H.R. 5991. A bill for the relief of Konstantinos Ekonomides; to the Committee on the Judiciary.

H.R. 5992. A bill for the relief of Christopher Selimis; to the Committee on the Judiciary.

By Mr. BRASCO:

H.R. 5993. A bill for the relief of Stefano Corda; to the Committee on the Judiciary.

H.R. 5994. A bill for the relief of Gioacchino, Giovanna, and Antonio Giuseppe Gancitano; to the Committee on the Judiciary.

H.R. 5995. A bill for the relief of Ascenzio Undari; to the Committee on the Judiciary.

By Mr. MOORE:

H.R. 5996. A bill for the relief of Dr. Bernardino D. Marcelo; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 5997. A bill for the relief of Elisiario Correia DeMelo-e-Silva; to the Committee on the Judiciary.

H.R. 5998. A bill for the relief of Carlos

Jacinto De Sousa; to the Committee on the Judiciary.

H.R. 5999. A bill for the relief of Maria Guadalupe Martinez Gutierrez; to the Committee on the Judiciary.

H.R. 6001. A bill for the relief of Rosalba Ruiz Osorio; to the Committee on the Judiciary.

H.R. 6002. A bill for the relief of Vincenzo Spoto; to the Committee on the Judiciary.

By Mr. ROONEY of Pennsylvania:

H.R. 6003. A bill for the relief of Mrs. Ana Horvat and children, Josephine and Ksenija Horvat; to the Committee on the Judiciary.

By Mr. YOUNG:

H.R. 6004. A bill for the relief of Swiff-Train Co.; to the Committee on the Judiciary.

By Mr. ADDABBO:

H.R. 6005. A bill for the relief of Dimitrios Papaiconstantopoulos; to the Committee on the Judiciary.

By Mr. ZWACH:

H.J. Res. 350. Joint resolution expressing the sense of the Congress that the President should posthumously commission George Washington as General of the Army; to the Committee on Armed Services.

PETITIONS, ETC.

Under clause 1 of rule XXII,

35. The **SPEAKER** presented a petition of Mission Indian Federation, Inc., Perris, Calif., relative to wardship control over the lives, assets, and resources of Indian citizens of California, which was referred to the Committee on Interior and Insular Affairs.

SENATE

WEDNESDAY, FEBRUARY 22, 1967

The Senate met at 12 o'clock meridian, and was called to order by Hon. WILLIAM B. SPONG, JR., a Senator from the State of Virginia.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our father's God and ours: We lift to Thee grateful hearts for the heritage that has come down to us, bought by other toils and other tears than our own. Help us this day with vivid vision to see them of old who feared Thy name and handed on to us the torch of the Nation's righteousness. Especially do we give Thee thanks for the unselfish service and the stainless record of that calm and courageous leader whose crystal spirit and whose righteous sword were Thy instruments in laying the foundation of our state. As we cherish his deeds and recall his farewell warning words, O God of hosts, lest we forget, repeat in us the faith which shone on his anxious countenance lifted in an agony of prayer from crimsoned ground where patriots bled.

In these challenging days may we, too, find the calming assurance—

"Then conquer we must,
When our cause it is just,
And this be our motto,
'In God is our trust.'"

We ask it in the dear Redeemer's name. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., February 22, 1967.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. WILLIAM B. SPONG, a Senator from the State of Virginia, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. SPONG thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, February 21, 1967, was dispensed with.

READING OF WASHINGTON'S FAREWELL ADDRESS

The ACTING PRESIDENT pro tempore. Under the order of January 24, 1901, Washington's Farewell Address will now be read. The reading will be by the Senator from New Hampshire [Mr. COTTON], who has heretofore been designated for that purpose by the Vice President of the United States.

Mr. COTTON advanced to the desk and read the Farewell Address, as follows:

To the people of the United States.

FRIENDS AND FELLOW CITIZENS: The period for a new election of a citizen to administer the executive government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed, to decline being considered among the number of those, out of whom a choice is to be made.

I beg you, at the same time, to do me the justice to be assured, that this resolution has not been taken, without a strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country; and that, in withdrawing the tender of service which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest; no deficiency of grateful respect for your past kindness; but am supported by a full conviction that the step is compatible with both.

The acceptance of, and continuance hitherto in the office to which your suffrages have twice called me, have been a uniform sacrifice of inclination to the opinion of duty, and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this, previous to the last election, had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our affairs with foreign nations, and the unanimous advice of persons entitled to my confidence, impelled me to abandon the idea.

I rejoice that the state of your concerns, external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety; and am persuaded, whatever partiality may be retained for my services, that in the present circumstances of our country, you will not disapprove my determination to retire.

The impressions with which I first undertook the arduous trust, were explained on the proper occasion. In the discharge of this trust, I will only say that I have, with good intentions, contributed towards the organization and administration of the government, the best exertions of which a very fallible judgment was capable. Not unconscious in the outset, of the inferiority of my qualifications, experience, in my own eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself; and, every day, the increasing weight of years admonishes me more and more, that the shade of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given peculiar value to my services they were temporary, I have the consolation to believe that, while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment which is to terminate the career of my political life, my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country, for the many honors it has conferred upon me; still more for the steadfast confidence with which it has supported me; and for the opportunities I have thence enjoyed of manifesting my inviolable attachment, by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise, and as an instructive example in our annals, that under circumstances in which the passions, agitated in every direction, were liable to mislead amidst appearances sometimes dubious, vicissitudes of fortune often discouraging—in situations in which not unfrequently, want of success has countenanced the spirit of criticism,—the constancy of your support was the essential prop of the efforts, and a guarantee of the plans, by which they were effected. Profoundly penetrated with this idea, I shall carry it with me to my grave, as a strong incitement to unceasing vows that heaven may continue to you the choicest tokens of its beneficence—that your union and brotherly affection may be perpetual—that the free constitution, which is the work of your hands, may be sacredly maintained—that its administration in every department may be stamped with wisdom and virtue—that, in fine, the happiness of the people of these states, under the auspices of liberty, may be made complete by so careful a preservation, and so prudent a use of this blessing, as will acquire to them the glory of recommending it to the applause, the affection and adoption of every nation which is yet a stranger to it.

Here, perhaps, I ought to stop. But a solicitude for your welfare, which cannot end but with my life, and the apprehension of danger, natural to that solicitude, urge me, on an occasion like the present, to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments which are the result of much reflection, of no inconsiderable observation, and which appear to me all important to the permanency of your felicity as a people. These will be offered to you with the more freedom, as you can only see in them the disinterested warnings of a parting friend, who can possibly have no personal motive to bias his counsel. Nor can I forget, as an encouragement to it, your indulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

The unity of government which constitutes you one people, is also now dear to you. It is justly so; for it is a main pillar in the edifice of your real independence; the support of your tranquility at home: your peace abroad; of your safety; of your prosperity; of that very liberty which you so highly prize. But, as it is easy to foresee that, from different causes and from different quarters much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth; as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed; it is of infinite moment, that you should properly estimate the immense value of your national union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think and speak of it as of the palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can, in any event, be abandoned; and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens by birth, or choice, of a common country, that country has a right to concentrate your affections. The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism, more than any appellation derived from local discriminations. With slight shades of difference, you have the same religion, manners, habits, and political principles. You have, in a common cause, fought and triumphed together; the independence and liberty you possess, are the work of joint counsels, and joint efforts, of common dangers, sufferings and successes.

But these considerations, however powerfully they address themselves to your sensibility, are greatly outweighed by those which apply more immediately to your interest.—Here, every portion of our country finds the most commanding motives for carefully guarding and preserving the union of the whole.

The *north*, in an unrestrained intercourse with the *south*, protected by the equal laws of a common government, finds in the productions of the latter, great additional resources of maritime and commercial enterprise, and precious materials of manufacturing industry.—The *south* in the same intercourse, benefiting by the same agency of the *north*, sees its agriculture grow and its commerce expand. Turning partly into its own channels the seamen of the *north*, it finds its particular navigation invigorated; and while it contributes, in different ways, to nourish and increase the general mass of the national navigation, it looks forward to the protection of a maritime strength, to which itself is unequally adapted. The *east*, in a like intercourse with the *west*, already finds, and in the progressive improvement of interior communications by land and water, will more and more find a valuable vent for the commodities which it brings from abroad, or manufactures at home. The *west* derives from the *east* supplies requisite to its growth and comfort—and what is perhaps of still greater consequence, it must of necessity owe the *secure* enjoyment of indispensable *outlets* for its own productions, to the weight, influence, and the future maritime strength of the Atlantic side of the Union, directed by an indissoluble community of interest as *one nation*. Any other tenure by which the *west* can hold this essential advantage, whether derived from its own separate strength; or from an apostate and unnatural connection with any foreign power, must be intrinsically precarious.

While then every part of our country thus feels an immediate and particular interest in union, all the parts combined cannot fail to find in the united mass of means and efforts, greater strength, greater resource, proportionably greater security from external danger, a less frequent interruption of their peace by foreign nations; and, what is of inestimable value, they must derive from union, an exemption from those broils and wars between themselves, which so frequently afflict neighboring countries not tied together by the same government; which their own rivalship alone would be sufficient to produce, but which opposite foreign alliances, attachments, and intrigues, would stimulate and embitter.—Hence likewise, they will avoid the necessity of those overgrown military establishments, which under any form of government are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty. In this sense it is, that your union ought to be considered as a main prop of your liberty, and that the love of the one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind and exhibit the continuance of the union as a primary object of patriotic desire. Is there a doubt whether a common government can embrace so large a sphere? let experience solve it. To listen to mere speculation in such a case were criminal. We are authorized to hope that a proper organization of the whole, with the auxiliary agency of governments for the respective subdivisions, will afford a happy issue to the experiment. It is well worth a fair and full experiment. With such powerful and obvious motives to union, affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who, in any quarter, may endeavor to weaken its hands.

In contemplating the causes which may disturb our Union, it occurs as matter of serious concern, that any ground should have been furnished for characterizing parties by *geographical* discriminations,—*northern* and *southern*—*Atlantic* and *western;* whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts, is to misrepresent the opinions and aims of other districts. You cannot shield yourselves too much against the jealousies and heart burnings which spring from these misrepresentations: they tend to render alien to each other those who ought to be bound together by fraternal affection. The inhabitants of our western country have lately had a useful lesson on this head: they have seen, in the negotiation by the executive, and in the unanimous ratification by the senate of the treaty with Spain, and in the universal satisfaction at the event throughout the United States, a decisive proof how unfounded were the suspicions propagated among them of a policy in the general government and in the Atlantic states, unfriendly to their interests in regard to the Mississippi. They have been witnesses to the formation of two treaties, that with Great Britain and that with Spain, which secure to them everything they could desire, in respect to our foreign relations, towards confirming their prosperity. Will it not be their wisdom to rely for the preservation of these advantages on the union by which they were procured? will they not henceforth be deaf to those advisers, if such they are, who would sever them from their brethren and connect them with aliens?

To the efficacy and permanency of your Union, a government for the whole is indispensable. No alliances, however strict, between the parts can be an adequate substitute; they must inevitably experience the infractions and interruptions which all alliances, in all times, have experienced. Sensible of this momentous truth, you have improved upon your first essay, by the adoption of a constitution of government, better calculated than your former, for an intimate union, and for the efficacious management of your common concerns. This government, the offspring of our own choice, uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers, uniting security with energy, and containing within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our political systems is the right of the people to make and to alter their constitutions of government.—But the constitution which at any time exists, until changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power and the right of the people to establish government, presuppose the duty of every individual to obey the established government.

All obstructions to the execution of the laws, all combinations and associations under whatever plausible character, with the real design to direct, control, counteract, or awe the regular deliberations and action of the constituted authorities, are destructive of this fundamental principle, and of fatal tendency.—They serve to organize faction, to give it an artificial and extraordinary force, to put in the place of the delegated will of the nation the will of party, often a small but artful and enterprising minority of the community; and, according to the alternate triumphs of different parties, to make the public administration the mirror of the ill concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans digested by common councils, and modified by mutual interests.

However combinations or associations of the above description may now and then answer popular ends, they are likely, in the course of time and things, to become potent engines, by which cunning, ambitious, and unprincipled men, will be enabled to subvert the power of the people, and to usurp for themselves the reins of government; destroying afterwards the very engines which have lifted them to unjust dominion.

Towards the preservation of your government and the permanency of your present happy state it is requisite, not only that you steadily discountenance irregular opposition to its acknowledged authority, but also that you resist with care the spirit of innovation upon its principles, however specious the pretext. One method of assault may be to effect, in the forms of the constitution, alterations which will impair the energy of the system; and thus to undermine what cannot be directly overthrown. In all the changes to which you may be invited, remember that time and habit are at least as necessary to fix the true character of governments, as of other human institutions:—that experience is the surest standard by which to test the real tendency of the existing constitution of a country:—that facility in changes, upon the credit of mere hypothesis and opinion, exposes to perpetual change from the endless variety of hypothesis and opinion; and remember, especially, that for the efficient management of your common interests in a country so extensive as ours, a government of as much vigor as is consistent with the perfect security of liberty is indispensable. Liberty itself will find in such a government with powers properly distributed and adjusted, its surest guardian. It is, indeed, little else than a name, where the government is too feeble to withstand the enterprises of faction, to confine each member of the society within the limits prescribed by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property.

I have already intimated to you the danger of parties in the state, with particular references to the founding them on geographical discrimination. Let me now take a more comprehensive view, and warn you in the most solemn manner against the baneful effects of the spirit of party generally.

This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind.—It exists under different shapes in all governments, more or less stifled, controlled, or repressed; but in those of the popular form it is seen in its greatest rankness, and is truly their worst enemy.

The alternate domination of one faction over another, sharpened by the spirit of revenge natural to party dissension, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism. But this leads at length to a more formal and permanent despotism. The disorders and miseries which result, gradually incline the minds of men to seek security and repose in the absolute power of an individual; and, sooner or later, the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purpose of his own elevation on the ruins of public liberty.

Without looking forward to an extremity of this kind, (which nevertheless ought not to be entirely out of sight) the common and continual mischiefs of the spirit of party are sufficient to make it the interest and duty of a wise people to discourage and restrain it.

It serves always to distract the public councils, and enfeeble the public administration. It agitates the community with ill founded jealousies and false alarms; kindles the animosity of one part against another; foments occasional riot and insurrection. It opens the door to foreign influence and corruption, which finds a facilitated access to the government itself through the channels of party passions. Thus the policy and the will of one country are subjected to the policy and will of another.

There is an opinion that parties in free countries are useful checks upon the administration of the government, and serve to keep alive the spirit of liberty. This within certain limits is probably true; and in governments of a monarchical cast, patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of the popular character, in governments purely elective, it is a spirit not to be encouraged. From their natural tendency, it is certain there will always be enough of that spirit for every salutary purpose. And there being constant danger of excess, the effort ought to be, by force of public opinion, to mitigate and assuage it. A fire not to be quenched, it demands a uniform vigilance to prevent it bursting into a flame, lest instead of warming, it should consume.

It is important likewise, that the habits of thinking in a free country should inspire caution in those intrusted with its administration, to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department, to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power and proneness to abuse it which predominate in the human heart, is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories, and constituting each the guardian of the public weal against invasions of the others, has been evinced by experiments ancient and modern: some of them in our country and under our own eyes.—To preserve them must be as necessary as to institute them. If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the constitution designates.—But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil any partial or transient benefit which the use can at any time yield.

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism, who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked, where is the security for property, for reputation, for life, if the sense of religious obligation *desert* the oaths which are the instruments of investigation in courts of justice? and let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect, that national morality can prevail in exclusion of religious principle.

It is substantially true, that virtue or morality is a necessary spring of popular government. The rule, indeed, extends with more or less force to every species of free government. Who that is a sincere friend to it can look with indifference upon attempts to shake the foundation of the fabric?

Promote, then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering, also, that timely disbursements, to prepare for danger, frequently prevent much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions, in time of peace, to discharge the debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burden which we ourselves ought to bear. The execution of these maxims belongs to your representatives, but it is necessary that public opinions should co-operate. To facilitate to them the performance of their duty, it is essential that you should practically bear in mind, that towards the payment of debts there must be revenue; that to have revenue there must be taxes; that no taxes can be devised which are not more or less inconvenient and unpleasant; that the intrinsic embarrassment inseparable from the selection of the proper object (which is always a choice of difficulties,) ought to be a decisive motive for a candid construction of the conduct of the government in making it, and for a spirit of acquiescence in the measures for obtaining revenue, which the public exigencies may at any time dictate.

Observe good faith and justice towards all nations; cultivate peace and harmony with all. Religion and morality enjoin this conduct, and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and, at no distant period, a great nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt but, in the course of time and things, the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it; can it be that Providence has not connected the permanent felicity of a nation with its virtue? The experiment, at least, is recommended by every sentiment which ennobles human nature. Alas! is it rendered impossible by its vices?

In the execution of such a plan, nothing is more essential than that permanent, inveterate antipathies against particular nations and passionate attachments for others, should be excluded; and that, in place of them, just and amicable feelings towards all should be cultivated. The nation which indulges towards another an habitual hatred, or an habitual fondness, is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable when accidental or trifling occasions of dispute occur. Hence, frequent collisions, obstinate, envenomed, and bloody contests. The nation, prompted by ill will and resentment, sometimes impels to war the government, contrary to the best calculations of policy. The government sometimes participates in the national propensity, and adopts through passion what reason would reject; at other times, it makes the animosity of the nation subservient to projects of hostility, instigated by pride, ambition, and other sinister and pernicious motives. The peace often, sometimes perhaps the liberty of nations, has been the victim.

So likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest, in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter, without adequate inducements or justifications. It leads also to concessions, to the favorite nation, of privileges denied to others, which is apt doubly to injure the nation making the concessions, by unnecessarily parting with what ought to have been retained, and by exciting jealousy, ill will, and a disposition to retaliate in the parties from whom equal privileges are withheld; and it gives to ambitious, corrupted or deluded citizens who devote themselves to the favorite nation, facility to betray or sacrifice the interests of their own country, without odium, sometimes even with popularity; gilding with the appearances of a virtuous sense of obligation, a commendable deference for public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition, corruption, or infatuation.

As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent patriot. How many opportunities do they afford to tamper with domestic factions, to practice the arts of seduction, to mislead public opinion, to influence or awe the public councils!—Such an attachment of a small or weak, towards a great and powerful nation dooms the former to be the satellite of the latter.

Against the insidious wiles of foreign influence, (I conjure you to believe me fellow citizens) the jealousy of a free people ought to be *constantly* awake; since history and experience prove, that foreign influence is one of the most baneful foes of republican government. But that jealousy, to be useful, must be impartial, else it becomes the instrument of the very influence to be avoided, instead of a defense against it. Excessive partiality for one foreign nation and excessive dislike for another, cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious; while its tools and dupes usurp the applause and confidence of the people, to surrender their interests.

The great rule of conduct for us, in regard to foreign nations, is, in extending our commercial relations, to have with them as little *political* connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith:—Here let us stop.

Europe has a set of primary interests, which to us have none, or a very remote relation. Hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations and collisions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon, to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation, when we may choose peace or war, as our interest, guided by justice, shall counsel.

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice?

It is our true policy to steer clear of permanent alliance with any portion of the foreign world; so far, I mean, as we are now at liberty to do it; for let me not be understood as capable of patronizing infidelity to existing engagements. I hold the maxim no less applicable to public than private affairs, that honesty is always the best policy. I repeat it, therefore, let those engagements be observed in their genuine sense. But in my opinion, it is unnecessary, and would be unwise to extend them.

Taking care always to keep ourselves by suitable establishments, on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony, and a liberal intercourse with all nations, are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand; neither seeking nor granting exclusive favors or preferences; consulting the natural course of things; diffusing and diversifying by gentle means the streams of commerce, but forcing nothing; establishing with powers so disposed, in order to give trade a stable course, to define the rights of our merchants, and to enable the government to support them, conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary, and liable to be from time to time abandoned or varied as experience and circumstances shall dictate; constantly keeping in view, that it is folly in one nation to look for disinterested favors from another; that it must pay with a portion of its independence for whatever it may accept under that character; that by such acceptance, it may place itself in the condition of having given equivalents for nominal favors, and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect, or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish; that they will control the usual current of the passions, or prevent our nation from running the course which has hitherto marked the destiny of nations, but if I may even flatter myself that they may be productive of some partial benefit, some occasional good; that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures of pretended patriotism; this hope will be a full recompense for the solicitude for your welfare by which they have been dictated.

How far, in the discharge of my official duties, I have been guided by the principles which have been delineated, the public records and other evidences of my conduct must witness to you and to the world. To myself, the assurance of my own conscience is, that I have, at least, believed myself to be guided by them.

In relation to the still subsisting war in Europe, my proclamation of the 22d of April, 1793, is the index to my plan. Sanctioned by your approving voice, and by that of your representatives in both houses of congress, the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.

After deliberate examination, with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take, and was bound, in duty and interest, to take a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it with moderation, perseverance and firmness.

The considerations which respect the right to hold this conduct, it is not necessary on this occasion to detail. I will only observe that, according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without any thing more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity towards other nations.

The inducements of interest for observing that conduct will best be referred to your own reflections and experience. With me, a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions, and to progress, without interruption, to that degree of strength, and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

Though in reviewing the incidents of my administration, I am unconscious of intentional error, I am nevertheless too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never cease to view them with indulgence; and that, after forty-five years of my life dedicated to its service, with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love towards it, which is so natural to a man who views in it the native soil of himself and his progenitors for several generations; I anticipate with pleasing expectation that retreat in which I promise myself to realize, without alloy, the sweet enjoyment of partaking, in the midst of my fellow citizens, the benign influence of good laws under a free government—the ever favorite object of my heart, and the happy reward, as I trust, of our mutual cares, labors and dangers.

GEO. WASHINGTON.

UNITED STATES,
17th September, 1796.

ADJOURNMENT

The ACTING PRESIDENT pro tempore. Pursuant to the order entered yesterday, February 21, 1967, the Senate will stand adjourned until 12 o'clock noon tomorrow.

Thereupon (at 12 o'clock and 52 minutes p.m.) the Senate adjourned until tomorrow, Thursday, February 23, 1967, at 12 o'clock meridian.

EXTENSIONS OF REMARKS

A Commission for George Washington

EXTENSION OF REMARKS
OF
HON. JOHN M. ZWACH
OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 22, 1967

Mr. ZWACH. Mr. Speaker, in the long and glorious military history of the United States, our Nation has seen fit to elevate nine of its greatest warriors to the rank of General of the Army: Ulysses S. Grant, Phillip Sheridan, William T. Sherman, John J. Pershing, Dwight D. Eisenhower, Omar Bradley, George C. Marshall, Douglas MacArthur, and Henry H. Arnold.

I note and call the attention of my colleagues to one glaring omission from this illustrious list, that of our first and one of our greatest generals, George Washington, whose rank was only that of lieutenant general.

Mr. Speaker, I think it is fitting and proper for this body at this time to recognize the great military contribution made by the Father of our Country.

I wish to introduce the following joint resolution expressing the sense of Congress that the President should posthumously commission George Washington as General of the Army:

Resolved by the Senate and House of Representatives of the United States in Congress assembled, That it is the sense of the Congress that the President should posthumously commission George Washington, formerly a lieutenant general in the United States Army and General and Commander-in-Chief of the Army of the United Colonies, as General of the Army in the United States Army.

SEC. 2. The President is hereby authorized to take the action described in the first section, notwithstanding any other provision of law.

Mrs. Eliza Wagner 100th Birthday Today

EXTENSION OF REMARKS
OF
HON. JOSHUA EILBERG
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 22, 1967

Mr. EILBERG. Mr. Speaker, as important a day as today may be to the history of our Nation, it is at least as important to the district I represent and to one of the residents of that district for a very special reason.

Today marks the 100th birthday of Mrs. Eliza Wagner, who lives at 3211 Glenview Street, Philadelphia, Pa.

Mrs. Wagner has seen in her lifetime a different kind of revolution from that which secured our freedom. One hundred years ago, she was born on a farm in the community of Holmesburg. Today, she still lives in Holmesburg, but the area is far removed from farmland. Around her has grown a city. The small patches of lawn there today are just enough to punctuate the ribbons of concrete streets and brick homes. Few farms remain.

Obviously this phenomenon is not peculiar to Holmesburg, to Philadelphia, or to any other large city. It represents, instead, a kind of modern revolution that characterizes our present society.

Instead of being isolated today, Mrs. Wagner is very much the grand old lady of a thriving neighborhood. She is still very active at home and in her church. I am sure that Holmesburg Methodist Church also is very proud of her.

Perhaps most important of all she retains a keen mind and an equally keen interest in the affairs of Philadelphia, Pa., and the entire Nation.

Mr. Speaker, I join in the tribute to our great first President on this, his birthday. But I would like to pay tribute also to a great lady, Mrs. Eliza Wagner, on her most significant birthday.

Legislation To Abolish Electoral College System

EXTENSION OF REMARKS

OF

HON. ELIGIO DE LA GARZA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 22, 1967

Mr. DE LA GARZA. Mr. Speaker, today, on our first President's birthday, I have introduced a proposal which would abolish the electoral college system of electing the President and the Vice President of the United States. It would, however, retain the electoral vote.

In creating the electoral college system, the authors of the Constitution intended that each State should choose its most distinguished citizens as electors. Once the electors had been selected, by whatever means the State legislature desired, it was expected that they would deliberate and vote as individuals in choosing the President.

With the emergence of strong political parties, it early developed that electors were chosen to represent the parties. Designation as a candidate for elector by the party leadership was given as an honor to those who had served the party well. From 1800, independent voting by electors almost disappeared. In the few cases where electors have not voted for their party's nominee, they have normally given advance warning to the voters—as did the Bull Moose Republicans in South Dakota in 1912 and the States' Rights Democrats in certain Southern States in 1948.

In response to pressure in favor of popular control, the practice quickly developed in the several States of choosing electors by popular vote. Until 1800, most State legislatures retained the function for themselves, but by 1804 the majority had provided for direct popular election. By 1832, direct election was the rule in all States except South Carolina, which made the change at the time of the Civil War. In the newly admitted State of Colorado in 1868 and the reconstructed State of Florida in 1876, electors were appointed by the legislature. Subject to certain constitutional limits, the States retain the right to say who is authorized to vote in these direct elections.

The practice of giving all the electors to the party which wins the most votes in the States—that is, the "general ticket" system—is also a product of the early 1800's. At first, most popular election States provided that electors should be chosen in districts similar to congressional districts. Under this system, different districts were able to return electors representing different parties. Dominant parties in State legislatures soon realized, however, that they could furnish more electoral votes for their candidate—and prevent minority parties from getting any votes—if the party with the most votes in the State won all the electors.

From the start, the method of electing the President has been a subject of debate and discussion. At the Constitutional Convention, a few key members, including Madison, Franklin, and Gouverneur Morris, favored direct popular election. Others would have preferred to see the President elected by Congress or by State Governors. One of the main arguments for the electoral college system was that through the provisions for at least three electors regardless of population, it gave small States some protection against domination by large States. It was felt that if we were to preserve our federal system of government, this was an important consideration and this argument may have gone far in swaying the Convention. Another important argument was that it placed the choice of President in the hands of persons presumably able, as the mass of the people at that time were not, to become acquainted personally with the various presidential candidates.

Bearing all these factors in mind, I have introduced a proposal to abolish the electoral college but retain the electoral vote. My proposal would provide that the electoral vote in each State be apportioned among the presidential candidates in accordance with the number of popular votes they receive, so that each candidate who receives a plurality of the popular vote will not receive the State's entire electoral vote as he would under the present system.

As I have stated, my proposal would abolish the electoral college, but would retain the electoral vote. In each State, the electoral vote would be apportioned among the presidential candidates in accordance with the number of popular votes they receive, rather than in accordance with the winner-take-all system which we have at present. The candidate with the most electoral votes throughout the Nation would be elected President if he received a certain percentage—usually 40—of the total electoral vote. In case no person received at least 40 percent of the total electoral votes, the Senate and House sitting jointly would choose the President from the persons having the two highest numbers of electoral votes.

Mr. Speaker, it is my belief that adoption of my proposal would accomplish the following:

First. Reflect more accurately the popular strength of the various candidates, and come closest to electing a President by popular vote of the people while at the same time preserving each State's relative electoral strength in the election of the President.

Second. Under most circumstances, prevent the election of a candidate receiving a minority of the popular votes.

Third. As far as the present unequal weighting of States permits, it would give equal weight to individual popular votes cast in pivotal States and in States where one party is almost certain to win by a wide margin.

Fourth. Provide that accidental circumstances and fraudulent voting or vote counting would be less likely to defeat the choice of the people.

Fifth. Through eliminating the position of presidential elector, it would give the voters a more direct voice than they now have in the choice of the President.

Sixth. Strengthen the two-party system.

Seventh. Tend to help establish a more equitable balance of power among the States in presidential elections.

Whatever the virtues or disadvantages of leaving the control of voting qualifications to the States, there is reason to believe that no amendment opening the door to national control would be acceptable to the necessary two-thirds of the Congress and three-fourths of the State legislatures. Division of electoral votes in proportion to regular votes would not threaten the power of the States to regulate suffrage requirements. It would not alter existing State authority to determine who may vote.

From the start, the method of electing the President has been a subject of debate and discussion, as I have previously stated. It is my sincere hope that the 90th Congress will see fit to effect this reform. Thank you.

Estonian Independence

EXTENSION OF REMARKS

OF

HON. EDNA F. KELLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 22, 1967

Mrs. KELLY. Mr. Speaker, for more than 30 years in this century, Estonia existed as an independent nation based on democratic principles and social justice. The Estonian people were enabled by the events of World War I and the Russian revolution to declare their independence on February 24, 1918, ending centuries of foreign domination. But the prize of freedom was not that easily gained. Soviet forces invaded Estonia in November 1918, and the valiant defense by the small nation was heralded throughout the world. Finally, with the aid of Finnish volunteers and a British naval squadron, the Estonians succeeded in driving out the Soviet aggressors. A peace treaty was signed between Russia and Estonia in 1920 by which the Russian Government recognized Estonia de jure and renounced all its claims to Estonian territory.

Tragically for the history of mankind, Estonia was to be one of those nations engulfed by the Soviet Union during the chaos of World War II. Realizing the danger of mass destruction in resistance, the Estonian Government concluded a mutual assistance pact with the Soviet

Union which gave Russia the foothold it needed to draw the final curtain on Estonian independence. Yet confronted with the colossal strength of the Soviet Union, the Estonians had virtually no alternative.

On the anniversary of Estonian independence the free world bemoans the continued enslavement of the Estonian people. We express our deepest sorrow that their independence has not yet been restored and extend our heartfelt moral support to their unending struggle for its restoration.

Emergency Travel Compensation for Military Servicemen Is in American Tradition

EXTENSION OF REMARKS

OF

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 22, 1967

Mr. NELSEN. Mr. Speaker, in the 89th Congress, the Special Subcommittee on Commercial Air Transportation for Service Personnel of the House Armed Services Committee recommended legislation to provide Government-paid transportation for servicemen traveling on emergency or convalescent leave.

Believing that this legislation is sound and in the public interest, I am introducing it today, and I hope that it will receive early consideration in view of the many fighting men presently in Vietnam.

Briefly, this legislation would provide Government payment of travel and transportation expenses for military personnel granted emergency leave because of a family illness or death. It would also provide similar Government-paid travel for armed servicemen traveling on convalescent leave following wounds or illness sustained in a combat area.

The travel allowance would cover reasonable costs to and from a military duty station or medical treatment facility.

Mr. Speaker, I believe this legislation stands firmly on its own merits. The pay of many servicemen is not nearly sufficient to cover unforeseen emergencies requiring heavy travel expense. It is a matter of compassion and in the American tradition to help those servicemen called home from distant places due to a family emergency, such as the critical illness of a child, or the death of a wife or parent.

More than this, the legislation is wise in order to help rectify the present unfair travel treatment accorded to military personnel as compared to members of the Job Corps.

It has been reported that 8,546 Job Corps enrollees were flown to their homes this past Christmas at Government expense, and it cost more than $1 million. In 1965, it was similarly reported that 13,602 Job Corps men and women were flown home at a cost of some $1.8 million.

If our Government can afford this luxury for youngsters not in the service of their country, then it is only fair and proper that we attempt to lighten the emergency travel burdens of those who bear the arms of the United States, and who are increasingly compelled to risk their lives in the service of our country.

Gaining Ground in the Plan To Save a Mountain Range

EXTENSION OF REMARKS

OF

HON. JOHN P. SAYLOR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 22, 1967

Mr. SAYLOR. Mr. Speaker, earlier this month I called attention to a national honor that has come to the Western Pennsylvania Conservancy in the form of an award from the National Wildlife Foundation.

Now I am happy to announce two important contributions to the Conservancy's plan to save a whole mountain range—the blocking out of an area to be known as Laurel Ridge State Park, which will extend for 57 miles from Johnstown to Ohiopyle. WJAC, Inc., which owns and operates WJAC-radio and WJAC-television in Johnstown, and Bethlehem Steel Corp., have each donated large tracts of land that will go a long way toward completing the project that will preserve for public benefit one of the most beautiful mountain ranges in Eastern United States.

In announcing a gift of 105 acres, Walter W. Krebs, president of WJAC, Inc., praised the conservancy effort with these remarks:

> WJAC is pleased to participate in this imaginative recreation and conservation project. This park, when completed, will certainly stimulate tourism in western Pennsylvania. But, perhaps more important, it will save a beautiful mountain range for the benefit of future generations. Our contribution to this project is in keeping with our public service responsibility to the people we serve and in accord with our desire to see adequate recreation facilities and conservation areas developed throughout the State.

When the Bethlehem Steel Corp. gift of 1,200 acres was announced several days later, Conservancy President Charles F. Lewis said that the acquisition assures the success of the Laurel Ridge Park project. Robert S. Waters, Johnstown Conservancy director, described the gift as "an endorsement of the conservancy's enduring philosophy that conservationists and industry can work hand in hand to achieve mutually desirable goals, conceived for the public benefit." He called Bethlehem's gift "an impressive manifestation of its corporate good citizenship and its continuing efforts to serve the well-being of the great Johnstown region, to the economy of which it contributes so greatly."

Mr. Speaker, the public spirit displayed by WJAC and Bethlehem is another tribute to the conservancy program. We look with enthusiasm and excitement to the development of beautiful Laurel Ridge Park, one of whose many features will be a hiking trail extending the full length of the project. It will provide breathtaking adventure for Pennsylvania residents and other visitors who will come to take advantage of the new accessibility to this region's incomparable beauty.

Federal Highway Program

EXTENSION OF REMARKS

OF

HON. DAVID PRYOR

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 22, 1967

Mr. PRYOR. Mr. Speaker, in recent months the President has proposed a cutback in highway expenditures. At the outset, this appears to be to some people a proper and valid way to reduce spending but further probing into the overall result of such a cutback will demonstrate that our highway program today is much too vital a project to curtail at this time.

I am concerned over the decision of the President to curtail the Federal highway construction program. I am particularly concerned over the effect of this cutback in Arkansas, and would like to direct the attention of my colleagues to the following facts.

Before the White House announcement last year of a $700 million reduction in highway construction funds the highway department of the State of Arkansas had tentatively planned to execute a $50 million program for fiscal year 1967. In view of the proposed cutback it is expected that the reduction may come to $25 million in Arkansas—$12½ million of Federal aid and $12½ million of State matching funds. The highway department has estimated that every dollar spent on highway construction results in stimulating an additional $4 in economic growth. In trying to assess the adverse economic effect of the cutback on the economy of Arkansas the highway department has, therefore, estimated a loss of $100 million.

I would like to submit the general comments of a group of Arkansas citizens who have expressed their views regarding the effect of the cutback. Their views were contained in a letter written by Mr. J. R. Henderson, a planning and research engineer of the State highway department, to Mr. Frank M. Potter, the general manager of the American Automobile Club in Little Rock:

> The buying of heavy road equipment has practically come to a halt. The only trading in heavy equipment is with contractors who already have contracts or who have small jobs, such as sodding. Most of the dirt work on Arkansas River projects has been completed.
>
> Practically all equipment purchases are financed; so the loss of construction contracts means that payments cannot be made

> on equipment contracts. In many cases, this will force small contractors out of business.
>
> The cutback in Federal funds has caused a layoff of a great many equipment operators. Some of the operators have been carried on the payrolls during the winter months in anticipation of new construction work after the first of the year. Because of the uncertainty as to when this work will start, the contractors can no longer carry them on the payrolls. In order to meet their obligations, a great many experienced operators will have to go to other fields of employment.

Thus the situation caused by the reduction in highway funds is very grave in our State. The progress of our interstate highway program has been one of the most outstanding achievements of the past few years, and it would seem to me that such a program should be considered a top priority one. I fail to understand, therefore, why the President, in his move to reduce Federal spending, has decided to delay the completion of one of the most vital of our domestic programs. I sincerely hope that these funds can be restored so that the interstate highway network can be completed on schedule.

Ohio Honors Miss Mary L. Sweyer—100 Years Old

EXTENSION OF REMARKS

OF

HON. CLARENCE E. MILLER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 22, 1967

Mr. MILLER of Ohio. Mr. Speaker, on this coming Friday, February 24, the city of Lancaster, Ohio, will pause to honor the 100th birthday of one of its most famous and gifted citizens; Miss Mary L. Sweyer.

When a city celebrates its centennial, parades and gala parties are the order of the day. But for Mary Sweyer, this Friday will bring a different ceremony—a quiet gathering of appreciative friends. And it should be this way. For a life devoted to painting, music, and civic interests has left an indelible mark on this great person.

Mary Sweyer was born on February 24, 1867, the youngest of six children of Sam and Anna Catherine Lowrie Sweyer. She was educated in Hocking County schools. An aptitude for music was first discovered and during her teens, Mary was a church organist. But the brush and palette proved to be her real love.

Lancaster's great cartoonist, Richard Outcault—whose "Buster Brown," "The Yellow Kid," and "Hogan's Alley" color cartoons were daily features in the New York and other metropolitan newspapers—realized the potential of this gifted woman and accepted her as his student. When Outcault moved to New York, Miss Sweyer moved to Columbus, Ohio, where she became a student of Jack Hussey, who incidentally is still living in Columbus and is 103 years old.

As the years passed, Mary Sweyer's reputation as an artist grew. She is now affectionately known as "the Grandma Moses of Lancaster." Her paintings have been displayed in galleries across the country.

Mary Sweyer's life has spanned the years that have seen Ohio grow into a great State. The years have forged a person of immense talent and wisdom. Her life has been one of giving—constantly giving of herself that life for others might be richer.

The principles that have guided Mary Sweyer are principles we can well afford to emulate. Indeed, she is a great American.

Thank you.

Lithuanian Independence Day

EXTENSION OF REMARKS

OF

HON. LUCIEN N. NEDZI

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 22, 1967

Mr. NEDZI. Mr. Speaker, February 16 marked the 49th anniversary of Lithuania's rebirth of independence.

Men and women of Lithuanian blood must wince when they observe new nation after new nation being admitted to the United Nations every year while Lithuania, with a background of hundreds of years of culture and history, suffers almost unnoticed under the Russian boot.

If a twinge of bitterness is felt by them, it is understandable when we look at the double standard of morality here and abroad, a double standard which sees thousands demonstrate against the alleged wrongdoing of the democratic United States while ignoring the proven wrongdoing of totalitarian communism.

Lithuania is not a make-believe nation. It has a long and distinguished history, dating back to A.D. 1009. It was the first nation in Eastern Europe to embrace Christianity.

Admittedly, Russian use of the techniques of deportation, execution, and colonization diminish chances of Lithuanian survival as a nation and as a people. But Lithuania has emerged from seemingly hopeless situations in the past. During the 120-year Russian occupation of 1795–1915, there were five insurrections. And when the chaos of World War I allowed Lithuania to break its chains, its people formed a free and independent government. This government lasted 22 years until once again Russia, in violation of treaty, invaded and suppressed the nation.

To people who care, the plight of Lithuania is a stark reminder of Russian expansionism and oppression. Among people who care, there is a strong conviction that the people of Lithuania, like the other captive peoples, remain nationalistic.

By our observance of Lithuanian Independence Day, we give notice to the world of our awareness that there are millions of people living in Eastern Europe who were subjugated by the Soviet Union.

No matter how much men of good will would like a permanent thaw in international relations, the history of the Soviet takeover of Lithuania and its neighbors must continue to put us on our guard. Let us continue to pursue world peace, but let us do it without illusions.

Reimbursed Moving Expenses

EXTENSION OF REMARKS

OF

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 22, 1967

Mr. McCARTHY. Mr. Speaker, when a taxpayer's job requires a move from one place to another—the expenses incurred are often very high. And even though an employer will frequently provide part of the money needed—the employee must pay taxes on these costs.

Because I feel the Government has no justifiable claim on these moving costs, I imbursed moving expenses from taxable am today introducing a bill to exclude reincome. The bill—originally introduced by Representative JAMES A. BURKE—would constitute an amendment to the Internal Revenue Code. Under it, money received from an employer for moving purposes would be excluded from consideration under the code as gross income of a taxpayer.

The bill would not be effective unless first, the taxpayer's new place of work is at least 20 miles farther from his former residence than was his former place of work; and, second, the taxpayer has been employed by the party paying the expenses for at least 1 year.

I am proposing the bill because I feel it is impossible to consider reimbursed moving expenses "income." The measure has been approved by business, labor, and tax authorities—and although it would call for a loss in governmental revenue, the Government has no right to the money in the first place.

Included under expenses in the new bill would be: Actual moving of household and personal goods; temporary storage of these; cost of traveling to the new residence; meals and lodging necessary for the employee and his family, and temporary lodging up to 30 days—60 if the taxpayer is coming from a U.S. possession or another continent.

These extra costs rightfully belong under the term "moving expenses" as they are a part of what it takes to move. It is the only realistic way to see that the taxpayer's moving problems are eased.

When I introduced this same bill last year in the House of Representatives, I pointed out that when an employee works hard and gets a promotion and a transfer—he usually suffers financially.

I think this is unfair and tends to penalize hard work, initiative, and ambition. I would like to see that this legislation is passed—to ease the financial burden of the hundreds of thousands of "organization men," salesmen, engineers, accountants, and others whose employers transfer them from one plant or office to the next.

Air and Water Pollution Legislation

EXTENSION OF REMARKS
OF
HON. EDWARD J. GURNEY
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 22, 1967

Mr. GURNEY. Mr. Speaker, the shocking pollution of our waters and of the air we breathe is the subject of increasing national attention. Laws are already on the books to compel action to abate pollution of air and water, but what is desperately needed is a means of assisting and encouraging industry in the construction of these expensive and nonproductive facilities.

I am today joining my colleagues in a bipartisan effort by introducing legislation to apply a 20-percent incentive tax credit for the taxpayer who undertakes a construction program for air and water pollution treatment facilities. The credit would be applied to all costs of the facility—buildings, improvements, equipment, land, and machinery.

The taxpayer could amortize these expenditures during the tax year or over the next 4 years after the year of the actual expenditure.

So that the efforts of private industry will be consistent with State efforts and more effective in cooperation with other programs, the facilities claimed for tax credit must be approved by the State pollution control authority.

We have, as a nation, come to the point where action must be taken at once to preserve our air and water.

Within 20 years the U.S. water use will be doubled, but the available water will increase only slightly. Water, as a resource, is vanishing. The Public Health Service reminds us that "polluted water is nearly as bad as no water at all—sometimes it is worse."

We have reached a near-crisis stage because of such varied factors as the growth of urban areas, the use of pesticides and detergents, and the increased disposal of untreated industrial wastes.

The Public Health Service further tells us that the amount of organic industrial waste now going into our streams and lakes is about double the amount of municipal waste. This is not to say that America's industry has been lax in tackling this problem or in facing up to their public responsibilities. Firms in the soap and detergent industry transformed the chemistry of detergents so that sewage could be more easily broken down.

This is but one example of the type of approach we ought to be striving for. Instead of passing laws full of controls and regulations we should be seeking a way to assist industry in their efforts toward clean water and air. The burden on industry is a heavy one. Facilities are costly and the investment is a nonproductive one. Such apparatus requires high and nonproductive operating costs, primarily in the public interest.

Even greater problems exist in combating the pollution of the air. Air pollution strikes us even closer to home, since everyone must breathe. In recent years outbreaks of illness and death both here in America and in other countries attributable to unclean air has aroused public concern. Over 7,300 areas, housing 60 percent of the population, are confronted with air pollution problems. As our population and economy expand, an abundance of clean air becomes essential.

Unlike water, air once polluted cannot be treated and made safe. Consequently, efforts at keeping our air clean must begin by curtailing the discharge of pollutants. This makes the need for a program of assistance to industry, such as the plan I am proposing, even more urgent.

In the interests of time and efficiency, I believe that the tax credit approach is more effective than a system of Federal grants. It would enable industry, which has already demonstrated its willingness and eagerness to tackle the problem, to begin work at once. Costly delay and administrative redtape, implicit in any Federal grant program, would be eliminated.

I am hopeful that the growing support for this legislation will continue and that the Congress will take immediate action to solve these pressing problems by enactment of a tax incentive program.

George Washington

EXTENSION OF REMARKS
OF
HON. HERVEY G. MACHEN
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Wednesday, February 22, 1967

Mr. MACHEN. Mr. Speaker, today, more than ever before, we are pondering serious questions about what our country has done with and to the environmental heritage from George Washington's day.

On this, his birthday, we must face the facts that we as a nation and as individuals have destroyed many of nature's gifts. The beautiful open spaces and bountiful scenic vistas which characterized our land in George Washington's day in large part have been desecrated. Those small communities of revolutionary war days have exploded into monolithic cities exuding air and water pollutants, burying open spaces with the developers' bulldozers, and paving the fields with superhighways and freeways. Today, as we joyfully pay honor on the birthday of the Father of our Country, we mourn the damage we have inflicted upon our environment since his day.

Many tributes, traditions, and memorials attest the esteem in which we hold the Father of our Country. But, Mr. Speaker, I can think of no more fitting memorial or tribute to George Washington than the Mount Vernon estate complemented by preservation of the view from Mount Vernon across the Potomac River at Piscataway Park. This project is a living memorial and one which exemplifies the natural scenic virtues of our land which we hold so high. To maintain Mount Vernon and its view across the Potomac River in the same natural state as when George Washington was our President is a demonstration to the people of the Washington metropolitan region and the country that we are mounting an offensive against further desecration of our Potomac River, its shoreline and other naturally scenic areas which we must perserve.

We want people to know that we are going to hold the line against the vicious spread of unplanned and uncontrolled development into areas of priceless naturally esthetic beauty. The destroyer of green and open spaces must be put on notice that their heydays are coming to an end. They should be warned that if the local government is not capable of meeting the responsibilities for planned and sane growth, then the State governments will. And, if the States are incapable, then it is the duty of the National Government to provide the money and the tools and enlist the help of private landowners and concerned citizens to save our countrysides from the insanity of desecration and unplanned growth.

This is what we are trying to accomplish right now at Piscataway Park. This park, across the Potomac River from Mount Vernon, has largely been the success it is so far because of a dedicated coterie of private landowners, some of whom become very militant when frustrated by the slow-turning wheels of government. These conservation-minded citizens have worked hard to secure donations from nonprofit foundations of large parcels of land at Piscataway. They began a pilot program in land preservation, a partnership of the private landowner doing his share through donation of land and scenic easements and the National Government, doing its share, hopefully, through purchase of the essential acreage of the park. But so far the National Government has not been the best participant in this partnership, and it is this, too, that we should speak to today.

Mr. Speaker, efforts to preserve the view from Mount Vernon began more than 7 years ago and have resulted in two acts of Congress. Still, those founding fathers of the preservation partnership of landowner and Government are not able to decrease their efforts because the governmental partner has not yet completed its share of the bargain. What remains to be done at Piscataway Park is the appropriation and purchase by the National Park Service of several hundred acres at Piscataway Park. Once this is accomplished, and for the sake of making this park a reality it must be soon. Once this is done we shall be able to sit back and take a close look at how effective this pilot program has worked. I still have faith in it as a new method of insuring that much of our naturally scenic areas will be saved from the bulldozer without the gigantic expenditures that otherwise would be required, but this preservation partnership is a two-way street necessitating cooperation by both partners.

In closing, Mr. Speaker, I strongly urge the Congress to act firmly and expeditiously to provide the tools for the National Government to meet its obligations at Piscataway Park before it is too late. We are already almost 200 years late.

Mount Vernon

EXTENSION OF REMARKS

OF

HON. JOHN P. SAYLOR

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 22, 1967

Mr. SAYLOR. Mr. Speaker, there are a few, if any, places within the area of the United States where George Washington's birthday is not honored and his memory revered. It appears fitting to comment on the progress that has been made in preserving the beautiful area across the Potomac River from George Washington's home of Mount Vernon. It has been a great experience for me to cooperate with so many patriotic Americans in this nonpartisan effort to preserve a part of the environs of Mount Vernon. Perhaps no other place in the country is so fixed in the hearts of the American people and this is manifested each year with the well over 1 million visitors who renew their acquaintance with history as they explore and reexplore this grand evidence of our heritage.

In 1954 over 500 acres on the Maryland shore of the Potomac were offered for sale. Within less than a year attempts were made to purchase much of this area for an oil tank farm. Patriotic individuals and foundations prevented this development by purchasing lands that would have been used for activities hardly consistent with the environs of this national shrine. Throughout the 1950's the Mount Vernon Ladies Association, residents of Prince Georges County, especially those living in this particular area, sought to achieve the preservation of this unique place. They attempted to use all the devices open to the citizens of a local community to achieve this protection. Because regional authorities and others did not view the necessity for this preservation in the same manner as did they and since these authorities did have the power of condemnation, preservation of the area could not be achieved at the local level.

It was in 1961, after having fought many a battle to keep the area in its undisturbed state, that these people presented their case to Congress. It was my great privilege to join the gentleman from Colorado, Chairman WAYNE ASPINALL, and the senior Senator from New Mexico, Senator CLINTON ANDERSON, in introducing the bill authorizing the Piscataway National Park, which was signed into law by President Kennedy on October 4, 1961.

This measure was unique at the time of its enactment and stands today as a landmark representing the cooperation of local citizens, private foundations, local government, State government, and the Federal Government. The legislation provided that the park would consist of 1,114 acres of which 500 acres were to be donated to the Federal Government. In addition, over half of those living in the area have donated, at no cost to the Government, scenic easements. This not only represented a considerable saving to the Government but it allowed the Government to acquire an asset that might not have been possible without this important contribution. Seldom has there been such public spirited cooperation in behalf of a national shrine.

The State of Maryland and Prince Georges County within that State is to be congratulated for providing incentives for its citizens to contribute land and easements in order to establish the Piscataway Park. The State of Maryland pioneered tax reform legislation to encourage the donation of these easements. Further, the county commissioners of Prince Georges County implemented this State action by passing a new tax ordinance, which was without precedence, to enhance the donation of easements to the Federal Government. The efforts of Congressman MACHEN in increasing the authorization and prodding the administration to get on with the business at hand has been of signal importance.

Despite these efforts, as has been the case in so many instances, the problem of escalating land values required an increase in the authorization of funds to be appropriated. The increased authorization was passed by the House and Senate without a dissenting vote and was signed into Public Law 89–513 by President Johnson on July 19, 1966. President Johnson has recommended this year that $2.7 million be appropriated for fiscal year 1968 and that $1 million be reprogramed immediately in order to initiate action toward the final completion of the obligation of the Federal Government. The reprograming is vital to this completion of acquisition because of the time element we are facing. I shall not detail the many errors of omission on the part of the Department, nor the failure to act with dispatch on the part of the Congress, for hopefully, such failures are behind us. There is but a final step in the realization of what has become a goal of the American people. The final step is the actual appropriation of funds now twice authorized by the Congress, which would permit the Department of the Interior to conclude its acquisitions.

The donations of land and easements to the Government have a 5-year period within which the Secretary of the Interior must certify that he has acquired substantially all of the land for a national park. If he is unable to effect this certification then the easements and lands revert to their former owners. As a consequence, the task would then have to be begun anew and all of these gifts solicited again. Mr. Speaker, the deadline for the Department of the Interior to act in behalf of the Government of the United States is August 7, 1967. If for any reason this becomes impossible, the Federal Government will lose land and rights to land valued by the Department at $11 million. Perhaps an even greater loss will be the loss of confidence in the Federal Government by those who have struggled for so long, those who have given of their time and efforts, those who have given lands, those who have given rights to lands, and those who believe the oft spoken words that private and local initiative should serve as a necessary catalyst to Federal action.

If, at this late date, we are unable to place a capstone on the efforts of so many that have persisted so patiently so long, then our attitude toward the entire concept of natural beauty and historic preservation must be redefined. For, if we cannot as a people, through our duly constituted institutions, save Mount Vernon—pray tell, what can we save?

Arizona's Need for Water

EXTENSION OF REMARKS

OF

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 22, 1967

Mr. RHODES of Arizona. Mr. Speaker, since the beginning of the 90th Congress, I have received a number of inquiries from interested persons throughout the country seeking information about Arizona's need for water and the various proposals to furnish relief. The following letter, I feel, answers most of the questions about which people seem the most concerned:

FEBRUARY 21, 1967.

Mr. JOHN W. SLOCUM,
University Station,
Baton Rouge, La.

DEAR JOHN: I welcome the opportunity to explain what the Central Arizona Project controversy is all about and hope that you will discuss the facts with your friends.

Many persons have become alarmed during recent years that Congress might pass legislation which would flood the Grand Canyon. Their fears stem largely from extensive, nationwide publicity disseminated by the Sierra Club.

Through its publicity, the club has warned that the Grand Canyon would be "flooded, ruined, destroyed, inundated" if the Central Arizona Project were enacted by Congress.

Nothing, John, is further from the truth. I love Arizona not only as my chosen home but also as the most beautiful land in the world. Foremost among its wonders is the Grand Canyon where I often have stood lost in the marvels of a creation that no man could hope to duplicate, a creation no man should ever be permitted to desecrate.

How could I or any other Arizonan or any other Congressman say that he serves the people if he permits our most magnificent natural wonder to be marred by human hand? The attacks on the project, then, not only are baseless in fact but they are insults to the integrity of some of the nation's finest and most prominent legislators.

Last year, after hearing all witnesses, the Committee on Interior and Insular Affairs of the U.S. House of Representatives had this to say about the club's "scare" publicity campaign:

"The American people have been given false impressions as to the effect of the proposed constructions. Articles such as 'Ruin for the Grand Canyon' in the READER'S DIGEST and advertisements in leading newspapers have painted a picture of devastation and ruin wholly unsupported by the facts."

Arizona and most of the Southwest are in desperate need of water. But we do not seek our water in exchange for the beauties of the Grand Canyon. Through the Central Arizona Project, we have found ways to guarantee an adequate water supply while assuring continued, unmarred existence of the Grand Canyon.

Central Arizona presently uses about 4.5 million acre-feet of water per year. Rivers and surface sources provide 1 million acre-feet and underground pumping provides the remaining 3.5 million acre-feet. After use, about 1.3 million acre-feet return to underground lakes which leaves the area with an annual deficit of roughly 2.2 million acre-feet.

As a result of this deficit caused by the mining of water, our water table is dropping disastrously low.

Last year, the U.S. Commissioner of Reclamation pointed out, "There are lands going out of production. There will be many thousands of acres of additional lands going out of production even during the 10 years that would be required were this project authorized now and construction started immediately."

In the town of Eloy, for example, it was necessary to drill a well 159 feet deep for water in 1958. Just six years later in 1964, the water level dropped to 214 feet.

As the water level drops, the land itself subsides. In 12 years the land around Eloy settled 4.3 feet, causing deep crevices in the ground around the sinking land. It is much the same as a piece of pumpkin pie that has lost its moisture causing the filling to pull away from the crust.

None of the water which we seek would be used to develop new agricultural lands. Instead, it would be used primarily to make up for the loss of our underground water resources. It would assure water for municipal and industrial use for the city of Tucson, wholly dependent today on sub-surface supply.

Nor do Arizonans have any wish to take water from other water-hungry states in the Colorado River Basin. Our problems and needs are basically the same. In 1963 the U.S. Supreme Court ruled that 7.5 million acre-feet of water per year be allocated to lower basin states in the following manner: 4.4 million for California, 2.8 million for Arizona and 300,000 for Nevada. The Central Arizona Project takes advantage of this allocation by bringing 1.2 million of these acre-feet into the central portion of our state.

The legislation which members of the Arizona congressional delegation introduced this year calls for construction of aqueducts to convey water from the Colorado River at Parker Dam and across central Arizona just as water today is carried to Southern California.

Our proposal includes construction of only one hydroelectric dam on the Colorado River at Bridge Canyon on the Hualapai Indian Reservation. This dam would provide the power to pump the water into central Arizona and additionally raise revenue from power sales to reimburse the Federal Government for expenditures advanced for the Project. The Hualapai (or Bridge Canyon) Dam is important as a way to finance the entire Project. However, as a multi-purpose unit, it would also create a scenic recreation area unparalleled elsewhere in the country, and benefit the Hualapai Indian tribe.

When the dam is constructed and the reservoir filled to capacity, the normal level of the river at the most extreme northwest boundary of the Park will rise only 90 feet within the inner canyon walls—more than 3,800 feet below the canyon rim. The depth, of course, would diminish progressively upstream for a stretch of 13 otherwise inaccessible miles of riverbed—at which point the increase would dwindle to zero.

More than 91 miles of the Colorado River within the Park would remain undisturbed. At no point would the water enter the Park itself.

As stated in the respected National Wildlife Magazine in February, 1967, "charges and counter-charges have been hurled with some distorted literature leading people to believe the Grand Canyon would be flooded to the extent that water would lap over the rim! In truth, the 90-foot rise in water level along the 13-mile boundary line would be scarcely perceptible to the tourist standing on the rim. The river is not even evident to the viewer from many of the most-frequented outlooks."

Last year, after lengthy hearings the Interior Committee concluded: "The dam will do no violence to the scenic beauty of the Grand Canyon National Park nor to adjacent portions of the Colorado River" . . . and that "the power and energy which will be produced is marketable on a long-term basis at competitive rates and will help to satisfy the needs of the Pacific Southwest region for 'peaking' power."

Other bills have been introduced to help provide water and power for the Southwest including an exceptionally-workable and worthwhile proposal by the Interior Committee Chairman, Honorable Wayne N. Aspinall of Colorado. And, I might ask, how could anyone question this distinguished gentleman's intentions, integrity and genuine desire to serve the people?

Secretary of Interior Stewart Udall also is interested in the Central Arizona Project and has made a proposal which would permit our needs to be satisfied, in part, by approving the aqueducts and with pumping power to the obtained from a thermal plant. Under this plan Hualapai Dam would be deferred. This, too, is receiving serious study by all concerned.

No one has disputed that Arizona and the entire Southwest is in desperate need of water. And, although our motives have been challenged by one radical conservationist organization, thoughtful conservationists throughout the nation will assist us this year in reaching a workable and satisfactory solution. We welcome their advice and respect their views.

As a result of this desire to work together, understanding each other's problems, I am optimistic that legislation can be enacted this year.

I hope this answers your questions. It is only through a candid exchange of information that we can preserve our beautiful heritage and resolve the problems which face the people of the Southwest.

Yours sincerely,

JOHN J. RHODES,
Member of Congress.